

Variance Requests – Explanation of Hardships

Verts Grand Lake LLC

Verts Grand Lake LLC (Verts) respectfully requests the three following variances from the Town of Grand Lake municipal code (GLMC) to complete its retail marijuana store development and to adhere to the terms of its Conditional Use Permit (CUP).

Per *GLMC 12-2-28(B)(2) – Parking Spaces Required*, Verts must provide three parking spaces according to the Town’s formula of 1 space/350 sq. ft. of general retail. Verts has 920 sq. ft. of retail ($920/350 = 2.63$), so three spaces are required.

1. Per *GLMC 12-2-28(B)(3) – On-Street Parking Credits*, the property must have at least 80 feet of right of way (ROW) frontage for credit to be given for available on-street parking. Because the property only has 50 feet of public ROW on the frontage, technically none of the parking spaces count toward the parking credit. Therefore, Verts requests a variance to count the 4.25 on-street parking spaces (three standard spaces plus one larger dedicated accessible space).
2. Per *GLMC 12-2-28(B)(6) – Accessible Parking*, Verts must provide off-street accessible parking. Verts requests a variance because vehicles may not drive over the CUP-required boardwalk for parking and the building does not support rear-access parking (see item No. 3 below). Verts requests locating one dedicated accessible parking space on the street.
3. Per *GLMC 12-2-28(B)(7) – Loading/Unloading Areas*, changes in use require alley-access un/loading areas. Since this is not possible at this location, Verts requests a variance to allow un/loading in front of the building.

Per the diagram below:

- The alley behind the building (B) is a massive rock hill (toe of the glacial moraine)
- The alley (A) ends at a retaining wall (thick red line)
- Thus, there is no alley access, so alley-access un/loading and rear parking are not possible in this location.



- (A) alley (retaining wall)
- (B) large glacial hill in alley ROW
- (C) unimproved Jefferson St ROW
- (D) 50' frontage for proposed shop
- (E) Shoulder on Grand ROW, not improved
- (F) future boardwalk
- (G) future diagonal parking by owners

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Verts requests these variances so that it may adhere to its CUP for developing the property. Per GLMC 12-2-27(B)(3), the parking plan proposed herein:

- (a) is compatible with the surrounding area and will accommodate construction and use of the CUP-mandated boardwalk;
- (b) is in harmony with the character of the neighborhood and will link and enhance pedestrian access among neighboring properties;
- (c) is needed to improve the property and adhere to the CUP; the plan also improves existing parking conditions, as it will clearly identify four public parking spaces (one of which will be a dedicated accessible space) and Verts' CUP also requires the business to improve the on-street parking surface, which will be supported by approval of this plan;
- (d) will positively effect neighboring properties, which are both being redeveloped, promoting and facilitating pedestrian access and safety, and creating safer and better connections to other businesses along Grand Avenue.
- (e) will adhere to the Town's requirements for the design, construction, landscaping and materials used for the CUP-mandated boardwalk and greenway, per GLMC 11-4-6, and parking surface improvements.
- (f) considered alternatives and put forth the most efficient and effective design, considering the physical characteristics and limitations of the property described above, while positively effecting neighboring developments, and the public good to link community uses and improve parking conditions in the Town;
- (g) considered the Town's Comprehensive Plan, especially its guidance on enhancing community connections in general, and along Grand Avenue in particular, and on improving mobility.