



# The Town of Eagle

Box 609 • Eagle, Colorado 81631  
(970) 328-6354 • Fax 328-5203

Meetings:  
2nd and 4th Tuesdays

## Planning and Zoning Commission Meeting Minutes June 7, 2016

### PRESENT

Stephen Richards  
Jesse Gregg  
Charlie Perkins  
Jason Cowles  
Cindy Callicrate  
Donna Spinelli

### STAFF

Tom Boni—Town Planner  
Carla Nelson—Administrative Assistant  
Matt Farrar—Assistant Town Planner  
Danielle Couch—Administrative Assistant

### ABSENT

Max Schmidt  
Jamie Harrison

This meeting was recorded and the CD will become part of the permanent record of the minutes. The following is a condensed version of the proceedings written by Carla Nelson.

### **CALL TO ORDER**

The regular meeting of the Planning and Zoning Commission held in the Eagle Town Hall on June 7, 2016 was called to order by Jason Cowles at 6:03 p.m.

### **APPROVAL OF MINUTES**

Spinelli made a motion to approve the minutes of the May 17, 2016, Planning and Zoning Commission Meeting. Gregg seconded. The motion passed unanimously.

### **PUBLIC COMMENT**

None

### **WELCOME**

Welcome to Danielle Couch, Administrative Assistant to the Planning Department.

### **LAND USE PUBLIC HEARINGS**

*SU16-01 Rocky Mountain School of Discovery*

Cowles opened File SU16-01, Rocky Mountain School of Discovery, a request for a special use permit to allow for a pre-

school to serve up to a maximum of 40 children on a +/- one acre parcel of land zoned Rural Residential, located at 409 Brooks Lane.

Boni presented the location of the existing buildings. The Standards for a Special Use Permits were reviewed, as well as possible street and railroad crossing improvements if there is a significant increase in traffic.

The applicant Anne Helene Garberg, further explained her application for a pre-school. The town and the county are in need of pre-schools. Recently, she had taken over Sunshine Mountain Preschool. She teaches by connecting children to nature, using gardens, and greenhouses. Ms. Garberg has offered alternatives to having children dropped-off or picked-up, as a way of minimizing traffic impact, suggested that the parents walk their children across the foot bridge connecting Brooks Lane to the Eagle County Fairgrounds, or shuttle students to Brooks Lane.

Boni noted written comment was submitted by Dana Stiles. Cowles opened public comment and the following citizens addressed the Commission:

1. Ron Bates, 450 Brooks Lane-representing John Hardesty, Dana Stiles and Freddie Modders. Mr. Bates was concerned with narrow lane width, railroad crossing, and inadequate parking. He stated concern with remodeling the home that contained asbestos and lead paint. The quality of life for existing Brooks Lane residents may be highly impacted.
2. Kim Anderson, 206 Haystacker-Ms. Anderson has had previous experience with Ms. Garberg's facilities. She believes in Ms. Garberg's teaching philosophy. She is not opposed to walking her child across the pedestrian bridge instead of driving to the school.
3. Brian Rooney, 120 Howard Street-Mr. Rooney currently drives out of town for his children to attend Ms. Garberg's facility. He notes the need for more childcare in Eagle and throughout the valley.
4. Cynthia Lepthein-409 Brooks Lane. Ms. Lepthein agreed there is a need for childcare, likes the idea of the pre-school, but is concerned about the safety of the students and other children in the area due to increased traffic and the crossing of the railroad tracks.

5. Kelly Anderson--purchasing 409 Brooks Lane. Mr. Anderson is Anne Helene's husband. He has already taken steps to remodel the house, including the asbestos abatement.
6. Public comment--Parent that walks whenever possible to bring her child to school. She is concerned about viability of society.
7. Jenna Castillo--Ms. Castillo has concerns about the bus stop on Highway 6 and the safety of the children due to increased traffic.
8. Kristen Olesen.--Ms Olesen stated the need for more childcare or pre-schools in Eagle.
9. Maria Rodriguez.--Ms. Rodriguez thought that having more childcare a great idea but is concerned that traffic will be an issue.
10. Karen Harkins--Ms. Harkins believes that the children can learn great things at this pre-school but traffic in the community needs assistance.
11. Lucia Rodriguez--Ms. Rodriguez believes that daycare is a great idea, but traffic in the area is already an issue.
12. Mina Chavez--Ms. Chavez feels that children should not wait for the bus alone due to existing traffic concerns.

Cowles closed public comment. The Commission deliberated on the maximum number of children that would attend the pre-school; the minimum number of children required to allow the pre-school to break even financially; getting approval from the Public Utilities Commission (PUC) to make improvements; and traffic mitigation.

