



Town Board of Trustees
Tuesday, October 22, 2019
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.*

CALL TO ORDER - 6:00 PM

ROLL CALL - 6:05 PM

ADOPTION OF AGENDA - 6:05 PM *Opportunity for amendment or deletions to this evenings 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 five (5) minutes per person per topic unless arrangements have been made for a presentation with the Town Clerk. Those who are speaking are requested to sign in.*

CONSENT AGENDA - 6:15 PM *Consent agenda items are routine Town business, items which have received clear direction previously from the board, final land use file documents after the public hearing has been closed, or which do not require board deliberation. (5 Minutes)*

1. Minutes - October 8, 2019

STAFF REPORTS - 6:20 PM *The Town Manager and Department Staff prepare and provide internal updates to the Board.*

1. Town Manager Update

BUSINESS ITEMS - 6:25 PM *Items and / or Public Hearings are listed under Business may be old or new and may require review or action by the Board.*

1. Project: 1088 & 1092 Fourth of July Road Lot Line Adjustment (*Public Hearing*)
File # LLA19-02
Applicant: Andrew and Jamie Peternell
Location 1088 & 1092 Fourth of July Road
Staff Contact: April Kroner, Comm Dev Dir/Town Planner
Request: Application to vacate the lot line between lots 53 and 54, creating a single lot.
 - a. Resolution 43-2019 to approve file LLA19-02

2. Project: Chambers East Subdivision (*Public Hearing*)
File # MS19-01
Applicant: Matthew Barry of 1353 Chambers LLC
Location 1353 Chambers Avenue
Staff Contact: April Kroner, Comm Dev Dir/Town Planner
Request: Minor Subdivision to split Lot C-14 of the Kemp Subdivision into two lots.
3. Project: Chambers East Development (*Public Hearing*)
File # DR19-05
Applicant: Matthew Barry of Aspect Development LLC
Location 1353 Chambers Avenue
Staff Contact: April Kroner, Comm Dev Dir/Town Planner
Request: Major Development Permit for a 24,202 sf commercial warehouse in the Commercial General Zone District.
 - a. Resolution 45-2019 to approve files MS19-01 and DR19-05
 - b. DR19-05 Development Agreement
4. Ordinance 24-2019 Tobacco Licensing Code Amendment
5. Pavement Management and Pathway Maintenance: Pay Application No. 1 to 360 Paving in the amount of \$421,261.74 (*Roll Call Vote Required*)
6. 2020 Budget Hearing (*Public Hearing*)

BOARD DISCUSSION AND FUTURE AGENDA ITEMS - 7:55 PM

1. Town Manager Performance Review
2. Charter Commission Appointment Process

ADJOURN - 8:05 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

PUBLIC WIFI - TOEG – townofeagle2019



**Town Board of Trustees
Tuesday, October 8, 2019
Public Meeting Room / Eagle Town Hall
200 Broadway Eagle, CO
MEETING MINUTES**

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CALL TO ORDER - 6:00 PM

Mayor McKibbin called the meeting to order at 6:03 p.m.

ROLL CALL - 6:05 PM

TRUSTEES PRESENT

Anne McKibbin, Kevin Brubeck, Andy Jessen, Mikel,
Kerst, Paul Witt

TRUSTEES ABSENT

Scott Turnipseed and Matt Solomon

STAFF

Brandy Reitter, Town Manager
Jenny Rakow, Town Clerk
April Kroner, Town Planner/Comm Dev Director
Kelly Huitt, Interim Finance Director
Bryon McGinnis, Public Works Director
Lynette Horan, Human Resources Manager
Joey Staufer, Police Chief
Carrie Buhlman, Sergeant
Erin Ivie, Records & Evidence Supervisor
Joshua Sanders, Patrol Officer
Dominik Scriver, Patrol Officer
Hernan Samudio, Patrol Officer
Joe Shaffer, Patrol Officer
Tyler Stonum, Sergeant
Thomas Rich, Sergeant

ADOPTION OF AGENDA *Opportunity for amendment or deletions to this evening's agenda.*

There were no changes made to the agenda.

PUBLIC COMMENT *Citizens are invited to comment on any item not on the Agenda subject to a public hearing. Please limit your comments to five (5) minutes per person per topic unless arrangements have been made for a presentation with the Town Clerk. Those who are speaking are requested to sign in.*

Mayor McKibbin opened Public Comment for items not on tonight's agenda, there was no public comment.

PRESENTATIONS - *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 Paramedic Services, Chris Montera
Will Dunn was present on behalf of Chris Montera and provided information on the Gallagher Amendment and its effects on the Eagle County Paramedic Services funding with a video. The Board of Trustees thanked Will for his information.
2. Recognition and Life Saving Awards, Eagle Police Department Chief Staufer
Chief Staufer presented the recognition and lifesaving awards to Officers Joshua Sanders and Dominik Sriver. The Board thanked both their service to the Town.

CONSENT AGENDA *Consent agenda items are routine Town business, items which have received clear direction previously from the board, final land use file documents after the public hearing has been closed, or which do not require board deliberation. (5 Minutes)*

MOTION: Trustee Kevin Brubeck motioned to Approve the Consent Agenda. Motion was seconded and Passed with a vote of 5 in favor and 0 opposed.

1. Minutes - September 24, 2019
2. Bill Pay - September 2019
3. Resolution 41, Series 2019 A Resolution Of The Board Of Trustees Of The Town Of Eagle, Colorado Changing Ordinance No. 18 (Series Of 2019) Adopted July 9, 2019 To Ordinance No. 18A (Series Of 2019)

STAFF REPORTS *The Town Manager and Department Staff prepare and provide internal updates to the Board.*

1. Town Manager Update
Brandy provided an overview of her report.
2. Department Update
- a. Eagle LBWTP - Progress Report 10.8.19

BUSINESS ITEMS *Items and / or Public Hearings are listed under Business may be old or new and may require review or action by the Board.*

1. Ordinances No. 23, Series 2019 An Ordinance Of The Board Of Trustees Of The Town Of Eagle, Colorado Awarding

Comcast Of Colorado IX, LLC A Ten (10) Year Nonexclusive Revocable Franchise To Construct, Operate, Maintain, Construct And Build A Cable System Within The Town Of Eagle, Colorado.

Mayor McKibbin opened this item for discussion.

Brandy Reitter presented the staff report for this item. Gabrielle Daley from Kissinger & Fellman was present as Legal Counsel for the Town on the Franchise Agreement. In addition to the Franchise Agreement a Side Letter Agreement was prepared due to pending legislation that may affect the franchise fee calculation.

Andy Davis was present on behalf of Comcast for this item. Overview of the agreement was provided and there is consensus on this agreement by both parties. This is a cable franchise agreement and does not govern fiber or broadband. Comcast is proposing build out to the entire community including upper Kaibab and Eby Creek Mesa.

Comcast staff in attendance: Lawrence Stephens, Tim Shannon, Kari Conley and Neal Henzler.

Gabrielle Daley provided an overview of the franchise agreement for the Town Board covering building out requirements, compliance with federal law, opportunity for public access channel, franchise fee calculation, implementation and auditing clause in the agreement.

Board Discussion:

Confirmation that Upper Kaibab and Eby Creek Mesa are included in the build proposal and the same time incorporated areas of Eagle will be built. Comcast already has franchise agreement with Eagle County to provide to these areas and the build plan will include them. Comcast will provide communication and host community meetings regarding this build process. Discussion regarding the calculation and formula for the franchise fee and confirmation of auditing capability of the Town to ensure they are properly applied. The video portion of service is subject to the 5% fee. Gabrielle Daley provided references within the agreement related to auditing of the fees and formula. Assurances regarding customer service and reliability was discussed. Comcast stated it was confident it can delivery good service and be a good partner with the Town. Inquiry as to how Eagle and Gypsum will be built. Comcast stated Gypsum will have a hub site and is slightly ahead in the build process, but once this agreement is approved, the next step will be to meet with the Town of Eagle on the build timeline and process. Also discussed was "Side Letter" agreement which was created due to the pending appeal regarding service to public buildings being considered part of the franchise fee.

Mayor McKibbin opened this item to the public for comment. There was no public comment.

Further Board Discussion: inquiry if the terminology used in the agreement regarding "town council" instead of "board of trustees" would be an issue. Legal Counsel stated it would not.

MOTION: Trustee Paul Witt motioned to Approve the Ordinances No. 23, Series 2019 An Ordinance Of The Board Of Trustees Of The Town Of Eagle, Colorado Awarding Comcast Of Colorado IX, LLC A Ten (10) Year Nonexclusive Revocable Franchise To Construct, Operate, Maintain, Construct And Build A Cable System Within The Town Of Eagle, Colorado and the Side Letter Agreement dated October 8,2 019. Motion was seconded and Passed with a vote of 5 in favor and 0 opposed.

2. 2020 Budget Presentation

Brandy presented the updated 2020 proposed budget.

Board Discussion: Inquiry into the timing of revenues related to development. Brandy stated most would be recognized in 2020. Discussion regarding sales tax revenue increase of 5% over last year and whether it was the on-line sales collection and if the Town could put more of that revenue back into our local business. Inquiry regarding healthcare plan and what the bidding process was. Bond refinancing was also discussed, Brandy did have an analysis done of our outstanding debt and we may have opportunity to refinance some debt in two years. Marketing budget and investment in our communications with dedicated internal support was also discussed. Sustainability initiative details were not included in this budget presentation, Brandy stated staff will provide more specifics on those.

MOTION: Trustee Anne McKibbin motioned to set the 2020 Budget for a public hearing on October 22, 2019. Motion was seconded and Passed with a vote of 5 in favor and 0 opposed.

3. Violet Lane Water Line: Pay Application No.6 in the amount of \$187,329.13 to Hobbs Excavating and Trucking, LLC (Roll Call Vote Required)

Bryon McGinnis provided an update on this project

MOTION: Trustee Anne McKibbin motioned to Approve the Violet Lane Water Line: Pay Application No.6 in the amount of \$187,329.13 to Hobbs Excavating and Trucking, LLC (Roll Call Vote Required). Motion was seconded and Passed with a vote of 5 in favor (Jessen, Brubeck, Kerst, McKibbin, and Witt) and 0 opposed.

4. Resolution 42, Series 2019 A Resolution Of The Board Of Trustees Of The Town of Eagle Applying For Brownfield Assistance With CDPHE And Acting As Fiscal Agent for Environmental Hazard Abatement at 410 Broadway
Brandy Reitter presented this item.

Board Discussion: Inquiry as to why the Town is involved with this grant. Brandy stated that State agencies prefer to work with local government on grants of this type rather than private citizens. This grant is a way to help with mitigation and speed up redevelopment for this property.

MOTION: Trustee Andy Jessen motioned to Approve Resolution 42, Series 2019 A Resolution Of The Board Of Trustees Of The Town of Eagle Applying For Brownfield Assistance With CDPHE And Acting As Fiscal Agent for Environmental Hazard Abatement at 410 Broadway. Motion was seconded and Passed with a vote of 5 in favor and 0 opposed.

BOARD DISCUSSION AND FUTURE AGENDA ITEMS

1. Town Manager Annual Review

Board agreed to do similar review process using outside consultant. Information will be forthcoming from Human Resources Manager.

ADJOURN - 8:20 PM

Approved:

Date:

Anne McKibbin, Mayor

Jenny Rakow, CMC Town Clerk



To: Mayor and Board of Trustees

From: Brandy Reitter, Town Manager

Date: October 22, 2019

Re: Town Manager Report

Administration & Organization

Staff continues to work on follow up from the BOT meetings. Included are a list of items that that staff is tracking this month and November.

- List of sustainability policies in the proposed 2020 budget
- Cost estimate of contracting out facility rental management
- Short-term rental policy research
- Tobacco licensing program
- Use Tax review
- Water Efficiency and Conservation Plan presentation
- Home Rule commission appointments
- Community and MEAC requests

Human resources is busy with end of year business and below are a few updates:

- Open enrollment is scheduled for November 6 and 7. This will kickoff a new retirement option geared towards public sector employees. ICMA-RC will be available as a retirement option in addition to Edward Jones.
- Town has scheduled a flu shot clinic for employees and their spouses who are on the health insurance plan. Shots are free and are covered by the town.
- The wellness program continues to be popular and has high participation rates. Biometric screening is scheduled for December 4.

Town extended the Charter Commission application deadline. So far, staff has received 4 applications for consideration. Those individuals are Charlie Wick, Brent McFall, Paul Wisor, and Anna Robinson.

In the proposed budget, staff is recommending making changes to the Information Center. The administration is going to meet with the staff to go over the transition plan. In addition, town is

going to meet with the Historical Society on 11/7 to discuss the changes. Staff did let everyone know that the town will continue to support the Information Center and will keep it open.

Members of staff are attending the Strong Towns workshop in Lakewood on October 29. Here is a link to what the Strong Towns philosophy is and how it can help improve how town approaches the community: <https://www.strongtowns.org/eventspage/2019/10/30/denver-co>

Marketing & Events

Brian Hall's official day with the town was October 15. He has done a wonderful job assisting with events during the summer and fall. Staff really enjoys him, and he fits in perfectly with the team. Brian joins the town with decades of experience in event management, marketing, media and customer service. Staff has already learned a lot from him, and he will be a great addition to the team.

In the meantime, staff is working on the following items:

- Staff has scheduled a wrap up meeting with the 2019 Colorado High School Mountain Bike Conference Championships. The producer is very happy with how it all went and the help and support from the Town of Eagle in helping to make it a success. There were approximately 1600 student participants plus parents and grandparents in town over 2 days. They would like to consider moving it from taking place on 1 weekend to 2 weekends next year.
- The team is working on the details of 2019 Trick or Treat Street with Eagle PD and Eagle PW to identify all the details and security issues that need to be in place.
- Staff is working with PRStudios and the TOE communications to make sure we finish 2019 strong and have an initial plan for 2020 that we can work with.
- Town is in the process of communicating with all past 2019 event producers to create their 2020 MEAC and TOE funding requests. The BOT will review community requests on November 12. MEAC will review funding requests on November 7.

Economic Development, & Planning

Economic Vitality Initiatives

The Outdoor Industry Summit was a success. Town had a robust crowd who stayed long after the event networking. Feedback was universally positive about the content, the crowd, and the facility. At a recent investment funding event in Silverthorne on October 16 multiple speakers mentioned the Outdoor Innovation Summit in Eagle and were excited about the activity around local businesses in the Outdoor Recreation industry.

Brian Corrigan from Downtown Colorado, Inc. is hosting a workshop in Eagle October 29 to lead an experiential art installation in vacant buildings along Broadway from Dec – March 2020. This

downtown activation is the culminating event of the nearly year-long DCI Challenge Studio and Community Assessment process.

Eagle River Park – It's been a while since the board has received an update on the remaining items of the park. The executive committee met on October 18 and discussed the following:

- The velocity testing results look good and the features are compliant with the permit.
- The team will set up a meeting with CPW leadership to go over data in person to make sure there are no misunderstandings since the results are technical.
- Staff plans to issue a press release right after the meeting with CPW explaining the data and highlighting the success story of the River Park.
- Once town meets with CPW, staff will submit a report to the U.S. Army Corps for review
- The team also finalized the 5-year CIP for the River Park as well as decided on projects to fund for 2020.
- The EC thought it would be nice to invite Hobbs to a future meeting and thank the team for their hard work and give them a naming right on a park feature.

Pool and Ice Rink Recreation Campus Master Plan – The planning is wrapping up and provided below are a few updates:

- Town met with Mountain Recreation on October 15 to discuss the final concept plan and project budget in preparation for the presentation on October 29. Most of the meeting will be dedicated to the presentation because the topic will require detailed conversations.
- Once feedback is given by the board, Norris designs will follow up with their last outreach on the overall project and budget.
- Mountain Recreation has initiated the planning process with the school district on the remaining property. This is a joint planning effort. Once the school determines their needs, town will subdivide and dedicate property to them. There is a plan for the school and Mountain Recreation to share sport fields and to do joint programming.

Broadband – There are several updates on broadband in Eagle:

THOR:

- Holy Cross Energy is doing “make-ready” work on the alley behind Town Hall on October 22, and Mammoth Networks along with Bonfire Engineering will be installing the conduit along Eby Creek Road and the Meet-Me Center in Town Hall on October 30.

Feasibility Study:

- The next Broadband Committee meeting will be 5:30 PM on November 4 with Dave Stockton and Neil Shaw from Uptown Services presenting the findings of the town-wide market survey.

- Staff will also be presenting at the Eagle Chamber Breakfast November 5 at 8 AM.
- Community stakeholder Interviews are scheduled with Uptown Services and anchor institutions, businesses, developers, and the Eagle Valley School District throughout the day November 4 and the morning of November 5. This insight will assist in the final recommendations in the Feasibility Study.

Art Wall & Mural - The process continues to move along on this project. The next steps are:

- The selection committee has chosen finalists Amy Dose, Pat Milbery, and Tara Novak for the art wall. Each artist is preparing a 1 panel and 3 panel final submission, and the selection committee will meet November 14 to review the final work.

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

- October 22 – Economic vitality committee meeting
- October 24 – Project THOR meeting
- October 25 – Home Rule Charter working group
- October 29 – Special Meeting of the Board of Trustees

Reminders – *Updates on events or meetings that might be of interest to the Board of Trustees.*

- October 30 – Regional Eagle River Water Quality Monitoring meeting at 1 PM – 4 PM
- October 30 – Strong Towns workshop in Lakewood

Sincerely,



Brandy Reitter
Town Manager



To: Mayor and Board of Trustees

From: Department of Community Development

Date: October 22, 2019

Agenda Item: File # LLA19-02, 1088 & 1092 Fourth of July Road Lot Line Adjustment

REQUEST:

Application to vacate the lot line between lots 53 and 54, creating a single lot.

INTRODUCTION:

The applicant has purchased lots 53 and 54 on Fourth of July Road with the intention of combining them into a single lot. To accomplish this, they are requesting vacating the shared lot line. Currently both lots are vacant, with the applicant intending to construct their home on the resulting single parcel. The resulting configuration would be a reduction in the total number of parcels from two to one with minimal change to the overall functionality of those lots.

ANALYSIS:

The lot line adjustment will result in the reduction in total number of lots from 2 to 1 and no changes in allowed uses. This adjustment does not create a substantial impact on the other existing residential uses of the area. The zoning for this property is PUD and is located within the Uplands sub-area within Eagle Ranch.

As the utility and drainage services are not alterations to the main service lines, this adjustment does not present an overall change in utilities. The existing utility and drainage easement at the current property line between the lots will be abandoned along with the property line, with no new easements being created. There are existing utility and drainage easements around the perimeter of the lot, which has been reviewed by the Town Engineering and Public Works Departments.

The Town Engineering and Public Works Departments identified that public utility lines are servicing both lots and have requested that only a single water and sewer service line exist for the single lot, per Town Code. As a result, services into one of the two lots will need to be abandoned according to Town procedure prior to the Town affixing signatures on, and the recording of, the Final Plat. The applicant has obtained Eagle Ranch Association approval for this lot line adjustment (see Exhibit C), pending approval from the Town.

COMMUNITY INPUT:

10/17 Planning & Zoning Commission Hearing

The Planning & Zoning Commission heard file LLA19-01 at their hearing on October 17, 2019. During this hearing staff presented the application request and standards of approval for a lot line adjustment. The Commission then entered into public comment (hearing none) and deliberation. April noted that a neighbor had enquired about whether or not the buildable area is expanded if two lots are combined. Per Eagle Ranch guidelines a combined/enlarged lot does not allow for increased square footage or an increase in the maximum area disturbance.

BUDGET / STAFF IMPACT:

Budget and staff impact are not applicable.

STRATEGIC PLAN ALIGNMENT/STANDARDS ACHIEVED:

This proposal aligns with the following values and objectives: Major Objective No. 8: Improve Housing Availability and Affordability.

The Lot Line Adjustment supports the standard of allowing for housing that supports a diverse population, including all ages, ethnicities and income groups.

RECOMMENDED ACTION OR PROPOSED MOTION:

Motion to approve Resolution 43-2019 LLA19-02, a request for a Lot Line Adjustment at 1088 & 1092 Fourth of July Road with the following conditions:

1. The final plat document will be revised to reflect final technical comments from the Town Engineering and Public Works Departments, Town Attorney, and the Town's 3rd Party Surveyor.
2. 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 53 have been permanently abandoned.

ATTACHMENTS:

- A. Application Form & Project Narrative
- B. Amended Final Plat Filing 22, Lot 53
- C. Eagle Ranch DRB Minutes – August 22, 2019



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

LAND USE & DEVELOPMENT APPLICATION

Pursuant to the Land Use & Development Code, Title 4

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

PROJECT NAME Peternell Lot Combination Lot Line Adjustment

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

LOCATION

STREET ADDRESS 1088 + 1092 Fourth & July Rd.

PROPERTY DESCRIPTION

SUBDIVISION Eagle Ranch LOT(S) 53+54 BLOCK 00
(attach legal description if not part of a subdivision)

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

APPLICANT NAME Andrew + Jamie Peternell PHONE 303-204-3057

ADDRESS P.O. Box 4165 Eagle, CO 81631 EMAIL andrewpeternell@hotmail.com

OWNER OF RECORD same PHONE _____

ADDRESS _____ EMAIL _____

REPRESENTATIVE* _____ PHONE _____

ADDRESS _____ EMAIL _____

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

APPLICATION SUBMITTAL ITEMS:

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

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

Andrew Peterzell

Date

9-4-19

FOR OFFICE USE ONLY

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

**Application for Approval of Lot Line Adjustment
1088 and 1092 Fourth of July Road
Andrew Peternell and Jamie Peternell**

Narrative

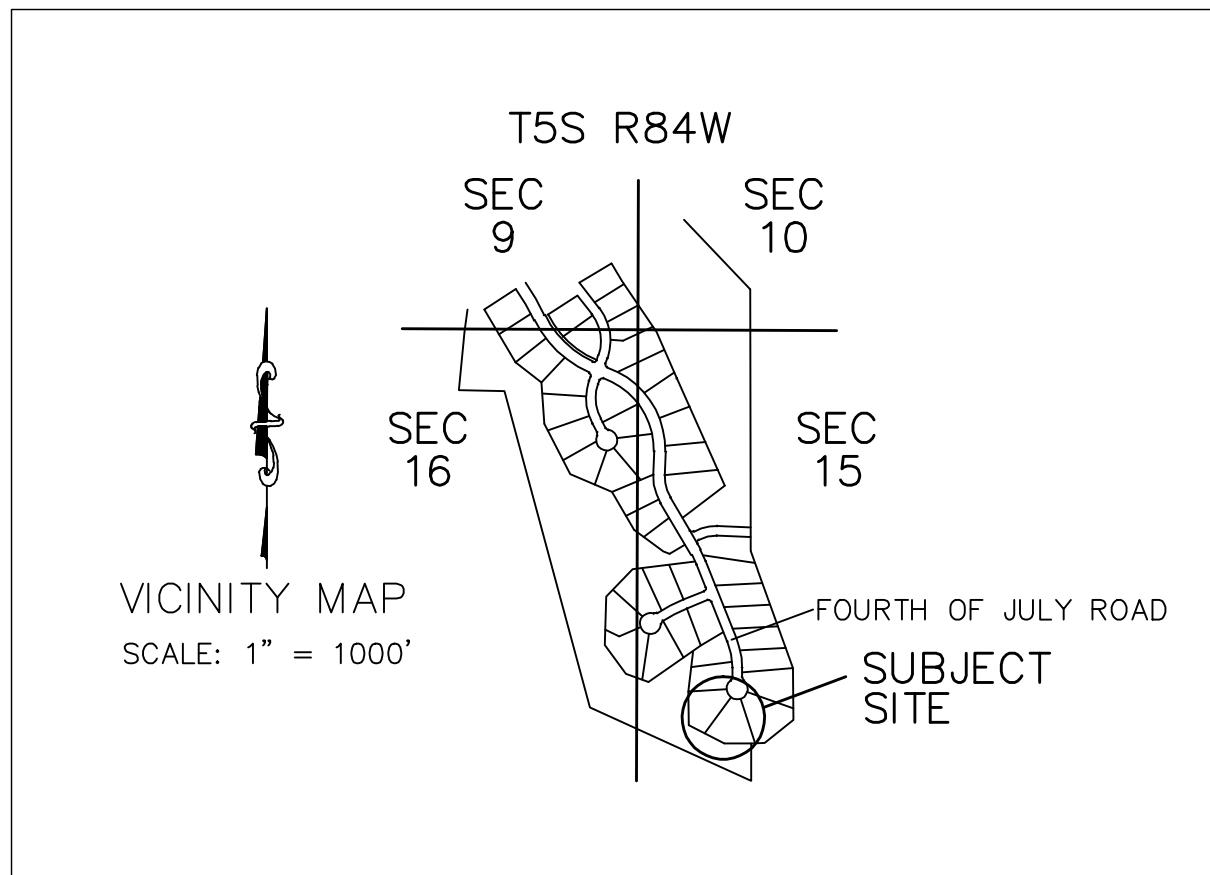
Andrew Peternell and Jamie Peternell (“Applicants”) are the owners of the two lots located at 1088 and 1092 Fourth of July Road in the Eagle Ranch subdivision of the Town of Eagle, Colorado. 1088 Fourth of July Road consists of 0.782 acres, while 1092 Fourth of July Road consists of 0.867 acres. Applicants propose to eliminate the lot line between the properties, combining the two lots into one lot consisting of 1.649 acres. Upon approval of this proposal, Applicants intend to proceed with the design, permitting, and construction of a single-family home on the resulting 1.649-acre lot.

Applicants make this proposal pursuant to Section 4.12.040 of the Eagle Municipal Code. Section 4.12.040 allows for lot line adjustments, “where the potential for development of resulting parcels remains substantially unchanged, in relation to number of lots, number of units, size of buildings, types of uses allowed, and similar factors.” The lot line adjustment proposed here would result in decreased development potential on the order of one single-family home, with no other change in development potential or allowable land use. Development of the 1.649-acre lot resulting from this lot line adjustment would comply with all provisions of the Town of Eagle Land Use and Development Ordinance and all other provisions of the Eagle Municipal Code.

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

The Town of Eagle and the Eagle Ranch Association and Design Review Board have approved lot line adjustments such as this in the past. Moreover, last month the Eagle Ranch Association and Design Review Board approved the lot line adjustment proposed here.

AMENDED FINAL PLAT
EAGLE RANCH, FILING NO. 22, LOT 53
A RESUBDIVISION OF LOTS 53 AND 54
TOWN OF EAGLE, COUNTY OF EAGLE, STATE OF COLORADO



SURVEYOR'S NOTES

- 1) Date of Survey: August 13, 2019.
- 2) Land Title Guarantee Company Commitment No. V50053915-3 dated 7/10/2019 as to Lot 53 and Commitment No. V50053891-3 dated 7/10/2019 as to Lot 54 was relied upon for all title information.
- 3) Basis of bearings is a line connecting monuments found at the most southwesterly corner Lot 54 and southeasterly corner Lot 53 being S 74°51'27" E, (see drawing).
- 4) 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 the certification shown hereon.
- 5) The U.S. survey foot is the lineal unit used for the dimensions on this plat.
- 6) All easements, conditions, covenants, restrictions, reservations, and notes shown on the plat of Eagle Ranch, Filing No. 22, recorded 11/8/2005 at Reception No. 936243 remain in full force and effect.
- 7) Lots 1 through 7, 26 through 44, and 46 through 64 shall have building envelopes designated per Section 3.2.8 of the Third Amendment to the PUD Guide for Eagle Ranch P.U.D. recorded at reception number 877629 on May 18, 2004 and be approved by the Eagle Ranch Design Review Board and the Town of Eagle prior to any site disturbance or issuance of a building permit. The above reference lots are subject to an additional specific restrictions related to building envelopes, including a maximum site disturbance of not more than 16,500 square feet, as contained within Section 3.2.8 of the P.U.D. Guide.

CERTIFICATE OF DEDICATION AND OWNERSHIP

The undersigned, Jamie Victoria Peternell and Andrew James Peternell, as to Parcel 1 and Parcel 2, (below), being the sole owner in fee simple of all that real property described as follows:

Parcel 1:
Lot 53, Eagle Ranch, Filing No. 22, according to the Final Plat thereof as filed for record November 8, 2005 as Reception No. 936243 in the Office of the Clerk and Recorder, Eagle County, State of Colorado; containing 0.867 acres, more or less.

and

Parcel 2:
Lot 54, Eagle Ranch, Filing No. 22, according to the Final Plat thereof as filed for record November 8, 2005 as Reception No. 936243 in the Office of the Clerk and Recorder, Eagle County, State of Colorado; containing 0.782 acres, more or less.

and as shown on the accompanying Plat, has by these presents laid out, platted and subdivided the same into lots, blocks as shown on this Plat and designate the same as Eagle Ranch, Filing No. 22, Lot 53, a subdivision of the Town of Eagle, County of Eagle, State of Colorado; and do hereby make the following dedications and grants:

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

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

The undersigned accepts the responsibility for the completion of all required public improvements for this subdivision.

The undersigned further states that this Subdivision may be subject to the Declaration of Covenants, Conditions and Restrictions for Eagle Ranch filed and recorded in the office of the Clerk and Recorder of Eagle County, Colorado at Reception No. 700815 and supplement thereof to recorded at Reception No. 200609643.

The undersigned further states that this Subdivision may be subject to the Declaration of Covenants, Conditions and Restrictions for Eagle Ranch Commercial Center Association filed and recorded in the office of the Clerk and Recorder of Eagle County, Colorado at Reception No. 743935.

EXECUTED this _____ day of _____, 2019.

OWNER:

Jamie Victoria Peternell

STATE OF COLORADO)
COUNTY OF EAGLE)

The foregoing Certificate of Dedication and Ownership was acknowledged before me this _____ day of _____, A.D. 2019, by Jamie Victoria Paternell.

My Commission expires: _____
Witness my hand and official seal.

Notary Public

Andrew James Peternell

STATE OF COLORADO)
COUNTY OF EAGLE)

The foregoing Certificate of Dedication and Ownership was acknowledged before me this _____ day of _____, A.D. 2019, by Andrew James Peternell.

My Commission expires: _____
Witness my hand and official seal.

Notary Public

SURVEYOR'S CERTIFICATE

I, Michael J. Post, do hereby certify that I am a professional land surveyor licensed under the laws of the State of Colorado, that this plat is a true, correct, and complete plat of Eagle Ranch, Filing No. 22, Lot 53, as laid out, platted, dedicated and shown hereon, that such plat was made from and 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 _____, 2019.

Michael J. Post
Professional Land Surveyor
State of Colorado PLS 30116

LAND USE SUMMARY

AREA	USE	ADDRESS
LOT 53 1.649 ACRES	SINGLE FAMILY	1092 FOURTH OF JULY ROAD

TITLE CERTIFICATE

Land Title Guarantee Company, does hereby certify that it has examined the title to all lands shown on this plat and that title to such lands is vested in Jamie Victoria Peternell and Andrew James Peternell, free and clear of all liens, taxes and encumbrances, except as follows:

EXECUTED this _____ day of _____, 2019.

By: _____

Title _____

BOARD OF TRUSTEES CERTIFICATE

This plat approved by the Board of Trustees of the Town of Eagle, Colorado, this _____ day of _____, 2019, for filing with the Clerk and Recorder of Eagle County, Colorado, and for conveyance or dedication to the Town 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 Board of Trustees of the Town of Eagle. Further, said approval in no way obligates the Town of Eagle for maintenance of public improvements until construction of said improvements has been completed in accordance with the Town of Eagle's specifications and the Town of Eagle has agreed to accept said improvements. This approval does not guarantee that the size, soil conditions, sub-surface geology, ground water conditions, or flooding conditions of any lot shown hereon are such that a building permit, development permit, or any other required permit will be issued. This approval is with the understanding that all expenses involving required improvements for all utility services, paving, grading, landscaping, curbs, gutters, sidewalks, road lighting, road signs, flood protection devices, drainage structures and all other improvements that may be required shall be the responsibility of the owners designated hereon and not the Town of Eagle, unless otherwise specifically agreed to in writing by the Board of Trustees.

TOWN OF EAGLE, COLORADO

By: _____

Mayor

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

ATTEST: _____
Town Clerk

PLANNING COMMISSION CERTIFICATE

This plat approved by the Town of Eagle Planning Commission the _____ day of _____, 2019.

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 condominium map are paid in full.

Dated this _____ day of _____, 2019.

Treasurer of Eagle County, Colorado

EAGLE COUNTY CLERK AND RECORDER CERTIFICATE

This plat was filed for record in the office of the Eagle County Clerk and

Recorder at _____ o'clock ____M. on the _____ day of

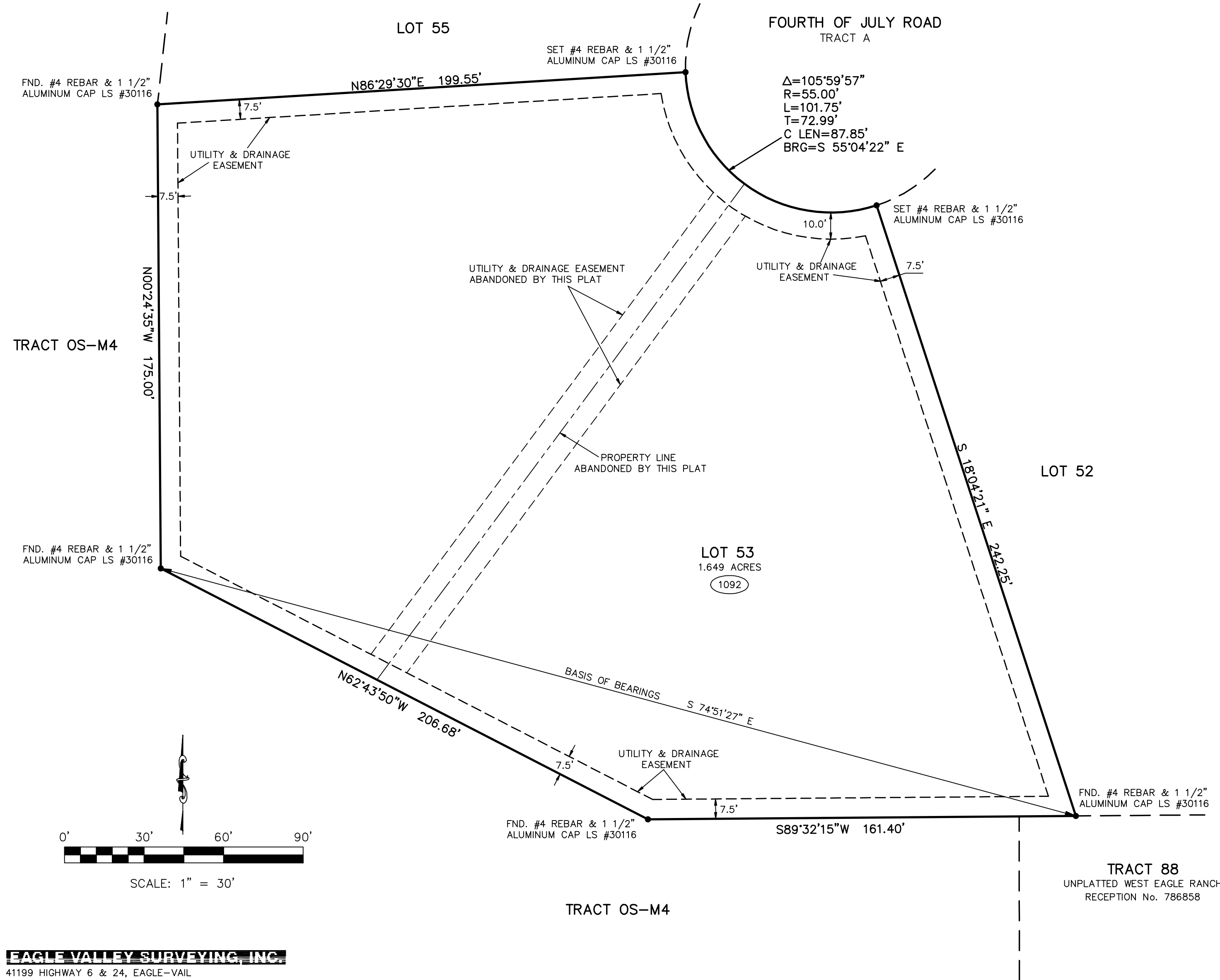
_____, 2019, and is duly recorded as

Reception No. _____

By: _____

Deputy

Declarations or Protective Covenants are recorded as Reception No. _____



EAGLE VALLEY SURVEYING, INC.

41199 HIGHWAY 6 & 24, EAGLE-VAIL
P.O. BOX 1230
EDWARDS, CO. 81632
(970)949-1406

AMENDED FINAL PLAT
EAGLE RANCH, FILING NO. 22, LOT 53
A RESUBDIVISION OF LOTS 53 AND 54
TOWN OF EAGLE, COUNTY OF EAGLE, STATE OF COLORADO



**MINUTES OF A REGULAR MEETING OF THE
EAGLE RANCH DESIGN REVIEW BOARD**

August 22, 2019

A Regular Meeting of the Eagle Ranch Design Review Board held at 3:00 p.m.

1143 Capitol Street, Suite 208, Eagle, Colorado

MEMBERS IN ATTENDANCE:

Rick Messmer
Todd Labine
Dan Lambert
John Martin
Rick Dominick

MEMBERS ABSENT:

Michael Sanner
Al Musser
Tom McCord
Glenn Harakal

ADDITIONAL ATTENDEES:

Glenn Harakal
Wally Schaub
Alicia Davis
Rick Dominick
Scott Turnipseed

Architect

Owner/Builder

Architect

Architect

Architect

STAFF IN ATTENDANCE:

Amy Salter, DRB Administrator

Amy Hawf, Admin Assistant

1. Executive Session

Began 3:00pm

Discussion of Admin Review

Executive Session Adjourned at 4:00 pm

2. General Session:

Schaub Residence – Filing 21 -Block 00-Lot 32 – 0173 Harvester Court – **Final** – Architect: Scott Turnipseed – Uplands Prairie

- a. *Provide address post. UDG 2.2.4*
- b. *Disturbed areas shall be planted with native seed and temporarily irrigated. UDG 2.4.8, Appendix A*
- c. *Discussion item: Stucco control joint locations.*
- d. *Discussion item: Front porch measurement.*
- e. *Discussion item: What is happening at the entry gable?*
- f. *Discussion item: Black steel I-beams at porch and patio.*

Discussion:

Fence Material and height discussed approved at 6ft for no more than an enclosure of 1,000 sq ft, plans will be submitted and administratively approved

Eves Residence – 14-00-39 – 2253 Eagle Ranch Road – Pre-design

Discussion:

Ms. Salter asked for clarification from the board regarding pre-design notes

Peternell Residence - Lot Combination – 22-00-53/54 – 1088/1092 Fourth of July Road

Motion:

A motion was made, and seconded, to approve the Peternell residence lot combination with the following conditions:

1. Limits of disturbance will be limited to 16,500 sq ft
2. 35-50 ft façade zone applies
3. Sage thinning discussed and would be allowed, but will be presented at Preliminary or Final review

Approved

Meeting adjourned 4:29 PM

**TOWN OF EAGLE,
COLORADO
RESOLUTION NO. 43
(Series of 2019)**

A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF EAGLE,
COLORADO APPROVING A LOT LINE ADJUSTMENT FOR LOTS 53 AND 54,
EAGLE RANCH FILING NO. 22

WHEREAS, Andrew and Jamie Peternell ("Owners") own the real property described as Lot 53, Eagle Ranch 22 and Lot 54, Eagle Ranch Filing No. 22, both located in Eagle, Colorado, also known as 1088 and 1092 Fourth of July Road;

WHEREAS, Owners filed an Application for a Lot Line Adjustment to vacate the lot line between Lots 53 and 54 (the "Application");

WHEREAS, on October 17, 2019, the Planning Commission held a properly-noticed public hearing on the Application and recommended that the Board of Trustees approve the Application with conditions; and

WHEREAS, on October 22, 2019, the Board of Trustees held a properly-noticed public hearing on the Application, at which the Applicant, Town staff and the public were provided an opportunity to be heard on the Application.

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

Section 1. Findings. Based on the Application, the recommendation of the Planning Commission, input from Town staff and any public comment received, the Board of Trustees finds that the Lot Line Adjustment complies with the applicable criteria in Section 4.12.040 of the Eagle Municipal Code.

Section 2. Decision. Based on the foregoing findings, the Board approves the Lot Line Adjustment, subject to the following conditions:

- 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.
- b. 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 53 have been permanently abandoned.

INTRODUCED, READ, PASSED AND ADOPTED ON OCTOBER 22, 2019.

TOWN OF EAGLE, COLORADO

Anne McKibbin, Mayor

ATTEST:

Jenny Rakow, Town Clerk



To: Mayor and Board of Trustees

From: Department of Community Development

Date: October 22, 2019

Agenda Item: File # MS19-01, Chambers East Subdivision

REQUEST:

Application for a Minor Subdivision to split Lot C-14 of the Kemp Subdivision into two lots.

INTRODUCTION:

The applicant is requesting a minor subdivision to subdivide Lot C-14 of the Kemp Subdivision into two (2) separate lots, which then can be operated, sold, or developed respectively. There is one existing structure on the existing lot and a plan to construct another structure; this subdivision would allow the property owner to construct a second primary structure on its own respective lot.

ANALYSIS:

FINDINGS FOR A MINOR SUBDIVISION

Standard #1

As mentioned in the discussion portion above, the purpose of the minor subdivision request is to enable the applicant to subdivide into two lots in order to construct a 2nd primary building. This aligns with the Town's goals, policies, and plans, as a single lot may only hold a single principle building according to Town Code definition of a "building lot" (4.03.040). In addition, this subdivision supports commercial activity as it will allow for multiple businesses to continue to grow and prosper in Eagle. This subdivision also allows the applicant to establish separate addresses for the respective lots, which enables emergency services, mail services, and all other services that require established addresses.

Staff has analyzed lot size, building setbacks, and other zoning parameters to ensure compliance with the Town regulations.

Standard #2

All easements have been reviewed by the Town Public Works and Engineering Departments as well as the Town's Attorney and Third-Party Surveyor. The existing easements present no difficulties to the further development of the newly created lot. However, the Public Works department has noted that trees are not allowed within the utility easements, however shrubs are permitted.

Staff has included a condition which clarifies that the utility and access easements shall be dedicated to the Town, which is a requirement of the subdivision regulations. The purpose of this condition is to ensure this correction is made to the plat prior to recording. Staff believes these factors meet standard 2 as the minor subdivision does not substantially change or negatively impact the lots in question or any surrounding lots.

COMMUNITY INPUT:

10/17 Planning & Zoning Commission Hearing

The Planning & Zoning Commission heard file MS19-01 at their hearing on October 17, 2019. During this hearing staff presented the application request and standards of approval for a minor subdivision. The Commission then entered into public comment (hearing none) and deliberation. The Commissioners enquired whether or not the existing building would still meet all requirements after subdivision. April verified that she had checked both sites and reviewed to ensure compliance. Commissioners also asked about the work taking place on site and April acknowledged that the applicant had been granted a grading permit by Public Works and some initial site work is being done as part of that approved permit. The public hearing for the minor subdivision was publicly noticed in accordance with the applicable public notification requirement of the Eagle Land Use and Development Code. No public comment has been received.

BUDGET / STAFF IMPACT:

Budget and staff impact are not applicable.

STRATEGIC PLAN ALIGNMENT/STANDARDS ACHIEVED:

This proposal aligns with the following values and objectives:

Business Value: Economic Development

Major Objective No. 5: Stimulate Economic Vitality, Development.

The Minor Subdivision supports the above objective by providing an additional commercial development opportunity in the Town's commercial/industrial corridor, which supports business development and/or expansion, job creation and contributes attaining the Town's vision for the future of business growth along the I-70 corridor.

RECOMMENDED ACTION OR PROPOSED MOTION:

Motion to approve Resolution 45-2019 MS19-01, a request for a minor subdivision to split Lot C-14 of the Kemp Subdivision with the following conditions:

1. The final plat document will be revised to reflect final technical comments from the Town Engineering and Public Works Departments, Town Attorney, and the Town's 3rd Party Surveyor.
2. Utility, Access, and Turn-around easements created by this plat shall be dedicated to the Town of Eagle, per section 4.13.75 of the Land Use & Development Code.

