

January 30, 2026

Via E-Mail

Tez Hawkins, Planner  
Town of Eagle, Community Development  
200 Broadway  
PO Box 609  
Eagle, CO 81631

Re: Rezoning Application for 123 Howard Street and 137 Howard Street

Dear Tez:

This firm represents Eagle Multifamily LLC (the “**Applicant**”), with respect to certain real property located at 123 Howard Street and 137 Howard Street (the “**Property**”) in the Town of Eagle (the “**Town**”). This letter is submitted in support of the Applicant’s request to rezone the Property from the Old Town Residential (“**OTR**”) zone district to the Commercial Mixed Use One (“**CMU1**”) zone district pursuant to the Town’s Land Use and Development Code (“**LUDC**”) (the “**Application**” or “**Rezoning**”). As further detailed herein, the CMU1 zone district will provide opportunity to further the Town’s goals and policies, while supporting development of the Project, as defined below.

Prior to submitting this Application, the Applicant’s representatives, Diana Caruso Jenkins, Cory Rutz, and Alison Perry, met with Town staff, Peyton Heitzman, Tez Hawkins, Ryan Johnson, Tom Gosiorowski, and Richard Peterson-Cremer, to discuss this Application on October 28, 2025.

#### **A. Property Background and Context**

The Property consists of approximately 0.394 acres of land located within the northwest quadrant of the intersection of East Second Street and Howard Street. The Property is situated within the southeast corner of a block bound by East Second Street, Howard Street, Grand Avenue and Capitol Street. Today, the Property consists of a vacant dirt lot. Directly east across Howard Street is the United Methodist Church, an approximately 14,847 square foot structure that sits somewhat uphill from the Property. Further north on the east side of Howard Street are two single-family homes. South of the Property, on the south side of East Second Street, sits a two-story single-family home and a two-story commercial structure. To the east of the Property, across Capitol Street, are a single wide mobile home and two two-story structures. Directly north of the Property is Grand Avenue and a stretch of the Eagle River. The Property is surrounded by parcels zoned CMU1 directly north and west on the same block, and OTR across the street to the east and south. Based on historic aerial imagery, the adjacent parcels to the north and northeast of the Property have been vacant since at least 2017.

The Applicant intends to redevelop the Property and the balance of the block as a multi-family residential in-fill development that will provide an activated entry to Town from Grand Avenue, significant affordable and local employee housing and underground parking in support of a pedestrian-focused community asset just one block from Historic Downtown Eagle (the “**Project**”). The Project will include eight multi-family residential buildings with 101 total units, consisting of 43 one-bedroom units, 46 two-bedroom units, and 12 three-bedroom units, with each unit having private outdoor space.

This Rezoning seeks to establish consistent zoning across the block, since the Property directly abuts parcels zoned CMU1 to the north and west, to enable development of an underground parking garage to support the Project and provide a consistent design, including street facades and public improvements, throughout the block. This Rezoning is vital to achieving the goals of infill redevelopment, downtown vibrancy and expanded attainable housing opportunities at a highly visible yet underutilized Town site - characteristics representative of the Town’s commitment to progress and maintaining community character.

**B. Analysis of Rezoning Review Criteria.**

Pursuant to LUDC Section 4.17.080.D.6.a., the Planning and Zoning Commission shall review and recommend and Town Council shall review and decide on a rezoning application based on the following criteria:

1. *Comprehensive Plan future land use plan. The rezoning is consistent with the Comprehensive Plan future land use plan for the project site, as well as any applicable area or corridor plans.*

The 2021 Amended Elevate Eagle Comprehensive Plan (“**Comp Plan**”) future land use map (“**FLUM**”) anticipates the Property be developed to support Medium Density Residential. The Comp Plan goes on to reference the zone districts that correlate with Medium Density Residential, which include zone districts in place at the time of the Comp Plan adoption in 2021. In 2023, the Town repealed and reenacted the then-current municipal code, which also established a new zoning map with new zone districts (the “**Recode**”). Those new zone districts are not accounted for in the Comp Plan but are referenced in LUDC Table 4.02-1.

Notably, a maximum dwelling unit per acre density was intentionally not prescribed for the CMU1 zone district. This decision has been referenced and discussed frequently at Town hearings both directly contemplating this Project (i.e., the Capitol Flats Subdivision Sketch Plan hearings) and more generally in discussing the Recode and Town vision. Repeatedly, members of the Planning & Zoning Commission and Town Council have acknowledged the understanding that “density” can be based on two separate considerations: (a) density based on dwelling units which regulates development in the form of a maximum dwelling unit cap, and (b) density of physical building structure, also referred to as the bulk and scale of buildings, which regulates development by restricting use of property with measurable development standards. The Town chose to regulate development in the CMU1 zone district by the latter, the density of built form or the bulk and scale of buildings. The reasoning behind this is sound, as using dwelling unit counts as a means to regulate density does not account for the size of those dwelling units, which commonly results in larger, more expensive units.

In the Town, less dwelling units within a residential project will also result in a lower number of affordable and resident-occupied dwelling units being set aside. The CMU1 development standards in place currently regulate the bulk and scale of buildings that can be developed, and imposing an arbitrary dwelling unit/acre density cap would only decrease the amount of housing that could be provided within those defined building parameters like height, site coverage, setbacks and building spacing.

Although the FLUM dwelling unit/acre recommendations are not directly applicable to property zoned CMU1, LUDC Table 4.02-1<sup>1</sup> addresses the zone districts *most* appropriate with Comp Plan FLUM designations. Certain corresponding zone districts do not align with the zoning map adopted in 2023. For example, the Property’s location on the Comp Plan FLUM is surrounded by land designated for Downtown Neighborhoods which corresponds to the OTR and PC2 zone districts. Yet, that land area is consistently zoned CMU1. Further, the Property’s Medium Density Residential FLUM designation corresponds to the R2, R3, PC1, and PC2 zone districts. Therefore, if the Comp Plan FLUM designation were strictly applied in rezoning decisions, the Property could only be rezoned to a zone district inconsistent with the surrounding properties’ zoning (e.g., R2, R3, PC1, or PC2). This apparent conflict between the Recode and the Comp Plan was acknowledged during the April 1, 2025, Planning & Zoning Commission hearing by a member of the Planning & Zoning Commission who noted the Comp Plan goals that were fundamentally inconsistent with the Comp Plan’s recommended density.

