

Empire Planning Commission Regular Meeting Agenda

July 27, 2023 ~ 6:30 pm

Remote Meeting using the Zoom Platform. Meeting ID: 867 4955 4586 Passcode: 664748

<https://us02web.zoom.us/j/86749554586?pwd=aXRZY1B5NnJqOXJCSHRDRXJmUEExSUT09>

*If you would like to address The Planning Commission at this meeting, please place your name on the sign-up sheet or indicate that through the chat function on the online Meeting Platform. You will be recognized to speak during the "Public Comment" portion of the agenda. Discussion is limited to 5 minutes and please state your name and address your comments to the Planning Commission. Thank you for your cooperation.*

1. **Call to Order**
2. **Roll Call** – The Empire Planning Commission requires a simple majority of three commission members present at the meeting for a quorum.
3. **Approval of Agenda**
4. **Approval of the Minutes** – June 28, 2023 Planning Commission and Board of Adjustment Minutes & Attachment
5. **Avoriaz, LLC / West Fork Village, LLC** – Continued Review of updated Sketch Plan
  - a. Chair summary of activities to date & instructions to the PC members
  - b. Staff Report
  - c. Planning Commission review of updated Sketch Plan to determine if it meets the requirements of Article XI, Section 4 and to suggest to the subdivider whatever changes, if any are recommended in the plat and plan.
  - d. Public Discussion
  - e. Determination to move forward to Preliminary Plan.
6. **PC Members Education** – Empire staff & elected & appointed officials training introduction
7. **Harmony Domes** – Development Permit checklist discussion
8. **Public Comment:** Public comment is limited to 5 minutes per person. The Planning Commission does not respond to questions during this time. For operational questions, please email the clerk.
9. **The Next Regular Meeting of the Empire Planning Commission is August 30, 2023, at 6:30 pm. In-person with remote access**
10. **Adjourn Meeting**

  
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(Planning Commission Chair, Sally Rush)

  
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(Town Clerk Jeannette Piel)

**Town of Empire**  
**30 East Park Avenue/P.O. Box 100 Empire, Co 80438**  
**303.569.2978 - 303.569.2282 fax**

**Empire Planning Commission Regular Meeting Minutes**  
**July 27, 2023 ~ 6:30 pm**

1. **Call to Order** - Chairperson Sally Rush called the meeting to order at 6:34 PM. The meeting was held in person and remotely through Zoom.

2. **Roll Call** – The Empire Planning Commission requires a simple majority of three commission members present at the meeting for a quorum.

**Present:** Chairperson Sally Rush, Mayor Wendy Koch, Eileen Wheelock and Denise Tennant. Also in attendance were Chief Andrew Lorenz and Clerk Jeannette Piel.

**Absent:** Lon Fulton

3. **Approval of Agenda** – Administrative changes to the agenda included:

- Regular not Supplemental
- Add Call to Order and re-number
- Add Planning Commission to 5c
- Add Public Discussion as 5d
- Change 5d to 5e
- Replace “volunteers” to “elected and appointed officials”
- Change date of next meeting in #9 to Aug 30, 2023

**WHEELOCK MOTIONED TO APPROVE THE AMENDED AGENDA FOR JULY 27, 2023, TENNANT SECONDED THE MOTION, CLERK PIEL CONDUCTED A ROLL CALL VOTE, ALL WERE IN FAVOR, MOTION PASSED.**

Agenda was approved as amended.

4. **Approval of the Minutes** – June 28, 2023 Planning Commission and Board of Adjustment Minutes & Attachment

**MAYOR KOCH MOTIONED TO APPROVE THE MEETING MINUTES FOR JUNE 28, 2023, WHEELOCK SECONDED THE MOTION, CLERK PIEL CONDUCTED A ROLL CALL VOTE, ALL WERE IN FAVOR, MOTION PASSED.**

The June 28, 2023 PC Meeting Minutes, including Attachments, were approved.

5. **Avoriaz, LLC / West Fork Village, LLC** – Continued Review of updated Sketch Plan. Clerk Piel explained the Sketch Plat and Plan was “continued,” meaning at this meeting tonight the Planning Commission can resume at the point where they stopped in the previous meeting and continue their discussion. The changes that were presented at the last Planning Commission meeting were not substantial enough to warrant a new sketch plan, however, the subdividers did update the documents in the Original Sketch Plan to reflect these changes.

- a. Chairperson Rush provided a summary of activities to date and provided instructions to the PC members:

The sketch plan presentation by the subdivider has been reviewed by Empire staff and will be reviewed by the Planning Commission to determine if the conditions required in Ordinance 170 are met. Attachment A will be the document to use in addressing issues from the Staff Report, members discussion, and public input.

b. Staff Report

The Staff Report was presented by Clerk Piel and read into the record for consideration of the Sketch Plan. Each Empire department provided reports to staff and the Report presented is a summarization of the findings. The Report is attached to these minutes.

c. Planning Commission reviewed the updated Sketch Plan to determine if it meets the requirements of Article XI, Section 4 and to suggest to the subdivider whatever changes, if any, are recommended in the plat and plan.

d. **TO THE MEMBERS OF THE PUBLIC:** Please do not save any comments about The Sketch Plan in Agenda Item 8 for the general public comment at the end of the meeting. The Planning Commission always allows the public to comment on each agenda item when appropriate, and this is your opportunity to discuss the subdivision, so please do not save any related comments for the end of the meeting.

e. Planning Commission discussion:

- Water and Sewer Capacity. Information to the Town regarding capacity as provided by Ramey, the Town's Water Operators, has supported that water capacity is more than adequate. Clear Creek County's average population in a single family home is 2.1. These homes will be 2 or 3 bedroom houses. The Preliminary Plat and Plan process will include more detailed information to be vetted by engineers, operators, and other experts for both water and sewer capacity and infrastructure.
- Single Story housing restrictions will be addressed during the Preliminary Plat and Plan. The Developer is in agreement to have houses that are single story from grade. The way to achieve this in perpetuity will be worked out as part of the next step.
- Current site plan is using the updated FEMA 100-year flood plan boundaries.
- Chairperson Rush expressed interest in learning more about the Developer's insights on Cowles street, acknowledging it is not required at this phase but invited the following discussion:

f. Drew Schneider from Insight Engineering, Inc. is helping with the design of the grading plan of roads and lots and utility infrastructure. After Variance was withdrawn, they came up with this new plan to address citizen concerns and issues up front. (Purrington Civil LLC for this set of plans.) Schnieder provided the following comments:

- Both roads will be 50 ft ROW, deeded to the Town. Surface to be determined, will be up to multi-vehicle standards. Cowles entrance off Drive West Road will be at least 29 feet from the edge of the house on the disputed property, so the setback of 10 ft has been met.

