

**GRAND COUNTY PLANNING COMMISSION
MEETING MINUTES**

Wednesday, August 8, 2018

MEMBERS PRESENT:	Kim Shepton Ingrid Karlstrom Bob Gnuse	Marcus Davis Jennifer Scott
MEMBERS ABSENT:	Joe Gould Marcy Monnahan	Sally Blea Steve Sery
STAFF PRESENT:	Robert Davis Richard Hubler Robert Franek	Alex Taft Julie Nessen Will Russell

The meeting was called to order by Chairman Marcus Davis at 6:32P.M., Roll call was taken.

Announcement that Joe Gould has turned in his resignation effective this evening.

Minutes from July 2018 were presented. Appreciation was expressed for the current format. Motion to approve was made by Ingrid Karlstrom, seconded by Bob Gnuse. All in favor "aye", motion carried.

North Sunnyside Addition Lot 35 – Amended Final Plat

Presented by Alex Taft, Applicant represented by Warren Ward

I. PROPOSAL

Richard Landry, herein referred to as the "Applicant," is the owner of North Sunnyside Addition to Grand Lake, Lot 35. This Amended Final Plat proposal was brought to the County because of an existing Plat note that restricts the height of any structure on the property be limited to 27 ft. The Applicant requests that condition be removed from the Plat to be consistent with current County regulations allowing a building height of 35'-40' depending on the grade.

II. STAFF COMMENT

This property has a complex history and Staff feels it is important to make reference to the previous amendments. Prior to the Planning Commission meeting in October 1996, a first Amended Final Plat was

requested by Judy Hartman Bertrand. Ms. Bertrand, who purchased the property with the intent of constructing a home on the cliff, had hired a local contractor to review the survey stakes on the site. The contractor informed Ms. Bertrand that the survey was incorrect. The applicant then contacted the adjacent property owners to amend the final plat, resulting in a revised acreage for Lot 33 of approximately 4.36 acres. This resulted in Lot 35 being reduced to 1.53 acres. This Amended Final Plat of Lot 33 and Lot 35 was recorded at Reception No. 97009714

Staff feels a home on Lot 35 without a height restriction will not impact views by towering above ridge lines, nor compete with the visual dominance of the hillsides, which is consistent with the Design Review Area.

III. COMPLIANCE/NONCOMPLIANCE WITH GRAND COUNTY REGULATIONS

A. MASTER PLAN

It is a goal of the Master Plan to ensure that new development is not out of character with the surrounding area with respect to uses and lot size. The surrounding properties consist of residential subdivisions. With the above in mind, it is Staff's opinion this request is not out of character with the surrounding lots. With this proposal, no density is changing. This is consistent with the goals and objectives of the Master Plan within the region.

B. ZONING

The application shall comply with the Grand County Zoning Regulations ("GCZR"). This district allows single family dwellings as a use by right. Therefore, the proposed use of the lot is consistent with GCZR. The total land area of this parcel is 1.531 acres (66,690 ft²). The minimum area for lots of subdivided land not served by public water or sewer is 30,000 ft². This lot meets the required minimum lot width and area. Any structure on this property shall comply with the standard setback in the residential district.

C. SUBDIVISION REGULATIONS

COMPLIANCE/NONCOMPLIANCE WITH GRAND COUNTY SUBDIVISION REGULATIONS

1. SUBDIVISION Regulations Section 4.4—Amended Final Plat

No exterior boundary changes are allowed. Amended Final Plats shall be reviewed under the Final Plat provisions within these regulations unless the Board of County Commissioners determines that additional review is necessary. The Board of County Commissioners may require compliance with any additional items listed under the Preliminary Plat and/or Final Plat process.

2. SUBDIVISION Regulations Section 4.3—Final Plat

The Final Plat shall be prepared as follows:

Section 4.3 (1) (a-b) the proposal conforms to the Preliminary Plat and the statement of requirements for recording. The drawing shall be compliant with the minimum scale required and for recording shall be created on Mylar with outer dimensions of twenty-four inches (24") by thirty-six inches (36").

The Final Plat shall contain or be accompanied by the following information:

Section 4.3 (2) (a) Name of the development is: North Sunnyside Addition to Grand Lake– Lot 35, the drawings submitted are 1"=10'. ✓

Section 4.3 (2) (b) Legal description of property: **Amended Lot 35, Amended Final Plat, Lots 33 and 35, North Sunnyside Addition to the Town of Grand Lake, according to a Plat thereof filed October 31, 1997 at Reception No. 97009714.** ✘

Section 4.3 (2) (c-e) Description and ties to control points, boundary lines, rights-of-way lines with names and widths are all shown on the proposed Plat. This submittal complies. ✓

Section 4.3 (2) (f) Final Plat shall include easements, including reference by book and page to any pre-existing recorded easements. ✘

Section 4.3 (2) (g) Lot 35 shows an acreage of 1.531 acres. This submittal complies. ✓

Section 4.3 (2) (h-i) The intended use of this and surrounding lots is residential. The location of this lot is tied to monuments described on the Plat. This submittal complies. ✓

Section 4.3 (2) (j) The Applicant has submitted a current title commitment that is within 6 months of the initial hearing date. This submittal complies. ✓

Section 4.3 (2) (k) Statement of owner platting the property and dedicating streets, rights-of-way, easements and any sites for public uses, to be in substantially the following form:

DEDICATION

KNOW ALL MEN BY THESE PRESENTS: That Richard J. Landry and Martiza C. Landry are the owners of that real property situated in Grand County, Colorado, more fully described as follows:

Lot 35, Amended Final Plat, Lots 33 and 35, North Sunnyside Addition to the Town of Grand Lake, according to a Plat thereof filed October 31, 1997 at Reception No. 97009714

That he has caused said real property to be laid out and surveyed as **Amended Lot 35, North Sunnyside Addition to the Town of Grand Lake**

, and does hereby dedicate and set apart all the streets, alleys, and other public ways and places shown on the accompanying plat for use of the public forever, and does hereby dedicate those portions of said real property which are indicated as easements on the accompanying plat.

...

Section 4.3 (2) (l) Certification by a surveyor shall be amended as follows (corrections in bold):

SURVEYOR'S CERTIFICATE

I, Warren D. Ward, a duly licensed land surveyor in the State of Colorado, do hereby certify that this plat of **Amended Lot 35, North Sunnyside Addition to the Town of Grand Lake**, truly and correctly represents the results of a survey made by me or under my direction, and that said plat complies with the requirements of Title 38, Article 51, Colorado Revised Statutes, 1973, and that the monuments required by said Statutes and by the Grand County Subdivision Regulations have been placed on the ground.

(Surveyor's Signature)

(Surveyor's stamp and registration number shall appear with this Certificate.)

Section 4.3 (2) (m-n) Certificates for Planning Commission, Board of County Commissioners shall be amended as shown below on the Final Plat Submittal. No planner's certificate is required on the Amended Final Plat. The parcel is proposed as single-family use, consistent with zoning regulations.

PLANNING COMMISSION CERTIFICATE

Approved this ___ day of _____, 20__ by the Grand County Planning Commission, Grand County, Colorado.

