



AGENDA
Planning & Zoning Commission
Tuesday, April 20, 2021
6:00 PM

ON-LINE MEETING

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

PUBLIC WIFI - TOEG – townofeagle2019

MEETING ACCESS INFORMATION AND PUBLIC PARTICIPATION

1. This will be an online meeting.

[ACCESS THE ON-LINE MEETING HERE](#)

Please note: All participants are automatically muted. In order to be called upon and unmuted, you will need to use the "raise hand."

When it's your turn to speak, the moderator will unmute your line and you will have three (3) minutes for public comment.

PUBLIC COMMENTS: If you are unable to attend, public comments regarding any items on this agenda can be submitted to Jenny Rakow, Town Clerk, and will be included as part of the record.

For technical difficulties please email nikki.davis@townofeagle.org and we will do our best to assist you.

6:00 PM - REGULAR MEETING CALLED TO ORDER

APPROVAL OF MINUTES *Approval of the minutes from the following meetings of the Planning and Zoning commission.*

1. Minutes dated March 2, 2021
2. Minutes dated March 16, 2021
3. Minutes dated March 31, 2021
4. Minutes dated April 6, 2021

PUBLIC COMMENT

Citizens are invited to comment on any item not on the Agenda subject to a public hearing. Please limit your comments to three (3) minutes per person.

PUBLIC HEARINGS

1. Project: 113 E. Fourth Street Veterinary Clinic Special Use Permit
File # SU21-03
Applicant: Dr. Susan O'Brien
Location 113 E. Fourth Street
Staff Contact: Jessica Lake, Planner I
Request: Application for a special use permit for a veterinary clinic in the Broadway Overlay District.

COMMUNITY DEVELOPMENT DEPARTMENT AND TOWN COUNCIL UPDATE

Staff update to the Planning & Zoning Commission on recent work, upcoming files and decisions made by Town Council.

1. Department and Council Update

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
Planner I



MINUTES
Planning & Zoning Commission
Tuesday, March 2, 2021
6:00 PM

ZOOM MEETING

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

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 Hood called the meeting to order at 6:08pm.

COMMISSIONERS PRESENT

Jesse Gregg, Kyle Hoiland, Bill Nutkins, Robert Townsend, Lani Webb, Matthew Hood, Keegan Winkeller

COMMISSIONERS ABSENT

Charlie Perkins

STAFF

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

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.*

Opened public comment at 6:08pm. There was no public comment.

PUBLIC HEARING

1. Project: Powell Annexation Zoning Review
File #: RZ20-01
Applicant: William and Nancy Powell
Location: 21 & 25 Violet Lane
Staff Contact: Peyton Heitzman, Planner I
Request: Request to zone two parcels of land in unincorporated Eagle County to Town of Eagle Residential Medium (RM) zoning.

STAFF PRESENTATION

Peyton Heitzman presented the file to the Commission. The applicant, Willy Powell, was present and informed the commission that he sold a 20-foot permit and construction easement to the Town of Eagle for the water main leading to the Lower Basin Treatment Plant which makes him eligible for annexation. He has been on town sewer for decades and is currently on a well, he plans to connect to town water. He bought this property in 1979 and subdivided in 1988. He plans to continue to live on this property. He plans to raise the apartment building due to deficiencies in the property and will comply with all regulations associated with completing this.

Q & A

Commissioner Nutkins asked if the applicant is currently going through the annexation process with Town Council. Staff informed the Commission that the annexation has been accepted by Town Council and the meeting date is for March 23rd, 2021. The demolition of the 4-plex does not require a development permit, just a building permit

PUBLIC COMMENT

Opened public comment at 6:22pm. There was no public comment.

DELIBERATION

Commissioner Nutkins does not see a problem and agrees with staff. Commissioners Townsend, Hoiland, Gregg and Winkeller also agree.

MOTION: COMMISSIONER BILL NUTKINS MOTIONED TO APPROVE FILE RZ20-01 ZONING 21 & 25 VIOLET LANE WITH NO CONDITIONS, BASED ON THE FOLLOWING FINDINGS: THE APPLICATION MEETS THE REQUIREMENTS OF TITLE 4 OF THE LAND USE AND DEVELOPMENT CODE AND IS IN CONFORMANCE WITH THE 2020 ELEVATE EAGLE COMPREHENSIVE PLAN AND THE EAGLE RIVER CORRIDOR PLAN.

MOTION WAS SECONDED BY COMMISSIONER LANI WEBB AND PASSED WITH A VOTE OF 7 (GREGG, NUTKINS, TOWNSEND, WEBB, HOILAND, WINKELLER, HOOD) IN FAVOR AND 0 OPPOSED.

PUBLIC HEARING

2. Project: Haymeadow PUD Agreement
File #: PUDA20-01
Applicant: Brandon Cohen, Abrika Properties, LLC
Rick Pylman, Pylman & Associates, Inc
Scott Schlosser, Owner's Representative
Location: 660 acres south and east of Sylvan Lake Rd and Brush Creek Rd
Staff Contact: Jessica Lake, Planner I
Request: Two requests for a major PUD amendment within the Haymeadow development.
1) Request to swap the School Land portion of Tract E with multi-family development and to allocate a different parcel for a future school site. 2) Request to renovate an existing cabin currently located in open space to the East of Neighborhood D as an event space and to swap this open space parcel with land equal in size and desirability.

APPLICANT PRESENTATION

Applicant Rick Pylman began the presentation with the Haymeadow PUD Preliminary Plan approval from 2014. To summarize, the Plan for the 660-acre parcel included 837 units (40% multi-family & 60% single family); 60% open space; system of trails throughout; five distinct neighborhoods, community parks, a fire station and school site. He discussed the community background, the PUD development plan, the 2019 Filing 1 Final Plat infrastructure and the land dedications. The first phase of development is focused around utilizing an existing water pressure zone that could accommodate the park & school sites and first phase of homes. Today's application contains two separate requests: school site/residential location swap and use of existing cabin for special events. Applicant went into further detail on the PUD Amendment request, first by highlighting the public benefits of PUD amendments as they pertain to changing conditions/community needs (cites the Healthcare Center and Continuing Care projects brought into Eagle Ranch). Applicant also highlighted the great supply/demand imbalance for entry level pricing on homes and how this amendment would address that need sooner. Next point suggested the existing school site is going to be vacant for many years as Eagle County Schools has not indicated future plans to build a school. The proposed land swap offers a larger park and school site; Haymeadow plans to designate an additional 5 LERP units to Eagle County School District (ECSD) employees. Presentation then explained the effects of the land swap on neighborhoods A1, B and C and their densities. Applicant then discussed, in further detail, the neighborhood details of the school swap, build out of the community trail system throughout Haymeadow and how the traffic patterns will shift. Applicant's presentation then shifted to the second request regarding plans for the cabin located next to

Haymeadow's Neighborhood D. The cabin upgrade includes major interior and landscaping renovation. It would serve as a luxury community event space for intimate events. He discussed the conceptual cabin site which would include relocating a portion of the Haymaker bike path, major event/tent lawn, service area/sanitation system and seasonal availability.

To summarize, applicant went through the conditions for PUD Amendment, the 9 criteria for a PUD Amendment and their responses to each. He addressed the public comment concerns including traffic (Frost Creek and school site), fire department/school location, and LERP units being dispersed throughout Haymeadow. He went through the staff recommendation and informed the Commission that the application complies with all the conditions.

STAFF PRESENTATION

Jessica Lake presented the file information and the two requests. She informed the Commission that the Trails Manager has reviewed and supports the cabin request. Staff reviewed the six conditions (standards of approval) from Section 4.11.050 required to amend PUD development zoning and development plans. For the school, staff recommends a continuance (tabling) of the swap of the school land portion of Tract E with multi-family development to allocate a different parcel for a future school site until April 6, 2021 based on updating the original traffic study and providing a remodel for all utilities, specifically water service for the increased density within Filing 1. Staff requested to receive this information by March 26, 2021 however if the Commission does not agree with staff, there are 9 conditions of approval for the school site swap.

In regard to the cabin, staff is recommending approval with conditions based on the 6 conditions for a PUD amendment. Staff believes application meets all 6 conditions in addition to the 9 suggested conditions of approval. Eagle County Community Development provided an email on March 1 indicating their concerns with traffic to the cabin and that Colorado Department of Transportation (CDOT) does have specific requirements around this project. Based on this comment staff has included two additional conditions for approval (10 & 11) regarding a left-hand turn lane and a site plan for 20 parking spaces.

Staff concluded the presentation with discussion topics for the Commission, which include the following: are both the school swap and cabin renovation efficient developments; does the school swap and cabin renovation affect the enjoyment of land and public interest; does the school swap detract from use of school-rec parcel and does the cabin detract from the Haymaker trail use; and lastly are both requests in compliance with the 2010 Eagle Area Community Plan.

Q & A

Commissioner Holiand asked if the applicant has to meet all the conditions? Staff confirmed that applicant must meet all 6 conditions.

Commissioner Nutkins asked about special events parking for the cabin - where is the overflow parking for the shuttle and is the applicant required to submit a Special Use Permit to shuttle people? Staff replied that applicant will not need a Special Use Permit because the cabin is on private property. Chad Phillips included that with the approval, we can't include other approval parameters outside of the PUD, however we can work with the shuttle company to create approved pick-up/drop-off locations. This detail would then be addressed

in the development permit stage. Next, Commissioner Nutkins commented about working with the trail recommendations, he foresees private events complaining about through traffic. He had encouraged that strong language be included to ensure there aren't trail closures, especially on weekends, to accommodate events. Lastly, Commissioner Nutkins asked about the corridor distances between the neighborhoods and Rick replied they are about 300 feet in width. Commissioner Nutkins also included that he sees a significant traffic impact if you move a multi-family parcel. Instead of going towards Soleil, did Haymeadow consider moving the parcel vertically to provide a bigger buffer to those with concerns about the proximity to Soleil? How do the densities match up with what we have been approving? 160 units form 18+ acres and putting them on 14 acres. Calculations decreased from .2 acres per unit to .12 acres per unit. Rick confirmed that it would be more dense, with smaller and more attainable units.

Commissioner Townsend asked if the new traffic study staff is requesting would address the altered traffic flow? Staff replied yes, when they met with Public Works, Town Engineer and Applicant they noted that the traffic study looked at Haymeadow as a whole development and external influences and neither memo studied internal flows – that is the new traffic information staff is requesting. Commissioner Townsend also commented how this PUD amendment increases multi-family units to now 75% on this parcel which will affect the traffic flow.

Commissioner Webb asked what the plan is for the parcel to the north since Applicant is removing multi-family homes from this parcel? Rick replied they will have more room for single-family density though there is no design for this yet.

Commissioner Winkeller asked has the school layout been designed? In Rick's presentation, turning on Ouzel Lane with a right-hand turn in the school, it appears the only right-hand turn is the bus lane. Per this layout, it looks like it's bottlenecking traffic beyond the roundabout. Rick said this rendering shows the site plan for Gypsum Elementary, for scaling purposes, which is not suited for this site. ECSD would design a school specific for this site. To prevent bottlenecking there needs to be a forced right-hand turn to exit out of the school.

Chair Hood asked staff if the traffic study would address if they moved the school site further from Town core, does that mean there are additional trips generated because people are biking/walking less? Staff confirmed they asked for the study to address all transportation modes. The Town already owns the original school site land so why would they give it away in exchange for a different piece of land? Chad Phillips confirmed that Town Council has signed off for the Town to process the application. Land ownership issues are is not a part of Planning & Zoning consideration.

PUBLIC COMMENT

Chair Hood opened public comment at 8:10pm.

Colleen Gauron, 2023 Montgomerie Circle – Commented that The Three Sisters Trail is closed December 1 – July 1, that is an impact to the wedding venue. Also, adding 288 residences is quite significant. She lives in Brush Creek Village which has 80 units and she says that feels pretty dense.

Gary Scanlon, 1720 Montgomerie Circle - Looked at the last workforce housing project at Hockett Gulch, developer sold the land for \$700 million. Encouraged the Commission to continue to table the request and

ensure the Town knows what the land's worth. Also encouraged tabling of the cabin request to avoid feeling rushed to make decisions.

Al Musser, 2315 Eagle Ranch Road – Encouraged the Commission to “follow the money” understanding that the developer is after a large sum of revenue today as opposed to deferring it later. Asked the developer if they would be proposing this land swap if they were not making more money? As for the cabin, it seems to replicate what Brush Creek Pavilion (BCP) offers to the community. It seems that BCP is under-utilized, why would we create a similar venue at additional cost?

Mike Claymon, 116 Soleil Circle – Voiced that he is opposed to land swap. There is nothing wrong with current location, it seems to be the best location and there are many things wrong with the proposed location. The only reason to approve the land swap is to allow the developer to defer the infrastructure costs which is the developer's primary motivation. Don't bail out the developer at the expense of surrounding communities. The most obvious reason for denying this proposal relates to code 4.11.050, item #2 about substantially adversely impacting the neighboring homeowners. Asked the Commission to deny.

Lizzy Owens, 49 Soleil Circle – Adamantly opposed to the school swap. The existing school site was chosen after much research, thought, work and money were already allocated into the project to determine the best location. The original Haymeadow plan supports the partnership with the Mountain Rec location. Also, with regards to code 4.07.100.884 regarding environmental and socioeconomic impacts, the study cited was from 2013 which seems outdated. Encouraging the Commission for a new wildlife study. Lastly, to address the socioeconomic impacts, the proposed 112 units would cost roughly \$350,000 for a 1,000 sq.ft. unit which is unaffordable to many teachers. Additionally, how would the workforce living in this area commute without proper public transportation in this area?

Kat Conner, 710 Bull Run and 228 Broadway Street – She is for the proposed land swap as a business/commercial property owner and workforce housing is needed in Eagle. The main issue with this is that all this housing has been approved and she thinks it's awesome that Haymeadow is wanting to push this development to a quicker time. Brush Creek Elementary is not at capacity therefore the need to build a new school is not as immediate. Lastly, the cabin is amazing and the historic preservation of it would be great for our community and the whole valley to enjoy. It would offer a different experience compared to Brush Creek Pavilion.

Willy Powell, 210 Violet Lane – Former Town Manager when Haymeadow was originally approved and was heavily involved in the planning process. During that planning process the school district created a very detailed site plan of the existing site (school, playing fields and parking) to accommodate regional events. Has this been considered? Next question, has the school district undergone a similar exercise with the land swap. Rick commented that the school district is letting the Town make the decision, and not voicing any advocacy. Willy asks if this is really true?

Barb Wendell, 67 Soleil Circle – In opposition for the land swap and agrees with Mike and Lizzy. To address Kat Conner's comments, the two items (land swap and cabin) should have been separated. After looking at the 81 public comments, 15 businesses were in favor, 1 resident was in favor. We organized an informal petition with over 200 signatures and a Facebook group. Please take those most affected, Eagle residents, in consideration. Everyone in Soleil is against except for one resident. If you would split up the school and the cabin, you would

see the results are totally opposed to this. There is a sudden haste to get this project done, this doesn't eliminate Haymeadow from moving forward with A1, a total 340 housing units. If this wasn't going to happen then you would have put expense into a water tank, that is an additional benefit to the developer to move that over.

Rae Sanders, 158 Soleil Circle – In favor of the school site swap. After discussing this with Brandon Cohen (applicant), she has complete trust in what he is doing. She doesn't want a school fence in her backyard. She said that homes next to schools go down in value, that's what has happen in New Orleans where she is from and owns property. We should be more inviting and more inclusive in regard to shift workers. She is onboard with what the developer is proposing.

Mike Staten, 18 Soleil Circle – Opposed to both the land swap and the cabin. After looking at both sides, he can't see the positive for the residents of Eagle, it seems to be a one-sided affair. We could move that open space to where the BMX track is to complement the recreation amenities already there and make the area more welcoming to the events already in place. With regards to the cabin, it seems to be like a duplication of services. Will the cabin shift focus away from the areas trying to maintain business?

Gina Van Hekken, 59 Soleil Circle – Opposed to swap. Appreciates Commissioner Nutkin's comment on density and how drastic the change will be. She has lived here for 15 years, the draw to Eagle is that it is multi-use, by moving the density all to one area, it will seem crowded. The shared facilities with school site and Mountain Recreation, she understands that it's one of the Town's priorities to bring more events into the Town however where she lives, they already see the overflow of parking. To move the parking a mile out is an overstatement. Spreading out multi-family units throughout Haymeadow development seems to be a better fit with Eagle's vision.

