



**Planning & Zoning Commission
Tuesday, May 17, 2022, 6:00 PM
Public Meeting Room / Eagle Town Hall
200 Broadway, Eagle, CO 81631**

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

PUBLIC WIFI – Eagle Guest

MEETING ACCESS INFORMATION AND PUBLIC PARTICIPATION

1. This will be an in-person meeting with access via Microsoft Teams. First time users of Teams will need to download the app.

Join on your computer or mobile app

[Click here to join the meeting](#)

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[+1 469-770-0416,484542231#](#) United States, Dallas

Phone Conference ID: 484 542 231#

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

PUBLIC COMMENTS: If you are unable to attend, public comments regarding any items on this agenda can be submitted to the Planning Department at Planning@townofeagle.org and will be included as part of the record.

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

6:00 PM - REGULAR MEETING CALLED TO ORDER

1. New Member Oath, Keith Klesner
2. New Member Oath, Jennifer Filipowski

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

1. Minutes dated April 5, 2022

PUBLIC COMMENT

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

PUBLIC HEARINGS

1. Project: Drever Lot Line Adjustment
File # LLA22-03
Applicant: Brent & Carolyn Drever
Location 462 & 438 Abrams Creek Drive
Staff Contact: Peyton Heitzman, Planner II
Request: To consolidate two lots (lots 36 & 37) into one lot 37A.
2. Project: Mountain Tots Preschool Special Use Permit (WITHDRAWN)
File # SU22-02
Applicant: Meghan Wilson, Mountain Tots Preschool
Location 224 Wall Street
Staff Contact: Tez Hawkins, Senior Planner
Request: To obtain a Special Use Permit (SUP) in order to operate a childcare facility in the Central Business District (CBD).

COMMUNITY DEVELOPMENT DEPARTMENT AND TOWN COUNCIL UPDATE

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

1. Department and Council Update: May 17, 2022

OPEN DISCUSSION

ADJOURN

I hereby certify that the above Notice of Meeting was posted by me in the designated location at least 24 hours prior to said meeting.



Nikki Davis
Administrative Technician II



OATH

I, Keith Klesner, so solemnly swear that I will support the Constitution and laws of the United States, the Constitution and laws of the State of Colorado, and the Ordinances and Codes of the Town of Eagle, and that I will faithfully perform all duties of the office of Planning and Zoning Commissioner, upon which I am about to enter.

Sworn to this ____ day of _____, 2022.

Signature of Member

ATTEST:

Jim White, Interim Town Manager



OATH

I, Jennifer Filipowski, so solemnly swear that I will support the Constitution and laws of the United States, the Constitution and laws of the State of Colorado, and the Ordinances and Codes of the Town of Eagle, and that I will faithfully perform all duties of the office of Planning and Zoning Commissioner, upon which I am about to enter.

Sworn to this ____ day of _____, 2022.

Signature of Member

ATTEST:

Jim White, Interim Town Manager



MEETING MINUTES
Planning & Zoning Commission
Tuesday, April 5, 2022, 6:00 PM
Public Meeting Room / Eagle Town Hall
200 Broadway, Eagle, CO 81631

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

PUBLIC WIFI - TOEE – ((TOEEWireless))

MEETING ACCESS INFORMATION AND PUBLIC PARTICIPATION

This was an in-person meeting with access for the public to attend via Zoom.

6:00 PM – REGULAR MEETING CALLED TO ORDER

Chair Hood called the meeting to order at 6:02 PM.

COMMISSIONERS PRESENT

Matt Hood, Keegan Winkeller,
Charlie Perkins, Jesse Gregg,
Bill Nutkins

COMMISSIONERS ABSENT

Lani Webb, Kyle Hoiland

STAFF

Jim White – Interim Town Manager
Chad Phillips – Community Development Director
Dennis Wike – Town Engineer
Nikki Davis - Administrative Tech II

APPROVAL OF MINUTES

1. Minutes dated March 15, 2022

The March 15, 2022 minutes were approved without change.

PUBLIC COMMENT

Public comment opened at 6:02 PM. There was no public comment.

PUBLIC HEARINGS

1. Project: Haymeadow Minor Subdivision of Tract Z
 File #: MS22-01
 Applicant: Abrika Properties, LLC
 Location: Tract Z
 Staff Contact: Jessica Lake, Planner I
 Request: A resubdivision of Haymeadow Tract Z in order to plat the Cabin Parcel and the Conservation Fund Parcel.

Staff Presentation

The applicant is requesting to resubdivide 194 acres on the southeast end of the Haymeadow property. Currently, the 194-acre parcel is under contract with the Conservation Fund in order develop a conservation easement. If the land sale is approved, lot lines will need to be established. Additionally, the subdivision will show the special events cabin as being on private property; a condition from the 2021 PUD Amendment approval.

Q & A

Nutkins asked if Neighborhood D would dissolve with the Conservation Fund approval. Phillips confirmed, yes. Hood asked if Neighborhood D goes away, is the conservation easement still part of the PUD? Phillips replied this is still being reviewed. There is the option to designate the land as open space and write restrictions into the conservation easement. Or the Town could de-annex the land which would require an amendment to the Haymeadow PUD.

Nutkins asked if Eagle County was buying the land in order to continue their existing conservation easement. Rick Pylman, the applicant representative, described that normally a Conservation Fund or another form of land trust processes the initial purchase, then conveys the land back to the county. The county is then responsible for upholding the conservation easement in perpetuity.

Applicant Presentation

Pylman identified Haymeadow Filing 1 Final Plat which is the far west region that includes half of Neighborhood A1 and the Fire Station on Ouzel Lane. Today, the rest of the Haymeadow property consists of one 508-acre parcel. Establishing the Conservation Fund Parcel would split the 508-acres into two areas. If the conservation easement is established, Neighborhood D and the cabin use would be eliminated. If the land sale is not approved, the applicant is required to submit a plat for the cabin by a predetermined date.

