



AGENDA
Planning & Zoning Commission
Tuesday, November 5, 2019
6:00 PM

Public Meeting Room / Eagle Town Hall
200 Broadway
Eagle, CO

This agenda and the meetings can be viewed at www.Townofeagle.org.

PUBLIC WIFI - TOEG – townofeagle2019

6:00 PM - REGULAR MEETING CALLED TO ORDER

APPROVAL OF MINUTES

1. Approval of the minutes from the October 17, 2019 meeting of the Planning and Zoning commission.

PUBLIC COMMENT

Citizens are invited to comment on any item not on the Agenda subject to a public hearing. Please limit your comments to five (5) minutes per person.

PUBLIC HEARINGS

1. Project: 446 Washington Variance (WITHDRAWN)
File # V19-01
Applicant: Tracie Schumacher, owner of 446 Washington Street
Location 446 Washington Street
Staff Contact: April Kroner, Comm Dev Dir/Town Planner
Request: Request is for a setback variance to allow for a new garage and ADU to be built at 2.5' from the second front property line instead of the required 25'. This file has been withdrawn as the current use of the property does not allow for an ADU on the property.

2. Project: Review of Special Use Permit SU18-06
File # SU18-06
Applicant: Melissa Reed of Aspen Prep Preschool
Location 56 Market Street
Staff Contact: April Kroner, Comm Dev Dir/Town Planner
Request: Per Resolution 63-2018, the Special Use Permit shall be subject to review by the Planning Commission at a properly noticed public hearing.
3. Project: Tumbleweed Medical Marijuana
File # SU19-04
Applicant: Mark Smith of Tumbleweed Eagle, LLC
Location 12 Eagle Park East Drive
Staff Contact: April Kroner, Comm Dev Dir/Town Planner
Request: Special Use Permit to relocate the existing medical retail sales special use permit (SU14-09) from 1125 Chambers Road to 12 Eagle Park East Drive.
4. Project: 106 Broadway Development Permit
File # DR19-04
Applicant: Joanna Hopkins of Hopkins Development Strategies
Location 106/116/120 Broadway Street
Staff Contact: April Kroner, Comm Dev Dir/Town Planner
Request: Minor development permit to construct a mixed-use building in the Broadway Overlay District with ground floor commercial, space for public art installations, and twenty for-sale condominiums on the second and third floors, including two LERP units.

OTHER ITEMS

1. Discussion and recommendation regarding camping within the Town of Eagle.

TOWN BOARD OF TRUSTEES MEETING REVIEW

Staff update to the Planning & Zoning Commission on recent decisions made by the Board of Trustees on various Land Use files.

COMMUNITY DEVELOPMENT DEPARTMENT UPDATE

Staff update to the Planning & Zoning Commission on recent work and upcoming files.

OPEN DISCUSSION

ADJOURN

I hereby certify that the above Notice of Meeting was posted by me in the designated location at least 24 hours prior to said meeting.



Jessica Lake
Planning Technician



**Planning and Zoning Commission
Meeting Minutes
October 17, 2019**

PRESENT

Brent McFall
Jesse Gregg
Bill Nutkins
Stephen Richards
Charlie Perkins
Kyle Hoiland

STAFF

April Kroner- Town Planner
Bill Shrum- Assistant to the Town Manager
Dawn Koenig- Admin Technician
Jessica Lake- Planning Technician

ABSENT

Jason Cowles, Chair
Kyle Hoiland
Matthew Hood

This meeting was recorded. The following is a condensed version of the proceedings written by Dawn Koenig.

CALL TO ORDER

The regular meeting of the Planning and Zoning Commission held in the Eagle Town Hall was called to order by Commission Stephen Richards at 6:00p.m.

APPROVAL OF MINUTES

Commissioner Nutkins made a motion to approve the minutes of the September 17th, 2019 meeting. Commissioner Gregg seconded. The motion passed.

PUBLIC COMMENT

None.

LAND USE FILES

LLA19-02- 1088 & 1092 Fourth of July Road Lot Line Adjustment

Commissioner Richards opened file LLA19-02, an application to vacate the lot line between lots 53 and 54, creating a single lot.

STAFF REPORT AND PERSENTATIONS

Kroner described the file noting that the applicants own both of the lots in question and would like to vacate the lot line between the two lots. She said that staff has reviewed the application and it is in compliance with the code. Town Public Works and Engineering staff have reviewed the application, Kroner noted. Kroner listed the conditions of approval:

1. Within 30 days of the date of this Resolution and prior to recordation of the plat depicting the Lot Line Adjustment, Owners shall make technical corrections to the Application documents as directed by Town staff.
2. Prior to recordation of the plat depicting the Lot Line Adjustment, Owners shall demonstrate to the Town that the water and sewer service to Lot 53 have been permanently abandoned.

Property owner Drew Peternell thanked the commissioners for their time and consideration. He welcomed questions.

PUBLIC COMMENT

None.

Kroner noted that she received an inquiry from a neighboring property owner concerned with building size regulations. She assured them that any structures built on the site will need to conform to the standards of both the Eagle Ranch PUD guide and the Town.

DELIBERATION

Commissioner Perkins made a motion to approve file LLA19-02 with the staff recommended conditions of approval. Commissioner Nutkins seconded. All present voted in favor. The motion passed.

MS19-01- Chambers East Subdivision

Commissioner Richards opened file MS19-01, a request for a Minor Subdivision to split Lot C-14 of the Kemp Subdivision into two lots.

STAFF REPORT AND PERSENTATIONS

Kroner described the request to create two lots where only one lot currently exists on the site. She noted that the proposal meets the criteria for approval. Kroner noted that there are easements that need to be placed on the plat for future utility services and access to the utilities. Kroner stated that staff recommends approval with the following conditions:

1. The final plat document will be revised to reflect final technical comments from the Town Engineering and Public Works Departments, Town Attorney, and the Town's 3rd Party Surveyor.
2. Utility, Access, and Turn-around easements created by this plat shall be dedicated to the Town of Eagle, per section 4.13.75 of the Land Use & Development Code.

Q & A

Applicant Matthew Barry thanked the Commissioners for their time and summarized the request.

Commissioner Nutkins asked what Barry envisioned to be in the proposed building. Barry described what he has in mind including some of the possible tenants that have expressed interest in the new building that is being proposed. He noted that there is a long-term lease agreement in place for the existing building.

Richards asked if the lot that is being created where the existing building is located meets the requirements in terms of setback requirements, lot coverage, and lot size. Kroner stated that this proposal is not creating any non-conforming situations. Both lots will meet the requirements of the commercial general zone district Kroner said.

Nutkins asked if the stock piling of soil on the adjacent lot would be temporary. He said it is depicted on one of the civil drawings.

Perkins asked if the work that is currently being carried out on the site is part of this project.

Kroner addressed those question and let the commissioners know that what they are observing is not part of the subdivision file, but rather is due to an existing grading permit for this site that was issued in advance of approval of the development permit application for this site.

PUBLIC COMMENT

None.

DELIBERATION

Gregg asked where the proposed access is for the proposed project and asked if there will have to be a shared access agreement. Kroner said that the shared access is on the west side of the western most lot where the existing building is located. Kroner said that is addressed as part of the development permit request.

McFall made a motion to approve file MS19-01 subject to the conditions proposed by staff. Gregg seconded. All voted in favor. The motion passed.

DR19-05-Chambers East Development

Commissioner Richards opened file DR19-05, a request for a Major Development Permit for a 24,202 square-foot commercial warehouse/distribution facility in the Commercial General Zone District.

STAFF REPORT AND PERSENTATIONS

Matthew Barry said that he had intentions for the existing building that are different than what is going to be there now. He said that he has a long-term lease agreement with a tenant going into that space. Barry said he had other businesses interested in leasing space, and he got the idea to use the extra land on this site to build another building.

Architect Sig Bjornson described details on the design of the proposed building. He commented on some of the materials that are being used that will require a design variance. He stated they are taking a step toward a sleek, modern look.

He noted that the roll up service doors on the front of the building facing Chambers Avenue are not intended to be used as functional loading doors but are more for natural lighting and for the look. Including these roll up doors will give them flexibility with the tenants needs as tenants may or may not want to use the roll up doors, Bjornson said.

He described the loading dock on west end.

Kroner presented a staff report for the file and stated the project fits with the Eagle Area Community Plan vision for land use and special requirements for this area.

Kroner noted that the reason this file is being considered a Major Development as opposed to a Minor Development is the need for extensions of public utilities. She said that Major Development files require approval from the Town Board of Trustees.

She presented standards for approval such as lighting, landscaping, utilities, drainage and grading, parking and access. She also presented architectural standards and zoning standards of the Commercial General zone district.

Kroner said the landscaping and lighting plan as submitted is not detailed enough to review and approve and stated that a complete landscaping and lighting plan will be reviewed and approved by the Town Planner before building permit issuance.

Bjornson said that there is some landscaping on the existing site. He said they would like to balance what is existing with what is required. He noted that the existing building is under parked but that the plan submitted includes ample parking for both lots. Non-potable water system. May be usable and he said that the applicants intend to use it when they can, however, there may be issues with operability.

Q & A

Perkins asked about the snow storage and removal strategy for the site. Bjornson pointed out the locations that will be intended for snow storage.

Gregg asked about the 15' landscape buffer on Chambers Ave. Kroner said that the applicants will have to make a modification to the plan to accommodate that.

Perkins asked Barry to estimate the hours of operation for the use of the building. He asked if they could anticipate late night or early morning trucking activity. Barry said that it is hard to say, but that he suspects that the activity will be day time. Kroner pointed out that the zone district allows for trucking activity.

Kroner noted that all of the drainage, erosion control, and utility plans have all been reviewed and approved by the Town Public Works and Engineering Team. Kroner said that the applicants will be required to identify, and screen mechanical equipment and details of the trash enclosure will need to be submitted for review and approval.

Kroner stated that loading docks and service areas are only allowed on the sides of the building. She said that with this proposal, that standard is not being met as the design includes service doors in the front of the building along Chambers Ave. She said that as noted before, these are not intended to be used as service doors in all cases. Kroner said that a design variance could be granted due to the odd shape of the lot.

The proposed exterior materials are not allowed per the current code, Kroner said, but staff supports a design variance. She stated that the code does not account for advances in new materials and what is being proposed does not go against the intent of the code.

Parking and access were then addressed. Kroner described the existing access and the new access point on the east end of the property. She stated that the proposal would require a variance approval for maximum width of the access point. Kroner noted that shared access needs to be addressed for both lots and requires that an easement to be recorded. Barry noted that this is the same arrangement as is place for the Chambers Lofts development.

Nutkins asked where the easement would be. Kroner said that she would not expect that there be an actual location of the easement, but rather a blanket easement that covers access for both sites.

Kroner said that she is asking that the applicants to provide a turn radius analysis for the intended loading docks. Barry said that they have consulted with engineers to design an appropriate circulation.

Perkins asked if the approval of this site will hasten the extension of Chambers Avenue to Highway Six. Kroner explained that the extension of Chambers is not tied to this project.

Kroner described the parking standards and noted that the plan meets the requirements and the access easement will include shared parking for both lots.

Kroner noted that the applicants have been working with Town Public Works and Engineering staff to find an efficient solution for the extensions of the utilities through the project.

Nutkins asked if the adjacent property owner would need an easement for utilities. Kroner said that the owner of the property is the same as the applicant for this development. They would be required to record an easement.

Perkins asked if the proposal has been submitted to the fire department review and approval. Kroner confirmed that the fire department has reviewed this proposal.

Kroner stated that staff recommends approval of the following design variances:

1. Allowance of seven service doors/garage doors along the front of the building (loading docks and service areas must be located to the side and/or rear of the building; if parcel abuts I-70 all services and loading areas must be located to the sides which do not face the primary street or I-70).
2. Allowance of modular steel and stucco wall panels as building materials (modular panel materials, such as ribbed sheet metal, are not allowed).
3. Allowance of a 38' wide driveway opening (max 35' allowed).

Kroner mentioned that the file was noticed properly, and staff has received no public comment.

Kroner stated that staff recommends approval with the following conditions:

1. The final plat document will be revised to reflect final technical comments from the Town Engineering and Public Works Departments, Town Attorney, and the Town's 3rd Party Surveyor.
2. Utility, Access, and Turn-around easements created by this plat shall be dedicated to the Town of Eagle, per section 4.13.75 of the Land Use & Development Code.
3. A lighting plan shall be submitted to planning staff for review and approval with the Town's lighting standards as detailed in Section 4.07.010, prior to execution of the Development Agreement.

4. A complete Landscape Plan shall be submitted to planning staff for review and approval with the Town's Landscaping Standards as detailed in Section 4.07.020 and 4.07.070, 6, prior to execution of the Development Agreement.
5. Trees are not allowed to be located within the utility easement locations, however shrubs are permitted.
6. Identify the location of the mechanical equipment on the plans and indicate the method of screening prior to execution of the Development Agreement.
7. Provide details of the trash enclosures to staff for review and approval prior to execution of the Development Agreement.
8. Record an easement to allow access and parking on and across the two subject lots. This can be achieved by depicting/describing the easement on the subdivision plat, or via a separate recorded document.
9. Submit a turning radius analysis to ensure adequate maneuverability through the northeastern— most driveway and to access the loading area on the east side of the building.
10. Relocate the accessible parking spaces so as to not be located in front of a service door.

PUBLIC COMMENT

None.

DELIBERATION

Nutkins asked about the service doors on the front. Barry said they were included to provide tenant flexibility and that having them is very important for the viability of the project. Service doors would allow for loading and un-loading equipment and supplies and some of these doors may not be used in that way, Barry said.

Nutkins asked about the dumpster on the west end of the building and why is it located there. Berry said that it is a functional location and the enclosures are very durable. It was strategically located. Nutkins said that he thought it would be better located more toward the back side of the building.

Perkins made a motion to approve file DR19-05 with the staff recommendations of approval one through ten and the three design variances. McFall seconded. All voted in favor. The motion passed.

Administrative Appeal by David Nudell

STAFF REPORT AND PRESENTATIONS

Kroner presented details on the request for an appeal. She described how the owner of the property in question has been working with town staff for years on this development. Kroner said that her first day on the job was the same day that comments were due on a development proposal for this site. She said that the applicant had been working with a town hired consultant prior to her joining the Town.

Kroner said that upon further review of the proposal, she was unable to find any area of the code that allow ground floor residential as a permitted use in this zone district even by way of special use permit which was what had been advised by town staff previously. Kroner said she could not bring forward a special use permit for ground floor residential use in the Broadway District. Kroner stated that use variances are not included in the Town ordinance. She advised Mr. Nudell that he has the right to appeal to the Planning Commission by State Statute and he elected to do so.

Q & A

Commissioner Richards asked if there are discussions in the land use code update about allowing for ground floor residential.

Mr. Nudell said that he is involved in the code update and there have been recommendations from the advisory committee and general public that support in-fill, mixed use, increased density in the downtown area, and affordable housing. He stated that it seems that the future land use is going in a direction that supports his proposal.

PUBLIC COMMENT

Russell Gies, owner of 404 Broadway unit C said he just found out today that the appeal was happening. He said he believes that approval will set a bad precedent. Broadway will not be a vibrant place if residential development is allowed on the ground floor.

Lori Mowder tenant of 404 Broadway unit A said she only learned of the appeal recently as well and that she is concerned about parking. She asked where the residential tenants would park their vehicles. She said that she can't imagine that the tenants of the building will not have a vehicle.

Kroner added that the appeal process does not require public noticing.

Shawn Bruckman owner of the lot behind the property in question said Broadway is different than the Central Business District for good reason. She said she believes that lower floors should be designated for businesses.

Mr. Nudell asked if he could address the comments. He said there are a few reasons the project was originally designed with ground floor residential. He said he was previously told by Town staff they could include ground floor residential through the special use permit process. He stated that the units would be for sale and he wants to be able to provide accessible units and would be required to install an elevator if the ground floor units were not allowed which would be cost prohibitive. He said that he believes that the proposal is in keeping with the spirit of the code because the ground floor residential units will be located on the back of the property and not facing Broadway. He said that larger retail units are not viable on Broadway.

