



MEETING MINUTES
Planning & Zoning Commission
Tuesday, June 6, 2023, 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 an option for the public to attend via Teams.

6:00 PM - REGULAR MEETING CALLED TO ORDER & ROLL CALL

Chair Hood called the meeting to order at 6:00 PM.

COMMISSIONERS PRESENT

Keith Montag, Jennifer Filipowski
Matthew Hood, Keegan Winkeller
Weston Arbogast
Keith Klesner (via teams)

STAFF

Chad Phillips – Community Development Director
Cliff Simonton – Senior Planner
Peyton Heitzman – Planner II
Jessica Lake – Planner II
Dennis Wike – Town Engineer

COMMISSIONERS ABSENT

Bill Nutkins

PUBLIC COMMENT

There was no public comment.

PUBLIC HEARINGS

1. Project: ReCode Eagle – Town of Eagle Updated Land Use and Development Code – Public Recommendation Hearing
File #: LURA21-02
Applicant: Town of Eagle
Location: Town of Eagle
Staff Contact: Chad Phillips, Community Development Director/Town Planner
Request: To table the adoption of the updated Land Use and Development Code to July 18, 2023 Planning

& Zoning Commission meeting.

Hood opened File # LURA23-02.

Chad Phillips explained that the meeting was noticed as the recommendation hearing for ReCode but that the hearing needed to be postponed due to delays in drafting.

Consultant Presentation

Elizabeth Garvin with Clarion Associates provided a presentation on the Commercial Interstate (CI) District, the Local Employee Residency Program (LERP) standards, Design Standards, the Use Table, Standards applicable to all uses, and Short Term Rentals (STRs).

CI Zone District

Garvin shared that the version of the CI District presented in April did not reflect the gateway/landscape standards that were added to the CI District in the meeting packet. The main changes were to the intent statement. Garvin requested feedback on feedback including the maximum footprint and the location of parking within the zone district.

Matt Hood stated surprise that the parking was only located in the side and rear of properties in the CI District. Hood further shared the walkability of the CI District should not be a focus. Phillips shared that the intent of the East Eagle Sub Area Plan (EESAP) was to limit visibility of parking from the highway and interstate. Commissioners agreed that aesthetics were important but commercial viability was important for the area. Hood asked where the CI District would be located in the East Eagle area and how far the zone district would extend down the highway.

The Commissioners reviewed the draft zoning map to better understand the proposed location of the CI District. Hood shared concern that businesses in the CI District would compete with the town's downtown. Winkeller stated the East Eagle area would want to attract businesses with parking needs like gas stations. Phillips discussed the vision for medium and big box store in the CI District.

The Commissioners ask questions about whether parking to the rear and side would give an uninviting appearance. Jennifer Filipowski stated uncertainty about the listed uses for the CI District in the use chart.

Hood shared that walkability may not be a priority of the area since the uses would primarily be accessible by vehicle, rather than pedestrian traffic. Arbogast suggested allowing minimum front yard parking to avoid the look of a "sea of parking" while still providing an inviting appearance for vehicles.

Hood shared that the Eastern Gateway in the EESAP focuses on aesthetic appearance and importance of landscaping. Hood requested to have the parking location standard removed from the CI District. Additionally, Hood stated the need for landscape buffers.

Filipowski shared that she would prefer to limit the visibility of vehicles in the CI District. Providing Vail as an example of where parking to the rear leads to a more inviting and aesthetic appearance for vehicular traffic. Winkeller shared that the visible parking would allow for an appearance of convenience for traffic coming off I-70.

Arbogast questioned the difference and intent of the Commercial General East (CGE) District vs the CI District. Winkeller shared the gateway overlay created a distinction between the two zone districts. Winkeller added the visibility of parking would be important for wayfinding for travelers coming off the highway. Hood shared the CI lacked the allowance for industrial uses that are listed within the CGE. Overall, the Commissioners agreed with the need for retail in the area.

Garvin shared the East Frisco exit as an example that mostly limits parking to the rear of the building while still creating an inviting look for vehicles. Phillips read the CI District land use description from the EESAP and shared that the Frisco example supports the EESAP policies. Phillips shared the zone districts follow lot lines which does not fully align with the land use designations in EESAP where land use designations do not follow lot lines.

Arbogast expressed an interest in limiting parking but not eliminating the allowance for parking between the structures and the highway. Keith Montag shared the need for entryway aesthetics and that limited parking as a beneficial element. The Commissioners agreed that there needed to be greater quality and quantity of screening in CI District over the CGE District.

LERP

Garvin shared the changes to the LERP standards that resulted from discussions with the Land Use Development Code Update Committee, the Planning & Zoning Commission, and Town Council. Hood asked if Town Council's guidance was incorporated into the draft LERP standards, which Garvin confirmed were incorporated.