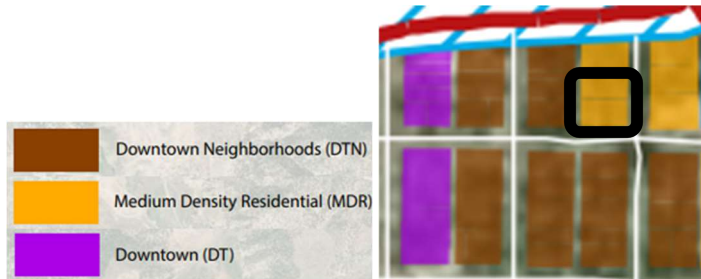
This tension between comprehensive plan recommendations and active regulatory codes is quite common, as each are typically revised on separate timelines. For this reason, comprehensive plans are understood to be living documents, intended to be dynamic and responsive to evolving needs of a community. In Eagle in particular, the LUDC was passed after the most recent Comp Plan update. The Comp Plan attempts to account for this difficulty in predicting future land uses at page 30, which states:

“Division between land use categories *generally follows parcel lines*, roadways, and other geographic boundaries. Future land use and zoning category changes shall *generally* adhere to the Future Land Use Map. Flexible interpretation of the boundaries may be granted by the Town Planning staff, Planning and Zoning Commission, and Town Council, provided the proposed change is consistent with the vision, goals, and strategies contained in this Plan.”

This permitted flexibility condones a more holistic review of future land uses, which is consistent with the approval bodies’ considerable discretion as affirmed by Colorado courts. As reflected in Figure 1 below, the Comp Plan divided the FLUM designation of the Property’s block down the middle, on either side of the currently existing right of way (i.e., following parcel lines and geographic boundaries). See Property identified in black box in Figure 1.

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<sup>1</sup> Table 4.02-1: Comprehensive Plan Consistency



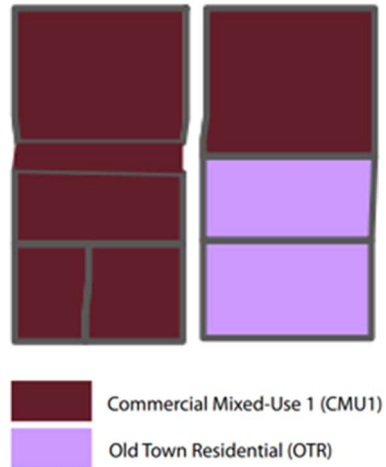
*Figure 1, Excerpt from Comp Plan FLUM*

Why the Property was not assigned the same designation as the western side of the block when all properties directly south share the Downtown Neighborhoods designation is unclear from the Comp Plan alone, but this designation may have been influenced by existing land uses in place at the time of the Comp Plan adoption. Figure 2 below provides snips showing the southwest portion of the block comprised of commercial use, the southeast portion of the block comprised of single-family residential use, and the northern portion vacant - leaving it to naturally take on the designation of the southern portions in active use at the time. We understand these conditions to be consistent from 2021 to 2023 around the time of the Comp Plan updates and Recode process.



*Figure 2, 2023 Google Earth Snip of Property and surrounding block*

In 2023, the Recode rezoned the balance of the surrounding block to CMU1, and OTR for the Property reflective of its then-current single family residential use. During the April 1, 2025, Planning & Zoning Commission hearing on the Capitol Flats Subdivision Sketch Plan, the Planning & Zoning Commission acknowledged the likelihood that the southeast corner of the block was zoned OTR to reflect the use at the time of the Recode, but that having consistent CMU1 zoning on the block would make sense today.



*Figure 3, Current Town Zoning Map*

As noted above, neither the Property nor the balance of the block currently align with the Comp Plan’s FLUM by reflecting the zone district “most appropriate” with the corresponding FLUM designation at this time, and requiring such designation would result in a lack of compatibility with the surrounding context. Instead, the existing CMU1 zoning on the balance of the block, as well as both sides of Capitol Street from Grand Avenue to 4<sup>th</sup> Street, is compatible with a FLUM designation of Mixed Use or Commercial – designations not found on any of the CMU1 zoned properties under the FLUM.

Although the Application does not request the Property be rezoned to one of the acknowledged “most appropriate” zone districts, the Applicant does request a zone district (CMU1) that is “consistent with the Comprehensive Plan future land use plan for the project site” due to the proposed use and intentional decision to regulate density in CMU1 by bulk and scale, rather than dwelling unit count. The FLUM contemplates the Property and surrounding areas be developed to support residential multi-family uses. Both the Medium Density Residential and Downtown Neighborhood detail sheets in the Comp Plan note primary uses include “multi-family.”<sup>2</sup>

With respect to building form, like mass and scale, in OTR verses CMU1, consistency is maintained following a rezoning. Both OTR and CMU1 permit principal building heights of 35 feet, have a maximum lot coverage of 70%, and a minimum lot area of 6,250 square feet for multi-unit structures. CMU1 lot and dimensional standards have the additional restriction that building footprints be no larger than 7,000 square feet. The OTR zone district even permits attached units like town-style residences, the design of which would be very similar to that of the Project’s façade. Resultingly, the only material change with respect to the Rezoning would be the permitted

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<sup>2</sup> Comp Plan, pgs. 36 and 41.

use of multi-unit dwellings with potential for a higher internal unit count than otherwise permitted within the same three-dimensional building envelope.