DELIBERATION

Commissioner McFall said that he thinks that it is difficult to know what the original intent of the code was when it was written. He said he thinks that the intent is for store fronts on Broadway which this project includes, not simply ground level residential. Regarding parking, McFall said that downtowns are different animals. If any redevelopment is to happen on Broadway, it is not realistic to expect that sufficient parking would be achieved on site for each property on Broadway. He said that he is not really troubled by lack of off-street parking spaces on projects like this. He said that he thinks the applicant has responded well to the direction of past town staff. He said that he tends to look favorably on the appeal but wants to hear the opinions of the other commissioners.

Commissioner Nutkins said that he agrees that the intent of the code provision is to have storefront on Broadway. He said that he is concerned with the parking and that residential parking will be taking up parking for the commercial retail spaces. He said that he thinks it is a good practice to include residential projects in the downtown area, but that parking requirements need to be observed. He said the two units on the ground floor with this project would contribute to the lack of parking.

Commissioner Perkins said that he supports the appeal because of the staff direction that was given to the applicant when he started his application. He said he is more concerned with downtown vibrancy than parking. He said he supports the appeal.

Commissioner Gregg said that he agrees with McFall that the residential units in the back of the building does not detract from the spirit and intent of the code for commercial fronting Broadway. He said he thinks there should be more parking. Commissioner Gregg said he would support one ground floor unit.

Commissioner Richards said that he agrees with Gregg about the parking. And agrees with McFall on the intent of the code with commercial fronting Broadway. He said he has an issue with the parking would like to see more on-site parking included in the project.

Commissioner McFall added that today at 1pm he observed a total of two cars parked on Broadway.

Commissioner Richards added that there is no overnight parking allowed on Broadway anyway and therefore would not be ideal for residential use.

Commissioner Nutkins said that he drove by just before the meeting and observed six cars parked on Broadway near the site in question. He said if the Town keeps allowing parking variances without provided public parking areas, they are just kicking the can down the road.

Commissioner Richards said that he agrees with Commissioner Nutkins that the developer needs to mitigate the parking somehow. He noted that the parking on the side streets off of Broadway frequently fill up.

MOTION

Commissioner Gregg made a motion to modify the appeal to include only one residential unit on the ground floor. Commissioner McFall seconded. Commissioner Richards, Gregg, and McFall voted in favor. Commissioners Nutkins and Perkins were opposed. The motion passed three to two.

There was discussion about how to proceed.

Mr. Nudell was asked to come forward with comment on how he could redesign in accordance with a modification to the appeal.

He thanked the commissioners for their consideration.

Nutkins requested that more space for on-site parking be included in the revisions.

Nudell said that he could see doing tandem parking spaces.

Kroner added that the parking requirements could be met off site through a lease agreement with another property owner. She encouraged the applicant to look into this option.

DR19-03- 410 Broadway Development

Commissioner Richards opened file DR19-03, a request for a Minor Development Permit to construct a mixed-use building with 1800 sf of commercial space and 10 residential units in the Broadway Overlay District.

STAFF REPORT AND PRESENTATIONS

Q & A

PUBLIC COMMENT

Mr. Russell Gies, owner of 404 Broadway unit C said that he has an issue with the parking. He asked Kroner what the parking requirement is for commercial use. She indicated that there are no parking requirements for commercial use. He said that residential use will need parking and said that there is inadequate parking in the area as is. It will become a problem down the road when other developments move forward, Gies said. He wondered where else residents park would park if other developments ever were proposed in the surrounding area. He said that the Town has got to pay attention to this. Property owners should not have the expectation that they do not have to provide parking for their developments.

Kroner acknowledged that parking downtown needs to be addressed by the Town. She said staff is looking into management and enforcement methods. If there is a parking problem downtown, Kroner said that could be a good thing for the Town from an economic health perspective. She said there are several mechanisms that communities can use to address the issue.

Commissioner McFall said that the commissioners are aware that there needs to be a solution to the issues of parking.

DELIBERATION

Commissioner McFall made a motion to continue file DR19-03 and Commissioner Nutkins seconded. All voted in favor.

ADJOURN

Commissioner McFall made a motion to adjourn and Commissioner Perkins seconded. All voted in favor. The meeting adjourned at 8:06PM.

Date Jason Cowles – Planning and Zoning Commission Chair

Date Dawn Koenig- Admin Technician



To: Planning & Zoning Commission

From: Jessica Lake

Date: November 5, 2019

Agenda Items: Special Use Review for 56 Market Street (Aspen Prep Preschool) SU18-06

REQUEST: The Special Use Permit approved for Aspen Prep Preschool states “The Special Use Permit shall be subject to review by the Planning Commission at a properly noticed hearing to be held on or about one year from the date of this Resolution.”

BACKGROUND: On October 23, 2018, the Board of Trustees passed a resolution approving a Special Use Permit for 56 Market Street (Aspen Prep) to operate a preschool. This resolution listed conditions that must be met in order for the school to continue on. The conditions of approval for the Special Use Permit are as follows:

- a) Prior to commencing preschool operations, the Applicant shall provide a copy of the license from the State of Colorado for a child care facility, and a copy of the license shall be included with each annual business license renewal application thereafter;
- b) A dedicated loading area is not required;
- c) The School shall be responsible for managing on-site traffic during peak pick-up and drop-off times;
- d) The School shall assign 6 of the parking spaces immediately adjacent to the access off Market Street to employees only, and shall assign 6 of the parking spaces directly in front of the School for 15-minute drop-off and pick-up only, from 7:00 to 9:00 a.m. and from 4:00 to 5:30 p.m. on school days; and
- e) The Special Use Permit shall be subject to review by the Planning Commission at a properly noticed public hearing to be held on or about one year from the date of this Resolution.

ANALYSIS: Melissa Reed from Aspen Prep contacted Town Staff regarding the one-year review of her Special Use Permit. Town Staff has evaluated the conditions of approval and determined the following:

- a) The applicant has met the condition to provide the State license to the Town and has agreed to renew each year.
- b) The applicant has met this condition.
- c) The school is managing the parking and no complaints have been received.



- d) The school currently has 8 designated spots, 6 of which are designated for drop-off and pick-up and have signage designating them for 15-minute parking. The two additional spaces are currently designated for employee parking. As they are not at full student capacity they do not need 6 parking spots designated for employees only. Staff recommends that the School determine on site parking needs and have the flexibility to adjust as needed.
- e) The applicant has met this final condition.

TOWN DEPARTMENT COMMENTS: Comments from other departments were minimal. Police has been called once in recent months to respond to a person of question near the school. The police have not been contacted about parking issues, nor has community development.

COMMUNITY INPUT: This review of a special use permit was properly noticed in the Eagle Enterprise and sent to property owners within 250'. The Town has not received any public comments at of November 1, 2019.

RECOMMENDED ACTION OR PROPOSED MOTION: Staff acknowledges review of SU18-06 and finds that the applicants are meeting the conditions of approval.



CERTIFICATE OF RECOMMENDATION

TO: Planning & Zoning Commission

FROM: Department of Community Development

DATE: November 5, 2019

PROJECT: Tumbleweed Medical Special Use Permit

FILE NUMBER: SU19-04

APPLICANT: Mark Smith, Tumbleweed Eagle LLC

LOCATION: 12 Eagle Park East Drive

ZONING: Commercial General (CG) District

EXHIBITS: A: Application and Narrative
B: Plan Set
C: Site Photos

PUBLIC COMMENT: None received

STAFF: April Kroner, AICP, Community Development Director

REQUEST: Request for a Special Use Permit to operate a medical marijuana store at 12 Eagle Park East Drive

PROJECT DESCRIPTION & BACKGROUND

The applicant is requesting a special use permit for a medical retail marijuana store at 12 Eagle Park East Drive. In 2014, the applicant had received approval for a retail marijuana store, retail marijuana cultivation facility, retail marijuana product manufacturing facility, medical marijuana cultivation facility, medical marijuana infused product facility and a medical marijuana center to be located at 1125 Chambers Avenue. In 2016, a major development permit was approved for a 4,000 square foot commercial building for these approved uses at 1125 Chambers Avenue, however it was never constructed. Then, earlier in 2019, the applicant requested a Special Use Permit to relocate their recreational retail marijuana use from 1125 Chambers Avenue to 12 Eagle Park Drive East, which was approved by the Town in June of 2019.

The applicant would like to do the same for the medical retail marijuana use. Therefore, no additional marijuana uses are being requested within the Town of Eagle with this application.

The related permit the applicant is seeking is the following:

- SU14-09: Medical Marijuana Center not to exceed 2,000 square feet when combined with the approved retail marijuana store per Resolution No. 31 (2014 Series).

The proposed application would continue to comprise one (1) of two (2) allowed permits for retail marijuana stores (recreational & medical) in the Town as limited by the Code. The retail sales area of the marijuana store would occupy 1,332 square feet of the 2,000 square feet allowed for the combined medical marijuana center and retail marijuana store. The remaining building area includes 388 sf of office space and 523 sf of storage space.

Related Information

In 2018, the Town of Eagle updated the Land Use and Development Code to change the boundaries where marijuana related businesses (sales and cultivation) are permitted. The area is shown in Figure A below:

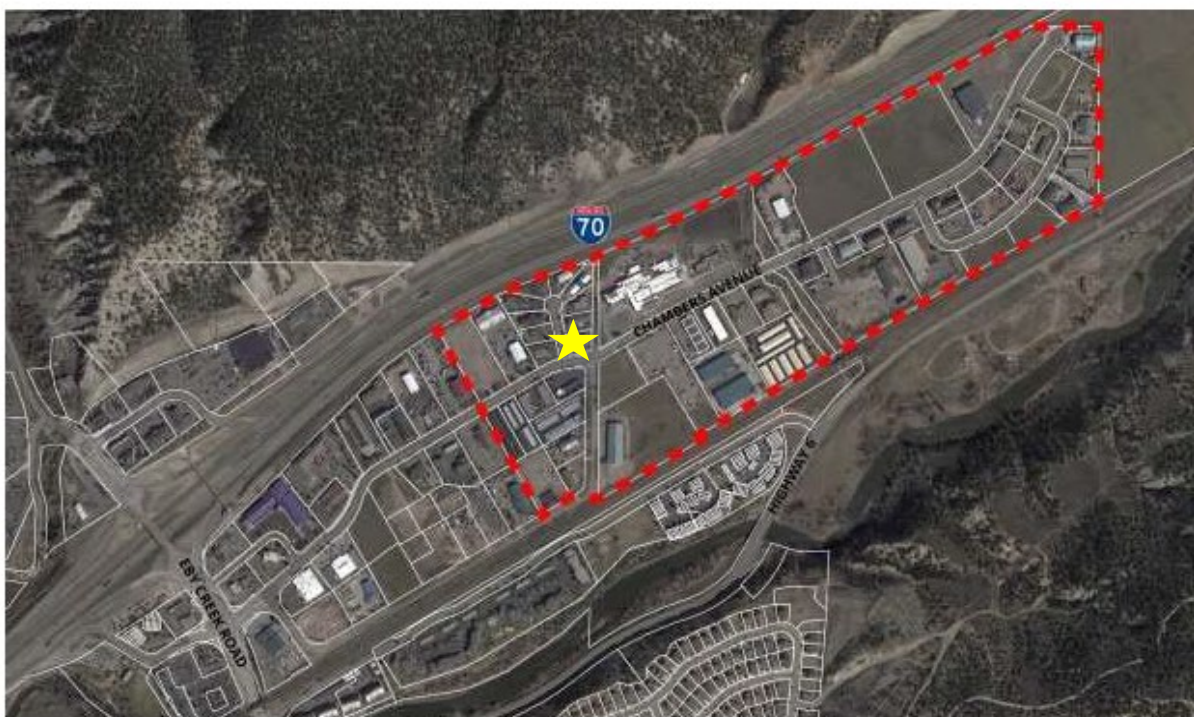


Figure A

The proposed relocation of the Tumbleweed Dispensary is within the established boundaries and noted as a star on the figure above. The site consists of one single story building. The applicant is not proposing any changes to the existing square footage of the building. Overall, the application is for a 1,322 square foot Retail Marijuana Store (both recreational and medical).

In addition, staff would like to note that the State of Colorado recently changed the state statute as it relates to marijuana sales, whereby effective January 1, 2020, a separate entrance is no longer required for medical and recreational retail sales. Retail sales for medical and recreational marijuana may be

contained within one location, there just must be a separate sales counter. Therefore, a separate entrance is not needed to accommodate the medical marijuana retail sales.

FINDING FOR SPECIAL USE PERMIT

A special use permit may be granted for a use in a particular zone district provided the Plan Commission and Council find the following:

- 1. The proposed use is consistent with the provisions of this Chapter and with the Town's goals, policies and plans.*

The Town of Eagle Land Use and Development Code permits the proposed uses as a Special Use on properties zoned Commercial General (CG) or Industrial (I) in a designated area (see Figure A above). The subject property is zoned Commercial General (CG) and is located within the designated area for these uses. Therefore, the proposed facility is in compliance with this section of the Land Use and Development Code.

Chapter 11 of the Eagle Area Community Plan (2010 EACP) discusses a variety of Goals, Policies and Strategies for encouraging Economic Development in the Town. Furthermore, Strategy B, under Policy 1.2 states "Work to create more local jobs and additional outlets for goods and services." Allowing for the existing retail marijuana business to relocate its retail operations helps to achieve several of the 2010 EACP goals and policies. Additionally, allowing utilization of one of two permitted retail marijuana special use permits within the Town per Section 4.04.100(U) of the Town Code enables the Town to further bolster its local economy and provides for a competitive regional advantage as supported by the 2010 EACP. Lastly, facilitating reinvestment into a vacant commercial building for new sales-tax generating purposes implements economic vitality strategies set forth in the Town's Strategic Plan.

Approval of this special use permit would continue to forward the objectives of the Town's goals, policies, and plans.

- 2. The proposed use is compatible with existing and allowed uses surrounding or affected by the proposed use.*

The proposed use is only allowed as a special use permit in the CG and I zoning districts, and must be located along Chambers Avenue, which greatly limits the available suitable locations for such a use. As such, it is determined that the proposed use is compatible with the existing and allowed uses surrounding this site as the code has predetermined this specific corridor to be the only appropriate location for this use within the Town.

The surrounding uses of the proposed property include a variety of general offices, a dental office, a dog daycare facility, auto repair shops, warehouse sales and distribution for HVAC and construction companies, and outdoor and indoor storage areas. Less than 250 feet west of this property is the approved new location for Sweet Leaf Pioneer, the Town's first retail marijuana establishment.

This finding is met with this application based on the items above.

3. *Street improvements adequate to accommodate traffic volumes generated by the proposed use and in provision of safe, convenient access to the use and adequate parking are either in place or will be constructed in conjunction with the proposed use, as approved by the Town.*

Staff completed a review of the site circulation, street network, and parking, when the special use permit for the recreational retail portion was transferred to this site earlier this year. The site appears to have the appropriate infrastructure to accommodate the proposed use. Staff has reviewed the parking required for the entirety of the proposed project under the use categories for Industrial Uses (Section 4.07.140 C.4) as it appears that the proposed uses are aligned most closely with that category.

Use Category	Square Footage (approx.)	Parking Required
Office Space	388	2
Warehouse – Storage	523	1
Retail Sales (recreational marijuana store)	1,332	5
Total	2,243	8

Eight (8) parking spaces are required to adequately serve the development. Sheet A1.1 (Exhibit B) shows eight (8) proposed off-street parking spaces. One (1) of the eight (8) spaces is ADA compliant, which is required by Code. At the time of prior review, staff identified areas where circulation could be improved to reduce congestion of the site during busy times, a particularly important consideration for the highly trafficked Chambers Avenue Area. These included allowing access onto the property via Chambers Avenue or Eagle Park East Drive, while prohibiting exiting of the property directly onto Chambers Avenue as well as providing the appropriate ingress/egress signage. This has been addressed with the applicant and on the plan, however staff believes a condition limiting access from the property directly onto Chambers Avenue should still be called out as part of the approval to ensure that is a requirement so long as the use is active.

Staff finds this item can be met with a condition that restricts direct access onto Chambers Avenue from the property.

4. *The special conditions for specific uses, as provided in the code, are met.*

The Land Use & Development Code identifies special conditions for the proposed use (retail marijuana store, medical & recreational). The specific conditions outlined in the code are all met per the proposal.

