AGENDA

I. CALL TO ORDER

II. ROLL CALL

III. APPROVAL OF MINUTES
   a. None

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. PUBLIC HEARING (Continued) – Consideration to recommend approving a plan change to an existing building permit for a new boat slip to be constructed on property located at Lot 1, Block 7, Grand Lake Estates 1st Filing, more commonly referred to as 428 Lakeside Dr, Grand Lake Colorado (Pg. 2)
   b. QUASI JUDICIAL PUBLIC HEARING – Consideration to grant an appeal in the form of a variance for expansion of a non-conforming structure located at Lot A, Shadow View Terrace, more commonly referred to as 169 Shadow View Lane. (Pg. 22)

VII. ITEMS OF DISCUSSION
   a. Town Planner Update
   b. Space to Create Activities (Final Feasibility Study, Arts Market Survey) (Pg. 41)

VIII. PLANNING COMMISSIONERS DISCUSSION

X. ADJOURNMENT
July 17, 2019

To: Chairman Southway and Planning Commissioners
From: Nate Shull, Town Planner

RE: PUBLIC HEARING – Consideration to recommend granting a plan change to a building permit for a new boat slip on property located at Lot 1, Block 7, Grand Lake Estates 1st Filing; more commonly referred to as 428 Lakeside Dr.

Attachments:

Building Permit Application ........................................ (pg. 5)
Improvement Location Certificate ................................ (pg. 6)
Site Plan & Dock Plan w/ Details .................................. (pg. 7)
Materials and Lighting ................................................ (pg. 9)
Wetland Delineation and Area of Impact ....................... (pg. 10)
Standard Form 299 (Facilities on Federal Land) ............. (pg. 12)
USFS and Army Corp Correspondence .......................... (pg. 16)
USGS Photos and Correspondence ............................... (pg. 19)
Public Comments ...................................................... (pg. 21)

Purpose
The Town has received a building permit application for the construction of a new boat slip which requires Planning Commission review. The applicant is Mrs. Renee Zemjlak.

Municipal Code
Municipal Code 12-2-29 Shoreline and Surface Water Regulations:
(B) [Boathouse and Boat Docks Construction] Review Process

The public hearing will be held before the Planning Commission, and such factors as size, lake bed disturbance, surrounding property owners' concerns and other relevant factors will be considered...

After taking evidence in relation to said boathouse or boat dock, the Planning Commission shall recommend approval, approval with conditions or denial of the Building Permit application to the Board of Trustees. The Planning Commission may recommend, based on site-specific conditions, approval of a design that exceeds specified parameters of the Boathouse and Boat Dock Design Standards...

Staff Comments
Staff has the following comments about applicant’s building permit application submission.

Staff sent out notice for publication in the Middle Park Times on 05/13/19 via Ad# 423686-01 as well as to all property owners within 200'. Staff has received one written public comment to date (see attachment).
Upon review, the applicant’s boat slip proposal complies with all municipal code regulations pertaining to boat slip construction, including setbacks and distances, as laid out in section 12-2-29. Below is a summary table of the regulations:

<table>
<thead>
<tr>
<th>Standard</th>
<th>Code Requirement</th>
<th>Applicant’s Proposal</th>
</tr>
</thead>
<tbody>
<tr>
<td>Permitted Uses</td>
<td>SFR, ACC structures</td>
<td>Boat Slip</td>
</tr>
<tr>
<td>Height</td>
<td>16’ Max</td>
<td>N/A ✓</td>
</tr>
<tr>
<td>Width</td>
<td>30’ Max</td>
<td>27’ ✓</td>
</tr>
<tr>
<td>Setback (Side)</td>
<td>10’ Min</td>
<td>*5’ ✓</td>
</tr>
<tr>
<td>Setback (Rear/Extension)</td>
<td>35’ Max</td>
<td>N/A ✓</td>
</tr>
<tr>
<td>Square Footage</td>
<td>N/A</td>
<td>250 SF</td>
</tr>
</tbody>
</table>

* Notwithstanding any other provision of this zoning code, freestanding uncovered docks, or docks attached to the sides of boathouses shall be allowed to encroach five (5’) feet into the side setback requirements of the zoning district.

The applicant’s contractor, Geoff Elliot (of Grand Environmental Services) has also furnished the required supplemental information, including material and color samples, erosion/sediment control, and potential disturbed landscapes/wetland delineation (see attachments).

Geoff Elliot has been in continuous communication with federal agencies, including the United States Forest Service (USFS), Army Corps of Engineers, and United States Geological Survey (USGS), in order to be in compliance with federal permitting procedures and regulations. Mr. Elliot held separate pre-consultation communications with each of the agencies.

The USGS Field Office Chief Greg Smith has provided email comments regarding the condition of the Flow Gauge located just outside the project area. His concerns are mainly surrounding the stability of the physical device, including cables attached to the shore. He did not mention concern of the impact to the hydrogeology of the channel. Mr. Elliot confirmed proper BMPs would be installed and that no disturbance would be made to the device. See attached email for further details.

The Army Corp of Engineers Project Manager Tyler Adams spoke with both Mr. Elliot and Town Planner Shull about the required process for obtaining a Nationwide Permit 42. He explained that the proposed boat slip does trigger requirement for the Nationwide Permit 42, which in turn triggers the need for wetland delineation and environmental and heritage resource considerations, with possible mitigation. He is satisfied as long as the applicant continues on the track for obtaining the Nationwide Permit 42, which includes a formal preconstruction notification (PCN). See attached email for further details.

The USFS District Ranger Clayton Cornwell met recently with Mr. Elliot on the property and Town Planner Shull at a recreational resource meeting. He explained that he has not yet issued a special use permit for the proposed boat slip (see attached email). Two matters are at hand in this case; first is the issue addressed in the email about lack of replacement of upper division staff to actually sign off on the permit. Second is Mr. Cornwell’s concern about the proposal’s likely disturbance of a significant portion of USFS land (approx. 640 sq. ft.). He has expressed a desire to Town Staff to see alternative designs that would be less impactful.
Additionally, the connecting channel is an integral part of the Colorado Big Thompson Project, and therefore may be eligible for inclusion on the list of state historic sites. Each of the above agencies has responsibility to consider the potential impact of activities as it relates to the eligibility requirements. Thus, the federal agency representatives above are needing official clearance by the State Historic Preservation Office to allow the project to move forward.

**Staff Recommendation**
Despite meeting the primary application requirements (i.e. zoning, design, environmental control), there are still a few loose ends to tie up with federal regulatory compliance. Therefore, staff would recommend the Planning Commission table this matter to a future meeting to allow the applicant and/or contractor to meet the needs of all federal agencies. This may include:

- Obtaining written clearance from the State Historic Preservation Office (SHPO) of the proposed boat slip. This can be done through affirmation by the USFS or Army Corp.
- Presenting several alternative designs that can be presented to the USFS and obtaining written confirmation of the ultimate design proposal from USFS.

In the meantime, the applicant and/or contractor can continue working towards obtaining the Nationwide 42 Permit and any other documents needed for approval.

**Commission Discussion**
The Commission should conduct the Public Hearing as follows:

1. Open the Public Hearing
2. Allow Staff to present the matter
3. Allow the Applicant to address the Commission
4. Open the meeting for public comment
5. Close the public comment portion
6. Have Commission discuss amongst themselves
7. Commission to make a decision

**Commission Action**
The Commission has several options to consider including:

1. Recommend granting a plan change to the building permit for the new boat slip with the suggested conditions, and direct Staff to draft a resolution stating this; OR
2. Recommend granting a plan change to the building permit for the new boat slip with separate or additional conditions, and direct Staff to draft a resolution stating this; OR
3. Recommend denying a plan change to the building permit for the new boat slip; OR
4. Table the matter to a future specified date
DATE: 07/11/19
PROPERTY OWNER: Renee Zemljak / Ed Zemljak
PHONE: 303-601-9818
CONTRACTOR: Geoff Elliot, Grand Environmental Services
PHONE:
CONTACT NAME: Renee Zemljak
PERMIT NUMBER: B19-0145 GL
JOBSITE ADDRESS: 428 Lakeside Dr, Grand Lake, CO 80447
LEGAL DESCRIPTION: LOT: 1 BLOCK: 7 SUBDIVISION: Grand Lake Estates, 1st Filing
OR METES & BOUNDS: SECTION: _______ TOWNSHIP: _______ RANGE: _______
DETAILS OF PLAN CHANGE: Construction of Boat Slip

3 sets of plans attached? YES

Received by_________ Date___________

Application #_________

Approved by Planning & Zoning Department_________ Date:_________ FEE $___________

Approved by Building Department___________ Date:_________ FEE $___________

TOTAL PLAN CHANGE FEE $___________

5.
SITE PLAN + AREA SUMMARY +
PROJECT INFORMATION

Designed by Zachary Zemlak, an Architectural Designer based out of Denver, CO. Currently working with Davis Urban Architects, and a previous employee of Munn Architecture in Granby, CO. This project will be a new home for the Zemlak family, who have been residents of Grand County for the past 10 years.

AREA SUMMARY

Lake Level:  
- finished 1606 sf
- unfinished 1116 sf

Main Level:  
- finished 1789 sf
- unfinished 1116 sf

Loft Level:  
- finished 274 sf

Total finished: 3669 sf
Total: 4785 sf
MATERIAL AND LIGHTING

Project will utilize specified materials, or materials of equal or greater quality, following earth tones and an overall mountain theme aesthetic with dark sky compliant exterior lighting.

ROOFING

OWENS CORNING
OAKRIDGE SHINGLES
BLACK WALNUT

RECLA METALS
STANDING SEAM METAL PANEL
DARK BROWNGREY COLOR

TELLURIDE STONE
HERITAGE SERIES
BEAR RANCH BLEND
W RECESSED GROUT

SIDING AND TRIM

-HEWN 2X12 CHANNEL SIDING W
CHINKING
-ROUGH SAWN 2X6 AND 2X4 TRIM
-BOTH STAINED MEDIUM TO
DARK BROWNGREY W TRIM
DARKER DUE TO TEXTURE
-DARK BROWNGREY FLASHING
TO MATCH

ROUGH SAWN 2X6 VERTICAL
SIDING - SHIPLAP SEAM
STAINED LIGHTGER BROWN/
GREY THAN CHANNEL SIDING
AND TRIM

MARVIN WINDOWS
RED CLADDING AND
DIVIDED LITES

ALL EXTERIOR LIGHTING TO BE CONSISTENT
WITH THE DARK SKY COMPLIANT CONCEPT,
INCLUDING:

- Callaway Rustic Bronze 11 1/2" High LED Outdoor
Wall Light - OR EQUIVALENT - SCONCES NEXT TO
FRONT ENTRY AND LAKE LEVEL REAR DOOR OF
HOUSE
- BENEATH SOFFIT CAN LIGHTING IN ENTRY,
REAR DECK, AND GARAGE SHED ROOF.

