



Grand Lake Planning Commission

Wednesday, June 19, 2024 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*

AGENDA

1. Call to Order
2. Roll Call
3. Consideration to approve Meeting Minutes

[Minutes](#) 06-05-2024

4. Unscheduled Citizen Participation
This time is reserved for members of the public to make a presentation to the Commission on items or issues that are not scheduled on the agenda. The Commission will not make any decisions on items presented during this time.
5. Conflicts of Interest
6. Items of Business
 - A. Quasi-Judicial Resolution 08-2024;** A Resolution Recommending Approval of a Lot Consolidation of Lots 12-13, Block 3, Grand Lake Estates, 1st Filing, More Commonly Referred to as 960 Tallaqua Dr.
 - B. (QUASI JUDICIAL) PUBLIC HEARING** - Consideration to approve a Special Use Permit (SUP) per Grand Lake Municipal Code section 12-2-31(A)2, to allow a commercial use on property located at Block 19, Lot 3, Town of Grand Lake; More Commonly Referred to as 712 Grand Avenue.
 - C. (QUASI JUDICIAL) PUBLIC HEARING** - Consideration to approve a Special Use Permit (SUP) per Grand Lake Municipal Code section 12-2-31(A)2, to allow a commercial use (food truck) on property located at Block 3, Lot 16, Town of Grand Lake; More Commonly Referred to as 1143 Grand Avenue.
7. Items for Discussion
8. Future Agenda Items
9. Adjourn Meeting

For live streaming (listening only) scan the QR code.
You will not be able to actively participate via the web streaming.



<https://us06web.zoom.us/j/85942185849?pwd=Q0xDTHNIMVc4ejFlcmx3eGJ3bnpuZz09>

You can also dial in using your phone. 1 (346) 248-7799

Meeting ID: 859 4218 5849

Access Code: 496153



Grand Lake Planning Commission

Wednesday, June 05, 2024 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*

AGENDA

1. Call to Order : 6:31 pm

2. Roll Call

PRESENT

Chairman James Shockey

Commissioner John Murray

Commissioner Judy Burke

Commissioner Heather Bishop

Commissioner Greg Finch

Board Liaison Mike Sobon

3. Consideration to approve Meeting Minutes 05-15-2024

Motion made by Commissioner Burke, Seconded by Commissioner Finch.

Voting Yea: Chairman Shockey, Commissioner Murray, Commissioner Burke, Commissioner Bishop, Commissioner Finch, Board Liaison Sobon

Motion passed 6:0

4. Unscheduled Citizen Participation: none

5. Conflicts of Interest: none

6. Items of Business

- A. Public Hearing (Quasi-Judicial) Resolution 07-2024; Consideration To Recommend A Special Use Permit (Sup) To Allow A Commercial Use On Property Located At Block 21, Lot 15, Town Of Grand Lake; More Commonly Referred To As 625 Grand Avenue

Chairman Shockey Opened the Public Hearing. Staff presented the matter. The applicant addressed the commission. Public comment included Barry Starr at 324 Broadway who said he was in favor of the application. Chairman Shockey closed the public hearing. Discuss amongst the Commissioners pertained to whether or not to allow the use for three years or for one year.

Commissioner Finch moved to recommend the approval of the special use permit for three years. commissioner Murray seconded. Commissioner Burke was in favor of one year, but not the full three. Voting Yea: Chairman Shockey, Commissioner Murray, Commissioner Bishop, Commissioner Finch,

Board Liaison Sobon
Voting Nay: Commissioner Burke

Motion passed 5:1

7. Items for Discussion: none
8. Future Agenda Items: Commissioner Bishop would like to have the code changed to make it more clear especially with the wording of modern and re-examine shed and flat roof language.
9. Adjourn Meeting: at 7:25pm Motion made by Commissioner Finch, Seconded by Board Liaison Sobon to adjourn.

Voting Yea: Chairman Shockey, Commissioner Murray, Commissioner Burke, Commissioner Bishop,
Commissioner Finch, Board Liaison Sobon **motion passed 6:0**

James Shockey, Chairman

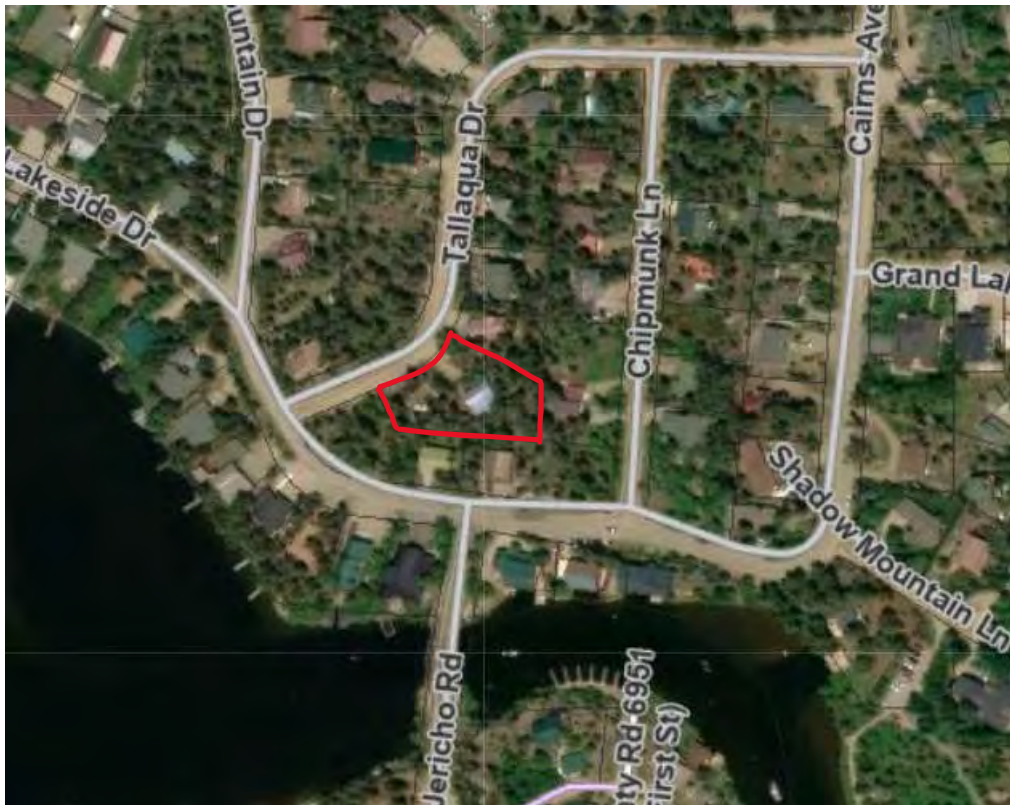
ATTEST:

Alayna Carrell, Town Clerk



Date: 06/05/2024
To: Chairman Shockey and Commissioners
From: Kimberly White, Community Development Director

Re: RESOLUTION 08-2024; A Resolution Recommending Approval of a Lot Consolidation of Lots 12-13, Block 3, Grand Lake Estates, 1st Filing, More Commonly Referred to as 960 Tallaqua Dr.



Purpose

The Town has received a lot consolidation request application from Danny and Alyson Hudson to consolidate two contiguous legal lots into one. This request requires Planning Commission recommendation and Board review.

Municipal Code

M.C. 12-6-8 (B) Lot Consolidations

Any property owner requesting to combine two or more contiguous legal lots in a previously recorded subdivision, planned development, or traditional residential development, which are owned by the same person or entity must apply for a Lot Consolidation to be submitted for review by the Planning Commission and approval by the Board of Trustees.

