



Town Council
Tuesday, November 19, 2024
Public Meeting Room / Eagle Town Hall
200 Broadway Eagle, CO

*This agenda and the meetings can be viewed at www.Townofeagle.org.
Times listed are approximate and are subject to change.*

TOWN COUNCIL MEETING ACCESS INFORMATION AND PUBLIC PARTICIPATION *This will be an in-person meeting using Teams. Please note: All participants must remain muted until they are requested to speak. This will reduce background noise disruptions to the meeting attendees. When it's your turn to speak, 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 jenny.rakow@townofeagle.org and we will do our best to assist you.*

1.

Microsoft Teams [Need help?](#)

[Join the meeting now](#)

Meeting ID: 253 643 175 984

Passcode: 7HUUNn

Dial in by phone

[+1 469-770-0416,,156983320#](#) United States, Kaufman

[Find a local number](#)

Phone conference ID: 156 983 320#

CALL TO ORDER - 6:00 PM

ROLL CALL

ADOPTION OF AGENDA *Opportunity for amendment or deletions to the agenda.*

PUBLIC COMMENT *Citizen public comment offers an opportunity for citizens to express opinions or ask questions regarding town services, policies, or other matters of community concern, and any items that are not on the agenda. Please attempt to keep comments to three (3) minutes; time limits are established to provide efficiency in the conduct of the meeting and to allow equal opportunity for everyone wishing to speak. When appropriate, any questions by the public during public comment will be followed up on by the Town Manager and Town staff. Those who are speaking are requested to state their name and address for the record.*

CONSENT AGENDA *Consent agenda items are routine Town business, items that have received clear direction previously from the council, final land-use file documents after the public hearing has been closed, or which do not require council deliberation.*

1. Minutes - November 12, 2024

EXECUTIVE SESSION - 6:05 PM

1. An executive session to receive legal advice from the Town attorney and special counsel pursuant to CRS 24-6-402(4)(b) and to determine positions relative to matters that may be subject to negotiations, develop a strategy for negotiations, and/or instruct negotiators pursuant CRS 24-6-402(4)(e) regarding the Eagle River Park

Intergovernmental Agreement.

BUSINESS ITEMS - 6:35 PM *Items and / or Public Hearings are listed under Business may be old or new and may require review or action by the council.*

1. PUBLIC HEARING: Land Use File: AN23-01 West Eagle Housing Annexation, Zoning, Preliminary Plan/Final Plat, and Major Development Permit (*Continuance to December 10, 2024*)
2. Resolution 70, Series 2024, "A Resolution of the Town Council of Eagle, Colorado Accepting a Petition for Annexation of a Parcel of Land Located in Unincorporated Eagle County and Setting a Public Hearing on the Annexation (The Pasture Annexation)"
3. Ordinance 10, Series 2024, "An Ordinance of the Town Council of the Town of Eagle, Colorado Annexing to the Town Certain Unincorporated Territory Located in Eagle County and Zoning the Property Residential Multi-Family (West Eagle Housing Annexation)"

ADJOURN - 7:35 PM

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.



Jenny Rakow, CMC
Town Clerk

PUBLIC WIFI – Eagle Guest



MEETING MINUTES
Town Council
Tuesday, November 12, 2024
Public Meeting Room / Eagle Town Hall
200 Broadway Eagle, CO

*This agenda and the meetings can be viewed at www.Townofeagle.org.
Times listed are approximate and are subject to change.*

TOWN COUNCIL MEETING ACCESS INFORMATION AND PUBLIC PARTICIPATION *This was an in-person meeting using Teams.*

CALL TO ORDER - 6:00 PM

Mayor Pro Tem Kerst called the meeting to order at 6:00 p.m.

ROLL CALL

COUNCIL MEMBERS PRESENT

Mikel Kerst, Ellen Bodenhemier, Geoffrey Grimmer,
Nick Sunday, Jamie Woodworth Foral, Bryan Woods

COUNCIL MEMBERS ABSENT

Scott Turnipseed

STAFF PRESENT

Larry Pardee, Town Manager
Melissa Daruna, Assistant Town Manager
Ruthanne H. Goff, Town Attorney
Jenny Rakow, Town Clerk
Jill Kane, Finance Director/Treasurer
Carrie Buhlman, Police Chief
Tom Gosiorowski, Public Works Director
Peyton Heitzman, Community Development Director
Lynette Horan, Human Resources Manager
Jessica Lake, Senior Planner
Molly Furtado, Special Events Manager
Sydney Dynek, Planner
Ryan Johnson, Town Engineer
Jamie Wilson, Communications & Marketing Specialist
Kevin Aoki, Information Technology Manager
Nikki Davis, Economic Development & Housing Specialist

ADOPTION OF AGENDA

There were no changes to the agenda.

MOTION: Council Member Ellen Bodenhemier motioned to adopt the agenda as presented. The motion was seconded and passed with a vote of 6 in favor (Kerst, Bodenhemier, Grimmer, Sunday, Woodworth Foral, and Woods) and 0 opposed.

PUBLIC COMMENT

Jackie McKenna 344 Greenhorn – introduced herself to the council as an applicant for the Open Space and Recreation

Advisory Committee vacancy.

Kate Sheldon 2809 East Haystack Drive – provided the council with an update regarding Elk harassment in Eagle Ranch and recent reports of vandalism and theft of new signage regarding elk crossing and wildlife signs. Expressed support to fund the Eagle Ranger in 2025 and urged the council to allow that position to begin patrolling in March.

PRESENTATIONS

1. Community Impact Award Announcement
Mayor Pro Tem Kerst announced the winner of this year's award, K2T, Kim Fritzler, Kelly Moser, and TJ Davis.
2. Lifesaving Award: Officer Stahl, Chief Buhlman
Chief Carrie Buhlman presented the award to Officer Stahl.
3. Colorado Gives Day, John Weiss Executive Director
4. Transportation Safety Plan KLJ , Update
Jonathan Tarr, presented this item.
5. Vail Valley Soccer Club, Kerri Thalen - MEAC Funding
Kerri Thalen on behalf of the Vail Valley Soccer Club requested to partner with Eagle to expand the tournament using additional fields in the town.

Council comments: provided support and further details on neighborhood impacts.
6. Staff Introduction: Kyle Brotherton, Planner III
Kyle Brotherton introduced himself as new staff planner.

CONSENT AGENDA

MOTION: Council Member Nick Sunday motioned to approve the consent agenda. The motion was seconded and passed with a vote of 6 in favor (Kerst, Bodenhemier, Grimmer, Sunday, Woodworth Foral, and Woods) and 0 opposed.

