



Town of Fraser Land Use Application Referral Summary

Date: January 8, 2025

Project Name: The Ascent – Final Plat, Site Plan, and Administrative Variance

Project Number: TF24-12

Referral Begin Date: December 10, 2024

Referral End Date: January 3, 2025

Applicant: Ski and Board Broker LLC

From: Alan Sielaff, Assistant Town Planner

CC: Garrett Scott, Town Planner

Michael Brack, Town Manager

Paul Johnson, Public Works Director

Kent Whitmer, Town Attorney

Documents sent on referral:

All documents from the provided Final Plat folder including but not limited to:

The Ascent Final Plat, dated 11/6/2024

Ascent – CDs draft 1 dated 11/19/2024

Ascent – Phase II Drainage Report dated 11/22/2024

Geotech Report – Ascent dated 10/29/2024

Title Commitment, dated 11/7/2024

The Ascent Condominiums – Declaration, undated

All documents from the provided Site Plan folder including but not limited to:

Ascent Site Plan, dated 11/22/2024

All documents from the provided Variance folder including but not limited to:

Bldg Ht Variance Request, dated 11/22/2024

Responding referral agencies:

Merrick & Company (Jeanne Boyle, Katherine Knight, and Greg Steed as Town Engineer) – received January 6, 2025

Whitmer Law Firm (Cooper Gehle as Town Attorney) – received January 3, 2025

CDOT (Brian Killian) – received December 18, 2024

East Grand Fire District (Ryan Mowrey) – received January 3, 2025

Mountain Parks Electric, Inc. (Nick Curran) – received December 12, 2024

Xcel Energy (Julie Gittins) – received December 13, 2024



Planning Department
Town of Fraser
153 Fraser Avenue, P.O. Box 370
Fraser, CO 80442
970-726-5491 x219
asielaff@town.fraser.co.us

January 8, 2025

Layla Rosales, Principal
Terracina Design
10200 E Girard Ave, Ste A-314
Denver, CO 80231

RE: The Ascent – Final Plat, Major Site Plan, Administrative Variance
Planning Review Comments (1st Referral Review)

Dear Ms. Rosales,

The Town of Fraser Planning Department has reviewed the documents provided with the 1st submittal for The Ascent Final Plat, Major Site Plan, and Administrative Variance applications and hereby provides the following review comments to be addressed in a resubmittal:

General Comments

- 1) Please provide written responses to the following Planning comments as well as other referral agency comments provided as an attachment to this letter.
- 2) As proposed, Lot 1B does not contain sufficient acreage to meet the 20 unit per acre density maximum in the Business District zone for the proposed 17 residential units. Further, the proposal includes off-site parking and snow storage. Rather than accommodate the proposed configuration with a density plat note and off-site easements, please expand the proposed size of Lot 1B to include all parking and snow storage areas. This appears to also provide sufficient area to meet the density requirement. This is the simpler solution to address all three concerns and ensure this project is on a self-sufficient site for the proposed development.
 - a. Additional detail on density calculation: The proposed 0.537 acre size would allow 10 units (10.74 rounded down). If expanded to include the required parking and snow storage along the southeast (an estimated additional 14,600 SF), the new lot size would be 37,992 SF or 0.87 acres, allowing the proposed 17 units (rounded down from 17.44).
- 3) Given the configuration of “Future Johns Drive” as depicted in the site plan, this new street



extension should have a different name to avoid a three-way intersection with all approaches having the same name. For now, please label the street as “Victory Road” as currently depicted on the Grand County Parcel Viewer GIS map. However, a different street name is recommended so as to not cause confusion with “Old Victory Road” further south. The applicant is encouraged to suggest street names for staff’s approval; alternatively, staff will assign a street name in coordination with the Planning Commission and Board of Trustees.

- 4) An address map with unit designations will be required before final approval and staff will assign address numbers to the proposed buildings.
- 5) In lieu of land dedications for parks and schools per Sec. 19-3-310, the following fees will be required, to be calculated based on the final lot area size and due prior to recordation of the subdivision:
 - a. Park fees: 5% of Lot 1B area in acres multiplied by a value per acre of \$141,030.
 - b. School fees: 0.0138 acres per multifamily dwelling unit (17) multiplied by \$141,030.
- 6) Staff must receive a resubmittal of this application by Wednesday, January 29th, 2025 in order to maintain the timeline of scheduling a public hearing before the Planning Commission on February 26th.

Final Plat

Application Requirements – See Appendix 1, Major Subdivision Final Plat Checklist

- 7) Attached is a Word template for the required Development Improvement Agreement (DIA) based on Appendix 3 of the Town Code. Please review and provide any requested revisions with the next submittal. Per [Sec. 19-3-415](#), the Town will require that the DIA for The Ascent cover the private drainage and private landscaping improvements proposed in the site plan, in addition to any public infrastructure needed to support the development. A completed and recorded DIA will be required concurrently with recordation of the Final Plat.
- 8) Please provide names and addresses of any owners and lessees of mineral rights associated with this property. If none exist, please provide a signed statement affirming that a records search was conducted and no mineral rights holders exist for the property.

General Comments

- 9) Staff requests to avoid designating Lots as 1A and 1B and instead designate the new lot for the new building simply Lot 3. This way, the existing property with the XSports building remains as Lot 1, and the existing undeveloped Meyer Lot 2 remains as Lot 2.
- 10) Please ensure that everything depicted on sheet 2 of the existing subdivision plat (Replat of Lot 2, Meyers Subdivision etc... reception number 2021013571) is also shown on all sheets of the proposed subdivision plat since this will become the new plat for the entirety of the existing Lots 1 and 2. Specifically, the 45’ Transit License easement should be carried forward



on all sheets and the 100 year flood plain on Lot 2 should be depicted.

- 11) A right-of-way dedication plat for the “Victory Road” extension will be required no later than when the Town grants preliminary acceptance to the road and associated infrastructure. The Transit License easement would be anticipated to be removed at this time.
- 12) Remove the page type from main title block at top of each sheet (cover page, existing conditions, proposed conditions, parking and access easement details). These sheet type names should be included in the information block at the bottom right of each sheet.
- 13) All linework should be represented in a legend on each sheet.
- 14) Remove proposed building outlines from all sheets.
- 15) Include 2 ¼” x 3” blank box at bottom right of each page for use by County Recorder.

Sheet 1

- 16) Ensure language in dedication and notary clause is consistent with required language in [Appendix D](#). See attached staff mark-up.
- 17) Include recordation number of previous subdivision(s) referenced in dedication and notary clause.
- 18) Clarify ownership entities per legal review comment # 5 and ensure consistency with the dedication and notary clause section.
- 19) Remove duplicate “dedication and notary clause continued” header.
- 20) Blanks left in the General Notes section should be filled in with the development or project name or can be replaced with generic language referencing the eventual HOA/condo association that will assume responsibility.

