

Eagles Nest

Design Guidelines

PREPARED FOR:

CENTRON CORPORATION

12500 WEST COLFAX AVENUE

SUITE B440

LAKEWOOD, COLORADO 80215

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Introduction

1. INTRODUCTION

1.1 PURPOSE AND OBJECTIVES

Purpose

The purpose of this Development Guide is to ensure the residents of Eagles Nest and the Town of Silverthorne that Eagles Nest is developed as a comprehensive, planned mixed-use residential, recreational and commercial/office community while maintaining the environmental integrity and character of a mountain setting. This document will also provide for orderly development of property improvements and accompanying services.

Objectives

The community of Eagles Nest is intended to include a mix of residential dwelling types, active and passive recreational facilities, commercial, and hotel uses which will be compatible with similar land-uses in Silverthorne and Summit County. Eagles Nest's greatest resource is the scenic quality of the Blue River Valley and adjacent mountain ranges. To negatively impact this resource would reduce its quality significantly. This guide is directed toward providing a flexible framework within which design and development may occur while insuring that both the "built" environment and the associated uses have the best and most natural fit with the existing landscape. To this end, the objectives of developing the community of Eagles Nest will include the following:

1. To adhere to an overall project Master Plan which encourages efficient land planning, compatible with the elevation and topography, wildlife, ecosystems and natural hazards of a mountain environment. These considerations shall apply to all phases of development and the level of detail shall be directly related to the level of design and site planning at each particular phase (see Figure 1.1).
2. To encourage efficient design in siting, road improvements and landscaping.

Substitute
4/11/84
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EAGLES NEST SILVERTHORNE, CO.

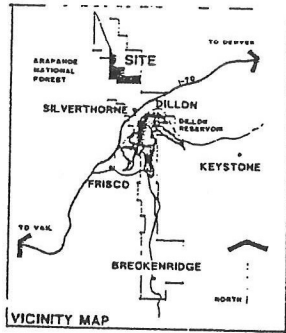
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CENTRON CORPORATION
12600 W. COLFAX AVE. SUITE B-440
LAKEWOOD, COLORADO 80215

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MASTER PLAN



LAND USE SUMMARY

LAND USE	ACREAGES	UNITS	GROSS DENSITY/RANGE	% OF TOTAL LAND AREA OF CENTRON PROPERTY
SINGLE FAMILY DET. ESTATE	116.4	100	.25-.5	11%
LOW DENSITY	109.9	185	1-2.5	10.4%
MODERATE DENSITY	42.0	200	2.5-3.5	4.0%
MULTI-FAMILY	150.91	1240	3.5-10	14.2%
COMMERCIAL	10.0		15-30	1.0%
HOTEL	18.5	350 ROOMS		1.7%
CLUB HOUSE AREA	11.3			1.1%
RECREATIONAL FACILITY	11.4			1.1%
OPEN SPACE	481.86			45.4%
UTILITY EASEMENTS	15.0			1.4%
TOWN DEDICATED LAND	25.3			2.4%
ROAD R.O.W.'S	50.0			4.7%
RIDING ACADEMY/DRIVING RANGE	16.5			1.6%
TOTALS	1059.07	1725		100%

