



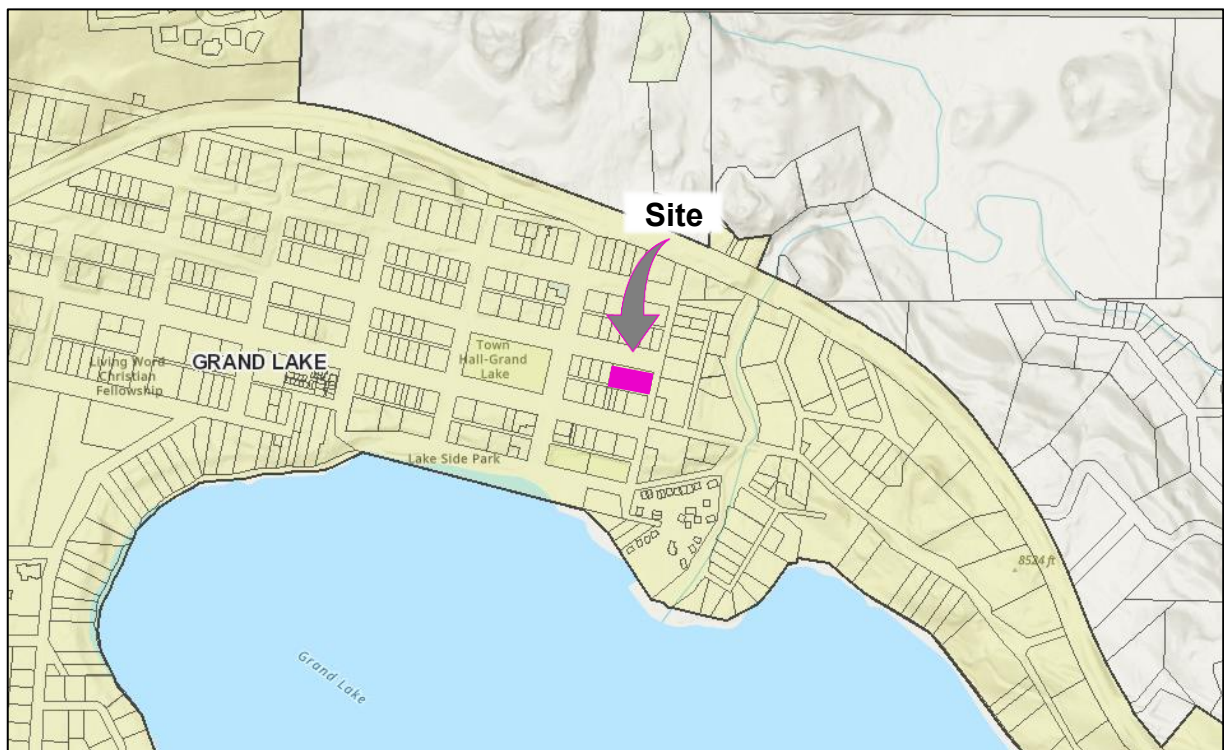
## TOWN BOARD OF TRUSTEES STAFF MEMORANDUM

**DATE:** August 25, 2025  
**TO:** Mayor and Board of Trustees  
**FROM:** Josh Olhava, AICP, Contract Staff - Planning Department  
**SUBJECT:** **QUASI JUDICIAL (PUBLIC HEARING)** – Ordinance 05-2025 - Consideration of a Rezoning Amendment Request to the Official Zoning Map for the Town of Grand Lake for Town-owned Property Located on Lots 1 through 4, Block 3 Town of Grand Lake, more commonly known as 1128 Park Avenue.

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### Overview

- **Property Owner and Applicant:** Town of Grand Lake
- **Applicant's Representative:** Town Manager Kudron
- **Consultant:** Town of Grand Lake Staff
- **Location:** 1128 Park Avenue
- **Current Zoning:** Public (PUB)
- **Proposed Zoning:** Commercial (C)
- **Attachments:**
  - Rezoning petition and map



On July 14, 2025, the Board of Trustees for the Town of Grand Lake initiated a rezoning request for



Town-owned property located at 1128 Park Avenue, specifically Lots 1, 2, 3, and 4, Block 3, Town of Grand Lake. The total area of the subject property is approximately 0.463 acres or 20,184.08 square feet, based on the latest survey.

