



Town of Eagle  
Community Dev. Dept  
Eagle Co 81631

Date: 8-16-23

Community Development Department,

The Development team, represented by Martin Manley Architects, are requesting review for the Development Permit. The property at 263 Sawatch Road, part of Subdivision: 700 CHAMBERS AVENUE SUBDIVISION Lot: 2 Parcel # 1939-333-45-001 is looking to build 3 buildings on the property with 3 commercial units on the lower level and residential units accessory to a non-residential use. The active Special Use Permit as recorded July 14<sup>th</sup>, 2020, as resolution NO. 37, SU20-01 for 263 Sawatch and 483 Sawatch Road. This project will not include the property of 483 Sawatch Road associated with the SU20-01 approval. The criteria of the special use permit were ruled on with separate conditions for each lot pertaining to what is approved for building on each lot. This proposal/project will also include the ½ of the detention pit located on 700 CHAMBERS AVE #E, part of Subdivision: 700 Chambers Avenue Subdivision, Tract A re subdivision of Lot 1, Parcel# 1939-33-45-005.

The property is within the Commercial General Zoning of Town of Eagle. The project will include only 9 units of the 10 units approved by the Special use permit for the 263 Sawatch Road property. Each unit will have a commercial on ground level and a 2-bedroom accessory dwelling unit above at a 1:1 ratio. There will be a total of 9 commercial units/9 dwelling units divided into 3 buildings. Each building of 6142.9 s.f. will have a 2615.1 s.f. of residential use above that is accessory to the commercial use below. Each owner can connect the residential unit by an internal doorway into the stairwell if desired.

Each building will be split into 3 units:

- #1 Commercial area =1188 s.f. with accessory dwelling unit = 867.7 s.f.
- #2 Commercial area =1128 s.f. with accessory dwelling unit = 881.7 s.f.
- #3 Commercial area =1188 s.f. with accessory dwelling unit = 867.7 s.f.

Total s.f. of the project is 6142.9 s.f. X 3 buildings= 18,428.7 s.

The Tract A Parcel contains ½ of the detention pit and it was determined that it would be advantageous to create one entity that contains the whole detention pit. A 'Lot Consolidation' will be part of this development and will be reviewed separately by the Town to create the single large lot.

The projects on the adjacent lots to the north at the 700 Chambers development have proven to be a successful mixed-use development. The goal of the development is to add to this area with similar product that is providing small commercial while adding a much-needed residential component to the Town of Eagle. The property is located between Chambers and Sawatch Road and is near to the Citi Market, restaurants, public path system and public transportation.

The project is compatible with the Town's goals and policies. *The vision provided in the plan states: Eagle will continue to be a high quality livable community through the implementation of strategies that will enhance the Town's unique identity, its economic vitality, its sense of community and the quality and character of the surrounding rural lands.* This is a development that will add to the efforts that the Town of Eagle has embraced with bring in a place of business, while addressing the goal of adding more affordable housing to the town.

The project is compatible with the Town's Elevate Eagle Comprehensive Plan. *Goal 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.* These buildings are a mix of residential and commercial spaces. It is a model of how to achieve affordable workforce housing for the businesses below and throughout Eagle. *Goal 1-2-5 Provide opportunities for a balanced mix of housing and services to support local businesses, employees, residents, and visitors.* The residential and Commercial are of sizes that will promote small business and affordable housing. *Goal 1.2.8 Encourage continued reinvestment in existing commercial areas.* The lots will be transformed from storage use to a more refined and upkept mixed use development. *Goal 1-2-9 Create a positive business environment that encourages (re)investment and expansion.* As the Development did at 700 Chambers to the north, the area is being activated by the creation of these types of mixed use buildings with smaller commercial units. *Action plan Section 1.10 Optimize commercial development. Determine factors that are preventing build-out of existing commercial centers.* One of the major challenges of creating commercial development is the housing needed to support the workers. This project has both commercial and residential aspects. *Action Plan Section 5.3 Promote compact development, allowing increased residential, retail and mixed use densities in areas close to transit stops where appropriate.* The project is not far from the Eby Creek round-a-bout that

has a transit bus stop. We have included bike racks within the vestibules of the buildings so that the apartments have a place to store their bikes. This addresses in a manner the [Action plan Section 5.4 Create a policy to allow installation of bicycle racks to offset parking requirements.](#)

Town of Eagle goal and policies 3-3.1.i, requires new development to provide adequate parks, trails, other recreational facilities and connections to pedestrian/bicycle-oriented amenities. The east side of the development will have a pedestrian sidewalk that will connect the 3 buildings of this development to the development to the north.

