



February 7, 2025

Carrie McCool
McCool Development Solutions
4383 Tennyson Street, Unit 1-D
Denver, CO 80212

**RE: The Reserve at Hockett Gulch Phase 1B and Phase 2 Major Development Permit
Response to Comments and Narrative of Changes**

Dear Ms. McCool,

Thank you for your review of the Reserve at Hockett Gulch MDP Phase 1B and 2. This project was first heard by Planning Commission on January 7, 2025, then a revision was issued on January 14, 2025 and Town Staff provided additional comments January 31, 2025. Responses to comments made, along with a narrative of changes made to the design of the project can be found in the following pages.

If you have any questions, please feel free to contact me at mtestin@norris-design.com.

Sincerely,
Norris Design

A handwritten signature in black ink that reads "Megan Testin". The signature is fluid and cursive, with the first name and last name clearly distinguishable.

Megan Testin
Principal



Planning Commission Comments

The following items were the "most impactful" items that Staff identified to the Planning & Zoning Commission during Staff's presentation on January 7, 2025. The following list was pulled from the transcript of that hearing as published on the Town's website (for accuracy).

- One of the first issues staff identified with the site and project as design is that the town adopted the 2021 International Energy Code recently and it requires there be a certain number of EV charging stations and EV ready parking spaces. Total count is unknown to staff at this time. We are requesting that there be some recalculation and that those EV spaces be incorporated into the design, especially since 25% of those spaces are required to be universal charging stations, and those stations require a minimum of 10 feet in width, which is greater than what's typically required of a parking stall.

Response: The Parking Plan has been updated to identify EV parking spaces graphically and in a table. Below are tables detailing the full parking counts and EV parking counts:

PHASE 1B PARKING TABLE			PHASE 2 PARKING TABLE		
SURFACE (9'X19')	=	18	TH DRIVEWAY (10'X19')	=	20
SURFACE (9'X18')	=	197	TH DRIVEWAY (8'X19')*	=	16
SURFACE (8'X18')	=	7	GARAGE TWO-CAR**	=	16
SURFACE (8'X19')	=	7	GARAGE SINGLE CAR	=	20
SURFACE (ADA)	=	8	SURFACE (9'X18')	=	87
CARPORT (9'X18')	=	19	SURFACE (8'X18')	=	7
UNIVERSAL CHARGING STATION	=	2	SURFACE (ADA)	=	3
SURFACE PH1A (9'X19')	=	16	CARPORT (9'X18')	=	37
SURFACE PH1A (9'X18')	=	28	UNIVERSAL CHARGING STATION	=	1
SURFACE PH1A (8'X18')	=	7	TOTAL PHASE 2	=	207
SURFACE PH1A (ADA)	=	2	*WIDTH OF DRIVEWAYS AT TH END UNITS IS 16'. END UNIT DRIVEWAYS ARE INTENDED TO SERVE TWO CARS WITH WITH 8'X19' OF SPACE ALLOCATED PER CAR.		
CARPORT PH1A (9'X19')	=	21	**WIDTH OF GARAGES AT TH END UNITS IS 19'10". END UNIT GARAGES ARE INTENDED TO SERVE TWO CARS.		
CARPORT PH1A (ADA)	=	1	***6% OF PARKING SPACES ARE COMPACT PARKING SPACES.		
UNIVERSAL CHARGING STATION PH1A	=	1			
TOTAL PHASE 1B	=	334			

PHASE 1B & 2 EV PARKING TABLE									
UNIT TYPE	UNIT COUNT	EVSE SPACES REQ'D	EVSE SPACES PROVIDED	UCS SPACES REQ'D	UCS SPACES PROVIDED	EV READY SPACES REQ'D	EV READY SPACES PROVIDED	EV CAPABLE SPACES REQ'D	EV CAPABLE SPACES PROVIDED
MULTIFAMILY	255	13	13	4	4	26	26	102	102
TOWNHOME	28	-	28	-	-	28	*	-	-
CLUBHOUSE	-	1	1	-	-	-	-	-	3
TOTAL		14	42	4	4	54	26	102	105

*EVSE SPACES PROVIDED IN LIEU OF EV READY

- The next item is the overall parking plan. At this point, staff is unable to verify that the parking count has been met with this development. That is in part because a portion of the spaces, 76, were developed through Phase 1A and those 76 spaces are intended to support the parking needs of pH.1B. So with information Staff has received today, we're unable to verify that those 76 parking spaces are available for this new development. Staff is also requesting that the parking plan in tables be revised so they are consistent.



Response: An as-built survey was sent to the town on 2/5/25 showing that 465 spaces were built in Phase 1A; of which, 76 spaces are being made available to Phase 1B (one of which is being restriped as part of Phase 1B as previously shown to Staff. This will leave Phase 1A in compliance with 390 spaces.

3. A requirement of our new land use code is that there be short and long term bicycle parking and storage. Staff is requesting that the applicant demonstrate conformance with these standards. There has been a lot of coordination and discussion with the applicant in recent weeks and we've talked about some solutions on one proposed by the applicant is the use of balcony space for bike storage and looking at the code location of storage is fairly vague. It refers to an external guideline, which is also vague in terms of location. It speaks primarily to security. So in Staff's opinion, we think the balconies could help satisfy this requirement, assuming that there's demonstration of security and there's sufficient space on those balconies.

Response: Long- and short-term bike parking is provided; balconies are offered as one option for secure, long-term storage of bikes. Below are tables detailing both types of storage:

Building	Residential Category	Short Term	Long Term
THs (4 total buildings)	Dwelling, Multi-Unit Building (3+ DUs per structure with private garage)	See below short term bicycle calculation table below	Not Required
6	Dwelling, Multi-Unit Building (3+ DUs per structure without private garage)	See below short term bicycle calculation table below	62
7	Dwelling, Multi-Unit Building (3+ DUs per structure with private garage)	See below short term bicycle calculation table below	25
8	Dwelling, Multi-Unit Building (3+ DUs per structure with private garage)	See below short term bicycle calculation table below	29
9	Dwelling, Multi-Unit Building (3+ DUs per structure with private garage)	See below short term bicycle calculation table below	64
10	Dwelling, Multi-Unit Building (3+ DUs per structure with private garage)	See below short term bicycle calculation table below	49
11	Dwelling, Multi-Unit Building (3+ DUs per structure with private garage)	See below short term bicycle calculation table below	18
TOTAL		46	247

Short Term Bicycle Parking				
Code Requirement				Total Required
# of multifamily bldgs.	10	Short-term Bike Parking Spots Required Per Building	2	20
# of bedrooms	508	Short-term Bike Parking Spots Required Per Bedroom	0.05	25.4
Total Short-Term Bike Parking Required				46
Total Short-Term Bike Parking Proposed				46*
* 23 Bike Racks are provided; each rack provides (2) bike parking spots				



Townhomes are served by private garages and multi-family buildings feature private storage lockers to provide long-term bicycle parking needs. The MDP complies with the short-term and long-term bicycle parking requirements contained in Sec. 4.12.050 of the LUDC. There are 396 multifamily bedrooms, resulting in a required total of 200 long-term storage units. This is also shown on the architectural plans, with a storage unit typical on Sheet A3.09.

