



Town Council
Tuesday, March 8, 2022
Public Meeting Room / Eagle Town Hall
200 Broadway Eagle, CO

*This agenda and the meetings can be viewed at www.Townofeagle.org.
Times listed are approximate and are subject to change.*

TOWN COUNCIL MEETING ACCESS INFORMATION AND PUBLIC PARTICIPATION

1. This will be an in-person meeting with access via Zoom.

[ACCESS THE ONLINE MEETING HERE](#)

Please note: All participants are automatically muted. In order to be called upon and unmuted, you will need to use the "raise hand."

When it's 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 Jenny Rakow, Town Clerk, and will be included as part of the record.

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

CALL TO ORDER - 6:00 PM

ROLL CALL

ADOPTION OF AGENDA *Opportunity for amendment or deletions to the agenda.*

PUBLIC COMMENT - 6:05 PM *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 per topic unless arrangements have been made for a presentation with the Town Clerk. Those who are speaking are requested to state their name and address for the record.*

PRESENTATIONS - 6:10 PM *Presentations are limited to 5 minutes. Invited presentations are limited to 10 minutes if prior arrangements are made with the Town Clerk.*

1. Eagle County Historical Society Annual Report, Kathy Heicher
2. Walking Mountain Science Center, Nikki Maline
3. Eagle Chamber of Commerce - Membership Level Change Request, Dan Brown

CONSENT AGENDA - 6:40 PM *Consent agenda items are routine Town business, items that have received clear direction previously from the council, final land-use file documents after the public hearing has been closed, or which do not require council deliberation.*

1. Minutes - February 22, 2022
2. Bill Pay - February 2022
3. Resolution No. 23, Series 2022 "A Resolution Approving an Intergovernmental Agreement Between the Town of Eagle and Eagle County School District RE50J for the Purposes of Providing a School Resource Officer"
4. Resolution No. 24, Series 2022 "A Resolution of the Town Council of the Town of Eagle, Colorado, Appointing Members to the Town of Eagle Marketing and Events Committee"

STAFF REPORTS - 6:45 PM *The Town Manager and department staff prepare and provide internal updates to the council.*

1. Town Manager Update
2. Department Update
3. Communications and Marketing Review, Molly Furtado

BUSINESS ITEMS - 7:00 PM *Items and / or Public Hearings are listed under Business may be old or new and may require review or action by the council.*

1. PUBLIC HEARING: File #DR21-04 Haymeadow Design Guidelines
 - a. Resolution 13, Series 2022, "A Resolution of the Town Council of the Town of Eagle, Colorado Approving the Haymeadow Design Guidelines"
2. PUBLIC HEARING: Parking Exemption in Central Business District (CBD); Land Use File#LURA22-02
 - a. Ordinance No. 08, Series 2022 "An Ordinance of the Town Council of the Town of Eagle, Colorado, Amending Section 4.07.140. of the Eagle Municipal Code, Regarding Parking Standards"
3. PUBLIC HEARING: Mountain Tots Special Use Permit; Land Use File#SU22-01 (*Request to Continue*)
4. PUBLIC HEARING: Indoor Recreation in Nonresidential Zone Districts; Land Use File#LURA22-01 (WITHDRAWN)
5. PUBLIC HEARING: Gordon Lot Line Adjustment; Land Use File #LLA21-01 (WITHDRAWN)
6. EXECUTIVE SESSION: To determine positions relative to matters that may be subject to negotiations, develop a strategy for negotiations, and/or instruct negotiators, pursuant to C.R.S. § 24-6-402(4)(e) as it relates to an amendment with Zehren and Associates and the Grand Avenue Corridor Plan Professional Services Contract.

COUNCIL DISCUSSION AND FUTURE AGENDA ITEMS - 8:20 PM

1. Future Agenda Items
2. Council Committee Updates
3. Bureau of Land Management - Cooperating Agency Request for Supplemental Environmental Impact Statement and Resource Management Plan
4. Council Retreat Date - June 1, 2022

ADJOURN - 8:40 PM

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.



Jenny Rakow, CMC
Town Clerk



Annual Report

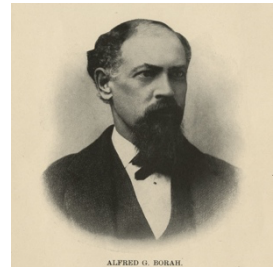
September 2020 – August 2021

This was another challenging year for the ECHS, as has been for everybody. The COVID pandemic curtailed events and reduced museum operation days and hours. The closings of *-70 at Glenwood Canyon also impacted museum attendance.

However, we managed to accomplish quite a bit and continued to keep local history information out in the community. Despite the pandemic, we reached many people with our programs, and helped dozens more with research and questions. Here's our news for the past fiscal year:

Winner – History Colorado Josephine Miles Award

The ECHS and Eagle Valley Library District were honored by History Colorado (the state historical society) for a project involving digitization of the Alfred Borah journals. The honor included a \$1,000 cash award. Borah homesteaded on Brush Creek in 1882 and kept meticulous daily journals. The ECHS worked with the Borah family and library staff to preserve and digitize these journals, along with a cache of Borah family photos. This project will benefit researchers of both present and future generations. We are very proud of this honor. The award money will be used for development of museum exhibits.



Museum

- Completed the painting of the outside of the museum, giving the building a fresh new look.
- 2,310 visitors for the 2020-21 season. (1,917 adults, 393 children)
- Replaced the aging roof on the "Blacksmith Shop" building with a metal roof. This \$5,000 project was accomplished with the assistance of a \$2,500 grant from the Vail Realtors Foundation. (Thanks!)



- A deep cleaning and exhibit rearrangement of our Avon General Store gave the building a fresh new look
- Eliminated one glass display case and replaced it with an antique case donated by Dakotah Craftsman
- Completion of Mount of the Holy Cross Exhibit
- Development of travelling museum exhibits. When the museum is closed, we can still share history. Exhibits were displayed at the Eagle Public Library, Eagle County

Administration Building, and Town of Eagle. Exhibit topics included:

- Eagle County's first ballot box
- The 1918 Flu Epidemic in Eagle County
- The Nottingham family heirlooms
- Ranching on Brush Creek.
- Women Biologist in Eagle County (developed by Vail Public Library)

Partnership programs

Eagle Valley Library District

- Co-hosted Zoom tour of Tenement Museum – 40 participants
- Installed travelling exhibits in Eagle Library
- Acquisition and preservation of photos from the Schlutter, Schyrack, and Borah families.
- Josephine Miles Award (ECHS wrote the nomination)
 - Newspaper, magazine, and television interviews



Vail Daily

- Kid's History
 - Produced 28 "Kids Corner history articles with photos designed to interest children

Eagle County Open Space/Eagle Valley Land Trust

- Two Horn Ranch history hikes – 40 people
- Newcomer Ranch Cemetery history hike – 25 people
- Starburst Award celebration – 60 people

Eagle River Watershed Council

- Sweetwater Lake History Hike – 17 people

Walking Mountain Science Center

- Ranger Brown Trail History Hike – 18 people
- Museum tour for summer interns – 16 people

Vail Board of Realtors

- History Class for realtors – 20 people



Books

- Reprinting of “A Cup of Clear, Cold Water” history book
- Work with Town of Gypsum on local history book (to be published September 2021)

Miscellaneous

- Increased history blogs on ECHS website
- History Program for State meeting of Delta Kappa Gamma teacher sorority- 62 people
- Eagle Valley Rotary Club tour of Eagle Cemetery – 10 people
- Promoted Vail Public Library “One Book One Valley” reading program
- Raffled “Underground Railroad” quilt donated by High Altitude Quilting Guild
- Supported local Daughters of America (DAR) Wreaths Across America program
- Gardeners on the Go tour of Red Cliff Cemetery

Goals for upcoming fiscal year:

- Continue to develop and improve museum exhibits
- Purchase of microphone system for ECHS events
- Continue to develop archives
- Continue to adapt programs and outreach to reflect changing COVID situation

We appreciate the support we received from members and the community during this past year. Please feel free to contact us at echs@eaglecountyhistoricalsociety.com with suggestions or questions.

Energy & Buildings



MAKING ENERGY IMPROVEMENTS SIMPLE & AFFORDABLE



Nikki Maline
(she/her)
Program Director



Sam Phillips
(they/them)
Residential Coordinator



Diego Betts
(he/him)
Admin Coordinator

970-328-8777

energy@walkingmountains.org



www.walkingmountains.org/energy

Energy & Buildings How we can help



- Home Energy Assessments
- Business Energy Walkthroughs
- Energy Coaching
- Local Qualified Contractor List
- Weatherization, Safety, & Energy Efficiency Rebates
- Electrification Rebates & Education: space heating, water heating, cooking
- Low-to-Moderate Income (LMI) Household Incentives & Assistance
- Free Radon Test Kits
- Educational Materials, Workshops, and Trainings
- Participate in our Local Climate Action Collaborative
- Partner with Local Communities

Easy access to: **Information,**
Workforce, and **Incentives**



Partners: Eagle County, Town of Vail, Town of Avon, Holy Cross Energy, Xcel Energy,
Town of Eagle, CO Dept. of Public Health & Environment, Energy Smart Colorado

www.walkingmountains.org/energy

Energy & Buildings Home Energy Assessment



STEP 1 (for homes): INFORMATION

- Comprehensive, all areas, thermal envelope, insulation inspection, mechanical systems
- 2-4+ hours in the home
- **FREE QUICK FIXES** instantly save money/energy (max \$100 value)
- **Blower Door Test** – diagnostic testing of home air leakage
- **Infrared Camera Photos**
- **Safety Checks** – Combustion Appliance Zones (CO/gas)
- Education on how your home uses energy, during the assessment and in follow-up
- Energy Saving Analysis and Comprehensive Report with Recommendations
- Cost starts at \$100, additional charge for larger homes (in Eagle it could be \$50, with \$50 rebate possible, for 2022)



www.walkingmountains.org/energy

Energy & Buildings Rebate Checklist



Easy access to: **Information, Workforce, and Incentives**

PROCESS / Rebate Checklist

- ☐ **HOME ENERGY ASSESSMENT / BUSINESS ENERGY WALK-THROUGH** – enroll online
- ☐ **ENERGY COACH** – talk with us at Walking Mountains (before starting your project)
- ☐ **REBATE REQUIREMENTS** – verify your project meets minimum specifications/requirements
- ☐ **REBATE APPLICATION** – complete online (after your project is completed/paid, within 90 days)
- ☐ **PHOTOS / DOCUMENTATION** – gather and provide to your Energy Coach
- ☐ **UTILITY REBATES** – ask your Walking Mountains Energy Coach to guide you

energy@walkingmountains.org

970-328-8777



www.walkingmountains.org/energy

Energy & Buildings Rebates-Weatherization



2022 Weatherization, Energy Efficiency, and Safety Rebates

Rebates are for the entire Eagle River Valley (Dotsero to Vail; up Hwy 131 & US 24 in Eagle County)

*Amounts shown below are max funds available for one year per home/unit/building;
this max amount may be used up in one or multiple projects depending on project costs.*

\$500/year	Residential Rebate	• rebate not to exceed 50% of total project costs for any project, when combining with all utility rebates • HVAC tune-up maxes at 25% of total project costs
\$1,000/year	Business/Multifamily Building Rebate	
\$2,000/year	LMI households Rebate	• rebate not to exceed 80% of total project costs for any project, when combining with all utility rebates • low-moderate-income (LMI) households with a max income allowed of 120% Area Median Income (AMI)-chart follows detailed rebate list; must provide income documentation

Eligible Projects Include: *Balanced Ventilation (ERV/HRV), Cold Climate Heat Pump (ductless mini-split, or ducted), Duct Sealing, Heat Pump Clothes Dryer, Heat Pump (Hybrid) Water Heater, Heat Tape Timers, Home Envelope: Air Sealing & Insulation, Home Radon Mitigation Systems, HVAC tune-ups, Induction Stoves, LEDs, SMART & Programmable Thermostats, Storm Windows, Cellular Shades*

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No \$500 Solar PV Rebates,
starting in 2022

Energy & Buildings Rebates-Weatherization



2022 Home & Building Electrification Rebates

Rebates are for the entire Eagle River Valley (Dotsero to Vail; up Hwy 131 & US 24 in Eagle County)

*Amounts shown below are max funds available for one year per home/unit/building;
this max amount **may be used up in one or multiple projects depending on project costs**.*

\$3,000/year	Residential Electrification Rebate	• rebate not to exceed 50% of total project costs for any project, when combining with all utility rebates
\$6,000/year	Business/Multifamily Building Electrification Rebate	
\$4,000/year	LMI households Electrification Rebate	• rebate not to exceed 80% of total project costs for any project, when combining with all utility rebates • low-moderate-income (LMI) households with a max income allowed of 120% Area Median Income (AMI)-chart prior to this detailed rebate list; must provide income docs

Eligible Projects Include (must switch from natural gas/propane to electric):

Cold Climate Heat Pump (ductless mini-split, or ducted), Heat Pump Clothes Dryer, Heat Pump (Hybrid) Water Heater, Induction Stoves, Electric Fireplace (no heat option), Energy Storage (battery with or without solar), Multifamily building public EV charging stations

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Energy & Buildings LMI Assistance



<u>2022</u> <u>Income</u> <u>Limits</u>	<u>WAP</u> <i>Weatherization Assistance Program</i> 60% SMI (7 or less ppl); 200% Fed Poverty Level (8+)		<u>CARE</u> <i>Colorado's Affordable Residential Energy Program</i> 80% Area Median Income (AMI)		<u>WM-LMI</u> <i>Walking Mountains' Low-Moderate Income</i> 120% Area Median Income (AMI)	
	annual household income (before taxes; all income earners)					
	<u># in Home</u>	<u>Annual</u>	<u>Monthly</u>	<u>Annual</u>	<u>Monthly</u>	<u>Annual</u>
1 Person	\$33,108	\$2,759	\$56,000	\$4,667	\$84,000	\$7,000
2 Person	\$43,296	\$3,608	\$64,000	\$5,333	\$96,000	\$8,000
3 Person	\$53,484	\$4,457	\$72,000	\$6,000	\$108,000	\$9,000
4 Person	\$63,672	\$5,306	\$80,000	\$6,667	\$120,000	\$10,000
5 Person	\$73,860	\$6,155	\$86,400	\$7,200	\$129,600	\$10,800
6 Person	\$84,036	\$7,003	\$92,800	\$7,733	\$139,200	\$11,600
7 Person	\$85,956	\$7,163	\$99,200	\$8,267	\$148,800	\$12,400
8 Person	\$89,328	\$7,444	\$105,600	\$8,800	\$158,400	\$13,200
WAP households with 8+ people, add \$757 monthly, or \$4,540 annually, for each additional person.						

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Energy & Buildings LMI Incentives



2022 LMI (low-moderate income households) Incentives

- **FREE Home Energy Assessments;** and
- **\$2,000 for Weatherization, Energy Efficiency, and Safety Rebates** (everything previously listed PLUS refrigerators-must be labeled ENERGY STAR®); and
- **\$2,000 for Solar PV Rebates** (must be grid-tied & must qualify for Holy Cross Energy incentive); and
- **\$4,000 for Electrification Rebates** (must switch from gas/propane to electric).

Annual max amount, so may max in one project or several. Each project rebate cannot exceed 80% of the project cost when also including any utility rebates. Weatherization, Solar PV, and Electrification annual max amounts are separate and each can be provided in the same year.

www.walkingmountains.org/energy



2021



Home Energy Assessments *(in the Eagle community)*

- **40** comprehensive home energy assessments completed
- 31 homes received free quick-fix measures, saving an estimated \$1,360.64 annually to Eagle homes in utility costs
LEDs, hot water heater blankets, programmable thermostat, pipe wrap, weatherstripping, aerators
- assessment includes: blower door analysis, combustion appliance zone testing, and a comprehensive report with recommended improvements and potential savings
- follow-up coaching and assistance
- **9.53 MtCO₂e** reduced annually, estimated *(metric tons of CO₂ equivalent)*

Local Economic
Stimulus **\$13,217.80**
*(Paid out to local energy analysts to
complete assessments)*

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2021



Residential Rebates *(in the Eagle community)*

- **31** residential rebates provided **11 for Solar PV**
heating, solar PV, radon mitigation, air-sealing, insulation, refrigerator, programmable thermostat, LEDs, cellular shades
- saving an estimated **\$15,727** annually to Eagle homes in utility costs
- **116.9 MtCO₂e** reduced annually, estimated *(metric tons of CO₂ equivalent)*

Local Economic Stimulus
\$504,281.76
*(project costs paid to local contractors for
home improvement projects rebated in Avon)*

No \$500 Solar PV Rebates,
starting in 2022

www.walkingmountains.org/energy



2021



Business & Multifamily Rebates *(in the Eagle community)*

- **1** business provided a free energy walkthrough
- **3** commercial rebates provided
all LED lighting
- saving an estimated \$1,331 annually to Eagle businesses/buildings in utility costs
- **10.39 MtCO₂e** reduced annually, estimated *(metric tons of CO₂ equivalent)*

Local Economic Stimulus
\$3,305
(project costs paid to local contractors for commercial projects rebated in Eagle)

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2021

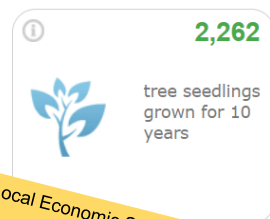


Total estimated Carbon Savings 2021 YTD *(in the Eagle community)*

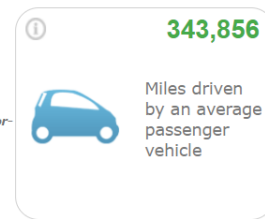
137 MtCO₂e reduced annually *(metric tons of CO₂ equivalent)*

The same as...

Carbon sequestered by



Greenhouse gas emissions from



Local Economic Stimulus
\$222,546
(program payments to local energy analysts + project costs paid to local contractors for improvement projects rebated in Eagle)

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2022



Home Energy Assessments	Funding for the cost of home energy assessment discounts with FREE energy coaching & Quick Fix Installs. Goal 10 homes	\$2,750
Solar PV Rebates	Funding for the cost of Solar PV rebates (\$1,000-\$2,000/rebate). Goal 10 homes & 2 businesses	\$14,000
Marketing/Outreach	Hard costs for marketing, outreach and communication in order to increase participation.	\$750
Program Administration	Hard costs for program management and staffing, including on-going coaching and contractor referrals. Energy savings, cost savings, carbon emissions reductions will all be provided.	\$2,500
TOTAL:		\$20,000

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2022



Home Energy Assessments

- **\$50 up front cost** with that \$50 given back in a rebate when the home completes a weatherization, energy efficiency, renewable energy, or building electrification project recommended on their assessment report, within 6 months

Solar PV Rebates

- Homes - **\$1,000/year**
- Businesses/Multifamily Buildings - **\$2,000/year**



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2020 & 2021



Previous Funding Provided – from Town of Eagle

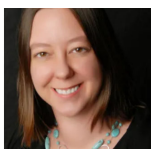
(did not include any town specific incentives, just program support)

2021 = \$900

2022 = \$1,065

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QUESTIONS?



Nikki Maline | Energy Programs Director

Building Analyst Professional | Energy Smart Colorado

Walking Mountains Science Center in Avon, CO

office: 970-827-9725 x135

nikkim@walkingmountains.org

www.walkingmountains.org



Providing:

- Energy Assessments
- Energy Coaching, Education, Resources
- Weatherization, Energy Efficiency, & Safety Rebates
- Building Electrification Rebates

Helping:

- Homeowners
- Businesses
- Multifamily buildings
- Low-Moderate Income Households (LMI)

www.walkingmountains.org/energy



The Eagle Chamber Presents

The Director's Circle

Visionary Community Leaders Elevating the
Chamber to the Next Level

- Recognition In the Directors Circle Wall of Honor at the Eagle Chamber office
- Quarterly Meet and Greet opportunities with the Executive Director of the Chamber designed to provide Members with insight for upcoming events and initiatives
- Opportunity to sit on the Chamber Board of Directors
- 1st opportunity to host Chamber mixers or underwrite programs
- Recognition in all Chamber print and on-line promotional materials.
- Directors Circle Members receive [Executive Level Membership Benefits](#)

Become a part of the Eagle Chamber's
Director's Circle and help Elevate the
Future of Eagle, Colorado

Contact Michelle Morgan at (970) 306-2262



MEETING MINUTES
Town Council
Tuesday, February 22, 2022
Public Meeting Room / Eagle Town Hall
200 Broadway Eagle, CO

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Times listed are approximate and are subject to change.*

TOWN COUNCIL MEETING ACCESS INFORMATION AND PUBLIC PARTICIPATION

1. This was an in-person meeting with access via Zoom.

CALL TO ORDER - 6:00 PM

ROLL CALL

COUNCILMEMBERS PRESENT

Mikel Kerst, Scott Turnipseed, Ellen Bodenhemier, Janet
Bartnik, Sarah Parrish, Nick Sunday

COUNCILMEMBERS ABSENT

Geoffrey Grimmer

STAFF PRESENT

Jim White, Interim Town Manager
Matt Mire, Town Attorney
Jenny Rakow, Town Clerk
Jill Kane, Finance Director/Treasurer
Tom Gosiorowski, Public Works Director
Joey Staufer, Police Chief
Carrie Buhlman, Lieutenant
Lynette Horan, Human Resources Manager
Peyton Heitzman, Planner

ADOPTION OF AGENDA

MOTION: Councilmember Janet Bartnik motioned to amend the agenda and move Resolution 21, Series 2022 to the consent agenda. The motion was seconded and passed with a vote of 6 in favor (Kerst, Turnipseed, Bodenhemier, Bartnik, Parrish, and Sunday) and 0 opposed.

PUBLIC COMMENT

Weston Arbogast, 101 Shorthorn Drive, inquired about the irrigation ditch behind Bull Run townhomes and requested that it be turned back on. Weston will work with the public works department.

CONSENT AGENDA

MOTION: Councilmember Janet Bartnik motioned to approve the consent agenda. The motion was seconded and passed with a vote of 6 in favor (Kerst, Turnipseed, Bodenhemier, Bartnik, Parrish, and Sunday) and 0 opposed.

1. Minutes - February 8, 2022
2. 2021 Audit Engagement Letter
3. Resolution 21, Series 2022 "A Resolution Approving an Intergovernmental Agreement Between Eagle County

STAFF REPORTS

1. Town Manager Update

Jim White updated the council that the town hired a police officer and also posted a town manager position on Friday. The council requested a priority list of new hires.

Discussion on the housing needs study and if the DOLA Grant would be used for that item. Peyton Heitman indicated the grant would be used for the assessment and regulatory work to update the town code as it relates to affordable housing.

2. December 31, 2021 - Budget to Actual Report and Revenue Analysis

Jill Kane, Finance Director, presented this item.

BUSINESS ITEMS

1. Resolution 20, Series 2022 "A Resolution of the Town Council of the Town of Eagle, Colorado Approving an Agreement with Yearout Energy for the Investment Grade Audit Report and Energy Performance Contracting Project"

Brad Brady and Colby Geer from Yearout Energy presented this item.

