

**\*PLEASE ADHERE TO SOCIAL DISTANCING AND FACE MASKS REQUESTS FOR IN PERSON  
ATTENDANCE\***

TOWN OF GRAND LAKE  
PLANNING COMMISSION  
TOWN HALL  
6:30 P.M.  
August 5th, 2020

## AGENDA

- I. CALL TO ORDER
- II. ROLL CALL
- III. APPROVAL OF MINUTES
  - a. July 1<sup>st</sup>, 2020
  - b. July 17<sup>th</sup>, 2020
- IV. UNSCHEDULED CITIZEN PARTICIPATION  
*(This time is reserved for members of the public to make a presentation to the Commission on items or issues that are not scheduled on the agenda. The Commission will not make any decisions on items presented during this time.)*
- V. CONFLICTS OF INTEREST
- VI. ITEMS OF BUSINESS
  - a. A RESOLUTION RECOMMENDING APPROVAL OF A LOT CONSOLIDATION WITH CONDITIONS (1302 SPRUCE DRIVE).
- VI. ITEMS OF DISCUSSION
- VII. FUTURE AGENDA ITEMS
- IX. ADJOURNMENT

Online meeting information (please log on 15 min early if you anticipate needing any technical support):

Please join my meeting from your computer, tablet or smartphone.  
<https://global.gotomeeting.com/join/442813341>

You can also dial in using your phone.  
United States: +1 (646) 749-3112      Access Code: 261-979-629

**We Will be meeting in Town Hall and sitting 6 feet apart. Please wear a mask. Once we reach capacity, public will be requested to phone in via GoTo Meeting Link Above to participate.**

MINUTES  
PLANNING COMMISSION  
REGULAR MEETING  
JULY 1, 2020  
6:30 P.M.

CALL TO ORDER: Chairman Hayden Southway called the regular meeting of the Grand Lake Planning Commission to order at 6:35 p.m. on July 1st, 2020 in person with everyone present wearing masks.

ROLL CALL  
PRESENT: Chairman Hayden Southway; Commissioners John C. Murray, Ernie Bjorkman, and Judy Burke; and Town Planner Kimberly White.

ABSENT: James Shockey, Robert Cannon. A motion to excuse was requested by Chairman Southway. Ernie Bjorkman made a motion to excuse, Commissioner Burke stated that commissioners need an excuse. A second to excuse was announced.

APPROVAL OF  
MINUTES: Chairman Hayden asked to approve the minutes from June 17th, 2020. A motion was made and was seconded. All were in favor.

UNSCHEDULED  
CITIZEN  
PARTICIPATION: Chairman Southway asked if there were any unscheduled public comments and then asked that everyone in the room introduce themselves, after Page from the audience asked the planning commission to identify themselves. Each Commissioner listed their name and the amount of time they were on commission, or in town. The entire audience stood up individually and discussed where they lived, who their neighbors are and a short background.

CONFLICTS OF  
INTEREST: Chairman Southway asked if any members of the Commission had a conflict of interest, or the appearance of. None of the Commissioners had any conflicts.

ITEMS OF BUSINESS: None

ITEMS OF DISCUSSION: **SPACE TO CREATE PRESENTATION BY MUNN ARCHITECTURE:** Planner White stated that this meeting was to gather feedback from the Planning Commission to pass on to the Board of Trustees and no decisions were being made at this time. The presentation was given by Scott Munn with Munn Architecture, Dennis Humphries with Ratio Architecture and Will Law with ArtSpace (called in on speaker phone). Mr. Munn introduced Mr. Law and stated that the presentation is not a final design and they are trying to figure out what would be the best for the Town and the community. Mr. Law joined the meeting with the speaker phone in

the center of the room and gave an overview of the ArtSpace project. Commissioner Murray asked about the Part 1 (Dec. 2019) and Part 2 (June, 2020) contracts that were listed on his contract. Mr. Law stated that the initial contract is paid for by foundations that agree to pay for the Space to Create program for a preliminary scope in a rural community (possible sites, goals, etc). Part 2 of the contract funding comes from DOLA and the foundation for bringing in architects and more research into feasibility, formalize sites, and develop concepts. It also starts to formalize where the additional funding comes from (outside of Grand Lake funding). Chairman Southway asked who signed the contract Part 2. Mr. Law stated that he believes Artspace, and the Town (possibly the Mayor), and DOLA. Chairman Southway asked if this site was finalized and stated that this never came to the Planning Commission, and the residents were not informed. Mr. Law stated that this was the right site, after going through a process of information gathering, with lots of feedback from the community but also that this was just a schematic design. Commissioner Bjorkman asked if the site was mandated by the state to be walkable to downtown. Mr. Law said he was not aware that it was not required. He stated that they went through a process and they are now bringing the information to the commission.

An unnamed resident stood up and stated that he spoke with many of his neighbors and no one knew about this project. He felt that ArtSpace was trying to slip something by the community. Mr. Law stated that he was not trying to do that, but he apologized if there were gaps in the communication and can step back and see what they can do. Another resident stated that she would like all sites be vetted equally and asked that Artspace reach out to the community. Chairman Southway suggested that Mr. Munn give his presentation and requested that the residents identify themselves when they speak.

Scott Munn, Munn Architecture, from 427 Trail Ridge Dr. Grand Lake, stated that this project is an economical driver and provide workforce housing which is the number one issue in this community to grow and survive. He wanted to clarify that this project was to be beneficial for the community and not something under the table.