Q & A

Hood clarified this is private land that needs to be subdivided, however, the development plan is yet to be determined. Pylman confirmed this, stating approval would not impact zoning or land use stipulations. Hood voiced concerns with relocating density if the conservation easement is approved. Pylman added there is no proposed plan yet as to how Neighborhood D density would be relocated or absorbed elsewhere in the PUD if the conservation easement is approved.

Perkins asked what access to the cabin looks like. Pylman said it will be a gravel road.

Public Comment

Public comment opened at 6:15 PM. There was no public comment.

Deliberation

The Commission unanimously agreed there are no issues with the application and that the subdivision request is straight forward. Perkins acknowledge a potential benefit of reducing traffic on Brush Creek Road while Gregg echoed the need to consider the loss of density.

MOTION: GREGG MOTIONED TO APPROVED FILE # MS22-01, HAYMEADOW MINOR SUBDIVISION OF TRACT Z WITH THE FOLLOWING CONDITIONS. CONDITION #2 WAS AMENDED AND APPROVED DURING THE HEARING.

- 1. WITHIN 30 DAYS OF APPROVAL, THE FINAL PLAT SHALL BE REVISED TO REFLECT ANY ADDITIONAL TECHNICAL COMMENTS FROM THE PUBLIC HEARINGS, TOWN STAFF, OR REFERRAL AGENCIES.**
- 2. IF THE CABIN PARCEL AND TRACT Z2 ARE PRESERVED AND THE DEVELOPMENT POTENTIAL APPROVED IN THE PUD IS REMOVED AS A RESULT, THE LANDOWNERS SHALL APPLY FOR AMENDMENT OF THE PUD WITHIN THREE (3) MONTHS OF THE PLACEMENT OF A CONSERVATION EASEMENT. THE INTENT OF THE PUD AMENDEMENT WOULD BE TO REVISE THE APPROVED PUD DEVELOPMENT PLAN TO REFLECT THE CONSERVATION EASEMENT.**
- 3. IF THE CABIN PARCEL IS TO BE DEVELOPED AS APROVED UNDER THE AMENDED PUD, A DEVELOPMENT PERMIT WILL BE REQUIRED. THE CRITERIA INCLUDED AS PART OF CHAPTER 4.13 SUBDIVISION DESIGN, IMPROVEMENTS, AND DEDICATIONS (AS AMENDED) SHALL BE ADDRESSED AT THAT TIME.**

MOTION WAS SECONDED BY NUTKINS AND PASSED UNANIMOUSLY.

Hood closed file # MS22-01.

2. Project: Code Amendment to Chapter 4.08 Sign Code
File #: LURA22-03
Applicant: Town of Eagle
Location: Town of Eagle
Staff Contact: Chad Phillips, Community Development Director/Town Planner
Request: For the Planning & Zoning Commission to make a recommendation to the Town Council to adopt and ratify an update to Chapter 4.08 – Sign Code.

Staff Presentation

There were sections of the Town's sign code that did not comply with Reed vs. Gilbert. The ruling from this U.S. Supreme Court case established that municipalities cannot read the contents of a sign to enforce it.

The Commission's comments from the March 15th work session were implemented into the recommendation draft.

Q & A

Hood asked for a summary of the changes implemented into the recommendation draft. Phillips noted a couple examples such as changes around uses in zone districts and standards for temporary signs. Other changes have been postponed until later in the ReCode Eagle process.

Hood also acknowledged the one public comment received about the draft sign code for the record.

Public Comment

Public comment opened at 6:28 PM.

Scott Schlosser and Rick Pylman acknowledged they are both on the Land Use and Development Code update committee. Pylman was complimentary of the consultant's work adding they have drafted a legally defensible sign code.

Deliberation

No further discussion.

MOTION: PERKINS MOTIONED TO APPROVE FILE # LURA22-03 WITH NO CONDITIONS, AS INCLUDED IN THE APRIL 5TH STAFF REPORT. MOTION WAS SECONDED BY NUTKINS AND PASSED UNANIMOUSLY.

Hood closed file # LURA22-03.

OPEN DISCUSSION

Phillips provided an update on Community Development staffing and a coverage plan with the Building Official's resignation.

Phillips added that staff received three applications for the Commission vacancies. The appointments will be made at the April 12th Town Council meeting.

The April 19th Planning Commission meeting is cancelled.

ADJOURN

MOTION: NUTKINS MOTIONED TO ADJOURN. MOTION WAS SECONDED BY GREGG AND PASSED UNANIMOUSLY.

MEETING ADJOURNED AT 6:35 PM.

APPROVED:

DATE:

Matthew Hood, Chairman

Nikki Davis, Administrative Tech II



STAFF REPORT AND CERTIFICATE OF RECOMMENDATION

TO: Planning & Zoning Commission

FROM: Community Development Department

DATE: May 17, 2022

PROJECT: Drever Lot Line Adjustment

REQUEST: To vacate the lot line between lots 36 and 37, consolidating two lots into one lot.

FILE NUMBER: LLA22-04

APPLICANT: Brennen Fitzgerald on behalf of Brent Drever.

LOCATION: 462 Abrams Creek Drive & 438 Abrams Creek Drive

CODE: Chapter 4.12 Subdivision Review
Chapter 4.05 Zoning Review

ZONING: Eagle Ranch PUD

EXHIBITS: A: Application and Project Narrative
B: Final Plat

PUBLIC COMMENT: Staff has received 0 letters of public comment as of May 13, 2022. Letters received after this time will be gathered and entered into the public record at the hearing.

