

TOWN OF WINTER PARK PLANNING COMMISSION Tuesday, January 23, 2024 8:00 AM

AGENDA

I. Call to Order

II. Roll Call of Commission Members

III. Public Comment

This time is reserved for anyone from the public to speak about items not on the agenda. The Planning Commission is not prepared to decide on matters brought up during this time, but if warranted, will place them on a future agenda.

IV. Conflict of Interest

V. Consent Agenda:

- a. Approval of Minutes January 9, 2024
- b. Minor Site Plan 23 Maple Road Amended Lot 4, Block 4, Winter Park Village Subdivision (PLN23-116)

VI. General Business:

a. PUBLIC HEARING: Major Site Plan – Lions Gate Condominiums – 365 Lions Gate Drive (PLN22-078)

VII. Director's Report:

This time is reserved for specific items from staff requiring Commission direction and for relaying important information to the Commission.

- a. Study Session Wetlands
- b. Commissioners Priorities List

VIII. Planning Commission Items of Discussion

This time is reserved for Commission discussion items that are not listed on the agenda.

Online Meeting Login Instructions - See next page

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TOWN OF WINTER PARK PLANNING COMMISSION Tuesday, January 9, 2024 8:00 AM

MINUTES

DATE: Tuesday, January 9, 2024

MEETING: Winter Park Planning Commission

PLACE: Town Hall Council Chambers and Zoom Meeting Call

PRESENT: Chair Dave Barker, Vice Chair Brad Holzwarth, and Commissioners Doug

Robbins, Thomas McDonald, Angela Sandstrom, Roger Kish, and Chris Tagseth are present. Also present are Community Development Director James Shockey, Town Planner Hugh Bell, Contracted Town Planner Shelia Booth (on Zoom), Town Attorney Hilary Graham (on Zoom), and new Assistant Town Attorney

Kunal Parikh (on Zoom).

OTHERS

PRESENT: None.

I. Call to Order

Chair Barker calls the meeting to order at 8:03 a.m.

II. Roll Call of Commission Members

All members are present.

III. Public Comment

No comments received.

IV. Conflict of Interest

No one comes forward.

V. Consent Agenda:

- a. Approval of Minutes November 28, 2023
- b. Approval of Minutes December 12, 2023
- Minor Site Plan 148 Fir Drive Lots 7 and 8 Winter Park Village Subdivision (PLN23-111)

Vice Chair Holzwarth moves and Commissioner Robbins seconds the motion approving the Consent Agenda. Motion carries 7,0.

VI. General Business:

a. Election of Chair and Vice Chair (yearly)

Commissioner Robbins nominates Dave Barker as Chair and Brad Holzwarth as Vice Chair. Commissioner Tagseth seconds. There are no other nominations. Motion carries, 7,0.

b. PUBLIC HEARING: Right-of-Way Vacation Request – Unnamed Right-of-Way on Tract F, Riverwalk at Winter Park (PLN23-113)

Contracted Town Planner Shelia Booth presents the staff report to the Commissioners. The Applicant is not present.

Chair Barker opens the Public Comment period. Ms. Cathy Wheeler comes forward. Her comments include that she owns the adjacent property and asks if this will affect access to her property. Community Development Director James Shockey confirms this will not affect her access. Chair Barker closes the Public Comment period.

The Commissioners and staff briefly discuss the vacation.

Vice Chair Holzwarth moves and Commissioner McDonald seconds the motion recommending approval of the Right-of-Way Vacation Request – Unnamed ROW within River Walk at Winter Park Filing No. 1, Tract F (PLN23-113) with no conditions. The vacation will now be heard for the 1st reading with Town Council on Tuesday, January 16th.

Motion carries 7,0.

VII. Director's Report:

- a. Study Session Wetlands Power Point Presentation at the meeting
- b. Commissioners Priorities List

Director Shockey presents the wetlands Power Point to the Commissioners. He outlines possible changes to wetland regulations in the UDC, some of which include wetland setbacks, off-site mitigation, jurisdictional versus non-jurisdictional wetlands, exemptions, and criteria for approving a wetland disturbance permit.

The Commissioners discuss. Staff will provide a draft of potential approval criteria for a wetland encroachment plan at a future meeting.

Director Shockey then presents the staff report outlining the 2024 Planning Commission Priorities List. He outlines which items are still outstanding and which have been completed. The Commissioners have several comments, which generally include:

- 1. Establishing quarterly goals for the PC.
- 2. Upcoming development audit.
- 3. Sign code enforcement.
- 4. General code enforcement.
- 5. Creating feedback mechanisms for developers, architects, and builders to comment on UDC.

VIII. Planning Commission Items of Discussion

Town Attorney Hilary Graham introduces Kunal Parikh, who will be stepping in as the Assistant Town Attorney for Planning Commission and BOA meetings.

Vice Chair Holzwarth says he's noticed that Beavers Lodge appears to be further deteriorating and that it should be secured to prevent entry. Commissioner Tagseth announces he'll be absent from the January 23rd meeting. Commissioner Kish states that a town-wide traffic study should be added to the Priorities List.

There being no further business to discuss, upon a motion regularly adopted, the meeting was adjourned at 9:56 a.m.
The next scheduled meeting of the Planning Commission will be Tuesday, January 23, 2024, at 8:00 a.m.
Hugh Bell, Planner

MEMO



TO Planning Commission

FROM Hugh Bell, Planner

THROUGH James Shockey, AICP, Community Development Director

DATE January 23, 2024

Minor Site Plan – 23 Maple Road – Amended Lot 4, Block 4, Winter Park Village Subdivision

(PLN23-116)

Property Owner: Byers Vista, LLC

Applicant: Dave Marquez of MmD Architecture

Architect: MmD Architecture

Legal Description:

AMENDED LOT 4, AMENDED FINAL PLAT, LOTS 4 AND 5, BLOCK 4, WINTER PARK VILLAGE AND CEDAR CREEK TOWNHOMES, A MINOR SUBDIVISION OF LOT 5, BLOCK 4, WINTER PARK VILLAGE, ACCORDING TO THE PLAT THEREOF RECORDED JUNE 8, 2006, UNDER RECEPTION NO. 2006-005624, COUNTY OF GRAND, STATE OF COLORADO (the "Property").

Zoning: R-2-O (Multiple Family Residential within Old Town)

Authority:

Pursuant to § 5-B-3 of the Winter Park Unified Development Code (the "UDC"), the Planning Commission considers building configurations, colors, materials and general compatibility of proposed structures and outdoor advertising within the Town of Winter Park. Minor Site Plan approval is required before building permit issuance.

Variances:

No Board of Adjustment (BOA) or Administrative Variance Requests are included with the application.

Architecture:

Demolition of an existing single-family detached dwelling unit ("SFD DU") and construction of a Duplex product, i.e., two (2) DU on one (1) lot, with a building footprint of 2,544 sq ft. Each DU has one garage space. The Applicant plans to condominiumize the airspace in each DU upon completion, which will require the condominium plat process.

Title Commitment:

Satisfactory.



Homeowner's Association Review:

N/A, no HOA governs the Property. If the Applicant chooses to condominiumize the airspace as indicated to staff, they must create an HOA when that condominium plat is created.

Density:

Satisfactory. 20 DU/acre are permitted for Duplex uses. 2 DU/0.11 acres = 18.2 DU/acre proposed.

Minimum Lot Dimensions:

Satisfactory. Per Table 3-A-3, Residential Lot and Building Standards, a Duplex in the R-2-O district is held to the following standards:

Required minimum area per DU: 2,178 sqft Provided minimum area per DU: 2,396 sqft

Required minimum lot width: 50' Provided minimum lot width: 67.1'

Required minimum lot depth: 65' Provided minimum lot depth: 70.23'

Material and Color:

Unsatisfactory. Materials and colors are not indicated for the doors, soffits, door trim, and window glass type.

Applicant shall indicate materials and colors for the doors, soffits, door trim, and window glass type.

Outdoor Lighting:

Unsatisfactory. One (1) fixture is proposed and does not contain the International Dark Sky Association (IDA) approval stamp (UDC, § 3-K-3(A)(1)). Single-family properties are limited to 5,100 lumens and each fixture shall not exceed 850 lumens. The overall site well exceeds the 5,100 limit at 11,466 lumens. Given there are decks with overhangs proposed, Applicant shall clarify if any outdoor soffit lighting is proposed.

Photometric plans are not required for single-family attached or detached DU.

Fixture Name	Proposed # of Fixtures	Proposed Lumens per Fixture	Proposed CCT
Progress Lighting Cylinder Collection 1- Light Black 5-	14	819 (11,466 total)	3000K



inch Modern Outdoor Medium Wall Lantern Light.		
	Total = 11,466 lumens	

- Applicant shall submit an outdoor lighting fixture approved by the IDA.
- Applicant shall update the Outdoor Lighting Tabulation on the Minor Site Plan Application Form to reflect this change.
- Applicant shall clarify if any outdoor soffit lighting is proposed.

Accessory Dwelling Unit (ADU):

N/A.

Site Plan:

Partially satisfactory. Parking for construction workers' vehicles is not indicated nor is the existing 5' utility easement on the northeast lot line.

- Applicant shall indicate on Construction Plans the parking spaces for construction workers' vehicles
- Applicant shall indicate the existing 5' utility easement adjacent to the northeast lot line.

Floorplans:

Satisfactory.

Building Elevations:

Satisfactory.

Setbacks:

Satisfactory. Setbacks are as follows for Duplex DU in R-2-O zoning: 15' front yard, 5' side yard, 10' rear yard, and 15' corner yard. Because this is a corner lot, the front lot line determines which lot line is the corner lot line. The front lot line is the shorter of the two lot lines fronting the street, which in this case is the lot line fronting Maple Road (67.1') as Cedar Drive is 70.22'.

Building Coverage:

Satisfactory. Maximum building coverage in R-2-O zoning is limited to 70% and is at 61.2%

Building Height:

Unsatisfactory. Maximum midpoint building height is limited to 35' (35'-7" proposed) and maximum overall height to 42' (40'-0" proposed).



Applicant shall reduce midpoint building height so it complies with the 35' limit.

Parking:

Satisfactory. As seen in § 3-H-3, Required Parking, two (2) off-street parking spaces are required per Duplex DU. Four (4) total spaces are provided, two (2) in garages and two (2) uncovered. The uncovered parking spaces lie within the front setback, which is permitted for single-family attached land uses as seen in § 3-H-5(C), Parking Standards for Single-Family Detached and Attached Land Use Types.

Bufferyards and Revegetation:

Partially satisfactory. Duplexes are required to provide only a Type A bufferyard as seen in footnote 1, Table 3-I-5-2, District Bufferyard Standards. There are three trees proposed within the existing 5' utility easement on the northeast lot line, which is prohibited.

- Applicant shall revise Landscaping Plan to remove any landscaping within the existing 5' utility easement.
- ➤ No site clearing shall be permitted until the Building Division has verified the Pre-Disturbance Inspection Requirements have been implemented on the Property.
- Any disturbed areas on the site shall be revegetated with the seed mix recommended by the Grand County Natural Resource Conservation Service, which mix composition is described in Section 7.4 of the Standards and Specifications for Design and Construction.

Snow Storage:

Satisfactory. 386 sqft of snow storage are provided and 307 sqft are required after accounting for the additions necessary for trees within snow storage areas. UDC, § 3-H-5, *Parking Design Standards* requires that a minimum of 25% of all driving surfaces, including gravel shoulders, parking areas, and pedestrian walkways is designated for snow storage. The driveway and walkways comprise 1,049 sqft.

Erosion Control / Drainage Plan / Drainage Report / Grading / Engineer Review:

TBD. The Town Engineer is reviewing the Grading Plan and staff will forward comments when they arrive.

- Should the Town Engineer have comments, Applicant shall revise Grading Plan accordingly.
- Approved drainage and erosion control shall be in place prior to and throughout site preparation and construction and through successful revegetation.

Driveway:

Unsatisfactory. Two (2) driveways are contemplated and the material is not indicated. The Standards require all driveways be paved (Section 4.6, Surfacing). Paving these will not cause building coverage to exceed that permitted. Slope complies with the 5% maximum; 4.5% for the north driveway and 2.25% for the south. Section 4.4, Alignment, in the Standards limits the first 24' of driveways to a 5% slope.

- The Site Plan shall be updated to show the driveways being paved and shall indicate the proposed material.
- > A stabilized construction entrance shall be installed prior to ground disturbance.



Access:

Partially satisfactory. Because the Property is accessed on Cedar Drive, the address shall be changed from Maple Road to Cedar Drive prior to Building Permit Application submittal.

Applicant shall change the address from Maple Road to Cedar Drive per staff's assigned address numbers, which will be established prior to Building Permit Application submittal.

Utility Review:

N/A.

Wetlands:

Satisfactory. There are wetlands on the Property but a Compensatory Wetland Mitigation Plan was approved with the approval of the Cedar Creek Townhomes Plat (Reception No. 2006005624) in 2006 as seen in Plat Note 8 (screenshot below).

8. DEPICTED HEREIN IS THE APPROXIMATE LOCATION OF THE SOUTHERLY LIMIT OF THE WETLANDS AS DELINEATED BY GRAND ENVIRONMENTAL SERVICES. A COMPENSATORY WETLAND MITIGATION PLAN IS IN PLACE FOR LOTS 4 AND 5. BLOCK 4, OLD TOWN WINTER PARK PER U.S.A.C.E. PERMITS #200575499 & #200575500 RESPECTIVELY.

Inspection:

Building Division staff have not performed a Pre-Disturbance inspection of the property.

No site clearing shall be permitted until the Building Division has verified the Pre-Disturbance Inspection Requirements have been implemented on the Property.

Staff Recommendation:

Staff recommends the Planning Commission approve the Minor Site Plan for 23 Maple Road – Amended Lot 4, Block 4, Winter Park Village Subdivision (PLN23-116) with the following conditions:

- 1. Applicant shall indicate materials and colors for the doors, soffits, door trim, and window glass type.
- 2. Applicant shall submit an outdoor lighting fixture approved by the IDA.
- 3. Applicant shall update the Outdoor Lighting Tabulation on the Minor Site Plan Application Form to reflect this change.
- 4. Applicant shall clarify if any outdoor soffit lighting is proposed.
- 5. Applicant shall indicate on Construction Plans the parking spaces for construction workers' vehicles.
- 6. Applicant shall indicate the existing 5' utility easement adjacent to the northeast lot line.
- 7. Applicant shall reduce midpoint building height so it complies with the 35' limit.
- 8. Applicant shall revise Landscaping Plan to remove any landscaping within the existing 5' utility easement.
- 9. No site clearing shall be permitted until the Building Division has verified the Pre-Disturbance Inspection Requirements have been implemented on the Property.



- 10. Any disturbed areas on the site shall be revegetated with the seed mix recommended by the Grand County Natural Resource Conservation Service, which mix composition is described in Section 7.4 of the Standards and Specifications for Design and Construction.
- 11. Should the Town Engineer have comments, Applicant shall revise Grading Plan accordingly.
- 12. Approved drainage and erosion control shall be in place prior to and throughout site preparation and construction and through successful revegetation.
- 13. The Site Plan shall be updated to show the driveways being paved and shall indicate the proposed material.
- 14. A stabilized construction entrance shall be installed prior to ground disturbance.
- 15. Applicant shall change the address from Maple Road to Cedar Drive per staff's assigned address numbers, which will be established prior to Building Permit Application submittal.

Required Permits:

- ✓ Building Permit
- ✓ Driveway Permit
- ✓ SFD/Duplex Deposit Agreement



December 27, 2023

City of Winter Park Community Development 50 Vasquez Rd. Winter Park CO, 80482

Project Name: Maple Rd. Duplex

23 Maple Road Winter Park CO, 80468

Project Team:

Owner/Applicant: Byers Vista, LLC Joseph Mickley 1145 Mark St., Colona ILL, 61241 303-309.502.9955

Joe.mickley.1980@gmail.com

Architect / Applicant:
MmD Architecture
4251 Kipling St., Wheatridge CO 80033
Dave Marquez
303-916-3676

dave@mmdarch.com

Civil Engineer:

Arrow Civil Engineers 883 Mcmurdo cir., Castle Rock, CO 80108 303-329-9004

sue@arrowcivilengineers.com

Surveyor:

Rocky Mountain Surveys, INC P.O. Box 552, Winter Park CO 80482 970-531-1120

wward1224@comcast.net

Landscape Architect:
Weston Landscape & Design
2190 S Raritan St. Englewood CO 80110
303-944-7495

erik@westonlandscape.net

Legal Description

Lots 4 & 5, Block 4, Winter Park Village and Cedar Creek Townhomes, part of Homestead Entry Survey No. 117, Township 2 South, Range 75 West of the 6th PM, town of Winter Park, Grand County, Colorado

1

Zone District

R-0-2

Lot size

Per survey: .11 acres (4,792 sf)

Proposed use & number of units

Duplex / dwelling - 2 units

Units list and Bedrooms per Unit:

3 bedrooms per unit.

MAPLE RD DUPLEX

Duplex dwelling sq. ft.

TOTAL GROSS SF. = 5,253sf.

UNIT 1	
LEVEL 1	574 SF
LEVEL 2	878 SF
LEVEL 3	812 SF
FINISHED TOTAL	2264 SF
GARAGE	367 SF
UNIT GROSS TOTAL	2631 SF
UNIT 2	
LEVEL 1	537 SF
LEVEL 2	895 SF
LEVEL 2 LEVEL 3	895 SF 831 SF
LEVEL 3	831 SF

Parking

4 total parking spaces

2 parking spaces per dwelling unit.

(1) driveway space (1) garage space per unit. 3 bedrooms per unit.

Estimated Construction Schedule

- Maple Duplex
 - o Building Excavation | site prep | temp power May June 2024
 - o Foundation | underground utilities June July 2024
 - o Framing August September 2024
 - o Electrical | plumbing rough September October 2024
 - o Dry in insulation | building wrap -Windows October November 2024
 - o Drywall December January 2025
 - o Interior finish February March 2025
 - o Exterior finish April May 2025
 - o CO building May 2025

Respectfully,

Dave Marquez Principal | AIA

MmD Architecture



MINOR SITE PLAN APPLICATION FORM

The Planning Division is here to assist you with your Minor Site Plan Application ("Application") pursuant to Site Plan (Sec. 5-E-1) in the Unified Development Code (UDC). Applications are administratively and legislatively reviewed and approval is required. The Application will be reviewed in accordance with the procedures and requirements outlined in Sec. 5-E-1 in the UDC.

This publication outlines the Minor Site Plan Application process and submittal requirements.

All submittal items shall be submitted in PDF format in accordance with the Site Development and Permit Decision File Naming Conventions to permits@wpgov.com. Ensure your application is complete by checking each of the required submittal (RS) boxes below.

1 Requ	uired Ite	ems	
Plan Sheet(s)	RS*	Item #	Submittal Items
	X	1.	Minor Site Plan Application Form. Executed.
	X	2.	Land Use Review Application Form. Executed.
	X	3.	Driveway Permit Application Form. Executed.
	X	4.	Single-Family/Two-Family Attached Dwelling Deposit Agreement Form. Executed.
	X	5.	Title Commitment. Including Schedules A and B. The applicant shall provide a title insurance commitment proving the applicant's ownership of the land to be platted and that all land to be dedicated or conveyed to the Town is free and clear from all liens and encumbrances except as expressly agreed to by the Town.
NA		6.	HOA Architectural Control Committee Approval Letter. If property is governed by HOA.
		7.	 A. Project name. B. Street address. C. Name, address, email and telephone number of owner, applicant, HOA, project manager, architect, engineer, surveyor, and land planner, as applicable. D. Legal description. E. Zoning district. F. Lot size (acreage and sq. ft.). G. All proposed uses. H. Number of dwelling units. I. Number of bedrooms per dwelling unit. J. Size of residential space (sq. ft.). K. Number of proposed off-street parking spaces. L. Construction schedule indicating major milestones for project.
	X	8.	Project Drawings. Shall contain project name, legal description, date of preparation, north arrow, legend, vicinity map, and topography at two-foot (2') intervals. Shall be sized ARCH D (24"x36"). Shall be oriented so that north is up.
	X	8A.	Topographic Survey.
	X	8B.	Construction Plans. Shall have a minimum scale of 1"=20' and be in conformance with the Standards and Specifications for Design and Construction. All plans shall be at the same

			scale and shall align with one another.
			A. Grading and Drainage Plan.
			B. Revegetation, Erosion, and Sediment Control Plan.
	X	8C.	Site Plan. Shall have a minimum scale of 1"=20'. All elements listed below shall be
			dimensioned.
			A. Building coverage ratio table. Shall include area (sq. ft. and acreage) of the following:
			building footprint (including roof overhangs, decks, porches, balconies, and patios);
			drives, sidewalks, and parking areas; easements; areas to be designated open space;
			the site's total acreage; and percentage of building coverage to open space.
			B. Driveway. Slope, dimensions, and culvert locations, if any.
			C. Easements, proposed and existing, public and private. Type and location. If existing
			easements, provide reception numbers on file with the Grand County Clerk and
			Recorder's Office.
			D. Environmental features. Includes riparian buffers, floodplains, floodways, and floodway fringes, wetlands, forests and woodlands, slopes greater than twenty
			percent (20%), slopes greater than thirty percent (30%), and geologic hazard areas.
			E. Limit of disturbance.
			F. Other improvements. Retaining walls, berms, trash receptacles, trash enclosures,
			fencing, signage, fire features, water features, hot tubs, pools, affixed barbeque grills,
			outdoor kitchens, sculptures, etc.
			G. Parking areas for construction workers' vehicles.
			H. Parking spaces. Dimensioned and counted.
			I. Property lines.
			J. Protection notes.
			a. "No disturbance, grading, or removal of significant natural features and
			vegetation will occur beyond the "limit of disturbance" line, as shown on this
			plan."
			b. "The "limit of disturbance" line shall be delineated prior to construction with
			flags, roping, four foot (4') tall orange construction fencing, or other acceptable means."
			K. Setback distances as required by zoning district. From all property lines.
			L. Setback distances from all existing and proposed structures, including retaining
			walls. Draw a line to tie the structure to a point on the property line.
			M. Snow storage areas.
			N. Storage areas for soil, construction equipment, and other materials.
			O. Street addresses or unit numbers.
			P. Street ROW, proposed and existing, public and private. Type, location, and name.
			Q. Structures, proposed and existing.
			R. Top of foundation elevations. For main corners of each structure.
			S. Utilities, proposed and existing. For mains and service lines.
			T. Walkways and paths.
	X	8D.	
			scale of 1/8"=1'.
			A. Profiles.
			B. Location where buildings intersect the existing and proposed grades for each profile.C. Building materials. Shall be annotated to correspond with Building Materials Board.
			D. Location of outdoor lighting fixtures.
	▽ 1	ЯF	Floorplans. Shall have a minimum scale of 1/8"=1'. All plans shall be black and white, at
	X	JL.	the same scale, and shall align with one another. Shall include a roof plan.
	X	8F.	
]	minimum scale of 1"=20'. Shall include the following:
		<u> </u>	

			A. Proposed species name.
			B. Property lines labeled with required bufferyard types.
			C. Structures, existing and proposed.
			D. Landscaping, existing and proposed.
			E. Hardscaping, existing and proposed.
			F. Top-of-wall and bottom-of-wall elevations of all retaining walls and site walls.
	X	8G.	Bufferyard Tabulation. See "Bufferyard Tabulation" below.
	X	8H.	Tree Removal and Protection Plan. See Article 3.G, <i>Tree Removal and Protection.</i> All trees
			proposed for protection greater than four inches (4") in caliper.
	X	9.	Outdoor Lighting Board. See Article 3.K, Outdoor Lighting. Shall include cut sheets for all
			proposed outdoor lighting fixtures with International Dark Sky Association (IDA) Approval
			Symbol. Shall indicate mounting heights.
	X	10.	Outdoor Lighting Tabulation. See "Outdoor Lighting Tabulation" below.
	X	11.	Building Materials Board. Shall be annotated to correspond with Building Elevations. Shall
			include photographs of swatches demonstrating color and material composition for the
			following:
			A. Decks
			B. Doors (incl. garage and entry doors)
			C. Fascia
			D. Fencing
			E. Foundation
			F. Gates
			G. Railings
			H. Roofs
			I. Siding
			J. Soffits
			K. Window and door trim
			L. Window glass type
	X	12.	Renderings. Shall be 3D, in color, and accurate in scale.
		13	Wetland Delineation. See Article 3.C, Resource Identification and Sensitive Lands
NA		13.	Protection. If applicable.
N.I.O.		14	Hillside and Ridgeline Development Study. See Article 3.C, Resource Identification and
NA			Sensitive Lands Protection. If impacting slopes greater than twenty percent (20%).
	V	15	File Naming Conventions. All Minor Site Plan Applications shall be submitted pursuant to
	X	13.	the Site Development and Permit Decision File Naming Conventions.
Required Sul	hmittal	/DC*\ _	·
nequired 301	viiiilldl	(U2.) =	

Bufferyard Tabulation

Tabulation of required bufferyard types per property line and list of proposed plantings proposed per property line. See Sec. 3-1-5, Bufferyards, for requirements.

	Evergreen Trees Required	Evergreen Trees Provided	Deciduous Trees Required	Deciduous Trees Provided	Shrubs Required	Shrubs Provided	I	Deficiency (if any)
N Boundary Length: 67 linear feet Adjacent properties are zoned: R20 Bufferyard Type: A B C D (circle one)	2	1	2	2	0	0	-	Bufferyard minimums based on 100' lot lines, total of 3x trees to account for 65'-75' lot lines
S Boundary Length: 67 linear feet STREETSIDE Adjacent properties are zoned: R20 Bufferyard Type: A B C D (circle one)	2	2	2	1	0	0	-	
E Boundary Length:75 ' linear feet Adjacent properties are zoned:R20 Bufferyard Type: A B C D (circle one)	2	1	2	2	0	0	-	
W Boundary Length: 65' linear feet DRIVEWAY Adjacent properties are zoned: R20 Bufferyard Type: A B C D (circle one)	2	1	2	2	0	0	-	

Outdoor Lighting Tabulation

See Article 3.K, *Outdoor Lighting,* for requirements. Ensure each fixture's cut sheet contains the International Dark Sky Association (IDA) Approval Symbol.

Fixture Name	Proposed # of Fixtures	Proposed Lumens per Fixture	Proposed Correlated Color Temperature (in degrees Kelvin)
Progress lighting	14	511/27 (LM-79)	3000 K

- **2** Process for Approval See Sec. 5-E-1, Site Plan.
- 3 Fees See Sec. 5-B-6, Application Fees. An invoice will be sent once the planning file has been created.
 - **A.** \$100.00 Minor Site Plan Application Review Fee.
 - **B.** \$3,000.00 Deposit for Building Exterior, Driveway, and Landscaping.
 - **C.** \$50.00 Driveway Permit Application Fee.

4 Applicant's Certification Statement

I, <u>MnD Architecture - Dave Marquez</u>, as Applicant and duly representative of the owner, hereby certify that the information included upon the attached submittal items are true and accurate; and that the development of the site will occur in accordance with the submittal items.





VEIW FROM CEDAR DRIVE LOOKING NORTH EAST



VEIW FROM CEDAR DRIVE LOOKING NOORTH WEST



VEIW FROM MAPEL DRIVE LOOKING NORTH

PAGE 1 OF 2

M D ARCHITECTURE

12.15.2023

5IN CYL RNDS

Wall Mounted • Wet Location Listed PROGRESS LED

Description:

Cylinder Collection 1-Light Black 5-Inch Modern Outdoor Medium Wall Lantern Light

Specifications:

- Dimmable to 10% brightness (See Dimming Notes)
- · Canopy covers a standard 4" recessed outlet box: 4.45 in W., 4.45 in ht., 0.65 in depth
- Mounting backplate for outlet box included
- 6 in of wire supplied

Performance:

Number of Modules	1
Input Power	37.2 W
Input Voltage	120 VAC
Input Frequency	60 Hz
Lumens/LPW (Delivered)	819/22 (LM-79)
CCT	3000 K
CRI	90 CRI
Life (hours)	50000 (L70/TM-21)
EMI/RFI	FCC Title 47, Part 15, Class B
Warranty	5-year Limited Warranty
Labels	cCSAus Wet Location Listed

P550102-031-30

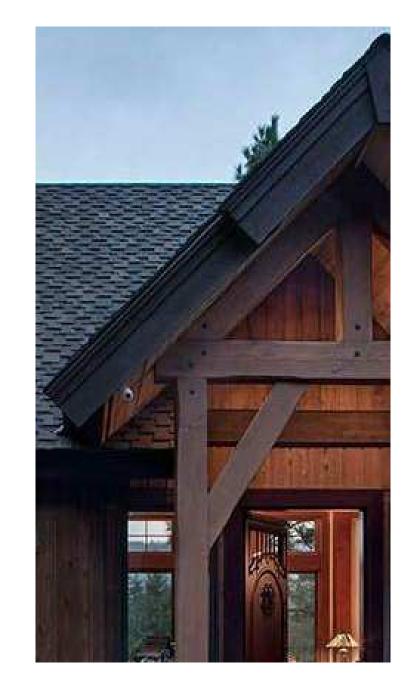


Dimensions:

Length: 5 in Depth: 7-15/16 in Height: 14 in

PROGRESS LIGHTING - P550102-031-30

ENTRY AND BALCONY EXTERIOR

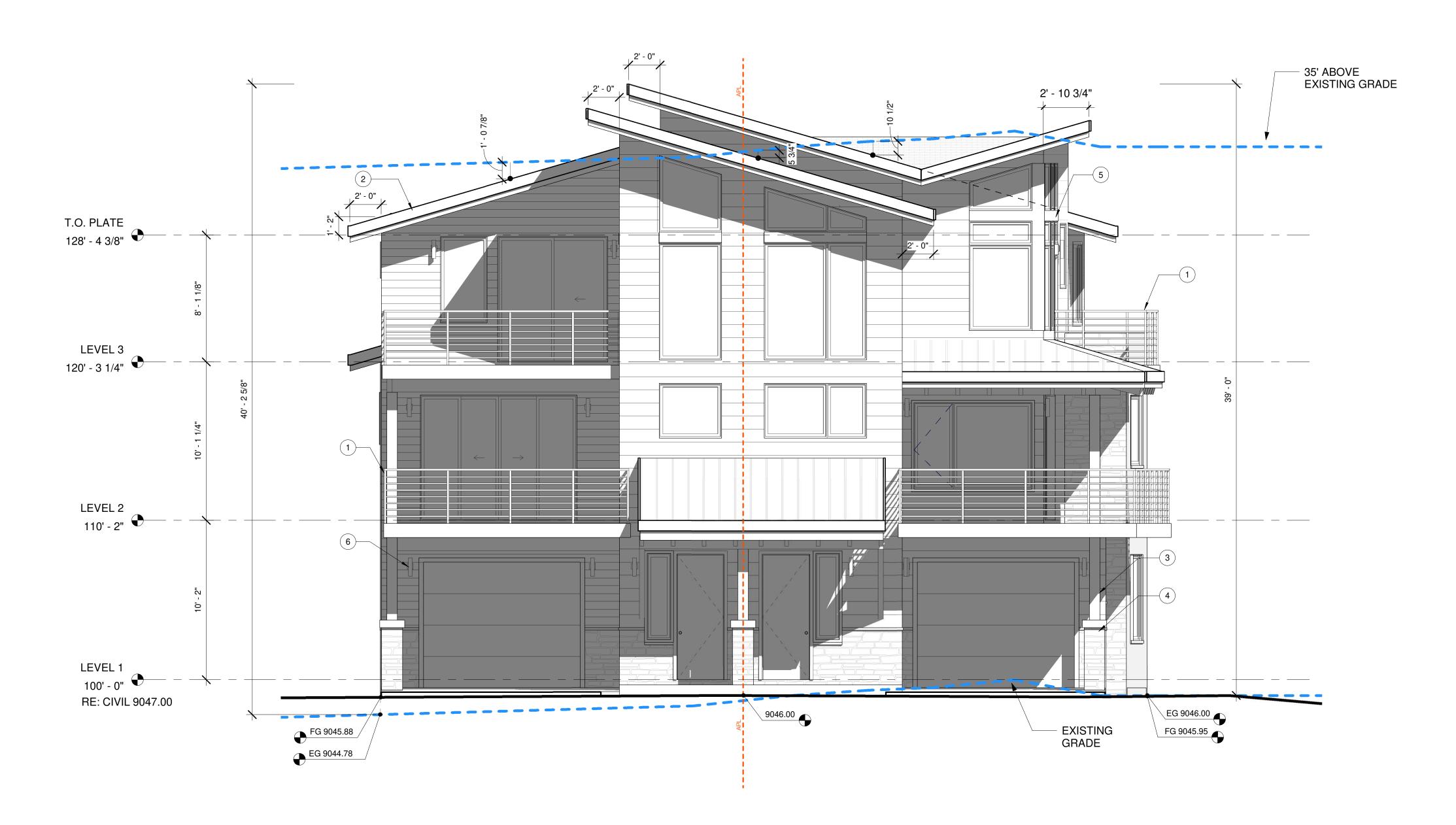






ANDERSON 100 SERIES WINDOWS DARK BRONZE FINISH

PAGE 2 OF 2



1 SOUTH WEST CEDAR DRIVE ELEVATION

SCALE: 1/4" = 1'-0"

ELEVATION KEY NOTES

METAL DECK RAIL: HORIZONTAL 3/4" STEEL BARSTOCK
GUARDRAIL @ 4"O.C.; 2" X 2" STEEL POSTS NOT TO EXCEED 5'-0"
O.C. SECURE TO SUBSURFACE WITH LAG BOLTS TO STL. ANGLE
OR BASE PLATE (RE: STRUCT. FOR CONNECTION). SHOP PRIME,
FIELD PAINT

2 2 x 12 CEDAR FASCIA, DARK STAIN, TYP.

3 8×8 R.S. CEDAR POSTS

4 STONE POST BASE WITH STONE CAP

5 SMOOTH FACE CEMENTISOUS TRIM - PAINTED TO MATCH COLOR OF WINDOW

6 EXTERIOR WALL SCONCE; SEE ELEC. LAYOUT FOR FIXTURE & CUT SHEET

ELEVATION MATERIALS LEGEND

STANDING SEAM METAL ROOFING. FINISH: CHARCOAL

> 1x6 HORIZONTAL CEDAR SIDING, 5" FACE. FINISH: SEMI-TRANSPERANT STAIN

1x10 CEDAR SHIPLAP; DARK

BROWN STAIN

STONE VENEER

ASPHALT ROOFING SHINGLES MNFR. TIMBERLINE, COLOR: CHARCOAL DATE: 12/15/2023

SEXTERIOR
ELEVATIONS

DATE ISSUE

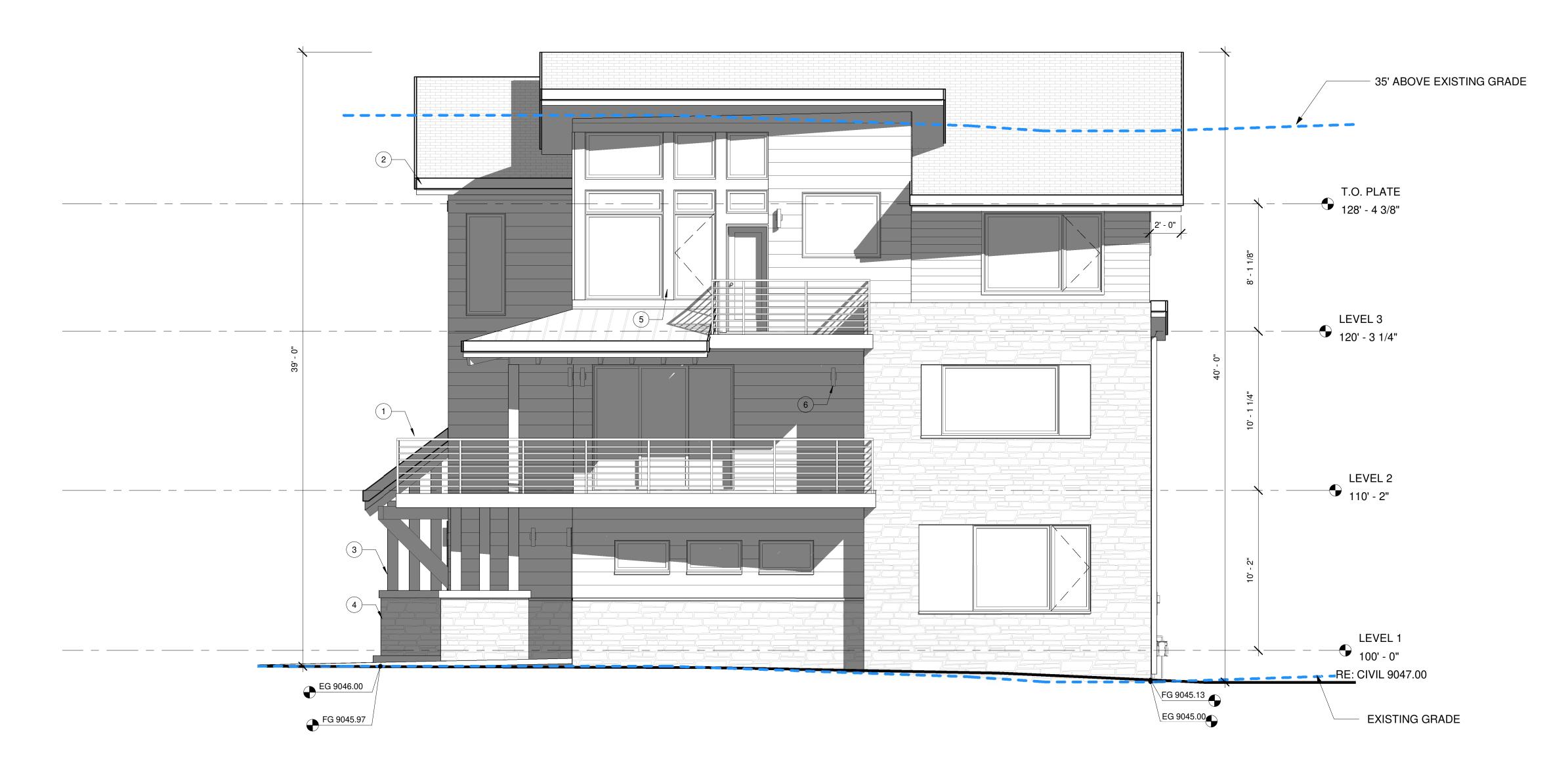
12.15.23

MINOR SITE PLAN

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A4.1



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ELEVATION KEY NOTES

- METAL DECK RAIL: HORIZONTAL 3/4" STEEL BARSTOCK GUARDRAIL @ 4"O.C.; 2" X 2" STEEL POSTS NOT TO EXCEED 5'-0" O.C. SECURE TO SUBSURFACE WITH LAG BOLTS TO STL. ANGLE OR BASE PLATE (RE: STRUCT. FOR CONNECTION). SHOP PRIME, FIELD PAINT
- 2 x 12 CEDAR FASCIA, DARK STAIN, TYP.
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- 4 STONE POST BASE WITH STONE CAP
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ELEVATION MATERIALS LEGEND

STANDING SEAM METAL ROOFING. FINISH: CHARCOAL

> 1x6 HORIZONTAL CEDAR SIDING, 5" FACE. FINISH: SEMI-TRANSPERANT STAIN

1x10 CEDAR SHIPLAP; DARK BROWN STAIN

STONE VENEER

ASPHALT ROOFING SHINGLES MNFR. TIMBERLINE, COLOR: CHARCOAL DATE: 12/15/2023

90 EXTERIOR
ELEVATIONS

DATE ISSUE

12.15.23

MINOR SITE PLAN

A4.2

NORTH WEST ELEVATION

SCALE: 1/4" = 1'-0"

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- 2 x 12 CEDAR FASCIA, DARK STAIN, TYP.
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- (4) STONE POST BASE WITH STONE CAP

- 5 SMOOTH FACE CEMENTISOUS TRIM PAINTED TO MATCH COLOR OF WINDOW
- 6 EXTERIOR WALL SCONCE; SEE ELEC. LAYOUT FOR FIXTURE & CUT SHEET

ELEVATION MATERIALS LEGEND

	DATE	ISSUE
STANDING SEAM METAL ROOFING. FINISH: CHARCOAL	12.15.23	MINOR SIT
1x6 HORIZONTAL CEDAR SIDING, 5"		

