



**Planning and Zoning Commission
Meeting Minutes
July 5, 2016**

PRESENT

Jamie Harrison
Stephen Richards
Jason Cowles
Jesse Gregg
Max Schmidt

STAFF

Matt Farrar – Assistant Town Planner
Danielle Couch – Administrative Assistant
Kevin Sharkey – Assistant Town Engineer
Carla Nelson – Administrative Assistant

ABSENT

Cindy Callicrate
Charlie Perkins
Donna Spinelli

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 Danielle Couch.

CALL TO ORDER

The regular meeting of the Planning and Zoning Commission held in the Eagle Town Hall on July 5, 2016, was called to order by Jason Cowles at 6:03 p.m.

APPROVAL OF MINUTES

Harrison asked if the Commissioners had any comment regarding Eagle County's conceptual development plan for the County owned property in West Eagle. The Commission agreed to add to the minutes that the Commission encouraged the County to involve the neighbors and the Forest Service early in the process. Harrison then moved to approve the minutes of the June 21, 2016, Planning & Zoning Commission Meeting with corrections. Richards seconded. The motion passed unanimously. Cowles abstained from the vote because he was absent from the meeting.

PUBLIC COMMENT

None

LAND USE PUBLIC HEARINGS

DR16-03 Sylvan Circle Development Plan

Cowles opened File DR16-03, Sylvan Circle Development Plan, located at 58 Sylvan Lake Road, a 42-Unit Townhouse development on 4.67 acres. This application was reviewed at the June 21, 2016, Planning & Zoning Commission Meeting and continued to this hearing to address comments provided by Staff and the Commission.

Staff Comments:

- Add additional landscaping to further screen the development from adjacent roadways. Staff suggested the addition of a couple more evergreens in the northeast and southwest landscape areas that may help provide better year round screening.
- Addition of benches and shade trees along the creek side path.
- Removal of patios from water and sewer easements and buffer patios from adjacent roadways.
- Highway 6 deceleration lane and restriping of Sylvan Lake roundabout.
- Address off site storm water.
- Lighting of pedestrian crossing. There are existing lights in the roundabout but will need additional lights in the crosswalk which are shown in the revised plans. Additional illumination may be needed on the opposite side of the crosswalk, which may be either the responsibility of the applicant or the Town.
- 10-foot wide path.
- Dedication of open space easement.
- Revise sewer main design.
- Placement of trees needs to be outside of water and sewer easements.

Planning Commission Comments:

- Add evergreens along Highway 6.
- Provide additional sections through development.

Staff believes that the project is in compliance with the Town's ordinances, regulations, goals, policies and plans; the Sylvan Lake Roundabout PUD Guide; the Town of Eagle Land Use & Development Code; and the Eagle Area Community Plan. Additionally, Staff believes that the applicant has addressed the major concerns raised by Staff and the Planning and Zoning Commission and any remaining issues can be resolved at the Board of Trustees level. Staff recommends approval of the file with the following conditions:

1. Public Works approval of remaining details related to water and sewer distribution and easements.
2. Construction of any units located in the existing floodplain shall only be permitted upon approval of floodplain revision by FEMA.
3. Positive determination of adequate public facilities.

Applicant Jonathon Warner presented the revised landscape and architectural plans, highlighting the revised landscaping in the buffer areas and explaining that 50% of the deciduous trees were replaced with evergreens; the addition of two guest parking spaces; the total number of trash receptacles were reduced by two; new site sections for Buildings B and C; and explained that the open space landscape plan exceeds the open space requirement by nine trees and 11 native shrubs. The applicant explained that they are requesting a variance to the required landscape setback in order to provide stacked parking behind the units with room to move the landscape buffer toward Highway 6.

Kevin Sharkey, Assistant Town Engineer, noted that there were questions related to Highway 6 access from the development and that the Town's traffic consultant, Bill Fox, was present to speak to those concerns. There will be an extension of the island in Highway 6 approaching the roundabout to create a right-in/right-out. The applicant is working with the fire department on this access change.

