



MEETING MINUTES
Planning & Zoning Commission and Town Council Joint Work Session
Tuesday, September 7, 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

This was an in-person meeting with access for the public to attend via Zoom.

6:00 PM – REGULAR MEETING CALLED TO ORDER

MOTION: COMMISSIONER KEEGAN WINKELLER MOTIONED TO APPOINT COMMISSIONER KYLE HOILAND AS CHAIR FOR THE MEETING. MOTION WAS SECONDED BY COMMISSIONER KYLE HOILAND AND APPROVED UNANIMOUSLY.

Commissioner Hoiland called the meeting to order at 6:06 PM.

COMMISSIONERS PRESENT

Kyle Hoiland, Bill Nutkins, Keegan Winkeller,
Charlie Perkins, Lani Webb (via Zoom)

COUNCILMEMBERS PRESENT

Scott Turnipseed, David Gaboury, Janet Bartnik,
Geoffrey Grimmer, Ellen Bodenhemier, Mikel Kerst

COMMISSIONERS ABSENT

Matthew Hood, Jesse Gregg,
Robert Townsend

COUNCILMEMBERS ABSENT

None

STAFF

Brandy Reitter – Town Manager
Chad Phillips – Community Development Director
Tom Gosiorowski, Public Works Director
Peyton Heitzman – Planner I
Jessica Lake – Planner I
Nikki Davis - Administrative Tech II

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

Public comment opened at 6:07 PM. There was no public comment.

WORK SESSION

1. Project: East Eagle Sub Area Plan (EESAP)
File #: LURA21-03
Applicant: Town of Eagle
Location: East Eagle – 175 acres East of Chambers Ave, between Hwy 6 and I-70
Staff Contact: Chad Phillips, Community Development Director
Peyton Heitzman, Planner I
Jessica Lake, Planner I
Request: Staff is looking for input from the Town Council (Council) and the Planning & Zoning Commission (Commission) on the draft EESAP and the Conceptual Land Use Diagram/Future Land Use Map (FLUM).

Staff Presentation

Rather than a traditional presentation, staff focused on a list of discussion questions for Council and the Commission to consider. They are as follows:

- *Are there any suggestions for improvements to the draft subarea plan?*
- *Are any goals/policies missing from the plan?*
- *Goal #5 speaks to residential on the planning area. Are these policies still relevant under the revised FLUM?*
 - *Goal: To ensure an appropriate mix of residential, commercial, and industrial development through the Town, residential development should be limited in the EESAP area.*
- *Is there an appropriate amount of residential in the FLUM considering the residential uses allowed under the definitions of the Mixed Use and Commercial/Light Industrial land use categories?*
- *The Commercial/Light Industrial states that residential uses are limited and will mainly include employee units located above street level.*
 - *Is this description too broad to determine the appropriate amount of residential for this land use category?*
 - *For example, in the existing Commercial General zone district, residential is only permitted as an accessory use or above street level.*
- *Is the draft language for the Mixed-Use category appropriate?*
 - *Should condo and apartment buildings be allowed as a use by right?*
 - *If yes, how do we ensure there is a balance between commercial and residential overall?*
- *In terms of land uses on the FLUM, should land north of the interchange and east of the wildlife corridor be Commercial/Light Industrial (as drafted) or would Interstate Commercial be more appropriate?*

Mr. Phillips expanded on these questions by also asking if we increase Residential or keep the conceptual map as is, are there any foreseeable conflicts with the draft policies?

Mayor Turnipseed asked to clarify the land uses under consideration. First, that Interstate/Commercial would have limited Residential; Commercial/Light Industrial would be live/work, promoting workforce housing; and lastly, that Mixed-Use currently has an undetermined ratio of Commercial to Residential. Mr. Phillips replied that previous direction

given suggested that Mixed-Use be defined per site, not by a specific area; that Commercial/Light Industrial would represent a look reflective of what exists on Chambers Avenue today; and that Residential would be a minor use throughout all the East Eagle zone districts.

A variety of topics were discussed such as the regulations for residential uses above Commercial; the requirements and regulations for large-scale retail operations; suggestions to maximize Interstate Commercial, adjust Commercial/Light Industrial further west and expand Mixed-Use further east; and aligning Residential uses to complementary areas such as the Future River Access and Park and the Red Mountain Ranch development. Previously noted feedback such as a balanced approach, flexible interpretation, encouraging developer investment, and avoiding the creation of a third downtown district were also echoed. Mayor Turnipseed voiced strong notions of approving more Commercial to sustain long-term financial security for the Town. Several Councilmembers also supported this comment. Councilmember Grimmer commented that the conceptual map is inconsistent with Goal #5 of the draft EESAP and favors the original conceptual map. Additionally, with the assorted zoning, Councilmember Grimmer said this is beginning to feel like an extension of Chambers Avenue. Mayor Turnipseed suggested adjusting the goals and policies instead of changing the map. Town Manager Reitter commented that the intent of this project is to create an intentional and predictable planning document.

Public Comment

Public comment opened at 6:50 PM.

Brett Heron, (address not stated) – Mr. Heron is the landowner-developer representative with RED Development. First, Mr. Heron restated their proposal to provide a land use study, which was declined by Council. He advised that the study could be helpful to determine how much more industrial, office and retail are needed in East Eagle and offered to finance the project. RED Development is considering a specific consultant already who estimates a six-week window to complete the study. Mr. Heron wanted to clarify their intention for the Mixed-Use area explaining that it would be Residential above ground-floor Commercial uses. He estimated that Residential would equal roughly 8% of the total East Eagle area. Mr. Heron suggested consolidating to one Commercial designation then identifying specific use areas through a separate zoning document. Mr. Heron's last suggestion was to convert 15 acres of the far western Commercial/Light Industrial site to Residential because most inquiries they receive are for high-density residential development. Having Residential in that area would help develop the preliminary infrastructures and roads required for subsequent phases.

