

MINUTES  
PLANNING COMMISSION  
REGULAR MEETING  
October 2, 2019  
6:30 P.M.

CALL TO ORDER: Chairman Hayden Southway called the regular meeting of the Grand Lake Planning Commission to order at 6:30 p.m. on October 2, 2019 at the Town Hall, 1026 Park Avenue.

ROLL CALL

PRESENT: Chairman Southway, Vice Chairman Canon, Commissioners John C. Murray, James Shockey, Judy Burke; Steve Kudron, Diane Mahoney, and Town Planner Nate Shull.

ABSENT: Chairman Southway noted that no Commissioners were absent.

APPROVAL OF  
MINUTES:

Chairman Southway presented the minutes for August 21, 2019 and requested a motion. Commissioner Murray moved to approve the minutes for August 21<sup>st</sup>, 2019. Seconded by Commissioner Burke. All others voted aye except Vice Chairman Canon who abstained.

Chairman Southway presented the minutes for September 18, 2019 and requested a motion. Commissioner Murray moved to approve the minutes for September 18, 2019. Seconded by Commissioner Burke. All others voted aye except Commissioner Shocker who abstained.

UNSCHEDULED  
CITIZEN  
PARTICIPATION:

Chairman Southway asked if there were any unscheduled public comments and noted that comments are limited to 3 minutes. No members of the public chose to speak.

CONFLICTS OF  
INTEREST:

Chairman Southway asked if there were any conflicts of interest among the Commissioners. No conflicts of interest existed. Commissioner Kudron disclosed that he is a property owner within 200' of one of the applicants presenting at tonight's meeting.

ITEMS OF  
DISCUSSION:

**Brian Howard – Update/progress report of Shadow View Terrace Planned Development per Municipal Code section 12-9-5(B) [Periodic review of all ongoing Developments].** – Mr. Howard gave a brief update to the Commission about his PD, including public improvements installed to date, remaining home builds, and any

other details of the original approval. Commissioners asked a few questions regarding expected timing of new home builds, parking conditions, and lot arrangement, which Mr. Howard provided answers to.

ITEMS OF  
BUSINESS:

**QUASI JUDICIAL – Consideration to recommend granting approval of a lot consolidation under Municipal Code section 12-6-8(B) [Resubdivision Regulations] for property located at Lots 6 & 7, Block 39, Town of Grand Lake, more commonly referred to as 205 Mountain Avenue** – Chairman Southway motioned to Planner Shull to present the matter. Planner Shull introduced the purpose of the request and provided geographic context to the property in question. He then referenced sections from the Municipal Code highlighting the criteria for reviewing lot consolidation requests. Planner Shull provided staff comments about how the applicant’s request either meets or does not meet the stated criteria, ultimately concluding by recommending approval of the lot consolidation request.

Chairman Southway invited the applicant to speak.

Michael Coan, 1799 Oak Ave, Boulder CO – Mr. Coan explained that his intentions for lot consolidation were to reduce taxes and to build a small extension to his existing deck that would comply with resulting lot lines.

Chairman Southway opened the discussion up amongst the Commissioners.

With no comments given, Commissioner Murray moved to recommend approval to the Board of Trustees of the Lot Consolidation request with the condition that the applicant confirm all taxes to be current for both existing lots prior to recording of the Plat. Commissioner Burke seconded. All others voted aye (7 – aye, 0 – nay).

**QUASI JUDICIAL PUBLIC HEARING – Consideration to grant a right-of-way vacation of the eastern 50’ portion of Broadway Street adjacent to property located at Lot 8, Block 17, Town of Grand Lake, more commonly referred to as 700 Mountain Ave** - Chairman Southway motioned to Planner Shull to present the matter. Planner Shull introduced the purpose of the request and provided geographic context to the property in question. He proceeded to explain the three factors for considerations in granting roadway vacations provided by Attorney Krob and compared the applicant’s request to each of those factors. He concluded by recommending the Planning Commission deny the roadway vacation request.

Chairman Southway invited the applicant to speak at the podium

Hall, Brett – 11932 W. 74<sup>th</sup> Drive, Arvada CO 80005 – Mr. Hall reiterated his request to the Commission and shared background as to the purpose of his request. He demonstrated his argument for hardship by showing data charts, graphs, and photographs of the surrounding area, identifying specific conditions that posed a difficult challenge for himself in constructing his home and the Town in maintaining public use of the right-of-way. He noted several right-of-way vacations requests that the Town had previously approved.