DECKING - FOR DOCK AND HOUSE

COMPOSITE DECKING
(TREX OR EQUIV.)
EARTH TONE BROWN
Zemljak Boat Slip Project
Sheet 2: Area of Direct Impact
Lot 1, Block 7 - Grand Lake Estates First Filing

CALCULATIONS
Disturbance in Waters
Boat Slip in Wetland: 175 ft²
- Dredging in Channel: 435 ft²
- Permanent Impacts to Waters: 600 ft²

Disturbance (USFS)
Total Boat Slip on USFS: 215 ft²
- Dredging in Channel: 435 ft²
- Permanent Impacts to USFS: 540 ft²

GPS Capture (GES)
Bathymetry
Lot Line Extension (2019)
Wetland Deletion Line
Wetlands
Lake Shallows
Lot Line Extension to 20 ft Offshore

Lakes Area
Proposed Dredging in Channel
Proposed Boat Dock
Proposed Boat Slip
Project Area
Upland Area

NOTE: Map is a compilation included an Improvement Locating Survey Plat from Davis & Davis Land Surveying, Inc., dated 10/19/18. Grand County Checkup Parcel Data from June 2019. Wetlands delineated by Grand Environmental Services using the 1987 Corps Wetland Determination Manual as updated by the 2010 Corps of Engineers Supplement. No warranty exists in the use of this data.

Map Produced: 8/29/2019
APPLICATION FOR TRANSPORTATION AND
UTILITY SYSTEMS AND FACILITIES
ON FEDERAL LANDS

NOTE: Before completing and filing the application, the applicant should completely review this package and
schedule a preapplication meeting with representatives of the agency responsible for processing the
application. Each agency may have specific and unique requirements to be met in preparing and
processing the application. Many times, with the help of the agency representative, the application can
be completed at the preapplication meeting.

1. Name and address of applicant (include zip code)
Edward and Renee Zrnjak
1100 Sth High Street
Denver Co, 80210

3. Telephone (area-code)
303-601-8848

2. Name, title, and address of authorized agent if different from item 1 (include zip code)

4. As applicant are you? (check one)
   a. ☐ Individual
   b. ☐ Corporation*
   c. ☐ Partnership/Association*
   d. ☐ State Government/State Agency
   e. ☐ Local Government
   f. ☐ Federal Agency

5. Specify what application is for. (check one)
   a. ☐ New authorization
   b. ☐ Renewing existing authorization No.
   c. ☐ Amend existing authorization No.
   d. ☐ Assign existing authorization No.
   e. ☐ Existing use for which no authorization has been received *
   f. ☐ Other*

6. If an individual, or partnership are you a citizen(s) of the United States? ☒ Yes ☐ No

7. Project description (describe in detail): (a) Type of system or facility, (e.g., canal, pipeline, road); (b) related structures and facilities; (c) physical specifications (length, width, grading, etc.); (d) term of years needed; (e) time of year of use or operation; (f) Volume or amount of product to be transported; (g) duration and timing of construction; and (h) temporary work areas needed for construction (Attach additional sheets if additional space is needed.)

   (a) Individual boat dock; (b) no attached structure or facility, related to new residential construction; (c) see attached site plan; (d) permanent; (e) all year; (f) NA; (g) Start May 2019, 12 months; (h) NA

Project address:
428 Lakeside Drive
Grand Lake, Colorado

8. Attach a map covering area and show location of project proposed

9. State or Local government approval: ☐ Attached ☒ Applied for ☐ Not Required

10. Nonreturnable application fee: ☐ Attached ☒ Not required

11. Does project cross international boundary or affect international waterways? ☒ Yes ☐ No (if "yes," indicate on map)

12. Give statement of your technical and financial capability to construct, operate, maintain, and terminate system for which authorization is being requested. We are seeking a special use permit (SF-296) for an individual boat dock to be constructed in conjunction with a new single-family dwelling. We have secured Big Valley Construction to construct the dock and home with an anticipated construction start date of May 2019. The proposed boat dock requires a permit to be built into the private land to mitigate the dock protruding into the canal. As such, the optimum time to construct the boat dock is during land excavation and construction of home foundation. The proposed dock design is similar to the existing adjoining property boat dock. The home will be valued at more than $1 million dollars and we have the funds necessary to maintain the boat dock and home for the foreseeable future.
13a. Describe other reasonable alternative routes and modes considered.
NA

b. Why were these alternatives not selected?
NA

c. Give explanation as to why it is necessary to cross Federal Lands.
NA

14. List authorizations and pending applications filed for similar projects which may provide information to the authorizing agency. (Specify number, date, code, or name) NA

15. Provide statement of need for project, including the economic feasibility and items such as: (a) cost of proposal (construction, operation, and maintenance); (b) estimated cost of next best alternative; and (c) expected public benefits.
NA

16. Describe probable effects on the population in the area, including the social and economic aspects, and the rural lifestyles. the project should have no impact on area population and rural lifestyles.

17. Describe likely environmental effects that the proposed project will have on: (a) air quality; (b) visual impact; (c) surface and ground water quality and quantity; (d) the control or structural change on any stream or other body of water; (e) existing noise levels, and (f) the surface of the land, including vegetation, permafrost, soil, and soil stability. Project proposes a boat slip be excavated/built into the private property. Could cause cloudy water during construction.

18. Describe the probable effects that the proposed project will have on (a) populations of fish, plantlife, wildlife, and marine life, including threatened and endangered species; and (b) marine mammals, including hunting, capturing, collecting, or killing these animals. The project will have no effect
19. State whether any hazardous material, as defined in this paragraph, will be used, produced, transported or stored on or within the right-of-way or any of the right-of-way facilities, or used in the construction, operation, maintenance or termination of the right-of-way or any of its facilities. "Hazardous material" means any substance, pollutant or contaminant that is listed as hazardous under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended, 42 U.S.C. 9601 et seq., and its regulations. The definition of hazardous substances under CERCLA includes any "hazardous waste" as defined in the Resource Conservation and Recovery Act of 1976 (RCRA), as amended, 42 U.S.C. 6901 et seq., and its regulations. The term hazardous materials also includes any nuclear or byproduct material as defined by the Atomic Energy Act of 1954, as amended, 42 U.S.C. 2011 et seq. The term does not include petroleum, including crude oil or any fraction thereof that is not otherwise specifically listed or designated as a hazardous substance under CERCLA Section 101(14), 42 U.S.C. 9601(14), nor does the term include natural gas. No hazardous material will be used.

20. Name all the Department(s)/Agency(ies) where this application is being filed.
City of Grand Lake; 1026 Park Avenue, Grand Lake, CO 80447
Grand County; 307 Moffat Ave, Hot Sulphur Springs, CO 80451

I HEREBY CERTIFY, that I am of legal age and authorized to do business in the State and that I have personally examined the information contained in the application and believe that the information submitted is correct to the best of my knowledge.

Signature of Applicant: [Signature]
Date: March 20, 2019

Title 18, U.S.C. Section 1001, makes it a crime for any person knowingly and willfully to make to any department or agency of the United States any false, fictitious, or fraudulent statements or representations as to any matter within its jurisdiction.

GENERAL INFORMATION
ALASKA NATIONAL INTEREST LANDS

This application will be used when applying for a right-of-way, permit, license, lease, or certificate for the use of Federal lands which lie within conservation system units and National Recreation or Conservation Areas as defined in the Alaska National Interest Lands Conservation Act. Conservation system units include the National Park System, National Wildlife Refuge System, National Wild and Scenic Rivers System, National Trails System, National Wilderness Preservation System, and National Forest Monuments.

Transportation and utility systems and facility uses for which the application may be used are:

1. Canals, ditches, flumes, laterals, pipes, pipelines, tunnels, and other systems for the transportation of water.

2. Pipelines and other systems for the transportation of liquids other than water, including oil, natural gas, synthetic liquid and gaseous fuels, and any refined product produced therefrom.

3. Pipelines, slurry and emulsion systems, and conveyor belts for transportation of solid materials.

4. Systems for the transmission and distribution of electric energy.

5. Systems for transmission or reception of radio, television, telephone, telegraph, and other electronic signals, and other means of communications.

6. Improved right-of-way for snow machines, air cushion vehicles, and all-terrain vehicles.

7. Roads, highways, railroads, tunnels, tramways, airports, landing strips, docks, and other systems of general transportation.

This application must be filed simultaneously with each Federal department or

Department of Transportation
Federal Aviation Administration
Alaska Region AAL-4, 222 West 7th Ave., Box 14
Anchorage, Alaska 99513-7587
Telephone: (907) 271-5285

NOTE - The Department of Transportation has established the above central filing point for agencies within that Department. Affected agencies are: Federal Aviation Administration (FAA), Coast Guard (USCG), Federal Highway Administration (FHWA), Federal Railroad Administration (FRA).

OTHER THAN ALASKA NATIONAL INTEREST LANDS

Use of this form is not limited to National Interest Conservation Lands of Alaska.

Individual department/agencies may authorize the use of this form by applicants for transportation and utility systems and facilities on other Federal lands outside those areas described above.

For proposals located outside of Alaska, applications will be filed at the local agency office or at a location specified by the responsible Federal agency.

SPECIFIC INSTRUCTIONS (items not listed are self-explanatory)

7 Attach preliminary site and facility construction plans. The responsible agency will provide instructions whenever specific plans are required.

8 Generally, the map must show the section(s), township(s), and range(s) within which the project is to be located. Show the proposed location of the project on the map as accurately as possible. Some agencies require detailed survey maps. The responsible agency will provide additional instructions.

9, 10, and 12 The responsible agency will provide additional instructions.
agency requiring authorization to establish and operate your proposal.

In Alaska, the following agencies will help the applicant file an application and identify the other agencies the applicant should contact and possibly file with:

Department of Agriculture
Regional Forester, Forest Service (USFS)
Federal Office Building,
P.O. Box 21528
Juneau, Alaska 99802-1628
Telephone: (907) 586-7647 (or a local Forest Service Office)

Department of the Interior
Bureau of Indian Affairs (BIA)
Juneau Area Office
Federal Building Annex
9109 Mendenhall Mall Road, Suite 5
Juneau, Alaska 99802
Telephone: (907) 586-7177

Department of the Interior
Bureau of Land Management
222 West 7th Avenue
P.O. Box 13
Anchorage, Alaska 99513-7599
Telephone: (907) 271-5477 (or a local BLM Office)

U.S. Fish & Wildlife Service (FWS) National Park Service (NPS)
Office of the Regional Director Alaska Regional Office,
1011 East Tudor Road 2225 Gambell St., Rm. 107
Anchorage, Alaska 99503 Anchorage, Alaska 99522-2852
Telephone: (907) 786-3440 Telephone: (907) 786-3440

Note - Filings with any Interior agency may be filed with any office noted above or with the Office of the Secretary of the Interior, Regional Environmental Office,
P.O. Box 120, 1675 C Street, Anchorage, Alaska 99513.

13 Providing information on alternate routes and modes in as much detail as possible, discussing why certain routes or modes were rejected and why it is necessary to cross Federal lands will assist the agency(ies) in processing your application and reaching a final decision. Include only reasonable alternate routes and modes as related to current technology and economics.

14 The responsible agency will provide instructions.

15 Generally, a simple statement of the purpose of the proposal will be sufficient. However, major proposals located in critical or sensitive areas may require a full analysis with additional specific information. The responsible agency will provide additional instructions.

16 Through 18 Providing this information is as much detail as possible will assist the Federal agency(ies) in processing the application and reaching a decision. When completing these items, you should use a sound judgment in furnishing relevant information. For example, if the project is not near a stream or other body of water, do not address this subject. The responsible agency will provide additional instructions.

Application must be signed by the applicant or applicant’s authorized representative.

EFFECT OF NOT PROVIDING INFORMATION: Disclosure of the information is voluntary. If all the information is not provided, the application may be rejected.

DATA COLLECTION STATEMENT
The Federal agencies collect this information from applicants requesting right-of-way, permit, license, lease, or certification for the use of Federal lands. The Federal agencies use this information to evaluate the applicant’s proposal. The public is obligated to submit this form if they wish to obtain permission to use Federal lands.

