



Town of Frederick
Board of Trustees Agenda
Frederick Town Hall
Board Chambers
401 Locust Street
Tuesday, August 11, 2020

6:30 PM
Work Session

7:00 P.M.
Regular Meeting

In order to promote social distancing and to protect the health and safety of our Board members, staff, and community this meeting will be conducted via Zoom Video Communications or in person. Interested parties are encouraged to access the meeting either via the web or by telephone. The meeting information is as follows:

Topic: Board of Trustee Meeting - Work Session, Regular Meeting, Executive Session
Time: Aug 11, 2020 06:30 PM Mountain Time (US and Canada)

Join Zoom Meeting

<https://zoom.us/j/93500944456?pwd=em9NMDUxZU9OampZL0gvZk02cnpIdz09>

Meeting ID: 935 0094 4456

Passcode: 087343

One tap mobile

+13126266799,,93500944456# US (Chicago)

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Dial by your location

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Meeting ID: 935 0094 4456

Find your local number: <https://zoom.us/u/ab0myfXXbz>

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Public Comment at a Virtual Meeting Board of Trustee Meeting

Interested parties who would like to address the Board of Trustees during the Public Comment portion of the agenda may address the Board of Trustees virtually or in person. **To address the Board in person, individuals may also appear at Town Hall (401 Locust Street Frederick, CO) and are asked to sign up on the sign-up sheet in the Board Room. Individuals who would like to attend virtually are asked to sign up to speak during public comment by emailing the Town Clerk at mmartinez@frederickco.gov. Individuals are asked to provide the Town Clerk the following information:

1. Name
2. Address
3. Topic for Comment
4. Phone Number or Name that will be utilized in the zoom meeting application
5. Any documents that will be shared in the meeting.

The Town Clerk will verify your attendance prior to the meeting and will test your connection and microphone.

If there are public hearings scheduled for the Board of Trustee meeting, individuals who wish to address the Board of Trustees virtually are asked to contact the Town Clerk via email at mmartinez@frederickco.gov by 5:00 PM on date of the meeting. Individuals are asked to provide the Town Clerk the following information:

1. Name
2. Address
3. Public Hearing Item for Comment
4. Phone Number or Name that will be utilized in the zoom meeting application
5. Any documents that will be shared in the meeting

**Individuals that would like to attend the meeting at Town Hall are asked to sign up on the public comment sheet in the board room.

Any individual who is attending the meeting and wishes to be address the Board of Trustees during Public Comment or a Public Hearing may utilize the “raise your hand” feature in the Zoom Meeting App.

How to raise your hand in Zoom

1. During the meeting, click on the icon labeled “Participants” at the bottom center of your PC or Mac screen
2. At the bottom of the window on the right side of the screen, click on the button labeled “Raise Hand.”



3. Your digital hand is now raised. Lower it by clicking the same button, now labeled “Lower Hand”
4. If you are on a mobile device, simply tap “Raise Hand” at the bottom left corner of the screen. The lower hand icon will turn blue and the text below it will switch to say “Lower Hand” while your hand is raised.

****In the interest of public safety in person attendees will be asked to wear a mask, have their temperature taken by the Frederick PD and sanitize their hands up entry to the building. Town Staff will be on hand to assist attendees****



Town of Frederick
Board of Trustees Agenda
Frederick Town Hall
Board Chambers
401 Locust Street
Tuesday, August 11, 2020

6:30 P.M.

Work Session

New Employee Introductions

7:00 P.M.

Regular Meeting

Call to Order – Roll Call:

Pledge of Allegiance:

Approval of Agenda:

Special Presentations:

Public Comment: This portion of the Agenda is provided to allow members of the audience to provide comments to the Town Board. Please sign in and the Mayor will call you. If your comments or concerns require an action, that item(s) will need to be placed on a later Agenda. Please limit the time of your comments to three (3) minutes.

Staff Reports:

- A. Administrative Report – Bryan Ostler, Town Manager
- B. Town Clerk’s Report – Meghan Martinez, Town Clerk

Consent Agenda: Consent Agenda items are considered to be routine and will be enacted by one motion and vote. There will be no separate discussion of Consent Agenda Items unless a Board member so requests, in which case the item may be removed from the Consent Agenda and considered at the end of the Consent Agenda.

- C. List of Bills – Jason Leslie, Finance Director
- D. June 23, 2020 Minutes – Meghan Martinez, Town Clerk
- E. July 28, 2020 Minutes – Meghan Martinez, Town Clerk

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- F. Resolution 20-R-56 Authorizing the Town Manager to Execute an Easement for United Power for a Transformer in Frederick Recreation Area – Jennifer Simmons, Planning Director

Action Agenda:

- G. Resolution 20-R-57 Accept Cash-in-Lieu Payments Pending Review of Application for Cash-in-Lieu of a Raw Water Dedication for Silverstone Subdivision Filing 1 and 2 – Kevin Ash, Engineering Director
- H. Resolution 20-R-58 Accept Cash-in-Lieu Payments Pending Review of Application for Cash-in-Lieu of a Raw Water Dedication for Silverstone Subdivision Filing 3 – Kevin Ash, Engineering Director
- I. Public Hearing Consideration of the Carriage Hills Filing 1, Replat A and Vacation of Easements of Right-of-Way – Ali vanDeutekom, Planner

Option 1:

- Resolution 20-R-59A Approving the Final Plat for the Carriage Hills Filing No. 1 Replat, the Vacation of Certain Alleys and Streets in Carriage Hills Filing 1 and Adopting Certain Findings of Fact and Conclusions
- Ordinance 1341-A Approving the Final Plat for Carriage Hills Filing 1, Replat A and the Vacation of Certain Alleys and Streets in Carriage Hills Filing 1

Option 2:

- Resolution 20-R-59B Denying the Final Plat for the Carriage Hills Filing No. 1 Replat, the Vacation of Certain Alleys and Streets in Carriage Hills Filing 1 and Adopting Certain Findings of Fact and Conclusions
- Ordinance 1341-B Denying the Final Plat for Carriage Hills Filing 1, Replat A and the Vacation of Certain Alleys and Streets in Carriage Hills Filing 1

Option 3:

- Resolution 20-R-59C Approving with Conditions the Final Plat for the Carriage Hills Filing No. 1 Replat, the Vacation of Certain Alleys and Streets in Carriage Hills Filing 1 and Adopting Certain Findings of Fact and Conclusions
- Ordinance 1341-C Approving with Conditions the Final Plat for Carriage Hills Filing 1, Replat A and the Vacation of Certain Alleys and Streets in Carriage Hills Filing 1

Discussion Agenda:

- J. Upcoming Events – Angela Wilson, Communications and Engagement Manager

Motion to Recess to Board of Adjustment Meeting:

Board of Adjustment Meeting:

Roll Call:

Action Agenda:

1. Public Hearing Consideration of a Variance for a Second Driveway Access at 8027 Dawnhill Circle – Maureen Welsh, Planner

Option 1:

- BOA Resolution 20-R-01A Approving a Request for a Variance for a Second Access to 8027 Dawnhill Circle Lot 3, Block 3 Morning Side Estates Filing No 2

Option 2:

- BOA Resolution 20-R-01B Denying a Request for a Variance for a Second Access to 8027 Dawnhill Circle Lot 3, Block 3 Morning Side Estates Filing No 2

Option 3:

- BOA Resolution 20-R-01C Approving with Conditions a Request for a Variance for a Second Access to 8027 Dawnhill Circle Lot 3, Block 3 Morning Side Estates Filing No 2

Adjourn to Board of Trustee Meeting:

Mayor and Trustee Reports:

Executive Session:

For discussion of a personnel matter under C.R.S. Section 24-6-402(2)(f) and not involving: any specific employees who have requested discussion of the matter in open session; any member of this body or any elected official; the appointment of any person to fill an office of this body or of an elected official; or personnel policies that do not require the discussion of matters personal to particular employees; regarding the Town Attorney Annual Evaluation.

Adjournment:



TOWN OF FREDERICK MEMORANDUM

TO: Honorable Mayor and Board of Trustees

FROM: Bryan Ostler, Town Manager

DATE: August 11, 2020

CC: Town Staff
Local Media

SUBJECT: Departmental Report

Upcoming Board of Trustees Meetings – If there are topics that the Board would like staff to schedule for discussion, please let me know. The following topics are recommended for Board discussion (all meetings will be held in the Town Board Chambers unless otherwise indicated):

- August 18, 2020 – Work Session
 - August 25, 2020 – Regular Meeting
 - September 1, 2020 – Work Session
 - September 8, 2020 – Regular Meeting
-

Police Department

- *R.E.D Training* – On July 8th and July 29th several members of the Longmont SWAT Team instructed Rapid Emergency Deployment or R.E.D training for all Frederick officers. Rapid Emergency Deployment tactics are used when responding to active killing events. These tactics have been proven to save lives in a crisis and it is important for our officers to maintain these skills. The instruction for this training, and for several other trainings throughout the year, was provided through our IGA for SWAT services with the City of Longmont.
- *Evidence Room Audit* – Twice a year, department policy mandates that we conduct an evidence room audit. The first audit is scheduled and requires a review of every piece of evidence in the room, with special attention given to currency, narcotics and firearms. The second is a surprise audit conducted by a supervisor from an outside agency and reviews 10 to 20 randomly selected items. We are proud to report that the first of these audits, the scheduled audit, was conducted on July 22nd and resulted in 100% of our evidence items accounted for. Great work by Records Supervisor Purcell and Sergeant Albert!

Administration

- *Communications and Engagement* – Updates dedicated to COVID-19 resources, information and Town updates are at www.FrederickCO.gov/Covid19.
 - Added Energize Colorado New Grant for small businesses information.
- *Social media* – “Who’s excited for the skate park?” was the post with the most reach with 18,016 Chainsaw winners had a reach of 17,713 people and was the most engaging post with 3,543

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engagements (The number of unique people who engaged in certain ways with your Page post, for example by commenting on, liking, sharing, or clicking upon particular elements of the post.)

- *Events Status:*
 - *Finale Friday & Farmers Market:* The next “Bonus Farmers Market (modified farmers market) is Friday, August 14 in Crist Park. We have a new farm/produce booth – Trujillo Family Farms! We had 11 booths at the market on July 31, 4 volunteers and 217 attendees between 4 pm and 7 pm. I mighty storm came along right after 7 pm.
 - *Community Tour & Talks:* The July 22 event at Rinn Valley Park had 22 RSVP and 39 attendees. A survey is sent after each tour and results will be compiled at the end of the season.
 - *Miners Day:* The committee will make a final decision/recommendation on August 5.
 - *Attended the Carbon Valley Events group meeting to continue partnerships and check in on event status/planning between Firestone, Dacono and the Rec Center.*
- *Bella Rosa* – Producing Golf Tip video which is posted on the @bellarosagc Facebook page and continuing to promote Back 9 specials and course events in all communication platforms.
- *POST Master Plan Engagement* – The POST Master Plan Update survey ended on July 31 with 305 surveys.
- *Training* – Angela participated in a 2 day conference - CCCMA virtual conference - Emerging Managers Summer Camp and the Town of Frederick leadership training - 5 Behaviors of a Cohesive Team.

Public Works

- *Streets* – Street sweeping schedule is continuous – Wyndham Hill, Morningside, Wild Flower, Bear Industrial, Frederick West Business Park, and Glacier View.
- *Parks* – Weekly mowing of parks is continuous. Dead and/or dying trees were removed at Rinn Valley and FRA. Broken and damaged sprinkler heads (totaling 80) have been replaced at Rinn Valley, Fox Run, Summit View, Savannah, and along Colorado Blvd, as well. Every Monday and Friday crews check, empty, and replace trash bags and pet pickup dog bags in all parks. PW removed 16 loads of wood chips from Coal Ridge park in preparation for the pour-n-play. Due to a traffic accident, PW repaired a vinyl fence at Colorado Blvd and Godding Hollow Pkwy. PW placed mulch around newly planted trees in Johnson Farms. Dead trees were removed in Eagle Valley, Fox Run, Centennial, and Countryside.
- *Water* – PW conducted water reads and rereads.
- *Buildings* – PW painted the exterior of the PD, as well as the doors. The Court Room door at the PD was repaired, needing new hinges and a push bar. The final punch list was completed by PW for the Town Hall Board Room and kitchen/copier room.
- *Open Space* – Open Space mowing schedule continues throughout the weeks.
- *Storm Water* - Crews cleared the trickle channels around Summit View, Coal Ridge, and along Colorado Blvd for drainage issues. Drainage was also cleared at Brophy park, No Name, and a complaint area on Merganser Ct.
- *Miscellaneous* – Crews worked on the ditch to run fiber to the bank building (continuous hammering of thick concrete). There was a tree and branch drop off at PW on Saturday, 7/25/20 – 30 drops were made by residents. Mosquito spraying continues by crews twice a week (Tuesdays and Thursdays), weather permitting. The FRA Dog park was cleaned up. Pea gravel was added, weeds were removed and the area sprayed. On Fridays, PW is setting up and tearing down the Farmer’s Market. PW helped the Frederick PD and Fire Dept with a gas leak by the high school on Tipple Pkwy. PW assisted the Frederick PD with a traffic accident on Frederick Way which took out a transformer. United Power was called.
- *Training* – Mike Richmond and Steve Johnson are taking on-line water classes thru the State of Colorado to maintain their water certification licenses. Gage Robertson is taking new-hire, hands-on water and locate training. Alan Isaac, Justin Richmond, and Gage Robertson have their CDL permits and are ready for driving time to obtain their licenses.
- Justin McClary, Alan Isaac, and Brad Leach are taking storm drainage classes on-line.

Planning Department

- *Development Applications* – The development review process has a few steps land use applications go through prior to submitting an application such as a pre-application meeting and neighborhood meeting. There are fourteen projects that have completed the pre-application step. Two neighborhood meetings are scheduled. Nine projects have completed the neighborhood meeting, allowing them to submit an application. The following applications have been accepted for review and are now quasi-judicial.

<i>Project Name (Date of Application)</i>	<i>Subdivision</i>	<i>General Location</i>	<i>Brief Description</i>
Bear Industrial Park, Block 1, Lot 10, 4030 Bruin Site Plan Amendment (05/04/2020)	Bear Industrial Park	4030 Bruin Boulevard	Site plan amendment to create an approved outdoor storage area.
Bear Industrial park Replat 1, Block 2, Lot 2, Site Plan Amendment (06/15/2020)	Bear Industrial Park	4180 Busch Place	Site plan amendment to remove second building from approved site plan and provide for outdoor storage.
Bear Industrial Park Replat 5, Block 1, Lot 1 – 4021 Kodiak Ct. Site Plan (02/18/2020)	Bear Industrial Park	4021 Kodiak Court	Site plan for a 1,000 square foot facility with outdoor storage.
Bear Industrial Replat 1, Block 1, Lot 4, Site Plan (07/06/2020)	Bear Industrial Park	9083 Bruin Boulevard	Site plan for a 10,077 square foot facility with outdoor storage.
Carriage Hills Filing 1 Replat A (03/15/2020)	Carriage Hills	Generally, north of Highway 52, west of Frederick Way	Replat to adjust lot sizes and remove alleyways.
Carriage Hills Marketplace Filing 1, Subdivision Amendment, Conditional Use, and Site Plan (10/07/19)	Carriage Hills Marketplace	6731 Highway 52, Generally, east of 7-11 and Napa on Frederick Way, north of Highway 52	Subdivision amendment, conditional use, and site plan for a Ziggi's Drive Through (624 square feet) and site plan for a 5,000 square foot commercial building.
Clearview Villages Zoning Amendment, Preliminary Development Plan, Final Development Plan, Preliminary Plat and Final Plat (11/18/19)	Clearview Villages	Generally, at the southwest corner of Silver Birch Boulevard and Godding Hollow Parkway	Zoning amendment, development plan and plat on approximately 102 acres.
Dean Annexation (07/06/2020)	Dean Annexation	Generally, on the west side of Aggregate Boulevard, approximately 1/3 mile south of Tipple Parkway	Annexation of a .34 acre residential property.

