



To: Mayor Kudron and the Board of Trustees

From: John Crone, Town Manager

Re: Grand Sunset LLC and Majestic Corner LLC Request for Refund of Parking Fees in Lieu

Date: October 24, 2022

Background

In January 2020, the Board of Trustees passed a resolution raising the parking in lieu fee from \$1,000/space to \$20,000/space. At a recent meeting, Grand Sunset LLC and Majestic Corner LLC asked that the Town refund \$65,000 in fees that were paid for two projects (Boardwalk Plaza and Portal Crossing). The developer ended up providing all of the required parking on site at these two locations. These fees were still at the \$1000/space level when the fees were paid (65 total parking spots).

At the September 26, 2022, BOT meeting, the Board discussed the request for the refund of these fees and instructed staff to take the necessary steps to refund the fees, update the FY 2022 budget to reflect this, and change the Town Code to no longer require a payment of these fees until the development seeks its certificate of occupancy. Staff is still working on updating the code, and it will bring the budget update at the same time as other supplemental budget updates.

Motion

If the Board still wishes to refund the fees paid by the two companies discussed, it may do so by approving the following motion:

I move to approve Resolution 32-2022, a Resolution Refunding Certain Parking Fee In Lieu Payments.

**TOWN OF GRAND LAKE
BOARD OF TRUSTEES
RESOLUTION NO. 32-2022**

A RESOLUTION GRANTING A REFUND OF CERTAIN PARKING FEES IN LIEU

WHEREAS, by virtue of Municipal Code Chapters 2 & 4, the Board of Trustees is empowered to adopt Resolutions related too Town budget and expenditures; and,

WHEREAS, Grand Sunset LLC has previously paid \$40,000 in parking in lieu fees; and,

WHEREAS, Majestic Corner LLC has previously paid \$25,000 in parking in lieu fees; and,

WHEREAS, neither Grand Sunset LLC nor Majestic Corner LLC used any of the fees paid to offset parking requirements; and,

WHEREAS, the Board of Trustees has indicated that parking in lieu fees should only be collected where there is insufficient parking provided in the development; and,

WHEREAS, the Board of Trustees has instructed staff to make the necessary changes to the Municipal Code to reflect its position regarding parking in lieu fees; and,

WHEREAS, the Board of Trustees finds that it is in the best interests of the Town to refund the aforementioned fees in order to treat everyone equitably.

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF GRAND LAKE, COLORADO:

THAT, Forty thousand dollars (\$40,000) parking fees in lieu paid by Grand Sunset LLC and twenty five thousand dollars (\$25,000) parking fees in lieu paid by Majestic Corner LLC shall be returned to said companies.

DULY MOVED, SECONDED, AND ADOPTED BY THE BOARD OF TRUSTEES OF THE TOWN OF GRAND LAKE THIS 24th DAY OF OCTOBER 2022.

(SEAL)

Votes Approving:

Votes Opposing:

Votes Abstaining:

Absent:

ATTEST:

Alayna Carrell, Town Clerk

Ernie Bjorkman, Town Mayor Pro Tem