

**TOWN OF GRAND LAKE
PLANNING COMMISSION
RESOLUTION NO. 07-2023**

**A RESOLUTION RECOMMENDING APPROVAL OF THE FINAL PLAT FOR
THE LUCY LOVE MINOR SUBDIVISION, COMMONLY KNOWN AS THE
LOVE TRACT, WITH CONDITIONS**

WHEREAS, the Town of Grand Lake (the “Town”) received a land use application (the “Application”) from Genette Simpkins Revocable Living Trust (the “Applicant”) to annex, zone, subdivide, and develop a parcel of land consisting of approximately 8.98 acres, commonly referred to as the Love Tract and more particularly described in Exhibit A, attached hereto and incorporated herein (the “Property”); and

WHEREAS, the Application contemplates utilizing the minor subdivision process set forth in Section 12-6-7 of the Town Code to divide the Property into four (4) lots of approximately 2 acres each, zoned Residential Estate (RE), with each lot eventually consisting a single family residence and possibly an accessory unit; and

WHEREAS, this Resolution addresses only the Planning Commission’s consideration of the portion of the Application related to subdivision of the Property through the minor subdivision process, which is reflected primarily in the Lucy Love Minor Subdivision Plat (“Final Plat”); and

WHEREAS, Section 12-6-6 of the Town Code requires plats of a proposed subdivision to be submitted to the Town Planning Commission and the Town Board of Trustees prior to recording by the Town Staff to ensure uniformity and environmental protection; and

WHEREAS, following proper notice, on June 21, 2023, the Planning Commission considered the Final Plat, and

WHEREAS, based on the Application, the Final Plat, the representations of the Applicant, and the comments of the public, the Planning Commission finds the Final Plat subdividing the Property into four (4) lots as depicted on Exhibit A promotes the “health, safety, morals, convenience, order, prosperity and welfare of the present and future inhabitants of the Town” as required by Section 12-6-7 of the Town Code; and is consistent with the Town’s Master Plan; and

WHEREAS, the Applicant is current with all fees required for review of the Application to the extent such fees are required in this specific situation; and

WHEREAS, Section 12-9-4 of the Town Code requires subdivisions, including Minor Subdivisions to comply with the Land Development Regulations as set forth in Article 12-9 of the Code; and

WHEREAS, the Applicant wishes to postpone complying with the Town's Land Development Regulations until a later stage in the development of the Property.

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

1. The Planning Commission recommends the Grand Lake Board of Trustees approve the Final Plat Application subject to the following conditions. Unless specifically noted otherwise all such conditions should be fulfilled before the Board of Trustees' consideration of the Final Plat:

- a. Annexation of the Property to the Town.
- b. Zoning of the Property Residential Estate (RE).
- c. Compliance by the Applicant with all applicable Land Development Regulations set forth in Article 12-9 of the Town Code or, in the alternative, entry into an agreement acceptable to the Town deferring the Applicant's compliance with such Land Development Regulations until a point in the development process acceptable to the Town.
- d. Entry by the Applicant into an annexation agreement acceptable to the Town.
- e. Entry by the Applicant into a development agreement or improvement agreement acceptable to the Town addressing specific improvements, road construction, and utilities, including easement for the same, within the Property and allocating responsibility and timing for payment, design, construction, maintenance, repair and replacement of such items as between the Applicant and the Town.
- f. Agreement between the Town and Grand County to construct access road on Grand County Road 471 to the Property.
- g. Intergovernmental agreement between the Town and Grand County regarding the construction and maintenance of GCR 471 to access the Property.
- h. Compliance by the Applicant with all statements and representations made by the Applicant during the course of public meetings or hearings concerning the Application.

2. Severability: If any 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.

3. 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 ADOPTED BY THE PLANNING COMMISSION OF THE TOWN OF GRAND LAKE, COLORADO THIS 21st DAY OF JUNE, 2023.

Votes Approving: _____
Votes Opposed: _____
Absent: _____
Abstained: _____

ATTEST:

**PLANNING COMMISSION OF THE
TOWN OF GRAND LAKE,
COLORADO**

Alayna Carrell
Town Clerk

By: _____
James Shockey,
Planning Commission Chairman