



Date: April 6th, 2022

To: Chairman Shockey and the Planning Commission

From: Kimberly White, Town Planner

Re: ArtSpace/ Space to Create- Conditional Use Permit Review at Subdivision: Town of Grand Lake, Lots 1-4, Block 3, also known as 1128 Park Ave..

Background

ArtSpace/ Space to Create has proposed to build residential units with a live/work or commercial component on a site currently zoned as Public-District. The Applicant is a non-profit organization which qualifies the project as a Conditional Use permitted in the zone. The purpose of the presentation is to identify any terms and conditions as it may deem necessary and appropriate while formulating a recommendation to the Board of Trustees or to request a public hearing.

Municipal Code:

12-2-24 Regulations for Public District – PUB

(C) Conditional Uses

1. Accessory housing unit(s) for principal public building.
2. Public and Private non-profit uses providing a community service.

Conditional Use Permits (CUP)

1. Types of Conditional Use Permits

(a) General Conditional Use Permits (CUPs) - permitted uses allowed in a district, in addition to the uses by right, where so authorized, are designated by individual zoning districts.

Please refer to Sections 12-2-81 through 12-2-25 for individual zone listing.

2. General CUP General Information – Conditional Uses are those uses allowed in a district, in addition to the uses by right, where so authorized, when and if a Conditional Use Permit (CUP) is granted, in accordance with special procedures and requirements. The CUP review process herein is intended to assure compatibility and harmony between the proposed conditional use with both the surrounding properties and the town at large.

(a) The Town of Grand Lake shall not review requests of this nature unless the applicant (its constituents or members) are current with the Town and all Town enterprises for all fees, assessments, charges, taxes, or amount due of any type.

3. Processing and Review Criteria - Unless identified in Section 12-2-31(B)4 Nightly Rental Conditional Use Permits, requests for Conditional Use Permits will be processed and reviewed according to the following criteria:

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

PH. 970/627-3435

FAX 970/627-9290

E-MAIL: town@townofgrandlake.com



(a) Procedure Before the Planning Commission

The applicant may propose a Conditional Use Permit request by submitting, to Town Staff, written material outlining the proposed use.

Included in this narrative should include (but not be limited to: operational hours and functions, management responsibilities, assessed neighborhood compatibility and impact). Written material must be accompanied by supporting documentation, including (if applicable) but not limited to:

1. A site plan depicting the layout of the structure with the proposed use, ingress and egress point, parking and vehicular ingress and egress points, snow storage, trash receptacles, and any other item that may be pertinent to the site plan of the property and proposed use.
2. Landowner or Homeowners Association approval.

(i)...Within fourteen (14) days, staff will determine if the submitted application, and supplemental materials, are complete and schedule the Conditional Use Permit request for the next Planning Commission. The Planning Commission shall either:

1. Formulate a recommendation concerning the Conditional Use including such terms and conditions as it may deem necessary and appropriate. The recommendation shall be placed on the next agenda of the Board of Trustees, or
2. Schedule a Public Hearing for a later date but no sooner than twenty-eight (28) days from receipt of the application. At least fifteen (15) days prior to the scheduled date, Town Staff shall cause a legal notice to run in a local newspaper of general circulation advertising the time, date, and location of the CUP Public Hearing and certified letters to be mailed to all property owners within two hundred (200') feet of any portion of the property proposed for the SUP indicating the time, date, and location of the CUP Public Hearing.

Commission Discussion

3. After taking evidence in relation to said Condition Use application, the Planning Commission shall formulate a recommendation, including such terms and conditions as it may deem necessary and appropriate. The recommendation shall be placed on the next agenda of the Board of Trustees.

(i) The Planning Commission shall take the following factors into consideration prior to making recommendation to the Town Board of Trustees:

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(a) Relationship of the proposed Conditional Use to the economic development objectives of the Town and the anticipated impact of the Conditional Use on existing businesses and neighborhood residences.

(b) Effect upon the character of the area in which the proposed Conditional Use is to be located, including the scale and bulk of the proposed Conditional Use in relation to surrounding uses and neighborhood.

(c) Such other factors and criteria as the Commission deems applicable to the proposed Conditional Use including but not limited to: hours of operation; signage; specific businesses, land owners or other interested parties to be notified; or proposed conditions of CUP issuance.

Suggested Motions:

- 1. I Move recommend approval by the Board of Trustees for the Conditional Use Permit with the following conditions**

Or

- 2. I move to Schedule a Public Hearing for a later date but no sooner than twenty-eight (28) days from receipt of the application.**

Or

- 3. I Move To Deny The Request As Presented.**