<i>Project Name (Date of Application)</i>	<i>Subdivision</i>	<i>General Location</i>	<i>Brief Description</i>
Dreamers Ridge II Annexation (12/02/19)	Dreamers Ridge II Annexation	Generally, at the southwest corner of Aggregate Boulevard and Godding Hollow Parkway	Annexation and subdivision of approximately 36.5 acres with a zoning of Residential Estate.
Eagle Business Park Filing 3, Lot 1B – Black Diamond Site Plan (10/21/19)	Eagle Business Park Filing 3	7400 Eagle Boulevard	Site plan for a 11,800 square foot office/warehouse.
Glacier Business Park Amended First Filing Block 1, Lots 6 and 7 Rezoning (07/06/2020)	Glacier Business Park	3759 Imperial Street	Zoning amendment from Business Light Industrial to Commercial Highway 52.
Glacier West Business Park Lot 9B – Ziggi’s West Subdivision Amendment, Conditional Use and Site Plan	Glacier West Business Park	3450 Highway 52	Subdivision amendment, conditional use, and site plan for a Ziggi’s Drive Through (624 square feet).
HCT Annexation – McDonald Farms Zoning and Site Plan	HCT Annexation	7440 East I-25 Frontage Road	Zoning of approximately 136.3 acre property and documentation of the existing site.
Hepp Farm – Gooch Zoning Amendment and Subdivision Amendment (03/02/2020)	Hepp Farm	Generally, ¼ mile north of Bella Rosa Parkway and west of Silver Birch Boulevard	Zoning amendment to apply zoning and subdivision amendment to create 2 residential lots.
Hidden Creek Amendment 4 (04/06/2020)	Hidden Creek	Generally, north of Tipple Parkway, east of Ridgeway Boulevard	Subdivision Amendment to revise the location of 35 lots within the subdivision. The net change in the number of lots is 0.
Morningside Estates Filing #2 Block 3, Lot 3, Variance Request (06/15/2020)	Morningside Estates Filing #2	8027 Dawnhill Circle	Variance to request two driveways.
Nelson Lakes Subdivision MOAPI Amendment and Construction Plan Review (10/17/19)	Nelson Lakes	Generally, north of CR 16 ½ and west of CR 3 ¼	Amendment to the existing MOAPI and review of construction plans.
Nelson Wells – Kerr McGee (07/15/19)	Lanson Farm	Generally, south of Tipple Parkway, ½ mile west of Silver Birch Boulevard	Special use permit for 24 new wells
Old Town Block 17, Lot 11 – 141 5 th Street Site Plan Amendment (04/15/2020)	Old Town	141 5 th Street	Site plan amendment to add approximately 500 square feet.
Old Town Block 21, Lot 6 – 502 Walnut Street Site Plan (08/29/19)	Old Town	Generally, the southeast corner of 5 th Street and Walnut Street	Site plan for an approximately 3,723 square foot mortuary.

<i>Project Name (Date of Application)</i>	<i>Subdivision</i>	<i>General Location</i>	<i>Brief Description</i>
Silverstone Filing 5 Tract A, Circle K Site Plan (04/20/2020)	Silverstone	Generally, the northeast corner of William Bailey Avenue and Highway 52	Site plan for a 5,187 square foot convenience store, 2,100 car wash, and gas facility.
Tops Business Park Lots 1, 2, and 5 Site Plan (05/16/18)	Tops Business Park	South of Hurt St/West of Colorado Blvd	Site plan for expansion of the existing storage facility.

- *Park Development* – Our 2020 park improvements are well underway. Please look at the Town’s website for update pictures.

Work at the skate park continues to progress and the end is nearing. Artwork is being installed. The street course and skate bowl are nearly completed. The intermediate bowl is complete. Watch for an exciting bonus to be installed on the west side of the street course. These improvements will further the unique skating experience.

The fitness court landscaping is being installed and we’re working with the communications team on a soft opening.

Coalridge Neighborhood Park renovation is underway. We hope to be able to open this park to the public by mid-August.

Finance Department

- *2019 CAFR* - The 2019 Comprehensive Annual Financial Report is completed. An application and the document was submitted to GFOA in pursuit of another Certificate of Achievement for Excellence in Financial Reporting. The Town has received this award for the past five years and we hope to again this year.
- *2019 Audited Financials* – The 2019 audited financials was submitted to the State Auditor’s Office as required by state statute on July 29, 2020.
- *2021 Budget* – Staff is working on the preliminary draft of the 2021 budget. Worksheets are in the process of being compiled and reviewed.
- *Landfill Voucher Program* – During the month of July, 392 landfill vouchers were issued to residents. 305 of those vouchers were turned into the landfill providing a 77.81% usage rate.

Engineering Department

- *Thunder Valley K-8 Multiuse Trail Project SRTS Grant (no change)* – The Town approved a contract for construction at the January 14 Board meeting with Concrete Works of Colorado (CWC). Staff and CDOT conducted our initial walk-thru inspection and found a few minor corrections to be made. Repair of the flashing beacon bases and reseeding have kept the project from being accepted and keep the “sidewalk closed” signage in place.
- *Stormwater Master Plan* – Frederick and Dacono jointly submitted a Department of Local Affairs Energy Impact Grant application in December 2019 to develop a stormwater master plan and on April 3, the Town received notification that they were awarded funding! A contract was approved to Anderson Consulting Engineers at the June 23rd Town Board meeting. This project is underway and the consultant is using field survey to gather existing conditions. This contract is scheduled to take 18 months and complete the end of 2021.
- *Transportation Master Plan (no change)* – A contract was approved to Felsburg, Holt and Ullevig (FHU) to develop a Town of Frederick Transportation Master Plan. The current status of the project was delivered to the Town Board at a work session on 7/21.
- *2020 Asphalt Seal Project* – This year’s project includes crackseal, slurry seal and chip seal applications for multiple areas around Town. A contract for construction was awarded to Vance Brothers at the April 28 Board meeting. Work has completed on the seal project.

- *2020 Pavement Maintenance Project* – This year’s project includes asphalt patching, mill and overlays and road reconstruction for multiple areas around Town. A contract for construction was awarded to Elite Surface Infrastructure at the April 28 Board meeting. Milling and overlay on Eagle Blvd, Coyote Run and Frederick Way have been completed. Work on Tipple is currently underway.
- *2020 Concrete Alley Program* – This year’s project is for construction of a concrete alley between 6th and 7th Streets from Elm to Locust. A contract for construction was awarded to Stone & Concrete at the April 28 Board meeting. Work is now complete on both alleys. Cleaning of concrete splatter on the side of the garage at 206 6th Street appears to be the one remaining correction item.
- *Tipple Pkwy/Frontage Rd Streetlight (no change)* – Engineering staff has coordinated with CDOT and United Power regarding installation of a streetlight at this intersection. An invoice for this work has been paid by the Town and now United Power will begin the ROW process with CDOT.
- *Milavec Lake Raw Water Delivery* – Engineering staff is coordinating with a consultant to evaluate the delivery of raw water from the lake to various developments. Preliminary recommendations have been provided and staff is evaluating a course of action.
- *Bridge Inspections (no change)* – CDOT has completed their annual inspection of the bridges in town. They identified a need to repair the bridge along County Road 7 over the Sullivan Ditch. It was noted that there are bridge rail posts pulled out of their anchors along with impact damage on both rails which has affected the overall integrity of the bridge rails. Money was budgeted in anticipation of requested repairs.
- *Water Sales (no change)* – The Town has received recent requests for blocks of CBT Units in the \$60,000-\$65,000 range. However, recent discussions with Northern Water indicate that prices have dropped \$8,000 to 10,000 due to the uncertainty of the times. The prices for contracts at the next Northern Water meeting are between \$55,000 and \$57,000 for CBT Units.

Golf Course

- *Junior Golf Program* – The Bella Rosa junior golf program experienced record attendance during the 2020 season. Juniors were given a safe and fun learning environment while learning the game of golf. A weekly junior program is being developed for late-Summer and Fall.
- *Back 9 Restaurant* – The Back 9 restaurant is open daily from 6:00 am until 2:00 pm for breakfast and lunch. A limited menu and beverages are offered daily from 2:00 pm until 5:00 pm.
- *Late-season events* – Our glow-ball and couples events are scheduled for September. Please visit bellarosagolf.com for more information.



TOWN OF FREDERICK MEMORANDUM

TO: Honorable Mayor Tracie Crites and Board of Trustees

FROM: Meghan Martinez, Town Clerk

DATE: August 7, 2020

SUBJECT: Town Clerk's Report

- *Liquor Licensing*
 - Issued Licenses for Frederick Travel Center and 7-Eleven
 - Working with Circle K on an application in Silverstone
- *Commissions Updates*
 - Arts Commission
 - The centerpiece at the Skate Park will be installed next week.
 - Historic Preservation Commission
 - The commission has decided to halt all event participation at the museum for the remainder of the year. Tours will be conducted by appointment only.
- *Deputy Town Clerk Position*
 - The position has been reposted and closes on August 14, 2020
- *Board Room Updates*
 - New chairs have been ordered and will be delivered within 4 weeks.
 - Working with A/V companies on accessing the needs of the Town and obtaining bids.
 - Working with vendor on new furniture for the meeting spaces in the Board Room.
 - Working with Community Relations on obtaining local art and framing photos that represent the values of the community.
- *Records Requests*
 - We continue to see more and more records requests and staff is working to respond to those requests as quickly as possible. Requests have included the following topics:
 - Land Use Documents, Building Permit Information, Financial Records, Prior Land Use Codes

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Town of Frederick - List of Bills
 June 26, 2020 - July 30, 2020

24/7 NETWORKS INC	Fiber upgrade equipment	23,910.20
4 RIVERS EQUIPMENT LLC	John Deere equipment and repairs	23,308.57
ACE HARDWARE OF FIRESTONE	Supplies	1,706.86
ACUSHNET COMPANY	Golf shop merchandise	430.91
ADAMSON POLICE PRODUCTS	Uniforms	3,286.41
AGFINITY	Supplies/oil stock	1,992.10
AMERICAN ARBORIST SERVICE	Chainsaws & Chuckwagons tree hauling	1,475.00
AMERICAN EAGLE DISTRIBUTING	Restaurant supplies	868.60
AMERICAN FENCE COMPANY INC	Fence rental for National Fitness Court	132.43
APEX CONSULTING SERVICES INC	Phase 1 Environmental Site Assessment	3,850.00
AXON ENTERPRISE INC	Police equipment	2,201.70
B & L REPAIR	Vehicle maintenance	88.50
BK TIRE, INC.	Equipment/vehicle maintenance	2,977.54
BLUE STAR RECYCLERS	Electronic recycling	6,805.80
BOBCAT OF THE ROCKIES	Street maintenance supplies	3,229.90
BRAD JONES	Chainsaws & Chuckwagons band	200.00
BUTCHER AND THE BLONDE LLC	Community Tour & Talk catering	900.00
CALLAWAY GOLF	Golf shop merchandise	129.00
CARBON VALLEY CAR WASH LLC	Vehicle maintenance	76.50
CARBON VALLEY CHAMBER OF COMM.	Golf Tournament/Member Appreciation Dinner	540.00
CARBON VALLEY HEATING & AIR	Building maintenance	132.00
CARD SERVICES	Travel, training and supplies	17,731.80
CASELLE, INC.	Contract support & maintenance	2,142.00
CENTRAL COLLECTION SERVICES	Commission fees and adjustments	390.86
CENTRAL WELD COUNTY WATER DIST	Water usage	206,838.60
CENTRAL WELD CTY WATER DIST	Water taps	460,000.00
CENTURYLINK COMMUNICATIONS LLC	Phone service	334.93
CESARE INC	SRTS - Material testing	764.00
CHARLES ABBOTT ASSOCIATES INC	Inspection services	86,403.99
CHRIS FOLTZ	C&C travel and prize money, masterpiece sale	5,700.00
CINTAS CORPORATION	PW uniforms/First Aid supplies	1,041.93
CITY OF GREELEY	Weld County Task Force	2,000.00
COLORADO BARRICADE CO	Street maintenance signs	270.00
COLORADO DEPARTMENT OF AGRICULTURE	Farm Fresh Directory listing	25.00
COLORADO DEPARTMENT OF REVENUE	Back 9 Restaurant liquor license renewal	500.00
COLORADO SCAFFOLDING	C&C supplies	446.00
COLORADO STATE TREASURER	2nd Qtr. Unemployment Insurance	4,265.10
COMCAST	Cable, internet and phone service	2,664.41
COMPLETE CONSTRUCTION CORPORATION	Concrete maintenance & PD exterior painting	42,063.12
CORE & MAIN LP	Hydrant meter supplies	4,113.74
COREY R EVERHART	Partial sign-on bonus	5,000.00
CORNWELL TOOLS	Shop tools	169.95
CYBERGOLF LLC	Website and data subscription fee	600.00
DANA KEPNER CO	Water meter supplies	145.74
DBC IRRIGATION SUPPLY	Irrigation supplies	103.82
DENNIS ZEWE	Restitution owing	150.00
DEPARTMENT OF MOTOR VEHICLE	OJW & Default fees	195.00

Town of Frederick - List of Bills
June 26, 2020 - July 30, 2020

DISCOUNT PLUMBING SERVICES INC	Centennial Park restroom repairs	414.78
DOSSIER SYSTEMS INC	Fleet Maintenance Software Subscription	1,011.00
DREAM WEAVER HOLDINGS	Landscape escrow deposit refund	24,023.94
E & G TERMINAL INC	Equipment parts	242.32
EDGE GOURMET STREET KITCHEN	C&C food voucher reimbursement	259.00
ELITE SURFACE INFRASTRUCTURE	Pavement maintenance program	405,756.07
ENTENMANN-ROVIN CO	Police equipment	194.00
ENVIROTECH SERVICES, INC.	Street maintenance supplies	17,148.24
EON OFFICE	Office supplies	297.91
ERIKS NORTH AMERICA INC	Equipment supplies	1,785.24
EWING IRRIGATION	Park supplies	589.26
EZ GO-A TEXTRON CO	Equipment parts	38.43
FACTORY MOTOR PARTS CO	Auto parts and supplies	2,224.89
FAIRFIELD AND WOODS PC	Legal services	5,675.00
FASTENAL COMPANY	Shop supplies	96.93
FBI-LEEDA	Training	695.00
FELSBURG HOLT & ULLEVIG, INC.	Transportation Master Plan	11,250.00
FLYING VIEW AERO	C&C skydivers	500.00
FREDERICK FIRESTONE FIRE PROTECTION DIST	Blood draws	66.40
FREEDOM MAILING SERVICES LLC	Utility billing printing	2,378.78
FRONT RANGE EVENT RENTAL	C&C event rentals	1,438.83
FRONT RANGE LANDFILL	Voucher provisions for Frederick residents	3,543.83
FRONTIER BUSINESS PRODUCTS	Copier repairs	1,345.62
FUTURELINK INC	Audio equipment expansion/security system	2,891.90
G & G EQUIPMENT INC	Parks supplies	1,053.85
GAGE ROBERTSON	Boot reimbursement	50.00
GEORGIA BOYS SMOKEHOUSE	Community Tour & Talk catering	4,012.00
GLORIA POHL	Bond refund/Lafayette warrant transfer	15.00
GOLF & SPORT SOLUTIONS LLC	Golf course sand	459.82
GREEN MILL SPORTSMAN'S CLUB	Training	150.00
GREEN MOUNTAIN PROMOTIONS	C&C Police Department engagement items	392.95
HARDLINE EQUIPMENT	Street sweeper supplies	3,305.00
HERIBERTO SANCHEZ	Court refund overpayment	25.00
HIGH COUNTRY BEVERAGE	Beverage order for restaurant	295.82
HIGHER GROUND CONSULTING INC	Training	7,990.40
HIRSCHFELD BACKHOE & PIPELINE, INC.	Refund overpayment/Hydrant meter deposit	3,626.64
HOME DEPOT CREDIT SERVICES	Supplies and equipment	3,869.64
I SCREAM COLORADO LLC	C&C food voucher reimbursement	8.00
INTERSTATE FORD	Vehicle maintenance	39.44
INVISIBLE INK LLC	Police equipment	400.00
JEFF CAHN INC	Judge services	1,200.00
JOE KNIGHT	C&C auctioneer	400.00
JOSEPH SRHOLEZ	C&C travel and prize money, masterpiece sale	4,285.00
JUSTIN DRIVER	C&C travel and prize money, masterpiece sale	4,920.00
JUSTINE PARK	C&C travel money	200.00
KADIN GURNEY	C&C travel money and masterpiece sale	1,037.50
KENNETH G. BRAUN JR	C&C travel and prize money, masterpiece sale	2,487.50

