



AGENDA
Planning & Zoning Commission
Tuesday, July 21, 2020
6:00 PM

ON-LINE MEETING

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

PUBLIC WIFI - TOEG – townofeagle2019

6:00 PM - REGULAR MEETING CALLED TO ORDER

Virtual Meeting Procedure

- [Register in advance for this meeting here.](#)
- Public comments can be made when the Chair opens the public comment. Please prompt through Zoom to raise your hand and you will be called on when it is your turn.
- All public attendees will be muted during the meeting, unless the Chair or meeting facilitator invites them to speak live during the meeting.
- Meetings are recorded and will be published on the Town's web page.
- For technical difficulties, please email peyton.heiztman@townofeagle.org and we will do our best to assist you.

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

1. Minutes dated July 7, 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: CT20-02 Soleil homes at Brush Creek Filing 2 Phase II
File # CT20-02
Applicant: John Purchase of Wynton Homes, LLC
Location 166 & 172 Soleil Circle
Staff Contact: Peyton Heitzman, Planner I
Request: Final Plat to subdivide lot 16 into lots 16-A and 16-B.

TOWN COUNCIL MEETING REVIEW

Staff update to the Planning & Zoning Commission on recent decisions made by the Town Council on various Land Use files.

COMMUNITY DEVELOPMENT DEPARTMENT UPDATE

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

OPEN DISCUSSION

WORKSESSION

1. P&Z/staff work session to discuss the policies/strategies in the Elevate Eagle draft

ADJOURN

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



Jessica Lake
Planner I



MINUTES
Planning & Zoning Commission
Tuesday, July 7, 2020
6:00 PM

ON-LINE MEETING

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PUBLIC WIFI - TOEG – townofeagle2019

MEETING ACCESS INFORMATION AND PUBLIC PARTICIPATION

- Virtual Meeting Procedure
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- For technical difficulties, please email peyton.heitzman@townofeagle.org and we will do our best to assist you.

6:00 PM - REGULAR MEETING CALLED TO ORDER

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

COMMISSIONERS PRESENT

Robert Townsend, Lani Webb, Jesse Gregg,
Matthew Hood, Kyle Hoiland, Charlie Perkins, Bill
Nutkins

COMMISSIONERS ABSENT

Brent McFall

STAFF

Chad Phillips – Community Development Director
Angie Kyle - Administrative Tech II
Jessica Lake - Planner I
Peyton Heitzman – Planner I

APPROVAL OF MINUTES *Approval of the minutes from the June 16, 2020 meeting of the Planning and Zoning commission.*

1. Minutes dated June 16, 2020

MOTION: COMMISSIONER KYLE HOILAND MOTIONED TO APPROVE THE MINUTES. MOTION WAS SECONDED BY COMMISSIONER JESSE GREGG AND PASSED WITH A VOTE OF 5 (TOWNSEND, WEBB, GREGG, HOOD, AND HOILAND) IN FAVOR, 2 ABSTAINED (NUTKINS AND PERKINS) 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.

Chair Hood opened public comment. There was no public comment.

PUBLIC HEARINGS

1. Project: V20-02 770 Castle Drive Setback Variance
File # V20-02
Applicant: Cynthia and Otto Talley
Location 762 & 768 Castle Drive (previously known as 770 Castle Drive)
Staff Contact: Jessica Lake, Planner I
Request: Zoning Variance to reduce the side yard setback by 5-feet and the rear yard setback by 5-feet on two newly platted lots at 762 & 768 Castle Drive.

PUBLIC COMMENT

David Tymkovich and Bettie Tymkovich, 750 Castle Drive via email on July 4, 2020 2:58:44 PM

To Whom it May Concern,

The said property owners Cindy and Otto Talley have been wonderful neighbors of ours for over twenty years. We are pleased with the prospect of them doing major improvements on their property and we are confident they will complete a timely project that will benefit our neighborhood. The Talleys have our full support.

Sincerely,
David Tymkovich
Bettie Tymkovich
750 Castle Drive
Eagle, CO
970-988-2767

Lance & Lisa Schober, 773 Castle Drive sent via email on July 7, 2020 8:23 AM

My husband Lance, and I, are the property owners of 773 Castle Drive which is located directly across the street from the requested project. We are requesting that the P & Z Committee approve variance requests to reduce the rear & side yard setbacks in light of the following facts:

- The town of Eagle has been discussing the need for more affordable housing for quite some time. Considering that this project will address those needs, I feel the town should be more accommodating and approve these minor variances.

- The town required the Talleys to dedicate five feet of their property as public right of way without compensation. They had already designed the 2 homes for these lots before replatting based on setback requirements, and had come up with homes that will be able to serve the needs of the community. The requested reductions to setbacks due to the loss of that 5 feet, are minor and will not affect the cohesiveness of our neighborhood because there really is no cohesiveness at this point in time.
- The Talleys have already considered reducing the size of the homes or building second stories. In either of those cases, the changes required would no longer allow them to build the type of cost effective, affordable and functional homes that were originally planned which causes hardship.

Please give serious consideration to approving this variance request. We believe that these two new homes, as currently designed, will only serve to enhance our neighborhood.

Sincerely,
Lance & Lisa Schober
773 Castle Drive
970-306-5757

Vanda Whittaker, 771 Castle Dr. sent via email on July 6, 2020 10:50 PM

To members of the P&Z board,

I am writing on behalf of Cindy and Otto Talley and their request for a variance on their building site at 762 and 768 Castle Drive. I own a home directly across the street at 771 Castle dr. I have walked the Tally's property and been shown the plans with the variance. There will be no negative impact to parking, the street, or my property as a neighbor. The design is tasteful and appropriate for this neighborhood. Thank you for your consideration and I ask that you grant this variance.

Vanda Whittaker
771 Castle Dr.

Joyce Reiche, 771 Castle Drive via email sent on Tuesday, July 7, 2020 8:32 AM

To the Town of Eagle Planning Commissioners,

I am writing to give my support for the variance request for Cindy and Otto Talley at 762 and 768 Castle Drive. I have looked at their plan, and feel that the project will bring a much needed value to our neighborhood and the town.

Sincerely,
Joyce Reiche
771 Castle Drive
Eagle, CO

Louise Carter, 769 Castle Dr sent via email on July 6, 2020 9:22 PM

To Whom it concerns,

We live at 769 Castle Drive. We are close neighbors to the Talley's build project and though we are unable to attend the meeting regarding the Variance request, we would like to express our support for the variance request. We are confident that the project is fair and honest as Otto and Cindy Talley are.

Please grant them their request.

Rod and Louise Carter
769 Castle Dr, Eagle
970-376-5582

STAFF PRESENTATION

Staff reviewed the staff report from the packet for the variance.

Q&A

Nutkins asked if there is one side yard setback that is being broached. Lake replied, that there are two sides in the yard setback for each of the two lots. It is the stairs from the deck that are in the setback.

The applicants, Cindy Talley and Otto Talley, responded to the staff report. They addressed the requested for the setbacks and how these homes are designed for the senior community members.

Commissioner Nutkins asked if the applicants knew the setbacks prior to the platting, which they misunderstood an easement for a right of way.

Chair Hood asked for more information on the confusion with the right of way. Lake responded that the review comments were in there as a requirement and that she thinks the easement ended up in the conditions of approval because of the Brush Creek Extension. If the Town plans to connect Brush Creek road to Castle Drive, then this is why the easement was requested in the Plat.

Chair Hood asked if the future land use map indicates a road is going through Eagle County's property and connecting to Castle drive. Staff responded that the West Eagle Sub Area Plan calls for the connection between the two roads which is why five feet of the Tally's property was taken off their side of the road.

Commissioner Nutkins asked that if the design was based on mobility concerns, then why were there no ramps in the plans to get up to the house or larger doorways that would allow for wheelchair or bathroom ADA. Mrs. Talley responded that the houses are not designed for ADA, they are designed for the elderly that cannot get to bedrooms using stairs, so they designed the houses on one level

Commissioner Nutkins also added that if the proposed designs have ADUs, then the homes themselves will have to be Owner occupied in order to have the ADU occupied.

PUBLIC COMMENT

Chair Hood opened public comment at 6:29pm. There was no public comment.

DELIBERATION

Commissioner Gregg agrees with staff. The only hardship he sees is the financial one.

Commissioner Webb said that she really likes the project, and it would improve the neighborhood. She is having a hard time finding the hardship for the variance.

Commissioner Townsend agrees with staff. He does not see a hardship.

Commissioner Hoiland said that he does see a hardship. He believes it will benefit the neighborhood and Eagle. He is in favor of the variance.

Commissioner Nutkins agrees with staff. The hardship portion is hard for him to find. As an architect, he has designed 1300-square foot homes in spaces that the lots currently allow, and he believes there is room to fit a house and garage on this lot.

Commissioner Perkins said he does not have issues with the stairs on the side. He supports this variance, and he thinks this is good for the neighborhood. He sees this as a good project.

Chair Hood believes there is an argument to the five feet increase in the right of way. He thinks this is a nice project and that it fits well with the Town's goals. He struggles with the side yards' setbacks as he sees this as the design was intended for this variance.

MOTION: COMMISSIONER ROBERT TOWNSEND MOTIONED TO DENY THE ZONING VARIANCE V20-02 BASED ON STANDARDS (B), (C) AND (D) OF SECTION 4.05.020. OF THE MUNICIPAL CODE. MOTION WAS SECONDED BY COMMISSIONER BILL NUTKINS AND PASSED WITH A VOTE OF 5 (TOWNSEND, WEBB, GREGG, HOOD, AND NUTKINS) IN FAVOR AND 2 (HOILAND AND PERKINS) OPPOSED.

2. Project: SU20-01 263 & 483 Sawatch Special Use Permit (SUP)
File # SU20-01
Applicant: Dave Dantas
Location 263 & 483 Sawatch Road
Staff Contact: Jessica Lake, Planner I
Request: Request for a Special Use Permit to allow for 19 Accessory Dwelling Units under Section 4.04.070, *one single dwelling unit - accessory to a use permitted* in the Commercial General zone district, replacing permit #SU17-06.

Chair Hood opened file SU20-01 the Sawatch Special Use request located at 263 & 483 Sawatch Road.

STAFF PRESENTATION

Jessica Lake, Planner I, reviewed the staff report from the packet for the special use permit.

Q&A

Commissioner Hoiland asked if there was record from the previous special use permits at 700 Chambers, that allowed the extra parking to be used for this project.

- Lake responded that the additional six parking spots in the common area parking is allowed to be applied to Building D. The section of the code allows this regardless if it was in the conditions of the previous special use permits. There are three parking spots that are missing. There would need to be a petition to P&Z that would have to noticed to apply the additional joint use of parking. This can be applied to the loading spaces, at night, for instance.

Commissioner Gregg asked for an update on with the drainage easement that defines the detention pond.

- Lake responded that the applicant informed the town that this will be addressed during the development permit process.

Commission Nutkins asked for the total of residential units in this area.

- Mr. Manley responded that there are 6 residential units in the Climbing Gym building, 4 residential units in Building B, 6 residential units in Building C, and they are proposing 6 residential units for building D.

Jeffrey P. Manley, AIA of Martin Manley Architects, presented the project from the packet for the special use permit.

Dave Dantas, DW Dantas Construction LLC, discussed this project further. He informed the Commission that he came up with these opportunities when he attended the Urban Land Institute Meeting. He said that the goals from that meeting were to do infill building to get people close to transportation, services, and stores. He said that these buildings are accomplishing these goals. He discussed how these buildings are creating a community with children. He believes these are creating opportunities for those who are working from home. Dantas believes that having residential on the second floor does not cause an issue with the commercial on the ground floor. The other option to residential is to have office spaces on the second floor, however Dantas expressed that Eagle does not need offices.

Dantas presented several options for how to best use the detention pond to make it more of an asset to the development. The following options he presented are:

- Option 1: Grade and seed area to a more park like condition
- Option 2: Install water storage tanks, cover with soil and make the area less deep
- Option 3: Add water storage tanks and playground equipment
- Option 4: create a world class outdoor climbing wall

Rick and Ashley Patriacca are partners with Mr. Dantas and spoke in support of the project.

Chad Phillips, Community Development Director, added that, except for the parking, the verbiage in the Municipal Code (Code), such as “consistent, compatible, significant, minimize, promote” is going to lead P&Z

to make a decision. He continued that top of that, the Commissioners are using the historical approvals of the other SUPs related to this one. Staff is working to make this clearer in the Code and take out this subjectivity to assist with these applications.

PUBLIC COMMENT

Chair hood opened public comment at 7:56pm. There was no public comment.