PUBLIC NOTICE AND COMMENTS

The public hearing for the Special Use Permit request was publicly noticed in accordance with the applicable public notification requirement of the Eagle Land Use and Development Code. No public comment has been received.

STAFF RECOMMENDATION

Staff recommends **approval** of SU19-04 Tumbleweed Medical Marijuana Store Special Use Permit, **with the following conditions:**

1. Occupancy of the property for the approved use shall not be permitted prior to the issuance of State of Colorado Licenses for the references uses.
 2. The Chambers Avenue access shall not be permitted for exiting the property.
 3. The Applicant shall apply for a building permit within one (1) year of this approval or the special use permit shall expire.
-



CERTIFICATE OF RECOMMENDATION

TO: Planning & Zoning Commission

FROM: Department of Community Development

DATE: November 5, 2019

PROJECT NAME: 106 Broadway Mixed-Use Development

FILE NUMBER: DR19-04 106 Broadway

APPLICANT: Joanna Hopkins, Hopkins Development Strategies (on behalf of Owner, 106 Broadway, LLC)

LOCATION: 106/116/120 Broadway Street

ZONING: Central Business District (CBD); Broadway District

EXHIBIT(S):

- A. Application Form and Project Narrative
- B. Development Plan Set
- C. Civil Plans

PUBLIC COMMENT: No public comment received at time of packet publication.

STAFF CONTACT: April Kroner, AICP, Community Development Director

REQUEST: Minor Development Permit for a 3-story mixed-use building with ground floor commercial and residential uses on 2nd and 3rd floors.

PROJECT DESCRIPTION

The '106 Broadway' Project proposes a mixed-use commercial/residential development on the three lots currently encompassing 106, 116, and 120 Broadway Street, at the prominent corner of Grand Avenue and Broadway Street, the north entrance to the Broadway District. The development will consist of commercial uses on the ground level and residential uses above as follows:

- Ground floor: commercial retail = 3,700 sf
- Ground floor: four studio spaces (three 575 sf and one 561 sf) = 2,286 sf
- Upper floors: Twenty residential for-sale condominiums, 10 on each of the 2nd and 3rd floors. 16 will contain 2-bedrooms and four will contain one bedroom. Two of the condo units will be LERP units as required per the Town's ordinance.
- Rooftop access is proposed for both residents and business owners for year-round gathering space.
- The building contains an elevator to provide accessible access to the residential units.

It is the intent of the applicant to complete the project at one time. The town has classified the project as a minor development.

CONFORMANCE WITH THE TOWN'S GOALS, POLICIES, AND REGULATIONS

The proposed project supports the vision and goals identified in the Town's various planning and guiding documents as follows:

2010 Eagle Area Community Plan

- Chapter 4: Future Land Use Map
 - a. Future Land Use Map designates the property as Historic Town. The proposed development complies with the intent, character, and land uses identified for this future land use area.
- Chapter 5: Special Character Areas – Town Center Area
 - a. The direction for development in the Town Center area is to encourage infill of a nature that is sensitive to the area's historical character. Mixed-use infill and redevelopment of appropriate design and character should be encouraged along Broadway.
 - b. New structures should be similar in scale and architecture to those that currently exist.
 - c. The detailed design guidelines and standards for both the Central Business District and the Broadway District should continue to be applied as redevelopment occurs to assure attractive structures that are compatible with the town's historic character and feel.
 - d. Encourage infill and the redevelopment of rundown, outdated or underutilized parcels on Broadway Street.
 - e. In commercial/retail areas, encourage mixed-use with retail, restaurant and entertainment uses on the ground levels and office, lodging and residential uses above.

Staff believes that this project meets the goals and objectives as identified in the Community Plan. The redevelopment of the site allows for greater utilization of the property and serves the Town's objective of maximizing economic activity and adding vitality to the Broadway District.

Town of Eagle Regulations - Land Use and Development Code

The Development Standards section of the Land Use and Development Code (Chapter 4.07) identifies the general standards to be met for all projects requiring issuance of a Development Permit. In addition, this project falls within the Broadway District, which has more specific provisions for development along this corridor (Chapter 4.07.060).

DEVELOPMENT STANDARDS

Lighting (4.07.010)

The lighting plan identifies a minimal need for lighting and proposes a total of eight wall-mounted fixtures. The locations of the fixtures on the building, and the cut sheet for the fixtures, still need to be provided for staff review. Decorative string lighting is also proposed along the south property above the pedestrian walkway. All lighting proposed must be dark-sky compliant and meet the requirements as set forth in the land use code.

Landscaping (4.07.020 & 4.07.070, 6)

Landscaping is not required in the Central Business District, as the district allows for 100% impervious coverage including up to 80% building coverage and 20% all other impervious areas. The applicant did however provide a landscape plan that identifies some plantings proposed on the site. The locations of the proposed landscaping include within the right-of-way along Grand Avenue and Broadway, as well as along the south property line in the area of the pedestrian walkway between the proposed studio spaces and the existing Red Canyon Café.

The proposed development incorporates landscaping along the Grand Avenue frontage in the public right-of-way to provide aesthetic enhancement. The proposed landscape treatment includes key design elements similar to those found along Broadway, including hardscape, planters and site furnishings.

Erosion & Sediment Control (4.07.030)

An erosion control plan was provided, and such plan has been reviewed and determined to be designed in conformance with the Town's requirements.

Broadway District Standards (4.07.060)

- *General Provisions & Goals and Objectives.* The general provisions of the Broadway District indicate that within the district, retail and commercial uses should be located on the first floor, with office, service establishments, and residential uses found above on the second and third floors. In addition, the character of development shall be referential to the business districts of traditional western slope communities and the state vernacular architectural style. The proposed project achieves these goals and objectives with regards to use and character.
- *Height:* The maximum building height allowed is 35' to any point on the building, except in the Broadway District for which a variety of situations are identified that may be allowed, including provisions for increased heights for corner treatments a street intersection. As proposed, the building height is 35', and then the corner extends to a height of 42', which is allowed with the code provision that corner treatments are allowed to exceed the height limit by no greater than 30% of the total building height. The 30% allowance would allow the corner treatment to extend an additional 10.5'; the plan proposes the corner extend 7', or 42' total along the corner.
- *Setbacks:* Front and side-yard building setbacks in the CBD/Broadway District are zero. The subject site is located on a corner and has two front yards (Grand Avenue and Broadway). Per the Land Use Code, when this situation exists, the property owner may elect which street frontage shall be designated as the front lot line for purposes of determining the rear yard only. In this case, the applicant has elected that the designated front yard for this purpose be that fronting

Grand Avenue, meaning the rear-yard is that along the south property line. There is a 25' rear yard building setback in the CBD per the Land Use code. The proposed rear-yard setback for this project is 12'. *This requires a design variance.* Staff supports the design variance as the CBD actually allows for 100% impervious area, and commonly communities have 0' building setbacks in all yards within the CBD. In addition, the ordinance already allows for buildings within the 25' setback (for a garage). The Town is currently updating its land use and development code and will be modifying standards in the Broadway District (and others), and it is likely the rear-yard setback will be eliminated.

- *Building Mass/Form/Orientation:* This section identifies that new construction shall maintain and reinforce the pattern of traditional building forms and shapes along the streetscape, and that front facades should create a rhythm of architecture and interest. In addition, the relation to human scale should be considered in the façade design. Staff believes the building meets this standard given that it is placed along the public sidewalk (no front setback), is traditional rectangular form, addresses the pedestrian scale and creates architectural interest. Staff encouraged the applicant to consider use of parapets along the Broadway Street frontage to result in some variation in building height/storefronts, however the applicant did not desire to make these changes (nor are they required). The resulting height variation would've been minimal, as the code only allows parapet walls to exceed the 35' height requirement by up to 4', but was identified by staff for consideration. The building exterior also incorporates opportunities for temporary or permanent art installations which will add to the pedestrian interest and character of the area. This standard is met.
- *Architectural Detail:* The proposed architectural details of the proposed building meet the recommendations for this district (there are 16 such details provided for in the land use code). These standards are met.
- *Building Material and Colors:* The exterior façade uses different materials, and colors inspired from nature, to create architectural interest. Materials used include predominantly stucco, wood siding, glazing and metal accents. These materials are very consistent with, and complimentary to, that of the Broadway Station project proposed to be constructed on the same block, and to the south. This conforms to the recommended materials identified for use in the Broadway District. This standard is met.
- *Parking and Access:* The general parking standards identified in Section 4.07.140 are not applicable to the Central Business Zone District or the Broadway District. The only parking requirements are those listed specifically for the Broadway District (4.07.060).

With regards to parking, the current land use code requires 1 parking space per residential unit to be provided on-site only when a retail or restaurant use has been established on the first floor. The project has been proposed as a mixed-use development including ground-level retail, and therefore is required to provide a total of 20 parking spaces, one for each proposed residential unit. A total of 20 parking spaces are proposed for the development project, located interior to the development site. One accessible parking space is provided as required. The proposed parking allows for one assigned parking space per residence. Parking for commercial uses will be provided on-street along Broadway and elsewhere within the Broadway District (i.e., side streets).

The parking spaces provided are proposed to be 9' wide x 18' long; the Town code requires parking space dimensions to be 9' wide x 19' long. *This requires a design variance.* Staff supports the design variance as national parking standards recommend parking spaces to be a minimum of 9' x 18', which this meets, and in order to accommodate the required parking on-site and meet the drive aisle requirements, this slight reduction in parking stall length is necessary. Parking for

residential uses has been a public concern, and therefore it is in the public interest to allow the design variance to accommodate the parking on site.

Access to the site parking is provided from the existing alley located on the east side of the site, which meets the Town's access requirement in the Broadway District. Town staff recommends the traffic flow through the alley be one-way, and allow for travel in a south to north direction only. The applicant will need to work with the public works department to ensure signage is provided.

Snow will be removed from the site as there is not room for on-site snow storage. A note stating such shall be placed on the Site Plan.

Lastly, the Broadway District requires that for parking lots with ten or more parking spaces, one deciduous shade tree shall be required to be planted in the interior of the lot for every ten spaces. All required shade trees shall be located within curbed, planted medians and/or islands to provide spatial definition and shade within paved areas. The proposed plan provides 20 parking spaces in the lot, which results in the need for two deciduous shade trees. *The applicant requests a design variance from this requirement.* Staff supports this design variance, as if the trees are to be required, needed parking spaces would be lost, and staff believes the public good would be better served by granting the design variance for the interior parking lot trees so that the required number of parking spaces can instead be provided on-site.

Fire Protection (4.07.150)

The proposed development shall comply with the provisions of the current fire code adopted by the Greater Eagle Fire Protection District. The development plans were provided to the Greater Eagle Fire Protection District for review and approval. Per the Fire District, the building will require a monitored fire alarm system that is located in the commercial spaces and common areas of the residential portion of the building. The building will be fully sprinklered per building code.

Utilities, Grading, and Drainage

The property will be serviced with existing town water and sewer lines. The engineering and public works team has reviewed the utility plans for this project and has some technical revisions that must be addressed by the applicant prior to issuance of a building permit.

In addition to the utilities, public works and engineering has met with the applicant regarding site grading and drainage considerations on the site, has requested some minor technical revisions to be made prior to issuance of a building permit.

Design Variance (4.07.160)

Design variances may be granted from the strict application of the code if a finding is made that there exists on the property in question exceptional topographical, soil, or other sub-surface condition, or other extraordinary conditions peculiar to the site, existing buildings, or lot configuration, such that strict application of the regulation from which the variance is requested would result in peculiar and exceptional practical difficulties to or exceptional and undue hardship upon the applicant; or that the public good would be better served by granting the variance.

Any design variance request shall be made and reviewed concurrently with the development plan and, if granted, shall be described and acknowledged in the development permit.

Staff recommends approval of the following design variances:

1. Rear-yard building setback of 12' (25' required, may be reduced if a garage is constructed in the setback).
2. Parking space dimensions of 9' x 18' (9' x 19' required).
3. Eliminate interior parking lot landscaping requirement (one deciduous shade tree to be planted in the interior of a parking lot for every ten parking spaces in parking lots with 10 or more spaces).

PUBLIC NOTICE AND COMMENTS

The public hearings were publicly noticed in accordance with the applicable public notification requirement of the Eagle Land Use and Development Code. No public comment has been received.

STAFF RECOMMENDATION

Staff recommends approval of the following design variances:

1. Rear-yard building setback of 12' (25' required, may be reduced if a garage is constructed in the setback).
2. Parking space dimensions of 9' x 18' (9' x 19' required).
3. Eliminate interior parking lot landscaping requirement (one deciduous shade tree to be planted in the interior of a parking lot for every ten parking spaces in parking lots with 10 or more spaces).

Staff recommends approval of Minor Development Permit DR19-04 for 106 Broadway with the following conditions:

1. Identify the locations of the lighting fixtures on the building, and provide the cut sheet for the fixtures, for planning staff review and approval prior to issuance of a building permit.
2. Final civil plan set will be revised to reflect final technical comments from the Public Works Department/Town Engineer.
3. Provide a note on the Site Plan sheet stating that snow will be removed from the site (as there is not room for on-site snow storage).
4. The building will require a monitored fire alarm system that is located in the commercial spaces and common areas of the residential portion of the building, per the Greater Eagle Fire District.
5. Work with the Public Works Department to ensure signage is provided to address one-way traffic flow through the alley.
6. A public facilities impact report must be submitted to the Town Planner for approval prior to development permit issuance.



TOWN OF EAGLE
COMMUNITY DEVELOPMENT
200 BROADWAY • PO BOX 609 • EAGLE, CO 81631
PHONE: 970-328-9655 • FAX: 970-328-9656
www.townofeagle.org

LAND USE & DEVELOPMENT APPLICATION

Pursuant to the Land Use & Development Code, Title 4

ZONING REVIEW	DEVELOPMENT REVIEW	SUBDIVISION REVIEW
☐ Special Use Permit	☐ Minor Development Permit	☐ Concept Plan
☐ Zoning Variance	☒ Major Development Permit	☐ Preliminary Plan
☐ Rezoning		☐ Final Plat
☐ Temporary Use Permit	PLANNED UNIT DEVELOPMENT (PUD) REVIEW	☐ Lot Line Adjustment
☐ Amendment to Zone District Regulations	☐ PUD Zoning Plan	☐ Condominium / Townhouse
☐ Encroachment Permit	☐ PUD Development Plan	☐ Minor Subdivision

PROJECT NAME 106 Broadway

PRESENT ZONE DISTRICT CBD/Broadway PROPOSED ZONE DISTRICT CBD/Broadway
(if applicable)

LOCATION

STREET ADDRESS 106/116/120 Broadway, Eagle, Colorado

PROPERTY DESCRIPTION

SUBDIVISION Amans Property, Parcels A&B LOT(S) 11, 12, 13 BLOCK 19
(attach legal description if not part of a subdivision)

DESCRIPTION OF APPLICATION/PURPOSE _____

APPLICANT NAME Joanna Hopkins, Hopkins Development Strategies PHONE 970.471.4945

ADDRESS PO Box 4388, Vail, CO 81658 EMAIL joanna@hdscolorado.com

OWNER OF RECORD 106 Broadway, LLC PHONE _____

ADDRESS PO Box 255 McCoy, CO 80463 EMAIL rgalloway@centurytel.net

REPRESENTATIVE* _____ PHONE _____

ADDRESS _____ EMAIL _____

*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):

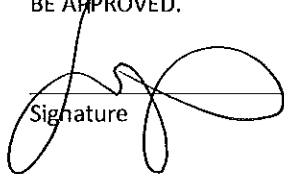
- ☐ Applicable fees and deposits.
- ☐ Project Narrative, describing the project, its compliance with any applicable review criteria, any impacts to the surrounding area, and any other relevant information.
- ☐ Surrounding and interested Property Ownership Report (see project specific checklist for more 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 

Date 8.30.19

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

106 BROADWAY

MAJOR DEVELOPMENT REVIEW

AUGUST 30, 2019

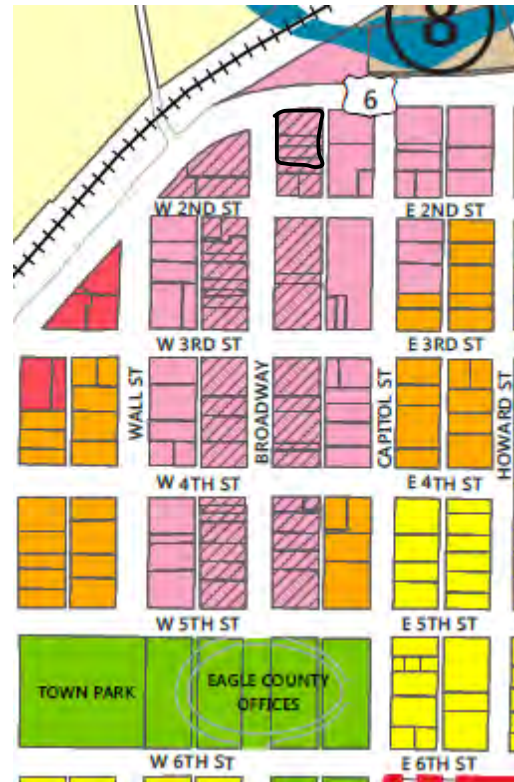
REVISED OCTOBER 31, 2019



106 Broadway

Project Overview

106 Broadway is located at the corner of Grand Avenue & Broadway in Downtown Eagle. This proposal includes three contiguous subdivided properties which are located in the Central Business District and subject to the Broadway Overlay District development standards. The overall concept for the plan is to create a high quality, distinct landmark mixed-use building to announce the arrival into downtown Eagle. Taking advantage of the visibility on the corner of Grand Avenue and Broadway, this proposal includes ground floor commercial, spaces for public art installations and incorporates residential units above to add density and vibrancy to the downtown core. Twenty for-sale condominiums are being proposed to add a housing product currently lacking in downtown Eagle including two properties which will be subject to the Local Employee Residency Plan (LERP). The residential component steps back from Grand Avenue to reduce highway impact.