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

INTRODUCTION

Brent Drever and Carolyn Drever (Applicant) are the owners of Lot 36 (462 Abrams Creek Drive) and Lot 37 (438 Abrams Creek Drive) of Eagle Ranch Filing No. 3. There is a single-family home on Lot 37 and Lot 36 is undeveloped. The Applicant is requesting to vacate the lot line between lots 36 + 37, consolidating the two lots into one, Lot 37A. In addition to vacating the lot line between lots 15 and 16, the final plat vacates a 7.5-foot Utility and Drainage Easement on either side of the lot line subject to vacation.



Staff is recommending three conditions of approval. Within 30 days of approval, the Final Plat will need to be revised to reflect technical comments from the Town Planning and Public Works Departments, the Town Attorney, and the Town's 3rd Party Surveyor. This is a condition that staff typically includes in subdivision approvals. It provides applicants a flexible timeline to address technical comments after final approval.

The second condition is for the Applicant to verify that no utilities existing in the side yard easements to be vacated. If utilities exist, the Applicant will need to either remove the utilities with permission from the appropriate utility company or retain the easements.

The third condition has the Applicant abandon the water and wastewater utilities from Lot 36, the undeveloped lot, within 30 days. There is an administrative extension if the Applicant is unable to abandon the utilities within the 30-day timeframe.

STANDARDS FOR A LOT LINE ADJUSTMENT

[Section 4.12.040.](#)

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

Regulations

Staff Comment: The Municipal Code requires the application's plat meet all requirements in [Section 4.12.020.C](#). The Final Plat has been reviewed by the Town Engineer, Planning, the Town Attorney, and a 3rd party surveyor to ensure the document has been prepared to meet all requirements set forth by the Municipal Code. All comments have been shared with the Applicant and a condition of approval has been included having the Applicant address all technical comments within 30 days of approval from the Town Council.

Goals and Policies

Staff Comment: Staff reviewed the application against goals and policies in the Elevate Eagle Comprehensive Plan (Comprehensive Plan). The process of consolidating the lots is not explicitly supported by, nor in opposition of, goals and policies in the Comprehensive Plan ([LINK](#)). The

zoning and uses on the Property will continue to conform with the Future Land Use Map following the approval of this application.

STAFF RECOMMENDATION

Staff recommends APPROVAL WITH CONDITIONS of the Drever Lot Line Adjustment file #LLA22-04 based on compliance with Section 4.12.040 of the Municipal Code and conformance with the Elevate Eagle Comprehensive Plan.

PLANNING AND ZONING COMMISSION POTENTIAL MOTIONS

Below are the Planning and Zoning Commission options related to Drever Lot Line Adjustment file #LLA22-04:

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

SUGGESTED MOTION

I move to recommend approval of the Drever Lot Line Adjustment file #LLA22-04 with the following finding and conditions.

FINDINGS OF FACT

The application meets the technical criteria for a Final Plat found in Section 4.12.020.C and the request is supported by goals and policies in the Elevate Eagle Comprehensive Plan.

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

- a. Within 30 days of the date of this Resolution and prior to recordation of the plat depicting the Lot Line Adjustment, Owners shall make technical corrections to the Application documents as directed by Town staff. The Town Planner may grant one administrative extension of this deadline of up to 30 days, upon good cause shown. Any further extensions must be authorized by the Town Council.
- b. Within 30 days of the date of this Resolution, Owners shall verify that no utilities exist in the two side yard easements to be vacated. If utilities exist in either or both of the side yard

easements, Owners shall either remove the utilities with permission from the appropriate utility companies or retain the required utility easements on the plat.

c. Within 180 days of the date of this Resolution and prior to recordation of the plat depicting the Lot Line Adjustment, Owners shall demonstrate to the Town that the water and sewer service to Lot 36 has been permanently abandoned. The Town Planner may grant one administrative extension of this deadline of up to 60 days, upon good cause shown. Any further extensions must be authorized by the Town Council.

APPLICATION SUBMITTAL ITEMS:

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

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

FEES AND DEPOSITS:

See Eagle Municipal Code Section 4.03.080

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

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

[Signature]
Signature

3/15/22
Date

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



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

LAND USE & DEVELOPMENT APPLICATION

Pursuant to the Land Use & Development Code, Title 4

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

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

LOCATION

STREET ADDRESS 462 & 438 ABRAMS CREEK DR, EAGLE, CO 81631

PROPERTY DESCRIPTION

SUBDIVISION UPLANDS EAGLE RANCH LOT(S) 36-37 BLOCK _____
(attach legal description if not part of a subdivision)

DESCRIPTION OF APPLICATION/PURPOSE _____

APPLICANT NAME BRENT DREVER PHONE 303 619 3580

ADDRESS PO BOX 5619 EAGLE CO, 81631 EMAIL BREVER@ME.COM

OWNER OF RECORD BRENT DREVER & CAROLYN DREVER PHONE 303 619 3580

ADDRESS PO BOX 5619 EAGLE CO, 81631 EMAIL BREVER@ME.COM

REPRESENTATIVE* _____ PHONE _____

ADDRESS _____ EMAIL _____

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

TURNIPSEED

ARCHITECTURE
CONSTRUCTION
INTERIOR DESIGN

S I N C E 1 9 9 5

Project Narrative & Adjacent Property Owners April 4th, 2022

Project:

Lot Line Adjustment

Drever Residence

0462 Abrams Creek Road

Lots 36-37

Eagle, CO 81631

Town of Eagle Community Development,

The goal of this project is to gain approval thru the Eagle Ranch DRB, Town of Eagle, and Eagle County to merge **Lots 36-37** into (One) Lot or Property.