DELIBERATION

Commissioner Nutkins wants to stay consistent with his previous direction for this project. He said that Jeff, Dave, and Rick have done a wonderful apartment complex/mixed use project; however, that is not something that is in the Town's guidelines and land use code right now for the Commercial General (CG) zone district). He does not support this application as it does not comply with the CG zone district. He said that after the buildings are completed, there is going to be a combined 40+ residential units in the CG. There is not open space, green space or a park to support this community, except the proposal for the detention pond. He continued that the CG is for commercial, not residential. Commissioner Nutkins said that there should not be 3-bedroom apartments in this district. These apartments are set up for a whole family to live there, and that should not be the goal, it should be more of a stepping-stone for families. The residential square footage in these buildings outweighs the commercial square footage. He agrees with Dave that these allow for additional, smaller commercial components not big box. He discussed how the renderings showed that these buildings are residential triplexes, and that there is not an area for signage for commercial. It appears that the commercial units are garages to the residential. He questioned, at what point does residential become more significant to commercial in CG? The residential component is under special use review, it is not a use by right.

Commissioner Hoiland believes that the Commission needs to follow through with this project to keep this area consistent and bring a level of quality to that neighborhood. He said that there is a need for housing, and he thinks that Dantas and Patriacca did a great job with the commercial use. He said that it will help the economy and help small businesses to rent. He is all for this.

Commissioner Perkins said that P&Z supported the other Special Use Permits for the same projects. It does not seem right not to support this request. He is concerned with the pedestrian safety at the roundabout and thinks that the bus stop is in the wrong place. He is concerned that this project does add significant residential, but is supportive of the project, because it has already been approved once.

Commissioner Webb agrees with Commissioner Perkins. She said that this project had already been approved, and that the applicants are coming forth with a very appealing project. She thinks that this is opening a can of worms by letting more residential in the CG zone district. This project has been approved once, coming to the applicants now and saying that P&Z are playing by different rules does not seem right. She noted that the Town needs to figure out how much residential can be allowed in CG zone district.

Commissioner Townsend agrees with Commissioner Webb. He said that since there is an approved plan and this is one unit less than that plan, he would have a hard time going against it.

Commissioner Gregg said that this is a great improvement on what was previously proposed. He likes the idea of filling in the pond and turning it into a public park. He has a problem with these because currently, the children are going across the railroad tracks to the playground which is not safe. He likes the idea of including a park. He said the live work is denser but there are opportunities. He is in support of the project but would like to include a condition that the detention pond get turned into a usable open space for this lot to help support the children in this neighborhood.

Commissioner Hood said he agrees with Commissioner Gregg and Commissioner Webb. He asked when does residential become significant in the CD zone district? The main reason he is in support of this project is because the applicants have followed the direction they were given, and P&Z has historically been approving this. He said that the issue needs to be addressed in our code rewrite.

Commissioner Perkins asked if there was a mechanism in our code for the applicant to present their plan for the detention pond. Phillips responded that this is addressed in the development review. Commissioner Perkins believes that there is wonderful potential that this detention pond could be something nice.

MOTION: COMMISSIONER KYLE HOILAND FINDS THE APPLICATION SUBSTANTIALLY MEETS THE STANDARDS FOR APPROVAL, AND MOVE TO APPROVE THE SPECIAL USE PERMIT, BASED ON THE FOLLOWING FINDINGS: THAT THE APPLICATION IS IMPROVED BUT SUBSTANTIALLY SIMILAR TO SU17-06 WHICH WAS GENERALLY APPROVED UNDER THE SAME CODE AND PLAN. MOTION WAS SECONDED BY COMMISSIONER LANI WEBB AND PASSED WITH A VOTE OF 6 (TOWNSEND, WEBB, GREGG, HOOD, HOILAND, AND PERKINS) IN FAVOR AND 1 (NUTKINS) OPPOSED.

3. Project: Consideration of recommendation for approval regarding a possible amendment to the Municipal Code to create an automatic termination period for certain types of land use approvals.
- File # LURA20-02
- Applicant: Town of Eagle
- Location Town of Eagle
- Staff Contact: Chad Phillips, Community Development Director/Town Planner
- Request: Request for approval of amendments to the Municipal Code (Code) for the purpose of increasing the level of service, providing clarity, creating a simplified process, and supporting the Strategic Plan and other guiding documents.

STAFF PRESENTATION

Phillips presented the staff report.

Q&A

None

PUBLIC COMMENT

There was no public in attendance.

DELIBERATION

Chair Hood stated that this was already discussed at the June 16th meeting. There were no additional comments from the Commissioners.

MOTION: COMMISSIONER JESSE GREGG MOTIONED TO APPROVE THE AMENDMENT TO TITLE 4 OF THE MUNICIPAL CODE BY CREATING SECTION 4.05.050 AS DESCRIBED IN THE STAFF MEMO DATED JULY 7, 2020

WITH THE FINDING OF FACT THAT THE AMENDMENT IS IN CONFORMANCE WITH THE STRATEGIC PLAN AND THE EAGLE AREA COMMUNITY PLAN. MOTION WAS SECONDED BY COMMISSIONER KYLE HOILAND AND PASSED WITH A VOTE OF 7 (TOWNSEND, WEBB, GREGG, HOOD, HOILAND, PERKINS AND NUTKINS) IN FAVOR AND 0 OPPOSED.

TOWN COUNCIL MEETING REVIEW

Staff update to the Planning & Zoning Commission on recent decisions made by the Town Council on various Land Use files.

There is an RFP for the Hwy 6 corridor study. The East Eagle Sub Area Plan is under works and Phillips has been in contact with the consultant that turned in the proposal. It should be a three-month process. This area is under one property owner.

Chair Hood asked what the plan was for virtual or in-person meetings. Phillips informed the Commissioners that there are no updates at this time.

COMMUNITY DEVELOPMENT DEPARTMENT UPDATE

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

Staff is working with Logan Simpson on the Elevate Eagle Plan, specifically chapter 5 which are the goals and strategies. Staff is reviewing the 2010 Eagle Area Community Plan to integrate tools from this plan into the Elevate Eagle Plan. Staff is looking to have a joint worksession with P&Z and Town Council to review this plan.

When it is time to address Title 4, staff is not going to start from scratch. Staff is going to research various mountain communities to address the code.

OPEN DISCUSSION

None

ADJOURN

MOTION: COMMISSIONER JESSE GREGG MOTIONED TO ADJOURN. MOTION WAS SECONDED BY COMMISSIONER KYLE HOILAND AND PASSED WITH A VOTE OF 7 (TOWNSEND, WEBB, GREGG, HOOD, HOILAND, PERKINS AND NUTKINS) IN FAVOR AND 0 OPPOSED.

APPROVED:

DATE:

Matthew Hood, Chair

Angie Kyle, Community Development Administrative Tech II



CERTIFICATE OF RECOMMENDATION

TO: Planning & Zoning Commission

FROM: Community Development Department

DATE: July 21, 2020

PROJECT NAME: Soleil Homes at Brush Creek Filing 2, Phase II

FILE NUMBER: CT20-02

APPLICANT: John Purchase of Wynton Homes, LLC

LOCATION: 166 & 172 Soleil Circle

CODE: Section 4.12.050 (Division of property into condominium or townhouse units)

ZONING: Soleil Homes Planned Unit Development (PUD)

EXHIBIT(S): A: Final Plat for Soleil Homes at Brush Creek Filing 2, Phase II

PUBLIC COMMENT: Staff has not received any letters of public comment as of July 17, 2020. Letters received after this time will be gathered and entered into the public record at the hearing.

STAFF CONTACT: Peyton Heitzman, Planner I – peyton.heitzman@townofeagle.org

REQUEST: Final Plat to subdivide lot 16 into lots 16-A and 16-B.

INTRODUCTION:

The Soleil Homes PUD was originally approved in 2015 allowing the development of 32 residential units. In early 2017, an amended PUD and the Preliminary Plan/Final Plat for Soleil Homes at Brush Creek, Filing 2 was approved by the Town Council. The amended PUD allowed for 2 additional residential units within the subdivision by converting 6 single family lots into 4 duplex lots located in the northeast section of the subdivision. Lot 16, of this application, is one of the four previously approved duplex lots. The request to divide Lot 16 will allow each unit in the duplex to be sold individually as lots 16-A and 16-B.



The approval to divide property into condominium and townhouse units typically foregoes the regular public hearing process. Instead, the application is taken through an administrative hearing process and receives Town Council approval via consent agenda. The other 3 duplex units have been divided through this process. Section 4.12.050 of the Land Use and Development Code (Code) requires the application be taken through the public hearing process when the most recent subdivision review has exceeded 3 years. The last subdivision review for this project occurred in February of 2017, which is why this application is being taken before the Planning & Zoning Commission and Town Council for public hearings.

The Subdivision Improvement Agreement (SIA) that was signed with the 2017 approval expired February 28, 2020. This Agreement was administratively extended as a result of outstanding public improvements that are anticipated to be completed this summer. These outstanding improvements include landscaping to the south of the property along Brush Creek Road as well as a fence to the rear of the duplex unit. The letter of credit associated with the SIA also has expired. Staff has included a condition of approval for the applicant, prior to recording the Final Plat, to either complete the outstanding improvement or provide a performance guarantee for remaining improvements in the amount of 110% of the costs; per Section 4.13.240.F.1.a of the Code.

STANDARDS FOR DIVISION OF PROPERTY INTO CONDOMINIUM OR TOWNHOUSE UNITS

The application has been reviewed by Public Works, Engineering, and Planning to ensure that the plat has been prepared to meet Code requirements outlines in Section 4.12.050. All comments provided to the applicant have been adequately addressed. The Final Plat is still under review for accuracy by a third-party surveyor and the Town Attorney whose feedback will be incorporated into the plat prior to recording.

Section 4.12.050

The final plat is subject to the plat requirements set forth in Section 4.12.020(C).

Staff Comment: The Final Plat has been reviewed and meets the requirements of the Code which include project title, arrow, scale, vicinity map, legal description, basis for establishing bearing, acreage, labeling for ROW and streets, signature blocks, and other specifics found in Section 4.12.020.C.2.f.

The final plat for condominium or townhouse units shall show the location of the existing or proposed building to be divided.

Staff Comment: The location of the building is reflected in the final plat. The location has been reviewed by staff for conformance with the previously approved subdivision plan.

The Town's Engineer or surveying consultant shall compare the legal description of the subject property with the county records to ensure that:

- a. The property described contains all contiguous single ownership;*
- b. The lots and parcels have descriptions which both close and contain the area indicated; and*
- c. The plat is correct in accordance with surveying and platting standards of the State.*

Staff Comment: The third-party surveyor is reviewing the legal description and subsequent requirements. Staff recommends that the condition of approval be included in the decision; that feedback from the surveyor be incorporated into the final plat prior to recording.

STAFF RECOMMENATION

Staff finds the application complies with the Town's subdivision and zoning regulations and recommends that the Planning and Zoning Commission approve application CT20-02 with the conditions set forth below.

PLANNING AND ZONING COMMISSION POTENTIAL MOTIONS

Below are the Planning and Zoning Commission options related to division of duplex CT20-02:

1. Approve with no conditions: I find the application substantially meets the standards for approval, and move to APPROVE the subdivision of Lot 16, based on the following findings:

<insert findings>

2. Approve with conditions: I find the application substantially meets the standards for approval, and move to APPROVE the subdivision of Lot 16, based on the following findings and with the following conditions(s) of approval:

<insert findings>

<insert conditions of approval>

3. Continue (table) the application: 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 the subdivision of Lot 16 to the next regularly scheduled meeting. (Provide staff and the application details regarding information needed for a decision).

4. Denial: I find the application does not substantially meet the standards for approval and move to DENY the subdivision of Lot 16, based on the following findings. (Cite all Code sections that resulted in motion for denial).

FINDINGS FOR APPROVAL

1. The proposed application is consistent with the provision of Section 4.12 of the Land Use and Development Code and
2. The proposed application supports the previous approval of the Preliminary Plan/Final Plat for Soleil Homes at Brush Creek, Filing 2.

IF APPROVED, P&Z MAY CHOOSE TO CONSIDER THE FOLLOWING SUGGESTED CONDITIONS OF APPROVAL:

1. Prior to recording the Final Plat, the applicant shall complete all outstanding public improvements, as approved by staff, or provide a performance guarantee for any outstanding public/private improvements.
2. All redline changes from staff, Town Attorney, and third party-surveyor shall be incorporated into the Final Plat prior to recording.
3. The plat shall be recorded before January 16, 2021. Extensions may be approved administratively without notice if it is proven to the Town Planner that due diligence is being performed towards recordation of the plat.

FINAL PLAT
SOLEIL HOMES AT BRUSH CREEK, FILING 2, PHASE II
A RESUBDIVISION LOT 16, SOLEIL HOMES AT BRUSH CREEK, FILING 2
ACCORDING TO THE FINAL PLAT RECORDED MARCH 08, 2017 AS RECEPTION NO. 201704025
TOWN OF EAGLE, COUNTY OF EAGLE, STATE OF COLORADO

PURPOSE STATEMENT:

THE PURPOSE OF THIS FINAL PLAT IS TO RE-SUBDIVIDE LOT 16 INTO LOTS 16-A AND 16-B.

