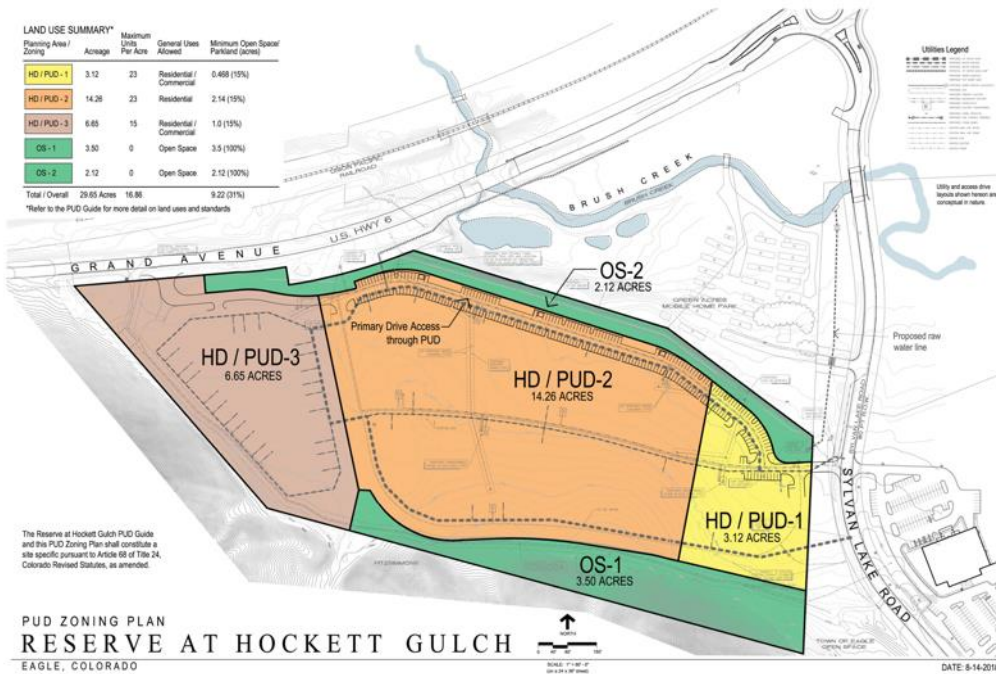


First Amended Reserve at Hockett Gulch Planned Unit Development Guide Town of Eagle, CO



Amended and Approved June 7, 2022

This document supersedes and replaces the August 13, 2019, Reserve at Hockett Gulch Planned Unit Development Guide.

APPROVAL OF THIS PLAN CREATES VESTED PROPERTY RIGHTS PURSUANT TO SECTION 24-69-103, C.R.S., AS AMENDED

1. Statement of Purpose & Intent

The purpose of this PUD Guide is to serve as the land use regulations that will govern and control the orderly development of the Reserve at Hockett Gulch Planned Unit Development (the "PUD"). The PUD Guide will serve as the zone district regulations for the PUD. This PUD Guide is a site-specific development plan and creates vested rights pursuant to Article 68 of Title 24, Colorado Revised Statutes, as amended. Pursuant to the Annexation Agreement, the period of vested rights is 7 years from the date of approval of this PUD Guide.

2. Definitions

For purposes of the PUD, the following terms shall have the following meanings, and any terms not defined herein shall have the meaning set forth in the Eagle Municipal Code (the "Code").

"Active Recreation" means common areas within the PUD, including without limitation: useable open space; improved common recreational amenity areas such as pools and fitness facilities; picnic sites; playgrounds; open turf and lawn areas that are sufficient in size to support recreational sports activities; trails and adjacent open spaces not required for direct access to dwelling units or commercial facilities, if connected to a regional system or established trail network; and similar areas as determined by the Town Planner.

"Building Coverage" means that portion of a lot or site covered by a building footprint, as measured to exterior materials at grade level.

"Building Code" means Title 13 of the Code, as amended.

"Building Height Measurement" means the maximum distance possible measured vertically from any point on existing or proposed grade, whichever is more restrictive, to the highest portion of the roof directly above. Chimneys, vents, and elevator or stair penthouses that are required to be above the surface of the roof may exceed building height by 15% or that required by Building Code, whichever is greater.

"Clubhouse" means a facility provided as an amenity space within a residential development which is ancillary to the residential use for use primarily by the residents of the residential development and which may contain the following types of uses: meeting rooms, kitchen, restrooms, leasing and management offices for the development, fitness areas, lounges, mailrooms, and similar uses.

"Commercial Use(s)" means any use listed in the following zone districts as set forth in the Code: the Central Business District ("CBD"); the Commercial Limited ("CL") District; and the Commercial General ("CG") District.

"Density" means Dwelling Units per acre of total land area.

“Impervious Coverage” means that portion of a lot or site covered by materials forming any unbroken surface impervious to water including Building Coverage.

“Lodging” means overnight sleeping accommodations where rooms or units are intended to be rented or leased on a short-term daily or weekly basis. Examples of lodging include, without limitation, hotels, extended stay hotels, and motels.

“Maintenance Facility” means an accessory building used for the general maintenance and operation of permitted, special, or accessory uses, which may include an office, storage areas, and housing of equipment typically used to maintain buildings, parking areas, and landscape areas, which does not exceed 1,000 square feet.

“Planning Area(s)” means parcels HD/PUD-1, HD/PUD-2, and HD/PUD-3 as indicated on the PUD Zoning Plan.

3. PUD Zone Districts

a. High Density PUD (HD/PUD-1)

- i. **Purpose.** To promote the development of a more densely populated residential neighborhood in connection with HD/PUD-2 while also allowing for a small commercial shopping area given proper market conditions, that is conveniently located within the Town, has direct access to Sylvan Lake Road and provides opportunities for neighborhood shopping and residential housing opportunities. Flexibility is provided such that this zone district can develop as exclusively residential, exclusively commercial, or as a mixed-use zone.
- ii. **Uses by Right**
Multifamily dwellings.
Townhouses.
Two-Family dwellings.
Home occupations in compliance with the Code.
- iii. **Special Uses**
Commercial Uses.
Group homes.
- iv. **Accessory Uses**
Garages, detached or attached.
Clubhouses.
Leasing offices for rental apartments.
Maintenance facilities.
Carports.
Pools, playgrounds and picnic shelters.
Parks, open space and trails, and community gardens.
Pedestrian and bicycle trails.

v. Minimum Building Setbacks

Perimeter: 25' from the perimeter of the entire PUD

Parking areas: 10' from the perimeter of the PUD.

Multifamily dwellings: 5' from parking areas or streets, and 10' separation between buildings or pursuant to the Building Code, whichever is greater.

Townhouses and Two-Family dwellings: 10' front, 5' sides, 10' rear, 10' from parking areas and streets and 10' separation between buildings.

Commercial: 10' from parking areas and streets, and 20' from any adjacent residential area or common area.

