



STAFF MEMORANDUM

DATE: June 27th, 2022
TO: Mayor Kudron and Board of Trustees
FROM: Kimberly White, Planning Department
SUBJECT: Rocky Mountain Repertory Theatre – Off Broadway Housing Concurrent Review of the Preliminary/ Final Development of Town of Grand Lake, Lots 9,10 & 11 Block 19 (450 Broadway Street)

SUMMARY OF

REQUEST: The Site Plan proposes to:

- Demolish and replace eight of the nine existing cabins.
- Develop two new 2-story residential apartment buildings.
- One existing home is to remain (Judy's House).
- Consolidate lots 9, 10, 11 Block 19, Town of Grand Lake

The new residential buildings proposed are modular buildings (Heritage Homes). Each of the new proposed buildings will have three two story residential units, for a total of six units between the two buildings. Each unit will have four bedrooms for a total of (24) bedrooms in six apartment units. Each apartment contains a kitchen, bathroom, and storage). A centrally located covered gazebo is proposed.

Exceptions requested by applicant:

- Buildings separation from 20' to 10' per 2015 IBC
- Commercial units not in the first 50' of the property
- 3.2 parking space reduction
- Affordable housing requirement waived

Background:

At the April 6th Planning Commission meeting, the commission discussed the Land Use Development sketch proposal for the subject property. No formal motion was made, nor was required. Staff received specific direction on the following items:

- 1) PROCESS – At the April 6th, Planning Commission meeting, the planning commission agreed to the applicants request to hear the Preliminary, Final development plan and subdivision plat concurrently (lot consolidation). This is allowed per MC 12-9-2 (A).
- 2) VARIANCES - At the April 6th Planning Commission meeting, the planning commission verbalized support of the exceptions to the Town's development standards proposed with the sketch plan submittal listed below:
 - a. The Property is zoned Commercial Transitional (CT). No commercial space is provided and has not been provided in the past at this location for the same use.
 - b. Spacing required between buildings is listed in MC 12- at 20', but the applicant followed International Building Code requirement of 10'. The applicant obtained approval from the fire department for the 10' separation (attachment).



- 3) AFFORDABLE HOUSING – At the April 6th Planning Commission meeting, a discussion of the existing affordable housing agreement with the Town and the applicant provided direction on the mitigation of affordable housing needs and terms for an agreement with the Town related to Town Code 12-10-3.

At the June 15th, 2022 Planning Commission properly noticed Public Hearing, the Commissioners voted 4:0 in favor of recommending the Preliminary/ Final Development combined application to the Board of Trustees with the following conditions:

- The Owner files and records the final approved Lot Consolidation Plat with the Clerk and Recorder's office of Grand County, Colorado.
- Buildings separation from 20' to 10' per 2015 IBC
- Commercial units not required in the first 50' of the property
- A reduction of the required number of parking spaces by 3.2 spaces
- A waiver of the affordable housing requirements

Staff Received all Required Submittals for Preliminary and Final Development Application:

- ☐ One (1) copy of title work.
- ☐ Summary Statement of Proposal
 - ☐ Total acres and square feet to be developed.
 - ☐ Total number of proposed dwelling units.
 - ☐ Total number of square feet of non-residential floor space.
 - ☐ Total number of off-street parking spaces, including those associated with single family residential use.
 - ☐ Estimated construction cost
- ☐ Drainage engineering plan
- ☐ Snow storage plan
- ☐ Grading plan
- ☐ Landscape Plan, including dark-sky compliant lighting plan
- ☐ Utility design and installation plans/existing conditions
- ☐ Full set of Plans and design documentation
- ☐ Conversion report, not applicable
- ☐ Affordable housing Statement
- ☐ Draft Improvement Agreement
- ☐ Solar Orientation statement
- ☐ Open Space and Land Dedication statement

Letters were sent to the referral agencies (*attached responses*).

