

**TOWN OF PALMER LAKE, COLORADO**

**RESOLUTION NO. 8 - 2025**

**A RESOLUTION APPROVING A RESUBDIVISION MASTER PLAN FOR LAKEVIEW HEIGHTS UNITS 3, 4 AND PORTION OF UNIT 2, PALMER LAKE WITH CONDITIONS**

**WHEREAS**, the Board of Trustees of the Town of Palmer Lake, Colorado, pursuant to Colorado statute and the Town of Palmer Lake Municipal Code, is vested with the authority of administering the affairs of the Town of Palmer Lake, Colorado; and

**WHEREAS**, Sepp and Affiliates, LLC (“Applicant”) is the owner of or has been authorized to act on behalf of the owners of several lots within the Lakeview Heights Unit 3, 4 and portion of Unit 2 subdivision, Palmer Lake (“the Property”); and

**WHEREAS**, the Applicant submitted an application proposing a master plan for resubdivision of the Property, as depicted on Exhibit A attached (the “Application”); and

**WHEREAS**, the proposed master plan meets the minimum requirements of Chapter 16 land use code, and other applicable Town ordinances applicable to master plans for the resubdivision of property, and there are no requests for waivers of any of the requirements of the various Town regulations that apply to the Application; and

**WHEREAS**, on November 20, 2024, the Planning Commission reviewed the Application and recommended approval of the Application with conditions; and

**WHEREAS**, on January 9, 2025, the Board of Trustees considered the Application, the recommendation of the Planning Commission, the presentation by the Applicant and the comments by the public.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF PALMER LAKE, COLORADO AS FOLLOWS:**

1. The Applicant’s master plan for resubdivision of Lakeview Heights Units 3, 4, and portion of Unit 2, Palmer Lake, as depicted on Exhibit A, and incorporated herein, is approved with the following conditions.
  - a) With regard to ownership of the lots that are subject to the Application, the Applicant shall provide evidence demonstrating that (1) it is the owner of all lots within the proposed resubdivision or (2) that it has written authority to act on behalf of each of the owners.
  - b) With regard to the requirement for an additional 5 feet of right-of-way or public improvement easement on each side of the currently platted right-of-way, the Applicant shall either (1) add all impacted lot owners as applicants and dedicate the additional area on the plat or (2) obtain easement agreements acceptable to the Town from the owners of each of the affected lots.

- c) With regard to other burdens the Applicant proposes to place on lots not included in the Application, including sprinklering of new homes, if required, and participation in the Firewise Community program, the applicant shall provide written confirmation that the non-applicant lot owners have been advised of and consent to such burdens being placed on their property.
- d) With regard to public land dedication, the Applicant shall dedicate 20% in the form of a parcel of property within the subdivision the Board of Trustees deems appropriate, or pay a fee in lieu of such dedication [PC recommendation: Dedication should include a meandering trail through the Applicant owned lots to connect to the Santa Fe trail to satisfy a portion of the public land dedication requirements, with any remaining dedication obligation to be satisfied through a fee in lieu of land.]
- e) With regard to the roadway and related utility improvements to be constructed and installed by Applicant, the Applicant shall provide evidence that the owners of all affected lots have received notice that their lot will be subject to a proportional reimbursement requirement before a building permit will be issued for their lot and of the anticipated costs involved. Applicant shall enter into a reimbursement agreement acceptable to the Town prior to approval of final plat.
- f) With regard to engineering issues, the matters identified by the Town's Engineer in the memo to the Applicant dated November 11, 2024, shall be addressed by the Applicant, including the letter of intent from the wastewater provider, Master Plan Drawings, Traffic Impact Study, and Master Drainage Development Plan.
- g) Delineation and establishment of the detention facility for the subdivision, shall be included within the subdivision plat.
- h) With regard to the zoning of the property, all lots must be combined as part of the platting process.
- i) Regarding stormwater drainage, the comments of the Town's stormwater consultant as set forth in the memo to the Applicant dated November 11, 2024 shall be addressed.
- j) The Applicant shall comply with all other applicable Town rules and regulations in submitting and pursuing the preliminary and final plat.
- k) Applicant shall address EL Paso County Parks and Community Services comments to their and the Town's satisfaction.
- l) Applicant shall address School District 38 comments to the District's and the Town's satisfaction.
- m) Applicant shall provide easements and all-weather surface improvements that allow vehicular access to the Santa Fe Trail acceptable to El Paso County officials.

- n) Applicant shall update all exhibits for accurate paving and cross section details.
  - o) Applicant shall address how its proposed resubdivision fits with the Community Master Plan.
  - p) Applicant provide a fire protection report and wildland fire plan.
2. Timing for satisfaction of conditions. Unless a specific condition set forth in Section 2, above, specifies otherwise, all conditions must be fulfilled to the satisfaction of the Town prior to approval of the final resubdivision plat.
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 or constitutionality of the remaining portions of this Resolution. The Board of Trustees hereby 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 embraced in this Resolution are hereby repealed and all resolutions or parts of resolutions inconsistent with the provisions of this Resolution are hereby repealed.

**INTRODUCED, RESOLVED, AND PASSED AT A REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE TOWN OF PALMER LAKE ON THIS 9<sup>th</sup> DAY OF JANUARY 2025.**

TOWN OF PALMER LAKE, COLORADO

ATTEST:

\_\_\_\_\_  
Dawn A. Collins  
Town Administrator/Clerk

BY: \_\_\_\_\_  
Glant Havenar  
Mayor