- Drainage on property will be regulated by detention basins (2 so far) to collect and detain errant flush flows with torrential rains and collect water flow and sediment/silt mitigation into the creek. The developer will install a culvert at the entrance off Cowles. They want to discuss the runoff from Hwy 40 onto Cowles with the Town. They plan to regrade, slope, and re-surface Cowles, and install a swale and/or drainage ditch in the ROW.
- Ball Street will be addressed by the same professional procedure although it is not as challenging as Cowles St. conditions.
- The driveway easement off of Ball Street will go from multi-use to single standard.
- Grading a road requires some earth disturbance; roads will be graded at 7%. The houses on a steep grade will have full basements with a single story house to minimize the need for additional grading and retaining walls.
- Rush reminded everyone that the town is working on a road manual for design and construction specifications.
- The path between West St. and East St. will contain the water line that connects the homes on West St. and East St. to create a looped system. This "path" will become the easement for the water line and an 8-foot walk from East St. to West St.
- They also plan a path from the Ball Street Cul-de-sac down to the river.

The members discussed all items on Attachment A and Chairperson Rush again emphasized that all additional information is included in the move forward. The issues and concerns brought up and addressed by the Developer's engineer, the members of the Town and Planning Commission, and the public will be subject to review and reporting by professional consultants, engineers, and other experts required. It is the responsibility of the Planning Commission to consider the issues of the Sketch Plan according to ordinance and to gather information to be applied during the next process.

#### g. Public Discussion

**Robin Raulf-Sager:** Appreciated the mention in the staff report that the 2000 Master Plan accommodated more growth, but still has the issue that getting to 697 in one year is not small growth.

**Allen Fistell:** Asked Developers to clarify if they moved the road 29 ft, then an extra 10 ft from his back porch. If you look down 39 ft to Cowles, how far down from Cowles will you be connecting the road? Are you readjusting the road on Cowles to make it more steep?

The Developer showed Allen the next plans. **ENGINEER:** road slides down Cowles and is on grade with Cowles. Not adjusting the grade.

Allen responded he does not think it's possible to connect the road to make it under 7%, the grade will be too steep to connect there. **ENGINEER:** since the road is already 29 ft from the disputed property, there is no additional setback.

The developers put in another Sketch Plan that is vague, he does not think the Sketch Plan is correct enough to vote on.

**Lyndy Modesitt:** First, she recognizes how hard the staff and planning commission are working, with good intentions for the town. However, it takes a lot to catch up because the public doesn't get the information until the day of the meeting. They need the information so they can adequately prepare. The Master Plan has been used for many comments. At one point, it was recognized that the Ordinance was excessive. At another meeting, the Master Plan was mentioned. She heard bias in the staff report, from water to sewage, to being in alignment. With 200 signatures against the development, the town wants fiscally sound growth that protects the beauty of the town.

She questioned why none of the town's comments have been integrated into the Staff Report. This land is gold, they had a vision – Judy Morris, Rob Morris – had a vision to protect it from development such as this. In what way, they get bypass after bypass: they can say the Fire Chief supports the development when the Fire Chief came back and said he never said this, no accountability. She is confused. How are they getting a pass. They aren't getting the information fast enough. Now you're going to vote on it, and bypass what is wanted by the town. She heard no town comments. Six voting on protecting the beauty of this town. Are you representing the people or are you representing the developer?

**Jacob Belcher:** Addressing the Staff Report on fire insurance: he contacted Bobby Bakka, Director of Property Casualty for DORA and he would like staff to provide an expert that is above her. She said there are multiple factors impacting fire insurance. Growth must pay its own way Article 11 Section 4. 1) One exit point, roof lines as close as 6 ft. The Developer should contact the top 10 insurance companies to provide this assurance. We do not have enough information to make a decision tonight. 2) The development must harmoniously incorporate with the town. Where else in town does anything look like this? There are no cul-de-sacs, no curves; we have straight streets. Doesn't look like the rest of the town, so why are we considering it. Tired of our voices not being heard.

**Linda Robertson:** Not here as a board member, is a concerned citizen. Agree with what Jake said because she had to change insurance companies after the Superior Fire. They no longer insure mountain towns. Fire Insurance is already harder to get, this will not help. Question about Cowles street: Her property is downhill. Is 17% grade or more, and you want to put a street off of that. How do you do that without preventing a cliff and people from sliding into her driveway? Homes spaced 10 ft apart poses fire risk: need to change ordinance to address these fire dangers. She does not trust the developer. Are they replacing the clay sewer pipes? We don't have meters to monitor our water, we will have a problem. Adding at least 10% and don't have meters; the new well hasn't been tested. It's brand new and we don't know how well it will do. Please no on the asphalt millings. Having the trail will encourage people to walk on private property on a daily basis. They are the neighbors, the easement is for maintaining the sewer, not for general public use. How can we say they have our best interests in mind when it clearly goes against the Town Mission Statement.

**Randy Wheelock:** He's not for or against the subdivision, he wants to comment on process. Earlier the town said we are working to make sure the project achieves compliance. The Town's job is to determine whether it meets compliance, not to help it achieve compliance. Be careful putting anything off until the next step, every step is an encouragement to the

developer. You cannot make assertions, without authority, that they will be going by the 2015 building codes. You don't know that because they haven't submitted building plans yet. When they apply for building permits, the code that's in effect at that time is the one that they have to go by. So you can say you think that is the codes they will be using. He believes State law may require the town to update its building codes to within three years of the most recent code, before the developers have approved building plans. We need to be careful that what we say doesn't sound like a commitment. The Town road revisions, who is paying?

**Peggy Hubner:** We care. Congrats Bucklands on a new granddaughter. We worry. 1. Density: if 1500 sq ft of open space, with a dog or a child, and a swing set, or outdoor pool, creates a small area. 2. Rethink recycled asphalt. Our carpet has been ruined due to this on our road. 3. Take a look at the 5 new multi-million dollar homes in Georgetown that are closely set on properties with rocks as yards for an example of density.

**Joy Chandler:** How many feet between houses 13 and 14? They say a minimum of 10 ft. Will not be 6 ft but 10 ft minimum. That's twice the length of her arms which sounds uncomfortable.

**Terry Gray:** He has lived in Empire for 48 years, was on the Volunteer Fire Department, and was Town maintenance. This development of 18 houses is not a good idea. Does not fit in a small-town atmosphere. In a previous meeting, there was a traffic impact study done that said there is not a heavy impact on traffic. With 10 more houses and their cars going by his house will have an impact, raising more dust. Question on snow removal, it is easier to push snow downhill. He lives downhill. He appreciates our jobs, asking us to raise the voice of the residents and don't let these developers overcrowd our small-town community.

**Bob McGurk:** waited to the end to allow the neighbors affected by the development. The questions have remained the same since the beginning, and the lack of clarification since the beginning on elevation and road grades. The road grade drawings are 2-dimensional and do not show how high the cutaway or the riprap for drainage, which is usually preliminarily done so the drainage is shown in a more reasonable way than proposed. NOW seems the proper time for the board to listen to these questions and have them answered, otherwise the time is wasted for the developers to find a plan that is objectively reasonable by the board. The developers are asking beyond reasonableness for us to accept this novel plan for this town and even the four corners of the plan have so many intangibles that have not been worked out. Development is not a bad thing; we've been through it numerous times. The redundant fact is that these houses aren't seen in elevation in proximity to each other, we came from 6 ft to 10 ft between houses, that's crammed.