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SUPPLEMENTAL

NOTE: The responsible agency(ies) will provide instructions.

I - PRIVATE CORPORATIONS

<table>
<thead>
<tr>
<th>Item</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Articles of Incorporation</td>
</tr>
<tr>
<td>2.</td>
<td>Corporation Bylaws</td>
</tr>
<tr>
<td>3.</td>
<td>A certificate from the State showing the corporation is in good standing and is entitled to operate within the State</td>
</tr>
<tr>
<td>4.</td>
<td>Copy of resolution authorizing filing</td>
</tr>
<tr>
<td>5.</td>
<td>The name and address of each shareholder owning 3 percent or more of the shares, together with the number and percentage of any class of voting stock of the entity which such shareholder is authorized to vote and the name and address of each affiliate of the entity together with, in the case of an affiliate controlled by the entity, the number of shares and the percentage of any class of voting stock of such entity owned, directly or indirectly, by that entity, and in the case of an affiliate which controls that entity, the number of shares and the percentage of any class of voting stock of that entity owned, directly or indirectly, by the affiliate.</td>
</tr>
<tr>
<td>6.</td>
<td>If application is for an oil or gas pipeline, describe any related right-of-way or temporary use permit applications, and identify previous applications.</td>
</tr>
<tr>
<td>7.</td>
<td>If application is for an oil and gas pipeline, identify all Federal lands by agency impacted by proposal.</td>
</tr>
</tbody>
</table>

II - PUBLIC CORPORATIONS

<table>
<thead>
<tr>
<th>Item</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>8.</td>
<td>Copy of law forming corporation</td>
</tr>
<tr>
<td>9.</td>
<td>Proof of organization</td>
</tr>
<tr>
<td>10.</td>
<td>Copy of Bylaws</td>
</tr>
<tr>
<td>11.</td>
<td>Copy of resolution authorizing filing</td>
</tr>
<tr>
<td>12.</td>
<td>If application is for an oil or gas pipeline, provide information required by item &quot;I-f&quot; and &quot;I-g&quot; above.</td>
</tr>
</tbody>
</table>

III - PARTNERSHIP OR OTHER UNINCORPORATED ENTITY

<table>
<thead>
<tr>
<th>Item</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>13.</td>
<td>Articles of association, if any</td>
</tr>
<tr>
<td>14.</td>
<td>If one partner is authorized to sign, resolution authorizing action is</td>
</tr>
</tbody>
</table>

CHECK APPROPRIATE BLOCK

<table>
<thead>
<tr>
<th>Attached</th>
<th>Filed</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Microsoft Word 2000 Version 9.0.2720
1. Name and address of each participant, partner, association, or other

2. If application is for an oil or gas pipeline, provide information required by item "H" and "I-g" above.

If the required information is already filed with the agency processing this application and is current, check block entitled "Filed." Provide the file identification information (e.g., number, date, code, name). If not on file or current, attach the requested information.

NOTICE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0596-0082.

This information is needed by the Forest Service to evaluate the requests to use National Forest System lands and manage those lands to protect natural resources administered to use, and ensure public health and safety. This information is required to obtain or retain a benefit. The authority for this requirement is provided by the Organic Act of 1897 and the Federal Land Policy and Management Act of 1976, which authorize the secretary of Agriculture to promulgate rules and regulations for authorizing and managing National Forest System lands. These statutes, along with the Term Permit Act, National Forest Ski Area Permit Act, Granger-Thye Act, Mineral Leasing Act, Alaska Term Permit Act, Act of September 3, 1954, Wilderness Act, National Forest Roads and Trails Act, Act of November 16, 1973, Archeological Resources Protection Act, and Alaska National Interest Lands Conservation Act, authorize the Secretary of Agriculture to issue authorizations for the use and occupancy of National Forest System lands. The Secretary of Agriculture's regulations at 36 CFR Part 251, Subpart B, establish procedures for issuing these authorizations.

The Privacy Act of 1974 (5 U.S.C. 552a) and the Freedom of Information Act (5 U.S.C. 552) govern the confidentiality to be provided for information received by the Forest Service.

Public reporting burden for this collection of information is estimated to average 8 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.
With the vacancy left by the departure of Matt Jurak I don’t have the ability to move on evaluating and developing a permit for this property. We are in the process of attempting to bring on a “Detailer” to complete Special Uses Duties but that person may not start until sometime in June. We have a person targeted for this position but are just waiting on Human Resources and our Region Office to complete the approval process. So for now a Boat Dock Permit is not authorized.

From: Nate Shull [mailto:glplanning@townofgrandlake.com]
Sent: Wednesday, May 15, 2019 11:36 AM
To: Renee Zemljak <renee.zemljak@gmail.com>; Cornwell, Clayton-FS <clayton.cornwell@usda.gov>; Mike Dixon <mdixon@bigvalleyconstruction.com>; Zachary. Zemljak <zacharyzemljak@gmail.com>; Tyler Adams <tyler.r.adams@usace.army.mil>
Subject: RE: SF299 boat dock application - Zemljak’s 428 Lakeside Grand Lake

Renee,

With your new house being approved to receive a permit, I have taken the initiative to move your boat slip project request forward on to our Planning Commission for review. You have been placed on the June 5th meeting agenda. The meeting takes place at Town Hall (2016 Park Ave, Grand Lake CO) at 6:30 PM.
Thanks for providing the pre-application consultation submittal for the Zemljak Boat Slip project.

Based on my initial review and discussions with you it appears that we are on track for PCN submittal for a NWP 42.

As discussed, I’m currently coordinating with the Corps’ “Cultural Resource Specialist” in Sacramento about the effects determination for Section 106 of the NHPA associated with this action.

After I confirm, I will update you and then I believe you should be almost ready to submit the PCN.

If anybody has any questions or would like to discuss further please see my contact information listed below,

Respectfully,
Tyler R. Adams
U.S. Army Corps of Engineers
Project Manager, Colorado West Section
400 Rood Avenue, Room 224
Grand Junction, Colorado 81501
PH: (970) 243-1190, #1013
FAX: (970) 241-2358
Tyler.R.Adams@usace.army.mil

Please note: Our out-of-office notification has been disabled. If I do not respond to your message in a few days, I may be out of the office. I will respond as soon as I am able.

---Original Message---
From: geoff@grandenvironmental.com [mailto:geoff@grandenvironmental.com]
Sent: Wednesday, June 26, 2019 10:57 AM
To: Adams, Tyler R CIV US ARMY CESP (US) <Tyler.R.Adams@usace.army.mil>
Cc: ‘Nate Shull’ <glplanning@townofgrandlake.com>; vellis@co.grand.co.us; ‘Renee Zemljak’ <reneezemljak@gmail.com>; ‘zachary zemljak’ <zacharyzemljak@gmail.com>; ‘Mike Dixon’ <mdixon@bigvalleyconstruction.com>; ‘Cornwell, Clayton -FS’ <clayton.cornwell@usda.gov>; geoff@grandenvironmental.com; gsmith@usgs.gov; atrease@usgs.gov
Subject: [Non-DoD Source] Zemljak Boat Slip on Connecting Channel -- Pre-Application Consultation to Corps

Hello Tyler, attached as discussed 20Jun19 is our pre-application consultation (PAC) for Zemljak Boat Slip Project on the connecting channel between Shadow Mtn Reservoir and Grand Lake. We have overlapping jurisdiction with Town of
Grand Lake, Grand County, and USFS Arapaho National Recreation Area, and are working next door to USGS Gage 09014050 Grand Lake Outlet below Chipmunk Lane at Grand Lake, CO. Agency representatives are copied here to facilitate inter-agency communication.

Thanks again for your guidance on this, I’ll give you a call next week to make sure you have received what you need to consider this project and identify any loose ends to be tightened up in a Preconstruction Notification (PCN).

Have a great weekend,

...geoff

Geoffrey S. Elliott, MSc.
Principal Earth Scientist
Grand Environmental Services
312 Park Avenue, PO Box 857
Grand Lake, CO 80447-0857
970-509-0199
Roger that, we’ll have a turbidity curtain set up to exclude the USGS area, can also let Tony T know when we are going to be working in case he is in the neighborhood and can drop by. Thanks so much,
...geoff

Geoffrey S. Elliott, MSc.
Principal Earth Scientist
Grand Environmental Services
312 Park Avenue, PO Box 857
Grand Lake, CO 80447-0857
Text 970-509-0199

Hello all

From the USGS perspective, it looks like there shouldn’t be any detrimental effects to our ADVM discharge sensor in the channel, but we are concerned that our cables might accidentally be cut during the construction process. Our wiring runs along the property line and I believe is attached to some large boulders. A request from USGS would be to pay close attention to our cabling from the ADVM in the channel to the gage-house box located on the bank.

Please feel free to call or email with any questions. Thanks for keep us in the loop

Greg

Gregory J Smith
Lakewood Field Office Chief
(303) 236-6945 office
(303) 941-0550 cell
gsmith@usgs.gov
On Wed, Jun 26, 2019 at 10:59 AM <geoff@grandenvironmental.com> wrote:

Hello Tyler, attached as discussed 20Jun19 is our pre-application consultation (PAC) for Zemljak Boat Slip Project on the connecting channel between Shadow Mtn Reservoir and Grand Lake. We have overlapping jurisdiction with Town of Grand Lake, Grand County, and USFS Arapaho National Recreation Area, and are working next door to USGS Gage 09014050 Grand Lake Outlet below Chipmunk Lane at Grand Lake, CO. Agency representatives are copied here to facilitate inter-agency communication.

Thanks again for your guidance on this, I’ll give you a call next week to make sure you have received what you need to consider this project and identify any loose ends to be tightened up in a Preconstruction Notification (PCN).

Have a great weekend,
...geoff

Geoffrey S. Elliott, MSc.
Principal Earth Scientist
Grand Environmental Services
312 Park Avenue, PO Box 857
Grand Lake, CO 80447-0857
970-509-0199
Public Comments – Zemlak Boat Slip

#1 – 05/18/2019

Nathaniel,

We received the certified letter dated 5-14-19 regarding the proposed boat slip construction at 428 Lakeside Dr. Unfortunately, we are unable to attend the public hearing on June 5, 2019. However, per the letter we are submitting our written comments and questions.

As detailed in the Municipal Code section 12-2-29(B)6 we would like:

- To receive a copy of #3 - A detailed site plan that shows the locations of all existing and proposed disturbances, both inside and outside the setback. The exact area of buffer to be affected shall be accurately and clearly indicated.

- To receive a copy of #5 - Of any alternative plans submitted, which do not include a setback intrusion, or an explanation of why such a plan is not possible.

As the channel is narrow and has a great deal of boat traffic, we are concerned about impact on actual egress and ingress into our property, view obstruction for egress and ingress, any erosion issues impacting their property as well as our neighboring property. Therefore, we would like to receive a copy of the plans and also a chance to hear how it would impact our property from the town planners view.

Sincerely,

Greg and Colleen Kilfoy (cell 832-876-8793)
424 Lakeside Dr.
Grand Lake, CO
Date: 07/17/2019

To: Chairman Southway and Planning Commission
From: Nate Shull, Town Planner

RE: (QUASI JUDICIAL) PUBLIC HEARING - Consideration to grant an appeal in the form of a variance for expansion of a non-conforming structure located at Lot A, Shadow View Terrace, more commonly referred to as 169 Shadow View Lane.