1. Lot Consolidations are defined as meeting all of the following criteria

P.O. BOX 99, GRAND LAKE, COLORADO 80447-0099
PH. 970/627-3435
FAX 970/627-9290
E-MAIL: town@townofgrandlake.com



- a. *Affecting property that was previously subdivided into legally recognized lots or parcels*
 - b. *Not relocating or reconfiguring previously established lot lines*
 - c. *Not resulting in a new lot that had previously been separate lots divided by a public or private road*
 - d. *Not creating or resulting in the creation of a lot or parcel of land that would violate or fail to conform to any applicable zoning or other standard or regulation including, but not limited to, lot area, minimum frontage, building height, setbacks, density, public or private road or private drive standards, parking, or access.*
 - e. *Not altering public right-of-way or easements reserved for drainage or utilities of any kind located on the combined lots*
2. *Submittal Requirements*
- a. *The applicant shall provide the following submission materials:*
 1. *Application Form*
 2. *Application fee or deposit*
 3. *Proof of ownership in the form of a deed of title*
 4. *Project description (narrative) including the following:*
 - a. *Detailed description of lot and block numbers, new location of adjusted lot line with project coordinates, and resulting lot acreages*
 - b. *Detailed description of type, size, and location of existing structures on all lots.*
 5. *A list of and addresses for all owners of adjacent property and all owners of easements over, through, or across the property.*
 6. *Lot Consolidation Plat (24" x 34") prepared by a registered land surveyor and drawn to a scale of no less than 1" = 50' (see 12-9-2 (E) and 12-9-11 (K) for specific items)*
3. *Review Procedures*
- a. *The Town Planner will have fourteen (14) days from date of submission to determine completeness. Upon acceptance by the Town Planner for submission completeness, the Lot Consolidation request shall be reviewed by the Planning Commission at the next regularly scheduled public meeting. After receipt of recommendation by the Planning Commission, the Board of Trustees shall review the Lot Consolidation request at their next regularly scheduled public meeting.*
4. *Review Criteria*
- a. *The Planning Commission and Board of Trustees shall apply the following review criteria in considering an application. No application shall be approved unless the Board of Trustees determines that all criteria have been met:*
 1. *The combined lot(s) are legal lots as defined in section 12-6-8(A)1*
 2. *The combined lot(s) would not subsequently create additional lots other than the resultant lot(s)*
 3. *The lot consolidation would not adversely affect existing access, drainage, utility easements, or rights-of-way*

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4. **The lot consolidation would not adversely affect adjacent properties and the property owners' enjoyment of their property*

5. *Any covenants, deed restrictions, or other conditions of approval that apply to the original lots must also apply to the resultant lot(s)*

** For regulations governing maximum permitted floor area of structures on properties with combined lots, see sections 12-2-10(C) to 12-2-18(C).*

5. *Procedure Following Approval*

a. Where the Board of Trustees has determined that a proposed Lot Consolidation complies with the requirements of these regulation, the Final Lot Consolidation Plat shall be endorsed by the Chair of the Planning Commission and the Mayor of the Town and thereafter the Town Clerk shall file the approved Plat with the Town and with the Grand County Clerk and Recorder.

6. *In Perpetuity*

a. Once a Lot Consolidation Plat has been approved, filed, and recorded, the resultant lot(s) are to be considered one (or more) new lot(s), in perpetuity, never to be sold separately or mortgaged separately. Only upon reapplication with the Town to re-subdivide the resultant lot(s) again can these lot(s) be sold or mortgaged separately.

Staff Comments

The applicant has provided all of the appropriate submission materials as part of the submission package, including an application fee payment, deed of title, a list of adjacent property owners and easements (none), and a proposed lot consolidation plat (exhibit A). The property complies with all of the requirements for lot consolidation.

Staff believes the applicant meets the criteria for approval by the Planning Commission in the following ways:

- The combined lots as shown on the proposed plat meet all the attributes as defined under section 12-6-8(A)
- No other lots are created other than the one consolidated lot
- The lot consolidation would not adversely affect existing access, drainage, utility easements, or rights-of-way.
- The lot consolidation would not adversely affect adjacent properties and the property owners' enjoyment of their property, as there is nothing currently built on the property.
- No deed restrictions or conditions are listed on the Applicant's warranty. Staff is unaware of any other covenants or restrictions if they exist.

Recommendation

Staff recommends that the Commission recommend to allow the lot consolidation of Lots 12-13 Block 3, Grand Lake Estates 1st Filing, to be known as 960 Tallaqua Dr. in order to allow the owner to build a deck across lot lines.

Suggested Motions For Lot Consolidation Request:

P.O. BOX 99, GRAND LAKE, COLORADO 80447-0099
PH. 970/627-3435
FAX 970/627-9290
E-MAIL: town@townofgrandlake.com



- Or
1. I move to adopt resolution 08-2024, as presented.
- Or
2. I move to adopt resolution 08-2024, With The Following Modifications
_____.
- Or
3. I Move To Deny The Request As Presented.

960 Tallaqua Lot Consolidation
6/4/2024
Owners: Craig Engelsen & Kristen Frisbie

Request Information

- 1. Application form: Previously provided.
- 2. Application deposit: Previously provided.
- 3. Proof of ownership: provided as separate attachment to the overall email sent for the lot consolidation request.
- 4. Project description: The Lot Consolidation Plat has all of the requested information. However, I am summarizing below:

Amended Lot 12 block three Grand Lake Estates first filing reception number 9089.
Requesting a consolidation of lots 12 and 13, block 3 Grand Lake Estates, first filing situated in the SE 1/4 section 6, Township 3 North range 75 west of the sixth principal Meridian, town of Grand Lake County of grand state of Colorado.
960 Tallaqua Drive.

This request is simply to remove the lot line between the two lots with no additional changes to the lots. There is one primary structure on the property which is the dwelling. The dwelling is a two-story home. The only other significant items on the two lots is a gravel driveway from the house to the street and a fire pit. The total acreage of the two lots is 0.505 acres.

5. List of addresses for adjacent property:

Adjacent properties: 371 Lakeside Dr., Grand Lake, CO 80447 & 429 Lakeside Dr., Grand Lake, CO 80447

Owner: David and Barbara Ridgley own both properties
930 Alexa Way, Fort Collins, CO 80526-4352

Adjacent property: Property address is not listed on the assessors page. However, it is parcel number 1193-064-07-006 on Lakeside Drive drive

Owner: Julie Drennan
2658 South Xenia Court, Lakewood, CO 80228-4927

Adjacent property: 912 Tallaqua Dr., Grand Lake, CO 80447

Owner: Lee and Donna Walsh
5386 Fir Ave., Erie, CO 80516-9133

Adjacent property: 827 Chipmunk Ln., Grand Lake, CO 80447

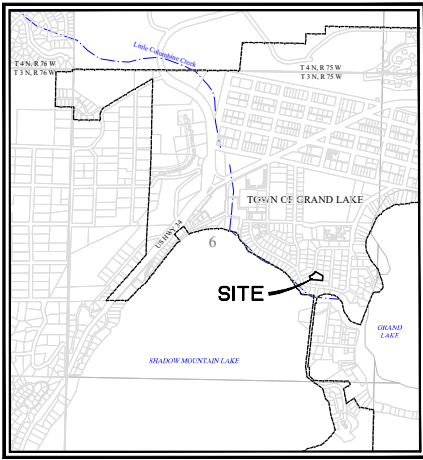
Owner: Lisa Roska
101 Hope Town Court, Cedar point, NC 28584-4501