4. One of the issues identified in the staff report was the impact to wildlife. One of the primary issues identified by CPW and those referral letters were included in the staff report as well was the allowance for wildlife to move along the western end of edge of the property. Some of the main items called out by CPW were concerns for the patios that faced that area were wildlife, but hopefully be able to move through the site. Eventually cross N to the river. So there's the patios. There's also limited vegetation along that area due to Black Hills easement and border station, but I have circled on the slide is the location of the Black Hills border station. And finally, one of the concerns from CPW was how narrow that movement corridor is. Their referral request, 250 feet, which is significant and would impact the developability of the site. What staff is requesting? Is that there just be additional coordination to see if there's a solution that can? Can happen with the development of the site. One other item is staff is requesting that the Wildlife Conservation Plan, which was a requirement of this application, be updated to account for the Black Hills. Border station, which was not included in that original submittal. One of the concerns with CPW. And that the need for that movement quarter to be on this site was the fact that the adjacent site is steep hillside.

Response: Part of the discussion at P&Z on January 7, 2025 included the fact that Town does not have a code requirement for buffering. As identified by Staff during the hearing, a 250-foot buffer around the perimeter of the site (as CPW recommended) would have too much impact on the design of the site and render the project not feasible. The development team, including our wildlife biologist, have worked diligently to provide as much of a buffer as possible. As Commissioners pointed out, CPW offers recommendations that the Town can choose to take or not take. The buffers provided in this application range from 25 feet at the most narrow point to 275 feet at the widest point. Additionally, the property to the west is undeveloped land, and while the hillside grade is fairly steep, it is the wildlife biologist's recommendation that wildlife would still be able to move through this area with relative ease.

5. One of the main concerns with the project as submitted is the height limitation. There were a few buildings, both multifamily and townhome structures, that exceeded the maximum height in the PUD guide I've included on this slide the definition that's outlined in the PD guide and it says building height is measured from the maximum distance possible measured vertically from any point on. Existing or proposed grade, whichever is more restrictive to the highest portion of the roof. Exactly above what was in the packet was a measurement to the roof eaves. Staff again has been coordinating with the developer and they are revising the plans to demonstrate this building height. That measurement that is required in the PD guide. In conversations with the applicant, there have been discussions and really requests on the applicant's part to reclassify the townhomes as multifamily. Unfortunately, neither the PUD guide nor the land use code provides clear definition and a distinction between the two. Besides the townhouse



definition that I hear, have you on the slide? What staff really needs is more time to look at the request to make sure there are no other considerations.

Response: The height of all buildings (multifamily and townhomes) has been revised to meet the PUD requirements. The applicant has withdrawn its request for townhomes to be considered multifamily buildings.

6. Moving on to landscape buffer, the PD guide highlights the importance of this Western gateway. And what the PUD Guide says specifically is that landscape buffer off Grand Avenue be substantial in terms of both width and landscape material. And this next slide shows what's being proposed by the applicant. As noted in the staff report, there is significant landscape material. And moving on, the PD guide also states that there be generous setbacks from the perimeter of the PD to ensure adequate areas for landscape material. On the western end of the site there is that perimeter that the applicant has been able to provide. Landscape ING is limited due to the 30-foot Black Hills energy easement that runs along that Western property line. I do have an image of what the Black Hills border station looks like for Commission's reference. And then this is just the remainder of that western portion of the site. As you can see, a lot of landscaping is really hugging closer to the development.

Response: As discussed during the hearing, there is sufficient landscape materials per the PUD guide. The Commissioners recognized the Black Hills Energy easement limitation in providing a larger buffer and stated the proposed buffer was satisfactory.

Community Development Staff Comments – Carrie McCool: cmccool@townofeagle.org

The following comments stem from the review of the January 14, 2025 resubmittal (Round 4), input received at the January 7, 2025 Planning and Zoning Commission public hearing, and a meeting with Colorado Parks and Wildlife (CPW) on January 30, 2025.

General

1. Overall design team coordination is required to ensure that the most up-to-date site layout, information, and data are consistently reflected across all plans throughout the MDP plan set.

Response: The most up to date site layouts and tables are reflected across the plan sets.

Development Plan Map

2. The revised Development Plan Map data table was not updated nor were the numbers adjusted. The values in the tables are inaccurate and do not align with the Architectural Design Plan. Update the PUD Zoning and Density Calculation Summary Table and all other tables to reflect Planning and Zoning Commission (P&Z) input and previous staff comments.

Response: All tables have been adjusted and values are accurate.

3. The Black Hills gas easements remain difficult to read. Depict the full limit of all existing, proposed, and proposed to be vacated easements along the western boundary of the property. Provide separate line types for the easements. Carry forward the easement depiction on all other relevant plans within the MDP plan set.

Response: There are no "currently" vacated easements along the western boundary of the property. The Black Hills easement is identified clearly with a standard easement line type. A portion of the Black Hills TBS easement is planned to be decreased by 10' in a



section (email sent to McCool Development Solutions on 2/5/25) to allow for more space between the fence and the Townhomes.

4. Dimension and label all required setbacks including the (perimeter setback) particularly from the boundary of the Black Hills easements and facilities to all proposed structures. Setbacks need to also be depicted on the Landscape Plan.

Response: A setback on the western boundary has been added to the plans. Landscape Plans show distance of separation from Black Hills utility facilities to adjacent buildings.

5. Once all wildlife comments are addressed, the resultant wildlife buffer shall be labeled and dimensioned on the Development Plan Map. Ensure consistent identification of the buffer on the landscape and lighting plans.

Response: Wildlife buffer will be shown on the Development Plan Map.

Landscaping Plan

6. Update the landscape narrative to include how the recommendations of the Wildlife Conservation Plan are incorporated into the landscape design once concurrence is achieved regarding the WCP contents and findings.

Response: The Landscape Plan was updated per the recommendations of the WCP, which include a recommended buffer of 25-275 feet. The development team did revise the Landscape Plan's overall design as it relates to outdoor amenities, per CPW's recommendation after the 2nd round of review in September 2024. In this revision, the pickleball court was replaced with a passive recreational seating area and all intensive recreational uses were moved to the interior of the site.

7. Update all tables on the Landscape Plan.

Response: All tables have been updated on the Landscape Plan.

8. The landscape treatment to screen the electrical, utility boxes and facilities does not adequately screen them from public view. Commission feedback included concern about the adverse visual impacts of said facilities. Physical screening of all electrical, utility boxes and facilities is required and shall be shown on the Landscape Plan, Development Plan Map and building elevations within the Architectural Design Plan (ADP).

Response: Commission feedback was related to the HVAC equipment at the clubhouse which is screened. Landscaping will be used to screen the utility meter boxes as allowed by code (below). Fencing (to be signed off on by staff) will be used to screen HVAC units.

specified, acceptable materials for screening may include:

- a. Masonry walls with stucco or other acceptable finish or constructed from masonry units with a stone or wood pattern or finish.
 - b. Rock or stone walls.
 - c. Wooden fences constructed from pressure treated wood or native wood.
 - d. Plant materials appropriate for screening such as trees or shrubs commonly used in hedging.
2. Other materials may be approved by the Director, based on durability and suitability within the neighborhood.

Every HVAC unit and electrical box will not be shown on the Development Plan Map. This level of detail is not possible on the map sheet (and wasn't required on Phase 1).

9. Staff has reviewed the product sample of the proposed ground-mounted mechanical screening and found that it is adequate to screen the mechanical equipment as



required by the LUDC. Please select an alternative screening product type for town review. Manufacturer specifications shall be included on the Landscape Plan.

Response: The product specification included in the landscape plans is noted as “or approved equal”. Note has been added to the spec that “Final product spec is subject to review and approval by the Town and cannot be installed without written consent from Town representative”.