Town of Frederick - List of Bills
June 26, 2020 - July 30, 2020

KING CHEVROLET	Vehicle maintenance	127.39
KINSCO LLC	Police uniforms	355.11
KORBY LANDSCAPING LLC	Irrigation repairs	1,654.38
KRISTIN NORDECK BROWN PC	Prosecution services	2,940.00
KYLE F THOMAS	C&C travel and prize money, masterpiece sale	3,100.00
L.L. JOHNSON DISTRIBUTING COMPANY	Maintenance supplies	340.00
LAFAYETTE MUNICIPAL COURT	Bond transfer	500.00
LASTING IMPRESSIONS	Plaque for officer of the year	60.00
LEONARD MEDOFF PHD	New hire evaluation	300.00
LIFE STORIES CHILD & FAMILY ADVOCACY	2nd Qtr. billing	219.00
LONGMONT HUMANE SOCIETY	Animal impound fees	1,052.25
LUXOTTICA USA LLC	Golf shop merchandise	1,950.47
MAC EQUIPMENT INC	Equipment supplies	1,137.11
MAHNKE AUTO BODY FREDERICK	Vehicle repairs	985.20
MARYANN BRIET	Park reservation refund	35.00
METRON-FARNIER LLC	Water supplies	21,356.00
MIDWEST RADAR & EQUIPMENT	Radar certification	60.00
MILE HIGH DISINFECTANT SERVICES LLC	COVID-19 Disinfection	1,760.00
MIRROR IMAGE BREWING COMPANY	Beverage order for restaurant	110.00
MOLLY WISTE	C&C travel and auction money	462.50
MOSES WITTEMYER HARRISON & WOODRUFF	Legal services	7,626.46
MOUNTAIN SALES & SERVICE	Equipment lease	200.00
NEW ERA CAP CO INC	Golf shop uniforms	697.00
NICK PRICE	Restitution	50.00
NORTHERN CO. WATER CONSERVANCY DIST	Temporary Use Permit 302 CBT units	14,043.00
NORTHERN ENGINEERING SERVICES	Canino Subdivision Amendment/Rezone	3,678.36
OCCUPATIONAL HEALTH CENTERS	New Hire evaluation	616.00
ONSOLVE LLC	Business Communication Enterprise Plan	1,341.36
O'REILLY AUTOMOTIVE INC	Parts and supplies	659.96
PAUL C BENEDETTI	Legal services	1,050.00
PENNIES ON THE TRACK LLC	Chainsaws & Chuckwagons band	300.00
PETERSEN SPECIALTY	Office supplies	309.45
PRE ACTION FIRE INC	AES Quarterly Monitoring	525.00
PRINT EXPERTS	Printing services	95.31
PRO GOLF REPAIR LLC	Pro Golf services	6,751.50
PSI-DIGITAL IMAGING SOLUTIONS	Plotter ink replacements	603.92
R & R PRODUCTS	Equipment supplies	1,777.99
RAMEY ENVIRONMENTAL COMPLIANCE	Distribution & Collection Systems	310.00
REDI SERVICES LLC	Porta-john services	1,345.00
REIF & HUNSAKER PC	Consulting services	590.00
RENEWABLE FIBER INC	Park and landscape supplies	6,542.50
ROBERT HAMMETT	Bond refund/Lafayette warrant transfer	25.00
ROCKY MOUNTAIN AWARD & TROPHY	Chainsaws and Chuckwagons awards	110.20
ROCKY MOUNTAIN INFORMATION NETWORK	Membership	100.00
ROSA LUCAS	Interpreting services	60.00
SAFEWAY	Supplies	132.08
SAM'S CLUB / GEGRB	Supplies	918.90

Town of Frederick - List of Bills
 June 26, 2020 - July 30, 2020

SAMSON LAW FIRM	Legal services	14,000.00
SARAH WATSON	Reimbursement for equipment & supplies	53.19
SHAMROCK FOODS CO-003	Restaurant food order	1,740.89
SHRED-IT USA	Document shredding	97.10
SIGNARAMA	Signs for events and misc. areas	4,566.00
SPOT ON SOUND PRODUCTIONS	Chainsaws & Chuckwagons sound production	1,400.00
STAPLES ADVANTAGE	Office supplies	1,997.89
STEVE WEEKS	Chainsaws & Chuckwagons band	350.00
STONE AND CONCRETE INC	Concrete alleyway project	63,810.29
STRIGLOS COMPANIES, INC.	VMWare Licensing/Wi-Fi services	5,413.36
SUMMIT STRATEGIES	Economic Development Consulting	5,000.00
SUNBELT RENTALS INC	Equipment rental	273.30
SYSCO DENVER	Restaurant food order	6,549.53
TAYLOR MADE GOLF COMPANY	Golf equipment	703.25
TBK BANK,SSB	PW Facility Loan Payment	84,820.10
TEAM PAIN ENTERPRISES INC	Construction services for FRA Skate Park	91,651.25
TELOS ONLINE INC	Wi-Fi installation/service	804.99
THE NAKED HANGER DRY CLEANERS	Uniform cleaning	1,348.60
THE TREE FARM	Tree purchases	12,584.20
TIM OSTDIEK	Chainsaws & Chuckwagons band	600.00
TIMBERLAN	IT services and equipment	9,045.75
TOWN OF FREDERICK	C&C event start cash	800.00
TRACTOR SUPPLY CREDIT PLAN	Park supplies	623.99
TRANSWEST TRUCK	Equipment maintenance	446.38
TRAVISMATHEW LLC	Golf shop merchandise	2,255.34
TWIN PEAKS GARAGE DOORS LLC	Building enclosure	8,476.00
UMB Bank	Q2 2020 Custodian Fee	487.50
UME CUSTOM EMBROIDERY & IMPRINTING LLC	C&C sponsor shirts	1,073.30
UNITED POWER	Electric utility/Street light	24,524.07
UNIVERSITY AUTO PARTS INC	Shop supplies	1,820.21
UPPER CASE PRINTING, INK.	Newsletter printing	1,106.25
UTILITY NOTIFICATION CENTER OF COLORADO	Utility locate transmissions	573.65
VAN DIEST SUPPLY COMPANY	Park maintenance supplies	1,200.00
VERIZON WIRELESS	Wireless and phone services	3,393.62
VORTEX COLORADO INC	Building repairs	2,154.27
W.L. CONTRACTORS, INC.	Monthly maintenance fee	157.50
WARD ELECTRIC COMPANY INC	Electrical work and maintenance services	3,080.09
WASTE CONNECTIONS OF COLO INC	Trash service	57,158.00
WEAR PARTS & EQUIPMENT CO INC	Equipment repairs	3,750.00
WELD COUNTY DEPARTMENT OF PUBLIC	C&C temp event fee/Water testing	415.00
WELZIG HEATING & AIR	Building maintenance	2,217.00
WEX BANK	Fuel	7,390.72
WORKWELL OCCUPATIONAL MEDICINE LLC	DOT physical	180.00
YAMAHA MOTOR FINANCE CORP USA	Golf cart fleet lease payment	3,307.75
ZACHARY MCKINNON	Skatepark Art	5,400.00
	Total:	<u>1,974,156.67</u>



TOWN OF FREDERICK BOARD OF TRUSTEES
REGULAR VIRTUAL BOARD MEETING MINUTES
FREDERICK TOWN HALL, 401 LOCUST STREET
JUNE 23, 2020

Call to Order: At 7:03 p.m. Mayor Crites called the meeting to order and requested roll call.

Roll Call: Present were Mayor Crites, Trustees O'Neal, March, Lamach, Mahan and Brown. Also present were Town Attorney Rick Samson, Town Manager Bryan Ostler and Town Clerk Meghan Martinez.

Pledge of Allegiance: Mayor Crites invited everyone to join in the Pledge of Allegiance.

Public Comment:

Tina Cunningham, 3116 Comanche Court Frederick, introduced herself as a member of the Carbon Valley Parks and Recreation District Board.

Michelle Mead, 244 Tipple Parkway Frederick, asked the Tri Towns to consider adopting a pony to place in each Town.

Louis Conrad, 9601 Katy Freeway Houston TX, addressed the Clearview Village project. He also shared how impressed he was with how the Town has handled COVID. He indicated his support for the Cash-in-Lieu item on the agenda.

Staff Reports:

Administrative Report: Town Manager Bryan Ostler provided a written report.

Town Clerk's Report: Town Clerk Meghan Martinez provided a written report.

Town Attorney's Report: Town Attorney Rick Samson provided a written report.

Consent Agenda:

Motion by Trustee O'Neal and seconded Trustee March to approve the consent agenda which consisted of the following items:

- June 9, 2020 Minutes
- June 16, 2020 Minutes
- Resolution 20-R-47 Authorizing the Town Manager to Execute an Independent Consultant Agreement for Design Services for the Frederick and Dacono Outfall System Plan
- Resolution 20-R-48 Accepting a Special Warranty Deed for a Portion of Ridgeway Boulevard for the Hidden Creek Subdivision
- Resolution 20-R-49 Rescinding the Lower Boulder Preferred Cash-in-Lieu Fee and Thereby Rescinding the Lower Boulder Preferred Share Fee as Set Forth in the

Built on What Matters.

Adopted Fee Schedule and Establishing a Cash-in-Lieu Fee Per Acre Foot for Raw Water

- Resolution 20-R-50 Support for the Frederick Police Department

Upon roll call vote, motion passed unanimously.

Action Agenda:

Consideration of the Silverstone Filing 5 Final Development Plan: Planner Maureen Welsh presented the proposed project. Jon Lee, 2500 Arapahoe Boulder, was present on behalf of the applicant.

Motion by Trustee ONeal and seconded by Trustee Mahan to approve resolution 20-R-51A. Upon roll call vote, motion passed unanimously

Motion by Trustee ONeal and seconded by Trustee Mahan to approve Ordinance 1340-A. Upon roll call voted, motion passed unanimously.

Consideration of the Prosperity Preliminary Plat (Continued from May 12, 2020 Board of Trustee Meeting): Planner Ali vanDeutekom gave a quick summary of the project. The applicant, Rick Jablonski, addressed the board.

Motion by Trustee Lamach and seconded by Trustee Brown to approve Resolution 20-R-52C with the following conditions.

1. The planning commission condition
2. Connectivity between Angelview and Prosperity be restricted to emergency vehicle access only by a gate.

Upon roll call vote, motion passed unanimously.

Resolution 20-R-53 Appointing Windi Padia as Trustees of the Town of Frederick, Colorado to Fill the Unexpired Term of Tracie Crites: Town Clerk Meghan Martinez presented the proposed resolution.

Motion by Trustee Brown and seconded by Trustee March to approve Resolution 20-R-53. Upon roll call vote, motion passed unanimously.

At 8:21 Trustee Padia joined the meeting.

Appointment of a Mayor Pro Tem: Mayor Crites opened the item up for nominations.

Trustee March and Trustee ONeal were nominated.

By roll call vote, the following votes for Mayor Pro Tem were recorded.

Trustee Brown – March
Trustee Mahan – March
Trustee Padia – March
Trustee ONeal – March
Trustee Lamach – March
Trustee March - ONeal

Trustee March was sworn in as Mayor Pro Tem for a term to end April of 2022.

Mayor and Trustee Reports:

Trustee ONeal: He is ecstatic that so many people have signed up for the voucher program. He also wanted to state his conflict of interest on the records related to his financial interest in Bold Brokers and Clark Plaza.

Trustee Padia: She is honored and excited that she was chosen to represent Frederick.

Trustee Brown: He had wonderful visits with Public Works and the Police Department. He is looking forward to meeting the other departments.

Trustee Lamach: He also had an enlightening and informative visit with PD and Public Works. He gave a report on the CVPRD meeting he attended last Wednesday.

Trustee Mahan: He asked about representation at the Market.

Mayor Pro Tem March: He thanked everyone for their votes of confidence. He is humbled and honored. He thanked Chief Norris, Bryan, Rick and Kevin for their assistance.

Mayor Crites: She discussed the desire of the Trustees to reach the community. She mentioned reaching the businesses and citizens.

There being no further business of the Board, Mayor Crites adjourned the meeting at 8:49 P.M.

ATTEST:

Approved by the Board of Trustees:

Tracie Crites, Mayor

Meghan C. Martinez, CMC, Town Clerk



TOWN OF FREDERICK BOARD OF TRUSTEES

REGULAR VIRTUAL BOARD MEETING MINUTES

FREDERICK TOWN HALL, 401 LOCUST STREET

JULY 28, 2020

Call to Order: At 7:12 p.m. Mayor Crites called the meeting to order and requested roll call.

Roll Call: Present were Mayor Crites, Mayor Pro Tem March and Trustees O'Neal, Lamach, Mahan, Brown and Padia. Also present were Town Attorney Rick Samson, Town Manager Bryan Ostler and Town Clerk Meghan Martinez.

Pledge of Allegiance: Mayor Crites invited everyone to join in the Pledge of Allegiance.

Approval of Agenda: Town Clerk Martinez requested that Item E be moved to the beginning of the agenda.

Item E Appointing William Mahoney to the Planning Commission: Planning Director Jennifer Simmons presented the proposed item. William Mahoney appeared via Zoom. Motion by Trustee O'Neal and seconded by Trustee March to appoint William Mahoney to the Planning Commission.

Public Comment:

Tina Martin, 5886 Wood Duck Court, introduced herself as a Board Member of CVRPD.

Mark Gahnstrom, 218 4th Street Frederick, asked for a variance for his toy hauler/trailer located in his backyard.

Staff Reports:

Administrative Report: Town Manager Bryan Ostler provided a written report.

Town Clerk's Report: Town Clerk Meghan Martinez provided a written report.

Consent Agenda:

Motion by Mayor Pro Tem March and seconded Trustee Brown to approve the consent agenda which consisted of the following items:

- List of Bills
- Resolution 20-R-54 Authorizing the Mayor to Execute the Dacono-Frederick Intergovernmental Agreement for Development of an Outfall Systems Plan

Upon roll call vote, motion passed unanimously.

Action Agenda:

Resolution 20-R-55 Appointing Chad teVelde to the Frederick Urban Renewal Authority: Town Clerk Meghan Martinez presented the proposed resolution. Chad teVelde was present via Zoom and addressed the Board. Motion by Trustee Brown and seconded by Trustee Lamach to appoint

Built on What Matters.

Chad teVelde to the Frederick Urban Renewal Authority. Upon roll call vote, motion passed unanimously.

Resolution 20-R-56 Granting the 2020 High School Scholarship Program Awards Based on the Recommendations of the Scholarship Commission: Town Clerk Meghan Martinez presented the proposed resolution and introduced the four students.

Nicole Woods, Hakan Boyce, Blake Lavanchy and Riley Dufour addressed the Board.

Motion by Trustee Lamach and seconded by Mayor Pro Tem March to approve Resolution 20-R-56. Upon roll call vote, motion passed unanimously.

At 7:40 Mayor Crites called for a recess to celebrate the scholarship recipients.

At 8:17 Mayor Crites reconvened the meeting.

Mayor and Trustee Reports:

Trustee Lamach: He was really impressed with the scholarship winners.

Trustee Padia: She echoed Trustee Lamach's comments about the scholarship winners. Their stories were inspiring. She thanked everyone who pulled off Chainsaws and Chuckwagons, it was very well done!

Mayor Pro Tem March: He addressed Mr. Gahnstrom's request and felt it was something the Board should keep away from.

Trustee ONeal: He echoed Trustee March's comments. He commended everyone on Chainsaws and Chuckwagons. He also addressed the parking lot at the bank building.

Trustee Brown: He was really impressed with the Chainsaws and Chuckwagons event. Angela and Jessica are doing amazing things. The scholarship kids have been so resilient and have such positive attitudes. He would love to see the Board review the Land Use Code.

Trustee Mahan: He asked for a count on vouchers. He was very impressed with the scholarship recipients. Hats off to staff on Chainsaws and Chuckwagons, he appreciated the event and how well it was handled.