Accessory Buildings: Non-habitable accessory buildings, including without limitation Clubhouses and leasing offices, shall adhere to the setbacks for multifamily uses. Garages, carports, trash enclosures, and other accessory structures developed as common facilities within a residential community must only comply with setbacks from the perimeter of the PUD.

vi. Maximum Building Heights

Commercial/Mixed Use: 35'.

Townhouses and Two-Family dwellings: 35'.

Multifamily dwellings: 45' and not more than three stories.

vii. Minimum Lot Area

Commercial/Mixed Use: 20,000 sq. ft.

Townhouses and Two-Family dwellings: 2,500 sq. ft.

Multifamily dwellings: 15,000 sq. ft.

viii. Maximum Building and Impervious Coverage

Building Coverage: 55%.

Impervious Coverage: 75%.

ix. Commercial Floor Area

The maximum commercial floor area shall not exceed an FAR of 0.11:1 which limits the total commercial floor area in HD/PUD-1 to 15,000 sq. ft. There is no minimum required commercial floor area. There is an overall maximum commercial floor area within the PUD of 30,000 sq. ft.

x. Maximum Residential Floor Area

The maximum residential floor area shall not exceed an FAR of 0.53:1.

xi. Density

The maximum residential density shall not exceed 16.86 units per acre for the entire PUD and the minimum density shall be at least

6.5 units per acre upon buildout of the entire PUD. The maximum density allowance in HD/PUD-1 is 23 units per acre or 72 units.

xii. Useable Open Space

Townhouses, Multifamily dwellings and Two-Family dwellings: There shall be a minimum of 300 sq. ft. of useable open space for each dwelling unit.

In no case shall there be less than 15% useable open space in the aggregate for the PUD.

xiii. Mixed Use Designation

HD/PUD-1 is intended to allow for horizontal mixed use with residential uses and commercial uses. This Planning Area could also develop as a residential only neighborhood or a commercial only neighborhood. If commercial uses are developed, they will be focused on the Sylvan Lake Road frontage. The residential areas would be developed with reasonably separated access from the commercial areas to provide a more residential feel to the residentially developed areas. Commercial development shall be well coordinated with the adjacent residential uses such that there is adequate setback, screening, and buffering of the commercial uses while at the same time allowing for appropriate pedestrian and vehicular connections so that the result is a well-planned and accessible development. Great attention will be given to the landscape design to ensure exceptional cohesion of commercial and residential areas.

b. Residential PUD (HD/PUD-2)

i. Purpose

To provide residential housing opportunities, including multifamily dwellings, two-family dwellings, and townhouses at a moderate to high level of density.

ii. Uses by Right

Multifamily dwellings.

Townhouses.

Two-Family dwellings.

Home occupations in compliance with the Code.

iii. Special Uses

Group homes.

Child care facilities.

iv. Accessory Uses

Garages, detached or attached.

Clubhouses.

Leasing offices for rental apartments.

Maintenance facilities.
Carports.
Pools, playground or picnic shelters.
Parks, open space and trails, and community gardens.
Pedestrian and bicycle trails.

v. Minimum Building Setbacks

Perimeter: Building setbacks shall be a minimum of 25' from the perimeter of the entire PUD including OS-1 and OS-2. Parking areas shall be a minimum of 10' from the perimeter of the PUD.

Multifamily dwellings: 5' from parking areas and streets, and 10' separation between buildings or pursuant to the Building Code, whichever is greater.

Townhouses and Two-Family dwellings: 10' front, 5' side, 10' rear, 10' from parking areas and streets and 10' separation between buildings.

Accessory Buildings: Non-habitable accessory buildings, including without limitation Clubhouses and leasing offices, shall adhere to the setbacks for multifamily uses. Garages, carports, trash enclosures, and other accessory structures developed as common facilities within a residential community shall comply with setbacks from the perimeter of the PUD.

vi. Maximum Building Heights

Townhouses and Two-Family dwellings: 35'.

Multifamily dwellings: 45' and not more than three stories.

vii. Minimum Lot Area

Townhouses and Two-Family dwellings: 2,500 sq. ft.

Multifamily dwellings: 15,000 sq. ft.

viii. Maximum Building and Impervious Coverage

Maximum Building Coverage: 55%.

Maximum Impervious Coverage: 75%.

ix. Maximum Residential Floor Area

The maximum residential floor area shall not exceed an FAR of 0.53:1.

x. Maximum Density

The maximum residential density shall not exceed 16.86 units per acre for the entire 29.65-acre PUD and the minimum density shall be at least 6.5 units per acre upon buildout of the entire PUD. The maximum density accounts for the potential of the more densely developed multifamily uses. The maximum density allowance in HD/PUD-2 is 23 units per acre or 328 units.

xi. Useable Open Space

Townhouses, Multifamily dwellings, and Two-Family dwellings:

There shall be a minimum of 300 sq. ft. of useable open space for each dwelling unit.

In no case shall there be less than 15% Useable Open Space in the aggregate for the PUD.

c. Mixed Use PUD (HD/PUD-3)

i. Purpose

The purpose of HD/PUD-3 is to promote the development of a more densely populated residential neighborhood in connection with HD/PUD-2 while also allowing for a small commercial shopping area given proper market conditions, that is conveniently located within the Town, has direct access to Grand Avenue and provides opportunities for neighborhood shopping and residential housing opportunities. Flexibility is provided such that this zone district can develop as exclusively residential, exclusively commercial, or as a mixed use zone.

ii. Uses by Right

Commercial Uses.

Multifamily dwellings, Townhouses, Two-Family dwellings, and Single-Family dwellings.

Lodging.

iii. Special Uses

Group homes.

iv. Accessory Uses

Garages, detached or attached.

Clubhouses.

Leasing offices for rental apartments.

Maintenance facilities.

Carports.

Pools, playground or picnic shelters.

Parks, open space and trails, and community gardens.

Pedestrian and bicycle trails.

v. Minimum Building Setbacks

Perimeter: 25' from the perimeter of the entire PUD. Parking areas shall be a minimum of 10' from the perimeter of the PUD.

Multifamily dwellings: 5' from parking areas and streets, 10' separation between buildings or pursuant to the Building Code, whichever is greater.

Single-Family, Townhouses, and Two-Family dwellings: 10' front, 5' sides, 10' rear, 10' from parking areas and streets, and 10' separation between buildings.

Commercial Uses: 10' from parking areas and streets, and 20' from any adjacent residential area or common area.

Accessory Buildings: Non-habitable accessory buildings, including without limitation Clubhouses and leasing offices, shall adhere to the setbacks for multifamily uses. Garages, carports, trash enclosures, and other accessory structures developed as common facilities within a residential community must only comply with setbacks from the perimeter of the PUD.

vi. Maximum Building Heights

Commercial/Mixed Use: 35'.

Single-Family dwellings, Two-Family dwellings and Townhouses: 35'.

Multifamily dwellings: 45' and not more than three stories.

vii. Minimum Lot Area

Commercial/Mixed Use: 20,000 sq. ft.

Single-Family dwellings, Townhouses, and Two-Family dwellings: 2,500 sq. ft.

Multifamily dwellings: 15,000 sq. ft.

viii. Maximum Building and Impervious Coverage

Building Coverage: 55%.

