



AGENDA
Planning & Zoning Commission
Tuesday, March 17, 2020
6:00 PM

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

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

PUBLIC WIFI - TOEG – townofeagle2019

6:00 PM - REGULAR MEETING CALLED TO ORDER

APPROVAL OF MINUTES *Approval of the minutes from the March 3, 2020 meeting of the Planning and Zoning commission.*

1. March 3, 2020

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.

PUBLIC HEARINGS

1. Project: 210 Freestone / Eagle Ranch Apartments Update
File # DR18-04
Applicant: Eagle County (Tori Franks)
Location 210 Freestone / 816 Sylvan Lake Road
Staff Contact: Tori Franks - Eagle County
Request: Project update / status report for the 210 Freestone Project provided by Tori Franks with Eagle County.
2. Project: 446 Washington Street Variance
File # V20-01
Applicant: Tracie Schumacher
Location 446 Washington Street
Staff Contact: Jessica Lake - Planner I
Request: Zoning variance to reduce the 2nd front setback from 25' to 5' for a new accessory structure.

3. Project: Talon Flats Minor Development Permit
File # DR20-01
Applicant: Bryan Desmond
Location 1203 Capitol Street / 761 Sylvan Lake Road
Staff Contact: Carrie McCool - Interim Town Planner
Request: Minor Development Permit for a mixed-use building with 1,264 square feet of retail space; 1,014 square feet of office space; and 22,905 square feet of residential.

TOWN BOARD OF TRUSTEES MEETING REVIEW

Staff update to the Planning & Zoning Commission on recent decisions made by the Board of Trustees on various Land Use files.

COMMUNITY DEVELOPMENT DEPARTMENT UPDATE

Staff update to the Planning & Zoning Commission on recent work and upcoming files.

OPEN DISCUSSION

ADJOURN

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



Jessica Lake
Planning Technician



MINUTES
Planning & Zoning Commission
Tuesday, March 3, 2020
6:00 PM

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

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

PUBLIC WIFI - TOEE – ((TOEEWireless))

6:00 PM - REGULAR MEETING CALLED TO ORDER

Brent McFall calls to order

COMMISSIONERS PRESENT

Robert Townsend, Lani Webb, Jesse Gregg, Matthew Hood, Charlie Perkins, Kyle Hoiland, and Brent McFall. Bill Nutkins joined at 6:06pm.

STAFF

Brandy Reitter - Town Manager
Angie Kyle - Administrative Tech II
Jessica Lake - Planner I

COMMISSIONERS ABSENT

APPROVAL OF MINUTES *Approval of the minutes from the DATE meeting of the Planning and Zoning commission.*

Misspelled names and words. Commissioners approve based on revisions.

1. February 18, 2020

Misspelled names and words. Commissioners approve based on revisions.

MOTION: COMMISSIONER KYLE HOILAND MOTIONED TO APPROVE THE MINUTES BASED ON REVISIONS. MOTION WAS SECONDED BY GREGG AND PASSED WITH A VOTE OF 8 IN FAVOR AND 0 OPPOSED.

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.*

None.

BUSINESS ITEMS

New Commissioner Oaths of Office

Per approved Resolution 10, Series 2020 "A Resolution of the Board of Trustees of the Town of Eagle,

1. Colorado, Appointing Bill Nutkins, Brent McFall, Robert Townsend and Lani Webb to Fill Vacancies on the Town of Eagle Planning and Zoning Commission."

- a. Robert, Lani, and Brent swore in as Planning and Zoning Commission members.

2. *Commission Appointments to Chair and Vice Chair Positions*

Nominations of Chair:

- a. Hoiland nominates McFall as Chair.
 - b. Perkins nominates Hood as Chair

Nutkins joined the meeting at 6:06pm.

The Commission voted for Chair as follows:

- a. Matthew Hood: McFall, Webb, Gregg, Perkins vote for Hood as Chair
 - b. Brent McFall: Nutkins, Hood, Hoiland vote for McFall as Chair

MOTION: THE COMMISSION VOTED TO APPROVE MATTHEW HOOD AS CHAIR OF PLANNING AND COMMISSION WITH A 4 TO 3 VOTE.

Town Clerk swears in Bill Nutkins.

Vice-Chair nominations:

- a. Nutkins nominates McFall as Vice Chair

MOTION: THE COMMISSION VOTED TO APPROVE BRENT MCFALL AS VICE-CHAIR OF PLANNING AND COMMISSION WITH AN UNANIMOUS VOTE.

3. *Proposed Amendment to Section 4.04.060 of the Eagle Municipal Code Schedule of Uses Permitted in Residential Zone Districts.*

- a. Ordinance No. 09 (Series of 2020) An Ordinance of the Board of Trustees of the Town of Eagle, Colorado Amending Section 4.04.060 of the Eagle Municipal Code, to Allow Recreational Vehicle Parks as a Special Use in the Rural Residential Zone District.

The Town Manager presented the proposal to add recreation vehicle parks to a rural residential zone district. This will be a special use permit. Staff wants to be proactive to accommodate different projects, including the Fairgrounds annexation. Staff receives feedback that there are not many camping options, and staff wants to be able to accommodate those requests. This is not out of the norm; these requests are in the Eagle Area Community Plan update. The request for more camping is consistent with feedback. There aren't many areas to

allow this currently in town. The only place in town, the town manager points out on the Land Use Code map is parcel 2109-043-23-009. The Town Manager points out that the rural recreational zone is the area north of the pool and ice rink. There are some special events camping areas however there aren't many designated year-round.

Commission comments: The commissioners asked if this request is revenue driven, and if there would there be a camping fee. They also wanted to know if the town had proficient staff to be able to enforce that, and if there was something that adds an urgency to this amendment. They do not want to have an RV park close to a residential district. Would the Town be bringing electricity to the park? If is a noise/pollution issue, this is something we should consider in our decision. The commission want to know what they could put in the code regarding the ordinance as well as what the proposed lot size.

Town Manager: Yes, there is a \$4 assess to any camping. This would be enforced by Mountain Recreation in Eagle County who would assist. The idea is to have more options for recreational uses. With Residential Rural zoning, it will allow some kind of camping or livestock on that lot. We are getting a lot of Urban Agriculture comments in Community Development that this supports. Yes, there are some items that this would assist in the facilitation. In the code, the commission can add quiet hours and look at hours of operation. It just depends on the proposal, the commission can put in hours of operation, etc. in the code. Since this is a special use permit, the details can be addressed with the application. This is adding this use as a special use to rural residential which is a lot greater than 2 acres.

MOTION: COMMISSIONER BRENT MCFALL MOTIONED TO RECOMMEND TO THE TOWN BOARD OF TRUSTEES THE PROPOSED AMENDMENT TO SECTION 4.04.060 OF THE EAGLE MUNICIPAL CODE SCHEDULE OF USES PERMITTED IN RESIDENTIAL ZONE DISTRICTS. MOTION WAS SECONDED BY NUTKINS AND PASSED WITH A VOTE OF 8 IN FAVOR AND 0 OPPOSED.

TOWN BOARD OF TRUSTEES MEETING REVIEW *Staff update to the Planning & Zoning Commission on recent decisions made by the Board of Trustees on various Land Use files.*

- Village Market asking to extend their vested rights at the Town Board of Trustees' next meeting on March 10, 2020.
- Short-Term Rentals – Town is trying to keep it simple. Staff is creating an ordinance to place them on an equal playing field with lodging. There is a requirement, if you are an absent owner, you have to have a property manager. Staff prefers to use a third party to administrator, track, and collect fees. The town will set up a licensing program. Many communities charge an annual fee, and Staff is estimating about 60-70 Short-Term Rentals in Eagle.
- Compensation for P&Z Members - the Town Board of Trustees' compensation is below market. They mentioned that whatever considerations with compensation, they will also look at Planning & Zoning commission as well. This will be discussed in April.
- Black Hills Energy is doing a major gas pipeline along 6 hwy. They are doing an upgrade because of the town's growth. It's going to be in April/May. It won't completely close Hwy6, but it will go to one lane. The town will do maintenance on the road at the same time. Communication from the Town will provide updates.

COMMUNITY DEVELOPMENT DEPARTMENT UPDATE *Staff update to the Planning & Zoning Commission on recent work and upcoming files.*

- Elevate Eagle Meeting in regards to the Land Use Code. We are getting into the code and will get feedback from the Land Use Code committee.
- Hwy 6 Corridor: The Town Manager is working on RFP.
- Community Development Director Open Position - this position is open until filled. Hoiland volunteers to be on interview committee.

OPEN DISCUSSION

Commission recommended to the Town Manager to consider slowing speed limit down on Grand Ave / Hwy 6.

ADJOURN – 7:00pm



CERTIFICATE OF RECOMMENDATION

TO: Planning & Zoning Commission

FROM: Department of Community Development

DATE: March 17, 2020

PROJECT NAME: 446 Washington Street Setback Variance

FILE NUMBER: V20-01

APPLICANT: Tracie Schumacher

LOCATION: 446 Washington Street

CODE: Section 4.03.010 (General Purposes)
Section 4.04.080 (Schedule of Requirements in Residential Districts)
Section 4.04.100 (Supplementary Regulations and Standards)
Section 4.05.020 (Variance Standards)

ZONING: Residential Multi-Family (RMF)

EXHIBIT(S):

- A. Application & Narrative
- B. ILC
- C. Design Drawings
- D. Picture Slides from Applicant
- E. Public Comment Letters

PUBLIC COMMENT: Staff has received three (3) letters of public comment as of March 13, 2020. Letters received after this time will be gathered and entered into the public record at the hearing. Public comment letters are attached as Exhibit E of this document.

STAFF CONTACT: Jessica Lake, Planner I

REQUEST: Zoning variance to reduce the 2nd front setback from 25' to 5' for a new accessory structure.

DISCUSSION:

The subject property is zoned Residential Multi-Family (RMF) and located at 446 Washington Street on the corner of Washington and 5th Street. The parcel is 6,229 sf and comprised of two historic lots, each historic lot is 25 ft wide.

The applicant is proposing to demolish an existing garage located in the south-east corner of the property and construct an accessory building which, as proposed in the application, will require a variance from the front yard setback of the lot line that faces 5th Street. Specifics of the variance request are as follows:

Proposed New Accessory Structure							
Zone District	Min. Lot Area / Dwelling Unit	Min. Front Yard	Min. Side Yard	Min. Rear Yard	Min. Build Height	Min Lot Coverage*	Max Floor Area
RMF	n/a	L 5'	2.5'	2'	35'	Building 50%; all other impervious 20%	150%

Required Setbacks for an Accessory Structure							
Zone District	Min. Lot Area / Dwelling Unit	Min. Front Yard	Min. Side Yard	Min. Rear Yard	Min. Build Height	Min Lot Coverage*	Max Floor Area
RMF	n/a	L 25'	2.5'	2'	35'	Building 50%; all other impervious 20%	150%

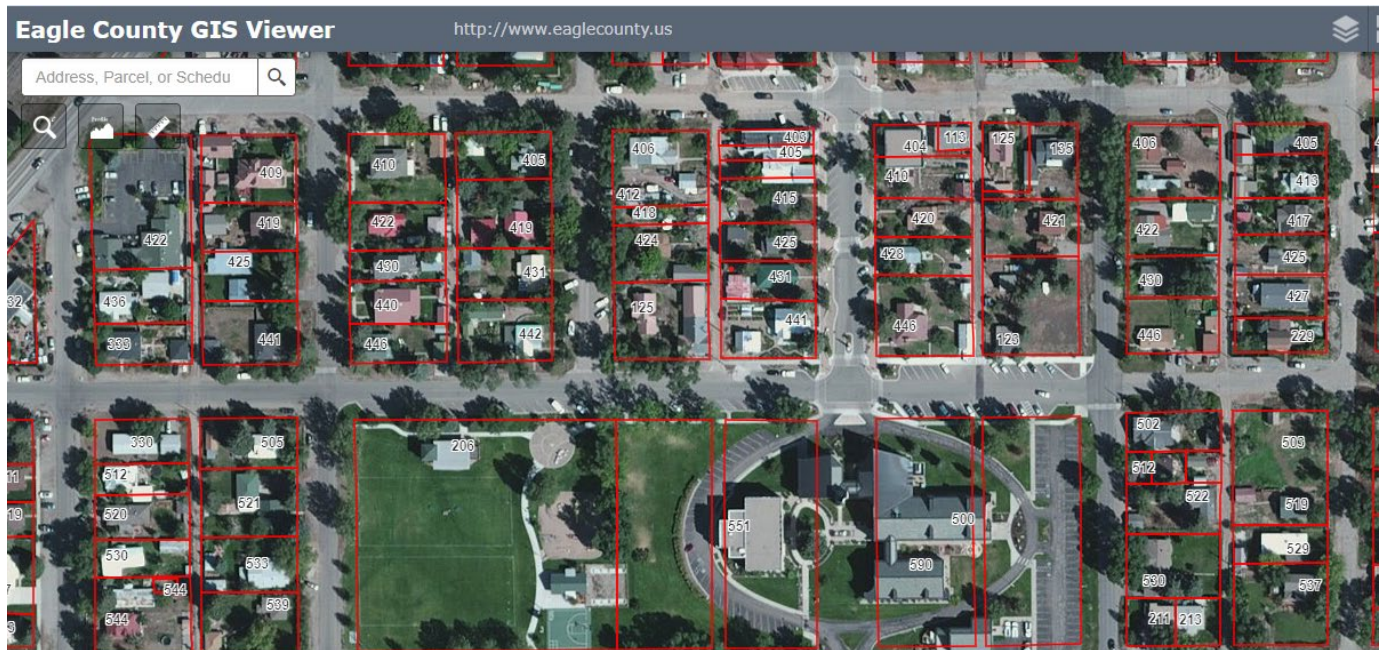
Required Setbacks for a Primary Structure							
Zone District	Min. Lot Area / Dwelling Unit	Min. Front Yard	Min. Side Yard	Min. Rear Yard	Min. Build Height	Min Lot Coverage*	Max Floor Area
RMF	6,000 sf	L 25'	Greater of 12.5' or ½ building height	20'	35'	Building 50%; all other impervious 20%	150%
		C 25'					
		A 50'					

The existing home and shed on the property pre-date the code and therefore are under the legal non-conforming use category. The front yard setbacks are currently not met by the home or by the existing garage. The shed does not meet the side yard setbacks for an accessory structure. The home currently is setback 5.3-ft from the 5th Street property line as reflected in the improvement survey. The existing garage sits much closer to the property lines along the alley and 5th Street. While the applicant's request does not meet the front yard setback requirement, it does bring the accessory structure more into compliance with the regulations than the existing structure.

The property's surrounding neighborhood experiences a steady flow of pedestrian, bike and vehicular traffic, especially around Town Park, located across 5th Street to the South of the subject property. County buses and school buses have routes along 5th Street. Town Park draws community members throughout the day and the County Building and several County owned properties are along 5th Street.

The 5th Street right of way is 80 ft wide. Sidewalk exists along the North side of 5th Street between Capitol and Broadway and between Broadway and Wall Street. The sidewalk then turns North along Wall Street and terminates about halfway up the block. There is currently no sidewalk along 5th between Wall Street and Washington Street or between Washington Street and McIntire Street. Public Works has no current plans to continue the sidewalk along the rest of 5th Street, but it is possible that they may wish to do so in the future and the 80 ft right of way would provide the necessary area for future sidewalks and/or parking along 5th Street. The 1985 Master Plan proposed the possibility of incorporating multiple buildings where the County Building currently sits, one of which would be Eagle Town Hall, creating a Government Campus of County and Town staff. They were concerned with traffic flow in 1985 as well especially in the area from Grand to Broadway and along the Park and "Government Campus", the thought then was to create a more pedestrian friendly area. The existing garage could limit the future potential for a sidewalk and /or parking along 5th Street. The proposed new structure would provide a buffer, but not at the adopted standard.

The GIS Map below provides an aerial view of the area, this view helps us see that while the existing garage structure does not line up with the rest of the street, the home does. This would indicate that the 25-foot front yard setback along 5th Street has not taken effect. There could be several reasons for this, from observation of the area, the most likely is that re-development has not occurred along 5th Street.



Section 4.04.100 – Supplementary regulations and standards

G. Legal nonconforming uses, structures, and lots. Any use, structure, or lot in existence and lawful at the time of adoption of the ordinance from which this Title is derived or any subsequent amendment hereto, which is not in conformance with the provision of this Title or amendment, shall be considered a legal nonconforming use, structure or lot and may continue in existence pursuant to the following:

4. A building which does not meet the setback, height or other site requirements of this chapter may be repaired, maintained, or extended, provided any such extension is in full compliance with all provisions of this chapter.

H. Supplementary setback regulations.

3. *Through and corner lots.* On lots bordered on two sides by streets, whether on contiguous or opposite sides, front yard setbacks shall be required along both streets.
7. *Accessory buildings.*
 - b. Provided, however, in the section of Town that lies within the boundaries of Grand Avenue, McIntire Street, 7th Avenue, and Church Street, accessory buildings shall observe a two-foot setback from the rear lot line and 2.5-foot setback from the side lot lines.

The applicant argues that the variance is required to preserve an old, historic log structure located north of the existing garage in the north-east corner of the property. The application states that in order to comply with the 25-foot setback from 5th Street, the old log structure would need to be demolished in order to place the accessory building in that location. The applicant has shared two site plans. One plan illustrates the layout of the garage/ADU that complies with Code requirements by meeting the setback on 5th Street. The other site plan shows the layout of the garage/ADU with approval of this variance request. Town staff has discussed alternate options with the applicant, allowing the applicant to meet the zoning regulations. At this time, the applicant prefers to bring the application forward as-is for Planning Commission review.

ZONING VARIANCE STANDARDS

The Planning Commission may grant a variance provided it finds both Subsections (A)(1)(a) and (b) of this section and either Subsection (A)(1)(c) or (d) of this section are applicable:

- (a) That the variance granted is without substantial detriment to the public good and does not impair the intent and purposes of the Town's regulations, goals, policies and plan, including the specific regulation in question; **and**
- (b) That the variance granted is the minimum necessary to alleviate the hardship; **and**
- (c) That there exists on the property in question exceptional topography, shape, size or other extraordinary and exceptional situation or condition peculiar to the site, existing buildings, or lot configuration such that strict application of the zone district requirements from which the variance is requested would result in peculiar and exceptional practical difficulties to or exceptional and undue hardship upon the owner of the property in question; **OR**
- (d) That such exceptional situation or condition was not induced by any action of the applicant and is not a general condition throughout the zone district.

CONDITIONS FOR A ZONING VARIANCE

Standard (a): That the variance granted is without substantial detriment to the public good and does not impair the intent and purposes of the Town's regulations, goals, policies and plans, including the specific regulation in question.

In review of the first standard, staff refers to three primary Town enacted documents:

- Title 4 of the Town of Eagle Municipal Code – Land Use and Development Code
- The Town of Eagle Strategic Plan – Adopted in 2017
- The Eagle Area Community Plan – Adopted in 2010

Title 4 of the Land Use Code indicates the following purposes:

Purpose J: Providing for a variety of housing and neighborhood types and densities and a range of housing costs.

This project is in line with Purpose J to increase housing stock and the variety of housing within the Town with the addition of the accessory dwelling unit.

Town of Eagle Strategic Plan:

Major Objective 8: Improving housing availability and affordability.

Major Objective 8 was included in the Strategic Plan in order to promote cost-effective solutions in maintaining adequate housing supply and support for the entire population. The construction of an ADU will lend to Objective 8 by increasing the housing supply.

Eagle Area Community Plan: Chapter 3: Land Use – Community Needs

Chapter 3 of the Eagle Area Community Plan states that maintaining an appropriate and full spectrum of dwelling unit types and price points is very important in a fast growing and increasingly expensive community like Eagle. The proposed ADU would provide an affordable housing option and add to the variety of dwelling units.

Eagle Area Community Plan: Chapter 12: Historic Preservation

Chapter 12 of the Eagle Area Community Plan states that new development, including infill and redevelopment, should incorporate references to the physical and cultural history of the Eagle Planning Area. Staff has not been provided any evidence to suggest or prove that the log structure is historic, however the plan exactly meets this criteria as it does create an infill accessory structure that references the physical history by maintaining the log structure, which looks historical but might not be historical.

Staff Analysis (a):

The purpose of the front setback regulation is to promote public safety and provide sufficient open space and separation between structures in keeping with the character of the zone district. Public safety is promoted with a standard sightline along the street frontage and safe access for motor vehicles as they turn from alleys or from one street to another. Granting the variance would maintain the existing garage setback while preserving the historic cabin accommodating reasonable use of the property consistent with surrounding properties. The existing building setbacks along 5th Street create a situation that warrants a balancing of these needs.

Staff finds that the variance request meets this requirement. The variance would not create a substantial detriment to the public and does not impair the intent and purposes of the Town's regulations, goals, policies, and plans.

AND Standard (b): That the variance granted is the minimum necessary to alleviate the hardship.

Staff Analysis (b):

Staff finds that this hardship is self-imposed and therefore is not the minimum necessary to alleviate the hardship. The reduction of the setback by 20-ft provides for a 12.5-ft buffer between the new structure and the existing historical shed, this does not seem to apply towards the minimum necessary qualification. The log structure could be relocated or removed to accommodate the zoning regulations. Self-imposed hardships typically are seen to weigh heavily against an owner seeking variance per *Levy v. BOA Arapahoe County*. The applicant argues that the existence of the log structure makes this situation exceptional. The granting of the variance does not require the preservation of the structure; however, the Commission has the ability to impose reasonable conditions on a variance should they so choose. The garage and the home already don't meet setback requirements (existing building configuration is a hardship).

AND Standard (c): That there exists on the property in question exceptional topography, shape, size or other extraordinary and exceptional situation or condition peculiar to the site, existing buildings, or lot configuration such that strict application of the zone district requirements from which the variance is requested would result in peculiar and exceptional practical difficulties to or exceptional and undue hardship upon the owner of the property in question;

OR Standard (d): That such exceptional situation or condition was not induced by any action of the applicant and is not a general condition throughout the zone district.

Staff Analysis (c) Or (d):

Staff finds that this request meets Standard (c). The shape and topography of the lot are standard and while two historic lots exist on one parcel, this is common throughout the Town of Eagle and does not restrict the owner from constructing an accessory structure that meets the zoning requirements. The extraordinary situation is the existing buildings and existing setback violations. Staff would ask the

Commission to consider the location of the current structure and the proposed structure in reference to how they line up compared to other homes and garages along 5th Street. None of the lots along 5th Street, between the cross streets of McIntire and Church, meet the 25-foot setback requirement. Thus, adhering to the setback would not be consistent with current building placement/setbacks along 5th Street.

Staff finds that the request meets Standard (d). Staff believes there are many parcels in Eagle that have sheds or accessory structures of one type or another that a homeowner might wish to keep, but in keeping them would prevent the owner from constructing an infill project on that lot. Existing conditions are able to be taken into consideration.

PLANNING & ZONING COMMISSION

1. Questions of Staff and/or Applicant
2. Public Comment
3. Deliberations

PLANNING AND ZONING COMMISSION POTENTIAL MOTIONS

Below are the Planning and Zoning Commission options related to V20-01 446 Washington Street Variance request to reduce the side setback from 25' to 5' for a new accessory structure:

1. I find the application substantially meets the standards for approval, and move to APPROVE the request to reduce the side setback from 25' to 5' for a new accessory structure with no conditions. Based upon Standards (A), (B), and (C) or Standards (A), (B), and (D).
2. I find the application substantially meets the standards for approval, and move to APPROVE the request to reduce the side setback from 25' to 5' for a new accessory structure with the following conditions of approval:

<insert conditions of approval>
3. I find that the applicant has not provided sufficient information to review the application per the standards for approval and move to CONTINUE the request to reduce the side setback from 25' to 5' for a new accessory structure to the next regularly scheduled meeting.
4. I find that the application does not substantially meet the standards for approval and move to DENY the request to reduce the side setback from 25' to 5' for a new accessory structure.



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		☐ Final Plat
☐ Temporary Use Permit	PLANNED UNIT DEVELOPMENT (PUD) REVIEW	☐ Lot Line Adjustment
☐ Amendment to Zone District Regulations	☐ PUD Zoning Plan	☐ Condominium / Townhouse
☐ Encroachment Permit	☐ PUD Development Plan	☐ Minor Subdivision

PROJECT NAME 446 Washington Project

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

LOCATION

STREET ADDRESS 446 Washington

PROPERTY DESCRIPTION

SUBDIVISION EAGLE BLOCK 31 LOT(S) 23+24 BLOCK BK-0181
(attach legal description if not part of a subdivision) BK-0291

DESCRIPTION OF APPLICATION/PURPOSE Zoning Variance + 446 Washington
for Set Back requirements.

APPLICANT NAME TRACIE Schumacher PHONE 970.376.7614

ADDRESS _____ EMAIL _____

OWNER OF RECORD Tracie Schumacher PHONE _____

ADDRESS PO Box 3366 EAGLE, CO 81631 EMAIL tracie@studio80id.com

REPRESENTATIVE* _____ PHONE _____

ADDRESS _____ EMAIL _____

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

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. *Sent via email to JESSICA 9.27.19*
- ☒ 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.

Trace Suttumacher

Signature

9.27.19

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 _____

446 WASHINGTON ST
EAGLE, COLORADO
VARIANCE REQUEST

February 7, 2020

Town of Eagle
Planning Director and Planning and Zoning Commission
PO Box 609
Eagle, CO 81631

Re: Variance Application

Dear April Kroner and Commissioners,

This application concerns a request for variance from a 25 foot setback regulation to construct an accessory building (garage/adu) in the rear of a property at the north east corner Washington Street and Fifth Street (446 Washington Street). This property contains one of the earliest founding homes within the original Townsite of Eagle and is shown on a photograph dated 1939 of a rodeo being held across the street in what is now the Town Park/Eagle County Complex. You can also see the young tree that is now carved into an art sculpture. The vision for this property was to make this corner property an example of a carefully designed and executed renovation over time. Since purchasing the property, I have completed major renovations to all exterior and interior components (new water and sewer lines) + maintain landscaping of yard and town property at easement locations. See attached photographs presentation to reference the property. Currently there is an old log outbuilding located on the north east corner of the property. I am asking for the town to grant me the opportunity to repurpose and renovate this "historical" cabin, aiming for the preservation of some of Eagle's Unique History.

Also there is an existing nondescript, white garage constructed in the 1960's located on the south east corner of the property. I would like to demolish this building and construct a garage and ADU generally in this same location.

In conversations with several staff members of the Department of Community Development over the last three years, I understand that the same front yard setbacks governs any structure located on a corner property; 25-foot setbacks for any building from Washington Street and also a 25-foot front setback for any building from Fifth Street. Hence my application for this variance. Please see attached Location Improvement Survey, and proposed site plan showing the footprint of the new garage/adu on the south east corner of the property.

In order to comply with a 25-foot setback from Fifth Street the old log structure would need to be demolished in order to place my accessory building in that location. On the neighboring property to north, an accessory building has been constructed on the south east corner of the property and would be severely impacted by the construction of a garage/adu in the north east corner of my property. (Also will not meet fire code regulations) As mentioned above, the preservation and re-purposing of this old log structure is a goal for the future of this historic property and from a landscape perspective the yard area between this existing old log structure and the new garage/adu would be an attractive space. The placement of the new garage/adu in the same general location as the existing garage preserves a small part of the history of the Town of Eagle, significantly reduces impacts of the new building on my neighbor to the north and reduces impervious surface of the property. After reviewing with my neighbor he concurs with the presented variance location. These references back to the early building vernacular of the Town become more and more important as we move into the future and contribute to the authenticity of the Town.

It is interesting to note that there are many accessory buildings without setbacks located on the corners of alleys with roadways within the Townsite of Eagle. At the northern end of this block two such garages exist on either corner of each property. Similarly, on the south west side of Town Park a two-story accessory building has been constructed on the corner of the alley. This property is in the Multi-Family Zone District. The Future Land Use Map in the Town of Eagle Master Plan identifies this property as part of the Historic Town designation which allows for a variety of Zone Districts. As referenced above, setback regulations for corner lots require 25-foot setback from both streets or in this case Washington Street and Fifth Streets. This double front setback requirement does not provide a distinction for primary or accessory buildings and is the basis of this variance application. (Two front yards)

The Land Use and Development Code provides that a “variance from the strict application of any zone district requirement or supplementary regulation of this chapter may be granted by the Planning Commission following the procedures and conditions herein, except that no use shall be allowed in any zone district in which it is not listed as a permitted or special use. The Planning Commission may grant a variance provided it finds both Subsections (A)(1)(a) and (b) of this section and either Subsection (A)(1)(c) or (d) of this section are applicable.

