



May 1st, 2024

To: Chairman Shockey and Planning Commissioners
From: Kim White, Community Development Director



RE: Review of a Conditional Use Permit business that generates income from the use of animals, also known as a dog boarding and training at Subd: Grand Lake Lots:9-10, Block 28, more commonly referred to as 304 West Portal Rd.

Purpose

The Town has received a Conditional Use Permit (CUP) application from George D. Wikinski (“The Applicant”) of Get Along Little Doggie Dog Training, for a business that generates income from the use of animals, also known as dog boarding and training located at Lot 9-10, Block 28, Town of Grand Lake, also known as 304 West Portal Rd. This requires recommendation by the Planning Commission and approval of a Conditional Use permit by the Board per Municipal code 12-2-31(B)

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 under 12-2-31(B) of the Grand Lake Municipal Code.

The Conditional Use permit review process is intended to assure compatibility and harmony between the proposed conditional use with both the surrounding properties and the town at large. As implied by the name, a conditional use permit is subject to various conditions that may be imposed by the Town as decided by the Board of Trustees following a recommendation from the Planning Commission.

Background

Per municipal code 12-2-31 (B) staff presented the application to the Planning Commission on April 3rd, at which point the Planning Commission could decide to either formulate a recommendation to the Board of Trustees, or schedule a public hearing. The planning commission motioned to schedule a public hearing. Staff noticed the public hearing in the paper and to all the neighbors within 200’. 6 of the 19 notices have not been received to date. No



letters for or against have been received in response to this notice.

Municipal Code Procedure:

- (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.*...

Commissioner 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:
 - (ii) 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. (see attachment 2 for comprehensive plan section for econ. develop.)
 - (iii) 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. (attachment 3 for comp plan character)
 - (iv) 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. (attachment 1.pdf)

Staff Comments:

Conditional use permits require the Planning Commission to review 12-2-31 (B) 4 (listed below) and make a recommendation to the Board on the conditional use.

The Town may impose conditions with the review of a Conditional Use Permit, including improvements that are deemed necessary to achieve compatibility with the Town's commercial zoning appearance or other standards. The applicability of district regulations requires that buildings conform with Code standards. The change in the use and character requires a new development application which was submitted as the CUP application. The proposed use is deemed to amend previously approved CUP plans. The requirements to achieve compatibility and Code compliance vary based on the request.

The new business, Get Along Little Doggie, is proposing to change the use for the existing building. The previous business was employee housing for local businesses. The change of use will decrease the amount of full-time individuals on the property to the single owner, but will increase the animal use to allow 10-15 dogs during the day



from 8am- 5pm, 7 days a week.

The proposed hours are 7 days a week from 8a-5p except Wednesday, when hours will be 6p-7pm.

The site will include an office space, agility course areas, two play areas with chain-link fencing screened from the property with wooden privacy fence, a garage used for evening training classes, a bunk house, parking stalls along the front of the building on the property (site plan).

Per 11-4-1, Streets with on street parking require sidewalks or boardwalks. This site is outside of the Central Business District Design Area and does not have any improved shoulders, walkways, or on-street parking currently. As such, Town has recommended that improvements to the parking area in the front of the property be made.



Code 12-7-4 includes design standards for commercial structures. All structures are subject to these Code standards. The color palette and materials have been reviewed and are found to be consistent with the Code.

Refuse is located in the parking lot in the SE corner of the site plan (shown as TR). Per section E, fencing to screen the trash receptacle is requested.

The applicant has addressed noise nuisance by stating that the dogs will always be supervised and he will ensure the dogs will not disturb the neighbors. Any nuisance violation will be handled as reported.

The application does not mention any outdoor lighting, but only dark-sky lighting will be allowed, and with bulbs not being able to be seen off of the property.

Snow storage was noted on the initial site plan, but not on the most recent. Applicant will update plan to include snow storage.

The sign submitted meets the guidelines of the Town sign code for material and color. Applicant will need to submit full sign application for size, lighting, and location approval.

Applicant has lease from the owners to run the business and the bunk house is located in the back 50' of the commercial lot, so living on site is in compliance with the code.

[Parking requirements 12-2-28](#) are not listed for animal activities and must be determined by the commission and the board. Staff recommends that dogs will be dropped off or picked up in the morning and evening and thus it might be treated like the daycare facility requirement of 1 space per 8 students, thus a minimum of 2 onsite parking spaces, plus a vehicle stacking-style drive through since the dogs will be a quick drop (equals a lane and 1 space). Also, with a one-unit residence, and additional requirement for guest parking (for 2 spaces). The total parking recommendation would be 5 spaces and a drive lane.

Previous dog boarding facilities have CUP granted with the following conditions. If planning commission would like to review these additional items and determine if they feel they are applicable to this site, please include them in your motion:



1. The applicant comply with the requirements of Municipal Code Chapter 8: Regulation of Animals; and
2. The applicant is the considered the responsible party and/or “person” of the animals relating to Municipal Code Chapter 8: Regulation of Animals; and
3. The applicant obtain all permits and comply with inspections required by the State of Colorado; and
4. The outdoor operating hours are limited to _____ ; and
5. If a written noise complaint is received by the Town, the applicant will be required to timely install acoustic tiling inside the kennel; and
6. The breeding of animals is NOT permitted; and
7. The applicant is responsible for maintaining a clean facility including the area immediately surrounding the premise, as determined by the Town; and
8. The play area shall graded, drained and maintained by the applicant to prohibit off premise discharge of any and all animal waste; and
9. All animal care activities such as grooming and washing shall be conducted inside the facility; and
10. The applicant shall install a wood privacy fence; and
11. All structures, including shade shelters, shall be constructed less than 6’ in height and in accordance with the Municipal Code; and
12. The applicant shall adhere to the site plan provided in Exhibit A; and
13. All permits necessary to comply with the Municipal Code shall be obtained by the applicant.
14. The Town shall review the Conditional Use Permit if two (2) or more written complaints, including citations, which are received by the Town in any twelve month period. The review shall be conducted according to Municipal Code 12-2-18(B);

Submission Materials Complete:

Items located in the attached application have an X next to them if found.

There are multiple documents attached to this packet. The attachments have a number in the file name which can be cross-referenced with the items below and their location (number.pdf then page of the pdf).

- operational hours and functions (1.pdf page 3)
- management responsibilities (1.pdf page 4)
- assessed neighborhood compatibility and impact (1.pdf page 4)
- Signage (1.pdf page 4 (see logo))
- layout of the structure with the proposed use, ingress and egress point (1.pdf page 3)
- parking and vehicular ingress and egress points (1.pdf page 3)
- snow storage (1a.pdf page 3)
- Landowner or Homeowners Association approval (1.pdf page 5-6)
- trash receptacles (1.pdf page 3)
- specific businesses landowners or other interested parties to be notified

Suggested Motions:

1. **I move to recommend Resolution 06-2024, A Conditional Use Permit for Get Along Little Doggie Dog Training at 304 West Portal Rd. to the Board with the following necessary and appropriate terms and conditions _____ including a noise reduction plan, snow storage location on new site plan, dark sky lighting information, and completed sign application.**

OR

2. **I motion to deny a Conditional Use Permit for Get Along Little Doggie Dog Training For the following reasons _____**