Major Site Plan

Sheet 1 – Cover

- 21) Please remove the approval blocks and owner certificates from the cover sheet. Major site plans are not recorded so mylars will not be provided. Instead, we suggest adding an image / rendering of the project to the cover page and placing a basic site data table and possibly relocating other project summary data tables to this sheet.
- 22) Remove blank box at bottom right of each page since site plan set is not recorded.



Sheet 2 – Site Plan

- 23) Per [Sec. 14-3-80](#) sidewalks shall be a minimum of 8 ft. and required on both sides of the street in the Business Zone District. Please increase the width of the sidewalk along “Victory Rd” to be a continuous 8 feet wide.
- 24) Provide a trash enclosure detail showing conformance with [Sec. 19-4-160\(b\)](#), i.e., label the enclosure color and materials to ensure they are consistent with those of the main building.
- 25) Include a summary of unit types by bedroom count or note that all units will be two-bedroom units.
- 26) Note or provide in the data table the number of bedrooms in the existing two units in the XSports building since there will be shared parking between the lots.
- 27) Staff calculates the total required parking for Lots 1A and 1B at 48 since a cross access and parking easement is proposed. Technically the required parking for Lot 1A is 22.5 spaces (assuming both residential units are 2 bedroom) and Lot 1B is 25.5 spaces.
- 28) Please add a note that the two parallel spaces proposed along “Victory Rd” within the proposed ROW are included in the provided parking count.
- 29) Data table lists Lot 1A and 2B. Should be 1A and 1B unless the lots are renumbered to Lot 1 and Lot 3 as requested by staff.
- 30) Please remove floor plan linework from building footprints for clarity.
- 31) In September 2024, the Town adopted by reference the 2023 Colorado Model Electric Ready and Solar Ready Code. The site plan must display compliance with applicable requirements of this code before building permits are issued. Please designate on the parking plan at least a minimum number of EV spaces per the requirements below. Definitions for each category of EV capability are found in Chapter 2 of the referenced code. Multifamily residential is found on page 25 and must include the following:
 - i. 5 percent of the spaces must have level 2 EV chargers.
 - ii. 15 percent of the spaces must be EV ready.
 - iii. 10 percent of the spaces must be EV capable.
 - iv. 30 percent of the spaces must be EV capable light.

The Town will require that only the parking provided for the proposed 17 multifamily units (not the existing XSports building) meet these requirements. Alternatively, the applicant may submit a substantial cost differential waiver request showing that the cost of complying with this code exceeds 1 percent of the total mechanical, electrical, and plumbing costs for the project.



Sheet 3 – Landscape Plan

- 32) We estimate the provided on-site open space coverage is approximately 1,500 SF less than the total of 19,574 SF listed on the open space table. If the parking islands to the southeast of the proposed buildings that are currently off-site are included in the total open space as currently tabulated, this accounts for roughly 400 SF. If the subdivision plat is reconfigured to include all of the required parking and snow storage areas on-site, this will likely satisfy the 35% open space requirement.
- 33) [Sec. 14-5-40\(9\)](#) requires parking lot perimeter landscaping. Given the close proximity to the US 40 shared use path and constraints created by the overhead electric lines, staff is supportive of only shrubs being provided as perimeter landscaping and may be placed in the US 40 right-of-way between the parking spaces and the trail. While the requirement is for one tree and two shrubs for every 20 feet of frontage, please accommodate four shrubs and no trees for every 20 feet.
- 34) [Sec. 14-5-40\(10\)](#) requires parking lot interior landscaping islands for parking lots with twenty (20) or more parking spaces at a ratio of one hundred (100) square feet and one (1) tree and two (2) shrubs for every ten (10) parking spaces. Please provide additional interior landscaped islands within the parking area on the northeast side of the site, similar to the two that are proposed at either end of the southeast row of parking.
- 35) Provide the following as required in [Sec. 14-5-40](#) - landscaping specifications:
- Provide an irrigation plan, if irrigation is to be provided.
 - Include a statement providing that the owner and his or her heirs, successors and assigns will provide adequate maintenance for all site elements. Landscaping maintenance shall include irrigation, fertilization, pruning and noxious weed control.
 - Include contact information on who prepared the landscape design. A landscape plan drawn by a landscape architect or designer is preferred but is not required.
- 36) Please provide a cost estimate of the proposed landscaping subject to the following requirement from [Sec. 14-5-40\(11\)](#). This amount will need to be included in the collateral collected as part of the DIA:
- The applicant shall also submit suitable collateral to ensure the completion of the landscaping requirement. The collateral shall be no less than one hundred twenty-five percent (125%) of the estimated cost of the plant materials. The collateral shall be in a form of a letter of credit, cash deposit or other such legal assurance as may be deemed appropriate by the Town and approved by the Town Attorney. This amount shall be retained by the Town until the plant materials have been maintained in a satisfactory condition for two (2) years after installation.

Sheets 8-11 – Elevations

- 37) Elevations were reviewed against the standards in [Sec. 19-4-190](#) Building design; commercial



and mixed-use development. Staff finds the proposed buildings to be largely in conformance with the design guidelines. We suggest reviewing the following language regarding building materials and encourage the addition of natural wood elements and incorporating additional first level stone or masonry into the elevations to better meet the following code language.

- a. “The use of natural stone masonry, exposed wood structural beams, logs, heavy timbers, stucco and masonry are all acceptable materials. The use of stone or masonry as a foundation up to a height of at least thirty-six (36) inches is encouraged.”

38) In September 2024, the Town adopted by reference the 2023 Colorado Model Electric Ready and Solar Ready Code. Multifamily residential is subject to the commercial requirements on pages 19-21 of the referenced code and must include a solar ready zone on the roof area that meets the following:

- b. Is at least 40 percent of the total roof area, minus the area for skylights, decks, etc.
- c. Is free of obstructions and shading.
- d. Has at least one potential pathway for conduit between the solar ready zone and the electrical panel, as well as reserved electrical service panel space and capacity for future solar panels.

Sheet 12 – Lighting Plan

- 39) [Sec. 14-5-30](#) and [Sec. 19-4-195](#) include site lighting requirements and guidance for sites in the Business District zone. Lighting is to be appropriate for public safety and security, while minimizing undesirable effects of excessive illumination such as glare, sky glow and light pollution.
- a. The lighting plan provided only depicts existing pedestrian and parking lot lighting on the east side of the site. Please update the plan to include detail sufficiently addressing items 1 through 8 in Sec. 14-5-30.
 - b. You may incorporate the photometric plan as required in item (8) into this sheet.
 - c. Additional parking lot lighting is suggested for the southwest and southeast parking areas to provide minimal levels for pedestrian safety.
 - d. Please be sure to include any exterior lighting that is to be provided on the building exteriors into this sheet.

Administrative Variance

[Sec. 19-1-350](#) - Administrative variances. The Town Staff shall have authority to act upon variance requests (but not appeals from administrative decisions) under the following circumstances:

- (1) The variance does not exceed ten percent (10%) of the minimum or maximum standard; and
- (2) The Town Staff applies the same review criteria as does the Board of Adjustment under [Section 19-1-330](#);
- (3) No additional dwelling units would result from approval of such administrative variance; and
- (4) A decision by the Town Staff to deny, or condition, an administrative variance, may be appealed to the Board of Adjustment in the same manner as for appeals under [Section 19-1-320](#).