Eagle Ranch DRB has already reviewed all and approved, we will be scheduling a meeting with the Town of Eagle Public Works Department to verify we meet all of their needs for Utility Disconnects and or Tie Ins. The Drawing Set submitted should clearly show the scope of work.

Thank you for your consideration.

BRENNEN SCOTT FITZGERALD, A.I.A. | PARTNER

Mobile. 970.977.6285 Office. 970.328.3900

brennen@sstaia.com

SCOTT S. TURNIPSEED, AIA

ARCHITECTURE & CONSTRUCTION INC.

1143 CAPITOL STREET SUITE 211

P.O. BOX 3388 EAGLE CO 81631

WWW.SSTAIA.COM



Adjacent Property Owners within 300'-0" :

Owner Name BOYD, STEVE H., JR & TANIA MCBRIDE
Owner Address PO BOX 238
EAGLE, CO 81631-0238
000459 ABRAMS CREEK DR

Owner Name GORDON, STEPHEN M. & LINDA J.
Owner Address PO BOX 6197
EAGLE, CO 81631-6197
424 ABRAMS CREEK DR

Owner Name GORDON, STEPHEN M. & LINDA J.
Owner Address PO BOX 6197
EAGLE, CO 81631-6197
000082 SILVER SPUR

Owner Name JEWETT, STEPHEN M. & JENNIFER
Owner Address PO BOX 4809
EAGLE, CO 81631-4809
000075 SILVER SPUR

Owner Name MCCORD, ADELIA O. & THOMAS G.
Owner Address PO BOX 4195
EAGLE, CO 81631-4195
000051 SILVER SPUR

Owner Name FILIPOWSKI, JENNIFER - RACE, ANDREW P.
Owner Address PO BOX 5440
EAGLE, CO 81631-5440
000025 SILVER SPUR

Owner Name DREVER, BRENT & CAROLYN
Owner Address PO BOX 5619
EAGLE, CO 81631-5619
000438 ABRAMS CREEK DR



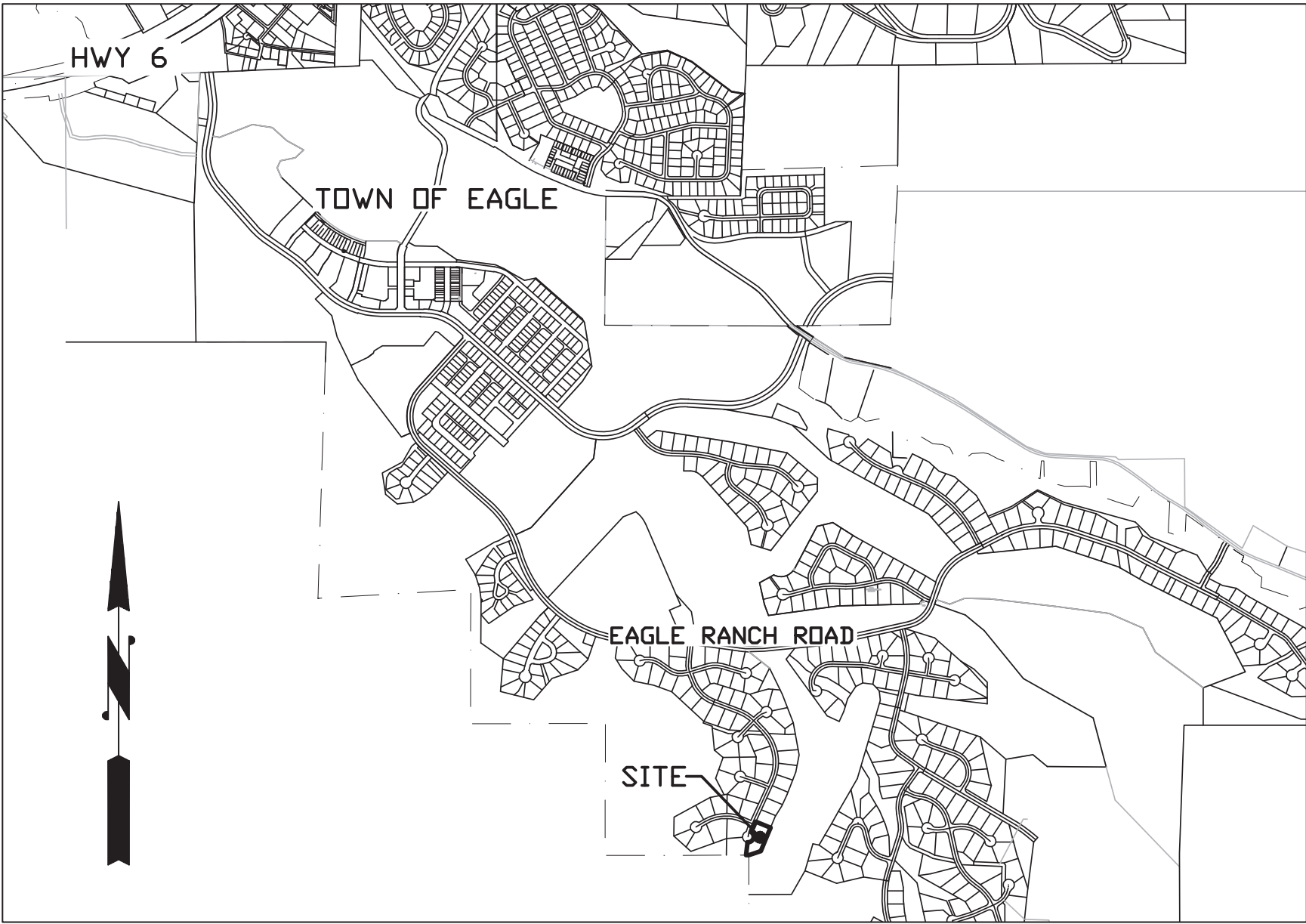
Con't

Owner Name CONKLIN, MAKYLA - GONZALEZ, EVERARDO
Owner Address PO BOX 3561
EAGLE, CO 81631-3561
000416 ABRAMS CREEK DR