Attachments:
- Location Map (pg. 26)
- Replat of Shadow View Terrace PD (pg. 27)
- Building Permit Application (pg. 28)
- Site Plan and Elevations (pg. 29)
- PC Resolution 05 – 2013 (pg. 38)

Purpose
Town staff has received a variance/appeal request application from Jack Burleson to allow the expansion of a non-conforming structure, more specifically the construction of an awning with post supports over an existing deck (located in the front setback and within Park Ave right-of-way). Josh Bozsan of Rocky Mountain Residential is representing the applicant. This request requires Planning Commission review.

Background
04/12/2013 – Former Planner Joe Biller drafted a report for the exact same request on the Applicant’s property, recommending the Commission authorize the construction of a new roof covering a portion of the existing non-conforming deck with the following conditions:

1. The enlargement does not include any new structure or elements located within the Park Avenue right of way.
2. The applicant resolves the existing deck encroachment in the Park Avenue right of way by either:
   a. Removing the encroachment; or
   b. Obtaining a major encroachment license from the Town.
3. The unpermitted driveway installed and not shown on the final plat be removed by;
   a. The applicant; or
   b. The developer.
4. The applicant obtains written permission from the HOA approving the building plans.
5. The applicant obtains a building permit and complies with all requirements including surveying.

05/01/13 – The Planning Commission approved Resolution 05 – 2013 with specified conditions
Municipal Code
Municipal Code section 12-2-32(B) [Non-Conforming Uses and Structures]
(B) Expansion or Enlargement - A non-conforming building or use to be extended or enlarged shall conform with the provisions of this Article
(a) Special Exceptions to Provisions on Expansion of Non-Conforming Uses
1. The Planning Commission may authorize, upon appeal in specific cases, an exception permitting an increase in either or both the land use area or the floor area on a building or buildings occupied by a non-conforming use, subject to terms and conditions fixed by the Commission...

No exception shall be authorized hereunder unless the Commission shall find that all the following conditions exist:
(i) The use is a non-conforming use as defined by this Article and is in full compliance with all requirements of this Article applicable to nonconforming uses;
(ii) That, owing to exceptional and extraordinary circumstances, literal enforcement of the provisions of this Article regarding non-conforming uses will result in unnecessary hardship;
(iii) That the exception will not substantially or permanently injure the appropriate use of adjacent conforming property in the same zone district or other zone districts;
(iv) That the exception will not alter the essential character of the district in which is located the property for which the exception is sought;
(v) That the exception will not weaken the general purposes of this Article or the regulations established herein for the specific district;
(vi) That the exception will be in harmony with the spirit and purposes of this Article;
(vii) That the exception will not adversely affect the public health, safety, or welfare.

Staff Comments
Staff has the following comments regarding the applicant’s variance/appeal request.

Staff published notice to Middle Park Times on May 13, 2019 and sent out notifications to all property owners within 200’. No comments were received as of July 12, 2019.

Staff discovered PC Resolution 05 – 2013 shortly after posting notice and sending out mailings. It is apparent that the Applicant, who is the same as when the Resolution was previously approved in 2013, did not construct the roof awning to date and failed to mention this approval to staff. At this time, it would seem that the Applicant is simply required to comply with the conditions of Resolution 05 – 2013 as stated. Staff is in communication with the Applicant’s contractor and architect about how to proceed.
Staff Recommendation
N/A

Commission Discussion
N/A

Public Hearing Process
N/A

Commission Action
N/A
**BUILDING PERMIT APPLICATION**

**JURISDICTION:**

**DATE OF ISSUE:**

**PARCEL I.D. NUMBER:**

**SCHEDULE NUMBER:**

**CONTACT NAME:** JOSHUA BOZSAN

**CONTACT PHONE:** 970-724-4111

**CONTACT EMAIL:** JOSHUA@ROCKY MOUNTAIN RESIDENTIAL.COM

---

**1. OWNER NAME:**

- **NAME:** Jack Burlison
- **MAILING ADDRESS:** 169 Shadow View Ln, Grand Lake, CO 80447
- **PHONE:** 314-206-2343

---

**2. LEGAL DESCRIPTION:**

- **LOT NUMBER**
- **BLOCK NUMBER**
- **SUBDIVISION NAME**
- **SECTION**
- **TOWNSHIP**
- **RANGE**

---

**3. JOB ADDRESS:**

- **ADDRESS:** 169 Shadow View Ln, Granby, CO 80446

---

**4. ARCHITECT OR DESIGNER:** MUNN ARCHITECTURE

---

**5. ENGINEER:**

---

**6. CONTRACTOR EMAIL:**

**7. HOMEOWNER EMAIL:**

**8. USE OF BUILDING:**

**9. CLASS OF WORK:**

- **□ NEW**
- **□ ADDITION**
- **□ ALTERATION**
- **□ REPAIR**
- **□ MOVE**
- **□ REMOVE**

**10. DESCRIBE WORK:**

- **□ ADDING MASTERS BATH/ BEDROOM ADDITIONAL SPACE**

---

**NOTICE:** This permit becomes null and void if work or construction is not commenced within 180 days, or if construction or work is suspended or abandoned for a period of 365 days at any time after work is commenced. I hereby certify that I have read and examined this application and know the same to be true and correct. All provisions of laws and ordinances governing this type of work will be complied with whether specified herein or not. The granting of a permit does not presume to give authority to violate or cancel the provisions of any other state or local law regulating construction or the performance of construction.

---

**SIGNATURE OF CONTRACTOR OR AUTHORIZED AGENT DATE**

**SIGNATURE OF OWNER (IF OWNER BUILDER) DATE**

---

---

**VALUATION OF WORK**

**BUILDING PERMIT FEE**

**TOTAL FEE**

**SEPTIC PERMIT FEE**

**ZONING FEE**

**DRIVEWAY PERMIT FEE**

**SEPTIC PERMIT #**

**TYPE OF CONSTRUCTION**

**OCCUPANCY GROUP**

**DIVISION**

**SIZE OF BUILDING**

**NO. OF STORIES**

**MAX OCC. LOAD**

**USE ZONE**

**SET BACKS**

**FRONT**

**SIDE**

**SIDE**

**BACK**

**SPECIAL APPROVAL**

**WATER**

**SEWER**

**P&Z SIGNOFF**

**3 LAKES DESIGN REVIEW**

**DRIVEWAY PERMIT**

**APPLICATION #**

---

28
TOWN OF GRAND LAKE
PLANNING COMMISSION
RESOLUTION NO. 05 – 2013

A RESOLUTION APPROVING CERTAIN IMPROVEMENTS FOR ENLARGEMENT OF A NON-CONFORMING STRUCTURE LOCATED ON LOT A, SHADOW VIEW TERRACE, TOWN OF GRAND LAKE; MORE COMMONLY REFERRED TO AS 169 SHADOW VIEW LANE

WHEREAS, the Town staff denied a building permit for the enlargement an existing non-conforming deck; and

WHEREAS, the Town received an appeal to staff decision to enlarge an existing non-conforming deck; and

WHEREAS, Municipal Code 12-2-32 Non-Conforming Uses and Structures states:

(B) Expansion or Enlargement

A non-conforming building or use to be extended or enlarged shall conform with the provisions of this Article.

1. A non-conforming structure may be enlarged so long as the non-conformance is not expanded.

(a) Special Exceptions to Provisions on Expansion of Non-Conforming Uses

The Planning Commission may authorize, upon appeal in specific cases, an exception permitting an increase in either or both the land use area or the floor area on a building or buildings occupied by a non-conforming use,

No exception shall be authorized hereunder unless the Commission shall find that all the following conditions exist:

(i) The use is a non-conforming use as defined by this Article and is in full compliance with all requirements of this Article applicable to non-conforming uses;

(ii) That, owing to exceptional and extraordinary circumstances, literal enforcement of the provisions of this Article regarding non-conforming uses will result in unnecessary hardship;

(iii) That the exception will not substantially or permanently injure the appropriate use of adjacent conforming property in the same zone district or other zone districts;

(iv) That the exception will not alter the essential character of the district in which is located the property for which the exception is sought;

(v) That the exception will not weaken the general purposes of this Article or the regulations established herein for the specific district;

(vi) That the exception will be in harmony with the spirit and purposes of this Article;

(vii) That the exception will not adversely affect the public health, safety, or welfare.

WHEREAS, Shadow View Terrace is a planned development that is currently out of compliance with the Subdivision Improvements Agreement; and
NOW THEREFORE BE IT RESOLVED BY THE PLANNING COMMISSION OF THE TOWN OF GRAND LAKE, COLORADO,

THAT, the Planning Commission reviewed the application and found the applicant met the criteria of Municipal Code 12-2-32(B); and

THAT, the applicant be allowed to enlarge an existing non-conforming deck as shown on the attached Exhibit A, if and when the following conditions are met:

1. The enlargement does not include any new structure or elements located within the Park Avenue right of way; and
2. The applicant remove existing deck encroachment in the Park Avenue right of way; and
3. The unpermitted driveway installed and not shown on the final plat be removed by:
   a. The applicant; or
   b. The developer; and
4. The applicant obtain written permission from the HOA approving the building plans; and
5. The applicant obtains a building permit and complies with all requirements including surveying.


Votes Approving: 6
Votes Opposed: 0
Absent: 1
Abstained: 0

ATTEST:

Ronda Kolinske, CMC
Town Clerk

TOWN OF GRAND LAKE

Hayden H. Southway
Planning Commission Chairman
ACKNOWLEDGMENTS

This study is made possible by the generous funding and support from the Colorado Department of Local Affairs (DOLA) and the Town of Grand Lake.

Artspace thanks the Town of Grand Lake and the Grand Lake Creative District for their leadership, coordination, and support of this study. Working in concert, they assembled a Core Group that offered us warm hospitality and invaluable insight throughout our visit. It is a pleasure to work with such a committed group of individuals. For a list of Core Group members and affiliations, see page 12.

We also thank Margaret Hunt, Executive Director of Colorado Creative Industries, who joined us in Grand Lake. Her unwavering support and statewide perspective are instrumental to the Space to Create initiative and to Artspace’s work in rural Colorado.

In addition, we thank Chantal Unfug, Director of DOLA’s Division of Local Government; Alison George, DOLA Housing Director; Tara Marshall, formerly with the Town of Trinidad, Colorado, site of the first Space to Create project, and now a DOLA regional director for the Southeast region; Jennifer Coates, Town Manager of Ridgway, Colorado, site of the second Space to Create project; and the more than 120 individuals who, by participating in focus groups or attending the public meeting, made their voices heard over the course of our visit.

