



MEETING MINUTES
Planning & Zoning Commission
Tuesday, October 18, 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

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

COMMISSIONERS PRESENT

Matt Hood, Bill Nutkins, Kyle Hoiland
Jamie Woodworth Foral, Keith Klesner,
Keegan Winkeller, Charlie Perkins,
Jennifer Filipowski

COMMISSIONERS ABSENT

None

STAFF

Chad Phillips – Community Development Director
Dennis Wike – Town Engineer
Cliff Simonton – Senior Planner
Peyton Heitzman – Planner II
Jessica Lake – Planner I (via Teams)
Nikki Davis - Administrative Tech II

APPROVAL OF MINUTES

1. Minutes dated September 20, 2022

The minutes were approved without change.

PUBLIC COMMENT

Hood opened public comment. There was no public comment.

PUBLIC HEARINGS

1. Project: Habitat / 3rd Street Housing Project
 File #: DR22-04 & PPFP22-01
 Applicant: Tom Braun on behalf of Habitat for Humanity Vail Valley
 Location: 747 E 3rd Street
 Staff Contact: Peyton Heitzman, Planner II
 Requests: 1.) A Preliminary Plan and Final Plat to subdivide a 15.7-acre lot into two lots, Lot 2A and Lot 2B.
 2.) Major Development Permit with design variances to construct 8 duplexes on 2.297 acres (Lot 2A).

Hood opened file numbers DR22-04 & PPFP22-01.

The Commissioners (Hood, Nutkins, Hoiland, Foral, Klesner, Winkeller, Perkins, Filipowski) attended a site visit the afternoon of October 18th. Hood provided a summary of the existing site, proposed structures, specific areas under review, and the existing landscaping.

Staff Presentation

Heitzman presented the application, comprised of two requests. The lot is flanked by a fire station and two schools, while the broader surrounding uses are residential. Heitzman described the property, currently used as open field space, as relatively flat with a downward slope toward 3rd Street. The purpose of the combined application is threefold: create Lot 2A, ensure conformance with the sketch subdivision plan, and to ensure the Town's subdivision regulations are met. The preliminary plan and final plat illustrated utility improvements and drainage easements which included a retention pond. Staff reviewed the preliminary plan and final plat against the Town's subdivision standards and concluded it was in compliance with the addition of four conditions of approval. Heitzman clarified the fourth condition related to addressing technical changes to the final plat has been met and is no longer included.

Next, Heitzman reviewed the second request - a major development permit to construct 8 duplexes. The proposed home designs were stacked and side-by-side. Staff reviewed the request against Town regulations related to zoning, development review, development standards, and public facilities and determined compliance apart from a design variance. The applicant requested approval of the latter to reduce the size of on-site parking spaces. Heitzman provided an overview of the two design variance standards explaining the application must comply with one. Staff advised the request met Standard #2, which speaks to better serving the public good, and listed anticipated benefits. Additional review against the Elevate Eagle Comprehensive Plan revealed other benefits related to housing, infilling density near the Downtown core, creating access to recreational amenities, and encouraging green building practices. There were two recommended conditions of approval for the development permit.

For both requests, staff recommended approval with conditions.

Q & A

Hoiland asked if the modular homes do not meet the Town's requirements. Heitzman replied, only the parking spaces.

Applicant Presentation

Kristin Williams, John Welaj, Emily Peyton, Elyse Howard, Caitlin Weis, and Heather Hower from Habitat for Humanity Vail Valley (Habitat) were present. They were joined by Tom Braun (Braun Associates) and Justin Yarnell (Kumar &

Associates). Williams spoke first, advocating for project approval, highlighting the importance of local workforce housing, and recognizing the partnership between private and public sectors.

Braun presented on behalf of Habitat. He touched on the sketch subdivision plan and rezoning applications which were approved by the Town in early 2022. He also expanded on the construction approach related to grading and drainage work; how the design of the homes and garages impact the dimensional measurements of the parking spaces; and that if all approvals are secured, construction can begin in spring 2023.

Q & A

Perkins asked how trash trucks would navigate through the development. Braun noted an on-site feature designed for vehicles to turn around in.

Hood asked about the dog leg piece of the parcel, adjacent to 3rd Street. Braun explained that area helped the applicant achieve the 2.2-acre density requirement for a residential medium zone district.

Winkeller noted the measurement discrepancy of the yellow parking spaces. Braun replied there may be drawing discrepancies, but the civil design set illustrates the correct measurement of 32 feet.

Nutkins asked if the garages can be widened since they are stick built. Braun explained their effort to increase efficiencies around construction costs and that a 15-foot-wide garage is ample space.

Hood asked if the design team has considered other ways to reconfigure tenant parking spaces and increase guest parking spaces throughout the lot.

The Town's Code currently does not have standards for compact parking spaces.

Hoiland asked who qualifies for these homes. 12 will be marketed and sold to school district employees and 4 will be sold on the open market based on Habitat's criteria. This split will remain in perpetuity and is outlined in a separate agreement between ECSD and Habitat.

Braun clarified that the more illustrative landscape plan is part of the submittal. There is no landscape buffer, and the 32-foot driveway width is what is being proposed. The overall design plan is essentially final.

The Commission and Braun debated about the parking spot for unit #15 on the southwest corner of the complex.

Hoiland asked for clarity on the applicant's request to waive the water rights dedication fee. This would be negotiated between the applicant and Town Council through the development agreement.

Public Comment

Public comment opened at 6:44 PM.

Daisy Velasco, 55 Kokanee Lane, Gypsum – Mrs. Velasco is an ECSD employee and an applicant for the 3rd Street homes. She was raised in Eagle County and expressed her desire to continue living and educating in the community.

