



**Planning & Zoning Commission
Tuesday, January 18, 2022, 6:00 PM
Public Meeting Room / Eagle Town Hall
200 Broadway, Eagle, CO 81631**

ON-LINE MEETING

This agenda and the meetings can be viewed at www.Townofeagle.org.

PUBLIC WIFI - TOEG – townofeagle2019

MEETING ACCESS INFORMATION AND PUBLIC PARTICIPATION

1. This will be a virtual meeting with access via the Zoom link below.

[ACCESS THE ON-LINE MEETING HERE](#)

Please note: All virtual participants are automatically muted. In order to be called upon and unmuted you will need to use the "Raise Hand" from the Reactions tab at the bottom of your screen. When it is your turn to speak, the moderator will unmute your line and you will have three (3) minutes for public comment.

PUBLIC COMMENTS: If you are unable to attend, public comments regarding any items on this agenda can be submitted to the Planning Department at Planning@townofeagle.org and we will do our best to assist you.

For technical difficulties, please email Nikki.Davis@townofeagle.org and we will do our best to assist you.

6:00 PM - REGULAR MEETING CALLED TO ORDER

APPROVAL OF MINUTES *Approval of minutes from the following meeting(s) of the Planning & Zoning Commission.*

1. Minutes dated January 4, 2022

PUBLIC COMMENT

Citizens are invited to comment on any item not on the agenda subject to a public hearing. Please limit your comments to three (3) minutes per person. Those who are speaking are requested to state their name & address for the record.

PUBLIC HEARINGS

1. Project: Haymeadow Design Guidelines
File # DR21-04
Applicant: ABRIKA Properties, LLC
Location Haymeadow Planned Unit Development
Staff Contact: Jessica Lake, Planner I
Request: Request for a Major Development Permit to establish the design guidelines and create a Design Review Committee in the Haymeadow Planned Unit Development (PUD).

2. Project: LLA21-01 Gordon Lot Line Adjustment
File # LLA21-01
Applicant: Stephen & Linda Jean Gordon
Location 82 Silver Spur & 424 Abrams Creek
Staff Contact: Peyton Heitzman, Planner I
Request: To vacate the lot line between lots 40 (82 Silver Spur) and 39 (424 Abrams Creek), consolidating two lots into one lot.
3. Project: DR21-01 & V21-01 Sinclair Station
File # DR21-01 & V21-01
Applicant: Turnipseed AIA Architecture + Construction Inc. representing Ed Oyler
Location 131 Chambers Avenue
Staff Contact: Peyton Heitzman, Planner I
Request: 1) A Minor Development Permit with design variances for a building addition and drive-through window on the southeast side of the existing building and 2) a Zoning Variance for increased impervious surface coverage beyond what is allowed for in the Commercial General zone district.

COMMUNITY DEVELOPMENT DEPARTMENT AND TOWN COUNCIL UPDATE

Staff update to the Planning & Zoning Commission on recent work, upcoming files and decisions made by Town Council.

1. Department and Council Update: January 18, 2022

OPEN DISCUSSION

ADJOURN

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.



Jessica Lake
Planner I



MEETING MINUTES
Planning & Zoning Commission
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200 Broadway, Eagle, CO 81631

ON-LINE MEETING

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PUBLIC WIFI - TOEE – ((TOEEWireless))

MEETING ACCESS INFORMATION AND PUBLIC PARTICIPATION

This was an on-line meeting with access for the public to attend via Zoom.

6:00 PM – REGULAR MEETING CALLED TO ORDER

Chair Hood called the meeting to order at 6:00 PM.

COMMISSIONERS PRESENT

Matt Hood, Bill Nutkins, Jesse Gregg,
Robert Townsend, Kyle Hoiland,
Keegan Winkeller

COMMISSIONERS ABSENT

Lani Webb, Charlie Perkins

STAFF

Chad Phillips – Community Development Director
Dennis Wike – Town Engineer
Peyton Heitzman – Planner I
Nikki Davis - Administrative Tech II

1. Appointment of Chairman and Vice Chairman

MOTION: HOILAND MOTIONED TO REAPPOINT MATT HOOD AS CHAIRMAN AND JESSE GREGG AS VICE CHAIRMAN. MOTION WAS SECONDED BY TOWNSEND AND PASSED WITH A VOTE OF 6 IN FAVOR (HOOD, NUTKINS, GREGG, TOWNSEND, HOILAND, WINKELLER) AND 0 OPPOSED.

APPROVAL OF MINUTES

1. Minutes dated November 16, 2021

MOTION: NUTKINS MOTIONED TO APPROVE THE MINUTES AS AMENDED BY GREGG. MOTION WAS SECONDED BY HOILAND AND PASSED WITH A VOTE OF 5 IN FAVOR (NUTKINS, GREGG, TOWNSEND, HOILAND, WINKELLER) AND 0 OPPOSED. HOOD ABSTAINED.

2. Minutes dated December 7, 2021

MOTION: GREGG MOTIONED TO APPROVE THE MINUTES. MOTION WAS SECONDED BY NUTKINS AND PASSED WITH A VOTE OF 4 IN FAVOR (HOOD, NUTKINS, GREGG, TOWNSEND) AND 0 OPPOSED. HOILAND AND WINKELLER ABSTAINED.

PUBLIC COMMENT

Public comment opened at 6:06 PM. There was no public comment.

PUBLIC HEARINGS

1. Project: 263 Sawatch Road Special Use Permit
File #: SU21-04
Applicant: Richard Patriacca
Location: 263 Sawatch Road
Staff Contact: Peyton Heitzman, Planner I
Request: A Special Use Permit to operate a Contractor's Yard at 263 Sawatch Road.

Staff Presentation

Heitzman presented this file. The property, currently zoned Commercial General, would continue to operate as a contractor's yard if granted the permit. Items such as large commercial vehicles, storage containers, and construction equipment and materials would be stored at the location. Heitzman reviewed the four standards for granting a Special Use Permit. After review, staff determined the application satisfies three of the four standards, noting that standard four is not applicable to this file. As it relates to standard three, which addresses street improvements, traffic volume, vehicles access, and adequate parking, staff included a condition of approval that would limit access from 706 Chambers Avenue to 263 Sawatch Road to emergency response vehicles. Staff also reviewed the file against the Town's zoning standards. To comply with the Outside Storage Standards, Heitzman noted that the front street buffer needs to meet the landscape standards outlined in the Code. Staff included a condition of approval requiring the applicant to meet all landscape standards at time of development permit. Overall, staff recommended approval for the Special Use Permit with eight conditions of approval. Heitzman concluded with a question to the Commission: should the applicant be allowed to proceed with this request considering Resolution 29, Series 2018 which limits extending contractor storage use on the property?

Q & A

Hood asked if there are any legal issues related to the 2018 Resolution. Particularly with condition # 8 which plainly states no further extension of the contractor storage use shall occur after two years from approval or obtaining building permit, whichever happened first. Nutkins recalled that the Commission's intent was to encourage development of that property and prevent the continued use of contractor storage. Hood questioned whether the Planning & Zoning Commission or Town Council were bound to uphold condition # 8 since it is not a requirement of the Land Use Code. Phillips commented that the condition is up for review and can be changed.

Nutkins asked if all eight conditions from Resolution 29, Series 2018 were met; there is a strikethrough over condition # 7. Heitzman replied that some conditions were met while others changed in order to develop buildings in the 700 Chambers Avenue subdivision. However, staff determined that the applicant complied with most of the conditions. Nutkins suggested that if the previous conditions were not met, increased enforcement should be in place this time to

ensure compliance. Heitzman included that the new conditions of approval provide more flexibility. Nutkins observed that the contractor yard is becoming more permanent.

Application Presentation

Ashley Patriacca was the applicant representative. While the applicant is requesting to extend the use of the contractor's yard, Patriacca said they do intend to develop. The Patriaccas purchased this property in 2019 from Mike Dantas and several of the 2018 conditions were met while Dantas was owner. As buildings B & C at 700 Chambers Avenue were constructed, some of the 2018 conditions were changed and the Patriaccas utilized 263 Sawatch Road as contractor's storage. The Patriaccas wish to continue storing contractor equipment here until this location is ready to be developed. However, the current challenge is getting a detention pond engineered. Further build out of the lot would also include parking and a recreational area. The applicant continues to work with the Town's engineering department, however, obtaining their approval is taking time. With the ongoing setbacks from COVID-19, the applicant is concerned that the Special Use Permit's two-year limit may not allow them enough time to complete both the development and building permit process.

Heitzman confirmed that a different Special Use Permit was granted in 2020 with a condition that prevents the applicant from moving forward with a development permit for both 263 and 483 Sawatch Road until plans are established for the detention pond.

Q & A

Nutkins asked if there are two overlaying Special Use Permits and Heitzman confirmed, yes.

Gregg asked if the Resolutions expire along with the Special Use Permits or if they extend beyond with the permit is approved for. Heitzman replied the Resolutions serve as the Special Use Permit which is a formal approval from Town Council.

Hood asked if residents have complained about the project. Both Heitzman and Patriacca verified that no complaints have been received.

Public Comment

Public comment opened at 6:34 PM. There was no public comment.

Discussion

Nutkins asserted that the continued use of the contractor's yard is becoming long-term, and the Commission needs to be diligent about holding the applicant to screening standards. Townsend agreed stating this use has been occurring since 2012 and that the property owner is currently in violation, utilizing the property with expired Special Use Permits. Townsend echoed that through enforcement, the conditions should be met in a timely manner.

Gregg agreed that the applicant meets all standards, though the property should now include permanent landscaping since the use is becoming more permanent. The lot should be screened on the north side while the berm is satisfactory on the south side.

Hood acknowledged the applicant's steady progress of developing the parcels. Screening and separation should be a priority for the nearby residents. Hood also expressed that it may not be necessary to include a condition for permanent irrigation that will be torn out at development. Townsend asked if the applicant could install landscaping in the front buffer that won't be torn out at development. Patriacca replied they would know more once plans are finalized.

MOTION: TOWNSEND MOTIONED TO RECOMMEND APPROVE OF FILE # SU21-04 263 SAWATCH CONTRACTORY YARD WITH CONDITIONS BASED ON THE FOLLOWING FINDING: THE FILE # SU21-04 263 SAWATCH CONTRACTOR YARD IS IN CONFORMANCE WITH SECTION 4.05.010 OF THE LAND USE AND DEVELOPMENT CODE AND THE ELEVATE EAGLE COMPREHENSIVE PLAN WITH THE EIGHT CONDITIONS OF APPROVAL AS OUTLINED IN THE STAFF REPORT. MOTION WAS SECONDED BY HOILAND AND PASSED WITH A VOTE OF 6 IN FAVOR (HOOD, NUTKINS, GREGG, TOWNSEND, HOILAND, WINKELLER) AND 0 OPPOSED.

Chair Hood closed file SU21-04.

2. Project: 435 Eby Creek Road Rezone
 File #: RZ21-03
 Applicant: David Nudell on behalf of PITW LLC
 Location: 435 Eby Creek Road
 Staff Contact: Peyton Heitzman, Planner I
 Request: The Applicant seeks approval to rezone a parcel from Commercial General to Residential Multi-Family.

Staff Presentation

Heitzman presented this file and reviewed the four conditions for rezoning. Staff believes the proposed residential use is compatible with surrounding residential properties. There are also commercial uses surrounding the property, however, none were determined to be incompatible. Staff also determined that the current zoning is inconsistent with the Town's Future Land Use Map (FLUM). Furthermore, staff believes the proposed rezoning better meets the needs of the community by promoting more housing opportunities. Heitzman noted that condition # 4 was not applicable since the rezoning is not incidental to a comprehensive revision of the Town's zoning map. Heitzman concluded with staff's recommendation for approval.

Application Presentation

David Nudell spoke briefly. He believes the recent efforts are compatible with the Elevate Eagle Comprehensive Plan and FLUM. The project would be a great addition to the Town's and the Valley's housing stock.

Q & A

There were no questions for staff or the applicant.

Public Comment

Public comment opened at 6:51 PM. There was no public comment.

Discussion

Nutkins voiced his support of the proposed zoning change and agreed this is compatible with The House and other nearby residential areas.

Gregg questioned standard # 3, asking how the area has changed substantially. Hood replied the recent changes made to the FLUM are considered significant. Gregg commented that purely residential was not what he envisioned for mixed

use designation, but it fits into the neighborhood. He thought there would be a commercial component, but it may not make sense at this location. Winkeller agreed with this observation, but also voiced his support.

Hoiland encouraged the applicant to connect with Brian Wodrich of Colorado Parks & Wildlife (CPW). Wodrich is a local wildlife official and one of his concerns is the reduction of wildlife corridors.

Hood also expressed his support. Hood included that when the FLUM was changed to include mixed use, that amendment was intended to offer more flexibility. This project, especially at this location, is aligned with the Comprehensive Plan.

MOTION: HOILAND MOTIONED TO RECOMMEND APPROVAL OF FILE # RZ21-03 REZONING 435 EBY CREEK ROAD WITH NO CONDITIONS, BASED ON THE FOLLOWING FINDINGS: THE APPLICATION MEETS THE REQUIREMENTS OF TITLE 4 OF THE LAND USE AND DEVELOPMENT CODE AND IS IN CONFORMANCE WITH THE ELEVATE EAGLE COMPREHENSIVE PLAN. MOTION WAS SECONDED BY WINKELLER AND PASSED WITH A VOTE OF 6 IN FAVOR (HOOD, NUTKINS, GREGG, TOWNSEND, HOILAND, WINKELLER) AND 0 OPPOSED.

Chair Hood closed file RZ21-03.

OPEN DISCUSSION

The annual 12th Night Christmas tree bonfire has been cancelled due to rising COVID-19 exposure concerns.

ADJOURN

MOTION: NUTKINS MOTIONED TO ADJOURN. THE MOTION WAS SECONDED AND PASSED WITH A VOTE OF 6 IN FAVOR (HOOD, NUTKINS, GREGG, TOWNSEND, HOILAND, WINKELLER) AND 0 OPPOSED.

MEETING ADJOURNED AT 7:00 PM.

APPROVED:

DATE:

Matthew Hood, Chairman

Nikki Davis, Administrative Tech II



STAFF REPORT AND CERTIFICATE OF RECOMMENDATION

TO: Planning & Zoning Commission

FROM: Community Development Department

DATE: January 18, 2022

FILE NUMBER: DR21-04

PROJECT: Haymeadow Design Guidelines

REQUEST: Request for a Major Development Permit to establish the design guidelines and create a Design Review Committee in the Haymeadow Planned Unit Development (PUD).

APPLICANT: ABRIKA Properties, LLC

LOCATION: Haymeadow Planned Unit Development

CODE: Chapter 4.06 Development Review
Chapter 4.07 Development Standards

ZONING: Planned Unit Development (PUD) Zone District

EXHIBITS:

- A: Project Narrative
- B: Design Guidelines
- C: Haymeadow PUD Guide ([LINK](#))
- D: Streetscape Design Guidelines ([LINK](#))
- E: Resolution 12-2014 Annexation and Development Agreement ([LINK](#))

PUBLIC COMMENT: Staff has not received any letters of public comment as of January 14, 2022. Letters received after this time will be gathered and entered into the public record at the hearing.

STAFF: Jessica Lake, Planner I, jessica.lake@townofeagle.org

INTRODUCTION

Section 1.10. of the Haymeadow Annexation and Development Agreement (ADA) requires Haymeadow to submit *Design Guidelines to the Town for review and approval by the Town Board using the process identified in Section 4.06.060 of the Municipal Code for Major Development Permit Review*. Haymeadow submitted an application to the Town on October 29, 2021 for review of the Design Guidelines (Guidelines) according to the process as determined by the ADA. Planning, Public Works and Building have all reviewed the Guidelines for conformance with the Town’s Regulations, Goals, Policies, Plans, and the Haymeadow PUD Guide. The PUD Guide also requires that the Guidelines be reviewed and approved by the Town prior to any vertical development within the PUD. An application for vertical development in Haymeadow must go through the design review process developed by Haymeadow prior to any submittals to the Town.

During the 2018 Subdivision Review of Haymeadow, the Streetscape Design Guidelines were reviewed and approved. These streetscape guidelines work with the Guidelines to ensure a comprehensive design throughout the PUD. The Streetscape Design Guidelines are attached via a link for general review purposes.

The Guidelines include general architectural requirements for both single family/duplex and multifamily homes. Section 4 establishes specific architectural design requirements and includes foundations and retaining walls, exterior walls and finishes, doors and windows, garages and doors, balconies, porches, stairs and railings, exterior colors, exterior light fixtures, exterior equipment, utilities, meters, ac units, and fireplaces and fire pits. Section 5 includes elements related to site planning and landscape design. Section 6 establishes the design review process and Section 7 outlines the organization, duties, responsibilities and authority of the Design Review Committee (DRC). Section 8 is the final section and speaks to construction regulations, inspections, and changes.

ISSUES FOR DISCUSSION

1. Are there any designs shown in the Guidelines that do not “blend appropriately with the character and scale of surrounding neighborhoods”?

STANDARDS FOR MAJOR DEVELOPMENT PERMIT

[Section 4.06.070.D.1.](#)

STANDARD #1: *The proposed development complies with the Town’s ordinances, regulations, goals, policies and plans and that any adverse impacts resulting from the proposed development will be reasonably and adequately mitigated by the applicant to minimize such impacts.*

Staff Comment: The Guidelines comply with the Town’s ordinances, regulations, goals, policies and plans and staff has not identified any adverse impacts. Below staff has reviewed the Guidelines against the Elevate Eagle Comprehensive Plan for general conformance.

The Haymeadow PUD Guide provides the zoning regulations for the Haymeadow PUD. The Town is responsible for enforcing the PUD Guide. The Haymeadow Design Review Committee (DRC) will have the responsibility of enforcing the Guidelines.

Staff has reviewed the Guidelines against the relevant sections in the PUD Guide and finds conformance with the PUD Guide. This is an important element of the review process as the Town has responsibility for administering and enforcing of the PUD Guide and the DRC has responsibility for administering and enforcing the Guidelines. The Guidelines are a dynamic document that may be modified by the DRC in the future. As modifications happen, contradictions between the two documents may arise potentially resulting in a strained relationship between the Town and the DRC. The Guidelines do include information on Administration, Changes, Supplemental, Conflicts and Future Updates; which should help minimize future conflicts between the Guidelines and the PUD Guide.

[Section 4.06.020.B.](#)

STANDARD #1: *The proposed development is in conformance with the provisions of Chapter 4.07.*

Staff Comment: As the Guidelines are part of a PUD and are administered and enforced by the Design Review Committee, they do not need to conform with the provisions of [Chapter 4.07](#). However, the elements found under Chapter 4.07 Development Standards should be included in these Guidelines. Lighting standards, landscape standards, erosion and sediment control and general architectural standards are found to be both in the regulations and in the Guidelines (or in the Streetscape Design Guidelines).

The 2021 Comprehensive Plan (Plan) generally provides the goals, policies and plans for the Town. The Future Land Use Map designates the property as Residential, Public/Institutional and Open Space. The property also falls within the Brush Creek Character Area. The goals and policies for this area are:



2021 Comprehensive Plan:

Policy 1-1.1. Ensure a healthy mix of housing types and densities (e.g. Single-family, duplex, multifamily, mixed use, and accessory dwelling units) to allow for greater diversity.

Staff Comment: The Guidelines and the PUD Guide allow for and describe a variety of housing types, such as single-family, duplex, multifamily and ADU's.

Policy 2-3.3. Ensure new development builds upon and adds value to Eagle's unique community character through adherence to high quality standards of design and construction.

- a. Ensure residential infill and redevelopment blend appropriately with the character and scale of surrounding neighborhoods.

Goal 2-4. Connect Eagle's unique neighborhoods physically and visually through a walkable and trail-oriented environment with high-quality wayfinding.

