



**AGENDA**  
**Planning & Zoning Commission**  
**Tuesday, March 19, 2019**  
**6:30pm**

**Public Meeting Room / Eagle Town Hall**  
**200 Broadway**  
**Eagle, CO**

*This agenda and the meetings can be viewed at [www.townofeagle.org](http://www.townofeagle.org).*

**PUBLIC WIFI - TOEE – ((TOEEWireless))**

**6:00 PM – WORK SESSION**

**6:30 PM – REGULAR MEETING CALLED TO ORDER**

**APPROVAL OF MINUTES:** Approval of the minutes from the March 5, 2019 meeting of the Planning and Zoning commission.

**CORRECTION OF MINUTES:** Correction of the minutes from the February 5, 2019 meeting of the Planning and Zoning commission.

**PUBLIC COMMENT**

*Citizens are invited to comment on any item not on the Agenda subject to a public hearing. Please limit your comments to five (5) minutes per person.*

**PRESENTATION:** Update on Elevate Eagle.

**PUBLIC HEARINGS**

1.	Project:	Haymeadow Subdivision Filing 1
	File #:	S18-01
	Applicant:	Rick Pylman of Pylman & Associates and Brandon Cohen of Abrika Properties.
	Location:	660-acre property located east and south of the Eagle Pool and Ice Rink Parcel.
	Staff Contact:	Morgan Landers, Town Planner
	Request:	Request to formally plat the entire boundary of the Haymeadow property and will address the requirements of the approved Haymeadow Annexation and Development Agreement that are triggered at Final Plat approval.

<p><b><u>TOWN BOARD OF TRUSTEES MEETING REVIEW</u></b> <i>Staff update to the Planning &amp; Zoning Commission on recent decisions made by the Board of Trustees on various Land Use files</i></p>
<p><b><u>COMMUNITY DEVELOPMENT DEPARTMENT UPDATE</u></b> <i>Staff update to the Planning &amp; Zoning Commission on recent work and upcoming files</i></p>
<p><b><u>OPEN DISCUSSION</u></b></p>
<p><b><u>ADJOURN</u></b></p>
<p>I hereby certify that the above Notice of Meeting was posted by me in the designated location at least 24 hours prior to said meeting.</p>

  
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Jessica Lake  
Planning Technician



**Planning and Zoning Commission  
Meeting Minutes  
March 5th, 2019**

**PRESENT**

Jason Cowles, Chair  
Stephen Richards  
Jesse Gregg  
Matthew Hood  
Kyle Hoiland  
Brent McFall

**STAFF**

Morgan Landers- Town Planner  
Colton Berck- Planner I  
Dawn Koenig- Admin Technician

**ABSENT**

Charlie Perkins  
Bill Nutkins

This meeting was recorded. The following is a condensed version of the proceedings written by Dawn Koenig.

**CALL TO ORDER**

The regular meeting of the Planning and Zoning Commission held in the Eagle Town Hall was called to order by Jason Cowles at 6:31p.m.

**APPROVAL OF MINUTES**

Commissioner Hood made a motion to approve the minutes of the February 19th, 2019 meeting. Commissioner McFall seconded. All others present voted in favor. The motion passed.

**PUBLIC COMMENT**

Annie Eagan of 215 Howard Street said she has been talking to members of the community about her concerns with exponential increase in traffic that would result from all of the development projects that have been recently approved or are in the approval process. She said that people are very concerned that too much development is going to be approved and that traffic is going to greatly impact quality of life for those who live in Eagle. She said that she has been told that there has been a new traffic study that is currently being reviewed by the town. Eagan requested that the Planning Commission and Town Board refrain from approving anymore new development projects until town engineering staff has a chance to review the traffic study so that new approved developments can be done with knowledge of traffic impacts.

She indicated that there are about 2,100 units in Eagle alone that are in the development review stage or in the process of being built and several more in Gypsum which will impact Hwy 6. She said that all of this new development will put strains on the existing roads and roundabouts. She said that the people she has been talking to are freaked out and concerned about the resulting impacts of all the new development.

## **LAND USE FILES**

### ***S18-01 Haymeadow Subdivision Filing 1(Request for continuance until March 19<sup>th</sup>)***

Cowles opened file S18-01 a request to formally plat the entire boundary of the Haymeadow property and will address the requirements of the approved Haymeadow Annexation and Development Agreement that are triggered at Final Plat approval. He noted that staff has requested a continuance of this file and asked Landers to update the Commission on the request. Landers said that when the initial public notice for the hearing this evening was sent a staff did not realize mineral rights notifications have a longer notification requirement than standard land use notifications. She said the regular notification requirement is 15 days and the mineral rights notification requirement is 30 days. She said the request to continue the hearing is a result of this longer public notification time frame. She said at the hearing on March 19<sup>th</sup>, the applicants will be present, a staff report, and other supplemental materials will be presented as well.

Cowles noted that there were several members of the public present at the hearing whom he presumed were there to offer public comment on this file.

Landers offered to give a quick overview of the files that are going to be heard by both the TBOT and the Planning Commission in the coming weeks related to the Haymeadow project. She also offered to provide her contact information and additional information on the files after the hearing. Landers also said that she is happy to meet with people one-on-one as well if requested.

Landers said that there are two items related to Haymeadow being brought before the Town. There is a file related to their annexation agreement being heard by the TBOT on the 12<sup>th</sup>; a request for an extension of the construction start date, she said. Landers said that the Planning Commission will hear the subdivision file on March 19<sup>th</sup> and the TBOT will hear it on April 9<sup>th</sup>.

## **DELIBERATION**

Hoiland made a motion to continue file S18-01 to the hearing on March 19th. McFall seconded. All voted in favor.

### ***S18-02 Red Mountain Ranch Subdivision Sketch Plan***

Cowles opened file S18-02 a request for a Subdivision Sketch Plan for re-subdivision of the property into seven parcels.

## **STAFF REPORT AND PERSENTATIONS**

Landers presented an overview of the file including the applicant, location, zoning, and current use. She presented a summary of the project and presented slides on each of the parcels and the respective boundaries.

Landers presented the standards for approval for a subdivision sketch plan. She stated that in general, the plan needs to be in conformance with the Towns goals policies and plans.

Landers said that the Eagle Area Community Plan (EACP), Eagle River Corridor Plan (ERCP), and the Town of Eagle Strategic Plan were taken into consideration to assess whether the proposed Subdivision

Sketch Plan conforms to the town's goals policies and procedures. She noted areas of compliance and areas of potential conflict the plan may have with each of the guiding documents. She said that the project is in compliance with the EACP in that it is adjacent to existing development and will be more integrated with the redevelopment of the East Eagle Property where Eagle River Station was proposed. She said that there are considerable benefits through the dedication and preservation of public lands and recreational opportunities. Landers also noted that the proposed plan provides for unique uses that support economic diversity such as youth education, farm market/restaurant, and camping. Landers said that the proposal conflicts with the EACP in that the project has two planning areas outside the town's growth boundary. She also noted that access to the river will need to be actively managed to prevent degradation of the riparian area.

Landers said that the project is compliant with the ERCP in that it is designed for a mix of uses that prioritize conservation with a balance of housing options and small economic development opportunities. She said that the proposed density and decrease in intensity as the project moves to the east is in conformance with the ERCP. Landers noted that the plan promotes thoughtful integration of recreation such as a comprehensive trail network (soft and hard surface), a boat launch area, and camping area designations.

Landers said that the project is in compliance with the Town of Eagle Strategic Plan as it provides unique commercial opportunities, supports affordable housing by complying with the Local Employee Residence Program (LERP), and will support outdoor activities, recreation and open space.

Landers presented a re-cap of conditions of approval for the PUD that the commission approved at their last meeting.

She stated that staff recommends approval of file S18-02 with the following condition:

1. If file PUD18-01 Red Mountain Ranch PUD is not approved, the sketch plan will become void.

#### **Q & A**

Hood asked if the TBOT approves the PUD with different conditions, will the sketch plan need to be approved again. Landers said no, the sketch plan just needs to be in conformance with the PUD requirements.

McFall asked if the conditions of approval for the PUD would need to be repeated with the approval of the sketch plan. Landers said that it is not necessary.

Cowles asked what the next steps will be. Landers said that the next step would be the subdivision and final plat for the seven planning areas followed by development permits for Planning Areas One and Two.

#### **PUBLIC COMMENT**

Annie Egan asked for clarification on the next steps. Landers said that the Planning Commission made a recommendation of approval for the PUD at their last meeting. She said the TBOT will hear the file at the meeting on March 26<sup>th</sup>.

#### **DELIBERATION**

Hood made a motion to approve file S18-02 with the following staff recommended condition:

1. If file PUD18-01 Red Mountain Ranch PUD is not approved, the sketch plan will become void.

Richards seconded. All voted in favor.

**TOWN BOARD OF TRUSTEE UPDATE**

Landers said that file PUD18-02 for the Reserve at Hockett Gulch will be heard by the TBOT on Tuesday, March 12<sup>th</sup>. She reported that the results of the Home Rule survey were presented at their last meeting. Landers said that Eric Johnson was sworn in as the new Municipal Court Judge.

**OPEN DISCUSSION**

Gregg said he saw RFP for pool and ice rink expansion. He asked Landers to provide details. She said that the Town is partnering with Mountain Recreation to do a master plan for the pool and ice rink facility including the Haymeadow dedication area. Landers said that Assistant Town Manager Bill Shrum is heading up this project for the town and that he could provide further details.

Hood asked for details about the traffic study that was mentioned by Anne Eagan. Landers said that the town collected a series of traffic counts at about seven or eight locations throughout town. She said the Town Engineering Staff is currently reviewing a report from a 3<sup>rd</sup> party traffic engineering firm they are working with. Landers said that the results of this traffic study will help inform the Comp Plan.

**ADJOURN**

Commissioner McFall made a motion to adjourn and Commissioner Gregg seconded. All voted in favor. The meeting adjourned at 7:05PM.

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Date Jason Cowles – Planning and Zoning Commission Chair

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Date Dawn Koenig- Admin Technician



**Planning and Zoning Commission**  
**AMENDED Meeting Minutes**  
**February 5, 2019**

**PRESENT**

Jason Cowles, Chair  
Stephen Richards  
Jesse Gregg  
Charlie Perkins  
Matthew Hood  
Brent McFall  
Bill Nutkins

**STAFF**

Morgan Landers- Town Planner  
Colton Berck- Planner I  
Jessica Lake – Planning Technician

**ABSENT**

Kyle Hoiland

This meeting was recorded. The following is a condensed version of the proceedings written by Jessica Lake.

**CALL TO ORDER**

The regular meeting of the Planning and Zoning Commission held in the Eagle Town Hall on was called to order by Jason Cowles at 6:30p.m.

**APPROVAL OF MINUTES**

Bill Nutkins made a motion to approve the minutes of the January 15, 2019 meeting. Matt Hood seconded. Brent McFall abstained as he was not present at the meeting. All others present voted in favor. The motion passed.

**PUBLIC COMMENT**

None.

**LAND USE FILES**

***PUD18-02 Reserve at Hockett Gulch***

1. Commissioner Cowles opened file PUD18-02, a request for a Planned Unit Development (PUD) Zoning Map Application – max of 500 dwelling units of various types and/or 30,000sf of commercial on 30 acres. And a Site Specific Development Plan (vesting of property rights).

## **STAFF REPORT AND PRESENTATIONS**

Landers entered files into the public record that staff received after publication of the packet. The first file was the RHG Parking Variations Memo dated August 10, 2018, which did not make it into the packet. The remaining files entered into the public record are letters of public comment received after the publication of the packet, including: Jeff Kennedy of Moe's BBQ, Bruce Noring a local resident and Stan Kensinger of the Business Advocacy Council with the Chamber. Landers introduced the contract planning firm representative Stephanie Stevens of McCool Development; Fred Tobias, the Town Engineer; Brandy Reitter, the Town Manager; and Bill Shrum, Assistant to the Town Manager. Landers introduced Dominic Mauriello of Mauriello Planning Group, the applicant.

Mauriello gave an overview of the site and the proposal. Introduced Dan Metzger with Brau Baukal the owner of the property. Lauren Brockman of Convergence Multifamily Real Estate Group is the developer who is under contract to purchase a portion of the property. Mauriello presented the project focusing on the community support for the project; the vision for the property; an overview of the PUD; the benefits of the property's location and the opportunity for work force housing; traffic and parking; and park land dedication requirements versus applicant proposal. Mauriello noted that the PUD supports the overall community goals. Believes that the PUD would bring density to the right place with limited impacts, provide development of non-environmentally sensitive land; the property would be connected to the fabric of the community; the PUD would foster economic growth; and it would implement workforce housing goals. The proposed PUD would allow for up to 500 dwelling units; 400 would be one and two-bedroom rental apartments; 100 units would be a variety of townhomes, apartments and single-family homes; 30% of the proposed rental units and 15% of the for sale units will be deed restricted. The proposed PUD also allows for a limited amount of commercial space, including: 30,000sq.ft. in total to be developed along Highway 6 and/or Sylvan Lake Road, the current vision is for this to be small local retail or commercial space that would serve the neighborhood.

Kari McDowell Schroeder with McDowell Engineering presented the Traffic Report. Analysis is based on worst case scenario, or highest traffic volume. The site is likely to generate over 5,000 vehicle trips per day. Delays are likely to occur at the North access on Hwy 6 as Hockett Gulch, Haymeadow and Eagle Ranch are built out. It will become more and more difficult to make left turns onto Hwy 6. Hwy 6 Corridor Study will be performed this year. Residents will most likely travel East to Sylvan Lake Roundabout to go West towards Gypsum. Eventually it will also be difficult to turn left on to Sylvan Lake Road as well.

Mauriello followed up McDowell with the onsite parking. Project meets the Town's requirements with the exception for guest parking. Mauriello and McDowell analyzed the typical parking for this type of a complex, proposal is for 1.75 parking spaces for a multiple family unit. This matches Town Code if you don't count the guest parking spaces. Under current code 179 parking spaces would be required. Irrigation and water usage is proposed with raw water to reduce demand on the water treatment facilities. Cowles asked where the diversion point would be. Mauriello responded that it is on Sylvan Lake Road, very close to where the Green Acres Mobile Home Park's diversion point is. Believes that the project will be very efficient and use much less water than what Town Staff believes will be used for a project of this size.

Park land dedication is also likely to be an area of discussion, the requirement dates back to 1986. Roughly 50% of the property would need to be dedicated as park land. Need to consider the impact to Town when dedicating park land. Mauriello believes the project meets the intent of the park land dedication with the 9 acres of open space (4.7 acres of which are useable), easements, trail space, soft path, perimeter path, trailhead parking, crosswalk, recreational uses on the site and a land dedication fee up to \$50,000. Mauriello concludes that the proposal supports the Town goals with limited impacts, limited environmental impact, property is connected to the Town, PUD supports economic growth within the Town. Staff conditions one and three meet with applicant's approval, staff conditions two and four they feel will be negotiated with the Town Board from a policy standpoint.

Landers and Stevens present the project from staff's perspective. Landers commented that staff's presentation would respond to the applicant's presentation with staff's viewpoint. Current use is a vacant lot. Two requests are in front of you this evening for a PUD Zoning Map with a max of 500 dwelling units of various types and/or 30,000sf of commercial on 29.65 acres and for a Site Specific Development Plan, which is a vesting of property rights for a period of 7 years. 8 public comment letters were received prior and included in the packet and 3 letters were received after the publication of the packet and entered into the record at the start of the Hearing. Commissioners have done individual site visits. Site visits were conducted by Commissioners Hood, Nutkins, McFall and Gregg. The Town Board did review the Annexation and have allowed it to move forward to this point.

Landers reviewed the aerial photos and site visit photos and presented the project summary. The Standards for Approval for a Planned Unit Development were presented as well as the overall intent, which is "to encourage innovative and unique, mixed-use developments that promote efficiency and support a balance of preservation, open space, and cohesive development that provides a public benefit to the community." The guiding documents that staff reviewed are the Eagle Area Community Plan and the Town of Eagle Strategic Plan.

The Town's goals policies and plans include the Community Plan and the Strategic Plan as the guiding documents for Staff to review. Identify areas of guidance and areas of compliance. The project is within the Town's urban growth boundary. It is adjacent to existing development, incorporates open space and communal gathering spaces. It provides housing opportunity to residents that is area not currently occupied by other developments. Areas of conflict include the impact to existing wildlife movement, impact of high density on viewsheds, does not provide a density transition to rural lands on the external boundaries of town, potential impact to water quality, and the potential reduction in fee-based revenue with impacts to servicing and infrastructure improvements.

Landers presented the areas of the Strategic Plan looked at; mainly economic vitality and development and housing affordability and availability. There are multiple access points to this property, this project would allow to establish a western gateway to the Town. Housing affordability and availability for a project that has not been proposed in Eagle before, rental housing is not currently readily available.

Stevens presented Town Code, development standards and review. Stevens brought up the areas that are disputed between town staff and the applicant. Municipal Park Land Dedication variation in size to be able to reduce the amount of acreage up to 10%, staff is ok with this as long as they are maintaining the minimum amount. They would be required to donate 15 acres, 7.5 could be dedicated publicly and 7.5 could be dedicated privately. PUD does allow to waiver that by 50% in consideration of active recreation provided. Of that 15 acres 80% of that needs to be usable land. Staff is recommending for them to allowed to vary from the requirement although we do recommend going with a set per fee amount, minus those areas providing a public benefit.

Stevens presented the general architectural standards they are asking for a variance on the 35 ft height requirement. Commission could allow for this variation according to code. Staff supports the recommendation to vary to a maximum of 3 stories and 45 ft in height.

Stevens presented on parking and access, staff is supportive of the request to limit guest parking. Preference would be to not assign tenant and guest parking. McFall clarified that this does not pertain to the rental garages; Landers and Stevens confirmed.

Stevens presented the Local Employee Residential Requirements; this project goes above and beyond current requirements. Looking at the what we have required in the past, to be consistent we would require 10% of the fee priced at 90%-100% AMI.

Stevens presented the Environmental Impacts. Town received comments back from all referral groups, which were included in the packet. The property is a wildlife corridor although it is not a wildlife habitat. Preliminary analysis has been done; more information will be needed at time of development permit.

Staff recommends approval of PUD18-02 The Reserve at Hockett Gulch PUD Zoning Plan and Site-Specific Development Plan (vesting of property rights), with the following conditions:

1. OS-1 and OS-2 shall only be allowed to be reduced in acreage (at a maximum of 10%) if compliance with open space and municipal park land dedication requirements is maintained;
2. The payment-in-lieu for municipal and park land dedication shall be revised to match Town standards;
3. Guest parking for multi-family uses may only be eliminated if general parking spaces are not assigned specifically for residents, thereby offering guest parking options; and
4. Household income limits shall be lowered to 90-100% of AMI as it applies to for-sale units.

## Q & A

Nutkins asked about Condition #1, if it applied to our Code the way it is. Stevens verified that yes, they would have to meet the minimum PUD open space requirement in the Code.

Gregg asked about the conservation-oriented development piece. Stevens replied that it is most relevant to the Eagle Area Community Plan which calls for smart planning to protect the high movement corridors, but it conflicts with the intent of conservation-oriented development. It's a balance between the conservation-oriented development and high density. Landers replied that this property is a bit of an anomaly because it is much smaller than some of the other projects that have been considered. Staff's perspective is that it is a smart growth, low impact development and compact development which can play well in conservation. Not all the properties share all the same types of characteristics. Gregg responded that clustered development should consider wildlife movement through the area. Nutkins commented that he witnessed an Elk herd moving through the property.

Nutkins asked about the variance in fees between the one-time fee of 8million versus if they paid the full Town fee it would be 12million. Landers responded that the reduction is in the water and sewer plant investment fees and mentioned that the Board will have to make that decision. Cowles asked for the rationale for the reduction. Landers noted that we only have one EQR table so if you do a reduction in one that automatically applies to the other.

Hood asked about the dichotomy between the park land dedication standards. Landers replied that it is very confusing. Municipal and Park Land Dedication is 15 acres which can be half private and half public. Effort to acknowledge that PUDs are difficult, and it might be appropriate to apply a reduction. Hood responded that he doesn't understand the two different numbers within the code. Hood asked if the intent of the PUD is to give more flexibility in that regard. Landers replied yes. In the instance of Haymeadow part went to fire and school areas. It can be used for municipal benefits as well. Hood asked about what changes we might see in the Code Update. Landers replied that code requirements dictate that money would go into an open space fund or you can split 50/50, it can't all go into capital improvements. Hood asked about where this portion of the code might be headed. Landers replied that this section will be revised, and we will look at best practices and take under consideration total units as a whole, not number of persons per unit.

McFall noted that we will have to look at the Open Space that currently exist within the Town and take that into account. This is a much different Town then when those code requirements were written into the code. Cowles asked if the Open Space requirements should stand in the way of the overarching goals of the community.

Cowles noted that much of the public support focuses on the work force housing component of the project, asked how staff came up with the minimum density requirement, which is different from some other projects that have come through the Town. Many projects have been skewed towards single family housing. If this is approved as written and we get what is required on the lower end of the density requirement we may have failed the Town. Stevens replied that staff has asked the applicant completely remove the single family component, what eventually resulted was the minimum density requirement of 6.86 dwelling units per acre. Staff agrees that this is something that the Commission should take under consideration. Hood asked if it was allowed in all three phases. Stevens replied yes. Perkins asked if phase two was for sale or rental. Mauriello replied that it could be any of them, multi-family, townhomes, duplexes and single family.

Perkins asked about the trash and refuse strategy. Mauriello replied that there will be refuse areas throughout the property, they will be concealed and interspersed between garage areas and be wildlife proof.

Perkins asked about electric charging stations. Mauriello replied it would depend on demand.

Cowles noted that we should focus on zoning.

Stevens noted that the concept plan is not being approved tonight or by the Commission. The Zoning Plan is what is up for approval.

Hood asked about the commercial and asked if there is concern about further segregating commercial centers. Landers replied that we don't want uses that pull away from our downtown, but we want to allow for neighborhood commercial amenities. It is a balance when it comes to Hwy 6 corridor. McFall questions whether or not the commercial is viable but is good for leaving it in the plan because it's not required.

Hood asked McDowell about the traffic study. McDowell did not include it they used a national standard. Roughly 1 car every 2 minutes would be the increase. Total trips per day is calculated to be 5,190.

Cowles asked issues that staff had raised about the AMI limits and how they apply to for sale units. suggesting they would go up to 15%. Was it discussed to have a portion go to the 90-100% AMI to have opportunity for lower income. Landers responded that administratively that is difficult. Achieving ranges might be achievable, the discussion could be had if that is something the Commission would like for staff to do.

Gregg asked about the irrigation. PUD says that irrigation is not a requirement, should it be one? Landers replied that feasibility is a concern at this point in the process. If we asked them to have it at this point it would be difficult to then change it at a later date. Gregg asked if the reduction in tap fees plays into irrigation? Landers said we really won't know until we dive into the details. Gregg asked if they paid up front and then used potable what would happen? Landers replied that there would be an analysis at time of development permit which is also when the fees would be assessed.

Gregg noted that there is a pretty clear difference between phase 1 and 2 and is that considered to be open space? Landers replied that staff prioritized the trail system as a higher amenity then the area along Hockett Gulch because it's a fairly informal depression at this point. Stevens noted that once you add in the soft path perimeter trail it's all a balance of getting impervious cover. Gregg asked about the impervious cover and conservation-oriented development. If we're not going to conserve enough open space, then maybe

impervious coverage should be increased. Richards commented that the break on the parking would allow more green space. Gregg replied it doesn't necessarily have to be green space.

Perkins asked about the access onto Hwy 6 if the access point is clear or if it will be difficult for people to be able to see oncoming traffic. Landers said that would definitely be considered at time of development permit. McDowell noted that they did look at it, per CDOT's access codes the project is in compliance with site distance.

Hood asked about the trailhead parking / Cowles asked how Corky's property is currently accessed. Landers said that property has informal access. To Matt's question does it make sense to allow community trailhead access here. Landers replied that John State (Open Space Manager) noted that in the summer we are short on trail access, this could act as overflow parking for the Eagle Ranch trail system. Interim measures could be put in place to deter people from poaching on the property. Staff originally thought that access to this could come from Sylvan Lake Road, but then it was found that there would be too many curb cuts to have access directly from Sylvan Lake Road. Discussed the public and private improvements. Hood asked if the thought is that it would primarily access that Eagle Ranch bike path? Landers replied yes and that it would provide for overflow and connection to existing trail system. Eventually it could provide access at the point in time that there was access across the adjacent property. Hood asked if other lots were full? Landers replied that yes some weekends the other lots are full. Hood replied that he's concerned that people might just choose to park there instead of using other lots. Landers replied that if the Commission feels that some of the public improvements are an acceptable offset to the Municipal and Parkland Dedication as a whole, then we would go through the more specific design and implementation at the development phase. Hood asked if there is a route to access the BLM directly from the property. Landers responded not at this time.

Cowles asked if there were any more questions and proposed a short break before public comment.

## **PUBLIC COMMENT**

Cowles opened the meeting back up at 8:33pm. Asked the public to limit it to three minutes and try to keep things non-repetitive. The applicant will be able to respond to comments at the end.

Corky Fitzsimmons owns Hockett Gulch, does not want the project to proceed without them buying Hockett Gulch and if they won't, then the Town Open Space should buy Hockett Gulch. He has been trying to sell the property for some time now. Fitzsimmons is frustrated that people are already trespassing on this land. He doesn't want to be paying taxes and fees so that town people can recreate. Asking to have Town help regulate from people trespassing on the land. Town should initiate the sale of the land for \$1.5 million. Doesn't want the project to go forward if his land doesn't sell.

Jake Hesselstine with Green Acres Mobile Home Park raised concerns about the pollution of the water as well as the traffic issues and the wildlife migrations would certainly be affected. The guest parking and the parking in general seems naïve based on the parking issues around town. Most households have at least one car per person.

Stan Kensinger of 2753 E. Haystacker Drive and President of the Business Advocacy Council. Trying to encourage economic vitality in the Town especially in downtown and in Eagle Ranch. Most single family lots are spoken for in the Town. This project would help create economic vitality, through providing important employee housing. Also provides 500+ people who are going to spend their money in Eagle. These residents will support restaurants and retail in the Town. Quality development by a quality developer done for the benefit of the Town we need to figure out a way to get it done.

Matt Jones of 70 Greenhorn Ave and the Vail Valley Partnership. Most important aspect to him is workforce housing, this doesn't mean that they automatically support every development that comes up. Looks at this as a great opportunity in terms of the project, the property, the infill aspect. Wants to address the Staff recommendation to lower the AMI. They consistently see people who get to the medium income and then leave because there is nothing available for this group. Would encourage reconsideration of the AMI to 120%. There are opportunities for public private partnerships and to be able to meet in the middle between municipalities and developers. Believes there is enough public benefit here and doesn't believe they are asking for things that are unreasonable and have seen success in other Towns.

Al Musser of 2315 Eagle Ranch Road and the Business Advisory Council. The developer has presented a great comprehensive plan, this is a rare opportunity for the community to participate in a solution that has plagued the whole valley. We should look long term and look for solutions rather than challenges and difficulties. If we don't solve this problem today, then where do we go next? We need to make it possible for people to live here in this valley. Encourage us to look for the answers, we might not get the opportunity again. His hope is that we find a way there.

Steve Lindstrom of 1140 Capitol Street mixed use building. He has been talking to businesses around Town and they say we need more housing for employees and more customers. He has been a landlord since 2002. Very few people who work at the resorts are looking for housing in Eagle. People who are working down valley are looking to live down valley, they will stay for a long time and a project like this will meet the needs of that middle segment to keep the community moving ahead. Serves on the Vail Housing Authority and he notes that getting caught up in the AMI world is pretty tough; maybe government shouldn't be making guesses on how people live. Believes that lighter regulated deed restrictions work better. Best thing he heard during this meeting was the prohibition on nightly rentals as that will keep rentals prices more in line with local wages. Recommends encouraging resident occupants and less focus on AMI restrictions. We want to encourage people who will be a part of our community and keep them here. Mentioned NOAH, which stands for Naturally Occurring Affordable Housing. We should allow the market to determine where people live and what they can afford. He urges the Commission to keep it as simple as possible.

Closed public comment at 8:56pm

Mauriello's response to public comment: As an applicant coming into this process we have tried to accommodate as many people as possible as a way to get this to go through. There are aspects of the plan that they are not married to and very willing to retool or negotiate on. There needs to be some recognition of what the Town really needs. Do you really need a lot of Open Space? Open Space is competing with development because it is then tagged as Open Space forever. This project will meet a vital need. The minimum density is still a fairly significant amount of density. Parking concerns are probably unfounded because there will be a group who is managing the parking onsite. Parking proposed is over one spot per bedroom. Believes that adequate parking is in place. Conservation Oriented Planning is more about being mindful of the wildlife that currently moves through the project and protecting resources where they exist. They are adhering to what the experts have told them. There are wildlife corridors incorporated on the property. Wants to note that they are not trying to short change the Town on water, but they plan to very conscientious about water usage and are willing to pay penalties on the back end. This project is trying to tackle some larger issue.

## **DELIBERATION**

Cowles noted that there are a lot of materials and several conditions suggested by staff. Are Commissioners ready to make a decision about this tonight, or do they need more information?

Hood commented that he likes the location and the project. This is a good spot for high density, it's at the entrance of Town and it's in line with our developed areas. The variations seem reasonable in general and he agrees with the applicant on Park Land Dedication. Would like to know what the cost difference is between staff and applicant on the payment in lieu. Is ok with doing away with extra guest parking spaces. Sees the need for allowing the units to be more market driven and agrees with the applicant on the AMI criteria.

Perkins quoted, "If not now, when? If not here, where?". This property is very well situated for multi-family along established transit lines. Traffic concerns are valid, but those can be addressed later on. Fully supports this project.

McFall cannot think of a better location for a project like this, realizing that what we're potentially doing tonight is approving the PUD and Zoning Plan and not a Development Plan. Believes this is a well-conceived project, this is something that the Town needs and the region needs. The Town of Eagle would be better for it. Shares concerns about traffic, but these issues could be addressed at the development plan stage. Agrees with what the applicant said about the Park Land and the AMI. Would be supportive and would plan to vote to support. Would like to ask the Commission to support the 120% AMI and to also remove Condition #2 regarding the Park Land Dedication.

Roberts agrees with McFall. Believes it is a good project and is supportive of the 120% AMI and the removal of Condition #2.

Gregg agrees that it is a needed project for the town in terms of work force housing. Issue is with the future zoning map and how it's a Conservation-Oriented development. Doesn't see how that plays out in this current plan. He could see approving this with some further conditions on green infrastructure and impervious green spaces to employ in lieu if they did not meet the intent of the conservation requirements. Diminishing density as you move east and west of Town, doesn't see how the plan reflects this. Would like the irrigation system to be a requirement. Would like to see some recreation area consolidation in the final plan. The Open Space parcel where Hockett Gulch drains out might make sense as an easement. Doesn't see how the project aligns with some goals, but maybe the positives outweigh the negatives.

Nutkins supports the project overall. Has some issues with the language in the PUD. Does not think that single family belongs in this PUD and would like to see it taken out. We are looking for higher density development, there would be a very awkward transition between high density and single family. Understands that flexibility is important, but it just doesn't seem to be a necessary clause. Parking seems like it works out over all, however the management will certainly have a task on their hands. Would like to see the irrigation hammered out at the development permit phase. Agrees that the 10% reduction should be taken out, our guidelines are pretty intensive, with as low as we're going we don't need to go any lower. Asked Landers if she would like his verbiage comments separately? Landers responded that if he has big picture issues he should bring them up here, but verbiage comments can be sent separately.

Cowles agrees that this is a good site for this type of development and a good opportunity given proximity to infrastructure and transit. Would like for the single family to be removed as well. Comments have shown the importance of the middle of the road housing solutions. If we are going to concede on park land dedications, we should get something in return and it should be the single-family component. Would move to strike the single-family housing component from HD/PUD 1 and 2. This is short amount of review time. If we don't get something that is going to meet the need then we've failed the community and that is not the direction that he would like to see this go. Park Land Dedication is a bit in contrast to our goals in that we should focus more on the need the project meets over park land, particularly on a smaller parcel. Not sure if Condition #2 is appropriate or not and would be ok with striking it. Supports the variation of eliminating the guest parking requirement, 1.75 per unit in a multi-family seems appropriate, a single family

would change this calculation. Nutkins asked for verification on how the parking is written in the PUD Guide. Stevens responded that yes, it is. Cowles is supportive of the proposed parking spaces; the bottom line is there should be enough parking spaces based on our standards. The AMI they are proposing gives us more units with an AMI cap in exchange for increasing that cap, this is probably a fair trade off. The market will dictate how that goes. Takes no issue with the height variation, doesn't believe there will be visual impacts to the surrounding properties.

Landers asked a clarifying question: are you all considering the 50% reduction in the full requirement as requested by the applicant? If you remove that condition in your approval then you would also want to clarify that a 50% reduction in the Municipal Parkland Dedication is acceptable. Cowles asked if we say we recommend the 50% reduction then what? Landers replied then your cash-in-lieu is likely not a tool that you would use. Nutkins asked if we approved their proposal it would be more than just the 50% correct? Landers replied yes that once you set the total required amount the rest adjusts accordingly. Cowles asked about Condition #1 and if that open space condition relates to the Municipal Parkland requirements? Landers responded that Condition #1 is less related to the Municipal Parkland requirements and more that things shift over time so as we get to development plan time and maybe OS-2 gets bigger; there is shifting that happens between the current concept stage and the Development Plan Stage when things become more concrete. Staff is requesting this is to make sure that as long open space and municipal parkland dedication requirements are met, you can still do a reduction to the 50% and that first condition will still apply. Nutkins thanked Landers for clarifying that. Landers also said it still has to be approved, it can be reduced to this point but not beyond without approval. Mauriello said our proposal is that we'll give you these eight things plus the \$50,000 and that's all we want to do, I hope that what I'm hearing is that you're all ok with that. Hood mentioned that Condition #2 would then be a payment in lieu to match whatever staff is working on. Landers clarified that the payment in lieu is a requirement in case you didn't accept their proposal, but this is not something that staff has adopted yet and it would need to be adopted by the Board, staff does not have an estimate at this time. Hood asked that if we struck #2 then we would be accepting the applicant's proposal. Landers replied that yes, that is correct and the PUD Guide would reflect that any further subdivisions wouldn't be required to dedicate any additional at that point. Stevens mentioned that this is all based on the highest yield scenario and that it really would be waiving half the requirement, if they come in with less units then it's a lesser number.

Hood would like to strike Condition #2 and eliminate single family homes from the first 2 districts make sense.

Cowles asked the applicant how they feel about striking single family homes. Mauriello replied that they are fine with it being taken out of HD/PUD 1 and 2, with the caveat that they would probably bring it up again with the Board.

McFall would like to single-family homes removed from HD/PUD 1 and 2; but would like to see it left as an option in HD/PUD 3.

Nutkins noted that the lot sizes would be very small, smaller than we've seen in the Town before.

Gregg thinks we should leave it in there because it provides a greater variety of housing types.

Cowles believes that there are already more than enough single-family homes in the Town of Eagle.

Landers noted this would still be a departure than what most of the single-family properties are in Eagle.

McFall clarifies that if someone makes a motion that eliminated Conditions #2 and #4 it would simply revert to the applicant's proposal. If they wanted to remove single family homes from HD/PUD 1 and 2

that would be an additional condition. Cowles asked for verification that Condition #3 did not include the garages. Nutkins clarified that with Condition #1 OS-1 and OS-2 the gross stays the same.

Hood made a motion to approve PUD18-02 the Reserve at Hockett Gulch PUD Zoning Plan and Site Specific Development Plan (vesting of property rights), based on the following Conditions:

1. OS1 and OS2 shall only be allowed to be reduced in acreage each (at a maximum of 10% each), provided that the gross acreage is not reduced, if compliance with open space and municipal park land dedication requirements is maintained.
2. Guest parking for multi-family uses may only be eliminated if general parking spaces are not assigned specifically for residents, thereby offering guest parking options, excluding the individual garages that would be separately rented.
3. HD/PUD 1 and 2 shall not have any single-family residential zoning.

McFall seconded. All voted in favor.

**TOWN BOARD OF TRUSTEE UPDATE**

None.

**COMMUNITY DEVELOPMENT DEPARTMENT UPDATE**

None.

**ADJOURN**

Cowles made a motion to adjourn and McFall seconded. All voted in favor and the meeting adjourned at 9:40 PM.

\_\_\_\_\_  
Date

3/14/2019  
Date

\_\_\_\_\_  
Jason Cowles – Planning and Zoning Commission Chair

  
\_\_\_\_\_  
Jessica Lake – Planning Technician



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## CERTIFICATE OF RECOMMENDATION

**TO:** Planning and Zoning Commission

**FROM:** Department of Community Development

**STAFF:** Morgan Landers, AICP, Town Planner/Community Development Director

**DATE:** March 14, 2019

**PROJECT:** Haymeadow Subdivision Filing 1 – Final Plat

**FILE NUMBER:** S18-01

**APPLICANT:** Brandon Cohen, Abrika Properties LLC

**LOCATION:** 660 acres along Brush Creek Rd. Parcels 210904400001, 210903300005, 210903400001, 210910100003, 210910100005, 210910100004, 210910100006, 210910100007, 210910100008, 210911200007, 210909100022

**CODE:** Chapter 4.12 – Subdivision Review

**ZONING:** Planned Unit Development (PUD)

**EXHIBITS:** Full Copies of the staff report and exhibits are available at Town Hall. Hard copies will also be available at the hearing.

A: Application and Narrative  
B: Haymeadow PUD Guide  
C: Haymeadow PUD Development Plan  
D: Approved Preliminary Plan  
E: Annexation and Development Agreement ([LINK](#))  
F: First Amendment to the ADA  
G: Second Amendment to the ADA  
H: Land Dedication Parcels Exhibit  
I: Phase 1 Extent Diagram  
J: Draft Final Plat – Filing 1  
K: Access and Infrastructure Plans – Phase 1 ([LINK](#))  
L: Roundabout Phasing Diagrams  
M: Perimeter Fence Memo  
N: Ecological Restoration Plan ([LINK](#))  
O: Trails Concept Plan  
P: Wetland Enhancement Plan ([LINK](#))  
Q: Open Space Management Plan ([LINK](#))  
R: Weed Management Plan ([LINK](#))

S: Success Criteria Memo for Enhancement, Reclamation, and Management Work  
T: LERP Compliance Memo  
U: Ownership and Maintenance Chart  
V: Design Guidelines – Landscape Guidelines for Streetscapes  
W: Interim Traffic Analysis ([LINK](#))  
X: Water System Report ([LINK](#))  
Y: Raw Water Irrigation System Report ([LINK](#))  
Z: Agency Referral Comments (Dated 12/7/2018)

**PUBLIC COMMENT:** Staff has received no letters of public comment as of the date of this staff report.

**REQUEST:** Subdivision Final Plat for Filing 1 of the Haymeadow PUD resulting in the creation of road right-of-ways, easements, open space and common area parcels, school and recreation parcels, four multi-family tracts, eight single family lots and five duplex lots.

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## BACKGROUND

On May 25, 2014, the Town of Eagle Board of Trustees approved the Haymeadow Planned Unit Development. The approval consisted of the PUD Guide, PUD Development Plan, Annexation and Development Agreement (ADA), and Preliminary Subdivision Plan for Phase 1. Collectively, this set of approvals constitutes a vested property right for a period of 20 years from the effective date of the ADA. The effective date was June 7, 2014. Below is a list of the approvals for reference:

PUD Guide – Ordinance 11, 2014  
PUD Development Plan – Ordinance 11, 2014  
Annexation and Development Agreement – Resolution 12, 2014  
Preliminary Subdivision Plan – Resolution 19, 2014

These approvals and agreements dictate the densities, uses, location of uses, locations and types of streets, trails, parks and open space, wildlife corridors, and land dedication for future public service facilities (Greater Eagle Fire Protection District and Eagle County School District). The PUD Guide and Development Plan outline the densities and uses while the ADA contains a set of requirements for the development that were negotiated at the time of approval (street improvements, land dedications, etc.)

The approved Haymeadow Subdivision includes 660 acres on the south side of the Town of Eagle along the Brush Creek Corridor. The full buildout of the development will include 837 multi-family and single-family housing units of various sizes and types, a 20-acre community park, a 32-acre school and recreation site, and approximately 335 acres of open space. The housing units will be dispersed throughout five neighborhoods (A1, A2, B, C, and D) per the approved PUD Guide.

In January 2018, the Board of Trustees approved the First Amendment to the ADA revising two main items including the number of units that could be built prior to water tank construction and the phasing of the roundabout. The First Amendment to the ADA is attached as Exhibit F to this packet. At the March 12<sup>th</sup> meeting of the Board of Trustees, the Second Amendment to the ADA was approved which extended the “Start of Construction” deadline from June 7, 2019 to December 31, 2020. The Second Amendment is also included in the packet as Exhibit G.

In September 2018, the Town of Eagle received an application for the Haymeadow Subdivision Filing 1 – Final Plat. Since the Notice of Complete Application, staff has been working with the applicants to revise the application according to the requirements of the approvals as described below, and the town’s public works and engineering requirements. This staff report will include an overview of the review and approval criteria for Subdivision Final Plats as well as the requirements of the ADA.

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## PROJECT SUMMARY

The application received by the town includes the platting of the property as well as the phase 1 infrastructure plans for the project. The first phase of the project (Filing 1) includes a portion of Neighborhood A1 (as shown in Exhibit I) as well as the requirements of the ADA for items to be complete prior to First Subdivision Final Plat as follows:

- Platting of the entire 660 acres
- Platting and dedication of required open space parcels
- Platting and dedication of future school/recreation site
- Platting and dedication of future fire station site
- Platting of four multi-family parcels and 18 single family/duplex lots for a total of approximately 110 units in Neighborhood A1
- Construction of shallow and deep utilities, stormwater management facilities, roads, sidewalks, trails, non-potable irrigation system, street lights, and streetscape landscaping.
- Weed mitigation and reclamation work
- Wetland enhancement work

Please see Exhibit H for the Land Dedication Parcels Exhibit that was approved with the ADA. This exhibit shows the general outline of the open space parcels, school/rec site, and fire station parcel. The ADA further defines the acreage for the school rec/site as well as the fire station parcel.

Per the approved Development Plan and Haymeadow PUD Guide, Neighborhood A1 can contain up to 146 multi-family units and 82 single family/duplex units (228 units total). Although the plat includes the platting of residential lots, this application does not permit the construction of residential units if approved. Prior to building permit application, the following must be completed:

- Design guidelines shall be prepared which will establish architectural and building material standards, landscape design, urban design, site design standards and a design review process for development within Haymeadow.
- Formulation of a Design Review Board
- For multi-family developments, a Development Permit reviewed and approved by the Town of Eagle is required.

The ADA outlined a set of required improvements, land dedications, and construction elements required in phase 1. Staff has provided an extensive overview of those requirements beginning on page 5 of this staff report. Please see the application and narrative, final plat, and access and infrastructure plans included in Exhibits A, J, and K for more detail on the application. The ADA is also included as Exhibit E for reference.

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## STANDARDS FOR APPROVAL

### *Subdivision Final Plat*

Section 4.12.020.C of the Municipal Code outlines the requirements for Final Plat review and approval in the Town of Eagle. Per the municipal code, staff, the Planning Commission, and the Board of Trustees shall review the Final Plat to determine conformance with the Approved Preliminary Plan and requirements for subdivision final Plat.

### *Annexation and Development Agreement*

Below is a written description of the requirements of the ADA, when they are required, and whether the project is in compliance.

Staff finds that the proposed Final Plat is in compliance with the town's Subdivision regulations and provisions of the Annexation and Development Agreement (ADA) subject to the conditions listed later in this staff report.

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## REVIEW OF STANDARDS

### *Subdivision Final Plat*

Per Section 4.12.020.C, the purpose of the final plat is to complete the subdivision of land consistent with the technical standards as an instrument for recording. Staff has reviewed the Subdivision Final Plat per the approved Preliminary Plan and the requirements of Section 4.12.020.C.2.f of the Town's Municipal Code. Staff finds the following:

- The plat was prepared by a registered surveyor.
- The technical preparation of the plat is in general compliance with the requirements for bearings, lengths, monuments of record, and error thresholds.
- The plat includes the various pieces of information required by the town code including legal description and project information, and acreages of various tracts and lots
- The plat includes street names and addresses
- The plat includes the various certifications and title blocks for the signatories per plat recording requirements

The draft final plat for phase 1 is in general conformance with the approved Preliminary Plan with the following adjustments:

- The final plat includes the entirety of the property, the preliminary plan didn't include the full annexed property
- Specific acreages for all tracts and lots being created by the plat, the preliminary plan only included tract and lot lettering/numbering
- Addresses and street names
- The preliminary plan included the platting of all of Neighborhood A1, however, Filing 1 only includes a portion of Neighborhood A1 (see Exhibit I), as such, the full extent of Sylvan Lake Rd to Ouzel lane is not being platted at this time.
- The general shape of the Fire Station Parcel has changed, however, the acreage remains consistent with the requirements of the ADA
- The preliminary plan didn't include the 30' wide right-of-way dedication along Brush Creek Road as required by the ADA. The final plat includes this.
- The final plat includes a more extensive land use summary outlining parcel label, area, land use, and address

The applicant has provided a set of Access and Infrastructure Plans (see Exhibit K) prepared by a registered engineer per the requirements of the Town Code and the Public Works/Engineering Department. This plan set includes construction plans for grading, streets, pedestrian/bicycle ways, traffic control, utilities, drainage, erosion sediment control and slope stabilization, revegetation, and landscaping and lighting for streets only. The applicants have also submitted an Interim Traffic Memo, Drainage Plans, and Soils Reports for review by the town's staff and third-party consultants.

The town's planning department, public works/engineering departments, open space department and the town attorney all reviewed the Final Plat and Access and Infrastructure Plans. In addition to staff, the town utilized third party review services from ICON Engineering and Starbuck Surveying for review of the drainage report and final plat technical review, respectively. Finally, the town's municipal code requires a Major Activity Notice for any project that includes 5 acres or more. Due to this requirement, an extensive list of referral agencies was notified of the application and given an opportunity to comment. A Response Memo to the Applicant with comments from staff and the referral agencies is included as Exhibit Z of this packet.

Of the issues outlined in the comments, drainage review was a top priority. ICON Engineering completed the review of the project's drainage report. Staff wanted to ensure that the area for debris flow containment was properly sized and that the debris flow path wouldn't impact various utility and trail

connections being constructed near the potential debris field, as well as any impact to future residents during a large debris flow event. The access and infrastructure plans have been updated to address the concerns of ICON Engineering and staff as it relates to this issue.

The applicant has also submitted a set of Design Guidelines for Streetscapes as it relates to the landscaping of roundabouts, public, and private streets. As this is primarily an infrastructure package, Design Guidelines for architecture, site design, landscape, and lighting will be reviewed and approved prior to submittal of any building permit as outlined above. Per the ADA, the review of the Design Guidelines shall follow the noticing and review procedures for Major Development Permits per the town's code. The Design Guidelines for Streetscapes were reviewed by town staff as well as the CSU Extension Office in Eagle. A primary objective of the project is to take a water conservation approach to the landscaping. This can be achieved most effectively by selecting low water ground covers and trees/plants/shrubs that are known to succeed in mountain environments and native to the area. The applicants have addressed staff's comments and are updating the landscape standards. As the landscape standards are still in draft form, a condition of approval has been included that the Town Planner approve the final landscape standards prior to Final Approval by the Board of Trustees.

The town's code for Final Plats includes a section related to the construction of public improvements, performance guarantees, acceptance of public utilities, etc. These requirements will be addressed in a Subdivision Improvements Agreement (SIA) as required per the town code. This agreement is not reviewed by the Planning Commission, but is an act of the Board of Trustees once they review the recommendation from the Planning Commission on the Subdivision Final Plat.

#### *Annexation and Development Agreement*

Although the Planning Commission is not the adopting body of the ADA, it is important to understand the pieces of the agreement that apply to phase 1. The Annexation and Development Agreement (as Amended) includes requirements for on-site improvements, off-site improvements, and land dedications. Below is an overview of those requirements, when they are required, and whether the project is in compliance with the requirement.