For more information about Space to Create and its partners:

**Space to Create, Colorado**
www.coloradocreativeindustries.org/communities/space-create

**Colorado Creative Industries**
www.coloradocreativeindustries.org/about

**Colorado Department of Local Affairs**
www.colorado.gov/dola

**Boettcher Foundation**
www.boettcherfoundation.org

**History Colorado**
www.historycolorado.org

**Town of Grand Lake**
www.townofgrandlake.com

**Grand Lake Creative District**
www.grandlakecreativedistrict.org

---

ABOUT ARTSPACE

Artspace is a nonprofit organization that uses the tools of real estate development to create affordable, appropriate places where artists can live and work. Because Artspace owns each of the projects it develops, it can ensure that they remain affordable and accessible to artists in perpetuity. Over the last three decades, Artspace has led an accelerating national movement of artist-led community transformation. While embracing the value the arts bring to individual lives, Artspace has championed the once-radical idea that artists living on the edge of poverty and chronically underfunded arts organizations can leverage fundamental social change. With headquarters in Minneapolis and offices in Denver, New York, Seattle, and Washington D.C., Artspace is America’s leading developer of arts facilities and has served as a consultant to hundreds of communities and arts organizations nationwide.
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SPACE TO CREATE

Colorado is a magnet for creative enterprises and creative workers. Indeed, with almost 8,000 businesses and 186,000 jobs, the creative sector is the state’s fifth-largest employment cluster with a huge constituency: according to the U.S. Bureau of Economic Research, arts and the creative sector represent 4.3% of the state’s Gross Domestic Product (GDP). Space to Create Colorado is a unique public-private partnership administered by Colorado Creative Industries (CCI) that seeks to capitalize on the creative sector’s enormous potential to drive economic growth.

Established in 2015, Space to Create is America’s first state initiative for the development of affordable space – housing, work space, and commercial space – for artists, artisans, creative industry workers, creative entrepreneurs, and arts organizations. Its goal is to stimulate economic and community development in small towns and rural communities by providing permanently affordable, financially sustainable space for the creative sector.

By 2024, Space to Create will have facilitated the development of nine projects: a demonstration project in Trinidad, now under construction, plus one in each of eight DOLA-defined regions in the state chosen by Space to Create through a competitive process involving five criteria:

- Concentration of creative sector workforce;
- Availability of historic buildings for adaptive reuse;
- Available property for development;
- Commitment of resources by local government; and
- Demonstrated ability to execute community-based initiatives.

To date, all Space to Create projects have been developed by Artspace, the nation’s leading developer of sustainable, affordable space for the creative sector. For more about Artspace, see page 2.

**FIVE PARTNERS**

Space to Create is a partnership among five entities:

- Artspace, the nation’s leading developer of sustainable, affordable space for the creative sector
- Colorado Creative Industries (CCI), a division of Colorado’s Office of Economic Development and International Trade
- The Boettcher Foundation, one of Colorado’s largest philanthropic organizations
- Colorado Department of Local Affairs (DOLA), a state agency with broad range of responsibilities
- History Colorado

Eight DOLA-defined regions in Colorado
SPACE TO CREATE TIMELINE

Grand Lake, located in the Northern Mountains Region, is the fourth Colorado community to participate in Space to Create and the third to go through the competitive process. It joins Trinidad, Ridgway, and Paonia in the program. With both housing and attractions downtown, a plan underway to redo Highway 41, the time is right for redevelopment of the City Square West block across from City Square Park. A task-force is currently studying its reuse, and the City emphasized the need to make this site a downtown destination for residents and visitors alike.

Still to come in Space to Create are five more projects in communities to be selected:

- 2020: North Central Region
- 2021: Northeast Region
- 2022: Central Region
- 2023: South Central Region
- 2024: Southeast Region

2015

Trinidad Artspace (demonstration project in the Southeast region)

Now under construction, Trinidad Artspace will transform an entire block of downtown Trinidad into a dynamic complex of three historic buildings with linked second stories providing 13 affordable live/work apartments for creatives. Six blocks away, a new building will add 28 more units of affordable live/work housing. In addition, the City of Trinidad will own and operate 20,000 square feet of community space in the historic Main Street buildings which will include a space for their Creative District, Corazon de Trinidad, working studios, flexible use space and more. Plans are currently underway for the programmed uses in City space component of the project.

2016

Ridgway (Southwest Region)

Ridgway has completed the first two steps – a Preliminary Feasibility Study and an Arts Market Study – leading to a creative space project, has identified a downtown site, and Spring/Summer 2019 will apply for funding and financing for a 28-unit mixed-use workforce housing project for creatives and their families.

2017

Paonia (Northwest Region)

Paonia recently completed an Arts Market Study that revealed a need for 17 units of workforce housing and up to 10 units of creative work space. Armed with that information, the community is now looking at candidate sites in its downtown area.

2018

Grand Lake (Northern Mountains Region)

Grand Lake’s Preliminary Feasibility Study site visit took place March 6-8, 2019. An Artspace Consulting team visited the community, toured candidate sites, met with focus groups, and collected information. This report contains the findings from that visit.
COMMUNITY PROFILE

A VERY GRAND LAKE

The Town of Grand Lake, Colorado, enjoys a picturesque alpine location overlooking Grand Lake, the state's largest natural body of water, at the western entrance of Rocky Mountain National Park. Established in 1881 as a supply station for nearby mining operations, the community soon evolved into a popular summer destination for the families of wealthy Denver businessmen, four of whom founded the Grand Lake Yacht Club in 1912; its annual midsummer regatta dates from 1903.

Among Grand Lake's other seasonal attractions are the Rocky Mountain Repertory Theatre, a thriving playhouse with a June-September season; the nation's "highest-altitude golf course with grass greens," as the Town website proudly proclaims; an historic downtown with signature boardwalks, and access to a vast wilderness terrain beloved by campers, hikers, hunters, bird watchers, and many others. And, of course, there is the national park itself, the nation's third most visited, which drew nearly 4.6 million tourists in 2018.

Winter is a different story for Grand Lake, however. Despite its proximity to a 300-mile network of groomed snowmobile trails in the Arapaho National Recreation Area, the Town grows much quieter during the winter months, when Trail Ridge Road, the highway through the national park, is closed and the only vehicular access to the community is from the south. Grand Lake's economy is so seasonal that some owners of rental property don't bother to heat their buildings during the winter, for there is no one to use them.

Because Grand Lake has long been an arts-friendly community, a group of civic leaders looking to expand the Town's year-round economy joined forces and approached Colorado Creative Industries (CCI) about formal designation as a creative district. Calling itself the Colorful Creatives, the group consisted of Town of Grand Lake and Grand County administrators, artists and artisans, members of the business community, and others. Their efforts paid dividends in 2018 when CCI certified Grand Lake as Colorado's newest creative district and, a few months later, invited the Town to join "Space to Create," a state program designed to develop affordable workforce housing for the creative sector.

GRAND LAKE, CO
AT A GLANCE

DOLA Region: Northern Mountains
Population (2017 est.): 498
Housing Units (2017 est.): 992
Median HH Income (2017 est.): $51,719
Race and Ethnicity (2017 est.):
  • White: 86.4%
  • Black/African American: 1.2%
  • Native American: 1.5%
  • Asian: 1.4%
  • Hispanic/Latino: 9.5%

Source: Colorado State Demographer, U.S. Census American Fact Finder
Successful projects are the result of good planning. For an Artspace project, planning begins with a Preliminary Feasibility Study, the first step in the process of determining how an affordable arts development project can move forward in the context of a community’s unique needs, assets, and resources.

Central to the study is the Preliminary Feasibility Visit, in which an Artspace team travels to the community to gather information, connect with stakeholders, and share information about the development process. Over the course of two or three days, working closely with a core group of local leaders, the team tours existing arts facilities, looks at potential buildings and sites, holds a public town hall-style meeting, and conducts focus group sessions with civic leaders, creatives, and others. Artspace's Grand Lake Preliminary Feasibility Visit took place March 6–8, 2019. Artspace was represented by Wendy Holmes, Senior Vice President, Consulting and Strategic Partnerships; Anna Growcott, Director, Consulting and Strategic Partnerships; and Shannon Joern, Vice President, National Advancement.

INVESTING IN CREATIVE INDUSTRIES

In addition to the information we gathered during our Preliminary Feasibility Visit, this report is informed by Artspace's experience working in other communities that have invested in affordable facilities for creative workers as well as artists and arts organizations. The following thoughts provide context for evaluating the feasibility and demonstrating the importance of creative spaces in Grand Lake.

Mixed-use arts facilities with long-term affordability have been shown to:

- **Generate economic revitalization and development.** Every project provides job opportunities before, during, and after construction.

- **Preserve old buildings, stabilize neighborhoods, and revitalize vacant and underutilized properties.** They help preserve cultural heritage by providing places where cultural art forms can be passed from one generation to the next.

- **Catalyze private and public investment,** such as façade improvements and general beautification, in the surrounding area.

- **Create community spaces** that give the public opportunities to interact with the artist tenants through gallery events, demonstrations, performances, and installations. They also provide opportunities for other local artists to showcase their work.

- **Support independent artists** who are, in effect, cottage industry owner-operators, for they generate economic activity by selling products or services, purchasing equipment and supplies, and paying taxes.

- **Build community.** Artists and creatives are active neighbors and community members. Many collaborate with the educational, cultural, and business communities as teachers, community conveners, and volunteers.
THE ARTSPACE APPROACH

Over three decades and more than fifty projects, Artspace has identified six components that are essential to successful community-led development of an arts project. These components provide a sturdy framework for assessing the feasibility of a proposed project and helping community leaders plan for successful, affordable, mixed-use facilities. They are:

PROJECT CONCEPT. How will the space be used? Although many communities have a well-developed project concept in mind before embarking on this study, we take nothing for granted. The first thing we ask stakeholders is: “What kinds of creative spaces does your community need and want?”

ARTS MARKET. Is there a sufficient market to support an arts facility? To find out, we collect qualitative data through focus group meetings. We ask artists if they need space to live, work, create, teach, share, and/or sell their art, how much rent they consider affordable, and what types of amenities are important to them.

LOCAL LEADERSHIP. Are there leaders on the ground who are willing and able to advocate for the project, open doors, and keep lines of communication flowing between developer and community? Leaders can come from all sectors, from elected officials to business leaders to artists to ordinary citizens who are passionate about making their community a better place to live, work, and create.

FUNDING AND FINANCING. Arts facilities typically represent significant investments of civic resources. Although a variety of state and federal programs can be used to generate revenue for construction, Artspace relies on local funding and financing programs to support predevelopment expenses and gap funding. The Preliminary Feasibility Study considers the community’s interest and capacity to commit resources to an arts facility.

POTENTIAL SITES. At this stage, the goal is not to select a site but to identify candidates for further study. The factors we consider include location, size, ease of acquisition, and potential for sustained positive impact. As a project moves forward, candidate sites will be evaluated in the context of a refined Project Concept, Arts Market Study data, and a deeper understanding of local development priorities and funding sources.

ALIGNMENT WITH BROADER COMMUNITY GOALS. Good projects are more than the sum of their parts. A potential project can help achieve other civic goals, such as economic development or historic preservation. Artspace considers strategies and partnerships that can leverage impact. During our visit, we ask community members to identify their top priorities. While these are not the only factors Artspace considers in making a recommendation to move a project forward, they help frame the discussion – especially in the preliminary feasibility stage.
FINDINGS

PROJECT CONCEPT

The importance of creating a project that contributes to Grand Lake’s year-round economy cannot be overstated; the subject came up again and again. During our first evening with the Core Group, for example, we asked its members, “Beyond a physical project, what do you hope to achieve through this process? Are there intangible things we should be aware of?” Their responses: A year-round economy. Sustainability. Positive growth. Similarly, at each of our focus group sessions, we distributed a list of “community goals” and asked everyone to circle the three goals they regarded as most important. The top three responses were all related to economic issues:

1. Creating a sustainable year-round economy (24)
2. Preserving affordability (15)
3. Promoting tourism (10)

Although “creating a sustainable year-round economy” received almost as many votes as the other two combined, the need for addressing Grand Lake’s affordable housing shortage was also a high priority. The need for affordable workforce housing “is critical,” a member of the Civic Leaders focus group said. “Young people can’t afford to live here anymore.”