Staff Comment: The Guidelines do adhere to high quality standards of design and construction, through requiring design professionals on new residential and encouraging green and high-level building practices throughout. Haymeadow has taken some design cues from the surrounding neighborhoods, like Soleil and Mountain Recreation, such as off-set shed roofs and a “mountain modern” aesthetic. The “ranch” style home is also encouraged to duplicate the original structures on the property. In terms of scale, the surrounding neighborhoods include both single family and multifamily housing. Nearby multifamily homes include the Brush Creek Village Townhomes and the Soleil Homes duplexes.

Policy 2-8.1. Support and preserve the attributes and quality of the “country lane” experience along Brush Creek Road.

Policy 2-8.2. Encourage clustering to balance conservation and development objectives so that wildlife habitat, views and sensitive environmental areas are preserved.

Policy 2-8.3. Large developments should provide for neighborhood connections setback significantly from Brush Creek Road to allow for a continued “country lane” experience.

Policy 2-8.4. New development should create connections to existing trails and pedestrian areas within the Brush Creek character area, where appropriate.

Policy 2-8.5. Enhance multi-modal and pedestrian connectivity within the Brush Creek Character Area.

Staff Comment: This section is more supported by the PUD Guide than by the Guidelines, but the Guidelines also support the PUD by encouraging clustering. The streets in Haymeadow are setback from Brush Creek Road and a strong buffer is present between Brush Creek Road and the Haymeadow neighborhoods. Haymeadow has proposed an internal trail network that will connect to existing Town trails outside of the development.

Policy 3-3.1. Ensure residents have access to recreation amenities.

Staff Comment: This policy is also supported primarily by the PUD Guide and Streetscape Guidelines, but trails and parks will be created throughout Haymeadow, ensuring that residents will have access to a variety of recreation amenities (Mountain Recreation facilities are also nearby).

Policy 4-3.1. Enhance or create a tree canopy in new development areas or existing urban areas where tree cover is lacking.

Policy 4-3.2. Promote energy efficient designs and building codes that encourage energy conscious lifestyles and reduce overall energy consumption.

- a. Encourage all construction efforts to utilize green building practices.

Staff Comment: Haymeadow currently does not include many trees, but as development begins and progresses, trees and tree canopies will be included throughout the property. Section 5 of the Guidelines includes information on Right-of-Way (ROW) Landscaping and references the Streetscapes



Guidelines, willow tree corridors are also shown on the approved Development Plan for Haymeadow. The Guidelines strongly encourage energy efficient designs and green building practices throughout the multifamily and single family neighborhoods.

STAFF RECOMMENDATION

Staff recommends APPROVAL of DR21-04 Haymeadow Design Guidelines based on conformance with Chapters 4.06 and 4.07 of the Municipal Code and the Haymeadow PUD Guide.

PLANNING AND ZONING COMMISSION POTENTIAL MOTIONS

Below are the Planning and Zoning Commission options related to file #DR21-04:

1. Recommend approval with no conditions.
2. Recommend approval with conditions.
3. Continue (table) the application:
(Provide staff and the application detail regarding information needed for a decision).
4. Recommend denial:
(Cite all Code sections and/or Plan policies that resulted in motion for denial).

FINDING OF FACT

That the application is in conformance with Chapters 4.06 and 4.07 of the Land Use and Development Code, the Haymeadow PUD Guide and with the 2021 Comprehensive Plan.

Haymeadow Design Guidelines

Development Permit review

Application Narrative

The Haymeadow PUD Preliminary Plan was formally approved in 2014. One of the key Haymeadow documents is the PUD Guide, which serves as the governing land use regulation for Haymeadow. The PUD Guide details and defines the development standards that guide the various designated uses of the PUD Development Plan. This includes development standards such as allowable uses, setbacks, heights, lot coverages and density. The PUD Guide also gives general direction to future elements of the Haymeadow. One of these areas of the PUD Guide is Chapter 6, which describes the overall design intent of Haymeadow and requires that prior to any vertical development within Haymeadow that a detailed set of architectural and landscape design guidelines shall be reviewed and approved by the Town of Eagle.

This application presents the draft of the Haymeadow Design Guidelines for review by the Town of Eagle. The application will follow the Town of Eagle Code procedures outlined for a Development Permit Review.

This project narrative summarizes the governing framework, provides a brief explanation of how the draft Design Guidelines comply with the Haymeadow PUD Guide and with the Town's goals policies and plans and addresses the review procedure for this application.

In 2020 as a part of the initial final plat review that included the design and construction of the public improvements that are now in place a Streetscape Design Guideline document was reviewed and approved by the town. These streetscape guidelines describe the landscape and lighting design for the public street right-of ways within Haymeadow. The final Design Guidelines document will incorporate or reference the approved Streetscape Design Guidelines document.

The draft Haymeadow Design Guidelines are constructed and will function similar to the design guidelines of most major PUD's and community neighborhoods. The Haymeadow Master Association and the Design Review Committee shall be responsible for the management, implementation and enforcement of the design guidelines. The Haymeadow Master Association has the right and responsibility to adopt the design guidelines and the Developer initially has the right to designate a design review committee, which will later become the responsibility of the Haymeadow Master Association as outlined in the Declarations. The design review committee and their staff, if and when appropriate, will manage the design review process as outlined in the guidelines. All improvements within the PUD shall be required to receive design approval. The PUD Guide requires design approval prior to the Town of Eagle issuance of any building or grading permit. Should the design review committee cease to fulfill its responsibilities the PUD Guide authorizes the Town of Eagle to assume the role.

The PUD Guide provides a basic outline of the design concepts for Haymeadow. The design concept for Haymeadow is to create a series of pedestrian friendly, walkable well connected neighborhoods with a strong streetscape to frame the residential development. In the more dense neighborhoods, closest to the town core, the single family neighborhoods are described as having relatively narrow lots, recessed garages and a well-established front porch element. As development progresses to the less dense neighborhoods this design layout may become more relaxed. Multi-family residential should respect the streetscape while orienting to courtyards and open space access in a less formal arrangement.

The guidance for this design includes all of the PUD control documents and starts with PUD Guide which details the building setbacks that require recessed garages and prominent front porch elements. The subdivision final plats then lay out the streets, lots, parks and open space areas and detail the streetscape design. The Haymeadow Filing 1 Final Plat initiated these concepts with the streetscape plantings, the sidewalk, paths and alleys, with the narrow single family and duplex lot layouts and the multi-family parcel layouts.

The design guidelines then fill in detail on architectural appearance, shape, mass, materials and colors. The PUD Guide section on design states that the intended feel of Haymeadow 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.”

The PUD Guide states that this will be assured by establishing 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 broad 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 features, maximizes vistas, privacy and addresses energy usage;
- f. Utilize forms and materials that honor the sites cultural history.

The draft design guidelines have been written to address all of these standards and are in compliance with the direction of the PUD Guide. The general gist of the guidelines is to create architecture that respects both the simple and additive forms of western slope architecture while allowing for the evolution of the design style, materials and palettes.

As a Development Permit review, the guidelines should, to the extent applicable, meet the Goals and Policies of the Town of Eagle, as articulated in the Elevate Eagle Comprehensive Plan.

Applicable goals and policies found in the plan include:

Goal 1-1, Promote a wide range of attainable housing opportunities...

Goal 1-1.1, Ensure a healthy mix of housing types and densities...

Goal 1-1.3, Stimulate the creation of workforce housing through town policies, incentives, and regulatory procedures...

Goal 2-3.3, Ensure new development builds upon and adds value to Eagle's unique community character through adherence to high quality standards of design...

Goal 2.4, Connect Eagle's unique neighborhoods physically and visually through a walkable and trail-oriented environment...

Goal 2.8 and each sub-goal beneath 2.8, Policies for the Brush creek Character Area....

Goal 4.3 through 4.3.4, Support and Demonstrate Sustainability....

We believe the draft design guidelines address and implement, to the degree applicable for a set of design guidelines, these above listed goals and policies of the Elevate Eagle plan.

As a draft set of guidelines proposed for town review, we understand there are formatting, grammatical and design detail graphics and elements that are still under internal review. We are not expecting or asking the town to review the guidelines to that level of detail. We believe the town staff and officials will and should review the overall content and structure of these guidelines for compliance with the PUD and the town goals and policies.



Design Guidelines

January 11, 2021

DRAFT

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1. Purpose and Intent of Design Guidelines

Purpose and Intent. The Haymeadow (HM) Master Design Guidelines (guidelines) have been created to ensure that all improvements at HM reflect the natural beauty of the Brush Creek Valley setting, ensure harmonious residential design, and protect and enhance property values. The architecture will both integrate with and enhance the beauty of the Town of Eagle and the Brush Creek Valley. The guidelines are intended for use by all persons and entities involved in any improvements within Haymeadow. All new buildings or landscapes, as well as subsequent additions or alterations to any property or improvements in Haymeadow must be reviewed and approved in accordance with the provisions of these guidelines.

The Haymeadow community has been designed to include a series of individual yet interconnected neighborhoods supported by a school site, large park and recreation areas, a comprehensive, integrated pedestrian and bicycle trail system, and the preservation of key areas of open space. This framework of roads, trails, parks and open space creates an organized layout of neighborhoods and community uses. The concepts of livability, sense of place, community and compact, walkable neighborhoods are important elements of the overall Haymeadow plan and will be reflected in the guidelines.

The site design for Haymeadow, and for Neighborhood A in particular, is to create pedestrian friendly, walkable, well-connected neighborhoods. The streetscape plan includes a wide planting strip with street trees and sidewalks along both sides of the street to frame the residential development. In the single family and duplex neighborhoods, recessed garages and a well-established front porch element will create a strong neighborhood pattern. As development progresses into Neighborhoods A1, B, C and D the densities decrease and the narrow lot pattern and streetscape design may become more relaxed.

Haymeadow provides a wide range of housing choices within this series of neighborhoods. These guidelines will encourage a diversity of design that also fosters an overall unified and harmonious community. The overall architectural design is inspired by the natural materials and simple gathered forms of the surrounding historic Western Slope of Colorado mountain architecture. 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 earth colored stucco, timbers and stained wood sidings will give 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. An understanding and respect for the beauty of the site, as well as an understanding of the area's history and climate, will provide the keys to the successful design of new buildings and landscapes at Haymeadow.

Any and all exterior improvements must have approval from the DRC, and as required approval from the Town of Eagle prior to commencement of construction.

Administration. The Guidelines are administered and enforced by the Design Review Committee (DRC) in accordance with procedures set forth in this document and Covenants for Haymeadow (covenants). The DRC's role is to provide guidance to owners and their design professionals.

Changes. This document may be amended and supplemented by the DRC with the ratification of the Haymeadow Master Association (HMMA) Executive Board (Board).

Supplemental. The Design Guidelines are supplemental to the Town of Eagle's Building Codes, the Haymeadow PUD Guide, and the Master Declaration of Protective Covenants for Haymeadow, as may be amended from time to time. The owner and their chosen consultant(s) should carefully review the Covenants and the Haymeadow PUD Guide, as well as all pertinent Town of Eagle codes and regulations, prior to commencing the design review process.

Conflicts. In the event of any conflict between these guidelines and other documents or authorities, the more restrictive shall govern and control. Unless the conflict arises from amended documents, then the most current amendment shall govern and control.

Quality and Features. The strengths of the property are the openness of the valley and the views to the surrounding mountains as well as the interconnected neighborhoods through an integrated trail system with the preservation of key open space areas. Haymeadow has been designed to recreate the classic living environment for the Eagle River Valley for today's lifestyles by including:

- Traditional friendly neighborhoods.
- Rancher's sense of living close to the land.
- Long views to mountain skylines
- A sense of community created by a group of families that have sought out this spectacular natural setting and the lifestyle accompanying it.

Visual Harmony. The design of the homes in Haymeadow should work together to create a tapestry of compatible architectural solutions: no individual multi-family building or residence should stand so apart in its design as to detract from the visual harmony of the community.

Sustainable Design. Sustainable design will be a significant review point by the DRC in all applications. Sustainable design systems and technologies are dynamic and evolve rapidly. The DRC will expect applicants to incorporate cost-efficient technologies and practices to minimize & optimize non-renewable energy systems when possible. Such systems should be incorporated into the architecture so that they are aesthetically pleasing.

Location and orientation. Building sites provide for the optimization of views to key elements of the landscape. Those view opportunities should be an important organizing factor in the architectural design.

Future Updates. From time to time, the DRC will revise these guidelines, as it deems necessary to strengthen their ability to realize the original intent of the guidelines or to respond to changing construction technologies and market conditions. In the event these guidelines are revised property owners should expect that some existing homes in the community would not be approved under the then current guidelines.

Licensed Professionals Required. It is required that the owner retain competent assistance from an architect licensed in Colorado and a landscape professional and licensed surveyor for all major improvements or new custom homes. All plans submitted for DRC final approval shall be stamped and signed by the architect. A topographical survey shall be signed and stamped by the surveyor. Additional assistance from other licensed design professionals such as a civil engineer is also recommended. It is also

recommended that the owner of a lot commission a specific soils test for the proposed homesite prior to engaging the architect or structural engineer.

Minor Improvements: Projects listed here as minor improvements do not require licensed professionals assistance in getting DRC final approval, however all minor improvements still require DRC approval. Minor improvements included items such as, but not limited to, roofs, fences, window or door revision/replacements, painting or staining the exterior of the building, other minor alterations to the exterior of the building or solar. The DRC shall have final authority to determine whether a Project constitutes only minor improvements.

1.1 DRC Capacity to Interpret Guidelines

Interpretations by DRC. By their nature, these guidelines are largely subjective. The DRC has broad capacity to interpret both qualitative and quantitative requirements to ensure that the intent of the guidelines is realized in the architecture of homes at Haymeadow. The DRC is charged with the preservation of quality and value of homes and properties at Haymeadow.

Design Review Process. The DRC and staff work hard to provide an efficient and friendly review process. It will, however, be strong in its enforcement of these guidelines and the realization of their authority and intent. Applicants are asked to share the same positive approach in working with the DRC. This is particularly important in the process of discussing attributes of proposed designs that the DRC feels need to be changed to achieve the quality and spirit of Haymeadow.



Photo showing key features for single-family home design standards

- Mountain Modern vocabulary
- Two (2) distinct building masses
- Cascading roofs with primary gable roof elements

2. Single Family and Duplex - General Architectural Design Requirements

2.1 **Design Appropriate to the Site:** Buildings are to be designed such that they appear to fit into the site instead of just sitting on top of it. To accomplish this goal, buildings must follow topographic changes using stepped floor levels or details on the exterior of the home that give the appearance that the building steps up or down where appropriate. This is particularly important for the hillside lots on the property. While it is required that building masses follow natural site contours, nothing in these guidelines shall prohibit a single floor level, provided that the building height, massing and grading guidelines are met. The DRC may require, in such a case, that the exterior detailing of the building reflect changes in contour through changes in siding materials and details.

Image #1: Stepped floor plan across the street elevation of the house.



Image #2: Image of walkout basement driven by sloping site.



2.2 **Non-Repetition:** In general, each custom home at Haymeadow must be unique. Floor plans may not be re-used with an exception for developers who are building an entire enclave or street that is separate from any custom home neighborhoods. Such arrangements must be worked out prior to the beginning of construction within the community.

2.3 **Developer Built Enclaves:** A “develop built enclave” is defined as any unified project of residence constructed or to be constructed by one party for retail sale to homeowners. Developer shall submit a site plan for the complete enclave or street for DRC review. When reusing a floor plan, the developer is encouraged to mirror or flip the floor plan, adjust the roof lines when possible, and/or use different exterior finishes to differentiate between the appearance of neighboring buildings.

2.4 **Resource Conservation:** All homes at Haymeadow are required to be constructed in compliance with Town of Eagle’s Efficient Building ordinance.

2.5 **Passive Energy and Recycled Materials:** Haymeadow encourages the use of appropriate passive energy technologies and the utilization of products made from recycled materials. The DRC will actively support the use of additional resource conservation measures in the design of all new homes in ways that are compatible with the intent of the Master Design Guidelines.

2.6 **Building Height:** The maximum vertical rise from the lowest grade on the perimeter of the building to the highest point of the building. Grade shall be from the finished grade. The perimeter of the building shall include any and all attached decks. An additional 10’ over and above the maximum height will be allowed for deck piers (see illustration). Antennae (except those exempted from federal regulations), chimneys, flues, vents and similar unoccupied appurtenances shall not extend over five feet (5’) above the maximum height limit. Those unoccupied appurtenances on the roof shall not exceed five percent (5%) of building footprint area.

- a. Residential Single Family/Duplex: 35 ft.

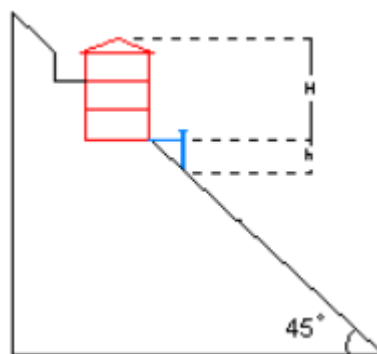


Image clarification for building height definition

2.7 **Single story buildings:** Are allowed in single family neighborhoods. Roof forms must follow requirements of the Master Design Guidelines, roofs must be broken into a minimum of two roof forms with additive and descending roof elements. Single story single family residences adjacent to another single story residence must have different roof forms. Creative design solutions which seek to maximize views from within each home and the surrounding neighborhood will be considered by the DRC.

2.8 Setbacks/Building siting

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. 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.

e. Neighborhood D:

- a. Front: 25 feet
- b. Side: 15 feet
- c. Rear: 20 feet.

2.9 Single family and duplex maximum lot coverage:

a. Neighborhoods A1, A2, B, & C

1. Building 40%
2. All impervious materials - 60%
 - i. Impervious material coverage includes paving, concrete walkways/patios, building footprint. Excluding wood decks.

b. Neighborhoods D

1. Building 30%
2. All impervious materials - 50%

2.10 Building Mass and Form: Buildings must be residential in scale and preferably asymmetrical in form. Exterior volumes should express the nature and organization of interior spaces to provide articulation of walls and roofs. In order to guarantee the articulation of multiple masses within each building, a minimum of at least two distinct masses are required on each home when site grading allows. The exemption on two distinct building masses are when steep site grading requires tuck under parking or garden level walkouts. Building elements such as walls and roofs and roof ridges cannot have an unbroken horizontal length greater than 30 feet, not including distance required for roof overhangs. Exterior elevations may not exceed two-stories in height without some form of set-back, projection or other architectural elements that create visual relief. Similarly, elements that create long horizontal wall planes such as unbroken materials/wainscots are not permitted in single family building forms.



2.11 Roof Forms: Homes should be designed such that they appear to "cascade" from a higher mass to lower volumes at the perimeter.



Image example for cascading roof forms.

2.12 **Building Projections:** The use of porches, courtyards, and patios for climate control and/or outdoor living and circulation is encouraged. Such projections must be designed as integral elements of the building using compatible forms and materials.

2.13 **Building Projections into setbacks:** The PUD Guide established at 30” projection into setbacks for bay windows and roof eaves. Additionally, the Town of Eagle allows certain "architectural projections to exceed the limits of the building setbacks." These are reviewed by the Town Community Development Department and typically include roof overhangs, balconies and porches. Check with the Town to determine what will be acceptable for determining a final design that includes projections into building setbacks. Elements that extend into the building setbacks are also subject to review and approval by the DRC which is directed to make determinations based on both the overall scale of the home and the impact of the projection on neighboring properties.

2.14 **Ancillary Structures:** Garages, storage sheds, guest wings, caretaker units, etc. are to be designed as integral parts or extensions of the main building in terms of material and color, even if they are physically separated. In all cases, they are required to be secondary in scale to the primary structure. The DRC has wide latitude to make decisions regarding subjective questions about the appropriateness of the design of ancillary structures. Construction can be phased but the primary component of the home must be completed first. Accessory Dwelling Units (ADUs) may not be constructed in advance of the main house.