- a. “That the variance granted is without substantial detriment to the public good and does not impair the intent and purposes of the Town's regulations, goals, policies and plan, including the specific regulation in question; and”
- b. “That the variance granted is the minimum necessary to alleviate the hardship; and”
- c. “That there exists on the property in question exceptional topography, shape, size or other extraordinary and exceptional situation or condition peculiar to the site, existing buildings, or lot configuration such that strict application of the zone district requirements from which the variance is requested would result in peculiar and exceptional practical difficulties to or exceptional and undue hardship upon the owner of the property in question; or”
- d. “That such exceptional situation or condition was not induced by any action of the applicant and is not a general condition throughout the zone district.”

In granting a zoning variance, the Planning Commission shall modify the application of the regulation so that the spirit of the title is observed, public safety and welfare secured, and substantial justice done.”

We believe that this variance application meets standards A.1.a, A.1.b and A.1.d

Compliance with A.1-a

The granting of the variance requested is without substantial detriment to the public good and does not impair the intent and purposes of the Town's regulations, goals, policies and plans. The preservation and repurposing of an old log outbuilding provides public benefits to the community by allowing the preservation of some of the historic past of the Town of Eagle. These early log structures reflect the pioneering days when the Town of Eagle was established. These logs building are well illustrated in various history books written about the Town. Locating the garage/adu on the south east corner of the property would minimize impacts of this building on the neighboring property to the north and be in keeping with the pattern for the location of many of these building within the historic town. The Town's Master Plan calls for the development of underutilized lots within the Historic Town. It also promotes the creation of workforce housing. Historic Preservation, Chapter 12 of the The Eagle Area Community Plan, addresses importance of references back to the early days of the Town of Eagle and Eagle County. This Chapter specifically references the importance of maintaining "western, historical character within the Town Center Character Area." This Chapter goes on to state, "in an effort to recognize and preserve the cultural heritage of the Eagle Planning Area, the Town and County should ... preserve resources and design new projects in the context of this overarching goal." The restoration of the historic home and the preservation of the small log building on the north east corner of the property complies with these policies

This application is without substantial detriment to the public good and does not impair the intent and purpose of the Town regulations and complies with the Town's goals and policies.

Compliance with A1-b

The variance requested is the minimum necessary to alleviate the hardship This location provides a reasonable separation of the garage/adu from the existing log structure and allow landscape treatment to make this 12 foot space meaningful. The proposed location of this structure would comply with the 2-foot rear property setback and the 2.5 side yard setback allowed for an accessory building if located on an interior property of this block.

Compliance with A1 d

The unique characteristics and exceptional situation of this property include the existing log structure located on the north east corner and the proximate location of the accessory building on the property to north. Such exceptional situation or conditions were not induced by any action of the applicant and is not a general condition throughout the zone district. They were present when this applicant purchased the property./

Thank you for your consideration of this variance application. We believe variance application allows us to continue to improve this important property located on the north side of the Town Park. Rehabilitating and repurposing old log structures add to the visual charm of the Town of Eagle and comply with policies for this area of Town referenced in the Eagle Area Community Plan.

Sincerely,

Tracie Schumacher
446 Washington Street
Eagle, CO 81631
Property Owner

OWNERSHIP AND ENCUMBRANCE REPORT

Date: January 31, 2020
Effective Date: January 28, 2020
Attn: Tracie Schumacher
Company: Tracie Schumacher Office
Address: PO Box 3366
Phone: (970) 376-7614
Fax: (000) 000-0000
Email: tracie@studio80id.com

O & E Order Number: H0587866

Schedule No.: 210905105005 R020480
Vesting: Tracie Schumacher
Vesting Deed Info.: Confirmation Deed - 201225035
Property Address: 446 Washington St. - O & E , Eagle, CO 81631
Legal Description:

Lots 23 and 24, Block 31, Town of Eagle, County of Eagle, State of Colorado

Encumbrances:

None

NOTE: This information is for your sole use and benefit and is furnished as an accommodation. The information has been taken from our tract indices, without reference to, or examination of, instruments which purport to affect the real property. The information is neither guaranteed nor certified, and is not an Abstract of Title, Opinion of Title, nor a Guarantee of Title, and our liability is limited to the amount of the fees.

Prepared By: Patricia Keyes
Email: pkeyes@heritagetco.com
Phone: 970-328-5211

CONFIRMATION DEED

(CRS §38-38-502)

Public Trustee's Foreclosure Sale No. 12-303

THIS DEED is made December 12, 2012 between Karen L. Sheaffer as the Public Trustee in and for the County of Eagle, State of Colorado, grantor and Tracie Schumacher, grantee, the holder of the certificate of purchase whose legal address is PO Box 3366, Eagle, CO 81631.

WHEREAS, the Grantor(s) described below did convey to the public trustee, in trust, the property hereinafter described to secure the payment of the indebtedness provided in said deed of trust:

Original Grantor(s)	Shaun Baldwin
Original Beneficiary(ies)	Bank of America, N.A.
Current Holder of Evidence of Debt	Bank of America, N.A.
Date of Deed of Trust	November 30, 2007
County of Recording	Eagle
Recording Date of Deed of Trust	December 03, 2007
Recording Information (Reception Number)	200731339

WHEREAS, a violation was made in certain of the terms and covenants of said deed of trust as shown by the notice of election and demand for sale filed with the Public Trustee; the said property was advertised for public sale at the place and in the manner provided by law and by said deed of trust; combined notice of sale and right to cure and redeem was given as required by law; said property was sold according to said combined notice; and a certificate of purchase thereof was made and recorded in the office of said county Clerk and Recorder; and

WHEREAS, all periods of redemption have expired.

NOW, THEREFORE, the Public Trustee, pursuant to the power and authority vested by law and by the said deed of trust, confirms the foreclosure sale and sells and conveys to grantee the following described property located in the County of Eagle, State of Colorado, to wit:

LOT 23 AND 24, BLOCK 31, TOWN OF EAGLE, ACCORDING TO THE RECORDED PLAT THEREOF,
COUNTY OF EAGLE, STATE OF COLORADO

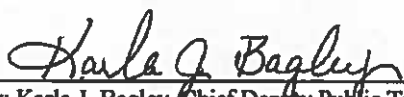
Also known by street and number as: 446 Washington St, Eagle, CO 81631

THE PROPERTY DESCRIBED HEREIN IS ALL OF THE PROPERTY CURRENTLY ENCUMBERED BY THE LIEN OF THE DEED OF TRUST.

To have and to hold the same, with all appurtenances, forever.

Executed on: December 12, 2012

Karen L. Sheaffer, Public Trustee in and for the County of Eagle, State of Colorado


By: Karla J. Bagley, Chief Deputy Public Trustee

When Recorded Return to: Eagle County Public Trustee



COLORADO USA **DL** 

DRIVER LICENSE



1 SCHUMACHER
2 TRACHE LYNN
3 448 WASHINGTON ST
EAGLE, CO 81631
4 DOB 06/30/1971
4a Iss 12/27/2019
4d Customer Identifier 92-208-1940
4b Exp 06/30/2024
5 DD 4299845
5a Previous Type A
16 Sex F
16a Hgt 5'-10"
18 Eyes BLU
17 Wgt 125 lb
19 Hair BLN

9a Endorsements
12 Restrictions NONE
9 Vehicle Classifications R

Tracy Schumacher  *T.L. SCHUMACHER 06/30/2021*



HEADQUARTERS OFFICE:
 3799 HIGHWAY 82 • PO BOX 2150
 GLENWOOD SPRINGS, CO 81602-2150
 TELEPHONE: (970) 945-5491
www.holycross.com

AVON DISTRICT OFFICE:
 41284 HWY 6 • PO BOX 972
 AVON, CO 81620
 TELEPHONE: (970) 949-5892

TERMS USED ON YOUR BILL

Customer Charge: This fixed monthly charge is the basic fee for your electric service. It does not fluctuate with usage. This fee is intended to cover our costs of maintaining and keeping your customer account records active (metering, data processing, billing, etc).

Energy Charge (kWh Use): The amount of kilowatt-hours used. One kilowatt-hour equals 1,000 watts used for one hour. For example: A 100-watt light bulb left on for 10 hours = 1 kWh.

Demand Charge (kW Demand): Demand is the amount of electric energy used at any instant of time measured in kilowatts (kW). HCE Demand kW is measured by the electric meter as the highest average demand in any 15-minute period during the month.

Electric Cost Adjustment (ECA): The Electric Cost Adjustment factor is used to achieve a uniform and consistent annual Rate of Return. The ECA factor will fluctuate monthly as actual monthly operating revenue and expenses becomes available.

WE CARE Surcharge: (With Efficiency, Conservation And Renewable Energy) This monthly charge is used to fund energy efficiency and conservation measures as well as renewable energy generation. The surcharge is calculated on the aggregate sum of all electrical service revenues prior to the application of any taxes and other electric rate adjustments.

Map Location	4343055	Account
Service Address		0446 WASHI

Services		Days	Meter Number	Readings	
From	To			Previous	Present
12/08/19	01/08/20	31	212074	25615	26

Description	Usage Unit
Customer Charge	
Energy Charge	398 kWh
Demand Charge	2.414 kW
Current Electric Charges	
WE CARE Surcharge	
Other Charges	
Town Tax	
Franchise Fee	
Taxes & Franchise Fees	
Current Balance	



HEADQUARTERS OFFICE:
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TELEPHONE: (970) 945-5491
www.holycross.com

AVON DISTRICT OFFICE:
41284 HWY 6 • PO BOX 972
AVON, CO 81620
TELEPHONE: (970) 949-5892

GYPSUM DISTRICT OFFICE:
0132 BUCKHORN VALLEY BLVD
GYPSUM, CO 81637
TELEPHONE: (970) 949-5892

TERMS USED ON YOUR BILL

Customer Charge: This fixed monthly charge is the basic fee for your electric service. It does not fluctuate with usage. This fee is intended to cover our costs of maintaining and keeping your customer account records active (metering, data processing, billing, etc).

Energy Charge (kWh Use): The amount of kilowatt-hours used. One kilowatt-hour equals 1,000 watts used for one hour. For example: A 100-watt light bulb left on for 10 hours = 1 kWh.

Demand Charge (kW Demand): Demand is the amount of electric energy used at any instant of time measured in kilowatts (kW). HCE Demand kW is measured by the electric meter as the highest average demand in any 15-minute period during the month.

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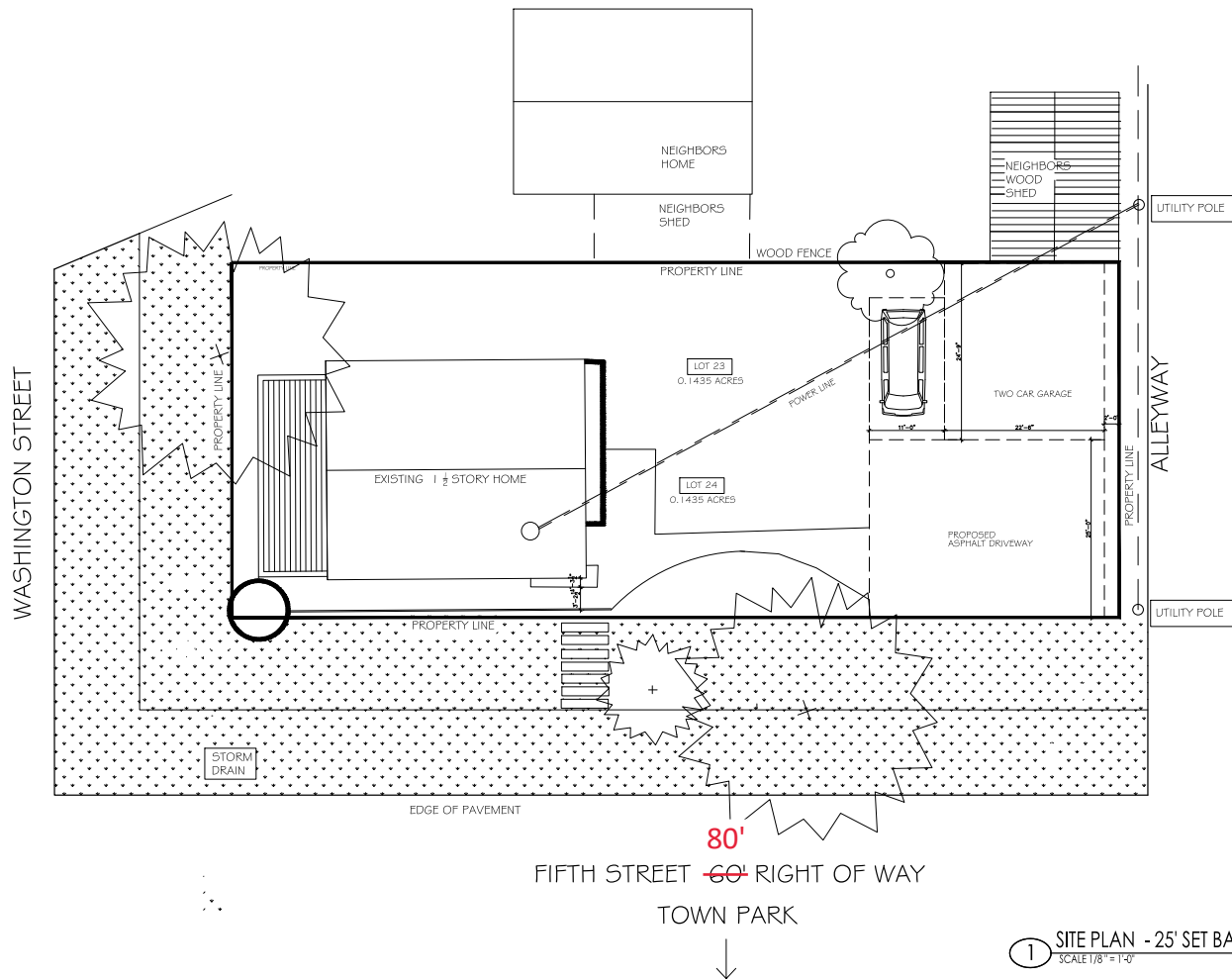
Map Location		4343055		Account Number		110506108				
Service Address		0446 WASHINGTON ST								
Services From		To	Days	Meter Number	Readings Previous		Present	Multi.	kWh Use	Rate Code
12/08/19		01/08/20	31	212074	25615		26013	1	398	21
Description					Usage Units		Rate		Charge	
Customer Charge									\$12.00	
Energy Charge					398 kWh		\$0.105		\$41.79	
Demand Charge					2.414 kW		\$0.00		\$0.00	
Current Electric Charges									\$53.79	
WE CARE Surcharge							2.0%		\$1.08	
Other Charges									\$1.08	
Town Tax							4.5%		\$2.54	
Franchise Fee							3.0%		\$1.85	
Taxes & Franchise Fees									\$4.19	
Current Balance									\$59.06	

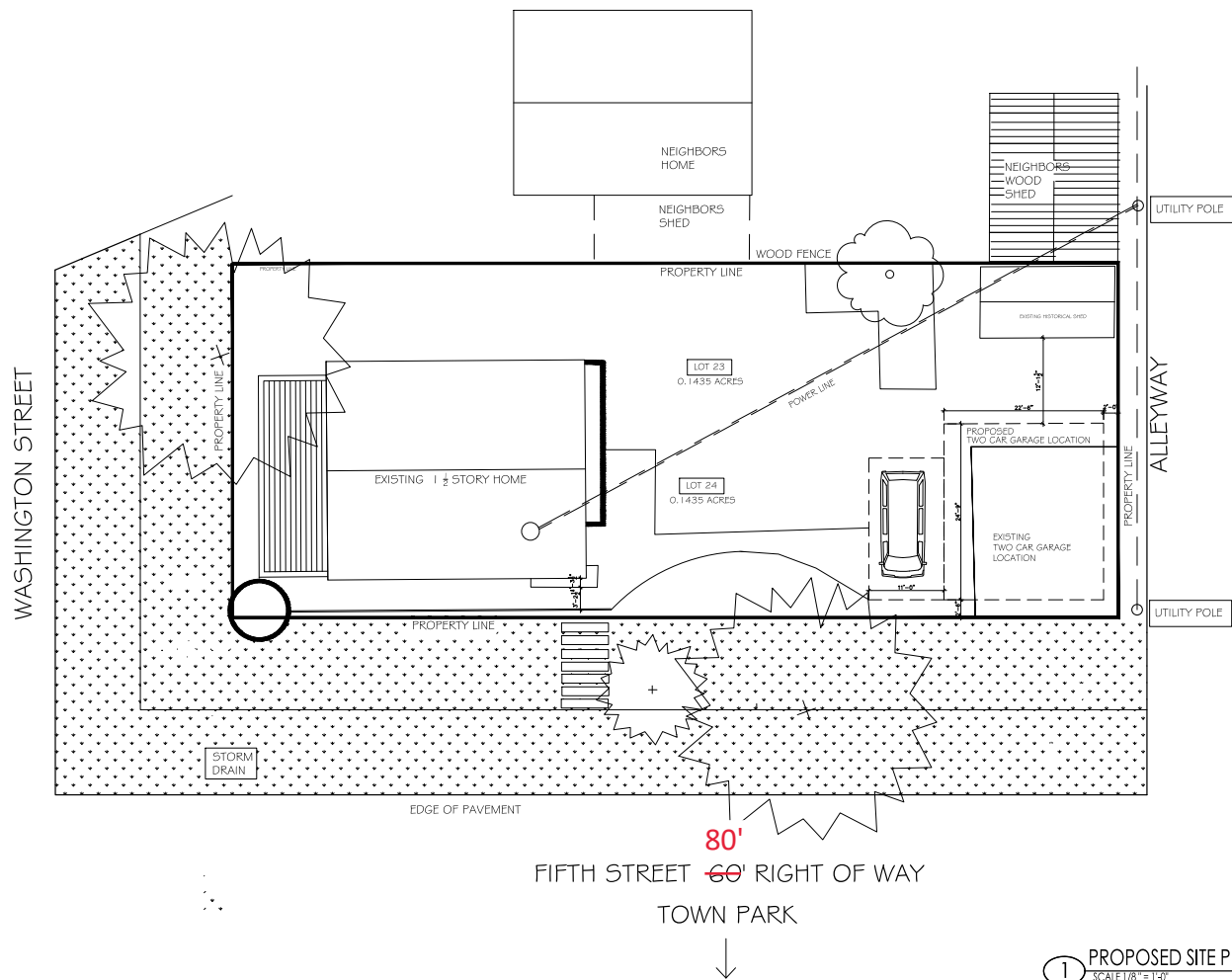
PAYMENT INFORMATION

Bills for electric service are due upon presentation. If payment is not made within 15 days, the bill is past due. After 30 days, the bill, or unpaid portion of the bill, will be considered delinquent. Payments must be RECEIVED IN THE HOLY CROSS ENERGY OFFICE by 8:00 a.m. on or before the specified dates to avoid a late payment charge or disconnect for nonpayment. Failure to receive a bill does not exempt you from monthly payment, late charges or disconnection.

PAYMENT OPTIONS

- Manage your account(s) online through our FREE mobile SmarHub app for your smartphone or mobile device.
- Pay over the phone through our toll free automated phone service at (877) 833-2555. Please have your account number(s) accessible when making payment.
- Use Auto Pay, our automated draft system using your bank account or credit card. We Accept: 
- Prepaid Metering offers you the flexibility in choosing when and how you pay for your electricity. Advance prepaid account balances decrease as Electric Service is delivered.
- Mail your payment making sure to enclose the bottom portion of the electric bill with your payment.
- Stop by any of our offices or use the available night deposit box at each location.



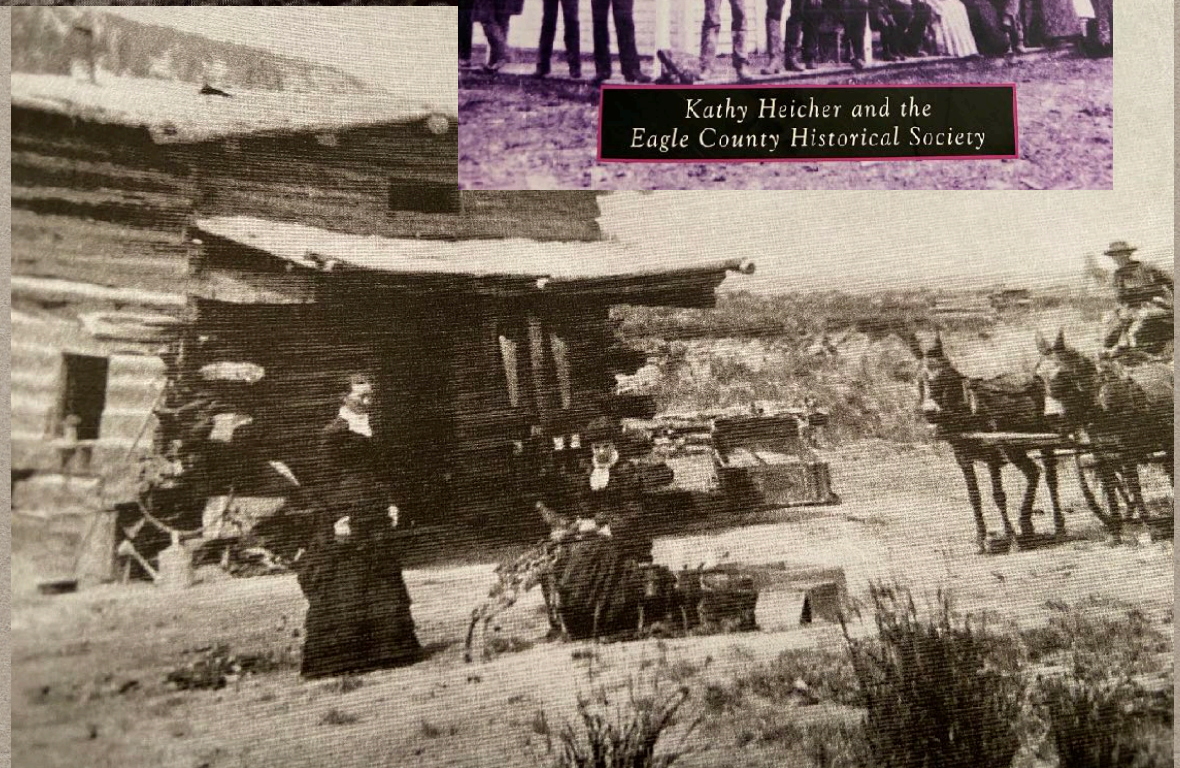
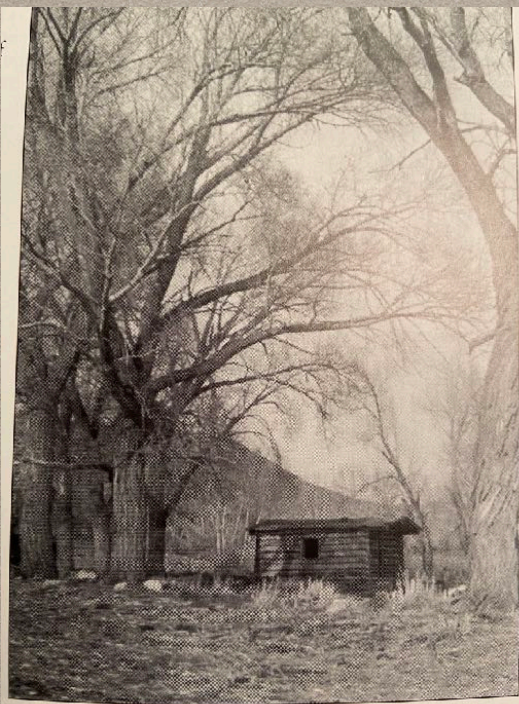
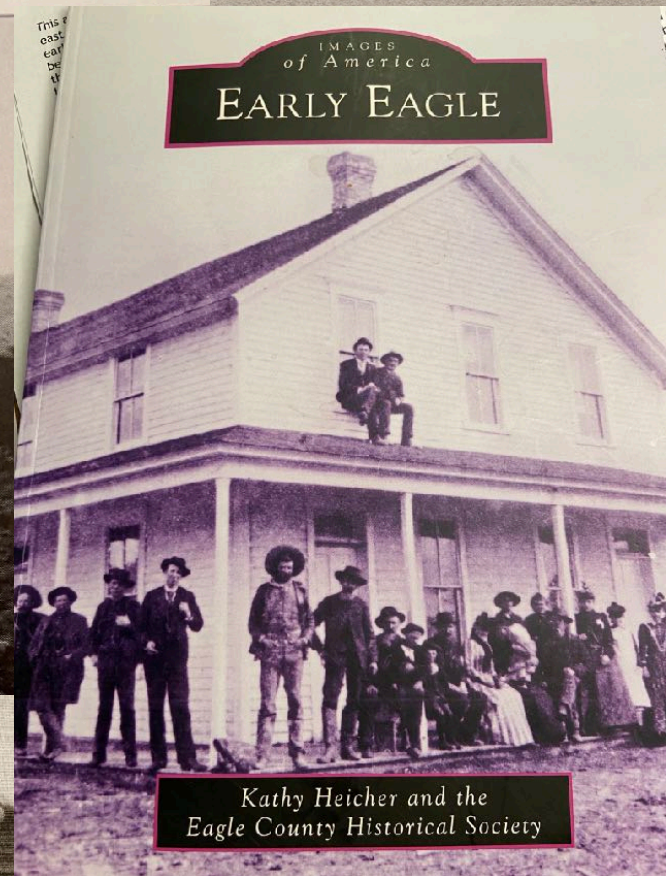


1 PROPOSED SITE PLAN
SCALE 1/8" = 1'-0"

446 Washington House



TOWN PARK 1939



Early Homes in Eagle



Goal: To Repurpose old Town of Eagle "Historic" Cabin



VIEW OF PROPERTY FROM PARK



REPURPOSED HOUSE + TREE



BEFORE FRONT AND BACK OF HOUSE PHOTOS



"BEFORE" PHOTOS



EXISTING GARAGE + CABIN



EXISTING GARAGE + CABIN

From: stoncrk@vail.net
To: [Jessica Lake](#)
Cc: [Peyton Heitzman](#)
Subject: RE: FW: RE: Zoning Variance 446 Washington
Date: Friday, March 6, 2020 2:18:12 PM

Jessica -

Yes, please include all of my emails and concerns including this one. The homeowner, Tracie Schumacher, spoke to my husband on Sunday, March 1 and admitted to him that she does not live at the address. She will be unable to deny this in front of the Board on March 17. I will bring in all of my emails sent to the Town, as well as a written letter of opposition and photos.

In addition to her materials submitted, duly noting that the proof of residency was NOT provided at the time that the variance request letter was mailed, I would require a Proof of Residency letter to be signed, notarized and on file for the meeting on March 17, 2020.

Thank you,
Jessica

On Fri, 6 Mar 2020 20:54:39 +0000, Jessica Lake

<jessica.lake@townofeagle.org> wrote:

> Hi Jessica,

>

> I apologize for the slow response time. I was sick all last week and part

> of this week.

>

> The owner of the property has now provided both her vehicle registration card (which does not have an address on it in Colorado) and a utility bill,

> which does have the address.

>

> We are not able to pull this file at this time. It is up to the

> Commission if they want to approve or deny the variance based on the

> information provided to them. If you would like me to include this email

> in the file I am happy to do that and it will be entered into the public

> record. I always strongly suggest voicing your concerns at the hearing, it

> can often be the effective way to sway public opinion.

>

> I have noted your concerns with regards to home occupancy and whether or

> not her business qualifies. From outside the property it does not appear

> that she is in violation of the code requirements. If you have proof that

> she is in violation please bring that information forward to us.

