



AGENDA
Planning & Zoning Commission
Tuesday, February 18, 2020
6:00 PM

Public Meeting Room / Eagle Town Hall
200 Broadway
Eagle, CO

This agenda and the meetings can be viewed at www.Townofeagle.org.

PUBLIC WIFI - TOEG – townofeagle2019

6:00 PM - REGULAR MEETING CALLED TO ORDER

APPROVAL OF MINUTES *Approval of the minutes from the DATE meeting of the Planning and Zoning commission.*

1. February 4, 2020

PUBLIC COMMENT

Citizens are invited to comment on any item not on the Agenda subject to a public hearing. Please limit your comments to five (5) minutes per person.

DISCUSSION

1. Commissioner Appointments
2. Land Use Code - Uses in the Commercial General Zone District

TOWN BOARD OF TRUSTEES MEETING REVIEW

Staff update to the Planning & Zoning Commission on recent decisions made by the Board of Trustees on various Land Use files.

COMMUNITY DEVELOPMENT DEPARTMENT UPDATE

Staff update to the Planning & Zoning Commission on recent work and upcoming files.

OPEN DISCUSSION

ADJOURN

I hereby certify that the above Notice of Meeting was posted by me in the designated location at least 24 hours prior to said meeting.



Jessica Lake
Planning Technician



MINUTES
Planning & Zoning Commission
Tuesday, February 4, 2020
7:30 PM

Public Meeting Room / Eagle Town Hall
200 Broadway
Eagle, CO

This agenda and the meetings can be viewed at www.Townofeagle.org.

PUBLIC WIFI - TOEE – ((TOEEWireless))

7:40 PM - REGULAR MEETING CALLED TO ORDER

PRESENT

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

ABSENT

Charlie Perkins, Jesse Gregg

STAFF

Bill Shrum, Assistant to the Town Manager
Jenny Rakow, Town Clerk
April Kroner, Town Planner/Comm Dev Director
Peyton Heitzman, Planner I

APPROVAL OF MINUTES

1. January 21, 2020 Minutes
Commissioner Hood motioned to approve the minutes. Commissioner Richards seconded. The motion passed.
Commissioners Hoiland and McFall abstained.

PUBLIC COMMENT

Chair Cowles opened Public Comment for items not on tonight's agenda, there was no public comment.

PUBLIC HEARINGS

1. 306 Howard Street Variance (Continued from January 21, 2020 meeting)
Chair Cowles opened File V19-02 306 Howard Street a continuation of hearing from January 21, 2020. April presented this item.

Applicant Rick Beveridge asked to make comment before meeting started. Discussion on number of Commissioners present tonight and if there should be a full board in attendance. Commissioners discussed availability for next meeting. Commissioners Hoiland and McFall both indicated they had read the minutes or watched the meeting video and felt prepared to hold the hearing tonight.

Chair Cowles stated the Commission would like to see the additional information before deciding on a continuance.

Kroner provided additional information and read the variance requirements and definitions.

Applicant gave his presentation on variance request for 306 Howard. Corrected staff's description of the property as one tax parcel with 14 individually platted lots. Had worked with the planning staff at the time of purchase and it was conveyed that the Town wanted to see infill close to downtown. Provided examples of single wide trailers or modular homes that could be placed on these lots with no covenants or design restrictions. Provided his vision and intent for 7 single family homes and believed it would be less impact on the neighborhood. The lot size is in excess of the requirements for the variance.

Tom Boni applicant planner discussed the Town's master plan references to what the applicant is trying to do. There are historical variances and the historical society has identified this house as significant. We would like to apply the variance standards and how we believe meet them. All standards should work in tandem; this should be what the town wants use of these undeveloped properties. These lots are an exceptional situation and is what qualifies this parcel. The towns whole philosophy is to work with developers in a reasonable way and not impose a strict interpretation of the code. The code should be rewritten more clearly, if variances should not be granted only if they cannot do anything with their property.

Ann Hutchison applicant attorney addressed the Planning Commission. For clarification the staff reports that this is one parcel and that the applicant is proposing to create subdivision to create additional residential building lots. That is not the situation here. They have bought 14 platted lots in the Town of Eagle. Platted lots are sacrosanct. Referenced Statute 31-23-110 regarding boundaries settled by plat. Statute CRS 31-23-109 indicates the assessor has a policy with a residence contiguous lots that are vacant and they asses that as one tax parcel. The applicant has title insurance for 14 separate lots that were platted a long time ago. The town adopted a land use code which changed the standards. While statute allows municipalities to do this, they also include provisions to allow governing bodies relief and you have that with variance with broad discretion. When the zoning requirements changed, that is when the hardship was created. Common sense applies that you cannot take people's property, so the Commission is allowed to provide relief. You can also allow a PUD, however the Town told him not to do a PUD. The application for variance was instructed by the town. There is an exceptional narrowness of these lots and we are reducing the number of lots that we have. You have also granted variances in the past. In May, for 421 E Third Street, the applicant wanted to build a duplex. The Planning Commission unanimously approved it and staff recommended approval for a reduction in lot size. For 120 E Third Street a variance was granted for a similar lot size reduction. We want you to be fair and not arbitrary and capricious. You have to act similarly to every applicant. Your Code gives you broad discretion to manage your town.