Discussion regarding the preliminary findings for energy efficiencies for the town. The focus will be on determining if a solar array at the wastewater treatment plant and upgrading the water meter system are the priorities. Once the audit is complete additional grant funding will be pursued to assist with financing. Additional town facilities can be included at a nominal cost to determine if opportunities exist for improvements at other locations. The current budget has \$50K set aside for funding of this item. The estimated return on investment for solar at the wastewater plant is estimated at 15 years. Water meter sampling was discussed with public works staff assisting in the audit. Timing is currently in line with completing the audit and being ready for the grant cycles in November 2022.

MOTION: Councilmember Ellen Bodenhemier motioned to approve Resolution 20, Series 2022 "A Resolution of the Town Council of the Town of Eagle, Colorado Approving an Agreement with Yearout Energy for the Investment Grade Audit Report and Energy Performance Contracting Project". The motion was seconded and passed with a vote of 6 in favor (Kerst, Turnipseed, Bodenhemier, Bartnik, Parrish, and Sunday) and 0 opposed.

2. PUBLIC HEARING: Indoor Recreation in Nonresidential Zone Districts; Land Use File#LURA22-01

Mayor Scott Turnipseed opened the public hearing for Land Use File #LURA22-01.

Peyton Heitzman, Planner, presented this item. Peyton indicated while staff is requesting a continuance, they will still be submitting to the Planning Commission at their next meeting and are recommending the council to continue this item until the March 8, 2022, meeting.

MOTION: Councilmember Janet Bartnik motioned to continue the public hearing for Indoor Recreation in Nonresidential Zone Districts; Land Use File#LURA22-01. The motion was seconded and passed with a vote of 6 in favor (Kerst, Turnipseed, Bodenhemier, Bartnik, Parrish, and Sunday) and 0 opposed.

3. PUBLIC HEARING: 410 Broadway Lot Line Adjustment; Land Use File#LLA22-01

Mayor Scott Turnipseed opened the public hearing for Land Use File #LLA22-01

Peyton Heitzman, Planner, presented this item.

Council comments: clarification regarding services on the property.

Applicant Bryan Desmond was present.

Mayor Scott Turnipseed opened public comment. There was no public comment.

Resolution No. 22, Series 2022, "A Resolution of the Town Council of the Town of Eagle, Colorado, Approving a Lot Line Adjustment for Lots 15 and 16, Block 22, Town of Eagle"

- a. **MOTION: Councilmember Sarah Parrish motioned to approve Resolution No. 22, Series 2022, "A Resolution of the Town Council of the Town of Eagle, Colorado, Approving a Lot Line Adjustment for Lots 15 and 16, Block 22, Town of Eagle". The motion was seconded and passed with a vote of 6 in favor (Kerst, Turnipseed, Bodenhemier, Bartnik, Parrish, and Sunday) and 0 opposed.**

4. Request to bid on Eagle Valley Library District broadband connection
Kevin Aoki, IT Manager, presented this item.

MOTION: Councilmember Ellen Bodenhemier motioned to authorize staff to pursue completion of the project if the award to the Town of Eagle. The motion was seconded and passed with a vote of 6 in favor (Kerst, Turnipseed, Bodenhemier, Bartnik, Parrish, and Sunday) and 0 opposed.

5. Grant Writing Professional Services Agreement
Jim White, Interim Town Manager, presented this item.

Discussion regarding the fee structure amendment to the agreement to reflect an hourly rate and a not-to-exceed amount based upon the grant amount sought after.

MOTION: Councilmember Janet Bartnik motioned to direct the Interim Town Manager to work with the Town Attorney and obtain a Professional Services Agreement with Dr. Wilkinson for grant writing. The motion was seconded and passed with a vote of 6 in favor (Kerst, Turnipseed, Bodenhemier, Bartnik, Parrish, and Sunday) and 0 opposed.

COUNCIL DISCUSSION AND FUTURE AGENDA ITEMS

1. Future Agenda Items/Upcoming Work Sessions
Upcoming work session dates and topics were discussed. March 1st will be IT proposals. April 5th will be the Open Space Master Plan, May 3rd will be diversity, equity, and inclusion. After the retreat in June additional topics will be prioritized. Affordable housing will be scheduled once the assessment is completed.

Jim White stated the retreat facilitator proposals will be forthcoming.

Councilmember Janet Bartnik stated there will be an open house with Mountain Recreation tomorrow night at the Gypsum Rec Center (2/23) regarding the May ballot at 6:00 P.M.

Councilmember Nick Sunday stated the RTA committee will be scheduling a public hearing for the ballot in November to see if the Town wants to join for the November 2022 Election.

Mayor Scott Turnipseed stated he is planning a coffee with Kathy Chandler-Henry to discuss affordable housing with Eagle Ranch Housing Corp partnership and conveyance of the river park.

Mayor Scott Turnipseed stated he has heard from two middle mile companies that may be interested in Eagle projects.

Councilmember Ellen Bodenhemier discussed the pavement repairs needed on Capitol.

Councilmember Bodenheimier thanked Chief Staufer for meeting with animal control regarding open space trail issues.

ADJOURN - 7:05 PM

MOTION: Councilmember Mikel Kerst motioned to adjourn. The motion was seconded and passed with a vote of 6 in favor (Kerst, Turnipseed, Bodenheimier, Bartnik, Parrish and Sunday) and 0 opposed.

Date:

Scott Turnipseed, Mayor

Jenny Rakow, CMC Town Clerk

**BILL SCHEDULE
FEBRUARY 2022**

GENERAL FUND

Town Council

CEBT	Health & Insurance Benefits	\$	36.00
Grimmer, Geoffrey	Tuition & Books		20.00
Hartman, Laura A	Special Council Funding		5,626.00
Hoffman, Parker, Wilson & Carberry PC	Special Council Funding		39.00
Bravo! Vail Valley Music Festival	Community Requests		250.00
Downtown Business Alliance	Community Requests		2,665.00
Eagle Air Alliance	Community Requests		2,917.00
Eagle Arts	Community Requests		2,133.00
Eagle County Fair & Rodeo	Community Requests		1,726.00
Eagle River Watershed Council	Community Requests		905.00
Eagle Valley Land Trust	Community Requests		500.00
Eagle Valley Skating Association	Community Requests		2,833.00
Red Ribbon Project	Community Requests		417.00
Starting Hearts	Community Requests		500.00
United Way Of Eagle River Valley Inc.	Community Requests		293.00
Walking Mountains Science Center	Community Requests		1,065.00
Total Town Council		\$	21,925.00

General Government

CEBT	Health Insurance	\$	842.45
Signature Signs Inc	Office Supplies		6.00
Colorado Mtn. News Media	Legal Notices		14.01
Verizon Wireless, Bellevue	Utility Services		101.20
Mountain Careers	Recruitment		159.00
Downtown Colorado Inc.,	Professional Services		15,000.00
Hoffman, Parker, Wilson & Carberry PC	Legal - General		78.00
James White	Town Manager Search		143.10
William Efting	Town Manager Search		169.00
Pazzo's Pizzeria	Town Manager Search		155.09
Sprout Social	Computer Support		558.00
Grand Ave Grill	Meeting Expense		36.90
City Market	Meeting Expense		67.21
ICMA	Tuition & Books		50.00
Cirsa	Insurance		2,564.48
Total General Government		\$	19,944.44

General Administration

Barnes, Suzanne	Utility Overpayment Refund	\$	26.05
Eagle Valley Pet Hospital	Utility Overpayment Refund		33.23
Frazier, Matthew M	Utility Overpayment Refund		5.45
HV Builders LLC	Utility Overpayment Refund		482.44
Johnson, Daniel & Melissa	Utility Overpayment Refund		2.95
Randall, Louise	Utility Overpayment Refund		238.66
Walker, Tanya	Utility Overpayment Refund		7.01
Soto, Erika	Business License Refund		75.00

General Administration (Cont.)

Colorado Department Of Revenue	Miscellaneous Deduction	450.00
Family Support Registry	Miscellaneous Deduction	220.14
Eagle Lions Club	Special Event Permit Refund	25.00
CEBT	Health Insurance	13,614.14
Amazon	Office Supplies	533.55
Insight Public Sector Inc.	Office Supplies	192.99
Insight Public Sector Inc.	Equipment	734.24
City Market	Employee Appreciation	28.99
Amazon	Communication & Transportation	5.99
Colorado Mtn. News Media	Legal Notices	413.37
CO DORA Professional Licenses	Dues & Subscriptions	57.00
Hootsuite	Dues & Subscriptions	348.00
Impact Development Fund	ANNUL DUES - EHOP	1,500.00
Mail Chimp	Dues & Subscriptions	87.99
Verizon Wireless, Bellevue	Utilities	202.73
Chase Paymentech	C.C. Transaction Fees	104.44
Forte Payments	C.C. Transaction Fees	17.53
Xpress Bill Pay	C.C. Transaction Fees	18.24
Garfield & Hecht, P.C.	Legal	82.00
Hoffman, Parker, Wilson & Carberry PC	Legal	2,944.50
Caselle, Inc.	Computer Support	3,313.84
Insight Public Sector Inc.	Computer Support	940.81
King Soopers Customer Charges	Public Relations	38.29
Fusecomms.Com	Tuition & Books	250.00
Xerox Business Solutions Southwest	Contract Payments	334.71
Cirsa	Insurance - Pavilion	238.32
Total General Administration		\$ 27,567.60

Community Development

CEBT	Health & Insurance Benefits	\$ 16,134.04
Amazon	Office Supplies	(31.94)
JB T-Shirts Silkscreen & Embroidery	Uniforms	748.00
Kum & Go	Gas & Oil	58.25
Colorado Mtn. News Media	Legal Notices	609.89
American Planning Assoc	Dues & Subscriptions	822.00
Colo Chapter ICC	Dues & Subscriptions	566.50
Verizon Wireless, Bellevue	Utility Services	286.20
Baseline Engineering Corporation	Professional Services	948.75
Clarion Associates, LLC	Professional Services	5,002.50
McCool Development Solutions, LLC	Professional Services	4,744.00
Alperstein & Covell, P.C.	Planning Reimbursable	247.50
Certified Mail Labels	Planning Reimbursable	158.40
Colorado Mtn. News Media	Planning Reimbursable	134.65
Garfield & Hecht, P.C.	Planning Reimbursable	1,298.50
Hoffman, Parker, Wilson & Carberry PC	Planning Reimbursable	3,150.00
LRE Water	Planning Reimbursable	5,575.00
McCool Development Solutions, LLC	Planning Reimbursable	1,374.00
Quenon Engineering And Surveying	Planning Reimbursable	100.00
Hoffman, Parker, Wilson & Carberry PC	Legal	2,593.50

Community Development (Cont.)

King Soopers Customer Charges	Meeting Expense	24.47
Town Of Gypsum	Contract Services	2,500.00
Xerox Business Solutions Southwest	Contract Payments	80.22
Cirsa	Insurance	14.88
Total Community Development		\$ 47,139.31

Municipal Court

CEBT	Health & Insurance Benefits	\$ 486.08
Amazon	Office Supplies	11.98
Hoffman, Parker, Wilson & Carberry PC	Legal	370.50
Caselle, Inc.	Computer Support	519.82
Ace Security And Safety Services LLC	Contract Payments	144.00
High Country Copiers	Contract Payments	27.80
Johnson, Erik A.	Contract Payments	1,500.00
Total Municipal Court		\$ 3,060.18

Streets

CEBT	Health Insurance	\$ 8,813.29
Cintas Corporation	Office Supplies	29.17
Copy Plus	Office Supplies	20.08
Quill Corporation	Office Supplies	99.77
Auto Truck Group, LLC	Street Repair & Mtn Supplies	792.00
Bobcat Of The Rockies	Repair & Maintenance Supplies	275.76
Ewing Trucking And Construction LLC	Repair & Maintenance Supplies	25,038.90
Glenwood Springs Auto Parts Inc	Repair & Maintenance Supplies	551.84
Grainger	Repair & Maintenance Supplies	229.68
Mid-American Research Chemical	Repair & Maintenance Supplies	4,464.00
Rexel USA, Inc	Repair & Maintenance Supplies	449.93
Transwest Trucks	Repair & Maintenance Supplies	260.00
Valley Electric Supply Inc	Repair & Maintenance Supplies	2,312.10
Wagner Equipment Co	Repair & Maintenance Supplies	307.76
Wear Parts & Equip Co, Inc	Repair & Maintenance Supplies	8,964.60
Wylaco Supply Co	Repair & Maintenance Supplies	559.76
Glenwood Springs Auto Parts Inc	Vehicle Repair & Maintenance Supplies	182.62
Fleet Services	Gas & Oil	3,670.60
Glenwood Springs Auto Parts Inc	Gas & Oil	127.47
Home Depot Credit Services	Equipment (Non-Capital)	1,477.10
Bobcat Of The Rockies	Communication & Transportation	103.54
Mid-American Research Chemical	Communication & Transportation	523.14
Transwest Trucks	Communication & Transportation	29.56
Wagner Equipment Co	Communication & Transportation	17.15
Holy Cross Energy	Utility Services	7,093.57
Verizon Wireless, Bellevue	Utility Services	178.88
Colorado Mtn. News Media	Recruitment	128.80
Ewing Trucking And Construction LLC	Repair & Maintenance Services	28,695.00
Hobbs Excavating	Repair & Maintenance Services	45,222.50
Safety-Kleen Systems, Inc.	Repair & Maintenance Services	144.72
Transwest Trucks	Repair & Maintenance Services	422.50
Utility Notification Center Of Colorado	Repair & Maintenance Services	19.93

Streets (Cont.)

Caselle, Inc.	Computer Support	108.20
King Soopers Customer Charges	Meeting Expense	12.79
Barrett, Gregory	CDL Testing	250.00
Total Streets		\$ 141,576.71

Public Safety

CEBT	Health Insurance	\$ 47,135.38
Amazon	Office Supplies	399.54
Vista Print	Office Supplies	36.00
Amazon	Operating Supplies	121.92
Curtis Blue Line	Operating Supplies	348.84
Galls, LLC	Operating Supplies	377.98
Matthew Bender & Co	Operating Supplies	94.08
Paint Bucket	Operating Supplies	9.96
Salt Lake Wholesale Sports	Operating Supplies	1,148.00
Staufer, Joey	Operating Supplies	360.88
Traffic Safety Store . Com	Operating Supplies	662.50
Tri-Tech Forensics Inc	Operating Supplies	123.50
Blue Star Police Supply, LLC	Uniforms	400.00
Galls, LLC	Uniforms	1,521.47
Eagle County Fleet Service	Vehicle Repair & Maintenance Supplies	1,194.80
Fleet Services	Gas & Oil	2,580.12
Basalt Fire Arms, LLC	Equipment (Non-Capital)	1,100.00
Galls, LLC	Equipment (Non-Capital)	38.99
Amazon	Communication & Transportation	54.94
Blue Star Police Supply, LLC	Communication & Transportation	15.00
Curtis Blue Line	Communication & Transportation	12.50
Federal Express Corp.	Communication & Transportation	15.56
Galls, LLC	Communication & Transportation	24.95
Traffic Safety Store . Com	Communication & Transportation	176.73
Vista Print	Communication & Transportation	8.99
A.L.E.R.T/S.A.M.	Dues & Subscriptions	100.00
CCNC Inc	Dues & Subscriptions	100.00
Colorado Assn Chief Of Police	Dues & Subscriptions	405.00
Int'l Assoc. For Property & Evidence Inc	Dues & Subscriptions	130.00
AT&T Mobility	Utility Services	1,306.90
Colorado Mtn. News Media	Recruitment	46.00
Forensic Truth Verification Group Inc	Recruitment	750.00
Indeed	Recruitment	360.93
Psychological Dimensions, PC	Recruitment	1,475.00
Basalt Fire Arms, LLC	Professional Services	10.50
Employer's Council Services, Inc.	Professional Services	40.00
Galls, LLC	Professional Services	23.94
Pedersen, Lori	Professional Services	499.00
Hoffman, Parker, Wilson & Carberry PC	Legal	643.50
Eagle County Fleet Service	Repair & Maintenance Services	1,489.55
White Water Express Carwash	Repair & Maintenance Services	47.75
Progressive Microtechnology, Inc.	Computer Support	695.00
Technovia Consulting	Computer Support	2,553.00

Public Safety (Cont.)

King Soopers Customer Charges	Meeting Expense	56.96
Real Jalisco	Meeting Expense	71.00
Stout House	Meeting Expense	18.23
Café Mexicali	Training & Travel Grants	21.20
Chili's	Training & Travel Grants	15.19
Embassy Suites	Training & Travel Grants	711.88
National Assoc School Res Officer	Training & Travel Grants	495.00
Nordy's BBQ	Training & Travel Grants	30.98
Pizza Hut	Training & Travel Grants	23.29
CPR Education	Tuition & Books	270.00
Eagle County Animal Control	Animal Control	5,112.00
High Country Copiers	Contract Payments	84.58
Smtp 2 Go	Contract Payments	23.88
Transunion Risk & Alternative Data Solutions	Contract Payments	200.00
Xerox Financial Services LLC	Contract Payments	381.06
Cirsa	Insurance	2,500.00
Total Public Safety		\$ 78,653.95

Buildings & Grounds

CEBT	Health & Insurance Benefits	\$ 10,470.34
Cintas Corporation	Office Supplies	29.17
Quill Corporation	Office Supplies	99.75
Alpine Lumber Co.	Repair & Maintenance Supplies	168.84
Costco	Repair & Maintenance Supplies	189.99
Ferguson Enterprises, Inc.	Repair & Maintenance Supplies	394.85
G & S Tool Clinic, LLC	Repair & Maintenance Supplies	302.28
Glenwood Springs Auto Parts Inc	Repair & Maintenance Supplies	31.97
Gypsum Eagle Ace Hardware	Repair & Maintenance Supplies	88.13
Home Depot Pro	Repair & Maintenance Supplies	(94.80)
Mac Equipment Inc	Repair & Maintenance Supplies	472.19
Mr. Plumber Inc.	Repair & Maintenance Supplies	802.22
Native Electric	Repair & Maintenance Supplies	351.10
Paint Bucket	Repair & Maintenance Supplies	123.24
Pet Pick-Ups	Repair & Maintenance Supplies	720.00
Fleet Services	Gas & Oil	735.21
Home Depot Pro	Janitorial Supplies	1,659.55
Ferguson Enterprises, Inc.	Communication & Transportation	18.25
G & S Tool Clinic, LLC	Communication & Transportation	57.00
Mac Equipment Inc	Communication & Transportation	88.32
Pet Pick-Ups	Communication & Transportation	97.02
Black Hills Energy	Utility Services	6,950.11
Holy Cross Energy	Utility Services	7,966.27
Verizon Wireless, Bellevue	Utility Services	64.28
Colorado Mtn. News Media	Recruitment	73.60
Eagle Ranch Metropolitan Dist.	Irrigation Services Agreement	3,944.55
Jerry-master Janitorial	Janitorial Maintenance Contracts	2,158.00
Mr. Plumber Inc.	Repair & Maintenance Services	480.00
Native Electric	Repair & Maintenance Services	1,231.50
Northwest Colo Council Of Gov.	Repair & Maintenance Services	315.00

Buildings & Grounds (Cont.)

Shadey Deals, Inc.	Repair & Maintenance Services	150.00
Skyline Mechanical, Inc.	Repair & Maintenance Services	232.00
Sno-White Linen Rental	Repair & Maintenance Services	126.83
Vail Honeywagon	Repair & Maintenance Services	168.53
Venzor Carpet Cleaning	Repair & Maintenance Services	388.88
Caselle, Inc.	Computer Support	108.20
King Soopers Customer Charges	Meeting Expense	12.79
TK Elevator Corp.	Contract Payments	703.85
Cirsa	Insurance	7,487.45
Insight Public Sector Inc.	Equipment Purchase	8,734.88
Total Buildings & Grounds		\$ 58,101.34

Information Center

CEBT	Health & Insurance Benefits	\$ 12.00
Batson's Corner Store	Office Supplies	32.68
Costco	Office Supplies	86.96
Total Information Center		\$ 131.64

Marketing & Events

CEBT	Health Insurance	\$ 4,196.87
Amazon	Office Supplies	118.99
Verizon Wireless, Bellevue	Equipment (Non-Capital)	149.99
Verizon Wireless, Bellevue	Utilities	100.53
Colorado Mtn. News Media	Media	1,242.00
Color Coffee Roasters	Meeting Expense	15.35
Grand Ave Grill	Meeting Expense	33.90
Yeti's Grind	Meeting Expense	22.97
Boggs, Sean F	Design & Production	150.00
Eagle Arts	Events	5,750.00
Eagle Climbing + Fitness, LLC	Events	6,000.00
Vail Recreation District	Events	1,000.00
Vail Valley Lacrosse Club	Events	3,000.00
Cirsa	Insurance	42.16
Total Marketing & Events		\$ 21,822.76

Engineering

CEBT	Health Insurance	\$ 5,511.30
Cintas Corporation	Office Supplies	29.16
Quill Corporation	Office Supplies	99.75
Fleet Services	Gas & Oil	83.10
I-70 Coalition	Dues & Subscriptions	2,110.00
Verizon Wireless, Bellevue	Utility Services	81.82
Colorado Mtn. News Media	Recruitment	36.80
DLT Solutions LLC	Computer Support	3,411.81
King Soopers Customer Charges	Meeting Expense	12.79
Total Engineering		\$ 11,376.53

Information Technology

Century Link	Utility Services	\$ 6,838.67
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Information Technology (Cont.)

Northwest Colo Council Of Gov.	Utility Services	48,912.12
Executech Utah LLC	Computer Support	3,090.20
Performance Enhancements, Inc.	Computer Support	17,637.00
TEC Integration, Inc.	Computer Support	100.00
Moe's Original BBQ	Meeting Expense	37.95
US Bank Equipment Finance	Contract Payments	2,790.42
Xerox Financial Services LLC	Contract Payments	190.53
Total Information Technology		\$ 79,596.89

Total GENERAL FUND **\$ 510,896.35**

CAPITAL IMPROVEMENT FUND

Current, Michael	Use Tax	\$ 2,820.17
Graybar Electric Company, Inc.	Project THOR	187.36
Hoffman, Parker, Wilson & Carberry PC	Project THOR	253.50
Uptown Services LLC	Project THOR	5,000.00
All State Communications	Multi Purpose Truck	5,926.60
Alpine Lumber Co.	Police Department Equipment	17.77
Amazon	CIP	2,236.89
Lowe's	CIP	100.06
Paint Bucket	Police Department Equipment	331.33
Kustom Signals	Patrol Vehicles	8,052.00
Total CAPITAL IMPROVEMENT FUND		\$ 24,925.68

WASTEWATER FUND

CEBT	Health Insurance	\$ 12,323.63
Mid-American Research Chemical	Operating Supplies	568.50
Western Slope Supplies Inc	Operating Supplies	29.80
USA Blue Book	Repair & Maintenance Supplies	390.18
Water Technology Group	Repair & Maintenance Supplies	375.00
Glenwood Springs Auto Parts Inc	Vehicle Repair & Maintenance Supplies	122.12
Fleet Services	Gas & Oil	332.08
Insight Public Sector Inc.	Equipment (Non-Capital)	11.44
Federal Express Corp.	Communication & Transportation	703.26
Mid-American Research Chemical	Communication & Transportation	58.18
Nextrust Inc	Communication & Transportation	6.65
USA Blue Book	Communication & Transportation	53.88
Western Slope Supplies Inc	Communication & Transportation	1.85
Black Hills Energy	Utility Services	9,729.05
Holy Cross Energy	Utility Services	21,736.95
Verizon Wireless, Bellevue	Utility Services	108.71
Colorado Mtn. News Media	Recruitment	128.80
Chase Paymentech	C.C. Transaction Fees	582.42
Xpress Bill Pay	C.C. Transaction Fees	319.27
LRE Water	Engineering	2,851.75
Denali Water Solutions LLC	Sludge Disposal	11,775.78
American Mechanical Services	Repair & Maintenance Services	695.00
Browns Hill Engineering	Repair & Maintenance Services	814.50
Utility Notification Center Of Colorado	Repair & Maintenance Services	19.94

WASTEWATER FUND (Cont.)