10. Include details on the mechanical equipment widths and heights (provide dimensions) and the widths and heights of the proposed screening to ensure equipment is screened as required by Code. Said information shall be coordinated with the information on the ADP.

Response: Mechanical equipment details are not available at this time and typically aren't available until the time of building permit. Eagle ReCode Sec. 4.11.060.C clearly states that vegetation is an acceptable form of screening. Code also requires equipment to be fully screened, which it is.

specified, acceptable materials for screening may include:

- a. Masonry walls with stucco or other acceptable finish or constructed from masonry units with a stone or wood pattern or finish.
- b. Rock or stone walls.
- c. Wooden fences constructed from pressure treated wood or native wood.
- d. Plant materials appropriate for screening such as trees or shrubs commonly used in hedging.
2. Other materials may be approved by the Director, based on durability and suitability within the neighborhood.

11. The Lighting Plan submitted appears to be outdated (e.g., dated May 9, 2024) and does not depict all lighting proposed. Depict all proposed lighting on the Landscape Plan with labeling/symbols consistent with how they are presented on the Lighting Plan.

Response: The lighting plan is being updated and is expected to be a condition of approval at the P&Z meeting with the intention of being signed off on by the town prior to receipt of building permits. The lighting plan was submitted with the first submittal in March 2024. Comments were received with the first round of review and addressed in the 2nd round of review in May 2024. No additional comments were received after the 2nd round of review, so the lighting plan has not changed since May 2024. Additionally, Sec. 4.11.030.A of the Eagle Recode does not require lighting to be depicted on the landscape plan of an MDP. As discussed with Staff on February 3, 2025, the lighting plan comments will be addressed as a Condition of Approval.

Wildlife Conservation Plan (WCP)

12. The Wildlife Conservation Plan dated January 6, 2025, remains substantially unchanged and is based on an outdated version of the Landscape Plan dated November 6, 2024. Additionally, it's staff understanding that no efforts have been made to coordinate with CPW on redesign efforts that mitigate negative impacts to wildlife in the area. Please update the WCP to address staff's recommendations in the January 7, 2025 P&Z staff report, P&Z Commissioner feedback received at the public hearing, CPW's comments, and all conditions of approval related to wildlife.

Response: Comments were received from CPW on June 12, 2024, September 24, 2024, and December 3, 2024. Additionally, ERC reached out to Brian Woodrich via phone on 2/5/2025 seeking further comment. A response has not been received. Revisions to the site plan were made wherever possible, with the notable exception of the recommended 250-foot buffer. Part of the discussion at the P&Z Hearing on January 7, 2025 included the fact that Town does not have a code requirement for buffering. As identified by Staff during the hearing, a 250-foot buffer around the perimeter of the site (as CPW



recommended) would have too much impact on the design of the site and render the project not feasible. The development team, including our wildlife biologist, have worked diligently to provide as much of a buffer as possible. As Commissioners pointed out, CPW offers recommendations that the Town can choose to take or not take. The buffers provided in this application range from 25 feet at the most narrow point to 275 feet at the widest point. Additionally, the property to the west is undeveloped land, and while the hillside grade is fairly steep, it is the wildlife biologist's recommendation that wildlife would still be able to move through this area with relative ease.

13. The development standards set forth in Section 4.14.040(B)(2) of the LUDC do not apply to this project because the proposal is a development application for site two acres or larger requiring a Wildlife Conservation Plan. Please remove reference to a town requirement of a minimum setback of 100 feet or more from any identified critical habitat or migration corridor in the WCP. It is the Wildlife Conservation Plan that ultimately needs to identify the appropriate wildlife buffer location, width, etc.

Response: References to any required Town buffer for wildlife have been removed. The buffers provided in this application range from 25 feet at the most narrow point to 275 feet at the widest point, per the WCP's recommendation in Section 5.0 Mitigation Measures and Recommendations. Additionally, the property to the west is undeveloped land, and while the hillside grade is fairly steep, it is the wildlife biologist's recommendation that wildlife would still be able to move through this area with relative ease.

14. The WCP contains slightly revised proposed mitigative measures.
 - a. Buffers. The WCP states that the proposed project includes the creation and maintenance of a 25 ft-275 ft naturalized vegetated buffer along the western and southern edge of the project. The October 17, 2024 WCP refers to the same area as a 25 ft-275 ft wildlife buffer (depicted on Figure 3 as a "non-dedicated wildlife use buffer"). The majority of the referenced naturalized vegetated buffer is 3.5 acres of land ranging in width from 275 ft to 50 ft that was dedicated to the Town for public open space (Tract OS-1) and is maintained by the town. It was not created as part of Phase 1B and 2 proposed project and has a trail and 8,000 square foot park within it. Among the concerns with presenting this area as a naturalized vegetated buffer is that the WCP recommends that signs be posted to keep residents and pets out of the naturalized vegetated buffer. This would mean that residents and pets would not be allowed to utilize town-owned open space. Staff continues to recommend the WCP evaluate and acknowledge the town-owned tract (OS-1) is not a wildlife use buffer area as well as the town gas border station and revised Black Hills Energy access. Further, the town-owned open space should not be referenced as a mitigation measure that has been implemented in the proposed project plan. While CPW's recommends a wildlife corridor of 250 feet as supported by the Governor's Executive Order D-2019-011, there were discussions with CPW and the Applicant Team at the Dec 3, 2024 meeting wherein Brian Woodrich, District Wildlife Manager reiterated that at a minimum, it's important to maintain connectivity to the elk habitat to the south and then in the occurrence of a high winter year, allow them to come from the south and higher elevations to get to areas where they can successfully winter by the river corridor and fairgrounds area. Mr. Woodrich emphasized how the elk and deer heavily use the west side of the property as winter range and for a movement corridor to the connecting public lands to the south. This is why there was a future wildlife fencing note placed on the Phase 1A Development Plan in addition to public safety concerns stemming from elk and deer strikes on Grand Avenue. The ultimate goal remains to respect elk and deer movements as



witnessed by CPW and get them from the western boundary of the Phase 1B and 2 property, to where Brush Creek goes under the bridge so they can bed down at the Brush Creek Confluence open space. Wildlife fencing along Grand Avenue is critical to meet that end goal while also mitigating the amount of vehicle collisions with wildlife occurring on Grand Avenue. Further the 25 ft – 27 ft naturalized vegetated buffer is not wide area and CPW does not see elk using it as the plan is currently proposed. The existence of the gas border station and Black Hills Energy access also limit elk and deer movements to the north. A revised WCP needs to incorporate the feedback from staff, P&Z, and CPW as well as provide evidence that no critical habitat or migration corridor are present in the project area as currently stated in the January 6, 2025 WCP.

Response: The buffers provided in this application range from 25 feet at the most narrow point to 275 feet at the widest point, per the WCP's recommendation in Section 5.0 Mitigation Measures and Recommendations. We recognize that a portion of the vegetative buffer is on OS-1. The town, ownership, CPW and property management have met to incorporate signage and trail closures that support wildlife movement as a collective effort to support wildlife movement. Further revisions have been made to the WCP regarding critical habitat and migration corridors. Additionally, the property to the west is undeveloped land, and while the hillside grade is fairly steep, it is the wildlife biologist's recommendation that wildlife would still be able to move through this area with relative ease.

