



MEETING MINUTES
Planning & Zoning Commission
Tuesday, April 15, 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 option for the public to attend via Teams.

6:00 PM - REGULAR MEETING CALLED TO ORDER

Chairman Hood called the meeting to order at 6:00 PM.

COMMISSIONERS PRESENT – list all

commissioners and identify if any were joining via
Teams

Matt Hood, Keith Montag, Joe Oakman, Jennifer
Sturgeon, Keith Klesner, Keegan Winkeller

STAFF – List all staff attendees

Peyton Heitzman – Community Development Dir.
Jessica Lake – Senior Planner
Kyle Brotherton – Senior Planner
Sydney Dynek- Planner

COMMISSIONERS ABSENT – List all absent

Weston Arbogast, Bill Nutkins

APPROVAL OF MINUTES

1. Minutes dated April 1st, 2025

The minutes were approved without change.

PUBLIC COMMENT

Chairman Hood opened public comment. There was no public comment.

PUBLIC HEARINGS

1. Project: Haymeadow 5th Amendment to Filing 1, Neighborhood A1 Preliminary Plan Update, and Filing 2 Final Plat

File # PPFP24-01

Applicant: Abrika Properties, LLC

Location Neighborhood A1 in the Haymeadow development, also known as Tract Z1 (Parcel #2109-102-07-003), Tract RMF-4 (Parcel #2109-044-05-005), Tract H (Parcel #2109-044-05-006), and Tract X (Parcel #2109-044-05-004)

Staff Contact: Jessica Lake, Senior Planner

Request: An application to amend the Filing 1 Final Plat to rename two public rights-of-way and readdress single-family lots along those streets, update the 2014 Preliminary Plan, and to subdivide Neighborhood A1 of the development (Filing 2) into 46 single-family residential lots, 6 duplex lots, two multi-family residential development parcels, a 1.6-acre childcare site, five open space tracts, and extend the public right of way of Haymeadow Drive (Sylvan Lake Rd), Ouzel Lane, and Mt. Hope Circle.

Commissioner Oakman recused himself.

Jessica Lake, Senior Planner, presented on the Haymeadow 5th Amendment to Filing 1 Final Plat. Staff recommended approval of the Haymeadow 5th Amendment with specific conditions. These conditions included updating the addresses on the plat to Haymeadow Drive prior to recording with Eagle County and working with the town attorney to determine whether a clarification regarding access easements should be included on the amended final plat. Additionally, staff outlined that the applicant was required to record the plat with the Eagle County Clerk and Recorder within 30 days of the Town Council's approval. One administrative extension could be granted by the town planner if necessary.

Staff found the update to the Neighborhood A1 Preliminary Plan consistent with the Comprehensive Plan, applicable Town Codes, Annexation and Development Agreement, and PUD Guide. Updates included adding a 1.6-acre childcare lot, simplifying the road network, adjusting parcel layouts, and changing the pedestrian crossing at Haymeadow Drive from an underpass to a crosswalk to reduce environmental disturbance. The updated plan increased detail, aiding staff review, and included 41 affordable housing units out of 187 total. Environmental goals were supported by open space dedications, and transportation goals were addressed through sidewalks, trails, and a 10-foot path along Haymeadow Drive and Ouzel Lane. The plan maintained over 300 feet of setback from Brush Creek Road to preserve rural character and protect wildlife habitats.

Lastly, the Filing 2 Final Plat was reviewed. Staff determined it met all code criteria and recommended several conditions of approval. These included updates to grading, erosion, and sediment control plans; revised lighting specs to maintain a maximum of 3000 Kelvin color temperature and 10,000 lumens; added drainage and debris flow reporting; and updated construction and plat documents to reflect trailhead parking and address changes. Rights-of-way easements in the Willow Tree Corridor were to be dedicated to the Town. Like Filing 1, the applicant will be required to record the plat with Eagle County within 30 days, with one administrative extension allowed. Staff recommended approval of all applications based on compliance with the municipal code, amended PUD Guide, and the 2021 amended Elevate Eagle Comprehensive Plan.