2.15 **Garden Level Basements:** Garden level basements are allowed on hillside home sites that have the existing topography to accommodate exposed garden levels. The home is to appear that it steps up or down per the topography.

2.16 **Other Design Features of Importance:**

- Typical ranch house building forms with additive building elements like covered porches, garages, and connector elements are encouraged.
- Houses designed to optimize views and utilize natural features found on-site.
- An architectural vocabulary that emphasizes a ranch house heritage with a modern interpretation.
- Exterior surfaces that harmonize with the natural landscape as well as provide an outer skin that will withstand the climate extremes.
- Natural, stained, integrated/manufactured and painted finishes are encouraged to create distinctive homes/neighborhoods.
- Unfenced front yards.

3. Multifamily - General Architectural Design Requirements

3.1 **Definition of Multifamily:** Any building with three or more units.

3.2 **Design Appropriate to the Site:** Buildings should generally be designed such that they appear to fit into the site instead of just sitting on top of it. To accomplish this goal, buildings must follow topographic changes using stepped floor levels or details on the exterior of the building that give the appearance that the building steps up or down where appropriate. This is particularly important for the hillside lots on the property. While it is required that building masses follow natural site contours, nothing in these guidelines shall prohibit a single floor level, provided that the building height, massing and grading guidelines are met. The DRC may require, in such a case, that the exterior detailing of the building reflect changes in contour through changes in siding materials and details.

3.3 **Resource Conservation:** All multi family buildings at Haymeadow are required to be constructed in compliance with Town of Eagle's Efficient Builder ordinance.

3.4 **Building Height:** The maximum vertical rise from the lowest grade on the perimeter of the building to the highest point of the building. Grade shall be from the finished grade. The perimeter of the building shall include any and all attached decks. An additional 10' over and above the maximum height will be allowed for deck piers (see illustration). Antennae (except those exempted from federal regulations), chimneys, flues, vents and similar unoccupied appurtenances shall not extend over five feet (5') above the maximum height limit. Those unoccupied appurtenances on the roof shall not exceed five percent (5%) of building footprint area.

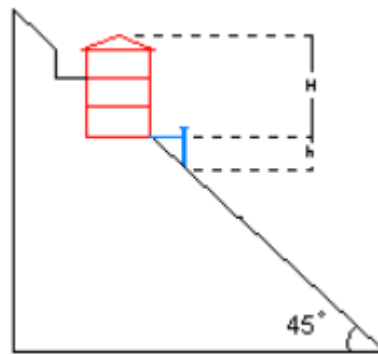


Image clarification for building height definition

a. Residential Multi-Family: 40 ft.

3.5 Setbacks/building siting

- a. 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

3.6 Residential Multi-Family Maximum Lot Coverage:

1. Building 60%
2. All impervious materials - 70%
 - i. Impervious material coverage includes paving, concrete walkways/patios, building footprint. Excluding wood decks.

3.7 Building Mass and Form: Multi family and townhome building massing and roof forms are to be reminiscent of mountain lodge and historic mountain mercantile town architecture with an interpretation of modern architectural elements. Building elements such as walls and roofs can have continuous wall lengths greater than 45 feet, but architectural elements to break up unbroken wall lengths are encouraged.

3.8 Roof Forms: Multi Family and Townhome roof forms shall follow similar roof forms of Single Family homes but are allowed to have shallow roof pitches and flat roof elements. Roof forms for Multi Family and Townhome building must be additive in nature and shall have cascading roof and wall elements to break down the massing of the taller wall elements. Flat roof structures must have special roof elements like towers, cupolas, chimneys, etc to hide long lengths of flat roof parapets.

3.9 Upper Floors: Multifamily projects may have second and third floor equal to the ground floor square footage.

3.10 Building Projections: The use of porches, courtyards, and patios for climate control and/or outdoor living and circulation is encouraged. Such projections must be designed as integral elements of the building using compatible forms and materials.

3.11 Building Projections into setbacks: The PUD Guide established at 30" projection into setbacks for bay windows and roof eaves. Additionally, the Town of Eagle allows certain "architectural projections to exceed the limits of the building setbacks." These are reviewed by the Town Community Development Department and typically include roof overhangs, balconies and porches. Check with the Town to determine what will be acceptable for determining a final design that includes projections into building setbacks. Elements that extend into the building setbacks are also subject to review and approval by the DRC which is directed to make determinations based on both the overall scale of the home and the impact of the projection on neighboring properties.

3.12 Ancillary Structures: All multifamily parcels are only allowed to have trash, water service, pool equipment and recycling outbuildings. Within multifamily development parcels, there may be park amenities, shelters, bathrooms, common community buildings, garages/carports, and common HOA storage buildings. Ancillary Structure's architecture must complement the architecture of the principal building structure. Building materials of the ancillary structure must be of similar materials and percentage of material.

3.13 Garden Level Basements: "Garden level" basements are to be designed such that they appear to fit into the site. To accomplish this goal, buildings must follow topographic changes using stepped floor levels or details on the exterior of the building that give the appearance that the building steps up or down where appropriate. This is particularly important for the hillside developed areas of the property lots on the property.

3.14 Other Design Features of Importance:

- An architectural vocabulary that emphasizes a Western Slope mountain architecture or hunting/ranch lodge heritage with a modern interpretation.
- Multi family buildings are designed to optimize views from individual units, while being sensitive to adjacent buildings and homes to maintain mountain views.
- Exterior surfaces that harmonize with the natural landscape as well as provide an outer skin that will withstand the climate extremes.
- Natural, stained, integrated/manufactured and painted finishes are encouraged to create distinctive homes buildings/neighborhoods.

4. Specific Architectural Design Requirements

4.1 **Roofs:** Roofs potentially have the greatest impact upon the overall image of Haymeadow from many public viewpoints, community spaces and individual lots. For that reason, roof design will be one of the most carefully considered elements for design review by the DRC.

4.2 **Key Design Features:** The roof pitches, forms, color, texture and reflectivity are all key design considerations to ensure minimal visual impact. Internal volumes and groups of uses within the building should be expressed by changes in roof planes. The design of roofs should consider snow accumulation and shedding. Entryways, garages and pedestrian areas should be protected from potential snow shedding.



4.3 **Roof Forms:** A simple pattern of primary and secondary roof forms, dormers and a limited palette of materials and colors are the primary characteristics of acceptable roof forms. Gable roof forms are to be primary elements in the design. Hip roof forms with dormers and limited shed roofs are to be used as secondary elements in the design. Large unbroken expanses of single pitched roof, flat and mansard roof forms are prohibited.

4.4 **Ridge lines and roof planes:** These may not exceed 45' (except for overhangs) in horizontal length without some form of break to provide visual relief. Ridgelines for Multi Family Buildings will be reviewed by the DRC as a matter of scale. Vertical elements like cupolas, vents, and fireplaces can be considered as ridgeline breaks. For shed roofs, no more than 40% of the total roof may be designed as a single plane. If Gable and Shed dormers are used, they should be functional to allow window openings and head heights for upper level or loft living spaces. They can also be used to bring light into multi-story living spaces and to provide protection to entryways, decks and garages. If skylights are used in roof forms they will only be permitted if their visual impact from prominent views to the home is minimized.

4.5 **Type and Location:** Dormers may be gable, hip or shed. Dormers, if any, should be designed and located relative to the style and overall proportional balance of the roof and building. Shed dormers should not exceed more than 2/3 of the primary roof plane. In order to maintain a simple roof form and to

effectively break up the mass of the building, the front face of larger dormers should be at least 2' back from the plane of the wall below.

4.6 Roofing Materials: In general, roofing materials are to be non-reflective, textured and a variegated dark color. Composite thick butt architectural grade asphalt shingles are all encouraged. Standing seam metal roofs and oxidized corrugated metal roofs may be approved if they are an integral part of the overall building aesthetic. Metal roofs must have a non-reflective surface and color cohesive to the building's exterior design.

4.7 Overhangs: Projecting roof overhang provides protection of vertical wall surfaces and can create deep shadow lines that reduce the appearance of the wall expanse as well as add visual interest to the overall structure. Other architectural roof elements such as corbels, rafter tails, and decorative cornices are encouraged to create shadow patterns, visual depth, and interest. Smaller elements such as dormers and selected shed roof may have appropriately scaled overhangs of 6 inches to 12 inches.

4.8 Pitches: A slope of 6 inches vertical in 12 inches horizontal (6:12) is recommended on the primary gable. Porch roofs and limited shed roofs are exempt from this requirement. The lower pitched roofs will be limited to a maximum of 30% of the roof and will be reviewed on a case-by-case basis by the DRC. For developer enclaves or streets, the DRC will take special consideration of alternate roof designs for similar floor plans and allow more leniency to roof pitches to allow for more variation. Multi family buildings can have roof pitches of 3 inch vertical in 12 inches horizontal (3:12) Flat roofs are allowed on single family and multi family building forms as secondary accent and connecting elements.

4.9 Variation Required: The DRC may determine that there is a negative cumulative effect of many residences having similar roof specifications and subsequently may not approve further use of the same specification.

4.10 Roof Colors and Reflectivity: Colors should be selected to be compatible with the surrounding natural landscape and integral to the exterior color palette of the house. Samples of approved colors are available from the DRC. In no case shall reflective surfaces be permitted, regardless of their color. Colors must be in the following families: black, dark greens, browns, grays or natural cedar.

4.11 Roof Projections: Flues, vents, and other equipment must penetrate the roof behind the ridge and must be compatible in height and material with the structure from which they project and/or painted to match the roof color. Large vents should be disguised so as to appear consistent with the building architecture.

4.12 Roof Mounted Mechanical Equipment is prohibited with those permitted in the Renewable Energy Law.

4.13 Renewable Energy Generation Devices and Energy Efficiency Measures shall comply with Colorado law, CRS Section 38-30-168 (HB 08-1270).

Devices and measures may be approved by the DRC on an individual basis, after special review based upon adequate evidence. Plans shall show locations and dimensions of all devices and measures, including site plan, roof plan and elevations. Application submittals shall fully describe the devices and measures and graphically or photographically show all visible characteristics, including but not limited to external

appearances, placement/location, dimensions, etc.

Pursuant to the Law, the DRC may place "reasonable aesthetic provisions that govern the dimensions, placement, or external appearance of an energy efficiency measure". Additionally, the law states that "In creating reasonable aesthetic provisions, Common Interest Communities (the DRC) shall consider:

- The impact on the purchase price and operating cost of the energy efficiency measure;
- The impact on the performance of the energy efficiency measure; and
- The criteria contained in the governing documents (The RVRMA Protective Covenants and Design Guidelines) of the Common Interest Community."

Therefore:

- Devices and measures shall visually blend in with the home, including colors and non-reflectivity characteristics.
- Devices and measures shall be located to minimize visibility from adjacent properties and public spaces.
- Special scrutiny shall be done for ground mounted devices, whether placed in a berm or on a free standing pole.

4.14 Renewable Energy Generation Devices: All devices shall be integrated into the design of the home and should not appear as add-ons, unrelated to the overall design. Non-reflective components shall be used wherever possible. Solar energy applications shall relate to the adjacent roof, match its plane, and blend/match its color with minimal projection therefrom. Other devices will be reviewed based upon submittal of plans, elevations, manufacturer's specifications and cut sheets, etc.

4.15 Energy Efficiency Measures:

Pursuant to the Law, CRS Section 38-30-168, energy efficiency measures include ONLY:

- "Awning, shutter, trellis, ramada, or other shade structure that is marketed for the purpose of reducing energy consumption;
- garage or attic fan and any associated vents or louvers;
- evaporative cooler;
- energy-efficient outdoor lighting device, including without limitation a light fixture containing a coiled or straight fluorescent light bulb, and any solar recharging panel, motion detector, or other equipment connected to the lighting device
- a retractable clothesline.

4.16 Retractable Clothesline Characteristics: Show locations and dimensions when extended on site plan, floor plan and elevations. These devices shall:

- Only be extended during sunny daylight hours;
- Only be extended as necessary for full usage;
- Be directly attached to the home and enclosed to visually blend with the home's design when retracted.

4.17 Skylights and Sun Tunnels Characteristics: These shall not be located on prominent, primary elevations of the home. They must match the slope of the adjacent roof with minimal projection from roof surface and lowest practical profile. They must be flat translucent surfaces, as opposed to dome or bubble in shapes. The colors of the translucent surfaces, and the frame, flashing and trim colors should blend or match the adjacent roof. Steps must be taken to minimize light emission to the exterior at night. "Energy Star" certification must be included with application, as evidence of net positive energy efficiency and

performance.

4.18 **Gutters and Downspouts:** These must follow rooflines and building forms in logical places to diminish their overall visual impact. Downspouts and gutters must match exterior finish colors, be dark or muted colors that are complementary to the color scheme of the home.

FOUNDATIONS & RETAINING WALLS

4.19 **Design Objectives:** One of the primary design objectives at Haymeadow is to create a close integration of site, landscaping and building. The design of foundations is an important aspect of integrating these elements. Foundations and finished site grading must be designed so that the building is balanced and visually pleasing. Foundation walls that are above grade must be clad. The DRC will allow exposed foundations of 6 inches or less.

4.20 **Sloping sites:** Foundations must be stepped with the contours of the land to avoid high retaining walls or extensive cut or fill slopes. Exposed foundations or retaining walls that are in excess of 4 feet in height are generally not permitted. Special conditions are subject to review by the DRC.

EXTERIOR WALLS & FINISHES

4.21 **Articulation:** An excessive vertical or horizontal expanse of a wall plane may visually compete and contrast with the natural surroundings forming a dominant structure that cannot aesthetically blend or harmonize with its setting. To avoid this condition, the DRC will take special consideration for long expanses of a continuous wall. In addition, wall surfaces must be articulated for the purpose of adding interest and alleviating visual monotony. A continuous wall plane may be visually broken by one or more of a variety of design treatments described herein. The intent of any of these methods of articulation is to create a change in the appearance of wall surfaces utilizing: color, form, depth, material, or textural variations. Strong shadow lines resulting from different architectural treatments are effective means to achieve this objective.

4.22 **Exterior Wall Materials:** Exterior building materials are to be sensitive to the exposure and topography of the site. Exterior wall materials are to relate to the historic mountain proportion and position of the materials. Heavier materials are to be found on earth, lighter building materials should bear on heavier materials. Haymeadow mountain homes and multi-family buildings allow single materials on building faces as long as additive building elements break up building materials.

4.23 **Exterior Finishes:** Strong textural qualities, siding should be the dominant facade material with a clear break between different materials. Texture can be introduced into a wall surface using shingles, shiplap boards, board and batten, corrugated metal siding. Stone and Brick can be used to 'found' buildings, but are not required.

4.24 **Typical Exterior Walls:** Exterior steps or jogs in the exterior walls are encouraged to break up continuous planes of the exterior wall. Jogs or steps in the wall surfaces may be required over long continuous expanses of the exterior wall and the minimum jog/step required is 1'-0". Structural elements such as porches and trellis are used to add a sense of depth and are considered breaking a continuous exterior wall.

4.25 **Siding:** This should be the primary exterior building material within Haymeadow. Textured and smooth siding with profiles of channel rustic, shiplap, tongue and groove, vertical flush siding or board and batten are appropriate. Simulated wood siding is allowed if profiles simulate real wood siding profiles. Larger format panel siding is allowed as an accent material. Composite siding from James Hardie or equal is allowed as a siding material, vinyl or plastic siding is prohibited.

4.26 **Stains and Paint:** The use of transparent and semi-transparent stains is preferred to highlight the grain of the wood. The use of solid stain and paint is allowed to create a variety of colors in the neighborhood.

4.27 **Cedar shakes and shingles:** These may be used in lieu of wood siding on secondary wall areas such as dormers and gables. Rectangular or half round shingles may be used.

4.28 **Logs and timbers:** These may be used as a secondary exterior finish material but must be approved by DRC. Logs with chinking on wall surfaces are prohibited. Heavy timber, logs and glue-lam beams can be used to express the structural framing of the building, particularly as trusses, lintels, sills, beams, purlins and rafters. The scale of the members should be consistent with the actual or apparent structural value. Connection details should be designed with care and heavy steel plates should be concealed or avoided. Columns must be set on a stone or concrete base or otherwise appear to be supported. Timbers should express a massive, hand-hewn appearance to reflect the natural shape, grain and inconsistencies of the material.

4.29 **Stone:** No requirement for stone on structures. Stone can be utilized on fireplace masses, accent walls, garden level walkouts and at the base of several building masses. If stone is present, a relatively flat surface such as sandstone or quarried mountain stones is strongly encouraged. Rounded alluvial or river rock is not permitted. If stone is utilized, large rocks or boulders to visually anchor corners and ground levels of rock walls and fireplaces is encouraged. Similarly, stone is to be used to enhance whole building volumes instead of single elevations; stone must wrap around corners and terminate at logical ending points.

4.30 **Type of stone veneer:** This will be reviewed by the DRC and it should appear natural and indigenous to the immediate area. Cultured/simulated stone is acceptable. Cultured stone must closely emulate natural stone and will be reviewed by the DRC very closely.

4.31 **Lintels:** Stone must appear to be self-supporting, where it is used above windows, doors or other openings, it must appear to be supported by an appropriately heavy lintel or a structural appearing arch.

4.32 **Lintels and Sills:** In accent walls or garden level walkout walls of stone, the use of lintel and sills at door and window openings is required. These lintel and sill members are to be detailed and proportioned so as to appear structurally sound. Lintels and sills may be made of timber, logs, cut stone or natural stone.

4.33 **Stucco:** Stucco may be used as a secondary exterior finish material, therefore no more than 45% of exterior surface area can be stucco. If used at significant wall surface areas stucco shall be finished in earth-tone colors that are compatible with the natural soils and rock. If stucco is being used as an accent wall, more color options are available and will be reviewed by the DRC very closely on a case by case basis.

4.34 **Metal Siding:** Rusted, corrugated, or prefinished metal materials may be used as an exterior finish material, not to exceed 25% of the exterior surface area. Galvanized or other reflective surfaces are not permitted.

4.35 **Prohibited Wall Materials:** In general, exterior materials are limited to the previously described materials. The DRC has the discretion to allow the use of non-identified materials provided that they meet the intent of the guidelines. The following materials, however, are specifically prohibited:

- Plastics
- Vinyl siding

4.36 **Exterior Trim:** Details are critical to expressing the quality and craftsmanship of a new home. In concert with the overall architectural style, details should be consistent throughout the building. At panel siding joints exposed metal flashing must be painted.

DOORS & WINDOWS

4.37 **Arrangements:** Doors and windows shall be designed in proportion to the structure and form of the building and should adhere to a traditional rectangular pattern in keeping with the overall design theme. Windows, in general, should be vertically oriented, however, large window openings are allowed to feature mountain views. Horizontal windows are allowed on secondary elevations or can be allowed on primary elevations with DRC review.

4.38 **Large window openings:** Large unbroken windows to provide unobstructed access to important views are allowed as long as it is adjacent to divided windows in traditional patterns. Additionally, windows must be used in logical patterns throughout the home such that they reveal the internal spatial organization of the home and are consistent on all elevations.

4.39 **Elevations:** All elevations of each home at Haymeadow must have sufficient fenestration to create visual interest and to prevent the appearance of blank wall areas. Windows and doors must be balanced such that the majority of openings are not concentrated on single elevations. Haymeadow DRC will take into consideration the unique view corridors in reviewing window elevations.

4.40 **Special Window Shapes:** Bay windows may be used.. Triangular windows where they occur within gable ends must match the angle of the roof and not the interior ceiling form created by a scissors truss. Rectangular windows are encouraged in this condition as an alternative.

4.41 **Glass:** Window glass may be coated or tinted to control solar heat gain, but a reflective mirrored appearance is prohibited.

