



MINUTES
Planning & Zoning Commission
Tuesday, November 17, 2020
6:00 PM

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

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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.
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6:00 PM - REGULAR MEETING CALLED TO ORDER

Commissioner Hood called the meeting to order at 6:02pm.

COMMISSIONERS PRESENT

Jesse Gregg, Matthew Hood, Kyle Hoiland, Robert
Townsend, Keegan Winkeller

STAFF

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

COMMISSIONERS ABSENT

Charlie Perkins, Lani Webb, Bill Nutkins

1. New member oath

- Keegan Winkeller swore in as the Planning and Zoning Commission Alternative.

2. Vice Chair Appointment

- **MOTION: COMMISSIONER MATTHEW HOOD NOMINATED JESSE GREGG AS VICE CHAIR. MOTION WAS SECONDED BY COMMISSIONER ROBERT TOWNSEND AND PASSED UNANIMOUSLY.**

APPROVAL OF MINUTES *Approval of the minutes from the September 1, 2020 meeting of the Planning and Zoning commission.*

1. Minutes dated September 15, 2020
Commissioner Hood required to edit the “9” out of Kyle Hoiland’s name in the minutes upon approval.
- MOTION: COMMISSIONER KYLE HOILAND MOTIONED TO APPROVE THE MINUTES. MOTION WAS SECONDED BY COMMISSIONER JESSE GREGG AND PASSED WITH A VOTE OF 4 (HOOD, GREGG, TOWNSEND, HOILAND) IN FAVOR, 1 ABSTAINED (WINKELLER) 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.*

Commissioner Hood opened public comment at 6:06. There was no public comment.

PUBLIC HEARINGS

1.	Resolution 01, Series 2020, "A Resolution of the Planning and Zoning Commission of the Town of Eagle, Colorado Adopting the Elevate Eagle Comprehensive Plan" a. Elevate Eagle Comprehensive Plan (2020) Adoption Draft
	STAFF PRESENTATION Megan Moore with Logan Simpson presented to P&Z Commissioners on the process of the Elevate Eagle Comprehensive Plan. Ms. Moore went over the outreach and how the Values, Vision, Goals, and Policies were identified. The Draft Plan Review was reviewed by 372 unique users. Ms. Moore went over each chapter of the Comprehensive Plan and how each was formulated as well as the highlights. She informed the Commission that Chapter 5 guides staff in determining how to process incoming land use applications, and Chapter 6 identifies the actions associated with the plan and those responsible for the actions. Staff has received six letters of public comment that were not included in the original packet for tonight’s meeting. The comments received requested that the Town take the corner of Eby Creek Rd and Chamber’s Ave under consideration in the Comprehensive Plan. This property should be

enhanced by bringing it up to the level of design as other buildings in the area. Eby Creek and Chamber's is currently underutilized. We received many comments from the motorized community, requesting improved access to trails and more trails for this group. Moab is a community that has balanced the needs of both the motorized and non-motorized communities and Eagle should look to them for ways to balance the needs of both. The Comprehensive plan should address motorized trail uses as a large percentage of Eagle recreates this way. The Comprehensive Plan's existing conditions contain some data that is potentially incorrect. DOLA provided data in 2015 and 2017 for the number of people living in Eagle and commuting out and the number of people living outside of Eagle and commuting in. This data flipped within two years, which could indicate that the data itself is incorrect. Also, in the Existing Conditions, the mapping of the Mountain Lion Human Conflict Area seems like the data might be inaccurate, the Town should look into this. The photos used for the land use descriptions are a little off, especially for high density residential, too many of the photos are from Eagle Ranch. Goal 4-4 might benefit from more sub targets. Red Canyon Café should have been shown on the map. Ryan's a strong member of our community.

Staff was not able to address these comments in the Adoption Draft or in the memo submitted to the Commission due to timing constraints. We do want to point out that filters of "is this the community voice" and "how would we apply this to new development" were used to determine whether or not specific comments were addressed in the plan. For the motorized recreators we included motorized and "OHV" in the existing conditions. An action item is included for a "trails master plan", which will take into account all trail users and will be under the direction of the new Open Space Manager.

With regards to the Existing Conditions chapter in the Comprehensive Plan, staff has noted that certain data might warrant further review. Specifically, staff had thought to look into the housing data and created a suggested condition of approval to address this. If the Commission would like staff to also look into the DOLA data and the wildlife mapping, we can add that to condition of approval #1.