These responses, and many others, lead us to believe that Grand Lake – like Trinidad, Ridgway, and Paonia, its older siblings in the Space to Create program – is probably looking at a mixed-use project that provides affordable live/work housing for artists and their families on the upper floors above commercial spaces for the creative sector on the ground floor. In addition to commercial space, the ground floor could include gathering, education, and work space for creatives. But however that space is designed to be used, the project needs to be built with the goal of helping Grand Lake build a sustainable year-round economy.
ARTS MARKET

The term “arts market” refers to the demand for the kinds of space that creatives regularly need and use. During the Artists, Creatives, and Arts Organizations Focus Group, we ask participants what they consider “affordable” in terms of rent, and what amenities are high priorities for them in the spaces they have identified as high priorities. This information not only helps us assess a project’s feasibility but also lays the groundwork for an Arts Market Study, the next step on the path of an Artspace project.

Artspace intentionally keeps its definition of artist and creative broad; our goal is to be as inclusive as possible. That broad definition aligns well with Colorado Creative Industries’ inclusive perspective. Residents of Artspace buildings around the country include veterans, the formerly homeless, retirees, service workers, teachers, parents, and many others. They are very likely to earn part of their income from something other than their art. In fact, a review of Arts Market surveys completed by Artspace in the last 15 years shows that only about 10% of artist respondents make 100% of their income through their art. This means that many creative people also hold other jobs, some of which are not related to their creative pursuits and could even be related to the seasonal economy, in a purposeful way that recruits creatives as part of the seasonal workforce. One focus group participant who works in the tourism industry spoke about this opportunity and others nodded in agreement.

Artists and creatives representing a wide range of ages, disciplines, and career stages participated in the Grand Lake Artists, Creatives and Arts Organizations Focus Group. Looking around the table, we saw delegates from the Grand Lake Creative District, the Grand Arts Council, the Rocky Mountain Repertory Theatre, and the Rocky Mountain Wooden Boat School, whose motto is “If God had meant us to have fiberglass boats, he would have given us fiberglass trees.” There were also quilters, musicians, painters, sculptors, photographers, cooks, metal workers, and a restorer of antiques, among others. Some described themselves as “serial entrepreneurs” with passion for many forms of artistic expression.

Although they were a diverse group in terms of their creative interests, they agreed about one thing: any project in Grand Lake needs to be “a positive experience for the town,” as one participant put it. And they had plenty of suggestions about how this might be achieved: by providing opportunities for young people to stay in Grand Lake and continue to contribute to the community; by creating a synergy of the full-time and seasonal workforces; by addressing economic diversity; and so on.

In our experience, it’s not uncommon for a community’s artists and creatives to focus quite specifically on their own needs. What impressed us most about Grand Lake’s artists and creatives was their commitment to the welfare of the entire community.

When asked what types of facilities are most needed or desired, the top three answers were:

1. Affordable Living Space
2. Community Gallery/Display Space
3. Maker’s Space

ARTS MARKET STUDY

The Arts Market Study will enable Artspace to test the priority project concept, a mixed-use affordable arts facility. The data collected helps refine the project concept, influence site selection, and guide future creative space development. The AMS Study gathers information about:

- Amount artists could pay for studio/work space
- Amount artists could pay for housing
- Types of shared or community spaces that are most important
- Types of private studio workspaces that are most important
- Location preference
- Types of amenities that are important

In addition to providing key information about the need for space within the possible context of a future Artspace project, this survey also provides valuable information for other developers and organizations who might consider carving out space for artists in their buildings and planned projects. Not every type of needed space and can be accommodated in a single project. Having arts market information available to multiple interested parties is important to supporting new creative space opportunities.
Artspace's definition of an artist is very broad. An "artist" or "creative" is a person who has a demonstrable commitment to the arts or a creative pursuit. While the term is broad and varies from community to community, if affordable housing funding is utilized as part of the project, all "artists" must still qualify for affordable housing by income.

- A person who works in or is skilled in any of the fine arts, including but not limited to painting, drawing, sculpture, book art, mixed-media and print-making.
- A person who creates imaginative works of aesthetic value, including but not limited to film, video, digital media works, literature, costume design, photography, architecture and music composition.
- A person who creates functional art, including but not limited to jewelry, rugs, decorative fixtures, edible products, furniture, straw bale homes, pottery, toys and quilts.
- A performer, including but not limited to singers, musicians, dancers, actors and performance artists.
- In all culturally significant practices, including a designer, technician, tattoo artist, hairdresser, chef/culinary artist, crafts-person, teacher or administrator who is dedicated to using their expertise within the community to support, promote, present, and/or teach and propagate their art form through events, activities, performances and classes.

WHO IS AN ARTIST?
LOCAL LEADERSHIP

Strong local leadership is essential for any community-driven arts project, especially one involving a non-local developer. Without someone on the ground to open doors, advocate effectively for the project, and keep communication flowing, there is little chance of success.

The local leaders with whom Artspace works often include elected officials and city/town administrators who manage departments responsible for initiatives involving economic development, affordable housing, and public access to art. Other leaders can range from artists and nonprofit leaders to bankers and foundation heads, from business owners and real estate agents to developers or architects. In short, the local leaders who help make creative projects possible come from many walks of life. What they have in common is a willingness to work hard to make things happen. And in a town the size of Grand Lake, many leaders wear multiple hats.

Artspace invests time and effort at the very beginning of a proposed project to identify local leaders well-equipped – by position, experience, and influence – to serve as members of the Core Group. We meet with the group frequently over the course of a Preliminary Feasibility Visit, and we encourage its members to attend as many other events, including focus group sessions and the public meeting, as their schedules permit.

GRAND LAKE CORE GROUP

- DiAnn Butler ——— Grand County Economic Development/Project Leader
- Jim White ——— Grand Lake Town Manager
- Nate Shull ——— Grand Lake Town Planner
- Ken Fucik ——— Grand Lake Creative District President
- Mike Long ——— Grand Lake Creative District Board and Photographer
- Steve Kudron ——— Grand Lake Town Council/Main Street business owner
- Debbie Fitch ——— Grand Lake Creative District Board, Merchant and Investor
- Mike Tompkins ——— Grand Lake Creative District Board and Investor
- Megan Ledin ——— Grand Foundation Executive Director
- Sheena Darland ——— Grand County Housing Authority
- Cyndi Cunningham ——— Grand Lake Creative District Board Member and Realtor
- Laura Kratz ——— Grand Lake Creative District Board and Merchant
FUNDING AND FINANCING

When considering financial feasibility and return on investment, Artspace takes into consideration the multiple points of impact of a potential project. Returns on investment can include not only affordable housing but also blight remediation, adaptive reuse of historic buildings, and infrastructure investment in the cultural economy.

In addition to these sources, mixed-use arts projects of the kind Artspace has developed over the years can tap into several federal and state funding programs. Among these are Low Income Housing Tax Credits (LIHTCs), a federal program established in 1986 to encourage the development of affordable housing. This program, and others like it, exist to encourage the development of affordable housing, rehabilitation of historic buildings, economic revitalization of neighborhoods, and other public purposes.

Artspace has experience with Colorado’s funding tools for mixed-use affordable housing projects. However, each town and county is unique in its approach and in the sources available for important “gap” funding. The Funding and Financing Focus Group meeting with members of the local and regional financial sector is a first step to identifying potential local public and private resources.

In Grand Lake, the Funding and Financing Focus Group was quick to grasp that every Artspace project relies on a mix of national, state, and local funding. The group was very engaged and optimistic. Its members clearly understood that it will take a creative “out of the box” approach to fund a project in Grand Lake.

Even LIHTC projects have funding gaps, which typically amount to about 40% of the total project cost. Other sources from public programs, such as Community Development Block Grants and HOME funds, can help close the gap but are not typically available in towns and counties of Grand Lake’s size. Additionally, Artspace relies on the philanthropic community for the final dollars and seeks those dollars in collaboration with the community. Philanthropy comes in the form of gifts from foundations, corporations, and individuals.

In every case, an Artspace project must be prioritized by civic leadership for the development sources to be secured. Project partners undertake a tandem effort to identify and secure the necessary predevelopment funding. Strong town and state leaders can often identify and prioritize funding for projects that align with their community goals.

PUBLIC FINANCING TOOLS

During our Preliminary Feasibility Visit, we discussed the following potential funding sources with the Finance and Funders Group and the Core Group:

- **Low Income Housing Tax Credits (LIHTC)** can generate up to two-thirds of the construction revenue needed for a typical Artspace live/work project. LIHTCs come in two versions: 9% and 4%; the former are highly competitive, the latter are easier to obtain but generate less revenue. In Colorado, LIHTCs are administered by the Colorado Housing Finance Agency (CHFA), an agency we know through our projects in Loveland and Trinidad, both of which secured LIHTC funding.

- **Historic Tax Credits (HTC).** To qualify for the federal program, a property must be listed on the National Register of Historic Places either individually or as a contributing member of a designated historic district. In Colorado, a state HTC program provides additional funding for projects that qualify for federal credits. The Colorado Office of Economic Development and International Trade (OEDIT), of which CCI is a part, administers both the federal and state historic tax credit programs.
The State Historical Fund provides grants for the preservation and renovation for historic projects through History Colorado.

The USDA Rural Loan program has several low-interest loan and grant programs for which mixed-use affordable housing projects may be eligible. Areas of interest include business development, housing, technical assistance for job relocation, and capacity building. For example, the program for community facilities offers 30-year loans at a 2.75% interest rate.

Enterprise Zone Tax Credit Program, managed by OEDIT, includes a 25% tax credit for individual donors making contributions to charitable projects located in an Enterprise Zone. This program is not a revenue source but an incentive for private contributions. Artspace used it in Loveland.

DOLA (Department of Local Affairs) has grant and loan programs that may be applicable from both the Division of Local Government and the Division of Housing. These programs can be used for community facilities, affordable housing, technical assistance, business development, job creation and more. These include Energy/Mineral Impact Assistance Fund (EIAF), Rural Economic Development Initiative (REDI), and Community Development Block Grants (CDBG).

Federal Home Loan Bank – Topeka is one of twelve government-sponsored Federal Home Loan Banks that provide equity to support housing financing and community investments.

Private philanthropy. Most Artspace projects rely in part on gifts from community foundations, private foundations and individual donors to close the gap between project costs and revenue from all other funding sources. Although a full-fledged capital campaign is not typically necessary, it is important for local leaders to know that private philanthropy is likely to be required and to help us identify and cultivate prospective donors. One selling point is that Artspace projects are financially self-sustaining and do not need annual gifts for operations. In the case of Grand Lake, many focus group participants and Core Group members spoke highly of the potential of generous families with homes in Grand Lake who would be prospective donors to a Space to Create project. In addition, there are several state foundation partners that are invested in Space to Create, as well as county-based community, corporate and family foundation opportunities.

Colorado Office of Economic Development and International Trade provides financial and technical assistance for small business development, employee owned businesses, Enterprise Zone tax credits, Opportunity Zone technical assistance and guidance for tax credits for private investors, funding for creative districts.

**ARTIST PREFERENCE IN AFFORDABLE HOUSING**

Artspace live/work projects are unlike most affordable housing in that we use an "artist preference" policy to fill vacancies.

For each project, we appoint a committee that includes diverse artists who are not applying to live in that project. The committee interviews income-qualified applicants to determine their commitment to their chosen art form or creative pursuit. It does not pass judgment on the quality of an applicant’s work, nor is it permitted to define what is or is not art. Artists do not need to earn any of their income from their art form.