Water Technology Group	Repair & Maintenance Services	650.00
Caselle, Inc.	Computer Support	521.32
Insight Public Sector Inc.	Computer Support	17.99
Eagle River Water & Sanitation District	Testing & Permits	4,625.00
Energy Laboratories Inc	Testing & Permits	619.00
SGS North America Inc	Testing & Permits	1,830.73
King Soopers Customer Charges	Meeting Expense	12.79
Total WASTEWATER FUND		\$ 72,015.57

WATER FUND

CEBT	Health & Insurance Benefits	\$ 19,176.17
Cintas Corporation	Office Supplies	29.17
Quill Corporation	Office Supplies	99.76
AllWater Supply LLC	Operating Supplies	1,889.47
DPC Industries, Inc.	Operating Supplies	180.00
360 Civil, Inc.	Repair & Maintenance Supplies	327.00
Allwater Supply LLC	Repair & Maintenance Supplies	11,160.63
Amazon	Repair & Maintenance Supplies	738.34
Grand Junction Pipe & Supply	Repair & Maintenance Supplies	7,186.01
Gypsum Eagle Ace Hardware	Repair & Maintenance Supplies	328.45
USA Blue Book	Repair & Maintenance Supplies	299.23
Glenwood Springs Auto Parts Inc	Vehicle Repair & Maintenance Supplies	134.91
Fleet Services	Gas & Oil	368.03
Insight Public Sector Inc.	Equipment (Non-Capital)	17.16
Core & Main LP	Meters & Related Items/Resale	47,616.96
AllWater Supply LLC	Communication & Transportation	696.00
Core & Main LP	Communication & Transportation	16.93
Federal Express Corp.	Communication & Transportation	673.73
Grand Junction Pipe & Supply	Communication & Transportation	60.00
Nextrust Inc	Communication & Transportation	6.65
USA Blue Book	Communication & Transportation	323.55
Colorado Rural Water Association	Dues & Subscriptions	450.00
AmeriGas	Utility Services	10,088.81
Black Hills Energy	Utility Services	299.90
Holy Cross Energy	Utility Services	18,089.59
Verizon Wireless, Bellevue	Utility Services	146.19
Colorado Mtn. News Media	Recruitment	138.00
Chase Paymentech	C.C. Transaction Fees	905.98
Xpress Bill Pay	C.C. Transaction Fees	501.70
PR Studio	Professional Services	4,392.29
Garfield & Hecht, P.C.	Legal	63.00
LRE Water	Engineering	481.25
360 Civil, Inc.	Repair & Maintenance Services	5,405.00
Browns Hill Engineering	Repair & Maintenance Services	1,197.75
Utility Notification Center Of Colorado	Repair & Maintenance Services	19.93
Vail Honeywagon	Repair & Maintenance Services	185.04
Eagle River Water & Sanitation District	Testing & Permits	625.00
Energy Laboratories Inc	Testing & Permits	619.00
SGS North America Inc	Testing & Permits	1,642.17

WATER FUND (Cont.)

King Soopers Customer Charges	Meeting Expense	12.79
Caselle, Inc.	Computer Support	521.32
Insight Public Sector Inc.	Computer Support	26.98
Hach Company	Contract Payments	1,116.00
Xerox Business Solutions Southwest	Contract Payments	922.69
Mott MacDonald	Tank Replacement	670.00
Total WATER FUND		\$ 139,848.53

REFUSE FUND

CEBT	Health & Insurance Benefits	\$ 4.00
Nextrust Inc	Communication & Transportation	6.65
Chase Paymentech	C.C. Transaction Fees	129.43
Xpress Bill Pay	C.C. Transaction Fees	72.98
Vail Honeywagon	Repair & Maintenance Service	177.67
Caselle, Inc.	Computer Support	521.30
Vail Honeywagon	Contract Services	52,153.89
Total REFUSE FUND		\$ 53,065.92

CONSERVATION TRUST FUND

SE Group	Professional Services	\$ 6,131.94
Total CONSERVATION TRUST FUND		\$ 6,131.94

OPEN SPACE FUND

CEBT	Health & Insurance Benefits	\$ 2,046.99
Alpine Lumber Co.	Repair & Maintenance Supplies	1.90
Fleet Services	Gas & Oil	53.58
Insight Public Sector Inc.	Equipment (Non-Capital)	4.30
Vail Honeywagon	Repair & Maintenance Services	180.94
Insight Public Sector Inc.	Computer Support	6.74
Cirsa	Insurance	19.84
Total OPEN SPACE FUND		\$ 2,314.29

Total	\$ 809,198.28
Payroll	\$ 379,287.12
Grand Total	\$ 1,188,485.40



To: Mayor and Town Council

From: Jim White, Interim Town Manager, Joey Stauffer, Police Chief

Date: March 8, 2022

Agenda Item: Resolution No. 23, Series 2022 "A Resolution Approving an Intergovernmental Agreement Between the Town of Eagle Eagle County School District RE50J for the Purposes of Providing a School Resource Officer"

REQUEST: Staff requests the Council review the revised Intergovernmental Agreement (IGA) between the Town of Eagle and the Eagle County School District for the purposes of providing a School Resource Officer.

BACKGROUND: The Council approved the original IGA with Eagle County School District on February 2, 2022. Staff was under the impression that the School District had already reviewed the agreement, unfortunately, that was not the case. Attached is a revised IGA with changes requested by the School District.

From Prior Staff Memo:

Partnerships between first responders and our community youth are invaluable. For years, the Eagle Police Department has attempted to supplement school-based initiatives with part-time resource officers or liaisons. While this has yielded positive results, staffing issues have taken a toll on these supplemental programs and our Eagle Police Department has been unable to maintain consistency with school-based youth-prevention initiatives, mentoring programs, school event ambassadors, and other proactive activities. The need for this consistency, in conjunction with the increased calls for service at our local schools (and those involving our school-aged youth), provided the need for a dedicated SRO FTE.

The main difference separating an SRO from other police officers is that they have special training on how to work with our youth. Colorado Peace Officer Standards and Training require each law enforcement agency with a school to have at least one peace officer specialty trained as an SRO, with the minimum qualification of the 40-hour basic National Association of School Resource Officers (NASRO) training. This training includes content regarding the adolescent brain, cyber safety, and violence prevention in schools, among other topics. The other difference is that our SRO may focus on youth and school activities, while patrol officers continue with their focus on our community.

SRO's play a tripartite role of law enforcement, informal mentoring/counseling, and in-person teaching. In this sense, school-based policing is aligned with that of community policing: using local partnerships with other public entities to bring more resources to bear on safety and positive programs for our youth and their families. The far-reaching benefits in our community have been evident with successful interventions of our part-time programs, along with examples of other full-time professional SRO programs in our region.

Our school district recognizes the value of an SRO and has agreed to supplement the costs of adding an SRO as a new FTE, beginning in 2022, using a cost-sharing formula, as denoted in the IGA. Effectively, our Eagle County School District has agreed to supplement about ½ the cost of the SRO FTE salary.

Additionally, during the remodeling of the Eagle Valley Middle School, our Eagle County School District anticipated the need for an FTE SRO and built a small office for a future EPD SRO.

All municipalities in Eagle County (to include those under contract with Eagle County) and the Eagle County Sheriff's Office have dedicated SRO FTE(s).

ANALYSIS: In the School District's review of the IGA they have requested, and staff has made, the following changes:

- The original agreement had the first term commence when the IGA was signed through June 30, 2023, (approximately 16 months). Thereafter, the agreement would automatically renew for successive one-year terms. The School District did not budget this IGA for their 21-22 fiscal year. They requested the effective date of the IGA and term start on July 1, 2022 through June 30, 2023.
- The original IGA requested 150% of the shared cost for the first term since it exceeded 12 months. Since the School District requested that the first term be twelve month, they requested this language be removed. This will reduce the 2022 projected revenue provided by the School District from \$67,326 to \$33,663.
- The School District requested that the IGA list the "Superintendent" as the signatory for ECSD instead of the "School Board President".

In a final review of the IGA staff also noticed that Eagle Valley Elementary School was missing from the listed schools. That change has been made as well.

COMMUNITY INPUT: None required.

BUDGET / STAFF IMPACT: The SRO position shall be funded jointly by the Parties, with the District paying \$67,326 annually per SRO. The initial 12-month term begins July 1, 2022. The Town will receive \$33,663 for the last 6 months of 2022 and \$68,336 in 2023. The District funding amount shall be increased for each subsequent term by 3%.

STRATEGIC PLAN ALIGNMENT / STANDARDS ACHIEVED: This item aligns with the Strategic Plan Guiding Principles "Progressive Community Based Law Enforcement" and "Protecting Public Health, Safety, and the Environment."

RECOMMENDED ACTION OR PROPOSED MOTION: Motion to **Approve** or **Deny** Resolution No. 23, Series 2022 "A Resolution Approving an Intergovernmental Agreement Between the Town of Eagle Eagle County School District RE50J for the Purposes of Providing a School Resource Officer"

ATTACHMENTS:

1. 2022-23 IGA School Resource Officer

TOWN OF EAGLE, COLORADO
RESOLUTION NO. 23
(Series 2022)

**A RESOLUTION APPROVING AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE
TOWN OF EAGLE AND THE EAGLE COUNTY SCHOOL DISTRICT RE50J FOR THE
PURPOSES OF PROVIDING A SCHOOL RESOURCE OFFICER**

WHEREAS, the Town of Eagle desires to contract with Eagle County School District RE50J for the performance of the described services in the attached Exhibit "A" on the terms and conditions set forth therein; and

WHEREAS, the School District agrees to perform such services on the terms and conditions set forth in Exhibit "A"; and

WHEREAS, this Intergovernmental Agreement is authorized pursuant to Section 29-1-201 and 30-11-101, Colorado Revised Statutes, as amended, and Article XIV, Section 18, of the Colorado Constitution.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL FOR THE TOWN OF EAGLE, COLORADO:

The Town Council approves an Intergovernmental Agreement with Eagle County School District RE50J to provide for a school resource officer attached as Exhibit "A."

RESOLVED, APPROVED, AND ADOPTED THIS 8TH DAY OF MARCH 2022.

TOWN OF EAGLE, COLORADO

BY: _____
Mayor, Scott Turnipseed

ATTEST:

Town Clerk, Jenny Rakow

INTERGOVERNMENTAL AGREEMENT

THIS INTERGOVERNMENTAL AGREEMENT (the "IGA") is entered into as of the 1st day of July, 2022 (the "Effective Date") by and between the Town of Eagle, a Colorado home rule municipality with an address of P.O. Box 609, Eagle, CO 81631 (the "Town") and the Eagle County School District RE 50J, a Colorado school district with an address of P.O. Box 740 Eagle, CO 81631 (the "District") (each a "Party" and collectively the "Parties").

WHEREAS, the Town and the District recognize a need to provide a School Resource Officer ("SRO") to schools in Eagle to support students, teachers, school officials, parents, and the community;

WHEREAS, the SRO designated under this Agreement will act both as a resource for students, teachers, parents, and administrators, and as a law enforcement figure at Brush Creek Elementary School, Eagle Valley Elementary and Eagle Valley Middle School (the "Schools"), to increase the level of safe and effective interaction between the Eagle Police Department, students, teachers, school officials, parents, and the community;

WHEREAS, the District desires to partner with the Town by way of providing additional funding for the SRO positions so as to create and maintain a safe and orderly learning environment for its students, staff and teachers;

WHEREAS, the Town is willing to train and supervise the SRO;

WHEREAS, the District is authorized by the provisions of C.R.S. § 22-32-109.1(3) to enter into such agreements to keep its school environments safe;

WHEREAS, SRO programs are recognized as being effective in the development of a positive relationship between law enforcement, school district employees, and youth; and

WHEREAS, intergovernmental agreements between political subdivisions of the State of Colorado to provide functions and services including the sharing of cost of such services or functions are specifically authorized by C.R.S. § 29-1-203.

NOW, THEREFORE, in consideration of the mutual covenants and agreements contained herein and other good and sufficient consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties agree as follows:

1. Employment. The Town will employ a law enforcement officer to be designated as the SRO to provide general law enforcement services and other school-resource assistance, with the standards for national training of school resource officers serving as a guide. All supervision, coordination, and management of the services, performance and other personnel matters, including discipline, will be the duty of the Town. The SRO is subject to the Town's chain of command and supervision of assigned supervisors. The SRO shall comply with District policies and regulations, to the extent such policies and regulations are not in conflict with those of the Town, other terms contained herein, or with federal, state, or Town laws. The SRO's performance

3/2/2022

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shall be evaluated consistent with Town policies and procedures by the SRO's supervisor. Such supervisor shall seek and accept the input from the District for the evaluation. The Town will promptly report to the District any personnel problems that directly relate to the safety of the Schools and those who attend them. The Town will facilitate the purchase of an SRO patrol vehicle, outfit the vehicle as necessary for SRO use, train the officer to Colorado Peace Officers Standards and Training (POST), and provide appropriate wage and benefits package to the SRO, along with any training costs. The District shall furnish an office for the SRO at one of the schools in which the SRO will be working.

2. Shared Costs. The SRO position shall be funded jointly by the Parties, with the District paying \$67,326 annually per SRO. The District funding amount shall be increased for each subsequent term by 3%.

3. Outside Services. The District acknowledges that the SRO will be, at times, required to render law enforcement services to areas outside the District property, and such absence shall not be deemed to be a violation of this IGA. However, it is understood that the SRO's primary duties will be to provide law enforcement services at the Schools and surrounding areas.

4. Term and Termination. This IGA shall commence on the Effective Date and shall continue through June 30, 2023 (the end of the District's 2022-2023 fiscal year) (the "Initial Term"). Thereafter, the Agreement will automatically renew for successive one-year terms on an annual basis every June 30th. This Agreement may be terminated without cause by either Party upon 30 days' written notice. Upon any termination of this IGA, any funds advanced by the District for a current District Fiscal Year period shall be returned to the District on a *pro rata* basis for the balance of that fiscal year.

5. Parties as Independent Actors. This IGA is intended to facilitate cooperation between the Parties in the provision of the services provided herein, but does not establish a separate legal entity to do so, and, except as set forth herein, this Agreement does not authorize either Party to act on behalf of the other Party for any purpose whatsoever. This IGA does not establish any employee of either Party as an agent of any other Party for any purpose whatsoever. This IGA provides only for sharing of in-kind services and costs by the Parties in the achievement of a common mutual goal, said goal being the sharing of the information and resources to maximize the safety and security of the community and its children.

6. Information Sharing. The Parties agree to abide by and share information that is in accordance with state and federal law that mandates the sharing of information between these separate agencies, as well as to facilitate information sharing when requested by the other Party related to the handling of delinquency, dependency and neglect cases, truancy and other education-related needs.

7. Insurance.

a. Each Party shall provide its own insurance coverage for claims arising from this Agreement, and respectively, as named insureds, shall include the other Party, its officers,

employees, and agents, as additional insureds under the named insured's insurance policies. Each Party shall maintain the following coverage:

- i. Workers' Compensation insurance as required by law.
- ii. Commercial General Liability insurance with minimum combined single limits of \$1,000,000 each occurrence and \$2,000,000 general aggregate. The policy shall be applicable to all premises, and shall include coverage for bodily injury, broad form property damage, personal injury (including coverage for contractual and employee acts), and blanket contractual, products, and completed operations.
- iii. Public Officials Liability insurance with minimum limits of \$1,000,000 each claim and \$2,000,000 general aggregate.

b. Such insurance shall be in addition to any other insurance requirements imposed by law. The coverages afforded under the policies shall not be cancelled, terminated, or materially changed without at least 30 days' prior written notice to the Town. In the case of any claims-made policy, the necessary retroactive dates and extended reporting periods shall be procured to maintain such continuous coverage.

c. The Parties shall exchange certificates of insurance showing the required policies are in full force and effect. The certificates shall identify this Agreement.

8. Annual Evaluation. The Parties shall evaluate the SRO program on a yearly basis and make recommendations on how the program can better serve the school in the areas of enforcement, prevention, and safety.

9. Miscellaneous.

a. *Governing Law and Venue*. This IGA shall be governed by and construed in accordance with the laws of the State of Colorado, and venue for any action arising out of any dispute pertaining to this IGA shall be brought in Eagle County, Colorado.

b. *No Waiver*. Delays in enforcement or the waiver of any one or more defaults or breaches of this Agreement by the Town shall not constitute a waiver of any of the other terms or obligations of this Agreement.

c. *Integration*. This Agreement and any attached exhibits constitute the entire Agreement between the Parties, superseding all prior oral or written communications.

d. *Third Parties*. There are no intended third-party beneficiaries to this Agreement.

e. *Notice*. Any notice required under this IGA shall be in writing and may be personally delivered or mailed in the United States mail, first-class postage prepaid to the Party to be served at the address set forth on the first page of this IGA.

f. *Severability.* If any provision of this IGA is found by a court of competent jurisdiction to be unlawful or unenforceable for any reason, the remaining provisions hereof shall remain in full force and effect.

g. *Modification.* This IGA may only be modified upon written agreement to the Parties.

h. *Assignment.* Neither this Agreement nor any of the rights or obligations of the Parties shall be assigned by either Party without the written consent of the other.

i. *Governmental Immunity.* The Parties and their officers, attorneys and employees are relying on, and do not waive or intend to waive by any provision of this Agreement, the monetary limitations or any other rights, immunities, and protections provided by the Colorado Governmental Immunity Act, C.R.S. § 24-10-101, *et seq.*, as amended, or otherwise available to the Parties and their officers, attorneys, or employees.

j. *Subject to Annual Appropriation.* Consistent with Article X, § 20 of the Colorado Constitution, any financial obligation of either Party not performed during the current fiscal year are subject to annual appropriation, and thus any obligations of either Party hereunder shall extend only to monies currently appropriated and shall not constitute a mandatory charge, requirement, or liability beyond the current fiscal year.

IN WITNESS WHEREOF, the Parties have executed this Agreement as of the Effective Date.

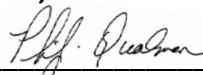
TOWN OF EAGLE, COLORADO

Scott Turnipseed, Mayor

ATTEST:

Jenny Rakow, Town Clerk

**RE 50J SCHOOL DISTRICT
EAGLE, COLORADO**


Superintendent

ATTEST:



To: Mayor and Town Council

From: Molly Furtado, Special Events Manager

Date: March 8, 2022

Agenda Item: Resolution No. 24, Series 2022 "A Resolution of the Town Council of the Town of Eagle, Colorado, Appointing Members to the Town of Eagle Marketing and Events Committee"

REQUEST: Staff requests the Town Council to formally appoint new Marketing & Events Advisory Committee members via resolution.

BACKGROUND: There are three 2-year term members needed for the nine-member Marketing & Events Advisory Committee (MEAC) and one 1-year term member needed, with the most recent resignation of August Wittenberg. MEAC received five applications from enthusiastic, well-qualified business owners and community members.

ANALYSIS: MEAC appointed Lizzy Owens, Jaimie Mackey, and Chad Milam to two-year terms that expire in May 2024. MEAC appointed Erinn Hoban for a one-year term that expires in May 2023.

Lizzy Owens - Mountain Recreation, Community Engagement Manager
Jaimie Mackey - The Assembly, Business Owner
Chad Milam - Vail Health, Director Digital Strategy & Experience
Erinn Hoban - Vail Valley Mountain Trails Alliance, Program Director

COMMUNITY INPUT: The community request for MEAC applications was posted on January 14. The letter of interest deadline was February 14. The selection meeting was on March 2, 2022.

BUDGET / STAFF IMPACT: Budget: None

Staff Impact: None

STRATEGIC PLAN ALIGNMENT / STANDARDS ACHIEVED: The Town of Eagle's strategic goal includes developing the Eagle Brand and collaborating with regional tourism and marketing efforts.

RECOMMENDED ACTION OR PROPOSED MOTION: Motion to approve Resolution 24, Series 2022 "A Resolution of the Town Council of the Town of Eagle, Colorado, Appointing Members to the Town of Eagle Marketing and Events Committee"

ATTACHMENTS:

1. Resolution 24- 2022 MEAC APPOINTMENTS

**TOWN OF EAGLE, COLORADO
RESOLUTION NO. 24
(SERIES 2022)**

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF EAGLE, COLORADO,
APPOINTING MEMBERS TO THE TOWN OF EAGLE MARKETING AND EVENTS COMMITTEE

WHEREAS, pursuant to Article IV Section 2. of the Bylaws, which provides for the membership terms and appointment process by the Town Council; and

WHEREAS, current terms for Sheryl Staten, Jeff Boyer, and Yvonne Schwartz expire and August Wittenberg has resigned;

WHEREAS, Christina Taylor, Jaimie Mackey, Chad Milam, Erinn Hoban, and Lizzy Owens have applied and expressed interest to be appointed for the terms available.

WHEREAS, MEAC members met to review and recommend four members to the Town Council for appointment on March 2, 2022.

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

Section 1. That Lizzy Owens, Jaimie Mackey, and Chad Milam are hereby appointed to MEAC for two-year terms that expire in May 2024 and Erinn Hoban is hereby appointed for a one-year term that expires in May 2023.

INTRODUCED, READ, PASSED, AND ADOPTED at a regular meeting of the Town Council of the Town of Eagle, Colorado, held on March 8, 2022.

TOWN OF EAGLE, COLORADO

By: _____
Scott Turnipseed, Mayor

ATTEST:

Jenny Rakow, Town Clerk



To: Mayor and Town Council

From: Jim White, Interim Town Manager

Date: March 8, 2022

Re: Town Manager Report

Administration & Organization

Staff continues to work on follow-up items from previous Town Council meetings. Included is a list of policy items staff is tracking in March:

- Wastewater Rate and Tap Fee Study Presentation (Raftelis)
- School Resource Officer (SRO) IGA (back on tonight's agenda with minor changes)
- State of Colorado Energy Office IGA
- 2021 Audit preparation (already scheduled to begin in April)
- Eagle Valley Community Foundation (EVCF) Memorandum of Understanding (MOU)

Note: We received a thank you from Melanie Smith of the Eagle River Watershed Council for the Town's support to protect the rivers and streams of the valley through our collaboration and sponsorship of the Clean Up events. Community Pride Highway Clean Up is scheduled on Saturday, April 30, 2022.