Dennis Humphries, Ratio Architects 1655 Grant St. Denver gave a presentation that was also given to the Board of Trustees on June 22<sup>nd</sup>, 2020. He spoke about activating Grand Lake Center and linking the town together and understands how special Grand Lake is. He gave an overview of how the architects came to the schematic layout design on the property and said that nothing is set in stone and would want feedback from the community. He discussed that there could be a path from Tunnel Rd to The Grand Lake Center, that he is part of a historical preservation and the materials used that will match those used in Grand Lake currently. Chairman Southway asked for positive public comments under three minutes. Commissioner Murray stated that the Town was working with

ArtSpace for 2 years, and that 1.5 years prior there was a town forum at the repertory theater where at least 100 residents were in attendance and there have been many ongoing talks with the ArtSpace groups. With regards to site selection at the beginning of the year, town trustees, some residents, and a realtor named Andrea toured the sites that could be used but none were identified at that time. The sites mentioned were: the site south of the carwash, sombrero stables, the Go Cart lot which was too expensive. Commissioner Murray mentioned that the site across from the Conoco might be feasible. Commissioner Bjorkman said that it would be difficult to walk across Highway 34 if the site was across from Conoco. Mr. Munn asked Mr. Law to discuss walkability criteria. Mr. Law spoke about Ridgeway, CO and Trinidad, CO projects where the ArtSpace project has been instated and how the community worked together to place the project in a place that was in synergy with the community. He spoke about using the rooms in the community center in Grand Lake and how they could work with the ArtSpace location and with the residents in the building.

John Ritter 541 Shadow Mtn Dr. had concerns with the location because it is the loss of the last open space in Grand Lake. He said that is a safe place for frisbee and other outdoor activities. He suggested that the lot south of the carwash and the Winter's Pioneer park lot. He said that ArtSpace will not be used 9 months of the year due to seasonal housing and questioned who would maintain the building. Mr. Law stated that the maintenance will be done by ArtSpace. Commissioner Murray stated that Pioneer Park was gifted to the Town and had restrictions that would not allow building and has to be used as a park.

Craig Wilkerson 607 Shadow Mountain Dr. introduced himself and said that he had not heard of this project until recently. He also said that there are ground squirrels in the ball field which no one takes care of, there are boats parked there as well. He stated that if the Town cannot afford to take care of the parks, gazebo, boardwalks, and roads, he cannot understand how the Town can spend more money on things. He also stated there is snow 8 months of the year, so the artwalk won't be usable during that time and there was nothing listed on any of the town boards about this project.

Heather Plaro 517 Shadow Mountain Dr., stated that she has never heard of the project, bringing housing to town is good, but that more public input and research should go into the site selection. She stated that money has been spent on making the current recreation on the site and other recreation could be added to not lose the investment. She stated that the space across from Conoco needs some improved walking infrastructure regardless of where the affordable housing site is located.

Paige Theeler (name unclear) 611 Shadow Mountain Dr. asked who are the artists, and how will it be affordable. The affordable housing in Granby is not affordable. Who are the artists? We will lose our baseball field and she wants to see it maintained. She stated that we will lose the ice rink and who

will be living in the housing. Commissioner Bjorkman stated the money is coming from grants and not from the Town.

Planner White asked what the regulations for living in the house? Do you have to own a business? Can anyone live there? Can you work at a restaurant and stay? Can you be a farmer? What is considered an Art? Chairman Southway stated that you can be a tradesman and is wide open. Commissioner Murray asked if it was geared towards 60% Area median income (AMI) or less. Mr. Law answered the question about who can live in the space and more market research will need to be done to figure out what 60% AMI would be. He said that it is workforce housing with a minimum and maximum income.

Commissioner Bjorkman said he would like to see a public hearing to get input from more of the town not just from the neighborhood behind the Center.

Marty Banyez 613 Shadow Mountain Dr. announced himself at the mic. He is concerned with moving of the playground and amount of parking. He stated that there is a lot of traffic and it is dangerous for the children especially during inclement weather.

Commissioner Burke stated that this site belongs to the community and should remain a community space. She is mostly concerned that the commercial district is being split with downtown if this project moves to this location. She asked why the Park Avenue location isn't being made into a commercial area since money was spent to update the streetscape. She is concerned that ArtSpace is asking the Town to donate the land, yet the Town is not helping out the artists who have built their businesses in the downtown area already. She thinks that the citizens of the Town have what they want in that location: medical facility, ball field, workout space.

Commissioner Mahoney is concerned with the price and size of the apartments and would like to talk about pedestrian access around town. Will Law stated that the pricing and the sizes of the apartments were just for an example of easy math and that the apartments would be affordable. Commissioner Murray said that he believes the carwash site is a viable option. He thinks that the large parking lot in the ArtSpace plan is too big. He would like to see part of the land deeded to ArtSpace and not all of it. Will Law stated that ArtSpace would maintain land and property. Commissioner Murray asked if they could keep the playground where it is and decrease the parking spaces to allow the ballfield to still exist and be improved, maybe with a future community pavilion. He thinks it is a viable site for ArtSpace but consideration for other sites would be good, and there should be another public meeting to look more closely at the site selection. He asked if ArtSpace could restrict some housing for Veterans. Will Law said that there are State rules that could allow Veterans to apply first and after a month or two it would be released to the general public for rentals.

Commissioner Murray suggested that future community development could occur in the space between the post office and the Community Center if ArtSpace put in the apartment and didn't take up the whole lot. Commissioner Murray asked if ArtSpace was property tax exempt. Will Law stated that it depends on the community and not because they were a 501c3, some communities build into their code tax exemptions for affordable housing as a way to help keep it affordable, the other half of the communities ArtSpace is on the tax role, which sometimes puts pressures on the rent since ArtSpace needs to pay the tax. Space to Create looks for local participation which can be addressed a couple of ways: Either through cash resources, or in the cash in Trinidad and Ridgeway the property was acquired by the city and then assigned to the project for \$1. State and private resources pay for the rest of the program.