Applicant Beveridge provided that three neighbors in support and two were not. Those opposed were concerned with view corridors. In the plan, we would step down roof heights to appease neighbors and have design standards. I am asking for approval and consistency with past variances and due to the current land use code being dated and revised.

Chair Cowles opened public comment. There was no public comment.

Deliberations:

Chair Cowles believes that there is a way to get 7 lots that are all 6000 square feet and not sure that a variance is necessary. Supported vacation of the alley. Applicant provided that the alley was very difficult to deal with the Town on and we have been denied proposals to vacate the alley and relocate it.

Commissioner McFall stated he reviewed the video and testimony and believes the conditions are met and supports granting the variance.

Commissioner Hood stated he has a better understanding of the hardship. Requested further discussion on the 14 lots. Discussion on non-conforming lots and sales of individual lots. Further stated that it appears the land use code created the hardship. If they wanted 14 lots non-conforming, they could build that is the way the code views it.

Some Commissioners felt staff was out of line with comments.

Commissioner Richards stated the applicant meets all the requirements for variance.

Kroner asked if any of the Commissioners spoke to the applicant before his proposal. Commission members believed exparte only applied to active applications. Staff stated that the Town's attorney had reviewed the situation and that any meetings should have been identified.

Commissioner Hoiland stated the applicant has met all four standards and is preserving the historic house. Felt approval would be consistent with previous decisions.

Commissioner Nutkins did not find a hardship in the previous meeting and now sees the hardship due to the alley. Would like to consider a historical designation as part of the motion.

Commission Richards motioned to approve File V19-02 306 Howard Street request for variance to create four lots with a lot size of less than 6,000 sf in the Residential Medium (RM) Zone District as it meets the requirements in a, b and c. Commissioner McFall seconded. The motion passed unanimously.

TOWN BOARD OF TRUSTEES MEETING REVIEW

No discussion.

COMMUNITY DEVELOPMENT DEPARTMENT UPDATE

No discussion.

OPEN DISCUSSION

No discussion.

ADJOURN

Commissioner Hoiland motioned to adjourn. Commissioner McFall seconded. Motion passed unanimously.

Date

Jason Cowles – Planning and Zoning Commission Chair

Date

Jenny Rakow – Town Clerk



MEMORANDUM

TO: Planning & Zoning Commission
FROM: Department of Community Development
DATE: February 18, 2020
RE: Planning & Zoning Commission Member Appointments

Background

Three of the current Planning & Zoning Commission member's terms expire on February 28, 2020, including Chairman Jason Cowles, Stephen Richards, and Brent McFall. Mr. McFall has expressed interest in continuing to serve on the P&Z, while Mr. Cowles and Mr. Richards have indicated they do not wish to be considered for another term. In addition to Mr. McFall expressing his interest to continue to serve on the Commission, the current Alternate, Bill Nutkins, has also expressed interest in becoming a regular member.

Town staff has reached out to the public to recruit citizens that may be interested in serving on the P&Z as well, and has received two interested applicants, Benjamin Winkeller and Robert Townsend. The applications and resume's of Mr. Winkeller and Mr. Townsend are attached for your review. In addition, both applicants have been invited to attend the upcoming meeting if at all possible, though their presence is not required.

Future Organizational Items to Be Addressed

At the first P&Z meeting in March 2020, the Commission will need to elect its Chairman from the appointed members, and create/fill any other offices as it may determine. The term of the Chairman shall be one year, with eligibility for re-election. Staff recommends that the Commission also consider filling a position of Vice-Chair, so in the absence of the Chairman, there is someone to run the meeting. We will include these action items on the March agenda.

Consideration

The Planning & Zoning Commission needs to provide a recommendation to the Town Board for new appointments to the Commission. Currently, there are three regular commissioner terms to be filled. The recommendation by the Commission will be made to the Town Board of Trustees for appointment at the February 25th, 2020 meeting. The following provides an example motion:

Recommend to the Town Board of Trustees that _____, _____, and _____ be appointed to the Town of Eagle Planning and Zoning Commission as regular members with terms to begin on February 28, 2020 and ending February 28, 2024, and _____ to be appointed to serve as the First Alternate to fulfill the remainder of the term to begin on February 28, 2020 and ending July 24, 2022.

**Town Board (vacancies only), Commission or Committee Application Form -
Submission #1474**

Date Submitted: 2/6/2020



Select the Board, Commission, or Committee applying for*

Planning & Zoning Commission ▼

PERSONAL INFORMATION

First Name*

Robert

Last Name*

Townsend

Address1*

732 Prince Alley

Address2

City*

Eagle

State*

CO

Zip*

81631

Email Address*

4towns@gmail.com

Contact Phone Number*

859-391-9694

Business Address**Business Phone Number****Occupation****RESIDENCY INFORMATION****Length of Residency in Eagle**

22 months

Are you a registered voter

☒ Yes

☐ No

EDUCATION AND HOBBIES**High School**

Dixie Heights

College

Northern Kentucky University

Trade or Business School

Hobbies

Skiing, Biking, Hiking

ORGANIZATION MEMBERSHIP INFORMATION

Are you or have you served on other Boards, Commissions, or Committees?

☒ Yes

☐ No

If yes, which

Sunriver Condominiums HOA Avon, CO

Please list organization memberships and positions held

Retired Public Works Director-Provided staff support to City of Florence's Planning and Zoning committee and provided plan review of all City projects. Worked with Boone County Planning and Zoning on the Comprehensive Plan update.