A variance request for a maximum building height of 49.5 feet has been received with this application. This request does meet the circumstances to be acted upon administratively by Town staff, in lieu of the Board of Adjustment, subject to the review criteria detailed below:

Variance Criteria Review – [Sec. 19-1-330](#): A variance may be granted only to the extent that the following conditions, where relevant to the subject property and adjacent neighborhood or district, are present:

1. There are unique physical circumstances or other conditions peculiar to the affected property, such as exceptional topography or irregularity, narrowness or shallowness of a lot.
 - a. Staff review: Disagree – Staff does not consider high groundwater a unique physical circumstance. It may be considered as an "other condition peculiar to the property"; however, it is a condition that generally exists across all properties in the Fraser River valley to a degree. Further, the variance request reasoning discusses the necessity of additional units to achieve financial viability for the project and infeasibility to construct garden level units on the ground floor which would result in a lower building height. Unfortunately, financial viability is not a consideration in granting a variance, and the ability or inability to pursue subsurface development is not something guaranteed by the Town's zoning regulations.
2. The unique physical circumstances or other conditions do not exist throughout the neighborhood or district in which the property is located.
 - a. Staff review: Disagree – The applicant also acknowledges that the high groundwater level is not unique to this site. The applicant's additional discussion of other locations in general vicinity of this site that have greater maximum allowed heights is not applicable to this criteria.
3. The unique physical circumstances, other conditions or any other hardship complained of have not been created by the applicant.
 - a. Staff review: Agree – The applicant's identification of high groundwater as the unique physical circumstance has not been created by the applicant.
4. Because of the unique physical circumstances or other conditions, the property cannot be reasonably developed in conformity with the provisions of this Chapter.
 - a. Staff review: Disagree – Being unable to achieve the maximum allowed density of 20 units per acre on the site does not equate to the variance criteria of "cannot be reasonably developed". The site could be developed with 15 units within three floors rather than an additional two units on a proposed fourth floor. Further, other building floorplate designs, reduced floor to ceiling heights, or smaller unit sizes could be considered to achieve additional units within the site's constraints.



5. The variance, if granted, will not alter the essential character of the neighborhood or district in which the property is located, or substantially or permanently impair the appropriate use of adjacent conforming property.
 - a. Staff review: Agree – The building design is generally compatible with the surrounding context, and the design elements the additional height would facilitate (a slightly sloped 4th floor roof rather than a flat roof) is generally preferable. The relatively minor height increase will not alter the essential character of the area or impair the use of adjacent property. While the applicant states this proposal is consistent with higher allowed heights within the Grand Park and Rendezvous Planned Developments, staff notes that the specific areas within these PD's that allow such heights are not adjacent to this site and this would therefore represent a slight departure from a 45 ft. maximum height in the immediate vicinity of the site. However, staff does recognize that building heights over 45 ft. are allowed elsewhere along the US 40 corridor in Fraser.
6. The variance, if granted, is the minimum variance that will afford relief and is not detrimental to the public good or to the purpose, intent and spirit of this Chapter or the Town Comprehensive Plan.
 - a. Staff review: Agree – The requested 4.5 ft. increase in height appears to be the minimal ask in order to accommodate a reasonable fourth floor design and incorporate high quality design elements. There are no immediate neighbors that might be impacted by the height increase except the two residential units and existing business in the existing XSports building which is under common ownership. As a building fronting US 40, there may be concerns regarding impacts to views towards the west from users of the Lions Ponds area or users of the US 40 shared use path; however, the request for a 49.5 ft. building height is not likely to have a major impact to existing viewsheds compared to a 45 ft. building height.
7. The variance is needed to provide a reasonable accommodation to a person or persons with a disability.
 - a. Not applicable.

Per [Sec. 19-1-350](#), administrative variances must be processed under the same review criteria as the Board of Adjustment would apply for a standard variance. Because not all applicable criteria are met, the administrative variance is denied. This decision may be appealed to the Board of Adjustment per [Sec. 19-1-350\(4\)](#).

Town staff wishes to note that while we conceptually support the proposal on the merits of building design and recognize the site as an appropriate location for additional residential density, the variance criteria as currently adopted in the code unfortunately do not offer the type of wider policy discretion to approve this request. Ultimately, staff would need other tools in the code such as an “administrative adjustment” process that is separate from variances, allows



greater discretion/flexibility in granting administrative variances, and/or some type of zoning overlay that connects inclusionary or affordable housing requirements to an increase in building height. Staff has previously discussed potential code amendments with the Planning Commission and Board of Trustees and may broach the topic again in the future as part of the Comprehensive Plan process in 2025, but at this time does not have the administrative authority to grant this request.

Additional referral comments from all responding agencies/entities are provided as an attachment to this letter. It is recognized that some comments provided herein may be duplicative or even contradictory. In the case of contradictions or conflicts in referral comments, the comment from the most applicable agency/entity shall take priority.

Also provided with this letter are PDF copies of the plan set and other submittal or reference documents that contain markups and comments from the planning review (in red) and engineering review (all other colors) that serve to augment and clarify the comments provided in this letter.

Please contact me if there are any questions or to discuss any of the referral comments in more detail.

Sincerely,

A handwritten signature in blue ink, appearing to read "Alan Sielaff", is written over a light blue horizontal line.

Alan Sielaff
Assistant Town Planner
970-726-5491 x219
asielaff@town.fraser.co.us



THE WHITMER LAW FIRM, LLC

◆ www.whitmerlawfirm.com ◆

Physical: 63331 U.S. Hwy. 40, Granby CO 80446
Mailing: P.O. Box 38, Hot Sulphur Springs, CO 80451
Phone 970.725.3460

Kent H. Whitmer (Kent@whitmerlawfirm.com)‡
Sean C. Lemieux (Sean@whitmerlawfirm.com)◇

Kaitlin Randall (Katie@whitmerlawfirm.com)◇
Cooper V. Gehle (Cooper@whitmerlawfirm.com)◇

MEMORANDUM

TO: Alan Sielaff, Fraser Assistant Town Planner
FROM: Cooper Gehle, Associate Attorney
DATE: January 3, 2025
RE: The Ascent (Ski Broker) Final Plat, Site Plan, and Variance - 1st Referral Request

We have reviewed the following documents from the Ascent Final Plat, Site Plan and Variance Submittal:

- Final Plat documents
- Site Plan documents
- Variance request documents

From our review, we have the following comments and concerns. Please let us know if you would like to discuss in more details.

1. The surveyor should indicate on the plat that all recorded exceptions listed in the title commitment have been examined, that those exceptions that are plottable have been depicted, that those that are not plottable but affect the subject property are called out as such, and that those that do not affect the subject property are indicated as such. Specific items to assess from the title commitment are listed below:
 - a. #11 – This is an agreement placing certain restrictions and requirements for land usage. The requirements should be reviewed closely in light of the

proposed development, with particular focus on the amount of taps to be added to the property and the means of providing a list of property owners as noted on page 8 of the document.