Although the IRS challenged the "artist preference" policy in 2007, it dropped the challenge after the Housing and Economic Recovery Act of 2008 became law. That law states: “A project does not fail to meet the general public use requirement solely because of occupancy restrictions or preferences that favor tenants...who are involved in artistic or literary activities.” This clause was threatened again in December 2017, but through broad reaching advocacy efforts, the new Tax Cuts and Jobs Act retains the artist preference language in the final signed version of the law.
UNDERSTANDING LOW-INCOME HOUSING TAX CREDITS (LIHTC)

Source: NPR, Illustrations by Chelsea Beck/NPR. Explainer by Meg Anderson, Alicia Cypress, Alyson Hurt, Laura Sullivan and Ariel Zambelich/NPR and Emma Schwartz/Frontline
ARTSPACE FUNDING EXAMPLE

Two funding and financing examples from Artspace’s portfolio are Artspace Loveland Arts Campus in Loveland, CO and Trinidad Space to Create in Trinidad, CO. The charts below show in simplified form the financial sources for each of these developments.

ARTSPACE LOVELAND ARTS CAMPUS // LOVELAND, CO

<table>
<thead>
<tr>
<th>Source</th>
<th>Amount</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>PUBLIC SOURCES</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Low-Income Housing Tax Credits (9%)</td>
<td>$5,598,880</td>
<td>68%</td>
</tr>
<tr>
<td>CO State Housing Trust Fund / HOME Funds</td>
<td>$300,000</td>
<td>4%</td>
</tr>
<tr>
<td>Loveland City Contract</td>
<td>$413,674</td>
<td>5%</td>
</tr>
<tr>
<td>Loveland City Loan</td>
<td>$300,000</td>
<td>4%</td>
</tr>
<tr>
<td>HACOL - Sponsor Loan</td>
<td>$50,000</td>
<td>1%</td>
</tr>
<tr>
<td><strong>PRIVATE SOURCES</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Residential First Mortgage</td>
<td>$912,000</td>
<td>11%</td>
</tr>
<tr>
<td>Private Sector (Philanthropic Gifts)</td>
<td>$619,584</td>
<td>8%</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td>$8,194,138</td>
<td>100%</td>
</tr>
</tbody>
</table>

Building statistics:
- Total area: 49,700 Square Feet
- Live/work units: 30
- Commercial/Community space: 12,000 Square Feet
- Community space: 4,600 SF
- Located on the Big Thompson River
### TRINIDAD SPACE TO CREATE // TRINIDAD, CO

**Building statistics:**
- Expected to open: Late 2019
- Development cost: $18 Million
- Location: Historic preservation on Main Street and new construction on Elm Street
- Total area: 49,000 Square Feet
- Live/Work Units: 41
- Creative and Community Space: 20,000 Square Feet

<table>
<thead>
<tr>
<th>Source</th>
<th>Amount</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>PUBLIC SOURCES</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Low-Income Housing Tax Credits (9%)</td>
<td>$10,215,244</td>
<td>56%</td>
</tr>
<tr>
<td>CO Department of Local Affairs - Housing</td>
<td>$600,000</td>
<td>3%</td>
</tr>
<tr>
<td>CO Department of Local Affairs</td>
<td>$2,000,000</td>
<td>11%</td>
</tr>
<tr>
<td>City of Trinidad</td>
<td>$1,800,000</td>
<td>10%</td>
</tr>
<tr>
<td>Federal Historic Tax Credits</td>
<td>$1,307,464</td>
<td>7%</td>
</tr>
<tr>
<td>CO State Historic Tax Credits</td>
<td>$1,149,663</td>
<td>6%</td>
</tr>
<tr>
<td>History Colorado</td>
<td>$200,000</td>
<td>1%</td>
</tr>
<tr>
<td><strong>PRIVATE SOURCES</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Private Sector Philanthropy</td>
<td>$525,000</td>
<td>3%</td>
</tr>
<tr>
<td>Sponsor Loan - Philanthropy</td>
<td>$372,500</td>
<td>2%</td>
</tr>
<tr>
<td>Deferred Developer Fee</td>
<td>$215,433</td>
<td>1%</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td>$18,385,304</td>
<td>100%</td>
</tr>
</tbody>
</table>
POTENTIAL SITES

In preparing for our visit to Grand Lake, we asked the Core Group to identify ten potential sites in the community that might be candidates for a mixed-use arts project. We further asked the group to identify five of these as "priority sites" for Artspace to visit and discuss in this report. In fact the Core Group came up with a dozen sites, all of them within the town limits, ranging from less than a quarter of an acre to nearly 4½ acres. Of these, the group duly selected five as priority sites. After completing our site tour, we elected to add a sixth site, the former Putt-Putt mini-golf course, for further consideration. It was one of the original dozen but not listed as a priority site.

SITE TOUR OBSERVATIONS

1. “Car Wash” Lots
   605-615 Center Drive

The Car Wash lots are two vacant parcels with a combined area of slightly more than one-half acre. Located in a residential neighborhood several blocks southwest of downtown Grand Lake, they stand between the administrative office of the Grand Lake Area Historical Society at 601 Center Drive and the Grand Lake Center, another priority site, at 301 Marina Drive. Their development as an arts facility would therefore create a mini-cultural district in this corner of the town. The Car Wash lots are owned by the Town and are for sale at a listed price of $139,800.

2. Grand Lake Center
   301 Marina Drive

The largest of the priority sites (4.48 acres) is this one-story former elementary school, built around 1970. It is now owned by the Town of Grand Lake, which has converted about half of the building for use as a community center as well as a clinic and office space for Middle Park Health. In April 2020, the lease with Middle Park Health will expire, giving the town an opportunity to consider a redevelopment plan for the building as well as the playground and baseball field. Like the adjacent Car Wash lots, Grand Lake Center is a bit off the beaten path, and many of our focus group participants stressed the importance of either a downtown or gateway location for any project. Nevertheless, we think Grand Lake Center warrants further consideration, and we have included it in our “top three” group of sites.

3. Sunset Motel
   505 Grand Avenue

The Sunset Motel occupies a site of about one acre in the 500 block of Grand Avenue, the Town’s “Main Street,” about halfway between Portal Road and the heart of the commercial district. Built in 1954 and expanded in 1996, it has been vacant for a decade or more; it is privately owned and listed for sale at $1.13 million. Although Artspace has converted several former hotels into live/work facilities, the transformation can be difficult; and the Sunset is in such disrepair that it would probably make more sense to raze the structure and erect a new building if this site is chosen.

4. Sombrero Stables
   304 W. Portal Road

Built in 1926 as a stable for horses, Sombrero Stables now consists of several structures of various vintage, one of which has been converted into a makerspace by the Rocky Mountain Wooden Boat School, a nonprofit organization dedicated to the “construction, restoration, maintenance and enjoyment” of wooden boats “through research, public outreach and education.” For those who prefer a gateway site to a downtown location, the Sombrero is ideally located near the intersection of Portal Road and Grand Avenue. Its site is slightly less than one acre. Although the Core Group’s site lists says that the Sombrero Stables are for sale (for about $520,000), we were told that the owners would prefer a long-term lease. Either way, this is a site worth considering, and we have included it in our top three group.
5. **Mountain Paddlers Property**  
*347 Portal Road*

Diagonally across from Sombrero Stables on Portal Road is the Mountain Paddlers Property, a triangular parcel of about half an acre that includes a small building. Privately owned, it is for sale at a list price of $399,000. Although the site has development potential, the nearby Sombrero Stables property is larger and in a better location.

6. **Putt-Putt Mini-Golf**  
*1010 Grand Avenue*

As noted, the Putt-Putt site was not identified as a priority site by the Core Group. And at about one-third of an acre, it is one of the smallest sites we visited. But having walked by it several times over the course of our visit, we decided not only to make it a priority site but also to include it among our top three on the strength of its central location in the commercial core. Although its small footprint means it is probably unsuitable for a conventional mixed-use project, the Putt-Putt site might prove viable for a different kind of project; the example of Trinidad, with its two-site Space to Create project, springs to mind.
CONCLUSION

Which of the priority sites will emerge as Grand Lake’s best choice for an arts project depends on information that we hope to obtain from a Creative Industries / Arts Market Study, which can provide more specific data than can be collected during a Preliminary Feasibility Study. That said, we found three sites that merit serious consideration: Sombrero Stables, the Putt-Putt site, and Grand Lake Center. For a comparison of these sites, see page 19. Once we have the results of the Arts Market Study, we will be in a better position to say which of these sites – or another site not yet identified – makes the most sense.

COMPARING THE TOP SITES

Artspace's top three sites for a potential project are Sombrero Stables, Putt-Putt Lot, and Grand Lake Center.

The sites are compared below, based on location, size, possible project concept(s), acquisition, and summary thoughts.

<table>
<thead>
<tr>
<th>NAME</th>
<th>SOMBRERO STABLES 304 W. Portal Road</th>
<th>PUTT-PUTT LOT 1010 Grand Avenue</th>
<th>GRAND LAKE CENTER 301 Marina Drive</th>
</tr>
</thead>
<tbody>
<tr>
<td>DESCRIPTION</td>
<td>Combination of land and historic stables</td>
<td>Small vacant lot formerly used as mini-golf course</td>
<td>Former elementary school now used as community center</td>
</tr>
<tr>
<td>LOCATION</td>
<td>VERY GOOD: “Gateway” site outside but near the commercial core; highly visible to those entering Grand Lake from the south</td>
<td>EXCELLENT: Next door to popular Squeaky B’s restaurant and directly across from Town Hall in the center of the business district</td>
<td>GOOD: Outside the downtown core but fairly close to everything</td>
</tr>
<tr>
<td>SIZE</td>
<td>VERY GOOD: 0.9 acres, suitable for a variety of uses</td>
<td>FAIR: 0.35 acres, not enough for some uses</td>
<td>EXCELLENT: 4.48 acres, including playground and ballfield</td>
</tr>
<tr>
<td>EASE OF ACQUISITION</td>
<td>VERY GOOD: Privately owned and not for sale, but owners open to long-term lease</td>
<td>GOOD: Privately owned and for sale; listed at $500,000</td>
<td>EXCELLENT: Owned by Town of Grand Lake, which supports the project</td>
</tr>
<tr>
<td>POTENTIAL FOR POSITIVE IMPACT</td>
<td>VERY GOOD: Gateway site combined with sufficient size</td>
<td>FAIR: Central location offset by limited options due to lot size</td>
<td>VERY GOOD: Proximity to existing community center is a big plus</td>
</tr>
<tr>
<td>SUMMARY</td>
<td>VERY GOOD: A prime candidate for redevelopment; already colonized by boat builders</td>
<td>GOOD: Location couldn’t be better but a tight site and a high price</td>
<td>VERY GOOD: Slightly off the beaten path, but a large, flexible site</td>
</tr>
</tbody>
</table>
ALIGNMENT WITH BROADER COMMUNITY GOALS

It’s a statement that bears repeating: good projects are more than the sum of their parts. This maxim rings especially true for Grand Lake and the other rural Colorado communities that the Space to Create program was designed to help. Given Grand Lake’s desire to improve its year-round economy by bringing more artists into its permanent population, the importance of having a project that addresses economic development cannot be overstated. This suggests a mixed-use project that includes both live/work space for artists and non-residential space such as studios or commercial space.