NOTES:

1) THIS PROPERTY IS SUBJECT TO RESERVATIONS, RESTRICTIONS, COVENANTS, EASEMENTS AND BUILDING SETBACKS OF RECORD, OR IN PLACE AND EXCEPTIONS TO TITLE AS SHOWN IN THE TITLE COMMITMENTS PREPARED BY LAND TITLE GUARANTEE COMPANY, ORDER NO. V50056449, DATED EFFECTIVE MARCH 31, 2020.

2) SURVEY DATE: MARCH 15, 2019.

3) UNITS OF MEASURE FOR ALL DIMENSIONS SHOWN HEREON IS U.S. SURVEY FEET.

4) BASIS OF BEARINGS FOR THIS SURVEY IS A BEARING OF S02°59'06"W BETWEEN AP2 TRACT 38, A 1917 GLO BRASS CAP FOUND IN PLACE AND AP7 TRACT 44, A 2 1/2" ALUMINUM CAP L.S. #26967 FOUND IN PLACE.

5) THIS SURVEY IS BASED ON THE SOLEIL HOMES AT BRUSH CREEK, FILING 1 FINAL PLAT RECORDED APRIL 06, 2015 AS RECEPTION NO. 201505752, THE SOLEIL HOMES AT BRUSH CREEK, FILING 1 CORRECTION PLAT RECORDED NOVEMBER 16, 2016 AS RECEPTION NO. 201619459 AND THE SOLEIL HOMES AT BRUSH CREEK, FILING 2 FINAL PLAT RECORDED MARCH 08, 2017 AS RECEPTION NO. 201704025 OF THE EAGLE COUNTY CLERK AND RECORDERS' OFFICE AND MONUMENTS FOUND IN PLACE.

6) AT THE TIME OF SURVEY LOT 15 WAS STILL UNDER CONSTRUCTION.

7) THIS PROPERTY IS SUBJECT TO THE FOLLOWING DOCUMENTS RECORDED IN THE EAGLE COUNTY CLERK AND RECORDERS OFFICE:

A) RIGHT OF THE PROPRIETOR OF A VEIN OR LODE TO EXTRACT AND REMOVE HIS ORE THEREFROM SHOULD THE SAME BE FOUND TO PENETRATE OR INTERSECT THE PREMISES AS RESERVED IN UNITED STATES PATENT RECORDED JANUARY 02, 1891, IN BOOK 35 AT PAGE 457 AND IN UNITED STATES PATENT RECORDED APRIL 30, 1892, IN BOOK 48 AT PAGE 172.

B) RIGHT OF WAY EASEMENT AS GRANTED TO KINDER MORGAN, INC., A KANSAS CORPORATION IN INSTRUMENT RECORDED NOVEMBER 05, 1999, AT RECEPTION NO. 714041.

C) TERMS, CONDITIONS AND PROVISIONS OF ORDINANCE NO. 14 (SERIES OF 2002) RECORDED AUGUST 02, 2002 AT RECEPTION NO. 803392.

D) TERMS, CONDITIONS AND PROVISIONS OF ORDINANCE NO. 15 (SERIES OF 2002) RECORDED AUGUST 02, 2002 AT RECEPTION NO. 803393.

E) TERMS, CONDITIONS AND PROVISIONS OF ANNEXATION AGREEMENT RECORDED AUGUST 02, 2002 AT RECEPTION NO. 803386 AND RECORDED AUGUST 02, 2002 AT RECEPTION NO. 803387 AND AGREEMENT RELATING TO THE ANNEXATION RECORDED AUGUST 02, 2002 AT RECEPTION NO. 803390.

F) TERMS, CONDITIONS AND PROVISIONS OF SUBDIVISION IMPROVEMENT AGREEMENT RECORDED AUGUST 02, 2002 AT RECEPTION NO. 803394 AND AMENDMENT RECORDED NOVEMBER 12, 2002 AT RECEPTION NO. 813411 AND AMENDMENT RECORDED MARCH 14, 2003 AT RECEPTION NO. 826858.

G) TERMS, CONDITIONS AND PROVISIONS OF ORDINANCE NO. 23 (SERIES OF 2002) RECORDED NOVEMBER 12, 2002 AT RECEPTION NO. 813409.

H) EASEMENTS, CONDITIONS, COVENANTS, RESTRICTIONS, RESERVATIONS AND NOTES ON THE PLAT OF BRUSH CREEK MEADOWS RECORDED AUGUST 02, 2002 AT RECEPTION NO. 803395.

I) TERMS, CONDITIONS AND PROVISIONS OF DRAINAGE EASEMENT DEED AND VACATION RECORDED AUGUST 10, 2004 AT RECEPTION NO. 887225.

J) TERMS, CONDITIONS AND PROVISIONS OF ORDINANCE NO. 6 (SERIES OF 2012) RECORDED JUNE 01, 2012 AT RECEPTION NO. 201211316.

K) TERMS, CONDITIONS AND PROVISIONS OF ORDINANCE NO. 4 (SERIES OF 2012) RECORDED JUNE 01, 2012 AT RECEPTION NO. 201211318.

L) TERMS, CONDITIONS AND PROVISIONS OF ORDINANCE NO. 8 (SERIES OF 2012) RECORDED JUNE 01, 2012 AT RECEPTION NO. 201211322.

M) EASEMENTS, CONDITIONS, COVENANTS, RESTRICTIONS, RESERVATIONS AND NOTES ON THE PLAT OF BRUSH CREEK MEADOWS, FILING NO. 4 RECORDED JUNE 01, 2012 UNDER RECEPTION NO. 201211319.

N) TERMS, CONDITIONS AND PROVISIONS OF ORDINANCE NO. 14 (SERIES OF 2014) RECORDED JUNE 13, 2014 AT RECEPTION NO. 201409815.

O) RESTRICTIVE COVENANTS, WHICH DO NOT CONTAIN A FORFEITURE OR REVERTER CLAUSE, BUT OMITTING ANY COVENANTS OR RESTRICTIONS, IF ANY, BASED UPON RACE, COLOR, RELIGION, SEX, SEXUAL ORIENTATION, FAMILIAL STATUS, MARITAL STATUS, DISABILITY, HANDICAP, NATIONAL ORIGIN, ANCESTRY, OR SOURCE OF INCOME, AS SET FORTH IN APPLICABLE STATE OF FEDERAL LAWS, EXCEPT TO THE EXTENT THAT SAID COVENANT OR RESTRICTION IS PERMITTED BY APPLICABLE LAW, AS CONTAINED IN INSTRUMENT RECORDED JANUARY 24, 2008 AS RECEPTION NO. 200801657 AND RE-RECORDED JANUARY 29, 2008 AS RECEPTION NO. 200801997 AND AS AMENDED IN INSTRUMENT RECORDED MARCH 12, 2008 AS RECEPTION NO. 200805319 AND AS AMENDED IN INSTRUMENT RECORDED APRIL 14, 2008 AS RECEPTION NO. 200807879 AND AS AMENDED IN INSTRUMENT RECORDED MAY 14, 2008 AS RECEPTION NO. 200810122 AND AS AMENDED IN INSTRUMENT RECORDED MAY 23, 2008 AS RECEPTION NO. 200810914 AND AS AMENDED IN INSTRUMENT RECORDED JULY 11, 2008 AS RECEPTION NO. 200814602 AND AS AMENDED IN INSTRUMENT RECORDED OCTOBER 15, 2008 AS RECEPTION NO. 200821100 AND AS AMENDED IN INSTRUMENT RECORDED SEPTEMBER 29, 2009 AS RECEPTION NO. 200921355 AND AS AMENDED IN INSTRUMENT RECORDED AUGUST 11, 2010 AS RECEPTION NO. 201015711 AND 201015712 AND AS AMENDED IN INSTRUMENT RECORDED APRIL 20, 2011 AS RECEPTION NO. NO. 201107238 AND AS AMENDED IN INSTRUMENT RECORDED OCTOBER 17, 2012 AS RECEPTION NO. 201220994 AND AMENDMENT RECORDED OCTOBER 31, 2012 AS RECEPTION NO. 201221885 AND AMENDMENT RECORDED MARCH 01, 2013 AS RECEPTION NO. 201303943 AND AS AMENDED IN INSTRUMENT RECORDED MAY 17, 2013 AS RECEPTION NO. 201309999 AND AS AMENDED IN INSTRUMENT RECORDED JUNE 04, 2013 AS RECEPTION NO. 201311501 AND AS AMENDED IN INSTRUMENT RECORDED JUNE 06, 2013 AS RECEPTION NO. 201311718 AND AS AMENDED IN INSTRUMENT RECORDED FEBRUARY 24, 2014 AS RECEPTION NO. 201402773 AND AS AMENDED IN INSTRUMENT RECORDED MARCH 31, 2014 AS RECEPTION NO. 201404840 AND AS AMENDED IN INSTRUMENT RECORDED JUNE 23, 2014 AS RECEPTION NO. 201410258 AND AS AMENDED IN INSTRUMENT RECORDED SEPTEMBER 12, 2014 AS RECEPTION NO. 201415669 AND AS AMENDED IN INSTRUMENT RECORDED OCTOBER 14, 2014 AS RECEPTION NO. 201417580 AND AS AMENDED IN INSTRUMENT RECORDED DECEMBER 18, 2014 AS RECEPTION NO. 201421760 AND AS AMENDED IN INSTRUMENT RECORDED APRIL 02, 2015 AS RECEPTION NO. 201505699 AND AS AMENDED IN INSTRUMENT RECORDED SEPTEMBER 03, 2015 AS RECEPTION NO. 201516753 AND AS AMENDED IN INSTRUMENT RECORDED NOVEMBER 15, 2015 AS RECEPTION NO. 201520996 AND AS AMENDED IN INSTRUMENT RECORDED DECEMBER 01, 2015 AS RECEPTION NO. 201522341 AND AS AMENDED IN INSTRUMENT RECORDED MARCH 22, 2016 AS RECEPTION NO. 201606472 AND AS AMENDED IN INSTRUMENT RECORDED APRIL 20, 2016 AS RECEPTION NO. 201606472 AND AS AMENDED IN INSTRUMENT RECORDED MAY 24, 2016 AS RECEPTION NO. 201607925 AND AS AMENDED IN INSTRUMENT RECORDED OCTOBER 14, 2016 AS RECEPTION NO. 201617168 AND AS AMENDED IN INSTRUMENT RECORDED OCTOBER 31, 2016 AS RECEPTION NO. 201618420 AND AS AMENDED IN INSTRUMENT RECORDED APRIL 21, 2017 AS RECEPTION NO. 201706962 AND AS AMENDED IN INSTRUMENT RECORDED JUNE 08, 2017 AS RECEPTION NO. 201710933 AND AS AMENDED IN INSTRUMENT RECORDED JUNE 31, 2017 AS RECEPTION NO. 201711934.

P) TERMS, CONDITIONS AND PROVISIONS OF ORDINANCE NO. 2 (SERIES OF 2015) RECORDED MARCH 18, 2015 AS RECEPTION NO. 201504607.

Q) EASEMENTS, CONDITIONS, COVENANTS, RESTRICTIONS, RESERVATIONS AND NOTES ON THE PLAT OF SOLEIL HOMES AT BRUSH CREEK, FILING 1 RECORDED APRIL 06, 2015 AS RECEPTION NO. 201505752 AND NOTICE OF ADDRESSES RECORDED SEPTEMBER 16, 2015 AS RECEPTION NO. 201517581 AND CORRECTION PLAT RECORDED NOVEMBER 16, 2016 AS RECEPTION NO. 201619459.

R) ANY TAX, LIEN, FEE, OR ASSESSMENT BY REASON OF INCLUSION OF SUBJECT PROPERTY IN THE WESTERN EAGLE COUNTY METROPOLITAN RECREATION DISTRICT, AS EVIDENCE BY INSTRUMENT RECORDED APRIL 30, 2015 AS RECEPTION NO. 201507223.

S) TERMS, CONDITIONS AND PROVISIONS OF TRENCH, CONDUIT AND VAULT AGREEMENT RECORDED MAY 22, 2015 AS RECEPTION NO. 201509055.

T) TERMS, CONDITIONS AND PROVISIONS OF IRRIGATION WATER FACILITIES AGREEMENT RECORDED JUNE 04, 2015 AS RECEPTION NO. 201510067.

U) TERMS, CONDITIONS AND PROVISIONS OF CERTIFICATION OF FINAL ACCEPTANCE OF PUBLIC IMPROVEMENTS AND OTHER REQUIRED SUBDIVISION IMPROVEMENTS FOR SOLEIL HOMES AT BRUSH CREEK, FILING 1 RECORDED DECEMBER 17, 2015 AS RECEPTION NO. 201523491.

V) TERMS, CONDITIONS AND PROVISIONS OF QUIT CLAIM DEED AND BILL OF SALE RECORDED DECEMBER 17, 2015 AS RECEPTION NO. 201523492.

W) TERMS, CONDITIONS AND PROVISIONS FOR ORDINANCE NO. 29 (SERIES OF 2016) RECORDED NOVEMBER 16, 2016 AS RECEPTION NO. 201619458.

