

**TOWN OF GRAND LAKE  
PLANNING COMMISSION  
RESOLUTION NO. 03 – 2025**

**A RESOLUTION RECOMMENDING APPROVAL OF FOUR ZONING REGULATION VARIANCE REQUESTS FOR ON-SITE OPEN SPACE LAND AREA REQUIREMENTS, OFF-SITE OPEN SPACE CREDIT, ALLOWANCE OF A FIRST-STORY RESIDENTIAL UNIT, AND AN INCREASE IN THE MAXIMUM BUILDING HEIGHT FOR THE LEATHERWOOD DEVELOPMENT SITE LOCATED ON LOTS 4-6, BLOCK 5 GRAND LAKE SUBDIVISION, AND LOTS 9-14, LEATHERWOOD INN BY THE LAKE SUBDIVISION, MORE COMMONLY REFERRED TO AS 1016 GRAND AVENUE AND 1001, 1005, AND 1007 LAKE AVENUE.**

**WHEREAS**, Spirit Lake Condos LLC (the “Owner”) is the owner of certain real property located within the Town of Grand Lake, more particularly described as follows:

Lots 4-6, Block 5, Grand Lake Subdivision, Grand Lake, Colorado, also known as: 1016 Grand Avenue, Grand Lake, Colorado 80447; and

Lots 9-14, Leatherwood Inn by the Lake Subdivision, Grand Lake Colorado, also known as: 1001, 1005, and 1007 Lake Avenue, Grand Lake, Colorado 80447 (the “Property”); and

**WHEREAS**, the Owner is preparing to redevelop the Property for a new multistory mixed-use development known as the Leatherwood project.; and

**WHEREAS**, the Town received a zoning variance request application (the “Application”) from the Owner, requesting four project specific variances as follows:

1. To classify the Leatherwood project as Group III under the mixed-use open space land area requirements of Municipal Code Section 12-2-26(A)3., resulting in a 35% minimum open space land area requirement.
2. To allow the use of off-site open space at 825 Lake Avenue to be counted towards the total on-site open space requirements of the proposed Leatherwood project.
3. To allow a residential condominium to remain on the main floor within the front 50 feet of an existing residential dwelling, commonly known as “The Lakehouse” along Lake Avenue.
4. To allow a maximum height of up to 45 feet for Building 1 of the Leatherwood project (measured from the regraded alley’s low point), located at the corner of Lake Avenue and Garfield Street.

**WHEREAS**, Grand Lake Municipal Code (the “Code”) establishes the following regulations related to each of the four variance requests in the Commercial zone district for the Town as follows:

**12-2-26(A)3. – Regulations for Mixed Use Developments.**

(A) *Mixed-Use Regulations for the CT, C and RST Districts.*

3. Mixed-Use projects shall conform to the following schedule of (Private) Open Space Land Area Requirements:

Group	Gross Square Footage of Floor Area Of Structure or Land Use Area	Land Use or Floor Area	Minimum Open Space Land Area Required
I.	75% - 99%	Commercial / Office	20%
	25% - 1%	Residential	
II.	50% - 75%	Commercial / Office	25%
	50% - 25%	Residential	
III.	25% - 50%	Commercial / Office	35%
	75% - 50%	Residential	
IV.	10% - 25%	Commercial / Office	45%
	90% - 75%	Residential	
V.	1% - 9%	Commercial / Office	50%
	99% - 91%	Residential	

**12-2-26(A)4. – Regulations for Mixed Use Developments.**

(A) *Mixed-Use Regulations for the CT, C and RST Districts.*

4. In all applicable districts, the developer shall submit a proposal for the Open Space Land Area Required for Mixed-Use projects. The Open Space Land Area Requirement is to be provided on-site, in accordance with the Section 12-2-6 Definitions.