6. Lot consolidation Plat: Previously provided.

MINOR SUBDIVISION / LOT CONSOLIDATION PLAT

AMENDED LOT 12, BLOCK 3, GRAND LAKE ESTATES, FIRST FILING, RECEPTION #90891

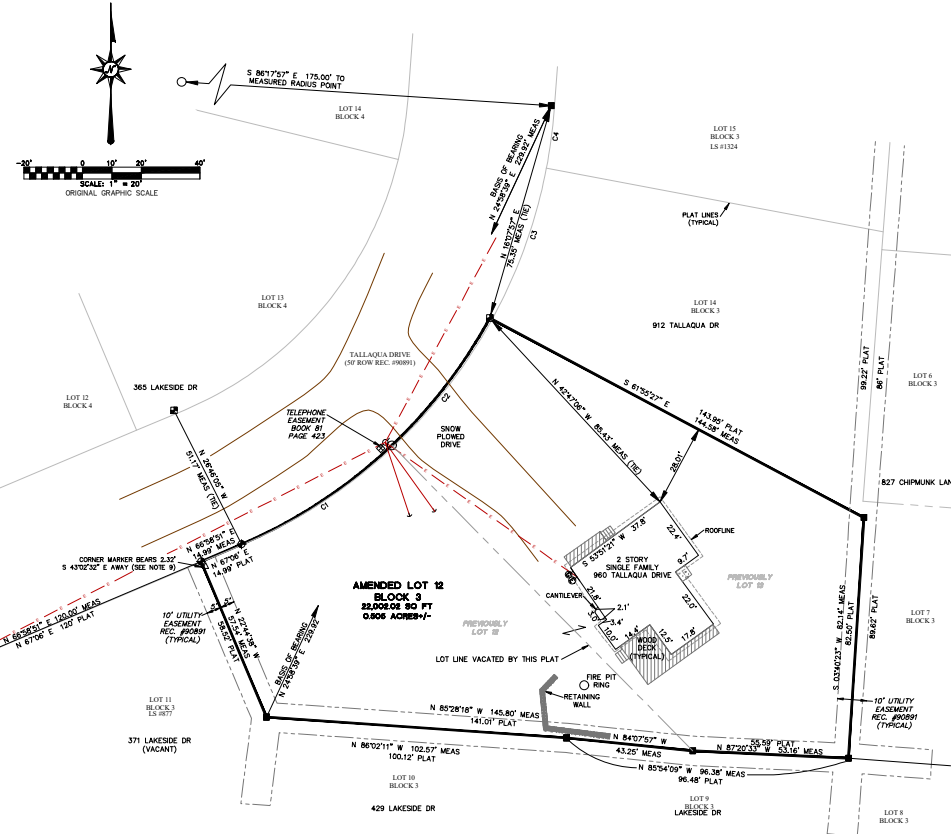
BEING A CONSOLIDATION OF LOTS 12 & 13, BLOCK 3, GRAND LAKE ESTATES, FIRST FILING
SITUATED IN THE SE1/4 SECTION 6, TOWNSHIP 3 NORTH, RANGE 75 WEST OF THE 6TH PRINCIPAL MERIDIAN,
TOWN OF GRAND LAKE, COUNTY OF GRAND, STATE OF COLORADO
OWNERSHIP VESTED BY WARRANTY DEED 2014-005830
ALSO KNOWN AS 960 TALLAQUA DRIVE



VICINITY MAP
SCALE: 1" = 1000'

- LEGEND**
- ◆ - SET 18" LONG #6 REBAR WITH 1.5" DIAMETER ALUMINUM CAP, PLS #31942, AT GRADE
 - - FOUND #6 REBAR, 0.3' +/- ABOVE GRADE
 - - FOUND #4 REBAR
 - ▲ - FOUND ALUMINUM CAPPED REBAR, PLS #25971
 - - CALCULATED POINT ONLY, NO MONUMENT SET
 - ⊙ - TELEPHONE/COMMUNICATION PEDESTAL
 - ⊕ - GAS METER
 - ⊖ - ELECTRIC METER
 - ⌚ - POWER POLE
 - ⌚ - GUY WIRE WITH ANCHOR
 - MEAS - REFERS TO MEASURED DISTANCE & BEARING, PER THIS SURVEY
 - PLAT - REFERS TO GRAND LAKE ESTATES, FIRST FILING PLAT, REC. #90891
 - REC. - RECEPTION
 - ROW - RIGHT OF WAY
 - CONC - CONCRETE

CURVE TABLE (PLAT)				CURVE TABLE (MEAS)			
CHORD	LENGTH	RADIUS	BEARING	CHORD	LENGTH	RADIUS	BEARING
04	20.11'	176.0'	N 37°42'41" E	04	176.00'	176.00'	N 37°42'41" E
04	176.00'	176.00'	N 37°42'41" E	04	176.00'	176.00'	N 37°42'41" E
04	20.11'	176.0'	N 37°42'41" E	04	176.00'	176.00'	N 37°42'41" E



- NOTES**
- THE FOLLOWING DOCUMENTS WERE UTILIZED IN THE PREPARATION OF THIS SURVEY:
 - GRAND COUNTY RECORDS, GRAND LAKE ESTATES FIRST FILING, RECEPTION #9950, RECORDED AUGUST 17, 1999.
 - GRAND COUNTY RECORDS, GRAND LAKE ESTATES FIRST FILING, RECEPTION #90891, RECORDED JANUARY 29, 1995.
 - GRAND COUNTY SURVEY DEPOSIT, LS #877, DATED FEBRUARY 5, 2002.
 - GRAND COUNTY SURVEY DEPOSIT, LS #1392, DATED JANUARY 19, 1999.
 - BASES OF BEARING IS N 24°58'30" E, AS CALCULATED FROM THE PLATS RECORDED AT RECEPTION #9950 & RECEPTION #90891 AS MEASURED BETWEEN THE NW CORNER OF LOT 10, BLOCK 3 (FOUND #6 REBAR) AND THE POINT OF CURVATURE ON LOT 15, BLOCK 3 (FOUND #4 REBAR) AS SHOWN HEREON.
 - THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A CURRENT TITLE COMMITMENT. EASEMENTS AND RIGHTS OF WAY AND OTHER MATTERS OF RECORD MAY EXIST THAT ARE NOT DEPICTED HEREIN.
 - THESE PREMISES ARE SUBJECT TO ANY AND ALL EASEMENTS, RIGHTS OF WAYS, AND/OR AGREEMENTS AS OF RECORD MAY APPEAR.
 - UNDERGROUND UTILITIES (IF ANY) ARE NOT ADDRESSED BY THIS SURVEY.
 - THE SUBJECT PROPERTY IS CURRENTLY ZONED GRAND LAKE SINGLE FAMILY RESIDENTIAL-HIGH DENSITY, "RSH". SAID ZONING CONSISTS OF THE FOLLOWING GRAND LAKE SETBACKS:
 - FRONT 25'
 - SIDE 10'
 - REAR 10'
 - MAXIMUM HEIGHT OF BUILDINGS 32 FEET
 - ALL DISTANCES ARE EXPRESSED IN U.S. SURVEY FOOT AND DECIMALS THEREOF.
 - FIELD WORK PERFORMED DECEMBER 31, 2019 THRU JANUARY 10, 2020 WITH APPROXIMATELY 2 FEET OF SNOW COVER.
 - THIS CORNER MONUMENT IS SET PER GRAND COUNTY RECORDS LS #877, HOWEVER, PER LS#877 AN APPARENT CALCULATING ERROR APPEARS EXISTING RESULTING IN AN INCORRECT PLACEMENT. CONSEQUENTLY, SAID MARKER IS NOT CONSIDERED WITHIN ACCEPTABLE TOLERANCES AND IS NOT UTILIZED FOR THIS SURVEY.
 - NOTICE: ACCORDING TO COLORADO LAW, YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT, IN NO EVENT, MAY ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF CERTIFICATION SHOWN HEREON.

DEDICATION:

KNOW ALL MEN BY THESE PRESENTS: THAT CRAIG A. ENGELSEN & KRISTEN FRISBE, ARE THE OWNERS OF THAT REAL PROPERTY SITUATED IN THE TOWN OF GRAND LAKE, COLORADO, MORE FULLY DESCRIBED AS FOLLOWS: LOTS 12 AND 13, BLOCK 3, GRAND LAKE ESTATES, FIRST FILING

THAT THEY HAVE CAUSED SAID REAL PROPERTY TO BE LAID OUT AND SURVEYED AS MINOR SUBDIVISION/LOT CONSOLIDATION PLAT, AMENDED LOT 12, BLOCK 3, GRAND LAKE ESTATES, FIRST FILING AND DO HEREBY DEDICATE AND SET APART ALL OF THE STREETS, ALLEYS, AND OTHER PUBLIC WAYS AND PLACES AS SHOWN ON THE ACCOMPANYING PLAT TO THE USE OF THE PUBLIC FOREVER, AND DO HEREBY DEDICATE THOSE PORTIONS OF SAID REAL PROPERTY WHICH ARE INDICATED AS EASEMENTS ON THE ACCOMPANYING PLAT AS EASEMENTS.