Lynette Horan, HR has developed a priority list for new hires based on input from each department director. She has been diligent in pursuit of viable candidates and has also done much work on the recruitment efforts for the Town Manager, Police Chief, Engineer, Code Enforcement, Water Operator, Wastewater Operator, and HR and Finance position, among others.

WORK SESSIONS:

To help the Town Council keep track of upcoming work sessions, provided below is a table of topics to be discussed over the next several months. Since it takes planning to successfully execute a work session, preparing in advance is helpful. Staff will keep this table in this report going forward and make changes as needed. The topics are subject to change:

Date	Topic
January 4, 2022 POSTPONED	Affordable Housing Strategies
January 31, 2022 (DELIVERED)	Grand Avenue Corridor Update
February 1, 2022 POSTPONED	Sustainability Building Codes Discussion
March 1, 2022 (DELIVERED)	Mural Project Update
April 5, 2022	IT Connectivity Planning
May 3, 2022	Open Space Master Plan
June 7, 2022	Diversity, Equity, and Inclusion

Economic Development

- The Economic Vitality Committee (EVC) last met on January 31, 2022. The February meeting fell on our Presidents' Day holiday, so it was cancelled. The next meeting is scheduled on Monday, March 21, 2022 at 1pm.
- The Colorado University (CU) Assessment is underway and members from the EVC and staff met with the project team. So far, the team is looking into comparisons; cited best in class and best practices; has reviewed the Town's plans; and has started collecting economic data on the Town. The group is working on an analysis to develop an overlay of the Town's commercial districts that will include a market competitive approach. The next steps are to set up a meeting with community leaders who are looking at redevelopment and to solicit input. **Due to the pandemic and staff transition, this project backed off temporarily. We restarted interaction with Town staff and the CU team on March 3, 2022. Chad Phillips and I attended the ZOOM call. A primary focus is on an Outdoor Recreation Economy.**
- The Downtown Development Authority (DDA) met again on **Wednesday, March 2, 2022** along with the consultants from Downtown Colorado, Inc (DCI). **The primary discussion was to review and extend the work plan and to select a website development company.** The need for broadband in the downtown business district was the subject of much of the ensuing discussion.

Sustainability

- Staff is in communication with Walking Mountain Science Center about helping to fund a sustainability initiative to assist with home energy audits and some Solar PV rebates. It also makes the Town of Eagle a participant in the local Energy Smart Colorado program. This helps meet the July 2021 resolution passed by the Town Council to achieve net zero carbon emissions by 2030. **Walking Mountain Science Center will present this topic at tonight's Town Council meeting.**

Outreach & Meetings – *Updates on participation in community outreach opportunities, regional/community meetings, and project-specific meetings.*

- On February 17, 2022, I attended an unveiling of the spring issue of Mountain Lifestyle magazine.
- Recently, I have participated in several Zoom calls with other local managers in Eagle County.
- On March 1, 2022, I attended two short films on Sustainability hosted by Walking Mountain Science Center.
- **N.B. The Doodle Poll for the retreat day resulted in the best day being Wednesday, June 1, 2022. Once confirmed by Town Council, I will secure the services of our facilitator.**

Respectfully submitted,

Jim White, Interim Town Manager

Older Schedule: (Please review and revise)

Town Council Requests – Once items are completed; they are deleted from the list Items in Red are new requests.		
Request Date	Request	Status
3/9/2021	Bring back land donation proposal	Not Scheduled
3/9/2021	EQR Ordinance	Not Scheduled
5/11/2021	Reach out to Eagle Ranch Housing Corp. on partnering	Not Scheduled
5/11/2021	Look into vacancy housing tax	Not Scheduled
5/25/2021	Evaluate Bird Scooter proposal and bring it back	Not Scheduled
8/10/2021	Schedule Town of Eagle housing strategy work session	Not Scheduled
8/24/2021	Establish incentives for ADUs	Not Scheduled
9/14/2021	Fee waivers for town projects policy	Not Scheduled
9/14/2021	Follow up on Broadway tree grate maintenance	Not Scheduled
10/5/2021	Create a policy for eBikes on recreation paths in Town and reach out to BLM to let them know the plans	Not Scheduled



To: Mayor and Town Council

From: Jim White, Interim Town Manager, and Department Leads

Date: March 8, 2022

Re: Department Updates for February 2022

FINANCE DEPARTMENT

February 2022

Administration/Financial:

- In February Staff began working on the 2021 Audit and will be continuing to prepare in March
 - o Finance is working with Departments to take a physical inventory of fixed assets to be completed prior to the end of March
- Staff completed the 2021 CIRSA audit on our Volunteer Worker Insurance Policy
- Staff began work on the 2021 workers compensation audit and will complete in March
- Staff completed and submitted the 2021 Conservation Trust Fund report to the State
- Short Term Rentals (STR) Update:
 - o 24 properties were initially identified, now down to 16 Valid STRs
 - 3 locations identified were hotels already paying lodging taxes
 - 5 customers state they no longer rent out as a STR and do not have a current STR ad
 - o 5 permits have been completed and 11 are still outstanding
 - Staff will be preparing a third letter to send out to identified properties in March
- CivicRec Software Implementation Update– For Pavilion and Event Permits
 - o Pavilion/Studio: Staff completed inputting all rentals scheduled year to date and went live on the Town's website on 3/4/22 – *Staff will rollout to community in March*
 - o Event Permits: Finance will be working with Marketing and Events to fully understand the process to build it out in CivicRec – *Estimated rollout 3/31/22*

Accounts Payable:

ACCOUNTS PAYABLE: INVOICES PAID							
	2018	2019	2020	2021	2022	VARIANCE FROM PY	
JANUARY	258	303	205	230	249	19	8%
FEBRUARY	272	254	237	217	254	37	17%
YEAR TO DATE	530	557	442	447	503	56	13%

Budget:

- Resubmitted revised 2021/2022 budget document to State after 2021 Supplemental Amendment was approval by Council on 2/8/2022.
- Finance rolled out 2022 Supplemental budget requests to staff for any 2021 capital items that need to be rolled over 2022
 - o 2022 Supplemental amendment requests are due to Finance by 3/4/22
 - o Staff will bring 2022 budget amendment request to Council on 3/22/22
- Admin will be printing 2022 budget books for staff with budget worksheets – If anyone on Council would like a printed copy of the budget, please let us know and we can do that for you

Payroll/HR:

- Positions changes in Payroll
 - o No New Hires
 - o 2 Terms – Town Manager and Streets Maintenance Tech

Utilities:

- Property Transfers – 4
- New Account Set Up – 0
- Red Tags – 13
- Shut Offs – 0

Upcoming Activities:

- Ordinance to amend the Municipal Code for penalties and interest to allow staff to implement the same policy for Red Mountain Ranch, Reserve at Hocket Gulch, and Haymeadow. Currently Haymeadow does not have any penalties and interest designated in the Annexation Agreement.

Town Council Department

Budget to Actual:

TOWN OF EAGLE
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 2 MONTHS ENDING FEBRUARY 28, 2022

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>TOWN COUNCIL</u>					
10-49-110 SALARIES & WAGES	3,800.00	7,800.00	45,800.00	38,000.00	16.7
10-49-142 WORKERS COMPENSATION	.00	.00	59.00	59.00	.0
10-49-143 HEALTH & INSURANCE BENEFITS	18.00	36.00	168.00	132.00	21.4
10-49-144 FICA - EMPLOYER'S	290.70	581.40	3,488.00	2,906.60	16.7
10-49-320 LEGAL NOTICES	.00	.00	500.00	500.00	.0
10-49-347 PROFESSIONAL SERVICES	.00	.00	10,000.00	10,000.00	.0
10-49-371 TRAVEL EXPENSE	.00	.00	1,000.00	1,000.00	.0
10-49-372 MEETING EXPENSE	.00	.00	3,000.00	3,000.00	.0
10-49-380 TUITION & BOOKS	20.00	20.00	1,750.00	1,730.00	1.1
10-49-450 SPECIAL COUNCIL FUNDING	4,126.00	4,126.00	74,000.00	69,874.00	5.6
10-49-510 INSURANCE	.00	.00	818.00	818.00	.0
10-49-915 COMMUNITY REQUESTS	10,684.00	31,772.00	100,000.00	68,228.00	31.8
TOTAL TOWN COUNCIL	18,938.70	44,135.40	240,383.00	196,247.60	18.4

IT DEPARTMENT

Security Alert from the Office of Information Technology

Following the State's OIT lead, the Town of Eagle has rolled out on-demand training to generate awareness of user security best practices.

WHAT: With the Russian invasion of Ukraine, Gov. Jared Polis signed an Executive Order today directing the Office of Information Technology (OIT) Executive Director to identify and focus resources on protecting the state's critical infrastructure from Russian cyberattacks or misinformation efforts, among other things. Additionally, the Cybersecurity & Infrastructure Security Agency (CISA) has issued a Shields Up alert advising all organizations to be hyper-vigilant of any unusual cyber activity.

Action Required: User awareness is one of the best and first defenses against cyberattacks. Each of us plays an important role in protecting state systems and data.

Broadband

Aspen Wireless in partnership with the Town of Eagle submitted a proposal to provide the Eagle County Library District with broadband service. The Library District has tentatively accepted our proposal pending details regarding static IP issuance and contract terms. A budget amendment will be prepared for council consideration.

SPECIAL EVENTS & MARKETING

February 2022

February Events

- February 1 Remembrance and tree burning
- Ribbon Cutting – Lower Basin Water Treatment Plant
- Brandy's farewell party

MEAC 2022

- Request for new member applicants. Three seats to fill. Five applications to review
- Selection process March 2
- MEAC moved monthly meetings to the first Wednesday of the month

FOCUS

- Flight Days
 - o Bi-Weekly Flight Days Committee.
 - o Proposed budget approved!
 - o Seeking sponsors, vendors, parade participants, volunteers

Getting to know you.

- Jeremy Gross, Town of Vail
- Ted Wenninger, Block Party producer
- Michelle Friedman, Eagle Chamber
- Roxie Dean, Former Mayor of Eagle
- Laurie Asmussen, Eagle Valley Events
- Kat Conner, DDA
- Kathy Heicher, Historical Society
- Lee Adkins, Eagle Vineyard Church – Easter Egg Hunt
- Kim Fritzler, Slifer Sponsorship

Meetings

- Zoom call with Vail Health to discuss use of lower parking lot and sponsorship
- Zoom call with Mike Day to discuss Enduro Series
- Block Party Pre-Planning MONTHLY Meeting - staff attendance; Molly Furtado, Randy Cohen, Joey Staufer, Carrie Buhlman, Tom G, Kevin Fontana, Ted with optimum events

Monthly

- Updated Event Calendar – Version 4
 - o Met with PW & PD to discuss details of summer events
- Updating Digital Sign
- Updating Eagleoutside.com
- Promoting @eagleoutside
- Communications Meeting - Bi-weekly Teams meeting

COMMUNITY DEVELOPMENT

February 2022

LONG-RANGE PLANNING

- **ReCode Eagle – The Land Use and Development Code (LUDC) Update**
 - o The Code Committee held its third meeting on 2/7/22 to discuss various zoning fixes that would promote affordable housing in the community.
 - o The next committee meeting is scheduled for 3/14/22 to review Module 1 (zoning districts, allowed uses, and standards that regulate those uses).
 - o The draft sign code will be released to the community the first week in March to garner public input. Planning & Zoning will be discussing the draft during a work session scheduled for 3/15/22.
 - o Staff has received (1) application to fill a vacancy on the LUDC committee and the submittal deadline was 2/28/22.
 - o 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**
 - o A landowners' meeting was held on 2/10/22 to open communication and discuss the many overlapping plans impacting the area. Topics included the Brush Creek Road Extension, the Grand Ave Corridor Study, the Eagle County West Eagle Housing Project, the TOE Development Code Update process, and landowners' input.
 - o A Phase 3 work plan meeting was held on 3/2/22 with the design team & consultants to review the adjusted schedule and proposed areas of focus. Topics included traffic model refinements, roundabout, and corridor design, utilities & infrastructure plans, cost estimating, and establishing meetings and public engagement schedules.
- **HB21-1271 DOLA Innovative Housing Strategies: Planning Grant Program**
 - o Background information: The Town is pursuing two initiatives with the grant funds. The 1st is an Affording Housing Assessment which will compile data such as housing inventory, current & projected housing needs, Town demographics, economic trends, and market conditions (ownership, rental, and short-term rentals). The findings of this assessment will help the Town develop subsequent action plans geared towards creating affordable housing opportunities. Staff has received (3) bids for the Housing Assessment project and the submittal deadline was 2/25/22. Proposal review is underway, and interviews will be scheduled for the week of 3/14/22. Staff anticipates the Housing Assessment to be completed mid to late summer.
 - o The second initiative is the Innovative Housing Strategies Report; a regulatory update to the Land Use and Development Code. This report will be produced concurrently with our Land Use Code update, ReCode Eagle, and will build upon data from the Affordable Housing Assessment. Clarion Associates is working with the Town to identify regulatory barriers that limit affordable housing and to find ways to encourage affordable housing through the Code update. The regulatory strategies from this work will be included in the Innovative Housing Strategies Report.

LAND USE APPLICATIONS IN PROGRESS

- **DR21-02 & PPFP21-01: Reserve at Hockett Gulch**
 - o A Subdivision and Major Development Permit application.
 - o Development Agreement along with Covenants, Conditions & Restrictions (CCR&Rs) have been sent to Town attorney for review.

- o A site visit with Colorado Parks & Wildlife (CPW) was held on 2/7/22 to discuss recommendations on wildlife preservation measures including a designated vegetated area for deer and elk, and wildlife fencing.
- o The most recent project resubmittal was received in late February and referral agency review is ongoing.
- **DR21-04: Haymeadow Design Guidelines**
 - o A Major Development review for establishing the Haymeadow Design Guidelines.
 - o Town Council held a public hearing on 2/8/22 and the application was continued to 3/8/22.
 - o Article from hearing: [Eagle Town Council picks apart Haymeadow neighborhood design | VailDaily.com](#)
- **DR22-01 & LLA22-02: Haymeadow RMF-1&2**
 - o The first application is for a Major Development Permit for 74 multi-family dwelling units in 7 buildings in RMF-1 and 12 multi-family units in 3 buildings in RMF-2.
 - o The second application is for a Lot Line Adjustment to replat the lot line between RMF-1 and RMF-2.
 - o Public hearings schedule TBD.
- **SU22-01 Mountain Tots Special Use Permit (641 McIntire Street)**
 - o Application to operate a childcare facility in the Residential Medium (RM) zone district.
 - o Public hearing schedule:
 - Planning Commission 3/1/22 (continued from 2/15/22)
 - Town Council 3/8/22
- **LURA22-03 Ordinance – Amendment to Chapter 4.08 – Sign Code**
 - o New draft of the Sign Code is an expedited product of the Land Use Code Update (ReCode Eagle).
 - o Public hearing schedule:
 - Planning Commission Work Session 3/15/22
 - Planning Commission Regular Meeting 4/5/22
 - Town Council 4/26/22
- **LURA22-01 Amendment to Section 4.04.070 Indoor Recreational Uses**
 - o An amendment establishing the permitted uses and associated definitions for indoor recreation in non-residential zone districts.
 - o Public hearing schedule:
 - Planning Commission 3/1/22 (continued from 2/15/22)
 - Town Council 3/8/22 (continued from 2/22/22)
- **LURA22-02 Ordinance – Amendment to Section 4.07.140. Parking Standards**
 - o An ordinance establishing parking exemption standards in the Central Business District (CBD).
 - o Public hearing schedule:
 - Planning Commission 3/1/22
 - Town Council 3/8/22

OTHER PLANNING UPDATES

- Commissioner Robert Townsend of the Planning & Zoning Commission has submitted his resignation letter, effective 2/26/22. Staff has begun advertising to fill the vacancy term which expires 2/28/24. More information and the application can be found on www.townofeagle.org.
- There is a new face among the planning team. The Town has contracted with Baseline Engineering for planning assistance until the budgeted Planner is brought on board. We are excited to have Tez Hawkins, Senior Planner with Baseline Engineering, helping process files. Tez is a professional land planner with seven years of experience in the planning industry. He is an Eagle resident and has worked for Eagle County and is familiar with the area and processes. He is often referred to as our 'rent-a-planner'.

BUILDING DEPARTMENT UPDATE

- The Building Department will be closed 3/7/22 – 3/11/22 for the 2022 Colorado Chapter ICC Educational Institute. No permits will be processed, and no inspections will be available during this week.
- The 2021 International Building Code (IBC) code adoption process has been postponed to Fall 2022. Staff is working to establish a project timeline ahead of beginning the procurement process for a consultant. The formation of a stakeholder committee is temporarily on hold.
- The next edition of CTIX (Construction Trades Information Exchange) will be distributed on April 1st. CTIX is a way for the Community Development Department to communicate with the Contractor & Developer community. Read the 2022 First Quarter Edition today! [\(LINK\)](#)

Major Construction Projects Under Review and Oversight

- **Broadway Station: Mixed-Use/Multi-Family**
 - o The Town has released a Temporary Certification of Occupancy (TCO) and tenants have started moving into the building. There is a punch list of items that need to be completed prior to the issuance of the Certificate of Occupancy (CO).
- **410 Broadway: Mixed-Use/Multi-Family**
 - o Building review is complete and awaiting approval/comments from other agencies.

The figures below show general activity levels not broken down by permit type (building, electrical, plumbing, mechanical, etc.)

TYPE OF WORK PERFORMED	NUMBERS PERFORMED IN 2021	NUMBERS PERFORMED TO-DATE 2022
Inspections (n/i planning/pw)	1,380	215
Permits Processed	359	50

TOWN COUNCIL AND PLANNING & ZONING COMMISSION MEETING SCHEDULE:

March 2022
March 8 th Town Council • Haymeadow Design Guidelines (continued from 2/8/22) • 641 McIntire Mountain Tots Special Use Permit • Update to Section 4.07.140. Parking Exception • Update to Section 4.04.070. Indoor Recreation in Central Business District (continued from 2/22/22) • Community Development Department Update
March 14 th LUDC Committee • Module 1 Discussion
March 15 th Planning & Zoning Commission • Sign Code Work Session • Community Development and Council Update
March 22 nd Town Council • Clarion Associates Professional Service Agreement (PSA) Amendment • LUDC Committee, new member appointment
April 2022
April 5 th Planning & Zoning Commission • Sign Code Recommendation
April 12 th Town Council • No land use files scheduled at this time. • Community Development Department Update
April 19 th Planning & Zoning Commission • No land use files scheduled at this time. • Community Development and Council Update
April 26 th Town Council • Sign Code Adoption
May 2022
May 3 rd Planning & Zoning Commission • Grand Avenue Corridor Study work session (tentative)

POLICE DEPARTMENT

February 2022



2022 February Calls for Service: **1,002**

2022 January - February: 1,927

2021 February Calls for Service: 790

2021 January – February: 1,719

<i>Agency Assist 14</i> <i>Assault 3</i> <i>Burglary 1</i> <i>Child Abuse Investigations 2</i> <i>Citizen Assist 66</i> <i>Civil 10</i> <i>Code Violation 1</i> <i>Crash 20</i> <i>Damage/Vandalism 5</i> <i>Death 1</i> <i>Disturbance 9</i> <i>Dogs Leash, Welfare or Noise (EPD and not A.C.) 5</i> <i>Domestic/Disturbance- Harassment or Assault 4</i> <i>DUI/D 5</i> <i>DUR 9</i> <i>F or M Menace/Assault/Weapons MM-1 FW-1</i>	<i>Fire/Medical 9</i> <i>Fraud 4</i> <i>Harassment 4</i> <i>Juvenile/Family Incident 7</i> <i>Missing/Recovered Juvenile – Adult 0 - 1</i> <i>Narcotics 1</i> <i>Noise 1</i> <i>Protection Order Violation 1</i> <i>Sex Assault/Misconduct Investigations 0</i> <i>Sex Offender Check/Registration 2</i> <i>SRO Related 27</i> <i>Suicidal/Welfare 12</i> <i>Suspicious Person/Vehicle/Occurrence 51</i> <i>Theft 10</i> <i>Trespassing 1</i> <i>Warrant Arrest 5</i>
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Your Eagle Police Department remained busy with calls for service, training, neighborhood activities, and routine business operations. Disturbances, suspicious people/occurrences, alarms, various issues related to local schools, traffic crashes, lost and found, agency assists, walkthroughs, parking problems, medicals, and routine VIN checks also continued at a steady pace. Citizen and motorist assist activities remained consistent. EPD noted an increase with liquor violations, juvenile incidents, and welfare checks. Our community sadly lost a citizen to suicide.

EPD continues to focus on community-oriented policing activities. Response to community service requests in designated areas continues to remain a priority as well. Business checks, vacation home checks, and security patrols continue within the confines of available staff (EPD has a new police officer starting in March but continues to have difficulty with filling the other patrol vacancy).

Sgt. Causey took a direct report of a suspicious person at a local firearms store. The male left the store and management wished to have the subject trespassed. Following a review of the store's video, the subject was identified. Sgt. Causey discovered the subject to be a convicted felon, which prohibited the subject from possessing a firearm. However, the local firearms store staff (and video) confirmed the subject possessed a firearm that he brought into the store and left with. As Sgt. Causey was completing a warrant, the subject was found to be impersonating a police officer in Avon. APD was called and after a short foot chase, arrested the subject. A firearm that the subject attempted to ditch in a snowbank while being chased by APD was located. EPD charges were added to the suspect's long list of charges from APD. Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) became interested in the case and is reviewing for possible federal charges.

While Officer Heil was driving into work, she was nearly hit by a Honda on I-70. The vehicle was weaving back and forth over the two lanes and nearly drove off the left shoulder. Officer Heil activated her emergency lights and the driver stopped in the intersection at the top of the off-ramp. During her discussion with the driver, he slammed on the gas pedal, believing he was going to get away. The only problem, his vehicle was still in park. Officer Heil immediately reached in and turned off the vehicle. The driver was arrested for his traffic violations and DUI. A test showed he was highly intoxicated at a .276 (note Colorado law for implied impairment is .05 and DUI is .08). Thankfully, Officer Heil was at the right place at the right time before this driver could hurt himself or an innocent civilian.

An EPD officer on a CDOT DUI traffic assignment responded to assist ECSO deputies with a traffic crash involving an injured person. The cause of the crash was due to an intoxicated driver. EPD followed DUI procedures and subsequently arrested the driver. A test showed the driver's alcohol content to be a .270.