1. Minutes - October 22, 2024
2. Bill Pay - October 2024
3. Resolution 71, Series 2024, "A Resolution of the Town Council of the Town of Eagle, Colorado Approving a Price-Capped For-Sale Deed Restriction for 7 Hermits Condominiums at Haymeadow"
4. Cancellation of November 26, 2024, and December 24, 2024, Town Council Meetings due to Thanksgiving and Christmas holidays.
5. Resolution 82, Series 2024, "A Resolution of the Town Council of the Town of Eagle, Colorado Approving a Final Plat for 7 Hermit Condominiums Filing 6"
6. Resolution 84, Series 2024 - "A Resolution of the Town Council of the Town of Eagle, Colorado Repealing and Readopting the Local Employee Residency Program Housing Guidelines"

STAFF REPORTS

1. Town Manager Update
Council comments: inquiry on full time positions and legal solutions. Larry stated staff will continue recruitment for certain positions but not legal at the moment. Exit interviews are being utilized for feedback.
2. Department Update
Council comments: inquiry on using battery storage at pool facility. Melissa stated we have not had a conversation about that but are continuing discussions and ideas related to solar. Staff is continuing to work with the DOLA process regarding affordable housing expectations. Using the technical assistance grant staff will help firm up programs for affordable housing.
3. 3rd Quarter 2024 - Budget to Actual Report and Revenue Analysis
4. 3rd Quarter 2024 - Capital Projects Budget to Actual Report
5. 3rd Quarter 2024 - Sales Tax
Inquiry on Grand Avenue sales tax dip.

BUSINESS ITEMS

1. Eagle County Regional Housing Partners Update
Rachel Shindman and Patty Lierman from EPS, presented this item.

Council comments: discussion regarding how remote work is accounted for. Thanked the presenters for their work and look forward to updates.
2. Town of Eagle Employee Housing Program Documents
Nikki Davis presented this item.

Council comments: council provided general approval and brief discussion on 11 month leases, termination from the town, furnished units, pets and taxable benefit implications.
3. Town of Eagle Community Grant Funding - Request for Approval
MOTION: Council Member Nick Sunday motioned to approve the Community Grant Funding as presented. The motion was seconded and passed with a vote of 6 in favor (Kerst, Bodenheimier, Grimmer, Sunday, Woodworth Foral, and Woods) and 0 opposed.
4. PUBLIC HEARING: 2024 Revised Budget and 2025 Budget
Mayor Pro Tem Kerst opened the public hearing.

Jill Kane stated the final budget approval has been moved to December 10th.

Mayor Pro Tem Kerst opened public comment, there was no public comment.

MOTION: Council Member Bryan Woods motioned to continue the Public Hearing for the 2025 Budget to December 10, 2024. The motion was seconded and passed with a vote of 6 in favor (Kerst, Bodenheimier, Grimmer, Sunday, Woodworth Foral, and Woods) and 0 opposed.

COUNCIL DISCUSSION AND FUTURE AGENDA ITEMS

Council Member Bodenheimier provided an update on Eagle Ranch Housing Corporation housing purchase.

Council Member Woods provided an update on the DDA meeting and Capitol Street improvements. The DDA will be looking for a part time executive director position in 2025. Invited the council of a tour of Slope and Hatch.

Council Member Grimmer stated the Climate Action Coalition has extended the chair position to a 2 year term. He is interested in partnering with the Eagle County Conservation District for opportunities to unlock initiatives with their ballot approval for funding. There is a continuing discussion with Eagle County Commissioners regarding a regional rail system.

Council Member Woodworth Foral updated on Christmas on Broadway, with parade entries registrations available now.

ADJOURN - 8:20 PM

MOTION: Council Member Nick Sunday motioned to adjourn. The motion was seconded and passed with a vote of 6 in favor (Kerst, Bodenhemier, Grimmer, Sunday, Woodworth Foral, and Woods) and 0 opposed.

Date:

Mikel "Pappy" Kerst, Mayor Pro Tem

Jenny Rakow, CMC Town Clerk



To: Mayor Turnipseed and Town Council

From: Peyton Heitzman, Community Development Director, Community Development

Date: November 19, 2024

Agenda Items: Resolution 70, Series 2024, A Resolution of the Town Council of Eagle, Colorado Accepting a Petition for Annexation of a Parcel of Land Located in Unincorporated Eagle County and Setting a Public Hearing on the Annexation (The Pasture Annexation)

Ordinance 10, Series 2024 “An Ordinance of the Town Council of the Town of Eagle, Colorado Annexing to the Town Certain Unincorporated Territory Located in Eagle County, Zoning the Property Residential Multi-Family, Approving the Associated Final Plat, the Associated Development Permit, and Approving the Associated Annexation and Development Agreement (West Eagle Housing Annexation)

REQUESTS:

For Town Council to consider the West Eagle Housing presentation by the applicant, public comment, and continue the public hearing to December 10, 2024.

BACKGROUND:

On September 17, 2024, the Planning Commission reviewed the zoning, preliminary plan/final plat, and major development permit, and recommended approval based on compliance with the Town’s land use regulations and alignment with the Town’s long-range planning documents. The staff report from that meeting provides code analysis and can be accessed through this ([LINK](#)).

On October 8th, 2024, the Town Council reviewed presentations from staff and Eagle County (“Applicant”) along with public comment for all land use applications except the annexation. The Town Council memo can be accessed here ([LINK](#)).

On October 22nd, 2024, the Town Council reviewed presentations from staff and the Applicant on elements of the Annexation and Development Agreement and modifications made to the project design following the October 8th Town Council meeting. The Town Council memo can be accessed here ([LINK](#)).

Tonight’s meeting will provide the Town Council the ability to consider a revised Fiscal Impact Analysis, allow the Applicant the opportunity to share any additional modifications to the project design, and allow for public comment on all applications. The Applicant has requested a continuance to allow additional time for negotiating the Annexation and Development Agreement and a separate Intergovernmental Agreement (IGA) for the

conveyance of the River Park from Eagle County to the Town. The details of the River Park IGA is not ready to be presented or discussed at tonight's meeting but will be presented at the next public hearing.

ANALYSIS:

Since the October 22nd meeting, staff has received a revised fiscal impact analysis (FIA) that adjusts per-person costs assumptions for inflation. These assumptions are based on the 2020 Red Mountain Ranch analysis. The updated analysis includes revised expenditure and revenue projections.

The Annexation and Development Agreement (ADA) has not been finalized, which is why it is not included in the meeting packet. However, the FIA outlines two proposals that need to be incorporated into the ADA for the December 10th meeting. These proposals include a buyout option for the real estate transfer assessment (RETA) where the County proposes a one-time payment of \$8,500 per price capped unit to satisfy the RETA obligation specifically for the price capped units.

The other proposal is for Eagle County to process the building permit applications for the project, including plan reviews and inspections, in accordance with the Town's adopted building code. The review would require sign-off by the Planning and Public Works departments. This approach, initially suggested by Town staff, would reduce costs for the County while addressing limited staff capacity. The details of this proposal have not been fully vetted with staff.

COMMUNITY INPUT:

Staff has received two public comments since the October 22nd public hearing. These comments can be accessed through this [LINK](#).

BUDGET:

There is no additional analysis aside from what was included in the October 22nd staff report.

STRATEGIC PLAN ALIGNMENT/STANDARDS ACHIEVED:

There is no additional analysis against the project.