Mayor Crites: She asked Meghan to place the Land Use review in the parking lot for work session discussions. She also addressed the scholarships and that we need to continue to obtain more funding to support our young people.

Motion by Trustee ONeal and seconded by Mayor Pro Tem March to go into executive session for a conference with the Town Attorney for the purpose of receiving legal advice on specific legal questions under C.R.S. Section 24-6-402(4)(b) regarding potential litigation. Upon roll call vote, motion passed unanimously.

Motion by Trustee Brown and seconded by Mayor Pro Tem March to go into executive session for the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators under C.R.S. Section 24-6-402(4)(e)(1) regarding economic development. Upon roll call vote, motion passed unanimously.

At 8:44 Mayor Crites recessed the meeting to go into executive session.

At 10:36 Mayor Crites reconvened the meeting of the Board of Trustees.

There being no further business of the Board, Mayor Crites adjourned the meeting at 10:36 P.M.

ATTEST:

Approved by the Board of Trustees:

Tracie Crites, Mayor

Meghan C. Martinez, CMC, Town Clerk



TOWN OF FREDERICK BOARD OF TRUSTEES ACTION MEMORANDUM

Tracie Crites, Mayor

Dan March, Mayor Pro Tem
Mark Lamach, Trustee
Adam Mahan, Trustee

Rusty O'Neal, Trustee
Kevin Brown, Trustee
Windi Padia, Trustee

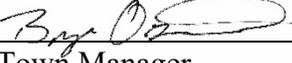
Consideration of Granting an Easement to United Power

Agenda Date: Town Board Meeting - August 11, 2020

Attachments: a. Resolution

Finance Review: _____
Finance Director

Submitted by: Jennifer Simmons
Planning Director

Approved for Presentation: 
Town Manager

Quasi-Judicial Legislative Administrative

Summary Statement:

An easement is needed for the new transformer that serves the western side of Frederick Recreation Area.

Detail of Issue/Request:

Improvements to the western side of Frederick Recreation Area are well underway and include the provision of electricity for both lighting and the restroom. United Power owns the transformer that serves the area. The transformer was placed on Town property so an easement was requested to ensure that the transformer can be placed there. The transformer has been sized to ensure that future improvements can be served as well.

Legal Comments:

The Town Attorney has reviewed the easement and prepared the resolution.

Alternatives/Options:

Built on What Matters.

The Board of Trustees can choose whether or not to grant the easement.

Financial Considerations:

Not Applicable.

Staff Recommendation:

Staff recommends approving the easement.

**TOWN OF FREDERICK, COLORADO
RESOLUTION NO. 20-R-56**

**A RESOLUTION OF THE TOWN OF FREDERICK, COLORADO
AUTHORIZING THE TOWN MANAGER TO EXECUTE AN EASEMENT FOR
UNITED POWER FOR A TRANSFORMER IN FREDERICK RECREATION
AREA**

WHEREAS, the Town has constructed a skate park within the Frederick Recreation Area; and

WHEREAS, United Power has agreed to provide electrical service to the skate park through the installation of an electrical transformer; and

WHEREAS, the transformer remains the property of United Power, therefore, it is necessary to grant United Power an easement for the transformer located within the area described in Exhibit A.

NOW THEREFORE, BE IT RESOLVED by the Board of Trustees of the Town of Frederick, Colorado, that:

Section 1. The Town Manager is authorized to execute the easement in favor of United Power for the electrical transformer.

Section 2. Effective Date. This resolution shall become effective immediately upon adoption.

Section 3. Repealer. All resolutions, or parts thereof, in conflict with this resolution are hereby repealed, provided that such repealer shall not repeal the repealer clauses of such resolution nor revive any resolution thereby.

Section 4. Certification. The Town Clerk shall certify to the passage of this resolution and make not less than one copy of the adopted resolution available for inspection by the public during regular business hours.

INTRODUCED, READ, PASSED, AND ADOPTED THIS 11TH DAY OF AUGUST 2020.

ATTEST:

TOWN OF FREDERICK

By _____
Meghan Martinez, CMC, Town Clerk

By _____
Tracie Crites, Mayor

EXHIBIT "A"

DESCRIPTION

A PORTION OF THAT PARCEL OF LAND AS DESCRIBED IN A SPECIAL WARRANTY DEED TO THE TOWN OF FREDERICK, FILED FOR RECORD IN THE OFFICE OF THE WELD COUNTY CLERK AND RECORDER AT RECEPTION NO. 3882203. SAID PARCEL OF LAND IS LOCATED IN THE SOUTH ONE-HALF OF SECTION 24, TOWNSHIP 2 NORTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF WELD, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

EASEMENT CENTERLINE

A TEN (10) FOOT WIDE STRIP, BEING FIVE (5) FEET, AS MEASURED PERPENDICULAR, LEFT AND RIGHT OF THE FOLLOWING DESCRIBED CENTERLINE;

COMMENCING AT THE SOUTH ONE-QUARTER CORNER OF SAID SECTION 24, AS MONUMENTED BY A FOUND 2 INCH ALUMINUM CAP WITH ILLEGIBLE MARKINGS; THENCE NORTH 66°54'07" WEST, A DISTANCE OF 126.11 FEET, MORE OR LESS, TO A POINT ON THE NORTH LINE OF THE FIFTY (50) FOOT RIGHT-OF-WAY FOR GODDING HOLLOW PARKWAY, FILED FOR RECORD IN THE OFFICE OF THE WELD COUNTY CLERK AND RECORDER AT RECEPTION NO. 3945803 AND THE **POINT OF BEGINNING**;

THENCE OVER AND ACROSS SAID PARCEL OF LAND, NORTH 17°25'24" WEST, DEPARTING SAID NORTH LINE, A DISTANCE OF 79.52 FEET, MORE OR LESS, TO THE **POINT OF TERMINUS**, FROM WHICH THE SOUTHWEST CORNER OF SAID SECTION 24, AS MONUMENTED BY A FOUND 3.25 INCH BRASS CAP MARKED "BLM 1952", BEARS SOUTH 86°51'27" WEST, A DISTANCE OF 2,504.90 FEET.

THE TOTAL LENGTH OF THE ABOVE DESCRIBED EASEMENT CENTERLINE IS 79.52 FEET, CONTAINING 0.018 ACRES (795 SQUARE FEET) OF LAND, MORE OR LESS.

THE SIDELINES OF THE HEREIN DESCRIBED EASEMENT ARE SHORTENED OR LENGTHENED TO MEET AT ANGLE POINTS AND TO TERMINATE ON THE NORTH LINE OF SAID FIFTY (50) FOOT RIGHT-OF-WAY FOR GODDING HOLLOW PARKWAY AND ON A LINE PERPENDICULAR TO THE LAST COURSE OF THE ABOVE DESCRIBED EASEMENT CENTERLINE AT THE POINT OF TERMINUS. SAID STRIP BEING BOUND WITHIN THE LANDS OWNED BY THE PARTIES NAMED HEREON OR THEIR SUCCESSORS AND ASSIGNS.



NOTES:

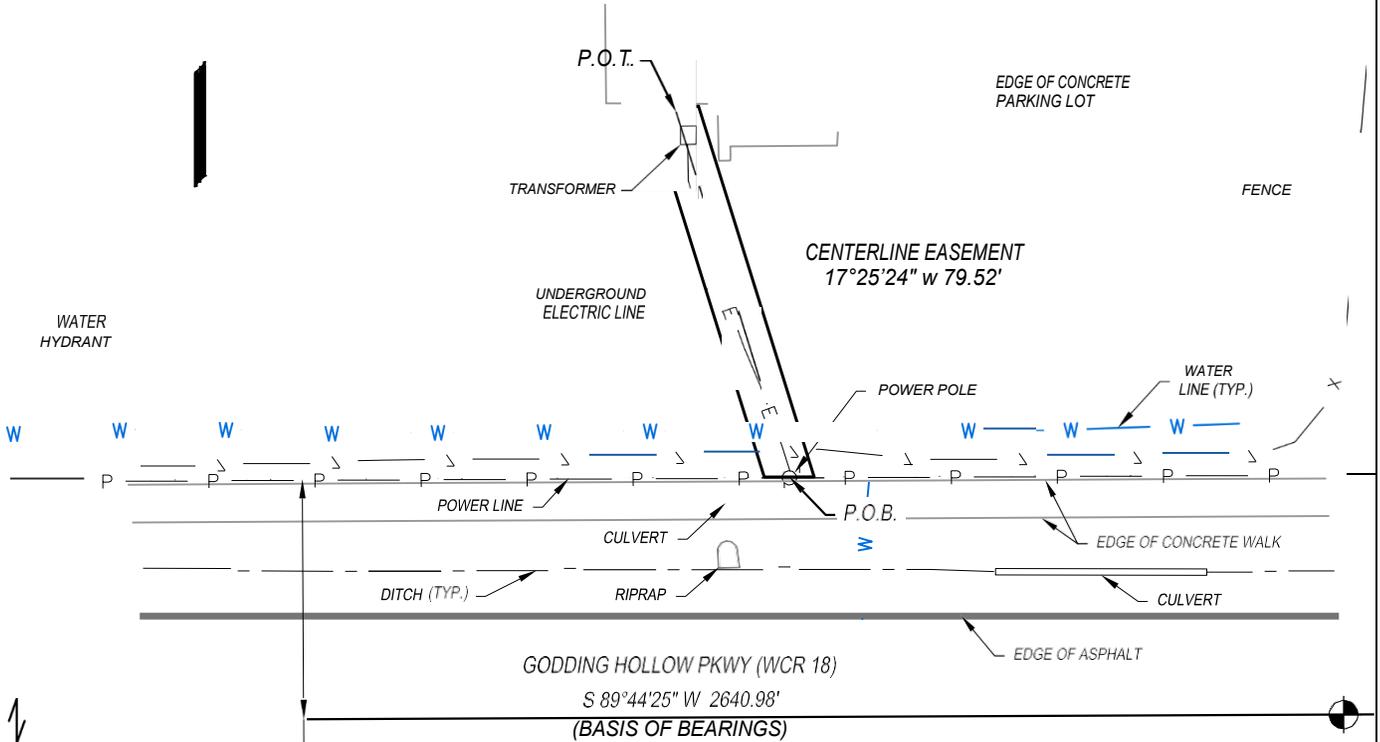
1. SEE THE ATTACHED EXHIBIT "A" ILLUSTRATION BY WHICH THIS REFERENCE IS MADE PART HEREOF.
2. THIS DESCRIPTION WAS PREPARED WITHOUT THE BENEFIT OF A TITLE COMMITMENT, THEREFORE ACKLAM, INC. HAS NOT RESEARCHED OR SHOWN ANY OTHER EASEMENTS, RIGHTS OF WAY, VARIANCES AND OR AGREEMENTS OF RECORD EXCEPT AS SHOWN HEREON.
3. BEARINGS SHOWN HEREON ARE BASED ON GPS OBSERVATIONS VIA "VRS NOW" POSITIONING SYSTEM AND/OR THE ONLINE POSITIONING USER SERVICE OFFERED BY THE N.G.S. AND PROJECTED TO "COLORADO COORDINATE SYSTEM OF 1983 NORTH ZONE" (C.R.S. 38-52-105 & 106).
4. DISTANCES SHOWN HEREON ARE IN US SURVEY FEET GROUND. THE COMBINED FACTOR USED TO OBTAIN THE GRID DISTANCES IS 0.999722343.
5. THE BASIS OF BEARINGS FOR THIS SURVEY IS THE SOUTH LINE OF THE SOUTHWEST ONE-QUARTER OF SECTION 24, TOWNSHIP 2 NORTH, RANGE 68 WEST OF THE 6TH P.M. SAID LINE BEING MONUMENTED ON THE WEST BY THE SOUTHWEST CORNER OF SAID SECTION 24, BEING A FOUND 3.25 INCH BRASS CAP MARKED "BLM 1952" AND ON THE EAST BY THE SOUTH ONE-QUARTER CORNER OF SAID SECTION 24, BEING A FOUND 2 INCH ALUMINUM CAP WITH ILLEGIBLE MARKINGS AND BEARS SOUTH 89°44'25" WEST.

REVISIONS

NO.	DATE	BY	DESCRIPTION

PROJ. NO. 206029
 PREPARED BY: H. LAWRENCE SINCO
 DATE PREPARED: 07/08/2020
 FOR AND ON BEHALF OF ACKLAM, INC.
 133 S. 27th AVENUE BRIGHTON, CO 80601
 303.659.6267
 WO_202001039_TOWN_OF_FREDERICK_DESC.docx
 PRINTED: 7/8/2020 8:55:00 AM Jonas Collier, LSIT

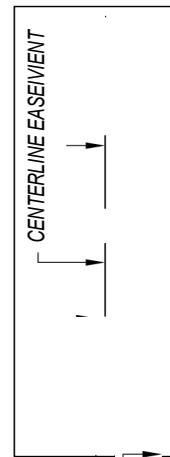
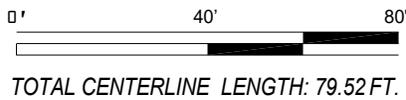
TOWN OF FREDERICK
 REC. NO. 3882203
 APN: 131324000077
 SUVJ/4 SECLTION 24
 T2N P66W 6TH PM



23 24
 26J25
 3.25\"/>

50' GODDING HOLLOW PARKVYAY
 RIGHT-OF-WAY
 REC. NO. 3945803 Q
 P 1/4 SECL/4N 15
 T2N R68W 6TH PM

1/4 CORNER
 SEC 24/SEC 25
 2\"/>



NOTES

- 1.) LOCATIONS OF UTILITIES AND FOREIGN PIPELINES WERE DETERMINED FROM VISIBLE SURFACE EVIDENCE AND /OR UNDERGROUND UTILITY LOCATES. THESE LOCATIONS IF SHOWN MAY NOT BE ACCURATE OR COMPLETE. OTHER UTILITIES MAY EXIST AND ARE TO BE FIELD LOCATED BY OTHERS PRIOR TO EXCAVATION.
- 2.) THIS EXHIBIT WAS PREPARED WITHOUT THE BENEFIT OF A TITLE COMMITMENT, THEREFORE ACKLAM, INC. HAS NOT RESEARCHED OR SHOWN ANY OTHER EASEMENTS, RIGHT OF WAY, VARIANCES AND OR AGREEMENTS OF RECORD EXCEPT AS SHOWN HEREON.
- 3.) THIS EXHIBIT IS NOT A LAND SURVEY PLAT OR IMPROVEMENT SURVEY PLAT. EXCEPT FOR THE EASEMENT/RIGHT OF WAY DEPICTED HEREON IT IS NOT TO BE RELIED UPON FOR THE DIVISION OF LAND, ESTABLISHMENT OF AIRY LAND BOUNDARY, FENCE, BUILDING, OR OTHER FUTURE IMPROVEMENT LINES.
- 4.) BEARINGS SHOWN HEREON ARE BASED ON GPS OBSERVATIONS VIA "VRS NOW" POSITIONING SYSTEM AND / OR THE ONLINE POSITIONING USER SERVICE OFFERED BY THE IN. G. S. AND PROJECTED TO "COLORADO COORDINATE SYSTEM OF 1983 NORTH ZONE" (C.R.S. 38-52-105 8 106). DISTANCES SHOWN HEREON ARE IN US SURVEY FEET GROUND. THE COMBINED FACTOR USED TO OBTAIN THE GRID DISTANCES IS 0.999722343.
- 6.) NOTICE. ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT MAY ANY ACTION BE BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.
- 6.) THIS EXHIBIT WAS PREPARED BY H. LAWRENCE SINCO, PLS 38229, FOR AND ON BEHALF OF ACKLAM, INC. 133 S. 27TH AVENUE, BRIGHTON, CO 80601.
- 7.) SEE THE ATTACHED EXHIBIT "A" BY WHICH THIS REFERENCE IS MADE HEREOF.