Commissioner Mahoney asked if the Town gave money, would the Town have a say-so in how the building was run? Will Law replied that the Town wouldn't have an obligation to pay for anything. If the Town wants a role in future ownership rights, that can be worked out. ArtSpace doesn't have any desire to do anything other than to serve the community. Some towns feel more comfortable doing a 100 year lease or something like that and that is fine.

Chairman Southway questioned if they looked anywhere else for the sites or just chose the path of least resistance? Will Law said they looked heavily at many sites, but the feedback we got early on was that it would be difficult to find financial participation per the Space to Create guidelines. The site was city-owned and it would cover the financial participation portion of the plan. Other sites were looked into and they were not affordable, in that the number of units that could be built would not cover the costs or they were too expensive to acquire. Chairman Southway asked why the carwash site wasn't chosen and Will responded that the soils or saturation were not good and it would drive the development cost up. When pressed by Chairman Southway, Will Law stated that if there is a consensus that this is not the site, then they will look into other sites. Financially speaking, the site at the Center Dr. location was the best site.

Chairman Southway said that there should be another meeting, with notifications sent out to home owners within a certain area, HOA's etc. Will Law said that the timeline for the Trustees is not immediate and that timelines can change and he didn't know that there was an absolute hard deadline.

Commissioner Murray asked about the carwash site and said that the area would work for apartment buildings, then asked about which lots the Town owns. He would like to see ArtSpace to provide a conceptual plan for the carwash site.

Commissioner Bjorkman moved to ask the Town Trustees to have a public hearing on site location on ArtSpace. Commissioner Murray asked for a conceptual plan for the carwash site to show. Chairman Southway asked to have the alternatives at the public meetings. The motion was seconded by Commissioner Murray. All in favor.

Planner White asked Scott Munn what the scope of work has to entail. Does it have to take the entire site, can it leave the playground, ballfield etc? and Scott said it can be whatever we want it to be, it has yet to be decided. Will Law is supportive of waiting and getting more clarity before moving forward.

### **UPDATE ON VISION STATEMENT FOR COMPREHENSIVE PLAN**

Planner White gave a background on the purpose of the Vision Statement, then showed the results of a poll taken by the Comprehensive Plan Task Force3435 zzzzz.

8 votes for: "The Town of Grand Lake will protect its natural environment, preserve its history, and enhance its economic vitality to ensure quality of life for its residents and visitors."

5 votes for: "The rustic village of Grand Lake is moving into the future on the wings of the past, always striving to protect its natural environment, to preserve its history and to ensure its quality of life for everyone"

Commissioner Murray suggested that there should be an additional word added to the vision statement: ...residents, visitor and "new comers" to include everyone who comes to our Town. There was discussion about calling it village versus town. Planner White stated that the next Task Force meeting is in August, on the 2<sup>nd</sup> Thursday of each month. July would be skipped because June's meeting had been pushed way back.

### **FUTURE AGENDA ITEMS:**

Chairman Southway asked for any future items. There was discussion about the lake front and funding previously used for conceptual plans on the lake front. Chairman Southway stated that the parking lot at the water department could be used to pile brush and store boats. He would like the water plant and other town buildings to get a facelift. He suggested adding trails up past the Gateway next to the water and up to the park next to the water plant.

### **ADJOURNMENT:**

Commissioner Murray moved to adjourn, seconded by Commissioner Burke. All Commissioners voted aye, and the meeting was adjourned at 8:59 p.m.

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Hayden H. Southway, Chairman

ATTEST:

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Jenn Thompson, Town Clerk

MINUTES  
PLANNING COMMISSION  
REGULAR MEETING  
JULY 15, 2020  
6:30 P.M.

- CALL TO ORDER: Chairman Hayden Southway called the regular meeting of the Grand Lake Planning Commission to order at 6:33 p.m. on July 15th, 2020 in Town Hall.
- ROLL CALL PRESENT: Chairman Hayden Southway; Commissioners Diane Mahoney, John C. Murray, James Shockey, Robert Canon, Ernie Bjorkman, and Judy Burke; and Town Planner Kimberly White.
- ABSENT: None
- APPROVAL OF MINUTES: No minutes available to approve
- UNSCHEDULED CITIZEN PARTICIPATION: Chairman Southway asked if there were any unscheduled public comments and noted that comments are limited to 3 minutes.  
There were no unscheduled public comments.
- CONFLICTS OF INTEREST: Chairman Southway asked if any members of the Commission had a conflict of interest, or the appearance of. None of the Commissioners had any conflicts.
- ITEMS OF BUSINESS: **CONSIDERATION OF APPROVAL OF 1204 GRAND AVE AND 406 HANCOCK ST. LOT LINE ADJUSTMENT**  
Planner White presented a letter signed by the owners of property at 406 Hancock St. and 1204 Grand Ave. stating that they are in agreement with the lot line adjustment and subsequent equivalent land swap (Plat and Letter attached). Planner White projected images that were included in the packet illustrating the current condition of the property line through the Brownie Cabin. Planner White showed the current Plat which shows the current lot line location and then transitioned to the proposed plat created by Peak to Peak Land Surveying and Mapping, Inc. which illustrates the proposed and existing lot line. Planner White then showed a zoomed-in image with the existing and proposed lot lines. Commissioner Murray clarified that Mr. Goodfellow owns lot 4-6 and part of 7 to which Planner White confirmed. Planner White then showed an image from Google Earth, from the Street View, to show that the driveway on 406 Hancock St. is preventing the lot line from being moved the full 5 feet away from the Brownie cabin.

