



MEETING MINUTES
Planning & Zoning Commission
Tuesday, May 16, 2023, 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 – Eagle Guest

MEETING ACCESS INFORMATION AND PUBLIC PARTICIPATION

This was an in-person meeting with option for the public to attend via Teams.

6:00 PM - REGULAR MEETING CALLED TO ORDER & ROLL CALL

Hood called the meeting to order at 6:00 PM.

COMMISSIONERS PRESENT

Keith Montag, Matt Hood,
Jamie Woodworth Foral,
Jennifer Filipowski

COMMISSIONERS ABSENT

Keith Klesner,
Keegan Winkeller, Weston Arbogast,
Bill Nutkins

STAFF

Chad Phillips – Community Development Director (via
Teams)
Cliff Simonton – Senior Planner
Peyton Heitzman – Planner II
Jessica Lake – Planner II
Dennis Wike – Town Engineer
Don Elliott – Clarion (via Teams)

APPROVAL OF MINUTES

1. Minutes dated May 2, 2023

The minutes were approved as presented.

PUBLIC COMMENT

There was no public comment.

PRESENTATION

1. ReCode Eagle Draft: Design Standards and Local Employee Residency Program (LERP)

Clarion Presentation

Don Elliott from Clarion Associates presented the focused topics for the night, LERP and then Design Standards. Elliott described the next steps and notified the Commission that the June 6th meeting will be the adoption draft. Because of the size of the document, the Commissioners requested the adoption draft earlier, by either May 19th or May 26th at the absolute latest.

Focus Topic: Local Employee Residency Program (LERP)

Elliott took the Commission through the highlights in the current LERP standards, including that new development with 10 or more units (for sale or rental) are required to provide 10% of their units as affordable. In the current standards, the initial sale price is capped between 90-100% AMI.

Elliott highlighted the specific updates/revisions to the LERP standards:

- Clarification of standards to apply to for sale and for rent units.
- An increase in the number or percentage of deed restricted units.
- Options for restrictions based on Average Median Income (AMI) and resident/employee occupancy (RO).
- Options to satisfy requirement-flexibility for the location of LERP restricted units, fee in lieu, land dedication.
- Incentives and Adjustments – ex. Height bonus, fee reduction, reduced open space dedication.

Questions for Discussion from Clarion:

- 1) Should developers provide both affordable AND local employee units?
- 2) Should local employee units be market rate OR affordable?
- 3) Should the Town be able to adjust these requirements on a project-specific basis? If so, what criteria should be considered?
- 4) Should averaging be calculated across: affordable units only, or affordable and local employee units? It wouldn't make sense to average on both RO and affordable units. Commissioners like this option, but not on both and worry that while SF averaging would provide more flexibility, it's also potentially overly complex to administer.

Commissioner Montag noted his agreement with updating the LERP, to provide clarity and to limit further negotiations. Montag asked *Who is responsible for the enforcement of rentals?* Phillips responded that enforcement is done by the Valley Home Store, who the Town is contracted with and have specific qualification standards around resident occupied units.

Chairman Hood inquired about the definition of employee resident? *How can we add this to the LERP if we don't define a local employee?* Woodworth-Foral wants to know if remote workers are included in this group, they should be because they stay locally in Eagle during the day and contribute to the local economy. Or are these units meant for people who work at the coffee shop or the grocery store, or the local retail store? Should RO units be price capped in any way?

Chairman Hood stated that this won't quite get us to where the housing study says we need to be, but it's a good place to start. If we find we are falling farther behind we can look to revise again. Commissioner Filipowski *Is later even an option though?* Based on the urban growth boundary, we don't have much available land left to expand into.

The Commissioners liked the idea of adding another line to the chart for 30% of 20 units or more, that would be split equally between affordable and RO. RO definition should include a requirement that the units be opened up to Town of

Eagle residents/employees for the first 30 days and if they don't rent or sell then the units can be opened up to residents/employees of Eagle County after the first 30-day period is completed.

The Commissioners expressed that they do not have any concerns regarding the options to satisfy LERP requirements.

Elliott described that Incentives and adjustments include fee reduction and at 100% affordability a developer could potentially get alternative dimensional adjustments for incentives. Elliott noted that Colorado law requires that some sort of offset or reduction of standards be provided to applicants when there is a requirement for housing. There are a variety of adjustments that have been proposed. The Commissioners are concerned that a 4th story in the Broadway District and CMU-2 (Grand Ave) would change the character of Eagle. If the 4th story included a step back, some Commissioners might be more in favor, but there is not a clear consensus on this item. Filiposki is more open to this density bonus on Grand Ave than on Broadway. Chair Hood doesn't think that a 4th story, even for LERP, fits with what we have heard back from the community in terms of maintaining our character. It was suggested that maybe the adjustments shouldn't be carte blanche and more clarity could be provided, so that there isn't room for negotiations and changing interpretations. The height increase could maybe only apply to CMU-2.

Focus Topic: Design Standards

Elliott presented changes that have been incorporated into ReCode so far are:

- Objective standards will remain in the LUDC subject to edits.
- Broadway-specific standards re-included.

Elliott also informed the Commission of the changes that will be included in the Adoption Draft (per the April 4th discussion), including:

- Enhanced cross-references for applicant information.
- Generally applicable requirements (materials, roofs, circulation) moved into more specific standards, ie: multifamily or mixed-use.
- External appearances menus scaled to different development types.

It was clarified that ribbed sheet metal should be at least allowed as a secondary material in the Adoption draft. Texture 111 will stay on the prohibited list. This should be updated in the adoption draft.

Commissioners did not express a lot of interest in forming a Design Review Board (DRB) and asked staff how they felt about being a DRB. Staff responded that the design standards currently proposed do not add a lot of additional burden onto staff during the review process. It's possible that modifications could be made to this section if the burden on staff is too great or if there is still too much subjectivity.

Focus Topic: Building Height

Staff presented the proposed definition (way to measure building height) and suggestions made through public input. Considerations included examples from up-valley. Staff expressed a desire to keep the definition as simple and clear as possible, and that the proposal was in keeping with Town character and simple to explain and enforce. If the proposed didn't do enough to address steep slopes, a variance could be applied for. Chair Hood has concerns that the building height revision will make the measurement more restrictive for a sloped roof, and that the high point on a structure could still be a midpoint. Overall, the Commission was in favor of staff's proposal with the adjustment made by Chair Hood.

Q & A

No additional questions.

DEPARTMENT UPDATE

No comments or questions.

OPEN DISCUSSION

No additional discussion items.

ADJOURN

MOTION: FILIPOWSKI MOTIONED TO ADJOURN. MOTION WAS SECONDED AND APPROVED UNANIMOUSLY.

Meeting adjourned at 7:49 PM.