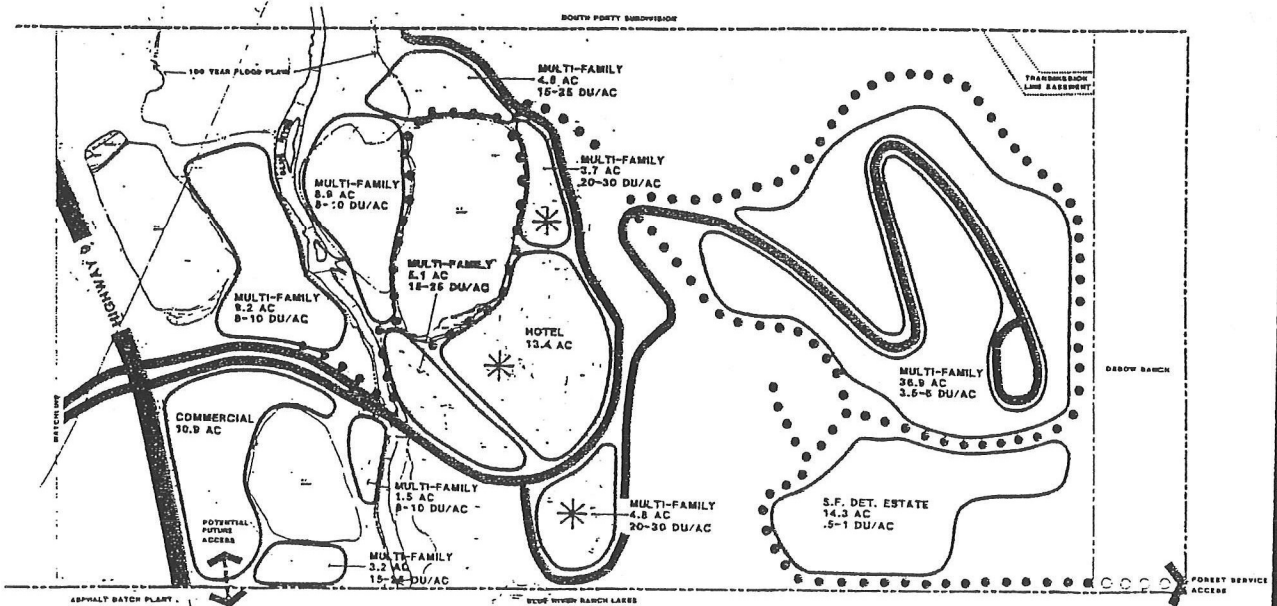
Notes of Summary
The Master Plan for Eagle Nest includes recreational trails, tennis and swimming for aquatic uses only. The total number of recreational acres is 481.86, or 45.4% of the total acreage of 1,059.07 acres. To meet the needs of the Master Plan in relation to water resources, storage in lower elevations, recommended by the local health and sanitation departments, provide of safety within and among the recreational areas of Eagle Nest, this is a number of acres and their uses for recreation, parking, and all other features are included and approved by the Centron, and in holding such shall include, though, preliminary and planning purposes only, and provided the total number of recreational acres within the Eagle Nest recreational area are not greater than 481.86 acres. The Eagle Nest recreational area shall be subject to the same planning requirements as Eagle Nest and shall be in the same planning requirements.

* INDICATES PLANNING AREAS WITH 6 STORY BUILDINGS

DATE: 8-19-82

REV: 8-23-82 2-27-84
 8-1-82 4-4-84
 8-24-82 4-11-84
 8-28-82 5-1-85
 2-1-83 5-10-85

SCALE: 1" = 200'



S.F. DET. ESTATE 25.7 AC. 3-1 DU/AC.

S.F. DET. MODERATE DENSITY 19.7 AC. 2.5-3.5 DU/AC

S.F. DET. ESTATE 9.2 AC. 3-1 DU/AC.

S.F. DET. MODERATE DENSITY 18.5 AC. 2.5-3.5 DU/AC

S.F. DET. LOW DENSITY 9.8 AC. 1-2.5 DU/AC

MULTI-FAMILY 8.2 AC. 3.5-8 DU/AC

S.F. DET. LOW DENSITY 7.5 AC. 1-2.5 DU/AC

MULTI-FAMILY 3.9 AC. 3.5-8 DU/AC

S.F. DET. LOW DENSITY 27.4 AC. 1-2.5 DU/AC

MULTI-FAMILY 3.8 AC. 6-8 DU/AC

MULTI-FAMILY 2.6 AC. 8-10 DU/AC

CLUBHOUSE 11.3 AC

MULTI-FAMILY 2.7 AC. 8-10 DU/AC

MULTI-FAMILY 5.11 AC. 3.5-8 DU/AC

S.F. DET. ESTATE 27.4 AC. 3-1 DU/AC.