1. Metro District Service Plan – The agreement required the adoption of a service plan for the metro district by September 30, 2014. This requirement was completed on XX XX, 2014.
2. Payment of Impact Fees – The agreement requires the payment of Street Improvement Fees, Fire Impact Fees, and Emergency Medical Impact Fees with the phasing of development. The Subdivision Improvements Agreement will outline the fees due for Filing 1 of the development and payment will be required prior to start of construction. There is no longer an Emergency Medical Impact Fees and therefore the project will not be required to pay that fee. Per the ADA, Fire Impact Fees are deferred to a later phase due to the dedication of the fire station property in phase 1.
3. Dedication of water rights – All water rights owned by Abrika were dedicated to the town in full and subsequently leased back to haymeadow for irrigation purposes. The town is initiating the process to transfer the water rights from agriculture use to municipal use. Adjudication of water rights is a very long water court process and is not required to be complete prior to start of construction. The town's water attorney and water engineer have requested additional information from the applicants in order to make progress with this requirement.
4. Municipal Water and Sewer Service Construction – The project is required to construct municipal water and sewer service for the development. For irrigation purposes, the agreement requires that a non-potable system (raw water irrigation) be constructed for all multi-family residential uses and common area/parks. The project is complying with this requirement and has extended the non-potable system to service the single-family residential units as well. The system must be constructed to serve each phase of the development.
5. Payment of Plant Investment Fees (PIF) – The agreement required a prepayment of PIF in the amount of \$3 million. This payment was made to the town in 2017. The remaining PIF will be paid at time of building permit application per the ADA.

6. Trailhead Parking – required as designated on the PUD Development Plan. There is no trailhead parking required as part of phase 1.
7. Perimeter Fence – The ADA requires a perimeter fencing along the north and east property boundary to prevent livestock from entering the property that is grazing on BLM land. In 2016, Abrika, the BLM, and Colorado Parks and Wildlife (CPW) reviewed this requirement in light of changes to the grazing leases and a grant received by Abrika to construct the fence. Upon further review, the BLM and CPW determined that a perimeter fence would be problematic for wildlife migration and was not necessary for livestock management. The requirement for the fence was removed by a motion of the Board of Trustees. There were sections of dilapidated fencing which has since been removed. Exhibit M includes information on the Board’s action in 2016.
8. Removal of Brush Creek Rd Fence – The agreement requires that the fencing along Brush Creek Rd be removed with the phasing of development. The applicant is complying with this requirement and has included the fence removal in the access and infrastructure plans.
9. School/Recreation Site Dedication, Reclamation, and Irrigation – The school/recreation parcel will be dedicated to the town at the first subdivision plat according to the ADA. Currently, the property is overrun with noxious weeds and much of the healthy ground cover is gone. The ADA requires an Ecological Restoration Plan for the weed mitigation and re-establishment of healthy ground cover. A Weed Management Plan has also been submitted that will overlap ongoing weed management issues of various areas throughout the development (Exhibit R) This effort will require watering and the town’s existing non-potable water service cannot serve the entire site. The Haymeadow project is responsible for extending their non-potable system to serve the remaining portions of the property. The applicants have provided the restoration plan (Exhibit N) for review and approval by the town. Staff has reviewed the plan and is in agreement with the plan, however, has requested Success Criteria in order to evaluate effectiveness of the plan. This has been provided and is under review by town staff. A condition of approval has been included to ensure approval of this plan prior to final approval.
10. Fire Station Parcel Dedication and Utility Service – The agreement requires dedication of a 1.6 acre parcel of land for a future fire station and utility service to that parcel. The parcel is being dedicated in this first phase, however, the utilities are not required at this point in time. The first amendment to the ADA addressed construction of utilities and requires utilities at the time of a Development Permit Application for the fire station submitted to the town.
11. Trails – The ADA requires a paved recreation path from the first phase of development to the pool and ice rink facility as well as a 10-foot paved path parallel to the future Sylvan Lake Rd phased with the development. The project is complying with both of these requirements. The ADA also requires that when opportunities exist, trail connections to Eagle Ranch should be made. In phase 1, access to Eagle Ranch is limited by private property owners along Brush Creek Rd. There will be a soft surface trail in the Wetlands Open Space area that will provide for future connections to Eagle Ranch. The project is in compliance with the Concept Trails Map (Exhibit O).
12. Wetlands Dedication, Restoration and Enhancement – The ADA requires that the wetlands along Brush Creek Rd and Sylvan Lake Rd be dedicated to the town (approximately 24 acres). In addition to the dedication, enhancements to the wetland area are required. The applicant has provided a Wetland Enhancement Plan (Exhibit P), all areas within the boundaries of phase 1 will be completed and additional wetland enhancements will be completed with the future phases of the project. Staff has reviewed the plan and agrees with the approach to the project, however, requested a set of success criteria be included in order to have a benchmark to evaluate the success of the enhancement. A draft of the success criteria is included in this packet and under review by staff. A condition of approval has been included that the final success criteria be approved by the town’s Public Works Director and Open Space Manager prior to final approval.
13. Brush Creek Road Extension – The Brush Creek Rd Extension is not required until the 300<sup>th</sup> Building Permit for the project, therefore, it is not required at this phase.
14. Contribution to US Highway 6 Study – Haymeadow’s contribution is required once the town contributes \$300,000 to the study. The town has budgeted \$150,000 with a matching grant of

- \$150,000 from the county in the 2019 Budgets. Staff intends to initiate the planning process this fall and will notify Haymeadow when the town's obligations have been met.
15. Sylvan Lake Rd/Brush Creek Rd Roundabout – The first amendment of the ADA allowed for a phase construction of the roundabout. Exhibit L includes a rendering of the first phase of roundabout construction and the full buildout of the roundabout. The access and infrastructure plans show the construction according to the approved plan.
  16. Additional Land Dedications – The ADA requires additional land dedications per Exhibit H. These dedications include right-of-way along Brush Creek Rd, the Upland Open Space (Haymaker Trail Area), Wildlife Corridor, Willow Tree Corridor, Trailhead Park, and other public lands. These dedications are required with the phasing of development. Therefore, dedications required for phase 1 include the right-of-way, the Upland Open Space, and the Wetland Open Space. The project is complying with these requirements.
  17. Local Employee Residency Program – An approved LERP plan was included in the ADA which stipulates that the LERP units will be provided in the multi-family product only. Filing 1 includes the platting of multi-family tracts, however, specific compliance with the approved LERP will be reviewed at Development Permit for those tracts in order to assess the requirements per the units being provided. The LERP requires 25 units in Neighborhood A1 and the project intends to comply with these requirements as outlined in the attached LERP Memo (Exhibit T).
  18. Mail Delivery – The ADA instructs the developer, together with town officials, to meet with the postal service to evaluate the possibility of home delivery or a postal annex to accommodate the Haymeadow development. Over the past year, various community members have also requested that the town investigate home delivery for other areas of town. Town officials have discussed the possibility of home delivery or an annex location with the post office, neither of which were described as reasonable options for the post office. Town officials are continuing the discussion with the post office to come up with solutions. Haymeadow can and has agreed to provide locations for home delivery or annex locations if and when the town is successful in getting this service arranged with the post office.
  19. Use of Chemicals – Due to the amount of wetland areas and non-potable irrigation, chemical management was a priority for the town. Rather than provide a separate chemical management plan, the chemical management has been incorporated into the Ecological Restoration Plan, Open Space Management Plan, and Reclamation Plan. The Public Works Department has reviewed these plans and agrees with the provisions of the use of chemicals in these plans.
  20. Open Space Management Plan – An Open Space Management Plan has been submitted to the town for review and approval. Town staff has reviewed the agreement and is in agreement with the provisions of plan.
  21. Transfer Assessment Covenant – The ADA requires a transfer assessment be placed into the private declarations of the project. The applicants intend to comply with this requirement and are drafting Covenants and Declarations for the project in accordance with the ADA. The town is not a party to the declarations and cannot enforce the declarations. As such, the town does not review the documents in detail other than to ensure that the requirement for the assessment is included. A condition of approval has been included to ensure that this is prepared and recorded prior to final plat recording.
  22. Construction Operations Plan – The ADA requires a Construction Operations Plan (COP) to be submitted for review and approval. The applicants have selected their contractor for the project and are preparing the COP. A condition of approval has been included to require that the COP be reviewed and approved by the Public Works Director and Town Engineer prior to final approval.

The ADA also lays out the requirements of the Subdivision Improvements Agreement (SIA) that is required for the approval of the Final Plat. In addition to the SIA, a separate maintenance agreement will be executed between the Town of Eagle and the Haymeadow Metropolitan District for the ongoing maintenance of the project per the ADA. The reason for the separate agreement is that the SIA expires once the construction and warranty periods have ended. The obligations of the maintenance extend beyond the construction completion and therefore a separate document is required. The maintenance

agreement will be based off of the structure outlined in Exhibit U, Ownership and Maintenance Chart that was included in the original ADA. The applicants intend to fully comply with these requirements of the ADA and have not requested any variances from the requirements.

#### *Adequate Public Facilities*

A Conditional Positive Determination of Adequacy was granted in Section 6 of the ADA. The conditions outlined are to be evaluated with each phase of development. However, not all conditions apply to each phase. Below is a list of conditions that apply to the first phase of development as proposed:

- Constructing off-site improvements including the Sylvan Lake Roundabout and path to Pool and Ice Rink
- Payment of Plant Investment Fees
- Dedication of Fire Station parcel
- Dedication of School and Recreation parcel
- Available treated water supply
- Payment of Impact Fees

The project has or will comply with all of the requirements stated above. The town evaluated the availability of treated water for the development during the First Amendment of the ADA. Upon review, it was determined that the town could serve up to approximately 100 units in phase 1 provided that the finished floor elevation of the building was below elevation 6730 feet. This is primarily related to the water pressure needs for the development. The first amendment addressed this stipulation and the proposed phase 1 is in compliance with this restriction.

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#### **STAFF RECOMMENDATION**

Staff recommends **approval** of the Haymeadow Subdivision Filing 1, Final Plat, **with the following conditions:**

1. No building permit application or Development Permit application shall be accepted by the Town of Eagle until the Design Guidelines establishing architectural and building material standards, landscape design, urban design, site design standards and a design review process for development within Haymeadow have been reviewed and approved by the town of Eagle as outlined in the Subdivision Improvements Agreement.
2. Protective covenants, homeowners' association (HOA) documents, and articles of incorporation for HOA including the Transfer Assessment Covenant shall be finalized prior to final plat recording.
3. Success Criteria for the Ecological Restoration Plan and Wetland Enhancement Plan shall be approved by the Public Works Director and Open Space Manager prior to execution of the Subdivision Improvements Agreement.
4. A maintenance agreement shall be executed between the Town of Eagle and the Haymeadow Metropolitan District prior to the acceptance of any public improvements as outlined in the Subdivision Improvements Agreement.
5. A Raw Water Irrigation Operations Plan shall be submitted for review and approval prior to execution of the Subdivision Improvements Agreement.
6. The final Landscape Standards for Streetscapes shall be approved by the Town Planner prior to execution of the Subdivision Improvements Agreement.
7. A Construction Operations Plan shall be submitted for review and approval prior to execution of the Subdivision Improvements Agreement.
8. Final technical comments from Town Planner, Town Engineer, and Town Attorney shall be addressed prior to final plat recording.

**EXHIBIT A:**  
**Application and Written**  
**Narrative**  
**(attached)**



**TOWN OF EAGLE**  
 COMMUNITY DEVELOPMENT  
 200 BROADWAY • PO BOX 609 • EAGLE, CO 81631  
 PHONE: 970-328-9655 • FAX: 970-328-9656  
 www.townofeagle.org

**LAND USE & DEVELOPMENT PERMIT APPLICATION**  
*Pursuant to the Land Use & Development Code, Title 4*

<p><b>ZONING REVIEW</b></p> <input type="checkbox"/> Special Use Permit <input type="checkbox"/> Zoning Variance <input type="checkbox"/> Rezoning <input type="checkbox"/> Temporary Use Permit <input type="checkbox"/> Amendment to Zone District Regulations	<p><b>DEVELOPMENT REVIEW</b></p> <input type="checkbox"/> Minor Development Review <input type="checkbox"/> Major Development Review	<p><b>SUBDIVISION OR PLANNED UNIT DEVELOPMENT REVIEW</b></p> <input type="checkbox"/> Concept Plan <input type="checkbox"/> Preliminary Plan <input checked="" type="checkbox"/> Final Plat <input type="checkbox"/> Lot Line Adjustment <input type="checkbox"/> Condominium / Townhouse <input type="checkbox"/> Minor Subdivision <input type="checkbox"/> P.U.D. Zoning Plan
--	---	--

**PROJECT NAME** Haymeadow Planned Unit Development

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

**LOCATION**

**STREET ADDRESS** N/A

**PROPERTY DESCRIPTION**

**SUBDIVISION** Haymeadow Filing 1 **LOT(S)** \_\_\_\_\_ **BLOCK** \_\_\_\_\_  
 (attach legal description if not part of a subdivision)

**DESCRIPTION / PURPOSE** Initial Final Plat for the Haymeadow PUD

**APPLICANT NAME** ABRIKA Properties, LLC **PHONE** 352-854-7753

**ADDRESS** 8250 Southwest 27th Avenue Ocala, FL 34476 **EMAIL** \_\_\_\_\_

**OWNER OF RECORD** same as applicant **PHONE** \_\_\_\_\_

**ADDRESS** \_\_\_\_\_ **EMAIL** \_\_\_\_\_

**REPRESENTATIVE** Scott Schlosser **PHONE** 970-390-9223

**ADDRESS** PO Box 5607 Eagle CO 81631 **EMAIL** Scottes@vail.net

The above information is correct and accurate to the best of my knowledge.

Signature \_\_\_\_\_

Date \_\_\_\_\_

*In addition to the Application Fee payable at time of Land Use Application, costs related to public notices, postage, Town Attorney Fees and any related outside consultant fees required to review the application shall be billed to the applicant.*

<b>FOR OFFICE USE ONLY</b>	
DATE RECEIVED _____ BY _____	FILE NUMBER _____
REVIEW FEE _____ DATE PAID _____	RECEIVED BY _____
DATE CERTIFIED COMPLETE _____ BY _____	
P&Z HEARING DATE _____ DECISION _____	
TBOT HEARING DATE _____ DECISION _____	



September 17, 2018

Ms. Morgan Landers  
Director of Community Development  
Town of Eagle  
PO Box 609  
Eagle, CO 81631

HAND DELIVERED

Re: Haymeadow PUD Filing 1 Final Plat

Dear Morgan:

Please accept this letter and the attachments as a formal application for the Haymeadow Filing 1 Final Plat for the Haymeadow PUD. The purpose of this plat is to initiate the first phase of infrastructure and access improvements for the Haymeadow PUD. The plans and documents address the submittal requirements for a final plat in accordance with the Town of Eagle Land Use regulations and with the Haymeadow PUD Preliminary Plan and Annexation & Development Agreement.

Under cover of this letter please find:

- One executed application form for a Final Plat.
- One copy of a current Title Report for the properties.
- An adjacent owners list and two sets of mailing labels.
- Two full size copies of the Final Plat and the related engineering and design plans.
- Two copies of a narrative description and related reports.
- Two copies of the Alpine Engineering, Inc. Final Drainage Report.
- Two copies of the Birch Ecology LLC Integrated Weed Management Plan

The Town of Eagle Fee Schedule indicates the Final Plat submittal fees are \$500.00 plus \$50.00 per lot. The proposed final plat includes four multi-family development tracts and thirteen single family/duplex lots. The fee total is calculated at \$1,350.00. Haymeadow is currently working with the Town of Eagle under a fee deposit system. The applicant assumes this fee will be deducted from the funds currently under deposit.

If you have any questions or require additional information please contact me at your convenience.

Sincerely,

*Rick Pylman*  
Rick Pylman

Copy:

Brandon Cohen  
Scott Schlosser

# Haymeadow Final Plat Application

Haymeadow Filing 1

September 2018

# Haymeadow Final Plat Application

## Haymeadow Filing 1

September 2018

Prepared for:

ABRIKA Properties, LLC  
8250 Southwest 27th Avenue  
Ocala FL 34476

Prepared by:

Pylman & Associates, Inc.  
137 Main Street  
Suite C107W  
Edwards CO 81632

## Project Team

### Owner's Contact

Scott Schlosser  
PO Box 5607  
Eagle, CO 81631

### Civil Engineering

Alpine Engineering, Inc.  
PO Box 97  
Edwards, CO 81632

SGM

18 W. Sixth Street, Suite 200  
Glenwood Springs, CO 81601

### Surveyor

Archibeque Land Consulting, Ltd.  
PO Box 3893  
Eagle, CO 81631

### Landscape Architecture/Site Planning

DHM  
311 Main Street, Suite 102  
Carbondale, CO 81623

### Land Planning

Pylman & Associates, Inc.  
137 Main Street, Suite C107W  
Edwards, CO 81632

### Electrical & Lighting

BG Buildingworks  
Avon, CO 81620

### Irrigation Design

Grand Junction Pipe & Supply  
740 Highway 133  
Carbondale, CO 81623

### Construction Management

Cairn Consulting Services, LLC  
5197 Black Gore Drive  
Vail, CO 81657

### Ecological

Birch Ecology, LLC  
PO Box 170  
Lyons, CO 80540

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### Appendix:

1.	Town of Eagle Application Form
2.	Title Commitment
3.	Approved PUD Development Plan
4.	Reduced Copy of the Haymeadow Filing 1 Final Plat
5.	Phase 1 Traffic Report
6.	Water System Phase I Report
7.	Filing 1 Pavement Section Soils Report
8.	Wetlands Enhancement Plan
9.	Open Space Ecological Restoration Plan
10.	Open Space Management Plan
11.	Open Space Management Chart
12.	Streetscape Design Philosophy
13.	Raw Water Irrigation System Basis of Design

Drainage Report under separate cover  
Integrated Weed Management Plan under separate cover

## 1. Introduction

The purpose of this report and accompanying documents is to provide information relative to a request for the initial Final Plat approval for the Haymeadow PUD. The Haymeadow PUD was approved by the Town of Eagle as Ordinance No. 11, Series of 2014, which outlines and approves the PUD Development Plan for the Haymeadow property.

This report addresses the requirements for a final plat as outlined in the Town of Eagle Municipal Code Section 4.12.020 C. Final Plat and addresses conformance with the Haymeadow PUD Development Plan.

The Haymeadow property was annexed into the Town of Eagle and the PUD is also governed by an Annexation and Development Agreement (“ADA”) approved by the Town of Eagle under Resolution No. 12, Series of 2015 and amended by Resolution No. 10, Series of 2018. The ADA includes some specific actions and requirements concurrent with the initial final plat. This report also addresses all relevant requirements with the Haymeadow Annexation and Development Agreement.

The approved Haymeadow PUD consists of 660 acres and is approved for 837 units in a mix of single family and multi-family units distributed over five distinct neighborhoods. The plan includes a school and town park area of 32 acres, a large community park of approximately 20 acres and a future fire station site. The neighborhoods comprise approximately 250 acres of the total 660 acres with over 335 acres designated as open space.

This is the initial final plat application for the Haymeadow PUD and is titled Haymeadow Filing 1. The primary purposes of this plat is to formally plat the boundaries of the Haymeadow PUD, to address the requirements of the ADA that are triggered by the first final plat action, to provide a review of the engineering and design details of the first phase of access and infrastructure construction plans and to establish the first few development parcels for the first phase of neighborhood A. All lands outside of the first phase of development will be designated as future development tracts and will be the subject of future final plat actions as the development moves into future phases. These future development lands will remain in agricultural production.

This plat is not a review of building construction plans and does not create any approval for multi-family development. The designated multi-family development tracts will require Town of Eagle Development Plan approval prior to the issuance of any building permits.



Figure 1. Approved PUD Development Plan.

## 2. Description of Filing 1 Final Plat

The 660 acres of the Haymeadow property was annexed into the Town of Eagle under a metes and bounds legal description and has never been the subject of a formal platting process. This initial final plat will formally plat the entire boundary of the Haymeadow property and will address the requirements of the approved Haymeadow Annexation and Development Agreement that are triggered at Final Plat approval, including but not limited to several land dedication parcels, the payment of certain fees, and the creation of certain easements.

This initial final plat will detail the first phase of access and infrastructure improvements that form the backbone of the overall Haymeadow PUD and will include the access and infrastructure required to serve the initial phase of the first neighborhood. The Filing 1 Plat will create road right of ways, easements, open space and common area parcels, the school and town park parcel as well as four multi-family development tracts, eight single family lots and five duplex lots.

This Haymeadow Filing 1 Final Plat represents the first phase of Neighborhood A. The applicant and the town staff have worked very closely together to define the area and improvements associated with this first phase and to ensure that this final plat application is in compliance with the approved PUD Preliminary Plan and preliminary plat.

**2.1 Access and Infrastructure**

The Filing 1 plat creates the road rights of way and details the engineering construction plans for the first phase of the Sylvan Lake Road roundabout and for the initial extension of Sylvan Lake Road and the necessary utility services into the Haymeadow property. The plans also detail the engineering for the street system and utilities designed to serve the first phase of the initial Haymeadow neighborhood. A streetscape design plan is included for all the proposed roads.

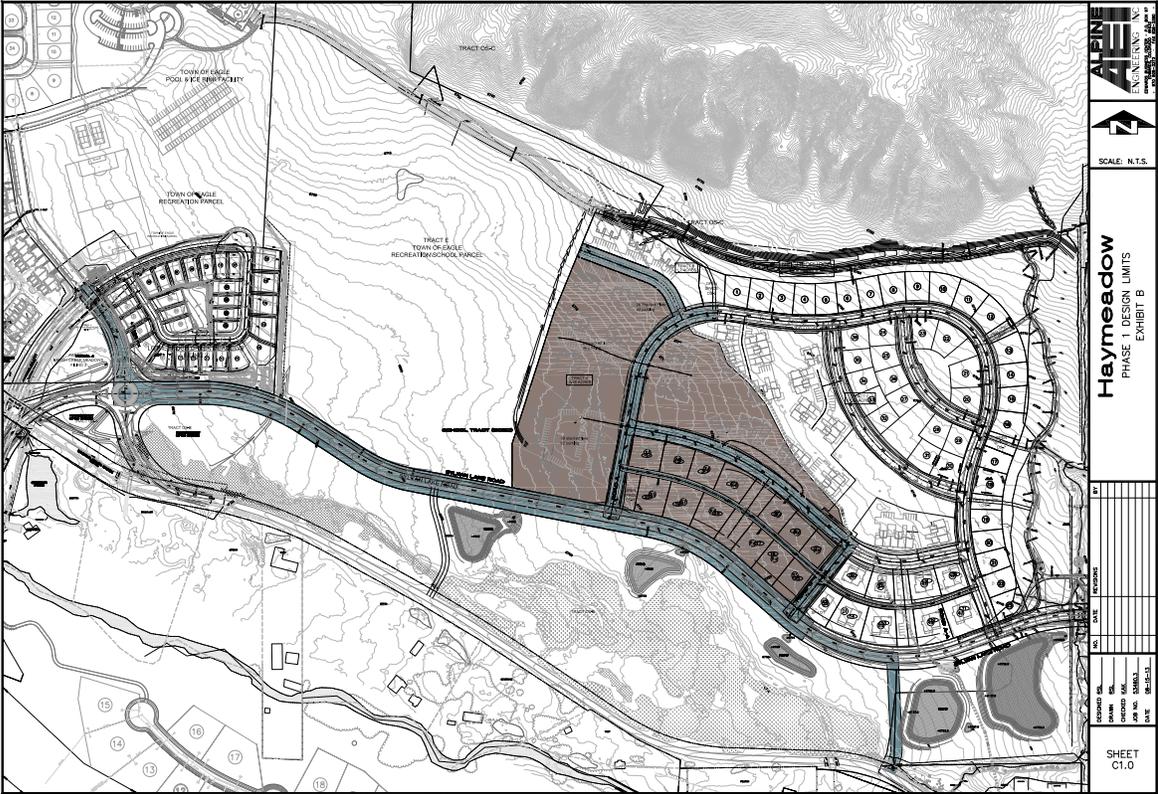


Figure 2. Area of Filing 1 Plat design limits.

The first phase of the Sylvan Lake Road roundabout design includes the full traffic circle and the two legs that connect Meadow Lark Road to the new extension of Sylvan Lake Road into the Haymeadow property. In compliance with the ADA the full construction of the roundabout with the connecting legs to Brush Creek Road and Sylvan Lake Road will be completed with the initiation of development in the second neighborhood.



Figure 3. First Phase Sylvan Lake Road Roundabout.

The construction associated with the Filing 1 plat will extend Sylvan Lake Road into the property and along the first phase of Neighborhood A. The Sylvan Lake Road extension into the Haymeadow property is designed with two 11’ wide travel lanes with a 5-foot-wide paved shoulder on each side to serve as on-street bike lanes. The Sylvan Lake Road corridor will also include a separated 10-foot-wide bicycle/pedestrian path. This path will connect to the existing trails and sidewalks on Meadow Lark Lane and the Sylvan Lake Road connection into Eagle Ranch and will parallel Sylvan Lake Road all the way into Haymeadow for the extent of the road system.

Sylvan Lake Road will, as Haymeadow builds out in phases, be extended to serve as the primary access road to the entire project, however for this first phase the road will be terminated at the edge of the first phase development area. To provide a secondary emergency access a temporary connection will extend from the paved section of Sylvan Lake Road and will loop back to Brush Creek Road. This temporary connection will be gated for emergency access only and will be constructed as an all- season gravel road. As Neighborhood A builds out Sylvan Lake Road will be extended to the Ouzel Lane intersection and will form the permanent access loop to Brush Creek Road.

The roundabout and Sylvan Lake Road landscape design will be focused on decorative landscaping of native and low water use low maintenance plantings. A native grass mix with a focused grouping of native trees and shrubs will landscape the roundabout. The same native seed mix with intermittent clusters of shrubs and trees will populate the landscape strip between the roadway and the separated pedestrian path along Sylvan Lake Road as it enters Haymeadow. Low level bollard lights will be spaced at 100-foot intervals along the path to provide nighttime pedestrian lighting. As Sylvan Lake Road fronts the homes in the first neighborhood the street landscape will transition to a slightly more formal look with a drought tolerant clover/turf mix supported by a regularly spaced planting of street trees. A narrative description of the streetscape landscape design treatment has been written and

attached to this report as an appendix. This streetscape landscape design description will become a section of the future Haymeadow PUD Design Guidelines.

There is a main trunk sanitary sewer line that currently extends from Eagle Ranch to the edge of the Haymeadow parcel. This line will be extended into the property to provide the backbone sanitary sewer service. Existing 12' water mains in Brush Creek Road and near the Pool and Ice Rink will be extended into the Haymeadow property to provide the water service backbone and to serve the initial phase of Neighborhood A. The engineering plans also detail the extension of gas, electric and telecommunication services into the property.

The road system to access the initial phase of Neighborhood A will consist of a leg of the Neighborhood A loop road that will provide access to the first multi-family parcels, a short street that will eventually connect into the town park and school parcel and two streets that will serve the initial single family and duplex lots and an additional multi-family parcel. The street system will provide a second point of access back to Sylvan Lake Road. This circulation system and the associated utilities will serve approximately 110 units that will comprise this initial phase.

A 10-foot-wide paved pedestrian trail will be constructed across the top of the property, just below the Haymaker Trail, to connect this first phase of homes to the Town of Eagle Pool, Ice Rink and pump track area. In conjunction with the separated pedestrian trail along Sylvan Lake Road this creates two pedestrian trail connections from Haymeadow into the Pool and Ice Rink area and on into the existing trail and sidewalk system.



Figure 4. Approved PUD Trails Plan

## **2.2 Filing 1 Final Plat**

The Filing 1 Final Plat plan set is a ten page set that details the layout of the right-of-ways, open space and recreation tracts, other dedication parcels, common areas, the four multi-family development parcels and the eighteen single family/duplex lots. The plat also dedicates easements for access and infrastructure improvements. The submitted version of the plat does not include, at this time, shallow utility easements and easements for the proposed non-potable water system. As an integral part of this application review process the town staff and the various utility companies will review and comment on these plans. The plat will be updated to include all of the required shallow utility and non-potable system easements as the final design of these improvements is approved by the review agencies.

## **2.3 Development Parcels**

The Filing 1 Plat will create road right of ways, easements, open space and common area parcels, the school and town park parcel as well as four multi-family development tracts, eight single family lots and five duplex lots. As stated in the Introduction section of this report this plat is not a review of building construction plans and does not create any approval for multi-family development. The designated multi-family development tracts will require Town of Eagle Development Plan approval prior to the issuance of any building permits. The approved Haymeadow PUD Guide includes a requirement that Haymeadow PUD will include a homeowner operated Design Review Board. Prior to initiation of any residential construction the Haymeadow Design Review Board must develop and submit design guidelines to the Town of Eagle for review and approval. This process will occur immediately after approval of the Filing 1 Plat. The applicant understands that no residential building permits will be issued prior to Town of Eagle approval of a the Haymeadow Design Guidelines.

## **3.0 Conformance with Haymeadow Annexation & Development Agreement**

The approved Annexation and Development Agreement includes certain requirements and land dedications that are triggered at the initial final plat or at each phase of neighborhood platting. This section of the report will identify those requirements and detail the conformance of the application. The following paragraphs reference the numerical section of the approved ADA that lists the referenced requirement.

### **ADA Section 7 Development Impact Fees**

Section 7 details the requirement of Haymeadow to pay development impact fees at the time of subdivision final plat for Street Improvement Fees and Emergency Medical Impact fees as defined in the Town of Eagle Municipal Code. This initial final plat is primarily an access and infrastructure package that details the initial infrastructure construction for the first phase of the Haymeadow PUD. The plat does create four multi-family development tracts, eight single family lots and five duplex lots. The multi-family parcels will be subject to a further development permit process that will determine the exact number of dwelling units to be constructed. The impact fees for the multi-family units will be paid at time of development permit, when the exact density is determined.

This application will include the payment of impact fees for the eight single family lots and the five duplex lots, a total of eighteen units.

The Street Improvement Fee of \$1,016.00 per unit totals \$18,286.00.

It is the applicant's understanding that there is no longer an Emergency Medical Impact Fee requirement.

The Fire Protection Impact Fee will be paid in accordance with the language of the approved ADA, which details a significant up-front fee payment at the time the Greater Eagle Fire Protection District is issued a building permit for a new station.

ADA Section 9.3 Perimeter Fence

This section of the ADA details a requirement to establish a perimeter fence on the north and east sides of the Haymeadow PUD boundary to prevent cattle on adjacent lands from entering the Haymeadow property. Since the Haymeadow PUD and ADA was approved there has been a significant change in land use and ownership of the adjacent lands that render this requirement unnecessary. The adjacent ranch property has been purchased by Eagle County as a protected open space parcel and the associated grazing permit for the BLM lands along the north boundary has been discontinued.

Because of these ownership and lease changes and in consultation with Colorado Parks and Wildlife the cattle fencing along the north boundary has been removed completely and the cattle fence along the Hardscrabble Ranch boundary has been removed and replaced with a wildlife friendly fence.

ADA Section 9.4 Brush Creek Road Fence

This section of the ADA requires the removal of existing fencing along Brush Creek Road as the phases of development commence. In compliance with this requirement the implementation of these first phase improvements will include removal of the fence along Brush Creek Road from the western property boundary to the existing willow tree corridor.

ADA Section 9.5 Raw Water to School/Park Parcel

The ADA requires the Haymeadow PUD to provide raw water for irrigation purposes to the designated school and town park parcel. The applicant has worked closely with the town staff to determine how to best serve the property and the proposed engineering plans include construction design for a raw water delivery system that will serve the school/park parcel. All the outside irrigation within the Haymeadow PUD including the Sylvan Lake Road roundabout, streetscape landscaping, the school/park parcel, all parks and open space and all residential development will be provided from a raw water system. This system will alleviate demand on the town system to treat and store water for

irrigation needs. A complete report on the raw water irrigation system proposal is included as an appendix to this report.

#### ADA Section 9.7 Recreation Path to Pool & Ice Facility

The submitted engineering plans detail the proposed 10-foot-wide paved path connection from this first phase of Neighborhood A to the Pool & Ice Rink that is in compliance with this requirement.

#### ADA Section 9.8 Recreation Trail Along Sylvan Lake Road

The submitted engineering plans include a design for a 10-foot-wide paved recreation trail that will tie into the existing trail connections at Sylvan Lake Road and Meadow Lark Lane and will extend along the new roundabout and will parallel the length of Sylvan Lake Road. As Sylvan Lake Road is extended into future phases this trail will also be extended. The proposed plans are in full compliance with this requirement.

#### ADA Section 9.9 Wetlands Enhancement

This section of the ADA requires the submittal of a wetlands enhancement plan for the wetland area located south of Neighborhood A. A comprehensive Wetlands Enhancement Plan has been developed for this area by Birch Ecology, LLC and is included as an appendix to this application. This plan includes a description of how the wetlands footpath system will be designed and constructed.

#### ADA Section 10.3 Sylvan Lake Road Roundabout

The application includes detailed engineering plans for the first phase of the Sylvan Lake Road Roundabout that will be built during this first phase of infrastructure construction. The proposed plans are in full compliance with this requirement.

#### ADA Section 10.4 Recreation Path Connection to Pool & Ice Rink Facility

This section of the ADA is identical to the previously addressed Section 9.7. The 10-foot wide trail has been fully designed and will be a part of the initial infrastructure construction package in full compliance with this requirement.

#### ADA Section 14.1 Brush Creek Road Right-of-Way

This section of the ADA requires a dedication of a 30-foot wide strip of land adjacent and parallel to Brush Creek Road along the boundary of the Haymeadow PUD. The purpose of the dedication is to allow room for future road improvements. The Filing 1 Plat creates this 30-foot wide dedication parcel in full compliance with this section of the ADA.

ADA Section 14.2 Upland Open Space

This section of the ADA requires a sequential dedication of the upland areas north of the proposed residential neighborhoods to the Town of Eagle for use as open space. The proposed Filing 1 Plat details the proposed dedication area and is in full compliance with this requirement.

ADA Section 14.3 Fire Station Dedication

This Haymeadow Filing 1 Final Plat includes a land dedication of approximately 1.6 acres for the future construction of a new Greater Eagle River Fire Protection District fire station in full compliance with this commitment.

ADA Section 14.4 Haymaker Trail Easement

This section of the ADA requires the applicant to provide an easement over the existing Haymaker Bicycle and Pedestrian Trail. This requirement has been met and a permanent easement has been provided to the town and is recorded as reception # 201504931 at the Office of the Eagle County Clerk and Recorder. The easement will be described on the Haymeadow Filing 1 Final Plat.

ADA Section 14.8 Wetland Open Space

This section of the ADA requires a dedication of the wetland area south Neighborhood A to the Town of Eagle for use as open space. The proposed Filing 1 Plat details the proposed dedication area and is in full compliance with this requirement.

ADA Section 15

This section of the approved ADA outlines the requirement for the dedication of the land identified as Parcel 8 on ADA exhibit H for public school and recreation purposes. This plat does identify and propose dedication of that land.

ADA Section 17 Eagle Ranch Recapture Fee

The approved ADA includes a commitment for the Haymeadow PUD to provide reimbursement, in the form of a described “recapture fee” to the Town of Eagle, to then be made to West Eagle Ranch LLC, for the extension of Sylvan Lake Road, for Highway 6 access improvements and for certain wastewater system improvements. The fee has been calculated by the town engineer to be \$1051.12 per unit and is paid at each applicable final plat. Town of Eagle approval of this application will trigger the payment of this fee for the eighteen units created by this final plat, a total fee of \$18,920.16.

ADA Section 20.2 Reclamation of Open Space

The Preliminary Plan vegetation analysis identified a couple of areas north of the proposed neighborhoods and above the area historically irrigated that had been previously disturbed by

agricultural activities that are now somewhat populated with weeds. ADA Section 20.2 requires the submittal of a reclamation plan for these areas of the upland open space. A reclamation plan for these areas has been developed and is included with this application in compliance with this requirement. The reclamation of the upland open areas will occur simultaneously with the infrastructure construction for this phase I final plat.

#### ADA Section 21 Mail Delivery

This section pertains to mail delivery and requires the Town of Eagle and the developer to meet with the postal service to determine if any on-site delivery to cluster mail boxes will be provided by the postal service. If so, the proposed improvements will include appropriate design for facilities to accommodate on-site mail delivery. To date no determination has been made regarding mail delivery. The applicant will work with town staff and the postal service to resolve this question. There are areas within the phase I plat that could be designed to serve cluster box mail delivery.

#### ADA Section 22 Chemical Management Plan

This section requires the submittal of a chemical management plan for use of chemicals in the open space areas to be maintained and managed by the metropolitan district. As the applicant initiated the environmental reports required under the ADA it became apparent that the chemical management plan is best incorporated into the related required reports. The Open Space Management Plan is the primary document to guide the ecological management of the open space areas and chemical management is incorporated into that plan as Section 4.3. The Open Space Ecological Enhancement Plan, which details the program for eradication of existing weeds in several identified locations also contains chemical management direction under Section 9 of that report. The accompanying Integrated Weed Management Plan also includes, as Section 8, a section detailing chemical management.

#### ADA Section 23 Open Space Management Plan

Section 23 of the ADA requires a written management plan for the areas of upland open space. This management plan has been included in this application and details the long-term maintenance strategy for the upland open space areas.

#### ADA Section 25 Open Space Management Responsibility

The approved ADA includes an Exhibit K that details the ownership and maintenance responsibility of various elements of the Haymeadow plan, particularly open space, parks and trails. The maintenance responsibilities are designated to either the Town of Eagle or the Haymeadow HOA or the Haymeadow Metropolitan District. Section 25 of the ADA requests that the applicant identify, at this time, which entity, the HOA or the metropolitan district will assume the maintenance tasks assigned to the applicant. An updated version of Exhibit K, titled Haymeadow Ownership and Maintenance Responsibility Chart has been included as an appendix to this report. The chart details which entity will be responsible for maintenance of each listed element. In short, the HOA will be

responsible for covenant control and the design review function and the metropolitan district will handle all maintenance elements.

**4. Summary**

The Haymeadow PUD Preliminary Plan was approved in 2014 and allows for 837 units on the 660-acre parcel in five relatively distinct neighborhoods. The first neighborhood to be developed within the Haymeadow PUD, Neighborhood A1, is comprised of 47.7 acres and allows for up to 146 multi-family homes and 82 single family/duplex homes. The approved Haymeadow PUD Guide and the Haymeadow Annexation and Development Agreement regulate the development within the PUD.

The Haymeadow Filing 1 Final Plat for this first phase of Neighborhood A1 is in full compliance with the approved documents and plans. The Haymeadow Filing 1 plan initiates maintains and initiates the vision for a mixed use residential neighborhood with a variety of unit types around a central park system and surrounded by trails and open space. The infrastructure design and the layout of the proposed roads, utilities, open space areas, recreation tracts, land dedications and development parcels is in conformance with the design and intent of the approved Preliminary Plat. The compliance with the approved Preliminary PUD design concept maintains the conformance with the town's goals policies and regulations as determined and memorialized in the Preliminary Plan approval.

The proposed Haymeadow Filing 1 Final Plat is in compliance with all the requirements imposed under the approved Annexation and Development Agreement that are due to be addressed at this time and with this application.

**EXHIBIT B:  
PUD Guide  
(attached)**

**PUD GUIDE FOR  
THE HAYMEADOW PLANNED UNIT  
DEVELOPMENT**

**March 25, 2014**

**APPROVAL OF THIS PLAN CONSTITUTES A VESTED PROPERTY RIGHT  
PURSUANT TO SECTION 24-68-103,C.R.S., AS AMENDED**

## **1. PURPOSE:**

The purpose of the Haymeadow PUD Guide is to serve as the governing land use regulations which will control the development of the Haymeadow PUD. The PUD Guide will serve as the “Zone District Regulations” for the PUD and is in conformance with Section 4.11.030 of the Town of Eagle Land Use and Development Code.

The Haymeadow PUD authorizes a total of 837 dwelling units, a public school facility, a fire station, active and passive parks and recreation areas, community facilities, trails and open space on 660 acres of land within the Town of Eagle, Eagle County, Colorado as described in the approved Haymeadow PUD Development Plan. Development within the PUD is administered by the Town of Eagle through the provisions of the PUD Development Plan and this PUD Guide. Building construction within the PUD is governed by the applicable Town of Eagle ordinances, rules, regulations and codes. Approval of this plan constitutes a vested property right pursuant to section 24-68-103,C.R.S., as amended.

The approved Haymeadow PUD Development Plan Drawing dated March 25, 2014 is attached to this PUD Guide as Exhibit A.

## **2. DEFINITIONS:**

Unless otherwise defined below, all terms used in this document shall be as defined by the Town of Eagle Land Use Regulations.

### **A. Haymeadow PUD**

The Haymeadow PUD is a zone district authorized by the Town of Eagle Ordinance No. \_\_\_\_\_, Series of 2014, and containing the property commonly known as Haymeadow.

### **B. Bed and Breakfast**

An owner occupied dwelling unit that contains no more than four guest rooms where lodging, with or without meals, is provided for compensation.

### **C. Neighborhood Parcels**

Areas as indicated on the approved Haymeadow PUD Development Plan for residential development, the development of which shall be regulated by this Haymeadow PUD Guide. These parcels are listed as Neighborhood A1, Neighborhood A2, Neighborhood B, Neighborhood C and Neighborhood D.

### **D. Planning Tracts**

Areas as indicated on the approved Haymeadow PUD Development Plan and Preliminary Subdivision Plan for non-residential development, the development of which shall be regulated by this Haymeadow PUD Guide. These Tracts are listed as Tract E:

Recreation/School, Tract F: Park, Tract G: Fire Station and Tract H: Future Development. The future resubdivision of Tract K will create additional tracts regulated by the PUD Guide. The Preliminary Plan is attached as Exhibit B.

**E. Special Use**

Special Use shall be as defined in Section 4.05 of the Town of Eagle Land Use and Development Code.

**3. PUD ZONE DISTRICTS:**

**A. Residential One – Neighborhood Parcels A1, A2, B and C:**

1. Purpose:

To provide sites for single family and multi-family homes on a variety of lot sizes that will maintain and reinforce the existing small town development pattern, character and architectural heritage of the Town of Eagle and to provide for mixed residential neighborhoods in order to serve the needs of the residents of Eagle. The design of neighborhoods in this district is intended to allow for flexibility, innovation and site sensitive planning that is responsive to both the design character and the functional requirements of the community.

2. Uses by Right:

- a. One single family home on each specifically designated lot.
- b. One duplex building (two units) on each specifically designated lot.
- c. Multiple family residential, including condominiums, townhomes, flats or apartments, and single family or duplex cluster units on specifically designated lots.
- d. Accessory apartment to single family dwelling as defined by the Town of Eagle (TOE) Municipal Code, not to exceed 700 square feet.
- e. Utility service structures and buildings.
- f. Home occupations as defined by the TOE Municipal Code.
- g. Parks, open space and community gardens.
- h. Model homes.
- i. Pedestrian and bicycle trails.
- j. Ponds, reservoirs and irrigation ditches.
- k. Temporary construction staging areas.
- l. Additional uses determined by the Town Planner to be similar to uses by right listed above.
- m. Accessory uses customarily appurtenant to uses by right listed above including special events.
- n. A Homeowner Association operated or contracted enclosed storage building shall be allowed in Neighborhood C.
- o. Typical agricultural uses may continue within each neighborhood until residential site development is initiated within the neighborhood.
- p. Mail box drop boxes or similar mail delivery facilities.

3. Special Uses:
  - a. Day care of more than 8 children and elderly care.
  - b. Temporary sales office.
  - c. Special Events
  
4. Minimum Building Setback Requirements:
  - a. Single family with front loaded garage:
    1. Front: 12.5 feet minimum setback to the front porch and /or front of the building facade. Porch steps may encroach up to 5 feet into the 12.5 foot required setback. The minimum distance from the front property line to a garage door shall be 25 feet. The maximum front setback for the front porch shall be 22 feet from the front property line.
    2. Side: 12.5 feet.
    3. Rear: 12.5 feet for one-story elements and 20 feet for two-story elements.
  
  - b. Duplex with front loaded garage:
    1. Front: 12.5 feet minimum setback to the front porch and /or front of the building facade. Porch steps may encroach up to 3 feet into the 12.5 foot required setback. The maximum front setback for the front porch shall be 22 feet from the front property line. The minimum distance from the property line to a garage door facing a front property line shall be 25 feet.
    2. Side: 12.5 feet. The minimum distance from the side property line to a garage door shall be 33 feet for a lot with a shared driveway.
    3. Rear: 12.5 feet. An unenclosed, covered porch or deck may encroach up to 5 feet into the rear setback.
  
  - c. Single family and duplex uses with alley loaded garage:
    1. Front: 12.5 feet to the front porch and /or front of the building facade. Porch steps may encroach up to 3 feet into the 12.5 foot required setback. The maximum front setback for the front porch shall be 22 feet from the front property line.
    2. Side: 12.5 feet
    3. Rear: 12.5 feet, however, the minimum distance from the property line to a garage door shall be 22 feet, or 24 feet to the alley travel way, whichever is more restrictive.
  
  - d. Multiple Family:
    1. Front: 15 feet. The minimum distance from the front property line to a garage door shall be 25 feet.
    2. Side: 15 feet
    3. Rear: 20 feet
  
  - e. Supplementary setback requirements:
    1. Roof eaves, bay window elements and similar features may encroach up to 30 inches into any required setback.

2. Corner lots shall require compliance with the front setback standards on each side of the lot that fronts a public street.
  3. There shall also be a 50 foot building setback from Sylvan Lake Road in Neighborhood A1 and A2.
5. Maximum Building Height:  
35 feet.
6. Maximum Lot Coverage:
  - a. Residential Multi-Family
    1. Building 60%
    2. All impervious materials - 70%
  - b. Residential Single Family
    1. Building 40%
    2. All impervious materials - 60%
7. Maximum Density:  
The maximum density shall not exceed 15 dwelling units per gross acre for development within any Multi-Family Tract as shown on the initial Final Plat for each Neighborhood.
8. Neighborhood A1 Core Trail:  
The Multi-Family buildings in west/central area of Neighborhood A-1 shall be configured in such a manner to accommodate an alignment of the future 10 foot wide asphalt trail identified on the Neighborhood A-1, Phase 1 Trails Plan as described below.  
  
This trail will serve as a main route for school children to access the school site at a location close to the north side of the school's vehicular access system. This trail shall be configured to encourage use by children and designed in such a manner that provides direct views of the school site where possible and places a strong emphasis on safety at roadway crossings. This portion of the trail system will be approved by the Town as part of the Development Permit review process for the adjacent multi-family buildings and the trail shall be constructed concurrent with the multi-family units. In the event construction is initiated on the school prior to completion of the trail, the developer shall cause completion of this trail prior to the opening of the school.
9. Supplemental requirements:  
The minimum depth for first floor front porches shall be 7 feet.

**B. Residential Two – Neighborhood D:**

1. Purpose:  
To provide sites for lower density single family homesites.

2. Uses by Right:
  - a. Single family dwelling units not to exceed 7,000 square foot maximum size.
  - b. Accessory apartment to single family dwelling as defined by the Town of Eagle Municipal Code, not to exceed 700 square feet.
  - c. Model homes.
  - d. Parks, open space and community gardens.
  - e. Home occupations.
  - f. Utility service structures and buildings/ maintenance facilities.
  - g. Pedestrian and bicycle trails.
  - h. Ponds, reservoirs and irrigation ditches.
  - i. Temporary construction staging areas.
  - j. Additional uses determined to be similar to uses by right listed above.
  - k. Accessory uses customarily appurtenant to uses by right listed above.
  - l. Accessory buildings may include detached garages, sheds and similar structures.
  - m. Temporary tree farm
  - n. Typical agricultural uses may continue within the neighborhood until residential site development is initiated.
  - o. Mail box drop boxes or similar mail delivery facilities.
  
3. Special Uses:
  - a. Day care of more than 8 children and elderly care.
  - b. Bed and breakfast.
  - c. Temporary sales office.
  - d. Gravel borrow pit for on-site use.
  - e. Special Events
  
4. Minimum Building Setback Requirements:
  - a. Front: 25 feet
  - b. Side: 15 feet
  - c. Rear: 20 feet.
  
5. Supplementary setback requirements:
  - a. Corner lots shall require compliance with the front setback standards on each side of the lot that fronts a public street.
  - b. Roof eaves, bay window elements and similar features may encroach up to 30 inches into any required setback.
  - c. All garage doors shall be a minimum of 25 feet from the facing property line.
  
6. Maximum Building Height:  
35 feet.
  
7. Maximum Lot Coverage:
  - a. Building - 30%
  - b. All impervious materials - 50%

8. **Building Envelopes:**

The Subdivision Final Plat or Plats for Neighborhood D shall contain appropriate notations requiring building envelopes to be designated on certain lots prior to any site grading or other disturbance of the designated lot. Specifically, any lot over 1/2 acre shall be limited to a building envelope of 15,000 square feet. Application(s) for Subdivision Final Plat shall include a supplemental exhibit specifying lots requiring building envelopes. Upon approval of such supplemental exhibit by the Town Planner, any modification of such supplemental exhibit shall require approval from the Town. The owner of such lot shall propose a building envelope as part of the application for design review and building permit. The proposed building envelope shall comply with all criteria affecting building envelopes contained in the Design Guidelines as approved by the Town, and shall be so indicated graphically on a landscape/ site plan. This landscape/site plan shall also include calculations to indicate the building envelope does not exceed 15,000 sq. ft. The Town reserves the right not to issue a building or site improvement permit until a building envelope, if required, that complies with all approved Design Guideline criteria has been approved by the Design Review Committee.