IN WITNESS WHEREOF CRAIG A. ENGELSEN, HAS CAUSED HIS NAME TO BE HEREUNTO SUBSCRIBED THIS _____ DAY OF _____, 20____.

CRAIG A. ENGELSEN

STATE OF _____)
COUNTY OF _____) SS

THE FOREGOING DEDICATION WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 20____, BY CRAIG A. ENGELSEN.

WITNESS MY HAND AND OFFICIAL SEAL.

MY COMMISSION EXPIRES: _____

NOTARY PUBLIC

IN WITNESS WHEREOF KRISTEN FRISBE, HAS CAUSED HER NAME TO BE HEREUNTO SUBSCRIBED THIS _____ DAY OF _____, 20____.

KRISTEN FRISBE

STATE OF _____)
COUNTY OF _____) SS

THE FOREGOING DEDICATION WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 20____, BY KRISTEN FRISBE.

WITNESS MY HAND AND OFFICIAL SEAL.

MY COMMISSION EXPIRES: _____

NOTARY PUBLIC

TOWN BOARD OF TRUSTEES CERTIFICATE

APPROVED THIS _____ DAY OF _____, A.D., 20____, BY THE BOARD OF TRUSTEES, GRAND LAKE, COLORADO THIS APPROVAL DOES NOT GUARANTEE THAT THE SIZE OR SOIL OR FLOODING CONDITIONS OF ANY LOT SHOWN HEREON ARE SUCH THAT A BUILDING PERMIT SHALL BE ISSUED. THIS APPROVAL IS WITH THE UNDERSTANDING THAT ALL EXPENSES INVOLVING NECESSARY IMPROVEMENTS FOR ALL UTILITY SERVICES, STREET IMPROVEMENTS, PAVING, GRADING, LANDSCAPING, CURBS, GUTTERS, STREET LIGHTS, STREET SIGNS, AND SIDEWALKS SHALL BE FINANCED BY OTHERS AND NOT THE TOWN OF GRAND LAKE. ALSO, THAT THE TOWN OF GRAND LAKE DOES NOT ASSUME ANY RESPONSIBILITY FOR THE CORRECTNESS OR ACCURACY OF ANY INFORMATION DISCLOSED ON THIS PLAT NOR ANY REPRESENTATIONS OR INFORMATION PRESENTED TO THE TOWN WHICH INDUCED THE TOWN TO GIVE THIS CERTIFICATE.

ATTEST

TOWN CLERK _____ MAYOR _____

CLERK'S CERTIFICATE

STATE OF COLORADO)
COUNTY OF GRAND LAKE) SS

I HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED IN MY OFFICE AT _____ O'CLOCK (P/A/M), MONTH: _____, DATE: _____, 20____, A.D., AND IS DULY RECORDED.

TOWN CLERK _____

PLANNING COMMISSION CERTIFICATE

APPROVED THIS _____ DAY OF _____, A.D., 20____, TOWN PLANNING COMMISSION, GRAND LAKE, COLORADO.

CHAIRMAN _____

LAND SURVEYOR'S CERTIFICATE:

TIMOTHY R. SHENK, A DULY LICENSED LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THIS MINOR SUBDIVISION/LOT CONSOLIDATION PLAT REPRESENTS THE RESULTS OF A SURVEY MADE BY ME OR UNDER MY DIRECT SUPERVISION AND THAT IT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF. SAID PLAT IS PREPARED IN ACCORDANCE WITH APPLICABLE STANDARDS OF PRACTICE AND COMPLIES WITH THE REQUIREMENTS OF TITLE 38, ARTICLE 61, COLORADO REVISED STATUTES, 1973, THE MONUMENTS REQUIRED BY SAID STATUTE HAVE BEEN PLACED IN THE GROUND. IT IS NOT A QUARRANTY OR WARRANTY EITHER EXPRESSED OR IMPLIED.

DATED THIS _____ DAY OF _____, 20____.

SUBJECT TO REVIEW

TIMOTHY R. SHENK, COLORADO P.L.S. 31942
PREPARED ON BEHALF OF TM SHENK LAND SURVEYING, INC.

**TM SHENK
LAND SURVEYING INC.**
P.O. BOX 1670
GRANDY, CO 80448
(970) 887-1048

MINOR SUBDIVISION/LOT CONSOLIDATION PLAT
AMENDED LOT 12, BLOCK 3,
GRAND LAKE ESTATES, FIRST FILING
SE1/4 SECTION 6, T-3-N, R-75-W, 6 P.M.,
TOWN OF GRAND LAKE, GRAND COUNTY, COLORADO

SHEET 1 OF 1	DWG: 19210.03	DATE: 01/10/2020	DRAWN BY: JL
JOB: 19210	CRD: 19210.04	CHECKED BY: TS	

**TOWN OF GRAND LAKE
PLANNING COMMISSION
RESOLUTION NO. 08-2024**

**A RESOLUTION RECOMMENDING APPROVAL OF A LOT CONSOLIDATION OF
LOTS 12-13, BLOCK 3, GRAND LAKE ESTATES 1ST FILING, MORE COMMONLY
REFERRED TO AS 960 TALLAQUA DRIVE**

WHEREAS, Craig A. Engelsen and Kristen W. Frisbie (the “Applicant”) are the owner of certain real property located within the Town of Grand Lake, more particularly described as follows:

Lot 12-13, Block 3, Grand Lake Estates 1st Filing Subdivision, Grand Lake, Colorado, also known as: 960 Tallaqua Dr., Grand Lake, Colorado 80447 (the “Property”); and

WHEREAS, the Applicant has submitted an application seeking approval of a lot consolidation (“the Application”), pursuant to Section 12-6-8(B) of the Town Code; and

WHEREAS, Section 12-6-8(B)(4) of the Town Code provides that the Planning Commission and the Board of Trustees are to apply the following criteria in considering an application to consolidate lots:

1. The combined lots are legal lots as defined in section 12-6-8(A)(1).
2. The combined lots would not subsequently create additional lots other than the resultant lots.
3. The consolidation would not adversely affect existing access, drainage, utility easements, or rights-of-way.
4. The lot consolidation would not adversely affect adjacent properties and the property owners’ enjoyment of their property.
5. Any covenants, deed restrictions, or other conditions of approval that apply to the original lots must also apply to the resultant lots.

WHEREAS, following proper notice, the Application was presented to and considered by the Planning Commission at its regular meeting on June 5th, 2024; and

WHEREAS, staff has recommended approval of the Application; and

WHEREAS, based on the Application, the representations of the Applicant to the Planning Commission and the comments of the public, the Planning Commission finds:

1. The combined lots are legal lots as defined in section 12-6-8(A)(1).
2. The combined lots would not subsequently create additional lots other than the resultant lots.
3. The consolidation would not adversely affect existing access, drainage, utility easements, or rights-of-way.
4. The lot consolidation would not adversely affect adjacent properties and the property owners’ enjoyment of their property.
5. Any covenants, deed restrictions, or other conditions of approval that apply to the original lots must also apply to the resultant lots.

NOW THEREFORE BE IT RESOLVED BY THE PLANNING COMMISSION OF THE TOWN OF GRAND LAKE, COLORADO AS FOLLOWS:

- 1. The Planning Commission recommends that the Application be approved by the Board of Trustees subject to the conditions set forth in Section 2, below.
- 2. The Planning Commission’s recommendation for approval is based on the Applicant satisfying the following conditions. Unless specified otherwise, such conditions should be satisfied before the matter is considered by the Board of Trustees:
 - a. Payment by Applicant of all legal, engineering and administrative fees incurred by the Town in connection with review, processing, consideration and approval of the Application
 - b. Compliance by the Applicant with all representations made to the Planning Commission during all public hearings or meetings related to the Application
 - c. The resultant lot is to be considered one new lot in perpetuity, never to be sold or mortgaged separately without the reapplication and approval from the Town to re-subdivide. This limitation shall be noted on the face of the Lot Consolidation Plat prior to recording.
- 3. Severability: If any Article, Section, paragraph, sentence, clause, or phrase of this Resolution is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining portions of this Resolution. The Planning Commission declares that it would have passed this Resolution and each part or parts thereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.
- 4. Repeal: Existing resolutions or parts of resolutions covering the same matters as embraced in this Resolution are hereby repealed and all resolutions or parts of resolutions inconsistent with the provisions of this Resolution are hereby repealed.