MULTI-FAMILY 9.5 AC. 6-8 DU/AC

MULTI-FAMILY 8.9 AC. 3.5-8 DU/AC

MULTI-FAMILY 7.9 AC. 8-10 DU/AC

S.F. DET. LOW DENSITY 8.6 AC. 1-2.5 DU/AC

S.F. DET. MOD DENSITY 11.5 AC. 2.5-3.5 DU/AC

MULTI-FAMILY 3.0 AC. 8-10 DU/AC

S.F. DET. LOW DENSITY 9.2 AC. 1-2.5 DU/AC

S.F. DET. LOW DENSITY 38.0 AC. 1-2.5 DU/AC

MULTI-FAMILY 6.2 AC. 8-10 DU/AC

MULTI-FAMILY 4.8 AC. 8-10 DU/AC

MULTI-FAMILY 8.5 AC. 6-8 DU/AC

S.F. DET. LOW DENSITY 11.4 AC. 1-2.5 DU/AC

MULTI-FAMILY 3.0 AC. 6-8 DU/AC

MULTI-FAMILY 7.0 AC. 8-10 DU/AC

DEBOW RANCH

VAPE PROPERTY

HASHEM PROPERTY

VAPE PROPERTY

WASTEWATER TREATMENT SITE

FIRE STATION

RIDING ACADEMY/ DRIVING RANGE 16.5 AC

TOWN PARK

TOWN DEDICATED LAND 25.3 ACRES

SCHOOL SITE

RECREATION FACILITY 11.4

APPROXIMATE LOCATION OF 100 YEAR FLOOD PLAIN

SOUTH PORTY SUBDIVISION

SOUTH PORTY ROAD

ASPHALT DRIVEWAY WITHIN HIGHWAY R.O.W. (FRONT ROAD)

ASPHALT DRIVEWAY WITHIN HIGHWAY R.O.W. (FRONT ROAD)

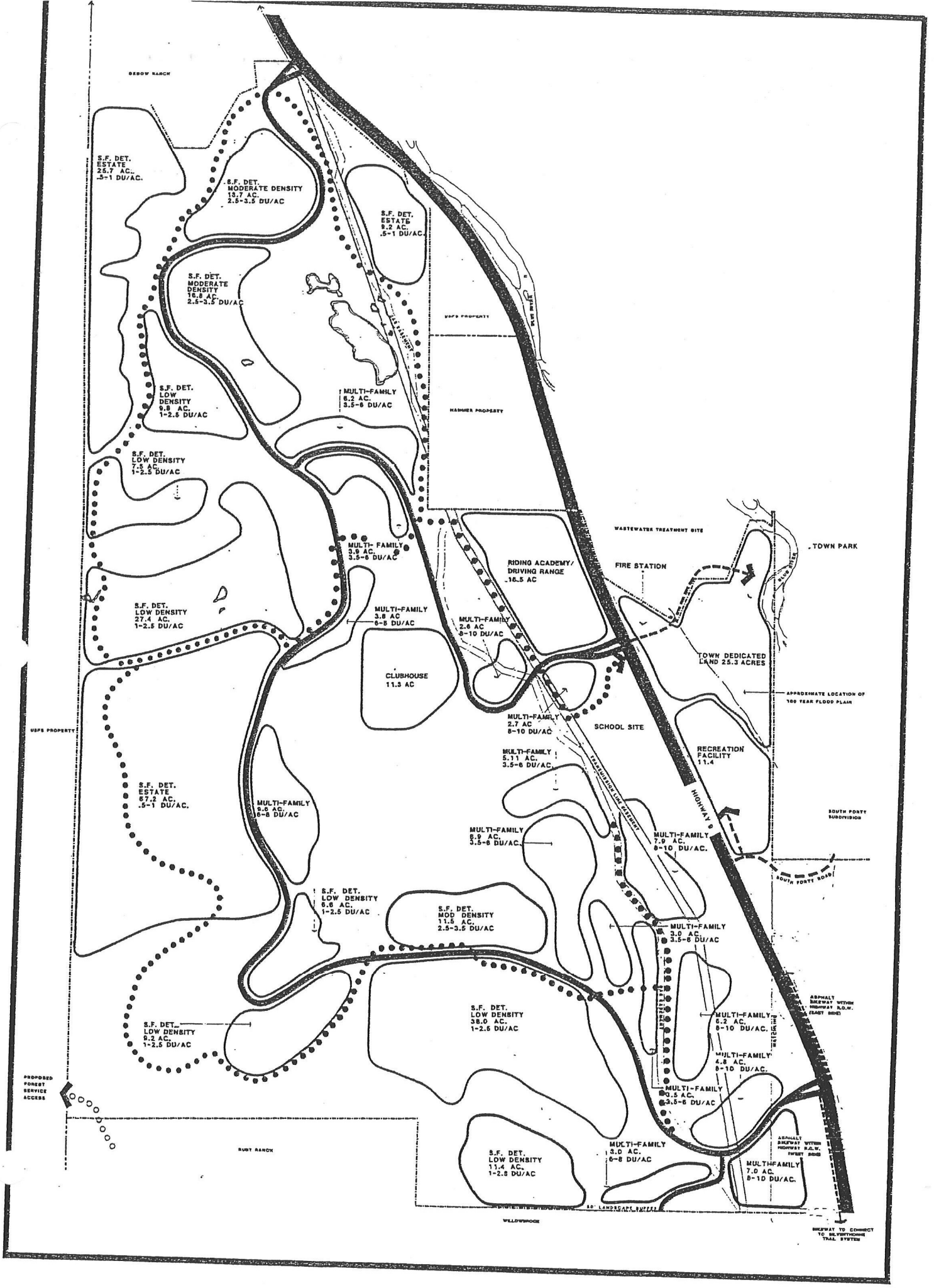
HIKEWAY TO CONNECT TO SUBSTATION TRAIL SYSTEM

