

**Planning Commission Subdivision Pre-Application Staff Conference  
Meeting Minutes  
April 20, 2023 - 6:30 pm**

This informal staff-led conference is a requirement of Ordinance 170 Article XI Subdivision of Land in the Town of Empire. It is intended to determine if the proposed subdivision is major or minor and to determine if the Sketch Plan and Plat Application is complete and ready to submit to the Planning Commission for consideration and approval.

**In attendance:**

Wendy Koch, Mayor; Sally Rush, Planning Commission Chair; Eileen Wheelock and Denise Tennant, Planning Commission Members.

Jeannette Piel, Town of Empire Clerk; Lisa Kunze, Town of Empire staff.

Jeremy Jones, Clear Creek County Fire Authority

Andre Suissa, Property Developer

Alan Wolff, Custom Home Builder

On Zoom: Justin Suissa, Co-Developer

**General Procedures: Pre-Application Conference**

**2.2.1**

- a. **The subject parcel: Its size, location, and accessibility.**
- b. **The proposed development: The type of development proposed and the configuration of lots, blocks, streets, utilities, and other improvements on the subject parcel.**
- c. **Proposed intensity of the use of the subject parcel; Type and amount of public facilities likely to be required by the development, method of providing the same.**
- d. **The location, type, and method of maintenance of open space, public improvements, communal areas, and facilities.**
- e. **Proposed contouring and landscaping.**
- f. **Proposed internal circulation system and parking areas.**
- g. **Policy considerations: The Town of Empire Master Plan, relevant policies, and constraints and opportunities involved in the use of the subject property, the permit process set forth in this ordinance, evidentiary requirements, and other applicable provisions of the Master plan, applicable county regulations, and state law.**

Sally Rush, Planning Commission Chair, called the conference to order at 6:38 pm. Jeannette asked participants to introduce themselves.

**Documents:**

Outline of the subdivision process per Ordinance 170.

1. Article X/2.2 (Pre-Application conference)/2.2.1 (Topics to be discussed.)
2. Developer West Fork Village Sketch Plan package (14 pages.)
3. Empire 2023 Water and Sewer Fee Schedule information.

**2.2.1**

**a. The subject parcel: Its size, location, and accessibility.**

The developer's West Fork Village sketch plan was presented for this discussion.

REF. 4.1 (e) Sketch plan, table "Proposed Subdivision Development Area."

- The subject total parcel size is 10.1 acres (63% open space).
- The size of the development itself is 3.728 acres.
- Minimum 4,800 square foot per lot meets the town's code.
- Lot size of 21 lots listed.
- Proposed building coverage is 21.1% of the building area (3.728 acres.)
- Example using small lot 19:

*TOTAL AREA OF SINGLE FAMILY ROW Easement*  
*3.123 acres*

Example:	Lot Size	4,815 sq ft	
	Footprint of Home	1,440 sq ft	30% of lot coverage
	Open Space	3,375 sq ft	1,500 sq ft required

- Chart 4.1 (n) and Chart 4.2 location on zoning map.
- Two roads with cul de sacs into the subdivision.
- Accessibility is off Ball Street (9 lots) and S. Cowles (12 lots). Mountain Avenue was too steep.
- NE corner has pre-existing easement, the road is now narrower: services to homes past development. Croke dedicated them as an easement to his neighbors for access.

**b. The proposed development: The type of development proposed and the configuration of lots, blocks, streets, utilities, and other improvements on the subject parcel.**

- The proposed subdivision is a MAJOR subdivision per Ordinance 170 sections ,2.2.3 and 2.3.3.
- The developer proposes single story structures with 1 or 2 car garages.
- REF. contour map C2.1. Shows lots, blocks, and streets.
- Streets will not exceed the 7% grading maximum. Grading plan is the next step for their engineer and surveyor.
- Road material discussed. Dirt with compactable gravel. Millings. Asphalt.
- Road width details:

Two 10-ft lanes	20 feet
Two 2-ft shoulders	4 feet
Two 8-ft easements	16 feet
<b>TOTAL WIDTH</b>	<b>40 feet</b>