Commercial space is located predominantly along Broadway. The proposal also takes advantage of the shaded green space between Red Canyon Café to create a pedestrian friendly row of commercial spaces ideal for art studios and light food and drink restaurant concepts. Access to the roof will provide the residents and business owners with prime gathering space. With the excellent orientation and solar exposure of the site, it can be utilized for much of the year. Select streetscape elements will continue from Broadway and transition along Grand Avenue to provide aesthetic and safety enhancements for pedestrians. One assigned parking space per residence will be provided on-site accessed via the alley and commercial parking will be provided through on-street public parking along Broadway. The project is being proposed as a single phase and will be sprinklered throughout. Existing water and sewer supplies are located in the alley and Broadway.

Design variances requested based on the design are as follows:

- Setbacks – requesting 12 foot rear setback on the southern property line to allow for additional commercial spaces

- Parking stall dimension – requesting 18 foot deep parking space dimension to allow for additional circulation space in the parking area
- Landscape requirement – requesting relief on the requirement for two additional trees to be planted due to number of parking spaces proposed.

Existing Site Conditions

The project site is currently home to commercial land and several businesses.



Existing Conditions Table:

Subject Properties	Lot Square Footage/Building Square Footage	Existing Land Use
106 Broadway	7,187 sq ft/2,027 building sq ft	Alpaca shop/auto consignment
116 Broadway	4,748	Vacant commercial
120 Broadway	4,748 sq ft/1,292 building sq ft	ArtSpace
Total	16,683 lot square footage	

Proposed Land Use:

Development Program	Permitted Uses	Proposed Uses	Proposed Square Footage	Compliance
Commercial	Ground floor commercial	Ground floor commercial	6,000 gross sf	YES
Residential	Second & Third floors only	For sale condominiums	21,990 gross sf 16 - 2 bedroom 4 – 1 bedroom	YES

Local Employee Residency Plan (LERP)	Required for projects adding 10 housing units	Two units will be deed restricted to resident occupants		YES
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Central Business District

Broadway District

Goals and Objectives

The vision for the Broadway District is ‘to create a vibrant business district based on traditional architecture, urban planning and design principles’. The design team incorporated each of the goals and objectives into the site plan and architecture.

Preserve the character and integrity of the Broadway District by promoting appropriate architecture and site planning

Strengthen visual continuity of the streetscape by enforcing setbacks and controlling building orientation

Reinforce the traditional character of the town by incorporating traditional building materials and native plant material in new development

The buildings and site plans should be referential to traditional western slope communities and the Colorado Vernacular Architectural Style, but a strict period replication is not the intent of this section

The district and each individual building should enhance the overall goals and objectives and be appropriate to today’s lifestyles.

There should be a sense of simplicity and repose in the building mass without creating buildings that are too busy or eclectic

Residential units, lofts and offices should be located above retail, restaurant and commercial uses. Residential use is not allowed at the street level or basement level for new construction or renovated buildings.

The character of storefronts should be carefully considered to include higher ceilings in the first floor spaces, signage, canopies, awnings and the appropriate window fenestration.

Building character in this area is extremely important. The look and feel of this district taken as a whole is intended to be comprised of distinctive qualities that will establish its identity and create a desirable place to spend time.

Roof and parapet forms can provide interest, scape richness, and height variation to the buildings. These forms should also be utilized to screen unsightly mechanical systems and appropriate direct snow and water removal from the buildings. Steps should be taken so that these – and any other – building forms do not pose a falling ice or snow hazard to users, passersby, or adjacent property.

Setbacks

106 Broadway is designed with a zero lot line setback along Broadway to enhance the pedestrian experience and a variable setback along Grand Avenue following the building articulation. The 12 foot side setback along Red Canyon Café allows for pedestrian access to the commercial uses along the southern property line.

Proposed:

- 0' – 4.5' Grand Avenue setback
- 0' Broadway setback
- 0' side (alley) setback
- 12' rear setback

Height

106 Broadway is a proposed three-story retail and multi-family residential building. The Broadway District provides for two design scenarios to maintain proper proportions with existing structures. 106 Broadway follows 'scenario one' utilizing a thirty-five (35) foot height limit. The corner architectural treatment reaches 42' in height, and at 7 feet, is less than 30% of the building height.

Building Mass/Form/Orientation

The building, anchored at the corner of Grand Avenue and Broadway, will address both streets



and features an angled entrance. The façades carry a distinctly different design and rhythm along both streets. Grand Avenue elevation progresses from a two-story to a three-story structure at the corner and incorporates several opportunities for temporary or permanent art installations and visually interesting streetscape improvements to draw drivers and pedestrians into the town core. The Broadway elevation includes several storefronts and residential uses articulate to break up the overall building mass. Each residence has a deck or Juliette balcony which contributes to building articulation.

Building Materials

A combination of materials will be utilized to break the façade on both Grand Avenue and Broadway, including stucco, wood siding, glazing and metal accents. A strong, wooden base is reminiscent of many Colorado mountain town buildings.



Landscape/Pathways/Furnishings/Fencing/Site Lighting

The Broadway Streetscape improvements completed by the town of Eagle greatly enhanced the downtown district. The 106 Broadway design will incorporate some key design elements to transition from Broadway around to Grand Avenue to enhance the pedestrian experience, including hardscape, planters, site furnishings and lighting.

Parking

The town of Eagle recently completed a parking study for the Central Business District to better understand the current parking uses in the Central Business District and around 106 Broadway. The use of two hour parking along Broadway encourages turnover for shopping and restaurant uses. Demand for spaces in the Central Business District is highest during the mid-day hours and diminishes greatly in the evening. This proposal satisfies the residential parking requirement and is also consistent with the allowed use of existing on-street parking for commercial uses where commercial uses are pre-existing.

Proposed Off-Street Parking: 20 assigned spaces, 1 accessible space

On-Street Parking: Commercial uses

Bike storage/parking will be provided on-site as well as proximity to public transit (located 3 blocks away) will encourage the use of multimodal transportation.

Signage

Project signage will be affixed to the building, meeting the minimum clearances for pedestrian traffic and compliant with the square footage maximum.

Color

Colors are warm, earthy and inviting, blending well with the existing structures along Broadway.

IMPROVEMENT LOCATION CERTIFICATE
LOTS 11 THRU 13, BLOCK 19
TOWN OF EAGLE | PARCEL A & B, AMAN'S
PROPERTY
TOWN OF EAGLE,
COUNTY OF EAGLE, STATE OF COLORADO

NOTES:

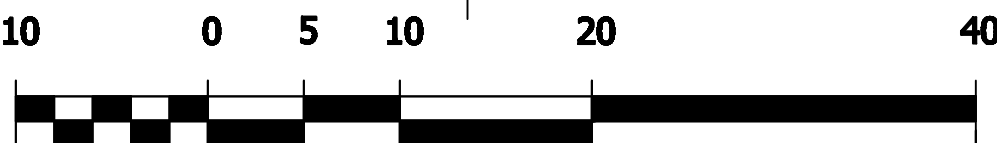
- 1) Legal Description and Deed Lines were derived from the final Plat of Town of Eagle and Amen's Property as filed in the Office of the Eagle County Clerk and Recorder.
- 2) Improvements and Apparent Deed Line locations are based upon monuments found during the time of this survey as shown hereon.
- 3) This Certification was performed without the aid of a Title Commitment or Title Policy.
- 4) This Certificate was prepared for the exclusive use of Richard Galloway and is valid only if print has original seal and signature of surveyor.
- 5) Lineal Units of the U.S. Survey Foot were used herein.
- 6) Date of field work: May 27, 2010.
- 7) Highway 6 right of way shown is based on record location provided by others, Archibeqe Land Consulting recommends a boundary Survey be performed due to a lack of boundary evidence on the parcel.

CERTIFICATION

I hereby certify that this Improvement Location Certificate was prepared for Richard Galloway, that this is NOT a Land Survey Plat, or Improvement Survey Plat, and that it is not to be relied upon for the establishment of fence, building, or other future improvement lines.

I further certify that on this date, August 6, 2018 the improvements depicted on the above described parcel, are entirely within the boundaries of the parcel, except as shown.

Theodore J. Archibeqe PLS 37902
Professional Land Surveyor

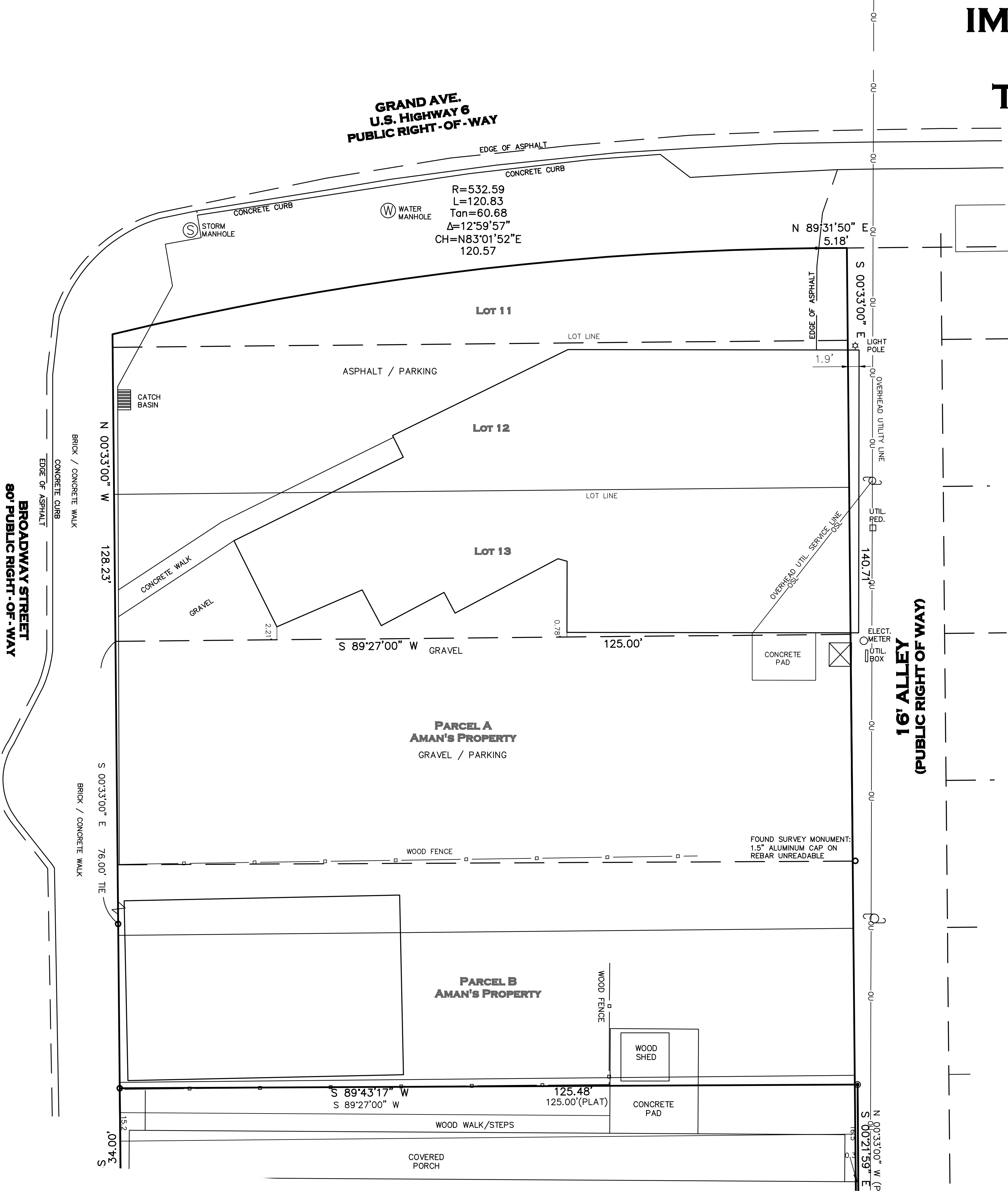


1 INCH = 10 FEET

Archibeqe Land Consulting, Ltd
~ Professional Land Surveying & Mapping ~
105 Capitol Street, Suite 5 - P.O. Box 3893
Eagle, Colorado 81631
970.328.6020 Office 970.328.6021 Fax

IMPROVEMENT LOCATION CERTIFICATE
LOTS 11 THRU 13, BLOCK 19
TOWN OF EAGLE | PARCEL A & B, AMAN'S PROPERTY
TOWN OF EAGLE,
COUNTY OF EAGLE, STATE OF COLORADO

DRAWN BY:	TJA	JOB NUMBER:	10124	DRAWING NAME:	10124ILC.DWG
SHEET	1	OF	1	DATE:	09-06-18



NOTICE: According to Colorado law you must commence any legal action based upon any defect in this survey within three years after you first discovered such defect. In no event, may any action based upon any defect in this survey be commenced more than ten years from the date of certification shown hereon.



Town Of Eagle

Retail & Multi Family Residential

DEVELOPER 106 BROADWAY, LLC.
EAGLE, CO 81631

DEVELOPER REPRESENTATIVE JOANNA HOPKINS
HOPKINS DEVELOPMENT STRATEGIES
PO BOX 4388
VAIL, CO 81658

ARCHITECT MAGGIE T. FITZGERALD, AIA
P.O. BOX 1328
EAGLE, COLORADO 81631
(303) 870-9397
maggieTfitz@gmail.com

CIVIL ALPINE ENGINEERING
P.O. BOX EDWARDS,
COLORADO 81632
(970) 926-

FLOOR AREAS SUMMARY:	
LEVEL 1 - RETAIL	6,000 GSQ. FT.
LEVEL 2 - RESIDENTIAL/APARTMENTS (10)	11,178 GSQ. FT.
LEVEL 3 - RESIDENTIAL/APARTMENTS (10)	10,812 GSQ. FT.
TOTAL FINISHED S.F.	27,990 GSQ. FT.

