



MINUTES
Planning & Zoning Commission
Tuesday, July 21, 2020
6:00 PM

ON-LINE MEETING

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MEETING ACCESS INFORMATION AND PUBLIC PARTICIPATION

- 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.heizman@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 6:00pm.

COMMISSIONERS PRESENT

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

STAFF

Chad Phillips – Community Development Director
Jessica Lake - Planner I
Peyton Heitzman – Planner I

COMMISSIONERS ABSENT

Brent McFall

APPROVAL OF MINUTES *Approval of the minutes from the July 7, 2020 meeting of the Planning and Zoning commission.*

1. Minutes dated July 7, 2020

MOTION: COMMISSIONER CHARLIE PERKINS MOTIONED TO APPROVE THE MINUTES. MOTION WAS SECONDED BY COMMISSIONER BILL NUTKINS AND PASSED WITH A VOTE OF 6 (WEBB, GREGG, HOOD, HOILAND, PERKINS AND NUTKINS) IN FAVOR, 0 ABSTAINED 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 6:07 pm. There was no public comment.

PUBLIC HEARINGS

1. Project: Soleil Homes at Brush Creek Filing 2 Phase II
File # CT20-02
Applicant: John Purchase of Wynton Homes, LLC
Location 166 & 172 Soleil Circle
Staff Contact: Peyton Heitzman, Planner I
Request: Final Plat to subdivide lot 16 into lots 16-A and 16-B

Chair Hood opened file CT20-02 the Soleil Homes at Brush Creek Filing 2 Phase II at 6:10 pm.

STAFF PRESENTATION

Peyton Heitzman, Planner I, reviewed the staff report from the packet for the condo/townhome plat.

Q&A

Commissioner Perkins asked if Soleil Homes had established an HOA yet?

- Heitzman commented that John Purchase could answer that question.
- Purchase commented that the HOA has been operational for roughly five years as a condition of approval with the SIA.

Commissioner Perkins asked if the HOA had approved the subdivision duplex plat?

- Purchase answered that no they have not been involved in this process before.
- Philips answered that HOA's are typically involved in Design Review but not in platting/subdivisions.

Commissioner Hoiland asked if the applicant has any concerns regarding staff and attorney redline comments?

- Purchase said that so far they have no concerns regarding any of staff's comments.

Commissioner Hood asked John Purchase if he had any comments for this file?

- Purchase said no, they are happy with the comments received so far and the conditions of approval. They are looking to get this plat recorded quickly as they cannot sell the properties until the plat is recorded.

PUBLIC COMMENT

Chair Hood opened public comment at 6:17pm. There was no public comment.

DELIBERATION

Commissioner Hoiland says that he has no concerns regarding this subdivision plat.

MOTION: COMMISSIONER BILL NUTKINS MOTIONED TO APPROVE APPLICATION CT20-02 BASED ON STAFF'S FINDINGS AND WITH THE FOLLOWING CONDITIONS OF APPROVAL, MOTION WAS SECONDED BY COMMISSIONER KYLE HOILAND AND PASSED WITH A VOTE OF 6 (WEBB, GREGG, HOOD, PERKINS, NUTKINS, AND HOILAND) IN FAVOR AND 0 OPPOSED:

1. Prior to recording the Final Plat, the applicant shall complete all outstanding public improvements, as approved by staff, or provide a performance guarantee for any outstanding public/private improvements.
2. All redline changes from staff, Town Attorney, and third party-surveyor shall be incorporated into the Final Plat prior to recording.
3. The plat shall be recorded before January 16, 2021. Extensions may be approved administratively without notice if it is proven to the Town Planner that due diligence is being performed towards recordation of the plat.

TOWN COUNCIL MEETING REVIEW

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

Chad Philips commented that the Special Use Application and Land Use Code Ordinance were approved at the last Town Council meeting.

COMMUNITY DEVELOPMENT DEPARTMENT UPDATE

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

Chair Hood asked if staff had written a department update to share with the Commission. Philips commented that staff missed this month, but would provide a staff update at the next meeting.

OPEN DISCUSSION

Commissioner Perkins asked when the property at Ping Lane had come up for sale?

- Commissioners Gregg and Hood mentioned that it had been for sale for quite a long time now, about one year.

Commissioner Perkins asked if the Town had heard about any interest in that property?

- Philips responded that a representative of the land owners has been in touch with Town Staff regarding annexing the small portion of the property that is still part of the County and regarding a potential rezone.
- Commissioner Perkins commented that the property is a crucial part of our overall river park plan.

Commissioner Hoiland asked about the process decided on by Town Council for the two Commissioners whose terms are up or will be up soon.

- Philips said that things haven't been very consistent in the past and the Council has directed staff to have current Commissioners re-apply and solicit applications from the Community and have all applicants interview with Town Council.

2. Worksession: P&Z / staff worksession to discuss the policies/strategies in the Elevate Eagle draft.

Chair Hood opened the worksession at 6:31 pm.

STAFF PRESENTATION

Chad Philips, Community Development Director, reviewed the staff memo and summarized the work that staff has done recently on Chapter 5 of the Comprehensive Plan, Elevate Eagle.