1x6 HORIZONTAL CEDAR SIDING, 5" FACE. FINISH: SEMI-TRANSPERANT	
STAIN	 -
017 til 1	

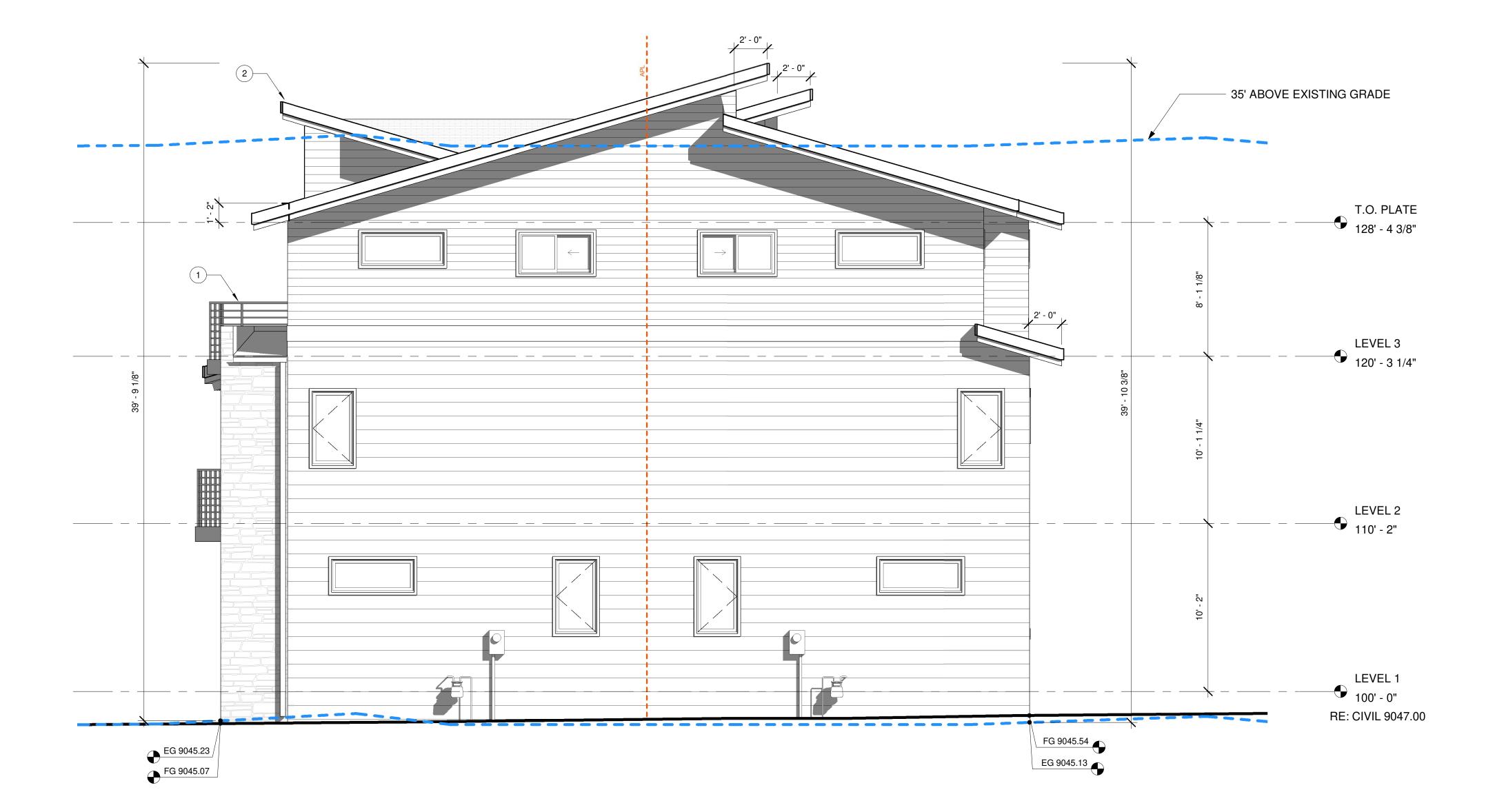
	DATE:	12/15/202
PLAP; DARK		
L/ (1 , D/ (1 (1)		

	DA	TE:	12/15/20
1x10 CEDAR SHIPLAP; DARK			
BROWN STAIN	(0)		

BROWN STAIN	22306	EXTERIOR ELEVATIONS
STONE VENEER		

ASPHALT ROOFING SHINGLES MNFR. TIMBERLINE, COLOR: CHARCOAL

MINOR SITE PLAN



2 NORTH EAST ELEVATION

SCALE: 1/4" = 1'-0"

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ELEVATION	KEY	NOTE

- METAL DECK RAIL: HORIZONTAL 3/4" STEEL BARSTOCK GUARDRAIL @ 4"O.C.; 2" X 2" STEEL POSTS NOT TO EXCEED 5'-0" O.C. SECURE TO SUBSURFACE WITH LAG BOLTS TO STL. ANGLE OR BASE PLATE (RE: STRUCT. FOR CONNECTION). SHOP PRIME, FIELD PAINT
- 2 x 12 CEDAR FASCIA, DARK STAIN, TYP.
- 3 8 x 8 R.S. CEDAR POSTS
- (4) STONE POST BASE WITH STONE CAP
- 5 SMOOTH FACE CEMENTISOUS TRIM PAINTED TO MATCH COLOR OF WINDOW
- 6 EXTERIOR WALL SCONCE; SEE ELEC. LAYOUT FOR FIXTURE & CUT SHEET

ELEVATION MATERIALS LEGEND

	DATE	ISSUE
STANDING SEAM METAL ROOFING. FINISH: CHARCOAL	12.15.23	MINOR SITE PLAN

1x6 HORIZONTAL CEDAR SIDING, 5" FACE. FINISH: SEMI-TRANSPERANT	
STAIN	

	DATE:	12/15/2023	
AR SHIPLAP: DARK			

	DATE:	12/15/2
1x10 CEDAR SHIPLAP; DARK		
BROWN STAIN	(0)	

BROWN STAIN	908	EXTERIOR
	223	ELEVATIONS

ASPHALT ROOFING SHINGLES MNFR. TIMBERLINE, COLOR: CHARCOAL

STONE VENEER

TOTAL	2935 SF
TOTAL	
PAV. AREAS - SIDEWALK - DRIVEWAY	391 SF
BLDG ROOF OVERHANG - DECKS	2544 SF

VECINITY MAP

PROJECT LOCATION

1049 SF. CONC. x 0.25 = 262 SF

1 EVERGREEN

1 DECIDOUS

REQUIRED

NA

307 SF.

TABLE 3-H-5-1

SNOW STORAGE STANDARS

STANDARD

+ 30 SF. PER EVERGREEN TREE

+15 SF. PER DECIDUOUS TREE

+ % EQUAL TO AVERAGE SLOPE

-% EQUAL TO AVERAGE SLOPE

TOTAL SNOW STORAGE

TO BE DETERMINED BY THE

PLANNING COMMISSION

1 SF. PER 4 SF. OF PAVED AREA (25%)

BLDG ROOF OVERHANG - DECKS	2544 SF
PAV. AREAS - SIDEWALK - DRIVEWAY	391 SF
TOTAL	2935 SF

PERIMETER DRAIN LINE, RE: SOILS REPORT **UNIT ENTRY**

SITE PLAN LEGEND

PROPOSED BUILDING

SNOW STORAGE

DRIVEWAY

PRE-DISTURBANCE **INSPECTION REQUIREMENTS**

1. EROSION CONTROL- EROSION CONTROL FEATURES, INCLUDING SILT FENCE, STRAW WADDLES, AND OTHER BMP'S MUST BE INSTALLED PER APPROVED SITE PLAN

2. STABILIZED DRIVEWAY CONSTRUCTION ENTRANCE--MUST BE INSTALLED IN CONFORMANCE WITH FIGURE 10 OF THE STANDS AND SPECIFICATIONS FOR DESIGN AND CONSTRUCTION. THE ENTRANCE MUST BE MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD. IF THE ENTRANCE IS NOT MAINTAINED. THE BUILDING DEPARTMENT WILL SUSPEND INSPECTIONS UNTIL IT IS REPAIRED IN ACCORDANCE WITH THE STANDARDS

3. LIMIT OF DISTURBANCE- MUST BE DELINEATED WITH FOUR FOOT (4') TALL ORANGE CONSTRUCTION FENCING. ROPING WITH FLAGS ATTACHED OR OTHER ACCEPTABLE MEANS THAT WILL PROTECT THE NATURAL FEATURES AND VEGETATION BEYOND THE LIMIT OF DISTURBANCE.

4. SOIL STOCKPILE AREA- THE SOIL STOCKPILE AREA SHALL BE IDENTIFIED WITH A WOOD STAKE AND LABELED

5. CONCRETE WASHOUT AREA- THE AREA WHERE THE CONCRETE WASHOUT WILL BE CONSTRUCTED SHALL BE SIGNED FOR EASY IDENTIFICATION. PRIOR TO FOOTING INSPECTION, THE WASHOUT AREA SHALL BE CONSTRUCTED.

6. TREES TO BE PROTECTED- TREES THAT WILL REMAIN WITHIN THE LIMIT OF DISTURBANCE SHALL BE PROTECTED WITH CONSTRUCTION FENCING, ROPING WITH FLAGS ATTACHED, OR OTHER ACCEPTABLE MEANS.

7. PROPERTY CORNERS- PROPERTY CORNERS MST BE STAKED WITH WOODEN STAKES AND FLAGGING OR OTHER ACCEPTABLE MEANS FOR EASY IDENTIFICATION.

SITE GENERAL NOTES

1. NO DISTURBANCE, GRADING, OR REMOVAL OF SIGNIFICANT NATURAL FEATURES AND VEGETATION WILL OCCUR BEYOND THE LIMIT OF DISTURBANCE LINE, AS SHOWN ON THIS PLAN

2. THE "LIMIT OF DISTURBANCE" LINE SHALL BE DELINEATED PRIOR TO CONSTRUCTION WITH FLAGS, ROPING, FENCING, OR OTHER ACCEPTABLE MEANS

3. SLOPE CONCRETE PAVING (RE: SOILS REPORT) TOWARDS ALLEY & STREET RE: CIVIL FOR DETAILED GRADING. 4. ELEC. & GAS METERS; COORDINATE UTILITY ROUTING

WITH UTILITY PROVIDER 5. TELEPHONE & CABLE TV; COORDINATE UTILITY ROUTING WITH UTILITY COMPANY.

6. DISCHARGE ROOF DRAIN LEADERS TO UNDERGROUND STORM SEWER LINES, RE: CIVIL DRAWINGS

7. RE: FINAL PLAT FOR SITE UTILITIES, GRADING AND LANDSCAPE INFORMATION

LOT A ZONING

LEGAL DESCRIPTION

LOTS 4 & 5, BLOCK 4, WINTER PARK VILLAGE AND CEDAR CREEK TOWNHOMES, PART OF HOMESTEAD ENTRY SURVEY NO. 117, TOWNSHIP 2 SOUTH, RANGE 75 WEST OF THE 6TH PM, TOWN OF WINTER PARK, GRAND COUNTRY, COLORADO

PROJECT NAME: MAPLE RD. DUPLEX

LOCATION: LOCATED IN THE TOWN OF WINTER PARK WITHIN GRAND COUNTY AND THE STATE OF COLORADO.

GENERAL ZONE LOT INFORMATION

<u>SETBACKS</u>		
PROPOSED USE:	DUPLEX	
ZONING	R-0-2	
LOT SIZE (PER SURVEY)	4,792 SF	.11 A

SIDE STREET SIDE INTERIOR

PAV. - SIDEWALK - DRIVEWAY

TOTAL COVERAGE

FRONT STREET

PROVIDED

262 SF

124 SF. EXTRA STORAGE FOR TREES

NA

NA

NA

386 SF.

MAX HEIGHT 35' (MIDPOINT SLOPED ROOF)

MAX LOT COVERAGE $4,792 \times 0.70 =$ 3,354 SF ALLOWED LOT COVERAGE PROVIDED 61.2%

391 SF

2,935 SF

PARKING PER TABLE 3-H-3-1 DUPLEX REQUIRED: 2 PER DWELLING UNIT PROVIDED: 2 PER UNIT 1 GARAGE PER UNIT 1 DRIVEWAY SPACE PER UNIT

BLDG. - ROOF OVERHANG - DECKS 2,544 SF

4251 Kipling St. - SUITE 250 - Wheatridge, CO 80033 - 303.916.3676

8048

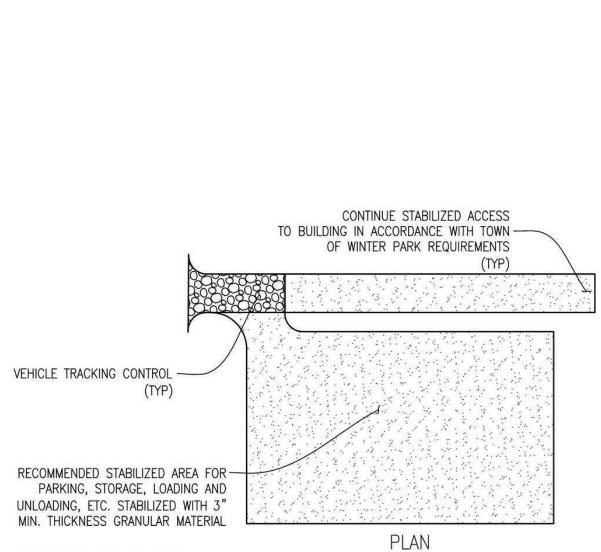
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SQ. FT ACRES DATE | ISSUE

12.15.23 MINOR SITE PLAN

DATE: 12/15/2023

SITE PLAN AND **DETAILS**



PROPOSED SNOW

2ND LEVEL

ALLOWED

BALCONY; A

ENCROACHMENT

ENTRY PORCH

ROOF; ALLOWED

ENCROACHMENT

PROPOSED

2ND LEVEL

BALCONY;

ALLOWED

ENCROACHMENT

SNOW STORAGE

STORAGE 110 SF

CONTRACTOR MAY MODIFY LOCATION AND SIZE OF CONSTRUCTION STABILIZED AREA BASED ON FIELD CONDITIONS CONSTRUCTION STABILIZED ACCESS AREA SHALL BE LARGE ENOUGH TO FULLY CONTAIN PARKING, STORAGE, AND UNLOADING AND LOADING OPERATIONS.

AREA SHALL BE STABILIZED PRIOR TO ANY OTHER MAJOR OPERATIONS ON THE SITE. THE CONSTRUCTION STABILIZED AREA SHALL CONSIST OF A AN MINIMUM OF 3" OF GRANULAR MATERIAL. \

THE CONTRACTOR SHALL INSPECT THE STABILIZED ACCESS AREA WEEKLY, DURING AND AFTER ANY STORM EVEN, AND MAKE REPAIRS OR CLEAN OUT UPSTREAM SEDIMENT AS NECESSARY. THE CONTRACTOR SHALL PROVIDE ADDITIONAL THICKNESS OF GRANULAR MATERIAL IF ANY RUTTING OCCURS OR

UNDERLYING SUBGRADE BECOMES EXPOSED STABILIZED STAGING AREA SHALL BE ENLARGED IF NECESSARY TO CONTAIN PARKING, STORAGE, AND UNLOADING AND

PROPOSED

PROPOSED

UNIT 1

GARAGE

2ND LEVEL BALCONY; A

ALLOWED

PROPOSED

SNOW STORAGE 137 SF

REQUIRED AREA

ADDITIONS: TREES IN SNOW STORAGE

ADDITIONS: UP-SLOPING SNOW STORAGE

REDUCTIONS: DOWN-SLOPING SNOW STORAGE

REDUCTIONS: ACCEPTABLE SNOW MELT SYSTEM

OR A PERPETUAL SNOW STORAGE EASEMENT

MINIMUN AREA

ENCROACHMENT

UNIT 2

GARAGE

19.36 ROADWAY

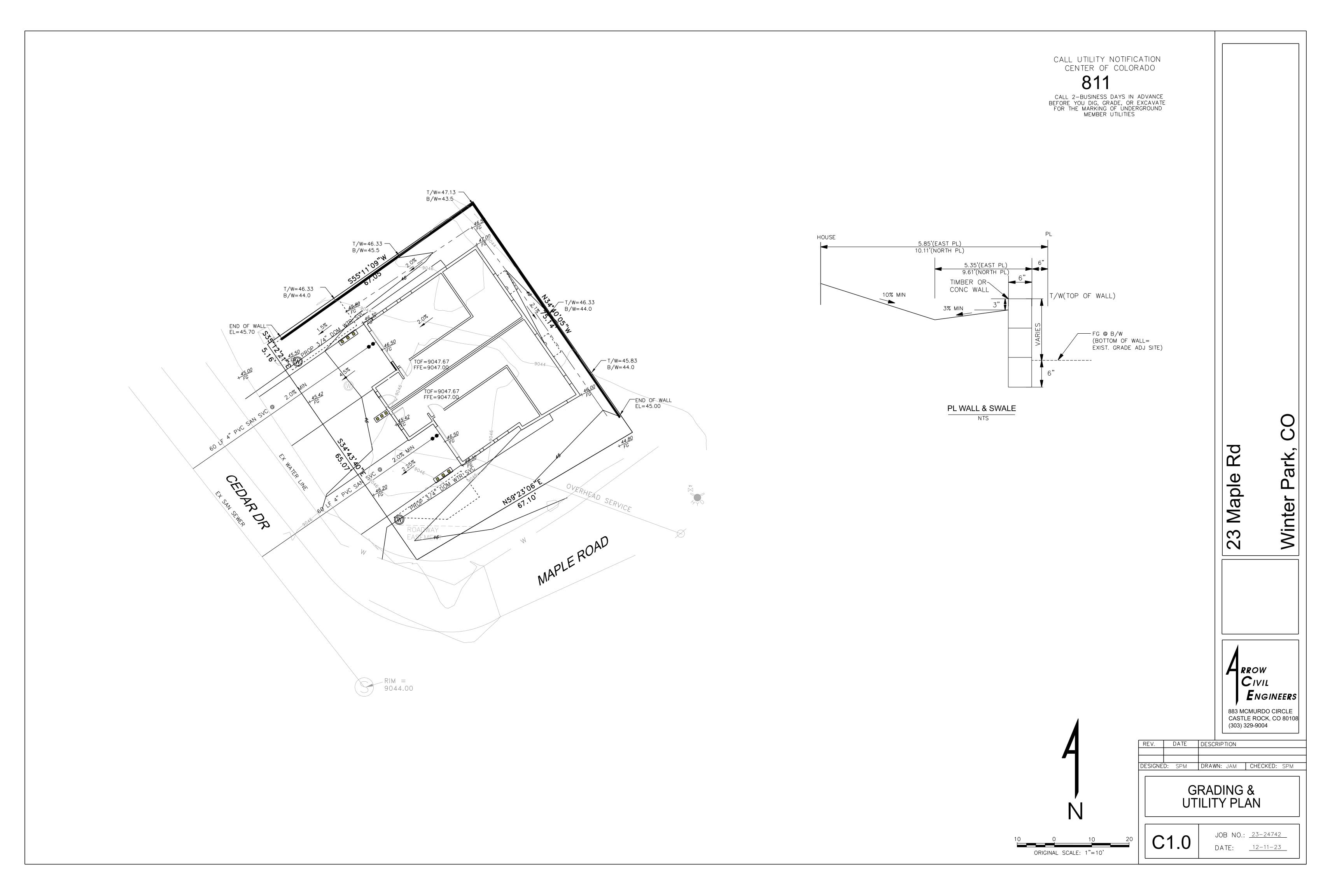
EASEMENT RE: SURVEY

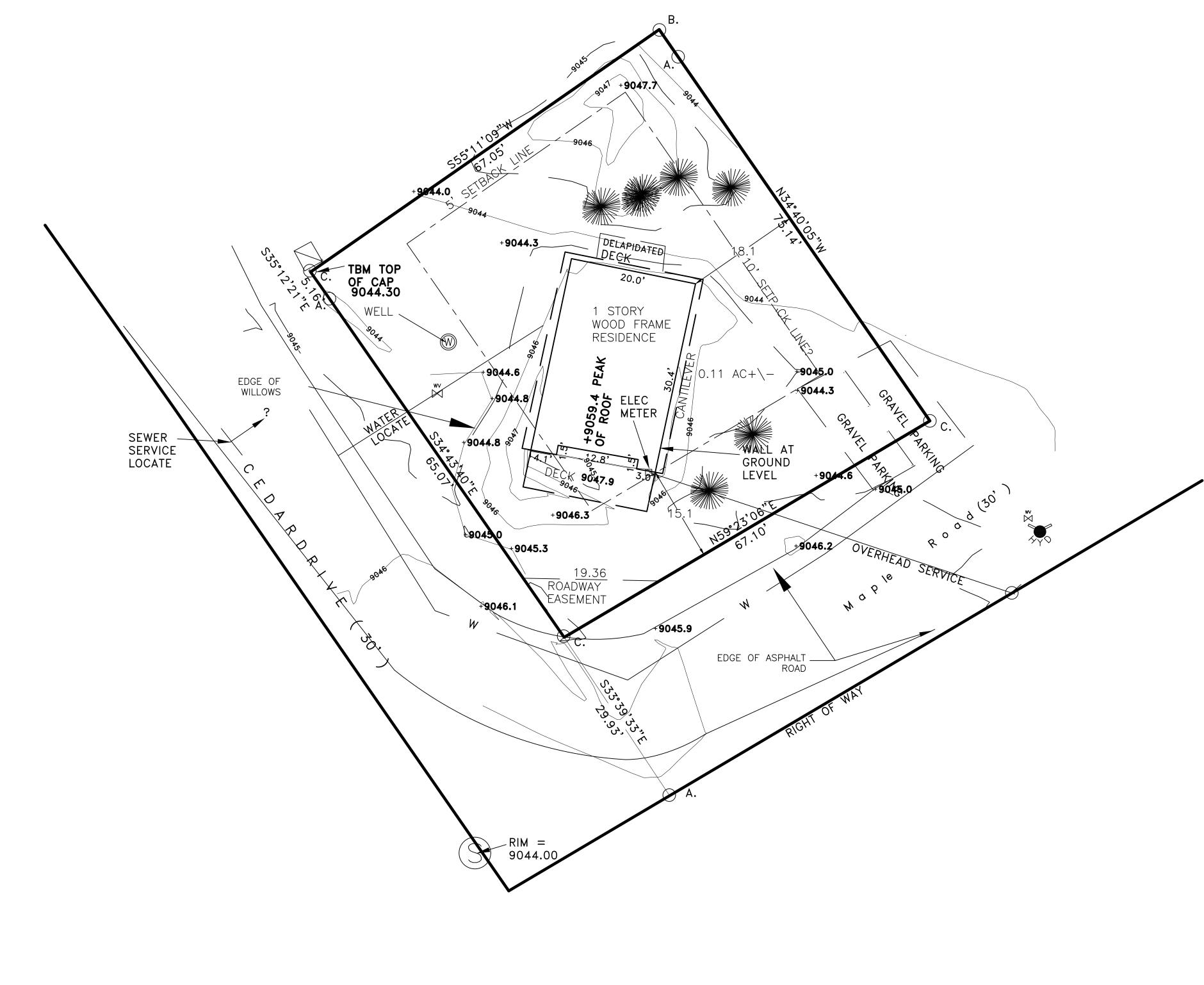
SITE PLAN

99' - 6"

ANY ACCUMULATED DIRTY AND MUD SHALL BE REMOVED FROM THE SURFACE OF THE STABILIZED STAGING ARE. THE STABILIZED STAGING AREA SHALL BE REMOVED AND REVEGETATED OR INCORPORATED INTO THE FINAL DRIVEWAY DESIGN AT THE END OF CONSTRUCTION.

CONSTRUCTION STABILIZED ACCESS DETAIL





LOT 6

BLOCK 6

VILLAGE

WINTER PARK

ALUMINUM CAP AT NORTHWEST CORNER ASSUMED ELEVATION, THIS SITE ONLY

BASIS OF ELEVATION: SEE TBM, TOP OF

U.S. SURVEY FOOT

KEY:

A. — FOUND 1/2" REBAR, APPARENT ORIGINAL MONUMENT

B. - FOUND ALUM. CAPPED 5/8" REBAR STAMPED PLS 31942.

C. — SET ALUMINUM CAPPED, 1/2" PIPE SCRIBED Is 25971.

+ = SPOT ELEVATION

GRAPHIC SCALE - FEET

GPS = GLOBAL POSITIONING SYSTEM,
INCLUDING EUROPEAN GALILEO AND RUSSIAN
GLONASS

RTK = REAL-TIME KINEMETIC

b.o.b. = basis of bearings, along the straight line between monuments shown.

-- FIR OR PINE, OVER 6" DIAMETER

IMPROVEMENT SURVEY PLAT

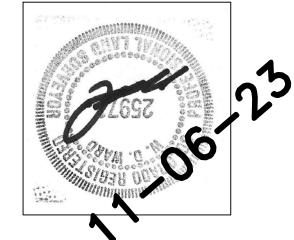
A Retracement Survey of Amended Final Plat, Lots 4 & 5, Block 4, Winter Park Village and Cedar Creek Townhomes, Part of Homestead Entry Survey No. 117, Township 2 South, Range 75 West of the 6th PM, Town of Winter Park, Grand County, Colorado

NOTICE

- 1. For title, reference to a title insurance commitment is recommended.
- 2. Any alteration made to this document in any manner by any person voids all information retroactively.
- 3. A monument, set in good faith by the first surveyor, constitutes a property corner. A property boundary is the line on the ground where property rights change. Once established, corners and boundaries do not move, but may be vacated. Surveyors do not have jurisdiction to unilaterally resolve boundaries disputed between landowners, or to change an established boundary.
- 4. A "bearing" (NE/SW, NW/SE) is a mathematical angular value with identical opposite angular values. Bearings do not "go" in any direction.
- 5. This document is not correlated to GIS (geographic information system)
- 6. 38-51-106(k) minimum standards require encroachments and/or conflicting boundary evidence on improvement/land survey plats to be shown when such exist.
- 7. This document is not valid without original seal/signature affixed by the undersigned.
- 8. Platted wetlands line removed at the request of client.

I hereby certify that this land survey plat was produced for Joseph Mickley, shows the result of a field survey done by me or under my responsible charge based on facts known to me, complies with applicable statutes set forth in 38-51 CRS, that there are no encroachments upon the described premises by improvements on any adjoining premises, except as indicated, and that there are no encroachments by structures from any adjoining property onto the surveyed property, except as noted, and that this document is not a warranty or guarantee, either expressed or implied.

W ward - surveyor



Rocky Mountain Surveys Ind PO BOX 552, Winter Park CO 80482 PHONE 970-531-1120 EMAIL wward1224@comcast.net

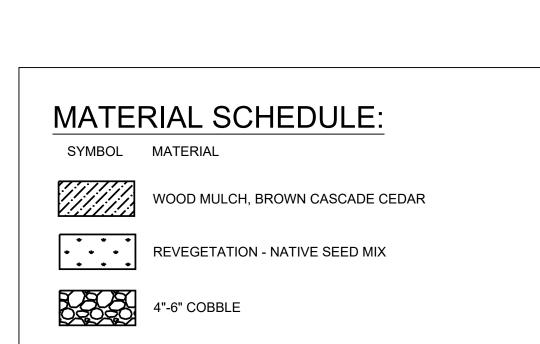
IMPROVEMENT SURVEY PLAT

A Retracement Survey of Amended Final Plat, Lots 4 & 5, Block 4, Winter Park Village and Cedar Creek Townhomes, Part of Homestead Entry Survey No. 117, Township 2 South, Range 75 West of the 6th PM, Town of Winter Park, Grand County, Colorado

DATE: 11-06-23 SCALE: 1 in = 10 usft BY: w JOB: 29900404

O_A.

PROPERTY



SYMBOL	COMMON NAME SCIENTIFIC NAME	QTY	SIZE
	ASPEN, QUAKING POPULUS TREMULOIDES	2 3 2	1.5" CA 2.0" CA 2.5" CA
	SPRUCE, COLORADO PICEA PUNGENS	3	6' HT
	PINE, LODGEPOLE PINUS CONTORTA	1	6' HT
The state of the s	PINE, BRISTLECONE PINUS LONGAEVA	1	8' HT

811 CALL BEFORE YOU DIG 811 or 1-800-922-1987



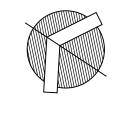
23 MAPLE OKIVE DT 4, BLOCK 4, CEDAR CREEK TOWNHOME WINTER PARK VII I AGE COLORADO

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ISSUE DATE: 2024.11

REV: # / DATE / TYPE

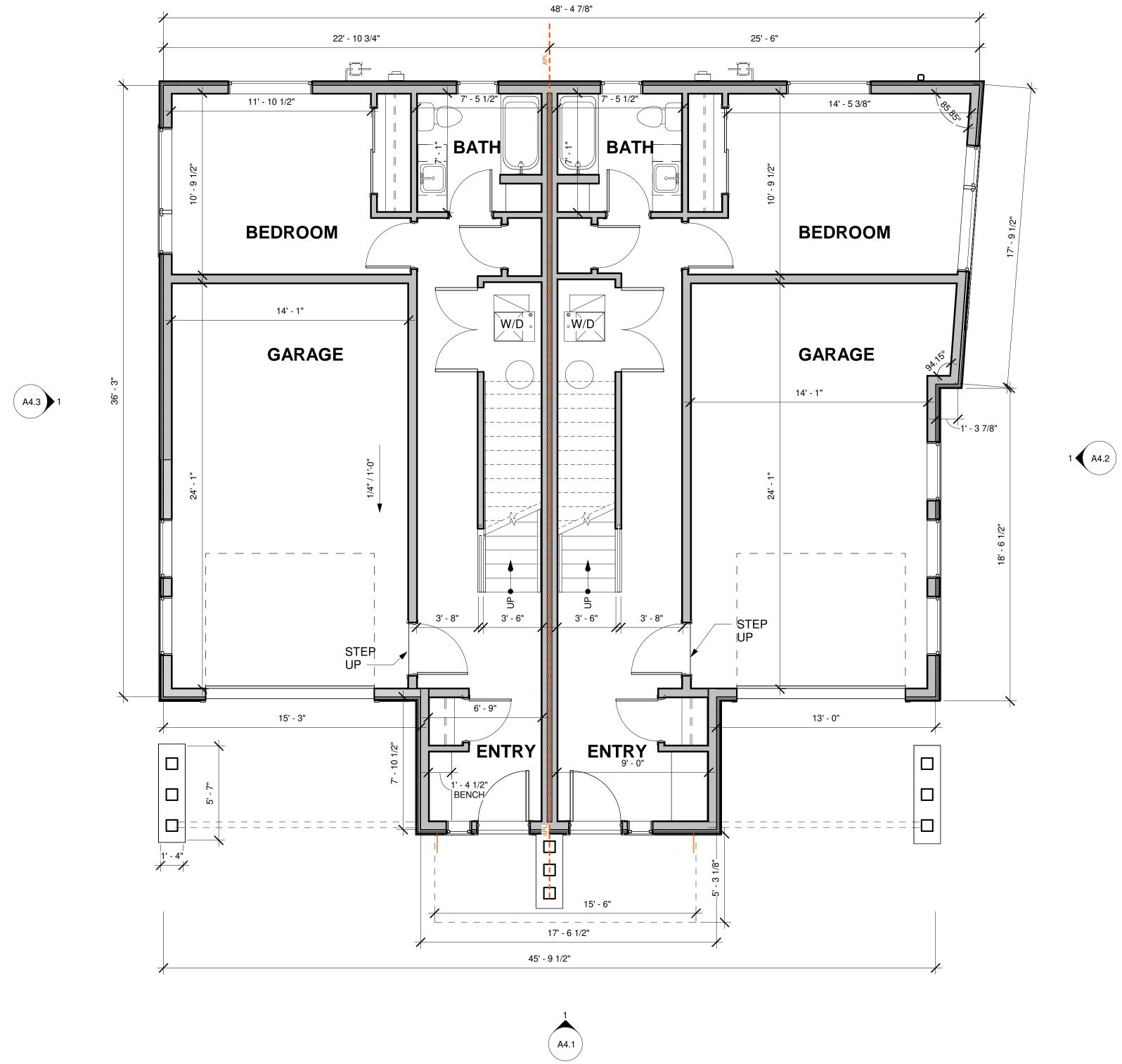


LANDSCAPE PLAN

SHEET

L.01







1 SCALE: 1/4" = 1'-0"

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WINTER

DUPLEX

RD.

MAPLE

DATE ISSUE

12.15.23 MINOR SITE PLAN

DATE: 12/15/2023

1ST LEVEL FLOOR PLAN

4251 Kipling St. - SUITE 250 - Wheatridge, CO 80033 - 303.916.3676

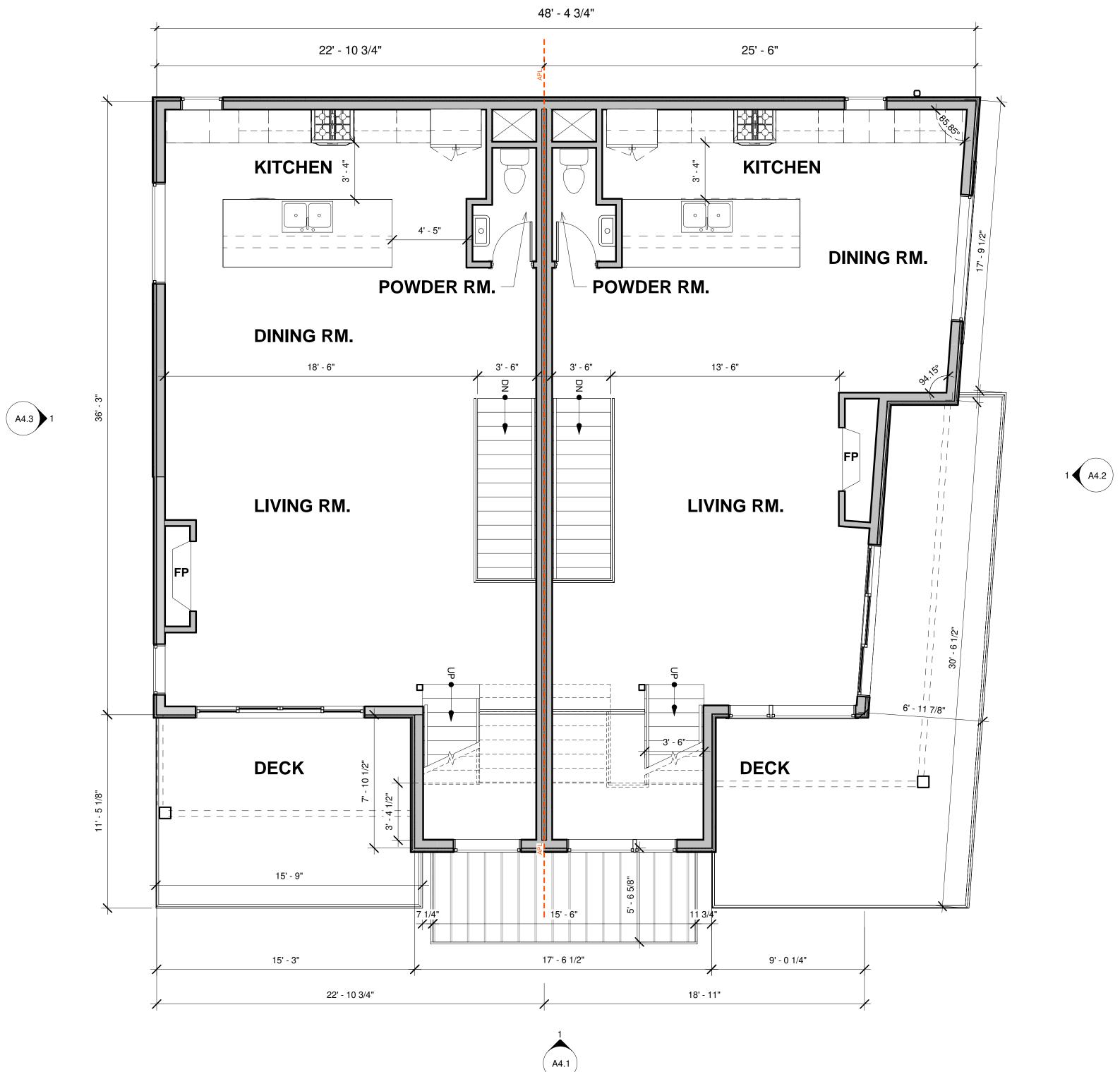
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DATE ISSUE 12.15.23 MINOR SITE PLAN

DATE: 12/15/2023

2ND LEVEL FLOOR PLAN

(A4.4)



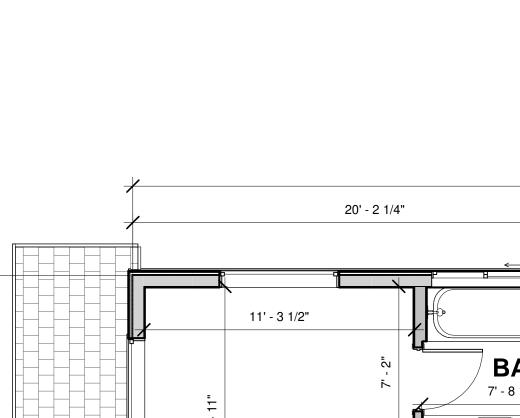
1 $\frac{\text{2ND LEVEL FLOOR PLAN}}{\text{SCALE: } 1/4" = 1'-0"}$

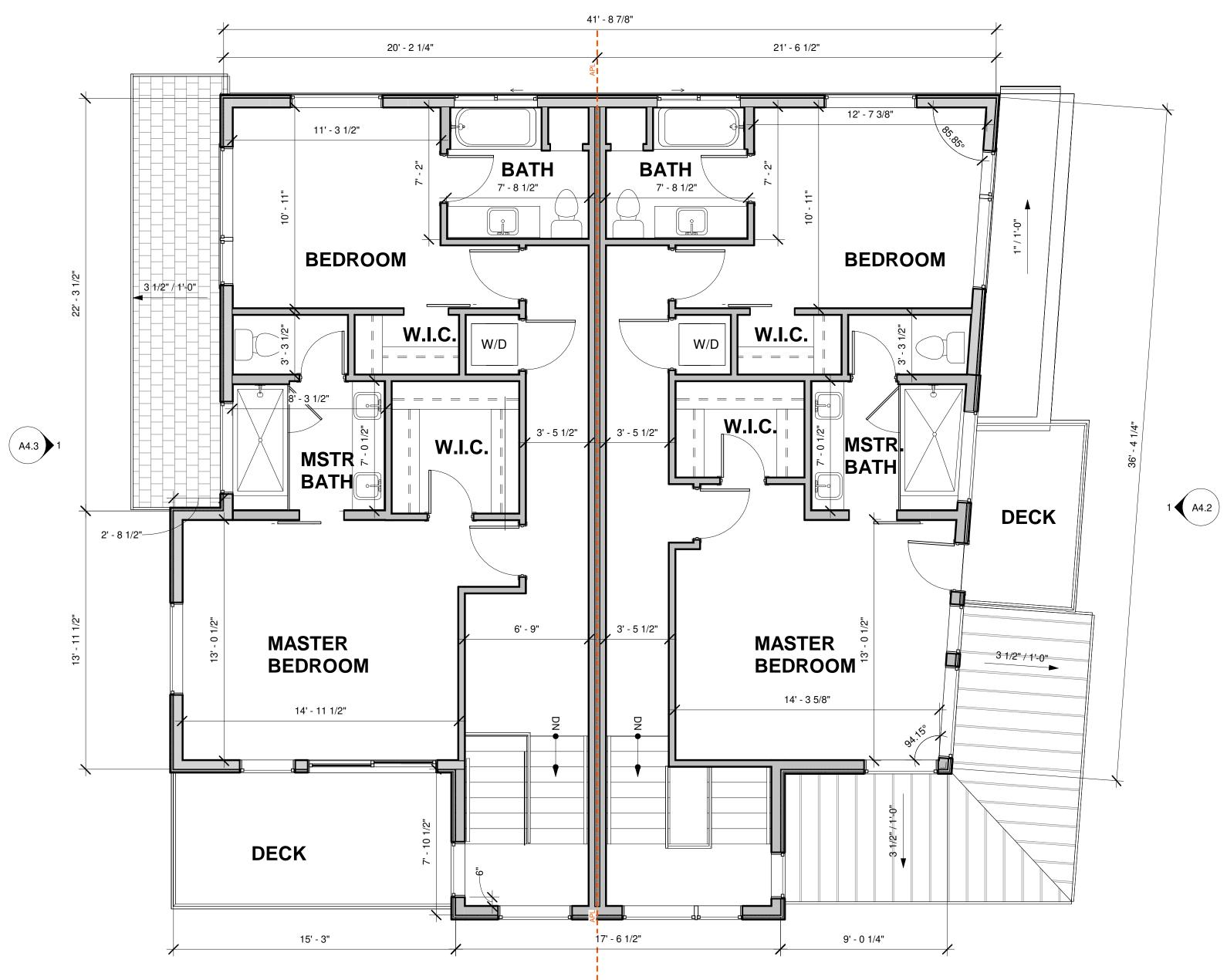
4251 Kipling St. - SUITE 250 - Wheatridge, CO 80033 - 303.916.3676

DATE | ISSUE 12.15.23 MINOR SITE PLAN

DATE: 12/15/2023

3RD LEVEL FLOOR PLAN







3RD LEVEL FLOOR PLAN

SCALE: 1/4" = 1'-0"

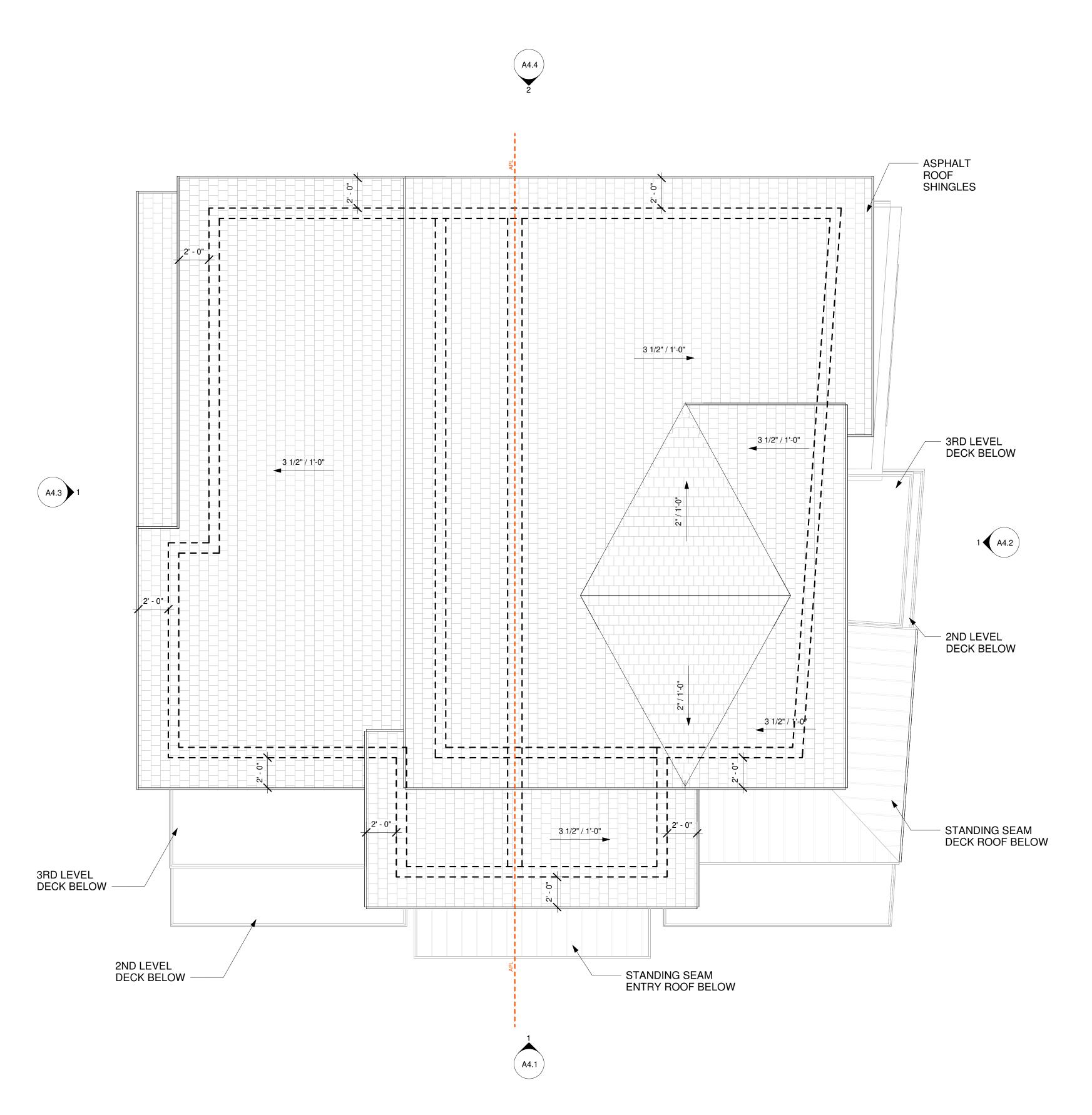
DUPLEX

RD.