**Larry Modesitt:** His property abuts proposed house #11. He asked what is the contour interval? The Engineer responded with 2 ft. Larry said it's good they tried to be accurate because they need to show the hill. Right now there is no drainage into property: the only flooding was frozen pipe from town meter installation. They prefer the hill remains a hill. Wonders how you do something about this. Once you get to the street the detention ponds will help. How do you answer that? The Engineer said the berm or swale at Ball Street will be addressed in the preliminary plan. It's prohibited to have drainage from one property to drain

onto another property. That will be mitigated. Larry said he will hold them to it.

The Engineer responded that he appreciates the comments and has notes. Acknowledged this is a government process. This Sketch Plan phase is the basic requirements. The next phase is quite intensive, with radon reports and much more once they get to the Preliminary Phase. He's an engineer. He doesn't sign off on things that are not right. He's spent time in courtrooms, as a witness to what could have been avoided if mitigated. The previous owner, the planner they've hired, is very particular about his developments. He had a similar time in Crested Butte, but after the process, it is being used as an example of how you deal with topography issues.

The initial sketch plan had 21 lots and is now down to 18. They might lose another lot or 2 in the next phase. This is a Sketch Plan. He hears the comments. The goal is to make this a good subdivision that people are proud of, and help people move here. It is sad to him that they don't reroute Hwy around Empire to help with that. Thank you for your passion, he as an engineer will address them with a design.

The Planning Commission Chair announced a 5-minute break.

Public Comment on Zoom:

**Corey Novak:** 1. Appreciated what was said about the impact on the neighbors. These developers are just parents, great, they're family men but this doesn't have any impact on them. We all see they just want to make money. How can we say we have a town of 350, with 200 signatures and we'll get everyone to sign it, when everyone fears for their safety and resources? They've had CBT therapy, what are the chances we'll run out of water, people driving too fast with dust etc.

She believes the developers are only financially motivated. Are the politicians the ones who benefitted from their development in Crested Butte; what do the people say? They asked questions of that community, but it is not celebrated, what Alan built there.

Questions: 1. talk about burying power lines, do they need neighbors' consent to dig on her property for power lines? 2. Proposition for planning committee, to ensure single layer, can they donate the empty space to us, nothing to stop them from building on it? 3. Keeps in line with a small, mountain community. We said 18 houses is slow and controlled. This is the largest and fastest growth; Habitat was 7 houses. Where is this determination? 4. Dark Sky community, all those houses will not keep dark skies, need to develop along Hwy 40, this isn't that. We will be displacing the deer who live there.

She would like to go on record with the previous comment that, "Sally shares our vision." Have you had any other meetings, coffee, with them, that gives you this insight?

Chairperson Rush confirmed the Developer will be burying the power lines on their property, not surrounding properties. Are there already easements on those properties? Do we have utility easements already in place throughout?

**Chad Cravin:** Mentioned they voluntarily reduced the number of lots. This is not true, the original Sketch Plan proposal was for 21 homes that required a road variance....The road variance forced them to reduce numbers. We've heard over and over that they want to do what is best for the town, not true. The town doesn't want this kind of density. This doesn't qualify for high density with legal parameters, it doesn't fit into the spirit of the Master Plan. Is there a vote for the preliminary part? Don't need more details. It doesn't matter what the details are, the community does not want this many houses.

Be careful in pushing it into the next phase, like Randy Wheelock said. If in your heart, you want to vote no, do it early, you are doing the developers a favor. If you string the developers along, you are costing them money, bringing up the emotional level.

h. Determination whether to move forward to Preliminary Plan:

The Planning Commission discussion included the items that Ordinance 170 outlines as part of the Sketch Plan phase as well as possible conditions and other concerns including fire insurance, density, sewer and roads to be gathered if the decision is made to move forward to the Preliminary Plan phase. Further discussion included the timeline for the next phase, which includes complete reviews by engineers and a public hearing, all outlined in the ordinance.

Chairperson Rush instructed staff to make note tonight that we've made these comments and recommendations. The sketch plan does not seem to be the right platform to determine if the development works or not. Clerk Piel read the portion of Ordinance 170 ensuring the plan is evaluated further against the Master Plan and with public comment and hearings built into the process.

Each member stated their views on the consideration of the Sketch Plan. Concerns were noted as conditions to be included if the plan is approved.

Clerk Piel stated two conditions previously discussed:

1. Move the west entry into the development from Cowles Street to be set back a minimum of 10 feet from Lot 8, Block 24.
2. Improvements to Cowles Street and Ball Street will be required to mitigate additional drainage and grading issues.

Further discussion included two more potential conditions:

3. The Town and the Developer will work together to address the best way to maintain the single-story height requirement into perpetuity.
4. The Town and the Developer will work together to address Fire Mitigation and Insurance concerns.

Clerk Piel explained the options now are to Approve, Approve with Conditions or Deny.

**WHEELOCK MOTIONED TO MOVE TO A VOTE WITH CONDITIONS TO APPROVE THE WEST FORK VILLAGE SKETCH PLAT AND PLAN. TENNANT**



**SECONDED THE MOTION, CLERK PIEL CONDUCTED A ROLL CALL VOTE, ALL WERE IN FAVOR, MOTION PASSED.**

The motion was approved.

The West Fork Village Sketch Plat and Plan has been approved. The subdividers are now eligible to submit a Preliminary Plat and Plan to the Planning Commission.

**6. PC Members Education** – Empire staff & elected & appointed officials training introduction.

This discussion item was tabled until the next regular meeting of the Planning Commission due to time constraints.

**7. Harmony Domes** – Development Permit checklist discussion

Chairperson Rush presented a draft letter based upon the checklist with the site plan to the members to review. The checklist was acceptable, and the Chair will notify the developer via email. No vote was required.

**8. Public Comment:** Public comment is limited to 5 minutes per person. The Planning Commission does not respond to questions during this time. For operational questions, please email the clerk.

**Robin Raulf-Sager:** Legal Questions were asked tonight; no legal counsel here to answer them. This can protect the town. Appreciates the planning commission, and is very disappointed in you. Does this fit within our master plan, if not you can vote it down. A couple of people would like to have voted it down, and there are a couple strong personalities that bulldozed them. We could have put a fork in this project and not waste any more of everyone's time. Lost 60% of the audience who can't stand to be here any longer. How are we doing it? We are just wasting people's time. Does not fit within the Master Plan, period, should have been voted down tonight. Get the pack mentality out of the room, speak your mind, and vote. Two strong personalities did not let that happen. She sat in the workshops, we had a plan, and they agreed to it. This does not fit; vote it down.

