



NOTIFICATION OF LAND USE DECISION

FILE NUMBER: DR24-02

This form represents a notification of decisions rendered by the Town of Eagle Planning Staff and Zoning Administrator in response to the application for land use action described below and pursuant to Title IV of the Eagle Municipal Code.

APPLICANT: Town of Eagle

OWNER OF RECORD: Town of Eagle

DATE OF APPLICATION: July 30, 2025

DATE OF APPLICATION RESUBMITTAL: August 21, 2025

LOCATION: 1700 Bull Pasture Rd, Eagle, CO 81631 / Parcel # 2109-044-03-012 / Subdivision: Soleil Homes at Brush Creek Filing 1 Parcel B (Public Area)

DESCRIPTION OF REQUEST: An application to amend an approved development plan, file #DR24-02. Modifications to the approved landscape plans include 1) change from pavers to concrete in the pool deck area. 2) Reduction of the total number of trees and shrubs. 3) Removal of planters; replace with pool deck and artificial turf. 4) Addition of concrete walking areas. 5) Addition of paver pool cover storage areas.

DOCUMENTS:

- 1) [Landscape Plan – Sheets LP-001 – LP-503](#)
- 2) [Notice of Decision DR24-02](#)
- 3) [PZ Staff Report DR24-02](#)

AMENDMENT TO A DEVELOPMENT PLAN:

- 1) Section 4.17.080.C.9. – *Changes in development plan.* Any change in the development plan made after original submittal of the plan, either before or after approval, shall require reapplication unless:
 - a) The change is directed by the Planning and Zoning Commission; or
 - b) The Director determines that the change can be reviewed as an administrative adjustment.

STANDARDS OF APPROVAL:

- 1) Section 4.17.110.A. *Administrative adjustments. Purpose.* The administrative adjustment procedure is intended to allow minor modifications or deviations from the dimensional or numeric standards of this LUDC with approval by the Director. Administrative adjustments are intended to provide greater flexibility when necessary, without requiring a formal zoning



amendment or variance. The administrative adjustment procedure is not a waiver of current standards of this LUDC and shall not be used to circumvent the variance procedure.

Table 4.17-19 Administrative Adjustments to LUDC Standards	
LUDC Standard	Allowable Administrative Adjustment (max. %)
Site Standards	
Lot area, min	15
Lot coverage, max	15
Development Standards	
Building Orientation	15
Architectural Design	15
Sign height, maximum	15
Fence or wall height, maximum	15, one foot maximum
Minimum landscaping requirements	15

b. *Review Criteria.* In reviewing a proposed administrative adjustment, the decision-making body shall consider whether and to what extent the adjustment:

i. *Compatibility.* Will not negatively impact the function or enjoyment of adjacent properties or adjacent permitted uses;

Staff Comment: The changes proposed in this application will not impact the function or enjoyment of adjacent properties or adjacent permitted uses. The changes are confined to lot coverage and landscaping, are within the thresholds allowed by the Code, and are fully contained within the site.

ii. *Impacts.* Will not result in adverse impacts; and

Staff Comment: The changes proposed in this application will not result in adverse impacts. The changes proposed will not affect site drainage, grading, or soil stability.

iii. Is required to:

1. Compensate for an unusual site condition; or
2. Correct a minor inadvertent failure to comply with a LUDC standard; or
3. Protect a previously undiscovered sensitive resource, or natural feature.

Staff Comment: The changes proposed in this application are deviations from the approved Development Permit application, but are within the allowed thresholds of the LUDC standards and so comply with #2 above.



ANAYLSIS:

- 1) Lot coverage – Lot coverage is regulated by the PC1 Zone District Standards, [Section 4.06.020](#), of the LUDC. In this zone district, all impervious materials can utilize up to 80% of the total size of the parcel.

