

**TOWN OF GRAND LAKE
BOARD OF TRUSTEES
RESOLUTION NO. 68 – 2024**

**A RESOLUTION APPROVING A VARIANCE TO PARKING STANDARDS AT LOT
15, BLOCK 26, TOWN OF GRAND LAKE, MORE COMMONLY REFERRED TO AS
525 GRAND AVENUE WITH CONDITIONS**

WHEREAS, the Board of Trustees (the “Board”) of the Town of Grand Lake, Colorado, pursuant to Colorado statute, is vested with the authority of administering the affairs of the Town of Grand Lake, Colorado (the “Town”); and

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

Lot 15, Block 26, Town of Grand Lake Subdivision, Grand Lake, Colorado, also known as: 525 Grand Avenue, Grand Lake, Colorado 80447 (the “Property”); and

WHEREAS, the Owner leases the Property to Verts Grand Lake, LLC (the “Applicant”) who is in the process of preparing the Property for retail sale of goods; and

WHEREAS, Grand Lake Municipal Code (the “Code”) Section 12-2-28 sets forth the parking regulations and design standards, including the criteria for granting variances, throughout the Town; and

WHEREAS, the Town received a zoning variance request application (the “Application”) from the Applicant on August 16th, 2024, requesting a variance to the parking standards including (1) a variance permitting ADA parking off street, (2) calculation of on street parking spot credits, and (3) loading and unloading area; and

WHEREAS, Code Section 12-2-28 states in relevant part as follows:

12-2-28 Parking Regulations and Design Standards.

(D) *Variances to Parking Regulations and Design Standards.* Variances to parking regulations and design standards may be granted by the Board of Trustees with recommendation from the Planning Commission.

1. *Criteria to Grant a Variance.* In order to grant approval of a variance, the Board shall find the following findings:
 - (a) That the proposed parking plan requesting the variance has a mitigation plan in place for the requested variance; and
 - (b) That the proposed parking plan requesting the variance has mitigated by providing enhanced pedestrian linkages between uses and structures with developed parking areas; and
 - (c) That the proposed parking plan requesting the variance has demonstrated that the enhanced pedestrian linkages and developed parking areas will be for the public

good to link community uses, promote and increase pedestrian traffic as well as not to pose a detriment to existing parking conditions in the Town; and

- (d) That the cost of the of the pedestrian linkages and developed parking areas are thirty percent (30%) or greater of the total parking fee; and
- (e) That the parking spaces that are being proposed to be provided will be a minimum of sixty-five percent (65%) of the total parking space requirement.

WHEREAS, on October 16, 2024, the Planning Commission reviewed the Applicants' variance request at a Public Hearing and passed a Planning Commission Resolution recommending approval of the variance subject to certain conditions; and,

WHEREAS, based on the Application, the representations of the Applicants to the Planning Commission and the comments of the public, the Board of Trustees has considered the criteria for parking variances contained in the Grand Lake Municipal Code Section 12-2-28(D)(1), as set forth above; and

WHEREAS, upon a thorough consideration of the factors of Section 12-2-28(D)(1) of the Grand Lake Municipal Code, the Board of Trustees finds such factors weigh in favor of approval of the Application.

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

1. The Board of Trustees hereby approves the Application subject to the conditions set forth in Section 2., below.
2. The Board of Trustee's approval is expressly conditioned upon the Applicant satisfying the following conditions.
 - a. Payment by Applicant of all legal, engineering and administrative fees incurred by the Town in connection with review, processing, consideration and approval of the Application.
 - b. Compliance by the Applicant with all representations made to the Planning Commission, the Board of Trustees, and Staff during all public hearings or meetings related to the Application.
 - c. The Applicant 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 Board of Trustees is not obligated to grant similar requests in the future nor does granting this Request set precedent for any future requests.
 - e. This authorization shall run with the transfer of the Property from the Applicant to their successors, heirs, or grantees.
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 Board of Trustees 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.

INTRODUCED, PASSED AND ADOPTED AT A REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE TOWN OF GRAND LAKE AND SIGNED THIS 28TH DAY OF OCTOBER, 2024.

(S E A L)

Votes Approving:

Votes Opposed:

Absent:

Abstained:

ATTEST:

**BOARD OF TRUSTEES OF THE
TOWN OF GRAND LAKE, COLORADO**

Alayna Carrell
Town Clerk

By:_____
Christina Bergquist
Mayor Pro-Tem