RECOMMENDED ACTION OR PROPOSED MOTION:

1. A motion to **CONTINUE** Resolution 70, Series 2024, A Resolution of the Town Council of Eagle, Colorado Accepting a Petition for Annexation of a Parcel of Land Located in Unincorporated Eagle County and Setting a Public Hearing on the Annexation (The Pasture Annexation) to December 10, 2024.
2. A motion to **CONTINUE** Ordinance 10, Series 2024 "An Ordinance of the Town Council of the Town of Eagle, Colorado Annexing to the Town Certain Unincorporated Territory Located in Eagle County, Zoning the Property Residential Multi-Family, Approving the Associated Final Plat, the Associated Development Permit, and Approving the Associated Annexation and Development Agreement (West Eagle Housing Annexation) to December 10, 2024.

ATTACHMENTS:

- 1: Revised Fiscal Impact Analysis ([LINK](#))
- 2: Public comment since 10/22/24 ([LINK](#))
- 3: Resolution 70, Series 2024 ([LINK](#))
- 4: Ordinance 10, Series 2024 ([LINK](#))

West Eagle Housing Fiscal Impact Report Narrative

The West Eagle Fiscal Impact Analysis (FIA) was developed based on examples, provided to Eagle County by TOE staff, of previously accepted Fiscal Impact Analysis. The County has updated, adapted and supplemented the Fiscal Impact Analysis that was submitted with West Eagle's referral response in July 2024. We have incorporated Town staff referral comments as well as comments we heard from Town Council during West Eagle's public hearings on October 8 and October 22nd.

West Eagle is estimated to generate \$10,025 in property tax revenue and \$179,785 in sales tax revenue for a total of \$189,810 annual revenue. The FIA estimates that West Eagle would generate \$173,590 in expenses to the Town annually. These estimates assume the year 2026 and have been adjusted for inflation. 2026 is the earliest West Eagle would start producing housing units. The sales tax assumptions are based on 2022 Bureau of Labor and Statistic consumer spending and calculates how the average household spends its income and applies it to household goods and services that may be purchased within the town of Eagle.

West Eagle will pay an estimated \$395,772 in one time fees to the Town for public safety, street impact and municipal park land dedication fees. The public safety and street impact fees are calculated from the Town's most recent fee schedule, 2024. The municipal park land dedication fee estimate is generated from the last available appraisal, provided to the County by Town staff, that provides an estimate of value per acre for purposes of establishing a fee in lieu. The last available appraisal was completed in 2017 and pegged the per Acre Market Value at \$155,000. To account for the increase in value of property in Eagle from 2017, the FIA assumed the value doubled to \$310,000. The County understands that the Town has contracted with an appraiser to update the value of property and that updated value will be utilized to calculate West Eagle's municipal park land dedication fee.

West Eagle's Building permit and plan review fees are estimated at a combined value of \$515,925. During the project's referral period and in discussions with TOE staff it is the County's understanding that the Town is open to allowing West Eagle's building permit, plan review and inspections to be managed by the County's building department. The County has the capacity to manage West Eagle's building permit and plan review and is thankful for the Town's creative thinking. Language is included in the Annexation and Development Agreement that would formalize this agreement. If so, the building permit fees and plan check fee included in the FIA would zero out.

West Eagle estimates payments to the Town's Enterprise funds of \$1,449,034 for plant investment fees for water and \$740,600 for plant investment fees for sewer. These figures are generated from the Town's most recent fee schedule, 2024 and West Eagle's water demand analysis, which estimates the development's EQR. Additionally the FIA estimates ongoing annual revenue to the Enterprise fund of \$60,193 in ongoing plant investment fees for water and \$95,516 ongoing plant investment fees for waste water. The FIA includes a cash in lieu of water rights dedication in the amount of \$1,000.

The FIA did not estimate the Town's Use Tax as the County is tax exempt.

West Eagle estimates a payment of \$172,664 to the Greater Eagle Fire Protection District for the required fire impact fee. The FIA estimated the school land dedication fee of \$85,444 utilizing the same land value methodology for estimating the municipal park land dedication fee.

Eagle County is making substantial investments into West Eagle that benefits the community that are not reflected in the FIA. Those investments are highlighted below.

Based on the most recent cost and pricing estimates, to achieve the affordability desired (minimum 60% of units price capped between 100-140% AMI) the subsidy required averages an estimated \$290,000 per unit or for a total of \$32,700,000 across the entire project. The County can and is prepared to cover a portion of the required subsidy but can not cover the entire subsidy and will be seeking partnerships from the public and private sectors as well as non profit organizations.

The value of the 0.947 acre Brush Creek Road Extension Right-of-way that the County is dedicating to the Town is estimated at \$293,570. The County utilized the same land value methodology for estimating the municipal park land dedication fee.

In listening to the public and Town Council, the County will add a dog park to the development. The estimated cost of that addition is \$60,000.

The County estimates the Town will realize \$341,000 from the initial sale of units and then depending on how often the units transfer, an estimated \$25,000 - \$50,000 annually from the 1% Real Estate Transfer Fee (RETA) on Resident Occupied deed restricted units (maximum 40% of the project.)

The County is opposed to the application of a 1% RETA on price capped deed restricted units. The RETA would increase the cost to purchase the affordable units deed restricted. To satisfy the RETA for the Price Capped deed restricted units, the County proposes to pay the Town a one time payment of \$8,500 per price capped deed restricted unit, up to a maximum of \$600,000, prior to issuance of Certificate of Occupancy of each unit. This will add costs to the most affordable units at West Eagle and therefore overall development costs, which will necessitate additional partners and financing, but we believe it will allow more residents to qualify for a mortgage, not just those who have been able to save for a large downpayment.

WEST EAGLE HOUSING - Fiscal Impact Report - 11.08.2024
GENERAL FUND

Ongoing Revenues	# Units	\$	Total	Timing	Notes
property tax	113	\$ 88.72	\$ 10,025	annual	See Property Tax Revenue table
sales tax	113	\$ 1,591.02	\$ 179,785	annual	See Sales Tax Revenue table
totals			\$ 189,810	annual	
Expenses					
General Government	113	\$ 27.16	\$ 3,070	annual	See table for calculation. 2019 study + inflation
General Administration	113	\$ 156.38	\$ 17,671	annual	See table for calculation. 2019 study + inflation
Building, Zoning, Planning	113	\$ -	\$ -	annual	n/a
Streets	113	\$ 82.67	\$ 9,341	annual	See table for calculation. 2019 study + inflation
Engineering	113	\$ 57.70	\$ 6,520	annual	See table for calculation. 2019 study + inflation
Buildings & Grounds	113	\$ 186.71	\$ 21,098	annual	See table for calculation. 2019 study + inflation
Public Safety	113	\$ 955.84	\$ 108,010	annual	See table for calculation. 2019 study + inflation
Municipal Court	113	\$ 8.63	\$ 975	annual	See table for calculation. 2019 study + inflation
Information Center	113	\$ 41.73	\$ 4,716	annual	See table for calculation. 2019 study + inflation
Marketing and Events	113	\$ 19.36	\$ 2,188	annual	See table for calculation. 2019 study + inflation
totals			\$ 173,590	annual	
One Time Fee Payment to TOE					
public safety fee	113	\$ 1,608.18	\$ 181,724	final plat	2024
street impact	113	\$ 646.00	\$ 72,998	final plat	Residential multifamily fee (2024)
municipal and park land dedication fee	113		\$ 141,050	final plat	\$155,000 per Acre (2017) * 200% = 310000 * 0.455
building permit fee	113	\$ 2,767.09	\$ 312,682	bldg permit	\$1M+: 6564.55 for first \$1M plus 4.30 for each additional \$1000, units 630k each (71190000)***
plan check fee	113	\$ 1,798.61	\$ 203,243	bldg permit	65% of Building permit fee***
totals			\$ 911,697		