Acklam, Inc.
 133 S. 27th Avenue
 Brighton, CO 80601

UNITED POWER
 EXHIBIT "A" ILLUSTRATION
 SW1/4 SECTION 24
 T2N R68W 6TH PM, WELD COUNTY, COLORADO

SCALE: 1"=40'	
DATE: 07/07/20	SR
JOB ISO.: 206029	
JOB NAME: FREDERICK SKATE PARK	
SHEET 2 OF 2	
REV:	
WORK ORDER NO.: 202001039	



TOWN OF FREDERICK BOARD OF TRUSTEES ACTION MEMORANDUM

Tracie Crites, Mayor

Dan March, Mayor Pro Tem
Mark Lamach, Trustee
Adam Mahan, Trustee

Rusty O'Neal, Trustee
Kevin Brown, Trustee
Windi Padia, Trustee

Silverstone Filings 1 and 2 Irrigation Water Cash-in-Lieu Request

Agenda Date: Town Board Meeting – August 11, 2020

Attachments:

- a. Resolution 20-R-57
- b. Non-Potable Water Demand Analysis

Finance Review: _____
Finance Director

Submitted by: Kevin Ash _____
Engineering Director

Approved for Presentation:  _____
Town Manager

Quasi-Judicial Legislative Administrative

Summary Statement:

The Developer of Silverstone Filings 1 and 2, the Dacono Investment Company, requests to pay the cash-in-lieu fee for Colorado-Big Thompson (CBT) units needed to meet their estimated non-potable irrigation water needs. The Developer has expressed that this non-potable water need cannot currently be met with non-potable water rights due to these water rights not being available on the water market at this time.

Detail of Issue/Request:

The Developer proposed to irrigate the common spaces with non-potable water instead of high-quality CBT water. The area that is now the Silverstone Development has historically been dry farmland. This means that the non-potable water rights (ditch shares) in the area cannot legally be used to irrigate the land. As the native (non-potable) water supplies, like Lower Boulder Preferred, cannot be used to irrigate the property at this time the Developer must acquire non-potable water rights and then take them through water court to change the place of use.

Built on What Matters.

The water court process that is required after the non-potable water rights are acquired for a property is a long process that can take about three years. The Developer would then need to apply for a Supplemental Water Supply Plan that will allow them to use the water rights until the Change of Use has been officially approved by the State. This process is much shorter but there is a possibility that they will not have the non-potable water available for use in the irrigation season following the purchase to meet their needs. The Developer proposes to use CBT units which can be carried in the Lower Boulder Ditch to Milavec Lake for irrigation purposes. The Developer has submitted a request to allow the Developer to pay CIL for a non-potable water source from the Town under the recently approved Resolution 20-R-49. If the Town approved their request the Town will also need to go through a water court process to change non-potable water right currently owned by the Town.

The amount of non-potable water needed for Filing 1 and 2 was estimated to be 15.32 ac-ft per year by Hurst & Associates. The Town will add the standard 10% safety factor to the analysis bringing the total to 16.85 ac-ft per year which is equivalent to 28.08 CBT units. The Developer proposes that 28.08 CBT units will be paid for cash-in-lieu of dedication at the rate set by the Board at the time that the payment is made. At this time the cash-in-lieu fee set by the Board is \$65,000. If the irrigation needs are met in the future through a cash-in-lieu of dedication fee payment to the Town at the Board's discretion for non-potable water rights that the Town owns, the fees collected for the 28.08 CBT units will be applied toward the cost of the non-potable water and the CBT units will be placed back into the Town's portfolio.

This is important to the community because the Developer proposed to irrigate the common spaces with non-potable water instead of high-quality CBT water. CBT water is used for irrigation of farms and treated for potable uses like drinking water as CBT water can be used in a large portion of Northern Colorado under the legal place of use. Since CBT units can be treated as one of the only potable water sources in Northern Colorado, they are very valuable. By using raw water on the site in the future that will make the CBT units used in the interim available again for potable use.

Legal Comments:

The Developer is entitled to pay cash-in-lieu for C-BT water pursuant to the Annexation Agreement and the MOAPI

Alternatives/Options:

The Board may choose to approve, deny, or approve with conditions the proposed resolution.

Financial Considerations:

If the irrigation needs are met by non-potable water rights in the future the higher valued CBT units can be used for potable uses.

Staff Recommendation:

It is staff's recommendation that the Board approve Resolution 20-R-xx as presented.

**TOWN OF FREDERICK, COLORADO
RESOLUTION NO. 20-R-57**

**A RESOLUTION OF THE TOWN OF FREDERICK, COLORADO,
TO ACCEPT CASH-IN-LIEU PAYMENTS PENDING REVIEW OF APPLICATION
FOR CASH-IN-LIEU OF A RAW WATER DEDICATION FOR SILVERSTONE
SUBDIVISION FILINGS 1 AND 2**

WHEREAS, Silverstone Development Company, Inc. is the successor in interest to the Dacono Investment Company for what is now described as the Silverstone Subdivision consisting of multiple filings and is subject to the terms and conditions of the Annexation Agreement entered into between the Town and the Dacono Investment Company dated May 24, 1990; and

WHEREAS, the Silverstone Development Company, Inc. (“Developer”) and the Town of Frederick (the “Town”) entered into Memorandums of Agreement for Public Improvements (“MOAPIs”) for Silverstone Filings 1 and 2, dated December 21, 2018, and recorded at Reception Nos. 4459008 and 4459013 respectively, which modified parts of the Annexation Agreement and set forth additional rights and obligations of Developer and the Town related to public improvements; and

WHEREAS, pursuant to Section 4.1(b) of the MOAPIs, “[t]he Town may require the dedication of irrigation water rights that are to be used in the irrigation of parks and open space”; and

WHEREAS, pursuant to paragraph 2 of Exhibit F of both the MOAPIs for Filing 1 and 2, if the raw water improvements are not completed and accepted by the Town, the Developer shall dedicate additional water shares as required to satisfy the water dedication requirements for all lots as determined by the Town; and

WHEREAS, pursuant to the Annexation Agreement and the MOAPIs referenced above, the Developer must deed and transfer raw water or pay cash in lieu for Colorado-Big Thompson Units (“C-BT Units”) to the Town; and

WHEREAS, by letter dated June 22, 2020, Developer (in conjunction with Richmond American Homes of Colorado, Inc.) requested that the Town accept Cash-in-Lieu of a Raw Water Dedication for Silverstone Filings 1 and 2, as allowed under Resolution 20-R-49 (the “Cash-in-Lieu of Raw Water Application”); and

WHEREAS, the Town has calculated the additional amount of water shares needed to satisfy the raw water requirements for Filings 1 and 2; and

WHEREAS, the Town is currently assessing its raw water portfolio to determine whether it has sufficient non-potable water supplies and can approve Developer's Cash-in-Lieu of Raw Water Application, but such analysis may take a significant amount of time; and

WHEREAS, Developer has completed most of the infrastructure for Filings 1 and 2 and completed all other requirements under the MOAPIs. However, building permits cannot be issued until Developer dedicates raw water and/or makes a cash-in-lieu payment for the raw water rights that are to be used in the irrigation of parks and open space in Filings 1 and 2. Therefore, while the Town reviews the Cash-in-Lieu of Raw Water Application, the Town has agreed to accept cash-in-lieu payments for C-BT Units, which will provisionally cover the irrigation requirement for Silverstone Filings 1 and 2. The Town has further agreed that if the Cash-in-Lieu of Raw Water Application is approved, it will give Developer credit for the cost paid for the C-BT Units against the required raw water payment for Filings 1 and 2, and if any credit is remaining, against potable or raw water requirement for future building permits within the Town; and

WHEREAS, upon receipt of payment for sufficient C-BT Units, the Town will issue residential building permits for Silverstone Filings 1 and 2 while it is reviewing its raw water inventory after which time it will make a determination of the Cash-in-Lieu of Raw Water Application.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF FREDERICK, COLORADO, AS FOLLOWS:

Section 1. The Town has reviewed Developer's raw water demand analysis for Silverstone Filings 1 and 2, prepared by Hurst & Associates, and accepts the findings that the total irrigation raw water requirement is 15.32 acre-feet/year. Adding the Town's standard 10% safety factor to the Hurst & Associates' finding requires 16.85 acre feet/year.

Section 2. The total number of C-BT Units required to satisfy the total irrigation raw water requirement for Silverstone Filings 1 and 2 is 28.08 [0.6 acre-feet/year per C-BT Unit]. Developer agrees to pay the cash-in-lieu price established by Resolution at the time payment is made. Currently that cash-in-lieu price of C-BT Units is \$65,000 per units which equates to a payment of \$1,825,416.6767 for sufficient C-BT Units to satisfy Silverstone Filing 1 and 2's raw water supply requirement of 16.85 acre-feet/year.

Section 3. Upon receipt of the then current cash-in-lieu payment, and subject to all other requirements, the Town will issue residential building permits for eligible lots within Silverstone Filings 1 and 2.

Section 4. The Town will review and analyze its raw water rights portfolio and make a determination of the Cash-in-Lieu of Raw Water Application. If the Cash-in-Lieu of Raw Water Application is granted, either in whole or in part, the Town will give Developer credit towards the Cash-in-Lieu of Raw Water Application payment for any C-BT Units that are no longer required to satisfy the raw water requirement for Silverstone Filing 1 and 2. These C-BT units will be returned to the Town's water portfolio. Any remaining credit, if any, shall be used

by Developer against any other potable or raw water dedication requirements owed to the Town by Developer for future developments within the Town.

Section 5. Effective Date. This resolution shall take effect immediately.

Section 6. Repealer. All resolutions, or parts thereof, in conflict with this resolution are hereby repealed, provided that such repealer shall not repeal the repealer clauses of such resolution nor revive any resolution thereby.

Section 7. Certification. The Town Clerk shall certify to the passage of this resolution and make not less than one copy of the adopted resolution available for inspection by the public during regular business hours.

INTRODUCED, READ, PASSED, AND SIGNED THIS 11TH DAY OF AUGUST 2020.

ATTEST:

TOWN OF FREDERICK

By: _____
Meghan C. Martinez, CMC, Town Clerk

By: _____
Tracie Crites, Mayor



CIVIL ENGINEERING
LAND PLANNING
SURVEYING

SILVERSTONE Filing 1 & 2 and Associated ROW ESTIMATED RAW WATER REQUIREMENTS

FILING 1

	AREA		RAW WATER AF/AC/YR	TOTAL AF/YR
Sod (Includes parks collector, and arterial R.O.W.)	1.2	Acres	2.5	3
Native/Drip (Open areas & Row)	8.76	Acres	1.33	11.7
			Filing 1 Total	14.7 AF/YR

FILING 2

	AREA		RAW WATER AF/AC/YR	TOTAL AF/YR
Sod (Includes parks collector, and arterial R.O.W.)	0.01	Acres	2.5	0.03
Native/Drip (Open areas & Row)	0.45	Acres	1.33	0.6
			Filing 2 Total	0.62 AF/YR

Total 15.3 AF/YR



TOWN OF FREDERICK BOARD OF TRUSTEES ACTION MEMORANDUM

Tracie Crites, Mayor

Dan March, Mayor Pro Tem
Mark Lamach, Trustee
Adam Mahan, Trustee

Rusty O'Neal, Trustee
Kevin Brown, Trustee
Windi Padia, Trustee

Silverstone Filing 3 Irrigation Water Cash-in-Lieu Request

Agenda Date: Town Board Meeting - August 11, 2020

Attachments:

- a. Resolution 20-R-58
- b. Non-Potable Water Demand Analysis

Finance Review:

Finance Director

Submitted by:

Kevin Ash
Engineering Director

Approved for Presentation:


Town Manager

Quasi-Judicial

Legislative

Administrative

Summary Statement:

The Developer of Silverstone Filing 3, Richmond American Homes of Colorado, Inc., requests to pay the cash-in-lieu fee for Colorado-Big Thompson (CBT) units needed to meet their estimated non-potable irrigation water needs. The Developer has expressed that this non-potable water need cannot currently be met with non-potable water rights due to these water rights not being available on the water market at this time.

Detail of Issue/Request:

The Developer proposed to irrigate the common spaces with non-potable water instead of high-quality CBT water. The area that is now the Silverstone Development has historically been dry farmland. This means that the non-potable water rights (ditch shares) in the area cannot legally be used to irrigate the land. As the native (non-potable) water supplies, like Lower Boulder Preferred, cannot be used to irrigate the property at this time the Developer must acquire non-potable water rights and then take them through water court to change the place of use.

Built on What Matters.

The water court process that is required after the non-potable water rights are acquired for a property is a long process that can take about three years. The Developer would then need to apply for a Supplemental Water Supply Plan that will allow them to use the water rights until the Change of Use has been officially approved by the State. This process is much shorter but there is a possibility that they will not have the non-potable water available for use in the irrigation season following the purchase to meet their needs. The Developer proposes to use CBT units which can be carried in the Lower Boulder Ditch to Milavec Lake for irrigation purposes. The Developer has submitted a request to allow the Developer to pay CIL for a non-potable water source from the Town under the recently approved Resolution 20-R-49. If the Town approved their request the Town will also need to go through a water court process to change non-potable water right currently owned by the Town.

The amount of non-potable water needed for Filing 1 and 2 was estimated to be 7.47 ac-ft per year by Hurst & Associates. The Town will add the standard 10% safety factor to the analysis bringing the total to 8.22 ac-ft per year which is equivalent to 13.70 CBT units. The Developer proposes that 13.70 CBT units will be paid for cash-in-lieu of dedication at the rate set by the Board at the time that the payment is made. At this time the cash-in-lieu fee set by the Board is \$65,000. If the irrigation needs are met in the future through a cash-in-lieu of dedication fee payment to the Town at the Board's discretion for non-potable water rights that the Town owns, the fees collected for the 13.70 CBT units will be applied toward the cost of the non-potable water and the CBT units will be placed back into the Town's portfolio.

This is important to the community because the Developer proposed to irrigate the common spaces with non-potable water instead of high-quality CBT water. CBT water is used for irrigation of farms and treated for potable uses like drinking water as CBT water can be used in a large portion of Northern Colorado under the legal place of use. Since CBT units can be treated as one of the only potable water sources in Northern Colorado, they are very valuable. By using raw water on the site in the future that will make the CBT units used in the interim available again for potable use.

Legal Comments:

The Developer is entitled to pay cash-in-lieu for C-BT water pursuant to the Annexation Agreement and the MOAPI.

Alternatives/Options:

The Board may choose to approve, deny, or approve with conditions the proposed resolution.

Financial Considerations:

If the irrigation needs are met by non-potable water rights in the future the higher valued CBT units can be used for potable uses.

Staff Recommendation:

It is staff's recommendation that the Board approve Resolution 20-R-58 as presented.