Matt Owens, 49 Soleil Circle – Voiced opposition to school land swap. First question about the buffer zone between Soleil and multi-family units, who is going to irrigate this? Next, requests that the new traffic study account for the fact that many of these new units will be 2-bedroom units and the number of people that may equate to. As for the parking code, looking at the layout provided, at the moment it's not meeting code based on the number of units and parking spaces. They are under 56 parking spots that will overflow to the streets which could cause traffic issues and accidents. Lastly, we are going to miss out on the opportunity to share and host events with Mountain Rec which would take revenue away from the town. Finally, looking at the 2010 and 2020 Comp Plan the high-density zoning should be located closer to I-70.

Public Comment closed at 9:02pm.

RESPONSE TO PUBLIC COMMENT

Rick began the deliberation segment. Rick clarified that the project proposes 258 multi-family units in Neighborhood A1. The proposed site plan is detailed for 188 units, which equates to 9-10 units per acre which is not an unusual condominium density level. The proposed land swap does give the developer the opportunity to pay back costs for infrastructure much more quickly, not as financial mismanagement but as development efficiency. To address wildlife issues, the Division of Wildlife was a referral agency and they did not pose many issues around trail and open space closures surrounding the cabin request. Closure on the trail

is due to calving area. Next, addressing the “Field of Dreams” concept, Rick indicated that Mountain Rec does not have this included in their conceptual master plan anymore and that the multi-fields concept would be deferred to the fairgrounds area. We don’t need Field Street to serve this project, the only reason it would happen is through the Town or Mountain Rec. Next, to address the traffic study, Rick confirmed that they use Institute of Traffic Engineers’ Standards for multi- and single-family units in order to meet parking code. Lastly, applicants are open to Bill’s suggestion on a vertical layout. They assumed the proposed suggestion was better for Mountain Rec but they are open to other configurations. Lastly, based on Mountain Rec’s illustrative concept, using a portion of the parkland there is still room for all their plans and the proposed school site swap still provides an option for overflow parking. Rick also commented that the school district supports the land swap, saying they preferred the new site and there is no concern over synergy with Mountain Rec based on the new park the applicant had proposed to build.

The Planning & Zoning Commission is not considering land value in this swap, that issue will be for Town Council to weigh on. Similarly, in trying to address the question of capacity use at Brush Creek Pavilion and the duplication of services with the proposed cabin, Chad reaffirmed that the Commission filters information and comes up with decision by enforcing regulations and plans. Staff reports are created to help guide this decision. Ultimately, the question at hand: Is this land use appropriate for this site?

Commissioner Nutkins commented that because the cabin is a private venue/business, the question of whether we need another venue or not seems irrelevant. It is up to the private owner.

Chair Hood commented on the multiple questions surrounding the positive or negative impacts on property values and the detriment or benefit to the adjacent property owners. Chair Hood reiterated that Council will discuss.

Commissioner Nutkins asked if the 32 acres is currently dedicated and owned by the Town. Jessica confirmed it is. Because the land is currently Town property, it seems to make more sense that Council should have approved the land swap first before the Commission address appropriate land use requested by a private entity. Chad restated to try and put that thought process aside and simply address the land use and whether it complies with the Town’s plans and policies.

Chad addressed detail issues presented by Matt Owens. There will be a development permit after the PUD because a lot of those details, such as number of parking spaces, will be addressed through the development permit process.

Chair Hood asked about the height limitations for school use versus residential use. Chad commented that once a district purchases land for school development, they have statutory authority to bypass local land use and local building code because they use a state inspector. However, the residential height limitations for Haymeadow would still be applicable, which is 35 feet for a multi-family dwelling.

Commissioner Gregg asked Rick about oversaturation of single-family units in Eagle however in Phase I, they are still building single-family lots. So, what is the purpose of the land swap? Why can’t these single-family lots be used to transfer the multi-family density onto those lots and negate the land swap? Rick commented on the efficiency of using the infrastructure-ready land now and bringing on multi-family units sooner.

MOTION: COMMISSIONER ROBERT TOWNSEND MOTIONED TO CONTINUE TO TABLE PUDA20-01, THE CURRENT DISCUSSION OF THE LAND SWAP, PENDING INFORMATION FROM THE APPLICANT AND FURTHER DISCUSSION BY THE PLANNING & ZONING COMMISSION ON APRIL 6TH.

MOTION WAS SECONDED BY COMMISSIONER KYLE HOILAND AND PASSED WITH A VOTE OF 7 (GREGG, NUTKINS, TOWNSEND, WEBB, HOILAND, WINKELLER, HOOD) IN FAVOR AND 0 OPPOSED.

ADJOURN

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



MINUTES
Planning & Zoning Commission
Tuesday, March 16, 2021
6:00 PM

ZOOM MEETING

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

MEETING ACCESS INFORMATION AND PUBLIC PARTICIPATION

1. Virtual Meeting Procedure

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6:00 PM - REGULAR MEETING CALLED TO ORDER

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

COMMISSIONERS PRESENT

Jesse Gregg, Bill Nutkins, Robert Townsend,
Matthew Hood, Keegan Winkeller,

COMMISSIONERS ABSENT

Lani Webb, Kyle Hoiland, Charlie Perkins

STAFF

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

APPROVAL OF MINUTES *Approval of the minutes from the February 16, 2021 meeting of the Planning and Zoning commission*

1. Minutes dated February 16, 2021

MOTION: COMMISSIONER ROBERT TOWNSEND MOTIONED TO APPROVE THE MINUTES. MOTION WAS SECONDED BY COMMISSIONER BILL NUTKINS AND PASSED WITH A VOTE OF 4 (GREGG, NUTKINS, TOWNSEND, HOOD) 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.*

Public comment opened at 6:05pm, there was no public comment. Public comment closed at 6:06pm.

PUBLIC HEARING

1. Project: Base Camp Eagle File # RZ20-02 / SU20-03
Applicant: Shawn and Marci Colby
Location: 3220 Brush Creek Road
Staff Contact: Peyton Heitzman, Planner I
Request: Request to: 1) Zoning a parcel of land in unincorporated Eagle County to Town of Eagle Rural Residential (RR) zoning. 2) A Special Use Permit for a Recreational Vehicle Park for the construction of approximately 53 RV and tent camp sites.

APPLICANT PRESENTATION

Tambi Katieb and Daiva Miselis with Land Planning Collaborative are the primary consultant for the landowners. Other contacts also on the presentation include project engineers Jordan Kehoe and Dan Cokley with SGM Engineering and project landscape engineer Kathy Aalto with Ceres+ Landscape Architecture.

The Colby property proposed for annexation is surrounded on three sides by the Haymeadow PUD. What is Base Camp Eagle: a 13.5-acre property requesting annexation and zoning for a seasonal RV Park & Campground. Applicants see this as a unique opportunity to support Eagle-based recreational tourism aligned with Town goals. The applicants shared that this seasonal (April-November) dark sky campground would offer 53 sites on approximately 10 acres of the parcel and would accommodate RV, tent and group camping. Additional campground amenities would include electric hook ups at each site; 4 scattered water stations; heavily screened buffers; picnic areas; on-site owners & managers; water service, toilets and future bath house; limited lighting fixtures; trail connectivity. Each spacious site will be furnished with a fire ring and picnic table. Other park management ideals include short-term stays only (max 14 days), quiet hours, fire safety restrictions, no ATV or OHV use.

Applicants believe the project addresses and aligns with several community goals including ideal location for land use plans, trail use access, supports seasonal visitors and economic development of the Town and complements the 2020 Comprehensive Plan.

Commissioner Gregg asked what the plan is for the fence and the pasture area. Tambi answered that the existing fencing would be removed and that there wouldn't be new fencing built around the sites. There wouldn't be any perimeter fencing around the property line.

Commissioner Winkeller asked about Scott Schlosser's public comment letter in regard to the partnership with Haymeadow. Tambi informed the Commission that there will be a trail easement that is shared and locating a permanent alignment in the field in coordinating these locations. Nothing that Tambi foresees could be controversial to Haymeadow or cause another amendment to the property.

STAFF PRESENTATION

Peyton Heitzman presented the file to the Commission. She started by presenting the two public comment submissions that were submitted after the agenda was published:

Scott Schlosser, Haymeadow Owners Representative. Thank you for contacting me regarding the request from the Town of Eagle to grant access through the Haymeadow property to connect to the Haymaker trail system. Haymeadow is supportive of the Base Camp proposed use on the applicants property. We will work with the Town of Eagle and the applicant to find an alignment for a soft path trail easement or other use agreement from the Haymeadow property to the applicants property for the use of the campground guests. We believe that the projects close proximity to the Town's Haymaker Trail, will be a benefit and a draw for mountain bikers camping at the facility. We will require that the trail be aligned along Brush Creek Road until it reaches the existing unpaved driveway that leads to the cabin. This area will remain in agricultural production for many years so trail users will have to ride along the road to connect to the Haymaker Trails. In the future, when any development occurs in this area it would be possible to design an actual trail that would connect to the Haymaker Trails. It would be our preference that the connection trail from the applicant's property be used exclusively for guests of the applicants property. Please let me know if you require any additional information from Haymeadow. We are looking forward to this project and think it will bring more visitors to our town.

Susan Christensen & Steve Metcalf, P.O. Box 5112 Eagle, CO 81631. We are just hearing some facts about this today. We are not in favor of accelerating development on Brush creek road north of the recent land trust property. The traffic in & out of an RV park is inappropriate for Brush Creek Road in that area. The subdivision that has already been permitted to expand past the town boundaries will be near Colby's eventually. When that time comes, perhaps decades from now, Colby's RV park may be more appropriate than the current land. The impact to our deer & elk will detrimental.

Peyton reviewed the standards and staff's recommendation which is to approve the rezoning request of the application with no conditions. She continued to present the Special Use Permit application. The standards for the Special Use Permit are met however staff recommends as a condition of approval that the applicants provide an area for future and overflow parking. Chapter 4.10 Recreational Vehicle Parks was also reviewed. Staff noted that the Code outlines 3 applicability criteria for these Parks: 1) That no RV shall be used for more than 14 consecutive days. This 14-day limit is included in the Campground & RV Park Management Plan. 2) That no RV remain in the park for more than six (6) months in any 12-month period (this is included as a condition of approval for the Special Use Permit) 3) Lastly, the Code requires all RV Parks obtain a Special Use Permit to operate in the Town (this last criteria will only be achieved with the approval of the Special Use application).

In regards to Chapter 4.04 zoning, staff has reviewed the existing structures on the property to confirm compliance with the zoning standards for the Town's Rural Residential (RR) zone district. Staff has reviewed the existing structures on the property to either confirm compliance with the Zoning standards OR to verify that any structures that do not conform to Town standards, are approved as nonconforming structures. The application include County issued certificates of occupancy (COs) for two single-family homes. The maximum density for the RR zone district is one (1) dwelling unit per two (2) acres. The property complies with this density requirement at two (2) dwelling units for 13.5 acres. One of the single-family homes is occupied by the property owners and the other home, to the west of the property, is rented out to two families. The tenant occupied home has two kitchens. The Code requires that when a parcel containing a nonconforming use or structure is annexed to the Town, said use or structure shall be considered a legal nonconforming use or structure if said use or structure was permitted under county zoning regulations at the time of annexation and subject to any conditions imposed by the county prior to annexation. Staff has received two certificates of occupancy (COs) for the single-family homes. These COs verify county permitting. However, one of the homes contains two dwelling units, which is not reflected in either CO. Without County permitting for the second residential unit in the 2-family home, the structure cannot be considered a legal nonconforming structure. To address this nonconforming situation, staff is recommending two (2) conditions of approval. The applicant had provided a suggested condition of approval to staff following the release of the packet on Friday. Staff wanted to present this condition to the Commission.

Staff has concerns with this modified condition of approval provided by the applicant. The language in the Code is clear that to be classified as a legal nonconforming structure, the structure must have been permitted under county zoning regulations. There is no evidence of County permitting for the two-dwelling unit home. Without evidence of permitting, the alternative to staff is for the home to become a legal conforming structure. To achieve this, staff believes improvements need to be made to address water, sewer and building standards. In terms of zoning, staff believes the two-family dwelling can be classified as employee housing, an accessory use to the commercial RV Park use. Staff has proposed a modified condition #8 from what was in the staff report and what was suggested by the applicant. Condition #8 is split into two conditions of approval to allow the two-family dwelling to come into compliance with Town standards and become a legal structure. Staff recommends APPROVAL for the Special Use Permit for 3220 Brush Creek Road based on Special Use Standards (1), (2) and (3) of Section 4.05.010 of the Municipal Code with conditions of approval #1-7 as presented during the staff report and conditions #8 and #9 as presented during the Public Hearing.

Q & A

Commissioner Townsend asked about the design of the future bathhouses and what kind of amenities they'll include (showers, toilets). Tambi confirmed the desire to install flush toilets, showers and sinks once they are able to connect to a sewer service (likely after phase 1).

Commissioner Nutkins inquired about the prohibited use of ATV and OHV type of vehicles and wondered about the origin of that comment. Tambi replied it was a comment from a referral, possibly Eagle County. There was an additional question about landscaping, particularly adding more the trees at the entrance in an effort to quell any concerns of the neighbors. Shawn Colby, the owner of the property,

responded that they chose fat albert trees that will grow fatter and wider to provide coverage which will also complement the built-up berm, all which will serve as an effective screen and buffer.

Commissioner Gregg asked about the Eastern part of the property as to why there weren't any trees for coverage. The applicant informed that this was to provide views to their guests.

Chair Hood asked for clarification that the rezoning and the special use requests are two separate requests and can be motioned separately. Peyton confirmed that the rezoning and Special Use Permit are two separate requests and can be motioned separately.

Chair Hood asked about the relevance of the management plan – is it part of the Special Use Permit approval or a condition of approval? Peyton informed the Commission that the management plan, or specific items from the management plan, can be included in the conditions of approval if preferred. Chad Phillips informed the Commission that whatever the Commission decides to approve or change within the management plan, that would be enforceable in the future.

Chair Hood asked for clarification on the two-unit structure on the property. Peyton restated that staff is recommending #8 and #9 for conditions of approval.

Tambi asked about condition of approval #4, particularly about the dimension of the parking size requirement (9' x 19'). Would staff consider revising the text or omitting the specific dimension and simply stating that the site plan meets the requirements of the Municipal Code. The Commission agreed to modifying the condition of approval and Peyton made the change in text.

PUBLIC COMMENT

Chair Hood opened public comment at 6:58pm.

Cindy Talley, 770 Castle Drive - She has a question about clarifying the traffic from I-70 to the RV park.

Scott Schlosser, 390 Bluffs Drive - He is in support of this project. He echoed his public comment letter. He also wanted to highlight the trail easement along Brush Creek, noting that it's important that it connect to future trail systems. He offered to assist if there are any other questions related to Haymeadow.

Chair Hood closed public comment at 7:02pm.

Tambi responded to the public comment questions. In reference to Scotts questions, there is a 30' right of way that is being issued to the Town of Eagle and a 10' public utility easement that could potential be used as a paved trail across the property. Tambi addressed the traffic by introducing Dan Cokley to present. Dan provided a brief overview of the traffic impact stating that largely, the applicant needs to be most mindful of good sight distance for large vehicles and RVs turning into the campground.

DELIBERATION

The Commissioners discussed their thoughts on the application. Commission Nutkins likes the project and has from the beginning. Commission Townsend is in favor of the application and appreciates staff's conditions. Commissioner Gregg appreciates the electrical panels, and his only issue is the increase in traffic on Brush Creek Road, however he believes the benefit to the town will eliminate this. Commissioner Winkeller has concerns with fires and would like to hear from the applicant on how they plan to mitigate these fires. Shawn Colby responded and informed the commission that they will follow all the issued fire bans and that fires will be in the fire rings on a fire pad that is surrounded by irrigated native grass. There will be manicured grounds, and the field surrounding them flooded lands. Commissioner Winkeller asked about the RV light. Shawn Colby said that the rules will not allow RVs to use exterior lights; they are committed to keeping a dark sky. Chair Hood is in favor of the project and believes zoning is appropriate and it fits the comprehensive plan as well as the special use permit. He said that the concerns raised from public comment are legitimate but thinks the applicant did a great job addressing those.