- The developer shared Clear Creek County's Road plan drawing on Zoom.
- Easement on Cowles Street on Drive West, first segment, will be a swale.
- Neighbor encroachment is concerned about the deck. Discussion reflected that this concern will not impact current road plan. The road will be straight.
- Clear Creek County Fire Authority says cul de sacs are adequate in 40 ft width, which includes easements.
- Utilities and public facilities plan:

Xcel electricity power lines	Underground	
Communicate lines	Comcast, underground	
Natural gas lines	Underground	
Telephone lines	Within Comcast	
Municipal Water	System adequate	CCC Fire Authority says 6" to 8" lines are acceptable for hydrants.
Waste Water	Sewer capacity adequate	

- The municipal water line from Cowles Street Drive West to cul de sac, between lots to Drive East, and then north to Ball Street.
- Waste water line one starts at Drive West cul de sac going north to Cowles Street. Waste water line two starts at Ball Street going south on Drive East to cul de sac. New manhole at southeast end of Drive East cul de sac. Drains south.
- The developer said a 20 ft sanitary easement is proposed, which will be a dedicated easement to the town.
- Waste water 10" lines ties into the town sewer plant.
- Water meters will be required.
- Drainage issues will be provided on future engineering plans.

**c. Proposed intensity of the use of the subject parcel; Type and amount of public facilities likely to be required by the development, method of providing the same.**

- Road Dedications: Drive West + cul de sac; Drive East + cul de sac; and additional northeast piece of Ball Street. Dedication will be set by an agreement between developer and town and will not be turned over to town until site work and infrastructure are complete.
- The developer will create a communal area of Tract A in the northeast corner of the property.
- 10 ft emergency access walking trails will connect Drive West and Drive East through the middle of development, location TBD. The developer proposed also dedicating this to the town.
- Streetlights will be discussed further.
- Water sources are from town well and Mad Creek. Water delivery lines are at least 6 to 7 ft deep to prevent freezing in the winter.
- The sanitary easement will be dedicated to the town.

**d. The location, type, and method of maintenance of open space, public improvements, communal areas, and facilities.**

- Town provided information on water and sewer and tap fees.
- Trail between lots 17 and 18 to the creek.

**e. Proposed contouring and landscaping.**

- The rock walls will be at the Drive East cul de sac and behind lot 11 and lot 4.
- Consideration of low water usage in landscaping.
- Fire Authority provided discussion on defensible space requirements: to consider number and placement of trees as well as building materials.
- Thoughts regarding new energy and fire codes as they become more restrictive need to be part of the conversation moving forward.
- Developer plans to address the fire issues to stay ahead of codes.
- Fire Authority initial comments were that it meets a good plan from the town perspective.

**f. Proposed internal circulation system and parking areas.**

- Each house has a 1 to 2 car garage.
- Street parking restrictions may be considered as plans progress.
- Town ordinance limits parking not to exceed 72 hours in the same spot.
- Developers may designate a staging area for excavation of rocks.

**g. Policy considerations: The Town of Empire Master Plan, relevant policies, and constraints and opportunities involved in the use of the subject property, the permit process set forth in this ordinance, evidentiary requirements, and other applicable provisions of the Master plan, applicable county regulations, and state law.**

- Developers would like a list as plans proceed of any architectural preferences, covenants or restrictions that may be considered.
- The Town informed there may be future impact fees in the development process.
- The developer wants to meet policy considerations for the Town of Empire per Ordinance 170, and state law.
- Town mentioned impact fees that may be part of the building permit process.
- 21 houses are adding around 10% to our current building numbers.

Conclusion of the pre-application conference is that staff and the planning commission need to review pre-application conference minutes to determine if it is timely to include the sketch plat and plan in the April planning commission meeting.

Empire officials will meet on Tuesday, April 25 at 1 pm and will decide by 5 pm on Tuesday for the developers and to post an agenda 24 hours before the April 26th planning commission meeting.

The conference ended shortly after 9 PM.



(Planning Commission Chair, Sally Rush)



(Town Clerk Jeannette Piel)