



MINUTES
Planning & Zoning Commission
Tuesday, June 2, 2020
6:00 PM

ON-LINE MEETING

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

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MEETING ACCESS INFORMATION AND PUBLIC PARTICIPATION

1. Virtual Meeting Procedure

- [Register in advance for this meeting here.](#)
- Public comments can be made when the Chair opens the public comment. Please prompt through Zoom to raise your hand and you will be called on when it is your turn.
- All public attendees will be muted during the meeting, unless the Chair or meeting facilitator invites them to speak live during the meeting.
- Meetings are recorded and will be published on the Town's web page.
- For technical difficulties, please email peyton.heiztman@townofeagle.org and we will do our best to assist you.

6:00 PM - REGULAR MEETING CALLED TO ORDER

Chair Matthew Hood Called the meeting to order at 6:04pm

COMMISSIONERS

PRESENT

Robert Townsend, Lani Webb, Jesse Gregg,
Matthew Hood, Charlie Perkins, Kyle
Hoiland, Brent McFall, Bill Nutkins

STAFF

Chad Phillips – Community Development Director
Angie Kyle - Administrative Tech II
Jessica Lake - Planner I
Peyton Heitzman – Planner I

COMMISSIONERS ABSENT

Charlie Perkins

APPROVAL OF MINUTES *Approval of the minutes from the May 5, 2020 meeting of the Planning and Zoning Commission.*

1. Minutes dated May 5, 2020.

Commission Hoiland stated that he was not part of the Land Use Committee and that he would like that revision to be made.

MOTION: COMMISSIONER BRENT MCFALL MOTIONED TO APPROVE THE MINUTES BASED ON COMMISSION HOILAND’S REVISION REQUEST. MOTION WAS SECONDED BY COMMISSIONER KYLE HOILAND AND PASSED WITH A VOTE OF 7 IN FAVOR AND 0 OPPOSED.

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.

Chair Hood opened public comment at 6:07pm. There was no public comment.

Amendment to Title 4 of the Municipal Code, involving uses and standards within the Commercial General (CG) Zone District.

1. Project: Amendment to Title 4 of the Municipal Code, involving uses and standards within the Commercial General (CG) Zone District.
File # LURA20-01
Applicant: Town of Eagle
Location Commercial General (CG) Zone District
Staff Contact: Chad Phillips, Community Development Director/Town Planner
Request: Amendment to Title 4 of the Municipal Code, Section 4.04.070 - Schedule of uses permitted in nonresidential zone districts by adding a Special Use (S) designation to the use category dwelling units - above street level.

Mr. Phillips and Mrs. Lake presented the steps that were taken to amend Title 4 of the Municipal Code, Section 4.04.070 pertaining to the Commercial General District (CGD) from the memo.

Q&A

Commission Nutkins asked staff that, by proposing this amendment, would the dwellings above ground level not have to be accessory to a ground floor use? . Mr. Phillips replied that the proposal would result in an option of either an accessory unit or an unrelated dwelling, but either would be subject to the special use approval process. Commissioner Nutkins replied that there are not real guidelines in the CGD to apply to such applications and this is the reason why he encouraged waiting until the future land use changes are implemented. Commissioner Nutkins believes that if the code is changed to Special Use (S), that it will leave room for ambiguity for applicants.

Mrs. Lake informed the Commission that when the interpretation was made for the accessory units, there was not enough research to ensure there would be sufficient resources to provide the necessary utilities and emergency services for the area. Public Works informed her that there is a concern with emergency access and infrastructure issues with water and sewer capabilities.

Commissioner Nutkins asked if there is a specific applicant that is pushing this process. Staff answered that there may be.

Commissioner Hoiland said that this is a good “band aid” fix until the future land use code is completed.