ATTACHMENTS:

- A. Application Form
- B. Aerial Photo of Site
- C. Draft Final Plat



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

LAND USE & DEVELOPMENT APPLICATION

Pursuant to the Land Use & Development Code, Title 4

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

PROJECT NAME 1353 Chambers

PRESENT ZONE DISTRICT commercial general **PROPOSED ZONE DISTRICT** commercial general
 (if applicable)

LOCATION

STREET ADDRESS 1353 Chambers ave eagle CO 81631

PROPERTY DESCRIPTION

SUBDIVISION Kemp **LOT(S)** _____ **BLOCK** _____
 (attach legal description if not part of a subdivision)

DESCRIPTION OF APPLICATION/PURPOSE resubdivision of Lot C-14

APPLICANT NAME 1353 Chambers LLC **PHONE** 970.390.7730

ADDRESS PO Box 5259 eagle CO 81631 **EMAIL** matthew@mapmgmt.com

OWNER OF RECORD 1353 Chambers LLC **PHONE** 970.390.7730

ADDRESS PO Box 5259 eagle CO 81631 **EMAIL** _____

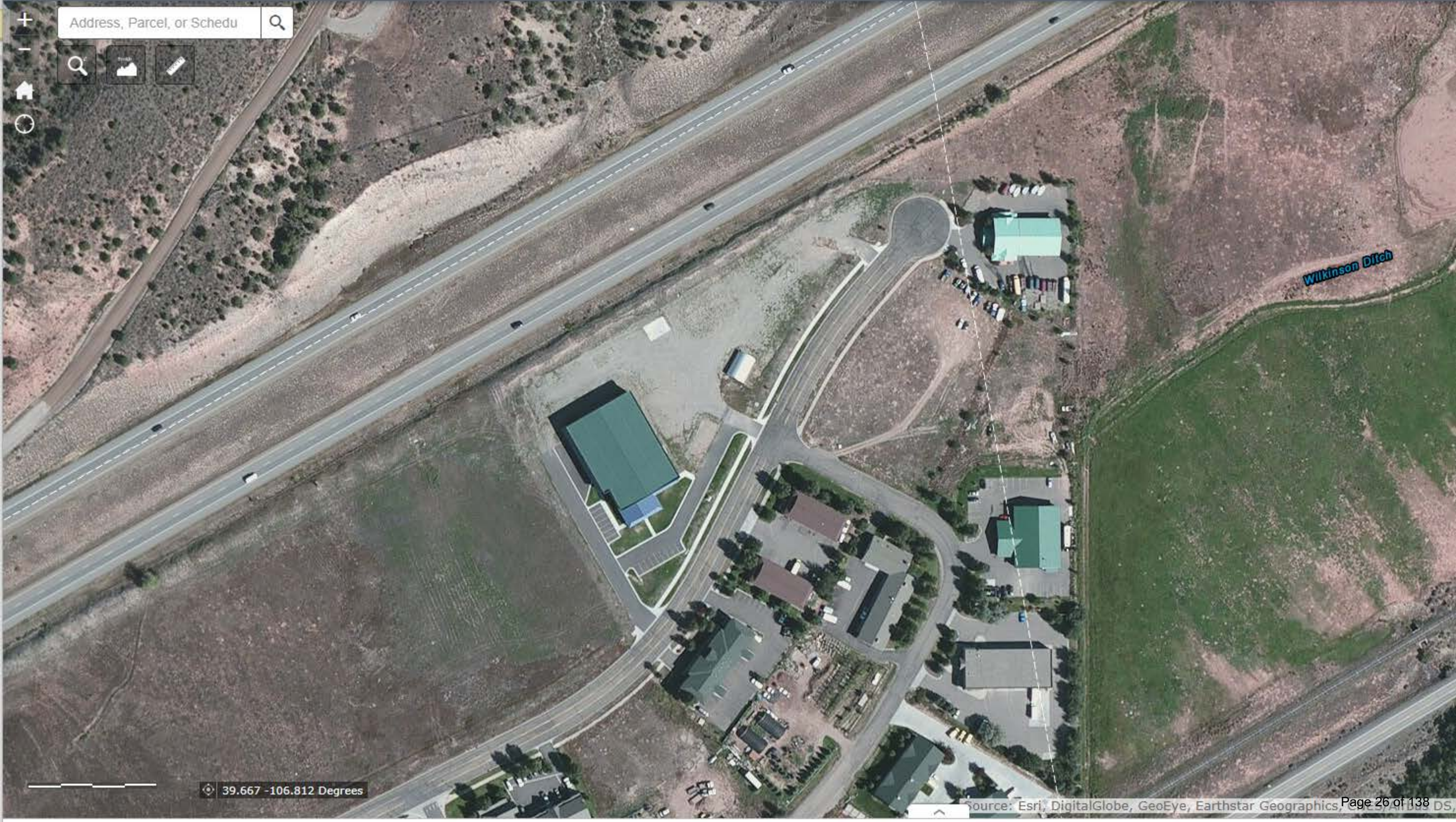
REPRESENTATIVE* Matthew Barney **PHONE** 970.390.7730

ADDRESS PO Box 5259 eagle CO 81631 **EMAIL** matthew@mapmgmt.com

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

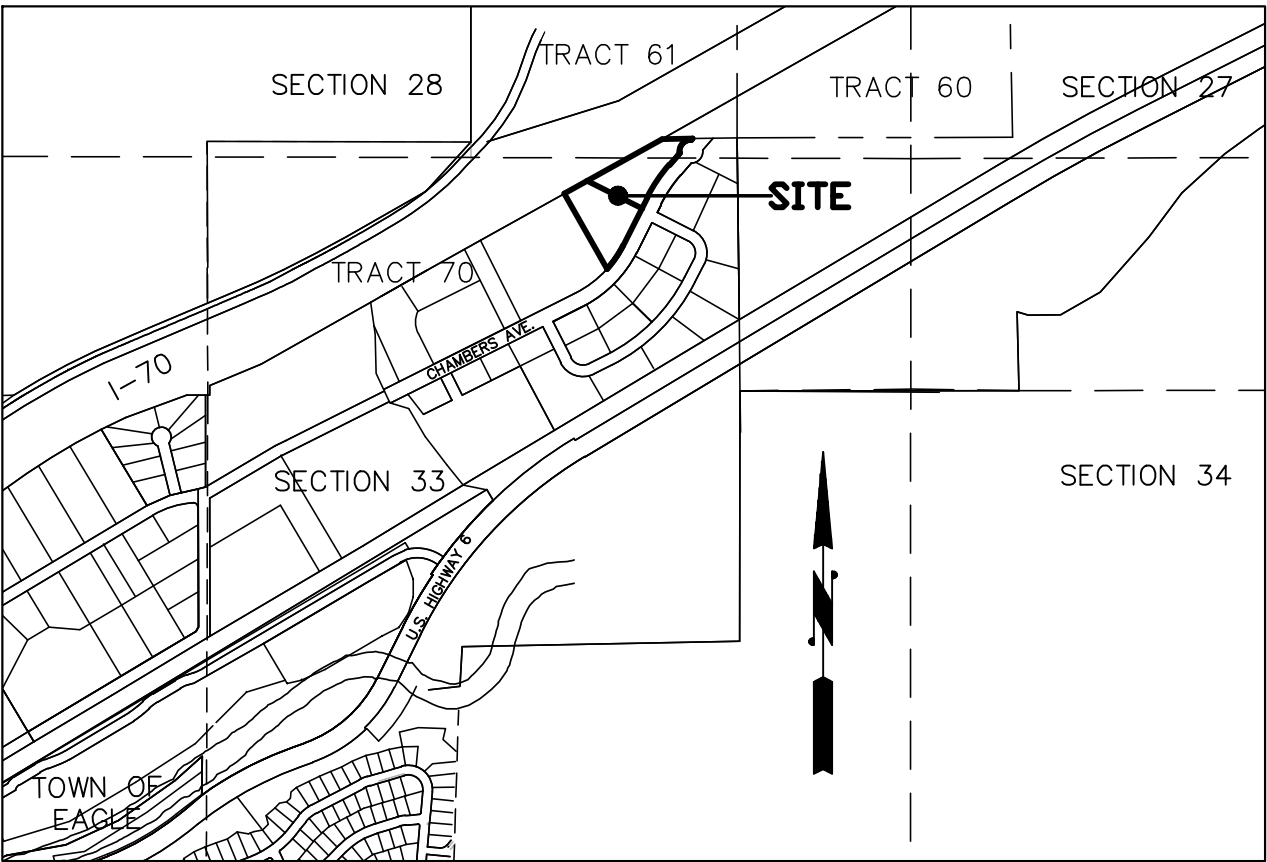


Address, Parcel, or Schedu



39.667 -106.812 Degrees

Amended Final Plat
KEMP SUBDIVISION
A Resubdivision of Lot C-14
Town of Eagle, County of Eagle, State of Colorado



VICINITY MAP SCALE: 1"=1000'

CERTIFICATE OF DEDICATION AND OWNERSHIP

Know all men by these presents that 1353 CHAMBERS LLC, A COLORADO LIMITED LIABILITY COMPANY, being sole owner(s) in fee simple, of all that real property situated in the Town of Eagle, Eagle County, Colorado described as follows: LOT C-14, AMENDED FINAL PLAT, KEMP SUBDIVISION, according to the AMENDED FINAL PLAT recorded FEBRUARY 25, 2011 under Reception No. 201103742, Eagle County, Colorado, containing 4.0288 acres more or less; have by these presents laid out, platted and subdivided the same into lots and blocks as shown on this AMENDED FINAL PLAT under the name and style of AMENDED FINAL PLAT, KEMP SUBDIVISION, A RESUBDIVISION OF LOT C-14, a subdivision in the Town of Eagle, Eagle County; and do hereby accept the responsibility for the completion of required improvements; and do hereby dedicate and set apart all of the public roads and other public improvements and places as shown on the accompanying plat to the use of the public forever; and do hereby dedicate those portions of said real property which are created as easements on the accompanying plat to the public forever as easements for the purposes shown herein, unless otherwise expressly provided thereon; and do hereby grant the right to install and maintain necessary structures to the entity responsible for providing the services for which the easements are established.

EXECUTED this ____day of _____, A.D., 2019 .

Title and Signature:

Owner: 1253 CHAMBER LLC, A COLORADO LIMITED LIABILITY COMPANY

Address: 1305 WILEY RD STE 106
SCHAUMBURG, IL 60173

STATE OF COLORADO)
)SS
COUNTY OF EAGLE)

The foregoing Certificate of Dedication and Ownership was acknowledged before me this ____ day of _____, A.D. 2019, by _____

My Commission expires _____
Witness my hand and official seal.

Notary Public

SUBORDINATION BY LIENHOLDERS

WELLS FARGO BANK, being the holder of a promissory note secured by a Deed of Trust dated FEBRUARY 27, 2018, recorded under Reception No. 201803008, in the Office of the Clerk and Recorder of Eagle County, Colorado, hereby consents to the subdivision of the lands set forth in this Amended Final Plat, and subordinates the lien represented by the aforesaid Deed of Trust to the Dedications, restrictions, covenants and conditions shown on this Amended Final Plat.

By: _____
Lienholder and Title

STATE OF COLORADO)
) SS.
COUNTY OF EAGLE)

The forgoing was acknowledged before me this ____ day of _____, 2019,
by _____ as _____ of _____

Witness my hand and official seal.

My commission expires: _____

Notary Public

TITLE CERTIFICATE

Land Title Guarantee Company does hereby certify that it has examined the Title to all lands shown upon this Plat and that Title to such lands is vested in STEVEN J. BEARD AND ELIZABETH A. BEARD, is free and clear of all liens and encumbrances, except as follows:

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

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., 2019.

Treasurer of Eagle County

PLANNING COMMISSION CERTIFICATE

This Plat approved by the Town of Eagle Planning Commission the ____ day of _____, 2019.

By: _____
Chairman

BOARD OF TRUSTEE CERTIFICATE

This plat approved by the Board of Trustees of the Town of Eagle, Colorado, the ____ day of _____, 2019 for filing with the Clerk and Recorder of Eagle County, and the 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 Board of Trustees of the Town of Eagle. Further, said approval in no way obligates the Town of Eagle for maintenance of public improvements until construction of said improvements has been completed in accordance with the Town of Eagle's specifications and the Town of Eagle has agreed to accept said improvements. This approval does not guarantee that the size, soil conditions, sub-surface geology, ground water conditions, or flooding conditions of any lot shown hereon are such that a building permit, development permit, or any other required permit will be issued. This approval is with the understanding that all expenses involving required improvements for all utility services, paving, grading, landscaping, curbs, gutters, sidewalks, road lighting, road signs, flood protection devices, drainage structures, and all other improvements that may be required shall be the responsibility of the owners designated hereon and not the Town of Eagle, unless otherwise specifically agreed to in writing by the Board of Trustees.

TOWN OF EAGLE, COLORADO

By: _____
Mayor

ATTEST

Town Clerk

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 _____, 2019, and is duly recorded as Reception No. _____.

Clerk and Recorder

By: _____
Deputy

LAND USE SUMMARY

LOT	ADDRESS	ACREAGE	USE
LOT C-14A	1353 CHAMBERS AVE.	2.1102+-	COMMERCIAL
LOT C-14B	1393 CHAMBERS AVE.	1.9186+-	COMMERCIAL
TOTAL		4.0288+-	

PLAT NOTES

1. THE PURPOSE OF THIS AMENDED FINAL PLAT IS TO (i) CREATE TWO (2) LOTS FROM EXISTING LOT C-14, (ii) CREATE A ACCESS, UTILITY AND DRAINAGE EASEMENTS.
2. SURVEY DATE: AUGUST 5, 2019.
3. U.S. SURVEY FEET WAS USED FOR THIS SURVEY.
4. ADDRESS: 1353 CHAMBERS AVENUE (POSTED).
5. THE LEGAL DESCRIPTION SHOWN HEREON WAS BASED ON A TITLE COMMITMENT PROVIDED BY LAND TITLE GUARANTEE COMPANY , ORDER NO. ABC50054602 AN EFFECTIVE DATE OF 9-03-2019, THE AMENDED FINAL PLAT, KEMP SUBDIVISION, REC.NO. 201103742 AND SURVEY MONUMENTS FOUND AT THE TIME OF THE SURVEY.
6. BASIS OF BEARINGS: AN ASSUMED BEARING OF N 60° 23' 33" E, BETWEEN THE NORTHWESTERLY CORNER OF SAID LOT C-14, KEMP SUBDIVISION, REC.NO. 201103742, A FOUND 1 1/2" ALUMINUM CAP, ON 5/8" REBAR, STAMPED PLS #23089 AND THE NORTHEASTERLY CORNER OF SAID LOT C-14, A FOUND 1 1/2" ALUMINUM CAP, ON 5/8" REBAR, STAMPED PLS #20695.
7. THIS PROPERTY IS SUBJECT TO THE ACCESS EASEMENT AGREEMENT RECORDED _____ AT RECEPTION NO. _____ IN THE EAGLE COUNTY CLERK AND RECORDER'S OFFICE, COUNTY OF EAGLE, COLORADO.
8. THIS PROPERTY IS ALSO SUBJECT TO THE FOLLOWING:

RIGHT OF PROPRIETOR OF A VEIN OR LODE TO EXTRACT AND REMOVE HIS ORE THEREFROM SHOULD THE SAME BE FOUND TO PENETRATE OR INTERSECT THE PREMISES AS RESERVED IN UNITED STATES PATENT RECORDED MARCH 22, 1929, IN BOOK 106 AT PAGE 519.

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 AUGUST 08, 1996, IN BOOK 702 AT PAGE 366 AND THIRD NOTICE OF ANNEXATION RECORDED DECEMBER 27, 2000 AT RECEPTION NO. 746978 AND RECORDED JUNE 6, 2001 AT RECEPTION NO. 758897.

EASEMENTS, CONDITIONS, COVENANTS, RESTRICTIONS, RESERVATIONS AND NOTES ON THE PLAT OF EAGLE VALLEY COMMERCIAL PARK, FILING NO. 3 RECORDED DECEMBER 11, 2000 AT RECEPTION NO. 746022.

TERMS, CONDITIONS AND PROVISIONS OF HOLY CROSS ENERGY UNDERGROUND RIGHT OF WAY EASEMENT RECORDED MARCH 15, 2001 AT RECEPTION NO. 751900.

TERMS, CONDITIONS AND PROVISIONS OF TRENCH, CONDUIT AND VAULT AGREEMENT RECORDED NOVEMBER 02, 2007 AT RECEPTION NO. 200729459.

EASEMENTS, CONDITIONS, COVENANTS, RESTRICTIONS, RESERVATIONS AND NOTES ON THE PLAT OF KEMP SUBDIVISION RECORDED OCTOBER 14, 2010 UNDER RECEPTION NO. 201020684.

TERMS, CONDITIONS, PROVISIONS, BURDENS, OBLIGATIONS AND EASEMENTS AS SET FORTH AND GRANTED IN DECLARATION OF ACCESS EASEMENT AGREEMENT RECORDED OCTOBER 14, 2010 UNDER RECEPTION NO. 201020685.

TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN ORDINANCE NO. 1, SERIES 2011 RECORDED FEBRUARY 25, 2011 UNDER RECEPTION NO. 201103743.

TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN ORDINANCE NO. 3, SERIES 2011 RECORDED MARCH 30, 2011 UNDER RECEPTION NO. 201105804.

TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN DEVELOPMENT IMPROVEMENTS AGREEMENT RECORDED MARCH 30, 2011 UNDER RECEPTION NO. 201105805.

EASEMENTS, CONDITIONS, COVENANTS, RESTRICTIONS, RESERVATIONS AND NOTES ON THE PLAT OF AMENDED MAP OF KEMP SUBDIVISION RECORDED FEBRUARY 25, 2011 UNDER RECEPTION NO. 201103742.

DEED OF TRUST DATED FEBRUARY 22, 2018, FROM 1353 CHAMBERS LLC, A COLORADO LIMITED LIABILITY COMPANY TO THE PUBLIC TRUSTEE OF EAGLE COUNTY, COLORADO FOR THE USE OF WELLS FARGO BANK, NATIONAL ASSOCIATION TO SECURE THE SUM OF \$2,500,000.00 RECORDED FEBRUARY 27, 2018, UNDER RECEPTION NO. 201803008.

SURVEYOR'S CERTIFICATE

I, Randall P. Kipp, do hereby certify that I am a Professional Land Surveyor licensed to practice land surveying under the laws of the State of Colorado, that this subdivision plat is a true, correct and complete Plat of the AMENDED FINAL PLAT, KEMP SUBDIVISION, A RESUBDIVISION OF LOT C-14, as laid out, platted, dedicated and shown hereon, that such plat was made from an accurate survey of said property by me and/or under my supervision and accurately shows the location and dimensions of the lots, easements and right of ways of said plat as the same are monumented upon the ground in compliance with applicable regulation governing the subdivision of land, that such plat is based upon the professional land surveyors knowledge, information and belief, that such plat has been prepared in accordance with applicable standards of practice, and that such plat is not a guaranty or warranty, either expressed or implied.

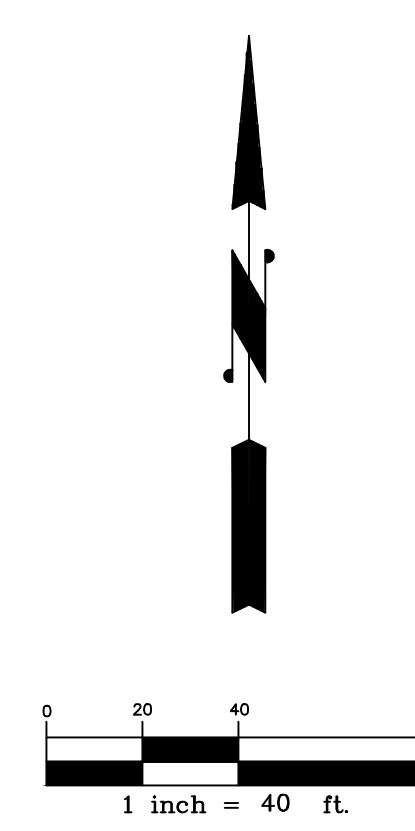
In Witness Whereof, I have set my hand and seal this ____ day of _____, A.D., 2019.

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

Amended Final Plat KEMP SUBDIVISION A RESUBDIVISION OF LOT C-14 Town of Eagle, County of Eagle, State of Colorado		KIPP LAND SURVEYING	
JOB NO.: 19131		RANDY KIPP P.L.S. P.O. Box 3154 Eagle, CO 81631 (970) 390-9540	
SHEET 1 OF 2		DATE: 9-12-19 DWG NAME: 19131-LotC-14-AFP	
		email: randy@kipplandsurveying.com web: kipplandsurveying.com	

NOTICE: According to Colorado law you MUST commence any legal action based upon any defect in this survey within three years after you first discovered such defect. In no event, may any action based upon any defect in this survey be commenced more than ten years from the date of certification shown hereon.

Amended Final Plat
KEMP SUBDIVISION
 A Resubdivision of Lot C-14



- ### LEGEND:
- DENOTES SET SURVEY MONUMENT,
1.5" ALUMINUM CAP ON #5 REBAR
LS #38079
 - DENOTES FOUND SURVEY MONUMENT
1.5" ALUMINUM CAP, ON #5 REBAR
LS #20695
 - DENOTES FOUND SURVEY MONUMENT
1.5" ALUMINUM CAP, ON #5 REBAR
LS #23089
 - DENOTES FOUND SURVEY MONUMENT
1.5" ALUMINUM CAP, ON #5 REBAR
LS #30091

NOTICE: According to Colorado law you MUST commence any legal action based upon any defect in this survey within three years after you first discovered such defect. In no event, may any action based upon any defect in this survey be commenced more than ten years from the date of certification shown hereon.

Amended Final Plat KEMP SUBDIVISION A RESUBDIVISION OF LOT C-14 Town of Eagle, County of Eagle, State of Colorado		<i>KIPP LAND SURVEYING</i> RANDY KIPP P.L.S. P.O. Box 3154 Eagle, CO 81631 (970) 390-9540
JOB NO.: 19131	DATE: 9-12-19	email: randy@kipplandsurveying.com web: kipplandsurveying.com
SHEET 2 OF 2	DWG NAME: 19131-1 of C-14-AFP	



To: Mayor and Board of Trustees

From: Department of Community Development

Date: October 22, 2019

Agenda Item: File # DR19-05, Chambers East Development

REQUEST:

Application for a Major Development Permit for an approximately 24,000 sf commercial warehouse in the Commercial General Zone District.

INTRODUCTION:

The Chambers East development project proposes construction of an approximately 24,000 square foot steel warehouse building on a currently vacant property along the north side of Chambers Avenue. The warehouse building will provide an opportunity for an existing local business, Quietkat, to expand and meet their business needs with additional warehouse/distribution space. In addition, the building will be able to accommodate another one or two existing or new businesses' needs for storage and distribution, in a location which provides convenient access to I-70. The project also includes the addition of new parking and drive access lanes on the northern portion of the adjacent property (under the same ownership), allowing connectivity between the two sites and sharing of three overflow parking spaces.

The proposed project is classified as a major development because it includes the extension of municipal facilities which requires Town Board approval, including the extension of water main 6" or greater and sewer main. The location of, and need for, such extensions are identified later in this report.

ANALYSIS:

CONFORMANCE WITH THE TOWN'S GOALS, POLICIES, AND REGULATIONS

The proposed project supports the vision and goals identified in the Town's various planning and guiding documents as follows:

2010 Eagle Area Community Plan

- Chapter 2: Vision, "Factors of Livability", 9) Diversify and Balance the Economic Base, *"the Town should look for opportunities to diversify its economic base in order to provide the revenues necessary to fund future infrastructure and service needs."*

- Chapter 3: Land Use, 4) Land Use Compatibility, *“the Town and County should strive for an integration of land uses that promotes compatibility while meeting the present and future needs of the community.”*
- Chapter 4: Future Land Use Map
 - a. Future Land Use Map designates the property as Commercial. Land uses within the areas designated for ‘Commercial’ use includes distribution centers/warehousing.
- Chapter 5: Special Character Areas – I-70 Influence Area
 - a. Properties along Chambers Avenue are visible from to travelers on I-70, and strongly influence the appearance and character of the Town at its eastern border. Relevant planning policies and additional guidelines to assure appropriate design, architecture and screening should be applied.
 - b. Require perimeter landscaping, internal landscape islands and/or screening to minimize the visual impacts of large surface parking lots and outdoor equipment storage areas.
 - c. Chapter 11: Economic Development and Sustainability
 - a. Strategy 1.2.A: Support opportunities to expand the number and diversity of businesses in Eagle.
 - b. Strategy 1.2.E: Retain the commercial and warehouse/distribution uses in the Chambers Avenue Area.

Staff believes that this project meets the standards set by the Community Plan. This project falls in line with the intended use, character, and design established by these plans. The development of currently vacant parcels serves the Town’s objective of maximizing economic activity.

Town of Eagle Regulations - Land Use and Development Code

The Development Standards section of the Land Use and Development Code (Chapter 4.07) identifies the general standards to be met for all projects requiring issuance of a Development Permit. In addition, this project falls within the Chambers Avenue Area, which has more specific provisions for development along this corridor (Chapter 4.07.070).

DEVELOPMENT STANDARDS

Lighting (4.07.010)

The lighting plan for the project is currently being developed by the applicant. A lighting plan shall be submitted to planning staff for review and approval with the Town’s lighting standards as detailed in Section 4.07.010. It is anticipated lighting will include wall-packs along the perimeter of the building and potentially a few pole-mounted parking lot light fixtures.

Landscaping (4.07.020 & 4.07.070, 6)

The Landscape Plan submitted by the applicant does not contain sufficient information for staff to complete a full review and ensure compliance with the Town’s standards. As such, a *complete* Landscape Plan shall be submitted to planning staff for review and approval with the Town’s Landscaping Standards as detailed in Section 4.07.020 and 4.07.070, 6.

As proposed, the development *does* meet the overall requirement that a minimum of 20% of the site be covered with landscape materials; 25% of the site is identified as landscaped area. However, the development must also meet the locational and material requirements for landscaping, and address certain area requirements within the site. The applicant should be aware that the following items need to be addressed on the complete Landscape Plan submittal:

- Front Street Buffer: All yards adjacent to primary and secondary streets shall be landscaped. On lots larger than ½ acre, a landscaped buffer shall abut the entire length of the front property line except for driveway accesses. Width of the buffer shall be 5% of the average of the two side property lines, but not less than 15’.
- Boundary Buffer: buffer potentially incompatible land uses. Must be applied on the northeast property boundary (adjacent property owned by Trinity Red Development, LLC).
- Parking Area Landscaping: when there are 10 or more parking spaces, landscape islands or peninsulas shall be used, and must be curbed. They shall constitute at least 10% of the total parking area.
- Deciduous shade trees shall be spaced a minimum of 30’ on center and 3” caliper minimum; Coniferous trees shall be spaced 20’ on center and be a min of 6’ in height; Ornamental trees shall be spaced 15’ on center and 2” caliper; and Aspen trees may be grouped at less than 15’.
- All plant beds shall be mulched.
- The plan needs to state that “an underground sprinkler system providing full coverage will be provided”.

Chambers Avenue Commercial Zone Area Standard

- Buildings that abut I-70 shall have a minimum 15-foot landscape buffer paralleling the property line shared with the interstate r-o-w. One tree is required every 25 linear feet of property line. A minimum of 1/3 of all required trees shall be evergreen, placed 20’ on center minimum, 30’ on center maximum, in groups of 3 or 5. Shrub massing shall be used in conjunction within tree plantings. Shrubs are to have a minimum mature height of 8’.

Erosion & Sediment Control (4.07.030)

An erosion control plan was provided and has been reviewed and determined to be designed in conformance with the Town’s requirements.

General Architectural Standards (4.07.040)

The proposed building provides for an attractive design that offers variety of articulation in architectural features, color scheme, and general design for a light industrial-use building. Staff believes the architectural style and materials proposed compliment other architectural styles and materials of buildings in the surrounding area and as desired per the intent of the land use and development code.

- The maximum building height allowed is 35’ to any point on the building; Building as proposed has a height of 31’ 4-3/4”, and therefore *this standard is met*.
- The front façade of buildings shall orient towards the street; the front building façade containing the primary entryway shall parallel the street. *This standard is met*.
- All mechanical equipment (either on roofs or at ground level), service areas, storage areas, loading docks and trash receptacles shall be screened from public view. The location of mechanical equipment is not identified on the plans provided. The Applicant shall identify the location of the mechanical equipment on the plans and indicate the method of screening for review and

approval. The trash receptacles are shown to be screened from public view, however details of the trash enclosures shall be submitted to staff for review and approval.

Chambers Avenue Commercial Zone Area Standards (4.07.070)

- *Building Mass/Form/Orientation:* This section recommends that the character of the architecture be that of rural mountain communities with the building having a central form that is simple and rectangular, and roofs similar to those of traditional ranch buildings, such as gable/shed forms. *This standard is met.*
- *Architectural Detail:* Facades facing the public r-o-w, including I-70, shall include variation in the wall plane; Facades greater than 100' in length shall include spatial definition in the form of wall projections and/or recesses which must have a depth of at least 3% of the length of the façade; Projections/recesses must occupy at least 20% of the length of the façade; Group items such as windows to create interesting composition; Façade projections, recesses, windows and entrances should be integral parts of the building; Provide variation in roof line and form. *These standards are met.*
- *Loading Docks and Service Areas:* Loading docks and service areas must be located to the sides and/or rear of the building, unless the building abuts I-70. If the parcel abuts I-70, all service/loading areas must be located to the sides of the building and must be screened. *This standard is not met and requires a design variance.* The proposed building does provide for loading docks along the east and west sides, and does not include any service/loading areas facing the I-70 corridor, however there are seven service doors/garage doors along the front of the building facing Chambers Avenue. Staff supports a design variance to allow for the service doors along the front of the building as the zoning district permits warehousing/distribution as a permitted use, and the ability of the site to accommodate this use is very limited if service doors are not also allowed facing the Chambers Avenue street frontage given the unique triangular shape of the site which limits the site design options.
- *Building Materials:* Segmented, horizontal siding as traditionally seen on wood and wood-clad ranch buildings is appropriate. Material to be used: wood, vinyl or aluminum; max overlap is 8". Modular panel materials, such as ribbed sheet metal, are not allowed. *This standard is not met and requires a design variance.* The proposed building is to be a steel building, consisting of modular steel/metal and stucco wall panels. Staff supports a design variance for the building materials proposed for the building. The primary reason for this is because the Town's Land Use and Development Code is outdated and doesn't account for the advances in exterior building materials, especially the architectural features and quality of metal/steel building products. Such materials have advanced much beyond that of standard 'metal pole buildings' of the past and are now used in diverse building applications, and can be very architecturally pleasing.
- Pitched roofs shall be wood or asphalt shingles, or standing rib seam sheet metal-matte finish. *This standard is met.*

Parking and Access (4.07.140)

Access to the property is provided via one new drive access on the eastern portion of the site, one existing driveway that currently serves the existing Carpenter's building which is located between the two lots and will be shared, and another existing access drive that serves the existing Carpenters building, located on the southwest side of the Carpenter's Building lot. These three driveways will be shared among the two properties. In addition, a few parking spaces (3) will also be shared. While the properties are currently under the same ownership, there will be two distinct lots that could be conveyed separately. As such, the applicant will need to record an easement to allow access and parking on and across the two subject lots.

This can be achieved by depicting/describing the easement on the subdivision plat, or via a separate recorded document.

The new driveway is proposed to be approximately 38' in width, while the ordinance allows a maximum of 35', however this requirement can be exceeded if specifically approved by Plan Commission during the development review. Staff supports the minor design variance to better accommodate truck movements for entrance/exit to the site. In addition, it is unclear if this requirement is intended to be in the land use code or not, as the requirement is listed within an unrelated area of the code that addresses groundcover landscaping in the front street buffer.

The applicant shall provide a turning radius analysis for vehicles entering/exiting the northeastern-most driveway, and to ensure adequate room exists to accommodate the larger trucks/trailers that will be utilizing the driveway and needing to access the loading area on the east side of the building. Staff is concerned there may not be adequate room for trucks to back into the loading area without needing to use a portion of the Chambers Avenue right-of-way, which is not permitted.

With regards to parking, the current land use code requires 1 parking space per 1,000 square feet of warehouse floor area and 1 space per 300 square feet of floor area used for office space. As drive access/parking is being expanded onto the adjacent Carpenter's Building lot, both properties were considered as part of the parking review.

- A total of 24 parking spaces are required for the Chambers East building. PROVIDED: 28 spaces. There are twelve additional parking spaces identified in front of the building, however these spaces would block access to the service/garage doors, and therefore are not considered in the required count. In addition, the location of the accessible parking stall should be modified so as to not be in front of a service door.
- A total of 52 parking spaces are required for the Carpenter's Building (12 warehouse, 40 office/admin). PROVIDED: 24 existing + 39 new = 63 spaces.
- Three additional parking stalls are provided in the parking area north of the Carpenter's Building which are to be shared between the two sites; these spaces are overflow and are not required to meet the parking standards for either property.

Fire Protection (4.07.150)

The proposed development shall comply with the provisions of the current fire code adopted by the Greater Eagle Fire Protection District. The development plans were provided to the Greater Eagle Fire Protection District for review and approval. The building will be sprinklered per building code requirements.

Utilities, Grading, and Drainage

The property will be serviced with town water and sewer lines. The project includes the extension of an 8" DIP water main and an 8" PVC sanitary sewer main that will be installed along the west side of the property, between Lots C-13 and C-14A. The engineering and public works team has reviewed and approved the utility plans for this project. The extension of these mains is why the project has to be reviewed as a major development permit, as Town Board approval is required for said extensions.

Public Works and Engineering has met with the applicant to address grading and drainage considerations on the site, and is satisfied with the current plans.

Design Variance (4.07.160)

Design variances may be granted from the strict application of the code if a finding is made that there exists on the property in question exceptional topographical, soil, or other sub-surface condition, or other extraordinary conditions peculiar to the site, existing buildings, or lot configuration, such that strict application of the regulation from which the variance is requested would result in peculiar and exceptional practical difficulties to or exceptional and undue hardship upon the applicant; or that the public good would be better served by granting the variance.

Any design variance request shall be made and reviewed concurrently with the development plan and, if granted, shall be described and acknowledged in the development permit.

Staff recommends approval of the following design variances:

1. Allowance of seven service doors/garage doors along the front of the building (loading docks and service areas must be located to the side and/or rear of the building; if parcel abuts I-70 all services and loading areas must be located to the sides which do not face the primary street or I-70).
2. Allowance of modular steel and stucco wall panels as building materials (modular panel materials, such as ribbed sheet metal, are not allowed).
3. Allowance of a 38' wide driveway opening (max 35' allowed).

COMMUNITY INPUT:

10/17 Planning & Zoning Commission Hearing

The Planning & Zoning Commission heard file DR19-05 at their hearing on October 17, 2019. During this hearing staff presented the application request and standards of approval for a special-use permit. The Commission then entered into public comment (hearing none) and deliberation. Among the items discussed:

- Parking: April confirmed and identified the parking spaces provided and indicated that they have provided more parking than required by code.
- Site distances and truck turning radius: it was discussed that the applicant will need to provide the Town with the truck turning radius calculations for the site for staff to review for compliance.
- Commission inquired into the necessity of the service doors as they require a design variance versus just incorporating store fronts. The applicant indicated that could pose problems for the tenants. Staff is not including the parking spaces located in front of the service doors regardless of whether or not they are striped, the applicant still has enough parking, they will be required to move the accessible parking spaces as they cannot be located in front of a service door.

The public hearings were publicly noticed in accordance with the applicable public notification requirement of the Eagle Land Use and Development Code. No public comment has been received.

BUDGET / STAFF IMPACT:

Budget and staff impact are not applicable.

STRATEGIC PLAN ALIGNMENT/STANDARDS ACHIEVED:

This proposal aligns with the following values and objectives:

Business Value: Economic Development

Major Objective No. 5: Stimulate Economic Vitality, Development.

The proposed major development addresses the above objective by developing new warehouse/storage space which supports business development and/or expansion, job creation and contributes attaining the Town's vision for the future of business growth along the I-70 corridor.

RECOMMENDED ACTION OR PROPOSED MOTION:

Motion to approve Resolution 45-2019 DR19-05, a request for a major development permit with the following conditions:

1. The final plat document will be revised to reflect final technical comments from the Town Engineering and Public Works Departments, Town Attorney, and the Town's 3rd Party Surveyor.
2. Utility, Access, and Turn-around easements created by this plat shall be dedicated to the Town of Eagle, per section 4.13.75 of the Land Use & Development Code.
3. A lighting plan shall be submitted to planning staff for review and approval with the Town's lighting standards as detailed in Section 4.07.010, prior to execution of the Development Agreement.
4. A *complete* Landscape Plan shall be submitted to planning staff for review and approval with the Town's Landscaping Standards as detailed in Section 4.07.020 and 4.07.070, 6, prior to execution of the Development Agreement.
5. Trees are not allowed to be located within the utility easement locations, however shrubs are permitted.
6. Identify the location of the mechanical equipment on the plans and indicate the method of screening prior to execution of the Development Agreement.
7. Provide details of the trash enclosures to staff for review and approval prior to execution of the Development Agreement.
8. Record an easement to allow access and parking on and across the two subject lots. This can be achieved by depicting/describing the easement on the subdivision plat, or via a separate recorded document.
9. Submit a turning radius analysis to ensure adequate maneuverability through the northeastern—most driveway and to access the loading area on the east side of the building.
10. Relocate the accessible parking spaces so as to not be located in front of a service door.

ATTACHMENTS:

- A. Application Form and Project Narrative
- B. Civil Plans
- C. Development Plan Set
- D. Concept Plans
- E. Water Demand Study



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

LAND USE & DEVELOPMENT APPLICATION

Pursuant to the Land Use & Development Code, Title 4

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

PROJECT NAME Chambers East

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

LOCATION

STREET ADDRESS 1353 Chambers Avenue Eagle, CO 81631

PROPERTY DESCRIPTION

SUBDIVISION Kemp **LOT(S)** _____ **BLOCK** _____
(attach legal description if not part of a subdivision)

DESCRIPTION OF APPLICATION/PURPOSE Single commercial warehouse at 24, 202 sq ft

APPLICANT NAME Aspect Development LLC **PHONE** 970.390.7730

ADDRESS PO Box 5259 Eagle, CO 81631 **EMAIL** matthew@mmpmngmt.com

OWNER OF RECORD 1353 Chambers Ave LLC **PHONE** 970.390.7730

ADDRESS PO Box 5259 Eagle, CO 81631 **EMAIL** _____

REPRESENTATIVE* Matthew Barry **PHONE** 970.390.7730

ADDRESS PO Box 5259 Eagle, CO 81631 **EMAIL** _____

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

APPLICATION SUBMITTAL ITEMS:

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

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

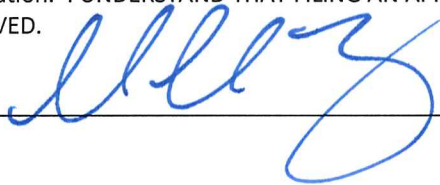
FEES AND DEPOSITS:

See Eagle Municipal Code Section 4.03.080

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

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

Signature



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 _____	

Aspect Development, LLC

1115 Chambers Avenue Unit A102
PO Box 5259 Eagle, CO 81631

September 19, 2019

Project:

Chambers East
1353 Chambers Avenue
Eagle, CO 81631

General Contractor:

Aspect Development LLC
1115 Chambers Avenue #A102
PO Box 5259
Eagle, CO 81631

Owner:

1353 Chambers Ave LLC
PO Box 5259
Eagle, CO 81631

Project Narrative for Minor Development Permit for Chambers East

The proposed Project is located at 1353 Chambers Avenue, Lot C14. The Lot is currently vacate. This proposed Project is a use by right, compliance with existing zoning. The Project includes the future construction of a steel structure storage facility (24,202 sqft) and surrounding hardscape parking. The Project site will include an installation of an 8" water main and 8" sewer main. The Project building pad, parking and hardscaped areas will be graded to subgrade. The service Utility Plan is low at use. There will be adequate parking between the existing building with the new proposed Project uses, management will enforce parking for both sites.

CHAMBERS EAST BUILDING DEVELOPMENT PERMIT

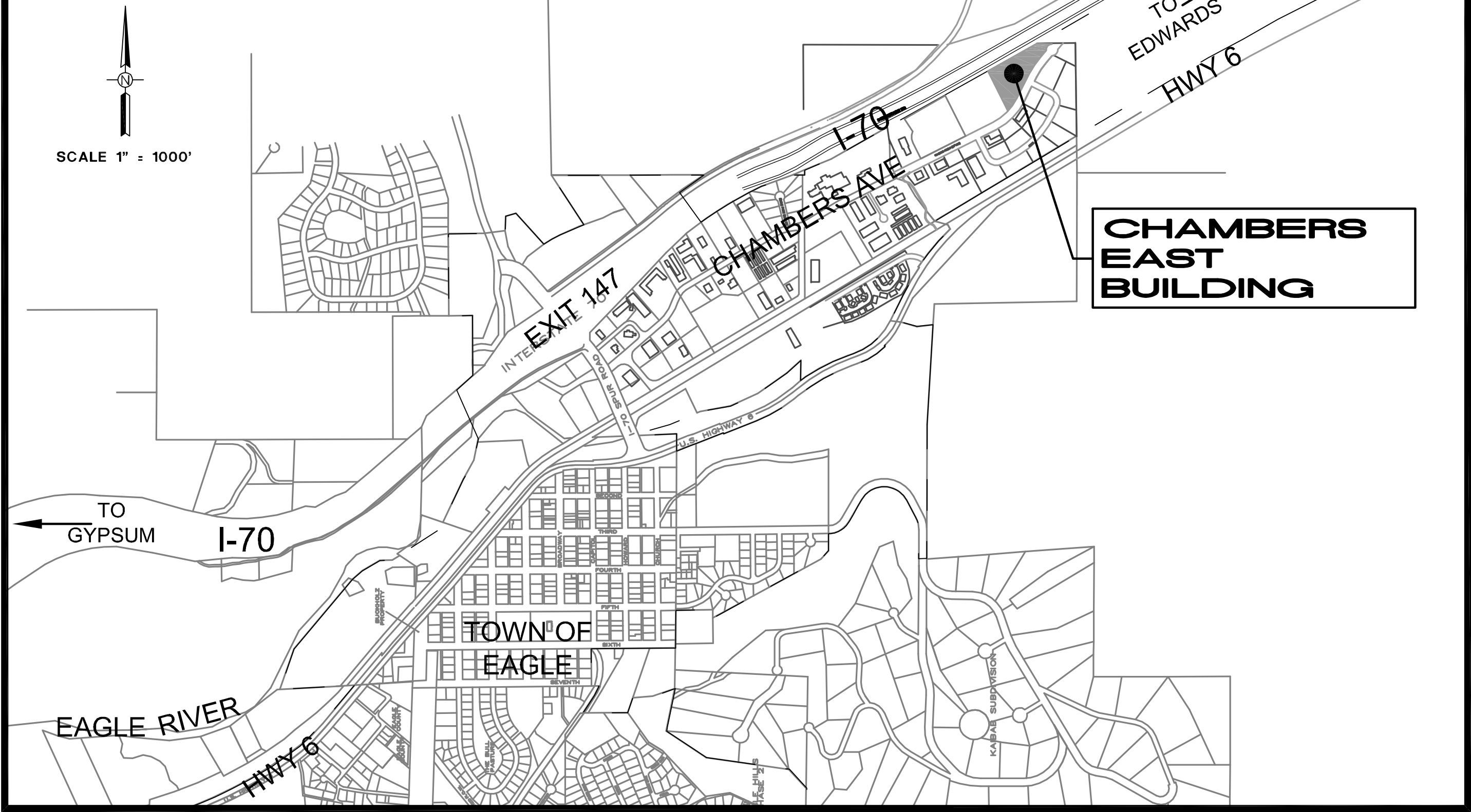
GENERAL NOTES

- The Contractor shall notify Alpine Engineering, Inc., Owner and Town of Eagle Engineering Dept. at least 48 hours prior to any construction. The Contractor shall coordinate all work with Alpine Engineering, Inc. and Owner.
- Alpine Engineering, Inc., assumes no responsibility for utility locations. It is the Contractor's responsibility to field verify the location of all utilities prior to commencement of any construction.
- The Contractor shall conform to all Town of Eagle rules, regulations and stipulations while accessing through or working in the Town.
- The Contractor shall take all appropriate precautions to significantly reduce any potential pollution caused by his activities, including vehicle fueling, storage of fertilizers or chemicals, etc. The Contractor shall have identified procedures for handling potential pollutants and have identified spill prevention and response procedures prior to any activities at the project site.
- The Contractor shall keep 2 sets of contract drawings marked up to fully indicate asbuilt conditions. The drawings shall be provided to the Owner and Alpine Engineering, Inc. upon completion of this work. Contractor is to provide at least three ties from physical monuments to all fittings, valves, hydrants, curb stops, air vac valves, prv's, manholes, and services. The Town regulations require a description of all materials and appurtenances to be included in the asbuilts.
- The Contractor shall maintain traffic at all times to the satisfaction of the Owner and the Town of Eagle. The Contractor shall minimize traffic disruptions and provide adequate safety precautions to ensure public safety.
- Safety is the responsibility of the Contractor. The Engineer is not responsible for safety in, on, or about the project site, nor for compliance by the appropriate party with any regulations relating hereto.
- It is the Contractor's responsibility to obtain (and conform to) all proper construction permits including a road cut permit for work within the public right of way.
- The Owner will designate staging areas.
- The Contractor shall minimize all off site tracking. All soil tracked off site shall be immediately cleaned up to the satisfaction of The Town of Eagle and The Owner.
- If any groundwater is encountered the Contractor shall contact Owner, Alpine Engineering, Inc., and the Project Geotechnical Engineer immediately.
- The Contractor shall protect and preserve all trees, bushes, shrubs, and ground cover in a manner acceptable to The Owner.
- Observations of the work in progress and on-site visits are not to be construed as a guarantee or warranty by the Engineer of the Contractor's contractual responsibilities.
- All materials and workmanship shall be subject to inspection by the Town and/or their representatives, and Alpine Engineering, Inc. The Town reserves the right to accept or reject any such materials and workmanship that do not conform to the approved drawings and/or district standards or specifications.
- All construction shall conform to town standards and specifications and be subject to construction observation by their representatives. Copies of town standards must be obtained by the Contractor. Contractor shall have one (1) copy of the plans and one (1) copy of the appropriate specifications on the job site at all times.
- Street closures shall be kept to a minimum length of time. There shall be no material storage on Town Streets or property.
- It is the Contractor's responsibility to prepare and submit a Traffic Control Plan, as a requirement of the Town of Eagle's Road Cut Permit, and submit to the Town's Engineer prior to construction. The plan shall show existing and proposed traffic signs, existing and proposed crosswalk striping, construction limits, fencing and access, and vehicle tracking control measures.
- Contractor shall conform to all recommendations in the subsoil study prepared by HP Geotech (Report forthcoming).
- Topographic information was provided by Kipp Land Surveying July 2019.

