

Tower Center PUD - Filing No. 2 Final Plat

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July 9, 2026 – Planning Commission Review Copy

Purpose

The purpose of this Final Plat for Subdivision application for Filing No. 2, Tower Center Planned Unit Development (PUD) is to subdivide Tower Center, Filing No. 1, Tract F, to create five (5) new parcels as follows:

Lots and Tracts	Acreage	Use	Address
Lot 1	8.549	Multi-Family / Townhome	TBD
Lot 2	1.295	Mixed-Use (Commercial/Residential)	TBD
Tract C	2.246	Park/Open Space	TBD
Tract D	11.556	Future Residential	N/A
Tract E	.736	Private Road Tract (Winterset Ave.)	N/A
Total:	24.382		

As contemplated by the Tower Center Planned Unit Development Preliminary Plan (Ordinance No. 15, Series 2024), this final plat for Filing No. 2 will create five (5) parcels in total, with two (2) parcels (Lots 1 and 2) slated for up to 104 residential units (24 mixed-use 1-bedroom residential units on Lot 2 and 80 Townhomes on Lot 1) along with Tract D which will be subdivided in a future phase to create 47 Single-Family lots.

Additionally, Lot 2 is planned for 10,882 square feet (gross) of commercial within two buildings, to be served by existing and proposed public improvements as permitted by the approved "Design Plans" and "Phasing Plan" for the Tower Center PUD. The twenty-four 1-bedroom units will be 491 square feet. These units will be for rent.

Final Plat Requirements

This Final Plat for Subdivision application has been prepared and submitted in accordance with the Town of Gypsum Municipal Code, including a fully executed application via Cloudpermit and the following:

- Letter of Authorization (Exhibit A)
- Current Title Commitment for Tract F (Exhibit B)

- Vicinity Map (Exhibit C)
- Draft Final Plat (Exhibit D)
- Conceptual Site Plan (Exhibit E)
- Civil Engineering Drawing Package (Exhibit F)
- Engineer's Opinion of Probable Cost (Exhibit G)
- Water and Sewer Ability to Serve Letter – Town of Gypsum/Will Serve Letter Metro District (Exhibit H)
- Ability to Serve Letter(s) by utility companies (Exhibit I)
- List of Adjacent Property Owners (Exhibit J)
- Tax Certificate/Proof of Taxes Paid (Exhibit K).
- ECSD School Land Dedication Fee-in-Lieu Letter (Exhibit L)

This application is accompanied by a fee amount of \$1,780.00 for a Final Plat for Subdivision, along with a deposit of \$5,000.00.

In addition, this Final Plat for Subdivision application addresses the following requirements of Section 17.20.030 - *Supplemental requirements—Final plat*, Town of Gypsum Municipal Code.

I. Submittal Requirements:

Pursuant to the Town of Gypsum Final Plat Submittal Guidelines:

1. *Assurance that there will be all-weather access to the subdivision via public roads conforming to Town of Gypsum standards from existing Town, county or state roads and that maintenance, including snow removal, is assured for said access road.*

Applicant Response:

Tract F will be served by improvements being completed in Phase I, Tower Center PUD, as well as by improvements completed as part of Filing No. 2 ("Phase II"). Chiara Drive and Althea Way will be completed as part of Phase I and will conform to the Town of Gypsum standards. Portions of Winterset Road will also be completed as part of Phase I, and a portion of Winterset Road will be completed as part of this Filing No. 2 Final Plat.

2. *Assurance that the sub-divider will have electrical power, telephone, cable T.V. and natural gas services brought to and throughout the subdivision to serve all lots, parcels and tracts requiring said service.*

Applicant Response:

Will Serve letters have been provided for the Tower Center PUD, to include service provision to Tract F and Filing No. 2. Will Serve Letters from electric (Holy

Cross Energy); gas (Black Hills Energy); and Telephone and Cable (Comcast) are included under Exhibit I.

