



AGENDA
Planning & Zoning Commission
Tuesday, May 18, 2021
6:00 PM

ON-LINE MEETING

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

PUBLIC WIFI - TOEG – townofeagle2019

MEETING ACCESS INFORMATION AND PUBLIC PARTICIPATION

1. This will be an online meeting.

[ACCESS THE ON-LINE MEETING HERE](#)

Please note: All participants are automatically muted. In order to be called upon and unmuted, you will need to use the "raise hand."

When it's your turn to speak, the moderator will unmute your line and you will have three (3) minutes for public comment.

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

For technical difficulties please email nikki.davis@townofeagle.org and we will do our best to assist you.

6:00 PM - REGULAR MEETING CALLED TO ORDER

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

1. Minutes dated April 20, 2021 - Amended
2. Minutes dated May 4, 2021

PUBLIC COMMENT

Citizens are invited to comment on any item not on the agenda subject to a public hearing. Please limit your comments to three (3) minutes per person.

PUBLIC HEARINGS

1. Project: RZ21-01 1819 Brush Creek Road
File # RZ21-01

Applicant: Joanna Hopkins on behalf of Little Horn, LLC
Location 1819 Brush Creek Road
Staff Contact: Peyton Heitzman, Planner I
Request: To zone one parcel of land in unincorporated Eagle County to Town of Eagle Rural Residential (RR) zoning.

COMMUNITY DEVELOPMENT DEPARTMENT AND TOWN COUNCIL UPDATE

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

1. Department and Council Update

OPEN DISCUSSION

ADJOURN

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

A handwritten signature in blue ink, appearing to read 'Jessica Lake', is written over a horizontal line.

Jessica Lake
Planner I



To: Planning & Zoning Commission

From: Nikki Davis, Administrative Technician II, Community Development Department

Date: May 18, 2021

Agenda Item: Planning & Zoning Commission Meeting Minutes, dated April 20, 2021 - Amended

Request: Staff is requesting for the Commission to re-adopt and approve the meeting minutes dated April 20, 2021. The fourth condition of approval was missing from the version of the minutes approved on the May 4, 2021 meeting. The version of the minutes presented before the Commission today now includes the fourth condition and reads as such:

MOTION: COMMISSIONER CHARLIE PERKINS MOTIONED TO APPROVE SPECIAL USE PERMIT #SU21-03 WITH THE FOLLOWING CONDITIONS:

- 1.) THE APPLICANT SHALL APPLY FOR AN ENCROACHMENT PERMIT BY MAY 15, 2021. IF NO ENCROACHMENT PERMIT APPROVAL IS ACQUIRED, ANY APPROVALS OBTAINED WITH THIS SPECIAL USE PERMIT SHALL BE WITHDRAWN.**
- 2.) LOADING AND UNLOADING MAY NOT BLOCK THE ALLEY FOR MORE THAN 10 MINUTES AT A TIME. DELIVERIES, LOADING AND UNLOADING SHOULD BE FROM A PARKING SPACE WHENEVER POSSIBLE.**
- 3.) NO DUST, NOISE, ODOR, FUMES, GLARE, OR VIBRATIONS SHALL BE PROJECTED BEYOND THE LOT.**
- 4.) NO OUTDOOR KENNELS, CRATES, LARGE ANIMALS OR CONVENTIONAL LARGE OXYGEN TANKS.**

MOTION WAS SECONDED BY COMMISSIONER BILL NUTKINS AND PASSED WITH A VOTE OF 5 (GREGG, HOILAND, NUTKINS, TOWNSEND, PERKINS) IN FAVOR AND 0 OPPOSED.

All other language in the minutes remain as - approved.



MINUTES
Planning & Zoning Commission
Tuesday, April 20, 2021
6:00 PM

Public Meeting Room / Eagle Town Hall
200 Broadway
Eagle, CO

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

PUBLIC WIFI - TOEE – ((TOEEWireless))

MEETING ACCESS INFORMATION AND PUBLIC PARTICIPATION

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6:00 PM – REGULAR MEETING CALLED TO ORDER

Commissioner Gregg called the meeting to order at 6:00 PM

COMMISSIONERS PRESENT

Jesse Gregg, Kyle Hoiland, Bill Nutkins,
Robert Townsend, Charlie Perkins

STAFF

Chad Phillips – Community Development Director
Nikki Davis - Administrative Tech II
Jessica Lake - Planner I

COMMISSIONERS ABSENT

Matthew Hood, Lani Webb,
Keegan Winkeller

APPROVAL OF MINUTES *Approval of the minutes from the following meetings of the Planning and Zoning Commission.*

1. Minutes dated March 2, 2021

MOTION: COMMISSIONER KYLE HOILAND MOTIONED TO APPROVE THE MINUTES. MOTION WAS SECONDED BY COMMISSIONER BILL NUTKINS AND PASSED WITH A VOTE OF 5 (GREGG, HOILAND, NUTKINS, TOWNSEND, PERKINS) IN FAVOR AND 0 OPPOSED.

2. Minutes dated March 16, 2021

MOTION: COMMISSIONER JESSE GREGG MOTIONED TO APPROVE THE MINUTES. MOTION WAS SECONDED BY COMMISSIONER BILL NUTKINS AND PASSED WITH A VOTE OF 3 (GREGG, NUTKINS, TOWNSEND,) IN FAVOR AND 0 OPPOSED. COMMISSIONERS KYLE HOILAND AND CHARLIE PERKINS ABSTAINED.

3. Minutes dated March 31, 2021

MOTION: COMMISSIONER CHARLIE PERKINS MOTIONED TO APPROVE THE MINUTES. MOTION WAS SECONDED BY COMMISSIONER KYLE HOILAND AND PASSED WITH A VOTE OF 5 (GREGG, HOILAND, NUTKINS, TOWNSEND, PERKINS) IN FAVOR AND 0 OPPOSED.

4. Minutes dated April 6, 2021

MOTION: COMMISSIONER KYLE HOILAND MOTIONED TO APPROVE THE MINUTES. MOTION WAS SECONDED BY COMMISSIONER CHARLIE PERKINS AND PASSED WITH A VOTE OF 5 (GREGG, HOILAND, NUTKINS, TOWNSEND, PERKINS) IN FAVOR AND 0 OPPOSED.

PUBLIC COMMENT *Citizens are invited to comment on any item on the Agenda subject to a public hearing. Please limit your comments to three (3) minutes per person.*

Public comment opened at 6:06pm. There was no public comment.

PUBLIC HEARINGS

1. Project: 113 E. Fourth Street Veterinary Clinic Special Use Permit
File #: SU21-03
Applicant: Dr. Susan O'Brien
Location: 113 E. Fourth Street
Staff Contact: Jessica Lake, Planner I
Request: Application for a Special Use Permit for Veterinary Clinic in the Broadway Overlay District

Staff Presentation

Jessica Lake initiated the presentation, first by highlighting that veterinary clinics are allowed in most of the Town's Commercial Zone District with a Special Use Permit. The Municipal Code does not outline specific standards or requirements for a veterinary clinic. The lot size is roughly 2,221 sq. ft. and there is no off-street parking for this

property. Staff included historical background on the property in addition to current photos of the building, driveway, and adjacent alley. Lastly, staff reviewed the four standards for a Special Use Permit (noting that Standard 4 does not apply to this application) and after assessment, staff recommends Approval with Conditions based on standards (1), (2), and (3) of section 4.05.010 of the Municipal Code. Staff suggested three conditions of approval.

COMMENTS FROM THE COMMISSION

Commissioner Nutkins asked about vehicles parked in the alley and if they are parked in the right of way or on their private property? Staff commented we would need Public Works to confirm. Commissioner Nutkins also asked about the email comment from Sheila Fitzpatrick, talking about caring for large animals like horses - what is the plan for that? Staff commented that the application confirmed this location is for small animals and pocket pets only. Commissioner Nutkins suggested adding a condition of approval specifying no large breeds. He also asked if there is a requirement for managing biohazard waste. Staff commented this might be part of building requirements, this is not tied to land use.

Commissioners Perkins & Hoiland asked if staff is comfortable enforcing the 10-minute time limit for loading/unloading. Mr. Phillips commented that staff would contact the permit holder if the Town received complaints. Public Works can help enforce and monitor activity in the alley.

Commissioner Townsend asked what qualifies as a small/pocket pet? If applicant decides to do something for larger pets, will they need to change the application use? Applicant replied by defining what small animals (i.e., dogs & cats) and pocket pets (i.e., hamsters) are and confirmed there will be no large animals on that property.

Commissioner Gregg asked the applicant about oxygen and ventilation tanks for her operation. Applicant confirmed they will be using an oxygen concentrator, a smaller and safer unit, and there will be no delivery of large tanks. Also, a professional company handles all their biohazard waste. Commissioner Gregg asked if there is an intent to have kennel operations. The applicant replied that the backyard will only be used to walk dogs after surgery procedures. Kennels would be indoors and monitored overnight for post-op, not a boarding-style operation.

Commissioner Hoiland asked if the Commission should consider concern from a public comment letter where an individual stated they may not move forward with a future development project on Broadway if this file is approved. Mr. Phillips replied that this concern should not be a factor in the Commission's decision. The staff report provides the criteria for evaluation which did not include this type of off-site impact.

PUBLIC COMMENT

Dawn Holmes, 59-136 Kipa Mai Way, Kamuela, HI – Stated that Dr. O'Brien was their family vet (mixed animals including large and small breeds). Her values to the community as a small animal veterinarian are immense. She is very knowledgeable and talented. A brick-and-mortar business in town would be an asset.

Stephanie Scott, 717 Edwards Village Blvd – Agrees with Dawn's comments. A closer and local clinic would be an asset to the community, she also uses Dr. O'Brien as a personal veterinarian. With an influx of people moving to the community, having more veterinary clinics would benefit Eagle and Edwards.

Jean Duprey, 125 Fourth Street – Lives near the building and they have their cars next to the alley. Castle Peak and Gypsum Animal Clinics only have 12 parking spaces and oftentimes their parking lot is full. Many businesses have a parking variance. As her business grows, the traffic of customers will change and not just be limited to appointment traffic. There is no realistic way to predict parking needs. She is also concerned about noise levels increasing from public parking that will affect nearby residents.