Planner White read from municipal code 12-6-8 Lot Line Adjustment stating that the following criteria must be met in order for the Planning Commission to recommend the Lot Line Adjustment:

1. The resultant lots are legal lots as defined in section 12-6-8 (A)
2. The resultant lots are not in a recorded subdivision
3. The lot line adjustment would not adversely affect existing access, drainage, utility easements, or rights-of-way.
4. The lot line adjustment would not adversely affect adjacent properties and the property owners' enjoyment of their property.
5. The lot line adjustment would not create a nonconforming setback.

Planner White then stated that the house is currently non-conforming because it is across the property line, and when the lot line moves, it will still be non-conforming because it will be located within the 5' setback required for this zone. Planner White then read from M.C. 12-2-32 stating that the Planning Commission has the authority to grant an exception to expand or increase the non-conformance if all parts of this article are met. Chairman Southway clarified that the building is pre-existing, non-conforming that will still be in the setback. Commissioner Canon made a motion to approve the recommendation. Commissioner Bjorkman seconded. All in favor, motion passed.

#### **RESOLUTION CONCERNING ACCESSORY USES AND STRUCTURE LANGUAGE IN THE MUNICIPAL CODE**

Planner White began by stating that according to the municipal code, accessory structures can be sheds or garages, and the gross land area utilized by all accessory uses of all uses by right on the same property shall not exceed ten percent (10%) of the gross land area utilized by all the uses by right. Planner White then explained that this means that use by right would be the primary structure footprint and therefore the accessory use could only be 10% of that footprint. She then gave an example of a house that may only have a 752sf footprint, and thus an accessory structure of 75 sf, which would be 7.5' x 10' or a very small shed. Planner White suggested amending the wording of the code to read "The gross land area utilized by all accessory uses of all uses by right on the same property shall not exceed ten percent (10%) of the Building Area of the property and the gross land area utilized by all accessory uses of all uses by right shall not exceed the gross land area utilized by all uses by right. She explained that the accessory structure could be 10% of the building area. She gave the example of an average lot size being 7500 sf, but it's building area would be 3250 sf, and thus a 325sf accessory building, or multiple accessory structures that add up to be 325sf.

Commissioner Canon questioned how this affects open space. Planner White clarified that in a residential property there is not an open space requirement, only setbacks are required. Commissioner Mahoney questioned permit requirements for the overnight camping section of the article. Planner White suggested that anyone being paid to stay overnight,

probably needs a nightly rental permit. Commissioner Burke pointed out a camper was on private property camped for the weekend. Commissioner Mahoney pointed out there was a camper parked on the school lot over the weekend. Public works director, Keith Everhart, stated that the camper had a permit for the weekend.

Commissioner Bjorkman made a motion to adopt a resolution recommending amendment of chapter 12, article 2 [zoning regulations] to amend the calculation of gross land area permitted to be utilized as an accessory use or accessory structure. Commissioner Murray seconded the motion. Commissioner Burke and Canon were opposed. Commissioner Burke said that the lots will be more crowded than we think and there will not be space for snow storage. Planner White clarified that any building permit application would still have to comply with snow storage and setback regulations. Commissioner Canon stated that his opposition was that enforcement of these regulations is sparse. Motion Passed 5:2

Chairman Southway asked to take a step back and discuss the camping permits on Town property. Keith Everhart stated that since campers were not allowed to park in the parking lot at Park Ave. due to construction, the campers/trailers were allowed at the community center. The procedure is for the owner to contact Town Hall, present their license plates, and they get a tag that they have to have in their window. They cannot camp or sleep in the vehicles for up to 5 days without a fee (for the rest of the summer).

#### **CONSIDERATION TO RECOMMEND OR NOT RECOMMEND THE GRAND LAKE CENTER SITE FOR SPACE TO CREATE**

Chairman Southway stated that the previous meeting about the Space to Create was as Commissioner Bjorkman said “an ambush”. He feels that the Planning Commission has been left out of the discussion. Commissioner Bjorkman said that according to the experts, this location is the best option. Commissioner Canon said that there are two alternatives for the Grand Lake Center site. Commissioner Shockey asked if the developers explained why the other sites were not chosen. Planner White said that there will be an information gathering session for the public on July 22<sup>nd</sup>.

Chairman Southway listed a few options that the Town could use, such as Sombrero Stables, even though there is a lease on it, and possibly the Polaris lot, even though it is privately owned. There was discussion on how ArtSpace could purchase land if they wanted to build on it, and the Town wouldn't have to donate land to them. There was discussion about the Sunset, but it was already sold, and the recently purchased lot across from the Conoco on highway 34, but it is not very walkable to downtown. Planner White stated that ArtSpace wanted to have a connection with the Center with all of its community classes.

Commissioner Murray asked if it was true that the Board of Trustees was planning on having a vote without bringing it to the planning commission for discussion. Commissioner Canon said that from his perspective, if it not a legal requirement to go through the Planning Commission, they are not obligated to. Chairman Southway said that it is a land use decision that should be brought up and vetted to more people than them. Commissioner Canon then stated if it not defined in statue, then they are not obligated. Chairman Southway said the reason we are voting on it is because we were lacking a vote after our last meeting, and now we are voting on it.

There was discussion on who would manage the property, who would own it, what would happen to the non-profits located in the modular buildings, eliminating the soccer field, and future soccer field. More discussion on the value of the property, and if Artspace is the highest and best use of this space. There was discussion about where the helipad should be and if it should be.