- b. #13, 14, 18, 19, 20, 21 – Confirm that all terms and conditions of the October 27, 2004, Amended and Restated Subdivision Improvements Agreement have been satisfied for new development.
 - c. #15 – Confirm restrictions set forth in the Final Plat (Rec. No. 218772) are satisfied, with particular regard to the open space and set-back requirements.
 - d. #16 – The easement and R.O.W. recorded in Book 360 at Pg. 391 is not depicted or acknowledged on the Ascent Plat. Although the location of the easement is not defined, it should still be reflected by the surveyor either by affirmatively noting it does not impact the property, or that it cannot be shown.
 - e. #22 – Ensure that the conditions for termination of the easement have occurred
 - f. #24 – Confirm requirements listed under Section 3 (Future Subdivision Improvements and Requirements) are satisfied.
 - g. #28 – The Construction Guarantee Agreement should be reviewed to ensure compliance, with focus on the deadline set out in Sec. 3(a) for a two (2) year time frame for public and private improvements.
2. The dedication on the plat should indicate the new legal description that is being created by this plat.

3. The legal description under the title of the plat should reference that this plat is a replat of a portion of the current legal description of the subject property.
4. The final plat references that several easements are to be vacated by the plat. Confirm that there are no existing utilities within these easements and that the proposed procedure (e.g., through recordation of the proposed plat) to vacate these easements are in compliance with Town Code Sec. 19-3-245 and CRS 43-2-302 and 303, including consent of all lot owners, Board of Trustee approval, and all documentation necessary as shown on the “Vacation of Plat, Right-of Way or Easement Checklist” from Appendix 1 of the Fraser Municipal Code.
 - a. Confirm that the easement at Rec. No. 218772 is dedicated to the Town and may be vacated, given that it is an easement for sewer/water.
5. The title commitment indicates that ownership of the subject property is vested only in Ski and Board Broker LLC, whereas the plat dedication indicates that Cornerstone Winter Park Holdings LLC is also an owner. This discrepancy should be resolved one way or the other by correction of the title commitment or correction of the plat dedication, whichever is applicable. In addition, due to this discrepancy, the applicant should confirm with the title company that the title commitment, in fact, covers all of the property subject to this application.
6. Note 7 on the plat is unclear. If an easement is being dedicated by this note, dedication language should be used therein to effectuate the grant.
7. The Ascent Condominium Declarations appear to have several points worth noting:

- a. Exhibit A includes a misleading legal description, listing “All of Lot 2, Lot 1 and 2, Ascent Condominiums subdivision plat recorded July 3, 2019, at Reception No. 2019004896 of the Grand County records.” The listed Rec. No. is for Final Plat, Lot 1 and Lot 2, Elk Creek Condos at Grand Park.
 - b. Exhibit C accounts for twelve (12) residential units where the site plan suggests seventeen (17) new units with two (2) existing units over Ski Broker. These should reflect the same number of units.
 - c. Page 5 of the Declarations defines Additional Property with reference to Rec. Nos. 2019004896 and 2019004895. This definition should be confirmed for relevance.
 - d. Page 5 also defines “Declarant” as Ascent Multifamily, LLC, but the title commitment lists the owner as Ski and Board Broker, LLC. The discrepancy on ownership should be resolved.
 - e. It is unclear whether the commercial units in the Lot will be subject to the condominium structure or are subject to the Declarations regarding interest in common elements or requirements to pay assessments. This should be clarified.
 - f. Common and limited common elements of the Development should be labeled, where practicable, on the plat.
8. The Plat and Site Plan depict that parking, access and utility easements will be on Lot 2 rather than Lot 1. A proposed easement for these features from the Owner of Lot 2 should be provided.
- a. Additionally, the Town Code permits for certain standards of modification to parking space requirements under 19-4-240. If any of these

modifications are the reason for the placement of the parking lot outside of Lot 1B, the Applicant should note such.

9. Applicant has submitted a variance request to increase the height of the development by four and a half (4.5) feet. The request for the variance does not appear to satisfy the criteria required under Fraser Muni. Code 19-1-330(a). Specifically, the cited high groundwater table is not a “unique physical circumstance” as required under the first Criteria. Applicant notes this under the response to Criterion 2, but then cites the building height restriction of this area as a separate reason for this to be considered as a unique circumstance. The fact that other properties along the same highway have different maximum height levels is not the type of quality contemplated by the variance provisions of the Code.
10. Applicant responds to Criterion 4 noting that it is not possible to achieve the allowed density for this site without the variance. However, above in the Background section, Applicant notes that the variance would “reduce[] the size of the building footprint while maintaining the allowed residential density,” appearing to indicate that the permitted density could be achieved with a larger building footprint. Furthermore, being unable to achieve the maximum permitted density likely does not suffice as an inability to reasonably develop in “conformity with the provisions of this Chapter.”

January 6, 2025

Garrett Scott, Town Planner
Town of Fraser
153 Fraser Avenue, P.O. Box 370
Fraser, Colorado 80442

RE: THE ASCENT (SKI BROKER) – FINAL PLAT, SITE PLAN, AND VARIANCE - UTILITY & DRAINAGE REVIEW

Dear Mr. Scott:

Merrick has reviewed the Ascent (Ski Broker) submittal received December 10, 2024. The submittal included a Phase II Drainage Report dated December 2024 and Construction Plans dated November 19, 2024 by Terracina Design, a Major Site Plan dated November 22, 2024, and a Final Plat dated November 6, 2024 by Aztec Consultants.

This letter is organized into two sections as follows:

Section 1 – Drainage Review

Section 2 – Utility Review

SECTION 1 - DRAINAGE REVIEW

We have the following comments to offer related to the drainage improvements.

Phase II Drainage Report

1. On-site stormwater detention is required, including for expansions and redevelopment (Section 3.3.6). Provide for on-site detention.
2. BMPs to address stormwater quality are required (Section 3.3.7). Address the water quality requirement in the site design.
3. Inlet capacity is only one component of storm sewer system design, provide calculations demonstrating no increase in flows to the existing inlet and calculations showing adequate ditch and pipe capacity through both existing/proposed storm sewer systems. If needed, provide additional stormwater detention to reduce peak flows to the existing storm sewer system capacity or modify the existing system to provide adequate capacity. Besides the capacity, also confirm the direction of flow and condition of the storm sewer system along the north/south portion of Johns Drive. Per the Town of Fraser's Stormwater Dashboard, the existing culverts and ditches drain to the south, not to the north, and may not be operating properly.
4. Provide calculations showing sufficient Johns Drive gutter and ditch capacity for outfall at Design Point 2.
5. Review proposed time of concentrations (Tcs) – drainage areas of less than 0.1 acres would not be expected to have Tcs that are longer than the minimum 5 minutes.
6. On the proposed drainage map, the portion of Basin D1 located north of Johns Drive and Basin D1.1 are shown tributary to the existing Johns Drive storm sewer system and temporary sediment



2480 W. 26th Street, Unit B225
Denver, Colorado 80211



Tel: +1 303-964-3333



hello@merrick.com
www.merrick.com

basin. Per the Condos at Elk Creek PA 4W.1 drainage plan included in the PhII drainage report, the Johns Drive storm sewer system, swale, and temporary sediment basin were not designed to have capacity for this additional tributary area. Modify the drainage plan to route runoff from these areas to follow the existing flow path or upsize the downstream drainage system to account for the additional runoff. In addition, the temporary sediment basin will need to be modified to be a permanent stormwater detention pond with water quality treatment.

