



**Planning and Zoning Commission
Meeting Minutes
September 3, 2019**

PRESENT

Jason Cowles, Chair
Brent McFall
Bill Nutkins
Stephen Richards
Charlie Perkins
Kyle Hoiland
Matthew Hood

STAFF

April Kroner- Town Planner
Bill Shrum- Assistant to the Town Manager
Dawn Koenig- Admin Technician

ABSENT

Jesse Gregg

This meeting was recorded. The following is a condensed version of the proceedings written by Dawn Koenig.

CALL TO ORDER

The regular meeting of the Planning and Zoning Commission held in the Eagle Town Hall was called to order by Commission Chair Jason Cowles at 6:01p.m.

APPROVAL OF MINUTES

Commissioner Hood made a motion to approve the minutes of the July 16th, 2019 meeting. Commissioner McFall seconded. Commissioners Nutkins and Richards abstained as they were not present at the meeting. All others present voted in favor. The motion passed.

Commissioner McFall made a motion to approve the minutes of the August 6th, 2019 meeting recognizing that there was not a quorum present at the August 6th meeting. Commissioner Hoiland seconded. Commissioners Richards, Perkins, Hood, and Nutkins abstained as they were not present at the meeting. The motion passed.

PUBLIC COMMENT

None.

LAND USE FILES

PPFP19-01 Red Mountain Ranch Preliminary and Final Plat - Request for Continuance

Commission Chair Cowles opened file PPFP19-01 noting the request to continue. Commissioner Hoiland made a motion to continue the file until the next scheduled Planning and Zoning Commission hearing on September 17th. Commissioner Hood seconded. All voted in favor. The motion passed.

DR19-01 700 Chambers Ave Lot 3 Development Permit & DR19-02 700 Chambers Ave Lot 4 Development Permit

Commission Chair Cowles opened both files DR19-01 and DR19-02. Project architect Jeff Manley presented an overview of both files. He showed a brief 3D rendering of the entire development and architectural plans for the whole development and the specific developments being proposed on lots 3 and 4. He commented on aspects of the development including meeting requirements for the ratio of residential and commercial units, accessibility, parking, and landscaping. He commented on the cohesive design elements that have been incorporated into the overall design of the site. Manley pointed out areas that will be intended for snow storage and spoke about a drainage and utility easement located on the east end of the property that contains a sewer line.

Q & A

Hoiland asked about the location of the sewer line and if it was a live line. Community Development Director April Kroner said that there use to be an easement in place for it, but the easement was vacated when the final plat was approved for the subdivision. She said that she has spoken to the Town Public Works staff and no one could determine why the easement was vacated at that time. Kroner said that the Town is asking that the easement be put back in place.

Nutkins asked if they would be reviewing the setbacks and other zoning requirements with this file. Kroner said they would be, but that staff has already determined that the proposed project meets the setback requirements.

Nutkins asked about the prior Special Use Permit approvals stating that lots 3 and 4 are only allowed 5 residential units. Kroners said that the Special Use Permits were amended in 2017 allowing for 6 residential units in each of lots 3 and 4.

Hood asked about any requirements for maintaining square footage ratios. Kroner spoke about the requirements that were outlined in the amended Special Use Permits. Hood asked about any conditions in the original special use permit. Kroner said that the original special use permit stipulates that the residential units may not be sold separately from the commercial units, however, that was taken out of the Special Use Permits when they were amended.

Manley said that this is what they had to come up with to meet the requirements of the town for ADA requirements while maintaining the one to one ratio of an accessory dwelling allowed for each use permitted.

Nutkins said that the commissioners need to look at the intent of the code in regard to allowing accessory dwellings for a use permitted. Kroner said that the approvals have already been given for the accessory units and there is nothing that can be done at this point to prevent the inclusion of the residential units that have been approved with the amended Special Use Permits. She acknowledged that there were approvals that have been given that might not have been given if they were to be asked for today.

McFall said that this goes back to the interpretation of the code regarding the one to one ratio. He said he does not like this interpretation but at this point, for this file, it cannot be changed.

Hoiland asked if there is a barrier between lots 3 and 4 and the new lot that Dave Dantas now owns. Manley said that there is a bump of land between the properties. Dave Dantas described the barriers between all the lots and other properties. Hoiland said that he is concerned about kids playing and people living in an area where there is a contractor storage yard right next-door sighting a safety concern. Dantas said that he is looking at partnering with another parcel owner to make the area look better and to create more usable area surrounding the development.

STAFF REPORT

Kroner stated that there were no public comments received on these files. She stated that she is recommending approval of the files with the conditions outlined in the staff report.

PUBLIC COMMENT

None

DELIBERATION

Commissioner McFall made a motion to approve file 19-01. Commissioner Richards seconded. All voted in favor.

Commissioner Hoiland made a motion to approve file 19-02 with the following conditions:

- A new 20' drainage easement shall be provided over the 24-public storm drain, via separate document. (Such easement had existed but was vacated by the Final Plat for 700 Chambers Avenue Subdivision, A Re-subdivision of Lot 1).

Commissioner McFall seconded. All voted in favor.

TBOT UPDATE

Community Development Director April Kroner said that the TBOT heard the file for the Reserve at Hockett Gulch annexation and PUD guide and it was continued to the next scheduled meeting on September 10th. She said that there was debate around the deed restricted units and revisions to the ADA are being made. Kroner mentioned that staff has received public comment both for and against. The deed restrictions are now set to 45% of the multi-family units and 15% on the single family, she said. Kroner also stated that the deed restrictions have no income restrictions, just stipulates that the buyer must work in Eagle County.

Kroner reported that the TBOT did not vote to increase the age limit for tobacco products. The buying age will remain at 18. Assistant to the Town Manager Bill Shrum said that Eagle will be the only community in the area that has not yet or intends in the future to raise the age.

COMMUNITY DEVELOPMENT DEPARTMENT UPDATE

Kroner mentioned that she would like to make some changes to the development review process to ensure a seamless review process. She said that she would like to hold off on scheduling the hearings until staff has time to review and comment on the application.

ADJOURN

Commissioner Hoiland made a motion to adjourn and Commissioner Richards seconded. All voted in favor.
The meeting adjourned at 6:59 PM.

9/17/19
Date

9.17.19
Date

Stephen Richards
Jason Cowles – Planning and Zoning Commission Chair
STEPHEN RICHARDS

Dawn Koenig
Dawn Koenig- Admin Technician