>

> Thank you,
> Jessica Lake
> Planner I
> TOWN OF EAGLE
> 200 Broadway, PO Box 609, Eagle Co 81631
> Phone: 970-328-9627, Fax: 970-328-9656
> Hours: 8:00am – 5:00pm W, TH, F
> CLICK BELOW FOR TOWN WEBSITE, NEWS, EVENTS OR TO PROVIDE FEEDBACK:
>
> Sender and receiver should be mindful that all my incoming and outgoing
> emails may be subject to the Colorado Open Records Act, § 24-72-200.1,
et
> seq.
>
>
> -----Original Message-----
> From: stoncrk@vail.net <stoncrk@vail.net>
> Sent: Monday, March 2, 2020 8:08 AM
> To: Jessica Lake <jessica.lake@townofeagle.org>
> Cc: Peyton Heitzman <peyton.heitzman@townofeagle.org>
> Subject: Re: FW: RE: Zoning Variance 446 Washington
>
> Jessica -
>
> I am requesting that this is removed from the agenda for March 17.
>
> She still has not provided her motor vehicle registration and utility
> bill. This is the second time she has submitted for a variance and has
not
> provided the proper documentation.
>
> Currently she is in violation of the following:
>
> Article 3, Zone Districts, F. Home Business and Home Occupation.
> 1. Home Business
> a. Use subordinate. The use of a dwelling for a home
business
> shall be clearly incidental and subordinate to its use for
> residential purposes and shall not change its basic
residential
> character.
> c. Employment. A home business shall be conducted by persons
> residing on the premises and by no more than two employees
> residing off premises.
> I. Signs and Illuminations. Signs and other outdoor
> structures advertising the home business shall not be permitted.
> Illumination of the structure housing the home business shall be limited
> to that which is customary for the primary residential use of the
property.
>
> Article 3, Zone Districts, F.
> 2. Home Occupation.
> Home Business
> a. Use subordinate. The use of a dwelling for a home
business
> shall be clearly incidental and subordinate to its use for
> residential purposes and shall not change its basic

residential

> character.

> c. Parking. A home occupation shall not generate the need for any
> additional parking other than that required for the principle
> residential use of the property.

> g. Signs and Illuminations. Signs and other outdoor structures
> advertising the home business shall not be permitted. Illumination
of

> the structure housing the home business shall be limited to that
which

> is customary for the primary residential use of the property.

>

> She needs to apply for a special Use Permit for this proposed structure.

> Until she does that I am against any variance she is applying for.

>

> If this item cannot be removed from the agenda at this time, then yes, I
> will write a letter and be in attendance at the meeting on the 17th.

>

> Thank you for all of your assistance,

> Jessica

>

>

>

>

> On Fri, 28 Feb 2020 22:14:10 +0000, Jessica Lake

> <jessica.lake@townofeagle.org> wrote:

>> Hi Jessica,

>>

>> Thank you for your email. The applicant claims this address to be her
>> primary residence, which if the case, means she is permitted to have a
> home

>> occupation (Section 4.04.060 of the Code). We are asking for the
> additional

>> items (utility bill & motor vehicle registration) for further proof

>> that this really is her primary residency. Her initial application was

> withdrawn

>> because she could not provide proof that this was her primary
residence.

>

>> In order for the applicant to build the ADU and rent it or allow it to
> be

>> occupied she will need to live on the premises. Our code states that

>> an Accessory Dwelling Unit is a use by right, but only to an

>> owner-occupied single family home.

>>

>> If this is not her permanent residency, then she will need to apply

>> for

> a

>> special use permit to operate her business out of the home. It's

> difficult

>> on our end to prove that this is not her primary residence. If you

>> have concerns with the application, you are welcome and encouraged to

>> attend

> the

>> P&Z meeting on March 17th. We will also include your concerns in the

> memo

>> that will go to the P&Z Commission. If you would like to draft an
>> additional letter to the Planning Commissioners we will ensure that is
> made
>> part of the application.
>>
>> Thank you,
>> Jessica Lake
>> Planner I
>> TOWN OF EAGLE
>> 200 Broadway, PO Box 609, Eagle Co 81631
>> Phone: 970-328-9627, Fax: 970-328-9656
>> Hours: 8:00am – 5:00pm W, TH, F
>> CLICK BELOW FOR TOWN WEBSITE, NEWS, EVENTS OR TO PROVIDE FEEDBACK:
>>
>> Sender and receiver should be mindful that all my incoming and
>> outgoing emails may be subject to the Colorado Open Records Act, §
>> 24-72-200.1,
> et
>> seq.
>>
>>
>> -----Original Message-----
>> From: stoncrk@vail.net <stoncrk@vail.net>
>> Sent: Wednesday, February 26, 2020 12:56 PM
>> To: Peyton Heitzman <peyton.heizman@townofeagle.org>
>> Subject: Fwd: RE: Zoning Variance 446 Washington
>>
>> Peyton -
>>
>> I have been corresponding with Jessica, but I see she has gone home
> sick,
>> maybe you can help me. Please see the emails below in regards to 446
>> Washington Street.
>>
>> Thank you,
>> Jessica
>>
>> ----- Original Message -----
>> Subject: RE: Zoning Variance 446 Washington
>> Date: Wed, 26 Feb 2020 12:52:54 -0700
>> From: stoncrk@vail.net
>> To: Jessica Lake <jessica.lake@townofeagle.org>
>>
>> Jessica -
>>
>> Thank you for the information. I know she is the owner, although not
>> a resident of this home, how does this prove that the commercial
>> usage
> was
>> obtained legally?
>>
>> Jessica
>>
>> On Wed, 26 Feb 2020 19:33:13 +0000, Jessica Lake
>> <jessica.lake@townofeagle.org> wrote:
>>> Attached is the proof of ownership the applicant submitted. We have
>> asked

>>> that she also provide motor vehicle registration and a utility bill.
>> Once
>>> we have those we will update the website. The files are now
>>> available
>>> here: <https://www.townofeagle.org/418/Active-Land-Use-Applications>.
>> Please
>>> let me know if you have any other questions.
>>>
>>> Thank you,
>>> Jessica Lake
>>> Planner I
>>> TOWN OF EAGLE
>>> 200 Broadway, PO Box 609, Eagle Co 81631
>>> Phone: 970-328-9627, Fax: 970-328-9656
>>> Hours: 8:00am – 5:00pm W, TH, F
>>> CLICK BELOW FOR TOWN WEBSITE, NEWS, EVENTS OR TO PROVIDE FEEDBACK:
>>>
>>> Sender and receiver should be mindful that all my incoming and
>>> outgoing emails may be subject to the Colorado Open Records Act, §
>>> 24-72-200.1,
>> et
>>> seq.
>>>
>>> -----Original Message-----
>>> From: stoncrk@vail.net <stoncrk@vail.net>
>>> Sent: Wednesday, February 26, 2020 10:11 AM
>>> To: Jessica Lake <jessica.lake@townofeagle.org>
>>> Subject: RE: Zoning Variance 446 Washington
>>>
>>> Jessica -
>>>
>>> This is our second notice in regards to this property. What has
>>> changed since the initial notice sent October 2019? The owner
>>> continues to
>> operate
>>> her business from the home which is zoned for RMF. Did the owner
>> provide
>>> documentation that the property is allowed to operate a business per
>>> the land use code? Please let me know.
>>>
>>> Thank you,
>>> Jessica
>>>
>>>
>>>
>>>
>>> On Wed, 26 Feb 2020 15:24:08 +0000, Jessica Lake
>>> <jessica.lake@townofeagle.org> wrote:
>>>> I'm so sorry about that. I was on vacation and then out sick. I'll
>>>> get the files up today.
>>>>
>>>> Jessica Lake
>>>> Planner I
>>>> TOWN OF EAGLE
>>>> 200 Broadway, PO Box 609, Eagle Co 81631
>>>> Phone: 970-328-9627, Fax: 970-328-9656

>>>> Hours: 8:00am – 5:00pm W, TH, F
>>>> CLICK BELOW FOR TOWN WEBSITE, NEWS, EVENTS OR TO PROVIDE FEEDBACK:
>>>>
>>>> Sender and receiver should be mindful that all my incoming and
>>>> outgoing emails may be subject to the Colorado Open Records Act, §
>>>> 24-72-200.1,
>>> et
>>>> seq.
>>>>
>>>>
>>>> -----Original Message-----
>>>> From: stoncrk@vail.net <stoncrk@vail.net>
>>>> Sent: Wednesday, February 26, 2020 8:22 AM
>>>> To: Jessica Lake <jessica.lake@townofeagle.org>
>>>> Subject: Zoning Variance 446 Washington
>>>>
>>>> Jessica -
>>>>
>>>> Good morning. I just received a notice from the Town of Eagle in
>>> regards
>>>> to a zoning variance for 446 Washington Street. When I go to the
>>> website,
>>>> there are no application materials to review. Can you forward me a
>>>> new link please?
>>>>
>>>> Thank you,
>>>> Jessica

From: [Rich McCain](#)
To: [Jessica Lake](#)
Subject: V20-01 446 Washington Zone Variance
Date: Saturday, February 29, 2020 5:46:41 PM

To whom it may concern:

I am personally not in favor of this proposal for several reasons, but for the reason of the set-back from 25' down to 2.5' this would not be in line with the entirety of 5th Street if viewed from either end of the street, and as both sides of 5th Street are parking for the Town Park, especially in the vicinity of her property. Miss Schumacher has mentioned one of the older buildings on the property is of "historical value", the building she mentioned was actually an old chicken coop from the early 1950's.

Rich McCain
431 Wall Street

From: MARC VON STRALENDORFF <marc.vonstralendorff@eagleschools.net>
Sent: Wednesday, October 23, 2019 2:11 PM
To: April Kroner <april.kroner@townofeagle.org>
Subject: 446 Washington Street

Hi April,

I am not able to find the application material for 446 Washington Street at the "Active Land Use Applications" web page. The only ones listed are: #1-Chambers East, #2-410 Broadway, #3-1088 & 1092 4th of July lot, and #4-Red Mountain Ranch.

My first question is - what is the current set-back of the existing building she is wanting to replace? Is it less than 25 feet, but more than 2.5 feet. This request represents a 10-fold distance change.

My observation of this area during Town Park Concerts is one of great activity. It is located directly across the street from the performance stage, where band equipment trucks park and stage set up occurs. This is also where the town places their event dumpsters. It is also a natural pedestrian entrance to the park as many people walk the alley and cross 5th street at this intersection.

I feel it is unwise to further constrict 5th Street at this natural choke point. It would also decrease visibility further for drivers wanting to turn out of the alley and on to 5th Street. When a vehicle is parked in the driveway in front of the currently standing garage, this is already a problem. Thank you for your consideration.

Marc von Stralendorff

--

Marc von Stralendorff
Battle Mountain High School
Science Department

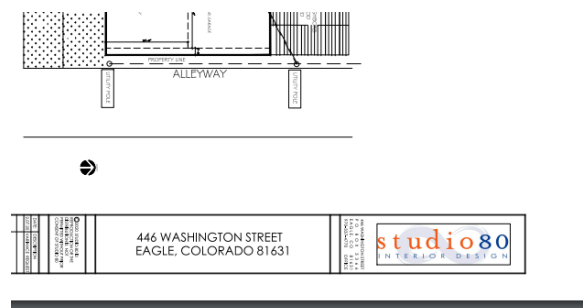
March 12, 2020

Town of Eagle Planning and Zoning Commission

RE: Zoning Variance Application 446 Washington

Dear Commissioners,

As the owner of the adjacent property, 440 Washington, I would like to state my opposition to the zoning variance request submitted by Studio 80 Interior Designs, Inc. I feel that many of the conditions not met by the applicant in the previous October 2019 variance request continue to be out of compliance in the current application. Specifically, the property owner does not reside at the property for residential use, and in fact operates a commercial business from the site, which is a non-conforming use. The Site Plan submitted by Studio 80 Interior Designs, Inc. for construction of an ADU demonstrates an expansion of this business operated at 446 Washington Street. See Site Plan graphics.



I agree that there are many historic structures located on Block 31 in the Town of Eagle. It is a residential neighborhood containing several of the town's oldest homes. In this aspect, my home is different. In 1990, my home was constructed on two lots that were partitioned from the adjacent parcels. 440 Washington sits in between two historical homes and space is very limited. 446 Washington St. is a unique corner parcel in that it now sits on only two lots (23 & 24); lot 22 having been annexed by 440 Washington. This explains why my single car garage literally touches the "historic cabin" across the property line, and why my neighbor's fence is physically attached to the side of my house. The property located at 446 Washington Street has been previously developed, and further development potential has been compromised.



Granting a zoning variance request to further reduce the boundary line set backs would create undo crowding in this neighborhood. My observation of this area during Town Park Concerts is one of great activity. It is located directly across the street from the performance stage, where band equipment trucks park and stage set up occurs. This is also where the town places their event dumpsters. It serves as a natural pedestrian entrance to the park as many people walk the alley and cross 5th street at this intersection. Fifth Street is a busy main thoroughfare, which concerns public safety and welfare.

I feel it is unwise to further constrict 5th Street at this natural choke point. It would also decrease visibility further for drivers wanting to turn out of the alley and on to 5th Street. When a vehicle is parked in the driveway in front of the currently standing garage, this is already a problem. Plans for a 35-foot tall ADU in this location, which is constructed 2 feet from the rear alley boundary and 2.5 feet from the Fifth Street boundary are unacceptable. Thank you for your consideration.

Sincerely,

Marc von Stralendorff

440 Washington St.

Property Owner



CERTIFICATE OF RECOMMENDATION

TO: Planning and Zoning Commission

FROM: Department of Community Development

DATE: March 17, 2020

PROJECT NAME: Talon Flats Minor Development Permit

FILE NUMBER: DR20-01

APPLICANT: Bryan Desmond

LOCATION: 1203 Capital Street/761 Sylvan Lake Road

CODE: Section 4.03.010 (General Purposes)
Section 4.06.060 (Minor Development Review)

ZONING: Eagle Ranch PUD

EXHIBIT(S):

- A. Application & Narrative
- B. Development Plan Set
- C. Eagle Ranch Design Review Board meeting minutes dated February 6, 2020
- D. PUD Development Plan Map, Eagle Ranch PUD 5th Amendment

PUBLIC COMMENT: No public comments received as of March 13, 2020.

STAFF CONTACT: Carrie McCool, Contract Planner

REQUEST: Minor Development Permit approval for a mixed-use building with 1,264 square feet of retail space; 1,014 square feet of office space; and 22,905 square feet of residential.

DISCUSSION:

The subject property is located on a vacant lot in Downtown Eagle Ranch within Parcel A, a large mixed-use Planned Unit Development (PUD). The project known as Talon Flats includes construction of a mixed-use building with 1,264 square feet of retail space (ground level); 1,014 square feet of office

space on the 2nd and 3rd levels; and 22,905 square feet of residential to accommodate twenty (20) rental units. The three (3) story building (34' in height to a flat roof) is positioned at a zero-lot line setback within Eagle Ranch Village Commercial Village. The residential unit mix includes eight (8) one-bedroom and twelve (12) two-bedroom units spanning all three levels. Improvements are proposed within the right-of-way of Capitol and Sylvan Lake Road. The project's overall design intent is to replicate the character and feel of Eagle Ranch Village in terms of architecture, landscaping, lighting, diagonal concrete paving pattern, etc.

The applicant will construct the project at one time. The town has classified the project a minor development.

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 ("EACP")

- Chapter 3: Land Use – Community Needs
 - a. Chapter 3 of the Eagle Area Community Plan states that “maintaining an appropriate and full spectrum of dwelling unit types and price points is very important in a fast growing and increasingly expensive community like Eagle.” The proposed project includes for-rent units only. The addition of 20 one-bedroom and two-bedroom rental units would provide additional housing options and add to the community's variety of dwelling units.
- Chapter 6: Community Design and Appearance
 - b. Talon Flats high-quality design and mixture of uses furthers the community design goals of EACP by replicating the distinctive architectural features of existing buildings and streetscapes within Downtown Eagle Ranch; thereby preserving Eagle's small town character and neighborhood look and feel.
- Economic Development and Sustainability
 - c. The Talon Flats project includes a mixture of uses including office, retail, and residential that represent an opportunity to attract good-paying local jobs, increase sales tax revenue, and improve housing availability and affordability. These are all key elements that help further the town's first economic goal of supporting a vibrant, sustainable, and diverse economy.

2017 Eagle Strategic Plan

- Major Objective 8: Improving housing availability and affordability.
 - a. Major Objective 8 was included in the Strategic Plan to promote cost-effective solutions in maintaining adequate housing supply and support for the entire population. The construction of twenty (20) new rental units will further Objective 8 by increasing the town's rental housing supply.

Eagle Ranch PUD

The Eagle Ranch PUD Guide serves as the governing regulations which will control the development of the Eagle Ranch PUD. The PUD Guide serves as the "Zone District Regulations" for the PUD and is in conformance with Section 4.11.030 of the Town of Eagle Land Use and Development Code.

- **Uses by Right and Density Control.** The 5th Amendment to the Eagle Ranch PUD authorizes a total of 1,295 dwelling units, 120,000 square feet of commercial floor area, 175,200 gross square feet of additional commercial area limited to medical facility uses, and 150,000 square feet of additional floor area limited to senior care uses, on 1967.91 acres of land.

The subject parcel is located within Parcel A (Neighborhood Center), which was approved for up to 95 residential units. It currently contains 99 residential units. Per the PUD, each parcel is eligible for an increase of up to 1.5 times the approved units, as long as the maximum total number of residential units of 1,295 in all of Eagle Ranch is not exceeded. Parcel A can accommodate the additional 20 residential units proposed by Talon Flats, which would bring the total to 119. After taking into account buildable vacant lots, 77 remaining lots are available to absorb the remaining allowable units. After the development of Talon Flats, there would be 57 units allowed to be built in Eagle Ranch.

The applicant is proposing a for-rent project and would, therefore, be exempt from the Local Employee Residency Plan (LERP) requirements.

The uses by right listed in the Neighborhood Center of the Eagle Ranch PUD were intended to allow for flexibility, innovation, and site sensitive planning that is responsive to both the design character and functional requirements of Eagle. Staff finds the proposed mixed-use development is consistent with the intent of the Eagle Ranch Neighborhood Center, adheres to the density allocation requirements, and is an allowed use by right.

- **Height.** Mixed-use commercial and residential building may be three (3) stories, not to exceed 35' in height per the 5th Amendment of the Eagle Ranch PUD Guide. The proposed building is three (3) stories and 34' in height, which is below the maximum allowed. An additional element to the design is the use of a parapet to screen the mechanical equipment. The parapet is 37-10" which falls well below the allowable 15' in additional height for non-habitable architectural features (i.e., mechanical appurtenances, chimneys, towers, steeples, and similar features).
- **Setbacks.** There are no setback requirements for mixed-use buildings within Downtown Eagle Ranch. As such, the applicant is proposing a zero-lot line development.
- **Maximum Lot Coverage.** The total building lot coverage is 65%, which is less than the 80% allowable. Additionally, the impervious lot coverage is 83%, which is less than the 100% allowable.
- **Landscaping.** There will be three general categories of plant material deployment in Downtown Eagle Ranch: Street trees, ornamental displays, and screen planting. The proposed landscape design includes these elements with thirty-four (34%) percent of the site to be covered with landscape materials (lawn/mulch/trees), soft surface seating with boulders for seats, and concrete walks with a diagonal paving pattern to match existing along Capital street. The Eagle Ranch Design Review Board reviewed the landscape plan and provided comments within their meeting minutes (See attachment C). Overall, the design provides cohesiveness and consistent with the character of Downtown Eagle Ranch.

Per the 5th Amendment of the Eagle Ranch PUD, a minimum of 15% of the portion of the Neighborhood Center, as depicted in Exhibit A, shall be maintained as landscaped area. Upon review of the 5th Amendment, Exhibit A is the PUD Development Plan Map (See attachment D). It is our understanding that Parcel A is the Neighborhood Center; however, staff is unable to obtain a copy of a map/exhibit of Parcel A. As such, it is impossible to determine if a minimum of 15% of the Neighborhood Center is maintained in landscaped area. Staff will continue to work with the applicant and the Eagle Ranch Commercial Center HOA representatives to obtain the legible graphics and calculations to determine conformance. A condition of approval has been included under staff recommendation accordingly.

- **Parking.** All uses within Eagle Ranch are subject to the parking standards of the Town of Eagle Zoning Regulations. Based on the program provided in the submittal, the parking requirement is as follows:

USE	SPACES PER UNIT/SF	SPACES REQUIRED
Residential		
1 bedroom	1.5	10.5
2 bedroom	2	26
Guest Parking	1:6 units	3
Commercial	1:300 sf - Office Floor Area - Retail	
Office	1,014	3.38
Retail	1,264	7.39
Total Required		50.27 or 51 spaces

The Eagle Ranch PUD Fifth Amendment states that on-street and shared parking can be utilized to meet the parking requirements for this property. The applicant stated that the Eagle Ranch Commercial Center HOA Rules and Regulations say that the Board has the right to assign parking spaces to residential and/or commercial uses at their discretion; however, they are currently shared across all uses. Unfortunately, staff was not provided documentation of such.

Due to the amount of parking spaces required for this project, town staff requested verification from the applicant that the Neighborhood Center (Parcel A) existing shared parking facilities can accommodate the additional parking demand (51 parking spaces) from Talon Flats. Unfortunately, there is no resolve on this at the time of the issuance of this staff report. The applicant is committed to working with staff to demonstrate the shared parking facilities are adequate. As such, town staff has included a condition of approval to require the parking table above to be included on the site plan and documentation provided that the existing Neighborhood Center shared parking facilities can accommodate the addition parking demand from Talon Flats.

- **Building Configuration and Character.** The proposed building configuration allows for eight (8) one bedroom units, twelve (12) two bedroom units, 1264 square feet of retail (level 1) and office space on the 2nd and 3rd levels (667 square feet and 347 square feet). The residential living will span all 3 levels. The form demonstrates compliance with the Eagle Ranch design Architectural guidelines by providing the predominance of masonry finishes, a flat roof with traditional mountain town architectural design.
- **Eagle Ranch Neighborhood Center Architectural Guidelines.** On February 6, 2020, the Eagle Ranch Design Review Board unanimously approved Talon Flats development with conditions related to landscaping, lighting, mechanical, sidewalks, and pathway snow removal and snow shoveling.

Please see attached meeting minutes (Attachment C) for the list of conditions. The applicant proposes to comply with the Town's lighting standards and has added a note on the site plan accordingly.

Fire Protection

The proposed development shall comply with the provisions of the current fire code adopted by the Greater Eagle Fire Protection District. The Fire District has no comments on the Talon Flats project but noted they will review sprinkler and fire alarm plans when they become available. The building will be fire sprinklered and 4" DIP minimum service lines will extend to the building prior to being split into domestic and fire services.

Infrastructure

The project includes improvements within the right-of-way of Capitol and Sylvan Lake Roads, respectively. The design intent is to replicate the diagonal concrete paving pattern typical of Eagle Ranch Village. The project will install the same lamp posts and tree grates that currently exist within Eagle Ranch Village.

The property will be serviced with existing town water and sewer lines. The Engineering and Public Works Team has reviewed the construction drawings for this project and had minor technical revisions related to construction safety that must be addressed by the applicant prior to building permit issuance. A recommended condition of approval has been provided accordingly.

PUBLIC NOTICE AND COMMENTS

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.

STAFF RECOMMENDATION

Staff recommends **APPROVAL** of the minor development permit DR20-01 with the following conditions:

1. Prior to building permit submittal, the applicant shall include a chart that delineates landscape area square footages on the Landscape Plan and demonstrate that a minimum of 15% of the portion of the Neighborhood Center is maintained as landscaped area.
2. Include a parking table on the site plan and documentation that the existing Neighborhood Center shared parking facilities can accommodate the additional parking demand (51 parking spaces) from Talon Flats prior to building permit submittal.
3. Final construction drawings will be revised to reflect final technical comments from the Public Works Department/Town Engineer prior to issuance of a building permit.

PLANNING & ZONING COMMISSION

1. Questions of Staff and/or Applicant
2. Public Comment
3. Deliberations

PLANNING AND ZONING COMMISSION POTENTIAL MOTIONS

Below are the Planning and Zoning Commission options related to minor development permit DR20-01:

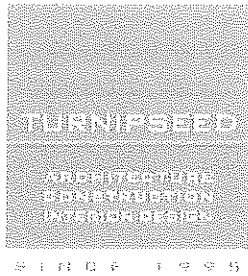
1. I find the application substantially meets the standards for approval, and move to **APPROVE**
The minor development permit with no conditions.

2. I find the application substantially meets the standards for approval, and move to **APPROVE**
the minor development permit with the following conditions of approval:

<insert conditions of approval>

3. I find that the applicant has not provided sufficient information to review the application
per the standards for approval and move to **CONTINUE** the request for minor development permit
approval to the next regularly scheduled meeting.

4. I find that the application does not substantially meet the standards for approval and move to **DENY**
the minor development permit.



February 11, 2020

RE: Talon Flats – Minor Development Permit Narrative
1203 Capitol Street, Eagle, CO 81631

We are seeking Minor Development Permit approval for Talon Flats, 1203 Capitol Street (formerly known as Eagle Ranch Apartments, 761 Sylvan Lake Road). The project is on the northwest corner where Capitol Street terminates into Sylvan Lake Road. 1203 Capitol Street is located within Parcel A of the Eagle Ranch PUD. Ordinance No. 07 (Series of 2017) granted an increase of stories to three and an additional five dwelling units within Parcel A, thereby increase the allowed units within Filing 27, Lot 2 from 15 units to 20 units. The allowed height is 35 feet not including non-habitably architectural features (i.e. parapets, towers, chimneys, etc.)

The proposed building is mixed-use with 1,264 sf of retail space; 1,014 sf of office space and 22,905 sf of residential including lobbies, storage and circulation. The building is three stories and 34' in height to a flat roof.

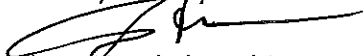
The project has final approval from the Eagle Ranch Design Review Board on February 26, 2020 (see attached).

It is our understanding that the project requires a Minor Development Permit due to the fact that this is a zero-lot line setback project within Eagle Ranch Village commercial village. The project is subject to approval by the Planning and Zoning Board for improvements within the Right-of-way of Capitol and Sylvan Lake Roads respectfully.

Our intent is to replicate the diagonal concrete paving pattern typical of Eagle Ranch Village. We also intend to use the same lamp posts and tree grates that exist within Eagle Ranch Village. (see proposed landscape plan).

We will review our final lighting plan with the Eagle Ranch Design Review Board as part of our final technical approval and will include lighting documentation as part of our permit submittal documents.

Thank you for your considerations.


Glenn Harakal, Architect



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 TOWN FLOODS

PRESENT ZONE DISTRICT Eagle Ranch PUD PROPOSED ZONE DISTRICT N/A
(if applicable)

LOCATION

STREET ADDRESS 1203 Capitol Street / 761 Sylvan Lake Rd.

PROPERTY DESCRIPTION

SUBDIVISION Eagle Ranch PUD / Filing 27 LOT(S) 2 BLOCK 0
(attach legal description if not part of a subdivision)

DESCRIPTION OF APPLICATION/PURPOSE Review of Improvements
Capitol Street and Sylvan Lake Road R.O.W's

APPLICANT NAME Venture Associates LLC PHONE 303 517 2305

ADDRESS PO Box 403 NWOT, Co 80514 EMAIL info@venturagroup.com

OWNER OF RECORD _____ PHONE 2

ADDRESS _____ EMAIL _____

REPRESENTATIVE* Brian Diamond PHONE 970 376 7162

ADDRESS _____ EMAIL _____

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

APPLICATION SUBMITTAL ITEMS:

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

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

FEES AND DEPOSITS:

See Eagle Municipal Code Section 4.03.080

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

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

Signature

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 _____	

DEVELOPMENT IMPACT CHECKLIST

Pursuant to Section 4.07.030, each applicant for Development Review is required to fill out the following checklist to ensure that complete information is available to the Planning & Zoning Commission and Town Board on potential environmental, socioeconomic, and utility impacts of the proposed development. For each potential impact, as listed below, the applicant must check one column stating that the project "will," "could possibly," or "will not" affect the environment either during construction or on a continuing basis.

W = Will CP = Could Possibly WN = Will Not

W	CP	WN	
		X	1. By altering an ecological unit or land form, such as a ridgeline, saddle, draw, ravine, hillside, cliff, slope, creek, marsh, watercourse, or other natural land form feature;
		X	2. By directly or indirectly affecting a wildlife habitat, feeding, or nesting ground;
		X	3. By substantially altering or removing native grasses, trees, shrubs, or other vegetative cover;
		X	4. By affecting the appearance or character of a significant scenic area or resource, or involving buildings or other structures that are of a size, bulk, or scale that would be in marked contrast to natural or existing cultural features;
		X	5. By potentially resulting in avalanche, landslide, siltation, settlement, flood, or other land-form change of hazard to health and safety;
		X	6. By discharging toxic or thermally abnormal substance or involving use of herbicides or pesticides, or emitting smoke, gas, steam, dust, or other particulate matter;
		X	7. By involving any process which results in odor that may be objectionable or damaging;
		X	8. By requiring any waste treatment, cooling, or settlement pond, or requiring transportation of solid or liquid wastes to a treatment or disposal site;
		X	9. By discharging significant volumes of solid or liquid wastes;
		X	10. By increasing the demand on existing or planned sewage disposal, storm drainage, water distribution system, streets, or other utility systems to a level which is likely to cause an adverse impact on the environment;
		X	11. By involving any process which generates noise that may be offensive or damaging;
		X	12. By either displacing significant numbers of people or resulting in a significant increase in population;
		X	13. By pre-empting a site which is desirable for recreational uses or planned open space;
		X	14. By altering local traffic patterns or causing an increase in traffic volume or transit service need;
		X	15. By substantially affecting the revenues or expenditures of the Town government;
		X	16. By being a part of a larger project which, at any future stage, may involve any of the impacts listed above.