UTILITY NOTES

- The Contractor is warned that conflicts with existing utility services may exist. Prior to beginning any construction, the Contractor shall contact all appropriate utility companies for line locations. The Contractor shall then locate all utilities (including depth). Any conflicts with the proposed construction shall be brought to the attention of the Engineer so that line or grade changes can be made to eliminate any conflicts with these existing utilities. All existing utilities shall be protected from damage by the Contractor. Damaged utilities shall be repaired by the Contractor at no expense to the Owner.
- All construction activities and excavating for utility trenches shall meet OSHA requirements.
- All Water System and Sanitary Sewer System construction shall conform to Town of Eagle Public Works Manual Construction Specifications and Design Criteria.
- The Contractor shall attend a mandatory preconstruction meeting with the Town of Eagle Engineering Dept. and Alpine Engineering, Inc., prior to the start of construction.
- PHONE\CATV: All phone and cable TV conduits, pedestals and appurtenances shall be installed in accordance with Century Link's design specifications and shall be reviewed and accepted by CenturyLink.
- If Water Mains cross within 18" (vertical) of sewer services, or if water mains are beneath sewer services, the contractor shall use C900 pipe for the sewer services, and the water and pipe sticks shall be centered on each other.

VICINITY MAP



GRADING AND DRAINAGE NOTES

- All work performed for this project including storm drains and culverts shall be constructed in accordance with the Town of Eagle standards and the project Technical Specifications.
- All drain pipes shall be installed with the required bedding.
- Elevations shown are at pipe invert unless otherwise shown.
- All standard storm drain structures are subject to modification by the Engineer to meet field requirements.
- Where any part of the storm drain system is located in a fill section, provide fill material compacted to 95% AASHTO T99 density from the original undisturbed ground up to structure bottom slabs and pipe bedding.
- Inlet boxes to be oversized to accommodate pipe size where necessary. Provide traffic load rated inlet box and top slab to accommodate grate and frame for oversized boxes.
- All Reinforced Concrete Pipe Joints (RCP) shall utilize Type R-4 Rubber Gasket Joints which shall be in accordance with AASHTO M198 and ASTM C443 (standard specifications for joints for circular concrete pipe using rubber gaskets).
- Pipe lengths indicated are slope lengths measured along the centerline of pipe from inside face of box to inside face of box.
- Curb and Gutters shall be installed in such a manner as to insure positive drainage in all areas, as shown.
- Direct downspout drainage away from building foundation or to storm per Geotechnical Engineer.
- Ditch revegetation and ditch protective linings will require field adjustment during construction to account for varying soil conditions. Revegetation and linings will be evaluated after ditches are constructed.
- Grading adjacent to buildings shall be at a slope away from the building of 6" in 10' per the geotechnical report.
- The Contractor shall maintain existing drainage channels, culverts, and appurtenances during construction as necessary to protect roads and property.
- The Contractor shall remove all topsoil and man placed fill prior to commencement of construction.
- The ground surface surrounding the exterior of buildings shall be graded to slope away from the foundations in all directions.
- Proof roll all hardscape areas prior to installing basecourse and pavement, per Geotechnical Report.

SHEET INDEX

COVER & NOTES	C1.0
EXISTING CONDITIONS	C1.1
SITE PLAN	C1.2
GRADING PLAN	C2.0
EARTHWORKS PLAN	C2.1
STORM DRAINAGE PLAN	C3.0-C3.1
UTILITY PLAN & PROFILES	C4.0-C4.1
SHALLOW UTILITY PLAN	C5.0
EROSION CONTROL PLAN	C6.0
DETAILS	C7.0-C7.2

PROJECT CONTACTS

OWNER: MORNINGSTAR MOUNTAIN PROPERTY, LLC	MATTHEW BARRY	(970) 390-7730
ARCHITECT, SIG BJORNSON DESIGN ARCHITECTS	SIG BJORNSON	(970) 328-1158
TOWN OF EAGLE, ENGINEERING	FRED TOBIAS	(970) 328-6544
TOWN OF EAGLE, PUBLIC WORKS	BRYON MCGINNIS	(970) 328-6678
BLACK HILLS ENERGY (GAS)	JASON COX	(970) 390-2432
HOLY CROSS ENERGY (ELECTRIC)	KEITH HERNANDEZ	(970) 947-5439
CENTURY LINK (PHONE\CATV)	JASON SHARPE	(970) 328-8288
CIVIL ENGINEER, ALPINE ENGINEERING INC.	MATT WADEY	(970) 926-3373
LAND SURVEYOR, KIPP LAND SURVEYING	RANDY KIPP	(970) 390-9540

HOLY CROSS ENERGY CONSTRUCTION SPECIFICATIONS

I. TRENCH AND CONDUIT

- The developer or contractor will contact Holy Cross Energy before conduit and vault installation begins to schedule a pre-construction meeting with the project inspector.
- Changes in power facility construction from that shown on the project plans will not be made without advance approval from the Holy Cross Energy inspector.
- Holy Cross Energy material shall not be moved from the project to which it was assigned without the advance approval of the inspector and the completion of necessary paperwork. Holy Cross Energy material shall not be installed for any use other than construction of power facilities.
- All roads will be built to subgrade and all drainages will be constructed to grade before any vaults or conduits are installed.
- All trench will be excavated deep enough to ensure that the top of installed power facilities will be 48" below final grade. Special care must be taken to insure that the top of conduits will be 48" below the bottom of drainage ditches and all other low areas.
- Trench will be as straight as possible between vaults and shall have a smooth bottom free from low and high spots. Six inches of road base will be placed the entire length of the trench and well compacted prior to conduit installation. When placed in the trench, the conduit shall be in continuous contact with the compacted road base with no hold down weight added. Twelve inches of road base, as measured from the top of the conduit, will be placed on the conduit and well compacted prior to returning any native backfill to the trench. Large rocks shall not be placed directly on the road base layer. Care must be taken to avoid conduit damage during backfill and compaction; conduits found to be unusable at the time of power cable installation will be repaired by the developer or contractor before power can be made available.
- Power facilities to be placed parallel to deeper utilities will have a horizontal separation from the deeper utility greater than the depth of such utility below final grade less four feet (see attached drawing). When crossing a deeper utility is unavoidable, the crossing will be made as close to perpendicular as possible.
- Power line conduits will be installed with a minimum separation of 12" from all other new or existing underground utility lines. Wherever possible, this separation will be horizontal. The power line separation from plastic gas lines will be greater than this minimum wherever practicable. Power line conduits will be located deeper in the trench than the facilities of all other utilities unless the inspector grants a waiver prior to the start of construction.
- Backfill and compaction above the road base layer will be as required by the governmental entity or other party having jurisdiction.
- Conduit bell ends will not be allowed in the vaults. Holy Cross Energy will supply factory couplers, 90°, 45°, and 22 1/2° elbows as needed for job. Non-factory bends and heated bends will not be allowed. No more than two 90° elbows will be allowed in a conduit run of 500 feet. The conduit shall run straight between factory bends. Allowed bends must be further than 5' from a vault. Factory elbows supplied must be used intact; they cannot be cut to make a lesser bend. Bells will not be cut off conduit sticks to use as couplers. Holy Cross Energy elbows and pipe will be used only for the power facility installation.
- The conduit will not be backfilled without the Holy Cross Energy inspector seeing all joints unless the inspector gives prior permission. All joints shall be completely sealed to the line marked on the male end of the conduit after sufficient glue is applied to both conduits being jointed, even in areas where the trench cannot be excavated completely straight. Glue in the joint shall be allowed to completely dry prior to any stress being applied to the conduit on either side of the joint. Trench backfilled without the inspector viewing each joint or giving prior permission to cover the conduit will be re-excavated to expose the conduit, or the contractor will put a camera through each conduit in the span which was prematurely backfilled to verify the joint seating and conduit condition. The camera verification will be witnessed by the Holy Cross Energy inspector.
- Individual conduits shall enter each vault at a consistent location. There is to be no crossing of conduits in the trench.
- Both ends of a conduit run shall be securely plugged at the time of installation with Holy Cross Energy supplied material. Conduit ending outside a vault shall be marked with a 4" x 4" post or other approved method.
- Red trench marking tape will be supplied by Holy Cross Energy and shall be installed 18" to 24" above the conduit during backfill.
- At completion of the job, the inspector will do a final inspection. If the job does not meet with Holy Cross Energy's specifications or the approval of inspector, service will not be provided until specifications are met.

II. VAULTS

- Vaults shall be installed as follows:
 - Splice vaults shall be installed with the manhole lid grade being slightly above final grade of the surrounding area, except when the vault is in a roadway, the manhole lid grade shall match the grade of the finished roadway surface.
 - Splice vaults located in roads or other sloped areas will be installed so that the concrete base and lid are at the slope of the surrounding area. Vaults placed in roads will not be located in areas normally traversed by vehicle wheels. The inspector must approve all vaults installed at a slope.
 - Transformer vaults and switchgear vaults will be installed with the bottom of the lid at final grade. The lid will be level.
 - Where transformer and switchgear vaults are set into hillsides or sloped cuts, the downhill side of the vault will be graded according to C above. The slope behind the vault will be laid back sufficiently to prohibit soil or rocks from sloughing onto the vault. If the slope cannot be laid back far enough, a retaining wall shall be constructed behind the vault at the direction of the inspector.
 - All vault pads will be placed on the vaults at the time of vault installation to protect the public and wildlife, unless otherwise instructed by the inspector. The holes through transformer and switchgear pads will be covered at the time of vault installation with concrete pieces supplied by Holy Cross Energy, unless otherwise instructed by the inspector.
 - Large vault pieces shall be jointed with a tar type sealant provided by Holy Cross Energy, with the exception of the vault lid, at the direction of the inspector.
- Holes knocked in vaults for conduit installation shall be as small as possible and shall be grouted closed on the outside of the vault prior to backfill.
- Conduit shall enter vaults perpendicular to the vault wall, at least 2" from any adjacent walls and at least 2" above the vault base. There shall be a minimum separation of 1" between conduits. See vault drawings.
- Conduit will extend 4" into the vault (measured from the inside wall of the vault) after backfilling is complete.
- Ground rods in vaults for underground cable installation shall be laid in the trench with the conduits. The end of the rod shall extend approximately 6" into the vault through the conduit knockout. The rod will have a 45° bend located approximately 3" from the vault end, with the bend going away from the conduits. The bend end of the rod must be far enough from the vault wall to allow crimping the grounding conductor onto the rod. The rod must be at least 2" from the conduit at its entrance into the vault. See vault drawings.
- After the vault has been set, pipes extended in and grouted and the ground rod is in place, vaults shall be swept out removing all dirt or rocks. Cleanup shall be completed to the satisfaction of the inspector prior to cable installation being scheduled.
- Pedestals for other utilities shall not be located closer than 10' to a vault on sides where transformers or switchgear will have access doors. Pedestals shall not be located closer than 5' to a vault on sides where the pad-mounted equipment will not have access doors.

CHAMBERS EAST BUILDING
1353 CHAMBERS AVE
EAGLE COLORADO
COVER & NOTES

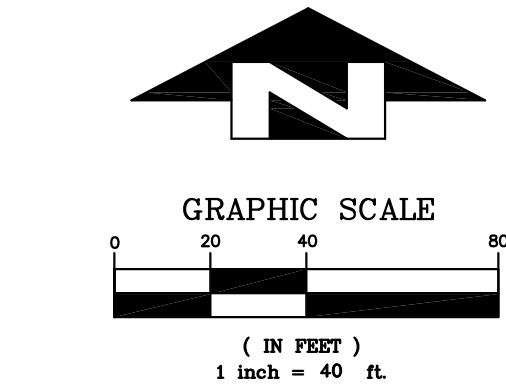
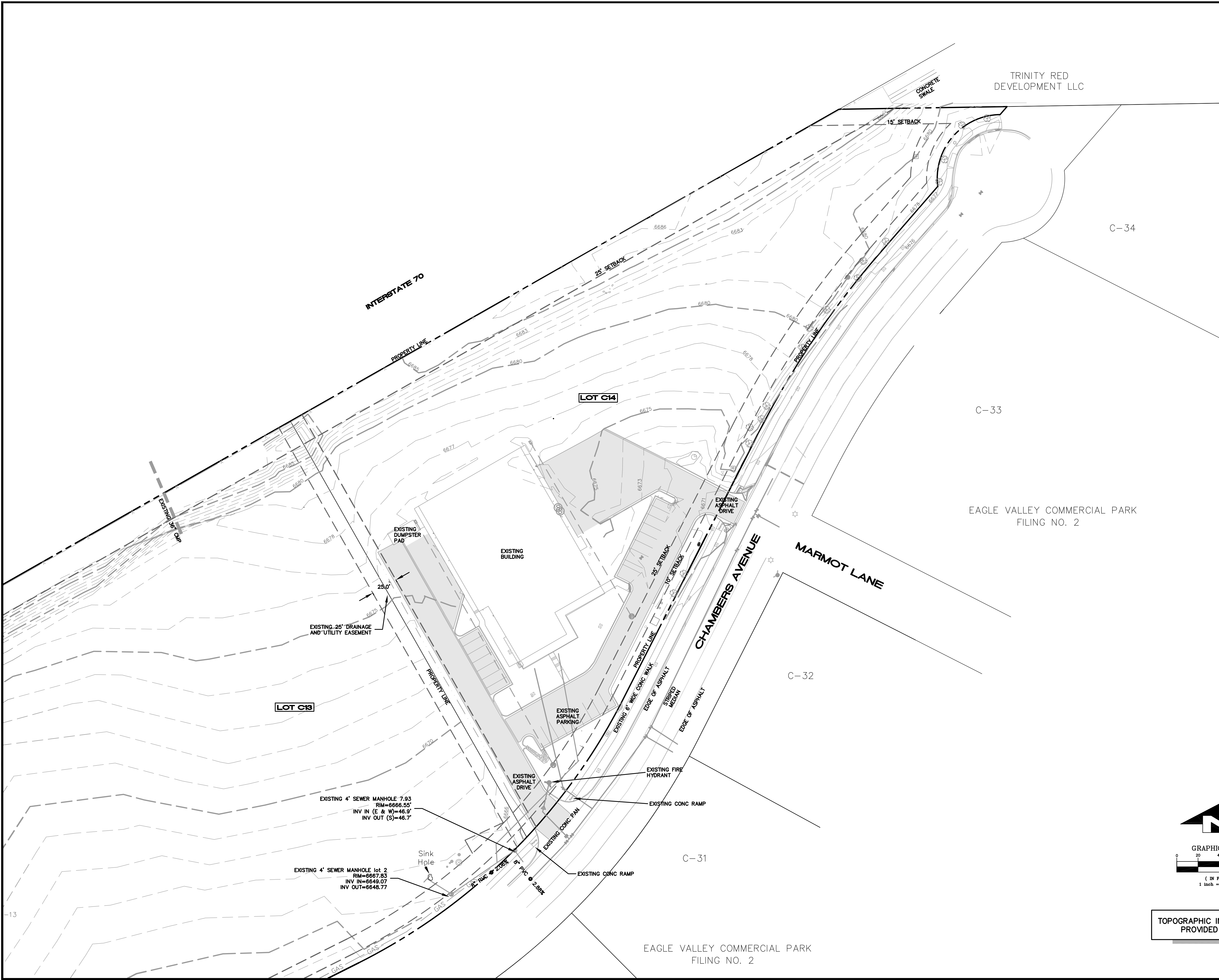
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	09/17/2019	DEVELOPMENT PERMIT	MCW
DESIGNED	MCW	DRAWN	MCW
CHECKED	MCW	XXX	NO.
DATE	07/29/2019		

SHEET
C1.0



ALPINE
ENGINEERING INC.
34310 HWY 6 UNIT A9 IPO BOX 97
EDWARDS CO 81632 970.926.3373
WWW.ALPINECIVIL.COM

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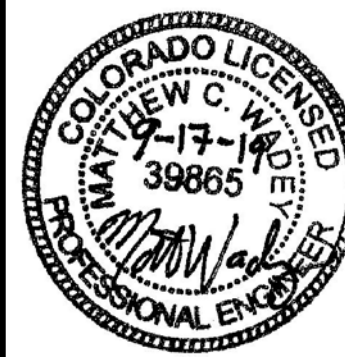
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34510 HWY 6 UNIT A9 PO BOX 97
EDWARDS CO 81632-1870/282-3373
WWW.ALPINECIVIL.COM

CHAMBERS EAST BUILDING
1353 CHAMBERS AVE.
EAGLE COLORADO
EXISTING CONDITIONS

DESIGNED	BY
MCW, RIF	MCW
DRAWN	
CHECKED	
JOB NO.	
DATE	

07/29/2019

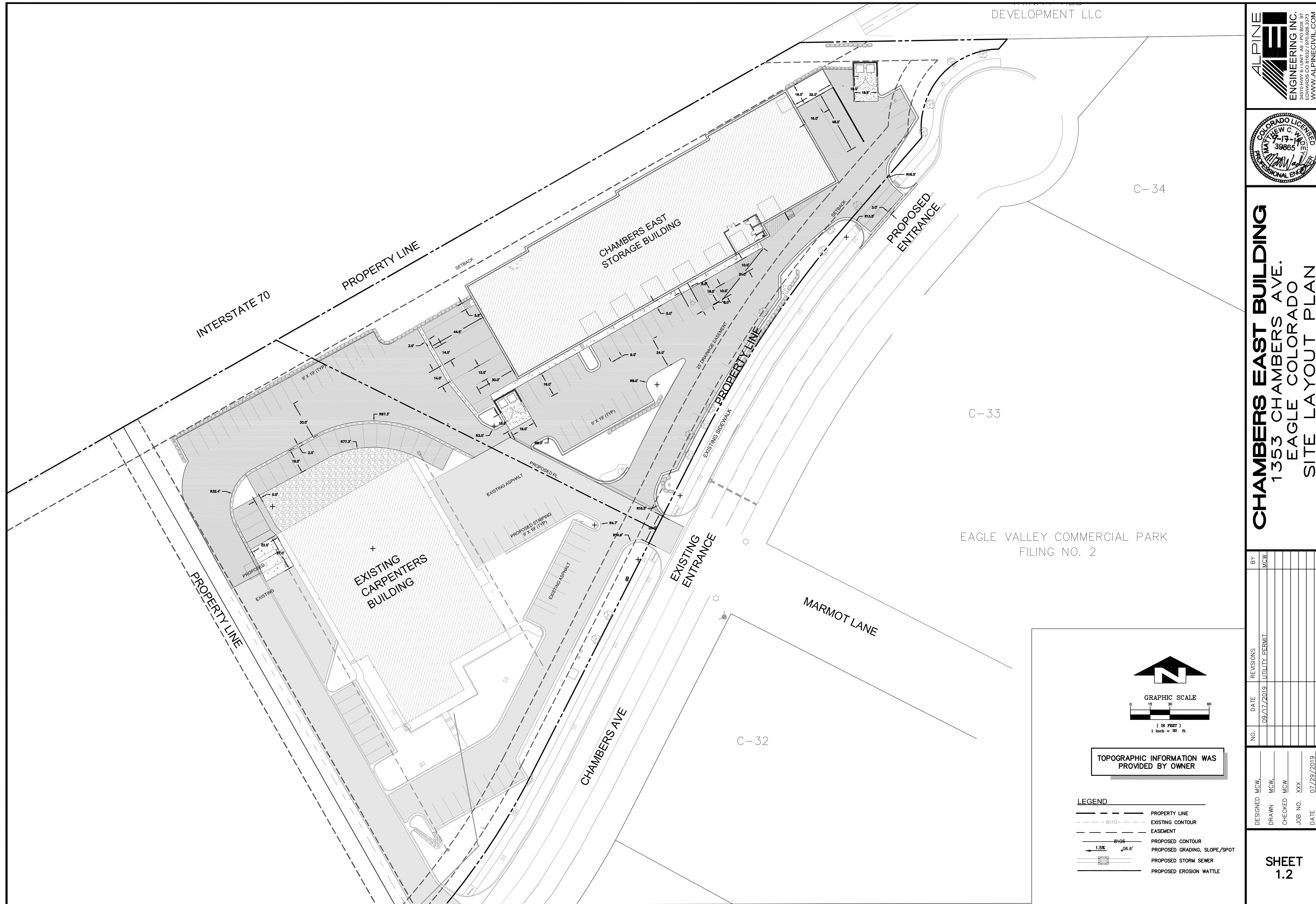
SHEET
C1.1



CHAMBERS EAST BUILDING
1353 CHAMBERS AVE.
EAGLE COLORADO
SITE LAYOUT PLAN

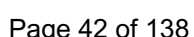
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DRAWN MCW,		09/17/2019	UTILITY PERMIT	MCW
CHECKED MCW				
JOB NO. XXX				
DATE 07/29/2019				

**SHEET
1.2**

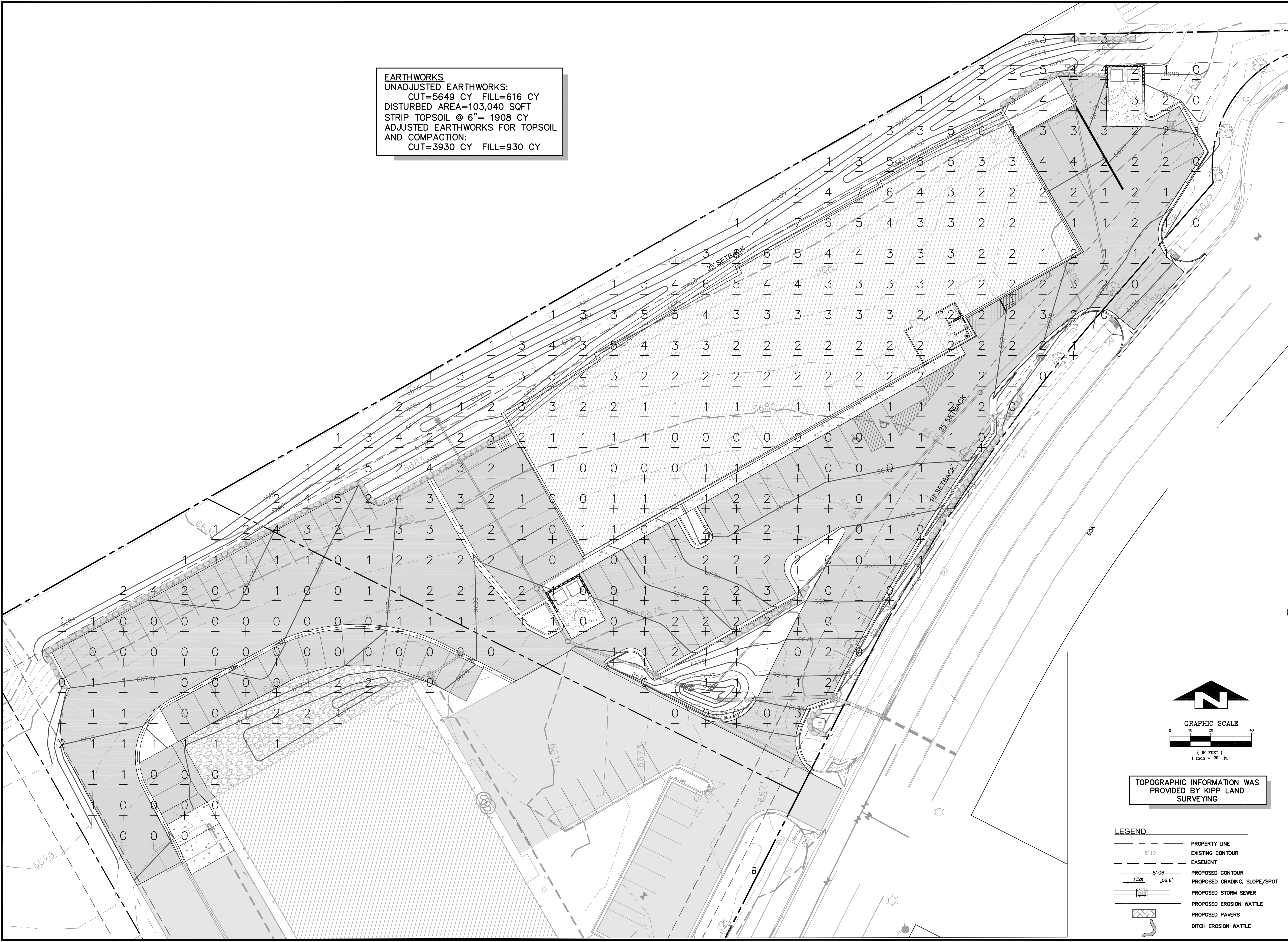


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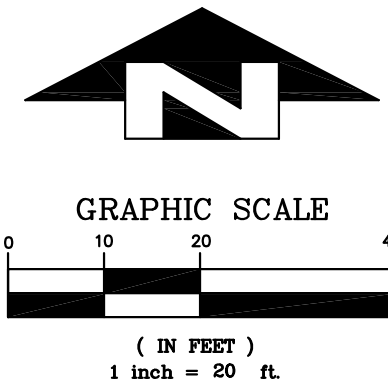
**SHEET
C2.0**



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EARTHWORKS
UNADJUSTED EARTHWORKS:
CUT=5649 CY FILL=616 CY
DISTURBED AREA=103,040 SQFT
STRIP TOPSOIL @ 6"= 1908 CY
ADJUSTED EARTHWORKS FOR TOPSOIL
AND COMPACTION:
CUT=3930 CY FILL=930 CY



TOPOGRAPHIC INFORMATION WAS
PROVIDED BY KIPP LAND
SURVEYING

- LEGEND
- PROPERTY LINE
 - EXISTING CONTOUR
 - EASEMENT
 - PROPOSED CONTOUR
 - PROPOSED GRADING, SLOPE/SPOT
 - PROPOSED STORM SEWER
 - PROPOSED EROSION WATTLE
 - PROPOSED PAVERS
 - DITCH EROSION WATTLE

ALPINE

ENGINEERING INC.

34510 HWY 6 UNIT A9 PO BOX 97
EDWARDS CO 81632 719.282.3373
WWW.ALPINECIVIL.COM

COLORADO LICENSED
CIVIL ENGINEER
17-140
39865
DONALD E. KIPP

CHAMBERS EAST BUILDING

1353 CHAMBERS AVE.

EAGLE COLORADO

EARTHWORKS PLAN

DESIGNED	DRAWN	CHECKED	JOB NO.	DATE
MCW	MCW	MCW	XXX	07/29/2019

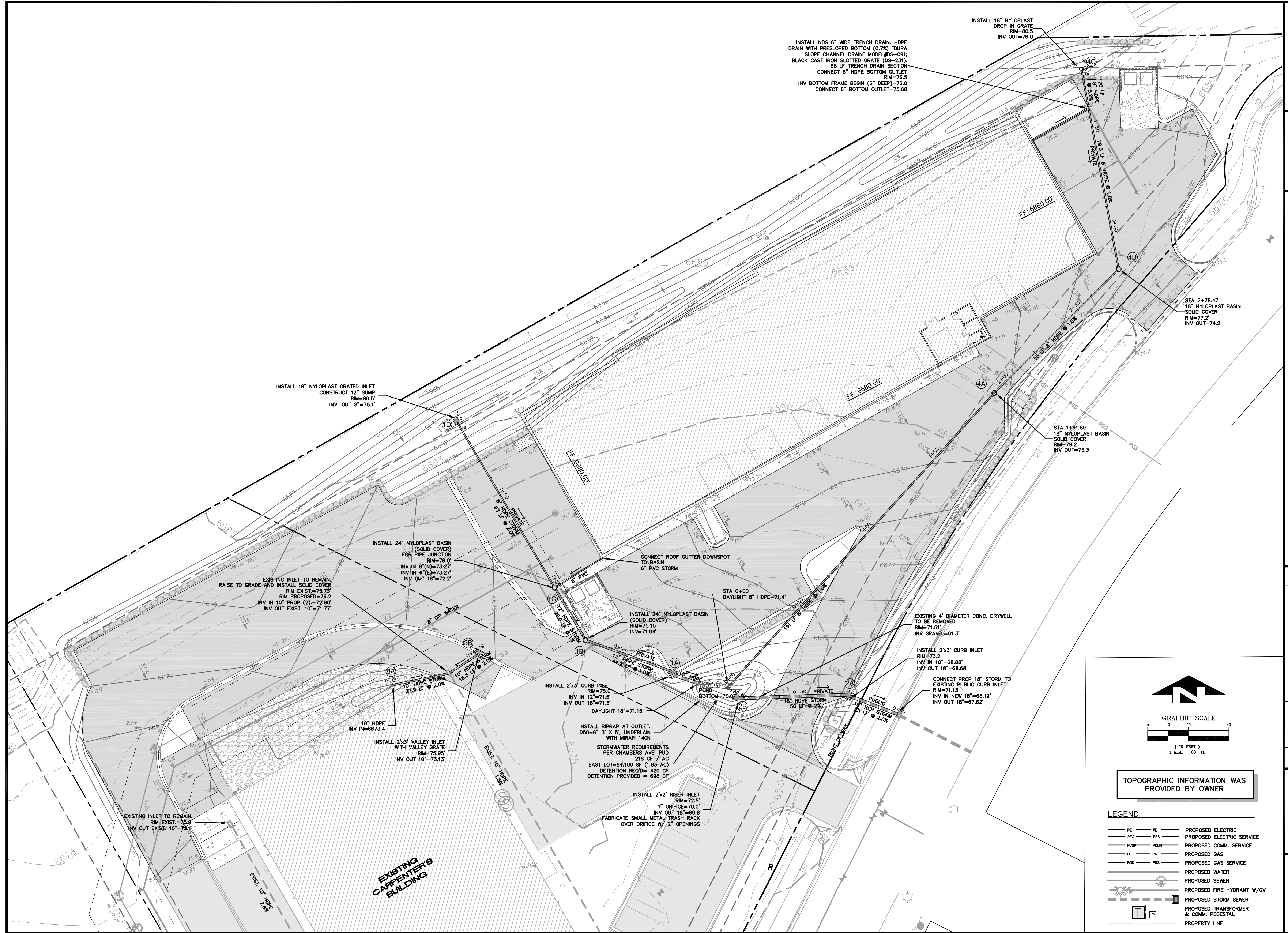
NO.	DATE	REVISIONS	BY
	09/17/2019	UTILITY PERMIT	MCW

SHEET
C2.1

CHAMBERS EAST BUILDING
1353 CHAMBERS AVE.
EAGLE COLORADO
STORM DRAINAGE PLAN

DESIGNED	NO.	DATE	REVISED	BY
MCW		09/17/2019	UTILITY PERMIT	MCW
DRAWN				
MCW				
CHECKED				
MCW				
JOB NO.				
XXX				
DATE				
07/29/2019				

SHEET
C3.0



Profile view of a sewer line. The vertical axis shows elevations from 6670 to 6700. The horizontal axis shows stationing from 1+91.79 to 0+00. The profile includes existing ground, private property, and a sewer line with various pipe segments and structures. Key features include:

- STA 1+91.79:** 18" NYLOPLAST INLET, RM=80.5, INV OUT=75.1
- CONSTRUCT 12" SUMP INLET 1D:** 93 LF 8" HDPE @ 2.0%
- INSTALL ADS N-12 WT (WATERTIGHT) HDPE 10' EITHER SIDE OF CROSSING. INSTALL CONCRETE ENCASED JOINTS IN THIS 20' SPAN (SEE TOWN PUBLIC WORKS MANUAL)**
- STA 0+97.27:** 24" DRAINAGE BASIN, RM=78.0, INV OUT=72.2
- STA 0+67.28:** 24" DRAINAGE BASIN, RM=75.5, INV OUT=71.94
- STA 0+21.33:** 24" CURB INLET, RM=71.50, INV OUT=71.30
- STA 0+08:** 18" NYLOPLAST INLET, RM=71.15, INV OUT=71.15
- DATUM ELEV 6680.00**

SCALE
VERTICAL: 1"-20'
HORIZONTAL: 1"-20'

STA 0+00
10" HDPE
INV IN=73.4'
EXISTING INLET TO REMAIN.
STA 0+28.8
10" HDPE
INV IN=72.80' (2)=72.80'
INV OUT EXIST. 10"=71.77'

STA 0+45.20
23" VALLEY INLET
10" HDPE
INV IN=71.35'
RHW=75.95'

FINISH GRADE
EXISTING GROUND

6680

10" HDPE STORM
27.9 LF @ 2.0%

10" HDPE STORM
15.5 LF @ 2.0%

DATUM ELEV
6660.00

6676.2
6673.40
PIPE INVERT

EXISTING GROUND
6676.5

0+00 0+45.20

SCALE
VERTICAL: 1"-20'
HORIZONTAL: 1"-20'

The profile view shows the storm sewer system with the following details:

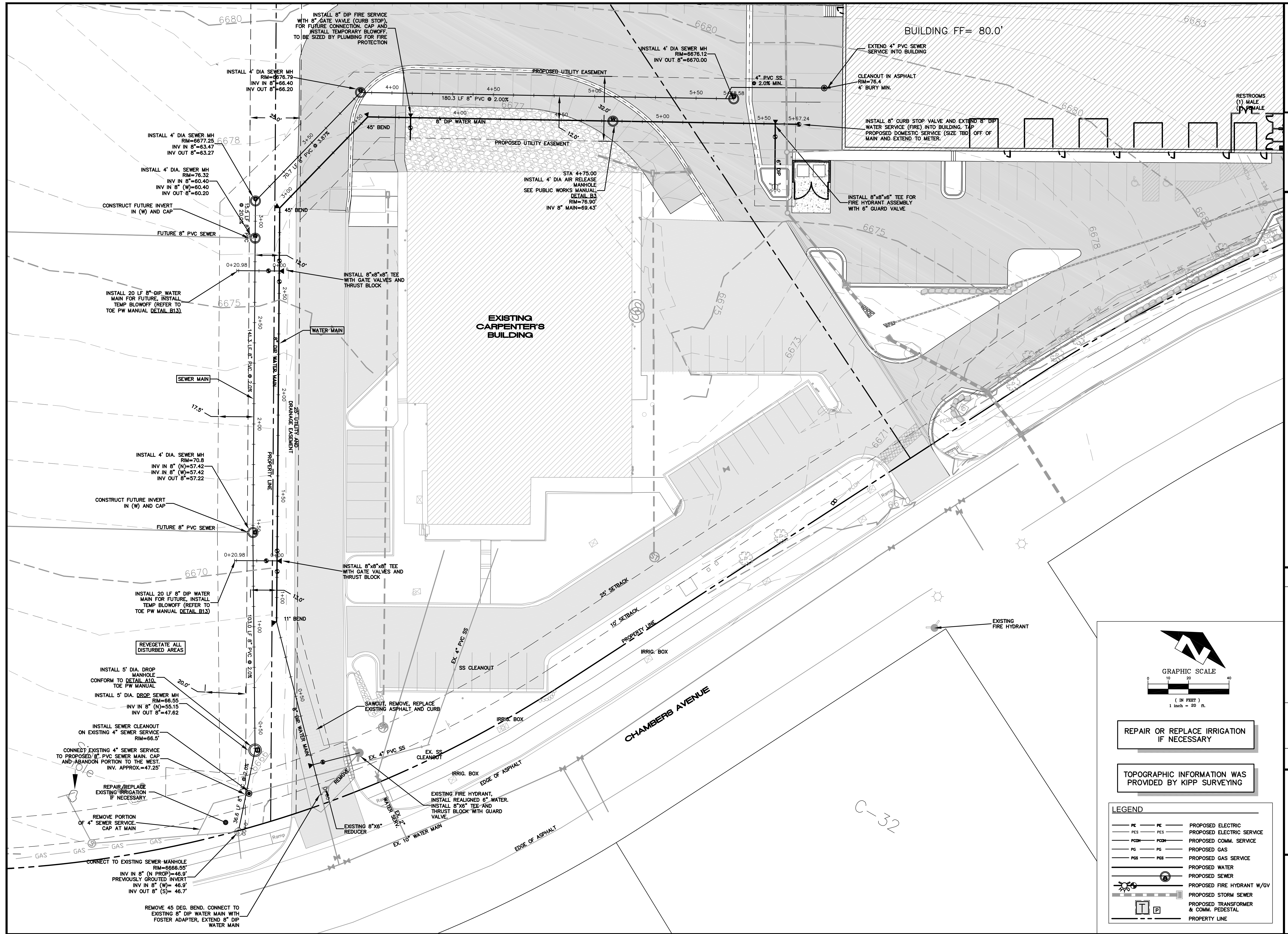
- Vertical Axis:** Elevation in feet, ranging from 6670 to 6700.
- Horizontal Axis:** Stationing from 0+00 to 3+78.86.
- Key Features:**
 - STA 0+00:** DAYLIGHT 8" HDPE=71.4'
 - STA 1+59.89:** 18" NYLOPLAST BASIN, 18" MANHOLE, INV OUT=73.3
 - STA 2+78.47:** 18" NYLOPLAST BASIN, 18" MANHOLE, INV OUT=74.2
 - STA 3+58.71:** TRENCH, CONNECT 6" NYLOPLAST INLET, INV 8"=75.0'
 - STA 3+78.86:** 18" NYLOPLAST INLET, 18" MANHOLE, INV OUT=80.5'
- Pipe Segments:**
 - 191 LF 8" HDPE @ 1.0%
 - 85 LF 8" HDPE @ 1.0%
 - 79.5 LF 8" HDPE @ 1.0%
 - 20 LF 8" HDPE @ 5.2%
- Ground and Structure Lines:**
 - EXISTING GROUND:** Dashed line representing the natural ground surface.
 - FINISH GRADE:** Solid line representing the proposed finished ground surface.
 - PIPE INVERT:** Solid line representing the bottom of the pipe.
- Labels and Notes:**
 - 4" COMM. PVC
 - 4" ELEC PVC
 - 2" GAS SERVICE
 - POND
 - DATUM ELEV 6660.00

CHAMBERS EAST BUILDING
1353 CHAMBERS AVE.
EAGLE COLORADO
UTILITY PLAN

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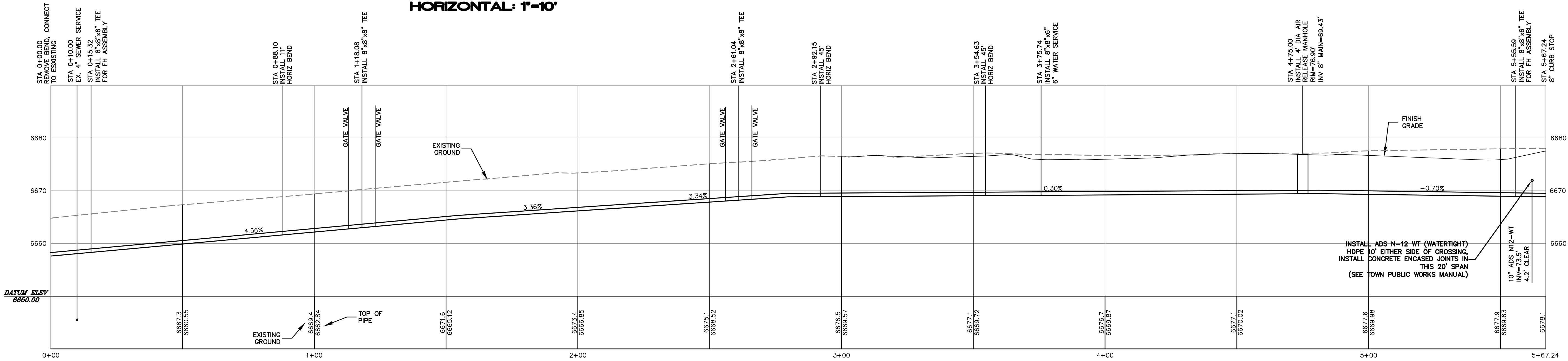
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DRAWN	MCW, RIF
CHECKED	MCW
JOB NO.	XXX
DATE	07/29/2019