Impervious Coverage: 75%.

ix. Commercial Floor Area

The maximum commercial floor area shall not exceed an FAR of 0.11:1. There is no minimum required commercial floor area. There is an overall maximum commercial floor area within the PUD of 30,000 sq. ft.

x. Maximum Residential Floor Area

The maximum residential floor area shall not exceed an FAR of 0.86:1.

xi. Maximum Density

The maximum residential density shall not exceed 16.86 units per acre for the entire 29.65-acre PUD and the minimum density shall be at least 6.5 units per acre upon buildout of the entire PUD. The maximum density accounts for the potential of the more densely developed multifamily uses. The maximum density in HD/PUD-3 is 15 units per acre or 100 units.

xii. Useable Open Space

Townhouses, Multifamily dwellings, Single-Family dwellings and Two-Family dwellings: There shall be a minimum of 300 sq. ft. of useable open space for each dwelling unit.

In no case shall there be less than 15% useable open space in the aggregate for the PUD.

xiii. Mixed Use Designation

HD/PUD-3 is intended to allow for horizontal mixed use with residential use and commercial uses. This Planning Area may also develop as a residential neighborhood. If commercial uses are developed, they will be focused on the northern half of the property where there is frontage on and access to Grand Avenue. The residential areas would be developed with reasonably separated access to provide a more residential feel to the residentially developed areas. Commercial development shall be well coordinated with the adjacent residential uses such that there is adequate setback, screening, and buffering of the commercial uses while at the same time allowing for appropriate pedestrian and vehicular connections so that the result is a well-planned and accessible development. Great attention will be given to the landscape design to ensure exceptional cohesion of commercial and residential areas.

d. Open Space PUD (OS-1, OS-2)

i. Purpose:

To provide sites for natural open space, recreation access, paved trails, unpaved trails and facilities, single-track trails, water storage and drainage improvements, debris flow mitigation, and roadways and landscaping. These parcels are zoned open space pursuant to this PUD Guide.

ii. Uses by Right:

Pedestrian and bicycle trails.
Shade shelters and picnic facilities.
Public and private parks.
Trailhead access and parking (OS-1 only), public restrooms, utilities including tanks, lines, mains, pumphouses, facilities and other public services and utility buildings.
Community gardens and associated facilities.

4. Open Space and Parks

Parcel OS-1 will be conveyed to the Town and allow for public access, debris flow mitigation, storm-water facilities, public and private utilities, and other uses as specified herein. Parcel OS-2 shall remain privately owned, but access to Parcel OS-2 shall be provided to the Town through dedication of an open space easement allowing public access, debris flow mitigation, stormwater facilities, public and private utilities, and other uses as specified herein.

In addition to the proposed recreation trail use, Parcel OS-1 will be developed with a minimum of an 8,000 sq. ft. park/useable open space area.

Additionally, private useable open space areas within each Planning Area will contain improved park-like areas designed to accommodate recreation needs of children (*i.e.*, playgrounds, play areas, play fields) and adults (*i.e.*, sport courts, and picnic areas) with at least 75% of these areas being at a slope of less than 10%.

The Code would typically require this 29.65-acre PUD to provide 15 acres (approximately 50% of the property) of park land dedicated to the Town. The Code provision is inconsistent with the overall intent of this PUD to provide workforce housing opportunities. The Code allows the 15-acre requirement to be reduced to 7.5 acres in exchange for provision of private recreation facilities that provide for the recreational needs of the residents of the proposed development. The PUD provides for the recreational needs of the residents. Unlike a typical PUD, the Reserve at Hockett Gulch is focused on the delivery of workforce housing which requires more density than a typical residential PUD within the Town. The PUD has demonstrated sufficient useable and active recreation areas within the PUD that satisfy the intent of the remaining 7.5 acres of park land dedication

On Parcel OS-1, Developer shall construct a public soft path that connects the Town's recreation path system with a potential future access to the PUD. This improvement shall be included in plans for the first Development Permit for the PUD.

Developer shall construct a 5' wide soft path loop generally around the northern perimeter of the PUD (located in OS-2) that connects to the Town's established recreation path system and is accessible by the general public. This improvement shall be included in plans for the first Development Permit for the PUD.

Developer shall construct a paved trailhead parking area for up to 14 parking spaces within the Town's open space located along Sylvan Lake Road. This is solely a public benefit to the community as the residents within the PUD already have onsite parking provided. This improvement shall be included in plans for the first Development Permit for the PUD.

Developer shall construct a waterless vault toilet within the Town's open space located along Sylvan Lake Road. The Town may instead require Developer to install a water and sewer-serviced restroom on the Town's property, subject to a temporary construction easement granted by the Town, provided that the cost of designing and constructing the restroom shall be allocated between Developer and the Town as follows: Developer, prior to construction, shall obtain: a bid from its preferred engineer and contractor for the design and construction of the waterless vault toilet system; and a bid from its preferred engineer and contractor for the design and construction of a water and sewer-serviced restroom. The fractional increase between the two bids shall be used to determine the Town's pro rata share of the actual costs to install the restroom. The restroom shall be subject to the Town's standard acceptance and warranty procedures. The bidding process as described herein shall not be required to occur prior to the

application for a building permit. This improvement shall be included in plans for the first Development Permit for the PUD.

Developer shall install a solar powered pedestrian crosswalk warning light system located to the north of the vehicular access to the PUD from Sylvan Lake Road. This improvement shall be included in plans for the first Development Permit for the PUD.

Developer shall construct recreation areas in all Planning Areas consisting of playgrounds with playground equipment, play fields, basketball courts, sand volleyball courts, or similar types of improvements to accommodate the needs of residents. No such improvements shall be required for the development of commercial uses.

5. Maintenance of Open Space

Parcel OS-1 will be owned and maintained by the Town. Parcel OS-2 will be owned and maintained by a property owner's association. Common open space areas provided within the other Planning Areas will be maintained by either the owner of the property (i.e., in the case of an apartment community under one ownership) or a property owner's association established to maintain open and common areas. Details regarding maintenance will be documented at the time of Subdivision or Development Permit.

6. PUD Zone District Acreage and Density Transfer

Flexibility is inherent within the PUD. PUD zone districts or Planning Areas may change in acreage to accommodate flexibility in final platting and other considerations such as stormwater needs. Parcel OS-1 and Parcel OS-2 may only be reduced in acreage to a maximum of 10% each, provided that the gross acreage of the combined OS-1 and OS-2 is not reduced.

HD/PUD-1 and HD/PUD-2 may be developed as a single development, in which case the density shall be allowed to transfer between the two Planning Areas as long as the total unit count of the combined area of the two Planning Areas does not exceed 400 dwelling units. No residential Density may transfer to or from HD/PUD-3.

7. Trail Use on Parcel OS-1

Parcel OS-1 will be owned by the Town. The Town will restrict the trail use on Parcel OS-1 consistent with this section. The public access will be limited to daylight hours for pedestrians and bicyclists (including electric assist bicycles) and restricted to the extent of the improved path provided within the parcel.