I certify that the above information is correct and accurate to the best of my knowledge.

Applicant Signature

Date

*For any item that is checked "Will" or "Could Possibly", the Town Planner can request a Development Impact Report addressing those areas. This report may need to include additional information from the applicant or additional studies to be conducted by third party experts at the cost of the applicant.



CORNER OF CAPITOL AND SYLVAN LAKE

LIST OF DRAWINGS

- CS.1 COVER SHEET
- CS.2 COVER SHEET
- L-1 LANDSCAPE PLAN
- C1.0 DEMOLITION PLAN
- C2.0 PEDESTRIAN ACCESS
- C3.0 GRADING AND DRAINAGE PLAN
- C4.0 UTILITY PLAN
- C5.0 EROSION CONTROL PLAN
- C6.0 SUBDRAIN PLAN
- C7.0 DETAILS
- C7.1 DETAILS
- A1.1 SITE PLAN
- A2.1 FIRST FLOOR PLAN
- A2.2 SECOND FLOOR PLAN
- A2.3 THIRD FLOOR PLAN
- A2.4 ROOF PLAN
- A3.1 FRONT AND RIGHT ELEVATIONS
- A4.1 BUILDING SECTIONS



SYLVAN LAKE ROAD VIEW



RESIDENCE ENTRY

TALON FLATS
MINOR DEVELOPMENT REVIEW

MARCH 11, 2020



TALON FLATS
1203 CAPITOL STREET
EAGLE, COLORADO 81631

ISSUE:	DATE:
FINAL SUBMITTAL III	01.23.2020
PLANNING & ZONING	03.11.2020
P&Z UPDATE	03.13.2020

SCOTT S. TURNIPSEED AIA
ARCHITECTURE
& CONSTRUCTION INC.
P.O. BOX 3388
1143 CAPITOL STREET, SUITE 211
EAGLE, COLORADO 81631
970.328.3900 WWW.SSTAIA.COM

CS.1
COVER SHEET



AERIAL VIEW - CORNER OF CAPITOL AND SYLVAN LAKE



CAPITOL STREET AND PARKING LOT VIEW



EAGLE RANCH IDENTIFIER

TURNIPSEED
ARCHITECTURE
CONSTRUCTION
INTERIOR DESIGN
SINCE 1995

TALON FLATS
1203 CAPITOL STREET
EAGLE, COLORADO 81631

ISSUE:	DATE:
FINAL SUBMITTAL III	01.23.2020
PLANNING & ZONING	03.11.2020
P&Z UPDATE	03.13.2020

SCOTT S. TURNIPSEED AIA
ARCHITECTURE
& CONSTRUCTION INC.
P.O. BOX 3388
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EAGLE, COLORADO 81631
970.328.3900 WWW.SSTAIA.COM

CS.2
COVER SHEET

KEY	QTY	BOTANICAL NAME	COMMON NAME	SIZE
TREES				
	7	Populus tremuloides	Aspen	2.5" Caliper 1/2 clump form
	5	Fraxinus pennsylvanica 'Patmore'	Patmore Ash	3.5" Caliper Matched Standard
STREET TREE NOTE: It is the goal of the owners to have the 5 Patmore Ash to have the lowest branches 6' - 7' above the sidewalk. These trees are to be reviewed, flagged and approved by owners representative prior to shipping.				
	2	Prunus virginiana 'Shubert'	Canada Red Cherry	2.5" Caliper
SHRUBS				
	30	Cornus stolonifera 'Isanti'	Isanti 'Redtwig' Dogwood	# 5 Container
	10	Juniperus horiz. 'Blue Chip'	Blue Chip Juniper	# 5 Container
	30	Juniperus sabina 'Buffalo'	Buffalo Juniper	# 5 Container
	20	Potentilla fruticosa 'Gold Drop'	Gold Drop Potentilla	# 5 Container
	3	Prunus x cistena	Purple Leaf Plum	# 5 Container
	21	Spiraea japonica 'Froebelii'	Froebel Spirea	# 5 Container
	13	Spiraea nipponica 'Snowmound'	Snowmound Spirea	# 5 Container
	-	Salix purpurea 'Nana'	Dwarf Blue Arctic Willow	# 5 Container
VINES				
	6	Parthenocissus quinquefolia	Virginia Creeper (V.C.)	# 5 Container
TURF GRASS Bluegrass Sod				

SYMBOL	QTY	ITEM	MATCH EXISTING AT CAPITOL STREET
	3	FLOWER POT W/ FLOWERS	Benches, trash receptacles and bicycle racks from:
	1	Bicycle Racks = FU-02-SM-MF (Chocolate)	BRP Enterprises Inc Web site http://brponline.com
	5	Cast iron tree grate model R-8811 from Neenah foundry company, 303-289-7192, 800-558-5075.	PO Box 80813 Lincoln NE 68501 T: 301 862 4252 F: 301 388 5311
	1	Trash Receptacles = AH401-AT-MF (Chocolate)	
	1	'6 Metal Bench = MC106-72-MF (Chocolate)	
	6	Street light with banner arms to match existing on capitol street	

Palmetto Ash to have the lowest branches 6' - 7' above the sidewalk. These trees are to be reviewed, flagged and approved by owners representative prior to shipping.

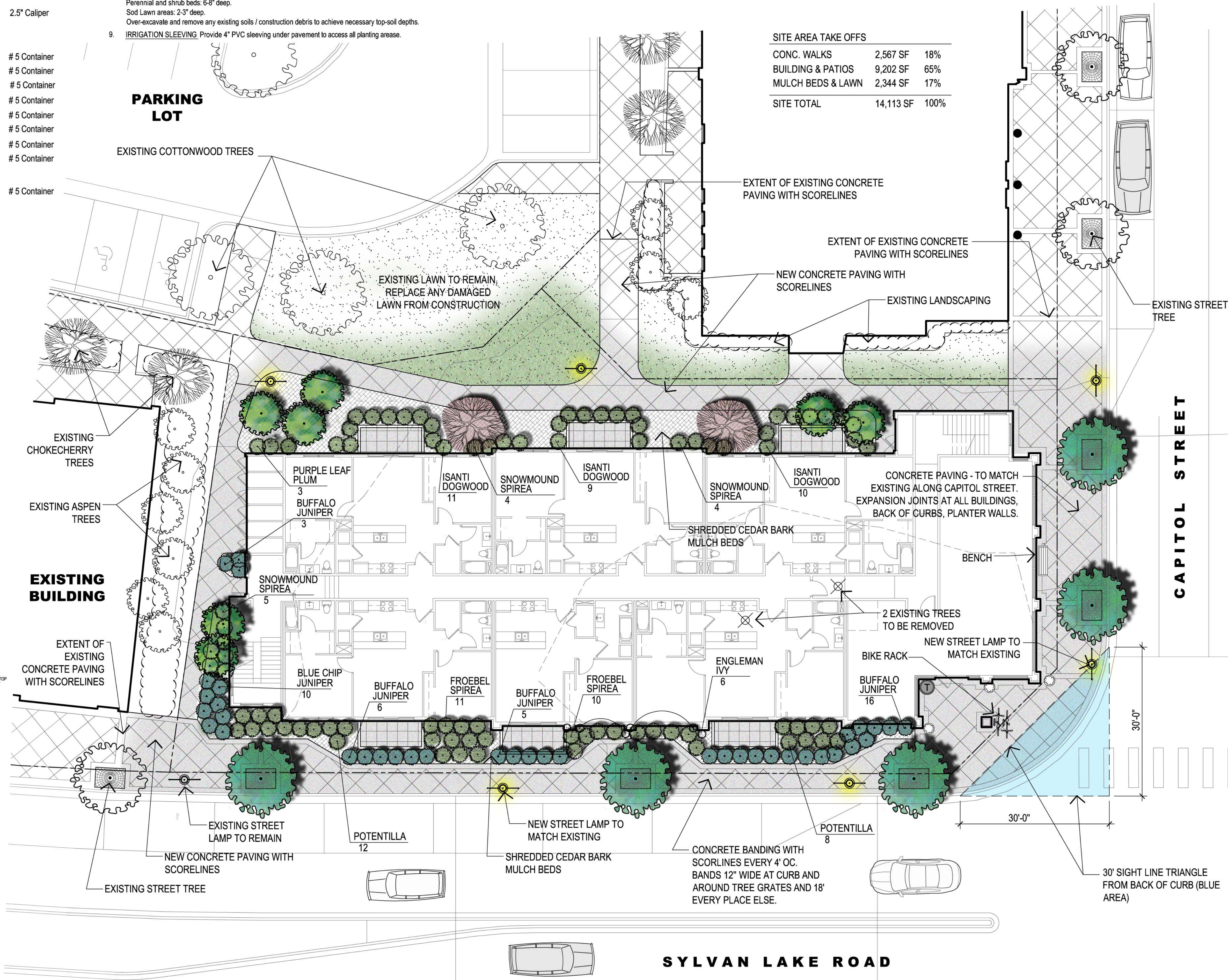
PRUNE ANY DEAD OR DAMAGED BRANCHES IMMEDIATELY AFTER PLANTING

SECTION

- 1' CAST IRON FRAME AS SPECIFIED - INSTALL PER MANUFACTURER'S INSTRUCTIONS
- CAST IRON FRAME IMBEDDED IN CONCRETE. 6" CADIUM EYE BOLTS WITH NUTS FOR TREE GUYING. 4 TOTAL, ONE IN EACH CORNER.
- CONCRETE PAVING AND BASE MATERIAL - THICKEN EDGE OF CONCRETE SLAB AT TREE GRATES TO 1/2" THICK
- IRRIGATION SLEEVE AND IRRIGATION RUBBER LINE - (2) RUBBERS PER TREE
- 12 GAUGE GALVANIZED DOUBLE STRAND TWISTED WIRE- ATTACH TO GROMMETS IN STRAPS. PLACE 1" PVC PIPE OVER WIRE.
- TOP OF ROOT BALL TO BE PLANTED 2" ABOVE FINISHED GRADE
- 3" OF SHREDDED CEDAR BARK MULCH
- REMOVE ALL TWINE, ROPE AND BURLAP FROM TOP AND SIDES OF ROOTBALL; AND TOP 23 OF WIRE BASKET FROM ROOT BALL.
- BACKFILL MIX: 80% NATIVE TOPSOIL, 20% PEAT MOSS/COMPOST - SATURATE BACKFILL. SEE PLANTING SPECIFICATIONS
- 6" DIA MIN X 2.0' DEEP MIN. DRAINAGE BASIN, FILL WITH WASHED 2" GRAVEL AND COVER SIDES AND BOTTOM WITH GEOTEXTILE FABRIC. SLOPE BOTTOM OF TREE TO BASIN.
- UNDISTURBED SOIL

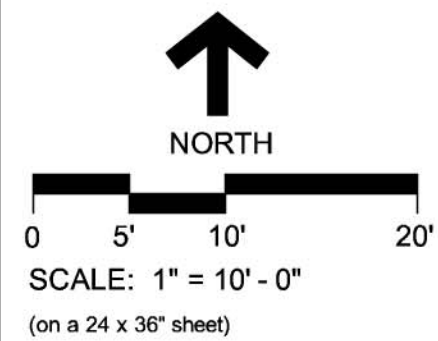
1. Contractor shall verify all conditions prior to commencing work and shall be responsible for becoming aware of all underground utilities, pipes, structures, and irrigation lines. The contractor shall be held responsible for contacting all utility companies for field location of all underground utility lines prior to any excavation. Landscape contractor shall take sole responsibility for any cost incurred due to damage of said utilities
2. **STAKE TREE LOCATIONS** for review and approval with wood stakes painted for different tree types and with sizes noted. L.A. will verify and/or adjust stakes prior to planting. Contractor to place shrubs, perennials and groundcovers as called out on the plan and the L.A. will provide final review, and / or adjustments. All plant material locations shall be approved by the L.A. or owners rep. before plant holes are dug.
3. Planting **BACKFILL MIX** for all trees and shall consist of 80% native topsoil and 20% well rotted compost. Fertilize and saturate root ball with water at time of planting (see details). Apply "Myke Transplanting Tree and Shrub Mix", (Mycorrhiza Fungi) or Fertiome root stimulator 4-10-3.
4. **MULCH**: Tree and shrub planting beds are to receive 3" of shredded cedar bark mulch (stained wood shavings are not acceptable). Perennial, ornamental grass and groundcover areas to receive 2-3" of 'Soil Pep' mulch.
5. **TREE SUPPORT STAKES**: Deciduous trees to be staked and guyed with three 6' green metal T-posts per tree and guyed with # 12 gauge wire with green nylon tree straps. Aspen in groups can share stakes providing that each tree is receiving support from at least 3 stakes. Conifer trees to be staked with three 3' metal T-posts with above wire and straps.
6. **WARRANTEE**: The Contractor shall warrant that all plant materials supplied under this contract will be healthy and in flourishing condition of active growth at the date of final acceptance. Replace without cost to owner any plant not meeting this condition.
7. **IRRIGATION SYSTEM** is to be a design-build system by the Landscape Contractor. Provide 6" pop-up heads for turf grass, 12" pop-up Rainbird spray heads for perennial & groundcover beds and drip emitters to all new trees and shrubs. Provide below-ground temporary spray heads, zoned separately to all seeded revegetated areas. Provide owner with a as-built plan / plans prior to final review and acceptance. Guarantee system for one year from final acceptance. Keep all mainlines at least 6' from building.
8. **TOPSOIL**: Landscape Contractor to supply and place $\frac{3}{4}$ " max. screened topsoil to finished grade with the following depths.
 Perennial and shrub beds: 6-8" deep.
 Sod Lawn areas: 2-3" deep.
 Over-excavate and remove any existing soils / construction debris to achieve necessary top-soil depths.
9. **IRRIGATION SLEEVING** Provide 4" PVC sleeving under pavement to access all planting areas.

SITE AREA TAKE OFFS		
CONC. WALKS	2,567 SF	18%
BUILDING & PATIOS	9,202 SF	65%
MULCH BEDS & LAWN	2,344 SF	17%
SITE TOTAL	14,113 SF	100%



TALON FLATS
761 SYLVAN LAKE ROAD
EAGLE COLORADO

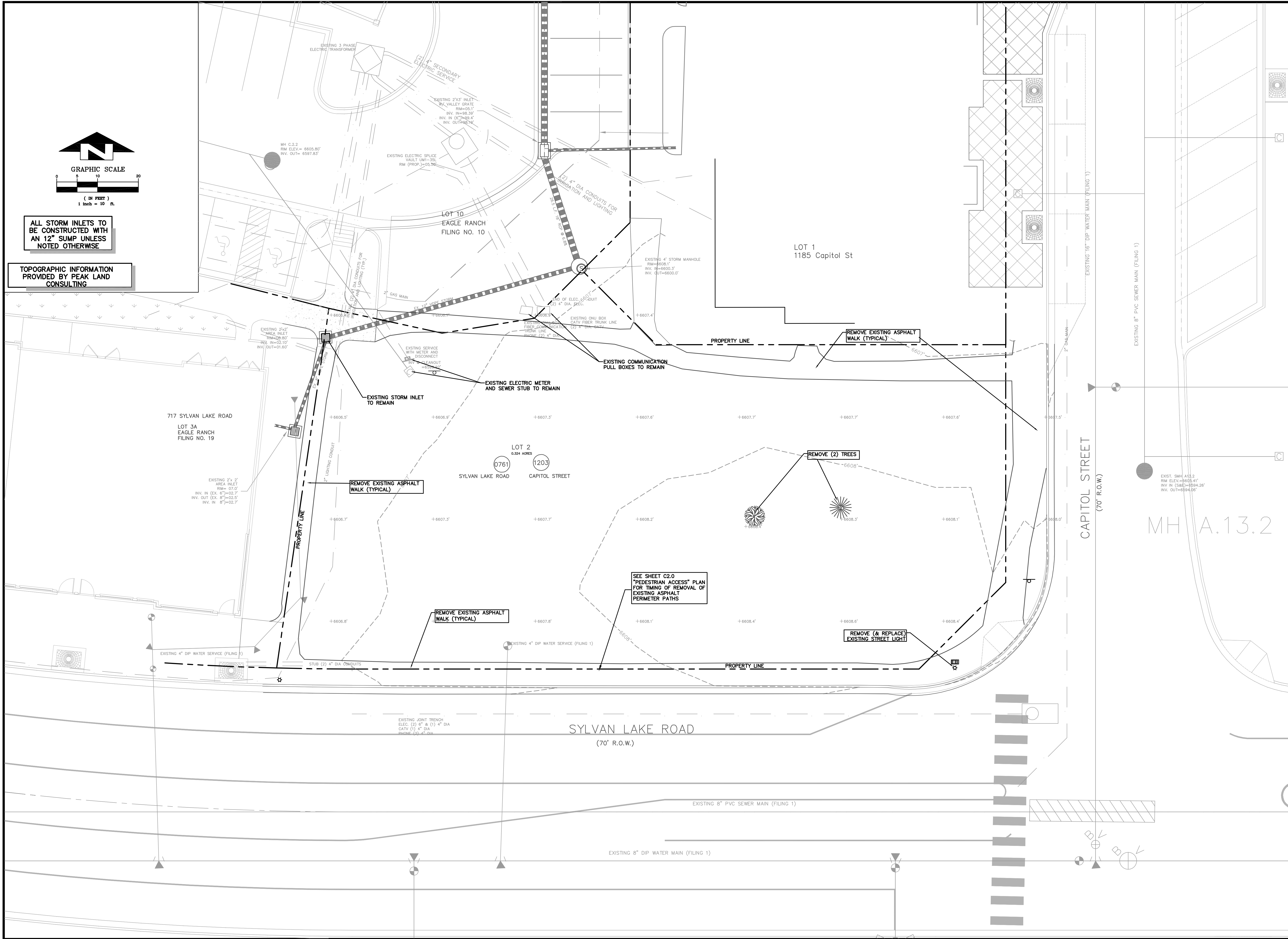
ISSUE:	DATE:
DRB REVIEW	01.22.2020
PLANNING AND ZONING RESPONSE	03.12.2020



SCOTT S. TURNIPSEED AIA
ARCHITECTURE
& CONSTRUCTION INC.
P.O. BOX 3368
1143 CAPITOL STREET, SUITE 211
EAGLE, COLORADO 81631
970.328.3900 WWW.SSTAIA.COM

PRELIMINARY
DRB LANDSCAPE
PLAN

L-1
OF 1



ALPINE
ENGINEERING INC.
34510 HWY 6 / UNIT A9 / P.O. BOX 97
EDWARDS CO 81632 / 970.926.3373
WWW.ALPINECIVIL.COM

COLORADO LICENSE
3-11-2020
39865
MATTHEW C. WILSON
PROFESSIONAL ENGINEER

TALON FLATS
761 SYLVAN LAKE RD
EAGLE, CO
DEMOLITION PLAN

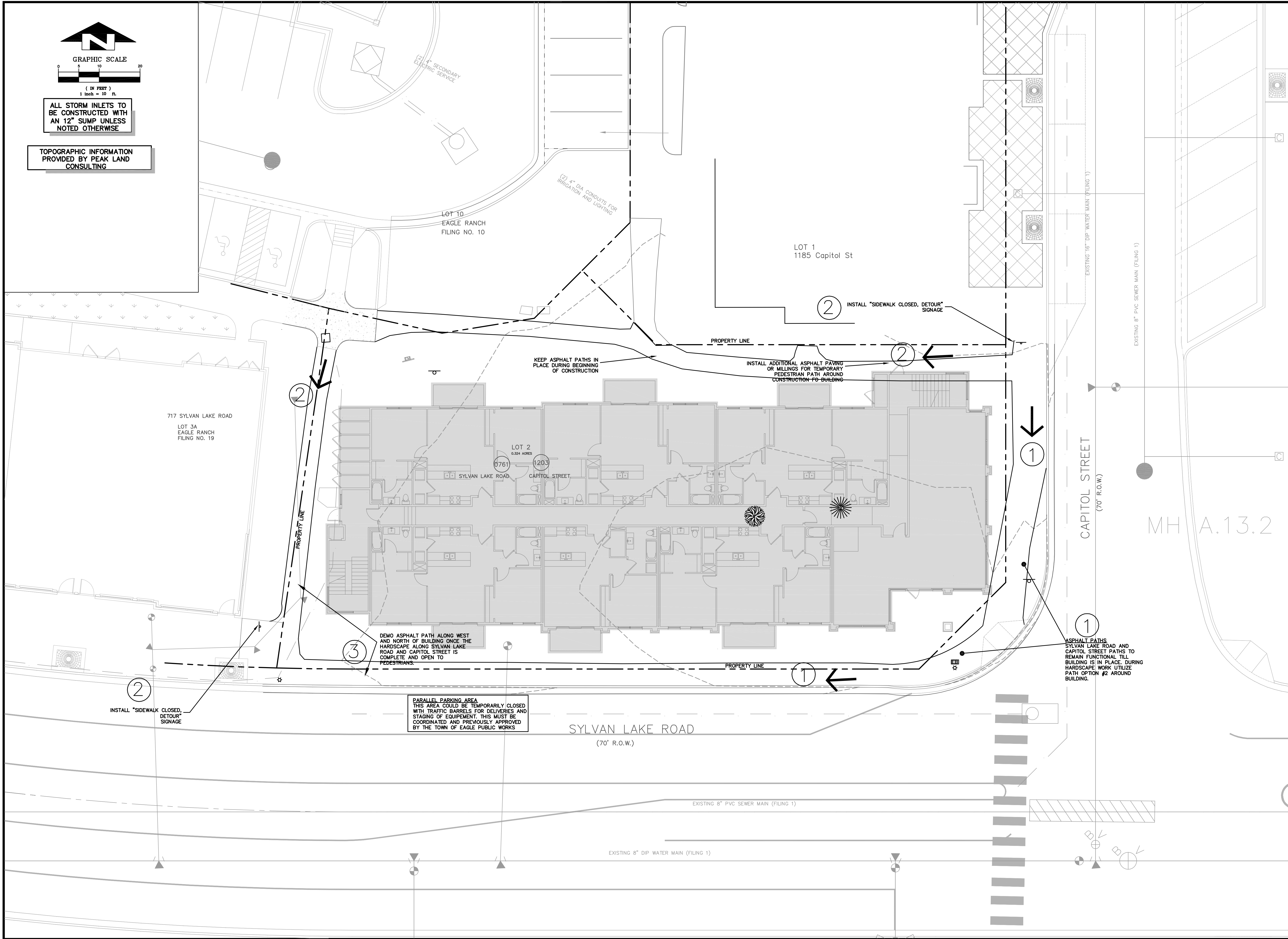
DESIGNED	MCW	RIF	DATE	REVISIONS	BY
DRAWN	MCW	RIF	03/11/2020	DEVELOPMENT PERMIT	MCW
CHECKED	MCW	MCW			
JOB NO.	XXX	XXX			
DATE	XX/XX/XXXX	XX/XX/XXXX			

SHEET
C1.0

O:\Eagle\Talon Flats-ER- 2020\dwg\Master\DEMOLITION.dwg, 3/11/2020 2:36:49 PM, wswley

Page 61 of 104

O:\Eagle\Talon Flats-ER- 2020\dwg\Master\ACCESS.dwg, 3/11/2020 2:35:46 PM, wadley



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34510 HWY 6 / UNIT A9 / P.O. BOX 97
EDWARDS CO 81632 / 970.926.3373
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COLORADO LICENSED PROFESSIONAL ENGINEER
MATTHEW C. WADLEY
39866
3-11-2026

TALON FLATS
761 SYLVAN LAKE RD
EAGLE, CO
PEDESTRIAN ACCESS

DESIGNED	MCW	RIF	DATE	NO.	DATE	REVISIONS	BY
DRAWN	RIF	MCW	03/11/2020			DEVELOPMENT PERMIT	MCW
CHECKED	MCW						
JOB NO.	XXX						
DATE	XX/XX/XXXX						

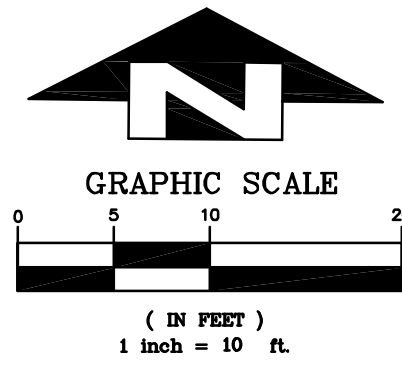
SHEET C2.0

DESIGNED	MCW, RIF	NO.	DATE	REVISIONS	BY				
DRAWN	RIF, MCW						03/11/2020	DEVELOPMENT PERMIT	MCW
CHECKED	MCW								
JOB NO.	XXX								
DATE	XX/XX/XXXX								

