



**TOWN OF EAGLE**  
COMMUNITY DEVELOPMENT  
200 BROADWAY • PO BOX 609 • EAGLE, CO 81631  
PHONE: 970-328-9655 • FAX: 970-328-9656  
[www.townofeagle.org](http://www.townofeagle.org)

## LAND USE & DEVELOPMENT APPLICATION

*Pursuant to the Land Use & Development Code, Title 4*

ZONING REVIEW	DEVELOPMENT REVIEW	SUBDIVISION REVIEW
<input type="checkbox"/> Special Use Permit <input type="checkbox"/> Zoning Variance <input type="checkbox"/> Rezoning <input type="checkbox"/> Temporary Use Permit <input type="checkbox"/> Amendment to Zone District Regulations <input type="checkbox"/> Encroachment Permit	<input type="checkbox"/> Minor Development Permit <input type="checkbox"/> Major Development Permit  <b>PLANNED UNIT DEVELOPMENT (PUD) REVIEW</b> <input type="checkbox"/> PUD Zoning Plan <input type="checkbox"/> PUD Development Plan	<input type="checkbox"/> Concept Plan <input type="checkbox"/> Preliminary Plan <input type="checkbox"/> Final Plat <input type="checkbox"/> Lot Line Adjustment <input type="checkbox"/> Condominium / Townhouse <input type="checkbox"/> Minor Subdivision

PROJECT NAME Eagle Sinclair Station - Drive Through + Bldg Addition

PRESENT ZONE DISTRICT Commercial PROPOSED ZONE DISTRICT \_\_\_\_\_  
(if applicable)

LOCATION

STREET ADDRESS 0131 chambers Ave.

PROPERTY DESCRIPTION

SUBDIVISION Eby Creek Subdivision LOT(S) 4 BLOCK 1  
(attach legal description if not part of a subdivision)

DESCRIPTION OF APPLICATION/PURPOSE Addition of a drive through window, requires addition to existing building and addition of a driveway along the side and back of building, with a new exit on to Loren Lane. Also adding 4 parking spaces

APPLICANT NAME Ed Oyler PHONE \_\_\_\_\_

ADDRESS Westworld@centurytel.net EMAIL \_\_\_\_\_

OWNER OF RECORD Eby Creek Partnership LLC PHONE Eagle AMACO

ADDRESS P.O. Box 1898 Eagle, CO 81631 EMAIL \_\_\_\_\_

REPRESENTATIVE\* Scott S. Turnipseed AIA PHONE 970.328.3900

ADDRESS P.O. Box 3388 Eagle CO 81631 EMAIL aliciare55taia.com

\*A representative must submit an affidavit or power of attorney signed by the property owner of record authorizing the representation.

**APPLICATION SUBMITTAL ITEMS:**

The following submittal materials must be submitted in full before the application will be deemed complete (please check all items that are being submitted):

- Applicable fees and deposits.
- Project Narrative, describing the project, its compliance with any applicable review criteria, any impacts to the surrounding area, and any other relevant information.
- Surrounding and interested Property Ownership Report (see project specific checklist for more information).
- Proof of Ownership (ownership & encumbrance report) for subject property.
- Site Plan, drawn to scale and depicting the locations and boundaries of existing and proposed lots and structures.
- Project specific checklist.

**FEES AND DEPOSITS:**

See *Eagle Municipal Code Section 4.03.080*

1. Application fees shall be paid in full at the time of the filing of the application and unless paid, the application shall not be deemed complete. All fees are nonrefundable.
2. As described in Eagle Municipal Code § 4.03.080, third-party consultants may be necessary for the review and processing of applications. These costs ("pass-through costs") must be paid by the applicant. If pass-through costs are expected, the applicant must pay a deposit at the time the application is filed. If at any time the deposit does not fully cover the pass-through costs, the applicant must pay another subsequent deposit before the Town will continue processing the application.
3. The Town may withhold the recording of any Subdivision Final Plat or Development Plan or the signing of any Resolution or Ordinance until all pass-through fees are paid in full.
4. Within 30 days of approval or denial of an application, any remaining deposit shall be returned to the applicant. If an application is withdrawn, any remaining deposit shall be returned to the applicant within 60 days.

