



Grand Lake Planning Commission

Wednesday, April 06, 2022 at 6:30 PM

Town Hall - 1026 Park Ave. * Participation In-Person Only*

*The Town of Grand Lake upholds the Six Pillars of Character:
Citizenship, Trustworthiness, Respect, Responsibility, Fairness and Caring*

1. Call to Order

2. Roll Call

PRESENT

Commissioner Heather Bishop

Vice Chairman Heather MacSarrow

Commissioner John Murray

Chairman James Shockey

Commissioner Judy Burke

Commissioner Ernie Bjorkman (online)

3. Consideration to approve Meeting Minutes for 3-2-22

Motion made by Commissioner Murray, Seconded by Vice Chairman MacSarrow.

All in Favor; **motion passed 6:0**

4. Unscheduled Citizen Participation: *None*

5. Conflicts of Interest- none

6. Items of Business

A. Public Hearing- Resolution 04-2022 Consideration to Recommend a Special Use Permit (SUP) to Allow a Commercial Use on Property Located at Block 3, Lot 4-6, Town of Grand Lake.

There was no public comment. The applicant stated that she will not be removing any structures, but will be cleaning up the lot. She will build a ramp to protect the boardwalk when moving the truck across the boardwalk. There will be trash cans that will be emptied each night. The commission discussed the removal of the days of the week from the resolution in case the applicant wanted to extend the days or hours of operation.

Motion made by Commissioner Murray, Seconded by Commissioner Burke.

Motion passed 6:0 Voting Yea: Commissioner Bishop, Vice Chairman MacSarrow, Commissioner Murray, Chairman Shockey, Commissioner Burke, Commissioner Bjorkman

B. Public Hearing - Resolution 05-2022 Consideration of a Conditional Use Permit Application for a Business That Generates Income From The Use and Utilization of Animals, Located at Lots 15-16, Block 26, Town of Grand Lake

Planner White introduced the applicant and proposal stating that the applicant has requested a conditional use permit to use the property as a training facility and daycare for canines at the location

which currently has a conditional use permit for canine boarding. The commission stated that since the use is similar to the current use, that it meets the requirements of the conditional use permit.

Motion made by Commissioner MacSarrow to recommend the Conditional Use Permit, Seconded by Commissioner Burke.

Motion passed 6:0 Voting Yea: Commissioner Bishop, Vice Chairman MacSarrow, Commissioner Murray, Chairman Shockey, Commissioner Burke, Commissioner Bjorkman

C. Public Hearing - Resolution 06-2022 To Consider the Construction of an Inland Boatslip at Subd. Shadow Point Lot 6, Also Known As 300 Lakeside Drive.

Planner White presented the application as stated in the packet and memo. The commission discussed the 7 findings of fact for the shoreline variance request and to find 5 items for the allowance of a retaining wall over 6'. The planner stated that this is a variance request and it is not the building permit. The Applicant, Chapdelaine's spoke about their permit request. They stated that they changed their design from a gabion basket to a concrete wall due to structural concerns with their home. They will be working with Roger Claeys to build the boat slip. They will be trucking the soil offsite. They will be using an aquadam to retain the sediment while they dig out the slip.

Public comment:

Sylvia Hites at 304 Lakeside Dr. stated that she thought it will be very nice to have.

Michael McDonald 217 Marina Dr. Said he was concerned about pouring concrete with water and our lake.
protect our water.

Scott Munn- asked why digging down 8 feet for a concrete wall is better than stair-stepping a 4' wide gabion basket for the foundation of the house? He stated that he did not see information on the application about how the water is being pumped out , where it is getting stored, how is it getting filtered. He said the applicant spoke about it, but he wants to see the plan in writing by an experienced contractor. Wants to know who will be writing up those plans. He asked how far the setback was from the house.

Mr. Chapdelaine stated that he is relying on Roger Claeys and Dave Z as the experts to tell him how this should be built. He stated that the setback for the gabion was making it dangerous for the house. He stated that the setback was "right there" indicating it was next to the house.

Commissioners: Chairman asked the Planner if the erosion control details come in at the variance level or at the building permit, staff stated that the erosion control would be at the building permit. Vice-chair MacSarrow was concerned with the unknown environmental consequences with over-pouring concrete into the lake.

Motion made to approve the shoreline and retaining wall height variance by Commissioner Murray, Seconded by Commissioner Burke.

Motion passed 5:1 Voting Yea: Commissioner Bishop, Commissioner Murray, Chairman Shockey, Commissioner Burke, Commissioner Bjorkman
Voting Nay: Vice Chairman MacSarrow

D. Art Space/ Space to Create - Conditional Use Permit Review

Planner White presented this item as stated in the packet. She stated that the commission could motion to request a public hearing, motion to recommend the CUP to the Board; at the Board meeting, the board can approve the CUP or request a public hearing. Due to the controversial nature of this application the commissioners motioned to recommend that the board of trustees hold a public hearing about the CUP, and if they chose not to have a public hearing, the item would come back to the planning commission for a public hearing before the board could vote on it. The commissioners need to discuss the factors which are economic effect, character on the neighborhood, and any other items that the commission deems necessary.