There was a round table of all the commissioners:

Commissioner Mahoney's main concern is that it will be low income housing for 3 months of the year and it will be hard to fill the rest of the year. She stated that she does not like the location because when she moved there it was a school and having a school in the neighborhood is really nice. It will look industrialized and property values will decrease. It is the only open space and it is nice when the downtown is busy that you can come and play ball and get away from people. Joni Mitchel quote: "Don't know what you got 'till it's gone... pave paradise and put up a parking lot." She really thinks the Town needs to hold onto the open space.

Commissioner Bjorkman: It is a much needed asset to the community, it will be nicely done with artwork sculptures. Firmly believe we need housing and this is a gift horse that they are going to do this all for us.

Commissioner Burke: is opposed to this location, because it will split the commercial district and pull business and traffic from downtown. She also stated that this location is not "free" because the community paid for that school and continue to pay taxes for it and deserve consideration. As far as walkability, there have been many studies about walkways from town to this location and it is very expensive. She had a question for the BoT, when we lease it, who owns it? If ArtSpace quits using it, it should revert to the Town and they should only lease the property and the Town should own it. The library built the library on Town property and it will revert back to the town if they quit using it. There was discussion on the price of the units and the number of units and the affordability.

Commissioner Shockey said that he agrees with Judy about the walkability of this location. He discussed that walking from downtown to this location, it is piled with snow and difficult to walk 7 months of the year and is gravel and difficult the other part of the year. He suggested that there is wasted

space on West Portal Rd. and suggested expanding Triangle park to close off the intersection at West Portal and Grand and maybe put housing in that location. He suggested that the ballfield and playground are used by the citizens currently and if the Town decides to use the Center Ave site, that it should sell the land for exactly the footprint of the dwelling units and 1 parking spot per unit and nothing more and leave the rest as public open space for later. He questioned who maintains it long-term and any of the facilities should be open for the public or at least through Grand Lake Center membership.

Commissioner Canon: he said the BoT do not have to take our recommendation or comply. Initially he felt this project would have been a really good experiment in affordable housing, however, he does not agree with the way it is being implemented. He is disappointed in the loss of space for the history and water [non-profits] and that they are living in a trailer. He is offended by the fact that he believes people don't think we need the history and water people here. As far as housing, why doesn't the Town spend the money on housing that is already existing? He questioned the purpose of the space across from the Conoco? It was discussed that the area across from the Conoco was purchased with affordable housing funding, but the money has to be returned to the affordable housing fund and that specific location does not have to have affordable housing built on it. Commissioner Canon commented that the area at Triangle park may be owned by Western Area Power Authority and could be difficult to close off as suggested by Commissioner Shockey.

Commissioner Murray stated that it could be an easement and could be negotiated. He said that the intersection is dangerous and did not think that ArtSpace had considered that location. He continued that the Center Dr. location was chosen because the other locations were too expensive. He spoke about how the project is for low income housing and having a space to create for entrepreneurs from online or other non-art things to art. He suggested that the carwash site or other sites were not well-evaluated by the community members. He cannot recommend this site. Commissioner Murray said that Will Law (ArtSpace) and a few other people walked to 6 or 7 sites around town and threw out everything but this site without having community input. There was discussion about how much money has been spent so far.

Chairman Southway stated that the total amount spend so far is \$650,000 from Boettcher foundation and DOLA, but the Town has spent about \$35,000. Commissioner Mahoney said that she was never informed about the site being chosen and she lives down the street from this location. She stated that there were meetings about the ArtSpace, but not advertisement that a location would be chosen at those meetings. Commissioner Shockey said that Winters Pioneer Park might be a good site. This was discussed and it was decided that this location was dedicated to be used as a park and nothing else. The size of the lot was discussed in relation to it's cost. It is

about 2.5 acres that could be developed which is about \$1.5 million. Commissioner Burke brought up the fact that this lot was purchased on good faith from the school district and it would be a slap in the face if we turned around and gave it away.

Keith Everhart was in attendance and was asked his opinion and he stated that the Town does not have low income employee housing for staff and J-1's. He said that the Town needs to set aside their personal feelings and do what is best for the Town. He stated that in the Town, the Center Drive location is the best location.

Chairman Southway spoke about his connection with the property and his memories about the location involving his kids. He stated that the low-income housing problem was caused by the Town allowing nightly rentals. He would like to see a cap on the nightly rentals, incentives or lower water bill if they rent out their homes for monthly/yearly rentals. He stated that the Town members are paying taxes to the East Grand school district. He stated information that he looked up information about ArtSpace income. He stated that he has reservations about ArtSpace coming to Town with a cure-all for affordable housing. He said that there is no difference between this and giving the land away to a developer with free water taps. Then he called for a vote on the recommendation of this site for ArtSpace.

Commissioner Bjorkman made a motion that the Planning Commission recommends that this is the best place for ArtSpace. The motion died for lack of a second. Commissioner Murray made a motion to "not recommend the Grand Lake Center as a site for ArtSpace or Space to Create". Commissioner Burke seconded. All in favor but Commissioners Canon and Bjorkman. **The motion passed 5 to 2 to not recommend the location for ArtSpace to develop the Space to Create.**

ITEMS OF DISCUSSION:

**PAY AS YOU THROW DESIGN:** Keith Everhart, Public Works Director spoke about this topic. He said that the location for Pay as you throw was not a good site to begin with and it has outgrown itself. The location is a safety concern for the fire department and they have placed cones and speed bumps in the road to keep drivers from going through the parking lot after using pay-as-you-throw. He discussed the details of waste management twice a week (Monday and Friday) trash removal and the Town using a front loader to move the dumpsters into the maintenance area as they are filled. The Town goes through about 22 dumpsters a week. He stated that the current design of the dumpsters doesn't allow for trash to fill up to the top, so the Town is paying for Waste Management to haul away unfilled dumpsters.