As used in this document, the term "building envelope" shall be deemed to include the residence, any allowable accessory buildings, driveways, walkways, patios, and landscaped areas.

All portions of a lot outside of the designated 15,000 square foot building envelope shall maintain the existing pasture grasses or be landscaped in a dryland, native or xeric style that requires minimal irrigation. Any landscaping of this area shall require approval by the DRB.

9. **Wildlife Corridor and Berm:**

At the time of the first subdivision plat for Neighborhood D a 500 foot wide wildlife corridor shall be established on the adjacent open space to the east of Neighborhood D, as indicated on the approved PUD Development Plan attached as Exhibit A. If at this time a corresponding 500 foot wide wildlife corridor has not been provided or committed on the adjacent Adam Rib Ranch property, then a 1000 foot wide corridor is required on the Haymeadow Planned Unit Development. At the time of this final plat a deed restriction shall be placed on this wildlife corridor to guarantee its protection. This corridor shall be maintained in agricultural production.

The construction of a landscape screening berm shall be included in the public improvements for Neighborhood D. The purpose of this landscape screening berm is to provide visual buffer between the animals using the wildlife corridor and the activity associated with Neighborhood D. The final plat or deed restriction will include language that ensures this landscape screen/ berm is a permanent landscape feature. A conceptual graphic that illustrates the intent of the landscape berm is attached as Exhibit C.

**C. Recreation Open Space/School – Tract E, Town of Eagle Recreation and School Site:**

1. Purpose:  
To provide a land area for a recreation site and a school site to be dedicated to the Town of Eagle.
  
2. Uses by Right:
  - a. Indoor and outdoor recreation and entertainment facilities.
  - b. Parks and picnic facilities.
  - c. Community Center.
  - d. Cultural and educational buildings and activities.
  - e. Concessions, food and beverage service.
  - f. Special events including sports events and tournaments, entertainment and cultural events.
  - g. Public Administration building.
  - h. Administration/Maintenance facilities.
  - i. Equestrian, pedestrian and bicycle trails.
  - j. Dog park.
  - k. Community gardens.
  - l. Playgrounds, play equipment and water features.
  - m. Temporary structures, tents and trailers associated with special events.
  - n. Landscape improvements.
  - o. Lakes, ponds, reservoirs and irrigation ditches
  - p. Public and/or Private School and related ancillary facilities, which may include, but not be limited to, classrooms, common areas, gymnasiums, cafeterias, theatres, offices, meeting rooms, parking, and outdoor recreation and athletic facilities. A stand-alone bus barn or overnight vehicle storage area would not be considered a use-by-right.
  - q. Special events utilizing either indoor or outdoor facilities of the school, including sporting, cultural or entertainment events.
  - r. Temporary construction/administration office.
  - s. Agricultural uses.
  - t. Public or private roads and utilities including bridges, utility, improvements, lines and mains, facilities, services and buildings.
  - u. Additional uses determined to be similar to uses by right listed above.
  
3. Minimum Building Setback Requirement:  
There shall be a 25 foot building setback from all lot lines that front public roads, except from Sylvan lake Road where a 50 foot setback shall be required. From other lot lines there shall be no minimum except must be sufficient to accommodate utilities, drainage, access, fire and building code regulations.
  
4. Maximum Building Height:  
35 Feet. Architectural features such as a tower, cupola or other architectural focal point

may have a maximum height of 42 feet if approved by the Haymeadow Design Review Board.

5. Density Allowance:  
N/A

6. Maximum Site Coverage:  
N/A

**D. Natural Open Space Tracts - OS-A, OS-B & OS-C, as labeled on the Preliminary Subdivision Plan, as well as future open space Tracts which will be created through resubdivision of Tract H of the PUD Preliminary Subdivision Plan. The approved PUD Development Plan depicts the general location and size of the future Open Space and Neighborhood areas within Tract H. The PUD Preliminary Subdivision Plan is attached as Exhibit B.**

1. Purpose:  
To provide sites for natural open space, active recreation, agricultural uses, trails and park facilities, water storage and drainage improvements and landscape improvements.

2. Uses by Right:

- a. Equestrian, pedestrian and bicycle trails.
- b. Landscape Improvements.
- c. Lakes, ponds, reservoirs and irrigation ditches.
- d. Shade shelters and picnic facilities.
- e. Public or private roads, trailhead parking, restrooms, and utilities including bridges and utility improvements, tanks, lines, mains, pumphouses, facilities, services and buildings.
- f. Agricultural uses and associated facilities.
- g. Community gardens and associated facilities.
- h. Dog parks.
- i. Special events associated with agricultural facilities, community garden facilities, trails and trailheads, such as athletic, entertainment or cultural events.

3. Building Setback requirement  
25 feet

4. Maximum Building Height  
35 feet

5. Gross Density Allowance:  
N/A

6. Maximum Site Coverage:  
N/A

7. **Supplemental Requirements:**  
The design and placement of recreation trails adjacent to the eastern wildlife corridor and open space shall minimize the impact of recreation users upon wildlife.

**E. Fire Station - Tract G:**

1. **Purpose:**  
To provide a site for a fire station and related improvements.
2. **Uses by Right:**
  - a. Fire station and related ancillary facilities, which may include, but not be limited to, offices, meeting rooms, training areas, crew quarters and temporary residences for fire fighters.
  - b. Additional uses determined to be similar to uses by right listed above.
  - c. Accessory uses customarily appurtenant to uses by right listed above.
3. **Building Setback Requirement:**  
There shall be a 25' building setback from all lot lines.
4. **Maximum Building Height:**  
35 feet. Architectural features such as a tower, cupola or other architectural focal point may have a maximum height of 42 feet if approved by the Haymeadow Design Review Board.
5. Haymeadow DRB approval and Town of Eagle Development Permit approval will be required prior to construction of buildings or alteration of the site.

**F. Trailhead Park – Tract F**

1. **Purpose:**  
To provide a site for active park and recreation facilities, formal and informal play fields, open space, ponds and water features, stream corridors and recreation trails, community buildings and facilities.
2. **Uses by Right:**
  - a. Indoor and outdoor recreation and entertainment facilities.
  - b. Parks and picnic facilities.
  - c. Community Center.
  - d. Cultural and educational buildings and activities.
  - e. Concessions, food and beverage service.
  - f. Special events including sports events and tournaments, entertainment and cultural events.
  - g. Administration/Maintenance facilities.
  - h. Homeowner Association operated or contracted enclosed storage building.
  - i. Equestrian, pedestrian and bicycle trails.
  - j. Dog park.

- k. Community gardens.
  - l. Playgrounds, play equipment and water features.
  - m. Temporary structures, tents and trailers associated with special events.
  - n. Landscape improvements.
  - o. Lakes, ponds, reservoirs and irrigation ditches.
  - p. Temporary construction/administration/sales office. Public or private roads and utilities including bridges, utility, improvements, lines and mains, facilities, services and buildings.
  - q. Agricultural uses.
  - r. Additional uses determined by the Town Planner to be similar to uses by right listed above.
3. **Building Setback Requirement:**  
There shall be a 25' building setback from all lot lines.
4. **Maximum Building Height:**  
35 feet. Architectural features such as a tower, cupola or other architectural focal point may have a maximum height of 42 feet if approved by the Haymeadow Design Review Board.

#### **4. DENSITY CONTROL**

Allowable maximum densities for each Neighborhood Parcel are set forth within the following density chart; provided however, that any Neighborhood Parcel may contain up to 1.25 times the total number of allowable dwelling units as described below. Any such increase in density of a Neighborhood Parcel shall be offset by an equal decrease in density from another Neighborhood Parcel. The intent of this provision is to allow flexibility in planning to take into account varying site conditions, market conditions and other design factors. There shall be no transfer of density allowed into Neighborhood D.

In no event shall the total number of residential units in all planning parcels within the Haymeadow PUD combined exceed 837 units. Accessory dwelling units not exceeding seven hundred (700) square feet appurtenant to single family dwellings shall not be included in such limitation.

The combination of two or more existing residential units into a lesser number of units shall first be approved by the Haymeadow Design Review Board and the Town Planner if any of such units have been designated as an affordable housing unit pursuant to the Town of Eagle Local Employee Residence Program. Approval by the Town shall be granted if such combination is in conformance with this PUD Guide and any applicable building codes. However, residential units designated as affordable housing units shall not be combined if such combination would reduce the total number of affordable housing units below the minimum number of required affordable housing units required under the Town's Local Employee Residence Program.

The Haymeadow Homeowners (Design Review Board) and the Town of Eagle shall have all remedies available to them at law or in equity to enforce the provisions of this Section.

Accompanying each Final Plat and Development Permit application shall be an inventory of dwelling units that have been approved by previously final plats and/or Development Permits for each respective Neighborhood.

<b>Neighborhood</b>	<b>Single Family/Duplex</b>	<b>Multi-Family</b>	<b>Total # D.U.</b>
A1	82	146	228
A2	103	86	189
B	161	48	209
C	97	64	161
D	50	0	50
<b>TOTAL</b>	<b>493</b>	<b>344</b>	<b>837</b>

Density within each neighborhood has been defined in the PUD Development Plan and the PUD Guide as two unit types: Multi-Family and Single Family/Duplex. Up to 25% of the units identified as Multi-Family may be converted to Single Family/Duplex units and allowed in areas referenced as Multi-Family on the PUD Zoning Plan. No additional density beyond the 837 approved units is allowed.

## **5. PARKING REQUIREMENTS**

All uses within Haymeadow will be subject to the parking standards of the Town of Eagle Land Use & Development Code with the following exceptions. Any on-street parking spaces shall be constructed as guest or park parking and may not be counted toward fulfilling residential parking requirements. Each single-family or duplex residence shall have a minimum of two on site parking spaces in addition to any garage space. These parking spaces shall fit within the property and not overhang any public walkway or travel way. Any accessory dwelling associated within a single family residence shall have one dedicated on-site parking space. A Bed and Breakfast use as defined in this PUD Guide shall provide the required single family parking plus one additional parking space per guest room.

## **6. DESIGN REVIEW**

Design guidelines shall be prepared which will establish architectural and building material standards, landscape design, urban design, site design standards and a design review process for development within Haymeadow. These guidelines, and any subsequent major revisions to the guidelines, shall be subject to the review and approval of the Town of Eagle.

The Haymeadow Home Owners Association shall establish a Haymeadow Design Review Board that shall have authority and responsibility over the design review process. In the event that the

Haymeadow Design Review Board ceases to fulfill its duties as described in the guidelines the Town of Eagle may assume the role of the Design Review Board.

All projects requiring a Town of Eagle permit shall adhere to the standards of this PUD and, where not specifically covered, the provisions of the Town of Eagle Land Use Code.

Applicants for all new development proposals, new buildings or building modifications, new landscaping or landscaping modifications, as defined in the adopted design guidelines, shall submit such proposals for review and approval by the Design Review Board.

The Town of Eagle shall not issue a building permit or grading permit without prior approval by the Design Review Board as demonstrated by drawings stamped as approved by the Design Review Board.

**1. Architectural Design Standards:**

The site design concept for Haymeadow, and for Neighborhood A in particular, is to create pedestrian friendly, walkable well-connected neighborhoods. A streetscape plan that includes a wide planting strip with street trees and sidewalks along both sides of the street will frame the residential development.

In the single family and duplex neighborhoods relatively narrow lots with uniform building setbacks, recessed garages and a well-established front porch element will create a strong neighborhood pattern. As the development progresses into Neighborhoods B, C and D the approved PUD Development Plan density decreases and the narrow lot pattern and streetscape design may become more relaxed.

Multi-family buildings will also be oriented to respect the streetscape while providing off-street parking. The buildings will be arranged to also focus on courtyard and open space access that will maintain a less formal but equally inviting pedestrian neighborhood quality.

The architecture of the Haymeadow community will both integrate with and enhance the beauty of the Town of Eagle and the Brush Creek valley. The intended goal is to develop a series of neighborhoods at ease with the surrounding ranching setting that look and feel like a natural evolution of the greater Eagle community. This will be assured through the development, adoption and enforcement of design guidelines that:

- a. Establish design and construction standards that both fit in the setting and ensure a consistent high level of quality across a wide array of housing types;
- b. Respond to the unique attributes and sensitivities of the site which are reflected in the design tenets underlying the plan;
- c. Implement a diverse but cohesive, unified and balanced architectural and landscape theme;
- d. Control massing of buildings to be appropriate in scale and context;
- e. Site structures in a manner which responds to existing physical site features, maximizes vistas, privacy and addresses energy usage ;
- f. Utilize forms and materials that honor the site's cultural history.

The Applicant has begun to develop housing designs that are illustrative of its vision for the property and are attached as Exhibit D.

These illustrative drawings:

- are examples of the type and style of housing that can be achieved in each residential building type. The architectural character will offer variety but will also include a style that ties together the single family and multi-family building types;
- reflect the general design principals outlined above which are the framework to be expanded upon and implemented in future design guidelines.

The architecture of the Haymeadow Community is inspired by the natural materials and simple gathered forms of the surrounding historic Colorado ranch compounds. These typical asymmetric historic buildings which evolved over time have a casual and intimate architecture which is at harmony with the land. The proposed palette of natural earth colored stucco, timbers and stained wood sidings will give the buildings a natural patina that will blend in with the surroundings. The architecture of the community will be rooted in the history of the place.

The main element of the house should typically be two stories in height and typically have gable roof(s) with smaller attached one-story elements with typical shed roofs. Buildings are generally taller in the middle and step down at ends with typically one and a half story massing at the sides of the house and should step with grade to minimize site grading.

Primary building materials/colors must be muted tones derived from the earth, trees and rock outcroppings of the surroundings environment.

**2. Environmental Building Practices:**

- a. Low environmental impact and energy efficiency approaches to site planning, design, landscaping and construction are highly encouraged.
- b. Owners are encouraged to review LEED guidelines published by the US Green Building Council ([www.usgbc.org](http://www.usgbc.org)) which encourage energy efficiency, resource efficiency and healthy indoor air quality.
- c. Passive and active solar is highly encouraged. Hot water and photo voltaic solar panels are encouraged to be well planned and integrated in to the architectural design. Panels should be installed in the same plane as the roofs and close to flush with the roof. Solar panels and all associated mounting brackets and hardware shall be all black. No bright shiny metal elements are allowed.

**3. Landscape Design Standards:**

Landscape Design Standards will be written and adopted as an integral part of the overall design guidelines. The intent of the landscape design guidelines will be provide

standards for landscaping and water conservation within the PUD that enhance and maintain the character of the residential neighborhoods and public spaces of the Haymeadow PUD. This will be accomplished by:

- a. Setting minimum and maximum standards for planting within residential and public spaces.
- b. Promoting the conservation of water through selection of proper plant palettes and the use of efficient irrigation techniques.
- c. Controlling the spread of noxious weeds and invasive plant species.

4. **Illumination Design Standards:**

Illumination design standards for residential and public uses shall be included within the approved design guidelines. The intent of these standards will be to provide compliance with adopted Town of Eagle lighting requirements and appropriate dark sky practices.

5. **Fencing Design Standards:**

Fencing design standards shall be included within the approved design guidelines. The intent of these standards will be to provide a compatible appearance among residential properties and to regulate the structure, location, height, color and materials of fencing prior to installation. Where appropriate and as required, wildlife friendly fencing will be specified.

6. **Specific Design Considerations:**

Specific design considerations have been discussed with the Town of Eagle through the Haymeadow PUD Development Plan approval process. This section of the PUD provides a commitment to incorporate certain design considerations into the Haymeadow Design Guidelines.

- a. Final Plat and Development Permit applications shall include site and landscape design considerations for each Sylvan Lake Road intersection that creates key visual corridors into the adjacent neighborhood, creating a sense of welcome and entry. This is of specific importance at the school road intersection.
- b. Any development plan that includes a enclosed storage building or a HOA/Metro District maintenance yard shall include appropriate landscape screening to screen the view from the public street. Any yard and building plan structures shall require approval of the Haymeadow Design Review Board.
- c. Cedar or other wood shake shingle products shall not be allowed as a roofing material.
- d. Multi-Family development and Fire Station shall be subject to Town of Eagle Development Permit review as outlined in Section 4.06 of the Town of Eagle Land Use and Development Code.

## **7. SIGNS**

Sign regulations shall meet the Town of Eagle sign code; unless a comprehensive Haymeadow Sign Program is approved by the Town of Eagle.

## **8. DOGS AND PET CONTROL**

Each dwelling unit will be permitted to house up to two dogs and offspring up to three months old. Residents will be prohibited from harboring dogs on their property unless they have adequate facilities (i.e., animals kept in residence, a fenced yard, an electronically fenced yard, dog run, or kennel) to contain the animals. Enclosed runs must be located immediately adjacent to the home, within the lot's building envelope if an envelope is required, and shall not exceed 1,000 square feet. If facilities are inadequate to contain the dog(s), the animals will be immediately removed from the subdivision until adequate structures can be built.

At no time are dogs to be allowed to run freely, other than within designated leash free dog parks. Haymeadow shall be subject to any and all leash laws and other pet regulations as adopted by the Town of Eagle.

Stray dogs may also be controlled by the Town and/or County and Colorado Department of Parks and Wildlife (CDPW). Homeowners not in compliance with these dog restrictions will be responsible for any and all costs incurred by the Town, County, and/or CDPW for enforcing these provisions.

Contractors, subcontractors and other construction related visitors shall be prohibited from bringing dogs onto the Haymeadow PUD.

## **9. FENCING**

Any fencing separating a residential lot from adjacent natural open space shall be required to meet the wildlife friendly fencing guidelines of Colorado Parks and Wildlife.

The Haymeadow Metro District and/or Homeowners Association shall be responsible for maintaining a fence at appropriate perimeter sections of the PUD to keep cattle grazing on adjacent lands from entering the Haymeadow PUD.

## **10. TOWN OF EAGLE DEVELOPMENT PERMIT**

All multi-family buildings, the fire station, school and Trailhead Park pavilion building shall be required to obtain a Development Permit pursuant to Section 4.06 of the Town of Eagle Land Use and Development Code

## **11 TRASH RECEPTACLES**

Single family residences within the Haymeadow PUD shall be restricted from storing or leaving trash receptacles outside overnight. Trash receptacles shall be placed outside on the day of pick-up and shall be returned to an indoor location the same day.

Multi-family buildings shall provide trash enclosure structures consistent with the approved Design Guidelines.

## **12. CONFLICTS**

The specific provisions of this Guide shall supersede those of the Town of Eagle Land Use Regulations. However, where the Guide does not address an issue, the specific provisions of the Town of Eagle Land Use Regulations shall prevail. In cases of dispute or ambiguity, the Board of Trustees shall act to interpret.

## **13. AMENDMENTS TO THE HAYMEADOW PUD GUIDE, PUD DEVELOPMENT PLAN AND SUBDIVISION PLANS**

It is anticipated that modifications or amendments to this PUD Guide, the PUD Development Plan, and Subdivision Plans will be necessary from time to time as Haymeadow progresses. This PUD Guide provides for two types of modifications or amendments: minor and major.

### **A. Minor Modifications:**

Minor modifications are those changes which will not alter the original project concept but which may result in minor changes in the design of Haymeadow. Minor modifications include, but are not limited to internal road alignment alterations, minor adjustments to parcel boundaries, building envelope changes, and additions of land uses not previously listed but determined to be similar to listed uses. Minor adjustments to Planning Parcel boundaries shall be defined as:

Change in land use of a parcel of property not to exceed 20,000 square feet to conform to the land use of property immediately adjacent to it, provided however, that the provisions of this article shall not apply to property adjacent to any parcel of property the land use of which has previously been changed pursuant to the provisions of this article. Minor modification shall also include any decrease in size of a Neighborhood Residential parcel that is offset by an equal increase in an open space parcel.

Minor modifications may be authorized by the Town of Eagle Zoning Administrator upon written request. The Zoning Administrator shall act upon any minor modification request within 30 days of such a request. Any decision by the Zoning Administrator may be appealed in writing to the Eagle Board of Trustees within 30 days of such decision.

### **B. Major Modifications:**

Major modifications are those changes not considered to be minor modifications and are changes that could alter the character or land use of a portion of the project.

Major modifications shall include:

1. Any increase in the total number of residential units.
2. Any change in land use designation of any parcels within the PUD, except as provided above.
3. Any additional of land into the PUD.

Major modifications shall be under the authority of the Eagle Board of Trustees. Applications for major modifications shall be heard in public hearing by the Board after receiving a recommendation from the Planning and Zoning commission. The Town Board shall approve the modification if it is found that the modification is consistent with the efficient development of the entire PUD and does not substantially affect the enjoyment of land abutting the PUD or the public interest.

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Approved by Abrika Properties, LLC, the developer of the Haymeadow PUD, this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

**TOWN of EAGLE Signature block:**

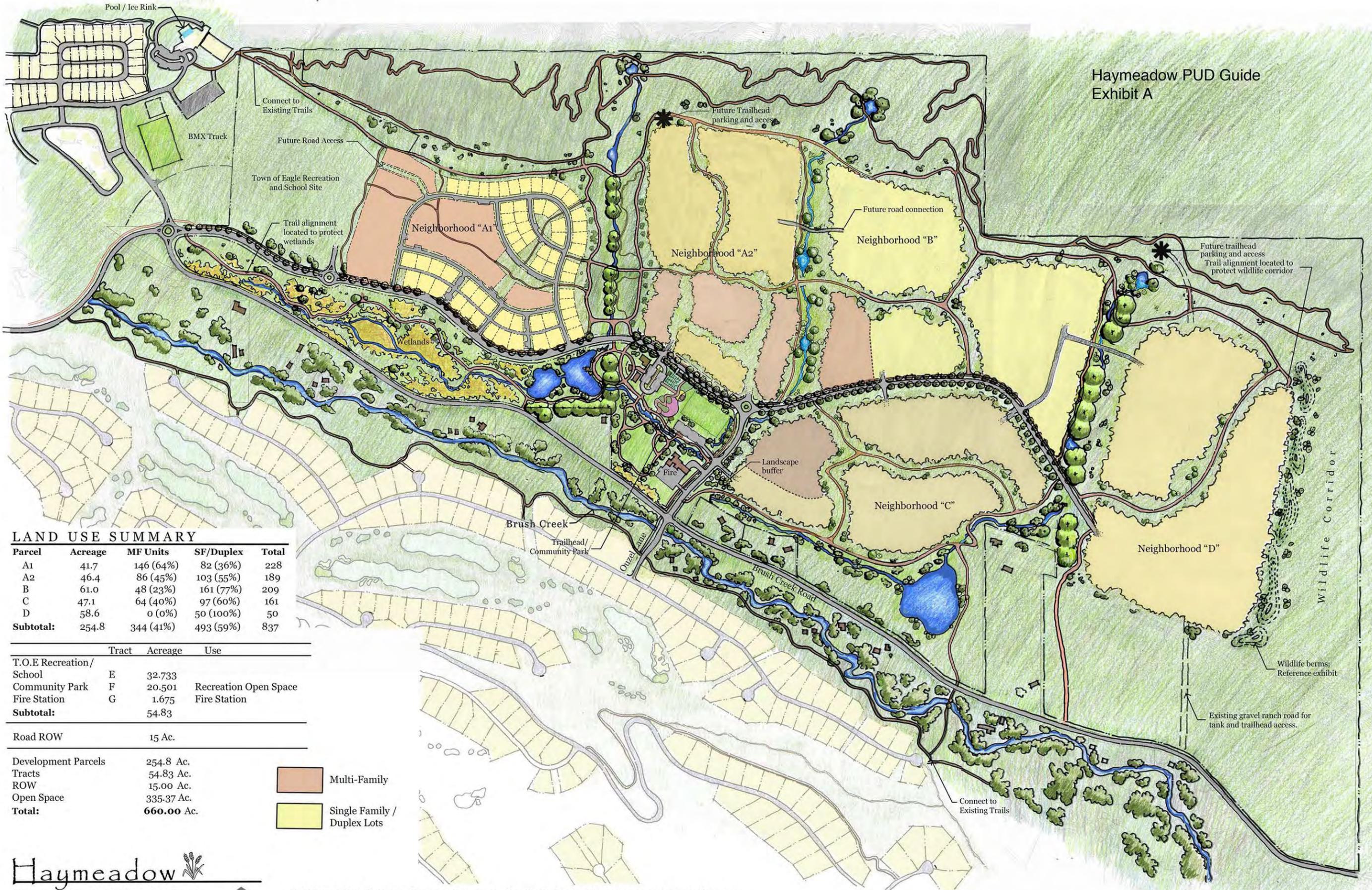
Approved by the TOWN OF EAGLE, COLORADO, a municipal corporation acting by and through its Board of Trustees, this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

\_\_\_\_\_, Mayor

ATTEST:

\_\_\_\_\_  
Town Clerk

Haymeadow PUD Guide  
Exhibit A



LAND USE SUMMARY

Parcel	Acreage	MF Units	SF/Duplex	Total
A1	41.7	146 (64%)	82 (36%)	228
A2	46.4	86 (45%)	103 (55%)	189
B	61.0	48 (23%)	161 (77%)	209
C	47.1	64 (40%)	97 (60%)	161
D	58.6	0 (0%)	50 (100%)	50
<b>Subtotal:</b>	<b>254.8</b>	<b>344 (41%)</b>	<b>493 (59%)</b>	<b>837</b>

	Tract	Acreage	Use
T.O.E Recreation/ School	E	32.733	
Community Park	F	20.501	Recreation Open Space
Fire Station	G	1.675	Fire Station
<b>Subtotal:</b>		<b>54.83</b>	

Road ROW 15 Ac.

Development Parcels	254.8 Ac.
Tracts	54.83 Ac.
ROW	15.00 Ac.
Open Space	335.37 Ac.
<b>Total:</b>	<b>660.00 Ac.</b>

- Multi-Family
- Single Family / Duplex Lots

Haymeadow

PUD DEVELOPMENT PLAN DRAWING  
dhm design | berglund architecture | pylman assoc. | alpine engineering  
scale = 1" = 300' Revised 03.25.14



See Haymeadow PUD Development Plan Application Book dated 12/2013 for general descriptions, as amended by the approved Haymeadow PUD Annexation Development Agreement.



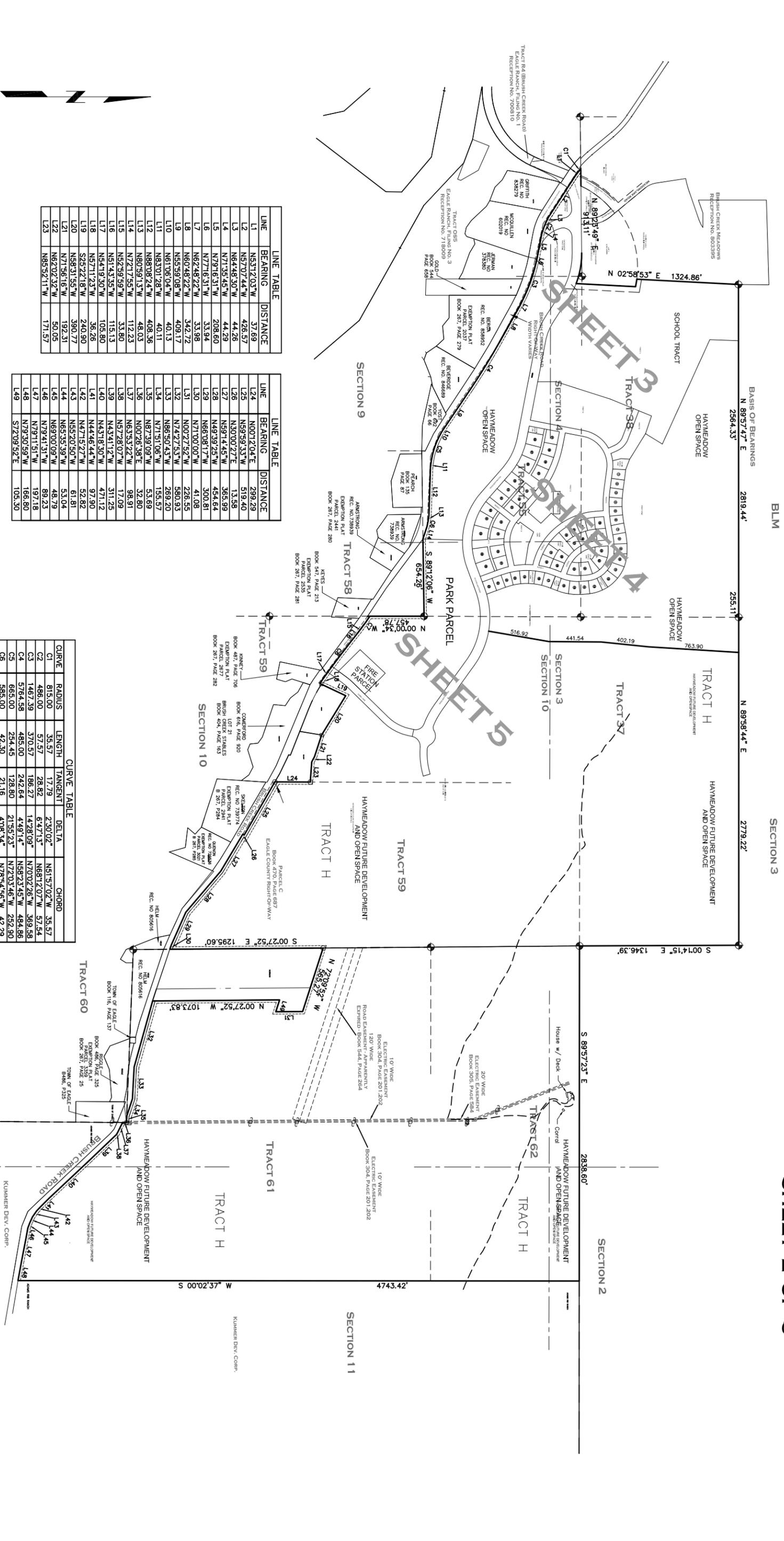
# OVERALL SHEET

## PRELIMINARY PLAT

# HAYMEADOW FILING 1

LOCATED IN TRACTS 37, 38, 44, 55, 59, 61, 62, AND 63, IN SECTIONS 2, 3, 4, 9, 10 AND 11, TOWNSHIP 5 SOUTH, RANGE 84 WEST OF THE SIXTH P.M., COUNTY OF EAGLE, STATE OF COLORADO

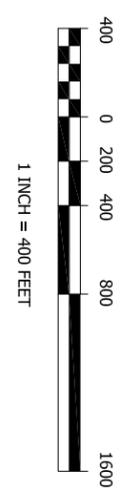
SHEET 2 OF 5



LINE	BEARING	DISTANCE
L1	N5312.03°W	37.69
L2	N5707.44°W	426.57
L3	N6448.30°W	44.26
L4	N7175.45°W	44.29
L5	N7918.31°W	208.60
L6	N7716.31°W	33.94
L7	N6248.22°W	342.72
L8	N6048.22°W	409.17
L9	N5598.08°W	40.13
L10	N6108.04°W	40.13
L11	N8301.28°W	408.36
L12	N8008.24°W	48.03
L13	N8059.13°W	112.23
L14	N7217.55°W	112.23
L15	N8259.59°W	33.80
L16	N5143.35°W	115.13
L17	N5419.30°W	105.80
L18	N5711.23°W	36.26
L19	S2522.18°W	240.90
L20	N8831.55°W	390.77
L21	N1756.16°W	192.31
L22	N8202.32°W	50.05
L23	N8552.11°W	171.57

LINE	BEARING	DISTANCE
L24	N0012.04°E	299.29
L25	N5959.33°W	519.40
L26	N3200.27°E	13.58
L27	N5914.45°W	365.99
L28	N4939.29°W	454.64
L29	N6678.17°W	300.81
L30	N7100.00°W	41.08
L31	N0027.52°W	226.55
L32	N7427.53°W	580.93
L33	N8650.43°W	269.20
L34	N7151.06°W	155.57
L35	N8739.09°W	53.69
L36	N0026.38°E	32.80
L37	N6353.22°W	98.91
L38	N5728.07°W	17.09
L39	N4341.12°W	311.25
L40	N4318.30°W	471.12
L41	N4446.44°W	97.90
L42	N4715.27°W	52.82
L43	N5520.50°W	61.81
L44	N6535.19°W	53.04
L45	N6920.09°W	48.79
L46	N7941.51°W	89.23
L47	N7911.51°W	197.18
L48	N7930.59°W	166.80
L49	S7209.52°E	105.30

CURVE	RADIUS	LENGTH	TANGENT	DELTA	CHORD
C1	815.00	35.57	17.79	2.30 02°	N51°57'02" W, 35.57
C2	486.00	57.57	28.82	6.47 13°	N68°12'07" W, 57.54
C3	1467.39	370.57	186.27	14.28 09°	N70°02'26" W, 369.58
C4	5764.58	485.00	242.64	4.49 14°	N58°23'45" W, 484.86
C5	665.00	254.45	128.80	21.56 23°	N72°03'45" W, 254.80
C6	585.00	42.30	21.16	4.08 34°	N78°54'56" W, 42.29
C7	2285.00	128.04	62.53	3.08 07°	N54°34'03" W, 125.03
C8	6465.00	293.22	146.63	2.35 55°	N53°01'32" W, 293.19



**Archibeque Land Consulting, Ltd**  
 ~ Professional Land Surveying & Mapping ~  
 105 Capitol Street, Suite 5 - P.O. Box 3893  
 Eagle, Colorado 81631  
 970.328.6020 Office 970.328.6021 Fax

REVISIED TJA 03-17-2014 RECONFIGURED LOT LINES

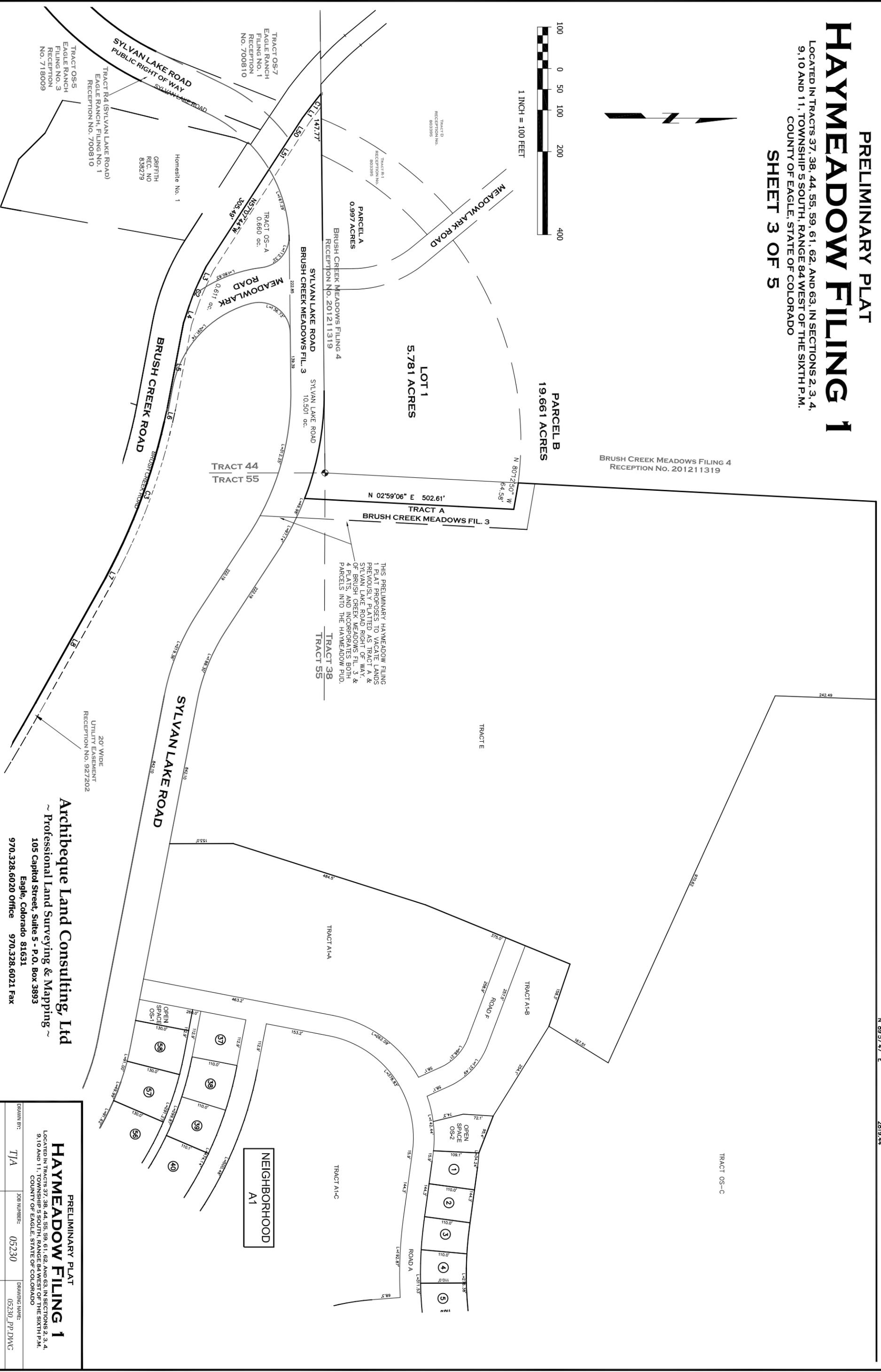
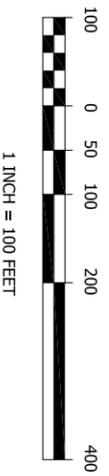
DRAWN BY:	TJA	JOB NUMBER:	05230	DRAWING NAME:	05230_PP.DWG
SHEET:	2	OF:	5	DATE:	08-07-13
CHECKED BY:	MSS				

**PRELIMINARY PLAT**  
**HAYMEADOW FILING 1**  
 LOCATED IN TRACTS 37, 38, 44, 55, 59, 61, 62, AND 63, IN SECTIONS 2, 3, 4, 9, 10 AND 11, TOWNSHIP 5 SOUTH, RANGE 84 WEST OF THE SIXTH P.M., COUNTY OF EAGLE, STATE OF COLORADO

# PRELIMINARY PLAT HAYMEADOW FILING 1

LOCATED IN TRACTS 37, 38, 44, 55, 59, 61, 62, AND 63, IN SECTIONS 2, 3, 4,  
9, 10 AND 11, TOWNSHIP 5 SOUTH, RANGE 84 WEST OF THE SIXTH P.M.,  
COUNTY OF EAGLE, STATE OF COLORADO  
**SHEET 3 OF 5**

BLM  
N 89°57'47" E  
2819.44'

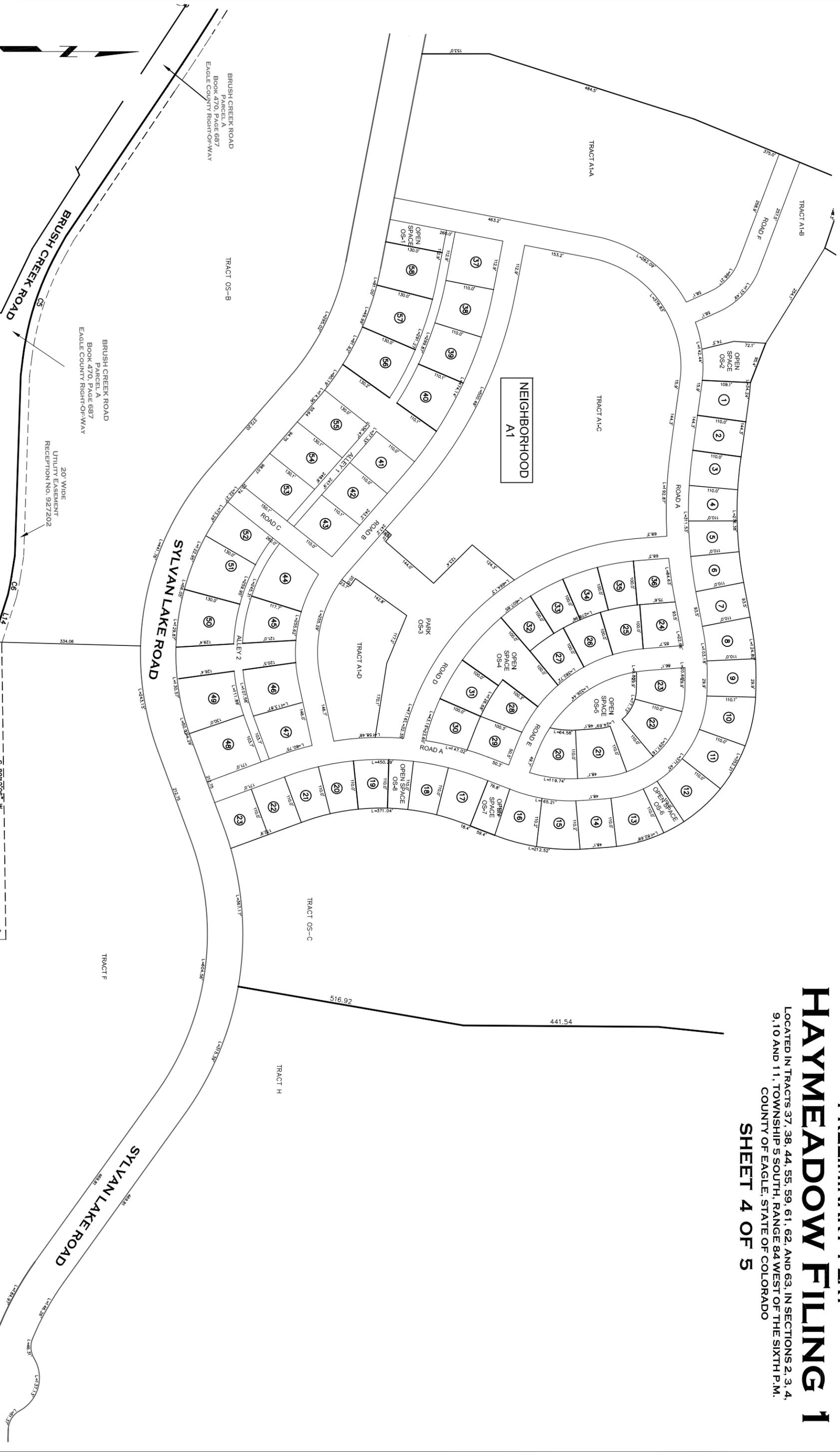


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Professional Land Surveying & Mapping  
105 Capitol Street, Suite 5 - P.O. Box 3893  
Eagle, Colorado 81631  
970.328.6020 Office 970.328.6021 Fax

PRELIMINARY PLAT <b>HAYMEADOW FILING 1</b>	
LOCATED IN TRACTS 37, 38, 44, 55, 59, 61, 62, AND 63, IN SECTIONS 2, 3, 4, 9, 10 AND 11, TOWNSHIP 5 SOUTH, RANGE 84 WEST OF THE SIXTH P.M., COUNTY OF EAGLE, STATE OF COLORADO	
DRAWING BY: TJA	JOB NUMBER: 05230
SHEET 3 OF 5	DATE: 08-07-13
CHECKED BY: MSS	DRAWING NAME: 05230_PP.DWG

# PRELIMINARY PLAT HAYMEADOW FILING 1

LOCATED IN TRACTS 37, 38, 44, 55, 59, 61, 62, AND 63, IN SECTIONS 2, 3, 4,  
9, 10 AND 11, TOWNSHIP 5 SOUTH, RANGE 84 WEST OF THE SIXTH P.M.,  
COUNTY OF EAGLE, STATE OF COLORADO  
**SHEET 4 OF 5**



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Professional Land Surveying & Mapping  
105 Capitol Street, Suite 5 - P.O. Box 3893  
Eagle, Colorado 81631  
970.328.6020 Office 970.328.6021 Fax

REVISED T/A 03-17-2014 RECONFIGURED LOT LINES

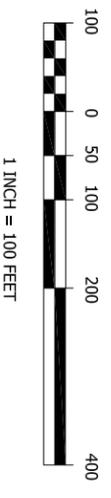
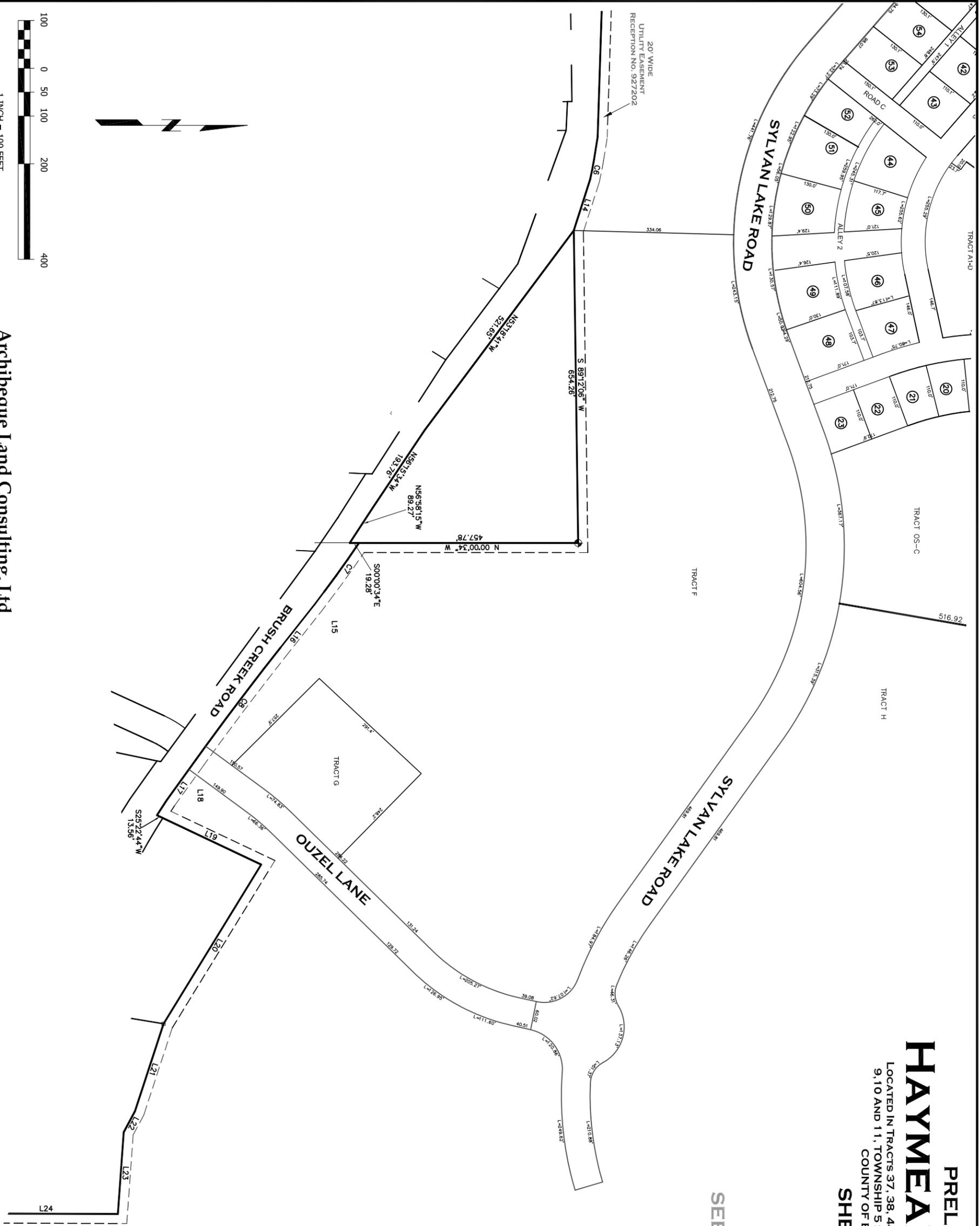
PRELIMINARY PLAT		DRAWING NAME:	
<b>HAYMEADOW FILING 1</b>		05230_PP.DWG	
LOCATED IN TRACTS 37, 38, 44, 55, 59, 61, 62, AND 63, IN SECTIONS 2, 3, 4, 9, 10 AND 11, TOWNSHIP 5 SOUTH, RANGE 84 WEST OF THE SIXTH P.M., COUNTY OF EAGLE, STATE OF COLORADO			
DRAWN BY:	TJA	JOB NUMBER:	05230
SHEET 4 OF 5		DATE:	08-07-13
		CHECKED BY:	MSS

PRELIMINARY PLAT

# HAYMEADOW FILING 1

LOCATED IN TRACTS 37, 38, 44, 55, 59, 61, 62, AND 63, IN SECTIONS 2, 3, 4,  
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COUNTY OF EAGLE, STATE OF COLORADO  
**SHEET 5 OF 5**