Access for motorcycles (all-terrain vehicles and four-wheeled vehicles prohibited) may be allowed subject to the following restrictions:

- Hours of operation (7:30 a.m. – 7:30 p.m.);
- Seasonal closure (December 15 – May 15);

- Fencing and "no trespassing" signage;
- Access only, no parking, no idling;
- Speed limits of 10 MPH;
- Restriction to use of improved single-track trail only;

Any travel through Parcel OS-1 to access the non-adjacent public lands of Hockett Gulch and beyond shall be prohibited.

8. Parking, Streets, and Other Standards

Parking Spaces: The required number of parking spaces shall be as follows:

Townhouses, Single-Family dwellings and Two-Family dwellings: 2 spaces per dwelling unit for units with fewer than three bedrooms, and 3 spaces per dwelling unit for units with 3 or more bedrooms. Tandem parking is permitted. Multifamily dwellings: 1.5 spaces per dwelling unit for units with one bedroom, 2 spaces per dwelling unit with 2 bedrooms, and 2.5 spaces per dwelling unit with 3 or more bedrooms.

Leasing management offices and clubhouses: A minimum of 3 spaces.

Commercial uses: per Code.

Special uses: As determined at the time of approval of the special use.

Accessory buildings: none.

Parking Standards:

Parking space size will be 9' x 19'. Spaces may be reduced to 9' x 18' where a curb or wheel stop is provided to allow for overhang of the vehicle. 25% of the total number of required parking spaces may be reduced to 8' x 16' for compact parking spaces. Excluding garage parking spaces, parking spaces will not be assigned for specific residents.

Driveways and Private Access Drives:

There are no public dedicated streets proposed in the PUD. The design standards accommodate access for service vehicles, trash trucks and all Fire Trucks owned by Greater Eagle Fire Protection District. The Town will not be responsible for traffic or parking enforcement on private streets or private driveways or in private parking lots. Each private street shall include an emergency access easement. There shall always be two points of access into the development.

Minimum Drive Lane width: 12',

Minimum Drive Aisle or Private Street width (two-way traffic): 24' wide.

Minimum Drive Aisle or Private Street width (two-way traffic) adjacent to multifamily structures over 30' in building height: 26' wide.

Gutter pan shoulder: 1.5' when necessary.

Curb and Gutter: 2' when necessary.

Valley Pan: 3' wide.

Maximum Drive Aisle/Street centerline grade: 10%.

Minimum Drive Aisle/Street centerline radius: 150'.

Minimum Drive curb return radius at intersections: 15'.

Minimum Drive Aisle/Street cross slope: 2%.
Minimum Crest curve K value: 5.
Minimum Sag curve K value: 10.
Minimum pavement section: Per Geotechnical Report for the PUD.
Design Speed: 25 MPH.

Sidewalks and Trails:

Sidewalks internal to the PUD will have a width of 5'. The width of a sidewalk may need to be increased to accommodate the overhang of parked vehicles to maintain minimums required by the Americans with Disabilities Act (the "ADA"). All sidewalks shall be constructed with concrete.

Internal pedestrian pathways and trails in common areas will have a minimum width of 4'. The Town may allow soft, unimproved, dirt paths and bike trails where appropriate.

The recreation trail on Parcel OS-1 will be 8' in width and constructed as soft, unimproved, dirt or gravel path. The trail platform shall be of sufficient width to allow the Town's maintenance vehicles to access Town facilities.

The perimeter trail on HD/PUD-3 and on Parcel OS-2 will be a soft, unimproved, dirt or gravel path with minimum average width of 5'. The trail platform shall be of sufficient width to allow the Town's maintenance vehicles to access Town facilities.

The trail on the Town's open space parcel located along Sylvan Lake Road will be a paved trail with a minimum width of 10' and constructed consistent with the Town's adjacent paved trails.

No trails will have slopes in excess of 10%. Cross slope will be a maximum of 3%.

9. Project Design, Signage, Landscaping, Irrigation and Exterior Lighting

In order to enhance the visual quality of any form of development in the PUD, all development permits shall include an Architectural Design Plan consistent with the standards of Code Section 4.07.020 and more specific design standards identified herein.

Architecture:

The architecture of residential and nonresidential buildings shall be consistent with the policies of the Eagle Area Community Plan with specific emphasis on visual quality and consideration of policies to create a western gateway (HD/PUD-3 only). The architecture of all buildings should be sympathetic to residential uses in the area and include the use of sloping roof forms. The use of flat roofs shall be limited to commercial buildings designed with a historic Eagle vernacular as one may find on Broadway or within the commercial core of Eagle Ranch Village (*i.e.*, brick façade, wood siding, or stone facade with an articulated and ornamented terminus to the parapet). Building materials

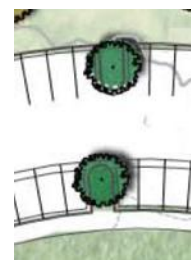
may include brick, stone, faux stone, wood board and baton, wood lap siding, cementitious versions of wood siding, wood timbers, exposed wood or metal beams, natural and painted metal structural members, high quality asphalt shingles, architectural metal siding and roofing materials. Imitation stucco is not allowed however a three-coat stucco system is allowed. Low quality building materials such as vinyl siding shall not be allowed. The overall development of the property shall be integrated well with the topography.

Landscaping:

Landscaping shall comply with the Code except as expressly noted herein. Care will be taken to ensure that landscape materials are placed in a manner that does not inhibit commercial performance but results in an attractive presentation of the site for adjoining public spaces. Noting the importance of the location of this PUD as prominent as a portion of the western gateway to the Town on Grand Avenue and the part of the gateway to Eagle Ranch on Sylvan Lake Road, great care shall be taken to ensure that the landscape buffer along these roadways is substantial in terms of width and proposed landscape materials. Generous setbacks from the perimeter of the PUD have been provided to ensure adequate areas for landscape materials.

Manicured water-efficient landscaping to include deciduous trees and native shrubs shall be provided to create an appropriate feel along the frontages of Grand Avenue and Sylvan Lake Road. Landscape treatment on Sylvan Lake Road shall be similar in quality to that already provided along this segment of the roadway adjacent to the Eagle Medical Center and the Founders neighborhood located on the opposite side of Sylvan Lake Road. Landscaping within the development areas will include substantial numbers of trees and shrubs to help ground buildings within the landscape, create screening and buffering between buildings and parking areas or driveways, and enhance the enjoyment of open and recreational areas between buildings. Proposed vegetation shall be consistent with the Reserve at Hockett Gulch Approved Vegetation List attached to this PUD Guide. Native areas requiring less irrigation upon maturity will be provided in areas where recreational and pedestrian use is not proposed but will still be considered Useable Open Space. Extensively used recreational areas may be developed with grass turf in order to withstand heavy use. Mulched, gravel, and other xeric practices may also be used to reduce irrigation needs.

Landscape islands or fingers (example shown here with tree) shall be provided within parking areas. These areas should contain trees to help breakup the parking area and provide the opportunity for shade. Islands or fingers of landscaping should occur every ten to twenty parking spaces as a rule of thumb but it is recognized that the number of parking spaces provided is also a critical consideration. Strict compliance to the Town's standards for landscape island spacing is not required.