Please List Areas of Special Interest

Interested in the Town's success and prosperity through aesthetics, maintenance and proper development.

PLANNING COMMISSION QUESTIONS

1. What opportunities does the Town of Eagle have?

To ensure all development/redevelopment projects reflect the Town's vision now and in the future.

2. What challenges currently exist in the Town of Eagle?

Balancing development/redevelopment projects need for success against the impacts on neighboring properties, Town's vision and environmental/infrastructure impacts.

3. As a Commissioner, how would you approach these challenges?

Work within the rules and regulations of the Town Code to ensure the best project is developed while continuing to evaluate existing code and regulations to ensure they provide the vision the Town has established now and in the future.

Attach Resume

PZResume.pdf

Please attach resume in .pdf format.

Robert W. Townsend
732 Prince Alley
Phone: 859.391.9694
Email: 4towns@gmail.com

Objective: To provide public service to my community.

Work Experience:

Vail Resorts
Avon, CO

Dates: 02/2014 – Present
Part-time Employee

Parking Lot Attendant

The City of Florence
Florence, KY
Director of Public Services

Dates: 07/1999 – 08/2013

Duties:

Responsible for the complete oversight of the 65 person public services department.

The City of Florence
Florence, KY
Public Services Superintendent

Dates: 04/1993 – 07/1999

Duties:

Responsible for the maintenance operation of the public services department.

Education:

Northern Kentucky University
Bachelor of Science
Construction Management

References: Available upon request

Print

**Town Board (vacancies only), Commission or Committee Application Form -
Submission #1504**

Date Submitted: 2/13/2020



Select the Board, Commission, or Committee applying for*

Planning & Zoning Commission ▼

PERSONAL INFORMATION

First Name*

Benjamin

Last Name*

Winkeller

Address1*

172 Longview Ave

Address2

PO Box 5874

City*

Eagle

State*

CO

Zip*

81631

Email Address*

keegan@bkwarch.com

Contact Phone Number*

970-306-2175

Business Address

172 Longview Ave

Business Phone Number

970-306-2175

Occupation

Architects

RESIDENCY INFORMATION**Length of Residency in Eagle**

8 years

Are you a registered voter

☒ Yes

☐ No

EDUCATION AND HOBBIES**High School**

Battle Mountain

College

University of Colorado at Boulder

Trade or Business School

Hobbies

Running, Kayaking, Skiing

ORGANIZATION MEMBERSHIP INFORMATION

Are you or have you served on other Boards, Commissions, or Committees?

☐ Yes

☒ No

If yes, which

Please list organization memberships and positions held

As a new business this is my first opportunity to be part of an organization outside of my full time employment.

Please List Areas of Special Interest

Architecture, Planning and Construction

PLANNING COMMISSION QUESTIONS

1. What opportunities does the Town of Eagle have?

The Town of Eagle is an engaged, family-friendly community that provides an amazing mountain lifestyle. Nearby ski resorts like Vail and Beaver Creek, Eagle also has world class mountain biking, hiking, fishing, camping and even a whitewater park in our back yard. News is spreading providing a huge opportunity for the heart of Eagle to grow.

2. What challenges currently exist in the Town of Eagle?

The Town of Eagle is a growing community, however it seems the boundaries (Reserve at Hockett Gulch for example) are developing at a faster rate than the city centers. Capital has too many vacant street-level storefronts and Broadway has buildings that are falling apart. This atmosphere isn't appealing to business owners looking for space. These core centers should be full of retail shops, restaurants and daily visitors.

3. As a Commissioner, how would you approach these challenges?

As a Commissioner, my largest goal will be to create a unique downtown atmosphere similar to Salida, Carbondale and Glenwood Springs. I believe this can be done by:

1. I will push for town legislation that provides incentives to developers to improve their buildings in the heart of Eagle creating a unique charm for locals and visitors to enjoy.
 2. Elevate support for existing building owners on Capitol and Broadway to fill their street level storefronts with retail/restaurant spaces that will add energy in the heart of Eagle. I will explore ways in which we can discourage building owners from having vacant storefronts for extended periods of time.
 3. I will explore ways in which local businesses can engage and capitalize on our community events.
- With a strong town core, we will have a greater sense of community and connection. Limiting sprawling development would protect our finite mountain resources that draw people to our community for both short and long-term stays.

Attach Resume

Keegan Winkeller Resume.pdf

Please attach resume in .pdf format.

B. KEEGAN WINKELLER, ARCHITECT

0172 Longview Ave, Eagle, CO 81631 | (970)306-2175 | keegan@bkwarch.com

DESIGN THEORY

My passion for design draws from a diverse experience in world travel, art and construction resulting in high-quality, well balanced and cost-effective design solutions. My distinctive projects integrate timeless, bold designs infused with contemporary influences and make people more attuned with their mountain surroundings. I encourage collaboration and carefully curate functional homes that inspire a balanced lifestyle.

COMPUTER SKILLS

Proficient in AutoCAD, Revit, 3D Studio Max, Indesign, Photoshop, Acrobat, Word, Excel, and Bluebeam. Capable of self-learning computer programs with minimal learning curve.

