



---

## Memorandum

To: Vail Town Council

From: George Ruther, Housing Director

Date: August 4, 2020

Subject: Resolution No. 30, Series of 2020, authorizing the Town Manager to execute a deed restriction release and approving the request for an exchange of an employee housing unit, pursuant to Section 12-13-5, Employee Housing Unit Exchange Program, Vail Town Code, to allow for the release of an employee housing unit deed restriction, located at Lot 43, Parcel A, Glen Lyon Subdivision/1225 Westhaven Lane, Unit A, in exchange for the recording of an employee housing deed restriction on a dwelling unit located at Unit 4B, Pitkin Creek Park Condominiums/3941 Bighorn Road and a \$76,053 fee-in-lieu payment.

### I. HOUSING AUTHORITY RECOMMENDATION

The Vail Local Housing Authority recommends 3-1 (Moffet opposed) that the Vail Town Council **approve** the requested release and exchange of an employee housing unit deed restriction.

In doing so, the Authority further unanimously recommends the Vail Town Council take immediate action to review and update the fee-in-lieu mitigation rate payment amounts for both inclusionary zoning and commercial linkage requirements. These payment amounts have not been reviewed or updated since their original adoption. As such, it is likely a change in the payment amounts would ensure that the amounts reflect current costs.

If approved, the Town of Vail will receive more than 1,000 square feet of deed-restricted square footage for the 500 square feet deed-restricted today. The 1,000 square feet includes a new deed restriction on a one bedroom, 763 square foot condominium at Pitkin Creek Park and \$76,053 in fee-in-lieu payment to the Town's Housing Mitigation Fund. The fee-in-lieu payment will be used to acquire at least one additional deed restriction. In the end, the Town benefits by more than doubling the amount of deed-restricted square footage, getting two deed restrictions for one, all at no cost to the taxpayer.

Pursuant to the terms of the deed restriction release agreement, the applicant is required to remove the kitchen facilities from the exchange EHU at 1225 Westhaven Lane, prior to recording the release with the Eagle County Clerk and Recorder's Office.

The Vail Local Housing Authority recommends the following motion be made:

*“The Vail Town Council authorizes the Town Manager to execute a deed restriction release and approving the request for an exchange of an employee housing unit, pursuant to Section 12-13-5, Employee Housing Unit Exchange Program, Vail Town Code, to allow for the release of an employee housing unit located at Lot 43, Parcel A, Glen Lyon Subdivision/1225 Westhaven Lane, Unit A, in exchange for the recording of an employee housing deed restriction on a dwelling unit located at Unit 4B, Pitkin Creek Park Condominiums/3941 Bighorn Road and a \$76,053 fee-in-lieu payment, and setting forth details in regard thereto.”*

## **II. ATTACHMENTS**

- A. Resolution No. 30, Series of 2020, dated August 4, 2020
- B. Staff Memorandum to the Vail Local Housing Authority, dated July 28, 2020