



MINUTES
Planning & Zoning Commission
Tuesday, September 15, 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 - TOEE – ((TOEEWireless))

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

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

COMMISSIONERS PRESENT

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

STAFF

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

COMMISSIONERS ABSENT

Lani Webb, Brent McFall

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

1. Minutes dated September 1, 2020

MOTION: COMMISSIONER KYLE HOILAND MOTIONED TO APPROVE THE MINUTES. MOTION WAS SECONDED BY COMMISSIONER CHARLIE PERKINS AND PASSED WITH A VOTE OF 3 (HOOD, GREGG, PERKINS, HOILAND) IN FAVOR, 1 ABSTAINED (NUTKINS) 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 6:03. There was no public comment.

PUBLIC HEARINGS

1. Western Slope Laundry Minor Development Permit

Commissioner Nutkins recused himself due to his affiliation with this file. Commissioner Townsend joined at 6:04pm.

STAFF PRESENTATION

Jessica Lake presented a summary of the staff report through a PowerPoint presentation. This is an application for a minor development permit to build a 24,900 sqft addition to an existing 11,681 sqft commercial laundry facility in the Commercial General Zone District.

There were no letters of public comment received.

The lot is surrounded by New Electric, Black Hills and Taco Bell. Staff presented the standards of a Minor Development Permit. Standard 4.06.070 has been met. The provisions contained in Chapter 4.07 is incompliance. Parking lighting is not proposed due to the expectation of it not being used during non-business hours. The architectural Standards & Chambers Area Standards are in conformance with the standards. Staff believes that the requested number of parking spaces is supported by 4.07.140.C.5. Staff finds that this project is in substantial compliance with the requirements set forth in Chapter 4.07 of the Land Use and Development Code and Standard #2.

Staff recommends approval of Minor Development Permit DR20-03 based on Standards (1), (2) and (3) of Section 4.06.020.B. of the Municipal Code with the following conditions of approval. Specifically, that the application:

1. Is in substantial compliance with Sections 4.06.050. through 4.06.070., as the applicant met the requirement for a pre-application meeting and submitted the required documents for a minor development permit; and
2. Is in substantial compliance with Chapter 4.07, with the exception of the design variance requested. The project complies with lighting, landscape, and design standards required in Chapter 4.07; and

3. Based on the stated goals, policies and plans of the 2010 Eagle Area Community Plan and the 2017 Strategic Plan; staff finds that this request for a minor development permit is in substantial compliance with Standard #3. The project expands an existing use in a commercial zone district, provides architectural features and landscaping consistent with the surrounding area, and supports the economic growth plan for this area.

IF APPROVED, THE PLANNING & ZONING COMMISSION MAY CONSIDER THE FOLLOWING SUGGESTED CONDITIONS OF APPROVAL: If approved, the Planning and Zoning commission may consider the nine suggested conditions of approval by Staff that are listed in the Staff memo.

Q&A

Commission Townsend asked for more information on the landscaping in the parking area and to be a buffer the loading dock doors. Staff responded that they are going to have P&Z decide if they want to make that a condition of approval.

Commissioner Hoiland the utilities have not been investigated yet. Water and wastewater have been looked at by the town engineer and he spoke with a representative about it. Dennis Wike, the Town Engineer, informed that there are efficiencies in their system, there will be using less water. Mr. Wike informed the commission that he will provide letter explaining this. Commissioner Hoiland asked if there would be an impact to the PIF fees? Mr. Wike confirmed, yes, if there are any additions however, he doesn't think that there are any additional PIF fees at this time. This doesn't need to be a condition. Mike Mirzaitdinov, Chief Manager of this project informed the commission that they plan to use less water by recycling water. They can reuse 2000 gallons water every hour if they used every machine at the same time, and this is why they think they will use less water. Hoiland asked, what happens if they use double the water, will there be PIF fees charged for this? Staff informed, no, this is charged through the monthly water. Hoiland has concerns that the Town may lose money through the water and wastewater tap fees.