- b. Fencing. The WCP States fencing with native vegetation should be placed strategically around the project area, specifically between the development and the naturalized vegetated buffer to reduce visual disturbance and noise. As stated above, most of the "naturalized vegetated buffer" is owned by the town and currently developed a public open space that is maintained by the town. Is the recommendation that the Town provide such fencing? Further, it is unclear how said fencing is a mitigation measure that has been implemented in the proposed project plan when the measure indicated that this should happen. The WCP does not include any recommendations in Section 5 on fencing; however, fencing is a critical element to be analyzed, and recommendations formulated especially for the future wildlife fencing along Grand Avenue to be coordinated by the owner, town and CPW. Said recommendations need to be documented through the applicable plan documents for ultimate inclusion in the Development Agreement.

Response: Fencing is no longer proposed with this project. If fencing is required in the future, it will be constructed per the recommendations in CPW's *Fencing with Wildlife in Mind* document.

- c. Clustering of Infrastructure. The WCP states that the "the development has been clustered to the northeast portions of the project area." Please re-evaluate this statement to reflect the Planning and Zoning Commissions feedback/concerns about the wall of townhomes on the western portion of the site.

Response: Statement has been removed from the WCP.

15. It is unclear how the WCP states that there is no critical habitat or migration corridors present within the project area when the information in the tables appears to state otherwise. Specifically, Table 3 (CPW Species Activity Mapped Wildlife Use Areas) indicates that elk are mapped within the project area, with a "yes" marked for overall range, summer range, winter range, and severe winter range in the northeast portion of Phase 1B and Phase 2. Please clarify.

Please note, the analysis and subsequent recommendations in the WCP should not solely rely on CPW SAM layers. Pursuant to the CPW Digital Data Disclaimer, care should be



taken in interpreting their maps/data. The information portrayed on their maps should not replace field studies necessary for more localized planning efforts. The data are typically gathered at a scale of 1:24000 or 1:50000; discrepancies may become apparent at larger scales. The areas portrayed are graphic representations of phenomena that are difficult to reduce to two dimensions. Animal distributions are fluid; animal populations and their habitats are dynamic. Thus, the importance of biologist fieldwork and coordinating with CPW in developing the Wildlife Conservation Plan, as their District Wildlife Managers are in field monitoring animals and their habitats on a daily basis.

Response: The WCP utilized more than just CPW's SAM layers in its analysis. The WCP has been updated and both a "tracked changes" version and a clean version is submitted with this review in order to provide clarity on what changed for Staff's benefit. Within the tables, details of the range locations was added for clarity (for example, "severe winter range" is located north and south of the project site, but does not include the project site).

16. The final recommendations within the WCP lack clarity and sometimes conflict with the information in other plans within the MDP set.

- Minimize Nighttime Lighting. More information is needed to understand what excessive outside lighting is. What is the least bright lighting necessary for safe use by residents. See lighting plan comments. Since a portion of Phase 1B and 2 abuts the town-owned open space (Tract OS-1) and the proposed wildlife buffer area (e.g., naturalized vegetated buffer), more specific lighting recommendations are needed in terms of light fixture locations and lighting levels.
- Education. The WCP states construction employees and future residents should be educated on the sensitivity of wildlife harassment and best practice for preventing human-wildlife conflict in the area. The Landscape Plan includes "seasonal closure/wildlife advisory signage in the amenity schedule with quantity to TBD by contractor. Table notes state: "SIGNS SHALL BE CONSTRUCTED OF ALL-WEATHER MATERIALS AND POSTED IN HIGHLY VISIBLE LOCATIONS. LOCATIONS, DETAILS, AND INFORMATIONAL LANGUAGE OF SIGNS TO BE COORDINATED WITH AND APPROVED BY TOWN STAFF. The signs are proposed at the following locations:
 - Signs proposed on the edge of the secluded seating area
 - By the dog park
 - By the Evergreen planting area
 - By the western crosswalk to OS-1 on Mt. Eve Road.

While finalizing signage approval through the Development Agreement is anticipated, there is information needed now to inform the final decision. As such, the seasonal closure/wildlife advisory signage and contractor notices need to be fleshed out within the WCP and documented throughout the applicable plan documents at this stage in the review process.

Response: The WCP identifies that seasonal closure and wildlife advisory signage is to be added. ("Additionally, contractors and residents should be notified of seasonal closures within the Town-owned Open Space through the use of temporary signage and notification by the Town of Eagle Open Space Coordinator.") The area which is to be seasonally closed is OS-1 and is being handled by Brian Lieberman, Open Space Coordinator at the Town of Eagle. The developer will work with the Town of Eagle to ensure signage is posted and these closures are enacted at the appropriate time.

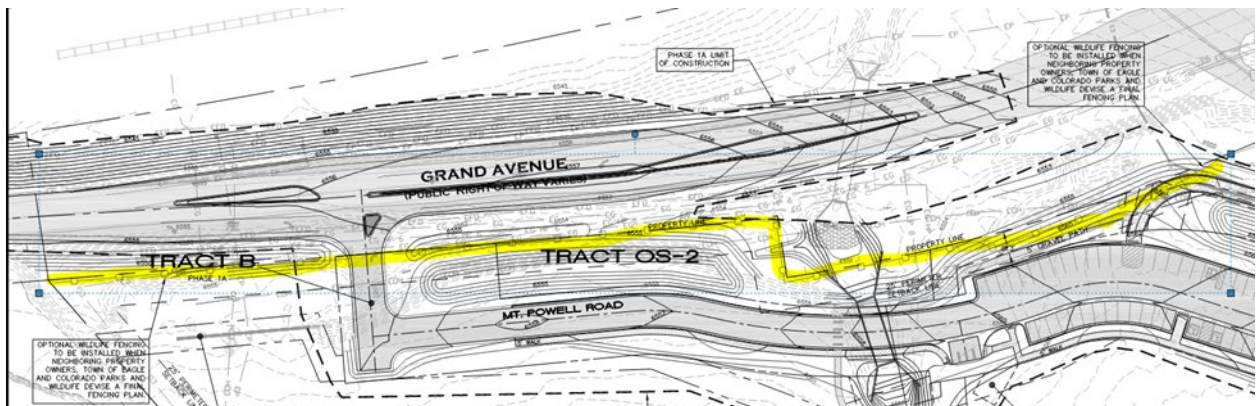
17. Please address all fencing within the WCP.

Response: Fencing is no longer proposed with this project. If fencing is required in the



future, it will be constructed per the recommendations in CPW's *Fencing with Wildlife in Mind* document.

18. Condition of approval 6 has not been adequately addressed. The Development Plan Map has not been revised to depict and note the future wildlife fencing along Grand Avenue to be installed when neighboring property owners, the Town of Eagle, and CPW devise a final fencing plan. While the future wildlife fencing note was added to the Landscape Plan, it does not show the full length of the wildlife fencing as depicted on the Phase 1A Development Plan. The image below shows how the wildlife fencing (highlighted in yellow) is depicted on the Phase 1A Development Plan Map.



The WCP needs to address and formulate recommendations for design, timing, etc., of the Grand Avenue future wildlife fencing. Said recommendations and input from CPW will inform language regarding commitments to construct that will be included in the Development Agreement.

Response: Fencing is no longer proposed with this project. Should CPW or the Town require fencing in the future, the developer is willing to add it. Notes have been added to the Development Plan Map and Landscape plans noting where the optional/potential wildlife fencing could go at a later date.

19. The January 6, 2025, Wildlife Conservation Plan makes no mention of the future wildlife fencing along Grand Avenue. Said fencing commitments should have been acknowledged/addressed and include recommendations as to whether modification would be recommended based on site specific analysis. This is an item to be included in the subsequent Development Agreement.