GARAGES & DOORS

4.42 **Garage Designs:** These should be complementary to the rest of the home and follow the PUD Guide with relation to setbacks and front porch. Garage doors facing the street will be required to have glazing. Garage doors facing the street may have up to two bays - unless special permission is granted by the DRC for more than two. The number of bays may be limited to two if the DRC determines that the scale of the rest of the home is not sufficient to support the larger garage.

4.43 **Garage Doors:** The materials, treatment and color selected for the garage doors must be integrated into the design of the main residence. Garage doors facing the street must be of a premium nature, and have integral glazing.

4.44 **Orientation:** Garage doors may face the street for front loaded single family homes. Homesites that have alley access must follow PUD setback requirements. Multi family garage doors can be oriented with side access to all for some architectural variation.

4.45 **Main Entry Door:** Wherever possible, the front door of the home, rather than the garage structure, should be designed as the focal point to greet visitors rather than the garage structure; especially main entry doors, which should be designed with great attention to detail in order to create an individual identity for the building. Richly detailed doors are also characteristic of the design theme and must be in keeping with ranch and mountain design.

BALCONIES, PORCHES, STAIRS & RAILINGS

4.46 **Balconies:** Balconies are encouraged. They can be either recessed into the wall mass or projected from exterior walls. When a projected balcony is used, consideration must be given to protection from snow shedding. The underside of projecting balconies must be finished with materials that match or complement exterior wall materials. Supporting structural systems must be visible and appear appropriately massive and must be decorative in nature. Balconies should be sized to individual room functions and should be proportional to the overall building massing.

4.47 **Railings:** These are subject to specific review by the DRC which is charged with the responsibility to ensure that accepted designs reflect quality and craftsmanship appropriate to Haymeadow. Historic and modern interpretations of railings are allowed. Railings can be fabricated of wood, steel, cable, and metal panels. Metal panel railings can only be used for 50% of individual railings.

4.48 **Stucco or Stone Enclosures:** Balconies or patios fully enclosed with solid stucco or stone walls are allowed if designed in character with the rest of the Master Design Guidelines.

4.49 **Exterior Stairs:** Exterior stairs of more than one story are prohibited in single family residences. Exterior stairs in single family homes are meant for primary access to the accessory dwelling unit. Exterior stairs are allowed in townhome and multi family residences.

EXTERIOR COLORS

4.50 **Earth Tones:** Black, brown, gray, dark green, dark red, white, beige, or natural wood color families are required. Colors must be carefully chosen for their compatibility with the natural environment, their harmony with each other, and the overall aesthetic goals of the guidelines. Because of the emphasis on natural materials, finishes which complement and enhance the material's intrinsic qualities are encouraged. Colors should complement and blend, rather than contrast with the surrounding natural environment. Colors should generally be recessive; particularly those used for roofs and walls.

4.51 **Accent color:** A minor amount of accent color on trim work may be considered appropriate by the DRC.

4.52 **Sample Board:** This is required for Final Design Review by the DRC.

TEXTURE & DETAILS

4.53 **Textures:** Textures are to be incorporated throughout a structure in order to create a variety of light and shadows at all scales and eliminate monotony. Building forms are to be complex with setbacks, overhangs, porches, and varied skylines. Walls, roofs and windows are to be made up of clearly defined smaller elements.

4.54 **Natural Materials:** These are to appear closer to their natural state rather than manufactured in appearance.

4.55 **DRC Review:** Because this is a particularly subjective requirement, the DRC has the responsibility to act based on the spirit and intent of the Master Design Guidelines as it determines if a proposed design is characterized by an appropriate level of texture and detail. The DRC must be the arbiter that determines the right balance between the poles of austerity and excess.

EXTERIOR LIGHT FIXTURES

4.56 **Minimal Lighting:** In order to maintain a mountain character and to preserve views to the night sky, exterior lighting is to be minimized. Lighting should be used to meet the requirements of safety and easy identification of entrances and buildings. Exterior lights should be compatible with the design of the residence. Lights whose sole function is to floodlight a building or its yard will not be permitted. The Town of Eagle has an Exterior Lighting ordinance. Owners are responsible for verifying with the Town of Eagle Community Development Department that any exterior lighting meets the requirements of the ordinance and those ordinances are subject to change.

4.57 **Design Character:** Fixtures are to be in character with the architecture at Haymeadow. Historic and mountain modern style decorative lanterns characterized by metal finishes are preferred, exposed light bulb fixtures are prohibited. Utilitarian fixtures will not be allowed anywhere the fixture is visible.

4.58 **Soffits:** Recessed can lights in exterior soffits cannot be higher than ten feet above exterior grade, unless approved by DRC.

4.59 **Landscape Lighting:** Up lights and floodlights are not permitted. Down lights and/or path lights may be used to light paths and terraces. Down lights may not be placed higher than five feet from the ground to avoid the appearance of a flood light. Solar lights are encouraged.

4.60 **Pictorial specifications:** for all exterior lights shall be submitted to the DRC before or during the Final Review process. Final approval will not be granted without submission and approval of light fixtures. Any changes must be submitted for review prior to installation.

EXTERIOR EQUIPMENT, UTILITIES, METERS, A/C UNITS, ETC.

4.61 **Exterior Equipment:** All exterior equipment, utilities, meters, air conditioning units and other equipment must be shown on architectural plans.

4.62 **Equipment Enclosed or Screened:** Any and all screening shall conform to manufacturers recommendation. Free standing external pad-mounted equipment such as A/C units, pools and spas or garbage can storage areas, must be integrated into the building through the use of walled or fenced enclosures, or intensely screened with landscaping materials where allowed within the manufacturers recommendation for specific equipment.

4.63 **Meters and Utility Hook-ups:** Utility meters and hook-ups must be coordinated with the utility provider and located in the most unobtrusive area possible. They shall be adequately screened, within requirements allowed from the purveyor, from any street on which the lot or unit is located and from any neighboring Lot or Unit and the Master Common Areas and public parks by structure or landscaping. Their location must be identified during the design submission and review process.

4.64 **Site Utilities:** All site utilities are to be installed underground in alignments that minimize grading, tree clearing, and other physical impacts on the homesite. To the extent possible and with the approval of the utility company, utility boxes are to be located and/or screened so that they are not visible from off-site.

4.65 **Satellite dishes:** Satellite dishes smaller than 18" in diameter are permitted, but their location must be approved by the DRC.

4.66 **Exterior Service Areas:** Outdoor work/storage areas and outside equipment such as mechanical equipment must be completely screened from off-site views by using walls, fences, and/or heavy landscaping and incorporating them into the building design. In addition to screening, garbage can storage areas must also be made inaccessible to wildlife.

4.67 **Irrigation Controls:** These must be located so as to be accessible to maintenance personnel for repair and winterization.

FIREPLACES & FIRE PITS

4.68 **Fireplaces:** In accordance with Town of Eagle ordinances, no wood burning fireplaces are allowed. Interior fireplaces and exterior facing fireplaces which are an integral element of the home are permitted, if gas fired UL labeled and approved by the Town.

4.69 **Site Fire Pits/Exterior Fireplaces:** Fire pits and exterior fireplaces are permitted, but special care must be taken to ensure safety. These must be constructed of fire-proof materials, contain spark arresting screening, and must be surrounded by a minimum circumference of five (5) feet of non-combustible material. Solid fuel sources are allowed per Town of Eagle code.

5. Site Planning & Landscape Design

5.1 **Purpose:** The landscape guidelines have been formulated to ensure that residential construction and all public areas on the Haymeadow site create an overall pleasing aesthetic appearance which is consistent with the overall Haymeadow Development. Landscaping shall conserve water and follow best environmental practices. It is also the intent of these guidelines to provide flexible requirements at the discretion of the DRC.

5.2 **Recommendations:** The guidelines provide a framework for installation of landscape elements across the development.

5.3 **General Design Considerations:** The landscape is a major component in the overall image of the Haymeadow Development and these guidelines are provided to direct landscape treatments for multi-family dwellings, duplexes, single-family homes and community amenities. A separate document outlines the approach to landscaping for the streetscape and ROW plantings. The site design and landscape treatment are important considerations in creating a cohesive statement in relationship to the architecture itself. Homesite owners should plan on budgeting a minimum of 5% of their construction budget for landscaping.

5.4 **Concepts:** The following landscape concepts are recommended:

- Vegetation planted in clusters of like species.
- Landscape elements used to define spaces and frame views.
- Water-wise
- No requirement to protect views, however the DRC does encourage neighbor to neighbor cooperation.

5.5 **Easements:** Some homesites include drainage easements. Easements shall be maintained to allow for unimpeded drainage flow and access for maintenance operations. Trees, shrubs, retaining walls, fences, large decorative boulders, berms, etc. are not allowed in platted utility or drainage easements except if a TOE Encroachment Agreement has been approved.

5.6 **Site Design:** The site design for residential units, whether multi-family, duplex or single-family, shall be designed in relationship to the overall Haymeadow Development. Landscape improvements should minimize the amount of intensive irrigation to the extent possible with areas of irrigation concentrated at building entries and exterior patios and yards. Landscape plans should respond to and integrate the landscape designs, grading plans, and plant materials of adjacent buildings, community spaces and streetscape.

5.7 **Changes from Approved Plan:** Any substantial change or additions require submission of proposed design drawings and DRC review.

5.8 **Plant Material Selection and Location:** The DRC will carefully review landscape plans to ensure that plant materials are located in appropriate areas and groupings. The DRC will also look to ensure that plant materials are compatible with the climate and the aesthetic objectives. Selected plant materials shall promote water conservation. Plant materials must be indicated on design drawings at mature size so that they will be located neither too close to each other nor too close to buildings, nor impinge on adjacent lots. Replacement of existing materials that have died or deteriorated at the same location and size does not require DRC review. Plant selection should be appropriate to deter attraction of wildlife, avoiding use of fruiting trees and shrubs. The use of herbicide and pesticide should be used on a limited basis with an emphasis on appropriate, maintenance, and watering practices.

5.9 **Grouping:** Materials must be grouped with compatible species with particular attention focused on relative water requirements of different species. All plant materials must be placed in ecologically appropriate

areas. Landscaping shall be clumped: dry with dry and wet with wet. Drip irrigation, appropriate for dry type plants and trees, separate from other zones must be provided.

5.10 **Screening:** Evergreen trees and shrubs should be used where visual screening is an important functional requirement of the landscape. Long term growth and maintenance should also be considered when developing the landscape plan.

5.11 **Tree Removal:** The removal of existing trees and shrubs on homesites is to be avoided, but must be approved by the DRC, including where necessary to accommodate a new structure, or damage due to severe weather. Clearing for view corridors and solar exposure may be considered by the DRC provided it does not increase the visual impacts on adjacent homesites, public spaces, or off-site visibility of the house. Damage and performance deposits may be required.

5.12 **Preservation of Native Vegetation:** This is particularly important where homesites are adjacent to common areas and back to the edge of residential development. The transition line from cultivated and irrigated area to native and dry land should be made in a pleasing manner. Landscape designers may choose to create an irrigated and manicured area around the home.

5.13 **Xeriscape** approaches to the entire site are encouraged as the landscape moves away from the buildings. The DRC will exercise ultimate authority in determining if a landscape design is appropriate for the context of the particular building site. Soil amendments should be added to promote healthy plant growth and reduce water needs.

5.14 **Wood Mulch:** Wood mulch should be organic in nature and indicated on the landscape plans. Decorative scattered and clumped gravel/stone accents may be approved in natural, tastefully designed, manicured and bark mulch areas.

5.15 **Gravel/Stone Ground Cover:** The use of gravel and stone as a ground cover should be used as a tasteful application in hard to landscape areas such as drainage areas and adjacent to building foundations. Gravel/stone ground cover will be reviewed on an individual basis with samples of proposed material submitted and approved prior to installation.

5.16 **Slopes and Berms, Maximum:** In areas where grading is altered, slopes shall not exceed a rise of 1 foot over a run of 4 feet, (4 to 1), except in appropriate, special and hardship conditions, as determined by the DRC. Such graded areas must not affect off-site drainage.

FRONT, SIDE & BACKYARDS FOR DUPLEX & SINGLE FAMILY LOTS

5.17 **Landscape Planning Areas:** Each residential site can be considered in three zones; front yard, side yards, and back yard. The front yard is the public face of the residence, the side yards define and separate adjacent residences, and the backyard is the private outdoor living space but may also be visible from public spaces such as the streets or parks. Low undulating landforms shall be permitted provided they blend with existing grade, do not exceed a slope of 4 feet horizontally to 1 foot vertically, and do not affect offsite drainage. Play structures and out buildings are not permitted in the front yard zone. Native seed areas will be allowed in the side and back yard zones. All seeded areas, shrub beds, and gardens visible from off-site shall be maintained in a clean, weed free condition. Vegetation may not be used to form a wall that hides the residence from the street.

5.18 **Front Yards:** This area should provide continuity along the streetscape, compliment the vegetation planted in the Right of Way (ROW) and form a welcoming entrance to the residence. Landscape elements

shall be used to enhance the residence's architectural design, soften long expanses of the facade, and screen utilities and parking. Graceful transitions shall be made between lawn/garden spaces and native/xeriscape spaces. Low water bluegrass sod shall be placed in the front yard along the entire front property line to create continuity between the ROW and the private residence.

5.19 Side Yards: The side yard landscape design should provide privacy and screening between adjacent residences. The DRC will consider the owner's homesite and adjacent properties when evaluating the design. Utilities and Service Areas are permitted in the side yard, provided they are screened from offsite view. All seeded areas, shrub beds, and gardens visible from offsite shall be maintained in a clean, weed free condition. Due to the narrow cross section of most side yards, landforms will only be permitted by special review.

5.20 Back Yards: Landscape design should provide private outdoor spaces and continuity with adjacent uses such as park areas or undisturbed native areas. Landscape elements shall be used to compliment the architecture of the residence especially if the home is visible from public spaces.

5.21 Property to Open Space: Property lines that adjoin public spaces shall consider adjacent landscape treatment to create continuity between the public and private space. All seeded areas, shrub beds and gardens visible from offsite shall be maintained in a clean, weed free condition. Vegetation may not be used to form a wall that hides the residence from the public spaces.

5.22 Landscaping Compliance: All yards shall be fully landscaped. In addition to required street trees, additional ornamental and/or shade trees are strongly recommended in all yard areas. Such trees shall be of suitable growth habit for the site and placed to respect the architecture and ordinary use of the site.

RIGHT-OF-WAY (ROW) LANDSCAPING

5.23 ROW Landscaping: This area consists of turf, shrubs and trees planted in clusters along the street or within the street right of way. Irrigation systems, sidewalks and paths may also be present in this zone. Owners are not allowed to install or alter landscaping in this area. Landscape guidelines for streetscapes are detailed in the Haymeadow Guidelines dated April 18, 2019.

5.24 Damages: Due to the importance of the ROW landscape features, any damage except damage to the common irrigation system caused to this area by the owner or owner's operators shall be repaired by the HMMA and materials and labor billed to the owner. See sections related to damages in other parts of the guideline document.

5.25 Notices: The owner shall notify the HMMA of any damage that has occurred to the landscape elements within 24 hours of the occurrence. The disturbance shall be temporarily repaired or made functional within 24 hours and permanently repaired within 2 weeks of the disturbance. Due to the importance of the ROW irrigation system, any damage caused to this system by owner or owner's operators shall be reported immediately by the owner to the HMMA. See **Repair of Damage to Common Irrigation System** below.

5.26 Right of Way Irrigation: An underground irrigation system is installed in the street right of way (ROW). Damage caused to any part of the irrigation system jeopardizes the functioning of that irrigation zone and thus affects the health of the streetscape plantings in that area. Specifics of the irrigation layout for the ROW are available from the HMMA.

5.27 Fines: In addition to the responsibility to reimburse the HMMA for its out-of-pocket expenses, the following fines will also be charged to the property owner:

- \$2000 for each main line break.
- \$1000 for each damaged valve.
- \$500 for each instance of damage to lateral service lines and irrigation heads.

In addition, the cost of repair of any damage to neighboring irrigation systems as a direct result of the original damages will be assessed.

5.28 Performance and Damage Deposit: If there are funds remaining in the Performance and Damage Deposit, this account may be debited upon proper notification of the Owner. Otherwise, the property owner will receive a reimbursement assessment.

IRRIGATION & DRIVEWAY CONSTRUCTION

5.29 Driveway: Driveway construction may occur over the existing irrigation system. HMMA representatives or a contractor hired by the HMMA will meet with the Owner or Owner's Contractor during the pre-construction meeting to help locate the irrigation line and to provide guidance for installation. Any costs associated with this service and charged to the HMMA will be passed directly to the owner and collected as stated above.

5.30 Driveway Location: Driveways shall be located to affect as few irrigation heads as reasonably possible. Driveways will not be allowed over valve box or control clock locations except by DRC approval. The HMMA will be responsible for relocating valve boxes and control clocks with the costs to be paid to the HMMA by the Owner. Any costs associated with this service and charged to the HMMA will be passed directly to the Owner and collected as stated above.

5.31 Prior Inspection: Prior to making a driveway cut, the owner must request a visual inspection by the HMMA to determine if the cut will affect existing irrigation systems. In the event that irrigation heads are affected by driveway construction, the owner shall request relocation by the HMMA and will be responsible for the cost of its relocation.

5.32 Sleeving: The owner is also responsible to place three PVC sleeves under the entire width of the new driveway. Four inch and six inch sleeves must be installed 30" deep, 18" from the curb; an additional 4-inch sleeve is to be installed at a depth of 12 inches below grade immediately adjacent to the curb. This sleeve is necessary to accommodate future repairs or adjustments to the irrigation lateral line.

5.33 Private Residence Irrigation: Each residence is required to install and maintain an underground electrically controlled irrigation system that is connected to the Haymeadow Irrigation mainline in the adjacent ROW. Homeowners to coordinate irrigation requirements with the DRC prior to design and installation. Coordination required for size of water meter, isolation valve, backflow preventer, and available water pressure. All irrigation system design shall promote the efficient use of water. For the untreated water irrigation system the following are required:

- **Inspection:** Irrigation system design must be reviewed and approved by the DRC's authorized representative prior to its installation.
- **System Zone Controls:** Zone control boxes must be located in an area accessible to maintenance personnel for repair and winterization purposes.

5.34 Dry Climate Vegetation: Due to the dry climate in Colorado, lawn areas, trees, shrubs, and gardens will require permanent irrigation throughout the summer. Native seed areas and xeriscape gardens will require irrigation for the first few years to establish the plant material. Irrigation may be removed from these areas upon establishment of healthy, naturally sustainable plant material.

5.35 **Weed Control:** Homeowners shall be responsible for controlling the growth and spread of noxious weeds and invasive plant species. Failure to do so may result in enforcement action by DRC.

SITE GRADING & DRAINAGE

5.36 **Site Grading:** Site grading shall be used to provide adequate drainage within the homesite, as well as enhance the aesthetic qualities of the residence. Due to the character of the neighborhood, imposed severe grade changes and steep berms are not permitted. Existing vegetation and site features shall be protected from potential damage from site grading.

Surface drainage shall not drain to adjoining homesites nor open spaces except as established by natural drainage patterns, nor cause a condition that could unnaturally lead to off-site soil erosion on open spaces. Wherever practical, natural drainage courses should be protected and existing drainage patterns maintained. New drainage ways are to be designed to appear and function like natural drainage ways. Impervious surfaces are to be minimized and excessive cut and fill is discouraged. Grading is not permitted outside the property line.

5.37 **Drainage Plan:** Developing a proper drainage plan will be the responsibility of the owner. Owners must ensure that when driveways intersect streets that any existing road shoulder drainage patterns are maintained. Any drainage damage that may occur from one homesite to another or common areas because of a change in natural conditions will be the responsibility of the owner of the homesite that caused the unnatural drainage flow. Approval of a drainage plan by the DRC does not make it liable or responsible to the owner or others with respect to the adequacy of the engineering or otherwise, but merely implies compliance with the intent of these guidelines and with design aesthetics. DRC approval does not eliminate or reduce the obligation of the owner to comply with all legal requirements and be responsible for all damages arising from changes in natural conditions.