An arts project can help Grand Lake achieve other civic goals as well, such as historic preservation or promoting tourism. As planning for a Grand Lake project moves forward, Artspace will consider strategies and partnerships that can leverage its impact.

ECONOMIC IMPACT STUDY

The “Taking a Measure of Creative Placemaking” report summarizes the findings from two studies, “How Artist Space Matters” and “How Art Spaces Matter II,” which examine the long-term impact and sustainability of five Artspace projects. These studies found that creative spaces benefit communities by:

- Animating deteriorated historic structures and/or underutilized spaces.
- Bringing vacant and/or underutilized spaces back on the tax rolls and boosting area property values.
- Fostering the safety and livability of neighborhoods without evidence of gentrification-led displacement.
- Anchoring arts districts and expanding public access to the art.
- Attracting additional artists, arts businesses, organizations, and supporting non-arts businesses to the area.

Read the full report at: https://www.artspace.org/taking-measure-creative-placemaking
RECOMMENDATIONS AND NEXT STEPS

Grand Lake enjoys a spectacular setting cradled by the Rocky Mountains beside one of Colorado’s most beautiful lakes. For its residents, it is a very special spot: “We live in a place of unending inspiration,” declared Core Group member Steve Kudron. But its beauty comes at a price: Grand Lake is also a long drive from almost everywhere, especially during the winter months. Fortunately for the community, the Space to Create program provides the means for Grand Lake to address its need for a stronger year-round economy.

Given the financial underpinning provided by Space to Create and a strong, committed leadership group, Artspace believes that an arts project can succeed in Grand Lake. Accordingly, we recommend proceeding to an Arts Market Study to obtain more detailed information about the depth and breadth of the space needs of Grand Lake’s creative community.

The Arts Market Study includes a survey that will quantify the need for creative live/work, working studio, and other kinds of production and exhibition spaces. This data will inform site selection, project size, and project amenities. It will also provide reliable information to others whose support is necessary for a successful project, including bankers, funders, and prospective tax credit investors. Data from the survey can also be shared with private developers and policy makers to help encourage further infrastructure investment in the creative economy.

Based on the Preliminary Feasibility Study, we think that Grand Lake can support 15 to 20 units of artist housing in addition to other types of non-residential spaces that support the creative industries. These qualitative findings alone, however, are not a sufficient reason for bankers and funders to offer a grant or loan; the statistical evidence of market demand can be provided only through an Arts Market Study, the next step in the feasibility process.

NEXT STEPS

• Begin preparing for the Arts Market Study. Coordinate with Artspace to confirm the scope of work and discuss timeline. To further preparations, gather a diverse group of leaders to serve as an advisory committee to the survey process. This group is critical to the Arts Market Study and can be reengaged for future activities related to the project such as advocacy and marketing.

• Continue to explore private sector funding opportunities and how they might be pursued for a Space to Create project in Grand Lake. A creative approach will be needed, one that does not take away from support for existing organizations and helps to identify new resources that could help future creative space and ongoing program initiatives.

• Check in with DOLA, CHFA, and other agencies to discuss the types and likely timing of predevelopment and development support that might come from various state programs. Collaboration among the agencies and new ideas about funding will be critical for a successful initiative in Grand Lake. Artspace is happy to participate in these conversations.

After completing the Arts Market Study, the next step toward an Artspace project involves entering into a predevelopment agreement. See Appendix II, “The Path of an Artspace Project,” which provides an overview of the steps involved in advancing a successful project.

Artspace greatly appreciates the opportunity to work with the Town of Grand Lake and learn from its residents and leaders. Artspace came away with a strong sense of the potential for an artist live/work mixed-use facility. Insights and recommendations in this report are solely intended to guide a project to the next phase of development and set Grand Lake on the path to further support its creative sector through stable and affordable creative spaces.
APPENDIX I

ABOUT ARTSPACE

Established in 1979 to serve as an advocate for artists’ space needs, Artspace effectively fulfilled that mission for nearly a decade. By the late 1980s, however, it was clear that the problem required a more proactive approach, and Artspace made the leap from advocate to developer. Since then, the scope of Artspace’s activities has grown dramatically. Artspace is now a national leader in the field of developing affordable space that meets the needs of artists through the adaptive reuse of historic buildings and new construction.

Artspace's first three live/work projects were in Saint Paul: the Northern Warehouse Artists’ Cooperative (1990), 653 Artist Lofts (formerly Frogtown Family Lofts) (1992), and Tilsner Artists’ Cooperative (1993). In the mid-1990s, Artspace broadened its mission to include non-residential projects. The first of these, The Traffic Zone Center for Visual Art (1995), transformed an historic bakery in the Minneapolis Warehouse district into 24 studios for mid-career artists.

Since then, Artspace has expanded its range of activities to include projects in operation or development in more than 20 states across the nation. In all, these projects represent nearly 2,000 live/work units and millions of square feet of non-residential community and commercial space. Artspace has evolved from a Minnesota organization with a few national projects into a truly national organization based in the Twin Cities, with offices in Denver, New York, Seattle, and Washington D.C.

Artspace programs fall in three broad categories: Property Development, Asset Management, and Consulting Services.
PROPERTY DEVELOPMENT

Development projects, which typically involve the adaptive reuse of older buildings, but can also involve new construction, are the most visible of Artspace’s activities. To date, we have completed more than 50 major projects. A dozen more are under construction or in the development pipeline. Artspace live/work projects are operating from coast to coast.

ASSET MANAGEMENT

Artspace owns or co-owns all of the buildings it develops; our portfolio now comprises more than $600 million worth of property. We strive to manage our properties so that they will be well-maintained, yet remain affordable to the low-and moderate-income artists for whom they were developed in the first place. Revenues in excess of expenses are set aside for preventive maintenance, commons area improvements and building upgrades.

CONSULTING SERVICES

In addition to its roles as developer, owner, and manager, Artspace acts as a consultant to communities, organizations, and individuals seeking information and advice about developing affordable housing and work space for artists, performing arts centers, and cultural districts, often within the context of historic preservation.
Rome wasn’t built in a day, and neither is an Artspace project. In fact, a typical Artspace live/work project takes from four to seven years to complete. Although no two projects are precisely alike, they all travel a similar path through the development process.

Here is a brief look at a typical Artspace live/work project as it proceeds from first inquiries through preliminary feasibility studies, an arts market survey, predevelopment, and development to completion and occupancy. Please note that this is not an exhaustive list of every activity that goes into an Artspace project, and that some actions may occur in a different order.

## STEP 1: PRELIMINARY FEASIBILITY VISIT

<table>
<thead>
<tr>
<th>OVERVIEW</th>
<th>• Information Gathering and Outreach</th>
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</table>
| PRIMARY ACTIVITIES | • Meet with artists, local funders, businesses, civic leaders, and other stakeholders  
• Conduct a public meeting to introduce Artspace and solicit community feedback  
• Tour candidate buildings and/or sites  
• Extend outreach as needed to ensure that people from underrepresented communities are included in the process |
| DELIVERABLES | • Written report with recommendations for next steps |
| PREREQUISITES FOR MOVING FORWARD | • Demonstrated support from local leadership  
• Critical mass of artists and arts organizations with space needs  
• Established base of financial support |
<p>| TIME FRAME | • Completed March 2019 |</p>
<table>
<thead>
<tr>
<th><strong>OVERVIEW</strong></th>
<th>Assessing the Market</th>
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</table>
| **PRIMARY ACTIVITIES** | Three phases to the study: survey preparation, data collection, and analysis/reporting  
| | Quantify the overall demand for arts and creative spaces  
| | Identify the types of spaces, amenities and features that artists want/need  
| | Inform site selection, design, and programmatic decisions  
| | Maintain community involvement throughout the project  
| | Help build support and secure funding  
| **DELIVERABLES** | Written recommendations and technical report of survey findings  
| **PREREQUISITES FOR MOVING FORWARD** | Sufficient number of responses from eligible, interested artists to support an Artspace live/work project  
<p>| <strong>TIME FRAME</strong> | Starting May 2019 |</p>
<table>
<thead>
<tr>
<th><strong>OVERVIEW</strong></th>
<th>Determining Project Location and Size</th>
</tr>
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</table>
| **PRIMAR Y ACTIVITIES** | Work with City and other stakeholders to establish (a) preliminary project scope and (b) space development program for evaluating building and site capacity  
  Analyze candidate buildings/sites with respect to cost, availability, and other factors impacting their ability to address development program goals  
  Review existing information about potential site(s) to identify key legal, environmental, physical, and financial issues affecting their suitability  
  Negotiate with property owners with goal of obtaining site control agreement  
  Continue outreach to artists and arts organizations  
  Connect with potential creative community partners and commercial tenants |
| **DELIVERABLES** | Confirmation of development space program and goals  
  Assessment of site suitability and identification of any contingent conditions to be resolved through continued due diligence  
  Site control agreement or update regarding status of site control negotiations  
  Summary of project status |
| **PREREQUISITES FOR MOVING FORWARD** | Site control agreement with property owner  
  Growing stakeholder/leadership group  
  Both parties’ agreement on project scope and feasibility |
| **TIME FRAME** | 3-6 months |
### STEP 4: PREDEVELOPMENT II

<table>
<thead>
<tr>
<th>OVERVIEW</th>
<th>• Project Design and Financial Modeling</th>
</tr>
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</table>
| PRIMARY ACTIVITIES | • Establish process for selecting architectural team  
| | • Confirm development goals and space program with architectural team  
| | • Engage architect to create conceptual plans and schematic designs  
| | • Engage contractor or cost consultant to provide pre-construction services  
| | • Resolve any contingent conditions relating to site control  
| | • Create capital and operating budgets  
| | • Obtain proposals and/or letters of interest from lender and equity investor financing partners  
| | • Prepare and submit Low Income Housing Tax Credit application  
| | • Submit other financing applications as applicable  
| | • Maintain excitement for the project within the creative community  
| | • Encourage and guide local artists to activate the site with arts activities |
| DELIVERABLES | • Schematic designs  
| | • Financial pro-forma detailing capital and operating budgets  
| | • Preliminary proposals and letters of interest for project mortgage and equity financing  
| | • Summary of project status |
| PREREQUISITES FOR MOVING FORWARD | • Award of Low Income Housing Tax Credits (first or second application) or commitment of alternative funding |
| TIME FRAME | • 12 months+ |
### STEP 5: PREDEVELOPMENT III

<table>
<thead>
<tr>
<th>OVERVIEW</th>
<th>From Tax Credits to Financial Closing</th>
</tr>
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</table>
| PRIMARY ACTIVITIES | • Secure final gap funding commitments  
| | • Raise funds for equity, including private sector philanthropic dollars  
| | • Complete construction documents and submit permit applications  
| | • Negotiate construction and permanent loan commitments  
| | • Negotiate limited partner equity investment commitments  
| | • Advance project to construction closing  
| | • Communicate the progress of the project to the creative community to keep up the involvement and excitement |
| DELIVERABLES | Successful closing and commencement of construction |
| TIME FRAME | 4-6 months |

### STEP 6: CONSTRUCTION

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<tr>
<th>OVERVIEW</th>
<th>Construction and Lease-up</th>
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| PRIMARY ACTIVITIES | • Oversee project construction  
| | • Engage property management company  
| | • Identify commercial tenants and sign lease agreements  
| | • Reach out to potential artist tenants, providing education on the application process  
| | • Conduct residential tenant selection process |
| DELIVERABLES | Completed project ready for occupancy |
| TIME FRAME | 6-10 months |