Owner Name BELL, ROGER D. & SALLY M. - ETAL
Owner Address 5850 TOWN AND COUNTRY BLVD STE 802
FRISCO, TX 75034-6954
000390 ABRAMS CREEK DR

Owner Name STURGEON, DAVID G. & JENNIFER B.
Owner Address PO BOX 1321
AVON, CO 81620-1321
000362 ABRAMS CREEK DR

AMENDED FINAL PLAT
Eagle Ranch, Filing No. 3
A Consolidation of Lot 36 and Lot 37
Town of Eagle, County of Eagle, State of Colorado



VICINITY MAP SCALE: 1"=1500'

CERTIFICATE OF DEDICATION AND OWNERSHIP

Know all men by these presents that BRENT DREVER AND CAROLYN DREVER, the sole owners in fee simple of all that real property described as follows:

LOT 36, BLOCK 3, EAGLE RANCH, FILING NO. 3 AND LOT 37, BLOCK 3, EAGLE RANCH, FILING NO. 3, according to the FINAL PLAT recorded December 16, 1999 in Reception No. 718009 at the Eagle County Clerk and Records Office, Eagle County, Colorado, containing 0.9793 acres more or less;

have by these presents laid out, platted and subdivided the same into lots and blocks as shown on this plat and designate the same as **AMENDED FINAL PLAT, EAGLE RANCH, FILING NO. 3, A CONSOLIDATION OF LOT 36 AND LOT 37**, the Final Plat thereof, a Subdivision in the Town of Eagle, County of Eagle, State of Colorado; and do hereby grant, convey, dedicate and set apart to the Town of Eagle, County of Eagle, Colorado, for public use the streets shown hereon, including avenues, drives, courts, places and alleys, the public lands shown hereon for their indicated public use and the utility and drainage easements shown hereon for utility and drainage purposes only.

We hereby accept the responsibility for the completion of all required public improvements for the Subdivision, and further, hereby grant the right to install and maintain all necessary structures to the entity responsible for providing the services for which the easements are established.

We further state that this subdivision shall be subject to the protective covenants filed and recorded for this subdivision in the offices of the Clerk and Recorder of Eagle County, at Reception No. _____.

EXECUTED this _____ day of _____, 2022.

_____ AND _____

Owner: BRENT DREVER AND CAROLYN DREVER

Address: P.O. BOX 5619
EAGLE, CO 81631

STATE OF _____ }
COUNTY OF _____ } SS

The foregoing Certificate of Dedication and Ownership was acknowledged before me this _____ day of _____, 2022, by _____.

Witness my hand and official seal _____

My commission expires: _____

Notary Public

TITLE CERTIFICATE

Land Title Guarantee Company, does hereby certify that I have examined the title to all lands shown on this plat and that title to such lands is vested in BRENT DREVER AND CAROLYN DREVER, free and clear of all liens and encumbrances, except as follows:

EXECUTED this _____ day of _____, 2022.

Title Examiner

TOWN COUNCIL CERTIFICATE

This plat is approved by the Town Council of the Town of Eagle, Colorado, this _____ day of _____, 2022 for filing with the Clerk and Recorder of Eagle County, and for conveyance or dedication to the Town of Eagle of the public dedications shown hereon; subject to the provisions that approval in no way obligates the Town of Eagle for financing or constructing of improvements on said lands, streets or easements dedicated to the public except as specifically agreed to by the Town Council of the Town of Eagle. Further, said approval in no way obligates the Town of Eagle for maintenance of public improvements until construction of said improvements has been completed in accordance with the Town of Eagle's specifications and the Town of Eagle has agreed to accept said improvements. This approval does not guarantee that the size, soil conditions, sub-surface geology, ground water conditions, or flooding conditions of any lot shown hereon are such that a building permit, development permit, or any other required permit will be issued. This approval is with the understanding that all expenses involving required improvements for all utility services, paving, grading, landscaping, curbs, gutters, sidewalks, road lighting, road signs, flood protection devices, drainage structures, and all other improvements that may be required shall be the responsibility of the owners designated hereon and not the Town of Eagle, unless otherwise specifically agreed to in writing by the Town Council.

Town of Eagle, Colorado

By: _____
Mayor

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

ATTEST: _____
Town Clerk

CERTIFICATE OF TAXES PAID

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

Dated this _____ day of _____, A.D., 2022.

Treasurer of Eagle County

PLANNING COMMISSION CERTIFICATE

This Plat approved by the Town of Eagle Planning Commission on this _____ day of _____, 2022.

Chairman

SURVEYOR'S CERTIFICATE

I, Randall P. Kipp, do hereby certify that I am a registered land surveyor licensed under the laws of the State of Colorado, that this plat is a true, correct, and complete plat of **AMENDED FINAL PLAT, EAGLE RANCH, FILING NO. 3, A CONSOLIDATION OF LOT 36 AND LOT 37**, the Final Plat thereof, as laid out, platted, dedicated and shown hereon, that such plat was made from an accurate survey of said property by me and under my supervision and correctly shows the location and dimensions of the lots, staked upon the ground in compliance with Title 38, Article 51, C.R.S., as amended, and all other regulations governing the subdivision of land.

EXECUTED this _____ day of _____, 2022.