Stev Riden, Howard, CO - Asked the applicant several questions. Is this a product of opportunity to have this building? Is there a particular reason you chose this site? Are there conditions attached to approval that might prohibit anything beyond 10-minutes and large animals? Are there non-confirming uses and can we prohibit that? Do you realize the expense of making this functional against the existing codes? Applicant replied that the living space downstairs will be used as an office / staff break room. She is already in the process of working with contractors to get the building up to code and commercial suppliers to get proper equipment. She chose this building because it feels natural for the scope of animals she will be working with. Applicant does not feel like there is competition, it is based more on vet care needs in the region. Lastly, Mr. Riden encouraged the Planning and Zoning Commission to consider a fee in lieu so that the Town can eventually purchase property to use for parking.

Thomas Boyken, 447 Neilson Gulch Road – Stated that he supports Dr. O’Brien’s business reputation. As a former Eagle Chamber of Commerce Board Director, he supports bringing more business to Eagle. If we continue to use parking as a hurdle, our Town can’t grow. Regarding noise, he’s never noticed loud noise from vet clinics. Animal noise is oftentimes inside the office. Growing the Business District will only increase the Town’s revenue. Mr. Boyken welcomes competition to the Town as it gives customers the opportunity to pick and choose who they want to work with and drives them to a certain area. Dr. O’Brien is his personal vet.

RESPONSE TO PUBLIC COMMENT

Applicant addressed public comment. First, applicant recapped that they are a mobile practice and will continue that aspect of her business. Their goal is to employ only one other vet along with efficient staff. If they are operating in an overcrowded office, it goes against their fear-free practice. The fear-free environment accounts for external factors such as paint color, having separate examination rooms for cats and dogs, and ensuring the lobby is a quiet area.

Commissioner Perkins asked the applicant if they are going to remodel the interior. Applicant confirmed they intend to go through the entire building permitting process. They want to create 2 exam rooms, 1 treatment room, a surgery room, and storage.

Commissioner Nutkins asked staff if there are existing non-confirming uses in the building. Staff replied this has been discussed with current owner. Dr. O’Brien proposed to discontinue those non-confirming uses. Staff confirmed that Public Works received a referral for this application.

Commissioner Gregg asked about other vet office on Broadway and if they were required to provide parking as part of their Special Use Permit? Staff confirmed this as true. The other vet office was approved in 1999 and required to have on-site parking. Today’s standards in the Municipal Code regarding parking do not apply in the Central Business Zone District or Broadway District. Commissioner Nutkins commented that he considers the vet clinic as a service establishment however exempts it from providing parking because of Section 4.07.140.A.3.

Commissioner Perkins asked staff if the Commission can include a condition of approval asking the applicant to increase sound insulation if recommended by Chief Building Official? Mr. Phillips replied yes, P&Z can add this type of condition, but recommended the trigger being after significant noise complaints. Commissioner Perkins asked if the noise being generated is interior noise or when pets are dropped off? Applicant addressed the noise concern was from dogs waiting in parked cars, dogs in the building will always have supervision. There is no boarding component and hospitalized animals are there to convalesce, so the intention is to maintain a quiet, relaxed environment.

Public comment closed at 7:00 PM.

DELIBERATIONS

Commissioner Hoiland began deliberations, stating that he is torn about approval given the noise and parking concerns from the neighbors. Overall, he believes the applicant has met the conditions and will likely support this request.

Commissioner Perkins commented that after hearing more from Dr. O'Brien about her business practice and operating hours and standards, he is inclined to approve the file with the conditions staff recommended.

Commissioner Nutkins commented that his biggest concern is the parking, especially downtown. According to the current standards parking is not required but if her staff is using the parking where are customers going to park? Also, if the non-confirming uses become prevalent again after approval, he suggests that should revoke the Special Use Permit. Additional conditions that should be addressed include no large oxygen tanks, no outdoor boarding or crating at any time and no large animals. If applicant receives excessive noise complaints, applicant must present to the Commission again.

Commissioner Townsend believes the noise issue was addressed in the third condition of approval. Mr. Phillips commented that there are state statues about addressing significant noise complaints and staff has standards to enforce mitigating noise. Commissioner Townsend also noted that parking is a "big picture" item we need to address because there is no parking requirement in this area. Overall, he believes the conditions staff presented address all the concerns.

Commissioner Gregg believes the file meets all the standards. He voiced concerns about parking but judging by the standards outlined in the Municipal Code, he does not view this application any different from the other downtown businesses apart from the animal component. Staff's recommended conditions address the noise issue well. He is in favor of approving this file and having additional business on Broadway is beneficial, regardless of a competing business across the street.

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COMMUNITY DEVELOPMENT DEPARTMENT AND TOWN COUNCIL UPDATE *Staff update to the Planning and Zoning Commission on recent work, upcoming files and decisions made by Town Council.*

1. Department and Council update

OPEN DISCUSSION

Commissioner Nutkins asked about the Haymeadow email sent to some of the Planning and Zoning Commission and if we have addressed this with the sender? Mr. Phillips said it is not appropriate to discuss the file since it is still on-going. Next, Commissioner Nutkins discussed how Alpine Lumber is building a new facility in Silverthorne and they have attractive, large metal panels that hide their lumber area. Why can't we do something like that in the Town? Mr. Phillips deferred to Bill Shrum on public murals and art.

Commissioner Perkins asked if there are any updates to convening meetings back in the Chamber? Mr. Phillips replied, citing Eagle County updates seem to be on a 30-day cycle and that we remain under direction from the County. Currently, there is no change to virtual meetings.

Commissioner Gregg asked about the Brush Creek Road Extension project and Mr. Phillips replied it is linked to the 1819 Brush Creek Annexation file.

Commissioner Hoiland asked about CIRSA (Colorado Intergovernmental Risk Sharing Agency) training for some of the officials. The Planning and Zoning Commission has interest to participate in future trainings.

ADJOURN

MOTION: COMMISSIONER CHARLIE PERKINS MOTIONED TO ADJOURN. MOTION WAS SECONDED BY COMMISSIONER KYLE HOILAND AND PASSED WITH A VOTE OF 5 (GREGG, HOILAND, NUTKINS, TOWNSEND, PERKINS) IN FAVOR AND 0 OPPOSED.

MEETING ADJOURNED AT 7:28 PM.

APPROVED:

DATE:

Matthew Hood, Chairman

Nikki Davis, Administrative Tech II



MINUTES
Planning & Zoning Commission
Tuesday, May 4, 2021
6:00 PM

Public Meeting Room / Eagle Town Hall
200 Broadway
Eagle, CO

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6:00 PM – MEETING CALLED TO ORDER

Commissioner Gregg called the meeting to order at 6:03pm.

COMMISSIONERS PRESENT

Jesse Gregg, Kyle Hoiland,
Lani Webb, Keegan Winkeller

COMMISSIONERS ABSENT

Matthew Hood, Robert Townsend,
Bill Nutkins, Charlie Perkins

STAFF

Chad Phillips – Community Development Director
Nikki Davis - Administrative Tech II
Jessica Lake - Planner I
Peyton Heitzman – Planner I

APPROVAL OF MINUTES *Approval of the minutes from the following meetings of the Planning and Zoning Commission.*

1. Minutes dated April 20, 2021

MOTION: COMMISSIONER KYLE HOILAND MOTIONED TO APPROVE THE MINUTES. MOTION WAS SECONDED BY COMMISSIONER JESSE GREGG AND PASSED WITH A VOTE OF 2 (GREGG, HOILAND) IN FAVOR AND 0 OPPOSED. COMMISSIONERS LANI WEBB AND KEEGAN WINKELLER ABSTAINED.

PUBLIC COMMENT *Citizens are invited to comment on any item not on the Agenda subject to a public hearing. Please limit your comments to three (3) minutes per person.*

Public Comment opened at 6:05pm. No public comment.

PLANNING & ZONING COMMISSION WORK SESSION – EAST EAGLE SUB AREA PLAN (EESAP)

1. Presentation by Zehren & Associates

Pedro Campos began his presentation by re-summarizing the 95-acre parcel, describing its scale compared to existing Chambers Avenue, noting the land's boundaries, and describing the concept for a future highway interchange which would include a small piece of land north of I-70. Two existing features on the parcel worth noting include a drainage system and some overhead lines, all of which run north to south. Next, the presentation showed a variety of diagrams illustrating how the land could be subdivided. Based on feedback received from the March 31st EESAP open house, Mr. Campos provided the two preferred models of conceptual land use: one configuration with the new highway interchange and the alternative configuration illustrating the uses before the highway interchange. With regards to land use, both models are centered on a mix of three primary uses: commercial/light industrial, residential, with the exclusion of single-family homes, and interstate commercial. The land designed for the interchange would remain as temporary use in the interim until the infrastructure can be built. Following this, the presentation showed a variety of commercial and institutional buildings in Eagle to describe the existing building precedents throughout the Town. Lastly, the presentation offered a sampling of different multi-family home precedents, both regional and out-of-state, that could be desirable in this area.

2. Presentation by Community Development

Chad Phillips began by providing additional context around EESAP and how this project is categorized under the Elevate Eagle Comprehensive Plan. Like the Comprehensive Plan, the EESAP project will be used to help both the Planning and Zoning Commission and Town Council to make land use decisions, create policies, and push forward action items required for this area. Mr. Phillips then shifted to explain how there is minimal room left for the Town to grow given the existing boundaries. Because of this, the community must be strategic in how we plan the remaining vacant parcels. With the rapid growth our Town is experiencing, now is the time to ask our community what we want future development to look like in terms of densities, types of land uses and aesthetics.

Next, staff asked for the Commission's feedback to expand upon the following goals, action items and land use designations -

GOALS: Flexibility on the plan but represents the community's vision; address traffic circulation/congestion; avoid creating another Town Center; establish appropriate types of residential homes; and establish a notable Eastern Gateway.

