



MEETING MINUTES
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 was an in-person meeting using Teams.*

CALL TO ORDER - 6:00 PM

Mayor Turnipseed called the meeting to order at 6:00 p.m.

ROLL CALL

COUNCIL MEMBERS PRESENT

Mikel Kerst, Scott Turnipseed, Ellen Bodenhemier,
Geoffrey Grimmer, Nick Sunday, Bryan Woods

COUNCIL MEMBERS ABSENT

Jamie Woodworth Foral

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
Peyton Heitzman, Community Development Director
Lynette Horan, Human Resources Manager
Ryan Goebel, IT Analyst
Kevin Aoki, Information Technology Manager

ADOPTION OF AGENDA

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

PUBLIC COMMENT

David S. 530 W 5th Street – requested the council to consider crosswalks near the Senior Center and Library and the County Building on 5th Street.

Larry Moore - Bull Run – stated he is not in support of the current West Eagle project as it is not fulfilling the need for affordable housing and believes the traffic impacts will be unsafe. There is no infrastructure in place for the increase in traffic and the project does not match the neighborhood.

Lori Diversy – requested the council to consider flashers for crosswalks at roundabouts so they are consistent.

CONSENT AGENDA

1. Minutes - November 12, 2024

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

EXECUTIVE SESSION – 6:15 p.m.

1. **MOTION:** Mayor Scott Turnipseed motioned to enter into 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. The motion was seconded and passed with a vote of 6 in favor (Kerst, Turnipseed, Bodenhemier, Grimmer, Sunday, and Woods) and 0 opposed.

Mayor Turnipseed resumed the regular meeting at 7:07 p.m.

BUSINESS ITEMS

1. **PUBLIC HEARING:** Land Use File: AN23-01 West Eagle Housing Annexation, Zoning, Preliminary Plan/Final Plat, and Major Development Permit (*Request for continuance to December 10, 2024*)

Mayor Turnipseed opened the public hearing for Land Use File: AN23-01 West Eagle Housing Annexation, Zoning, Preliminary Plan/Final Plat, and Major Development Permit at 7:07 p.m.

Peyton Heitzman, Community Development Director noted that additional comments were submitted, and they have been added to the public portal since publishing.

Tori Franks, Eagle County gave presentation regarding items for updating, including a fiscal impact analysis, the real estate transfer proposal, building height clarification and updates regarding parks and open space.

Fiscal Impact Analysis: Tori Franks provided an updated fiscal impact analysis, estimating that the W Eagle project will generate about \$190,000 in revenue and incur \$173,000 in expenses annually. She also detailed the fees the development is required to pay, including public safety, parkland dedication, building permits, and enterprise funds.

Revenue and Expenses: Tori estimated that the W Eagle project will generate about \$190,000 in revenue, primarily from sales tax and a little from property tax, and incur \$173,000 in expenses annually for public services like police and roads.

Development Fees: Tori detailed the fees the development is required to pay, including \$395,000 for public safety, parkland dedication, \$515,000 for building permits and plan check fees, and \$2.1 million for water and wastewater plant investment fees.

Park Land Dedication: The town needs to establish a market acre per unit for the calculation, and the current estimate uses the 2017 number, doubled for current value.

Building Permit Fees: Tori highlighted the building permit and plan check fee costs, estimating about \$515,000. She mentioned the possibility of the county processing its own building permits and plan review to save costs and provide additional capacity in the town's building permit review jobs.

Enterprise Funds: Tori mentioned the one-time plant investment fee for water and wastewater combined is about \$2.1 million, with an additional \$151,000 annually from residents' water and wastewater bills.

Tori Franks explained the county's proposal for the real estate transfer assessment, which would apply to resident-occupied units only. The county proposes to buy out the assessment for price-capped units, paying a fee of \$8,500 per unit up to a total of \$600,000.

Assessment Application: Tori explained that the real estate transfer assessment would apply to resident-occupied units only, with an estimated 40% of the units being resident-occupied.

Initial Sale Revenue: Upon the initial sale of all West Eagle units, the town is expected to receive \$341,000 from the real estate transfer assessment for resident-occupied units.

Annual Revenue: The town is estimated to receive \$25,000 to \$50,000 annually from the resale of resident-occupied units, depending on the frequency and price of sales.

Buyout Proposal: The county proposes to buy out the real estate transfer assessment for price-capped units, paying a fee of \$8,500 per unit up to a total of \$600,000, which is roughly the net present value of the assessment over 25 years.

Building Heights and Aesthetics: Steven Eckert from Caddis Collaborative discussed the building heights and aesthetics, explaining the importance of maintaining a traditional style with higher pitched roofs. He presented height diagrams and the impact of different roof pitches on the overall design.

Height Measurement: Steven explained that the height is measured from the existing grade to the midpoint of the roof, with the peak varying from about 3 to 5 feet above 35 feet depending on the location.

Architectural Style: Steven emphasized the importance of maintaining a traditional style with higher pitched roofs, referencing a traditional aesthetic that fits the character of the neighborhood.

Townhomes: Steven highlighted the significance of townhomes in the project, which make up about a quarter to a third of the units, and their placement along Brush Creek to create a boulevard feel.

Height Diagrams: Steven presented height diagrams showing the variation in height across different sections of the project, with townhomes having 9/12 roof pitches and multifamily stacked flats being right at 35 feet.

Jason Jaymes from DHM Design highlighted the open spaces and parks within the project, including active turf play areas, playgrounds, a park overlooking Brush Creek, and a dog run. He emphasized the importance of these spaces in connecting the project and providing amenities for residents.

Open Space Types: Jason described the different types of open spaces, including landscape areas, walks, group gathering spaces, active play areas, and semi-private zones, all connected to create a cohesive environment.