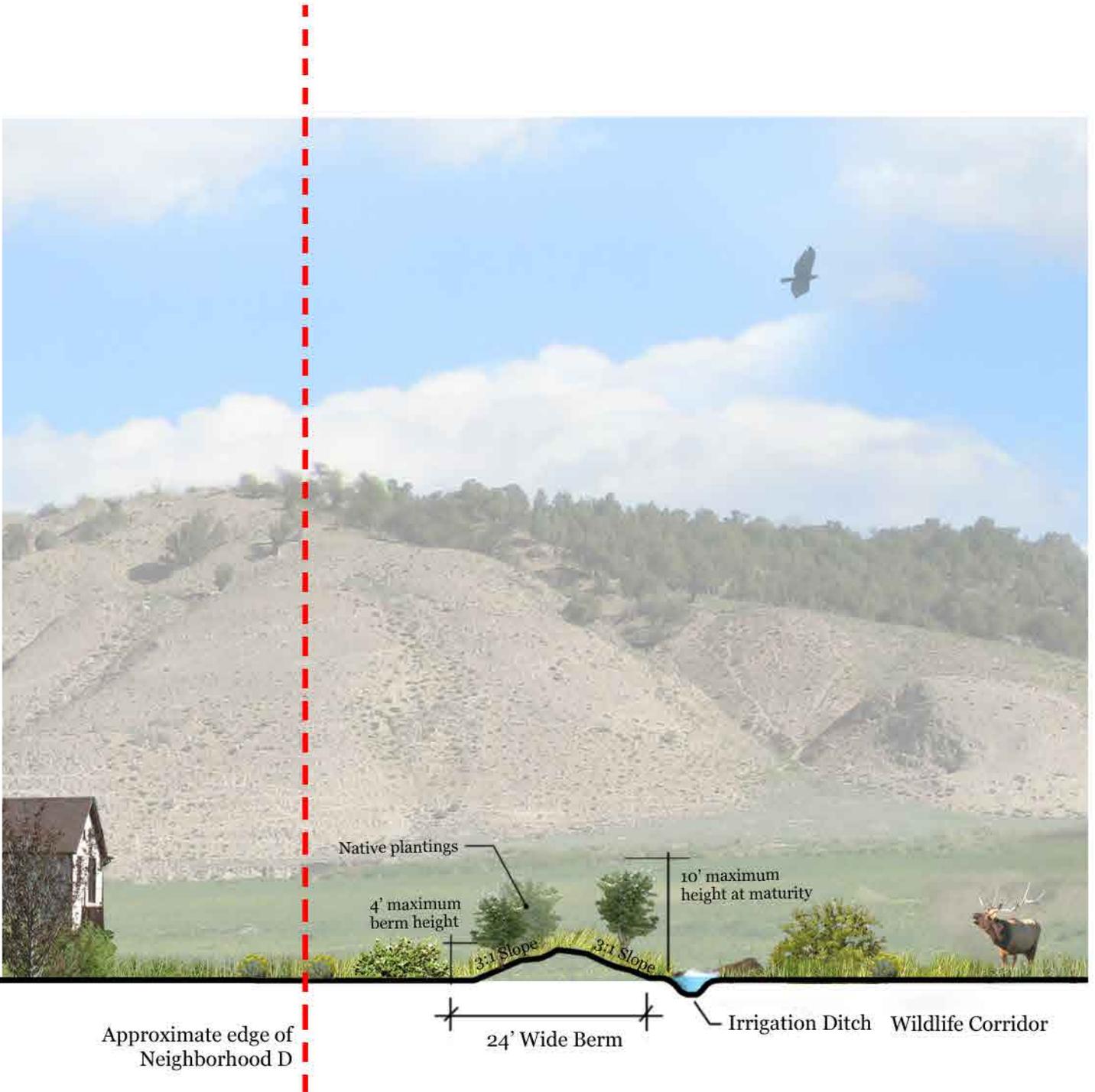
SEE SHEET 2 OF 5



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Eagle, Colorado 81631  
970.328.6020 Office 970.328.6021 Fax

REVISED T/A 03-17-2014 RECONFIGURED LOT LINES

<b>PRELIMINARY PLAT</b>			
<b>HAYMEADOW FILING 1</b>			
<small>LOCATED IN TRACTS 37, 38, 44, 55, 59, 61, 62, AND 63, IN SECTIONS 2, 3, 4, 9, 10 AND 11, TOWNSHIP 5 SOUTH, RANGE 84 WEST OF THE SIXTH P.M., COUNTY OF EAGLE, STATE OF COLORADO</small>			
DRAWN BY:	T/A	JOB NUMBER:	05230
SHEET	5 OF 5	DATE:	08-07-13
CHECKED BY:	MSS	DRAWING NAME:	05230_PP.DWG



# HAYMEADOW

## WILDLIFE CORRIDOR BERM CROSS SECTION

dhm design | berglund architects | pylman assoc. | alpine engineering

08.15.13



# Haymeadow

dhm design | berglund architects | pylman assoc. | alpine engineering

HAYMEADOW - SINGLE FAMILY HOMES  
UNIT A - STREET ELEVATION



# Haymeadow

dhm design | berglund architects | pylman assoc. | alpine engineering

HAYMEADOW - SINGLE FAMILY HOMES  
UNIT C - STREET ELEVATION



# Haymeadow

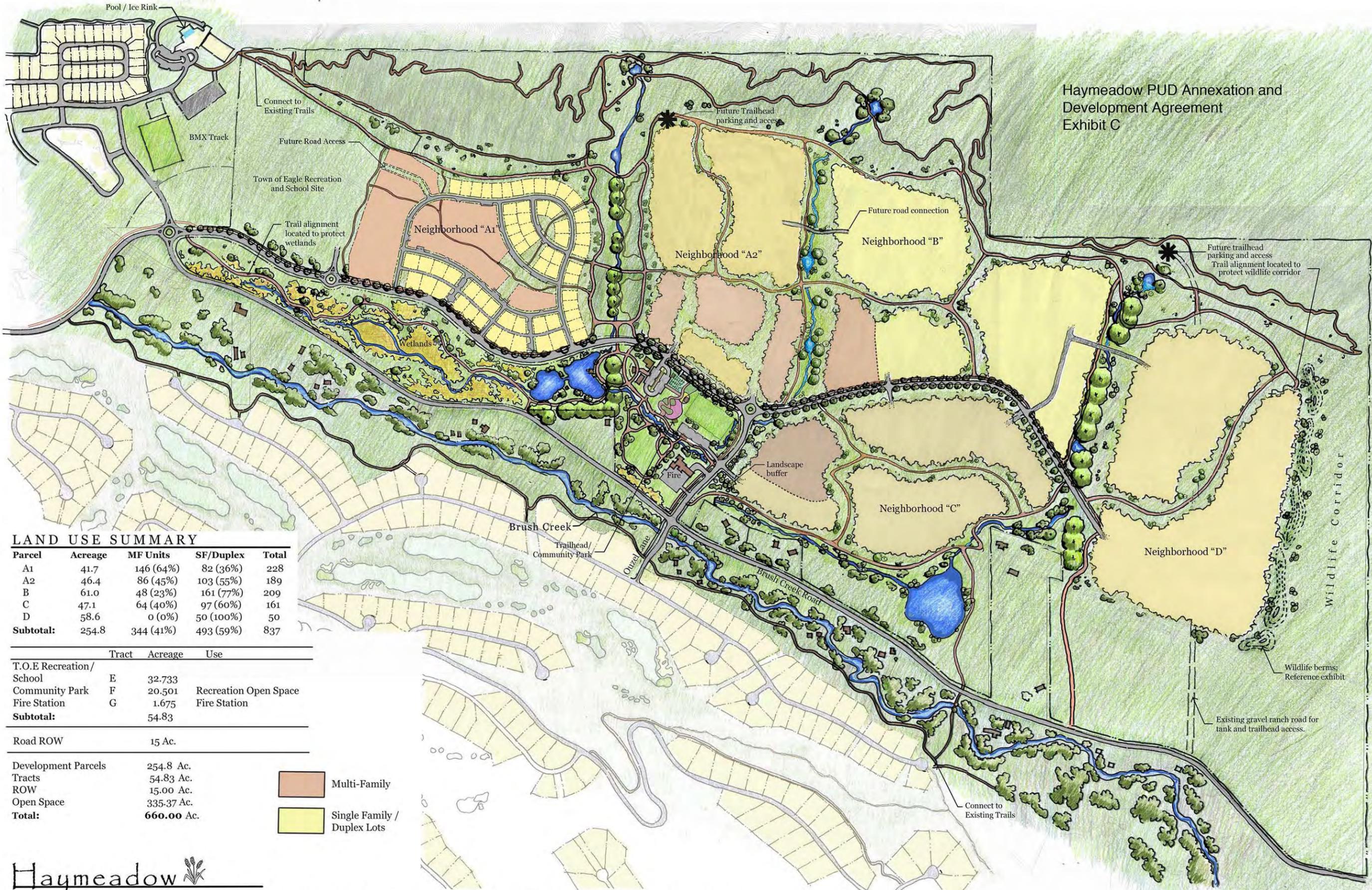
dhm design | berglund architects | pylman assoc. | alpine engineering

HAYMEADOW - SINGLE FAMILY HOMES  
UNIT B - STREET ELEVATION

Exhibit D

**EXHIBIT C:**  
**PUD Development Plan**  
**(attached)**

Haymeadow PUD Annexation and Development Agreement  
Exhibit C



LAND USE SUMMARY

Parcel	Acreage	MF Units	SF/Duplex	Total
A1	41.7	146 (64%)	82 (36%)	228
A2	46.4	86 (45%)	103 (55%)	189
B	61.0	48 (23%)	161 (77%)	209
C	47.1	64 (40%)	97 (60%)	161
D	58.6	0 (0%)	50 (100%)	50
<b>Subtotal:</b>	<b>254.8</b>	<b>344 (41%)</b>	<b>493 (59%)</b>	<b>837</b>

	Tract	Acreage	Use
T.O.E Recreation/School	E	32.733	
Community Park	F	20.501	Recreation Open Space
Fire Station	G	1.675	Fire Station
<b>Subtotal:</b>		<b>54.83</b>	

Road ROW 15 Ac.

Development Parcels	254.8 Ac.
Tracts	54.83 Ac.
ROW	15.00 Ac.
Open Space	335.37 Ac.
<b>Total:</b>	<b>660.00 Ac.</b>

Multi-Family  
 Single Family / Duplex Lots

**EXHIBIT D:**  
**Approved Preliminary Plan**  
**(attached)**

**RESOLUTION NO. 19**  
**(Series of 2014)**

A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF EAGLE, COLORADO, APPROVING A SUBDIVISION SKETCH PLAN AND PRELIMINARY PLAN FOR THE PROPERTY TO BE KNOWN AS THE HAYMEADOW PLANNED UNIT DEVELOPMENT AND APPROVING A SITE SPECIFIC DEVELOPMENT PLAN ESTABLISHING VESTED PROPERTY RIGHT PURSUANT TO ARTICLE 68 OF TITLE 24, C.R.S., AND CHAPTER 4.17 OF THE EAGLE MUNICIPAL CODE.

WHEREAS, by Title 4 of the Eagle Municipal Code, the Town of Eagle enacted subdivision regulations for the Town, known as the Town of Eagle Land Use and Development Code; and

WHEREAS, the Board of Trustees of the Town of Eagle has received an application from Abrika Properties, LLC, a Florida limited liability company (the "Applicant"), for approval of a Subdivision Sketch Plan and Preliminary Plan for property known as the Haymeadow Planned Unit Development ("Development"); and

WHEREAS, on September 6, 2013, the Town Planner deemed the application complete; and

WHEREAS, following public notice and hearings as required by law, the Town of Eagle Planning and Zoning Commission recommended approval of the Subdivision Sketch Plan and Preliminary Plan with conditions on November 19, 2013; and

WHEREAS, notice of public hearings on Applicant's application for approval of the Subdivision Sketch Plan and Preliminary Plan before the Planning and Zoning Commission has been given as required by Sections 4.03.060 and 4.12.020(J) of the Eagle Municipal Code and notice of public hearing before the Board of Trustees has been given as required by Sections 4.03.060 and 4.12.020(H) of the Eagle Municipal Code; and

WHEREAS, a series of public hearings considering said Applicant's proposed PUD Subdivision Sketch Plan and Preliminary Plan were held commencing on December 10, 2013 and concluding on March 25, 2014, as required by Chapter 4.12 of the Eagle Municipal Code; and

WHEREAS, the Applicant has requested the Board of Trustees to designate the Subdivision Preliminary Plan, as approved, together with the PUD Zoning Plan, as approved, the PUD Development Plan, as approved and the Annexation and Development Agreement for the Haymeadow Planned Unit Development as a site specific development plan ("Site Specific Development Plan") pursuant to Article 68 of Title 24, C.R.S. and Chapter 4.17 of the Eagle Municipal Code; and

WHEREAS, it is the intent of the Board of Trustees that its approval of the Subdivision Preliminary Plan, as approved by the Board of Trustees, shall constitute approval of a Site Specific Development Plan establishing a vested property right for the time period described in the Annexation and Development Agreement, dated March 25, 2014, entered into by the Town and the Applicant pursuant to Article 68 of Title 24, C.R.S. and Chapter 4.17 of the Eagle Municipal Code.

NOW, THEREFORE, BE RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF EAGLE, COLORADO:

Section 1. The Board of Trustees of the Town of Eagle finds and determines that the Subdivision Sketch Plan and Preliminary Plan for the Haymeadow PUD meets the requirements contained in the Town's Land Use and Development Code, Title 4 of the Eagle Municipal Code, and is in general conformance with the Town's goals, policies and plans, including the Eagle Area Community Plan (2010).

Section 2. The Subdivision Sketch Plan and Preliminary Plan for the property known as the Haymeadow PUD is hereby approved.

Section 3. The Subdivision Preliminary Plan, as approved, is hereby designated as and shall constitute an approved Site Specific Development Plan for the Haymeadow PUD pursuant to Article 68 of Title 24, C.R.S., and Chapter 4.17 of the Eagle Municipal Code and by virtue of such approval, a vested property right therein has been created to be effective and continue in duration for the time periods described in that certain Annexation and Development Agreement dated March 25, 2014, entered into between the Town and the Applicant. In order to maintain said vested property right, Applicant or a metropolitan district must "Start Construction", as said term is defined in the Annexation and Development Agreement, of public improvements serving lots in the first Subdivision Final Plat within five (5) years from the date of "Final Approval", as said term is defined the Annexation and Development Agreement.

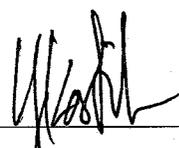
Section 4. Within fourteen (14) days after the approval of this Resolution, the Town Clerk, on behalf of the Town of Eagle, is hereby authorized and directed to:

- A. Publish concurrently with the publication of the within Resolution, a notice advising the general public that the Subdivision Preliminary Plan, as approved by the Board of Trustees, together with the PUD Zoning Plan, the approved PUD Development Plan and the Annexation and Development Agreement for the Haymeadow PUD constitute approval of a site specific development plan establishing a vested property right in accordance with the terms contained in Section 3 of this Resolution, pursuant to Article 68 of Title 24, C.R.S., and pursuant to Chapter 4.17 of the Eagle Municipal Code.

INTRODUCED, READ, PASSED AND ADOPTED at a regular meeting of the Board of Trustees of the Town of Eagle, Colorado, held on March 25, 2014.

TOWN OF EAGLE, COLORADO

By:

  
\_\_\_\_\_  
Yuri Kostick, Mayor

ATTEST:

  
\_\_\_\_\_  
Sarah Braucht, Town Clerk

**EXHIBIT E:**  
**Annexation and Development**  
**Agreement**  
**([LINK](#))**

**EXHIBIT F:**  
**First Amendment to the ADA**  
**(attached)**

**RESOLUTION NO. 10  
(Series of 2018)**

**A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF EAGLE,  
COLORADO APPROVING THE FIRST AMENDMENT TO AGREEMENT RELATING TO  
THE ANNEXATION OF PROPERTY KNOWN AS HAYMEADOW PARCEL A, PARCEL B  
AND PARCEL C ADDITIONS TO THE TOWN OF EAGLE.**

**WHEREAS**, on or about January 12, 1999, the Town and Developer entered into an Agreement Relating to the Annexation and Development of Property Known as the Haymeadow Parcel A, Parcel B and Parcel C Additions to the Town of Eagle, Colorado, recorded as Reception No. 692227 in the records of the Eagle County Clerk and Recorder ("Annexation Agreement"); and

**WHEREAS**, the Town and Developer have agreed to amend the Annexation and Development Agreement as set forth in the First Amendment to Agreement Relating to the Annexation and Development of Property Known as the Haymeadow Parcel A, Parcel B And Parcel C Additions to the Town of Eagle, Colorado, ("First Amendment") attached hereto as Exhibit A and incorporated herein by this reference.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF EAGLE, COLORADO:**

**Section 1.** That the First Amendment attached hereto is hereby approved.

**Section 2.** That the Mayor of the Town of Eagle is hereby authorized and directed to execute the First Amendment on behalf of the Town of Eagle.

INTRODUCED, READ, PASSED AND ADOPTED by the Board of Trustees of the Town of Eagle, Colorado at a regular meeting of the Board of Trustees held on February 27, 2018.

TOWN OF EAGLE, COLORADO

By:   
Anne McKibbin, Mayor

ATTEST:

  
Jenny Rakow, Town Clerk



FIRST AMENDMENT TO AGREEMENT RELATING TO THE ANNEXATION AND DEVELOPMENT OF PROPERTY KNOWN AS THE HAYMEADOW PARCEL A, PARCEL B AND PARCEL C ADDITIONS TO THE TOWN OF EAGLE, COLORADO

THIS FIRST AMENDMENT TO ANNEXATION AND DEVELOPMENT AGREEMENT ("Amendment") is made and entered into this 21 day of Feb, 2018, by and between the TOWN OF EAGLE, COLORADO, a Colorado municipal corporation (the "Town") whose address is P.O. Box 609, Eagle, CO 81631, and ABRIKA PROPERTIES, LLC a Florida limited liability company, ("Developer") whose address is 8250 SW 27<sup>th</sup> Avenue, Ocala, FL 34476.

RECITALS:

WHEREAS, the Town and Developer entered into an Agreement Relating to the Annexation and Development of Property Known as the Haymeadow Parcel A, Parcel B and Parcel C Additions to the Town of Eagle, Colorado on January 12, 1999, recorded as Reception No. 692227 in the records of the Eagle County Clerk and Recorder ("Annexation Agreement"); and

WHEREAS, the Town and Developer desire to amend certain Sections of the Annexation Agreement as more particularly provided herein.

NOW, THEREFORE, for and in consideration of the mutual promises and covenants contained herein, and for other good and valuable consideration, the receipt and sufficient of which are hereby acknowledged, the parties agree to the following amendments to the Annexation Agreement:

1. Terms. Capitalized terms in this Amendment will have the same meanings as in the Annexation Agreement. To the extent that the terms and provisions of this Amendment conflict with, modify or supplement portions of the Annexation Agreement, the terms and provisions contained in this Amendment shall govern and control the rights and obligations of the parties.
2. Construction of Municipal Water Distribution System. Section 8.3 is hereby deleted in its entirety and replaced with the following:

8.3. Construction of Municipal Water Distribution System. Developer or the Metropolitan District, at its sole expense, shall design, purchase, and install all elements of a municipal treated water distribution system (including a water storage tank) to fully service the Development as more fully set forth in this Agreement and the Development Plan, including but not limited to water mains, water storage tanks, fire hydrants, service line laterals, pipelines, and all appurtenant facilities necessary to provide treated municipal water service to the Property. This municipal water distribution system shall be constructed in accordance with all Town specifications and Uniform Non-Discriminatory Regulations and pursuant to plans that are approved by the Town prior to the commencement of construction thereof and any subsequently executed subdivision improvements agreements and shall comply with all other requirements for public improvements as set forth in this Agreement. The Town agrees to assist Developer in obtaining easements for water line locations across other property if necessary subject to Developer or Metropolitan District paying and all costs associated with the acquisition thereof. The design of these improvements shall be reviewed and approved by the Town with the applicable Subdivision Final Plat or other development permit applications. The Town has

identified a pressure zone with the Town's existing water system limits which includes the majority of old town Eagle and the lower half of Eagle Ranch as depicted in Exhibit A (the "Pressure Zone"). A portion of Neighborhood A1 of the Haymeadow Development falls within the existing Pressure Zone and can be served with existing water storage tanks. The Parties understand that it will be necessary to construct a new water storage tank and related distribution system improvements prior to the issuance of the first building permit outside of the Pressure Zone.

3. Utility Service to the Fire Station Parcel. Section 9.6 is hereby deleted in its entirety and replaced with the following:

9.6 Utility Service to the Fire Station Parcel. Upon application to the Town by the Greater Eagle Fire Protection District for a Major Development Permit for the future fire station, Developer shall construct, at its sole cost and expense, utility services to the property line of the fire station parcel. These utilities shall include: potable water, sanitary sewer, raw water irrigation, electric, telephone, cable TV, and natural gas. Developer shall ensure that all utility service lines are adequately sized so as to be capable of serving the proposed fire station.

4. Sylvan Lake Road/Meadowlark/Brush Creek Road Re-alignment and Roundabout Intersection. Section 10.3 is hereby deleted in its entirety and replaced with the following:

10.3. Sylvan Lake Road/Meadowlark/Brush Creek Road Re-alignment and Roundabout Intersection. Developer or Metropolitan District shall, at its sole cost and expense, design and construct the Sylvan Lake Road/Meadowlark/Brush Creek Road re-alignment and roundabout intersection as generally depicted in the engineering drawings submitted with the PUD Development Plan application, dated December 2013. The Town anticipates that such re-alignment and roundabout will be achieved in two phases. The first phase of construction as depicted in the Memorandum from Fox Tuttle Hernandez Transportation Group dated September 15, 2016 shall be included in the public improvements to be constructed together with the first Subdivision Final Plat improvements within the Development. The improvements shall be complete and available for use by the public prior to the issuance of the first temporary certificate of occupancy for a residence in the first approved Subdivision. The final phase of the re-alignment and roundabout shall be complete, approved by the Town Engineer and available for use by the public prior to the issuance of the first temporary certificate of occupancy of a residence in Neighborhood A2.

5. Willow Tree Corridor; Trailhead Park. Sections 14.6 and 14.7 are hereby deleted in their entirety and replaced with the following:

14.6 Willow Tree Corridor. Developer shall dedicate or convey to the Town the area known as the Willow Tree Corridor, identified as Parcel 5 on Exhibit H, for wildlife protection and open space purposes, at the time approval of the Subdivision Final Plat that borders the western boundary of the identified parcel by the Town Board.

14.7. Trailhead Park. Developer shall dedicate or convey to the Town the area known as Trailhead Park, containing 20.5 acres, more or less, identified as Parcel 6 on Exhibit

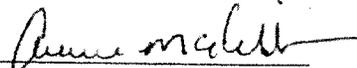
H, for public park and recreation purposes, at the time of approval of the first Subdivision Final Plat for Neighborhood A2 by the Town Board.

6. No Further Modification. Except as expressly provided in this Amendment, the Annexation Agreement is in full force and effect and unmodified.

[SIGNATURES ON THE FOLLOWING PAGE]

IN WITNESS WHEREOF, the Parties have caused this Agreement to be executed on the day and year first above written.

TOWN OF EAGLE, COLORADO, a municipal corporation acting by and through its Board of Trustees

By:   
Anne McKibbin, Mayor

ATTEST:

  
Jenny Rakow, Town Clerk



ABRIKA PROPERTIES, LLC, a Florida limited liability company.

By:   
Brandon Cohen, Vice President

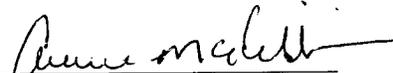
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TOWN OF EAGLE, COLORADO, a municipal corporation acting by and through its Board of Trustees

By:   
Anne McKibbin, Mayor

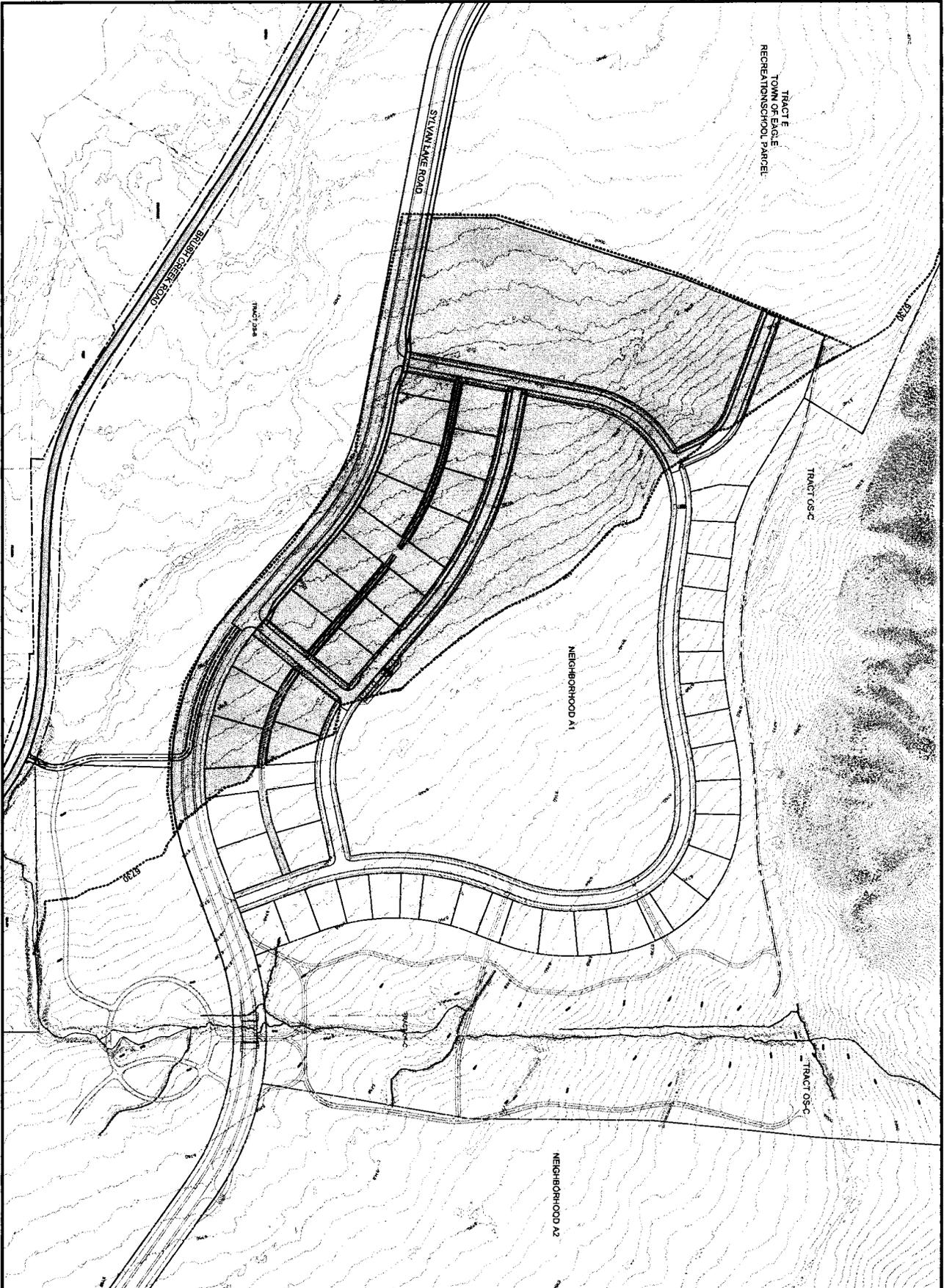
ATTEST:

  
Jenny Rakow, Town Clerk



ABRIKA PROPERTIES, LLC, a Florida limited liability company.

By: \_\_\_\_\_  
Brandon Cohen, Vice President



TRACT F  
TOWN OF ENGLE  
RECREATION SCHOOL PARCEL

TRACT OS-C

TRACT OS-D

NEIGHBORHOOD A1

NEIGHBORHOOD A2

EXHIBIT A	DESIGNED	GR	NO.	DATE	REVISIONS	BY
	DRAWN	GR				
	CHECKED	GR				
	JOB NO.	81				
	DATE	02/28/2014				

# HAYMEADOW

## PRESSURE ZONE

1" = 100'  
(SEAL)



**EXHIBIT G:**  
**Second Amendment to the**  
**ADA**  
**(attached)**

**TOWN OF EAGLE, COLORADO  
RESOLUTION NO. 15  
(Series of 2019)**

A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF EAGLE,  
COLORADO APPROVING THE SECOND AMENDMENT TO ANNEXATION AND  
DEVELOPMENT AGREEMENT FOR THE HAYMEADOW DEVELOPMENT

WHEREAS, on March 25, 2014, the Town and Abrika Properties LLC ("Abrika") entered into an agreement entitled "Agreement Relating to the Annexation and Development of Property Known as the Haymeadow Parcel A, Parcel B, and Parcel C Additions to the Town of Eagle, Colorado, Also Known as the Haymeadow PUD" (the "ADA"), which ADA was recorded on May 30, 2014, at Reception No. 201408816;

WHEREAS, on February 27, 2018, the Town and Abrika entered into the First Amendment to the ADA;

WHEREAS, pursuant to Section 1.3, the ADA currently expires on June 7, 2019 (the "Term");

WHEREAS, pursuant to Section 6.2, the determination of adequacy will expire unless the Developer commences construction within 5 years from the date of Final Approval of the ADA, or March 25, 2019 (the "Expiration of Determination of Adequacy"); and

WHEREAS, the Town and Abrika desire to extend the Term and the Expiration of Determination of Adequacy in Sections 1.3 and 6.2, respectively, via an amendment to the ADA, as set forth in the attached Second Amendment to Annexation and Development Agreement.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF EAGLE, COLORADO, AS FOLLOWS:

Section 1. The Second Amendment between the Town and Abrika is hereby approved in substantially the form attached hereto, subject to final approval by the Town Attorney. Upon such approval, the Mayor is authorized to execute the Second Amendment on behalf of the Town.

INTRODUCED, READ, PASSED AND ADOPTED ON MARCH 12<sup>th</sup>, 2019.

ATTEST:

  
\_\_\_\_\_  
Jenny Rakow, Town Clerk



TOWN OF EAGLE, COLORADO

  
\_\_\_\_\_  
Anne McKibbin, Mayor

**SECOND AMENDMENT TO ANNEXATION AND DEVELOPMENT AGREEMENT**

This SECOND AMENDMENT TO ANNEXATION AND DEVELOPMENT AGREEMENT (the "Second Amendment") is entered into as of March \_\_, 2019 (the "Effective Date"), by and between the TOWN OF EAGLE, COLORADO, a Colorado municipal corporation (the "Town"); and ABRIKA PROPERTIES, LLC, a Florida limited liability company ("Abrika") (each a "Party" and collectively the "Parties").

WHEREAS, on March 25, 2014, the Parties entered into an agreement entitled "Agreement Relating to the Annexation and Development of Property Known as the Haymeadow Parcel A, Parcel B, and Parcel C Additions to the Town of Eagle, Colorado, Also Known as the Haymeadow PUD" (the "ADA"), which ADA was recorded on May 30, 2014, at Reception No. 201408816;

WHEREAS, on February 27, 2018, the Parties entered into a First Amendment to the ADA (the "First Amendment");

WHEREAS, pursuant to Section 1.3, the ADA expires on June 7, 2019 (the "Term");

WHEREAS, the Town and Abrika desire to extend the Term and the Determination of Adequacy set forth in Sections 1.3 and 6.2, respectively.

NOW, THEREFORE, for and in consideration of the mutual promises and covenants contained herein, and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Town and Abrika agree as follows:

1. The first sentence of Section 1.3 of the ADA is hereby amended to read as follows:

1.3 Term. The Term of this Agreement (the "Term") shall commence on the effective date of the Town Board ordinance or resolution approving this Agreement and zoning the property PUD (the "Effective Date") and shall continue until December 31, 2020, but if Start of Construction occurs prior to December 31, 2020, the Term shall continue until the Completion of Construction and the expiration of any applicable warranty periods related to public improvements constructed as part of the Development.

2. Section 6.2 of the ADA is hereby amended to read as follows:

6.2 Expiration of Determination of Adequacy. Unless otherwise provided herein, the Conditional Positive Determination of Adequacy as contained herein shall expire on the date that is 20 years after the date of Final Approval (the "DOA Period"). Notwithstanding the foregoing, (a) in the event that the Developer fails to Start Construction on or before December 31, 2020, the Conditional Positive Determination of Adequacy shall expire on December 31, 2020, or (b) in the event that a development

approval sought by Developer for a portion of the Development deviates from the PUD Development Plan and this agreement in a manner that materially increases the impact on Public Facilities (the "Increased Development Impact"), the Town may review the Conditional Positive Determination of Adequacy, in accordance with the Municipal Code, relating to such Increased Development Impact.

3. All provisions of the ADA not expressly modified in this Second Amendment or the First Amendment shall remain in full force and effect.

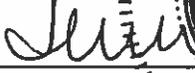
4. The Parties agree and acknowledge that, if the ADA expires despite the extensions granted herein, the Town will credit Abrika's \$3,000,000 Plant Investment Fee prepayment toward the future development of the real property subject to the ADA.

IN WITNESS WHEREOF, Abrika and the Town have executed this Second Amendment as of the Effective Date.

TOWN OF EAGLE, COLORADO

  
\_\_\_\_\_  
Anne McKibbin, Mayor

ATTEST:

  
\_\_\_\_\_  
Jenny Rakow, Town Clerk



ABRIKA PROPERTIES, LLC, a Florida limited liability company

By: CF Colorado Holdings LLC, a Florida limited liability company, its Managing Member

By: \_\_\_\_\_  
Alan Cohen, Managing Member

STATE OF FLORIDA )  
 ) ss.  
COUNTY OF \_\_\_\_\_ )

Subscribed and sworn to before me this \_\_\_\_\_ day of March, 2019, by Alan Cohen, Managing Member of CF Colorado Holdings LLC, a Florida limited liability company, Managing Member of Abrika Properties, LLC, a Florida limited liability company.

WITNESS MY HAND AND OFFICIAL SEAL.

My commission expires: \_\_\_\_\_

**EXHIBIT H:**  
**Land Dedication Parcels**  
**Exhibit**  
**(attached)**



**LAND DEDICATION PARCELS**

PARCEL #	Color/Line Style	Description
1	Green	Upland Open Space
2	Red line	Haymaker Trail Easement
3	Orange	Fire Station
4	Yellow	Wildlife Corridor
5	Pink	Willow Tree Corridor
6	Purple	Trailhead Park
7	Light Green	Wetland Open Space
8	Blue	Combined School/ Town Site
9	Orange line	30' ROW Dedication

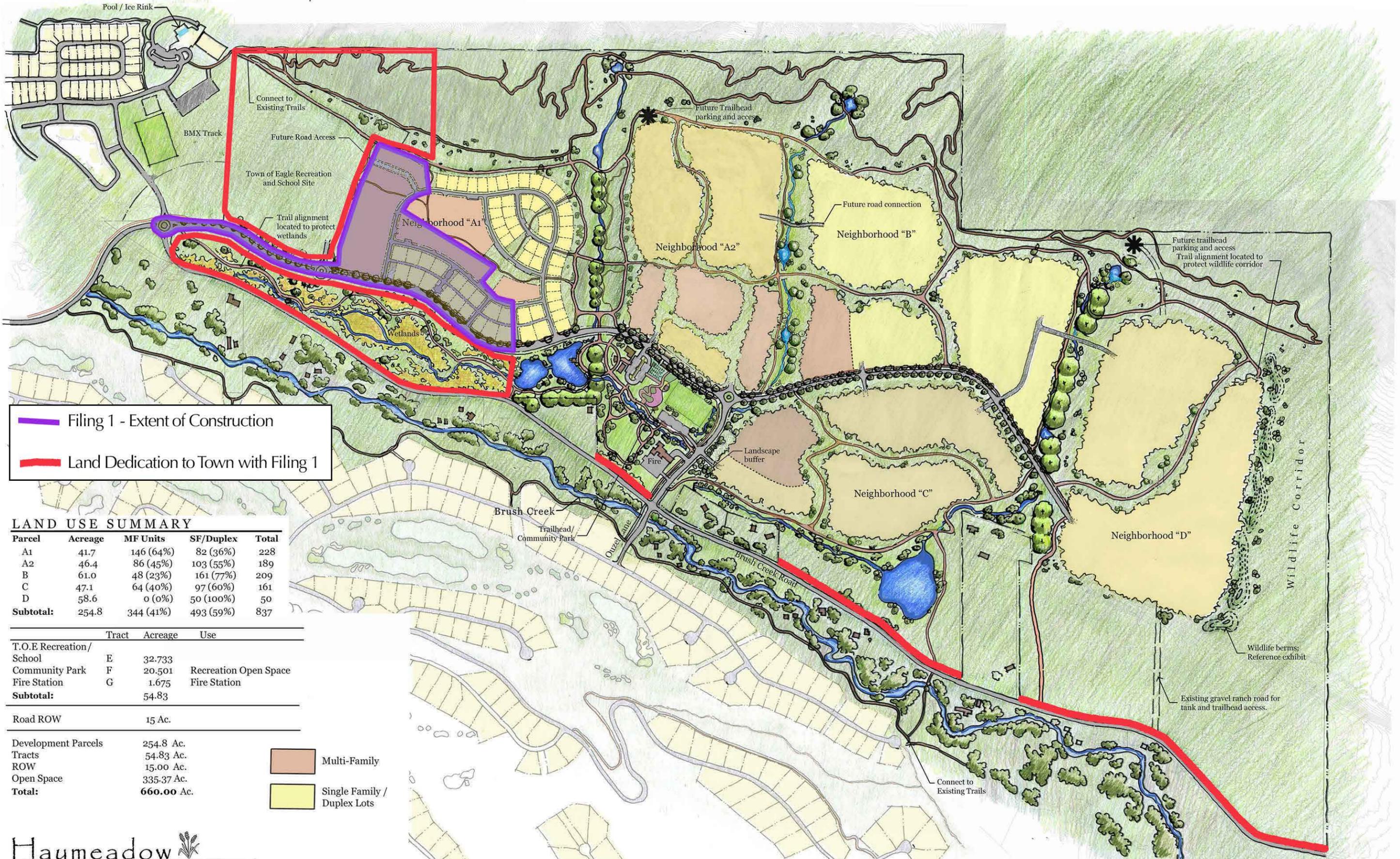
**Haymeadow**

**LAND DEDICATION DIAGRAM**

dhm design | berglund architecture | pylman assoc. | alpine engineering  
scale = 1" = 300' 03.25.14



**EXHIBIT I:**  
**Phase 1 Extent Diagram**  
**(attached)**



— Filing 1 - Extent of Construction  
— Land Dedication to Town with Filing 1

**LAND USE SUMMARY**

Parcel	Acreage	MF Units	SF/Duplex	Total
A1	41.7	146 (64%)	82 (36%)	228
A2	46.4	86 (45%)	103 (55%)	189
B	61.0	48 (23%)	161 (77%)	209
C	47.1	64 (40%)	97 (60%)	161
D	58.6	0 (0%)	50 (100%)	50
<b>Subtotal:</b>	<b>254.8</b>	<b>344 (41%)</b>	<b>493 (59%)</b>	<b>837</b>

	Tract	Acreage	Use
T.O.E Recreation/ School	E	32.733	
Community Park	F	20.501	Recreation Open Space
Fire Station	G	1.675	Fire Station
<b>Subtotal:</b>		<b>54.83</b>	

Road ROW 15 Ac.

Development Parcels	254.8 Ac.
Tracts	54.83 Ac.
ROW	15.00 Ac.
Open Space	335.37 Ac.
<b>Total:</b>	<b>660.00 Ac.</b>

Multi-Family  
 Single Family / Duplex Lots

**EXHIBIT J:**  
**Draft Final Plat – Filing 1**  
**(attached)**

CERTIFICATE OF DEDICATION AND OWNERSHIP

The undersigned, Abrika Properties, LLC, being the sole owner in fee simple of all that real property described as follows:

Haymeadow Parcel, Being those lands currently owned by the applicant, and being further described as follows: A parcel of land located in Tracts 37, 38, 44, 55, 59, 61, 62 and 63 in Sections 2, 3, 4, 9, 10 and 11, Township 5 South, Range 84 West of the 6th Principal Meridian; said parcel of land is more particularly described as follows, assume all curves as non-tangent, to wit: Beginning at angle point 2 of said Tract 38, being marked on the ground by a 2 1/2" USGLO brass cap on 1" iron pipe, found in place; thence along the 2-1 line of said Tract 38, N 89 DEGREES 57 MINUTES 47 SECONDS E, 2819.44 feet to angle point 1 of said Tract 38, also being angle point 2 of said Tract 37, being marked on the ground by a 1 1/2" aluminum cap on # 5 rebar, LS #4551, found in place, S 10 DEGREES 32 MINUTES 06 SECONDS W, 13.67 feet from the record location; thence along the 2-1 line of said Tract 37, N 89 DEGREES 58 MINUTES 44 SECONDS E, 2779.22 feet to angle point one of said Tract 37, being marked on the ground by a 2 1/2" USGLO brass cap on 1" iron pipe, found in place; thence along the 1-6 line of said Tract 37, S 00 DEGREES 14 MINUTES 15 SECONDS E, 1346.39 feet to angle point 6 of said Tract 37, also being angle point 2 of said Tract 62 and angle point 1 of said Tract 59, being marked on the ground by a 2 1/2" USGLO brass cap on 1" iron pipe, found in place; thence along the 2-1 line of said Tract 62, S 89 DEGREES 57 MINUTES 23 SECONDS E, 2838.60 feet; thence leaving said 2-1 line of Tract 62, S 00 DEGREES 02 MINUTES 37 SECONDS W, 4743.42 feet to a point on the northerly right-of-way fence line of Brush Creek Road; thence along said northerly right-of-way fence line of Brush Creek Road the following twelve (12) courses:

- 1) N 79 DEGREES 30 MINUTES 59 SECONDS W, 166.80 feet,
2) N 79 DEGREES 11 MINUTES 51 SECONDS W, 197.18 feet,
3) N 79 DEGREES 41 MINUTES 31 SECONDS W, 89.23 feet,
4) N 69 DEGREES 00 MINUTES 09 SECONDS W, 48.79 feet,
5) N 65 DEGREES 35 MINUTES 39 SECONDS W, 53.04 feet,
6) N 55 DEGREES 20 MINUTES 30 SECONDS W, 61.81 feet,
7) N 47 DEGREES 15 MINUTES 27 SECONDS W, 52.32 feet,
8) N 44 DEGREES 46 MINUTES 44 SECONDS W, 97.90 feet,
9) N 43 DEGREES 18 MINUTES 30 SECONDS W, 471.12 feet,
10) N 43 DEGREES 41 MINUTES 12 SECONDS W, 311.25 feet,
11) N 57 DEGREES 28 MINUTES 07 SECONDS W, 17.09 feet,
12) N 63 DEGREES 53 MINUTES 22 SECONDS W, 98.91 feet to a point on the 4-5 line of said Tract 63; thence leaving said northerly right-of-way fence line of Brush Creek Road, along said 4-5 line of Tract 63, N 00 DEGREES 26 MINUTES 38 SECONDS E, 32.80 feet to angle point 4 of said Tract 63, also being a point on the 3-4 line of said Tract 61, being marked on the ground by a 3 1/2" aluminum cap on #6 rebar, PLS #25508, found in place; thence along said 3-4 line of Tract 61, N 87 DEGREES 39 MINUTES 09 SECONDS W, 53.69 feet to a point on said Northerly right-of-way fence line of Brush Creek Road; thence leaving said 3-4 line of Tract 61, along said northerly right-of-way fence line of Brush Creek Road, the following three (3) courses:

- 1) N 71 DEGREES 51 MINUTES 06 SECONDS W, 155.57 feet,
2) N 86 DEGREES 50 MINUTES 06 SECONDS W, 269.20 feet,
3) N 74 DEGREES 27 MINUTES 53 SECONDS W, 580.93 feet to a point on the boundary of the Norman Property described in Book 232 at Page 462 and Book 271 at Page 437; thence leaving said northerly right-of-way fence line of Brush Creek Road, along said boundary line of the Norman Property the following five (5) courses:

- 1) N 00 DEGREES 27 MINUTES 52 SECONDS W, 1073.83 feet,
2) S 72 DEGREES 09 MINUTES 52 SECONDS E, 105.30 feet,
3) N 00 DEGREES 27 MINUTES 52 SECONDS W, 226.55 feet,
4) N 72 DEGREES 09 MINUTES 52 SECONDS W, 565.27 feet,
5) S 00 DEGREES 27 MINUTES 52 SECONDS E, 1295.60 feet to said northerly right-of-way fence line of Brush Creek Road; thence along the northerly right-of-way fence line of Brush Creek Road the following four (4) courses:

- 1) N 71 DEGREES 00 MINUTES 00 SECONDS W, 41.08 feet,
2) N 66 DEGREES 08 MINUTES 17 SECONDS W, 300.81 feet,
3) N 49 DEGREES 39 MINUTES 25 SECONDS W, 454.64 feet,
4) N 59 DEGREES 14 MINUTES 45 SECONDS W, 365.99 feet to a point on the northerly right-of-way boundary line of Brush Creek Road, Parcel C as recorded in Book 470, Page 687; thence along said northerly right-of-way boundary line of Brush Creek Road, Parcel C the following two (2) courses:

- 1) N 30 DEGREES 00 MINUTES 27 SECONDS E, 13.58 feet,
2) N 59 DEGREES 59 MINUTES 33 SECONDS W, 519.40 feet to a point on the boundary line of Peters Subdivision as recorded in Book 524, Page 199; thence leaving said right-of-way of Brush Creek Road, along said boundary of Peters Subdivision the following six (6) courses:

- 1) N 80 DEGREES 12 MINUTES 04 SECONDS E, 299.29 feet,
2) N 85 DEGREES 52 MINUTES 11 SECONDS W, 171.57 feet,
3) N 62 DEGREES 02 MINUTES 32 SECONDS W, 50.05 feet,
4) N 71 DEGREES 56 MINUTES 16 SECONDS W, 192.31 feet,
5) N 58 DEGREES 31 MINUTES 55 SECONDS W, 390.77 feet,
6) S 25 DEGREES 22 MINUTES 18 SECONDS W, 240.90 feet to a point on the northerly right-of-way boundary of Brush Creek Road, Parcel B, as recorded in Book 470, Page 687; thence along leaving said Peters Subdivision, along said northerly right-of-way boundary of Brush Creek Road, Parcel B the following six (6) courses:

- 1) N 57 DEGREES 11 MINUTES 23 SECONDS W, 36.26 feet,
2) N 54 DEGREES 19 MINUTES 30 SECONDS W, 105.80 feet,
3) 293.22 feet along a curve to the right with a radius of 6465.00 feet, the chord of which bears N 53 DEGREES 01 MINUTES 32 SECONDS W, 295.19 feet, 4) N 51 DEGREES 43 MINUTES 35 SECONDS W, 115.13 feet,
5) S 52 DEGREES 59 MINUTES 59 SECONDS W, 33.80 feet,
6) 125.04 feet along a curve to the left with a radius of 2285.00 feet, the chord of which bears N 54 DEGREES 34 MINUTES 03 SECONDS W, 125.03 feet to a point on the 2-3 line of said Tract 37, also being a point on the 1-6 line of Tract 58; thence leaving said northerly right-of-way boundary of Brush Creek Road, along said 2-3 line of Tract 37, N 00 DEGREES 00 MINUTES 34 SECONDS W, 457.78 feet to Corner 1 of said Tract 58, being marked on the ground by a 2 1/2" aluminum cap on #6 rebar, PLS #26967, found in place; thence leaving said 2-3 line of Tract 37, along the 1-2 line of said Tract 58, S 89 DEGREES 12 MINUTES 06 SECONDS W, 654.26 feet to the northerly right-of-way boundary of Brush Creek Road, Parcel A, as recorded in Book 470 at Page 687; thence along said northerly right-of-way boundary of Brush Creek Road, Parcel A the following twenty (20) courses:

- 1) N 72 DEGREES 17 MINUTES 55 SECONDS W, 112.23 feet,
2) 42.30 feet along a curve to the left with a radius of 585.00 feet the chord of which bears N 78 DEGREES 54 MINUTES 56 SECONDS W, 42.29 feet,
3) N 80 DEGREES 59 MINUTES 13 SECONDS W, 48.03 feet,
4) N 88 DEGREES 08 MINUTES 24 SECONDS W, 408.36 feet,
5) N 83 DEGREES 01 MINUTES 28 SECONDS W, 40.11 feet,
6) 254.45 feet along a curve to the right with a radius of 665.00 feet, the chord of which bears N 72 DEGREES 03 MINUTES 46 SECONDS W, 252.90 feet,
7) N 61 DEGREES 06 MINUTES 04 SECONDS W, 40.13 feet,
8) N 55 DEGREES 59 MINUTES 08 SECONDS W, 409.17 feet,
9) 485.00 feet along a curve to the left with a radius of 3764.58 feet, the chord of which bears N 58 DEGREES 23 MINUTES 45 SECONDS W, 484.86 feet,
10) N 60 DEGREES 48 MINUTES 22 SECONDS W, 342.72 feet,
11) N 62 DEGREES 48 MINUTES 22 SECONDS W, 33.98 feet,
12) 370.57 feet along a curve to the left with a radius of 1467.39 feet, the chord of which bears N 70 DEGREES 02 MINUTES 26 SECONDS W, 369.58 feet,
13) N 77 DEGREES 16 MINUTES 31 SECONDS W, 33.94 feet,
14) N 79 DEGREES 16 MINUTES 31 SECONDS W, 208.60 feet,
15) N 71 DEGREES 35 MINUTES 45 SECONDS W, 44.29 feet,
16) 57.57 feet along a curve to the right with a radius of 486.00 feet, the chord of which bears N 68 DEGREES 12 MINUTES 07 SECONDS W, 57.54 feet,
17) N 64 DEGREES 48 MINUTES 30 SECONDS W, 44.26 feet,
18) N 57 DEGREES 07 MINUTES 44 SECONDS W, 426.57 feet,
19) N 53 DEGREES 12 MINUTES 03 SECONDS W, 37.69 feet,
20) 35.57 feet along a curve to the right with a radius of 815.00 feet, the chord of which bears N 51 DEGREES 57 MINUTES 02 SECONDS W, 35.57 feet to a point on the 7-8 line of said Tract 44, also being a point on the 3-4 line of said Tract 38; thence leaving said northerly right-of-way boundary of Brush Creek Road, Parcel A, along said 7-8 line of Tract 44, N 89 DEGREES 23 MINUTES 49 SECONDS E, 913.11 feet to angle point 7 of said Tract 44, also being angle point 2 of said Tract 55, being marked on the ground by a 2 1/2" aluminum cap on #6 rebar, PLS #26967, found in place; thence leaving said 3-4 line of Tract 38, N 02 DEGREES 58 MINUTES 53 SECONDS E, 1324.86 feet to the Point of Beginning.