DULY MOVED, SECONDED, AND APPROVED BY THE PLANNING COMMISSION OF THE TOWN OF GRAND LAKE, COLORADO, THIS 5th DAY of JUNE, 2024.

(S E A L)

Votes Approving:
 Votes Opposed:
 Absent:
 Abstained:

ATTEST:

TOWN OF GRAND LAKE

 Alayna Carrell
 Town Clerk

 James Shockey
 Planning Commission Chairman



1026 Park Ave · PO Box 99
Grand Lake, CO 80447
970-627-3435
www.townofgrandlake.com

Date: June 19th, 2024

To: Chairman Shockey & Commissioners
From: Kim White, Community Development Director

RE: **(QUASI JUDICIAL) PUBLIC HEARING** - Consideration to approve a Special Use Permit (SUP) per Grand Lake Municipal Code section 12-2-31(A)2, to allow a commercial use on property located at Block 19, Lot 3, Town of Grand Lake; More Commonly Referred to as 712 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 makes a motion.

Purpose



1026 Park Ave · PO Box 99
Grand Lake, CO 80447
970-627-3435
www.townofgrandlake.com

The Town has received a special use permit (SUP) application from Lone Eagle Lodge to operate their own food truck called Let's Taco About it on their commercial lot 16 Block 3, Town of Grand Lake, more commonly known as 712 Grand Avenue. This will be the first year for this request. This requires Planning Commission recommendation and Board of Trustees review. The primary landowner is Lone Eagle Lodge and has given his permission for the use.

Background

Jose De Los Santos of Lone Eagle Lodge has submitted a special use application to run a stationary food truck business at the 712 Grand Ave. lot while they ramp up business at the Lone Eagle Lodge, with the intent of eventually building a kitchen in the northeastern building on the property. The business has previously been a gas station and hotel, and will now be used as a restaurant and hotel (exhibit 1 application).

The parcel is zoned Commercial and, while the business is a use by right (*eating and drinking places; frozen food locker- M.C. 12-2-18 (A) 2*), because the business is being run at the same location as another business and is a non-fixed/ temporary structure, a Special Use Permit is required per Municipal Code 12-2-31. A Special Use permit will allow this use of a temporary structure for a maximum of six months.

The Applicant's proposed Special Use is a commercial business offering freshly-made Mexican cuisine known as Let's Taco About It. The business would operate from 6:00AM until midnight, daily. Restrooms are located in the Lone Eagle lobby along with the trash receptacles. If approved, the permit would be good through December 25th. The truck will stay in the same location daily and not move each evening (image 1). The seating would be located in the garage and on the chained off patio (image 2), with the lobby being transformed into a bar area.

The Applicant's submission includes all required materials and supporting documentation:

- Application Main Form
- Cover letter detailing the business operation
- Narrative description of the nature of the Special Use
- Copy of Grand Lake Sales Tax License
- Letter from Owner stating a lease agreement is in place.
- Letter from neighboring business in support
- Images of the proposed site and plan of the site
- Will obtain a current Town Business License.

11 certified letters were sent to property owners within 200 feet of the site and Legal Notice, x have been received to date. Notice was posted in the Middle Park Times with no comments received to date (exhibit 2).

Municipal Code

Municipal Code section 12-2-18 (A) Uses Permitted by Right Commercial District:

2. Amusement and/or recreational businesses other than those provided for in 12-2-18(A)8; automobile parking lot; bank; bus terminal; eating and drinking places; frozen food locker; offices; drugstore; laundromat; liquor store; gift store; jewelry store; bakery;



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clothing store; grocery; hardware store; sporting goods store; general store; said businesses being of a retail or service nature, and limited as set forth.

Municipal Code section 12-2-31 [Special and Conditional Use Regulations]

General SUP- A permit for the temporary use (six months or less) of private property.

(b) For Commercial/Mixed Use, the permit shall be utilized for the approval of proposed accessory uses, not incidental to the primary use of the property, or when there are two or more businesses present, with at least one business that is proposed to be located in a non-fixed structure, or a temporary facility; or when the total square footage of the unit/structure does not meet the minimum floor area for the zoning district where it is located.

(f) Commission Processing and Review Criteria for a General SUP:

1. The Planning Commission shall review the SUP application in a Public Hearing to receive testimony and comment of interested citizens, businesses, and adjoining property owners prior to making a recommendation to the Town Board of Trustees.

*2. In making determination of a recommendation of approval or denial of the SUP application, the **Commission shall consider the following factors:***

- (i) Relationship of the proposed Special Use to the economic development objectives of the Town and the anticipated impact of the SUP on existing businesses.*
- (ii) Effect upon traffic, with particular reference to congestion, automotive and pedestrian safety and convenience, traffic flow and control, access, maneuverability, and (if applicable) snow removal from the streets and parking areas.*
- (iii) Effect upon the character of the area in which the proposed Special Use is to be located, including the scale and bulk of the proposed Special Use in relation to surrounding uses and neighborhood.*
- (iv) Such other factors and criteria as the Commission deems applicable to the proposed Special Use including but not limited to: proposed length of use; specific businesses, land owners or other interested parties to be notified; or proposed conditions of SUP issuance.*

*3. At the Public Hearing, after receiving comment and testimony, **the Commission shall make a recommendation to the Board of Trustees in the form of a Resolution.** Nothing in this Section shall preclude the Commission from tabling or continuing the Public Hearing to another time and place. **If the Resolution is to approve the request, it shall contain the following findings:***

- (i) That the proposed location of the use is in accord with the purposes of this Chapter and the purposes of the district in which the SUP site is located.*
- (ii) That the proposed location of the Special Use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety, or welfare, nor will the proposed use be materially injurious to nearby land uses, properties, or improvements.*
- (iii) That the proposed use will comply with all of the applicable provisions of the Code of Ordinances.*



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-
- (iv) That the applicant shall comply with such terms and conditions as the Commission determines are necessary to carry out the letter and intent of the Special Use Permit process.
- (v) That the SUP shall be valid for a specific duration of time, citing specific dates.

1. In the case of reoccurring applications, the Planning Commission may make a recommendation to the Town Board of Trustees for the Board's approval of an annually reoccurring Special Use Permit.

Staff Comments

Staff has the following comments regarding the applicant's Special Use Permit request.

- Commissioners shall consider the four factors above prior to making a motion.
- The purpose is to get started in Town and eventually make a permanent restaurant
- Staff recommends the Commission approve the permit.

Commission Action

The Commission has the following options:

1. Adopt Planning Commission Resolution 09 – 2024 as presented; OR
2. Adopt Planning Commission Resolution 09 – 2024 with the following additional conditions; OR
3. Deny Resolution 09 – 2024

From: [REDACTED]
To: [Kim White](#)
Cc: [REDACTED]
Subject: Re: Fw: Lone eagle lodge
Date: Wednesday, May 1, 2024 2:21:04 PM
[REDACTED]

Caution! This message was sent from outside your organization.

Hello,

I hope this email finds you well. I wanted to share with you our exciting plans for Lone Eagle Lodge, and specifically, our proposal to park a food truck on the premises. We believe this addition will not only enhance the overall experience for our guests but also contribute to the growth of tourism in Grand Lake.

To begin, we have designed a food truck concept that aligns with the unique charm and character of the lodge. If our proposal is approved, we are eager to work on the detailed plans and ensure that everything meets the necessary requirements and regulations.

Our vision extends beyond the food truck itself. We plan to create a welcoming atmosphere by adding a deck and transforming the current lobby into a vibrant restaurant and bar. By doing so, we aim to attract visitors from near and far, thereby increasing tourism in the area.

One of the observations we have made is that many restaurants in town close early, and some even close for the winter season. Our goal is to provide a year-round dining option for both locals and tourists alike. We plan to open at 7:00 AM, serving delicious breakfast options for those heading to work, and remain open until midnight every day. Additionally, we are considering implementing a delivery service in the future to cater to the needs of our valued residents.