PROJECT SUMMARY:

NEW BUILDING :
3 STORIES, SLAB ON GRADE
FIRST FLOOR RETAIL & (20)RESIDENTIAL APARTMENTS ABOVE
16 (2) BEDROOM UNITS
4 (1) BEDROOM UNITS

OCCUPANCIES: GROUP M MERCANTILE /LEASABLE RETAIL SPACE
GROUP R-2 APARTMENT HOUSE
(M = 30sf/occ -gsf/30 = - occs)
(R = 200sf/occ -gsf/200 = - occs)
- TOTAL OCCUPANTS

CONSTRUCTION TYPE : 5A, FULLY SPRINKLERED

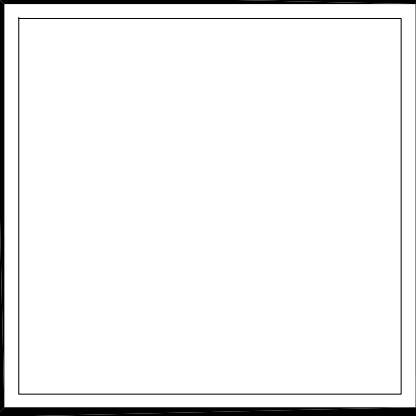
NUMBER OF STORIES : 3
BUILDING HEIGHT : 35'- 0" MAX., 42' AT CORNER ELEMENT

ZONING : COMMERCIAL HISTORIC DISTRICT - MIXED USE

LOT AREA : LOTS = 0.186 ACRES
SETBACKS: 0'

PARKING REQUIRED: CASE BY CASE ASSESSMENT
PARKING PROVIDED: 22 SPACES ON SITE TO INCLUDE (1) ADA COMPLIANT)
+ STREET PARKING ON BROADWAY

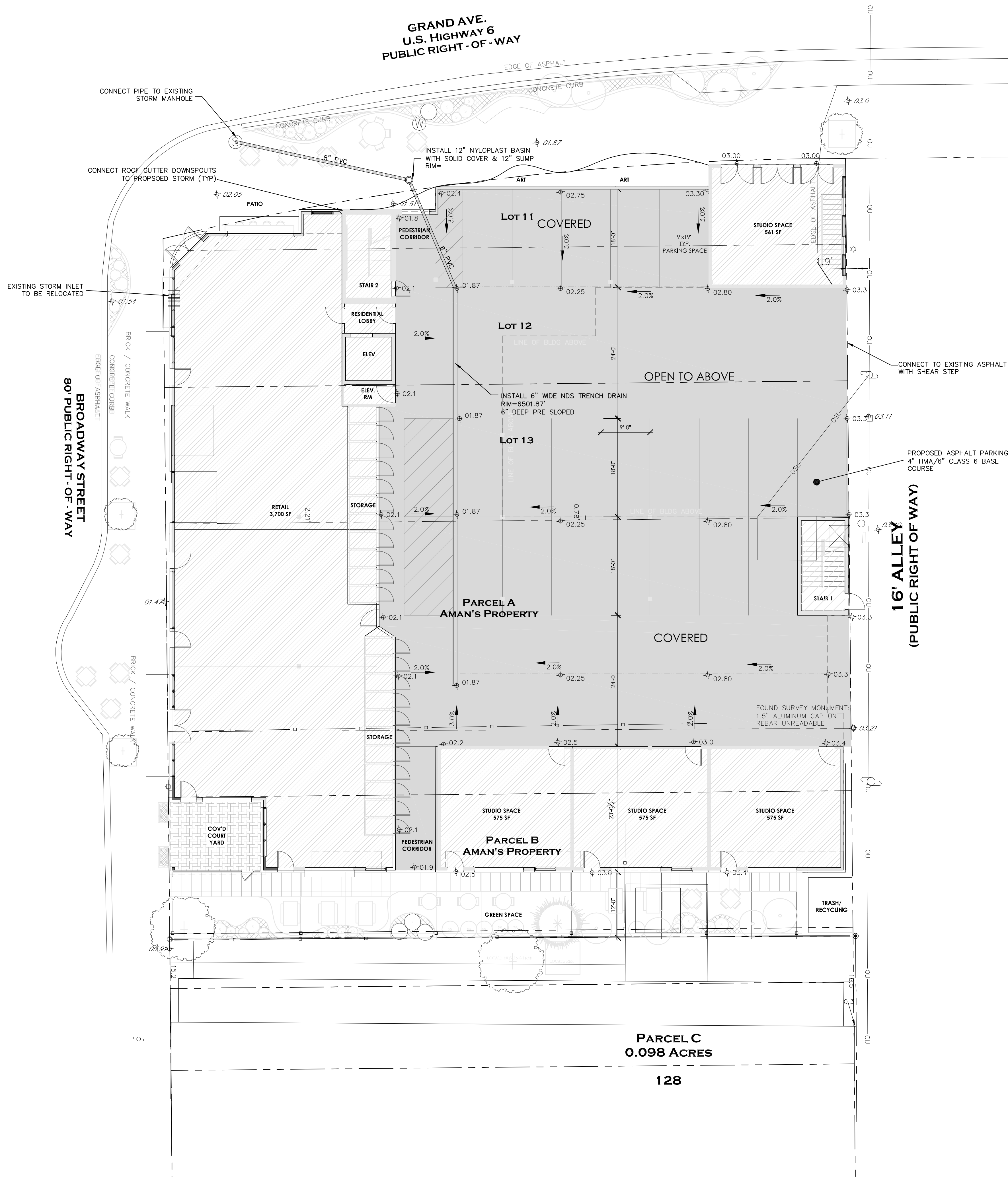
Maggie T. Fitzgerald, AIA
— architect —
P.O. Box 1328 Eagle, Colorado 81631
970.445.0486



DOG TOWN
106 BROADWAY AVENUE
EAGLE, COLORADO 81631
TOWN OF EAGLE

Issue:	Date:
PROGRESS SET	SEPT 19, 2018
PROGRESS SET	OCT 25, 2018
PROGRESS SET	JUNE 10, 2019
PROGRESS SET	AUG 23, 2019

A0.0
COVER SHEET

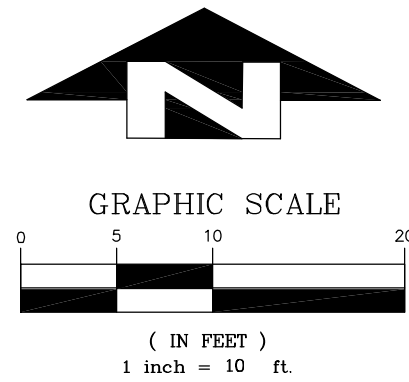


PRELIMINARY
August 09, 2019
NOT FOR CONSTRUCTION

TOPOGRAPHIC INFORMATION
WAS PROVIDED BY
ARCHIBUEQUE SURVEYING

CONTRACTOR SHALL DEVELOP A
MEANS AND METHODS TO CONTROL
SEDIMENT DURING CONSTRUCTION TO
ASSURE THAT NO SEDIMENT IS
DISCHARGED OFF-SITE.

GRADE TO DRAIN AWAY FROM
BUILDING IN ALL AREAS



LEGEND	
	PROPERTY LINE
	EXISTING CONTOUR
	EASEMENT
	PROPOSED CONTOUR
	PROPOSED GRADING, SLOPE/SPOT
	EXISTING SLOPE/SPOT
	PROPOSED STORM SEWER
	PROPOSED BOULDER RETAINING
	PROPOSED CONCRETE/ASPHALT
	PROPOSED CURB & GUTTER
	PROPOSED STRAW WATTLE

106 BROADWAY EAGLE, CO

GRADING PLAN

DESIGNER	DRAWN	CHECKED	JOB NO.	DATE
XXX	XXX	XXX	XXX	XX/XX/XXXX

NO.	DATE	REVISIONS	BY

SHEET
C1.0

Plant Schedule

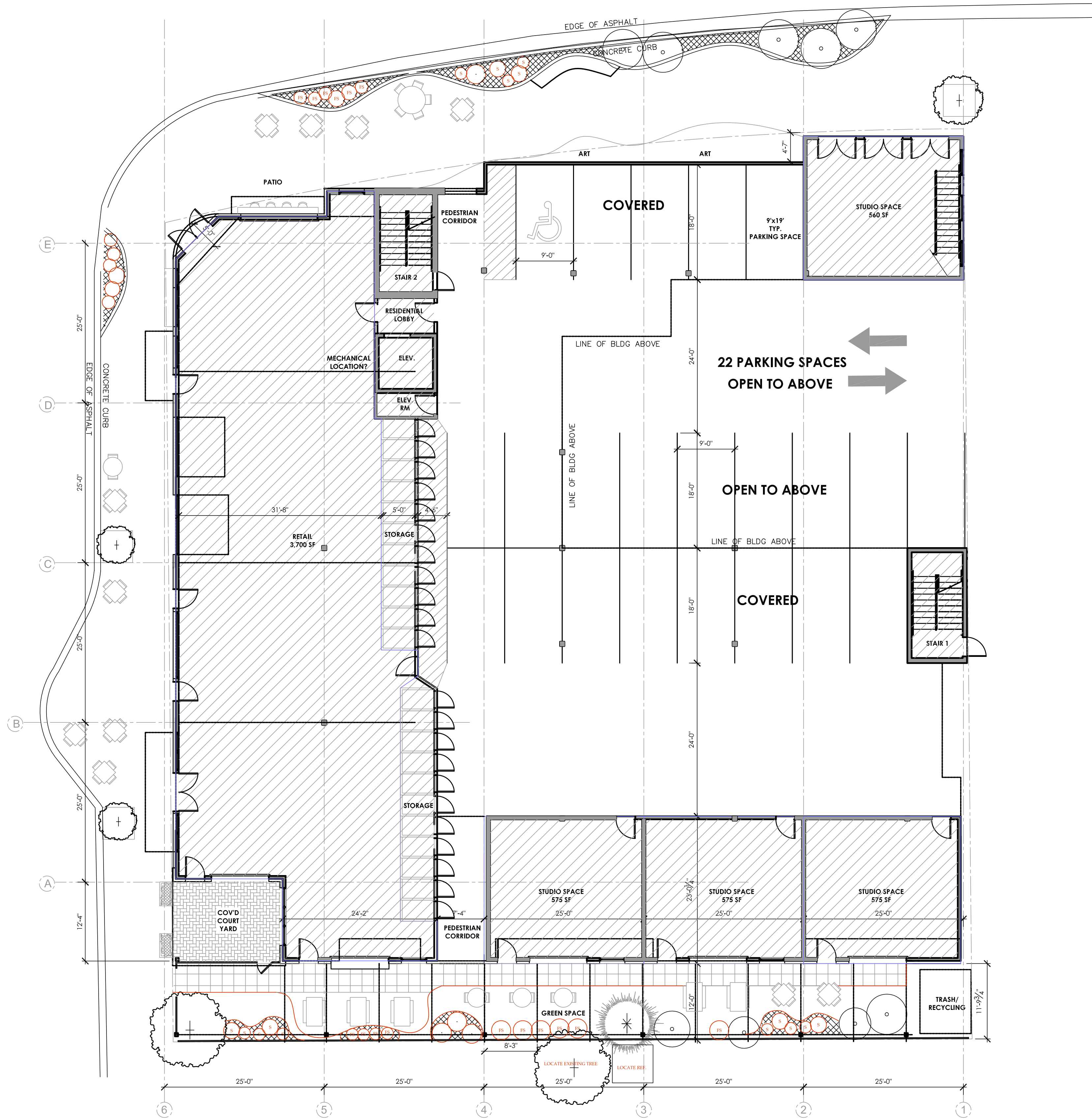
Symbol	Common Name	Scientific Name	Flower	Growth Height/Spread	Exposure	Count	Size
	Native Yellow Potentilla	Potentilla fruticosa	Yellow	2'/2'	Sun	3	5 Gal.
	Silver Sagebrush	Artemisia cana	Insignificant	3'-6'/3'	Sun	3	5 Gal.
	Ural False Spirea	Sorbaria sorbifolia	White	5'/7'	Sun/Filtered Shade	7	5 Gal.

	Mixed Perennials	1 Gal., 18" o.c.
	Gravel Cobble	Sq. Ft.
	Gravel Cobble/or Bark Mulch at beds, drip edge, Owner preference, verify	Sq. Ft.
	Native Grass Mix to Match Existing Grasses, Irrigated & Maintained	All Disturbed Areas

Exterior Lighting

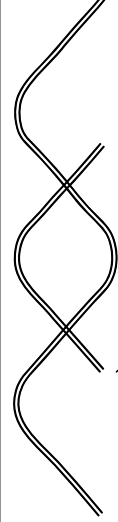
	HINKLEY 1660SK-LED	Luna 2 light 16" Satin Black Outdoor Wall Mount	8
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Grasses and
Groundcovers
Shrubs



SITE PLAN

SCALE: 1" = 10'-0"

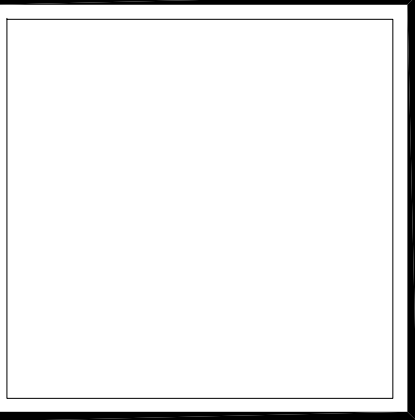


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DOG TOWN

106 BROADWAY AVENUE

EAGLE, COLORADO 81631

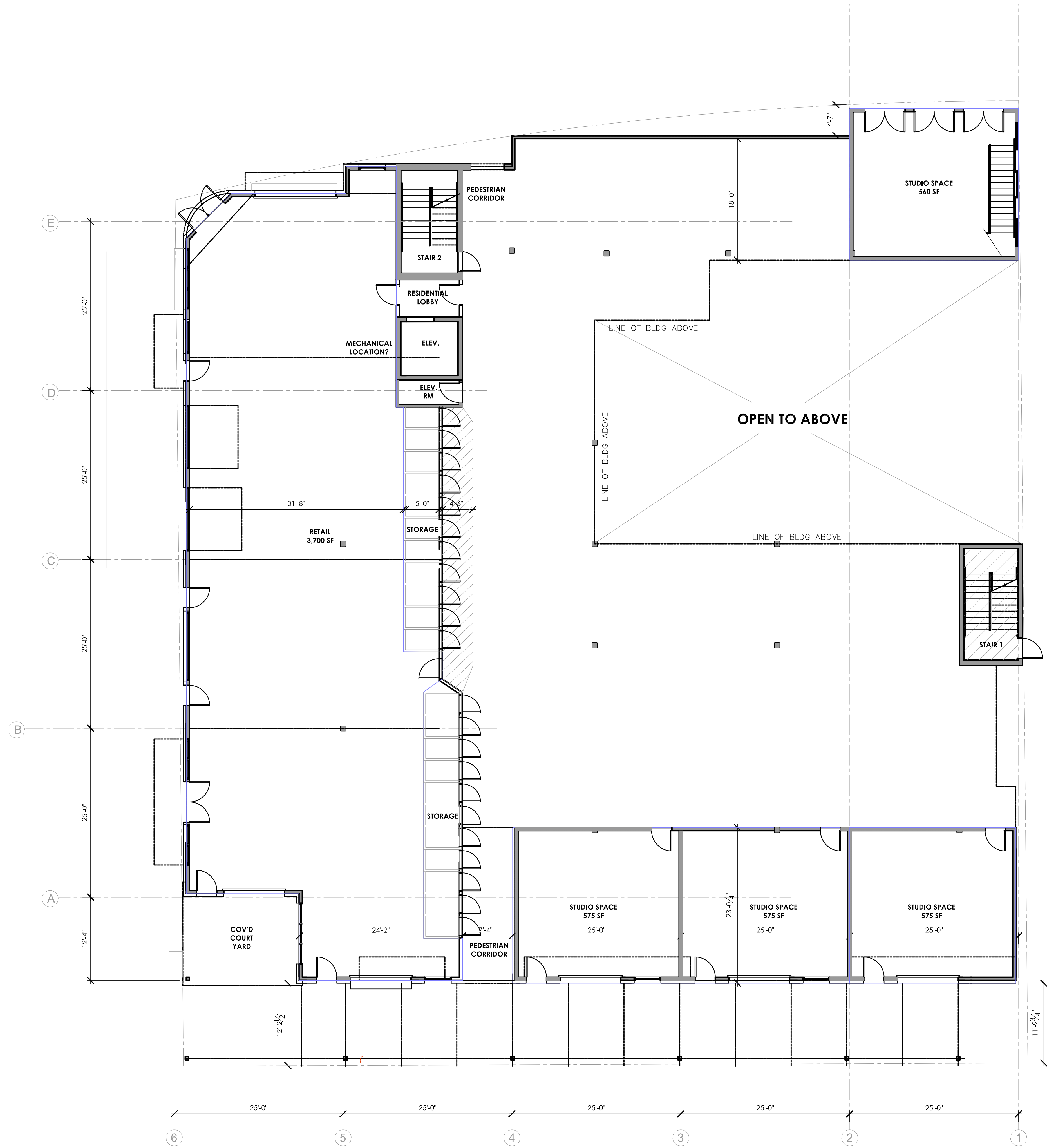
TOWN OF EAGLE

issue:	date:
PROGRESS SET	SEPT 19, 2018
PROGRESS SET	OCT 25, 2018
PROGRESS SET	JUNE 10, 2019
PROGRESS SET	AUG 23, 2019

A1.1

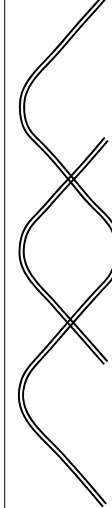
SITE PLAN

LANDSCAPE / LIGHTING

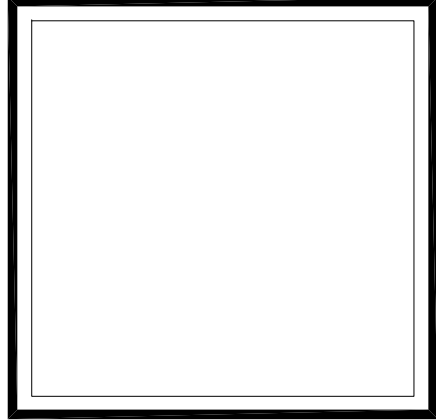


GROUND LEVEL FLOOR PLAN
1
A2.2

SCALE: 1/8" = 1'-0"