7. On the proposed drainage map, the area located southeast of the site and south of the existing US 40 paved trail appears to flow to the project site since the trail is higher than the adjacent ground. Include analysis of this area in the Phase II drainage report and plan as offsite tributary area to the project site and to the existing storm sewer system.
8. On the proposed drainage map, label the existing storm sewer system elements (inlets and pipes).

Construction Plans

9. On Sheet 6, show site boundary/proposed lot lines.
10. On Sheets 8 and 9, check the separation between storm and sanitary sewer service lines, show sanitary sewer crossing location on storm sewer profiles.
11. On Sheet 10, verify minimum cover of 18" on storm pipes particularly under paved sections.

Major Site Plan

12. On Sheet 3, there is a second driveway culvert shown. If there is a second culvert proposed, show on other sheets and provide sizing calculations.

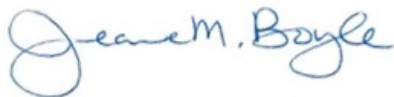
Final Plat

13. Ensure drainage easements include all storm sewer that will be publicly maintained and any detention pond/BMP as required in section 3.3.9. The easements shown do not appear to have been revised to include proposed drainage infrastructure.
14. Identify and label the area/easement located adjacent to the east side of the site since a portion of the proposed improvements is located within this area.

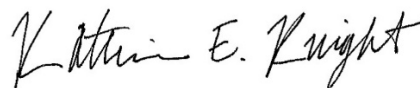
Please let us know if you have any questions.

Sincerely,

Merrick & Company



Jeanne M. Boyle, PE, CFM



Katherine E. Knight, CFM



SECTION 2 –UTILITY REVIEW

We offer the following comments related to the utility improvements.

1. It is recognized that the utilities in Johns Drive have been approved but not yet constructed. It is also recognized that the currently existing sewer and water main are located within the proposed building footprint and have been approved to be removed but are currently still in place and operational.
 - a. Provide the proposed general phasing plan or intended timeframe for existing utilities removal and new utility construction as it relates to the Ski Broker building construction.
 - b. The previously approved utility plan with sewer stub to the proposed Ski Broker building is shown on the current submittal as to remain but not be connected. If this sewer stub out will have no service connection, it should not be constructed.
 - c. The previously approved fire hydrant should include an isolation line valve at the tee and hydrant isolation valve in the street at the tee. (refer to Town of Fraser Code chapter 14, Attachment A-16)
2. Show the water service curb stop (6" isolation valve) on the plan set. The Town preference for larger services is to locate the service isolation valve in the street at the Tee fitting (refer to 14-4-220 (b.8) and 14-3-260 (b.9)).
 - a. Where service lines split to provide separate domestic and fire supply to the building, they shall be valved independently at the property line. (14-4-220 (e.4))
3. Sanitary and Water Construction Notes should include requirements for tracer wire in all new buried utility construction. (refer to 14-4-220 (b.7) and 14-4-320 (b.6))

Please let us know if you have any questions.

Sincerely,

Merrick & Company



Greg Steed, P.E.
Sr. Civil Engineer

Cc: Paul Johnson, Town of Fraser
Alan Sielaff, Town of Fraser



Alan Sielaff

From: Killian - CDOT, Brian <brian.killian@state.co.us>
Sent: Wednesday, December 18, 2024 6:52 AM
To: Alan Sielaff
Cc: Kandis Aggen - CDOT
Subject: Re: TF24-12: The Ascent (Ski Broker) Final Plat, Site Plan, and Variance - 1st Referral Request
Attachments: image001.png; image002.png; image003.png; image004.png; image005.png; image006.png; image007.png; image008.png; image009.png

Caution! This message was sent from outside your organization.

Alan,

Since this development is unlikely to increase traffic by 20% or more at the highway intersection, a CDOT access permit is not required.

If there are any utility impacts or impacts to CDOT ROW, a CDOT special use or utility permit is required.

Disclaimer: CDOT's review is cursory only. Due to the amount of referrals CDOT receives daily, CDOT will not do a thorough review of the traffic studies or any other referral documents until they are formally submitted directly to CDOT. If CDOT doesn't respond to a referral, it does not constitute approval of the referred development.

Thanks,

Brian Killian
Region 3 Access Program Manager
Traffic & Safety



P 970-683-6284 | C 970-210-1101 | F 970-683-6290
222 S. 6th St, Room 100 Grand Junction, CO 81501
brian.killian@state.co.us | www.codot.gov | www.cotrip.org

On Tue, Dec 10, 2024 at 1:54 PM Alan Sielaff <asielaff@town.fraser.co.us> wrote:

Hello,

EAST GRAND FIRE PROTECTION DISTRICT NO. 4

P.O. Box 2967 • Winter Park, Colorado 80482
(970) 726-5824 • www.eastgrandfire.com

Mr. Alan Sielaff,

January 2, 2025

Thank you for the opportunity to comment on *The Ascent (Ski Broker) Final Plat, Site Plan, and Variance*. We have included (attached) a copy of East Grand Fire Districts "Development Review Criteria" for the Town and Developer to continue to reference. Special attention to utility locations, wildfire hazard mitigation, access, and municipal water supply is necessary for the protection of lives and property.

The multiple access points off of the new and existing Johns drive appear to be adequate for the existing Ski Broker building and the new Ascent building. It may be a little confusing as there are 3 roads that converge at this location all with the name "Johns Drive". Possibly consider renaming one of them to eliminate confusion for guests and emergency responders.

The 26ft wide driving isles around the building are satisfactory as well as turn radius for apparatus movements (thank you).

The additional fire hydrant location is good in regard to access from the road and in proximity to the water/riser room (assuming the FDC will be located in that area as well). There is an existing fire hydrant to the northeast corner of the parking lot that we would like to remain accessible and utilize to meet fire flow for this new building.

East Grand Fire has no issues with the variance request for additional height. Please note that additional fire service features (including but not limited to standpipes) are required for structures 4 or more stories in height.

This Structure we be required to be protected by an automatic sprinkler system and alarm system, coverage for this system will include the outside egress corridor / stairs. Please also keep in mind that if the 2 buildings will share the same sprinkler system/ riser, special consideration will be needed for getting the sprinkler line from one building to the other (conditioned chase between buildings or special underground piping with additional inspections) to ensure that freezing of the system can not occur.

The Fire Riser room appears to be in an acceptable location with exterior access. The Fire Alarm Panel and the Fire Department Connection (FDC) placement should be confirmed with the developer and fire district prior to commencement of construction.