Response: There is no plan for fencing on Grand Ave. Notes have been added to plan sets (similar to Phase 1A) where future fencing could go. A note can go in the development agreement that Developer will make land available and contribute towards costs for wildlife fencing on the Property or OS-1 at a future date if CPW, the Town of Eagle and neighboring landowners have a combined solution. That is all we can reasonably commit to doing. A comprehensive wildlife fencing plan may be 5+ years down the road and requires multiple parties to cooperate, not just our site.

20. It is imperative to have correct information shown on both the Landscape Plan and Development Plan Map. Particularly on the Development Plan Map as it will be included as an exhibit to the Development Agreement.

Response: The information on the Landscape Plan and the Development Plan Map is accurate and up to date.



21. Split rail fence details have been revised per staff comments with the exception of providing information on how slopes were considered in developing the fence detail. Please address CPW's previous comments on the Landscape Plan and show locations on the Development Plan Map. If split rail fencing is proposed, the grades on either side of the fence need to be shown.

Response: Fencing has been removed. Fencing is no longer proposed.

22. In general, CPW does not support split rail fencing in the proposed locations. Please provide details on the purpose of the proposed fencing and an analysis of its potential impact on elk migration patterns. If split rail fencing remains in the proposal, the WCP should include recommendations accordingly.

Response: Fencing has been removed. Fencing is no longer proposed.

23. Condition of approval 8 has not been adequately addressed. The notes provided for the general contractor did not adequately address CPW comments related to high security perimeter chain link fencing being installed. The note on the plans specifically states the general contractor will install perimeter chain link fence in keeping with local regulations and OSHA requirements with no mention of wildlife. Please update the note to add that the general contractor shall conduct inspections to ensure no wildlife is within the fencing prior to closing.

Response: General Contractor shall follow CPW "Living with Wildlife" recommendations including inspections prior to fencing. Our General Contractor, Shaw Construction has been advised to a daily inspection of the fenced in area prior to closing the gates for the evening to ensure wildlife is not fenced in.

24. Condition of approval 12 has not been addressed. Based on feedback from P&Z and comments from CPW, a level of redesign is anticipated. As such, please ensure the revised WCP is reflective of staff, P&Z and CPW feedback and that redesign efforts that mitigate negative impacts to wildlife in the area are coordinated accordingly.

Response: We believe P&Z was very clear that a material re-design of the site presented in the 4th submittal was not necessary. The development team did revise the site design as it relates to outdoor amenities, per CPW's recommendation after the 2nd round of review in September 2024. In this revision, the pickleball court was replaced with a passive recreational seating area and all intensive recreational uses were moved to the interior of the site. CPW did not respond to the 3rd round of review, submitted in November 2024, or the 4th round of review, submitted in January 2025. Per the transcript from the P&Z Hearing on January 7, 2025, the Commissioners recognized that CPW's recommendation of a 250-foot buffer for this project is not feasible. Additionally, the development team has provided a buffer that ranges from 25 feet at its most narrow point to 275 feet at its widest point. Additional buffering is not feasible for this project. Eagle ReCode does not specify a width for wildlife buffers. Additionally, the development team amended the PUD guide to remove the walking trail on the western edge of the property lighting has been removed near the gulch since that may be used for wildlife, and lighting near the lot lines has been minimized. A walking path and entries to the townhomes have been removed as well.

25. Condition of approval 13 has not been addressed. The current WCP is based on an outdated Landscape Plan. Please utilize the Landscape Plan as the base map for Figure 3: Impact and Mitigation Map and ensure the existing conditions are clearly depicted and the most current site design is utilized. All plans throughout the plan set need to be coordinated (landscape plan, development plan map, lighting plan, etc.).

Response: The WCP has been revised to include the updated Landscape Plan for Figure

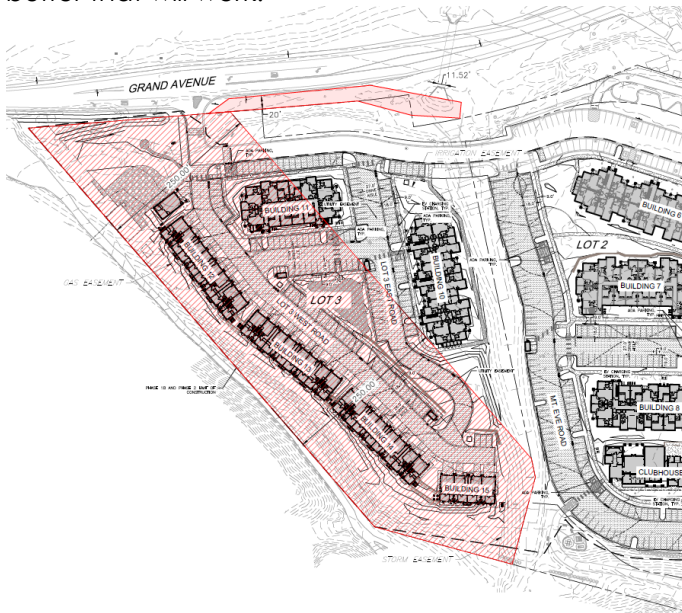


3.

26. Remove town-owned open space as part of a naturalized vegetative buffer as shown on Figure 3. It is important to show the wildlife movement patterns through OS-1 pursuant to CPWs input and to show how it feeds into the project site and will ultimately get elk and deer across Grand Avenue.

Response: Town-owned open space is not part of the naturalized vegetative buffer. The Applicant would hope that the Town will allow wildlife to move through the dedicated open space, but it is up to the Town to manage that.

27. As noted in meetings and past CPW comments, elk and deer will not use the naturalized vegetative buffer as currently shown. The WCP needs to analyze current conditions, the developments impact on wildlife movement patterns and develop a usable wildlife buffer that will work.



Response: The narrowest portion of the non-dedicated wildlife use buffer (25-feet) occurs only within the western project area. West and outside of the project area boundary, the available space extends outward, though, is limited by steep topography. South of the Town-owned Open Space, additional natural open space exists and allows for the continued use of wildlife movement.

28. Relabel the naturalized vegetated buffer as a wildlife buffer. All references including width of the ultimate wildlife buffer need to be shown consistently throughout all applicable plans.

Response: Naturalized vegetated buffer now relabeled in the WCP as “non-dedicated wildlife use buffer.” Dimensions are standardized through the plan set.

29. Remove reference to informal open space as depicted on Figure 3. CPW has indicated that they do not want elk or deer to use Hockett Gulch drainage as the consistent goal is for them to use the perimeter of the site.

Response: The Applicant received no such comment from CPW. As stated during the P&Z Hearing on January 7, 2025, elk and deer will move where and how they want. The design of the project was revised wherever possible to encourage wildlife movement



around the perimeter of the site, but the informal open space is intended to be utilized by residents as well.

30. Please review the trash enclosure details within the Architectural Design Plan and formulate recommendations on the adequacy of bear proofing. CPW has noted concerns about the 6 inch gap at the bottom of the enclosures as trash will inevitably fall on the ground/floor and attract bears. They will be put their paws under the 6 inch gap and pull the door off. The durability of the hasp latch needs to be evaluated as it might not be sturdy enough. CPW continues to recommend a roll down that is sealed to the ground.

Response: Bottom of enclosures has been revised to be reduced to 2" tall, as recommended by ERC. This reference is in regards to Eagle County wildlife standards (Land Use Regulations - Eagle County Section 4-410(C)(2)(a)).

