



MEETING MINUTES
Planning & Zoning Commission
Tuesday, November 16, 2021, 6:00 PM
Public Meeting Room / Eagle Town Hall
200 Broadway, Eagle, CO 81631

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

PUBLIC WIFI - TOEE - ((TOEEWireless))

MEETING ACCESS INFORMATION AND PUBLIC PARTICIPATION

This was an in-person meeting with access for the public to attend virtually via Zoom.

6:00 PM – REGULAR MEETING CALLED TO ORDER

Vice Chairman Gregg called the meeting to order at 5:58 PM.

COMMISSIONERS PRESENT

Kyle Hoiland, Bill Nutkins, Jesse Gregg,
Robert Townsend, Keegan Winkeller,
Lani Webb (via Zoom)

STAFF

Chad Phillips – Community Development Director
Dennis Wike – Town Engineer
Peyton Heitzman – Planner I
Jessica Lake – Planner I (via Zoom)
Nikki Davis - Administrative Tech II

COMMISSIONERS ABSENT

Matthew Hood, Charlie Perkins

APPROVAL OF MINUTES *Approval of minutes from the following meeting(s) of the Planning & Zoning Commission.*

1. Minutes dated October 19, 2021

MOTION: COMMISSIONER BILL NUTKINS MOTIONED TO APPROVE THE MINUTES. MOTION WAS SECONDED BY COMMISSIONER KYLE HOILAND AND PASSED WITH A VOTE OF 6 IN FAVOR (HOILAND, NUTKINS, GREGG, TOWNSEND, WINKELLER, WEBB) AND 0 OPPOSED.

2. Minutes dated November 2, 2021

MOTION: COMMISSIONER KYLE HOILAND MOTIONED TO APPROVE THE MINUTES. MOTION WAS SECONDED BY COMMISSIONER KEEGAN WINKELLER AND PASSED WITH A VOTE OF 5 IN FAVOR (HOILAND, NUTKINS, TOWNSEND, WINKELLER, WEBB) AND 0 OPPOSED. COMMISSIONER JESSE GREGG ABSTAINED.

PUBLIC HEARING

2. Project: Eagle Ranch 6th PUD Amendment
File #: PUDA21-01
Applicant: Eagle Ranch HOA
Location: Eagle Ranch Planned Unit Development
Staff Contact: Chad Phillips, Community Development Director/Town Planner, Jessica Lake, Planner I
Request: Request for a Major PUD Amendment to amend and update the Eagle Ranch PUD Guide and PUD Zoning Plan.

Applicant Presentation

Dominic Mauriello of Mauriello Planning Group presented on behalf of the Eagle Ranch HOA. Over the past year, Mr. Mauriello has been working with the HOA and Executive Board, who have shown unanimous support for the proposed amendments. The Eagle Ranch PUD Guide is over 20 years old and has undergone five amendments since the original inception of the planned unit development (PUD). Today, many revisions are needed to transform the PUD Guide from a pre-development document to a post-development guide that is user-friendly and better reflects the current and future build-out of Eagle Ranch. The amendments address a variety of topics however, the most significant changes are focused on establishing an Eagle Ranch Commercial Core District and increasing residential density throughout the PUD. Another primary change to the guide included updating the zoning map for practicality and accuracy. Mr. Mauriello noted that public outreach and resident feedback has helped inform the amendments.

Currently, the Eagle Ranch PUD allows for 1,295 dwelling units. In order to establish the commercial core, the HOA is requesting to increase this cap and add 100 more dwelling units. These units would be dispersed within the Neighborhood Center Commercial District along Capitol Street and Sylvan Lake Road. The increased density would allow for mixed use projects with units on the second or third floor.

Mr. Mauriello covered other amendment topics including revisions to the PUD zone districts, parking requirements, adjusting the ratio of allowable commercial square footage in the Commercial Core District, reorganizing the list of allowable uses, and the general effort toward improving definitions and standards for clarity and enforcement.

Mr. Mauriello believes the proposed changes comply with the amendment process criteria and that the new guide will help modernize Eagle Ranch. Mr. Mauriello requested for a positive recommendation to the Town Council.

Staff Presentation

Ms. Lake provided staff's presentation which included a brief history of when Eagle Ranch was established. As previously stated by Mr. Mauriello, Eagle Ranch has already completed five PUD amendments with the most recent amendment approved in 2017. These amendments created a mixed use category in the Neighborhood Center zone district; a use the sixth amendment would bolster. To conclude, Ms. Lake reviewed Section 4.11.050 which outlines the requirements to approve amendments to a PUD. Staff did recommend approval along with three conditions. The proposed conditions include:

- 1) Replace "Town of Eagle Town Manager (or assigns) with "Town of Eagle Community Development Director (or assigns);
- 2) Remove "The accessory apartment shall not be leased for a period of less than 28 days"; and
- 3) Provide a definition and general parameters for Special Events in Open Space Districts or remove "Special Events" as a use by right.

Q & A

Commissioner Nutkins asked if the density requirements have been removed from the PUD guide and Mr. Mauriello replied the standards have been moved and consolidated into one section.

Commissioner Webb asked for clarification on prohibiting short-term rentals and Ms. Lake confirmed this was a new standard established by Eagle Ranch.