Both the Council and Commission expressed mixed opinions on the proposed residential change. Mayor Turnipseed was still opposed to the landowner sponsored study and members from Council and the Commission agreed with this. Councilmember Grimmer inquired if staff could collaborate with Mr. Heron on the study and Town Manager Reitter replied that the Town would need to manage and pay for this study since it is not linked to a development application. This approach will likely cost \$30,000 - \$60,000 and take nearly a year to complete.

Mr. Phillips commented that the draft being presented will be the zoning and planning document. The planning document will be a combination of the map and policies to guide decisions on the appropriate land uses for this site.

Commissioner Hoiland asked for feedback on this mix: reducing Interstate Commercial, increasing Commercial General and shifting Mixed-Use to the west end, and converting Mixed-Use to Residential. Are there compatibility issues?

Councilmember Bodenhemier added that Interstate Commercial requires higher design standards. She said it would be wise to preserve this designation as it relates to creating a future Eastern Gateway.

Mr. Phillips commented on considering types of dwellings and if we are also considering children and amenities suited for them. He asked if this is an appropriate location for Residential since it is directly next to Commercial and situated

between a highway and an interstate. Councilmember Bartnik expressed opposition to adding High-Density Residential, citing the lack of sufficient access to community services, open space, and amenities. Councilmember Bodenhemier asked what the triggers are for High-Density or Multi-Family to require open space and community amenities.

Mayor Turnipseed expressed a preference for restricting Residential in Mixed-Use and allowing for employee housing above Commercial.

Merv Lapin, (address not stated) – Mr. Lapin expressed how significantly the Town relies on sales tax revenues. There is no other area in Town viable for highly visible commercial development apart from East Eagle. Mr. Lapin estimates that in 20 years, the Town will grow to a population of 20,000 people. Mr. Lapin supports commercial development and that presently, the easiest projects that quickly generate revenue are Residential.

Councilmember Gaboury commented that the Town has other projects and initiatives and if we don't find space for them, they will not be successful. His preference is to keep the Commercial/Light Industrial and Interstate Commercial as their own districts. Additionally, we should not mix any Residential within the 26 acre Commercial/Light Industrial site.

Mr. Heron commented that recreational use can still fit within the 26-acre western parcel even if half of it was used for High-Density Residential with on-site amenities. He wanted to highlight the importance of residential to initiate development and expand infrastructure.

Councilmember Grimmer commented that he disagrees with the projection of having 20,000 residents in town. He also asked if it's feasible to create a separate property tax district in East Eagle with lower tax margins while leveraging that to make Residential more valuable. Lastly, he commented that if we become a two-exit town, that highway exit should be west of Eagle and recommended that we collaborate with Gypsum. The latter idea also helps with obtaining federal funding.

Councilmember Kerst replied that the Town should collaborate with both Gypsum and Eagle County as it relates to a western highway exit. He is also in support of creating more Commercial opportunities and generating revenues for the Town.

Mayor Turnipseed believes that any residential in this area should be deed restricted for Eagle County residents and people who work in Eagle. Second homeowners should be restricted from investing in this area. Town Manager Reitter commented that we cannot enforce deed restrictions on rentals.

Commissioner Perkins inquired about the 35 ft. building height restriction and Mr. Heron confirmed that most Multi-Family developers prefer a four-story building height minimum.

Mayor Turnipseed asked about potential challenges selling developments that are deed restricted and Mr. Heron replied he does not have enough experience to advise on this issue. However, Mr. Heron does envision this area as rentals and not for second homeowners. Following this, Mayor Turnipseed asked if the Town needs more rental units in East Eagle since many are already being developed in Reserve at Hockett Gulch.

In summary, the majority of both the Council and the Commission were in support of maintaining a higher percentage of commercial sites in East Eagle. While high-density residential development was recognized as a critical element in the initial phase, the Council and the Commission seemed to favor removing both residential and mixed-use from the plan. Last, the site between the electrical line and wildlife corridor plus the 17.6-acre eastern parcel should all be converted to Interstate Commercial.

Public comment closed at 8:05 PM.

Mr. Phillips recapped the following items to guide staff in creating the next draft. They are as follows:

- Ensure clear, flexible language and definitions in both the Commercial/Light Industrial and Commercial Interstate locations.
- The 17.6-acre far east parcel will be converted to Interstate Commercial and further labeled as 'Gateway Element'.
- The section between the power line and drainage will be converted to all Interstate Commercial.
- To prevent or limit continuous boundary modifications to the map, staff will add language that allows flexible interpretation of variances, as also seen in the Elevate Eagle Comp Plan.
- The 26-acre western parcel will remain as Commercial/Light Industrial.

The Planning Commission will consider an adoption draft, followed by ratification.

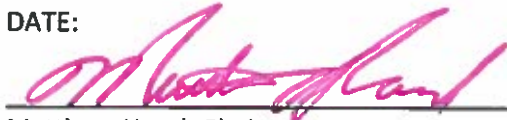
ADJOURN

MOTION: COMMISSIONER BILL NUTKINS MOTIONED TO ADJOURN. MOTION WAS SECONDED BY COMMISSIONER CHARLIE PERKINS AND PASSED UNANIMOUSLY.

MEETING ADJOURNED AT 8:15 PM.

APPROVED:

DATE:



Matthew Hood, Chairman



Nikki Davis, Administrative Tech II