EXPERIENCE

- | | | |
|-----------------------------|---|--|
| July 2019- Present | Owner/Principle, BKW Architects, LLC | <i>Eagle, Colorado</i> |
| | <ul style="list-style-type: none">· Specializing in high end custom residential homes throughout the US and the Caribbean. Designing luxurious resort homes with a common goal to bring balance to each unique project and site. Utilizing latest technology for better client communication and simplified design process.· Creating comprehensive construction documents | |
| February 2005-
June 2019 | Architect/Project Manager, Berglund Architects, LLC | <i>Edwards, Colorado</i> |
| | <ul style="list-style-type: none">· Manage the architectural design process for high end custom residential projects from Conceptual Design to Construction Documents and Construction Observations.· Responsible for client relations and design approvals for all levels of local jurisdictions· Managed interoffice organization, architectural drafting standards, billing, in-house IT repair and coordination, and training | |
| October 2000- May
2007 | Sergeant of Marines, U.S. Marine Corps | <i>Buckley Airforce base, Aurora, Colorado</i> |
| | <ul style="list-style-type: none">· Deployed to Iraq in 2006-2007 for Operation Iraqi Freedom.· Attached to 4th Civil Affairs Group (CAG) to work with the Iraqi people to provide them with everything they need to survive and redevelop the Iraqi infrastructure.· Worked with local contractors to develop water treatment plants, medical facilities, school, and electrical infrastructure. | |
| May 2000 - August
2004 | Journeyman Carpenter, Wink Construction | <i>Vail, Colorado</i> |
| | <ul style="list-style-type: none">· Specializing in remodel construction, tasked with foundations, framing, and finish carpentry· Always completed projects ahead of schedule or on time | |

EDUCATION

2001-2005	Environmental Design with emphasis in Architecture, University of Colorado, Boulder, Colorado
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2015	Licensed Architect, AIA, Colorado
2018	Certified Quality Assurance Technician, CQAT

REFERENCES

Stephanie Lord-Johnson	Principle - Berglund Architects, LLC (970)471-2348 stephanie@berglundarchitects.com
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John Perkins	Principle - JMP Architects, LLC (970)471-2348 perk.jmparchitect@gmail.com
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AMENDED MEMORANDUM

TO: Planning & Zoning Commission
FROM: Department of Community Development
DATE: February 18, 2020
RE: Planning & Zoning Commission Member Appointments

Background

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Town staff has reached out to the public to recruit citizens that may be interested in serving on the P&Z as well, and has received two interested applicants, Benjamin Winkeller and Robert Townsend. The applications and resume's of Mr. Winkeller and Mr. Townsend are attached for your review. In addition, both applicants have been invited to attend the upcoming meeting if at all possible, though their presence is not required.

A third application was submitted over the weekend, and I am attaching her application and resume for consideration.

Future Organizational Items to Be Addressed

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Lani Webb

P.O. BOX 3475, EAGLE, CO • 81631 • 970.331.1258 • <https://www.linkedin.com/in/lani-webb-8270b37>

PROFILE

Dynamic and motivated management professional with superb skills in customer service, sales support, office administration, business computing, management, and general accounting. Developed and implemented all company print, point-of-sale, and digital advertising with a budget of \$100,000 for top-producing Eagle County real estate firm. Personally produced over \$8.3 million in sales for a company in role as office manager, listing agent, and broker associate. Short sale & REO properties experience closing 321 short-sale and REO properties resulting in \$105MM in five counties. Passionate about baking, I had my own cheesecake company in Denver. I'm a third-generation descendent of Hawaii when it was still a territory. My great-grandfather started the athletic program at Hawaii University. Naturally I have a special bond to Hawaii.

CAREER SUMMARY

Management & Leadership

- Supervisor and managing staff since 2000 (up to 10)
- 20 years strategy experience
- Administered large budgets for 20 years (up to \$1.2 million)
- Performed accounting activities for 20 years
- **Staff Training:** Patient and precise training of new employees, developing training materials and conducting informal training sessions on Microsoft Excel®, Word®, Access®, sales and customer service, and general office administration

Skills

- **Business Communications:** articulate, direct, and professional interpersonal style, working effectively with colleagues and customers of all backgrounds and cultures
- **Technical Proficiencies:** Microsoft® Windows® operating system 1997, 2000, XP and 7; Microsoft® Office® (advanced in Word, Excel, Publisher, and proficient in Access); advanced in MLS system, QuickBooks, Peachtree Accounting, various real estate programs, website development, and Internet navigation
- **Productivity:** Superb planning and organization skills. Proven ability to prioritize, delegate, and accomplish heavy workloads in demanding, accuracy-oriented environments

Sales & Business Development

- **Achievement-Focused:** Recognized by managers as a "go to" person who takes initiative, makes effective business decisions, and follows through
- 14 years of sales experience in commission sales

Associations

- Member, Vail Board of Realtors, 2006-present
- Member, Piñon Valley HOA board, 2009 – 2011

WORK HISTORY

MERCURY ALLIANCE MOUNTAIN PROPERTIES

Broker/Owner

Avon, CO

3/10 – present

- Manage a staff of 4 while actively selling distressed properties and managing all paperwork and expenses
- Closed 341 properties totaling \$105,075,206 in five counties
- Manage expenses including utilities, repairs, liens, HOA dues, etc. for each of those 341 sales in average of \$600,000 per year in addition to managing the transaction from list to sale