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C4.0

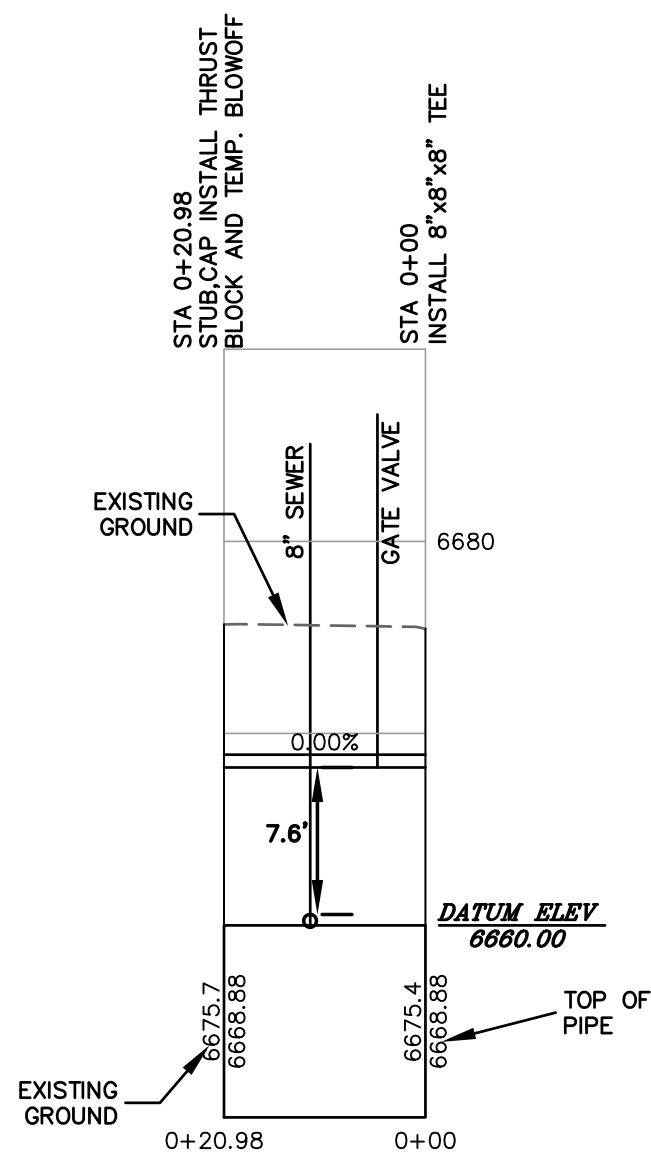


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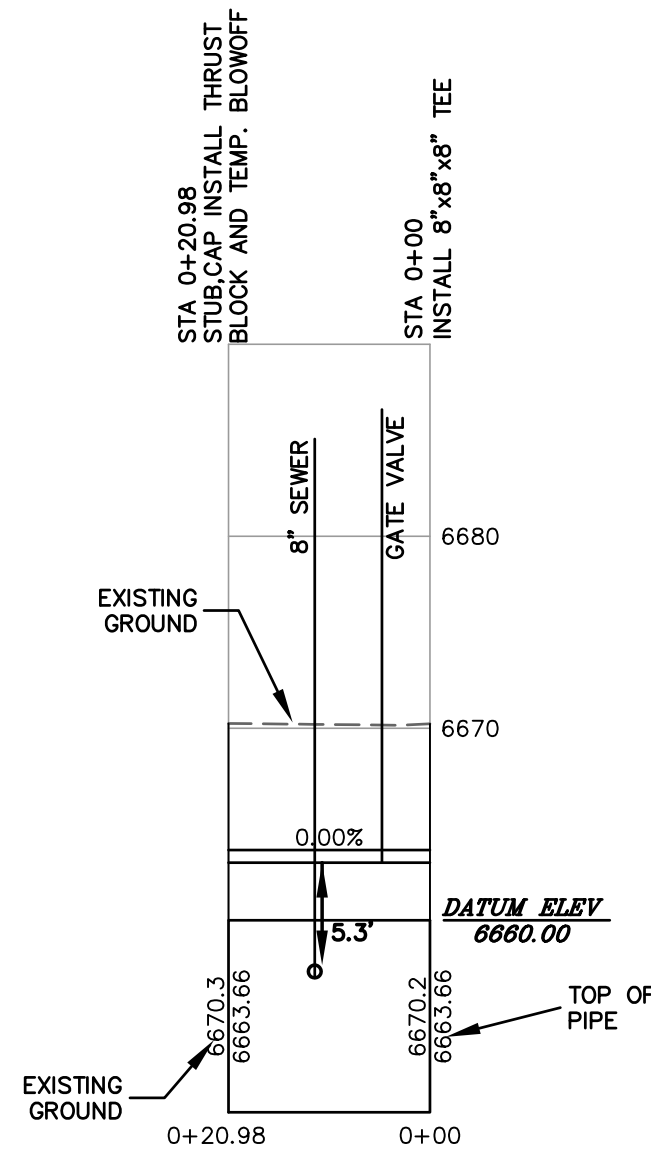
PROFILE: WATER MAIN
SCALE
VERTICAL: 1"=20'
HORIZONTAL: 1"=10'



PROFILE: SEWER STUB NORTH

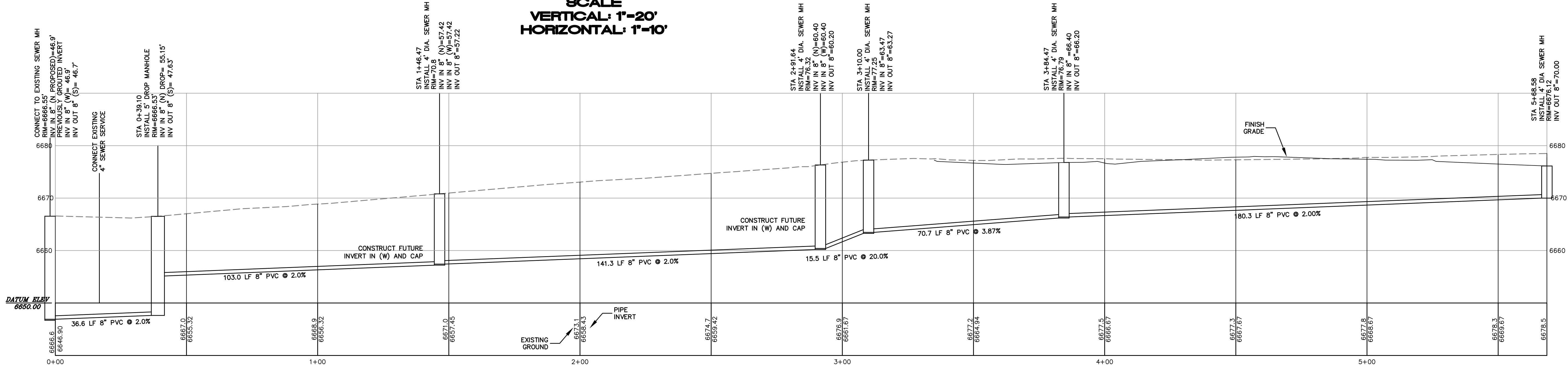


PROFILE: SEWER STUB SOUTH



PROFILE: SEWER MAIN

SCALE
VERTICAL: 1"=20'
HORIZONTAL: 1"=10'



CHAMBERS EAST BUILDING
1353 CHAMBERS AVE.
EAGLE COLORADO
UTILITY PROFILES

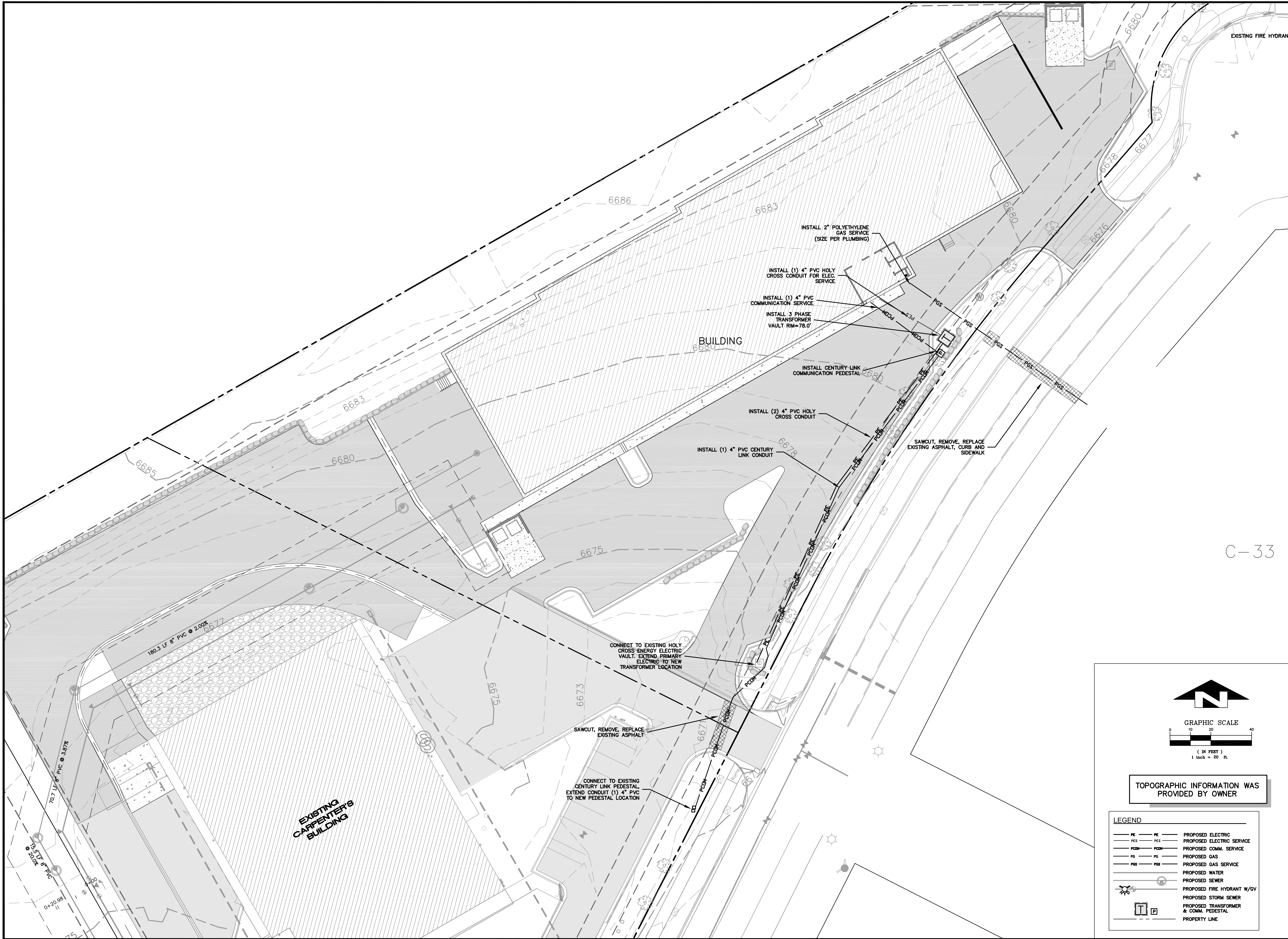
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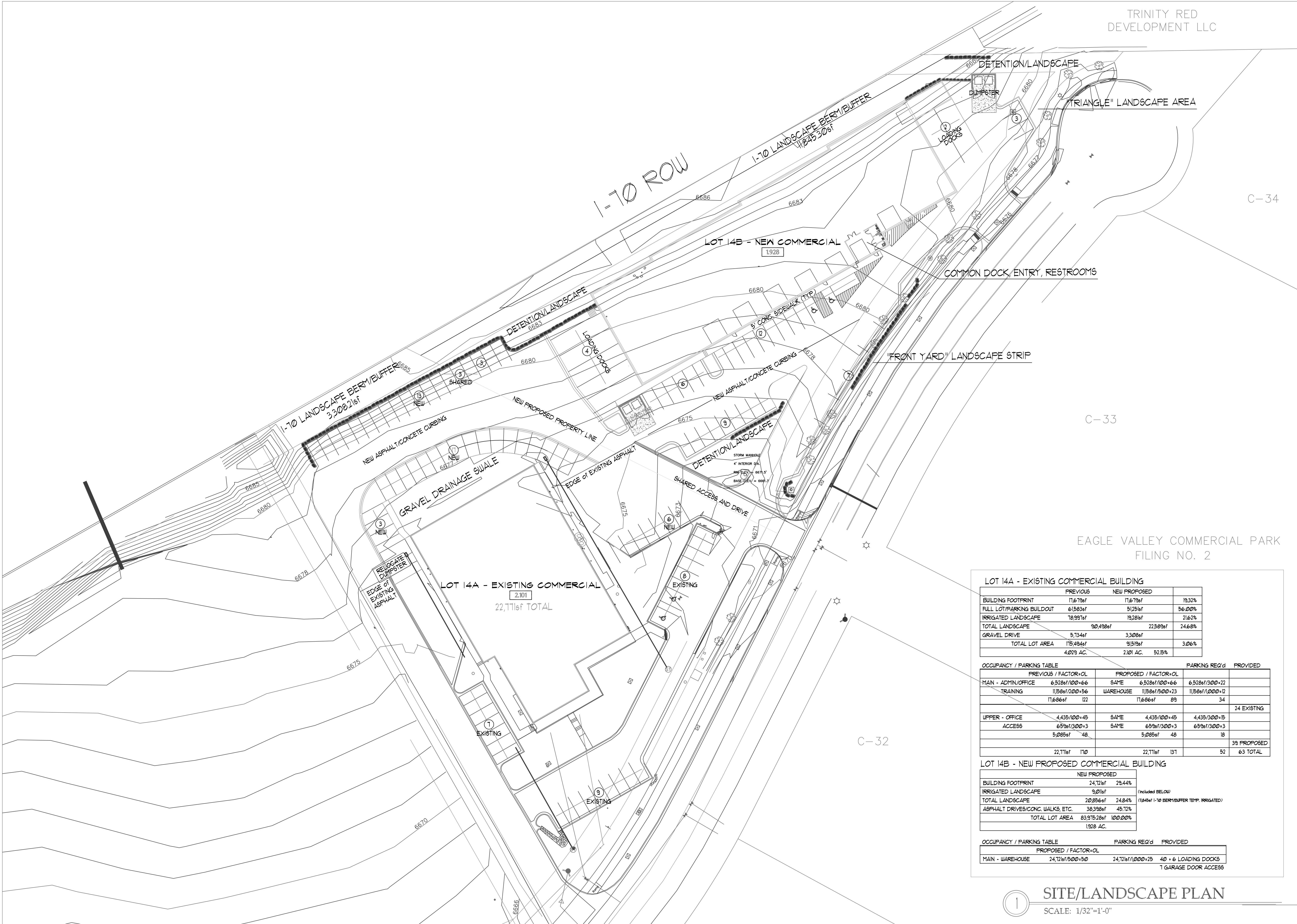
NO.	DATE	REVISIONS	BY
	09/17/2019	UTILITY PERMIT	MCW

SHEET
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DESIGNED	DRAWN	CHECKED	JOB NO.	DATE	NO.	DATE	REVISIONS	BY
MCW	MCW	MCW	XXX	07/29/2019		09/17/2019	UTILITY PERMIT	MCW

Page 48 of 138





LOT 14A - EXISTING COMMERCIAL BUILDING				
	PREVIOUS	NEW PROPOSED		
BUILDING FOOTPRINT	17,679sf	17,679sf	19.32%	
FULL LOT/PARKING BUILDOUT	61,583sf	51,251sf	56.00%	
IRRIGATED LANDSCAPE	78,997sf	19,281sf	21.62%	
TOTAL LANDSCAPE		90,498sf	22,509sf	24.68%
GRAVEL DRIVE	5,134sf	3,308sf		
TOTAL LOT AREA	175,494sf	91,936sf	3.06%	
	4.079 AC.	2.101 AC.	52.15%	

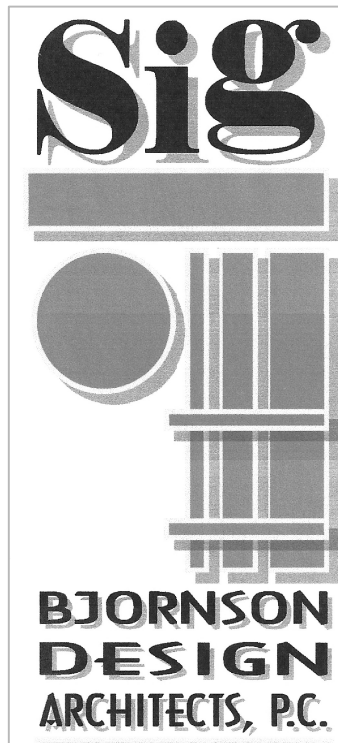
OCCUPANCY / PARKING TABLE		PARKING REQ'd		PROVIDED
PREVIOUS / FACTOR=OL	PROPOSED / FACTOR=OL			
MAIN - ADMIN/OFFICE 6,528sf/100=66	SAME 6,528sf/100=66	6,528sf/300=22		
TRAINING 11,586sf/200=56	WAREHOUSE 11,586sf/500=23	11,586sf/1,000=12		
	17,686sf 122	17,686sf 89	34	
UPPER - OFFICE 4,435/100=45	SAME 4,435/100=45	4,435/300=15		24 EXISTING
ACCESS 6,594sf/300=3	SAME 6,594sf/300=3	6,594sf/300=3		
	5,085sf 48	5,085sf 48	18	
			39 PROPOSED	
	22,711sf 110	22,711sf 131	52	63 TOTAL

LOT 14B - NEW PROPOSED COMMERCIAL BUILDING	
	NEW PROPOSED
BUILDING FOOTPRINT	24,721sf 79.44%
IRRIGATED LANDSCAPE	9,011sf
TOTAL LANDSCAPE	20,856sf 24.84%
ASPHALT DRIVES/CONC. WALKS, ETC.	38,398sf 45.72%
TOTAL LOT AREA	83,975.28sf 100.00%
	1928 AC.

OCCUPANCY / PARKING TABLE		PARKING REQ'd	PROVIDED
PROPOSED / FACTOR=OL			
MAIN - WAREHOUSE 24,721sf/500=50	24,721sf/1,000=25	40 + 6 LOADING DOCKS	
		1 GARAGE DOOR ACCESS	

1 SITE/LANDSCAPE PLAN
SCALE: 1/32"=1'-0"

TAS



Sig Bjornson II, AIA
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254 ROBINS EGG LANE
WEST EAGLE RANCH
P.O. BOX 5228
EAGLE, COLORADO 81631
970-328-1158 PHONE/FAX
970-390-5339 CELLULAR
sb@vail.net

STAMP

PROJECT

CHAMBERS - EAST BUILDING
for MORNINGSTAR PROPERTY MANAGEMENT
LOT C14, KEMP SUBDIVISION
1353 CHAMBERS AVENUE
Town of EAGLE, County OF EAGLE, State of COLORADO

ISSUE DATE/REVISIONS

MINOR DEVELOPMENT PERMIT 9-18-19

PLAN
SITE/
LANDSCAPE
PLAN

SHEET

SP1.1

EAGLE STUDIO
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P.O. BOX 5228
EAGLE, COLORADO 81631
303-328-1158 PHONE/FAX
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sb@vail.net

PROJECT

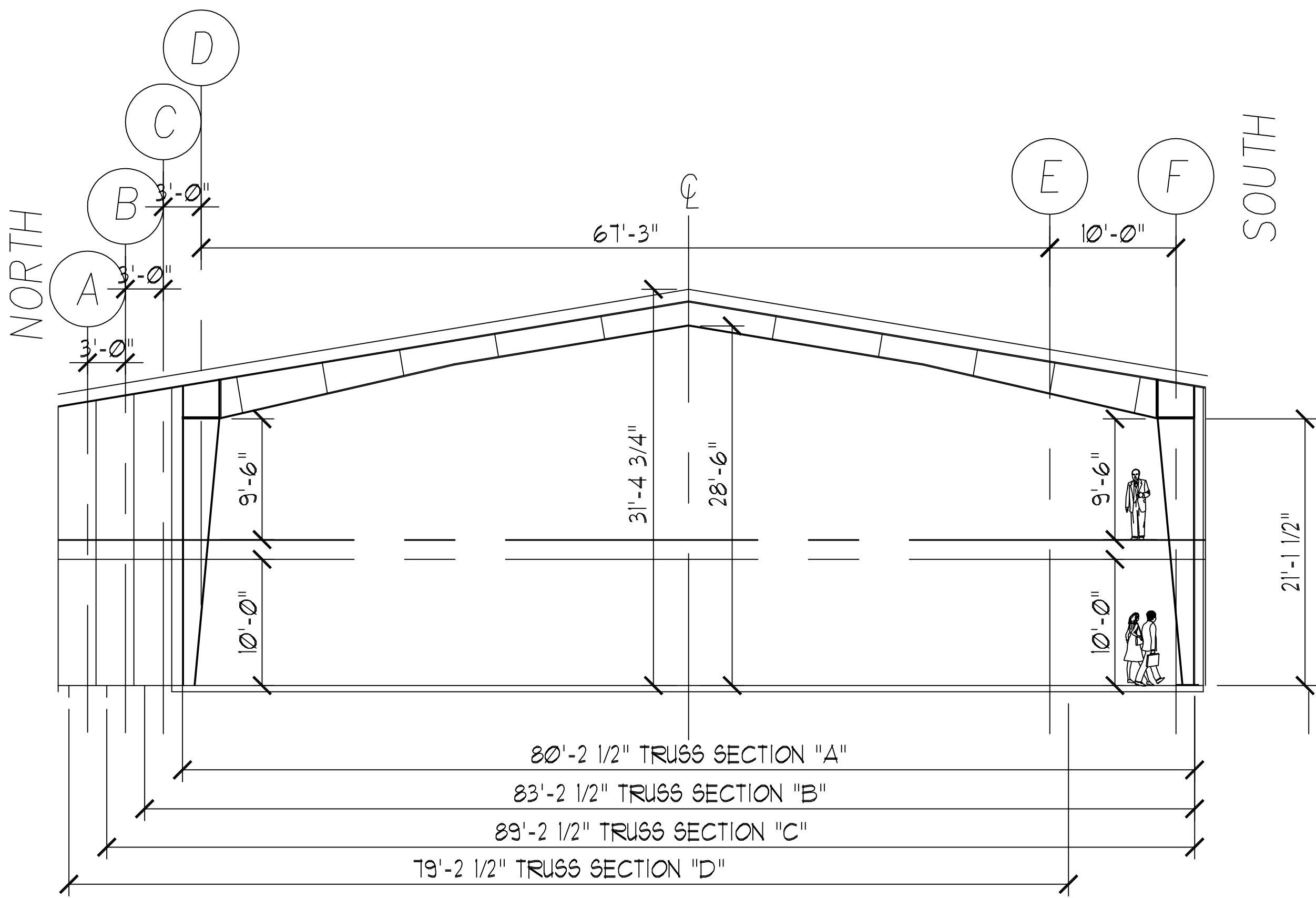
CHAMBERS - EAST BUILDING
for MORNINGSTAR PROPERTY MANAGEMENT
LOT C14, KEMP SUBDIVISION
1353 CHAMBERS AVENUE
Town of Eagle, County Of Eagle, State of Colorado

CONCEPT PLAN 7-23-19

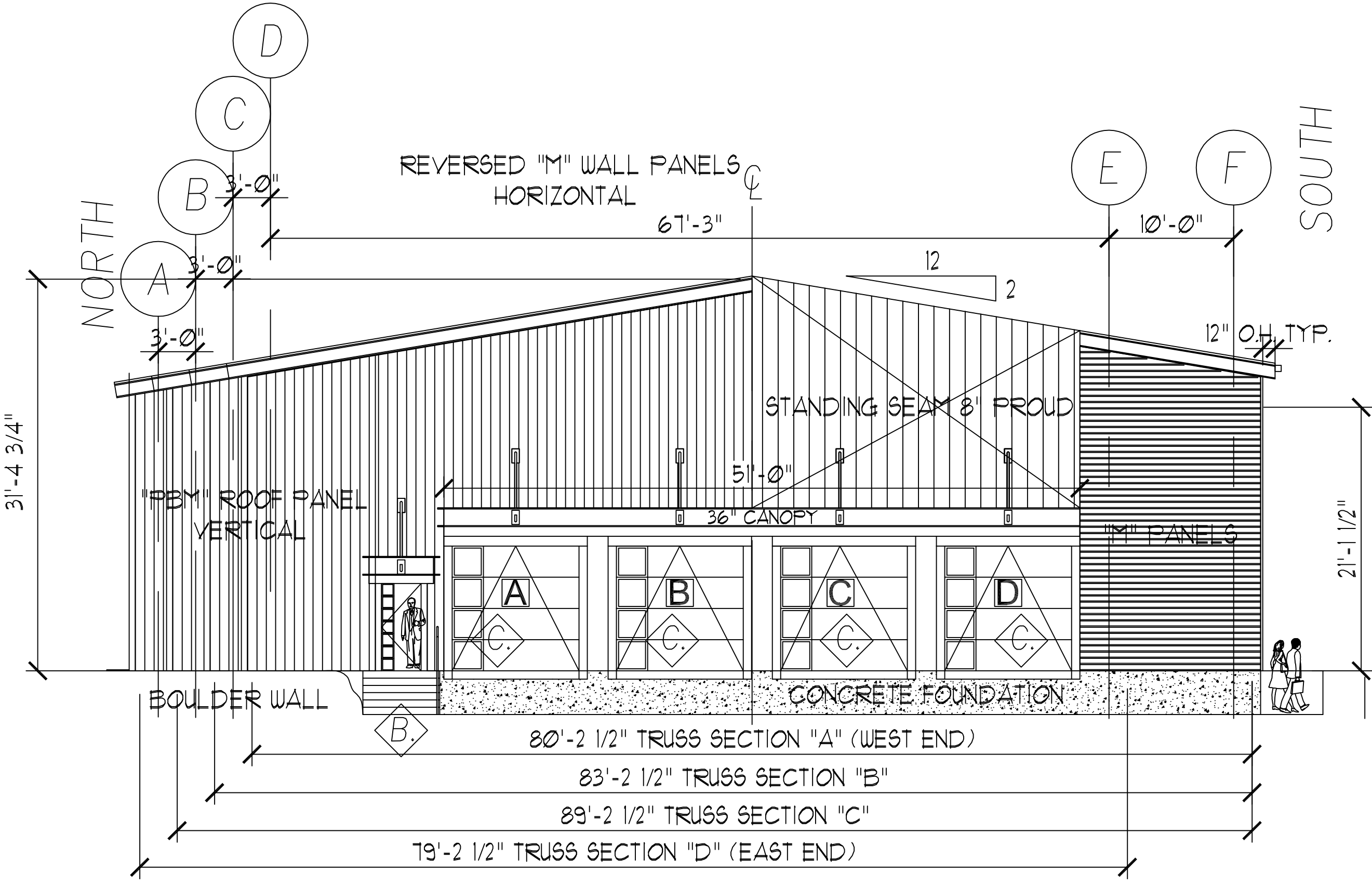
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DD PLAN 9-5-19

MAIN
BUILDING
FLOOR
PLAN

A1.1

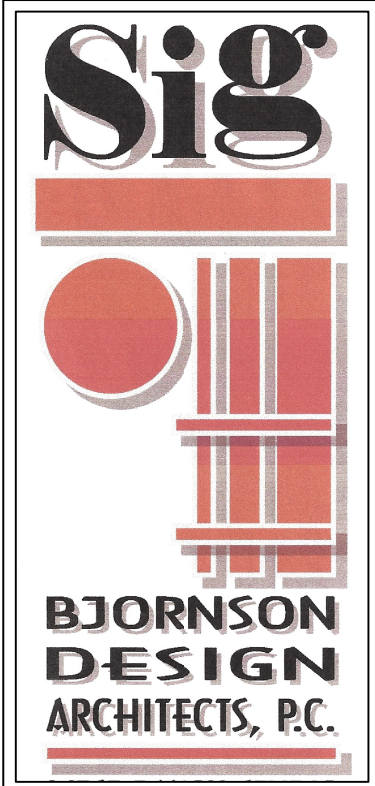


2 CROSS SECTIONS
SCALE: 1/8"=1'-0"



1 WEST ELEVATION
SCALE: 1/8"=1'-0"

TAS



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PROJECT

CHAMBERS - EAST BUILDING
for MORNINGSTAR PROPERTY MANAGEMENT
LOT C14, KEMP SUBDIVISION
1353 CHAMBERS AVENUE
Town of EAGLE, County OF EAGLE, State of COLORADO

ISSUE DATE/REVISIONS

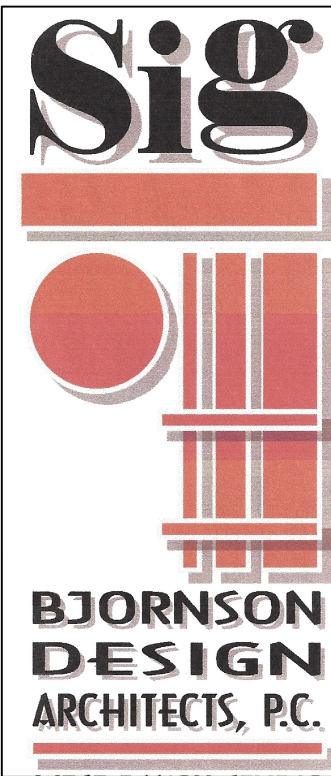
PLANS 9-11-19					
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PLAN

**WEST
ELEVATIONS
& SECTIONS**

SHEET

A2.1



Sig Bjornson II, AIA
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STAMP

PROJECT

CHAMBERS - EAST BUILDING
for MORNINGSTAR PROPERTY MANAGEMENT
LOT C14, KEMP SUBDIVISION
1353 CHAMBERS AVENUE
Town of EAGLE, County OF EAGLE, State of COLORADO

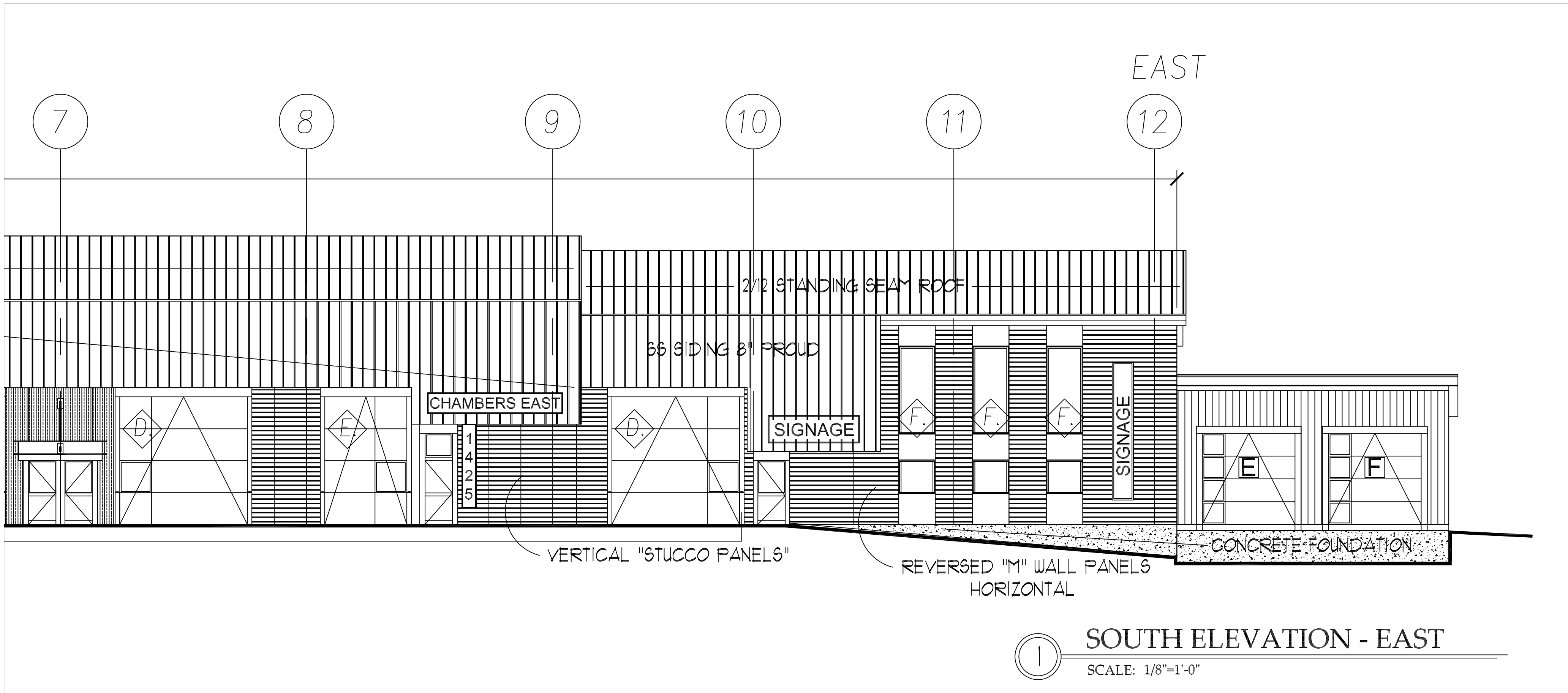
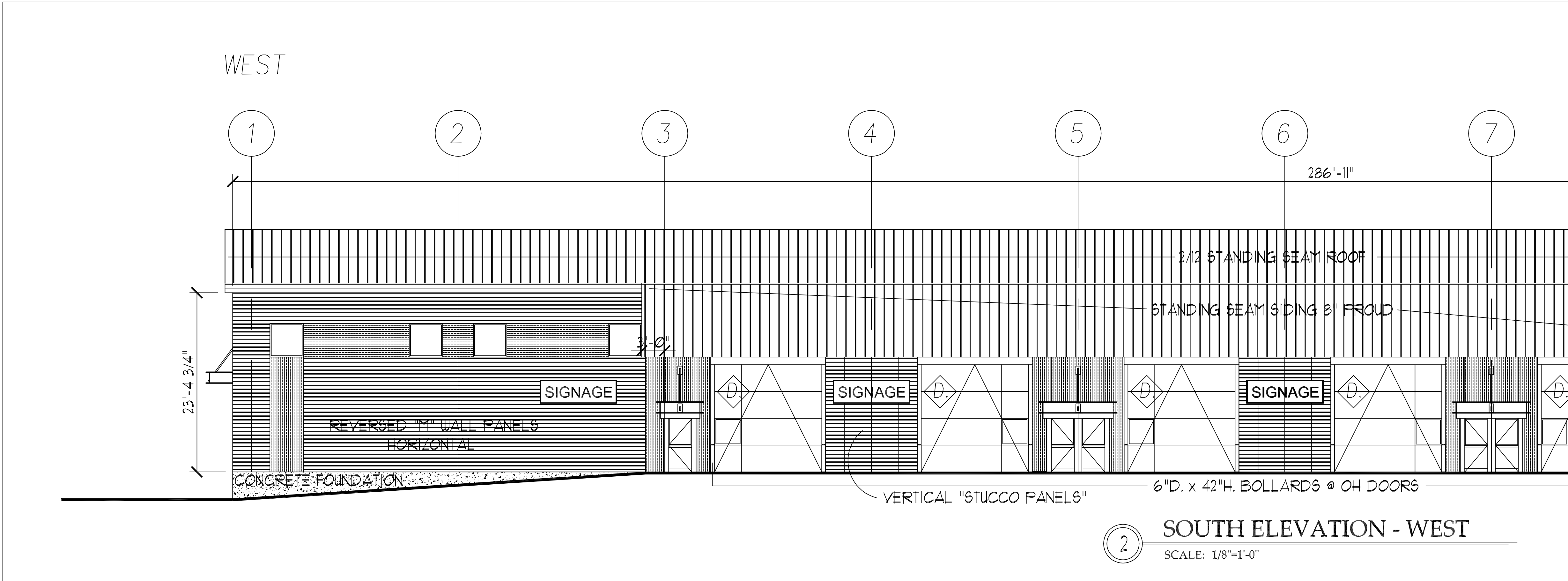
ISSUE DATE/REVISIONS

PLAN

SOUTH ELEVATIONS

SHEET

A2.1



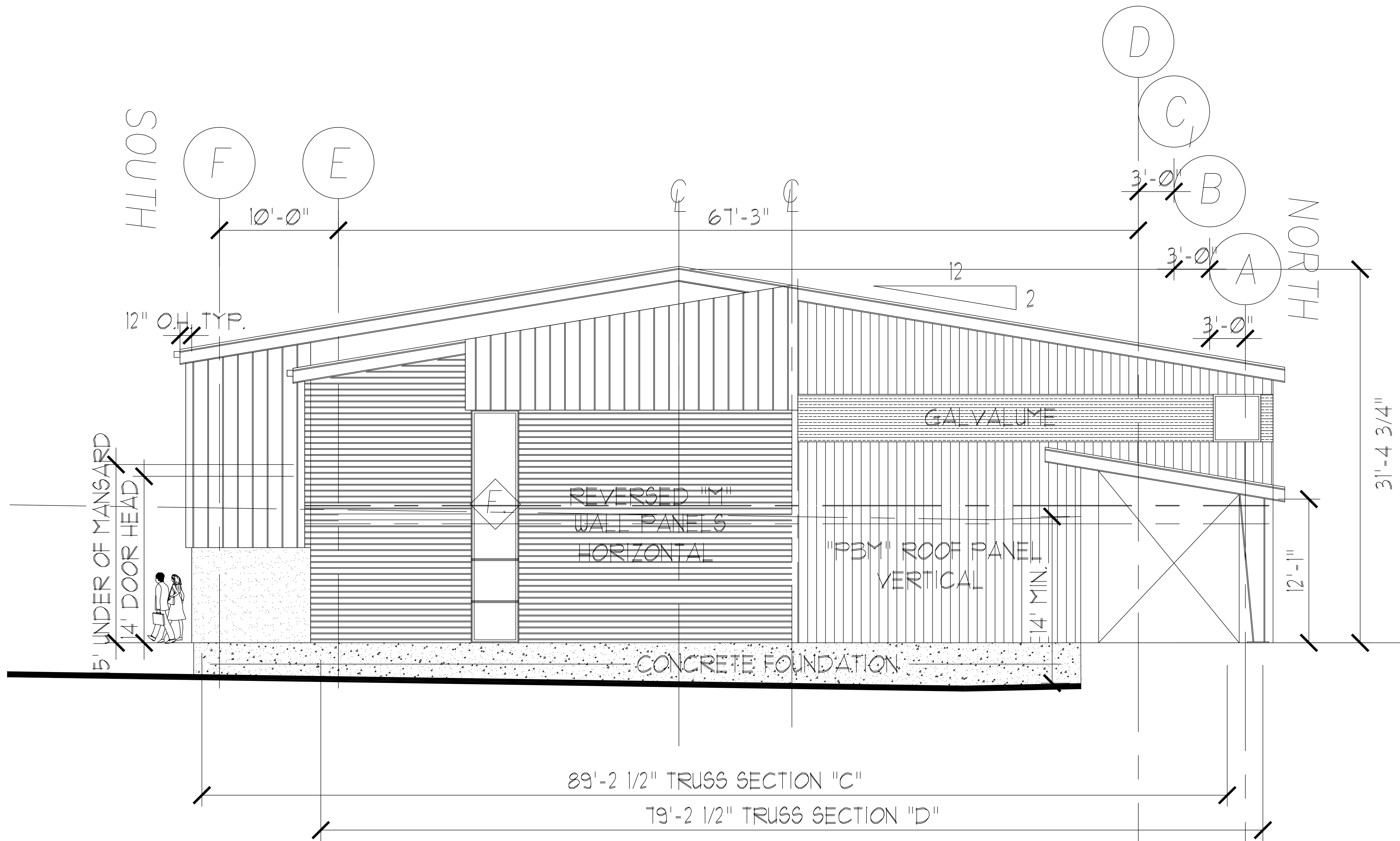
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CHAMBERS - EAST BUILDING
for MORNINGSTAR PROPERTY MANAGEMENT
LOT C14, KEMP SUBDIVISION
1353 CHAMBERS AVENUE
Town of Eagle, County of Eagle, State of Colorado

PLANS 9-11-19

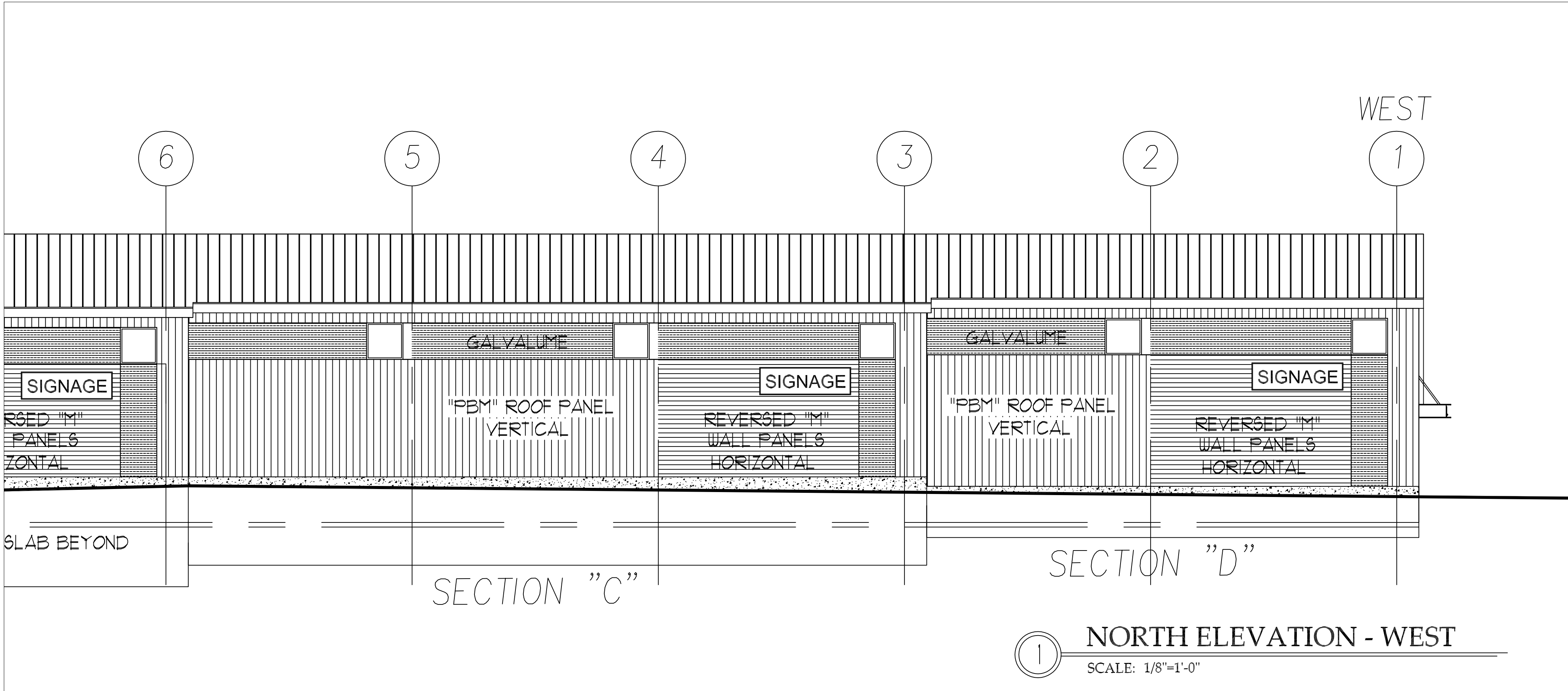
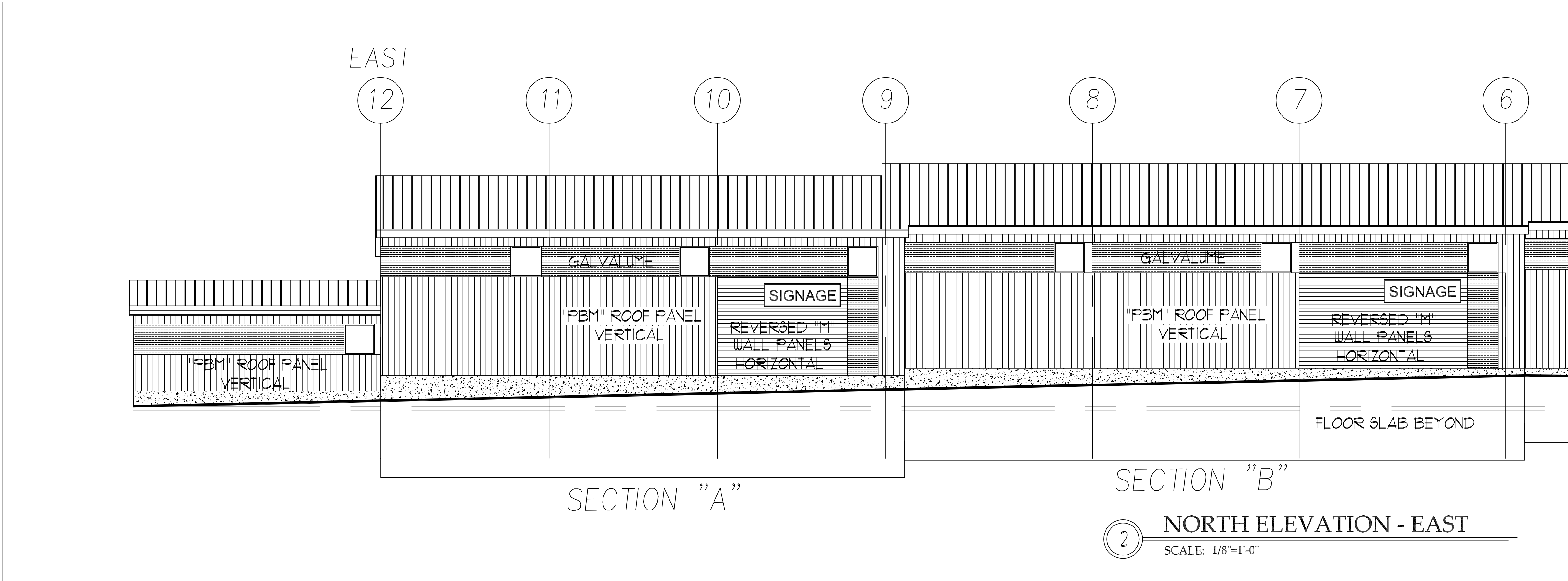
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ELEVATION