Commissioner Burke asked about the water protection area for the well on the corner of the lot proposed for Artspace. This setback has been considered on the site plans.

The applicant Will Law spoke about the project, stating that he is confident that they will be funded with an upcoming grant if they can get their application in in the next few days/weeks. In order to apply for the grant, that would pay for the majority of the project, they need to have a recommendation from the Town stating that the zoning would be approved. Commissioner Murray asked if the Town would be able to mandate occupant qualifications, such as veteran's, fire fighters, work force housing in addition to art space. The applicant stated that this will be in the development agreement with the Town to outline these objectives. They stated that the Town constituents would need to vote on the sale of the property. Commissioner Bishop asked who would manage the units. The applicant said that Artspace would be responsible, they self manage in most locations unless they find a local management group that provides adequate services for rent collection and maintenance, and compliance to affordable housing to the federal government and state of CO. Commissioner Bishop was concerned that the public was not being heard and wanted a public hearing before it went to the Board with a recommendation. Chairman Shockey asked about the number of units that are available, the 3 units that are on Hancock are non-live units that will be small galleries or studio spaces. They can be rented to people in the community or to the people who live in the building. The purpose of the spaces on Hancock was to wrap the commercial district from downtown, around the corner. Chairman Shockey asked if there was a transition or buffer was going to be in place to the west property line. Scott Munn of Munn Architecture stated that it will be addressed as the proposed design is developed. Vice-Chair MacSlarrow asked if there were any public hearings for this specific location. The applicant stated that it was heard at one board meeting meeting and was in the paper. The design will be shown to the public and there will be community meetings and multiple reviews, as this is just for the entitlements. Commissioner Burke said that since it coming up on the summer it will allow for more people to be involved and there should be a hearing at the planning commission level to get the new Board up to date on the project. There was much discussion about community engagement and suggested that a motion be made to require a hearing at the Board level. Vice Chair MacSlarrow asked that if the funding were available tomorrow would not having the zoning in place disqualify the application. The applicant stated that it was a threshold requirement to apply for the grant. DiAnn Butler spoke about the public outreach that has occurred for over the past three years.

Motion made by Commissioner Murray to recommend approval of the conditional use permit with the condition that a public hearing be held, if the Trustees chose not to hold a public hearing it reverts back to the planning commission to hold a public hearing. Seconded by Commissioner Bjorkman.

Motion tied 3:3 Voting Yea: Commissioner Murray, Chairman Shockey, Commissioner Bjorkman
Voting Nay: Commissioner Bishop, Vice Chairman MacSlarrow, Commissioner Burke

E. Rocky Mountain Repertory Theatre - Off-Broadway Housing- Sketch Plan

Planner White presented the item as was written in the packet. This meeting is to exchange information when they submit their development plan. The planner stated that applicant would like to combine the preliminary and final development plan because the development is substantially the same as the existing; that the property has an old lot line agreement recorded, but when the final plat is done, it will be recorded as a lot consolidation plat to be up-to-date with the current process for combining lots; two variances will be requested during the development plan which should be discussed if these will be feasible to be approved in the development plan. The 2 variances are: MC states a 20' space between buildings, but IBC states that 10' space is required, and they received feedback from the fire department that the spacing was ok; that the first 50' are supposed to be commercial and they are not currently and will not be in the future. Commissioner Burke stated that the units would be helpful to reduce pressure on the community to provide affordable units for the theater. Commissioner Murray said this a valuable asset to the Town. Commissioner Bishop noted that the modular units did not appear to be modular and looked nice.

Christopher Tagseth of Munn architecture presented the sketch plan by discussing the poor conditions of the existing structures. He stated that they would be improving the drainage by adding the storm drainage; the alley parking would be 2" of compacted gravel; leave the gravel driveway south of "Judy's house", and would be used for snow storage. Commissioner Bjorkman stated his only concern was that these houses are only used 3 or 4 months of the year. The RMRT are concerned that renting it out would affect their non-profit tax-exempt status.

The commissioners discussed whether or not the trees would be removed, and the applicant said that 4 trees will be affected. They asked about extending the boardwalk, and it was stated that it was a swale to the north and no boardwalk exists. The chairman asked if there could be gable roofs and the applicant stated that it was not in the plans currently. The commissioners discussed that the proposed use is essentially the same as existing. The commissioners said that they would be in favor of all of the items that were requested. The construction would begin in September after the RMRT theater staff left. The project would be built by May if everything stays on schedule. There was no motion because it is a sketch plan.

7. Items for Discussion: none

8. Future Agenda Items: none

9. Adjourn Meeting: 8:45pm Motion made to adjourn by Commissioner Burke, Seconded by Vice Chairman MacSllarrow.

All in favor 6:0 Voting Yea: Commissioner Bishop, Vice Chairman MacSllarrow, Commissioner Murray, Chairman Shockey, Commissioner Burke, Commissioner Bjorkman