This zoning change will result in a consistent zone district across the block ensuring comprehensive development throughout the block, efficient and integrated systems (stormwater, drainage, sewage, utilities, building design, and landscaping) and the ability to construct a below-grade parking garage. Therefore, it is clear that the contemplated use in connection with this Rezoning is consistent with the Town’s land use planning for this particular Property and block when reviewed holistically with the Comp Plan goals and history of the recent Recode.

Notably, in Colorado, approval bodies (e.g., Planning and Zoning Commission and Town Council) may exercise considerable discretion to determine whether a land use proposal is consistent with the locality’s comprehensive plan. Accordingly, courts have repeatedly upheld approval bodies’ land use decisions even when the application considered did not strictly adhere to each provision within a comprehensive plan. Specifically, courts have upheld an approval body’s land use determination that the application was consistent with the comprehensive plan so long as the approval body made certain foundational findings, including the application’s impact on the entire community, rather than on only the impacted property.<sup>3</sup> We would be happy to expand on this discussion at the Town’s request.

2. Comprehensive Plan goals and strategies. *The rezoning promotes at least two Comprehensive Plan goals.*

The Comp Plan is organized around five vision statements, A through E as follows, and the Project promotes the associated goals as described below.

- a. Elevating Our Inclusive Culture. The Eagle community is defined by our welcoming spirit, our appreciation of our neighbors, and support of one another.
  - i. Goal 1-1. Promote a wide range of attainable housing opportunities for young adults, families, aging residents, workforce, and others.

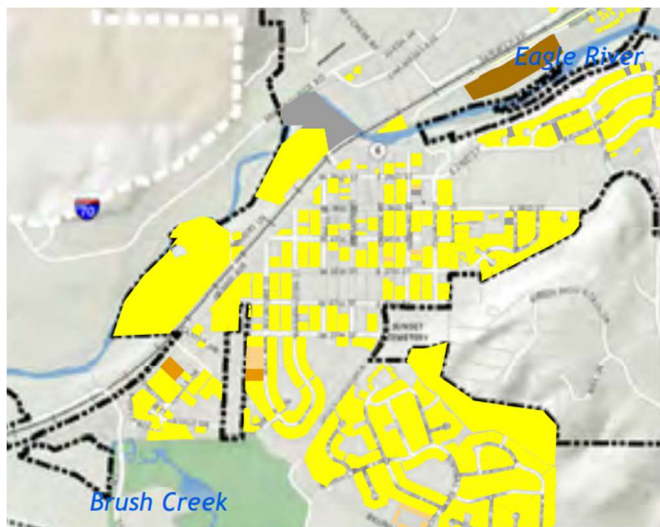
Policies Directly Supported by the Project:  
1-1.1. Ensure a healthy mix of housing types and densities (e.g., Single-family, duplex, multifamily, mixed use, and accessory dwelling units) to allow for greater diversity.  
1-1.2. Promote and encourage additional senior housing. Utilize the findings from the Eagle County Housing Needs Assessment to determine what regulations are needed, what the demand is, and appropriate areas for senior housing.

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<sup>3</sup> *Indianhead W. Homeowners Ass’n, Inc.*, No. 21CA1054 at \*3 (Colo. App. Oct. 6, 2022) (stating that “the BOCC was entitled to consider the broader area where the Property sits” and discussing that the uses of land within about a mile of the land in question were appropriately identified here to determine that the BOCC’s reference to surrounding land in its rezoning decision was appropriate and did not amount to spot zoning.)

1-1.3. Stimulate the creation of workforce housing through town policies, incentives, and regulatory procedures. Collaborate with community partners and the private sector to expand the reach of Eagle’s workforce housing efforts.

The Project contemplates a multi-family residential development of eight separate buildings each providing varying unit sizes – ranging from one to three bedrooms. This variation in bedrooms provides options within the Project, and, essentially, the Project would provide one of the few multi-family housing types in the area with significant single-bedroom dwelling unit availability. Though assumedly somewhat outdated, the below Comp Plan excerpt shows multi-family 4+ unit developments in brown, reflecting no multi-family 4+ unit development within close proximity to downtown, except Eagle Villas just north of Highway 6. Therefore, this Project ensures “a healthy mix of housing types and densities to allow for greater diversity.” Policy 1-1.1.



**Figure 4, Comp Plan, p. 82, Excerpt of “Map 2.4 Housing Types in the Town of Eagle - Prepared by Logan Simpson Design” \*Multi-family 4+ unit developments in brown.**

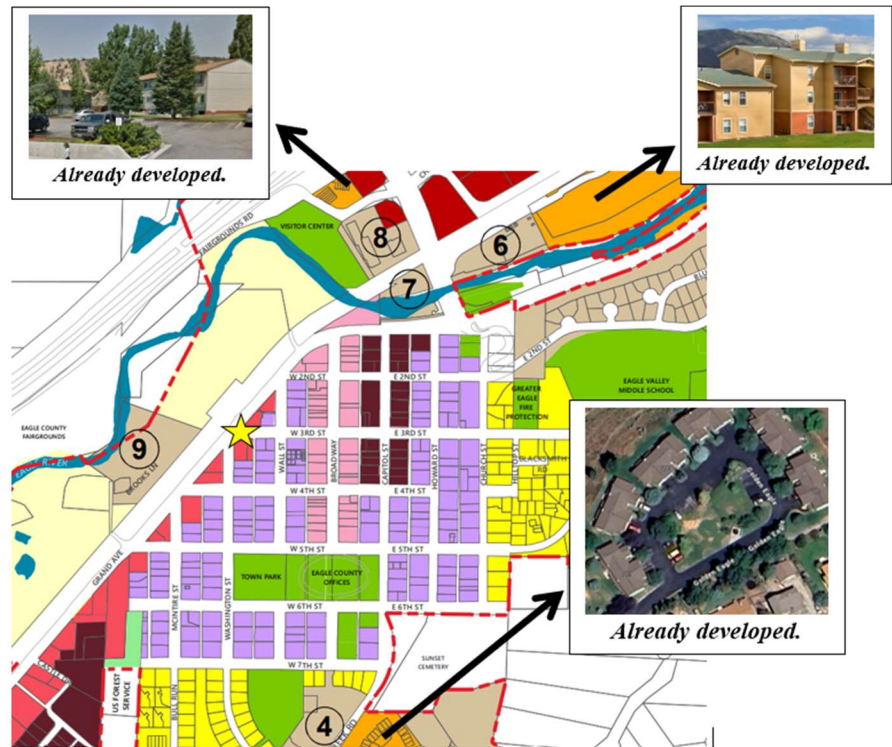
Additionally, the Project will “[p]romote and encourage additional senior housing” options, since “a diverse housing stock is a determining factor in retaining older residents based on the ability to down-size or stay in the community.”<sup>4</sup> Policy 1-1.2. A multi-family housing option is a particularly desired option for senior community members who seek a home with lower maintenance requirements,<sup>5</sup> centralized and community maintained mechanical systems, compact amenities, and the option to enjoy independent living