Staff and the Commission had requested that restriping of the roundabout be evaluated to determine if the roundabout could accommodate an additional thru lane and the addition of a deceleration lane on Highway 6 approaching the proposed development. Fox spoke to both of these concerns and stated that the roundabout is projected to operate at a Level of Service "A" up to 20 years into the future and although it was designed to expand to accommodate 2 lanes in the future, it is not needed at this time. Also, based on the applicant's submitted traffic study, traffic volume would need to more than triple to warrant a deceleration/acceleration lane. The report showed that only 10% of residents in the new development would utilize the Highway 6 access and though Fox agreed that 10% sounds like a low number, he maintained that an additional lane is not necessary.

Gregg raised concern with the landscaping along Highway 6, particularly with regard to its proximity to the road and potential impacts from passing snowplows and leaching of magnesium chloride from road deicing treatments. The applicant did speak with the landscape architect about those items and a guardrail on the roadside would help protect the landscaping. The applicant noted that there are space constraints between the roadway and existing utilities which necessitates that the landscape area be located in the right of way. The Commission agreed that they would like the landscaping out of the right of way in order to make it more permanent and prolong its longevity and offered ideas including installing a berm and smaller trees (similar to Arrowhead), installing a planter, curb or retaining wall, moving existing utilities, and making landscape replacement a requirement of the HOA. The applicant is open to any and all possibilities and will work with the landscape architect to redesign the area. The Commission agreed that landscaping should be a condition of approval and is comfortable with Staff finalizing the details.

Cowles opened public comment and hearing none, closed public comment.

Cowles noted that at the previous meeting there had been a lot of conversation about water quality and thought the Commission should also consider protection of riparian areas along Brush Creek. Cowles suggested installation of a split rail fence to help designate specific access points from the development to Brush Creek. The applicant is open to installing fencing to help identify access points and believes the creek access is an amenity for residents. Gregg also suggested installing thorny bushes to help deter access through undefined points.

Additional concerns raised by Cowles included the unpaved trail through the area and the apparent lack of functional outdoor space. Farrar stated that it may be a while until that path connects to the Town's trail system and to pave this section now would be premature. The path is a requirement of the PUD and leaving the section built but unpaved is a good intermediate solution. The applicant responded regarding open space and stated that each unit has at least one outdoor living space (patio and/or deck). The Commission suggested giving a buyer's option to install fencing around their private outdoor spaces; the applicant would prefer a landscaping solution.

Harrison made a motion to approve file DR16-03, finding that the development plan is in compliance with the Town's ordinances, regulations, goals, policies, and plans and that any adverse impacts resulting from the proposed development are adequately mitigated to minimize such impacts, and that the approval be conditioned on the following:

1. Final review of the landscape plan by the staff. The landscape plan to address landscaping along Highway 6 to try to ensure its longevity and also to include either landscaping or fencing along Brush Creek to limit access to designated points along Brush Creek.
2. Public Works approval of remaining details related to water and sewer distribution and easement concerns.
3. No units will be constructed in a floodplain, with the understanding that the definition of floodplain may be and will be, hopefully, changed in the future.
4. Final positive determination of adequate public facilities.

Richards seconded the motion.

Farrar noted that the Commission had not discussed the additional lighting at the crosswalk on Sylvan Lake Road but felt that it may be onerous to require the applicant to light both sides of the crossing. Harrison believes that pedestrian traffic will increase; Cowles thought that a single light at the crossing would be adequate. Richards stated that the Town deciding to install additional lighting would be a decision for the Board of Trustees and was satisfied with the motion and the stated conditions.

The motion was unanimously approved with conditions.

Cowles closed File DR16-03.

TOWN BOARD OF TRUSTEES MEETING REVIEW

1. Colorado Slab & Tile – Special Use Permit was approved with the conditions that the Planning Commission recommended.
2. Boyz Toyz – continued to July 12 meeting.

OPEN DISCUSSION

There was a discussion about the status of the 404 Permit for the Eagle River Park. In addition there was discussion about the RFQ/RFP for the

Eagle River Park and discussion regarding the Special Use Permit for the River Park being requested by Eagle County.

ADJOURN

Harrison made a motion to adjourn the meeting. Schmidt seconded. The motion passed unanimously. The meeting was adjourned at 7:47 p.m.

7/19/16
Date



Jason Cowles – Planning and Zoning Commission Chair

7/19/16
Date



Danielle Couch – Administrative Assistant