MOTION: COMMISSIONER ROBERT TOWNSEND MOTIONED TO APPROVE RZ20-02 FOR 3220 BRUSH CREEK ROAD BASED ON THE FOLLOWING FINDINGS: THE APPLICATION CONFORMS TO THE 2020 ELEVATE EAGLE COMPREHENSIVE PLAN. MOTION WAS SECONDED BY COMMISSIONER JESSE GREGG AND PASSED WITH A VOTE OF 5 (GREGG, NUTKINS, TOWNSEND, HOOD, WINKELLER) IN FAVOR, AND 0 OPPOSED.

MOTION: COMMISSIONER ROBERT TOWNSEND MOTIONED TO APPROVE #SU20-03 SPECIAL USE PERMIT FOR 3220 BRUSH CREEK ROAD BASED ON SPECIAL USE STANDARDS (1), (2) AND (3) OF SECTION 4.05.010 OF THE MUNICIPAL CODE WITH CONDITIONS OF APPROVAL #1-3 AND 5-7 AS PRESENTED IN THE STAFF REPORT, CONDITION #4 AS MODIFIED AND CONDITIONS #8 AND #9 AS PRESENTED DURING THE PUBLIC HEARING.

- 1. NO RVS WILL BE PERMITTED TO REMAIN IN THE RV PARK FOR MORE THAN SIX MONTHS IN ANY 12-MONTH PERIOD.**
- 2. APPLICANTS TO DESIGNATE FUTURE PARKING AREA WITH SIX (6) FUTURE ADDITIONAL PARKING SPACES. FOUR (4) OF THE SPACES WILL BE REQUIRED WITH THE CONSTRUCTION OF CABINS. THE OTHER SPACES WILL BE AVAILABLE SHOULD PARKING BECOME AN ISSUE.**
- 3. PARKING SHALL BE ALLOWED ONLY IN APPROVED AREAS. NO PARKING IS PERMITTED ON RV PARK ROADWAYS, IN TOWN OF EAGLE RIGHTS-OF-WAY, OR ON BRUSH CREEK ROAD.**
- 4. AUTOMOBILE PARKING SPACES IN THE RV PAD SITES WILL BE MODIFIED TO MEET CURRENT TOWN PARKING REQUIREMENTS PER SECTION 4.07.140 OF THE MUNICIPAL CODE.**
- 5. PRIOR TO CONSTRUCTIONS, STAFF TO REVIEW APPLICATION MATERIALS FOR COMPLIANCE WITH SECTION 4.10.030.J THAT EVERY RV PARK BE DESIGNED AND OPERATED IN ACCORDANCE WITH THE UNIFORM PLUMBING CODE PROVISIONS FOR RECREATIONAL VEHICLE PARKS, AND WITH THE MUNICIPAL CODE CITED SECTIONS OF THE STATE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT'S "STANDARDS AND REGULATIONS FOR CAMPGROUNDS AND RECREATION AREAS."**
- 6. ACCESSORY USES AND STRUCTURES MAY BE APPROVED ADMINISTRATIVELY WITHOUT NOTICE.**

7. EXTERIOR LIGHTING WILL ADHERE TO TOWN OF EAGLE LIGHTING STANDARDS.
8. THE APPLICANTS WILL EITHER PROVIDE PROOF THAT THE STRUCTURE CONTAINING TWO DWELLING UNITS WAS LEGALLY ESTABLISHED OR THAT THE APPLICANTS, UPON ANNEXATION, MAKE ANY IMPROVEMENTS NECESSARY TO COMPLY WITH WATER, SEPTIC, AND BUILDING REQUIREMENTS.
9. THE STRUCTURE CONTAINING TWO DWELLING UNITS IS APPROVED AS EMPLOYING HOUSING. IN THE EVENT NO CAMPGROUND EMPLOYEES REQUIRE SUCH HOUSING, THE UNITS MAY BE RENTED TO THE GENERAL PUBLIC.

MOTION WAS SECONDED BY COMMISSIONER BILL NUTKINS AND PASSED WITH A VOTE OF 5 (GREGG, NUTKINS, TOWNSEND, HOOD, WINKELLER) IN FAVOR, AND 0 OPPOSED.

PUBLIC HEARING

1. Project: Amendment to West Eagle Sub Area Plan File # LURA21-01
Applicant: Town of Eagle
Location: As defined in the 2011 West Eagle Sub Area Plan - roughly 40 acres, extending along Grand Avenue from the Sylvan Lake roundabout to the intersection of 5th Street and south to the Eagle Ranch open space.
Staff Contact: Jessica Lake, Planner I
Request: Approval of Resolution 01, Series 2021, "A Resolution of the Planning and Zoning Commission of the Town of Eagle, Colorado Amending the West Eagle Sub Area Plan".

STAFF PRESENTATION

Jessica Lake presented the file to the Commission. She shared public comments and plans from Eagle County. She presented the West Eagle Sub Area Plan Future Land Use Map updated zonings. The only update to the plan made was the commercial section to reflect the auto-oriented businesses.

Once the Highway 6 Corridor study and the code update is completed this plan will then have a full comprehensive plan. This amendment is to approve the zoning for the future land use map for the West Sub Area Plan.

PUBLIC COMMENT

Chair Hood opened public comment at 7:35pm.

Kim Bell Williams, Eagle County housing Director - Thanked staff for presenting the correct information. The county has control over the 9 acres, the Forest Service is a partner when approving any future modifications to their parcel.

Cindy Talley, 770 Castle Drive - With the rezoning of these properties, is there any consideration of infrastructure of the existing roads in the area. The concerns from the residents in this area including property value, density, the mobile home park, and traffic. Will there be any requirement for hours of operation, these properties back up to residents, will the town limit the hours of operation as the lights and traffic will impact the homeowners in this neighborhood.

Chair Hood closed public comment at 7:40pm.

Chad Phillips addressed Cindy Talley's questions. He informed her that the updates tonight are not updates to the zoning maps and the traffic impact studies come when development plans are being reviewed. These will be addressed with individual projects. Staff informed Cindy that each concern was addressed individually. Property values vary and concerns with road conditions and new roads will not happen anytime in the near future. Traffic studies are likely to be completed prior to any changes in the road infrastructure. Concern about gentrification of the neighborhood and displacing families in the mobile home park was considered. The re-routing of the 7th Street connection was discussed amongst staff, Eagle County and Alpine Engineering and this connection has always been a part of the West Eagle Plan. Chad informed that we receive public questions that are summarized in the staff report but they are not officially submitted as public comment. In regard to the operating hours, these will be addressed as a use by right under the code standards, unless it is added as a condition of approval by a governing entity.

MOTION: COMMISSIONER JESSE GREGG MOTIONED TO APPROVE LURA21-01 RESOLUTION NO. 01, SERIES 2021, "A RESOLUTION OF THE PLANNING AND ZONING COMMISSION OF THE TOWN OF EAGLE, COLORADO AMENDING THE WEST EAGLE SUB AREA PLAN", WITH THE FOLLOWING CONDITIONS OF APPROVAL:

- 1. THAT THE FUTURE LAND USE MAP (EXHIBIT A) HAS BEEN AMENDED TO REFLECT CHANGES IN LAND USE CATEGORIES AND POSSIBLE STREET ALIGNMENTS, AND**
- 2. AMEND THE "COMMERCIAL" LAND USE CATEGORY AS FOLLOWS: "DEVELOPMENT OF LAND WITHIN THE COMMERCIAL LAND USE DESIGNATION SHOULD HAVE COMMERCIAL USES ON THE FIRST FLOOR. COMMERCIAL USES ENCOURAGED BY THE TOWN INCLUDE RETAIL, RESTAURANT, COMMERCIAL SERVICES, OFFICES, AUTO-ORIENTED BUSINESSES SUCH AS RESTAURANTS WITH DRIVE-THROUGHS AND LODGING/HOTELS. SUCH COMMERCIAL USES SHOULD SUPPORT, AND NOT COMPETE, WITH BROADWAY BUSINESSES."**

MOTION WAS SECONDED BY COMMISSIONER KEEGAN WINKELLER AND PASSED WITH A VOTE OF 5 (GREGG, NUTKINS, TOWNSEND, WINKELLER, HOOD) IN FAVOR AND 0 OPPOSED.

COMMUNITY DEVELOPMENT DEPARTMENT AND TOWN COUNCIL UPDATE *Staff update to the Planning & Zoning Commission on recent work, upcoming files and decisions made by Town Council.*

1. Department and Council Update

OPEN DISCUSSION

There will be a special meeting for an open house for the East Sub Area Plan on March 31, 2021 at 6pm via Zoom. Staff informed the Commission that Hockett Gulch may be submitting a file soon. The Brush Creek extension plans were submitted. These are getting reviewed and approved by the Town Engineer. A public process isn't required however staff recognizes the public interest and will make this a public process.

ADJOURN

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



MINUTES
Planning & Zoning Commission
Wednesday, March 31, 2021
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

1. This will be an online meeting.

[ACCESS THE ON-LINE MEETING HERE](#)

- Please note: All participants are automatically muted. In order to be called upon and unmuted, you will need to use the “raise hand.”
- When it’s your turn to speak, the moderator will unmute your line and you have three (3) minutes for public comment.
- PUBLIC COMMENTS: If you are unable to attend, public comments regarding any items on this agenda can be submitted to Jenny Rakow, Town Clerk, and will be included as part of the record.
- For technical difficulties please email angie.kyle@townofeagle.org and we will do our best to assist you.

6:00 PM – SPECIAL MEETING CALLED TO ORDER

Chair Hood called the meeting to order at 6:00pm.

COMMISSIONERS PRESENT

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

COMMISSIONERS ABSENT

None

STAFF

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

EAST EAGLE SUB AREA PLAN (EESAP) PUBLIC OPEN HOUSE

Before beginning presentations, Commissioner Jesse Gregg disclosed that he is currently employed by Zehren & Associates (project consultants) but requested that he would participate in the meeting as a Planning Commissioner. Chair Hood asked the Commission for any objections to this request. No objections from the Commission.

1. Community Development Introduction

Chad Phillips presented on behalf of Town Of Eagle, providing history and context to the land. Tonight's meeting represents the first public meeting / open house regarding the East Eagle Sub Area Plan (EESAP). First item to note, the EESAP falls within the greater Eagle Comprehensive Plan, known as Elevate Eagle established in 2020. Presently there are no planning guidelines for the EESAP under the existing comprehensive plan. In 2010, under the Eagle Area Comprehensive Plan, this property was described as the East Eagle Mixed Use Area (EEMUA).

From the 2010 comprehensive plan, the area was summarized under three categories: **Intent**, **Character** and **Land Use**.

Intent: A.) Development plans for the area should be a single Planned Unit Development; B.) Basic infrastructure should include, at a minimum, the extension of Chambers Avenue to Highway 6 and include adequately sized water & sewer mains and sidewalks into the area; C.) The street system should minimize traffic impacts on Chambers Avenue and Eby Creek Road. The East Eagle Interchange (connection to I-70) may be required depending on level of development; D.) Regional retailing is encouraged in this area due to visibility and accessibility to I-70; E.) Area would allow for larger lots and buildings compared to other commercial zone districts in Eagle; F.) Desire to improve pedestrian-friendly access; G.) Area would provide added services and housing for local residents; H.) Design and architecture should be attractive as the area represents the Eastern "front door" to the town; I.) Ancillary residential units may be appropriate (mix housing units, reduce automobile use in the area, increase pedestrian activity within a commercial/retail environment); J.) Grouping retail & entertainment in one destination and better utilize shared parking; K.) Building arrangements should have minimal negative impacts on residential units; L.) Appropriate signage, street lights, road markings to ensure safety amongst pedestrians and automobiles; M.) Overall design of EEMUA should be synergized with greater Eagle community so as not to be a standalone neighborhood.

Character: A.) Variety in building sizes and styles to feature a modern construction technique to create an attractive and inviting environment; B.) Extensive landscaping to reduce perceived scale of buildings and minimize visual impacts of parking and loading docks; C.) Appropriate signage, street lights, road markings to further enhance area's design theme and identity; D.) Residential units should be appropriately integrated with noise from I-70 reduced through landscaping and building design; E.) Open space and active recreational areas to be incorporated to serve residents and add overall visual quality to area.

Land Use: Commercial retail; commercial office; commercial service; restaurant/entertainment; civic/educational/institutional; lodging; residential; parks/trails/open space

2. Presentation by Zehren & Associates

Pedro Campos presented a series of conceptual diagrams for the EESAP, one of which will ultimately be adopted as part of the current Elevate Eagle Comprehensive Plan. The landowner was represented at the meeting: Bret Herron and Patrick Adler (developer). Presently, the EESAP is approximately 95 acres and is quite linear to the existing Chambers Avenue corridor. To the south of the property are the Eagle River, Union Pacific Railroad tracks and Eagle County

regional recreation trail. Further south and across Highway 6 is the residential project of Red Mountain Ranch. North of the property is I-70. To the east of the property are continued fields and pastures, also privately owned. In terms of depth, the property is roughly 1,000 feet north to south. From west to east the property is about 4,500 feet. Along the top northeastern border of the property outlines the potential East Eagle I-70 Interchange (would require +/- 12 acres) that would connect to Highway 6. Additional connections from the Interchange would feed into the developments, westward. Land subdivision diagrams also featured concepts of splitting the property into equally sized parcels/quadrants which could be subdivided and individually sold.

Consultants then presented their conceptual land use diagrams.

Preferred Concept 1:

Diagram 1 (top rendition) includes the I-70 interchange and three predominant land uses: commercial/light industrial (north side, affronting I-70); interstate commercial (northeast corner and entire eastern side facing I-70 interchange); residential (south side, facing Eagle River and buffered from I-70). Two items called to attention include an aerial electrical line easement running north-south through the middle of the property and an existing drainage system, also running north-south, within the interstate commercial zone.

Diagram 2 (bottom rendition) does not include the I-70 interchange. Instead the area would be initially reserved as a temporary use area largely due to unknown timeline of the interchange construction. The three predominant land use categories (commercial/light industrial; interstate commercial; and residential) remain similarly plotted and subdivided as seen from Diagram 1.

Preferred Concept 2:

Diagram 1 (top rendition) features the I-70 interchange with much heavier use of commercial/light industrial and residential, no interstate commercial on the east end of the parcel.

Diagram 2 (bottom rendition) does not include the I-70 interchange and shows the temporary use area. This concept also showcases much heavier use of commercial/light industrial and residential, no interstate commercial on the east end of the parcel.

Land Use definitions surrounding EESAP:

Commercial/Light Industrial: Uses common to those currently found on Chambers Avenue but with larger lots, more accessible to freight trucks. Examples of such uses include office, manufacturing, assembly, storage, distribution, repair, service, contractor's yards, outdoor retail, and kennels. Area will also mirror uses currently on Broadway Street such as restaurants with drive through's, grocery stores, gas stations and service establishments. Multi-family residents may be allowed through Special Use Permits but will not exceed 10% of the commercial/light industrial category.

Residential: Will be comprised of multi-family dwellings. This area will not include detached single-family dwellings due to abundance of these home styles in the south Eagle area.

Interstate Commercial: This area will primarily include office, lodging, regional retail, restaurants, and convenience stores/gas stations so as to take advantage of the vehicular traffic present at the I-70 interchange. Serving as the west-bound entry way into Eagle, uses should reflect high quality design elements while incorporating and highlighting the town's active/outdoor brand.

Interim/Temporary Use Area: Land that will eventually be utilized in creating the infrastructure for the future I-70 Interchange. Knowing this land may not be developed immediately, uses would be limited to those that can be easily

removed. Serving as the eastern gateway to town, landscaping, screening and overall design quality remain a priority. Planned Unit Development zoning and process should be utilized for this area.

3. Discussion and Public Comment

Commissioner Hoiland - Should be cognizant of the reasons why ERS was originally denied; worried about restaurants that might take away from Broadway, Eagle Ranch and Grand Ave.

Chair Hood - Doesn't want to see more single-family housing, how do these concept plans relate to the Town's needs regarding residential? There are other residential projects currently in the planning stages. How did the breakdown between uses come about?

Commissioner Hoiland - Original plan was almost entirely a shopping center of big box stores, second approved PUD plan was more a combination of residential and commercial and less big box stores. This current iteration seems to be a good combination of the other two previous plans. Would like to note that the interchange was originally a requirement, believes that this should still happen and be a requirement for this development.

Dan Brown - Will this look like Riverfront in Edwards? Are we trying to draw others in from other places rather than drawing residents to this area? What are we trying to achieve? Who are we trying to capture?

Commissioner Webb - Locals are going to shop at local shops, out of town people are probably less likely to shop locally in Eagle. At some point we need to grow.