Chairman

COMMISSIONERS CERTIFICATE

Approved and all public dedications accepted this ___ day of _____, 20__ by the Board of County Commissioners of Grand County, Colorado. Acceptance of this platted subdivision by the County of Grand does not constitute an acceptance of the roads and rights-of-way reflected hereon for maintenance by said County. Until such roads and rights-of-way meet County specifications and are specifically accepted for maintenance by Resolution of the Board of County Commissioners of Grand County, the maintenance, construction, and all other matters pertaining to or affecting said roads and rights-of-way are the sole responsibility of the owners of the land embraced within the subdivision. This approval does not guarantee that the size or soil conditions of any lot shown herein are such that a Building Permit may be issued.

Chairman
Board of County Commissioners
Grand County, Colorado

Section 4.3 (2) (o) There is a 2 ½" x 3" box on the Plat for use by the Clerk and Recorder. This submittal complies. ✓

Section 4.3 (2) (q) A vicinity map has been shown on the Plat and shall remain. This submittal complies. ✓

Section 4.3 (2) (p,r-v) These conditions are not applicable under an Amended Final Plat. These conditions relate to land use and engineering considerations when subdividing land into multiple parcels.

Section 4.3 (2) (w) Addresses shall be placed on a Final Plat Mylar. ✘

Section 4.3 (2) (x) Statement of taxes due showing current taxes paid shall be submitted prior to recording of the Amended Final Plat. ✘

Section 4.3 (2) (y) An electronic copy of the Final Plat in AutoCAD.dwg or AutoCAD.dxf format shall be provided prior to any recording of any Final Plat. ✘

Section 4.3 (3) (a-g) Does not apply to Amended Final Plat procedure.

IV. STAFF RECOMMENDATION

Staff recommends the approval of the Sunnyside Addition to Grand Lake Amended Lot 35, Amended Final Plat with a total of nine (9) conditions to be met. The following five (5) conditions to be met prior to a hearing before BOCC.

1. The Legal Description shall be amended as shown above Section 4.3 (2) (b)
2. All easements of record shall be shown on the Final Plat and reference to their recording in the Real Estate Records of Grand County Section 4.3 (2) (f).
3. The dedication shall be amended as shown above Section 4.3 (2) (k)
4. The Surveyors certificate shall be amended as shown above. Section 4.3 (2) (l)
5. The certificate for Planning Commission and Board of County Commissioners shall be amended as shown above. Section 4.3 (2) (m-n)
6. The removal of the height restriction Plat note.
7. The standard Three Lakes Plat Note shall read as follows:
 - **THREE LAKES DESIGN REVIEW AREA**
This proposal is located within the geographic area of the county known as the Three Lakes Design Review Area and is subject to all design criteria of the overlay zoning district.

In addition the following four (4) conditions to be met prior to recording:

1. A 24"x36" Final Plat Mylar shall be submitted.
2. An electronic copy of the final plat in AutoCAD.dwg or AutoCAD.dxf format shall be provided.
3. A statement of taxes due showing that current taxes are paid shall be submitted.
4. The applicant shall pay the cost of all recording fees.

Commissioner Comments

Bob Gnuse – No questions.

Jennifer Scott – So the 27 foot limit is no longer applicable?

Ingrid Karlstrom – It will be a 35 feet limit now?

Alex Taft – Right, the original intent was to prevent building placed on the cliff because the site was steep and a building would tower above the trees. That is not a concern now, as there is forty feet of grade change behind the proposed residence to the adjacent lot.

Ingrid – No questions.

Marcus Davis – A couple questions about lot 33. The building envelope was moved?

Alex Taft- The building envelope was eliminated.

Marcus – Does the height restriction stand for lot 33?

Alex – No that was also removed.

Marcus – Did we get a letter from lot 33? Have they been contacted?

Alex – We did not get a letter, we can add that as a condition.

Marcus – I would add that condition, because if they bought with the restriction in place as they were both on the previous amended final plat. My concern would be to the neighbors. There is no other restriction on any other neighbors, so it should be a no brainer, but we should probably let them know.

Kim Shepton – My question is on the diagram that showed the building on the hill, but it said not to scale, and the only photo was from a satellite view, not from a street.

Alex – This detail on the plat was created by staff in 1997 to show how the building height would be calculated.

Marcus – Were the properties owned by the same person when that Amended Final Plat was done?

Alex – No, two separate people.

Marcus – It seems to me like someone didn't want their view of the lake blocked, which I understand, but at the same time they could have bought the closer lot.

Audience Comments - none

Motion was made by Ingrid Karlstrom to recommend approval the North Sunnyside Addition Lot 35 AFP with staff conditions and the additional condition of notifying the lot 33 owners. Alex Taft requested to add a condition that all height restrictions are removed from the plat. Motion was seconded by Jennifer Scott. All in favor "aye", none opposed. Motion carried.

Lakeshore Addition to Shorewood Lots 15 & 16 Block 1 – Amended Final Plat

Presented by Alex Taft, Applicant not present

I. **PROPOSAL**

Scott Ohmart as Manager of Scotty07, LLC, herein referred to as the "Applicant," is the owner of Lots 15 and 16, Block 1, Lake Shore Addition to Shorewood Subdivision, Amended, according to the Plat thereof filed September 20, 1954, at Reception No. 78778. The property was transferred by Quit Claim Deed Recorded at Reception No. 2017003847. This Amended Final Plat proposal was brought to the County for the Applicant to create one larger lot.

These two lots were originally created by a Plat filed in 1952 Recorded at Reception 74720 and amended in 1954 Recorded at Reception 78778. These are, therefore, pre-existing, non-conforming lots. There is an existing house located on existing Lot 16, originally constructed in 1965.

II. STAFF COMMENT

Lake Shore Addition to Shorewood is pre-existing, non-conforming, as it was platted in the 50's prior to Grand County adoption of zoning or subdivision regulations. The lots within this subdivision range from approximately one-third (1/3) of an acre to one-quarter (1/4) of an acre. The minimum lot area is one (1) acre within the Tourist District. The proposal allows for decreased non-conformity to the maximum extent possible.

There is an existing approximately 2,500 ft² house on Lot 16 that has been in existence for over fifty years. The house has had multiple additions and renovations in that time.

State Highway 34 has problematic access because of all the adjacent pre-existing, non-conforming subdivisions. Access along Highway 34 has been over appropriated. This proposal lessens the impact of traffic and additional vehicles entering the highway. Staff believes this is beneficial for the public safety and welfare for the residents and visitors in Grand County.

III. COMPLIANCE/NONCOMPLIANCE WITH GRAND COUNTY REGULATIONS

D. MASTER PLAN

It is a goal of the Master Plan to ensure that new development is not out of character with the surrounding area with respect to uses and lot size. The lot in this proposal is located within the Grand Lake Urban Growth Area. The preferred density for the Grand Lake Urban Growth Area is referenced in chapter 2 of the Grand County Master Plan is 1.2du/acre. As originally platted the current density of this subdivision is approximately 2.5du/acre.

The existing lots are less than minimum area of a lot required in the Tourist District. With these considerations in mind, it is Staff's opinion this request is not out of character. This proposal allows the density to be decreased toward preferable limits. Furthermore, the property is along the shoreline of Shadow Mountain Lake. The combination of lots protects the impact of increasing development along visually important corridors. This is consistent with the goals and objectives of the Master Plan within the region.