EPD was called to a report of a crash near a local liquor establishment. The vehicle that hit a parked vehicle had driven away, but a witness provided a great vehicle description and license plate number. EPD began to canvass for the suspect vehicle and located it near a closed business. The driver stated he had heard about an accident but didn't cause the accident. It was discovered that the driver had a revoked license. The driver had significant alcohol impairment and was arrested for DUI and leaving the scene of an accident.

Our "late-night" EPD officer saw an object moving in the dark at a higher rate of speed. This turned out to be a vehicle driving at night without headlights. A traffic stop was conducted, and the driver was unaware of why it was so dark. A DUI inquiry took place and the driver was arrested for DUI. His test results indicated an alcohol content of .171.

During the afternoon hours, a REDDI report was aired to EPD regarding an impaired driver who left a home in Eagle and was reported to be driving with an at-risk adult. An alert EPD officer spotted the vehicle and saw several traffic violations. A traffic stop was conducted. The driver was extremely intoxicated and placed into custody.

EPD officers also assisted Colorado State Patrol (CSP) with a DUI traffic crash on I-70 near Eagle, providing a road closure and traffic control. EPD aided CSP with a traffic stop on Eby Creek, involving an intoxicated, underage driver.

EPD was called to a report of a minor being served at a local liquor establishment, in addition, to overservice of alcohol, after a patron was seen carrying another customer from the establishment. Upon investigation, it was discovered that the minor had been consuming liquor at the establishment, was intoxicated, had stolen several items from the establishment, and attempted to leave without paying the bar tab. The other subject was clearly overserved. At the conclusion of the investigation, the minor was charged with MIP and theft. The bartender was later charged with serving alcohol to a minor and overservice. EPD encouraged all staff to attain TIPS training and follow the guidelines for checking identification.

An employee at a local liquor establishment took car keys away from a patron who appeared too impaired to drive. The patron began to cause a disturbance, but then left and was found by an EPD officer to be sitting in his car. Our EPD officer drove the patron home and explained why this was in his best interest.

A traffic contact at night revealed a car full of minors who had been consuming liquor. Fortunately, the driver was not intoxicated, but all passengers were impaired. EPD worked to contact parents and drove the minors to their homes, where they were released to parents and summonsed for MIP.

An abandoned suitcase was discovered at the Bustang bus stop on Eby Creek Road. A citizen had opened the suitcase and found drug paraphernalia and a firearm. The suitcase was turned over to EPD. A search of ownership discovered the suitcase belonged to a subject who had multiple warrants. The firearm was discovered to have no serial number. A warrant has since been drafted for the subject's arrest. Intelligence revealed the subject may be trying to conceal his whereabouts in the Glenwood Springs area.

An adult and young teenager were working in the kitchen of a local restaurant. Both began arguing, which cumulated into the adult taunting the teenager. The adult threw a knife on the floor and kept taunting the teenager. A physical altercation took place and EPD responded. Following the investigation, the adult was charged with child abuse and assault.

EPD investigated one stolen vehicle case and continues to identify possible leads. EPD was able to recover a stolen vehicle out of Aurora.

EPD assisted GRANITE officers who stopped a vehicle in Eagle. The spare tire was found to have about 60 pounds of methamphetamines.

Scam Alert! A local citizen had a vehicle listed for sale in a newspaper. A person said he would buy the car and would send a check for more than what he was asking for the car, to help pay for a moving company and asked the seller to advance the funds to "the moving company." The bank noted the check was fraudulent. Sending more money than the value of the item advertised, by check, is a common scam and our citizens and guests should be aware!

Really? ECSO is working a case where several Vail Daily newspaper boxes were vandalized and glued shut. EPD took a report of a vandalized newspaper box and obtained a video of a vehicle. ECSO and EPD are working together in an attempt to identify the suspect.

We Know Who You Are! A REDDI report was aired by dispatch to EPD officers regarding a vehicle running over the curbs and hitting an object. EPD stopped the vehicle and discovered the driver to be messing around while behind the wheel. The driver provided a fictitious name to the officer, in an attempt to conceal the fact that he had a warrant and a revoked driver's license. However, his real name was tied to a previous incident and it was discovered that the driver had six warrants. The driver was arrested for his warrants, driving under revocation, and providing false information to authorities.

Don't Be 'Ruff' with Animal Control! After previous warnings and education to a dog owner, an animal control officer discovered additional violations and elected to complete a citation to the owner. The dog owner became very argumentative and EPD was called to help out. As soon as EPD arrived in the area, the dog owner became civil and cooperative.

Car Camping 101. When you wish to go car camping, don't pull into the park with signs that there is no overnight parking. An EPD officer noted a vehicle on a security check and found a subject car camping. The driver was found to have a denied driver's license as well as a warrant out of Glenwood Springs.

4x4 101. Just because you can, doesn't mean it's legal, or safe. A driver in a Jeep decided it would be fun to drive in the grass of the I-70 median. The driver then popped out in front of another car at the Eagle interchange and luckily, a crash was avoided. An off-duty law enforcement officer saw this and immediately reported it to

dispatch, providing updated locations to the Jeep. EPD stopped the Jeep near the town limits and issued a summons for the offenses.

Sorry Pappy, BMHS Won in OT! EPD was asked to assist with a large crowd at the pool and ice rink. The BMHS hockey team was playing its rival team during last regular home game of the season. Some parents began yelling and getting upset about referee calls. EPD had some friendly conversations and the mere presence of EPD calmed the environment.

Can You Spot the Deer? A reindeer in training was spotted by an officer on the roof of the old county gas shop eating the tree branches that were growing over the roof.

81631! Check out the new edition of the 81631 magazine. There is a great article about Officer Westering.

Current job mundane and boring? Is working from home a challenge? Do you wish to join a professionally accredited, dynamic and fun team, committed to service excellence, while protecting the citizens and guests of Eagle? Join the Eagle Police Department! Minimum qualifications listed on our TOE website. Please email inquiries to: ApplyEPD@TownofEagle.org.

County Court – Available upon request.

Local and Regional Calls for Service – Available at Dispatch

PUBLIC WORKS

March 2022

An abbreviated report this month - recent weeks have been challenging at Public Works. Staff vacancies and absences have reduced our ability to perform beyond delivery of the most essential services. Vacancies currently include two of six Streets staff, one of four B&G staff, and one of three Water Treatment Plant Operators. Additionally, we will be losing one of our two Wastewater Treatment Plant Operators on March 10th. We also have another staff person currently out on an extended leave. This has created the biggest challenges with snow plowing and removal. During the week on February 21st we were short several plow drivers. To mitigate this we put the Public Works Director in a plow truck (miraculously there was minimal collateral damage) and adjusted routes to spread the work, but the result has been that our level of service has not been up to the normal standard.

Water Leaks - 'tis the season for water leaks. This is the time of year when the depth of ground frost is reaching a maximum in Eagle, and this results in more frozen pipes and leaks. The crevasse in Capitol Street was the result of a water service line leak that was repaired during the week of February 28th (asphalt will be patched this summer). We also had a leak on Castle Drive during the week of February 21st that resulted in an all-night repair effort and a 30 hour workday for several of our staff. We are looking forward to warmer weather!

Pot Holes – Public Works made a big effort to fill potholes on March 3rd and 4th. We perform this work very early in the morning, beginning at 4:00 a.m., so as to maximize worker safety and minimize travel impacts. The weather forecast for the next two weeks is colder and snowier, which hampers our ability to repair potholes, but we will do our best to keep up.

Art Wall Project – we had a great site visit with staff from Norris Design on February 2nd and spent useful time in the field staking out potential locations for the art panels. We are off to a good start.

HUMAN RESOURCES

February 2022 – March 3, 2022

Benefits

- Updated 2022 Benefits Summary, minor edits
- Order CEBT and CRA Benefits packets for scheduled new hires for 2022
- Benefits orientation and enrollment processed for 2 new hires

Recruiting – Onboarding

- Engineer, hired & onboarded Martha Miller, started 2/28/2022
- Streets & B & G Maintenance Technician – candidates sent to Public Works, pending interviews
- Town Manager – finalized posting and marketing documents, pending deadline
- Administrative Technician – Finance & HR interviews 3/3/2022
- Code Enforcement – consultant checking references, HR assisting with background check process
- Water & Wastewater Operator positions posted, consultant screening
- Continued efforts drafting Job descriptions for 2022 New positions

2022 Recruitment Priorities List

1. Town Manager
2. ~~Engineer, filled 2/28/22~~
3. ~~SRO – filled 1/1/2022~~
4. ~~Police Officer (replace officer promoted to SRO), filled 3/10/22~~
5. Records & Info Tech, (new 2022)
6. Chief of Police, Chief retiring June 1
7. Maint Tech – Streets Full Time
8. Maint Tech – Streets Full time, (new 2022)
9. Maint Tech – Building & Grounds Full Time, (new 2022)
10. Admin II HR/Finance (new 2022)
11. Code Enforcement Specialist
12. Water Operator (new 2022)
13. Wastewater Operator

Currently in progress on the above positions

-
14. Marketing/Communications Manager (new 2022)
 15. Plans Examiner/Inspector (new 2022)
 16. Detective – internal promotion expected, will need to backfill whoever is promoted
 17. Police Officer (replace officer promoted to Detective)
 18. Planner III (new 2022)
 19. (6) B & G Seasonal staff (6 total)
 - i. 5 potential rehires
 - ii. 1 new hire
 20. Seasonal - Open Space Trails Tech, rehire expected
 21. Seasonal - Maint. Worker Refuse - Yard Waste, rehire expected
 22. Mechanic III – Pending, may outsource
 23. Asst. Town Mgr. – Pending Town Manager Hire
 24. Econ. Dev Specialist – Pending Town Manager hire

29 total hire/re-hire/onboarding interactions, possible 7 rehires anticipated

Risk Management, Safety and Work Comp

- Managing 4 General Liability & PC Open claims 2 carry over
- Managing 1 work comp claim
- Administering 5 Medical Leave of Absence Requests, 2 Disability claims

Other

- 2022 HR Supplemental Budget Items due 3/4/22

TOWN CLERK

February 2022

Communications

Eagle Today: 3/3/22

- **IN THIS EDITION:**
- [Position Openings](#)
- Easter Egg Hunt
- Mobile Vending
- Haymaker Trail Message
- [Open Space and Trails Master Plan](#)
- Welcome new Officers
- [Planning Commission Vacancy](#)
- Pothole Season
- See Something Say Something

Website News Flash

- Open Space and Trails Plan Presentation
- Haymaker Trail Wildlife Message
- Building Department Closed March 7-11, 2022
- Comcast Fiber Optic Project Update
- Land Use Code Committee – Request for Applications
- Marketing & Events Advisory Committee – Request for Applications
- Request for Proposals – Comprehensive Affordable Housing Assessment

Licenses

- Business License 2022 Revenue: \$15,750.00 – Budget \$44,000.00 (includes contractors)
 - Business Licenses Issued: 252
- Liquor License Renewals
 - New Application for Tavern License – Vine of Eagle LLC – Hearing April 12, 2022
 - Eagle Sinclair – Renewal
 - Special Event Permit – EagleArts March 11, 2022
- Marijuana
 - No activity
- Tobacco
 - All licenses issued for 2022
 - The state conducted a compliance check and all Eagle tobacco retailers passed

Website – www.townofeagle.org

- Ask the Town questions: 5
 - Utility usage inquiry
 - Legal assistance inquiry – District Court
 - Building Permit inquiry
 - Utility bill inquiry
 - Water quality inquiry

Sales Tax – 2021 Sales Tax Review is in Progress

Filing Period: this indicates sales tax for the actual month sales occurred. These numbers will fluctuate throughout the year as it is reflecting late payments by the retailer or customer retail returns (deductions). Filing Period numbers are updated quarterly. This is the most accurate picture of sales tax collections for that month.

Revenue Period: this amount indicates the month revenue is received by the Town. Revenue period is all money collected by the state for the previous month and any additional months a retailer remits. This amount is what is deposited in the Town's bank account. These returns also get categorized into a "filing period" and are reflected in the sales tax report. This total amount will not change.

March receipts were not received in time for this report. The State sends out reports on or about the 5th day of the month for the previous month's receipts.

2022					
Month	Filing Period	Revenue Period	O/U	Online Sales	Online Retailers
Jan		\$ 756,522.10	10%	\$108,423.99	1700
2021					
Month	Filing Period	Revenue Period	O/U	Online Sales	Online Retailers
Jan	\$ 550,999.37	\$ 688,558.97	19%	\$67,050.62	1443

MUNICIPAL COURT

- Court held February 2 and 16

August Citations Issued	Current	YTD	2021
Animal Control	5	7	15
Juvenile	0	0	14
Misdemeanor/Ordinance	4	9	12
Parking	18	38	138
Traffic	13	18	182
Total	40	72	361

August Fines and Fees Collected (includes collections for previous months)	Current	YTD	2021
Court Costs	60.00	240.00	1068.75
Criminal Police Equipment and Training Surcharge	0	90.00	190.00
Traffic Surcharge	310.00	450.00	2840.00
Deferred Judgment Fee	0	150.00	150.00
Fines	3550.00	4275.00	29100.00
Outstanding Judgement Fee	30.00	30.00	-10.00
Stay of Execution Fee	0	0	0
Bad Check Fee	0	0	90.00
Warrant Fee	0	0	50.00
Failure to Appear	70.00	455.00	1360.00
Victim Restitution Fee	0	0	0
Total	\$4,055.00	\$5,690.00	\$34,838.75

August Dispositions (Payments or Court Appearances)	Current	YTD	2021
Animal Control	3	14	110
Juvenile	1	14	0
Misdemeanor/Ordinance	2	8	72
Parking	33	139	443
Traffic	26	183	205
Total	65	358	830

Outstanding Fines and Fees by Date	
Current	920.00
1-30 Days Past Due	450.00
31-60 Days Past Due	75.00
61-90 Days Past Due	260.00
91-180 Days Past Due	8439.00
Total	\$10,144.000



To: Mayor and Town Council

From: Molly Furtado, Special Events Manager

Date: March 8, 2022

Agenda Item: Communications and Marketing Review, Molly Furtado

REQUEST: Staff requests that the Town Council review opportunities for communications & marketing needs.

BACKGROUND: The staff's predecessor implemented a request for proposal, in June 2021, for Marketing Management & Creation of Marketing Materials. The Town of Eagle received two proposals, averaging \$35,000, for redesigning Eagleoutside.com in the first year of production.

ANALYSIS: Combining the 2022 marketing website budget and marketing services with the 2021 marketing services that were not utilized.

- General funds; marketing & events department 2021 budget for marketing services is \$20,000
- General funds; marketing & events department 2022 budget for marketing services is \$20,000
- General funds; marketing & events department 2022 budget for marketing website is \$10,000

COMMUNITY INPUT: Staff received two marketing proposals from local marketing firms.

BUDGET / STAFF IMPACT: Budget impact: \$7,000; there is no staff impact.

STRATEGIC PLAN ALIGNMENT / STANDARDS ACHIEVED: Town of Eagle's strategic goals are to develop the Eagle Brand and collaborate with regional tourism and marketing efforts.

RECOMMENDED ACTION OR PROPOSED MOTION: Recommended action to provide a clear directive for Communications & Marketing.

ATTACHMENTS: None



To: Mayor and Town Council

From: Jessica Lake, Planner I, Community Development Department

Date: March 8, 2022

Agenda Item: Resolution 13, Series 2022, "A Resolution of the Town Council of the Town of Eagle, Colorado Approving the Haymeadow Design Guidelines"

REQUEST:

ABRIKA Properties is requesting a Major Development Permit to establish the Design Guidelines and create a Design Review Committee in the Haymeadow Planned Unit Development (PUD).

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.

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.

Council reviewed the application and Design Guidelines on February 8, 2022 and requested that the Guidelines be revised to reflect the changes requested by Council during the public hearing.

ANALYSIS:

Council had a number of concerns regarding the Guidelines at the February 8th public hearing. The issues discussed are generally listed below as well as how they have been addressed in the revised Guidelines. Changes to the document itself have been noted in yellow and are available via the [link](#) and attached as part of the packet.

- Definition and measurement of maximum building height.
 - **2.6 & 3.4** *Measurement shall be from existing or finished grade, whichever is more restrictive. For new subdivisions and/or Development Permits, existing grade, shall be determined by the approved grading plan for the subdivision or Development Permit.*

- **Staff Comment:** This provision has been added to the Design Guidelines, which can be more restrictive than the PUD Guide. Staff will ensure that in the next application for a PUD Guide Amendment that the definition for building height is similarly updated. The PUD Guide does not currently include a provision for grading, but we can defer to Town Code and create a provision in each Development Agreement for grading and site work.
- Lighting standards are minimal and put too much of the review on Town staff rather than the DRC.
 - **4.56** Lighting should be used to meet the requirements of safety and easy identification of entrances and buildings *while minimizing light pollution, glare and light trespass. The beauty of the dark, star filled night sky is an important value to the Haymeadow and greater Eagle community. 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 and those Ordinances are subject to change. All exterior lighting must meet the more restrictive of these guidelines or the Town of Eagle lighting regulations. The DRC will be familiar with the Town of Eagle regulations and will enforce those regulations through the design approval process.*
 - Glazed luminaires will be required to be frosted or translucent. Clear glass is prohibited.
 - **4.59 Exterior Lighting Controls:** *Exterior Motion-activated, dimmer and/or timer controlled switches for exterior lights are strongly encouraged.*
 - **4.61 Pathway lighting:** *Bollard lighting for pathways and sidewalks is recommended in multi-family development.*
 - **Staff Comment:** In addition to the updated lighting language provided here, the applicant has included an Exterior Lighting Worksheet. Home builders will be required to complete the worksheet as part of their submission to the DRC and the DRC will review this language against the standards noted in the Design Guidelines as well as Town Code. When Planning Staff reviews the building permit application, the DRC will provide a copy of their lighting review, minimizing staff's review time.
- Fencing standards aren't restrictive enough and aren't as wildlife friendly as other areas of Town.
 - **5.52 Fences:** *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 may 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, a corral type fence or a wooden privacy fence. In order to meet wildlife safe fencing standards the maximum fence height shall be 42 inches. The DRC may approve the addition of a 12 or 14 gauge galvanized wire fencing 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.*
 - *Area: The total fenced area on a single family or duplex lot shall be no more than 5,000 square feet.*
 - *Pet Area: Single Family and Duplex lots may contain a dog run fence to enclose a maximum of 500 square feet and have a maximum height of 72 inches. The location*

of the dog run is strongly encouraged to be in the rear yard. Dog runs are not allowed within the front or side building setback areas.

- *Multifamily Area: Multi-family lots may use approved fencing to enclose recreation/play areas and to create a child safety barrier from common areas to public streets. Total fence enclosure of multi-family lots is not allowed.*
- *Dog Parks: Multi-family parcels may include a 60 inch tall wood split rail with wire or corral fence for enclosed dog parks not to exceed 5000 square feet.*
- *Public Parks/Open Spaces: Public parks and open space areas will serve as wildlife movement areas and should limit fencing to the greatest degree possible. Public parks and ball fields may use epoxy coated chain link fences, split rail or approved fencing materials not to exceed 42 inches in height as necessary to delineate uses and protect users from roads and other hazards. Public community gardens, and public swimming pools may utilize an epoxy coated chain link or corral fence up to 72 inches in height not to exceed an area of 20,000 square feet.*
- **5.54 Deer/Wildlife Fencing:** *Fencing temporarily erected for protection of landscape vegetation from deer and elk shall follow the winter fencing guidelines.*
 - *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.*
- **Staff Comment:** **Staff believes that the revised fencing standards better incorporate wildlife fencing standards as seen in Eagle Ranch. The updated fencing height and materials are also a better reflection of what is present throughout the rest of Town. It should be noted that CPW was a referral agency on this application and did not provide comments to Staff. After general conversations with CPW (not specific to this application), they are supportive of 42 inch maximum height fencing for single family/duplex lots and no fencing around the perimeter of multi-family lots. The design guidelines now reflect a maximum height of 42 inches and never included the ability to fence a multi-family lot/area.**
- Include a maximum area for irrigation to reduce water usage.
 - **5.18 Turf Area:** *Single family lots over 11,000 square feet in size shall be limited to a maximum area of irrigated turf no greater than 50% of the gross lot area. Multi-family properties shall be limited to a maximum area of irrigated turf not to exceed 20% of the overall gross lot area.*
 - **Staff Comment:** **Staff does not have any standards to review this against, however we did reach out to Public Works and look up the design guidelines for the Meadows and Uplands neighborhoods of Eagle Ranch. In the Meadows and lots with setbacks in the Uplands, permanent irrigation is limited to 50% of the total lot area. Typical lot sizes in this area are around .50 acre or 21,780 sf. Areas of the Uplands with building envelopes are limited to irrigating the landscaping within the 16,500 sf building envelope. Based on this information, Haymeadow's restrictions are consistent with what has been done in Eagle Ranch. This restriction will help to reduce overall water consumption. Irrigation still creates carbon emissions; however the impacts are reduced when using a non-potable system over a potable system.**



- Additional landscaping standards for more trees.
 - **5.19 Minimum Quantities:** *Single family and duplex lots shall have a minimum (per unit) of 6 trees of 2" minimum caliper, 20 #5 shrubs and 30 #1 shrub/grasses and/or perennials. Multi-family properties shall include a minimum of 10 trees of 2" minimum caliper, 50 #5 shrubs and 60 #1 shrub/grasses and or perennials calculated on a per acre basis of the overall lot size.*
 - **5.24 Evergreen trees** *may be allowed but are not required for every parcel and may not be appropriate to the local environment.*
 - **5.25 Timing of Completion:** *Final landscaping shall be completed within 90 days of TCO or within 90 days of the start of the next appropriate planting window. The completion deadline will be determined by the DRC as a part of the Final Construction Inspection.*
 - **Staff Comment:** **The applicant has added a section to landscaping for minimum quantities to ensure that a minimum number of plantings will be required on each homesite. A landscaping completion section has also been added with language similar to that in Eagle Ranch's Design Guidelines. The applicant has also added "typical" landscaping plans to the Forms so that homeowners/builders/landscape designers have access to examples of landscape plans that meet the design standards.**
- Revise Guidelines to better meet the Town's sustainability goal to have net zero carbon emissions by 2030.
 - **4.14 All buildings shall incorporate conduit pathways during construction of the buildings to ensure the buildings will be ready for net zero energy systems.**
 - **Staff Comment:** **Staff does not have any standards to apply to this section, however we do have a policy from Elevate Eagle (4-3.2), which was noted in Staff's original report to the Planning & Zoning Commission ([LINK](#)). The Guidelines include sections on Sustainable Design, Resource Conservation, and Passive Energy and Recycled Materials, which all support this Elevate Eagle policy and encourage energy efficient building practices.**
- Update language so that the Design Guidelines cannot contradict or be less restrictive than the PUD Guide and add language that would allow for either Town staff or Council to review any substantial changes/revisions to the Guidelines.
 - **Changes.** *This document may be amended and supplemented by the DRC with the ratification of the Haymeadow Master Association (HMMA) Executive Board (Board). No change may be made to these Design Guidelines that would conflict with any requirement in the PUD Guide or Town Code without the approval of the Town Council. Any subsequent major revisions to the guidelines (as determined by the Community Development Director), shall be subject to the review and approval of the Town of Eagle. All changes to the administrative sections of the guidelines are considered minor.*
 - **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. Any subsequent major revisions to the guidelines (as determined by the Community Development Director), shall be subject to the review and approval of the Town of Eagle. All changes to the administrative sections of the guidelines are considered minor.*

- **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. *Any subsequent major revisions to the guidelines (as determined by the Community Development Director), shall be subject to the review and approval of the Town of Eagle. All changes to the administrative sections of the guidelines are considered minor.*
- **Staff Comment:** The PUD Guide does require that “any subsequent major revisions to the guidelines, shall be subject to the review and approval of the Town of Eagle”. As this language is included in the PUD Guide, it should be reflected in the Guidelines as well. The applicant has incorporated this language into the Guidelines in those areas as requested by staff. The Town Attorney has reviewed this language and is comfortable with it. After the language was reviewed by the Town Attorney staff and the applicant added two additional items to the language – “as determined by the Community Development Director” and “All changes to the administrative sections of the guidelines are considered minor.” The added clarity that the CommDev Director will determine what is a substantial changes will make initial determinations less cumbersome and the applicant felt strongly that they should have the ability to make changes to the administrative section without having to check in with the Town each time. It should be noticed that other PUD’s in Town do not need to notify the Town of any changes to their design guidelines, Haymeadow would be the only one.