Architectural Design Plan (ADP)

31. Thank you for providing information requested and design modifications to demonstrate PUD compliance related to building heights. In response to condition of approval 3, it was noted that the design team has opted not to address staff's comments related to roof materials. Staff specifically requested revisions to the central roof elements of Buildings 6 through 11 to better comply with Code requirements. As detailed in Section 4.10.040(B)(2)(b) of the LUDC, "elements shall be used to provide relief and contrast in the facade," yet the proposed roofs lack sufficient articulation and variation. Additionally, Section 4.10.040(B)(2)(g) mandates that "roof lines of greater than 50 linear feet shall be varied by providing different heights or varying roof orientations." The majority of the multi-family buildings feature extensive, uninterrupted roof lines and asphalt shingles are the prominent material, failing to provide the required relief or contrast.

Response: Roofing materials have changed on Buildings 6, 7, 8, 9, 10 and 11 per Town's request on 1/02/25 and per conversation on 2/4/25.

32. Roof lines greater than 50 feet shall have varying roof orientation as required by Section 4.10.040(B)(2)(g) of the Code. Drawings continue to lack dimensions; therefore, compliance cannot be determined. Please provide the horizontal dimensions on all elevations.

Response: Per conversation on 2/4/25 and the agreement made between the development team and Town Staff, materials were changed but dimensions have not been added.

33. Based on the information provided, staff has noted the following roof line breaks to be modified per Section 4.10.040(B)(2)(g) of the LUDC:

- Building 6: The roof line of this building scales at approximately more than 277' with no break.
- Building 7: The roof line of this building scales at approximately 174' with one, estimated 31' break.
- Building 8: The roof line of this building scales at approximately 134' with no break.
- Building 9: This building has 3 major roof lines that scale over 50' with no break.
- Building 10: This building has 3 major roof lines that scale over 50' with no break.

Response: Per conversation on 2/4/25 and the agreement made between the development team and Town Staff, materials were changed but dimensions have not been added. Breaks are defined as breaks in the eave line not the ridge line, upon clarification on 2/4/25 and designs meet code.



34. The identity of the individual townhome units remains indistinguishable in the elevations.

Response: Townhome facades have been updated in elevations as directed by Staff on the call on 2/4/25.

35. Townhomes 12-14: The use of paint color and mirrored elements does not satisfy this requirements of Section 4.10.040(B)(2)(b) of the LUDC: "...and delineate individual units..." . Units B, C, F, and G lack differentiation aside from entrance locations, while Units A, D, E, and H exhibit only minimal variation through mirrored roof pitches. Additionally, the balconies and fenestration are identical, resulting in a long, linear pattern. The current design approach does not effectively distinguish individual units but instead presents a repetitive and uniform appearance. Additionally, the current design approach on the east and west facades does not compliment the front façade nor provide visual interest as required per Section 4.10.040(B)(2)(c) of the LUDC.

b. The following elements shall be used to provide relief and contrast in the façade and delineate individual units as illustrated in Figure 10-B: Façade articulation example. A minimum of three elements shall be incorporated in single-family attached structures and a minimum of five elements shall be incorporated in multifamily structures:

- i. Balconies;
- ii. Overhangs;
- iii. Covered patios;
- iv. Prominent entry features;
- v. Window variations;
- vi. Door opening variations;
- vii. Distinct variations in color (not a slight variation of a similar hue, such as beige or pastel);
- viii. Variations in materials;
- ix. Variations in building height;
- x. Variation in roof form;
- xi. Dormers;
- xii. Projected or recessed building walls; or
- xiii. Another architectural feature as approved by the Director.

Response: Townhome facades have been updated in elevations as directed by Staff on the call on 2/4/25.

36. The roof line of building 15 scales at more than 85' with no break. The roof line can be no longer than 50' without a break per Section 4.10.040(B)(2)(g) of the LUDC.

Response: Per conversation on 2/4/25 and the agreement made between the development team and Town Staff, materials were changed but dimensions have not been added.

37. Similar to buildings 12-14, building 15, the use of paint color and mirrored elements does not satisfy this requirement exterior appearance standards. Units B and C lack differentiation aside from entrance locations, while Units A and D exhibit only minimal variation through mirrored roof pitches. Additionally, the balconies and fenestration are identical, resulting in a long, linear pattern. The current design approach does not effectively distinguish individual units but instead presents a repetitive and uniform appearance. Additionally, the current design approach on the east and west facades does not complement the front façade nor provide visual interest.

Response: Townhome facades have been updated in elevations as directed by Staff on the call on 2/4/25.



38. Each entry to the townhome units are exactly the same providing no individuality or privacy of units in conflict with Section 4.10.040(B)(2)(e) of the Code nor are the entries an integral part of the building design.

- e. The individuality and privacy of units shall be emphasized through the use of identifiable private or semi-private entries.

Response: Townhome facades have been updated in elevations as directed by Staff on the call on 2/4/25.

39. Information submitted is insufficient and does not show how the carports comply with Section 4.10.040(B)(5) of the LUDC. Provide architectural drawings/renderings to show compliance. At a minimum, elevations shall be provided delineating height, materials, color, details, etc.

Response: Per conversation with Town Staff on 2/5/25, the carport plan sheet format is acceptable to the Town.

40. Carports were requested to be shown on sheets MDP-0.02, 0.03, and 1.01, and 1.02; however, they remain not to be shown. Wind and Solar Studies are not even mentioned in the updated LUDC. Including carports on the site plans is essential for determining project approval, as they significantly impact the overall site design and functionality. Carports influence wind patterns which can affect pedestrian comfort and snow drifting. Their placement also creates shadows that impact snow accumulation and melting, potentially leading to hazardous conditions or maintenance concerns. Additionally, carports play a crucial role in site circulation, affecting vehicle maneuverability, emergency access, parking efficiency and snow storage needs. Clearly illustrating these structures on the site plans ensures a comprehensive review of their effects, helping to address potential challenges before approval.

Response: Per conversation with Town Staff on 2/5/25, the carport plan sheet format is acceptable to the Town.

41. Thank you for adding Sheet MDP-2.09 within the ADP needed to evaluate bulk storage compliance. Please note, Fire Riser Rooms cannot be used as storage rooms per Section 4.10.040(B)(5)(b)(i) of the LUDC, the IBC, and IFC. Further, Bulk storage areas shall be separate from water heaters or other types of mechanical equipment.

Response: Fire riser rooms are not proposed to be used as storage. Bulk storage areas are separate from water heaters and other types of mechanical equipment.

42. Please add areas to each storage room and label them as bulk storage areas as referred to in the LUDC. Each bulk storage area is very small and does not appear to be able to accommodate tools, bicycles or ski equipment considering the sizes below:

- Building 6: (2) 12 sf storage units per pod/floor seems inadequate for 4 sleeping units per pod/floor.
- Building 7: (2) 21.35 sf storage units per floor seems inadequate for 14 sleeping units per floor
- Building 8: (4) 16.96 sf storage units per floor seems inadequate for 15 sleeping units per floor.
- Building 9: (2) 12 sf storage units per pod/floor seems inadequate for 4 sleeping units per pod/floor.
- Building 10: (2) 12 sf storage units per pod/floor seems inadequate for 4 sleeping units per pod/floor.

Building 11: Contains no storage as Fire Riser Rooms cannot be used as storage. Bulk storage in this building is required.



