



**Planning & Zoning Commission
Tuesday, February 4, 2025, 6:00 PM
Public Meeting Room / Eagle Town Hall
200 Broadway, Eagle, CO 81631**

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

PUBLIC WIFI – Eagle Guest

MEETING ACCESS INFORMATION AND PUBLIC PARTICIPATION

1. This will be an in-person meeting with access via Microsoft Teams. First-time users of Teams will need to download the app.

Microsoft Teams meeting

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Please Note: All participants must remain muted until they are requested to speak. This will reduce background noise disruptions for all meeting attendees. When it is your turn to speak, you will have three (3) minutes for public comment. For technical difficulties, please email denise.cardoza@townofeagle.org and we will do our best to assist you.

PUBLIC COMMENTS: If you are unable to attend, public comments regarding any items on this agenda can be submitted to the Planning Department at Planning@townofeagle.org and will be included as part of the record.

REGULAR MEETING CALLED TO ORDER

APPROVAL OF MINUTES *Approval of minutes from the following meeting(s) of the Planning & Zoning Commission.*

1. Minutes dated 1.07.2025

PUBLIC COMMENT

Citizens are invited to comment on any item not on the agenda subject to a public hearing. Please limit your comments to three (3) minutes per person. Those who are speaking are requested to state their name & address for the record.

PUBLIC HEARINGS

1. Project: Reserve at Hockett Gulch Phase 1B and Phase 2
File # DR24-01
Applicant: Hockett Gulch II, LLC
Location 16186 Highway 6
Staff Contact: Peyton Heitzman, Community Development Director
Request: Major Development Plan to construct 255 multifamily units, 28 townhome rental units, a clubhouse, and maintenance building. Forty-five percent (45%) of the units proposed include a deed restriction requiring local residency.

COMMUNITY DEVELOPMENT DEPARTMENT AND TOWN COUNCIL UPDATE

Staff update to the Planning & Zoning Commission on recent work, upcoming files and decisions made by Town Council.

OPEN DISCUSSION

ADJOURN

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

Denise Cardoza

Denise Cardoza
Administrative Technician II



MEETING MINUTES
Planning & Zoning Commission
January 7, 2025, 6:00 PM
Public Meeting Room / Eagle Town Hall
200 Broadway, Eagle, CO 81631

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

PUBLIC WIFI – Eagle Guest

MEETING ACCESS INFORMATION AND PUBLIC PARTICIPATION

This was an in-person meeting with an option for the public to attend via Teams.

6:01PM – Chair Hood MEETING CALLED TO ORDER

COMMISSIONERS PRESENT

Bill Nutkins, Keith Klesner, Keith Montag, Jennifer Sturgeon, Keegan Winkeller, Weston Arbogast, Matt Hood

COMMISSIONERS ABSENT

Jennifer Sturgeon

STAFF

Peyton Heitzman – Com Dev Director/Planner
Jessica Lake – Planner
Sydney Dynek – Planner
Kyle Brotherton - Planner
Denise Cardoza – Administrator
Ryan - Town Engineer

APPROVAL OF MINUTES

1. Minutes Dated 10.01.24
2. Minutes Dates 10.10.24

CHAIR PRO TEM NOMINATIONS

Commissioner Nutkins was nominated by Winkeller
Seconded by Chair Hood
All in Favor
None Opposed
Motion carries

PUBLIC COMMENT

There was no public comment. Public comment closed.

Chair Hood Opened land use file DR24-01 and PUDA24-01

PRESENTATIONS

Project: Reserve at Hockett Gulch Phase 1b &2

File # DR24-01 &PUDA24-01

Applicant: Hockett Gulch II, LLC

Location: 16186 Highway 6

Staff Contact: Peyton Heitzman, Com Dev Director

Request: Major Development Plan to construct 255 multifamily units, 28 townhome rental units, a clubhouse, and maintenance building. Forty-five percent (45%) of the units proposed include a deed restriction requiring local residency; and Minor PUD Amendment within Hockett Gulch PUD to permit the minimum drive aisle/street centerline radius to be below 150 feet or as otherwise approved by the Greater Eagle Fire Protection District.

Staff Presentation:

Staff confirmed that the representative is Norris Design.