5.38 **Grading Requirements:** Grading is to be designed as a combination of cuts, fills, and occasional retaining walls that protect existing vegetation and blend into and/or appear to be extensions of existing natural landforms. Whenever possible, natural slopes are preferable to structures. Retaining walls where visible from off-site, are to be built of rock or stone, and/or treated timber. Structures exceeding four feet in height require a TOE Building Permit with a Professional Engineer stamped Plans and should be battered and stepped to include ample planting pockets. Slopes should not exceed a slope of four feet horizontally by one foot vertically unless there are extenuating circumstances. Disturbed areas are to be re-vegetated and blended into the surrounding vegetation and site conditions.

5.39 **Erosion Control Plan:** Grading plans to include erosion control methods for areas of steeper grades. Erosion control must be considered on a proactive basis to prevent damage to the site. Erosion control measures to follow best management practices per construction industry methodology.

5.40 **Stockpiling and Removal of Excavated Materials:** Topsoil disturbed by grading operations must be stockpiled within the construction area and reused as a part of the site restoration/landscape plan. Excess materials must be removed from the Haymeadow site unless specific permission is granted by the DRC.

DRIVEWAYS, VEHICLE ACCESS

5.41 **Driveways:** The street scene of Haymeadow has been carefully planned to include street trees and landscape features. The interruption of this landscape feature can have a significant impact on the appearance and character of a site. Only one driveway entrance will be permitted for each homesite. Lots located at the corner of a collector street, a residential street, or a cul-de-sac, shall have the driveway access

from the subordinate street.

5.42 **Alignments:** To ensure minimal visual impact and disturbance, the alignment of residential driveways must generally follow the contours of the land and avoid the removal of trees, shrubs and irrigation to the greatest extent possible. Driveways are not to exceed 10% in slope.

5.43 **Turning Radius:** Minimum inside radius of the driveway edge or curb should accommodate easy egress and exit from garages.

5.44 **Damages:** Any damage done to the landscaping and irrigation in the street ROW that may occur during the construction of the driveway, must be repaired at the Owner's expense.

5.45 **Drainage across driveways:** This should be integrated into the design of the drive or apron. Additionally, consideration must be given to the location, orientation and screening capacity of adjacent building envelopes and public areas relative to potential visual impacts from exposed road pavement, headlight glare, traffic disturbance, and general loss of privacy.

5.46 **Paving Materials:** Paving materials should have a primary material. These materials may vary as they relate to individual architecture, but should always maintain a finished, and purposeful quality. These areas shall have a dull, non-reflective surface and color that blend well with the natural surroundings. Concrete, Bomanite concrete, colored exposed aggregate concrete, colored concrete, stone black asphalt, and chip-and-seal are approved materials. Gravel is not permitted.

5.47 **Bike Paths:** Where driveways cross the bike path, the Owner shall maintain the path surface material regardless of their choice of materials for their driveway. The new driveway surface shall be flush with the path. The Owner shall repair any damage done to the bike path at their expense.

5.48 **Parking Requirements:** Each single family residence or duplex shall include at least one parking space in an enclosed garage and shall adhere to Town of Eagle parking requirements.

FENCES, WALLS & GATES

5.49 **Locations:** In order to preserve a continuous neighborhood character, the DRC will generally prohibit the use of fences, walls or gates along the front property line or within the front yard. In addition, on corner homesites, fences, walls, or gates will not be allowed along the side yard property line facing the street. The DRC will consider exceptions on a case-by-case basis where the building envelope of a lot may restrict the placement of a main structure in such a way that the front of the home is not facing the street and/or the area facing the street is the usable recreational space typically reserved for a rear or side yard. Perimeter fences along other side and rear yards are permitted, however, these fences shall be limited to a two or three rail split fence with a maximum height of 4 feet 6 inches at top of rail, a corral type fence, or a wooden privacy fence of similar height. The DRC may approve the addition of a 12 or 14 gauge galvanized wire fencing to the corral fence to provide animal control, however additional landscape screening will be required. In all circumstances, the DRC's primary objective will be to preserve a consistent streetscape with the rest of the community, particularly with the neighboring homesites. The DRC will review fencing plans for material selection and layout prior to approval.

5.50 **Retaining walls, privacy fences, or screen walls:** These elements must be an extension of the architectural design of the residence and will be permitted within the building envelope and within the side yards that must not abut streets. They may be built out of wood or stone. They may be used to

separate the private areas from the rest of the building envelope and/or as a screening element for parking and service areas otherwise visible from other homesites or public areas. These walls may be used to articulate horizontal and vertical building planes. The standards that shall apply to the use and treatment of site wall are listed below:

- **Uses:** Site walls may not be used to delineate property lines or building envelopes. Site walls are typically used for screening and/or defining outdoor living or private spaces.
- **Colors** of the walls must be compatible with the residential exterior walls and conform to the same exterior color requirements.
- **Finish To Grade:** Finish materials on all site and building walls must be continued down to finished grade so as to eliminate exposed or unfinished foundation walls.
- **Stone:** When stone is used, the base course of stone must be 1/3 below grade to give the appearance of a true structural wall.
- **Maximum Height:** The objective to minimize site disturbance suggests balanced cut and fill grading solutions, and in turn, reduces the need for tall retaining walls. However, if retaining walls are required, they may not exceed a height of 4' measured from the lowest natural grade adjacent to the wall. Slope at the back of the wall shall not exceed 3 to 1.
- **Terraced retaining walls** must be offset horizontally by a minimum distance of 3 feet to support viable plant materials in each terrace.

5.51 **Deer/Wildlife Fencing:** Fencing temporarily erected for protection of landscape vegetation from deer and elk shall have the following characteristics:

Maximum height: 7 feet

Maximum continuous length offence surrounding a group of plants: 200 feet (The maximum area that this will enclose is 2500 sq. ft.)

Fencing material: 12 or 14 gauge galvanized steel wire fencing is recommended to keep wildlife from reaching low lying branches. However, in areas that may not require a heavy gauge to prevent wildlife from reaching vegetation, such as in areas with planting beds, a light gauge steel fencing (sold locally as "poultry fencing") and fine plastic mesh fencing may be used.

Color: Brown, black, gray or dark green. Galvanized steel fencing may be painted or left bare.

Mesh: The mesh shall have at least 94% open area. Mesh made of steel wire or of individual strands of plastic mesh meets this requirement. Stamped plastic mesh used as temporary construction fencing does not.

Posts: Posts for fencing should be standard metal or wood fencing stakes with a maximum width (or diameter) of 4 inches, and should be of a subdued color as specified above. Wood posts may be left in their natural color.

Properties larger than .50 acres that have open-rail fencing may erect plastic deer fencing inside of or above the wooden fence. Maximum height is limited to 7 feet. The posts supporting the deer fencing shall not be greater than 2 inches in width. The mesh and posts shall conform to the above requirements in all other respects.

Allowable time frame: This material may be erected from October 15th to April 15th. These are general dates as conditions may necessitate extending these dates, which will be at the discretion of the DRC.

6. Design Review Process

6.1 Purpose of Design Review Process: This section provides a guide to the design review process for the Haymeadow community. The process involves a series of meetings between the owner, their design professionals and the DRC. It begins with an informal introductory meeting and concludes with the completion of construction. Along the way are a series of meetings designed to ensure a smooth and efficient review of the new home design or improvements to an existing home. The DRC is committed to assisting owners through the design review process.

6.2 Before submitting plans. For any DRC Design Review, the owner and their consultants are highly encouraged to obtain and review all pertinent documents to the development of their property, including but not limited to the Design Guidelines, the Covenants, the Haymeadow PUD Guide and any other pertinent Town of Eagle regulations, such as lighting and water use requirements.

6.3 Submittals for Improvements: Submittals will be reviewed for completeness prior to acceptance and scheduling for a formal DRC hearing. Incomplete submittals will not be accepted for review at the discretion of the DRC. Applicants and their consultants should review the appropriate submittal checklist found in the Appendix. The design review process, and DRC approval, is required for any of the following improvements:

- Construction of new buildings.
- Any change, renovation, expansion or refinishing of the exterior of existing buildings including re-painting or restaining with a different color than previously approved by the DRC.
- Site or landscape improvements, including removal of landscape plantings, except for replacement of plant materials similar to those previously approved by the DRC. The installation of fences or any changes that might impact existing drainage will require DRC approval.

6.4 Interpretations of Guidelines: The DRC evaluates proposals on the basis of the Master Design Guidelines. Most of the guidelines outlined in this document are written as relatively broad standards and the interpretation of these standards is left up to the discretion of the DRC. Some of the standards contained herein are absolute design parameters and it is the responsibility of the DRC and the owner's professional designers to ensure that improvements comply with these absolute standards.

6.5 Interpretations by DRC: By their nature, these guidelines are largely subjective. The DRC has broad capacity to interpret both qualitative and quantitative requirements to ensure that the intent of the guidelines is realized in the architecture of homes at Haymeadow. The DRC is charged with the preservation of quality and value of homes and property at Haymeadow and takes its responsibility seriously.

6.6 Meetings, fees and inspections: Meetings of the DRC shall follow a regular schedule as published by the DRC at the beginning of each calendar year. A special meeting of the DRC may be called by the Chairman of the DRC as deemed necessary. A fee schedule shall be published at the beginning of each calendar year. The DRC will conduct inspections at the following stages of each project, as applicable: site/utility grading, foundation, framing, final architectural and final landscape.

The Design Review process shall include the following steps:

- Pre-application meeting
- Preliminary design meeting
- Final design review
- Pre-construction conference
- Construction commencement notification
- Inspections during construction

6.7 Pre-Application Meeting: This is a required meeting between the HMMA Executive Director or DRC Administrator and the architect and/or owner that is held prior to the submission of any design materials. The purpose of the meeting is to review the design and construction process in an informal atmosphere, while reinforcing the importance of enforcement of Master Design Guidelines and the rules regarding the construction process. This meeting is required to take place prior to the submission of design materials for Preliminary Design Review. This review will address property boundaries, easements and utilities, homesite location, architectural theme and special design considerations and the design rationale. The DRC will respond as quickly as possible to requests for a pre-submission conference, but may require up to (10) business days to schedule the meeting.

PRELIMINARY DESIGN REVIEW

6.8 Meeting Agendas: To be placed on a DRC agenda, Complete Submittal Packages are required a minimum of five (5) working days in advance of the regularly scheduled meeting. In the event that there is no regularly scheduled meeting, the DRC will notify the owner of the date of the meeting, which is to be held within three (3) weeks of the submission. The DRC reserves the right to set its agenda and assign meeting dates for review of Submittal Packages.

6.9 Design Review Application Form: Submission of all required materials together with the fee for design review will initiate the process. This preliminary step in the review process is intended to avert wasted time and professional fees that result from pursuing a design solution which is in conflict with the standards contained in these guidelines.

Preliminary Plan staking: The applicant will use a licensed surveyor to stake the location of the corners of the proposed building(s) and all other major improvements including driveways two (2) days prior to the DRC meeting. In some cases the DRC may require ridgeline flagging be erected to indicate proposed heights of buildings. The DRC or a DRC representative will conduct a site visit prior to the meeting to review the staking.

6.10 Meeting Summary: The DRC will provide a written summary of the findings of the Preliminary Design meeting within five (5) working days of the meeting.

FINAL DESIGN REVIEW

6.11 Timing: Within six-months (6) after the initial Preliminary Design meeting, the owner must initiate

the Final Design Review process by submitting a Design Review application form together with the required final documents. Should more than six months lapse between the preliminary and final submission, the DRC may require the owner to resubmit for preliminary review.

6.12 Final meeting submittal: the owner/architect should deliver fully developed design drawings that address any concerns identified in the Preliminary Design Review. All submission requirements and a material Sample Board is required for final approval. In situations where significant changes are required during the Preliminary Reviews, the DRC may reasonably encourage an interim submittal prior to a Final Review, to make sure that the redesign is on the right track before proceeding to completed documents.

6.13 Design Review meeting: The DRC will provide a written summary of the findings of the DRC within fifteen (15) days. Additional review meetings may be necessary to review corrected and/or new materials.

If the decision of the DRC is to disapprove the submission, the DRC will provide the owner with a written statement of the basis for such disapproval to assist the owner in modifying or redesigning the project so as to obtain the approval of the DRC. An additional design review fee may be required for each resubmission as required by the DRC.

Final approval is valid for eighteen (18) months. Should more than eighteen months lapse, the owner must resubmit for approval and pay the necessary resubmission fees. If necessary, the DRC can require that the process be started at the beginning.

6.14 Conformance of Improvements: Any "Improvements" by owners must conform to approved plans. Therefore, the final approval of a proposed design constitutes an agreement with the HMMA that the proposed home or modification be consistent with the approved plans and specifications.

6.15 Subsequent Changes: Additional construction, landscaping or other changes in the improvements that differ substantially from the approved final design documents must be submitted in writing to the DRC for review and approval prior to making changes.

6.16 Changes after Approval: The DRC understands that the construction process may result in either a need or desire to make a change from the approved drawings. It is required that the DRC review and approve proposed changes to final approved plans and will welcome the opportunity to review proposed changes before they happen. In the event a change is desired, the owner, builder or architect must first contact the Executive Director to inform of the proposed change and submit the proposed changes in a graphic form including applicable photographs. The DRC will work in a reasonable manner to respond to a request for change as quickly as possible, but the review process will remain consistent with the aforementioned guidelines.

6.17 Reconsideration Procedure: The owner has the right to request that the DRC reconsider decisions made by the DRC. The owner can initiate such a reconsideration procedure by submitting in writing a document stating the reason for the request. The DRC or its Administrator will set a hearing date for the DRC to review the appeal and notify the owner of such a date. The owner or representative must be present at the reconsideration hearing. The DRC will render a decision in writing within fifteen (15) days after the hearing and provide the reasons for denying or approving the reconsideration.

6.18 Pre-Construction Conference: The contractor (and the owner if possible) shall participate in the Pre-Construction Conference with the DRC Administrator. The design guidelines and construction

regulations are reviewed during this meeting to ensure that the owner and builder understand the policies contained in the guidelines and the HMMA's ability to enforce them. Particular emphasis is placed on the importance of requesting approval for potential changes to the design..

6.19 Enforcement of Approved Design: The final approval of a design submission is an agreement between the HMMA and the property owner that the property owner will construct the proposed home consistent with the design documents approved by the DRC. Any failure of the property owner to construct the home consistent with the approved design shall be a default by that owner under these Master Design Guidelines and the HMMA Covenants.

6.20 Inspections: These will be performed by a DRC representative and Inspection Reports filed with the DRC Administrator, as described in Section TBD: Construction Regulations,

6.21 Unapproved Changes: If the DRC or DRC Administrator determines that any changes made by the owner or builder are not in compliance with the approved design, a letter is sent to the builder and owner with a copy of the inspection report notifying the builder and/or owner that specific changes that are noncompliant. All construction work related to the noncompliant design must be stopped immediately, but so long as the owner timely submits for DRC approval of the revised design, other construction on the project may continue. The builder and/or owner must submit to the DRC an alternative plan to bring the design into compliance with the guidelines and to revise the approved plans within one week. Proposed revisions must be submitted graphically and are subject to normal review by the DRC.

6.22 Stop Work Order: If the builder or owner fails to submit a proposed revision within the required time frame, the DRC will issue a stop work order requiring all construction work on the project to be suspended immediately. If the stop work order is violated, the owner will be subject to a daily fine for each day work continues without resolution with the DRC of the unapproved construction. The owner has the right to appeal the decision of the DRC to the Executive Board.

6.23 Fines Levied: Fines may be imposed where changes are made without advance approval of the DRC or for any violation of the Covenants, rules and regulations and policies of HMMA, or violation of these Master Design Guidelines, in accordance with a written fine schedule adopted by the DRC from time to time. Fines can be doubled for repeat violations, as provided in the fine schedule. Any fines levied are, as between the owner and HMMA, the direct obligation of the owner regardless of whether the owner knew of or participated in the violation; owners are in all respects responsible for the acts and omissions of their contractors, builders and the like performing work on a project. If not paid, fines will become default assessments pursuant to the HMMA Covenants and enforceable as such, including by legal action and foreclosure of HMMA's lien on the owner's property.

6.24 Schedule of Design Reviews and Inspections: The DRC will make every reasonable effort to comply with the time schedule for development review outlined below. However the DRC will not be liable for delays that are caused by circumstances beyond its control. See Appendices for necessary checklists and forms. The DRC will provide a design review according to the following schedule. If all required materials are not submitted, the DRC will not be responsible to meet these requirements.

- **Pre-Submission Meeting:** Scheduled within fourteen (14) days of receipt of written request.
- **Preliminary Design Review(s):** Application documents to be submitted at least seven (7) days prior to the next scheduled DRC meeting. Written comments from the DRC meeting shall be provided to the builder/owner within fourteen (14) days after the meeting.

- **Final Design Review(s):** Application documents must be submitted fourteen (14) days prior to the scheduled DRC meeting, and within six months after completion of Preliminary Design Review. Written comments from the DRC meeting and/or written notice of Final Design Approval shall be provided to the owner within fourteen (14) days after the meeting.
- **Pre-construction Meeting:** Scheduled within fourteen (14) days after the date that the owner's written request is received by the DRC Administrator.
- **Construction Inspections:** Performed periodically throughout the process. Final inspection within twenty-one (21) days after the date the DRC Administrator receives a written request for Certificate of Compliance from the owner.

6.25 **Fees for Design Reviews:** In order to defray the expense of reviewing plans and related data, and to compensate any consulting architects, landscape architects, and other professionals, the DRC will publish a Fee Schedule at the beginning of each calendar year. No applications will be accepted or meetings scheduled without proper payment of the required fees. The DRC reserves the right to require payment of additional fees for review meetings in excess of 2 meetings.

6.26 **Damage and Performance Deposit:** A Damage and Performance Deposit must be deposited with and held by the DRC prior to the commencement of any work on-site. The Damage and Performance Deposit will be included in the Fee Schedule and can be used to reimburse the DRC for time involving unapproved changes and/or to cure damages incurred during construction and/or for any other proper purpose.

6.27 **Non-Liability:** The DRC, any member, employee or consultant shall not be liable to any party for any action or failure to act with respect to any matter if such action or failure to act was without malice.

7. Design Review Committee (DRC): Organization, Duties, Responsibilities & Authority

7.1 **DRC Membership:** The DRC shall consist of a minimum of three (3) members. All members of the DRC shall be appointed and removed from time to time as described in Section 6.6 of the Declarations for the HMMA. Any member of the DRC may resign from the DRC at any time upon written notice stating the effective date of the member's resignation.

7.2 **Interpretations by DRC:** By their nature, these guidelines are largely subjective. The DRC has broad capacity to interpret both qualitative and quantitative requirements to ensure that the intent of the guidelines is realized in the architecture of homes at Haymeadow. The DRC is charged with the preservation of quality and value of homes and property at Haymeadow.

7.3 **Functions of the DRC:** The principal functions of the DRC are as follows:

- To consider and act upon such proposals or plans submitted to it in accordance with the Design Review Process described in these guidelines.
- To amend the Guidelines as deemed appropriate.
- To perform any duties assigned to it by the **HMMA** as set forth in this document and the covenants.

7.4 **Administrative Assistant:** The DRC may hire or appoint an administrative assistant for the DRC and shall provide appropriate compensation for any such services. The DRC shall have the right to establish one or more sub-committees to perform one or more of the functions of the DRC.