Lani Webb

P.O. BOX 3475, EAGLE, CO • 81631 • 970.331.1258 • <https://www.linkedin.com/in/lani-webb-8270b37>

VAIL MOUNTAIN REALTY

Office Manager/Listing Manager/Broker Associate

Eagle, CO

2006 – 01/10

- Managed all administration functions with a direct accountability for a staff of 7-10 for two extremely busy residential real estate offices
- Hired, trained, and managed administrative and sales staff members
- Personally produced over \$4.3 million in sales for the company
- Oversaw all company sales, customer service, marketing, and accounts payable
- Developed and implemented all company print, point-of-sale, and web-based advertising a budget of \$100,000 while consistently staying ahead of the competition in state-of-the-art technology and breakthrough marketing techniques
- Entered and managed clients' properties on various real estate applications including MLS, coordinated closings, customer service, property showings, created comparative market analyses, sales, and corporate accounting

ASSIST 2 SELL, BUYERS & SELLERS REALTY

Office Manager/Licensed Assistant/Broker Associate

Castle Rock, CO

2001 – 2006

- Managed all administrative functions with a direct accountability for a staff of 4 for a busy residential real estate office
- Hired, trained, and managed administrative staff members
- Provided sales support for 5-10 real estate agents, including processing contracts and working with title companies
- Entered and managed client's properties, created comparative market analyses, submitting broker price opinions, and corporate accounting

FAST TRAC BUILDINGS, INC.

Advertising Manager/Office Manager

Greenwood Village, CO

2000 - 2001

- Managed all administrative functions with a direct accountability for a staff of 5 for a manufacturer of steel buildings used in commercial and residential applications
- Developed and implemented radio, point-of-sale and print advertising campaigns a budget of \$1.2 million
- Hired and trained administrative staff members
- Provided sales support for an inside department of 30, including contract development and sales order administration
- Oversaw sales, customer service, customer correspondence, business banking, accounts payable, and accounts receivable
- Assisted corporate accountant with budget development and reporting

EDUCATION & TRAINING

- **Kaplan Professional School**, Broker Associate License, February – April 2006. Passed Colorado State broker exam April 2006
- **Van Education Center**, Managing Brokers License, May 2018. Passed Colorado State managing broker exam.
- **Toastmasters International**, 2004 – present, continuing education for public speaking, effective communication skills, and to better lead and manage teams
- **Employer-sponsored training** in management, office administration, Peachtree Accounting, QuickBooks, Microsoft Access, Word, Excel, Publisher, Print Shop, Adobe Print Shop, and website development

Lani Webb

P.O. BOX 3475, EAGLE, CO • 81631 • 970.331.1258 • <https://www.linkedin.com/in/lani-webb-8270b37>

- **Colorado State University**, Certified Family Leader, January 2020-present. Family Leadership Training Institute community leadership class that focuses on training individuals to have the civic skills they need to make a difference in the community and make it a better place.

VOLUNTEER ACTIVITIES

- **Volunteer, Children's Hospital**
 - Extraordinarily connected to Children's Hospital
 - Active volunteer and frequent visitor to two special patients: a family member's son receiving cancer treatment and my best friend's son receiving care treating a brain injury
- My husband and I collect blankets, children's items, etc. when we travel to other countries & donate to children at foundations or shelters in need.
- **Founder the Avery Muma Foundation in 2013**
 - Organized & threw two benefits for the foundation with over 250 attending, raising over \$30,000

Print

**Town Board (vacancies only), Commission or Committee Application Form -
Submission #1507**

Date Submitted: 2/15/2020



Select the Board, Commission, or Committee applying for*

Planning & Zoning Commission ▼

PERSONAL INFORMATION

First Name*

Lani

Last Name*

Webb

Address1*

103 Brush Creek Ter

Address2

PO box 3475

City*

Eagle

State*

CO

Zip*

81631

Email Address*

laniwebb@hotmail.com

Contact Phone Number*

9703311258

Business Address

25 Eby Creek Rd, Eagle, CO 81631

Business Phone Number

970-328-6622

Occupation

Real Estate

RESIDENCY INFORMATION

Length of Residency in Eagle

14

Are you a registered voter

☒ Yes

☐ No

EDUCATION AND HOBBIES

High School

Elizabeth High School

College

Trade or Business School

Kalpan Real Estate School

Hobbies

Cooking, Yoga, Hiking, Reading, Traveling

ORGANIZATION MEMBERSHIP INFORMATION

Are you or have you served on other Boards, Commissions, or Committees?

☐ Yes

☒ No

If yes, which

Please list organization memberships and positions held

Please List Areas of Special Interest

Looking for an opportunity to serve my community in a way that helps our town continue to thrive.

PLANNING COMMISSION QUESTIONS

1. What opportunities does the Town of Eagle have?

The town of Eagle has multiple opportunities both professionally & personally. The Town of Eagle is a close knit community that offers many entertainment events, highly ranked school system, sought out outdoor activities, recently updated library, & many outdoor spaces for play & private events. Eagle also strongly supports & has many opportunities for local business owners.

2. What challenges currently exist in the Town of Eagle?

The ever present hot topic is always housing. We need more housing but also stainable housing & finding the right blend of that can be tough. Obtaining & keeping qualified workers has been a struggle for local business owners. We're also challenged when it comes to local transportation around the town of Eagle itself.