Response: Bulk storage is provided and outlined on the Architectural Plans on Sheet MDP-2.09. Eagle ReCode does not define sizes for bulk storage nor require that every building has bulk storage. Storage units provided are of sufficient size for storage, including long-term storage for bikes.

43. Provide typical for required bicycle parking per the feedback provided at the January 28, 2025 meeting with staff.

Response: Storage Unit Typical was provided with the Architectural Plans submitted on January 28, 2025. The typical is on Sheet MDP-2.09 and described in the project narrative submitted on January 28, 2025.

44. Dimension all electrical, utility boxes and facilities on the building elevations along with proposed physical screening on all applicable building elevations.

Response: Mechanical equipment details are not available at this time and typically aren't available until the time of building permit. Eagle ReCode Sec. 4.11.060.C clearly states that vegetation is an acceptable form of screening. All utilities will be screened and plans can be updated at a future date once final equipment details are available. specified, acceptable materials for screening may include:

- a. Masonry walls with stucco or other acceptable finish or constructed from masonry units with a stone or wood pattern or finish.
- b. Rock or stone walls.
- c. Wooden fences constructed from pressure treated wood or native wood.
- d. Plant materials appropriate for screening such as trees or shrubs commonly used in hedging.

Exterior Lighting

The January 14, 2025, Round 4 Resubmittal included a full lighting plan and staff has drafted the following review comments.

Response: As discussed with Staff on February 3, 2025, the lighting plan comments will be addressed as a Condition of Approval. None of the below comments are of concern and will be addressed prior to building permit. Lighting plans have been removed from the architectural plans, with a note added to the plans stating their deferment as a condition of approval.

General Comments

B. Lighting Plan

1. Lighting plans, showing compliance with this Section, shall be provided for any residential development with more than two units and any mixed-use or non-residential development of 10,000 square feet or more or any development providing 30 or more parking spaces. Lighting plans shall include the following:
 - a. Light fixture location and height above grade;
 - b. Light fixture type (e.g., full-cutoff, cut-off, lantern, flood, wall pack);
 - c. Light fixture source (e.g., incandescent, fluorescent, high-pressure sodium, metal halide, LED), rated lumens, and wattage;
 - d. A photometric report with a numerical grid of lighting levels (in foot-candles) that lighting fixtures will produce on the ground;
 - e. Calculations for site illumination resulting from the lighting, measured in lumens and foot-candles including minimum, maximum, and average lumens and foot-candles and uniformity ratios; and
 - f. Any proposed alternative lighting approaches shall include sufficient information to enable the Director to determine whether proposed lighting complies with the intent of this LUDC.

45. Please label the Lighting Plan (e.g., Site Plan Photometrics and site fixture cut sheet) as "Lighting Plan Reserve at Hockett Gulch Phase 1B and 2" with all the required information as set forth in Section 4.13.020(B) of the LUDC.
46. The lighting plan information is dated May 9, 2024 and not reflective of the current site design proposed. The required Lighting Plan needs to be updated with the most current site design and correspond to the information provided on other relevant plans within



the submittal (e.g., Landscape Plan and Architectural Design Plan). Please update revision history on Sheet MDP E1.03 accordingly.

47. Clearly label all tables.
 48. Remove the red clouded note on Sheets MDP E1.03 and MDP E1.04. Staff received a lighting plan modification request for Phase 1A on December 24, 2024 and does not appear to contain as built photometrics. Further, it does not appear that the same fixtures utilized in Phase 1A are proposed in Phase 1B and 2. As referenced above, the information provided on this Lighting Plan is based on an extremely outdated site layout.
 49. Some of the manufacturer cut sheets are difficult to read due to blurriness. Please provide clear, legible cut sheets within the lighting plan to ensure accurate review.
- Manufacturer Specifications – Section 4.13.020(A)
50. There are five manufacturer cut sheets (fixtures SLA4, LB, CW, BW and LA) included on Sheet MDP E1.04; however, there are seven fixtures (fixtures SLA3, SLA4, SLB, BW, CW, LA and LB) provided in an untitled table on Sheet MDP E1.03. Cut sheets are required for all the fixtures proposed and information in any tables shall correlate to the information on the cut sheets and the Site Plan Photometrics.
 51. Please confirm whether Fixture SLA3 is being utilized. A cut sheet is not provided and no SLA3 fixtures are shown on the site plan photometrics. Also, it's not included in the Luminaire Schedule and must not be included in the Calculation Summary. Please confirm.
 52. Fixture **SLA4** (street lights) – This cut sheet is difficult to read due to blurriness. The full cut sheet is required in order to determine whether this fixture is full cutoff. The house side shields may be necessary. Please include a more legible cut sheet that clearly demonstrates that the fixture is full cut-off as well as mounting and installation details.
 53. Please confirm whether Fixture SLB (LED surface mount area light) is being utilized. A cut sheet is not provided and no SLA3 fixtures are shown on the site plan photometrics. Also, it's not included in the Luminaire Schedule and does not appear to be included in the Calculation Summary. Please confirm.
 54. The cut sheet for Fixture **BW** (decorative LED exterior wall sconce) is very difficult to read. The cylindrical wall sconce (tube) looks like it can be configured to direct light either upwards, downwards, or both. As such, staff cannot determine if the fixture is full cut cutoff as required by Section 4.13.040(A)(4) of the LUDC. Please provide a legible copy of the cut sheet on sheet MDP E1.04 and ensure it provides the fixture type (full cut-off, cut-off, lantern, wall pack, etc.), rated lumens, CCT and wattage.
 55. Confirm whether Fixture CW (decorative LED exterior wall sconce) is being utilized. A cut sheet is provided on sheet MDP E1-04; however, the fixture is not shown on the site plan photometrics. Also, it's not included in the Luminaire Schedule and does not appear to be included in the Calculation Summary. Please confirm.
 56. Confirm whether Fixture LA (decorative LED pathway bollard) is being utilized. A cut sheet is provided on sheet MDP E1-04; however, the fixture is not shown on the site plan photometrics. Also, it's not included in the Luminaire Schedule and does not appear to be included in the Calculation Summary. Please confirm.
 57. Fixture **LB** cut sheet is difficult to read. The full cut sheet is required in order to determine whether this fixture is full cutoff. The house side shields may be necessary. Please include a more legible cut sheet that clearly demonstrates that the fixture is full cut-off as well as mounting and installation details.
 58. The site plan photometrics shows Fixture LB utilized along the gulch, sidewalks, areas to remain undisturbed, etc. It appears to be the same fixture utilized for the streetlights with



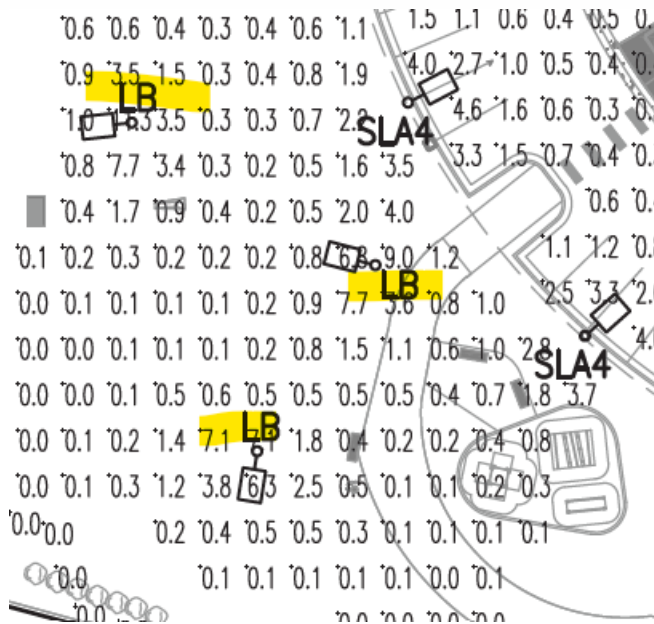
the only difference being lower lumens and wattage. Provide justification for proposing this fixture mounted 7'-8' in height in pedestrian and wildlife areas.