ENTERPRISE FUNDS

plant investment fee water	113	\$ 12,823.31	\$ 1,449,034	bldg permit	\$14,936.95 (2024) per EQR based on 38.24 EQR for "pasture" and 58.77 EQR for "previously annexed"
plant investment fee waste water	113	\$ 6,553.98	\$ 740,600	bldg permit	\$10,000 per EQR based on 26.88 EQR for "pasture" and 47.18 EQR for "previously annexed"
plant investment fee water ongoing	113	\$ 44.39	\$ 60,193	annual	\$40.91 per month per unit (2024) + \$3.48 0-6,000 usage block
plant investment fee waste water ongoing	113	\$ 67.49	\$ 91,516	annual	\$67.49 per month per unit (2024)
cash-in-lieu of water rights dedication	97.01	\$ 10.00	\$ 970	final plat	\$10 per EQR
refuse fees		\$ -	\$ -		contracted
totals			\$ 2,342,313		

CAPITAL FUND

use tax	0	\$ -		bldg permit	ECG is tax exempt.
---------	---	------	--	-------------	--------------------

Other entity Revenues

fire impact fee	113	\$ 1,528.00	\$ 172,664	final plat	
school land dedication fee	113		\$ 85,444.825	final plat	SFH/du: No. units x .014495, MFU: No. units x .002676 \$310,000 value per acre

Property Tax Revenue Calculation Detail			
Property Tax Calculation - Assumes 2026 rates			
Avg sales price/value		\$	630,000
Exemption	10%	\$	(63,000)
Taxable		\$	567,000
Residential Assess. Rate			6.800%
Mills			2.301
Annual Tax		\$	88.72

Sales Tax Revenue Calculation Detail			
	%*	% in Eagle	Annual \$
Food	18.59%	85.0%	\$ 609.90
Housing		Calculated Above	
Apparel	4.05%	50.0%	\$ 78.12
Transportation	25.19%	25.0%	\$ 243.04
Healthcare	11.99%	50.0%	\$ 231.46
Entertainment	7.05%	40.0%	\$ 108.79
Insurance	17.99%	25.0%	\$ 173.60
Other	15.14%	25.0%	\$ 146.11
Total Sales Tax Revenue in Eagle per HH	100.00%		\$ 1,591.02

* Bureau of Labor Statistics 2022 consumer spending. Housing was removed prior to application of other consumer spending categories. Annual Household Disposable Income times % spent in each category times amount estimated to impact Eagle Sales Tax.

Town of Eagle Annual Expenditure Calculation Detail									
	Annual Inflation Rates								
	2019 per HH**	2020	2021	2022	2023	2024	2025	2026	2026 \$
General Government	\$ 21.03	1.40%	7.00%	6.50%	3.40%	2.90%	2.50%	2.50%	\$ 27.16
General Administration	\$ 121.07	1.40%	7.00%	6.50%	3.40%	2.90%	2.50%	2.50%	\$ 156.38
Building, Zoning, Planning									
Streets	\$ 64.00	1.40%	7.00%	6.50%	3.40%	2.90%	2.50%	2.50%	\$ 82.67
Engineering	\$ 44.67	1.40%	7.00%	6.50%	3.40%	2.90%	2.50%	2.50%	\$ 57.70
Buildings & Grounds	\$ 144.55	1.40%	7.00%	6.50%	3.40%	2.90%	2.50%	2.50%	\$ 186.71
Public Safety	\$ 740.00	1.40%	7.00%	6.50%	3.40%	2.90%	2.50%	2.50%	\$ 955.84
Municipal Court	\$ 6.68	1.40%	7.00%	6.50%	3.40%	2.90%	2.50%	2.50%	\$ 8.63
Information Center	\$ 32.31	1.40%	7.00%	6.50%	3.40%	2.90%	2.50%	2.50%	\$ 41.73
Marketing and Events	\$ 14.99	1.40%	7.00%	6.50%	3.40%	2.90%	2.50%	2.50%	\$ 19.36

** These per household figures were included in a Fiscal Impact template provided to us by TOE staff. These figures originate from 2019 Red Mountain Ranch Fiscal Impact study. It is our understanding these figures were accepted by TOE as a part of the Red Mountain Ranch Fiscal Impact Study and the Powell Park Fiscal Impact Report.

Disposable Income Calculation Detail			
2024 140% AMI HH Income (4ppl)		\$	182,140
AMI Annual Estimated Increase 2025 & 2026			3.0%
Estimated 2026 HH Income		\$	193,232
Annual Payroll Tax	29%	\$	(52,821)
After Tax HH Income		\$	140,412
Eagle Sales Tax Rate			4.50%
Housing Expense (% of Gross Income)	30%	\$	54,642
Disposable Income after housing		\$	85,770

November 12, 2024

Dear Mayor Turnipseed and Eagle Town Council:

Thank you for the opportunity to comment. We are not opposed to the project, however our new neighbors deserve the same Eagle we have. Our Master Plan and its mission statement encourage involvement and collaboration. The West Eagle development should include adequate parking, open space, and trails. We request that the project is paused and the council votes no at this time until additional information is gathered, the issues resolved and density is reduced.

Transportation Plan:

We live in Bull Pasture subdivision. We are concerned about additional traffic on Bull Run as a result of both the extension of Brush Creek Road (BCR) to Highway 6 and the West Eagle development. We understand that the extension of BCR was tied to the number of units developed in the Hay Meadow project. Recently the board changed that requirement and now the extension is dependent on the developer acquiring the needed rights of ways across two properties. Once those ROW's are acquired, the BCR can be extended to Highway 6 and eventually would support the West Eagle project. We are concerned about additional traffic using Shorthorn and accessing Eagle through the Bull Pasture neighborhood. We understand that when the Shorthorn/Oxbow development occurred maintaining Shorthorn as an access from Bull Run was not intended to be a permanent access. The Shorthorn/Oxbow residents were given a choice where they wanted the BCR to be developed, they chose the east side of their development. They also understood that their long-term access once BCR was extended would be from Capitol and Highway 6 as planned not Bull Run.

We request that when BCR is extended to Highway 6 that the east access of the Shorthorn Road connecting to BCR is closed to motor vehicular access and converted to a recreation path honoring the previous decision. We have provided a Google Earth schematic. Access to Shorthorn/Oxbow development would be from the BCR via Capitol at the new 4-way intersection and the new access to BCR off Highway 6. There would be no vehicular access from Bull Run to Shorthorn/Oxbow townhomes and duplexes.