3. As a Commissioner, how would you approach these challenges?

As a commissioner, facing the housing issue in Eagle I feel you need to look at the problem objectively from both sides of the spectrum. One possible resolution would be providing homeownership programs and assisting low income renters by offering housing subsidies. Adding more deed restricted properties & loosening restrictions on ADU's would bring more work force to Eagle which would in turn help the work force problem. By adding both more affordable housing & bringing more workforce to the town our tax dollars would naturally increase. Therefore, eventually you could start talking about implementing a public transportation system for Eagle proper.

Attach Resume

Lanis Resume.pdf

Please attach resume in .pdf format.



MEMORANDUM

TO: Planning & Zoning Commission
FROM: Department of Community Development
DATE: February 18, 2020
RE: Discussion about Possible LU Code amendments, Commercial General District

Background

A developer recently approached community development staff to inquire about amending a special use permit (SUP) that was granted for two properties in March of 2018. The SUP issued was SU17-06 for a Live/Work project in the Commercial General (CG) Zone District at 263 & 483 Sawatch Road, and is valid through March 13, 2021. The project includes 20 residential units that would have to be sold in conjunction with the 20 commercial units, which are located below the residential units. The developer inquired about the process to amend the SUP to include 4 more residential and commercial units, and to change the site layout, parking, building plans, etc.

Upon review of the town's land use code, staff came across several items which warranted clarification from the town's attorney regarding process, and the specific SUP that the developer would like to amend. The following identifies both the Process and Use-Related items for which staff requested, and received, clarification.

Process:

- The Town's ordinance doesn't have a process for *amending* a special use permit, therefore if the developer wishes to do something different from what was previously approved, can the SUP be amended following the standard SUP process, or is it considered a new SUP?
 - *Clarification received: This will need a new SUP.*
- Since SUP's may be limited to a duration of not less than 3 years, if it's considered an amendment, would it still be subject to the original 3-yr timeframe or would a new 3-yr timeframe to institute the special use start?
 - *Clarification received: It would have a new timeframe.*

Use-Related Items:

- The Special Use Permit was granted for "a Live/Work project in Commercial General (CG) Zone District". The town's LU Code doesn't call out 'live/work' as a use. However, the code calls out the following uses in the Commercial General District:
 - Dwelling units - above street level: Not Permitted in the CG district
 - *Clarification received: If this is the case, the SUP should not have been granted in the first instance.*
 - One single dwelling unit – accessory to a use permitted: Special Use in the CG district (I believe this is what they were meaning to/should have issued the special use permit for?). So there is one residential use accessory to each commercial use?
 - *Clarification received: Yes, one residential per one commercial.*

- There is also a ‘high density, multifamily dwelling’ use, which is not a permitted or special use in the CG (it’s allowed as a special use in the CBD and RMF). Per the code: *Dwelling, high density multiple-family*, means one building containing three or more dwelling units, allowed as a special use at a density as set forth in Chapters [4.04](#) and [4.05](#), provided certain other conditions or standards are met, as set forth therein.
 - **Clarification received: Again, the initial issuance of the SUP appears to be problematic.**
- In light of the items above, and that the SUP was previously granted though the code doesn’t allow for ‘dwelling units – above street level’ or ‘high-density multiple family dwellings’ in the CG district, or for ‘Live/Work units’, do we proceed per the prior interpretation/approval? Or, should we propose amending the LU Code to allow ‘dwelling units – above street level’ as a permitted or special use (along with high-density multiple-family dwellings) in the CG District?
 - **Clarification received: We will need a code amendment to allow this.**

Items for Discussion

In order for the developer to proceed with a request for a new SUP, the Town would need to amend the land use code to address the issues identified above. Staff is seeking direction from the P&Z Commission with regards to drafting an amendment to the code or not, and if so, what specifically is recommended with regards to dwelling units in the CG District.

Discussion items may include items such as the following:

- The Town previously approved SU17-06 allowing the residential dwellings above the ground floor, as well as other similar projects along Chambers Ave in the CG District over the past few years.
- The draft Comprehensive Plan identifies this area along Chambers Avenue to have a future land use of Mixed-Use (MU), which is to have primary uses of commercial, office, civic, service uses, and secondary uses of *‘integrated multi-family residential and commercial (horizontally or vertically)’* and a density of 4-10 dwelling units/acre.
- Should residential dwelling units be permitted on levels above street level?
- Should residential dwelling units be permitted on ground level?
- Should the residential dwelling units only be allowed if they are accessory to a permitted use (i.e., 1 residential use per commercial use)? Or could residential dwelling units be provided that have no tie to the commercial use?
- If residential use is not desired in the CG District, the draft FLUM needs to be amended to remove residential as a secondary use.

Moving Forward

Staff is seeking direction to either draft an amendment to the LU Code, or to leave it as is. In addition, if it is recommended to amend the LU Code, staff would like the P&Z to provide specific direction as to the allowance of residential dwelling units in the CG district, including but not limited to: on ground level, above ground level, either ground or above; permitted use or special use; each dwelling must be tied to a commercial use a, i.e., 1:1 ratio, or multi-family residential dwellings are a permitted or special use and don’t have to be 1 residential dwelling per 1 commercial space, etc.



NOTIFICATION OF LAND USE DECISION

FILE NUMBER: SU17-06

This form represents a notification of decisions rendered by the Town of Eagle Board of Trustees and/or the Planning and Zoning Commission in response to the application for land use action described below and pursuant to Title IV of the Eagle Municipal Code.