E. ZONING

The application shall comply with the Grand County Zoning Regulations ("GCZR"). This property is located in the Tourist District which allows single family dwellings as a use by right. Therefore, the proposed use of the lot is consistent with GCZR. The total land area of this parcel is 0.81 acres (35,283ft²). The minimum area for lots in this District is one (1) acre. These lots are pre-existing, non-conforming and this proposal reduces the non-conformity to the maximum extent possible which allows this without a variance. This lot meets the required minimum lot width of one-hundred fifty feet (150'). Any new structures on this property shall comply with the standard setback in the Tourist District.

F. SUBDIVISION REGULATIONS

COMPLIANCE/NONCOMPLIANCE WITH GRAND COUNTY SUBDIVISION REGULATIONS

1. SUBDIVISION Regulations Section 4.4—Amended Final Plat

No exterior boundary changes are allowed. Amended Final Plats shall be reviewed under the Final Plat provisions within these regulations unless the Board of County Commissioners determines that additional review is necessary. The Board of County Commissioners may require compliance with any additional items listed under the Preliminary Plat and/or Final Plat process.

2. SUBDIVISION Regulations Section 4.3—Final Plat

The Final Plat shall be prepared as follows:

Section 4.3 (1) (a-b) the proposal conforms to the Preliminary Plat and the statement of requirements for recording. The drawing shall be compliant with the minimum scale required and for recording shall be created on Mylar with outer dimensions of twenty-four inches (24") by thirty-six inches (36").

The Final Plat shall contain or be accompanied by the following information:

Section 4.3 (2) (a) Name of the development is: Lake Shore Addition to Shorewood Lot 16A, the drawings submitted are 1"=20'. ✓

Section 4.3 (2) (b) Legal description of property: Lot 16A, being a replat of Lot 15 and 16, Block 1, Lake Shore Addition to Shorewood Subdivision, Amended, according to the Plat thereof filed September 20, 1954, at Reception No. 78778.

Section 4.3 (2) (c-e) Description and ties to control points, boundary lines, rights-of-way lines with names and widths are all shown on the proposed Plat. This submittal complies. ✓

Section 4.3 (2) (f) the proposed Plat has included easements, with reference by book and page or Reception to any pre-existing recorded easements. ✓

Section 4.3 (2) (g) This Amended Final Plat submittal complies. ✓

Section 4.3 (2) (h-i) The intended use of this and surrounding lots is residential. The location of this lot is tied to monuments described on the Plat. This submittal complies. ✓

Section 4.3 (2) (j) The Applicant has submitted a current title commitment that is within 6 months of the initial hearing date. This submittal complies. ✓

Section 4.3 (2) (k) Statement of owner platting the property and dedicating streets, rights-of-way, easements and any sites for public uses, shall be corrected to be in substantially the following form:

DEDICATION

KNOW ALL MEN BY THESE PRESENTS: That Scotty07, LLC are the owners of that real property situated in Grand County, Colorado, more fully described as follows:

Lot 15 and 16, Block 1, Lake Shore Addition to Shorewood Subdivision, Amended, according to the Plat thereof filed September 20, 1954, at Reception No. 78778.

That he has caused said real property to be laid out and surveyed as **Lot 16A, being a replat of Lot 15 and 16, Block 1, Lake Shore Addition to Shorewood Subdivision, Amended, according to the Plat thereof filed September 20, 1954, at Reception No. 78778**, and does hereby dedicate and set apart all the streets, alleys, and other public ways and places shown on the accompanying plat for use of the public forever, and does hereby dedicate those portions of said real property which are indicated as easements on the accompanying plat.

...

Section 4.3 (2) (l) Certification by a surveyor shall be amended as follows (corrections in bold):

SURVEYOR'S CERTIFICATE

I, Timothy R. Shenk, a duly licensed land surveyor in the State of Colorado, do hereby certify that this plat of **Lot 16A, being a replat of Lot 15 and 16, Block 1, Lake Shore Addition to Shorewood Subdivision, Amended, according to the Plat thereof filed September 20, 1954, at Reception No. 78778**, truly and correctly represents the results of a survey made by me or under my direction, and that said plat complies with the requirements of Title 38, Article 51, Colorado Revised Statutes, 1973, and that the monuments required by said Statutes and by the Grand County Subdivision Regulations have been placed on the ground.

...

Section 4.3 (2) (m-n) Certificates for Planning Commission, Board of County Commissioners have been shown below on the proposed Final Plat and shall remain as created. ✓

Section 4.3 (2) (o) There is a 2 ½" x 3" box on the Plat for use by the Clerk and Recorder. This submittal complies. ✓

Section 4.3 (2) (q) A vicinity map has been shown on the Plat and shall remain. This submittal complies. ✓

Section 4.3 (2) (p,r-v) These conditions are not applicable under an Amended Final Plat. These conditions relate to land use and engineering considerations when subdividing land into multiple parcels.

Section 4.3 (2) (w) Address shall be placed on a Final Plat Mylar. ✘

Section 4.3 (2) (x) Statement of taxes due showing current taxes paid shall be submitted prior to recording of the Amended Final Plat. ✘

Section 4.3 (2) (y) An electronic copy of the Final Plat in AutoCAD.dwg or AutoCAD.dxf format shall be provided prior to any recording of any Final Plat. ✘

Section 4.3 (3) (a-g) Does not apply to Amended Final Plat procedure.

IV. STAFF RECOMMENDATION

Staff recommends the approval of the Lot 16A, being a replat of Lot 15 and 16, Block 1, Lake Shore Addition to Shorewood Subdivision, Amended, Amended Final Plat with the following seven (7) conditions to be met prior to a hearing by the Board of County Commissioners.

8. The Legal description shall be amended as shown above [Section 4.3 (2) (b)].
9. The Legal description within the Dedication shall be amended as shown above [Section 4.3 (2) (k)].
10. The Legal description within the Surveyors certificate shall be amended as shown above [Section 4.3 (2) (l)].

In addition the following conditions to be met prior to recording:

5. A 24"x36" Final Plat Mylar shall be submitted.
6. An electronic copy of the Final Plat in AutoCAD.dwg or AutoCAD.dxf format shall be provided.
7. A statement of taxes due showing that current taxes are paid shall be submitted.
8. The Applicant shall pay the cost of all recording fees.

Commissioner Comments

Kim Shepton – No Comments

Marcus Davis – Is there any utility easements between the lots or anything else that needs to be vacated?

Alex Taft – No.

Ingrid Karlstrom – No comments.

Jennifer Scott – No comments

Bob Gnuse – No comments

Public Comments – None

Motion was made by Jennifer Scott to approve the Lakeshore Addition to Shorewood Lots 15 & 16 Block 1 Amended Final Plat with staff conditions. Motion was seconded by Ingrid Karlstrom. All in favor "aye", none opposed. Motion carried.

Summit Trail Lodge Condominiums Lot 3 – Preliminary Plat

Marcus Davis – Are we doing preliminary and final together?

Alex Taft – Because of the determination we received from the County Attorney's office, we are doing only the preliminary plat.