PROPOSED FOREST SERVICE ACCESS

BURT RANCH

WELLSHOKE

LANDLEAK, UTILITY



3. To provide a mix of recreational uses and facilities in appropriate locations and quantities to meet the needs of the community.
4. To provide roads which maintain the character of a mountain setting while offering safe and efficient access for residents and emergency vehicles, preserve natural land forms and scenic amenities, minimize volumes and velocities of storm water runoff and reduce clearing and grading efforts.
5. To encourage innovative lotting, siting, building, landscape design and implementation so that the growing demands of the residents and users may be met by a variety of more responsive solutions.
6. To provide, wherever possible, any practical measures to control erosion and sedimentation both during construction and as final stabilization.
7. To ensure that landscaping and landscape elements such as bridges, walls, retaining structures, entrance treatments, and signage are compatible in terms of scale and design and are in keeping with the project's natural setting.
8. To provide ongoing review and monitoring of site plans, architectural design, landscaping and construction activity so that high quality development is continuously assured.

1.2 AUTHORITY

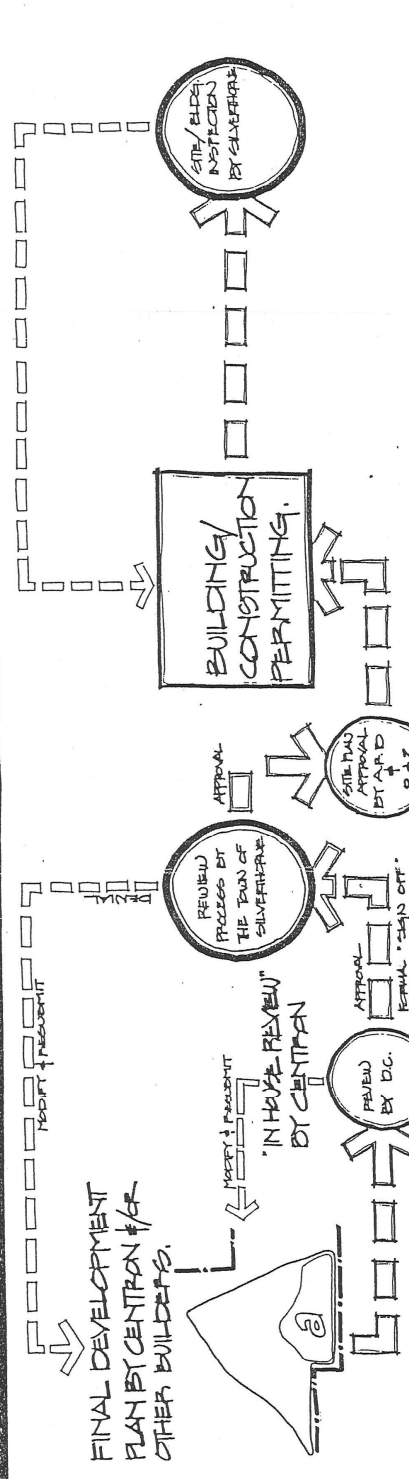
The authority of this Development Guide is derived from Section 3-2-11 (PUD, Planned Unit Development) of the Town of Silverthorne Zoning Ordinance dated November, 1974. Upon approval of the guidelines, standards and review procedures set forth herein by the Town of Silverthorne Board of Trustees, this Development Guide shall become the governing document for review, approval and modification of all uses and activities within Eagles Nest, along with all applicable Town codes and standards.