I have also included a sample of the menu. It's just a draft and will be improved.

Thank you for considering our proposal. We are confident that this venture will not only benefit Lone Eagle Lodge but also contribute to the overall growth and prosperity of Grand Lake. We look forward to discussing this opportunity further.

 TACO ABOUT IT .mp4







Papas panaonas



chilauquiles
RED AND GREEN

Birria
CON CONSOME

Quesadillas
ASADA / PASTOR / POLLO / BIRRIA

menudo
SATURDAY & SUNDAYS ONLY

Salsas
GUACAMOLE MICH
SALSA VERDE
SALSA DE ACEITE
SALSA DE CACAHUATE

OPEN
07.00AM - 10.00PM

(720) 525-5589
720 GRAND AVE,
GRAND LAKE, CO 80447
WWW.TACOABOUTIT.COM

To whom this may concern;

We are seeking a Special Use Permit (SUP) to establish a food truck operation at the Lone Eagle Lodge property.

1. Location and Dimensions: The food truck will be positioned inside on the side of the Lone Eagle Lodge building, 8x20. This placement ensures efficient use of space while maintaining accessibility to minimize disruption to traffic flow and pedestrian pathways.
2. Utilities: The food truck will utilize existing utilities from the Lone Eagle Lodge, ensuring seamless integration with the property's infrastructure.
3. Operating: The food truck will operate during extended hours to accommodate the needs of both tourists and local residents. The schedule will accommodate early-morning and late-night dining preferences, providing affordable and convenient Mexican cuisine.
4. Winter Operation: Recognizing the demand for dining options during the winter season when many other establishments are closed, the food truck will remain operational year-round, providing consistent service to guests and visitors.

To further ensure compatibility with neighboring properties, measures will be implemented to mitigate any potential disruptions:

- Traffic Circulation: The placement of the food truck will be carefully considered to maintain smooth traffic flow within the property.
- Off-Street Parking: Adequate off-street parking will be designated to accommodate customers, preventing congestion on surrounding roads.
- Compatibility with Surrounding Properties: The operation will be conducted in a manner that respects the character of the surrounding area, ensuring harmonious coexistence with neighboring properties.

Additionally, while plans are underway to convert the Lone Eagle Lodge lobby into a permanent Bar & restaurant, the initial establishment of the food truck allows for timely service provision, aligning with seasonal demands. This phased approach ensures a seamless transition towards the long-term goal of establishing a restaurant while simultaneously meeting immediate market needs.

restroom
trash
hours

To whom this may concern;

Once our SUP is approved, we will purchase the food truck and obtain all the requirements below.

- i) Colorado Sales Tax License,
- (ii) Grand Lake Sales Tax License,
- (iii) Grand Lake Business License.

The business name has been registered with the Secretary of State.

To whom this may concern;

I Victor De Los Santos, owner of Lone Eagle Lodge, address 720 Grand Ave. Grand Lake, CO. 80447, give Permission to Jose De Los Santos, owner of Taco About It LLC, food truck, to park and conduct business at my property.

Warm Regards,

A handwritten signature in blue ink, appearing to be 'Victor De Los Santos', written over a horizontal line.

Date: 5/7/24

From: [Lone Eagle Lodge](#)
To: [Kim White](#)
Subject: Hi Kim, Wanted to follow up to see if this picture is ok or what the food truck will look like. Please advise.
Date: Tuesday, June 4, 2024 9:51:02 AM

Caution! This message was sent from outside your organization.



Warm Regards,

Lone Eagle Lodge
970-880-3549

**TOWN OF GRAND LAKE
PLANNING COMMISSION
RESOLUTION NO. 09-2024**

**CONSIDERATION TO RECOMMEND A SPECIAL USE PERMIT (SUP) TO ALLOW A
COMMERCIAL USE ON PROPERTY LOCATED AT BLOCK 19, LOT 3, TOWN OF GRAND
LAKE; MORE COMMONLY REFERRED TO AS 712 GRAND AVENUE**

WHEREAS, the Town of Grand Lake (the “Town”) received a Special Use Permit (SUP) Application (the “Application”) from Jose De Los Santos of Let’s Taco About It; (the “Applicant”); and

WHEREAS, Lot 3, Block 19, Town of Grand Lake (the “Property”) is zoned commercial; and

WHEREAS, the Property is owned by BRRRR INVESTMENTS LLC; and

WHEREAS, Municipal Code 12-2-31(A) General SUP states:

- 2. *A [SUP] permit [is required] for the temporary use (six months or less) of private property.*
- (b) For Commercial/Mixed Use, the permit shall be utilized for the approval of proposed accessory uses, not incidental to the primary use of the property, or when there are two or more business present, with at least one business that is proposed to be located in a non-fixed structure, or a temporary facility.....*
- 3. *At a Public Hearing, after receiving comment and testimony, the Commission shall make recommendation to the Board of Trustees in the form of a resolution.; and*

WHEREAS, Municipal Code 12-2-18 (A) Uses Permitted by Right in a Commercial District states: eating and drinking places; frozen food locker; and

WHEREAS, the Applicant is requesting a temporary, non-fixed food/drink facility (the “Use”) on the Property; and

WHEREAS, the Commission reviewed the Application at a Public Hearing on June 19th, 2024; and

WHEREAS, the Commission considered the following factors when reviewing the Application:

- (i) Relationship of the proposed Special Use to the economic development objectives of the Town and the anticipated impact of the SUP on existing businesses.
- (ii) Effect upon traffic, with particular reference to congestion, automotive and pedestrian safety and convenience, traffic flow and control, access, maneuverability, and (if applicable) snow removal from the streets and parking areas.
- (iii) Effect upon the character of the area in which the proposed Special Use is to be located, including the scale and bulk of the proposed Special Use in relation to surrounding uses and neighborhood.
- (iv) Such other factors and criteria as the Commission deems applicable to the proposed Special Use including but not limited to: proposed length of use; specific businesses; land owners or other interested parties to be notified; or proposed conditions of SUP issuance.

NOW THEREFORE BE IT RESOLVED BY THE PLANNING COMMISSION OF THE TOWN OF GRAND LAKE, COLORADO:

THAT, the proposed location of the Use is in accord with the purposes of this Chapter and the purposes of the Commercial District; and

THAT, the proposed location of the Use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety, or welfare, nor will the proposed use be materially injurious to nearby land uses, properties, or improvements; and

THAT, the proposed Use will comply with all of the applicable provisions of the Code of Ordinances; and

THAT, the Applicant shall comply with such terms and conditions as the Commission determines are necessary to carry out the letter and intent of the Special Use Permit process; and

THAT, the Planning Commission hereby forwards a favorable recommendation to grant the Special Use Permit for a temporary "Use" located on the Property with the recommended following conditions of approval:

1. The hours of operation are limited to 6 am to 11:59pm, Sunday through Saturday.
2. The SUP is valid beginning June 25th, 2024 and shall expire on December 25th, 2024.
3. Any changes to this Special Use Permit shall be reviewed and approved by the Planning Commission and Board of Trustees.
4. Review of this Special Use Permit may be warranted by the Commission and Board of Trustees, if two (2) or more written complaints are received by the Town in any six (6) month period.
5. This SUP has a penalty clause included specifying a Fifty Dollar (\$50.00) per day fine for each and every day the business is out of compliance with the Date of this permit.
6. The Applicant complies with all other federal, state, and local regulations.
7. Failure to adhere to these conditions shall be cause for Town Staff to either suspend or revoke the SUP without notice or hearing.

DULY MOVED, SECONDED AND ADOPTED BY THE PLANNING COMMISSION OF THE TOWN OF GRAND LAKE, COLORADO, THIS 19th DAY OF JUNE, 2024.

(S E A L)

Votes Approving:
Votes Opposed:
Absent:
Abstained:

ATTEST:

TOWN OF GRAND LAKE

/s/ _____
Alyana Carrell, Town Clerk

/s/ _____
James Shockey, Chairman



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970-627-3435
www.townofgrandlake.com

Date: June 19th, 2024

To: Chairman Shockey & Commissioners
From: Kim White, Community Development Director

RE: **(QUASI JUDICIAL) PUBLIC HEARING** - Consideration to approve a Special Use Permit (SUP) per Grand Lake Municipal Code section 12-2-31(A)2, to allow a commercial use on property located at Block 3, Lot 16, Town of Grand Lake; More Commonly Referred to as 1143 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 makes a motion.