**TOWN OF FREDERICK, COLORADO
RESOLUTION NO. 20-R-58**

**A RESOLUTION OF THE TOWN OF FREDERICK, COLORADO,
TO ACCEPT CASH-IN-LIEU PAYMENTS PENDING REVIEW OF APPLICATION
FOR CASH-IN-LIEU OF A RAW WATER DEDICATION FOR SILVERSTONE
SUBDIVISION FILING 3**

WHEREAS, Richmond American Homes of Colorado, Inc. (“Builder”) is a successor in interest to the Dacono Investment Company for what is now described as the Silverstone Filing No. 3 and is subject to the terms and conditions of the Annexation Agreement entered into between the Town and the Dacono Investment Company dated May 24, 1990; and

WHEREAS, Richmond American Homes of Colorado, Inc. and the Town of Frederick (the “Town”) entered into a Memorandum of Agreement for Public Improvements (“MOAPI”) for Silverstone Filing 3, dated January 9, 2019, and recorded at Reception No. 4459018, which set forth the rights and obligations of Builder and the Town related to public improvements; and

WHEREAS, pursuant to Section 4.1(b) of the MOAPI, “[t]he Town may require the dedication of irrigation water rights that are to be used in the irrigation of parks and open space.”; and

WHEREAS, pursuant to paragraph 2 of Exhibit F of the MOAPI for Filing 3, if the raw water improvements are not completed and accepted by the Town, the Builder shall dedicate additional water shares as required to satisfy the water dedication requirements for all lots as determined by the Town; and

WHEREAS, pursuant to the Annexation Agreement and the MOAPI referenced above, the Builder must deed and transfer raw water or pay cash in lieu for Colorado-Big Thompson Units (C-BT Units) to the Town; and

WHEREAS, by letter dated June 22, 2020, Builder (in conjunction with Silverstone Development Company, Inc.) requested that the Town accept Cash-in-Lieu of a Raw Water Dedication for Silverstone Filing 3, as allowed under Resolution 20-R-49 (the “Cash-in-Lieu of Raw Water Application”); and

WHEREAS, the Town has calculated the additional amount of water shares needed to satisfy the raw water requirements for Filing 3; and

WHEREAS, the Town is currently assessing its raw water portfolio to determine whether it has sufficient non-potable water supplies and can approve Builder’s Cash-in-Lieu of Raw Water Application, but such analysis may take a significant amount of time; and

WHEREAS, Builder has completed most the infrastructure for Filing 3 and completed all other requirements under the MOAPI. However, building permits cannot be granted until

Builder dedicates raw water and/or makes a cash-in-lieu payment for the irrigation water rights that are to be used in the irrigation of parks and open space in Filing 3. Therefore, while the Town reviews the Cash-in-Lieu of Raw Water Application, the Town has agreed to a cash-in-lieu payment for “C-BT Units”, which will provisionally cover the irrigation requirement for Silverstone Filing 3. The Town has further agreed that if the Cash-in-Lieu of Raw Water Application is approved, it will give Builder credit for the cost paid for the C-BT Units against the required raw water payment for Filing 3, and if any credit is remaining, against the potable water requirement for future building permits within the Town; and

WHEREAS, upon receipt of payment for sufficient C-BT Units, the Town will issue residential building permits for Silverstone Filing 3 while it is making a determination of the Cash-in-Lieu of Raw Water Application.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF FREDERICK, COLORADO, AS FOLLOWS:

Section 1. The Town has reviewed Builder’s raw water demand analysis for Silverstone Filing 3 and accepts the findings that the total irrigation raw water requirement is 7.47 acre-feet/year. Adding the Town’s standard 10% safety factor to the Builder’s analysis requires 8.22 acre-feet/year.

Section 2. The total number of C-BT Units required to satisfy the total irrigation raw water requirement for Silverstone Filing 3 is 13.70 C-BT Units [0.6 acre-feet/year per C-BT Unit]. Builder agrees to pay the cash-in-lieu price established by Resolution at the time payment is made. Currently that cash-in-lieu price of C-BT Units is \$65,000 per units which equates to a payment of \$890,500 for sufficient C-BT Units to satisfy Silverstone Filing 3’s raw water supply requirement of 8.22 acre-feet/year.

Section 3. Upon receipt of the then current cash-in-lieu payment, and subject to all other requirements, the Town will issue residential building permits for eligible lots within Silverstone Filing 3.

Section 4. The Town will review and analyze its raw water rights portfolio and make a determination of the Cash-in-Lieu of Raw Water Application. If the Cash-in-Lieu of Raw Water Application is granted, either in whole or in part, the Town will give Builder credit towards the Cash-in-Lieu of Raw Water Application payment for any C-BT Units that are no longer required to satisfy the raw water requirement for Silverstone Filing 3. These C-BT Units will be returned to the Town’s water portfolio. Any remaining credit, if any, shall be used by Builder against any other residential or other potable water dedication requirement owed to the Town by Builder.

Section 5. Effective Date. This resolution shall take effect immediately.

Section 6. Repealer. All resolutions, or parts thereof, in conflict with this resolution are hereby repealed, provided that such repealer shall not repeal the repealer clauses of such resolution nor revive any resolution thereby.

Section 7. Certification. The Town Clerk shall certify to the passage of this resolution and make not less than one copy of the adopted resolution available for inspection by the public during regular business hours.

INTRODUCED, READ, PASSED, AND SIGNED THIS 11TH DAY OF AUGUST 2020.

ATTEST:

TOWN OF FREDERICK

By: _____
Meghan C. Martinez, CMC, Town Clerk

By: _____
Tracie Crites, Mayor

WATER BUDGET

PROJECT NAME:		Richmond Silverstone Filing 3		DATE:	16-Jan-2020
DESCRIPTION	IRRIGATED ACRES	MONTH	TOTAL WATER REQUIREMENTS (IN.)	WEEKLY WATER REQUIREMENTS (IN.)	MONTHLY WATER REQUIREMENTS (GAL.)
PLANT TYPE:	1.4869	APRIL	1.72	0.43	69,404
NON-WATERCONSERVING SOD		MAY	3.42	0.86	138,001
(High Usage)		JUNE	5.25	1.31	211,843
Square Footage		JULY	6.60	1.65	266,317
64769		AUGUST	5.75	1.44	232,019
		SEPTEMBER	3.45	0.86	139,211
		OCTOBER	1.71	0.43	69,000
OPERATING PERIOD-HRS./DAY	16		27.90	TOTAL	1,125,795
DAYS/WEEK	3			ACRE FEET/YR.	3.45
DAYS/MONTH	12			PEAK SEASON GPM	23.12
DESCRIPTION	IRRIGATED ACRES	MONTH	TOTAL WATER REQUIREMENTS (IN.)	WEEKLY WATER REQUIREMENTS (IN.)	MONTHLY WATER REQUIREMENTS (GAL.)
PLANT TYPE:	2.1410	APRIL	0.90	0.45	52,040
WATER CONSERVING BED		MAY	1.80	0.90	104,080
(LOW Usage)		JUNE	2.80	1.40	161,903
Square Footage		JULY	3.60	1.80	208,161
93262		AUGUST	3.10	1.55	179,250
		SEPTEMBER	1.90	0.95	109,863
		OCTOBER	0.90	0.45	52,040
OPERATING PERIOD-HRS./DAY	16		15.00	TOTAL	867,337
DAYS/WEEK	6			ACRE FEET/YR.	2.66
DAYS/MONTH	12			PEAK SEASON GPM	18.16
DESCRIPTION	IRRIGATED ACRES	MONTH	TOTAL WATER REQUIREMENTS (IN.)	WEEKLY WATER REQUIREMENTS (IN.)	MONTHLY WATER REQUIREMENTS (GAL.)
PLANT TYPE:	1.0906	APRIL	0.90	0.23	26,508
WATER CONSERVING SEED		MAY	1.80	0.45	53,017
(LOW Usage)		JUNE	2.80	0.70	82,470
Square Footage		JULY	3.60	0.90	106,033
47506		AUGUST	3.10	0.78	91,307
		SEPTEMBER	1.90	0.48	55,962
		OCTOBER	0.90	0.23	26,508
OPERATING PERIOD-HRS./DAY	16		15.00	TOTAL	441,806
DAYS/WEEK	3			ACRE FEET/YR.	1.36
DAYS/MONTH	12			PEAK SEASON GPM	9.25
DESCRIPTION	IRRIGATED ACRES	MONTH	TOTAL WATER REQUIREMENTS (IN.)	WEEKLY WATER REQUIREMENTS (IN.)	MONTHLY WATER REQUIREMENTS (GAL.)
PLANT TYPE:	0.0000	APRIL	0.90	0.23	0
TREES IN NON/TEMP SEED		MAY	1.80	0.45	0
(LOW Usage)		JUNE	2.80	0.70	0
Square Footage		JULY	3.60	0.90	0
0		AUGUST	3.10	0.78	0
		SEPTEMBER	1.90	0.48	0
		OCTOBER	0.90	0.23	0
OPERATING PERIOD-HRS./DAY	16		15.00	TOTAL	0
DAYS/WEEK	3			ACRE FEET/YR.	0.00
DAYS/MONTH	12			PEAK SEASON GPM	0
MINIMUM REQUIRED SYSTEM EFFICIENCIES:				PROJECT TOTALS	
Drip irrigation - 90%				IRRIGATED ACRES	4.72
Rotor irrigation - 70%				GALLONS/YEAR	2,434,938
Spray head irrigation: 65%				ACRE FEET/YEAR	7.47
April & October ET = 1/2 Monthly Value				PEAK SEASON GPM	50.528
ET data from Denver Water weather stations (Average 2003-2008)					



TOWN OF FREDERICK BOARD OF TRUSTEES ACTION MEMORANDUM

Tracie Crites, Mayor

Dan March, Mayor Pro Tem
Mark Lamach, Trustee
Adam Mahan, Trustee

Rusty O'Neal, Trustee
Kevin Brown, Trustee
Windi Padia, Trustee

Consideration of the Carriage Hills Filing 1 Replat A and Vacation of Easements and Right-of-Way

Agenda Date: Town Board Meeting - August 12, 2020

Attachments:

- a. Proposed final plat
- b. Planning Commission Minutes
- c. PCR-20-08C
- d. E-mail from Jeff Cooper
- e. Letter from Colorado Parks and Wildlife
- f. Letter from Aaron Grant regarding Metro District
- g. Resolution 20-R-59A
- h. Resolution 20-R-59B
- i. Resolution 20-R-59C
- j. Ordinance 1341-A
- k. Ordinance 1341-B
- l. Ordinance 1341-C

Finance Review: _____
Finance Director

Submitted by: Ali van Deutekom
Planner

Approved for Presentation: 
Town Manager

Quasi-Judicial Legislative Administrative

Summary Statement:

This is a request to replat phase 2 of Carriage Hills Filing 1 to remove alleys and easements and dedicate additional right-of-way.

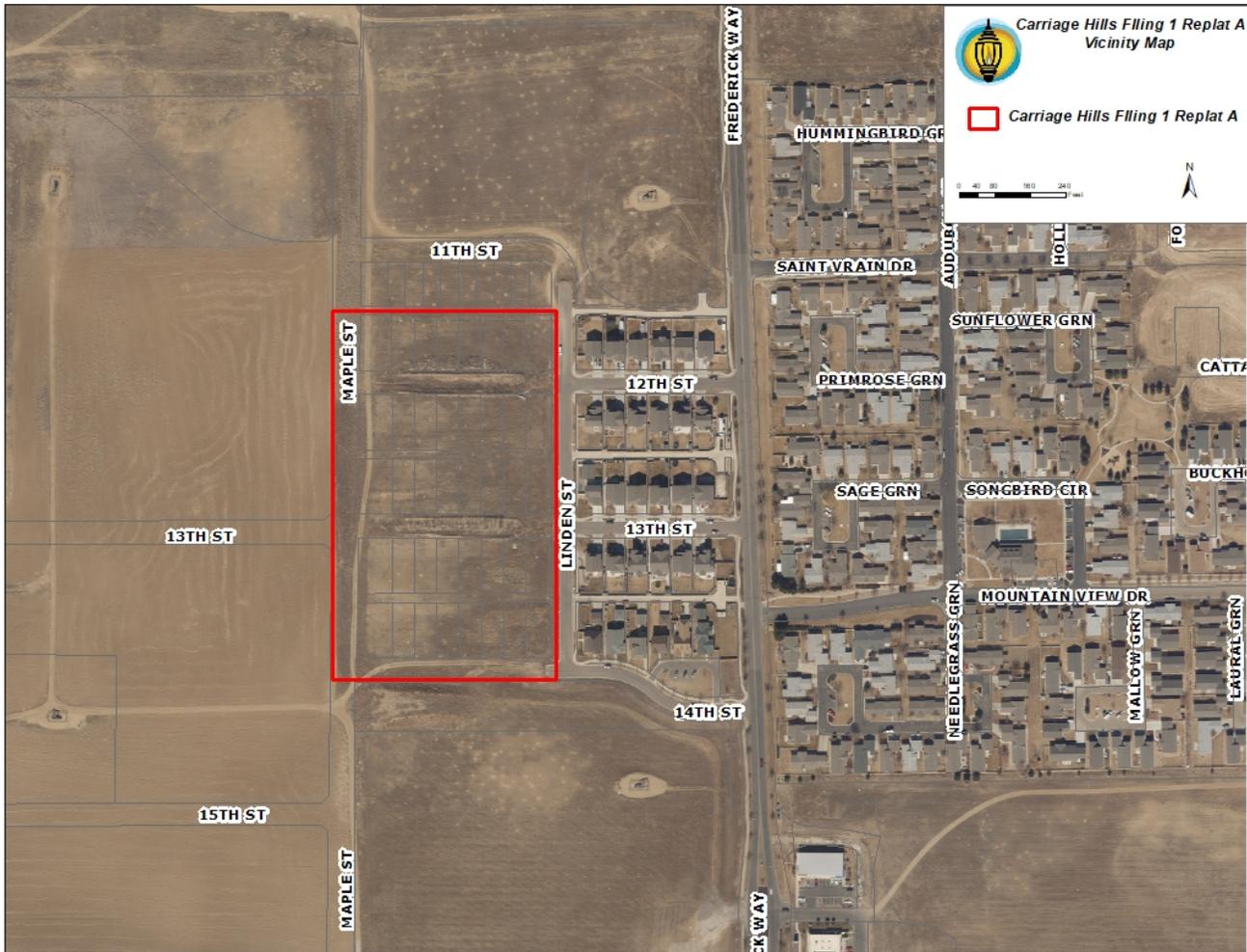
Built on What Matters.

Detail of Issue/Request:

Applicant: Aaron D. Grant

Owner: Carriage Hills Development Inc.

Location and Zoning: The project site is located west of Frederick Way, north of Highway 52, east of Maple Street and south of Thunder Valley K-8 School. The property is zoned R-1 (Residential Low Density).



Surrounding Land Uses and Zoning:

- North Land use: vacant land
Zoning: R-3 (Residential High Density)
- South Land use: vacant land
Zoning: C-H52 (Mixed Use Highway 52)
- West Land use: vacant land
Zoning: R-2 (Residential Medium Density) and R-3
- East Land use: Single family detached residences
Zoning: R-1

Background Information:

The Carriage Hills Filing 1 final plat was approved in October 2004 containing 29.79 acres. Approximately 20 of those acres were approved as 80 alley-loaded, single family detached lots. The remaining 10 acres are zoned R-3 and remain a vacant parcel. The 80 single family lots were split into two phases. Phase 1 contains 30 residential lots east of Linden Street. Phase two contains the remaining 50 residential lots west of Linden Street. Phase 1 has been constructed and is built out. The original request did not affect Block 7, Lot 1 or Block 6, Lots 1-10. 40 of the 50 residential lots in phase 2. Since the Planning Commission meeting was held, staff has decided to include Block 6, Lots 1-10. These 10 lots are owed by St. Vrain Valley School District. The school district has been in conversation with Carriage Hills Development Inc. and has verbally agreed to vacate the 10 feet of alley they own on Block 6, Lots 1-10.

Request:

This is a request to vacate the alleys in phase 2. The alleys were constructed in phase 1 but a majority of the homes were built front-loaded. Front-loaded means the garage access is off the street. The alleys are a maintenance expense for the metro district and are widely underutilized.

The request also includes; a vacation of 11.5 feet of the 20-foot landscape easement along Maple Street. The remaining 9.5 feet of easement will be put within landscape tracts. The landscape easements are not required by our Land Use Code.

The final plat contains a dedication of right-of-way to widen the 54-foot wide local streets to 60 foot wide.

Review Criteria

The Town of Frederick Land Use Code sets forth the following review criteria for each of the proposed planning actions. Staff has provided comments for each set of criteria.

Final Plat Review Criteria Analysis:

(1) The final plat conforms with the approved preliminary plat and incorporates recommended changes, modifications, and conditions attached to the approval of the preliminary plat unless otherwise approved by the Board of Trustees.

Staff Comment: This request is a replat of a previously approved final plat which conformed with the approved preliminary plat. This replat does not alter the number of lots or the density of the Carriage Hills Filing 1 Subdivision.

(2) The development will substantially comply with the community design principles and development standards as set forth in Article 2 of this Code.

Staff Comment: The subdivision remains in compliance with Article 2.

(3) All applicable technical standards have been met.

Staff Comment: Town staff and outside referral agencies have reviewed the application and have found that all technical standards have been met.

(4) An updated title commitment dated current to within fourteen (14) days of the Board of Trustees meeting.

Staff Comment: Staff has requested an updated title commitment.

Vacation of right-of-way Review Criteria Analysis

(1) The right-of-way or easement being vacated is not needed in the short or long term.

Staff Comment: The alley rights-of way are being vacated because the developer would prefer to build a front-loaded product. These lots are not required to be alley-loaded homes, the alleys are not needed.