Special attention and consideration for landscaping, building materials, and defensible space should be taken to provide for more wildfire resistant buildings and communities.

Thank You,



Ryan A Mowrey
Assistant Fire Marshal
East Grand Fire Protection District

EAST GRAND FIRE PROTECTION DISTRICT NO. 4

**P.O. Box 2967 • Winter Park, Colorado 80482
(970) 726-5824 • www.eastgrandfire.com**

EAST GRAND FIRE PROTECTION DISTRICT DEVELOPMENT REVIEW CRITERIA

Standards and Codes to be used: NFPA, IFC, IBC, IRC, AASHTO, Mountain Parks Electric, and Public Service (Xcel), East Grand Fire Protection District- SOG.

International Fire Code (IFC): 2021
International Building Code (IBC): 2021
International Residential Code (IRC): 2021
NFPA Standards: 13, 24, 25, 101, 299, 1142 (and others-most current)

ACCESS: In addition to: IFC Appendix D, NFPA Standard 299- Protection of Life and Property from Wildfire and the road standards of Fraser, Town of Winter Park, or Grand County.

ROADWAYS: Roads and Driveways shall be constructed and in place before building construction begins. A minimum width 24 ft. road shall be required where either of the following conditions below are not met:

- Access roads with hydrants shall be a minimum width of 26ft. (IFC D103.1).
- Aerial fire apparatus access roads with minimum widths of 26ft. shall be required “where the vertical distance between the grade plane and the highest roof surface exceeds 30 feet” (IFC D105.2).

Roads shall have a hard-all-weather surface sufficient to support 84,000 lbs. fire apparatus. Shoulders to be a minimum width of 4 ft. on each side. Vertical clearance to be a minimum of 18 ft. Maximum grade to be 7 %. Minimum curve radiuses to be 50 ft. measured at centerline or follow the AASHTO geometric designs for highways and streets manual, for Intercity Bus (BUS-45). At 750 ft. intervals Emergency turnarounds for fire apparatus are needed on all roads. (These can be oversized driveways, intersections, or specially constructed areas). No parking is to be allowed along 24/26-foot roadways. “No Parking” signage will be required along both sides of road with required signs provided by the developer. If parking is to be allowed, 9ft. needs to be added to width of road on either or both sides of roadway in addition to signage. Cul-de-Sacs are to be avoided. If unavoidable the maximum length of cul-de-Sac shall be no more than 500 feet. A turnaround at end of Cul-de-Sac, with the continuation of 24/26 ft. road width, shall have 104 ft. minimum outside diameter. Cul-de-Sacs, turnarounds, and shoulders shall not be used for snow storage if it reduces access in any way. To avoid building construction delays special attention should be given to IFC Chapters 33 and 5. Sections 1410, 1412, 501, 503, 505, and 508.

GATES: Gates are to be avoided, but, if necessary, shall be considered on a case-by-case basis. If allowed, the design would need to be approved prior to construction. Gate should consist of a counterweight type barrier that swings completely free of the access when released. A “Click2Enter” or “KNOX” key switch, or another approved device, shall operate the gate electronically.

DRIVEWAYS and ACCESSES: Three homes (dwelling units) or more require a road, not a driveway. The minimum driveway width should be 14 ft. with two 1 ft shoulders, a maximum grade of 7%, an approach or departure angle not more than 8%, and vertical clearance of at least 14ft. If the access or drive extends more than 150 ft. from a roadway there shall be a turnaround adequate for our trucks.

BRIDGES: Require a letter from an engineer with his or her stamp certifying that the bridge meets the requirements of the International Fire Code Section 503.2.6 which requires the bridge to be constructed and maintained in accordance with AASHTO HB 17 “Standard Specification for Highway Bridges.” Appendix D Section D102 (as amended by EGFD) suggests the bridge be capable of carrying the load of 84,000 lbs. Any crossings shall be constructed to the same standards as the traveled way on either side.

WATER SUPPLY:

MUNICIPAL: Reference Appendix B of International Fire Code. Water supplies needed for firefighting would range between 3500 gallons per minute fire flow for three hours (minimum 630,000 gallons of fire protection storage), to a minimum 2500 gallons per minute for two hours (minimum 300,000 gallons of fire protection storage). A minimum water supply of 1500 gallons per minute fire flow for two hours (minimum 180,000 gallons of fire protection storage), will be considered in buildings protected by fire suppression sprinkler systems.

Documentation would be needed that adequate flows will be available from the water system at a residual pressure no less than 20 psi. By installing fire sprinkler systems in all structures any large life or property losses would be avoided and would make the best use of the available water supplies.

Fire hydrants are to be located at least every 500 ft. or as agreed to by the Fire District. Fire hydrant locations and distribution shall be in accordance with Appendix C of the International Fire Code.

For planning purposes, the following may be used. Fire hydrants must meet the requirements of the local water purveyor / water authority or be Mueller Super Centurion 250A-423 or equivalent hydrant having at least one 4 ½ inch NST opening facing the Road. Hydrants are to be installed to the local water authority's requirement. Fire Hydrant installation outside of a Water Authority's jurisdiction shall be required to be acceptable to East Grand Fire District.

The approach to the hydrant is to be a level-walking surface free of obstructions or depressions, at least five feet wide from the center of the hydrant in all directions including the backside. Existing Fire Hydrants can be credited for a new development if the hydrant has at least one 4.5-inch opening, a 6-inch barrel, is in good repair, is appropriately located, has adequate access, has adequate flows, and is not an antiquated Hydrant. If any one of these conditions is not met it will need to be replaced. International Fire Code tables B105.1 and C105.1 provide further guidance on flows and fire hydrant distribution.

RURAL: The acceptable calculated amount of water storage necessary for structural fire extinguishment or at least 30,000 gallons of fire protection water storage which is the minimal creditable amount acceptable to Insurance Services Office.

UTILITIES: Careful consideration should be given to the location of all utilities to avoid interference with fire department operations. Meters, transformers, and gas piping all need to be carefully located to avoid damage from ice, snow, and vehicles. All utility meters shut offs or other equipment that would be attached to the exterior of a building shall be protected from falling ice and snow. Shutoffs need to be readily available.

WILDFIRE: There is Wildfire potential for this project. Normal precautions of maintaining defensible space around buildings, irrigated grass, mowing, minimizing any flammable vegetation, and storing combustibles / flammables away from the buildings would help. Making the exterior walls and roofs non-combustible would certainly minimize the risk. Consulting with I.C.C. Wildland Urban Interface Code is encouraged.