- EXCEPTING THEREFROM: Tract B of Brush Creek Meadows Filing 3, according to the Final Plat thereof, Town of Eagle, Colorado - Containing 0.774 acres more or less AND Right of way for Sylvan Lake Road on Brush Creek Meadows Filing 3, according to the Final Plat thereof, Town of Eagle, Colorado - Containing 1.889 acres more or less

Containing 657.342 acres more or less more or less.

and as shown on the accompanying Plat, has by these presents laid out, platted and subdivided the same into lots and tracts as shown on this Plat and designated the same as Haymeadow Filing 1, a subdivision of the Town of Eagle, County of Colorado; and does hereby make the following dedications and grants:

All streets shown herein being Public Road Right-of-Way to the full width of their platted right-of-way are hereby dedicated to the Town of Eagle for use by the general public forever as public streets, and for drainage and utility purposes.

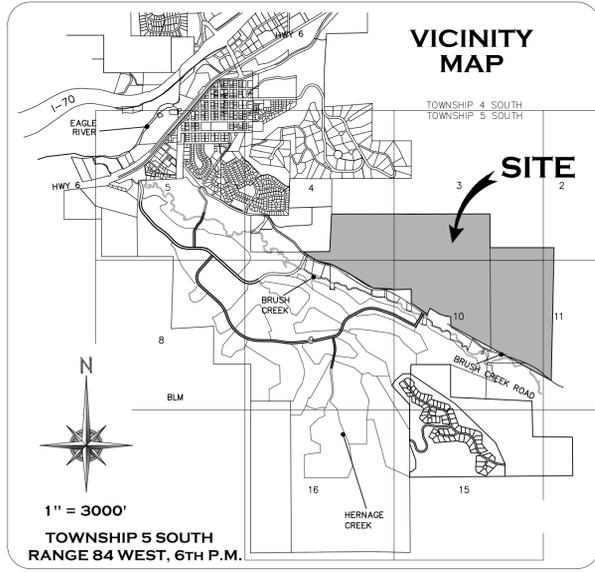
All utility easements as shown on this Final Plat are dedicated to the Town of Eagle for use by authorized service providers as perpetual easements for the installation, operation, maintenance and repair of utilities and appurtenances thereto including but not limited to electric lines, natural gas pipelines, wastewater lines, water lines, telephone lines, cable service lines, other broadband communication service lines and also for the installation and maintenance of traffic control facilities, street lighting, street trees and grade structures.

NOTICE: According to Colorado law you must commence any legal action based upon any defect in this survey within three years after you first discovered such defect. In no event, may any action based upon any defect in this survey be commenced more than ten years from the date of recording of this plat. This certification is prepared for the sole purpose of use by the parties stated herein. The improvements are generally situated as shown and only apparent (visible at the time of fieldwork) improvements are noted. Archibeque Land Consulting, Ltd., its owner(s) and employee(s) will not be liable for more than the cost of this document, and then only to the parties specifically shown herein. Acceptance and/or use of this document for any purpose constitutes acknowledgment and agreement to all terms stated herein.

Archibeque Land Consulting, Ltd. ~ Professional Land Surveying & Mapping ~ 115 Broadway - P.O. Box 3893 Eagle, Colorado 81631 970.328.6020 Office 970.328.6021 Fax INFO@PROLANDSURVEY.COM

REVISED 02-19-19 PER TOWN COMMENTS REVISED 02-07-19 PER TOWN COMMENTS REVISED 09-21-18 SHEET 1 & 10 FOR TRACT G SIZE

FINAL PLAT HAYMEADOW FILING 1 LOCATED IN TRACTS 37, 38, 44, 55, 59, 61, 62, AND 63, IN SECTIONS 2, 3, 4, 9, 10 AND 11, TOWNSHIP 5 SOUTH, RANGE 84 WEST OF THE SIXTH P.M. COUNTY OF EAGLE, STATE OF COLORADO SHEET 1 OF 12



LAND USE SUMMARY table with columns: PARCEL, AREA, LAND USE, ADDRESS. Lists parcels from LOT 1 to LOT 13, TRACT A to TRACT H, and TRACT RMF-1 to TRACT Z, along with their respective areas and land use descriptions.

The dedication of the easements shown hereon to the Town preclude the installation of improvements, including but not limited to trees, shrubs, rocks, the deposit of materials, or the alteration of existing ground elevation within the easement area which could in any manner impair the Town's or other service providers' use of the easement as provided in this dedication.

The undersigned accepts the responsibility for the completion of all required public improvements for Subdivision. Executed this \_\_\_ day of \_\_\_, 20\_\_.

Owner: Abrika Properties, LLC

By: \_\_\_\_\_ Name: \_\_\_\_\_

STATE OF COLORADO ) COUNTY OF EAGLE )

The foregoing Certificate of Dedication and Ownership was acknowledged before me this \_\_\_ day of \_\_\_, 20\_\_\_, by \_\_\_ as \_\_\_ of Abrika Properties, LLC.

Witness my hand and official seal. My commission expires: \_\_\_ Notary Public

BOARD OF TRUSTEES CERTIFICATE

This plat approved by the Board of Trustees of the Town of Eagle, Colorado, this \_\_\_ day of \_\_\_, 20\_\_\_, for filing with the Clerk and Recorder of Eagle County, Colorado, and for conveyance or dedication to the Town of Eagle the public dedications shown hereon; subject to the provisions that approval in no way obligates the Town of Eagle for financing or constructing of improvements on said lands, streets or easements dedicated to the public except as specifically agreed to by the Board of Trustees of the Town of Eagle. Further, said approval in no way obligates the Town of Eagle for maintenance of public improvements until construction of said improvements has been completed in accordance with the Town of Eagle's specifications and the Town of Eagle has agreed to accept said improvements. This approval does not guarantee that the size, soil conditions, sub-surface geology, ground water conditions, or flooding conditions of any lot shown hereon are such that a building permit, development permit, or any other required permit will be issued. This approval is with the understanding that all expenses involving required improvements for all utility services, paving, grading, landscaping, curbs, gutters, sidewalks, road lighting, road signs, flood protection devices, drainage structures, and all other improvements that may be required shall be the responsibility of the owners designated hereon and not the Town of Eagle, unless otherwise specifically agreed to in writing by the Board of Trustees.

TOWN OF EAGLE, COLORADO By: \_\_\_\_\_ Mayor

Witness my hand and seal of the Town of Eagle, Colorado. ATTEST: \_\_\_\_\_ Town Clerk

SURVEYOR'S CERTIFICATE

I, Theodore J. Archibeque, do hereby certify that I am a Professional Land Surveyor licensed under the laws of the State of Colorado, and that this plat is a true, correct, and complete plat of Haymeadow Filing 1, as laid out, platted, dedicated and shown hereon, that such plat was made from an accurate survey of said property by me and under my supervision and correctly shows the location and dimensions of the lots, staked upon the ground in compliance with 38-51-105 C.R.S., and that such plat meets the requirements of 38-33-3-209 C.R.S., as amended, and all other regulations governing the subdivision of land.

Theodore J. Archibeque, PLS 37902 Professional Land Surveyor State of Colorado

TITLE CERTIFICATE

Land Title Guarantee Company does hereby certify that it has examined the title to all lands shown on this Plat and that title to such lands is vested in Abrika Properties, LLC., free and clear of all liens, and encumbrances, except as follows:

Executed this \_\_\_ day of \_\_\_, 20\_\_\_

By: \_\_\_\_\_

PLANNING COMMISSION CERTIFICATE

This plat approved by the Town of Eagle Planning Commission the \_\_\_ day of \_\_\_, 20\_\_\_

Chairman

GENERAL NOTES:

1) The purpose of this Final Plat is to (i) Create various Lots, Open Space Tracts, Development Tracts, and Rights-of-Way, as listed in the Land Use Summary as listed hereon, pursuant to Town of Eagle Land Use Regulations and Colorado Revised Statutes concerning the subdivision of Land to be recorded with the Eagle County Clerk and Recorder pursuant to C.R.S. 38-35-109 such that each Lot, Open Space Tract or Right-of-Way may be uniquely described with reference to this Final Plat (ii) create various easements for the purposes described hereon.

2) ASSUMED BASIS OF BEARING: N 89°57'47" E along a portion of the North of subject Property between found U.S.G.L.O. brass cap monuments properly marked.

3) SURVEY DATE: December, 2005

4) Record Easements and Rights-of-Way shown on this Plat were derived from Land Title Guarantee Company ALTA Commitment Order No. V50000, dated September 2018.

5) Approval of this Final Plat shall create Vested Property Rights pursuant to 4.17.010 of the Town of Eagle Land Use Regulations and 24-68-103 C.R.S., amended.

6) Abrika Properties, LLC, hereby dedicate the following easements to the metro district and the for various purposes including but not limited to:

a) Metro District Pedestrian Easement on, over, above, across and through those areas designated hereon as "Metro District Pedestrian Easement" for the use of the public for pedestrian and non-motorized vehicular traffic as well as he maintenance thereof.

b) Metro District Drainage Easements on, over, under, above, across and through those areas designated hereon as "Metro District Drainage Easement" for the purposes of storm drainage, drainage of water flowing from other lands along with the installation, use, repair, replacement, improvement and maintenance of drainage structures including but not limited to swales, gutters, ditches, pipes, culverts, stormdrains, manholes and inlets, together with a perpetual right of ingress and egress thereto.

7) Abrika Properties, LLC, hereby dedicate various easements to the town for various proposed including but not limited to:

a) Drainage Easements on, over, under, above, across and through those areas designated hereon as "Drainage Easement" for the purposes of storm drainage, drainage of water flowing from other lands along with the installation, use, repair, replacement, improvement and maintenance of drainage structures including but not limited to swales, gutters, ditches, pipes, culverts, stormdrains, manholes and inlets, together with a perpetual right of ingress and egress thereto.

b) Waterline Easements on, over, under, above, across and through those areas designated hereon as "Waterline Easement" for the purposes of acquisition, treatment and transmission of domestic potable water and/or irrigation water, the installation, use, repair, replacement, improvement and maintenance of waterline structures including but not limited to pipelines, valves, hydrants and pumps, together with a perpetual right of ingress and egress thereto.

c) Sewer Easements on, over, under, above, across and through those areas designated hereon as "Sewer Easement" for the purposes of disposal and transmission of domestic sewer and storm water, the installation, use, repair, replacement, improvement and maintenance of sanitary sewer structures including but not limited to manholes, pipes and all related structures, together with a perpetual right of ingress and egress thereto.

d) Pedestrian Easement on, over, above, across and through those areas designated hereon as "Pedestrian Easement" for the use of the public for pedestrian and non-motorized vehicular traffic.

e) Temporary Access Easement on, over, under, above, across and through those areas designated hereon as "Temporary Access Easement" together with a non-perpetual right of ingress and egress thereto. The Town of Eagle shall have no responsibility to construct, repair, replace, or maintain such "Temporary Access Easement" improvements, including snow removal and said Temporary Access Easement shall be quashed when additional road(s) which provide access are completed.

g) The dedication of the easement(s) shown hereon to the Town preclude the installation of improvements, including but not limited to trees, shrubs and rocks, the deposit of materials, or the alteration of the existing ground elevation, within the easement area which could in any manner impair the Town's or other service provider's use of the easement as provided in this dedication.

8) Property is subject to the following non-plottable easement agreements: Terms, conditions, provisions, burdens, obligations and easements as set forth and granted in bicycle and pedestrian trial extension agreement recorded October 21, 2015 under reception no. 20150051, and terms, conditions, provisions, burdens, obligations and easements as set forth and granted in temporary construction easement deed recorded October 30, 2015 under reception no. 201520760.

CERTIFICATE OF TAXES PAID

I, the undersigned, do hereby certify that the entire amount of taxes and assessments due and payable as of \_\_\_ upon all parcels of real estate described on this Plat are paid in full.

Dated this \_\_\_ day of \_\_\_, A.D. 20\_\_.

Treasurer of Eagle County, Colorado

EAGLE COUNTY CLERK AND RECORDER CERTIFICATE

This plat was filed for record in the office of the Eagle County Clerk and Recorder at \_\_\_ o'clock \_\_\_M. on the \_\_\_ day of \_\_\_, 20\_\_\_ and is duly recorded at Reception No. \_\_\_\_\_

EAGLE COUNTY CLERK & RECORDER

By: \_\_\_\_\_ Deputy

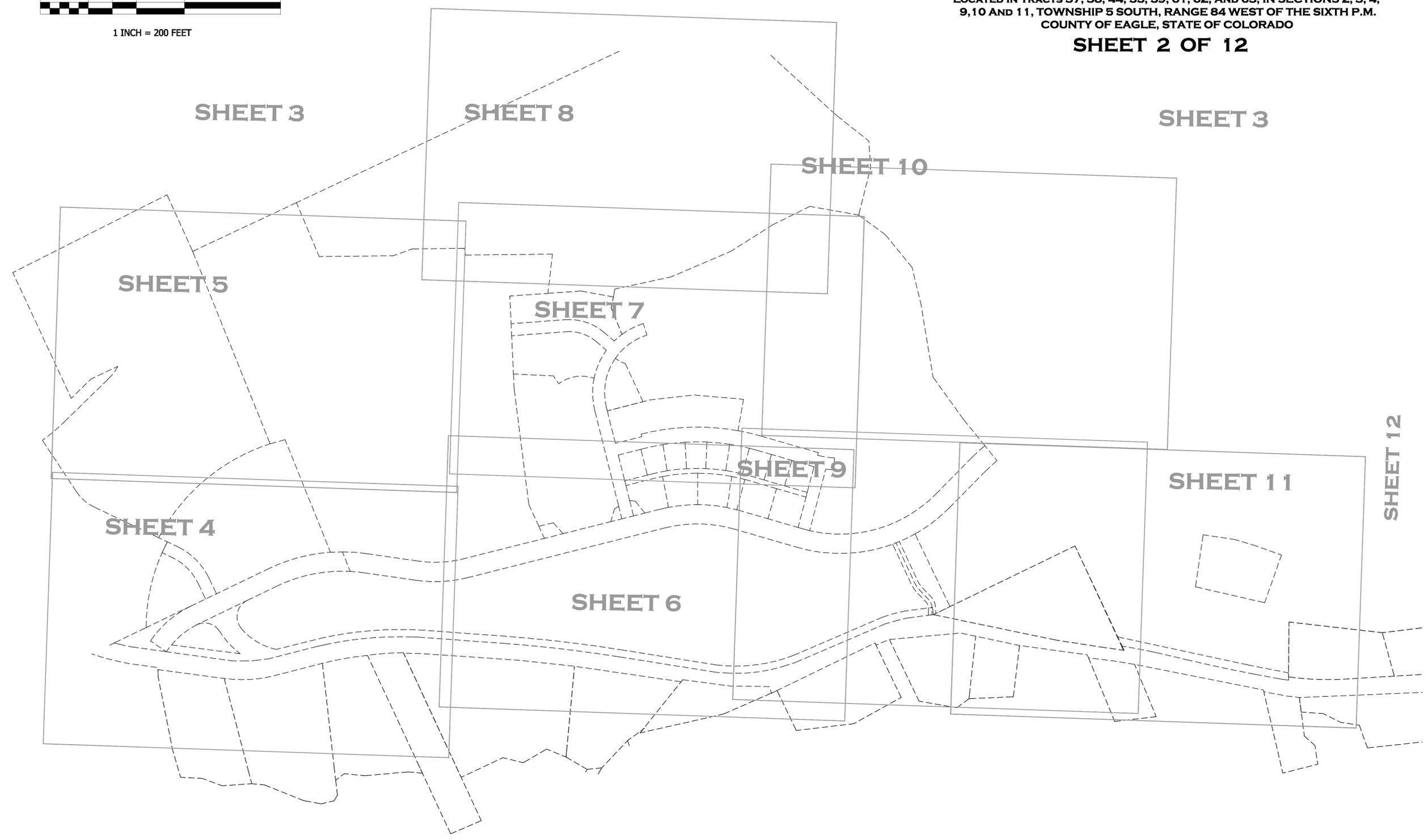
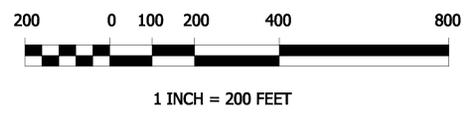
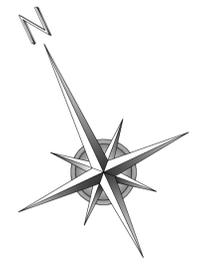
FINAL PLAT HAYMEADOW FILING 1 LOCATED IN TRACTS 37, 38, 44, 55, 59, 61, 62, AND 63, IN SECTIONS 2, 3, 4, 9, 10 AND 11, TOWNSHIP 5 SOUTH, RANGE 84 WEST OF THE SIXTH P.M. COUNTY OF EAGLE, STATE OF COLORADO. Includes fields for DRAWN BY: TJA, JOB NUMBER: 05230, DRAWING NAME: 05230\_FPI.DWG, SHEET 1 OF 12, DATE: 09-13-18, CHECKED BY: MSS.

FINAL PLAT  
**HAYMEADOW FILING 1**

LOCATED IN TRACTS 37, 38, 44, 55, 59, 61, 62, AND 63, IN SECTIONS 2, 3, 4,  
 9, 10 AND 11, TOWNSHIP 5 SOUTH, RANGE 84 WEST OF THE SIXTH P.M.  
 COUNTY OF EAGLE, STATE OF COLORADO

**SHEET 2 OF 12**

**KEY MAP**



**Archibeqe Land Consulting, Ltd**  
 ~ Professional Land Surveying & Mapping ~  
 115 Broadway - P.O. Box 3893 Eagle, Colorado 81631  
 970.328.6020 Office 970.328.6021 Fax  
 INFO@PROLANDSURVEY.COM

FINAL PLAT <b>HAYMEADOW FILING 1</b>		
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DRAWN BY:	TJA	JOB NUMBER: 05230
		DRAWING NAME: 05230_FP1.DWG
SHEET 2 OF 12	DATE: 09-13-18	CHECKED BY: MSS

REVISED 02-19-19 PER TOWN COMMENTS  
 REVISED 02-07-19 PER TOWN COMMENTS  
 REVISED 09-21-18 SHEET 1 & 10 FOR TRACT G SIZE

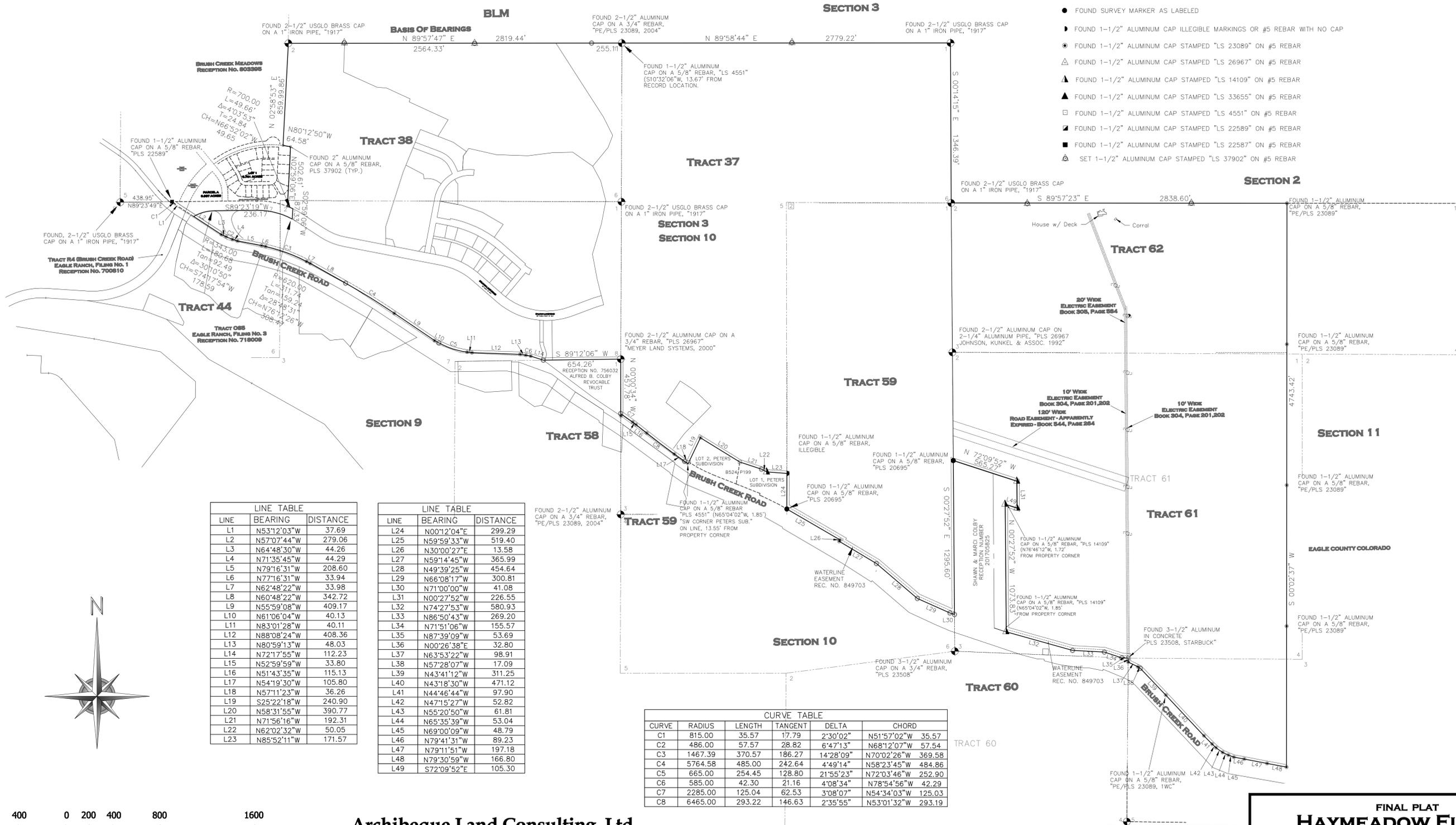
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# OVERALL SHEET

# FINAL PLAT HAYMEADOW FILING 1

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SHEET 3 OF 12

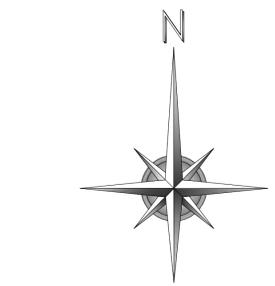


- FOUND SURVEY MARKER AS LABELED
- ⬮ FOUND 1-1/2" ALUMINUM CAP ILLEGIBLE MARKINGS OR #5 REBAR WITH NO CAP
- ⊙ FOUND 1-1/2" ALUMINUM CAP STAMPED "LS 23089" ON #5 REBAR
- △ FOUND 1-1/2" ALUMINUM CAP STAMPED "LS 26967" ON #5 REBAR
- ▲ FOUND 1-1/2" ALUMINUM CAP STAMPED "LS 14109" ON #5 REBAR
- ▲ FOUND 1-1/2" ALUMINUM CAP STAMPED "LS 33655" ON #5 REBAR
- FOUND 1-1/2" ALUMINUM CAP STAMPED "LS 4551" ON #5 REBAR
- ▣ FOUND 1-1/2" ALUMINUM CAP STAMPED "LS 22589" ON #5 REBAR
- FOUND 1-1/2" ALUMINUM CAP STAMPED "LS 22587" ON #5 REBAR
- ⊠ SET 1-1/2" ALUMINUM CAP STAMPED "LS 37902" ON #5 REBAR

LINE	BEARING	DISTANCE
L1	N53°12'03"W	37.69
L2	N57°07'44"W	279.06
L3	N64°48'30"W	44.26
L4	N71°35'45"W	44.29
L5	N79°16'31"W	208.60
L6	N77°16'31"W	33.94
L7	N62°48'22"W	33.98
L8	N60°48'22"W	342.72
L9	N55°59'08"W	409.17
L10	N61°06'04"W	40.13
L11	N83°01'28"W	40.11
L12	N88°08'24"W	408.36
L13	N80°59'13"W	48.03
L14	N72°17'55"W	112.23
L15	N52°59'59"W	33.80
L16	N51°43'35"W	115.13
L17	N54°19'30"W	105.80
L18	N57°11'23"W	36.26
L19	S25°22'18"W	240.90
L20	N58°31'55"W	390.77
L21	N71°56'16"W	192.31
L22	N62°02'32"W	50.05
L23	N85°52'11"W	171.57

LINE	BEARING	DISTANCE
L24	N00°12'04"E	299.29
L25	N59°59'33"W	519.40
L26	N30°00'27"E	13.58
L27	N59°14'45"W	365.99
L28	N49°39'25"W	454.64
L29	N66°08'17"W	300.81
L30	N71°00'00"W	41.08
L31	N00°27'52"W	226.55
L32	N74°27'53"W	580.93
L33	N86°50'43"W	269.20
L34	N71°51'06"W	155.57
L35	N87°39'09"W	53.69
L36	N00°26'38"E	32.80
L37	N63°53'22"W	98.91
L38	N57°28'07"W	17.09
L39	N43°41'12"W	311.25
L40	N43°18'30"W	471.12
L41	N44°46'44"W	97.90
L42	N47°15'27"W	52.82
L43	N55°20'50"W	61.81
L44	N65°35'39"W	53.04
L45	N69°00'09"W	48.79
L46	N79°41'31"W	89.23
L47	N79°11'51"W	197.18
L48	N79°30'59"W	166.80
L49	S72°09'52"E	105.30

CURVE	RADIUS	LENGTH	TANGENT	DELTA	CHORD
C1	815.00	35.57	17.79	2°30'02"	N51°57'02"W 35.57
C2	486.00	57.57	28.82	6°47'13"	N68°12'07"W 57.54
C3	1467.39	370.57	186.27	14°28'09"	N70°02'26"W 369.58
C4	5764.58	485.00	242.64	4°49'14"	N58°23'45"W 484.86
C5	665.00	254.45	128.80	21°55'23"	N72°03'46"W 252.90
C6	585.00	42.30	21.16	4°08'34"	N78°54'56"W 42.29
C7	2285.00	125.04	62.53	3°08'07"	N54°34'03"W 125.03
C8	6465.00	293.22	146.63	2°35'55"	N53°01'32"W 293.19



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REVISED 02-19-19 PER TOWN COMMENTS  
 REVISED 02-07-19 PER TOWN COMMENTS  
 REVISED 09-21-18 SHEET 1 & 10 FOR TRACT G SIZE

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DRAWN BY:	TJA	JOB NUMBER: 05230
SHEET 3 OF 12	DATE: 09-13-18	CHECKED BY: MSS

# FINAL PLAT HAYMEADOW FILING 1

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9, 10 AND 11, TOWNSHIP 5 SOUTH, RANGE 84 WEST OF THE SIXTH P.M.  
COUNTY OF EAGLE, STATE OF COLORADO

SHEET 4 OF 12

SEE SHEET 5

TRACT E  
32.817 ac.

TRACT A  
0.645 ACRES

TRACT R-1  
5.245 ac.

SYLVAN LAKE ROAD  
1.889 ACRES  
(RECEPTION NUMBER 201211315)

TRACT OS-2  
23.239 ac.

TRACT OS-1  
0.043 ac.

TRACT R-2  
3.108 ac.

TRACT R-2  
3.108 ac.

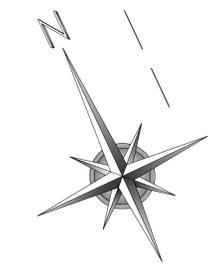
SEE SHEET 6

SYLVAN LAKE ROAD

BRUSH CREEK ROAD

SOLEIL HOMES AT BRUSH CREEK - OPEN SPACE

BRUSH CREEK ROAD



1 INCH = 50 FEET  
REVISED 02-19-19 PER TOWN COMMENTS  
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SHEET 5 OF 12

SEE SHEET 3

TRACT OS-3  
35.424 ac.

TRACT E  
32.817 ac.

TRACT E  
32.817 ac.

TRACT OS-3  
35.424 ac.

TRACT RMF-3  
1.261 ac.  
0037

TRACT RMF-2  
1.459 ac.  
0024

TRACT RMF-1  
4.867 ac.  
0091

TRACT A  
0.645 ACRES

SEE SHEET 4

SEE SHEET 7

BLM

TRACT E  
32.817 ac.

BRUSH CREEK MEADOWS FILING 4  
RECEPTION NO. 201211319

75.16'  
WATER EASEMENT  
TIE TO CORNER

CENTERLINE OF  
PATH EASEMENT =  
SOUTH EDGE OF  
DRAINAGE  
EASEMENT

CENTERLINE 20'  
DRAINAGE  
EASEMENT

CENTERLINE 20'  
WATERLINE  
EASEMENT

CENTERLINE 20'  
DRAINAGE  
EASEMENT

20' PEDESTRIAN  
EASEMENT NORTH  
OF RIGHT OF WAY  
IN TRACT RMF-3

CENTERLINE 20'  
WATERLINE  
EASEMENT

CENTERLINE 10' METRO  
DISTRICT DRAINAGE  
EASEMENT

11' SEWER EASEMENT  
INSIDE TRACT RMF-2  
AND 10 SEWER EASEMENT  
INSIDE TRACT Y AS SHOWN

CENTERLINE 10'  
DRAINAGE  
EASEMENT

CENTERLINE 10' METRO  
DISTRICT DRAINAGE  
EASEMENT

DRAINAGE  
EASEMENT

LOT LINE FOR  
TRACT A  
VACATED BY  
THIS PLAT

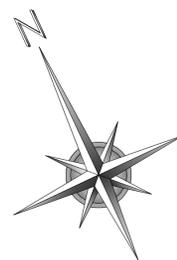
LIMITS OF 20'  
PEDESTRIAN  
EASEMENT

7' PEDESTRIAN  
EASEMENT NORTH  
OF RIGHT OF WAY  
IN TRACT RMF-3

0037

0024

0091



50 0 25 50 100 200

1 INCH = 50 FEET

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REVISED 02-19-19 PER TOWN COMMENTS  
REVISED 02-07-19 PER TOWN COMMENTS  
REVISED 09-21-18 SHEET 1 & 10 FOR TRACT G SIZE

FINAL PLAT  
HAYMEADOW FILING 1

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DRAWN BY:	TJA	JOB NUMBER:	05230	DRAWING NAME:	05230_FP1.DWG
SHEET	5	OF	12	DATE:	09-13-18
				CHECKED BY:	MSS

SEE SHEET 4

SEE SHEET 4

SEE SHEET 9

SEE SHEET 7

TRACT RMF-1  
4.867 ac.  
0091

TRACT R-3  
3.060 ac.

TRACT R-3  
3.060 ac.

TRACT A  
0.088 ac.

TRACT B  
0.038 ac.

TRACT C  
0.049 ac.

TRACT D  
0.195 ac.

TRACT F  
0.146 ac.

TRACT R-1  
5.245 ac.

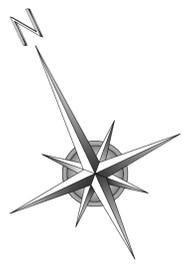
TRACT OS-2  
23.239 ac.

TRACT R-2  
3.108 ac.

CURVE	RADIUS	LENGTH	TANGENT	DELTA	CHORD
CV7	900.00	77.46	38.76	4°55'54"	N76°38'12"W 77.44
CV8	900.00	92.84	46.46	5°54'38"	N71°12'56"W 92.80
CV9	900.00	91.18	45.63	5°48'17"	N65°21'29"W 91.14
CV10	900.00	95.20	47.65	6°03'39"	N59°25'30"W 95.16
CV11	900.00	82.76	41.41	5°16'08"	N53°45'37"W 82.73
CV12	900.00	34.68	17.34	2°12'29"	N50°01'19"W 34.68
CV13	954.10	31.67	15.84	1°54'06"	N49°57'06"W 31.67
CV14	790.00	71.43	35.74	4°59'31"	N53°51'19"W 71.40
CV15	790.00	83.57	41.82	6°03'39"	N59°25'30"W 83.53
CV16	790.00	80.04	40.05	5°48'17"	N65°21'29"W 80.00
CV17	790.00	81.50	40.78	5°54'38"	N71°12'56"W 81.46
CV18	770.00	43.94	21.97	3°16'10"	N77°28'04"W 43.93
CV19	770.00	147.20	73.82	10°57'11"	N70°21'24"W 146.97
CV20	770.00	142.94	71.67	10°38'09"	N59°33'44"W 142.73
CV21	770.00	55.17	27.60	4°06'20"	N52°11'29"W 55.16
CV22	770.00	16.41	8.20	1°13'15"	N49°31'42"W 16.41
CV27	790.00	68.00	34.02	4°55'54"	N76°38'12"W 67.98



1 INCH = 50 FEET



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SHEET 6 OF 12

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DRAWN BY: TJA	JOB NUMBER: 05230	DRAWING NAME: 05230_FPI.DWG
SHEET 6 OF 12	DATE: 09-13-18	CHECKED BY: MSS

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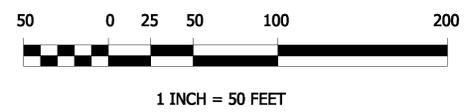
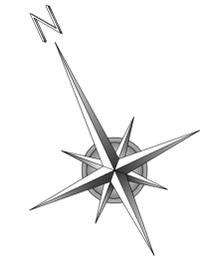
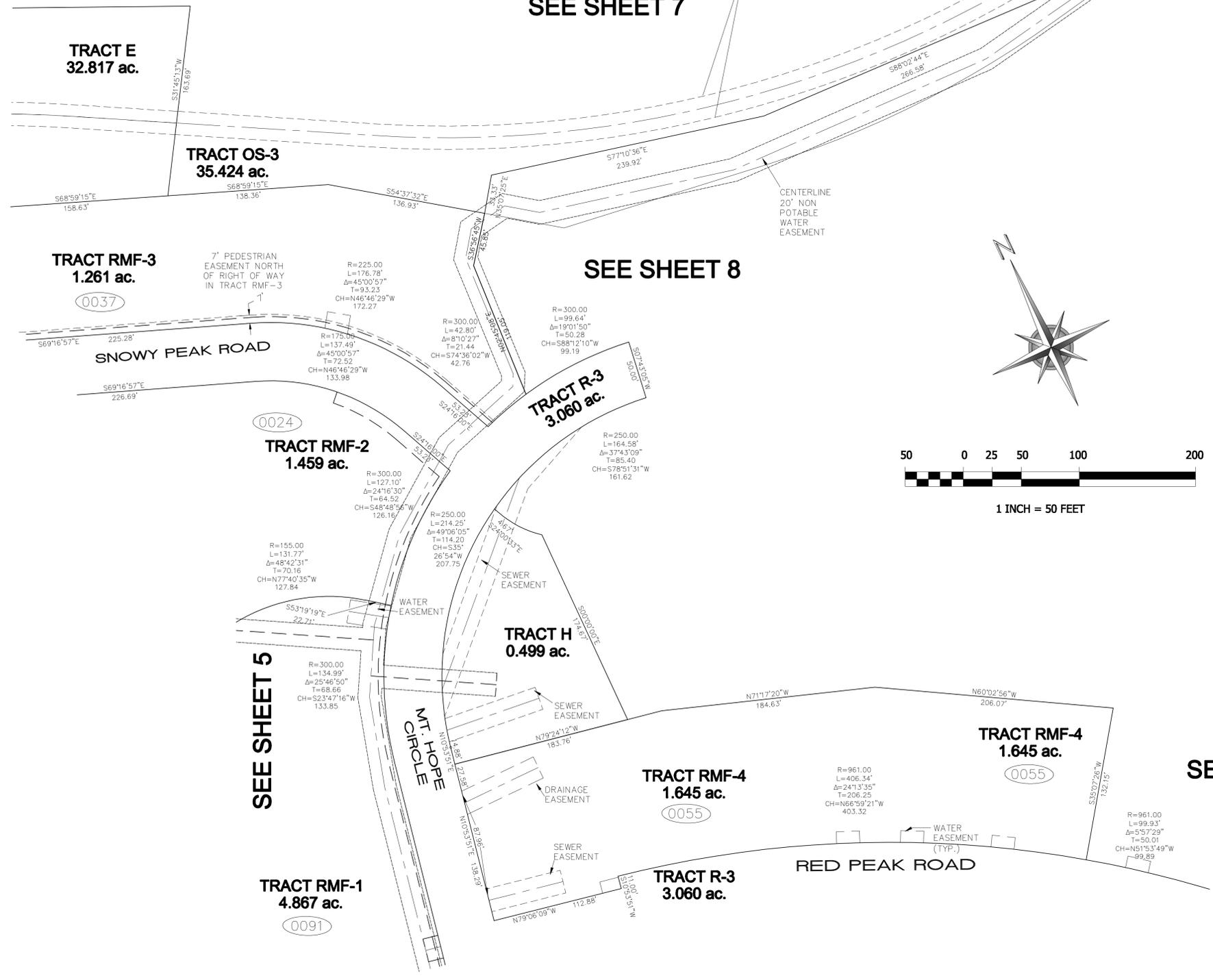
**SHEET 7 OF 12**

SEE SHEET 7

SEE SHEET 10

SEE SHEET 8

SEE SHEET 6



TRACT X  
26.469 ac.

**Archibeque Land Consulting, Ltd**  
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SHEET 7 OF 12	DATE: 09-13-18	CHECKED BY: MSS

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COUNTY OF EAGLE, STATE OF COLORADO

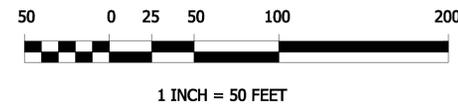
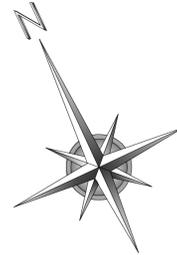
SHEET 8 OF 12

SEE SHEET 3

SEE SHEET 10

BLM  
N 89°57'47" E  
2819.44'

N22°30'32"W  
673.46'



TRACT Z  
508.132 ac.

SEE SHEET 5

TRACT OS-3  
35.424 ac.

CENTERLINE  
20' NON  
POTABLE  
WATER  
EASEMENT

LIMITS OF 20'  
PEDESTRIAN  
EASEMENT

SEE SHEET 7

SEE SHEET 8

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FINAL PLAT <b>HAYMEADOW FILING 1</b> LOCATED IN TRACTS 37, 38, 44, 55, 59, 61, 62, AND 63, IN SECTIONS 2, 3, 4, 9, 10 AND 11, TOWNSHIP 5 SOUTH, RANGE 84 WEST OF THE SIXTH P.M. COUNTY OF EAGLE, STATE OF COLORADO		
DRAWN BY:	TJA	JOB NUMBER: 05230
DRAWING NAME:	05230_FP1.DWG	
SHEET 8 OF 12	DATE: 09-13-18	CHECKED BY: MSS

REVISED 02-19-19 PER TOWN COMMENTS  
REVISED 02-07-19 PER TOWN COMMENTS  
REVISED 09-21-18 SHEET 1 & 10 FOR TRACT G SIZE

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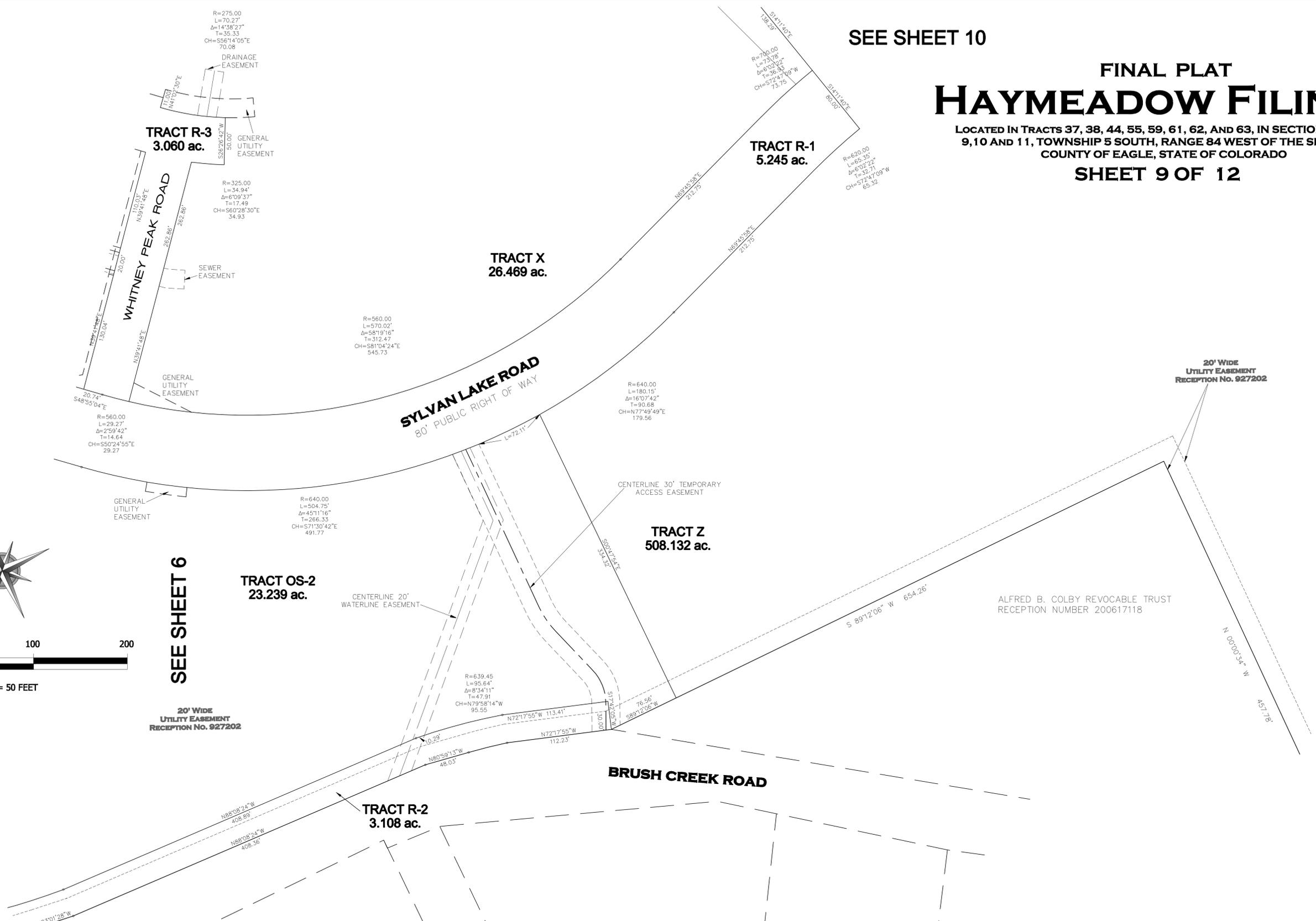
SEE SHEET 10

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COUNTY OF EAGLE, STATE OF COLORADO

SHEET 9 OF 12

SEE SHEET 11



SEE SHEET 6

20' WIDE  
UTILITY EASEMENT  
RECEPTION No. 927202

20' WIDE  
UTILITY EASEMENT  
RECEPTION No. 927202

ALFRED B. COLBY REVOCABLE TRUST  
RECEPTION NUMBER 200617118

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TRACT OS-3  
35.424 ac.

# FINAL PLAT HAYMEADOW FILING 1

SEE SHEET 3

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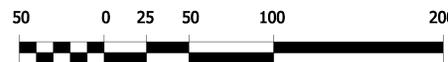
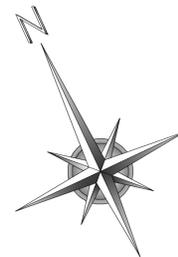
SHEET 10 OF 12

SEE SHEET 3

SEE SHEET 8

TRACT Z  
508.132 ac.

TRACT X  
26.469 ac.



1 INCH = 50 FEET

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SEE SHEET 9

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SHEET 11 OF 12

SEE SHEET 9

SEE SHEET 3

SEE SHEET 12

TRACT Z  
508.132 ac.

TRACT G  
1.601 ac.

