



MEETING MINUTES
Planning & Zoning Commission
Tuesday, April 5, 2022, 6:00 PM
Public Meeting Room / Eagle Town Hall
200 Broadway, Eagle, CO 81631

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

PUBLIC WIFI - 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

Chair Hood called the meeting to order at 6:02 PM.

COMMISSIONERS PRESENT

Matt Hood, Keegan Winkeller,
Charlie Perkins, Jesse Gregg,
Bill Nutkins

COMMISSIONERS ABSENT

Lani Webb, Kyle Hoiland

STAFF

Jim White – Interim Town Manager
Chad Phillips – Community Development Director
Dennis Wike – Town Engineer
Nikki Davis - Administrative Tech II

APPROVAL OF MINUTES

1. Minutes dated March 15, 2022

The March 15, 2022 minutes were approved without change.

PUBLIC COMMENT

Public comment opened at 6:02 PM. There was no public comment.

PUBLIC HEARINGS

1. Project: Haymeadow Minor Subdivision of Tract Z
 File #: MS22-01
 Applicant: Abrika Properties, LLC
 Location: Tract Z
 Staff Contact: Jessica Lake, Planner I
 Request: A resubdivision of Haymeadow Tract Z in order to plat the Cabin Parcel and the Conservation Fund Parcel.

Staff Presentation

The applicant is requesting to resubdivide 194 acres on the southeast end of the Haymeadow property. Currently, the 194-acre parcel is under contract with the Conservation Fund in order develop a conservation easement. If the land sale is approved, lot lines will need to be established. Additionally, the subdivision will show the special events cabin as being on private property; a condition from the 2021 PUD Amendment approval.

Q & A

Nutkins asked if Neighborhood D would dissolve with the Conservation Fund approval. Phillips confirmed, yes. Hood asked if Neighborhood D goes away, is the conservation easement still part of the PUD? Phillips replied this is still being reviewed. There is the option to designate the land as open space and write restrictions into the conservation easement. Or the Town could de-annex the land which would require an amendment to the Haymeadow PUD.

Nutkins asked if Eagle County was buying the land in order to continue their existing conservation easement. Rick Pylman, the applicant representative, described that normally a Conservation Fund or another form of land trust processes the initial purchase, then conveys the land back to the county. The county is then responsible for upholding the conservation easement in perpetuity.

Applicant Presentation

Pylman identified Haymeadow Filing 1 Final Plat which is the far west region that includes half of Neighborhood A1 and the Fire Station on Ouzel Lane. Today, the rest of the Haymeadow property consists of one 508-acre parcel. Establishing the Conservation Fund Parcel would split the 508-acres into two areas. If the conservation easement is established, Neighborhood D and the cabin use would be eliminated. If the land sale is not approved, the applicant is required to submit a plat for the cabin by a predetermined date.

Q & A

Hood clarified this is private land that needs to be subdivided, however, the development plan is yet to be determined. Pylman confirmed this, stating approval would not impact zoning or land use stipulations. Hood voiced concerns with relocating density if the conservation easement is approved. Pylman added there is no proposed plan yet as to how Neighborhood D density would be relocated or absorbed elsewhere in the PUD if the conservation easement is approved.

Perkins asked what access to the cabin looks like. Pylman said it will be a gravel road.

Public Comment

Public comment opened at 6:15 PM. There was no public comment.

Deliberation

The Commission unanimously agreed there are no issues with the application and that the subdivision request is straight forward. Perkins acknowledge a potential benefit of reducing traffic on Brush Creek Road while Gregg echoed the need to consider the loss of density.

MOTION: GREGG MOTIONED TO APPROVED FILE # MS22-01, HAYMEADOW MINOR SUBDIVISION OF TRACT Z WITH THE FOLLOWING CONDITIONS. CONDITION #2 WAS AMENDED AND APPROVED DURING THE HEARING.

- 1. WITHIN 30 DAYS OF APPROVAL, THE FINAL PLAT SHALL BE REVISED TO REFLECT ANY ADDITIONAL TECHNICAL COMMENTS FROM THE PUBLIC HEARINGS, TOWN STAFF, OR REFERRAL AGENCIES.**
- 2. IF THE CABIN PARCEL AND TRACT Z2 ARE PRESERVED AND THE DEVELOPMENT POTENTIAL APPROVED IN THE PUD IS REMOVED AS A RESULT, THE LANDOWNERS SHALL APPLY FOR AMENDMENT OF THE PUD WITHIN THREE (3) MONTHS OF THE PLACEMENT OF A CONSERVATION EASEMENT. THE INTENT OF THE PUD AMENDEMENT WOULD BE TO REVISE THE APPROVED PUD DEVELOPMENT PLAN TO REFLECT THE CONSERVATION EASEMENT.**
- 3. IF THE CABIN PARCEL IS TO BE DEVELOPED AS APROVED UNDER THE AMENDED PUD, A DEVELOPMENT PERMIT WILL BE REQUIRED. THE CRITERIA INCLUDED AS PART OF CHAPTER 4.13 SUBDIVISION DESIGN, IMPROVEMENTS, AND DEDICATIONS (AS AMENDED) SHALL BE ADDRESSED AT THAT TIME.**

MOTION WAS SECONDED BY NUTKINS AND PASSED UNANIMOUSLY.

Hood closed file # MS22-01.

2. Project: Code Amendment to Chapter 4.08 Sign Code
File #: LURA22-03
Applicant: Town of Eagle
Location: Town of Eagle
Staff Contact: Chad Phillips, Community Development Director/Town Planner
Request: For the Planning & Zoning Commission to make a recommendation to the Town Council to adopt and ratify an update to Chapter 4.08 – Sign Code.

Staff Presentation

There were sections of the Town's sign code that did not comply with Reed vs. Gilbert. The ruling from this U.S. Supreme Court case established that municipalities cannot read the contents of a sign to enforce it.

The Commission's comments from the March 15th work session were implemented into the recommendation draft.

Q & A

Hood asked for a summary of the changes implemented into the recommendation draft. Phillips noted a couple examples such as changes around uses in zone districts and standards for temporary signs. Other changes have been postponed until later in the ReCode Eagle process.

Hood also acknowledged the one public comment received about the draft sign code for the record.

Public Comment

Public comment opened at 6:28 PM.

Scott Schlosser and Rick Pylman acknowledged they are both on the Land Use and Development Code update committee. Pylman was complimentary of the consultant's work adding they have drafted a legally defensible sign code.

Deliberation

No further discussion.

MOTION: PERKINS MOTIONED TO APPROVE FILE # LURA22-03 WITH NO CONDITIONS, AS INCLUDED IN THE APRIL 5TH STAFF REPORT. MOTION WAS SECONDED BY NUTKINS AND PASSED UNANIMOUSLY.

Hood closed file # LURA22-03.

OPEN DISCUSSION

Phillips provided an update on Community Development staffing and a coverage plan with the Building Official's resignation.

Phillips added that staff received three applications for the Commission vacancies. The appointments will be made at the April 12th Town Council meeting.

The April 19th Planning Commission meeting is cancelled.

ADJOURN

MOTION: NUTKINS MOTIONED TO ADJOURN. MOTION WAS SECONDED BY GREGG AND PASSED UNANIMOUSLY.

MEETING ADJOURNED AT 6:35 PM.

APPROVED:

DATE:

Matthew Hood, Chairman

Nikki Davis

Nikki Davis, Administrative Tech II