<sup>4</sup> See Comp Plan, p. 83.

<sup>5</sup> See 2025 Eagle County Regional Housing Needs Assessment, p. 83 (58% of respondents are interested in assistance to maintain home or yard.)

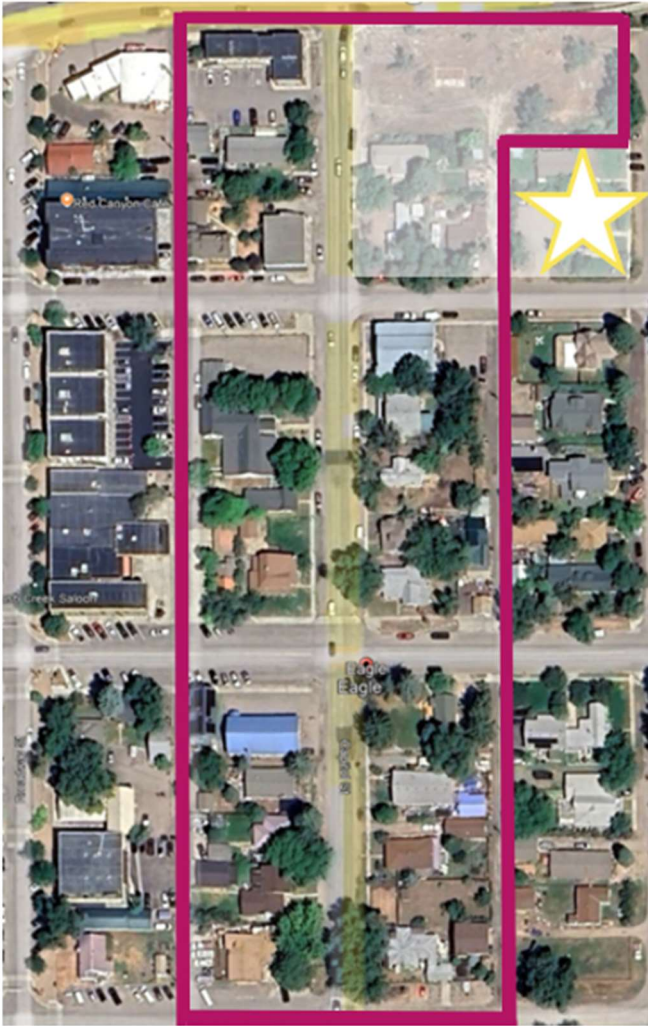
without becoming isolated outside of the community core. This includes easily accessible garage parking, continuous sidewalks, elevator service, ADA access throughout, bike charging and garage level storage.

Lastly, Policy 1-1.3 seeks stimulation of the creation of workforce housing and notes the need to collaborate with “the private sector to expand the reach of Eagle’s workforce housing efforts.” Pursuant to LUDC Section 4.02.050.E, the Town’s inclusionary housing requirements for affordable and local employee residency are not applicable to residential developments with less than 10 units. The Applicant team understands that the LUDC only permits residential developments with 10 units or more in the R-3, R-4, and CMU1 zone districts. This condition resultingly caps the Town’s opportunity for affordable and local employee residences to be developed, unless more properties are brought under R-3, R-4, and CMU1 zone districts. The Property is ideally situated for this purpose.



**Figure 5, Zoning Map**

***\*Note that residential developments with 10 units or more are only permitted in the R-3 (orange), R-4 (brown), and CMU1 (burgundy) zone districts. As illustrated in Figure 5, the only areas near downtown and ripe for such development are located along Capitol Street and include the Property’s block.***



**Figure 6**

The current locations of R-3 (orange), R-4 (brown), and CMU1 (burgundy) zone districts are reflected in Figure 5 above, an excerpt of the Town zoning map, which shows a roughly .75-mile radius excerpt from the center of Town. All R-3 zoned parcels appear already developed and there are no R-4 parcels in this close proximity to the center of Town. Therefore, the Applicant team understands that the parcels zoned CMU1 are the only remaining parcels that could be developed in a manner that would qualify towards providing *any* affordable and local employee housing near the center of Town.

Of those parcels zoned CMU1, very few are vacant and readily available for multi-family development of 10 or more units. Figure 6 illustrates the current CMU1 zone district boundary and the underlaid 2023 existing conditions. Rezoning the Property provides the opportunity to redevelop an entire Town block. Based on Figure 6, there does not appear to be another parcel with clear ability to immediately provide the high unit count of affordable and local employee housing that the Project could deliver, since the majority of CMU1 is already developed and vacant pockets of land appear to be used for parking. The Project presents a truly unique opportunity to provide a significant amount of affordable and local employee housing that is not currently available near the center of Town, where residents could have convenient access to services, and multi-modal transit.