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Purpose

The Town has received a special use permit (SUP) application from Mary’s Mountain Cookies to operate a food truck on occupied commercial lot 16 Block 3, Town of Grand Lake, more commonly known as 1143 Grand Avenue. This will be the first year for this request. This requires Planning Commission recommendation and Board of Trustees review. The primary landowner is Hunting Dog Ventures, LLC and has given permission for the use.

Background

Paul Klees of Skol Sweets, LLC dba Mary’s Mountain Cookies has submitted a special use application to run a seasonal stationary food kiosk business, serving cookies at 1143 Grand Ave. for the summer of 2024. The business would be serving treats out of a gondola that has been renovated for the purpose (see image). exhibit 1 application.

The parcel is zoned Commercial and, while the business is a use by right (*eating and drinking places; frozen food locker- M.C. 12-2-18 (A) 2*), because the business is being run at the same location as another business and is a non-fixed/ temporary structure, a Special Use Permit is required per Municipal Code 12-2-31. A Special Use permit will allow this use of a temporary structure for a maximum of six months.

The Applicant’s proposed Special Use is a seasonal commercial business offering “retail cookies” known as Mary’s Mountain Cookies. The business would operate summer months only May- October. The proposed days and hours of operation are 5- 7 days a week with tentative hours between 10am and 6pm. SUP permits are good for 6 months, so this would expire December 2024, if approved. The gondola will stay in the same location for the summer and not move each evening and will have a small sitting area shared with Jump Start Coffee and will assist in cleaning up the open space to the east of Jump Start. The gondola will run off electricity from Jump Start, but no cookies will be made on site, rather, they will be brought in each day.

The Applicant’s submission includes all required materials and supporting documentation:

- Application Main Form
- Cover letter detailing the business operation
- Narrative description of the nature of the Special Use
- Copy of Grand Lake Sales Tax License
- Letter from Owner stating a lease agreement is in place.
- Images of the proposed site and plan of the site
- Will obtain a current Town Business License, if approved.

12 certified letters were sent to property owners within 200 feet of the site and Legal Notice, x have been received to date. Notice was posted in the Middle Park Times with no responses as of now.

Municipal Code

Municipal Code section 12-2-18 (A) Uses Permitted by Right Commercial District:

2. Amusement and/or recreational businesses other than those provided for in 12-2-18(A)8; automobile parking lot; bank; bus terminal; eating and drinking places; frozen food locker; offices; drugstore; laundromat; liquor store; gift store; jewelry store; bakery;



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clothing store; grocery; hardware store; sporting goods store; general store; said businesses being of a retail or service nature, and limited as set forth.

Municipal Code section 12-2-31 [Special and Conditional Use Regulations]

General SUP- A permit for the temporary use (six months or less) of private property.

(b) For Commercial/Mixed Use, the permit shall be utilized for the approval of proposed accessory uses, not incidental to the primary use of the property, or when there are two or more businesses present, with at least one business that is proposed to be located in a non-fixed structure, or a temporary facility; or when the total square footage of the unit/structure does not meet the minimum floor area for the zoning district where it is located.

(f) Commission Processing and Review Criteria for a General SUP:

1. The Planning Commission shall review the SUP application in a Public Hearing to receive testimony and comment of interested citizens, businesses, and adjoining property owners prior to making a recommendation to the Town Board of Trustees.

2. In making determination of a recommendation of approval or denial of the SUP application, the **Commission shall consider the following factors:**

- (i) Relationship of the proposed Special Use to the economic development objectives of the Town and the anticipated impact of the SUP on existing businesses.
- (ii) Effect upon traffic, with particular reference to congestion, automotive and pedestrian safety and convenience, traffic flow and control, access, maneuverability, and (if applicable) snow removal from the streets and parking areas.
- (iii) Effect upon the character of the area in which the proposed Special Use is to be located, including the scale and bulk of the proposed Special Use in relation to surrounding uses and neighborhood.
- (iv) Such other factors and criteria as the Commission deems applicable to the proposed Special Use including but not limited to: proposed length of use; specific businesses, land owners or other interested parties to be notified; or proposed conditions of SUP issuance.

3. At the Public Hearing, after receiving comment and testimony, **the Commission shall make a recommendation to the Board of Trustees in the form of a Resolution.** Nothing in this Section shall preclude the Commission from tabling or continuing the Public Hearing to another time and place. **If the Resolution is to approve the request, it shall contain the following findings:**

- (i) That the proposed location of the use is in accord with the purposes of this Chapter and the purposes of the district in which the SUP site is located.
- (ii) That the proposed location of the Special Use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety, or welfare, nor will the proposed use be materially injurious to nearby land uses, properties, or improvements.
- (iii) That the proposed use will comply with all of the applicable provisions of the Code of Ordinances.



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-
- (iv) That the applicant shall comply with such terms and conditions as the Commission determines are necessary to carry out the letter and intent of the Special Use Permit process.*
 - (v) That the SUP shall be valid for a specific duration of time, citing specific dates.*

Staff Comments

Staff has the following comments regarding the applicant’s Special Use Permit request.

- Commissioners shall consider the four factors above prior to making a motion.
- Staff recommends the Commission approve the permit.

Commission Action

The Commission has the following options:

1. Adopt Planning Commission Resolution 10 – 2024 as presented; OR
2. Adopt Planning Commission Resolution 10 – 2024 with the following additional conditions; OR
3. Deny Resolution 10 – 2024

Skol Sweets LLC dba Mary's Mountain Cookies



Special Use Permit Narrative

- A. Company Information:
 - a. Skol Sweets LLC dba Mary's Mountain Cookies
 - b. Owner: Paul Klees
 - c. Mailing Address: PO Box 1515, Granby, CO 80446
 - d. Email: skolcapital@outlook.com
 - e. Phone: 970.519.1643
 - f. Website: mtncookies.com
- B. Project Location:
 - a. Address: 1141 Grand Ave, Grand Lake CO 804
 - b. Parcel # 119305214009
 - c. Property Owner: Hunting Dog Ventures, LLC
 - d. Existing Business: Jump Start Coffee
 - e. Site Location: See attached Map. **EXHIBIT 1**
 - f. Zoning: Commercial under Three Lakes Design Review
 - g. Total Space Used – 6' by 6'
 - h. Parking – No additional parking required.
- C. Agreement with Leona – JumpStart coffee
 - a. Agreement upon request.
 - b. Potential Impacts:
 - i. We feel we are a great complement to the existing business focus as well as fit in nicely to the abundant outdoor space in this location which is currently used for kids/families visiting the area.
 - ii. We plan to help Leona's efforts to continue cleaning up the space this summer.
- D. Structure:
 - a. Mobile Gondola designed for retail, see attached photos: **EXHIBIT 2**
 - b. Gondola will be placed on the ground with electrical running to it provided by property owner.
 - c. Timeframe – May through October
- E. Business Operations:
 - a. Retail cookies. Cookies will be brought in daily from Granby location. No cooking will take place inside the unit.
 - b. Transportation of cookies will be in sealed containers.
 - c. Product will be handled by gloves and placed in bags or boxes to the customer.
 - d. Hand washing station self-contained in unit.
 - e. Operating hours will be 5-7 days a week with tentative hours between 10am – 6pm.
 - f. Product menu can be found at www.mtncookies.com
 - g. This operation and systems ran successfully @ Winter Park Resort first quarter 2024
- F. Site Preparation:
 - a. Power is already located at site.
 - b. Gondola will be placed in noted location and leveled as needed.