River Park:

We disagree with the County's request to "trade" the River Park for West Eagle's open space. It has been 5 years of back and forth between the County and Town regarding the River Park. We do not believe that this park feud should be incorporated within the West Eagle planning effort. It is a separate issue and should be addressed as such. Do not grant this open space variance.

Open Space:

We request that each phase of the West Eagle project meet its own open space requirement by providing the required acreage of open space per phase within the development boundaries. We do not believe that using the River Park is an acceptable "park" for these new residents to use from their homes to enjoy the outdoors. It is for using the river not throwing a Frisbee, playing catch, or riding your bike. These new residents deserve open space just like all the other developments in Eagle. We'd request that each phase of West Eagle have its' own open space with parks, playgrounds, dog run areas, and recreation paths for these new residents to get outside to enjoy Eagle within their own development. The open space should connect via recreation paths to our existing Eagle paths.

Project Density

We request that the density of 113 units be reduced to a more reasonable number. We've requested that each phase have its' own open space. This requirement would result in a lower density in each phase. We are not planning specialists but reducing the unit density seems to be a solution so this development fits in Eagle and meets the open space requirement. As we said before, we are not opposed to additional affordable housing, but we want it developed to meet the historic soul of downtown Eagle. We realize that we probably can't provide a single family home with garages and fenced yards but we'd sure like to see more 4-plexes or duplexes no taller than 2 stories high rather than 3 story 35 foot tall townhomes. As we look around we don't see 35 foot townhomes within existing neighborhoods. We are opposed to the 3 story, 35 foot buildings as planned for West Eagle.

West Eagle is planned to fit within existing neighborhoods that are mostly composed of single family homes, duplexes and some two story townhomes. This makes this development different than the other recent 3 developments; Pike, Hay Meadow and Eagle Landing. Those three developments were located outside of old Eagle and not within existing established neighborhoods. Eagle Landing is adjacent to the mobile home park and was designed to set lower on the landscape to prevent a height impediment to surrounding homes. The Pike sits at the far west end of Eagle, against the hillside and has limited visual impacts to other homes around it. Lastly, Hay Meadow is the first development in a large open field with very few other homes nearby to impact.

We'd request that this development would not be taller than two stories high as to fit with the current feel and soul of downtown Eagle. We realize this request will mean a lower density of homes and fewer affordable units. We know we need affordable housing but not at the expense of losing the integrity of Eagle. Adding more housing at any cost is not worth it if it degrades our neighborhoods and changes the reason we all love Eagle.

We've seen what's happened in other mountain towns in Summit and Grand Counties and their developments are an eyesore and have dissolved the mountain soul of those communities.

Solar

The 35 foot height of these planned units does not directly impact our home's shade map but after seeing the shade map at the last council meeting we really feel for the surrounding neighbors who would be directly affected. If we had gone to the expense to install solar on our home and then have a development implemented that negated our solar opportunities we'd be pretty upset. This is another reason to reduce the unit density and height of these units.

The proposal talks to making these units solar ready and allow the new residents to pay for and install the solar systems seems short sighted. This seems like a large financial lift for a brand new home owner in an affordable unit. At the latest meeting the County talked about all the rebates and how reasonable it would be to install solar. We've not experienced this fact and would need \$20k to \$40k to install solar on our home. That seems like a big lift for a brand new homeowner

who has just put a hefty down payment on their home. We realize there are rebates and such but you still have to have the money up front.

Questions:

- Will an owner be able to rent their unit or will they have to be owner occupied?
- Will the County turn the units over to an HOA for the long-term maintenance or will the County remain the responsible entity?
- Can you explain the affordability aspects of these units again? If these are truly supposed to be affordable why wouldn't they all be deed restricted to the point that the owner can only make the 3-5%?

Thank you for the opportunity to comment. We hope you will consider our comments and requests.

Blake and Paula Peterson



Peyton Heitzman

From: Jenny Rakow
Sent: Friday, November 8, 2024 10:47 AM
To: Planning Department
Subject: Fw: Eagle Resident Comments on West Eagle Development
Attachments: No Consent S Neilson Ditch.jpg; 546 Grand letter from County.jpg; Neilson South Ditch Relocation map.pdf; Eagle River Park 2019.pdf

Jenny Rakow, CMC

Town Clerk & Municipal Court Supervisor
TOWN OF EAGLE
200 Broadway, PO Box 609, Eagle Co 81631
Phone: 970-328-9623, Fax: 970-328-5203

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.

[Book time with Jenny Rakow](#)

From: Kim Fritzler <kim@slifer.net>
Sent: Friday, November 8, 2024 10:44:00 AM
To: ALL COUNCIL <allcouncil@townofeagle.org>
Cc: jeff.shroll@eaglecounty.us <jeff.shroll@eaglecounty.us>; Kim Fritzler <kim@slifer.net>; Scott Fritzler (scott.alc@hotmail.com) <scott.alc@hotmail.com>
Subject: Eagle Resident Comments on West Eagle Development

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 Eagle Town Council Members & County Manager,

As a property owner at 546 Grand Avenue and co-owners of the Neilson South Ditch, I am writing to express our concerns regarding the proposed West Eagle Housing Development and its potential impact on the Neilson South Ditch. We have engaged a water attorney to help us understand the County's proposal to pipe and relocate a portion of the ditch.

Our attorney has advised us that the County does not anticipate having an engineered design for the relocated pipeline until late December or early in the new year. In the absence of this critical information, it is difficult to fully evaluate the implications of the proposed realignment. I believe that a more comprehensive review is necessary before any decision is made, which may include consulting with our own water engineer for a second opinion once an engineered plan is available.

Currently, we have not provided our consent to the County's proposed relocation and piping of the South Neilson Ditch. Given the importance of safeguarding water rights and ensuring responsible planning, we

feel it is only prudent to review the final engineering details before considering consent. Although the requirement for our consent was included as a condition of approval, we did not find any mention of it in the Annexation and Development Agreement Draft dated October 22, 2024.

In addition to these water concerns, I feel strongly that a Real Estate Transfer Assessment of 1% should be applied to every property transaction within the proposed development. The Town of Eagle will need funds to address inevitable impacts from the development of 113 additional homes, including infrastructure, community services, and quality of life. Granting the County an exemption from this assessment, even for a portion of the units, is irresponsible and creates a troubling precedent for future developments. The County should not receive different treatment than any other developer, especially in light of feedback from residents in the Town's Quality of Life survey.

Lastly, I want to address the matter of the Eagle River Park conveyance. As a strong advocate for the park since its inception, I was instrumental in securing a \$20,000 donation from Slifer Smith & Frampton Real Estate toward its construction, believing that this contribution would support Eagle's future. However, we recently learned that, during the years of this support, the County retained ownership of the Park, thereby shifting the responsibilities of police patrolling and event inquiries to Eagle staff while withholding the anticipated economic benefits from local food trucks and events. Despite this unexpected burden on Town resources, Eagle is now offering a very reasonable proposal for the Park's conveyance within the current development agreement, and we trust the County will agree to what should ultimately return to the Town.