Presented by Alex Taft, Applicants represented by Tim Gagnon

I. **Proposal**

The applicant is proposing a four unit townhome subdivision, with two separate buildings of two homes

each. The townhome units have mirrored foot prints. Each has a foot print of approximately 2,760 square feet, with patio and deck extending on the rear. Each unit has a separate entrance, walkout basement, and one car garage.

The plan substantially meets the development criteria as stated in the Master Plan within an Urban Growth Area, which encompasses Winter Park Ranch and the original Summit Trail Lodge Condominiums Plat. In the creation of the site plan for this project, care was given to locate the buildings away from the Open Space Tract A because it provides a drainage detention area for the adjacent Lot 1. Furthermore, the lot is buffered to the north by Summit at Winter Park Ranch Open Space Tract 4, which contains a stand of mature coniferous evergreens.

The current owners purchased the parcel in December 2016, as shown in the Assessor's records. The Applicant's intent is to create second homes for each of the four families that comprise the development group.

The developers have created a plan and layout of the homes that provides usable open space on a year-round basis.

The units will be served by public water and sewer via Winter Park Ranch Water and Sanitation District. Electric service will be supplied by Mountain Parks Electric. These entities have supplied comment on this proposal. The construction documents shall be submitted to the District for approval prior to issuance of a county building permit.

The units proposed will share one driveway per structure (two units each); each unit is required to have the minimum three parking spaces per unit (per GCZR Sec. 14.4). The Applicant proposed three parking spaces at the edge of the south building (unit #1) has received a variance, to allow encroachment to the 15' parking setback.

II. BACKGROUND

a. History –

The initial plat for all of Winter Park Ranch which was completed in six separate filings platted between 1965 and 1980.

The Summit at Winter Park Ranch, a re-plat of a portion of the second filing and a portion of the third filing that was platted in 1982 and recorded at Reception No.197823.

Summit Trail Lodge Condominiums is a re-plat of Tracts A, B, and K from The Summit at Winter Park Ranch subdivision recorded at Reception No. 2005000418.

Lot 3 was developed as a larger multi-family subdivision by Developing Equities Group, LLC, also known as Summit Trail Investments, Inc. beginning late in 2002.

Phases I & II of adjacent Lot 1 included 39 units; 16 have been completed. The developer subsequently defaulted (Resolution 2012-11-22) and the remaining parcels were sold or transferred.

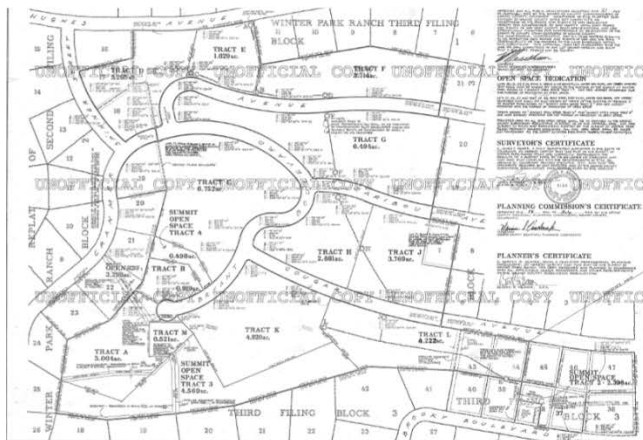
Lot 3 constitutes a large portion of Summit at Winter Park Ranch Subdivision Tract B. A parcel that was

platted in 1982.

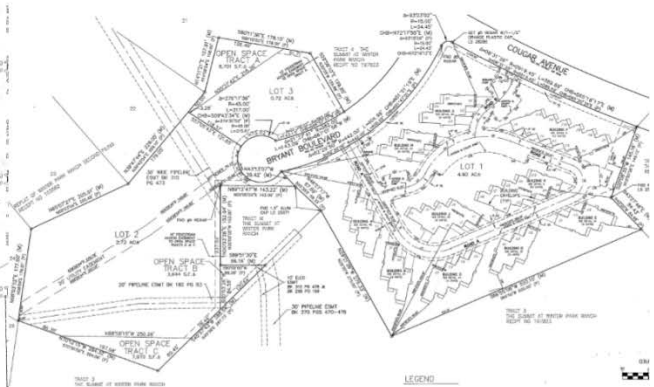
The illustrations below show the sequence of subdivisions that occurred, including the proposed Summit Trail Lodge Condominiums Lot 3.

The subject property is bounded by open space to the north and west. To the south exist an undeveloped parcel and a fire suppression tank installed with the improvements on Lot 1. Directly east exist Summit Trail Lodge Condominiums Lot 1, multi-family condominiums.

Summit at Winter Park Ranch Final Plat c.1982



Summit Trail Lodge Condominiums Final Plat c.2004



Vicinity map - Summit Trail Lodge Condominiums



Summit Trail Lodge Condominiums Lot 3



b. Existing Reports

Three previous reports demonstrate that construction on the site is possible, with attention to unstable soils, steep slopes and proper drainage.

The most current report is from Soilogic: "Geotechnical Subsurface Exploration" (Attachment E). The report details findings of "apparent man-made fill overlying topsoil and organics, lean clay, sand, and siltstone bedrock." Staff agrees with the Applicant that these conditions will support lightly loaded residential

foundations with the appropriate depth.

The Soillogic report also details that construction of “exterior flat work and pavements on undocumented fills is not recommended”. There is evidence of erosion in the surrounding area because of the steepness of slopes and soil seepage capacity.

The applicant has supplied several studies that detail information collected for the adjacent Summit Trail Lodge Condominiums – Lot 1, which present similar conditions, and support the Soillogic analysis. The HP Geotech “Geotechnical Engineering Study” (Attachment F) tells a very similar story of soil composition and capacity and provides further details. The overall report shows stable conditions near the site.

The report further explains the need for structural fill, underdrain systems, proper soil compaction and closer inspection with cuts to grade exceeding 8’. These reports together demonstrate that these conditions are typical of the region and require that the Applicant will take care in addressing concerns of the soils and slope on site.

The “Final Drainage” report by Carroll and Lange (Attachment G) for Lot 1 verifies that these soil types and slopes are prevalent in the area with slopes as great as forty-five (45) percent. This report details the design challenge for the Applicant because of “Basin A” which detains the water for an area of 4.9 acres (213,444 ft²) with a total volume of 13,863 cubic feet. The 10 year peak runoff is 2.8 Cubic Feet per Second (CFS) and 100 year peak run off is 4.4 CFS.

In consultation with the County Engineer, Staff had previously verified that “Basin A” located within Summit Trail Open Space Tract “A” is properly constructed to receive a 100 year storm over the typical one hour period. No further improvements will be necessary. The Applicant will direct existing off-site flows from Lot 1 to be detained in “Basin A”.

III. COMPLIANCE WITH GRAND COUNTY REGULATIONS

a. Grand County Master Plan

The Grand County Master Plan contains seven (7) Plan Elements that form the core of the Master Plan. The Plan Elements include policies and implementation actions, of which two (2) is relevant to this proposal.

Plan Element 3 – Development: The Built Environment

As stated in Plan Element 3 in the Grand County Master Plan, density is encouraged within the Urban Growth Areas where existing infrastructure and public services exist. Visually important lands and the desired rural landscape character is maintained. This proposal minimizes disturbance of the rural and open land character that residents of Grand County cherish as this proposal is infill within a pre-existing development.

