

Monday September 9, 2025

Owner :  
Lionel Gonzalez  
AG Roofing  
332 Grand Ave.  
Eagle, CO 81631  
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## **332 Grand Ave. Mixed Use Triangle Development Application Narrative with Variance Request (s)**

### **Project Narrative**

The project is a new 3 level residential over commercial mixed use building. It is designed to maximize the owner's use by right based upon the existing on and off street parking amounts. The design is based upon the understanding that most of the existing parking and all access to the property along Grand Ave will be removed when Grand Ave. is improved. There is a desire to build 6 residential units where the max density is 3, for this lot. There is also a variance request for a build to line adjustment along Washington Ave. At this point all other aspects of the project designed to date meet or exceed the code requirements for a building of this type at this location.

The building layout is designed to connect the Grand Ave. building side with the proposed pedestrian and bicycle paths adjacent. There is also a possibility to create outdoor eating/gathering spaces at the acute corners along Grand Ave. Level 1 is a generic space presently designed for two commercial spaces ie offices, retail. A shared entrance is located on Washington St. with additional “entrances” at each corner. Level 2 consists of a stairway and circulation space with (3) 1000 sq ft 2 bedroom apartments. Each apartment is designed with a large amount of private outdoor space. Level 3 is a repetition of Level 2 plan with multiple decks creating private outdoor space. The roofs are sloped perpendicular to a diagonal ridge. Portions of the roof are extended to shelter deck and roof deck areas. Roofs above decks and projecting from the corners are translucent. The lower facade material extends to the second level and creates solid deck rails to help deflect sound. Solid railings on the 3<sup>rd</sup> level also help deflect the highway noise. The building itself will create a very effective sound barrier to the adjacent properties for the increasing Grand Ave traffic noise, especially at 3 stories. Final design will likely have a taller corner element at Grand Ave. and Washington. The lower facades are stone or metal and the upper residential units are covered in stained wood, with wood framed translucent deck roofs.

### **Build to Line Variance Request**

As noted on the site plan, the project extends the existing 0' build out line along Washington which will require a variance to the code defined build out line requirements.

*To approve a variance, the Planning and Zoning Commission must find that all of the following criteria apply:*

- i. The subject property has an exceptional shape, topography, building configuration, or other exceptional site condition that is not a general condition throughout the zone district;*
1. The property is 3 sided giving it an exceptional shape. The exceptional site condition which is not a general condition is the future expansion of Grand Ave. The expansion will remove an existing 12 off street parking spaces and 12 on street parking spaces.

The expansion will remove vehicular access to the property along Grand Ave. The longest of the three sides of the property is adjacent to Grand Ave. After the expansion, the only access to the property will be along Washington St. One third of the existing vehicular access will be removed with the construction of a culdesac.

- ii. *The strict application of the LUDC standards for which a variance is sought would produce undue hardship;*
  - 1. The reduction in vehicular access greatly reduces the options for a garage location. Building out to the maximum area allowed is much more efficient in the 90 degree corner of the lot, instead of the other two acutely angled corners.
- iii. *The applicant's actions did not create the hardship;*
  - 1. Expansion of Grand Avenue was not the applicant's action.
- iv. *The variance requested does not harm the public and does not impair the intent or purposes of this LUDC, goals, and policies, including the specific regulation for which the variance is sought;*
  - 1. Granting of the 0' build out line along Washington does no harm. It is the extension of an existing 0' buildout line.
- v. *The variance request demonstrates exceptional hardship not related to purposes of convenience or financial burden;*
  - 1. The exceptional hardship is in designing the building to the maximum footprint density without expanding into acutely angled corners.
- vi. *The variance request will not violate building or fire code requirements; and*
  - 1. Construction adjacent to the 0' build out line will comply with building and fire codes.
- vii. *The variance is the minimum variance that will afford relief of the subject standards of the LUDC.*
  - 1. Hopefully.