A2.3

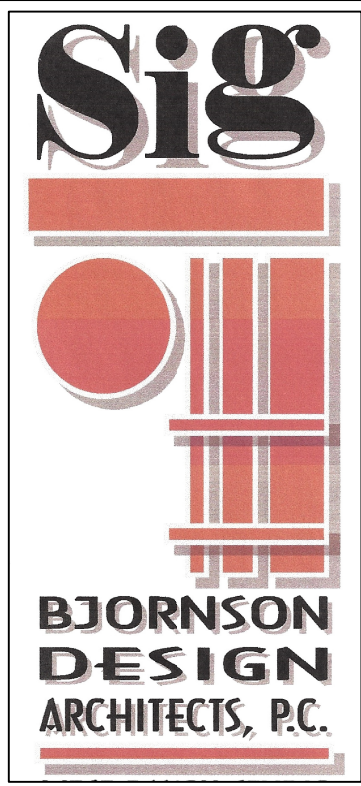


EAST ELEVATION

SCALE: 1/8"=1'-0"



TAS



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PROJECT

CHAMBERS - EAST BUILDING
for MORNINGSTAR PROPERTY MANAGEMENT
LOT C14, KEMP SUBDIVISION
1353 CHAMBERS AVENUE
Town of EAGLE, County OF EAGLE, State of COLORADO

ISSUE DATE/REVISIONS

PLANS 9-11-19

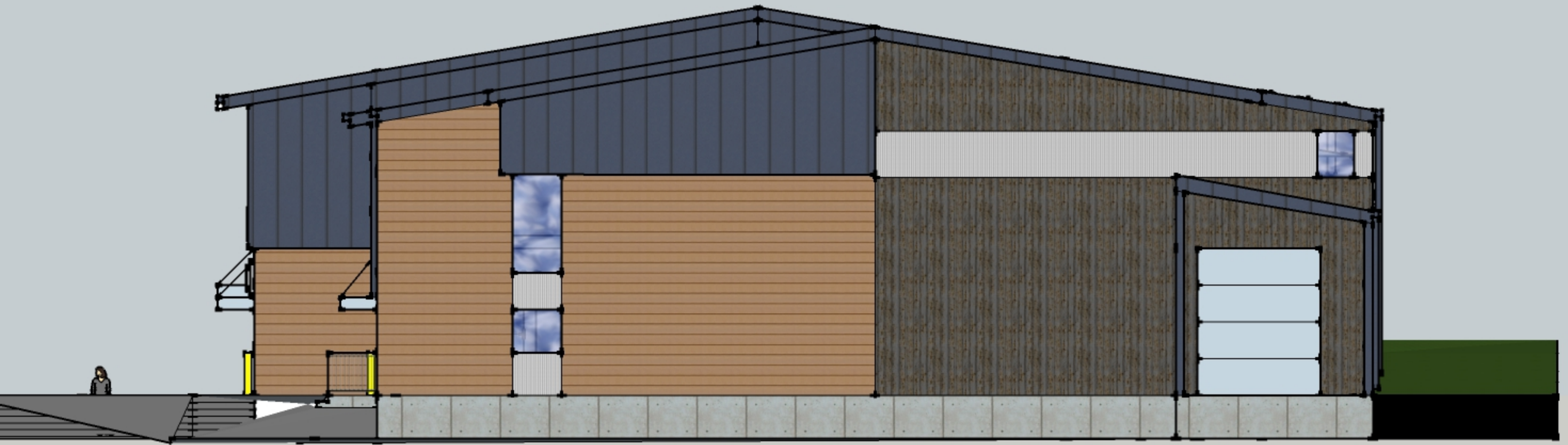
PLAN

**NORTH
ELEVATIONS**

SHEET

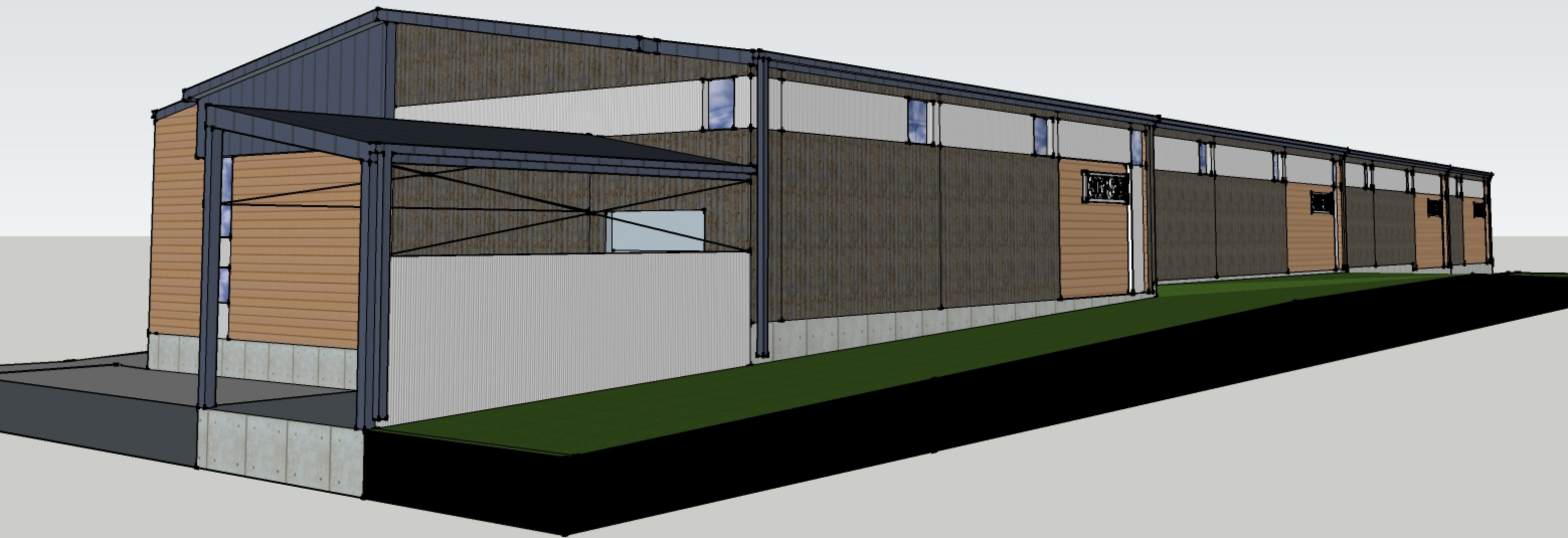
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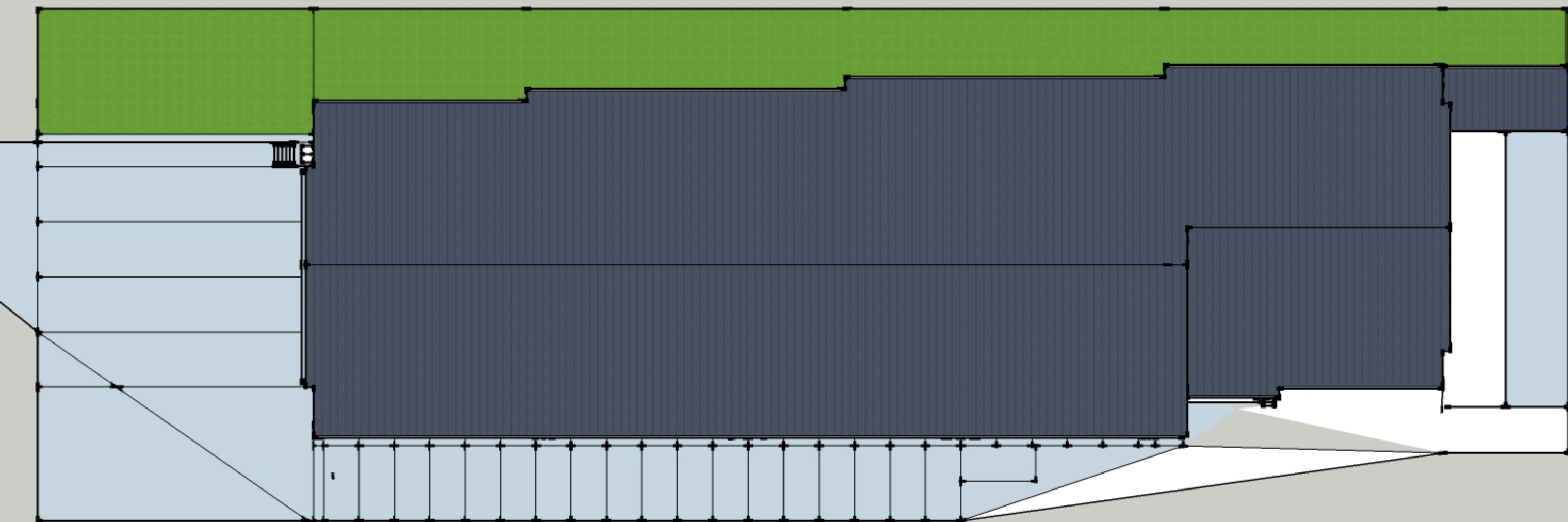










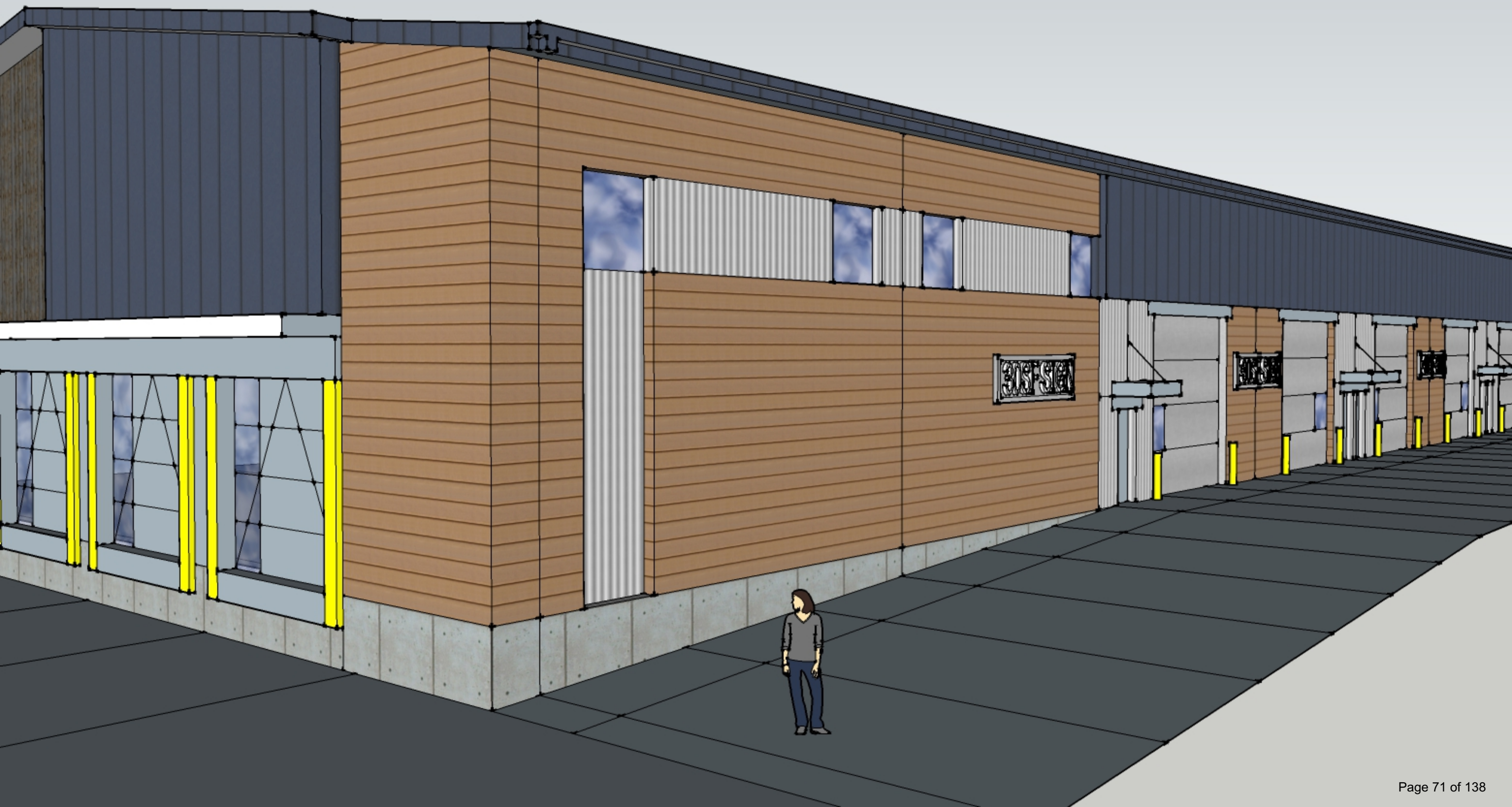


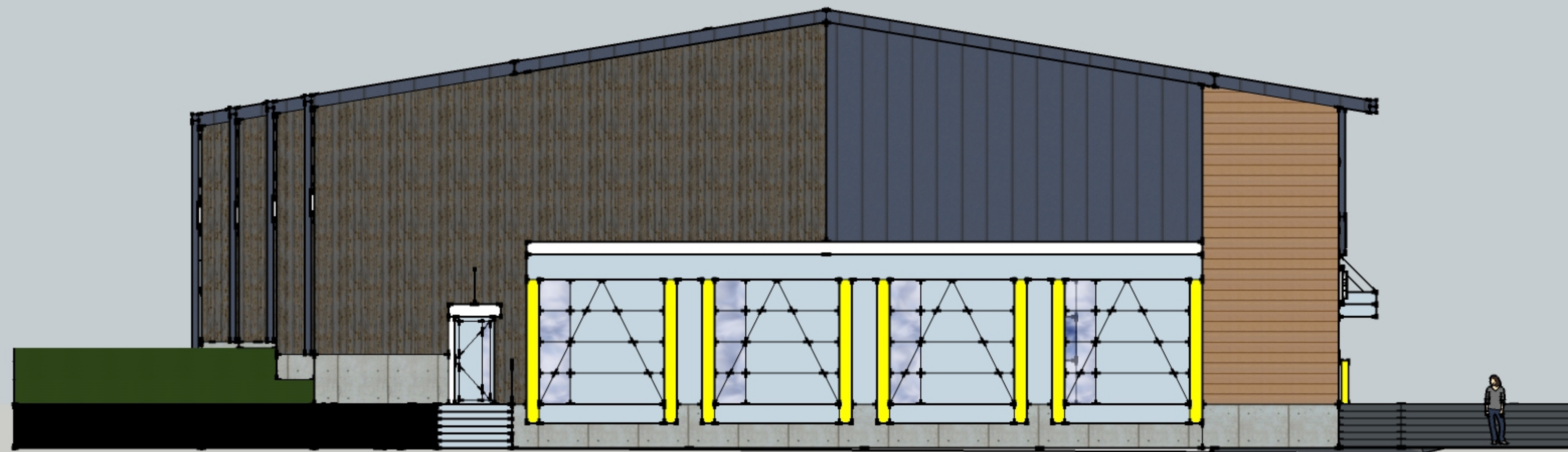














DOMESTIC WATER MAIN SERVICE SIZING

Project: 1353 Chambers Ave, Storage Facility

Building: large storage facility, 24,000 sf

User: (1) male RR, (1) female RR, janitor closet

Rev. Date:

Print Date: 9/18/19 2:44 PM

= User inputs

= Calculated values

= Estimated FU or DFU, due to IPC only dictating Drainage or Supply FU's for the given fixture type, not both.

All fixture unit values and fixture types taken directly from 2015 IPC, chapter 6 and appendix E. Waste data taken from 2015 IPC, chapter 7.

Any fixtures not used in a specific project may be deleted.

Fixture Type	QTY	Total		Cold		Hot		Drainage	
		FU/ea	FU total	FU/ea	FU total	FU/ea	FU total	DFU/ea	DFU total
Bar Sink, Private		1	0.0	0.75	0.00	0.75	0.0	2	0.0
Bathroom Group, Private, Flush Tank		3.6	0.0	2.7	0.00	1.5	0.0	5	0.0
Bathroom Group, Private, Flush Valve		8	0.0	6	0.00	3	0.0	5	0.0
Bathtub, Private (w or w/o shower or jet attachments)		1.4	0.0	1	0.00	1	0.0	2	0.0
Bathtub, Public (w or w/o shower or jet attachments)		4	0.0	3	0.00	3	0.0	4	0.0
Bidet, Private		2	0.0	1.5	0.00	1.5	0.0	1	0.0
Clothes Washer (15 lb), Public, Automatic		4	0.0	3	0.00	3	0.0	3	0.0
Clothes Washer (8 lb), Private, Automatic		1.4	0.0	1	0.00	1	0.0	2	0.0
Clothes Washer (8 lb), Public, Automatic		3	0.0	2.25	0.00	2.25	0.0	3	0.0
Combination Sink & Tray		3	0.0	2.25	0.00	2.25	0.0	2	0.0
Dental Lavatory		1	0.0	0.75	0.00	0.75	0.0	1	0.0
Dental Unit or Cuspidor		1	0.0	0.75	0.00	0.75	0.0	1	0.0
Dishwashing Machine, Private, Automatic		1.4	0.0	-	-	1.4	0.0	2	0.0
Drinking Fountain, Offices, etc.		0.25	0.0	0.25	0.00	-	-	0.5	0.0
Emergency Floor Drain		-	-	-	-	-	-	0	0.0
Floor Drains (RE: 2015 IPC 709.4 for DFU Req'ts)		-	-	-	-	-	-	0	0.0
Floor Sinks (RE: 2015 IPC 709.4 for DFU Req'ts)		-	-	-	-	-	-	0	0.0
Kitchen Sink, Hotel/Restaurant, Faucet		4	0.0	3	0.00	3	0.0	4	0.0
Kitchen Sink, Private, Faucet (w or w/o Disposal and/or DW)		1.4	0.0	1	0.00	1	0.0	2	0.0
Laundry Tray (1 to 3 Compartments), Private, Faucet		1.4	0.0	1	0.00	1	0.0	2	0.0
Lavatory, Private, Faucet		0.7	0.0	0.5	0.00	0.5	0.0	1	0.0
Lavatory, Public, Faucet	2	2	4.0	1.5	3.00	1.5	3.0	1	2.0
Service Sink, Offices, etc., Faucet	1	3	3.0	2.25	2.25	2.25	2.3	2	2.0
Shower Head, Private, Mixing Valve		1.4	0.0	1	0.00	1	0.0	2	0.0
Shower Head, Public, Mixing Valve		4	0.0	3	0.00	3	0.0	2	0.0
Shower, 12.3 < Total Combined Flow Rate < 25.8 GPM		8	0.0	5	0.00	5	0.0	5	0.0
Shower, 25.8 < Total Combined Flow Rate < 55.6 GPM		10	0.0	6	0.00	6	0.0	6	0.0
Shower, 5.7 < Total Combined Flow Rate < 12.3 GPM		6	0.0	4	0.00	4	0.0	3	0.0
Urinal, Nonwater Supplied		-	-	-	-	-	-	0.5	0.0
Urinal, Public, 1" Flush Valve		10	0.0	10	0.00	-	-	4	0.0
Urinal, Public, 3/4" Flush Valve, 1 GPF or Less	1	5	5.0	5	5.00	-	-	2	2.0
Urinal, Public, Flush Tank		3	0.0	3	0.00	-	-	2	0.0
Wash Sink (Circular or Multiple), Each Set of Faucets		2	0.0	1.5	0.00	1.5	0.0	2	0.0
Water Closet, Private, Flush Tank		2.2	0.0	2.2	0.00	-	-	3	0.0
Water Closet, Private, Flushometer Valve		6	0.0	6	0.00	-	-	4	0.0
Water Closet, Public (1.6 GPF), Flush Tank		5	0.0	5	0.00	-	-	4	0.0
Water Closet, Public (1.6 GPF), Flush Valve	2	10	20.0	10	20.00	-	-	4	8.0
Water Closet, Public (Flushing >1.6 GPF), Flush Tank		5	0.0	5	0.00	-	-	6	0.0
Water Closet, Public (Flushing >1.6 GPF), Flush Valve		10	0.0	10	0.00	-	-	6	0.0
Water Closet, Public or Private, Flushometer Tank		2	0.0	2	0.00	-	-	4	0.0
Water Closet, Public, Flush Tank		5	0.0	5	0.00	-	-	4	0.0
Water Closet, Public, Flushometer Valve		10	0.0	10	0.00	-	-	6	0.0

BUILDING TOTALS: 32.0 30.3 5.3 14.0

Enter primary fixture flush type (type "Tank" or "Valve"):

Valve

	Flow (gpm)	Pipe Size (in)
Total Domestic Water:	44	1.5
Peak flow cold water:	44	1.5
Peak flow hot water:	22	1.25

Additional domestic water uses (irrigation, pools, etc.) may affect main sizing and has not been accounted for in these calcs.

Building Waste Main:	2
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* 2015 IPC Section 202: Bathroom Group: A group of fixtures consisting of a water closet, lavatory, bathtub or shower, including or excluding a bidet, an emergency floor drain or both. Such fixtures are located together on the same floor level.

TOWN OF EAGLE, COLORADO
RESOLUTION NO. 45
(Series of 2019)

A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF EAGLE, COLORADO APPROVING A FINAL PLAT AND DEVELOPMENT PLAN, CREATING VESTED PROPERTY RIGHTS PURSUANT TO CHAPTER 4.17 OF THE EAGLE MUNICIPAL CODE, AUTHORIZING THE ISSUANCE OF A MAJOR DEVELOPMENT PERMIT AND APPROVING AN ASSOCIATED DEVELOPMENT AGREEMENT, ALL FOR LOT C-14B, KEMP SUBDIVISION

WHEREAS, 1353 Chambers LLC ("Owner") is the owner of Lot C-14B, Kemp Subdivision, also known as 1393 Chambers Avenue, Eagle, Colorado (the "Property");

WHEREAS, Owner has filed with the Town an application for approval of a Final Plat, approval of a Development Plan and issuance of a Major Development Permit to construct a 24,202 square foot building on the Property (collectively the "Application");

WHEREAS, at a properly-noticed public hearing on October 17, 2019, the Planning and Zoning Commission reviewed the Application, heard comments from Owner, Town staff and the public, and recommended that the Board of Trustees approve the Application with conditions; and

WHEREAS, at a properly-noticed public hearing on October 22, 2019, the Board of Trustees reviewed the Application and heard comments from Owner, Town staff and the public.

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

Section 1. Final Plat. The Board of Trustees finds and determines that the Minor Subdivision meets the applicable criteria set forth in Chapter 4.12 of the Eagle Municipal Code, and the Final Plat is hereby approved, subject to the following conditions, all of which must be satisfied within 30 days of the date of this Resolution:

- a. The final plat document will be revised to reflect final technical comments from the Town Engineering and Public Works Departments, Town Attorney, and the Town's 3rd Party Surveyor.
- b. Utility, Access, and Turn-around easements created by this plat shall be dedicated to the Town of Eagle, per section 4.13.75 of the Land Use & Development Code.

Section 2. Development Plan. The Board of Trustees finds and determines that the Development Plan meets the applicable criteria set forth in Chapter 4.06 and 4.07 of the Eagle

Municipal Code, and the Development Plan is hereby approved, subject to the following conditions, all of which must be satisfied within 30 days of the date of this Resolution:

- a. The final plat document will be revised to reflect final technical comments from the Town Engineering and Public Works Departments, Town Attorney, and the Town's 3rd Party Surveyor.
- b. Utility, Access, and Turn-around easements created by this plat shall be dedicated to the Town of Eagle, per section 4.13.75 of the Land Use & Development Code.
- c. A lighting plan shall be submitted to planning staff for review and approval with the Town's lighting standards as detailed in Section 4.07.010, prior to execution of the Development Agreement.
- d. A complete Landscape Plan shall be submitted to planning staff for review and approval with the Town's Landscaping Standards as detailed in Section 4.07.020 and 4.07.070, 6, prior to execution of the Development Agreement.
- e. Trees are not allowed to be located within the utility easement locations, however shrubs are permitted.
- f. Identify the location of the mechanical equipment on the plans and indicate the method of screening prior to execution of the Development Agreement.
- g. Provide details of the trash enclosures to staff for review and approval prior to execution of the Development Agreement.
- h. Record an easement to allow access and parking on and across the two subject lots. This can be achieved by depicting/describing the easement on the subdivision plat, or via a separate recorded document.
- i. Submit a turning radius analysis to ensure adequate maneuverability through the northeastern—most driveway and to access the loading area on the east side of the building.
- j. Relocate the accessible parking spaces so as to not be located in front of a service door.

Section 3. Vested Rights. The Board of Trustees acknowledges that the Development Plan and the Final Plat together constitute a site-specific development plan pursuant to § 4.17.020 of the Eagle Municipal Code, and approval of the Development Plan and Minor Subdivision Final Plat creates vested property rights as set forth in § 4.17.060.A. of the Eagle Municipal Code.

Section 4. Development Permit. Based on the approval of the Final Plat and Development Plan contained herein, upon satisfaction of the conditions set forth in Sections 1 and 2, the Community Development Director is hereby authorized to issue the Major Development Permit.

Section 5. Development Agreement. The Development Agreement is hereby approved in substantially the form attached hereto, subject to final approval by the Town Attorney. Upon such approval, the Mayor is authorized to execute the Agreement on behalf of the Town.

INTRODUCED, READ, PASSED AND ADOPTED ON OCTOBER 22, 2019.

TOWN OF EAGLE, COLORADO

Anne McKibbin, Mayor

ATTEST:

Jenny Rakow, Town Clerk

DEVELOPMENT AGREEMENT

THIS DEVELOPMENT AGREEMENT (the "Agreement") is entered into as of the 22nd day of October, 2019 (the "Effective Date"), by and between the TOWN OF EAGLE, COLORADO, a Colorado municipal corporation with an address of P.O. Box 609, Eagle, CO 81631 (the "Town"); and 1353 CHAMBERS LLC, a limited liability company with an address of 1305 Wiley Road, Suite 106, Schaumburg, IL _____ ("Developer") (each a "Party" and collectively the "Parties").

WHEREAS, Developer owns the real property located within the Town and more particularly described in **Exhibit A**, attached hereto and incorporated herein by this reference (the "Property");

WHEREAS, Developer desires to develop the Property for a 24,202 square foot building and has filed an application for a Major Development Permit (the "Development");

WHEREAS, the Town has approved a Development Plan for the Property, subject to conditions, in accordance with Section 4.06.070 of the Eagle Municipal Code (the "Code") (the "Development Plan");

WHEREAS, Section 4.06.020(F) of the Code requires a developer to furnish the Town with a performance guarantee to secure the construction and installation of all public improvements required by the approved Development Plan as a condition for the issuance of a Development Permit; and

WHEREAS, the Parties agree that the matters hereinafter set forth are reasonable conditions and requirements to be imposed by the Town upon Developer in relation to the Development.

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

SECTION 1 - SCOPE OF THIS AGREEMENT

1.1 Purpose. This Agreement is intended to set forth the parties' understanding and agreement as to the development of the Property including but not limited to the nature of the development proposed for the Property, the procedures, limitations and standards applicable to the construction of public and other required public improvements to be installed to serve the Property, the responsibilities of the parties for various costs, fees and charges, and as to such other matters the parties believe can be adequately addressed at this time.

1.2 Rights Reserved. It is not the intention of the Parties to diminish or limit the Town's legislative, quasi-judicial, or other powers or to impose on the Town any duty, beyond its ordinances and regulations as they may from time to time exist, nor to impose any special obligation on the Town to approve or accept any future applications, plans, drawings, security documents, improvements, and conveyances, except as otherwise set forth in this Agreement.

SECTION 2 – PUBLIC IMPROVEMENTS

2.1 Public Improvements. Developer agrees to construct, at its own expense, the public improvements necessary for the Development (the "Public Improvements"), subject to the terms and conditions set forth herein and in accordance with the Development Plan.

2.2 Compliance with Applicable Law. Developer shall at all times comply with all applicable law, including without limitation all current and future federal, state and local statutes, regulations, ordinances and rules relating to: the emission, discharge, release or threatened release of a Hazardous Material into the air, surface water, groundwater or land; the manufacturing, processing, use, generation, treatment, storage, disposal, transportation, handling, removal, remediation or investigation of a Hazardous Material; and the protection of human health, safety or the indoor or outdoor environmental, including without limitation the Comprehensive Environmental Response, Compensation and Liability Act, 42 U.S.C. § 9601, *et seq.* ("CERCLA"); the Hazardous Materials Transportation Act, 49 U.S.C. § 1801, *et seq.*; the Resource Conservation and Recovery Act, 42 U.S.C. § 6901, *et seq.* ("RCRA"); the Toxic Substances Control Act, 15 U.S.C. § 2601, *et seq.*; the Clean Water Act, 33 U.S.C. § 1251, *et seq.*; the Clean Air Act; the Federal Water Pollution Control Act; the Occupational Safety and Health Act; all applicable environmental statutes of the State of Colorado; and all other federal, state or local statutes, laws, ordinances, resolutions, codes, rules, regulations, orders or decrees regulating, relating to, or imposing liability or standards of conduct concerning any hazardous, toxic or dangerous waste, substance or material, as now or at any time hereafter in effect.

2.3 Construction.

a. All Public Improvements shall be installed and completed at the expense of Developer, and dedicated or conveyed to the Town upon the Town's acceptance thereof. The estimated cost of the Public Improvements is set forth in **Exhibit B**, attached hereto and incorporated herein by this reference (the "Estimated Costs").

b. At Developer's expense, the Town may make reasonable engineering observations and require testing during construction of the required Public Improvements in such reasonable intervals and upon reasonable notice, as the Town Engineer may request, in accordance with the Town's engineering standards, Water Distribution Regulations, and Wastewater Regulations, or as otherwise determined by the Town Engineer. Observation, acquiescence in or approval by any inspector shall not constitute the approval by the Town of any portion of such Public Improvements.

c. Developer shall provide all necessary engineering designs, surveys, field surveys, and "as-built" drawings for all Public Improvements which shall be approved by the Town Engineer. The "as-built" locations of all utility service lines shall be prepared by a registered land surveyor at Developer's sole expense. No Certificate of Occupancy for any building or structure within the Development shall be issued until the required "as-built" drawings have been submitted to the Town. In addition, all expenses incurred for this Property by the Town in updating the Town's base maps shall be paid by Developer to the Town. Developer shall submit

both hard copy and electronic files of the “as-built” drawings. The format of the electronic files shall be AutoCAD 2004 or latest edition thereof.

2.4 Completion.

- a. The Public Improvements shall be completed on or before December 31, 2022.
- b. Upon completion of construction by Developer of the Public Improvements, Developer shall submit to the Town Engineer a written request for an inspection and the preparation of a Final Acceptance Punch List. Upon receipt of such request, the Town Engineer shall inspect the Public Improvements and prepare a written Final Acceptance Punch List which shall be provided to Developer within 30 days of receipt of the written request from Developer. Within 90 days from receipt of the Final Acceptance Punch List, Developer shall make all corrections necessary to bring the system or Public Improvements in to conformity with applicable Town standards and all plans, as approved.
- c. Upon completing the Final Acceptance Punch List work, Developer shall submit to the Town Engineer a written request for final acceptance. The Town Engineer shall then inspect said Public Improvements and issue a written determination as to whether the Final Acceptance Punch List work has been satisfactorily completed within 30 days of Developer's request. If the Town Engineer determines that the Final Acceptance Punch List work has not been satisfactorily completed, the Town Engineer shall issue a revised written Final Acceptance Punch List to Developer.

SECTION 3 – WARRANTY

Developer warrants all Public Improvements for a period of 2 years from the date the Town's Engineer certifies that the Public Improvements conform with the terms of this Agreement and the Code. Specifically, but not by way of limitation, Developer warrants the following:

- (a) That the title conveyed shall be good and its transfer rightful;
- (b) Any and all facilities conveyed shall be free from any security interest or other lien or encumbrance; and
- (c) Any and all facilities conveyed shall be free of any and all defects in materials or workmanship.

SECTION 4 – NUISANCES

4.1 Developer shall prevent the existence of any nuisances by way of its construction activities, as nuisances are defined by the Code. If the Town determines that a nuisance exists, Developer shall be subject to the provisions of the Code regarding the abatement of nuisances and the cost assessed therefor. If the nuisance is not abated to the satisfaction of the Town, the Town may, upon 30 days' written notice, draw upon the Performance Guarantee to pay the cost of abating the nuisance, including any expenses and penalties incurred under the Code.

The Town may exercise this right in addition to, or in lieu of, other available remedies. The decision to draw on the Performance Guarantee shall be within the sole discretion of the Town.

4.2 Dogs. Developer shall prohibit its contractors and subcontractors from bringing dogs onto the Property, even if such dogs are to be kept inside motor vehicles. Violation of this policy shall result in the immediate eviction of the dog from the Property. In the event of a second violation by the same dog or the same dog's owner, the dog and the dog's owner shall be immediately evicted from the Property by Developer and the offending person shall be prohibited from entering or working within the Property for the following 7 consecutive days. In the event of a third violation, the offending person shall be prohibited by Developer from entering or working within the Property for the following 6 months.

SECTION 5 – LANDSCAPING

Developer shall submit to the Town for review and approval a final landscaping plan prior to commencing any landscaping work. Developer shall install, at its sole cost and expense, all landscaping shown in said landscaping plan together with a complete drip irrigation system for such landscaping. Developer shall be solely responsible for the adequate and proper maintenance of all on-site and off-site landscaping adjacent to the Property.

SECTION 6 - WATER AND WASTEWATER SERVICE

6.1 Dedication of Water Rights. The Town acknowledges that sufficient water rights have previously been dedicated to the Town to serve the Development.

6.2 Water Service. Upon completion of the water system improvements necessary to serve the Development, the Town shall provide municipal treated water service to the Development. Provision of water service to the Development shall be made pursuant to agreement by the Town and shall be made available upon full payment of an applicable plant investment fee and utility connection charges at the then applicable rate set forth in the Code. The plant investment fee shall be fully paid prior to the issuance by the Town of a building permit.

6.3 Wastewater Collection System Improvements. Developer, at its sole cost and expense, shall design, purchase, and install all elements of the wastewater collection system located on the Property to fully service the Development in accordance with any design drawings, plans and specifications submitted with the Development Plan and approved by the Town Engineer, and applicable Uniform Non-discriminatory Regulations of the Town in effect at the time of issuance of the Major Development Permit.

6.4 Wastewater Service. Upon completion of any wastewater collection system improvements necessary to serve the Development by Developer, and upon approval and acceptance by the Town Engineer, the Town agrees to provide wastewater treatment and collection service to the Development. The plant investment fee shall be paid prior to the issuance by the Town of a building permit. Provision of wastewater service by the Town to the Development shall be made pursuant to agreement by the Town and on a first come/first

served basis with other wastewater service customers, subject to system capacity and any prior commitments, and at the then applicable rate as set forth in the Code.

SECTION 7 - PERFORMANCE GUARANTEE

7.1 General. To secure the construction and installation of the Public Improvements, Developer shall furnish the Town with cash to be deposited in an escrow account that is acceptable to the Town; or an irrevocable standby letter of credit that is acceptable to the Town; with either in an amount equal to 110% of the Estimated Costs.

7.2 Delivery. Developer shall furnish to the Town the security required by this Section prior to commencing any work on improvements to the Property. Developer shall not commence any work within the Development until such approved security is furnished to the Town.

7.3 Additional Standards. The security required by this Section shall be subject to Section 4.06.020(F) of the Code.

7.4 Increase in Estimated Costs. The Estimated Costs may increase in the future. Accordingly, the Town reserves the right to review and adjust the Estimated Costs at the time a building permit is issued and annually if the Public Improvements have not been completed. Adjustments shall be made according to changes in the Construction Costs Index as published by the Engineering News Record. If the Town adjusts the Estimated Costs, the Town shall give written notice to Developer. Developer shall, within 30 days after receipt of said written notice, provide the Town with a new or amended Performance Guarantee in the amount of the adjusted Estimated Costs. If Developer fails to provide a new or amended Performance Guarantee, the Town may exercise the remedies provided for in this Agreement; provided, however, that prior to increasing the amount of the Performance Guarantee, the Town shall give credit to Developer for all Public Improvements which have actually been completed, so that the amount of the Performance Guarantee relates to the cost of required Public Improvements not yet constructed.

7.5 Partial Release. Upon completion of portions of the required Public Improvements by Developer, evidenced by a detailed cost breakdown of the completed Public Improvements, the amount of any letter of credit issued pursuant to this Agreement may be reduced by up to 20% of the approved estimated cost for the installation of such Public Improvements, upon application of Developer, and approval by the Town Manager. Upon completion of all of the required Public Improvements by Developer, and upon final inspection and approval by the Town Engineer of all such Public Improvements, the Town Manager shall further authorize the reduction of the amount of the security to 10% of the total actual cost of such Public Improvements.

7.6 Full Release. The security issued pursuant to this Section shall be fully released and discharged by the Town upon expiration of the 2-year warranty period, provided that, if defects are not satisfactorily corrected within such 2 years, the Town may require new security and withhold the issuance of any further building permits until new security is supplied.

7.7 Draw. If the required Public Improvements are not satisfactorily constructed or completed within the time specified in Section 2.4, the Town may draw on the security to complete the Public Improvements. If the security is to expire within 14 calendar days and Developer has not yet provided a satisfactory replacement or satisfactorily completed the Public Improvements, the Town may draw on the security and either hold such funds as security for performance of this Agreement or spend such funds to complete the Public Improvements or correct problems with the Public Improvements as the Town deems appropriate. If the Town has drawn on the security and a satisfactory replacement guarantee is thereafter provided or the Public Improvements have been completed, then the Town will release any funds received as a result of its draw within a reasonable period of time, or within 10 calendar days of a request by Developer.

SECTION 8 - INDEMNIFICATION

8.1 By Contractors. Any contractor employed by Developer who performs work within rights-of-way or easements dedicated to the Town or within other property owned by the Town shall agree to indemnify and hold harmless the Town, its officers, employees, insurers, and self-insurance pool, from and against all liability, claims, and demands, on account of injury, loss, or damage, including without limitation claims arising from bodily injury, personal injury, sickness, disease, death, property loss or damage, or any other loss of any kind whatsoever, which arise out of or are in any manner connected with work performed by such contractor for Developer within Town rights-of-way, easements or other property, if such injury, loss, or damage is caused in whole or in part by, or is claimed to be caused in whole or in part by, the act, omission, error, professional error, mistake, negligence, or other fault of such contractor, any subcontractor of the contractor, or any officer, employee, representative, or agent of such contractor or of any subcontractor of the contractor, or which arise out of any workers compensation claim of any employee of the contractor or of any employee of any subcontractor of the contractor. The contractor shall also agree to bear all other costs and expenses related thereto, including court costs and attorney fees, whether or not any such liability, claims, or demands alleged are groundless, false, or fraudulent.

8.2 By Developer. In addition to the indemnification required by Section 8.1, Developer hereby expressly agrees to indemnify and hold the Town harmless from and against all claims, costs and liability of every kind and nature, for injury or damage received or sustained by any person or entity, excluding Town officers, agents or employees, in connection with, or on account of the performance of work within the Development and elsewhere by Developer, or its agents, contractors or employees pursuant to this Agreement.

SECTION 9 - INSURANCE

9.1 Required. Developer and every contractor hired by Developer to perform work under this Agreement shall procure and maintain, at its own cost, a policy or policies of insurance sufficient to insure against all liability, claims, demands and other obligations assumed by such contractor.

9.2 Amounts. The required coverages set forth below shall be procured and maintained with forms and insurers acceptable to the Town.

(a) Workers compensation insurance to cover obligations imposed by applicable Colorado law for any employee engaged in the performance of work.

(b) General Liability insurance with minimum combined single limits of \$1,000,000 each occurrence and \$2,000,000 aggregate. The policy shall be applicable to all premises and operations. The policy shall include coverage for bodily injury, broad form property damage (including completed operations), personal injury (including coverage for contractual, and employee acts), blanket contractual independent contractors, products, and completed operations. The policy shall include coverage for explosion, collapse, and underground hazards. The policy shall contain a severability of interests provision.

9.3 Form. The policies shall be endorsed to include the Town and the Town's officers and employees as additional insureds. In the case of any claims-made policy, the necessary retroactive dates and extended reporting periods shall be procured to maintain such continuous coverage. Every policy shall be primary insurance, and any insurance carried by the Town, its officers, or its employees, or carried by or provided through any insurance pool of the Town, shall be excess and not contributory insurance to that provided by Developer. No additional insured endorsement shall contain any exclusion for bodily injury or property damage arising from completed operations. Developer shall be solely responsible for deductible losses under any policy required above.

9.4 Certificate. Upon request by the Town, Developer shall provide the Town with a certificate of insurance as evidence that policies providing the required coverages, conditions, and minimum limits are in full force and effect. The certificate shall identify this Agreement and shall provide that the coverages afforded under the policy shall not be canceled, terminated or materially changed until at least 30 days prior written notice has been provided to the Town.

SECTION 10 - REIMBURSEMENT OF COSTS

10.1 Development Review Costs. Pursuant to Section 4.03.080(C)(2) of the Code, Developer shall pay to the Town the actual cost to the Town for consulting engineering, surveying, base map updating, consultant planning services, publication costs, and legal services rendered in connection with Developer's Major Development Permit application. Said costs shall be paid in full prior to the issuance of the Major Development Permit.

10.2 Inspection Costs. Prior to the approval and acceptance of the construction and installation of the required Public Improvements, Developer shall pay to the Town the actual cost of all inspections of such Public Improvements made or conducted at the direction of the Town Administrator, Town Engineer, or Public Works Director, including the reasonable value of a salaried employee's time, as provided in Section 4.03.080(D)(1) of the Code.

SECTION 11 – FEES AND DEDICATIONS

11.1 Street Improvement Fee. In accordance with Section 4.13.220 of the Code, Developer shall pay to the Town the sum of \$24,589.23 for street improvement fees for the Development, based on 24,202 square feet of commercial general space prior to the issuance of a Major Development Permit by the Town.

11.2 Fire Protection Impact Fees. In accordance with Section 4.13.230 of the Code, Developer shall pay to the Town the sum of \$22,139.50 for fire protection impact fees for the Development for 24,202 square feet of non-residential space. Such fees shall be paid prior to the issuance of a Major Development Permit by the Town.

11.3 Public Safety Impact Fee. In accordance with Section 4.13.250 of the Code, Developer shall pay to the Town the sum of \$7,502.62 for public safety impact fees for the Development. Such fees shall be paid prior to the issuance of a Major Development Permit by the Town.

11.4 School Land Dedication Fee. In accordance with Section 4.13.190 of the Code, Developer is not subject to school land dedication fee, because the project is non-residential in nature.

11.5 Easements. Developer shall dedicate to the Town, at no cost, free and clear of any liens and encumbrances, easements required for extension of utilities, drainage, access, or any other use depicted in the engineering drawings approved by the Town Engineer.

SECTION 12 – BREACH AND REMEDIES

12.1 Breach. Unless necessary to protect the immediate health, safety and welfare of the Town, or to protect the interest of the Town with regard to the Performance Guarantee, the Town shall provide Developer 30 days' written notice of its intent to take any action under this Section, during which Developer may cure the breach and prevent further action by the Town.

12.2 Remedies. If Developer breaches any provision of this Agreement, the Town may take such action as permitted or authorized by law, this Agreement or the ordinances of the Town, as the Town deems necessary to protect the public health, safety and welfare. The remedies include without limitation:

- (a) The refusal to issue any building permit or certificate of occupancy;
- (b) The revocation of any building permit previously issued under which construction directly related to such building permit has not commenced, except a building permit previously issued to a third party;
- (c) A demand that the security given for the completion of the Public Improvements be paid or honored; or
- (d) Any other remedy available at law or in equity.