Page 63 of 100



	EROSION LOG WATTLES
	SILT FENCE
	STABILIZED CONSTRUCTION ENTRANCE
	SILT SACK INLET PROTECTION
	DITCH EROSION LOG



**TOPOGRAPHIC INFORMATION
PROVIDED BY PEAK LAND
CONSULTING**

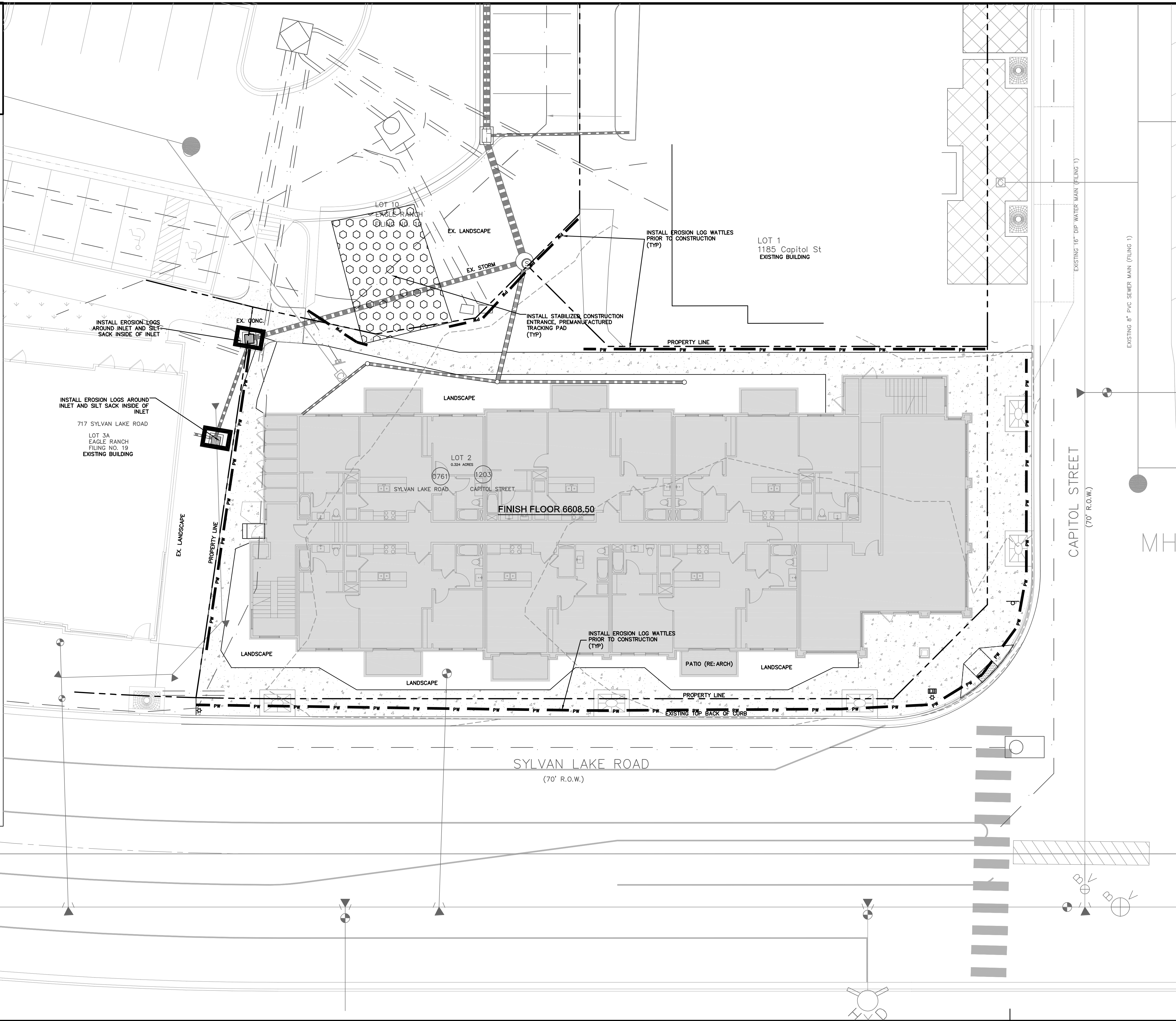
1. INSTALL AND MAINTAIN SEDIMENT CONTROL MEASURES IN ACCORDANCE WITH THESE PLANS AND AS NEEDED TO PREVENT SEDIMENT FROM DISCHARGING OFF-SITE OR ENTERING THE RIVER.
2. ALL PROPOSED SEDIMENT CONTROL MEASURES ARE TEMPORARY MEASURES UNLESS SPECIFIED OTHERWISE ON PLANS.
3. SEDIMENT CONTROL MEASURES MAY REQUIRE FIELD ADJUSTMENTS AT THE TIME OF CONSTRUCTION TO INSURE THAT THEIR INTENDED PURPOSE IS ACCOMPLISHED.
4. PROVIDE REGULAR INSPECTION AND MAINTENANCE OF ALL SEDIMENT CONTROL MEASURES TO INSURE THAT SEDIMENT CONTROL EFFICIENCY IS OBTAINED UNTIL FINAL STABILIZATION OF SITE HAS TAKEN PLACE.
5. INSTALL SEDIMENT CONTROL MEASURES AT THE ONSET OF GRADING OPERATIONS SO THAT EFFECTIVE SEDIMENT CONTROL CAN BE ACHIEVED DURING THE ENTIRE CONSTRUCTION PERIOD.
6. STABILIZE ALL POINTS OF INGRESS AND EGRESS WITH TRACKING PAD DURING CONSTRUCTION TO PREVENT TRACKING OF MUD ONTO PUBLIC WAYS.
7. FOR TEMPORARY STOCKPILES APPLY SEED, HYDROMULCH AND TACKIFIER IMMEDIATELY AFTER CONSTRUCTION. ARE CONSTRUCTED FOR STABILIZATION, IF EROSION OCCURS AFTER APPLICATION OF THE TACKIFIER, USE EXCELISOR C2 EROSION CONTROL FABRIC. INSTALL SILT FENCE BELOW STOCKPILES TO CAPTURE SEDIMENT.
8. THE TERM "REVEGETATION" ON THIS PLAN MEANS THE SUCCESSFUL GERMINATION AND ESTABLISHMENT OF STABLE GRASS COVER FROM A PROPERLY PREPARED SEED MIX CONFORMING TO THE SPECIFIED AMOUNTS OF FERTILIZER IN ACCORDANCE WITH APPLICABLE "STANDARDS AND SPECIFICATIONS". REFER TO LANDSCAPE PLANS FOR SEED MIX, FERTILIZER TYPE, MULCH, TACKIFIER AND APPLICATION RATES.
9. IT IS THE CONTRACTOR'S RESPONSIBILITY TO TAKE APPROPRIATE MEASURES TO INSURE THAT NO SEDIMENT LAIDEN WATER IS DISCHARGED FROM THE SITE.
10. APPROVAL SHALL BE REQUESTED UPON FINAL STABILIZATION OF ALL SITES BEFORE REMOVAL OF SEDIMENT CONTROLS.
11. CONTRACTOR SHALL OBTAIN AND CONFORM TO STORMWATER DISCHARGE PERMIT AND ENVIRONMENTAL PERMITS AND KEEP STREETS CLEAN AND FREE OF SEDIMENT.
12. REMOVAL AND CLEANUP OF ANY SEDIMENT THAT LEAVES THE SITE IS THE RESPONSIBILITY OF THE CONTRACTOR

BEFORE COMMENCING GRADING OR CONSTRUCTION

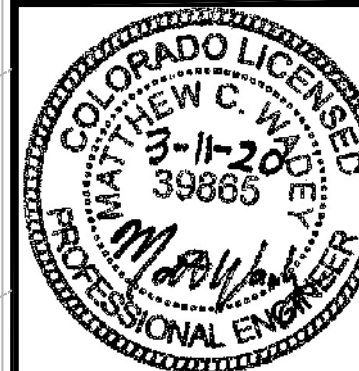
1. CONSTRUCT STABILIZED CONSTRUCTION ENTRANCES AT ALL POINTS OF INGRESS AND EGRESS.
2. CONTRACTOR SHALL TAKE APPROPRIATE MEASURES TO ASSURE THAT NO SEDIMENT LEAVES THE SITE.
3. CONSTRUCT SILT FENCE AND WATTLES AND ALL SEDIMENT CONTROL DEVICES.
4. BEGIN DEMOLITION, EXCAVATION AND CONSTRUCTION.
5. INSTALL EROSION CONTROL MEASURES AFTER DITCHES AND SWALES HAVE BEEN CONSTRUCTED AND TOPSOIL AND SEED HAVE BEEN PLACED. INSTALL INLET PROTECTION IN ALL INLETS AS THEY ARE CONSTRUCTED.
6. TOPSOIL AND REVEGETATE ALL DISTURBED AREAS WITH APPROVED SEED PER LANDSCAPE PLAN.
7. CONTRACTOR SHALL REMOVE SEDIMENT CONTROL FACILITIES AFTER FINAL STABILIZATION.

THE CONTRACTOR IS RESPONSIBLE TO CONTROL FUGITIVE DUST AND TO INCORPORATE THE FOLLOWING:

1. ALL UNPAVED ROADS AND OTHER DISTURBED AREAS ON SITE SHALL BE WATERED TO MINIMIZE FUGITIVE DUST.
2. HAUL ROADS SHALL BE TREATED WITH MAGNESIUM CHLORIDE IF WATER IS NOT CONTROLLING THE DUST.
3. ALL DISTURBED SURFACE AREAS SHALL BE REVEGETATED OR SURFACED PER THE LANDSCAPE PLAN AS SOON AS POSSIBLE.
4. MUD AND DIRT CARRYOUT ONTO PAVED SURFACES SHALL BE PREVENTED. ANY MUD AND DIRT CARRYOUT ONTO PAVED SURFACES SHALL BE CLEANED UP DAILY.



**ALPINE
ENGINEERING INC.**
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WWW.ALFINECIVIL.COM

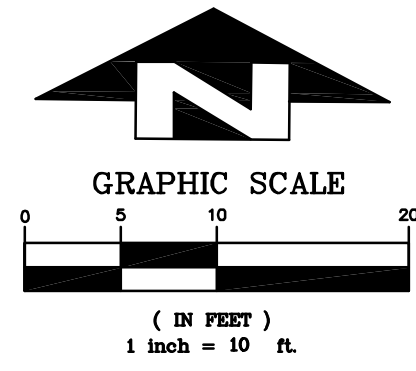


TALON FLATS
761 SYLVAN LAKE RD
EAGLE, CO

DESIGNED <u>MCW, RIF</u>	NO.	DATE	REVISIONS	BY
DRAWN <u>RIF, MCW</u>		03/11/2020	DEVELOPMENT PERMIT	MCW
CHECKED <u>MCW</u>				
JOB NO. <u>XXX</u>				
DATE <u>XX/XX/XXXX</u>				

SHEET
C5.0

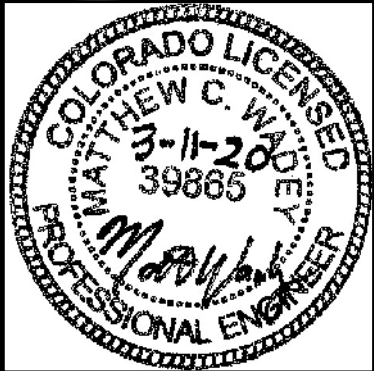
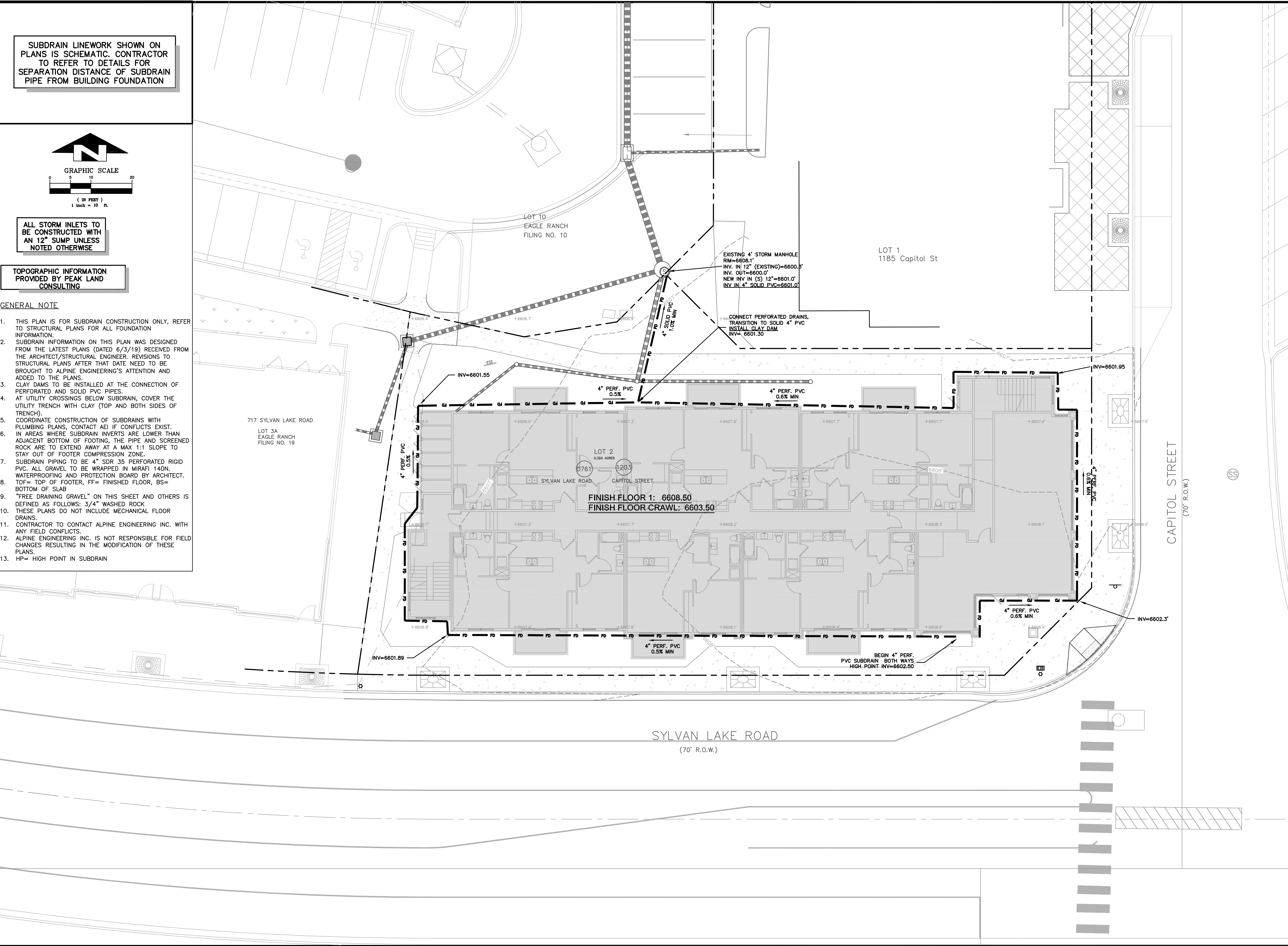
SUBDRAIN LINEWORK SHOWN ON PLANS IS SCHEMATIC. CONTRACTOR TO REFER TO DETAILS FOR SEPARATION DISTANCE OF SUBDRAIN PIPE FROM BUILDING FOUNDATION



ALL STORM INLETS TO BE CONSTRUCTED WITH AN 12" SUMP UNLESS NOTED OTHERWISE

TOPOGRAPHIC INFORMATION PROVIDED BY PEAK LAND CONSULTING

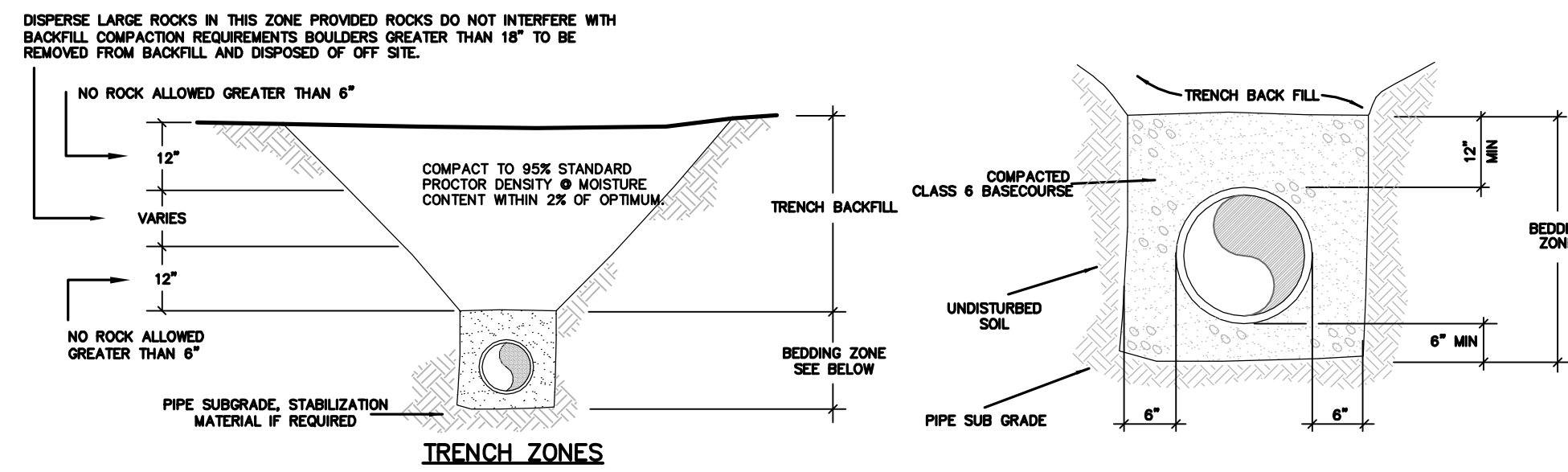
- GENERAL NOTE
- THIS PLAN IS FOR SUBDRAIN CONSTRUCTION ONLY, REFER TO STRUCTURAL PLANS FOR ALL FOUNDATION INFORMATION.
 - SUBDRAIN INFORMATION ON THIS PLAN WAS DESIGNED FROM THE LATEST PLANS (DATED 6/3/19) RECEIVED FROM THE ARCHITECT/STRUCTURAL ENGINEER. REVISIONS TO STRUCTURAL PLANS AFTER THAT DATE NEED TO BE BROUGHT TO ALPINE ENGINEERING'S ATTENTION AND ADDED TO THE PLANS.
 - CLAY DAMS TO BE INSTALLED AT THE CONNECTION OF PERFORATED AND SOLID PVC PIPES.
 - AT UTILITY CROSSINGS BELOW SUBDRAIN, COVER THE UTILITY TRENCH WITH CLAY (TOP AND BOTH SIDES OF TRENCH).
 - COORDINATE CONSTRUCTION OF SUBDRAINS WITH PLUMBING PLANS, CONTACT AEI IF CONFLICTS EXIST.
 - IN AREAS WHERE SUBDRAIN INVERTS ARE LOWER THAN ADJACENT BOTTOM OF FOOTING, THE PIPE AND SCREENED ROCK ARE TO EXTEND AWAY AT A MAX 1:1 SLOPE TO STAY OUT OF FOOTER COMPRESSION ZONE.
 - SUBDRAIN PIPING TO BE 4" SDR 35 PERFORATED RIGID PVC. ALL GRAVEL TO BE WRAPPED IN MIRAFI 140N. WATERPROOFING AND PROTECTION BOARD BY ARCHITECT.
 - TOP= TOP OF FOOTER, FF= FINISHED FLOOR, BS= BOTTOM OF SLAB
 - "FREE DRAINING GRAVEL" ON THIS SHEET AND OTHERS IS DEFINED AS FOLLOWS: 3/4" WASHED ROCK
 - THESE PLANS DO NOT INCLUDE MECHANICAL FLOOR DRAINS.
 - CONTRACTOR TO CONTACT ALPINE ENGINEERING INC. WITH ANY FIELD CONFLICTS.
 - ALPINE ENGINEERING INC. IS NOT RESPONSIBLE FOR FIELD CHANGES RESULTING IN THE MODIFICATION OF THESE PLANS.
 - HP= HIGH POINT IN SUBDRAIN



TALON FLATS
761 SYLVAN LAKE RD
EAGLE, CO
SUBDRAIN PLAN

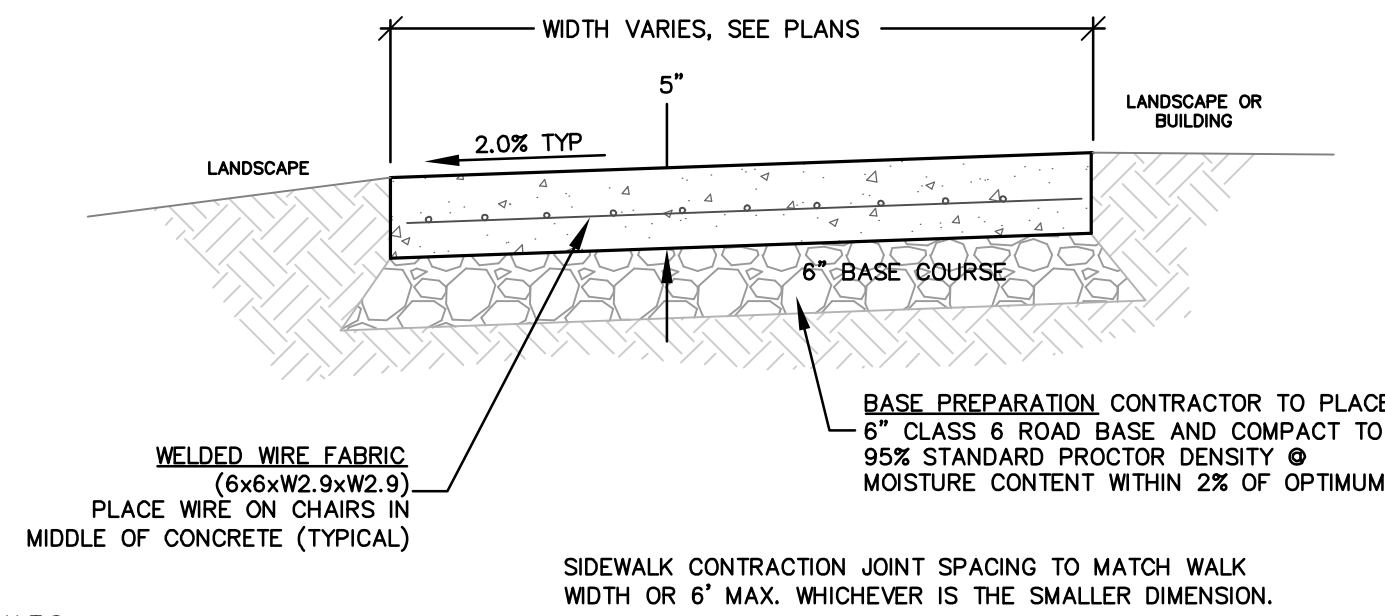
DESIGNED	MCW	RIF	NO.	DATE	REVISIONS	BY
DRAWN	MCW			03/11/2020	DEVELOPMENT PERMIT	MCW
CHECKED	MCW					
JOB NO.	XXX					
DATE	XX/XX/XXXX					

SHEET
C6.0



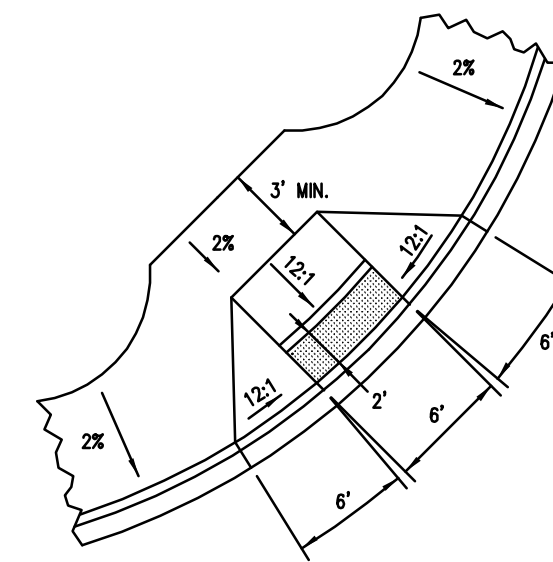
N.T.S.

A	STORM SEWER PIPE BEDDING
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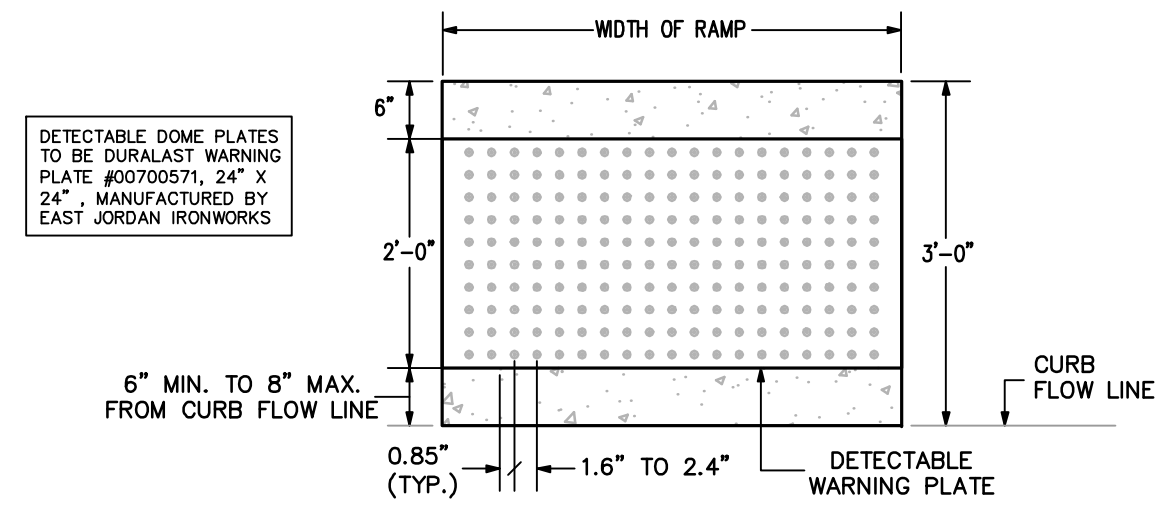
N.T.S.

B	CONCRETE WALK
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N.T.S.

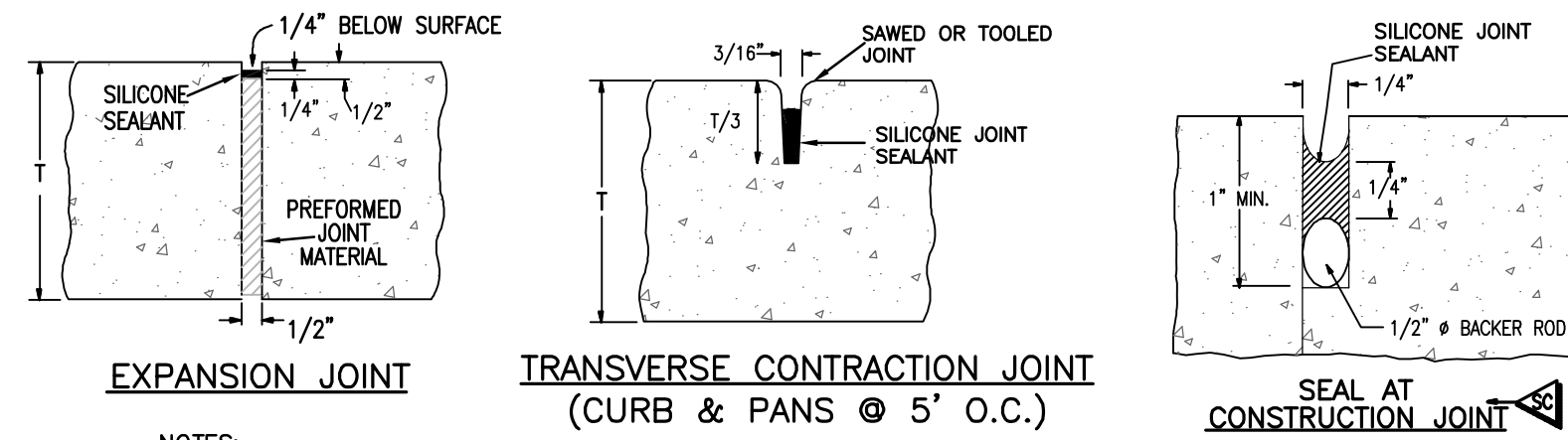
ADA CORNER RAMP



NOTES

1. THE TRUNCATED DOME PLATE SHALL BE EMBEDDED IN THE CONCRETE CURB RAMP WHILE CONCRETE IS PLASTIC.
2. THE TRUNCATED DOME PLATE SHALL BE EAST JORDAN IRON WORKS OR ALTERNATE AS APPROVED .
3. WHEN DETECTABLE WARNING SURFACE IS CUT, GRIND OFF REMAINING PORTION OF ANY CUT DOMES. SEAL ALL CUT PANEL EDGES TO PREVENT WATER DAMAGE.

TRUNCATED ADA DOMES

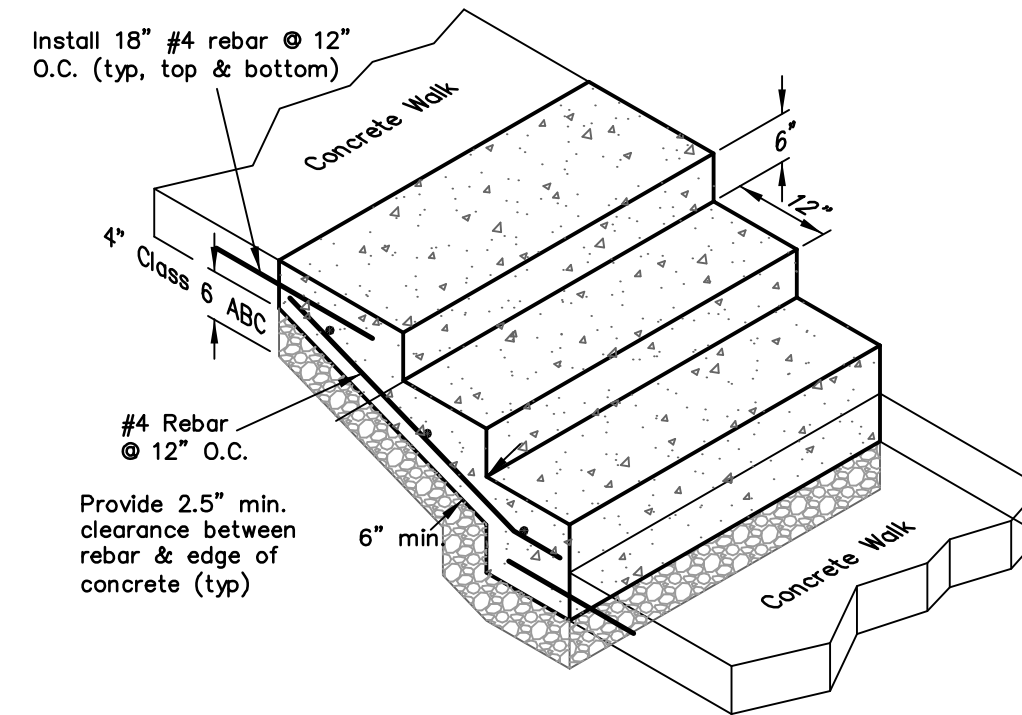


NOTES:

1. CONCRETE SHALL BE CLASS P
2. JOINTS IN PANS AND CURB & GUTTER SHALL BE CONSTRUCTED TO ALIGN WITH JOINTS IN ADJACENT PAVEMENT.
3. EXPANSION JOINTS SHALL BE INSTALLED WHEN ABUTTING EXISTING CONCRETE OR FIXED STRUCTURE. EXPANSION JOINT MATERIAL SHALL BE ½ IN. THICK AND SHALL EXTEND THE FULL DEPTH OF CONTACT SURFACE.
4. THE BARS ARE REQUIRED WHERE CURB AND GUTTER OR CONCRETE PAN IS ADJACENT TO CONCRETE PAVEMENT. THE GUTTER THICKNESS SHALL BE INCREASED TO THE PAVEMENT THICKNESS (7"). BARS SHALL BE 30" LONG, EPOXY-COATED, #4 CONFORMING TO AASHTO M 284 AND SPACED AT 2.5 FT. INTERVALS. THEY SHALL BE INSERTED 7/2 AND ½ LENGTH INTO GUTTER.
5. INSTALL 30" #4 THE BARS @ 30 O.C. AT ALL CONCRETE CONSTRUCTION JOINTS.