7.5 **DRC Meetings:** The DRC will meet bi-monthly or as needed to perform its duties. A quorum shall consist of three (3) members. The DRC's actions on matters will be by a majority vote. If one of those members is associated with an application that member shall abstain from voting and such project may only be approved upon agreement of the other members present. DRC meetings will include a virtual meeting link, and committee members can attend virtually.

7.6 **Email Actions:** Any action required to be taken by the DRC may be taken without a meeting, if consent in writing, or by E-mail, setting forth the action so taken is signed by a majority of the DRC members. Meetings may be held by telecommunication or video conference.

7.7 **Records of Actions:** The DRC's Administrative assistant will keep and maintain a record of all actions taken by it, and report in writing to the Executive Board all final actions taken by the DRC relating to design review will be in addition to requirements imposed by the Town of Eagle.

7.8 **Compensation:** The Executive Board has the right to set compensation for DRC Members. Professional consultants retained by the DRC to assist them in carrying out their responsibilities may be paid such compensation as the board determines appropriate.

7.9 **Amendments of Design Guidelines:** The DRC may recommend adopting, and/or repealing, by majority vote, any changes to be incorporated into or amendments to the guidelines which, among other

things, interpret, supplement, or implement the provisions of the guidelines. All such changes will be appended to and made a part of the guidelines.

7.10 **Current Revised Design Guidelines:** Each owner is responsible for obtaining from the DRC a copy of the most recently revised Design Guidelines. These are available via the **HMMA** website, delivered via email or produced in hard copy for a fee.

7.11 **Non-Liability:** Provided that DRC members act in good faith and without malice, neither the DRC nor any member will be liable to the **HMMA**, any Owner or any other person for any damage, loss or prejudice suffered or claimed on account of:

- Approving or disapproving any plans, specifications and other materials, whether or not defective constructing or performing any work, whether or not pursuant to approved plans, specifications and other materials.
- The development or manner of development of any land within Haymeadow
- Executing and recording a form of approval or disapproval, whether or not the facts stated therein are correct; and/or;
- Performing any other function pursuant to provisions of the Guidelines and/or the Covenants.

7.12 **Master Declaration of Protective Covenants,** contains additional requirements regarding the DRC and its activities, responsibilities, and authority.

8. Construction & Builder Regulations, Inspections and Changes

8.1 **Introduction:** To assure that the construction of any Improvements on a homesite will occur in a safe and timely manner and without damaging the natural landscape or common improvements of Haymeadow or disrupting residents or guests, these regulations will be enforced during the construction period. The contractor and owner must sign the Pre Construction check-list, which acknowledges that the owner and his contractors have read and will comply with the most recent copy of the guidelines prior to commencement of work.

8.2 **Storage of Materials and Equipment:** The storage of materials and equipment on the lot is prohibited until completion of the Pre-Construction Meeting and authorization to begin construction.

8.3 **Commencement of Construction:** Construction will not begin until:

- **Final Plan Approvals** have been issued from the DRC
- **Building permit** has been obtained from the Town of Eagle
- **Damage and Performance Deposit** has been placed with the **HMMA**. See Appendix X.
- **Adjacent Lot Use Permission or Party Wall Permission** form completed and signed with the neighboring Owner, if necessary. See AppendixX.
- **Construction area plan** approved by the **HMMA**.
- **Pre-Construction Meeting:** Prior to commencing construction, the builder/contractor must meet with an authorized representative of the DRC or Haymeadow to review the Pre-Construction Checklist, approved Final Plans, the Construction Area Plan and the Construction Regulations. At this meeting the builder/contractor or owner must have available a copy of the Building Permit issued by the Town of Eagle.
- **Construction** shall begin within fifteen (15) days or as reasonably agreed upon in writing by the Executive Director after the Pre-Construction Conference.

8.4 **Construction Management Plan:** Prior to the commencement of any construction activity the builder/contractor will provide the DRC with a detailed construction management plan inclusive of all items listed below as well as identifying location of construction trailers, sanitary facilities, dumpsters and showing the area in which all construction activities will be confined, and how the remaining portions of the homesite will be protected.

- **Construction Fencing -** The construction area is required to be fenced with green mesh construction fencing, chain link, or other material approved by the DRC that must be maintained in good upright condition throughout the construction period. Orange fencing is prohibited.
- **Storage and parking areas:** The owner or owner's contractor will identify the location and size of the construction material storage and parking areas, and the locations of the chemical toilet, temporary trailer structures, dumpster, debris storage, utility trenching, and the limits of excavation. Additionally, silt dams are required where conditions merit their use to prevent the loss of soil into waterways or onto adjacent property. Silt fences, where required, must be secured by burial of a minimum of 12 inches.
- **Access to Construction Areas:** Access to the construction site for all will be limited to the route established by the DRC prior to the commencement of any construction activity. Usually, the identified route is the future driveway. Prior to the installation of the permanent driveway materials, contractors are required to use a road base on the access route. If the identified access route is violated or not maintained with gravel or superior surfaces, the DRC may seek

curative measures as described in Section TBD of the Covenants

- **Vehicles and Parking Areas:** Parking for construction personnel vehicles machinery other than within the DRC approved construction area on-site, will occur only in specific areas designated by the DRC to minimize damage to the existing landscape and adjacent properties. Any approved on-street parking must be limited to one side of the street, thereby allowing the smooth flow of normal vehicular traffic. Construction crews will not be permitted to park on adjacent homesites without written approval from the homesite Owner that is forwarded to and recorded by the DRC or any other unapproved areas.

8.5 Construction Period and Phasing: Construction must be completed within twenty-four (24) months of the date of final approval of the planned Improvements by the DRC. Construction can be phased, but the primary component of the home must be completed first. Accessory Dwelling Units may not be constructed in advance of the main house.

8.6 Construction Activity Times: The time of construction will be limited to the period from 7:00 AM until 7:00PM Monday through Friday, 8:00 AM until 6:00 PM on Saturdays. Town of Eagle's regulations prohibit construction activity on certain national holidays or on Sundays.

8.7 Construction Trailers, Sanitary Facilities and Temporary Structures: Owner or Builder/Contractor who wants to bring a construction trailer or the like to Haymeadow must obtain written approval from the DRC. The DRC will work closely with the builder to locate the trailer in the best possible location to minimize impacts to the site and to adjacent homesite owners. Sanitary facilities must be provided for construction personnel on-site in a location approved by the DRC. The facility must be facing the interior of the lot, away from the street, and is not allowed within the Right-of Way. It must be maintained in such a manner to prevent it from becoming foul smelling or unsightly. All such facilities must be removed from the homesite prior to issuance of a Certificate of Compliance and may not remain on the site after substantial completion of the home or homes for which it is being used. Temporary living quarters for the owner, builder/contractor or their employees will not be permitted.

8.8 Debris and Trash Removal: Builders/contractors must clean up all trash debris on the construction site at the end of each day. Trash and debris must be removed from each construction site whenever the trash receptacle has become full or poses a threat of allowing trash to blow away. Lightweight material, packaging, and other items, must be covered to prevent wind from blowing such materials off the construction site. Builders/contractors are prohibited from dumping, burying, or burning trash on the Lot or elsewhere in Haymeadow.

8.9 Clean Up and Eyesore Appearance: During the construction period, the site must be kept neat and tidy to prevent it from becoming a public eyesore or affecting adjacent homesites. Dirt, mud or debris resulting from activity on each construction site must be promptly removed from roads, open spaces, and driveways or other portions of Haymeadow. Any clean-up costs incurred by the DRC or the **HMMA** in enforcing these requirements will be billed to the Owner, and payable to the **HMMA** per Section TBD of the Covenants.

8.10 Excavation, Grading and Tree Protection: The Builder/Contractor will take extreme care during excavation to assure that trees not authorized for removal are not damaged. All trees remaining within an approved construction area must be properly tagged and protected prior to the commencement of any grading operations. Every effort must be made to reduce compaction and/or disturbance within the drip line

of all trees located within and outside of the fenced approved Construction Area.

8.11 Dust and Erosion Control: Blowing dust resulting from grading operations must be controlled by watering. During construction, erosion must be minimized on exposed cut and/or fill slopes through proper soil stabilization, water control and revegetation. The Builder is responsible for the implementation of all erosion control techniques as may be required by State or local agencies. Grading operations may be suspended by the DRC during periods of heavy rains or high winds.

8.12 Damage Repair and Restoration During Construction: Damage and scarring to other property including open space, adjacent homesites, roads, driveways, and/or other improvements will not be permitted. If any such damage occurs, it must be repaired or restored promptly at the expense of the Owner of the homesite. See Fines in Appendix X for special requirements for the repair of common irrigation systems. Upon completion of construction, each Owner and Builder will be responsible for cleaning up the construction site and the repair of all property which was damaged including, but not limited to restoring grades, planting shrubs and trees as approved or required by the DRC, and repair of streets, driveways, pathways, drains, culverts, ditches, signs, lighting and fencing, but not including common irrigation systems. Any property repair costs as mentioned above, incurred by the DRC or the **HMMA** will be billed to the Owner. Failure to remedy damage as directed by the DRC will result in the cost of the damage repair being deducted from the Damage and Performance Deposit. See Fines in Appendix X.

8.13 Damage to Right of Way Landscaping: Due to the importance of the Right of Way (ROW) landscape features, any damage except damage to the common irrigation system caused to this area by the Owner or Owner's Contractors shall be repaired in a timely fashion by the Owner utilizing materials and construction techniques to match existing landscape elements. See Appendix X for procedures regarding damage to irrigation systems in Common Areas and Right of Ways. The Owner shall notify the **HMMA** of any damage that has occurred to the landscape elements within 24 hours of the occurrence. The disturbance shall be temporarily repaired or made functional within 24 hours and permanently repaired within 10 days of the disturbance. If damage to the landscape elements is not repaired within 10 days, the **HMMA** shall perform the repairs and subsequently charge the Owner for all costs incurred.

8.14 Damage to Common Irrigation System: Because the long term effective operation of the common irrigation system in the ROW's and Limited Common Assessment areas depends on its coherence in materials and installation, damage done by property owners or their operators to the common irrigation system will be repaired by the **HMMA** and its operators. Owners are required to reimburse the **HMMA** for all of its direct expenses. Frequent damage to the common irrigation system and the downstream impacts of allowing dirt and gravel into the lines necessitates a fining system to discourage sloppy construction activities.

8.15 Driveway Construction: New driveway construction will occur over the existing irrigation system. The Owner or Builder shall locate the driveway to effect as few irrigation heads as possible. Driveways will not be allowed over valve box or control clock locations, except by DRC approval. The **HMMA** will be responsible for relocating valve boxes and control clocks with costs to be paid for by the Owner.

8.16 Irrigation Sleeves: Prior to making a driveway cut, the Owner or Builder must request a visual inspection by the **HMMA** to determine if the cut will affect existing irrigation systems. In the event that irrigation heads are affected by driveway construction, the Owner or Builder shall request relocation by the **HMMA** and will be responsible for the cost of its relocation. The Owner or Builder is also responsible

to place three (3) PVC sleeves under the entire width of the new driveway. Four-inch (4") and 6" sleeves must be installed 30" deep and 18" from the curb. An additional 4" sleeve is to be installed at a depth of 12" below grade, immediately adjacent to the curb. This sleeve is necessary to accommodate future repairs or adjustments to the irrigation lateral line.

8.17 **HMMA Inspections:** In addition to the building inspections required by the Town of Eagle, the following inspections must be scheduled with the DRC and the **HMMA**:

- **Site Inspection** which will include the staking within the fenced Construction Area, all corners of proposed buildings, the driveway, extent of grading, protected vegetation must be staked, together with the locations of any temporary buildings. This inspection must be completed prior to any site clearing or disturbance of existing grade.
- **Final Inspection** - This inspection must be done prior to any application to the Town of Eagle for a Certificate of Occupancy.
- **Landscaping Inspection** shall be performed as part of the Final Inspection. In the event that seasonal restrictions prohibit the completion of the landscape installation concurrent with the completion of the home, scheduling of completion must be made and agreed to in writing with the Executive Director. A portion of the Damage and Performance Deposit may be withheld pending completion, inspection and approval of the landscape installation.
- **Irrigation Inspection** shall be performed as part of the Final Inspection to determine that the irrigation as installed conforms to approved plans.

Additionally, the DRC will be doing on-going frequent informal inspections with the intent to catch any problems, deviations from plans or violations before they become "built-in".

8.18 **Pets:** All pets belonging to construction personnel must be kept within vehicles or always leashed while within Haymeadow. They must not be a nuisance to or threaten any persons or wildlife.

8.19 **Security:** Precautions at the construction site may include temporary fencing approved by the DRC. Security lights are prohibited except for those activated by motion detectors. Audible alarms and guard animals will not be permitted.

8.20 **Noise:** Builders/Contractors will make every effort to keep noise to a minimum. Radio sound will be kept at a low level to minimize disturbance to neighbors and wildlife. Builders/Contractors will follow all Town of Eagle noise ordinances.



**STAFF REPORT AND
CERTIFICATE OF RECOMMENDATION**

TO: Planning & Zoning Commission

FROM: Community Development Department

DATE: January 18, 2022

PROJECT: Gordon Lot Line Adjustment

FILE NUMBER: LLA21-01

APPLICANT: Stephen & Linda Jean Gordon

LOCATION: 82 Silver Spur & 424 Abrams Creek

CODE: Chapter 4.12 Subdivision Review
Chapter 4.05 Zoning Review

ZONING: Eagle Ranch Planned Unit Development (PUD)

EXHIBITS: A: Project Application and Narrative
B: Final Plat
C: Eagle Ranch Consent
D: Referral Agency Comments

PUBLIC COMMENT: Staff has received 0 letters of public comment as of January 14, 2022. Letters received after this time will be gathered and entered into the public record at the hearing.

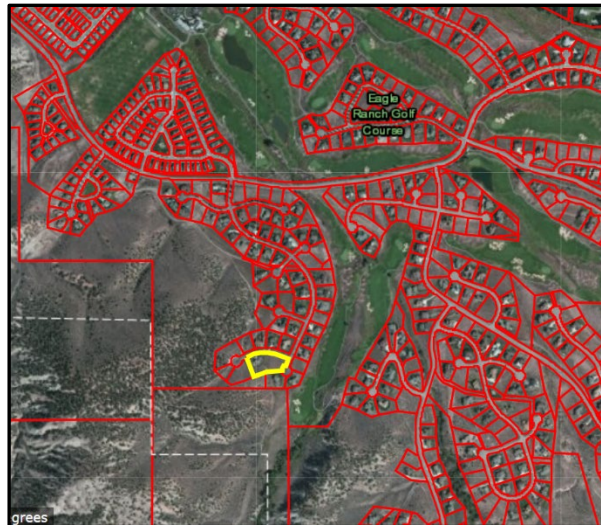
STAFF: Peyton Heitzman, Planner – peyton.heiztman@townofeagle.org

REQUEST: To vacate the lot line between lots 40 (82 Silver Spur) and 39 (424 Abrams Creek), consolidating two lots into one lot.

INTRODUCTION

Stephen and Linda Jean Gordon (Applicant) are the owners of 82 Silver Spur and 424 Abrams Creek. The Applicant is requesting to vacate a lot line and consolidate two lots into one. There is a structure on 82 Silver Spur and the other lot is vacant. The property is located in the Eagle Ranch PUD. Included with the application is a letter of consent from the HOA, approving the consolidation.

In addition to the vacation of the lot line, there are two easements on either side of the lot line that also need to be vacated.



The Town's Public Works Department has requested two additional conditions of approval. One of the conditions require the Applicant to verify there are no utilities in the easements to be vacated. The other condition has the Applicant abandon the water and wastewater utilities from the vacant lot so there will only be one tap serving the one lot once the consolidation has been finalized. This is a public health requirement of Public Works that has been applied to other lot consolidations in the past. The purpose of this requirement is to prevent the unused water stub from becoming a breeding ground for bacteria.

STANDARDS FOR A LOT LINE ADJUSTMENT

[Section 4.12.040.](#)

STANDARD #1: *The final subdivision plat conforms to the Town's regulations, goals and policies.*

Regulations

Staff Comment: The Municipal Code requires the application's plat meet all requirements in [Section 4.12.020.C.](#) The Final Plat has been reviewed by the Town Engineer, Planning, and a 3rd party surveyor to ensure the document has been prepared to meet all requirements set forth by the Municipal Code. All comments have been shared with the applicant and a condition of approval has been included having the Applicant address all technical comments prior to recording the Final Plat. Referral agencies comments are included as an attachment in the packet.

Goals and Policies

Staff Comment: Staff reviewed the application against goals and policies in the Elevate Eagle Comprehensive Plan (2021 Amendment). The request supports Policy 4-1.3. *Mitigate impacts to the natural environment and native species.* When reviewing the Community Wildlife Roundtable Interactive Map Viewer ([LINK](#)), staff found the properties are within the Mule Deer Winter Range,

the Mule Deer Winter Concentration Area, the Mule Deer Severe Winter Range, the Elk Winter Concentration Area, and the Elk Severe Winter Range. An explanation of the Winter Range, Severe Winter Range and Winter Concentration Area can be found on page 10 of the Colorado Parks and Wildlife 2020 Status Report: Big Game Winter Range and Migration Corridors ([LINK](#)). The consolidation of the two lots would result in a slight decrease in density. The decrease in density may have small benefits to wildlife by reducing the vehicles traveling to the area and preserving natural vegetation on the vacant property.

STAFF RECOMMENDATION

Staff recommends APPROVAL with conditions of the Gordon Lot Line Adjustment file #LLA21-01 based on compliance with Section 4.12.040 of the Municipal Code. Specifically, that the application:

1. Meets the technical criteria for a Final Plat; and
2. The request is supported by goals and policies in the Elevate Eagle Comprehensive Plan.

PLANNING AND ZONING COMMISSION POTENTIAL MOTIONS

Below are the Planning and Zoning Commission options related to the Lot Line Adjustment file # LLA21-01:

1. Approve the application with no conditions.
2. Approve the application with conditions.
3. Continue (table) the application. (Provide staff and the application detail regarding information needed for a decision).
4. Deny the application. (Cite all Code sections and/or Plan policies that resulted in motion for denial)

SUGGESTED MOTION:

I move to recommend approval of the Gordon Lot Line Adjustment file #LLA21-01 with the following finding and conditions.

FINDINGS FOR APPROVAL

The application meets the requirements for Title 4 of the Use and Development Code and supports the Elevate Eagle Comprehensive Plan (2021 Amendment).

IF APPROVED, THE P&Z AND COUNCIL MAY CONSIDER THE FOLLOWING SUGGESTED CONDITIONS OF APPROVAL:

1. Within 30 days of approval, the Final Plat shall be revised to reflect technical comments from the Town Planning and Public Works Departments, the Town Attorney, and the Town's 3rd Party Surveyor.
2. Within 30 days of approval, the applicant shall verify that no utilities exist in the two side yard easements to be vacated.
3. Applicant needs to remove and abandon the existing sanitary sewer & potable water stub-outs that exist for Lot 39, 424 Abrams Creek, through a Town of Eagle Public Works permit for construction in the public right-of-way prior to recording the Final Plat.



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 APPLICATION

Pursuant to the Land Use & Development Code, Title 4

ZONING REVIEW	DEVELOPMENT REVIEW	SUBDIVISION REVIEW
☐ Special Use Permit ☐ Zoning Variance ☐ Rezoning ☐ Temporary Use Permit ☐ Amendment to Zone District Regulations ☐ Encroachment Permit	☐ Minor Development Permit ☐ Major Development Permit PLANNED UNIT DEVELOPMENT (PUD) REVIEW ☐ PUD Zoning Plan ☐ PUD Development Plan	☐ Concept Plan ☐ Preliminary Plan ☐ Final Plat ☒ Lot Line Adjustment ☐ Condominium / Townhouse ☐ Minor Subdivision

PROJECT NAME Gordon lot line adjustment

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

LOCATION

STREET ADDRESS 82 Silver Spur - 424 Abrahms Creek

PROPERTY DESCRIPTION

SUBDIVISION Eagle Ranchs LOT(S) 39 & 40 BLOCK 3
(attach legal description if not part of a subdivision)

DESCRIPTION OF APPLICATION/PURPOSE Applicants propose to eliminate the lot line between 2 adjacent properties combining the 2 lots into one.