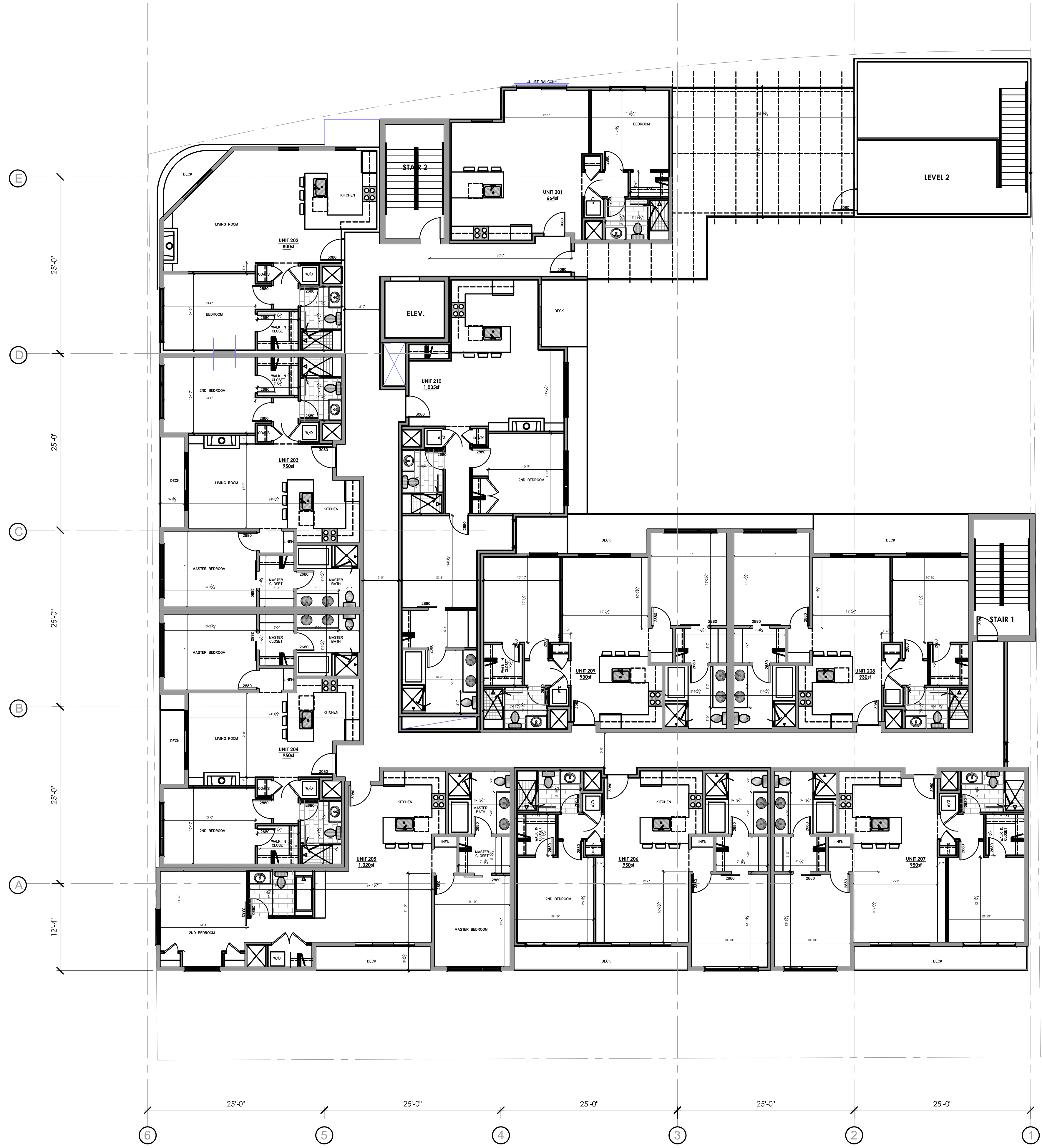
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970.445.0486



DOG TOWN
106 BROADWAY AVENUE
EAGLE, COLORADO 81631
TOWN OF EAGLE

issue:	date:
PROGRESS SET	SEPT 19, 2018
PROGRESS SET	OCT 25, 2018
PROGRESS SET	JUNE 10, 2019
PROGRESS SET	AUG 23, 2019

A2.1
MAIN LEVEL
FLOOR PLAN

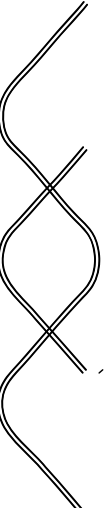


1
A2.2
SECOND LEVEL FLOOR PLAN
SCALE: 1/8" = 1'-0"

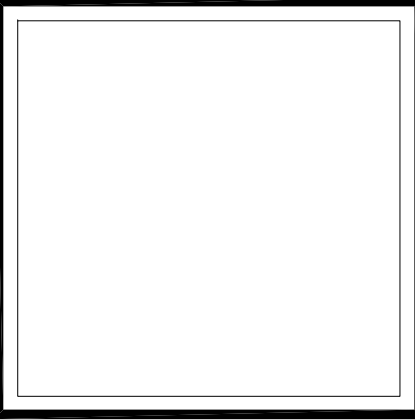
issue:	PROGRESS SET
	PROGRESS SET
	PROGRESS SET
	PROGRESS SET
date:	SEPT 19, 2018
	OCT 25, 2018
	JUNE 10, 2019
	AUG 23, 2019

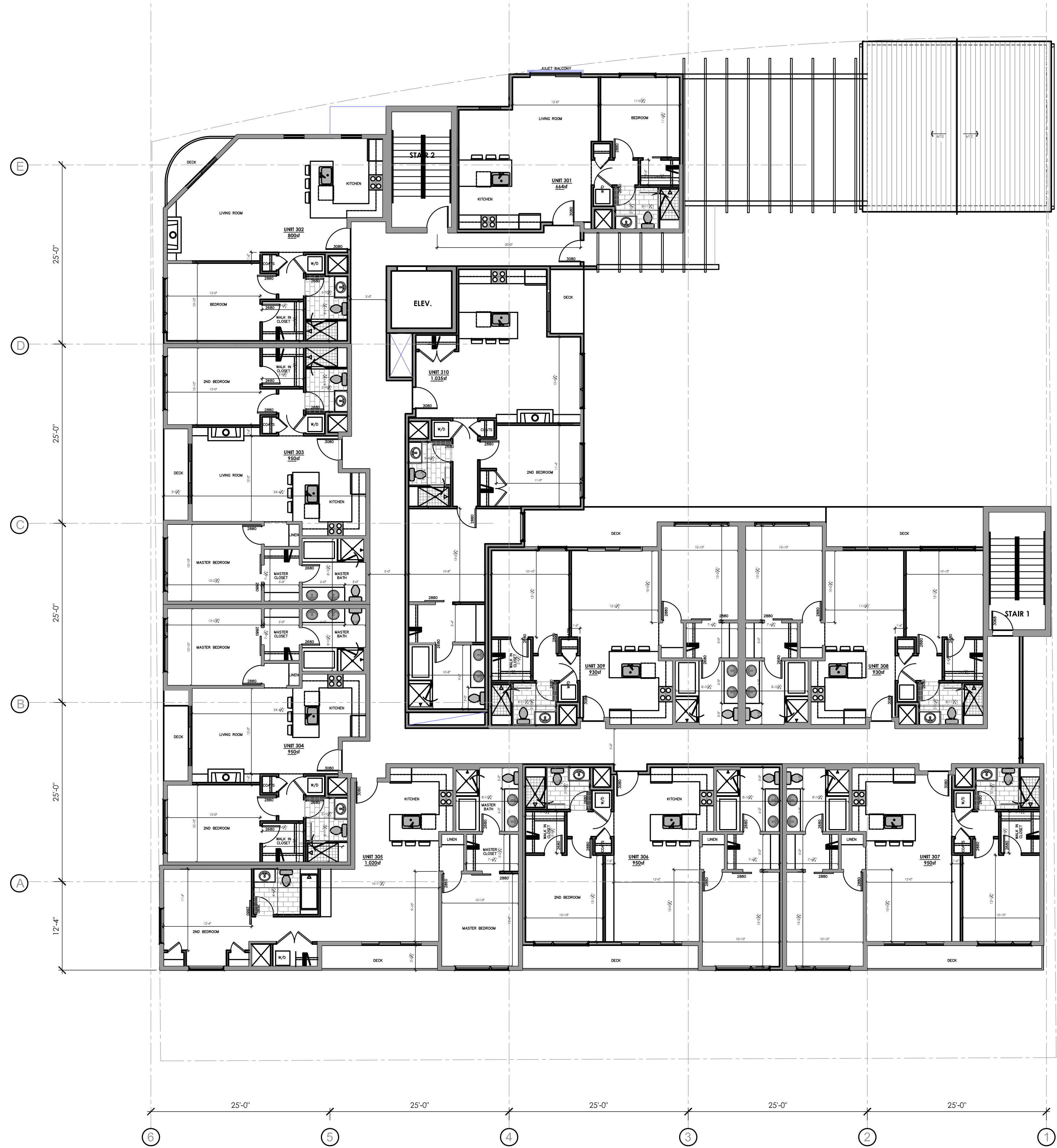
A2.2
SECOND LEVEL
FLOOR PLAN

DOG TOWN
106 BROADWAY AVENUE
EAGLE, COLORADO 81631
TOWN OF EAGLE

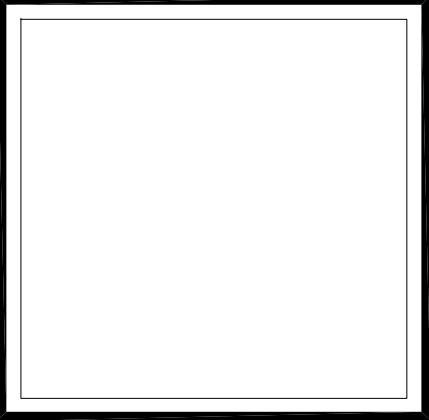


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1
A2.3 **LEVEL TWO FLOOR PLAN**
SCALE: 1/8" = 1'-0"



DOG TOWN
106 BROADWAY AVENUE
EAGLE, COLORADO 81631
TOWN OF EAGLE

issue:	date:
PROGRESS SET	SEPT 19, 2018
PROGRESS SET	OCT 25, 2018
PROGRESS SET	JUNE 10, 2019
PROGRESS SET	AUG 23, 2019



SOUTH ELEVATION - OPEN SPACE

1
A3.1

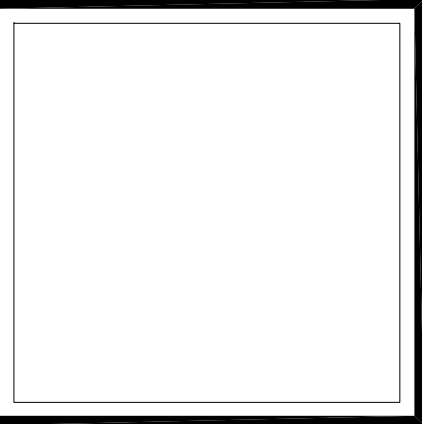
SCALE: 3/16" = 1'-0"



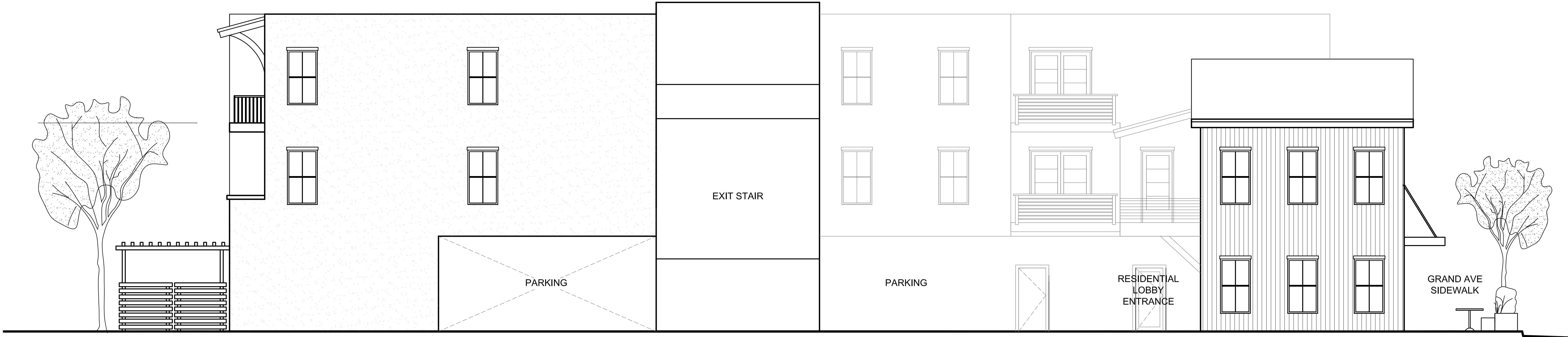
WEST ELEVATION - BROADWAY

1
A3.1

SCALE: 3/16" = 1'-0"



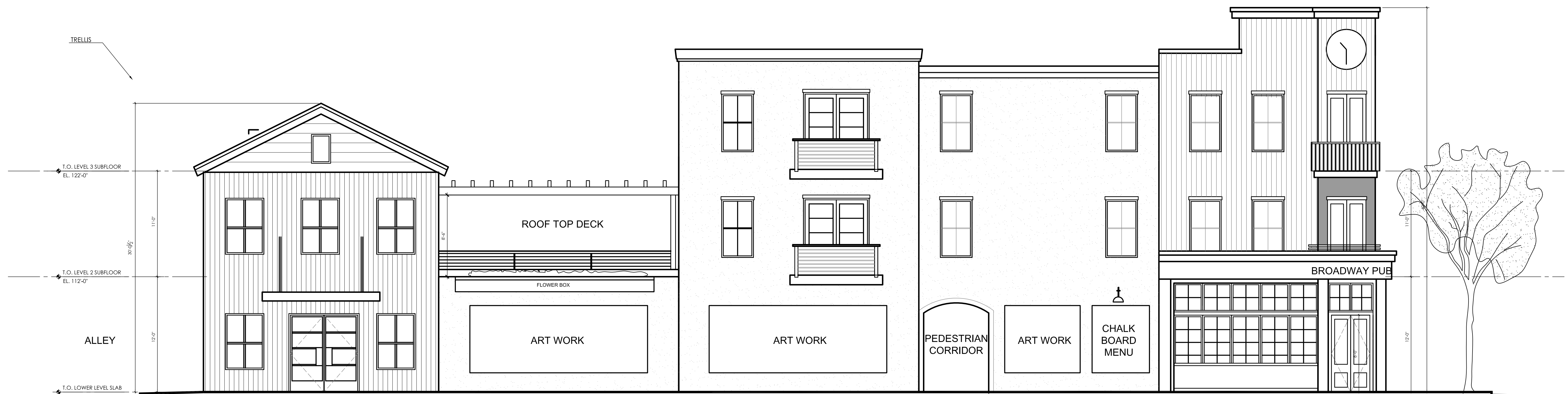
issue:	date:
	SEPT 19, 2018
	OCT 25, 2018
	JUNE 10, 2019
issue:	date:
	SEPT 19, 2018
	OCT 25, 2018
	JUNE 10, 2019
issue:	date:
	SEPT 19, 2018
	OCT 25, 2018
	JUNE 10, 2019



EAST ELEVATION - ALLEY

1
A2.3

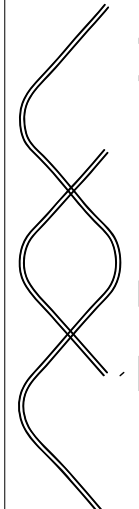
SCALE: 3/16" = 1'-0"



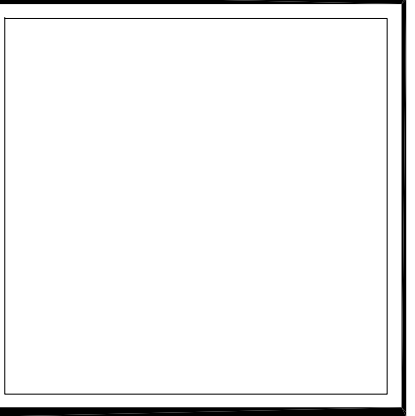
NORTH ELEVATION - GRAND AVE.