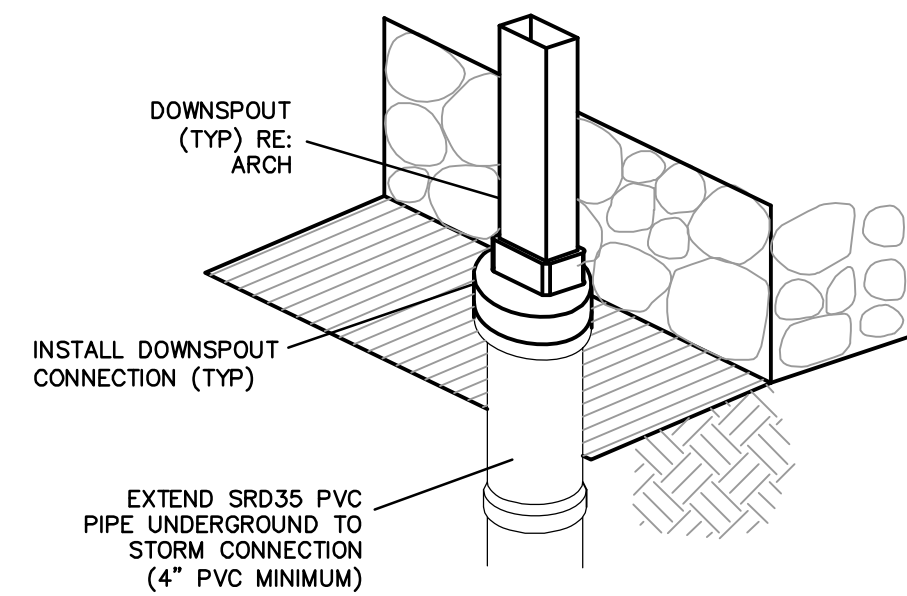
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D | CONCRETE JOINTS

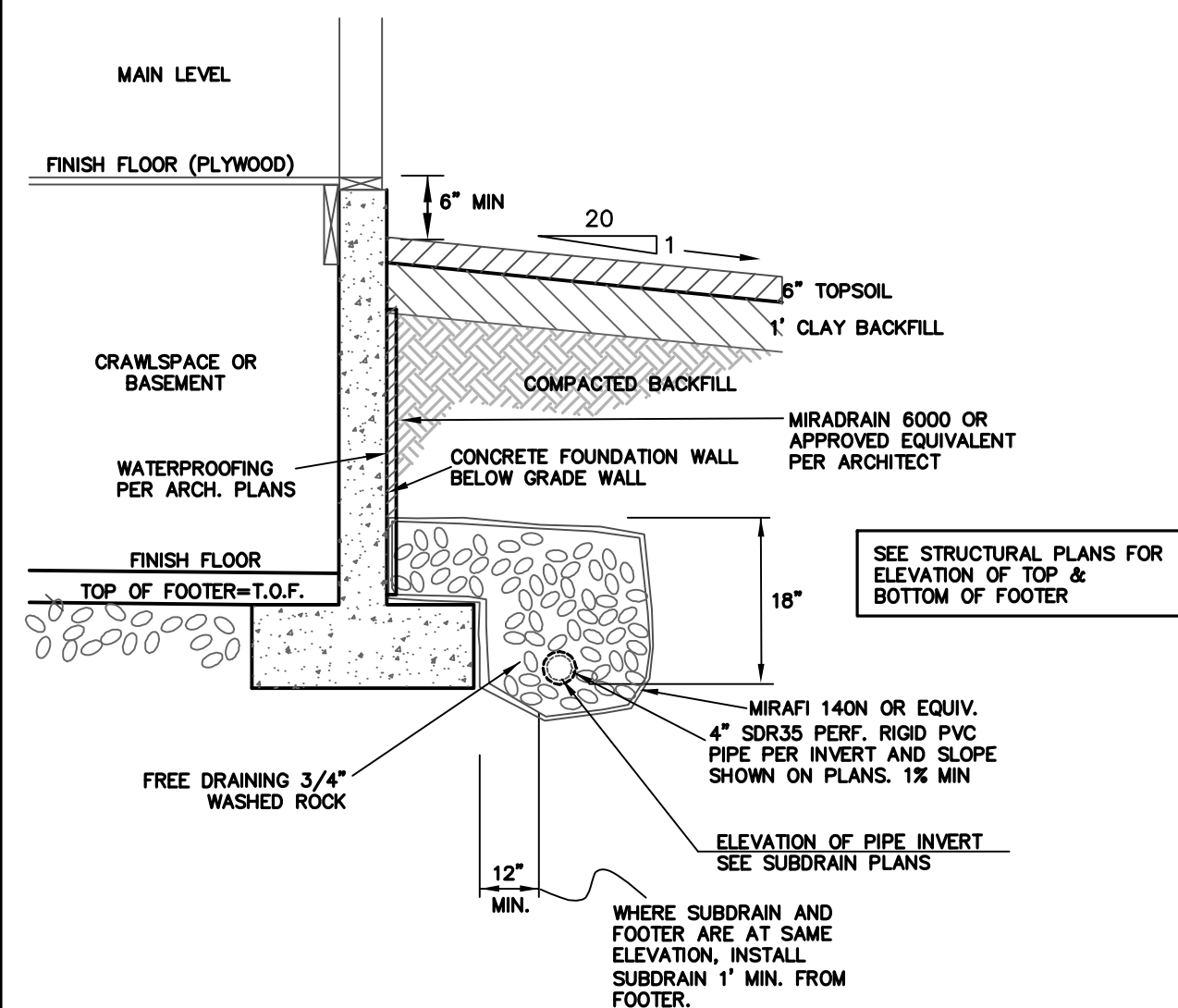


N.T.S.

F	CONCRETE STAIRS
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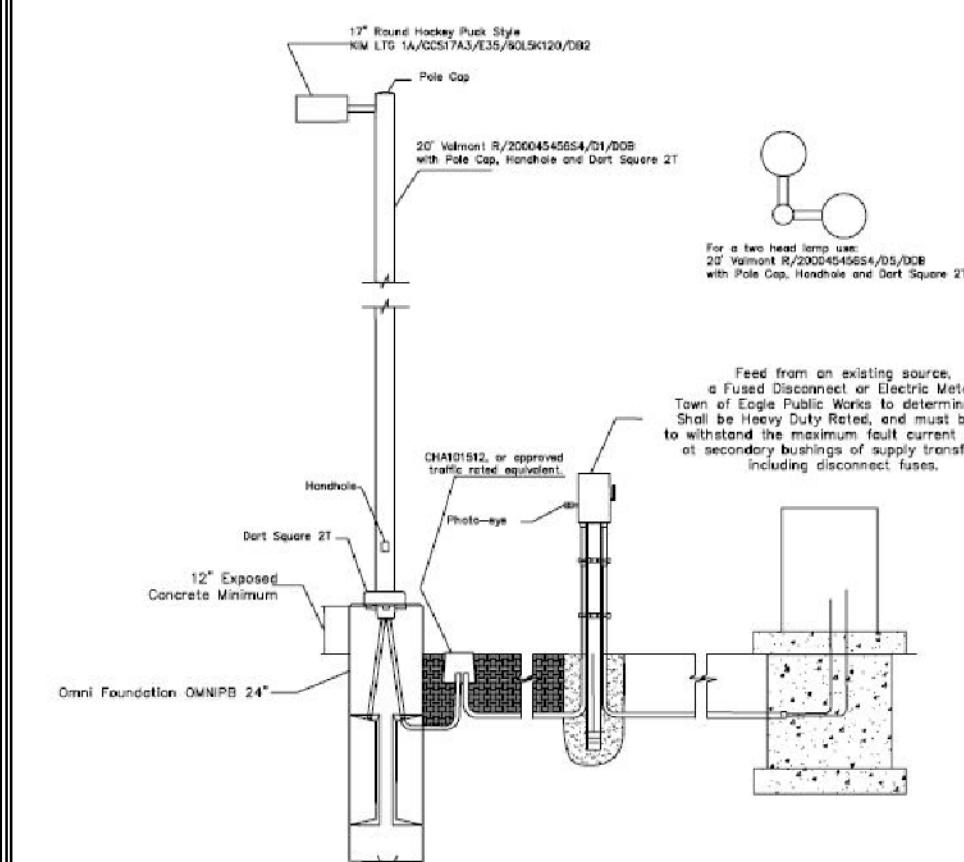


G DOWNSPOUT CONNECTION



N.T.S.

EXTERIOR PERIMETER DRAIN

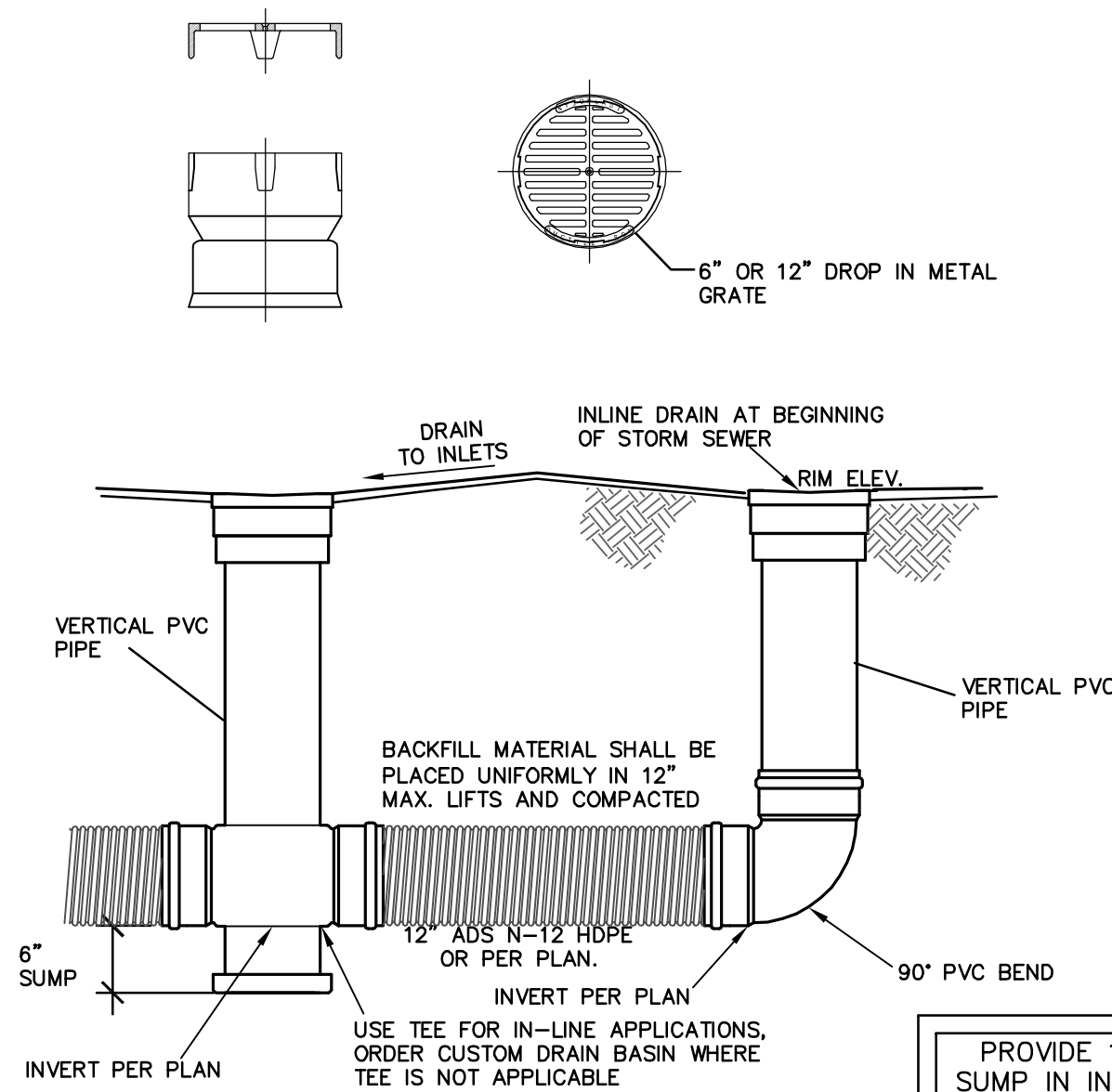


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Project: Public Works Manual
Drawn: JB
Checked:
Sheet: Street Light Electrical Specifications

C8

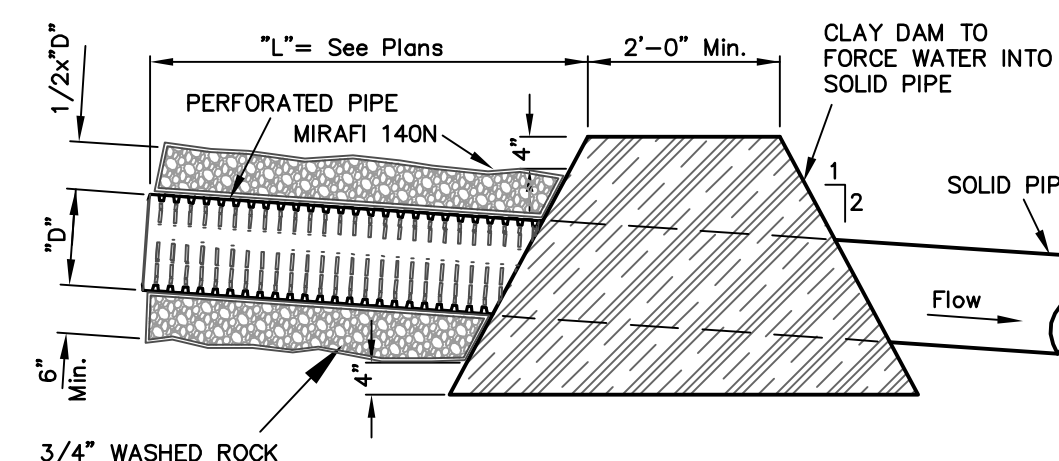
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TOWN STREET LIGHT



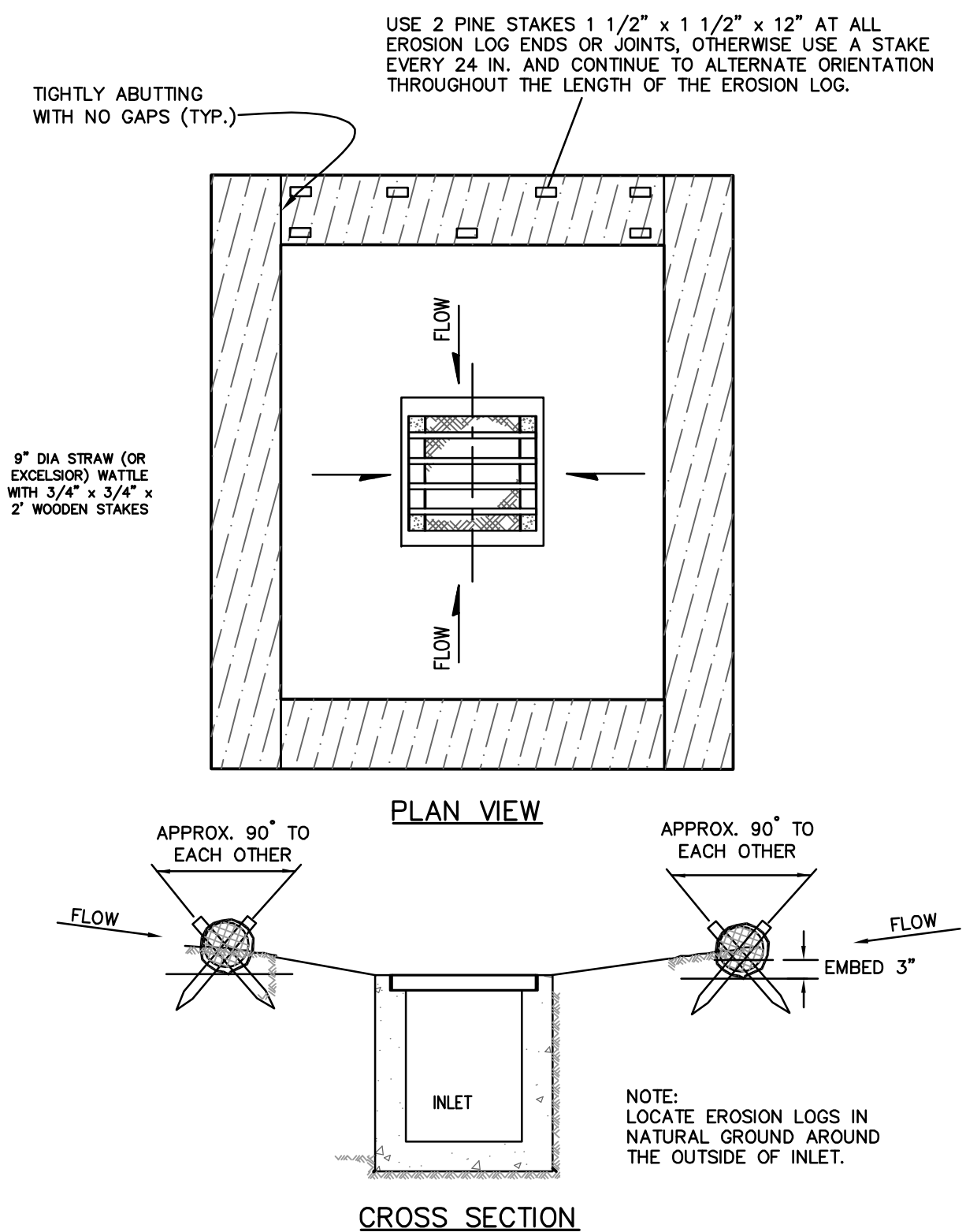
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NYLOPLAST AREA INLINE DRAINS



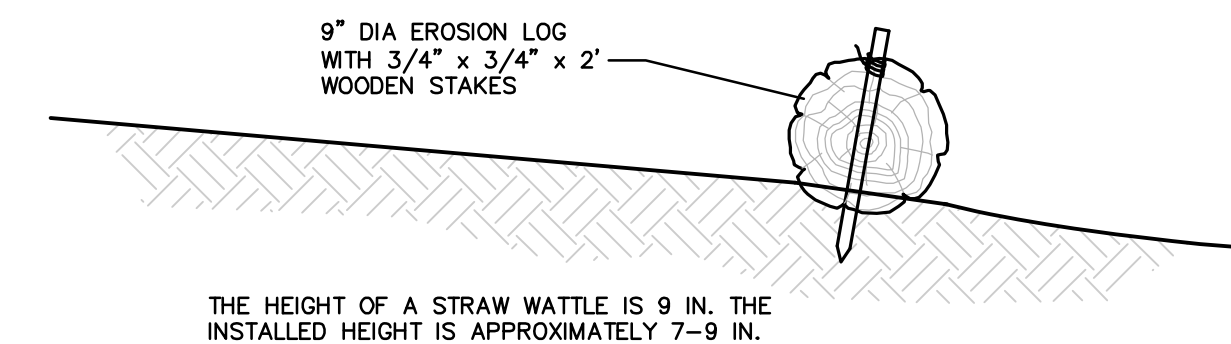
N.T.S.

CLAY DAM



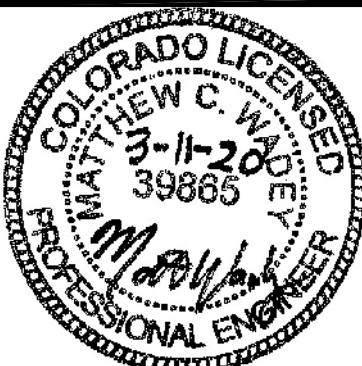
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INLET PROTECTION- EROSION LOG



N.T.S

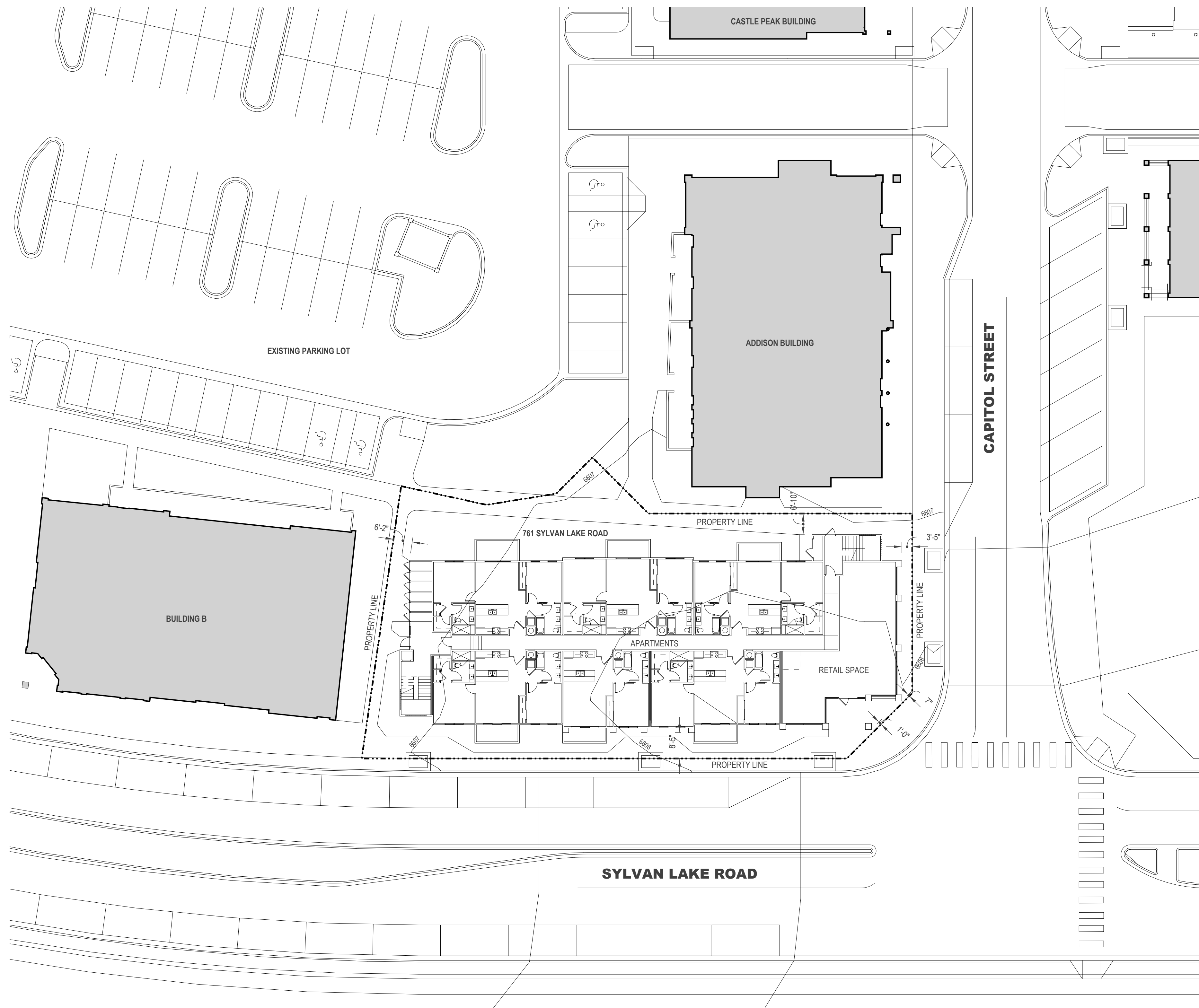
EROSION LOG WATTLE DETAIL



TALON FLATS
761 SYLVAN LAKE RD
EAGLE, CO
DETAILS

DESIGNED	MCW, RIF	NO.	DATE	REVISIONS	BY
DRAWN	RIF, MCW				
CHECKED	MCW				
JOB NO.	XXX				
DATE	XX/XX/XXXX				

**SHEET
C7.0**



NOTE: ALL LIGHTING TO CONFORM TO EAGLE RANCH DRB REQUIREMENTS;
ALL STREET LIGHTS TO MATCH EAGLE RANCH LAMP POSTS WITH BANNER ATTACHMENTS

	PROPOSED	ALLOWED
LOT SIZE	0.324 ACRES OR 14,113 SQUARE FEET	
MAXIMUM LOT COVERAGE	9,202 SQUARE FEET - BUILDING FOOTPRINT AND PATIOS	
	65% BUILDING LOT COVERAGE 2,567 SQUARE FEET - CONCRETE WALKWAYS 11,769 SQUARE FEET IMPERVIOUS OR	80% BUILDING LOT COVERAGE (MAX)
MAXIMUM DENSITY	20 RESIDENTIAL UNITS OR 62 DWELLING UNITS / ACRE	100% IMPERVIOUS LOT COVERAGE (MAX)
USES	RESIDENTIAL - 20 UNITS (13-2 BEDROOM; 7-1 BEDROOM) OFFICE - 1,014 RETAIL - 1,264	57 UNITS REMAINING WITHIN PARCEL A AFTER 20 UNITS DEDICATION TO TALON FLATS ALLOWED PER PUD ALLOWED PER PUD ALLOWED PER PUD

BUILDING AREAS

LEVEL 1

RESIDENTIAL APARTMENTS	5,849 S.F.
RETAIL SPACE	1,264 S.F.
STORAGE	144 S.F.
LOBBY / CIRCULATION / STAIRS	1,281 S.F.
SUBTOTAL LEVEL 1	8,538 S.F.

LEVEL 2

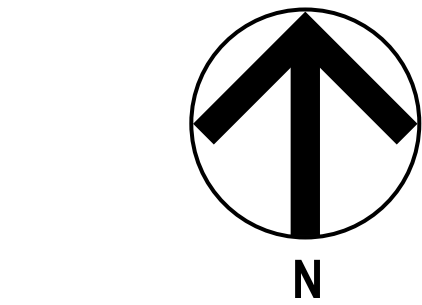
RESIDENTIAL APARTMENTS	6,197 S.F.
OFFICE SPACE	667 S.F.
STORAGE	206 S.F.
CIRCULATION / STAIRS	1,331 S.F.
SUBTOTAL LEVEL 2	8,401 S.F.

LEVEL 3

RESIDENTIAL APARTMENTS	6,197 S.F.
OFFICE SPACE	347 S.F.
STORAGE	206 S.F.
CIRCULATION / STAIRS / LOUNGE	1,494 S.F.
SUBTOTAL LEVEL 3	8,244 S.F.

TOTAL RESIDENTIAL	18,243 S.F.
TOTAL RETAIL SPACE	1,264 S.F.
TOTAL OFFICE SPACE	1,014 S.F.
TOTAL STORAGE	556 S.F.
TOTAL LOBBY / LOUNGE / CIRCULATION	4,106 S.F.