Commissioner Questions

Commissioner Sturgeon: Asked if the crosswalk was going from the Trailhead Park to the neighborhood across the way. Lake replied that it's on the edge of the wildlife corridor.

Commissioner Montag: Asked what the pedestrian crossing is connecting and if there were trails on each side. He also asked about a pedestrian signal at the crosswalk for safety. Michael Hood, the applicant's representative, responded that there will be a raised table to keep traffic slow and a button for pedestrians to press to signal they are there. Lake replied that the trail on the north side, and a trail on the south side will connect into the community park.

Chairman Hood opened the floor for public comment

PUBLIC COMMENT

Max Quinnen of Brush Creek Rd emphasized that Brush Creek Road experiences significantly different conditions in summer and winter, with summer bringing a surge of traffic from campers and boats headed to Sylvan Lake. He expressed concern that renaming Sylvan Lake Road might signal changes that would increase traffic on Lower Brush Creek Road, a narrow two-lane road that cannot be expanded. He urged the Town to preserve the name of Sylvan Lake Road and ensure that traffic is routed via Upper Brush Creek Road to avoid overburdening lower Brush Creek Rd.

Kim Fritzler of 2686 Brush Creek Rd. noted that the proposal mentioned non-potable water being supplied to multifamily homes and questioned why this benefit couldn't also be extended to duplexes and single-family residences, as it could help reduce water costs for those households. Drawing on her real estate experience, she highlighted the appeal of such a feature. Additionally, she requested more clarification on the location of the proposed Brush Creek Road bike lane, expressing concern for cyclist safety.

Chairman Hood closed public comment.

Commissioner Questions

Chairman Hood noted that the intent is not to connect Haymeadow back into Brush Creek Rd.

Michael Hood clarified that ADA requires the applicant to deliver all non-potable water to all open space parcels that are defined in the plan as well as all of the multi-family parcels in the development plan. Until the water court application is finalized, which has been ongoing with the Town for three years, the applicant cannot make a firm commitment that all single family residences will be served by non-potable water.

Lake responded to the bike lane concern, mentioning that the trails plan has a bike path going along what is now Sylvan Lake Rd. Chairman Hood added that land has been provided to create a bike path and the responsibility of developing a bike path is the Town or the County's.

Commissioner Sturgeon: Wanted clarification on road names and direction of Sylvan Lake Rd. vs Brush Creek Rd.

Commissioner Klesner: Klesner wanted to know when the Ouzel Lane roundabout would be completed. Michael Hood answered that phase four will be done by November 1, 2026.

Commissioner Montag: Montag wanted clarification on the bike path trail locations and where it connects. Michael Hood confirmed that the bike path comes down Sylvan Lake Rd. and then out to Brush Creek Rd at Ouzel Lane. Montag mentioned that changing the name of Sylvan Lake Rd should not add to traffic as it should clarify direction for people so they don't have to backtrack.

Chairman Hood: Hood asked how the Brush Creek Rd. extension plays into this project. Lake responded that the road requirement is part of the ADA. She explained that the ADA was recently amended to change the triggers for that requirement. Now, the obligation is initiated when the Town acquires all the necessary right-of-way while the Town will negotiate to obtain the right-of-way from the various property owners, the obligation for the cost of right-of-way acquisition is Haymeadow's. Once that right-of-way is secured, the applicant, at their own cost, will be responsible for building the road.

Commissioner Winkeller: Winkeller asked how the triggers changed. Lake responds that it used to be based on 300 building permits. Michael Hood added that during negotiations with Town staff, there were differing timelines and objectives between their project and the Grand Avenue Corridor project. While their project was time-based, the Grand Avenue plan was not, which could have created conflict in the road design. One of the main reasons for coordination was to ensure a cohesive and collaborative plan that serves the best interest of the Town for the Brush Creek Rd. extension and the interface with the Grand Avenue Corridor plans.