Chair Hood - Riverwalk might not be a good comparison for this area. The uses shown in the concept plans make sense because they don't fit into Broadway and we want to make that area successful.

Commissioner Winkeller - Has concerns with the intermingling of light industrial and residential. Worried that big boxes will also create a hub area that is further removed from Downtown.

Dan Brown - Wasn't suggesting that this should be Riverwalk, was trying to understand from the planner's perspective if this is a hub that draws from other places or is it something that draws locals away from other local businesses.

Alex Brady - What is the density proposed in the multi-family? / Tambi Katieb - This is an important question to consider.

Chair Hood - Density isn't part of this yet but will be, what do you think is an appropriate density?

Tambi Katieb - I much prefer the balance towards commercial revenue generating space.

Kraige Kinney - Are we going to allow the free market to decide or is the Town going to decide which businesses will come to Eagle?

Chair Hood - Would like to see flexibility between residential and commercial in order to support commercial in this area.

Commissioner Nutkins - This is conceptual land use, we may not have some of the answers that people are looking for at this stage in the game.

Commissioner Townsend – Likes the interstate commercial and regional draws to bring people outside of Town into Town. Continuing with light industrial and meshing those with the regional draws makes a lot of sense and combined with some residential.

Commissioner Gregg - We're not trying to re-create a Riverwalk type atmosphere. This plan is more auto-oriented than pedestrian oriented. Build on a recreation-based direction with the climbing gym, mountain bike trails, Quiet Kat. Would like to see larger recreation type uses - go kart track, batting cages and also provides entertainment for the community. Indoor training facilities, BMX track, skate parks. These could fit well with larger lot commercial/light industrial lots.

Leah Mayer - Chambers Ave - This looks like an appropriate mix of commercial and residential, while we know that we need more residential but we're also short on land for those who need commercial and light industrial and we need to provide for them as well. Would it be appropriate to discuss densities this evening?

Commissioner Winkeller - The map with the mix of residential, light industrial and interstate commercial seems like a good mix. Would like to see how this will fit in with the rest of the surrounding area, like Red Mountain Ranch.

Chair Hood - What can we do to connect this with the rest of Town while also bringing people into Town from other places? How can we make use of this to draw people further into Town, to go to Broadway and the River Park?

Mick Daly - It's not so difficult to get a group of people together to create a vision for what the development should look like in 5+ years. Post Covid, catering for the zoom town effect, more remote workers/telecommuters, as well as defining the kind of businesses we want to attract (outdoor recreation, light industrial, small retail and other commercial...), with co-working for the remote workers, co-living for workers in the businesses located right there. A clear vision that will pencil for a future developer. This vision must make sense for the town and our community, and it must make sense for a future owner/developer.

Commissioner Hoiland - What happens if we end up with a hotel district right off this interchange and little to no restaurants? That might bring in visitors and then also encourage them into Town for restaurants on Broadway, Eagle Ranch and Grand Ave?

Carolynne White - Sometimes in master planning we can lose site of the fundamental demands of the market. I would urge you to keep in mind what market forces might be for this area. We believe market demand likely to be roughly half commercial and half residential.

Commissioner Nutkins - What are the steps for the developers after this sub area plan is completed?

Carolynne White - We haven't gotten that far yet, we're working closely with the Town to develop this framework, but we just don't know beyond this at this time.

Dan Brown - Has anyone looked at what has come out of Chambers Avenue and used that as a bit of market research for what could happen on this parcel? Can we extrapolate for how the market developed along Chambers as to how it might develop on the RED property?

Pedro Campos - This is a good thought and we can take a closer look at patterning. Perhaps the design controls and landscaping be more stringent on this parcel.

ADJOURN

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



MINUTES
Planning & Zoning Commission
Tuesday, April 6, 2021
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

1. Virtual Meeting Procedure

- [ACCESS THE ON-LINE MEETING HERE](#)
- Please note: All participants are automatically muted. In order to be called upon and unmuted, you will need to use the "raise hand."
- When it's your turn to speak, the moderator will unmute your line and you will have three (3) minutes for public comment.
- PUBLIC COMMENTS: If you are unable to attend, public comments regarding any items on this agenda can be submitted to the planner listed on the application, and will be included as part of the record.
- For technical difficulties please email Nikki.davis@townofeagle.org and we will do our best to assist you.

6:00 PM - REGULAR MEETING CALLED TO ORDER

Chair Hood called the meeting to order at 6:03pm.

COMMISSIONERS PRESENT

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

STAFF

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

COMMISSIONERS ABSENT

None

PUBLIC COMMENT *Citizens are invited to comment on any item on tonight's Agenda. Please limit your comments to three (3) minutes per topic unless arrangements have been made for a presentation with the Administrative Technician. Those who are speaking are requested to provide their name and address prior to beginning.*

Public comment opened at 6:04pm. There was no public comment. Public comment closed at 6:05pm.

PUBLIC HEARING

1. Project: Haymeadow PUD Amendment (continued from March 2, 2021)
File #: PUDA20-01
Applicant: Brandon Cohen, Abrika Properties, LLC
Rick Pylman, Pylman & Associates, Inc.
Scott Schlosser, Owner's Representative
Location: 660 acres south and east of Sylvan Lake Rd and Brush Creek Rd
Staff Contact: Jessica Lake, Planner I
Request: Two requests for a major PUD amendment within the Haymeadow development.
1.) Request to swap the School Land portion of Tract E with multi-family development and to allocate a different parcel for a future school site. 2.) Request to renovate an existing cabin currently located in open space to the East of Neighborhood D as an event space and to swap this open space parcel with land in equal size and desirability.

Rick Pylman began the applicant presentation by giving a brief overview of the school site and residential swap. A 14.22-acre portion of Tract E that was intended for a school will be re-classified as part of Neighborhood, increasing the density of this neighborhood by 112 multi-family units. This equates to 7.9 units per acre. Alternatively, an 18.3-acre portion of Neighborhood C will be re-classified as the school site. The currently approved multi-family density in Neighborhoods B & C will be reduced by 112 units. Proposed density (in Neighborhood A) is consistent with other multi-family neighborhoods in Eagle, comparable to the Soleil Duplex density. Additionally, applicant believes proposed land swap does not interfere Mountain Rec's master plan. Original "Field of Dreams" concept of is no longer reflected in Mountain Rec's plan as it would interfere with other events such as mountain bike championships.

Shifting to the traffic impact study, Rick introduced Kari McDowell Schroeder, traffic engineer, into the presentation. The traffic study used in the application was conducted in 2013 and included data around Haymeadow, Brush Creek, Eagle Ranch and open space to the east. This study, along with the October 2020 memo, focused on external trips around Haymeadow. On March 26th, the traffic study was re-conducted to include internal analysis on both the original PUD configuration as well as the school swap configuration. The intersections they looked at include Sylvan Lake & Brush Creek, three internal intersections, and Brush Creek & Ouzel. The traffic study also concluded that the new school site is more walkable (examined .5 mile radius). In summary, traffic impacts are expected to be minor with no significant change in Level of Service (B or better through 2040). Recommendations from the updated traffic study include: left turn lane on Brush Creek Road at Ouzel Lane (recommended with or without school swap) and left turn lane on Brush Creek Road at the cabin (recommended with or without school swap).

Rick shifted the presentation to address the need of diverse and attainable housing units in Eagle, citing the Elevate Eagle Comprehensive Plan, and noting that currently there are no homes available under \$750,000 in Eagle. He presented a list of public benefits believed to be a direct outcome of the PUD amendment and additionally voiced that he believes their application meets the six criteria found in the Town of Eagle Land Use Regulations. Furthermore,

applicant agrees with staff's recommendation to approve the land swap along with staff's suggested conditions of approval for both the land swap and cabin use.

Staff Presentation

Jessica Lake began the staff presentation acknowledging that this is the second public hearing for the Haymeadow PUD Amendment request. The application was last heard on March 2nd and was continued based on staff's request for an updated traffic study as well as a remodel for water pressure in Filing 1. Staff confirmed the two requests being discussed: school swap and cabin renovation.

Staff called to attention key words from Section 4.11.050 as they pertain to conditions of amendment strictly from a land use perspective and staff confirmed that the application meets all six criteria. As a summary of this evaluation: 1) The original application compared to the new application does not appear to be more efficient than the other; 2) From a land use perspective, the uses do not affect the public interest in a substantially adverse manner; 3) There is no sole benefit from this application, several parties (applicant, housing advocates and those who want to buy in Haymeadow) will benefit from the approval; 4) From a land use perspective, despite the land swap, schools and housing units are compatible uses in residential neighborhoods; 5) Application does not propose any alterations to the open space plan; 6) Met through a condition of approval – applicant's commitment to provide streets and utilities to proposed school site and Neighborhood C. Staff recommends APPROVAL WITH CONDITIONS of the school swap based on Conditions 1-6 of Section 4.11.050 of the Municipal Code. Staff has included 10 conditions of approval, the two new conditions being conditions #9 and #10. Condition #9 asks the applicant to submit an application for subdivision of Tract E, the new school parcel, the cabin parcel, and the new open space parcel within one year from the current application's approval date. Condition #10 requires updated water modeling for Neighborhood A in addition to a plan for completion for the Sylvan Lake / Brush Creek Road roundabout.

Shifting the discussion to the cabin request, staff called to attention key words from Section 4.11.050. As a summary of the evaluation: 1) In terms of efficiencies, the cabin will be renovated into a seasonal use venue. A condition of approval has been included to ensure the venue connects to Town water & waste water; 2) Staff included conditions of approval in order to mitigate problems that could affect public use of the trails around the cabin (conditions of approval #4-6); 3) Approval of the application would benefit the applicant and local events and wedding businesses; 4) Both special events and trail access are compatible uses; 5) Ensures the open space plan must be substantially similar in quantity or quality (condition of approval #1); 6) Applicant will install a left-hand turn lane at Brush Creek Road and provide staff with a parking plan for the cabin. Staff recommends APPROVAL WITH CONDITIONS for the request to renovate an existing cabin to an event space and swap this open space parcel with land equal in size and desirability based on Conditions 1-6 of Section 4.11.050 of the Municipal Code. Staff has included 10 conditions of approval, reviewing conditions #9 and #10. Condition #9 asks that the applicant work with County and Town staff to determine necessary improvements for left-turn lane on Brush Creek Road which will be completed before any special events at the cabin site. Condition #10 asks the applicant to provide staff with a site plan showing designation for 20 parking spaces.

QUESTIONS

Commissioner Hoiland asked about Condition #9, if the one-year timeline expires does the land swap become null & void? Chad Phillips said yes, citing that it is a condition of approval. However, this timeline could be extended if the Commission and/or Council approved. Second, Commissioner Hoiland asked about Condition #10, if this land swap happens does it accelerate the plan to construct the connector road from Brush Creek Road to Highway 6. Staff replied

no, this would not accelerate that project but instead would accelerate the re-alignment of Sylvan Lake Road & Brush Creek Road (phase 2). Could we add a condition to accelerate the connector road from Brush Creek to Highway 6 (Brush Creek Road extension)? Chad replied that project requires Council's approval.

Chair Hood also asked about the one-year trigger around Condition #9. Chad reconfirmed that this serves as a condition of approval in order for Council to make a decision.

Commissioner Nutkins asked if Mountain Rec was included in the packet and what their comments were. Staff replied that they quoted Mountain Rec as a referral agency in the March 2nd staff report, specifically around Conditions #1, #2 and #4. A second question was posed to Rick asking if they had considered going north or east along existing residential area. Rick replied that Mountain Rec felt this idea was less attractive compared to existing land swap plan.

Commissioner Winkeller asked Rick what was less attractive about this to Mountain Rec. Per the staff report, Mountain Rec felt that the side-by-side split idea was a negative impact. While do-able, it doesn't resolve the joint-use lost as a result of the swap and creates a less usable parcel on the south end. The top-bottom configuration is preferred if the swap is approved. Mountain Rec and its Board remain opposed to the swap overall. Commissioner Nutkins commented how the sense of indifference does not help the neighboring homeowners.

Commissioner Perkins asked what level of education the school provides. Initial thought would be K-8, no change from district. How far is the new location from existing location? Rick confirmed just under a mile. Are we increasing emergency response times by moving the school east? A fire station is proposed across the street from the new school site. Rick added further comment stating there are multiple bike path connections back to the Mountain Rec Park and the Haymaker trail which still provides access to overflow parking. Commissioner Perkins asked if the school was anticipating use of the recreational benefits of the nearby park? Rick replied that the school was still planning to build their own fields to ensure they can use at their discretion. Chair Hood interjected with some comments from the chat feature, indicating that Mountain Rec did not agree with Rick's statement.

Commissioner Webb asked if we knew when Eagle County School District (ECSD) would need the elementary school to open. How many residences will be built before we actually need the school? Staff replied that ECSD does not have a pre-determined timeline. Commissioner Hoiland drew example from Buckhorn Valley in Gypsum who received a parcel of land for a future school site in 2008/2009 and after 11 years, it still has not been developed. One could speculate that the Haymeadow school site could still be 10 years out from development.

Commissioner Townsend asked if Public Works would comment on the new traffic impact study, particularly internal circulation. Tom Gosiorowski, Town of Eagle Public Works Director, stated that there was no big consequential change to the level of traffic performance regardless of where the school was located.

Commissioner Winkeller asked Rick if the developer would view the land swap as a hardship or a way to develop efficiently, particularly to quickly build attainable housing. Will the approval of this amendment increase the development progress timeline? Brandon Cohen, the developer, confirmed that the land swap would accelerate the development pace and ensures that the project keeps moving forward. By bringing higher density products into phase one, this secures the cash flow to pay for the next series of infrastructure. Additionally, the Town attorney will draft an agreement that requires the developer to extend the infrastructure to the new school parcel which includes a new water tank and the roundabout at Ouzel Lane.

Commissioner Hoiland asked Chad and Jessica what the terms are for building the new connector road to Highway 6. The design plans are currently with the Town Engineer and Public Works and from today, there is a two-year timeline for land acquisitions. Cumulatively, there is a five-year mark for the construction of the road. Based on the building permit trigger point (300 units), developing higher density sooner could accelerate the construction timeline. Commissioner Hoiland also asked to clarify that the applicant must meet all six conditions of approval. Staff confirmed that yes, the conditions must be met and serve as the basis for the Commission and Council's approval.

PUBLIC COMMENT

Public comment opened at 7:13pm. Public comment closed at 8:05pm.

Michael J. Kleinman, 98 Soleil Circle – Why would Town attorney prepare an agreement for the setbacks if the Council has not approved the amendment? Also, in reading the ordinance, it seems that the special condition only applies to the developer, gaining financial benefit. How does this amendment grant a special benefit to anyone else?

Sam Blethen, 392 Eagle Road, Avon – Voiced support for the development, he and his family would love to move to Eagle. Would like to see the project move forward and create more opportunity for people to move to Eagle. Believes the development plan would be successful.

Mike Claymon, 116 Soleil Circle – Voiced opposition to the land swap, focusing on item #2 from section 4.11.050. Believes that this particular item does not address land use but rather how this amendment affects the public interest. Amendment would block mountain views, move the school farther down (8/10 of a mile), remove the school from the adjacent Mountain Rec facilities, reduce property values to adjacent land and increase traffic on Eagle Ranch Road which are substantial adverse impacts.

Kirstin Shaw, 2189 Brush Creek Road – Voiced concerns about extra traffic on Brush Creek Road especially due to the current 40 MPH speed limit; 7 families on Brush Creek Road would be directly impacted. Has asked for speed limit to be reduced but has not received an answer. As for the cabin, asked that wildlife closures be considered as well, not just the Haymaker trail. Next, what is the backup on the blind curve? Lastly, what does the turning lane look like and what sections of the road would be taken, Brush Creek Road is already very narrow.

Mike McCormack, 88 Seabreeze Street – Currently the Vice President on the Mountain Rec Board and also serves on the Mountain Rec Foundation Board. Voiced that Mountain Rec has a cordial relationship with the developers. Feels that Mountain Rec's needs were mischaracterized with previous statements that indicated they only wanted the extra parking and that this plan doesn't adversely affect Mountain Rec's plans. The Board would respectfully disagree with these statements. The school's original location is much more synergistic with Mountain Rec's use (multiple fields and additional parking closer to the facilities). Feels that the current plan is a good plan and is in community's best interest but if the land swap happens, they may need to recreate their plans.