MAPLE

is strictly forbidden.

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1 ROOF PLAN

| SCALE: 1/4" = 1'-0"

DATE ISSUE

12.15.23 MINOR SITE PLAN

DATE: 12/15/2023

ROOF PLAN

A2.4





TO Planning Commission

FROM Hugh Bell, Planner

THROUGH James Shockey, AICP, Community Development Director

DATE January 23, 2024

RE PUBLIC HEARING: Major Site Plan – Lions Gate Condominiums – 365

Lions Gate Drive (PLN22-078)

Applicant: Will MacDonald

Property Owner: Will MacDonald

Architect: Brian Garrett of Harrison Custom Builders

Address: 365 Lions Gate Drive

Legal Description:

Tract 3, Miller Subdivision, Being a part of the NE ¼ Of Section 33, Township 1 South, Range 75 West of the 6th PM, Town of Winter Park, County of Grand, State of Colorado.

Zoning: D-C (Destination Center)

Authority:

Pursuant to § 5-B-3 of the Winter Park Unified Development Code (the "UDC"), the Planning Commission considers building configurations, colors, materials and general compatibility of proposed structures and outdoor advertising within the Town of Winter Park. Major Site Plan approval is required before building permit issuance.

Site Plan Approval Criteria:

UDC § 5-E-1(H): Approval Criteria. The site plan shall be evaluated and may be approved in accordance with the following criteria:

- 1. Comprehensive Plan. Conformance with the Comprehensive Plan:
- 2. This UDC. Conformance with the standards of this UDC; and
- 3. Design Guidelines. Conformance with the Design Guidelines in Appendix A.

Procedure:

UDC § 5-E-1(G)(2)(e): Planning Commission Action. After agency and DRC comments have been resolved and proper public notice posted, the Planning Commission shall:

- 1. By majority vote, approve, approve with conditions, or deny the site plan as outlined in Sec 5-A-3(C), Procedures.
- 2. Hold a public hearing prior to taking action on the proposed site plan; and
- 3. Receive a written recommendation from the Director regarding the proposed site plan.

Background:



The Property was platted as part of the Miller Subdivision in 1953 (Reception No. 76470). The existing single-family detached dwelling unit ("SFD DU") was constructed in 1975 and an attached Accessory Dwelling ("ADU") has since been added. Both the SFD DU and ADU are nonconforming land uses in D-C zoning, but because neither use is being modified with the Application, they are permitted nonconforming uses as seen in Article 6.C, Nonconforming Uses.

Project Overview:

A multifamily residential building is proposed and is classified as an "Apartment" use. It includes a total of eleven (11) DU:

- One (1) studio DU
- Eight (8) two-bedroom DU
- Two (2) three-bedroom DU

Accounting for the two (2) existing DU, thirteen (13) total DU will exist. 32 DU/acre are permitted for Apartment uses; 13 DU/0.48 acres = 27 DU/acre proposed. Total building footprint for the proposed building is 5,840 sq ft and contains thirteen (13) covered parking spaces and nine (9) uncovered parking spaces.

Variances:

Two (2) Board of Adjustment (BOA) variance requests have been approved for the Property. The first was approved in 2019 to convert the SFD DU's crawl space into a finished basement. The second was approved via Resolution 3, Series 2023 (Reception No. 2023002074) to allow for fewer plantings on a portion of the north bufferyard and for the entirety of the south and west bufferyards.

One (1) administrative variance request was submitted and staff approved it on July 17, 2023. It requested to deviate from the 7' minimum distance required between adjacent properties and parking areas; staff permitted 6' of encroachment by the parking area. The UDC permits staff to vary this distance given there is a hardship "due to site topography, limits of access, or other unusual circumstances unique to the property and not created by the property owner" as seen in § 3-H-5(D)(1). Staff determined the request met the required criteria given there is an existing structure constraining development, given East Grand Fire Protection District No. 4 has required an aerial apparatus road, and given the Board of Adjustment separately approved the Bufferyard Variance Request (PLN23-011) via Resolution 3, Series 2023, to, in part, reduce the bufferyard requirement for 133' of the north lot line, starting from the NE property corner and terminating 133' west of there.

Title Commitment:

Partially satisfactory. Applicant submitted a title commitment for the Property, which did not include a portion of the property to be dedicated to the Town. The Town is obtaining the additional title commitment related to the 15-foot expansion of the right-of-way (ROW) on Lions Gate Drive. All ROW within the Town must be at least 60' wide (Standards and Specifications, Table 3.3, Roadway Classification and Minimum Design Criteria).

Upon Town staff's satisfaction with the title commitment, the additional 15-foot ROW on Lions Gate Drive shall be dedicated to the Town by general warranty deed, reviewed by the Planning Commission and approved by the Town Council prior to recordation with the County Clerk and Recorder.

Homeowner's Association:



No HOA currently exists but will be created upon the building's completion, when a condominium plat will be required to sell each DU.

Upon creation of the HOA, Applicant shall assign one (1) DU to each set of tandem parking spaces within the HOA Declaration of Covenants.

Construction Plans:

View the Construction Plans in the packet.

Density:

Satisfactory. 32 DU/acre are permitted for Apartment uses; 13 DU/0.48 acres = 27 DU/acre proposed.

Access:

Satisfactory. Access will be attained by a new curb cut on Lions Gate Drive. The Town Engineer has approved this configuration.

> A stabilized construction entrance shall be installed prior to ground disturbance.

Transit:

Satisfactory. The Property is served by the existing "Lions Gate Drive" transit stop approximately 115' south on Lions Gate Drive.

Pedestrian Access:

Satisfactory. The Town's 2014 Community Trails Plan indicates a desire to connect the existing sidewalk along Lions Gate Drive from Rendezvous Way to Kings Crossing Road as a planned trail and walking path on the east side of Lions Gate Drive. This extension will be a future Town improvement when funds are available.

While § 3-H-8(D) of the UDC requires pedestrian connections throughout the project site with extensions to adjacent properties and linkages to existing trails, upon evaluation of the Property's ability to meet this, staff determined that it is not feasible to make meaningful connections to existing trail and pedestrian networks. Because of its location and the unimproved pedestrian infrastructure on the west side of Lions Gate Drive, a more practical connection across Lions Gate Drive would occur, if at all, further south towards Miller Road, where Arrow at Winter Park Condominiums has a sidewalk.

Parks, Trails, and Open Space:

Per § 4-B-6(C), Open Space Fee in Lieu Amount Calculation, a payment in lieu of land dedication shall not exceed five percent (5%) of the fair market value of the subject real property as determined at the date of final platting. The Applicant proposes submitting a condominium plat upon completion of the building so this fee shall be paid at time of submission of the condominium plat.

Upon completion of the building and creation of a condominium plat and prior to recording the condominium plat, Applicant shall pay to the Town a fee of 5% of the property's fair market value in lieu of providing open space.

Parking:

Satisfactory. Due to the decision to keep the existing SFD DU and due to the need for the water quality and detention pond, there is limited development potential. Further impacting the site is the



required fire truck staging area for building access. Because of these items, there are limited locations available for parking. Therefore, some parking is proposed near the front lot line. The impacts of the parking lot are mitigated through the east bufferyard between the parking spaces and Lions Gate Drive.

Per § 3-H-5(D)(2), parking shall be located to the side or rear of the lot and parking lots adjacent to the street are only allowed via approval of a Major Site Plan Application pursuant to Sec. 5-E-1, Site Plan, in instances where there is a demonstrated hardship due to site topography, limits of access, or other unusual circumstances unique to the property not created by the property owner.

The Planning Commission must determine whether to grant this.

There are three (3) compact parking spaces proposed, which are proposed at 10"x16' and 10'x18'. Per § 3-H-5(I), Compact Parking Spaces, the minimum permitted dimension is 10'x16'. The spaces meet the three (3) required criteria:

- 1. The reduction is not used to reduce a front yard setback;
- 2. The reduction will apply to not more than fifty percent (50%) of the total required parking spaces (rounded down); and
- 3. The reduction will apply to not more than three (3) spaces or ten percent (10%) of the total required parking spaces (whichever is greater).

There are four (4) sets of tandem parking spaces proposed, which meet the four (4) required criteria:

- 1. The proposed layout is functional and will not create pedestrian or traffic hazards;
- 2. Both spaces are assigned to one (1) dwelling unit via the HOA Declaration of Covenants, if an HOA is established, or via final plat;
- 3. An adequate turning radius area is provided with the parking layout to allow for turning and backing into or out of the tandem parking spaces; and
- 4. The spaces comply with all other standards in this Article and the Standards.

The parking garage's vertical clearance meets the 8' minimum required at 8.7'.

Based on analysis of Table 3-H-3, the proposed number of parking spaces are conforming.

Requirement	Required	Provided	
1 space per studio DU	One (1) studio DU = 1 space	1 space	
1.5 spaces per 2-	Eight (8) 2-bedroom DU = 12	12 spaces	
bedroom DU	spaces	· · · · · · · · · · · · · · · · · · ·	
2 spaces per 3+	Two (2) 3+ bedroom DU = 4	4 spaces	
bedroom DU	spaces	ч эрассэ	
2 spaces per SFD DU	One (1) SFD DU = 2 spaces	2 spaces	
1 space per ADU	One (1) ADU – 1 space	2 spaces	
1 space per 10 DU (guest parking)	11 Apartment DU = 1 space	1 space	
Total:	21 spaces	22 spaces	
Handicapped Accessible	0-25 parking spaces = 1 van space	1 van space provided	

- Applicant shall assign one (1) DU to each set of tandem parking spaces within the HOA Declaration of Covenants, upon creation of the HOA.
- Applicant shall annotate on the Site Plan the pairs of tandem parking spaces and shall add a note stating each set of tandem parking spaces is assigned to one (1) DU.



Setbacks:

Satisfactory. Per Table 3-A-3, Residential Lot and Building Standards, Apartment development types in the D-C zone are subject to only a 5' side yard setback.

Building Coverage:

Satisfactory. Per Table 3-A-3, Residential Lot and Building Standards, Apartment development types are limited to 85% building coverage in the D-C zone. Proposed building coverage is 64.1%.

Material and Color:

Partially satisfactory. Applicant shall confirm which stone material is proposed, as it differs between the Material Board and the Elevations. The concrete garage walls (item 8a) must have a texture conforming with § 3-B-3(C), Permitted Materials. The concrete walls have a smooth finish proposed so they are compliant.

Applicant shall confirm which stone material is proposed and shall update the Material Board and Elevations accordingly.

Outdoor Lighting:

Partially satisfactory. The Applicant has revised their lighting proposal and is working on submitting an updated Photometric Plan, which staff will review upon receipt.

Four (4) fixtures are proposed. The soffit fixture ("Halo RL4 recessed can fixture") does not contain the International Dark Sky Association (IDA) approval stamp, but given it meets all other requirements in Article 3.K and given this is a recessed fixture mounted within the soffits, there will be no adverse lighting.

The BUG rating cannot exceed B1, U0, and G1. Both building and parking fixtures shall not exceed the height of the eave line, parapet wall, or fourteen feet (14'), whichever is less; heights comply. The Property is limited to 25,000 lumens (25,000 lumens per net acre plus 2,000 lumens for each additional acre beyond the first). The number of lumens will be analyzed upon receipt of an updated Photometric Plan.

Fixture Name	Proposed # of Fixtures	Proposed Lumens per Fixture	Total Proposed Lumens	Proposed CCT
Halo RL4 recessed can fixture.	24	600	14,400	3000K
Ligman Vekter Bollard, Horizontal non-adjustable.	3	?	?	?
Owen 1-Light Outdoor Sconce.	2	?	?	?
Lumark XTOR Crosstour LED.	?	?	?	?
			TBD	

Photometric plans are required for multifamily residential projects and this has been provided. Staff has determined that Table 3-K-6, Parking Lot Requirements, does not apply to the Property, as the



uncovered parking spaces would not meet the intent of the Table, as it will not have a high activity level as a commercial or larger multifamily development would.

Applicant shall submit a revised Photometric Plan for staff's review.

Floorplans:

Satisfactory.

Building Height:

Satisfactory. Because the property is in the D-C zone district, maximum parapet building height (for flat roofs) is 55'. The maximum parapet building height is 54'-8" out of 55'. The elevator shaft services the rooftop so staff is including that in the measurement.

Building Elevations:

Satisfactory. Staff believes the building complies with the 2021 Update to the Design Guidelines. Staff initially had concerns that Guideline 3.7.4 was not met, which recommends "[utilizing] roughly equal window to wall ratios on exterior walls". The Applicant has since revised the windows to be larger and to align better with one another.

Signage:

N/A; signage will be reviewed administratively via Sign Permit Applications.

Bufferyards and Revegetation:

Satisfactory. A BOA Variance was approved via Resolution 3, Series 2023 (Reception No. 2023002074) to allow for fewer plantings on a portion of the north bufferyard and for the entirety of the south and west bufferyards (see attached).

Upon review, the proposed landscaping plan is mostly consistent with the variance. It was discovered during the review process that part of the east bufferyard was public ROW (15') not yet dedicated to the Town, meaning this bufferyard had to be shifted west, away from the ROW. In shifting the east bufferyard, it no longer contains the required number of shrubs. Staff believes the Applicant has made their best attempt to comply with the UDC and believes that § 3-l-2(C)(3), which states:

"Sites that are proposed for redevelopment or substantial improvement, where compliance cannot be reasonably obtained due to the geometry, steep grades, or extensive rock outcroppings on the site. In these cases the Town may approve a lesser landscaping requirement, provided that the reduction of landscaping standards is only the extent necessary to make the installation reasonably obtainable. In no case shall this exception be interpreted to lessen these requirements for reasons other than those provided."

The Planning Commission must determine whether to grant this exemption to the east bufferyard, as permitted in § 3-I-2(C)(3).

- No site clearing shall be permitted until the Building Division has verified the Pre-Disturbance Checklist has been implemented on the site.
- Any disturbed areas on the site shall be revegetated with the seed mix recommended by the Grand County Natural Resource Conservation Service, which mix composition is described in Section 7.4 of the Standards and Specifications for Design and Construction.

Erosion Control / Drainage Plan / Drainage Report: (link to Drainage Report)



Partially satisfactory. There are two (2) outstanding items to be completed by the Applicant per the Town Engineer's letter dated January 12, 2024. That condition is outlined under "Town Engineer", below.

Approved drainage and erosion control shall be in place prior to and throughout site preparation and construction and through successful revegetation.

Snow Storage:

Satisfactory. UDC, § 3-H-5, Parking Design Standards requires that a minimum of 25% of all driving surfaces, including gravel shoulders, parking areas, and pedestrian walkways is designated for snow storage. These areas comprise 5,215 sq ft. With tree additions accounted for as required in Table 3-H-5-1, Snow Storage Standards, an additional 15 sq ft for each deciduous tree and 30 sq ft for each evergreen tree shall be provided, meaning given within the snow storage areas there are six (6) deciduous trees (90 sq ft) and two (2) evergreen trees (60 sq ft) proposed, an additional 150 sq ft shall be provided, totaling 1,455 sq ft of snow storage required at a minimum.

A snow melt system approximately 3,000 sq ft is proposed and encompasses most of the drive aisle. UDC, § 3-H-5 (A)(3) states that the Director may permit the use of heated hard surface to melt snow. The Director has approved this. The Applicant is not using the snow melt system to reduce their minimum required snow storage area dimensions, so the provision in Table 3-H-5-1 stating that the Planning Commission shall decide whether to permit a reduction in snow storage when snow melting is proposed does not apply.

5% Land Dedication:

Since there is no land that the Town desires for parks and open space, a fee in lieu shall be paid to the Town in accordance with § 4-B-6, Fee-in-Lieu. See "Parks, Trails, and Open Space" section above.

School Impact Fee:

This project is subject to school impact fees since no land dedication has been proposed. The fee and the fee in lieu of land dedication collected shall be equivalent to the market value of the land area for the total number of dwelling units. Required School Impact Fees will be established at the time of condominium plat submittal. The fee and the fee in lieu of land dedication collected shall be equivalent to the market value of land area for the total number of dwelling units in accordance with § 4-B-6, Fee-in-Lieu.

Review Agency Comments (Link to comment letters)

CDOT

On July 20, 2022, Brian Killian, Region 3 Access Program Manager, stated that he has no comment on the project.

Colorado Geological Survey

On January 11, 2024, Amy Crandall, Engineering Geologist, provided comments and stated that Note a) on Sheet S1.0 shall be revised to state the recommendations come from American Geoservices, LLC rather than from CGS. She also indicated that given Ground Engineering Consultants' recommendations in their 01/03/2022 Geotechnical Evaluation are adhered to, CGS has no objection to approval.

> Throughout construction, Applicant shall conform to American Geoservices'



recommendations in their Geotechnical Evaluation Report dated June 13, 2021.

➤ Applicant shall fix Note a) on Sheet S1.0 of the Structural Plans by Cronin Engineering to state the recommendations come from American Geoservices, LLC rather than from CGS.

East Grand Fire Protection District No. 4 (EGFPD)

On November 6, 2023, Ryan Mowrey, Assistant Fire Marshal, stated satisfaction given the design as reviewed and approved is built.

Grand County Water and Sanitation District No. 1 (GCWSD)

On January 12, 2024, Cooper Karsh, the Town's contracted engineer with JVA Consulting Engineers, stated two (2) items shall be addressed for GCWSD to approve the Construction Plans.

Applicant shall address to GCWSD's satisfaction all comments made by GCWSD in their letter dated January 12, 2024.

Mountain Parks Electric Inc. (MPEI)

On January 9, 2024, Jean Johnston, ROW Specialist and Senior Staker, stated satisfaction given the design as reviewed and approved is built.

• Town Public Works Department

On January 11, 2024, Jamie Wolter, Director, required all landscaping be moved as far west within the ROW to be dedicated to the Town. The Applicant has since revised their Landscaping Plan to show conformance with this requirement so this is now satisfactory.

• Town Engineer

On January 12, 2024, Cooper Karsh, the Town's contracted Engineer at JVA Consulting Engineers, stated two (2) items shall be addressed for JVA to approve the Construction Plans.

Applicant shall address to JVA's satisfaction all comments made by JVA in their letter dated January 12, 2024.

Xcel Energy

On January 10, 2024, Julie Gittins, Design Planner, stated satisfaction given the design as reviewed and approved is built.

Letters were sent to the following agencies but responses were not received prior to the deadline:

- Comcast
- East Grand School District
- Grand County Assessor
- Grand County Planning Department
- Lumen
- Town Transit Department (The Lift)



If the Commission feels comments should be received from any of the above listed agencies, the Applicant would be responsible for obtaining those letters prior to final approval of the site plan by the Planning Commission.

§ 5-B-8 Public Notice Requirements:

This Major Site Plan Application has had proper public notification pursuant to § 5-B-8 of the UDC. A Newspaper Publication (PUB) was published in the Middle Park Times on January 4, 2024, providing notification of the hearing and requesting comments. A Surrounding Property Owners Mailing (ML) was sent to property owners within 300' of the Property on January 5, 2024. A Property Posting (PO) was posted on January 5, 2024.

Ten (10) public comments have been received as of January 19, 2024 and are attached in the packet. All comments oppose the application and articulate concerns for the potential impacts on the surrounding neighborhood.

Planning Commission Items to Determine:

- 1. The Planning Commission shall determine whether to grant approval for the parking area adjacent to the street. UDC, § 3-H-5(D)(2).
- 2. The Planning Commission shall determine whether to exempt the east bufferyard from the planting requirements outlined in § 3-I-5, Bufferyards as permitted in § 3-I-2(C)(3).

Staff Recommendation:

Staff recommends the Planning Commission approve the proposed Major Site Plan with the recommended staff conditions, finding that all criteria set forth in UDC Section 5-E-1(H) have been met. In addition, the Planning Commission must determine the parking area and bufferyard issues identified above. Staff's recommended conditions of approval are below:

- The Planning Commission approves the major site plan and recommends approval of the additional 15-foot ROW on Lions Gate Drive to be dedicated to the Town by general warranty deed
- 2. Upon creation of the HOA, Applicant shall assign one (1) DU to each set of tandem parking spaces within the HOA Declaration of Covenants.
- 3. Applicant shall assign one (1) DU to each set of tandem parking spaces within the HOA Declaration of Covenants, upon creation of the HOA.
- 4. Applicant shall annotate on the Site Plan the pairs of tandem parking spaces and shall add a note stating each set of tandem parking spaces is assigned to one (1) DU.
- 5. Applicant shall confirm which stone material is proposed and shall update the Material Board and Elevations accordingly.
- 6. Applicant shall submit a revised Photometric Plan for staff's review.
- 7. No site clearing shall be permitted until the Building Division has verified the Pre-Disturbance Checklist has been implemented on the site.
- 8. Any disturbed areas on the site shall be revegetated with the seed mix recommended by the Grand County Natural Resource Conservation Service, which mix composition is described in Section 7.4 of the Standards and Specifications for Design and Construction.
- 9. Approved drainage and erosion control shall be in place prior to and throughout site preparation and construction and through successful revegetation.
- 10. Throughout construction, Applicant shall conform to American Geoservices' recommendations in their Geotechnical Evaluation Report dated June 13, 2021.
- 11. Applicant shall fix Note a) on Sheet S1.0 of the Structural Plans by Cronin Engineering to state the recommendations come from American Geoservices, LLC rather than from CGS.



- 12. Applicant shall address to GCWSD's satisfaction all comments made by GCWSD in their letter dated January 12, 2024.
- 13. Applicant shall address to JVA's satisfaction all comments made by JVA in their letter dated January 12, 2024.
- 14. A stabilized construction entrance shall be installed prior to ground disturbance.
- 15. Upon completion of the building and creation of a condominium plat and prior to recording the condominium plat, Applicant shall pay to the Town a fee of 5% of the property's fair market value in lieu of providing open space.

Admin Use Only:

certificate of taxes, shown to be paid in full from County Treasurer
□ address plat submitted
\square open space fees paid (fee determined upon completion of the building and creation of a
condominium plat and prior to recording the condominium plat)
\square school impact fees (established at the time of condominium plat submittal. The fee and the fee ir
lieu of land dedication collected shall be equivalent to the market value of land area for the tota
number of dwelling units)



MAJOR SITE PLAN APPLICATION FORM

The Planning Division is here to assist you with your Major Site Plan Application ("Application") pursuant to Site Plan (Sec. 5-E-1) in the Unified Development Code (UDC). Applications are administratively and legislatively reviewed and approval is required. The Application will be reviewed in accordance with the procedures and requirements outlined in Sec. 5-E-1 in the UDC.

This publication outlines the Major Site Plan Application process and submittal requirements.

A Pre-Application Conference shall occur prior to submittal of the Application (§ 5-B-4). All submittal items shall be submitted in PDF format in accordance with the Site Development and Permit Decision File Naming Conventions to permits@wpgov.com. Ensure your application is complete by checking each of the required submittal (RS) boxes below.

1 Requ	ired Ite	ems	
Plan Sheet(s)	RS*	Item #	Submittal Items * Previously Submitted
	M	1.	Major Site Plan Application Form. Executed.
	\mathbf{V}	2.	Land Use Review Application Form. Executed.
	\mathbf{Y}	3.	Development Improvements Agreement (DIA) Form. Executed.
	*	4.	Title Commitment. Including Schedules A and B. The applicant shall provide a title insurance commitment proving the applicant's ownership of the land to be platted and that all land to be dedicated or conveyed to the Town is free and clear from all liens and encumbrances except as expressly agreed to by the Town.
		5.	 Narrative. Shall include the following: A. Project name. B. Street address. C. Name, address, email and telephone number of owner, applicant, HOA, project manager, architect, engineer, surveyor, and land planner. D. Legal description. E. Zoning district. F. Lot size (acreage and sq. ft.). G. All proposed uses. H. Number of dwelling units. I. Number of bedrooms per dwelling unit. J. Size of residential and nonresidential space (sq. ft.). K. Number of proposed off-street parking spaces. L. Construction schedule indicating major milestones for project. If project will be phased, each phase shall have its own development schedule.
	M	6.	Project Drawings. Shall contain project name, legal description, date of preparation, north arrow, legend, vicinity map, and topography at two-foot (2') intervals. Shall be sized ARCH D (24"x36"). Shall be oriented so that north is up.
	*	6A.	Topographic Survey.

		Snow storage areas.M. Storage areas for soil, construction equipment, and other materials.
		L. Silow storage areas.
		K. Setback distances from all existing and proposed structures, including retaining walls. Draw a line to tie the structure to a point on the property line.
		J. Setback distances as required by zoning district. From all property lines.
		I. Property lines.
		H. Parking spaces. Dimensioned and counted.
		outdoor kitchens, sculptures, etc. G. Parking areas for construction workers' vehicles.
		fencing, signage, fire features, water features, hot tubs, pools, affixed barbeque grills,
		F. Other improvements. Retaining walls, berms, trash receptacles, trash enclosures,
		E. Limit of disturbance.
		percent (20%), slopes greater than thirty percent (30%), and geologic hazard areas.
		D. Environmental features. Includes riparian buffers, floodplains, floodways, and floodway fringes, wetlands, forests and woodlands, slopes greater than twenty
		Recorder's Office.
		easements, provide reception numbers on file with the Grand County Clerk and
		C. Easements, proposed and existing, public and private. Type and location. If existing
		the site's total acreage; and percentage of building coverage to open space.
		building footprint (including roof overhangs, decks, porches, balconies, and patios); drives, sidewalks, and parking areas; easements; areas to be designated open space;
		B. Building coverage ratio table. Shall include area (sq. ft. and acreage) of the following:
		acceptable means."
		flags, roping, four foot (4') tall orange construction fencing, or other
		b. "The "limit of disturbance" line shall be delineated prior to construction with
		vegetation will occur beyond the "limit of disturbance" line, as shown on this plan."
		a. "No disturbance, grading, or removal of significant natural features and
		A. Protection notes.
		dimensioned.
Y	6C.	·
		F. Stormwater Management Plan (if applicable)G. Utility Plan
		E. Roadway Plan and Profile
		D. Revegetation, Erosion, and Sediment Control Plan
		C. Phasing Plan (if applicable)
		B. Parking Plan
		A. Grading and Drainage Plan
		Standards and Specifications for Design and Construction. All plans shall be at the same scale and shall align with one another.
$\mathbf{\underline{\vee}}$	6B.	Construction Plans. Shall have a minimum scale of 1"=20' and be in conformance with the

		 C. Building materials. Shall be annotated to correspond with Building Materials Board. D. Location of outdoor lighting fixtures.
~	6F.	Floorplans. Shall have a minimum scale of 1/8"=1'. All plans shall be black and white, at the same scale, and shall align with one another. Shall include a roof plan.
*	6G.	Photometric Plan. See Article 3.K, <i>Outdoor Lighting</i> . Shall have a minimum scale of 1"=20'. Shall include cut sheets for all proposed outdoor lighting fixtures with International Dark Sky Association (IDA) Approval Symbol. Shall indicate mounting heights.
	6Н.	Outdoor Lighting Tabulation. See "Outdoor Lighting Tabulation" below.
Y	61.	 Landscaping Plan. See Article 3.I, Landscaping, Buffering, and Screening. Shall have a minimum scale of 1"=20'. Shall include the following: A. Proposed species name. B. Property lines labeled with required bufferyard types. C. Structures, existing and proposed. D. Landscaping, existing and proposed. E. Hardscaping, existing and proposed. F. Top-of-wall and bottom-of-wall elevations of all retaining walls and site walls.
	6J.	Bufferyard Tabulation. See "Bufferyard Tabulation" below.
	6K.	Tree Removal and Protection Plan. See Article 3.G, <i>Tree Removal and Protection</i> . All trees proposed for protection greater than four inches (4") in caliper.
	7.	Building Materials Board. Shall be annotated to correspond with Building Elevations. Shall include photographs of swatches demonstrating color and material composition for the following: A. Decks B. Doors (incl. garage and entry doors) C. Fascia D. Fencing E. Foundation F. Gates G. Railings H. Roofs I. Siding J. Soffits K. Window and door trim L. Window glass type
	8.	Renderings. Shall be 3D, in color, and accurate in scale.
*	9.	Colorado Department of Transportation (CDOT) Access Permit. If accessing onto Highway 40.
*	10.	Geologic Hazard Mitigation Study. See Article 3.C, Resource Identification and Sensitive Lands Protection.
\mathbf{V}	11.	Phase III Drainage Report.
	12.	Final Geotechnical Report.
~	13.	Engineer's Estimate of Probable Cost.
\checkmark	14.	Traffic Impact Study (TIS) or Traffic Impact Analysis (TIA). As applicable.
		Wetland Delineation. See Article 3.C, Resource Identification and Sensitive Lands Protection. If applicable.
*	16.	Wildfire Hazard Mitigation Study. See Article 3.C, Resource Identification and Sensitive Lands Protection.

\boxtimes	17.	Hillside and Ridgeline Development Study. See Article 3.C, Resource Identification and
		Sensitive Lands Protection. If impacting slopes greater than twenty percent (20%).
*	18.	Ability to Serve Letter. Indicating adequate evidence that a water supply sufficient in
		terms of quality, quantity, and dependability will be available. Shall be obtained from
		applicable water and sanitation district.
*	19.	Letter of Evidence from Developer. Testifying that the site plan meets all requirements in
		the UDC.
П	20.	Surrounding Property Owner Mailing for Public Notice Affidavit Form. See Sec. 5-B-8,
	20.	Surrounding Property Owner Mailing for Public Notice Affidavit Form. See Sec. 5-B-8, <i>Public Notice Requirements.</i> Shall be submitted to the Community Development Director
	20.	Public Notice Requirements. Shall be submitted to the Community Development Director
	20.	Public Notice Requirements. Shall be submitted to the Community Development Director
		Public Notice Requirements. Shall be submitted to the Community Development Director no later than eight (8) days prior to the required public hearing or final decision confirming
□		Public Notice Requirements. Shall be submitted to the Community Development Director no later than eight (8) days prior to the required public hearing or final decision confirming such notification has been provided.

Bufferyard Tabulation

Tabulation of required bufferyard types per lot line and list of proposed plantings proposed per lot line. See Sec. 3-I-5, Bufferyards, for requirements.

	Evergreen Trees Required	Evergreen Trees Provided	Deciduous Trees Required	Deciduous Trees Provided	Shrubs Required	Shrubs Provided	Berm Height	Deficiency (if any)
N Lot Line Length: 98 (228) linear feet Adjacent properties are zoned: D-C Bufferyard Type: (A)B C D (circle one)	2	2	2	3	0	8	NA	133' exempt per variance request - Attached.
S Lot Line Length:234 linear feet Adjacent properties are zoned: Bufferyard Type: A(B)C D (circle one)	8	3	8	3	20	14	NA	Partial exemption per variance request - Attached.*
E Lot Line Length: 100 linear feet Adjacent properties are zoned: D-C Bufferyard Type: ABC D (circle one)	4	3	4	3	10	10	NA	Evergreen trees placed out side of 5' to not conflict with road.**
W Lot Line Length: 99 linear feet Adjacent properties are zoned: Rail line Bufferyard Type: A BCD (circle one)	8	4	8	0	15	0	NA	Partial exemption per variance request - Attached.

^{*} Trees are places along the buffer to screen the existing building and not negatively impact the drainage along the property line.

^{**} Trees are placed in this zone with the goal to provide as much screening and variety as possible. The planting locations are limited due to road access and utility connections at the street.

Outdoor Lighting Tabulation

See Article 3.K, *Outdoor Lighting,* for requirements. Ensure each fixture's cut sheet contains the International Dark Sky Association (IDA) Approval Symbol.

Fixture Name	Proposed # of Fixtures	Proposed Lumens per Fixture	Proposed Correlated Color Temperature (in degrees Kelvin)
ТҮРЕ А	4	1327	3000K
ТҮРЕ В	3	1327	3000K
TYPE D	2	394	3000K
Type DD	24	600	3000K

2	Process for Approval – See Sec. 5-E-1, Si	te Plan
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Fees – See Sec. 5-B-6, *Application Fees*. An invoice will be sent once the planning file has been created.

\$0.05 per gross square foot of residential and non-residential space.

4	Applicant's	Certification	Statement
---	-------------	---------------	-----------

I, _______, as Applicant and duly representative of the owner, hereby certify that the information included upon the attached submittal items are true and accurate; and that the development of the site will occur in accordance with the submittal items.

Lions Gate Condominiums

365 Lions Gate Drive Winter Park Colorado 80482

PROJECT NARRATIVE

The Lion's Gate Condominiums project proposes 11 new dwelling units in a 4-level building with a roof deck amenity space. The existing structure (3 bedrooms +1 ADU) will be retained on site. New landscaping and stormwater improvements will be included as part of the project design. The project seeks to meet the goals and vision of the DC zone by providing more housing options within walking distance of downtown Winter Park.

PROJECT INFO:

ZONING D-C: SETBACKS: 5' REAR AND SIDE, 0' FRONT

SITE AREA: 22,310 SF (0.51 ACRES)

BUILDING COVERAGE:

EXISTING BUILDING AREA: 2,275 PROPOSED BUILDING AREA: 5,840 PAVED VEHICULAR AREA: 5,150 LANDSCAPE AREA: 9,045 (40%)

BUILDING DATA:

THE PROJECT WILL BE RESIDENTIAL USE ONLY

NUMBER OF DWELLING UNITS: 13 - 11 PROPOSED, 2 EXISTING

PROPOSED UNITS: STUDIO -1 - 290 SF 2 BED - 8 - 10,660 SF 3 BED - 2 - 5,330 SF

TOTAL PROPOSED RESIDENTIAL SPACE: 16,280 SF

PARKING:

21 PROPOSED PARKING STALLS STUDIO -1 X 1= 1 2 BED - 8 X 1.5 =12 3 BED - 2 X 2 = 4 EXISTING HOUSE = 4

CONSTRUCTION SCHEDULE:

- GRADING AND SHORING FALL/WINTER 2023
- FRAMING AND SKIN SPRING/SUMMER 2024
- INTERIOR FALL/WINTER 2024
- SITE AND LANDSCAPING FALL 2024

TOWN OF WINTER PARK BOARD OF ADJUSTMENT RESOLUTION NO. 3 SERIES OF 2023

A RESOLUTION OF THE BOARD OF ADJUSTMENT OF THE TOWN OF WINTER PARK PARTIALLY APPROVING A VARIANCE AND ADOPTING FINDINGS OF FACT RELATED TO APPROVAL OF A VARIANCE TO REDUCE THE BUFFERYARD REQUIRMENTS FOR THE ENTIRETY OF THE SOUTH AND WEST BUFFERYARDS AND FOR A PORTION OF THE NORTH BUFFERYARD AND ADOPTING FINDINGS OF FACT RELATED TO DENIAL OF A VARIANCE TO REDUCE THE BUFFERYARD REQUIREMENTS FOR THE ENTIRETY OF THE EAST BUFFERYARD FOR 365 LIONS GATE DRIVE

WHEREAS, pursuant to the Unified Development Code (the "UDC") § 5-A-4, the Board of Adjustment is authorized to grant variances from the requirements of Title 7 of the UDC;

WHEREAS, § 3-I-5 of the UDC states that in the D-C zone district, a Type A bufferyard is required for the north lot line, a Type B bufferyard is required for the south and east lot lines, and a Type C bufferyard is required for the west lot line, with Type A being the least intensive bufferyard and Type C being the most intensive bufferyard;

WHEREAS, § 3-I-5 of the UDC states that new residential development is required to provide an increase in the level of screening of a bufferyard (e.g., from Type A to Type B) when adjacent to an existing single-family detached, duplex, multiplex, or single-family attached residential property or development, if the housing type that is located on the lots that are adjacent to the existing development is more dense than the housing type of the existing development (e.g., new townhouse lots adjacent to existing single-family detached lots);

WHEREAS, on February 16, 2023, William MacDonald (the "Applicant"), as the owner of the real property more particularly described in **Exhibit A** (the "Property"), filed an application for a variance to allow for reduced plantings for the north, south, east, and west bufferyards, more particularly, along the north bufferyard, four (4) fewer evergreen trees and five (5) fewer deciduous trees, along the south bufferyard, three (3) fewer evergreen trees, two (2) fewer deciduous trees, and nine (9) fewer shrubs, along the east bufferyard, three (3) fewer evergreen trees and seven (7) fewer shrubs, and along the west bufferyard, four (4) fewer evergreen trees, four (4) fewer deciduous trees, and 29 fewer shrubs, and to encroach into the required bufferyard widths for the north, south, and west bufferyards, more particularly by 5' into the 5' required north bufferyard, by 9'-4" into the 10' required south bufferyard, and by 4' into the 10' required west bufferyard (the "Application");

WHEREAS, on March 14, 2023, the Board of Adjustment held a properly noticed public hearing on the Application; and

WHEREAS, after considering the Application, presentations by Town staff and the Applicant, and public comment, the Board of Adjustment partially approved the Application, as further described in the Decision section below, and hereby adopts the following findings of fact in relation to the decision.