X) RESTRICTIVE COVENANTS, WHICH DO NOT CONTAIN A FORFEITURE OR REVERTER CLAUSE, BUT OMITTING ANY COVENANT OR RESTRICTIONS, IF ANY, BASED UPON RACE, COLOR, RELIGION, SEX, SEXUAL ORIENTATION, FAMILIAL STATUS, MARITAL STATUS, DISABILITY, HANDICAP, NATIONAL ORIGIN, ANCESTRY, OR SOURCE OF INCOME, AS SET FORTH IN APPLICABLE STATE OF FEDERAL LAWS, EXCEPT TO THE EXTENT THAT SAID COVENANT OR RESTRICTION IS PERMITTED BY APPLICABLE LAW, AS CONTAINED IN INSTRUMENT RECORDED FEBRUARY 27, 2017 AS RECEPTION NO. 201703304.

Y) TERMS, CONDITIONS AND PROVISIONS OF SUBDIVISION IMPROVEMENTS AGREEMENT SOLEIL HOMES AT BRUSH CREEK, FILING 2 RECORDED MARCH 08, 2017 AS RECEPTION NO. 201704024.

Z) EASEMENTS, CONDITIONS, COVENANTS, RESTRICTIONS, RESERVATIONS AND NOTES ON THE PLAT OF SOLEIL HOMES AT BRUSH CREEK, FILING 2 RECORDED MARCH 08, 2017 AS RECEPTION NO. 201704025.

AA) TERMS, CONDITIONS AND PROVISIONS OF ORDINANCE NO. 04 (SERIES OF 2017) RECORDED MARCH 09, 2017 AS RECEPTION NO. 201704070.

AB) TERMS, CONDITIONS AND PROVISIONS OF DRAINAGE EASEMENT AGREEMENT RECORDED APRIL 04, 2017 AS RECEPTION NO. 201705816.

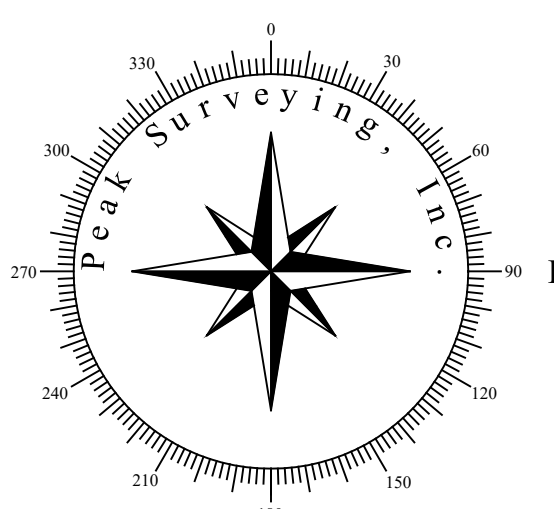
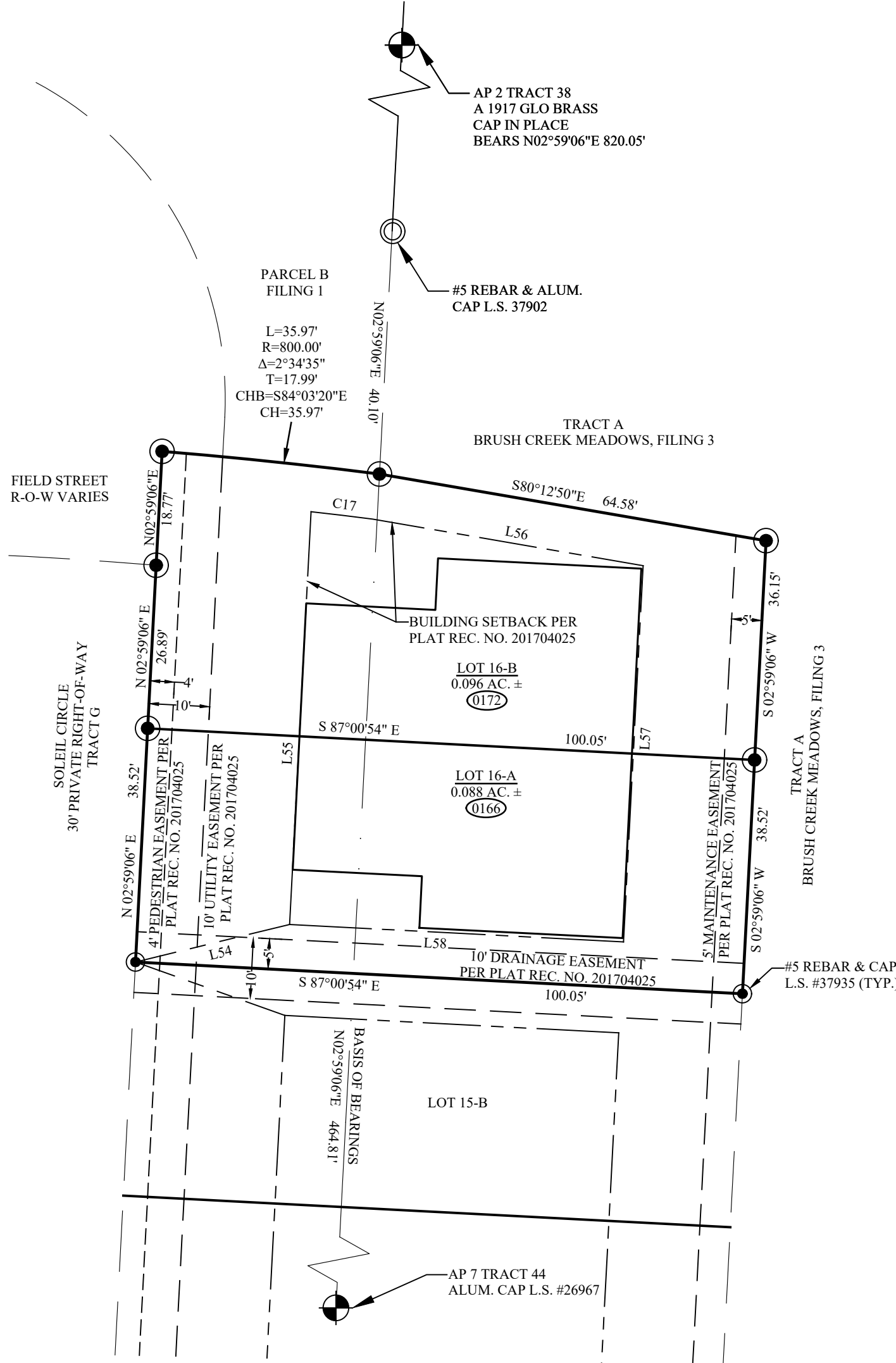
AC) TERMS, CONDITIONS AND PROVISIONS OF TRENCH, CONDUIT AND VAULT AGREEMENT RECORDED APRIL 26, 2017 AS RECEPTION NO. 201707348.

AD) RESTRICTIVE COVENANTS, WHICH DO NOT CONTAIN A FORFEITURE OR REVERTER CLAUSE, BUT OMITTING ANY COVENANT OR RESTRICTIONS, IF ANY, BASED UPON RACE, COLOR, RELIGION, SEX, SEXUAL ORIENTATION, FAMILIAL STATUS, MARITAL STATUS, DISABILITY, HANDICAP, NATIONAL ORIGIN, ANCESTRY, OR SOURCE OF INCOME, AS SET FORTH IN APPLICABLE STATE OF FEDERAL LAWS, EXCEPT TO THE EXTENT THAT SAID COVENANT OR RESTRICTION IS PERMITTED BY APPLICABLE LAW, AS CONTAINED IN INSTRUMENT RECORDED JULY 14, 2017 AS RECEPTION NO. 201713497.

AE) DEED OF TRUST DATED AUGUST 21, 2019 FROM WYNTON HOMES, LLC, A COLORADO LIMITED LIABILITY COMPANY TO THE PUBLIC TRUSTEE OF EAGLE COUNTY FOR THE USE OF U.S. BANK NATIONAL ASSOCIATION TO SECURE THE SUM OF \$731,495.00, AND ANY OTHER AMOUNTS PAYABLE UNDER THE TERMS THEREOF, RECORDED AUGUST 23, 2019, UNDER RECEPTION NO. 201913806.

AF) DISBURSERS NOTICE IN CONNECTION WITH SAID DEED OF TRUST WAS RECORDED AUGUST 23, 2019, UNDER RECEPTION NO. 201913806.

NOTICE: ACCORDING TO COLORADO LAW, YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. NO DEFENDANT MAY AN ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.



GRAPHIC SCALE

(IN FEET)
1 inch = 20 ft.

LINE TABLE		
LINE #	BEARING	DISTANCE
L54	N76°17'09"E	26.10'
L55	S02°59'06"W	68.04'
L56	N80°12'50"W	45.17'
L57	S02°59'06"W	62.00'
L58	S87°00'54"E	55.05'

CURVE TABLE				
CURVE #	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING
C17	10.22'	792.50'	0°44'21"	N83°08'57"W

LAND USE TABLE			
PARCEL	ACRES	LAND USE	ADDRESS
LOT 16-A	0.088 AC. ±	RESIDENTIAL TOWNHOME	0166 SOLEIL CIRCLE
LOT 16-B	0.096 AC. ±	RESIDENTIAL TOWNHOME	0172 SOLEIL CIRCLE
TOTAL	0.184 AC. ±		

TOWN COUNCIL CERTIFICATE:

THIS PLAT APPROVED BY THE TOWN COUNCIL OF THE TOWN OF EAGLE, COLORADO, THIS _____ DAY OF _____, 2020, FOR FILING WITH THE CLERK AND RECORDER OF EAGLE COUNTY, COLORADO, SUBJECT TO THE PROVISIONS THAT APPROVAL IN NO WAY OBLIGATES THE TOWN OF EAGLE FOR FINANCING OR CONSTRUCTING OF IMPROVEMENTS ON SAID LANDS, STREETS OR EASEMENTS DEDICATED TO THE PUBLIC EXCEPT AS SPECIFICALLY AGREED TO BY THE TOWN COUNCIL OF THE TOWN OF EAGLE. FURTHER, SAID APPROVAL IN NO WAY OBLIGATES THE TOWN OF EAGLE FOR MAINTENANCE OF PUBLIC IMPROVEMENTS UNTIL CONSTRUCTION OF SAID IMPROVEMENTS HAS BEEN COMPLETED IN ACCORDANCE WITH THE TOWN OF EAGLE'S SPECIFICATIONS AND THE TOWN OF EAGLE HAS AGREED TO ACCEPT SAID IMPROVEMENTS. THIS APPROVAL DOES NOT GUARANTEE THAT THE SIZE, SOIL CONDITIONS, SUB-SURFACE GEOLOGY, GROUND WATER CONDITIONS, OR FLOODING CONDITIONS OF ANY LOT SHOWN HEREON ARE SUCH THAT A BUILDING PERMIT, DEVELOPMENT PERMIT, OR ANY OTHER REQUIRED PERMIT WILL BE ISSUED. THIS APPROVAL IS WITH THE UNDERSTANDING THAT ALL EXPENSES INVOLVING REQUIRED IMPROVEMENTS FOR ALL UTILITY SERVICES, PAVING, GRADING, LANDSCAPING, CURBS, GUTTERS, SIDEWALKS, ROAD LIGHTING, ROAD SIGNS, FLOOD PROTECTION DEVICES, DRAINAGE STRUCTURES, AND ALL OTHER IMPROVEMENTS THAT MAY BE REQUIRED SHALL BE THE RESPONSIBILITY OF THE OWNERS DESIGNATED HEREON AND NOT THE TOWN OF EAGLE, UNLESS OTHERWISE SPECIFICALLY AGREED TO IN WRITING BY THE BOARD OF TRUSTEES.

TOWN OF EAGLE, COLORADO

BY: _____
SCOTT TURNIPSEED, MAYOR

WITNESS MY HAND AND SEAL OF THE TOWN OF EAGLE, COLORADO.

ATTEST:
JENNY RAKOW, TOWN CLERK

LIENHOLDER'S CERTIFICATE:

US BANK NATIONAL ASSOCIATION DOES HEREBY CERTIFY THAT IT IS THE HOLDER OF THE DEEDS OF TRUST RECORDED AUGUST 23, 2019 AS RECEPTION NO. 201913806 IN THE OFFICE OF THE CLERK AND RECORDER OF EAGLE COUNTY, COLORADO AGAINST THE LANDS SHOWN ON THIS PLAT AND HEREBY CONSENTS TO THE SUBDIVISION OF THE LANDS SHOWN HEREON.

EXECUTED THIS _____ DAY OF _____, A.D., 2020.

US BANK NATIONAL ASSOCIATION

BY: _____, AS VICE PRESIDENT

THE FOREGOING CERTIFICATE OF OWNERSHIP WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 2020, BY _____ AS VICE PRESIDENT OF US NATIONAL BANK ASSOCIATION.

