



**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

<p><b>ZONING REVIEW</b></p> <input type="checkbox"/> Special Use Permit <input type="checkbox"/> Zoning Variance <input checked="" type="checkbox"/> Rezoning <input type="checkbox"/> Temporary Use Permit <input type="checkbox"/> Amendment to Zone District Regulations <input type="checkbox"/> Encroachment Permit	<p><b>DEVELOPMENT REVIEW</b></p> <input type="checkbox"/> Minor Development Permit <input type="checkbox"/> Major Development Permit <p><b>PLANNED UNIT DEVELOPMENT (PUD) REVIEW</b></p> <input type="checkbox"/> PUD Zoning Plan <input type="checkbox"/> PUD Development Plan	<p><b>SUBDIVISION REVIEW</b></p> <input type="checkbox"/> Concept Plan <input type="checkbox"/> Preliminary Plan <input type="checkbox"/> Final Plat <input type="checkbox"/> Lot Line Adjustment <input type="checkbox"/> Condominium / Townhouse <input type="checkbox"/> Minor Subdivision
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PROJECT NAME 435 EBY CREEK ROAD Residential Multi Family  
 PRESENT ZONE DISTRICT Commercial General PROPOSED ZONE DISTRICT ~~Commercial General~~ (RMF)  
 (if applicable)  
 LOCATION  
 STREET ADDRESS 435 EBY CREEK ROAD, Eagle CO 81631  
 PROPERTY DESCRIPTION  
 SUBDIVISION Perry Subdivision LOT(S) 3 BLOCK \_\_\_\_\_  
 (attach legal description if not part of a subdivision)  
 DESCRIPTION OF APPLICATION/PURPOSE Rezoning of Property to RMF  
~~Commercial General~~ Residential Pursuant to FLUM and  
Community Plan Update

APPLICANT NAME PITW LLC. PHONE 818-216-9573  
 ADDRESS 2111 Mulholland Drive, Woodland Hills, CA EMAIL DANA@SPITZERFAMILY.COM  
 OWNER OF RECORD PITW LLC. PHONE \_\_\_\_\_  
 ADDRESS \_\_\_\_\_ EMAIL \_\_\_\_\_  
 REPRESENTATIVE\* David Nudell PHONE 970-390-0492  
 ADDRESS 210 MESA DRIVE Eagle CO 81631 EMAIL DNUDELL@VAIL.NET

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

10/27/21

To: Peyton Heitzman, Chad Philips, The Planning and Zoning Commission, and the Town Council

Re: Zone Change Application Project Narrative – 435 Eby Creek Road

I, David Nudell, am the agent for PITW LLC, the owner of 435 Eby Creek Road, which has asked me to pursue a zone change to Residential Multi Family (RMF) zoning for 435 Eby Creek Road after full approval of the Community update plan and FLUM has occurred. PITW executed the petition and notarized permission in advance, in anticipation of the approval by the Town Council, after unanimous approval by the Planning Commission.

For the past 15 years, this property has been marketed within its current zoning, commercial general, and has attracted 6 or 7 contracts, but all were unable to make a project "pencil" due to the unique topographic features of this lot, which necessitate a deep cut and retaining wall, not to mention the generally out of the way location for a commercial enterprise, and the market value of any of the proposed finished commercial property has not been able to justify the cost of development.

Because 435 Eby Creek Road is abutted by The House, which has Multi Family Residential zoning, and also by Eby Creek Mesa, a residential subdivision, and because commercial development on this parcel has not proven to be successful over a long period of time, I ask you to please consider Residential Multi Family (RMF) zoning for this parcel. This request is supported by the Mixed Use designation for this parcel recently approved by the Planning Commission and Town Council, which envisions RMF as an allowable use under the Mixed Use FLUM designation in this location.

This request is supported by the following Comprehensive Plan policies and goals:

1-1.1 supports residential on this parcel, aspiring to " ...ensure a healthy mix of housing types and densities (e.g. single-family, duplex, multi-family, mixed use and accessory dwelling units) to allow for greater diversity.

*There is a great need in the Town of Eagle for smaller multifamily units as many of those that live and work in town are getting priced out of both the rental and sale markets.*

5-1.4 Promote the development of compact neighborhoods in close proximity to public transit options, and allowing increased residential, retail, and mixed-use densities in areas close to transit stops.

5-1.5 Support transit-oriented development, and improvements that promote multi-modal transportation options.

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

The Comprehensive Plan further states a goal of **Elevating our Connections**, "Provide carpool incentives, and encourage car sharing, free bus, etc." as well as offering ". . . residents and visitors a choice to move efficiently and safely using a variety of modes that provide seamless access to both the natural and technological environment."

*435 Eby Creek Road is located near the Market Street Commercial Center, and would be a compact neighborhood where residents can walk to the market, liquor store, bank, Ti Amo, Pickled, and many other businesses. This location is ideal for multimodal transportation as it is located extremely close to I-70, a major transportation corridor, as well as being very close to the park and ride. It is also conveniently located for pedestrian and bicycle traffic as it is very near the bike path and bridge over I-70 connecting this parcel to the rest of town. Walkable, Bikeable, close connections to the bus system and public transportation. Because of the proximity to the bus stop, there is a much greater likelihood that residents at 435 Eby Creek Road will avail themselves of the bus when traveling up valley.*

**Elevating our Unique Character:** In the Comprehensive plan process, most agreed with the statement that "Eagle is a diverse community made up spectacular mountain views, human-scaled development, and distinct neighborhoods ranging in character from a vibrant and quirky downtown to formalized and fresh new neighborhoods and everything in-between."

*Supporting this zone change is completely in keeping with this sentiment, placing human scaled residential close to one of the commercial hubs of Eagle, while enjoying stunning mountain views, and multimodal transportation connectivity.*

In conclusion, there is a great need for multifamily residential in the Town of Eagle, and this is a near ideal location to put it. The area north of I-70 has evolved from a purely commercial zone to one with multifamily residential, which has changed the character of it in a positive way, and fills an urgent

need in our town. Residential in this location would have a much more minimal impact than in any other location in town for traffic, as most residents would not have a daily commute driving through town and the roundabouts.

Changing the zoning of this parcel to Residential Multi Family (RMF) would be consistent not only with the direction of recent redevelopment, but also with the visioning process that led to the creation of the recently approved Elevate Eagle Comprehensive Plan and FLUM, as well as helping to fill a great need in the community.

Thank you very much for considering this zone change.

Sincerely,

A handwritten signature in blue ink that reads "David Nudell". The signature is fluid and cursive, with a long horizontal stroke extending to the left.

David Nudell

[dnudell@vail.net](mailto:dnudell@vail.net)

970-390-0492