See Attached:

- 1) Original Eagle River Park Email Pitch to SSF.
- 2) Letter Received from Eagle County Forcing Consent

Thank you for your time and consideration of these critical points. Please feel free to contact me if you need any additional information or have any questions. I LOVE EAGLE 😊

Kim Fritzler



K2T Real Estate Collective

Kim Fritzler (Branch Manager) | Kelly Moser | TJ Davis

970.376.5814 | 970.331.9552 | 970.343.4458

K2@Slifer.net | K2VailValleyRealEstate.com

Please Note: We will never email you wire instructions, please call me if you are asked to wire money.

EAGLE COUNTY

500 Broadway
P.O. Box 850
Eagle, Colorado 81631
Phone: (970) 328-8775
Email: tori.franks@eaglecounty.us



Tori Franks
Resiliency Director

September 13, 2024

Via U.S. Mail

Scott and Kimberly Fritzler
PO Box 3729
Eagle, CO 81631

Re: *Neilson South Ditch in Eagle County, Colorado*

Dear Scott and Kimberly Fritzler:

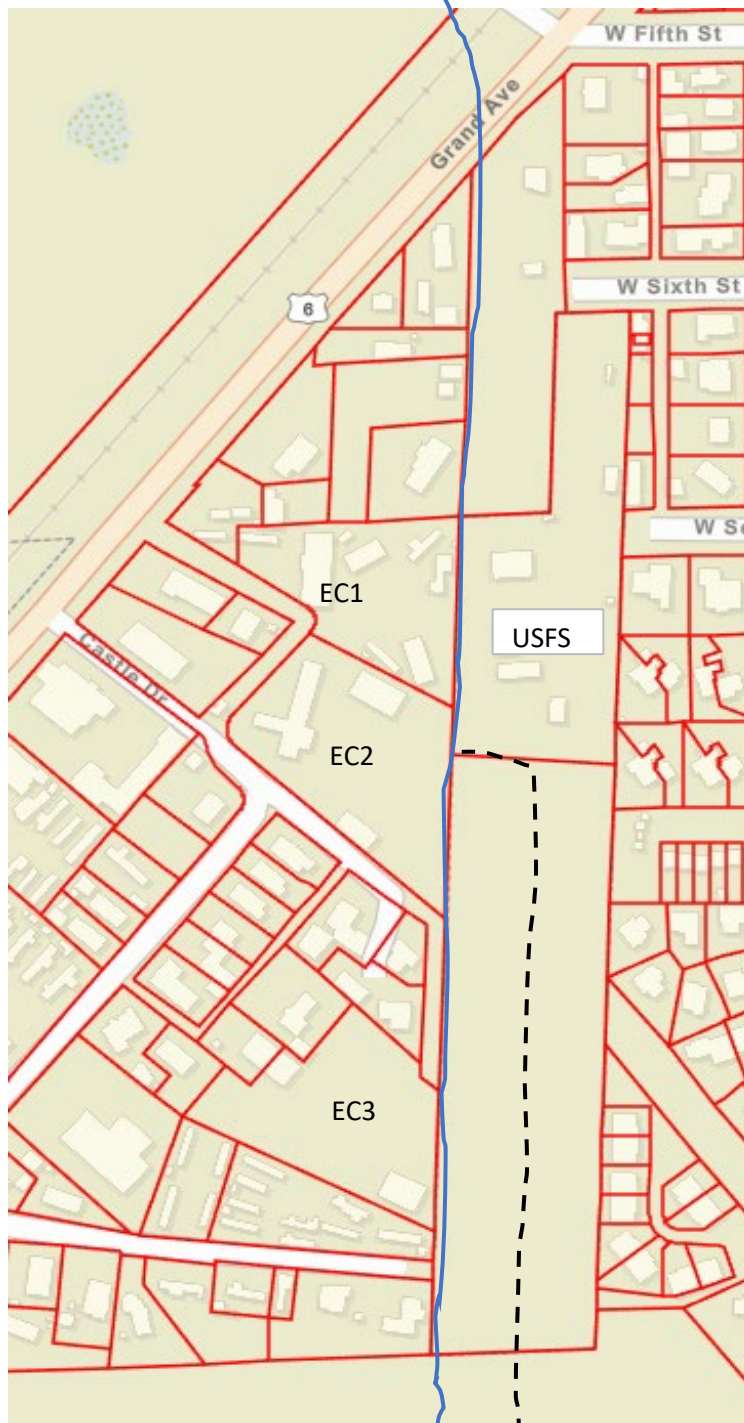
We are writing you as a user of the Neilson South Ditch. Eagle County is requesting your contact information so we can maintain communications regarding the Neilson South Ditch and its operations. We also want to inform you that Eagle County is planning to relocate and pipe a portion of the Neilson South Ditch as it traverses the County's property on West 6th Street in the Town of Eagle as a part of the County's West Eagle Housing project.

Construction on the Neilson South Ditch is expected to begin in 2025. Eagle County will make its best efforts to ensure the construction is coordinated around the irrigation season. The County will not remove the existing ditch structure until the new configuration is operational.

The Ditch runs south to north along the west edge of the County's property. The ditch will be moved to the center of the property and piped. The ditch will rejoin the current alignment at the *northwest corner of the County's property* as illustrated in the attached plans. The new ditch *configuration has been designed to ensure it will not interfere with the quantity or timing of water deliveries to the other users/owners of Neilson South Ditch water rights.*

We have enclosed a Contact Information Form with this letter. Please provide your phone number, mailing address, and email so we can contact you to keep you updated on the County's project. If you have questions or require additional information, please let us know the best way contact you to discuss your questions.

West Eagle



- Current Alignment - Neilson South Ditch
- - - Proposed Alignment - Neilson South Ditch

Neilson South Ditch Owners Contact Information

Name: Scott + Kim Fritzer
Mailing Address: P.O. Box 3727 Eagle
Email Address: Scott.ALC@Hotmail.com
Kim@stifer.net
Telephone: 970-390-6463(5) 970-376-5418(K)
Address of property where Neilson South Ditch water is used: 546 Grand
Ownership Interest/Amount (if known): 200 gal minute

- ~~I hereby provide my consent for Eagle County to relocate and pipe a portion of the Neilson South Ditch within Eagle County's property. My consent is conditioned upon the County ensuring that the delivery of my water is not impaired during the construction period and after the realignment is completed. I request that the County provide me updates regarding the project by:~~

- ~~Email~~
- ~~Mail~~

- I would like the County to contact me regarding the realignment of the Neilson South Ditch to address concerns or questions that I have. The best way to contact me is:

- Email
- Telephone

My questions include:

I DO NOT GIVE MY CONSENT
to the relocate!!!

User signature: _____

Date: _____

9/24/24

return to: Tori Franks, Resiliency Director, tori.franks@eaglecounty.us, PO Box
CO 81631

Kim Fritzler

From: Kim Bradley
Sent: Thursday, January 10, 2019 1:28 PM
To: Shawna Topor
Cc: Kim Bradley
Subject: Eagle River Park
Attachments: WhitewaterThrowdownSalesSheetsV2.pdf

Hi Shawna – Hopefully the trip to Tahoe was as fulfilling for you as I’m sure it was for all of those getting to learn from you! With that said, sorry to contribute to your full inbox, but this is something I’m really excited about!