Randall P. Kipp
Colorado Licensed Professional Land Surveyor
License Number #38079

PLAT NOTES

1. THE PURPOSE OF THIS FINAL PLAT IS TO (1) VACATE THE COMMON LOT LINE BETWEEN LOT 36 AND LOT 37. EAGLE RANCH FILING NO. 3 AND (2) VACATE THE EASEMENT ALONG SAID COMMON LINE. THE REMAINING LOT WILL BE DESIGNATED AS LOT 37A.
2. SURVEY DATE: SEPTEMBER 14, 2021.
3. U.S. SURVEY FEET WAS USED FOR THIS SURVEY.
4. ADDRESS: 0462 ABRAMS CREEK ROAD (POSTED).
5. THE LEGAL DESCRIPTION SHOWN HEREON WAS BASED ON A TITLE COMMITMENT PROVIDED BY LAND TITLE GUARANTEE COMPANY, ORDER NO. V500644770 WITH AN EFFECTIVE DATE OF 2-16-2022, FINAL PLAT, EAGLE RANCH FILING NO. 3, AND SURVEY MONUMENTS FOUND AT THE TIME OF THE SURVEY.
6. ALL BEARINGS AND DISTANCES SHOWN ON SHEET 2 OF 2 ARE BOTH FIELD MEASURED AND PLATTED.
7. BASIS OF BEARINGS: AN ASSUMED BEARING OF S 22° 12' 57" W BETWEEN THE NORTH EAST CORNER OF LOT 36, EAGLE RANCH, FILING NO. 3, REC.NO. 718009 AND THE SOUTH EAST CORNER OF LOT 37, EAGLE RANCH, FILING NO. 3, REC.NO. 718009. SAID CORNERS BEING MONUMENTED WITH A 1.5" ALUMINUM CAP, ON 35 REBAR, LS #30091. ALL BEARINGS AND DISTANCES SHOWN HEREON ARE RELATIVE THERETO.
8. NOTICE: ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT, IN NO EVENT, MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF CERTIFICATION SHOWN HEREON.
9. THIS PROPERTY IS SUBJECT TO THE FOLLOWING:

- EASEMENTS, CONDITIONS, COVENANTS, RESTRICTIONS, RESERVATIONS AND NOTES ON THE PLAT OF EAGLE RANCH FILING NO. 3, RECORDED DECEMBER, 16, 1999 UNDER RECEPTION NO. 718009
- TERMS, CONDITIONS AND PROVISIONS OF EASEMENT AGREEMENT RECORDED MARCH 3, 2005 UNDER RECEPTION NO. 907780
- RESTRICTIVE COVENANTS, WHICH DO NOT CONTAIN A FORFEITURE OR REVERTER CLAUSE, BUT OMITTING ANY COVENANTS OR RESTRICTIONS, IF ANY, BASED UPON RACE, COLOR, RELIGION, SEX, SEXUAL ORIENTATION, FAMILIAL STATUS, MARITAL STATUS, DISABILITY, HANDICAP, NATIONAL ORIGIN, ANCESTRY, OR SOURCE OF INCOME, AS SET FORTH IN APPLICABLE STATE OR FEDERAL LAWS, EXCEPT TO THE EXTENT THAT SAID COVENANT OR RESTRICTION IS PERMITTED BY APPLICABLE LAW, AS CONTAINED IN INSTRUMENT RECORDED JUNE 23, 1999, UNDER RECEPTION NO. 700815 AND SUPPLEMENT RECORDED SEPTEMBER 1, 2000 AT RECEPTION NO. 738065

CLERK AND RECORDER'S CERTIFICATE

This Plat was filed for record in the office of the Clerk and Recorder at _____ o'clock _____ on this _____ day of _____, 2022, and is duly recorded as Reception No. _____.