Staff confirmed that no public comment letters were received and reviewed the property location, the 2019 annexation, and the 2022 subdivision.

Staff presented on the following issues found in the application:

- EV charging stations
- Parking Plan, Tandem Parking and overall Parking Count
- Wildfire impacts
- Colorado Parks and Wildfire (CPW) Concerns
- Outdoor Private Space
- Landscaping buffer
- Building Height

Staff recommended continuing the hearing to February 4th.

Questions for Staff:

Commissioner Klesner requested more information on the generally accepted definition of a landscape buffer. Staff referred to the PUD guide, which states that the perimeter buffer has been achieved through setback regulations but noted that the Black Hills easement limits the landscaping that staff believes is necessary. Chair Hood confirmed that the original PUD guide was created under the old code, and anything not covered under the PUD would now be covered under the new Land Use Development Code (LUDC). Commissioner Arbogast asked if there was anything significant that would now be reviewed under the new code. Staff

referred to the staff report, mentioning that outdoor space and bicycle parking are examples of standards required by the new code, as the PUD guide is silent on these standards. This also includes EV charging stations and building code requirements outside of Title 4.

Applicant Presentation

Megan Testin presented for Norris Design and introduced their Team.

Testin reviewed the site location, its history, and the driving factors behind the Planned Unit Development (PUD), emphasizing the goal of providing high-density and affordable housing. The phasing was outlined: Phase 1A includes parts of PUD sections 1 and 2, Phase 1B covers a portion of PUD section 2, and Phase 2 corresponds to the PUD 3 area. Testin also examined affordability, deed restrictions, and current leasing percentages. The Project Overview and compliance with conditions of approval were reviewed, along with what has been completed so far and what is anticipated.

Mallory Mooney with Norris Design presenting

Mooney reviewed the parking requirements for Phase 1A, noting the discrepancy in the initial 76 parking spots, which is being corrected and will be reviewed by staff for compliance. The applicant will provide 25% of the Electric Vehicle (EV) charging stations. Mooney discussed the possibility of tandem parking for multifamily units, even though the PUD does not explicitly address it, as ReCode does.

Mooney also reviewed the open space requirements, stating that the PUD requires 84,900 square feet of usable open space for 283 units. The proposal includes 86,991 square feet, exceeding the requirement by 2,091 square feet, with a mix of passive and active open spaces, including dog parks, parks, and an amphitheater. The requirement for private open space has been satisfied.

Mooney reviewed the wildlife conservation plan, revised in the third submittal on November 7, 2024, and discussed efforts to support wildlife, including additional landscaping, buffers, and trail adjustments per CPW guidance. The plan indicates that 10.78 acres of potential habitat would be disturbed, but this would not threaten wildlife existence. The town code does not require a wildlife buffer, but CPW provided recommendations. The design includes a naturalized vegetative buffer ranging from 25 to 275 feet, depending on the location.

Mooney also reviewed the Phase 1A corridor, noting the narrowest spot at 27 feet, and acknowledged CPW's concerns. The 250-foot setback was reviewed, and it was determined that adhering to it would be detrimental to the project. Efforts to comply with wildlife requirements include clustering infrastructure, using wildlife-safe dumpsters, native vegetation, weed control, minimizing lighting at night, and traffic control techniques.

Ken Linehan from FK architect presenting.

Linehan reviewed covered the building heights, confirming the utilization of original heights from Phase 1 and addressing November comments on ridge height. It examined the apartments, defining them as B Simple and not for sale units, which fall under the commercial building code, allowing a 45-foot height. The review included 48-unit buildings in 12-unit pods, two-story townhomes, their floor plans, and amenities. It also covered the standing seam roof, awning elements, exterior materials, and overall building heights ranging from 41 to 45 feet. The direct entry townhomes, ranging from 4 to 8 units, were shown to be under the 45-

foot requirement. The color palette, clubhouse, and overall aesthetic were reviewed. It was confirmed that all buildings are below the 45-foot requirement and that townhomes should be considered rental apartments.

Questions for Applicant:

Commissioner Nutkins recalled discussions from phase one about what constitutes open space, noting that sidewalks were included. Staff confirmed that certain sidewalks, particularly closed loops with no traffic interference, were counted as open space in phase one. Testin explained that these loops are well-used by residents for walking and biking, making them a valuable part of the open space.