A minimum number of trees or other plant materials is not prescribed by this PUD Guide. However, the intent is to provide a substantial level of vegetation that produces a high quality, livable environment consistent with the adjacent developments within Eagle Ranch. Detailed landscape plans will be provided during the Development Permit review process.

Irrigation:

All irrigation facilities and operation shall adhere to water efficient practices as adopted by the Town.

Signage:

All signs will comply with the Code, unless the developer chooses to submit a master sign program application for consideration by the Town

Exterior Lighting:

All exterior lighting shall be provided in conformance with the lighting standards of the Code, provided that LED light sources shall be specifically permitted when meeting equivalent light standards of the Town.

10. Wildlife Impact Restrictions

The following wildlife related measures shall be enforced within the PUD:

Bears and Mountain Lions:

- Utilize bear-proof dumpsters for all garbage, use bear-proof containers for trash during the construction period and prohibit workers from leaving food or other bear attractants onsite;
- Prohibit construction workers and contractors from bringing pets on the work site;
- Prohibit outdoor feeding of pets;
- Prohibit the feeding, baiting, salting, of other means of attracting wildlife;
- Educate homeowners and renters about bears, mountain lions, and other wildlife utilizing educational brochures provided by Colorado Parks and Wildlife;
- Shield and direct all lighting fixtures downward to minimize light pollution on adjacent wildlife habitats; and
- Prohibit fruit, nut, and berry producing trees and shrubs in landscape designs.

Pet Control:

Pet regulations shall be included in leases and to limit the number of pets allowed in each unit and prevent nuisance issues to the extent allowed by law. Pets shall always be on leash when outdoors on the property and under direct owner supervision and control. Pets shall not be left unattended in common areas or on outdoor porches or balconies. Pet waste shall be removed by dog owners immediately and disposed of in proper containers.

Fencing:

Fences within the PUD will be constructed in a wildlife-friendly manner that eliminates the chance of entanglement and impalement of wildlife attempting to jump fences. Pointed pickets and strands of wire at the top of perimeter fencing will be prohibited. All fencing shall be developed to allow wildlife to pass through the property.

11. Site Access & Development Phasing

Access: The PUD shall have two separate points of access, one each from Sylvan Lake Road and Grand Avenue. The approval of the Development Permit for HD/PUD-1 shall only require one access to Sylvan Lake Road. The approval of the Development Permit for HD/PUD-3 shall only require one access to Grand Avenue. Approval of any Development Permit that includes HD/PUD-2 shall require both access points to be developed.

Phasing: The PUD is expected to develop in two master phases. It is anticipated that Phase 1 will include the development of both HD/PUD-1 and HD/PUD-2. The development sequencing in Phase 1 is anticipated to occur in two sub-phases; the northern half of HD/PUD-1 and HD/PUD-2 along with the northern most access driveway and parking area will be in the first sub-phase, followed by the remainder or south portion of the two planning areas as the second sub-phase. Phase 2 will include the development of HD/PUD-3, likely at a future date. Each phase and subphase shall comply with the standards set forth in this PUD Guide.

12. Development Permit

All development in the PUD shall be subject to review and approval of a Development Permit pursuant to Section 4.06 of the Code.

13. Debris Flow Hazard

A preliminary hazard analysis has been performed by Wiss, Janney, Eistner Associates, Inc. and documented in a letter report dated August 17, 2018. The report generally finds that there is no significant hazard to the PUD, but that further detailed analysis should occur prior to issuing a subdivision or Development Permit approval for development within the PUD.

14. Subdivision

Subdivision Sketch Plan, Preliminary Subdivision Plan, and Final Subdivision Plat may be combined and processed as one submittal at the time of application for a Minor or Major Development Permit, or may be submitted prior to application for a Minor or Major Development Permit. Each subdivision proposing public improvements shall require a subdivision improvement agreement or development agreement, which will include provisions for a performance guarantee for such public improvements.

15. Utilities

In all Planning Areas, utilities, facilities, and similar improvements, as well as uses and activities necessary for the development of the PUD shall be allowed subject to Town standards and applicable law. Examples of these uses, activities, and improvements include without limitation ditches, drainage improvements, utility lines and related equipment, stormwater facilities, swales, and hazard mitigation improvements.

16. Conflicts

Any specific provisions of this PUD Guide shall supersede the Code. However, where the PUD Guide is silent to any provision, the Code shall apply. In case of dispute or ambiguity, the Town Planner shall interpret the PUD Guide and render a decision.