- ii. Goal 1-2. Expand and diversify the town’s economic opportunities.

Policies Directly Supported by the Project:  
1-2.5. Provide opportunities for a balanced mix of housing and services to support local businesses, employees, residents, and visitors.  
1-2.6. As development occurs, ensure the Town’s overall mix of land uses remains aligned with community goals.  
1-2.8. Encourage continued reinvestment in existing commercial areas.  
1-2.9. Create a positive business environment that encourages (re)investment and expansion.

In connection with Goal 1-2, the Project offers a unique opportunity to develop housing opportunities in close proximity to downtown. As discussed during the July 18, 2023, Recode hearings, members of the Planning Commission recognize that downtown businesses cannot succeed without additional people and that CMU1 is “a good transition to increase density for downtown.” The Project not only presents an opportunity for new residents to support businesses, but for individuals seeking employment in the Town to be more likely to do. Housing shortages are a leading factor in towns attracting new employees and retaining existing ones. Without stable housing, people are less likely to move to or stay in a community, which disincentivizes business viability. The Project’s location supports resident’s ability to walk or bike into downtown, take nearby public transit, or easily hop on the highway to commute to jobs throughout the County. Therefore, the Project contributes to a “balanced mix of housing and services to support local businesses, employees, residents, and visitors,” will directly benefit local businesses, and provide the demand needed to “support reinvestment and expansion” of those businesses. Policy 1-2.5, Policy 1-2.8, and Policy 1-2.9.

The Project will “ensure the Town’s overall mix of land uses remains aligned with community goals.” The Project aligns with significant community goals as outlined in the Comp Plan and described herein. Additionally, though, since Comp Plan adoption, the Town adopted an Economic Development Plan in October 2023. The Economic Development Plan highlights the need for residential land uses, which states that “Housing costs and availability [were] the highest impediment to business growth based on survey responses with 63 percent of respondents identifying it as high or somewhat of an impediment... The lack of housing supply and affordable units makes it extremely difficult to attract new employees... This increase in Eagle’s housing supply is necessary for a sustainable economy and economic growth.”<sup>6</sup> Policy 1-2.6.

- b. Elevating Our Unique Character. The Town of Eagle’s eclectic neighborhoods, framed by Castle Peak, the Sawatch Range, and the Eagle River, provide the ideal setting to celebrate our western heritage and adventurous spirit.
  - i. Goal 2-1. Enhance the vibrancy and viability of downtown. The character of downtown is defined by a small-town neighborhood feel and includes residential blocks as well as commercial and mixed-use. The development style establishes a unique and intimate relationship between buildings and the street. Historic resources are preserved, and new development is reflective of historic development patterns, character, and style.

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<sup>6</sup> Economic Development Plan, October 2023, p. 59.

Policies Directly Supported by the Project:

2-1.5. Encourage sensitive infill development to better support Broadway Street through increased building height, that complements and retains the character, scale, and massing of historic structures.

2-1.7. New development is encouraged to include landscaping consistent with the mature area including extended sidewalks, pedestrian amenities, and parking enhancements.

2-1.8. Create new and enhance existing gathering spaces for social interaction.

2-1.10. Encourage, where appropriate, increased density near the Downtown core.

Following the Rezoning, the Project will be regulated by the CMUI zone district regulations, which were recently crafted by the Town with the understanding that the CMUI zone district is in close proximity to and, in the case of many parcels, directly abutting the Broadway District. The Project will utilize building heights as permitted under the LUDC which mirror historic street facades found along Broadway Street. For example, 241 Broadway boasts a three-story brick structure anchoring the corner with inset balconies and Eagle Town Hall reflects a similar brick style with two-stories, but notably tall floors, and tall windows contributing to a timeless design exuding permanence and longevity. Similarly, the Project will feature brick facades, inset balconies, and consistently large windows. Additionally, along Broadway Street between 2<sup>nd</sup> and 3<sup>rd</sup> Streets, a consistent street wall is demonstrated resulting in an active, human-scaled pedestrian experience which will result in sidewalk engagement with neighbors and a feeling of safety. These street walls have variation in building design, as does the Project by mixing façade materials and alternating solid horizontal wall stretches with airy balconies. Lastly, unlike Broadway Street, the CMUI zone district requires building spacing and neighborhood protections standards, with which the Project will comply. Policy 2-1.5.

The Project will include landscaping along all frontages and a communal, landscaped 7,140 square foot courtyard for residents – creating “gathering spaces for social interaction” both within the development and along its edges. Policy 2-1.8. By consolidating the block and placing a single parking entry to the proposed parking garage at the north end of Howard Street (a dead end), the Project eliminates as many human-vehicular interactions as possible. This intentional design choice benefits all users of the surrounding streets – pedestrians, cyclists, and vehicle users – by reducing curb cuts and, therefore, potential traffic conflicts, creating a human-focused sidewalk space that can spark human interactions, and encourage multi-modal forms of transit due to having supportive, safe infrastructure to do so. Policy 2-1.7.; Policy 2-1.8.

Lastly, as further detailed in Goal 2-2 below, this specific Property, in the context of its larger block, is particularly suitable for more dense residential development and (as described with respect to Goal 1-1) is one of the few locations able to do so. The block has been partially vacant for over a decade yet is positioned adjacent to a major Town

entryway. A lively, resident-filled development buzzing with human activity creates a welcoming atmosphere for visitors and residents. The Project will serve to reflect the Town’s commitment to ongoing investment and growth, functioning as an extension of the nearby Grand Avenue Corridor Plan improvements. Policy 2-1.10.

- ii. Goal 2-2. Reinforce Broadway Street as the heart of the community, from the Eagle River to Town park. The character of Broadway is defined by a small-town main street feel and includes the commercial heart of the community. Historic resources should be preserved, and new development should reflect historic development patterns, character, and style.