Pete Danforth & Amy Gornikiewicz, 106 Soleil Circle – Began by addressing Rick's presentation on property density. Believes the developer's challenges with the water tank and infrastructure are not local homeowners' problem. Next, commented on the date of the traffic study (from 2013) and believes the data is bad. Believes that more people would be negatively impacted. Next, does not think 20 parking spaces is enough for the cabin. Agreed with Kristin Shaw's comment in that seasonal cabin closure should coincide with wildlife closure, not trail closure. Lastly, believes the developer's stance on wanting to create affordable housing is more about the developer being overbudget and now they are trying to catch up.

Lizzy Owens, 49 Soleil Circle – Voiced that this land swap would adversely affect the enjoyment of the land, especially for the future kids going to the school. By approving the swap, we are taking away recreational opportunities from kids and this adversely affects our community. Does not see any good reason to approve this.

Jason Cowles, 64 Aidan Road – Served on the Eagle Planning & Zoning Commission for over 8 years, including 6 years as the Chairman. Began by commenting on our community's longtime need for affordable housing and how he could understand the developer's desire to capitalize on the current situation by frontloading multi-family housing. The concern is that are we sacrificing the community's long-range vision for this site so that the developer can maximize on the current housing/market conditions.

Ryan May, 2037 Brush Creek – Voiced that the recreation area is the life-blood of the community and our children. Understands that if the land swap doesn't happen, there will be bigger apartment complexes and more multi-family units but if the swap does happen, there will be a chance for smaller houses in your view. Seeking more clarification on this but understand development needs to happen. Overall, he is opposed to the land swap.

Rae Sanders, 158 Soleil Circle – A supporter of the land swap and voiced that several neighbors are also in support of the developer's proposal. Commented on a petition that went around and she said many people did not sign this in order to remain neutral and avoid conflicts with their neighbors. Rae welcomes the buffer zone being proposed between her home and any developments behind her. She was unaware of Mountain Rec's development plans and the many events that happen in the area which was not ideal for her home (dust, noise, lots of cars). Highlighted that is in not uncommon for PUDs to change through the course of development and that this is OK. Lastly, acknowledged the visionary planning from 2008 but our world has changed and the land swap gives people an opportunity to buy homes in the area sooner. This would benefit the Town through increased tax revenues.

Chris Romer, 97 Main Street, Edwards – President & CEO of the Vail Valley Partnership as well as the regional Chamber of Commerce representing Eagle County. Their organization supports the original Haymeadow proposal and they currently do not have an official position on the land swap. Encouraging the Commission to follow the land use code and try to remove emotions from the case. Also encouraging the group to defer to getting housing done and the positive impact this will have on the community.

Jeff Baran, 74 Field Street – Voiced concerns for design criteria surrounding water pressure in the community in the short-term. If this gets approved, asked for a stipulation that a new water tank be put in now so that normal design criteria will follow. He is opposed to the land swap. Lastly, should we postpone efforts on the cabin restoration to better address the housing need?

Dave & Laura Cushing, 150 Soleil Circle – Supports the land swap, this provides immediate solution to the housing need. Affordable housing is a big part of Eagle's expansion and this will have a direct impact on businesses. For personal reasons, having the buffer zone will be positive because development is happening no matter what.

Matt Owens, 49 Soleil Circle – Opposed to the land swap, the town is vulnerable to great financial risk from the developer. This is a debt-free development meaning no bank loans and that the developer is paying for this from their own funds. Second, acknowledged how the developer will commit to putting in more infrastructure for the school but only when the school is ready, no sooner. Third, developer is under no timeline obligation to complete the phases. If the swap happens, the Town will gain a larger piece of land but less valuable.

Debra Dieter, 17 Fir Court – Opposed to the land swap as it reduces coordination with Mountain Rec. Also has traffic concerns on Ouzel Lane and timing impact. Asking for more transparency about the developer's timeline and more facts.

Staff replied to the public comment questions. First, Town attorney is drafting agreement prior to the land swap so that Council can review agreement in conjunction with this request. Regarding the applicant solely conferring a benefit (standard #3), staff believes there are benefits to other members of the community, not just the developer. Next, to address the left-hand turn lane on Brush Creek Road, staff commented that there was land dedicated to the Town on the Haymeadow side of Brush Creek Road to accommodate this. Rick confirmed this as correct. Next, to address the wildlife and seasonal closures around the cabin, staff added condition of approval requiring closure December – May or based on Colorado Parks and Wildlife's (CPW) recommendation, whichever was more restrictive. Next, to address the water pressure, staff has already asked the developer for an updated assessment at the time of the next subdivision. Public Works confirmed there would be no negative impacts to water pressure for neighborhoods outside of Haymeadow. The assessment would determine if the developer needs to upsize piping internal to Haymeadow. Next,

staff confirmed there will be a condition presented to council with an agreement regarding infrastructure to proposed school site.

Traffic Engineer, Kari, answered questions from public comment. First, their study results did analyze added traffic to Brush Creek Road with the school site swap roughly based on demand and travel time. Next, the increase in delay at Brush Creek and Ouzel is anticipated to increase from 12 to 13 seconds during morning peak times. Next, they support reducing traffic speed on Brush Creek Road but this is a county road therefore it would fall to Eagle County to produce the traffic studies and make the decision. Next, the proposed left-hand turn lane (both to the cabin site and onto Ouzel Lane) comply with Eagle County's design standards.

DELIBERATION

Chair Hood asked to discuss the request for the cabin renovation first. Commissioner Winkeller voiced that he was ok with the cabin as long as bike traffic is allowed to go through the property. It would be a useful addition to the community. Commissioner Webb agreed also highlighting the importance of shutting down for wildlife mitigation. Commissioner Nutkins agreed that it is a viable thing for the community. Commissioner Gregg agreed stating that the cabin request meets all six conditions of approval. Commissioner Perkins agreed stating how the new venue could help generate revenue for the Town. Commissioner Hoiland and Chair Hood also agreed to the summary of comments.

MOTION: COMMISSIONER BILL NUTKINS MOTIONED TO APPROVE FILE PUDA20-01, A MAJOR PUD AMENDMENT REQUEST TO RENOVATE AN EXISTING CABIN CURRENTLY LOCATED IN THE OPEN SPACE TO THE EAST OF NEIGHBORHOOD D AS A SPECIAL EVENT SPACE AND TO SWAP A PORTION OF THE OPEN SPACE WITH A PARCEL EQUAL IN SIZE AND DESIRABILITY WITH THE FOLLOWING FINDING OF FACT AND CONDITIONS OF APPROVAL. THE APPLICATION IS SUBSTANTIALLY IN CONFORMANCE WITH SECTIONS 4.07 AND 4.11 OF THE LAND USE AND DEVELOPMENT CODE IN THE 2010 EAGLE AREA COMPREHENSIVE PLAN. AS STATED BY STAFF, THE CONDITIONS OF APPROVAL #1-10 ARE MET.

MOTION WAS SECONDED BY COMMISSIONER LANI WEBB AND PASSED WITH A VOTE OF 7 (GREGG, NUTKINS, TOWNSEND, WEBB, HOILAND, PERKINS, AND HOOD) IN FAVOR AND 0 OPPOSED.

Chair Hood shifted the discussion to the land swap. Commissioner Nutkins highlighted Condition #2 (are there substantial adverse effects to the enjoyment of the land abutting, adjoining or across the Planned Unit Development or to the public interest) and how much public opposition there is, the conflict with Mountain Rec and the neighborhood impacts. From a planning aspect, the applicant meets many of the requirements. While this housing will be a benefit to the community, there are still other housing projects to consider. Next, it seems that the school district will continue to remain neutral but we should not ignore the other referral agency's (Mountain Rec) objections. Commissioner Townsend echoed sentiments around Condition #2 pointing out the word 'enjoyment' is very subjective. Also, does not like the idea of losing the regional draw between Mountain Rec and the school site. Commissioner Perkins thanked the development team. He understands the need to frontload the multi-family units however the relationship between Mountain Rec and the school is also important and he would prefer the school site at its current location. The current school site also minimizes emergency response time from the future fire department site. Commissioner Hoiland agreed with all the previous comments also voicing that he believes Condition #2 was not met. Having the school next to the rec facilities for sport and community events works better at the current location. Commissioner Gregg voiced that he does not believe the land swap is in the public's best interest and that moving the school site further away does not make sense. Also, the public concerns that have been voiced make it difficult to deny how the community will be impacted.

Commissioner Webb voiced that she is on the fence. The new school site offers more walkability and the school district seems indifferent to their location. Furthermore, the proposed housing would offer an immediate solution to our community's need. Commissioner Winkeller echoes everyone's comments. The current school location and its connection with Mountain Rec will create a huge hub for the Town. To approve the land swap would take away from the community's greater vision. Chair Hood voiced that he recognizes the applicant's efforts to mitigate and balance the benefits and the detriments (example, adding the buffer zone near Soleil). Also, there is the benefit to providing the multi-family housing which would be great to see immediately from this development. Is that a big enough benefit to the detriment of splitting the synergies between Mountain Rec and the school district (public benefit)?

MOTION: COMMISSIONER ROBERT TOWNSEND MOTIONED TO DENY FILE PUDA20-01, A MAJOR PUD AMENDMENT REQUEST TO SWAP THE SCHOOL LAND PORTION OF TRACT E WITH MULTI-FAMILY DEVELOPMENT AND TO ALLOCATE A DIFFERENT PARCEL FOR A FUTURE SCHOOL SITE. BECAUSE OF THE FOLLOWING FINDING OF FACTS, APPLICATION DOES NOT MEET CONDITION #2 OF SECTION 4.11.050.A.2 OF THE MUNICIPAL CODE.

MOTION WAS SECONDED BY COMMISSIONER BILL NUTKINS AND PASSED WITH A VOTE OF 7 (GREGG, NUTKINS, TOWNSEND, WEBB, HOILAND, PERKINS, AND HOOD) IN FAVOR AND 0 OPPOSED.

PUBLIC HEARING

2. Project: 629 Sawatch Contractor Yard Special Use Permit
 File #: SU21-02
 Applicant: Jay VanVoorst, JCV LLC
 Location: 629 Sawatch Road
 Staff Contact: Jessica Lake, Planner I
 Request: Request for Special Use Permit to allow a Contractor Yard, including outdoor storage of trucks, trailers, storage containers, office trailers, construction equipment and fuel storage, at 629 Sawatch Rd.

Staff Presentation

Jessica Lake began the staff presentation. This is a request for a Special Use Permit to allow a contractor yard, including outdoor storage of trucks, trailers, storage containers, office trailers, construction equipment and fuel storage. This property has been used as a contractor yard for 9 years and the Town issued Special Use Permits for it in 2012, 2015 (each a 3-year permit) and 2018 (just a 2-year permit). Applicant is currently requesting 5 years for this Special Use Permit. Section 4.05.010 of the Municipal Code says that a Special Use Permit may be limited in duration (not less than 3 years), location, party entitled to the benefit thereof, and/or other specifics. Staff included photos taken around the property. Staff believes the application meets the four standards for a Special Use Permit with conditions of approval.

Staff recommends APPROVAL WITH CONDITIONS based on Standards 1-4 of section 4.05.010 of the Municipal Code. The Findings of Fact determine 1) the application is in conformance with Chapters 4.04 and 4.05 of the Land Use and Development Code, the 2020 Elevate Eagle Comprehensive Plan and the 2020 Town of Eagle Strategic Plan. 2) Landscaping requirements are in compliance under section 4.07.040.B.4 with the existing perimeter fence. Full landscaping compliance will be required with the application for a Development Permit for a permanent structure or subsequent phases of the project.

Q & A

Commissioner Nutkins asked about the temporary effect of the Special Use Permit (SUP) on landscaping. Staff replied that there is an option for a permanent SUP however since the previously issued SUPs had time limits, we are trying to remain uniform and impose a time limit on this SUP. Given how long this contractor yard has been operating and that we are now considering approving an additional 5 years, it may be beneficial to require landscaping at least on the Sawatch Road entrance area to enhance the look. Staff cited front street buffer standards that would be applicable to any development.

Commissioner Townsend commented that the additional 5-year extension should be enough time for the applicant to put landscaping in.

Commissioner Hoiland asked if imposing landscaping on this contractor yard would affect other storage yards on Chambers Avenue who don't have any landscaping. Are we going to start enforcing this on everyone on that street? Chad commented that this became a code enforcement case last year due to expired permits.

Commissioner Webb asked what standard we're going to take moving forward – enforce landscaping or let everyone have a Special Use Permit? Chad said we are typically addressing this on a case-by-case basis. Commissioners Winkeller and Gregg agreed on the case-by-case approach however anything exceeding 10 years of use should invest in landscaping.

Commissioner Nutkins asked whether or not there is a permanent structure on the property. Staff reviewed the property images and confirmed it appears to be temporary structure (like a canopy).

Commissioner Perkins asked for the operating hours of the yard and staff confirmed 8am-5pm as this is their main office site. Next, what is the nearest housing to this location. They are 700 Chambers, Buildings C & D followed by the Nogel Road area.

Commissioner Gregg asked what the previous conditions of approval were. Staff noted the following: reducing number of entrances into the lot from 2 to 1; temporary screening and fencing on the perimeter; repair the southern fence; and that the Special Use Permit will expire within 2 years or upon obtaining a building permit for the property. Applicants have indicated they would like to build a permanent structure on the property.

PUBLIC COMMENT

Public comment opened at 9:22pm. Public comment closed at 9:23pm.

OPEN DISCUSSION

Chair Hood agrees that we should not allow another extension without enforcing landscaping. At a minimum, the front street buffer standards - Section 4.07.020 - should be enforced per the Building Code given that the remainder of the perimeter will have screening, fencing, existing trees and shrubs.

Commissioner Hoiland agrees with the extension but disagrees on enforcing landscaping. This is not a well-traveled street and there are other nearby businesses without landscaping.

MOTION: COMMISSIONER CHARLIE PERKINS MOTIONED TO APPROVE SPECIAL USE FILE SU21-02 WITH THE FOLLOWING STAFF RECOMMENDATIONS #1-7. THE COMMISSION WOULD LIKE TO ADD CONDITION #8: THE APPLICANT SHALL PROVIDE FRONT STREET BUFFER IN ACCORDANCE WITH SECTION 4.07.020, LANDSCAPE STANDARDS OF THE MUNICIPAL CODE.

MOTION WAS SECONDED BY COMMISSIONER LANI WEBB AND PASSED WITH A VOTE OF 7 (GREGG, NUTKINS, TOWNSEND, WEBB, HOILAND, PERKINS, AND HOOD) IN FAVOR AND 0 OPPOSED.

ADJOURN

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



STAFF REPORT AND CERTIFICATE OF RECOMMENDATION

TO: Planning & Zoning Commission

FROM: Community Development Department

DATE: April 20, 2021

FILE NUMBER: SU21-03

PROJECT: 113 E. Fourth Street Veterinary Clinic

REQUEST: Application for a Special Use Permit for Veterinary Clinic in the Broadway Overlay District.

APPLICANT: Dr. Susan O'Brien

LOCATION: 113 E. Fourth Street

CODE: Chapter 4.04 Zoning
Chapter 4.05 Zoning Review

ZONING: Broadway Overlay District,
Central Business District

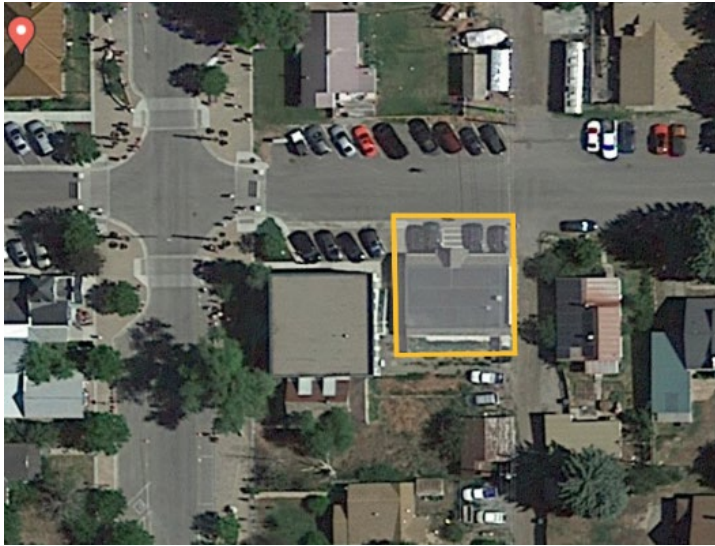
EXHIBITS: A: Application Form and Project Narrative
B: ILC and Google Earth Image
C: Aerial Map and Site Photos
D: Public Comment

PUBLIC COMMENT: All public comment received as of April 15, 2021 has been included in this packet. Letters received after this time will be gathered and entered into the public record at the hearing.