With the above changes, staff and the applicant believe that the issues and concerns expressed by Council at the last meeting have been addressed. At this time staff has not included any conditions of approval; however, if Council feels that certain items were not addressed or if new items are presented, we are able to add conditions of approval during the public hearing.

COMMUNITY INPUT:

Staff has not received any letters of public comment as of March 4, 2022. Letters received after this time will be gathered and entered into the public record at the hearing.

BUDGET / STAFF IMPACT:

No impact to the budget.

STRATEGIC PLAN ALIGNMENT/STANDARDS ACHIEVED:

This application does not align with any strategies.

RECOMMENDED ACTION OR PROPOSED MOTION:

APPROVAL of Resolution 13, Series 2022, “A Resolution of the Town Council of the Town of Eagle, Colorado Approving the Haymeadow Design Guidelines.”

ATTACHMENTS:

- Resolution 13, Series 2022
- Staff Memo – Town Council – February 8, 2022 ([LINK](#))
- Staff Report – Planning & Zoning Commission ([LINK](#))

- Minutes – Planning & Zoning Commission dated January 18, 2022 ([LINK](#))
- Project Narrative ([LINK](#))
- Design Guidelines updated March 1, 2022
- Design Guideline Application Forms
- Haymeadow PUD Guide ([LINK](#))
- Streetscape Design Guidelines ([LINK](#))
- Resolution 12-2014 Annexation and Development Agreement ([LINK](#))



Design Guidelines

March 1, 2022

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). No change may be made to these

Design Guidelines that would conflict with any requirement in the PUD Guide or Town Code without the approval of the Town Council. Any subsequent major revisions to the guidelines (as determined by the Community Development Director), shall be subject to the review and approval of the Town of Eagle. All changes to the administrative sections of the guidelines are considered minor.

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 optimize 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. Any subsequent major revisions to the guidelines (as determined by the Community Development Director), shall be subject to the review and approval of the Town of Eagle. All changes to the administrative sections of the guidelines are considered minor.

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 adopted energy building and water conservation ordinances.

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, as illustrated below as H. **Measurement shall be from existing or finished grade, whichever is more restrictive. For new subdivisions and/or Development Permits, existing grade, shall be determined by the approved grading plan for the subdivision or Development Permit.** The perimeter of the building shall include any and all attached decks. An additional 10 feet (h) over and above the maximum height will be allowed for deck piers as illustrated below as h. 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.

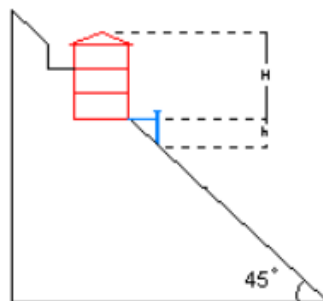


Image clarification for building height definition

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 homes at Haymeadow are required to be constructed in compliance with Town of Eagle's adopted energy building and water conservation ordinances.

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, as illustrated below as H. Measurement shall be from existing or finished grade, whichever is more restrictive. For new subdivisions and/or Development Permits, existing grade shall be determined by the approved grading plan for the subdivision or Development Permit. The perimeter of the building shall include any and all attached decks. An additional 10 feet (h) over and above the maximum height will be allowed for deck piers as illustrated below as h. 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.

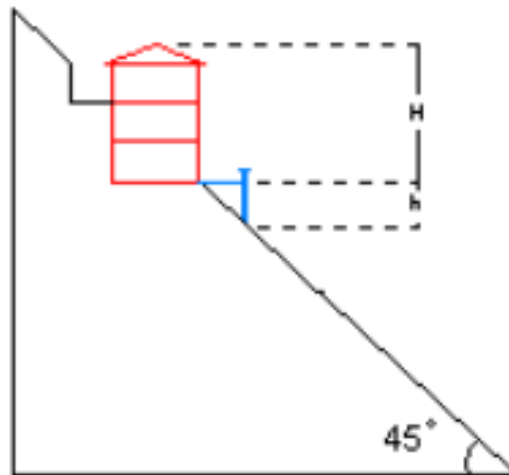


Image clarification for building height definition

- 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. **All buildings shall incorporate conduit pathways during construction of the buildings to ensure the buildings will be ready for net zero energy systems.**

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 while minimizing light pollution, glare and light trespass. The beauty of the dark, star filled night sky is an important value to the Haymeadow and greater Eagle community. 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 and those ordinances are subject to change. All exterior lighting must meet the more restrictive of these guidelines or the Town of Eagle lighting regulations. The DRC will be familiar with the Town of Eagle regulations and will enforce those regulations through the design approval process.

4.57 Design Character: Fixtures are to be in character with the architecture at Haymeadow and must be compatible with the design of the residence. Historic and mountain modern style decorative lanterns characterized by metal finishes are preferred, exposed light bulb fixtures are prohibited. Glazed luminaires will be required to be frosted or translucent. Clear glass is 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 Exterior Lighting Controls: Exterior Motion-activated, dimmer and/or timer controlled switches for exterior lights are strongly encouraged.

4.60 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.

4.61 Pathway lighting: Bollard lighting for pathways and sidewalks is recommended in multi-family development.

4.62 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 & Ect.

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

4.64 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.

4.65 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.

4.66 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.

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

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

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

Fireplaces and Fire Pits

4.70 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.

4.71 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. Turf materials shall be water-wise species appropriate for this environment. 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 may 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/planting 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, & Backyard 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 turf spaces and shrub bed/xeriscape spaces. Water-wise turf 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 native 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 DRC 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. Native and mowed native areas are allowed and encouraged as water wise design.

5.21 Turf Area: Single family lots over 11,000 square feet in size shall be limited to a maximum area of irrigated turf no greater than 50% of the gross lot area. Multi-family properties shall be limited to a maximum area of irrigated turf not to exceed 20% of the overall gross lot area.

5.22 Minimum Quantities: Single family and duplex lots shall have a minimum (per unit) of 6 trees of 2" minimum caliper, 20 #5 shrubs and 30 #1 shrub/grasses and/or perennials. Multi-family properties shall include a minimum of 10 trees of 2" minimum caliper, 50 #5 shrubs and 60 #1 shrub/grasses and or perennials calculated on a per acre basis of the overall lot size.

5.23 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.

5.24 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. Evergreen trees may be allowed but are not required for every parcel and may not be appropriate to the local environment. Per Colorado Department of Wildlife recommendations, fruit bearing trees and shrubs should not be used in landscaping, to reduce black bear attractants and reduce human/black bear conflicts.

5.25 Timing of Completion: Final landscaping shall be completed within 90 days of TCO or within 90 days of the start of the next appropriate planting window. The completion deadline will be determined by the DRC as a part of the Final Construction Inspection.

Right-Of-Way (ROW) Landscaping

5.26 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.

5.27 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.

5.28 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.

5.29 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.

5.30 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.

5.31 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

5.32 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.

5.33 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.

5.34 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.

5.35 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.

5.36 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.

5.37 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.

5.38 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

5.39 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.

5.40 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.

5.41 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.

5.42 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.

5.43 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

5.44 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.

5.45 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.

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

5.47 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.

5.48 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.

5.49 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.

5.50 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.

5.51 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

5.52 Fences: 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 may 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, a corral type fence or a wooden privacy fence. In order to meet wildlife safe fencing standards the maximum fence height shall be 42 inches. The DRC may approve the addition of a 12 or 14 gauge galvanized wire fencing 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.

- **Area:** The total fenced area on a single family or duplex lot shall be no more than 5,000 square feet.
- **Pet Area:** Single Family and Duplex lots may contain a dog run fence to enclose a maximum of 500 square feet and have a maximum height of 72 inches. The location of the dog run is strongly encouraged to be in the rear yard. Dog runs are not allowed within the front or side building setback areas.
- **Multifamily Area:** Multi-family lots may use approved fencing to enclose recreation/play areas and to create a child safety barrier from common areas to public streets. Total fence enclosure of multi-family lots is not allowed.
- **Dog Parks:** Multi-family parcels may include a 60 inch tall wood split rail with wire or corral fence for enclosed dog parks not to exceed 5000 square feet.
- **Public Parks/Open Spaces:** Public parks and open space areas will serve as wildlife movement areas and should limit fencing to the greatest degree possible. Public parks and ball fields may use epoxy coated chain link fences, split rail or approved fencing materials not to exceed 42 inches in height as necessary to delineate uses and protect users from roads and other hazards. Public community gardens, and public swimming pools may utilize an epoxy coated chain link or corral fence up to 72 inches in height not to exceed an area of 20,000 square feet.

5.53 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 of the wall to the top of 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.

5.54 Deer/Wildlife Fencing: Fencing temporarily erected for protection of landscape vegetation from deer and elk shall follow the winter fencing guidelines.

- **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. Any subsequent major revisions to the guidelines (as determined by the Community Development Director), shall be subject to the review and approval of the Town of Eagle. All changes to the administrative sections of the guidelines are considered minor. Any subsequent major revisions to the guidelines, shall be subject to the review and approval of the Town of Eagle.

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.

Preliminary Plan Submittal Check List

Haymeadow Design Review Board
P. O. Box 5607 - Eagle, CO 81631
(970) 328-9519
Email: DRC@haymeadow.com

Filing/Block/Lot: _____

Submittal Date: _____

Homesite Address: _____

Please confirm that the plans for Preliminary Plan Review are complete prior to submittal. This checklist presents the minimum requirements as outlined in the Design Guidelines. Please refer to the appropriate guidelines for additional information as needed. Incomplete submittals will not be accepted for review.

YES/✓ NO/0 SUBMITTAL REQUIREMENT

☐	1. Preliminary Plan Review Application and Checklist;
☐	2. Preliminary Plan Review Fee - (call DRB administrator for details); and
☐	3. Topographic survey prepared by a licensed surveyor drawn at scale 1" = 10' of the lot showing:
☐	a. Property boundaries of the subject homesite and adjacent property lines within 20'
☐	b. Setback lines,
☐	c. Platted easements,
☐	d. 2' contour intervals, significant natural features (e.g. rock outcrops, drainages, trees, etc.)
☐	e. Other improvements, utilities, or other structures affecting development on the homesite.
☐	4. Half-scale PDF set of plans including:
☐	a. Site Plan based on Topo (see 3. above) (Half-scale: 1"=20') showing: Property boundaries of the subject homesite and adjacent property lines within 20';
☐	i. Setback lines;
☐	ii. Easements;
☐	iii. Existing and proposed contours at 2' intervals;
☐	iv. Building footprint and eave drip line locations;
☐	v. Driveways;
☐	vi. Site drainage;
☐	vii. Utilities including evidence of adequate sewer service gradient;
☐	viii. Site improvements such as fences, decks, patios, walks, pools, etc.;
☐	b. Proposed architectural Plans (Half-scale: 1/8" = 1'-0") showing:
☐	i. Floor plans of the all proposed buildings
☐	ii. Floor area and site coverage calculation table total building and impervious surfaces
☐	iii. All elevations with existing and final grade shown
☐	iv. Longitudinal and cross building sections through all principal masses of the building
☐	v. Building height calculation
☐	vi. Table of exterior materials and colors samples
☐	vii. Proposed exterior lighting
☐	c. Preliminary landscape plan (Half-scale: 1"=20') showing:
☐	i. Footprint of buildings
☐	ii. Existing and final contours at 2' interval
☐	iii. Lawn areas, building perimeter beds, other planting beds, street trees, other trees
☐	iv. Conceptual plant massing including intended mature height and spread
☐	v. Sprinkler irrigation, drip irrigation, and non-irrigated areas
☐	vi. Summary table of irrigation areas by type, square footage, and % of the lot area.

Exterior Lighting Worksheet - Haymeadow Design Review

Filing/Block/Lot: _____ Address: _____

Luminaire (Fixture) Location	Fixture Data		Lamp (Bulb) Data				Lumens by Luminaire Type				Switch Type ⁶
	Brand/Model # - Attach Manufacturer Cut Sheet(s)	Qty	Lamp Type ¹	Lamps per Luminaire	Watts per Lamp ²	Lumens per Lamp ³	Unshielded Luminaires ⁵		IDACertified Luminaires ^{4,5}		
Subtotal Lumens by Luminaire Shielding Category (Unshielded or IDA Certified ⁴)							2 Or 1J Lumens				
Total Lumens all Luminaire Categories (not to exceed 5,500 Lumens)									7500 Lumens		

Prepared by: _____ Date: _____

Owner Signature: _____ Date: _____

Print Name: _____

Notes:

1. Lamp (Bulb) Type = Incandescent (I), Compact Fluorescent (CFL), Low-voltage Halogen (LV), Light Emitting Diode (LED), etc.
2. Watts as marked on lamp.
3. Lumen comparisons for lamp types. General retail outlets (i.e. grocery, hardware store, etc.) may not carry all wattages. Consider specialty stores or internet sources.

Typical Lumens/Lamp						
Incandescent		Compact Fluorescent		Low Voltage Halogen		
Watts	Lumens	Watts	Lumens	Lamp Base	Watts	Lumens
25	200	5	200	G4	5	55
40	500	8-10	450	G4	10	140
60	800-890	13-18	890	G4	20	320
75	1080-1200	18-22	1210	G6Y.35	35	600
100	1420-1750	23-28	1750	G6Y.35	50	950

4. The International Dark-Sky Association (<http://www.darksky.org>) certifies luminaires that minimize glare, reduce light trespass, and don't pollute the night sky.
5. Luminaire Shield Category is Unshielded unless specifically certified with International Dark-Sky Association Fixture Seal of Approval.
6. Switch Type = manual (M), motion detector (MD), photocell (P), rheostat (R), timer (T)

Site and Improvements Calculations Table

Haymeadow Design Review Board

P. O. Box 5607 - Eagle, CO 81631

(970) 328-9519

Filing/Block/Lot:
Homesite Address:

Submittal Date: -----

Description	Sq. Ft.	Acres	% Lot	Note:
Lot Area			100%	43,560 sq. ft. = 1 acre
Area Disturbed by Construction				

SITE COVERAGE:

Primary Residence Footprint		><		
Out-building Footprint(s)				
Other Impervious Areas				
Total Impervious Coverage				

BUILDING AREA CALCULATIONS

Building Area	Finished Sq. Ft.	Unfinished Sq. Ft.	Note:
Primary Dwelling Unit:			Name and provide Data for each floor level.
0			
0			
0			
0			
Subtotal PDU Living Space			
Garage			
Accessory Dwelling Unit			Max: 700 sq. ft. per Town of Eagle Code
Out-Buildings			
Subtotals Finished/Unfinished sq. ft.			
Total Finished+ Unfinished Sq. Ft.			

IRRIGATION AREAS:

Description	Sq. Ft.	% Lot	Note:
Permanent Sprinkler Irrigation			measured area under sprinkler irrigation
Permanent Drip Irrigation			measured area under drip irrigation x 0.6
Total Permanent Irrigation			Not to exceed 50% of Lot Area
Temporary Irrigation			All residual disturbed soils x 1 to 2 growing seasons for healthy revegetation

Prepared by: _____

Date: -----

Owner Signature: _____

Date: _____

Preliminary Plan Review Application

Haymeadow Design Review Board
P. O. Box 5607 - Eagle, CO 81631
(970) 328-9519
Email: DRC@haymeadow.com

Filing/Block/Lot: _____ Submittal Date: _____
Homesite Address: _____

Owner:
Address:
Phone:
Fax:
Cell:
E-mail:

The

Architect:
Address:
Phone:
Fax:
Cell:
E-mail:

undersigned hereby affirms representation of the subject

Owner Rep:
Address:
Phone:
Fax:
Cell:
E-mail:

Builder:
Address:
Phone:
Fax:
Cell:
E-mail:

property, and applies for design review of the Preliminary Plan regarding development thereof. Signing the application is an affirmation that the applicant has read and understood the relative sections of the guidelines as they pertain to their project.

Owner Signature	Date
Submittal Attachments:	Comments: (see Design Guidelines for quantities and details)
☒ Fee received: \$---	_____
☐ Proposed Site Plans	_____
☒ Proposed Building Plans	_____
☒ Preliminary Landscape Plan	_____
☐ _____	_____
☐ _____	_____
☐ _____	_____
☐ _____	_____
☐ _____	_____
DRB Meeting Date (Scaff assigns):	_____

Filing: _____ Tract: _____ Lot: _____

Pre-Design Conference Application

Haymeadow Design Review Board
P. O. Box 5607 Eagle, CO 81631
970-328-9519
Email: DRC@haymeadow.com

Filing/Block/Lot: _____ Submittal Date: _____
Homesite Address: _____

Owner:
Address:
Phone:
Fax:
Cell:
E-mail:

Architect:
Address:
Phone:
Fax:
Cell:
E-mail:

Owner Rep:
Address:
Phone:
Fax:
Cell:
E-mail:

Builder:
Address:
Phone:
Fax:
Cell:
E-mail:

The undersigned hereby affirms representation of the subject property, and applies for the Pre-Design Conference regarding development thereof. Signing the application is an affirmation that the applicant is responsible for reviewing the relative sections of the guidelines as they pertain to their project.

Owner <u>Signature</u>	Date
Submittal Attachments:	Comments: See <u>Design</u> Guidelines for <u>quantities</u> and details.

Fee received:\$ _____

D Topographic survey _____

D Soils groundwater report _____

D Conceptual site plan _____

D Architectural character sketches, etc. _____

☐ _____

☐ _____

☐ _____

Pre-Design Conference date (Staff assigns): _____

Filing: _____ Tract: _____ Lot: _____ Pre-Design Conference
PDCAp2017

Pre-Construction Checklist

Haymeadow Design Review Board

P. O. Box 5607 - Eagle, CO 81631

(970) 328-9519

Email: DRC@haymeadow.com

Filing/Block/Lot: _____ Submittal Date: _____

Homesite Address: _____

Purpose

The purpose of the Pre-Construction meeting on site is to assure that the builder and owner have installed the elements of the Construction Management Plan prior to any construction on the site.

Action

Applicant shall notify the Design Review Administrator as soon as the building permit is received and before commencement of any construction activity. At that time, the Owner, Owner's Representative, and/ or Builder will schedule the on-site meeting with the DRB Administrator to review the installation of all elements of the Construction Management Plan.

Once the Construction Management Plan elements are properly installed, the DRB Administrator will release the site for construction.

Construction Management Plan Elements

- a. GREEN construction fence or Chain Link Fence
- b. Silt Fence - buried in a trench, approximately 6" deep, to allow the fabric to catch sediments
- c. Dumpster
- d. Sanitation (potty)
- e. Curb, sidewalk and/or pavement protection
- f. Soil and materials staging areas
- g. Construction trailer location
- h. Site access and construction impact limits
- i. Construction sign (including building permit #)

Name & Phone of GC: _____

Final Plan Submittal Check List

Haymeadow Design Review Board
P. O. Box 5607 - Eagle, CO 81631
(970) 328-9519
Email: DRC@haymeadow.com

Filing/Tract/Lot: _____ Submittal Date: _____

Homesite Address: _____

Please confirm that the plans for Final Plan Review are complete prior to submittal. This checklist presents the minimum requirements as outlined in the Design Guidelines. Please refer to the appropriate guidelines for additional information as needed. Incomplete submittals will not be accepted for review.

YES/ NO/ SUBMITTAL REQUIREMENT

1. Proposed Site Plan (Scale: 1"= 10')

- a. Property Lines of and within 20' of Subject Lot
- b. Design Review Setback Lines
- c. Platted Easements
- d. Existing and proposed contours (2' interval or less)
- e. Building footprint and eave drip lines
- f. Driveways/Walkways
- g. Site Drainage
- h. Utility, meter, and panel locations and sewer service gradient
- i. Site improvements (e.g. fences, decks, patios, walks, pools out-buildings, etc)

2. Grading/ Construction Management Plan (Scale: 1"= 10')

- a. Erosion, dust and trash controls, dumpster, construction fence, sanitation
- b. Curb, sidewalk and/or pavement protection
- c. Site grading
- d. Soil and materials staging areas
- e. Construction trailer location
- f. Site access and construction impact limits
- g. Construction sign design and location

3. Proposed Building Plans (all at Scale: 1/4" = 1'-0")

- a. Dimensioned floor plans of all proposed buildings
- b. Architectural details (Scale: 1 1/2"=1'-0")
 - i. Eave and rake sections and details
 - ii. Beam look-out/bracket details
 - iii. Typical foundation/wall sections showing structure and exterior materials
 - iv. Porch sections from foundation to roof
 - v. Railing details
 - vi. Window and trim section and elevation for all wall conditions
 - vii. All exterior materials

Filing: ____ Tract: ____ Lot: ---

Final Plan Submittal Check List

Haymeadow Design Review Board
P. O. Box 5607 - Eagle, CO 81631
(970) 328-9519
Email: DRC@haymeadow.com

v111. Exterior elements not otherwise readily apparent on plans and elevations

3. Proposed Building Plans (continued)

- c. Sq. Ft. of all finished and unfinished spaces including garage, mechanical, etc.
- d. Total building(s) footprint
- e. Impervious area lot coverage (Area Calculation Worksheet attached)
- f. Building elevations, existing and finished grade, 35' building height offset
- g. Cross sections through all principal masses of the building(s)
- h. Building Height Calculations referenced to lot corner permanent benchmark
- i. Calculated top of foundation and ridge elevations
- J. Color rendered front elevation
- k. Exterior lighting plan and specifications (Exterior Lighting Worksheet attached)
- l. Fence details
- m. Table and samples of proposed exterior materials and colors
- n. Exterior materials sample board

4. Final Landscape Plan (Scale: 1"=10')

- a. Footprint of building(s), and all other improvements
- b. Existing and final contours at 2' interval (minimum)
- c. Planting plan, lawn areas, perimeter planting beds, other planting beds, trees, etc)
- d. Plant list (Botanical name, common name, size, quantity)
- e. Irrigation Plan (sprinkler irrigation, drip irrigation, non-irrigated areas, etc.)
- f. Summary table of irrigation sq. ft. by type and% of lot area
- g. Cost estimate for final landscaping and irrigation materials and installation
- h. Anticipated landscape completion date

Prepared by:

Signature:

Print Name:

Date

Accepted for Review at the DRB Regular Meeting of _____

Conditional Acceptance pending cure of minor incomplete items

Incomplete Submittal - Returned to Applicant

DRB Administrator

Final Plan Review Application

Haymeadow Design Review Board
P. O. Box 5607 - Eagle, CO 81631
(970) 328-9519

Filing/Block/Lot: _____ Submittal Date: _____

Homesite Address: _____

Owner:	Architect:
Address:	Address:
Phone:	Phone:
Fax:	Fax:
Cell:	Cell:
E-mail:	E-mail:

Owner Rep:	Builder:
Address:	Address:
Phone:	Phone:
Fax:	Fax:
Cell:	Cell:
E-mail:	E-mail:

The undersigned hereby affirms representation of the subject property, and applies for design review of the Final Plan regarding development thereof. Signing the application is an affirmation that the applicant has read and understood the relative sections of the guidelines as they pertain to their project.