P&Z COMMISSION DELIBERATION AND FEEDBACK ON THE APPLICATION

Commissioner Sturgeon: Sturgeon is concerned with safety of kids from daycare, the additional school, and the already established population of children riding bikes, wanted staff to consider making an underpass so there is no interaction between cars and kids. Sturgeon supported the road name change. Sturgeon supported the preliminary plan with the condition that the crosswalk be raised with lights.

Commissioner Klesner: Klesner agreed that safety is important but believes that the mitigation that the applicant is proposing seems reasonable as underpasses he is familiar with often have people flying through on bikes and can pose a more dangerous threat. Klesner supported the road name change. Klesner supported the preliminary plan.

Commissioner Montag: Montag asked if the applicant would consider a pedestrian signal. Michael Hood said they are working with Public Works to determine the safest pedestrian signal. Montag supported the road name change. Montag supported the preliminary plan.

Commissioner Winkeller: Winkeller understands concerns but believes above ground pedestrian crossing is the best option and agreed with the applicant's proposal. Winkeller supported the name change and the preliminary plan.

Chairman Hood: Hood supported the name change and the preliminary plan. Hood noted the concerns and debate surrounding the pedestrian underpass and crosswalk options, but generally believed the crosswalk to be the better of the two options.

Chairman Hood opened the floor for a motion. Commissioner Klesner motioned that the review process of the change in plan for the crosswalk require review from Public Works to determine what would be the best available safety measures for a crosswalk. Commissioner Winkeller seconded. Commissioners unanimously voted in favor.

Commissioner Klesner motioned to approve Planning & Zoning Resolution 2, series 2025, recommending approval of the final plat, known as Haymeadow Filing 1, fifth amendment and update to the 2021 neighborhood A1 preliminary plan and final plat known as Haymeadow Filing 2 inclusive of the findings of fact of staff, with an additional condition of approval. Winkeller seconds. Commissioners unanimously voted in favor.

Condition of Approval #11 was added to the Resolution and states that "the applicant shall work with the Town Engineer to determine the safest at-grade crossing from the Willow Tree Corridor across Haymeadow Drive (Sylvan Lake Rd) to Trailhead Park".

2. Project: Natural Medicine Businesses

File # LUDC25-01

Applicant: Town of Eagle

Location Town of Eagle

Staff Contact: Peyton Heitzman, Community Development Director

Request: A text amendment to the Land Use and Development Code (LUDC) establishing regulations for Natural Medicine Businesses.

Peyton Heitzman, Community Development Director, presented on the regulation of natural medicine businesses, outlining proposed definitions, allowed locations, and review processes intended to create a clear framework for such businesses in the Town. The regulations covered several types of natural medicine operations, including healing centers, cultivation facilities, manufacturers, testing facilities, and other related business types. Staff proposed allowing these businesses in the Commercial General, Industrial, and Commercial General East Zone Districts, with varying review processes depending on the business type. Most uses would require special use permits, which would involve public hearings, community input, and Town Council approval. Initially, healing centers were proposed as a permitted use that could be approved administratively, but this was later amended to require administrative review with public notice. Staff also introduced specific parking requirements for these businesses, developed through comparisons with similar uses in other towns and based on existing standards.

Commissioner Questions

Chairman Hood: Hood asked if the Town only allows two permits for marijuana shops in the area. Heitzman responded that currently yes, as it relates to population size.

Commissioner Winkeller: Winkeller asked to be shown on the zoning map where medical marijuana shops were allowed. Heitzman confirmed marijuana is a permitted use in Commercial General and Industrial zone districts which are red and purple on the zone map.

Commissioner Oakman: Oakman asked if marijuana dispensaries require the same buffer. Heitzman said it did.