Questions for the Commission to consider:

- Is the present Chapter 5 built to accommodate anticipated applications?
- Does Chapter 5 include sufficient detail that would lead to decisions that support the Community's goals in the new Comprehensive Plan?

Sub-area plans are in greater detail than the overarching community plan. Notice that no graphics are currently incorporated to reference sub-area plans. Current Sub-area plans that Eagle has adopted:

- West Eagle Sub Area Plan (2011)
- Eagle River Corridor Plan (2015)
- East Eagle Sub Area Plan (begin '20)
- Hwy 6 Corridor Sub Area Plan (begin '20)

If there is conflict between a sub area plan and the Comp Plan, the sub area plan would take precedence over the Comp Plan. The character areas within the Comprehensive Plan would provide guidelines for the areas that we do not have a sub area plan for.

Major topics typically covered in a Comprehensive Plan:

- Wildlife
- Environment

- Safety
- Connectivity
- Housing options
- Appropriate mix of uses
- Community character
- Sub (character) areas
- Green development
- Economic health
- Sustainability
- Infrastructure responsibilities
- Open space/recreation

Are all of these topics covered in the plan? Are they adequately covered? Does the way in which they are covered help the Commission to use them to make decisions on land use applications?

Hypothetical application types – can the current plan help decision makers make decisions on active applications?

- PUD amendment to add or increase commercial and light industrial
- PUD amendment to replace detached SFD's with multi-family units
- Rezoning request from CBD on Wall Street to RMF

Q&A

Chair Hood commented that he would like to see these plans referenced and summarized in the Comprehensive Plan, so that the Comp Plan can function more as a one stop shop for finding and referencing policies. (Example: A.1.2.b)

- Philips added that staff had noted that references for the areas discussed are not described and maps have not been included, but we have discussed with Logan Simpson the importance of making these areas clearly defined and easily understood.

Commissioner Gregg asked if the draft had been released to the public yet?

- Philips commented that the draft has not be released to the public yet. He added that this was something that he has brought this up with Logan Simpson and they responded that more work had been needed with staff before releasing the public draft.

Chair Hood commented that at the last joint meeting it seemed like a significant amount of work was still needed on the Future Land Use Map (FLUM). Philips agreed that more work was still needed on the FLUM and public vetting would be part of that.

Commissioner Hoiland asked what is a realistic schedule to have this available to the public for comment?

- Philips responded that the short answer is, how close is this document to what the public wants? Philips is also aware that members of the public will come forward once it is called an adoption draft and that likely will add some additional time into the schedule.

Hoiland asked if the Plan is meant to drive the decisions that we make in the Land Use Code? He mentioned that some of this information conflicts with the Land Use Code and are we going to run into problems because of that? The documents are supposed to work together, correct?

- Philips responded that Hoiland is correct and the documents are supposed to work together. The policies in this plan will help to inform the development code update. The plan should be used as a guide for adopting the regulations.

DISCUSSION

Commissioner Townsend joined the meeting at 6:52 pm.

Commissioner Townsend asked if the packet attachment was part of the Comp Plan or part of Town Code? He asked if our Comp Plan was intended to be a 20 year plan?

- Philips responded that Chapter 5 was taken from the Comprehensive Plan, which will be replacing our 2010 Community Plan and that this plan is intended to be 20 years.

Philips brought up the Special Character Areas from the 2010 Community Plan that staff has added into the draft Comprehensive Plan. Philips summarized the character areas and staff's approach to them and asked the Commission if they agreed with including all of these? Should we take any out? Are there aspects of these areas missing from the 2010 plan that we need to include in this plan to reflect the needs of the Community?

Commissioner Gregg suggested further clarifying the Town Center area so that it matches up better with some of the Overlay Districts in the Land Use Code.

- Philips agreed that it seems that the current draft is lacking information on how all of these different aspects tie together, we are asking for trouble if we don't clarify that in this document.
- Chair Hood added that it is never good to reference something without defining it.
- Philips also suggested adding the boundaries of our sub area plans into the Comprehensive Plan as well.

Commissioner Hoiland suggested that the biggest issue the community faces is housing. He would like to see that housing is specifically addressed to get applications approved that provide infill and alternative housing options. Chair Hood clarified that Commissioner Hoiland would like to see more flexibility in the regulations to allow for approving applications that are "good" for the community.

- Philips suggested that the "greater good" could mean something different to each Commissioner and Council member and it is important to try and quantify these suggestions.

Chair Hood commented that we should define the Character Areas that are important to us and then mold our goals for those areas into the Vision Statements. It seems that the approach of the plan was to make it more broad and shorter and it appears as though it's been taken too far. We have unique areas and they should be identified – example: CBD we want to see downtown vibrancy and mixes of uses, but we wouldn't want to see this out on Brush Creek Road. Chair Hood will send his redline comments to planning staff later in the week.

Chair Hood suggested striking the areas that are specific to the County. However, the Brush Creek Character Area should be included in the Comprehensive Plan.