I have read the application form and certify that the information contained herein is correct and accurate to the best of my knowledge. I understand that it is my responsibility to provide the Town with accurate information related to this application. I UNDERSTAND THAT FILING AN APPLICATION IS NOT A GUARANTEE THAT THE APPLICATION WILL BE APPROVED.

Signature

*Alicia Davis AIA*  
*Scott S. Thorpseed AIA*  
*Architecture + Const. Inc.*

Date

*6/23/2021*

<b>FOR OFFICE USE ONLY</b>		
DATE RECEIVED _____	BY _____	FILE NUMBER _____
REVIEW FEE _____	DATE PAID _____	RECEIVED BY _____
DATE CERTIFIED COMPLETE _____	BY _____	
P&Z HEARING DATE _____	DECISION _____	
BOT HEARING DATE _____	DECISION _____	



January 29, 2021

0131 Chambers Avenue  
Eagle Sinclair Station  
Proposal for a Minor Development Permit

This is a commercial property in the Town of Eagle. The proposed project includes removing the existing concrete patio and replacing it with a driveway that serves a drive-through window for a proposed Dunkin Donuts restaurant at the restaurant space at the south side of the building. This proposal includes the revised driveway, parking, and building addition. The current building is 2930 square feet, one level. There is ample parking on the site. See A1.2 for proposed site plan/parking plan.

The proposed addition is 220 square feet, which includes the drive-up window.

A Zoning Variance request has been submitted to the Town of Eagle for lot coverage.

A Design Variance is requested for the number of cars required for drive-through stacking spaces.

The Town Code currently requires 6 stacking spaces per drive up window.

We request a variance to be allowed 5 stacking spaces for the drive up window.

We believe that this project is compatible with the commercial district within the Town of Eagle and will result in a positive contribution to the town and its citizens.

Development Permit application checklist comments:

- Location of existing and proposed land uses – **provided. Land use unchanged.**
- Location and dimensions of existing and proposed:
  - Buildings: **provided in drawings**
  - Parking spaces and vehicular areas: **provided in drawings**
  - Utility distribution systems and utility easements: **easements provided on drawings. Utility distribution unchanged.**
  - Drainage improvements and drainage easements: **not applicable – drainage unchanged.**
  - Roads, alleys, curbs, curb cuts, and other access improvements: **one curb cut requested one way onto Loren Lane.**
  - Any other improvements: **No additional, all improvements noted on the drawings.**
  - Any proposed reservations or dedications of public right of way, easements, or other public lands: **No**
- Existing topography and any proposed changes in topography: **The lot is relatively flat, spot elevations provided on ILC.**



- Circulation and transportation conditions: A one way driveway to access a restaurant drive through window is requested. Circulation would be one way on the south side of the building and wrap around the east side to exit onto Loren Lane. This would be a one way driveway. A sidewalk between the new drive and Chambers Avenue is expected to occur along with this project to improve pedestrian access along Chambers Avenue.
- Evidence of adequate water supply and other services and facilities needed to serve the development: **No additional services will be required.**
- Evidence of adequate water rights needed to serve the development: **Not applicable.**
- A statement of compatibility with the town's goals and policies: **See beginning of this letter for statement.**
- Any plans or reports required pursuant to chapter 2.07 including landscape plan, parking plan, architectural design, and development impact report: **Landscaping will include grass in non-paved areas, otherwise existing landscaping is to remain as is. Parking plan is noted on the proposed site plan. Architectural drawings have been provided.**
- A proposal for municipal or park land dedication or fee: **Not provided/applicable.**
- Any request for design variance or zoning action: **Zoning and design variances have been requested. See applications and beginning of this letter.**
- Phasing Plan: **No phasing is proposed.**
- Lighting plan: **Two additional exterior light fixtures are proposed and on the plans. They will match existing.**

Thank you,

Alicia Davis AIA, Architect

[alicia@sstaia.com](mailto:alicia@sstaia.com)

90.209.6304

Scott S Turnipseed AIA, Architecture & Construction Inc.