NOW THEREFORE BE IT RESOLVED by the Board of Adjustment as follows:

- 1. Findings. The Board of Adjustment hereby finds and determines that a portion of the Application, for the north, south, and west bufferyards, meets the applicable criteria set forth in § 5-F-3(F) of the UDC, more particularly:
 - a. The strict or literal interpretation and enforcement of the specified regulation would result in practical difficulty or unnecessary physical hardship that would deprive the Applicant of privileges enjoyed by the owners of other properties in the same zone district because given the current proposed site plan, the Applicant is required to have an aerial apparatus access road by East Grand Fire Protection District No. 4 and is required to have a water quality and detention pond due to stormwater conveyance requirements;
 - b. That the granting of the variance will not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the vicinity because fewer plantings will allow for the necessary aerial apparatus access road width and for compliance with stormwater conveyance requirements;
 - c. The plight of the owner is due to unusual circumstances at the property of the variance that do not generally apply to other properties in the same zone district because the Property's topographical and natural features and the requirement for an aerial apparatus access road render a portion of the Property unusual as compared to other properties, causing it to be impractical to meet the bufferyard requirements in their entirety; and
 - d. That the granting of the variance will not alter the essential character of the locality because the Property contains adequate vegetation in the areas where the variance is granted.
- 2. <u>Findings</u>. The Board of Adjustment hereby finds and determines that a portion of the Application, for the east bufferyard, fails to meet the criteria set forth in § 5-F-3(F) of the UDC that would justify a variance, more particularly:
 - a. The Applicant did not demonstrate that the essential character of the locality will not be altered because the lack of landscaping on this east bufferyard would create a large triangle of surface-level hardscaping, which is out of character in the D-C zone district. Furthermore, the east lot line is the most visible from the public right-of-way, i.e., Lions Gate Drive, where it is crucial to lesson visual impacts; and
 - b. The Applicant did not demonstrate a hardship preventing this east bufferyard from adhering to the bufferyard requirements.
- 3. <u>Decision</u>. Based on the foregoing findings, the Board of Adjustment hereby **approves** the variance for a portion of the north bufferyard and for the entirety of the south and west bufferyards, subject to the following conditions:

- a. A building permit for construction of the structure described in the Application shall be issued on or before April 11, 2024. If a building permit is not issued within such time, the variance granted herein shall automatically terminate without further action by the Town.
- b. Neither this Resolution nor the variance granted herein creates any vested rights under statute or common law.
- c. This Resolution shall be recorded in the records of the Grand County Clerk and Recorder within 30 days of approval.
- d. The Property's "Type A" north bufferyard, as defined in the UDC, shall not be required for 133' of the north lot line, that is, starting from the northeast property corner and terminating 133' west of there. In the case of an issue of interpretation, the Planning Director, in their sole discretion, shall have the authority to determine the minimum number of plantings and width applicable to the north bufferyard on the Property.
- 4. <u>Decision.</u> The Board of Adjustment hereby incorporates the above findings of fact in its **denial** of the portion of the east bufferyard variance not specifically approved in subsection 3(d) herein.

PASSED, ADOPTED, AND APPROVED this 11th day of April, 2023.

BOARD OF ADJUSTMENT

David Barker, Chair

ATTEST:

Danielle Jardee, Pown Clerk

Exhibit A

Legal Description of Property

Tract 3, Miller Subdivision, County of Grand, State of Colorado



July 17, 2023

Via email: <u>brian@harrisoncustombuilders.com</u>

Mr. Brian Garrett Harrison Custom Builders

Re: Administrative Variance Request for 365 Lions Gate Drive, Winter Park, CO – Major Site Plan Application (PLN22-078)

Mr. Garrett,

Planning Division staff has approved your Administrative Variance Request dated July 6, 2023 to deviate from the 7' minimum distance required between adjacent properties and parking areas. This letter permits an encroachment of 6' for the parking area. The UDC permits the Director to vary this distance given there is a hardship "due to site topography, limits of access, or other unusual circumstances unique to the property and not created by the property owner" as seen in § 3-H-5(D)(1) in the Unified Development Code. Staff believes the request meets the required criteria given there is an existing structure constraining development, given East Grand Fire Protection District No. 4 has required an aerial apparatus road, and given the Board of Adjustment separately approved the Bufferyard Variance Request (PLN23-011) via Resolution 3, Series 2023, to, in part, reduce the bufferyard requirement for 133' of the north lot line, starting from the NE property corner and terminating 133' west of there.

Sincerely,

James Shockey, AICP

Community Development Director



1 - PERSPECTIVE LOOKING SOUTHWEST

3 - ROOF PERSPECTIVE LOOKING NORTHEAST



2 - NORTH ELEVATION - COLOR - NOT TO SCALE



4 - SOUTH ELEVATION - COLOR - NOT TO SCALE

HARRISON
C U S T O M
BUILDERS

6147 RALSTON ST FREDERICK, CO 80530

PROJECT TITLE

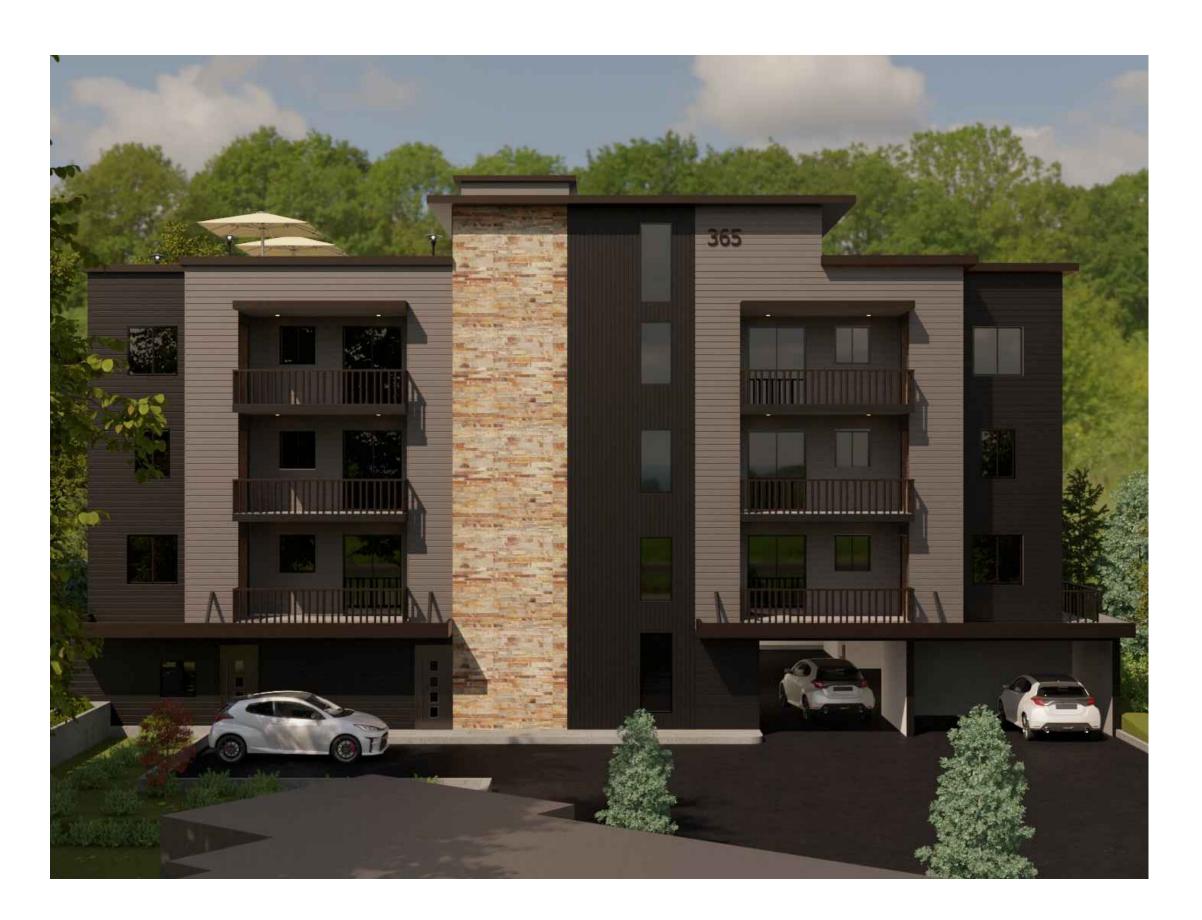
LION'S GATE DRIVE

NO.	REVISION DESCRIPTION	DATE
1	MAJOR SITE PLAN	09/27/2023
2	MAJOR SITE PLAN-R1	12/22/2023

12.22.2023

COLOR PERSPECTIVES

A4.1



1 - EAST ELEVATION - COLOR - NOT TO SCALE



3 - WEST ELEVATION - COLOR - NOT TO SCALE



2 - NORTH ELEVATION - COLOR - NOT TO SCALE



4 - SOUTH ELEVATION - COLOR - NOT TO SCALE



6147 RALSTON ST FREDERICK, CO 80530

PROJECT TITLE

LION'S GATE CONDOMINIUMS 365 LION'S GATE DRIVE

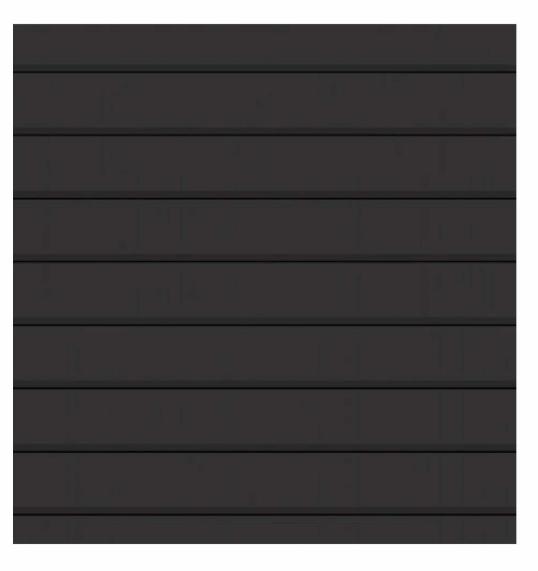
NO.	REVISION DESCRIPTION	DATE
1	MAJOR SITE PLAN	09/27/2023
2	MAJOR SITE PLAN-R1	12/22/2023

12.22.2023

COLOR ELEVATIONS



Diversaclad Interlocking Siding Panel



1. Panel Color A - Night Sky



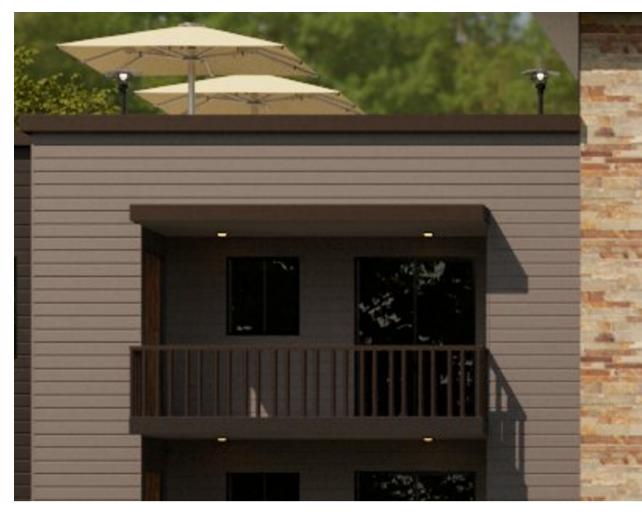
1. Panel Color B - Woodland Grey



3. Stone Veneer Jura Slate

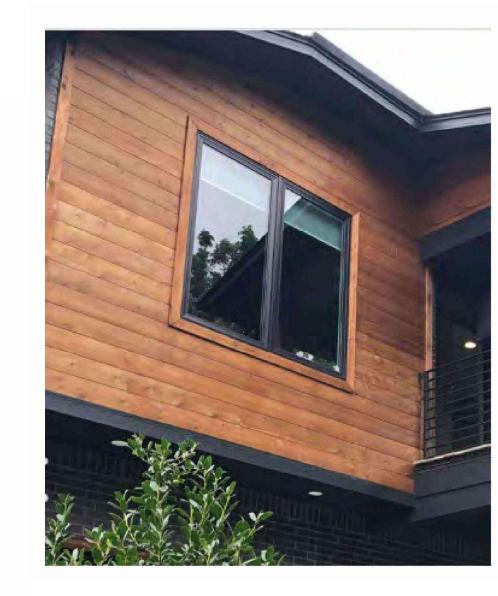


4. Metal Soffit- Light Tan color Recessed lights at blaconies





5. Painted Metal Vertical Guard Rails - Dark Bronze



6. Quaker Manchester Vinyl Windows

- Dark Chestnut Color
Glass: Argon filled double-layer with Low-E
coating for U-Factor and solar heat gain coverage,
non tint finish



7. Powder coat color to parapet cap and metal details - Dark Bronze



8. Concrete Retaining Walls-Smooth Trowel Finish



9. Legacy Steel SquareWindow Door - Dark Bronze



10. Wall Pack Light at Building Lumark Crosstour LED - Bronze finish



11. Bollard Light at Drive Vekter by Ligman



12. Sconce at Existing SFDU
Owen 1 by Ballard Designs Black finish

01.12.2024 SHEET NO.

1 MAJOR SITE PLAN

3 MAJOR SITE PLAN-R2

MATERIAL BOARD

G4.0

H A R R I S O N

BUILDERS

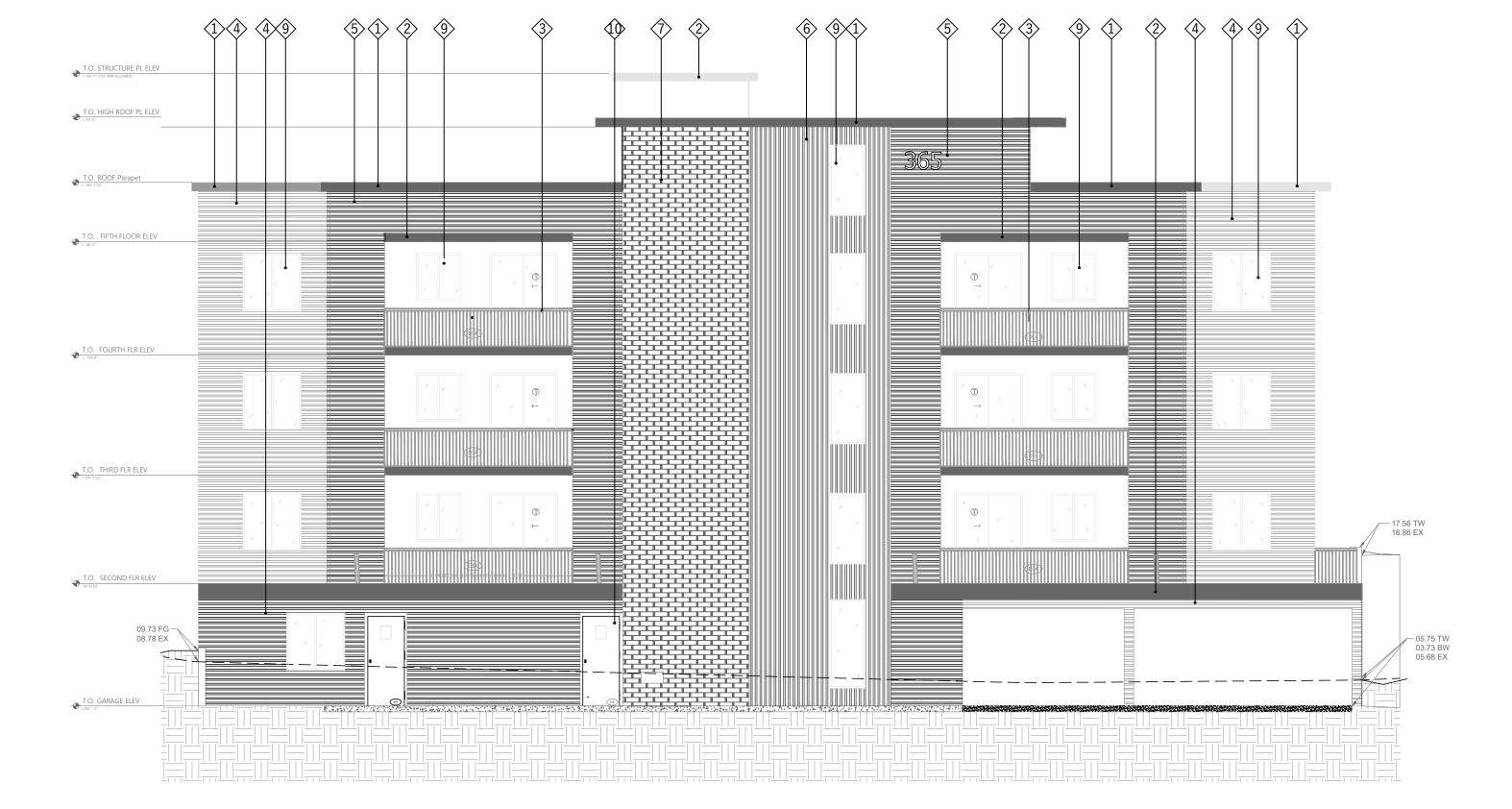
PROJECT TITLE

6147 RALSTON ST FREDERICK, CO 80530

KEY

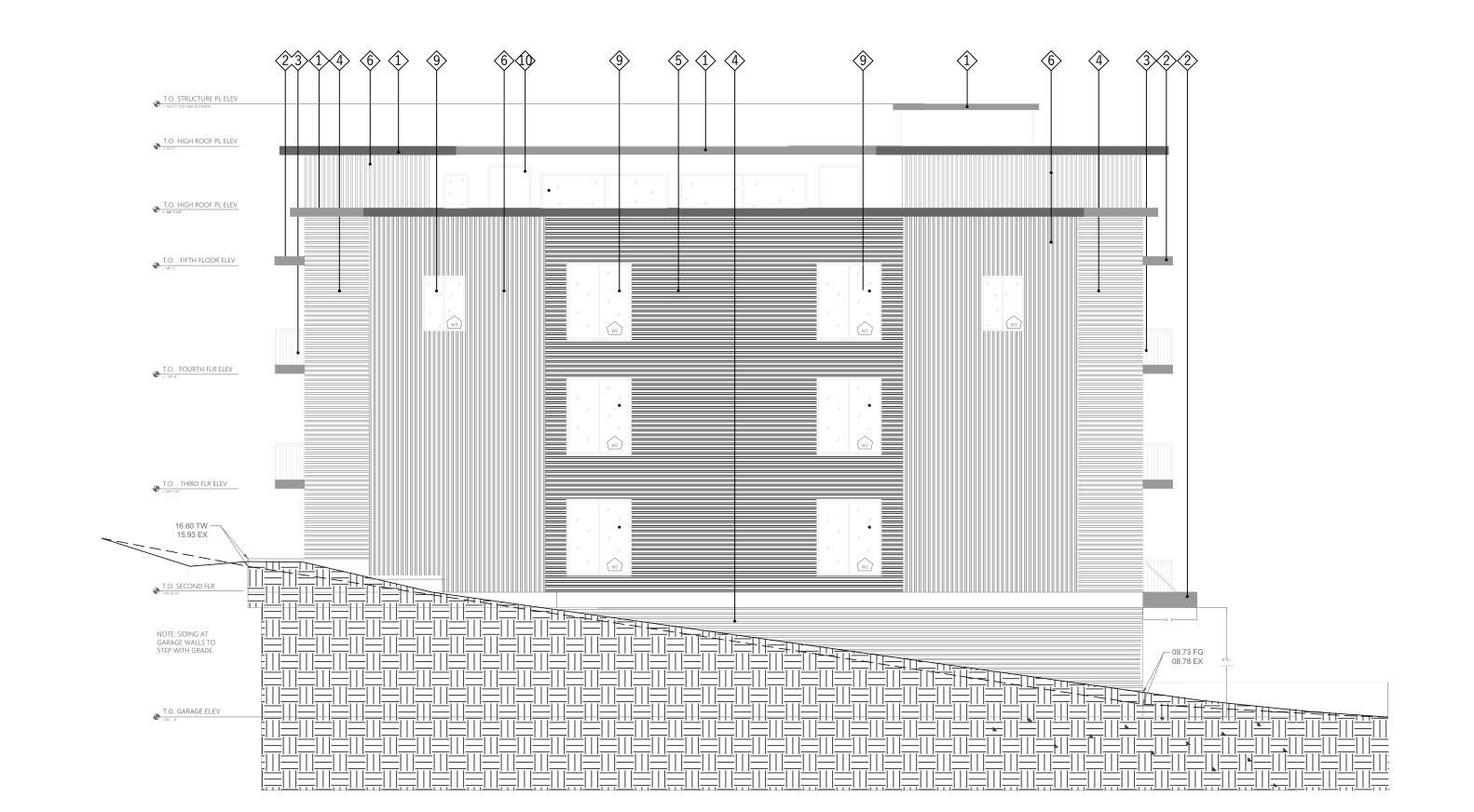
- 1. METAL CAP ON PARAPET DARK BRONZE POWDER COAT 2. METAL CAP ON CANOPIES - DARK BRONZE POWDER COAT
- 3. METAL RAILING DARK BRONZE POWDER COAT
- 4. SIDING VERSACLAD HORZ.- COLOR A (NIGHT SKY)
- 5. SIDING VERSACLAD HORZ.- COLOR B (WOODLAND GREY)
- 6. SIDING VERSACLAD VERT. COLOR A (NIGHT SKY)
- 7. STONE VENEER JURASTONE ASHLAR
- 8. NOT USED
- 9. WINDOW SIZES VARY QUAKER MANCHESTER DARK CHESTNUT

10. EXTERIOR DOOR - DARK BRONZE COLOR



1 - EAST ELEVATION

SCALE 1/8"=1'



2 - SOUTH ELEVATION

HARRISON C U S T O M BUILDERS

6147 RALSTON ST

FREDERICK, CO 80530

PROJECT TITLE

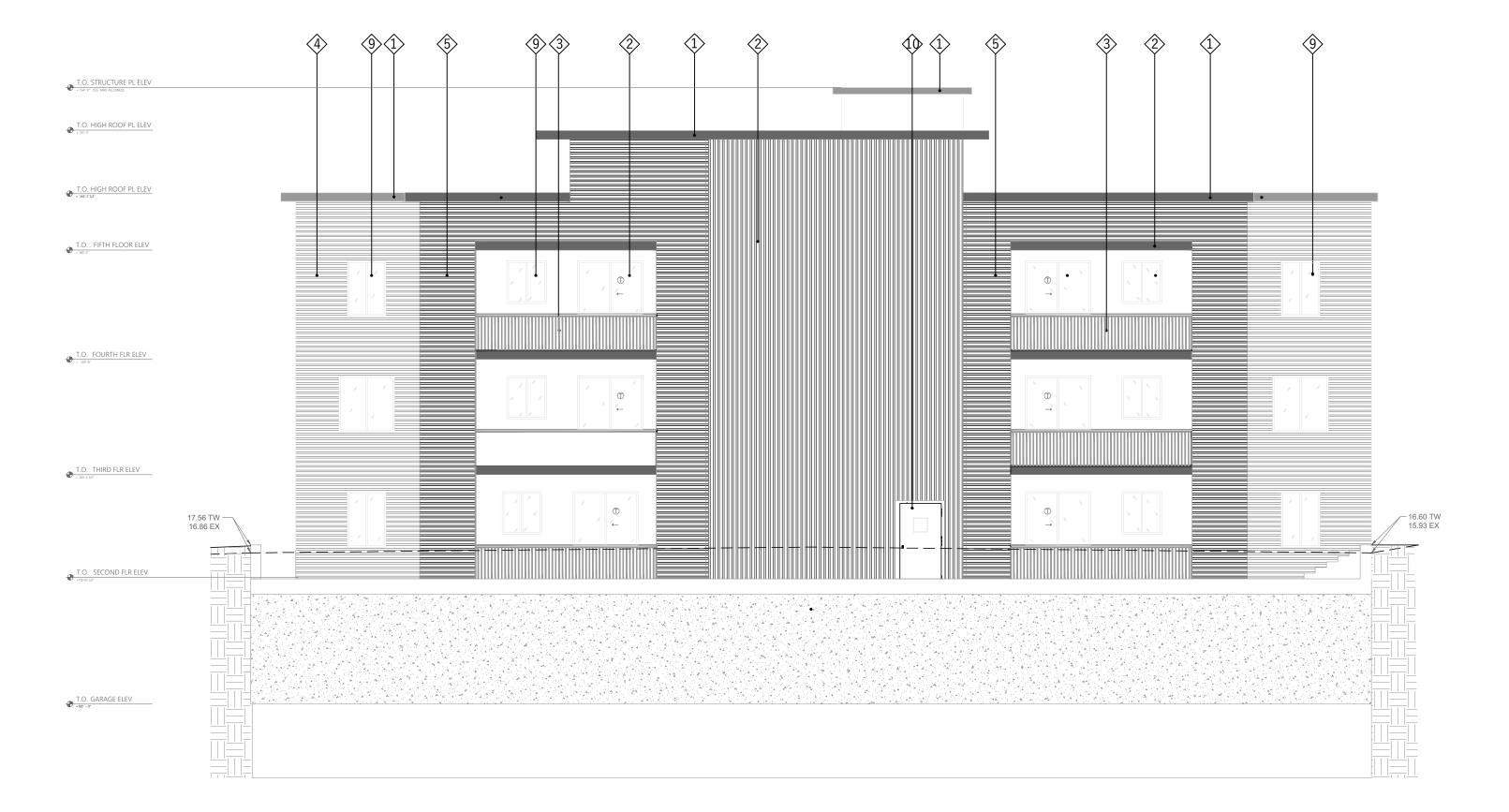
NO.	REVISION DESCRIPTION	DATE
1	MAJOR SITE PLAN	09/27/2023
2	MAJOR SITE PLAN-R1	12/22/2023
3	MAJOR SITE PLAN-R2	01/12/2024
•		

,			

DATE	01.12.2024
SHEET NO	·

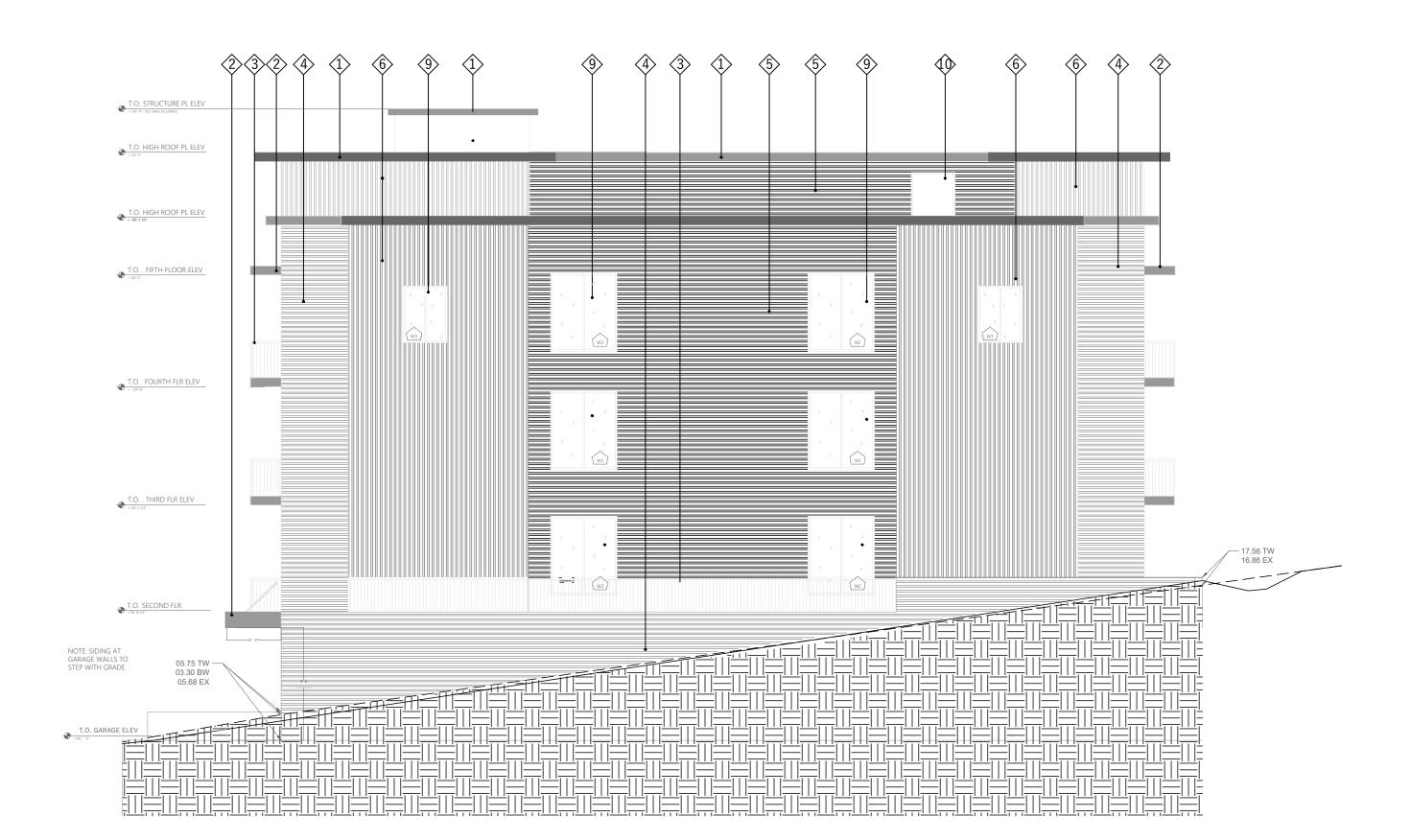
KEY

- 1. METAL CAP ON PARAPET DARK BRONZE POWDER COAT
- 2. METAL CAP ON CANOPIES DARK BRONZE POWDER COAT
- 3. METAL RAILING DARK BRONZE POWDER COAT 4. SIDING - VERSACLAD HORZ.- COLOR A (NIGHT SKY)
- 5. SIDING VERSACLAD HORZ.- COLOR B (WOODLAND GREY)
- 6. SIDING VERSACLAD VERT. COLOR A (NIGHT SKY)
- 7. STONE VENEER JURASTONE ASHLAR 8. NOT USED
- 9. WINDOW SIZES VARY QUAKER MANCHESTER DARK CHESTNUT
- 10. EXTERIOR DOOR DARK BRONZE COLOR



1 - WEST ELEVATION

SCALE 1/8"=1'



2 - NORTH ELEVATION

HARRISON C U S T O M BUILDERS

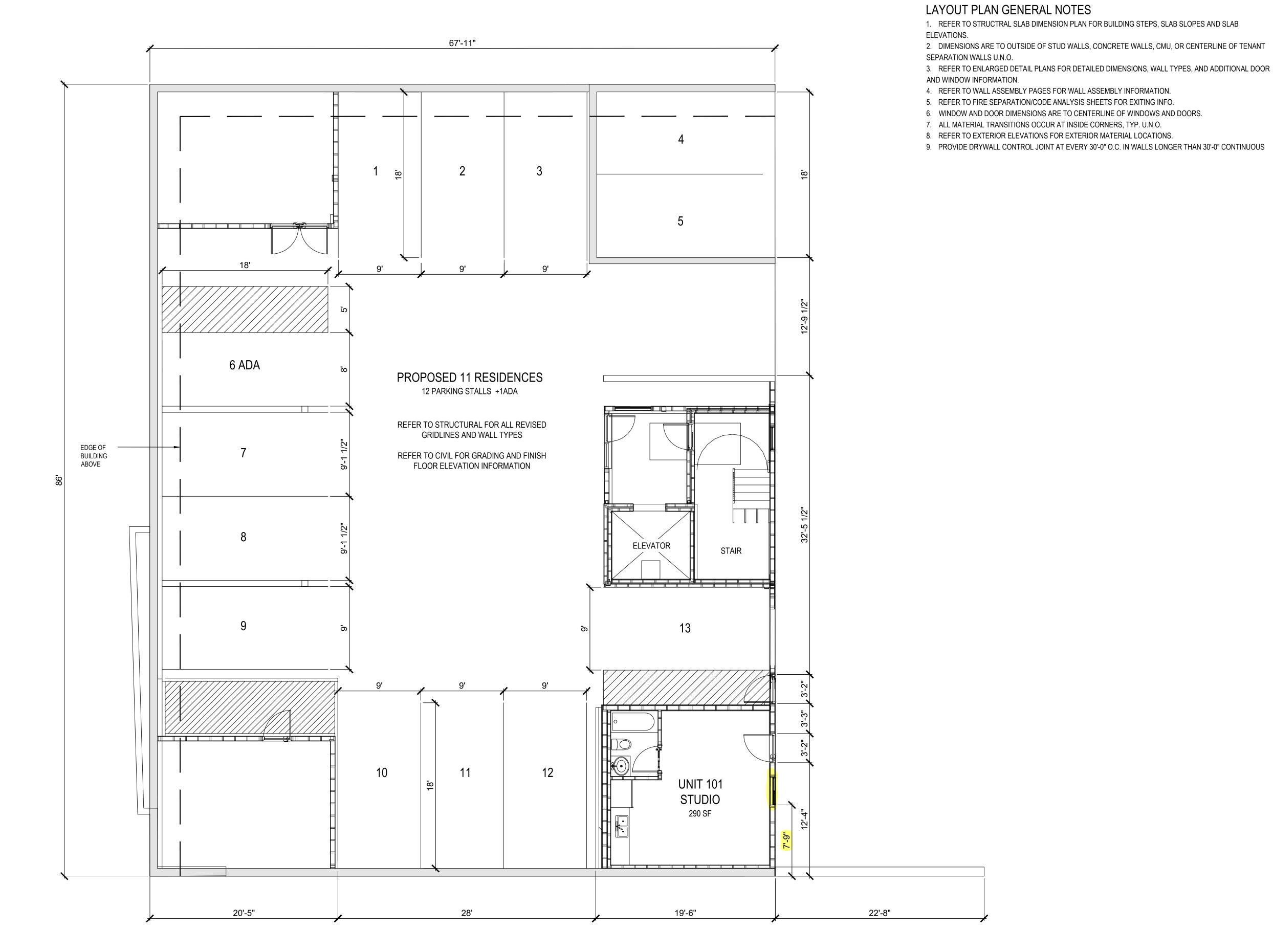
6147 RALSTON ST FREDERICK, CO 80530

PROJECT TITLE

NO.	REVISION DESCRIPTION	DATE
1	MAJOR SITE PLAN	09/27/2023
2	MAJOR SITE PLAN-R1	12/22/2023
3	MAJOR SITE PLAN-R2	01/12/2024

01.12.2024

ELEVATIONS



1 - GARAGE PLAN

HARRISON CUSTOM BUILDERS

6147 RALSTON ST FREDERICK, CO 80530

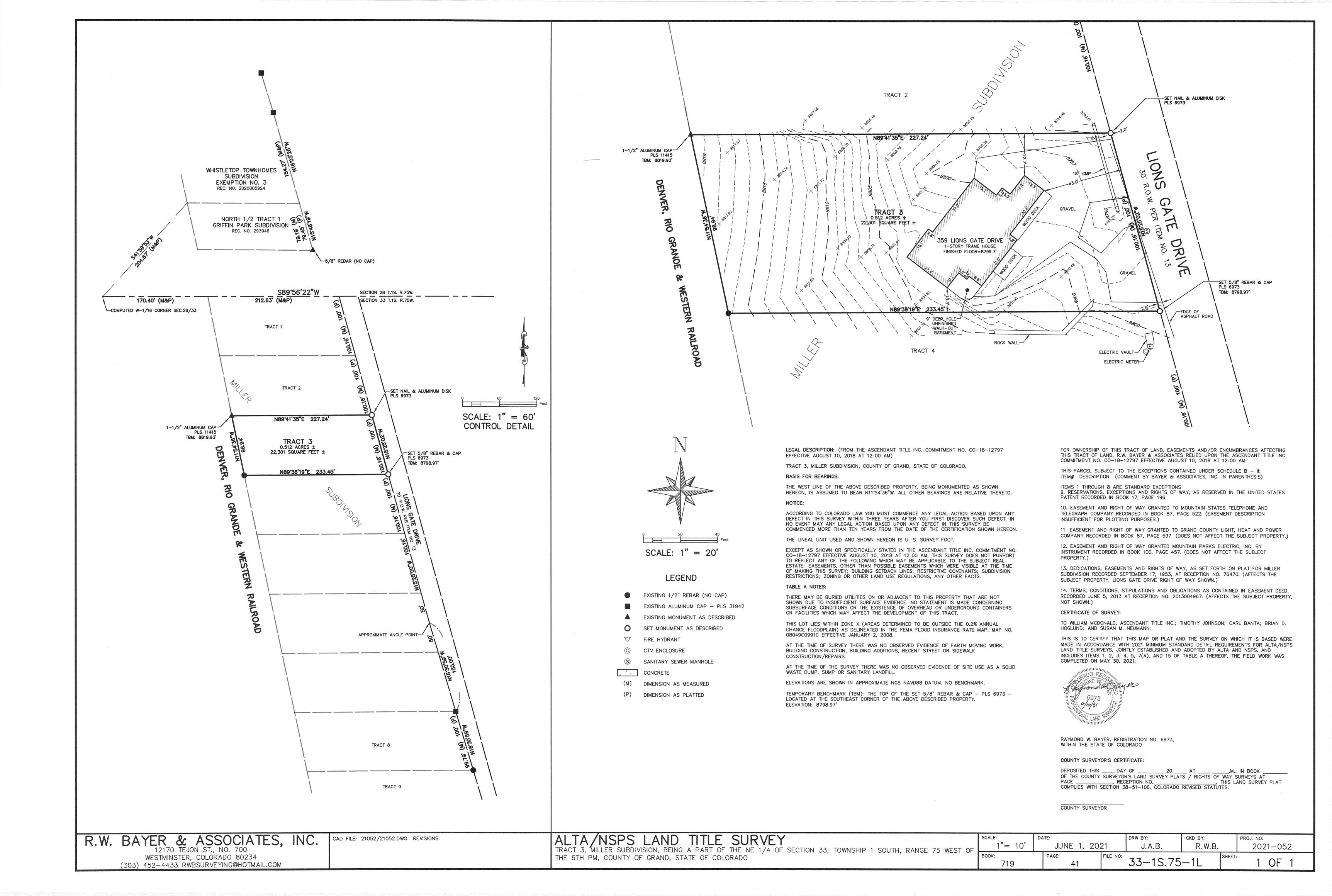
PROJECT TITLE

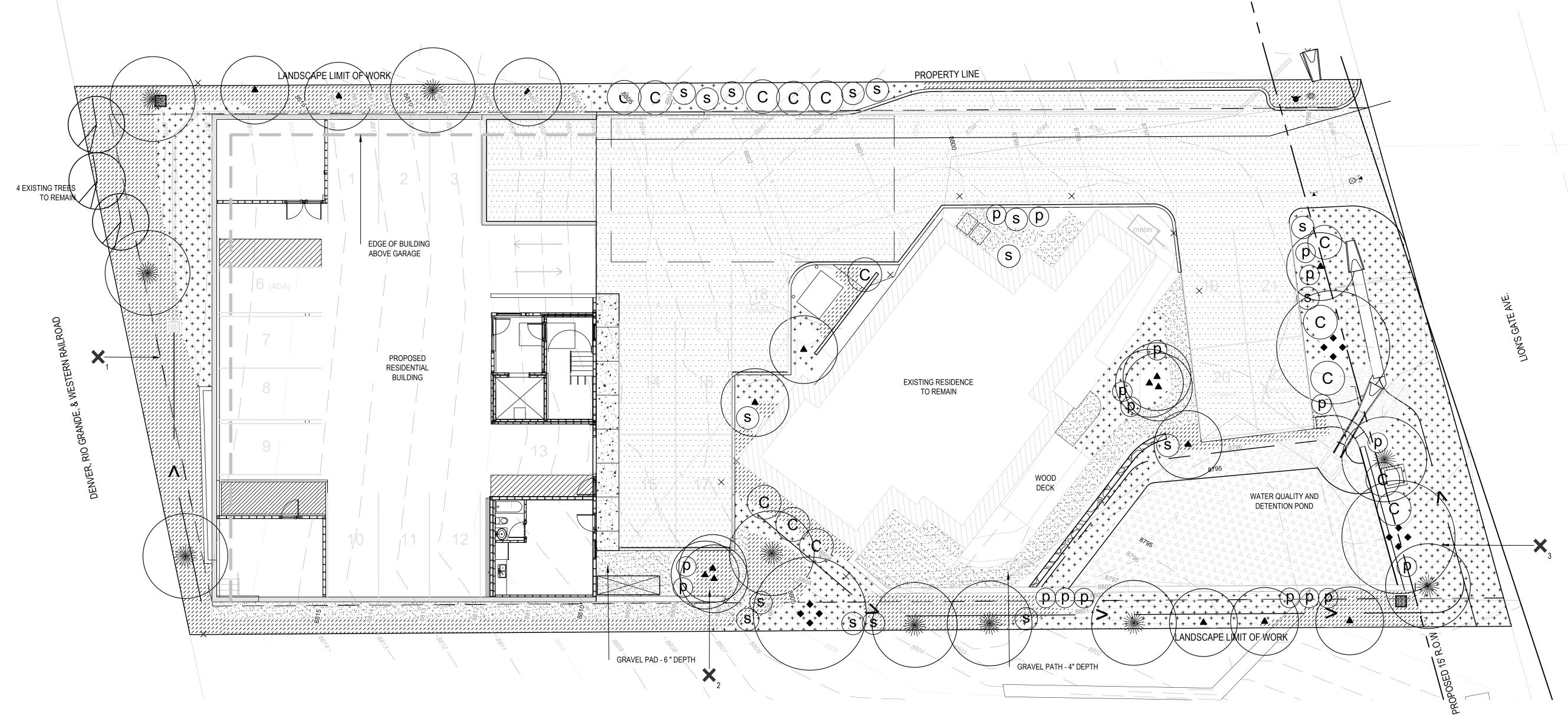
LION'S GATE DRIVE 365 LION'S GATE DRIVE WINTER PARK CO. 80482