STAFF: Jessica Lake, Planner I, jessica.lake@townofeagle.org

INTRODUCTION

Dr. Susan O'Brien of Colorado On-Site Veterinary Services has submitted an application for a Special Use Permit to operate a Veterinary Clinic at 113 E. Fourth Street, which is located in the Broadway Overlay District within the Central Business District (CBD). The Veterinary uses proposed at this location include surgery and general medical services for small animals and pocket pets. Three to four staff members will be onsite during typical business hours (8:00am – 5:30pm) Monday through Friday.



A Veterinary Clinic is an allowed use in most of Eagle's commercial zone districts with a Special Use Permit. Veterinary Clinics do not have any specific requirements or standards that they are obligated to comply with other than the general code standards and any additional restrictions imposed by the Commission to Council in order to protect the public health, safety and welfare of the community.

ZONING DISTRICT	CBD	CL	CG	PA	I
USE					
Veterinary clinic	S	S	S	*	S

This particular property has some unique site conditions to take into consideration. In 1978 the Town sold 3.5' of right-of-way and a building was built right up to the new property line. This building does not align with others on the street. In 2000, when the property was owned by WECMRD (now Mountain Recreation), the Town approved an entryway with a roof structure and raised sidewalk/pathway, which encroached into the public right-of-way (see Figures 2 & 3 on the attached Site Photos document). Staff has added a condition of approval that the applicant

apply for an encroachment permit for the entryway for liability purposes. This property also does not include any off-street/private parking. The property does have a small rear yard area which is currently fenced and has grass inside the fence. The applicant is proposing to use this area to walk animals after surgery. A thorough review of the parking standards is included under Standard #3.

ISSUES FOR DISCUSSION

1. The Code does not require off-street parking due to the location of the property within the CBD and because there is no residential component. However, a Special Use Permit allows the Commission and Council to be more restrictive than the regulations to protect the public health, safety and welfare. Does the Commission want to require off-street parking for the proposed use at this location?

STANDARDS FOR SPECIAL USE PERMIT

Section 4.05.010.A.1.a

STANDARD #1: *The proposed use is consistent with the provisions of this Chapter and with the Town's goals, policies and plans.*

Staff Comment: The 2020 Elevate Eagle Comprehensive Plan (Plan) generally provides the goals, policies and plans for the Town. The Future Land Use Map designates the property as Downtown. The Downtown is described as a *centrally-located regional attraction for shopping, entertainment, culture, arts, and public events, and offers a location for public gathering and community pride. This area should include special urban improvements to make vibrant and enjoyable public spaces. These areas can include a mix of restaurants, bars, retail stores, offices, coffee shops, and civic services. Development should encourage preservation of character, redevelopment, and infill; and should include above-average standards for design.* The relevant goals and policies for this area are:

2020 Elevate Eagle Comprehensive Plan:

- 1) Chapter 4: Goals & Policies – Goal 1-2. *Expand and diversify the Town's economic opportunities.*
 - a. *Policy 1-2.1. Provide opportunities that increase the likelihood of the Town's citizens to work within Eagle.*
 - b. *Policy 1-2.7. Support alternative work environments such as home-based businesses, location-neutral businesses, mobile vendors, as well as traditional brick and mortar establishments.*

Staff Comment: The applicant has and will continue to operate “on-site” veterinary services. This application reflects an expansion of the business into a traditional brick and mortar space as well as the continued service to client’s properties. If approved, this application would add a second veterinary clinic to the Broadway District. While this use is not likely to contribute overly much to a thriving commercial atmosphere, it does allow for the expansion of a long-term local business.

- 2) Chapter 4: Goals & Policies – Goal 2-1. *Enhance the Vibrancy and Viability of Downtown. The character of Downtown is defined by a small-town neighborhood feel and includes residential blocks as well as commercial and mixed-use. The development style establishes a unique and intimate relationship between buildings and the street. Historic resources are preserved, and new development is reflective of historic development patterns, character, and style.*

- a. *Policy 2-1.10. Encourage, where appropriate, increased density near the Downtown core.*

Staff Comment: While this proposal would not increase density within the CBD, it may add to the intensity of use compared to other uses in the area.

- 3) Chapter 4: Goals & Policies – Goal 2-2. *Reinforce Broadway Street as the Heart of the Community, from the Eagle River to Town Park. The character of Broadway is defined by a small-town main street feel and includes the commercial heart of the community. Historic resources should be preserved, and new development should reflect historic development patterns, character, and style.*

- b. *Policy 2-2.3. Ensure ground floor uses on Broadway create a balanced mix of uses that support a thriving commercial atmosphere.*

- c. *Policy 2-2.4. On Broadway Street, commercial uses should be required on ground levels, with lodging and residential uses permitted above commercial.*

Staff Comment: While this structure doesn't actually front on Broadway (one lot removed from Broadway on 4th St), this application does provide a ground floor commercial use in the Broadway Overlay District.

2020 Town of Eagle Strategic Plan:

- 1) *Major Objective: Stimulate Economic Vitality and Development*

- a. *The Town focuses on development that follows the Elevate Eagle Comprehensive Plan to ensure results that maximize the economic benefits. The economic impact of visitors and business investments result in positive benefits in terms of amenities, job creation, increases in wages, infrastructure and the overall quality of life.*

Staff Comment – This application is aligned with some, but not all, of the goals and policies in the Elevate Eagle Comprehensive Plan, as noted above. Commercial use of this property satisfies several of the policies of the plan but does not go beyond that. The application may make some small moves in terms of alignment with this strategic major objective in that it may provide benefits in terms of amenities and job creation.

Section 4.04.100.J. Minimum use standards. In all zone districts, except as otherwise specified herein, all uses shall be designed and operated in compliance with the following minimum standards:

3. *Loading and unloading of vehicles shall be conducted on private property and not on any street or alley, except in the CBD, where it may be from a designated loading zone or alley;*

4. *No dust, noise, odor, fumes, glare or vibration shall be projected beyond the lot.*

Staff Comment: The code allows for loading and unloading to occur in allies in the Central Business District (CBD), but staff is suggesting a condition of approval to minimize this. The section of the alley between Fourth and Fifth Streets is accessed by ten properties, one of which is mixed use with four residences and another that is approved for mixed-use with nine residences. This alley is used by these properties and frequent loading/unloading could have a negative impact on surrounding properties. Staff is suggesting that loading/unloading occur from public parking spaces whenever possible. This lot is quite small at only 2,221 sf. Due to the small lot size, it may be challenging to keep noise and odor within the lot, but it is a code requirement and staff has included a condition of approval for this use standard.

STANDARD #2: *The proposed use is compatible with existing and allowed uses surrounding or affected by the proposed use.*



Staff Comment: The subject property is in the Broadway Overlay District and shares an alley with the Residential Multi-Family (RMF) zone district. Across the street, to the Northeast, is the Central Business District (CBD). To the North, 344 Broadway is a residential use in the Broadway Overlay District. 343 Capitol is a restaurant in CBD. To the West, 404 Broadway is mixed-use building with residential above commercial. To the South, 410 Broadway is vacant lot with an approved development permit for a mixed-use building. To the East are 125 E. Fourth Street and 135 E. Fourth Street and both are residential uses in the RMF zone district. Another Veterinary Clinic is operated out of 341 Broadway Street, which is Northwest of the subject property. The surrounding uses are mixed.

Per the application, hours for staff are M-F 8 am until 5:30 pm. Surgical drop-offs will be in the mornings Tuesday-Thursday and clinic hours will be by appointment. This clinic does plan on offering after-hours emergency services to existing clients only, after hours emergencies are expected to be minimal. In an area with a variety of uses, staff believes that due to limited hours of operation similar to other office uses in the area, the small size of the facility and lot, and the proximity of another veterinary clinic nearby with an approved Special Use Permit that this use is compatible with existing and allowed uses surrounding or affected by the proposed use.

STANDARD #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.*

Staff Comment: The property at 113 E. Fourth Street does not have any private parking. Public parking can be found along Fourth Street, there are four spaces directly in front of this property. There are not currently any parking restrictions in place on Fourth Street. The hours of operation

for this building are primarily within typical business hours (8:00am – 5:30pm), the surrounding residential properties should be able to find parking during evenings and weekends and are unlikely to be adversely impacted, from a parking perspective, by this business.

The following Parking Standards are relevant to Standard #3:

- Section 4.07.140.A.3. *When the use of an existing building or space is changed to either: a) a use in a different use category as set forth in Subsection (C) of this section; or b) a use in the same use category which requires more off-street parking than the existing use; off street parking, loading areas and landscaping shall be provided as required for the new use, whether or not they were provided for the existing use; **provided, however, the requirements contained in this subsection shall not apply in the Central Business Zone District (CBD) or Broadway District.***
- Section 4.07.140.C.3.b. *Medical, dental, veterinary office, service establishment: **one per 250 square feet of floor area used or designed for office or public use.***
- Section 4.07.060.I.4. *In the Broadway District, one space per residential unit shall be provided on-site only when a retail or restaurant use has been established on the first floor. **If a service establishment on the ground floor is established, the parking requirements shall be reviewed on a case-by-case basis.** The use of stacked parking spaces is allowed to meet this requirement...*
- Section 4.07.060.I.6. *In the Broadway District, basement square footage will not be counted towards the floor area ratio standards.*

Staff Comment: Because this property is located in the Broadway Overlay District and because there are no residential uses in the building, the parking requirements for dedicated off-street parking do not apply. A veterinary clinic has its own use in the use chart and does not fall under the umbrella of a service establishment. However, because this is a request for a Special Use Permit, the Commission and Council have the ability to impose *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.* Commercial uses by right in the Broadway District have typically utilized on street public parking for their clients and staff. Parking restrictions on Broadway are likely to be capped at two-hours in the future, which may put pressure during the daytime hours on the cross-streets like Fourth Street. Staff believes that traffic volumes generated by this business will be minimal and that there is adequate public parking to serve this use and that on-site parking is not required by the code.

STANDARD #4: *The special conditions for specific uses, as provided in this section are met.*

Staff Comment: Standard #4 does not apply to this application as the code does not include any specific conditions for a veterinary clinic.

STAFF RECOMMENDATION

Staff recommends Approval with Conditions of SU21-03 113 E. Fourth Street Veterinary Clinic based on Standards (1), (2), and (3) of Section 4.05.010. of the Municipal Code.

PLANNING AND ZONING COMMISSION POTENTIAL MOTIONS

Below are the Planning and Zoning Commission options related to Special Use Permit SU21-03:

1. Recommend approval with no conditions.
2. Recommend approval with conditions.
3. Continue (table) the application.
(Provide staff and the application detail regarding information needed for a decision).
4. Recommend denial.
(Cite all Code sections and/or Plan policies that resulted in motion for denial)

FINDING OF FACT

1. That the application is in conformance with Chapters 4.04 and 4.05 of the Land Use and Development Code and the 2020 Elevate Eagle Comprehensive Plan and the 2020 Town of Eagle Strategic Plan.

IF APPROVED, THE P&Z AND COUNCIL MAY CONSIDER THE FOLLOWING SUGGESTED CONDITIONS OF APPROVAL:

1. The applicant shall apply for an Encroachment Permit by May 15, 2021. If no Encroachment Permit approval is acquired, any approvals obtained with this Special Use Permit shall be withdrawn.
2. Loading and unloading may not block the alley for more than 10 minutes at time. Deliveries, loading and unloading should be from a parking space whenever possible.
3. No dust, noise, odor, fumes, glare or vibration shall be projected beyond the lot.



TOWN OF EAGLE
COMMUNITY DEVELOPMENT
200 BROADWAY • PO BOX 609 • EAGLE, CO 81631
PHONE: 970-328-9655 • FAX: 970-328-9656
www.townofeagle.org

LAND USE & DEVELOPMENT APPLICATION

Pursuant to the Land Use & Development Code, Title 4

ZONING REVIEW	DEVELOPMENT REVIEW	SUBDIVISION REVIEW
☐ Special Use Permit	☐ Minor Development Permit	☐ Concept Plan
☐ Zoning Variance	☐ Major Development Permit	☐ Preliminary Plan
☐ Rezoning		☐ Final Plat
☐ Temporary Use Permit	PLANNED UNIT DEVELOPMENT (PUD) REVIEW	☐ Lot Line Adjustment
☐ Amendment to Zone District Regulations	☐ PUD Zoning Plan	☐ Condominium / Townhouse
☐ Encroachment Permit	☐ PUD Development Plan	☐ Minor Subdivision

PROJECT NAME On-Site Veterinary Clinic

PRESENT ZONE DISTRICT Commercial Professional PROPOSED ZONE DISTRICT _____
(if applicable)

LOCATION

STREET ADDRESS 113 East 4th Street, Eagle CO 81631

PROPERTY DESCRIPTION

SUBDIVISION Eagle Block 22 LOT(S) 13 and 14 BLOCK 22
(attach legal description if not part of a subdivision)

DESCRIPTION OF APPLICATION/PURPOSE This application is for a full service veterinary clinic servicing small animals and pocket pets.

APPLICANT NAME Susan O'Brien PHONE 970-989-4323

ADDRESS 2200 Spring Creek Rd, Gypsum CO 81637 EMAIL drobrien@onsitevet.com

OWNER OF RECORD Ruth A Butters, Jerome Butters PHONE 970-376-0344

ADDRESS 1177 Colorado River Rd, Gypsum CO 81637 EMAIL jerry@buttersepa.com

REPRESENTATIVE* _____ PHONE _____

ADDRESS _____ EMAIL _____

*A representative must submit an affidavit or power of attorney signed by the property owner of record authorizing the representation.

APPLICATION SUBMITTAL ITEMS:

The following submittal materials must be submitted in full before the application will be deemed complete (please check all items that are being submitted):

- ☐ Applicable fees and deposits.
- ☐ Project Narrative, describing the project, its compliance with any applicable review criteria, any impacts to the surrounding area, and any other relevant information.
- ☐ Surrounding and interested Property Ownership Report (see project specific checklist for more information).
- ☐ Proof of Ownership (ownership & encumbrance report) for subject property.
- ☐ Site Plan, drawn to scale and depicting the locations and boundaries of existing and proposed lots and structures.
- ☐ Project specific checklist.

FEES AND DEPOSITS:

See Eagle Municipal Code Section 4.03.080

1. Application fees shall be paid in full at the time of the filing of the application and unless paid, the application shall not be deemed complete. All fees are nonrefundable.
2. As described in Eagle Municipal Code § 4.03.080, third-party consultants may be necessary for the review and processing of applications. These costs ("pass-through costs") must be paid by the applicant. If pass-through costs are expected, the applicant must pay a deposit at the time the application is filed. If at any time the deposit does not fully cover the pass-through costs, the applicant must pay another subsequent deposit before the Town will continue processing the application.
3. The Town may withhold the recording of any Subdivision Final Plat or Development Plan or the signing of any Resolution or Ordinance until all pass-through fees are paid in full.
4. Within 30 days of approval or denial of an application, any remaining deposit shall be returned to the applicant. If an application is withdrawn, any remaining deposit shall be returned to the applicant within 60 days.

I have read the application form and certify that the information contained herein is correct and accurate to the best of my knowledge. I understand that it is my responsibility to provide the Town with accurate information related to this application. I UNDERSTAND THAT FILING AN APPLICATION IS NOT A GUARANTEE THAT THE APPLICATION WILL BE APPROVED.

Signature

Date

2/16/21

FOR OFFICE USE ONLY

DATE RECEIVED _____	BY _____	FILE NUMBER _____
REVIEW FEE _____	DATE PAID _____	RECEIVED BY _____
DATE CERTIFIED COMPLETE _____	BY _____	
P&Z HEARING DATE _____	DECISION _____	
BOT HEARING DATE _____	DECISION _____	



COLORADO
on-site
VETERINARY SERVICES

PO Box 4718
Eagle, CO 81631
(970) 279-8045
drobrien@onsitevet.com
www.onsitevet.com

To: Town of Eagle, Community Development

Re: Special Use Permit 113 East 4th Street, Eagle CO

Project Narrative

We are a mobile mixed animal veterinary practice in the valley. We intend to expand our offerings of surgical and medical procedures for small animals and pocket pets into 113 East 4th Street in Eagle. We would offer general surgical and medical services in addition to integrative care services. Our approach to veterinary medicine includes low stress and fear free handling and we strive to make every visit a positive one.