ACTION ITEMS: Explore funding opportunities for developing the I-70 interchange; incorporate design standards into the updated land use code; establish appropriate access points on Highway 6 by coordinating with Red Mountain Ranch (RMR) and Colorado Department of Transportation (CDOT).

LAND USE DESIGNATIONS: After assessing the two models, including pros and cons, staff said they prefer the conceptual diagram without the temporary use area based on the potential negative ramifications of repurposing the land in the future and possibly having to remove a community amenity. An example of this is the BMX track originally intended to be a temporary fixture but has now become a permanent amenity in the Town. Staff then reviewed the written descriptions of each land use category. They include the following:

- *Interim/Temporary Use Area* – Minor changes made to include other examples of suitable temporary uses.
- *Interstate Commercial* – The west Glenwood interchange in Glenwood Meadows was used as a model for a community with more than one interchange and the types of businesses seen within that area.
- *Commercial/Light Industrial* – Includes uses common to those that exist on Chambers Avenue. This category allows for multi-family housing through the Special Use Permit process and is capped at 10% of the total land utilized.
- *Residential* – Represents about 50% of the total area on the future land use map. Staff is proposing a minimum density of 10 dwelling units per acre which will not include single family dwellings.

Staff also presented new data from the recent 2021 Community Survey including desired businesses and how residents perceive finding adequate, affordable housing in Eagle.

Mr. Phillips concluded the presentation by discussing examples of conceptual design aesthetics and architectural styles. Because Eagle is surrounded by a variety of environments, he asked what we want our Town's style and landscape to look like. Local and regional influences include ranching, alpine forest, and high desert. Other discussion topics to continue to consider include a train depot, open space & parks, and a better-defined Eastern Gateway.

3. Presentation by Trinity RED Eagle Development

Carolynne White provided some brief remarks to the Commission. First, the property owner is in general support of and believes the plan being presented provides a good framework, mix of uses, and general vision that will ensure long-term success. The key is to maintain general and flexible planning for the market to respond over time. Ms. White highlighted some essential items to focus on including the internal circulation of the collector road, the definition of land use categories and their intended uses, and the variety of product types in the residential areas. Lastly, Ms. White commented that there is not a specific development plan available yet where they can provide specific details. This is a plan document designed to be high-level, general, and visionary.

4. Q & A

Commissioner Winkeller commented that he does not see very many changes to the plan. In the previous meeting, we discussed the interchange's location and how it relates to being an attractive Eastern Gateway to the Town.

Commissioner Hoiland commented that at the last meeting, the Commission wasn't trying to define the plan, mainly that they were gathering input and feedback, leaving the project open ended. Commissioner Hoiland echoed Ms.

White's sentiments about staying flexible on the design concept because the market will dictate what happens to the development.

Dennis Wike commented that the proposed I-70 interchange location cannot be moved. The chosen location, which is one of two potential options, was identified based on a series of lengthy environmental and traffic studies many years ago. Moving the location would require new studies and would be a costly endeavor.

Commissioner Hoiland asked if the interchange should be developed first, or if we can connect Chambers Avenue to Highway 6 as a traffic relief point once development begins. Commissioner Webb agreed saying that the interchange should happen more immediately. She stated that we need to understand that as the Town's population grows, the Town will eventually need another interchange and we should focus on designing this the way we want as it aligns with the community's vision.

Commissioner Gregg asked if the land use designations are part of the current code. He asked what land use regulations and standards will be required for future development applications. Mr. Phillips commented that we are trying to keep a broad direction at this point in the project. Commissioner Gregg then asked about the goal to incorporate more open space and if that will be a requirement. Mr. Phillips commented that under the current regulations this topic is addressed in the subdivision phase. He also stated that we could make this an action item in the plan if the zoning regulations don't adequately address this topic. Commissioner Gregg commented that he would like to see a connection from this parcel to the future river park under Highway 6. He believes this would add value to the plan.

Commissioner Hoiland asked if wildlife corridors are required in this area plan. Mr. Phillips commented it would be part of the development phase when considering proposals. Brian Wodrich from Colorado Parks and Wildlife (CPW) commented that the existing drainage ditch on the property serves as an under-highway wildlife passage zone. He also commented this is a concentrated area for deer and elk, but the main concern is preserving the riparian zones. CPW could provide recommendations for the future river park.

Mr. Campos acknowledged that there is an easement for the regional trail which significantly contributes to the open space element of this plan.

6. Public Participation – Polling

1. Do you live in the Town of Eagle?
2. Are you happy with the appearance of the Town driving west on I-70?
3. What should visitor's first impression be driving into Town?
4. Does the diagram show the right amount of Interstate Commercial (similar to West Glenwood)?
5. Does the diagram show the right amount of Commercial/Light Industrial (similar to Chambers Ave.)?
6. Does the diagram show the right amount of Residential?
7. Is the proposed density (10 Dwelling Unit/acre) appropriate?
8. Should multi-family be allowed in the Commercial/Light Industrial land use (current description allows up to 10% for multi-family)?
9. Should the multi-family residential in the commercial light industrial land use be stand alone or limited to live/work?
10. Should projects with secondary residential uses be allowed in the interstate commercial land use?
11. How important are design standards for this area?
12. – 16. Should the commercial areas look like Picture #1 or Picture #2? Or both? (examples provided)
17. – 19. Should the residential areas look like Picture #1 or Picture #2? Or both? (examples provided)
20. Should xeriscape be a required landscape element for this area?
21. Which landscape type best reflects the greater Eagle area? (examples provided)

22. Should the architectural style within the Town of Eagle be uniform throughout or mixed?
23. What would you prefer the Town of Eagle's architectural style to be?

PUBLIC COMMENT *Citizens are invited to comment on any item not on the Agenda subject to a public hearing. Please limit your comments to three (3) minutes per person.*

Public comment opened at 7:40pm. No public comment.

7. PZ Discussion and Direction to Staff

Commissioner Winkeller began by sharing mixed feelings towards the proposed interchange and its purpose to serve as an Eastern Gateway. He acknowledged the studies and resources already spent with designating this spot and that we may not have a choice to move it. Ultimately, the design and aesthetic elements will be extremely important to highlight the gateway. Next, Commissioner Winkeller asked if we can see this in context with RMR to determine if this plan offers the appropriate amount of land use designations compared to neighboring communities. Mr. Phillips replied that the land for RMR was divided into 5 pieces, becoming denser westward. The two western-most parcels have been designated for multi-family development. Eric Eves confirmed this layout as correct.

Commissioner Hoiland commented that this is a well-balanced plan and likes the proposed layout of everything. He restated that we should not limit design standards and keep the plan as flexible as possible.

Commissioner Gregg commented that after hearing the numbers on forthcoming residential projects, he prefers to see less residential but perhaps at a higher density than the proposed minimum of 10 units per acre to conserve the future commercial area and provide an extension of Chambers Avenue. He asked if it make sense to use more interstate commercial. Next, Commissioner Gregg commented that he envisions this area as becoming an extension of the recreation brand the Town promotes. He would like to see more recreation and entertainment-type businesses. Within this area there are a few key parcels that could have an iconic feature to represent the Town well. Overall, the design guidelines should be of high standards. Lastly, Commissioner Gregg restated that there should be a pedestrian connection underneath Highway 6 to access the future river park and that the wildlife corridor should be included.

Commissioner Hoiland asked if the proposed zoning allows for a grocery store or pawn shops? Mr. Phillips replied that it is not yet defined, it is very generic and mostly defined as 'retail' at this stage of the plan.

Commissioner Webb asked if there were any indication of what kind of stores we would allow in that area? Mr. Phillips replied it is not yet defined. Once zoning is approved and established, this would dictate the type of uses and business allowed in this area.

Commissioner Hoiland asked about temporary usage. Mr. Phillips commented that there is not a defined zone district for temporary use, and these are mostly accomplished through the PUD process that indicates a timeline for end of use.

Commissioner Webb asked if there is a limit to the size of stores that would be allowed. Mr. Phillips commented the Town could guide the stores with existing zoning, but since zoning is being amended, we could include size as a condition of approval. An option could be to create an East Eagle Commercial Zone District.

Commissioner Gregg voiced concern around the temporary uses unintentionally becoming the gateway to Eagle until the interchange is built. However, if there is appropriate screening, the current definition and potential uses should be fine. Commissioner Winkeller suggested creating a landscape park in the interim.

Carolynne White included several comments. First, it is not legally appropriate to impose a condition of development approval around building the interchange on a plan document such as the one being reviewed. Next, Ms. White wanted to reconfirm that it is a minimum of 10 dwelling units per acre as it pertained to some of the polling questions. Lastly, Ms. White commented on minimizing design standards on this plan as we are just talking about the overall guiding vision.

Commissioner Gregg asked why we are excluding single-family and minimizing diversity of housing types. Mr. Phillips connected this to the 1,500 approved but not yet constructed residential units that are scheduled to be built in developments such as Haymeadow and RMR. Additionally, there are still many single-family homesites available in Eagle Ranch.

Commissioner Hoiland restated that we need another traffic relief point in Eagle and that this should be considered as a priority.

OPEN DISCUSSION

No other items discussed.

ADJOURN

MOTION: COMMISSIONER KYLE HOILAND MOTIONED TO ADJOURN. MOTION WAS SECONDED BY COMMISSIONER KEEGAN WINKELLER AND PASSED WITH A VOTE OF 4 (GREGG, HOILAND, WEBB, WINKELLER) IN FAVOR AND 0 OPPOSED.

MEETING ADJOURNED AT 8:05 PM.

APPROVED:

DATE:

Matthew Hood, Chairman

Nikki Davis, Administrative Tech II



STAFF REPORT AND CERTIFICATE OF RECOMMENDATION

TO: Planning & Zoning Commission

FROM: Community Development Department

DATE: May 18, 2021

FILE NUMBER: RZ21-01

PROJECT: 1819 Brush Creek Road

REQUEST: Request to zone one parcel of land in unincorporated Eagle County to Town of Eagle Rural Residential (RR) zoning.