### **Residential Density increase request to Council**

The maximum residential density for this lot is 3 units. The project proposes 6 units. Although this is a request to double the density maximum, it is appropriate for this location and building configuration. Increasing the density by stacking the residential above street level commercial is not only efficient but also reflects the current demand, which the code may have not anticipated. These are modest apartments designed for people who work here. It is our understanding that this zoning requirement change be initiated by City Council.

### **Designed for Owner's Use by Right based upon existing Parking**

Existing parking total is approximately 28. After Grand Ave is expanded, access along Grand Ave, the longest lot line, will be removed along with a dozen off street parking spaces and a dozen on street parking spaces. Off street parking requirements could be met with a street level parking lot beneath a 2 story building. This is not "pedestrian" friendly especially with an entrance and exit along Washington. In keeping with the comprehensive plan the project provides a commercial space, perhaps restaurant, on the street level with residential units above. The owner's current Use by Right will be severely reduced if the final design is based upon the approximately ten off street parking spaces left after Grand Ave. expands. There is a code section with some guidance about parking adjustments:

*D. Redevelopment Applicability or Adjustment of Standards Determination*

#### *3. Adjustable Development Standards*

*An applicant with a qualifying application may request the applicability of a Proportionate Compliance calculation to the following development standards:*

*iii. Section 4.12.070, Vehicle Parking, Access, Location and Design; and*

Perhaps that is an avenue to pursue. Regardless of the path, the owner's present use by right should not be reduced after Grand Ave expands without due compensation. At present, there is no known compensation being suggested for any reduction in the current owner's Use by Right after Grand Ave expands. Therefore, the "request" is to be allowed to design for the existing parking levels with the understanding that the reduced access and removal of existing parking after Grand Ave expands will not be a burden placed upon the owner in the future and that the design of the project can proceed based upon existing parking space amounts.

And as a side note, this is a pretty cool building. It is resolving a lot of different problems on each of its 3 edges along with presenting some demanding interior use solutions. It does need some type of corner accent/tower type element to not only break up the symmetry, but to acknowledge the importance of this location in relation to the town and the town's vision of its present and future development.

Sincerely,  
Paul Irwin PE  
RiPPLE DESiGN STUDIo



November 10, 2025

Town of Eagle  
ATTN Kyle Brotherton  
200 Broadway, PO Box 609, Eagle, Co 81631  
Via E-mail: [kyle.brotherton@townofeagle.org](mailto:kyle.brotherton@townofeagle.org)  
[planning@townofeagle.org](mailto:planning@townofeagle.org)

Re: 332 Grand Ave. Project

To whom it may concern,

Please allow this letter to serve as the executive summary of the proposed project at 332 Grand Avenue, Eagle, CO 81631.

The project is a new 3 level residential over commercial mixed-use building. It is designed to maximize the owner's use by right based upon the existing on and off-street parking amounts. The design is based upon the understanding that most of the existing parking and all access to the property along Grand Ave. will be removed when Grand Ave. is improved. There is a desire to build 6 residential units, where the max density is 3, for this lot. There is also a variance request for a build to line adjustment along Washington Ave. At this point, all other aspects of the project designed to date meet or exceed the code requirements for a building of this type at this location. The building layout is designed to connect the Grand Ave. building side with the proposed pedestrian and bicycle paths adjacent. There is also a possibility to create outdoor eating/gathering spaces at the acute corners along Grand Ave.

Level 1 is a generic, approximately 5,400 sq ft space presently designed for three commercial spaces (ie. offices, retail). A shared entrance is located on Washington St. with additional "entrances" at each corner. Level 2 consists of a stairway and circulation space with (3) 1000 sq ft 2 bedroom apartments. Each apartment is designed with a large amount of private outdoor space. Level 3 is a repetition of the Level 2 plan with multiple decks creating private outdoor space. The roofs are sloped perpendicular to a diagonal ridge. Portions of the roof are extended to shelter deck and roof deck areas. Roofs above decks and projecting from the corners are translucent. The lower façade material extends to the second level and creates solid deck rails to help deflect sound. Solid railings on the 3<sup>rd</sup> level also help deflect the highway noise. The building itself will create a very effective sound barrier to the adjacent properties for the increasing Grand

BW-ANE, INC.  
P.O. Box 1140  
Eagle, CO 81631  
(720) 428-0691/ssandoval@buildworks-inc.com



Ave traffic noise, especially at 3 stories. Final design will likely have a taller corner element at Grand Ave. and Washington. The lower facades are stone or metal and the upper residential units are covered in stained wood, with wood framed translucent deck roofs or metal siding.