**Policies Directly Supported by the Project:**  
2-2.6. Encourage infill and the redevelopment of rundown, outdated, or underutilized parcels on Highway 6 to support Broadway.



*Figure 7*

Underutilized parcels along Highway 6 in a location supportive of Broadway Street appear to include three parcels zoned Public & Civic 1 on a hillside adjacent to Bluffs Road and the block in which the Property is located. No other parcels along Highway 6 appear vacant at this time, based on the limited public information available to the Applicant team. Since the Public & Civic 1 parcels appear to have limited development

potential, this Policy 2-2.6 seems to be almost directly referencing the block in which the Property is located. As described under Goal 1-2, the best way to support the Town’s businesses is through increased residents who can enjoy those businesses, as the Project will deliver. Additionally, during the July 18, 2023, Recode hearings, members of the Planning Commission discussed the need to “concentrate density to bring vibrancy to Broadway” and that the “addition of CMU1 helps with that.” Therefore, Policy 2-2.6 could not be better served than by the Project which proposes concentrated, residential units, in close proximity to Broadway Street, on an underutilized site along Highway 6.

- iii. Goal 2-3. Celebrate the town’s unique small-town character.

Policies Directly Supported by the Project:

2-3.3. Ensure new development builds upon and adds value to Eagle’s unique community.

The most effective way to add value to community is through its residents. Eagle is a beautiful community comprised of civic-minded, hardworking individuals. Community character derives from its people, and the Project will provide significant construction of affordable and local employee units – within walking distance of the heart of the community.

- iv. Goal 2-4. Connect Eagle’s unique neighborhoods physically and visually through a walkable and trail-oriented environment with high-quality wayfinding.

Policies Directly Supported by the Project:

2-4.1. Enhance pedestrian access and amenities, and public gathering areas to promote social interaction.

As described under Goal 2-1, the Project will include landscaping along all frontages and a communal, landscaped 7,140 square foot courtyard for residents – creating gathering spaces for social interaction both within the development and along its perimeter. Bicycle infrastructure, lighting, and seating areas will support additional community interaction and, notably, the lack of vehicle conflicts will greatly increase safety and comfort within the public realm.

- v. Goal 2-5. Maintain and improve the appearance of Eagle by establishing and reinforcing the town’s identity and sense of place

Policies Directly Supported by the Project:

2-5.2. Enhance gateways and streetscapes to reflect the Town’s unique identity, providing a clear sense of arrival.

2-5.3. Minimize the extension of mixed-use areas away from the Town Center in order to promote Broadway Street as the heart of the community.

As described under Goal 2-1, the Property and balance of the block is positioned adjacent to a major Town entryway – Grand Avenue – yet has remained partially vacant for over a decade. The Project team is working with Town staff to ensure the Project design along and near Grand Avenue is consistent with the Town’s vision for the Grand Avenue Corridor Plan improvements. Policy 2-5.2. Although CMU1 permits a mix of uses, the Project contemplates only residential units and accessory uses to support those residences. The Project team understands that the Town has acknowledged poor pedestrian accessibility from Grand Avenue to the Property, due to grade change, rendering it better suited for non-commercial uses. The Property and balance of the block is located on the edge of the CMU1 district and, therefore, is well situated to support primarily residential uses, directly supporting the intention behind Policy 2-5.3 to minimize mixed use areas too far from the center of Town. Therefore, future residents will instead travel the three blocks west to enjoy coffee at Red Canyon Café or meet up with friends at Brush Creek Saloon.

- c. Elevating Our Connections. The Town of Eagle strives to offer a variety of technology, communication, and transportation choices to connect our community, locally and globally.
  - i. Goal 5-1. Expand our public transportation network and options.

Policies Directly Supported by the Project:  
5-1.2. Enhance ease of active modes of transportation.  
5-1.4. Promote the development of compact neighborhoods in close proximity to public transit options, and allowing increased residential, retail, and mixed-use densities in areas close to transit stops.  
5-1.5. Support transit-oriented development, and improvements that promote multimodal transportation options.

The Project will significantly improve the pedestrian and cycling experience along Capitol Street, 2<sup>nd</sup> Street, and Howard Street through use of streetlights, landscaping – including tree cover, protected crossings, and a redeveloped sidewalk network. Additionally, the Project will provide short term outdoor bicycle parking for 11 or more bicycles and private garage storage for resident bicycles and bicycle charging stations in the parking garage. Policy 5-1.2. Compact neighborhoods are characterized by high density development with a mix of land uses in close proximity with accessible transportation options for all. The result is a vibrant, yet resource-efficient community, that avoids unnecessary sprawl. The Project integrates each of these elements as described throughout this Application. Policy 5-1.4. Lastly, the Project is located within walking distance of three Core Transit stops - Chambers Park-n-Ride, the Fifth Street stop and Eagle County Building stop, each approximately .4 miles away. Policy 5-1.5. The Project location provides an excellent opportunity for individuals who are employed nearby and rely upon public transportation.

- ii. Goal 5-2. Improve vehicular traffic circulation.

Policies Directly Supported by the Project:

5-2.1. Ensure adequate access to and appropriate mobility options within the Town: (a) Improve circulation on US Highway 6/Grand Avenue; (b) Design the vehicular network to anticipate future development and transportation needs; and (c) Locate high traffic generating land uses close to collector and arterial roadways and transit centers.  
5-2.2. Ensure streets effectively accommodate transit, bicycles, pedestrians and other transportation options as determined appropriate.