APPLICANT NAME Stephen + Linda Jean Gordon PHONE 913-226-0070

ADDRESS Po Box 6197 Eagle, Co 81631 EMAIL whoopi10@hotmail.com

OWNER OF RECORD SAA PHONE _____

ADDRESS _____ EMAIL _____

REPRESENTATIVE* _____ PHONE _____

ADDRESS _____ EMAIL _____

*A representative must submit an affidavit or power of attorney signed by the property owner of record authorizing the representation.

APPLICATION SUBMITTAL ITEMS:

The following submittal materials must be submitted in full before the application will be deemed complete (please check all items that are being submitted):

- ☐ Applicable fees and deposits.
- ☐ Project Narrative, describing the project, its compliance with any applicable review criteria, any impacts to the surrounding area, and any other relevant information.
- ☐ Surrounding and interested Property Ownership Report (see project specific checklist for more information).
- ☐ Proof of Ownership (ownership & encumbrance report) for subject property.
- ☐ Site Plan, drawn to scale and depicting the locations and boundaries of existing and proposed lots and structures.
- ☐ Project specific checklist.

FEES AND DEPOSITS:

See Eagle Municipal Code Section 4.03.080

1. Application fees shall be paid in full at the time of the filing of the application and unless paid, the application shall not be deemed complete. All fees are nonrefundable.
2. As described in Eagle Municipal Code § 4.03.080, third-party consultants may be necessary for the review and processing of applications. These costs ("pass-through costs") must be paid by the applicant. If pass-through costs are expected, the applicant must pay a deposit at the time the application is filed. If at any time the deposit does not fully cover the pass-through costs, the applicant must pay another subsequent deposit before the Town will continue processing the application.
3. The Town may withhold the recording of any Subdivision Final Plat or Development Plan or the signing of any Resolution or Ordinance until all pass-through fees are paid in full.
4. Within 30 days of approval or denial of an application, any remaining deposit shall be returned to the applicant. If an application is withdrawn, any remaining deposit shall be returned to the applicant within 60 days.

I have read the application form and certify that the information contained herein is correct and accurate to the best of my knowledge. I understand that it is my responsibility to provide the Town with accurate information related to this application. I UNDERSTAND THAT FILING AN APPLICATION IS NOT A GUARANTEE THAT THE APPLICATION WILL BE APPROVED.

Signature Stephen M. Gordon Date 10-20-2021

FOR OFFICE USE ONLY			
DATE RECEIVED _____	BY _____	FILE NUMBER _____	
REVIEW FEE _____	DATE PAID _____	RECEIVED BY _____	
DATE CERTIFIED COMPLETE _____	BY _____		
P&Z HEARING DATE _____	DECISION _____		
BOT HEARING DATE _____	DECISION _____		

**Application for Approval of Lot Line Adjustment
82 Silver Spur (Lot 40) and 424 Abrams Creek (Lot 39)
Stephen M. Gordon and Linda Jean Gordon**

Narrative

Stephen M. Gordon and Linda Jean Gordon, ("Applicants") are the owners of the two adjacent lots located at 82 Silver Spur and 424 Abrams Creek in the Eagle Ranch subdivision of the Town of Eagle, Colorado. 82 Silver Spur consists of 0.827 acres and 424 Abrams Creek consists of 0.736 acres. Applicants propose to eliminate the lot line between the properties, combining the two lots into one lot consisting of 1.563 acres $\pm$. Upon approval of this proposal, Applicants intend to continue maintaining their one (1) single family residence on what is designated as Lot 40 and maintain what is designated as Lot 39 in its natural state with native plant species.

Applicants submit this proposal pursuant to Section 4.12.040 of the Eagle Municipal Code. Section 4.12.040 allows for lot line adjustments, "where the potential for development of resulting parcels remains substantially unchanged, in relation to number of lots, number of units, size of buildings, types of uses allowed, and similar factors." The lot line adjustment proposed by Applicant will result in decreased development potential on the order of one single-family home, with no other change in development potential or allowable land use. Development of the 1.563 $\pm$ acre lot resulting from this lot line adjustment would comply with all provisions of the Town of Eagle Land Use and Development Ordinance and all other provisions of the Eagle Municipal Code.

In the broad context of the Eagle Ranch development, which consists of approximately 1900 acres and 1250 separate properties, the decrease in development potential by one single- family home that will result from this lot line adjustment is insignificant. Viewed more narrowly, the proposed lot line adjustment would have no negative impact to the subject neighborhood. To the contrary, the decreased development potential and decreased development density that will result from this proposal could be viewed as an attribute for neighboring property owners.

The Town of Eagle and the Eagle Ranch Association and Design Review Board have approved lot line adjustments such as this in the past, including the matter covered by Application LLA19-02 in November 2019.

Certificate of Dedication and Ownership

Know all men by these presents that Stephen M. Gordon and Linda J. Gordon, being sole owner(s) in fee simple of all that real property situated in Eagle County, Colorado described as follows:

Lots 39 and 40, Block 3, Eagle Ranch Filing No. 3, Town of Eagle, County of Eagle, State of Colorado according to the Final Plat of Eagle Ranch, Filing No. 3, as filed for record on December 16, 1999 as Reception No. 718009, in the Clerk and Recorder's Office, County of Eagle, State of Colorado.

Containing 1.564 Acres more or less; have by these presents laid out, platted and subdivided the same into lots and blocks as shown on this final plat under the name and style of EAGLE RANCH FILING No. 3, BLOCK 3, LOTS 39 & 40, a subdivision (consolidation) in the Town of Eagle, County of Eagle; and do hereby accept the responsibility for the completion of required improvements; and do hereby dedicate and set apart all of the public roads and other public improvements and places as shown on the accompanying plat to the use of the public forever; and do hereby dedicate those portions of said real property which are created as easements on the accompanying plat to the public forever as easements for the purposes shown herein, unless otherwise expressly provided therein; and do hereby grant the right to install and maintain necessary structures to the entity responsible for providing the services for which the easements are established.

EXECUTED this ____ day of _____, A.D., 20____.

By Owners:

Stephen M. Gordon
and
Linda J. Gordon

Address: Po Box 6197
Eagle, Co 81631

STATE OF COLORADO)
) SS
COUNTY OF EAGLE)

The foregoing instrument was acknowledged before me this ____ day of _____, A.D. 20____, by Stephen M. Gordon as Owner.

My Commission expires: _____
Witness my hand and official seal. _____ Notary Public (SEAL)

The foregoing instrument was acknowledged before me this ____ day of _____, A.D. 20____, by Linda J. Gordon as Owner.

My Commission expires: _____
Witness my hand and official seal. _____ Notary Public (SEAL)

TITLE CERTIFICATE
_____ does hereby certify that it has examined the Title to all lands shown upon this Plat and that Title to such lands is vested in _____

Free and clear of all liens, and encumbrances, except as follows: _____

Dated this ____ day of _____, A.D., 20____.

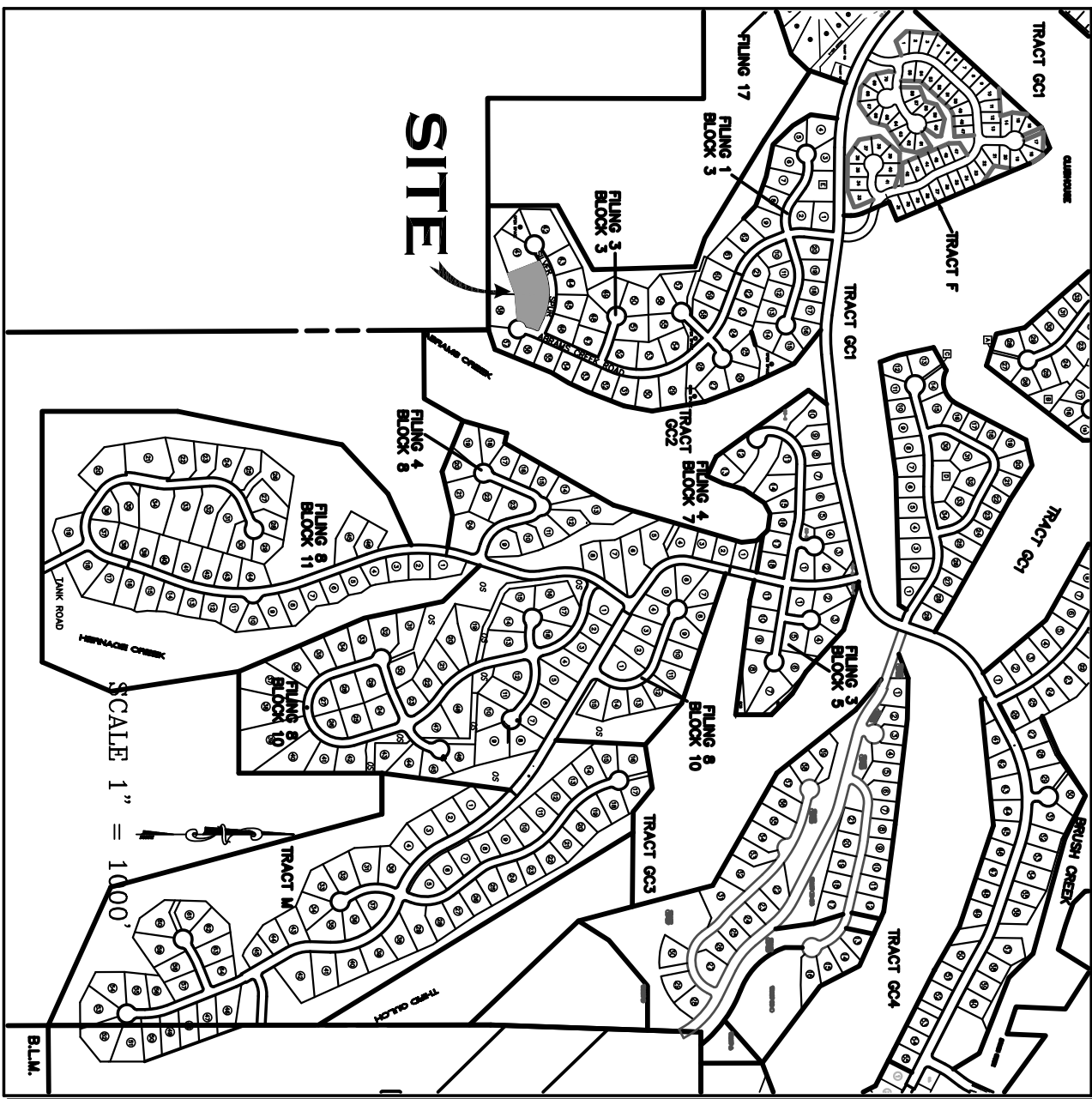
AGENT: _____

LAND USE SUMMARY		
LOT	LAND USE	AREA
Lot 40A	Residential	1.564 Acres
TOTAL		1.564 Acres

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 herein.

AMENDED FINAL PLAT
Eagle Ranch Filing No. 3, Block 3, Lots 39 & 40
A Consolidation of Lots 39 and 40, Block 3,
Eagle Ranch Filing No. 3

Town of Eagle, County of Eagle, State of Colorado



PORTION OF SOUTHWEST QUARTER OF SECTION 9,
TOWNSHIP 5 SOUTH, RANGE 84 WEST, 6th P.M.

- General Notes:
- 1) The purpose of this plat is to 1) vacate the lot line with it's platted Utility and Drainage Easement 7.5' each side between Lots 39 and 40, thus consolidating the two separate lots into one now known as Lot 40A, as shown herein.
 - 2) Basis of Bearings: Calculated and Based of the hereon referenced Final Plat of Eagle Ranch Filing No. 3 as recorded in the office of the Eagle County Clerk and Recorder, as Reception No. 718009, a grid bearing of N52°14'32"E between monuments marking the Southwest Corner of Lot 40 and point of Curvature along the South right of way line of Silver Spur, as shown and described herein.
 - 3) Legal Description, location of improvements, record easements, rights of way, and record deed lines were derived from the hereon referenced Final Plat of Eagle Ranch Filing No. 3, survey monuments, as shown and described herein and the Old Republic National Title Insurance Company title commitment order No. V50063581 dated October 15, 2021, according to items referenced in Schedule B II of the hereon referenced title commitment order No. V50063581: Items 1 through 9, and 11, were not researched by surveyor or do not reference surveying or platting related issues.
 - Item 10 this lot is subject to all notes, easements, restrictions and / or covenants defined on the hereon referenced Final Plat of Eagle Ranch Filing No. 3
 - Item 12 this lot is subject to terms, conditions and provisions of the Eagle Ranch Planned Unit Development Guide recorded June 26, 2013 and filed as Reception No. 201312976.
 - 4) Date of Field Work: October 31, 2021.
 - 5) Lineal Units of the U.S. Survey Foot were used herein.

SURVEYOR'S CERTIFICATE

I, Matthew S. Stagle, do hereby certify that I am a Professional Land and Surveyor licensed to practice land surveying under the laws of the State of Colorado, that this subdivision plat is true, correct and complete plat of EAGLE RANCH FILING No. 3, BLOCK 3, LOTS 39 & 40, as laid out, platted, dedicated and shown herein, that such plat was made from an accurate survey of said property by me and/or under my supervision, and accurately shows the locations and dimensions of the lots, easements and rights of way of said plat as the same are monumented upon the ground in compliance with acceptable regulation governing the subdivision of land, that said plat is based upon the said land surveyor's knowledge, information and belief, that such plat has been prepared in accordance with applicable standards of practice, and that such plat is not a guaranty or warranty, either expressed or implied.

In Witness Whereof, I have set my hand and seal this ____ day of _____, A.D., 20____.

File No. _____

County Commissioners' Certificate
Based upon the review and recommendation of the Eagle County Director of Community Development, the Board of County Commissioners of Eagle County, Colorado hereby approved this plat this ____ day of _____, A.D., 20____, for filing with the Clerk and Recorder of Eagle County and for conveyance to the County of the public dedications shown herein; subject to the provisions that approval in no way obligates Eagle County for maintenance of roads dedicated to the public until construction of improvements thereon shall have been completed in accordance with Eagle County specifications and the Board of County Commissioners of Eagle County has by a subsequent resolution agreed to undertake maintenance of the same. This approval does not guarantee that the size, soil conditions, subsurface geology, ground water conditions or flooding conditions of any lot shown herein are such that a building permit, sewerage disposal 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, gutter, sidewalks, road lighting, road signs, flood protection devices, drainage structures and all other improvements that may be required shall be the responsibility of the subdividers and not the County of Eagle.

Chairman, Board of County Commissioners
Eagle County, Colorado

Witness my hand and seal of the County of Eagle.

ATTEST:
Clerk to the Board of County Commissioners

Community Development Director Certificate

Pursuant to the Eagle County Land Use Regulations, the Director of Eagle County Community Development hereby approves this final plat the ____ day of _____, A.D., 20____.

Director, Community Development
County of Eagle, Colorado

STATE OF COLORADO)
) SS
COUNTY OF EAGLE)

The foregoing instrument was acknowledged before me this ____ day of _____, A.D. 20____, by _____.

My Commission expires: _____
Witness my hand and official seal. _____ Notary Public (SEAL)

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.

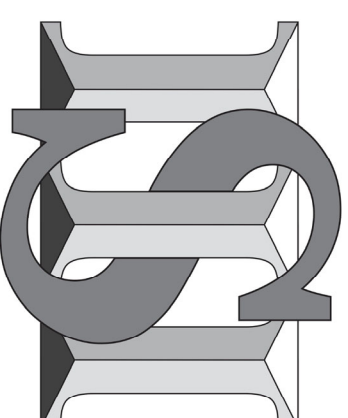
Dated this ____ day of _____, A.D., 20____.

Treasurer of Eagle County

CLERK AND RECORDERS CERTIFICATE

This Plat was filed for record in the office of the Clerk and Recorder at _____ o'clock ____ on this ____ day of _____, 20____, and is duly recorded in Reception No. _____

Clerk & Recorder
By: _____ Deputy



STAGLE SURVEY SERVICES
800 Castle Drive - P.O. Box 751 Eagle, Colorado 81631
970.471.1499 Office matthew@staglesurvey.com
www.StagleSurvey.com

AMENDED FINAL PLAT

Eagle Ranch Filing No. 3, Block 3, Lots 39 & 40
A Consolidation of Lots 39 and 40, Block 3,
Town of Eagles, County of Eagle, State of Colorado

DRAWN BY:	DATE	DATE	DATE
MSS	21095	21095	12-01-2021

SHEET 1 OF 2

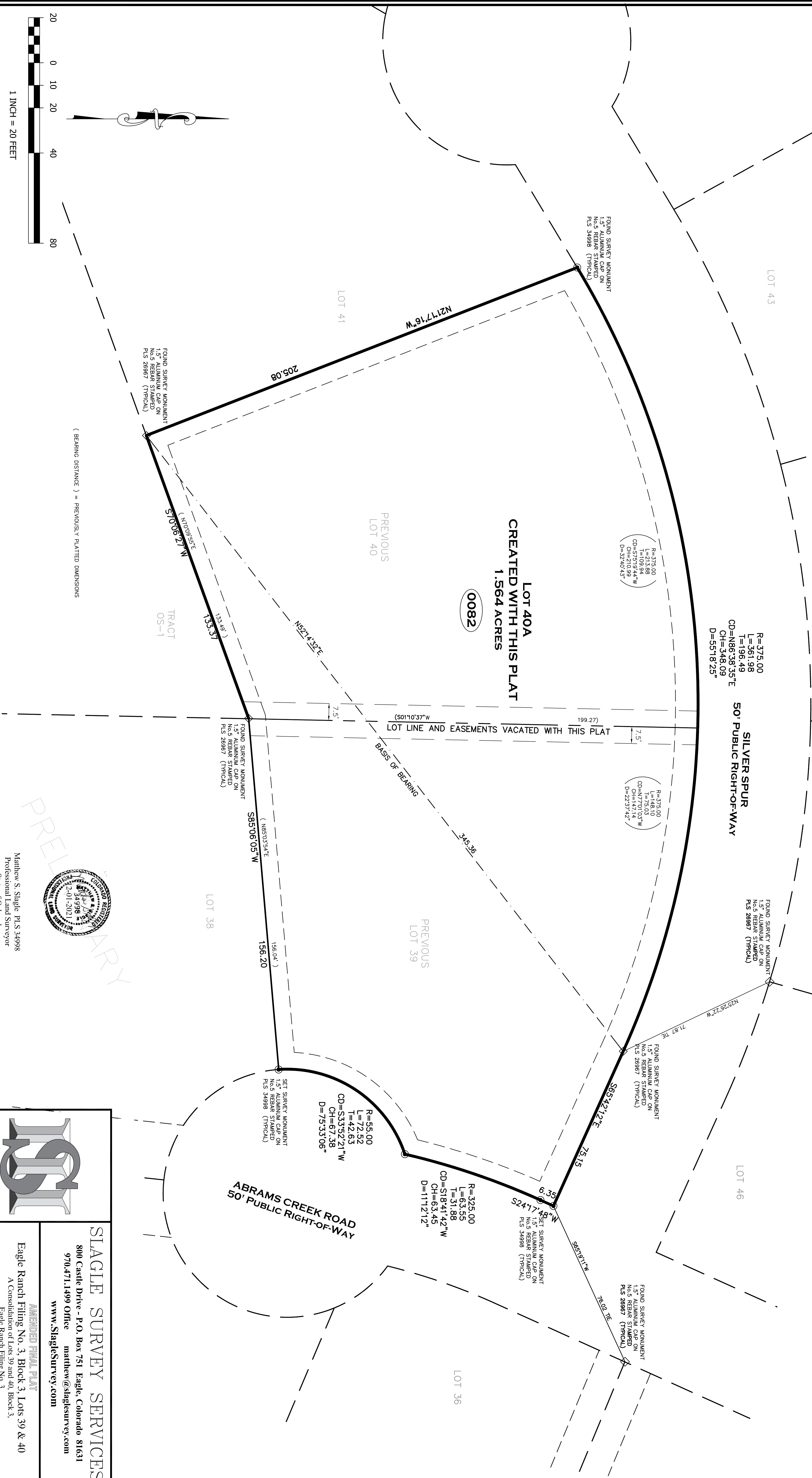
AMENDED FINAL PLAT

Eagle Ranch Filing No. 3, Block 3, Lots 39 & 40

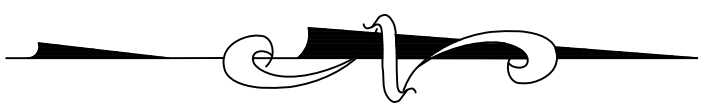
A Consolidation of Lots 39 and 40, Block 3,

Eagle Ranch Filing No. 3

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.