APPLICANTS: Big Horn, LLC

LOCATION: 1819 Brush Creek Road

CODE: Chapter 4.04 Zoning
Chapter 4.05 Zoning Review

ZONING: (Existing) Resource (R) in unincorporated Eagle County

EXHIBITS: A: Project Narrative
B: Petition for Annexation
C: Site Plan
D: Aerial Map
E: Site Photos

PUBLIC COMMENT: No public comments received as of May 12, 2021.

STAFF: Peyton Heitzman, Planner I – peyton.heitzman@townofeagle.org

INTRODUCTION

On April 27, 2021, the Town Council passed Resolution 38, Series 2021 finding the Annexation Petition for 1819 Brush Creek Road to be in substantial compliance with Section 31-12-107(1) C.R.S. The annexation application was accompanied by a request to zone the property to Rural Residential (RR) zoning. The property is currently zoned Resource in unincorporated Eagle County.

The property is located south of the Brush Creek Road and Sylvan Lake Road intersection. The project consists of one lot under the sole ownership of Little Horn, LLC, managed by Catherine Turnipseed and Scott Turnipseed. There is one single-family home on the property with accessory structures. No development is proposed for this property.



Should Town Council approve the annexation application for 1819 Brush Creek Road at the upcoming Public Hearing on June 8th, 2021, the Planning & Zoning Commission's recommendation for zoning will be considered as part of a subsequent zoning approval for the property.

DISCUSSION ITEM(S)

1. Is the proposed RR zoning supported by the Town of Eagle's long range planning documents?

STANDARDS FOR APPROVAL (SECTION 4.05.030.A.)

The conditions for zoning as described in Section 4.05.030 of the Land Use and Development Code are:

STANDARD #1: That the rezoning is compatible with surrounding land uses, and is consistent with the Town's goals, policies and plans.

Staff comment: Staff believes the proposed residential zoning is appropriate for this property because it complements the surrounding residential land uses. The adjacent properties to the east and west are large lots (greater than 2 acres) containing single-family homes. To the north across Brush Creek Road is the Soleil Homes at Brush Creek subdivision with single-family homes and duplexes. To the south, across Brush Creek, are single-family homes in the Eagle Ranch Planned Unit Development.

When reviewing the project for consistency with the Town's goals, policies, and plans, staff was guided by the Elevate Eagle Comprehensive Plan (2020). The property is within the Town's Urban

Growth Boundary. The proposed Rural Residential zoning is supported by the Future Land Use Map (FLUM) that provides future land use designations for the Town. The property is identified as Rural Residential in the FLUM. The Rural Residential land use on the FLUM is comparable to the Municipal Code's Rural Residential zone district in terms of density and allowed uses. The proposed zoning of the property is supported by policies in the Comprehensive Plan including:

- Policy 2-8.1. Support and preserve the attributes and quality of the "country lane" experience along Brush Creek Road.

Staff comment: The property contains low density residential with a setback from the street that is far greater than the 25' minimum for the zone district. This is similar to other lots along Brush Creek Road, supporting the "country lane" experience.

- Policy 4-2.1 Preserve and protect the quality of and integrity of wetlands, rivers, streams, and riparian areas.

Staff comment: The structures on the property maintain a 75' setback from Brush Creek. This setback is greater than currently required under existing Town of Eagle regulations.

STANDARD #2: That the land to be rezoned was previously zoned in error or the existing zoning is inconsistent with the Town's goals, policies and plans.

Staff Comment: The application meets this standard. The existing Resource zoning in the County is inconsistent with the Town of Eagle's FLUM.

STANDARD #3: That the area for which rezoning is requested has changed substantially such that the proposed rezoning better meets the needs of the community; OR

Staff Comment: If the annexation application is approved by Town Council, 1819 Brush Creek Road will have changed substantially through incorporation into the Town boundary. The proposed zoning better meets the needs of the community through its alignment with the Town's Comprehensive Plan.

STANDARD #4: That the rezoning is incidental to a comprehensive revision of the Town's zoning map which recognizes a change in conditions and is consistent with the Town's goals, policies and plans.

Staff Comment: There has not been a comprehensive revision to the Town's zoning map. This standard is not applicable to application.

STAFF RECOMMENDATION

Staff recommends **APPROVAL** for the zoning of 1819 Brush Creek Road from Eagle County PUD zoning to Town of Eagle Rural Residential zoning based on Standards (1), (2), and (3) of Section 4.05.030. of the Municipal Code.

PLANNING AND ZONING COMMISSION POTENTIAL MOTIONS

Below are the Planning and Zoning Commission options related to the zoning of file number RZ21-01:

1. Recommend approval with no conditions.
2. Recommend approval with conditions.
3. Continue (table) the application. (Provide staff and the applicant detail regarding information needed for a decision).
4. Recommend Denial. (Cite all Code sections and/or Plan policies that resulted in motion for denial).

SUGGESTED MOTION:

I move to RECOMMEND APPROVAL File # RZ21-01 Zoning 1819 Brush Creek Road with no conditions, based on the following findings:

FINDINGS OF FACT

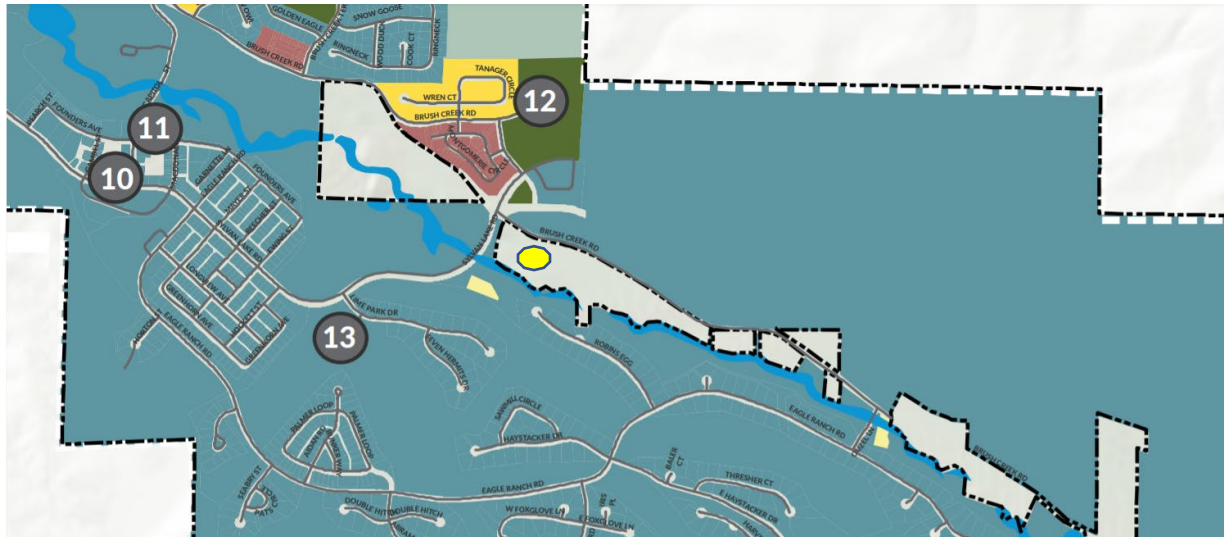
The application meets the requirements of Title 4 of the Land Use and Development Code, and is in conformance with the 2020 Elevate Eagle Comprehensive Plan.

1819 Brush Creek Road

Annexation and Rezoning Application

Project Narrative

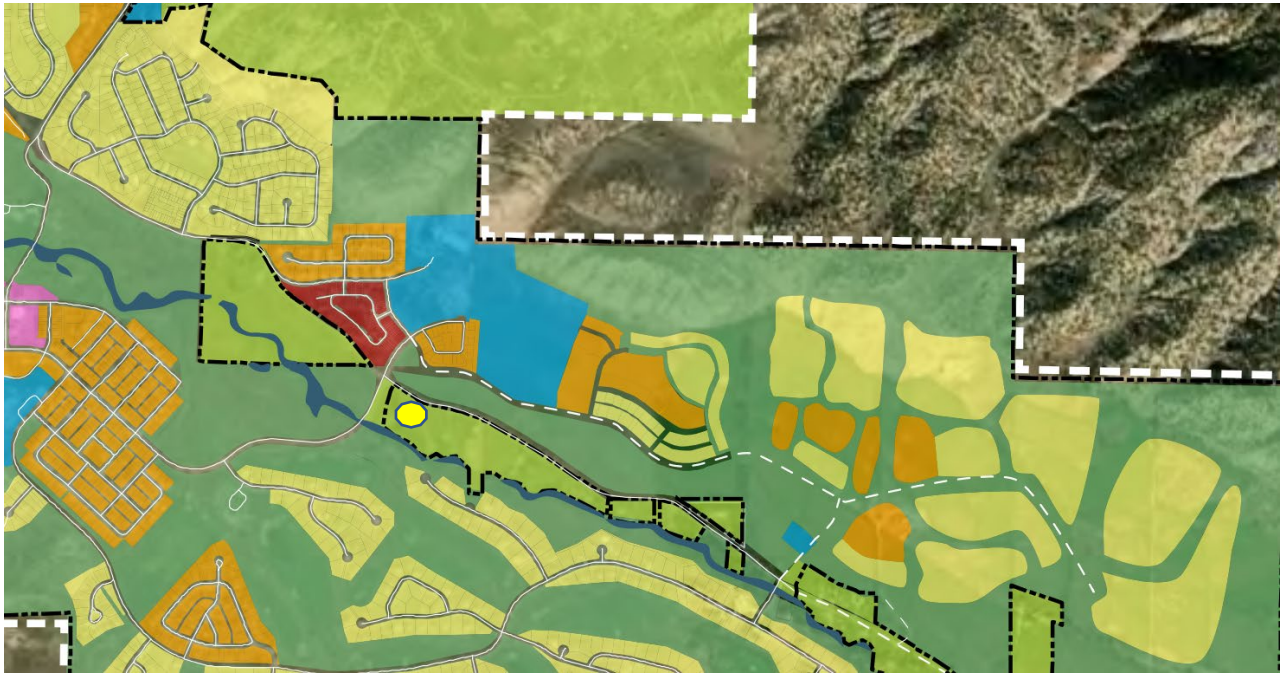
The subject property containing 4.38 acres was purchased in 2018 originally containing two manufactured homes. Since 2018, the property owners have designed and are in the process of constructing a single-family residence and an outbuilding on Town of Eagle water and sewer utilities and adjacent to the Town of Eagle boundary via Brush Creek. The property owners are requesting annexation of this property as it is a logical extension of the town bordered by PUD zoned areas (Haymeadow and Eagle Ranch) on two sides, as it is currently served by town utilities and typifies the intent of the Rural Residential land use designation as defined in the recently adopted Elevate Eagle Comprehensive Plan.