Plan Element 4 – Community and Public Facilities

As stated in Plan Element 4 in the Grand County Master Plan, development shall be located near public facility infrastructure. This increases efficiency and benefits existing users by reducing the

impacts on outside resources. The parcel in this proposal is surrounded by existing public water and sewer service, electric, and other utilities that make development less impactful.

b. ZONING – Section 4.1 Residential

The application shall comply with the Grand County Zoning Regulations, as addressed below:

This zone allows for multi-family dwellings, and therefore the proposed use is consistent with the zoning regulations.

All proposed units will be served by public water and sewer via Winter Park Ranch Water and Sanitation District. The minimum lot area for a property that is served by both public water and sewer is 7,000 ft². The total lot area of .72 acres (31,363 ft²) complies with zoning.

The applicant has received a variance to the front setback for the building comprising units 1 and 2 to allow the building to be set back 6.02' from the property boundary rather than 30' as required in the zoning regulations. Additionally, a variance has been granted for the parking setback to allow a parking within 11' of the Right-of-Way boundary.

c. SUBDIVISION (MULTI-FAMILY) – Section 5 – Design Standards, Section 7.2– Preliminary Plat

Section 3 Improvements Required.

All improvements included in engineering construction documents submitted as a portion of preliminary plat shall be the basis for a Subdivision Improvement Agreement (SIA) with the County. Utilities, fire protection, water and sewer shall be approved by the governing entities. Staff notes that landscaping trees shall be located outside of utility easements or away from lines.

The application shall comply with the **Section 5 - Design Standards**. The Preliminary and Final Plat addresses each of the following:

Section 5.2 Special Site Considerations.

The applicant has addressed issues on the lot that are difficult for residential occupancy. The steep topography and drainage area have been addressed with site engineering and a zoning variance request. Variance to the zoning regulations were received from the Board of Adjustment via Resolution 2018-5-1.

Section 5.3 Streets, Alleys and Easements. Any easements established by this Plat shall be dedicated to the public.

Section 5.4 Utility Meter Installations and Accesses.

The Final Plat shall show the location and dedicate easements for access to utility metering. Language supplied by Mountain Parks Electric shall be added to the Final Plat Mylar.

Section 5.5 Dedications and Public and Private Reservations. This Plat shall comply with open space and driveway requirements. These improvements shall be dedicated to owners within the subdivision.

Section 5.6 Flood Hazard, Fire Hazard, Geological Hazard and Mineral Resource areas. This Plat complies.

Section 5.7 School Lands.

Fees in lieu were calculated for this parcel in the following manner.

School Fees Formula Calculation

4 units

$$4 \times .20 = 0.8$$

$$0.8 \times .09 = .048$$

$$.048 \times \$82,080.05/\text{acre} = \$3,939.84 \text{ in school fees.}$$

Total School Fees = \$3,939.84

Five comps were used in this calculation to arrive at the 82,080.05 per acre price. The parcels used include: 27 POLAR BEAR LN ICE BOX ESTATES Lot: 30, SUMMIT AT WINTER PARK RANCH SUB Tract: H & J, ASPEN LN FROSTY ACRES Lot: 13, SUMMIT TRAIL LODGE CONDO SUB Lot 3, SUMMIT AT WINTER PARK RANCH SUB Tract: H, J & L. They were identified as vacant land in a Residential District. This impact fee shall be paid prior to recording the Final Plat.

Section 5.8-10 The Applicant is responsible for compliance with addressing requirements to enhance the 911 emergency system. **5.10 has been repealed, all solid fuel burning devices shall comply with provisions of Grand County Zoning Regulations.** Application shall comply.

The application shall comply with the Subdivision Regulations (Multi Family). The Preliminary Plat-Section 7.2 addresses each of the following:

Section 7.2 (1) (a-c) The preliminary plat submittal is representative of the subdivision that may be recorded. The application is at a minimum scale of 1"=50', on a sheet of 24"x36". A vicinity map exists, and shall remain on the cover page. ✓

Section 7.2 (2) (a) Name of the development is: Summit Trail Lodge Condominiums Phase 1 First Amendment ✓

Section 7.2 (2) (b) Is located within ¼ sections from existing monuments. ✓

Section 7.2 (2) (c) Developer, architect, surveyor, and engineer are on the title page. ✓

Section 7.2 (2) (d-f) Total acreage, building ft², parking area, open space and percentages of land use are supplied on C1.1. The submittal shows date of preparation, scale, true north and topography at one foot (1') intervals. Submittal complies. ✓

Section 7.2 (2) (g) Designation of areas subject to periodic flooding and the volume of water during such floods high water mark is shown. ✓

Section 7.2 (2) (h) Submittal complies, Winter Park Ranch Water and Sanitation District (WPRWSD) will provide public water and sewer service, all taps shall be paid prior to the issuance of building permit. ✓

Section 7.2 (2) (i) Submittal complies. ✓

Section 7.2 (2) (j) Adjacent Bryant Blvd. ROW, drainage basin, easements are shown on the plans. ✓

Section 7.2 (2) (k) Submittal complies. No streets are proposed, the areas proposed will only contain residential development. ✓

Section 7.2 (2) (l) Submittal complies. The developer shall work with Century Link, MPEI, and Comcast to provide connection to services. MPEI submitted comments regarding final plat language. ✓

Section 7.2 (2) (m) Submittal complies. The proposed single family attached/ Multi-family residential use. ✓

Section 7.2 (2) (n) Submittal complies. One lot being developed includes land use data on C1.1.

Proposed architectural foot prints and elevations have been provided. ✓

Section 7.2 (2) (o) Provision not applicable, a "Will Serve" from WPRWSD for central water and sanitation has been provided. ✓

Section 7.2 (2) (p) Submittal shall comply. ✓

Section 7.2 (2) (q) Provision not applicable, no rezoning required in this application. ✓

Section 7.2 (2) (r) A draft copy of any proposed Restrictive Covenants shall be supplied for review by the County Attorney and Planning Commission. ✖

Section 7.2 (2) (s) Submittal complies, geotechnical study completed by Soillogic has been included. ✓

Section 7.2 (2) (t) Submittal shall comply. Applicability will be discussed with County Attorney in conjunction with Covenants. ✖

Section 7.2 (2) (u) A title insurance commitment has been supplied. This submittal complies. ✓

IV. REVIEW AGENCY COMMENTS

Mountain Parks Electric, Inc.

Mountain Parks Electric (MPEI), has agreed to work with the developer to determine how to supply facilities. Suggested language dedicating easements for the MPEI shall also be placed on the Final Plat.

County Engineer, JVA Consulting Engineers

Comments have been supplied from the County Consulting Engineer. The comments suggest approvals from the Fire Protection District and Water and Sanitation District shall be required. A response from Tim Gagnon, the projects engineer, has provided resolution to comments made in relation with the Road and Bridge Standards.

Colorado State Forest Service

Matt Schlitz, Forester with Colorado State Forest Service, supplied information on this development and potential concerns of fire danger.

East Grand School District

The East Grand School District has reviewed this submittal and the school fees-in-lieu of land. The Board has approved an impact fee of \$3,939.84 to be paid prior to the recording of a Final Plat.