59. Include a cut sheet for the trash enclosure fixture.

Lighting Plan – Section 4.13.020(B)

60. Remove information from the tables and all cut sheets of fixtures that are not being proposed on the site.
61. Provide different symbols for each light fixture in the Luminaire Schedule and update the Site Plan Photometrics and Landscape Plan accordingly.
62. Relabel the 15-foot Mounting Height Pole detail on Sheet MDP E1.04 as Fixture SLA4 pole mounting detail. Be sure to label the fixture height above grade. Please note that the Code defines fixture height or mounting height as follows: Height of the fixture shall be the vertical distance from the ground or paved surface, whichever is lower, directly below the centerline of the fixture to the lowest direct light emitting part of the fixture.
63. Provide a pole mounting height detail for Fixture LB on Sheet MDP E1.04. The height of a light pole (7' to 8') as noted on the plan impacts lighting levels and distribution. As such, a mounting height pole detail shall be provided for this fixture.
64. Show light fixture locations and height above grade for all trash enclosures and Fixtures BW (decorative LED exterior wall sconces).
65. Depict the lot lines, town-owned tract (OS-1) and boundaries of pedestrian areas 1-3 as identified in the Calculations Summary table on the Site Plan Photometrics.
66. Show lighting outputs at all property lines.
67. Provide justification for installation of lighting and light levels along the gulch as it relates to the lighting recommendations in the Wildlife Conservation Plan.
68. Per the Wildlife Conservation Plan, town-owned property (OS-1) is a "naturalized vegetated buffer." Please explain how the recommendation to minimize nighttime lighting is being followed, particularly if the light source is visible beyond the property line.
69. An LB light fixtures located by the 8,000 park within OS-1 appears to be on the town-owned property and outside the limit of work. Please confirm. (Repeat Comment).
70. One of the LB light fixtures located by the 8,000 park within OS-1 is not shown on the Landscape Plan. All plans within the MDP set must have consistent information.





71. Revise the Calculations Summary table to show calculations for site illumination (not just certain areas of the site) resulting from lighting, measured in lumens and foot candles including minimum, maximum, and average lumens and foot-candles and uniformity ratios.
 72. It is unclear why the trash enclosure floor plan (Sheet MDP E12.01) is included in the Lighting Plan. The town's lighting standards regulate outdoor lighting.
 73. The information within the Lighting Fixture Schedule on MDP E12.01 needs to be revised per Code and be included in the tables and calculations on Sheet MDP E1.03.
- General Lighting Standards – Section 4.13.040(A)
74. Unshielded lighting is prohibited. All lighting fixtures shall be downcast and opaquely shielded. If the lighting source can be seen beyond the property line along the town-owned property (OS-1), the fixtures will be deemed to be not sufficiently shielded.
 75. Revise Table 4.13-1 on the Site Plan Photometrics to include all fixture outputs (not just for fixture SLA4).
 76. Revise Table 4.13-1 on the Site Plan Photometrics to address the maximum illumination levels at the property line of the town-owned property (OS-1).
 77. Revise Table 4.13-1 on the Site Plan Photometrics to include Phase 1B as well as Phase 2. Please double check the acreage for both phases (total land area) in the calculations of the fixture output and total site output.
 78. Provide adequate information within the Lighting Plan to determine that all light fixtures are full cut-off. The Director may approve cutoff or semi-cutoff fixtures that meet the intent of Section 4.13.040(A)(4)(a), are limited to a maximum of 3,850 initial lumens per net acre and do not exceed 1,400 initial lumens per lamp. If requesting approval of cutoff or semi-cutoff, provide a narrative explaining how the criteria are met.
- Street Lighting Standards – Section 4.13.040(E)
79. One fixture SLA4 is shown over the carports along the gulch. Please confirm this fixture is actually proposed in that location.
 80. Include full cut sheet for Fixture SLA4 to demonstrate that said fixtures are full cutoff.
 81. Provide the Site Plan Photometrics at the same scale as the Landscape Plan.
 82. Dimension streetlight spacing. Streetlights shall be located at a spacing of at least four times the mounting height of the light source unless the Director determines that the location of intersections, pedestrian crossings, or unique conditions exist that necessitate



a different arrangement. If spacing requirements cannot be met, please include a written narrative to justify requested exemptions. Such exemptions may require modification of fixture type, placement, and light intensity to comply with the intent of the minimum spacing requirement. The street lighting is also the parking lighting (which doesn't have the same requirement).

Parking Plan

The parking plan review is complete; however, there are a few outstanding questions on bike parking and impervious coverage. Once clarification is received from Norris Design, staff will complete the parking, bike parking, and impervious coverage review. It staff's understanding that As Built drawings parking plans to be completed by January 31, 2025. Please submit to town staff upon completion.

Response: Clarification provided to Town on February Monday, February 3, 2025 and Tuesday, February 4, 2025. The Development Plan Map has likewise been updated with impervious calculations.

Phasing Plan

83. Condition of approval 24 has not been adequately addressed. The Phasing Plan remains virtually unchanged and is not reflective of changes within the resubmittal.

Response: A new phasing plan has been providing incorporating staff's request that we ensure proper parking, useable open space and amenities are available upon the occupancy of each building. A new phasing plan has been providing incorporating staff's request that we ensure proper parking, useable open space and amenities are available upon the occupancy of each building.

84. Based on current recommendations set forth in the Wildlife Conservation Plan, there might be town responsibilities that need to be outlined in the subsequent Development Agreement.

Response: The Wildlife Conservation Plan does not identify any town responsibilities. The development team is willing to work with the Town on the Development Agreement, but the Town will need to outline specific items that are believed to be their responsibility.

85. There are potential impacts to Phase 1A based on the Wildlife Conservation Plan recommendations in terms of site lighting and signage.

Response: Phase 1A is not being reviewed with this application. Phase 1A was reviewed under the previous code and as such follows previous wildlife studies done as part of the PUD and follows guidelines previously outlined in the PUD. A Wildlife Conservation Plan was not required with Phase 1A. Signage will be added across the site in accordance with the Wildlife Conservation Plan.

Declaration of Easement, Covenants, Conditions and Restrictions (CC&R's)

86. Overall the CC&R's do not sufficiently outline maintenance responsibilities for the current property or obligations outlined in the approved Phase 1A documents.

Response: CC&R's will be updated once we apply for a building permit (as required by code). To summarize, Phase 1A will be the maintenance director and hire maintenance for open space, common areas, etc. and costs will be split 43.2% PH1A, 56.8% PH1B and 2.

- **Ownership & Maintenance Responsibility Discrepancies**
- **Common Maintenance Areas Not Clearly Defined**
- **Unclear Roles & Responsibilities of Maintenance Director**
- **Snow Management Plan Deficiencies**



- **Lack of Clarity on Maintenance of Recreational Amenities**
- **Access & Parking Easements Inconsistencies**
- **Wildlife Provisions Missing**