Sincerely,

A handwritten signature in black ink that reads "Steve Sandoval".

Steve Sandoval, President

BW-ANE, INC.  
P.O. Box 1140  
Eagle, CO 81631  
(720) 428-0691/ssandoval@buildworks-inc.com

F. *Variance.*

1. *Purpose.* The variance process allows an applicant to request relief from the strict application of the regulations of this LUDC.

**Table 4.17-9 Variance**

Applicable Common Procedures	
1	Pre-Submittal Conference Sec. 4.17.020
2	Application Submittal & Completion Review Sec. 4.17.030
3	Complete Application Review and Action Sec. 4.17.040
4	Scheduling and Notice of Public Hearing Sec. 4.17.050
5	Planning & Zoning Commission Decision-Making Sec. 4.17.060
6	Post-Decision Actions and Limitations Sec. 4.17.070

2. *Applicability.*

- a. An applicant may request a variance to applicable regulations that meet the requirements of the review criteria below.
  - b. A variance may not be requested to allow a use in any zone district in which it is not listed as a permitted, conditional, or special use.
3. *Review procedure.* Variance applications shall meet the common review procedures identified in Table 4.17-9, with the following modifications:
- a. *Application.*
    - i. An application for a variance shall be made on a form provided by the Town and signed by the applicant which clearly states the reasons for the request and how it complies with the conditions for variance.
    - ii. An applicant may request a variance concurrently with an associated development permit application by submitting a request for variance as part of the overall application package.
    - iii. *Public notice and public hearing requirements.* The application shall be scheduled for a public hearing before the Planning and Zoning Commission and shall be noticed pursuant to [Section 4.17.050](#).
  - b. *Review criteria and decision.* To approve a variance, the Planning and Zoning Commission must find that all of the following criteria apply:

- i. The subject property has an exceptional shape, topography, building configuration, or other exceptional site condition that is not a general condition throughout the zone district;
    - 1. *The property is 3 sided giving it an exceptional shape. The exceptional site condition which is not a general condition is the future expansion of Grand Ave. The expansion will remove an existing 12 off street parking spaces and 12 on street parking spaces. The expansion will remove vehicular access to the property along Grand Ave. The longest of the three sides of the property is adjacent to Grand Ave. After the expansion, the only access to the property will be along Washington St. One third of the existing vehicular access will be removed with the construction of a culdesac.*
  - ii. The strict application of the LUDC standards for which a variance is sought would produce undue hardship;
    - 1. *The reduction in vehicular access greatly reduces the options for a garage location. Building out to the maximum area allowed is much more efficient in the 90 degree corner of the lot, instead of the other two acutely angled corners.*
  - iii. The applicant's actions did not create the hardship;
    - 1. *Expansion of Grand Avenue was not the applicant's action.*
  - iv. The variance requested does not harm the public and does not impair the intent or purposes of this LUDC, goals, and policies, including the specific regulation for which the variance is sought;
    - 1. *Granting of the 0' build out line along Washington does no harm. It is the extension of an existing 0' buildout line.*
  - v. The variance request demonstrates exceptional hardship not related to purposes of convenience or financial burden;
    - 1. *The exceptional hardship is in designing the building to the maximum footprint density without expanding into acutely angled corners.*
  - vi. The variance request will not violate building or fire code requirements; and
    - 1. *Construction adjacent to the 0' build out line will comply with building and fire codes.*
  - vii. The variance is the minimum variance that will afford relief of the subject standards of the LUDC.
1. ?