**Larry Modesitt:** Missed conditions:

- Agreement developers made to take less land that was in dispute. They agreed they would give up that portion of land, which they bought.
- Developer stated we agreed not to build on it. The dispute has to be determined by the legal department. Even if it was the neighbors' error in these disputes, they agreed to show a measure of goodwill, not to tear into people's properties, to show good intentions.
- We should accept it as something we want, as a condition. Are height restrictions going into the future considered?
- Developer stated it can be listed as USGS elevation for each lot...no ambiguity in this into the future.
- Grading is important. There should be minimum hill disturbance.
- Developer stated they are working with grading to accomplish this.

**9. The Next Regular Meeting of the Empire Planning Commission is Wednesday, August 30, 2023, at 6:30 pm. In-person with remote access.**

**10. Adjourned Meeting**

**TENNANT MOTIONED TO ADJOURN THE MEETING, MAYOR KOCH SECONDED THE MOTION, CLERK PIEL CONDUCTED A ROLL CALL VOTE, ALL WERE IN FAVOR, MOTION PASSED.**

The meeting was adjourned at 9:33 PM.



(Planning Commission Chair, Sally Rush)



(Town Clerk Jeannette Piel)

***Development Permit Checklist***

\_\_\_\_\_ Survey Markers

\_\_\_\_\_ Satisfaction of Lot Requirements

\_\_\_\_\_ Local Utilities

\_\_\_\_\_ Sewer Lines

\_\_\_\_\_ Water Lines and Mains

\_\_\_\_\_ Fire Hydrants

\_\_\_\_\_ Storm Drainage

\_\_\_\_\_ Streets and Traffic Patterns

\_\_\_\_\_ Street Signs

\_\_\_\_\_ Street Lights

\_\_\_\_\_ Curbs and Gutters

***Proposed Zoning Classification***

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Vasyl Kostiuk  
Harmony Domes  
vos@harmonydomes.com  
customerservice@harmonydomes.com  
RE: 433 Park Avenue  
Empire CO 80438

Per review of the planned development of 10 vacation homes for 433 Park Avenue, the Town has indicated that this project will be subject to adherence to Ordinance 170, Article V, Section 10 Development Permit. Therefore the Empire Planning Commission has review the documents submitted to date and determined the following recommendations be considered:

The PC has used the Development Permit Checklist to address each item and this is listed below. To meet the recommendations, the PC recommends that Harmony Domes provide for approval an additional grading and drainage plan. All the items listed below (as recommended) need to appear on a site plan. (where appropriate on the grading & drainage plan or on an additional plan). All plans need to be officially certified.

#### DEVELOPMENT PERMIT CHECKLIST

Survey Markers: the Civil Construction A1.0 by Raptor Engineering indicates as item #3 the property line only. There are no survey markers on this plan. Is there a survey or title report designating the markers used for the survey? Please submit proof of survey markers and indicate on new site plan.

Satisfaction of Lot Requirements: Per the Civil Site Plan #3 (Raptor Engineering submitted 7/25/21) Site Data block (lower right corner). This is satisfactory. Recommend to include the site data block on new plan.

Local Utilities: The electrical service plan has been provided on Plan E0.0 indicating 2 transformers for service to a) 4 domes & 1 existing structure b) 6 domes. Also stated, construction will meet NEC 2020.

Other utilities: Will there be gas lines? Cable lines? Street light electrical or camera lines?

Sewer Lines: Need full sewer and water lines and mains plans with directions and flows of services

Water Lines and Mains: “ “ Show size, capacity, and location of service. This calculation will determine how many taps will be required for the project. Include existing house. Currently on the Final Plat A1.0 Item #4 shows line from Hwy 40 to house that will be replaced. Show replacement.

Fire Hydrants – Indicate on plan all hydrants

Storm Drainage – need complete (certified by engineer) grading and drainage plan

Streets and Traffic Patterns – access roads to domes are designated as driveways. Show driveway cut aways with loads requirements on plan. Follow Town Road Design Manual for requirements on driveways and roads. Current plan (A1.0) defines drives as 14.0' gravel emergency access.

Street Signs- Indicate location, content, and size on plan

Street Lights – Indicate location, specifications, electrical wiring on plan

Curbs and Gutters: Indicate on grading & drainage plan. Locations, specifications.

Sketch Plat and Plan Staff Evaluation for West Fork Village  
Prepared for the Empire Planning Commission Meeting 7-27-23  
Presentation by Town Clerk Jeannette Piel, contributions by all Empire Staff Members

**The subdividers, Andre and Justin Suissa of Avoriaz, LLC submitted a Sketch Plat and Plan on behalf of West Fork Village LLC. The Staff attests that:**

- 1) Avoriaz LLC is the rightful owner of 0 South Ball Street in Empire Colorado,
- 2) A Pre-Conference with the Subdividers and Staff was held on April 20, 2023,
- 3) A Sketch Plat and Plan was submitted and accepted on May 3, 2023,
- 4) A \$100.00 fee was paid for processing the Sketch Plat and Plan,
- 5) A Petition for Variance was submitted and accepted on May 3, 2023,
- 6) A \$300.00 fee was paid for processing the Petition for Variance,
- 7) A Public Hearing for the Variance was set for May 31, 2023, Notice of the Public Hearing was given to all property owners within 300 feet of the property in question, and Notice of the Public Hearing was posted on the property in question in accordance with Ordinance 170,
- 8) A Public Hearing for the Variance by the Board of Adjustment was held on May 31, 2023,
- 9) The Petition for Variance was withdrawn by the Subdividers on June 28, 2023,
- 10) An update to the Sketch Plat and Plan was submitted on June 28, 2023.

**The Staff has evaluated the Sketch Plat and Plan against the requirements in Ordinance 170, Article 11, Section 4. Input and research were provided by every department and every member of the Staff. We are confirming if the Ordinance has been followed and the Sketch Plan is adequate to move to the next step.**