We believe that we directly echo the town's vision – Maintain and enhance the quality of life for everyone in our community. Animals are an important part of many town residents daily lives. We are an extremely animal friendly mountain town and through our veterinary practice we intend to provide easy access to reliable and communicative care. Throughout Covid-19, we have seen the numbers of pets adopted soar as well as the number of new puppies and kittens on our schedule increase immensely. To me, this is testament of the importance of animals and their support of our mental health.

We are diverse, inclusive and unique as an employer that feverishly protects the quality of life of our staff.

- We are an inclusive work environment that highly values a work life balance.
- All social and economic backgrounds are welcome in our office.
- The staff works four ten hour shifts in order to give them ample time to enjoy our beautiful outdoors.
- We believe in providing a fair wage so that our employees do not need to scrape by or look for second jobs.
- We are a family friendly practice and share a family first philosophy with our staff.
- Benefits include health insurance, payment of state licenses, continuing education per diem, uniform allowance as well as a local discounted local gym membership, a Costco membership and heavily discounted pet care.

Parking and traffic implications –

Our traffic volume is expected to be light. We will have 3-4 staff members in the office 8-5:30, M – F. We will have surgical drop offs at approximately 8:30am Tu-Th. Appointments for clients and patients will be from 9 – 11 and 3 – 5 Tuesday through Thursday and will be 30 minutes in duration. Monday and Friday appointments will be available from 9 – 5. We will offer after hours emergencies to current clients and do not expect a large volume of after hour visits.

There are 6 recessed parking spaces of street parking in excellent condition in front of the building and street spots lining 4th Street and on Broadway. There are no off-street private parking spaces associated with this building.

Protecting Public Health, Safety and the Environment –

- Our workplace is environmentally conscientious. We are constantly evaluating our footprint and make efforts to be as environmentally friendly as possible. Our veterinary software allows us to be a paper free workplace for most day-to-day operations.
- Veterinarians are stewards of public health and our mission is to further the health and wellbeing of animals while protecting the public from any emerging zoonotic diseases.

Partnerships within the community –

- We strive to only do business with our neighbors in the community. Be it Information Technology, electrical, or construction, we have excellent options locally and intend to continue keeping our business local
- We believe in being a participating member of the community and that it is our duty to keep our business locally and network with local professionals
- We are active participants with the local chamber of commerce.
- We initiate veterinary community events and education.
- We support the youth through 4-H donations, discounted veterinary care for project animals and livestock auction support.

Maintain beauty of downtown –

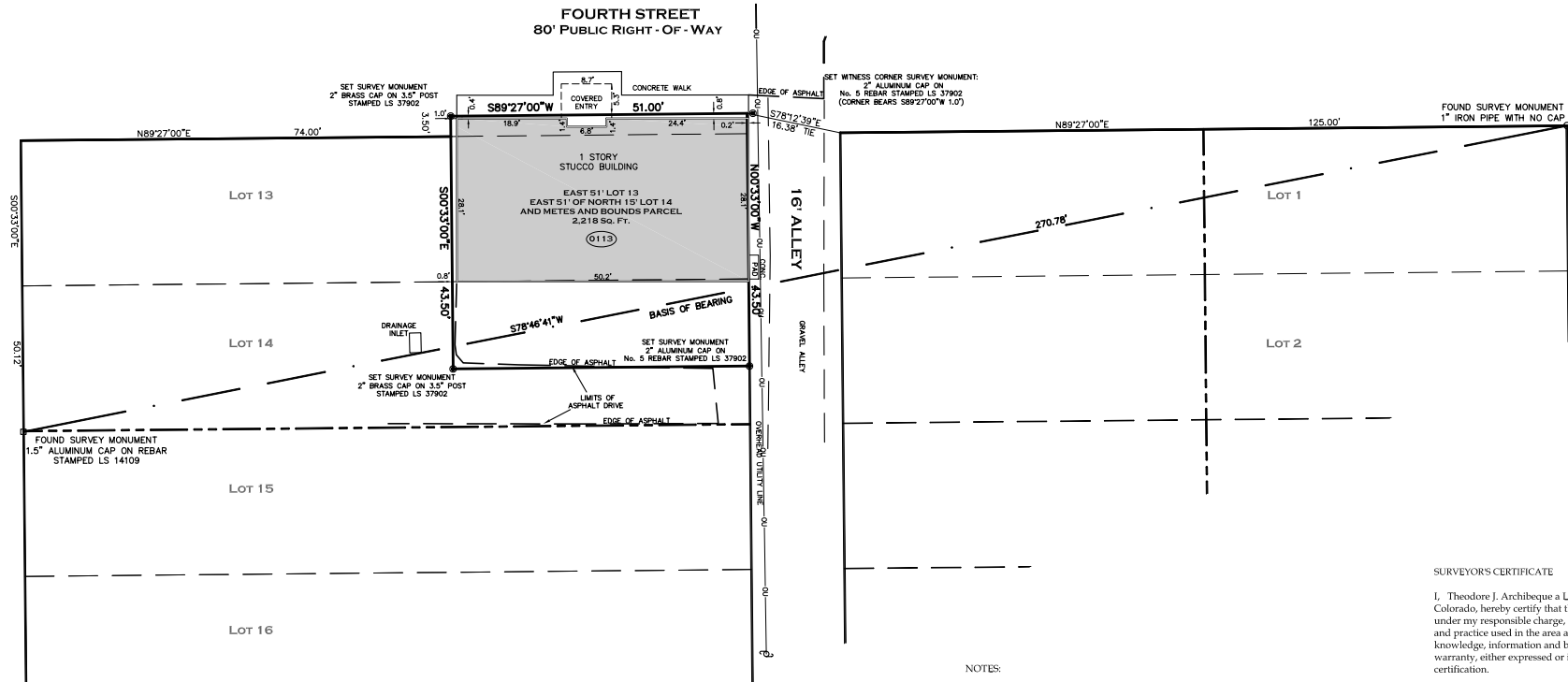
- We intend to paint the exterior of the new facility to freshen it's appearance and will hang potted plants at the entry. We will also refresh the paint on the back privacy fence. We otherwise do not intend to change the exterior of the building and believe that the building style is fitting of Rocky Mountain architecture.

Please reach out with any questions. We look forward to working with you.

Respectfully,

Susan O'Brien, DVM

IMPROVEMENT SURVEY PLAT 113 EAST FOURTH STREET TOWN OF EAGLE COUNTY OF EAGLE, STATE OF COLORADO



LEGAL DESCRIPTION:
The east 51.00 feet of Lot 13 and the East 51.00 feet of the North 15.00 feet of Lot 14, Block 22, Town of Eagle, State of Colorado,
containing 2.040 sq. ft. together with:
A Parcel of land, being those same lands vacated by instrument recorded January 12, 1978 in Book 264 at Page 993 and also being a portion of Fourth Street in said Town of Eagle, and being more particularly described as follows:
Beginning at the northeast corner of said Lot 13; thence N 00°33'00" W, 3.50 feet; thence S 89°27'00" W, 51.00 feet; thence S 00°33'00" E, 3.50 feet to a point on the northern boundary of said Lot 13; thence upon said northern line of Lot 13 N 89°27'00" E, 51.00 feet to the Point of Beginning.
Containing an additional 178 sq. ft.

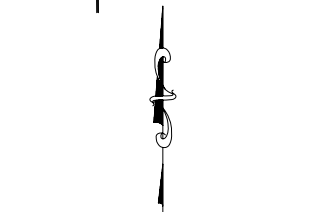
NOTES:

- 1) Survey Date: April 23, 2013.
- 2) Legal description, easements, location of improvements, and lot lines, are based upon the Plat of the Town of Eagle, Commonwealth Land Title Insurance company title commitment No. 454-H0370059-060-MH1 provided by Heritage Title Company, dated April 02, 2013 and survey control monuments found at the time of this survey.
- 3) Basis of Bearing: S 78°46'41" W between survey monuments marking the Northeast corner of Block 22 and the southwest corner of Lot 14, Block 22, as shown and described herein.
- 4) Street Address: 113 East 4th Street.
- 5) This Improvement Survey Plat was prepared for the exclusive use of Jerome Butters, and is valid only if print has original seal and signature of surveyor.
- 6) Lineal Units of the U.S. Survey Foot were used herein.

SURVEYOR'S CERTIFICATE

I, Theodore J. Archibeque a Licensed Professional Land Surveyor in the State of Colorado, hereby certify that this Improvement Survey Plat was done by me or under my responsible charge, and that it was performed using the standard care and practice used in the area at the time of the survey, and is based upon the my knowledge, information and belief. This certification is not a guarantee or warranty, either expressed or implied. The Notes hereon are a part of this certification.

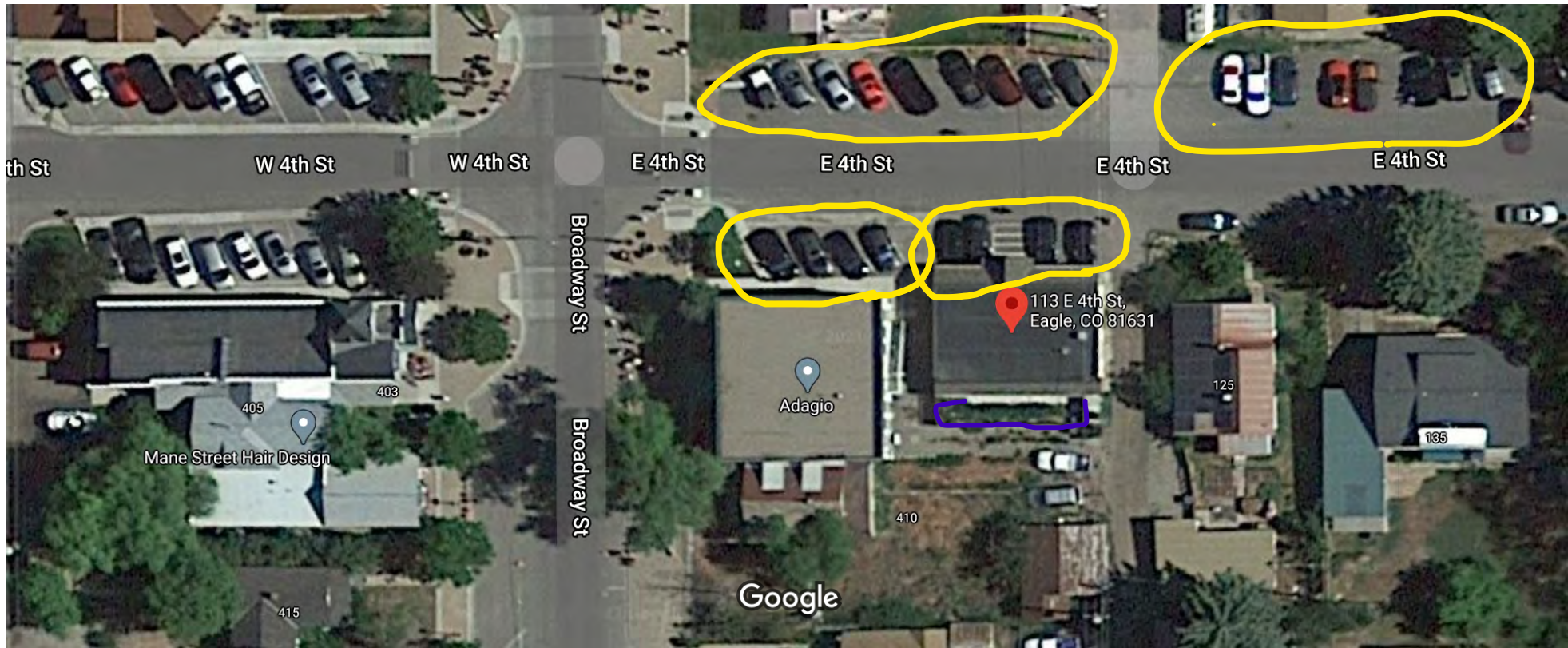
Theodore J. Archibeque, PLS 37902
Professional Land Surveyor
State of Colorado



Archibeque Land Consulting, Ltd
~ Professional Land Surveying & Mapping ~
105 Capitol Street, Suite 5 - P.O. Box 3893
Eagle, Colorado 81631
970.328.6020 Office 970.328.6021 Fax

IMPROVEMENT SURVEY PLAT PART OF LOTS 13 & 14, BLOCK 22, TOWN OF EAGLE, COUNTY OF EAGLE, STATE OF COLORADO		
DRAWN BY: MSS	JOB NUMBER: 13125	DRAWING NAME: 13125 ISP.dwg
SHEET 1 OF 1	DATE: 04-25-13	CHECKED BY: TJA

Google Maps 113 E 4th St



Map data ©2021 , Map data ©2021 20 ft





Figure 1 - GIS Aerial



Figure 2 – Front of building – encroaching entry structure



Figure 3 – West, looking East – sidewalk and entry encroachment



Figure 4 – Driveway between 404 Broadway & 113 E. Fourth St. (property of 404 Broadway)



Figure 5 – Alley between 113 E. Fourth St. and 125 E. Fourth Street



Figure 6 – Rear fenced area – West side of building looking East



Figure 7 – Rear fenced area – East side of building looking West

From: [Sheila Fitzpatrick](#)
To: [Jessica Lake](#)
Subject: Re:
Date: Tuesday, April 6, 2021 3:50:23 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Jess

I want to also remind planning about the enormous amount of effort we had to put in for ventilation and oxygen tank storage in our new expansion . Another veterinary hospital should be advised of the same .

We actually had plans for redevelopment of our property including a new veterinary hospital in the back and converting existing space to retail and employee housing with a full development of the Broadway portion . I just had plans drawn . This may change our plans.

Regards
Sheila

Sent from my iPhone

> On Apr 6, 2021, at 3:11 PM, Jessica Lake <jessica.lake@townofeagle.org> wrote:

>

> Thank you Sheila, I will include your email in the packets for the Planning & Zoning Commission and Town Council.

>

> Best,

> Jessica Lake

> Planner I

> TOWN OF EAGLE

> 200 Broadway, PO Box 609, Eagle Co 81631

> Phone: 970-328-9627, Fax: 970-328-9656

> HOURS: Monday – Friday, 8:00am – 2:00pm

> CLICK BELOW FOR TOWN WEBSITE, NEWS, EVENTS OR TO PROVIDE FEEDBACK:

>

> Sender and receiver should be mindful that all my incoming and outgoing emails may be subject to the Colorado Open Records Act, § 24-72-200.1, et seq.

>

> -----Original Message-----

> From: Sheila Fitzpatrick <sfmmvet@vail.net>

> Sent: Tuesday, April 6, 2021 9:10 AM

> To: Jessica Lake <jessica.lake@townofeagle.org>

> Cc: Kursten Canada <kcanada@garfieldhecht.com>

> Subject:

>

> CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

>

>

> Hi

>

> I operate Mountain Animal Hospital on 4 th and Broadway . I saw that Susan O'Brien has applied to put a veterinary hospital across the street .

> I know Dr. O'Brien is predominantly a large animal veterinarian and is looking to house horses for hospitalization. I would like to be more informed on this project as I see congestion from horse trailers as well as

already huge parking issues a concern . Not to mention I have brought a lot of business to the town of Eagle for 28 years and feel this is a conflict .

>

> Thank you

> My number is +19709771044

>

> Sheila Fitzpatrick DVM

>

> Sent from my iPhone

From: [Sheila Fitzpatrick](#)
To: [Chad Phillips](#)
Cc: [Jessica Lake](#); [Kurstien Canada](#)
Subject: Re:
Date: Wednesday, April 14, 2021 9:12:14 AM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Chad

We have spent hundreds of thousands of dollars to “ get to code.”

We also take pride in the image we portray to the community and the quality of care we provide to our patients. As I walked the property in question I saw there is no place to walk the dogs? If we do surgery we have to allow those pets to relieve themselves. Second, there’s very little ventilation . Third, no space for a dumpster for the waste?Fourth , there is now strict regulation on storage of oxygen tanks . We are actually having to build a storage area for these tanks . If one were to fall it’s a huge hazard for blowing up and that’s very close to residential area. Fifth , there’s no space in there. Surgery needs to be performed in a “ sterile “ environment , not with exam, X-ray and lab all together . Sixth - zero parking ! We are struggling with the fact the town allowed a two story building across the street with inadequate parking . If you walk over, you will see my lot full and the entire side street filled before my customers even come .