Owner <u>Signature</u>	Date
------------------------	------

Submittal Attachments: _____ Comments: (see Design Guidelines for quantities and details)

Fee received: \$ _____	_____
☐ Site Plans	_____
☐ Grading/Constr. Mgmt. Plans	_____
☐ Building Plans	_____
☐ Final. Landscape Plan	_____
☐ Constr. Compliance Deposit	_____

DRB Meeting Date (Staff assigns): _____

Filing: _____ Tract: _____ Lot: _____

Haymeadow Design Review Guideline - Appendix A

Change During Construction Application

Haymeadow Design Review Board
P. O. Box 5607 - Eagle, CO 81631
(970) 328-9519
Email: DRC@haymeadow.com

Filing/Block/Lot: _____ Submittal Date: _____

Homesite Address: _____

Owner:
Address:
Phone:
Fax:
Cell:
E-mail:

Architect:
Address:
Phone:
Fax:
Cell:
E-mail:

Owner Rep:
Address:
Phone:
Fax:
Cell:
E-mail:

Builder:
Address:
Phone:
Fax:
Cell:
E-mail:

The undersigned hereby affirms agency concerning the subject property, and applies for design review of the Change During Construction regarding development thereof.

Owner Signature	Date
Submittal Attachments:	Comments: (see Design Guidelines for quantities and details)
☐ Fee received: \$ _____	_____
☐ Site Plans	_____
☐ Grading/Constr. Mgmt. Plans	_____
☐ Building Plans	_____
☐ Final Landscape Plan	_____
☐ Constr. Compliance Deposit	_____
_____	_____
DRB Meeting Date (Staff assigns):	Estimated Date of Completion:
_____	_____

Filing: _ Block: _ Lot: _

Winter Wildlife Fencing

Timing:

Winter fencing and t-posts may be installed after mid-October and shall be taken down mid-April (unless late winter conditions exist). New plantings may be protected year round for the first 2-3 years to establish adequate bark protection. Vegetable gardens may be protected during the summer growing season. Chicken wire or fine wire gauge fencing is appropriate to wrap around tree trunks for year- round protection.

Guidelines:

Abundant wildlife frequents and passes through Haymeadow during the winter. Winter fencing is necessary to provide protection for our developed landscaping from wintering deer and elk, however, improperly designed and installed fencing may become a serious injury threat to wildlife. Appropriate winter wildlife fencing must strike a balance between landscape protection and animal safety.

Winter fencing shall be as aesthetically pleasing as possible and temporary. Welded wire mesh, black poly-deer fence, chicken wire and green plastic construction fencing supported by tree stakes are common and acceptable winter fencing materials. Tenax C-Flex deer fencing in black is a good option. Fasteners should match the fence material. Any other type of winter fencing must be approved by the DRC.

Fencing should wrap individual trees or enclose landscape beds, unless the landscape beds are large. If a landscape bed is half the length or more of the adjacent property line, the entire bed cannot be fenced; individual trees and plant groupings should be fenced instead.

Winter fencing by the use of roped areas is allowed to enclose landscape beds and groups of trees. T- posts with two strands of rope are allowed. The top and bottom strand must be the same material and color.

The use of PVC sleeves set in the ground for winter fence posts is an efficient method to quickly install and remove winter fencing. This system will minimize the puncture of irrigation pipes each season.

Areas deemed hazardous to winter wildlife (such as irrigation ponds) may be enclosed with seasonal fencing of up to 7 feet in height.

When not in use, winter fencing materials must be stored in an enclosed structure and not visible from any location off site.

Prohibited Items:

Barbed wire, orange construction fence, “hot-wire” or other types of electric fencing. Random horizontal stabilizing elements, such as metal C-channels, are unsightly and therefore should be avoided. Use of more vertical stakes to stabilize the fence is an acceptable alternative.

Duct tape and other unsightly fasteners are not allowed.

Entire yards are NOT allowed to be roped.



PLANT SCHEDULE				
TREES	CODE	BOTANICAL / COMMON NAME	CONT	QTY
	AG	Acer ginnala / Amur Maple	B & B, Multi-stem	3
	CO	Celtis occidentalis / Common Hackberry	3" Cal B&B	1
	FP	Forestiera pubescens / New Mexican Privet	B & B, Multi-stem	3

TREE TOTAL

7

SHRUBS	CODE	BOTANICAL / COMMON NAME	CONT	QTY
	AP	Arctostaphylos x coloradensis 'Panchito' / Panchito Manzanita	#5 Cont.	6
	CB	Caryopteris x clandonensis 'Blue Mist' / Blue Mist Bluebeard	#5 Cont.	5
	DB	Daphne x burkwoodii 'Carol Mackie' / Carol Mackie Daphne	#5 Cont.	7
	PB	Physocarpus opulifolius 'Monro' TM / Diabolo Ninebark	#5 Cont.	6

SHRUB TOTAL

24

PERENNIALS	CODE	BOTANICAL / COMMON NAME	CONT	QTY
	AT	Achillea millefolium 'Terra Cotta' / Terra Cotta Common Yarrow	#1 Cont.	5
	AY	Agastache x 'Summer Sunset' / Summer Sunset Hyssop	#1 Cont.	3
	AS2	Artemisia x 'Sea Foam' / Sea Foam Artemisia	#1 Cont.	6
	GG	Gaillardia x grandiflora 'Goblin' / Goblin Blanketflower	#1 Cont.	10
ORNAMENTAL GRASSES		BOTANICAL / COMMON NAME	CONT	QTY
	BB	Bouteloua gracilis 'Blonde Ambition' / Blonde Ambition Blue Grama	#1 Cont.	9
	KC	Koeleria cristata / June Grass	#1 Cont.	12

PERENNIAL & GRASSES TOTAL

45

GROUND COVERS	CODE	BOTANICAL / COMMON NAME	CONT	QTY
	TS	Turf Sod / Drought Tolerant Fescue Blend	sod	4,480 sf

TURF AREA LOT PERCENTAGE

46%

TOTAL LOT AREA

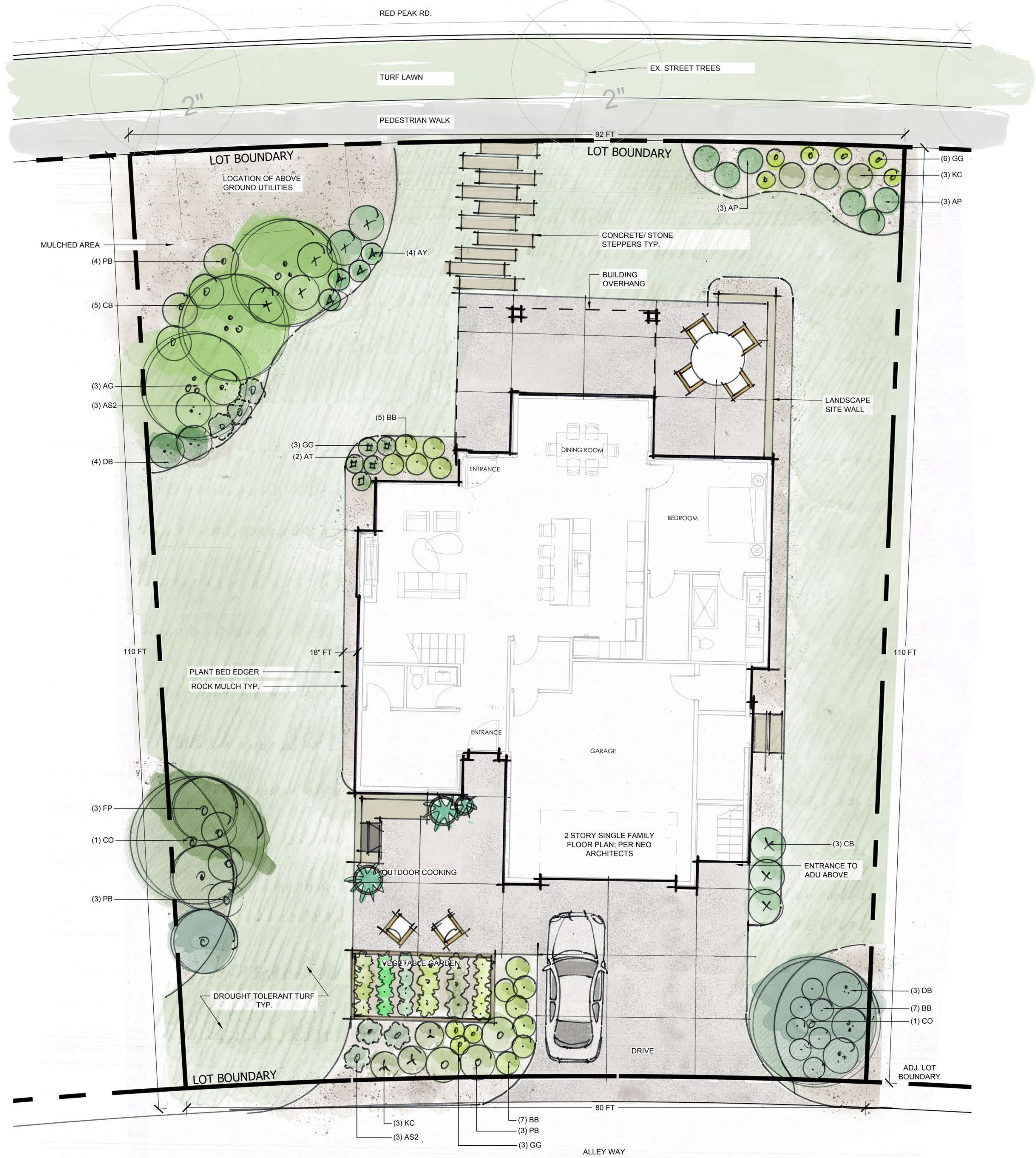
9,500 sf.

SCALE: 1" = 5'



CONCEPTUAL LANDSCAPE PLAN | SINGLE FAMILY LOT

HAYMEADOW DEVELOPMENT
02/23/22



PLANT SCHEDULE				
TREES	CODE	BOTANICAL / COMMON NAME	CONT	QTY
	AG	Acer ginnala / Amur Maple	B & B, Multi-stem	3
	CO	Celtis occidentalis / Common Hackberry	3" Cal B&B	2
	FP	Forestiera pubescens / New Mexican Privet	B & B, Multi-stem	3
TREE TOTAL				7

SHRUBS	CODE	BOTANICAL / COMMON NAME	CONT	QTY
	AP	Arctostaphylos x coloradensis 'Panchito' / Panchito Manzanita	#5 Cont.	6
	CB	Caryopteris x clandonensis 'Blue Mist' / Blue Mist Bluebeard	#5 Cont.	8
	DB	Daphne x burkwoodii 'Carol Mackie' / Carol Mackie Daphne	#5 Cont.	7
	PB	Physocarpus opulifolius 'Monlo' TM / Diabolo Ninebark	#5 Cont.	10
SHRUB TOTAL				31

PERENNIALS	CODE	BOTANICAL / COMMON NAME	CONT	QTY
	AT	Achillea millefolium 'Terra Cotta' / Terra Cotta Common Yarrow	#1 Cont.	2
	AY	Agastache x 'Summer Sunset' / Summer Sunset Hyssop	#1 Cont.	4
	AS2	Artemisia x 'Sea Foam' / Sea Foam Artemisia	#1 Cont.	6
	GG	Gaillardia x grandiflora 'Goblin' / Goblin Blanketflower	#1 Cont.	12
ORNAMENTAL GRASSES	CODE	BOTANICAL / COMMON NAME	CONT	QTY
	BB	Bouteloua gracilis 'Blonde Ambition' / Blonde Ambition Blue Grama	#1 Cont.	19
	KC	Koeleria cristata / June Grass	#1 Cont.	6

GROUND COVERS	CODE	BOTANICAL / COMMON NAME	CONT	QTY
	TS	Turf Sod / Drought Tolerant Fescue Blend	sod	3,792 sf

TURF AREA LOT PERCENTAGE
40%

TOTAL LOT AREA
9,500 sf.

SCALE:
1" = 5'



TOWN OF EAGLE, COLORADO
RESOLUTION NO. 13
(Series of 2022)

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF EAGLE, COLORADO
APPROVING THE HAYMEADOW DESIGN GUIDELINES

WHEREAS, Abrika Properties, LLC ("Abrika") and the Town own the real property described as Tracts E, 37, 38, 44, 55, 59, 61, 62 and 63, Town of Eagle, Eagle County, Colorado (the "Property");

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

WHEREAS, § 1.10 of the ADA requires that the Haymeadow development be subject to Design Guidelines, which must be approved by the Town Council in accordance with the procedure set forth in § 4.06.060 of the Eagle Municipal Code;

WHEREAS, on November 2, 2021, Rick Pylman, on behalf of Abrika, submitted an application for approval of the Haymeadow Design Guidelines (the "Application");

WHEREAS, on January 18, 2022, the Planning Commission held a properly-noticed public hearing to consider the Application, and recommended approval of the Application;

WHEREAS, on February 8, 2022 and March 8, 2022, the Town Council held a properly-noticed public hearing to consider the Application; and

WHEREAS, the Town Council, upon reviewing the recommendation of the Planning Commission, and upon hearing the statements of staff and the public, and giving due consideration to the matter, determines as provided below.

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

Section 1. The Town Council finds that the Application complies with all applicable provisions of the ADA and the Eagle Municipal Code and that approval of the Application is in the best interest of the public health, safety and welfare.

Section 2. Based on the foregoing findings, the Town Council hereby approves the Design Guidelines as set forth in the Application.

INTRODUCED, READ, PASSED AND ADOPTED ON MARCH 8, 2022.

TOWN OF EAGLE, COLORADO

Scott Turnipseed, Mayor

ATTEST:

Jenny Rakow, Town Clerk



To: Mayor and Town Council

From: Peyton Heitzman, Planner, Community Development Department

Date: March 8, 2022

Agenda Item: Code Amendment to Section 4.07.140. Parking Exemption in the Central Business District (CBD)

REQUEST:

For Town Council to consider an update to Section 4.07.140. modifying parking requirements when there is a change in use for an existing building in the Central Business District (CBD).

INTRODUCTION:

On January 11, 2022, Town Council adopted Ordinance No. 01, Series 2022. This ordinance amended Title 4 of the Eagle Municipal Code (Code) to implement a Parking Fee In-Lieu Program and modified existing parking standards within the Code. Prior to the formal adoption of this new Parking Fee In-Lieu Program, the Planning & Zoning Commission and Town Council held four work sessions and public hearings to discuss the proposed changes to the Code. The staff report from the adoption hearing can be accessed through this [LINK](#).

The voluntary Parking Fee In-Lieu Program gives businesses and developers within a designated area in town multiple options to meet the Code's required parking count. These options include 1) provide off-street parking as required by the Code, 2) provide a fee of \$23,100 per space in lieu of off-street parking, or 3) construct the required number of on-street parking space(s) and pay the one-time maintenance costs of \$7,000 per space. There are more nuances to the program that can be found in the approved ordinance through this [LINK](#). The purpose of the program is for developers or property owners to meet the parking needs of the community when on-site parking is financially and/or logistically unachievable. The designated area for the program can be found in the image to the right.

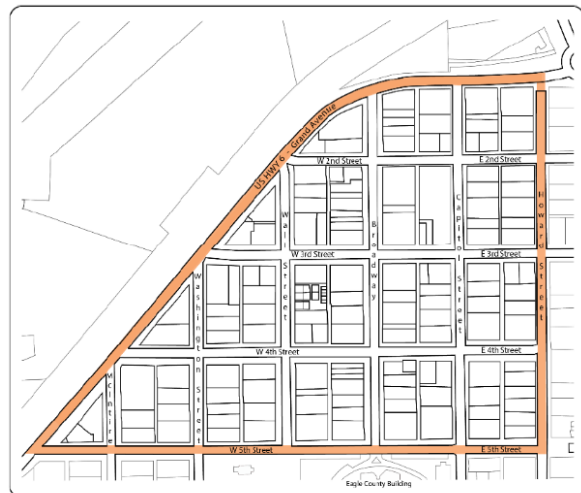


Figure 3: Parking Fee In-Lieu Program Boundary

Prior to the adoption of the Parking Fee In-Lieu Program, the Central Business Zone District (CBD) and Broadway District were exempt from providing additional parking when a new use moved into an existing building and generated the need for more off-street parking. Through the adoption of Ordinance No. 01, Series 2022, this exemption language was stricken as shown below.

[Section 4.07.140.A.3.](#) *When the use of an existing building or space is changed to either:*

a. A use in a different use category as set forth in subsection (C) hereof; or

b. A use in the same use category which requires more off-street parking than the existing use; off-street parking, loading areas and landscaping shall be provided as required for the new use, whether or not they were provided for the existing use.; ~~provided, however, the requirements contained in this subsection shall not apply in the Central Business Zone District (CBD) or Broadway District.~~

The purpose of removing this exemption to the CBD and Broadway District was to require property owners to provide sufficient parking for the use(s) within their building. With the new fee in-lieu option, the property owner or business could fund on-street parking when on-site parking was not feasible. Street improvements in the downtown area have not kept up with the need for parking generated from new development. As a result, parking complaints have arisen. The new fee in-lieu program was an attempt to address this issue.

While the code amendment went through a public process and the implications of the new program were discussed at length, staff believes there may be unintended consequences from the stricken language that may require further vetting before the Planning & Zoning Commission and Town Council.

On March 1, 2022, the Planning & Zoning Commission reviewed the parking exemption language and recommended the exemption be reinstated (word for word) and that the policy be reexamined through the ReCode Eagle process. ReCode Eagle is an update to the Land Use and Development Code that will include public engagement and feedback as well as a comprehensive analysis of the Town's parking standards.

ANALYSIS:

The new Parking Fee In-Lieu Program may impact new development differently than existing development. Existing buildings face unique site constraints, especially in the downtown area. Many existing buildings on Broadway have little to no opportunity to develop additional off-street parking if a new use triggers the need for additional parking. Unlike new development, owners of existing buildings are unable to utilize the efficiencies from an existing construction project for the purposes of developing parking in the right-of-way (ROW). New developments have already hired crews and assembled materials, potentially reducing the cost of constructing on-street parking to meet the Code parking requirements. Existing buildings requiring additional parking would likely be required to pay the fee in-lieu for the development of on-street parking spaces in the ROW.

To better understand the potential implications of the stricken language in the downtown area, staff has put together two scenarios.

Scenario (1) Outdoor Dining: If a restaurant were to occupy the new Broadway Station building and pursue outdoor dining on the sidewalk, the parking standards would trigger the need for additional parking. [Section 4.07.140](#) of the Code requires one parking space per 200 square feet of outdoor space. When calculating parking spaces, the parking count is rounded up. At \$23,100 per space, the cost of providing parking may limit the business' ability to have outdoor dining.

Scenario (2) Change of Use: Roam Gourmet moved into a building at 139 Broadway in 2021, prior to the removal of the exemption language. Had the restaurant moved into the building under existing

parking regulations, the tenant would have had to provide approximately 11 parking spaces (see count below). There is no off-street parking available on the property and if the tenant or business chose the fee in-lieu option, the total cost of on-street parking would have been \$254,100.

Use	Requirement	Square footage	Parking Needed
Restaurant (floor area for outdoor dining)	1 per 200	500	2.5
Restaurant (floor area for public use)	1.5 per 100	275	4.125
Restaurant (floor area for kitchen) - food truck/bar	1.5 per 200	492	3.69
Total (rounded up):			11

Elevate Eagle Comprehensive Plan (2021 Amendment)

Staff reviewed the Code Amendment against the Elevate Eagle Comprehensive Plan (Comprehensive Plan). As noted below, policies from the Comprehensive Plan support both the removal and exclusion of the parking exemption language for the CBD and Downtown District. Relevant policies from the Comprehensive Plan include:

GOAL 1-2. EXPAND AND DIVERSIFY THE TOWN'S ECONOMIC OPPORTUNITIES.

- *Policy 1-2.4. Work to attract and retain businesses that support and enhance Eagle's tourism revenues, while also seeking to build upon entrepreneurship.*

Staff Comment: Many of the downtown businesses collect revenues from tourism. When attracting businesses to existing downtown buildings, the fee in-lieu for parking may deter small, start-up businesses on Broadway. It is unknown to staff whether it will be the property owner or the business that will incur the in-lieu fee. If the fee is paid for by the property owner, the costs for parking will likely trickle down to the business.

- *Policy 1-2.7. Support alternative work environments such as home-based businesses, location neutral businesses, mobile vendors, as well as traditional brick and mortar establishments.*
- *Policy 1-2.8. Encourage continued reinvestment in existing commercial areas.*
- *Policy 1-2.9. Create a positive business environment that encourages (re)investment and expansion.*

Staff Comment: The three policies above speak to supporting existing businesses and encouraging a positive business environment in the Town's commercial areas. Providing sufficient parking to patrons is a benefit to the businesses and the parking fee in-lieu allows for the development of off-street parking to help meet the parking needs downtown. On the other hand, the fee in-lieu amount may be cost prohibitive for businesses to move into the downtown area. By removing the exemption language, the required parking counts may limit business expansion and new uses in existing buildings.

GOAL 2-1. ENHANCE THE VIBRANCY AND VIABILITY OF DOWNTOWN.

- *Policy 2-1.2. Conduct a parking study after completion of Broadway Station and consider a parking in-lieu of fee and potential sites for a Central Business District overflow parking lot or structure.*

Staff Comment: As the Commission was aware, this policy was partially achieved by implementing the Parking Fee In-Lieu Program. The policy does not differentiate between new and existing development. The second portion of the policy, identifying potential sites in the CBD for a parking lot or structure, is a long-term goal for the enhancement of downtown.