Dennis K. Soles
Fire Marshal
East Grand Fire Protection District

East Grand Fire Protection District

Box 2967
Winter Park, CO 80482

BILL TO:

Ski Broker LLC
PO Box 30
Winter Park, CO, 80442

FROM:

East Grand Fire District
Box 2967
Winter Park, CO 80442

Invoice # 282

Invoice Date: 1/2/2025

Location Ski Broker,
Fraser, CO, 80442

	Address	Inspection Fee (per additional visit)	Total
1/2/2025	The Ascent (Ski Broker) Final Plat, Site Plan, and Variance Request (height) Development Review	\$500.00	\$500.00
Total			\$500.00

REMITTANCE:

Amount Due: \$500.00

Amount Enclosed: _____ **date** _____

Alan Sielaff

From: MPEI Plat Review <mpeiplatreview@mpei.com>
Sent: Thursday, December 12, 2024 5:05 PM
To: Alan Sielaff
Cc: Gittins, Julie K
Subject: RE: TF24-12: The Ascent (Ski Broker) Final Plat, Site Plan, and Variance - 1st Referral Request

Caution! This message was sent from outside your organization.

Hello,

Plat reviews are not meant to be all inclusive, but to determine that there is adequate easement given so MPEI can construct, operate, and provide service. This is a preliminary review without delving into the details of the site. This is not intended to be a complete design. A complete design of electric service will occur when the developer applies for service. There may be additional issues that arise during final design. For more detailed information, please see MPEI's Electric Service Construction Standards.

Please be aware of the following requirements within MPEI's Electric Service Construction Standards (ESCS).

- MPEI requires 20 foot wide easements (10' on each side of centerline) for primary power lines, as installed. (Part of the easement can be in the road if provided for in the plat). No structure (including decks, footers and building overhangs) is allowed closer than 10' from any primary voltage power lines or within ten feet (10') around any equipment. Water and sanitation districts require a minimum of ten feet (10') separation to parallel power lines. MPEI requires five foot (5') separation to parallel gas lines (main or services) and one foot (1') separation to communications.
- For secondary lines, MPEI requires 10 foot wide easements (5' on each side) and must be 5 feet from any parallel utility line or a building.
- Meters must be located under a permanent structural element that protects the meters from falling snow and ice and extends a minimum of 2 feet past the side of the meter. Meters must be a minimum of 2 feet from windows, doors and vents and a minimum of 3 feet from a gas regulator. There cannot be any vents above a meter.
- No grade changes (fill or cut) in excess of six inches (6") are permitted in the utility easement without prior written authorization from mountain parks electric, inc.
- No trees or boulders may be planted or placed within five feet (5') of any power line or electric equipment. All equipment will have a minimum of ten feet (10') of clearance in front of any openings or equipment doors.

More information about MPEI standards is available online at

[https://mpei.com/sites/default/files/2024%20Electric%20Service%20Construction%20Standards%20New%20Logo%20\(1\).pdf](https://mpei.com/sites/default/files/2024%20Electric%20Service%20Construction%20Standards%20New%20Logo%20(1).pdf)

Below is a list of some specific concerns with the plat and construction drawings.

- 1) MPEI has existing Fiber along Victory Rd. Please document all existing roads, utilities, and easements in all lots including lot 2.
- 2) Oxbow Court and existing electric infrastructure in the South West corner of lot 2 are not shown on the plat. Please show all existing roads, utilities, and easements in all lots including lot 2.
- 3) Developer must supply a color coded utility plan including sewer, water, electric, gas and storm sewer.
- 4) Please add proposed meter location on the building(s) in each elevation.
- 5) Any utility drawings developed during the Preliminary Plat process will be helpful and used for guidance. MPEI will provide the final electric design.
- 6) The developer will be responsible for surveying all primary power lines, equipment locations and service lines in the field. Any problems that need to be resolved during the building phase will be at the developer's cost.

Thanks,

Nick Curran

mpeiplatreview@mpei.com
970-281-0344



321 West Agate Ave • P.O. Box 170, Granby, CO 80446-0170 •
970.887.3378

We are owned by those we serve.

From: Alan Sielaff <asielaff@town.fraser.co.us>

Sent: Tuesday, December 10, 2024 1:51 PM

To: Paul Johnson <pjohnson@town.fraser.co.us>; Michael Brack <mbrack@town.fraser.co.us>; Lucas Seffens <lseffens@town.fraser.co.us>; Jeff Lunde <jlunde@town.fraser.co.us>; Brad Rome <brome@town.fraser.co.us>; Cathleen Brown <cbrown@town.fraser.co.us>; Kent Whitmer - The Whitmer Law firm, LLC <kent@whitmerlawfirm.com>; Greg Steed <greg.steed@merrick.com>; Jeanne Boyle <Jeanne.Boyle@Merrick.com>; Dennis Soles <dsoles@eastgrandfire.com>; Ryan Mowrey - East Grand Fire Protection District #4 <rmowrey@eastgrandfire.com>; brad.ray@egsd.org; MPEI Plat Review <mpeiplatreview@mpei.com>; 'julie.k.gittins@xcelenergy.com' <Julie.K.Gittins@xcelenergy.com>; Brian Killian - CDOT <brian.killian@state.co.us>; Andy Newby - Comcast <Andy_newby@comcast.com>; Shelly Bergstrom - Lumen <shelly.bergstrom@lumen.com>; Meara McQuain <meara@headwaterstrails.org>; Scott Ledin- Fraser Valley Recreation Metropolitan District <scott@fraservalleyrec.org>; Michael Koch - Transit <transit@wpgov.com>

Cc: Garrett Scott <gscott@town.fraser.co.us>

Subject: [External] TF24-12: The Ascent (Ski Broker) Final Plat, Site Plan, and Variance - 1st Referral Request

Alan Sielaff

From: Gittins, Julie K <Julie.K.Gittins@xcelenergy.com>
Sent: Friday, December 13, 2024 11:24 AM
To: Alan Sielaff
Cc: mpeiplatreview@mpei.com
Subject: RE: TF24-12: The Ascent (Ski Broker) Final Plat, Site Plan, and Variance - 1st Referral Request

Caution! This message was sent from outside your organization.

Alan,

Good morning!

Xcel has reviewed the documents provided and has the following comments/concerns. Although some aspects of design may be brought up in the response below, this plat/site plan review is not meant to be a design and is only to determine if adequate room is being given to meet required clearances. The final design will be done once the application is received upon recording of the final plat.

- There is a gas main that can be tapped into off of Johns Dr to serve the two new buildings that is not noted on the utility plan.
- A colored utility plan showing all existing gas main and proposed gas service lines to the new buildings needs to be provided.
- The elevation plans did not show the proposed meter locations. In order to accommodate a meter bank that would provide individual meters for each unit, a significant amount of wall space will need to be provided that follows the requirements below. If that can't be done a master meter would need to be installed and the HOA would need to sub-meter each unit.
- The plat does not reflect all existing roads. Please update.

Meters must be placed under an engineered gable on a **non-drip edge on the front third of the structure** in an **easily seen and accessible location** per Xcel standards Section 4.3, under number 3, page 33. ***"Note: Due to excessive snowfall, ice and snow shields will not be permitted in the following Colorado counties: Grand, Eagle, Lake, Park and Summit. Meters shall be installed on the gable or non-drip side of a building or in an approved remote location from the building or structure in these counties."*** [Xcel Energy Standard for Electric Installation and Use \(Blue Book\)](#)

- No vents or anything electric can be above or beside the meter/ meter bank: min clearance of 3' (electric) and 6' (vents).
- Meters must be a minimum of 3' from any opening.
- Gas Risers cannot be encased in concrete or asphalt. They must be sleeved.
- Meters must be in a protected area from vehicle damage and snow. Bollards may be required.
- Meters must be a minimum of 4' from and drip or adjacent drip and could be more for three or four stories.