NO.	REVISION DESCRIPTION	DATE
1	MAJOR SITE PLAN	09/27/2023
2	MAJOR SITE PLAN-R1	12/22/2023

12.22.2023

GARAGE PLAN





PLANT LEGEND

WESTERN NATIVE SEED OR APPROVED

EQUAL (SPECIES LIST THIS SHEET)

SIZE FORM SYMBOL BOTANICAL NAME QTY./ **MATURE SIZE COMMON NAME** TREES SUCH AS: % OF TOTAL HXWCOLORADO SPRUCE NATURAL PICEA PUNGENS 50' X 20' **♦ ♦** 6' HEIGHT PINUS CONTORTA LATIFOLIA NATURAL 40' X 15' LODGEPOLE PINE 2" CALIPER POPULUS TREMULOIDES QUAKING ASPEN NATURAL 40' X 12' 2 CLUMP FORM SRHUBS CORNUS SERICEA REDTWIG DOGWOOD 5 GAL 4' X 6' PHYSOCARPUS OPULIFOLIUS 'NANUS' DWARF NINEBARK 5 GAL 2' X 3' SYMPHORICARPOS OREOPHILUS 5 GAL SNOWBERRY 3' X 5' NATIVE GRASS SEED ASPEN GROVE GRASS MIX FROM WESTERN PREPARATION AND SEEDING LOW MAINTENANCE NATIVE GRASSES SEED NATIVE SEED OR APPROVED EQUAL 2 LBS. PER 1000SF PER MANUFACTURERS -SEE MIX THIS PAGE (SPECIES LIST THIS SHEET) RECOMMENDATIONS ASPEN GROVE WILDFLOWER MIX FROM PREPARATION AND SEEDING LOW MAINTENANCE NATIVE WILDFLOWERS -SEE MIX THIS PAGE SEED WESTERN NATIVE SEED OR APPROVED 8 OZ. PER 1000SF PER MANUFACTURERS EQUAL (SPECIES LIST THIS SHEET) RECOMMENDATIONS HIGH ALTITUDE RIPARIAN SEED MIX FROM PREPARATION AND SEEDING RIPARIAN GRASSES AND RUSHES

8 OZ. PER 1000SF PER MANUFACTURERS

RECOMMENDATIONS

SEED MIXES

WILDFLOWER

25 % BROMUS MARGINATUS (MT BROME) 24 % BROMUS CILIATUS (FRINGED BROME) ASPEN GROVE 24 % ELYMUS TRACHYCAULUS (SLENDER WHEATGRASS) 20 % ELYMUS GLAUCUS (BLUE WILDRYE) 5 % FESTUCA THURBERI (THURBER FESCUE) 2 % KOELERIA MACRANTHA (JUNEGRASS

ASPEN GROVE WILDFLOWERS (WESTERN NATIVE SEED) RATE: 80Z PER 1000SF 15 % GAILLARDIA ARISTATA (MERIWETHER GAILLARDIA) 15 % PENSTEMON STRICTUS (ROCKY MT PENSTEMON) 14 % LUPINUS CAUDATUS (TAILCUP LUPINE) 12 % LINUM PERENNE LEWISII (BLUE FLAX) 10 % ERIGERON SPECIOSUS (ASPEN DAISY) ASPEN GROVE 10 % WYETHIA AMPLEXICAULIS (MULES EARS) 5 % AQUILEGIA COERULEA (BLUE COLUMBINE) 5 % ERIOGONUM UMBELLATUM (SULFURFLOWER) 4 % ACHILLEA MILLEFOLIUM (WESTERN YARROW) 3 % PENSTEMON VIRGATUS (WAND PENSTEMON) 2 % AGASTACHE URTICIFOLIA (NETTLELEAF HYSSOP) 2 % FRASERA SPECIOSA (MONUMENT PLANT) 2 % HYEMNOXYS HOOPESII (ORANGE MT DAISY) 1 % HELIANTHELLA QUINQUENERVIS (ASPEN SUNFLOWER)

45 % DESCHAMPSIA CESPITOSA (TUFTED HAIRGRASS) 18 % BROMUS CILIATUS (FRINGED BROME) 15 % BECKMANNIA SYZIGACHNE (SLOUGHGRASS) HIGH ALTITUDE 10 % POA PALUSTRIS (FOWL BLUEGRASS) 4 % AGROSTIS SCABRA (TICKLEGRASS) 4 % CALAMAGROSTIS CANADENSIS (BLUEJOINT REEDGRASS) 2 % JUNCUS ENSIFOLIUS (DAGGER LEAF RUSH) 2 % JUNCUS LONGISTYLIS (MEADOW RUSH)

OTHER

NO SYMBOL ORGANIC MULCH AT ALL LANDSCAPE AREAS

SOIL & PERCOLATION TEST LOCATION LOCATION PER PLAN COLLECT AND SUBMIT SAMPLES TO LAB UPON COMPLETION OF ROUGH GRADING AND 2 WEEKS PRIOR TO SOIL PREP WORK AND

SEEDING AND SOIL NOTES

1. ALL AREAS TO BE SEEDED SHALL BE AMENDED AND TILLED TO A MINIMUM DEPTH OF 6" PRIOR TO SEEDING

2. SOIL AMENDMENT TYPES, QUANTITIES AND RATES SHALL BE DETERMINED BASED ON THE SOIL ANALYSIS REQUIREMENTS FOR SOIL PREPARATION AND SHALL SHALL INCLUDE 2 CUBIC YARDS OF ORGANIC MATERIAL FOR 1000 SQUARE FEET OF EXISTING SOIL MINIMUM.

3. SEEDING TECHNIQUES SHALL BE DETERMINED BASED ON THE RECOMMENDATIONS OF THE SEEDING SUPPLIER AND THE TIME OF YEAR THAT THE SEEDING TAKES PLACE.

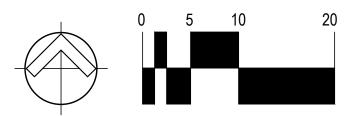
IRRIGATION NOTES

1. ALL SEEDED AREAS TO RECEIVE TEMPORARY SUPPLEMENTAL WATER FOR THE ESTABLISHMENT PERIOD. ONCE AREAS ARE ESTABLISHED, THE IRRIGATION SHALL BE REMOVED AND SUPPLEMENTAL IRRIGATION SHALL NOT BE REQUIRED.

2. TREES TO RECEIVE SUPPLEMENTAL WATER DURING ESTABLISHMENT. TREES TO BE MANUALLY WATERED BY THE OWNER.

PLANTING REQUIREMENTS

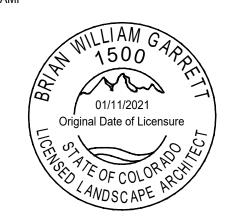
1 TREE AND 5 SHRUBS PER 1500 SF OF LANDSCAPE AREA DISTURBED TOTAL AREA: 8,845 SF LANDSCAPE DISTURBED (EXCLUDES BUFFERS) TREES REQUIRED: 6 TREES PROVIDED:6 SHRUBS REQUIRED: 30 SHRUBS PROVIDED: 31





PROJECT TITLE

NO.	REVISION DESCRIPTION	DATE	
	TREVIOION BEOORII TION	<i>D</i> /(12	
1	MAJOR SITE PLAN	09/27/20	
2	MAJOR SITE PLAN-R1	12/22/2	
3	MAJOR SITE PLAN-R2	01/05/2	
OTAMP			



01.05.2024

PLANTING PLAN

HARRISON CUSTOM BUILDERS

> 6147 RALSTON ST FREDERICK, CO 80530

PROJECT TITLE

CONDOMINIONS GATE DRIVE WINTER PARK CO. 80482

	NO.	REVISION DESCRIPTION	DATE
•	1	MAJOR SITE PLAN	09/27/2023
	2	MAJOR SITE PLAN-R1	12/22/2023
	3	MAJOR SITE PLAN-R2	01/12/2024

SNOW STORAGE

PARKING TABLE

STUDIO - 1 X 1= 1

2 BED - 8 X 1.5 =12

ADU = 2 (1 TANDEM)

TOTAL REQUIRED : 21 TOTAL PROVIDED : 22

COMPACT STALLS: 3

GUEST =1

TABLE).

3 BED - 2 X 2 = 4 (2 TANDEM)

COVERED STALLS : (9'X18'): 12

TANDEM STALLS: 6 (2 COMPACT)

NOTE: TANDEM STALLS ASSIGNED TO PROPOSED 3 BR UNITS AND EXISTING SINGLE FAMILY HOUSE AND ADU (SEE

COVERED ADA STALLS: 1

EXISTING RESIDENCE = 2 (1 TANDEM)

TOTAL PAVED AREA : 5,215 SF

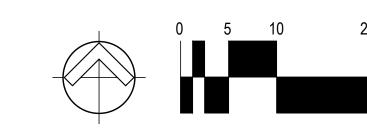
25% AREA FOR SNOW STORAGE REQUIRED (W/O SNOW MELT SYSTEM): 1,305SF TOTAL TREES IN SNOW STORAGE AREA: 6 DECIDIOUS (+90 SF), 2 EVERGREEN (+60SF) = +150SF

TOTAL REQUIRED SNOW STORAGE AREA: 1,455 SF

TOTAL AREAS SHOWN ON PLAN: 1,466 SF

NOTE:

THE EXTERIOR PAVING WILL BE EQUIPPED WITH A HYDRONIC SNOW MELT SYSTEM. THE SYSTEM WILL SERVE APPROX. 3000 SF OF THE MAIN DRIVE INCLUDING THE FIRE ACCESS AND STAGING AREAS. THIS SYSTEM WILL ALLEVIATE A MAJORITY OF STORAGE ISSUES AND WILL MAKE HELP MAKE THE VEHICULAR AREAS SAFER DURING STORMS. AMPLE SNOW STORAGE IS AVAILABLE ADJACENT TO NON HEATED AREAS.



O1.18.2024

PARKING AND SNOW STORAGE PLAN

SI1.1

PAD MOUNTED TRANSFORMER

EXISTING RESIDENCE TO REMAIN

RETAINING |

6' H BLOCK WALL WITH STONE VENEER TO MATCH BUILDING

- EXISTING

CONTOURS

meter

DRYSTACK RETAINING

GAS — METER

RECYCLING

NO. REVISION DESCRIPTION 1 MAJOR SITE PLAN 2 MAJOR SITE PLAN-R1 3 MAJOR SITE PLAN-R2

09/27/2023 12/22/2023 01/12/2024

PROJECT NAME: LION'S GATE CONDOMINIUMS STREET ADDRESS: 365 LION'S GATE DRIVE

CONCRETE PATHWAY

ACCESS PATH

ELECTRIC METERS

RETAINING WALL

12

APPLICANT INFO:

6 (ADA)

DENVER, RIO GRANDE, & WESTERN RAILROAD

PARAPET WALL

WILLIAM MACDONALD - OWNER EMAIL: will.c.macdonald@gmail.com PHONE: 303.506.4914

EDGE OF BUILDING ABOVE GARAGE

PROPOSED RESIDENTIAL

BUILDING

HARRISON CUSTOM BUILDERS - DESIGN/BUILD CONTRACTOR EMAIL: brian@harrisoncustombuilders.com PHONE: 720.934.7070

CRONIN ENGINEERING - STRUCTURAL ENGINEER EMAIL: luke.cronin@cronin.engineer PHONE: 303.907.6509

CORE ENGINEERING - CIVIL ENGINEER EMAIL: twolma@liveyourcore.com PHONE: 970.447.2111

EEC LLC - MECHANICAL ELECTRIC AND PLUMBING ENGINEERS EMAIL: loren@eeparker.com PHONE: 303.748.1189

BORU LANDSCAPE SOLUTIONS - LANDSCAPE ARCHITECT brian@borulandscape.com PHONE: 619.952.7000

PROJECT NARRATIVE

PROPERTY LINE

FIRE TRUCK STAGING AREA 26' X 50'

compact

ZONING D-C: SETBACKS: 5' REAR AND SIDE, 0' FRONT SITE AREA: 20,803 SF (0.48 ACRES) BUILDING COVERAGE: EXISTING BUILDING AREA: 2,275 (10.9%) PROPOSED BUILDING AREA: 5,840 (28.1%) PAVED VEHICULAR AREA: 5,215 (25.1%) LANDSCAPE AREA: 7,473 (35.9%)

BUILDING DATA: THE PROJECT WILL BE RESIDENTIAL USE ONLY NUMBER OF DWELLING UNITS: 13 - 11 PROPOSED, 2 EXISTING PROPOSED UNITS: STUDIO -1 - 290 SF 2 BED - 8 - 10,660 SF 3 BED - 2 - 5,330 SF TOTAL PROPOSED RESIDENTIAL SPACE: 16,280 SF

PARKING: 22 PROPOSED PARKING STALLS STUDIO -1 X 1= 1 2 BED - 8 X 1.5 =12 3 BED - 2 X 2 = 4 (2 TANDEM) EXISTING HOUSE + ADU = 4 (2 TANDEM)

CONSTRUCTION SCHEDULE: - GRADING AND SHORING WINTER/SPRING 2023 - FRAMING AND SKIN SPRING/SUMMER 2024 - INTERIOR FALL/WINTER 2024 - SITE AND LANDSCAPING FALL 2024

SEE SHEET S1.1 FOR MORE PARKING AND SNOW STORAGE INFORMATION REFER TO CIVIL SHEETS FOR DETAILED GRADING AND WALL INFORMATION REFER TO STRUCTURAL SHEETS FOR FOUNDATION WALL INFORMATION

compact

compact

WATER QUALITY AND DETENTION POND

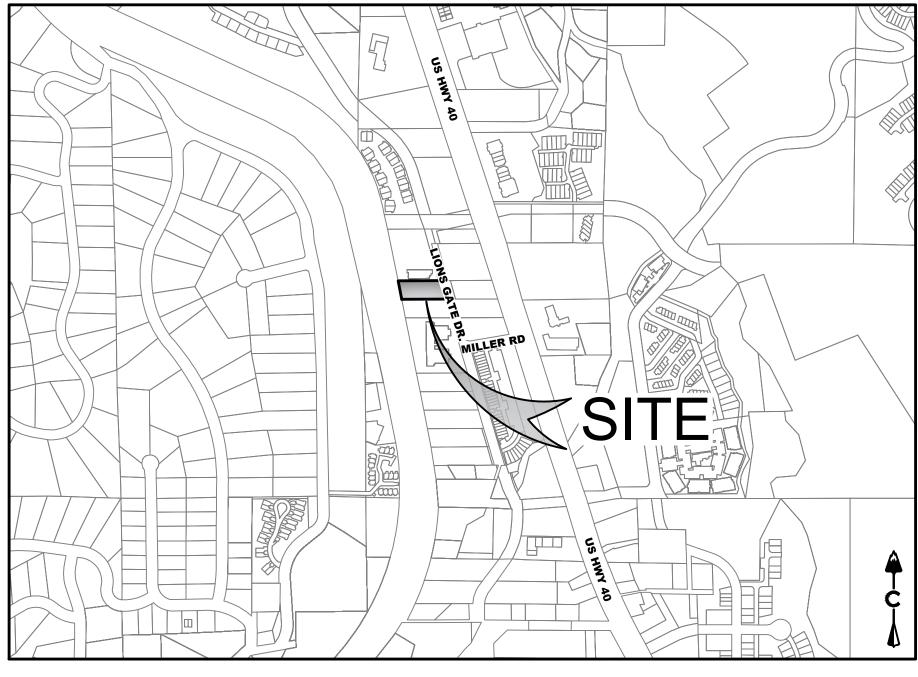
GEOTECHNICAL MONITORING NOTE: PER THE GEOTECHNICAL REPORT: PRIOR TO BUILDING PERMIT SUBMITTAL, GROUNDWATER MONITORING/OBSERVATION SHALL OCCUR, AND REPORTS SHALL BE SUBMITTED TO THE TOWN TO VERIFY THAT PROPOSED FLOOR LEVELS ARE AT LEAST THREE FEET ABOVE MAXIMUM ANTICIPATED GROUNDWATER LEVELS, AND MAINTAINED YEAR-ROUND.

01.18.2024

SITE PLAN

359 LIONS GATE DRIVE CONSTRUCTION PLANS

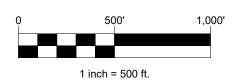
LOCATED IN THE NORTHEAST 1/4 OF SECTION 33, TOWNSHIP 1 SOUTH, RANGE 75 WEST OF THE 6TH PRINCIPAL MERIDIAN, TOWN OF WINTER PARK COUNTY OF GRAND, STATE OF COLORADO



SHEET LIST

- NO. SHEET TITLE
- **GENERAL NOTES** ROAD PLAN & PROFILE
- OVERALL GRADING & EROSION CONTROL PLAN
- **DETAILED GRADING** OVERALL UTILITY PLAN
- DETAIL SHEET POND DETAILS
- DR2 PROPOSED DRAINAGE MAP

VICINITY MAP



OWNER/DEVELOPER WILLIAM MacDONALD 359 LIONS GATE DRIVE WINTER PARK, CO 80482

(303)506-4914 CONTACT: WILLIAM MACDONALD EMAIL: WILL.C.MACDONALD@GMAIL.COM

ENGINEER

CORE CONSULTANTS, INC. 78967 US HIGHWAY 40 WINTER PARK, CO 80482 (970) 447-2111 CONTACT: TODD WOLMA EMAIL: TWOLMA@LIVEYOURCORE.COM

SURVEYOR

RW BAYER & ASSOCIATES, INC. 12170 TEJON ST NO. 700 WESTMINSTER, CO 80234 (970) 452-4433 CONTACT: RAYMOND BAYER EMAIL: RWBSURVEYING@HOTMAIL.COM

ARCHITECT

WAYNE D ANDERSON 7825 WEST ONTARIO PLACE LITTLETON, CO 80128 (303) 550-5678 WAYNE@WANDERSONAIA.COM

TOWN

WINTER PARK P.O. BOX 3327 WINTER PARK, CO 80482 CONTACT: JAMES SHOCKEY TOWN PLANNER (970) 726-8081

UTILITY PROVIDERS

GRAND COUNTY WATER AND SANITATION DISTRICT #1 P.O. BOX 3077 WINTER PARK, CO 80482 CONTACT: BRUCE HUTCHINS (970) 726-5583

EAST GRAND FIRE PROTECTION DISTRICT #4 P.O. BOX 2967 WINTER PARK, CO 80482 CONTACT: TODD HOLZWARTH

MOUNTAIN PARKS ELECTRIC P.O. BOX 170 GRANBY, CO 80446 CONTACT: JEAN JOHNSTON

(970) 726-5824

(970) 887-3378

XCEL ENERGY 583 EAST JASPER CT GRANBY, CO 80446 CONTACT: JULIE GITTINS (970) 262-4014

BENCHMARK

TEMPORARY BENCHMARK (TBM): THE TOP OF THE SET 5/8" REBAR & CAP - PLS 6973 - LOCATED AT THE SOUTHEAST CORNER OF TRACT 3, MILLER SUBDIVISION, COUNTY OF GRAND, STATE OF COLORADO.

PROJECT BENCHMARK ELEVATION = 8789.97

BASIS OF BEARING

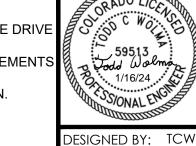
THE WEST LINE OF THE ABOVE DESCRIBED PROPERTY, BEING MONUMENTED AS SHOWN HEREON, IS ASSUMED TO BEAR N11°54'36"W. ALL OTHER BEARINGS ARE RELATIVE THERETO

LEGAL DESCRIPTION

TRACT 3, MILLER SUBDIVISION, COUNTY OF GRAND, STATE OF COLORADO.

ENGINEER'S STATEMENT

THESE CONSTRUCTION PLANS FOR 359 LIONS GATE DRIVE WERE PREPARED BY ME (OR UNDER MY DIRECT SUPERVISION) IN ACCORDANCE WITH THE REQUIREMENTS OF THE TOWN OF WINTER PARK STANDARDS AND SPECIFICATIONS FOR DESIGN AND CONSTRUCTION.



DRI

1/16/24 TODD C. WOLMA P.E.

DATE

DRAWN BY: MEH CHECKED BY: TCV JOB NO. 21-123 SHEET

OF 8

TOWN ENGINEER

COLORADO NO. 59513 FOR AND ON BEHALF OF CORE CONSULTANTS INC.

CORE ENGINEERING NOTES

- IN ADDITION TO TOWN OF WINTER PARK STANDARD NOTES, THE FOLLOWING SHALL APPLY:
- CONTRACTOR SHALL OBTAIN ALL THE MOST RECENT APPLICABLE CODES. LICENSES. STANDARDS, SPECIFICATIONS, PERMITS, BONDS WHICH ARE NECESSARY TO PERFORM THE PROPOSED WORK.
- 2. ALL REFERENCES TO ANY PUBLISHED STANDARDS SHALL REFER TO THE LATEST REVISION OF SAID STANDARD, UNLESS SPECIFICALLY STATED OTHERWISE.
- 3. WHERE THERE IS CONFLICT BETWEEN THESE PLANS AND THE SPECIFICATIONS, OR ANY APPLICABLE STANDARDS, THE HIGHER QUALITY STANDARDS SHALL APPLY.
- 4. ALL CONSTRUCTION IN PUBLIC RIGHT-OF-WAY SHALL COMPLY WITH THE AMERICANS WITH DISABILITIES ACT.
- TRAFFIC AND PEDESTRIAN CONTROL SHALL COMPLY WITH THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES (MUTCD) (LATEST EDITION).
- 6. ALL TRENCHES SHALL BE ADEQUATELY SUPPORTED AND THE SAFETY OF THE WORKERS PROVIDED FOR AS REQUIRED BY THE MOST RECENT OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION (OSHA) "SAFETY AND HEALTH REGULATIONS FOR CONSTRUCTION." THESE REGULATIONS ARE DESCRIBED IN SUBPART P, PART 1926 OF THE CODE OF FEDERAL REGULATIONS. SHEETING AND SHORING SHALL BE UTILIZED WHERE NECESSARY TO PREVENT ANY EXCESSIVE WIDENING OR SLOUGHING OF THE TRENCH WHICH MAY BE DETRIMENTAL TO HUMAN SAFETY, TO THE PIPE BEING PLACED, TO TREES OR TO ANY EXISTING STRUCTURE WHERE EXCAVATIONS ARE MADE UNDER SEVER WATER CONDITIONS. THE CONTRACTOR MAY BE REQUIRED TO USE AN APPROVED PILING INSTEAD OF SHEETING AND SHORING.
- 7. THE CONTRACTOR IS RESPONSIBLE FOR IMPLEMENTING AND MAINTAINING EROSION AND SEDIMENT CONTROL MEASURES AT ALL TIMES DURING CONSTRUCTION. THE PLAN MAY BE MODIFIED WITH APPROPRIATE APPROVALS FROM THE MUNICIPALITY'S ENGINEERING DIVISION AS FIELD CONDITIONS WARRANT.
- 8. REPAIR OF ANY DAMAGE TO EXISTING IMPROVEMENTS OR LANDSCAPING IS THE RESPONSIBILITY OF THE CONTRACTOR AT THE CONTRACTOR'S EXPENSE.
- 9. ALL CONSTRUCTION ACTIVITIES MUST COMPLY WITH THE STATE OF COLORADO PERMITTING PROCESS FOR "STORM WATER DISCHARGES ASSOCIATED WITH CONSTRUCTION ACTIVITY." FOR INFORMATION, PLEASE CONTACT COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT, WATER QUALITY CONTROL DIVISION, WQCD-P-B2, 4300 CHERRY CREEK DRIVE SOUTH, DENVER, COLORADO 80246-1530. ATTENTION: PERMITS UNIT. PHONE (303) 692-3590.
- 10. THE CONTRACTOR SHALL REGULARLY PATROL THE PUBLIC LANDS ADJACENT TO THE DEVELOPMENT, REMOVE CONSTRUCTION DEBRIS AND KEEP THE SITE CLEAN AND SAFE.
- 11. CONTRACTOR SHALL REVIEW THE GEOTECHNICAL REPORTS PROVIDED BY AMERICAN GEOSERVICES DATED JUNE 13, 2021 AND JANUARY 14, 2023 FOR THIS PROJECT FOR PAVEMENT DESIGN AND RECOMMENDATIONS REGARDING EXCAVATION, COMPACTION, EMBANKMENT, AND TOPSOIL REMOVAL AND REPLACEMENT. FINAL PAVEMENT DESIGN TO BE DETERMINED BY THE GEOTECHNICAL ENGINEER. CONTRACTOR TO COORDINATE THIS WORK. THE CONSTRUCTION METHODS FOR EXCAVATION/EMBANKMENT. COMPACTION AND SUBGRADE PREPARATION SHALL BE IN STRICT CONFORMANCE WITH THE GEOTECHNICAL ENGINEER'S RECOMMENDATIONS. ENGINEER SHALL BE NOTIFIED IMMEDIATELY OF DISCREPANCIES BETWEEN THE GEOTECHNICAL REPORT RECOMMENDATIONS AND REQUIREMENTS OF THESE CONSTRUCTION DOCUMENTS AND SPECIFICATIONS.
- 12. EXISTING GRADES AND SPOT ELEVATIONS SHOWN ON THIS DRAWING HAVE BEEN PLOTTED FROM BEST AVAILABLE INFORMATION AND ARE SHOWN TO THE EXTENT KNOWN. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO FIELD VERIFY EXISTING GRADE CONDITIONS AT THE LIMITS OF CONSTRUCTION AND AT LOCATIONS THAT INTERFACE WITH EXISTING OR PROPOSED BUILDINGS AND NOTIFY THE CIVIL ENGINEER OF ANY DISCREPANCIES THAT CONTRADICT TI CIVIL ENGINEER'S INTENT FOR DRAINAGE PATTERNS, MAXIMUM AND MINIMUM SLOPES, AND PROPOSED ELEVATIONS AS SHOWN ON THE PLAN.
- 13. ANY EARTHWORK QUANTITIES ARE RAW NUMBERS AND HAVE NOT BEEN ADJUSTED TO ACCOUNT FOR SHRINK, SWELL, COMPACTION, UTILITY SPOILS, BUILDING FOUNDATION/BASEMENT ETC. IT IS THE CONTRACTOR'S RESPONSIBILITY TO VERIFY ALL EARTHWORK VALUES.
- 14. NOTICE TO BIDDERS UNLESS APPROVAL BLOCKS ARE SIGNED AND THE PLANS ARE STAMPED BY A PROFESSIONAL ENGINEER, THESE DOCUMENTS ARE PENDING JURISDICTIONAL APPROVAL AND SUBJECT TO CHANGE.
- 15. THE CONTRACTOR IS SPECIFICALLY CAUTIONED THAT THE LOCATION AND/OR ELEVATION OF EXISTING UTILITIES, AS SHOWN ON THESE PLANS, IS BASED ON RECORDS OF THE VARIOUS UTILITY COMPANIES AND, WHERE POSSIBLE, MEASUREMENTS TAKEN IN THE FIELD. THE INFORMATION IS NOT TO BE RELIED UPON AS BEING EXACT OR COMPLETE. THE CONTRACTOR MUST CALL THE LOCAL UTILITY LOCATION CENTER AT LEAST 48 HOURS BEFORE ANY EXCAVATION TO REQUEST EXACT FIELD LOCATIONS OF THE UTILITIES. PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL VERIFY PERTINENT LOCATIONS AND ELEVATIONS. ESPECIALLY AT CONNECTION POINTS AND AT POTENTIAL UTILITY CONFLICTS. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO RELOCATE ALL EXISTING UTILITIES THAT CONFLICT WITH THE PROPOSED IMPROVEMENTS SHOWN ON THESE PLANS
- 16. IT IS THE CONTRACTOR'S RESPONSIBILITY TO PROTECT EXISTING UTILITIES FROM DAMAGE THROUGHOUT THE CONSTRUCTION OF THIS PROJECT. THE CONTRACTOR SHALL CALL THE UTILITY NOTIFICATION CENTER OF COLORADO FOR UTILITY LOCATIONS 2 WORKING DAYS PRIOR TO COMMENCING CONSTRUCTION.
- 17. ALL STORM SEWER PIPE SHALL BE CLASS 3 REINFORCED CONCRETE PIPE OR SDR 35 PVC STORM SEWER PIPE AND UTILIZING WATER TIGHT JOINTS UNLESS OTHERWISE NOTED.
- 18. ALL AREAS DISTURBED BEYOND CONSTRUCTION LIMITS SHALL BE RESEEDED/MULCHED AT THE CONTRACTORS EXPENSE.
- 19. IF CONSTRUCTING NEW CURB AND GUTTER ADJACENT TO EXISTING ASPHALT PAVEMENT, CONTRACTOR SHALL REVIEW EXISTING PAVEMENT ELEVATIONS AND PROPOSED GRADES FOR CURB AND GUTTER AND NOTIFY ENGINEER IF MAXIMUM OR MINIMUM CROSS SLOPES ON ASPHALT PATCH ARE NOT WITHIN THE LIMITS OF CONSTRUCTION.
- 20. THE CONTRACTOR IS RESPONSIBLE FOR RECORDING AS-BUILT INFORMATION ON A SET OF RECORD DRAWINGS KEPT ON THE CONSTRUCTION SITE, AND AVAILABLE TO THE PUBLIC WORKS INSPECTOR AT ALL TIMES.
- 21. DIMENSIONS FOR LAYOUT AND CONSTRUCTION ARE NOT TO BE SCALED FROM ANY DRAWINGS. IF PERTINENT DIMENSIONS ARE NOT SHOWN, CONTACT THE CONSULTANT ENGINEER FOR CLARIFICATION, AND ANNOTATE THE DIMENSION ON THE AS-BUILT RECORD DRAWINGS.

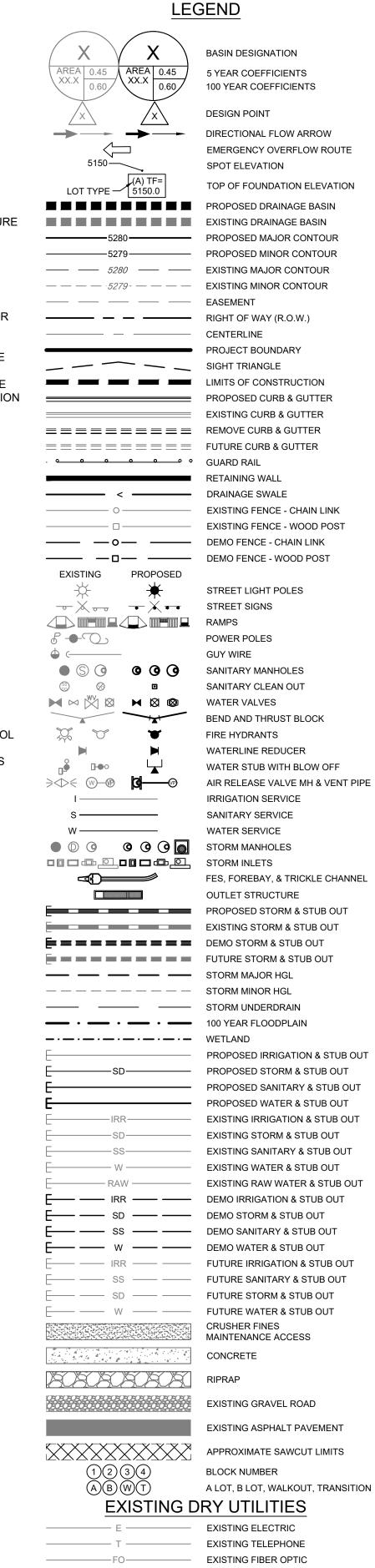
TOWN OF WINTER PARK NOTES:

- 1. THE TOWN SIGNATURE AFFIXED TO THIS DOCUMENT INDICATES THE TOWN HAS REVIEWED THE DOCUMENT AND FOUND IT IN GENERAL CONFORMANCE WITH THE TOWN OF WINTER PARK STANDARDS AND SPECIFICATIONS FOR DESIGN AND CONSTRUCTION OR APPROVED VARIANCES TO THOSE REGULATIONS. THE TOWN, THOUGH ACCEPTANCE OF THIS DOCUMENT, ASSUMES NO RESPONSIBILITY, OTHER THAN STATED ABOVE, FOR THE COMPLETENESS AND/OR ACCURACY OF THESE DOCUMENTS. THE OWNER AND ENGINEER UNDERSTAND THAT THE DOCUMENT LIES SOLE WITH THE LICENSED PROFESSIONAL ENGINEER WHOSE STAMP AND SIGNATURE IS AFFIXED TO THIS DOCUMENT.
- 2. ALL ROADWAY CONSTRUCTION SHALL CONFORM TO TOWN OF WINTER PARK STANDARDS AND SPECIFICATIONS FOR DESIGN AND CONSTRUCTION.
- 3. ALL MATERIALS AND WORKMANSHIP SHALL BE SUBJECT TO INSPECTION BY THE TOWN. THE TOWN RESERVES THE RIGHT TO ACCEPT OR REJECT ANY MATERIALS AND WORKMANSHIP THAT DOES NOT CONFORM TO ITS STANDARDS AND SPECIFICATIONS. THIS MAY RESULT IN A "STOP WORK ORDER" THAT WILL REMAIN IN EFFECT UNTIL APPROPRIATE CORRECTIONS ARE MADE TO THE SATISFACTION OF THE TOWN OF WINTER PARK.
- 4. THE CONTRACTOR PRIOR TO ACTUAL CONSTRUCTION SHALL VERIFY THE LOCATION OF EXISTING UTILITIES.
- 5. THE CONTRACTOR SHALL PROVIDE ALL LIGHTS, SIGNS, BARRICADES, FLAGMEN, OR OTHER DEVICES NECESSARY TO PROVIDE FOR THE SAFETY IN ACCORDANCE WITH THE MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES.
- 6. THE CONTRACTOR SHALL BE SOLELY AND COMPLETELY RESPONSIBLE FOR CONDITIONS AT AND ADJACENT TO THE JOB SITE, INCLUDING SAFETY OF ALL PERSONS AND PROPERTY DURING PERFORMANCE OF THE WORK. THE REQUIREMENT SHALL APPLY CONTINUOUSLY AND
- NOT BE LIMITED TO NORMAL WORKING HOURS. 7. THE DUTY OF THE TOWN TO CONDUCT CONSTRUCTION INSPECTIONS AND REVIEW OF THE CONTRACTOR'S PERFORMANCE IS NOT INTENDED TO INCLUDE REVIEW OF THE

CONTRACTOR'S SAFETY MEASURES IN, ON, OR NEAR THE CONSTRUCTION SITE

- 8. IT SHALL BET HE CONTRACTOR'S RESPONSIBILITY TO NOTIFY THE OWNER/APPLICANT OF ANY PROBLEM IN CONFORMING TO THE APPROVED PLANS FOR ANY ELEMENT FOR PROPOSED IMPROVEMENTS PRIOR TO CONSTRUCTION.
- 9. IF CONSTRUCTION HAS NOT COMMENCED WITHIN TWO (2) YEAR OF APPROVAL, THE CONSTRUCTION PLANS MAY BE CONSIDERED INVALID. THESE PLANS MAY BE SUBJECTED TO RE-REVIEW AND RE-APPROVAL BY THE TOWN.
- 10. PAVING SHALL NOT START UNTIL A SOILS REPORT AND PAVEMENT DESIGN IS ACCEPTED BY THE GEOTECHNICAL ENGINEER.
- 11. IF DEWATERING IS USED TO INSTALL UTILITIES, CULVERTS, ETC., THEN A STATE CONSTRUCTION DEWATERING WATER STATION DISCHARGE PERMIT IS REQUIRED FOR DISCHARGE INTO A STORM SEWER, CHANNEL IRRIGATION DITCH, OR ANY WATER OF THE UNITED STATES. A COPY OF THE PERMIT SHALL BE KEPT BE ON SITE AND FILLED WITH THE TOWN PLANNING DEPARTMENT.