APPLICANT: Michael Dantas

OWNER OF RECORD: Michael Dantas

DATE OF APPLICATION: November 29, 2017

LOCATION: 483 & 263 Sawatch Road, Eagle, CO 81631

DESCRIPTION OF REQUEST: Special Use Permit to allow for a live/work project on a property located in the Commercial General (CG) zone district. Details of request as described in the application.

PLANNING COMMISSION ACTION: Recommendation of approval with following conditions:

1. A maximum of 20 residential units.
2. The residential units cannot be sold separately from the accessory commercial units below.
3. A maximum 17% reduction in parking requirements.
4. Access control to prevent vehicular through access into lot 1 from lots 2 and 3.

DATE: March 6, 2018

BOARD OF TRUSTEES ACTION: Approval with the following conditions:

1. A maximum of 20 residential units.
2. The residential units cannot be sold separately from the accessory commercial units below.
3. A 7% reduction in parking requirements and up to a 17% reduction if substantiated by a third-party parking study by development permit application.
4. Access control to prevent vehicular through access, with emergency vehicular access only, into lot 1 from lots 2 and 3.

DATE: March 13, 2018

DATE OF COMMENCEMENT: March 13, 2018



TERM: In the event that a building permit has not been issued or the special use permit has not been established by March 13, 2021, this permit shall be null and void.

A handwritten signature in blue ink, appearing to read "Morgan Landers", is written over a horizontal line.

Morgan Landers
Community Development Director-Town Planner

March 28, 2018

Date

* = NOT PERMITTED USE

P = USE BY RIGHT

S = SPECIAL USE

(Ord. No. 1986-03, § 4.04.060, 3-5-1986; Amended 5-13-1986; Amended 12-27-1988; Amended 6-2-1991; Amended 8-15-1993; Amended 6-23-1994; Amended 12-6-2001; Amended 10-27-2010; Amended 10-22-2013; Amended 10-27-2015)

Section 4.04.070. - Schedule of uses permitted in nonresidential zone districts.

ZONING DISTRICT	CBD	CL	CG	PA	I
USE					
Retail establishment, except mobile home and vehicular services	P	P	P	*	S
Service establishment, except vehicular service	P	P	P	*	S
Restaurant	P	P	P	*	*
Tavern	P	P	P	*	*
Office	P	P	P	P	*
Lodging, extended stay	*	*	S	*	*
Lodging, temporary	P	P	P	*	*
Dwelling units - above street level	P	S	*	S	*
High density, multifamily dwelling ¹	S	*	*	*	*

CG

Park, playground, greenbelt	P	P	P	P	P
Indoor recreation or theater	S	S	S	S	*
Public building, auditorium or other public assembly	S	S	S	S	*
Church, child care facility, school	S	S	S	P	*
Hospital, clinic, nursing home, group home	S	S	S	P	*
Commercial parking lot or garage	S	S	S	S	S
Vehicular and mobile home service, sales and rental	S	S	S	S	S
Contractor's yard	*	*	S	*	S
Shop for blacksmith, cabinetry, glazing, machining, off-set printing, publishing, and sheet metal	S	S	P	*	P
Utility substation	*	S	S	*	S
Water impoundment	*	*	S	S	S
Taxidermy shop	*	S	S	*	S
Dry cleaning plant	S	S	S	*	S
Gasoline sales	S	P	P	*	S
Automobile salvage yard	*	*	*	*	P
Manufacturing, assembly, processing, packaging or preparation of articles or merchandise	*	*	S	*	P
One single dwelling unit - accessory to a use permitted	*	*	S	*	S
Restaurant - accessory to use permitted	*	*	*	P	P

Sexually oriented businesses	*	*	*	*	S
Medical marijuana business ²	*	*	S	*	S
Retail marijuana cultivation facility ⁴	*	*	S	*	S
Marijuana testing facility ⁵	*	*	S	*	S
Cultivation of medical marijuana by patients and caregivers in non-residential units (commercial or industrial spaces) ³	*	*	*	*	P
Cultivation of medical marijuana by patients and caregivers in residential dwelling units (permitted within non-residential zone districts) ³	P	P	P	P	P
Retail marijuana business (excluding retail marijuana testing facilities)	*	*	S ⁴	*	S ⁴
Cultivation of marijuana for personal use in residential units	P ⁵	P ⁵	P ⁵	P ⁵	P ⁵
Cultivation of marijuana for personal use in non-residential units or structures	*	*	*	*	P ⁶
Medical marijuana infused products manufacturer ²	*	*	S	*	S
Optional medical cultivation premises ²	*	*	S	*	S
Retail marijuana store ⁴	*	*	S	*	S
Retail marijuana products manufacturing facility ⁴	*	*	S	*	S
Kennel	*	*	S	*	*
KEY:					
¹ Pursuant to Section 4.05.010.A.3.b	CBD = Central				

² Medical marijuana businesses allowed only on identified commercial general and industrial zoned properties. Please refer to attached map at the end of this section labeled Exhibit A.

Refer to Section 4.04.100(P) concerning supplementary regulations and standards for medical marijuana businesses.

³ See Section 4.04.100(R) concerning supplementary regulations and standards for the cultivation of medical marijuana by patients and primary caregivers in non-residential zone districts.

