



MEETING MINUTES
Planning & Zoning Commission
Tuesday, August 2, 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 option for the public to attend via Teams.

6:00 PM - REGULAR MEETING CALLED TO ORDER

Hoiland called the meeting to order at 6:02pm.

COMMISSIONERS PRESENT

Kyle Hoiland, Bill Nutkins
Charlie Perkins, Keith Klesner (via Teams)

COMMISSIONERS ABSENT

Matt Hood, Keegan Winkeller,
Jennifer Filipowski

STAFF

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

APPROVAL OF MINUTES

1. Minutes dated July 19, 2022

The minutes were approved without change.

PUBLIC COMMENT

Hoiland opened public comment. There was no public comment.

PUBLIC HEARINGS

1. Project: 435 Eby Creek Apartments Building Height Variance
File #: V22-01
Applicant: Rick Patriacca of SON RAY LLC
Location: 435 Eby Creek Road
Staff Contact: Peyton Heitzman, Planner II
Request: A zoning variance to increase the building height beyond the 35-foot maximum by up to 36 inches.

Hoiland opened file # V22-01.

Staff Presentation

Heitzman presented this file. The maximum building height in the residential multi-family (RMF) zone district is 35 feet to any point on the building. To grant approval, staff weighed the application against the four zoning variance standards identified in the Municipal Code as well as policies from the Elevate Eagle Comprehensive Plan (Comprehensive Plan). When compared to Standard A, staff did not believe the variance impaired the intent of the building height which serves to protect viewsheds, preserve neighborhood character, and provide protection to dwellers. Staff also believed the building design satisfied policies in the Comprehensive Plan which address design standards and protection of open lands and environmentally sensitive areas. Standard B addressed alleviating a hardship. Both staff and the applicant agreed the proposed design maintains the building aesthetic. Furthermore, the additional 36-inch allowance would provide flexibility against unforeseen construction challenges. Lastly, staff agreed that Standards C & D were met due to the exceptional topography and slopes on the site.

Staff recommended approval based on the applicant meeting Standards A-D.

Q & A

No questions from the Commission.

Public Comment

No public comment.

Deliberation

The Commission unanimously agreed to recommend approval.

MOTION: NUTKINS MOTIONED TO RECOMMEND APPROVAL OF FILE # V22-01 WITH NO CONDITIONS BASED ON STANDARDS (1), (2), (3), AND (4) OF SECTION 4.05.020. OF THE MUNICIPAL CODE. MOTION WAS SECONDED AND APPROVED UNANIMOUSLY.

MOTION PASSES.

Hoiland closed file # V22-01.

OPEN DISCUSSION

Staff will make a recommendation to Town Council at the Aug 9th meeting for the new Planning Commission regular member appointment. Staff aims to ensure there is diversity on the Commission.

Perkins asked about repainting the pedestrian cross walk areas on Capitol Street and Founders Ave. Wike confirmed that Public Works has a contractor selected with work beginning next month.

Wike provided an update on the Eby Creek art mural project.

There was discussion about landowners along Grand Avenue maintaining their property. Phillips added that without a Code Enforcement Specialist (CES), the Town is only able to respond to citizen complaints. Patrol would be part of the CES workplan.

There was discussion on the recent Reserve at Hockett Gulch Town Council hearing. The applicant and staff continue to work on meeting the planned unit development's (PUD) open space requirements.

The new Town Manager starts on Aug 15th. Advertisement for another Planner is forthcoming. Staff is flexible, seeking any Planner I – III.

Public Comment

Hoiland re-opened public comment.

Michael Ayre, 406 Wall St – Ayre recently purchased property based on the commercial component and wants more information on the Land Use Code update.

ADJOURN

MOTION: PERKINS MOTIONED TO ADJOUR. MOTION WAS SECONDED AND PASSED UNANIMOUSLY.

MEETING ADJOURNED AT 6:35 PM.