3. Form listing all changes from Preliminary plan

Applicant Response:

The lot configuration, concept development plan, zoning, uses, density, and dimensional limitations proposed as part of this Filing No. 2 Final Plat conform to the Tower Center PUD Preliminary Plan (Ordinance No. 15, Series 2024).

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4. Proof of compliance with Town of Gypsum road standards (if applicable)

Applicant Response:

Civil engineering drawings by R&R Engineering and Surveying, prepared in coordination with the Town of Gypsum and in conformance with the Town of Gypsum road standards are provided under Exhibit F.

5. Proof water, sewer and drainage is adequately supplied

Applicant Response:

A Will Serve letter for the provision of adequate water and sewer capacity and service from the Town of Gypsum, dated July 17, 2025, and addressing or applying to the Tower Center PUD is included under Exhibit H.

Section 17.20.030 - Supplemental requirements—Final plat:

(1) Tax certificate from the county treasurer indicating all taxes and assessments are current on property being subdivided.

Applicant Response:

A tax certificate/proof of taxes paid from the Eagle County Treasurer's Office, demonstrating that all taxes and assessments for the subject property have been paid is attached under Exhibit K.

(2) Statements from applicable utility companies concerning the extent to which service can and will be provided to the subdivision, costs to supply the utility, and who is responsible for utility installation.

Applicant Response:

A "Will Serve" letter from the Town of Gypsum dated July 17, 2025, for water and sewer services is provided under Exhibit H. Additionally, ability to serve letters from applicable utility companies are provided under Exhibit I.

(3) A current title report showing the names of all surface owners, lien holders, mineral owners, and lessees of mineral rights in the platted area, as the names appear upon records in the county clerk and recorder's office:

Applicant Response:

A title report for Tract F, Tower Center PUD dated May 6, 2026, is attached under Exhibit B.

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(4) The restrictions and/or protective covenants to be recorded controlling the use of land and activities in the subdivision.

Applicant Response:

Not Applicable. The Townhome developer does not intend to form an Homeowners Association (HOA).

Likewise, the developer of Lot 2, Mixed-Use, does not intend to form an HOA. Therefore, the Applicant does not propose any restrictions or protective covenants as part of this Final Plat filing.

(5) Subdivision summary reflecting all changes from original submittal at preliminary plan.

Applicant Response:

This Final Plat application re-subdivides Tract F, Tower Center Final Plat Phase I, to create five (5) parcels – Lots 1 and 2, as well as Tract C (Park/Open Space), Tract D (Future Development), and Tract E (Winterset Road) - to permit development and future development as approved within the Tower Center PUD Preliminary Plan.

Specifically, the Tower Center Filing No. 1 Final Plat created Tract F for the purpose of "Future Development" and the approved Tower Center Planned Unit Development designates Tract F as appropriate for "Residential Townhomes;" "Mixed-Use;" "Single-Family;" and "OS" (or Open Space). There are no changes to the previously approved layout, designated land use(s), or assigned densities within the Tower Center PUD proposed or resulting from this Filing No. 2 Final Plat.

(6) When a proposed street will intersect with a state or federal highway, a copy of the applicable access permit issued by the state highway department.

Applicant Response:

N/A.

(7) Construction plans, profiles, and typical cross sections of streets, bridges, culverts, and other required structures showing that each will comply with Town of Gypsum road standards.

Applicant Response:

Civil engineering drawings prepared by R&R Engineering and Surveying including plans, profiles, and cross sections of that portion of Winterset Avenue required to serve Tract F are attached under Exhibit F.

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(8) Design plans and specifications illustrating that suitable and adequate water supply will be provided to all lots, parcels, and tracts.

Applicant Response:

Attached under Exhibit H are two "Will Serve" letters – one dated July 17, 2025, from the Town of Gypsum confirming the availability and adequacy of public water and sanitary sewer service for the subject property; and a second from the Tower Center Metropolitan District – demonstrating that suitable, legal, and adequate domestic and raw water will be provided to all lots, parcels, and tracts.