East Grand Fire Protection District #4

East Grand Fire Protection District #4 has provided comments in response to this submittal. Considerations are to be made for access to the development, wildfire mitigation, and access to utilities for emergency shut-off. The District notes concerns of water supply and fire suppression capacity. A recommendation of sprinkler systems has been made for the units as supply minimums are not consistent with development review criteria. The Applicant will work to resolve these issues with the Fire District as the County does not require fire suppression in multi-family units under three (3) family occupancy. Current code amendments allow structures of 2 or less to be reviewed under IRC2015 as adopted, which has no requirements for sprinkler systems (IRC2015 §R313.2).

V. STAFF ANALYSIS

Staff believes this proposal is compliant with current County Regulations and Master Plan. Summit Trail Lodge condominiums was composed of three lots that a previous developer intended to develop together. Developed Lot 1 of the Summit Trail Lodge Condominium Phase I, adds challenges to future development of Lot 2 and Lot 3 because they are encumbered by offsite impacts created by Lot 1. These challenges were caused by the economic down turn that caused the separation of lot ownership. The Summit Trail Sketch Plan implied minimum impact on Lot 3 as the adjacent Lots 1 and 2 would contain the majority of the proposed units.

This proposal is sensitive to the surrounding environment and intends to protect and provide landscape improvements to help screen less desirable views. The lot has been sitting vacant with native or adapted species ground covers and shrubs since the Summit Trail Lodge Condominiums Plat was completed in 2005.

VI. PLANNING COMMISSION RECOMMENDATION

Planning Commission hearing scheduled for August 8, 2018.

VII. STAFF RECOMMENDATION

Staff recommends the approval of the Summit Trail Condominiums Phase I First Amendment Preliminary Plat with the following eight (8) conditions to be met:

1. The construction documents shall be submitted to the Water and Sanitation District for approval prior to issuance of a county building permit.
2. A Subdivision Improvements Agreement is entered into with the County the give surety to the improvements that referenced in the Estimate of Probable Cost provided by Tim Gagnon of Bowman consulting, dated March 8, 2018 [Section 3].
3. Landscaping trees shall be located outside of utility easements and away from lines [Section 3].
4. The Final Plat shall locate and dedicate easements for access to utility metering. Suggested language from Mountain Parks Electric shall be added to the Final Plat Mylar. [Section 5.4]

5. Impact fees of \$3,939.84 for MILOL for East Grand School District shall be paid prior to recording the Final Plat [Section 5.7].
6. Restrictive Covenants shall be supplied for review in compliance with Colorado Common Interest Ownership Act.
7. The applicant shall meet all Preliminary Plat requirements.
8. All fees shall be paid by the Applicant prior to recording.

Commissioner Comments

Bob Gnuse – The organization of the package separates the field data from the most recent Soilogic Geotechnical report and places it at the end of the document. I recommend that the data follow the report text.

Jennifer Scott – I appreciate you making the county road number more prominent. For ease of understanding where the comps are for the school fees, please use the county road numbers. Why are the engineering consultants allowed to use the subdivision street names on the plats and not the county numbers?

Alex Taft – The construction documents don't have a specific requirement, but the final plat does require more specific language.

Ingrid Karlstrom – Regarding the picture of the plat that shows the parking, have we ever allowed that kind of parking – one car behind another?

Alex- It is pretty typical for townhome developments, as in a recent approval for Looking Glass townhomes where they proposed similar to meet parking requirements.

Ingrid – I wonder how someone in the garage or the first row can get out of the parking space. They mentioned "lightly loaded residential foundations", what does that mean?

Alex – I don't have an answer for that. My understanding is that it is not a high-rise development.

Bob – Typically one, two, or three story residential structures will generally not have loads that exceed 3000 pounds per linear running foot of foundation. Bigger structures and higher-rise structures will require larger footings. They recommended the minimum size footings, which would indicate being lightly loaded.

Bob – On page 23 of the certificate, the drawing shows two buildings with two units each, but it also shows a garage sitting next to the building. I only see that in these elevation views and the renderings from Bowman's report in the document.

Alex – We are using those renderings as a visual reference. In the original proposal, there was a garage to avoid the parking setback variance.

Bob – So the garage was there to satisfy the needs of the first building unit?

Alex – Yes, to satisfy the parking requirement of the north unit, 3 & 4.

Bob – I notice the garage doesn't show up on the more recent submittals, but it is still in the packet, so I wanted to verify it's not going to be built because it's been replaced by the drive in garage in building 1.

Alex – Right.

Marcus Davis– No further questions.

Kim Shepton – My question was similar to Ingrid's concern about parking, as the curb will create trouble.

Alex – The group that owns and is developing the property is family and friends, so they will know their neighbors. Going into the future it may be a concern, but it still will meet parking requirements. The likelihood of all three cars being there at once is low as each unit is a three room structure.

Marcus – Not to downplay the concern, but it does meet the parking requirements.

Public Comments

James Newberry – Along the same lines with the parking. It happens a lot up there in that area, especially with the cul-de-sac. They won't park behind each other, especially in the snow.

Alex – The adjacent lot 2 at the end of the cul-de-sac is undeveloped, about 5 acres and will have to have their own parking loop to suit development on that site.

Marcus – This meets the off-street parking requirements. Are they allowed on-street parking in that subdivision at all?

Alex- No. Parking on the street is not allowed on any county road.

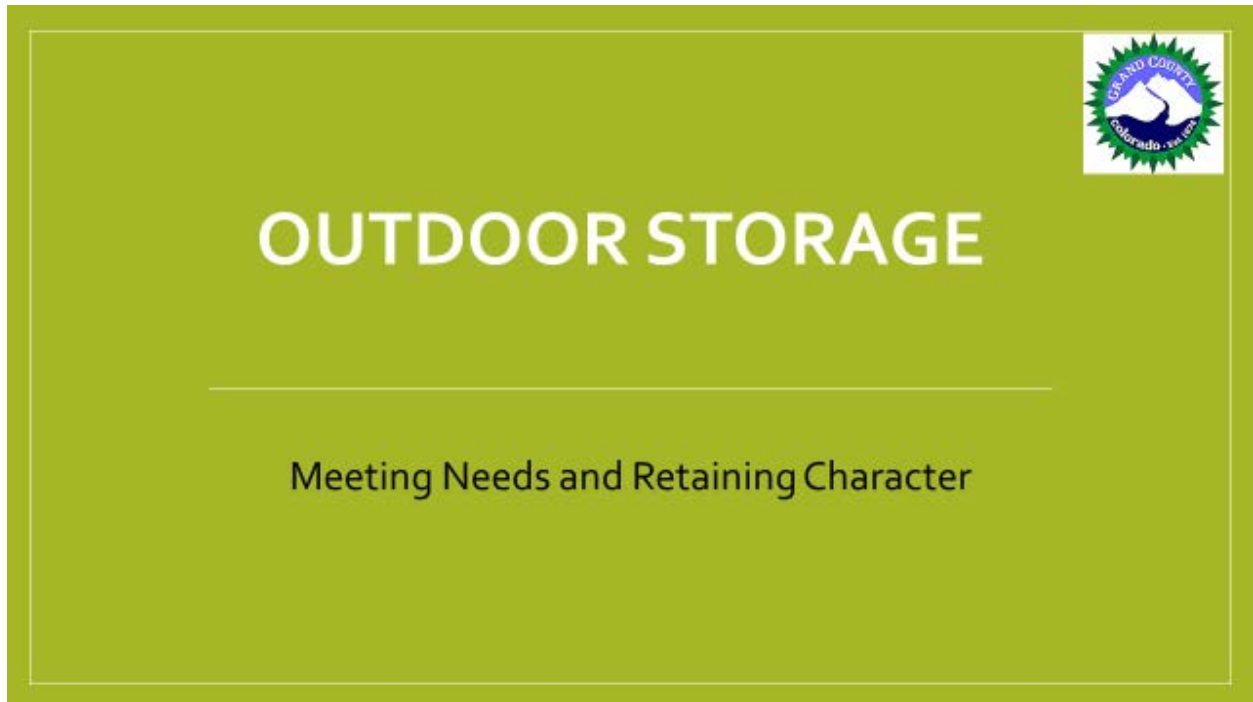
Marcus – It does bring up a good point. We did talk about snow removal in both Board of Adjustments as well as Planning Commission review of the Sketch Plan, and there is adequate snow removal. One of the reasons the variance was approved is because along the entire front of the house and the cul-de-sac is all classified as front yard and the residential side yard is 5 feet and there would be no snow storage. The plan for parking and the removal of the garage added a significant amount of snow storage removal.

