

Town Board Conditions of Approval for the Haymeadow

Subdivision Sketch Plan/PUD Zoning Plan Application*

October 23, 2012

- Please see Exhibit A for a map showing the relative locations of these conditions.

General Planning

1. The permitted maximum number and type of dwelling units for each of the Neighborhoods within the Haymeadow PUD are shown on the Neighborhood Map and Density Chart attached as Exhibits B and C.
2. Remove portion of Neighborhood A that extends into north-east quadrant of park/school area. The park site should be a minimum of 18 acres in size. Please see attached drawing prepared at the conclusion of the charette with Applicant/School District/WECD/ERD/Town (Exhibit D).
3. The first Preliminary Subdivision Plan application shall include a plan to enhance wetland and riparian areas of the property. The addition of trees, bushes and vegetation at appropriate locations should be part of this plan. Given the location of these wetlands and riparian areas along Brush Creek Road, there is the potential for this vegetation to not only add to the wildlife value of this area but also provide a more attractive environment and screening along Brush Creek Road.
4. Vegetated berm shall be established between Neighborhood D and the Wildlife Corridor to minimize impact on wildlife from adjacent residential activity. Preliminary Plan shall include preliminary design of this berm. Final design and construction of berm to be coordinated with final plat for Neighborhood D.
5. The applicant working under the direction of the Town and BLM with input from DPW shall be responsible to establish several appropriate trail head parking areas along the north side of the PUD in addition to the major trailhead parking area shown on the Site Plan. These trail head parking areas should be identified with the first preliminary plan application and constructed as part of the public improvements guaranteed through the Subdivision Improvements Agreement.
6. Substitute single family development rather than the proposed multi-family along the southern boundary of Neighborhood C adjacent to the existing single family homes along Brush Creek Road. This land use revision should be shown on the Zoning Plan

associated with this application. The Development Plan/Preliminary Plan Application should also include landscape treatment to provide an appropriate buffer along this boundary of the Planned Unit Development.

7. The first Preliminary Subdivision Plan should include a spine bicycle/pedestrian trail from Brush Creek Road/Sylvan Lake Road Intersection to eastern end of the property to accommodate hiking and biking up and down the Brush Creek Valley. (Part of this system is in place in the vicinity of Salt Creek and Frost Creek.)
8. The design, placement, and management of recreation trails adjacent to the eastern wildlife corridor and open space shall minimize the impact of recreation users upon wildlife.
9. Design at Preliminary Subdivision Plan application for proposed multi-family areas shall use the interior parks and street system as an organizing element to provide neighborhoods with clear definition and identity.
10. Applicant should include a community garden or “farm” within the Planned Unit Development. Deleted “and an area for yard waste composting.”
11. If at the time of the final plat for Neighborhood D, a corresponding 500 foot wide wildlife corridor has not been provided or committed on the adjacent Adam Rib Ranch property, then a 1000 foot wildlife corridor is required on the Haymeadow Planned Unit Development. At Final Plat a deed restriction shall be placed on this wildlife corridor to guarantee its protection.
12. The first Preliminary Subdivision Plan shall include a designated area for a Home Owners Association or Metropolitan District maintenance facility that will also be available for Town of Eagle for satellite public works facility. This facility shall be located and screened in a manner that protects the view corridor from Brush Creek Road.
13. The first Preliminary Plan Application shall include commitment to retain in agricultural production the eastern buffer/wildlife corridor..
14. The first Preliminary Subdivision Plan application shall include a plan detailing provisions for on-site mail delivery. Such provisions might include a central mail box facility serving the Haymeadow project, cluster boxes, etc.