TOTAL BUILDING AREA	25,183 S.F.
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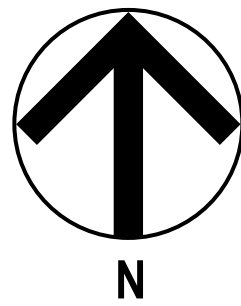
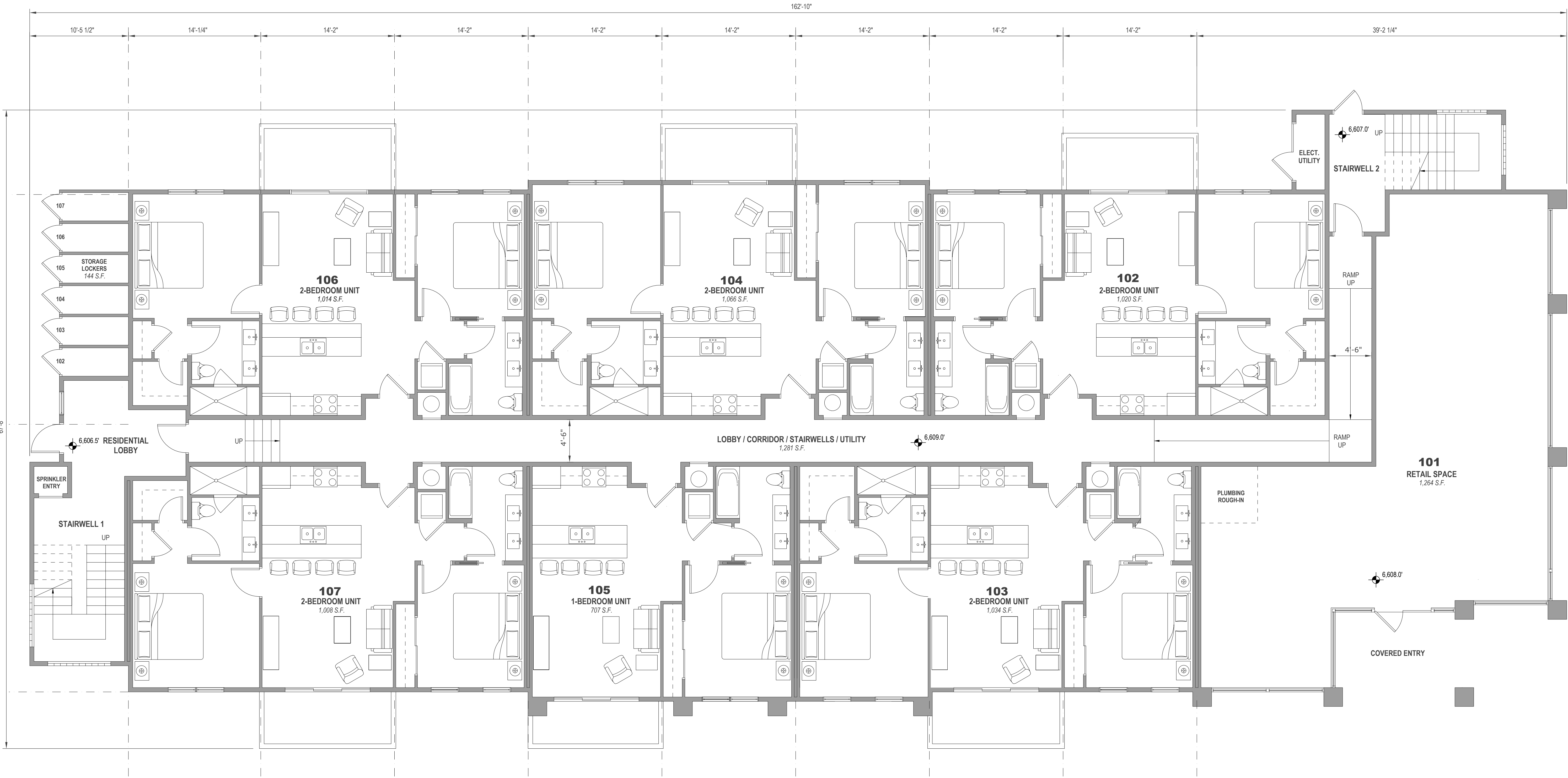
1 SITE PLAN
A1.1 SCALE: 1" = 20'-0"



TALON FLATS
1203 CAPITOL STREET
EAGLE, COLORADO 81631

ISSUE:	DATE:
FINAL SUBMITTAL III	01.23.2020
PLANNING & ZONING	03.11.2020
P&Z UPDATE	03.13.2020

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& CONSTRUCTION INC.
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EAGLE, COLORADO 81631
970.328.3900 WWW.SSTAIA.COM



1 FIRST FLOOR PLAN
A2.1 SCALE: 3/16" = 1'-0"

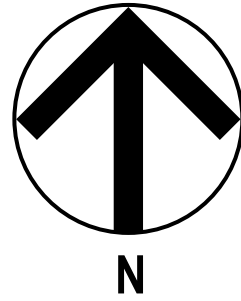
TURNIPSEED
ARCHITECTURE
CONSTRUCTION
INTERIOR DESIGN
SINCE 1995

TALON FLATS
1203 CAPITOL STREET
EAGLE, COLORADO 81631

ISSUE:	DATE:
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& CONSTRUCTION INC.
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EAGLE, COLORADO 81631
970.328.3900 WWW.SSTAIA.COM

A2.1
FIRST FLOOR
PLAN



1 SECOND FLOOR PLAN
A2.2 SCALE: 3/16" = 1'-0"

TURNIPSEED
ARCHITECTURE
CONSTRUCTION
INTERIOR DESIGN
SINCE 1995

TALON FLATS
1203 CAPITOL STREET
EAGLE, COLORADO 81631

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A2.2
SECOND FLOOR
PLAN



TURNIPSEED
ARCHITECTURE
CONSTRUCTION
INTERIOR DESIGN
SINCE 1995

TALON FLATS
1203 CAPITOL STREET
EAGLE, COLORADO 81631

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PLANNING & ZONING	03.11.2020
P&Z UPDATE	03.13.2020

SCOTT S. TURNIPSEED AIA
ARCHITECTURE
& CONSTRUCTION INC.
P.O. BOX 3388
1143 CAPITOL STREET, SUITE 211
EAGLE, COLORADO 81631
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1 THIRD FLOOR PLAN
A2.3 SCALE: 3/16" = 1'-0"

A2.3
THIRD FLOOR
PLAN

March 13, 2020

ISSUE:	DATE:
FINAL SUBMITTAL III	01.23.2020
PLANNING & ZONING	03.11.2020
P&Z UPDATE	03.13.2020

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SYLVAN LAKE ROAD ELEVATION

1 FRONT ELEVATION
A3.1 SCALE: 3/16" = 1'-0"



CAPITOL STREET ELEVATION

2 RIGHT ELEVATION
A3.1 SCALE: 3/16" = 1'-0"



PARKING LOT ELEVATION

1 REAR ELEVATION
A3.2 SCALE: 3/16" = 1'-0"

TURNIPSEED
ARCHITECTURE
CONSTRUCTION
INTERIOR DESIGN
SINCE 1995

TALON FLATS
1203 CAPITOL STREET
EAGLE, COLORADO 81631

ISSUE:	DATE:
FINAL SUBMITTAL III	01.23.2020
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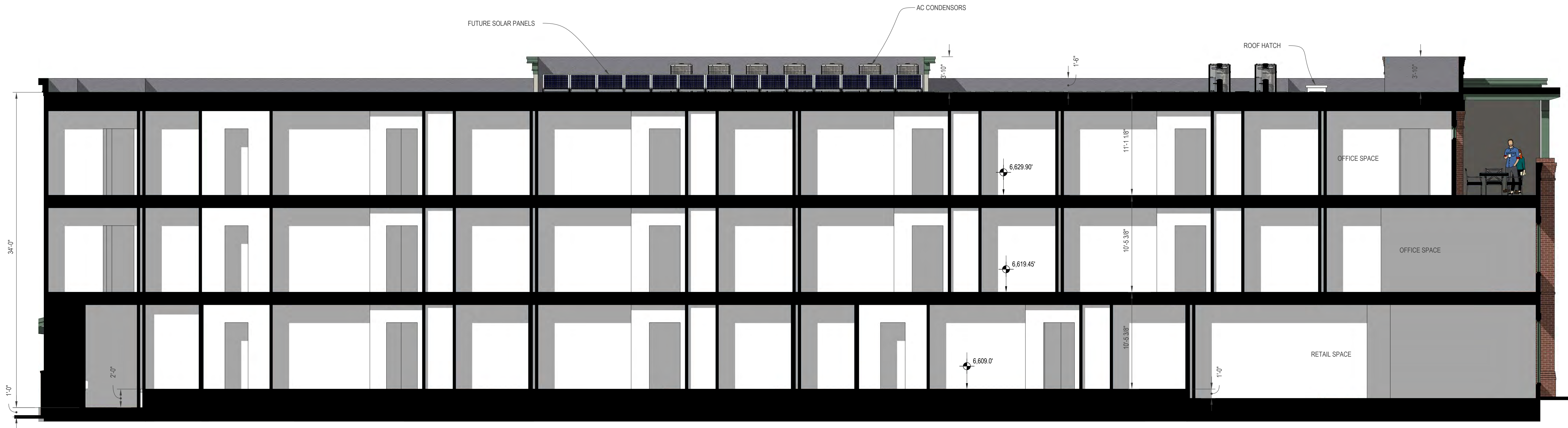
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A3.2
REAR AND LEFT
ELEVATIONS



ALLEY ELEVATION

2 LEFT ELEVATION
A3.2 SCALE: 3/16" = 1'-0"



1 LONGITUDINAL BUILDING SECTION
A4.1 SCALE: 3/16" = 1'-0"



2 LATERAL BUILDING SECTION
A4.1 SCALE: 3/16" = 1'-0"

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ARCHITECTURE
CONSTRUCTION
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A4.1
BUILDING
SECTIONS



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

February 6, 2020

In lieu of regularly scheduled meeting, DRB members were polled via email for review and approval of the following items:

MEMBERS ATTENDING:

Rick Dominick
Tom McCord
Michael Sanner
John Martin
Rick Messmer

MEMBERS NOT ATTENDING:

Al Musser
Dan Lambert
Glenn Harakal
Todd Labine

1. Executive Session

Via Email

2. General Email Session:

Lundquist Residence – 25-00-69 – 1658 East Haystack Drive – Final – Highlands Alpine Ranch – KK Design

- a. *The proposed hot tub should be submitted. (Outbuildings and Firepits Policy)*
- b. *Provide the square footage of the fenced-in area. HDG 2.2.11*
- c. *What is the material between the single garage door and the front entry walkway? Driveways and parking areas shall be paved with either asphalt, concrete, or sand set stone or concrete pavers. HDG 2.2.4 (4.)*
- d. *What is the front walkway material?*
- e. *Where are the #4 landscape lights shown on the plan? CLARIFIED LOCATION AT FRONT ENTRANCE*
- f. *Disturbance line at 7080 grade line is not accurate with regrading of 7080.*
- g. *What are the 2 dark lines at the south of the lot? Just a cad error?*
- h. *Front elevation is not drawn accurately. The front porch should be covered up by the single garage bay up to the easternmost column when drawn based on the angle of the elevation tag shown on the floor plan.*
- i. *Discussion item: Horizontal windows still more than plentiful (at preliminary, the instruction was to remove or change to more vertical orientation). VARIED WINDOW ORIENTATION IS ACCEPTABLE AS SUBMITTED IN FINAL PLAN.*
- j. *Provide sample of metal inter-locking panels for siding.*
- k. *Provide sample of matte black metal panels, mottled finish that will be used for the siding.*
- l. *Continuity and coordination of materials has not been addressed from preliminary meeting.*

Summary: Provide continuing compliance with Highlands Design Guidelines.

MOTION:

The Board was unanimous in the Final Plan approval of the (Leo's Crossing) Residence with the above conditions to be addressed in the Technical Plan set. Add bellyband above three vertical windows and sliding glass doors at rear of house (eliminate wood headers above stone). Raise shed roof to eliminate any material change at corner.

Eves Residence – Filing 14 -Block 00-Lot 39 – 2253 Eagle Ranch Road – **Final** – Architect: Leah Mayer – Uplands Victorian

- a. *Future Hot tub and firepit specifications will need to be submitted prior to their installation. (Outbuildings and Firepits Policy)*
- b. *What material is the front walkway? UDG 2.2.9 (2.)*
- c. *Discussion item: Southeast property line plantings creating a fence like delineation. UDG 2.4.5 (2.)*
- d. *Discussion item: Gravel beds at side property lines must have approval by the DRB. UDG 2.4.2.3*
- e. *Provide the total area to be fenced in. UDG 2.2.12 (1.)*
- f. *Provide the height of the proposed fence. UDG 2.2.12 (7.)*
- g. *On the construction management plan, the dumpster appears too far back on the site to easily be accessible.*
- h. *On the construction management plan, the job trailer would need to be on the property.*
- i. *Provide utility connections on the site plan and show the utility enclosure on the floor plan. UDG 2.3.6*
- j. *The utility enclosure shown should extend closer to the ground to hide the conduit.*
- k. *Update exterior fixture count shown on lumen count worksheet and lighting plan to include can lights at the rear patio. UDG 2.3.7 – REAR PATIO FIXTURES WERE REMOVED*
- l. *Provide color rendering. PROVIDED AT MEETING*

Summary: *Provide continuing compliance with Uplands Design Guidelines.*

MOTION:

The Board was unanimous in the Final Plan approval of the Eves Residence with the above conditions to be addressed in the Technical Plan set. Driveway width needs to be adjusted to avoid parking spaces in front of the house. Suggest reducing width of cobble bed on west side of home and incorporate native grasses. Moss rock stone requires an ashlar/horizontal installation.

Bruntz Residence – Filing 21 -Block 00-Lot 01 – 0085 East Haystacker Drive – **Preliminary** – Architect: Beth Levine – Uplands Victorian

- a. *Provide width of driveway. UDG 2.2.5 (5.)*
- b. *Discussion item: Narrow driveway at single garage bay.*
- c. *What material are the paths shown on the site plan?*
- d. *Provide plant counts, sizes, types; sod areas, reveg areas. UDG 2.4.2.1 (6.) In Table Format*
- e. *Provide perimeter planting beds. UDG 2.4.2.2*
- f. *Provide utility connections on the site plan and the utility enclosure on the elevations. UDG 2.3.6*
- g. *Provide exterior lumen count worksheet and lighting plan. UDG 2.3.7*
- h. *Discussion item: Material changes mid-façade and not on an inside corner.*
- i. *Stone cladding expressed as a non-structural veneer is not permitted. UDG 2.3.1.1 (2.b.)*
- j. *All roofs must be sloped... no flat roofs. UDG 2.3.4 (1.)*

- k. Provide roof overhang dimensions. UDG 3.2.2.2 (4.)
- l. Provide window trim. UDG 2.3.3.2 (1.)
- m. Head, sill and jamb trim elements must be differentiated. UDG 2.3.3.2 (2.)
- n. Porch columns should have some decorative detailing... UDG 3.2.2.3 (2.)
- o. No more than 3 windows may be ganged together. UDG 3.2.2.6 (1.)

Summary: Provide color rendering. Provide continuing compliance with Uplands Design Guidelines.

MOTION:

The Board TABLED the Bruntz Residence Preliminary Plan with the above conditions to be addressed for the next submittal. Volumes and massing are fine. Work to meet the Victorian requirements for vertical orientation with materials/siding and windows. Ganging of double hung windows looks too horizontal. Need symmetrical orientation of windows on Gable Ends. Reduce the amount of stucco and orient it towards the base of the home. Work on breaking up the wall mass on East elevation. Front entry could use a steeper pitch to define the entrance and work on the columns to be more prominent.

The Assembly – Filing 10 - Block 00 - Lot 02 – 1143 Capitol Street – **MEI** – Architect: Glenn Harakal: Scott Turnipseed – Commercial Center

- a. Continue discussion on proposed removal of awnings.

Summary: Provide continuing compliance with Eagle Ranch Neighborhood Center Architectural Guidelines.

MOTION:

The Board approved the MEI request of *The Assembly* commercial development to remove the awning with the condition to patch and paint the façade.

Talon Flats – Filing 27 - Block 00 - Lot 02 – 761 Sylvan Lake Road - **Amended Final** – Architect: Glenn Harakal: Scott Turnipseed – Commercial Center

- a. Drawings are not adequate for an amended final plan review, more like a preliminary submittal. Missing: dimensioned plans, details, lighting, mechanical, etc.
- b. Balconies need to be dimensioned. ER NCAG Section 5, page 20
- c. Confirm that balconies are no less than 13 feet above the sidewalk. ER NCAG Section 5, page 20 **BALCONIES ARE NOT OVER SIDEWALK.**
- d. Provide soffit materials. ER NCAG Section 5, page 20
- e. What is the width of the sidewalk at the pedestrian area for the "opportunity zone?" Eight feet is ideal. ER NCAG Section 8, page 30.

Comments from the Commercial Center:

TRASH:

- 1) *There is no need for any additional trash enclosure beyond the one that already exists and serves just the Addison building.*

SIDEWALKS AND PATHWAY SNOW REMOVAL AND SNOW SHOVELING:

- 1) *Clearing of sidewalks between existing Addison building and the Apartments will be very difficult and problematic if pavers make up the sidewalk as the Bobcat cannot push snow through the pavers without destroying the pavers. All sidewalks separating the 1185 Addison Building and the Brush Creek Market that are currently asphalt need to be concrete sidewalks as the Town of Eagle will not allow the snowplow/sidewalk clearing to be pushed into the street, the snow must be pushed up the sidewalks to a storage area and pavers will hinder this process especially with the curvy sandstone path design.*
- 2) *The sidewalks between the buildings and facing north will require constant snow/ice remediation which may negatively impact the shrub landscaping in these areas.*

LANDSCAPING:

- 1) *The street trees should be the same type as the other street trees which I believe to be Patmore Ash. There should not be shrubs at the street tree locations.*
- 2) *Shrub beds on Sylvan Lake Road are probably okay since they are located between the residential units.*
- 3) *Landscaping on the north side of the building will take a beating with no sun. What type of plants?*
- 4) *What is the soft surface path in back of the building and why? Seems to me this area should be landscaped.*
- 5) *Specific ornamental trees? Are Ornamental trees allowed by the DRB? I don't think we have any other ornamental trees in the ERV and can be very messy.*
- 6) *The renderings depict a soft surface seating area with boulders for seats? I guess this is okay but we have mental street benches everywhere else!*

OTHER:

- 1) *I think there is a telephone pedestal and maybe an electric meter that will need to be moved.*

Summary: *Provide continuing compliance with Eagle Ranch Neighborhood Center Architectural Guidelines.*

MOTION:

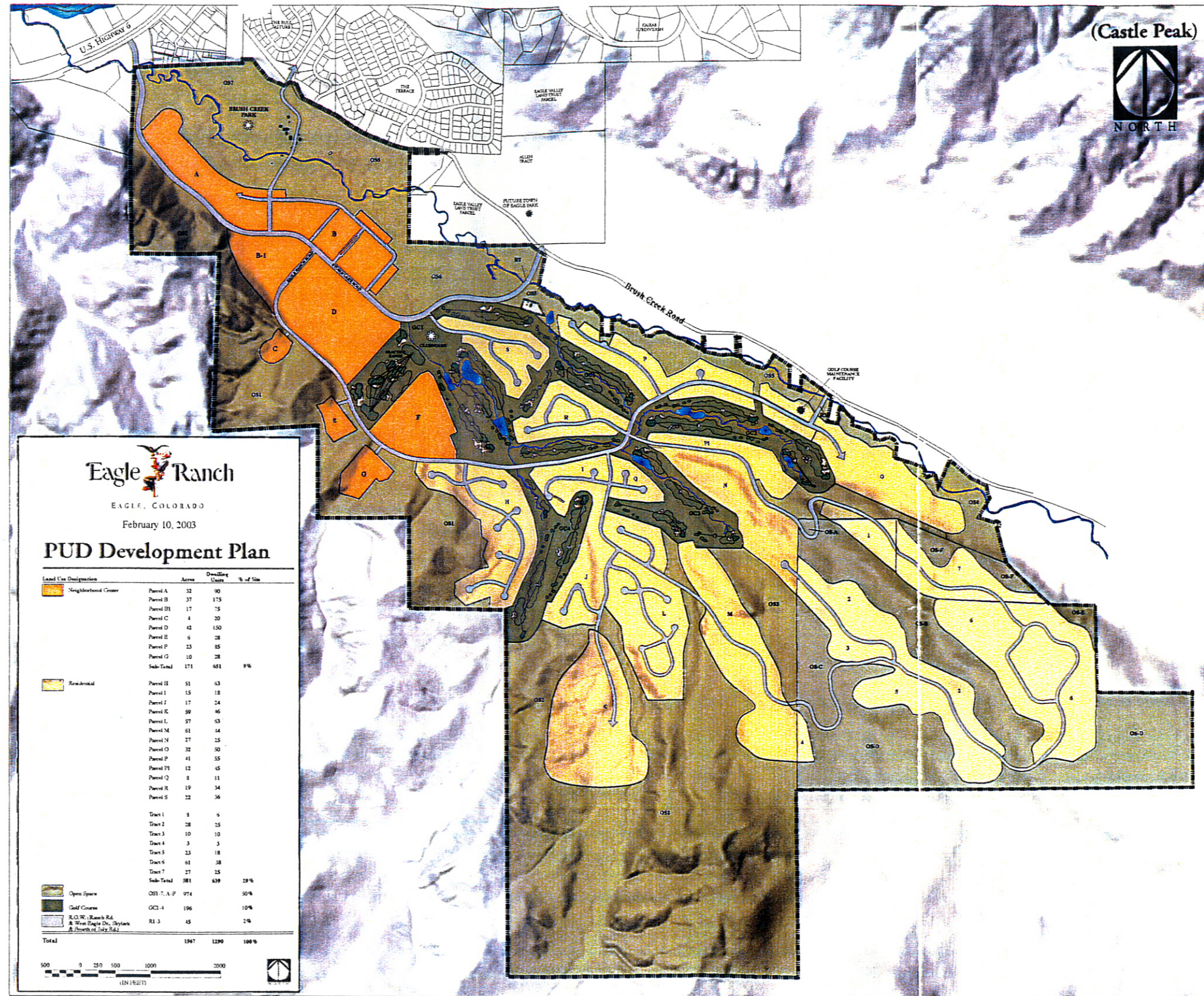
The Board was unanimous in the Amended Final Plan approval of Talon Flats commercial development with the above conditions to be addressed in the Technical Plan set. Capitol Street elevation needs more development to articulate the building similar to the Sylvan Lake Road side to provide sufficient street presence on Capitol Street. Consider changing the glass block to another material. Technical Plans must be submitted within 6 weeks for review and approval by the Board.

Guzik Residence – Filing 14 -Block 00-Lot 43 – 2159 Eagle Ranch Road – Requesting Variance – Mike Guzik – Uplands

The exterior walls shall not encroach within setbacks on a homesite. UDG 2.2.1.2

MOTION:

The Board denied the Variance for the Guzik residence. A case for a hardship was not notably evident.



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Page: 19 of 20
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Teak J Simonton Eagle, CO 304 R 101.00 D 0.00



832911
Page: 20 of 20
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**ORDINANCE NO. 07
(Series of 2017)**

AN ORDINANCE OF THE TOWN OF EAGLE, COLORADO, APPROVING A FIFTH AMENDED P.U.D. GUIDE FOR THE EAGLE RANCH PLANNED UNIT DEVELOPMENT; AND APPROVING AN AMENDMENT TO A SITE-SPECIFIC DEVELOPMENT PLAN ESTABLISHING VESTED RIGHTS PURSUANT TO ARTICLE 68 OF TITLE 24, C.R.S., AND SECTION 4.17.030 OF THE EAGLE MUNICIPAL CODE.

WHEREAS, on January 12, 1999, the Board of Trustees of the Town of Eagle adopted ordinances annexing certain property known as the Eagle Ranch Annexations No. 1, 2 and 3 to the Town of Eagle, Colorado, which became effective on February 20, 1999; and

WHEREAS, on January 12, 1999, the Board of Trustees of the Town of Eagle adopted Ordinance No. 5, Series of 1999, amending the Zone District Map of the Town of Eagle by zoning the Eagle Ranch Annexations No. 1, 2 and 3 as Planned Unit Development (P.U.D.); and

WHEREAS, Ordinance No. 5, Series of 1999, incorporated by reference the P.U.D. Guide for the Eagle Ranch Planned Unit Development; and

WHEREAS, on February 13, 2001, the Board of Trustees of the Town of Eagle adopted Ordinance No. 6, Series of 2001, approving an Amended P.U.D. Guide for the Eagle Ranch Planned Unit Development, recorded as Reception No. 750476 in the records of the Eagle County Clerk and Recorder; and

WHEREAS, on February 25, 2003, the Board of Trustees of the Town of Eagle adopted Ordinance No. 9, Series of 2003, annexing certain properties mapped as Eagle Ranch Addition No. 4, and Ordinance No. 8, Series of 2003, annexing certain property mapped as the Lapin Parcel Addition to the Town of Eagle, Colorado; and

WHEREAS, on August 26, 2003, the Board of Trustees of the Town of Eagle adopted Ordinance No. 40, Series of 2003, amending the Zone District Map of the Town of Eagle by zoning Eagle Ranch Addition No. 4 and the Lapin Parcel Addition as Planned Unit Development (P.U.D.); and

WHEREAS, on August 26, 2003, the Board of Trustees of the Town of Eagle adopted Ordinance No. 39, Series of 2003, approving a Second Amended P.U.D. Guide for the Eagle Ranch Planned Unit Development, and also adopted Ordinance No. 41, Series of 2003, amending the Eagle Ranch P.U.D. Zoning Plan and P.U.D. Development Plan; and

WHEREAS, on March 30, 2004, the Board of Trustees of the Town of Eagle adopted Ordinance No. 7, Series of 2004 approving a Third Amended P.U.D. Guide for the Eagle Ranch Planned Unit Development; and

WHEREAS, on February 26, 2013, the Board of Trustees of the Town of Eagle adopted Ordinance No. 5, Series of 2013 approving a Fourth Amended P.U.D. Guide for the Eagle Ranch Planned Unit Development; and

WHEREAS, the Board of Trustees of the Town of Eagle previously designated the Eagle Ranch P.U.D. Zoning Plan, as amended; the P.U.D. Development Plan, as amended, including the P.U.D. Guide, as amended; the Annexation and Development Agreement entered into by the Town of Eagle and West Eagle Ranch LLC, a Delaware limited liability company (the "Developer"), dated January 12, 1999, as amended; the Subdivision Concept Plan, as approved with conditions; and the Subdivision Preliminary Plan, as amended, collectively as the site-specific development plan for the Eagle Ranch Planned Unit Development (collectively referred to herein as the "Development Plan") in accordance with the terms, conditions and limitations of said Annexation and Development Agreement and pursuant to Article 68 of Title 24, C.R.S., and Section 4.17.030 of the Eagle Municipal Code; and

WHEREAS, Eagle Ranch Village, LLC, a Delaware limited liability company, has determined that the P.U.D. Guide for the Eagle Ranch Planned Unit Development, as previously amended, should once again be amended to allow no required setbacks for mixed use buildings within the parcels accommodating commercial uses, that mixed use commercial and residential buildings may be three (3) stories, not to exceed thirty-five feet (35') in height, that the maximum number of dwelling units on Parcel A be increased from ninety (90) to ninety-five (95) units, and that the total number of dwelling units allowed be increased from one thousand two hundred ninety (1,290) units to one thousand two hundred ninety-five (1,295) units; and

WHEREAS, it is the intent of the Board of Trustees of the Town of Eagle that approval of the Fifth Amended P.U.D. Guide for the Eagle Ranch Planned Unit Development constitute a portion of the Development Plan establishing vested rights in accordance with Article 68 of Title 24, C.R.S. and Section 4.17.030 of the Eagle Municipal Code, under the terms, conditions and limitations set forth in the Annexation and Development Agreement, and any amendments thereto; and

WHEREAS, approval of the Fifth Amended P.U.D. Guide for the Eagle Ranch Planned Unit Development will further the goals and policies of the Town and the original intent and purposes for establishing the Eagle Ranch Planned Unit Development, and is in the best interest of the public health, safety and general welfare of the inhabitants of the Town.

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

Section 1. The Board of Trustees of the Town of Eagle hereby makes the following findings of facts and conclusions:

- (a) The Fifth Amended P.U.D. Guide for the Eagle Ranch Planned Unit Development complies with all applicable laws and regulations of the State

of Colorado and the Town.

- (b) Following notice as required by law, a public hearing was held on February 28, 2017 on the proposed amendments to the P.U.D. Guide for the Eagle Ranch Planned Unit Development.
- (c) Pursuant to Section 4.11.050 of the Eagle Municipal Code and Section 10 of the Fourth Amended P.U.D. Guide for Eagle Ranch, the Town and the Developer by mutual agreement are permitted to amend the previously approved Fourth Amended P.U.D. Guide contained with the Development Plan.
- (d) Eagle Ranch Village, LLC, the owner of Lots in Parcel A of the Eagle Ranch Planned Unit Development, has approved the proposed Fourth Amended P.U.D. Guide.
- (e) The Town's approval of the Fifth Amended P.U.D. Guide for the Eagle Ranch Planned Unit Development complies with the conditions set forth in Section 4.11.050(A) of the Eagle Municipal Code, will further the goals, policies and plans of the Town, and is in the best interest of the public health, safety and general welfare of the inhabitants of the Town.