Upon future feedback from review agencies and traffic consultants, the Applicant will address traffic measures required to address transportation needs. For now, the Project is being considered at an appropriate time whereby the Town is working diligently on the adjacent Grand Avenue Corridor Plan. The Grand Avenue Corridor Plan contemplates an expanded street to carry additional vehicular capacity, along with protected bicycle and pedestrian infrastructure. The Applicant looks forward to continuing to communicate with Town representatives on how the Project and the Grand Avenue Corridor plans can develop efficiently together. The Project will be located on the edge of Town directly adjacent to the main arterial street, allowing easy access to and from the Project without the added impact on the community of channeling additional vehicles throughout the network of Town streets. Policy 5-2.1. The Project will include enhanced public right of ways along each streetscape complete with pedestrian and cyclist infrastructure, as well as easy access to transit within a short walk or drive. The Applicant will work with Town staff and review agencies to ensure proposed plans are appropriate for the area. Policy 5-2.2.

- iii. Goal 5-3. Expand the network of safe and convenient pedestrian and bicycle circulation.

Policies Directly Supported by the Project:

5-3.2. Ensure efficient multimodal connectivity between all residential areas and public destinations.

5-3.3. Encourage a compact development pattern.

Currently, much of the surrounding neighborhood, including the Property and surrounding block, lack infrastructure to support the safety and comfort of multimodal users. Supportive infrastructure is present just one block over on 2<sup>nd</sup> Street between Broadway Street and Capitol Street, so the Project's continuation of such infrastructure will not only serve the Project itself but provide a link to downtown. Policy 5-3.2. With the adjacent compact development just west of the Property, the Property and surrounding

block present an opportunity to increase the Town's compact development scheme, which will reduce sprawl into surrounding traditional neighborhoods. This intention is reflected in the Recode's extension of the CMU1 zone district onto the west side of the Property's block. Policy 5-3.3.

Although this section discusses the Comp Plan goals directly impacted by the Rezoning request and contemplated Project, it is not an exhaustive list of the Comp Plan goals met or furthered. **Attachment A** provides a summary description of all Comp Plan goals promoted by the Rezoning.

3. *Strategic objectives. The rezoning presents the Town with an opportunity or an appropriate site, at an appropriate location, for the particular type of land use or development proposed and will help the Town achieve a balance of land use, tax base, or housing types consistent with the Town's overall planning and economic development goals.*

The Rezoning presents a strategic opportunity on multiple fronts. First and foremost, the Property and balance of the block serve as a highly visible entry to Town, yet have sat partially vacant for almost a decade. The lack of activity on the block is not reflective of the vibrant community just beyond the property lines where new residents could join longstanding neighbors in contributing to the Town's character, enjoying the immense recreation opportunities and frequenting downtown businesses. The Property and surrounding block is a prime location for new community members to plant roots, while simultaneously bringing life and activity to an underdeveloped site. The need to redevelop this site, and recognition of in-fill development benefits is not only explicitly stated in the Comp Plan (see Goals 2-1.5 and 2-2.6) but has been acknowledged by members of the Planning & Zoning Commission and Town Council during Recode hearings, as well as the Capitol Flats Subdivision Sketch Plan hearings.

Although CMU1 zoning supports mixed use development, the Property and balance of the block are better located for primarily residential uses developed in a manner that will support the nearby commercial uses due to the challenges facing existing businesses and the location of the site on the edge of the CMU1 zone district. This too was acknowledged during the Capitol Flats Subdivision Sketch Plan hearings.

Finally, and most importantly, the Rezoning presents a genuinely unique opportunity to provide a significant number of attainable housing units. What is "attainable" differs between individuals and families, but the Rezoning will catalyze a project that can provide market-rate housing to individuals seeking the community, amenities and lifestyle offered by a condominium – particularly in close proximity to transportation and entertainment. As detailed above, the Rezoning will result in attainable housing for current and future Town residents seeking affordable and local employee housing units. The Project will provide 15 restricted AMI units (15%) at or below 140% AMI based on the Eagle County Affordable Housing Guidelines initial sales price matrix, and 35 resident-occupied units (35%). The opportunity to provide this amount of affordable and local employee housing units is not readily available on other lots in close proximity to downtown. The current zoning of the Town coupled with lots ripe for such development simply filter potential redevelop or develop projects down to a place where the LERP requirements are rarely triggered to produce such significant on-site housing in a manner that is integrated into a well-serviced, longstanding community.

Community Development  
January 30, 2026  
Page 17

**C. Conclusion.**

For the foregoing reasons, the Application meets and complies with the applicable rezoning criteria. As such, on behalf of the Applicant, we respectfully request that the Town approve the Application. We look forward to working with you on this Application.