This annexation request does not require any additional extension of town utilities or roadways. Access is currently provided via Brush Creek Road and all existing access and utility easements as shown on the Annexation Map will remain.

The property owners are concurrently requesting a rezoning of the subject property to Rural Residential as it is consistent with the Elevate Eagle Comprehensive Plan future land use designation and the property uses are consistent with Rural Residential development standards.

Comprehensive Plan Conformance



Elevate Eagle Comprehensive Plan

Description:

Rural lands include, but are not limited to, those generally developed to lower residential densities, agricultural activities, resource extraction, timber harvesting, resource conservation, public or private recreation or open space. They may include cluster homes to preserve large pieces of open space.

PRIMARY USES

Agriculture, farming, single family units.

SECONDARY USES

Neighborhood, community parks, recreation, on site employee housing.

APPROXIMATE DENSITY

Up to 1 DU/2 Acres

The subject property is located within the Three Mile Plan, has a Rural Residential future land use designation, and is currently zoned Rural Residential under Eagle County. The proposed uses for Town of Eagle Rural Residential properties are listed above. The property owners' intent is to utilize the property for single family unit(s) at or less dense than the 1 dwelling unit per 2 acres density target. The single-family residence and outbuilding under construction meets or exceeds the development standards for Rural Residential zoned properties. Please reference the Site Plan exhibit for details on building size, setbacks, location of existing easements, water/sewer service lines and lot size. There are no development standards for lot coverage or maximum floor area under the Rural Residential zone district. The building height is 18 feet, well below the 35 foot maximum.

Existing Utilities and Infrastructure

The subject property and single-family residence is currently served by town water and sewer. No additional water rights will be associated with this annexation request. The property was issued a water tap when the subdivision was created in 1984 and taps were paid for at that time under the out-of-town

rate with water rights being purchased to supply these taps. The current property owner purchased a sewer tap at the time of building permit. The sewer service was installed in 2020-2021 and will be in use following issuance of the certificate of occupancy of the home. The property is accessed by a town owned and maintained road (Brush Creek Road) and therefore, no additional road maintenance or services will be necessary to serve the property. There will be no additional impact on the school district as this is a single family residence with no current school aged child occupants. Black Hills and Holy Cross Energy serve the gas and electric needs of the property.

Proposed Utilities and Infrastructure

There are no new proposed utilities or infrastructure required to serve this property. Water and sewer services are in place and as stated previously, the access from Brush Creek Road is already maintained by town of Eagle. This property will require trash, police and other town related services recognized in the Fiscal Impact Report. These costs are minimal and are largely offset by sales and property tax generated by the property and the occupants.

PETITION FOR ANNEXATION

1819 BRUSH CREEK ROAD

TO: TOWN COUNCIL, TOWN OF EAGLE, COLORADO

RE: PETITION FOR ANNEXATION FOR THE 1819 BRUSH CREEK ANNEXATION TO THE TOWN OF EAGLE
AS SET FORTH IN EXHIBIT "A" ATTACHED HERETO.

The undersigned Petitioner, in accordance with the provisions of Sections 31-12-101, *et. seq.*, C.R.S., the Municipal Annexation Act of 1965, hereby petitions the Town Council of the Town of Eagle, Colorado ("Town") for annexation to the Town of the land described in Exhibit "A" attached hereto and incorporated herein (the "Property"), which is currently in the County of Eagle, State of Colorado.

The Petitioner further states to the Town Council of the Town as follows:

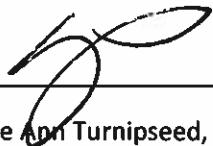
1. That it is desirable and necessary that the Property be annexed to the Town.
2. That the Property meets the requirements of Sections 31-12-104 and 31-12-105, C.R.S. in that:
 - a. Not less than one-sixth ($1/6^{\text{th}}$) of the perimeter of the Property is contiguous with the Town.
 - b. A community of interest exists between the Property and the Town; the Property is urban or will be urbanized in the near future; and the Property is integrated or is capable of being integrated with the Town.
 - c. The Petitioner, Little Horn, LLC, Catherine Ann Turnipseed, Manager, is the owner of 100% of the Property, and hereby consents to the establishment of the boundaries of this territory as shown on the annexation map submitted herewith.
 - d. The Property is not presently part of any incorporated city, city and county, or town; nor have annexation proceedings been commenced for the annexation to another municipality or part or all of the Property; nor has any election for annexation of the Property or substantially the same territory to the Town, been held within twelve (12) months immediately preceding the filing of this Petition.
 - e. The annexation of the Property will not result in the detachment of area from any school district and the attachment of the same to another school district
 - f. The annexation of the Property will not have the effect of extending the boundary of the Town more than three (3) miles in any direction from any point of the Town's boundary in any one (1) year.
 - g. If a portion of a platted street or alley is to be annexed, the entire width of said street or alley is included within the Property.
 - h. Reasonable access shall not be denied to landowners, owners of an easement, or the owners of a franchise, adjoining any platted street or alley annexed by the Town but not bounded on both sides by the Town.

- i. The requirement of C.R.S. Sections 31-12-105 exist or have been met.
- j. Petitioner reserves the right to withdraw this Petition at any time prior to the Town's final approval of the annexation.

Therefore, Petitioner respectfully requests that the Town Council of the Town of Eagle, Colorado approve the annexation of the Property pursuant to the provisions of the Municipal Annexation Act of 1965, as amended.

Signature of Landowner/Petitioner

Little Horn, LLC



Catherine Ann Turnipseed, Manager

Date of Signature: 3.4.21

STATE OF COLORADO)
) ss.
COUNTY OF EAGLE)

The foregoing instrument was acknowledged before me this 4th day of March, 2021, by Catherine Ann Turnipseed as Manager of Little Horn, LLC.

My commission expires: 9/13/2024

Witness my hand and official seal



Notary Public

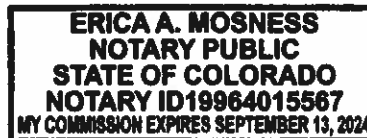


EXHIBIT A

HOMESITE 2, THE COLORADO RIVER & EAGLE COMPANY RURAL HOMESITES

Nos. 1,2 & 3

Part of Northeast Quarter Section 9, Township 5 South, Range 84 West 6th P.M.

County of Eagle, State of Colorado

EXHIBIT B

AFFIDAVIT OF CIRCULATOR

The undersigned, being of lawful age, who being first duly sworn upon oath, deposes and says: that he was the circulator of the foregoing Petition for Annexation of Powell Park to the Town of Eagle, Colorado, that each signature thereon was witnessed by your affiant and is the signature of the person whose name it purports to be.



Circulator

STATE OF COLORADO)
) ss.
COUNTY OF EAGLE)

The foregoing instrument was acknowledged before me this 4th March day of ~~February~~, 2021, by Catherine Ann Turnipseed as Manager of Little Horn, LLC.

My commission expires: 9/13/2024

Witness my hand and official seal



Notary Public

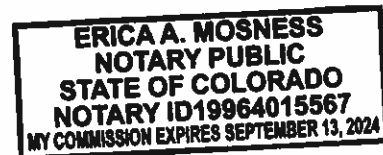


EXHIBIT C

ANNEXATION MAP

LEGAL DESCRIPTION AND CERTIFICATE OF DEDICATION AND OWNERSHIP
Know all men by these presents that Little Horn LLC, being sole owner(s) in fee simple, of 100 percent of that real property, exclusive of streets and alleys herein, situated in Eagle County, Colorado described as follows:

Homestead 2, The Colorado River & Eagle Company Rural Homesites, Eagle county Colorado, according to the Final Plat thereof, as filed for record on February 6, 1984 at Reception No. 274205 in the Clerk and Recorder's Office, County of Eagle, State of Colorado containing 4.387 Acres more or less; have by these presents laid out and platted the same as shown hereon and designate the same as THE COLORADO RIVER & EAGLE COMPANY RURAL HOMESITES NOS 1, 2, & 3 Annexation to the Town of Eagle, County of Eagle, State of Colorado.

EXECUTED this ____ day of _____, A.D. 20__.

Owner: Little Horn LLC
P. O. Box 1990
Eagle, Colorado 81631

STATE OF COLORADO)
COUNTY OF EAGLE) SS

The foregoing Certificate of Dedication and Ownership was acknowledged before me this ____ day of _____, A.D. 20__, by Scott Turnipseed as _____ of Little Horn LLC.

My Commission expires _____
Witness my hand and official seal.

(SEAL) _____
Notary Public

MORTGAGEE OR LIENHOLDERS CERTIFICATE

_____ does hereby certify that it is the holder of a Deed of Trust against the lands shown on this Plat and hereby consents to the Annexation to the Town of Eagle, of the lands shown hereon.

Mortgagee: _____, as _____.

