



BOARD OF TRUSTEES STAFF MEMORANDUM

DATE: October 27, 2025
TO: Mayor and Board of Trustees
FROM: Emily Weber, Contract Staff - Planning Department
SUBJECT: **QUASI JUDICIAL (PUBLIC HEARING)** – Sketch Review of a Preliminary Plat for eight lots located at 120 County Road 663, commonly referred to as the Ruger Subdivision.

Overview

- **Property Owner and Applicant:** Michael P Ruger Living Trust
- **Applicant Representatives:** Mike Ruger
- **Project Location:** 120 County Road 663
- **Project Zoning:** Single Family Residential – High Density
- **Request:** The applicant is proposing to subdivide a 4.88-acre parcel into eight individual residential lots. Lot sizes range from 0.39 acres to 1.01 acres.
- **Attachments:**
 - Preliminary Plat



Background

The property was annexed into the town earlier this year via Resolution 05-2025. The annexation agreement included the following key provisions:

1. A maximum of nine residential lots is permitted. However, due to topographic constraints, the site may realistically accommodate only six or seven lots. Each dwelling must be accessible to fire and emergency services.
2. The access road is unlikely to meet town standards typical subdivisions. The Town Water



Department emphasized the importance of the water main in County Road 663, which supplies all of Grand Lake. This main is protected from freezing by a specific combination of soil and snowpack. Relocation or replacement would be financially burdensome, potentially disruptive to water service, and may not be physically feasible. Road improvements are possible but must not endanger this critical infrastructure. Specifically, paving or reducing the grade below 8% is unlikely.

3. Stormwater improvements are required to mitigate flood risks, particularly following post-fire flooding that impacted County Road 663. It is also required that drainage concerns are addressed during the subdivision process.

Staff Analysis

The subdivision request follows a three-step review process: Sketch Plan, Preliminary Plat, and Final Plat. The application is currently being considered under the sketch plan review process.

The site is zoned Single Family Residential - High Density (RSH). All proposed lots meet the minimum zoning requirements:

Measurement	RSH
Minimum Lot Area	5,000 SF per home
Minimum Lot Frontage	50'
Minimum Floor Area	800 SF (500 SF for ADU)
Maximum Floor Area	NA (800 SF for ADU)
Front Setback	25'
Side Setback	10'
Rear Setback	10'
Maximum Height	32'

Because the proposed subdivision includes more than five (5) lots, the applicant is required to provide at least ten percent (10%) of the housing units as attainable for lower- and moderate-income households, in accordance with Town Code Section 12-10-3 Inclusionary Zoning. To meet this requirement, the applicant has agreed to dedicate one lot (Lot 8) to the Town for use as attainable housing.

Additionally, in accordance with Town Code Section 12-9-10(l)(3)(f) Land Dedication, the applicant is required to dedicate seven percent (7%) of the gross land area for public purposes such as schools, parks, police and fire stations, or other community uses. To satisfy this requirement, the applicant has agreed to a 10- to 15-foot multi-use trail easement along County Road 663, extending from Portal Road to the water treatment plant. The specifics of this easement will be further evaluated during the next phase of the review process to ensure compliance with the 7% land dedication requirement.

Other Key Considerations for the Applicant:

- Town Code Section 12-9-10 (H) (7) Steep Slopes.
As a general rule, developments on slopes greater than 20% but less than 40% shall be required to have engineering studies prepared to determine the suitability of the geologic and soil structures for development and the types of mitigation. Development on steep slopes is discouraged on slopes over 30% and prohibited on slopes over 40%.



At the time of preliminary submittal, the following items must be addressed:

- Update signature certificates to comply with Town Code.
- Provide legal descriptions for all lots.
- Revise plat notes to reflect the title commitment and correct zoning.
- Include the trail easement on the plat.
- Submit a drainage plan addressing runoff impacts on County Road 663.
- Fulfill all additional preliminary submittal requirements per Town Code.

Planning Commission Discussion

At its October 22, 2025 meeting, the Planning Commission reviewed the sketch plan and discussed the proposed subdivision. Commissioners discussed site grading and advised the applicant to conduct thorough due diligence regarding the buildable area of each lot, as is required during the preliminary review phase. They also emphasized the importance of the water infrastructure located beneath County Road 663.

The Commission supports the proposed land dedication in the form of a trail easement and indicated they would be comfortable with a nine-lot subdivision provided all lots meet zoning requirements and have sufficient buildable area.

Board of Trustees Consideration

The Board of Trustees is asked to conduct an informal review of the proposed subdivision. No formal recommendation will be made at this stage. The discussion will help identify potential conditions or concerns that may influence the Preliminary and Final Plat submittals.