WITNESS MY HAND AND OFFICIAL SEAL.

MY COMMISSION EXPIRES: _____

NOTARY PUBLIC

TITLE CERTIFICATE:

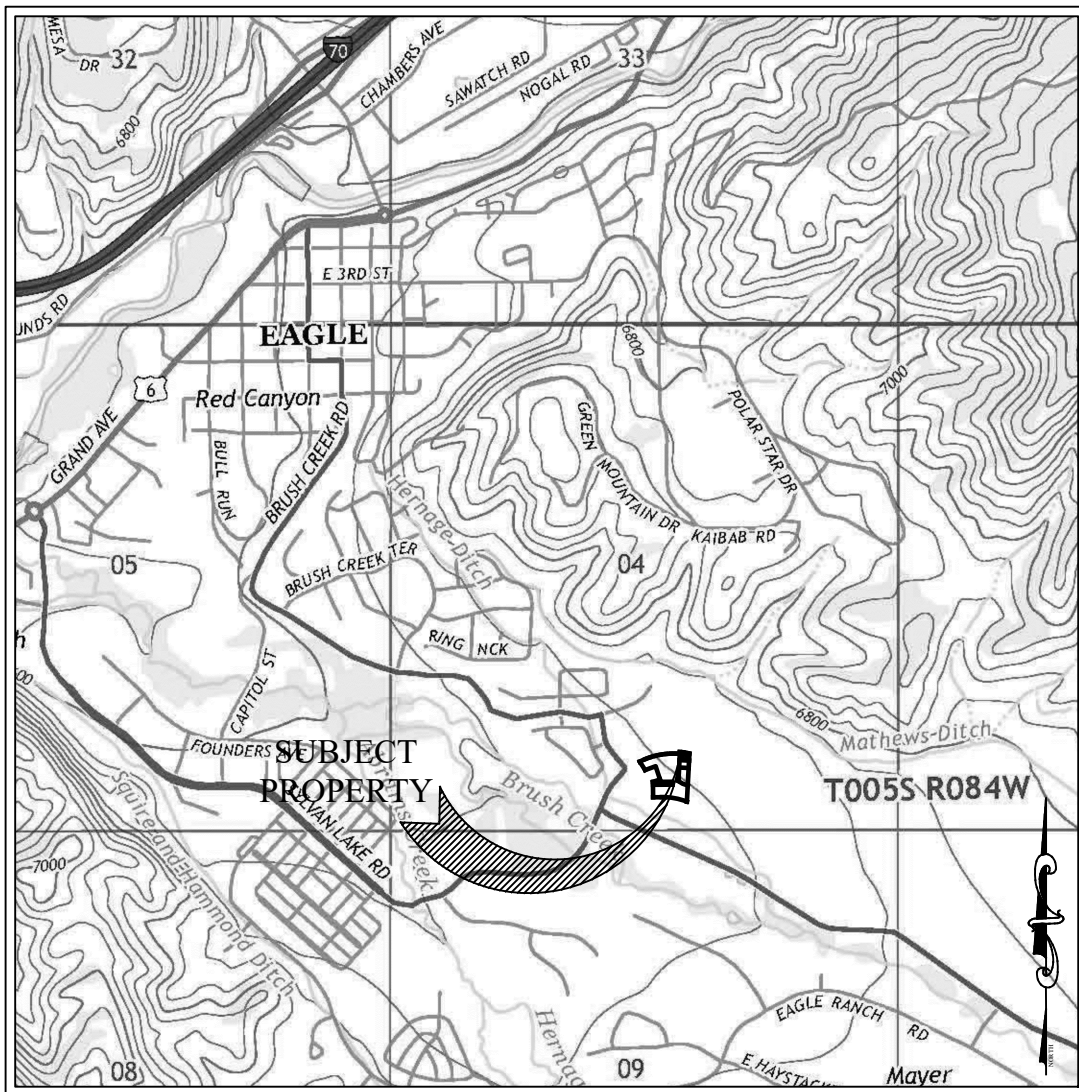
LAND TITLE GUARANTEE COMPANY, DOES HEREBY CERTIFY IT HAS EXAMINED THE TITLE TO ALL LANDS SHOWN ON THIS PLAT AND THAT TITLE TO SUCH LANDS IS VESTED IN WYNTON HOMES, LLC, FREE AND CLEAR OF ALL LIENS AND ENCUMBRANCES, EXCEPT AS FOLLOWS:

EXECUTED THIS _____ DAY OF _____, 2020.

BY: _____
LAND TITLE GUARANTEE COMPANY



Drawn By:	JRN	NO.	Date	Revision	By
Checked By:	JRN				
Date:	JUNE 30, 2020				
Computer File:	044-F2-L16-FP				



VICINITY MAP
SCALE: 1" = 2000'

CERTIFICATE OF OWNERSHIP:

THE UNDERSIGNED, WYNTON HOMES, LLC, A COLORADO LIMITED LIABILITY COMPANY, THE SOLE OWNER IN FEE SIMPLE OF ALL THAT REAL PROPERTY DESCRIBED AS FOLLOWS:

A PARCEL OF LAND SITUATE IN SECTION 4, TOWNSHIP 5 SOUTH, RANGE 84 WEST, OF THE SIXTH PRINCIPAL MERIDIAN, OF SAID TOWNSHIP AND RANGE, COUNTY OF EAGLE, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

LOT 16, SOLEIL HOMES AT BRUSH CREEK, FILING 2, ACCORDING TO THE FINAL PLAT RECORDED MARCH 08, 2017 AS RECEPTION NO. 201704025 IN THE OFFICE OF THE EAGLE COUNTY CLERK AND RECORDER, COUNTY OF EAGLE, STATE OF COLORADO.

HAVE BY THESE PRESENTS LAID OUT, PLATTED AND SUBDIVIDED THE SAME INTO LOTS AS SHOWN ON THIS PLAT AND DESIGNATE THE SAME AS THE SOLEIL HOMES AT BRUSH CREEK, FILING 2, PHASE II SUBDIVISION IN THE TOWN OF EAGLE, COUNTY OF EAGLE, STATE OF COLORADO.

WE FURTHER STATE THAT THIS SUBDIVISION SHALL BE SUBJECT TO THE PROTECTIVE COVENANTS FILED AND RECORDED FOR THIS SUBDIVISION IN THE OFFICE OF THE CLERK AND RECORDER OF EAGLE COUNTY, COLORADO, AS RECEPTION NO. _____

EXECUTED THIS _____ DAY OF _____, 2020.

OWNER: WYNTON HOMES, LLC,
A COLORADO LIMITED LIABILITY COMPANY
PO BOX 3908
EAGLE, COLORADO 81631

BY: _____

NAME: _____

STATE OF _____)
COUNTY OF _____) SS.

THE FOREGOING CERTIFICATE OF OWNERSHIP WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 2020, BY JOHN L. PURCHASE AS MANAGER OF WYNTON HOMES, LLC, A COLORADO LIMITED LIABILITY COMPANY.

WITNESS MY HAND AND OFFICIAL SEAL.

MY COMMISSION EXPIRES: _____

NOTARY PUBLIC

SURVEYOR'S CERTIFICATE:

I, JASON R. NEIL, DO HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR LICENSED UNDER THE LAWS OF THE STATE OF COLORADO, THAT THIS PLAT IS A TRUE, CORRECT AND COMPLETE PLAT OF SOLEIL HOMES AT BRUSH CREEK, FILING 2, PHASE II, AS LAID OUT, PLATTED, DEDICATED AND SHOWN HEREON, THAT SUCH PLAT WAS MADE FROM AN ACCURATE SURVEY OF SAID PROPERTY BY ME AND UNDER MY SUPERVISION AND CORRECTLY SHOWS THE LOCATION AND DIMENSIONS OF THE LOTS, IN COMPLIANCE WITH TITLE 38, ARTICLE 5, C.R.S., AS AMENDED. I FURTHER CERTIFY THAT THIS PLAT CONTAINS ALL OF THE INFORMATION REQUIRED BY SECTION 38-33.3-209, C.R.S., CONTAINED WITHIN THE COLORADO COMMON INTEREST OWNERSHIP ACT.

EXECUTED THIS _____ DAY OF _____, 2020.

BY: _____
JASON R. NEIL, P.L.S. NO. 37935
FOR AND ON BEHALF OF
PEAK SURVEYING, INC.

CLERK AND RECORDER'S CERTIFICATE:

THIS PLAT WAS FILED FOR RECORD IN THE OFFICE OF THE EAGLE COUNTY CLERK AND RECORDER AT _____ O'CLOCK _____ M. ON THE _____ DAY OF _____, 2020, AND IS DULY RECORDED AT RECEPTION NO. _____

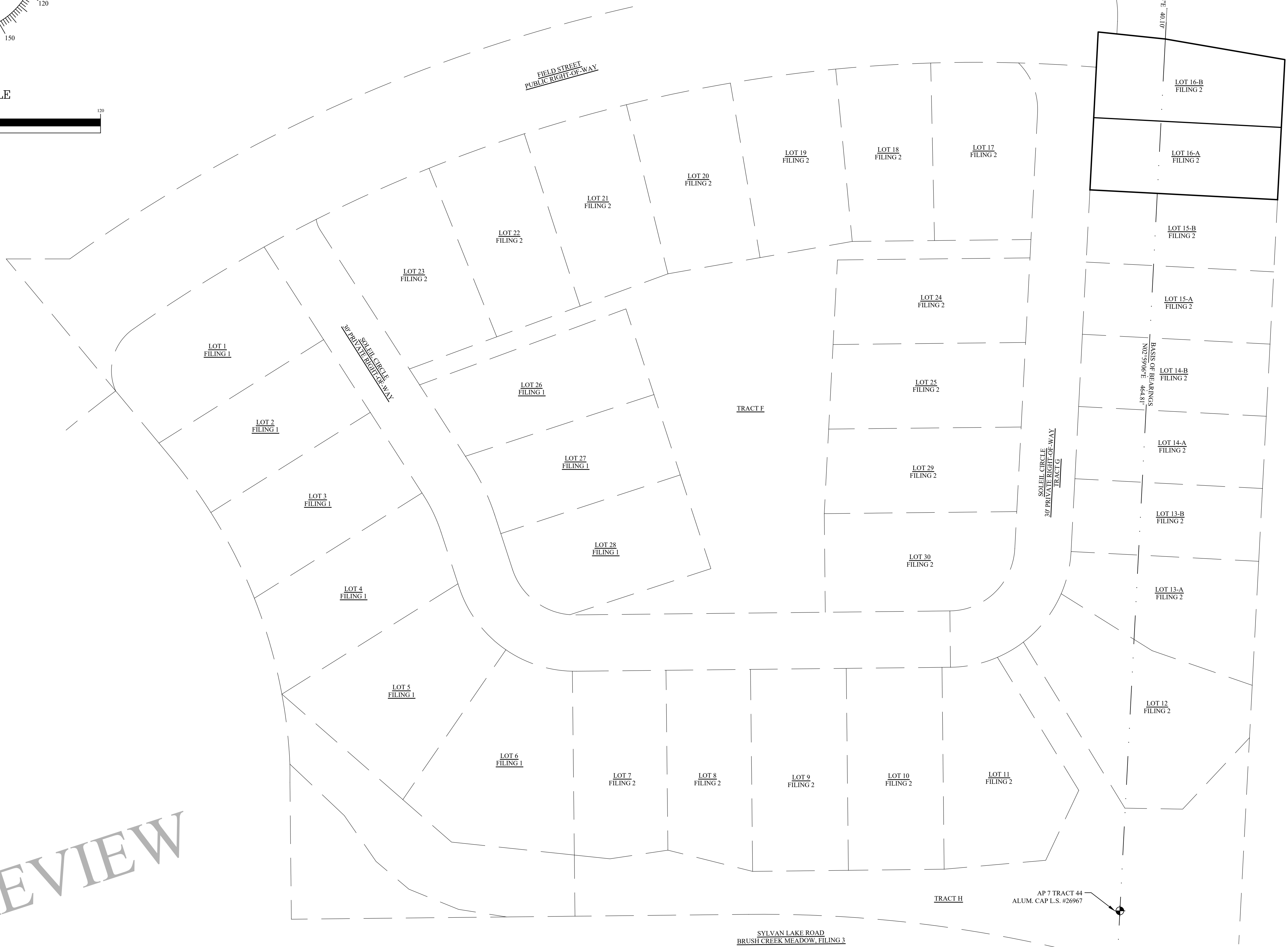
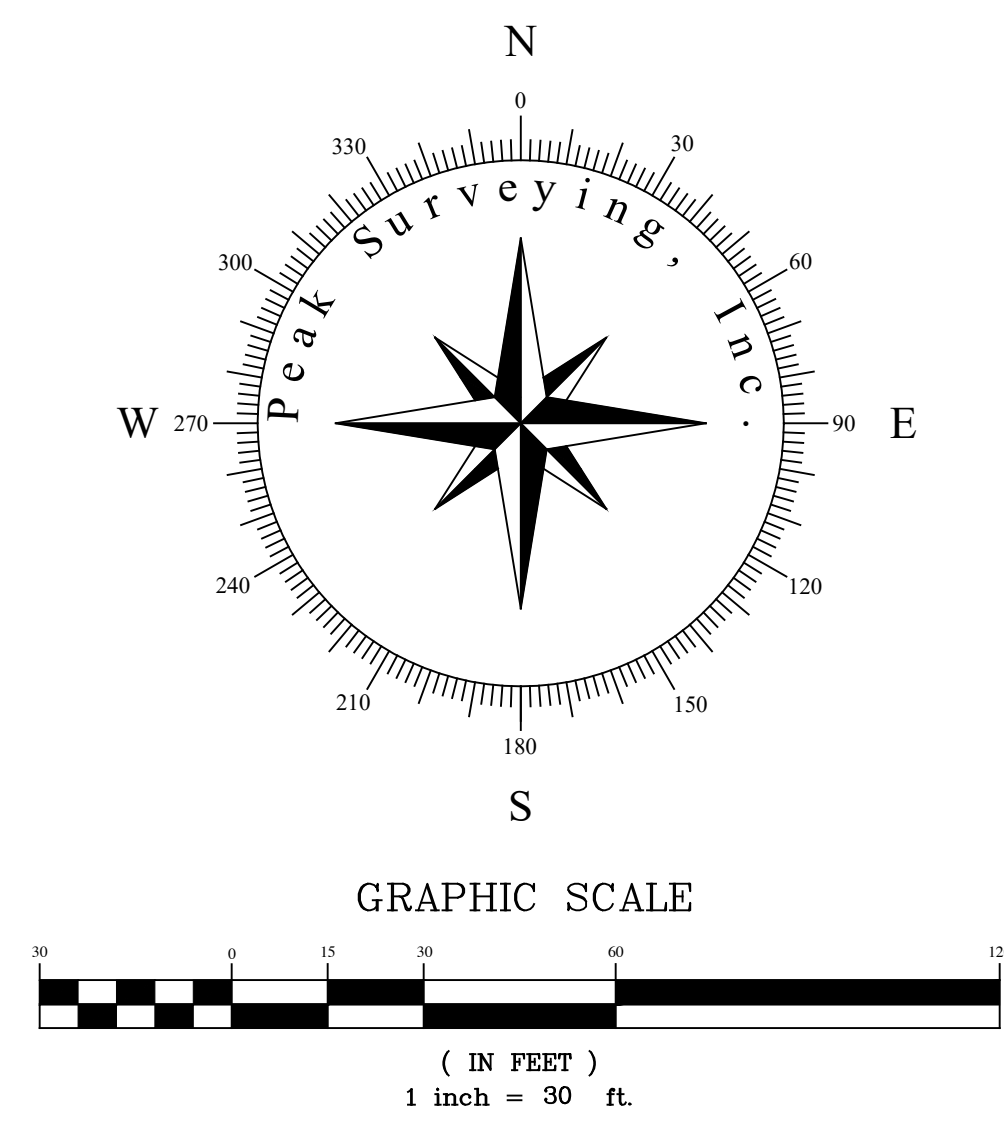
EAGLE COUNTY CLERK & RECORDER