2
A2.3

SCALE: 3/16" = 1'-0"



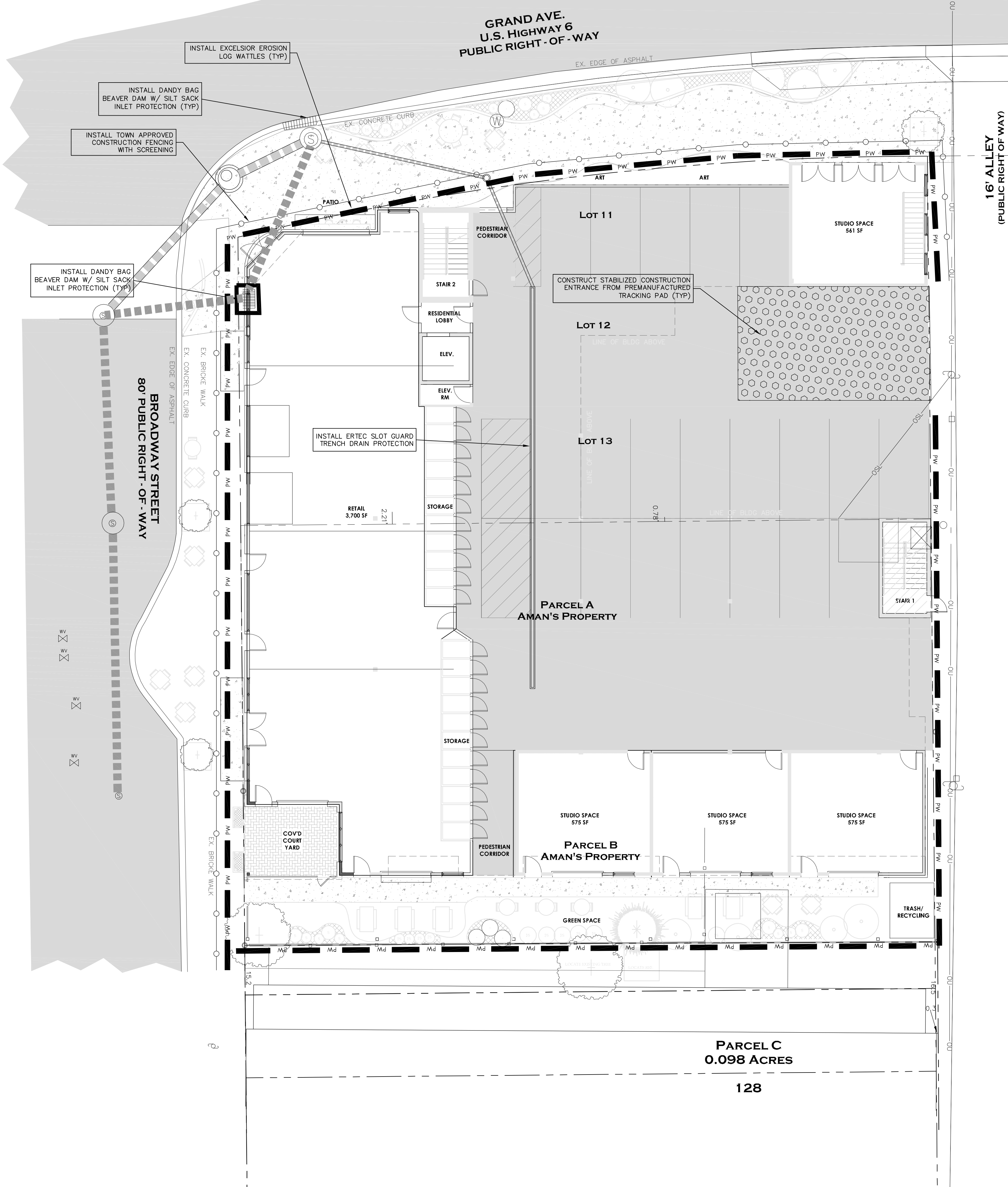
Maggie T. Fitzgerald, AIA
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P.O. Box 1328 Eagle, Colorado 81631
970.445.0486



DOG TOWN
106 BROADWAY AVENUE
EAGLE, COLORADO 81631
TOWN OF EAGLE

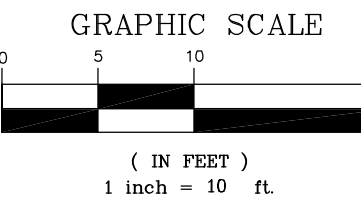
ISSUE:	DATE:			
	PROGRESS SET	SEPT 19, 2018	PROGRESS SET	OCT 25, 2018
	PROGRESS SET	JUNE 10, 2019	PROGRESS SET	AUG 23, 2019
	PROGRESS SET		PROGRESS SET	

A3.2
EXTERIOR
ELEVATIONS



- GENERAL NOTES FOR SEDIMENT CONTROL
1. CONTRACTOR SHALL SUBMIT A CONSTRUCTION STAGING & MANAGEMENT PLAN IDENTIFYING CONSTRUCTION FENCING, STAGING, STORAGE & CONSTRUCTION TRAILER LOCATION PRIOR TO COMMENCEMENT OF CONSTRUCTION ACTIVITIES.
 2. INSTALL AND MAINTAIN SEDIMENT CONTROL MEASURES IN ACCORDANCE WITH THESE PLANS AND AS NEEDED TO PREVENT SEDIMENT FROM DISCHARGING OFF-SITE.
 3. ALL PROPOSED SEDIMENT CONTROL MEASURES ARE TEMPORARY MEASURES UNLESS SPECIFIED OTHERWISE ON PLANS.
 4. SEDIMENT CONTROL MEASURES MAY REQUIRE FIELD ADJUSTMENTS AT THE TIME OF CONSTRUCTION TO INSURE THAT THEIR INTENDED PURPOSE IS ACCOMPLISHED.
 5. PROVIDE REGULAR INSPECTION AND MAINTENANCE OF ALL SEDIMENT CONTROL MEASURES TO INSURE THAT SEDIMENT CONTROL EFFICIENCY IS OBTAINED UNTIL FINAL STABILIZATION OF SITE HAS TAKEN PLACE.
 6. INSTALL SEDIMENT CONTROL MEASURES AT THE ONSET OF GRADING OPERATIONS SO THAT EFFECTIVE SEDIMENT CONTROL CAN BE ACHIEVED DURING THE ENTIRE CONSTRUCTION PERIOD.
 7. STABILIZE ALL POINTS OF INGRESS AND EGRESS WITH TRACKING PAD DURING CONSTRUCTION TO PREVENT TRACKING OF MUD ONTO PUBLIC WAYS.
 8. REMOVAL AND CLEANUP OF ANY SEDIMENT THAT LEAVES THE SITE IS THE RESPONSIBILITY OF THE CONTRACTOR

TOPOGRAPHIC INFORMATION
WAS PROVIDED BY
ARCHIBEQUE SURVEYING



- LEGEND
- EROSION LOG WATTLES
 - SILT FENCE
 - STABILIZED CONSTRUCTION ENTRANCE
 - SILT SACK INLET PROTECTION
 - DITCH EROSION LOG

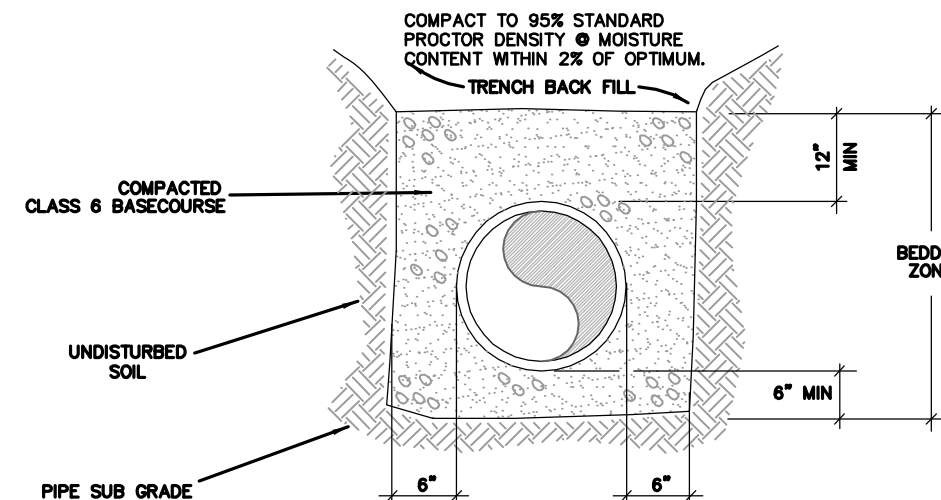
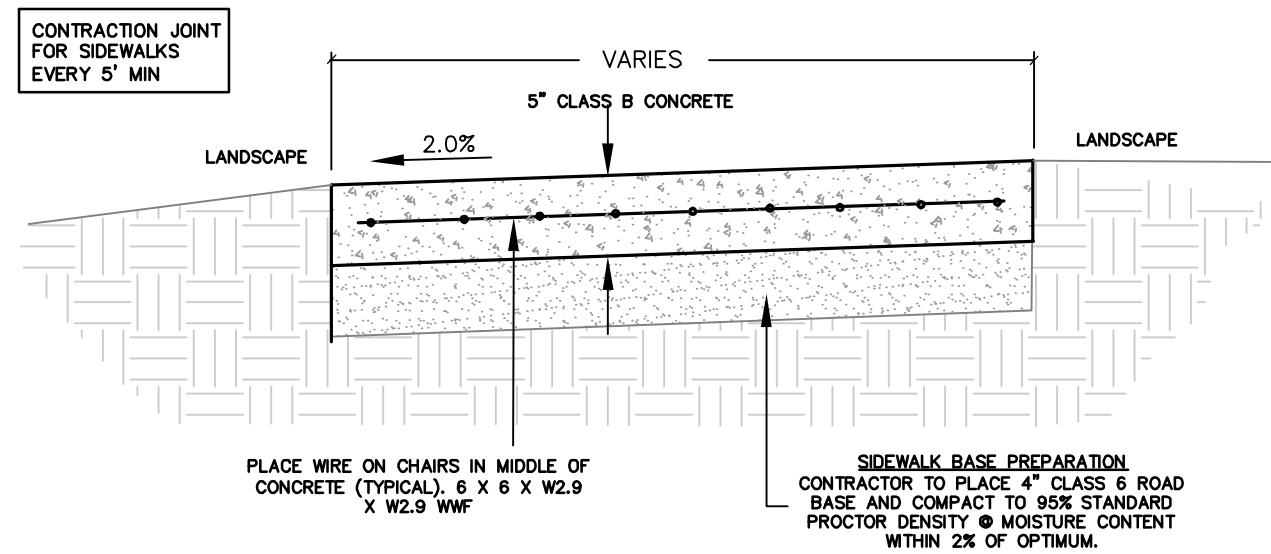
PRELIMINARY
October 30, 2019
NOT FOR CONSTRUCTION