Stuart Brummett, presenting on behalf of the applicant. Western Slope Laundry has been in Eagle for 5 years now. MIM has various locations throughout Colorado. Mr. Brummett discussed the windows for natural light, the doorways with extended awnings, and the loading docks themselves help break out the mass of the predominate street façade.

Commission Gregg asked about the turning radiuses of the southeast location of the parking lot. Staff informed him that these have not yet been configured. Mr. Brummett informed that there are challenges with the location of the existing building and the parking configuration is the best they could do with the conditions they were working with.

Commission Perkins asked how many employees that are being added with the addition to the facility. Mr. Mirzaitdinov responded that in the busy seasons: Winter, Christmas, and Summer seasons they

work 24/7 and can cut the shifts to two shifts versus in the off seasons. They have 20-23 employees. Most employees live in the neighborhood and walk to work.

Commission Hood asked about the fencing and what would be acceptable for the screening. Staff responded that the only standard they have is that the machinery can't be viewed from the street. The loading dock variance, this is a design variance, not a zoning variance, so the standards for the design variance are different. For approval, the design standards "better serves the public good" then it is reason enough for approval. Staff chose to focus on the existing buildings. Based on the size of the additional equipment, it limited Western Slope Laundry on how to position the loading docks and parking lot. It is very difficult to prove whether it benefits the "public good." With the design variance, P&Z doesn't have to prove the hardship.

Chair Hood wanted to understand the justification on the number of parking spaces. He asked what the justification was for going higher, which staff informed that it is based on the "other uses" category. Because of this, the code allows for flexibility for the Town Planner and Commission to determine the amount of parking required. Staff discussed the video shown and how most of the operations is machines. Chair Hood questioned what happens in the future if these structure changes uses. The one to 1400 square feet per space seemed high to Chair Hood.

PUBLIC COMMENT

Public Comment opened at 6:54pm. There was not public comment.

DELIBERATION

Commission Hoiland takes no exception to the request. The landscaping is fine, the loading dock fits the needs of the building, and the parking is sufficient. He is concerned with the water usage however believes this will be addressed at building permit.

Commissioner Perkins thinks this is a wonderful addition to Chambers. He recognizes parking is challenging, given the number of employees they have, however most of the employees will be walking from the adjacent apartment complex. He looked at the number of toilets and he believes it meets the requirements of OSHA. He supports it.

Commissioner Townsend doesn't have any issues with the project. He thinks the nine conditions staff suggested are good. He wants to add the concern of the landscaping and loading docks to add more trees to hide these on the right of way.

Commission Gregg agrees with staff assessment with the conditions and the requirements of the code. In regard to the variance on the loading dock, he believes this works. The existing building provides challenges and still allows a large addition on the property. He agrees with Commission Townsend that

there should be additional trees to offset the loading dock facing the street and screen that a bit better. He suggested looking into the loading docks moving to the West. I think that all the conditions make sense, and he is in support the project.

Chair Hood likes this project. He appreciates the applicant's willingness to support our local economy. He likes them being a local business and expanding their business. He thinks this the right place for this business. He believes they are making it better and more in conformance with our design standards. He agrees with staff in regard to the loading dock variance. He does have some hardship with the number of parking spaces. He doesn't think there is much that can do with the parking variation. His opinion is that there should be more parking.

MOTION: COMMISSIONER KYLE HOILAND MOTIONED TO APPROVE FILE DR20-03 WITH CONDITIONS AS NOTED BY STAFF.

Commission Hoiland moves to withdraw motion.