Jurisdiction

This Development Guideline shall apply to all properties within the area described by the legal descriptions and containing some 1,059 acres of real property.

PERMITTING/ BUILDING PROCESS

FINAL PLANNING PROCESS (POP)



- SUBMITTAL PACKAGE**
- FINAL ENGINEERING
 - FINAL PLAT REQUIREMENTS (POP)

BUILDING/ENGINEERING COSTS

Development Review

Establishment of a Design Committee: All site planning, land development activities and improvements within Eagles Nest shall be reviewed for approval by the Design Committee, hereinafter called "Committee". Figure 1.2 illustrates the relationship of the Committee's review process and the review process of the Town of Silverthorne. The Committee shall represent an "in-house review" process for Centron and the Eagles Nest development. This procedure is not in place of any step within the Town's approval process, but rather an additional step with the Town of Silverthorne's planning procedures.

The Committee shall be organized as follows:

1. The Committee shall consist of at least three (3) members.
2. The address of the Committee shall be at the address of the principal office of the Association. The current record of the names, qualifications and business addresses of the members of the Committee shall be kept there.
3. Each of said persons shall hold his office until such time as he has resigned or he has been removed or his successor has been appointed, as set forth herein.
4. Except as provided in Paragraph 6 below, the right from time to time to appoint or remove all members of the Committee shall be, and is hereby reserved to and vested solely in Centron.
5. The right from time to time to appoint and remove members of the Committee shall be reserved to and vested in the Association as follows, whichever comes first:
 - (a) Sellout of ninety-five (95%) percent of building units by Centron; or
 - (b) From and after fifteen (15) years from the date first above written, the Association shall have the right to appoint and remove one-third (1/3) of the members of the Committee; or

wise granted by law, the right to enforce all provisions set forth in this Development Guide relating to the use of land within Eagles Nest. The Committee, shall be the governing entity over any Homeowners' Associations or any private maintenance entity within Eagles Nest. Complaints against any such entities, associations, or individual homeowners within Eagles Nest shall be registered with the Committee.

Severability

Invalidation of any one or more of these provisions, restrictions or requirements by judgement or court order shall in no way affect any other provisions hereof which shall remain in full force and effect.

Modification Procedures

The provisions, requirements and restrictions set forth in the Development Guidelines shall apply in all cases and at all times until modification. Modification of the Development Guidelines standards governing the Eagles Nest development which are not Silverthorne standards shall be prepared by the Committee and approved by a majority vote. Modifications shall be submitted to the Town Planning Staff for their records.

1.3 GENERAL PROVISIONS

Intent

These general provisions are intended to apply to all development within Eagles Nest. The activities, conditions and restrictions set forth in this section remove the necessity for providing separate sets of restrictions within each land use section. However, additional covenants and restrictions referring to specific areas within Eagles Nest may be included at the time of platting for those areas. All such provisions shall apply in perpetuity or until such time as the approved procedure for changing or modifying specific provisions is enacted.

Transfer of Densities

The Master Plan for Eagles Nest indicates residential types, acreage and densities for specific land uses. The total number of residences allowed in Eagles Nest, as specified in the annexation agreement, is 1,725 units. To allow flexibility within the Master Plan in response to market variations, changes in buyer demand, modification to the golf course and innovations in residential development, transfer of density within and among the residential areas of Eagles Nest, both in number of units and unit types, shall be permitted provided that all such transfers are reviewed and approved by the Committee, the Silverthorne Planning and Zoning Commission, and the Town Board of Trustees, are in keeping with sound planning, design, architecture and housing provision practices, and providing the total number of residential units within the Eagles Nest residential areas does not exceed 1,725. Density transfers which do not have a major effect on the utility and roadway systems or create incompatible land uses, scale of structure or height of building may be approved administratively by the Town Planner. A yearly inventory as to the status of the number of dwelling units constructed in Eagles Nest shall be sent to the Town Planning Department.

