



Date: October 16th, 2024

To: Chairman Shockey and Commissioners

From: Kimberly White, Community Development Director

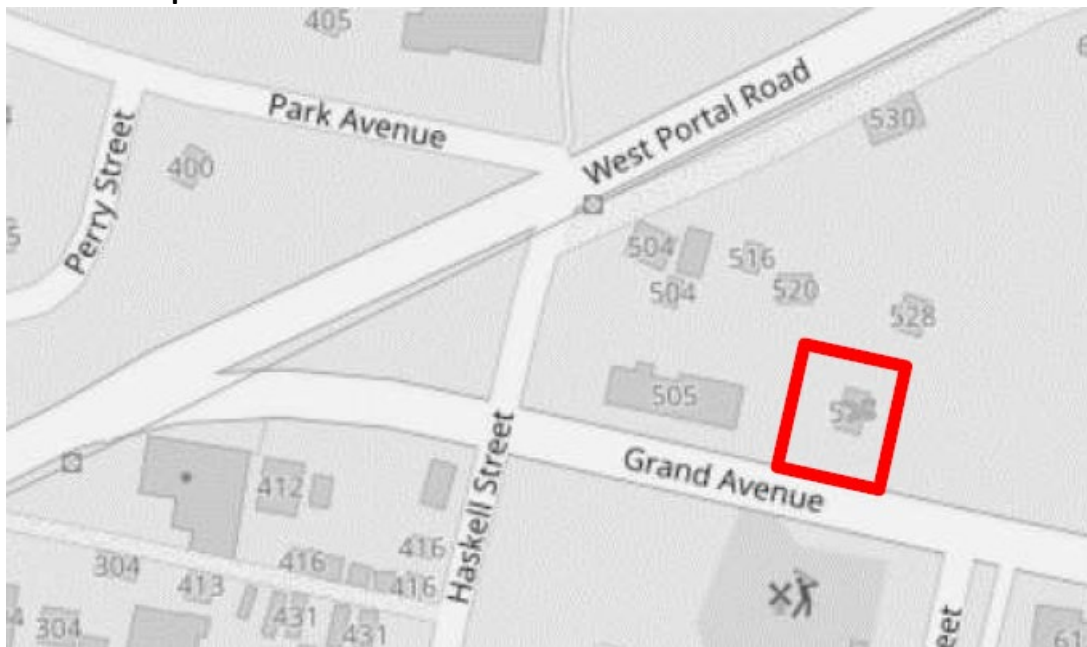
RE: **QUASI JUDICIAL (PUBLIC HEARING)** – Resolution 13-2024 Consideration To Recommend Approval Of A Variance To Parking Standards At Lots 15, Block 26, Town Of Grand Lake, More Commonly Referred To As 525 Grand Avenue.

Public Hearing Process

The public hearing should be conducted as follows:

1. Open the Public Hearing
2. Allow staff to present the matter
3. Allow the applicant to address the commission
4. Take all public comment
5. Close the Public Hearing
6. Have Commission discuss amongst themselves
7. Commission make a motion

Location Map



Purpose

The Town has received a zoning variance request application from Verts regarding loading zone, ADA parking location, and linear foot calculation for on street parking requirement. This request requires Planning Commission review and Board Approval.



Context

The property is located at 525 Grand Ave and was most recently used in conjunction with the commercial lot located to the east. The code for on street parking credit only allows for frontage of over 80' to be used to calculate onstreet parking allowance. The glacial moraine located on the north side of the lot in the alley, prevents the rear loading zone from being developed. The Town requires that businesses have a boardwalk and greenway constructed but does not allow access to the property through the boardwalk for safety reasons, thus the ADA parking cannot be located on the property. The property is zoned commercial and has a 50 linear foot frontage.

The applicant would like to be allowed to calculate the on street parking using the 50 linear feet, thus allowing the business 4 on street parking spaces. The applicant would also ask that the loading zone be to not be required in the alley, and that the ADA parking be located on the street adjacent to the future ADA ramp to the store.