The original plat included a 20-foot landscape easement along Maple Street on the individual lots. This easement is proposed to be removed and replaced with an outlot for landscaping that is 9.5 feet wide. The Land Use Code does require between 15-30 feet of landscape buffer along arterial roads but we have no requirement for a landscape buffer along collector and local roads. Maple Street is a collector road. The portion of landscape easement being vacated will become part of the private residential lots.

(2) If necessary, the right-of-way or easement will be replaced. To replace the right-of-way or easement, the vacation application shall be accompanied by a development application which proposes a new right-of-way or easement.

Staff Comment: The alley right-of-way to be vacated is 20 feet. This proposal would add 3 additional feet of right-of-way back onto the front of those same lots. Our standard right-of-way width for a local street is 60 feet. Phase 1 of Carriage Hills Filing 1 only has a right-of-way width of 54 feet. Through this replat we are able to correct the narrow local road from occurring in phase 2.

(3) The applicant is relocating all public facilities or utilities within the right-of-way or easement.

Staff Comment: There are currently no public facilities or utilities within the alley right-of-way. The applicant is adjusting the existing utility easements to match the new rear property lines. Each lot will have a ten-foot utility easement along the rear property line.

(4) The public and surrounding properties will not be negatively impacted by the vacation.

Staff Comment: The users of the alley would only be the lots abutting the alley, all of these lots have street access and will not be affected.

Public Notice: This project was properly noticed according to the requirements of Section 4.5 of the Frederick Land Use Code. The neighborhood meeting was held January 28th, 2019. The neighbors that attended asked the following questions:

- Are the existing alleys in phase 1 going to be removed?
- Are the existing streets in phase 1 going to be torn up and widened?
- Where will the construction traffic be routed?
- Will the density change?

Planning Commission:

The virtual and in-person Planning Commission meeting was held July 21, 2020. The Planning Commission recommended approval of the preliminary plat with conditions by approving PCR 2020-08C with a vote of 5-0. The Commission asked the following questions of staff:

- The landscaping easement is being reduced from 30 feet to 9.5 feet?
Staff: The landscaping easement is being reduced from 20 feet to 9.5 feet which will become a landscaping tract as opposed to the 20-foot easement which was on the private property lots.
- Where did the resident live who wrote the letter of concern?
Staff: The resident did not give their address.

The Planning Commission asked the applicant the following questions:

- Will the homes be the same builder of phase 1?
Applicant: There will be a new builder for phase 2. Phase 1 was constructed by Saint Aubyn Homes and phase 2 will be Melody/DR Horton.
- Will Maple Street be constructed to the north?
Applicant: We are proposing to only construct Maple Street along the portion that abuts phase 2.

Legal Comments:

The application has been reviewed by the Town Attorney, whose comments have been incorporated accordingly.

Alternatives/Options:

The Board of Trustees may recommend approval of the request, denial of the request, or approval of the request with conditions.

Financial Considerations:

Not Applicable.

Staff Recommendation:

Staff requests The Board of Trustees approve the resolution as presented, with the following conditions:

1. The applicant provides a summary of metropolitan district maintenance responsibilities, as related to this replat.
2. The burrowing owls will be addressed.
3. The applicant completes the additional 10-foot vacation of right-of way on Block 6, Lots 1-10 prior to the recordation of this plat.

CARRIAGE HILLS FILING NO. 1, REPLAT A

A SUBDIVISION OF A PART OF THE SE1/4
OF SECTION 31, T2N, R67W OF THE 6TH P.M.,
TOWN OF FREDERICK, COUNTY OF WELD, STATE OF COLORADO.
AREA = 6.747 ACRES, MORE OR LESS.

LEGAL DESCRIPTION
THREE TRACTS OF LAND LOCATED IN THE SE1/4 OF SECTION 31, T2N, R67W OF THE 6TH P.M., COUNTY OF WELD, STATE OF COLORADO, DESCRIBED AS FOLLOWS:
BLOCKS 1 AND 2, CARRIAGE HILLS FILING NO. 1, TOGETHER WITH THE HEREBY VACATED ALLEY LYING BETWEEN SAID BLOCKS;
AND
BLOCKS 3 AND 4, CARRIAGE HILLS FILING NO. 1, TOGETHER WITH THE HEREBY VACATED ALLEY LYING BETWEEN SAID BLOCKS;
AND
BLOCK 5, CARRIAGE HILLS FILING NO. 1, TOGETHER WITH THE HEREBY VACATED 10-FOOT ALLEY LYING ADJACENT TO SAID BLOCK.
AREA = 293,894 SQUARE FEET (6.747 ACRES), MORE OR LESS.

CERTIFICATE OF OWNERSHIP AND DEDICATION
KNOW ALL MEN BY THESE PRESENTS THAT CARRIAGE HILLS DEVELOPMENT, INC. BEING THE OWNER OF CERTAIN LANDS IN FREDERICK, COLORADO, DESCRIBED HEREIN, HAVE CAUSED SAID LAND TO BE FINAL PLATTED INTO LOTS, BLOCKS, AND EASEMENTS AS SHOWN HEREON UNDER THE NAME OF "CARRIAGE HILLS FILING NO. 1, REPLAT A" AND DO HEREBY DEDICATE TO THE PUBLIC FOREVER SUCH PUBLIC RIGHTS-OF-WAY, EASEMENTS AND OTHER PLACES DESIGNATED OR DESCRIBED AS FOR PUBLIC USES AS SHOWN HEREON AND SUCH OTHER EASEMENTS SHOWN HEREON EXCEPT THOSE LANDSCAPE EASEMENTS SHOWN HEREON FOR THE PURPOSES SHOWN. THE ENTITIES NAMED ON THE EASEMENT OR RESPONSIBLE FOR THE SERVICES AND/OR UTILITIES FOR WHICH THE EASEMENTS ARE ESTABLISHED ARE HEREBY GRANTED THE PERPETUAL RIGHT OF ACCESS AND EGRESS FROM AND TO ADJACENT PROPERTIES FOR THE PURPOSES NAMED ON THE EASEMENT OR FOR THE INSTALLATION, MAINTENANCE AND REPLACEMENT OF UTILITY LINES AND WATER DISTRIBUTION SYSTEMS. THE PUBLIC RIGHTS-OF-WAY, PUBLIC EASEMENTS, OTHER PLACES DESIGNATED OR DESCRIBED FOR PUBLIC USES SHOWN HEREON AND THE ELECTRIC AND WATER DISTRIBUTION SYSTEMS TO BE INSTALLED IN THE SUBDIVISION ARE DEDICATED AND CONVEYED TO THE TOWN OF FREDERICK, COLORADO, IN FEE SIMPLE ABSOLUTE, WITH MARKETABLE TITLE FOR PUBLIC USE AND PURPOSES. ALL CONDITIONS, TERMS AND SPECIFICATIONS DESIGNATED OR DESCRIBED HEREIN SHALL BE BINDING ON THE OWNER, ITS HEIRS, SUCCESSORS AND ASSIGNS. THE SIGNATURE OF ANY REPRESENTATIVE OF ANY PARTNERSHIP OR CORPORATE ENTITY INDICATES THAT ALL REQUIRED PARTNERSHIP OR CORPORATE APPROVALS HAVE BEEN OBTAINED.
THE FOREGOING CERTIFICATE OF OWNERSHIP AND DEDICATION WAS ACKNOWLEDGED THIS _____ DAY OF _____, 20____.

OWNER: CARRIAGE HILLS DEVELOPMENT, INC.
STATE OF COLORADO } SS
COUNTY OF _____ }
THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 20____ BY _____ FOR CARRIAGE HILLS DEVELOPMENT, INC.
WITNESS MY HAND AND OFFICIAL SEAL.
NOTARY PUBLIC MY COMMISSION EXPIRES _____

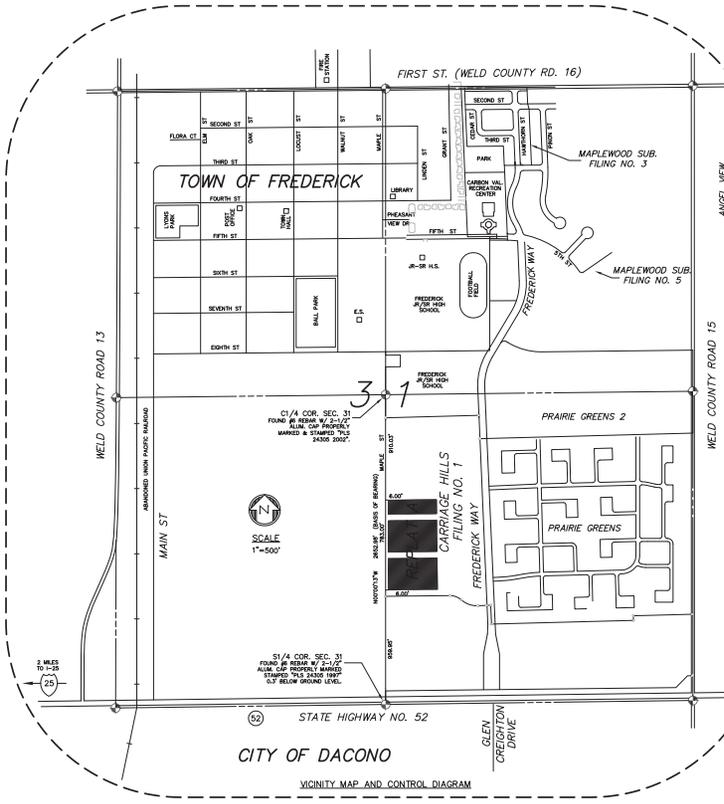
TRACT TABLE			
NAME	PURPOSE	OWNERSHIP	MAINTENANCE RESPONSIBILITY
TRACT A			
TRACT B			
TRACT C			

OWNER
CARRIAGE HILLS DEVELOPMENT, INC.
PO BOX 883
LONGMONT, CO 80502

SURVEYOR
CIVILARTS, INC.
1500 KANSAS AVENUE, SUITE 2-E
LONGMONT, CO 80501
(303) 682-1131
ATTN: PETER D. STEGER, PLS

DATE OF PREPARATION
APRIL 16, 2020

DATE OF REVISION
JUNE 22, 2020



- NOTES**
- BEARINGS SHOWN ON THE ACCOMPANYING PLAT ARE BASED ON THE ASSUMPTION THAT THE WEST LINE OF THE SOUTHEAST 1/4 OF SECTION 31, T2N, R67W OF THE 6TH P.M., BEARS N00°01'37"W AS MONUMENTED AND SHOWN HEREON.
 - SET #6 REBAR: 18" LONG WITH 2-INCH ALUMINUM CAP MARKED "PLS 25379" AT ALL EXTERIOR BOUNDARY CORNERS AND WHERE NOTED "SET", UNLESS OTHERWISE NOTED.
 - REVISE W/ NEW TITLE COMMITMENT - RECORDED EASEMENTS AND RIGHTS-OF-WAY, IF ANY, ARE SHOWN ON THIS PLAT AS OBTAINED IN LAND TITLE GUARANTEE COMPANY COMMITMENT NO. FR22158888, EFFECTIVE DATE MAY 15, 2018. NO ADDITIONAL RESEARCH WAS COMPLETED.
 - LINEAR DIMENSIONS SHOWN ON THE MAP ARE U.S. SURVEY FEET.
 - ACCORDING TO THE FIRM FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NUMBER 080320808C, MAP REVISED JANUARY 20, 2016, FREDERICK, COLORADO, WELD COUNTY, THE SUBJECT PROPERTY IS LOCATED WITHIN ZONE X, AREA OF MINIMAL FLOOD HAZARD, AND IS NOT LOCATED IN A 100-YEAR FLOOD ZONE.
 - THIS REPLAT A HEREBY VACATES THE 20-FOOT ALLEYS LYING BETWEEN BLOCKS 1 & 2 AND BLOCKS 3 & 4, AND HALF OF THE 20-FOOT ALLEY LYING ADJACENT TO BLOCK 5. IN ADDITION THIS REPLAT A ALSO VACATES ALL OF THE ORIGINAL 10-FOOT UTILITY EASEMENTS IN SAID BLOCKS 1 THROUGH 5 IN FAVOR OF NEW RELOCATED 10-FOOT UTILITY EASEMENTS AS SHOWN ON THIS PLAT. THIS REPLAT A ALSO VACATES THE VARIABLE-WIDTH LANDSCAPE EASEMENT WHICH WAS LOCATED ALONG THE EASTERLY RIGHT-OF-WAY LINE OF MAPLE STREET IN FAVOR OF THE 9.5-FOOT-WIDE LANDSCAPE EASEMENT IN BLOCKS 1 THROUGH 5 AS SHOWN ON THIS PLAT.
 - ACCORDING TO 2002 TOWN OF FREDERICK LAND USE CODE, ARTICLE 9, SECTION 9.8, DEVELOPMENT SETBACKS FROM WELLS AND FACILITIES: (A) WHEN WELLS ARE EXISTING BUILDINGS SHALL NOT BE CONSTRUCTED WITHIN THE FOLLOWING DISTANCES: (A1) BUILDINGS NOT NECESSARY TO THE OPERATION OF THE WELL SHALL NOT BE CONSTRUCTED WITHIN THREE HUNDRED FIFTY (350) FEET OF ANY WELL. (B) WHEN WELLS ARE EXISTING, LOTS AND ROADS SHALL NOT BE PLATTED WITHIN THE FOLLOWING DISTANCES: (B1) LOTS SHALL NOT BE PLATTED WITHIN ONE HUNDRED FIFTY (150) FEET OF AN EXISTING OIL OR GAS WELL OR ITS PRODUCTION FACILITIES. (B2) LOTS INTERESTED TO BE USED AS A PLACE OF ASSEMBLY, INSTITUTION OR SCHOOL SHALL NOT BE PLATTED TO ALLOW A BUILDING SITE WITHIN THREE HUNDRED FIFTY (350) FEET OF AN EXISTING OIL OR GAS WELL OR ITS PRODUCTION FACILITIES. (B3) STREETS SHALL NOT BE PLATTED WITHIN SEVENTY-FIVE (75) FEET OF AN EXISTING OIL OR GAS WELL OR ITS PRODUCTION FACILITIES, PROVIDED HOWEVER, THAT STREETS MAY CROSS COLLECTION FLOWLINES AT RIGHT ANGLES. (B4) LOTS AND STREETS MAY BE PLATTED OVER WELL AND PRODUCTION SITES THAT HAVE BEEN ABANDONED AND RECLAIMED IN ACCORDANCE WITH SECTION 9.4.2 OF THIS ARTICLE, SUCH PLATTING SHALL ONLY OCCUR AFTER THE COMPLETION OF THE "ABANDONMENT AND RECLAMATION PROCESS".
 - LEGAL DESCRIPTION PREPARED BY PETER D. STEGER, 1500 KANSAS AVENUE, SUITE 2-E, LONGMONT, COLORADO, 80501 (303) 38-35-106.5.