With no further comments by the applicant, Chairman Southway opened the meeting up for public comments

Karen Rogan, 165 Monroe St, Denver CO – Ms. Rogan posed the question about previous right-of-way vacation approvals and whether these can be viewed as an argument to approve tonight's request. Planner Shull clarified that no previous instances of right-of-way approvals (or denials) set precedence for future cases. Ms. Rogan also asked about removal of power lines in the Broadway Street right-of-way if it were vacated. Planner Shull responded by suggesting this would need to be determined by Mountain Parks Electrical.

Michael Quirk, 2221 Stable Dr, Golden CO – Mr. Quirk argued that as Grand Lake develops further and the lots on the subject block get built out, the right-of-way will become even more significant for public use as a wildlife corridor, a pedestrian (or other) access route, and open space.

Tom Weydert, 811 Tallaqua Dr, Grand Lake CO – Mr. Weydert disclosed that he is listening as a member of the Board of Trustees.

With no further public comment, Chairman Southway closed the public comment portion and opened up discussion amongst the Commissioners.

Commissioner Burke stated that this right-of-way has been a common footpath for people hiking into Town, especially from the Grand Lake Lodge. She concurred with Mr. Quirk about the significance of Broadway St as a vital open space area and wildlife corridor. She also suggested that giving away public property, especially the size of a traditional lot, is unfavorable to the Town without receiving fair or equal value for private property of that size.

Commissioners Shockey and Mahoney concurred with Commissioner Burke's comments and stated that they are almost never in favor of forfeiting public lands.

Vice Chairman Canon stated that he does not see any hardship conditions suffered by the applicant and made that comment that the Grand Lake

Fire Department will always benefit from having access to right-of-way, where currently improved or not.

Commissioner Kudron made the point that while there is currently no planning document identifying specific use of Broadway Street right-of-way, such a plan may be developed in the future to guide use of public right-of-way for staff and the community to use. He, like the other Commissioners, was not in favor of the vacation.

Commissioner Shockey moved to recommend denial of the Broadway Street right-of-way vacation request for reasons including maintaining the right-of-way as a wildlife corridor, a public open space or pedestrian access, and general resistance to vacating public land. Vice Chairman Canon seconded. All others voted aye (7 – aye, 0 – nay)

**Review of Sketch Plan for new Subdivision (name TBD) of property located at Lot 85, Block 3, Sunnyside Addition to Grand Lake, more commonly referred to as 1820 Grand Ave (pg. 41)** – Chairman Southway motioned to Planner Shull to present the matter. Planner Shull described the applicant’s request and provided context of the property in question. He then shared comments about the submission content, including how it complies or does not comply with Code requirements. He concluded by providing recommendations for revision or changes to the sketch plan.

Robinson, Andrew 401 S High St, Denver CO – Mr. Robinson explained the overall goals of this subdivision request, and identified some of the potential concerns brought up by Planner Shull. He elaborated on his proposal to improve and dedicate the strip of public access easement below his property as a Town park/access corridor as part of the subdivision requirements.

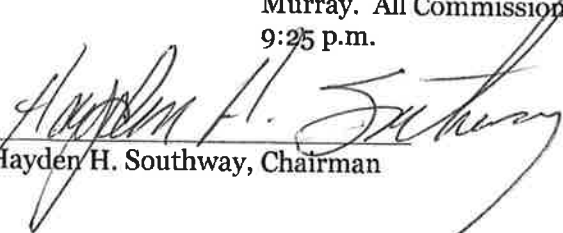
Commissioners asked a number of questions, including but not limited to how the parking plan met the Municipal Code, how water line service was to be provided and paid for, whether the slope of the properties triggered the need for soil testing, whether the proposed density necessitated roadway improvements or at minimum a traffic study, and if all the proposed lots met zoning standards set by the Town.

Mr. Robinson answered each question, suggesting he would need to revisit the proposed subdivision plat in order to better address the Commissioners’ concerns.

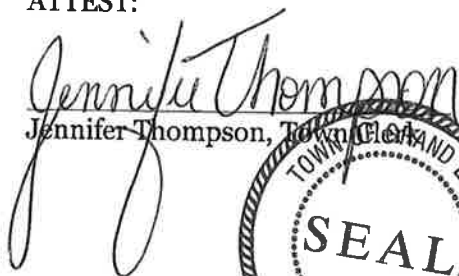
PLANNING  
COMMISSION  
DISCUSSION:

None

ADJOURNMENT: Vice Chairman Canon moved to adjourn, seconded by Commissioner Murray. All Commissioners voted aye, and the meeting was adjourned at 9:25 p.m.

  
Hayden H. Southway, Chairman

ATTEST:

  
Jennifer Thompson, Town Clerk