Restrictions and Requirements

1. Trailers/Mobile Homes

No house trailers, mobile homes or temporary residences shall be permitted in Eagles Nest except as used for construction or sales purposes indicated in the residential use section. Campers and recreational vehicles shall be permitted to be parked in Eagles Nest only under provisions indicated in Section 11, Off-Street Parking.

2. Animals

No animals of any kind shall be raised, bred or kept on a lot except household pets, provided that they are not kept, bred or maintained for any commercial

are not kept, bred or maintained for any commercial purpose and provided further that such household pets shall not exceed two of any type of animal for each site. Each pet's owner shall confine its pet for excretions to his/her own lot. Horses may only be kept, stalled, boarded or maintained in areas within the recreational open spaces specifically identified for such purposes.

3. Snowmobiles/Dirt Bikes

No snowmobiles, dirt bikes or other motorized off-road vehicles shall be permitted on any roads, trails or walks within Eagles Nest.

4. Refuse Disposal

Unightly objects or materials shall not be placed upon the exterior portions of a lot. No part of a lot may be used as a dumping ground for garbage, trash or other waste and the same shall be disposed of in a sanitary manner. All equipment for the storage or disposal of garbage, trash or waste shall be kept in a clean and sanitary condition. Garbage, trash or waste shall be disposed of on a regular basis and in a sanitary manner, and the burning of garbage, trash or waste in outside incinerators, barbeque pits or the like is prohibited. The Committee shall have the right to enter upon a lot to remove any refuse piles or other unightly objects and materials at the expense of the owner, following due notice to such owner and the failure of the owner to comply with this paragraph. Such entry shall not be deemed a trespass.

5. Structures on Roofs

No air conditioning unit, evaporative cooler, radio, television antennae or other object shall be placed upon the roof or fireplace chimney of any residence or building, or shall protrude from the ground higher than six (6) feet, except or unless such air conditioning unit or object and the design thereof is approved by the Committee. An owner may place solar

energy collecting equipment on the roof of his/her residence, providing such equipment is solely for the use of the residence and not for commercial purposes and the design and appearance is approved, in advance by the Committee (see Section 2, Architectural Controls).

6. Tanks, Drilling and Mining

No tanks of any kind may be erected, constructed, placed or permitted on any lot. No oil or gas drilling, or the extraction thereof, or mining operations shall be permitted on any lot. No owner shall be permitted to drill a well intended for the extraction of water from the ground, nor construct a septic or sewage disposal system on any lot. The Developer shall install, or cause to have installed, water distribution and sewer collection lines to a point proximate to the property line of each lot or in the roads adjacent thereto, and connection by the owner to the facilities shall be mandatory.

7. Subdivision of Lots

None of the lots shall at any time be divided, subdivided or resubdivided unless said division, subdivision or resubdivision is permitted under the regulations, codes and ordinances of the applicable governmental authorities, and such division, subdivision or resubdivision is approved by the Committee. In the event of said division, all property thereunder shall be subject to all the provisions hereof.

8. Planning Area Boundaries

Wherever a Planning Area abuts a street as shown in the Master Plan, the Planning Area boundary is the abutting right-of-way of such street. Wherever a Planning Area does not abut a street, the boundary shall be as shown on the Master Plan. The size of any Planning Area may increase or decrease after final determination by the Developer during the subdivision process with the approval of the Committee and without any amendment to this Development Guide.