I welcome new vets , I just have huge concerns for sanitation , sterility , pet wellness , parking, ventilation and storage of those oxygen tanks. As a veterinarian , I’m well aware of what a hospital takes and this location in question is going to create a whole new set of issues for the downtown .

On a different note , my family has always been active in town development where I’m from and it never really occurred to me until I heard the voice of our Eagle citizens . They feel we don’t follow rules in development and we don’t care about the impact it has . One family next door to this proposed special permit says they feel their voices just aren’t heard . Two main players in the downtown area are leaving . We have so much potential to make this beautiful. Why can’t we ?

I’m so glad you are in this position.

Keep in mind, we had plans for a three phase development project before we heard about the potential useage across the street and will push forward as we believe we can develop this property in line with what the downtown alliance is looking for .

Thank you for listening

Sheila Fitzpatrick DVM

Sent from my iPhone

On Apr 14, 2021, at 8:52 AM, Chad Phillips <chad.phillips@townofeagle.org>

wrote:

Shiela,

I am sorry to hear that you have a negative opinion of the Town in regards to Community Development. In my 1 year as Director of the TOE Community Development Department, I have heard similar stories a few times. The main thing that I can tell you now is that I'm a rule-follower. When the staff report for the new Special Use Permit application is written, it will include our position to strictly adhere to all applicable regulations of the Municipal Code.

As far as issues like parking, landscaping, and noise, these will be evaluated by my office in the staff report. It is always our goal to be as transparent as possible.

Please reach out to us with any further comments and concerns.

Take care,

Chad Phillips

Community Development Director/Town Planner

TOWN OF EAGLE

200 Broadway, PO Box 609, Eagle Co 81631

Phone: 970-328-9655, Fax: 970-328-5203

CLICK BELOW FOR TOWN WEBSITE, NEWS, EVENTS OR TO PROVIDE FEEDBACK:

[<image001.png>](#)

[<image002.png>](#)

[<image003.png>](#)

[<image004.png>](#)

Sender and receiver should be mindful that all my incoming and outgoing emails may be subject to the Colorado Open Records Act, § 24-72-200.1, et seq.

From: Shiela Fitzpatrick <sfmmvet@vail.net>

Sent: Wednesday, April 7, 2021 1:21 PM

To: Chad Phillips <chad.phillips@townofeagle.org>

Cc: Jessica Lake <jessica.lake@townofeagle.org>; Kursten Canada
<kcanada@garfieldhecht.com>

Subject:

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Chad

I am a long time owner of property in Eagle. I have a veterinary practice at 341 Broadway and have a 28 year history in downtown Eagle. When I developed this property, I was put into rigorous rules with respect to code. Parking was the biggest one. I had to build a parking lot in the back of my building, as well as multiple spaces on the side street. I went thru tremendous expense to plant trees, have Beautiful landscape and maintain the property.

I have also brought a lot of people to the downtown area who visit the coffee shops, restaurants and stores.

I recently was given plans for a major development of my block.

This involves a 2 story building with housing upstairs, retail space downstairs and a 4000 square foot clinic in the back..

This would allow desirable development and certainly contribute to the culture in downtown Eagle.

I have a planning meeting coming up with the town as we speak.

On Thursday, after paying for plans to redevelop my property, I received a notice saying that there is a special use permit being put out for another veterinary clinic on 4th street.

There is virtually no onsite parking at this location and no possibility of finding parking.

Where are these people going to park? Do we need

Two veterinary hospitals across the street from each other in downtown Eagle ? noise?

I have spoken to 4 home owners around the property and all oppose because of parking and noise. I spoke to each and every one of them.

What I'm told is "the town doesn't care." My question here is two fold. Are you going to make

This person do ALL the things I had to do for parking and development of my property before I got the special use permit?

I spoke to Joe Frasco today who developed a lot of the downtown area. He said "Eagle has developed a two sided code." They make some do

All the codes then others don't. Clearly, this isn't fair. Joe elected to sell all properties in Eagle and move on.

Now I'm faced with the potential of a 3.6 million dollar project right here in downtown Eagle, but with a competing veterinary

Practice potentially going in across the street, literally, which has no parking and is surrounded by opposing home owners who all think

Our town doesn't care. I would love your thoughts on this.

Should someone with the exact same business apply for a special use permit and

succeed without having to provide all the things I did with
Respect to onsite parking and landscape development, I would most certainly pursue
legal action as it truly isn't fair to those of us
Who have worked so hard to keep up to Town of Eagle Standards.

Let me know your thoughts.

Regards

Sheila Fitzpatrick DVM
970-328-7085
970-977-1044



To: Planning and Zoning Commission

From: Chad Philips, Director, Community Development Department
Jessica Lake, Planner I, Community Development Department
Peyton Heitzman, Planner I, Community Development Department
Nikki Davis, Administrative Technician II, Community Development Department

Date: April 20, 2021

Agenda Item: Community Development Department Update

COMMUNITY DEVELOPMENT DEPARTMENT UPDATE:

Comprehensive Plan / Land Use Code Update

- The Land Use Code update
 - The RFP deadline was March 26th.
 - Link - <https://www.townofeagle.org/DocumentCenter/View/16563/LUC-Update-RFP---Feb-2021-FINAL>
 - Application review Committee has met and evaluated the applications received.
- Elevate Eagle Comprehensive Plan
 - Appendix A revisions – we will be reaching out to Eagle County Housing and DOLA for updated housing data – temporarily on hold due to workload.
 - FLUM updates to reflect zoning map – temporarily on hold due to workload.

Long Range Planning

- Hwy 6 Corridor Study
 - Weekly staff meetings with Zehren and stakeholder meetings (stakeholder meetings are open to the public).
 - Survey work has begun as well as high level engineering data collection.
 - Virtual Public Meeting (Grand Avenue Virtual Walk) was held April 8, 2021
 - Presentation and then small group discussions breaking Grand Ave down into four sections.
- East Eagle Sub Area Plan (RED Development parcel)
 - Kickoff meeting with staff, Zehren and RED was held 2/11/21.
 - 2nd meeting with initial concepts and land uses was held with staff, Zehren and RED on 3/9/21.
 - Virtual public open house was held on 3/31/21.
 - Worksession with P&Z scheduled for May 4th.
- West Eagle Sub Area Plan
 - Adopted by P&Z on March 16, 2021.
 - Ratified by Council on March 23, 2021.
- SolSmart (Bronze Solar Designation) – CommDev lead project
 - Baseline zoning assessment has been completed.
 - Review of assessment meeting scheduled for March 25th.



Community Core Software

- Planning staff is working on migrating land use files to the Community Core software. This software is currently used for building permits. This work will be ongoing for the foreseeable future.

A Planner of the Day schedule has been implemented to field zoning questions from the public. Staff received (12) additional questions in March and so far (3) in April; many of these questions require ongoing conversations.

Code Enforcement

- Planning staff has (1) active code enforcement case.
- Building staff has (0) active code enforcement cases.

APPLICATIONS IN PROGRESS:

Pre-Application Meetings

- (2) additional pre-application meetings were held in March and (4) are currently scheduled for April.

Applications

- Red Mountain Ranch
 - Landowners working with 1) CDOT on Hwy 6 access and 2) water system engineering.
 - No additional updates
- Reserve at Hockett Gulch
 - Pre-application meeting for Subdivision and Major Development Permit scheduled for April.
 - Responding to developer questions regarding excel/decel lanes on Sylvan Lake Rd and Hwy 6, type of toilet facility at trailhead, raw water irrigation, fees, etc.
 - CommDev will be bringing in Carrie McCool as the lead planner for this application, Jess will assist as the staff contact.
- Brush Creek Road Extension
 - Design/construction plans have been submitted to Town Engineer (March).
 - Staff to work with CDOT (potential need to raze building to accommodate road and 10' path)
 - Planning to work with Public Works to determine public outreach process.
 - Town Engineer approval of design drawings required by May 2021.
- Haymeadow
 - S20-01 Amended Final Plat
 - Reviews are completed and final comments are being addressed.
 - Mylars, signatures and recording likely to be completed prior to March 1st – this was not done, an administrative extension has been applied for and been granted.
 - PUDA20-01 PUD Amendment
 - Council will hear this application on April 27, 2021
- AN20-01 Powell Park Annexation
 - Petition approved by Council on Jan. 26th
 - Zoning recommended for approval by P&Z on March 2nd.
 - Annexation and Zoning Public Hearing scheduled for March 23rd – continued until April 27, 2021
- AN20-02 Basecamp Annexation



- Petition approved by Council on March 9th
- Zoning and Special Use approved by P&Z on March 16th.
- Annexation, Zoning and Special Use Public Hearing scheduled for April 13th – continued to May 11th.
- 700 Chambers, Lot C
 - CT20-04 – 700 Chambers, Lot C Condo Plat
 - Approved by Council by a vote of 5 to 0.
 - Project close-out
 - SU21-01 – 700 Chambers, Lot C Special Use
 - Approved by Council by a vote of 3 to 2.
 - Project close-out
- DR21-01 Sinclair Station
 - Completeness review pending – incomplete application as of 4/13/21.
- SU21-02 629 Sawatch Special Use Permit
 - Reviewed and approved by P&Z on April 6, 2021
 - Application has been scheduled for Council on April 27, 2021
- SU21-03 113 E. Fourth Street Veterinary Clinic
 - Scheduled for P&Z on April 20th
 - Scheduled for Council on May 11th
- AN21-01 1819 Brush Creek Road Annexation
 - Petition before Council on April 27, 2021
- TU21-01 1248 Chambers Ave Temporary Use Permit for Outdoor Storage and Retail
 - Administrative Hearing held April 5, 2021
 - Permit issued April 9, 2021
- PUDA21-01 Eagle Ranch PUD Amendment
 - Application received – completeness review phase underway

Meeting Schedule:

April 2021
April 13 th (Town Council) ○ AN20-02 Basecamp Annexation, Zoning and Special Use ○ Powell Annex ES ○ CommDev Department Update
April 20 th (Planning & Zoning Commission) ○ SU21-03 – 113 E. Fourth Street Special Use Permit ○ Dept/Council Update
April 27 th (Town Council) ○ AN21-01 1819 Brush Creek Road Annexation (substantial compliance and set public hearing date) ○ Powell Public Hearing (continued to date) ○ PUDA20-01 Haymeadow PUD Amendment (continued to date) ○ SU21-02 629 Sawatch Contractor Yard Special Use Permit ○ Base Camp Executive Session
May 2021



May 4 th (Planning & Zoning Commission)
○ Worksession – East Eagle Sub Area Plan (EESAP)
May 11 th (Town Council)
○ SU21-03 – 113 E. Fourth Street Special Use Permit
○ AN20-02 –Base Camp Eagle (continued to date)
○ CommDev Department Update
May 18 th (Planning & Zoning Commission)
○ AN21-01 1819 Brush Creek Rd - Zoning Review
○ Dept/Council Update
May 25 th (Town Council)
○ Discussion Item: East Eagle Sub Area Plan (EESAP)
June 2021
June 1 st (Planning & Zoning Commission)
○
June 8 th (Town Council)
○ AN21-01 1819 Brush Creek Road Annex Public Hearing
○ CommDev Department Update
June 15 th (Planning & Zoning Commission)
○ Adoption Hearing: East Eagle Sub Area Plan (EESAP)
○ Dept/Council Update
June 22 nd (Town Council)
○
July 2021
July 6 th (Planning & Zoning Commission)
○
July 13 th (Town Council)
○ Ratification Hearing: East Eagle Sub Area Plan (EESAP)
○ CommDev Department Update
July 20 th (Planning & Zoning Commission)
○ Dept/Council Update
July 27 th (Town Council)
○

BUILDING DEPARTMENT:

Major Construction Projects Under Review and Oversight:

- Broadway Station Mixed Use/Multi-Family
 - Elevator permit received from NWCCOG on 3-30-21, pre-drywall inspection completed.
- Talon Flats Mixed Use/Multi-Family
 - Plumbing rough inspection (excluding roof drains) completed, electrical and mechanical rough inspections completed.

TYPE OF WORK PERFORMED	NUMBERS PERFORMED IN 2020	NUMBERS PERFORMED TO-DATE 2021
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Inspections (n/i planning/pw)	1,970	289
Building Permits Processed	453	60

TOWN COUNCIL UPDATE:

March 23, 2021 Town Council Meeting:

- Oaths of Office delivered to Geoffrey Grimmer and Janet Bartnik.

Presentation:

- One Book One Valley Proclamation – presentation for a valley wide community read, sponsored by the Towns of Avon, Eagle, Gypsum, Minturn, Red Cliff and Vail.
- CIRSA Code of Ethics and Conduct – presentation by CIRSA on Ethical Conduct in Local Government and the importance of a code of ethics both in terms of setting expectations of the community and among elected and appointed officials.

Consent Agenda Items:

- Minutes from March 9, 2021 - approved
- Resolution 31, Series 2021, “A Resolution of the Town Council of the Town of Eagle, Colorado Approving a Settlement Agreement Between the Town of Eagle, Eagle County School District Re-50J and the Mountain Recreation Metropolitan District” - approved
- Sweet Leaf Pioneer LLC Retail Marijuana Store License and Cultivation License Renewal – approved

Public Hearings and Business Items:

- AN20-01 Powell Park Annexation:
 - Opened for 1 hr.
 - Staff and the applicant did not agree on the terms for the water lease back agreement.
 - The application was tabled to allow Council more time to review other lease back agreements on previous annexations.
 - Continued to date was April 27, 2021.
- LURA21-01 Amendment to the West Eagle Sub Area Plan
 - Council approved (ratified) the amendment to WESAP
- PUDA20-01 Haymeadow PUD Amendment Request to Continue to April 27, 2021
 - Council continued the Haymeadow file and will hear it on April 27, 2021
- Ordinance 03, Series 2021 “An Ordinance of the Town Council of the Town of Eagle, Colorado, Providing for a Utility Enterprise as an Enterprise of the Town Under Article X, Section 20 of the Colorado Constitution” - approved
- Town Council Committee Appointments
 - Council Member Grimmer volunteered for the CML Policy and Legislative Committee
 - Mayor Turnipseed volunteered for the Compact of Colorado Communities
 - Council Member Grimmer volunteered for the Eagle County Climate Action Collaborative and Council Member Bodenheimer will serve as an alternate.
- Community Survey Budget Funding Request – approved

Discussion and Future Items:

April 13, 2021 Town Council Meeting:



Presentation:

- Climate Action Collaborative – Updating the Climate Action Plan this year. The purpose of this Climate Action Plan Update is to explain the latest research in climate science, underscore the level of urgency needed for solution implementation, and highlight the role *Climate Action Collaborative (CAC) stakeholders* and the *Eagle County community* – governments, businesses, utilities, and citizens – must play in the solution. The CAC asked Council to consider adopting a Resolution to adopt the updated Climate Action Plan.

Consent Agenda Items:

- Minutes from March 23, 2021 - approved
- Bill Pay – March 2021 - approved

Public Hearings and Business Items:

- AN20-02 Base Camp Eagle Annexation; SU20-03 Recreational vehicle park Special Use Permit; RZ20-02 Zoning:
 - Opened for 1 hr.
 - Annexation and Development Agreement has not been finalized – staff/attorney requested continuance to finalize this document and negotiate with the applicant to May 11, 2021.
 - An Executive Session will be held on April 27, 2021
 - Staff and the applicant presented, Council asked questions and took Public Comment.
- Allocation of Funds Received from Settlement Agreement Between the Town of Eagle, Eagle County School District RE-50J, and the Mountain Recreation Metropolitan District
 - 3 options presented by staff
- Sales Tax Capital Improvement Fund 2021 – 2025 Budget Projections

Discussion and Future Items:

- Discussion on presentations – everyone should be limited to 10-15 minutes, not 30 minutes. This goes for staff, applicants, etc.
- Second Street Discussion
 - Town has received comments from Council and the Public regarding the aesthetic of Second Street.
 - We did get a grant for main street for \$50,000.
 - Desire to do temporary pop-ups for gatherings – currently able to approve these under Be Our Guest
 - Long term decisions should come out of DDA work and Grand Ave Corridor Study work.
 - Council took public comment.
 - Public (who commented) was largely in favor of doing a pilot program for a public closure of Second Street from Wall to Broadway.
 - For now, it likely makes sense to do a seasonal or pilot program for a public closure on Second Street – decision needs to be made about full closure or partial closure.
 - Staff can look into creating a site plan that will look into access for property owners, police and fire; this can then be provided to the DBA and they will provide comments and direction to Council and Staff.