The project is in alignment with the Eagle Area Community plan to provide more workforce housing. So many of the area's workers need to find other arrangements for living or need to leave the valley do to the fact that they cannot find housing. This project will create local inventory of housing so that the employers can better retain their employees, Fulfilling part of the town's Housing Goal #1.

The Town of Eagle Strategic Plan has a Major objective is to Stimulate Economic Vitality and Development. This objective works when the employees have a suitable place to live. Giving a start to the ability to invest in this community by providing the resident with an overall quality of living arrangement and quality of life. The project will deliver attainable housing stock in 2-bedroom units with small commercial units that will allow a small business to thrive within a proven developed area within Eagle. The Team is looking forward to the presentation to the Town of Eagle.

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Attachments: CG Zoning matrix, Parking matrix, Land use code variance request

Lot size:	263 SAWATCH =	1.243 ACRES
	<u>Tract A=</u>	<u>0.391 ACRES</u>
	Total lot area=	1.634 acres (71,177.04 s.f.)

### **Standards of the CG Zone District**

#### **Allowed**

Minimum Lot Area 20,000 sq. ft.  
 Minimum Front Yard 25 ft.  
 Minimum Side Yard > of 12.5 ft. or 1/2 building ht  
 Minimum Rear Yard 25'0  
 Maximum Building Height 35 ft. to mid span  
 Maximum Lot Coverage 80% (56,941.63 s.f.)  
 Max. Impervious by building=50% (35,588.52 s.f.)  
 Max. Impervious by impervious paving=30%(21,353.1s.f.)  
 Minimum Landscape Area 20% (14,235.41 s.f. min.)  
 Snow storage:20 % (21,350.75 s.f.) pavement=4270 s.f.

#### **Proposed**

Lot: 1.634 acres =71,177.04 s.f.  
 Proposed Front Yard Setback 25 ft.  
 Proposed Side 12.5 ft. or 1/2 bldg ht of 17'6.  
 Proposed Rear 25'-0"  
 Building Height <35'-0" (28'-9"). to mid span  
 Proposed Lot Coverage= 30,492.49 s.f. (42.8%)  
 Proposed Impervious by bldg =9,121.74 s.f. (12.81%)  
 Proposed Impervious by paving=21,350.75 (29.9%)  
 Proposed Landscape Area = 57.2% (40,704.55 s.f.)  
 Provided SNOW STORAGE= 4300 s.f.

**PARKING MATRIX:**

**RESIDENTIAL: 4.07.140.1.b multi family**

2 SPACES PER 2 BEDROOM UNIT

(3) BUILDINGS OF (3) 2 BEDROOM UNITS AT 2 PER UNIT = 18 PARKING STALLS

**GUEST:**

9 UNITS /6 GUEST STALLS = 1.5 OR 2 SPACES

**Count for unknown commercial space is 225 s.f. per stall 4.07.140.6**

1 SPACE PER 225 S.F.

(3) BUILDINGS OF 2,625.2 S.F. OF COM. SPACE =3 X 2,625.2 S.F. =7,875.6 S.F./225 = 35 STALLS

TOTAL = 18 RESIDENTIAL + 2 GUEST + 35 COMMERCIAL = 55 STALLS (INCLUDE 3 ACCESSIBLE)

**45 STALLS provided - 55 STALLS required = - 10 STALLS**

**Variance request:** per section **4.07.140.H, Joint use of parking spaces**

Request: a total of **10 stalls** are to be used jointly since the residential and the commercial will require parking at opposite times.