Motion was made by Bob Gnuse to approve the Summit Trail Lodge Condominiums Lot 3 Preliminary Plat as presented by staff. Motion was seconded by Ingrid Karlstrom. All in favor "aye", none opposed. Motion carried.

Discussion regarding Commercial Outdoor Storage 2:02

Presented by Richard Hubler

As this was a discussion, not a proposal or application, direct comments are not attributed. An audio recording of the proceedings is available on the Grand County Website.





CURRENT ENVIRONMENT

- Tourism is the Major Economic driver in Grand County
- Lakes, Campgrounds, Forests draw large numbers of recreational users
 - Boats, Snowmobiles, and RVs are major component
 - Seasonal users need local storage
- Existing Uses not always compliant
- Uses by right (no review) vs. Uses by Special Use Permit (with review)
 - Mini-Storage Warehouse Facilities
 - Indoor storage of recreational vehicles
 - Outdoor storage of recreational vehicles
- Outdoor Storage considerations for other business uses
- Accessory Uses & Structures (Section XIII)
- Zoning doesn't fully match existing land use



STAFF REVIEW

	Estate	Residential	Accommodations	Forestry & Open	Mobile Home	Tourist	Business
Existing	0	1	0	2	2	5	1
Mini-storage	N	N	N	N	N	Y	Y
Indoor Storage	N	N	N	SUP	N	N	Y-Warehouse
Outdoor Storage	N	N	N	SUP	N	N	N
Marina	N	N	N	N	N	SUP	SUP

Mini-Storage Warehouse: Building containing individual, enclosed storage areas for rent to the public. The size of each enclosed storage area shall not exceed 500 square feet.

Indoor Storage Facilities: performance conditions in 11.8(g) include considerations for size, finish, landscaping, lighting, hours of operation

Outdoor Storage: no specifics in regulations, 2014 amendment included Recreational Vehicles

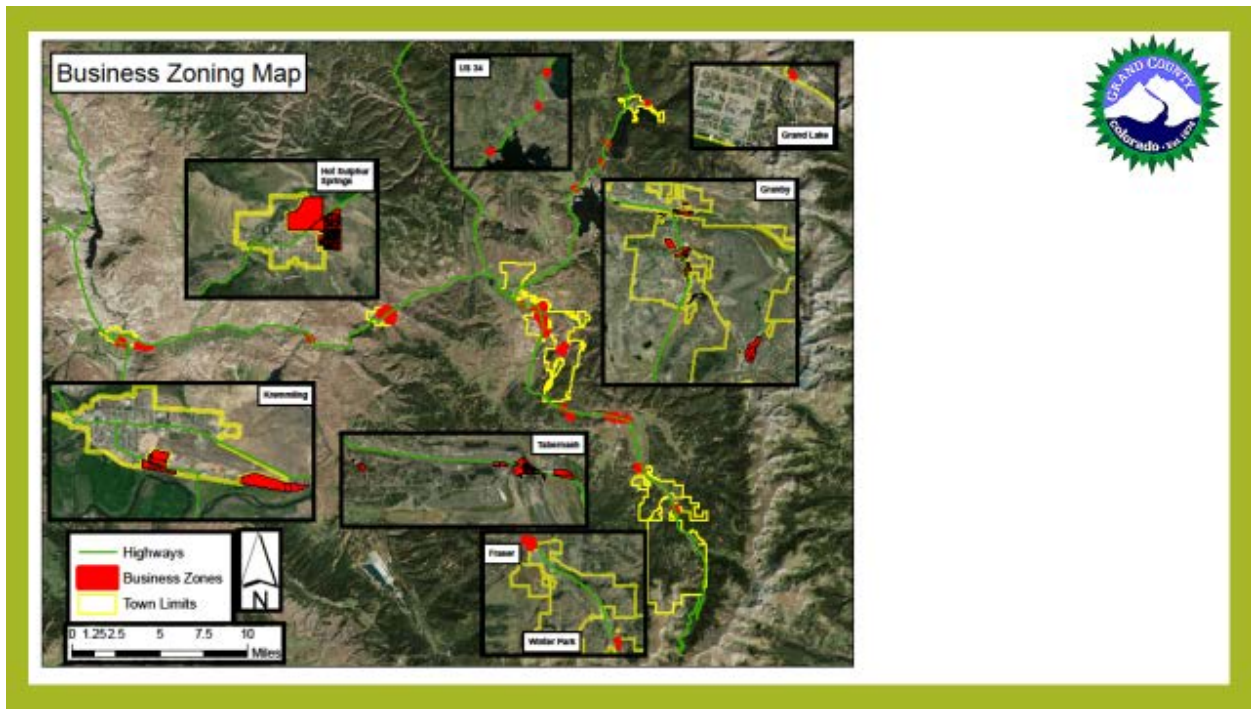
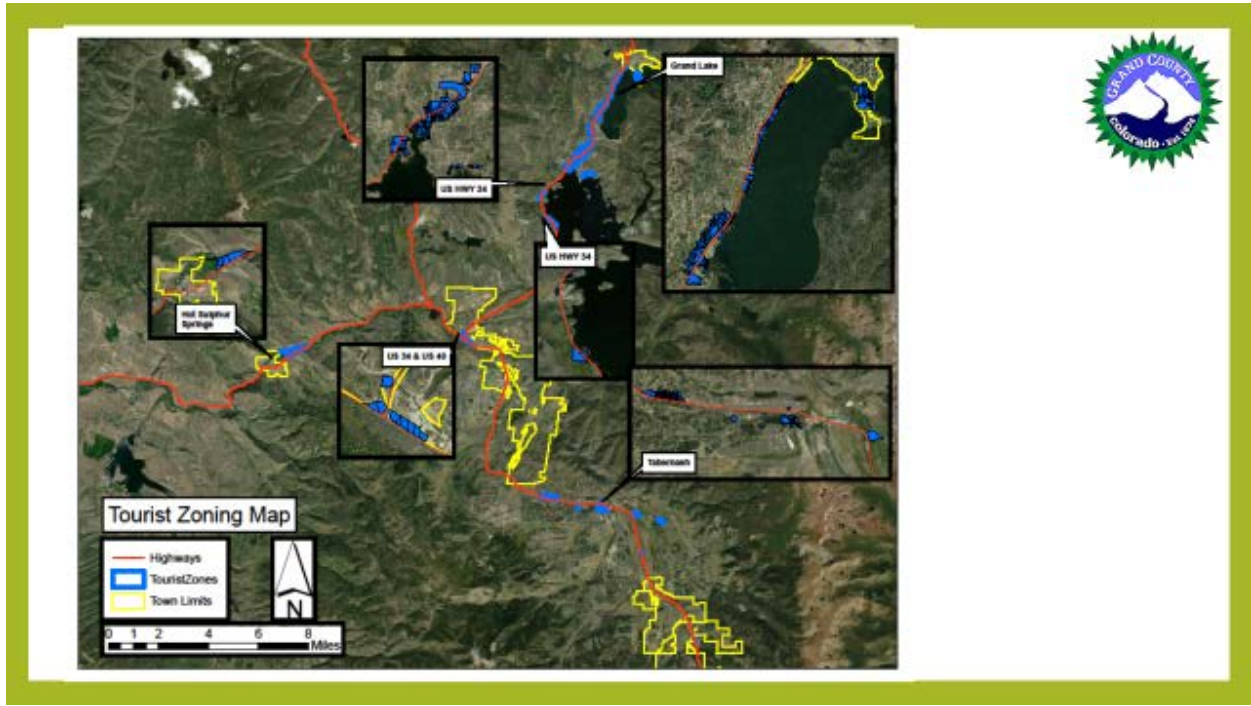


