

**TOWN OF FRASER
RESOLUTION NO. 2022-10-03**

A RESOLUTION AMENDING AND RESTATING THE TOWN OF FRASER'S PREVIOUSLY APPROVED RESOLUTION NO. 2022-07-03, APPROVING A FINAL PLAT FOR KOSELIG ON MAIN, 406 ZEREX STREET AND 315 FRASER AVENUE, A REPLAT OF LOTS 24 THROUGH 29, BLOCK 7, AND 30 THROUGH 33, BLOCK 7 LYING NORTH OF U.S. ROUTE 40, FIRST ADDITION TO THE TOWN OF EASTOM, AKA FRASER, GRAND COUNTY, COLORADO

WHEREAS, at the regular meeting of the Fraser Board of Trustees held on July 20, 2022, 406 Zerex, LLC, requested and was granted approval for a Final Plat for Koselig on Main, 406 Zerex St. & 315 Fraser Ave, allowing for the construction of 4000+/- SF of retail and 20 apartments;

WHEREAS, such approval was evidenced by Resolution 2022-07-03 approving the Final Plat for Koselig on Main with conditions 1 (a-g);

WHEREAS, the meaning of condition 1 (f). in Resolution 2022-07-03 was unclear as to whether four or two residential units shall be deed restricted affordable housing units;

WHEREAS, subsequent to approval of Resolution 2022-07-03, discussion ensued between the Town and the Applicant to clarify the required number of deed restricted units associated with this development;

WHEREAS, on September 21, 2022, the Applicant presented to the Board of Trustees a timeline of events relating to the deed restriction requirements;

WHEREAS, the Board of Trustees has determined that two and not four deed restricted affordable housing units are required;

WHEREAS, the Board of Trustees desire to amend and restate Resolution 2022-07-03 in its entirety in order to clarify condition 1 (f) therein; and

WHEREAS, Staff has determined that this application is in compliance with the Land Development Code of the Town of Fraser when the conditions listed below have been addressed.

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF FRASER, COLORADO THAT RESOLUTION 22-07-03 IS AMENDED AND RESTATED IN ITS ENTIRETY AS FOLLOWS:

1. The Town of Fraser hereby approves the Final Plat for Koselig on Main subject to the following conditions:
 - a. The applicant shall address all Referral Agency Comments included in the packet.
 - b. The applicant shall resubmit civil drawings in accordance with Referral Agency Comments prior to building permit issuance.
 - c. The applicant shall secure a CDOT Access Permit prior to recordation of Final Plat.
 - d. The applicant shall execute the approved Construction Guarantee Agreement (CGA) and provide the required security prior to building permit issuance.
 - e. The applicant shall pay school and park impact fees prior to recordation of Final Plat.

- f. **The Applicant and the Town shall enter into an agreement, which is approved by the Town Attorney, that ensures compliance with the requirement that 20%, meaning two units, of the residential development of the building adjacent to Doc Susie Avenue shall be deed restricted affordable housing units. Said agreement should be finalized and signed by the Applicant and Town prior to recordation of the final plat or prior to issuance of any certificate of occupancy.**
- g. Minimum parking requirement must be met.

DULY MOVED, SECONDED AND ADOPTED THIS 19th DAY OF OCTOBER, 2022.

Votes in favor:
Votes opposed: _____
Absent:
Abstained:

BOARD OF TRUSTEES OF THE TOWN OF
FRASER, COLORADO

BY: _____
Mayor ATTEST:

(S E A L)

Town Clerk