Justification: 700 Chambers Lots

Out of 60 parking stalls (Observation: Tuesday May 9th, 2023 of Building B, C, and D on the 700 Chambers Lots with combined empty parking stalls of: 38 stalls morning 7:45 am, 39 stalls mid-day 12:45 PM, and 40 stalls 6:55 PM) (Greater amount of open stalls were found on May 19th study). There appears to be adequate parking to jointly use stalls at this similar development. The commercial and dwelling unit may be used by the same person or the need parking is at separate times. [BLDGS B, C, & D, is a larger development with a combined 16 residential and 16 commercial units]

Justification: From reviewing the draft of Recode Eagle:

Note: new Dev. Code 4.12-2 (1.5 per DU in multi-use= 9 X 1.5 stalls = 13.5 stalls) Commercial retail of 7,875.6 s.f. result in: 1 per 400 for first 2000 s.f. = 5 stalls and 1 per 300 for remaining (5,875.6 s.f./300) = 19.6 stalls  
TOTAL =38.1 stalls .... before any reduction for bike parking/proximity to Bus/Public transportation

**Town of Eagle Land use: Conditions for granting a variance**

*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*

**RESPONSE:** The parking is proven to be adequate based upon similar uses on the property to the north (700 Chambers building B, C, and D), AND comparing to the Recode Eagle draft, it appears that the quantity is sufficient to satisfy parking requirements.

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

**RESPONSE:** The sharing of parking stalls is the minimum necessary. And will result in meeting the impervious limitation set forth in the zoning.

*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*

**RESPONSE:** The property has a detention pit that takes up a large portion of the property 'condition of peculiar site.' This property has 'exceptional topography' with the grades required for the detention pit. The addition of the 10 stalls would create 'practical difficulties' in adding the additional spaces due to limited flat areas of the site. By positioning the buildings as presented the 2 southerly buildings are able to be gapped to allow more light and air between the buildings.

*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.*

**RESPONSE:** The site is making use of the pit and the applicant has minimized the detention pit and much as practical.

**Variance request:** per section **4.07.140.F.2** Off-Street Parking spaces are not allowed within the front yard setback on any lot containing 3 or more dwellings. Sawatch Road is secondary street within the area. The 9 parking stalls are within or partially within the front yard setback. The closest parking stall point is 51' from the Sawatch Road's edge. Trees have been planned to provide a landscape buffer to the street.

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**RESPONSE:** The closest parking stall point is 51' from the Sawatch Road's edge. Landscape screening has been provided. Given the topography of the site the location of parking is limited and a more refined hardscape/ landscape between the buildings is preferable to squeezing the building 7'-10" closer together. It is preferable to have more light and air between the buildings that will make it a better place to live.

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

**RESPONSE:** Having parking in front of the building is parallel parking stalls and a one-way access to minimize the parking to the street with minimal affect.

*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*

**RESPONSE:** The property has a detention pit that takes up a large portion of the property 'condition of particular site.' This property has 'exceptional topography' with the grades required for the detention pit. The placing of parking elsewhere on the site would create 'practical difficulties' due to limited flat areas of the site. By positioning the buildings as presented the 2 southerly buildings are able to be gapped to allow more light and air between the buildings.

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**Variance request:** per section **4.07.140.L.6.a.iv** Screening of parking lots from adjacent properties shall be required. Screening must be provided to eliminate headlight glare from lot onto adjacent property and to screen views into parking lots. Request: The east side of the lot has a deeded fire lane/access road that spits this property to the property to the east. Flat lot area outside the detention pit and limitations on impervious site coverage of paving are limiting factors to creating adequate parking lot landscape buffer between the access road and the parking. Head in parking off the access road is most practical to use and consistent with parking layouts of other Chambers' Ave businesses.

**Town of Eagle Land use: Conditions for granting a variance**

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**RESPONSE:** The parking off the access road is consistent with those on neighboring properties. The access road is a unique site constraint that limits the locations of parking stalls. The goals of screening are achieved at most of the parking areas from other surrounding sites to conform with the Town's policies.

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

**RESPONSE:** A different location of parking to add a landscape buffer would require additional impervious site coverage and would trigger other variances.

*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*

**RESPONSE:** The property has a detention pit that takes up a large portion of the property 'condition of particular site.' This property has 'exceptional topography' with the grades required for the detention pit. The placing of parking elsewhere on the site would create 'practical difficulties' due to limited flat areas of the site.

*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.*

**RESPONSE:** The site is making use of the pit and the applicant has minimized the detention pit and much as practical.

Note: A Traffic Study requirement for this development is NOT needed for this development due to the overall impact of trips will be less than the 50 trip count threshold. (50 Peak hour trip ends) See attached traffic analysis. Section 4.14 Assurance of Adequate Public Facilities and not is applicable per section 4.14.020 due to the fact that 10 or fewer dwelling units