- 4.1 The sketch plan will be a graphic conceptual representation of the proposed development with supporting documentation. The sketch plan shall, where applicable, include the following:
- (a) Proposed name of subdivision: [West Fork Village](#)
  - (b) Name and address of: [Pg 3 shows all required information.](#)
    - Subdivider
    - Owners
    - Land Planner
    - Land Surveyor registered in the state of Colorado
  - (c) North arrow, date of preparation: [Pg 3 shows all required information.](#)
  - (d) Scale-written and graphic: [Pg 4 shows the Improvement Location Certificate with the scale.](#)
  - (e) Statement or tabulation reflecting the total acreage of the subdivision and the breakdown as to land uses, such as building lots, streets, deeded public areas: [Pg 5 the total proposed subdivision area is 162,646 square feet \(or 3.733 acres.\) Building coverage is 22% of the total area, ROW \(or roads and shoulders\) is 16% of the total area, and Tract A which includes an existing road easement is 2% of the total area.](#)
  - (f) Significant topographic features: Hillsides, lakes, outcropping, etc: [Pg 6 shows all required information.](#)
  - (g) Schematic and narrative representations of the proposed land use including general location and type of housing units; total number of square feet of proposed floor space by type and general location; sewage and water facilities; utilities; parks and open space; off-street parking provisions; recreation areas; drainage way; ponds; landscaping; proposed school and other public facility sites: [The map on page 6 along with the table on page 5 show 18 lots with single-story single-family structures, all above the minimum lot size of 4800 square feet, all above the minimum building size of 700 square feet. Each lot has over 1500 square feet of open space, and 2-car garages to accommodate 2 off-street private parking spaces along with driveways that allow for additional off-street parking. Utilities and drainage ditches will be in the ROW, with 2 detention pond areas to mitigate storm water drainage and overflow. Preliminary water plans show connections](#)

to the Town water mains on Cowles Street and Ball Street. Preliminary sewer plans show a connection to the Town sewer main on the southeast corner of the subdivision to an existing sewer line. If approved, detailed site plans for all of these items will be required in the next step in the Preliminary Plat and Plan and will be evaluated by experts, therefore, we do not require any further detail at this time.

- (h) The basic internal road and pedestrian access scheme and the surrounding road system (existing and future) providing access to the site. The typical geometric cross-sections of the roads are to be shown and proposed roads are to be designated as either private or public: Pg 7, the subdividers stipulate that Drive West where it comes off Cowles St. will be 10 feet setback from Lot 8, Block 24 (Allen Fistell's wife's property), and that change will be addressed in the Preliminary Plat and Plan. The road will be below the grade of the house which will minimize the visual disruption to the property. The typical road cross-section is shown on the plans. With ROW's at 50 feet, we have adequate room for utilities and clearance for emergency vehicles and snow storage. Both streets will be dedicated to the Town as public streets. A public walking path from "Drive East" down to the creek will be added in the Preliminary Plat and Plan. If approved, detailed engineering plans for both streets will be required in the next step in the Preliminary Plat and Plan and will be evaluated by experts, therefore, we do not require any further detail at this time. An Empire Road Standards Manual will list grading, engineering, and construction requirements to be followed.
  - (i) Legal Description, Plat, Book and Page Number: Pg 9 shows all required information.
  - (j) All recorded easements, encroachments, or right of ways which could affect the proposed development: Pg 13 & 14 list all required information. One easement of note, March 2, 1987, Book 452 at Page 309, a passageway off Ball Street, through Tract A, to private property, which the subdividers have acknowledged and will continue to honor.
  - (k) All existing structures, utilities or other physical features which could affect the proposed development: The subdividers have stated they plan to bury the powerlines throughout the subdivision. If approved, detailed grading and drainage plans for the property will be required in the next step in the Preliminary Plat and Plan and will be evaluated by experts, therefore, we do not require any further detail at this time.
  - (l) Boundary lines of the subdivision in a heavy solid line: Pg 7 Site Plan shows the required boundary lines. If approved, the subdividers must make every reasonable effort to resolve any boundary line disputes with an Official Property Survey in the next step which is the Preliminary Plat and Plan.
  - (m) Indication of existing zoning: Pg 12 shows existing zoning as R-1 residential.
  - (n) Any other data essential to the evaluation as may be requested by the Town to enable an adequate conceptual evaluation of the proposed subdivision: No construction will take place in the floodplain along the West Fork of Clear Creek as part of this subdivision.
- 4.2 A location map shall be submitted along with the sketch plan. This map shall identify the adjacent properties and the physical relationship of the subdivision to the Town: Pg 12 Empire Zoning Map shows the required information.
- 4.3 The subdivider shall submit two copies of the sketch plat and plan. We have received the required copies.
- 4.4 The subdivider shall be the owner of the property being subdivided, or the legal representative: The subdivider is the legal owner of the property.
- 4.5 The Commission shall review the sketch plan submittal to determine if it is consistent with the standards set forth in this Ordinance, the Town Master Plan, and other development regulations, and will suggest to the subdivider whatever changes, if any, are recommended in the plat and plan.

Improvements to Cowles Street - will be required from the subdivider in the Preliminary Plat and Plan to mitigate additional drainage issues.

**Density Definitions:**

Low-density housing includes single-family dwellings, semi-detached units (duplexes, etc.), row houses, and secondary in-law units (ADU's). (Definition from escholarship.org, Explaining Residential Density)

Middle-density housing can be stacked walk-up townhouses or flats. (Definition from escholarship.org, Explaining Residential Density)

High-density housing is residential buildings containing seven or more dwelling units per building, which includes high-rise apartments, luxury lofts, or repurposed commercial buildings. (Definition from Law Insider, High Density Residential Buildings)

This subdivision is single-family, single-story; therefore, it is considered low-density housing.

**Master Plan:**

Growth - In the 2000 Comprehensive Master Plan, the population projections showed that we could grow to 697 people by 2015. All of our infrastructure considerations in that Plan were based on a population of 697. We currently have a population of 345, therefore, we are well below our own projections. From an operations standpoint, growth of 10% to a total population of approximately 380 is still considered slow and manageable for infrastructure.

View Corridor - Single Story houses do not adversely affect the view corridor which is a 360° Mountain View with sight lines above the roof tops. If approved, restricting the houses to single-story in perpetuity will be addressed in the Preliminary Plat and Plan, and be included in the legally binding Subdivision Improvements Agreement in the Final Plat and Plan.

Traffic Volume – According to the Clear Creek County Roadway Design and Construction Manual, the estimated traffic for an area with 18 single family homes is considered low traffic volume.

Calculation: 18 houses, multiplied by the Per Dwelling Average Daily Traffic factor of 10 equals an ADT of 180, which is classified as Low Volume.

**Per Unit Average Daily Traffic**

| Type                | Unit                | Per Unit ADT |
|---------------------|---------------------|--------------|
| Residential Density | per dwelling unit   | 10.0         |
| Condominium         | per dwelling unit   | 7.0          |
| Mobile Home Park    | per mobile home     | 7.0          |
| Hotel               | per room            | 10.5         |
| Restaurant          | per 1000 S.F. gross | 164.0        |
| Commercial          | per 1000 S.F. gross | 115.0        |
| Office              | per 1000 S.F. gross | 12.3         |

**Design Capacity for Classes of Roadways**

| Classification     | ADT            |
|--------------------|----------------|
| Principal Arterial | 5,000 - 10,000 |
| Arterial           | 3,500 - 5,000  |
| Collector          | 2,000 - 3,500  |
| Local Access       | 500 - 2,000    |
| Low Volume         | 100 - 500      |
| Primitive          | Less than 100  |



Water and Sewer Capacity - This question will be evaluated during the Preliminary Plat and Plan by our water engineers and operators. At this time, we will refer to information from the 2000 Comprehensive Master Plan. Taking into consideration our water rights for Madd Creek and Empire Well, and our Water Treatment Plant capacity, we have more than enough water available to meet the needs of at least 568 residents. Our Wastewater Treatment Plant will only reach 50% capacity when the population reaches 450. We have more than enough sewer capacity to meet the needs of at least 450 residents. Our current population is 345. The subdivision could add 36 additional residents, bringing our population to 381. This projection is well below both the water and sewer population projections in the Master Plan. If approved, detailed calculations on capacity and flow will be required in the next step in the Preliminary Plat and Plan and will be requested from experts, therefore, we do not require any further detail at this time.