Active Turf Play Areas: Jason mentioned that the project includes active turf play areas, with a focus on responsible landscaping using native and natural plants that require low maintenance and are irrigated by raw water.

Playgrounds: Two playgrounds are included in the project, located in wider spaces between buildings to provide active play areas for children and spaces for gatherings and picnics.

Park Overlooking Brush Creek: The south end of the project features a park overlooking the Brush Creek open space, providing a special place for residents and the public to enjoy the views without creating a physical connection to the preserved natural area.

Dog Run: A 5000 square foot dog run is included on the north end of the site, providing a fenced enclosure for dogs to exercise off-leash, with buffering and gathering areas for residents.

Council comments: inquiry on calculations regarding street impacts. All calculations were created using the town's templates and were like Red Mountain Ranch proposed fiscal analysis. Discussion on use tax exemption and estimated loss of around \$1 million in revenue. Disagreement that all disposable income would be spent on sales tax items, thus limiting the revenue estimates.

Council comments: inquiry into if the dog park would be meaningful at less than an acre. Explanation was given that it is a dog run rather than a dog park, it does not fulfill an off-leash area but provides a controlled area adjacent to the project.

Mayor Turnipseed opened public comment:

David S. 530 W 5th Street – had an inquiry on inclusion of senior housing in this project. Tori Franks provided information that the project is available to seniors and several units are designed on ground level and are accessible. The council confirmed the price point is 140% of AMI for the units.

Gary Brooks - Eagle County Advisory Committee – provided his support of the project to address the need for workforce community housing for local residents. Acknowledged that all require a subsidy and noted the longer the approval process takes the more issues come with additional costs. Stated that Avon has affordable housing requirements with more flexibility for the council to approve the project.

Chris Romer Vail Valley Partnership – expressed support for the project and believes this fits a community need as a public-public partnership. Appreciated the project not asking for variances and met the town code as written. Encouraged approval.

Kim Fritzler - 546 Grand Avenue – inquired about the letter received regarding the ditch with this project. Requested additional contact from the county. Additionally requested information about the River Park land conveyance as contributions were made to the project. Inquired about deviation from standards on upfront payments on permit costs and RETA and long-term financial impacts to the town. Preferred the county was using a developer for this project. Tori Franks provided information regarding the Neilsen south ditch and that the county received written consent from three owners. All responses were requested to be directed to the Fritzler's attorney. Engineering designs are not complete as the county is waiting for approval before engaging.

Gina McCrackin - 29 Perch Street – expressed support for this project and believed the project is connective, sustainable and within the town core and indicated it will support keeping residents to stay long term.

Jennifer Uelze - 713 Bull Run – stated she submitted a petition from the Bull Pasture HOA with signatures from all residents surrounding this development. Inquired about the water in lieu fee and wanted to know how the dedication was calculated. Tom Gosiorowski, Public Work Director explained the difference between water rights dedication and fee in lieu and Plant Investment Fees also referred to as tap fees. Water rights dedication and in lieu fees are calculated on a case-by-case basis during annexation and depend on how much water the project owns in water rights and how much they will require. Requested the council pause this project for current residents.

Bruce Norring - 722 Prince Alley – expressed his support for the project.

Elise Howard - Habitat for Humanity Vail Valley – expressed support for this project as there is no affordable housing stock in our community. Feels strongly we need to do everything we can to retain our work force. Acknowledge that a subsidy partner is needed to keep the cost per unit within reach.

Phillip Qualmann - Superintendent of Eagle County Schools – expressed support for this project as the district struggles hiring staff. The school district has tried to stay competitive but cannot keep up. This project will help. The council inquired on how occupants for school district housing is chosen, Philip responded that it is a mix of veteran and new staff. The council expressed concern that the price point for these units does not match teacher salaries with an AMI of \$100,000 salary.

Paul Abing - 403 Short Horn – expressed support of the intention of how it is being built. However, included that he is nostalgic of a time that he would like others to have. He requested the council to think about some of the things that bring these two together and about the impacts.

XXX - 703 Bull Run – expressed concern regarding the project without upgrading Highway Six first. Was skeptical of affordability and had concerns for the deer that live in the area.

Devin Duval – 713 Bull Run –state that we are not opposed to the project, but we want it done right. Believed the one thing missing is the public as there has not been much conversation to assure the locals that have concerns. Requested that Eagle County sit down with community members instead of assuming we will not be good neighbors. Did not believe the county had made an effort to discuss our concerns or address them. The affordability of the housing project is still in question, especially using local tax dollars and providing housing to those essentially making more money than we do. Request additional meetings to feel neighbors are part of the process.

Shawna Woods - 60 Mill Road – expressed support for the project as all this contributes to a better quality of life for more people.

Mayor Turnipseed closed public comment at 8:26 p.m.

Council comments: requested follow up on the building permit and inspection proposal from staff. Tom Gosiorowski provided an example of the town permitting and inspecting the river park despite being in Eagle County.

Requested further discussion as the petition contained a lot of signatures needing more input. Building height is preferred to align with the neighborhood to lessen the impact. Open space dedication and the river park is important for quality of life for all residents and needs to be considered. Overall, the concept is acceptable, but concerns remain regarding density and neighborhood impacts. Additional public engagement is needed.

MOTION: Council Member Bryan Woods motioned to continue Land Use File: AN23-01 West Eagle Housing Annexation, Zoning, Preliminary Plan/Final Plat, and Major Development Permit until December 10, 2024. The motion was seconded and passed with a vote of 6 in favor (Kerst, Turnipseed, Bodenhemier, Grimmer, Sunday, and Woods) and 0 opposed.

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 - 8:40 PM

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

Date:

Scott Turnipseed, Mayor

Jenny Rakow, CMC Town Clerk