BY: _____
DEPUTY

DECLARATION OF PROTECTIVE COVENANTS ARE FILED AT RECEPTION NO. _____

WYNTON HOMES, LLC, TOWN OF EAGLE, COLORADO	Project NO. 15044-16
FINAL PLAT SOLEIL HOMES AT BRUSH CK, FLG 2 PHASE II, RESUB. OF LOTS 16	1 OF 2

FINAL PLAT
SOLEIL HOMES AT BRUSH CREEK, FILING 2, PHASE II
A RESUBDIVISION LOT 16, SOLEIL HOMES AT BRUSH CREEK, FILING 2
ACCORDING TO THE FINAL PLAT RECORDED MARCH 08, 2017 AS RECEPTION NO. 201704025
TOWN OF EAGLE, COUNTY OF EAGLE, STATE OF COLORADO



FOR REVIEW

NOTICE: ACCORDING TO COLORADO LAW, YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.

Drawn By:	JRN	NO.	Date	Revision	By
Checked By:	JRN				
Date:	JUNE 04, 2020				
Computer File:	044-F2-L16-FP				

WYNTON HOMES, LLC. TOWN OF EAGLE, COLORADO FINAL PLAT SOLEIL HOMES AT BRUSH CK, FLG 2 PHASE II, RESUB. OF LOT 16	Project NO. 15044-16 2 OF 2
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To: Planning and Zoning Commission

From: Chad Phillips

Date: July 21, 2020

Re: Elevate Eagle, Chapter 5 Work Session

Due to COVID-19 and staffing-related issues, the Elevate Eagle - Town of Eagle Comprehensive Plan (EE) re-write process was put on hold. Based on recent direction from the Town Council, the process has been restarted. Upon review of the draft, staff determined that, as a tool for the Council and P&Z when evaluating current planning applications, there were certain guiding policies that were either absent or lacking in detail. As a starting point, staff reviewed the 2010 Eagle Area Plan and analyzed all policies/ strategies that were still relevant and put them in the EE draft chapter 5. The next step was to remove repetitive language. The attached Chapter 5 includes all policies/strategies from the latest (November 2019) EE draft as well as the relevant 2010 items. For this review purpose, the words strategies and policies are used interchangeably.

Staff has scheduled this work session to review these tools. The goal at this step is for the P&Z to review the draft chapter 5 and consider two main points: **1) are the policies presented relevant, and 2) is there any land use guidance missing?**

Upon reviewing the attached chapter 5, the existing draft language is in black font. Yellow highlights are to show topics. Policies from the 2010 plan are shown in blue font. The 2010 plan identifies *character areas* of the Town and surrounding unincorporated lands. While EE briefly mentions character areas, the draft does not specifically describe them (graphically or text) or list policies for certain areas. The blue font also includes 2010 policies specific to character areas. Additional thought should be given to determine if character areas should be better identified and should specific policies apply to specific areas.

Not only will the P&Z be reviewing Chapter 5, but the Council will be as well – with the comments expressed at the 7/21/20 P&Z work session. While the draft will be reviewed in its entirety later, the focus of this work session will simply be its usability while evaluating applications.

Please prepare for the 7/21 P&Z meeting with the draft chapter 5 marked up including ideas for anything that was missed.

Thank you for your attention and hard work – let's get this plan wrapped up!

CHAPTER 5 GOALS, STRATEGIES & ACTIONS

Goals, Strategies, and Actions

The goals and strategies in this section support and advance the Town's vision (see Chapter 3). It serves as the work plan and provides policy guidance along with timelines and responsibilities for implementation. Goals encompass the opportunities identified through public outreach, and articulate a desired ideal and a value to pursue. Supporting strategies are specific and provide examples of implementation of each goal.

Actions serve as a series of specific steps to be taken by the Town and community partners to achieve the community's vision and goals. Because implementation can take time, Town leaders and staff should reassess and prioritize these action items annually. Implementation measures may be adjusted over time based on availability of new or improved information; changing circumstances; and anticipated effectiveness, so long as they remain consistent with the intent of this Comprehensive Plan.

There are three broad categories of actions:

1. **Regulatory Reform (R).** Development regulations and standards may need to be updated to ensure consistency with the goals and objectives of the Comprehensive Plan and includes changes and updates to zoning and land use regulations and design and signage guidelines and standards.
2. **Supporting Plans and Studies (P/S).** Specific projects or initiatives may require additional analysis and direction at a more detailed level than within this Comprehensive Plan; and include feasibility studies; master and/or subarea plans, environmental or transportation master plans, or additional funding studies.
3. **Capital Projects (CP).** Major infrastructure investments are specifically relevant to the implementation of the Comprehensive Plan goals and strategies, but should be considered in conjunction with other capital improvements to determine priorities, project efficiencies, and timing of expenditures.

There are three levels of anticipated cost associated with each action:

1. **Low Cost (L).** Anticipated cost of less than \$20,000
2. **Medium Cost (M).** Anticipated cost of \$20,000 - \$100,000
3. **High Cost (H).** Anticipated cost of more than \$100,000

There are three categories of anticipated time-frame for completion of each action:

1. **Short Term (ST).** 0-5 Years
2. **Mid Term (MT).** 5- 10 Years
3. **Long Term (LT).** 10-20 Years or more

ELEVATING OUR INCLUSIVE CULTURE

Our Vision

The Eagle community is defined by our welcoming spirit, our appreciation of our neighbors, and support of one another.

Our Goals and Strategies

GOAL 1. PROMOTE A WIDE RANGE OF ATTAINABLE HOUSING OPPORTUNITIES FOR YOUNG ADULTS, FAMILIES, AGING RESIDENTS, WORKFORCE, AND OTHERS.

1.1 Foster a healthy mix of housing types and densities.

1.2 Support and contribute to the development of attainable housing options.

1.3 Identify additional senior housing opportunities.

GOAL 2. EXPAND EMPLOYMENT OPPORTUNITIES.

2.1 Provide opportunities to live and work within Eagle.

2.2 Promote commercial development that fits the desired character of the community.

1. Support and contribute to efforts to address the needs for affordable housing.
2. Promote the preservation and/or creation of a wide range of housing units, including single family, duplex, multifamily and mixed-use arrangement units.
3. Allow and encourage accessory units within single family residential zones and in new development.
4. Distribute for sale and for rent affordable housing units throughout the Town's incorporated area.

ELEVATE OUR UNIQUE CHARACTER

Our Vision

The Town of Eagle's eclectic neighborhoods, framed by Castle Peak, the Sawatch Range, and the Eagle River, provide the ideal setting to celebrate our western heritage and adventurous spirit.

Our Goals and Strategies

GOAL 1. ENHANCE BOTH THE VIBRANCY AND VIABILITY OF DOWNTOWN.

1.1 Encourage additional commercial and mixed use development.

1.2 Provide additional opportunities for public art.

1.3 Encourage public events that are unique, engaging, and reflective of the community.

GOAL 2. CELEBRATE THE TOWN'S UNIQUE SMALL-TOWN CHARACTER.

2.1 Preserve and enhance each of Eagle's unique character areas (i.e. Downtown, Chambers Avenue, Market Street, Eagle Ranch Commercial Core, Eagle River Corridor, and the US Highway 6 Corridor/Grand Avenue).

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

GOAL 3. CONNECT EAGLE'S UNIQUE NEIGHBORHOODS PHYSICALLY AND VISUALLY THROUGH A WALKABLE AND TRAIL-ORIENTED ENVIRONMENT WITH HIGH-QUALITY WAYFINDING.

3.1 Enhance pedestrian access and the quality of public gathering areas.

3.2 Enhance wayfinding to reflect the Town brand and to identify appropriate locations and designs for directional signage, as well as address vehicular, pedestrian, transit, and trail signage.

GOAL 4. MAINTAIN AND IMPROVE THE APPEARANCE OF EAGLE BY ESTABLISHING AND REINFORCING THE TOWN'S IDENTITY AND SENSE OF PLACE.

4.1 Enhance gateways and streetscapes to reflect the Town's unique identity, providing a clear sense of arrival.

1. New development should be compact, pedestrian friendly and located within or adjacent to existing development to minimize infrastructure and service needs
2. Promote the development of compact neighborhoods in close proximity to public transit options and established neighborhood retail centers.
3. As determined appropriate, work to increase residential and commercial densities in established neighborhood retail center areas.
4. Work to amend regulatory barriers that prevent the intensification of development in identified areas already served by Town infrastructure.
5. Identify specific redevelopment and infill opportunities on vacant or under-utilized lots in otherwise built-up areas through future sub-area planning efforts. Ensure that infill and redevelopment areas contain sufficient land for community facilities, recreation and government services as appropriate.
6. Ensure residential infill and redevelopment outcomes blend appropriately with the character and scale of surrounding neighborhoods.
7. Utilize compact development, infill and conservation-oriented development to accommodate growth while retaining open lands and protecting environmentally sensitive areas.

8. Apply dark night sky standards to all proposed outdoor lighting systems, and work to retrofit existing systems over time.
9. Promote vertical mixed use, horizontal mixed use or a combination of mixed-use patterns in appropriate areas with the Town's Urban Growth Boundary. Ensure appropriate design standards are applied to areas of mixed-use.
10. Require adequate pedestrian amenities/facilities including sidewalks, landscaped areas, gathering areas and nighttime lighting in mixed use developments.
11. New development should build upon and add value to Eagle's unique community character through adherence to high quality standards of design and construction.
12. Maintain and improve the appearance of community gateways and streetscapes to better establish and reinforce the Town's identity and sense of place.
13. Work to maintain and enhance the sense of community in the Eagle area.
14. Require new development to provide amenities that promote social interaction such as sidewalks, parks, open space systems, and bicycle paths.
15. New development should build upon and add value to Eagle's unique community character through adherence to high quality standards of design and construction.
16. Support transit-oriented development, and improvements that promote multi-modal transportation options within the Town's Urban Growth Boundary.
17. Promote compact development, allowing increased residential, retail and mixed-use densities in areas close to transit stops.
18. Support efforts to enhance or expand Town parks, trails and recreation amenities.
19. Require new development to provide adequate parks, trails and other recreational facilities.
20. Increase height allowances within the CBD to more easily accommodate three story buildings.
21. The rich cultural heritage of the Eagle area shall be preserved.