9. **Underground Utility Requirements**
All electrical and communications distribution lines shall be placed underground.
10. **On-Street Parking**
No on-street parking shall be permitted on any private or public roadway within Eagles Nest.
11. **Nuisance**
Nothing shall be done or permitted on the properties which may be or become an annoyance or nuisance to the subdivision development. No noxious or offensive activities or commercial business or trade shall be conducted upon any lot. No lot shall be used in whole or in part for the storage of any property or thing that will cause such lot to appear in an unclean or untidy condition or that will be obnoxious to the eye; nor shall any substance, thing or material emit foul or obnoxious odors or cause any noise that will or might disturb the peace, quiet, comfort or serenity of the occupants of surrounding property. Enforcement shall be the responsibility of the Committee as discussed in the Authority section of this Document.
12. **Clustering and Zero Lot Lines**
The use of clustering of single family residences on lots of a smaller overall square footage than is normally acceptable within each residential area may be permitted by review and approval of the Committee in instances where such clustering offers greater benefit to the entire community in terms of the provisions of common open space, park or recreational areas. The use of zero lot line configuration shall be permitted by review and approval of the Committee for reasons similar to those for clustering or for purposes of accommodating a specific unit type on a particular lot. In all cases, zero lot line configurations shall apply to side yard setbacks only. For corner lots, the side yard with the setback must be adjacent to the street and shall be of an adequate distance to ensure proper sight visibility

and snow stacking. In all cases where zero lot line configurations are approved, provision will be made for snow plowing, and the distance between structures measured at the foundation walls, including chimney and including roof overhang, shall be no less than 10 feet (see Figure 1.3).

13. Snow stacking

To ensure proper stacking of snow plowed from public and private streets, private driveways and parking areas, the following provisions shall be made:

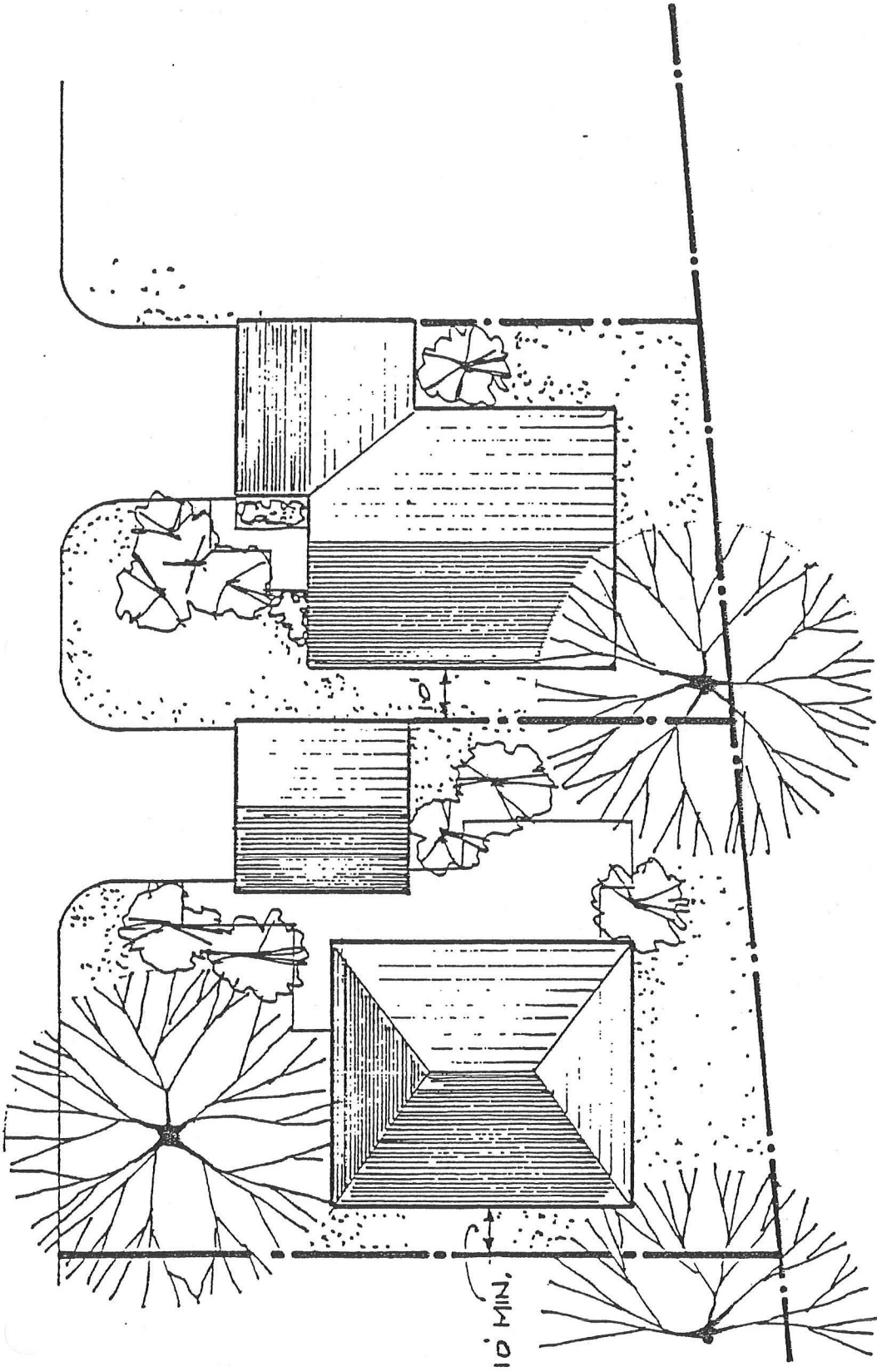
- a. No structure, fence, retaining wall or other obstruction shall be within 10 feet of the area being plowed.
- b. Along roadways with rights-of-way less than 60 feet, snow stacking easements shall be required (see Section 10).
- c. In heavily forested areas, clearing within rights-of-way and easements shall be feathered so as to ensure adequate snow stacking areas, preservation of vegetation and pedestrian safety (See Section 10). Centron and the Town will work jointly to ensure that unnecessary clearing is avoided.
- d. Turn-arounds shall require at least one snow stacking easement located between two adjacent lots.