MOTION: COMMISSIONER KYLE HOILAND MOTIONED TO APPROVE THE DESIGN VARIANCE ASSOCIATED WITH FILE #DR20-03 TO ALLOW FOR THE PROPOSED FRONT FACING LOADING DOCKS WITH THE FOLLOWING FINDING OF FACT:

- 1. THAT DUE TO THE SHAPE OF THE LOT ALONG WITH THE SIZE, LOCATION, AND CONFIGURATION OF THE EXISTING BUILDING, ADDING AN ADDITION THAT WOULD BE ALLOWED UNDER THE MAXIMUM LOT COVERAGE CRITERIA FOR THIS SITE CREATES A PECULIAR AND EXCEPTIONAL PRACTICAL DIFFICULTY FOR ADDING LOADING DOCKS AND ASSOCIATED VEHICLE MANEUVERABILITY.**
- 2. WITH THE RATIONALE OUTLINED IN THE STAFF REPORT, THE DESIGN VARIANCE FOR THE PARKING SPACES IS UNNECESSARY.**

MOTION WAS SECONDED BY COMMISSIONER JESSE GREGG AND PASSED WITH A VOTE OF 4 (TOWNSEND, GREGG, PERKINS, AND HOILAND) IN FAVOR AND 1 (HOOD) OPPOSED.

MOTION: COMMISSIONER KYLE HOILAND MOTIONED TO APPROVE FILE #DR20-03 FOR A MINOR DEVELOPMENT PERMIT FOR A SERVICE ESTABLISHMENT COMMERCIAL CLEANERS WITH THE FINDINGS OF FACT AS OUTLINED BY STAFF ALONG WITH THE CONDITIONS AS OUTLINED BY STAFF. MOTION WAS SECONDED BY COMMISSIONER CHARLIE PERKINS AND PASSED WITH A VOTE OF 3 (GREGG, PERKINS, AND HOILAND) IN FAVOR AND 2 (HOOD & TOWNSEND) 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.*

Town Council met on the 8th however there were not any land use items discussed.

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

and upcoming files.

- Elevate Eagle Comprehensive Plan needs a P&Z Commissioner representative for Steering Committee for chapter 5 & 6 and Future Land Use Map. Commissioner Hood will sit in on these.
- Town Council and Planning and Zoning Worksession for the Elevate Eagle Comprehensive Plan on November 5, 2020 at 4:00pm.

OPEN DISCUSSION

- Chair Hood asked about the rapid blocks permitting for the River Water Park. Staff informed that they will follow up with him.
- Commissioner Nutkins is requesting status on Alpine Lumber's fence. He feels this is something that should not be the center focus of our town and suggested a timeline be imposed on Alpine Lumber. Staff informed him that they will investigate this and what regulations were in place for this. There was a mural contest however COVID-19 caused this to be put on hold. There was also concern that Alpine Lumber didn't have the funds for their portion of the project.

ADJOURN

MOTION: COMMISSIONER KYLE HOILAND MOTIONED TO ADJOURN. MOTION WAS SECONDED BY COMMISSIONER BILL NUTKINS AND PASSED WITH A VOTE OF 6 (TOWNSEND, GREGG, PERKINS, HOOD, NUTKINS, AND HOILAND) 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_09-15-2020

Final Audit Report

2021-01-04

Created:	2020-11-19
By:	Angie Kyle (angie.kyle@townofeagle.org)
Status:	Signed
Transaction ID:	CBJCHBCAABAApy3TvaXIZD47da5nq2N6izxaVUrnvR8-

"P&Z Minutes_09-15-2020" History

-  Document created by Angie Kyle (angie.kyle@townofeagle.org)
2020-11-19 - 8:03:04 PM GMT- IP address: 209.193.93.178
-  Document emailed to Matthew Hood (matthew.hood@townofeagle.org) for signature
2020-11-19 - 8:03:40 PM GMT
-  Email viewed by Matthew Hood (matthew.hood@townofeagle.org)
2020-11-20 - 11:45:09 PM GMT- IP address: 71.211.41.49
-  Email viewed by Matthew Hood (matthew.hood@townofeagle.org)
2021-01-04 - 12:44:46 PM GMT- IP address: 71.211.41.238
-  Document e-signed by Matthew Hood (matthew.hood@townofeagle.org)
Signature Date: 2021-01-04 - 12:45:14 PM GMT - Time Source: server- IP address: 71.211.41.238
-  Agreement completed.
2021-01-04 - 12:45:14 PM GMT