Policies for West and East Gateway Areas

1. Maintain an undeveloped community buffer between the Town of Eagle and the Wolcott area and Town of Gypsum by preserving the agricultural and rural character of the valley floor east and west of the Town. Support the continuance of irrigation, grazing, haying and other agricultural operations in these areas.
2. Design gateways to reflect the town's unique identity, providing a clear sense of arrival and departure. Gateways should be enhanced through the addition of landscaping, signage and public art.
3. Support the installation and maintenance of attractive, well-managed landscaping.
4. Limit new development to that provided by current zoning, with improvements positioned and designed in a manner that preserves the open rural character of the area.

- ~~5. Preserve the quality of the Eagle River corridor and related habitats. Relevant planning principles from the Eagle River Corridor Character Area should be applied.~~
6. Support lease agreements and other means that provide additional fishing access points to the Eagle River, where appropriate.
7. Maintain the function of the existing I-70 wildlife underpass located approximately halfway between the Town's eastern boundary and Red Canyon as a wildlife passage between lands north and south of the Interstate. (note: where is this? (RED or RE-50J school site?))
8. Work to improve the appearance of developed areas at the Town's western and eastern edges by:
 - a. Encouraging screening or other enhancements to building facades and outdoor storage areas to improve visual quality.
 - b. Phasing out non-conforming and/or unsightly uses.
 - c. Maintaining vegetation that currently provides screening of less-attractive sites.
 - d. Restoring scarred hillsides, like those north and west of Hockett Gulch.
 - e. Assuring that new development includes architectural elements and treatments consistent and compatible with established design guidelines for the Town of Eagle.
9. Evaluate and update the Master Plan for the County's Fairgrounds property, incorporating design guidelines to improve the appearance of structures and facilities and landscaping.
10. Integrate pedestrian planning and streetscape enhancements on U.S. Highway 6 to create a gateway and sense of arrival into Town.

Planning Policies: Town Center Character Area -- **Define Character Area with visuals**

1. The character of the Town Center is defined by a small-town neighborhood feel and includes residential blocks as well as the Central Business District.
2. Buildings on Broadway Street shall be constructed immediately adjacent to one another with no front setbacks.
 - a. New development shall be encouraged to provide setbacks from existing buildings where able to include small park or community gathering spaces.
3. Establish a unique and intimate relationship between buildings and the street.
4. Residential areas shall continue to include large trees, which provide ample shade, creating a sense of enclosure.
5. Residential neighborhoods shall continue to provide an atmosphere typical of early western Colorado communities through encouraging smaller homes on small narrow lots.
6. Development in the Town Center shall encourage infill and adherence to historic design standards that are sensitive to the area's historical character. New development shall include landscaping in keeping with the mature area, extended sidewalks, pedestrian amenities and parking enhancements.
7. New development in the Town Center shall be similar in scale and architecture to those that currently exist. Historic patterns, materials and architecture shall influence the physical design of new development, additions and improvements.

8. Design standards shall emphasize the traditional western small-town feel that is characteristic of Eagle.
9. The development of new higher density and mixed-use areas should grow incrementally outward from the established Broadway main street area. Ensure that infill and redevelopment is compatible in design, context and scale with the existing development in the Town Center Character Area.
 - a. ****Appendix: Broadway Design Standards** / **Appendix: Capitol and Wall Street Design Standards** / **Maps defining all Character Areas within the Town Center: Broadway Overlay / CBD (Capitol and Wall) Overlay / Residential****
 - b. Staff has had an idea to convert the CBD overlay to allow for a revised mixed-use district where property owners could have residential or commercial or both, but with design standards in place to ensure preservation of historic buildings.
10. Preserve historic resources and consider establishing a historic district on applicable properties within the Town Center Character Area.
 - a. Action Item?
11. Maintain the existing grid street pattern and the small lot sizes established by the 1905 Eagle Town Plat to the extent possible.
 - a. Design standards
 - b. Refine language to easily apply to code language for historic lots.
12. Encourage infill and the redevelopment of rundown, outdated or underutilized parcels on U.S. Highway 6 and Broadway Street.
13. In commercial/retail areas, mixed-use with retail, restaurant and entertainment uses required on ground levels and office, lodging and residential uses above.
14. Create new and enhance existing gathering spaces for social interaction.
15. Integrate signage and other wayfinding elements to guide visitors to Eagle's Town Center.
- ~~16. Protect and enhance key view corridors.~~

Planning Policies: Interstate 70 Influence Character Area

1. The Interstate 70 Influence Character Area includes the land along Chambers Avenue, Eby Creek Road, Sawatch Road, Marmot Lane and Market Street, as well as properties located between the end of Chambers Avenue and the Town's eastern border.
 - a. Include visual to define the area**
2. The commercial areas in the vicinity of Eby Creek Road have been developed to cater to both local needs and I-70 traveler needs, promoting the highest and best land use and providing a substantial portion of the Town's revenue base.
3. Ensure additional highest and best use businesses to locate on undeveloped or underdeveloped properties in the vicinity of the interchange, particularly on Chambers Ave.
4. Portions of the I-70 Influence Character Area are intended to support commercial and industrial uses, exclusive of other uses. Improvements along Chambers Avenue and Market Streets are auto-oriented with limited pedestrian amenities. Workforce housing, where one or two

employee units, are on a lot including at minimum a warehouse and office is considered an acceptable amount of residential in these districts.

5. Design policies have been developed by the Town for the Chambers Avenue, Commercial and Industrial Areas. These policies present requirements for architectural treatments, building materials, and building form and massing and landscaping for these areas.
6. Properties along Chambers Avenue are visible to travelers on Interstate 70, and strongly influence the appearance and character of the Town at its eastern border.
7. A design theme has been established on Market Street, this shall be maintained with any new development or re-development in this part of Town.
8. Within allowances established by the Town's level of service (LOS) standards, promote additional highway-oriented businesses (which may also serve local needs) in the vicinity of Eby Creek Road.
9. Encourage the development of vacant or underutilized lots at the western end of Chambers Avenue with more intensive uses that would benefit from their accessibility to the Interstate corridor.
10. Maintain existing commercial and industrial zoning in the Chambers Avenue, Market Street, Sawatch Road and Marmot Lane areas.
11. Promote sustainable businesses that contribute to the diversification of the local economy.
12. Periodically review and update existing design guidelines in the area to assure conformance with desired outcomes.

a. Action Item

13. Develop a sub-area plan for the Chambers Avenue corridor.

a. Action Item

14. Until a sub-area plan for the Chambers Avenue corridor is completed, minimize the inclusion of significant residential use in commercial and industrial areas located along Chambers Avenue, Marmot Lane, Sawatch Road and Market Street.

a. Define significant

15. Require compatible edge treatments and/or landscaped buffers on the margins of developed areas to assure an appropriate visual and functional transition to adjacent properties.

a. Add detail

16. Require perimeter landscaping, internal landscape islands and/or screening to minimize the visual impacts of large surface parking lots and outdoor equipment storage areas.

a. Disallow outdoor equipment storage areas – allow warehouses large enough to accommodate equipment

17. Work to attenuate noise impacts from I-70 through layout and building design, and through the strategic placement of landscape improvements.

a. Add detail – 1-70 buffer/screening

- ~~18. Additionally, for areas east of Chambers Avenue:~~

- ~~a) Establish design guidelines as part of any development approval process.~~
- ~~b) Encourage a development pattern and architectural vernacular that builds upon and enhances the Town's identity and sense of place.~~

- ~~c) Encourage layouts and building forms that are considerate of affected viewsheds and appropriate to the scale of the development site. Require buildings to incorporate 360-degree architectural treatments, articulation of façade and roof lines, and additional landscaping/screening to assure an attractive appearance at the Town's eastern gateway.~~
- ~~d) Where residential development is contemplated, require the inclusion of trails, open space, recreation space, gathering places and other pedestrian amenities.~~
- ~~e) Utilize Planned Unit Development (PUD) zoning and approval processes to assure the incorporation of desired character elements.~~

Planning Policies: Eagle River Corridor Character Area

~~**Map of Eagle River Corridor Character Area – extend through UGB area~~

- ~~1. Create a network of open space along the Eagle River to protect and preserve wildlife habitat, riparian vegetation and other sensitive lands while allowing for active recreation in select areas.~~
- ~~2. Protect and preserve wildlife habitat, riparian vegetation and other sensitive lands.~~
- ~~3. Seek opportunities to provide better connectivity from the Town Center Character Area to the river.~~
- ~~4. Encourage acquisition and preservation of the river corridor and adjacent properties for open space and recreational uses.~~
- ~~5. Implement appropriate strategies from the Eagle River Watershed Plan.~~

~~a. Keep?~~

- ~~6. Where impact to riparian areas is unavoidable (road and utility crossings), it should be minimized by implementing best construction management practices (BMP's), with an emphasis on preventing erosion and preserving and replacing vegetation.~~
- ~~7. Utilize conscientious site planning to preserve the character of the river corridor. Structures, parking areas, trash containers, recycling centers and other uses that could disrupt the quality of the river environment should be located away from the river and should be designed to have the least impact on the river corridor.~~
- ~~8. Maintain a buffer of undeveloped lands on either side of the river to preserve views, reduce impacts to water quality, enhance the value of community gateways, and maximize the quality of recreational experiences.~~

~~a. **Buffer to be defined – by map??~~

- ~~9. Seek opportunities to provide better connectivity from the Town Center Character Area and Eagle's neighborhoods to the river. Preserve and enhance existing public access points to the river.~~
- ~~10. Facilitate public and private sector investment within the river corridor that result in economic growth and community place-making. See the Eagle River Corridor Plan.~~
- ~~11. Create authentic and memorable places along the Eagle River for both residents and visitors.~~
- ~~12.) Provide high quality, river-oriented recreation amenities that allow for a wide variety of user groups to enjoy the Eagle River and its immediate environs. Broaden recreational opportunities as deemed appropriate. Consider development of a white water park in the Fairgrounds area.~~

13. Protect water quality of the Eagle River that include Implementing appropriate strategies from relevant water planning documents including but not limited to the Eagle River Watershed Plan, the Source Water Protection Plan, and the Water Efficiency & Conservation Plan. (see Appendix X). ~~the Eagle River Watershed Plan. (plan from 2013).~~
14. Use elements of the Eagle River and adjacent land to promote understanding of the river ecosystem and other qualities of the river corridor.

Planning Principles: Castle Peak Character Area --Eagle County, no plan required

- ~~A. Preserve rural character. Maintain low residential densities with the predominance of private land remaining undeveloped and/or devoted to agricultural uses.~~
- ~~B. Promote the acquisition and/or conservation of private properties as open space.~~
- ~~C. Preserve the quality of wildlife habitat and movement corridors to better assure the presence of healthy wildlife populations.~~
- ~~D. Preserve the quality of wetlands, streams and riparian corridors, and the vegetative communities that they support.~~
- ~~E. Improve or add public land access points where appropriate.~~
- ~~G. Retain historic views from local roads.~~
- ~~H. Where 35 acre development in the Resource zone district is proposed, encourage the use of the County's Conservation Subdivision process.~~

Planning Policies: Brush Creek Character Area

1. Support and preserve the attributes and quality of the "country lane" experience along Brush Creek Road.
2. Encourage clustering to balance conservation and development objectives so that wildlife habitat, views and sensitive environmental areas are preserved.
3. Large developments should provide for neighborhood connections setback significantly from Brush Creek Road to allow for a continued "country lane" experience.
4. New land uses within the Urban Growth Boundary should be designed to be compatible with the intents and purposes of this Eagle Area Community Plan.
 - a. **Action Item**
5. Implement rural design standards to maintain the historic agricultural character of homes and structures outside the Town's urban growth boundary.
 - a. **Action Item**
6. Enhance multi-modal and pedestrian connectivity within the Brush Creek Character Area.
 - a. **Work with Eagle County or Eagle County (project lead)**
- ~~7. Avoid and protect critical wildlife habitat areas and movement corridors inside and outside the Town's urban growth boundary.~~
- ~~8. Protect and preserve the quality of viewsheds and prominent view corridors.~~

~~9. Preserve the quality of wetlands, streams and riparian corridors, and the vegetative communities that they support.~~

~~a. Moved to wildlife~~

~~10. Improve or add public land access points where appropriate.~~

ELEVATING OUR ADVENTUROUS LIFESTYLE

Our Vision

The Town of Eagle offers the opportunity to explore, live, and work in a community surrounded by our vast outdoor playground.