Wildfire Mitigation – Fire hydrants will be required at standard intervals along the streets in accordance with Empire Road Standards. Power lines will be buried which further mitigates fire danger. The entire county is in a high-risk insurance zone already, and Insurance companies evaluate insurability based on individual properties, so the subdivision as a whole will not have an impact on other properties and their ability to obtain Homeowners Insurance. Building materials will be addressed in the Preliminary Plat and Plan and will adhere to the 2015 International Building Code series.

Benefits to the Town – this will be addressed in the Preliminary Plat and Plan along with all taxes, fees, and reimbursement for services to be collected from the subdividers.

Questions have been asked about the Planned Development District and whether or that process should have been used for this project. The answer is no. The Planned Development (PD) District is a zoning classification to allow for mixed land uses not allowed under traditional zoning. Any tract of land that is intended to be developed with multiple zoning shall be a (PD) district. At this time, this subdivision is residential only, and therefore would not qualify as a Planned Development District.

Approval of the Sketch Plat and Plan does not guarantee approval of the Preliminary Plat and Plan. If the Sketch Plat and Plan is approved, the next step will be to submit a Preliminary Plat and Plan in accordance with Ordinance 170, Article 11, Section 5, which can be found on the Town Website.

If the Preliminary Plat and Plan is approved, the next step will be to submit a Final Plat and Plan in accordance with Ordinance 170, Article 11, Section 6, which can be found on the Town Website. Plats are recorded with the County as the last step of the Final Plat and Plan. Subdivider must adhere to the legally binding Subdivision Improvements Agreement from the Final Plat and Plan before obtaining approval for development, site plan, and building permits.

The staff attests that the Sketch Plat and Plan meets the operational requirements of Ordinance 170 and recommends approving the acceptance of said plan and moving to the next step of the Preliminary Plat and Plan.

**Attachment A: 5-3-23 Planning Commission Meeting Minutes**

The following combines the Developer Presentation (Agenda item 6b) and Planning Commission Discussion (Agenda item 6c) around the Town of Empire's Ordinance 170, Article XI Subdivision of Land in the Town of Empire, Section 4:

**4. Sketch Plat and Plan (required for both minor and major subdivisions)**

Prior to preparing a preliminary plat and plan, the subdivider shall make known his/her intentions to the Town by presenting a sketch plan of the proposed project to the Planning Commission who shall schedule it for consideration at a regular or special meeting of the Planning Commission. The purpose of this requirement is to eliminate potential problems and make known any additional or unusual requirements that may affect the proposed development.

**4.1**

The sketch plan will be a graphic conceptual representation of the proposed development with supporting documentation prepared at a map scale large enough for effective public presentations but generally no smaller than 1"-200'. Graphics are to be used in a manner that truly represents the salient aspects of the proposal without misleading exaggeration of scale or emphasis. The sketch plan shall, where applicable, include the following:

**Reference to Documents:**

- Empire Ordinance 170, Empire Land Development Code will be referenced by ARTICLE, Section, and/or Sub-Section (ie. Art. XI, 4.4). Small letters in first column below match small letters listed in Article XI, Section 4.1 list of Sketch Plan items (ie. (a) Proposed name of Subdivision
- Empire PC Pre-Application Conference per Article XI, Section 2.2 (a-g) (PA Conf.)minutes 4/20/23 4 pages (ie. PA Conf pg 2)
- West Fork Village Sketch Plan Packet (submitted 3/29/23 and resubmitted for review 5/3/23). Referenced by Packet/page number (ie Pkt, pg 3)
- WFV Site plans (submitted for review 5/3/23). Referenced by C1.2 Site Plan, C2.1 Grading/Drainage Plan, C2.2 Access Drive West, C2.3 Access Drive East, Preliminary Water Plan, 1 Preliminary Sewer Plan (ie. C2.2)

| Ordinance 170, Section 4.1                 | Developer Presentation  | Planning Commission Discussion   |
|--|---|--|
| <b>(a) Proposed name of subdivision</b>    | West Fork Village, a proposed 21 lot subdivision.                           | Confirmed name. Pkt.pg 1   |
| <b>(b) Name and address of: Subdivider</b> | <b>Subdivider:</b> WFV Empire LLC, 2347 S. Loveland St., Lakewood, CO 80228 | Owners of WFV Empire, LLC: Andre N. Suissa & Justin D. Suissa, jointly Pkt. pg 3 |

|   |   |   |
|---|---|---|
| <p><b>Owners</b><br/> <b>Land Planner</b><br/> <b>Land Surveyor registered in the state of Colorado</b></p>   | <p><b>Owners:</b> Avoriaz, LLC (Andre' and Justin Suissa jointly)<br/> <b>Land planner/builder:</b> A.D. Wolff &amp; Assc., Inc, 23625 Waness Way, Golden, CO 80401 Alan D. Wolff<br/> <b>Engineer:</b> Insight Engineering, Inc., 27619 Moffat Rd. Evergreen CO 80439 Drew Schneider<br/> <b>Land Surveyor:</b> Clear Creek Surveying, P.O. Box 3184, Idaho Springs, CO 80452 Weston D. Spears, CO P.L.S. No 38056</p>   | <p>Confirmed Pkt. pg 3</p>  |
| <p><b>(c) North arrow, date of preparation</b></p>  | <p>C1.2, C2.1, and 3 addt. 11 x17 site plans</p>  | <p>North arrow on all site plans (6). No dates Developer will date the 24x36" plans when providing same.</p>  |
| <p><b>(d) Scale-written and graphic</b></p>   | <p>On all (6) Site Plans</p>  | <p>Developer- 8.5x11 print outs are to scale. 11x17" may not be to scale. When receive 24x36", they will be to scale.</p>   |
| <p><b>(e) Statement or tabulation reflecting the total acreage of the subdivision and the breakdown as to land uses, such as building lots, streets, deeded public areas.</b></p> | <p>Pkt. pg 4 &amp; 6 - Currently vacant land. Boundary of Property, Parcel One 10.01 acre tract, .09 bloc 24 on mountain avenue... Pkt.pg 4</p> <p>Land use breakdown. Pkt. pg 5</p> <p>No lot area is under minimums required by R1 zoning.</p> <p>Open space makes up 63% of Parcel One (Pkt.pg4), not including dedicated roads and trails to the Town of Empire.</p> <p>Streets (C1.2) red hatched road &amp; right of ways to be dedicated to the Town upon completion</p> | <p><b>Currently is a Minor Subdivision. PC recommends it is a Major Subdivision by definition of Art.XI, Section 2.3.1 and is over the five or fewer lots of a Minor Subdivision.</b></p> <p>It shall proceed within Major Subdivision procedure and as required by Art.XI Section 5 and 6.</p> <p><b>PA Conf pg 2: chart of this step. Charts discussed, clarified, and corrected as below:<br/> Reference Pkt pg.5, C1.2.</b></p> |

of infrastructure. Public areas will be connecting trails & will be deeded to the town Easements around both roads 8 ft on each side to be included in lot owners property & maintained by property owners. Access to easements will be regulated by the Town for underground utilities & maintenance by the Town.