- c. We will provide additional trash receptacle which will be emptied at the end of each shift.
- d. Restrooms provided by Jumpstart Coffee.
- e. Approved hand washing station is located in the Gondola.
- G. Exterior Lighting
 - a. Provided by existing buildings on property as well as boardwalk lighting.
- H. Ability to Serve Letter:
 - a. No water needed in Gondola
- I. Letter of Evidence from Developer
 - a. N/A

EXHIBIT 1: Site Location Map

1141 Grand Ave, Grand Lake – Zoomed In

- We will be located in between the Coffee shop and Ice Cream out building, near the tent. Ideally close to the boardwalk to visually attract walk & drive traffic without blocking the view of the playground/outdoor sitting space in the back of the lot. Power will be either taken from the coffee building or exterior of the ice cream shop.



1141 Grand Ave, Grand Lake – Zoomed Out

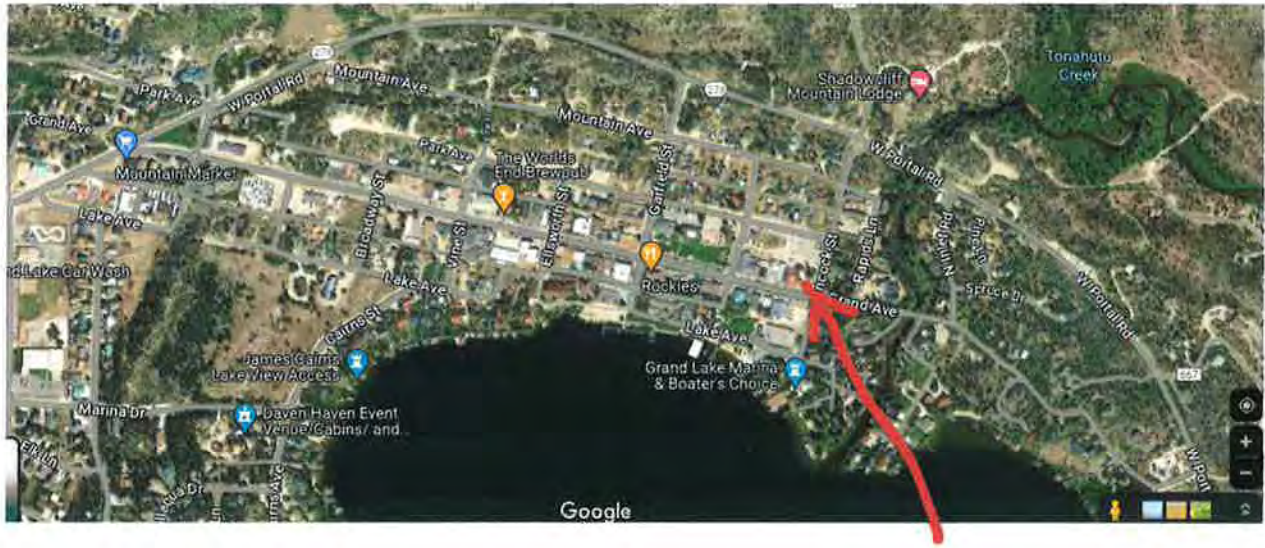


Exhibit 2: Gondola Pictures & Specs

More info @ <https://thegondolashop.com/products/coffee-bar>



- DETAILS**
- One color industrial paintwork (basecoat-clearcoat)
 - Refurbished-modified Steamboat 8 passenger gondola from 1986
 - Custom-built wood shelving
 - Custom-built serving door that serves as awning once opened - lockable at night with inside latches
 - Ceiling white LEDs
 - Refurbished plexiglass windows
 - 6 plug power-bar pre-installed
 - Pallet jack access for easy movability
 - Outside wood shelf for extra counter space (7"x36")
 - Outside dimensions 78"long x 66"wide x 85"high
 - Inside dimensions within shelving 3'x5'x81" high
 - Approx weight 850lbs

**TOWN OF GRAND LAKE
PLANNING COMMISSION
RESOLUTION NO. 10-2024**

**CONSIDERATION TO RECOMMEND A SPECIAL USE PERMIT (SUP) TO ALLOW A
COMMERCIAL USE ON PROPERTY LOCATED AT BLOCK 3, LOT 16, TOWN OF GRAND
LAKE; MORE COMMONLY REFERRED TO AS 1143 GRAND AVENUE**

WHEREAS, the Town of Grand Lake (the “Town”) received a Special Use Permit (SUP) Application (the “Application”) from Skol Sweets, LLC dba Mary’s Mountain Cookies; (the “Applicant”); and

WHEREAS, Lot 16, Block 3, Town of Grand Lake (the “Property”) is zoned commercial; and

WHEREAS, the Property is owned by Hunting Dog Ventures, LLC; and

WHEREAS, Municipal Code 12-2-31(A) General SUP states:

- 2. *A [SUP] permit [is required] for the temporary use (six months or less) of private property.*
- (b) For Commercial/Mixed Use, the permit shall be utilized for the approval of proposed accessory uses, not incidental to the primary use of the property, or when there are two or more business present, with at least one business that is proposed to be located in a non-fixed structure, or a temporary facility.....*
- 3. *At a Public Hearing, after receiving comment and testimony, the Commission shall make recommendation to the Board of Trustees in the form of a resolution.; and*

WHEREAS, Municipal Code 12-2-18 (A) Uses Permitted by Right in a Commercial District states: eating and drinking places; frozen food locker; and

WHEREAS, the Applicant is requesting a temporary, non-fixed food facility (the “Use”) on the Property; and

WHEREAS, the Commission reviewed the Application at a Public Hearing on June 19th, 2024; and

WHEREAS, the Commission considered the following factors when reviewing the Application:

- (i) Relationship of the proposed Special Use to the economic development objectives of the Town and the anticipated impact of the SUP on existing businesses.
- (ii) Effect upon traffic, with particular reference to congestion, automotive and pedestrian safety and convenience, traffic flow and control, access, maneuverability, and (if applicable) snow removal from the streets and parking areas.
- (iii) Effect upon the character of the area in which the proposed Special Use is to be located, including the scale and bulk of the proposed Special Use in relation to surrounding uses and neighborhood.
- (iv) Such other factors and criteria as the Commission deems applicable to the proposed Special Use including but not limited to: proposed length of use; specific businesses; land owners or other interested parties to be notified; or proposed conditions of SUP issuance.

NOW THEREFORE BE IT RESOLVED BY THE PLANNING COMMISSION OF THE TOWN OF GRAND LAKE, COLORADO:

THAT, the proposed location of the Use is in accord with the purposes of this Chapter and the purposes of the Commercial District; and

THAT, the proposed location of the Use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety, or welfare, nor will the proposed use be materially injurious to nearby land uses, properties, or improvements; and

THAT, the proposed Use will comply with all of the applicable provisions of the Code of Ordinances; and

THAT, the Applicant shall comply with such terms and conditions as the Commission determines are necessary to carry out the letter and intent of the Special Use Permit process; and

THAT, the Planning Commission hereby forwards a favorable recommendation to grant the Special Use Permit for a temporary “Use” located on the Property with the recommended following conditions of approval:

- 1. The hours of operation are limited to 10 am to 6 pm, five to seven days a week, May through October.
- 2. The SUP is valid beginning June 25th, 2024 and shall expire on December 25th, 2024.
- 3. Any changes to this Special Use Permit shall be reviewed and approved by the Planning Commission and Board of Trustees.
- 4. Review of this Special Use Permit may be warranted by the Commission and Board of Trustees, if two (2) or more written complaints are received by the Town in any six (6) month period.
- 5. This SUP has a penalty clause included specifying a Fifty Dollar (\$50.00) per day fine for each and every day the business is out of compliance with the Date of this permit.
- 6. The Applicant complies with all other federal, state, and local regulations.
- 7. Failure to adhere to these conditions shall be cause for Town Staff to either suspend or revoke the SUP without notice or hearing.

DULY MOVED, SECONDED AND ADOPTED BY THE PLANNING COMMISSION OF THE TOWN OF GRAND LAKE, COLORADO, THIS 19th DAY OF JUNE, 2024.

(S E A L)

Votes Approving:
Votes Opposed:
Absent:
Abstained:

ATTEST:

TOWN OF GRAND LAKE

/s/ _____
Alyana Carrell, Town Clerk

/s/ _____
James Shockey, Chairman