



MEETING MINUTES
Planning & Zoning Commission
Tuesday, May 17, 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 – Eagle Guest

MEETING ACCESS INFORMATION AND PUBLIC PARTICIPATION

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

6:00 PM – REGULAR MEETING CALLED TO ORDER

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

1. New Member Oath, Keith Klesner
2. New Member Oath, Jennifer Filipowski

COMMISSIONERS PRESENT

Matt Hood, Keegan Winkeller,
Charlie Perkins, Jesse Gregg,
Bill Nutkins, Keith Klesner,
Jennifer Filipowski, Kyle Hoiland

STAFF

Chad Phillips – Community Development Director
Dennis Wike – Town Engineer
Peyton Heitzman – Planner II
Nikki Davis - Administrative Tech II

COMMISSIONERS ABSENT

None

APPROVAL OF MINUTES

1. Minutes dated April 5, 2022

The April 5, 2022 minutes were approved without change.

PUBLIC COMMENT

Public comment opened at 6:06 PM.

Jessica Von Stralendorff, 440 Washington St. – Von Stralendorff had a question on code enforcement. Her neighbor located at 446 Washington St. has been under construction for several years and there have been many code violations that have not been enforced. Most recently, they built a 6 ft. tall fence without a permit and Von Stralendorff was advised by the Town to hire an attorney to help resolve the disputes. Von Stralendorff was questioning why her attorney is responsible for enforcing the Town's code. Phillips responded that he would follow up with her separately.

Public comment closed at 6:08 PM.

PUBLIC HEARINGS

1. Project: Drever Lot Line Adjustment
File #: LLA22-04
Applicant: Brent Drever represented by Brennen Fitzgerald
Location: 462 & 438 Abrams Creek Drive
Staff Contact: Peyton Heitzman, Planner II
Request: To vacate the lot line between lots 36 & 37, consolidating two lots into one lot.

Staff Presentation

There is a single-family home located on 462 Abrams Creek Drive (lot 37), while lot 36 to the north is vacant. With the consolidation, the lot line and easements running between the two properties will be vacated with the final plat. Staff reviewed the proposed final plat against the Town's subdivision standards determining it complies with those standards. Staff included that after consolidation, the land use will remain the same and that use is consistent with the Future Land Use Map and Comprehensive Plan. To conclude, staff recommended approval with three conditions.

The applicant has spoken with the Eagle Ranch Design Review Board (DRB). The recently amended Eagle Ranch Planned Unit Development (PUD) Guide does allow for lot consolidations.

Q & A

Hoiland asked if the property owner wants to build another structure, can they push it away from the house? Nutkins explained that Eagle Ranch's design guidelines prohibit the expansion of an established building envelope after combining two lots. Wike added the property owner intends to build a garage on the second lot.

Heitzman added the Town does not have standards that would prevent the property owner from constructing an accessory structure on that second lot, however, staff is unsure of Eagle Ranch's requirements.

Wike explained that utilities for the accessory structure must be linked to the primary structure on the property. There can only be one connection for water and sewer. Any other service lines will need to be abandoned and closed but can stay in the ground.

Public Comment

There was no public comment.

Discussion

Winkeller asked to clarify the condition of addressing technical comments within 30 days. Heitzman replied it is 30 days from resolution approval, which is signed by Town Council.

MOTION: PERKINS MOTIONED TO APPROVED FILE # LLA22-04, DREVER LOT LINE ADJUSTMENT, WITH THE FOLLOWING CONDITIONS:

- 1. WITHIN 30 DAYS OF THE DATE OF THIS RESOLUTION AND PRIOR TO THE RECORDATION OF THE PLAT DEPICTING THE LOT LINE ADJUSTMENT, OWNERS SHALL MAKE TECHNICAL CORRECTIONS TO THE APPLICATION DOCUMENTS AS DIRECTED BY TOWN STAFF. THE TOWN PLANNER MAY GRANT ONE ADMINISTRATIVE EXTENSION OF THIS DEADLINE OF UP TO 30 DAYS, UPON GOOD CAUSE SHOWN. ANY FURTHER EXTENSION MUST BE AUTHORIZED BY THE TOWN COUNCIL.**
- 2. WITHIN 30 DAYS OF THE DATE OF THIS RESOLUTION, OWNERS SHALL VERIFY THAT NO UTILITIES EXIST IN THE TWO SIDE YARD EASEMENTS TO BE VACATED. IF UTILITIES EXIST IN EITHER OR BOTH OF THE SIDE YARD EASEMENTS, OWNERS SHALL EITHER REMOVE THE UTILITIES WITH PERMISSION FROM THE APPROPRIATE UTILITY COMPANIES OR RETAIN THE REQUIRED UTILITY EASEMENT ON THE PLAT.**
- 3. WITHIN 180 DAYS OF THE DATE OF THIS RESOLUTION AND PRIOR TO RECORDATION OF THE PLAT DEPICTING THE LOT LINE ADJUSTMENT, OWNERS SHALL DEMONSTRATE TO THE TOWN THAT THE WATER AND SEWER SERVICE TO LOT 36 HAS BEEN PERMANENTLY ABANDONED. THE TOWN PLANNER MAY GRANT ONE ADMINISTRATIVE EXTENSION OF THIS DEADLINE OF UP TO 60 DAYS, UPON GOOD CAUSE SHOWN. ANY FURTHER EXTENSION MUST BE AUTHORIZED BY THE TOWN COUNCIL.**

MOTION WAS SECONDED BY HOILAND AND PASSED UNANIMOUSLY.

Hood closed file # LLA22-04.

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| 2. | Project: | Mountain Tots Preschool Special Use Permit (WITHDRAWN) |
| | File #: | SU22-02 |
| | Applicant: | Meghan Wilson, Mountain Tots Preschool |
| | Location: | 224 Wall Street |
| | Staff Contact: | Tez Hawkins, Senior Planner |
| | Request: | To obtain a Special Use Permit (SUP) in order to operate a childcare facility in the Central Business District. |

Staff received an email from the applicant late last week with little explanation on their request to withdraw. This is the second SUP application from Mountain Tots Preschool that has been withdrawn from public hearing.

COMMUNITY DEVELOPMENT DEPARTMENT AND TOWN COUNCIL UPDATE

1. Department and Council Update: May 17, 2022

Reminder that there are two Commissioner seats due to expire in July 2022. Staff is requesting that Commissioners re-apply if they wish to serve another term.

The Town's Active Land Use Applications page is a great resource to view upcoming files and project materials, especially for large projects.

A Planning Commission site visit for the upcoming Reserve at Hockett Gulch public hearing is being organized by staff. This will be noticed for the public.

OPEN DISCUSSION

Hood asked if there are any upcoming projects related to the River Corridor Plan, specifically Red Mountain Ranch (RMR). Phillips replied that Merv Lapin has purchased the land back from RED Development. Wike added RMR has a nearly expired Colorado Department of Transportation (CDOT) access permit which is why they are acting on this now. There are planned construction access points off Highway 6. This is an Eagle County project.

The Case Property is under contract. Staff has had preliminary meetings with the purchaser.

The construction fencing at 410 Broadway encroaches onto on-street parking. Wike confirmed the developer cannot use Broadway as a loading/unloading area which is why they expanded the fence perimeter. There is also an escrow deposit in case there is damage to the public right-of-way (ROW).

ADJOURN

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

MEETING ADJOURNED AT 6:35 PM.