He suggested that the three Town lots to the south of the carwash can be used for a new (possibly temporarily) location by using new dumpsters that will hold more trash because of their design. There would be one entrance in and one entrance out. The dumpsters will be owned by the Town and

once full, the Town will haul it to the waste transfer station in Granby and will not need to contract with Waste Management any longer. This will require the Town to purchase a hook truck that can convert into a dump truck that can be used to take cans down to the beach for events like the Fourth of July instead of paying for a roll-off dumpster. Currently the Pay-as-you-throw program is making money and this project will come out of the PAYT budget. The drive isle for the PAYT will be created using the left-over millings from Park Ave.

Commissioner Burke asked if the parking could be fixed at the Water Plant to park the Town Boats on it. Keith Everhart stated that there is already a pile of paving at the Water Plant. There was lots of discussion about aesthetics and safety of current location. Chairman Southway had a suggestion to have the PAYT entrance on Center on one of the three lots and have it exit onto Sailboat Ln. Commissioner Murray suggested keeping the current location but to widen the road into the maintenance area. A suggestion was made to have only an entrance and exit as one driveway onto Center. Commissioner Shockey asked if this entire area could be master planned? Keith Everhart stated that he sees the maintenance facility moving away from its current area. Planner White pointed out that routing traffic to Sailboat Lane could create a safety issue to those living nearby with the increased traffic on the narrow roads by the marina and storage units. There was discussion about lots near the carwash and who owns which.

Planner White said that Fraser's recycling area is 0.38 acres and the three lots next to the carwash is 0.66 acres and asked if there was a way to have one way in and out for safety. Keith Everhart stated that he is looking for three containers on the three lots and fences on both sides of it to hide it and cover it with flowers. There was discussion on what is currently being stored on the lot and what is the code for hiding dumpsters from view. There was discussion on compactors and downtown locations. Keith Everhart asked that each member draw a map with ideas (elements, landscaping, murals) and email him with the ideas. His timeline would be preferred to building this Fall, and operational by Winter. Commissioner Shockey requested the crosswalks and signage to be added back to Center Dr.

**FUTURE AGENDA ITEMS:**

None.

**ADJOURNMENT:**

Commissioner Shockey moved to adjourn, seconded by Commissioner Burke. All Commissioners voted aye, and the meeting was adjourned at 9:02 p.m.

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Hayden H. Southway, Chairman

ATTEST:

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Jenn Thompson, Town Clerk



TOWN OF  
GRAND LAKE

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Date: August 3rd, 2020

To: Chairman Southway and the Planning Commission

From: Kimberly White, Town Planner

Re: Lot Consolidation 1302 Spruce Dr. Lot 15 &16, Block 5 Sunny-side Addition to Grand Lake

**Background**

Any property owner requesting to combine two or more contiguous legal lots in a previously recorded subdivision, planned development, or traditional residential development, which are owned by the same person or entity must apply for a Lot Consolidation to be submitted for review by the Planning Commission and approval by the Board of Trustees.

1. Lot Consolidations are defined as meeting all of the following criteria:

- a. Affecting property that was previously subdivided into legally recognized lots or parcels
- b. Not relocating or reconfiguring previously established lot lines
- c. Not resulting in a new lot that had previously been separate lots divided by a public or private road
- d. Not creating or resulting in the creation of a lot or parcel of land that would violate or fail to conform to any applicable zoning or other standard or regulation including, but not limited to, lot area, minimum frontage, building height, setbacks, density, public or private road or private drive standards, parking, or access.
- e. Not altering public right-of-way or easements reserved for drainage or utilities of any kind located on the combined lots

2. Submittal Requirements

- a. The applicant shall provide the following submission materials:
  1. Application Form
  2. Application fee or deposit
  3. Proof of ownership in the form of a deed of title
  4. Project description (narrative) including the following:
    - a. Detailed description of lot and block numbers, new location of adjusted lot line with project coordinates, and resulting lot acreages
    - b. Detailed description of type, size, and location of existing structures on all lots.
  5. A list of and addresses for all owners of adjacent property and all owners of easements over, through, or across the property.

P.O. BOX 99, GRAND LAKE, COLORADO 80447-0099

PH. 970/627-3435

FAX 970/627-9290

E-MAIL: [town@townofgrandlake.com](mailto:town@townofgrandlake.com)



6. Lot Consolidation Plat (24" x 34") prepared by a registered land surveyor and drawn to a scale of no less than 1" = 50' (see 12-9-2 (E) and 12-9-11 (K) for specific items)

**Analysis**

The owner of the property has submitted all the required documentation listed above and the property complies with all of the requirements for lot consolidation. The existing primary structure was built in the 25' setback and is therefore an existing, non-conforming structure that will not become more non-conforming with this lot consolidation. The proposed garage will be conforming and will not require any special variance or discussion for a building permit review.

**Recommendation**

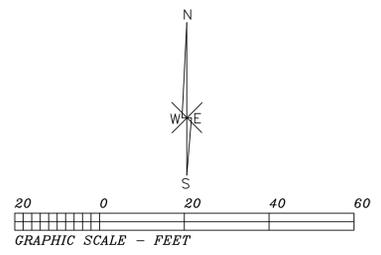
Staff recommends that the Commission recommend to allow the lot consolidation of Lots 15 and 16, Block 5 Sunny-side Addition to Grand Lake, Williams Minor Subdivision, also known as 1302 Spruce Dr.