In our office meeting on Tuesday, we determined as a group what events we wanted to continue to sponsor and reviewed some new events. One of the new events is the attached, Whitewater Throwdown. This is a new 6 weeks series at the water park which will start in June (the ribbon cutting for the park will be Memorial Day Weekend). I met with Jeremy Gross today to discuss SSF being a presenting sponsor and the possibility of incorporating a sponsorship of the Eagle Water Park along with an event sponsorship. I brought this up as it didn’t feel right to me to sponsor an event there without having our name as one of the contributors to the construction of the park. He shared with me how Bonfire is the sponsor of a gas fire pit (aka Bonfire) and is paying a total of \$20,000 over 4 years.

Right by the natural rock stadium seating at the river park, there is going to be a Beach. It was originally slated to be a grassy park because sand costs more than sod, but the town is now thinking it will really enhance the area by making this a sandy beach instead. We discussed calling it the “Slifer Smith & Frampton Beach”...how cool would that be?!?! I feel this would really fit in well with our Live Local mantra and will provide lots of opportunities for positive media, unique events and lifestyle marketing for years to come. Here’s the pitch:

He believes the town would extend the same payment plan to SSF as they did to Bonfire (\$20k over 4 years). And then, we can be co-presenting sponsors of the Whitewater Throwdown (along with Bonfire), for \$2000/year (value of \$4000). He is asking for a 2-year commitment.

I’m supposed to have a follow-up meeting with the town late next week so wanted to get this on your radar to start contemplating. I truly believe this is a great place for SSF to show their commitment to our local community. Give me a call when you have time to discuss.

Thank you!

Kim

 KIM BRADLEY | EAGLE BRANCH BROKER
 TEAM K2: KIM BRADLEY. KELLY MOSER . AARON RABINS
K2@SLIFER.NET

Slifer Smith & Frampton Real Estate
1143 Capitol St., Eagle CO 81631
Office: 970.328.2550 | Cell: 970.376.5814
K2VAILVALLEYREALESTATE.COM


Please Note: We will never email you wire instructions, please call me if you are asked to wire money.





**THE NEWEST RIVER EVENT IN THE
COUNTRY'S NEWEST RIVER PARK!
DROPPING JUNE 2019 – EAGLE COLORADO**

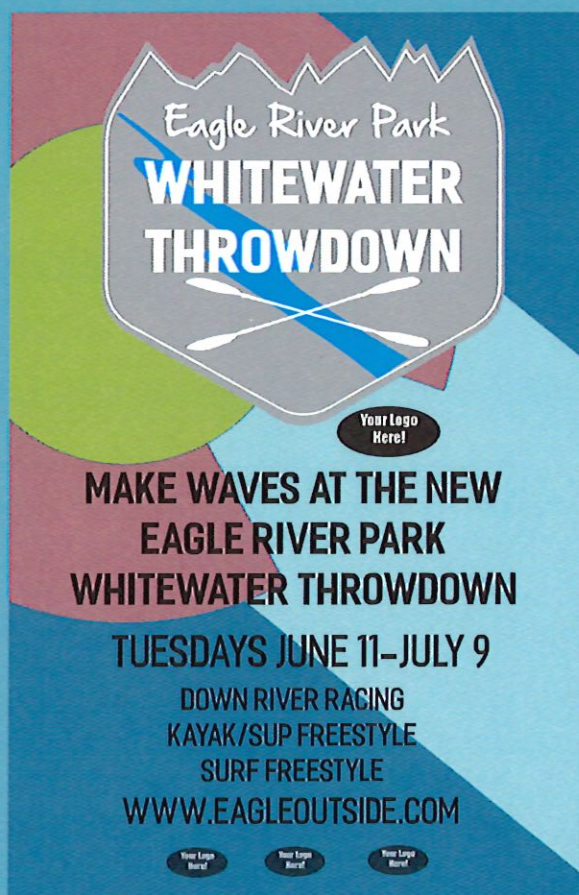
The Eagle River Park Whitewater Throwdown Event Series kicks off on June 11 and runs through July 9. The event includes downriver racing in 2 man rafts, kayaks and SUP. In addition, freestyle kayak and surf competitions are planned at each event with crowd-sourced scoring. Each event ends with an after-party at a local Eagle restaurant and includes beer from our official beer partner, Bonfire Brewing.

Get in front of the Colorado white water community by supporting this new event and ride the wave of excitement that is surrounding the new Eagle River Park.

Sponsorship levels range from \$500-\$4000 and can be custom tailored to meet your marketing goals. Sponsorship can also include a portion of in-kind services or products in the overall value.

Give me a call to discuss how we can work together to meet your marketing goals.

Jeremy Gross



POSTER DRAFT



RACER BIB DRAFT

Title Sponsor - \$4,000 - One Available

Title sponsor will receive all of the benefits of the presenting sponsor plus:

- Top tier logo placement on all printed and digital collateral
- 8 complimentary entries into each event
- Premier banner placement at event for up to six 3'x8' banners provided by the sponsor
- 3 custom social media posts from the Eagle Outside account with your pre-approved content
- 2 highlighted stories in the Eagle Eddy and Eagle Outside emails sent during 2019 at your discretion.
- At least 10 emcee announcements at each event
- 15 second emcee announcement at each event after party with your provided script
- Up to 20x20 activation space at each event in the series
- Logo inclusion on series gift given to all athletes who participate in all 5 events

Presenting Sponsor/Bib Sponsor - \$2,500 - 3 Available

Title sponsor will receive all of the benefits of the supporting sponsor plus:

- Second tier logo placement on all printed and digital collateral
- Logo inclusion on racer bib
- Banner placement at event for up to four 3'x8' banners provided by the sponsor
- 6 complimentary entries into each event
- 2 custom social media posts from the Eagle Outside account with your pre-approved content
- 1 highlighted stories in the Eagle Eddy and Eagle Outside emails sent during 2019 at your discretion.
- At least 5 emcee announcements at each event
- Up to 10x20 activation space at each event in the series

Supporting Sponsor - \$1,000

Title sponsor will receive all of the benefits of the Eddy sponsor plus:

- Third tier logo placement on all printed and digital collateral
- Banner placement of up to two 3'x8' banners at the event provided by the sponsor
- Inclusion on event signage
- 4 complimentary entries into each event
- At least 5 emcee announcements at each event
- Up to 10x10 activation space at each event in the series

Eddy Sponsor - \$500

Title sponsor will receive all of the benefits of the Eddy sponsor plus:

- Logo placement on website and a sponsor callout event sign
- Banner placement at the event for one 3'x8' banner provided by the sponsor
- 1 complimentary entries into each event
- 1 emcee announcements at each event

Party Sponsor - In Kind Food

Host a weekly race party at your bar or restaurant. Serve up some snacks and drinks as we award the prizes for each race and freestyle event.