The Tower Center Metropolitan District has a raw water irrigation lease with the Town of Gypsum that allows for the irrigation of up to ten (10) acres at Tower Center. The Filing No. 2 final plat includes three lots/tracts (development sites) that will include irrigated areas:

- Neighborhood park – 1.22 acres
- Townhome site – 1.11 acres
- Mixed Use site – .052 acres

The metro district's raw water lease is sufficient to provide irrigation water to the three irrigated sites that will be created by the Filing No. 2 plat, while accounting for raw water necessary to irrigate development sites and streetscape landscaping created by the initial final plat, and maintaining raw water necessary to serve future development sites. The metro district has provided an ability to serve letter to this effect.

Additionally, civil engineer drawings prepared by R&R Engineering and Surveying – Sheet 5 (Exhibit F) - provide specifications for water service to all lots, parcels, and tracts.

(9) Design plans and specifications illustrating that suitable and adequate sanitary sewer facilities will be provided for all lots, parcels and tracts.

Applicant Response:

Civil engineering drawings prepared by R&R Engineering and Surveying - Sheet 5 addressing sanitary sewer facilities adequate to serve development on the subject property – are provided under Exhibit F.

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(10) Design plans and specifications illustrating that suitable and adequate drainage facilities will be provided for the subdivision.

Applicant Response:

Civil drawings prepared by R&R Engineering and Surveying – Sheet 5 and Sheets 6-8 addressing drainage and stormwater facilities adequate to serve development on the subject property – are provided under Exhibit F.

(11) Assurance that there will be all-weather access to the subdivision via public roads conforming to Town of Gypsum standards from existing town, county or state roads and that maintenance, including snow removal, is assured for said access road.

Applicant Response:

Tract F will be served by Chiara Drive, Winterset Avenue, and Althea Way. Chiara Drive along with approximately 450 feet of Winterset Avenue and a portion (approximately 250 feet) of Althea Way will be constructed as part of Phase I.

Approximately 600 feet of Winterset Avenue will be constructed as part of Phase II specifically to serve the eastern portion of Tract F.

This portion of Winterset Avenue is included in the civil engineer drawing package provided under Exhibit F and included within the Engineer's Opinion of Probable Cost (EOOPC) provided under Exhibit G by R&R Engineering and Surveying.

Access to the Eagle County Airport will be preserved. Winterset Road will be extended to provide access to existing gravel access road located on the south side of the Tower Center PUD. Winterset Road will be constructed within public right-of-way, and gravel access will remain within existing access easement leading to the Airport property.

(12) Assurance that the subdivider will cause electrical power, telephone, cable T.V. and natural gas services to be brought to and throughout the subdivision to serve all lots, parcels and tracts requiring said services.

Applicant Response:

As part of the Final Plat approval for Phase I, Tower Center PUD, demonstration that the subject property can be served by utilities was provided. A "Will Serve" letter from the Town of Gypsum for water and wastewater services is provided under Exhibit H. Additionally, ability to serve letters from applicable utility companies are provided under Exhibit I.

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(13) Wildfire control plan, when required as a result of preliminary plan review.

Applicant Response:

Not applicable.

(14) Erosion control plan, when required as a result of preliminary plan review.

Applicant Response:

Civil engineering drawings prepared by R&R Engineering and Surveying for the Tower Center Phase I Final Plat included erosion control plan specification. Additional specifications for this Tower Center Filing No. 2 Final Plat are provided under Exhibit F.

(15) Flood control plan, when required as a result of preliminary plan review.

Applicant Response:

Not applicable.

(16) Geologic hazard mitigation plan, when required as a result of preliminary plan review.

Applicant Response:

Not applicable.

(17) Environmental mitigation plan, when required as a result of preliminary plan review.