I move that the Board of Trustees adopt Resolution 7-2020

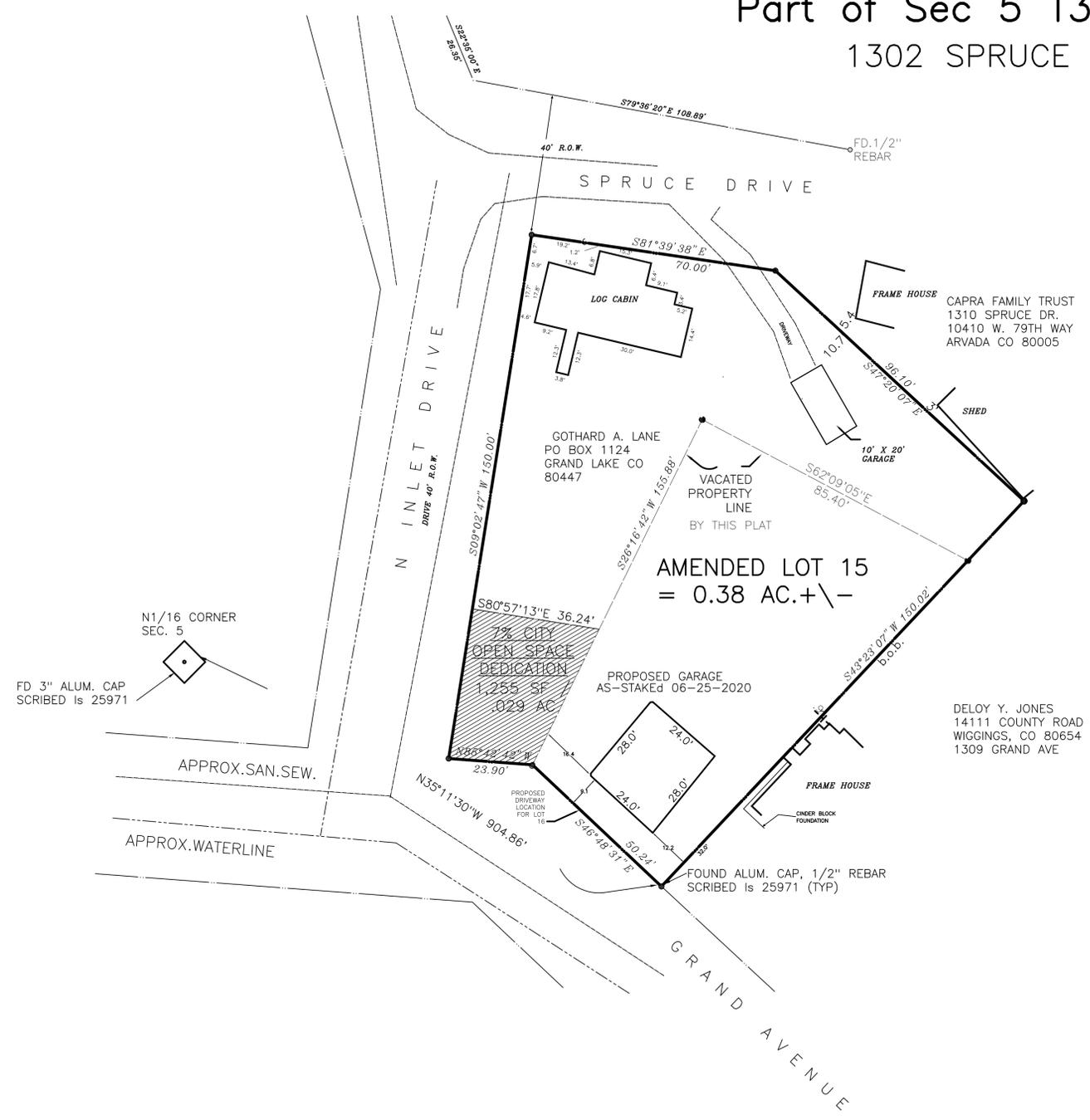
# Williams Minor Subdivision CONSOLIDATION PLAT

## Amended Lot 15, Consolidation of Lots 15 & 16, Block 5 Sunny-Side Addition to the Town of Grand Lake Grand County, Colorado

### Part of Sec 5 T3N R75W 6PM 1302 SPRUCE DRIVE



basis of bearings: S43°23'07"W, along the east boundary of amended Lot 15, monumented as shown, assumed bearing.



DEDICATION:

Know all people by these presents:

That Gothard A. Lane and Mary Lou Lane are the owners of that real property in the Town of Grand Lake, Colorado, described as follows:

Williams Minor Subdivision, Lots 15 & 16.

That they have caused said real property to be laid out and surveyed as Williams Minor Subdivision Consolidation Plat, and do hereby cause said property to become one single Lot.

In witness whereof, Gothard A. Lane and Mary Lou Lane have caused their names to be hereunto subscribed this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Gothard A. Lane

\_\_\_\_\_  
Mary Lou Lane

State of Colorado )  
County of Grand ) ss

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by Gothard A. Lane and Mary Lou Lane.

My Commission Expires: \_\_\_\_\_

\_\_\_\_\_  
Notary Public

PLANNING COMMISSION CERTIFICATE

APPROVED THIS \_\_\_\_ day of \_\_\_\_\_, A.D. 2020,  
Town Planning Commission, Grand Lake,  
Colorado.