Sincerely,

*Diana Caruso Jenkins*

Diana Caruso Jenkins  
For the Firm

## Attachment A

Plan Point	Goal Statement (Elevate Eagle Comprehensive Plan)	Project Consistency
<b>ELEVATING OUR INCLUSIVE CULTURE</b>		
1-1	Promote a wide range of attainable housing opportunities for young adults, families, aging residents, workforce, and others. (Elevate Eagle p. 40)	<ul style="list-style-type: none"> <li>• Provides 101 total for-sale residences, including 15 AMI and 35 Resident occupied homes within downtown Eagle.</li> <li>• Three-story, ≤35 ft design aligns with small-town scale and historic context.</li> <li>• Heated below-grade garage relocates parking underground, improving pedestrian environment and aesthetics.</li> <li>• Private courtyards and patios provide outdoor living spaces for each residence.</li> </ul>
1-2	Expand and diversify the Town’s economic opportunities. (Elevate Eagle p. 42)	<ul style="list-style-type: none"> <li>• Creates new opportunities for residents to live and work in the downtown core, supporting local employment.</li> <li>• Consolidates 1.5-acre block, fostering mixed-income ownership housing that strengthens downtown vitality.</li> <li>• Supports nearby businesses by increasing year-round population within walking and biking distance.</li> </ul>
<b>ELEVATING OUR UNIQUE CHARACTER</b>		
2-1	Enhance the vibrancy and viability of Downtown. (Elevate Eagle p. 44)	<ul style="list-style-type: none"> <li>• Redevelops an underutilized block with compatible infill reflecting Eagle’s historic small-town character.</li> <li>• Brick and metal façades echo the traditional downtown palette while integrating modern sustainability.</li> <li>• Stepped-back upper levels reduce massing at the street and maintain the pedestrian scale.</li> </ul>
2-2	Reinforce Broadway Street as the heart of the community, from the Eagle River to Town Park. (Elevate Eagle p. 46)	<ul style="list-style-type: none"> <li>• Located one block off Broadway, the Project adds permanent residents who support downtown shops and restaurants.</li> <li>• Maintains Eagle’s traditional street grid, walkability, and scale consistent with Town Core.</li> <li>• Creates streetscapes that invite pedestrian activity and neighborhood interaction.</li> </ul>
2-3	Celebrate the Town’s unique small-town character. (Elevate Eagle p. 47)	<ul style="list-style-type: none"> <li>• Provides high-quality infill that enhances Eagle’s architectural integrity and blends with existing buildings.</li> <li>• Lighting is dark-sky compliant; infrastructure reuses existing utilities where feasible.</li> <li>• Design fosters neighborhood connectivity and complements surrounding development.</li> </ul>
2-4	Connect Eagle’s unique neighborhoods physically and visually through a walkable and trail-oriented environment. (Elevate Eagle p. 49)	<ul style="list-style-type: none"> <li>• Adds sidewalks, landscaped areas, and bike amenities that link to existing downtown networks.</li> <li>• Garage design eliminates curb cuts, reducing pedestrian–vehicle conflicts.</li> <li>• Courtyard and perimeter treatments create new public-oriented gathering spaces downtown.</li> </ul>
2-5	Maintain and improve the appearance of Eagle by reinforcing identity and sense of place. (Elevate Eagle p. 50)	<ul style="list-style-type: none"> <li>• Reinforces Eagle’s gateway identity with architecture anchoring Grand Avenue.</li> <li>• Underground parking allows expanded sidewalks, shade trees, and landscaping.</li> <li>• Encourages interaction through shared courtyard and gathering spaces.</li> </ul>

<b>ELEVATING OUR ADVENTUROUS LIFESTYLE</b>		
<b>3-1</b>	Promote the Town’s unique activities (fly fishing, rafting, mountain biking, etc.). (Elevate Eagle p. 52)	<ul style="list-style-type: none"> <li>• Adds year-round residents who support and participate in Eagle’s outdoor recreation economy.</li> <li>• Provides direct connections to trail and bike networks near Grand Avenue and Brush Creek corridors.</li> </ul>
<b>3-3</b>	Maintain the incredible trail and park system and find new opportunities for connections. (Elevate Eagle p. 53)	<ul style="list-style-type: none"> <li>• Creates walkable, bikeable routes connecting residents to nearby parks, trails, and the Eagle River.</li> <li>• Includes secure bike storage, e-bike charging, and dedicated garage gear storage to promote active recreation.</li> </ul>
<b>ELEVATING OUR RELATIONSHIP WITH THE ENVIRONMENT</b>		
<b>4-1</b>	Preserve natural open space and wildlife habitats. (Elevate Eagle p. 56)	<ul style="list-style-type: none"> <li>• Infill redevelopment replaces underutilized lots without expanding the Town boundary.</li> <li>• Preserves surrounding open space by directing growth to the Town core.</li> </ul>
<b>4-2</b>	Find balance between recreation and preservation along riparian areas. (Elevate Eagle p. 58)	<ul style="list-style-type: none"> <li>• Installs modern stormwater infrastructure to protect water quality and reduce erosion.</li> <li>• Integrates water-efficient landscaping and drainage linked to the town system.</li> </ul>
<b>4-3</b>	Support and demonstrate sustainability. (Elevate Eagle p. 60)	<ul style="list-style-type: none"> <li>• Uses central heating/cooling plants to reduce energy and water consumption.</li> <li>• Employs durable materials, energy-efficient design, and abundant natural light.</li> <li>• Provides conduit for solar energy and EV charging in the heated garage.</li> <li>• Supports Eagle County’s Climate Action goals through reduced vehicle idling and multimodal connectivity.</li> </ul>
<b>4-4</b>	Plan for safety and resiliency by mitigating potential natural hazards. (Elevate Eagle p. 62)	<ul style="list-style-type: none"> <li>• Located on previously developed land with gentle grades and minimal hazard risk.</li> <li>• Incorporates modern fire suppression, drainage, and stormwater systems to enhance resilience.</li> </ul>
<b>ELEVATING OUR CONNECTIONS</b>		
<b>5-1</b>	Expand public transportation network and options. (Elevate Eagle p. 64)	<ul style="list-style-type: none"> <li>• Proximity to Core Transit and bus stops support transit-oriented living.</li> <li>• Encourages active transportation with heated bike storage and e-bike charging.</li> </ul>
<b>5-2</b>	Improve vehicular traffic circulation. (Elevate Eagle p. 66)	<ul style="list-style-type: none"> <li>• Consolidation of driveways reduces turning conflicts on Capitol and Second Streets. Garage access concentrated off Howard Street improves circulation and safety. Pedestrian Easement across Grand Avenue frontage to enable improved road and sidewalk functions.</li> </ul>
<b>5-3</b>	Expand safe and convenient pedestrian and bicycle circulation. (Elevate Eagle p. 68)	<ul style="list-style-type: none"> <li>• Adds sidewalks, landscaping, and curb/gutter improvements enhancing pedestrian comfort.</li> <li>• Removes on-street parking conflicts, freeing travel lanes for bikes and pedestrians.</li> </ul>
<b>5-5</b>	Use technology to connect the community and improve quality of life. (Elevate Eagle p. 70)	<ul style="list-style-type: none"> <li>• High-speed internet infrastructure enables live/work opportunities downtown.</li> </ul>