Section 2. The Fifth Amended P.U.D. Guide for Eagle Ranch, dated March 14, 2017, attached hereto and incorporated herein by this reference, is hereby approved and upon the effective date of the Ordinance said Fifth Amended P.U.D. Guide shall be deemed to replace, supersede and control the Fourth Amended P.U.D. Guide for the Eagle Ranch Planned unit Development, dated February 26, 2013.

Section 3. After the effective date of this Ordinance, it shall be unlawful for any person to erect, construct, reconstruct, use or alter any building or structure or to use any land in violation of the Fifth Amended P.U.D. Guide for the Eagle Ranch Planned Unit Development. Any person who violates any provisions of the Fifth Amended P.U.D. Guide shall be guilty of a Class A municipal offense. Each such person shall be deemed guilty of a separate offense For each and every day or portion thereof during which any violation of any of the provisions of the Fifth Amended P.U.D. Guide are committed, continued or permitted and shall be subject to fines and/or imprisonment as provided under the Eagle Municipal Code.

Section 4. Approval of the Fifth Amended P.U.D. Guide for the Eagle Ranch Planned Unit Development shall constitute approval of a component of a site-specific development plan establishing vested rights pursuant to Article 68 of Title 24, C.R.S., and Section 4.17.030 of the Eagle Municipal Code in accordance with the terms, conditions and limitations of the Annexation and Development Agreement.

Section 5. Within fourteen (14) days after approval of this Ordinance, the Town Clerk,

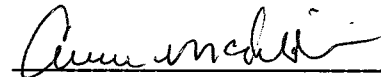
on behalf of the Town of Eagle, is hereby authorized and directed to:

- (a) Publish the full text of this ordinance (without attachments, if any) in a newspaper of general circulation within the Town of Eagle; and
- (b) Concurrently with the publication required in the immediately preceding subsection, publish a notice advising the general public that approval of the Fifth Amended P.U.D. Guide for the Eagle Ranch Planned Unit Development pursuant to this Ordinance shall constitute an amendment of the Development Plan establishing vested property rights in accordance with the terms, conditions and limitations of the Annexation and Development Agreement pursuant to Article 68 of Title 24, C.R.S., and Section 4.17.030 of the Eagle Municipal Code; and
- (c) Upon the effective date of this Ordinance, file for record one (1) certified copy of the Fifth Amended P.U.D. Guide and within Ordinance with the Clerk and Recorder of Eagle County, Colorado.

INTRODUCED, READ, PASSED, ADOPTED AND ORDERED PUBLISHED at a regular meeting of the Board of Trustees of the Town of Eagle, Colorado held on March 14, 2017.

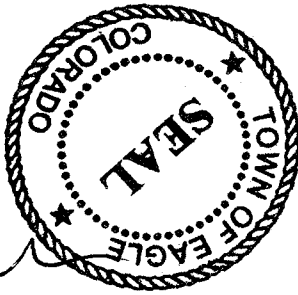
TOWN OF EAGLE, COLORADO

By:


Anne McKibbin, Mayor

ATTEST:


Jenny Rakow, Town Clerk



Publication Date:

March 23, 2017

Trustee Witt introduced, read and moved the adoption of the ordinance titled,

AN ORDINANCE OF THE TOWN OF EAGLE, COLORADO, APPROVING A FIFTH AMENDED P.U.D. GUIDE FOR THE EAGLE RANCH PLANNED UNIT DEVELOPMENT; AND APPROVING AN AMENDMENT TO A SITE-SPECIFIC DEVELOPMENT PLAN ESTABLISHING VESTED RIGHTS PURSUANT TO ARTICLE 68 OF TITLE 24, C.R.S., AND SECTION 4.17.030 OF THE EAGLE MUNICIPAL CODE.

and upon adoption that it be published pursuant to law and recorded in the Book of Ordinances.

Motion was seconded. On roll call, the following Trustees voted "Aye":

Solomon Jessen

Kerst McKibbin

Witt

Trustees voted "Nay":

Trustees "Abstained":

Brubeck Turnipseed

FIFTH AMENDED PUD GUIDE FOR EAGLE RANCH PLANNED UNIT DEVELOPMENT

**Amended and Approved
March 14, 2017**

This document supersedes and replaces the Eagle Ranch PUD Guide February 26, 2013, December 3, 1998, the Amended PUD Guide dated February 13, 2001, the Amended PUD Guide dated August 2003, and the Amended PUD Guide dated March 30, 2004.

1. PURPOSE

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

The Eagle Ranch PUD authorizes a total of 1,295 dwelling units, 120,000 square feet of commercial floor area, 175,200 gross square feet of additional commercial area limited to medical facility uses, and 150,000 square feet of additional floor area limited to senior care uses, on 1967.91 acres of land within the Town of Eagle, Eagle County, Colorado. Development within the PUD is administered by the Town of Eagle through the provisions of this PUD Guide. Building construction within the PUD is governed by the applicable Town of Eagle ordinances, rules, regulations and codes. Approval of this plan constitutes a vested property right pursuant to section 24-68-103, C.R.S., as amended.

2. DEFINITIONS

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

A. Accommodation Unit

Any room or group of rooms without a kitchen, used primarily as a bedroom for transient lodging, and accessible from common corridors, walks, or balconies without passing through another accommodation unit or dwelling unit. For purpose of density calculations one dwelling unit shall equal 3 accommodation units.

B. Eagle Ranch PUD

The Eagle Ranch PUD is a zone district authorized by the Town of Eagle Ordinance No. 5, Series of 1999, and containing the property commonly known as Eagle Ranch.

C. Bed and Breakfast

An owner occupied dwelling unit that contains no more than four guest rooms where lodging, with or without meals, is provided for compensation. Additional parking shall be provided at 1 space per guest room.

D. Hotel, Motel and Lodge

A building containing five or more accommodation units intended for temporary occupancy of guests. Accessory use facilities may include offices, laundry facilities, recreation facilities, lobbies, lounges, kitchen and dining facilities, meeting rooms, retail and other similar accessory uses commonly associated with hotels, motels and lodges.

E. Planning Parcels

Areas as indicated on the Eagle Ranch PUD Development Plan, the development of which shall be regulated by the Eagle Ranch PUD Guide.

3. PUD ZONE DISTRICTS – See attached PUD Development Plan (Exhibit A)

1. Neighborhood Center-Parcels A, B, B1, C, D, E, F, G

1. Purpose:

To provide sites for single family and multi-family homes on a variety of lot sizes that will maintain and reinforce the existing small town development pattern, character and architectural heritage of the Town of Eagle and to provide for a neighborhood center which will allow for sites for a variety of commercial, residential, lodging, educational and recreational uses and activities in a mixed- use setting in order to serve the needs of the residents of Eagle. The uses by right in these parcels are intended to allow for flexibility, innovation and site sensitive planning that is responsive to both the design character and the functional requirements of the community.

2. Uses by Right:

- a) Commercial uses including any activity for the purpose of generating retail business or consumer services including retail stores, professional and medical offices and businesses, banks and financial institutions, real estate sales offices, personal services, food and beverage establishments, public and private clubs, and recreation and entertainment uses. Provided, however, at no time shall the gross square footage of all commercial floor areas in all planning parcels within the Eagle Ranch PUD, exclusive of commercial area for use as medical office and related commercial uses on Lot 1 Filing 13, and exclusive of floor area for senior care uses on Lots 2, 3, 4, Filing 26, exceed 120,000 square feet. The 120,000 square feet of commercial space permitted by this Section 2 a is in addition to the 175,200 square feet of commercial floor area for medical facility uses as provided in Section 2e and the 150,000 square feet of floor area for senior care uses as provided in 2f.
- b) *Residential uses including single-family, two-family and multi-family dwellings and apartments. However, the total number of residential units in all planning parcels within the Eagle Ranch PUD, including residential units located in live/work units and in mixed-use residential/commercial structures, shall not at any time exceed 1,295 units.
- c) Live/work units, which combine residential and commercial uses in a single building.
- d) **Extended stay and temporary lodging facilities including hotel, motel and bed and breakfast.
- e) Commercial area for use as medical facility not to exceed 175,200 square feet and limited in location to Lot 1 Filing 13. The following uses and ancillary support uses are the only allowed uses on Lot 1 Filing

13. The following uses are allowed under the category of medical uses:

Medical offices not to exceed 40,000 square feet.

Adult health day/assisted/extended care living facilities not to exceed

63,000 square feet and 90 beds.

Outpatient services, including urgent care/occupational health/outpatient surgery/pharmacy/lab and waiting and admitting not to exceed 13,000 square feet.

Inpatient services including birthing center/observation unit/ICU/inpatient bed unit not to exceed 18,500 square feet.

Support services including dining, food prep, records/administration/service and loading/mechanical/supply, processing and storage not to exceed 11,500 square feet.

Each of these uses will be allowed a public circulation and fit up factor of 20%, not to exceed the total gross square foot allowance of 175,200.

The 175,200 square feet of commercial floor area limited to medical facility uses permitted by this Section 2e is in addition to the 120,000 square feet of commercial floor area as provided for in Section 2a.

- f) Without limiting the uses by right related to residential use of the property as otherwise set forth herein, the senior care uses identified in this paragraph 2(f) shall not exceed 150,000 gross square feet and shall be limited in location to Lots 2, 3 and 4, Filing 26. The 150,000 gross square feet of floor area is in addition to the 120,000 square feet of commercial floor area provided in Section 2(a).

The only uses allowed on Lots 2, 3 and 4, Filing 26 shall be (i) senior care uses as identified below and additional or accessory uses customarily appurtenant to or determined to be incidental thereto; or (ii) 75 residential dwelling units of the type permitted in the Neighborhood Center zone district and additional or accessory uses customarily appurtenant to or determined to be incidental thereto; or (iii) any combination of senior care uses and residential dwelling units as described herein using a conversion factor of 2,000 square feet of senior care use per residential dwelling unit. The foregoing uses shall not diminish the 120,000 square feet of commercial floor area identified in paragraph 2(a) hereof.

Senior care uses include any combination of independent living, assisted living, skilled nursing, memory care, adult day care, wellness activity center, community center, support services, medical offices, dining facility and food preparation, hair salon, and other uses related and incidental to the provision of senior care services and uses and/or special services for handicap/disabled individuals.

- g) **Educational facilities including public and private schools, colleges, and elderly care.
 - h) **Parking facilities.
 - i) Accessory apartment to owner occupied single-family dwelling not to exceed 700 square feet.
 - j) Utility service structures and buildings.
 - k) **Churches, museums, libraries, firehouses and other governmental services and public buildings.
 - l) Indoor and outdoor recreational facilities.
 - m) Home occupations.
 - n) Parks and open space.
 - o) Model homes.
 - p) Equestrian, pedestrian and bicycle trails.
 - q) Temporary construction staging areas.
 - r) Additional uses determined to be similar to uses by right listed above.
 - s) Accessory uses customarily appurtenant to uses by right listed above including special events.
 - t) Childcare ***
- * These two-family dwellings are limited to Parcels A, B1, C, E, F and G.
- ** These uses are limited to Parcels A, B and B-1.
- *** six or less children permitted in Parcels A, B, B1, and D

3. Special Uses:

- a) *Any commercial use which involves on site fabrication or manufacture of a product.
- b) *Any commercial use which requires outdoor storage & display of merchandise.
- c) *Gasoline service station.
- d) Outdoor storage of automobiles, recreational vehicles and other large items.
- e) Childcare of more than six children

* These uses are limited to Parcels A, B and B-1.

4. Minimum Building Setback Requirements:

Commercial uses:

There shall be no setback requirements for commercial and mixed use buildings within Parcels accommodating these uses except as may be necessary to accommodate utilities, drainage, access, fire and building code regulations. There shall also be a 50' building setback from minor streams and a 100' building setback from Brush Creek. Uses on Lot 1 Filing 13 shall include a 50' building setback from Sylvan Lake Road, a 25' building setback from all other roads, a 15' building setback from side and rear property lines and a 15' parking setback from Sylvan Lake Road. Senior Care Uses on Lots 2, 3 and 4, Filing 26 have no minimum setback requirements except as may be necessary to accommodate utilities, drainage, access, fire and building code regulations.

Residential uses:

Front: 15 feet.

Front yard setbacks along MacDonald and Gambel Streets shall be 15' from the property line to the front facade of the building. Porches less than 42" above finish grade and roofs over porches may not be closer than 10' to the front property line. Decks or balconies over porches shall not be closer than 15' to the front property line. Steps to porches may not be closer than 5' to the front property line. Side: 5 feet, except in Tract C, G and E the side yard setback is 7.5 feet. Residential buildings on separate lots must maintain a 15' separation from the primary wall planes.

Rear: 5 feet, except in Tract C, G and E the rear yard setback is 15 feet.

There shall also be a 50' building setback from minor streams and a 100' building setback from Brush Creek.

5. Maximum Building Height:

Commercial, public and senior care buildings (uses) shall be limited to not more than two stories, with the exception that:

- (1) a senior care building located at the intersection of Capitol Street and Sylvan Lake Road, if constructed, shall be limited to not more than three stories and not to exceed a height of 50 feet. Non-habitable architectural features such as mechanical appurtenances, chimneys, towers, steeples and similar features may exceed the commercial building height by not more than 15 feet. In the event a senior care building is planned for the intersection of Capitol Street and Sylvan Lake Road, such senior care building shall include architectural elements and be located on a site

plan to provide a focal point at this key intersection within the Neighborhood Center of the Eagle Ranch Planned Unit Development. Any design review of such senior care building will occur as set forth in paragraph 6 (Design Review) of this PUD Guide.

- (2) Mixed use commercial and residential buildings may be three stories not to exceed 35 feet in height. Non-habitable architectural features such as mechanical appurtenances, chimneys, towers, steeples and similar features may exceed the building height by not more than 15 feet.

Multiple family residential buildings, and apartments shall be limited to 35 feet in height. Single-family residential structures shall not exceed 24 feet at the plate line of the primary roof form.

6. Maximum Lot Coverage:

Commercial

Building - 80%

All impervious materials- 100%

A minimum of 15% of the portion of the Neighborhood Center as depicted in Exhibit A shall be maintained as landscaped area. Should commercial uses extend outside of the boundaries of Exhibit A, the exhibit shall be considered expanded by the boundaries of the commercial uses.

Residential Multi Family

Building 60%

All impervious materials - 80%

Residential Single Family

Building 40%

All impervious materials - 60%

7. Maximum Density:

The maximum density for multiple family residential parcels shall not exceed 15 dwelling units per acre, except for senior care uses and residential uses as identified in Section 3.1.2(f).

2. **Residential Parcels H, I, J, K, L, M N, O, P, P1, Q, R, S, Tracts 1, 2, 3, 4, 5, 6, and 7**

1. Purpose:

To provide sites for low density single-family home sites.

2. Uses by Right:

- a) Single-family dwelling units not to exceed 7,000 square foot maximum size.
 - b) Multiple family dwelling units in parcels N & P 1.
 - c) Duplex units on Tract P 1.
 - d) Accessory apartment to owner occupied single family dwelling unit not to exceed 700 square feet.
 - e) Parks, recreation facilities and open space.
 - f) Home occupations.
 - g) Utility services structures and buildings / golf course maintenance facilities.
 - h) Equestrian, pedestrian and bicycle trails.
 - i) Lakes, ponds, reservoirs and irrigation ditches.
 - j) Temporary construction staging areas.
 - k) Additional uses determined to be similar to uses by right listed above.
 - l) Accessory uses customarily appurtenant to uses by right listed above.
 - m) Gravel borrow pit.
3. Special Uses:
- a) Day care of more than 6 children and elderly care.
 - b) Bed and breakfast.
 - c) Temporary sales office.
 - d) Model homes.
4. Minimum Building Setback Requirements:
- Front: 25 feet
 - Side: 12 feet
 - Rear: 15 feet
 - Live stream: 50 feet for minor streams, 100 feet for Brush Creek
5. Maximum Building Height:
- 35 feet.
6. Density Allowance:
- The maximum density for multiple family residential parcels shall not exceed 10 dwelling units per acre.
7. Maximum Lot Coverage:
- Building - 30%
 - All impervious materials - 50%
8. Building Envelopes:
- The Subdivision Final Plat or Plats for Parcels K, L, M and Tracts 1, 2, 3, 4, 5, 6 and 7, as shown on the Development Plan as amended shall contain appropriate notations requiring building envelopes to be designated on certain lots prior to any site grading or other disturbance of the designated

lot. Specifically, home site construction disturbance on any lot over 1/2 acre that is located within, or partially within, areas of native vegetation that have not been previously cultivated for agricultural use shall be limited to a building envelope of 16,500 square feet. Developer's application(s) for Subdivision Final Plat approval Parcels K, L, M, and Tracts 1, 2, 3, 4, 5, 6, and 7 as shown on the Development Plan, as amended, shall include a supplemental exhibit specifying lots requiring building envelopes. Upon approval of such supplemental exhibit by the Town, any modification of such supplemental exhibit shall require approval from the Town. The owner of such lot shall propose a building envelope as part of the Preliminary Plan application for design review. The proposed building envelope shall comply with all criteria affecting building envelopes contained in the Design Guidelines as approved by the Town, and shall be so indicated graphically on a landscape/site plan. This landscape/site plan shall also include calculations to indicate the building envelope does not exceed 16,500 sq. ft. The Town reserves the right not to issue a building or site improvement permit until a building envelope, if required, that complies with all approved Design Guideline criteria has been approved by the Design Review Committee.

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

All portions of a lot outside of the designated 16,500 square feet building envelope as require for parcels K, L, M and Tract 1, 2, 3, 4, 5, 6 and 7, as shown on the development plan, as amended, shall be retained in its natural state to maintain undisturbed native vegetation as wildlife habitat. No grading, vegetation manipulation (except noxious weed control protocols and wildfire hazard mitigation protocols adopted by the Town) or landscaping shall be permitted on these lands. Underground utility crossings shall be permitted but must be revegetated to a natural condition subject to Design Review Committee and Town approval.

9. Ridge Line Visibility:

At the time of review of an application for subdivision final plat approval that includes those portions of Tract 1 and Tract 6, contained within the Eagle Ranch Addition No. 4, and Tract 7, contained within the Lapin Parcel Addition, as shown on the Development Plan, as amended, that are visible from Brush Creek Road, the developer shall demonstrate that the ridge line visibility of structures on lots within these areas has been minimized when viewed from Brush Creek Road. In addition, at the time of review of an application for subdivision final plat approval that includes the areas described above, the Developer shall present for approval by the Town, a set of "design guidelines" which may establish more restrictive setbacks, allowable building heights, colors, landscaping and/or exterior lighting standards than currently exist in the P.U.D. Guide to further

address ridge line visual impacts of the residential development as viewed from Brush Creek Road. As used in this section the term "ridge line visibility" shall mean the condition in which a substantial, identifiable portion of the structure is visible against the sky.

3. Recreation Open Space - Parcels OS6, OS7

1. Purpose:

To provide sites for park and recreation facilities, open space, water storage and drainage improvements, landscape improvements, stream corridors and recreation trails.

2. Uses by Right:

- a) Indoor and outdoor recreation and entertainment facilities.
- b) Parks and picnic facilities.
- c) Community Center.
- d) Cultural and educational buildings and activities.
- e) Concessions, food and beverage service.
- f) Special events.
- g) Public Administration building.
- h) Administration / Maintenance facilities.
- i) Equestrian, pedestrian and bicycle trails.
- j) Landscape improvements.
- k) Lakes, ponds, reservoirs and irrigation ditches.
- l) Temporary construction / administration office and sales center.
- m) Agricultural uses.
- n) Public or private roads and utilities including bridges, utility improvements, lines and mains, facilities, services and buildings.
- o) Additional uses determined to be similar to uses by right listed above.
- p) Gravel borrow pit.

3. Minimum Building Setback Requirements:

There shall be a 25' building setback from all lot lines that front public roads. From other lot lines there shall be no minimum except must be sufficient to accommodate utilities, drainage, access, fire and building code regulations. There shall also be a 50' building setback from minor streams and a 100' building setback from Brush Creek.

4. Maximum Building Height:

35 Feet. Non-habitable architectural features such as chimneys, towers, steeples and similar features shall be excluded from the calculation of building height.

5. Density Allowance:

N/A.

6. Maximum Site Coverage:

N/A.

4. Natural Open Space- Parcels OS1, OS2, OS3, OS4, OS5, OS8, and Tracts OS-A, OS-B, OS-C, OS-D, OS-E, OS-F, OS-G.

1. Purpose:

To provide sites for natural open space, trails and park facilities, water storage and drainage improvements and landscape improvements.

2. Uses by Right:

- a) Equestrian, pedestrian and bicycle trails.
- b) Landscape improvements.
- c) Lakes, ponds, reservoirs and irrigation ditches.
- d) Park and picnic facilities.
- e) Public or private roads, trailhead parking and utilities including bridges, utility improvements, lines and mains, facilities, services and buildings.
- f) Agricultural uses.
- g) Gravel borrow pit.

3. Minimum Building Setback Requirements:

N/A

4. Maximum Building Height:

N/A

5. Density Allowance:

N/A

6. Maximum Site Coverage:

N/A

5. Golf Course – Parcels GC1, GC2, GC3, GC4.

1. Purpose:

To provide sites for golf course and related improvements.

2. Uses by Right:

- a) Golf Course and related ancillary facilities.

- b) Clubhouse and related ancillary facilities, which may include a real estate office solely for marketing Eagle Ranch and Allen Tract properties. Such office shall not exceed 150 square feet of space within existing clubhouse.
- c) Maintenance Facilities.
- d) Storm shelters.
- e) Concessions.
- f) Public or private roads and utilities including bridges, pedestrian and bicycle trails, utility improvements, lines and mains, facilities, services and buildings.
- g) Day care and elderly care within the clubhouse facilities.
- h) Additional uses determined to be similar to uses by right listed above.
- i) Accessory uses customarily appurtenant to uses by right listed above.
- j) Gravel borrow pit.

3. Minimum Building Setback Requirements:

There shall be a 25' building setback from all lot lines that front public roads. From other lot lines there shall be no minimum except must be sufficient to accommodate utilities, drainage, access, fire and building code regulations and flood plain of live streams.

4. Maximum Building Height:

35 feet.

4. DENSITY CONTROL

Allowable maximum densities for each parcel are set forth within the following density chart; provided however, that any parcel may contain up to 1.5 times the total number of allowable dwelling units as described below. Any such increase in density of a parcel shall be offset by an equal decrease in density from another parcel. The intent of this provision is to allow flexibility in planning to take into account varying site conditions, market conditions and other design factors. In no event shall the total number of residential units, including residential units located in live/work units and in mixed use residential/commercial structures, in all planning parcels within the Eagle Ranch PUD combined exceed 1,295 units. Accessory dwelling units not exceeding seven hundred (700) square feet appurtenant to owner-occupied single-family dwellings shall not be included in such limitation. The maximum square feet of gross commercial floor area in all planning parcels within the Eagle Ranch PUD shall not exceed 120,000 square feet, with the

exception of medical related facilities on Lot 1, Filing 13 which shall not exceed 175,200 gross square feet and senior care uses on Lots 2, 3 and 4, Filing 26 which shall not exceed 150,000 gross square feet.

Any conversion of a residential unit to a commercial unit, or of a commercial unit to a residential unit, shall first be approved by the Eagle Ranch Design Review Board and the Town of Eagle Planning Department. Approval by the Town shall be granted if such conversion is in conformance with this PUD Guide and any applicable building codes. However, no conversion shall be approved if such conversion would cause the maximum number of residential units or maximum commercial square footage set forth above to be exceeded. In addition, no conversion of a residential unit to a commercial unit shall be permitted if such unit has been designated an affordable housing unit pursuant to Section 13 of the Eagle Ranch Annexation and Development Agreement, and such conversion would reduce the total number of affordable housing units below the minimum number of required affordable housing units.

The Town of Eagle reserves the right to deny an application to subdivide (condominiumize) existing designated affordable housing units if the effect of such subdivision would reduce the total number of designated affordable non-owner occupied units below the number of such units agreed upon by the Town of Eagle and the developer of the Eagle Ranch PUD, if any, pursuant to Section 13 of the Eagle Ranch Annexation and Development Agreement.

The combination of two or more existing residential units into a lesser number of units shall first be approved by the Eagle Ranch Design Review Board and the Town of Eagle Planning Department, if any of such units have been designated as an affordable housing unit pursuant to Section 13 of the Eagle Ranch Annexation and Development Agreement. Approval by the Town shall be granted if such combination is in conformance with this PUD Guide and any applicable building codes. However, residential units designated as affordable housing units shall not be combined if such combination would reduce the total number of affordable housing units below the minimum number of required affordable housing units as set forth in Section 13 of the Eagle Ranch Annexation and Development Agreement.

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

Accompanying each Final Plat application shall be an inventory of dwelling units that have been approved by previously final plats.

<u>PARCEL</u>	<u># OF DWELLING UNITS</u>
A	95

B	175
B1	75
C	20
D	150
E	28
F	103
G	28
H	63
I	18
J	24
K	46
L	63
M	44
N	25
O	32
P	55
P1	45
Q	11
R	34
S	36
1	6
2	25
3	10
4	3
5	18
6	38
7	25
TOTAL	1,295

5. **PARKING REQUIREMENTS**

All uses within Eagle Ranch will be subject to the parking standards of the Town of Eagle Zoning Regulations. In the Neighborhood Center where shared parking facilities exist and are available for use, there shall be no parking requirement for theaters or churches. With the exception of the parking spaces on Sylvan Lake Road all on street parking spaces may be counted toward fulfilling commercial and residential parking requirements. Each single-family residence shall have a minimum of two onsite parking spaces. Any accessory

dwelling associated with an owner occupied single family residence shall have one dedicated onsite parking space.

6. **DESIGN REVIEW**

Design guidelines shall be prepared which will establish architectural and building material standards, landscape design, urban design, site design standards and a design review process for development within Eagle Ranch. These guidelines, and any subsequent major revisions to the guidelines, shall be subject to the review and approval of the Town of Eagle. In the event that the Eagle Ranch Design Review Board ceases to fulfill its duties as described in the guidelines the Town of Eagle may assume the role of the Design Review Board.

7. **SIGNS**

Sign regulations shall be prepared for the Preliminary Plan and PUD Development Plan level of review which will establish standards for the number, type, size, location, design and other considerations related to the display of signs within Eagle Ranch.

8. **DOGS AND PET CONTROL**

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

At no time are dogs to be allowed to run freely. Eagle Ranch shall be subject to any and all leash laws and other pet regulations as adopted by the Town of Eagle. Stray Dogs may also be controlled by the County and CDOW. Homeowners not in compliance with these dog restrictions will be responsible for any and all costs incurred by the Town, County, and/or CDOW for enforcing these provisions.

9. **AMENDMENTS TO THE EAGLE RANCH PUD GUIDE, PUD DEVELOPMENT PLAN AND SUBDIVISION PLANS**

It is anticipated that modifications or amendments to this PUD Guide, the PUD Development Plan, and Subdivision Plans will be necessary

from time to time as Eagle Ranch progresses. This PUD Guide provides for two types of modifications or amendments: minor and major.

1. Minor Modifications

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

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

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

2. Major Modifications

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

- A. Any increase in the total amount of commercial space or the total number of residential units.
- B. Any change in land use designation of any parcels within the PUD, except as provided above.
- C. Any addition of land into the PUD.

Major modifications shall be under the authority of the Eagle Board of Trustees. Applications for major modifications shall be heard in public hearing by the Board after receiving a recommendation from the

Planning and Zoning Commission. The Board shall approve the modification if it is found that the modification is consistent with the efficient development of the entire PUD and does not substantially affect the enjoyment of land abutting the PUD or the public interest.

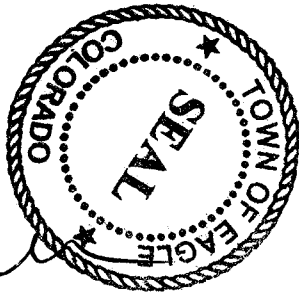
Approved by the TOWN OF EAGLE, COLORADO, a municipal corporation acting by and through its Board of Trustees, this 14th day of March 2017.

By: Anne McKibbin

Anne McKibbin, Mayor

ATTEST:

Jenny Rakow



Jenny Rakow, Town Clerk