TRACT R-4  
0.530 ac.  
PUBLIC RIGHT OF WAY

LOT 2, PETERS  
SUBDIVISION  
B524 P199

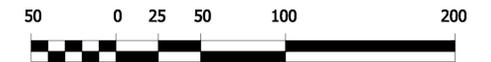
BRUSH CREEK ROAD

OUZEL  
LANE

SEE SHEET 12

60' ACCESS EASEMENT

20' WIDE  
UTILITY EASEMENT  
RECEPTION No. 927202



1 INCH = 50 FEET

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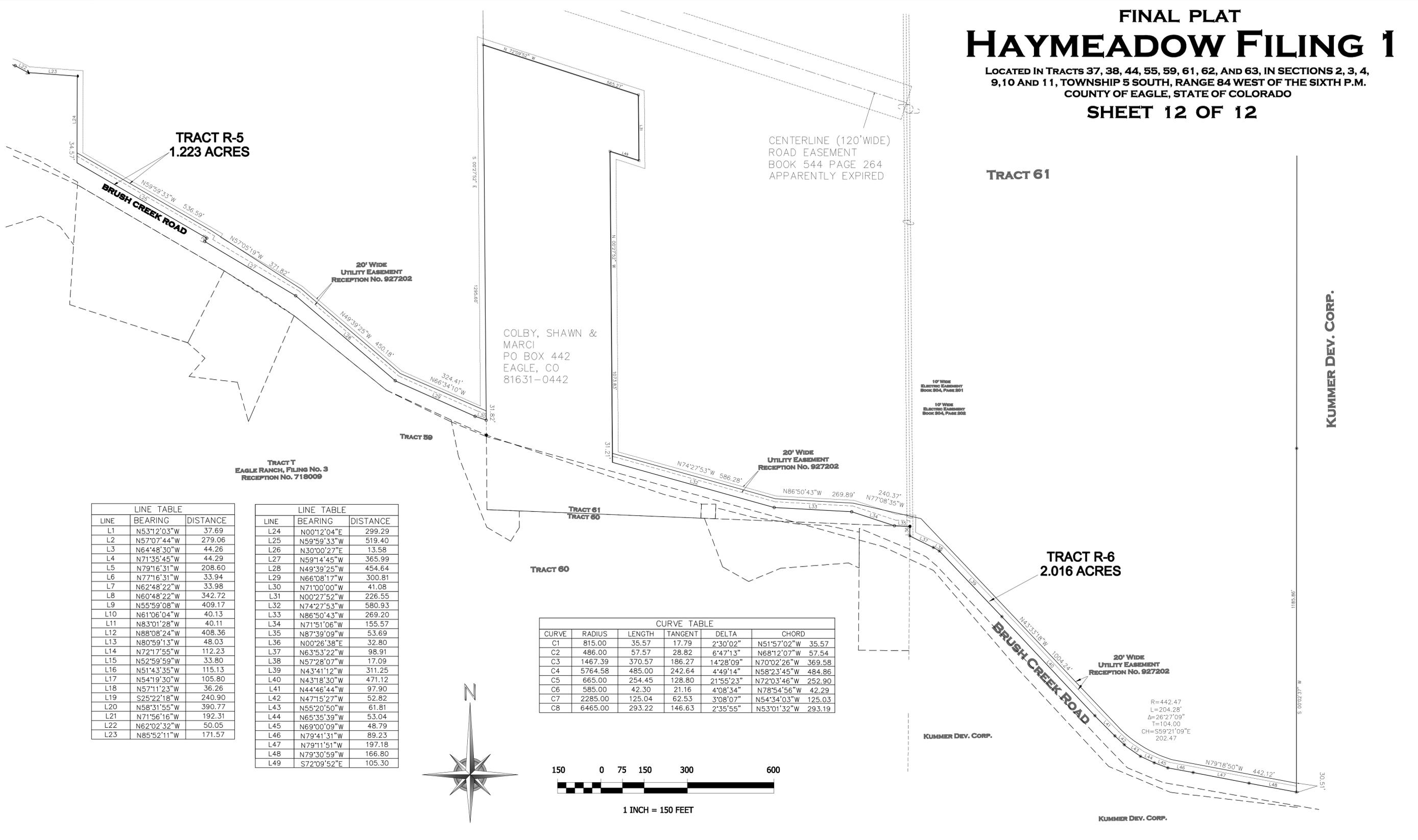
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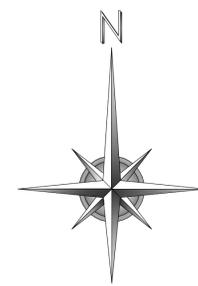
SHEET 12 OF 12



LINE	BEARING	DISTANCE
L1	N53°12'03"W	37.69
L2	N57°07'44"W	279.06
L3	N64°48'30"W	44.26
L4	N71°35'45"W	44.29
L5	N79°16'31"W	208.60
L6	N77°16'31"W	33.94
L7	N62°48'22"W	33.98
L8	N60°48'22"W	342.72
L9	N55°59'08"W	409.17
L10	N61°06'04"W	40.13
L11	N83°01'28"W	40.11
L12	N88°08'24"W	408.36
L13	N80°59'13"W	48.03
L14	N72°17'55"W	112.23
L15	N52°59'59"W	33.80
L16	N51°43'35"W	115.13
L17	N54°19'30"W	105.80
L18	N57°11'23"W	36.26
L19	S25°22'18"W	240.90
L20	N58°31'55"W	390.77
L21	N71°56'16"W	192.31
L22	N62°02'32"W	50.05
L23	N85°52'11"W	171.57

LINE	BEARING	DISTANCE
L24	N00°12'04"E	299.29
L25	N59°59'33"W	519.40
L26	N30°00'27"E	13.58
L27	N59°14'45"W	365.99
L28	N49°39'25"W	454.64
L29	N66°08'17"W	300.81
L30	N71°00'00"W	41.08
L31	N00°27'52"W	226.55
L32	N74°27'53"W	580.93
L33	N86°50'43"W	269.20
L34	N71°51'06"W	155.57
L35	N87°39'09"W	53.69
L36	N00°26'38"E	32.80
L37	N63°53'22"W	98.91
L38	N57°28'07"W	17.09
L39	N43°41'12"W	311.25
L40	N43°18'30"W	471.12
L41	N44°46'44"W	97.90
L42	N47°15'27"W	52.82
L43	N55°20'50"W	61.81
L44	N65°35'39"W	53.04
L45	N69°00'09"W	48.79
L46	N79°41'31"W	89.23
L47	N79°11'51"W	197.18
L48	N79°30'59"W	166.80
L49	S72°09'52"E	105.30

CURVE	RADIUS	LENGTH	TANGENT	DELTA	CHORD
C1	815.00	35.57	17.79	2°30'02"	N51°57'02"W 35.57
C2	486.00	57.57	28.82	6°47'13"	N68°12'07"W 57.54
C3	1467.39	370.57	186.27	14°28'09"	N70°02'26"W 369.58
C4	5764.58	485.00	242.64	4°49'14"	N58°23'45"W 484.86
C5	665.00	254.45	128.80	21°55'23"	N72°03'46"W 252.90
C6	585.00	42.30	21.16	4°08'34"	N78°54'56"W 42.29
C7	2285.00	125.04	62.53	3°08'07"	N54°34'03"W 125.03
C8	6465.00	293.22	146.63	2°35'55"	N53°01'32"W 293.19



1 INCH = 150 FEET

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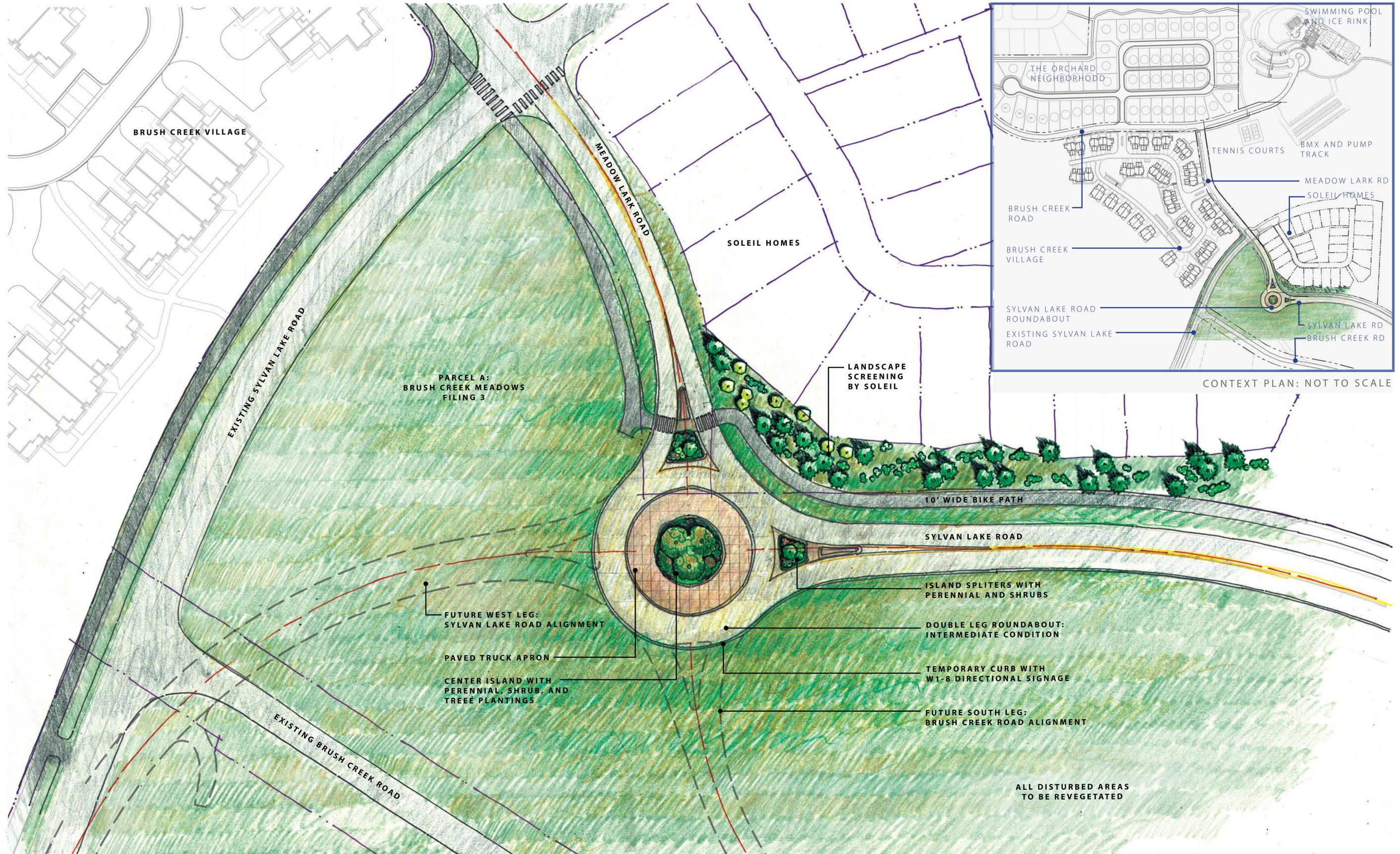
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**EXHIBIT K:**  
**Access and Infrastructure**  
**Plans – Phase 1**

**[LINK](#)**

**EXHIBIT L:**  
**Roundabout Phasing**  
**Diagrams**  
**(attached)**





**EXHIBIT M:**  
**Perimeter Fence Memo**  
**(attached)**



# COLORADO

## Parks and Wildlife

Department of Natural Resources

Division of Parks and Wildlife  
0088 Wildlife Way  
Glenwood Springs, CO 81601  
P 970-947-2920 | F 970-947-2936

December 7, 2015

John Staight

Town of Eagle Open Space

Craig Wescoatt

Eagle Wildlife Manager

Hay Meadow Boundary Fence

Hi John,

Scott asked me to write a letter with the Colorado Division of Parks and Wildlife's (CPW's) recommendations for the boundary fence on the Hay Meadow property. The CPW recommends that no fences be constructed unless there is a valid agricultural purpose or for human safety reasons. Should a fence be constructed then the Town has been provided with the standards reducing the impacts of that fence on wildlife movement. My understanding is that the Town prefers the "no fence" option and that would align with best wildlife management practices. Let me know if you have any questions or concerns regarding this correspondence.

Regards,

Craig Wescoatt

970 948 0354



John Cook 419 Harrier Circle. This concerns termination and settlement with Mr. Stavney. A suggestion toward regaining trust of groups regarding Open Meetings Act and suggestion and offer to split cost of mediator to review recordings made of the executive session regarding any decisions made to ensure the board complied with the law.

Melanie Richmond 95 Big Safe Ct. – Offered assistance with the search - if citizens can be involved.

### **PRESENTATIONS**

Eagle Police Department Officer Commendation – Chief Staufer

Chief Staufer provided background for commendation of Officer Jeremy Hawkins for his efforts regarding assistance with a citizen.

### **LIQUOR LICENSE AUTHORITY**

Brush Creek Saloon – Renewal Application (Town Clerk and EPD) *(Due to incidences documented by Eagle PD, applicant was requested to appear.)*

Sgt. Toy provided history of contacts made by EPD at Brush Creek and provided information regarding plan to resolve concerns with over service. Sgt. Toy provided update regarding applicant's cooperation and provided information regarding attempts and plans to address issues cooperatively with applicant to voluntarily participate in the review process. Suggested review will be conducted by EPD staff and Town Clerk. Decision to return to TBOT for review will be made administratively. Updates will be provided.

Ed Sands noted that the Board can set a public hearing to review violations or concerns if it deems necessary. The agenda item tonight is review and update only. Clarified that conditional approval is not being sought, rather the public hearing would need to occur.

Trustee Baker requested statistical data regarding comparisons with similar establishments.

Town Board wanted consideration taken for Brush Creek because there are no other establishments open as late in Eagle.

### **DISCUSSION, DECISIONS OR DIRECTION REQUESTED**

1. MEAC Event Funding – Amy Cassidy *(Request for Board approval of MEAC recommended event funding for 2016)*

Amy Cassidy provided slide presentation, highlighted new events and also outlined MEAC review and proposal process.

MOTION: Trustee Brubeck motioned to accept MEAC's funding proposal for special events and community requests for 2016. Trustee Jessen seconded. Motion was approved unanimously.

2. Haymeadow Wildlife Fence – John Staight and Scott Schlosser *(Request regarding necessity of wildlife fencing)*

John Staight Open Space Coordinator presented this item. Scott Schlosser representing the property owner was also present. John Staight outlined the request. Current fencing for this property is barbed wire along BLM and haymaker boundary no northern and eastern addressed in the Annexation and Development Agreement. ADA reads to have the fence to delineate property from BLM and keep livestock from entering the property. Scott Schlosser has obtained a grant for wildlife friendly fencing and has since discovered DOW would prefer no fence. Consultants were contacted regarding this proposal and area regarding fence. Timing of the fence requirement is upon final plat, thereby the fence is not required at this time. The agreement going forward would be to reevaluate when timing of the development as it is spelled out in the ADA. Due to circumstances regarding grazing on this portion of BLM, livestock is not using this area, as it is not suitable for grazing as it once was. If that case continues, the fence may be moot, but will be decided at a later time when designated in the ADA. Fencing requirements do affect town Open Space and ultimately the Town would be responsible for fencing out any potential livestock (if there were no fence). Two options are available: Haymeadow can use existing materials and install wildlife friendly fence. Fences do help control pirate trails. In general, waiting for BLM to determine what its intent is for that grazing parcel. Installing new fence should be postponed to determine if it is needed at the time of the ADA. This would allow Scott to return the fencing obtained by the grant to the Department of Wildlife.

Ed Sands stated he has spoken to Abrika's attorney and is staff is looking to update the board regarding the DOW's statement regarding the need for fence in this area and for direction on whether the Town is interested in fencing with the wildlife friendly fence obtained by Abrika.

Planning Department was requested to keep list of subdivision plat and to check in on the fence issue.

Scott asked for a letter from the Town to return the fence to the DOW. Scott also agreed to return the fence with the knowledge that a future board may decide a fence is needed if circumstances change.

There is no timing requiring a fence. At first subdivision plat then a plan should be submitted to the Board.

MOTION: Trustee Baker made a motion to direct town staff to memorialize the agreement with the application the plan under section 9.3 will also including information on the timing of the construction of the fence. Seconded by Mayor Kostick. Motion PASSED. ABSTAIN: Seabury.

3. Resolution 2016-09 A Resolution of the Board of Trustees of the Town of Eagle, Colorado Approving an Agreement with BCP-ARR Water, LLC Concerning Reimbursement of Costs (*Allows the Town to invoice for reimbursable costs related to this action.*)

Attorney Ed Sands this deals with the Frost Creek Development they have asked us to amend the water service agreement and we do anticipate costs associated with that process for water attorney and engineering.

- a. Agreement Concerning Reimbursement of Costs

MOTION: Trustee Motion McKibbin to approve Resolution 2016-09. Seconded by Trustee Seabury. Motion PASSED unanimously.

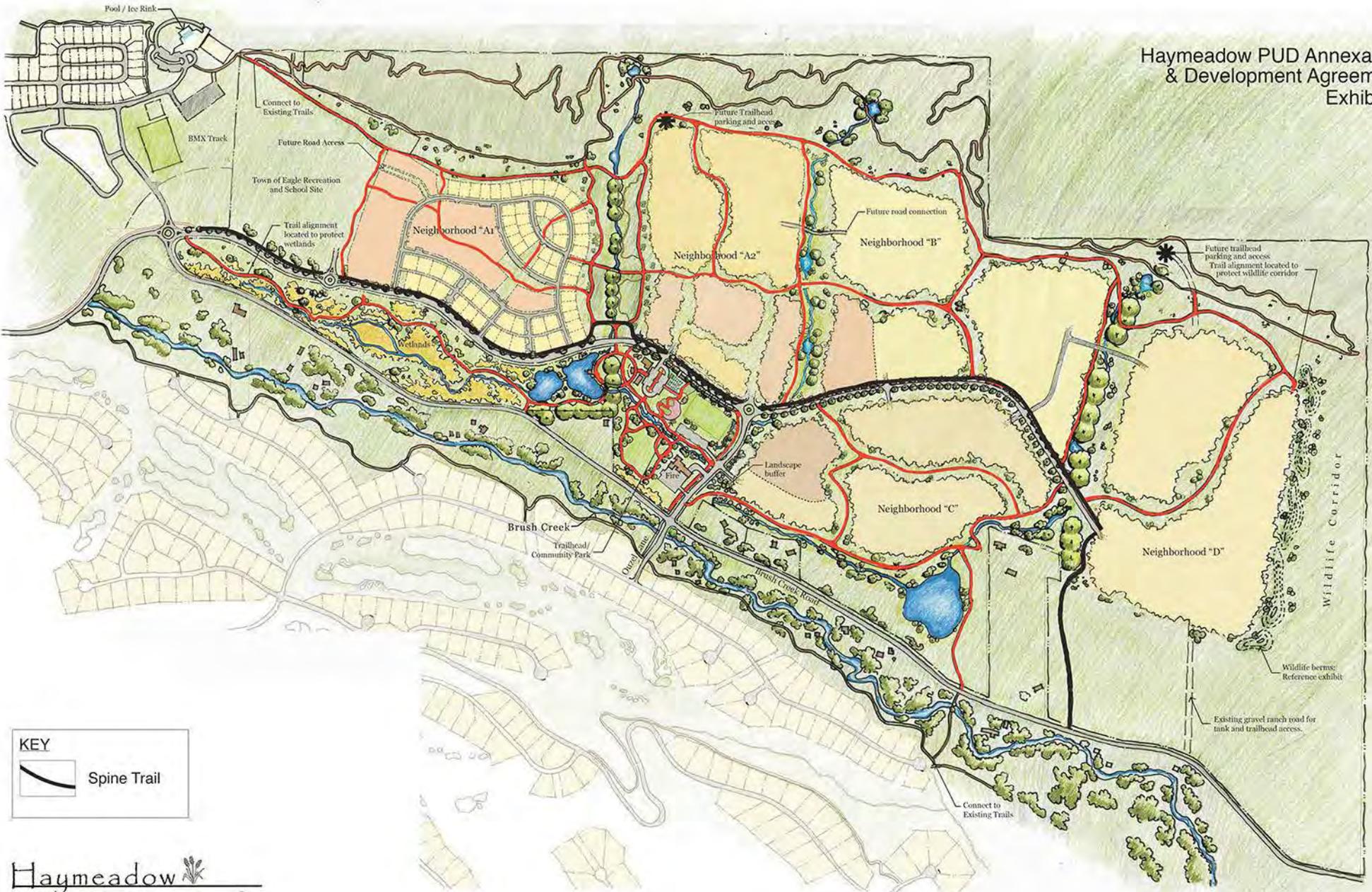
#### **EXECUTIVE SESSION**

MOTION: Mayor Pro Tem motioned to enter into Executive Session pursuant to C.R.S. § 24-6-402(4) (a) to consider the purchase, acquisition, lease, transfer or sale of real, personal or other property. Seconded by Mayor Kostick. Motion PASSED unanimously.

**EXHIBIT N:**  
**Ecological Restoration Plan**  
**([LINK](#))**

**EXHIBIT O:**  
**Trails Concept Plan**  
**(attached)**

Haymeadow PUD Annexation  
& Development Agreement  
Exhibit E



**KEY**

 Spine Trail

**EXHIBIT P:**  
**Wetland Enhancement Plan**  
**([LINK](#))**

**EXHIBIT Q:**  
**Open Space Management**  
**Plan**

**[LINK](#)**

**EXHIBIT R:**  
**Weed Management Plan**  
**([LINK](#))**

**EXHIBIT S:**  
**Success Criteria Memo for**  
**Enhancement, Reclamation**  
**and Management Work**  
**(attached)**



March 11, 2019

John Staight  
Town of Eagle Open Space Coordinator  
P.O. Box 609  
Eagle, CO 81631-0609

RE: Haymeadow Restoration Success Criteria

Good Morning John,

Thank you for your careful review of the Restoration Plan for the School Parcel (Tract E), the Integrated Weed Management Plan, the Open Space Management Plan, and the Wetland Enhancement Plan prepared for the Haymeadow PUD. In response to your review comments, we are providing additional details that include a timeline and success criteria for weed management and ecological restoration activities described in these reports.

#### **I). SCHOOL PARCEL - TRACT E**

Restoration of the School Parcel, also known as Tract E, is addressed in detail in the September 2018 Ecological Restoration Plan prepared by Birch Ecology. This plan is designed to complement the Integrated Weed Management Plan, which provides specific recommendations for controlling noxious and troublesome weeds that are known to occur at Haymeadow.

TIMELINE. Restoration of the School Parcel will be initiated in the Spring of 2019. Our primary focus during the 2019 growing season will be to eradicate existing stands of state-listed noxious weeds and other undesirable vegetation, while depleting the weed seeds from the soil seed bank. The site will be treated with chemical herbicides, then tilled to induce seed germination, and then sprayed again to kill the germinating weeds. This process will be completed two or three times during the growing season, depending upon rainfall and other environmental factors that will affect the rate of seed germination and weed growth. After the soil has been thoroughly tilled, we will collect soil samples and submit them to a laboratory for agronomic testing. This will determine whether any fertilizer would be applied prior to seeding. In the fall, the seed bed will be prepared with granular mycorrhizae, and fertilized if necessary, then drill seeded with the seed mix contained in Table 4 of the Ecological Restoration Plan. Due to the presence of a weedy seed bank, the initial restoration seeding will include grasses but no forbs (wildflowers) to facilitate weed spraying during the first few growing seasons. After seeding, hydromulch will be applied to the restoration area at a rate of 3,000 pounds per acre.

During the 2020 growing season, we will continue to monitor the restoration area to check for weed growth and germination of the seed mix. Integrated weed management techniques will



be used to kill any noxious or undesirable weeds that either colonize the site or germinate from the soil seed bank. We are planning to minimize the use of herbicides through spot-spraying. However, if there is abundant weed growth, spot-spraying may not be feasible.

If there are areas that show poor germination of the seed mix, they will be overseeded to ensure a good initial grass cover is establishing across the restoration site. Overseeding would most likely occur by the fall of 2020, but could be completed at any time during the 2020 or 2021 growing seasons, as necessary. The Ecological Restoration Plan includes a list of recommended forbs in Table 5 which could be seeded into the site after the weed abundance is reduced, in order to create a more diverse plant community.

MONITORING. At the end of the 2019 growing season, an As-Built Assessment letter will be submitted to the Town to document the restoration and weed management activities completed on Tract E. At the end of the 2020 and 2021 growing seasons, annual reviews would be conducted and a brief monitoring letters would be provided to document the ongoing maintenance and enhancement activities, discuss the condition of the restoration area, evaluate the progress toward achieving the Success Criteria, and provide recommendations. We are proposing a qualitative monitoring program with visual estimates of plant cover and weed abundance, rather than collecting detailed vegetation cover data along quantitative vegetation monitoring transects.

SUCCESS CRITERIA. The following Success Criteria are performance standards designed to measure the initial progress of the restoration site during the first two growing seasons, 2020 and 2021. The criteria are designed to measure a standard that would be reasonably achievable during the first two years of a non-irrigated dryland restoration site in Eagle, Colorado.

**The Tract E restoration will be considered successful when the following criteria are achieved:**

- 1) There are no State of Colorado List A Noxious Weeds present in the restoration area.
- 2) There are no areas greater than 100 square feet which are dominated by State of Colorado List B and List C Noxious Weeds. Quackgrass (*Elytrigia repens*) will be excluded from this requirement, since it is abundant in the wetlands and irrigated areas of Haymeadow as well as the surrounding properties, and cannot be effectively eradicated. However due to the dry conditions on Tract E, quackgrass is not expected to become established in the restoration area.
- 3) The absolute cover of noxious weeds in the restoration area is less than 10%.
- 4) The seed mix has germinated across the site, producing an even, initial grass cover. There are no bare areas larger than 25 square feet which have not been overseeded by the end of the 2020 growing season.



- 5) There is no detrimental erosion within the restoration area. Any unstable or actively eroding areas have been stabilized with fabric, hydromulch, or other appropriate measures.
- 6) There are no areas greater than 100 square feet which are dominated by kochia (*Kochia scoparia*) or Russian thistle (*Salsola iberica*). These problematic weeds are no longer on the State of Colorado's Noxious Weed List but will be managed as such.

ONGOING STEWARDSHIP. After the 2021 growing season, Abrika Properties will manage the weeds in accordance with these Success Criteria until the Town of Eagle and/or School District take over maintenance as per the Annexation and Development Agreement.

## **II). PHASE I WETLAND ENHANCEMENT**

The Phase I Wetland Enhancement Plan prepared by Birch Ecology documents the existing condition of the wetlands, provides a plan to restore and enhance the large wetland adjacent to the Phase I project area, and includes recommendations to control noxious weeds. The planting plan in Figure 5 of the Wetland Enhancement Plan specifies that 20 nursery-grown narrowleaf cottonwood trees, 100 nursery-grown riparian shrubs, and 500 locally-harvested willow cuttings would be planted in the wetland enhancement area adjacent to Brush Creek Road. The Integrated Weed Management Plan is intended to supplement the Wetland Enhancement Plan, and it provides specific details on controlling the noxious weeds which are known to occur in the wetland enhancement area.

TIMELINE. Willow cuttings must be planted in the early spring before the buds break and initiate growth for the year. It is anticipated that the willow planting for the Haymeadow Phase I wetland enhancement would occur in the spring of 2020, and the nursery-grown trees and shrubs would be planted later that summer in May or June. The nursery-grown trees and shrubs would be provided supplemental irrigation water during the first one or two growing seasons to ensure successful establishment. Once they are rooted in, irrigation should not be required.

MONITORING. At the end of the first growing season in the fall of 2020, an As-Built Assessment and first-year monitoring letter will be submitted to the Town. The letter will document the plantings and weed management activities completed in the restoration area and any required maintenance activities completed during the first growing season. The report will include an evaluation of the health and initial establishment rate of the willow cuttings and the nursery-grown trees and shrubs. The site will also be evaluated in accordance with the Success Criteria outlined below. Another annual review and accompanying letter report would be provided to the Town at the end of the 2021 growing season to document the survival rate for the wetland enhancement plantings and achievement of the other success criteria. A final assessment would be provided two years following planting, in the spring of 2022.



SUCCESS CRITERIA. The following Success Criteria are performance standards designed to measure the initial establishment of the wetland enhancement during the first two growing seasons, 2020 and 2021. Accordingly, the Success Criteria are geared towards measuring the two-year survival rate for the wetland enhancement plantings.

**The Phase I Wetland Enhancement Plan will be considered successful when the following criteria are achieved:**

- 1) There are no State of Colorado List A Noxious Weeds present in the restoration area.
- 2) There are no areas greater than 100 square feet which are dominated by State of Colorado List B and List C Noxious Weeds. Quackgrass (*Elytrigia repens*) will be excluded from this requirement, since it is abundant in the wetlands and irrigated areas of Haymeadow and cannot be effectively eradicated from the area.
- 3) Excluding quackgrass, the absolute cover of noxious weeds in the restoration area is less than 5%.
- 4) Existing Russian olive (*Elaeagnus angustifolia*) trees have been eliminated.
- 5) The survivorship of nursery-grown cottonwood trees is at least 90% two years after planting.
- 6) The survivorship of nursery-grown shrubs is at least 90% two years after planting.
- 7) The initial establishment rate of willow cuttings is at least 90% two years after planting.
- 8) There is no detrimental erosion within the restoration area. Any unstable or actively eroding areas have been stabilized with fabric, hydromulch, or other appropriate measures.

ONGOING STEWARDSHIP. After the Success Criteria are achieved, the riparian enhancement area will be maintained by the Haymeadow Metropolitan District and noxious weed management will continue in accordance with the Integrated Weed Management Plan.

### **III). WEED MANAGEMENT IN OPEN SPACES TO BE DEEDED TO THE TOWN**

The Integrated Weed Management Plan prepared by Birch Ecology provides a detailed framework for managing the noxious weeds and other undesirable species that are known to occur on the Haymeadow Project Site.

TIMELINE. In order to develop a more specific list of priorities, an updated assessment and Weed Map will be prepared during the 2019 growing season. This inventory will result in a detailed GIS-based map which can be used to identify priority areas for treatment and the species of concern.



In addition, it can be a tool for ongoing weed management at the site, as a way to track treatment areas and measure their effectiveness.

Weed management will begin in the spring of 2019 and will continue throughout the growing season. Ongoing weed management activities will be completed in accordance with the recommendations contained in the Integrated Weed Management Plan and the updated weed inventory. It is expected that herbicide will be necessary to control existing stands of well-established weeds; however, through the effective use of integrated weed management techniques, the need for chemical herbicides should diminish over time. As overall weed abundance is reduced to a more manageable level, mechanical and cultural methods will play a more important role.

MONITORING. The Haymeadow Open Space Tracts will be regularly monitored to identify new stands of weeds and to evaluate the effectiveness of weed control treatments. As discussed above, the GIS-based Weed Map prepared during the weed inventory will be an important tool for managing weeds at Haymeadow. This map can be updated over time to track the effectiveness of weed control treatments and identify new and ongoing priority areas.

WEED MANAGEMENT OBJECTIVES. The following Weed management objectives are performance standards designed to measure the effectiveness of weed management techniques. They can be used to identify when more intensive management may be warranted. These standards will apply to Tracts OS-A, OS-B, E, and F. In addition, the level drainage bottoms and the toeslope and flat topography of Tracts OS-C and H would be included. Please note, it is not the intent of this plan to commit to controlling all of the existing weeds on the hilly topography of Tracts OS-C and H.

#### **Weed Management Objectives for Haymeadow Open Space Tracts:**

- 1) There are no State of Colorado List A Noxious Weeds present in the open space tracts when deeded to the Town of Eagle.
- 2) There are no areas greater than 100 square feet which are dominated by State of Colorado List B and List C Noxious Weeds. Quackgrass (*Elytrigia repens*) will be excluded from this requirement, since it is abundant in the wetlands and irrigated areas of Haymeadow and cannot be effectively eradicated from the area.
- 3) The absolute cover of noxious weeds in the open space dedications specified above is less than 5%.

ONGOING STEWARDSHIP. Once a parcel is deeded to the Town of Eagle, and the above three criteria are met for such parcel, weed management would become the responsibility of the Town.



## SUMMARY

We hope these additional details will help to clarify the plan and intent of the restoration and weed management activities outlined in the Ecological Restoration Plan for the School Parcel (Tract E), the Phase I Wetland Enhancement Plan, and the Integrated Weed Management Plan for the Haymeadow PUD.

Please let us know if you require any further clarification.

Sincerely,

A handwritten signature in blue ink, appearing to read "Heather Houston", is positioned above the typed name.

Heather Houston  
President and Senior Ecologist

**EXHIBIT T:**  
**LERP Compliance Memo**  
**(attached)**

**HAYMEADOW FILING 1 LERP COMPLIANCE PLAN**  
**October 18, 2018**

The Haymeadow ADA includes an approved Local Employee Residency Plan. The plan outlines the required number and type of housing units for the overall buildout of the Haymeadow PUD and states that the intent is to generally keep pace with providing LERP units at a 10% rate of the construction of free market units. This pace is allowed to vary by individual neighborhoods during build out. The approved plan requires a total of 87 LERP units in a variety of multi-family unit types. The proposed mix in the LERP Plan includes 21 studios, 33 one-bedrooms, 18 two-bedrooms, and 12 three-bedrooms.

The Multi-Family Development Permit process is specified as the time to designate the location, type, size and price point of LERP units.

The Haymeadow Filing 1 Plat includes four multi-family development tracts but does not include Development Permit applications for multi-family buildings. As Development Permit applications are brought to the Town of Eagle for these multi-family tracts the Development Permit applications will specify the appropriate level of information to provide compliance with the approved LERP Plan.

The approved plan includes a proposed distribution of LERP units throughout the project and projects that Neighborhood A1 will provide 25 LERP units at build-out. Because the LERP Plan contemplates that all Haymeadow LERP units will be multi-family units and the Filing 1 plat will include a disproportionate amount of multi-family units (relative to the mix at full build-out), the applicant intends to designate ***more than 10%*** of the total units built in Filing 1 as LERP units.

The approved Haymeadow LERP Program is attached to this memo.

# Haymeadow

**Local Employee Residency Plan  
March 25, 2014**

**PUD Development Plan  
& Preliminary Subdivision Plan**

The purpose of this document is to serve as the initial Haymeadow Local Employee Residency Plan, in accordance with the requirements stated in Section IV. B. of the Town of Eagle Local Employee Residency Program Requirements and Guidelines.

The Haymeadow PUD Development Plan and Preliminary Subdivision Plan application represents a large multi-phased residential development that will take many years and multiple review processes to complete. While this step of the application requires the submittal of a Local Employee Residency Plan, and this document will serve as such, much of the requested detail has not yet been developed and will necessarily come into later steps of the review process.

It is the intent of the Haymeadow applicant to fully comply with the intent of the Town of Eagle Local Employee Residency Program (“LERP”) housing program through the development and build-out of Haymeadow. This Haymeadow Local Employee Residency Plan represents a formal request for a Variance to allow the unit types and distribution as detailed below. In consultation with local housing experts, town staff members and in public discussion with the Town Board of Trustees we believe it is appropriate to propose a unit mix that is weighted towards entry level housing units and does not include single-family product. All proposed LERP units shall be multi-family units. The proposed housing unit mix is detailed below.

The Haymeadow PUD Development Plan proposes a total of 837 dwelling units. Based on the 10% inclusionary requirement of the LERP program this will result in a requirement of 84 qualified LERP units. This plan proposes to provide all of the those units in the following unit mix:

<u>Unit type</u>	<u># Provided</u>
Studio	21
One-bedroom	33
Two-bedroom	18
<u>Three-bedroom</u>	<u>12</u>
Total	84

As market conditions vary the unit mix to be provided may be amended by a staff approval process to allow for unit types with more bedrooms to be increased in number and offset by a corresponding decrease in unit types with less bedrooms. I.E., if the applicant desires to provide a greater number of two-bedroom units than the proposed 18 two-bedroom units listed in the above table units this will be allowable and shall be offset by a corresponding decrease in the required number of studio or one-bedroom units. In no case shall the unit type mix be amended by a staff approval to increase the number of units with less bedrooms.

The Haymeadow applicant is committed to provide this number of units, in accordance with the program guidelines and requirements for unit price points, size and quality/design considerations. The LERP units shall be dispersed in a reasonable manner throughout each neighborhood. There may be more than one LERP unit per building, and there may be multi-family buildings that contain three or more LERP units. However, all, or a significant concentration of, the required LERP units for each

neighborhood shall not be located within one multi-family project or cluster of buildings.

The intent of this LERP Plan is that the timing of provision of the LERP units should generally keep pace at 10% of the construction of free-market units. This pace may vary within individual neighborhoods during build out. Each development permit application for multi-family buildings will include which, if any, units will be designated for the LERP program and will include the required level of detail that specifies unit sizes, bedroom configurations and sales price points. The Town Staff shall use the Development Permit process to monitor the pace of provision of LERP units and may recommend denial of a Development Permit if the construction of LERP units is significantly off pace.

The following table indicates the proposed location of LERP units by neighborhood.

#### Haymeadow Local Employee Residency Plan

#### LERP Unit Distribution Table

<u>Neighborhood</u>	<u># LERP Units</u>
A1	25
A2	22
B	21
C	16
<u>D</u>	<u>0</u>
Total	84

**EXHIBIT U:**  
**Ownership and Maintenance**  
**Chart**  
**(attached)**

## Haymeadow Ownership and Maintenance Table

ITEM	LAND OWNERSHIP	MAINTENANCE/REPLACEMENT ENFORCEMENT
<b><i>Open Space/Wildlife Corridor</i></b>		
Upland Open Space*	Town	Town
BLM and Upper Ranch Boundary Fence	Town	Metropolitan District
Brush Creek Agricultural Areas & Wildlife Corridor*	Town	Metropolitan District
Willow Tree Corridors*	Town	Metropolitan District
Weed and Pest Control-Open Space	N/A	Metropolitan District
<b><i>Parks</i></b>		
Trailhead Park (not including Buildings)*	Town	Metropolitan District
Pavilion Buildings at Trailhead Parks	Town	Town
Metro District Building at Trailhead Park	Metropolitan District	Metropolitan District
Neighborhood "A1" Greenspace and "Neighborhood Park"*	Metropolitan District	Metropolitan District
Specific Improvements within Neighborhood "A1" Greenspace and "Neighborhood Park"	Metropolitan District	Metropolitan District
Weed and Pest Control - Parks	N/A	Metropolitan District
<b><i>Trails</i></b>		
Paved Recreation Paths	N/A	Metropolitan District
Soft Crusher Fines Paths	N/A	Metropolitan District
Pedestrian Lighting of Trails	N/A	Metropolitan District
Dirt Trails on Upland Open Space and Combined School/Town Recreation Site	Town	Town
Dirt Trails in Willow Tree Corridors, Trailhead Park, Wetlands, and all other parks and public spaces	Town	Town
Willow Trailhead*	Town Open Space	Metropolitan District
Road Gulch Trailhead*	Town Open Space	Metropolitan District
<b><i>Right of Ways/Alleys/Parking</i></b>		
Roads, Curbs and Gutter in Public Right-of-Ways	Town	Town
Landscaping in Public Rights-of-Way	Town	Metropolitan District
Street Lights in Public Rights-of-Way	Town	Town
Sidewalk/Paths in Public Rights-of-Way	Town	Metropolitan District
Alleys	Metropolitan District	Metropolitan District
Parallel On-Street Parking within Public Rights-of-Way	Town	Metropolitan District Enforcement by the Metro District

\*Please refer to Haymeadow Ownership & Maintenance Diagram on page 4

ITEM	LAND OWNERSHIP	MAINTENANCE/REPLACEMENT ENFORCEMENT
<b><i>Right of Ways/Alleys/Parking (cont)</i></b>		
Perpendicular Parking within Public Rights-of-Way	Town	Metropolitan District Enforcement by the Metro District
Parking Lot Lights	Individual HOA's	Individual HOA's
<b><i>Storm Drainage</i></b>		
Public Drainage Facilities within Public Rights-of-Way and Open Space	Town	Town
Private Drainage Facilities	Metropolitan District	Metropolitan District
<b><i>Utilities</i></b>		
Shallow Utilities	Each entity is responsible for their own utility	Each entity is responsible for their own utility
Deep Utilities	Town	Town
<b><i>Non Potable System</i></b>		
Irrigation Ditches and Ponds/Piping	N/A	Metropolitan District
Water Features	N/A	Metropolitan District
<b><i>Fire Station/Combined School-Town Recreation Site</i></b>		
Fire Station*	Fire District	Fire District
Combined School-Town Recreation Site (prior to being developed)*	Town	Metropolitan District
Combined School-Town Recreation Site (when developed)*	Town, School District	Town, School District West Eagle County Metropolitan Recreation District
<b><i>Other</i></b>		
Mail Cluster Boxes	N/A	Metropolitan District

*\*Please refer to Haymeadow Ownership & Maintenance Diagram on page 4*

**Definitions:**

Public Drainage Facilities: Includes curbs, gutters, roadside ditches, grates, inlets, culverts and detention ponds.

Private Drainage Facilities: Includes curbs, gutters, roadside ditches, grates, inlets, culverts and detention ponds. Culverts for private driveways are the responsibility of the owner of the driveway.

Shallow Utilities: Includes Electric Power, Natural Gas, and Telecommunication Lines.

Deep Utilities: Includes Water Main Systems and Sanitary Sewer Main Systems.

**EXHIBIT V:  
Design Guidelines –  
Landscape Guidelines for  
Streetscapes  
(attached)**

**HAYMEADOW LANDSCAPE STANDARDS FOR STREETSCAPES**

**Review Draft: March 14, 2019**

**Introduction:**

This document is intended to be utilized as the Streetscape Design Guidelines for the initial phases of development of the Haymeadow PUD that will include the following roadways: Sylvan Lake Road from the Brush Creek Road Roundabout to the intersection of Ouzel Lane, Ouzel Lane to Brush Creek Road and all interior roadways within Neighborhoods A1 and A2.

Prior to any subdivision approval that extends Sylvan Lake Road beyond the Ouzel Lane intersection and/or includes roadways within Neighborhoods B, C or D this document must be amended to address those additional areas and such amendment approved by the Town of Eagle.

The intent of this document is to provide a guideline for the Town of Eagle review of streetscape landscape plans that will be submitted as a part of any subdivision or development plan applications that create new public or private streets, roads or alleys.

**PURPOSE STATEMENT:** This section is intended to ensure that new landscaping and the retention of identified existing vegetation are integral parts of the Haymeadow development. The area of designed landscaping shall be established along all streets within the public right-of-way, and in areas adjacent to natural open space - blending into these naturalized areas. Landscaping shall conserve water, and provide an environmental and aesthetic character consistent with the overall Haymeadow development. It is also the intent of this section to provide flexible requirements that encourage and allow for creativity in landscape design.

**A) GENERAL REQUIREMENTS:** This section establishes minimum standards for landscaping. A landscape area shall be established along all streets within the public right-of-way.

- 1) Landscape Plan: A landscape plan, at a standard and legible scale, shall be submitted to the Town of Eagle with the any subdivision application that creates any road right-of-way, which shall meet the plan standards outlined in the Town of Eagle Municipal Code Section 4.07.020 A1, A2 and A3. Which address the following:
  - a) Information block with project name and legend
  - b) Existing and proposed improvements
  - c) Planting plan with treatment of all ground surfaces and identification of all plant species and sizes
  
- 2) Minimum Plant Specifications: All plant materials installed shall meet the following minimum size requirements:
  - a) Deciduous Trees: minimum caliper of 3 inches.
    - (i) In certain instances, native species along the streetscape would be more appropriate. These native species may be installed at a smaller caliper of 2" or containers of 15 gal.
  - b) Evergreen Trees: minimum of 6' Height Balled and Burlapped
  - c) Ornamental Trees: minimum caliper of 2 inches.
  - d) Shrubs: minimum of five gallons.

- 3) Landscape Materials:
  - a) Low-water, drought-tolerant, adaptive plants shall be used for all new landscaping in recognition to the Town of Eagle commitment to water wise landscapes.
  - b) Materials shall be suitable for local soil conditions and climate.
  
- 4) Plant Layout:
  - a) Location, arrangement and species shall conform to or complement any existing or proposed adjacent landscaping or retained natural features.
  - b) Landscaping plans shall be coordinated with the placement of utilities to avoid conflicts with above- and below-ground utilities and overhead light fixtures.
  - c) Special consideration shall be given to the management of drainage and snow removal.
  - d) Clumping or grouping of plantings permitted in areas described in section B.
  
- 5) Sight Triangle:
  - a) To maintain visibility of moving vehicles at intersected roads, No walls, buildings, trees, shrubs, or other obstructions to view in excess of 24 inches in height shall be placed on any corner lot within a triangular area formed by the curb lines and a line connecting them at points 30 feet from the intersection of the edge of pavement. Plantings in this area should be selected for natural growth patterns that would not require maintenance to meet this requirement.
  
- 6) Irrigation:
  - a) Landscaping improvements shall include a suitable method for irrigation. Underground drip irrigation systems are encouraged for all shrub and groundcover areas.
  - b) Irrigation system operation shall be in compliance with the Brush Creek Watershed Management Plan and the Town of Eagle water use restrictions. In order to efficiently irrigate the entirety of the streetscape areas of Haymeadow streetscape irrigation may occur every day of the week. Irrigation of established landscape areas shall rotate by area so that no area of streetscape is irrigated more than every other day. This does not apply to establishment of new grow in areas.
  
- 7) Maintenance:
  - a) Landscaped areas shall be maintained in a safe, clean, and attractive condition at all times. Such maintenance shall include, but is not limited to, the following:
    - (i) Landscaped areas shall be kept free of trash, litter, weeds, and other such materials or plants not a part of the landscape.
    - (ii) All plant material shall be maintained in a healthy and growing condition, and shall be replaced with plant material of similar variety (size to comply with the minimum sizes required by these guidelines) if diseased, damaged, destroyed, or removed, within 30 days of installation, or as soon as seasonal conditions allow.
    - (iii) Proper pruning. Pruning shall be maintained in a manner to ensure that vehicles, including maintenance vehicles, may operate unencumbered and with adequate sight conditions.
    - (iv) Watering on a regular basis as appropriate.

- (v) Maintenance of landscape lighting in working order.
- (vi) Maintenance of irrigation systems in working order.
  
- b) Failure to maintain landscaping that is required at the time of approval of any plan or permit shall be a violation of these guidelines and applicable penalties may be imposed. The Maintenance and Operations agreement executed between the Town of Eagle and the Haymeadow Metropolitan District will detail and determine the specific maintenance responsibility for streetscape landscape areas.
- c) The maintenance of landscaping in the public and private right-of-way shall be the responsibility of the Haymeadow Metropolitan District.
  
- 8) Lighting:
  - a) All lighting to conform to Town of Eagle lighting standards or as approved by the Town of Eagle.
  
- 9) Signage:
  - a) All signage to conform to Town of Eagle signage standards or as a comprehensive sign plan approved by the Town of Eagle.
  
- 10) Beyond the minimum requirements of this section, the following additional landscaping is encouraged to further enhance development projects:
  - a) Special landscape treatments at street intersections.
  - b) Additional trees, beyond minimum Code requirements, to provide additional shade for parking areas, pedestrian walkways, and public gathering spaces.

**B) SPECIFIC STREETScape LANDSCAPE REQUIREMENTS:** Various types of roads and streets require distinct design and landscape treatments. Types of roads and corresponding design requirements listed below:

- 1) Interior Streetscape Character
  - (i) Definition: Interior streets include all public roads, excluding alleys, in a residential neighborhood.
  - (ii) Minimum width of landscape area along road to be 4'-0". Landscape area shall include area from pavement edge or road shoulder to R.O.W. line.
  - (iii) Character of streetscape shall conform to adjacent use.
    - (a) As example, the intersection of Red Peak Road and Whitney Peak Road is adjacent to a park. Landscaping along the roads in this location would use similar plant species and massing as the park. Tree locations would be adjusted to preserve and create view corridors.
    - (b) Streetscapes along residential lots and parcels shall include street trees planted in tree lawns. Street tree spacing to be adjusted for driveway locations and utility locations.
  - (iv) Planting Design Intent:
    - (a) Trees: street trees are to be spaced evenly at a maximum of 50'-0" on center, as much as practical given adjustments for driveways, intersections and utility locations.

- (1) Trees shall be selected to provide shade.
- (2) Location and arrangement shall provide for pedestrian and vehicular access.
- (b) Shrubs and Perennials: species shall be suitable for local soil conditions and climate.
- (c) Acceptable Groundcovers:
  - (1) Drought tolerant Turfgrass
  - (2) Rock and wood mulch in selected areas where maintenance is not desirable like the roundabout and in shrub and perennial beds.
  - (3) Selective drought tolerant groundcovers
  - (4) Specific groundcovers to be noted on the drawings
- (d) Entries and nodes may be emphasized and planted with ornamental trees, shrubs and perennials.

2) Arterial Roads

- a) Definition: Arterial roads are medium capacity roads that connect low capacity/interior streets. This includes Sylvan Lake Road and Ouzel Lane. Along a single arterial road multiple characters (both formalized and natural) may be present as adjacent conditions vary. Arterial roads with a formalized streetscape character will typically be leading or adjacent to residential or commercial developments. Arterial roads with a naturalized streetscape character will typically be leading or adjacent to open space, parks or schools.
- b) Formalized Streetscape Character along Sylvan Lake Road and Ouzel Lane with Curb and Gutter:
  - (i) Description: An example of this condition is found on the north side of Sylvan Lake Road fronting Haymeadow Neighborhood A1 and A2. Road edge in this location to be defined by curb and gutter. The landscape character of these areas follow a regular pattern with a more formal aesthetic.
  - (ii) Minimum width of landscape area along road to be 10'-0".
  - (iii) Planting Design Intent:
    - (a) Trees: street trees are to be spaced evenly at a maximum of 50'-0" on center.
    - (b) Shrubs and Perennials: species shall be suitable for local soil conditions and climate.
    - (c) Acceptable Groundcovers:
      - (1) Drought Tolerant Turfgrass
      - (2) Agricultural or Native Seed
    - (d) Entries to formal neighborhoods and nodes may be emphasized and planted with ornamental trees, shrubs and perennials.
- c) Naturalized Streetscape Character along Sylvan Lake Road or Ouzel Lane without Curb and Gutter
  - (i) Two conditions occur along this stretch of road: one where there is a hard surface recreation trail within the right-of-way and one where there is not a trail within the right-of-way.
    - (a) The trail within the right-of-way is found along the north side of Sylvan Lake Road west of the Brush Creek Road roundabout. A less formal, more naturalized character of landscaping, which blends with the existing landscape typology of the site is appropriate for this area. The organizational layout of plant species along these sections of the arterial road function to improve the user experience and aesthetics.