P.O. Box 3388

Eagle, Colorado 81631



October 25, 2021

0131 Chambers Avenue  
Eagle Sinclair Station  
Proposal for a drive-though window and building addition

**Zoning Variance Requests**

**Lot coverage:**

A Zoning Variance is requested for Lot Coverage.

The existing lot coverage is 9% for building coverage, 59% for impervious surface, and 68 % total.

Due to the fact that this is an established gas station and with two restaurants, we would like to request that the building (50%) and impervious coverage (30%) allowances be added together to require an overall site coverage of 80%

We request that the variance is extended to allow the proposed 69% of the total lot area.

The revised minor development plan and zoning variance resubmittals dated 9.21.2021 are requesting an increase in building coverage to 9.5% and impervious surface of 65%, bringing the overall site coverage to 74%

The remaining property is well maintained with irrigated grass and trees.

In regards to the Code (section 4.05.020.B.1.a)

1. *A variance from the strict application of any zone district requirement or supplementary regulation of this chapter may be granted by the Planning Commission following the procedures and conditions herein, except that no use shall be allowed in any zone district in which it is not listed as a permitted or special use. The Planning Commission may grant a variance provided it finds both Subsections (A)(1)(a) and (b) of this section and either Subsection (A)(1)(c) or (d) of this section are applicable.*



- a. That the variance granted is without substantial detriment to the public good and does not impair the intent and purposes of the Town's regulations, goals, policies and plan, including the specific regulation in question; and*

**This request for a variance does not create a detriment to the public good or is in conflict with the Town of Eagle's regulations and policies.**

- b. That the variance granted is the minimum necessary to alleviate the hardship; and*

**This request for a variance would still be under the total 80% site coverage, and is the minimum necessary to provide the drive through amenity within the commercial district of the Town of Eagle.**

- c. That there exists on the property in question exceptional topography, shape, size or other extraordinary and exceptional situation or condition peculiar to the site, existing buildings, or lot configuration such that strict application of the zone district requirements from which the variance is requested would result in peculiar and exceptional practical difficulties to or exceptional and undue hardship upon the owner of the property in question; or*

**This request is in addition to an existing variance on the property, including a setback variance that was approved for the Stout House addition in 2016. This property is already above the 30% impervious coverage and well below the 50% of building coverage. Because of the nature of the business, more parking/driveway than building square footage is necessary.**

- d. That such exceptional situation or condition was not induced by any action of the applicant and is not a general condition throughout the zone district.*

**This does not apply.**

A Zoning Variance is requested for the required Landscape Buffer:

*Section 4.07.020.B.3. Front Street Buffer. All yards adjacent to primary and secondary streets shall be landscaped...The width of the landscaped buffer shall be five percent of the average of the two side property lines, but not less than 15 feet. Plant material for landscape areas shall be suitable for use in the local climate. All landscape areas shall be irrigated using an underground automatic system.*



We request a variance for the Front Street Buffer requirement along Chambers Avenue. This area is already out of compliance with the existance of the concrete patio within 7'6" of the property line. The property line is 226' long. The proposed drive thru driveway is 44' of additional pavement area along Chambers and would only be eliminating a small amount of grass. Much of the area within 15' of the property line along Chambers is patio, parking, and two existing driveways/curb cuts. There is no formal landscaping along Chambers.

The existing grass areas on the lot are served by an underground irrigation system and that would be extended into any new areas of grass.

Sincerely,

Alicia Davis AIA

[alicia@sstaia.com](mailto:alicia@sstaia.com)

90.209.6304

Scott S Turnipseed AIA, Architecture & Construction Inc.

P.O. Box 3388

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