Design Standards

Garvin shared changes to the design standards with the goal of objectivity and that there would be a new design package submission for staff to review with ReCode.

Standards Applicable to All Uses

Garvin provided an overview of the new section, Standards Applicable to All Uses, within the Code. Phillips shared that Routt County has used a similar list since 2005, and that the general standards would take care of most challenges of incompatibility with new applications. Phillips provided an overview of changes to the use chart that utilized the following: Permitted ("P"), Minor Permit - without notice ("M"), Administrative ("A"), Conditional ("C"), and Special Use ("S").

Phillips shared that "M" staff approvals did not require public notice but asked that the Planning Commission identify any "A" that may need to receive Planning Commission approval or administrative approvals with public notice. Garvin stated that notices for administrative approvals were already included in the most recent draft of ReCode.

Hood asked for clarification on the approval bodies for each of the approvals including P, A, C and S. Hood shared that he likes the 'Significant Negative Impacts' use standard that applies to all standards. Hood asked if the identification of negative impacts be the trigger for public notice so neighbors can weigh in on an administrative approval. Filipowski asked what would happen to an application if a negative impact was identified or if the negative impact would trigger another step in the process.

Phillips shared that the negative impact would likely result in a condition of approval. Hood clarified that staff would be responsible for mitigating negative impacts with conditions of approval. Hood shared a concern with a lack of noticing for an impact such as noise. An example provided by Hood was the Basecamp application where concerns around noise were raised by neighbors. Hood shared concern that conditions may seem reasonable to both staff and the Planning Commission but may not be reasonable to neighbors. Winkeller shared that uses with significant negative impacts should be changed from administrative approval to Conditional approval. Hood expressed interest in providing the community with the opportunity to give feedback on applications that could impact neighboring properties. Montag questioned the workload the additional noticing would put on staff and the statutory requirements around public noticing.

Winkeller shared that a childcare center is an example of a use currently listed as an administrative approval that could generate neighborhood opposition. Filipowski asked if there would be a public hearing with administrative approvals; staff clarified that public hearings would only be required of Cs and Ss. Phillips shared that the requirement for noticing an administrative approval could be identified in the land use table. Garvin shared that many communities are providing informational notices to projects where noticing had not been required in the past. The Commission determined that, with the noticing required in ReCode, the Planning Commission had homework to determine the appropriate level of approval for each of the uses in the use chart. Montag asked when feedback would be due, Phillips shared that the use table would be discussed again in two weeks at the June 20th meeting.

Short-Term Rentals

Garvin shared the draft STR standards that were developed from Town Council feedback. Garvin shared that the 2% cap was the start of a greater conversation that came from a recommendation in the Housing Assessment. Garvin asked for the Planning Commission's recommendation. Winkeller asked if PUDs would be included in the overall cap or if PUDs were excluded, causing a disproportionate amount of STRs in certain areas of town, which should be considered in the standards.

Filipowski questioned the full-time owner-occupied unit exemption and that Accessory Dwelling Units (ADU's) should not be exempt from the STR cap in the standards. The Commission asked how many units were within the Town of Eagle. There was discussion that the 2% cap would limit the allowance of STRs but also allow for the growth of STRs proportionate to population growth in the community.

Project Schedule

Phillips shared the new adoption schedule with the Planning Commission recommendation on July 18th and Town Council approval on August 8th. Phillips stated that the Planning Commission would have three weeks to review the adoption draft which will be provided to the Commission by June 26th. Phillips shared the process for managing public comment after the release of the public draft and that public comment will be forwarded to the Planning & Zoning Commission. Montag asked if there were any themes in public comment or if they reflected a range of topics. Garvin shared some of the topics from public comment.

Hood opened the meeting for public comment.

Public Comment

Lorette Diversey, 624 McIntire Street, Eagle, CO – asked about the East Eagle interchange and retail proposed for the area. Diversey shared there was a need for an interchange between Eagle and Gypsum. Received

message of conservation but community continuing to develop. Diversey asked if there would be a new public notice for the new adoption schedule. Phillips shared that the hearing would be rescheduled to a specific date, so no letters would be sent out. Diversey asked several development-related questions such as parking on Broadway.

Hood closed public comment.

MOTION: FILIPOWSKI MOTIONED TO RECOMMEND CONTINUANCE OF THE ADOPTION OF RECODE. MOTION WAS SECONDED AND PASSED UNANIMOUSLY.

Hood closed File # LURA23-02.

OPEN DISCUSSION

Hood mentioned the donor appreciation event at the River Park on June 7th at 5pm that the Planning & Zoning Commission was invited to attend.

ADJOURN

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

Meeting adjourned at 7:45 PM.