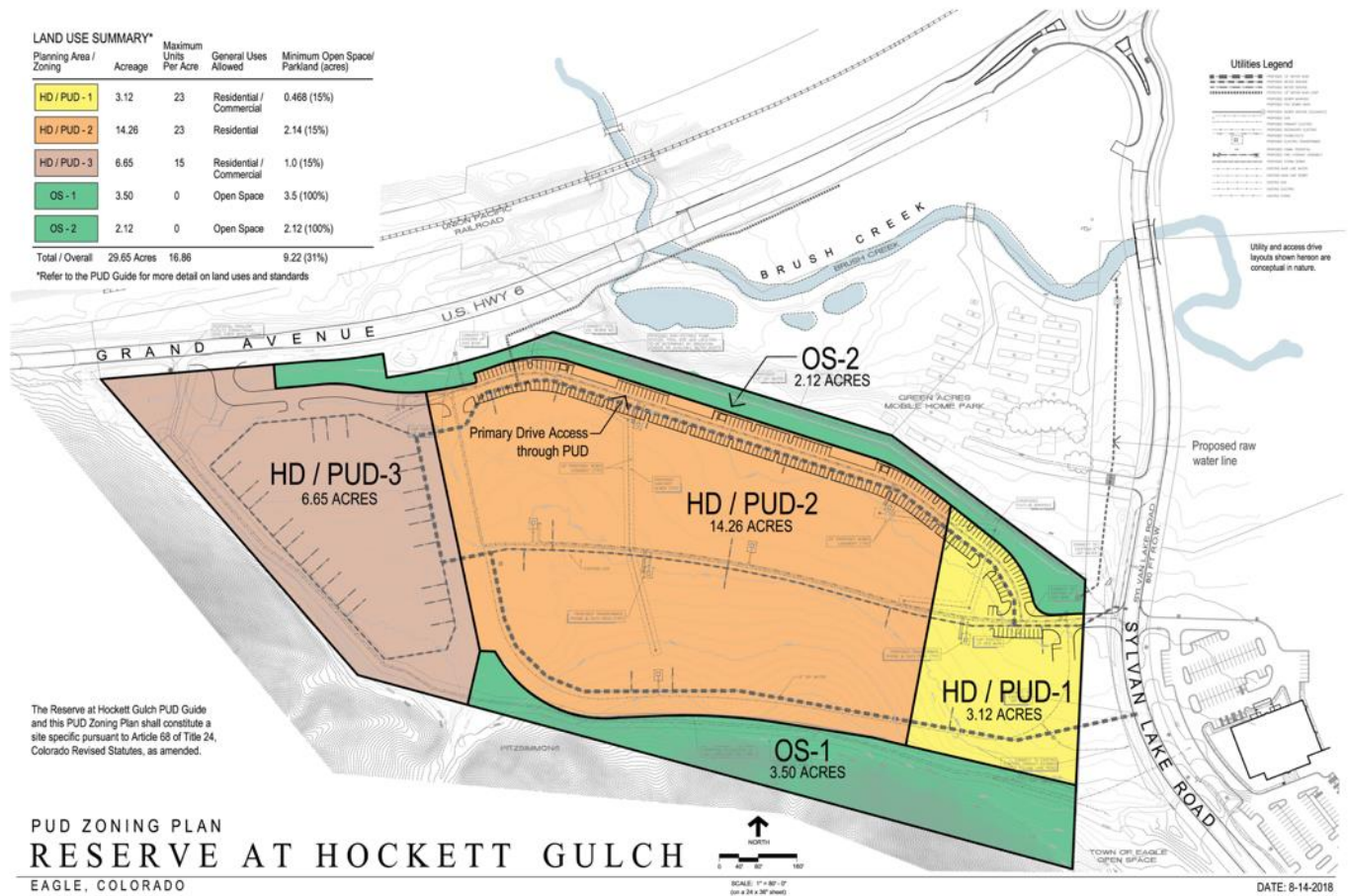
17. Amendment to PUD

Any changes to this PUD Guide or any other element of the PUD shall follow the procedures established in the Code.

Exhibits

PUD Zoning Plan:

The following graphic is the PUD Zoning Plan for the PUD.



Reserve at Hockett Gulch Approved Vegetation List:

DECIDUOUS TREES

BOTANICAL NAME	COMMON NAME
<i>Acer ginnala</i> 'Flame'	Amur Maple
<i>Acer glabrum</i>	Rocky Mountain Maple
<i>Crataegus ambigua</i>	Russian Hawthorn
<i>Malus species</i>	Flowering Crabapple: Dolgo, Radiant, Spring Snow
<i>Populus acuminata</i>	Lanceleaf Cottonwood
<i>Populus angustifolia</i>	Narrowleaf Cottonwood\
<i>Populus tremuloides</i>	Quaking Aspen

EVERGREEN TREES

BOTANICAL NAME	COMMON NAME
<i>Juniperus scopulorum</i>	Rocky Mountain Juniper
<i>Picea pungens</i>	Colorado Spruce
<i>Pinus edulis</i>	Pinion Pine
<i>Pseudotsuga menziesii</i>	Douglas Fir

SHRUBS

BOTANICAL NAME	COMMON NAME
<i>Acer glabrum</i>	Rocky Mountain Maple
<i>Amelanchier alnifolia</i>	Serviceberry
<i>Artemisia tridentata</i> vaseyana.....	Mountain Big Sagebrush
<i>Cercocarpus montanus</i>	Mountain Mahogany
<i>Chrysothamnus nauseosus</i>	Rubber Rabbitbrush
<i>Chrysothamnus viscidiflorus</i>	Low Rabbitbrush
<i>Cornus stolonifera</i>	Redtwig Dogwood
<i>Juniperus communis</i>	Juniper
<i>Pentaphylloides floribunda</i> (Potentilla) ...	Shrubby Cinquefoil
<i>Prunus virginianus</i>	Chokecherry
<i>Purshia tridentata</i>	Antelope Bitterbrush
<i>Rhus glabra</i>	Smooth Sumac
<i>Rhus aromatica</i> ssp. <i>trilobata</i>	Skunkbrush
<i>Ribes cereum</i>	Wax Currant
<i>Rosa</i> 'woodsii'	Wood's Rose
<i>Rubus parviflorus</i>	Thimbleberry
<i>Sambucus racemosa</i>	Red Elderberry
<i>Shepherdia canadensis</i>	Buffaloberry
<i>Symphoricarpos orocephalus</i>	Mountain Snowberry
<i>Amelanchier alnifolia</i>	Serviceberry
<i>Amelanchier canadensis</i>	Canadian Serviceberry
<i>Amorpha caescens</i>	Blue Mist Spirea

<i>Artemisia tridentata vaseyana</i>	Mountain Sagebrush
<i>Berberis</i> spp.....	Barberry
<i>Cercocarpus montanus</i>	Mountain Mahogany
<i>Cercocarpus ledifolius</i>	Curlyleaf Mountain Mahogany
<i>Chrysothamnus nauseosus</i>	Rubber Rabbitbrush
<i>Chrysothamnus viscidiflorus</i>	Low Rabbitbrush
<i>Cornus stolonifera</i>	Red Twig Dogwood
<i>Cornus stolonifera</i> 'Isanti'	<i>Cornus stolonifera</i> 'Isanti'
<i>Cornus alba</i> 'Argenteomarginata'	Variegated Dogwood
<i>Cotoneaster divaricatus</i>	Spreading Cotoneaster
<i>Cotoneaster lucidus</i>	Peking Cotoneaster
<i>Euonymus alatus</i> 'Compacta'	Dwarf Burning Bush
<i>Juniperus sabina</i> 'Buffalo'	Buffalo Juniper
<i>Juniperum horizontalis</i> 'Blue Chip'	Blue Chip Juniper
<i>Lonicera involucrata</i>	Twinberry Honeysuckle
<i>Lonicera korolkowi</i> 'Zabel's'	Zabel's Honeysuckle
<i>Spiraea</i> species	Spirea
<i>Physocarpus opalifolius</i>	Golden Ninebark
<i>Physocarpus opulifolius</i> 'Diablo'	Purple Leaf Ninebark
<i>Potentilla</i> species.....	Potentilla
<i>Prunus x cistena</i>	Purple Leaf Plum
<i>Perovskia atriplicifolia</i>	Russian Sage
<i>Pentaphylloides floribunda</i> (<i>Potentilla</i>) ...	Shrubby Cinquefoil
<i>Prunus virginianus</i>	Chokecherry
<i>Purshia tridentata</i>	Antelope Bitterbrush
<i>Ribes alpinum</i>	Alpine Currant
<i>Ribes aureum</i>	Yellow Currant
<i>Rhus glabra</i>	Smooth Sumac
<i>Rosa</i> "woodsii"	Wood's Rose
<i>Rosa foetida</i> 'Bicolor'	Austrian Copper Rose
<i>Rubus parviflorus</i>	Thimbleberry
<i>Sambucus racemosa</i>	Red Elderberry
<i>Shepherdia Canadensis</i>	Buffaloberry
<i>Symphoricarpos orocephalus</i>	Mountain Snowberry
<i>Salix purpurea</i> 'Nana'	Snowmound Spirea
<i>Spirea nipponica</i> 'Snowmound'	Dwarf Blue Arctic Willow
<i>Syringa vulgaris</i>	Common Purple Lilac
<i>Salix monticola</i>	Mountain Willow
<i>Sorbaria sorbifolia</i>	Ural False Spirea