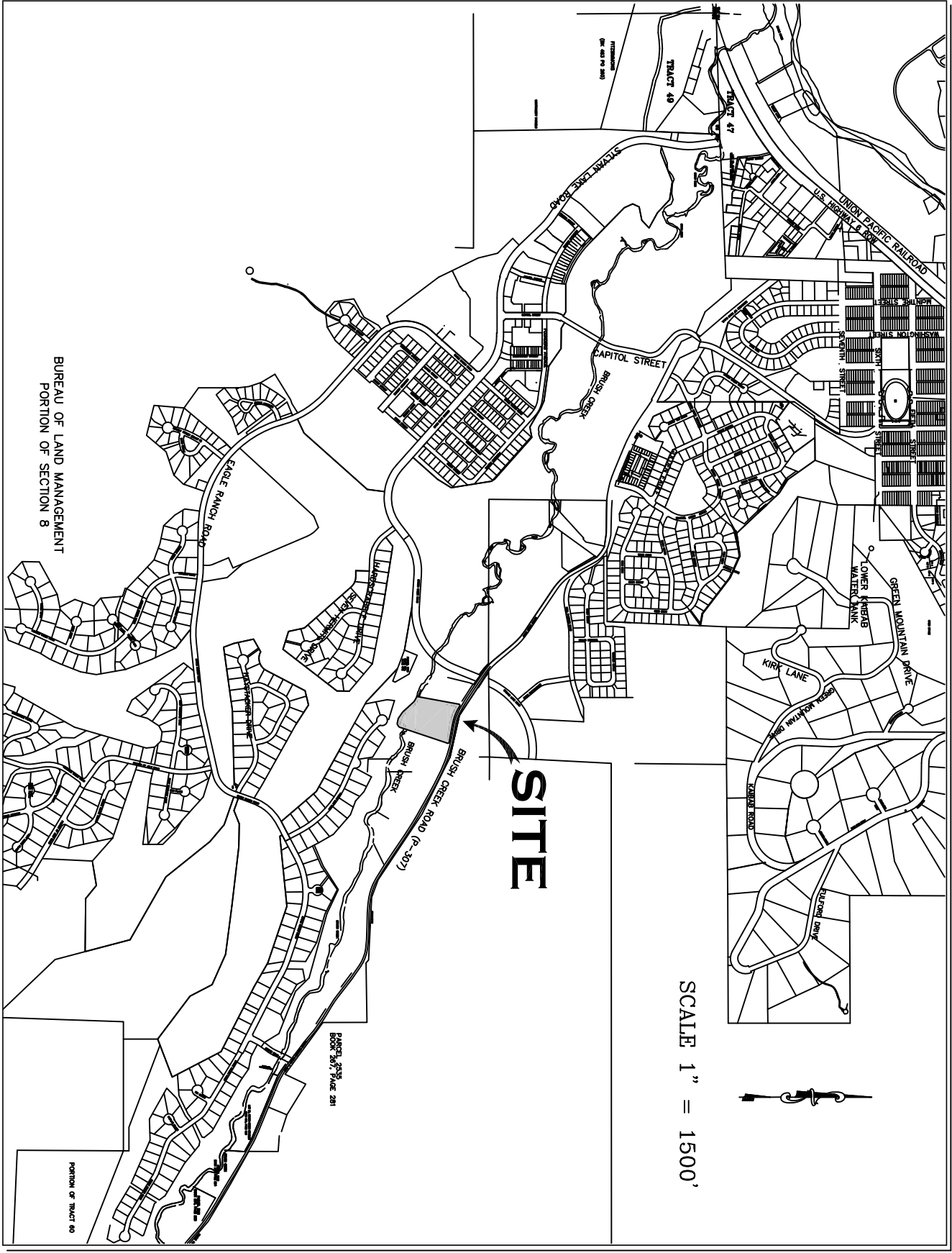
Address: _____

My Commission expires _____
Witness my hand and official seal.

(SEAL) _____
Notary Public

LAND SURVEY PLAT AND ANNEXATION

Homeste 2,
The Colorado River & Eagle Company
Rural Homesites Nos 1, 2 & 3
Part of Northeast Quarter of Section 9,
Township 5 South, Range 84 West 6 th P.M.
County of Eagle, State of Colorado



SITE FALLS IN
PORTION OF NORTHEAST QUARTER OF SECTION 9
TOWNSHIP 5 SOUTH, RANGE 84 WEST, 6th P.M.

LAND USE SUMMARY			
PARCEL	LAND USE	AREA	Address
HOMESITE 2	Residential	4.387 Acres	1819 Brush Creek Rd
TOTAL		4.387 ACRES	

SURVEYORS CERTIFICATE

I, Matthew S. Slagle, a Professional Land Surveyor licensed under the laws of the State of Colorado, do hereby certify that this survey was made under my direct supervision and that the information hereon is correct to the best of my knowledge and belief, and that no less than one-sixth (1/6) of the perimeter of the area as shown hereon is contiguous with the existing boundaries of the Town of Eagle, Colorado.

Executed this ____ day of _____, 20__.

TOWN COUNCIL CERTIFICATE

The Town Council of the Town of Eagle, Colorado, by Resolution No. _____, duly adopted on the ____ day of _____, 20__, found and determined that annexation of the property designated herein complies with the requirements contained in Article 12, Title 31, C.R.S., as amended and that said property is eligible for annexation to the Town of Eagle. The Town Council of the Town of Eagle, Colorado, by Ordinance No. _____, duly adopted on the ____ day of _____, 20__, did annex the property described hereon to the Town of Eagle, Colorado. _____

TITLE CERTIFICATE

_____ does hereby certify that it has examined the title to all lands shown upon this Plat and that title to such lands is vested in _____, free and clear of all liens, taxes and encumbrances, except as follows:

AGENT _____

CERTIFICATE OF TAXES PAID

I, the undersigned, do hereby certify that the entire amount of taxes and assessments due and payable as of _____ upon all parcels of real estate described on this Plat are paid in full.

Dated this ____ day of _____, A.D. 20__.

Treasurer of Eagle County, Colorado

SURVEYOR'S NOTES:

- 1) Survey Date: February 2021.
- 2) Basis of Bearing: S 25°53'55" E between found survey monuments marking the Northwest Corner and witness corner to the Southeast Corner both of Homestead 2, subject parcel, as shown and described hereon. This Bearing is based off the hereon referenced Final Plat of The Colorado River and Eagle Company Rural Homesites Nos 1, 2, & 3.
- 3) The purpose of this Land Survey Plat and Annexation is to depict contiguity of the subject parcel with the existing Town of Eagle Boundary also in conformance with CRS 38-51-106. This contiguity is 863.58' / 1751.82' or 12.03 and 49% of total Boundary perimeter.
- 4) Posted Address: 1819 Brush Creek Road
- 5) This survey was performed without the aid of a title commitment or policy.
- 6) Location of Boundary lines, Improvements, and Easements are based upon Warranty Deed recorded as Reception No. 201809156, Final Plat of The Colorado River and Eagle Company Rural Homesites Nos 1, 2, & 3 and survey monuments found, along with reference to the Final Plat of Eagle Ranch Filing No. 3, recorded as Reception No. 718009. In regards to the southern Boundary of the subject Parcel, Homestead 2, and its contiguity with lands platted with Eagle Ranch Filing No. 1 and 3, it is the belief of this surveyor that the intention of the plat of The Colorado River and Eagle Company Rural Homesites Nos 1, 2, & 3 to hold the geometry given on said plat of the then centerline of Brush Creek. This is held due to wording in legal description of said plat stating the same. The Eagle Ranch plat hold the Boundary of The Colorado River and Eagle Company Rural Homesites Nos 1, 2, & 3 as senior and contiguous with.
- 7) Lineal Units of the U.S. Survey Foot were used herein.

CLERK AND RECORDERS CERTIFICATE

This Plat was filed for record in the Office of the Clerk and Recorder at _____ o'clock _____, on this ____ day of _____, 20__, and is duly recorded at Reception No. _____.