ADDITE VIATIONS.			LOW POINT LANDSCAPE
Δ	DELTA	LT	LEFT
	AIR CONDITIONING UNIT	MA I MAX	MATERIAL MAXIMUM
	ALGEBRAIC DIFFERENCE (IN GRADE)	ME	
AE ASPH	ACCESS EASEMENT ASPHALT	MH	MANHOLE
	AVENUR	MIN	MINIMUM
	BUILDING	MON N	MONUMENT NORTH
	BOULEVARD	NO	NUMBER
BM BMP	BENCHMARK BEST MANAGEMENT PRACTICE	NTS	
	BOTTOM OF PIPE	OC	
	BOTTOM OF RAMP	OH OHE	
BOS	BOTTOM OF STAIR BACK OF WALK	PB	
BP BOW	BEGIN PROFILE	PC	
BW		PCC	PORTLAND CEMENT CONCRET POINT OF COMPOUND CURVAT
	CROSS ACCESS EASEMENT	PCR	POINT OF COMPOUND CORVAT
CCP	CITY OF CASTLE PINES CO. DEPT. OF TRANPORTATION	PE	
CL		PED	PEDESTAL
CMP		PGL Pl	
CO	CLEANOUT	PI PL	
COL CON	COLUMN CONCENTRIC	PLS	
	CONCRETE	PP	
COR	CORNER	PR	
CR	CONDINAIME / CONDINCTONIN	PRC PT	
DE DI	DRAINAGE EASEMENT DUCTILE IRON	PVC	
DIA	DIAMETER DOWNEROUT	PVI	POINT OF VERTICAL INTERSEC
DS	DOWNSPOUT		
	DRAWING		POINT OF VERTICAL TANGENC' REINFORCED CONCRETE PIPE
E E	EAST / SUPERELEVATION RATE ELECTICAL		RADIUS / RIGHT
EB	EASTBOUND	RD	ROAD
EAE	EMERGENCY ACCESS EASEMENT	RE RET	
EC		REV	
ECC EG	ECCENTRIC EXISTING GRADE	ROW	
EL	ELEVATION	RT	RIGHT
	ELECTRIC	RW S	RAW WATER SOUTH
	ELECTRIC METER		SANITARY SEWER
	ENCLOSURE EDGE OF ASPHALT	SC	SURVEY CONTROL
	EDGE OF CONCRETE	SD	
	EDGE OF PAVEMENT	SEC SS	SECTION SANITARY SEWER
	EDGE OF WALK	ST	
ESIVIT	EASEMENT EXISTING		STATION
	FIRE DEPARTMENT CONNECTION	STD	
	FLARED END SECTION	SV SW	SERVICE SIDEWALK
FF FH	FINISH FLOOR FIRE HYDRANT	SWL	SWALE
FG	FINISH GRADE	Т	TELEPHONE
FL	FLOWLINE	TC	
FO	FIBER OPTIC	TBC TFLF	TOP BACK OF CURB TELEPHONE / COMMUNICATION
FT G	FEET GAS	TOB	
GB	GRADE BREAK	TOE	TOE OF SLOPE
GM	GAS METER	TOF TOP	TOP OF FOUNDATION TOP OF PIPE
GND	GROUND	TOR	TOP OF RAMP
GP GR	GUARD POST GRADE	TOS	TOP OF STAIR
GRL	GUARDRAIL	TOW	TOE OF WALL
GRV	GRAVEL	TW TV	TOP OF WALL TELEVISION
GS	GARAGE SLAB	TYP	TYPICAL
GV HC	GATE VALVE HANDICAP	UE	UTILITY EASEMENT
HOR	HORIZONTAL	UT	UTILITY
HP	HIGH POINT		VERTICAL CURVE
	HEADWALL	VLAG	VERTICAL CURB & GUTTER VAULT
IN	INCHES OR INLET INTERSECTION	VERT	
INT INV	INVERT	W	WEST
IRR	IRRIGATION	WB	WEST BOUND
JT	JOINT TRENCH	WLK WM	SIDEWALK WATER METER
K L	DIST FOR 1% CHANGE OF GRADE LENGTH / LEFT	WT	WATER
L LIP	LIP OF PAN	XC	CROSS-SECTION
	-	Y1 Y2	SINGLE YELLOW STRIPE DOUBLE YELLOW STRIPE
		ı∠	DOODLE TELLOW STRIPE



AIR RELEASE VALVE MH & VENT PIPE A LOT, B LOT, WALKOUT, TRANSITION — G — EXISTING GAS OH————— EXISTING OVER HEAD ELECTRIC

DESIGNED BY: TCV DRAWN BY: CHECKED BY: TCV

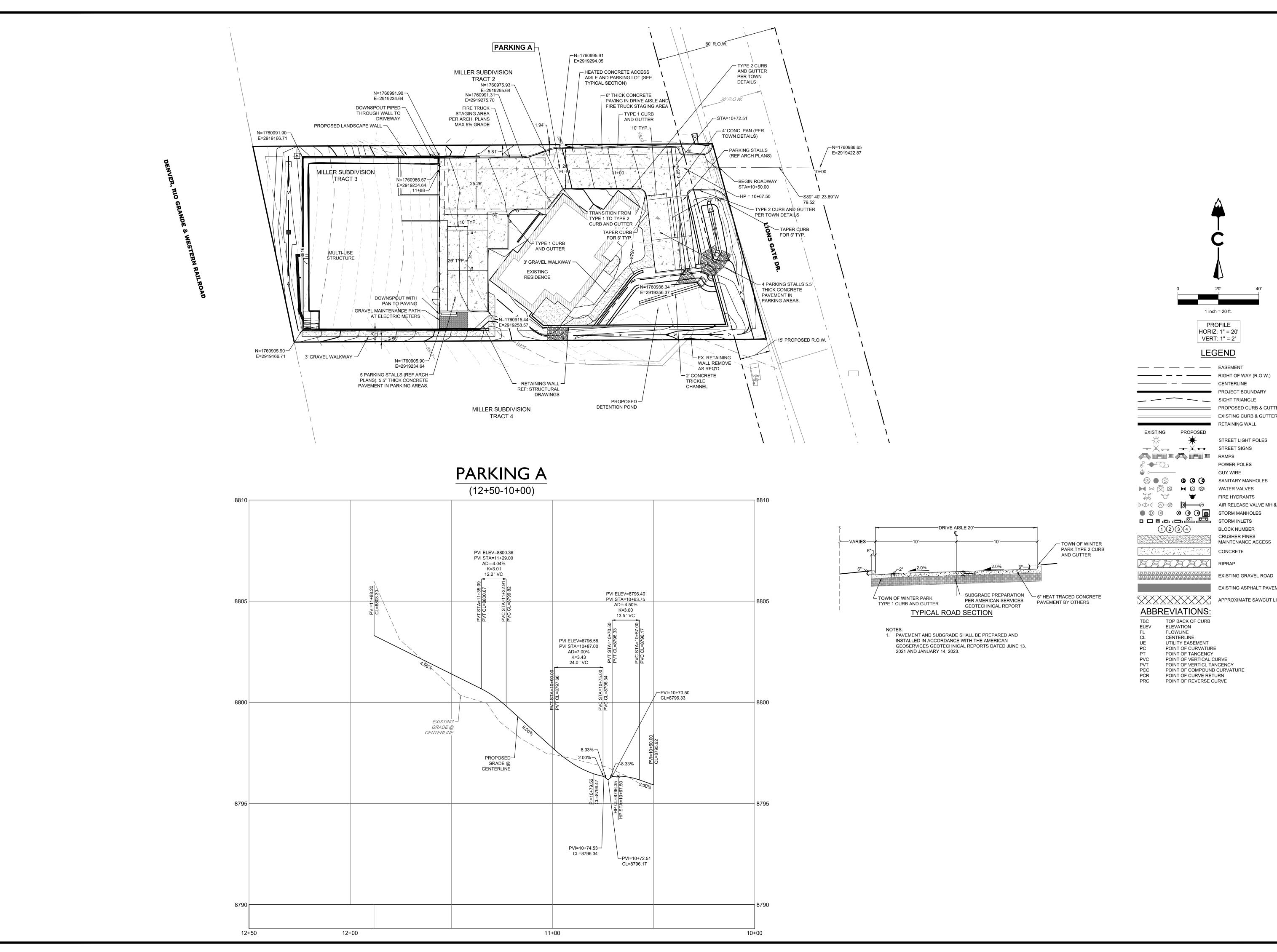
> JOB NO. 21-123

SHEET 2 OF 8

DR

ATE RK.

LION:



1 inch = 20 ft. PROFILE

HORIZ: 1" = 20' VERT: 1" = 2'

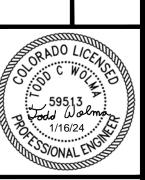
LEGEND RIGHT OF WAY (R.O.W.) PROPOSED CURB & GUTTER EXISTING CURB & GUTTER RETAINING WALL STREET LIGHT POLES → X → → STREET SIGNS RAMPS S SANITARY MANHOLES ₩ FIRE HYDRANTS STORM MANHOLES
STORM INLETS 1234 **BLOCK NUMBER** CRUSHER FINES
MAINTENANCE ACCESS CRUSHER FINES CONCRETE

EXISTING ASPHALT PAVEMENT

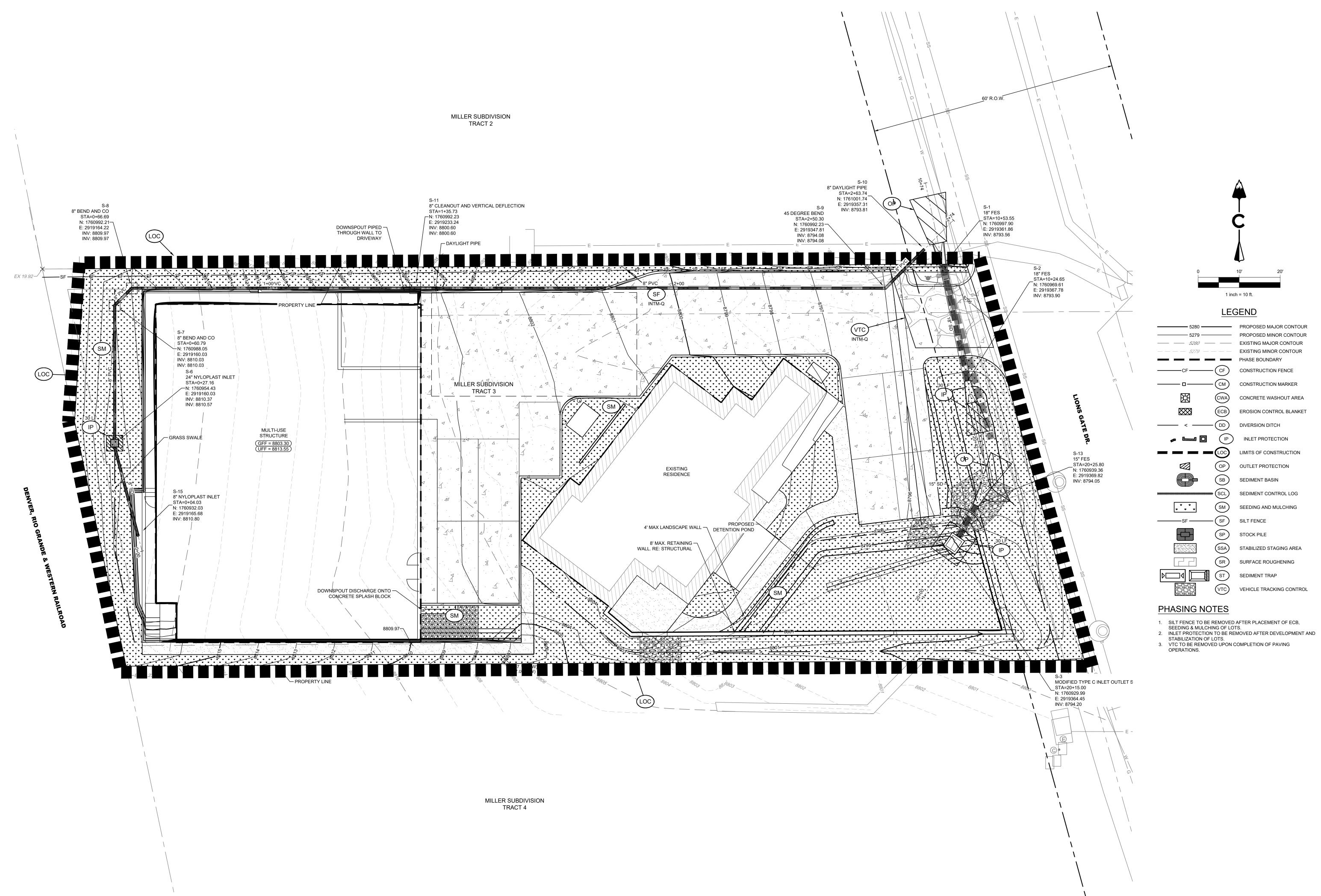
APPROXIMATE SAWCUT LIMITS

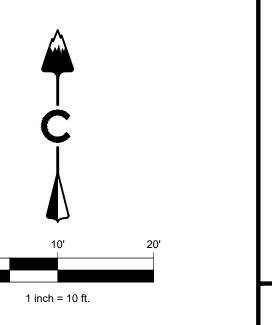
TOP BACK OF CURB ELEVATION FLOWLINE CENTERLINE UTILITY EASEMENT

POINT OF CURVATURE POINT OF TANGENCY POINT OF VERTICAL CURVE POINT OF VERTICL TANGENCY POINT OF COMPOUND CURVATURE POINT OF CURVE RETURN

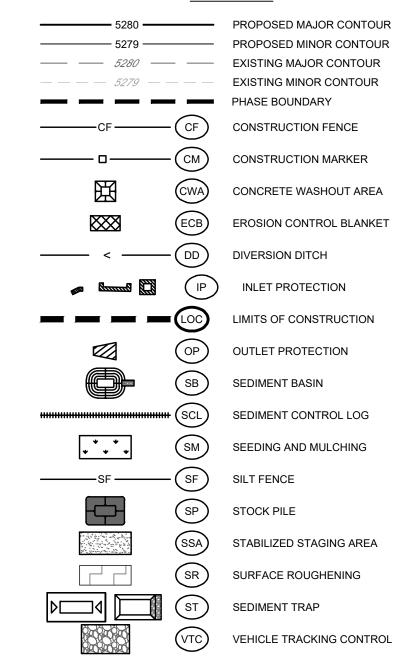


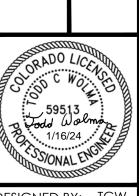
DESIGNED BY: TCW DRAWN BY: MEH CHECKED BY: TCW JOB NO. 21-123 SHEET 3 OF 8





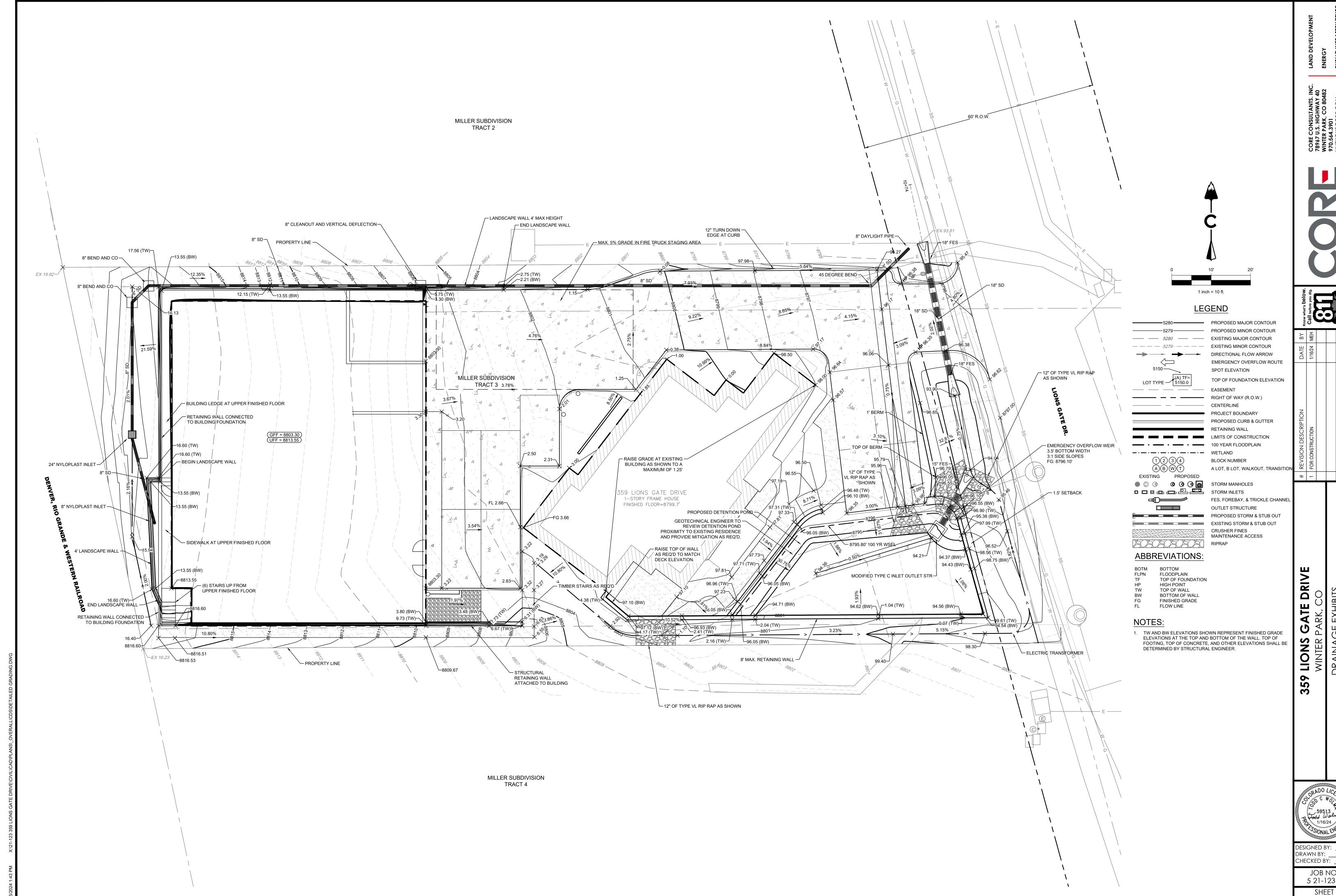
LEGEND



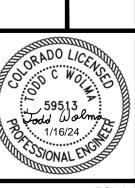


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> SHEET 4 OF 8

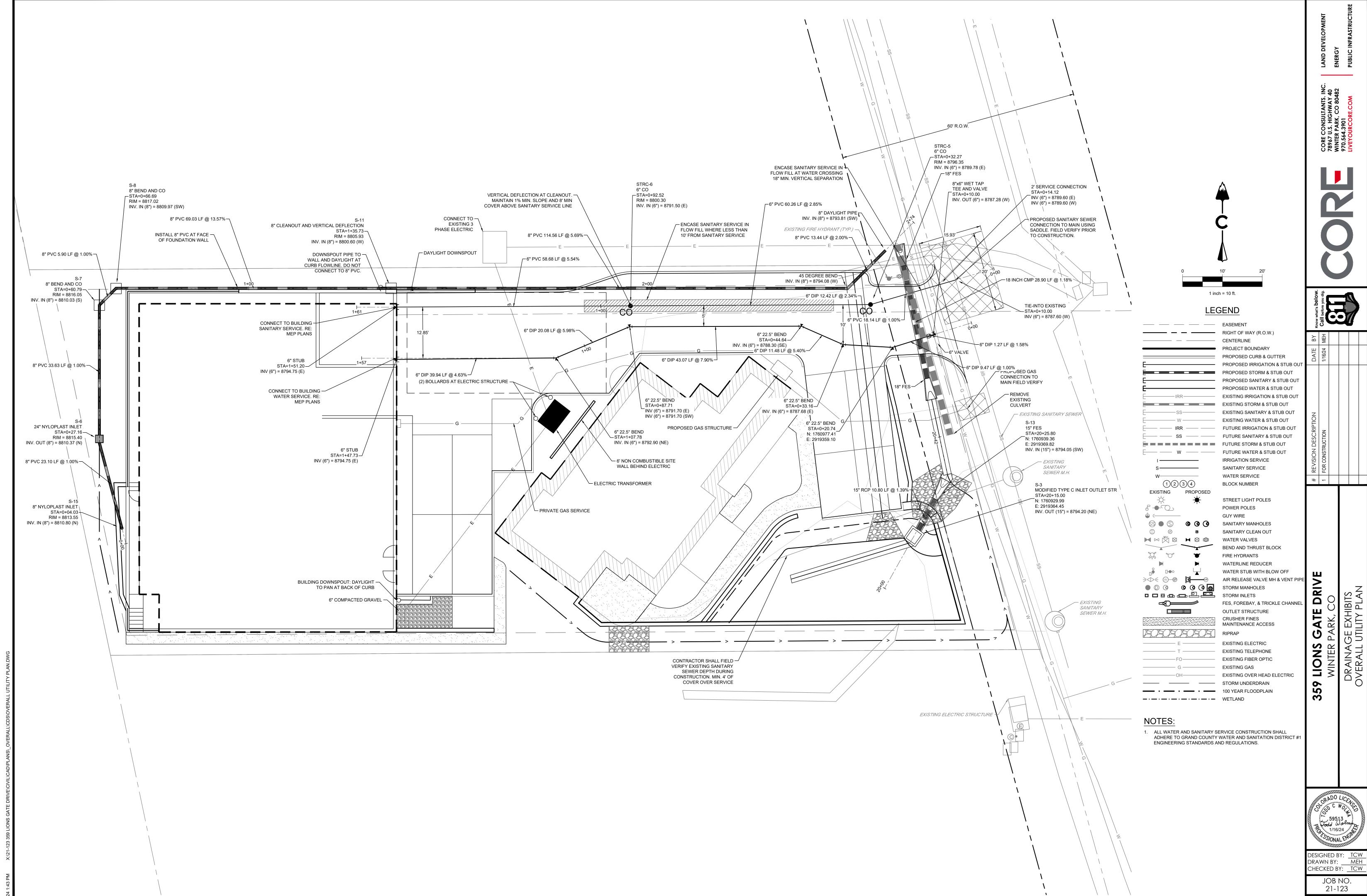






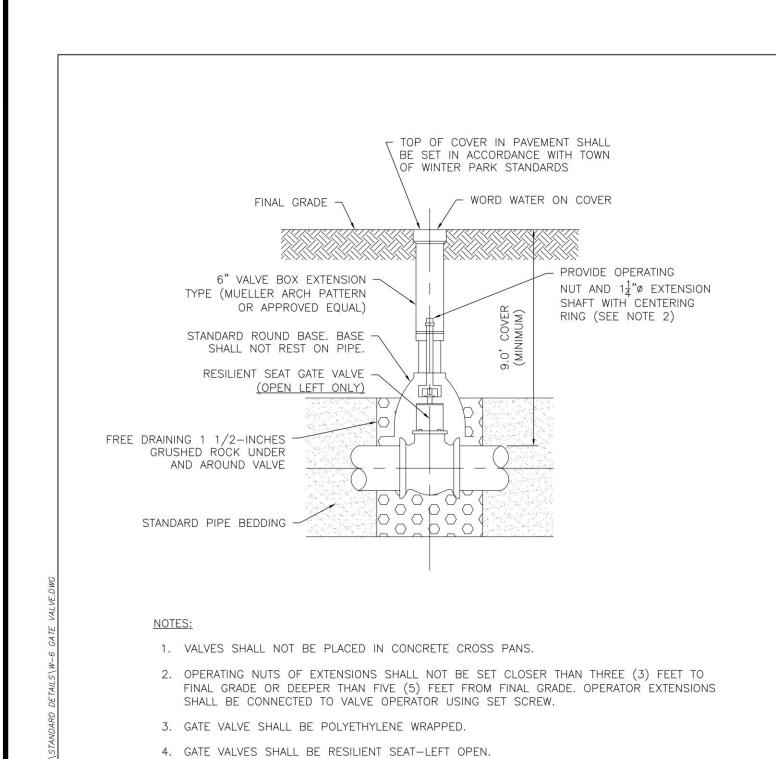
DESIGNED BY: TCW DRAWN BY: MEH CHECKED BY: <u>TCW</u> JOB NO. 5 21-123

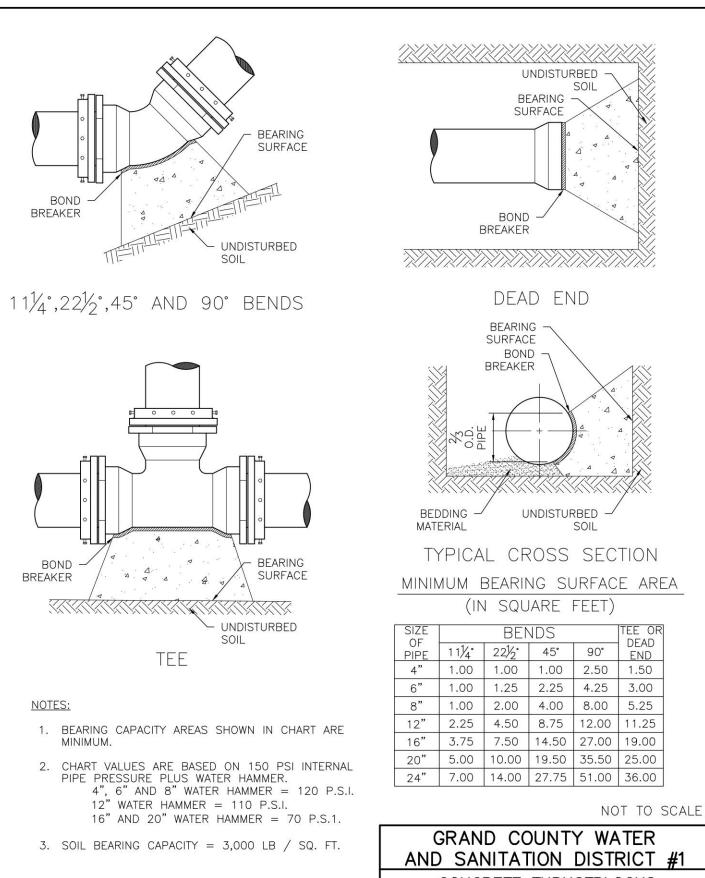
5 OF 8

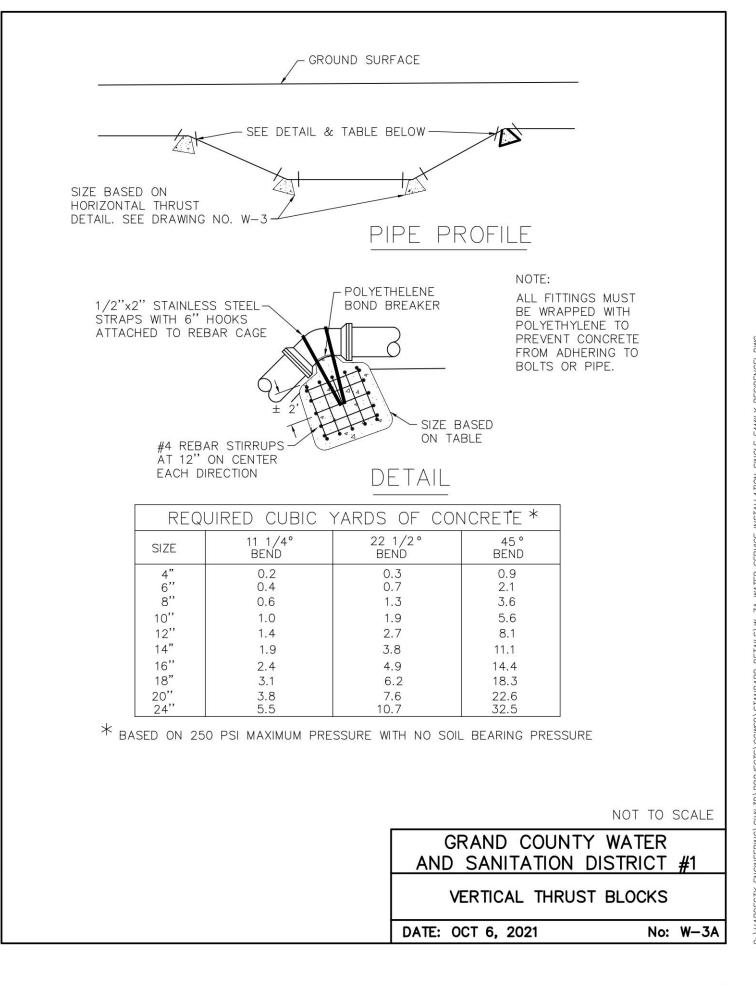


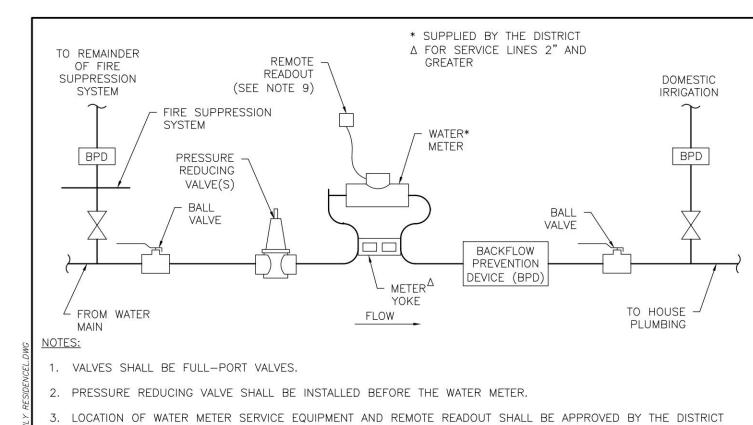
SHEET

6 OF 8



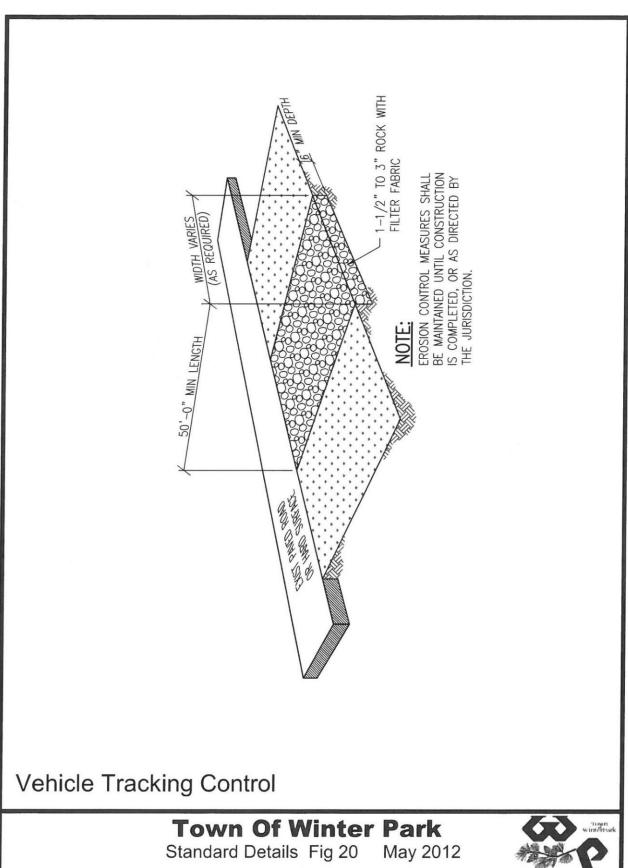






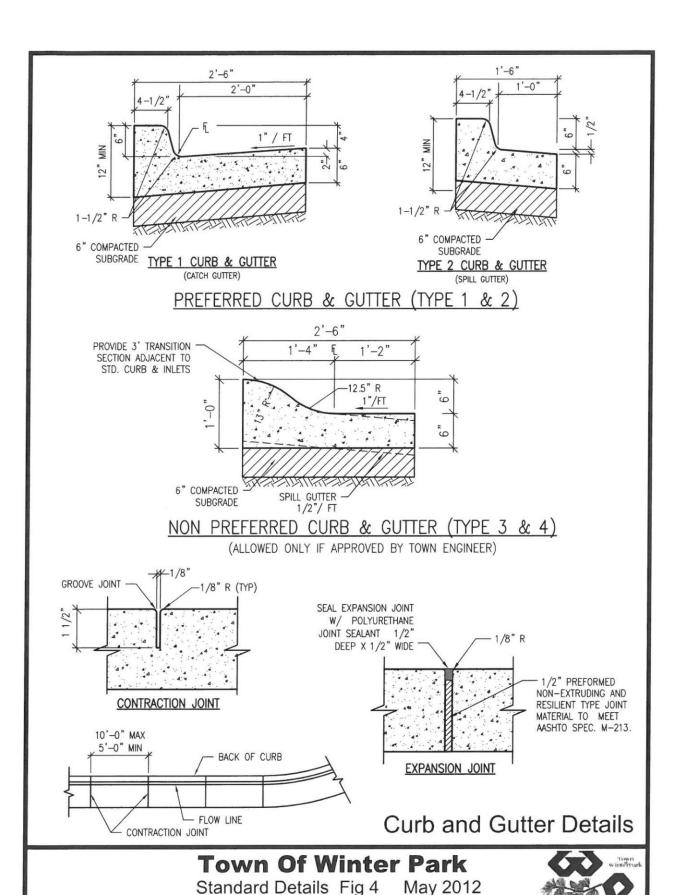
- PRIOR TO CONSTRUCTION.
- . WATER SERVICE EQUIPMENT SHALL BE LOCATED IN A HEATED SPACE AND IN AN AREA WHICH WILL ALLOW FREE ACCESS AND ADEQUATE ROOM FOR INSPECTION AND MAINTENANCE. A FLOOR DRAIN SHALL BE PROVIDED NEAR THE METER FOR NEW SERVICE INSTALLATIONS.
- ALL METERS GREATER THAN 1"SHALL BE INSTALLED IN A HORIZONTAL POSITION. FOR VERTICAL LINES GREATER THAN 1", A YOKE OR SETTER WILL BE USED TO KEEP THE METER HORIZONTAL. METERS 3/4" AND 1" MAY BE INSTALLED VERTICALLY.
- 6. METER AND SERVICE LINE SUPPORT IS REQUIRED, SUCH AS A METER YOKE, FOR SERVICE LINES GREATER OR EQUAL TO 2".
- . NO BYPASS LINES WILL BE INSTALLED. ANY BYPASS LINES FOR EXISTING METERS WILL BE REMOVED.
- 8. TWO SEPARATE WIRES BETWEEN THE METER AND REMOTE READOUT SHALL BE INSTALLED.
- REMOTE READOUT LOCATION MUST BE APPROVED BY DISTRICT STAFF PRIOR TO INSTALLATION. LOCATION OF REMOVE READOUT SHALL BE VISIBLE FROM THE STREET AND SHALL BE ACCESSIBLE YEAR-ROUND. REMOTE READOUT SHALL NOT BE LOCATED UNDER EAVES WHERE SNOW OR ICE CAN INTERFERE WITH OPERATION OR
- 10. TYPE OF BACKFLOW PREVENTION DEVICE (BPD) WILL BE DETERMINED BY THE DISTRICT BASED ON THE TYPE AND DEGREE OF HAZARD PRESENT.
- 1. BACKFLOW PREVENTION DEVICE MUST BE INSTALLED IN ACCORDANCE WITH MANUFACTURERS RECOMMENDATIONS. DOUBLE CHECK BACKFLOW PREVENTION DEVICES MAY BE INSTALLED IN A VERTICAL POSITION. REDUCED PRESSURE BACKFLOW PREVENTION DEVICES MUST BE SET IN A HORIZONTAL POSITION AND IN A LOCATION WHERE IT CAN PLUMBED TO A DRAIN.
- 12. IF WATER SERVICE LOCATION IS IN A CRAWL SPACE, EQUIPMENT SHALL BE LOCATED WITHIN 3 FEET OF THE CRAWL SPACE ENTRANCE. NOT TO SCALE
- 13. TESTABLE BACKFLOW PREVENTION DEVICES MUST BE TESTED BY A CERTIFIED CROSS CONNECTION CONTROL TECHNICIAN UPON INSTALLATION AT OWNERS EXPENSE. ALL BACKFLOW PREVENTION DEVICES ON COMMERCIAL AND MULTI-FAMILY WATER SERVICE CONNECTIONS MUST BE TESTED ANNUALLY THEREAFTER AT OWNERS EXPENSE

GRAND COUNTY WATER AND SANITATION DISTRICT #1 WATER SERVICE INSTALLATION DATE: Aug 31, 2022 No: W-7a

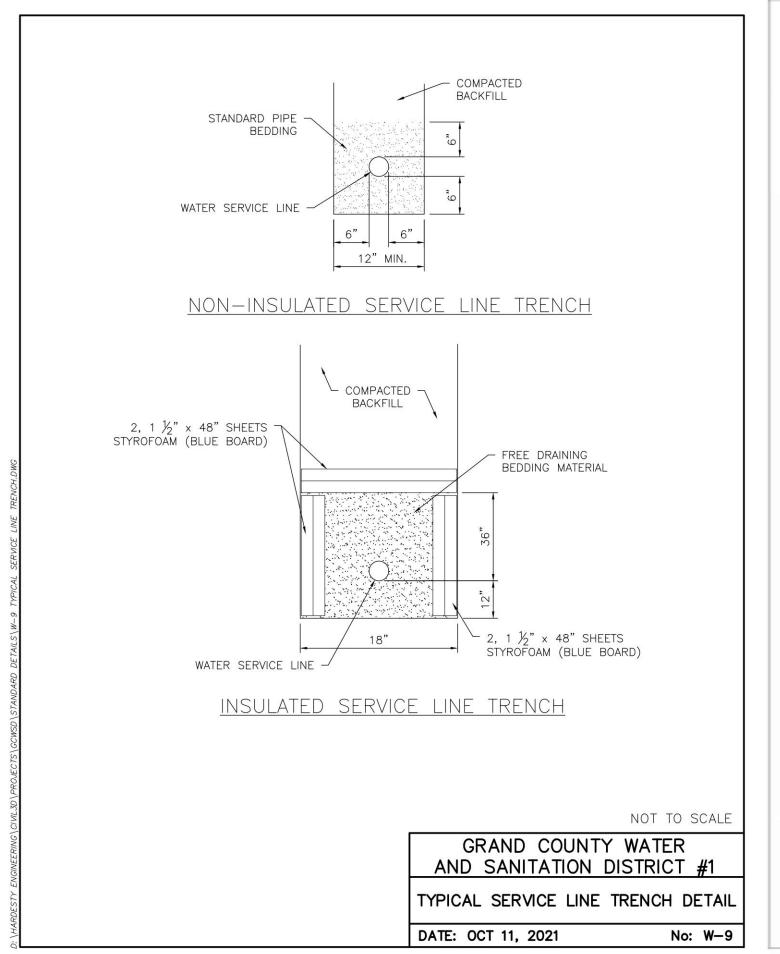


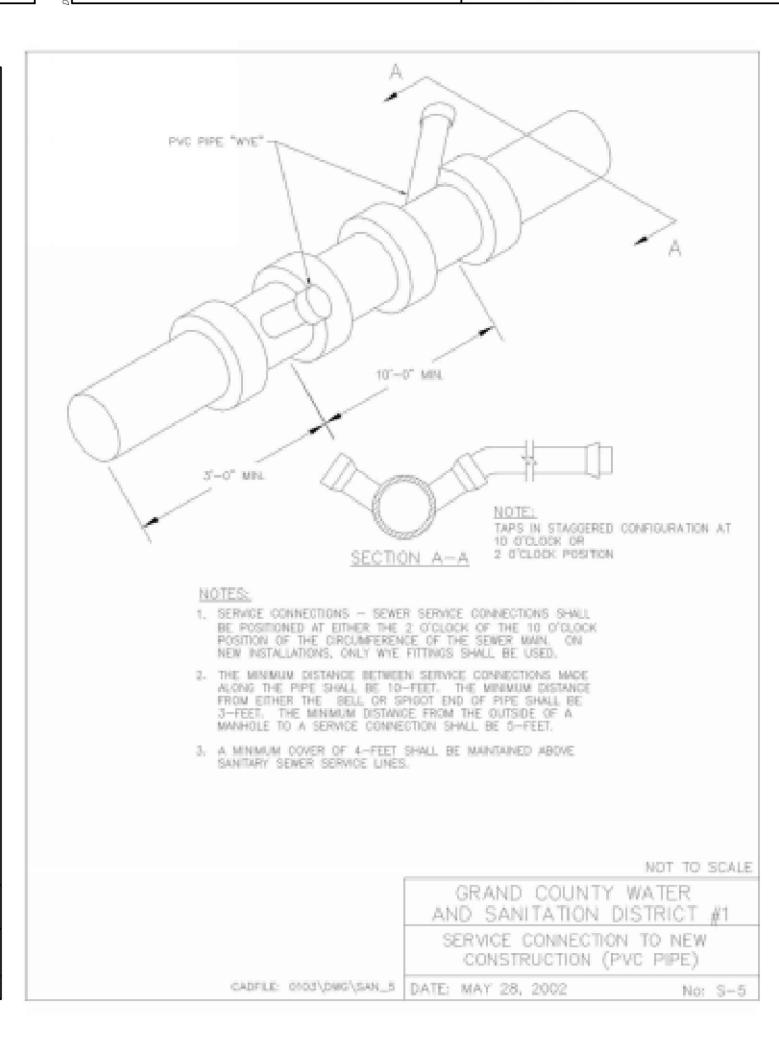
DATE: 5/1/2012

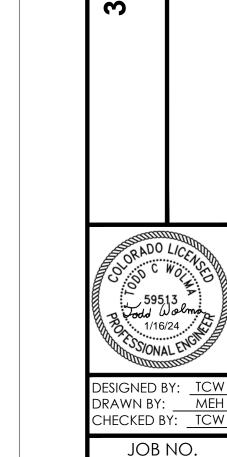
FILENAME: FIG 21 - VEHICLE TRACKING CONTROL.DWG