Nutkins requested confirmation that sidewalks around the parking lot were considered open space in Phase 1 and asked if they would be considered open space in the current plan. Testin confirmed this to be the case. Additionally, Nutkins asked if any adjustments could be made to appease CPW, referring to design considerations for buildings 10 and 11. Mooney explained that changes had been made based on fire department requests and public safety needs, and while they are open to more conversations with CPW, they feel they have adjusted the site plan as much as possible given the constraints.

Chair Hood requested clarification on the buffer, and Mooney explained that the buffer ranges from 25 to 275 feet, with 25 feet being the narrowest. Rob MacKenzie noted that CPW initially wanted a 250-foot buffer, but it was determined by P&Z and Council that they have vested rights. He emphasized the challenges of directing wildlife through narrow spaces and the efforts made to comply as much as possible.

Commissioner Nutkins suggested that slight adjustments might help and requested more information on townhomes, disagreeing with their definition and feeling they should meet the original PUD standards. He believed they are technically multifamily but should not have been named townhomes. Rob MacKenzie referred to the need for different building types with additional bedrooms. Commissioner Winkeller agreed with Commissioner Nutkins on the definition of townhomes and compliance with CPW, feeling that the current approach contradicts working with CPW and that the units should meet the 35-foot requirement.

Commissioner Montag asked if there is perimeter fencing around the whole site, and Rob McKenzie confirmed it is prohibited in the PUD. Commissioner Montag inquired about tot lots, and Testin reviewed them, with Commissioner Montag requesting more information on the adequacy of the space.

The applicant expressed confidence in satisfying all requirements, reviewed the timeline and financing, and noted concerns about delays if the application goes back to staff. McKenzie reviewed the previous application and the challenges in scheduling with P&Z and getting feedback from CPW, which has significantly delayed the application. The applicant feels pressured to complete the buildings and believes they can provide everything to Staff within a week.

Building height options were discussed. Carriage homes with a flat roof, which may satisfy the building height issue was brought up.

Chair Hood opened Public Comment

Public Comment

Corky: Expressed concern over the lack of perimeter fencing on their property to prevent trespassing and wildlife from entering their property.

Char Hood Closed Public Comment

Discussion:

Commissioner Arbogast requested the definition of a wildlife corridor, and Staff referred to CPW as the authority on this definition, emphasizing reliance on their referral agency. Chair Hood confirmed that they cannot use someone else's property as a buffer but can consider CPW's recommendations to decide what is best for the town.

Commissioner Montag expressed concern about the 26 conditions attached to the project and requested that the applicant resolve these issues with staff before returning with a completed application. Commissioner Klesner clarified that the housing is market rate, not affordable, and stressed the need to address the conditions. Commissioner Nutkins agreed that 26 conditions are many and referred to previous comments on the townhomes. Commissioner Winkeller also found 26 conditions excessive and suggested continuing the file until issues are resolved, noting the workload on staff.

Chair Hood reviewed the need for additional information, confirmed the project is market rate, and emphasized its importance, focusing on the unknowns that need to be addressed.

Commission Discussion:

Does the P&Z commission support the alternative open space programming and open space land areas proposed to fulfill the private usable open space PUD requirements?

Commission agrees that this follows the PUD Guide and aligns with the original intent.

Would the planning and zoning Commission agree that the landscape buffer along Grand Avenue is substantial in terms of width and proposed landscape material?

Chair Hood requested a description of the landscape buffer, and Testin reviewed the landscaping plan, which includes 30-40' trees with a minimum of 8', layers of screening with different heights and textures of shrubs, both deciduous and evergreen, and ornamental grasses and perennials. Chair Hood discussed Black Hills Energy requirements, and Rob McKenzie reviewed the inability to place anything on the Black Hills Easement. The commission agreed that the landscaping is substantial.

Commissioner Winkeller noted that wildlife might be attracted to the plants. Testin confirmed that no fruit-bearing trees would be used and that protective screening would be added to deter wildlife, with

the applicant open to additional deterrent methods. Staff confirmed the area is challenging due to an easement.