15. The first Preliminary Subdivision Plan application shall include the location of one or more bus stops within the property to accommodate the potential for future service.
16. Access for the duplexes along Sylvan Lake Road shall be addressed further at Development Plan Stage of the Haymeadow Application. While the staff believes these units should orient to the south, the access to the front doors of these units is problematic as presented in the Sketch Plan.
17. All future Subdivision and Development plan applications associated with the Haymeadow project shall include specific plans for the provision of adequate parking without the use of any on-street parking. Use of off-street parking areas located within the public right-of-way may be acceptable and will be evaluated at the time of Preliminary Subdivision Plan and/or Development Plan application.
18. A Vegetative Analysis shall be part of the Development Plan Application showing in more detail the proposed lots that include vegetation identified in the Sketch Plan submittal which should be protected. The application should include mitigation measures as appropriate with an emphasis to locate any mitigation measures on property contained within the Haymeadow PUD.
19. There shall be an analysis to determine appropriate seasonal closures for the trails system located within Town Open Space and this seasonal closure program should be coordinated with related trails on BLM land. Department of Parks and Wildlife (DPW) input is required.
20. DPW shall be involved at Development/Preliminary Plan Application in the planning and location of proposed trails and parks to minimize impact on wildlife. Impact of the trail system to the wetland ecosystem should be minimized.

Water Rights and Physical Supply

The applicant shall provide the following studies to be submitted with the first Preliminary Subdivision Plan or PUD Development Plan application.

21. Completion of an irrigation return flow study associated with the proposed dry-up under the Haymeadow agricultural ditches. The study should identify the amount and timing of expected stream loss due to the loss of delayed irrigation return flows. This study will be required for the future transfer of agricultural rights to the Town's water treatment plant.

22. Completion of a lawn irrigation return flow study. This study will also be required for the future transfer of agricultural rights to the Town's water treatment plant.
23. Agreement regarding the extent of historic irrigation beneath the various Haymeadow agricultural ditches.
24. Agreement regarding the ownership of water rights within the various Haymeadow agricultural ditches.
25. Agreement concerning the water use assumptions used to calculate the potential water use under the potable water system.
26. More in-depth information regarding the Haymeadow ditch system and its proposed operation including whether water rights that will be used by Haymeadow for continued irrigation of open space will be consolidated into one ditch system (Love and White?) or remain in multiple ditches. If these water rights are to be transferred to new points of diversion, information shall be provided on the impact of these new diversion points on flows in Brush Creek.
27. Identification of the specific stream conditions in Brush Creek under which Haymeadow would utilize the required pump back system as outlined in the Brush Creek Management Plan. Will the pump back be shared with the Kummer Development Corporation or operated separately?
28. Identification of what conditions, if any, that the Town could utilize Haymeadow's on-site storage for use during critical low flow periods.
29. Water flow modeling of Brush Creek from the Love and White ditch to the confluence of the Eagle River comparing pre-development and post development conditions under average, dry and critically dry scenarios.

Potable Water System and Wastewater System

30. Any Preliminary Subdivision Plan application shall include an updated Utility Impact Study that reflects the current proposed/approved densities and uses.
31. Prior to any granting of vested rights to the Haymeadow Project, an assessment shall be made by the Town of Eagle of the status of the Lower Basin Water Treatment Plant project. The assessment shall evaluate any proposed Haymeadow phasing plan in relationship to the construction schedule for the Lower Basin Water Treatment Plant. The

Town will work with the applicant to prepare a phasing and construction plans that ensure the availability of adequate potable water service for the Haymeadow project.

32. The water storage and distribution system shall be designed and constructed in accordance with the recommendations and conclusions contained within the Utility Impact Study.
33. The applicant shall upsize sanitary sewer main Segments 2 & 3 as identified in the Utility Impact Study prior to the issuance of any temporary certificate of occupancy within the Haymeadow project. Should the Town construct any up-sized segments prior to a T.C.O. being issued at the Haymeadow, then the applicant will reimburse the Town for the cost of such upsizing.
34. Non-potable irrigation shall be utilized for all areas within the Haymeadow Project except for single family and duplex residential lots.

Metropolitan District

35. Present to Staff during future pre-application discussions the purpose, need and financing for any metropolitan district that may be proposed. The Preliminary Plan Application shall include a draft service plan for the district, if a district is anticipated. A report shall also be submitted with Preliminary Plan that considers the potential expansion of the Eagle Ranch Metropolitan District rather than the creation a separate district to serve Haymeadow.