⁴ Retail marijuana businesses allowed only on identified commercial general and industrial zoned properties. Refer to map at the end of this section labeled Exhibit A.

Refer to Section 4.04.100(U) for supplementary regulations and standards for retail marijuana businesses.

⁵ Marijuana testing facilities allowed only on identified commercial general and industrial zoned properties along Chambers Avenue. Refer to map at the end of this section labeled Exhibit A.

Refer to Section 4.04.100(V) for supplementary regulations and standards for marijuana testing facilities.

⁶ See Section 4.04.100(T) concerning supplementary regulations and standards for the cultivation of marijuana for personal use in non-residential units or structures in non-residential zone districts.

Business District
CL = Commercial
Limited

CG = Commercial
General

PA = Public Area
I = Industrial

* = Not Permitted Use

P = Use By Right

S = Special Use

Development means construction of a building(s) or structure(s) within a contiguous land area or establishment of a mobile home park or RV park by laying out mobile home sites or campsites for the purpose of sale, rent or lease.

Development permit means a permit issued by the Town which certifies that a proposed development has undergone and completed the required development review procedures and which confers permission to apply for a building permit. The development permit may include one or more conditions, which conditions shall apply to any future development of the land, regardless of ownership changes, unless a new development permit is obtained.

Dwelling means a building or portion thereof or a mobile home used for residential occupancy, not including motels, hotels, or other overnight lodging accommodations.

Dwelling, high density multiple-family, means one building containing three or more dwelling units, allowed as a special use at a density as set forth in Chapters 4.04 and 4.05, provided certain other conditions or standards are met, as set forth therein.

Dwelling, multifamily, means one building containing three or more dwelling units.

Dwelling, single-family, means one building containing only one dwelling unit.

Dwelling, two-family, means one structure containing two dwelling units sharing a common wall(s) which comprises at least ten percent of the linear measurement around the perimeter of each unit.

Dwelling unit means one or more rooms designed to be occupied by one family living independently of any other family and having no more than one kitchen facility, including a mobile home.

Easement means an ownership interest in real property entitling the holder thereof to use, but not possess, that real property.

Face of sign means the entire area or combination of areas of a sign on which a message is placed.

Family means one or more persons living together in a dwelling unit, which shall not include more than four persons unrelated by blood, marriage, or adoption.

Floor area means the total gross horizontal area of all floors in a building.

Floor area ratio means the relationship of the floor area of a building to the total lot area.

Frontage or property frontage means the entire length of the boundary line of any one tract of real property adjacent to a public right-of-way.

Gross area means the horizontal area within the exterior boundaries of the subject property, including any streets and required improvements, easements, reservations or dedications.

Section 4.05.010. - Special use.**A. Conditions for special use.****1. All special uses.**

- a. A special use permit may be granted for a use in a particular zone district, as provided in Subsection (B) of this section, provided the Planning Commission and Council find the following:
 1. The proposed use is consistent with the provisions of this chapter and with the Town's goals, policies and plans;
 2. The proposed use is compatible with existing and allowed uses surrounding or affected by the proposed use;
 3. Street improvements adequate to accommodate traffic volumes generated by the proposed use and provision of safe, convenient access to the use and adequate parking are either in place or will be constructed in conjunction with the proposed use, as approved by the Town; and
 4. The special conditions for specific uses, as provided in this section, are met.
- b. In granting a special use permit, the Planning Commission and Board shall impose such restrictions on the proposed use as they find necessary to protect the public health, safety and welfare, including, but not limited to, restrictions equal to or more restrictive than requirements of the zone district regulations regarding area, setback, coverage, and height of proposed structures; off-street parking; safety of ingress and egress; physical separation in distance from other uses or buildings; landscaped buffer areas; screening fences; and any other provisions they find necessary. A special use permit may be limited as to duration of not less than three years, location, the party entitled to the benefit thereof, and/or other specifics.
- c. All special uses that attract or produce additional vehicular trips shall pay a street improvement fee in accordance with Section 4.13.220.
- d. All special uses requiring additional fire protection services shall pay a fire protection services impact fee in accordance with Section 4.13.230.

2. Industrial operations. Every industrial use requiring a special use permit shall be designed to conform with Section 4.04.100(L) and operated so as to have no adverse effect on:

- a. Existing lawful use of water through depletion or pollution of surface run-off, stream flow or groundwater.
- b. Wildlife and domestic animals through creation of hazardous attractions, blockade of migration routes or patterns or other means.

3. High density multiple-family dwellings.

- a. In the Residential Multi-Family (RMF) Zone District, high density multiple-family dwellings shall be allowed as a special use at the maximum density of one dwelling unit per 2,500 square feet of lot area provided that, in addition to all other applicable standards and requirements, the lot area shall include a minimum of 600 square feet of usable open space, as defined in this Title, per dwelling unit.
- b. In the Central Business District (CBD) Zone District, high density multiple-family dwellings shall be allowed as a special use provided that, in addition to all other applicable standards and requirements, the lot area shall include a minimum of 300 square feet of usable open space, as defined in this Title, per dwelling unit.
- c. As a condition of any special use permit for high density multifamily dwellings in the Residential Multi-Family (RMF) Zone District and the Central Business District (CBD) Zone District, containing ten or more residential units, the applicant shall provide local employee residences in accordance with Section