Commissioner Sturgeon: Sturgeon inquired if Commercial General included anywhere downtown. Heitzman said it did not. Sturgeon raised a concern about the lack of buffer requirements for natural medicine businesses, noting that marijuana uses have such buffers. The speaker questioned whether the absence of similar buffers for natural medicine businesses, especially those involving medicinal psychedelics, could create conflicts—particularly near schools—given the existing buffer zones for medicinal marijuana. Heitzman responded that if the Commission chose to recommend a buffer between certain residential and educational uses, each location would be considered individually based on its specific context. She clarified that measurements would not be taken from marijuana uses but rather from proposed educational or residential uses, depending on the recommendation. She also distinguished natural medicine from marijuana by noting that marijuana includes a retail component, which natural medicine does not. Instead, natural medicine is limited to healing centers where consumption occurs on-site under strict state regulation and oversight. Sturgeon asked why Glenwood and Castle Rock were chosen for examples. Heitzman replied that it was because those are the two examples that could be found and the Town of Eagle legal team has worked with Glenwood Springs. Sturgeon asked if outdoor use would be allowed at the facilities. Heitzman said that prohibiting outdoor use is not an option, but they can screen.

Commissioner Montag: Inquired on the prevalence of natural medicine businesses in the state. Heitzman confirmed that there are not many since their legality is new as of December 2024.

Commissioner Klesner: Klesner asked if the reason they were addressing the issue was essentially because Colorado Revised Statute required jurisdictions to establish some sort of methodology, implying that this legal obligation was the root cause of the discussion. Heitzman confirmed.

PUBLIC COMMENT

Chairman Hood opened the floor for public comment and there was none.

P&Z COMMISSION DELIBERATION AND FEEDBACK ON THE APPLICATION

Chairman Hood: Hood supports giving public notice.

Commissioner Sturgeon: Sturgeon requested a use that requires noticing and for the use to go before P&Z recommendation and Town Council decision. Sturgeon would like to see the healing center businesses 1000 feet from schools.

Commissioner Oakman: Oakman believed the proposed use approvals are appropriate and does not think it's necessary to add buffer requirements.

Commissioner Winkeller: Winkeller believed the proposed use approvals are appropriate and supports giving public notice but leave it to staff to determine if the request should be allowed. Winkeller supports staff's position in regards to standards.

Commissioner Montag: Montag believed the proposed use approvals are appropriate and supports staff's position in regards to standards.

Commissioner Klesner: Klesner could go either way for a special use permit requiring P&Z Commission recommendation and Town Council decision, or a conditional use permit where it would only be brought before P&Z Commission. Klesner does not think a buffer is necessary.

Commissioner Winkeller motioned to approve Resolution 5, Series 2025, A Resolution of the Planning and Zoning Commission of the Town of Eagle, Colorado recommending Amending Title 4 of the Town Code to Regulate Natural Medicine Businesses with the condition to approval for screening outdoor activities related to healing centers and a second condition to change the approval of the healing centers from a P to an A for administrative review with public notice. Commissioner Montag seconded. Klesner, Montag, Oakman, Winkeller, and Hood voted in favor. Sturgeon voted against. Motion carried.

Chairman Hood closed out file LUDC 25-01.

Chairman Hood opened up the floor for comments and questions regarding the Community Development Department and Town Council update.

Commissioner Sturgeon inquired about a time that staff could explain more about the Grand Avenue corridor. Chairman Hood agreed and requested a road map of where the project is at and where it is headed. Heitzman replied that she would get that together. Chairman Hood also mentioned that sections of the Land Use Code are incorrect and asked that staff continue making progress to amend the Code. Heitzman replied that there is an upcoming work session in May that will address code changes as well as long range planning priorities.

ADJOURN

MOTION: Commissioner Winkeller motioned to adjourn. Chairman Hood called for a vote and the motion to adjourn passed unanimously.

Meeting Adjourned at 8:15pm

AI Assistance

These meeting minutes were generated with the assistance of AI technology to enhance accuracy, organization, and clarity. The final version was reviewed and approved by Jackie VanEyll to ensure completeness and adherence to meeting records.