Commissioner Perkins commented that we have a lot of opportunities popping up over the next few years with additional corridor and character area studies. We also have the future potential of the railroad being revitalized and maybe we should take this into account in our Comprehensive plan and the Hwy 6 Corridor Study.

- Philips responded that yes, we do have a lot of opportunity for the Town to grow and evolve and it will be interesting to see what is proposed for these areas and how we work to promote growth in the Town Centers that we have without adding any additional Town Center areas, as we seem to be Town Centered out at this point.

Housing – do we need additional policies/strategies in place under the Housing Vision?

- Chair Hood noted that even though we do not have many policies in this section, they do seem to be a bit duplicative. Making it more specific would be to roll #2 into 1.1.
- Lake commented on separating out the actions items from the policies and goals.
 - Add a Chapter 6 as a matrix for all the actions items.
 - Include action items for revising the LERP program to achieve more affordable housing projects and an action item for a housing study specific to Eagle to identify our specific needs as a Town.
- Philips commented that our action items need to be more clear from our policies/strategies.
- Policies/strategies need to be clear and usable when evaluating an application.

Character – staff added (21) items to Character Vision from the 2010 Plan in addition to all the Character areas; but are we still missing anything that would support the 4 goals?

- Chair Hood asked about a lighting plan that had been worked on but never adopted.
- Staff to look for our un-adopted dark sky lighting plan from a few years ago to determine if any of that information should be incorporated in the Comprehensive Plan.
- Commissioner Perkins commented that he would like to see a tasteful use of neon lighting in downtown Eagle, he believes that neon lighting is currently prohibited by the Code.
- Chair Hood asked about the building heights in downtown Eagle, and suggested looking into possibly increasing the height specifically in downtown.

Adventurous Lifestyle – includes local amenities but also amenities that attract tourists, currently includes (5) goals, staff added (3) items from the 2010 plan.

- Commissioner Gregg noted that maybe we should include the full buildout of the River Park in this section.
 - Include phase 2 of the River Park in the action items.
- Commissioner Townsend asked if we have maps of existing open space, town parks as well as other property identified that could be used for future open space or future town parks. This could be great to include in the Comp Plan, these could also be helpful for the action steps.
 - Philips commented that staff could look for these and see if we have any existing and if not talk to Logan Simpson and/or Eagle County's GIS department about creating maps for existing and future public land.

Environment – staff added (26) items into this section in addition to the stated goals. Staff will make revisions to add them under the policies that they support.

- Philips noted that #5 of the added policies is an action item – move this item to Chapter 6.
- Commissioner Gregg commented that the goals seem to be in line with the community, seems to be mostly suggestions instead of requirements.

Connections – staff added (22) items to this section, with (4) stated goals.

- Commissioner Townsend asked if this section would reference the Hwy 6 Corridor study. Suggested an action item as well to improve circulation along Hwy 6 and downtown.
 - Philips responded that it might be easier to reference the corridor study in the action items.
- Lake suggested this could be a good area to show visuals such as existing conditions maps.
- Chair Hood noted that this Vision is difficult for staff to implement as these items would be difficult to impose on smaller subdivision or development projects. Seems like these items fit better under just Town wide projects. How do you action item these goals to achieve them?
 - Philips responded that under the action matrix we could add in who is the champion, what are the difficulties.
 - Commissioner Townsend agrees that it would be helpful to have visuals in this section in order to help with budgeting and prioritization of Town Projects.
- Commissioner Perkins had a comment regarding Goal #3, regarding the pedestrian use of the railroad bridge and that this area should be identified by the Town as an area of concern. Maybe identifying key intersections for danger.

Other Items to Possibly Include – staff added (19) other items.

Are some of these too vague or are they useful. Several Commissioners noted that quite a few of these items appeared to not have much use, especially relating to evaluating active projects. Economic Development was discussed, it was felt that most of this work was more appropriate for the Chamber of Commerce and the Economic Vitality Committee. Commissioner Gregg looks at Economic Development as something that can go hand and hand with Land Use. Commissioner Nutkins feels that Economic Development is much more subject then land use and thinks it would be better left to the Economic Vitality

Committee. It might make sense to include economic development to help Town Council better evaluate projects.

Philips thanked the Commission for going through Chapter 5 with staff and for bringing him up to speed on what the Commission is looking to see in this document. Staff will revise Chapter 5 and bring it back to P&Z at the next meeting on August 4th.

ADJOURN – 8:17 PM

MOTION: COMMISSIONER JESSE GREGG MOTIONED TO ADJOURN. MOTION WAS SECONDED BY COMMISSIONER KYLE HOILAND AND PASSED WITH A VOTE OF 7 (TOWNSEND, WEBB, GREGG, HOOD, HOILAND, PERKINS AND NUTKINS) IN FAVOR AND 0 OPPOSED.

APPROVED:

DATE:

Matthew O. Hood

Matthew O. Hood (Sep 14, 2020 12:00 MDT)

Matthew Hood, Chair

Jess Lake

Jessica Lake, Community Development Planner I