Clerk and Recorder

By: _____
Deputy

LAND USE SUMMARY

LOT 37A 0462 ABRAMS CREEK ROAD 0.9793 Acres +- RESIDENTIAL SINGLE FAMILY

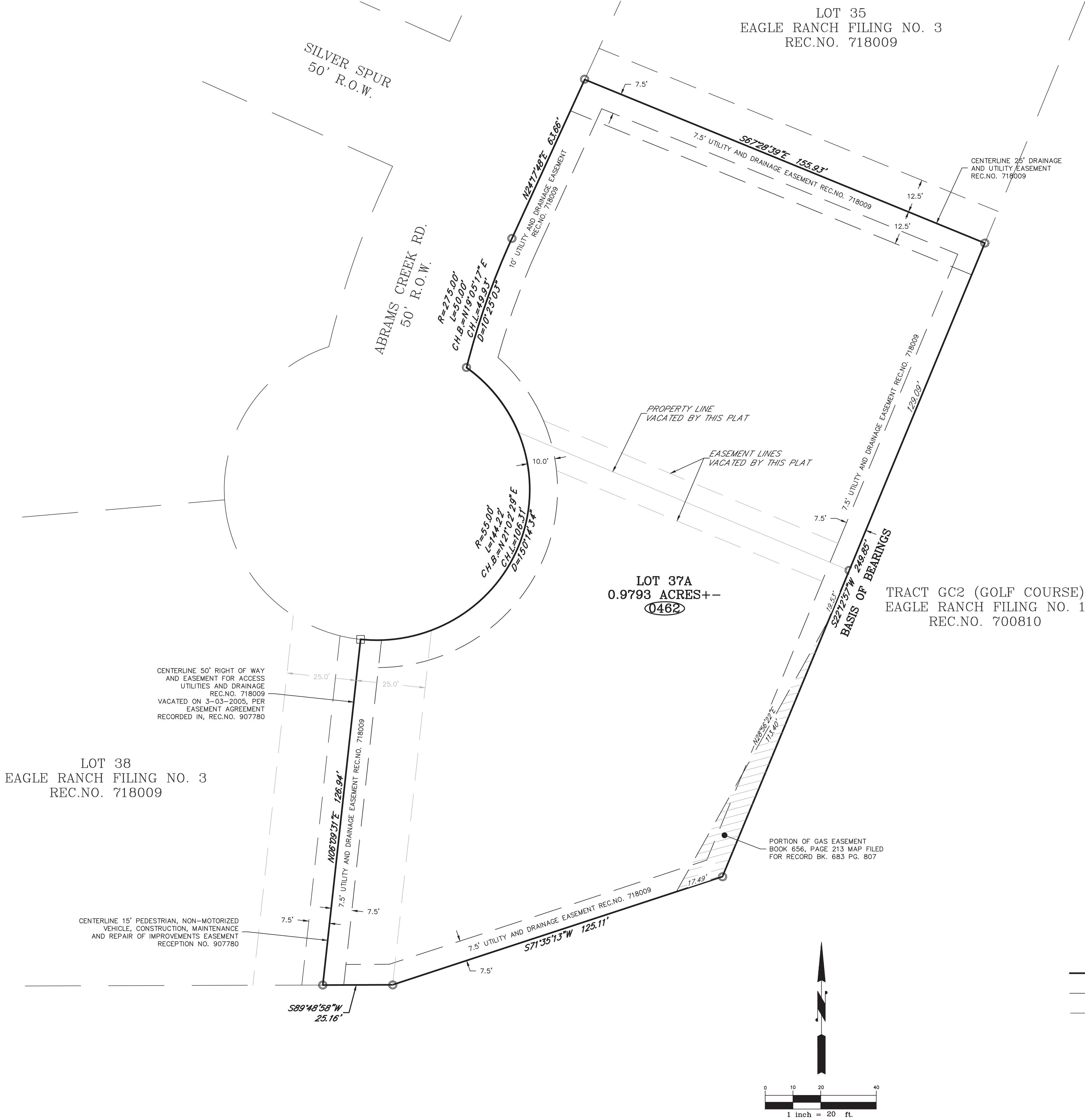
AMENDED FINAL PLAT
Eagle Ranch, Filing No. 3
A Consolidation of Lot 36 and Lot 37
Town of Eagle, County of Eagle, State of Colorado

JOB NO.: 211050	DATE: 03-09-2022
SHEET 2 OF 2	DWG NAME: 211050-L36-37 ER F3 AFP

KIPP LAND SURVEYING

RANDY KIPP P.L.S.
P.O. Box 3154
Eagle, CO 81631
(970) 390-9540
email: randy@kipplandsurveying.com
web: kipplandsurveying.com

AMENDED FINAL PLAT
Eagle Ranch, Filing No. 3
A Consolidation of Lot 36 and Lot 37
Town of Eagle, County of Eagle, State of Colorado



- LEGEND:**
- DENOTES BOUNDARY LINE
 - - - - - DENOTES EASEMENT LINE
 - DENOTES ADJOINING PROPERTY LINES
 - ⊙ DENOTES FOUND SURVEY MONUMENT—
1.5" ALUMINUM CAP ON #5 REBAR
LS #26967 — ACCEPTED
 - DENOTES SET SURVEY MONUMENT—
2" ALUMINUM CAP ON #5 REBAR
LS #38079

AMENDED FINAL PLAT Eagle Ranch, Filing No. 3 A Consolidation of Lot 36 and Lot 37 Town of Eagle, County of Eagle, State of Colorado	
JOB NO.: 211050	DATE: 03-09-2022
SHEET 2 OF 2	DWG NAME: 211050-L36-37 ER F3 AFP
KIPP LAND SURVEYING	
RANDY KIPP P.L.S. P.O. Box 3154 Eagle, CO 81631 (970) 390-9540 email: randy@kipplandsurveying.com web: kipplandsurveying.com	



To: Planning & Zoning Commission

From: Tez Hawkins

Date: May 17, 2022

Agenda Item: Mountain Tots Pre-School Special Use Permit Application (SU22-02)
[Application Withdrawn]

REQUEST:

The request to operate a Child Care Facility in the in the Central Business District (CBD) has been withdrawn by the Applicant, Mountain Tots Pre-School.

ANALYSIS: N/A

COMMUNITY INPUT: No comments were received.

BUDGET / STAFF IMPACT: N/A

STRATEGIC PLAN ALIGNMENT / STANDARDS ACHIEVED: N/A

RECOMMENDED ACTION OR PROPOSED MOTION: N/A

ATTACHMENTS: None.



To: Planning & Zoning Commission

From: Community Development

Date: May 17, 2022

Agenda Item: Community Development Department Update

LONG RANGE PLANNING

- **ReCode Eagle - The Land Use and Development Code (LUDC) Update**
 - The Code Committee held a meeting on 5/9/2022 to discuss wildland fire protection as it relates to influencing zoning regulations and standards. District Chief, Doug Cupp and Wildland Coordinator, Hugh Fairfield-Smith from the Greater Eagle Fire Protection District (GEFPD) attended as guest speakers.
 - The next committee meeting is scheduled for 6/6/22 to review subdivision standards.
 - Town Council adopted *Ordinance 10-2022 Repealing and Reenacting Section 4.08 Regarding the Town Sign Code* during the 5/10/2022 meeting.
 - A joint work session with the Planning & Zoning Commission, Town Council, and the ReCode Eagle update committee will be held on 6/6/2022 to review Installment 1 draft.
 - A series of public engagement events throughout town will also be held 6/6 – 6/8/2022 with Clarion's assistance. Staff aims to finalize public engagement advertisement by the week of 5/16/2022.
 - 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**
 - A Phase 3 engagement meeting was held on 5/12/22 with the design team, consultants, stakeholder committee, and landowners to review 30% of the design, associated cost estimates, and how the plan will be used to guide future corridor improvements.
 - A final report is scheduled to go before Town Council on 5/24/2022.
 - Community members can follow project updates at eaglecolorado.mysocialpinpoint.com.
- **Town of Eagle Affordable Housing Assessment Report**
 - Staff shortlisted Economic & Planning Systems (EPS) as the preferred consultant to conduct the Town's Affordable Housing Assessment. A virtual interview with the EPS team and staff was conducted on 3/17/22 to discuss scope of work, project timeline, and deliverables. Town Council approved the professional services agreement (PSA) on 4/12/22.
 - A project kick-off call with EPS was held on 5/2/22 to discuss project timeline, identify outlying concerns and target issues, and review preliminary data needed from staff.
 - An introduction call between Clarion, EPS, and staff to be scheduled.