4. *Post-decision actions.*

- a. *Modification or amendment.* Variance approvals cannot be modified or amended. An applicant who would like to change an approved variance shall file a new variance application.
- b. *Extension and lapsing of approvals.*
  - i. The property owner shall commence development or obtain the required permits to carry out the approved variance within three years of the variance approval or the approval shall be deemed lapsed.
  - ii. The Planning and Zoning Commission may grant additional extension of up to three years to any variance approval.
- c. *Non-transferable.* An approved variance shall apply only to the property or structure described in the approval and shall not be transferable to any other property or structure.

## Applicable Common Procedures

1	Pre-Submittal Conference Sec. 4.17.020
2	Application Submittal & Completion Review Sec. 4.17.030
3	Complete Application Review and Action Sec. 4.17.040
4	Scheduling and Notice of Public Hearing Sec. 4.17.050
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6	Post-Decision Actions and Limitations Sec. 4.17.070

### F. Variance.

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Table 4.17-9 Variance

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5	Planning & Zoning Commission Decision-Making Sec. 4.17.060
6	Post-Decision Actions and Limitations Sec. 4.17.070

### 2. *Applicability.*

- a. An applicant may request a variance to applicable regulations that meet the requirements of the review criteria below.
- b. A variance may not be requested to allow a use in any zone district in which it is not listed as a permitted, conditional, or special use.

### 3. *Review procedure.* Variance applications shall meet the common review procedures identified in Table 4.17-9, with the following modifications:

#### a. *Application.*

- i. An application for a variance shall be made on a form provided by the Town and signed by the applicant which clearly states the reasons for the request and how it complies with the conditions for variance.
- ii. An applicant may request a variance concurrently with an associated development permit application by submitting a request for variance as part of the overall application package.
- iii. *Public notice and public hearing requirements.* The application shall be scheduled for a public hearing before the Planning and Zoning Commission and shall be noticed pursuant to [Section 4.17.050](#).

- b. *Review criteria and decision.* To approve a variance, the Planning and Zoning Commission must find that all of the following criteria apply:

*Note: This variance is being requested in order to assure the applicant's present use by right of the property is allowed after Grand Ave is expanded. The variance requests that the existing parking space amount be used to design for occupancy totals understanding that in the future there will be ~10 on street parking spaces after Grand Ave is expanded. No additional burden will be placed upon the applicant to meet the number of parking spaces required which have been removed after Grand Ave expansion.*

- i. The subject property has an exceptional shape, topography, building configuration, or other exceptional site condition that is not a general condition throughout the zone district;
  - 1. *Grand Avenue is expanding and removing access, existing offstreet parking, and half of the existing onstreet parking along Washington St. The changes to this small site are substantial.*
- ii. The strict application of the LUDC standards for which a variance is sought would produce undue hardship;
  - 1. *Removal of access and existing parking without compensation is certainly an undue hardship. Occupancy options for 10 parking spaces left after Grand Ave expands dramatically reduces the applicants current use by right.*
- iii. The applicant's actions did not create the hardship;
  - 1. *Grand Avenue expansion is not an action by the applicant.*
- iv. The variance requested does not harm the public and does not impair the intent or purposes of this LUDC, goals, and policies, including the specific regulation for which the variance is sought;
  - 1. *No, it does not.*
- v. The variance request demonstrates exceptional hardship not related to purposes of convenience or financial burden;
  - 1. *The variance is a path to ensure no reduction the current use by right.*
- vi. The variance request will not violate building or fire code requirements; and
  - 1. *The parking space numbers will have no impact on building or fire codes.*
- vii. The variance is the minimum variance that will afford relief of the subject standards of the LUDC.
  - 1. *The applicant is only requesting to be allowed to design to applicant's present use by right based upon the current parking space totals.*

#### 4. *Post-decision actions.*

- a. *Modification or amendment.* Variance approvals cannot be modified or amended. An applicant who would like to change an approved variance shall file a new variance application.
- b. *Extension and lapsing of approvals.*
  - i. The property owner shall commence development or obtain the required permits to carry out the approved variance within three years of the variance approval or the approval shall be deemed lapsed.
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- c. *Non-transferable.* An approved variance shall apply only to the property or structure described in the approval and shall not be transferable to any other property or structure.