- *Policy 2-1.7. New development is encouraged to include landscaping consistent with the mature area including extended sidewalks, pedestrian amenities, and parking enhancements.*

Staff Comment: This policy addresses the need for new development to provide parking enhancement.

GOAL 2-4. CONNECT EAGLE’S UNIQUE NEIGHBORHOODS PHYSICALLY AND VISUALLY THROUGH A WALKABLE AND TRAIL-ORIENTED ENVIRONMENT WITH HIGH-QUALITY WAYFINDING.

- *2-4.1. Enhance pedestrian access and amenities, and public gathering areas to promote social interaction.*
 - b. Mixed-use developments should provide adequate pedestrian amenities/facilities including off-street parking, sidewalks, landscaped areas/planters, gathering areas and nighttime lighting (that is appropriate to dark sky standards but provides adequate lighting for night recreation, safety, and entertainment).*

Staff Comment: Many existing structures in downtown Eagle are mixed-use developments. The policy speaks to the need for mixed-use developments to enhance pedestrian amenities, including off-street parking. The parking exemption language for the CBD and the Downtown District does not align with this policy.

COMMUNITY INPUT:

Two public comments have been received as of March 2, 2022, which are included as an attachment in the packet. One public comment addresses another land use file on the agenda, the Mountain Tots Special Use Permit.

BUDGET / STAFF IMPACT:

No impacts to the 2022 budget.

STRATEGIC PLAN ALIGNMENT/STANDARDS ACHIEVED:

Reinstating the exemption language is supported by the Major Objective to ‘Stimulate Economic Vitality and Development’ by encouraging, rather than deterring, business investment in the downtown. The Major Objective to ‘Improve Community Responsive Services’ is both supported and not supported with the exemption language. By requiring businesses to provide the required parking in some form, the Town is considering the long-term parking needs of the community. However, if no exemption is given and businesses are unable to operate in the downtown due to costs associated with parking, the Town may not be effectively responsive to the changes in the business environment.

RECOMMENDED ACTION OR PROPOSED MOTION:

I move to APPROVE Ordinance No. 08, Series 2022, “An Ordinance of the Town Council of the Town of Eagle, Colorado, Amending Section 4.07.140. of the Eagle Municipal Code to Reinstate a Parking Exemption in the Central Business District”

ATTACHMENTS:

- Public Comment
- Zoning Map ([LINK](#))
- Elevate Eagle Comprehensive Plan ([LINK](#))
- Ordinance No. 08, Series 2022 (The Town Attorney is reviewing the Ordinance and an update, if any, will be provided as soon as it is received.)

Peyton Heitzman

From: dnudell@vail.net
Sent: Tuesday, March 1, 2022 12:09 PM
To: Peyton Heitzman
Subject: P&Z Meeting tonight and Town Board Meeting Next Week

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Peyton,

For publication to public comment regarding the waiving of fees in lieu of parking requirement for the central business district:

I am very much in favor of waiving this requirement in the central business district. An example of the consequences of not waiving the fees:

There are recently signed leases at Broadway Station for both a restaurant and a juice bar. Both entities anticipate requesting outdoor seating which would be a great public amenity and ambiance creator for Broadway. The Broadway sidewalk beautification project was done, with large sidewalk islands, and there is ample space for such outdoor seating. However, if there is a fees in lieu of parking requirement for this outdoor seating, neither entity would be able to afford to pay it due to the rather large tenant improvement costs for these new spaces, as well as the associated costs and risks of brick and mortar startup businesses, especially because such outdoor seating would only be useable for 5 to 5.5 months per year.

The Broadway Station and the 410 Broadway building were both approved with fewer than the "required" amount of parking both because of the public benefit of such buildings, because the lot sizes of the buildings are not conducive to additional parking, and because the parking study hired by the town has shown that there is ample parking in the downtown area, even if patrons will sometimes have to park and walk a block or two to get to their destination, as is true in all thriving downtown areas such as those in Glenwood Springs, Carbondale, Breckenridge, Steamboat Springs, Telluride, and many others. These towns, like Eagle, have made the decision to leverage the public parking in their downtown areas for the public good of redevelopment of older buildings leading to a thriving downtown.

I strongly support this continued support of our historic downtown area by waiving the fees in lieu of parking requirement for the central business district.

Sincerely,

David Nudell
210 Mesa Drive and 217 Broadway
Eagle, CO 81631

970-390-0492

Peyton Heitzman

From: Planning Department
Sent: Wednesday, March 2, 2022 11:04 AM
To: Tez Hawkins; Peyton Heitzman
Subject: FW: Let's talk parking

This comments seems applicable to both Mountain Tots and the Parking Ordinance.

Jessica Lake

Planner I

TOWN OF EAGLE

200 Broadway, PO Box 609, Eagle Co 81631

Phone: 970-328-9627, Fax: 970-328-9656

HOURS: Monday – Friday, 8:00am – 2:00pm

CLICK BELOW FOR TOWN WEBSITE, NEWS, EVENTS OR TO PROVIDE FEEDBACK:



Sender and receiver should be mindful that all my incoming and outgoing emails may be subject to the Colorado Open Records Act, § 24-72-200.1, et seq.

From: Jenny Rakow <jenny.rakow@townofeagle.org>
Sent: Wednesday, March 2, 2022 10:51 AM
To: Planning Department <Planning@townofeagle.org>
Subject: FW: Let's talk parking

Jenny Rakow, CMC

Town Clerk & Municipal Court Supervisor

TOWN OF EAGLE

200 Broadway, PO Box 609, Eagle Co 81631

Phone: 970-328-9623, Fax: 970-328-5203

CLICK BELOW FOR TOWN WEBSITE, NEWS, EVENTS OR TO PROVIDE FEEDBACK:



Sender and receiver should be mindful that all my incoming and outgoing emails may be subject to the Colorado Open Records Act, § 24-72-200.1, et seq.

From: Bryan Woods <bryan.k.woods@gmail.com>
Sent: Tuesday, March 1, 2022 9:29 PM
To: ALL COUNCIL <allcouncil@townofeagle.org>
Subject: Let's talk parking

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Council!

As many of you know, I deeply care about developing a vibrant downtown. After reviewing the pending Mountain Tots application, it is clear that parking requirements and large in-lieu fees are suffocating development. To be clear, this commentary is not about the merits of the application or suitability of the site. (I do support the application and feel it's only fair considering the existing Learning Tree facility in a RM zone. As a nearby neighbor, I've never had an issue with Learning Tree so I don't understand the concern here.)

The way that Mountain Tots is proposing to meet their parking minimums is not in the town's best interest. In order to meet their 8-spot parking minimums, they are proposing paving the front yard and creating a large curb cut for off-street parking. This is not their fault, but rather the only way for them to meet their off-street parking requirement without paying a prohibitive sum to the town. The requirement to provide parking will actually result in a *reduction* of available parking. A long curb cut plus setbacks on each side will eliminate at least 4, likely 6-8 space of current on-street public parking.

It's nonsensical that the town would require a developer to remove public parking and pave over green space to create private spaces that would only be used for an hour per day. The sensible solution would be to require the applicant to develop curb and parking along the length of their property. If you want to see where we are headed, take a walk over to the Masons Lodge at the corner of Capitol and 3rd — directly across the street from my house. They have private paved and striped parking completely surrounding the building on both sides. Those spots are almost never used and take away public street parking. Wouldn't it make more sense to have those spaces available on-street to the public, and replace the impermeable parking lot with landscaped space? The existing rules would require a developer to pay thousands of dollars in fees to achieve the outcome that actually benefits the public the most.

Have a look at the Mason's Lodge on Google Maps: <https://bit.ly/3sxPN2e>

Is this the style of development that we want? As the rules are written now, it is the style that we are requiring.

These parking requirements were not fully thought out. By following the national standard parking requirements, we are going to end up with national standard development — strip malls surrounded by a sea of pavement that is rarely used. Street parking is an efficient way for business to share space. Offices, stores, restaurants, and residences all have different peak usage hours. There is no reason to require all business to provide parking for their peak hour while their neighbors lots sit empty.

Cheers,
Bryan

P.S. At the meeting last week the new "fault line" in Capitol Street was discussed. It turns out that the leaking water service line was the one to my house. If I had known, I would have said something. Thanks to the town for fixing that today.

TOWN OF EAGLE, COLORADO
ORDINANCE NO. 08
(Series of 2022)

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF EAGLE, COLORADO,
AMENDING SECTION 4.07.140. OF THE EAGLE MUNICIPAL CODE, REGARDING
PARKING STANDARDS

NOW BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF EAGLE, COLORADO AS
FOLLOWS:

Section 1. Chapter 4.07.140(A)(3) of the Eagle Municipal Code is hereby amended as
follows:

Section 4.07.140. – Parking standards.

A. Applicability.

* * *

3. When the use of an existing building or space is changed to either
a use in a different use category as set forth in subsection (C) hereof, or a use in
the same use category which requires more off-street parking than the existing
use, then off-street parking, loading areas and landscaping shall be provided as
required for the new use, whether or not they were provided for the existing use;
*provided, however, the requirements contained in this subsection shall not apply
in the Central Business Zone District (CBD) or Broadway District.*

Section 2. Severability. If any article, section, paragraph, sentence, clause, or phrase
of this Ordinance is held to be unconstitutional or invalid for any reason, such decision shall not
affect the validity or constitutionality of the remaining portions of this Ordinance. The Town
Council hereby declares that it would have passed this Ordinance and each part or parts hereof
irrespective of the fact that any one, or part, or parts be declared unconstitutional or invalid.

Section 3. Safety. This Ordinance is deemed necessary for the protection of the
public health, safety and welfare.

Section 3. Effective Date. Pursuant to Section 6.03 of the Eagle Home Rule Charter,
this Ordinance shall take effect 10 days after publication following adoption.

INTRODUCED, READ, PASSED, ADOPTED, AND ORDERED PUBLISHED ON MARCH 8, 2022.

TOWN OF EAGLE, COLORADO

Scott Turnipseed, Mayor

ATTEST:

Jenny Rakow, Town Clerk



To: Town Council

From: Tez Hawkins, Planner, Community Development

Date: March 8, 2022

Agenda Item: Mountain Tots Preschool Special Use Permit, SU22-01

REQUEST:

Staff requests the file to be continued to the March 22, 2022, Town Council Meeting. Additional information from the applicant was required to bring the file before the Planning and Zoning Commission. This resulted in a continuation of the Planning and Zoning Commission Meeting from February 15, 2022, to March 1, 2022. Staff needs additional time to provide meeting minutes and Memo to Town Council.

RECOMMENDED ACTION OR PROPOSED MOTION:

"I move to CONTINUE File# SU22-01, the Special Use Permit for 641 McIntire Street, to the March 22, 2022, Town Council meeting."

ATTACHMENTS:

None.



To: Mayor and Town Council

From: Peyton Heitzman, Planner, Community Development Department

Date: March 8, 2022

Agenda Item: Town Council Update on Land Use File#LURA22-01, Indoor Recreation in Nonresidential Zone Districts

REQUEST:

No action requested. Staff is providing an update on an item that was continued from the February 22, 2022 meeting.

INTRODUCTION:

During the February 15, 2022, Planning & Zoning Commission (Commission) meeting, staff presented file LURA22-01, a new use to the nonresidential zone district chart for 'Indoor Recreation (less than 2,500 square feet)', as well as an associated definition. During the meeting, a discrepancy was found in the Code, revealing that a similar code amendment was approved in 2016 through Ordinance No. 12, Series 2016. After looking through multiple meeting minutes and staff reports, staff found no evidence that the approval had been rescinded. Around 2016-2017 the Town of Eagle moved from PDF to the MuniCode web-based platform ([LINK](#)). Staff believes the 2016 approval failed to carry over to the new platform.

This information was brought to the Commission on March 1, 2022. The guidance from the Commission was for Ordinance No. 12, Series 2016 to remain in its existing state and have the policy reexamined through ReCode Eagle, the Town's comprehensive update to the Land Use and Development Code. File LURA22-01 has subsequently been withdrawn.

ANALYSIS:

Not applicable at this time. The Town Council can review the March 1, 2022 staff report through this [LINK](#).

COMMUNITY INPUT:

None.

BUDGET / STAFF IMPACT:

None.

STRATEGIC PLAN ALIGNMENT/STANDARDS ACHIEVED:

Not applicable.

RECOMMENDED ACTION OR PROPOSED MOTION:

None.

ATTACHMENTS:

- Ordinance No. 12, Series 2016 ([LINK](#))



To: Mayor and Town Council

From: Peyton Heitzman, Planner

Date: March 8, 2022

Agenda Item: Land Use File #LLA21-01 Gordon Lot Line Adjustment

REQUEST:

No action requested. Staff is providing an update on an item that was continued from the February 8, 2022 meeting.

INTRODUCTION:

Stephen and Linda Jean Gordon (Applicant) had submitted an application to vacate a lot line and consolidate two lots into one at 82 Silver Spur and 424 Abrams Creek. On February 15, 2022 the applicant emailed Town Staff notifying us that they were withdrawing their application. The email is attached to this memo.

ANALYSIS:

Not applicable, the application has been withdrawn.

COMMUNITY INPUT:

None.

BUDGET / STAFF IMPACT:

None.

STRATEGIC PLAN ALIGNMENT/STANDARDS ACHIEVED:

Not applicable.

RECOMMENDED ACTION OR PROPOSED MOTION:

None.

ATTACHMENTS:

- Email from Stephen and Linda Gordon dated February 15, 2022

Peyton Heitzman

From: Chad Phillips
Sent: Tuesday, February 15, 2022 3:34 PM
To: Peyton Heitzman
Subject: FW: LLA21-01

FYI

Chad Phillips, A.I.C.P.

Community Development Director/Town Planner

TOWN OF EAGLE

200 Broadway, PO Box 609, Eagle Co 81631

Phone: 970-328-9655, Fax: 970-328-5203

CLICK BELOW FOR TOWN WEBSITE, NEWS, EVENTS OR TO PROVIDE FEEDBACK:



Sender and receiver should be mindful that all my incoming and outgoing emails may be subject to the Colorado Open Records Act, § 24-72-200.1, et seq.

From: Jean Gordon <whoopi10@hotmail.com>
Sent: Tuesday, February 15, 2022 3:15 PM
To: Chad Phillips <chad.phillips@townofeagle.org>
Cc: Scott Turnipseed <scott.turnipseed@townofeagle.org>; Max Gordon <max@maxgordonlaw.com>
Subject: LLA21-01

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Chad: This email will serve as the formal withdrawal of our application for a Lot Line Adjustment with the Town of Eagle planning and Zoning Department. I have been in contact with Nikki Davis regarding Invoice # 1157, we have come to an agreement on payment. The cost of the never discussed, inclusion of condition 3 as a condition for approval, has made continuation with this application impossible.

Respectfully

Stephen and Linda Gordon
82 Silver Spur
Eagle, Co. 81631

Sent from [Mail](#) for Windows



United States Department of the Interior



Bureau of Land Management

Upper Colorado River District

2815 H Road

Grand Junction, Colorado 81506

In Reply

Refer to: 1610 (LLCOG00000)

Scott Turnipseed, Mayor
Town of Eagle
Post Office Box 609
Eagle, Colorado 81631

24 FEB 2022

Dear Mayor Turnipseed:

The Bureau of Land Management (BLM), Upper Colorado River District, will initiate a Supplemental Environmental Impact Statement (SEIS) for the Colorado River Valley Field Office (CRVFO) and Grand Junction Field Office resource management plans (RMP), both approved in 2015. We anticipate commencing the SEIS in the winter or spring of 2022.

Based on your prior participation and your expertise and/or jurisdiction, the BLM Upper Colorado River District is inviting the Town of Eagle to become a Cooperating Agency for the duration of the SEIS project. Cooperating Agency participation provides the opportunity for us to work together and to enhance the BLM's planning efforts.

I anticipate six to eight Cooperating Agency meetings. Assistance will include developing alternatives that are consistent with the purpose of the SEIS, providing information for analysis if needed and review of internal drafts of the draft SEIS and final SEIS. Cooperating Agencies will need to assign a representative, and staff if needed, to assist with reviews or analysis for which they have expertise or jurisdiction, and to fund their own participation. Consistent with NEPA regulations (40 CFR §1501.8), a Cooperating Agency must meet the lead agency's schedule for providing comments and limit its comments to those matters for which it has jurisdiction by law or special expertise with respect to any environmental issue.

The purpose of the SEIS is to remedy two deficiencies identified by the U.S. District Court for Colorado. The deficiencies identified for the CRVFO RMP are that "BLM failed to consider reasonable alternatives to oil and gas leasing and development" and that "BLM failed, in part, to take a hard look at the severity and impacts of greenhouse gas (GHG) pollution. Namely, it failed to take a hard look at the reasonably foreseeable indirect impacts of oil and gas." The SEIS will consider a reasonable alternative or alternatives that analyze a reduced area available for oil and gas leasing. The SEIS will also quantify and reanalyze the indirect effects that emissions resulting from combustion of oil and gas may have on GHG emissions. The BLM does not anticipate the need to analyze alternatives or stipulations for other resources or programs since the court only found the alternatives regarding availability for oil and gas leasing deficient.

If you decide to become a Cooperating Agency, we will need to sign a memorandum of understanding (MOU) that describes the roles and responsibilities of the BLM and your agency. You will receive a draft MOU for review following acceptance of becoming a Cooperating Agency.

If you are interested in becoming a Cooperating Agency, please notify Bruce Krickbaum via email at ucrd-seis@blm.gov by March 22, 2022. Bruce will need a point of contact to finalize the MOU and the name of your representative for the planning process.

We request that agencies declining to accept Cooperating Agency status also respond to this invitation. Should you choose not to become a Cooperating Agency, you will still have opportunity to participate in the planning process.

Thank you for your interest in the BLM planning process and administration of public lands. We look forward to working with you as we proceed with this effort.

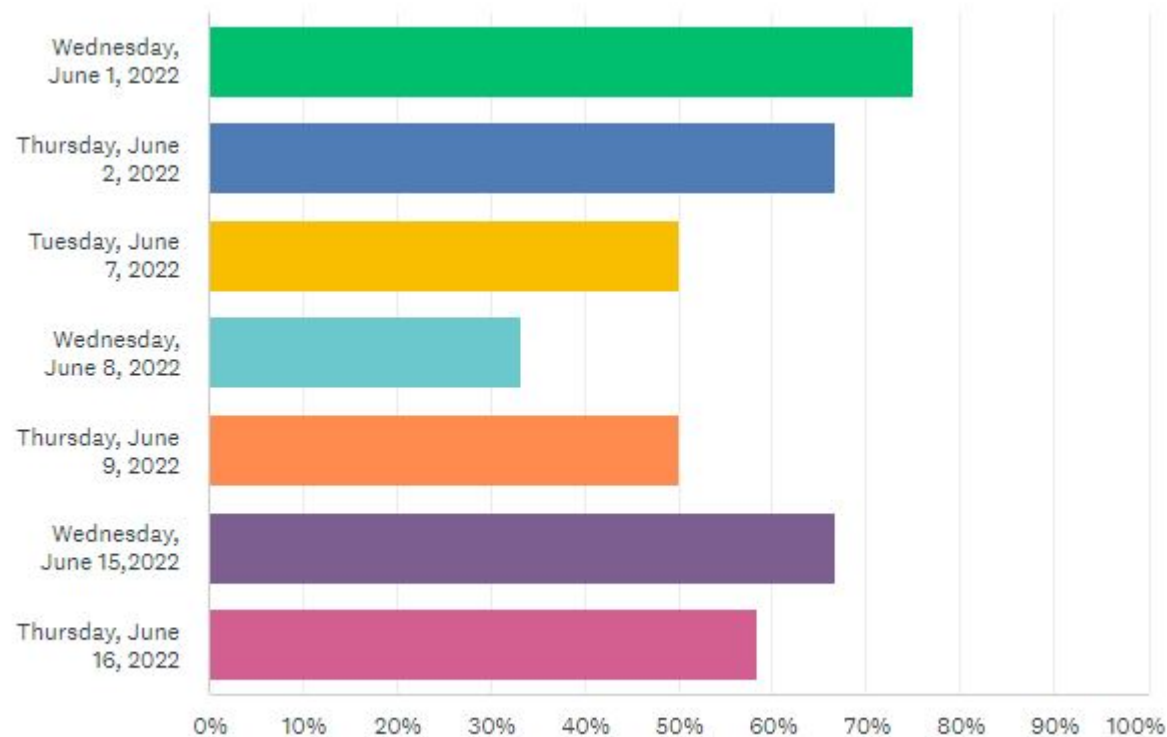
Sincerely,

A handwritten signature in black ink, appearing to read 'Greg Larson', with a stylized, flowing script.

Greg Larson
District Manager
Upper Colorado River District

cc: Town Manager, Town of Eagle

Name, first and last	Please select all dates you can attend.						
Open-Ended Response	Wednesday, June 1, 2022	Thursday, June 2, 2022	Tuesday, June 7, 2022	Wednesday, June 8, 2022	Thursday, June 9, 2022	Wednesday, June 15, 2022	Thursday, June 16, 2022
Kevin Aoki	Wednesday, June 1, 2022	Thursday, June 2, 2022					
Geoff Grimmer	Wednesday, June 1, 2022	Thursday, June 2, 2022	Tuesday, June 7, 2022	Wednesday, June 8, 2022	Thursday, June 9, 2022		
Scott Turnipseed	Wednesday, June 1, 2022	Thursday, June 2, 2022	Tuesday, June 7, 2022	Wednesday, June 8, 2022	Thursday, June 9, 2022	Wednesday, June 15, 2022	Thursday, June 16, 2022
Janet Bartnik	Wednesday, June 1, 2022	Thursday, June 2, 2022	Tuesday, June 7, 2022		Thursday, June 9, 2022	Wednesday, June 15, 2022	
Ellen Bodenhemier	Wednesday, June 1, 2022	Thursday, June 2, 2022				Wednesday, June 15, 2022	Thursday, June 16, 2022
Nick Sunday	Wednesday, June 1, 2022	Thursday, June 2, 2022	Tuesday, June 7, 2022				
Pappy						Wednesday, June 15, 2022	Thursday, June 16, 2022
Sarah Parrish	Wednesday, June 1, 2022	Thursday, June 2, 2022					
Tom Gosiorowski			Tuesday, June 7, 2022	Wednesday, June 8, 2022	Thursday, June 9, 2022	Wednesday, June 15, 2022	Thursday, June 16, 2022
Jenny Rakow					Thursday, June 9, 2022	Wednesday, June 15, 2022	Thursday, June 16, 2022
Jill Kane	Wednesday, June 1, 2022	Thursday, June 2, 2022	Tuesday, June 7, 2022	Wednesday, June 8, 2022	Thursday, June 9, 2022	Wednesday, June 15, 2022	Thursday, June 16, 2022



CALENDAR INVITE WAS SENT OUT FOR JUNE 1, 2022
LOCATION WAS COFIRMED TODAY (3/4/) FOR FROST CREEK CLUB
AGENDA WILL BE FORTHCOMING