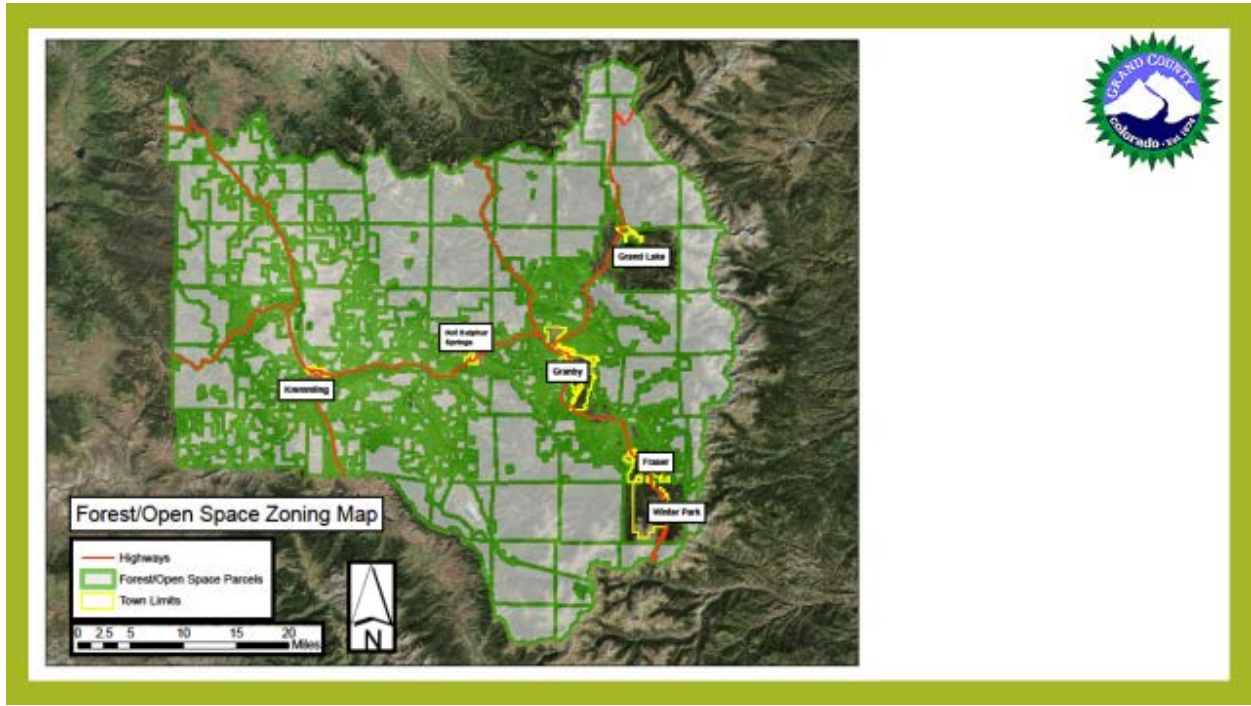
STAFF REVIEW

- Commercial Use necessitates Commercial Development
 - Infrastructure
 - Access
- Mitigate negative impacts & encourage positive impacts
 - Consideration for Neighbors
 - Screening & Fencing
- Design Review Area Considerations
 - Key design element →Harmony, blending, appropriateness
 - 14.5(6)(c) General Storage and Service Activities
 - All general storage areas shall be aesthetically screened from public view.

STAFF REVIEW







STAFF REVIEW

- County wide need for storage
- Need for attractive, developed outdoor storage facilities
- Concerns regarding view impact, especially to Scenic Byway and 3-Lakes area
- Propose to Allow by Special Use Permit:
 - Business, Tourist, Forestry & Open
 - Require screening plan, site development, hours of operation
 - Locate away from viewsapes and "minimize visual impact to adjacent roads"
 - Designated Parking spaces, also GCZR 14.5(d)(6)(d) in DRA
 - All parking facilities are to be landscaped, preferably with evergreen varieties and large shrubs. Parking design should facilitate use, snow removal, drainage, emergency access and must be screened or buffered from public roadways.
 - Roof Structures allowed (required?)

Public Comments expressed the following ideas and concerns:

The county does currently have a huge demand for more storage, particularly of boats.

Many neighborhoods have covenant restrictions on storage.

Accessory storage/uses adds confusion

Marinas storing their boats vs empty lots with storage vs personal storage

No regulations on “incidental size” e.g. 400 sq ft house with 10,000 sq ft garage

Visual Impact of parking lots varies

Indoor storage has multiple conditions, so outdoor storage should probably have some

Should a permit have a time limit, buffer zones, require paving?

Fencing, berms, and landscaping can hide unsightly appearance

Trees and landscaping isn't the best solution for every property

Visual barriers specific to each property

Screening plan doesn't necessarily require hiding everything

Need to be able to evaluate and mitigate impacts at each site.

Direction from Planning Commission

The Grand County Zoning Regulations need a clear definition of the proposed use and specific conditions. Include existing businesses on the Interested Parties list. Bring back specific language that will address/allow the use in Tourist, Business, and potentially exclude Forestry & Open districts or separate use by right from use by special review.

Motion was made to adjourn by Jennifer Scott, seconded by Ingrid Karlstrom. Meeting was adjourned by Chairman Marcus Davis at 8:45pm.