It is certainly unfortunate that Red Canyon Café did not make it onto the map included in the plan, as Ryan is a very valued member of the Eagle Community. This map was created based on the public comments about their favorite places in Eagle. We are sure that during the next planning process the Red Canyon Café fans will be out in force.

Staff also received comments regarding the limited amount of mixed-use proposed in the plan and the view corridor action item. Staff anticipates that mixed-use either already is or will be anticipated in sub area planning. For example, the River Corridor sub area proposes mixed-use in the planning area and the Future Land Use Map shows that area as being under a sub area plan and thus refers staff and developers to that plan. The view corridor action item was intentionally left vague as it will be part of that study to determine and address the iconic views in Town, however, two iconic views are easily identifiable to residents of Eagle – Castle Peak and New York Mountain. This is likely where staff will begin when we address this action item.

Last but certainly not least, staff provided a list of suggested conditions of approval for the Commission's consideration. We would ask that the conditions be a topic of discussion for the

commission. We are happy to answer any questions on the plan, public feedback or the conditions of approval.

Q&A

Commissioner Gregg had the following comments and questions:

- Page 65, 2.1.6 *Residential areas are encouraged to continue including mature trees, which provide ample shade, creating sense of enclosure.* He suggests changing including to “retain.”
- Page 66, 2.3.1b, the preservation of historic structures and should be encouraged and mixed use with new development. He feels that it does not make sense. Mr. Phillips suggested adding a period after “encouraged” and remove the remaining statement.
- Page 72, Goal 4.2 he suggested to add verbiage about maintaining open space buffers along streams as a sub goal. He suggested 2.5 would be maintain open space buffers along streams and rivers. Olivia with Logan Simpson informed the Commission that they added 4.19 in the actions chapter, “codify a general setback of 75 feet from the highwater mark. Mr. Phillips suggested that the water body setback should just be a disturbance buffer. Commissioner Winkeller mentioned that with the stream and river setbacks, there cannot be any disturbance within that corridor, and that adding it here would be redundant and cause conflict. Gregg did not agree because he sees trails within 75 feet of the river.
- Page 73, 4.3.1 *Enhance or create a tree canopy in new development areas where existing urban areas where tree covers lacking,* he would like to add “encouraging preservation of mature trees” into this section. If it is added to the section before, we are covered.
- Page 85 3.1.9 in regard to *securing public rights of way for existing or new access to public lands,* he wants to include rivers.
- Page 89 5.11 *prepare and work to implement a comprehensive sidewalk plan,* he said that enhancing sidewalks along Broadway should be expanded to “sidewalks in the greater downtown” since the sidewalks on Broadway have already been advance. It was determined to change it to “downtown neighborhood.”
- Page 89 5.14 *Work to retain the rail corridor for future freight and public transportation,* he suggested adding a future commuter rail station.
- Page 90 Public Infrastructure section, he believes that this might be too specific for this document and should be addressed in the code. Commissioner Hoiland thinks this is addressed in future improvements and costs and covered well in this document.

Commissioner Hoiland spoke on the public comment received specific to Dominic Morello comments about traffic flow and commuters to the town. He wanted to know how staff going to address this? Is this through DOLA? Staff said yes, this needs to be discussed with DOLA and why they saw a change in the last 2 years. Commissioner Hoiland wants this updated because he knows a lot of people in the trade industry that work in Eagle ad work up valley. There are more construction trades in Eagle, and he doesn’t believe the DOLA stats address this. Most of our appointed members are in construction,

and he believes it a large industry to overlook in this plan. Commissioner Winkeller agrees that this trade is not being addressed but possibly that the companies are in Eagle and work up valley and that this may be the reason for the discrepancy. Phillips said we can reach out to a demographer to get comments on these. If there is a conflict, we can include these as an appendix. Commissioner Holand was satisfied with this and supported it as an appendix. He thanked staff for addressing each of the public comment letters.

PUBLIC COMMENT

Public Comment opened at 6:45pm.