Table 4.06-2: PC1 Lot and Dimensional Standards			
	PC1 District Standards	Eagle Pool Project Compliance	Updated Site Plan Compliance
Lot Standards			
Lot Area, total (sf, min)	7,500	834,609.6 sf	834,609.6
Lot Coverage (% , max)	80	14.4%	16.98%
Building Placement			
Setbacks	Measured at lot boundary only, internal building separation shall meet life safety code standards.		
Front (ft, min)	25	No change	No change
Street Side (ft, min)	15	n/a	n/a
Interior Side (ft, min)	12.5	No change	No change
Rear (ft, min)	25	104'	104'
Live Stream Setback (ft, min)	75	n/a	n/a
Building Standards			
Height (ft, max)	35'	12' (max height of addition)	No change
Parking			
Location	Parking shall be located internal to the campus and at least 50 ft from any exterior property line.	n/a	n/a

Staff Comment: While the lot coverage percentage has increased by 2.58%, it is still well below the maximum impervious coverage allowed in the Zone District, which is 80%.

- 2) Minimum landscaping requirements Chapter 4.11 & Conditions of Approval.
 - a. *Landscape materials.* Low-water, drought-tolerant, adaptive plants shall be used for all new landscaping. It is strongly encouraged to use fire-wise plants wherever possible. Materials shall be suitable for the local climate.



- b. *Turf grass.* Turf grass shall be a high-altitude, drought-tolerant product. Turf grass is not permitted on slopes greater than 20 percent. The use of turf grass shall be limited as follows:

Table 4.11-1: Use of Turf Grass By Zone District	
Residential Low and Medium	2,500 square feet per dwelling unit
Residential High	Limited to private open space areas
Mixed-Use	Limited to private open space areas
Commercial and Industrial	No turf grass allowed except for Recreational Vehicle Park/Camping, Parks/Playgrounds, Playfields, College/University, Pre-School/Childcare Center, School/Trade/Private Academy and Green Roof uses
Public	Allowed
Rural	5,000 square feet per dwelling unit

- c. *Minimum plant specifications.* All plant materials installed to meet the requirements of this LUDC shall meet the following minimum size requirements:
- Trees: Minimum caliper of three inches.
 - Shrubs: Minimum of five gallons.
- d. *Landscaping within the public right-of-way.* A landscape plan specific to the streetscape area shall be included on any required landscape plan for review and approval by the Public Works Director. Except in the BD district, a landscape area shall be established along all streets between public right-of-way and any buildings, parking lots, loading areas, storage areas, screening walls or fences, or other improvements in association with any use, in accordance with the following:

Table 4.11-2: Minimum Width of Landscape Area	
Adjacent To	Width (Feet)
I-70	15
Any other street	10

Staff Comment: All turf grass and plant materials are consistent with the above Code requirements, notably landscape materials, turf grass, and minimum plant specifications are found to be in compliance with the standards and with the conditions of approval noted in the original [Notice of Decision](#). Landscaping within the public right-of-way, synonymous with front-street buffer requirements are not applicable to this application. No changes have been made to the areas of the property with front street buffer. The property has been found to be in compliance with the Maintenance requirements for landscaping; the Town of Eagle is responsible for continued compliance with the LUDC and provisions of Ch. 4.11.



FINDINGS: The Community Development Director finds that the changes proposed to the landscaping and hardscaping of the Eagle Pool as approved under file #DR24-02 and via this [Notice of Decision](#) do not represent more than a 15% change as allowed under Administrative Adjustments and that the application is in conformance with the Town’s regulations, goals, and policies per Section 4.17.080.C.9. of the LUDC.

DECISION: Based on the foregoing findings, the Community Development Director approves the application.

DATE OF COMMENCEMENT: The proposed changes to the Eagle Pool landscaping within file #DR24-02 becomes effective upon approval of this Notice of Land Use Decision rendered on September 9, 2025.

APPEAL PERIOD: [Section 4.03.050](#). *Any person aggrieved by... the decision of any administrative officer or agency based upon or made in the course of the administration or enforcement of this Title may make an appeal to the Planning and Zoning Commission. Appeals to the Planning and Zoning Commission... shall be made within 15 days of the decision from which the appeal is made by filing with the Town Manager a written notice of appeal, specifying the grounds therefor.*



Jessica Lake
Senior Planner, Community Development Department

September 9, 2025
DATE