Clerk and Recorder
By: _____
Deputy _____

SLAGLE SURVEY SERVICES

800 Castle Drive - P.O. Box 751 Eagle, Colorado 81631
970.471.1499 Office mathew@slaglesurvey.com
www.SlagleSurvey.com

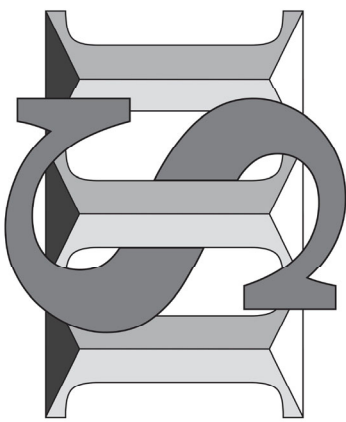
LAND SURVEY PLAT AND ANNEXATION

Homeste 2,
The Colorado River & Eagle Company
Rural Homesites Nos 1, 2 & 3

DRAWN BY:	ISSUED:	DRAWING NAME:
MSS	19047	15047 Annexation
SHEET 1 OF 2		DATE: 02-10-2021

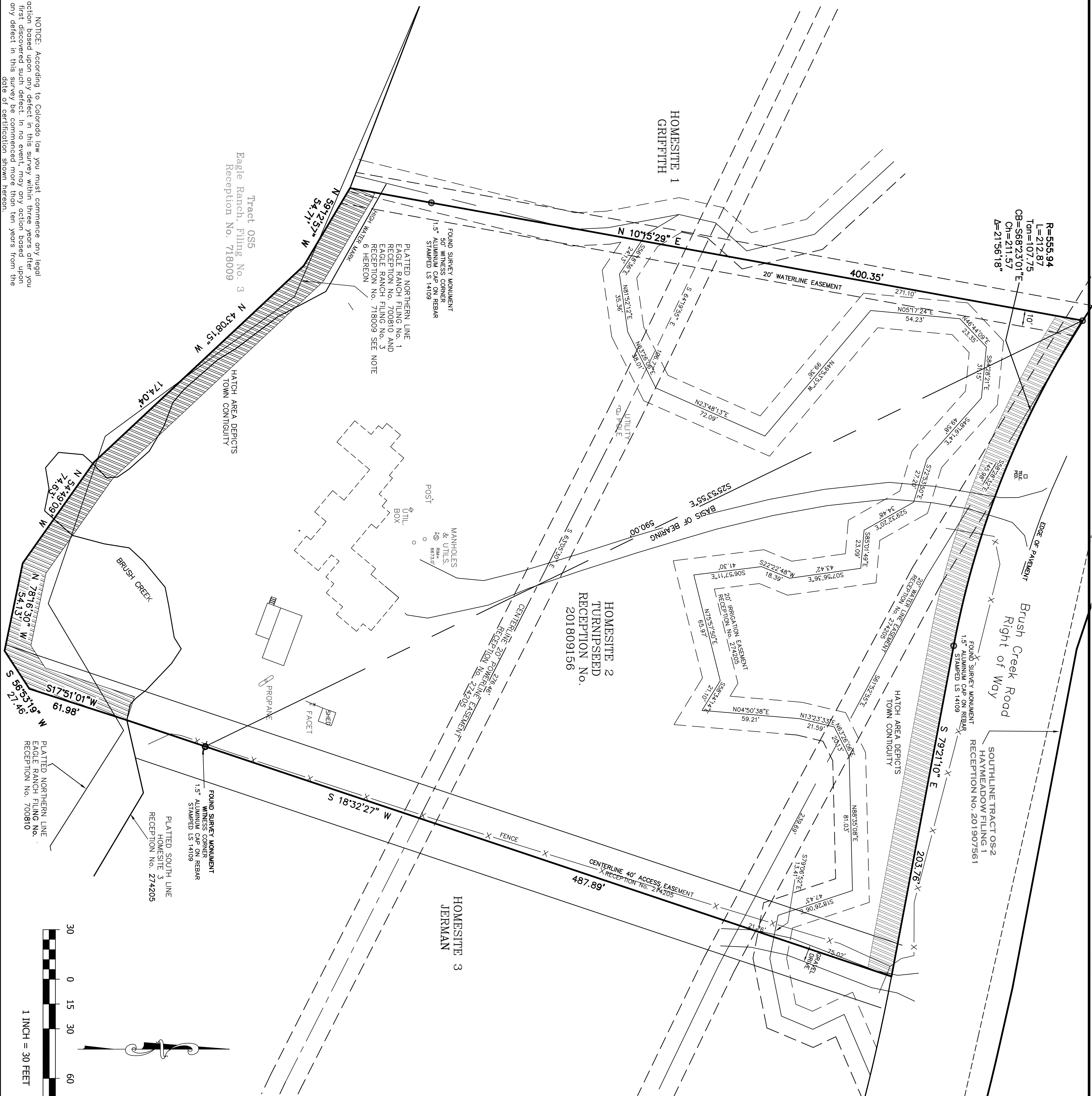
NOTICE: According to Colorado law you must commence any legal action based upon any defect in this survey within three years after you first discovered such defect. In no event, may any action based upon any defect in this survey be commenced more than ten years from the date of certification shown hereon.

Matthew S. Slagle PLS 34998
Professional Land Surveyor
State of Colorado



LAND SURVEY PLAT AND ANNEXATION
Homestead 2,
The Colorado River & Eagle Company
Rural Homesteads Nos 1, 2 & 3
Part of Northeast Quarter of Section 9,
Township 5 South, Range 84 West 6 th P.M.
County of Eagle, State of Colorado

SHEET 2 OF 2



Matthew S. Slagle P.L.S. 34998
Professional Land Surveyor
State of Colorado

Revised Additional Topo 05-28-2020 MSS
Revised Setback 01-09-2020 MSS

SLAGLE SURVEY SERVICES

800 Castle Drive - P.O. Box 751 Eagle, Colorado 81631
970.471.1499 Office matthew@slaglesurvey.com
www.SlagleSurvey.com

Land Survey Plat and Annexation

HOMESTEAD 2,
The Colorado River & Eagle Company Rural Homesteads
County of Eagle, State of Colorado

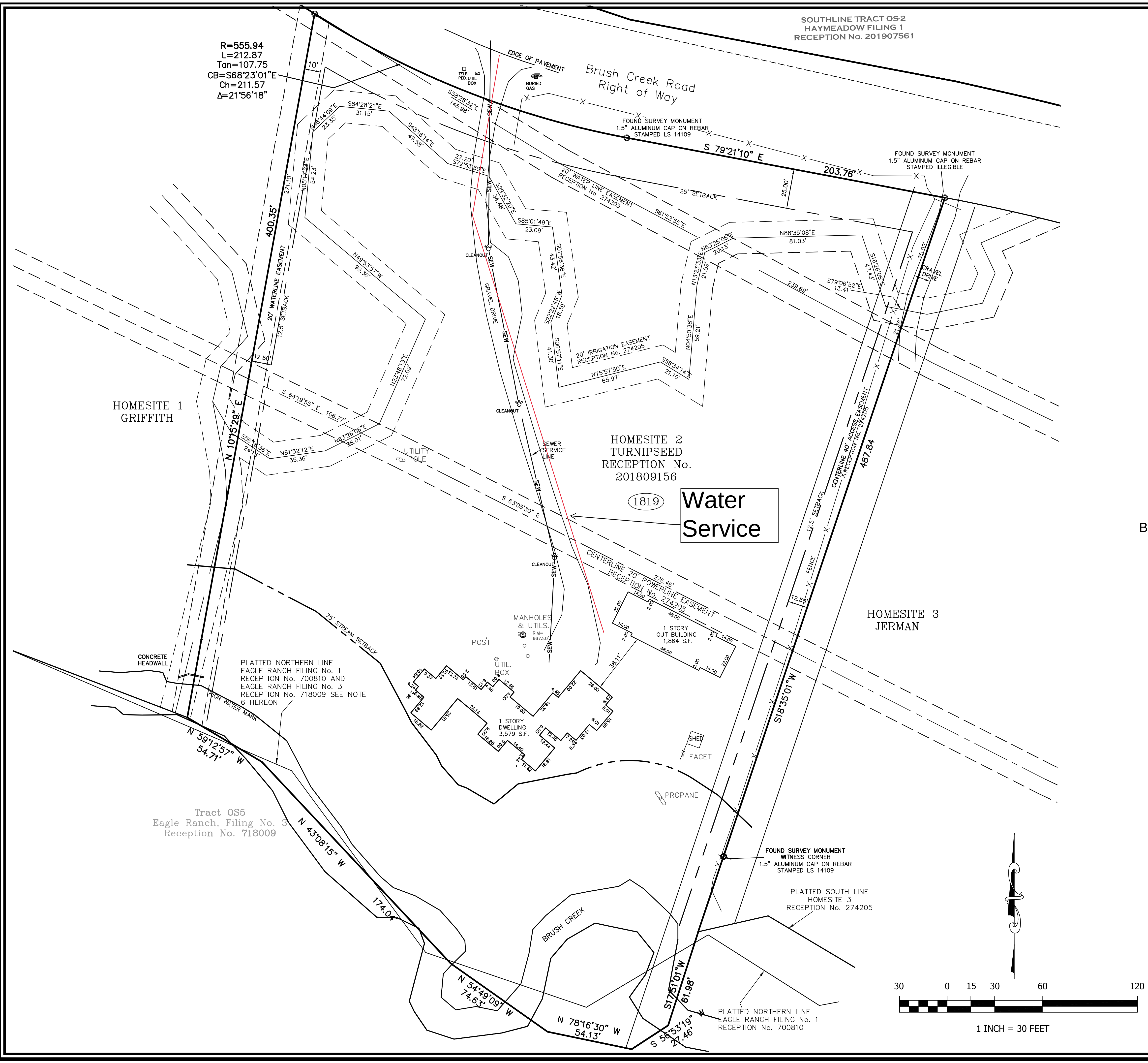
DRAWN BY:	MSS	329 NUMBER:	19047	DRAWING NAME:	15047 Annexation
SHEET	2 OF 2	DATE:	02-10-2021		

NOTICE: According to Colorado law you must commence any legal action based upon any defect in this survey within three years after you first discovered such defect. In no event, may any action based upon any defect in this survey be commenced more than ten years from the date of certification shown hereon.

SITE PLAN FOR ZONING
Homesite 2,
The Colorado River & Eagle Company
Rural Homesites Nos 1, 2 & 3
Part of Northeast Quarter of Section 9,
Township 5 South, Range 84 West 6 th P.M.
County of Eagle, State of Colorado

LEGAL DESCRIPTION:
Homesite 2, The Colorado River & Eagle Company Rural Homesites, Eagle county Colorado, according to the Final Plat thereof, as filed for record on February 6, 1984 at Reception No. 274205 in the Clerk and Recorder's Office, County of Eagle, State of Colorado.

Building Height - 18 foot maximum



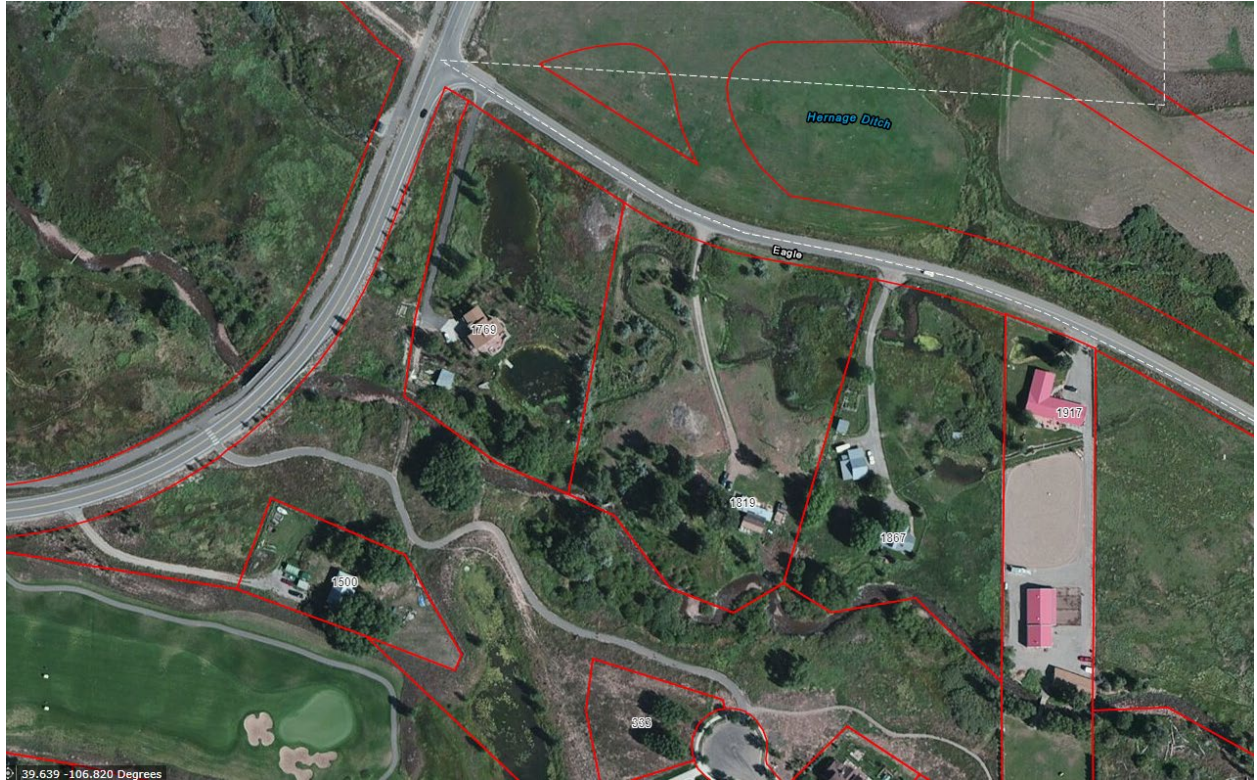




Photo taken from the front yard setback.