Per Xcel standards- A building is only allowed one point of service unless the lot has been formally subdivided and each unit will have no intermingling of pipe between units or proposed units, each unit must have an entrance and an egress, and the Authority of Jurisdiction must approve the installation. See section 4.1 Services in the Xcel Energy Standard for Electric installation and Use (blue Book)

In order to meet the clearance requirements from other utilities, the following guidelines must be adhered to:

- There must be 5' between electric and gas service lines as we cannot joint trench.
- Gas lines must be a minimum of 10' away from water/sewer and **fire hydrants**.
- Service lines must be a minimum of 5' away from the foundation laterally.
- Structures must be a minimum of 20' from each other if gas and electric meters are going to be placed on the same side or across from each other to allow for required clearances.
- No back lot installation
- Xcel does not sleeve under roads for service laterals (if applicable) for future build out.
- Xcel avoids installing under asphalt, with the exception of gas service lines for crossings.
- Gas lines cannot be under heated driveways or walks.
- No trees, boulders or **retaining walls** over or within 5' of any gas line.
- Trees or bushes cannot be used to block or screen a meter.
- No fences within 5' of any gas line.
- No decks, footers, structures can be installed inside the utility easement.

It does not appear that any of PSCo/Xcel's UE language has been included in the notes on the plat. There is existing gas main running through Lot 1 that is not noted on the plat or utility plan. The following will need to be added.

Easement Language (to cover existing gas main): To ensure that adequate utility easements are available within this development, PSCo requests that the following language and plat note be placed on the preliminary and final plats for the lot/subdivision:

*Ten-foot (10') wide dry utility easements are hereby dedicated on private property adjacent to the front and side lot lines of each lot in the subdivision or platted area identified as **single-family lots**, and around the perimeter of each **commercial/industrial and multi-family lot** in the subdivision or platted area including tracts, parcels and/or open space areas. Fifteen-foot (15') wide dry utility easements are hereby dedicated on private property adjacent to all public streets and side lot lines abutting exterior plat boundary lines. These easements are dedicated to the City/County for the benefit of the applicable utility providers for the installation, maintenance, and replacement of electric, gas, television, cable, and telecommunications facilities (**Dry Utilities**). Utility easements shall also be granted within any access easements and private streets in the subdivision. Permanent structures, improvements, objects, buildings, wells, water meters and other objects that may interfere with the utility facilities or use thereof (Interfering Objects) shall not be permitted within said utility easements and the utility providers, as grantees, may remove any Interfering Objects at no cost to such grantees, including, without limitation, vegetation. Public Service Company of Colorado (PSCo) and its successors reserve the right to require additional easements and to require the property owner to grant PSCo an easement on its standard form.* WITH RESPECT TO THE UTILITY EASEMENT GRANTED HEREBY, NO STRUCTURE OR FOUNDATION SHALL BE ALLOWED CLOSER THAN FIVE FEET (5') AROUND ANY UNDERGROUND LINES. NO OTHER UTILITY LINE (WHETHER WATER, SEWER) SHALL BE ALLOWED CLOSER THAN TEN FEET (10') FROM ANY UNDERGROUND LINE. NOT WITHSTANDING THE FOREGOING, UNDERGROUND COMMUNICATION FACILITIES AND ELECTRIC SHALL NOT BE ALLOWED CLOSER THAN FIVE FEET (5') TO ANY GAS LINES AND ABOVE GROUND COMMUNICATION FACILITIES SHALL NOT BE CLOSER THAN FIVE FEET (5') TO ANY UNDERGROUND FACILITIES. NO GRADE CHANGES (FILL OR CUT) IN-EXCESS OF SIX INCHES (6") ARE PERMITTED WITHIN TEN FEET (10')

OF ANY UNDERGROUND LINE WITHOUT PRIOR WRITTEN AUTHORIZATION FROM PSCO. NO TREES OR BOULDERS MAY BE PLANTED OVER DISTRIBUTION OR SERVICE LINES AND MUST BE A MINIMUM OF 5' AWAY.

The following Non-Exclusive plat language for PSCO/Xcel must be included on the final plat to cover the meter bank:

EACH TOWNHOME, DUPLEX, MULTI-FAMILY OR MULTI-USE BUILDING ON THE PROPERTY SHALL HAVE GAS METERS ON THE GABLE END OF ONE (1) END UNIT ("GAS METER BANK"). DEVELOPER, FUTURE HOMEOWNER, OR METRO DISTRICT HEREBY GRANTS TO XCEL (PSCO) A NON-EXCLUSIVE UTILITY EASEMENT FOR (I) ONE GAS METER BANK ON THE END OF ONE (1) END UNIT PER BUILDING AND (II) ALL OTHER THINGS REASONABLY NECESSARY TO CONSTRUCT, INSTALL, MAINTAIN AND OPERATE SUCH GAS METER BANK ON EACH OF THE BUILDINGS (THE "GAS METERING EASEMENT"). ALL LINES AND OTHER FACILITIES RELATED TO SUCH GAS METER BANK, SUCH AS METER RISERS (BUT NOT INDIVIDUAL GAS METERS), SHALL BE THE PROPERTY OF THE DEVELOPER. ALL GAS METERS USED FOR SUCH GAS METER BANKS SHALL BE THE PROPERTY OF XCEL (PSCO). ALL OF THE FOREGOING RIGHTS AND BENEFITS OF XCEL (PSCO) WITH RESPECT TO THE GAS METERING EASEMENT SHALL BE BINDING UPON AND SHALL INURE TO THE BENEFIT OF SUCCESSORS AND ASSIGNS

PSCO also requests that all utility easements be depicted graphically on the preliminary and final plats. While these easements should accommodate the majority of utilities to be installed in the lot/subdivision, some additional easements may be required as planning and building progresses.

- Reinforcements to the gas system may be needed to accommodate the additional load being requested, which will be at the developers cost. Total load information will need to be provided upon application so a capacity check can be done before that can be determined.

-The developer must survey/locate any existing gas lines prior to excavation. Any relocates must be applied for and will be at the developers cost.

Please note – this is not a final assessment of what the new service request will entail. There may be additional things in the field I cannot see. Once an application has been submitted to XCEL, upon final recording of the plat, we can start the full design process and identify the scope of work that will need to be done for this request.

Have a great day!

Julie Gittins

Xcel Energy

Design Planner, Mountain Division
583 E. Jasper Ct., PO Box 528 Granby, CO 80446
C: 970-409-7613
E: Julie.K.Gittins@xcelenergy.com

Direct Supervisor: Kyle.C.Alsup@xcelenergy.com

My Office Hours: Tuesday thru Friday, 6:00 – 4:30 pm