



BOARD OF TRUSTEES STAFF MEMORANDUM

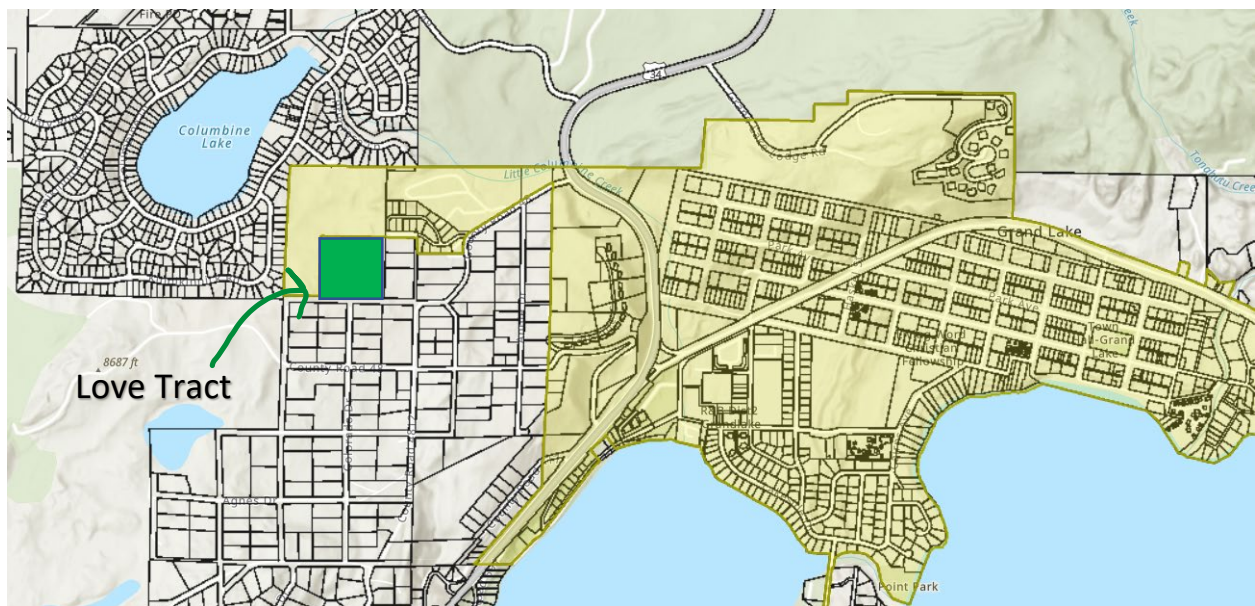
DATE: July 24th, 2023
TO: Mayor Kudron and Board of Trustees
FROM: Kimberly White, Community Development Director
SUBJECT: **Public Hearing (Quasi-Judicial)** Resolution 22-2023; Consideration of a Minor Subdivision Plat for the Vacant Property Located at Subd: METES & BOUNDS 76 ALL 8.98 AC IN LOT 1 SEC 1 T3N R76 DESC B/203 P/256 to be Named the “Lucy Love Minor Subdivision”

SUMMARY OF

REQUEST: Divide the 8.98 acre parcel after annexation.

The Site Plan proposes to:

- Divide the property into 4, 2-acres parcels
- Dedicate 10' utility and public recreation trail easements



Background:

Per the municipal code 12-6-7, a minor subdivision is involving four (4) or less lots. The minor subdivision process allows for a more condensed subdivision process. Per municipal code 12-9-4, the sketch plan is not required, but did occur, and the Preliminary development hearing can occur at the time of the Final development hearing.

On 6/7/2023 the Planning Commission heard the sketch plan presentation and were in favor of the subdivision, but wanted language to be included that prevented further subdivision of the 4 parcels and also wanted to see the center utility and trail easement be labeled as a public recreation trail.

On 6/21/2023, at a public hearing of the Planning Commission, the Commissioners recommended the approval of the combined preliminary and Final Development plan for the subdivision and stated that



the addition of the 10' easement to the outer perimeter of the 8.98 Acres would constitute the 7% land dedication.

Required Submittal for Preliminary Development Application per M.C. 12-9-2:

- 1) Title work: received.
- 2) Summary Statement of proposal: 8.98 total acres to be developed as 4 equal parcels (Exhibit A), each parcel to have a single-family home and possible accessory unit, size, and height per Residential Estates (RE) zoning rules. Paved roads, drainage, stormwater, sewer, water and other utilities to be financed by the developer after Town puts in place the rough road access on GCR471.
- 3) Drainage narrative describing flow capacity to be submitted at time of building permit submissions.
- 4) Affordable Housing requirements are not applicable for under 5-unit subdivisions and thus only Affordable Housing fees to be collected at time of building permit issuance.
- 5) Conversion report not applicable for vacant land
- 6) Solar orientation of the homes has not been decided.
- 7) Open space and land dedication statement: There is a 10' wide public recreation trail and utility easement surrounding the property which accounts for about 0.85 acres or about 10% dedication.
- 8) Additional information: Planning Commission asked for the word "public recreation trail" be added to the 10' utility easement surrounding each parcel. Additionally, a statement restricting further subdivision of the property was requested.
- 9) Additional Written Documents for Developments: The project is of minimal impact. The Annexation Agreement (Exhibit B) outlines the steps agreed upon by the Town and the Developer for the development of the property.

Letters were sent to the referral agencies (*attached responses*).

Required Submittal for Final Development Application per M.C. 12-9-2:

The Final Development Application is intended to provide the specific design components of the Preliminary Development Application and for the review of additional items not required by the Preliminary Development Application. The completed application shall be known as the Final Development Application.