DWARF CONIFERS

BOTANICAL NAME	COMMON NAME
<i>Picea pungens</i> 'Fat Albert'	Fat Albert Spruce
<i>Picea pungens</i> species.....	Dwarf Blue, Green, Globe Spruce

PERENNIAL FLOWERS:

BOTANICAL NAME	COMMON NAME
Achillea	Red Yarrow
Alcea species	Hollyhock
Aquilegia species	Columbine
Aster species	Fall Aster
Centaurea montana	Mountain Bluet / Bachelor Button
Chrysanthemum maximum	Shasta Daisy
Delphinium elatum	Delphinium
Dianthus deltoids	Maiden Pinks
Dicentra spectabilis	Bleeding Heart
Gaillardia grandiflora	Blanket Flower
Hosta sp.	Plaintain Lily
Hemerocallis hybrids	Daylily
Iris siberica	Siberian Iris
Linum perenne	Flax
Lupinus species	Lupine
Papaver orientalis	Oriental Poppy
Penstemon strictus	Rocky Mnt. Penstemon
Salvia x surperba	Salvia

GROUND COVERS:

BOTANICAL NAME	COMMON NAME
Aedopodium podagraria 'Variegatum'	Variegated Bishop's Weed / Snow on the Mnt.
Ajuga species	Ajuga
Arctostaphylos uva-ursi	Kinnikinnick
Artemisia frigida	Fringed Sage
Cerastium tomentosum	Snow-In-Summer
Delosperma nubigenum	Hardy Yellow Iceplant
Galium odoratum	Sweet Woodruff
Mahonia repens	Oregon Grape
Pachystima myrsinites	Mountain Lover
Potentilla verna 'nana'	Creeping Potentilla
Phlox spp.	Phlox
Antennaria rosea	Pussytoes
Fragaria vesca	Wild Strawberry
Sedum spp.	Stonecrop (sedum)
Thymus spp.	Thyme
Vinca minor	Periwinkle

CONTAINER GRASSES

BOTANICAL NAME	COMMON NAME
Festuca glauca 'Elijah Blue'	Elijah Blue Fescue
Helictotrichon sempervirens	Blue Avena Grass
Miscanthus sinensis 'Gracillimus'	Maiden Grass

Schizachyrium scoparium 'Blaze' Blaze Little Bluestem
 Calamagrostis acutiflora 'K.F.' Feather Reed Grass

VINES

BOTANICAL NAME	COMMON NAME
Lonicera heckrottii	Heckrottii Honeysuckle
Clematis species.....	Clematis
Parthenocissus quinquefolia.....	Virginia Creeper / Engleman Ivy

TURF GRASSES - FORMAL TURF AREAS/RECREATION AREAS

BOTANICAL NAME	COMMON NAME
Poa pratensis.....	Kentucky Blue Grass

WILDFLOWER MIX (RECOMMENDED)

Indian Ricegrass
 Sideoats Grama
 Blue Grama
 Slender Wheatgrass
 Arizona Fescue
 Western Wheatgrass
 Canby Bluegrass
 Bluebunch Wheatgrass
 Little Bluestem

TOWN OF EAGLE, COLORADO
PLANNING AND ZONING COMMISSION
RESOLUTION NO. 58
(Series of 2022)

A RESOLUTION APPROVING THE MINOR AMENDMENT TO THE PLANNED UNIT
DEVELOPMENT FOR RESERVE AT HOCKETT GULCH WITH CONDITIONS

WHEREAS, Epoch GCH Hockett Gulch Holding LLC ("Owner") owns the real property described in **Exhibit A**, attached hereto and incorporated herein by this reference (the "Property");

WHEREAS, Owner filed an Application for a Minor Amendment to the Planned Unit Development ("PUD") for Reserve at Hockett Gulch (the "Application");

WHEREAS, on June 7, 2022, the Planning Commission held a properly-noticed public hearing on the Application, at which the Applicant and members of the public were provided an opportunity to comment on the Application.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING AND ZONING COMMISSION OF EAGLE, COLORADO AS FOLLOWS:

Section 1. Findings. The Planning and Zoning Commission finds as follows:

- a. The Application complies with all applicable provisions of the Eagle Municipal Code, and approval of the Application with the conditions outlined in Section 2 is in the best interest of the public health, safety, and welfare.
- b. Vehicle collisions with wildlife occurring on Grand Avenue pose a significant public safety issue for the Town, area residents, and visitors as well as being detrimental to the wildlife population;
- c. The elimination of the 5-foot-wide soft path trail through HD/PUD-3 is the most consistent with the efficient development and preservation of the entire PUD;
- d. The elimination of the 5-foot-wide soft path trail through HD/PUD-3 would not have an adverse effect on the land surrounding the Property;
- e. The elimination of the 5-foot-wide soft path trail through HD/PUD-3 would not confer a special benefit upon any person;
- f. The elimination of the 5-foot-wide soft path through HD/PUD-3 would not detract from other uses approved in the PUD;

g. The elimination of the 5-foot-wide soft path trail through HD/PUD-3 does not contain an open space plan that differs substantially in quantity or quality from that originally approved;

h. The elimination of the 5-foot-wide soft path trail through HD/PUD-3 does not contain any changes to street and utilities for the remainder of the PUD; and

i. The elimination of the 5-foot-wide soft path trail through HD/PUD-3 is in conformance with Section 4.11 of the Code and with the Elevate Eagle Comprehensive Plan.

Section 2. Approval. Based on the foregoing findings, the Planning and Zoning Commission hereby approves the Application and the Minor Amendment and authorizes issuance of a Development Permit, subject to the following conditions:

a. The Applicant shall make minor technical corrections to the Application documents as directed by Town staff; and

b. The Applicant shall eliminate the 5-foot-wide soft path trail through HD/PUD-3.

INTRODUCED, READ, PASSED AND ADOPTED ON JULY 5, 2022.

TOWN OF EAGLE PLANNING AND ZONING
COMMISSION

Jesse Gregg

Jesse Gregg (Jul 21, 2022 14:40 MDT)

~~Matthew Hood, Chair~~ Jesse Gregg, Vice Chairman

ATTEST:

Nikki Davis

Nikki Davis, Administrative Technician II



EXHIBIT A

Legal Description

HISTORIC LEGAL DESCRIPTION:

A TRACT OF LAND DESIGNATED THE "MONTGOMERY TRACT", LOCATED IN TRACTS 49 AND 50 OF SECTIONS 5 AND 6 RESPECTIVELY IN TOWNSHIP 5 SOUTH, RANGE 84 WEST, 6TH PRINCIPAL MERIDIAN IN THE COUNTY OF EAGLE, STATE OF COLORADO. SAID TRACTS 49 AND 50, DESIGNATED UNDER THE INDEPENDENT RESURVEY OF TOWNSHIP 5 SOUTH, RANGE 84 WEST, 6TH PRINCIPAL MERIDIAN APPROVED BY THE SURVEYOR GENERAL'S OFFICE IN DENVER, COLORADO ON JUNE 20, 1922, WERE ORIGINALLY DESCRIBED AS THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER (NW1/4SW1/4) AND THE SOUTH HALF OF THE SOUTHWEST QUARTER (S1/2SW1/4) OF SECTION 5, AND THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER (NE1/4SE1/4) OF SECTION 6 RESPECTIVELY OF TOWNSHIP 5 SOUTH, RANGE 84 WEST, 6TH PRINCIPAL MERIDIAN, COUNTY OF EAGLE, STATE OF COLORADO, SAID MONTGOMERY TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT CORNER NO. 1, AN IRON PIPE WITH A BRAZED CAP SET IN CONCRETE NEAR A FENCE LINE AND AN IRRIGATION DITCH, CAP IS MARKED "CORNER NO. 1 MONTGOMERY TRACT" FROM WHICH CORNER NO. 1 OF SAID TRACT 49 IN SECTION 5 OF TOWNSHIP 5 SOUTH, RANGE 84 WEST, 6TH PRINCIPAL MERIDIAN BEARS NORTH 47 DEGREES 02 MINUTES 40 SECONDS EAST 586.87 FEET DISTANT; THENCE NORTH 72 DEGREES 59 MINUTES 30 SECONDS WEST 730.29 FEET TO CORNER NO. 2, AN IRON PIPE WITH A BRAZED CAP SET IN CONCRETE NEAR THE SOUTHERLY RIGHT OF WAY FENCE LINE OF U.S. HIGHWAY NO. 6 & 24, AS IT NOW EXISTS, CAP MARKED "CORNER NO. 2 MONTGOMERY TRACT", THENCE SOUTH 84 DEGREES 01 MINUTES 40 SECONDS WEST 937.90 FEET TO CORNER NO. 3, AN IRON PIPE WITH A BRAZED CAP SET IN CONCRETE NEAR A FENCE JUNCTION WITH THE SOUTHERLY RIGHT OF WAY FENCE LINE OF U.S. HIGHWAY NO. 6 & 24, AS IT NOW EXISTS, CAP IS MARKED "CORNER NO. 3 MONTGOMERY TRACT", THENCE SOUTH 40 DEGREES 59 MINUTES 30 SECONDS EAST 807.75 FEET TO CORNER NO. 4, AN IRON PIPE WITH A BRAZED CAP SET IN CONCRETE NEAR A FENCE LINE, CAP IS MARKED "CORNER NO. 4 MONTGOMERY TRACT"; THENCE SOUTH 74 DEGREES 47 MINUTES 20 SECONDS EAST 1527.39 FEET TO CORNER NO. 5, AN IRON PIPE WITH A BRAZED CAP SET IN CONCRETE NEAR THE JUNCTION OF TWO FENCE LINES, CAP IS MARKED "CORNER NO. 5 MONTGOMERY TRACT", THENCE NORTH 02 DEGREES 38 MINUTES 10 SECONDS EAST 597.03 FEET TO CORNER NO. 6, AN IRON PIPE WITH A BRAZED CAP SET IN CONCRETE NEAR A FENCE LINE AND IRRIGATION DITCH, CAP IS MARKED "CORNER NO. 6 MONTGOMERY TRACT"; THENCE NORTH 53 DEGREES 19 MINUTES WEST 498.85 FEET TO CORNER NO. 1, THE PLACE OF BEGINNING, COUNTY OF EAGLE, STATE OF COLORADO.

SURVEYED LEGAL DESCRIPTION:

A TRACT OF LAND DESIGNATED THE MONTGOMERY TRACT LOCATED IN TRACTS 49 AND 50 OF SECTIONS 5 AND 6, TOWNSHIP 5 SOUTH, RANGE 84 WEST OF THE SIXTH PRINCIPAL MERIDIAN IN THE COUNTY OF EAGLE AND STATE OF COLORADO AS DESCRIBED IN THE DEED RECORDED IN BOOK 440 AT PAGE [486](#), ALL BEARINGS SHOWN HEREON BEING BASED ON A BEARING OF N0°33'00"W BETWEEN STREET MONUMENTS FOUND AT 5TH AND BROADWAY AND 2ND AND BROADWAY BOTH BEING 2" BRASS MONUMENTS IN CAST IRON MONUMENT BOXES, SAID TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING A CORNER NO. 1 OF THE MONTGOMERY TRACT FROM WHICH A 1-1/2" ALUMINUM CAP WITNESS CORNER, PLS 23089, ON A 5/8" REBAR BEARS N72°59'13"W 60 FEET AND ALSO FROM WHICH CORNER NO. 1 OF TRACT 49, BEING A FOUND 3" ALUMINUM CAP ON ALUMINUM PIPE, PLS NO. 26967 BEARS N47°02'40"E 586.67 FEET; THENCE N72°59'13"W 730.00 FEET TO THE SOUTHERLY RIGHT OF WAY OF U.S. HIGHWAY 6 AND 24, TO A FOUND 2" ALUMINUM CAP ON A NO. 6 REBAR, PLS NO. 23089; THENCE ALONG SAID RIGHT OF WAY THE FOLLOWING FOUR COURSES:

1. 356.57 FEET ALONG A NON-TANGENT CURVE TO THE RIGHT WITH A RADIUS OF 1529.01 FEET, A TANGENT OF 179.01 FEET, A DELTA ANGLE OF 13°21'42", AND A CHORD THAT BEARS S74°36'16"W 355.77 FEET;

2. N8°42'53"W 49.89 FEET;

3. 104.29 FEET ALONG A NON-TANGENT CURVE TO THE RIGHT WITH A RADIUS OF 1479.08 FEET, A TANGENT OF 52.17 FEET, A DELTA ANGLE OF 4°02'24" AND A CHORD THAT BEARS S83°18'19"W 14.27 FEET;

4. S85°19'31"W 481.28 FEET;

THENCE DEPARTING THE RIGHT OF WAY OF U.S. HIGHWAY 6 AND 24 S40°59'23"E 1.63 FEET TO A FOUND BRAZED CAP, STAMPED "MONTGOMERY TRACT"; THENCE S40°59'23"E 808.14 FEET TO A FOUND 2" BRAZED CAP, STAMPED "MONTGOMERY TRACT"; THENCE S74°48'55"E 1526.35 FEET TO A POINT ON THE TRACT LINE BETWEEN CORNER NO. 1 AND CORNER NO. 6 OF TRACT 49, FROM WHICH CORNER NO. 6, A 3" ALUMINUM CAP ON AN ALUMINUM PIPE, PLS NO. 23089 BEARS S02°33'18"W 14.67 FEET; THENCE ALONG THE 6-1 LINE OF TRACT 49 N02°33'18"E 597.31 FEET; THENCE DEPARTING SAID TRACT LINE N53°18'48"W 497.53 FEET TO THE POINT OF BEGINNING.

SURVEYED LEGAL DESCRIPTION PREPARED BY:

JAMES S. KUNKEL, PE/PLS #23089
FOR AND ON BEHALF OF INTERMOUNTAIN ENGINEERING.
JOB NO. 150050 DATED AUGUST 6, 2015