12.3 Additional Remedies. The rights and remedies of the Town under this Agreement are in addition to any other rights and remedies provided by law. The expiration of this Agreement shall in no way limit the Town's legal or equitable remedies, or the period in which such remedies may be asserted, for work negligently or defectively performed.

SECTION 13 - MISCELLANEOUS

13.1 Assignment. This Agreement shall not be assigned by Developer in whole or in part without the prior written authorization of the Town.

13.2 Governing Law and Venue. The laws of the State of Colorado shall govern this Agreement, and the exclusive venue for any legal proceeding arising out of this Agreement shall be Eagle County, Colorado.

13.3 No Third-Party Beneficiaries. There are no intended third-party beneficiaries to this Agreement.

13.4 Severability. If any provision of this Agreement 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.

13.5 Governmental Immunity. Nothing herein shall be construed as a waiver of any protections or immunities the Town or its employees, officials or attorneys may have under the Colorado Governmental Immunity Act, C.R.S. § 24-10-101, *et seq.*, as amended.

13.6 No Joint Venture. Notwithstanding any provision hereof, the Town shall never be a joint venture in any private entity or activity which participates in this Agreement, and the Town shall never be liable or responsible for any debt or obligation of any participant in this Agreement.

13.7 Notice. Notices under this Agreement shall be sufficiently given if sent by regular U.S. mail, postage prepaid, to the address on the first page of this Agreement.

13.8 Integration. This Agreement, together with all exhibits attached hereto, constitute the entire understanding and agreement of the Parties, integrates all the terms and conditions mentioned herein or incidental thereto, and supersedes all negotiations or previous arrangements between the Parties with respect to any and all of the subject matter hereof.

13.9 Recordation. This Agreement shall be recorded in the real estate records of the Eagle County Clerk and Recorder, and shall be a covenant running with the Property.

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

TOWN OF EAGLE, COLORADO

Anne McKibbin, Mayor

ATTEST:

Jenny Rakow, Town Clerk

DEVELOPER

STATE OF COLORADO)
)ss.
COUNTY OF EAGLE)

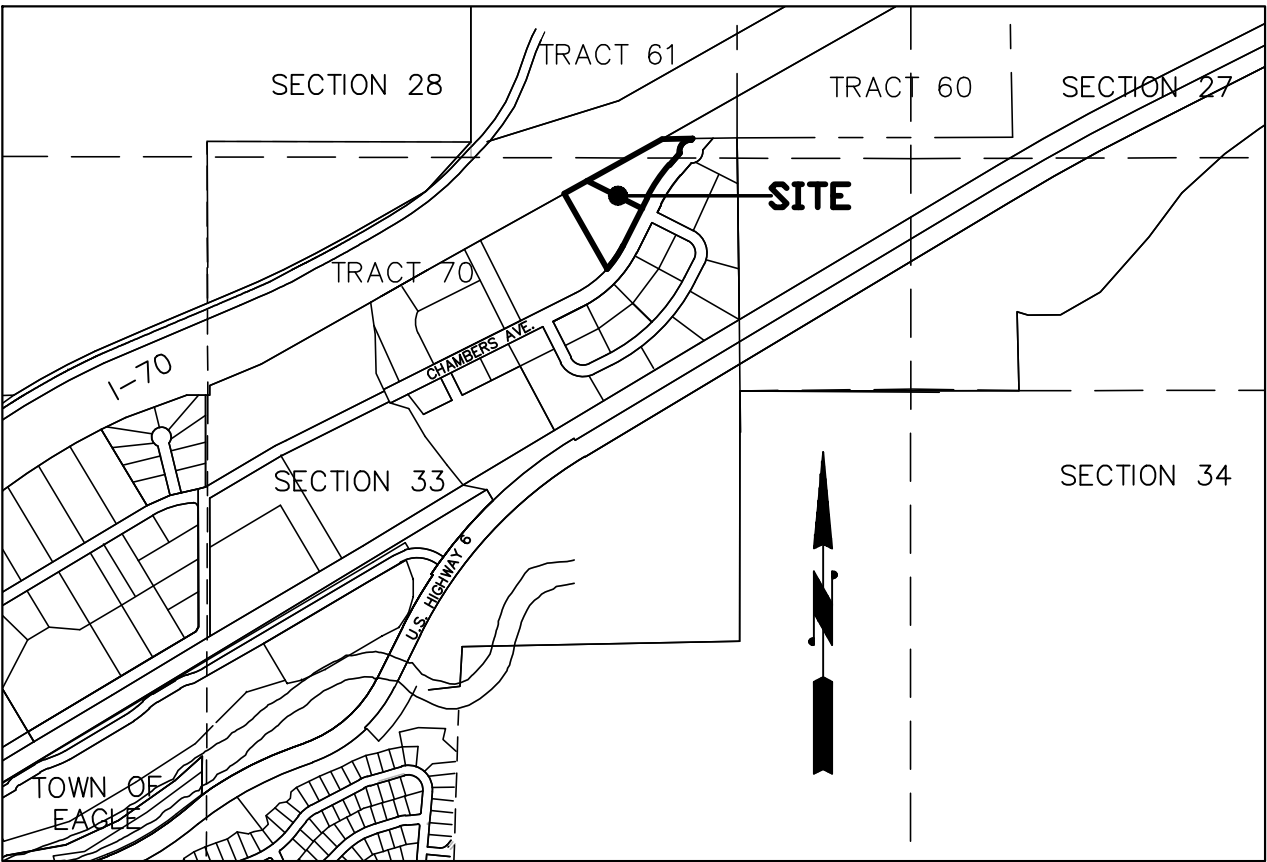
Subscribed and sworn to before me this ____ day of _____, 2019, by
_____ as _____ of 1353 CHAMBERS LLC.

WITNESS MY HAND AND OFFICIAL SEAL.

My commission expires: _____

Notary Public

Amended Final Plat
KEMP SUBDIVISION
A Resubdivision of Lot C-14
Town of Eagle, County of Eagle, State of Colorado



VICINITY MAP SCALE: 1"=1000'

CERTIFICATE OF DEDICATION AND OWNERSHIP

Know all men by these presents that 1353 CHAMBERS LLC, A COLORADO LIMITED LIABILITY COMPANY, being sole owner(s) in fee simple, of all that real property situated in the Town of Eagle, Eagle County, Colorado described as follows: LOT C-14, AMENDED FINAL PLAT, KEMP SUBDIVISION, according to the AMENDED FINAL PLAT recorded FEBRUARY 25, 2011 under Reception No. 201103742, Eagle County, Colorado, containing 4.0288 acres more or less; have by these presents laid out, platted and subdivided the same into lots and blocks as shown on this AMENDED FINAL PLAT under the name and style of AMENDED FINAL PLAT, KEMP SUBDIVISION, A RESUBDIVISION OF LOT C-14, a subdivision in the Town of Eagle, Eagle County; and do hereby accept the responsibility for the completion of required improvements; and do hereby dedicate and set apart all of the public roads and other public improvements and places as shown on the accompanying plat to the use of the public forever; and do hereby dedicate those portions of said real property which are created as easements on the accompanying plat to the public forever as easements for the purposes shown herein, unless otherwise expressly provided thereon; and do hereby grant the right to install and maintain necessary structures to the entity responsible for providing the services for which the easements are established.

EXECUTED this ____day of _____, A.D., 2019 .

Title and Signature:

Owner: 1253 CHAMBER LLC, A COLORADO LIMITED LIABILITY COMPANY

Address: 1305 WILEY RD STE 106
SCHAUMBURG, IL 60173

STATE OF COLORADO)
)SS
COUNTY OF EAGLE)

The foregoing Certificate of Dedication and Ownership was acknowledged before me this ____ day of _____, A.D. 2019, by _____

My Commission expires _____
Witness my hand and official seal.

Notary Public

SUBORDINATION BY LIENHOLDERS

WELLS FARGO BANK, being the holder of a promissory note secured by a Deed of Trust dated FEBRUARY 27, 2018, recorded under Reception No. 201803008, in the Office of the Clerk and Recorder of Eagle County, Colorado, hereby consents to the subdivision of the lands set forth in this Amended Final Plat, and subordinates the lien represented by the aforesaid Deed of Trust to the Dedications, restrictions, covenants and conditions shown on this Amended Final Plat.

By: _____
Lienholder and Title

STATE OF COLORADO)
) SS.
COUNTY OF EAGLE)

The forgoing was acknowledged before me this ____ day of _____, 2019,
by _____ as _____ of _____

Witness my hand and official seal.

My commission expires: _____

Notary Public

TITLE CERTIFICATE

Land Title Guarantee Company does hereby certify that it has examined the Title to all lands shown upon this Plat and that Title to such lands is vested in STEVEN J. BEARD AND ELIZABETH A. BEARD, is free and clear of all liens and encumbrances, except as follows:

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

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., 2019.

Treasurer of Eagle County

PLANNING COMMISSION CERTIFICATE

This Plat approved by the Town of Eagle Planning Commission the ____ day of _____, 2019.

By: _____
Chairman

BOARD OF TRUSTEE CERTIFICATE

This plat approved by the Board of Trustees of the Town of Eagle, Colorado, the ____ day of _____, 2019 for filing with the Clerk and Recorder of Eagle County, and the 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 Board of Trustees of the Town of Eagle. Further, said approval in no way obligates the Town of Eagle for maintenance of public improvements until construction of said improvements has been completed in accordance with the Town of Eagle's specifications and the Town of Eagle has agreed to accept said improvements. This approval does not guarantee that the size, soil conditions, sub-surface geology, ground water conditions, or flooding conditions of any lot shown hereon are such that a building permit, development permit, or any other required permit will be issued. This approval is with the understanding that all expenses involving required improvements for all utility services, paving, grading, landscaping, curbs, gutters, sidewalks, road lighting, road signs, flood protection devices, drainage structures, and all other improvements that may be required shall be the responsibility of the owners designated hereon and not the Town of Eagle, unless otherwise specifically agreed to in writing by the Board of Trustees.

TOWN OF EAGLE, COLORADO

By: _____
Mayor

ATTEST

Town Clerk

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 _____, 2019, and is duly recorded as Reception No. _____.

Clerk and Recorder

By: _____
Deputy

LAND USE SUMMARY

LOT	ADDRESS	ACREAGE	USE
LOT C-14A	1353 CHAMBERS AVE.	2.1102+-	COMMERCIAL
LOT C-14B	1393 CHAMBERS AVE.	1.9186+-	COMMERCIAL
TOTAL		4.0288+-	

PLAT NOTES

1. THE PURPOSE OF THIS AMENDED FINAL PLAT IS TO (i) CREATE TWO (2) LOTS FROM EXISTING LOT C-14, (ii) CREATE A ACCESS, UTILITY AND DRAINAGE EASEMENTS.
2. SURVEY DATE: AUGUST 5, 2019.
3. U.S. SURVEY FEET WAS USED FOR THIS SURVEY.
4. ADDRESS: 1353 CHAMBERS AVENUE (POSTED).
5. THE LEGAL DESCRIPTION SHOWN HEREON WAS BASED ON A TITLE COMMITMENT PROVIDED BY LAND TITLE GUARANTEE COMPANY , ORDER NO. ABC50054602 AN EFFECTIVE DATE OF 9-03-2019, THE AMENDED FINAL PLAT, KEMP SUBDIVISION, REC.NO. 201103742 AND SURVEY MONUMENTS FOUND AT THE TIME OF THE SURVEY.
6. BASIS OF BEARINGS: AN ASSUMED BEARING OF N 60° 23' 33" E, BETWEEN THE NORTHWESTERLY CORNER OF SAID LOT C-14, KEMP SUBDIVISION, REC.NO. 201103742, A FOUND 1 1/2" ALUMINUM CAP, ON 5/8" REBAR, STAMPED PLS #23089 AND THE NORTHEASTERLY CORNER OF SAID LOT C-14, A FOUND 1 1/2" ALUMINUM CAP, ON 5/8" REBAR, STAMPED PLS #20695.
7. THIS PROPERTY IS SUBJECT TO THE ACCESS EASEMENT AGREEMENT RECORDED _____ AT RECEPTION NO. _____ IN THE EAGLE COUNTY CLERK AND RECORDER'S OFFICE, COUNTY OF EAGLE, COLORADO.
8. THIS PROPERTY IS ALSO SUBJECT TO THE FOLLOWING:

RIGHT OF PROPRIETOR OF A VEIN OR LODE TO EXTRACT AND REMOVE HIS ORE THEREFROM SHOULD THE SAME BE FOUND TO PENETRATE OR INTERSECT THE PREMISES AS RESERVED IN UNITED STATES PATENT RECORDED MARCH 22, 1929, IN BOOK 106 AT PAGE 519.

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 AUGUST 08, 1996, IN BOOK 702 AT PAGE 366 AND THIRD NOTICE OF ANNEXATION RECORDED DECEMBER 27, 2000 AT RECEPTION NO. 746978 AND RECORDED JUNE 6, 2001 AT RECEPTION NO. 758897.

EASEMENTS, CONDITIONS, COVENANTS, RESTRICTIONS, RESERVATIONS AND NOTES ON THE PLAT OF EAGLE VALLEY COMMERCIAL PARK, FILING NO. 3 RECORDED DECEMBER 11, 2000 AT RECEPTION NO. 746022.

TERMS, CONDITIONS AND PROVISIONS OF HOLY CROSS ENERGY UNDERGROUND RIGHT OF WAY EASEMENT RECORDED MARCH 15, 2001 AT RECEPTION NO. 751900.

TERMS, CONDITIONS AND PROVISIONS OF TRENCH, CONDUIT AND VAULT AGREEMENT RECORDED NOVEMBER 02, 2007 AT RECEPTION NO. 200729459.

EASEMENTS, CONDITIONS, COVENANTS, RESTRICTIONS, RESERVATIONS AND NOTES ON THE PLAT OF KEMP SUBDIVISION RECORDED OCTOBER 14, 2010 UNDER RECEPTION NO. 201020684.

TERMS, CONDITIONS, PROVISIONS, BURDENS, OBLIGATIONS AND EASEMENTS AS SET FORTH AND GRANTED IN DECLARATION OF ACCESS EASEMENT AGREEMENT RECORDED OCTOBER 14, 2010 UNDER RECEPTION NO. 201020685.

TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN ORDINANCE NO. 1, SERIES 2011 RECORDED FEBRUARY 25, 2011 UNDER RECEPTION NO. 201103743.

TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN ORDINANCE NO. 3, SERIES 2011 RECORDED MARCH 30, 2011 UNDER RECEPTION NO. 201105804.

TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN DEVELOPMENT IMPROVEMENTS AGREEMENT RECORDED MARCH 30, 2011 UNDER RECEPTION NO. 201105805.

EASEMENTS, CONDITIONS, COVENANTS, RESTRICTIONS, RESERVATIONS AND NOTES ON THE PLAT OF AMENDED MAP OF KEMP SUBDIVISION RECORDED FEBRUARY 25, 2011 UNDER RECEPTION NO. 201103742.

DEED OF TRUST DATED FEBRUARY 22, 2018, FROM 1353 CHAMBERS LLC, A COLORADO LIMITED LIABILITY COMPANY TO THE PUBLIC TRUSTEE OF EAGLE COUNTY, COLORADO FOR THE USE OF WELLS FARGO BANK, NATIONAL ASSOCIATION TO SECURE THE SUM OF \$2,500,000.00 RECORDED FEBRUARY 27, 2018, UNDER RECEPTION NO. 201803008.

SURVEYOR'S CERTIFICATE

I, Randall P. Kipp, do hereby certify that I am a Professional Land Surveyor licensed to practice land surveying under the laws of the State of Colorado, that this subdivision plat is a true, correct and complete Plat of the AMENDED FINAL PLAT, KEMP SUBDIVISION, A RESUBDIVISION OF LOT C-14, as laid out, platted, dedicated and shown hereon, that such plat was made from an accurate survey of said property by me and/or under my supervision and accurately shows the location and dimensions of the lots, easements and right of ways of said plat as the same are monumented upon the ground in compliance with applicable regulation governing the subdivision of land, that such plat is based upon the professional land surveyors knowledge, information and belief, that such plat has been prepared in accordance with applicable standards of practice, and that such plat is not a guaranty or warranty, either expressed or implied.

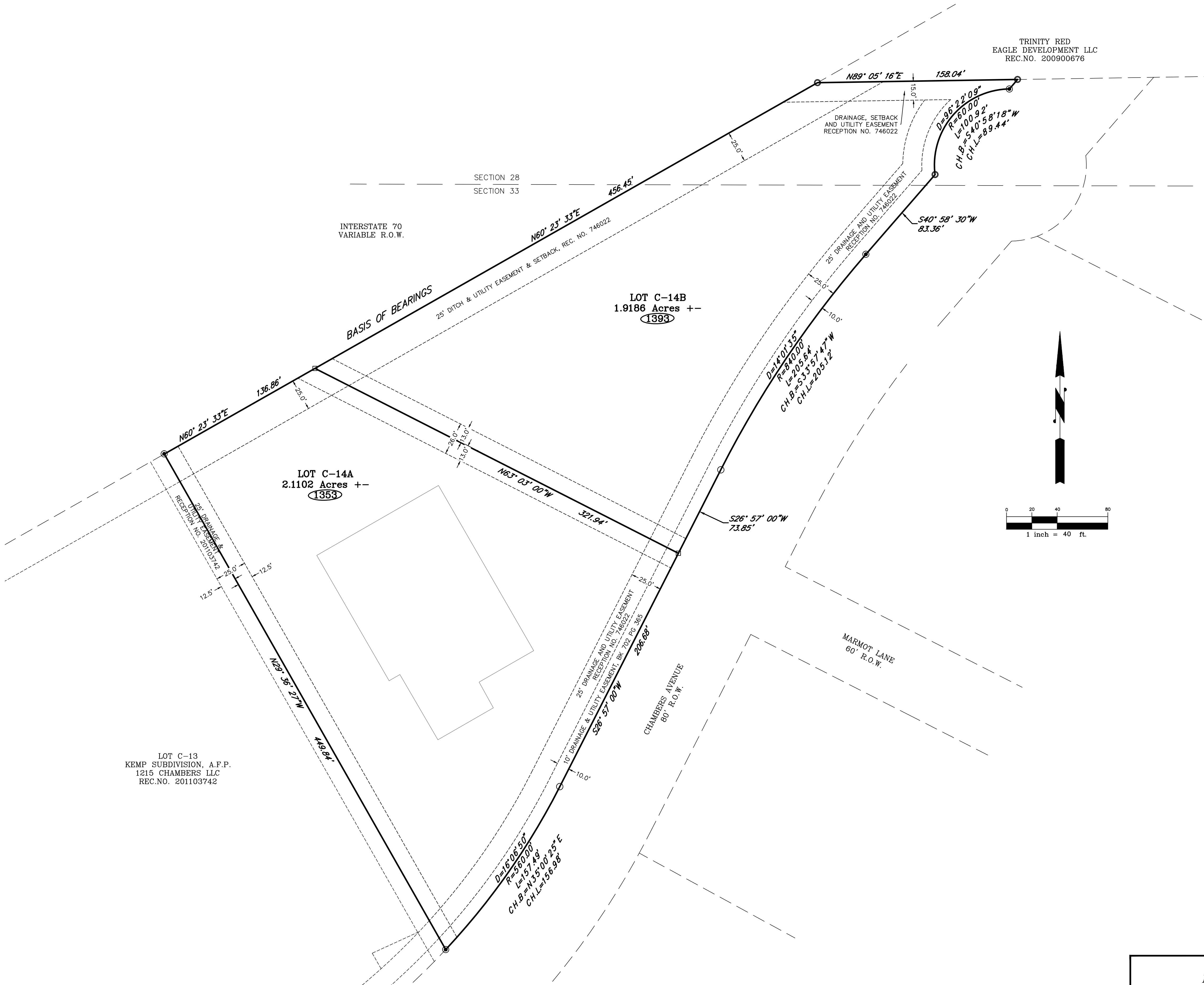
In Witness Whereof, I have set my hand and seal this ____ day of _____, A.D., 2019.

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

Amended Final Plat KEMP SUBDIVISION A RESUBDIVISION OF LOT C-14 Town of Eagle, County of Eagle, State of Colorado		KIPP LAND SURVEYING	
JOB NO.: 19131		RANDY KIPP P.L.S. P.O. Box 3154 Eagle, CO 81631 (970) 390-9540	
SHEET 1 OF 2		DATE: 9-12-19 DWG NAME: 19131-LotC-14-AFP	
		email: randy@kipplandsurveying.com web: kipplandsurveying.com	

NOTICE: According to Colorado law you MUST commence any legal action based upon any defect in this survey within three years after you first discovered such defect. In no event, may any action based upon any defect in this survey be commenced more than ten years from the date of certification shown hereon.

Amended Final Plat
KEMP SUBDIVISION
A Resubdivision of Lot C-14
Town of Eagle, County of Eagle, State of Colorado



LEGEND:

- DENOTES SET SURVEY MONUMENT, 1.5" ALUMINUM CAP ON #5 REBAR LS #38079
- DENOTES FOUND SURVEY MONUMENT 1.5" ALUMINUM CAP, ON #5 REBAR LS #20695
- DENOTES FOUND SURVEY MONUMENT 1.5" ALUMINUM CAP, ON #5 REBAR LS #23089
- DENOTES FOUND SURVEY MONUMENT 1.5" ALUMINUM CAP, ON #5 REBAR LS #30091

NOTICE: According to Colorado law you MUST commence any legal action based upon any defect in this survey within three years after you first discovered such defect. In no event, may any action based upon any defect in this survey be commenced more than ten years from the date of certification shown hereon.

Amended Final Plat KEMP SUBDIVISION A RESUBDIVISION OF LOT C-14 Town of Eagle, County of Eagle, State of Colorado		KIPP LAND SURVEYING	
JOB NO.: 19131		RANDY KIPP P.L.S. P.O. Box 3154 Eagle, CO 81631 (970) 390-9540	
DATE: 9-12-19		email: randy@kipplandsurveying.com	
SHEET 2 OF 2		DWG NAME: 19131-LotC-14-AFP	
		web: kipplandsurveying.com	

**1353 Chambers Ave- Building East
Development Improvement Agreement
Opinion of Probable Cost
September 30, 2019**



ITEM	DESCRIPTION	UNIT	QUANTITY	UNIT PRICE	TOTAL
	SITE ACCESS				
	Remove and dispose of existing curb & gutter	LF	65	\$ 18.00	\$ 1,170.00
	Remove and dispose of existing 6' walk	SF	320	\$ 8.00	\$ 2,560.00
	Asphalt (4")	TN	20	\$ 120.00	\$ 2,400.00
	Basecourse (6") drive, walk, curb	TN	50	\$ 35.00	\$ 1,750.00
	Concrete drainage pan- 3' wide	SF	195	\$ 15.00	\$ 2,925.00
	Concrete curb and gutter	LF	40	\$ 28.00	\$ 1,120.00
	Concrete ADA ramp	EA	2	\$ 2,300.00	\$ 4,600.00
	Signage	EA	1	\$ 500.00	\$ 500.00
	Landscaping and Irrigation replacement	LS	1	\$ 15,000.00	\$ 15,000.00
	TOTAL ACCESS				\$ 32,025.00
	UTILITY				
	Connect to existng sewer MH	EA	1	\$ 800.00	\$ 800.00
	8" SDR 35 Sewer Main	LF	548	\$88.00	\$ 48,224.00
	Sewer Video & Testing	LF	548	\$5.00	\$ 2,740.00
	4' Diameter Sewer Manhole	EA	5	\$4,000.00	\$ 20,000.00
	5' Diameter Sewer Drop Manhole	EA	1	\$5,200.00	\$ 5,200.00
	Connect existing 4" service to main	EA	1	\$500.00	\$ 500.00
	Sewer Cleanouts	EA	2	\$75.00	\$ 150.00
	Connect to existng water main	EA	1	\$ 1,100.00	\$ 1,100.00
	8" DIP Water Main	LF	597	\$80.00	\$ 47,760.00
	8" Gate Valve	EA	8	\$1,700.00	\$ 13,600.00
	8" Bend	EA	3	\$450.00	\$ 1,350.00
	8" x 8" Tee	EA	3	\$450.00	\$ 1,350.00
	Fire Hydrant Assembly	EA	2	\$6,600.00	\$ 13,200.00
	Temporary Blowoff	EA	3	\$900.00	\$ 2,700.00
	6" DIP Water Main	LF	70	\$54.00	\$ 3,780.00
	6" Gate Valve	EA	2	\$450.00	\$ 900.00
	8" x 6" Tee	EA	2	\$300.00	\$ 600.00
	Air Release Manhole	EA	1	\$4,500.00	\$ 4,500.00
	Remove and dispose of existing asphalt drive	SF	33	\$ 5.00	\$ 165.00
	Asphalt (4")	TN	1	\$ 120.00	\$ 120.00
	Remove concrete ramp /curb (2" water)	SF	120	\$ 5.00	\$ 600.00
	Concrete ADA ramp	EA	1	\$ 2,300.00	\$ 2,300.00
	Concrete curb and gutter (2" water)	LF	20	\$ 28.00	\$ 560.00
	TOTAL UTILITY				\$ 172,199.00
	SHALLOW UTILITIES				
	Remove and dispose of existing asphalt road	SF	315	\$ 5.00	\$ 1,575.00

**1353 Chambers Ave- Building East
Development Improvement Agreement
Opinion of Probable Cost
September 30, 2019**



ITEM	DESCRIPTION	UNIT	QUANTITY	UNIT PRICE	TOTAL
	Remove and dispose of existing curb & gutter	LF	10	\$ 18.00	\$ 180.00
	Remove and dispose of existing 6' walk	SF	60	\$ 8.00	\$ 480.00
	Asphalt (4")	TN	9	\$ 120.00	\$ 1,080.00
	Concrete curb and gutter	LF	10	\$ 28.00	\$ 280.00
	Concrete Walk	SF	60	\$ 12.00	\$ 720.00
	TOTAL SHALLOW UTILITY				\$ 4,315.00
	STORM				
	Connect to existing curb inlet	EA	1	\$ 1,000.00	\$ 1,000.00
	18" RCP	LF	19	\$ 45.00	\$ 855.00
	Remove and dispose of existing 6' walk	SF	60	\$ 8.00	\$ 480.00
	Concrete Walk	SF	60	\$ 12.00	\$ 720.00
	TOTAL STORM				\$ 3,055.00
	SEDIMENT CONTROL				
	Tracking Pad	EA	1	\$ 1,200.00	\$ 1,200.00
	Erosion Log (perimeter)	LF	350	\$ 3.00	\$ 1,050.00
	Silt Sack & Beaver Dam inlet protection	EA	1	\$ 400.00	\$ 400.00
	TOTAL SEDIMENT CONTROL				\$ 2,650.00
	GRAND TOTAL				\$ 214,244.00

This takeoff does not include engineering, tap fees, materials testing, Surveying, Construction Admin., Permit Fees, Town Fees, irrigation, off-site utility upgrades, or other off-site improvements. The actual cost may vary significantly based upon final design, hauling and disposal of excess materials, amount of unsuitable material encountered, the cost and availability of labor, equipment, material and market conditions.

PERFORMANCE GUARANTEE FOR PUBLIC IMPROVEMENTS
= 110% OF PROBABLE COST
= 1.1 X \$214,244.00
= \$235,668.00



To: Mayor and Town Board of Trustees

From: Brandy Reitter, Town Manager

Date: October 22, 2019

Agenda Item: Ordinance 24-2019 - Tobacco Licensing Amendment

REQUEST:

Staff is requesting that the Board of Trustees review a draft ordinance amending the code to include tobacco licensing.

INTRODUCTION:

This summer Eagle County approached the town on various tobacco regulations related to age limits, taxes, and licensing. As a result, the board requested that staff prepare licensing regulations specific to the Town of Eagle. The State of Colorado enforces licensing on behalf of the town. By the town establishing its own licensing program, there could be additional enforcement provisions that the state doesn't cover. The board also expressed in taxing tobacco and directed staff to investigate this for the 2020 April election. In the meantime, staff will work with the board on licensing. Attached is a draft ordinance for consideration and a map of town showing school buffers for liquor to give perspective. The liquor buffer is 500 feet from schools.

ANALYSIS:

The ordinance contains the following:

- Definitions for tobacco and licensee
- Every retailer that sells tobacco will need to acquire a separate license
- Licenses are not transferrable
- Establishes a Retail Tobacco Business Licensing Authority – the BOT shall serve as the Authority
- Includes application requirements
- Establishes the process for considering applications and renewals
- Limits the sale of tobacco to persons under the age of 18
- Addresses suspensions, revocation for violations and enforcement

Considerations not included:

- Retailer distances away from schools (could impact established retailers)
- Prohibition of minors being on the premise of these businesses (mostly impacts gas stations)

It is also important to mention that because Eagle is not home rule, the town cannot prohibit flavored nicotine products as many communities are doing.

COMMUNITY INPUT:

Community input was given at a few meetings on how the town could address tobacco over the summer. This included presentations by county staff and students from the school district.

BUDGET / STAFF IMPACT

A new licensing program does have an impact on budget and staff. With the approval of this ordinance, town will establish a licensing and application fee for retailers who sell tobacco. This fee will be established in the 2020 fee schedule with the adoption of the budget. A new licensing program will have to be enforced by the clerk, police and community development departments. Enforcement is similar to how the town addresses liquor and marijuana licensing.

STRATEGIC PLAN ALIGNMENT/STANDARDS ACHIEVED:

This proposal doesn't align with any strategic objectives but does touch on the following business values:

- Protecting Public Health, Safety, and the Environment: This policy is crafted so that the town can protect the well-being of the community. By being proactive through regulation and enforcement, town can ensure that sale and use of tobacco are compliant with state and local laws and reinforces the use of tobacco by people over the age of 18.

RECOMMENDED ACTION OR PROPOSED MOTION:

The BOT has two options:

1. Review the draft ordinance, give feedback to staff and bring it back on November 12 for adoption.
2. If the BOT is okay with the language in the ordinance:

Motion to **Approve** or **Deny** adoption of Ordinance 24-2019, "An Ordinance of the Board of Trustees of the Town of Eagle, Colorado Adding a New Chapter 5.16 to the Eagle Municipal Code Regarding Licensing Retail Tobacco Businesses."

ATTACHMENTS:

- Ordinance 24-2019
- Map of the town

TOWN OF EAGLE, COLORADO
ORDINANCE NO. ____
(Series of 2019)

**AN ORDINANCE OF THE BOARD OF TRUSTEES OF THE TOWN OF EAGLE,
COLORADO ADDING A NEW CHAPTER 5.16 TO THE EAGLE MUNICIPAL CODE
REGARDING LICENSING RETAIL TOBACCO BUSINESSES**

WHEREAS, House Bill 19-1033, which took effect July 1, 2019, authorizes the Town to impose a license requirement and related fee on retail tobacco businesses without losing its apportioned state cigarette tax revenue.

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

Section 1. The Eagle Municipal Code is hereby amended by the addition of a new Chapter 5.16 to read as follows:

Chapter 5.16
RETAIL TOBACCO BUSINESSES

Section 5.16.010. – Intent and Purpose.

The purpose of this Chapter is to regulate the sale of tobacco products at retail, and thereby prohibit sales of tobacco products to youth and encourage responsible tobacco product retailing.

Section 5.16.020. – Definitions.

A. For purposes of this Chapter, the following terms shall have the following meanings:

Licensee means the owner or holder of a retail tobacco product license.

Tobacco product means a product containing, made, or derived from tobacco, nicotine or synthetic nicotine that is intended for human consumption, whether smoked, heated, chewed, absorbed, dissolved, inhaled, snorted, sniffed, or ingested by any other means, including without limitation cigarettes, cigars, cigarillos, chewing tobacco, pipe tobacco, mints, and snuff; an electronic device containing or delivering nicotine to the person inhaling from the device, even if marketed as nicotine-free, including without limitation electronic cigarettes and vape pens; and any component, part, paraphernalia, or accessory intended or reasonably expected to be used with a tobacco product, whether or not sold separately, including without limitation filters, rolling papers, rolling machines, and pipes; but *tobacco product* does not include products that the Food and Drug Administration of the United States Department of Health and Human Services has approved as a tobacco use cessation product.

Retail tobacco business means a person or entity engaged in the retail sale of tobacco products in the Town.

Section 5.16.030. – License Required.

- A. It is unlawful for any retail tobacco business to operate in the Town without a valid and current license from the Town as set forth in this Chapter.
- B. The requirements of this Chapter shall be in addition to, and not in lieu of, any other licensing and permitting requirements imposed by any federal state or local law or regulation, including without limitation a business license, retail sales tax license, retail food establishment license and any applicable zoning permits or building permits.
- C. A separate license is required for each location of a retail tobacco business, and the license shall only be valid for the location designated in the application.
- D. Licenses are not transferrable between persons or locations.

Section 5.16.040. – Local Licensing Authority.

- A. For the purpose of regulating and controlling the licensing, distribution and sale of tobacco products within the Town, there is hereby created the Retail Tobacco Business Licensing Authority (the "Authority"). The Board of Trustees shall serve as the Authority, and the Authority shall have such powers and duties as are provided for in this Chapter.
- B. The Authority shall be assisted by the Town Attorney, the Chief of Police, the Town Clerk and such other personnel as may be designated by the Town Manager in the performance of its powers and duties.

Section 5.16.050. – Application.

- A. Application for a retail tobacco business shall be made to the Town Clerk upon forms provided by the Town Clerk for that purpose. At a minimum, the application shall require the following information:
 - 1. The name, address and date of birth of the owner or owners of the retail tobacco business. If the owner is a corporation, partnership, limited liability company or similar business entity, the application shall include the name and address of all principals. If the owner is not a natural person, the organization documents for all business entities identified in the application and the contact information for the person that is authorized to represent the entity shall be provided. All persons listed on the application must be twenty-one (21) years of age or older.
 - 2. The name, address and date of birth of the business manager, if the manager is proposed to be someone other than the owner, or if the owner is an entity other than a natural person.

3. Proof of ownership or legal possession of the proposed licensed premises for the term of the proposed license.

4. A statement of whether any of the named owners, principals, managers, or persons named on the application have been convicted, entered a plea of no contest, or entered a plea of guilty in conjunction with a deferred judgment and sentence pertaining to any charge related to the possession, use, or possession with intent to distribute narcotics, drugs or other controlled substances.

5. Any additional document(s) or information reasonably requested by the Town Clerk.

B. All applications shall be accompanied by the payment of the application fee set by resolution of the Board of Trustees.

C. Upon receipt of an application for a retail tobacco product license, the Town Clerk shall circulate the application to the Town Planner, Building Official and the Police Department to determine whether the business is or will be in full compliance with all applicable laws, rules and regulations.

D. The Town Clerk shall not process any application that is not complete or otherwise in full compliance with this Chapter, or that contains any false information, but the Town Clerk shall provide a reasonable opportunity for an applicant to correct deficiencies in an application before denial.

Section 5.16.060. – Consideration of Application.

A. Within thirty (30) days following the date the Town Clerk finds that an application is complete, the Authority shall consider the license application at a public meeting following notice to the applicant; no public hearing shall be required. The Authority may approve the application, deny the application, or approve the application with conditions. The applicant shall appear at the meeting and be provided with an opportunity to address the Authority.

B. No application shall be approved unless:

1. All applicable requirements of this Chapter have been satisfied;
2. The premises on which the business will be located is compliant with all current zoning and building regulations;
3. All required fees have been paid by the applicant;
4. The applicant has obtained a State sales tax license, a Town sales tax license, and paid applicable general occupation taxes pursuant to Chapter 5.02;
5. The applicant is not in arrears to the Town for any administrative fines, court fines, assessments, taxes or other payment obligations; and

6. No fraudulent, misrepresented or false statement of material or relevant fact is contained in the application.

C. The Authority may impose on the license any conditions related to the license, licensed premises, or adjacent grounds, that is reasonably necessary to protect the public health, safety or welfare.

D. The Authority shall issue a written order within thirty (30) days following the meeting at which the application was considered, and shall provide a copy of such order to the applicant by first-class U.S. mail addressed to the address shown on the application. If the application is granted, the Town shall forward a copy of the license to the applicant.

E. Licensees shall inform the Town Clerk in writing of any change to the information submitted on the original application for a license within thirty (30) calendar days of a change.

F. Each license shall be valid for one (1) year from the date such license is issued.

Section 5.16.070. – License Renewal.

A. A licensee may renew its license by submitting an application to the Town Clerk at least sixty (60) days, but not more than ninety (90) days, before the expiration of the license. If a licensee fails to file a timely renewal application, the license shall expire by its terms.

B. A licensee may renew a license that has expired if:

1. The license has expired for less than ninety (90) days; and

2. The licensee pays the regular renewal fee and an additional late renewal fee established by resolution of the Board of Trustees.

C. If a complete renewal application is timely filed, but the Authority does not rule on the application for renewal before the expiration date of the current license, the current license shall be deemed extended until the Authority issues a decision on the application for renewal, but in no event will the license be extended for more than ninety (90) days.

D. The renewal application shall be processed in the same manner as an initial application.

Section 5.16.080. – Limitations on Sales.

A. It is unlawful to sell or distribute a tobacco product to a person under the age of eighteen (18) years. No licensee shall sell or transfer a tobacco product without first examining the government-issued photographic identification of the recipient to confirm that the recipient is at least eighteen (18) years of age. The minimum legal age for the purchase of tobacco products shall be

prominently displayed in the entrance or other clearly visible location of the licensed premises.

B. A licensee shall not allow any person who is younger than the age of eighteen (18) years to sell a tobacco product during the course of operation of the business.

C. A licensee shall stock and display all tobacco products in a manner so they are inaccessible to customers without the assistance of a retail clerk, thereby requiring a direct face-to-face exchange of the tobacco product from an employee of the business to the customer.

D. The license shall be prominently displayed in a publicly visible location at the licensed premises.

E. The sale of tobacco products from a vending machine is prohibited.

Section 5.16.090. – Suspension and Revocation.

A. The Authority is authorized, on its own motion or on complaint, after investigation and opportunity for a public meeting at which the licensee is afforded an opportunity to be heard, to suspend or revoke a license issued under this Chapter.

B. Grounds for suspension or revocation of a license shall include without limitation:

1. A violation by a licensee or a licensee's officers, agents, or employees of any provision of this Chapter or any laws of the State of Colorado or Town ordinances relating to the sale or display of tobacco products;

2. Violations of any conditions imposed by the Authority in connection with the issuance or renewal of the license;

3. Failure to pay state or local taxes that are related to the operation of the business associated with the license;

4. Loss of the right to possession of the licensed premises; or

5. Fraud, misrepresentation or a false statement of material fact contained in the original or renewal license application.

C. In determining whether a license should be suspended or revoked, the Authority shall consider the following factors:

1. The nature and circumstances of the violation;

2. Any corrective action taken by the licensee;

3. Any prior violations by the licensee; and

4. The likelihood of recurrence of the violation.

D. A decision of the Authority suspending or revoking a license shall be final, subject only to judicial review under C.R.C.P. 106(a)(4).

Section 5.16.100. – Enforcement.

A. Any person violating any provision of this Chapter commits a Class A municipal offense, punishable as set forth in Chapter 1.12. Each day of violation shall constitute a separate offense.

B. In addition to any other available remedy, a violation of this Chapter is subject to a civil action brought by the Town, including without limitation nuisance abatement proceedings and injunctive relief. In any such civil action, the violator shall be responsible for payment of all costs incurred by the Town, including without limitation reasonable attorney fees, whether or not the Town prevails in such civil action.

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 Board of Trustees 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 4. Effective Date. This Ordinance shall take effect thirty (30) days after publication following adoption.

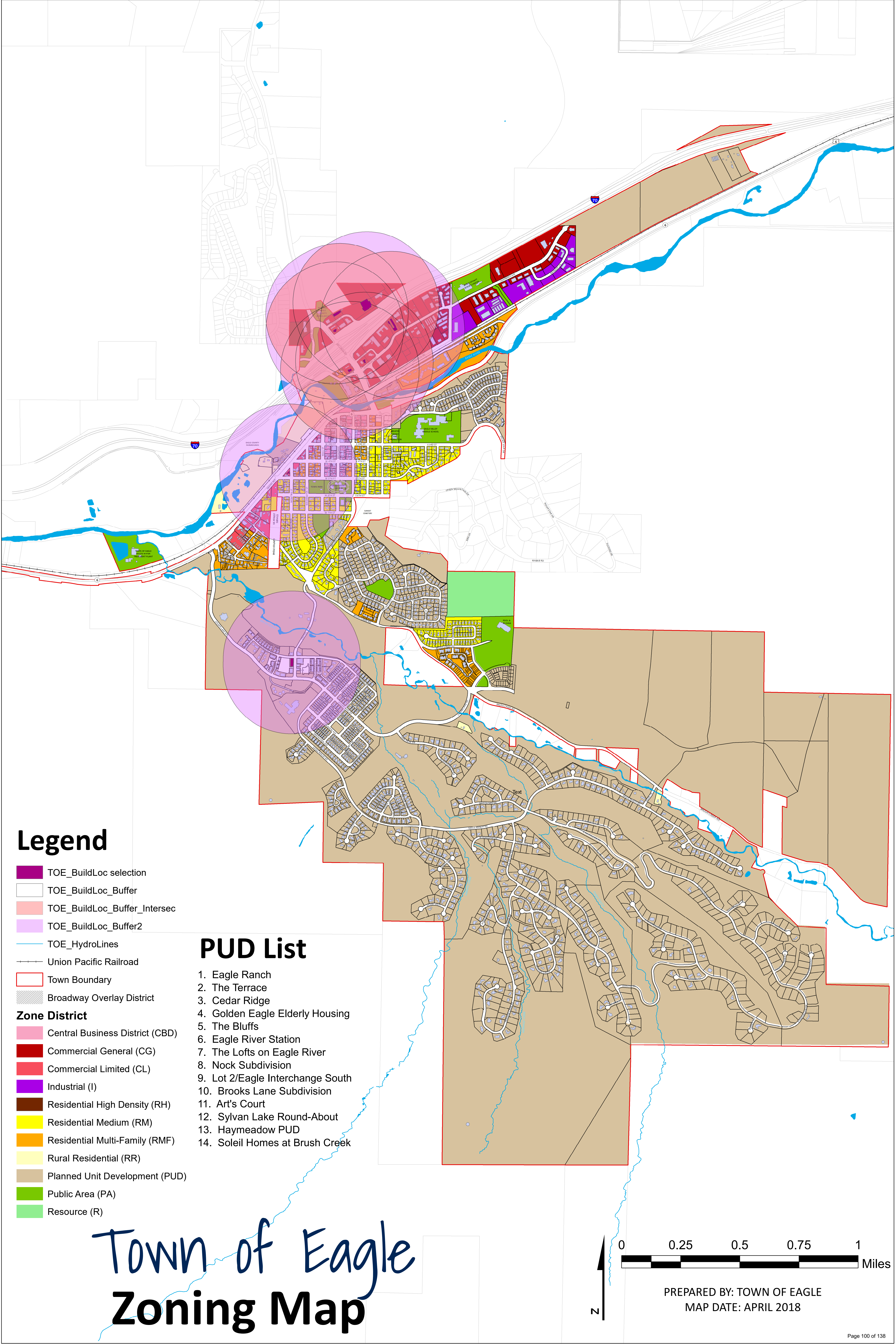
INTRODUCED, READ, PASSED, ADOPTED AND ORDERED PUBLISHED ON OCTOBER 22, 2019.