Analysis:

- The applicant has submitted all the required documentation listed above.
- The applicant has addressed the referral agency observations or concerns.
- In reference to the consolidation of the three lots, the applicant has an existing lot agreement that was recorded prior to the Town having a process for lot consolidations. However, now that the Town has a procedure for lot consolidation (M.C. 12-6-8(B)), the lots must be consolidated via a recorded plat. The commission has the option of honoring this agreement by allowing the



applicant to record the consolidated plat at the end of the project with the new final development plat.

- The proposed density and coverage of buildings will increase by about 4055sf
- The number of beds are shown as staying the same on the plan.
- Parking spaces required are 20.2 (rounded to 21) spaces, which include loading/unloading, guest, and ADA. The applicant is providing 17, but is requesting an exception to parking standards. The applicant states that, historically, vehicles are not the primary form of transportation for the residents of this property.
- Trash screening wall required and shown.
- Snow storage requirement of 1857sf is exceeded at 2273sf
- Solar orientation has been taken into consideration with awnings and orientation of buildings.
- The applicant has requested that the affordable housing agreement be renewed that is still in place from the previous development agreement at this location and based on their non-profit status.
- Drainage calculation included and do not cause additional burden on adjacent properties.
- The design scheme fits in the Town of Grand Lakes design requirements for materials and the buildings are within the correct setbacks locations and height restrictions.
- Neither a bond for improvements for public improvements, nor an Improvements Agreement have been discussed at the planning commission.

Board of Trustees Procedure:

12-9-2(E)(5)(a) Board of Trustees Review:

- 1. All Dedications, Reservations, or agreements concerning parks, school sites, and access roads are subject to Grand Lake Board of Trustees approval. Where such action involves another public agency, a letter of clearance from that agency shall accompany the Final Development Application.*
- 2. A signed warranty deed conveying seven percent (7%) of such land designated for public use or, at the discretion of the Board of Trustees, a certified check for an amount as may have been agreed to at the time the Preliminary Development Application was approved. The deed shall be accompanied by a title insurance policy or other evidence that the land is free and clear of all taxes, liens or other encumbrances.*
- 3. In the case of a Development an official signed deed dedicating or reserving certain tracts or the development rights to such tracts for local use as may have been agreed to at the time the Preliminary Development Application was approved. The deed shall be accompanied by a title insurance policy or other evidence that the land is free and clear of all taxes, liens or other encumbrances.*
- 4. A bond acceptable to the Town of Grand Lake, or in the alternative, a certified or suitable check equal to the total estimated construction cost of all required development improvements for the area included in the Final Development Application and all off-site improvements designated as an integral part of the improvements related to the Final Development Application shall accompany the Final Development application. Such improvements shall include but not necessarily be limited to streets, roads, paving, curb and gutter, sidewalks, storm sewers, sanitary sewers including collectors and outfall lines, water distribution and transmission lines, fire hydrants, street lights, street signs, traffic control devices, survey monuments, culverts, bridges and landscaping features.*



5. An executed copy of the Improvements Agreement and a signed agreement for inspection costs if required by the Town.

Board of Trustees Discussion:

The Planning Commission recommended approval of the combined preliminary and final application with the following exceptions:

1. The Owner files and records the final approved Lot Consolidation Plat with the Clerk and Recorder's office of Grand County, Colorado
2. Buildings separation from 20' to 10' per 2015 IBC
2. Commercial units not required in the first 50' of the property
3. A reduction of the required number of parking spaces by 3.2 spaces
4. A waiver of the affordable housing requirements

(5)(b)

1. If the Board of Trustees determines that the Final Development Application submission complies with the applicable requirements of these regulations, the Board of Trustees shall authorize the Mayor to endorse the Board of Trustees' Certification Block on the Plat.

2. If the Final Development Plan is approved subject to conditions, the formal acceptance and recording of such approval shall not be made until the applicant has obtained the signature of the Mayor of the Town on the Plat or Plan face. All conditions must be satisfied before any Town signatures are affixed thereto.

Proposed Motions:

I move to approve Resolution xx-2022 as written.

OR

I move to approve Resolution xx-2022, with the following conditions:

OR

I move to deny Resolution xx- 2022.