- (b) The south side of Sylvan Lake Road does not have a trail within the right-of-way and is adjacent to natural open space and/or park areas. Tree, shrub, and perennial species and massing shall reflect the ecology of adjacent open space, or the design of adjacent park lands as best possible.
  - (ii) Minimum width of landscape area along road to be 10'-0" on both sides of this road section.
  - (iii) Planting Design Intent:
    - (a) The design intent for the road section where there is a trail within the right-of-way is to provide seasonal interest and safety to a pedestrian or cyclist along the recreational path. A meandering walk/bike path alignment allows for varying sizes of plant groupings between the path and road. This provides the user with a repetition of landscaping along either side of the path to create a comfortable sense of enclosure. To achieve this character and sense of space, there shall be a minimum of 10 individual trees and/or shrubs per 100 linear feet as averaged over the overall road length of this character section.
    - (b) The design intent for the road section where there is no trail within the right-of-way is to blend into the open space or park areas to eliminate the appearance of a right-of-way edge. As an example, planting along the road adjacent to riparian zones may have clumps of willows and birches as well as other riparian trees and shrubs. There is no minimum quantity standard for tree and shrub materials in this character area. Groundcover to also match existing adjacent ecology, typically native seed.
- 3) Roundabout Landscape Character
  - a) Roundabout landscape to conform to same planting design intent as adjacent roadways. A roundabout attached to a naturalized arterial road, such as the Sylvan Lake Roundabout, would have plantings and massing that conform to the roadway landscape and the ecology of the adjacent open space. Similarly, the landscape character for the future roundabout at the intersection of Sylvan Lake Road and Ouzel Road would respond to the adjacent landscape treatments.
  - b) Roundabout grading and planting shall account for sight issues for vehicular and pedestrian traffic.
- 4) Amendment Procedure

This document is intended to be dynamic and may be amended from time to time as updates and changes in landscape design styles or roadway character may be desired. The Haymeadow Metropolitan District will be responsible for the maintenance and enforcement of this document and may initiate amendments at any time. Any amendments to this document must be approved by the Town of Eagle.

### **C) SUGGESTED PLANT LIST**

Suggested plant list provides recommended species. Additions or substitutions are subject to Town review and approval.

Refer to local nurseries for information regarding perennials and annuals that will tolerate the short mountain growing season.

Drought Tolerant Turfgrass, and seed mix blends subject to Town review and approval.

<b>BOTANICAL NAME</b>	<b>COMMON NAME</b>	<b>NOTES</b>
<b>Deciduous Shade Trees</b>		
Aesculus glabra	Ohio Buckeye	
Acer freemanii `Autumn Blaze`	Autumn Blaze Maple	
Acer negundo	Box Elder Maple	N
Acer negundo `Sensation`	Sensation Box Elder Maple	N, L, X
Acer spp.	Silver Maple Hybrids	
Acer platanoides	Norway Maple	
Celtis occidentalis	Western Hackberry	L, M, X
Gleditsia triacanthos	Honeylocust	X
Populus acuminata	Lanceleaf Cottonwood	N
Populus balsamifera	Balsam Poplar	N
Tilia x flavescens `Glenleven`	Glenleven Linden	
Sorbus scopulina	Mountain Ash	N, M
<b>Ornamental Trees</b>		
Acer glabrum	Rocky Mountain Maple	N
Acer ginalla	Ginnala Maple	L, M
Acer ginalla `Compacta`	Dwarf Ginnala Maple	L, M
Acer ginalla `Flame`	Flame Ginnala Maple	M
Alnus tenuifolia	Thinleaf Alder	N
Amelanchier alnifolia	Saskatoon Serviceberry	N, L
Amelanchier canadensis	Shadblow Serviceberry	N, L, M
Amelanchier x grandiflora	`Autumn Brilliance` Serviceberry	L
Betula occidentalis	Rocky Mountain Birch	N
Betula spp.	Birch	
Crataegus ambigua	Russian Hawthorn	L, M, X
Crataegus crus-galli `Inermis`	Thornless Cockspur	M, X
Crataegus erythropoda	Cerro Hawthorn	N

<i>Crataegus</i> spp.	Hawthorn	L
<i>Crataegus succulenta</i>	Western Hawthorn	N, L
<i>Malus</i> 'Dolgo'	Dolgo Crabapple	M
<i>Malus</i> 'Radiant'	Radiant Crabapple	M
<i>Malus</i> 'Spring Snow'	Spring Snow Crabapple	M
<i>Malus</i> spp.	Flowering Crabapple	
<i>Populus tremuloides</i>	Quaking Aspen	N
<i>Prunus x cistena</i>	Purple Leaf Plum	M
<i>Prunus maackii</i>	Amur Chokecherry	
<i>Prunus padus</i>	Mayday Tree	
<i>Prunus pensylvanica</i>	Pin Cherry	N, L
<i>Prunus virginiana</i>	Chokecherry	N, L
<i>Prunus virginiana</i> `Canada Red`	Canada Red Chokecherry	L
<i>Salix amygdaloides</i>	Peach Leaf Willow	N
<i>Salix bebbiana</i>	Beaked Willow	
<i>Salix geyeriana</i>	Geyer Willow	
<i>Salix lucida</i>	Pacific Willow	
<i>Salix monticola</i>	Yellow Mountain Willow	N
<i>Syringa reticulata</i>	Japanese Tree Lilac	L, M
<b>Evergreen: Pine, Spruce, Fir</b>		
<i>Abies concolor</i>	White Fir	N
<i>Abies lasiocarpa</i>	Subalpine Fir	N
<i>Picea pungens</i>	Colorado Blue Spruce	N
<i>Picea engelmannii</i>	Engelmann's Spruce	N
<i>Pinus aristata</i>	Bristlecone Pine	N, L, X
<i>Pinus contorta latifolia</i>	Lodgepole Pine	N, L
<i>Pinus edulis</i>	Pinyon Pine	N, L, X
<i>Pinus flexilis</i>	Limber Pine	N, L
<i>Pinus ponderosa</i>	Ponderosa Pine	N, L, X

<i>Pinus strobiformis</i>	Southwestern White Pine	N, L
<i>Pseudotsuga menziesii</i>	Colorado Douglas Fir	N
<b>Upright Junipers</b>		
<i>Juniperus communis</i>	Common Juniper	N, L
<i>Juniperus scopulorum</i>	Rocky Mountain Juniper	N, L, X
<i>Juniperus monosperma</i>	One Seed Juniper	N, L
<b>Spreading Junipers</b>		
<i>Juniperus horizontalis</i> 'Blue Ring'	Blue Ring Creeping Juniper	L, M
<i>Juniperus horizontalis</i> 'Prince of Wales'	Prince of Wales Creeping Juniper	L, M
<i>Juniperus sabina</i> 'Arcadia'	Arcadia Savin Juniper	L, M
<i>Juniperus sabina</i> 'Broadmoor'	Broadmoor Savin Juniper	L, M
<i>Juniperus sabina</i> 'Scandia'	Scandia Savin Juniper	L, M
<i>Juniperus sabina tamariscifolia</i>	Tamarix (Tam) Juniper	L
<i>Juniperus scopulorum</i> 'Table Top'	Table Top Rocky Mountain Juniper	L
<b>Broadleaf Evergreens</b>		
<i>Arctostaphylos uva-ursii</i>	Kinnikinnick	N, L
<i>Cercocarpus ledifolius</i>	Curl-Leaf Mountain Mahogany	N, L
<i>Cercocarpus montanus</i>	Alderleaf Mountain Mahogany	N, L
<i>Mahonia repens</i>	Creeping Oregon Grape	N, L
<i>Yucca glauca</i>	Soapweed Yucca	N, L
<b>Shrubs</b>		
<i>Acer ginnala</i>	Amur Maple	L, M
<i>Acer glabrum</i>	Rocky Mountain Maple	N, L
<i>Amelanchier alnifolia</i>	Saskatoon Serviceberry	N, L
<i>Artemisia filifolia</i>	Sand Sagebrush	N, L
<i>Artemisia tridentate</i>	Mountain Big Sage	N, L, X
<i>Artemisia</i> spp.	Sage	L
<i>Atriplex canescens</i>	Chamiso	N, L, X
<i>Betula glandulosa</i>	Bog Birch	N

<i>Chamaebatiaria latifolia</i>	Fernbush	X
<i>Caryopteris X Clandonensis</i> `Blue Mist`	Blue Mist Shrub	X
<i>Chrysothamnus nauseosus</i>	Yellow Twig Rabbit Brush	N, L, X
<i>Cornus alba</i>	‘Argenteomarginata’ Variegated Dogwood	N
<i>Cornus sericea</i>	Red Osier Dogwood	N
<i>Cornus stolonifera</i>	Redtwig Dogwood	
<i>Cotoneaster acutifolia</i>	Peking Cotoneaster	L, M
<i>Cotoneaster divaricatus</i>	Spreading Cotoneaster	L
<i>Eunoymus alatus</i>	Burning Bush	M
<i>Holodiscus dumosus</i>	Mountain Spray	N, L, X
<i>Lonicera involucrate</i>	Twinberry Honeysuckle	N
<i>Lonicera tatarica</i>	‘Arnold's Red’ Arnold's Red Honeysuckle	L
<i>Lonicera x xylosteoides</i>	‘Emerald Mound’ Honeysuckle	L
<i>Philadelphus coronarius</i>	Sweet Mockorange	L
<i>Potentilla</i> ‘fruticosa’ sp.	Cinquefoil	N, L, X
<i>Purshia tridentate</i>	Antelope Bitterbrush	N, L
<i>Prunus besseyi</i>	Western Sand Cherry	N, L
<i>Prunus besseyi</i> ‘Pawnee Buttes’	Creeping Western Sand Cherry	L
<i>Prunus cistena</i>	Purpleleaf Sand Cherry	L, M
<i>Prunus virginiana</i>	Chokecherry	N, L
<i>Physocarpus opulifolius</i>	Common Ninebark	N, L
<i>Quercus gambelii</i>	Gambel Oak	N, L, X
<i>Rhamnus smithii</i>	Smith Buckthorn	N, L
<i>Rhus glabra</i>	Smooth Sumac	N, L
<i>Rhus trilobata</i>	Three Leaf Sumac	N, L
<i>Ribes americanum</i>	American Black Currant	N
<i>Ribes alpinum</i>	Alpine Currant	L, M
<i>Ribes aurem</i>	Golden Currant	N, L
<i>Ribes cereum</i>	Wax Currant	N, L

<i>Ribes hirtellum</i> 'Pixwell'	Pixwell Gooseberry	L
<i>Ribes inerme</i>	Whitestem Gooseberry	N
<i>Ribes leptanthum</i>	Trumpet Gooseberry	N
<i>Rosa glauca</i>	Red-Leaved Rose	
<i>Rosa</i> spp.	Rose species	L, M
<i>Rosa woodsii</i>	Western Wild Rose	N, L, X
<i>Rubus deliciosus</i>	Rocky Mountain Raspberry	N, X
<i>Rubus ideaus</i>	Wild Red Raspberry	N
<i>Rhus aromatica</i> 'Gro-Low'	Gro-Low Fragrant Sumac	
<i>Salix caprea</i>	Pussy Willow	
<i>Salix irrorata</i>	Bluestem Willow	N
<i>Salix purpurea nana</i>	Dwarf Arctic Willow	N
<i>Sambucus canadensis</i>	Golden Elder	M
<i>Sambucus pubens</i>	Northern Redberried Elder	N
<i>Shepherdia argentea</i>	Silver Buffaloberry	N
<i>Spiraea japonica</i> 'Goldflame'	Goldflame Spirea	
<i>Spiraea</i> spp.	Spirea species	
<i>Spiraea japonica</i> 'Limemound'	Limemound Spirea	
<i>Spiraea nipponica</i> 'Snowmound'	Snowmound Spirea	
<i>Spiraea x vanhouttei</i>	Vanhoutte Spirea	M
<i>Symphoricarpos albus</i>	Common Snowberry	N, L, X
<i>Symphoricarpos oreophilus</i>	Mountain Snowberry	N, L
<i>Syringa</i> spp.	Lilacs	L, X
<i>Syringa vulgaris</i>	Common Lilac	L, M, X
<i>Viburnum trilobum</i>	American Cranberrybush	M
<i>Viburnum</i> spp.	Viburnums	X

### Notes

**N - Species native to Colorado**

**L - Low water use plants (after establishment)**

**M – Mountains**

**X - Xeriscape**

**EXHIBIT W:**  
**Interim Traffic Analysis**  
**([LINK](#))**

**EXHIBIT X:**  
**Water System Report**  
**([LINK](#))**

**EXHIBIT Y:**  
**Raw Water Irrigation System**  
**Report**  
**([LINK](#))**

**EXHIBIT Z:**  
**Agency Referral Comments –**  
**dated December 7, 2018**  
**(attached)**



To: Abrika Properties, LLC – Brandon Cohen and Scott Schlosser  
Alpine Engineering – Gary Brooks  
Pyman and Associates – Rick Pylman

From: Community Development Department - Morgan Landers, AICP, Town Planner  
Public Works Department – Byron McGinnis, Jerad Parker, Vern Brock, Deron Dirckson  
Open Space Department – John Staight

Date: December 7, 2018

Re: Haymeadow Subdivision Filing 1 – Staff and Referral Agency Comments – First Review

Attachments: Attachment A: Colorado Geologic Survey  
Attachment B: Eagle County Assessor’s Office  
Attachment C: Starbuck Surveyors

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The Town of Eagle distributed the Haymeadow Filing 1 Final Plat application to referral agencies and third-party consultants with a deadline for comment of November 16, 2018. As of that date, the town received comments from the Colorado Geologic Survey, Eagle County Assessor, and Starbuck Surveyors (the town’s third-party surveyor):

The town is still waiting for comments from the following entities:

- Great Eagle Fire Protection District
- Eagle County School District
- Eagle County Sheriff Department (street names)
- Town of Eagle Attorney

Comments received to date have been included as an attachment to this memo. Pending comments will be forwarded to the applicant team upon receipt.

All comments are for the purpose of complying with Chapters 4.12 and 4.13 of the Town’s Land Use and Development Code or to provide for the future ease of use of the document by town staff and members of the public. Please note there may be overlapping/duplicate comments between the various town departments and referral agencies. Staff appreciates the applicant’s thorough response in addressing all comments. If a comment is a duplicate, please indicate where the applicant has addressed the comment previously with a reference to page number or comment number.

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## COMMUNITY DEVELOPMENT DEPARTMENT

Morgan Landers, AICP, Town Planner

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### *DRAFT Final Plat Document:*

1. General Comments
  - a. Include an overview sheet that includes the lots and tracts cleanly. This can either be a separate sheet or can be included in sheet 2 if it can be done in a way that is easy to read. Alternatively, each sheet could include an inset with the overview map for easy navigating.
  - b. Include a land use summary table on sheets 3-10 for lots and tracts on each sheet. In areas where there is available space, a land use designation adjacent to tract label is acceptable as done on sheet 10 for Tract R-3.
  - c. Regarding the land dedications, warrantee deeds will need to be executed for each land dedication prior to the recording of the final plat. The town's attorney will provide templates for the town dedications. For the Fire District dedication, the applicants should work with the fire district to obtain any template documents if available.
  - d. The plat document needs to include the full extent of the Haymeadow property including corresponding easements and dedications created or vacated as part of this plat. More specifically, the road easement north of the Colby property, Tract R-5 along Brush Creek, and the electric easement running through Tract Z.
  - e. Include the full Brush Creek Road ROW on the plat sheets but indicate "not included in this subdivision"
  - f. The preliminary plan included the full Sylvan Lake Rd ROW through Ouzel Lane to Brush Creek. Staff acknowledges that the plat is for a smaller scope than the original preliminary plan, however, this may need to still be included. Primary concerns include providing site access to the Fire District parcel which as shown in this plat is a land-locked parcel.
  - g. Are there any floodplain locations within the property? If so, please indicate. If not, please include a note to that effect.
  - h. Town code requires signatures of utility providers on the plat. Town staff is consulting with the town attorney to review if this is still a requirement. Will advise as a follow up.
  - i. Per the soils report for the Haymeadow Subdivision, the town will require site-specific soils reports for each building permit in order to verify basement depths where planned. This is standard practice for the town, so no additional information or plat notes are required at this time.
  - j. Staff may request a separate "clean" address map for the subdivision. Staff is reviewing the code to confirm the requirement and will advise accordingly.
  - k. The town has not received confirmation from the Eagle County Sheriff Department that the road names are acceptable. Staff will work to receive these comments ahead of final plat approval.
2. Sheet 1 of 1
  - a. Include names and addresses of owners, applicants, designers, engineers, and surveyors as applicable.
  - b. Please match the land use category in the land use summary table to reflect the dedication language terminology in the Certification of Dedication and Ownership "Public Road Right-of-Way" (bottom left corner of the sheet).
  - c. The land use summary table should include addresses for the single family and duplex lots and shown on the corresponding sheet in the plat document.
3. Sheet 2 of 10
  - a. The eastern boundary of OS-3 is different on the plat than on the Access and Infrastructure Plans. Staff would like to see the Final Plat document match the more straightforward orientation of the Access and Infrastructure Plans.
4. Sheet 3 of 10
  - a. Does this plat intend to vacate Tract A of the Brush Creek Meadows Filing 3? If so, that needs to be indicated on this sheet and Sheet 4.
5. Sheet 4 of 10
  - a. The approved PUD Trails Plan shows the alignment of the pool and ice rink path to be further south into the multifamily parcel and also have a section that proceeds south to the new Sylvan Lake Rd trail. Staff would like to discuss this path alignment further with the applicant. If this alignment remains, the easement size will need to be consistent with the 20 ft shown for the remainder of the pathway system.
6. Sheet 5 of 10
  - a. Change lot area from acres to square feet and identify which lots are single-family and which are duplex lots in a summary table (see comment 1.b above). For tracts, acreage can remain for larger tracts, however, square footage is preferred for anything less than an acre.
  - b. Applicant should evaluate the impact of Tract C on developability of Lot 13. Setbacks will be measured from property line of the Tract C boundary. This parcel is assumed to be an alley loaded duplex property. Please clarify to staff if this assumption is incorrect.

- c. Lots should include building setbacks. If the application of this requirement leads to a cluttered and illegible document, an inset can be enough to show standard setbacks. Please note the 50ft building setback requirement for lots that front Sylvan Lake Rd.
  - d. Is it the intent of the project to have perimeter easements for drainage and utilities for each individual lot? Staff has noted Tracts D and E for drainage and wants to ensure that other easements are accounted for.
  - e. Add additional arrows to identify which CV calcs pertain to which line sections on Lots 9-13. As it appears now, it is difficult to determine which lines pertain to which component of the map.
  - f. Each lot should be designated an address indicated on this sheet in the plat.
7. Sheet 6 of 10
    - a. The Drainage Easement Note does not need to include the Water Easement language as the water line does not extend to this point of the subdivision.
    - b. As noted in comment 5.a above, staff would like to discuss the alignment and termination of the pedestrian easement and path connection at Whitney Peak Rd.
  8. Sheet 7 of 10
    - a. No comments
    - b. Please include the Haymaker Trail Easement on the plat with appropriate document references.
  9. Sheet 8 of 10
    - a. Tract R-1 should extend to the property boundary at the Colby property in general alignment with Brush Creek Rd rather than terminating at a right angle.
    - b. "Not included in this subdivision" should be added under the property information for the Colby property.
    - c. The delineation of Tract X in the subdivision seems unnecessary. Is there a specific purpose for identifying this tract separately rather than including it in Tract Z?
    - d. Town staff will defer to the Greater Eagle Fire Protection District as to the sufficiency of the Temporary Access Easement size and alignment.
  10. Sheet 9 of 10
    - a. No comments
  11. Sheet 10 of 10
    - a. Staff will defer to the Greater Eagle Fire Protection District to confirm the location and size of Tract G. Section 14.3 of the Annexation and Development Agreement identifies the size of the required tract to be 1.6 acres, which this final plat is in compliance with. As mentioned in comment 1.f above, the parcel will need to be provided pedestrian/vehicular access as well as access to utilities. Discussion with the Fire District and review of the ADA is required to determine the timing of those items.
    - b. Include "Not included in this subdivision" under the Peters property ownership information.

*Access and Infrastructure Plans:*

1. School Land Dedication
  - a. Dedication of Tract E satisfies this requirement, per Section 15 of the ADA, upon dedication, no further school land dedication requirement or cash-in-lieu will be required for developments within the Haymeadow Subdivision. Staff has reviewed the size of Tract E for compliance with the ADA and has found that the size is compliant with the agreement as presented.
  - b. Referral comments are pending from the Eagle County School District. There are many encroachments of utilities into the school/rec parcel that need to be reviewed by the school district in terms of the commitment and impact to future development there.
2. Streets, Alleys, and Parking
  - a. As per the PUD Guide, any on-street parking spaces shall be constructed as guest or park parking and may not be counted toward fulfilling residential parking requirements. Due to the location of the proposed on-street parking, staff would like to discuss with the applicant how the guest parking should be allocated and if the applicant's intent is to allocate any of those spaces toward the Multi-Family parking requirements for future development permit applications.
3. Sidewalks and Bikeways
  - a. As noted above, staff would like to further review the alignment of the path along the boundary between the school/rec parcel and phase I of Haymeadow.
  - b. Staff would like to review interim and future plans for the soft and hard surface pathways around the roundabout to ensure full consideration has been made and that all parties agree to future alignments as well. See additional public works and open space comments.
4. Fire Department Review
  - a. Comments pending from the Greater Eagle Fire Protection District.

5. Postal Service
  - a. The town is attempting to set up a meeting with the Eagle Postmaster to discuss service for this development.
6. Municipal and Park Land Dedication
  - a. Dedication of Tract E and other open space areas within the development satisfy this requirement for the PUD. No additional land dedication or cash-in-lieu will be required for developments within the Haymeadow Subdivision.
7. Ownership and Maintenance Table
  - a. For the Metro District Building at Trailhead Park, the revised chart has not identified an ownership entity. Please clarify.
8. Impact Fees
  - a. Payment of impact fees per the Annexation and Development Agreement will be required prior to recording the Final Plat. Initial review of the fees appears correct, pending any changes to the fee schedule in 2019. Street Improvements Fees are not projected to increase in 2019.
  - b. The applicant is correct, the Emergency Service Impact Fee no longer exists.
  - c. Staff would like to work with Haymeadow to develop a tracking spreadsheet for the tracking of credits for the Plant Investment Fee (PIF) Prepayment amount to each lot and new development. This will need to be developed prior to final plat approval.
9. Landscape and Lighting
  - a. Town staff has not reviewed the landscape plan proposed for the development due to pending submittal of landscape standards.
  - b. Please provide clear vision areas and site distances on all landscape plans for review.
  - c. The PUD guide defers to the town code for all signage within the development unless a separate master sign plan is proposed and approved by the Town of Eagle. Is a comprehensive sign plan being developed for the property? If so, what is the timing of anticipated submittal? No signs other than traffic control signage is being approved as part of the subdivision application.
  - d. Staff is reviewing background information regarding the removal of the fence along the BLM boundary and will coordinate with the BLM to confirm initial assumptions remain consistent.
  - e. Lighting – please see comments from Public Works on the Street Lights. Town staff is not currently supportive of the installation of the bollards along the school/rec parcel as lighting needs along that stretch of property may change due to the future use of the property. Staff recommends removal of those fixtures until development of the school/rec parcel commences.
  - f. Are alley lights planned for the development? None are shown on the drawings; however, these can be common in developments of this type.
10. Gravel Pit Locations
  - a. The soils report identifies Gravel Pit 1 in a location that is not permitted in the PUD Guide. Gravel Pit is only allowed via a Special Use Permit in Neighborhood D. The soils report does indicate a Gravel Pit 2 on the map that is within Neighborhood D.

*Additional Items Prior to Final Plat Approval:*

1. The town will begin working with the applicants to develop a Subdivision Improvements Agreement that addresses all obligations and public improvements related to the Annexation and Development Agreement and Phase One construction. Some of the items to be addressed will include, but are not limited to:
  - a. Weed Management and Success
  - b. Wetlands Enhancement and Success
  - c. Tract E Reclamation and Success
  - d. Performance Guarantee for public improvements – including preliminary cost estimates
  - e. Impact Fee and Recapture Fee Payments
  - f. Application and Issuance of Building Permits
2. Metro District Service Plan – Town staff has the approved Service Plan for the Metro District, however, has not been able to locate the Inter-District IGA required as a condition of approval of the service plan. Please provide documentation of this.
3. PIF Prepayment Credit Tracking – as noted above.
4. Covenants/Declarations - a noted above.
5. Design Guidelines – Staff has requested landscape design guidelines for the public rights of way to include Sylvan Lake Rd to Ouzel as well as the internal public streets. Please provide a status update on this document. As noted above, not building permit or development permit application will be accepted by the Town until the architectural, landscape, lighting, and other design guidelines are reviewed and approved by the town.

6. Water Rights Plan – Staff has requested the applicant provide some available times and dates for a meeting to discuss the water plan. Please provide these to staff so we can continue to move this piece of the project forward.
7. Construction Operations Plan – as noted in the ADA, this will need to be provided for review and approval prior to Final Plat approval. The construction operations plan shall also include a communications plan that Haymeadow will implement during construction including but not limited to:
  - a. Public communications regarding construction schedules, truck routes, street closures, etc. Particularly to adjacent property owners.
  - b. Contact information for key contacts on the project in the event of incidents or issues.
  - c. Chain of communication between the project team, the town, and the community

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## PUBLIC WORKS AND ENGINEERING DEPARTMENTS

Bryon McGinnis (Public Works Director), Jerad Parker (Public Works Supervisor), Vern Brock (Senior Engineer), Deron Dirckson (Utility Manager)

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### CONSTRUCTION DOCUMENTS: HAYMEADOW FILING 1 ACCESS AND INFRASTRUCTURE PLANS DATED SEPTEMBER 2018 (9/14/18)

#### GENERAL:

- Please provide existing conditions map. This map needs to show locations of existing irrigation ditches, wetlands, grading, utilities, property lines, easements, etc.
- Please provide Demolition Plan.
- Please provide overall map which includes future phases and neighborhoods.
- Keep improvements on Haymeadow property per previous meetings. Do not encumber future school site.
- Property lines need to be shown correctly on the construction drawings so a complete review can be completed. One example is near roundabout.
- Overall Water / Sewer Plan needs to include all other utilities (storm drain system, non-potable, lighting, gas, electric, etc.) Please change the scale from 100-scale to approximately 40-scale.
- Overall utility alignments need to be re-evaluated. It appears crossings can be eliminated and separation issues can be resolved.
- Please provide empty conduits at proposed intersections.

#### SHEET C1.01

- Sheet Index names do not match the actual names on the individual sheets.
- Note 5 Please add Asbuilt information needs to be GPS and submitted to Town in AutoCAD and GIS formats.
- Note 8: H.P. Geotech changed their name to H.P. Kumar.
- Note 9: Add Contractor must submit traffic control plan to Town of Eagle and receive approval prior to any construction.
- Site Map: There are labels for Eagle Valley Land Trust Parcels. Is this correct?
- Site Map: There is illegible text on the map.
- Site Map: please include the entire property on the map. It may be helpful to have a third map which would go along with the Vicinity Map and Site Map.
- Please relocate Typical Grading Abbreviations to the correct page.
- Project Contacts: John Boyd's phone number is 970-328-6549
- Project Contact: spell name Deron Dircksen correctly.

#### SHEET C1.02

- Please provide notes on the sanitary sewer system, Town of Eagle electric system, non-potable irrigation system, etc. The note should be consistent with the Town of Eagle Public Works Manual which is located on the Town of Eagle website.
- Water System Notes:
  - Add note: "All water mains shall be designed to future pressures. This interim Phase 1 water system will be changed from a current lower pressure to a future high pressure. The maximum pressure expected is ???-psi."
  - Add note: "Pressure Reducing Vault will be fully installed except for the two pressure reducing valves. These valves will be provided to Town of Eagle and will be installed by the contractor during the next phase."
  - Please update all references from District to Town.
  - Note 3: Please remove reference to tank. There is no water tank construction in this phase.
  - Note 5: Valves, fire hydrants, manholes, curb stops, clean outs, locates, and all physical above ground features need to surveyed. Asbuilt information needs to be submitted to Town of Eagle in both AutoCAD and GIS.

- Note 6: "Maximum cover for all water lines shall not exceed 8' of cover." Please update the construction documents to reflect this note.
- Note 9: please remove this note. The construction drawings need to design bends appropriately.
- Note 12: There is a reference to mechanical drawings. Please update note.
- Note 13: All existing pipe invert elevations need to be verified now. The Town recommends measuring from ground surface to top of gate valve nut.
- Note 15 is missing.

#### ROADS:

- Can a sidewalk be designed along Brush Creek Road adjacent to Soleil?
- Provide site distance.
- Profiles' Vertical scale needs to be updated. Possibly 1/10.
- Show trail in Tract OS-2. Should this trail continue clockwise around the roundabout and connect to the asphalt path at the roundabout. This would eliminate two road crossings for pedestrians.
- Should Storm Drain system outlet located on the southwest corner of the roundabout be extended out of future improvements?
- Do not install boulder wall next to asphalt path.
- Should roundabout cuts be provided for future road connections?
- Roundabout design needs to be reevaluated. Can the grading highpoint be in the center of the roundabout with grading and drainage sheet flow out in all directions? The stormwater entering the roundabout is the concern.
- Roundabout: Speed limit should be 15mph through roundabout.
- Why does pedestrian path located parallel to Sylvan Lake Road meander in and out of the right-of-way? Can it be a typical distance from the SLR?
- Provide specific detail where proposed roads cross existing irrigation ditches. This has been an issue in previous subdivisions.
- Please provide end of road signage plan.
- Should the 15' wide emergency access road be constructed to the same width as Sylvan Lake Road within the R.O.W.? Then it will be ready for future expansion.
- Access road to storm drain pond needs to be discussed. Access to ponds including to the bottom should be per UDFCD standards.
- Roundabout needs to be concrete instead of asphalt.
- Roundabout concrete curb and gutter needs to separate from roundabout concrete.
- Do not install future entrance unless development is planned. These can be constructed in the future.
- The locations where the streets dead-end for future, extend asphalt 10-feet past curb and gutter.

#### RECREATION PATH AND DEBRIS FLOW CHANNEL PLAN:

- Please update Debris flow channel per previous meetings. It was discussed to keep the overflow and drainage along property line so that it does not encumber the school site.
- It appears path can be designed with less than 5% grade.
- Access to Debris Flow Channel needs to be designed for heavy equipment turning movements so that asphalt, etc. are not destroyed. An exit also needs to be provided.

#### STREETS:

- Pedestrian trail section 3-inches of asphalt on 8-inches of roadbase needs to be updated. This needs to be designed for trucks.
- Gravel shoulders need to be 2-feet wide.
- The Typical Road Sections: Public Works would like to discuss with the developer's team regarding the 50-ft street section. The Town also needs to confirm previous Sylvan Lake Road and Brush Creek Road cross sections.

#### SIGNAGE:

- Please provide signage plan with all utilities so there are no conflicts.
- The TAPCO rapid flashing signs need to meet Town specifications.
- Change Haymaker Circle and Whitney Peak Road pedestrian crossing striping to gray concrete and then red brick pattern.
- End of road signage needs to be shown at all dead-ends

#### STORM SEWER:

- Storm drain channel needs to be adjusted per previous meeting. Do not encumber school parcel.
- Overall alignment and separation need to be addressed.
- Overall Storm Plan road hatching needs to be updated.
- Storm drain system at roundabout needs to be discussed.
- Access to storm drain system needs to be discussed.

- Storm Sewer profile vertical scale needs to be exaggerated.
- Why are there two outlets from the debris flow pond? Emergency overflow needs to be designed over pedestrian path and have safe passage.
- Sheet C3.00: Why is there a new storm drain culvert under Brush Creek Road? The proposed culvert underneath Brush Creek Road needs to have road cut design in the construction drawings.

#### SANITARY SEWER:

- Sanitary sewer manholes cannot exceed 400-feet.
- Scale between Plan and Profile need to be the same.
- Show property lines.
- Please provide sanitary sewer impact study.
- Sanitary sewer main needs to be designed mostly under the main streets.
- "Proposed" sanitary sewer main cannot connect to "future" sanitary sewer main.
- Sheet C4.01: Connect existing Soleil sanitary sewer with proposed sanitary sewer to remove the redundant collection system.
- Sanitary Sewer manhole #2 will be relocated from the proposed roundabout approximately 100-feet east.
- Sheet C4.04. It appears Homestake Drive sanitary sewer can flow to Haymaker Circle. This will allow the sanitary sewer main to be located in a Town street and not between private buildings.
- Sanitary sewer manhole diameters need to be discussed. The Town has concern about 12-inch and 18-inch pipes going into and out of a 4-ft diameter manhole.
- Sheet C4.02: Keep sanitary sewer alignment in Sylvan Lake Road and Haymaker Circle.
- Sanitary sewer main needs appropriate clearance for constructability. A good example is on C4.02 where the proposed sanitary sewer appears to be inches from a proposed storm drain inlet box.
- Do not stub sanitary sewer for future. Please just put a cap on the future sanitary sewer manhole.
- Provide cuts on the sanitary sewer manholes labels.
- Sanitary sewer depth is deep in some locations. It appears it can be shallowed up.

#### WATER:

- Town of Eagle needs more information on existing conditions to provide feedback on the pedestrian trail and water line alignment near the pool and ice rink.
- Keep minimum separation between water and non-potable irrigation, sanitary sewer, storm sewer, etc.
- No 90-degree bends.
- Water main bend and thrust blocks cannot have shallow utilities above them.
- Sylvan Lake Road future water stub: Change future tee, valves, etc. to two 45-degree bends. Do not set it up for future since it is not in Sylvan Lake Road.
- School Site future water stub: Do not stub water main to school site. This can be either hot-tapped or cut-in when property develops.
- Red Peak Road and Haymaker Circle future water stubs: This will need to be terminated with a fire hydrant. The fire hydrant location will be 45-degred out of the street alignment.
- Water alignment needs to be cleaned up. For example the intersection of Haymaker Circle and Red Peak Road.
- Please label fire hydrant bury depth. Preferred and standard depth is 7'6" (up to 9'6" is allowable). No extensions.
- Air-vacs are not shown.
- Sheet C5.03: Alignment along northwest corner near pedestrian trail needs to be realigned.
- Sheet C5.04: Show existing conditions which includes pedestrian trails, bike trails, etc.
- Sheet C5.04: Pool and Ice alignment needs to remove bends and make straightforward.
- Sheet C5.04: "Future PRV" needs to be fully built besides the actual PRVs. This also needs to include all bi-pass inside and outside.
- Details: Provide PRV detail.

#### NON-POTABLE IRRIGATION

- The non-potable irrigation system needs to be designed to Town of Eagle specifications. The Town does not want 90-degree bends, provide tracer wire, warning tape, bedding, carrier sleeves under road, non-potable water color requirements for pipe, irrigation boxes, signage, etc.
- The non-potable irrigation system needs to be metered and usage needs to be provided to the Town of Eagle on a monthly basis.
- Provide physical and legal access to the system.
- Is this being used for construction water?
- Vertical scale needs to be updated.

- Non-potable drain cannot go into side of culvert. However, it can go to ditch or a proposed manhole. What is the pressure at the downstream side? Does it need to be dissipated so there is no erosion?
- The O&M states the irrigation ditches are maintained by the Metropolitan District. Please expand how the irrigation ditches will impact the Willow Corridor and neighboring properties.
- Valve spacing must be less than 500-feet.
- Valve locations must be out of the Town owned roads.
- Service lines should not cross other properties. Keep straight forward

#### SEDIMENT CONTROL PLAN

- Town wants two construction entrances. One located at the western side and one located at the eastern side. Town is concerned about impacts to the road and pedestrian safety at the intersection of Meadowlark and Sylvan Lake Road. Staff would like to discuss the removal of this other construction entrance.
- Plan is difficult to read. Please provide Plan at around 50 scale so it can be fully reviewed.
- Add note: Contractor responsible to remove sediment control devices after vegetation has been established.
- Legend needs to identify all linetypes.
- Inlet protection, channel protection, etc. needs to be provided everywhere.

#### LANDSCAPING

- The provided landscape plans do not show the current civil plans. Please update so a full review can be completed.
- The Town of Eagle Five-Year Water Efficiency Planning Strategy encourages Xeriscaping for new developments.
- Any new Town projects, landscaping activities, new developments, etc. should incorporate water efficiency practices.
- PW wants the proposed roundabout to be xeriscape.
- Please do not use willow trees along Sylvan Lake Road pedestrian trail.
- Please provide site distance triangles to landscape plan at all intersections.

#### LIGHTING PLANS

- Use Town detail.
- Roundabout: Please have street lights on both sides of the crosswalk.
- Roundabout: Locate rapid flasher before the street light at each crosswalk and in the refuge island.
- Roundabout: Have two circuits alternating lights on each circuit with one meter, two photocells, two disconnects.
- Roundabout: Please indicate the power source.
- Roundabout: Provide conduit under roads and to the center of roundabout.
- Sylvan Lake Road and Haymaker Circle: street light needs to be double-headed and on both sides of Haymaker Circle.
- Sylvan Lake Road and Whitney Peak Road: street light needs to be double-headed and on both sides of Haymaker Circle.
- Red Peak Road and Haymaker Circle: street light needs to be located on the same side as stop sign.
- Please indicate ownership on plans.
- Please show photocell, meter, disconnect, etc. locations.
- Provide easements.

#### DETAILS

- Only provide details that are applicable to the project. For example, storm drain inlet for mountable curb is not used on the project.
- Provide Town of Eagle details. For example, street light.

#### WARM SPRINGS NON-POTABLE IRRIGATION SYSTEM

- Irrigation water needs to be metered. This will be in a vault with remote, etc.
- Irrigation system needs to be the latest system. Please update the information.
- Is the system designed for non-potable?

#### HAYMEADOW PUD DEVELOPMENT PLAN APPROVED ORDINANCE NO. 11, SERIES OF 2014 (APPENDIX 3)

- The Ordinance was not provided. Just a map.

#### FINAL PLAT (APPENDIX 4)

- The Final Plat does not show all of the property. The Vicinity Map is different than the Page 2 Overall Map which does not match the remaining sheets.
- The Town could not review existing or proposed easements since the construction documents do not show easements. Easements need to encompass all existing and proposed utilities (water, sanitary, storm, electric, etc.)
- Acreage is wrong between cover page and following pages. The Town is unable to compare this Final Plat with previous Plats.
- Please provide electrical easement which covers Town street light system.

- Scale is wrong.
- Existing property lines are not shown correctly. One example is Soleil property line near the roundabout improvements.
- Per Eagle County GIS, **Parcel Number** 2109-091-00-022 is not shown on the Final Plat.

#### HAYMEADOW INTERIM TRAFFIC REPORT (APPENDIX 5):

- Public Works has started to review the Traffic Memorandum dated September 15, 2016 which references previous Traffic Impact Study. Staff has not been able to fully review all information.

#### WATER SYSTEM REPORT (APPENDIX 6):

- The report is dated April 9, 2018. There has been substantial changes and Mott MacDonald hydraulic memos have addressed the water system. Please update.

#### HAYMEADOW FILING 1 PAVEMENT SECTION SOILS REPORT (APPENDIX 7):

- Please provide background information in this report.
- Field exploration was completed in October 28, November 1, and December 3 which is not during irrigation. Please provide information during irrigation season.
- Has the loadings been reviewed by the project civil engineer?
- The gravel pit is mentioned but has not been shown anywhere on the construction drawings. Please provide information.
- The Town has a concern about infrastructure installation being difficult in areas of the site due to soft subgrade and shallow groundwater conditions. This needs to be further evaluated by the Town.
- Please address roads and utilities which will cross existing irrigation ditches. The Town has experienced issues previously and this has not been addressed.

#### HAYMEADOW OWNERSHIP AND MAINTENANCE CHART (APPENDIX 11)

- The Town will request a Final Maintenance Agreement prior to Final Plat recording to address the following:
  - Many of these Items need to be defined expanded and defined better. Please define Trailhead Park (not including Buildings); Pavilion Buildings at Trailhead Park; Specific improvements within Neighborhood "A" Greenspace and "Neighborhood Park"; Paved Recreation Paths; Soft, Crusher Fines Paths Pedestrian Lighting of Trails; Dirt Trails on Upland. . . (are these existing or proposed?); Dirt Trails in Willow . . . (are these existing or proposed?); Roads, Curb and Gutter in Public Right-of-Way; Street Lights in Public Rights-of-Way; Sidewalk/Paths in Public Rights-of-Way; Public Drainage Facilities within Public Rights-of-Way and Open Space; Private Drainage Facilities; Shallow Utilities; Deep Utilities.
  - Define "(prior to being developed)" for both Combined School-Town Recreation Site. Is this development for school or for Haymeadow phase1?
  - Please include Crosswalks @ Roundabouts; Crosswalks @ road crossings; striping @ crosswalks; striping parking areas; bicycle paint on roads; striping in private roads; striping on public roads; cross pan; handicap ramps; signage.
  - Please make Enforcement its own column. There needs to be a separation in Enforcement. For example, Paved Recreation Paths and On-Street Parking.
  - Maintenance needs to be defined as day-to-day maintenance such as snow and ice removal, cleaning, graffiti, etc.
  - Replacement needs to be defined as well. This needs to be expanded to Repair and Replacement. This would be items such as sidewalk trip hazards, cracks, end of life, damage by "Maintenance" operations.
  - Why is there N/A under Land Ownership for Paved Recreation Paths and Soft, Crusher Fines Paths?
  - Under Land Ownership, what is the difference between Town Open Space and Town?
  - Parallel On-Street Parking within Public Rights-of-Ways: This needs to be discussed. Town thought this was owned and enforced by HOA.
  - Fire Station Land Ownership differs from the Final Plat.

#### DRAINAGE REPORT:

- Debris flow & Drainage Report is still being evaluated.

#### PEDESTRIAN PATH:

- The pedestrian path crossings @ Haymaker Circle and Whitney Peak Road create a pedestrian blind spot for vehicles. Please realign.
- Please change material from asphalt to concrete.

#### AGENCY REVIEW COMMENTS:

- The Town of Eagle Public Works agrees with CGS, Eagle County Assessor's office, and Starbucks Surveying comments.

#### BRUSH CREEK WATERSHED MANAGEMENT PLAN:

- Please confirm the proposed site is in conformance with the Brush Creek Watershed Management Plan.

#### BORROW PIT LOCATIONS:

- Please provide borrow pit location plan.

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## **OPEN SPACE DEPARTMENT**

John Staight, Open Space Coordinator

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#### General Comments

1. Please show the location of the existing Haymaker Trail on all drawings. I don't believe there is a conflict, but we need to make sure that the recreation path and retention ponds provide adequate room for the trail. The alignment of the dirt trail could re-aligned if necessary to accommodate these structures, but I want to make sure that there isn't a topographic constraint, especially near the retention ponds.
2. The town anticipates that it is the responsibility of Haymeadow to construct the soft surface path in OS-2. The alignment of the crusher fine trail through OS-2 is not shown in the drawings. Some of the graphics in the reports say "Trail alignment to be located in the field to protect wetlands." The town would like the alignment of the path to be determined at this stage.
3. It would be extremely helpful to have a graphic with the boundaries of OS-1, OS-2, and especially OS-3 overlain on an aerial.
4. There is some changing in labeling that occurs between the Appendix documents and the labels shown on the drawings. For example, the school/town dedication parcel is referred to as "Tract E" in all the Appendix documents, but referred to as "Tract Y" in the drawings. These references need to be consistent.

#### Integrated Weed Management Plan

1. It appears that no weed mitigation work is proposed in OS-3. The weeds in OS-3 mapped and mitigated at the same time and in the same manner as those specified in Tract E. If the eastern boundary of OS-3 is where I think it is, there are significant populations of weed in the flat draw to the east of the big hillside, where the Haymaker trail winds through. Any lands that are to going to be dedicated to the Town need to be mapped for weed populations, and those populations need to be treated in accordance with the Integrated Weed Management Plan. The mapping that was done in 2006 by Western Ecological Resources is now 12 years old, and I believe there has been a significant expansion of the weed population since that time. The Open Space Management Plan states the following in Section 4.1.1 Weed Management: "It is recommended that a GIS based Weed Map be prepared for the Haymeadow Open Spaces to facilitate monitoring and to identify targeted areas for weed management activities." This task should be completed in the spring of 2019 for OS-1, OS-2, OS-3 and Tract E so that all areas where weed eradication work needs to be done are identified and treated.
2. There is discussion of weed mitigation around the cabin, but it is my understanding that dedication of lands near the cabin would occur in as part of a future filing. Getting a jump on treating the weed populations in that area now, long before any land in that area is dedicated to the Town, is an excellent idea. What is the applicant's vision for the future of the cabin itself at this time?
3. The weeds in Tract E and OS-1, OS-2, and OS-3 will need to be treated over multiple years. There is a substantial seed bank in the soil (especially in Tract E) due to the presence of these weeds over many years. There needs to be some sort of performance guarantee for the weed mitigation work to be performed over multiple future years to ensure the property deeded to Town becomes reasonably free of weeds. Also, as part of the approval documents, it need to be spelled out that the developer is responsible for the performing the weed mitigation work even after the Town becomes the owner. Ideally, the weeds on the Haymeadow property would have been managed and treated historically in compliance with State law, so that the property would have been free of weeds prior to dedication to the Town.
4. In addition to a performance guarantee, the developer needs to commit to a timeline for eradicating weeds on those lands to be dedicated to the Town as part of Filing 1. No timeline is listed in the Integrated Weed Management Plan, probably as this is meant to be a methodology guidance document rather than an implementation document. Table 3 in the in Appendix 9 does spell out a timeline referencing weed eradication work.

#### Haymeadow Open Space Ecological Restoration Plan (Appendix 9)

1. This document spells out a good framework (with timing) for both weed eradication work and restorative seeding. This scope of work needs to apply to all lands being dedicated to the Town as part of Filing 1, including lands in OS-3 where weeds

are present. The timing and scope of work needs to be formally committed to by the developer in order to guarantee that the Plan will be implemented in a timely and comprehensive manner.

2. The plan is deficient in regards to success criteria. Success criteria needs to be added so that all parties can agree that the agreed upon restoration work was completed and is a success. This criteria could be in the form of percent cover, species diversity, and/or other metrics.
3. Was the weed spraying work specified for Fall 2018 completed?

#### Wetlands Enhancement Plan

1. Are there Army Corps 404 wetland impacts occurring on site as a result of the development? If so, are these enhancements serving as formal mitigation for those impacts? If this is the case, the Army Corp process and requirements must be followed.
2. Section 9.9 of the PUD states "This plan will include a schedule of when various wetland areas will be treated as the development of the Property proceeds." I believe the intent of this section was that actual hard dates (month, year) would be spelled out in the Plan, at least for the wetland areas to be dedicated as part of this filing. It needs to also be stated that it is the responsibility of the developer to implement the plan, and follow through with the enhancement actions. It is unclear to me what the Town's recourse is if the developer does not follow through. A form of performance guarantee needs to be implemented.
3. Performance standards need to be added so that all parties can agree that the enhancement project has been successful and work has been completed.

#### Haymeadow Ownership and Maintenance Table

The Haymeadow Ownership and Maintenance table, there are multiple properties that are to be deeded to the Town as Open Space but are to be maintained and enforced by the HOA. In respect to weeds, what guarantee is there that the Town will not be held liable for weed mitigation if the HOA fails to properly control weed populations? While staff is in favor of the HOA performing weed mitigation duties, this would be a new scenario for the Town as currently all open space parcels within the Town are owned and maintained by the Town. Perhaps Section 9.28.040 – Weeds, accumulation, abatement of the Town Code would cover this situation. It states: "**B. Abatement by Town.** If any owner, tenant or agent in charge shall fail to cut weeds, as required by this section, within five days after being notified to do so by the Town Clerk, by registered or certified mail, the Board may direct that the weeds be cut by an employee of the Town and charge the cost thereof to such owner, tenant or agent in charge, together with five percent additional for inspection and other incidentals. **Collection costs of abatement by Town.** In the event the weeds on any lot, block or parcel of ground, or along the sidewalk adjoining the same or the alley behind the same, are cut by order of the Board, the whole cost of cutting such weeds, together with five percent for inspection and other incidentals, shall be paid to the Town Clerk within 30 days after mailing by the Town Clerk to the owner of such lot, block or parcel of ground, by registered or certified mail, notice of the assessment of such cost."

#### Open Space Management Plan

The management plan is a bit bare bones, but that is O.K. considering that it was developed at this early stage. Typically, open space management plans written by or for local governments range in detail from very general and conceptual, to extremely detailed and regulatory in nature. They are evolving documents that are updated on a 5-year cycle. The lands to be deeded to the Town of Eagle will be managed by the Town of Eagle and its open space management policies, best practices, and input from citizens, as well as in accordance with the uses permitted in the Haymeadow PUD Guide. The Open Space Management Plan as submitted is adequate for this phase. The lands dedicated to the Town will be managed in accordance with Town open space planning documents in the future.