LAND USE APPLICATIONS IN PROGRESS

For more information and to access project documents, visit the Town's [Active Land Use Applications Page](#).

- **DR21-02, PFP21-01, PUDA22-01: Reserve at Hockett Gulch | 161886 Highway 6**
 - The development project has expanded to now encompass the following applications:
 - Major Development Permit approval to construct 216 rental units and a clubhouse on 17.2 acres. Forty-Five Percent (45%) of the units proposed include a deed restriction requiring local residency. The most recent submittal was received on 5/2/2022.
 - Preliminary Plan and Final Plat approval to subdivide 29.65 acres into three lots and two open space tracts. The most recent submittal was received on 5/2/2022.
 - Minor PUD Amendment to change the location of a portion of the 5-foot-wide soft perimeter path. The most recent submittal was received on 5/12/2022.
 - Public hearing schedule:
 - P&Z Commission 6/7/22
 - Town Council 6/28/22
- **DR222-01 & LLA22-02: Haymeadow RMF 1&2**
 - 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.
 - The second application is for a Lot Line Adjustment to replat the lot line between RMF-1 and RMF-2.
 - Applications are undergoing a second round of review. Public hearing schedule TBD.
- **LLA22-04: Drever Lot Line Adjustment | 462 & 438 Abrams Creek Drive**
 - An application to consolidate two lots (lots 36 & 37) into one lot 37A.
 - Public hearing schedule:
 - P&Z Commission 5/17/22
 - Town Council 5/24/22
- **SU22-02: Mountain Tots Preschool Special Use Permit | 224 Wall Street**
 - A second application from Mountain Tots Preschool to obtain a Special Use Permit (SUP) in order to operate a childcare facility in the Central Business District (CBD).
 - Public hearing schedule:
 - P&Z Commission 5/17/22
 - Town Council 5/24/22



- **RZ22-02: Sawatch View Rezone | 295 Rule Road (Lot 1, Eagle Interchange East Zone Change)**
 - An application to rezone the property from the Commercial General (CG) Zone District to the Residential Multi-Family (RMF) Zone District.
 - Public hearing schedule:
 - P&Z Commission 6/7/22
 - Town Council 6/28/22

OTHER COMMUNITY DEVELOPMENT UPDATES

- An updated copy of the Planning & Zoning Commission Handbook is now available on the Town's website. ([LINK](#))
- We welcome Keith Klesner and Jennifer Filipowski to the Planning & Zoning Commission! The new members will serve a two-year term, each expiring February of 2024.
- 2022 expiring terms include the following. Commissioners have the option to re-apply for their seat.
 - Matthew Hood, Chairman: July 22, 2018 – July 22, 2022
 - Jesse Gregg, Vice Chairman: July 22, 2018 – July 22, 2022
- Save the Date! The annual Colorado Planning Conference is scheduled for September 28-30. This year's conference, *How We Live*, will be hosted at The Hythe in Vail. Stay tuned for additional information on the agenda and keynote speakers; event registration is scheduled to open in June.
- Local sustainability initiatives at work:
 - [Town of Eagle Community Energy Efficiency Program](#)
 - Staff recently volunteered at the Adam Palmer Community Solar Garden project and the annual Community Pride Highway Cleanup.

BUILDING DEPARTMENT UPDATE

- Staff has the following contractors in place while we continue to recruit for a new Building Official-Inspector:
 - Shane Gremmer, Town of Gypsum Building Official – Inspector
 - Jeff Walker, JHW Plan Review Services, Commercial Plans Review
 - Don Marchbanks, Timberline Contracting, Residential Plans Review

MAJOR CONSTRUCTION PROJECTS UNDER REVIEW AND OVERSIGHT

- **410 Broadway: Mixed Use/Multi-Family**
 - An application to construct a nine-dwelling unit complex. Building and right-of-way (ROW) permits have been issued.



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	512
Permits Processed	359	126

TOWN COUNCIL AND PLANNING & ZONING COMMISSION MEETING SCHEDULE:

May 2022
May 17 th (Planning & Zoning Commission) • New Member Oaths • Drever Lot Line Adjustment • Mountain Tots Childcare Facility Special Use Permit (<i>application #2</i>)
May 24 th (Town Council) • Grand Avenue Corridor Study Final Presentation • Drever Lot Line Adjustment • Mountain Tots Childcare Facility Special Use Permit (<i>application #2</i>)
June 2022
June 6 th (LUDC UC) • Installment 1 Overview
June 7 th (Town Council, P&Z, LUDC UC joint work session) • ReCode Eagle Installment 1 Overview
June 7 th (Planning & Zoning Commission) • Sawatch View Rezone • Reserve at Hockett Gulch
June 14 th (Town Council) • <i>No land use files scheduled at this time.</i>
June 21 st (Planning & Zoning Commission) • Haymeadow RMF 1 & 2 (<i>tentative</i>)
June 28 th (Town Council) • Sawatch View Rezone • Reserve at Hockett Gulch