The purpose of this rezoning is to accommodate the proposed Space to Create project. The request is to rezone the property from Public (PUB) to Commercial (C). The surrounding zoning context, as shown in the graphic below, includes Commercial Transition (CT) zoning to the north (across Park Avenue) and to the east (across Hancock Street), and Commercial (C) zoning to the west and south (across the public alleyway). The property is also included within the Central Business District Design Area.



### **Staff Analysis**

The proposed rezoning is necessary to support the Space to Create development project, which aligns with the Town's goals for economic development, creative industry support, and adaptive reuse of underutilized public property. Under the current zoning of Public (PUB), the Space to Create project would require a Conditional Use Grant and Variances from the Municipal Code to construct the proposed facilities. Rezoning the property will allow future development to align more closely with adjacent properties and maintain consistency in site design, form, and overall layout as seen within the Central Business District Design Area.

Rezoning shall only be allowed if the applicant (Town) demonstrates by clear and convincing evidence that rezoning is necessary because of one (1) or more of the following reasons (Sec. 12-2-34(A)):

1. *The land to be rezoned was zoned in error and as presently zoned is inconsistent with the policies and goals of the Town's Comprehensive Plan.*
2. *The area for which rezoning is requested has changed or is changing to such a degree that it is in the public interest to encourage a redevelopment of the area or new approach to development.*



3. *The proposed rezoning is necessary to provide land for a community-related use, which was not anticipated at the time of the adoption of the Town's Comprehensive Plan and that such rezoning will be consistent with the policies and goals of the Comprehensive Plan. This Declaration of Standards for Rezoning shall not control a rezoning which occurs incidental to a comprehensive revision of the Town's Zoning Map.*

#### **Staff Recommendation**

Based on the Code criteria and staff's analysis, staff recommends approval of the rezoning request for Lots 1 through 4, Block 3 Town of Grand Lake, more commonly known as 1128 Park Avenue as presented.

#### **Planning Commission Recommendation**

The Planning Commission held a public meeting on the rezoning request during their regularly scheduled meeting on August 20, 2025. Following presentations by staff, the applicant, public comments, and discussion by the Commission, the Commission forwarded a recommendation of approval of the rezoning request as presented.

#### **Board of Trustees Consideration**

Board members are encouraged to evaluate the rezoning request, taking into consideration staff's analysis, the applicant's presentation, public comments made during the public hearing, the recommendations of the Planning Commission, and the findings of fact from the municipal code in making their determination.

Under Municipal Code Section 12-2-34(A), one or more of the following reasons should be grounds for rezoning.

1. *The land to be rezoned was zoned in error and as presently zoned is inconsistent with the policies and goals of the Town's Comprehensive Plan.*
2. *The area for which rezoning is requested has changed or is changing to such a degree that it is in the public interest to encourage a redevelopment of the area or new approach to development.*
3. *The proposed rezoning is necessary to provide land for a community-related use, which was not anticipated at the time of the adoption of the Town's Comprehensive Plan and that such rezoning will be consistent with the policies and goals of the Comprehensive Plan. This Declaration of Standards for Rezoning shall not control a rezoning which occurs incidental to a comprehensive revision of the Town's Zoning Map.*

#### **Sample Board of Trustees Motions**

Approval with or without conditions



I move to approve Ordinance 05-2025, an ordinance pursuant to Chapter 12 of the Grand Lake Municipal Code approving the rezoning of Lots 1 through 4, Block 3, Town of Grand Lake as presented.

OR... with the following conditions:

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Denial (*Using the evaluation factors of Sec. 12-2-34(A). of the Municipal Code*)

I move to deny the rezoning request for Lots 1 through 4, Block 3 Town of Grand Lake, more commonly known as 1128 Park Avenue, based on the following factors:

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