TOWN OF EAGLE, COLORADO

Anne McKibbin, Mayor

ATTEST:

Jenny Rakow, Town Clerk



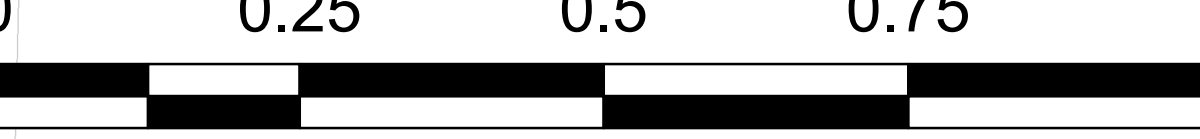
Legend

- TOE_BuildLoc selection
- TOE_BuildLoc_Buffer
- TOE_BuildLoc_Buffer_Intersec
- TOE_BuildLoc_Buffer2
- TOE_HydroLines
- Union Pacific Railroad
- Town Boundary
- Broadway Overlay District
- Zone District**
- Central Business District (CBD)
- Commercial General (CG)
- Commercial Limited (CL)
- Industrial (I)
- Residential High Density (RH)
- Residential Medium (RM)
- Residential Multi-Family (RMF)
- Rural Residential (RR)
- Planned Unit Development (PUD)
- Public Area (PA)
- Resource (R)

PUD List

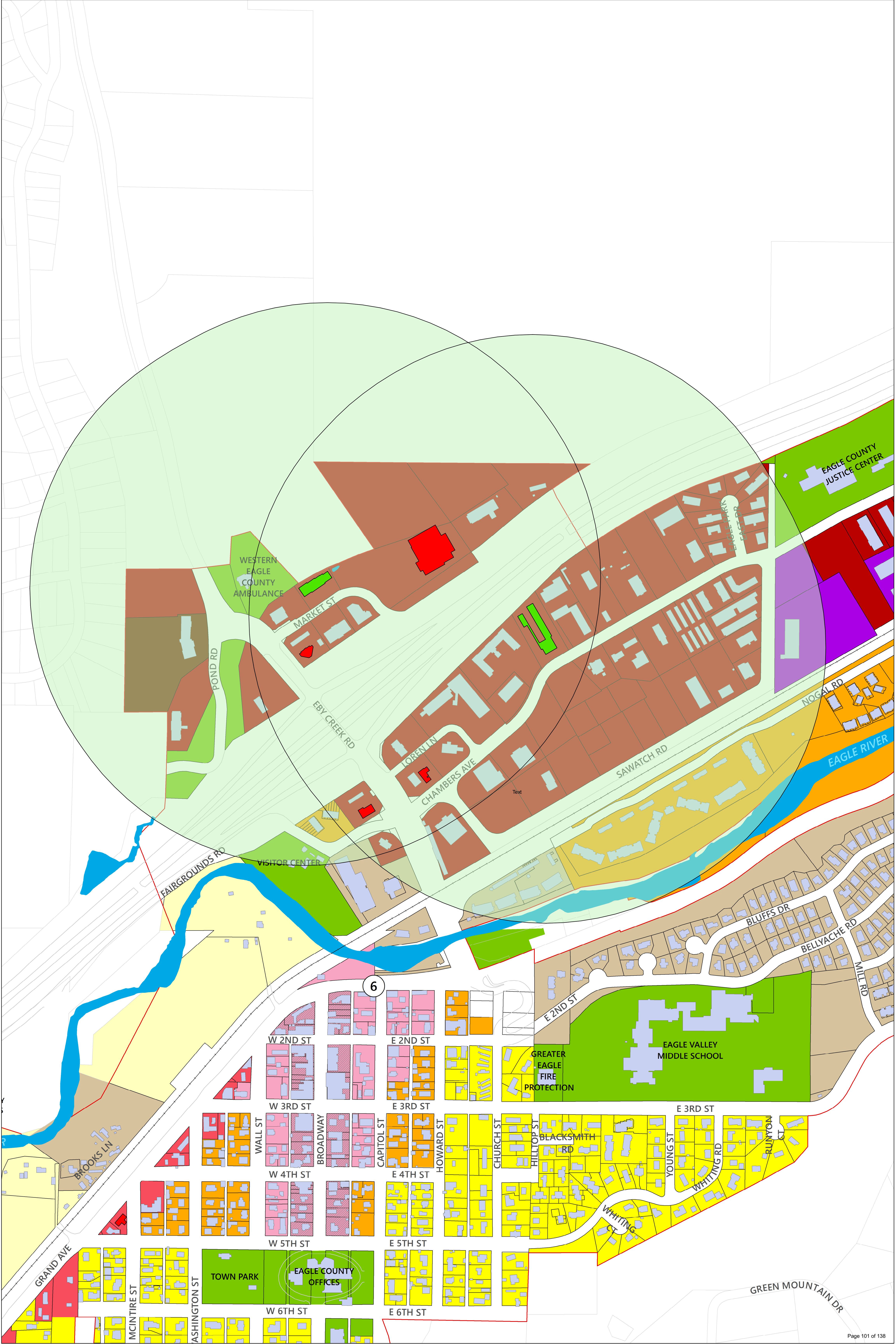
- Eagle Ranch
- The Terrace
- Cedar Ridge
- Golden Eagle Elderly Housing
- The Bluffs
- Eagle River Station
- The Lofts on Eagle River
- Nock Subdivision
- Lot 2/Eagle Interchange South
- Brooks Lane Subdivision
- Art's Court
- Sylvan Lake Round-About
- Haymeadow PUD
- Soleil Homes at Brush Creek

Town of Eagle Zoning Map



Miles

PREPARED BY: TOWN OF EAGLE
MAP DATE: APRIL 2018





To: Mayor and Town Board of Trustees

From: Deron Dirksen, Utilities Manager

Date: October 22, 2019

Agenda Item: Pavement Management and Pathway Maintenance: Pay Application No. 1 to 360 Paving in the amount of \$421,261.74 *(Roll Call Vote Required)*

REQUEST: Staff is requesting the Board review the Pavement Management: Pay Application No. 1 and Pathway Maintenance: Pay Application No. 1 in the amount of \$421,261.74 to 360 Paving.

BACKGROUND: The Town's Pavement Management and Pathway Maintenance projects consists of paving Capitol Street, Terrace Subdivision, Chambers Avenue, Brush Creek Road, and Bull Pasture Park.

ANALYSIS: 360 Paving has completed the entire paving for 2019. The project is on-time and on-budget. There have been no change orders and no safety incidents. The BOT must approve any expenditures that exceed \$50,000.

COMMUNITY INPUT: None

BUDGET / STAFF IMPACT: Budget: Street Resurfacing \$500,000.00
Budget: Pathway Maintenance \$36,000.00

360 Paving Completed to Date Street Resurfacing: \$400,561.74
360 Paving Completed to Date Pathway Maintenance: \$20,700.

STRATEGIC PLAN ALIGNMENT / STANDARDS ACHIEVED: Major Objective #7 Implement Priority Infrastructure Improvements

RECOMMENDED ACTION OR PROPOSED MOTION: Motion to approve or deny Pavement Management: Pay Application No. 1 and Pathway Maintenance: Pay Application No. 1 in the amount of \$421,261.74 to 360 Paving.

ATTACHMENTS: None



To: Mayor and Town Board of Trustees

From: Brandy Reitter, Town Manager
Jill Kane, Finance Director/Treasurer

Date: October 22, 2019

Agenda Item: 2020 Proposed Budget Hearing

REQUEST:

Staff is requesting that the Board of Trustees continue the 2020 proposed budget hearing and review updates from staff regarding the budget.

INTRODUCTION:

The board reviewed the 2020 proposed budget on October 8. At that meeting staff presented a draft budget and highlighted the changes from the work sessions held on September 11 and 12. The purpose of this budget discussion is to go over any changes from October 8. Staff would like to continue with the prioritization exercise from 2018 and will present that on October 29. Included in the memo are the pay plan, fee schedule and holiday schedule. Staff will present the CIP on October 29. Included is schedule for remaining budget items for 2019.

ANALYSIS:

Changes in the 2020 Proposed Budget – There are no changes as of this meeting. Staff will propose a few changes at the meeting on October 29.

2020 Pay Plan – At the budget work sessions, a draft of the 2020 pay plan was presented. Staff is proposing several adjustments to the plan. Overall, there were 14 positions that received market adjustments and merit increases totaling \$51,553. Employees in community development, public works, police, and administration will see increases. The goal is to retain employees with this investment.

Fee Schedule – Staff proposed several changes to the fee schedule in 2019. As a result, staff is not proposing significant changes in 2020. Staff might make revisions before the end of the year but will update the board in the budget meetings. The changes to the fee schedule are:

- Pavilion and Studio Rental Rates
- Pavilion and Studio (Resident/Non-Resident) Non-profit rates combined to one rate
- Facility Cancellation fee added
- Facility Unsatisfactory cleaning fee amended
- Water Plant Investment Fees – Increased 15%
- Water base and tier rates – Increased by 3%

- Waste Water base rate – Increase by 5%
- Refuse rates – Increased by 2.1%
- Refuse Administrative fee for refuse billing – Increased by CPI for 2012-2019

Prioritization Approach Proposal – Staff will work with the BOT to come up with a list of policies presented in the budget to discuss separately. These are policies that the board would like to keep, remove or make modifications to. The goal is to discuss policies and take an up or down vote on each item prior to the adoption of the budget. Staff will present a list of policies to vote on October 29. After the list is finalized, the policies will be scored and presented on November 12. Staff will make modifications to the budget based on the results for the December 10 budget approval.

Budget Schedule

October 29 – Special Meeting

- CIP presentation
- Prioritization list feedback
- The BOT will give input on the budget
- Staff will follow up on items resulting from the meeting on October 22

November 12 – Public Hearing on the Budget

- Staff will follow up on items resulting from the meeting on October 29
- Staff will present additional budget adjustments
- Review prioritization data and give feedback
- Finalize the CIP

December 10 – Public Hearing on the Budget

- Adopt 2020 Budget
- Adopt Mil Levy
- Approve appropriation of the budget
- Certify the 2020 Budget

COMMUNITY INPUT:

Community input is not required at this point; however, the community will have a chance to provide feedback during budget hearings.

BUDGET / STAFF IMPACT

Budget and staff impact are not applicable.

STRATEGIC PLAN ALIGNMENT/STANDARDS ACHIEVED:

This proposal aligns with the following values and objectives:

- The 2020 Proposed Budget reflects all the business values and strategic objectives.

RECOMMENDED ACTION OR PROPOSED MOTION:

Give feedback to staff on budget items.

ATTACHMENTS:

- 2020 Proposed Pay Plan
- 2020 Fee Schedule
- 2020 Holiday Schedule



DRAFT

2020 DRAFT Pay Plan
Effective: January 1, 2020

Pay Grade	Position Title	FLSA Status	Min	Mid	Max	Pay Type
1	Mid and Max Ranges only increased by 8%		\$13.0000	\$17.2800	\$20.5200	Hourly
			\$1,040.00	\$1,382.40	\$1,641.60	Bi-Weekly
			\$27,040.00	\$35,942.40	\$42,681.60	*If Annualized
	Maintenance Worker (Seasonal)	Non-Exempt				
	Info Center Host or Stocker (Part Time)	Non-Exempt				
2	Intern I (New Position 2019-Career X)	Non-Exempt				
	Open Space Trail Technician (Seasonal)	Non-Exempt				
	Min, Mid & Max Ranges increased by 8%		\$18.5865	\$22.3038	\$26.0211	Hourly
			\$1,486.92	\$1,784.30	\$2,081.69	Bi-Weekly
			\$38,659.92	\$46,391.90	\$54,123.89	*If Annualized
3	Special Events Coord. - Seasonal (proposed 2021)	Non-Exempt				
	Town Mgr. Assistant - Intern	Non-Exempt				
	Administrative Technician I	Non-Exempt				
	Info Center Manager (Part Time)	Non-Exempt				
	Maintenance Technician I	Non-Exempt				
4	Municipal Court Clerk (Part Time)	Non-Exempt				
	Plant Maintenance Operator D & Trainee	Non-Exempt				
	Mid, Min & Max Ranges increased by 8%		\$21.4300	\$25.7160	\$30.0020	Hourly
			\$1,714.40	\$2,057.28	\$2,400.16	Bi-Weekly
			\$44,574.40	\$53,489.28	\$62,404.16	*If Annualized
5	Administrative Technician II (new tier)	Non-Exempt				
	Code Enforcement Officer (proposed 2020)	Non-Exempt				
	Building & Grounds Supervisor move to grade 4 per market	Non-Exempt				
	Planning Technician	Non-Exempt				
	Plant Maintenance Operator - C License	Non-Exempt				
6	Maintenance Technician II	Non-Exempt				
	Mechanic I (new grade/title prev. Gd 2, MW)	Non-Exempt				
	Police Trainee/Cadet (grade change for Market Comps)	Non-Exempt				
	Min Range increased by 8%, 50% range spread to Max, true mid point		\$24.7063	\$30.8829	\$37.0594	Hourly
			\$1,976.50	\$2,470.63	\$2,964.75	Bi-Weekly
7			\$51,389.10	\$64,236.43	\$77,083.55	*If Annualized
	Building & Grounds Supervisor (moved from Grade 3)	Non-Exempt				
	IT Technician I (possible future IT Staff)	Non-Exempt				
	Maintenance Technician III (New Grade 2019)	Non-Exempt				
	Mechanic II (HR recommending new position*)	Non-Exempt				
8	Plant Maintenance Operator B (2019, prev.Gd. 3)	Non-Exempt				
	Records-Evidence Supervisor & Exec. Asst (PD)	Non-Exempt	moved from grade 3 to match market			
	Public Works Inspector	Non-Exempt				
	Min Range increased by 8%, 50% range spread to Max, true mid point		\$25.7780	\$32.2224	\$38.6668	Hourly
			\$2,062.24	\$2,577.79	\$3,093.34	Bi-Weekly
9			\$53,618.24	\$67,022.59	\$80,426.94	*If Annualized
	Building Inspector I	Non-Exempt				
	IT Technician II (possible future IT Staff)	Non-Exempt				
	Special Events Manager (new title prev. Mktg & Events Mgr)	Exempt				
	Maintenance Technician IV-Sr. or Crew Leader	Non-Exempt				
10	Plant Maintenance Operator - A License	Non-Exempt				
	Planner I	Exempt				
	Police Detective	Non-Exempt				
	Police Officer I, II (new tiers)	Non-Exempt				
	Police School Resource Officer	Non-Exempt				
11	Public Works Supervisor	Non-Exempt				
	Min Range increased by 8%, 50% range spread to Max, true mid point		\$28.2963	\$35.3704	\$42.4445	Hourly
			\$2,263.70	\$2,829.63	\$3,395.56	Bi-Weekly
			\$58,856.30	\$73,570.43	\$88,284.56	*If Annualized
	Lead Plant Operator	Non-Exempt				
12	Civil Engineer I (possible future design engineer)	Exempt				
	IT Technician III (possible future IT Staff)	Exempt				
	Planner II	Exempt				

EXEMPT Positions are compensated on a bi-weekly basis. NON-EXEMPT are compensated at an Hourly rate. Annualized amounts are rounded, and are shown only to approximate what an employee working in a "full-time" status during a 12-month period might earn.



DRAFT

2020 DRAFT Pay Plan Effective January 1, 2020

Pay Grade	Position Title	FLSA Status	Min	Mid	Max	Pay Type
7	Min Range increased by 8%, 50% range spread to Max, true mid point		\$30.5208	\$38.1510	\$45.7812	Hourly
			\$2,441.66	\$3,052.08	\$3,662.50	Bi-Weekly
			\$63,483.26	\$79,354.08	\$95,224.90	*If Annualized
	Building Inspector II	Non-Exempt				
	Civil Engineer II - PW, Utility Manager (new in 2018)	Exempt				
	Human Resources Manager	Exempt				
	Senior Accountant	Exempt				
	Planner III (new tier for 2020)	Exempt				
	Police Sergeant	Non-Exempt				
	Public Works Superintendent/Operations Manager	Non-Exempt				
	Town Clerk, Court Supervisor	Exempt				
Pay Grade	Position Title	FLSA Status	Min	Mid	Max	Pay Type
8	Min Range increased by 8%, 50% range spread to Max, true mid point		\$36.9238	\$46.1548	\$55.3857	Hourly
			\$2,953.90	\$3,692.38	\$4,430.86	Bi-Weekly
			\$76,801.50	\$96,001.98	\$115,202.26	*If Annualized
	Building Official	Non-Exempt				
	Executive Advisor	Non-Exempt				
	Information Technology Manager (new for 2020)	Exempt				
	Open Space Coordinator (Part Time)	Non-Exempt				
	Police Lieutenant	Non-Exempt				
	Senior Engineer	Exempt				
Pay Grade	Position Title	FLSA Status	Min	Mid	Max	Pay Type
9	Min Range increased by 8%, 50% range spread to Max, true mid point		\$39.3949	\$47.2739	\$59.0924	Hourly
			\$3,151.59	\$3,781.91	\$4,727.39	Bi-Weekly
			\$81,941.39	\$98,329.71	\$122,912.19	*If Annualized
	Town Engineer (change from grade 10 per market)	Exempt				
	Town Planner-Community Development Director	Exempt				
Pay Grade	Position Title	FLSA Status	Min	Mid	Max	Pay Type
10	Min Range increased by 8%, 50% range spread to Max, true mid point		\$44.5535	\$55.6919	\$66.8303	Hourly
			\$3,564.28	\$4,455.35	\$5,346.42	Bi-Weekly
			\$92,671.28	\$115,839.15	\$139,007.02	*If Annualized
	Public Works Advisor (Part Time New added 2017)	Non-Exempt				
	Police Chief	Exempt				
	Public Works Director	Exempt				
	Town Engineer, move to grade 9 per market data	Exempt				
	Treasurer-Finance Director	Exempt				
Pay Grade	Position Title	FLSA Status	Range Minimum	Range Midpoint	Range Maximum	Pay Type
11	Min Range increased by 8%, 50% range spread to Max, true mid point		\$58.0490	\$72.5613	\$87.0735	Hourly
			\$4,643.92	\$5,804.90	\$6,965.88	Bi-Weekly
			\$120,741.92	\$150,927.50	\$181,112.88	*If Annualized
	Town Manager	Exempt				

EXEMPT Positions are compensated on a biweekly basis. NON-EXEMPT are compensated at an Hourly rate. Annualized amounts are rounded, and are shown only to approximate what an employee working in a "full-time" status during a 12-month period might earn.



**2020 Pay Plan Implementation Guide
Effective 01/01/2020**

The following is a guide regarding how the 2020 Pay Plan will be implemented:

1. The Town will establish a 4% merit pool
2. Upon rehire, seasonal employees are eligible for a 2% - 4% merit increase based on performance
3. Supervisors must complete a performance evaluation for each employee; information regarding the performance evaluation process will be provided in late 2019
4. Employees who receive a less than satisfactory evaluation will not be eligible for a merit increase
5. Employees who receive a satisfactory/meets expectations evaluation will be eligible to receive a 2.0 – 2.9% merit increase effective 01/10/2019
6. Employees who receive an outstanding/above expectations evaluation will be eligible to receive a 3.0 – 4.0% merit increase effective to 01/10/2019
7. Employees who have been employed by the Town for less than 12 months as of 01/2020 will be eligible to receive a pro-rated merit increase effective 01/2020 based on the months of employment
8. All merit increases are based on job performance and must be explained and justified in a written performance evaluation; all performance evaluations must be reviewed and approved by the Manager of Human Resources

TOWN OF EAGLE FEE SCHEDULE

ADMINISTRATIVE FEES

FEE TYPE	FEE TITLE	2019 FEE	2020 FEE - PROPOSED	PROPOSED FEE CHANGE	REASONING FOR CHANGE
ADMINISTRATIVE	Copies Black and White – per copy	\$ 0.25	\$ 0.25	NO CHANGE	
ADMINISTRATIVE	Copies Large – per copy	\$ 1.50	\$ 1.50	NO CHANGE	
ADMINISTRATIVE	Copy of Annual Audit	\$ 25.00	\$ 25.00	NO CHANGE	
ADMINISTRATIVE	Copy of Eagle Municipal Code (Paper Copy)	\$ 100.00	\$ 100.00	NO CHANGE	
ADMINISTRATIVE	Notary Services	\$ 5.00	\$ 5.00	NO CHANGE	
ADMINISTRATIVE	Records on CD	\$ 10.00	\$ 10.00	NO CHANGE	
ADMINISTRATIVE	Research/Records Search (per hour, first hour free)	\$ 30.00	\$ 30.00	NO CHANGE	
ADMINISTRATIVE	Colorado Open Record Act Request - Audio/Video	\$ 5.00	\$ 5.00	NO CHANGE	
ADMINISTRATIVE	Colorado Open Record Act Request	\$0.25/page	\$0.25/page	NO CHANGE	
ADMINISTRATIVE	Returned Check Fee	\$ 25.00	\$ 25.00	NO CHANGE	
ADMINISTRATIVE	Verbatim Transcripts – per page, PLUS HOURLY RATE	\$ 15.00	\$ 15.00	NO CHANGE	

TOWN CLERK FEES

FEE TYPE	FEE TITLE	2019 FEE	2020 FEE - PROPOSED	PROPOSED FEE CHANGE	REASONING FOR CHANGE
BUSINES LICENSE FEE	Business License - Sales Within Public Right of Way	\$ 25.00 - 250.00	\$ 25.00 - 250.00	NO CHANGE	
BUSINES LICENSE FEE	Business License/Business Marketing Fee	\$ 20.00	\$ 20.00	NO CHANGE	
BUSINES LICENSE FEE	Business License/Business Occupation Tax	\$ 55.00	\$ 55.00	NO CHANGE	
BUSINES LICENSE FEE	Business License Late Fee	\$15/month after January 31st max of \$45	\$15/month after January 31st max of \$45	NO CHANGE	
LIQUOR LICENSE FEE	Vintner's Restaurant	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue, Liquor Licensing Division.	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue, Liquor Licensing Division.	NO CHANGE	
LIQUOR LICENSE FEE	3.2% Beer Off Premises	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue, Liquor Licensing Division.	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue, Liquor Licensing Division.	NO CHANGE	
LIQUOR LICENSE FEE	3.2% Beer On Premises	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue, Liquor Licensing Division.	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue, Liquor Licensing Division.	NO CHANGE	
LIQUOR LICENSE FEE	3.2% Beer On/Off Premises	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue, Liquor Licensing Division.	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue, Liquor Licensing Division.	NO CHANGE	
LIQUOR LICENSE FEE	Add Optional Premises to Hotel & Restaurant License	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue, Liquor Licensing Division.	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue, Liquor Licensing Division.	NO CHANGE	

TOWN CLERK FEES

FEE TYPE	FEE TITLE	2019 FEE	2020 FEE - PROPOSED	PROPOSED FEE CHANGE	REASONING FOR CHANGE
LIQUOR LICENSE FEE	Alternating Proprietor Licensed Premises	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue, Liquor Licensing Division.	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue, Liquor Licensing Division.	NO CHANGE	
LIQUOR LICENSE FEE	Art	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue, Liquor Licensing Division.	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue, Liquor Licensing Division.	NO CHANGE	
LIQUOR LICENSE FEE	Art Gallery Permit	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue, Liquor Licensing Division.	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue, Liquor Licensing Division.	NO CHANGE	
LIQUOR LICENSE FEE	Background Investigation	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue, Liquor Licensing Division.	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue, Liquor Licensing Division.	NO CHANGE	
LIQUOR LICENSE FEE	Bed & Breakfast Permit	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue, Liquor Licensing Division.	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue, Liquor Licensing Division.	NO CHANGE	
LIQUOR LICENSE FEE	Beer & Wine	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue, Liquor Licensing Division.	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue, Liquor Licensing Division.	NO CHANGE	

TOWN CLERK FEES

FEE TYPE	FEE TITLE	2019 FEE	2020 FEE - PROPOSED	PROPOSED FEE CHANGE	REASONING FOR CHANGE
LIQUOR LICENSE FEE	Brew Pub	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue, Liquor Licensing Division.	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue, Liquor Licensing Division.	NO CHANGE	
LIQUOR LICENSE FEE	Campus Liquor Complex	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue, Liquor Licensing Division.	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue, Liquor Licensing Division.	NO CHANGE	
LIQUOR LICENSE FEE	Change in Financial Interests	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue, Liquor Licensing Division.	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue, Liquor Licensing Division.	NO CHANGE	
LIQUOR LICENSE FEE	Change of Location	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue, Liquor Licensing Division.	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue, Liquor Licensing Division.	NO CHANGE	
LIQUOR LICENSE FEE	Change of Trade Name/Corporate Name	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue, Liquor Licensing Division.	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue, Liquor Licensing Division.	NO CHANGE	
LIQUOR LICENSE FEE	Club	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue, Liquor Licensing Division.	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue, Liquor Licensing Division.	NO CHANGE	

TOWN CLERK FEES

FEE TYPE	FEE TITLE	2019 FEE	2020 FEE - PROPOSED	PROPOSED FEE CHANGE	REASONING FOR CHANGE
LIQUOR LICENSE FEE	Corporate/LLC Change (Per Person)	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue, Liquor Licensing Division.	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue, Liquor Licensing Division.	NO CHANGE	
LIQUOR LICENSE FEE	Distillery Pub	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue, Liquor Licensing Division.	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue, Liquor Licensing Division.	NO CHANGE	
LIQUOR LICENSE FEE	Duplicate License	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue, Liquor Licensing Division.	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue, Liquor Licensing Division.	NO CHANGE	
LIQUOR LICENSE FEE	Each Additional OP License	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue, Liquor Licensing Division.	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue, Liquor Licensing Division.	NO CHANGE	
LIQUOR LICENSE FEE	Each Resort-Complex-Related Facility Permit	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue, Liquor Licensing Division.	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue, Liquor Licensing Division.	NO CHANGE	
LIQUOR LICENSE FEE	Hotel & Restaurant	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue, Liquor Licensing Division.	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue, Liquor Licensing Division.	NO CHANGE	

TOWN CLERK FEES

FEE TYPE	FEE TITLE	2019 FEE	2020 FEE - PROPOSED	PROPOSED FEE CHANGE	REASONING FOR CHANGE
LIQUOR LICENSE FEE	Hotel & Restaurant (with optional premises)	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue, Liquor Licensing Division.	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue, Liquor Licensing Division.	NO CHANGE	
LIQUOR LICENSE FEE	Late Renewal	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue, Liquor Licensing Division.	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue, Liquor Licensing Division.	NO CHANGE	
LIQUOR LICENSE FEE	License Application Fee	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue, Liquor Licensing Division.	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue, Liquor Licensing Division.	NO CHANGE	
LIQUOR LICENSE FEE	Licensed Drugstore	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue, Liquor Licensing Division.	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue, Liquor Licensing Division.	NO CHANGE	
LIQUOR LICENSE FEE	Limited Liability Change	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue, Liquor Licensing Division.	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue, Liquor Licensing Division.	NO CHANGE	
LIQUOR LICENSE FEE	Lodging & Entertainment	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue, Liquor Licensing Division.	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue, Liquor Licensing Division.	NO CHANGE	

TOWN CLERK FEES

FEE TYPE	FEE TITLE	2019 FEE	2020 FEE - PROPOSED	PROPOSED FEE CHANGE	REASONING FOR CHANGE
LIQUOR LICENSE FEE	Manager Registration (Hotel & Restaurant; Tavern; Lodging & Entertainment; Campus Liquor Complex)	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue, Liquor Licensing Division.	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue, Liquor Licensing Division.	NO CHANGE	
LIQUOR LICENSE FEE	Master File Background	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue, Liquor Licensing Division.	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue, Liquor Licensing Division.	NO CHANGE	
LIQUOR LICENSE FEE	Master File Location Fee (Per Location)	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue, Liquor Licensing Division.	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue, Liquor Licensing Division.	NO CHANGE	
LIQUOR LICENSE FEE	Mini Bar Permit with Hotel Restaurant License	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue, Liquor Licensing Division.	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue, Liquor Licensing Division.	NO CHANGE	
LIQUOR LICENSE FEE	Modification of Premises	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue, Liquor Licensing Division.	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue, Liquor Licensing Division.	NO CHANGE	
LIQUOR LICENSE FEE	New Application Fee	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue, Liquor Licensing Division.	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue, Liquor Licensing Division.	NO CHANGE	

TOWN CLERK FEES

FEE TYPE	FEE TITLE	2019 FEE	2020 FEE - PROPOSED	PROPOSED FEE CHANGE	REASONING FOR CHANGE
LIQUOR LICENSE FEE	New Manager Registration	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue, Liquor Licensing Division.	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue, Liquor Licensing Division.	NO CHANGE	
LIQUOR LICENSE FEE	Optional Premises	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue, Liquor Licensing Division.	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue, Liquor Licensing Division.	NO CHANGE	
LIQUOR LICENSE FEE	Racetrack	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue, Liquor Licensing Division.	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue, Liquor Licensing Division.	NO CHANGE	
LIQUOR LICENSE FEE	Related Facility – Campus Liquor Complex	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue, Liquor Licensing Division.	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue, Liquor Licensing Division.	NO CHANGE	
LIQUOR LICENSE FEE	Related Facility – Resort Complex	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue, Liquor Licensing Division.	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue, Liquor Licensing Division.	NO CHANGE	
LIQUOR LICENSE FEE	Retail Gaming Tavern	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue, Liquor Licensing Division.	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue, Liquor Licensing Division.	NO CHANGE	

TOWN CLERK FEES

FEE TYPE	FEE TITLE	2019 FEE	2020 FEE - PROPOSED	PROPOSED FEE CHANGE	REASONING FOR CHANGE
LIQUOR LICENSE FEE	Retail Liquor Store	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue, Liquor Licensing Division.	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue, Liquor Licensing Division.	NO CHANGE	
LIQUOR LICENSE FEE	Special Event Permit Malt, Vinous and Spirituous Liquor	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue, Liquor Licensing Division.	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue, Liquor Licensing Division.	NO CHANGE	
LIQUOR LICENSE FEE	Tasting Permit	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue, Liquor Licensing Division.	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue, Liquor Licensing Division.	NO CHANGE	
LIQUOR LICENSE FEE	Tavern	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue, Liquor Licensing Division.	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue, Liquor Licensing Division.	NO CHANGE	
LIQUOR LICENSE FEE	Temporary License Pending Transfer	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue, Liquor Licensing Division.	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue, Liquor Licensing Division.	NO CHANGE	
LIQUOR LICENSE FEE	Transfer of Ownership	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue, Liquor Licensing Division.	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue, Liquor Licensing Division.	NO CHANGE	

TOWN CLERK FEES

FEE TYPE	FEE TITLE	2019 FEE	2020 FEE - PROPOSED	PROPOSED FEE CHANGE	REASONING FOR CHANGE
MARIJUANA LICENSE FEE	Marijuana MED Change in Corporate Structure	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue Marijuana Enforcement Division	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue Marijuana Enforcement Division	NO CHANGE	
MARIJUANA LICENSE FEE	Marijuana MED Change in Financial Interests	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue Marijuana Enforcement Division	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue Marijuana Enforcement Division	NO CHANGE	
MARIJUANA LICENSE FEE	Marijuana MED Change of Manager	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue Marijuana Enforcement Division	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue Marijuana Enforcement Division	NO CHANGE	
MARIJUANA LICENSE FEE	Marijuana MED Late Renewal Fee	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue Marijuana Enforcement Division	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue Marijuana Enforcement Division	NO CHANGE	
MARIJUANA LICENSE FEE	Marijuana MED License New	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue Marijuana Enforcement Division	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue Marijuana Enforcement Division	NO CHANGE	
MARIJUANA LICENSE FEE	Marijuana MED Modification of Premises	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue Marijuana Enforcement Division	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue Marijuana Enforcement Division	NO CHANGE	

TOWN CLERK FEES

FEE TYPE	FEE TITLE	2019 FEE	2020 FEE - PROPOSED	PROPOSED FEE CHANGE	REASONING FOR CHANGE
MARIJUANA LICENSE FEE	Marijuana MED New License App Fee Associated Facilities	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue Marijuana Enforcement Division	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue Marijuana Enforcement Division	NO CHANGE	
MARIJUANA LICENSE FEE	Marijuana MED Renewal Fee (ANNUAL)	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue Marijuana Enforcement Division	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue Marijuana Enforcement Division	NO CHANGE	
MARIJUANA LICENSE FEE	Marijuana MED Transfer of Location	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue Marijuana Enforcement Division	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue Marijuana Enforcement Division	NO CHANGE	
MARIJUANA LICENSE FEE	Retail Marijuana Business Operating Fee (ANNUAL)	\$ 1,500.00	\$ 1,500.00	NO CHANGE	
SEXUALLY ORIENTED BUSINESS LICENSE FEE	Sexually Oriented Business License Fee	\$ 100.00	\$ 100.00	NO CHANGE	
SEXUALLY ORIENTED BUSINESS LICENSE FEE	Sexually Oriented Business License Renewal Fee	\$ 100.00	\$ 100.00	NO CHANGE	
SEXUALLY ORIENTED BUSINESS LICENSE FEE	Sexually Oriented Business Manager's Registration Fee	\$ 100.00	\$ 100.00	NO CHANGE	

TOWN OF EAGLE FEE SCHEDULE

FACILITY RENTAL					
FEE TYPE	FEE TITLE	2019 FEE	2020 FEE - PROPOSED	PROPOSED FEE CHANGE	REASONING FOR CHANGE
OPENSOURCE FEES	Chambers Park Usage for Rafting Disembarkation by Rafting Operators (per paid customer)	\$ 1	\$ 1	NO CHANGE	
FACILITY DEPOSIT	Pavilion Deposit Fees	\$ 750	\$ 750	NO CHANGE	
FACILITY DEPOSIT	Studio Deposit Fees	\$ 375	\$ 375	NO CHANGE	
FACILITY DEPOSIT	Centennial Stage-Key Deposit	\$ 100	\$ 100	NO CHANGE	
PAVILION FEES	Pavilion Friday-Sunday: Eagle Resident	\$ 500	\$ 600	FEE CHANGE	The last increase to Pavilion & Studio fees was in 2017 which doubled our fees to cover staff time and facility operating costs. As both properties continue to age there continue to be maintenance projects that should be completed on both facilities (i.e. Flooring). Staff would like to see rental fees cover the cost of these maintenance projects. Staff reviewed local comparisons including Eagle County Fairgrounds Facilities, Single Tree Pavilion, Eagle-Vail Pavilion, and Donovan Pavilion. See comparisons are attached.
PAVILION FEES	Pavilion Friday-Sunday: Non-Resident	\$ 800	\$ 900	FEE CHANGE	
PAVILION FEES	Pavilion Friday-Sunday: Eagle Resident (Non-Profit)	\$ 200		REMOVE	
PAVILION FEES	Pavilion Friday-Sunday: Non-Resident (Non-Profit)	\$ 400		REMOVE	
PAVILION FEES	Pavilion Friday-Sunday: Non-Profit		\$ 400	FEE CHANGE	
PAVILION FEES	Pavilion Monday-Thursday: Eagle Resident	\$ 250	\$ 300	FEE CHANGE	
PAVILION FEES	Pavilion Monday-Thursday: Non-Resident	\$ 350	\$ 400	FEE CHANGE	
PAVILION FEES	Pavilion Monday-Thursday: Eagle Resident (Non-Profit)	\$ 100		REMOVE	
PAVILION FEES	Pavilion Monday-Thursday: Non-Resident (Non-Profit)	\$ 200		REMOVE	
PAVILION FEES	Pavilion Monday-Thursday: Non-Profit		\$ 200	FEE CHANGE	
STUDIO FEES	Studio Friday-Sunday: Eagle Resident	\$ 200	\$ 250	FEE CHANGE	
STUDIO FEES	Studio Friday-Sunday: Non Resident	\$ 300	\$ 350	FEE CHANGE	
STUDIO FEES	Studio Friday-Sunday: Eagle Resident (Non-Profit)	\$ 100		REMOVE	
STUDIO FEES	Studio Friday-Sunday: Non-Resident (Non-Profit)	\$ 200		REMOVE	
STUDIO FEES	Studio Friday-Sunday: Non-Profit		\$ 200	FEE CHANGE	
STUDIO FEES	Studio Monday-Thursday: Eagle Resident	\$ 80	\$ 100	FEE CHANGE	
STUDIO FEES	Studio Monday-Thursday: Non-Resident	\$ 120	\$ 150	FEE CHANGE	
STUDIO FEES	Studio Monday-Thursday: Eagle Resident (Non-Profit)	\$ 50		REMOVE	
STUDIO FEES	Studio Monday-Thursday: Non-Resident (Non-Profit)	\$ 100		REMOVE	
STUDIO FEES	Studio Monday-Thursday: Non-Profit		\$ 100	FEE CHANGE	
FACILITY RENTAL FEES	Cancellation fee (less than thirty (30) days prior to the event	Town will retain the full deposit fee	Town will retain the full deposit fee	FEE ADDED TO SCHEDULE	Fee was missing from Fee Schedule: has been a part of the pavilion/studio rental practice and contract for years

FACILITY RENTAL					
FEE TYPE	FEE TITLE	2019 FEE	2020 FEE - PROPOSED	PROPOSED FEE CHANGE	REASONING FOR CHANGE
					Staff recommends a cancellation fee due to cancellations on a regular basis. It appears some people book the Pavilion "just in case" knowing they won't be charged for cancellation and then wait until right before the 30 day cancellation window to see if they can book a different venue and/or decide whether or not to actually hold the event. Staff would like to at least cover costs of staff time to process the appointment, deposit, cancellation, refund, and the cost of the paper check and postage for never having received any revenue from renter. See comparisons
FACILITY RENTAL FEES	Cancellation fee (more than thirty (30) days prior to the event	\$ -	\$ 100	NEW FEE	
FACILITY RENTAL FEES	Pavilion/Studio-Late Check-In Fee	\$ 125	\$ 125	NO CHANGE	
FACILITY RENTAL FEES	Pavilion/Studio-Late Key Return	\$ 30/Day	\$ 30/Day	NO CHANGE	
FACILITY RENTAL FEES	Pavilion/Studio-Lost Key	Cost to re-key	Cost to re-key	NO CHANGE	
FACILITY RENTAL FEES	Pavilion/Studio-Unsecured Facility	\$ 100	\$ 100	NO CHANGE	
					In 2019 there were a couple rentals in which the lessee's damage to the facility could not be rectified prior to the next lessee renting the facility and was so egregious that staff felt it was necessary for the following lessee to receive a discount in rental fees. Staff recommends that any discounts to a renter should be charged to the renter who damaged the facility.
FACILITY RENTAL FEES	Pavilion/Studio-Unsatisfactory Cleaning Fee	\$ 65 /half hour minimum: half hour	\$ 65 /half hour minimum: half hour Forfeiture of part of the deposit may be assessed if the next lessee is impacted by the condition of the complex and a discount is required for the next lessee	FEE CHANGE	
FACILITY RENTAL FEES	Pavilion/Studio-Repair Fee	\$ 65 / half hour plus 1.25 x Cost of parts minimum: half hour	\$ 65 / half hour plus 1.25 x Cost of parts minimum: half hour	NO CHANGE	
FACILITY RENTAL FEES	Pavilion/Studio-Stains on Carpet	\$75 / Stain	\$75 / Stain	NO CHANGE	
FACILITY RENTAL FEES	Pavilion/Studio-Liability Insurance: Low Hazard Events	Unknown at this time; Staff should know by 2nd Meeting in November	Unknown at this time; Staff should know by 2nd Meeting in November	NO CHANGE	

FACILITY RENTAL					
FEE TYPE	FEE TITLE	2019 FEE	2020 FEE - PROPOSED	PROPOSED FEE CHANGE	REASONING FOR CHANGE
FACILITY RENTAL FEES	Pavilion/Studio-Liability Insurance: Medium Hazard Events	Unknow at this time; Staff should know by 2nd Meeting in November	Unknow at this time; Staff should know by 2nd Meeting in November	NO CHANGE	
TOWN HALL FEES	Town Hall Conference Room	\$ 25	\$ 25	NO CHANGE	
TOWN HALL FEES	Town Hall Council Chambers	\$ 50	\$ 50	NO CHANGE	

SPECIAL EVENT FEES					
FEE TYPE	FEE TITLE	2019 FEE	2020 FEE - PROPOSED	PROPOSED FEE CHANGE	REASONING FOR CHANGE
SPECIAL EVENTS	Clean Up Deposits - For events taking place on town property, a deposit for clean up may be charged. The amount returned will be dependent on the amount of staff time spent cleaning the site after the event.	\$ 250.00	\$ 250.00	NO CHANGE	
SPECIAL EVENTS	Fee for Additional Officers - Fee per hour per officer for additional coverage that may be required when a certain number of attendees are expected at an event.	\$60-\$80/hr/officer	\$60-\$80/hr/officer	NO CHANGE	
SPECIAL EVENTS	Special Event Application Fee - Lower cost application fee for all events. Additional review fee will be charged for events that take significant staff time for review.	\$ 25.00	\$ 25.00	NO CHANGE	
SPECIAL EVENTS	Special Event Application Review Fee - For larger public events that need staff review beyond the collection of event information, a \$100 fee will be assessed.	\$ 100.00	\$ 100.00	NO CHANGE	
SPECIAL EVENTS	This fee may be charged when staff are required to assist with an event outside of normal business hours or outside of the standard job duties of the department.	\$50/hr/employee	\$50/hr/employee	NO CHANGE	
SPECIAL EVENTS	Special Event Temporary Use Permit for Using Town Property	\$ 250.00	\$ 250.00	NO CHANGE	

TOWN OF EAGLE FEE SCHEDULE

BUILDING DEPARTMENT FEES

FEE TYPE	FEE TITLE	2019 FEE	2020 FEE - PROPOSED	PROPOSED FEE CHANGE	REASONING FOR CHANGE
BUILDING PERMIT FEES	Building Permit Fee - Total Valuation 1-500	\$ 39.40	\$ 39.40	NO CHANGE	
BUILDING PERMIT FEES	Building Permit Fee - Total Valuation 500.01-2,000	\$39.40 for the first 500 plus \$3.60 for each add 'l 100 or fraction thereof, to and including 2,000	\$39.40 for the first 500 plus \$3.60 for each add 'l 100 or fraction thereof, to and including 2,000	NO CHANGE	
BUILDING PERMIT FEES	Building Permit Fee - Total Valuation 2,000.01-25,000	\$93.40 for the first 2,000 plus \$16.30 for each add 'l 1,000 or fraction thereof, to and including 25,000	\$93.40 for the first 2,000 plus \$16.30 for each add 'l 1,000 or fraction thereof, to and including 25,000	NO CHANGE	
BUILDING PERMIT FEES	Building Permit Fee - Total Valuation 25,000.01-50,000	\$468.30 for the first 25,000 plus \$11.75 for each add 'l 1,000 or fraction thereof, to and including 50,000	\$468.30 for the first 25,000 plus \$11.75 for each add 'l 1,000 or fraction thereof, to and including 50,000	NO CHANGE	
BUILDING PERMIT FEES	Building Permit Fee - Total Valuation 50,000.01-100,000	\$762.05 for the first 50,000 plus \$8.15 for each add 'l 1,000 or fraction thereof, to and including 100,000	\$762.05 for the first 50,000 plus \$8.15 for each add 'l 1,000 or fraction thereof, to and including 100,000	NO CHANGE	
BUILDING PERMIT FEES	Building Permit Fee - Total Valuation 100,000.01-500,000	\$1,169.55 for the first 100,000 plus \$6.55 for each add 'l 1,000 or fraction thereof, to and including 500,000	\$1,169.55 for the first 100,000 plus \$6.55 for each add 'l 1,000 or fraction thereof, to and including 500,000	NO CHANGE	
BUILDING PERMIT FEES	Building Permit Fee - Total Valuation 500,000.01-1,000,000	\$3789.55 for the first 500,000 plus \$5.55 for each add 'l 1,000 or fraction thereof, to and including 1,000,000	\$3789.55 for the first 500,000 plus \$5.55 for each add 'l 1,000 or fraction thereof, to and including 1,000,000	NO CHANGE	
BUILDING PERMIT FEES	Roof Replacement - For single-family structure only	\$ 65.00	\$ 65.00	NO CHANGE	
BUILDING PERMIT FEES	Move or Demolish - Any building or structure	\$ 65.00	\$ 65.00	NO CHANGE	
BUILDING PERMIT FEES	Use Tax	2% of 120% of Total Valuation	2% of 120% of Total Valuation	NO CHANGE	
BUILDING PERMIT FEES	Building Permit Fee - Performing work without first obtaining a permit	Double the Permit Fee	Double the Permit Fee	NO CHANGE	
BUILDING PERMIT FEES	Building Permit Fee - Total Valuation 1,000,000.01 and up	\$6,564.55 for the first 1,000,000 plus \$4.30 for each add 'l 1,000	\$6,564.55 for the first 1,000,000 plus \$4.30 for each add 'l 1,000	NO CHANGE	
CONTRACTORS REGISTRATION FEES	Building Contractor's Registration	\$ 50.00	\$ 50.00	NO CHANGE	
CONTRACTORS REGISTRATION FEES	Plumbing Contractor's Registration	\$ 50.00	\$ 50.00	NO CHANGE	
CONTRACTORS REGISTRATION FEES	Special Contractor's Registration	\$ 50.00	\$ 50.00	NO CHANGE	
CONTRACTORS REGISTRATION FEES	General Contractor's Registration	\$ 100.00	\$ 100.00	NO CHANGE	
CONTRACTORS REGISTRATION FEES	Electrical Contractor's Registration	\$ -	\$ -	NO CHANGE	