CHAIR: \_\_\_\_\_  
Chairman

TOWN BOARD OF TRUSTEES CERTIFICATE

APPROVED THIS \_\_\_\_ day of \_\_\_\_\_, 2020 by  
the Board of Trustees, Grand Lake, Colorado.  
This Approval does not guarantee that the size  
or soil or flooding conditions of any Lot shown  
hereon are such that a building permit shall  
be issued. This approval is with the  
understanding that all expenses involving  
necessary improvements for all utility services,  
street improvements, paving, grading,  
landscaping, curbs, gutters, street lights, street  
signs, and sidewalks shall be financed by  
others and not the town of grand Lake. Also,  
that the Town of Grand Lake does not assume  
any responsibility for the correctness or  
accuracy of any information disclosed on this  
plat nor any representations or information  
presented to the Town which induced the Town  
to give this certificate.

ATTEST  
CLERK \_\_\_\_\_ MAYOR \_\_\_\_\_  
Town Clerk Mayor

This consolidation plat shows the result of a field survey done by me and under my responsible charge based on facts known to me, complies with applicable statutes set forth in 38-50 and 38-51, CRS, and is not a warranty or guarantee, either expressed or implied.

w ward - surveyor



Azimuth Survey Company  
P.O. Box 653  
Fraser CO 80442  
SCALE: 1 IN = 20 USFT  
DATE: 08-02-2020  
JOB NO. 0304020  
BY: w



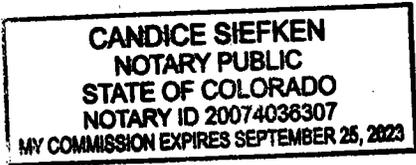
STATE OF COLORADO )  
 ) ss.  
COUNTY OF GRAND )

The foregoing instrument was acknowledged before me this 30<sup>th</sup> day of July, 2020, at 12:00 o'clock P.m. by Mary Lou Lane.

My commission expires 9-25-2023,  
Witness my hand and official seal.

[SEAL]

Candice Siefken  
Notary Public



**TOWN OF GRAND LAKE  
PLANNING COMMISSION  
RESOLUTION NO. 07 - 2020**

**A RESOLUTION RECOMMENDING APPROVAL OF A LOT CONSOLIDATION WITH  
CONDITIONS**

**(1302 SPRUCE DRIVE)**

**WHEREAS**, Gothard A. Lane and Mary Lou Lane (collectively the “Applicants”) are the owners of certain real property located within the Town of Grand Lake, more particularly described as follows:

Williams Minor Subdivision Lots 15 and 16  
Block 5  
Sunnyside Addition to Grand Lake  
Town of Grand Lake, Colorado

Also known as:

1302 Spruce Drive, Grand Lake, Colorado 80447

(“the Property”); and

**WHEREAS**, the Applicants have submitted an application seeking approval of a lot consolidation (“the Application”), pursuant to Section 12-6-8(B) of the Town Code; and

**WHEREAS**, Section 12-6-8(B)(4) of the Town Code provides that the Planning Commission and the Board of Trustees are to apply the following criteria in considering an application to consolidate lots:

1. The combined lots are legal lots as defined in section 12-6-8(A)(1)
2. The combined lots would not subsequently create additional lots other than the resultant lots
3. The consolidation would not adversely affect existing access, drainage, utility easements, or rights-of-way
4. The lot consolidation would not adversely affect adjacent properties and the property owners’ enjoyment of their property
5. Any covenants, deed restrictions, or other conditions of approval that apply to the original lots must also apply to the resultant lots

**WHEREAS**, following proper notice, the Application was presented to and considered by the Planning Commission at its regular meeting on August 5, 2020; and

**WHEREAS**, staff has recommended approval of the Application; and

**WHEREAS**, based on the Application, the representations of the Applicant to the Planning Commission and the comments of the public, the Planning Commission finds:

1. The combined lots are legal lots as defined in section 12-6-8(A)(1)
2. The combined lots would not subsequently create additional lots other than the resultant lots
3. The consolidation would not adversely affect existing access, drainage, utility easements, or rights-of-way
4. The lot consolidation would not adversely affect adjacent properties and the property owners' enjoyment of their property
5. Any covenants, deed restrictions, or other conditions of approval that apply to the original lots must also apply to the resultant lots

**NOW THEREFORE BE IT RESOLVED BY THE PLANNING COMMISSION OF THE TOWN OF GRAND LAKE, COLORADO AS FOLLOWS:**

1. The Planning Commission recommends that the Application be approved by the Board of Trustees subject to the conditions set forth in Section 2, below.
2. The Planning Commission's recommendation for approval is based on the Applicant satisfying the following conditions. Unless specified otherwise, such conditions should be satisfied before the matter is considered by the Board of Trustees:
  - a. Payment by Applicant of all legal, engineering and administrative fees incurred by the Town in connection with review, processing, consideration and approval of the Application.
  - b. Compliance by the Applicant with all representations made to the Planning Commission during all public hearings or meetings related to the Application
3. Severability: If any Article, Section, paragraph, sentence, clause, or phrase of this Resolution is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining portions of this Resolution. The Planning Commission declares that it would have passed this Resolution and each part or parts thereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.
4. Repeal: Existing resolutions or parts of resolutions covering the same matters as embraced in this Resolution are hereby repealed and all resolutions or parts of resolutions inconsistent with the provisions of this Resolution are hereby repealed

**DULY MOVED, SECONDED, AND APPROVED BY THE PLANNING COMMISSION  
OF THE TOWN OF GRAND LAKE, COLORADO, THIS 5<sup>th</sup> DAY OF AUGUST 2020.**

( S E A L )

Votes Approving:	0
Votes Opposed:	0
Absent:	0
Abstained:	0

ATTEST:

\_\_\_\_\_  
Jenn Thompson

Town Clerk

TOWN OF GRAND LAKE

\_\_\_\_\_  
Hoppe Southway

Planning Commission Chairman