Chair Hood requested clarification on the property line, and Commissioner Arbogast asked if the basins are designed for long-term use. Drew Veratti confirmed that the drainage way is identified as a potential landslide area with soils that may have debris flow, directing runoff to the inlet. Commissioner Montag asked if there would be grass, and Testin confirmed that native seed would be used for areas not meant to be active lawns. Chair Hood requested clarification on the culvert, confirming it is grass from Phase 1. The commission agreed that the perimeter landscaping is satisfactory.

Does the proposed landscaping along the perimeter meet the intent of the PUD guide?

Commissioner Nutkins requested more information on Phase 1 and if that was approved originally. Chair Hood requested clarification on the buffer to the east of the location and the basin. Commissioner Arbogast asked if the basins are designed for long-term use. Drew Veratti confirmed that the drainage way is identified as a potential landslide area with soils that may have debris flow, directing runoff to the inlet. Commissioner Montag asked if there would be grass, and Testin confirmed that native seed would be used for areas not meant to be active lawns. Chair Hood requested clarification on the culvert, confirming it is grass from Phase 1. The commission agreed that the perimeter landscaping is satisfactory.

Has the development plan successfully mitigated negative impacts to wildlife in the area to meet the requirements of the LUDC?

Commissioner Nutkins suggested adjusting the location of some buildings to ease tension. Chair Hood asked what Staff expects from CPW. Staff mentioned concerns about balconies on the townhomes, as they don't generate noise to scare off wildlife, and requested feedback on the buffer and landscaping. Commissioner Montag noted that balcony noise is more of a summer issue, while wildlife impact is more significant in winter, and didn't see it as a major issue. Commissioner Arbogast viewed the corridor as an arbitrary line and didn't see it as an issue either.

Chair Hood called on the applicant's wildlife expert, who confirmed the area is winter habitat and reviewed the code language. Chair Hood expressed concern over enforcing a migration corridor standard when there isn't one but noted concerns around the townhomes and wanted more input from CPW. Commissioner Winkeller encouraged finding a middle ground between 27 and 250 feet, considering the slope's impact on animal migration. Commissioner Montag suggested guiding animals to the underpass and that leaving the 27-foot gap might deter them from going in that direction.

Are there any other comments or concerns from the staff report or presentation?

Commissioner Klesner commented on the townhomes, noting that they are intended to provide a mix of unit types. He suggested that since they resemble townhomes, they could potentially be partitioned and sold as such in the future, and therefore, the appropriate process should be followed.

The applicant referred to Eddie Wilson, stating that he views the project as a multifamily unit. Commissioner Nutkins noted the absence of articulation in the architecture and recommended offsetting clusters of 3 or 4 units to improve the design.

Chair Hood offered additional commission direction if needed.

MOTION:

Commissioner Nutkins: I would move to continue the major development permit DR24-01 until February 4, 2025.

Commissioner Winkeller: Seconded

Chair Hood Closed file DR24-01

TC update

1. Department Update

ADJOURN

Motioned to adjourn

Commissioner Montag seconded.

Meeting adjourned at 8:21 PM.



To: Planning & Zoning Commission

From: Peyton Heitzman, Community Development Director, Community Development
Carrie McCool, Eagle Contract Planner

Date: February 4, 2025

Agenda Items: FILE NUMBER: DR24-01 Reserve at Hockett Gulch Phase 1B and Phase 2 Major Development Plan

REQUESTS:

For the Planning Commission to continue the public hearing to February 18, 2025.

BACKGROUND:

The Town received a Major Development Plan application for Reserve at Hockett Gulch Phase 1B and Phase 2. The Planning Commission continued the public hearing on January 7, 2025, to February 4, 2025, to allow the applicant time to address code compliance issues. The staff report from January 7th can be found here [LINK](#). Staff is now requesting an additional continuance to February 18, 2025, to address project compliance.

ANALYSIS:

An analysis will be provided at the February 18, 2025, hearing.

COMMUNITY INPUT:

All public comments will be shared at the next public hearing.

BUDGET:

N/A

STRATEGIC PLAN ALIGNMENT/STANDARDS ACHIEVED:

N/A

RECOMMENDED ACTION OR PROPOSED MOTION:

A motion to **CONTINUE** the public hearing for File DR24-01, Reserve at Hockett Gulch Phase 1B and Phase 2 Major Development Plan to February 18, 2025.

ATTACHMENTS:

- None.