BUILDING DEPARTMENT FEES

FEE TYPE	FEE TITLE	2019 FEE	2020 FEE - PROPOSED	PROPOSED FEE CHANGE	REASONING FOR CHANGE
ELECTRICAL PERMIT FEES	Electrical Permit Fee - Residential - Under 1,000 square feet	15% above the fees established by the State Electrical Board	15% above the fees established by the State Electrical Board	NO CHANGE	
ELECTRICAL PERMIT FEES	Electrical Permit Fee - Residential - 1,001-1,500 square feet	15% above the fees established by the State Electrical Board	15% above the fees established by the State Electrical Board	NO CHANGE	
ELECTRICAL PERMIT FEES	Electrical Permit Fee - Residential - 1,501-2,000 square feet	15% above the fees established by the State Electrical Board	15% above the fees established by the State Electrical Board	NO CHANGE	
ELECTRICAL PERMIT FEES	Electrical Permit Fee - Residential - More than 2,000 sf	15% above the fees established by the State Electrical Board	15% above the fees established by the State Electrical Board	NO CHANGE	
ELECTRICAL PERMIT FEES	Electrical Permit Fee – Commercial – Total Valuation 1-2,000	15% above the fees established by the State Electrical Board	15% above the fees established by the State Electrical Board	NO CHANGE	
ELECTRICAL PERMIT FEES	Electrical Permit Fee – Commercial – Total Valuation 2,001 and above	15% above the fees established by the State Electrical Board	15% above the fees established by the State Electrical Board	NO CHANGE	
ELECTRICAL PERMIT FEES	Electrical Permit Fee - Mobile home and travel trailer parks	15% above the fees established by the State Electrical Board	15% above the fees established by the State Electrical Board	NO CHANGE	
ELECTRICAL PERMIT FEES	Electrical Temporary power permits	\$ 57.50	\$ 57.50	NO CHANGE	
ELEVATOR PERMIT FEES	Elevator (up to 3 stops), Dumbwaiter & Lift Annual Certificate of Inspection	\$ 225.00	\$ 225.00	NO CHANGE	
ELEVATOR PERMIT FEES	Escalator Annual Certificate of Inspection	\$100 / hour	\$100 / hour	NO CHANGE	
ELEVATOR PERMIT FEES	Conveyance Alteration Permit Fees Total Valuation of Alteration 1-10,000	\$ 350.00	\$ 350.00	NO CHANGE	
ELEVATOR PERMIT FEES	Conveyance Alteration Permit Fees Total Valuation of Alteration 10,001-25,000	\$ 500.00	\$ 500.00	NO CHANGE	
ELEVATOR PERMIT FEES	Conveyance Alteration Permit Fees Total Valuation of Alteration 25,000 and up	\$500 for the first 25,000 plus \$20 for each additional 1,000 or fraction thereof	\$500 for the first 25,000 plus \$20 for each additional 1,000 or fraction thereof	NO CHANGE	
ELEVATOR PERMIT FEES	New Passenger or Freight Elevator, Lula, Escalator or Moving Walk Total Valuation 1-50,000	\$ 500.00	\$ 500.00	NO CHANGE	
ELEVATOR PERMIT FEES	New Passenger or Freight Elevator, Lula, Escalator or Moving Walk Total Valuation 50,000 and up	\$500 for first 50,000 plus \$20 for each 1,000 or fraction thereof over 50,000	\$500 for first 50,000 plus \$20 for each 1,000 or fraction thereof over 50,000	NO CHANGE	
ELEVATOR PERMIT FEES	New Lift, Dumbwaiter or Private Residence Elevator Total Valuation 1-20,000	\$ 350.00	\$ 350.00	NO CHANGE	
ELEVATOR PERMIT FEES	New Lift, Dumbwaiter or Private Residence Elevator Total Valuation 20,000 and up	\$350 for first 20,000 plus \$10 for each 1,000 or fraction thereof over 20,000	\$350 for first 20,000 plus \$10 for each 1,000 or fraction thereof over 20,000	NO CHANGE	

BUILDING DEPARTMENT FEES

FEE TYPE	FEE TITLE	2019 FEE	2020 FEE - PROPOSED	PROPOSED FEE CHANGE	REASONING FOR CHANGE
ELEVATOR PERMIT FEES	Reinspections	\$150/Hour	\$150/Hour	NO CHANGE	
ELEVATOR PERMIT FEES	Witness Inspection	\$150/Hour	\$150/Hour	NO CHANGE	
ELEVATOR PERMIT FEES	Elevator/Escalator - Inspections outside of normal business hours	\$150/Hour (Minimum 2 Hours)	\$150/Hour (Minimum 2 Hours)	NO CHANGE	
ELEVATOR PERMIT FEES	Elevator/Escalator - Inspections for which no fee is specifically indicated	\$150/Hour (Minimum 1 Hour)	\$150/Hour (Minimum 1 Hour)	NO CHANGE	
ELEVATOR PERMIT FEES	Elevator/Escalator - Additional Plan Review required by Changes, Additions, Revisions	\$150/Hour (Minimum 1 Hour)	\$150/Hour (Minimum 1 Hour)	NO CHANGE	
ELEVATOR PERMIT FEES	Elevator Fire Alarm Permit	\$150/Hour	\$150/Hour	NO CHANGE	
ELEVATOR PERMIT FEES	Reinspection fees	\$1,000 per unit	\$1,000 per unit	NO CHANGE	
ELEVATOR PERMIT FEES				NO CHANGE	
GRADING PERMIT FEES	Grading Permit Fee - 50 cubic yards or less	\$ 65.00	\$ 65.00	NO CHANGE	
GRADING PERMIT FEES	Grading Permit Fee - 51-100 cubic yards	\$65 for the first 50 cy plus \$15.00 for each add 'l 10 cy or fraction thereof	\$65 for the first 50 cy plus \$15.00 for each add 'l 10 cy or fraction thereof	NO CHANGE	
GRADING PERMIT FEES	Grading Permit Fee - 101-1,000 cubic yards	\$140 for the first 1,000 cy plus \$10.50 for each add 'l 100 cy or fraction thereof	\$140 for the first 1,000 cy plus \$10.50 for each add 'l 100 cy or fraction thereof	NO CHANGE	
GRADING PERMIT FEES	Grading Permit Fee - 1,001-10,000 cubic yards	\$234.50 for the first 1,000 cy plus \$9.00 for each add 'l 1,000 cy or fraction thereof	\$234.50 for the first 1,000 cy plus \$9.00 for each add 'l 1,000 cy or fraction thereof	NO CHANGE	
GRADING PERMIT FEES	Grading Permit Fee - 10,001-100,000 cubic yards	\$315.50 for the first 10,000 cy plus \$40.50 for each add 'l 10,000 cy or fraction thereof	\$315.50 for the first 10,000 cy plus \$40.50 for each add 'l 10,000 cy or fraction thereof	NO CHANGE	
GRADING PERMIT FEES	Grading Permit Fee - 100,001 cubic yards or more	\$680 for the first 100,000 cy plus \$22.50 for each add 'l 10,000 cy or fraction thereof	\$680 for the first 100,000 cy plus \$22.50 for each add 'l 10,000 cy or fraction thereof	NO CHANGE	
GRADING PERMIT FEES	Grading Plan Review Fee	\$65/Hour (Minimum 2 Hours)	\$65/Hour (Minimum 2 Hours)	NO CHANGE	
INSPECTIONS	Reinspection fees	\$50/Hour (Minimum 1 hour)	\$50/Hour (Minimum 1 hour)	NO CHANGE	
INSPECTIONS	Inspections for which no fee is specifically indicated	\$50/Hour (Minimum 1 hour)	\$50/Hour (Minimum 1 hour)	NO CHANGE	
INSPECTIONS	Inspections outside of normal business hours 8am-5pm	\$100/Hour (Minimum 2 Hours)	\$100/Hour (Minimum 2 Hours)	NO CHANGE	
MANUFACTURED/MOBILE HOME PERMIT FEES	Single-wide Mobile Home	\$ 200.00	\$ 200.00	NO CHANGE	
MANUFACTURED/MOBILE HOME PERMIT FEES	Double-wide Mobile Home	\$ 300.00	\$ 300.00	NO CHANGE	

BUILDING DEPARTMENT FEES

FEE TYPE	FEE TITLE	2019 FEE	2020 FEE - PROPOSED	PROPOSED FEE CHANGE	REASONING FOR CHANGE
MANUFACTURED/MOBILE HOME PERMIT FEES	Factory Built/Manufactured Home Double Unit	\$ 500.00	\$ 500.00	NO CHANGE	
MANUFACTURED/MOBILE HOME PERMIT FEES	Factory Built/Manufactured Home Triple Unit	\$ 800.00	\$ 800.00	NO CHANGE	
MANUFACTURED/MOBILE HOME PERMIT FEES	Mobile Home/Factory Build/Manufactured Home Certification Tag	\$ 45.00	\$ 45.00	NO CHANGE	
MECHANICAL PERMIT FEES	Mechanical Permit Fee Total Valuation 1-2,000	\$ 65.00	\$ 65.00	NO CHANGE	
MECHANICAL PERMIT FEES	Mechanical Permit Fee Total Valuation 2,001-25,000	\$65 for the first 2,000 plus \$22 for each additional 1,000 of fraction thereof up to 25,000	\$65 for the first 2,000 plus \$22 for each additional 1,000 of fraction thereof up to 25,000	NO CHANGE	
MECHANICAL PERMIT FEES	Mechanical Permit Fee Total Valuation 25,001 or more	\$571 for the first 25,000 plus \$11 for each additional 1,000 or fraction thereof	\$571 for the first 25,000 plus \$11 for each additional 1,000 or fraction thereof	NO CHANGE	
MECHANICAL PERMIT FEES	Replacement of existing boiler or furnace	\$ 65.00	\$ 65.00	NO CHANGE	
PERMIT ISSUE/TRANSFER	Permit issuance or transfer (Issuance fee does not apply for Electrical Permits)	\$ 25.00	\$ 25.00	NO CHANGE	
PERMIT ISSUE/TRANSFER	Replacement Permit Card	\$ 25.00	\$ 25.00	NO CHANGE	
PLAN REVIEW	Repetitive Plan Check Fee - Residential (multi-family)	\$75/Hour (Minimum 4 Hours)	\$75/Hour (Minimum 4 Hours)	NO CHANGE	
PLAN REVIEW	Repetitive Plan Check Fee - Commercial/Industrial/Mixed Use	\$75/Hour (Minimum 5 Hours)	\$75/Hour (Minimum 5 Hours)	NO CHANGE	
PLAN REVIEW	Additional Plan Review required by Changes, Additions, Revisions	\$75/Hour (Minimum 1 Hour)	\$75/Hour (Minimum 1 Hour)	NO CHANGE	
PLAN REVIEW	Plan Check Fee	65% of the amount of the Building Permit Fee	65% of the amount of the Building Permit Fee	NO CHANGE	
PLAN REVIEW	Use of an Outside Consultant for plan check and/or inspection	Actual Costs	Actual Costs	NO CHANGE	
PLUMBING PERMIT FEES	Plumbing Permit Fee Total Valuation 1-2,000	\$ 65.00	\$ 65.00	NO CHANGE	
PLUMBING PERMIT FEES	Plumbing Permit Fee Total Valuation 2,001-25,000	\$65 for the first 2,000 plus \$22 for each additional 1,000 of fraction thereof up to 25,000	\$65 for the first 2,000 plus \$22 for each additional 1,000 of fraction thereof up to 25,000	NO CHANGE	
PLUMBING PERMIT FEES	Plumbing Permit Fee Total Valuation 25,001 or more	\$571 for the first 25,000 plus \$11 for each additional 1,000 or fraction thereof	\$571 for the first 25,000 plus \$11 for each additional 1,000 or fraction thereof	NO CHANGE	
PLUMBING PERMIT FEES	Replacement of existing hot water heater	\$ 65.00	\$ 65.00	NO CHANGE	
PV SOLAR PERMIT FEES	Residential PV Installation -	\$ 250.00	\$ 250.00	NO CHANGE	

BUILDING DEPARTMENT FEES

FEE TYPE	FEE TITLE	2019 FEE	2020 FEE - PROPOSED	PROPOSED FEE CHANGE	REASONING FOR CHANGE
PV SOLAR PERMIT FEES	Commercial PV Installation -	\$ 500.00	\$ 500.00	NO CHANGE	
WATER METER FEES	Water Meter Fees - 1" Service	\$ 990	\$ 990	NO CHANGE	
WATER METER FEES	Water Meter Fees - ¾" Service	\$ 960	\$ 960	NO CHANGE	
WATER METER FEES	Water Meter Fees - Greater than 1" Service	Meter and all items associated with insallation of meters larger than 1" - actual cost x 2	Meter and all items associated with insallation of meters larger than 1" - actual cost x 2	NO CHANGE	
PLANT INVESTMENT FEE-WATER	Water Per Equivalent Residential Unit (EQR) In Town	\$ 9,258	\$ 10,646	FEE CHANGE	15% fee increase on proposed increase structure for Plant Investment Fees discussed during 2018 budget season (15% increase 2019-2022 and 3% increase 2023-2027)
PLANT INVESTMENT FEE-WATER	Water Per Equivalent Residential Unit (EQR) Out of Town	\$ 13,886	\$ 15,969	FEE CHANGE	15% fee increase on proposed increase structure for Plant Investment Fees discussed during 2018 budget season (15% increase 2019-2022 and 3% increase 2023-2027)
PLANT INVESTMENT FEE-WATER	Deed Restricted Affordable Housing or Local Employee residence, per unit	50% Discount	50% Discount	NO CHANGE	
PLANT INVESTMENT FEE-SEWER	Sewer - Residential - Single Family Residence (1.0 EQR)	\$ 10,000	\$ 10,000	NO CHANGE	

PLANNING DEPARTMENT FEES

FEE TYPE	FEE TITLE	2019 Fee	2020 FEE - PROPOSED	PROPOSED FEE CHANGE	REASONING FOR CHANGE
FIRE IMPACT FEES	Residential - Single Family (per unit)	\$ 2,269.97	\$ 2,269.97	NO CHANGE	
FIRE IMPACT FEES	Residential - Multi family (per unit)	\$ 1,037.23	\$ 1,037.23	NO CHANGE	
FIRE IMPACT FEES	Nonresidential, except temporary & extended stay lodging facilities (per 1,000sqft)	\$ 914.78	\$ 914.78	NO CHANGE	
FIRE IMPACT FEES	Temporary & extended stay lodging facilities (per 1,000sqft)	\$ 914.78	\$ 914.78	NO CHANGE	
PUBLIC SAFETY IMPACT FEE	Impact fee per dwelling unit for residential land use	\$ 1,319.00	\$ 1,319.00	NO CHANGE	
PUBLIC SAFETY IMPACT FEE	Impact fee for commercial land use	\$0.31 / square foot	\$0.31 / square foot	NO CHANGE	
LAND USE APPLICATION FEES	Annexation and Initial Zoning (Non PUD <2 acres)	\$1,500 + \$10,000 Deposit	\$1,500 + \$10,000 Deposit	NO CHANGE	
LAND USE APPLICATION FEES	Annexation and Initial Zoning (Non PUD >2 acres)	\$2,500 + \$15,000 Deposit	\$2,500 + \$15,000 Deposit	NO CHANGE	
LAND USE APPLICATION FEES	Annexation and Initial Zoning (PUD any size)	\$2,500 + \$15,000 Deposit	\$2,500 + \$15,000 Deposit	NO CHANGE	
LAND USE APPLICATION FEES	Rezoning Application Fee	\$600 + \$600 Deposit	\$600 + \$600 Deposit	NO CHANGE	
LAND USE APPLICATION FEES	Amendment to Zone District Regulations	\$900 + \$900 Deposit	\$900 + \$900 Deposit	NO CHANGE	
LAND USE APPLICATION FEES	Zoning Variance	\$ 500.00	\$ 500.00	NO CHANGE	
LAND USE APPLICATION FEES	Community Plan Exception	\$2,000 + \$2,000 Deposit	\$2,000 + \$2,000 Deposit	NO CHANGE	
LAND USE APPLICATION FEES	Small Area Plan Exception/Amendment	\$1,000 + \$1,000 Deposit	\$1,000 + \$1,000 Deposit	NO CHANGE	
LAND USE APPLICATION FEES	PUD Residential Zoning Plan	\$750 plus \$25 per du + \$7,000 Deposit	\$750 plus \$25 per du + \$7,000 Deposit	NO CHANGE	
LAND USE APPLICATION FEES	PUD Residential Development Plan	\$1,000 plus \$25 per du + \$12,000 Deposit	\$1,000 plus \$25 per du + \$12,000 Deposit	NO CHANGE	
LAND USE APPLICATION FEES	PUD Commercial & Industrial Zoning Plan	\$800 + \$5,000 Deposit	\$800 + \$5,000 Deposit	NO CHANGE	
LAND USE APPLICATION FEES	PUD Commercial & Industrial Development Plan	\$1,250 + \$10,000 Deposit	\$1,250 + \$10,000 Deposit	NO CHANGE	
LAND USE APPLICATION FEES	PUD Multiple Use - Zoning Plan	\$1,000 + \$7,000 Deposit	\$1,000 + \$7,000 Deposit	NO CHANGE	
LAND USE APPLICATION FEES	PUD Multiple Use - Development Plan	\$2,000 + \$12,000 Deposit	\$2,000 + \$12,000 Deposit	NO CHANGE	
LAND USE APPLICATION FEES	PUD Zoning Plan and Development Plan Combination	Listed Fee with 15% discount + \$10,000 Deposit	Listed Fee with 15% discount + \$10,000 Deposit	NO CHANGE	
LAND USE APPLICATION FEES	PUD Minor Amendment	\$500 + \$3,000 Deposit	\$500 + \$3,000 Deposit	NO CHANGE	
LAND USE APPLICATION FEES	PUD Major Amendment	\$1,500 + \$5,000 Deposit	\$1,500 + \$5,000 Deposit	NO CHANGE	
LAND USE APPLICATION FEES	Subdivision - Sketch Plan	\$500 Plus \$25 per Lot + \$3,000 Deposit	\$500 Plus \$25 per Lot + \$3,000 Deposit	NO CHANGE	
LAND USE APPLICATION FEES	Subdivision - Preliminary Plan	\$800 Plus \$25 per Lot + \$5,000 Deposit	\$800 Plus \$25 per Lot + \$5,000 Deposit	NO CHANGE	
LAND USE APPLICATION FEES	Subdivision - Final Plat	\$800 Plus \$25 per Lot + \$7,000 Deposit	\$800 Plus \$25 per Lot + \$7,000 Deposit	NO CHANGE	
LAND USE APPLICATION FEES	Subdivision - Lot Line Adjustment	\$450 + \$ 600 Deposit	\$450 + \$ 600 Deposit	NO CHANGE	
LAND USE APPLICATION FEES	Subdivision - Condominium/Townhouse Plat	\$450 + \$2,000 Deposit	\$450 + \$2,000 Deposit	NO CHANGE	

PLANNING DEPARTMENT FEES

FEE TYPE	FEE TITLE	2019 Fee	2020 FEE - PROPOSED	PROPOSED FEE CHANGE	REASONING FOR CHANGE
LAND USE APPLICATION FEES	Subdivision – Minor	\$550 + \$600 Deposit	\$550 + \$600 Deposit	NO CHANGE	
LAND USE APPLICATION FEES	Subdivision - Combination Sketch Plan/Prelim Plan	Listed fees with 15% discount + \$5,000 Deposit	Listed fees with 15% discount + \$5,000 Deposit	NO CHANGE	
LAND USE APPLICATION FEES	Subdivision - Combination Prelim/Final Plat	Listed fees with 15% discount + \$10,000 Deposit	Listed fees with 15% discount + \$10,000 Deposit	NO CHANGE	
LAND USE APPLICATION FEES	Special Use Permit	\$600 + \$600 Deposit	\$600 + \$600 Deposit	NO CHANGE	
LAND USE APPLICATION FEES	Special Use Permit – Amendment	\$ 350	\$ 350	NO CHANGE	
LAND USE APPLICATION FEES	Sign Permit	\$ 50	\$ 50	NO CHANGE	
LAND USE APPLICATION FEES	Sign Permit - Comprehensive sign program	\$ 100	\$ 100	NO CHANGE	
LAND USE APPLICATION FEES	Design Variance - non DP or Subdivision	\$ 300	\$ 300	NO CHANGE	
LAND USE APPLICATION FEES	Temporary Use Permit - No Hearing	\$ 250	\$ 250	NO CHANGE	
LAND USE APPLICATION FEES	Temporary Use Permit - Public Hearing	\$ 600	\$ 600	NO CHANGE	
LAND USE APPLICATION FEES	Address Change Fee	\$ 25	\$ 25	NO CHANGE	
LAND USE APPLICATION FEES	Planner - Hourly Rate	\$ 60	\$ 60	NO CHANGE	
LAND USE APPLICATION FEES	Development Permit - Minor non PUD	\$1,000 + \$1,200 Deposit	\$1,000 + \$1,200 Deposit	NO CHANGE	
LAND USE APPLICATION FEES	Development Permit - Major non PUD	\$2,000 + \$3,000 Deposit	\$2,000 + \$3,000 Deposit	NO CHANGE	
LAND USE APPLICATION FEES	Encroachment Permit	\$ 250	\$ 250	NO CHANGE	
STREET IMPROVEMENT FEES	Residential single family	\$1,016 per dwelling unit	\$1,016 per dwelling unit	NO CHANGE	
STREET IMPROVEMENT FEES	Residential multifamily	\$646 per dwelling unit	\$646 per dwelling unit	NO CHANGE	
STREET IMPROVEMENT FEES	Bank	\$7,634 per 1,000 sf	\$7,634 per 1,000 sf	NO CHANGE	
STREET IMPROVEMENT FEES	Convenience Store w gas	\$10,309 per 1,000 sf	\$10,309 per 1,000 sf	NO CHANGE	
STREET IMPROVEMENT FEES	High turnover sit down restaurant	\$3,613 per 1,000 sf	\$3,613 per 1,000 sf	NO CHANGE	
STREET IMPROVEMENT FEES	Fast food restaurant	\$13,681 per 1,000 sf	\$13,681 per 1,000 sf	NO CHANGE	
STREET IMPROVEMENT FEES	Industrial	\$194 per 1,000 sf	\$194 per 1,000 sf	NO CHANGE	
STREET IMPROVEMENT FEES	Commercial General	\$1,016 per 1,000 sf	\$1,016 per 1,000 sf	NO CHANGE	

ENGINEERING DEPARTMENT FEES

FEE TYPE	FEE TITLE	2019 FEE	2020 FEE - PROPOSED	PROPOSED FEE CHANGE	REASONING FOR CHANGE
ENGINEERING DEPARTMENT	Engineer - Hourly Rate	\$ 60	\$ 60	NO CHANGE	
ENGINEERING DEPARTMENT	Grading Permit Fee - 1,001-10,000 cubic yards	234.50 for the first 1,000 cy plus 9 for each add 'l 1,000 cy or fraction thereof	234.50 for the first 1,000 cy plus 9 for each add 'l 1,000 cy or fraction thereof	NO CHANGE	
ENGINEERING DEPARTMENT	Grading Permit Fee - 10,001-100,000 cubic yards	315.50 for the first 10,000 cy plus 40.50 for each add 'l 10,000 cy or fraction thereof	315.50 for the first 10,000 cy plus 40.50 for each add 'l 10,000 cy or fraction thereof	NO CHANGE	
ENGINEERING DEPARTMENT	Grading Permit Fee - 100,001 cubic yards or more	680 for the first 100,000 cy plus 22.50 for each add 'l 10,000 cy or fraction thereof	680 for the first 100,000 cy plus 22.50 for each add 'l 10,000 cy or fraction thereof	NO CHANGE	
ENGINEERING DEPARTMENT	Grading Permit Fee - 101-1,000 cubic yards	140 for the first 1,000 cy plus 10.50 for each add 'l 100 cy or fraction thereof	140 for the first 1,000 cy plus 10.50 for each add 'l 100 cy or fraction thereof	NO CHANGE	
ENGINEERING DEPARTMENT	Grading Permit Fee - 50 cubic yards or less	\$ 65	\$ 65	NO CHANGE	
ENGINEERING DEPARTMENT	Grading Permit Fee - 51-100 cubic yards	65 for the first 50 cy plus 15 for each add 'l 10 cy or fraction thereof	65 for the first 50 cy plus 15 for each add 'l 10 cy or fraction thereof	NO CHANGE	
ENGINEERING DEPARTMENT	Grading Plan Review Fee	Town Engineer Hourly Rate (Minimum 2 Hours)	Town Engineer Hourly Rate (Minimum 2 Hours)	NO CHANGE	

TOWN OF EAGLE FEE SCHEDULE

PUBLIC WORKS DEPARTMENT

FEE TYPE	FEE TITLE	2019 FEE	2020 FEE - PROPOSED	PROPOSED FEE CHANGE	REASONING FOR CHANGE
PUBLIC WORKS	Door Tag – Water Notice Shut Off	\$ 25.00	\$ 25.00	NO CHANGE	
PUBLIC WORKS	Meter Check Service Fee	75.00 (Hourly)	75.00 (Hourly)	NO CHANGE	
PUBLIC WORKS	Meter Check Service Fee – After Hours/Holidays	150.00 (Hourly)	150.00 (Hourly)	NO CHANGE	
PUBLIC WORKS	Public Works Engineer - Hourly Rate	\$85-\$90	\$85-\$90	NO CHANGE	
PUBLIC WORKS	Water Shut Off/Turn On After Hours/Holidays	\$ 150.00	\$ 150.00	NO CHANGE	
PUBLIC WORKS	Road Cut Permit Annual	\$ 300.00	\$ 300.00	NO CHANGE	
PUBLIC WORKS	Road Cut Permit One Time	\$ 100.00	\$ 100.00	NO CHANGE	
PUBLIC WORKS	Water Shut Off/Turn On	\$ 75.00	\$ 75.00	NO CHANGE	
PUBLIC WORKS	Yard Waste Fee (per month)	\$ 2.00	\$ 2.00	NO CHANGE	
PUBLIC WORKS	Hydrant Meter Fees	OUT OF TOWN RATE	OUT OF TOWN RATE	NO CHANGE	
PUBLIC WORKS-FOR EMERGENCY RESPONSE	Public Works Employee Labor - Not For Public	\$38/Hour	\$38/Hour	NO CHANGE	
PUBLIC WORKS-FOR EMERGENCY RESPONSE	Tandem Dump Truck -Not For Public	\$70/Hour	\$70/Hour	NO CHANGE	
PUBLIC WORKS-FOR EMERGENCY RESPONSE	Backhoe -Not For Public	\$50/Hour	\$50/Hour	NO CHANGE	
PUBLIC WORKS-FOR EMERGENCY RESPONSE	Tool Cat -Not For Public	\$50/Hour	\$50/Hour	NO CHANGE	
PUBLIC WORKS-FOR EMERGENCY RESPONSE	Loader -Not For Public	\$60/Hour	\$60/Hour	NO CHANGE	
PUBLIC WORKS-FOR EMERGENCY RESPONSE	Street Sweeper -Not For Public	\$120/Hour	\$120/Hour	NO CHANGE	
PUBLIC WORKS-FOR EMERGENCY RESPONSE	Skid Steer -Not For Public	\$50/Hour	\$50/Hour	NO CHANGE	
PUBLIC WORKS-FOR EMERGENCY RESPONSE	Motor Grader -Not For Public	\$65/Hour	\$65/Hour	NO CHANGE	
PUBLIC WORKS-FOR EMERGENCY RESPONSE	Lift Truck -Not For Public	\$115/Hour	\$115/Hour	NO CHANGE	
PUBLIC WORKS-FOR EMERGENCY RESPONSE	Boom Mower Tractor/Mowing -Not For Public	\$50/Hour	\$50/Hour	NO CHANGE	
PUBLIC WORKS-FOR EMERGENCY RESPONSE	ATV -Not For Public	\$13.20/Hour	\$13.20/Hour	NO CHANGE	
PUBLIC WORKS-FOR EMERGENCY RESPONSE	Flushing Trailer/Flushing Skid -Not For Public	\$90/Hour	\$90/Hour	NO CHANGE	
PUBLIC WORKS-FOR EMERGENCY RESPONSE	Pickup Truck/4x4 Vehicle -Not For Public	\$20.80/Hour	\$20.80/Hour	NO CHANGE	
PUBLIC WORKS-FOR EMERGENCY RESPONSE	Water Pump/Trash Pump -Not For Public	\$27.10/Hour	\$27.10/Hour	NO CHANGE	
PUBLIC WORKS-FOR EMERGENCY RESPONSE	Chainsaw + Employee Rate -Not For Public	\$3.45 + \$38/Hour	\$3.45 + \$38/Hour	NO CHANGE	
PUBLIC WORKS-FOR EMERGENCY RESPONSE	Demo Saw + Employee Rate -Not For Public	\$7.20 + \$38/Hour	\$7.20 + \$38/Hour	NO CHANGE	
PUBLIC WORKS-FOR EMERGENCY RESPONSE	Air Compressor -Not For Public	\$104/Day	\$104/Day	NO CHANGE	
PUBLIC WORKS-FOR EMERGENCY RESPONSE	Traffic Cones -Not For Public	\$1.25/Cone	\$1.25/Cone	NO CHANGE	
PUBLIC WORKS-FOR EMERGENCY RESPONSE	Type 2 barricades -Not For Public	\$2.00/Barricade	\$2.00/Barricade	NO CHANGE	
PUBLIC WORKS-FOR EMERGENCY RESPONSE	Type 3 barricades -Not For Public	\$2.75/Barricade	\$2.75/Barricade	NO CHANGE	
PUBLIC WORKS-FOR EMERGENCY RESPONSE	Traffic Barrels -Not For Public	\$2.50/Barrel	\$2.50/Barrel	NO CHANGE	
PUBLIC WORKS-FOR EMERGENCY RESPONSE	Additional signage -Not For Public	\$1.50 /Sign	\$1.50 /Sign	NO CHANGE	
PUBLIC WORKS-FOR EMERGENCY RESPONSE	Variable Message Sign -Not For Public	\$220/Day	\$220/Day	NO CHANGE	

TOWN OF EAGLE FEE SCHEDULE

UTILITY FEES					
FEE TYPE	FEE TITLE	2019 FEE	2020 FEE - PROPOSED	PROPOSED FEE CHANGE	REASONING FOR CHANGE
	Rate Class Monthly Base Fee Usage Block (gal) Charge per 1,000 gal				
WATER FUND FEE	Residential without accessory dwelling unit	\$ 35.29	\$ 36.35	FEE CHANGE	3% increase per water rate model approved 03/27/18 for base and tier usage rates
WATER FUND FEE	0-6,000	\$ 3.00	\$ 3.09	FEE CHANGE	
WATER FUND FEE	6,001-17,000	\$ 6.62	\$ 6.82	FEE CHANGE	
WATER FUND FEE	17,001-28,000	\$ 9.92	\$ 10.22	FEE CHANGE	
WATER FUND FEE	28,000 +	\$ 14.88	\$ 15.33	FEE CHANGE	
WATER FUND FEE	Residential with accessory dwelling unit base fee	\$ 44.27	\$ 45.60	FEE CHANGE	
WATER FUND FEE	0-8,000	\$ 3.00	\$ 3.09	FEE CHANGE	
WATER FUND FEE	8,001-17,000	\$ 6.62	\$ 6.82	FEE CHANGE	
WATER FUND FEE	17,001-28,000	\$ 9.92	\$ 10.22	FEE CHANGE	
WATER FUND FEE	28,000 +	\$ 14.88	\$ 15.33	FEE CHANGE	
WATER FUND FEE	Non-Residential Commercial & Mixed Use Base Fee (per unit)	\$ 35.29	\$ 36.35	FEE CHANGE	
WATER FUND FEE	0-6,000	\$ 3.00	\$ 3.09	FEE CHANGE	
WATER FUND FEE	6,000 +	\$ 6.62	\$ 6.82	FEE CHANGE	
WATER FUND FEE	Non-Residential Government, Schools & Churches base fee (per unit)	\$ 35.29	\$ 36.35	FEE CHANGE	
WATER FUND FEE	0-6,000	\$ 3.00	\$ 3.09	FEE CHANGE	
WATER FUND FEE	6,000 +	\$ 6.62	\$ 6.82	FEE CHANGE	
WATER FUND FEE	Residential/ Non- Residential Compound Meter High Side base fee (per unit)	\$ -	\$ -	FEE CHANGE	
WATER FUND FEE	All Usage	\$ 6.62	\$ 6.82	FEE CHANGE	
WATER FUND FEE	Out of Town Residential without accessory dwelling unit base fee	\$ 52.94	\$ 54.53	FEE CHANGE	
WATER FUND FEE	0-6,000	\$ 4.50	\$ 4.64	FEE CHANGE	
WATER FUND FEE	6,001-17,000	\$ 9.89	\$ 10.19	FEE CHANGE	
WATER FUND FEE	17,001-28,000	\$ 14.84	\$ 15.29	FEE CHANGE	
WATER FUND FEE	28,000 +	\$ 22.25	\$ 22.92	FEE CHANGE	
WATER FUND FEE	Out of Town Residential with accessory dwelling unit base fee	\$ 66.45	\$ 68.44	FEE CHANGE	
WATER FUND FEE	0-8,000	\$ 4.50	\$ 4.64	FEE CHANGE	
WATER FUND FEE	8,001-17,000	\$ 9.89	\$ 10.19	FEE CHANGE	
WATER FUND FEE	17,001-28,000	\$ 14.84	\$ 15.29	FEE CHANGE	
WATER FUND FEE	28,000 +	\$ 22.25	\$ 22.92	FEE CHANGE	
WATER FUND FEE	Out of Town Non-Residential Commercial & Mixed Use base fee (per unit)	\$ 52.94	\$ 54.53	FEE CHANGE	
WATER FUND FEE	0-6,000	\$ 4.50	\$ 4.64	FEE CHANGE	
WATER FUND FEE	6,000 +	\$ 9.89	\$ 10.19	FEE CHANGE	
WATER FUND FEE	Non-Residential Government, Schools & Churches base fee (per unit)	\$ 52.94	\$ 54.53	FEE CHANGE	
WATER FUND FEE	0-6,000	\$ 4.50	\$ 4.64	FEE CHANGE	
WATER FUND FEE	6,000 +	\$ 9.89	\$ 10.19	FEE CHANGE	

UTILITY FEES					
FEE TYPE	FEE TITLE	2019 FEE	2020 FEE - PROPOSED	PROPOSED FEE CHANGE	REASONING FOR CHANGE
WATER FUND FEE	Residential/ Non- Residential Compound Meter High Side base fee(per unit)	\$ -	\$ -	FEE CHANGE	
WATER FUND FEE	All Usage	\$ 9.89	\$ 10.19	FEE CHANGE	
WATER FUND FEE	Surcharge Residential (per unit)				
WATER FUND FEE	Low Usage - (0 - 4,000 gallons)	\$ 8.15	\$ 8.15	NO CHANGE	
WATER FUND FEE	Average Usage - (4,000 - 14,000)	\$ 12.50	\$ 12.50	NO CHANGE	
WATER FUND FEE	High Usage - (14,000 +)	\$ 17.00	\$ 17.00	NO CHANGE	
WATER FUND FEE	Surcharge Non-Residential (per unit)			NO CHANGE	
WATER FUND FEE	Low Usage - (0 - 4,000 gallons)	\$ 8.15	\$ 8.15	NO CHANGE	
WATER FUND FEE	Average Usage - (4,000 - 46,000)	\$ 12.50	\$ 12.50	NO CHANGE	
WATER FUND FEE	High Usage - (46,000 +)	\$ 17.00	\$ 17.00	NO CHANGE	
WATER FUND FEE	Utility Payment Late Fee	\$ 5.00	\$ 5.00	NO CHANGE	
WASTE WATER FUND FEE	Residential/Commercial/Mixed Use/Government/Schools - Monthly Sewer Service (per unit)	\$ 58.82	\$ 61.76	FEE CHANGE	5% increase per 2007 rate study Schedule. Staff will be conducting a waste water new rate study in 2020
REFUSE FEE	Residential monthly charges rubbish removal and recycling base fee	\$ 25.60	\$ 26.14	FEE CHANGE	Increased by CPI - 2.1% per contract with Vail Honeywagon
REFUSE FEE	Additional can fee per month	\$ 20.89	\$ 20.89	NO CHANGE	
REFUSE FEE	Extra Trash Charges: Furniture - couch, sofa, twin or single box springs/mattresses	\$ 15.00	\$ 15.00	NO CHANGE	
REFUSE FEE	Extra Trash Charges: Furniture - per king/queen mattress or box springs	\$ 20.00	\$ 20.00	NO CHANGE	
REFUSE FEE	Extra Trash Charges: Appliances - stove, oven, washing machine, dishwasher, dryer, microwave	\$ 15.00	\$ 15.00	NO CHANGE	
REFUSE FEE	Extra Trash Charges: Appliances - hot water heater, cast iron tub, reffridgerator	\$ 30.00	\$ 30.00	NO CHANGE	
REFUSE FEE	Extra Trash Charges: Carpet: per cubic yard	\$ 18.00	\$ 18.00	NO CHANGE	
REFUSE FEE	Extra Trash Charges: Construction Materials - per cubic yard	\$ 18.00	\$ 18.00	NO CHANGE	
REFUSE FEE	Extra Trash Charges: Tires (each)	\$ 7.00	\$ 7.00	NO CHANGE	
REFUSE FEE	Trash Can - New	\$ 90.00	\$ 90.00	NO CHANGE	
REFUSE FEE	Trash Can - Used	\$ 50.00	\$ 50.00	NO CHANGE	
REFUSE FEE	Recycle Container	\$ 20.00	\$ 20.00	NO CHANGE	
REFUSE FEE	Yardwaste Fee	\$ 2.00	\$ 2.00	NO CHANGE	

TOWN OF EAGLE FEE SCHEDULE

UTILITY FEES					
FEE TYPE	FEE TITLE	2019 FEE	2020 FEE - PROPOSED	PROPOSED FEE CHANGE	REASONING FOR CHANGE
REFUSE FEE	Administrative Fee for Refuse Billing	\$ 1.00	\$ 1.26	FEE CHANGE	This fee has not been adjusted since the Town moved to contracted refuse collection in 2009. Since other refuse rates increase by CPI per contract with Honeywagon, it is reasonable to increase our administrative fee annually by the same. Change will increase by CPI for each year from 2012-2019.

COURT FEES					
FEE TYPE	FEE TITLE	2019 FEE	2020 FEE - PROPOSED	PROPOSED FEE CHANGE	REASONING FOR CHANGE
COURT	Court Cost	\$ 25	\$ 25	NO CHANGE	
COURT	Surcharge - Criminal Violation	\$ 20	\$ 20	NO CHANGE	
COURT	Surcharge - Traffic Code Violation	\$ 10	\$ 10	NO CHANGE	
COURT	Jury Demand Fee	\$ 25	\$ 25	NO CHANGE	
COURT	Witness Fee	\$ 5/day	\$ 5/day	NO CHANGE	
COURT	Juror Fee-Engaged on Jury	\$6/day	\$6/day	NO CHANGE	
COURT	Juror Fee-Attendance on Panel	\$3/day	\$3/day	NO CHANGE	
COURT	Mileage Fees (witnesses and jurors)	\$0.15/mile	\$0.15/mile	NO CHANGE	
COURT	Deferred Judgement Fee	\$ 75	\$ 75	NO CHANGE	
COURT	Deferred Prosecution Fee	\$ 40	\$ 40	NO CHANGE	
COURT	Insurance Dismissal Fee	\$ 10	\$ 10	NO CHANGE	
COURT	Bench Warrant Fee	\$ 50	\$ 50	NO CHANGE	
COURT	Incarceration Fee	Amount equal to sum charged to the Town by the County for incarceration	Amount equal to sum charged to the Town by the County for incarceration	NO CHANGE	
COURT	Charitable Contribution	\$ 5	\$ 5	NO CHANGE	
COURT	Collections Administration Fee	\$ 50	\$ 50	NO CHANGE	
COURT	Stay of Execution Fee	\$ 25	\$ 25	NO CHANGE	
COURT	Non-Resident Violator Compliance Fee	\$ 30.00	\$ 30.00	NO CHANGE	
COURT	Outstanding Judgment Warrant Fee	\$ 30.00	\$ 30.00	NO CHANGE	
COURT	Record Sealing Fee	\$ 65.00	\$ 65.00	NO CHANGE	

TOWN OF EAGLE FEE SCHEDULE

POLICE DEPARTMENT

FEE TYPE	FEE TITLE	2019 FEE	2020 FEE - PROPOSED	PROPOSED FEE CHANGE	REASONING FOR CHANGE
POLICE DEPARTMENT	Abandoned Vehicle Administration Fee	\$ -	\$ -	NO CHANGE	
POLICE DEPARTMENT	Nuisance Alarm Fee	50-150	50-150	NO CHANGE	
POLICE DEPARTMENT	VIN Inspection Fee	\$ 15.00	\$ 15.00	NO CHANGE	
POLICE DEPARTMENT	Sex Offender Annual Registration	\$ 25.00	\$ 25.00	NO CHANGE	
POLICE DEPARTMENT	Sex Offender Information Update	\$ -	\$ -	NO CHANGE	
POLICE DEPARTMENT	Sex Offender Quarterly Registration	\$ 25.00	\$ 25.00	NO CHANGE	
POLICE DEPARTMENT	Police Report Digital Evidence Disc Fee	\$ 5.00	\$ 5.00	NO CHANGE	
POLICE DEPARTMENT	Police Report Fee	.25 per page	.25 per page	NO CHANGE	
POLICE DEPARTMENT	Police Report Research Fee (per hour, first hour free)	\$ 30.00	\$ 30.00	NO CHANGE	
POLICE DEPARTMENT	Sex Offender De- Registration	\$ -	\$ -	NO CHANGE	
POLICE DEPARTMENT	Video Redaction Fee	Cost of Third Party Contract	Cost of Third Party Contract	NO CHANGE	



2020 Town Holidays Observed

Date	Holiday
Wednesday, January 1	New Year's Day
Monday, January 20	Martin Luther King Day
Monday, February 17	President's Day
Monday, May 25	Memorial Day
Friday, July 3	Independence Day
Monday, September 7	Labor Day
Monday, October 12	Indigenous Peoples Day
Wednesday, November 11	Veteran's Day
Thursday, November 26	Thanksgiving Day
Friday, November 27	Day After Thanksgiving
Thursday, December 24	Christmas Eve.
Friday, December 25	Christmas Day
Thursday, December 31	New Year's Eve.
upon supervisory approval	Floating Holiday (birthday or other)



2020 Town Holidays for Sworn Police Officers

Date	Holiday
Wednesday, January 1	New Year's Day
Monday, January 20	Martin Luther King Day
Monday, February 17	President's Day
Monday, May 25	Memorial Day
Saturday, July 4	Independence Day
Monday, September 7	Labor Day
Monday, October 12	Indigenous Peoples Day
Wednesday, November 11	Veteran's Day
Thursday, November 26	Thanksgiving Day
Friday, November 27	Day After Thanksgiving
Thursday, December 24	Christmas Eve.
Friday, December 25	Christmas Day
Thursday, December 31	New Year's Eve.
upon supervisory approval	Floating Holiday (birthday or other)

Total 14 full days