106 BROADWAY
EAGLE, CO
EROSION CONTROL PLAN

DESIGN	DRAWN	CHECKED	JOB NO.	DATE
XXX	XXX	XXX	XXX	XX/XX/XXXX

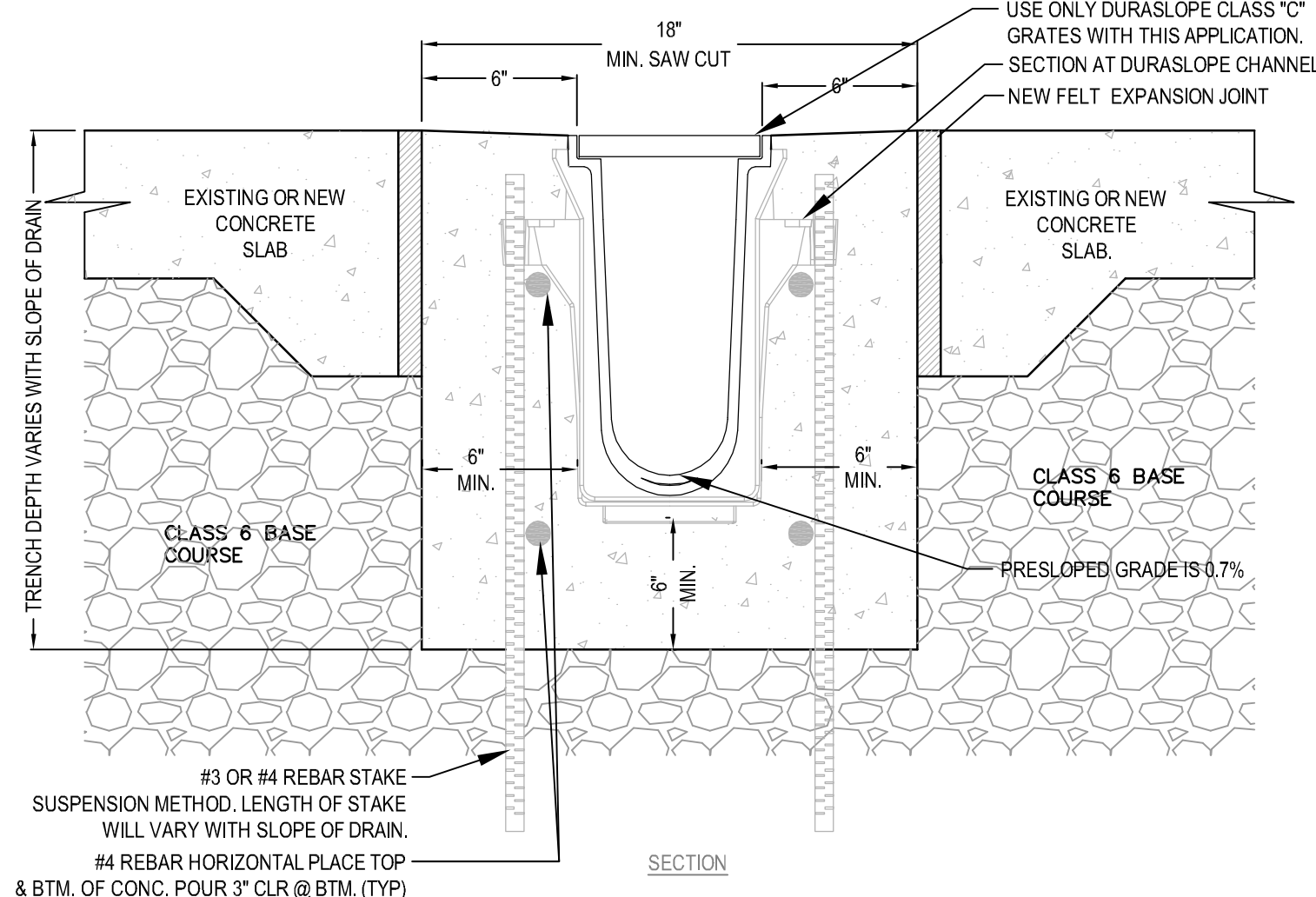
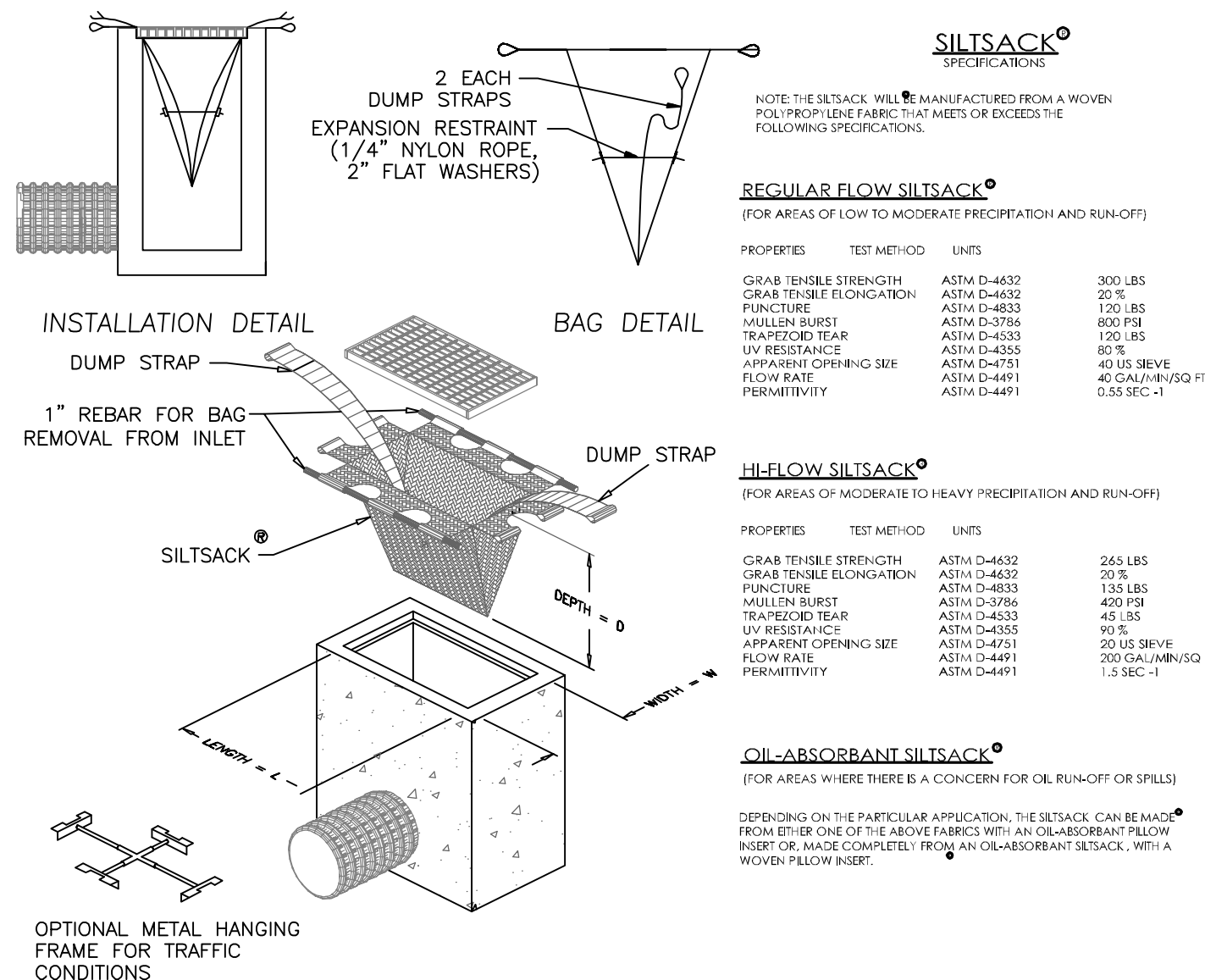
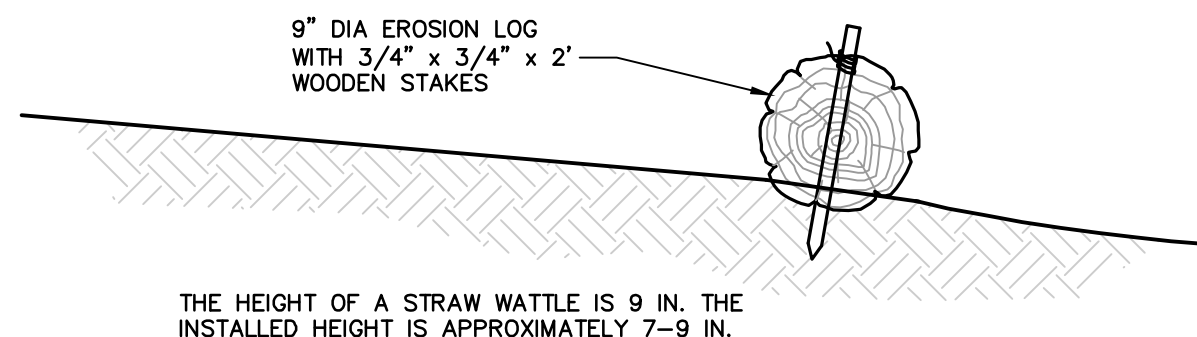
NO.	DATE	REVISIONS	BY
	08-23-19	MINOR DEVELOPMENT SUBMITTAL	MCW

SHEET
C4.0



NOTES:

1. CONCRETE SHALL BE CLASS P
2. JOINTS IN PANS AND CURB & GUTTER SHALL BE CONSTRUCTED TO ALIGN WITH JOINTS IN ADJACENT PAVEMENT.
3. EXPANSION JOINTS SHALL BE INSTALLED WHEN ABUTTING EXISTING CONCRETE OR FIXED STRUCTURE. EXPANSION JOINT MATERIAL SHALL BE $\frac{1}{2}$ IN. THICK AND SHALL EXTEND THE FULL DEPTH OF CONTACT SURFACE.
4. TIE BARS ARE REQUIRED WHERE CURB AND GUTTER OR CONCRETE PAN IS ADJACENT TO CONCRETE PAVEMENT, THE GUTTER THICKNESS SHALL BE INCREASED TO THE PAVEMENT THICKNESS (T). BARS SHALL BE 30" LONG, EPOXY-COATED, #4 CONFORMING TO AASHTO M 284 AND SPACED AT 2.5 FT. INTERVALS. THEY SHALL BE INSERTED $\frac{1}{2}$ AND $\frac{1}{2}$ LENGTH INTO GUTTER.
5. INSTALL 30" #4 TIE BARS @ 30 O.C. AT ALL CONCRETE CONSTRUCTION JOINTS.



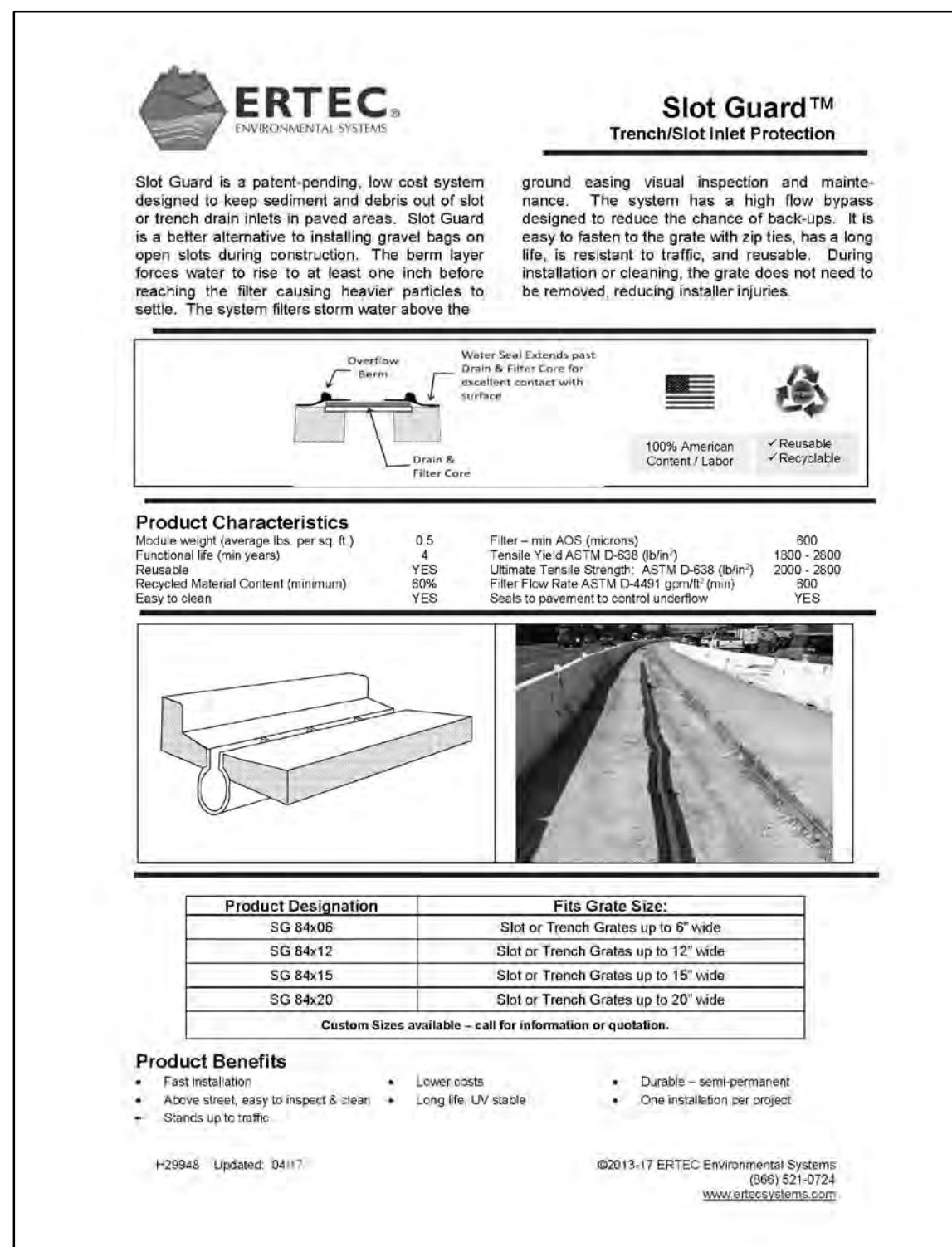
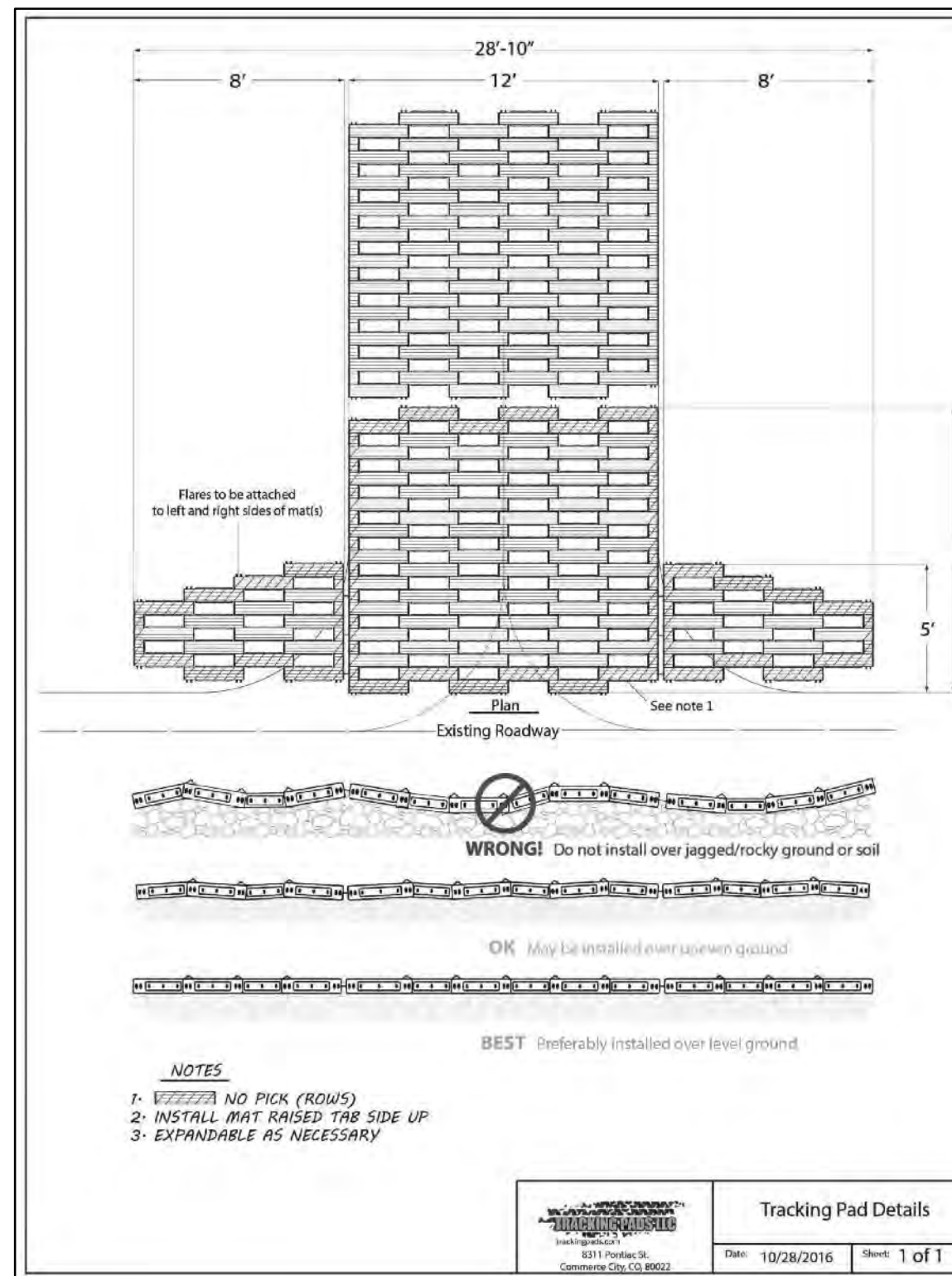
NOTES:

1. CHANNELS TO BE INSTALLED WITH BLANK GRATE. GRATE TO BE PROTECTED FROM CONCRETE POUR (COVER HOLES WITH TAPE).
2. INSTALLATION TO BE COMPLETED IN ACCORDANCE WITH MANUFACTURER'S SPECIFICATIONS.
3. DO NOT SCALE DRAWING.
4. THIS DRAWING IS INTENDED FOR USE BY ARCHITECTS, ENGINEERS, CONTRACTORS, CONSULTANTS AND DESIGN PROFESSIONALS FOR PLANNING PURPOSES ONLY.
5. ALL INFORMATION CONTAINED HEREIN WAS CURRENT AT THE TIME OF DEVELOPMENT BUT MUST BE REVIEWED AND APPROVED BY THE PRODUCT MANUFACTURER TO BE CONSIDERED ACCURATE.

DURA SLOPE TRENCH DRAIN SYSTEM

NDS, INC.
851 NORTH HARVARD AVE.
LINDSAY, CA 93247
TOLL FREE: 1-800-726-1994
PHONE: (559) 562-9888
FAX: (559) 562-4488

INSTALL NDS 6" WIDE TRENCH DRAIN. HDPE
DRAIN WITH PRESLOPED BOTTOM
"DURA SLOPE CHANNEL DRAIN"
MODEL#DS-091
BLACK DUCTIL IRON GRATE COVERS
(FRAME IN 4FT SECTIONS, COVERS IN 2FT
SECTIONS)





DESIGNED	NO.	DATE	REVISIONS	BY
XXX		08-23-19	MINOR DEVELOPMENT SUBMITTAL	MCW
DRAWN				
XXX				
CHECKED				
XXX				
JOB NO.				
XXX				
DATE				
XX/XX/XXXX				