DATE: 5/1/2012



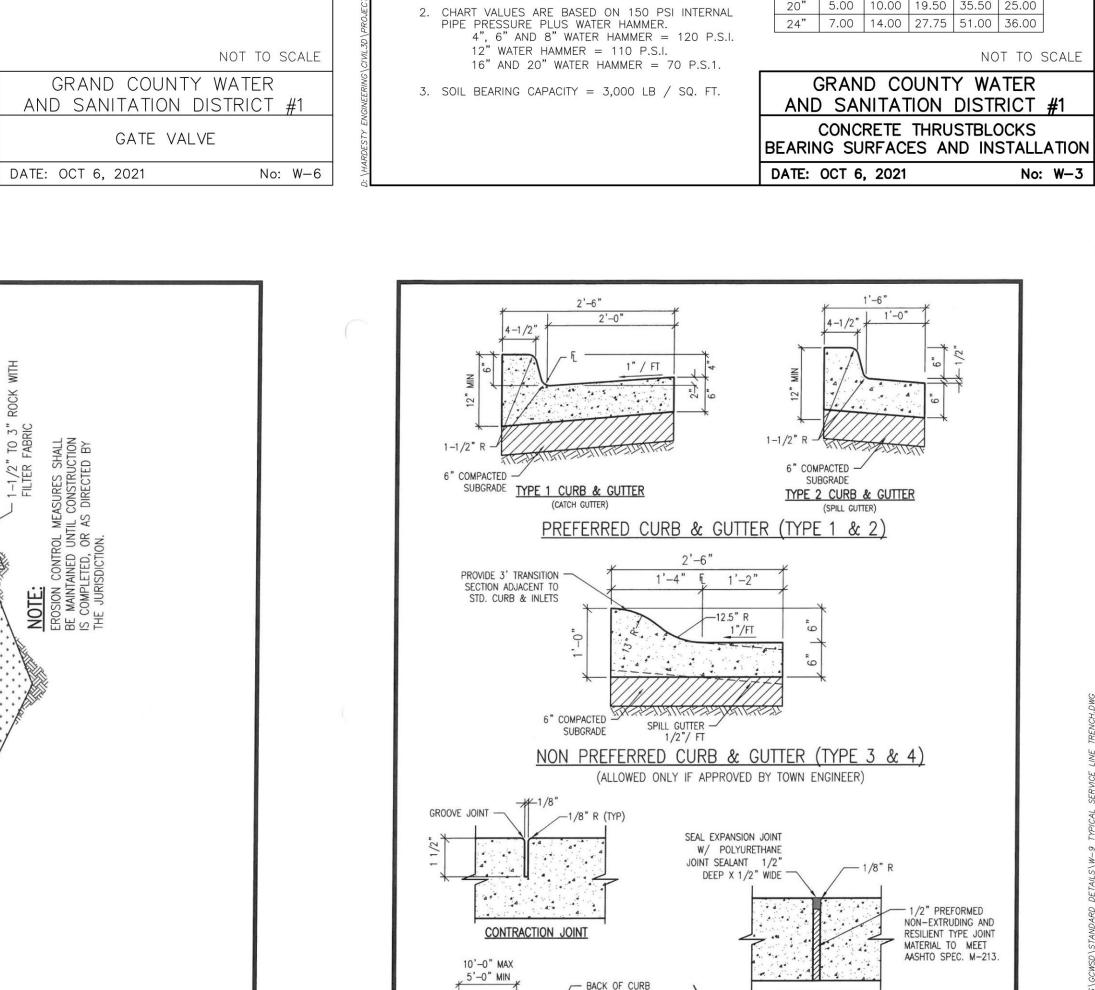




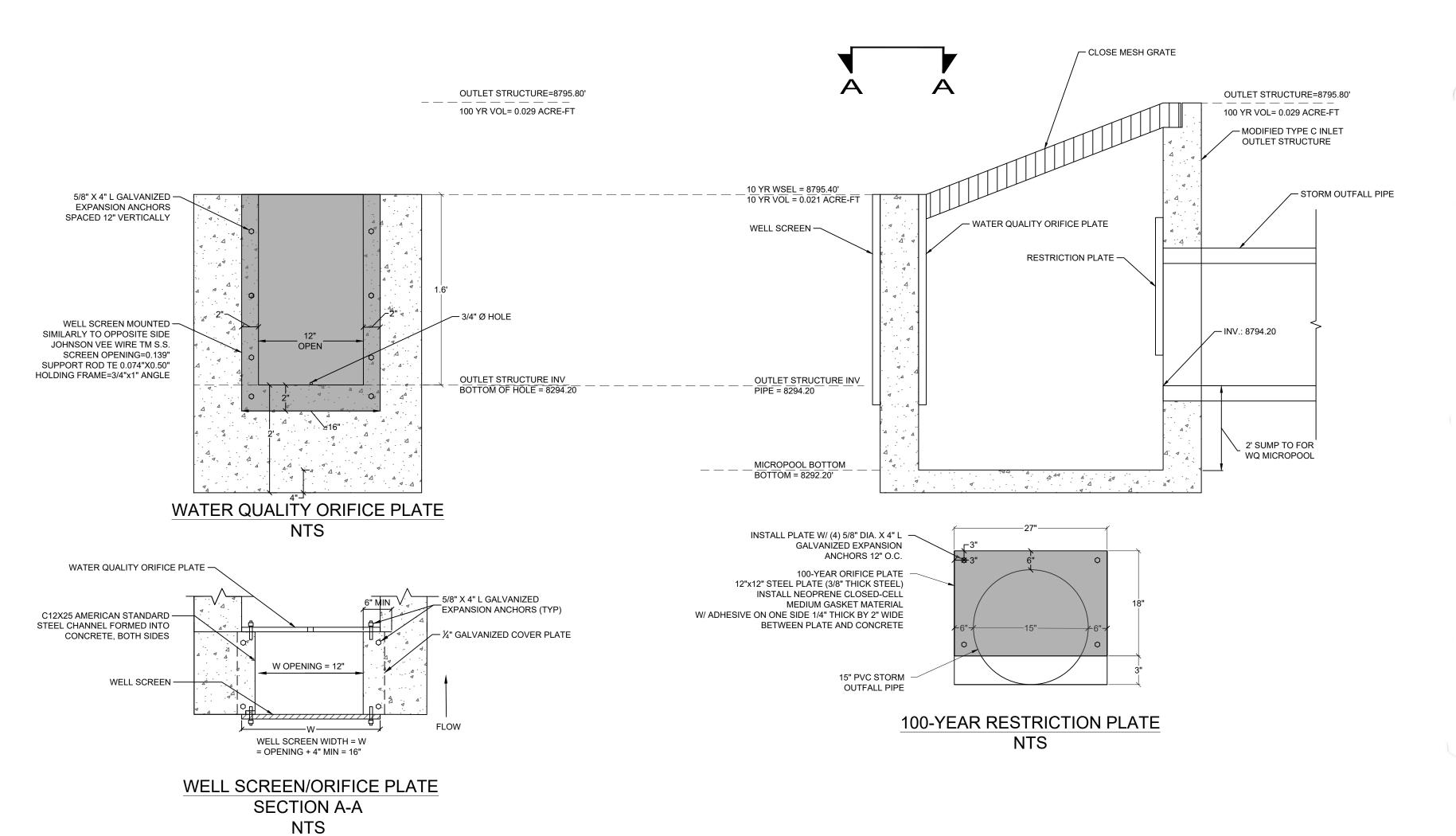
21-123

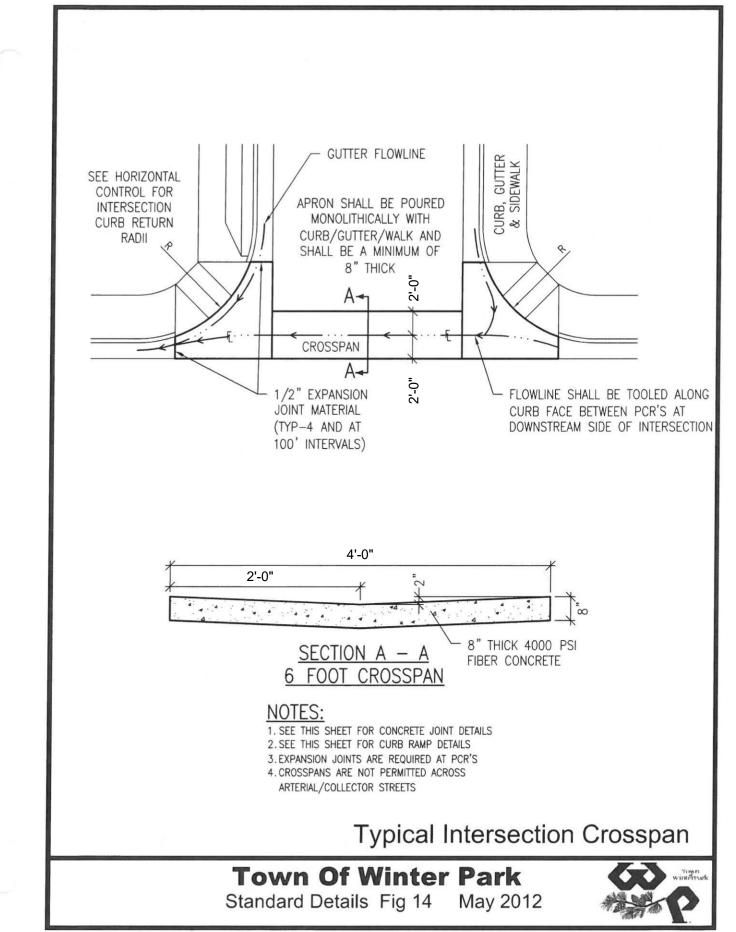
SHEET 7 OF 8

DRI

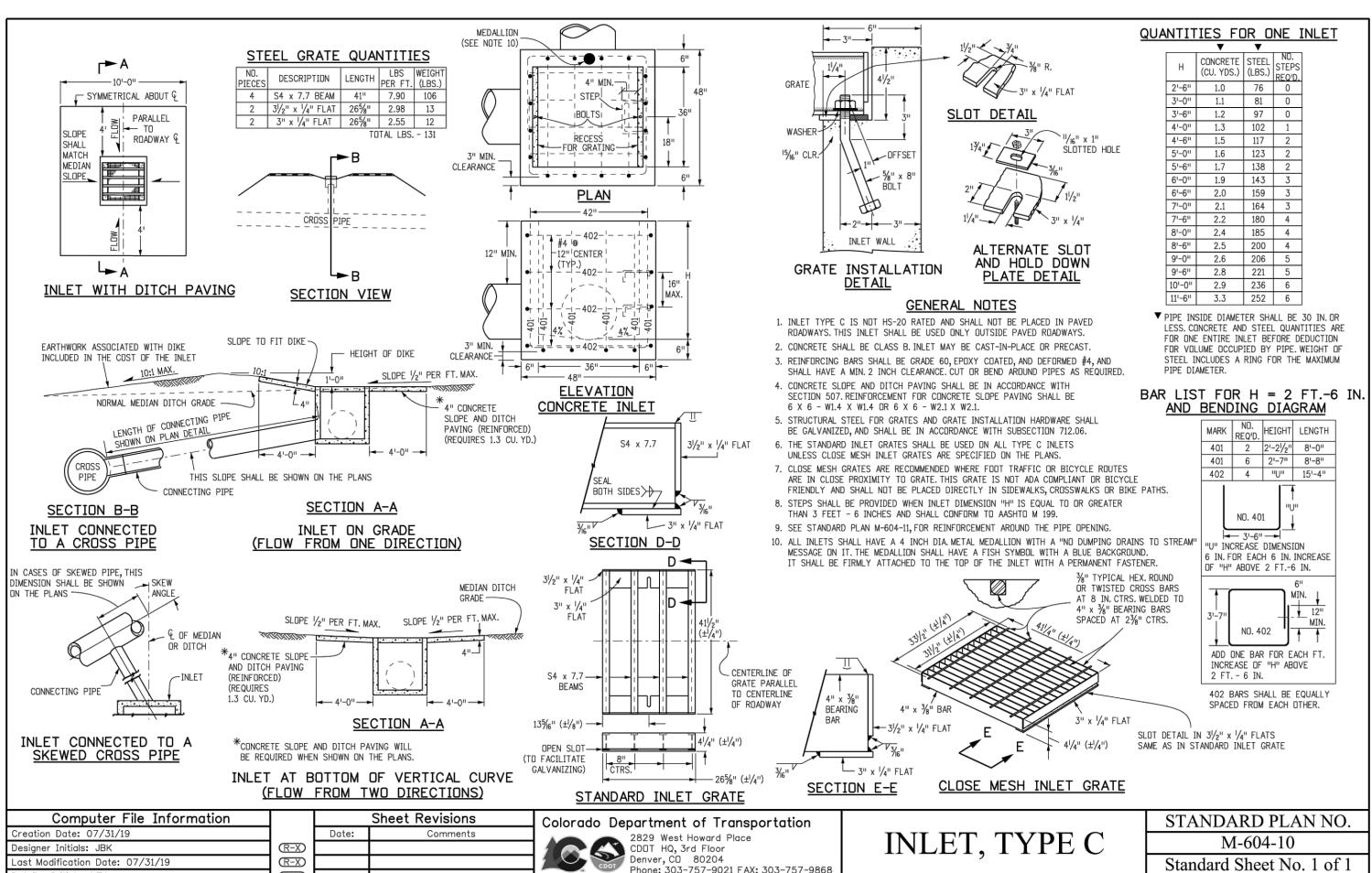


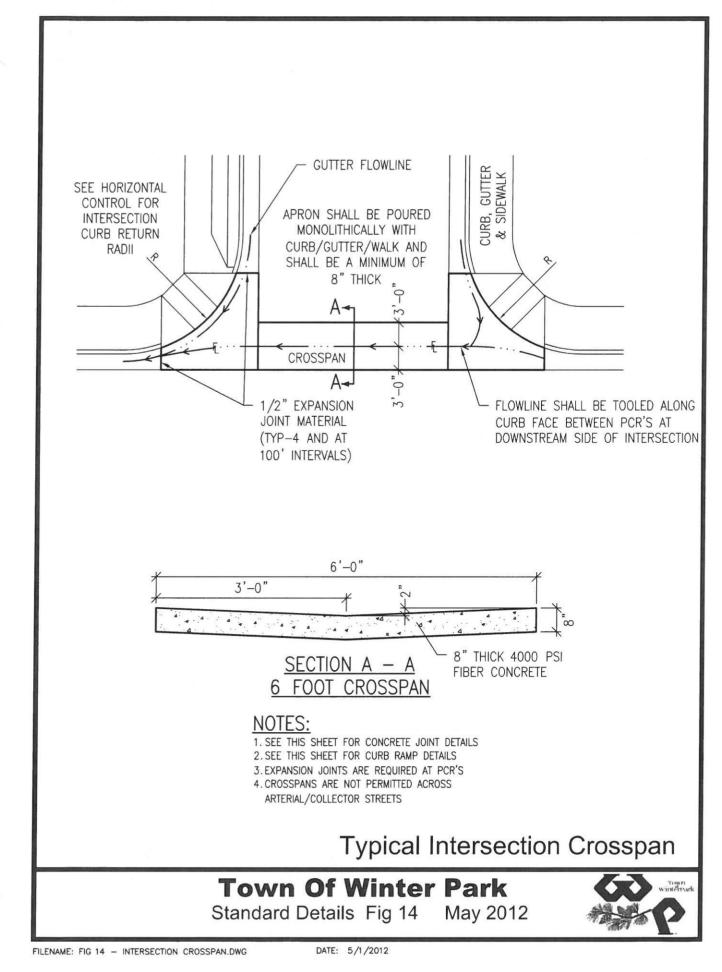
FILENAME: FIG 4 - CURB & GUTTER.DWG



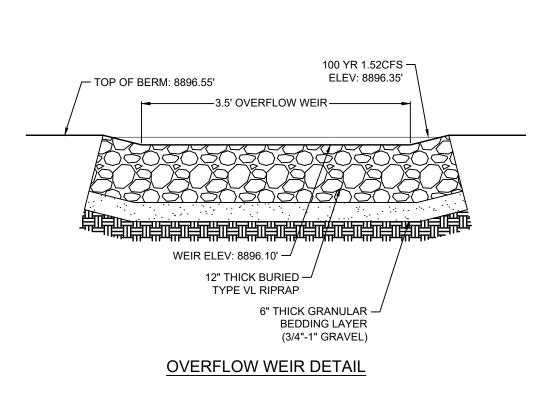


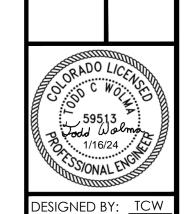
DATE: 5/1/2012





FILENAME: FIG 14 - INTERSECTION CROSSPAN.DWG





DRI

DESIGNED BY: TCW
DRAWN BY: MEH
CHECKED BY: TCW

JOB NO.
21-123

SHEET
8 OF 8

Designer Initials: JBK

Lost Modification Date: 07/31/19

Detailer Initials: LBK

CAO Ver.: MicroStation V8 Scale: Not to Scale Units: English

The Project Development Branch

The Project Development Branch

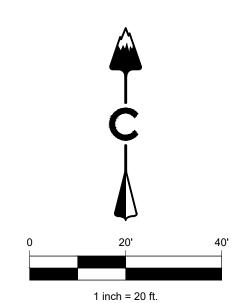
The Project Development Branch

The Project Development Branch

The Project Development Branch: July 31, 2019

The Project Development Branch: Jul





<u>LEGEND</u>

DIRECTIONAL FLOW ARROW PROPOSED DRAINAGE BASIN EXISTING DRAINAGE BASIN ——5280———— PROPOSED MAJOR CONTOUR —5279———— PROPOSED MINOR CONTOUR —— 5280 —— EXISTING MAJOR CONTOUR — — — 5279 - — — EXISTING MINOR CONTOUR

BASIN DESIGNATION 10 YEAR COEFFICIENTS

100 YEAR COEFFICIENTS DESIGN POINT

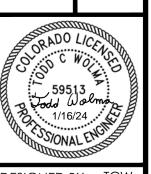
EMERGENCY OVERFLOW ROUTE

PROJECT BOUNDARY FES, FOREBAY, & TRICKLE CHANNEL

OUTLET STRUCTURE CRUSHER FINES
MAINTENANCE ACCESS

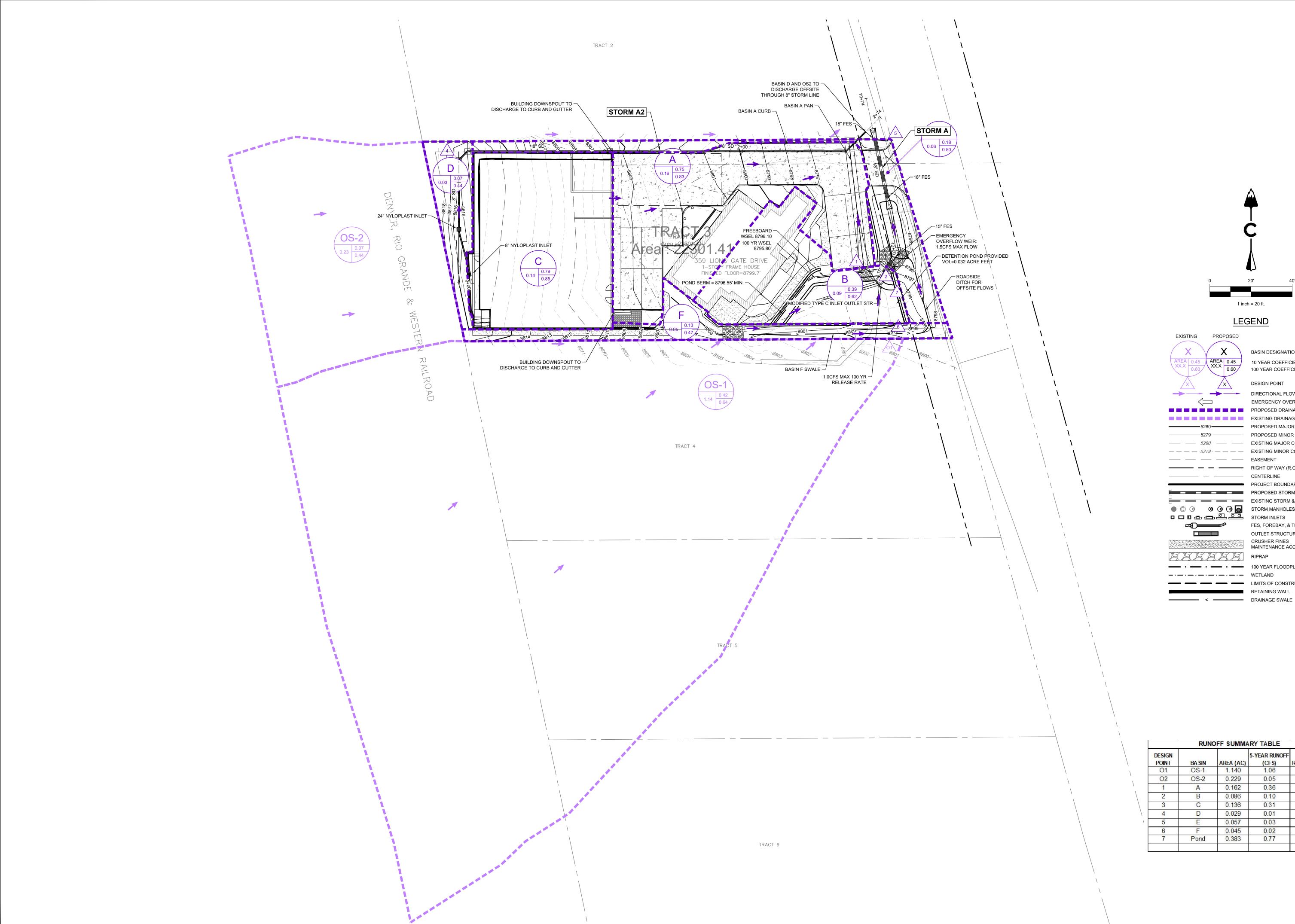
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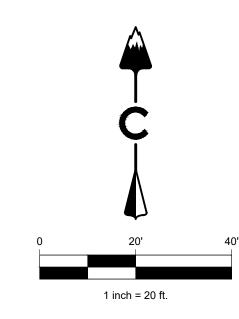
RUNOFF SUMMARY TABLE DIRECT RUNOFF						
ESIGN OINT	BASIN	AREA (AC)	10-Year RUNOFF (CFS)	100-Year RUNOFF (CFS)		
O-I	OS-I	1.140	1.06	2.75		
O-2	OS-2	0.229	0.05	0.46		
1	H-I	0.348	0.18	0.86		



DESIGNED BY: TCW
DRAWN BY: MEH
CHECKED BY: TCW

JOB NO. 21-123 SHEET DR1 OF 8





<u>LEGEND</u>

BASIN DESIGNATION

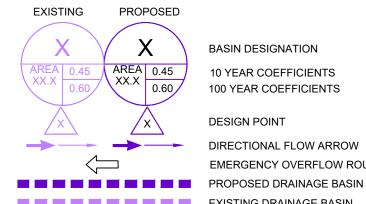
DESIGN POINT

10 YEAR COEFFICIENTS

100 YEAR COEFFICIENTS

FES, FOREBAY, & TRICKLE CHANNEL

OUTLET STRUCTURE



EMERGENCY OVERFLOW ROUTE PROPOSED DRAINAGE BASIN EXISTING DRAINAGE BASIN —5280 — PROPOSED MAJOR CONTOUR —5279 — PROPOSED MINOR CONTOUR — 5280 — EXISTING MAJOR CONTOUR — — — · 5279 · — — — EXISTING MINOR CONTOUR RIGHT OF WAY (R.O.W.) CENTERLINE PROJECT BOUNDARY

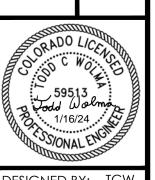
PROPOSED STORM & STUB OUT EXISTING STORM & STUB OUT

STORM MANHOLES

STORM INLETS

CRUSHER FINES
MAINTENANCE ACCESS - · - · - · 100 YEAR FLOODPLAIN

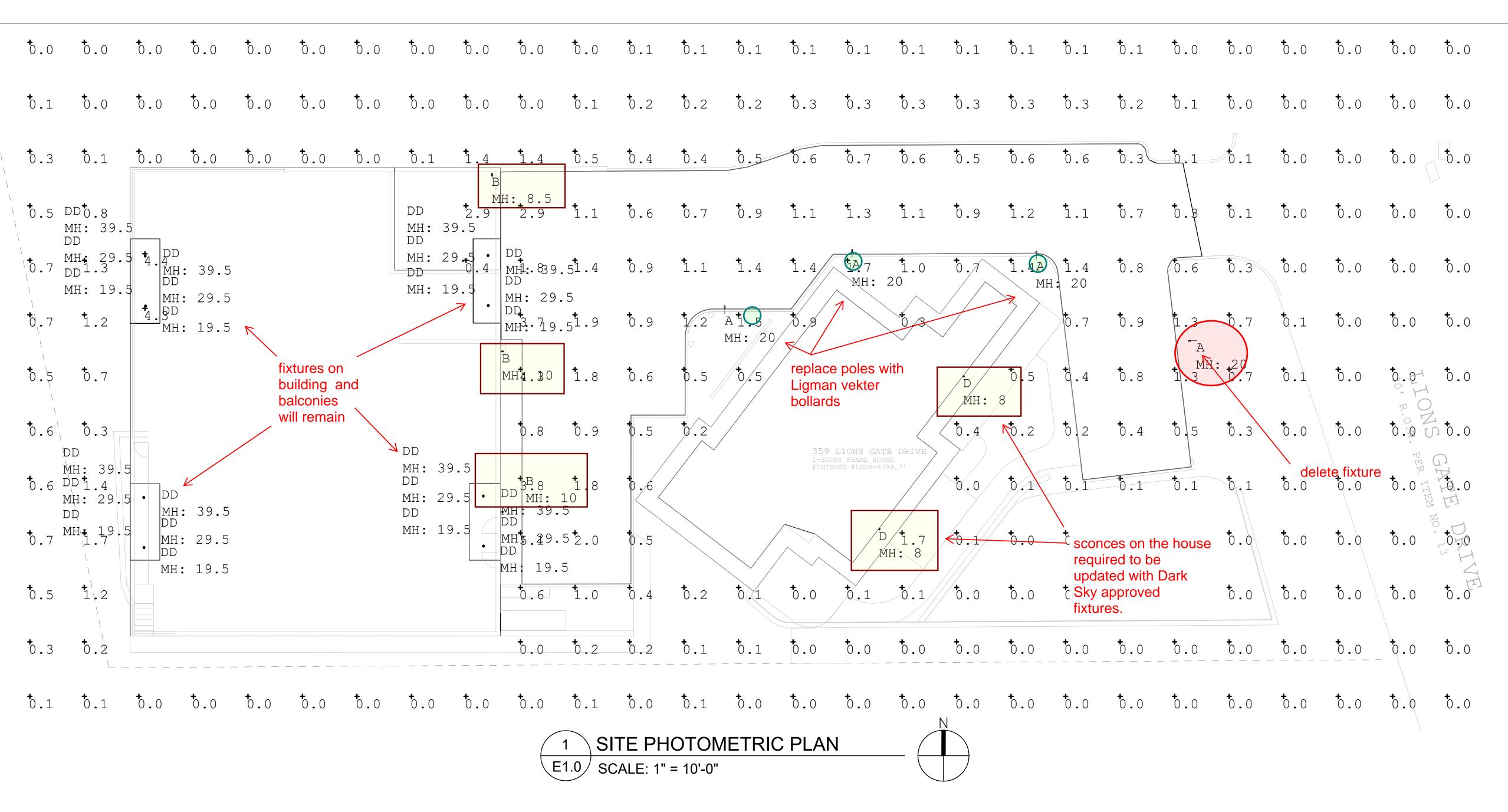
RUNOFF SUMMARY TABLE						
DESIGN POINT	BA SIN	AREA (AC)	5-YEAR RUNOFF (CFS)	100-YEAR RUNOFF (CFS		
O1	OS-1	1.140	1.06	2.75		
O2	OS-2	0.229	0.05	0.46		
1	Α	0.162	0.36	0.67		
2	В	0.086	0.10	0.27		
3	С	0.136	0.31	0.58		
4	D	0.029	0.01	0.06		
5	E	0.057	0.03	0.13		
6	F	0.045	0.02	0.10		
7	Pond	0.383	0.77	1.52		



DRIVE

DESIGNED BY: TCW DRAWN BY: MEH CHECKED BY: TCW

JOB NO. 21-123 SHEET DR2 OF 8



LUMINAIRE SCHEDULE								
SYMBOL	QTY	LABEL	WATTS	LUMENS	BUG	LLF	MANUFACTURER	CATALOG
\rightarrow 0	4	А	12.2	1327	B1-U0-G0	0.900	LUMARK	XTOR1B-Y
\rightarrow	5	В	12.2	1327	B1-U0-G0	0.900	LUMARK	XTOR1B-Y
	2	D	8	394	B1-U0-G0	0.900	CONOID LED	SM866141BK
\oplus	24	DD	9	600	B1-U0-G0	0.900	COOPER	RL4LS9FSD2W1EWHDM -600LM -3000K

CALCULATION STATISTICS			
REFLECTANCES	CALCULATION SPACING	FC CALCULATION HEIGHT	MOUNTING HEIGHT
DIRECT METHOD ONLY	10'-0" x 10'-0"	FLOOR 0'-0" A.F.G.	NOTED ON PLAN "MH:"

CALCULATION SUMMARY						
LABEL	UNITS	AVG	MAX	MIN	AVG/MIN	MAX/MIN
OVERALL SITE	Fc	0.23	5.7	0.0	N.A.	N.A.
PATIO_TYPICAL	Fc	2.80	4.3	2.0	1.40	2.15
PARK & DRIVE	Fc	0.94	3.3	0.4	2.35	8.25

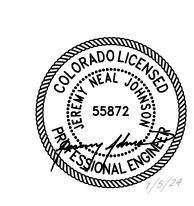


PROJECT TITLE

CONDOMINIMUMS 365 LION'S GATE DRIVE WINTER PARK CO, 80482

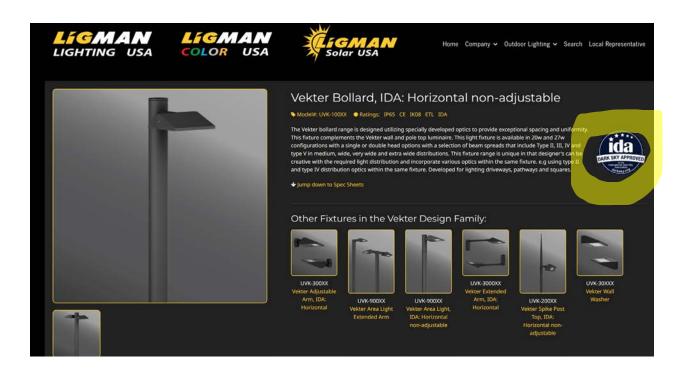
	Ì	ı
NO.	REVISION DESCRIPTION	DATE

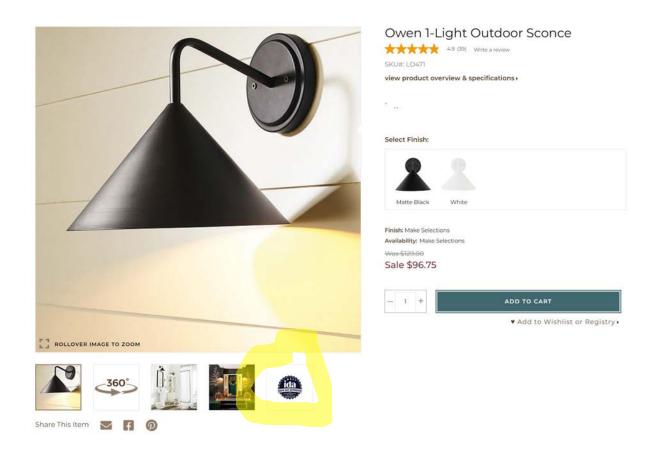
STAMP



01.06.2024

SITE PHOTOMETRIC PLAN E1.0





DESCRIPTION

The patented Lumark Crosstour* LED Wall Pack Series of luminaries provides an architectural style with super bright, energy efficient LEDs. The low-profile, rugged die-cast aluminum construction, universal back box, stainless steel hardware along with a sealed and gasketed optical compartment make the Crosstour impervious to contaminants. The Crosstour wall luminaire is ideal for wall/surface, inverted mount for façade/canopy illumination, post/bollard, site lighting, floodlight and low level pathway illumination including stairs. Typical applications include building entrances, multi-use facilities, apartment buildings, institutions, schools, stairways and loading docks test.

Catalog #	Туре
Project	A & B
Comments	Date
Prepared by	

SPECIFICATION FEATURES

Construction

Slim, low-profile LED design with rugged one-piece, die-cast aluminum hinged removable door and back box. Matching housing styles incorporate both a small and medium design. The small housing is available in 12W, 18W and 26W. The medium housing is available in the 38W model. Patented secure lock hinge feature allows for safe and easy tool-less electrical connections with the supplied push-in connectors. Back box includes three half-inch, NPT threaded conduit entry points. The universal back box supports both the small and medium forms and mounts to standard 3-1/2" to 4" round and octagonal, 4" square, single gang and masonry junction boxes. Key hole gasket allows for adaptation to junction box or wall. External fin design extracts heat from the fixture surface. Onepiece silicone gasket seals door and back box. Minimum 5" wide pole for site lighting application. Not recommended for car wash applications.

Optical

Silicone sealed optical LED chamber incorporates a custom engineered mirrored anodized reflector providing high-efficiency illumination. Optical assembly includes impact-resistant tempered glass and meets IESNA requirements for full cutoff compliance. Available in seven lumen packages; 5000K, 4000K and 3000K CCT.

Electrical

LED driver is mounted to the die-cast housing for optimal heat sinking. LED thermal management system incorporates both conduction and natural convection to transfer heat rapidly away from the LED source. 12W, 18W, 26W and 38W series operate in -40°C to 40°C [-40°F to 104°F]. High ambient 50°C models available. Crosstour luminaires maintain greater than 89% of initial light output after 72,000 hours of operation. Three half-inch NPT threaded conduit entry points allow for thru-branch wiring. Back box is an authorized

electrical wiring compartment. Integral LED electronic driver is standard 0-10V dimming. 120-277V 50/60Hz or 347V 60Hz models.

Finish

Crosstour is protected with a Super durable TGIC carbon bronze or summit white polyester powder coat paint. Super durable TGIC powder coat paint finishes withstand extreme climate conditions while providing optimal color and gloss retention of the installed life. Options to meet Buy American and other domestic preference requirements.

Warranty

Five-year warranty.

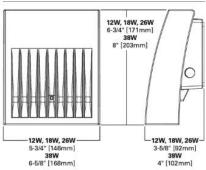


Lumark

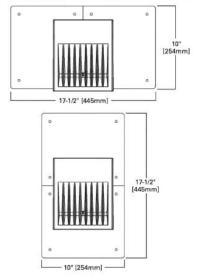
XTOR CROSSTOUR LED

APPLICATIONS: WALL / SURFACE POST / BOLLARD LOW LEVEL FLOODLIGHT INVERTED SITE LIGHTING

DIMENSIONS



ESCUTCHEON PLATES









CERTIFICATION DATA

Dark Sky Approved (Fixed mount, Full cutoff, and 3000K CCT only) UL/cUL Wet Location Listed LM79 / LM80 Compliant ROHS Compliant ADA Compliant NOM Compliant Models IP66 Ingressed Protection Rated Title 24 Compliant DesignLights Consortium® Qualified*

TECHNICAL DATA

40°C Maximum Ambient Temperature External Supply Wiring 90°C Minimum

Effective Projected Area (Sq. Ft.): XTOR1B, XT0R2B, XT0R3B=0.34

SHIPPING DATA:

Approximate Net Weigh - 5.25 lbs. [1.7 - 2.4 kgs.]



*www.designlights.org

TD514013EN December 14, 2021 5:27 PM



PUBLIC NOTICE TOWN OF WINTER PARK PLANNING COMMISSION MAJOR SITE PLAN

Applicant: Brian Garrett

Property Owner: William MacDonald

Case Number: PLN22-078

Physical Address of Property for Which the Major Site Plan Approval is Requested: 365 Lions Gate Drive

Legal Description of Property for Which the Major Site Plan Approval is Requested: See "Exhibit A"

Description of Request: Request to construct a multifamily building containing eleven (11) dwelling units.

Applicable Provision(s) of the Unified Development Code:

§ 5-E-1, Site Plan

The Planning Commission will review this case and render a decision under § 5-E-1 of the UDC.

Additional information is available at this link: https://wpgov.com/current-development-projects/

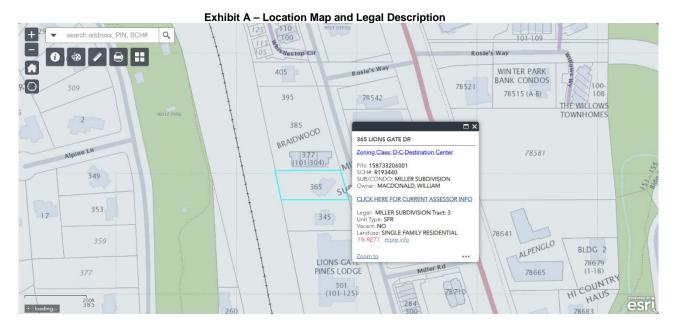
A Public Hearing at Winter Park Town Hall, 50 Vasquez Road and online via Zoom is scheduled for:

Planning Commission, Tuesday, January 23, 2024, at 8:00 A.M.

Members of the public wishing to make comment regarding the major site plan may do so at the scheduled meeting, or write to Hugh Bell, Planner, Town of Winter Park, P.O. Box 3327, Winter Park, CO 80482, or hbell@wpgov.com. For comments to be included within the digital packet, they must be submitted by 5:00 P.M. on the Wednesday before the hearing.

The Zoom link will be made available in the full agenda, which will be published by end of day the Friday before the hearing at https://wpgov.com/our-government/agendas-minutes/

The meeting will be broadcast via Zoom and public comment can be made by those attending. If there are technical difficulties with Zoom, public comment via Zoom will not be available and the meeting will continue in person.



TRACT 3, MILLER SUBDIVISION, BEING A PART OF THE NE $\frac{1}{4}$ OF SECTION 33, TOWNSHIP 1 SOUTH, RANGE 75 WEST OF THE 6^{TH} PM, TOWN OF WINTER PARK, COUNTY OF GRAND, STATE OF COLORADO.

From: Kim <konkelator@gmail.com>
Sent: Tuesday, January 9, 2024 5:49 PM

To: Hugh Bell Cc: Greg Z

Subject: Case Number: PLN22-078

Caution! This message was sent from outside your organization.

Hugh

As property owners in Braidwood Unit 103 we would like to state our opposition to PLN22-078 as it is currently submitted.

Current zoning for the tract is "D-C Destination Center" that allows for multi unit condominiums. The assessor states the current land use is "SFR", Single Family Residential. What is proposed is a combination of both. A multi unit condo building placed in the rear of the lot of an existing single family home. While technically the zoning may allow for this (or DOES it??) we cannot imagine the intent of the town planners is to allow for a sizable structure to be sandwiched into the back of a lot having a Single Family Residence. The structures allowed in the tract should be one or the othernot both.

Allowing the multi unit building to be sandwiched in back of the lot creates a roadway from the front to the back of the property for access. This roadway next to the property line of Braidwood condominiums will create issues for Braidwood if not properly managed. We can foresee improper snow removal spilling onto Braidwood property, road salt/gravel, etc. Cars potentially slipping off or backing off the roadway. At a minimum, if this project is approved we request that the town REQUIRE attractive fencing to be installed at the roadway's edge to prevent these accidents and issues.

We notice proposed landscaping at the north property line is minimal and likely does not meet current Town of Winter Park bufferyards requirements. This negatively impacts the development aesthetic and enjoyment of property.

We notice that the structure aheres to required 5' side setback on the northern property line but that the roadway does not. Does the 5' side setback pertain to structures only? The 5' side setback should be required for the entire northern property line - and therefore required bufferyard landscaping be required on the entire northern property line. The drawings currently depict no landscaping where the *roadway encroaches onto the required setback*.

The dumpster placement is very curious.	How does the garbage truck get back to it and is proper enclosure surrou	nding
it proposed?		

Lastly the tandem parking creates a scenario whereby drivers back into the Lion's Gate Roadway for exit purposes. Attendance at the previous hearing regarding this property made us aware that Lion's Gate Roadway is a thoroughfare (?) where this type of use is not allowed. The current residents utilize Lion's Gate for this purpose and we feel it will only be made worse with additional tandem parking. While this issue does not directly impact or concern Braidwood, the town should be aware of the issues and take them into consideration.

Greg Zerban

Kim Konkel

Unit 103 Braidwood.

Mr. Hugh Bell – hbell@wpgov.com Planning Commission Town of Winter Park, Colorado

Dear Mr. Bell:

Re: Applicant: Brian Garrett

Property Owner: William MacDonald, 365 Lions Gate Drive

Case Number PLN22-078

Public Hearing: Tues., 1/23/24, 8am

As homeowners of Braidwood for almost 27 years, we are writing to voice our concerns over the proposed development of an 11-unit, multifamily building. Points of concern are:

- Close proximity From submitted drawings the proposed building will have an
 extreme, negative impact on all Braidwood tenants. The proposed building will
 reduce natural lighting and sight lines for Braidwood tenants. Also, the access
 road to the proposed building, right at Braidwood's property line, will negatively
 affect units with increased noise levels and car exhaust fumes to our building.
 Additionally, with snow on the access road and designated parking spaces, how,
 when, and where will it all go?
- Existing Single-Family Dwelling –Over many years, we have witnessed the
 dishevelment of this house. Enough said. May we encourage the owners to
 rethink their plan by eliminating the house and repositioning the proposed,
 multi-unit building with easy road access, adequate spacing between Braidwood,
 less concrete, and increased, attractive landscaping all followed by a plan for
 building, landscaping, and snow removal maintenance.
- Construction concerns –Braidwood will soon be facing construction on the other side of our building from another development project. If this proposal is approved and moves forward, how will both projects be managed with minimum effect on Braidwood?