Chair Hood agrees with Commissioner Nutkins concerns as it allows accessory uses. He is concerned that a Developer could get the impression that they could build an apartment building over a retail store in the CGD and present it to P&Z thinking it would be a viable application. Chair Hood encouraged the Commission to provide Staff with guidance as to what the Commission wants to see in the CGD so Staff may assist applicants prior to presenting to the Commission. This amendment is going to be a special use that the Commission could deny on adopted criteria, and he does not want to give the development community the wrong idea on what is expected.

Mr. Phillips informed that based on standards like 4.07.070, the required parking for each residential unit, and the maximum coverage percentage of the lot this puts a cap on how big these projects can be, and the question at-hand would be if the project proposes a compatible use.

Chair Hood reiterated that the CGD primary use is not residential, it’s use is commercial. The applicant should be aware of this and understand that if they choose to present a primary residential building in CGD to the Commission, that it is likely it will be denied based on compatibility.

Commissioner Hoiland asked that assuming this amendment is approved, will staff have issues informing the applicants that primary residential projects will not be in favor of the Commission? Phillips informed the Commission that staff will work with the applicants on the intent of the CG district and addressing the “compatible use” issue.

PUBLIC COMMENT:

Chair hood opened public comment at 6:29pm, there was no public comment. Close at 6:29pm

DISCUSSION:

Commissioner Gregg is in favor of approving this amendment knowing that there have been methods discussed to ensure the projects proposed will be compatible with the CG District. He thinks keeping residential accessory units secondary to commercial in this district makes the most sense.

Commission Nutkins said he does not want to see projects similar to the Talon Flats project in the CGD. He is in favor of the amendment however he does foresee some hurdles as it may cause some applicant's confusion and animosity in trying to present projects as a Special Use Permit to the Commission.

Commission McFall is not fond of this, however the real solution will come with the Future Land Use Plan roll out. He is in favor of recommending this to Town Council as a "band aid" and his direction to the Planning Staff is for them to provide as much guidance as possible on the expectation of the Commission prior to them spending time and money on their application that would not be consistent with what the Commission believes is right for this district regarding compatible uses.

Commissioner Webb agrees with McFall. She wants to ensure there is compatibility with CGD guidelines and code. Her concern is that there will be apartment-type building projects presented to the Commission. She is also concerned with the issues addressed by Public Works, Emergency services and other problems that could arise with this added flexibility.

Commission Hoiland is in favor of this amendment knowing that it is temporary. This zoning is commercial first and residential second.

Commissioner Townsend agrees with Commissioner Hoiland and does not want large residential projects in the CGD.

MOTION: COMMISSIONER BRENT MCFALL MOTIONED TO RECOMMEND TO TOWN COUNCIL THE AMENDMENT TO TITLE 4 OF THE MUNICIPAL CODE, INVOLVING USES AND STANDARDS WITHIN THE COMMERCIAL GENERAL (CG) ZONE DISTRICT. MOTION WAS SECONDED BY COMMISSIONER JESSE GREGG AND PASSED WITH A VOTE OF 7 IN FAVOR AND 0 OPPOSED.

TOWN COUNCIL MEETING REVIEW

Staff update to the Planning & Zoning Commission on recent decisions made by the Town Council on various Land Use files.

The only update from Town Council is in regard to the CG District amendment.

COMMUNITY DEVELOPMENT DEPARTMENT UPDATE

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

Chair hood requested information for updates on the larger projects around town such as Haymeadow and Hockett Gulch. Staff is going to provide updates at the next meeting on Hockett Gulch, Haymeadow, and the Alpine Lumber artwork.

OPEN DISCUSSION

None.

ADJOURN

**MOTION: COMMISSIONER BILL NUTKINS MOTIONED TO ADJOURN. MOTION WAS
SECONDED BY COMMISSIONER HOILAND AND PASSED WITH A VOTE OF 7 IN FAVOR AND 0
OPPOSED.**

APPROVED

DATE:

Matthew Hood

Matthew Hood (Jul 8, 2020 14:10 MDT)

Matthew Hood, Chair



Angie Kyle, Administrative Tech II

P&Z Minutes_06-02-2020 APPROVED

Final Audit Report

2020-07-08

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