Sabrina Crawford, Eagle – Ms. Crawford explained she is not against Habitat but expressed this would have a negative impact to the surrounding neighborhoods. She noted that parking, traffic, and snow removal are issues along 3rd Street which raises safety concerns.

Wike responded there are different on-street parking restrictions when there is a snow event, however, he is unaware of parking restrictions on 3rd Street. There is a tremendous amount of snow removal on that street, but the area is not any more problematic than other parts of town. Braun added that the development team ran numbers for the 16 units which revealed a modest number of vehicle trips per day. Staff felt this was not an issue. Also, the proposed plan exceeds the Town's on-site parking requirements.

Public comment closed at 6:53 PM.

Deliberation

The Commission expressed general support of the plan and project, noting compliance with the Town's development standards. Klesner added this project is the right type of housing mix to support the missing middle: local families and workforce who live in an area where it can be difficult to find housing. Nutkins and Winkeller echoed there may be other ways to reconfigure the parking dimensions without burdening the development budget. Hood probed into staff's interpretation of the parking variance serving the greater public good.

MOTION 1: WINKELLER MOTIONED TO RECOMMEND APPROVAL OF THE HABITAT / 3RD STREET HOUSING PRELIMINARY PLAN AND FINAL PLAT, FILE # PPFP22-01, WITH THE FOLLOWING FINDINGS OF FACTS AND CONDITIONS:

FINDINGS:

- 1. THE APPLICATION FOR PPFP22-01 MEETS THE REQUIREMENTS FOR TITLE 4 OF THE MUNICIPAL CODE AND SUBSTANTIALLY SUPPORTS THE 2021 AMENDED ELEVATE EAGLE COMPREHENSIVE PLAN.**

CONDITIONS OF APPROVAL:

- 1. THE FINAL EROSION CONTROL PLAN SHALL RECEIVE APPROVAL BY THE TOWN ENGINEER PRIOR TO BUILDING PERMIT APPLICATION.**
- 2. ALL SLOPES SHALL BE LESS STEEP THAN 2:1.**
- 3. THE FINAL DRAINAGE PLAN AND REPORT SHALL RECEIVE APPROVAL BY THE TOWN ENGINEER PRIOR TO BUILDING PERMIT APPLICATION.**
- 4. WITHIN 30 DAYS OF TOWN COUNCIL APPROVAL AND PRIOR TO RECORDATION OF THE FINAL PLAT, APPLICANT 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 EXTENSIONS MUST BE AUTHORIZED BY THE TOWN COUNCIL.**

MOTION WAS SECONDED AND PASSED UNANIMOUSLY.

MOTION 2: KLESNER MOTIONED TO RECOMMEND APPROVAL OF THE HABITAT / 3RD STREET HOUSING DEVELOPMENT PERMIT, FILE # DR22-04, WITH THE FOLLOWING FINDINGS OF FACTS AND AMENDED CONDITIONS:

FINDINGS:

- 1. THE APPLICATION FOR DR22-04 MEETS THE REQUIREMENTS FOR TITLE 4 OF THE MUNICIPAL CODE AND SUBSTANTIALLY SUPPORTS THE 2021 AMENDED ELEVATE EAGLE COMPREHENSIVE PLAN; AND**
- 2. THE REQUESTED DESIGN VARIANCE MEETS CRITERIA #2 FOUND IN SECTION 4.07.160. THAT THE PUBLIC GOOD WOULD BE BETTER SERVED BY GRANTING THE VARIANCE.**

CONDITIONS OF APPROVAL:

- 1. THE ADDRESSES OF THE BUILDING FACING 3RD STREET BE EASILY IDENTIFIABLE FROM THE PRIVATE DRIVE.**
- 2. BEAR-PROOF TRASH RECEPTACLES SHALL BE REQUIRED FOR EACH RESIDENCE.**

3. EXPAND THE DRIVEWAY FOR UNIT #15 TO ALLOW FOR EASIER ACCESS AND IMPROVE OVERALL DRIVEABILITY.

MOTION WAS SECONDED AND PASSED WITH A VOTE OF 4 IN FAVOR (HOILAND, KLESNER, PERKINS, FILIPOWSKI) AND 3 OPPOSED (HOOD, NUTKINS, WINKELLER).

Hood closed file numbers DR22-04 & PPFP22-01.

COMMUNITY DEVELOPMENT DEPARTMENT AND TOWN COUNCIL UPDATE

There was discussion on the recent approval of Resolution 80-2022 related to a pre-development agreement between the Town, Red Mountain Ranch Partnership, and Eagle Meadows specific to the commercial interstate district in East Eagle.

Masonry heaters are now a permitted device and EPA (Environmental Protection Agency) certified as an efficient and clean burning appliance. Staff agreed to conduct further research on a Colorado's clean air certification standards.

The next Code Update Committee meeting is on November 7th and will focus on Planned Unit Development standards. The Planning and Zoning Commission was encouraged to attend.

There was discussion on Haymeadow's obligation to provide the Brush Creek Road extension. Staff verified the Haymeadow developer is still responsible for fulfilling the ADA (annexation and development agreement) requirements and infrastructure. The new owner of the for-sale parcels will be responsible for vertical construction.

Partial grading is underway at the Reserve at Hockett Gulch, but the development agreement will continue to undergo redline changes. Widening Grand Avenue is high priority.

OPEN DISCUSSION

No other discussion items.

ADJOURN

MOTION: PERKINS MOTIONED TO ADJOURN. THE MOTION WAS SECONDED AND PASSED UNANIMOUSLY.

MEETING ADJOURNED AT 7:30 PM.