Swag or Other Sponsors

Don't have cash to get involved but still want to be part of the fun? Give me a call and lets make a deal!



Jeremy Gross
Marketing and Events Manager
Town of Eagle
(970) 445-2202
Jeremy.gross@townofeagle.org
www.EagleOutside.com

TOWN OF EAGLE, COLORADO
RESOLUTION NO. 70
(Series of 2024)

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF EAGLE, COLORADO
MAKING CERTAIN FINDINGS OF FACT REGARDING THE PROPOSED ANNEXATION
OF REAL PROPERTY LOCATED IN UNINCORPORATED EAGLE COUNTY (WEST EAGLE
HOUSING ANNEXATION)

WHEREAS, a petition for annexation was filed with the Town Clerk requesting the annexation of certain unincorporated territory located in Eagle County and described in the attached **Exhibit A**, attached hereto and incorporated herein by this reference, also known as West Eagle Housing Annexation (the "Property");

WHEREAS, by resolution adopted on August 27, 2024, the Town Council found the petition to be in substantial compliance with C.R.S. § 31-12-107(1); and

WHEREAS, on November 19, 2024, the Town Council conducted a properly-noticed public hearing to determine if the Property is eligible for annexation to the Town.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF EAGLE, COLORADO AS FOLLOWS:

Section 1. The applicable provisions of C.R.S. § 31-12-104 have been met, in that not less than one-sixth of the perimeter of the Property is contiguous with the existing boundaries of the Town; and therefore, because of such contiguity, a community of interest exists between the Property and the Town; the Property is urban or will be urbanized in the near future, and the Property is integrated or is capable of being integrated with the Town.

Section 2. The applicable provisions of C.R.S. § 31-12-105 have been met, in that no land held in identical ownership has been divided or included without written consent of the owner thereof; that no annexation proceedings have been commenced by another municipality; the annexation will not result in the detachment of area from a school district; that the annexation will not result in the extension of a Town boundary more than three miles; the Town has in place a plan for said three-mile area; and, in establishing the boundaries of the Property, the entire width of any street or alley is included within the Property.

Section 3. An annexation election is not required under C.R.S. § 31-12-107(2) and no additional terms or conditions are to be imposed upon the area to be annexed other than as contained in the Annexation Agreement, which will be considered and approved separately.

Section 4. The Property is eligible for annexation to the Town, and all requirements of law have been met, including the requirements of C.R.S. §§ 31-12-104 and 31-12-105.

Section 5. An ordinance annexing the Property to the Town will be considered by the Town Council pursuant to C.R.S. § 31-12-111.

INTRODUCED, READ, PASSED AND ADOPTED ON NOVEMBER 19, 2024.

TOWN OF EAGLE, COLORADO

Scott Turnipseed, Mayor

ATTEST:

Jenny Rakow, Town Clerk

TOWN OF EAGLE, COLORADO
ORDINANCE NO. 10
(Series of 2024)

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF EAGLE, COLORADO ANNEXING TO THE TOWN CERTAIN UNINCORPORATED TERRITORY LOCATED IN EAGLE COUNTY, ZONING THE PROPERTY RESIDENTIAL MULTI-FAMILY (R3), AND APPROVING THE ASSOCIATED FINAL PLAT, DEVELOPMENT PERMIT, AND ANNEXATION AND DEVELOPMENT AGREEMENT (WEST EAGLE HOUSING ANNEXATION)

WHEREAS, Eagle County ("Applicant") owns the real property in unincorporated Eagle County described in the attached **Exhibit A**, attached hereto and incorporated herein by this reference (the "Property");

WHEREAS, on July 26, 2024, Applicant filed a petition for annexation of the Property to the Town, along with an application for approval of the initial zoning, final plat and development permit for the Property;

WHEREAS, by resolution adopted on August 27, 2024, the Town Council found the petition to be in substantial compliance with C.R.S. § 31-12-107(1);

WHEREAS, on November 19, 2024, the Town Council conducted a properly-noticed public hearing and determined that the Property is eligible for annexation to the Town;

WHEREAS, also on November 19, 2024, the Town Council conducted a properly-noticed public hearing on the proposed zoning of the Property as Residential Multi-Family ("R3");

WHEREAS, also on November 19, 2024, the Town Council considered the request for approval of an associated final plat for the Property (the "Final Plat");

WHEREAS, also on November 19, 2024, the Town Council considered the request for approval of an associated development permit for the Property (the "Development Permit");

WHEREAS, also on November 19, 2024, the Town Council considered the associated Annexation and Development Agreement (the "ADA"); and

WHEREAS, the Town Council finds that it is desirable and necessary and in the best interest of the public health, safety and welfare that the Property be annexed to the Town, that the Property be zoned R3, that the Final Plat be approved, that the Development Permit be approved, and that the Annexation and Development Agreement be approved.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF EAGLE, COLORADO AS FOLLOWS:

Section 1. Annexation. The Property is hereby annexed to the Town. The Town Clerk shall file for recording three certified copies of this Ordinance and three copies of the Annexation Map with the Eagle County Clerk and Recorder, and shall keep one copy of the Annexation Map and the original of this Ordinance in the Town Clerk's office. The Town Clerk shall request that the Eagle County Clerk and Recorder file one certified copy of this Ordinance and one copy of the Annexation Map with the Division of Local Government of the Department of Local Affairs and the same with the Colorado Department of Revenue.

Section 2. Zoning. The Town Council hereby finds and determines that the R3 zoning satisfies all applicable criteria in the Eagle Municipal Code. Based on the foregoing, upon the effective date of the annexation of the Property to the Town, the Property is zoned R3.

Section 3. Final Plat. The Town Council hereby finds and determines that the Final Plat satisfies all applicable criteria in the Eagle Municipal Code. Based on the foregoing, the Final Plat is hereby approved.

Section 4. Development Permit. The Town Council hereby finds and determines that the Development Permit satisfies all applicable criteria in the Eagle Municipal Code. Based on the foregoing, the Development Permit is hereby approved.

Section 5. Annexation and Development Agreement. The Town Council hereby approves the Annexation and Development Agreement in substantially the form attached hereto, subject to final approval by the Town Attorney. Upon such approval, the Mayor is authorized to execute the Annexation and Development Agreement on behalf of the Town.

Section 6. Severability. If any article, section, paragraph, sentence, clause, or phrase of this Ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity or constitutionality of the remaining portions of this Ordinance. The Town Council hereby declares that it would have passed this Ordinance and each part or parts hereof irrespective of the fact that any one, or part, or parts be declared unconstitutional or invalid.

Section 7. Safety. This Ordinance is deemed necessary for the protection of the public health, safety and welfare.

Section 8. Effective Date. Pursuant to Section 6.03 of the Eagle Home Rule Charter, this Ordinance shall take effect 10 days after publication following adoption.

INTRODUCED, READ, PASSED, ADOPTED AND ORDERED PUBLISHED ON NOVEMBER 19, 2024.

TOWN OF EAGLE, COLORADO

Scott Turnipseed, Mayor

ATTEST:

Jenny Rakow, Town Clerk