Private driveways will go through the easement, open space should stay intact. Pkt pg 5 Gross building area, includes attached garages. There are, 18 (3 BR, 2 bath, 2 garage & one with only 1 garage) , 3 units are 2 BR, 2 Bath, 1 Garage) given lot constraints.

Developer clarification of 3.728 acres: it includes all gray up to bottom of lot (C1.2), including easement and trails. Different shading for lots, which totals 3.123 acres of the site.

Single family lots cover 3.123 acres of C1.2. Add in ROW and easements included in C1.2 for a total of 3.728 acres.

Subdivision (C1.2) is 37% of 10.1 acres total Parcel One (pkt.pg.4)

The single family building foot prints will cover 21.1% of the 3.123 acres. This more than satisfies the open space requirement for the lots.

Lot sizes range from 4807 SF to 13,158 SF. with 3 large (12630-13,158 SF)

Driveways through the easements will be a subject of further discussion.

C1.2 Trail between East and West roads Commissioner Wheelock pointed out the topography of the trail between the two roads would prevent emergency vehicle access, and the Engineer informed the Developer that there would be landscaping steps because it is very steep and is not designed for emergency vehicles. Chairperson Rush noted this as a major difference from the presentation. Dev. states trail slope is 2:1 and will be 4-6 Ft wide.

CA Conf pg 2 sample lot 19 from plan: 1440  
SF = 30% of lot coverage. 3,375 SF remains  
open space (SALLY MADE NOTE THIS  
INCLUDES PARKING) Code requires 1,500  
SF open space: this exceeds code.

Developer said they still have to configure the  
driveway access; the garage is part of the  
building space. All houses will have a one- or  
two-car garage.

Chairperson Rush said there will be driveways  
going in, and R1 requires 2 parking spaces per  
lot. Developer acknowledges code requires 2  
parking spaces. This will be further discussion

**Mountain Avenue & Lot 4 discussion:**

Developer not coming off of Mountain Avenue  
-over 10% grade. Instead, the access road off  
of Cowles (within 7% maximum grade) had  
been planned as access because of  
topography.

Clerk Piel reported a new survey for the  
**curved part of Ball Street** came in on 5/3/23  
that shows there may be an encroachment as  
the road curves. Will be required to address  
this by shifting the road. Clerk Piel will send  
this new information to the developer. This will  
be included in the 24x36" plans from the  
developer for the work session 5/24/23

Chairperson Rush reiterated request per  
Article XI Section 4.3 for 2 sets of plans to be  
reviewed, with date and legal description

|  |  |  |
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|  |  | included: Ball Street (referenced in Title Insurance Item 13, Pkt. pg13) will be adjusted on these plans. All plans will be legible.   |
| <b>(f) Significant topographic features: Hillsides, lakes outcropping, etc.</b>  | Pkt. pg 6 and C2.1 topography details: Most homes are built considering present topography.  | C2.1 topographical map and full topo (Pkt. Pg 6)<br><br>Chairperson Rush said this was not addressed at the pre-application conference.  |
| <b>(g) Schematic and narrative representations of the proposed land use including: general location and type of housing units; total number of square feet of proposed floor space by type and general location; sewage and water facilities; utilities; parks and open space; off-street parking provisions; recreation areas; drainage way; ponds; landscaping; proposed school and other public facility sites.</b> | Pkt. pg7 and C1.2 & C2.1, conceptual site plan, with lots, road and footprint of houses. THICK black line between the footprint, smaller area is garages.<br><br>DRIVE EAST and DRIVE WEST are placeholder names for planning purposes.<br><br>Pkt. pg 7. There is a yellow hash mark area cutting between lots; designed for a walking path between the two roads and an emergency access road in case one or other road is not accessible.<br><br>Pkt. pg 8 (C2.1) grading plan. RED arrows are showing direction of drainage; existing slope is black lines; blue lines are new grading that will be required for construction. | Preliminary water and sewer site plans submitted. Public sewer and water supplies provided by Town and to be buried in subdivision streets.<br><br>Proposed placement of all other utilities to be in 8' property easements.<br><br>Refer to comment in item (e) of trail on C1.2 regarding "not an emergency access"<br><br>Street parking provisions need further discussion to conform with Empire regulations<br><br>Engineer states All grading is outside that flood plain, they are avoiding this. They have been talking about this, who will administer any flood plain requirements we may have. |
| <b>(h) The basic internal road and pedestrian access scheme and the surrounding road system (existing and future) providing access to the site. The typical geometric cross-sections of the roads are to be shown</b>  | Pkt. pg 7 and C1.2.<br>Roads & right of ways 24' wide to be dedicated to town as public roads<br><br>Water & Sewer lines in roadways   | Typical geometric cross-sections of road not provided. Will be provided for work session 5/24/23. Road construction and materials to be discussed  |

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| <p><b>and proposed roads are to be designated as either private or public.</b></p> | <p>Easements on either side of road designation will be 8' wide and part of lot owners' property<br/>All other utilities buried in easements.</p>         | <p><b>A Variance on the width of the Roads &amp; ROW</b> (from the 50' required width Article X, Section 10.2.6.7) is required to make this Sketch Plan viable. A variance application is being accepted concurrently with this Sketch Plan review.</p> <p><b>Dedication to Town:</b> When Site plan work is done, property work is done, lines are buried and the property is ready to develop as lots: AT THAT POINT, the red # areas will be turned over to town as a public road to be maintained by Empire..</p> <p>The easements (on lot properties) will grant the rights inclusive through an Agreement of the nature of the easements with restrictions, requirements for maintenance of roadways and utilities buried in easements. Engineer will have further information at a future date.</p> <p>Clarification for easements requested by Clerk Piel no fences, houses, structures or garages - will be built in easements.</p> <p><b>Road grading standards.</b> To be further defined. Engineer stated there will be a shallow grade slope and no ditches in plans. Developer said there are no plans for sidewalks.</p> |
| <p><b>(i) Legal Description, Plat, Book and Page Number</b></p>                    | <p>Pkt. pg. 9 and will be added to Sketch Plan for future meeting</p> <p>Record number is based on the Clear Creek County Recorder's official record.</p> | <p>Not visible on Plans C1.2, C2.1, and C2.2. Engineer will print the Date, Book and Page numbers on the 24 X 36" maps.</p>   |