Tom Boni, 712 Bull Run, representing landowners Matt Berry and Gary Gilman. Mr. Boni is speaking to the zone property within eagle county immediately north of Eby Creek Mesa subdivision. The subdivision is zoned residential suburban low density and there is rural residential behind that subdivision. Then immediately to the west of it and to the north of it the zoning is larger rural residential parcels and there's also a category of future land use designation category that was within the plan for residential development different than zoning but pretty well linked together in terms of the general concept of two units an acre or a larger rural residential opportunities. His request is really to extend the future growth boundary to include those rural residential properties. There is a goal plan to minimize sprawl on the I-70 corridor that these properties are located approximately to. The landowners do not have any immediate plans for development, but they do not want to live with a master plan that eliminates their properties from future consideration if they would like in the future to approach the town of annexation. He believes that this provides the town a tremendous amount of discretion in terms of whether or not the plan meets the goals or policies of where eagle wants to go. There's certainly going to be financial considerations and water considerations but all of these are things that come up in future and not part of a larger master planning effort so this could also eliminate a difficult situation or an awkward situation that exists when there is an existing zoning very close to town that is not being recognized by the town's master plan. By including these properties within the future growth boundary and using the rural residential designation that the Town already has would allow these lands to be identified and certainly in a 10 to 20 year framework there may be opportunities for these landowners to petition to the town and begin discussions about the public benefit of bringing these lands into the Town of eagle.

Pat Adler, RED Development representative, his client is RED Development. They are the developer for Eagle River Station. His client submitted a letter to the town on November 11th identifying four areas of concern. He is happy to say that with Jessica Lake's presentation tonight and staff addressing the mixed use in the more detailed plans. He commends staff giving context on the view corridors, and the changes that were made in the adoption copy. He said hats off to the Town and Logan Simpson for getting this done. This has been a challenge during COVID-19 pandemic and they appreciate all of the consideration.

Gary Gilman, 1495 Eby Creek Rd. Mr. Gilman bought the parcel in 1986 and met with Willy Powell, the then Town Manager about the Town of Eagle's land use map at the time to include his property and extending utilities in his area. He expressed concerns with his property not being included in the Future Land Use Map.

Chair Hood closed public comment at 6:59pm.

DELIBERATION

Mr. Phillips posed the question to the Commissioner: would the expansion North to the Eby Creek parcels discussed in Public Comment support goals in the plan? This plan reflects what this community wants today. Mr. Gilman brought up old plans, and the Town is not held to those. The Eby Creek Mesa has been in the previous Future Land Use Plans, and it has not been annexed into the Town to this day.

Chair Hood commented that he was not sure the community provided input on this area. He asked if there is a detriment to including this in the Future Land Use Map? He doesn't feel very strongly either way unless there is a reason not to. He doesn't see the feasibility of including it but he doesn't want to prevent it.

Mr. Phillips asked the Commissioner to keep in mind that the plans can be changed. Any landowner in the town can request an amendment. Commissioner Gregg asked if we are just serving Mr. Gilman in his request or is this going to benefit the Town as a whole if we include the requested North properties in the Future Land Use Map. Should the Commission desire to see the Future Land Use Map amended, part of the rationale would be identifying the goals of why they want to see that change.

PUBLIC COMMENT REOPENED

Chair Hood reopened Public Comment at 7:08pm

Matthew Barry, 670 Winslow in Edwards. He discussed including the North parcels in the Future Land Use Map. He discussed growing the commercial, bringing big business in, the growth of Eagle. He asked, why not include Eby Creek parcels in Eagle. He thinks these properties are close to Eagle and a unique product and that these are the best viable commercial land as possible.

Public comment closed at 7:15pm

DELIBERATION

Mr. Phillips suggested that there is more studies that need to be done to make a decision to include these properties. He asked if the Commission would want to include an action item to pursue a study for expanding the Urban Growth Boundary north of Eby Creek Mesa.

Commissioner Townsend said that he is good with the study, with the boundary line, and would like to see later if it needs amended.

Commissioner Hoiland said that he likes the idea of including this parcel in the Future Land Use Map. He thinks that Mr. Phillips is spot on with the assessment. He said that there needs to be more research on how including these North properties will impact the town. He wants to leave it open for research in the next year or two.

Commissioner Winkeller agreed Commissioners Hoiland and Townsend. He wouldn't include these properties at this point but would like to have the ability to study it for the future. It doesn't sound like anyone is trying to develop this anytime soon so it can be amended later on if need be. If someone wants to develop this area, then they can pursue this.

Commissioner Gregg said the utilities and ability to serve this area is important. He believes that most of this area is served by Eagle. Water and sewer is served in Eby Creek. It needs to be identified which areas to include and the impact.