Applicant Response:

Not applicable.

(18) Appropriate deeds or arrangements conveying land for public purposes or money in lieu thereof in accord with section 17.04.050.

Applicant Response:

Tract C, a 2.246-acre parcel, is designated on the Final Plat for Filing No. 2 as "Neighborhood Park/Open Space" and is intended to be owned and maintained by the Tower Center Metropolitan District.

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Pursuant to the Fourth Amendment to Annexation and Development Agreement (Resolution No. 17, Series 2024) approved as part of the Tower Center Planned Unit Development, park amenities and improvements will include:

- Sod lawn
- Native seed mix area
- Two shade pavilions
- Six or more picnic tables
- Playground with safety surface
- Bike racks
- Five benches
- Widened sidewalk loop system
- Extensive tree and shrub vegetation
- Waste bins
- Dog waste stations

(19) Common interest community exemption. The planning commission may waive required exhibits for common interest communities rendered unnecessary because the request creates no greater impacts on town services than the existing allowed uses. Final plans shall be prepared in conformance with section 17.28.040 of this title.

Applicant Response:

The proposed final plat has been prepared in accordance with Section 17.28.040 of the Town of Gypsum Municipal Code (GMC) and will create five (5) parcels for residential, mixed-use, public facility (roadway), and open space/parkland uses pursuant to the approved Tower Center Planned Unit Development (PUD) Preliminary Plan.

(20) Documentation demonstrating that proposed building(s) or structure(s) will comply with the design requirements described in section 15.05.040 or the specific subdivision design guidelines approved by the planning commission pursuant to section 15.05.060.

Applicant Response:

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A conceptual site plan prepared by R&R Engineering and Surveying is provided under Exhibit E demonstrating that proposed building(s) and structure(s) to be constructed within Phase II on proposed "Tract A" comply or can be designed to comply with the design requirements of Section 15.05.040 and the guidelines pursuant to Section 15.05.060.

(21) Detailed cost Opinion to construct required improvements.

Applicant Response:

A detailed Engineer's Opinion of Probable Cost (EOOPC), based on the civil engineering drawing package by R&R Engineering and Surveying, dated May 12, 2026, is attached under Exhibit G.

II. Standards:

Section 17.20.050 - Final plat processing:

Pursuant to Section 17.20.050 – *Final plat processing*, Gypsum Municipal Code (GMC), this final plat for Filing No. 2, Tower Center Planned Unit Development, has been prepared in compliance with the approved Tower Center PUD Preliminary Plan and the Town of Gypsum subdivision regulations.

Specifically, this Filing No. 2 Final Plat is contemplated as part of the phased development of the Tower Center PUD as memorialized under the Preliminary Plan for PUD approval (Ordinance No. 15, Series 2024); the approval of the Tower Center PUD Filing No. 1 Final Plat for Subdivision (Resolution No. 24, Series 2025); and as particularly described in Exhibit "A" – Subdivision Improvements Agreement, attached to the resolution.

Exhibits:

- Exhibit A: Letter of Authorization
- Exhibit B: Title Commitment Dated 05/06/2026
- Exhibit C: Vicinity Map
- Exhibit D: Final Plat dated March 30, 2026, by R&R Engineering/Surveying
- Exhibit E: Conceptual Site Plan
- Exhibit F: Civil Engineering Drawing Package dated May 13, 2026, by R&R Engineering & Surveying
- Exhibit G: Engineer's Opinion of Probable Cost (EOOPC) by R&R Engineering/Surveying dated May 12, 2026
- Exhibit H: Ability to Serve Letters – Town of Gypsum and Tower Center Metropolitan District
- Exhibit I: Ability to Serve Letter(s) – Utility Companies
- Exhibit J: Adjacent Property Owner List & Map
- Exhibit K: Tax Certificate/Proof of Taxes Paid
- Exhibit L: ECSD School Land Dedication Fee-in-Lieu Letter