**12-2-18(A)10. – Regulations for Commercial District - C.**

(A) *Uses Permit by Right.*

10. Residential units, herein defined as: Multi-family attached rental units, condominiums, townhouses, and condo/hotels with the following restrictions:
  - (a) The first story area measured from the frontages to fifty (50) feet into the lot shall be dedicated to commercial space.

**12-2-6. – Definitions**

Height, Building means the vertical distance measured from the original grade or finish grade whichever is more restrictive to the highest point of the roof surface, exclusive of chimneys, ventilators, pipes, spires or similar items. If the footprint of the structure has an elevation difference of five (5) feet or greater an additional five (5) feet may be added to the lower elevation. The height of a stepped or terraced building is the maximum height of any segment of the building.

**12-2-18(C) – Regulations for Commercial - C.**

1. *Zoning Standards.* Except as provided in Section 12-2-27, the area regulations are as follows:

Standard Type	Measurement
Maximum Height	35'

**WHEREAS**, on January 8, 2025, the Planning Commission reviewed the Owners' variance request at a Public Hearing; and,

**WHEREAS**, the Planning Commission closed the Public Hearing on January 8, 2025, and continued their final review and deliberations to February 5, 2025, to request additional information from the applicant to aid in their review of the request(s); and,

**WHEREAS**, based on the Application, the representations of the Owner to the Planning Commission, and public comments, the Planning Commission has considered the following factors set forth in the Grand Lake Municipal Code Section 12-2-27 (2)(B)(3):

- (a) The compatibility of the proposed action with the surrounding area; and
- (b) Whether the proposed action is in harmony with the character of the neighborhood; and
- (c) The need for the proposed action; and
- (d) The effect of the proposed action upon future development in the area; and
- (e) The size, shape, topography, slope, soils, vegetation, and other physical characteristics; and
- (f) Whether alternative designs are possible; and
- (g) With due consideration for the Town's Comprehensive Plan.

**WHEREAS**, upon a thorough consideration of the factors of Section 12-2-27 (2)(B)(3) of the Grand Lake Municipal Code, the Planning Commission finds such factors weigh in favor of approval of the Application.

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

1. The Planning Commission recommends that the Application be approved by the Board of Trustees subject to the conditions set forth in Section 2., below.
2. The Planning Commission's recommendation for approval is based on the Applicant satisfying the following conditions. Unless specified otherwise, such conditions should be satisfied before the matter is considered by the Board of Trustees.
  - a. Payment by the Owner of all legal, engineering, and administrative fees incurred by the Town in connection with the review, processing, consideration, and action on the Application.
  - b. Compliance by the Owner with all representations made to the Planning

Commission during all public hearings or meetings related to the Application.

- c. The Owner complies with all other federal, state, and local regulations, including but not limited to, obtaining building permits, business regulations, and right of way permits; and,
  - d. In granting this Request the Commission is not obligated to grant similar requests in the future nor does granting this Request set a precedent for any future requests.
  - e. This authorization shall run with the transfer of the Property from the Owner to their successors, heirs, or grantees.
  - f. ANY ADDITIONAL CONDITIONS, IF APPLICABLE
3. Severability: If any section, paragraph, sentence, clause, or phrase of this Resolution is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining portions of this Resolution. The Planning Commission declares that it would have passed this Resolution and each part or parts thereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.
4. Repeal: Existing resolutions or parts of resolutions covering the same matters as embraced in this Resolution are hereby repealed and all resolutions or parts of resolutions inconsistent with the provisions of this Resolution are hereby repealed.

**DULY MOVED, SECONDED AND ADOPTED BY THE PLANNING COMMISSION OF  
THE TOWN OF GRAND LAKE, COLORADO THIS 5<sup>th</sup> DAY OF FEBRUARY 2025.**

( S E A L )

ATTEST:

TOWN OF GRAND LAKE

\_\_\_\_\_  
Alayna Carrell  
Town Clerk

\_\_\_\_\_  
James Shockey,  
Planning Commission Chairman

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