



MEMO TO: Chairperson Wolter and Planning Commissioners  
FROM: Catherine E. Trotter, AICP, Town Planner  
DATE: June 21, 2018  
SUBJECT: Planner Briefing on Elk Creek Filing No. 5

**MATTER BEFORE THE PLANNING COMMISSION:**

*Final Plat and Development Permit Elk Creek at Grand Park Filing No. 5*

**ACTION REQUESTED:**

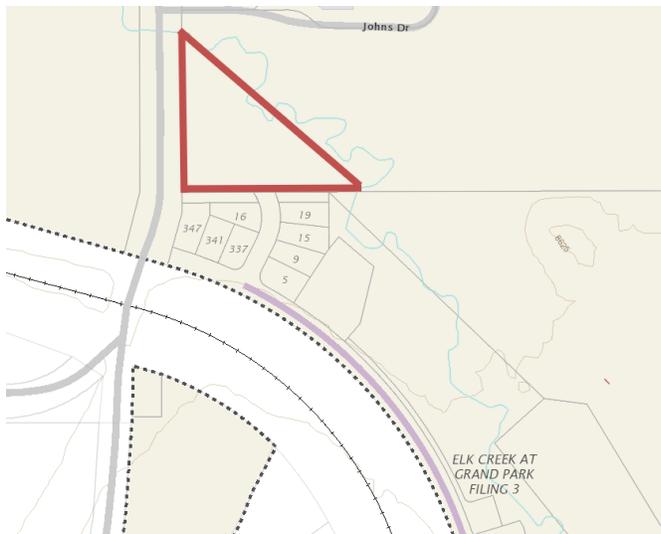
The applicant, Cornerstone Winter Park Holdings, LLC., is requesting Final Plat and Development Permit approval of Elk Creek at Grand Park Filing No.5. **This is being proposed under our previous code because we received this development application prior to the effective date of the new Land Development Code which was May 5<sup>th</sup>, 2018.**

**BACKGROUND:**

The Business District regulations are detailed in Section 16-4 of the Fraser Municipal Code. *This development proposal is classified as a major Development Permit.*

This subdivision application is being processed as a Major Subdivision in accordance with Section 17-5-10 of the Fraser Municipal Code. The purpose of a major subdivision plat is to divide one (1) or more lots or parcels of land into a total of five (5) or more lots or five (5) or more dwelling units.

Maps below indicates the general vicinity of this proposed development:





**The applicant is now proposing to create 6 residential lots**, ranging in size from 3268 square feet (SF) to 5051 SF on 0.73 SF of land. This property is zoned Business and is adjacent to the Grand Park Planned Development District. Specifically, this site is adjacent to Elk Creek Filing No. 3 and depicts the continuation of Oxbow Court. This property is located within Lot 2 of the Meyer Subdivision.

A previously recorded Subdivision Improvement Agreement (SIA) for this parcel is in the packet. Rod McGowan's memo dated March 30, 2018, stated that among other things, the SIA provides: (a) The Town may require additional street rights-of way and access and utility easements in connection with further subdivision or issuance of a development permit for either of the Lots included on the Meyer Subdivision plat. And (b) The Town reserves the right to review future development plans for the property and as part of such review, the Town may require and condition approval of the development upon the following:

- The Town may require additional dedications of streets and easements as necessary to serve the proposed development and/or connect with existing or planned streets;
- The required easements are to include a public pedestrian access to and along Elk Creek;
- The Town may require that CR 72 be widened and/or realigned to accommodate the alignment of the Fraser Valley Parkway;
- The Town may require compliance with other requirements of the subdivision regulations, including minimum open space, stream setbacks, trails, sidewalks and drainage facilities; and
- The Town may require the owners of the first Development Parcel to be developed to be responsible for and pay the costs of designing and constructing CR 72 as a 40-foot paved driving surface, from the end of the existing pavement at the intersection with John's Drive to the separated grade railroad crossing near the south boundary of the Subdivision.

The Business District has a 45' height maximum and the following required setbacks:

“All residential structures shall have a minimum front yard of twenty (20) feet, a minimum side yard of five (5) feet and a minimum rear yard of ten (10) feet.”

The development application contained the following documents:

1. Land use application
2. Adjacent ownership
3. Title commitment
4. Previously submitted Narrative (in packet)
5. Will serve letters
6. Elk Creek Charter Supplements-HOA documents
7. 2007 Old Victory Road Geotech Report
8. 1999 Environment Site Assessment, Maryvale Village
9. Final Plat (in packet)
10. Revised Development Permit (in packet)
11. Revised Construction Documents
12. Draft SIA
13. Building Floor Plans

The Planning Commission recommended approval of the Preliminary Plat and Final Plan with conditions via PC Resolution 2018-04-02. Said resolution is in the packet.

See engineering comments in Bowman memo dated June 11, 2018.

**RECOMMENDATION:**

Pending any issues that may arise at the public hearing, staff is recommending approval of this Development Permit and Final Plat with the following conditions:

1. Revise Development Permit General Note #7 to say the following: “Open space will be owned and maintained by Cornerstone Winter Park Holdings, LLC.”
2. On Plat sheet 2 of 2, clarify that Tract U is from Elk Creek at Grand Park Filing No.3, Reception # 2018-000114.
3. This property is subject to the terms of the May 26, 2005 Subdivision Improvement Agreement (SIA) executed between the Town and Cornerstone Winter Park Holdings LLC and recorded at Reception # 2005-005385. Improvements to be included on the Construction Plans and included in the Engineer’s Cost Estimate with the SIA for Elk Creek Filing No. 5 include a 40’ asphalt surface, with curb and gutter, and an attached 8’ sidewalk on the east side, from the end of the existing pavement at the intersection with John’s Drive to the separated grade railroad crossing near the south boundary of the Subdivision.
4. Execute an agreement with East Grand School District for school impact fees or money in lieu of land prior to Town Board approval of this development application.
5. No “separate document” has been submitted for the proposed off-site drainage easement as indicated on Plat sheet 2 of 2.

Town of Fraser

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6. Address all engineering comments in the Bowman memo dated June 11, 2018 and revise documentation accordingly.
7. Provide all final plat documents necessary for final plat review by Town Board, including, but not limited to deed for open space conveyance, complete SIA with Engineers Cost Estimate, 911 address mylar and digital files of plat.

See PC Resolution 2018-06-02 in packet.

Please contact me with questions/concerns. [ctrotter@town.fraser.co.us](mailto:ctrotter@town.fraser.co.us)