Our Goals and Strategies

GOAL 1. PROMOTE THE UNIQUE ACTIVITIES (E.G. FLY FISHING, RAFTING, MOUNTAIN BIKING, CAMPING, SKIING, SNOWBOARDING, SNOWSHOEING, ETC.).

1.1 Continue to utilize, and build on, the Eagle Outside brand to promote the Town as a year-round destination.

1.2 Provide opportunities for campsite development in or near Town.

GOAL 2. PROVIDE VISITORS THE OPPORTUNITY TO EXPERIENCE EAGLE LIKE A LOCAL WITH EXCEPTIONAL AMENITIES.

2.1 Provide unique, local hospitality opportunities in and near Downtown.

GOAL 3. CONTINUE TO MAINTAIN THE INCREDIBLE TRAIL AND PARK SYSTEM AND FIND NEW OPPORTUNITIES FOR EXPANSION AND CONNECTIONS TO KEEP UP WITH THE ADVENTUROUS RESIDENTS' LIFESTYLE.

3.1 Ensure residents have access to recreation amenities.

3.2 Maintain a trail maintenance and expansion program. (action?)

3.3 Maintain and enhance existing parks. (action?)

GOAL 4. PROTECT OPEN SPACE LANDS OF HIGH CONSERVATION OR RECREATION VALUE IN AND SURROUNDING EAGLE.

4.1 Utilize relevant and available resources, including current resource maps and Town and County Open Space Plans, to identify open space to be preserved.

GOAL 5. WORK TO PRESERVE AND ACQUIRE ACCESS TO PUBLIC LANDS, OPEN SPACE, AND RIVER/STREAM CORRIDORS.

5.1 Maintain, improve, or add public land access points where appropriate.

5.2 Secure public rights-of-way, for existing or new access to public lands.

5.3 Maintain educational opportunities with regards to public lands.

1. Require new development to provide trail connections. to local and regional destinations or existing trail systems.
2. Work to preserve and acquire appropriate access to public lands, open space and river/stream corridors.
3. Maintain public land boundaries in their existing configuration, unless the public benefits derived from a land trade outweigh any resulting negative impacts.

ELEVATING OUR RELATIONSHIP WITH THE ENVIRONMENT

Our Vision

The Town of Eagle celebrates and preserves a unique connection with our environment by minimizing growth impacts to our water and wildlife resources.

Our Goals and Strategies

GOAL 1. PRESERVE OUR NATURAL OPEN SPACE AND WILDLIFE HABITATS.

- 1.1 Promote development inside the Urban Growth Boundary (UGB).
- 1.2 Mitigate impacts to the natural environment and native species.

GOAL 2. FIND A BALANCE BETWEEN RECREATION AND PRESERVATION ALONG THE EAGLE RIVER AND BRUSH CREEK IN ORDER TO PROTECT RIPARIAN HABITATS AND WATER QUALITY.

- 2.1 Maintain and enhance the existing trail network along Brush Creek to define areas for human interaction.
- 2.2 Identify and enforce setbacks from streams, rivers, wetlands, and riparian vegetation based on site-specific analysis sufficient to protect surface and groundwater quality, wildlife habitat, regional ecosystem integrity, viewsheds, and dispersed recreational opportunities.

GOAL 3. SUPPORT AND DEMONSTRATE SUSTAINABILITY.

- 3.1 Identify and work to correct energy inefficiencies in public buildings and government services.
- 3.2 Increase town efforts and education on recycling and composting programs to reduce waste.

3.3 Work to maintain and enhance the tree canopy.

3.4 Promote energy efficient designs and building codes that encourage energy conscious lifestyles and reduce overall energy consumption.

3.5 Support and contribute to efforts to educate local residents regarding energy-efficient designs and practices.

3.6 Identify and create an up-to-date inventory of existing and potential future water sources.

3.7 Track planned and actual water demands within the comprehensive plan so that the overall trend of water use can be seen compared to any long-term water budget.

3.8 Develop a Water Efficiency Plan

GOAL 4. PLAN FOR SAFETY AND RESILIENCY BY MITIGATING POTENTIAL NATURAL HAZARDS.

4.1 Ensure the Town is prepared to address hazards.

1. Preserve and protect the quality and integrity of riparian areas and river and stream corridors.
2. Avoid/correct improvements and land uses that are not compatible with natural systems or features of the natural landscape
3. Support and demonstrate the efficient use of natural resources.
4. Encourage all construction efforts to utilize green building practices.
5. Evaluate the feasibility of utilizing local renewable energy resources, including wind, solar, microhydro, biomass and geothermal.
6. Support measures to maintain and/or improve air quality.
7. Encourage site designs and alternative transit incentives that reduce the demand for automobile trips in the area.
8. Support measures to maintain and/or improve water quality and water quantities in the area
9. Promote water conservation in the Eagle area by:
 - a. Requiring the use of water saving household appliances.
 - b. Creating and implementing regulations related water efficient landscaping, to include incentives/requirements to install water efficient irrigation systems, reduce the use of water-consumptive ground covers and increase the use of native and/or drought tolerant plants.
 - c. Encouraging the use of water efficient irrigation methods on agricultural properties.
10. Development should avoid natural hazards and impacts on environmentally sensitive areas.
11. Utilize the most current resource analysis tools to identify natural hazards and environmentally sensitive lands. Address avoidance and the mitigation of impacts through the development review process.
12. Provide incentives including tax relief, flexibility in site development and Transfer of Development Rights programs to preserve environmentally sensitive lands.

13. Require appropriate and timely revegetation of graded and excavated areas.
14. Protect and enhance wildlife habitats and movement corridors in the Eagle Planning Area.
15. Utilize the most current analysis tools and mapping to identify critical wildlife habitats and movement corridors.
16. Work with the Division of Wildlife to identify and create safe highway crossing areas for wildlife in the area.
17. Maintain and work to enhance the quality of valued viewsheds and view corridors in the Eagle Planning Area.
18. Work to promote an understanding of local initiatives to reduce greenhouse gas production within the Eagle Planning Area.
19. Protect lands of high conservation or recreation value as open space.
20. Promote the acquisition and/or conservation of private properties as open space.
21. Preclude buildings or land disturbances on steep slopes and ridgelines.
22. Support efforts to implement a transfer of development rights (TDR) program to conserve the open and undeveloped character of the area, including gateway buffers.
23. Work towards removing unnecessary fencing and encourage the use of wildlife friendly fencing according to CDOW standards.
24. Protect and preserve wildlife habitat, riparian vegetation and other sensitive lands.
25. Avoid and protect critical wildlife habitat areas and movement corridors inside and outside the Town's urban growth boundary.
26. Preserve the quality of wetlands, streams and riparian corridors, and the vegetative communities that they support.

ELEVATING OUR CONNECTIONS

Our Vision

The Town of Eagle strives to offer a variety of technology, communication, and transportation choices to connect our community, locally and globally.

Our Goals and Strategies

GOAL 1. EXPAND OUR PUBLIC TRANSPORTATION NETWORK AND OPTIONS.

- 1.1 Promote **rideshare** opportunities.
- 1.2 Plan for future **public transportation** enhancements.
- 1.3 Enhance the ease of **active modes of transportation**.

GOAL 2. IMPROVE VEHICULAR TRAFFIC CIRCULATION.

2.1 Improve circulation on US Highway 6/Grand Avenue.

2.2 Collaborate with developers, the Eagle County Regional Transportation Authority, the State of Colorado, and the federal government to fund necessary transportation improvements.

GOAL 3. EXPAND THE NETWORK OF SAFE AND CONVENIENT PEDESTRIAN AND BICYCLE CIRCULATION.

3.1 Identify key intersections for enhancement.

3.2 Ensure multimodal connectivity between all residential areas and public destinations.

3.3 Encourage a compact development pattern.

GOAL 4. ENHANCE TELECOMMUNICATION CAPABILITIES AND INFRASTRUCTURE.

4.1 Coordinate with surrounding municipalities to provide enhanced broadband infrastructure in Eagle County.

4.2 Educate residents, business owners, and future investors about ongoing/future telecommunication projects.

1. Assure adequate access to and appropriate mobility options within all developed areas.
2. Consider the policies and prescriptions of local and regional access control plans, traffic management plans and public transportation plans in the development review process.
3. Design road, parking and delivery systems to anticipate future development and transportation needs. Promote a land use pattern that minimizes travel distances and encourages mobility by means other than the personal automobile.
4. Inter-connect residential neighborhoods, neighborhood retail centers and other public destinations with a paved recreational path and/or sidewalk system. Connect local paths to regional paths at appropriate locations.
5. Maximize opportunities for pedestrian and bike access to public transit stops and stations
6. Work to develop local “feeder” public transit systems.
7. Support efforts to create an efficient and effective mass transit system that would connect communities in Eagle County.
8. Ensure multimodal connectivity between all residential areas and public destinations.
9. Require developers to pay their fair share for transportation improvements related to their project.
10. Encourage efficient multimodal connectivity between all destinations in the area.
11. Maintain desired levels of service (LOS) on all travel routes, and work to increase the efficiency of the existing street system.
12. Require development applicants to provide traffic studies and traffic impact analysis appropriate to the location, scale and nature of proposed improvements.

13. Provide efficient pedestrian, bicycle and vehicular connections between established and new neighborhoods and public destinations.
14. Locate high traffic generating land uses close to collector and arterial roadways and transit centers.
15. Promote alternative modes of transportation to reduce reliance on the personal automobile.
16. Provide efficient pedestrian and bicycle connections between neighborhoods, businesses and other public destinations. Identify and implement pedestrian connectivity improvements in the following specific areas:
 - a. Between residential neighborhoods and commercial areas within the Town Center;
 - b. Between West Eagle and the Town Center;
 - c. Between the Town Center and businesses on Market Street;
 - d. Between businesses and off-site destinations in the Chambers Avenue, Sawatch Road and Nogal Road area; and
 - e. Between the Eby Creek Subdivision and the Market Street area.
17. Encourage a compact development pattern and establish minimum transit oriented development densities for new developments in areas adjacent to regional public transit routes or proposed transit centers.
18. Ensure that streets effectively accommodate transit, bicycles, pedestrians and other transportation options as determined appropriate.
19. Integrate mass transit facilities where practicable and encourage transit-oriented development in Town Center Neighborhood. Encourage creation of a multi-modal transit center in the Town Center.
 - a. **Action Item**
 - b. ****Visual/Map Needed****
20. Link pedestrian, bicycle and automobile circulation to and throughout the Town Center area. Consider roadway improvements to increase connectivity and capacities including a connection from the U.S. Forest Service parcel to U.S. Highway 6. Encourage a strong pedestrian orientation on Broadway Street and U.S. Highway 6. Work to improve pedestrian access from the downtown to the fairgrounds.
 - a. Include Visual / Map – show the existing conditions
 - b. Develop an action item – how can we improve upon what’s existing – which department takes project lead, who are the community partners?
21. Promote pedestrian movement and access within and between retail areas, residential areas and lodging areas.
22. Provide better connectivity between the Town Center and the Eagle River.

ELEVATING OTHER THINGS...(ITEMS FROM 2010 THAT MIGHT NOT FIT INTO EE CHAPTERS BUT WORTH CONSIDERATION)

Our Vision

1. Consider relevant economic forecasts, road access plans, water and sewer service plans, travel management plans, vegetation management plans, recreation plans, watershed plans, wildlife management plans, viewshed studies and other relevant government and private agency studies and guiding documents in the evaluation of new development proposals
2. Preserve high quality agricultural lands, public lands, wildlife resources, water resources, forest resources and viewsheds in the Eagle Planning Area.
3. Maintain existing public land boundaries, unless the public benefits realized by a land trade or exchange clearly outweigh any negative impacts.
4. Provide incentives to retain agricultural land use, agricultural structures and related activities and events in the Eagle Planning Area
5. Discourage pre-annexation agreements for Town water service for new development in areas outside the Urban Growth Boundary
6. Avoid/correct land use patterns that create conflicts or unsafe conditions within the Planning Area.
7. Support an economic development strategy that is consistent with the vision statement.
8. Promote businesses and activities that benefit from Eagle's proximity to the I-70 corridor.
9. Expand retail diversity to reduce sales tax leakage.
10. Support opportunities to expand the number and diversity of businesses in Eagle.
11. Improve signage to draw visitors off of Interstate 70 and US Highway 6 to the Town's retail centers.
12. Encourage a mix of uses, including residential, within the CL District.
13. Seek solutions to limited existing infrastructure capacity.
14. Position the Town and County to effectively meet the pace and demands of growth.
15. Maintain Level of Service Standards in the Town and County per community expectations.
16. Ensure that new growth "pays its own way" to the degree possible. Evaluate all new development proposals for the impacts they create on both infrastructure and services.
17. Utilize a variety of mechanisms to ensure that new development properly mitigates its impacts on services and infrastructure that will be created.
18. Utilize appropriate mechanisms to require existing development to pay its fair share of service and infrastructure costs.
19. Consider the use of special improvement districts or similar instruments for funding infrastructure projects that primarily serve existing limited developed areas.