Municipal Code:

12-2-28 Parking Regulations and Design Standards.

- (B) *Parking Regulations.* No building shall be ... changed in Use as defined in this Article...unless there is either an approved parking plan in place or a parking fee in lieu is paid to the Town if allowed, or there is provided on the lot, space for parking and space for the loading and unloading of automobiles or trucks in accordance with the following standards and requirements...
2. *Parking Spaces Required.* The method used to calculate the required number of parking spaces shall be as follows:
 - (a) The total number of required parking spaces shall be calculated based on the table from Part 1...
 2. After allowing for the on-street parking credit, if eligible, Group IV, Group V, and Group VI structures shall be required to satisfy seventy-five (75%) percent of the resulting number of required-parking spaces off-street, unless a variance is obtained by the Town.
 3. *On-Street Parking Credits.* In determining the number of off-street parking spaces required, credit will be given for the available on-street parking adjacent and contiguous to any property subject to the provisions of this Section which adjoins a public right-of-way of eighty (80') feet or more in...Commercial...Districts.
 6. *Accessible Parking.* One (1) designated accessible (handicapped) parking space shall be required as a part of the overall off-street parking requirements mandated under this Section for each twenty-five (25) off-street parking or fraction thereof. In all cases the accessible space shall be located in a manner close and convenient to the principal building main pedestrian ingress/egress.
 7. *Loading/Unloading Areas.*
 - (a) Loading/Unloading Areas may be a shared loading zone, located in the alleyway, for multiple-unit complexes provided it will adequately handle the commodities anticipated.
 2. Changes in Use shall necessitate alley-access loading/unloading areas.
 - (b) Loading areas are to be designed to adequately accommodate both goods and people unloading at all residential and commercial buildings; the minimum loading area is fourteen feet (14') wide by twenty feet (20') long by sixteen feet (16') high.

11-2-6 Private Drives, Emergency Access Requirements, and Criteria.

- (A) *Criteria for Access Onto Town of Grand Lake Roadways.*

1. *General.*



(E) *Acceptance of Parking Areas.*

1. Before a Certificate of Occupancy (C.O.) is issued on any structure(s), all parking areas are, as a minimum, to be graveled. A temporary waiver may be granted for a set period of time, should weather conditions necessitate. All improvements bonds, escrow funds, etc., are to be held by the Town until paving is complete. See Chapter 9: Building Regulations, Section 9-1-7 Appeals.

12-2-28 Parking Regulations and Design Standards.

- (b) *Review by the Planning Commission.* The Planning Commission shall review variance applications at a Public Hearing as defined by Section 12-2-27(B). The Commission shall make a recommendation to the Board based on the criteria in Section 12-2-28(D)1.

12-2-27 (B) Variance Request Procedure.

3. The following factors should be considered by the Planning Commission and Town Board of Trustees in determining whether to issue a variance:
 - (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 shape, size, 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.

Staff Comments

Staff sent out public notice of this meeting to Middle Park Times, as well as letters to all 12 property owners surrounding the subject property within 200'. Staff has received 8 confirmations of receipt to date.

The applicants letter for the explanation of their variance request is attached.

Commission Discussion

The Commissioners should discuss the request amongst themselves, with consideration of staff, public comments, and the findings of fact from the code, in order to make a decision/recommendation. Commission must review and find that each item exists in order to approve said variance.

Suggested Commission Motion

Motion to recommend resolution 13-2024; Consideration To Recommend Approval Of A Variance To Parking Standards At Lots 15, Block 26, Town Of Grand Lake, More Commonly Referred To As 525 Grand Avenue.

OR

Motion to recommend resolution 13-2024; Consideration To Recommend Approval Of A Variance To Parking Standards At Lots 15, Block 26, Town Of Grand Lake, More Commonly Referred To As 525 Grand Avenue, with the following conditions: _____

OR

Motion to Deny the Request for Variance.