Photo from home facing Soleil at Brush Creek subdivision.



Image of accessory structures.



To: Planning and Zoning Commission

From: Chad Philips, Director, Community Development Department
Jessica Lake, Planner I, Community Development Department
Peyton Heitzman, Planner I, Community Development Department
Nikki Davis, Administrative Technician II, Community Development Department

Date: May 18, 2021

Agenda Item: Community Development Department Update

COMMUNITY DEVELOPMENT DEPARTMENT UPDATE:

Comprehensive Plan / Land Use Code Update

- The Land Use Code update
 - The review committee has selected Clarion Associates for the Land Use Code update.
 - Staff is hoping to have the contract finalized and to Council on May 25th.
- Elevate Eagle Comprehensive Plan
 - Appendix A revisions – we will be reaching out to Eagle County Housing and DOLA for updated housing data – temporarily on hold due to workload.
 - FLUM updates to reflect zoning map – temporarily on hold due to workload.

Long Range Planning

- Grand Ave Corridor Study
 - Survey work has begun as well as high level engineering data collection.
 - Council work session scheduled for June 1st.
- East Eagle Sub Area Plan (RED Development parcel)
 - Work session with P&Z was held on May 4th.
 - Council work session scheduled for June 1st, this meeting will include both Grand Ave Corridor Study and EESAP.
- SolSmart (Bronze Solar Designation) – CommDev lead project
 - Baseline zoning assessment has been completed.

Community Core Software

- Planning staff is working on migrating land use files to the Community Core software. This software is currently used for building permits. This work will be ongoing for the foreseeable future.

A Planner of the Day schedule has been implemented to field zoning questions from the public. Staff received (15) questions in April and (6) so far in May; many of these questions require ongoing conversations.



Code Enforcement

- Planning staff has (1) active code enforcement case.
- Building staff has (0) active code enforcement cases.

APPLICATIONS IN PROGRESS:

Pre-Application Meetings

- (4) pre-application meetings were held in April.

Applications

- Red Mountain Ranch
 - Landowners working with 1) CDOT on Hwy 6 access and 2) water system engineering.
 - No additional updates
- Reserve at Hockett Gulch
 - Pre-application meeting for Subdivision and Major Development Permit was held in April.
 - Responding to developer questions regarding excel/decel lanes on Sylvan Lake Rd and Hwy 6, type of toilet facility at trailhead, raw water irrigation, fees, etc.
 - CommDev will be partnering with Carrie McCool as the lead planner for this application, Jess will assist as the staff contact.
 - Application is expected mid to late summer.
- Brush Creek Road Extension
 - Design/construction plans were submitted to Town Engineer in March.
 - Staff to work with CDOT (potential need to raze building to accommodate road and 10' path)
 - Collaborating Public Works to determine public outreach process.
 - Town Engineer approval of design drawings required by May 14th.
- Haymeadow
 - S20-01 Amended Final Plat
 - Reviews are completed and final comments are being addressed.
 - Mylars, signatures and recording likely to be completed prior to March 1st – this was not done, an administrative extension has been applied for and been granted.
 - PUDA20-01 PUD Amendment
 - Application was presented to Council on April 27th.
 - Cabin portion of the application was continued to May 25th.
- AN20-01 Powell Park Annexation
 - Application was approved by Council on April 27th.
- AN20-02 Basecamp Annexation
 - Annexation, Zoning and Special Use Public Hearing scheduled for April 13th – continued to May 25th.
- DR21-01 Sinclair Station
 - Completeness review pending – incomplete application as of May 11th.
- SU21-02 629 Sawatch Special Use Permit
 - Application was approved by Council on April 27th.
- SU21-03 113 E. Fourth Street Veterinary Clinic
 - Application was approved by Council on May 11th.



- AN21-01 1819 Brush Creek Road Annexation
 - Will be presented to P&Z on May 18th
 - Council public hearing set for June 8th
- PUDA21-01 Eagle Ranch PUD Amendment
 - Application received – completeness review phase underway
- PUDM21-01 ER Minor Amendment for 1028 Hernage Creek Rd
 - Administrative review
 - Application under review and administrative hearing to take public comment is scheduled for May 24th.

Meeting Schedule:

May 2021
May 25 th (Town Council) ○ Discussion Item: East Eagle Sub Area Plan (EESAP) continue to June 1st ○ PUDA20-01 Haymeadow Cabin PUD Amendment (continued from April 27th) ○ Clarion PSA and resolution
June 2021
June 1 st (Planning & Zoning Commission) ○ No P&Z Meeting scheduled ○ Town Council work session – Grand Ave and EESAP
June 8 th (Town Council) ○ AN21-01 1819 Brush Creek Road Annex Public Hearing ○ CommDev Department update
June 15 th (Planning & Zoning Commission) ○ Adoption Hearing: EESAP ○ Dept & Council Update
June 22 nd (Town Council) ○ No files scheduled at this time
July 2021
July 6 th (Planning & Zoning Commission) ○ No files scheduled at this time
July 13 th (Town Council) ○ Ratification Hearing: EESAP ○ CommDev Department Update
July 20 th (Planning & Zoning Commission) ○ No files scheduled at this time ○ Dept & Council Update
July 27 th (Town Council) ○ No files scheduled at this time



BUILDING DEPARTMENT:

Major Construction Projects Under Review and Oversight:

- Broadway Station Mixed Use/Multi-Family
 - Elevator permit received from NWCCOG on 3-30-21, pre-drywall inspection completed.
- Talon Flats Mixed Use/Multi-Family
 - Plumbing rough inspection (excluding roof drains) completed, electrical and mechanical rough inspections completed. PV Systems PR on hold, waiting for AOR/EOR information.

TYPE OF WORK PERFORMED	NUMBERS PERFORMED IN 2020	NUMBERS PERFORMED TO-DATE 2021
Inspections (n/i planning/pw)	1,970	395
Building Permits Processed	453	81

TOWN COUNCIL UPDATE:

April 27, 2021 Council Meeting:

Public Hearings and Business Items:

- AN20-01 Powell Park Annexation:
 - Application was approved by Council.
- PUDA20-01 Haymeadow PUD Amendment Request to Continue to April 27th.
 - Council opened the application and took public comment.
 - Council voted to approve the Ordinance for the School Swap, the vote did not pass with (4) council members voting nay.
 - Council had questions regarding the conditions of approval for the cabin and voted to continue the application until the May 25th meeting.
- SU21-02 629 Sawatch Contractor Yard Special Use
 - Staff and the applicant presented, no public comment was received.
 - Council discussed the Conditions of Approval and the landscaping in particular.
 - Council revised the condition of approval to include a 6' high front fence in lieu of the landscaping.
 - The application was approved.
- Resolution No. 40, Series 2021, "A Resolution Approving an Agreement Between Eagle County and the Town of Eagle for Use, Operation and Maintenance of the Eagle River Park at the Eagle County Fairgrounds Property" – approved.

April 13, 2021 Council Meeting:

Public Hearings and Business Items:

- AN20-02 Base Camp Eagle Annexation; SU20-03 Recreational vehicle park Special Use Permit; RZ20-02 Zoning:
 - Opened for 1 hr.
 - Annexation and Development Agreement is still being drafted; the applicant is requesting a continuance until May 25th.
 - The Attorney provided direction on the process for this hearing, and the applicant presented, Council



asked questions and took Public Comment.

- Staff presented on additional public comment received, the property owner and the land planner presented on the application.
- Council heard from members of the public on this application.
- Council voted to continue the application until May 25th.
- SU21-03 113 E. Fourth Street Special Use Permit for a Veterinary Clinic
 - Council opened the file, staff and the applicant presented, public comment was heard, Council discussed and approved removing 2 conditions of approval.
- Resolution 35, Series 2021, "A Resolution of the Council of the Town of Eagle, Colorado, Amending the Fee Schedule Pursuant to 2.34 of the Eagle Municipal Code Concerning Fire Impact Fees" – approved.
- Resolution 36, Series 2021, "A Resolution of the Council of the Town of Eagle, Colorado adopting the Climate Action Plan Update 2020" – continued until after Council's July work session on sustainability.
 - Council expressed concern about how the Town is tied to the goals included in this plan – would like to encourage the plan rather than adopt it.
- Resolution No. 39, Series 2021, "A Resolution by the Council of the Town of Eagle, Colorado Endorsing the Eagle County Community Wildlife Roundtable Action Plan" – approved.
- Employee Home Ownership Program Amendments – approved.
- Roof Top Unit Replacement Town Hall Budget Amendment - \$20,000 – approved.
- Eagle County VISTA Committee Council Appointment – Council member Janet Bartnik appointed.