Roadway, Traffic, and Transportation

36. A street connection shall be provided between the northern half of Neighborhood A and the School/Recreation Area in order to provide adequate emergency service access and improved vehicular circulation/mobility.
37. A street connection shall be provided between the northern halves of Neighborhoods A and B in order to provide adequate emergency service access and improved vehicular circulation/mobility.
38. Any approval granting vested rights to the Haymeadow project shall include the requirement that the Brush Creek Road Extension be constructed at a specific point in time as determined during the Preliminary Plan review. The timing of the Brush Creek Road construction will be included in any phasing plan presented for the Haymeadow.

39. The first Preliminary Plan application for the Haymeadow project shall include an evaluation of existing clear zone and roadside safety conditions along Brush Creek Road and Capitol Street.
40. The following shall be completed prior to any approval of the Haymeadow project granting unrestricted vested rights: the completion of an appropriate planning process in collaboration with CDOT for Highway 6, and the preparation of a schedule and financing plan for construction of the necessary improvements. The relationship between the timing of the Highway 6 planning/construction effort and the granting of vested rights for the Haymeadow Project will be evaluated with the first Preliminary Subdivision Plan application submitted for the Haymeadow Project, and any approval of such application conditioned appropriately.
41. The first Preliminary Subdivision Plan application submitted for the Haymeadow project shall include an evaluation of intersection improvements that may be necessary at existing intersections along Brush Creek Road (Terrace & Orchard areas).
42. Any approval granting vested rights to the Haymeadow project shall include the requirement for construction of signalization or roundabouts at the intersections of Capitol Street/Brush Creek Road, Capitol Street/Sylvan Lake Road, and Eagle Ranch Road/Sylvan Lake Road. Construction of these improvements shall occur at specific points in time as determined during the first Preliminary Plan review. The timing of the construction will be determined in consideration of any phasing plan presented for the Haymeadow.
43. Any approval granting vested rights to the Haymeadow project shall include the requirement for construction of signalization or roundabouts at the intersections of Sylvan Lake Road/Brush Creek Road, Sylvan Lake Road/proposed school/rec access road, and Sylvan Lake Road/Ouzel Lane. Construction of these improvements shall occur at specific points in time as determined during the first Preliminary Plan review. The timing of the construction will be included in any phasing plan presented for the Haymeadow.
44. The first Preliminary Subdivision Plan application submitted for the Haymeadow project shall include an evaluation of traffic calming on Sylvan Lake Road in the Village Homes area of Eagle Ranch.
45. The first Preliminary Subdivision Plan application submitted for the Haymeadow project shall include plans for the re-alignment of Sylvan Lake Road, the connection of Brush Creek Road to the re-aligned Sylvan Lake Road, and the extension of Meadowlark Drive

to the re-aligned Sylvan Lake Road. The first phase of construction at the Haymeadow shall include construction of these roadways, and also include the construction within the Haymeadow project of Sylvan Lake Road to the proposed Ouzel Lane intersection, along with construction of Ouzel Lane from Sylvan Lake Road to Brush Creek Road.

46. Design of the easterly extension of Sylvan Lake Road beyond Ouzel Lane should transition clearly to a local type street from a collector type road. The introduction of a round-about at this intersection may be appropriate and should be considered.
47. The first Preliminary Subdivision Plan application submitted for the Haymeadow project shall include the design of a public access road for the school/recreation site as depicted on Exhibit B. The access drive and associated intersection improvement shall be constructed with the first phase of construction on the Haymeadow site.
48. Any future approval of the Haymeadow that allows phasing of infrastructure improvements shall require design of all future off-site roadway improvements (excluding Highway 6 – see condition above) with the first approval granting vested rights to the Haymeadow project, and include a strict phasing plan for home construction that is tied to the infrastructure phasing. These future off-site road improvements referenced above are limited to those improvements required by Haymeadow to comply with Adequate Public Facilities Regulation.
49. Any approval granting vested rights to the Haymeadow project shall include the requirement for the provision of significant funding from the developer for off-site roadway improvements.