(BEARING DISTANCE) = PREVIOUSLY PLATTED DIMENSIONS



Matthew S. Slagle PLS 34998
Professional Land Surveyor
State of Colorado



STAGLE SURVEY SERVICES

800 Castle Drive - P.O. Box 751 Eagle, Colorado 81631
 970-471-1499 Office mattew@stagsurvey.com
www.StagleSurvey.com

AMENDED FINAL PLAT

Eagle Ranch Filing No. 3, Block 3, Lots 39 & 40

A Consolidation of Lots 39 and 40, Block 3,
 Eagle Ranch Filing No. 3

Town of Eagle, County of Eagle, State of Colorado

DRAWING BY:	JOB NUMBER:	DRAWING NAME:
MSS	21095	21095_AFP.dwg

SHEET	OF	DATE:
2	2	12-01-2021

**UNANIMOUS CONSENT OF DIRECTORS
OF EAGLE RANCH ASSOCIATION
August 24, 2020**

Pursuant to Section 7-128-202 of the Colorado Nonprofit Corporation Act (C.R.S. 1973, as amended) the undersigned, being all of the Directors of Eagle Ranch Association, a Colorado non-profit corporation (the "Association"), hereby consent to, vote in favor of and adopt the following resolutions:

WHEREAS, Section 4 (Density Control) of the Eagle Ranch PUD establishes that the combination of two or more existing residential units into a lesser number of units shall first be approved by the Eagle Ranch Design Review Board and the Town of Eagle Planning Department; and

WHEREAS, the Owner of Lots 39 and 40 (the "Lots") has requested approval to combine the Lots; and

WHEREAS, the Board of Directors believes it is in the best interest of the Association to approve the request, including the reduction of votes and dues to one lot, subject to the Owner of the Lots acknowledging and agreeing to comply with the following: (i) when multiple lots are combined, the building envelope shall be adjusted and drawn to accommodate no more than one Building Site; (ii) if the combined lots are subsequently partitioned, the Owner of the partitioned Lots(s) shall be responsible for Assessments equivalent to the Assessments which would have been due from the multiple lots from the date of combination;

NOW THEREFORE BE IT RESOLVED that the application providing for the combination of the Lots is approved.

By their signatures, the undersigned Directors evidence their approval of the resolutions as of the date written above. Signatures transmitted electronically shall be effective as original.



Liz Adams



[eric eves \(Aug 25, 2020 08:56 MDT\)](#)

Eric Eves



[Steve Lindstrom \(Aug 25, 2020 15:38 MDT\)](#)

Steve Lindstrom



[Kevin Sharkey \(Aug 24, 2020 13:47 MDT\)](#)

Kevin Sharkey



[John Shipp \(Aug 24, 2020 18:28 MDT\)](#)

John Shipp

Scott Turnipseed

[Scott Turnipseed \(Aug 24, 2020 14:47 MDT\)](#)

Scott Turnipseed

DKA

[David Viele \(Aug 24, 2020 14:30 MDT\)](#)

David Viele

Eagle Ranch Consent Lots 39 & 40

Final Audit Report

2020-08-25

Created:	2020-08-24
By:	Emily Walz (ewalz@eastwestresorts.com)
Status:	Signed
Transaction ID:	CBJCHBCAABAAAtjulp6y5QO6VZ2Zvbr0kiJHXXKMXTuxd

"Eagle Ranch Consent Lots 39 & 40" History

-  Document created by Emily Walz (ewalz@eastwestresorts.com)
2020-08-24 - 7:31:42 PM GMT- IP address: 66.86.94.174
-  Document emailed to Elizabeth Adams (lizadams.co@gmail.com) for signature
2020-08-24 - 7:34:10 PM GMT
-  Document emailed to eric eves (eeves@hotmail.com) for signature
2020-08-24 - 7:34:10 PM GMT
-  Document emailed to Steve Lindstrom (slmf@vailmovies.com) for signature
2020-08-24 - 7:34:10 PM GMT
-  Document emailed to Kevin Sharkey (eaglesharkey@yahoo.com) for signature
2020-08-24 - 7:34:10 PM GMT
-  Document emailed to John Shipp (jshipp@roadhousehg.com) for signature
2020-08-24 - 7:34:10 PM GMT
-  Document emailed to Scott Turnipseed (scott@sstaia.com) for signature
2020-08-24 - 7:34:10 PM GMT
-  Document emailed to David Viele (dviele@gmail.com) for signature
2020-08-24 - 7:34:10 PM GMT
-  Email viewed by David Viele (dviele@gmail.com)
2020-08-24 - 7:34:18 PM GMT- IP address: 66.102.6.226
-  Email viewed by Elizabeth Adams (lizadams.co@gmail.com)
2020-08-24 - 7:35:22 PM GMT- IP address: 66.102.6.228
-  Document shared with Erin Vega (evega@eastwest.com)
2020-08-24 - 7:35:54 PM GMT- IP address: 66.86.94.174

 Document shared with mruh@eastwest.com

2020-08-24 - 7:35:54 PM GMT- IP address: 66.86.94.174

 Document e-signed by Elizabeth Adams (lizadams.co@gmail.com)

Signature Date: 2020-08-24 - 7:42:13 PM GMT - Time Source: server- IP address: 66.86.86.23

 Email viewed by Kevin Sharkey (eaglesharkey@yahoo.com)

2020-08-24 - 7:46:08 PM GMT- IP address: 209.73.183.72

 Document e-signed by Kevin Sharkey (eaglesharkey@yahoo.com)

Signature Date: 2020-08-24 - 7:47:08 PM GMT - Time Source: server- IP address: 165.225.10.98

 Document e-signed by David Viele (dviele@gmail.com)

Signature Date: 2020-08-24 - 8:30:25 PM GMT - Time Source: server- IP address: 50.243.152.169

 Email viewed by eric eves (eeves@hotmail.com)

2020-08-24 - 8:40:05 PM GMT- IP address: 24.8.201.181

 Email viewed by Scott Turnipseed (scott@sstaia.com)

2020-08-24 - 8:47:29 PM GMT- IP address: 63.238.165.98

 Document e-signed by Scott Turnipseed (scott@sstaia.com)

Signature Date: 2020-08-24 - 8:47:43 PM GMT - Time Source: server- IP address: 63.238.165.98

 Email viewed by John Shipp (jshipp@roadhousehg.com)

2020-08-25 - 0:27:50 AM GMT- IP address: 66.86.87.28

 Document e-signed by John Shipp (jshipp@roadhousehg.com)

Signature Date: 2020-08-25 - 0:28:55 AM GMT - Time Source: server- IP address: 66.86.87.28

 Document e-signed by eric eves (eeves@hotmail.com)

Signature Date: 2020-08-25 - 2:56:18 PM GMT - Time Source: server- IP address: 107.77.200.6

 Email viewed by Steve Lindstrom (slmf@vailmovies.com)

2020-08-25 - 9:35:42 PM GMT- IP address: 67.190.140.60

 Document e-signed by Steve Lindstrom (slmf@vailmovies.com)

Signature Date: 2020-08-25 - 9:38:13 PM GMT - Time Source: server- IP address: 67.190.140.60

 Signed document emailed to Kevin Sharkey (eaglesharkey@yahoo.com), Erin Vega (evega@eastwest.com), mruh@eastwest.com, David Viele (dviele@gmail.com), and 6 more

2020-08-25 - 9:38:13 PM GMT



TOWN OF EAGLE REFERRAL RESPONSE SUMMARY REPORT

ISSUED: 1/7/2022

Project Name: Gordon Lot Line Adjustment
Owner/Applicant: Stephen & Linda Jean Gordon
Prepared by: Peyton Heitzman, Planner I

The Eagle Community Development Department is issuing the following Referral Response Summary Report. If you have any questions or concerns regarding any comment, contact me or the individual agency to clarify the statement and reach an understanding. It is in the applicant's best interest to contact each internal and external referral agency directly in order to streamline the development review process.

REFERRAL COMMENTS SECTION

Community Development – Peyton Heitzman: peyton.heizman@townofeagle.org

1. Eagle County Commissioners certificate needs to be replaced with Town of Eagle Certificate. See Appendix "I" of Municipal Code ([LINK](#)).
2. Remove Community Development Director signature block.
3. Modify Certificate of Dedication and Ownership to reflect example in Appendix "D" of Municipal Code ([LINK](#)).
4. Surveyor Certificate should certify completion by registered survey as shown in Appendix "E" of Municipal Code ([LINK](#)).
5. Identify the type of easement to be vacated through lot consolidation. Add arrows clarifying which easements to be vacated. All easements need to be identified on the plat.
6. Add signature block for TOE Planning Commission. See Appendix "H" ([LINK](#)).
7. Suggested plat title- strike "Amended Final Plat" and modify "Eagle Ranch Filing, No.3, Gordon Replat" (Gordon replat can be modified to applicant's preference)
8. Add reception No. for Item #10 under notes.

Engineering/Public Works – Dennis Wike: dennis.wike@townofeagle.org



1. Applicant be required to verify that no utilities exist in the two side yard easements to be vacated.
2. Applicant needs to remove and abandon the existing sanitary sewer & potable water stub-outs that exist for Lot 39 – 424 Abrams Creek through a TOE Public Works Permit for Construction in the Public Right-Of-Way.

3rd Party Surveyor – Patrick Quenon: pjquenon@gmail.com

1. (See attachment with comments)

Next Steps

For formal resubmittals, the Project Team shall address all of the Town Staff and external referral agency comments then submit a revised Site Plan and other documents as referenced in the above comments.

A Public Hearing is scheduled before the Planning & Zoning Commission on January 18, 2022 and Town Council on February 8, 2022. If able to revise the plans prior to that date, we are able to lessen any conditions of approval.

If you have any questions concerning comments on your project or the development review process, please feel free to contact me at peyton.heitzman@townofeagle.org.

Starbuck Surveyors
adb Quenon Engineering and Surveying, LLC
P.O. Box 151
Eagle, Colorado 81631
Telephone - (970) 328-5117

January 4, 2022

Town of Eagle
PO Box 609
Eagle, CO 81631

RE: Lot 40A, Eagle Ranch Filing No. 3 Subdivision Plat Check
82 Silver Spur, Eagle CO

Dear Staff:

I have reviewed the Plat named above and have the following comments.

Sheet 1.

1. Coordinate with Town or County on the Plat Title for "Lots 39 & 40" or "LOT 40A".
2. Change/move the signature line for, by owner and Linda J. Gordon, to be above the Notary Block for Linda.

Sheet 2.

1. The northwest corner monument symbol indicated a set monument but the text label indicates that it is a found monument.
2. Add the text labels for "utility and drainage easements" along the property lines and right of way.
3. Block at lower right, need to correct "Town of Eagle". Both sheets 1 & 2.

Sincerely, 

Patrick J. Quenon, P.L.S. 37924





To: Planning and Zoning Commission

From: Peyton Heitzman, Planner, Community Development

Date: January 18, 2022

Agenda Item: Eagle Sinclair Station Drive Through and Building Addition (DR21-01 & V21-01)

REQUEST:

Additional information is being collected regarding traffic impacts. Staff is requesting that the file be continued to the February 1st Planning & Zoning Commission meeting.

RECOMMENDED ACTION OR PROPOSED MOTION:

I move to CONTINUE File # DR21-01 & V21-01, the Development Permit and Zoning Variance for 131 Chambers Avenue, to the February 1, 2022, Planning & Zoning Commission meeting.

ATTACHMENTS:

None.



To: Planning & Zoning Commission

From: Chad Phillips, Director/Town Planner, Community Development Department
Jessica Lake, Planner I, Community Development Department
Peyton Heitzman, Planner, Community Development Department
Nikki Davis, Administrative Technician II, Community Development Department

Date: January 18, 2022

Agenda Item: Community Development Department Update

LONG RANGE PLANNING

- **The Land Use and Development Code Update**
 - The committee has gathered for two meetings already. First, reviewing Clarion's Code Assessment Report followed by a meeting to discuss the interim draft of the Sign Code. Clarion and staff were able to meet with two members of the local sign code and installation community ahead of releasing the Sign Code draft.
 - Kyle Hoiland was appointed as Chairman and Allison Kent was appointed as Vice Chairman. The committee also established a recurring monthly meeting on the first Monday of each month, subject to change based on observed holidays.
 - The next committee meeting is scheduled for 2/7/2022.
 - Clarion will attend the Grand Avenue Corridor Study group meeting on 1/14/2022 to discuss alignment with Land Use Code update.
 - As public drafts of sections of the new code become available, community members can view these resources at www.Townofeagle.org/ReCodeEagle.
- **Grand Avenue Corridor Study**
 - Project is now in Phase 3 (December 2021 – April 2022). Phase 3 objectives include preliminary design (30%), developing an implementation & phasing plan, and securing Planning Commission and Town Council adoption.
 - A land and business owner update meeting was held on December 2nd.
 - Town Council work session scheduled for 2/1/22
- **SolSmart (Bronze Solar Designation) – CommDev lead project**
 - Clarion has provided additional comments on baseline zoning assessment.
 - Permit Tech will assume lead role. First objective is to establish and implement permitting best practices to provide efficient approval process.
 - No new information to report as of 1/14/2022.
- **HB21-1271 DOLA Innovative Housing Strategies: Planning Grant Program**
 - The Comprehensive Housing Assessment RFP was published on 12/17/2021 with the submittal deadline currently set to 1/14/2022.



LAND USE APPLICATIONS IN PROGRESS

- **DR21-02 & PPFP21-01: Reserve at Hockett Gulch**
 - A Subdivision and Major Development Permit application. Staff received application resubmittal on September 13th and completeness review is ongoing.
 - Additional post referral meetings scheduled for December 10th. Main topics included landscape design and architecture.
- **PUDA21-01: Eagle Ranch 6th PUD Amendment**
 - Approved at the 1/11/22 Town Council meeting.
- **SU21-04: 263 Sawatch**
 - Special Use Permit application for contractor yard.
 - Public hearing schedule:
 - Planning Commission 1/4/22 (approved)
 - Town Council 1/25/22
- **RZ21-02 & S21-01: Eagle County School District (ECSD) 3rd Street Housing**
 - Planning Commission voted to approve both the rezone and sketch plan subdivision applications.
 - Public hearing schedule:
 - Town Council - continued to 1/25/22
- **CT21-01 & SU21-06: 706 Chambers, Lot D**
 - Approved at the 1/11/22 Town Council meeting.
- **LLA21-01: 82 Silver Spur Road**
 - Application for lot consolidation.
 - Public hearing schedule:
 - Planning Commission 1/18/22
 - Town Council 2/8/22
- **RZ21-03: 435 Eby Creek Road**
 - An application to rezone to Residential Multi-Family (RMF). Application is deemed complete.
 - Public hearing schedule:
 - Planning Commission 1/4/22 (approved)
 - Town Council 1/25/22
- **DR21-04: Haymeadow Design Guidelines**
 - Application materials received and have been sent out for referral comments.
 - Staff working with applicant to establish a project timeline.
 - Public hearing scheduled:



- Planning Commission 1/18/22
- Town Council 2/8/22
- **SU21-05: 332 Grand Ave (AG Roofing)**
 - Special Use Permit application submitted for outdoor storage, but applicant also needs to apply for shop use. Application not deemed complete for processing.
 - No new information to report as of 1/14/22.
- **446 Broadway**
 - Staff received application for development permit. Application not deemed complete for processing.
 - No new information to report as of 1/14/22.
- **546 Grand Ave rezone**
 - Application submitted. Not deemed complete as of 1/14/22.
- **641 McIntire Street SUP**
 - Application submitted. Not deemed complete as of 1/14/22.
- **410 Broadway LLA**
 - Application submitted. Not deemed complete as of 1/14/22.

A **Planner of the Day** schedule allows staff to field zoning questions from the community. A variety of these inquiries require on-going conversations with staff.

- December 2021 - (7) inquiries received
- January 2022 – (7) inquiries received to date

Code Enforcement: Active Cases

- (4) – Planning
- (0) – Building

TOWN COUNCIL AND PLANNING & ZONING COMMISSION MEETING SCHEDULE:

January 2022
January 18 th Planning & Zoning Commission • Haymeadow Design Guidelines • 82 Spur Road Lot Consolidation • Sinclair Station – Continue to 2/1/22 • Community Development and Council Update
January 25 th Town Council • 263 Sawatch – Contractor Yard SUP • 435 Eby Creek Road Rezoning



Eagle County School District Rezone & Sketch Plan
February 2022
February 1 st Planning & Zoning Commission Sinclair Station
February 1 st Town Council Work Session Grand Avenue Corridor Study – Phase 2 Review
February 8 th Town Council - Haymeadow Design Guidelines 82 Spur Road Lot Consolidation - Community Development Department Update
February 15 th Planning & Zoning Commission - No land use files scheduled at this time. - Community Development and Council Update
February 22 nd Town Council No land use files scheduled at this time.

BUILDING DEPARTMENT UPDATE: *Major Construction Projects Under Review and Oversight*

- Broadway Station: Mixed Use/Multi-Family**
 - Ongoing work on interior punch list and exterior finishes. Developer now aiming for occupancy certificate February 2022.
 - Several Town departments collaborating on Broadway Street parking enforcement plan in anticipation of increased number of vehicles.
- 410 Broadway: Mixed Use/Multi-Family**
 - Right-of-way permit, associated staging, and construction management plan received 1/4/2022.

TYPE OF WORK PERFORMED	NUMBERS PERFORMED IN 2021	NUMBERS PERFORMED TO-DATE 2022
Inspections (n/i planning/pw)	1,380	38
Building Permits Processed	359	8

TOWN COUNCIL UPDATES AND LAND USE DECISIONS:

January 11, 2022: Town Council Meeting

- RZ21-02 & S21-01 Eagle County Schools Rezone and Sketch Plan Subdivision
 - Town Council adopted Ordinance 2, Series 2022 modifying Section 4.04.030 – Zone District Boundaries. The modifications allow for zoning prior to subdividing if the applicant enters into a development agreement with the Town. The ECS Housing application was continued to 1/25/22. A development agreement for the ECS Housing project should be drafted by the 1/25/22 public hearing.
- PUDA21-01 Eagle Ranch 6th Amended PUD Guide and amended PUD Zoning Plan
 - Executive Session was held with the Town Attorney regarding water rights dedication related to the Eagle



Ranch PUD amendment.

- Application was approved.
- SU21-06 706 Chambers Avenue Special Use Permit
 - Application was approved during meeting.
- CT21-01 706 Chambers Avenue Condominium Plat
 - Application was approved during meeting.
- LURA21-05 Sections 4.07.180 and 4.13.260 of the Municipal Code addressing Parking Fee in Lieu Program
 - Parking Fee in Lieu Program was adopted during meeting.