Commissioner Hoiland asked if the proposed square footage for accessory apartments (850 sq.ft) needs to align with the new measurement the Town is considering (800 sq.ft). Since this is for a PUD, Mr. Phillips confirmed the measurement can differ from the Town's.

Commissioner Winkeller asked why staff recommended removing the 28-day lease period. Ms. Lake replied that the standard should be within the covenant or design guidelines so that Eagle Ranch HOA could effectively enforce it.

Commissioner Nutkins asked if the 16,500 sq.ft. building envelope was considered for removal or amendment and Mr. Mauriello replied there was no change.

Commissioner Gregg asked why the metered parking requirements were at zero. Mr. Mauriello replied that this is how it was previously structured in the PUD and presently, the basis to warrant change is minimal.

Commissioner Winkeller asked if bed & breakfasts as a permitted use are removed completely or just from the residential zone districts. Mr. Mauriello confirmed they are still permitted in the commercial district.

Commissioner Nutkins asked for clarification on a public comment from Tambi Katieb. Ms. Lake replied this was a comment to ensure public notice standards were met throughout the hearing process. Also, it was confirmed that legally the HOA could submit this application on behalf of all homeowners.

Public Comment

Public Commented opened at 7:48 PM.

Kevin Sharkey, 267 Mayer Street – Mr. Sharkey serves on the Eagle Ranch Executive Board and is in support of the application. Mr. Sharkey encouraged the Commission to approve.

John Martin, (address not provided) – Mr. Martin is a member of the Eagle Ranch Design Review Board (DRB). Mr. Martin is in favor of increasing the size of accessory apartments to 850 sq.ft. and wants to ensure that exterior stairs going up to the unit is not included in the square footage calculation.

Brad Hagedorn, 1200 Capitol Street – Mr. Hagedorn supports adding 100 units to the commercial center. The commercial center has reached its maximum residential allotment and we are adding density where it makes sense. These proposed units are the type of efficient apartments that will support a local workforce.

Steve Lindstrom, 1140 Capitol Street – Mr. Lindstrom is the owner of Capitol Theater, one of the first buildings established on Capitol Street. Mr. Lindstrom commented that these districts need to evolve. The commercial retail office world has changed and now the demand is for housing. Lastly, the proposed parking is correct.

Rachel M. (address not provided) – Rachel was concerned about the removal of lease limits. After hearing staff's explanation on enforcement, she agreed that it should be regulated by the HOA.

Jay Tucker, 512 Hernage Creek Road – Mr. Tucker asked to clarify how giving 100 housing units to a developer does not confer a special benefit. Several Commissioners replied reaffirming that the 100 units are not guaranteed to a specific developer. Rather, they are contributing to the Eagle Ranch development as a whole. No specific developer has been selected and this approval will open doors for continued development. Mr. Phillips included that the Comprehensive Plan calls for expansion of housing types and housing opportunities therefore the whole community will benefit. Commissioner Gregg clarified that the 100 units would be spread out within the Commercial Core Zone District.

Public comment closed at 8:04 PM.

Deliberation

Commissioner Townsend requested that the Special Events section include a definition. Ms. Lake proposed the following definition: "Special events that travel through the open space but do not include staging."

Commissioner Webb expressed that if the Eagle Ranch HOA wants to prohibit short-term rentals in their PUD, the HOA should be responsible for enforcing this, not the Town.

The application received unanimous support from the Commission.

MOTION: COMMISSIONER BILL NUTKINS MOTIONED TO APPROVED FILE # PUDA21-01 WITH THE FOLLOWING CONDITIONS OF APPROVAL:

- 1) REDLINED PUD GUIDE PAGE 4, #3 PUD ZONE DISTRICTS – SEE PUD ZONE DISTRICT MAP (EXHIBIT A) – REPLACE "TOWN OF EAGLE TOWN MANAGER (OR ASSIGNS) WITH "TOWN OF EAGLE COMMUNITY DEVELOPMENT DIRECTOR (OR ASSIGNS)".
- 2) REDLINED PUD GUIDE PAGE 2, DELETE #4. THE ACCESSORY APARTMENT SHALL NOT BE LEASED FOR PERIODS OF LESS THAN 28 DAYS.
- 3) PROVIDE A DEFINITION AND GENERAL PARAMETERS FOR SPECIAL EVENTS IN OPEN SPACE DISTRICTS. THE DEFITION READS AS: "SPECIAL EVENTS THAT TRAVEL THROUGH THE OPEN SPACE BUT DO NOT INCLUDE STAGING."

MOTION WAS SECONDED BY COMMISSIONER KYLE HOILAND AND PASSED WITH A VOTE OF 6 IN FAVOR (HOILAND, NUTKINS, GREGG, TOWNSEND, WINKELLER, WEBB) AND 0 OPPOSED.

Commissioner Gregg closed file PUDA21-01.

PUBLIC HEARING

3. Project: Land Use and Development Code Amendment - Accessory Dwelling Units
File #: LURA21-06
Applicant: Town of Eagle
Location: Town of Eagle
Staff Contact: Chad Phillips, Community Development Director/Town Planner
Request: Consideration of recommending adoption of Section 4.04.100.N concerning Accessory Dwelling Units (ADU's).