# COLORADO GEOLOGICAL SURVEY

1801 19<sup>th</sup> Street  
Golden, Colorado 80401



Karen Berry  
State Geologist

November 15, 2018

Morgan Landers  
Town Planner  
Town of Eagle  
200 Broadway, PO Box 609  
Eagle, CO 81631

**Location:**  
S2, 3, 4, 9, 10, 11  
T5S, R84W of the 6<sup>th</sup> PM  
39.6365, - 106.7996

**Subject: Haymeadow Subdivision Filing 1 Final Plat**  
**Eagle, CO; CGS Unique No. EA-14-0005**

Dear Ms. Landers:

The Colorado Geological Survey (CGS) has reviewed the Haymeadow Subdivision Filing 1 referral for the town of Eagle (Town). The CGS reviewed this development at an earlier phase and provided comments in an October 23, 2013 letter to Mr. Tom Boni. For the current referral, the CGS reviewed the following documents:

- Haymeadow Filing 1 Access and Infrastructure Plans (Alpine Engineering, 9/14/18; 78 sheets)
- Supplemental Subsoil Study for Site Grading and Pavement Section Design, Proposed Haymeadow Phase A1 Development (H-P/Kumar, 3/21/18)
- Drainage Report for Haymeadow Filing 1 (Alpine Engineering, September, 2018)
- Debris Flow and Flood Review, Proposed Haymeadow Development (HP Geotech, 6/12/13)
- Debris Flow and Flood Mitigation Design Information for the Small Tributary Drainage Basins at the Proposed Phse A1 Development, Haymeadow Development, Brush Creek Road, Eagle, Colorado (HP Geotech 7/11/13)

In our October 2013 letter, the CGS recommended that the Town require the applicant to:

- (1) Develop a debris flow/debris flood mitigation plan prior to Final Plat approval; and
- (2) Conduct site-specific geotechnical/foundation investigations to evaluate collapsible/hydrocompactive soils and evaporite-related sinkhole hazards prior to issuing building permits.

Based on our review, the CGS has the following comments:

**Debris flow mitigation:**

- HP Geotech's estimates of debris flow volume, depth, and velocity appear to be based on reasonably conservative assumptions relative to anticipated local conditions.
- Alpine Engineering states that they designed the conveyance and "debris pond" storage volume based on HP Geotech's debris volume estimates. While this is reasonable, HP Geotech also recommended that the bicycle path/debris barrier have a minimum depth of 4 feet and a minimum freeboard of 1.5 feet above the estimated stored debris surface throughout. Alpine Engineering should confirm that their design also meets these additional design considerations. If the design does not meet HP Geotech's recommendations everywhere, Alpine should provide a revised design.

- Accumulation of sediment and debris can reduce the effectiveness of debris-flow conveyances and debris basins. Alpine Engineering should provide a document describing recommendations for (1) regular inspection and (2) periodic or post-event maintenance and repair of the debris barrier/channel/pond so that the HOA will be able to budget for and schedule maintenance and repairs as necessary to ensure the barrier continues to function as intended.
- Based on the Storm Plan and Profile (Sheet C3.04), it appears that the “debris pond” is only drained by a drop inlet at the base of the deepest area (Feature L5). Debris basins typically use a screened riser pipe or similar structure at the outlet to ensure that water can still exit the impoundment in the event of a debris flow. The CGS recommends including a similar feature in this design.

**Collapsible/hydrocompactive soils and evaporite-related sinkhole hazard:**

- HP encountered soft, compressible soils in some drill holes and shallow groundwater in some areas. HP has made reasonable recommendations for pavement and foundation design that should be followed.
- Collapsible/hydrocompactive soils and/or evaporite-related sinkholes should not preclude approval of the proposed development. However, the CGS recommends that the Town require site-specific geotechnical/foundation investigations prior to issuing building permits to ensure that foundations and structures are appropriately designed if these conditions are locally present.

Provided the following conditions are met, the CGS does not object to the proposed development:

- (1) Alpine Engineering provides confirmation that the debris flow conveyance meets HP Geotech’s recommendations for berm height and freeboard throughout or provides a revised design,
- (2) Alpine Engineering provides a document describing recommendations for inspection and maintenance of the debris flow conveyance and pond, and
- (3) Alpine Engineering provides confirmation that the “debris pond” outlet structure is/will be designed to adequately convey water in the event of a debris flow.

Thank you for the opportunity to review and comment on this project. If you have questions, please contact me by phone at 303-384-2632 or e-mail [kemccoy@mines.edu](mailto:kemccoy@mines.edu).

Sincerely,



Kevin McCoy  
Engineering Geologist

**From:** [Kenneth Sexton](#)  
**To:** [Morgan Landers](#)  
**Subject:** Haymeadow Fil 1 Draft - Assessor's office comments  
**Date:** Thursday, November 8, 2018 5:07:27 PM  
**Attachments:** [Brush Creek Meadows Filing 3 Plat 201211315.pdf](#)  
[Draft-Haymeadow Acreages.xlsx](#)  
[AssessorCommentsHaymeadowFil1draft.pdf](#)

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Hi Morgan,

The following are a list of comments regarding the draft for Haymeadow Filing 1. I will address comments/issues in order of the page number, but also see attached draft with my markups (not all pages in attached draft).

Page 1.

- 1) Vicinity map should be updated to show the site also includes property in Sections 2 & 11.
- 2) The land use summary acreages do not add up. See attached excel sheet showing acreages adding to 603.887
- 3) The land use summary shows Tracts OS-1, OS-2 & OS-3 as Town Open Space. Are those parcels going to be in Town ownership? By deed or dedication? If the intent is to dedicate those open space parcels by virtue of the plat, maybe note and add under General Notes: Tracts OS-1, OS-2 & OS-3 are hereby dedicated to the Town of Eagle. Maybe also add under notes for Tracts R-1 thru R-5 dedicated to Town for clarification.
- 4) The legal description under the Certificate of Dedication and Ownership includes Sylvan Lake Rd. Public ROW, that was dedicated on the Final Plat of Brush Creek Meadows Filing 3, Reception# 201211315 (attached). Need to also except ROW and change total acreage to 657.343 acres (less 1.889 for the ROW).
- 5) As currently platted, Tract R-1 presents some problems as I'll discussed below. Might want to consider adding Town of Eagle as an owner under Certificate of Dedication and Ownership as to owner of (2012) Sylvan Lake Rd ROW, and adding a signature line for the Town as to that ROW parcel. My following comments will assume just Abrika Properties LLC and addressing the current plat draft.

Page 2.

The overall sheet and key map is not accurate. Sheet 6 shows that you should be able to see Lots 1-13 (at bottom) and Tract RMF-3 / Whitney Peak Road (towards top) on the same sheet, but when you go to sheet 6, you only get the Lots. This is the case for all pages in the sheet key map.

Page 3.

- 1) Need a tie in to Tract OS-1
- 2) Noted on sheet that the portion of Sylvan Lake ROW is not in Abrika Properties LLC ownership or title. That portion being platted as Tract R-1 needs to be addressed. Need boundary line showing 2012 ROW boundary.
- 3) I subtracted 1.889 acres for ROW from Tract R-1 to be 8.353 acres. But as Brush Creek Road ROW is no longer contiguous with Tract R-1, Sylvan Lake Rd ROW, consider a new Tract R-6 (????).
- 4) The distance for the boundary line between 2012 Sylvan Lake Rd ROW and Soleil Homes Subdivision is 715.42'. The 913.11 was the distance for Tract C, Brush Creek Meadows Filing 3.
- 5) On right side of page, add direction/distance to the lines above SEE SHEET 5. It does not appear on sheet 5

6) Graphic Scale and Verbal Scales are not correct.

Page 4.

Scale not correct.

Page 5.

- 1) Add distance/direction to line above label Tract R-1 on left side of page. Not labeled on either page 3 or 4.
- 2) Tracts D & Lot 2 do not close when using curve table CV27 & CV14. Review curve table.
- 3) Add distance for alley. I assumed/calculated the alley was 20' but there is no label.
- 4) Add distance/direction for boundary lines of Lots 11, 12 & 13.
- 5) Add tie in distance for Sewer Easement east of Cross Creek Rd
- 6) Correct SEE SHEET 5 TO SEE SHEET 8 on right side of sheet
- 7) Haymaker and Cross Creek are already street names in Eagle County.
- 8) Scale not correct.

Page 6.

- 1) Add distance and curve info for Tract F. Missing information and cannot draw parcel
- 2) Add drainage easement boundary directions/distances
- 3) Scale not correct.

Page 7.

- 1) Drainage easement not labeled with direction/distance
- 2) Scale not correct.

Page 8.

- 1) Add 415.63 distance (see sheet). Difference is 42.15' for Tract R-3 as shown on sheet 10
- 2) Scale not correct.

Page 9.

- 1) Review Tract Z acreage. GIS calculates ~508.131
- 2) Scale incorrect.

Page 10.

- 1) Scale.

The attached are large files. Please let me know you received the email.

--

Kenneth Sexton

Assessment GIS Specialist

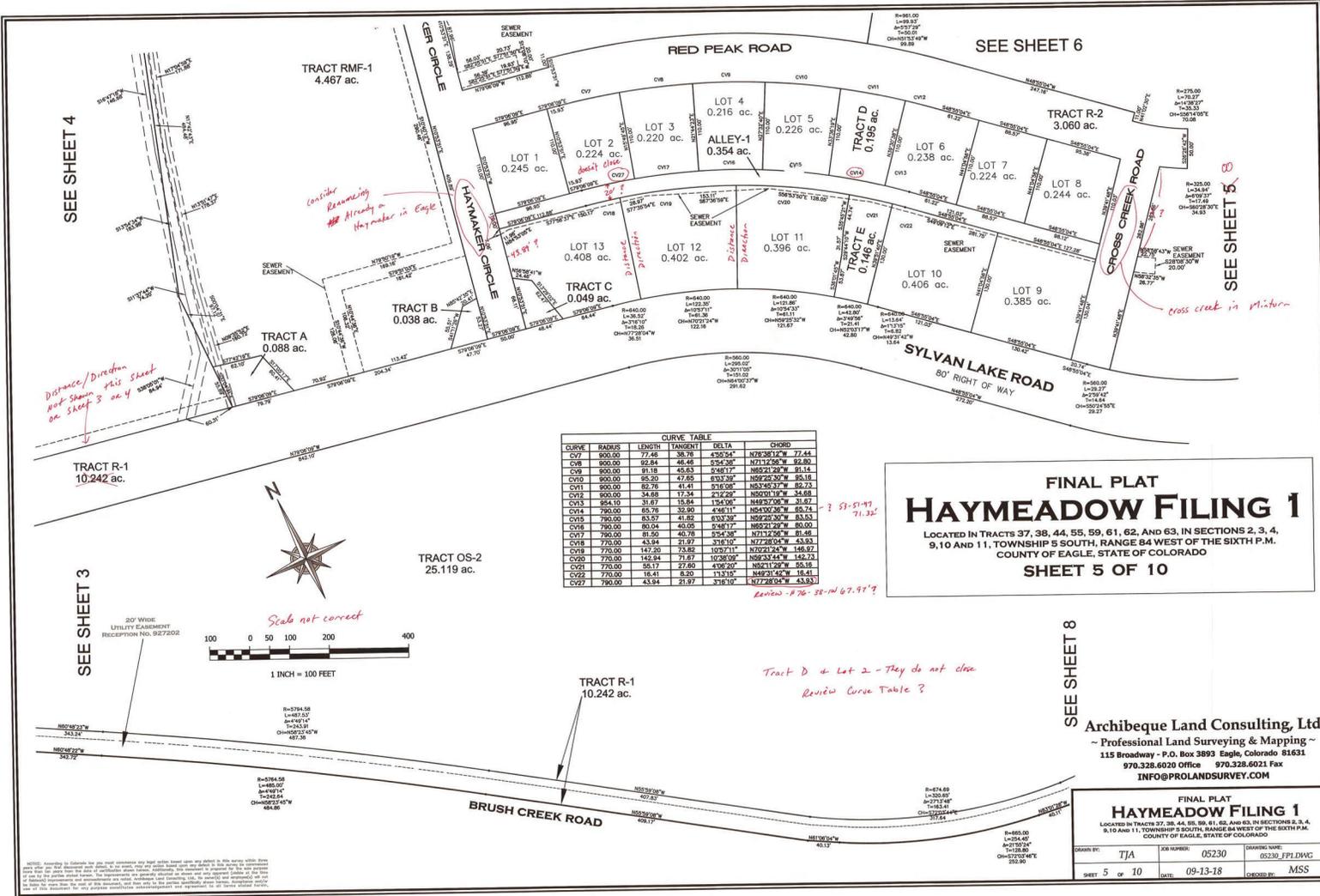
[kenneth.sexton@eaglecounty.us](mailto:kenneth.sexton@eaglecounty.us)

(970) 328-8650









CURVE	RADIUS	LENGTH	TANGENT	DELTA	CHORD
CV7	800.00	77.46	38.78	43.504°	N79°31'12"W 77.44
CV8	800.00	92.84	46.48	53°54'36"	N71°14'56"W 82.80
CV9	800.00	81.18	40.59	49°47'12"	N89°21'24"W 81.14
CV10	800.00	95.90	47.95	61°02'36"	N82°52'36"W 85.16
CV11	800.00	82.78	41.41	51°16'08"	N83°46'32"W 82.73
CV12	800.00	34.98	17.54	27°22'00"	N90°00'18"W 34.98
CV13	854.10	31.67	15.84	13°54'08"	N48°27'08"W 31.67
CV14	790.00	65.78	32.89	48°18'12"	N54°00'48"W 65.74
CV15	790.00	63.25	31.62	45°33'36"	N59°29'30"W 63.53
CV16	790.00	80.04	40.02	54°48'12"	N59°21'24"W 80.00
CV17	790.00	61.50	30.75	42°54'00"	N71°14'56"W 61.46
CV18	770.00	43.94	21.97	31°16'00"	N77°28'04"W 43.93
CV19	770.00	142.20	71.10	103°36'00"	N66°24'48"W 142.13
CV20	770.00	55.17	27.58	43°36'00"	N86°11'24"W 55.16
CV21	770.00	36.41	18.20	23°18'00"	N48°51'48"W 36.41
CV22	770.00	43.94	21.97	31°16'00"	N77°28'04"W 43.93

**FINAL PLAT**  
**HAYMEADOW FILING 1**  
 LOCATED IN TRACTS 37, 38, 44, 55, 59, 61, 62, AND 63, IN SECTIONS 2, 3, 4, 9, 10 AND 11, TOWNSHIP 8 SOUTH, RANGE 84 WEST OF THE SIXTH P.M. COUNTY OF EAGLE, STATE OF COLORADO  
**SHEET 5 OF 10**

**Archibque Land Consulting, Ltd**  
 ~ Professional Land Surveying & Mapping ~  
 115 Broadway - P.O. Box 3893 Eagle, Colorado 81631  
 970.328.6020 Office 970.328.6021 Fax  
 INFO@PROLANDSURVEY.COM

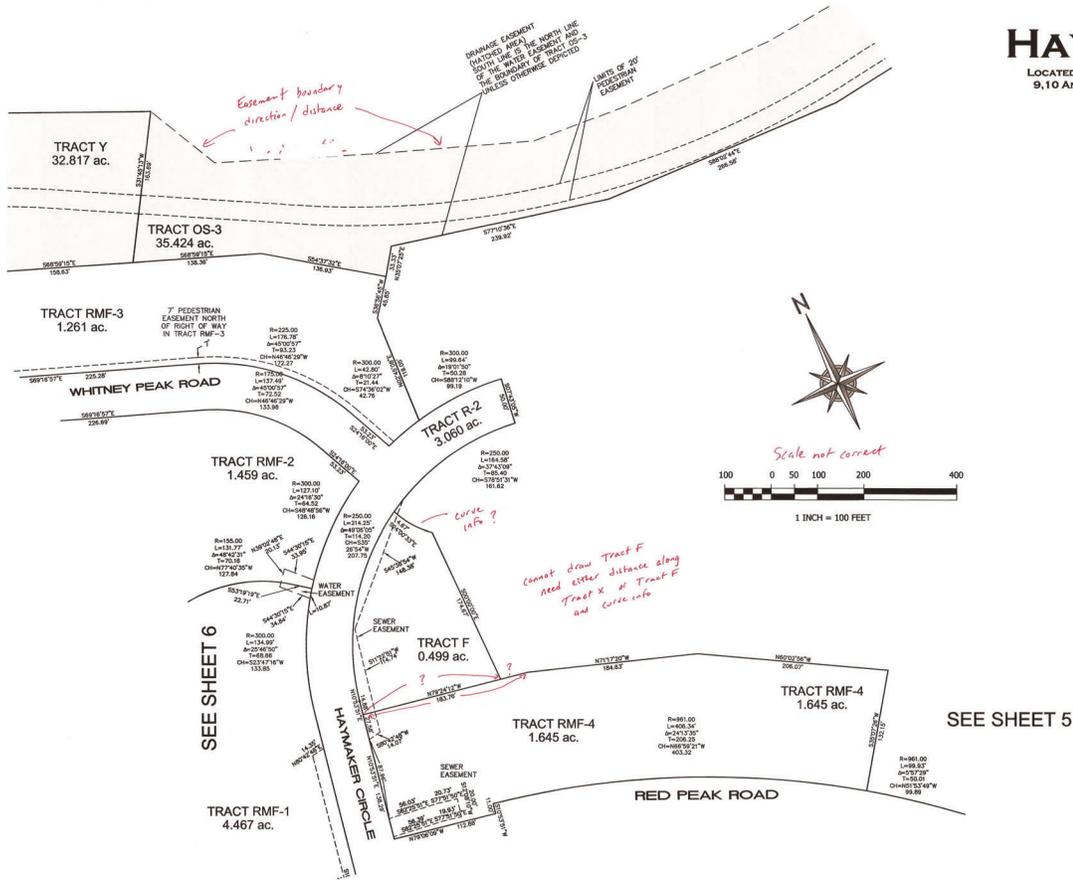
FINAL PLAT		
<b>HAYMEADOW FILING 1</b>		
LOCATED IN TRACTS 37, 38, 44, 55, 59, 61, 62, AND 63, IN SECTIONS 2, 3, 4, 9, 10 AND 11, TOWNSHIP 8 SOUTH, RANGE 84 WEST OF THE SIXTH P.M. COUNTY OF EAGLE, STATE OF COLORADO		
DRAWN BY: TJA	DATE: 05/23/10	DRAWING NAME: 05230_FPL.DWG
SHEET 5 OF 10	DATE: 09-13-18	CHECKED BY: MSS

NOTICE: According to Colorado law, this final plat contains any legal action based upon any defect in this survey within three years after the date of recording. The surveyor warrants that the plat is a true and correct copy of the original survey as shown on the plat. The surveyor does not warrant that the plat is a true and correct copy of the original survey as shown on the plat. The surveyor does not warrant that the plat is a true and correct copy of the original survey as shown on the plat. The surveyor does not warrant that the plat is a true and correct copy of the original survey as shown on the plat.

# FINAL PLAT HAYMEADOW FILING 1

LOCATED IN TRACTS 37, 38, 44, 55, 59, 61, 62, AND 63, IN SECTIONS 2, 3, 4, 9, 10 AND 11, TOWNSHIP 5 SOUTH, RANGE 64 WEST OF THE SIXTH P.M. COUNTY OF EAGLE, STATE OF COLORADO

SHEET 6 OF 10



**Archibque Land Consulting, Ltd**  
 ~ Professional Land Surveying & Mapping ~  
 115 Broadway - P.O. Box 3893 Eagle, Colorado 81631  
 970.328.6020 Office 970.328.6021 Fax  
 INFO@PROLANDSURVEY.COM

NOTICE: Any person who copies or reproduces any part of this plat without the written consent of the surveyor is liable for all damages and costs. This plat is a true and correct copy of the original as shown to the surveyor. The surveyor is not responsible for any errors or omissions in this plat. The surveyor is not responsible for any errors or omissions in this plat. The surveyor is not responsible for any errors or omissions in this plat.

FINAL PLAT HAYMEADOW FILING 1			
LOCATED IN TRACTS 37, 38, 44, 55, 59, 61, 62, AND 63, IN SECTIONS 2, 3, 4, 9, 10 AND 11, TOWNSHIP 5 SOUTH, RANGE 64 WEST OF THE SIXTH P.M. COUNTY OF EAGLE, STATE OF COLORADO			
DRAWN BY:	TJA	JOB NUMBER:	05230
DRAWING NAME:	05230_FPL.DWG	CHECKED BY:	MSS
SHEET	6 OF 10	DATE:	09-13-18



# FINAL PLAT HAYMEADOW FILING 1

LOCATED IN TRACTS 37, 38, 44, 55, 59, 61, 62, AND 63, IN SECTIONS 2, 3, 4, 9, 10 AND 11, TOWNSHIP 5 SOUTH, RANGE 84 WEST OF THE SIXTH P.M. COUNTY OF EAGLE, STATE OF COLORADO

SHEET 9 OF 10

SEE SHEET 2

SEE SHEET 2

TRACT OS-3  
35.424 ac.

SEE SHEET 7

TRACT X  
26.469 ac.

TRACT Z  
511.050 ac. *revised AC.*  
*GIS calculates*  
*508.131*

TRACT RMF-4  
1.645 ac.

SEE SHEET 5

SEE SHEET 8



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~ Professional Land Surveying & Mapping ~  
115 Broadway - P.O. Box 3893 Eagle, Colorado 81631  
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FINAL PLAT HAYMEADOW FILING 1			
LOCATED IN TRACTS 37, 38, 44, 55, 59, 61, 62, AND 63, IN SECTIONS 2, 3, 4, 9, 10 AND 11, TOWNSHIP 5 SOUTH, RANGE 84 WEST OF THE SIXTH P.M. COUNTY OF EAGLE, STATE OF COLORADO			
DRAWN BY:	TJA	JOB NUMBER:	05230
DRAWING NAME:	05230_FPI.DWG		
SHEET:	9 OF 10	DATE:	09-13-18
DESIGNED BY:	MSS		

NOTICE: Archibeqe Land Consulting, Ltd. does not warrant or represent that the information and data herein are correct or that the information and data herein are complete. The information and data herein are provided for informational purposes only. The information and data herein are not to be used for any purpose other than that for which they were provided. The information and data herein are not to be used for any purpose other than that for which they were provided. The information and data herein are not to be used for any purpose other than that for which they were provided.

**CERTIFICATE OF DEDICATION AND OWNERSHIP**

The undersigned, **ARBUKA PROPERTIES, LLC**, a Florida limited liability company being the sole owner in fee simple of all that land and property described as follows:

A parcel of land situated in Section 4, Township 5 South, Range 84 West, of the Sixth Principal Meridian, County of Eagle, State of Colorado, being a portion of Tracts 38, 44 and 55, of said Township and Range, said County of Eagle, and also being a portion of those lands conveyed by Correction Special Warranty Deed recorded October 4, 2005 as Reception No. 918165 and depicted as Parcel 1, Sylvan Lake Road Addition to the Town of Eagle, according to Annexation Plat thereof, recorded March 15, 2006 as Reception No. 20060430 and also depicted on the Annexation Plat of The Haystack Road Addition to the Town of Eagle, being more particularly described as follows:

Beginning at angle point of said Tract 44, from which angle point 2 of said Tract 38 bears (and referring all bearings contained herein to N02°59'00"E, 113.75 feet; thence S82°29'00"W, 114.49 feet; thence S22°09'00"W, 64.57 feet; thence S11°51'00"E, along the arc of a non-tangent curve to the left having a radius of 620.00 feet, a central angle of 28°48'31", the chord of which bears N79°22'29"W, 38.47 feet; thence S88°22'00"W, 262.24 feet; thence S91.68 feet along an arc of a curve to the left having a radius of 180.00 feet, a central angle of 37°29'30", the chord of which bears S74°29'49"W, 278.29 feet to a point on the North line of Brush Creek Road Right-of-Way; thence along said North line of Brush Creek Road Right-of-Way the following three (3) courses: 1) N 0°00'00"W, 147.21 feet; 2) N 0°00'00"W, 57.60 feet; 3) S 35°37'00"E, along the arc of a tangent curve to the right having a radius of 815.00 feet, a central angle of 62°39'02", the chord of which bears N 51°59'00"W, 35.57 feet to a point on the 6-7 line of said Tract 44, being also the South line of Brush Creek Meadow, according to the Final Plat of Brush Creek Meadows as recorded as Reception No. 802095, in said Office; thence along said 6-7 line N 89°23'19"E, 913.11 feet to the point of beginning.

Containing 3,308 acres more or less.

but by these presents laid out, platted and subdivided the same into tracts and right of way as shown on this Plat and designate the same as **BRUSH CREEK MEADOWS FILING 3**, a subdivision in the Town of Eagle, County of Eagle, State of Colorado and does hereby make the following dedications and grants:

\* Tract 18 is hereby dedicated to the Town of Eagle for convenience to the owner of the adjacent property to the West and is not to be used for governmental purposes.

\* Sylvan Lake Road right of way is hereby dedicated to the Town of Eagle for streets and related structures

Executed this 9<sup>th</sup> day of May, 2012.  
 Owner: **ARBUKA PROPERTIES, LLC**, a Florida limited liability company  
 6022 Paradise Drive  
 Parkland, TX 75077-1094

By: [Signature]  
 Donald D. Newman as Manager of **NEWMAN FAMILY HOLDINGS, LLC**, a Florida limited liability company AS MANAGER OF  
**ARBUKA PROPERTIES, LLC**, a Florida limited liability company.

STATE of Colorado  
 COUNTY of Eagle

The foregoing Certificate of Dedication and Ownership was acknowledged before me this 9<sup>th</sup> day of May, 2012,  
 by Donald D. Newman as Manager of **ARBUKA PROPERTIES, LLC**, a Florida limited liability company;  
NEWMAN FAMILY HOLDINGS, LLC, a Florida limited liability company AS MANAGER OF

Witness my hand and official seal.  
 Notary Public  
 My commission expires: 6-29-2015



**TITLE CERTIFICATE**

[Signature] hereby certifies that it has examined the 9<sup>th</sup> day of May, 2012, all lands shown on this Plat and that all of such lands is vested in **ARBUKA PROPERTIES, LLC**, a Florida limited liability company, in fee and clear of all liens, and encumbrances, except as follows:

None

Executed this 10<sup>th</sup> day of March, 2012.

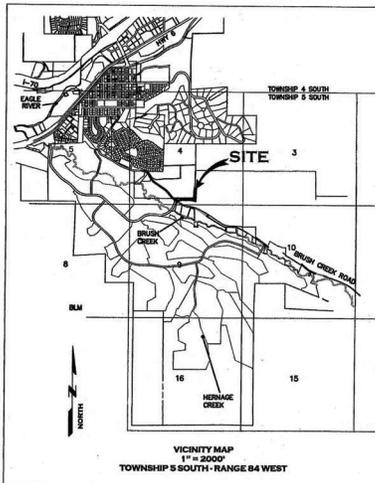
By: [Signature]  
 Title Officer

**PLANNING & ZONING COMMISSION CERTIFICATE**

This plat approved by the Town of Eagle Planning & Zoning Commission this 17<sup>th</sup> day of January, 2012.

[Signature]  
 Chairman

**FINAL PLAT**  
**BRUSH CREEK MEADOWS FILING 3**  
 LOCATED IN TRACTS 38, 44, AND 55,  
 SECTION 4, TOWNSHIP 5 SOUTH, RANGE 84 WEST OF THE SIXTH P.M.  
 TOWN OF EAGLE, COUNTY OF EAGLE, STATE OF COLORADO



**NOTES**

- The purpose of this Final Plat is to create various tracts and right of way as listed in the Land Use Summary, pursuant to Town of Eagle Land Use Regulations and Colorado Revised Statutes concerning the subdivision of land to be recorded with the Eagle County Clerk and Recorder pursuant to C.R.S. 38-35-109 such that each tract or right of way may be uniquely described with reference to this Final Plat.
- BASES OF BEARING:** N02°59'00"E for the line between Angle Point 7 Tract 44 and Angle Point 2 Tract 38, T55, R84W, 6th P.M., as shown and described herein.
- SURVEY DATE:** November, 2011.
- Location of boundary lines and easements are based upon Correction Special Warranty Deed recorded October 04, 2005, as Reception No. 918165, Sylvan Lake Road Addition to the Town of Eagle, according to Annexation Plat thereof, recorded March 15, 2006 as Reception No. 20060430 in the Office of the Eagle County Clerk and Recorder, County of Eagle, State of Colorado; Heritage Title Company title commitment File No. 0541802952-010-073, dated December 20, 2011 and Survey Measurements found, as shown and described herein.
- Pertaining to Schedule E2 of the above referenced Title Commitment:  
 Item 12, Property is subject to the Kinder Morgan 17' Right of Way Easement recorded as Reception No. 718014, as shown herein.  
 Item 15, This property is not subject to easements, reservations and restrictions shown on the Final Plat of Brush Creek Meadows, recorded as Reception No. 802398.  
 Item 16, This property is not subject to the Tract, Covenants and Vests Agreement recorded as Reception No. 81398.  
 Item 18, This property is not subject to the Tract, Covenants and Vests Agreement recorded as Reception No. 809382.  
 Item 19, This property is not subject to the 10' Brush Creek Easement Right of Way Easement recorded as Reception No. 805055.  
 Item 22, 27 (Love and White) Ditch Easement recorded as Reception No. 918166 affects the subject Property.  
 Item 25, 27 (Wilkinson) Ditch Easement recorded as Reception No. 918166 affects the subject Property.  
 Item 24, 27 (Middleway) Ditch Easement recorded as Reception No. 918167 affects the subject Property.  
 Item 27, This property is subject to easements, reservations and restrictions, if any, shown on the Annexation Plat of Sylvan Lake Road Addition to the Town of Eagle, recorded as Reception No. 20060430.
- No other liens were researched by surveyor.
- Local Ordinances of the U.S. Survey Foot were used herein.
- According to Colorado law you must commence any legal action based upon any defect in this survey within three years after you first discover such defect. In no event may any action based upon any defect in this survey be commenced more than ten years from the date of the certification herein.

**SURVEYOR'S CERTIFICATE**

I, Theodore J. Archibugio, do hereby certify that I am a professional land surveyor licensed under the laws of the State of Colorado, that this Plat is a true, correct, and complete Plat of **BRUSH CREEK MEADOWS FILING 3**, as laid out, platted, dedicated and shown herein, that such Plat was made from an accurate survey of said property by me and under my supervision and correctly shows the location and dimensions of the lots, marked upon the ground in compliance with Title 38, Article 51, C.R.S., as amended, and all other regulations governing the subdivision of land.

EXECUTED this 28 day of FEB, 2012.



Theodore J. Archibugio, PLS 19902  
 Professional Land Surveyor  
 State of Colorado

**Parcel Parcels**  
 2101-013-00-018  
 2101-033-00-003

**BOARD OF TRUSTEES CERTIFICATE**

This Plat approved by the Board of Trustees of the Town of Eagle, Colorado, this 28<sup>th</sup> day of February, 2012, for filing with the Clerk and Recorder of Eagle County, Colorado, and for convenience or dedication to the Town of the public dedications shown herein, subject to the provisions that approval in no way obligates the Town of Eagle for financing or constructing of improvements on said lands, streets or easements dedicated to the public except as specifically agreed to by the Board of Trustees of the Town of Eagle. Further, said approval in no way obligates the Town of Eagle for maintenance of public improvements until construction of said improvements has been completed in accordance with the Town of Eagle's specifications and the Town of Eagle has agreed to accept said improvements. This approval does not guarantee that the site, soil conditions, sub-surface geology, ground water conditions, or flooding conditions of any lot shown herein are such that a building permit, development permit, or any other required permit will be issued. This approval is with the understanding that all expenses involving required improvements for all utility services, paving, grading, landscaping, curbs, gutters, sidewalks, road lighting, road signs, flood protection devices, drainage structures, and all other improvements that may be required shall be the responsibility of the owners designated herein and not the Town of Eagle, unless otherwise specifically agreed to in writing by the Board of Trustees.

TOWN OF EAGLE, COLORADO

By: [Signature]  
 Mayor



Witness my hand and seal of the Town of Eagle, Colorado.

ATTEST:  
[Signature]  
 Town Clerk

PARCEL	AREA	LAND USE
TRACT A	0.645 ACRES	RESOURCE
TRACT B	0.774 ACRES	RESIDENTIAL
SYLVAN LAKE ROAD	1.889 ACRES	RIGHT OF WAY
<b>TOTAL</b>	<b>3.308 ACRES</b>	

2101-044-01-001  
 2101-044-01-002  
 - NO parcel number  
 2101-033-00-001 - remaining parcel  
 01-2101-033-00-002

Revised Per Town Comments 2-28-12 TJA

**CLERK AND RECORDERS CERTIFICATE** \$21

This Plat was filed for record in the office of the Eagle County Clerk and Recorder at 2:57 o'clock PM on the 28 day of February, 2012, and is duly recorded as Reception No. 2101-013-01

EAGLE COUNTY CLERK & RECORDER  
 By: [Signature]  
 Deputy

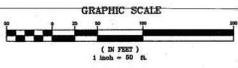
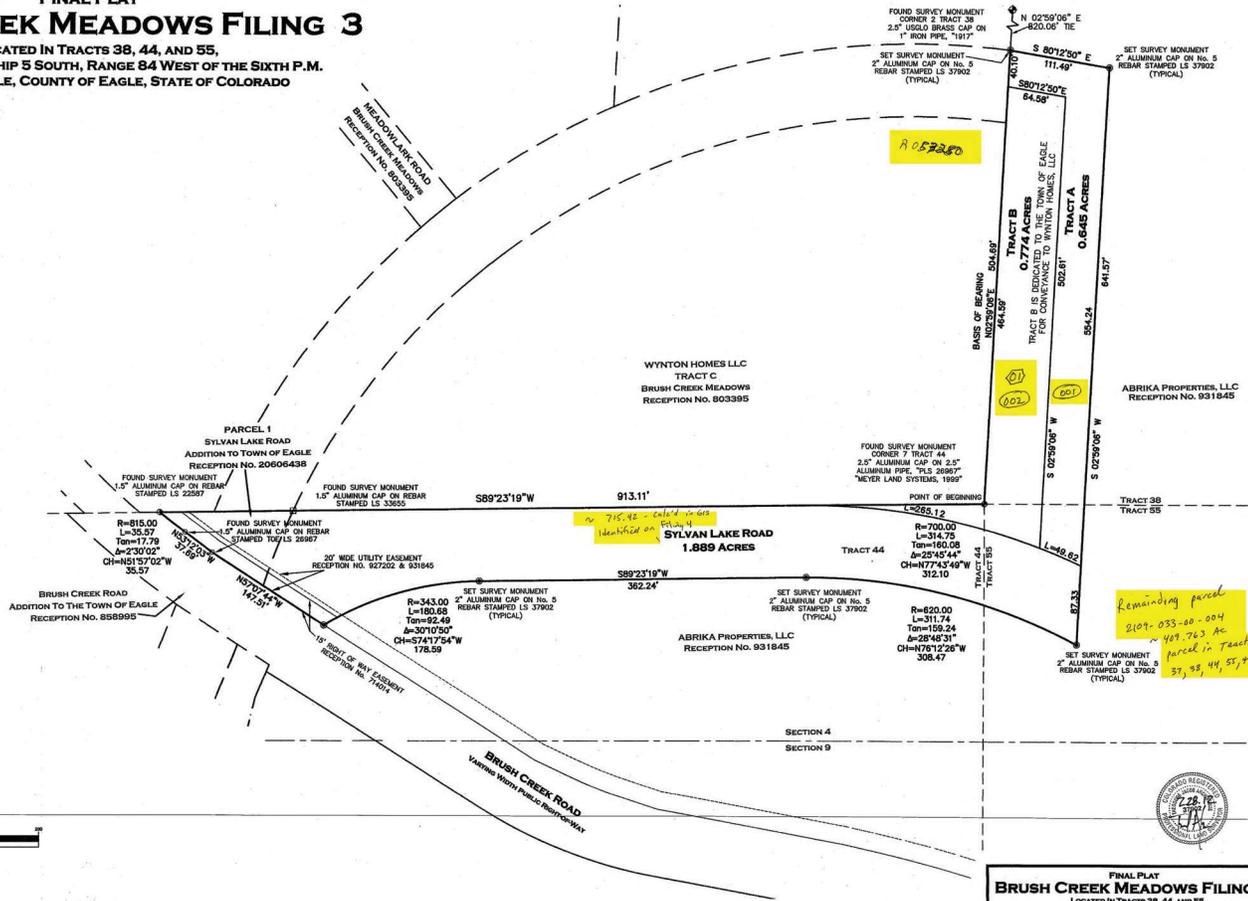


**FINAL PLAT**  
**BRUSH CREEK MEADOWS FILING 3**  
 LOCATED IN TRACTS 38, 44, AND 55,  
 SECTION 4, TOWNSHIP 5 SOUTH, RANGE 84 WEST OF THE SIXTH P.M.  
 TOWN OF EAGLE, COUNTY OF EAGLE, STATE OF COLORADO

OWNER: CAP      JOB NUMBER: 05230      LICENSED USER: 05230\_BCM3.dwg  
 SHEET 1 of 2      DATE: 12-29-11      CHECKED BY: TJA

# FINAL PLAT BRUSH CREEK MEADOWS FILING 3

LOCATED IN TRACTS 38, 44, AND 55,  
SECTION 4, TOWNSHIP 5 SOUTH, RANGE 84 WEST OF THE SIXTH P.M.  
TOWN OF EAGLE, COUNTY OF EAGLE, STATE OF COLORADO



NOTICE: According to Colorado law you must commence any legal action based upon any defect in this survey within three years after you first discovered such defect. In no event may any action based upon any defect in this survey be commenced more than ten years from the date of certification shown hereon.

Revised Per Town Comments 2-28-12 TJA

FINAL PLAT  
**BRUSH CREEK MEADOWS FILING 3**  
LOCATED IN TRACTS 38, 44, AND 55,  
SECTION 4, TOWNSHIP 5 SOUTH, RANGE 84 WEST OF THE SIXTH P.M.  
TOWN OF EAGLE, COUNTY OF EAGLE, STATE OF COLORADO

DRAWN BY:	CAP	DATE:	12-29-11	DESIGNED BY:	TJA
SUBMITTED BY:	05230	DATE:	12-29-11	DESIGNED BY:	TJA
SHEET:	2	OF:	2	DATE:	12-29-11



Parcel/Lots	Acreages
1	0.245
2	0.224
3	0.22
4	0.216
5	0.226
6	0.238
7	0.224
8	0.244
9	0.385
10	0.406
11	0.395
12	0.402
13	0.408
Tract A	0.088
Tract B	0.038
Tract C	0.049
Tract D	0.195
Tract E	0.146
Alley-1	0.354
Tract RMF-1	4.467
Tract RMF-2	1.495
Tract RMF-3	1.261
Tract RMF-4	1.645
Tract X	26.968
Tract Z	511.05
Tract Y	32.817
Tract G	1.601
Tract OS-1	0.267
Tract OS-2	0.279
Tract OS-3	0.263
Tract R-1	10.242
Tract R-2	3.06
Tract R-3	0.53
Tract R-4	1.223
Tract R-5	<u>2.016</u>
	603.887

# **Starbuck Surveyors**

**0031 Eagle Park East Drive**

**PO Box 1584**

**Eagle, Colorado 81637**

**Telephone (970) 328-7208**

16 November 2018

Town of Eagle  
PO Box 609  
Eagle, CO 81631

RE: Final Plat - HAYMEADOW FILING 1

Dear Staff:

I have reviewed the Final Plat named above and have the following comments.

## **SHEET 1**

1. There is no mention of Declarations or Protective Covenants in either the Certificate of Dedication and Ownership or the Clerk and Recorder Certificate.
2. In the Certificate of Dedication and Ownership, the Basis of Bearings is called out as between the Town of Eagle street monuments at Broadway and Fifth and Broadway and Second. In Note 2, the Basis of Bearings is called out as between Corner 1 and Corner 2 of Tract 38.
3. In Note 2, Corner 1 of Tract 38 is called out as an U.S.G.L.O brass cap monument. On Sheet 2 it is labelled as something else.
4. In the Certificate of Dedication and Ownership several curves are non-tangential, but are not labelled as such.
5. In the Certificate of Dedication and Ownership, course 4 after leaving the Peters Subdivision boundary should be moved to the next line and justified left.
6. The Land Use Summary does not contain addresses for the lots or appropriate tracts.
7. The Land Use Summary contains several errors:
  - A. Tract F is omitted.
  - B. Lot 11 is listed as 0.395 acres. On Sheet 5 it is shown as 0.396 acres.
  - C. For Tract RMF-1, I calculate 4.867 acres instead of 4.467 acres.
  - D. Tract RMF-2 is listed as 1.495 acres but is shown on Sheet 6, and as I calculate, as 1.459 acres.
  - E. For Tract X, I cannot calculate the area as, on Sheet 6, there is a curve on the boundary between Tract X and Tract F which is not annotated.

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- F. For Tract Z, I calculate 508.132 acres instead of 511.050 acres.
  - G. Tract OS-1 is listed as 0.267 acres but is shown on Sheet 3 as being 0.043 acres. I calculate an area of 0.425 acres.
  - H. Tract OS-2 is listed as 0.279 acres but is shown on Sheet 3 as being 25.119 acres. I calculate an area of 23.240 acres.
  - I. Tract OS-3 is listed as 0.263 acres but is shown on Sheet 4, and as I calculate, as 35.424 acres.
  - J. For Tract R-1, I calculate 9.859 acres instead of 10.242 acres.
  - K. All of the listed acreages total 603.887 acres instead of the 659.232 acres shown.
8. In the Vicinity Map, it appears that not all of the Site is shaded in.

### **SHEET 2**

- 1. It would be helpful if Tracts 44, 55 and 63 were labelled and if Tract corners were labelled.
- 2. There is no Legend showing what symbols represent what types of corners were found or set.
- 3. On the West side of the property, the annotations follow the legal description on Sheet 1, but the boundary line shown goes around the Exception and is not annotated.
- 4. Monuments should be set on all boundary courses exceeding 1400 feet (38-51-105(c) C.R.S.)
- 5. Along the East boundary of the property three intermediate monuments are shown but are not dimensioned.
- 6. The annotation of 34.57' along the West line of Tract R-4 overlays linework and is difficult to read.
- 7. Several curves are non-tangential and should be labelled as such.

### **SHEETS 3 THROUGH 10**

- 1. The stated and graphic scales should be 1" = 50', not 1" = 100'.
- 2. Boundary monumentation should be shown.

### **SHEET 3**

- 1. The annotation along the North-South line bordering Soleil Homes overlays linework and is difficult to read.
- 2. The curve bordering Soleil Homes lacks annotation.
- 3. The annotation of 913.11' along the border appears to be incorrect. The line scales at 720 feet =/-.

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4. I do not see why the boundary line with a bearing of N57°07'44"W is broken into three segments. The segment annotated 53.59' scales at 80 feet +/-.
5. The curve on the boundary with a chord bearing of S68°12'08"E and distance of 57.53' is shown on Sheet 2 with a bearing of S68°12'07"E and distance of 57.54'.
6. The curve on the line between Tract OS-2 and Tract R-1 with a delta of 15°23'06" is non-tangent at its East end and that should be shown.
7. I calculate the acreage for Tract OS-2 to be 23.240 acres.
8. I calculate the acreage for Tract OS-1 to be 0.425 acres.
9. I calculate the acreage for Tract R-1 to be 9.859 acres.
10. There are no ties to Tract OS-2 which would allow for its definite location.
11. It should be noted that the right of way for Sylvan Lake Road is variable East of the curve with a delta of 33°45'15".

### **SHEET 4**

1. There is no tie to the Northerly terminus of the drainage easement along the easterly boundary of Tract Y.
2. The drainage easement (hatched area) is only partially defined.
3. The 20' pedestrian easement is not defined.
4. The 10' drainage easement scales 20 feet wide.
5. Where are the northerly termini of the 10' drainage easement? They need to be defined.
6. I calculate the acreage for Tract RMF-1 to be 4.867 acres.
7. The annotation on the line between Tract Y and Tract OS-3 of S15°06'28"W overlays linework and is difficult to read.
8. The annotation on the centerline of the waterline easement of N20°31'14"E 40.00' overlays linework and is difficult to read.
9. The annotation along the line between Tract RMF-2 and Tract Y of S22°19'41"W 158.61' overlays linework and is difficult to read.
10. The easterly terminus of the waterline easement on Whitney Peak Road should have a tie.
11. The tie to the northerly terminus of the metro district drainage easement appears to be incorrect. I calculate 17.95 feet.

### **SHEET 5**

1. See Comment 7, Sheet 3.

## **Starbuck Surveyors**

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2. See Comment 9, Sheet 3, two places on this sheet.
3. See comment 6, Sheet 4.
4. The annotation for the boundary curve with a delta of  $21^{\circ}55'24''$  is shown on Sheet 2 with a delta of  $21^{\circ}55'23''$ .
5. The annotation for the curve on the line between Tract OS-2 and Tract R-1 with a delta of  $27^{\circ}13'48''$  overlays linework and is difficult to read.
6. The curve with a delta of  $27^{\circ}55'24''$  is non-tangential and should be so labelled.
7. In the Curve Table the data for curves CV13, CV14 and CV27 appear to be incorrect.
8. Tracts Y, X and RMF-4 should be labelled.
9. The "See Sheet 5" label should be "See Sheet 8".
10. The easements more or less along the line between Tract Y and Tract RMF-1 should be labelled as to type of easement and width.
11. The annotation along the line between Tract A and Tract Y overlays linework and is difficult to read.
12. It would be helpful if the overall curve data for the curves along Red Peak Road, Alley-1 and Sylvan Lake Road were to be shown.
13. It would be helpful if overall tangent distances for tangents along Red Peak Road, Alley-1 and Sylvan Lake Road were to be shown.
14. The bearing annotation for the line between Tract D and Lot 6 appears to be incorrect.
15. The distance annotation along the southerly line of Lot 8 appears to be incorrect.
16. There is no annotation for the line between Lots 11 and 12.
17. There is no annotation for the line between Lots 12 and 13.
18. There is no tie for the sewer easement where it terminates on the line between Lot 9 and Cross Creek Road.
19. If one starts at Haymaker Circle, the sewer easement does not close on Cross Creek Road.
20. The sewer easement easterly of Cross Creek Road cannot be located. The tie is incorrect.

### **SHEET 6**

1. There is no annotation for the curve between Tracts F and X.
2. It is unclear to what the annotation of  $S24^{\circ}00'33''E$  4.67' pertains.
3. For Tracts F and X, I cannot calculate the individual areas as there is a curve on the boundary between the Tracts which is not annotated and indeterminate as to location.
4. For Tract RMF-1, see Comment 6, Sheet 4.

## **Starbuck Surveyors**

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5. See Comment 2, Sheet 4.
6. There should be a tie to the northerly terminus of the sewer easement on the easterly line of Haymaker Circle.
7. There should be a tie to the northerly terminus of the sewer easement on the westerly line of Haymaker Circle.
8. The annotation for the curve with a delta of  $45^{\circ}00'57''$  and radius of 175.00' overlays linework and is difficult to read.
9. The label "SEE SHEET 6" should be "SEE SHEET 4".

### **SHEET 7**

1. Tract X should be labelled.
2. The label "SEE SHEET 7" should be "SEE SHEET 9".
3. See Comment 2, Sheet 4.
4. I calculate the acreage for Tract Z to be 508.132 acres.

### **SHEET 8**

1. See Comment 20, Sheet 5.
2. For Tract OS-2, see Comment 7, Sheet 3.
3. For Tract R-1, see Comment 9, Sheet 3.
4. For Tract X, see Comment 1, Sheet 6.
5. For Tract Z, see Comment 4, Sheet 7.
6. The curve on the line between Tracts OS-2 and R-1 with a delta of  $8^{\circ}34'11''$  is non-tangential and should be so labelled.
7. The annotation for the temporary access easement of  $S24^{\circ}21'33''$  24.42' overlays linework and is difficult to read.
8. There is no tie for the southerly terminus of the temporary access easement.
9. There is no tie for the northerly terminus of the waterline easement.
10. The waterline easement does not appear to close on Sylvan Lake Road.

### **SHEET 9**

1. The label "SEE SHEET 5" should be "SEE SHEET 6".

# Starbuck Surveyors

0031 Eagle Park East Drive

PO Box 1584

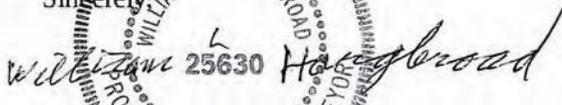
Eagle, Colorado 81637

Telephone (970) 328-7208

2. For Tract Z, see Comment 4, Sheet 7.
3. The easements in Tract OS-3 are neither labelled nor defined.

## SHEET 10

1. The chord distance of 125.02' is shown on Sheet 2 as 125.03'.
2. The easement should be labelled and defined.
3. For Tract Z, see Comment 4, Sheet 7.

Sincerely,  
  
William L. Hargleroad, P.L.S. 25630