14. Changes in Town Codes/Regulations

Where the Town of Silverthorne Codes and Regulations currently apply to Eagles Nest, future changes to those sections will thereafter supercede those currently in force.

15. Procedures

Except as stated herein, all submittals and procedures for processing of development plans within Eagles Nest shall follow the format established for the PUD, Planned Unit Development Section 3-3-11 of the Town of Silverthorne Zoning Ordinance, effective November 1974.



TYPICAL ZERO LOT LINE

FIGURE 1.3

SCALE: 1" = 20' - 0"

The Committee shall review and approve all site plans, development plans, architectural plans, and landscape plans prior to submission to the Town of Silverthorne.

At the time of platting, individual areas within Eagles Nest may also have additional restrictive covenants submitted as part of the plat application. Where possible, Centron will use the option of a submission following the PUD and subdivision process concurrently.

1.4 DEFINITIONS

Rules of Construction

1. The particular of specific controls the general.
2. All words, terms and phrases not defined herein but defined in other resolutions or codes of the Town relative to land development or construction shall be construed as defined in such resolutions or codes, unless the context indicates a different meaning was intended.
3. The word "shall" or "will" is always mandatory, and the word "may" is permissive.
4. Words used in the singular include the plural, and words used in the plural include the singular unless the context indicates the contrary.
5. Words used in the present tense include the future tense, and words used in the future tense include the present tense.
6. The phrase "used for" includes "arranged for", "designed for", "intended for", "maintained for", and "occupied for".

Definitions

1. Abutting Land: A parcel of land which has a common property line with another parcel of land.
2. Access: Means the entry or exit way from a platted lot or mobile home lot into a public right-of-way for vehicular and pedestrian traffic.
3. Accessory Building: A subordinate building, the use of which is customarily incidental to that of the main building or to the main use of the land, and which is located on the same lot with the main building or use.
4. Accessory Use: A use naturally and normally incidental and subordinate to, and devoted exclusively to, the main use of the premises.
5. Architectural Review Board: The Town of Silverthorne's Architectural Review Board which is responsible to the Town Board of Trustees for reviewing all building plans.
6. Board: The Board of Trustees of the Town of Silverthorne.
7. Building: Any permanent structure, or portion thereof, built for the shelter or enclosure of human beings, animals, chattels, or property of any kind, but excluding therefrom advertising signboards and fences.
8. Building Envelope: The area in any lot within which all structures, site disturbance, paved surfaces and landscaping not natural to the site and/or irrigation must be placed, with the exception of a single driveway.
9. Building, Principal or Main: A building, or buildings, in which is conducted one or more of the principal permitted uses of the lot or project in which it is situated.