1. *No development shall be approved until such data, surveys, analyses, studies, plans, and designs have been submitted, reviewed, and found to meet all sound planning and engineering requirements of the Town of Grand Lake and the conditions contained in these regulations and all other applicable Sections of the Code of the Town.*
2. *Final Development Application Submission Requirements. The Final Development Plan shall include all of the drawn and graphic information required in the Preliminary Development Application in its finalized, detailed form. In addition, the following items shall be submitted:*
 - (a) *Any new items not submitted with the Preliminary Development Application; and*
 - (b) *Any required dedication documentation and/or bonds; and*
 - (c) *Final engineering plans for public roads:*
 1. *The profiles are to include ground lines, grade lines, vertical curves, curve lengths, calculated grades, elevation at PIVCs, BVCs, EVCs, intersections and other critical points, structures, and all other features required to enable construction in accordance with approved standards. The scale to be 1" = 50' horizontal and 1" = 1' to 1" = 5' vertical in flat and rolling terrain. The horizontal to vertical distortion is to be chosen to best depict the critical elevation aspects of the design. Where centerline grades at*



- intersections are steep, curb return profiles are to be submitted showing necessary modifications to eliminate unsightly bumps or water retaining depressions that many times result.*
- 2. Detail should include orientation, line and grade, cross sections, dimensions, reinforcement schedules, materials, quality, specifications, etc.*
 - 3. A structural section design report shall be submitted if a section other than the Town standard structure section is to be used. The design criteria set forth by the Town of Grand Lake shall be used in the preparation of the street construction plans and profiles.*
- (d) Final engineering plans for utility systems:*
- 1. Plans and specifications based upon the approved Preliminary Development Application and associated reports are to be submitted detailing the design of final water, sanitary sewer, natural gas, telephone, electric and cable television facilities to be installed in the area included in the Final Development Application. In addition, final design is required of any off-site facilities related to the above-described utilities which may be considered an integral part of the utilities plan for the development.*
 - 2. Water utility facilities design shall conform to the criteria set forth by the Town of Grand Lake.*
- (e) Final engineering plans for storm drainage control systems:*
- 1. Plans and specifications based upon the approved Preliminary Development Application and associated reports are to be submitted detailing design of the final storm drainage system, including construction details and alignment of storm sewers, catch basins, manholes, ditches, slope protection, dams, energy dissipaters, etc.*
 - 2. Flow line profiles and layout elevations shall be at minimum 100-foot stations, and natural ground elevations shown to indicate any significant irregularities for all proposed conduits, channels, structures, etc.*
 - 3. Cross-sections of each water carrier shall be shown showing high water elevations and adjacent features which may be affected thereby.*
 - 4. Construction details of curb, curb and gutter, valley gutter, driveway apron and ditch culvert, shall be included. Written approvals as may be required from other agencies or parties that may be affected by the drainage proposal shall also be submitted.*
 - 5. The final drainage plan shall be prepared in conformance with the design criteria set forth by the Town of Grand Lake.*

Analysis:

All of the foregoing requirements set forth in Section 12-9-2 of the Municipal Code are addressed as “Deferred Submittals” under Section 11 of the Annexation Agreement, which requires that they be submitted by the developer and approved by the Town before the first application for a building or other permit for the project will be issued by the Town.

The Annexation further requires that before the first permit is issued, that the developer enter into a development agreement acceptable to the Town addressing specific improvements, road construction, and utilities, and allocating responsibility and timing for payment, design, construction, maintenance, repair and replacement of such items as between the Applicant and the Town.

All the Board of Trustees is considering under Resolution 22-2023 is whether the Final Plat dividing the property into four parcels should be approved.

- The applicant has submitted required documentation for the final plat.



- Letters were sent to 21 referral agencies with comments from those received attached. The applicant has addressed the referral agency observations or concerns.
- Certified letters were sent to the 10 neighbors within a 200’ radius.
 - Two letters received from the southern side of the property address concerns about a road accessing the Matthew’s property directly to the north through the Love Tract.
 - Letters received from the Northwestern side of the property are in favor of the access road from the south
- Drainage calculation has not been complete, since the development plans are not created. The large acreage with the small amount of proposed development would likely not cause additional burden on adjacent properties.
- The design scheme will be in accordance with the Town of Grand Lakes design requirements for materials and the buildings are within the correct setbacks locations and height restrictions.
- The density and coverage of buildings is 8.98 Acres and will follow the zoning codes.
- The residential estates zoning allows for :

Standard Type	Measurement		
Minimum Lot Area	One (1) acre per dwelling unit	One (1) acre for all conditional uses	
Minimum Lot Frontage	60'		
Minimum Floor Area	1,200 sq. ft. per single family dwelling	500 sq. ft. per accessory dwelling unit	
Maximum Floor Area	Governed by zoning standards	1,200 sq. ft. per accessory dwelling unit	
Minimum Setback	Front 25'	Side 15'	Rear 15'
Maximum Height	32'		
Density	One single family home and one accessory dwelling unit per parcel		

- Parking spaces required for single family homes shall be met at time of building design.
- Solar orientation of structures has not been addressed since no structures have been proposed.
- Applicant will install all utilities in the 40’ dedicated right of way and 10’ easements as described in the annexation agreement (Exhibit B).
- Town will rough in a road, and Applicant will pave the road to Town standards as described in the annexation agreement (Exhibit B).

Trustee Discussion:

1. If the Board of Trustees determines that the Final Plat submission complies with the applicable requirements of these regulations, the Board of Trustees shall authorize the Mayor to endorse the Board of Trustees' Certification Block on the Plat.
2. If the Final Plat is approved subject to conditions, such conditions must be satisfied within the times indicated for each condition.

Proposed Motions:

I move to approve Resolution 22-2023, as written; or,
 I move to approve Resolution 22-2023, with the following conditions: 1) _____ ; or,
 I move to deny Resolution 22- 2023.