As you know our building was recently destroyed by fire and rebuilt under the city's approval. We are now enjoying our new building with upgrades to current codes. Development in Winter Park is inevitable but please don't compromise the reasons people come to the mountains. As a planning committee member, please weigh the effect of increased development has on the aesthetics of Winter Park. People come to the mountains to escape all the concrete and buildings of city and suburban life. I know our homeowners would prefer looking out onto a natural landscape of pine trees, foliage, and hummingbirds rather than a tall building, concrete, and congested, parked cars. This proposed project will negatively impact Braidwood.

Thank you for considering our concerns.

Sincerely, Barbara and Bill Dalke, Braidwood homeowners 377 Lions Gate Drive, unit 203 Winter Park. CO

From: Doug Moore <dsmoore@q.com>
Sent: Wednesday, January 10, 2024 12:47 PM

To: Hugh Bell

Cc: Braidwood Owners

Subject: 365 Lion' Gate Dr. Major Site Plan Meeting - Case #: PLN22-078

Caution! This message was sent from outside your organization.

Mr. Bell,

We are writing to you to strongly contest the master plan for 365 Lions Gate Drive

Case Number: PLN22-078

My wife and I have been owners of unit 104 in the Braidwood Condominiums since 2005. Our unit would be gravely impacted by the proposed development of the 365 Lions Gate property since it is currently proposed to be extremely close to the property line (5 feet) by our unit and extend 4 levels to the sky. We feel strongly that these buildings will be too close together, infringing on our property enjoyment, rights and value. We understand that the property is zoned for multi-family and are not writing to contest the zoning, although, no building would be preferred. In our opinion, if a condominium building has to be built, a better site plan can be achieved by moving the propose building to be more centered on the lot, restricting the number of units to reasonable amount so the site can accommodate parking, snow storage and allow for a reasonable spacing between the buildings. This would most likely entail removal of the current house that is on the property. It is our opinion this would be a better fit with the lot shape and the vision Winter Park has for the town's development than what is currently proposed.

Repositioning a new building to be more centered on the lot would help create space between Braidwood and this development. It would help maintain a spread between the two properties and not obliterate the mountain environment all residents of both buildings are striving for and would appreciate. Furthermore, from a technical aspect, there really does not appear to be any meaningful snow storage on the property along the driveway and where the cars are parked. The only storage we can envision is to push the snow north on to Braidwood's property which is an unacceptable solution for us and should be for the town as well.

Lastly, given the current and historical state of repair and appearance of the existing dwelling, one can only question how this project will turn out and be funded. For years, the property has been in ill repair with trash and debris in and around the property, with little regard for its appearance and the views of its neighbors upon it.

We implore the planning commission to deny the permits for this project as proposed.

Respectfully submitted,

Doug Moore & Becky Beall-Moore

From: Joe Porter <joe@lighthousecharleston.com>
Sent: Wednesday, January 10, 2024 1:46 PM

To: Hugh Bell

Cc: Claire Porter; Jack Porter

Subject: Case Number: PLN22-078, 365 Lion's Gate Drive.

Caution! This message was sent from outside your organization.

Mr Bell,

I am writing to you in regard to the upcoming hearing on Case Number: PLN22-078, 365 Lion's Gate Drive.

I can not support the project as proposed.

We've been the owners of unit 304 in the Braidwood condominiums since 1995. The proposed development at 365 Lion's Gate Drive, which adjoins our property, is not appropriate for the area. In my opinion, allowing mixed use (both the existing single family detached and the proposed multi family) does not conform to current property use along Lions Gate Road. Furthermore, I believe allowing for an addition of a four story building with this type of lot coverage on a five foot setback is simply impracticable.

I am strongly opposed to this proposed development, as presented. I request that the planning commission reject this proposal and deny permits for its construction as proposed. I would be more likely to be in support of a single multifamily structure, ten foot setback containing adequate surface parking (without double parking vehicles) and space for snow removal and trash receptacles.

Thank you for your service on the planning board.

Respectfully, Joe Porter Braidwood 304



Joe Porter
Lighthouse Real Estate, LLC, Kiawah Island Getaways Real Estate, LLC
843-860-3238 | Joe@LighthouseCharleston.com
LighthouseCharleston.com
PO Box 14185 Charleston, SC 29422

f in 🕏

From: rbsauer@aol.com

Sent: Wednesday, January 10, 2024 12:05 AM

To: Hugh Bell

Cc: RONALD SAUER; Brian 201 Barton; Doug 104 Moore; Becky 104 Moore; Greg 103

Zerban; Mary Jane 204 Chapman; Barb 101 Lawler; Jill 303 Callahan; Scott 204 Chapman;

Howard 302 Klausner; Davidcanthonyjr; Jack 304 Porter; Josh 102 Boyles; Jill 304 Anthony; Barb 203 Dalke; Kim 103 Konkel; Bill 203 Dalke; Margaret 302 Klausner

Subject: Case Number: PLN22-078

Caution! This message was sent from outside your organization.

Mr Bell,

I am writing to you in regard to the upcoming hearing on Case Number: PLN22-078, 365 Lion's Gate Drive.

I am strongly opposed to the project as proposed.

I have been the owner of unit 301 in the Braidwood condominiums since 2009. The proposed development at 365 Lion's Gate Drive, which adjoins our property, would severely impact the Braidwood building. Its close proximity to our building will reduce sight lines and negatively impact our owners and result in reduced property values. Building directly adjacent to the setback for a single family residence, while not ideal, could be acceptable in some situations, however a 4-story structure is a different beast. Placing this structure so close to Braidwood is totally unacceptable, in my opinion. For a structure of this size to be placed on that property, the existing dwelling should be removed and the proposed building relocated so that it is a reasonable distance from Braidwood. That is what makes sense.

Also, the proposed development is severely lacking in snow storage. Actually, there appears to be no snow storage for either the long driveway or the parking area in front of the building. It can't be piled up on the electric meters or in the fire truck staging area. That leaves only the setbacks. Plowing snow from both areas would most certainly result in snow piling up on our property. This would negatively impact our building as the snow melts and impinges on our foundation. I see no other option for storing snow in the drawings. The town should require the developer to provide adequate snow storage so that adjoining properties are not impacted.

I am also concerned about the future upkeep and appearance of the new structure should it be built. The current dwelling on site has been an eyesore for as long as I have been at Braidwood (14 years). It is generally unkempt and in disrepair with no regard for its appearance from the street. I certainly would not want to own or rent a unit in the proposed building with that structure out front. I'm not convinced that the owner will treat the proposed building differently. The current state of the property calls into question, in my mind, the the likelihood of the project being funded and completed. I would hate to see an unfinished structure similar to the two large building shells that sit just to the north of town.

I am strongly opposed to this proposed development, as presented. I request that the planning commission reject this proposal and deny permits for its construction as proposed.

Respectfully, Ronald Sauer Braidwood 301 January 16, 2024

Hugh Bell, Planner Town of Winter Park Recipient Address

SUBJECT: 365 Lions Gate Drive. Case # PLN22-078

We are the owners of condo 204 in Braidwood Condominium. We are writing to express our concern with the proposed development as presented.

Two major concerns deal with setbacks, and the effects on Braidwood. The 5 ft setback for the building brings into question drainage. As the lot slopes to the east, heavy precipitation and snow melt from the railroad right of way and west side of building will need to pass by the building. Is there adequate space to keep drainage from Braidwood property?

Having suffered the loss of the building to fire in 2020, is it safe to position two buildings this close together? We believe that Mr. Mc Donald indicated that there was some damage to the current building on this property from our buildings 2020 fire.

Another concern is the 21" setback for the drive and lot. Can snow be moved successfully without plowed snow moving onto Braidwood. This setback would place vehicle traffic very close to the Braidwood building.

Depiction #2 on the application shows landscaping on the north side of the building, is this practical in space allotted, even without considering drainage.

Is snow storage adequately considered? Does the drawing depict where snow from the drive and fire staging area is going? Is there a plan for snow removed from the rooftop terraces?

We do not fully understand the dumpster placement, but it appears to be on the west side of the property. Trash trucks would be traversing the entire length of the lot.

A final word, from our perspective, while we recognize the right of Mr. McDonald to build on his property, if there is another building orientation or plan that addresses the above concerns, and not having a detrimental effect on Braidwood, we would appreciate that consideration.

Sincerely,

Scott & May Jane Chapman, Braidwood 204

Date: January 14, 2024

To: Hugh Bell and The Town of Winter Park Planning Commission

From: Barbara Haight Lawler, Unit 101, Braidwood, 377 Lions Gate Drive, Winter Park, CO

Re: Proposed Site Plan for 365 Lions Gate Drive, Case Number: PLN22-078

Dear Mr. Bell and Planning Commission;

My mother, Jean Haight, purchased Unit 101 in 1998 and was a full-time resident for 15 years. It still feels like home even after all this time, the fire and rebuild.

Having read the letters written to date regarding 365 Lions Gate Drive, many valuable points and concerns were made by Braidwood homeowners with which I agree:

- Is there adequate room for snow removal and storage?
- Drainage: These lots have inherent drainage issues because of the topography.
- The continuous state of disrepair of the existing house on site and the unkempt appearance of the grounds raises concerns regarding upkeep in the future and following local rules.
- ♣ Proximity to each other if there is a fire. We all remember the Marshall fire as well as our fire.
- ♣ A building ~16 feet away from ours will negatively impact our decks, living rooms and master bedrooms. We will lose our privacy and quiet surroundings as well as views of our beloved mountains and wildlife.
- Sunlight will be decreased dramatically for 50% of our units, namely all the interior units.
- ♣ Noise and air pollution from cars driving immediately below our decks, especially the first-floor units.
- ♣ Development on the north and south sides of Braidwood at the same time management, noise, and dust.
- ♣ Braidwood has a total of 12 units and it works well. An 11-unit condo building plus a house raises congestion concerns. Perhaps remove the house and change the location and direction of the proposed building and drive.

Additionally, I noticed the following although I am sure you have double checked these items:

- The landscaped area is stated to be 40.5%, almost half of the lot; is this accurate?
- The dimensions of the building, landscaping, and parking areas.
- * "NORTH ELEVATION" drawing on G3.1 does not match the direction of building with the "NORTH ELEVATION COLOR -NOT TO SCALE" on A4.1; will we be looking at decks or a wall with windows?
- The construction schedule was not updated and therefore incorrect.
- Proximity of fire hydrant to the driveway; is this an issue?
- Proximity of the Mountain Parks Electric equipment below unit 102; is this an issue?
- ♣ I noticed this application is being filed by Brian Garrett and not William MacDonald; does this affect the approved variances?
- Adequate fire truck space, i.e. hammerhead turnaround.
- Ensure the house has 4 bedrooms (per the County) **or,** 3 bedrooms plus an (approved?) ADU, per Mr. MacDonald. More than four bedrooms will change the required number of parking spaces for the house, which in turn affects the entire site plan. There are concerns that there are more than four bedrooms and renting rooms may be ongoing without proper registration.

IF this development comes to fruition as presented, Braidwood will be impacted very negatively on various levels including but not limited to aesthetics and value. I am opposed to this plan, and I am requesting that the Planning Commission reject this proposal and deny permits for construction as proposed.

Thank you for your time and consideration! Respectfully, Barbara Haight Lawler

From: Holly/Bob Asmuth hbasmuth@gmail.com

Sent: Tuesday, January 16, 2024 3:45 PM

To: Hugh Bell

Subject: Re: Planning Dept

Caution! This message was sent from outside your organization.

Hello Hugh My name is Bob Asmuth, owner of property at 345 Lions Gate next to 365 Lions Gate case number PLN22-078. ILast year the owner William MacDonald tried to get a variance for a parking garage to my property line. I believe he was asking to build 13 units. It appears he has scaled down to 11 units. Am i correct? Even 11 units with parking seems too large for such a small area to develop Is there a time limit on how long it takes to complete this project? My concern is the project starts and takes years to finish or doesn't get finished because of a questionable future economy. I understand the zoning allows some development (my lot has an extra site also that for me doesn't make sense to develope) but the scale of his proposal seems way out of proportion. The last time that thiis was proposed, i talked with a WP Planner and they also agreed that it was way over sized for the special. We want to make sure that this does not encroach on our property. We fee; that the zoning for that site with 11 units with parking and safety issues such accessibilty for fire etc...is totally inappropriate. Do we have any options or recourse? Please advise.

Respectfully,

Bob Asmuth

Feel free to call Bob cell-3034891607 Home-3036520109

On Tue, Jan 16, 2024 at 10:48 AM Hugh Bell hbell@wpgov.com> wrote:

Hi Holly,

I received your VM and left you one as well. Feel free to email me your comments, you have until tomorrow at 5pm.

Thanks,

Hugh Bell

Planner | Community Development Department

----Original Message-----

From: Danielle Jardee < djardee@wpgov.com > Sent: Tuesday, January 16, 2024 9:40 AM To: Hugh Bell < hbell@wpgov.com >

Subject: FW: Planning Dept

Hugh,

I gave the below person your email and direct extension, now he just emailed again. Can you reach out to him please! Thank you,

Danielle Jardee, CMC

Town Clerk | Town of Winter Park, CO

50 Vasquez Rd. | P.O. Box 3327 Winter Park, CO 80482 970.726.8081 ext. 208

-----Original Message-----

From: Bob < hbasmuth@gmail.com Sent: Tuesday, January 16, 2024 9:38 AM To: Danielle Jardee < djardee@wpgov.com

Subject: Planning Dept

Caution! This message was sent from outside your organization.

Trying to contact
Hugh Bell regarding project case number
PLN22-078
Please contact us
Bob Asmuth
303-4891607
Sent from my iPhone

Mr. Hugh Bell – hbell@wpgov.com
Planning Commission
Town of Winter Park, Colorado

Dear Mr. Bell,

Re: Applicant: Brian Garrett

Property Owner: William MacDonald, 365 Lions Gate Drive

Case Number: PLN22-078

Public Hearing: Tuesday, 1/23/24, 8 a.m.

We have been owners of Braidwood Unit 303 since 2006 and we are strongly opposed to the development at 365 Lions Gate Drive as proposed.

When this project was initially before the Planning Committee, variances were requested due to the size of the building. Not all of the requested variances were granted at that time and the developer stated it would be a "hardship" if they were required to redesign. The committee did not agree that it would pose a hardship. Now the project is being brought forward with a new developer with the same footprint and the same requested variances. Originally the plans identified the units as Workforce Housing and now they are identified as Condominiums? Will they be sold individually? Why was this not designed originally to fit on the lot? Are we wasting a lot of people's time and taxpayer money reexamining this project when no significant changes have been proposed? It appears that the developers are simply trying to get around city building ordinances which have been established for good reasons.

This project was supposedly designed for a Destination Center Permit which states per Unified Development Code, "Setbacks and maximum building coverage requirements for mixed-use developments shall be based on the requirements which shall apply to the dominant use on the ground floor (i.e., more than fifty percent (50%) residential or nonresidential)." This is a purely a residential development, not mixed use, it would seem this project more adequately matches the R-2 coding description rather than the D-C coding. We question why

anything on the west side of Lions Gate is coded D-C as it is strictly residential and is not on a major thoroughfare. Furthermore, with the existing house remaining on the lot there seems to be a density issue with required parking, landscaping and driveway requirements. With our recent experience with losing our building to a fire, we question the close proximity of the two buildings. Also, we question the area specified for the fire trucks to turn around, particularly if the parking lot with tandem parking, is full of cars.

The Unified Development Code of Winter Park identifies the following specifications for a Multiple-Family Residential – R-2 development:

- Height Code identifies max as 35' Prints identify building height at 54'11" and note max height could be 55'.
- Sides Code identifies max as 5'-11' noting "There shall be a minimum side yard setback of 5' and 3' shall be added to each required side yard for each story above the first story of any building." Therefore 17' should be needed for each side. Currently 5' is identified on each side with the variance on the north side going down to 1'9" in spots. This would definitely cause snow to be plowed onto Braidwood property causing drainage problems. Also the 0-5' setback on the property line puts these building in very close proximity.
- Rear Code identifies max as 20′ Prints identify rear as 5′ in some places and narrowing to less than 5′ on the back southwest corner of the lot.

We believe this is an accurate representation of the building codes per the Unified Development Code of Winter Park and the appropriate coding should be applied to this development. It is our hope that the planning board considers our concerns favorably as the presented plan would cause our property significant reduction in value and quality of life issues.

Sincerely Submitted, William and Jill Callahan Braidwood Unit #303 Mr. Bell,

Re: Case # PLN22-078

Mr. Bell,

First, we would like to thank you for your continual efforts to improve our community.

We have been Braidwood owners since 2001. We are writing to express our strong objection to the proposed development at 365 Lions Gate.

After thoroughly reading the concerns expressed by our fellow neighbors in letters you have already received, we fully support their sentiments.

Braidwood decks are south facing. 50% of units will lose light and solar due to the proximity of the proposed building. Another 50% will be negatively impacted by noise, traffic, and pollution with the driveway just feet away.

The ease of snow removal and snow storage on this development has a direct impact on Braidwood. We want to be assured that the proposed plan meets all requirements and will not encroach beyond their property lines.

Lastly, we have witnessed the dishevelment of this property for over 23 years. We understand that the Town of Winter Park has devoted countless hours developing Design Guidelines. We firmly believe that these guidelines should apply to the proposed project in it's entirety.

Again, we are strongly opposed to this proposed development as presented.

Respectfully submitted,

Harold and Margaret

Braidwood 302





To: Planning Commission

From: James Shockey, Community Development Director

Date: January 23, 2024

Re: Study Session - UDC Sec. 5-A-4(4), Wetlands (PLN23-075)

Overview:

Below is a summary of the *Sackett* decision and the effect it had on wetland classification. This was provided to the Town by the Northwest Colorado Council of Governments Water Quality/Quantity Committee.

In August 2023, the Environmental Protection Agency (EPA) and the U.S. Army Corps of Engineers ("the agencies") issued a new definition of "waters of the United States," ("WOTUS") which establishes jurisdiction under the Clean Water Act, consistent with the May 2023 U.S. Supreme Court decision *Sackett v. EPA*.

As a reminder, in the *Sackett* decision, the U.S. Supreme Court significantly narrowed which wetlands constitute "WOTUS," thereby narrowing the jurisdiction of federal agencies to implement the Clean Water Act (CWA), by rejecting the significant nexus test that federal agencies have used for decades in favor of a two-part test.

The Court considered whether an "adjacent wetland" on the Sackett's property was WOTUS, and determined that an adjacent wetland may be considered WOTUS and subject to federal jurisdiction under the CWA only if:

- (1) the adjacent body of water constitutes waters of the United States, i.e., relatively permanent body of water connected to traditional interstate navigable waters, and
- (2) the wetland has a continuous surface connection with that water, making it difficult to determine where the water ends and the wetland begins.

The agencies' rule addresses the *Sackett* decision primarily by eliminating the significant nexus test and by clarifying that adjacent wetlands are considered WOTUS only with a continuous surface connection to WOTUS like in the above *Sackett* test. The rule takes effect immediately. You can view the final rule in the Federal Register here and the EPA statement here.

Included is an additional summary of the *Sackett* decision from the Northwest Colorado Council of Governments.

SULLIVAN GREEN SEAVY LLC

To: Jon Stavney, NWCCOG Executive Director

From: Barbara Green and Torie Jarvis, Sullivan Green Seavy LLC

Date: June 16, 2023

Re: Sackett vs. EPA and importance to municipalities and counties in Colorado

The question presented to the Supreme Court in Sackett vs. EPA ("Sackett")¹ is whether the 9th Circuit Court of Appeals set forth the proper test for determining whether certain wetlands are "waters of the United States" under the Clean Water Act ("CWA" or "the Act").² The meaning of that term has been the topic of court cases and federal rulemaking proceedings for decades because it establishes the extent of EPA and Army Corps of Engineer jurisdiction over private property to protect water bodies from degradation.

In *Sackett*, the United States Supreme Court significantly narrowed which wetlands constitute "waters of the United States," thereby narrowing the jurisdiction of federal agencies to implement the CWA, by rejecting the significant nexus test that federal agencies have used for decades in favor of a two-part test. An adjacent wetland may be considered "waters of the United States" and subject to federal jurisdiction under the CWA only if: (1) "the adjacent body of water constitutes waters of the United States, i.e., relatively permanent body of water connected to traditional interstate navigable waters," and (2) the wetland "has a continuous surface connection with that water, making it difficult to determine where the 'water' ends and the 'wetland' begins."³

This memorandum summarizes the *Sackett* opinion, identifies implications to municipalities and counties in light of the decision, and highlights outstanding questions following the opinion. Importantly, the Supreme Court reconfirms that state and local governments are not preempted from establishing their own regulatory system to protect local waters from the impact of land use and development.

I. IMPORTANCE OF THE TERM "WATERS OF THE UNITED STATES"

A. The CWA expressly covers "the waters of the United States."

The *Sackett* decision hinges on an interpretation of the term "waters of the United States" to determine whether EPA was correct that the wetlands on the Sackett's property were subject to federal jurisdiction. The CWA prohibits the "discharge of any pollutant by any person" unless in compliance with its provisions.⁴ The term "discharge of a pollutant" is defined as "any addition of

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¹ Sackett v. EPA, 598 U.S. ___, (2023) (*Sackett*).

² 33 U.S.C. § 1362(7).

³ *Sackett*, 598 U.S. (slip.op.) at 22.

⁴ 33 U.S.C. § 1301(a).

any pollutant to *navigable waters* from any point source." "Navigable waters" is defined as "the waters of the United States . . ." The term "waters of the United States" is not defined in statute.

Thus, the meaning of the term "waters of the United States" ("WOTUS") determines which waterbodies, including wetlands, are subject to the jurisdiction of federal agencies under the CWA. Because WOTUS is not defined in the Act, the US Environmental Protection Agency ("EPA") and US Army Corps of Engineers ("Corps") (collectively "the Agencies,") have engaged in rulemakings and policy processes over the years to define what constitutes WOTUS for purposes of federal jurisdiction. At its outer boundaries, the federal government's authority to regulate under the CWA comes from and is limited by the Commerce Clause of the United States Constitution.

B. Section 404 permits and WOTUS

Most disputes regarding the meaning of WOTUS arise within the context of so-called 404 Permits, which are at issue in the *Sackett* case. The goal of the CWA is to "restore and maintain the chemical, physical, and biological integrity of the Nation's waters." In furtherance of this goal, Section 404 of the CWA prohibits the discharge of dredge and fill material into navigable waters, defined further as "waters of the United States," without a 404 permit.⁹

The Agencies, over the years, have developed regulations and policies to implement Section 404. Agency regulations include the Corps' own regulations for issuing permits¹⁰ and "guidelines" pursuant to Section 404(b)(1) which are established by EPA.¹¹ EPA and the Corps must adhere to the 404(b)(1) Guidelines.¹²Before issuing a permit, Section 404 also "requires the Corps to seek state water quality certification [under Section 401 of the Act] for dredged materials disposal into waters of the U.S," certifying compliance with state water quality standards.¹³

Examples of activities that may require a 404 dredge-and-fill permit from the Corps include any grading, earthmoving, or other development in WOTUS; the construction of dams or other impoundments; constructing or maintaining roads, dams, or dikes; constructing a ditch (even temporary) and side-casting material; and any other related activities that result in a discharge to WOTUS.¹⁴

In Colorado, the term WOTUS applies to activities requiring federal dredge and fill permits under Section 404 of the CWA, while the Colorado Water Quality Control Division is responsible for implementing other sections of the CWA, including classifying and regulating other discharges into "state waters," which are defined as "any and all surface and subsurface waters which are contained

⁵ 33 U.S.C. §1362(12) (emphasis added).

⁶ 33 U.S.C. §1362(7) (emphasis added).

⁷ Sackett, 598 U.S. ___ (2023) (Thomas, J., concurring) at 2.

⁸ 33 U.S.C. § 1251(a).

⁹ 33 U.S.C. § 1344(a); 33 U.S. C. § 1362(7).

¹⁰ 33 C.F.R. § 323.1 et seq.

¹¹ 40 C.F.R. Part 230.

¹² 33 C.F.R. § 323.6.

¹³ 33 C.R.S. § 336.1(b)(8).

¹⁴ EPA, *Permit Program under CWA Section 404 website* (accessed on June 13, 2023), https://www.epa.gov/cwa-404/permit-program-under-cwa-section-404.

in or flow in or through this state, but does not include waters in sewage systems, waters in treatment works of disposal systems, waters in potable water distribution systems, and all water withdrawn for use until use and treatment have been completed."¹⁵

II. THE SACKETT DECISION

A. Background

The Sacketts have been in legal battles over the scope of EPA's jurisdiction over the wetlands on their property for almost two decades. The Sacketts purchased land in Idaho, near Priest Lake, in 2004 and began backfilling their lot to prepare for construction. EPA determined that the Sacketts were backfilling wetlands on their property without a permit. EPA classified the wetlands as "waters of the United States" and therefore subject to 404 permit requirements because they were adjacent to what it described as an unnamed tributary that feeds into a non-navigable creek, which, in turn, feeds into Priest Lake, an intrastate body of water that the EPA designated as traditionally navigable. In making its decision, EPA was following what has been referred to as the "significant nexus test" to find that the wetlands were subject to its jurisdiction.

The Sacketts sued EPA, alleging that the wetlands on their property are not "waters of the United States." The District Court entered summary judgment for EPA; the Ninth Circuit upheld EPA's assertion of jurisdiction over the wetlands.

On May 25, 2023, the U.S. Supreme Court overturned the Ninth Circuit, finding that the Sackett's wetlands were not "waters of the United States," and thus were not covered by the 404 permit requirements of the Act.¹⁶

B. Key elements of Sackett

1. The significant nexus test is no longer valid.

In *Sackett*, EPA argued that "adjacent wetlands are covered by the [CWA] if they 'possess a significant nexus to' traditional navigable waters" and that wetlands are "adjacent" when they are "neighboring" covered waters. The significant nexus phrase was first coined in Rapanos v. United States ("*Rapanos'*"), where Justice Kennedy allowed that an adjacent wetland may be considered WOTUS if a "significant nexus" exists between the wetlands in question and a water already covered by the Act ("covered water"). There would be a significant nexus "if the wetlands, either alone or in combination with similarly situated lands in the region, significantly affect the chemical, physical and biological integrity of other covered waters more readily understood as 'navigable." 19

The *Sackett* court makes clear, however, that the significant nexus test, crafted by Justice Kennedy in his concurring opinion in *Rapanos* and relied upon by the Agencies for many years, is not the valid test for determining which wetlands are WOTUS, replacing it with its own test.

¹⁵ C.R.S. § 25-8-103(19).

¹⁶ Sackett at 27.

¹⁷ Sackett at 22.

¹⁸ Rapanos v. United States, 547 U.S. 715, 780 (2006) (*Rapanos*).

¹⁹ *Id*.

2. "Adjacent" wetlands are WOTUS only if they meet a two-part test.

The Supreme Court rejected EPA's position that the adjacent wetlands were covered by the CWA "because the adjacent wetlands in § 1344(g)(1) are included within the waters of the United States, these wetlands must qualify as waters of the United States in their own right. In other words, they must be indistinguishably part of a body of water that itself constitutes waters under the CWA."²⁰

Based on this logic, the *Sackett* court instead adopted a two-part test offered originally by the Supreme Court plurality in *Rapanos* for determining when adjacent wetlands might be covered as WOTUS:

1. Relatively permanent water: "[F]irst that the adjacent body of water constitutes waters of the United States, i.e., relatively permanent body of water connected to traditional interstate navigable waters."²¹

The majority explains that "waters' encompasses only those relatively permanent, standing, or continuously flowing bodies of water forming geographic features that are described in ordinary parlance as streams, oceans, rivers, and lakes."²²

2. Continuous surface connection: "[S]econd, that the wetland has a continuous surface connection with that water, making it difficult to determine where the 'water' ends and the 'wetland' begins.²³

Said another way, "waters' may be read to include only those wetlands that are, as a practical matter, indistinguishable from waters of the United States such that it is difficult to determine where water ends and the wetland begins," or where "there is no clear demarcation between 'waters' and wetlands." ²⁴

Justices Kagan and Kavanaugh argue in their concurring opinions that the majority's interpretation of the term "adjacent" is wrong. ²⁵ Justice Kavanaugh finds that the majority's "test narrows the Clean Water Act's coverage of 'adjacent' wetlands to mean only 'adjoining' wetland," contrary to plain meaning of the term "adjacent." ²⁶ Adjacent means "lying near or close to, neighboring, or not widely separated," along with adjoining, and so may include "wetlands separated from a covered water only by a manmade dyke or barrier, natural river berm, beach dune, or the like." ²⁷ Justice Kagan agrees that "a wetland is covered *both* when it touches a covered water *and* when it is separated by only a dike, berm, dune, or similar barrier." ²⁸ Nevertheless, the majority opinion's new interpretation of adjacent wetlands is now controlling law.

²⁰ Sackett at 19.

²¹ Sackett at 22, citing Rapanos.

²² Sackett at 14.

²³ Sackett at 22.

²⁴ Sackett at 21.

²⁵ Sackett, (Kavanagh, J. concurring) at 4-5; (Kagan, J., concurring) at 1.

²⁶ Sackett, (Kavanagh, J. concurring) at 2.

²⁷ Sackett, (Kavanagh, J. concurring) at 4.

²⁸ Sackett, (Kagan, J. concurring) at 5.

3. State and local authority over water resources is not disturbed.

Sackett does not interfere with state or local authority over land use and water. The majority emphasizes the importance of state "primary authority" for implementation of the Act.²⁹ The Court found that a more expansive view of CWA jurisdiction, such as the significant nexus test, untenable because "[i]t is hard to see how the States' role in regulating water resources would remain 'primary' if the EPA had jurisdiction over anything defined by the presence of water."³⁰ Instead, "[s]tates can and will continue to exercise their primary authority to combat water pollution by regulating land and water use."³¹ Thus, states and municipal and county governments are not limited in their jurisdiction by the Sackett interpretation of the term WOTUS and can define the waters that they wish to protect through their land use and water use regulations.

4. Elevated status of private property?

There are statements in *Sackett* that can be interpreted as tipping the scales in favor of private property. "[T]his Court require[s] Congress to enact exceedingly clear language if it wishes to significantly alter the balance between federal and state power and the power of the Government over private property. . . An overly broad interpretation of the CWA's reach would impinge on this authority.""³² In his concurring opinion, Justice Thomas calls for the Court to act to protect property owners: "Surely something has to be done; and who else to do it but this Court? It must rescue property owners from Congress's too-ambitious program of pollution control."³³

In contrast, Justice Kavanaugh is skeptical when "[t]he Court suggests that ambiguities or vagueness in federal statutes regulating private property should be construed in favor of the property owner, particularly given that States have traditionally regulated private property rights," because, as he points out, "the Federal Government has long regulated the waters of the United States, including adjacent wetlands." Justice Kagan criticizes the majority for pressing "a thumb on the scale for property owners—no matter that the Act (*i.e.*, the one Congress enacted) is all about stopping property owners from polluting." ³⁵

III. <u>IMPLICATIONS FOR LOCAL GOVERNMENTS</u>

A. Sackett results in the loss of federal jurisdiction over many wetlands.

²⁹ Sackett at 23, citing 33 U.S.C. §1251(b) ("It is the policy of Congress to recognize, preserve, and protect the primary responsibilities and rights of States to prevent, reduce and eliminate pollution, to plan the development and use (including restoration, preservation, and enhancement) of land and water resources, [etc.]).

³⁰ *Sackett*, at 18.

³¹ Sackett, at 27.

³² Sackett, at 23, citing United States Forest Service v. Cowpasture River Preservation Assn., 590 U. S. ___, ____ (2020) (slip op., at 15–16)(quotations omitted).

³³ Sackett, (Thomas, J. concurring) at 3.

³⁴ Sackett, (Kavanaugh, J. concurring) at 11.

³⁵ Sackett, (Kagan, J. concurring) at 4.

The *Sackett* decision narrows the scope of wetlands protected from the discharge of dredged and fill material without a federal permit. Some rough estimates are that half of the wetlands in the contiguous United States may no longer qualify as WOTUS.³⁶

For example, as Justice Kavanaugh points out, because the Mississippi River "features an extensive levee system, the presence of those levees (the equivalent of a dike) would seemingly preclude [CWA] coverage of adjacent wetlands on the other side of the levees, even though adjacent wetlands are often an important part of the flood-control project." Many questions remain about the scope of the decision; see Section IV.

As the public becomes more aware that federal authority over wetlands is narrowed, more pressure will be placed on tribal nations, states, municipalities, and counties by wetlands advocates.

Colorado has expressed an intent to maintain protections for waters considered WOTUS under the post-*Rapanos* Agency guidance that may no longer be protected under *Sackett*, a set of waters the State refers to as "gap waters." ³⁸

In early May of 2023, the Colorado Water Quality Control Division ("Division") developed a draft enforcement policy that explains how the Division may enforce the dredging and fill of waters of the State without a permit.³⁹ The Division took comment on the policy until the end of May and is expected to shortly issue a final enforcement policy to protect "gap waters."

The long-term solution the State is exploring is a permitting system for dredge and fill material into "gap waters" to maintain status quo protections of state waters, including wetlands.⁴⁰

B. Local regulatory authority is not affected by Sackett.

Municipal and county authority to apply land use regulations to protect water bodies from negative impacts has not been disturbed by the *Sackett* decision.

Local regulation for the protection of wetlands and other water bodies is not contrary to the CWA, given the point source focus of the CWA and federal policies that reserve to state and local governments the authority to regulate nonpoint sources.⁴¹ As the CWA Congressional declaration states, "Federal agencies shall co-operate with State and local agencies to develop comprehensive solutions to prevent, reduce and eliminate pollution in concert with programs for managing water

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³⁶ Puko, Timothy and Robert Barnes, *How Supreme Courty's EPA ruling will affect U.S. wetlands, clean water*, Washington Post, May 25, 2023, <u>washingtonpost.com/climate-environment/2023/05/25/supreme-court-epa-wetlands/</u>.

³⁷ Sackett, (Kavanaugh, J. concurring) at 12.

³⁸ Colorado Water Quality Control Division, *Dredge and Fill White Paper No. 2: Summary of "Gap Waters" from Stakeholder Discussions* (January 29, 2021) at 3-4, available at drive.google.com/file/d/1PIJR--9hlpDciXXo-y-ilcUx9qlzn,bh/view?usp=sharing.

³⁹ Water Quality Control Division, *Draft Implementation Policy: Enforcement of Unpermitted Dredged and Fill Material Into State Waters*, Implementation Policy No. CW-17 (May 16, 2023), drive.google.com/file/d/1mFT6M8QasPODMnTwWl_fXC0N6n3Gl4Ow/view?usp=sharing.

⁴⁰ The State also explored a State permit process in a series of white papers in 2020-21.

⁴¹ 33 U.S.C. § 1251(g); 33 U.S.C. § 1329(b), (h), (i).

resources."⁴² And Colorado courts have upheld environmental protection as a legitimate use of the municipal and county land use authority.⁴³

Municipalities and counties are now essential players in deciding to what extent they wish to protect water bodies and wetlands under their own regulatory authority. There is no reason to rely on federal definitions of wetlands, especially given the time that it will take for the Agencies to respond to *Sackett*.

VI. QUESTIONS LEFT UNANSWERED BY SACKETT

The full scope of the *Sackett* ruling is still unknown. Unanswered questions in the wake of the ruling include, but are not limited to:

- To what extent are intermittent or ephemeral streams covered under the Act? See the Figure
 on the following page from Trout Unlimited illustrating the potential number of intermittent
 or ephemeral streams in Colorado.
- How long must a water be flowing or standing to be "relatively permanent?" Months? Years?
- How should Agencies handle instances where flows dry up due to extreme drought or aridification? What about streams that do not flow because they are buried under snow a significant portion of the year?
- How should Agencies determine whether a wetland has a "continuous surface connection" with a covered water? When does the connected wetland stop being "indistinguishable" from a covered water?

IV. CONCLUSION

The *Sackett* Supreme Court opinion will result in the loss of federal jurisdiction for certain wetlands and possibly other waterbodies, and has created a significant number of unanswered questions about federal implementation of the *Sackett* decision, including questions regarding the State's ability to fill in the gap.

It is more important than ever for municipalities and counties to decide the degree to which each jurisdiction wishes to protect wetlands and other waterbodies.

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⁴² 33 U.S.C. § 1251(g).

⁴³ See, e.g., Bd. of County Com'rs of Gunnison County v. BDS Intern., LLC., 159 P.3d 773 (Colo. App. 2006); Town of Carbondale v. GSS Properties Inc., 140 P.3d 53, 59 (Colo. App. 2005) (rev'd on other grounds); City of Colorado Springs v. Board of County Com'rs of County of Eagle, 895 P.2d 1105, 1110 (Colo. App. 1994).

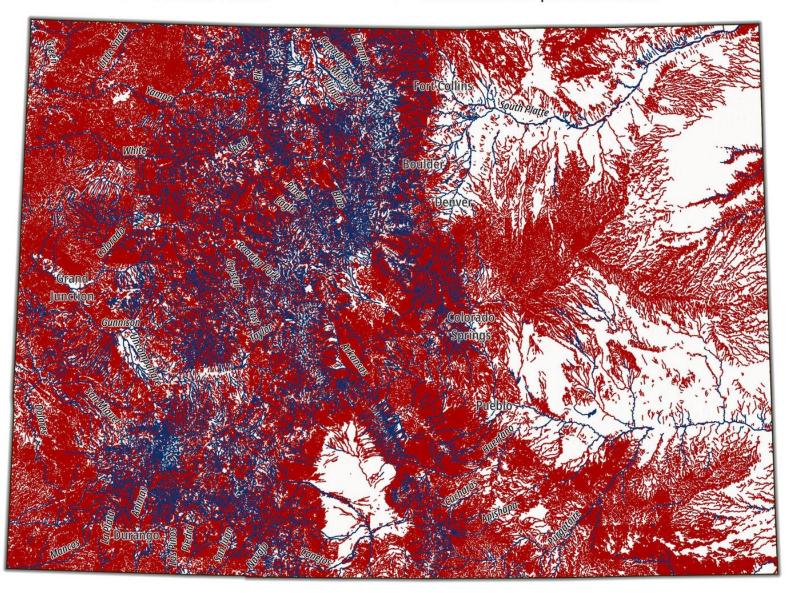


Figure: Perennial, Intermittent, and Ephemeral Streams in Colorado,

Source: *Trout Unlimited*, https://coloradotu.org/blog/2023/6/supreme-court-rolls-back-clean-water-act-protections?eType=EmailBlastContent&eld=b086a32b-80a0-47ec-bf07-464f4b52b778





TO Planning Commission

FROM James Shockey, AICP, Community Development Director

DATE January 23, 2024

RE Planning Commission Priorities List

Commissioners: Below is a list of priorities you would like completed in 2024. Staff has added dates to each of the priorities to keep them moving forward:

UDC Text Amendments:

- Sec. 3-C-3-4 Wetlands (January April)
 - o Determine appropriate setbacks for jurisdictional and non-jurisdictional wetlands
 - Have staff bring forward examples from other towns
 - Discuss disturbance of non-jurisdictional wetlands and if permitted encroachments should be codified
 - Hear Town Council's opinion on acceptable protection measures
- Article 3.I Landscaping and Bufferyards (February May)
 - o Implement firewise standards
 - Implement drought-resistant landscaping requirements
 - o Implement noxious weed regulations
- Sec. 3-C-5 Wildlife Corridors (April July)
 - Create a definition and map these corridors within Town
 - Consider having CPW present to the Commission
- Overlay District for Full-Service Hotels (August October)
 - Codify what incentives are needed for a full-service hotel in the Town height, density, workforce housing, etc.
 - Further research on how the overlay district's location could interface with the D-C zone district

Studies:

- Parking Study (January December)
- Stormwater Management Plan (February 2025)
- Parks, Trails, Open Space, Campground Plan (2023 December)
- Downtown Plan Engineering (2023 November)

Other:

- Three-Mile Plan (February March)
 - o Update the plan to reflect recent annexations
- Commissioner Feedback (May)
 - Create a feedback mechanism for how the Planning Commission is performing its duties
- Overview of State Legislative Actions (quarterly)
 - o Periodically review land use bills proposed in the State legislature
- Document Storage (January)
 - Update the storage of packets, studies, rules and procedures, etc.