MOTION: COMMISSIONER KYLE HOILAND MOTIONED TO APPROVE RESOLUTION NO. 01, SERIES 2020 TO ADOPT THE ELEVATE EAGLE COMPREHENSIVE PLAN (2020), WHICH SHALL SUPERSEDE AND REPLACE THE PREVIOUSLY ADOPTED EAGLE AREA COMMUNITY PLAN (2010) WITH THE FOLLOWING CONDITIONS OF APPROVAL:

- 1) REMOVE CHAPTER 2: EXISTING CONDITIONS FROM THE PLAN. ADD CHAPTER 2: EXISTING CONDITIONS AS AN APPENDIX. STAFF TO UPDATE EXISTING CONDITIONS HOUSING DATA WITH MORE RECENT INFORMATION FROM EAGLE COUNTY AFTER ADOPTION. SUCH APPENDIX WILL NOT REQUIRE FORMAL PLAN AMENDMENT.
- 2) ADD THE FOLLOWING POLICIES TO ADDRESS CHILDCARE IN CHAPTER 5:
 - A. ENCOURAGE CHILDCARE AND INFANT CARE FACILITIES IN COMMERCIAL, MIXED USE AND RESIDENTIAL NEIGHBORHOODS AS APPROPRIATE.
- 3) ADD THE FOLLOWING ACTION ITEMS TO ADDRESS CHILDCARE IN CHAPTER 6:
 - A. IDENTIFY AND EVALUATE REGULATIONS THAT MAY LIMIT CHILDCARE IN CERTAIN ZONE DISTRICTS.
- 4) ADD A NEIGHBORHOOD MAP AS AN APPENDIX. SUCH APPENDIX WILL NOT REQUIRE FORMAL PLAN AMENDMENT.
- 5) MODIFY GOAL 2-1.6 TO READ, "RESIDENTIAL AREAS ARE ENCOURAGED TO RETAIN MATURE TREES, WHICH PROVIDE AMPLE SHADE, CREATING A SENSE OF ENCLOSURE."

- 6) **MODIFY GOAL 2.3.1.B. TO READ, “WHEN CONSIDERING INFILL OR REDEVELOPMENT APPLICATIONS THAT CONTAIN SIGNIFICANT HISTORIC STRUCTURES, THE PRESERVATION OF SUCH STRUCTURES SHOULD BE ENCOURAGED.”**
- 7) **MODIFY ACTION ITEM 3.19 TO READ, “SECURE PUBLIC RIGHTS-OF-WAY, FOR EXISTING OR NEW ACCESS TO PUBLIC LANDS AND RIVERS.”**
- 8) **MODIFY ACTION ITEM 5.11 TO READ, “PREPARE AND WORK TO IMPLEMENT A COMPREHENSIVE SIDEWALK PLAN.**
 - A. **WORK TO ENHANCE THE SIDEWALKS WITHIN THE GREATER DOWNTOWN NEIGHBORHOOD.”**
- 9) **MODIFY ACTION ITEM 5.14 TO READ, “WORK TO RETAIN THE RAIL CORRIDOR FOR FUTURE FREIGHT AND PUBLIC TRANSPORTATION.**
 - A. **CONDUCT STUDY FOR A FUTURE LOCATION OF A COMMUTER RAIL STATION WITHIN THE TOWN.”**
- 10) **ADD ACTION ITEM “PURSUE THE DEVELOPMENT POTENTIAL OF LAND UP EBY CREEK ROAD AND IF THE POTENTIAL EXISTS, PURSUE A SUBAREA PLAN OR COMPREHENSIVE PLAN AMENDMENT.”**

MOTION WAS SECONDED BY COMMISSIONER JESSE GREGG AND PASSED WITH A VOTE OF 5 (HOOD, GREGG, TOWNSEND, HOILAND, WINKELLER) 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.*

No updates from Town Council.

COMMUNITY DEVELOPMENT DEPARTMENT UPDATE *Staff update to the Planning & Zoning Commission on recent work and upcoming files.*

Staff presented the Monthly Staff Update from the agenda packet.

OPEN DISCUSSION

Chair Hood asked about the Comcast project. The Town Engineer discussed the status of the Comcast pedestal installments through Eagle Ranch. There is no connection to the internet at this time. There needs to be a connection between Gypsum and Eagle, and they plan to do that through the winter.

ADJOURN

MOTION: COMMISSIONER JESSE GREGG MOTIONED TO ADJOURN. MOTION WAS SECONDED BY COMMISSIONER KYLE HOILAND AND PASSED WITH A VOTE OF 5 (HOOD, GREGG, TOWNSEND, HOILAND, WINKELLER) IN FAVOR AND 0 OPPOSED.

Matthew Hood

Matthew Hood (Jan 4, 2021 05:45 MST)

Matthew Hood, Chair



Angie Kyle, Administrative Tech II

P&Z Minutes_11-17-2020

Final Audit Report

2021-01-04

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