Cowles made a motion to recommend approval of File SU16-01, Rocky Mountain School of Discovery with the following conditions:

1. The applicant will negotiate access improvements with the Town of Eagle at the Brooks Lane/Highway 6 intersection. Conceptually to include lane widening and pedestrian access to the school bus stop.

2. Approval of access from the Public Utilities Commission (PUC).
3. The applicant will submit a drop-off and pick-up management plan.
4. A traffic impact report.
5. Number of students be limited to 30.

Callicrate seconded the motion. The motion passed unanimously.

Cowles stated this file will go before the Town Board of Trustees at the next scheduled meeting to be held on June 14, 2016.

**BREAK 8:07pm – 8:15pm**

*SU16-02 Colorado Slab and Tile – Outside Storage*

*V16-02 Colorado Slab and Tile – Fence in Front Yard*

Cowles opened Files SU16-02 and V16-02, Colorado Slab and Tile, a special use permit to allow for outside storage and a variance to allow the installation of a 6' tall fence in the front yard, located at 12 Eagle Park East. This property is zoned Commercial General (CG) and the building is primarily office space.

The applicant, Jason Kaples, owner of Colorado Slab and Tile, described the business and the proposed use of the lot for displaying their stone slabs. Mr. Kaples purchased chain-link fence to be installed around the perimeter of the lot allowing the stone slabs to be visible from Chambers Avenue, while keeping non-customers out of the on-site storage areas.

Cowles opened public comment and receiving none, closed public comment. The Commission deliberated agreeing that outside storage should be allowed and offered several alternative locations for the fence.

Richards made a motion to approve File V16-02, Colorado Slab and Tile, to allow for a 6' fence in the front yard, as it complies with standards 1, 2 and 3 of the Land Use and Development Code, to be located as shown by the applicant and to have a 45 degree corner at the corner of Eagle Park East and Chambers Avenue. Gregg seconded the motion. The motion passed with a vote of 5 to 1, with Spinelli voting nay.

Richards made a motion to approve File SU16-02, Colorado Slab and Tile as it complies with standards 1, 2 and 3 of the Land Use and Development Code, with the following conditions:

1. The chain-link fence should be coated with either black or green epoxy paint.
2. A setback of 2' at the front property lines to allow for landscaping.
3. The applicant will work with town Staff to landscape along fence perimeter inside and outside.

Callicrate seconded. The motion passed with a vote of 5 to 1, with Spinelli voting nay.

Cowles closed Files SU16-02 and V16-02.

*SU97 (Amended 2016) Boyz Toyz Snowmobile/ATV Store*

Cowles opened File SU97, Boyz Toyz Snowmobile/ATV Store, a request to allow continued operation of store/repair facility, located at 432 Grand Avenue in the Commercial Limited (CL) zoned area. Richards recused himself as he represented the applicant on original application.

Cowles opened public comment and receiving none, closed public comment. Boni presented the location of the store, the location of the vehicles for sale, and the store/repair facility.

Greg made a motion to approve File SU97, Boyz Toyz Snowmobile/ATV Store, an amendment to the special use permit with the following amendments:

1. Remove item #2, Allow temporary storage of vehicles on the east side of the building.
2. Remove item #5, Allow up to 30 vehicles for display on private property.
3. Remove item #6, the loading area will now be on McIntire.
4. Remove item #14, amend to allow shed with Town of Eagle compliance
5. Add, Existing fence should be replaced to property line.

Perkins seconded the motion. The motion passed unanimously.

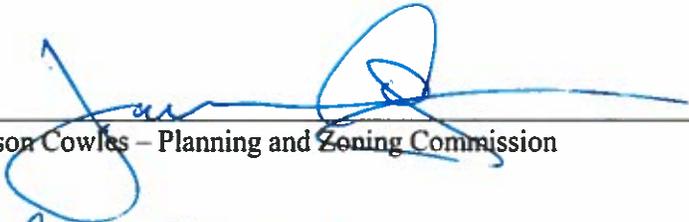
Cowles closed File SU97 (Amendment 2016).

*LURA16-01, Revisions to Land Use and Development Code Section 4.03.040*

Cowles made a motion to continue File LURA16-01 to the Planning and Zoning meeting on July 19, 2016. Spinelli seconded. The motion passed unanimously.

Spinelli made a motion to adjourn the meeting. Perkins seconded. The motion passed unanimously. The meeting was adjourned at 9:54 p.m.

7/5/16  
Date

  
\_\_\_\_\_  
Jason Cowles – Planning and Zoning Commission

7-5-16  
Date

  
\_\_\_\_\_  
Carla Nelson – Administrative Assistant