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|--|---|---|
| <p><b>(j) All recorded easements, encroachments, or right of ways which could affect the proposed development.</b></p>       | <p>Pkt. pg 9-10 shows Current Legal Description as Parcel One as Parcel A and Lot 4 as Parcel B. IF current Sketch Plan is accepted, the descriptions would change to Parcel A Lots 1-21 and Parcel B the remaining undeveloped 6.372-acre tract of land south of subdivision.</p> <p>Developer said they have two legal descriptions that go with the property. REF. C.12.</p> <p>Developer states there are 2 easements within proposed subdivision to be considered. Ball St. &amp; XCel. Empire Sewer Easement is outside boundary.</p> | <p>Noted items in Old Republic National Title Insurance Schedule B: (Pkt pg 13 &amp; 14) Items:</p> <p>13. Ball Street Easement to be addressed</p> <p>20. Electrical XCel easement ?</p> <p>25. Electrical XCel easement ? (one of these which will be changed to underground utility) ? Empire Sewer Easement is south of subdivision.</p> <p>C1.2 FEMA Flood Plain is to the south all building in the Subdivision. It crosses into lots 7, 8, 17.</p> |
| <p><b>(k) All existing structures, utilities or other physical features which could affect the proposed development.</b></p> | <p>Pkt. pg 10 No existing structures.</p> <p>There is a XCel power line (yellow arrow). Developer intent is to bury power lines.</p> <p>Water lines run along Ball St. and Cowles (blue arrows) and several sewer personholes (brown arrows) and a sewer line that is south of the subdivision to the wastewater plant to the East.</p> <p>Pkt. pg 11 Current Improvement Location Certificate consists of 2 tracts. Parcel A (a/ka Parcel One) and Parcel B (a/k/a Lot 4, BI 24)</p>   | <p>C1.2 No buildings on property or existing water or sewer lines run through the property. No other utilities are on property.</p> <p>Pkt. pg 11 Current Improvement Location Certificate will be replaced by a revised Improvement Location Certificate upon acceptance of plan and redesignation of Parcels (to Parcel A - subdivision. Parcel B - undeveloped land)</p>   |
| <p><b>(l) Boundary lines of the subdivision in a heavy solid line.</b></p>   | <p>Pkt. pg 4 and pg 11 provide boundary lines</p>   | <p>Upon further plan changes and approvals, the boundary lines of the subdivisions will be adjusted</p>   |
| <p><b>(m) Indication of existing zoning.</b></p>   | <p>Pkt. pg 12 Zoning: R-1 zoning in town.</p>   | <p>Pkt. pg 12 map of Town. R-1 zone. Adjoining properties are single family lots; some acreages to the East, cemetery to the</p>  |



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|  | <p>(n) Any other data essential to the evaluation as may be requested by the Town to enable an adequate conceptual evaluation of the proposed subdivision.</p> |  | <p>Pkt. pg 12-13 Title Insurance Schedule B</p> | <p>South, the park is Southwest; to the West are more single family homes.</p> |
|  |  |  |   | <p>Discussed in item (j) above.</p>  |

**4.2 A location map shall be submitted along with the sketch plan. This map shall identify the adjacent properties and the physical relationship of the subdivision to the Town.**  
 REF. Pkt. pg 12

**4.3 The subdivider shall submit two copies of the sketch plat and plan.**  
 Two 24x36 copies of the set of sketch plan maps will be provided for the 45 day review.

**4.4 The subdivider shall be the owner of the property being subdivided, or the legal representative.**  
 Pkt. pg 2 that identifies the developers as the owner.

**4.5 The Commission shall review the sketch plan submittal to determine if it is consistent with the standards set forth in this Ordinance, the Town Master Plan, and other development regulations, and will suggest to the subdivider whatever changes, if any, are recommended in the plat and plan. All sketch plans shall be submitted to the Planning Commission and will be scheduled for review by the Commission not sooner than seven (7) days nor later than forty five (45) after submission.**

- Starts today, 5-3-23.
- Commissioners and staff discussed maps in detail, including roads, easements and power poles. Current IECC codes are 2015 for building and electrical. Fire Code has been updated.
- Developer said all homes will be site-built. If grade allows, a basement may be possible. Each spot will have different space requirements, maybe some will require a crawl space.
- Discussion of drainage and the flood plain is marked. Engineer says. REF. dashed line surveyor put as projected 100-year FEMA flood plain. All grading is outside that flood plain, they are avoiding this. They have been talking about this, who will administer any flood plain requirements we may have.

# Town of Empire

30 East Park Avenue/P.O. Box 100 Empire, Co 80438  
303.569.2978/f303.569.2282

## West Fork Village Subdivision Public Comment

### Sign-up Sheet

July 27, 2023

If you would like to address the Empire Planning Commission at this meeting, please place your name on the sign-up sheet. You will be recognized to speak during the "Public Comment" portion of the agenda.

This is a governmental meeting held to conduct the business of the Town of Empire. We welcome you here and thank you for your time and concern. If you wish to address the Commission, this is the time set on our agenda for you to do so. **When you are recognized, please stand, state your name and then address the Commission.** Your comments will be limited to 5 minutes. This is the appropriate time on the meeting agenda for you to address the Commission on matters that are not scheduled for public hearing. The Planning Commission may not respond to your comments during this meeting, rather they may take your comments and suggestions under advisement and your questions will be directed to the appropriate person or department for follow-up.

The Planning Commission request that all speakers conduct themselves in a respectful and civil manner and avoid disorderly behavior or personal attacks against any individual. In the event any person interrupts the business of the Commission or acts in a disorderly or disrespectful manner, the Commission may require such person to cease the offensive behavior and/or to leave the meeting. Thank you.

Please sign your name below if you wish to speak to the Commission.

NAME

ADDRESS

~~Josh McCork~~

316 W. Main

Robin Raulf Sage

313 Main

Allen Fistell

210 E Mountain Ave

Lyndy Modest

294 E. Mountain Ave

Jacob Belcher

336 E Mtn. Ave

Linda Robertson

216 S Avery St

KAROL W. HERLOCK

100 Summit Ave

Peggy Hubner

207 E. Mountain Dr

Joy Chanda

336 Main St

Terry Gray

190 E Mt Ave.

Farvin Modest

\_\_\_\_\_

Zoom Corey Novak

\_\_\_\_\_

Chad Cravin

\_\_\_\_\_

# Town of Empire

30 East Park Avenue/P.O. Box 100 Empire, Co 80438  
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Please sign your name below if you wish to speak to the Commission.

NAME

Bob McSwick  
Robin Ray Sager  
Allen Fistol  
Jay Chandra  
Larry Modest

NO ZOOM COMMENTS

ADDRESS

516 N. Wood St  
313 N Main St  
210 E. Mountain Ave  
336 Main St