PLANNING COMMISSION CERTIFICATE OF APPROVAL
APPROVED BY THE FREDERICK PLANNING COMMISSION WITH PLANNING COMMISSION RESOLUTION 20____ THIS _____ DAY OF _____, 20____.
CHAIRMAN _____
PLANNING COMMISSION SECRETARY _____

CERTIFICATE OF APPROVAL BY THE BOARD OF TRUSTEES
THIS FINAL PLAT MAP OF "CARRIAGE HILLS FILING NO. 1, REPLAT A" IS APPROVED AND ACCEPTED BY ORDINANCE NO. _____ PASSED AND ADOPTED AT THE REGULAR (SPECIAL) MEETING OF THE BOARD OF TRUSTEES OF FREDERICK, COLORADO, HELD ON _____, 20____. THE DEDICATIONS OF PUBLIC STREETS, PUBLIC RIGHTS-OF-WAY, PUBLIC EASEMENTS AND OTHER PLACES DESIGNATED OR DESCRIBED FOR PUBLIC USES AS SHOWN HEREON, SUCH OTHER EASEMENTS SHOWN HEREON FOR THE PURPOSES SHOWN, AND THE ELECTRICAL AND WATER DISTRIBUTION SYSTEMS TO BE INSTALLED IN THE SUBDIVISION ARE HEREBY ACCEPTED. ALL CONDITIONS, TERMS, AND SPECIFICATIONS DESIGNATED OR DESCRIBED HEREIN SHALL BE BINDING ON THE OWNER, ITS HEIRS, SUCCESSORS AND ASSIGNS.
ALL EXPENSES INCURRED WITH RESPECT TO IMPROVEMENTS FOR ALL UTILITY SERVICES, PAVING OF STREETS, GRADING, LANDSCAPING, CURBS, CUTTERS, SIDEWALKS AND WALKWAYS, ROAD LIGHTING, ROAD SIGNS, FLOOD PROTECTION DEVICES, DRAINAGE STRUCTURES AND OTHER IMPROVEMENTS THAT MAY BE REQUIRED TO SERVICE THE SUBDIVISION SHALL BE THE RESPONSIBILITY OF THE OWNER(S) AND NOT THE TOWN. THE CONSTRUCTION OF IMPROVEMENTS BENEFITING THE SUBDIVISION AND THE ASSUMPTION OF MAINTENANCE RESPONSIBILITY FOR SAID IMPROVEMENTS BY THE TOWN OR OTHER ENTITIES SHALL BE SUBJECT TO A SEPARATE MEMORANDUM OF AGREEMENT FOR PUBLIC IMPROVEMENTS.
THIS ACCEPTANCE OF THE FINAL PLAT DOES NOT GUARANTEE THAT THE SOIL CONDITIONS, SUBSURFACE GEOLOGY, GROUNDWATER CONDITIONS OR FLOODING CONDITIONS OF ANY LOT SHOWN HEREON ARE SUCH THAT A BUILDING PERMIT WILL BE ISSUED FOR THAT LOT.
MAYOR _____ ATTEST: TOWN CLERK _____

CERTIFICATE OF VACATION
KNOW ALL MEN BY THESE PRESENTS THAT THOSE CERTAIN UTILITY EASEMENTS DEDICATED TO THE TOWN OF FREDERICK, CO ON THE CARRIAGE HILLS FILING NO. 1 FINAL PLAT, DATED JANUARY 31, 2005 AND RECORDED ON MARCH 16, 2006, AT RECEPTION NO. 328868, HAVING NEVER BEEN USED, ARE UNNECESSARY AND THEREFORE ARE VACATED TO THE OWNER, CARRIAGE HILLS DEVELOPMENT, INC. BY THIS REPLAT OF THE SUBDIVISION.
TOWN OF FREDERICK, COLORADO
MAYOR _____ ATTEST: _____
TOWN CLERK _____
STATE OF COLORADO } SS
COUNTY OF WELD }
THE FOREGOING CERTIFICATE OF VACATION WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 20____ BY _____ AS MAYOR AND _____ AS TOWN CLERK OF THE TOWN OF FREDERICK.
MY COMMISSION EXPIRES: _____
WITNESS MY HAND AND OFFICIAL SEAL. _____ NOTARY PUBLIC

NOTICE
ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVERED SUCH DEFECT. IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.
CERTIFICATION DEFINED: THE USE OF THE WORDS "CERTIFY", "CERTIFICATE", AND/OR "CERTIFICATION" BY A REGISTERED PROFESSIONAL LAND SURVEYOR CONSTITUTES AN EXPRESSION OF PROFESSIONAL OPINION REGARDING THE FACTS AND FINDINGS WHICH ARE THE BASIS FOR THE CERTIFICATION. THE CERTIFICATION OF A REGISTERED PROFESSIONAL LAND SURVEYOR IN VICINITY CHARGES IS BASED ON THE PROFESSIONAL LAND SURVEYOR'S KNOWLEDGE, INFORMATION, AND BELIEF, IS IN ACCORDANCE WITH APPLICABLE STANDARDS OF PRACTICE, AND DOES NOT CONSTITUTE A GUARANTEE OR WARRANTY, EITHER EXPRESSED OR IMPLIED. (RULE 6.2.2 OF THE BYLAWS AND RULES OF THE STATE BOARD OF LICENSURE FOR ARCHITECTS, PROFESSIONAL ENGINEERS AND PROFESSIONAL LAND SURVEYORS)

SURVEYOR'S CERTIFICATE
I, PETER D. STEGER, A DULY REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THE FINAL PLAT SHOWN HEREON IS A CORRECT DELINEATION OF THE ABOVE DESCRIBED PARCEL OF LAND.
I FURTHER CERTIFY THAT THIS FINAL PLAT MAP AND LEGAL DESCRIPTION WERE PREPARED UNDER MY PERSONAL SUPERVISION AND IN ACCORD WITH APPLICABLE STATE OF COLORADO REQUIREMENTS ON THIS 22ND DAY OF JUNE, 2020.
PETER D. STEGER
COLORADO REGISTERED PROFESSIONAL LAND SURVEYOR NO. 25379
DATE: JUNE 22, 2020

CIVILARTS
ENGINEERING: 11 10300-000-ALL, 5/8/20-26
PLANNING: 11 07000-00-000
SURVEYING: 11 23000-00-101
11 23000-00-101

PLATTED ON 06/22/20 04:55PM BY ELLEN HEINS
DRAWING: 2020-06-21-04 (CARRIAGE HILLS FILING NO. 1, REPLAT A) 1:14-PL-01-00



401 LOCUST STREET • P.O. BOX 435 • FREDERICK, CO 80530-0435

PHONE: (720) 382-5500 • FAX: (720) 382-5520

WWW.FREDERICKCO.GOV

MINUTES
TOWN OF FREDERICK
PLANNING COMMISSION
VIRTUAL MEETING CONDUCTED VIA ZOOM
July 21, 2020
6:30 PM

CALL TO ORDER: At 6:35 p.m. Chairperson Moe called the meeting to order and requested roll call.

ROLL CALL:

- Present: Chairperson Moe, Vice Chair teVelde, Commissioners Conroy, Scott, and Stark
- Staff: Planning Director Jennifer Simmons, Planner Ali van Deutekom, Town Attorney Rick Samson
- Absent: Alternate Commissioner Blair

APPROVAL OF AGENDA: There were no changes to the agenda as presented.

APPROVAL OF JUNE 2, 2020 MINUTES: Motion by Commissioner Stark and seconded by Commissioner Conroy to approve the June 2, 2020 Minutes. Upon roll call vote, motion passed unanimously.

CONSIDERATION OF THE CARRIAGE HILLS FILING 1 REPLAT A PLAT AND VACATION OF RIGHT-OF-WAY:

Planner Ali van Deutekom presented the proposed Carriage Hills Filing 1 Replat A and Vacation of Right-of-Way. Planner van Deutekom read into the record emails from resident Jeff Cooper and Colorado Parks and Wildlife Officer Chris Mettenbrink. The applicant, Aaron Grant with Carriage Hills Development, Inc., was present and addressed the commission.

Chairperson Moe allowed the public to provide feedback.

Brad Simons, 7262 S. Garrison Court Littleton, CO 80128, asked for clarity on the following elements: ownership and maintenance of the land use table; landscape easement along Maple Street; right-of-way dedication on Maple Street; 10' alley; and plans to irrigate the landscaping along Maple Street.

Darby Coleman, 6635 Catalpa Court is the Board President for the Metropolitan District. She is concerned that there are still outstanding issues in Carriage Hills Filing 2 and she wants the Board to be involved and to provide comments on this replat.

Toa Sagapolutele, 6679 12th Street is concerned about construction access.

Motion by Commissioner Scott and seconded by Vice-Chairman teVelde to approve PCR-2020-08C with conditions that the applicant provides a summary of metropolitan district maintenance responsibilities and to address the burrowing owls. Upon roll call vote, motion passed unanimously 5-0.

Built on What Matters.

OTHER BUSINESS:

Planner van Deutekom indicated that the next Planning Commission meeting is anticipated to be August 4.

There being no further business of the Planning Commission, Chairperson Moe adjourned the meeting at 7:20 PM.

Approved by the Planning Commission:

Tracy Moe, Chairperson

ATTEST:

Meghan Martinez, Town Clerk

DRAFT

Ali van Deutekom

From: Jeff Cooper <jcooper@spaztico.com>
Sent: Friday, July 17, 2020 3:50 PM
To: Ali van Deutekom; Meghan Martinez
Subject: Carriage Hills Filing

Greetings.

Concerning the upcoming approval of the Carriage Hills replat - regardless of whether or not yet more homes need to be thrown up on the land - I would like to make a public comment.

Has anyone considered the City purchasing or annexing that as public park property? Specifically, that would make an awesome natural open space. The current parks are already heavily used (even with the public shelter-in-place orders).

Does anyone at the city realize there are trees and brush in what would be the extension of 13th street? That is an important wildlife habitat area currently. I know at least one family of foxes have a home or burrow there, and have seen (I believe to be) a Great Horned Owl in the vicinity.

Thank you for the opportunity to be heard.

Jeff Cooper
Frederick



COLORADO

Parks and Wildlife

Department of Natural Resources

Area 2 - Lon Hagler
4207 W CR16E
Loveland, CO 80537
P 970.472.4460 | F 970.472.4468

July 29, 2020

Ali van Deutekom
Town of Frederick
AvanDeutekom@FrederickCO.gov

Re: Carriage Hills Filing 1 Residential Development

Dear Ms. van Deutekom:

Thank you for the opportunity to comment on the Carriage Hills Development project. The mission of Colorado Parks and Wildlife (CPW) is to perpetuate the wildlife resources of the state, to provide a quality park system, and to provide enjoyable and sustainable outdoor recreation opportunities that educate and inspire current and future generations to serve as active stewards of Colorado's natural resources. Our goal in responding to land use proposals such as this is to provide complete, consistent, and timely information to all entities who request comment on matters within our statutory authority.

Colorado Parks and Wildlife has visited the project site and assessed any potential impacts to wildlife. The project site lies within the Town of Frederick and is roughly located between Maple St. and Linden Street west to east, and between 11th Street and 14th Street north to south. The project site is primarily a disturbed grassland with a row of cottonwood trees running through property. Cottonwood trees may provide nesting/perching habitat for various species of raptors, songbirds, and other wildlife. The site is currently occupied by a colony of prairie dogs that extend throughout the property.

A potential exists for the presence of burrowing owls within the development site. Burrowing owls live on flat, treeless land with short vegetation, and nest underground in burrows dug by prairie dogs. These raptors are classified as a state threatened species and are protected by both state and federal laws, including the Migratory Bird Treaty Act. These laws prohibit the killing of burrowing owls or disturbance of their nest. Therefore, if any earth-moving will occur between March 15th and October 31st, a burrowing owl survey should be performed. Guidelines for performing a burrowing owl survey can be obtained from your local District Wildlife Manager.

Prairie dogs should either be moved to another location alive or humanely euthanized before onset of construction. A permit must be obtained from CPW prior to any live relocation. Once the prairie dogs have been relocated or euthanized, their burrows should be covered to prevent burrowing owls from occupying the empty burrows. If this work is done between March 15 and October 31st, a burrowing owl survey should be



performed to prevent unlawful take of burrowing owls or their nests when the burrows are filled.

If earthwork or other construction activities begin between January 1 and July 31st, CPW recommends that the site be surveyed for raptors (i.e. owls, hawk, and eagle) and songbird nests. If a nest is found, please contact the CPW District Wildlife Manager for recommendations on mitigating impacts to the nesting bird. Cottonwood trees are of high habitat importance on the eastern plains to many species of raptors, songbirds, and other wildlife. CPW encourages developers to incorporate these habitat features into their development projects if feasible.

Future residents should be informed that wildlife such as fox, coyotes, raccoons, rabbits, and skunks might frequent the development area in search of food and cover. These species have adapted well to living in urban environments. CPW recommends that people moving into and residing in this area take the proper precautions to prevent unnecessary conflicts with wildlife through the use of pet leash laws and protection of their pets when not under direct supervision. Homeowners can do their part by **not** inviting wildlife into their yards. Due to the potential for human-wildlife conflicts associated with this project, please consider the following recommendations when educating future homeowners about the existence of wildlife in the area:

- Pet foods and bowls should be kept indoors.
- Garbage should be kept in secure containers to minimize its attractiveness to wildlife.
- Feeding wildlife, with the exception of birds, is illegal.
- “Living with Wildlife” pamphlets are available through CPW offices or online.

For further information, CPW can provide copies of the following brochures “Your Guide to Avoiding Human-Coyote Conflicts, Don’t Feed the Wildlife”, and “Too Close for Comfort: Avoid Conflicts with Wildlife in the City” to residents of the surrounding open space. These brochures can also be downloaded from our web site at http://wildlife.state.co.us/Education/CoExisting_with_wildlife/.

Thank you again for the opportunity to comment on the Carriage Hills development project. Please do not hesitate to contact us about ways to continue managing the property in order to maximize wildlife value while minimizing potential conflicts. If have further questions please contact your District Wildlife Manager Chris Mettenbrink at (303) 906-1979.

Sincerely,

A handwritten signature in black ink, appearing to read "Jason Duetsch", written over a horizontal line.

Jason Duetsch
Area Wildlife Manager

Cc: M. Leslie, K. Cannon, C.Mettenbrink, and file.

Aaron D. Grant
Vice President
Carriage Hills Development Inc.
P.O. Box 983
Longmont, Colorado 8004

August 5th, 2020

TO:

Town of Frederick
Mayor and Board of Trustees
401 Locust Street P.O. Box 435
Frederick, Colorado 80530

CC: Ali van Deutecom, Town of Frederick
Rick Sampson, Town of Frederick

Mayor and Board of Trustees:

The purpose of this letter is to address a condition of approval by Planning Commission on July 21st 2020 regarding the specific responsibilities of operations and maintenance (“O&M”) of common areas and landscape by the Carriage Hills Metropolitan District (“District”) within Carriage Hills Filing No. 1 Replat.

Conceptually, as a result of this proposed replat, the responsibilities for O&M by the District have been reduced by the proposed public vacation of the alleyways of which the Town of Frederick owns however currently it is the District’s responsibility to maintain. Specifically, there are three alleys: (1) between 14th & 13th streets, (2) between 13th & 12th streets, and (3) between 12th & 11th streets. Each alleyway spans approximately 440 feet across and 20 feet in width for a total square footage of approximately 8800 square feet. By the Town agreeing to vacate these alleyways as proposed deletes the responsibility by the District to maintain these areas entirely and increases the land owned by the future homeowners. Typical maintenance of the alleyways includes snow removal, concrete and curb repair, potholes, policing RV parking etc...

In addition, the Carriage Hills Filing No. 1 Replat A proposes to plat the current landscape easement located North/South along the future Maple Street between the same three streets referenced above into specific tracts to physically dedicate the tracts ownership to the District for O&M rather than simply dedicating an easement to the District. This gives the benefit of ownership of the common area landscape rather right of an easement which will improve the District’s ability to

August 5th, 2020

Page 2

execute O&M as well as avoid any potential boundary disputes with future neighboring homeowners. Specifically, these tracts are: (A) Tract A which runs the East side of Maple Street North/South between 14th & 13th Streets and is 2508 square feet of common area landscape, (B) Tract B which runs North/South between 13th & 12th Streets along the East side of Maple and is also 2508 square feet of common area landscape, and finally (C) Tract C running similarly to the other two tracts but is between 12th & 11th Streets and is 1254 square feet of common area landscape.

In summary the above referenced common area landscape Tracts A, B, and C conclude the O&M responsibility as it pertains to the District by the proposed Carriage Hills Filing No. 1 Replat A. My hope is to improve the Carriage Hills community by taking these steps and thank you for your collective consideration.

Sincerely,

A handwritten signature in black ink, appearing to read 'A.D. Grant', with a long horizontal line extending to the right.

Aaron D. Grant
Vice President
Carriage Hills Development Inc.

**TOWN OF FREDERICK, COLORADO
RESOLUTION NO. 20-R- 59- A**

A RESOLUTION OF THE TOWN OF FREDERICK, COLORADO, APPROVING THE FINAL PLAT FOR CARRIAGE HILLS FILING NO. 1, REPLAT A, THE VACATION OF CERTAIN ALLEYS AND STREETS IN CARRIAGE HILLS FILING 1 AND ADOPTING CERTAIN FINDINGS OF FACT AND CONCLUSIONS.

WHEREAS, the Town of Frederick Planning Commission reviewed the Application of the Carriage Hills Development, Inc. on July 21, 2020, and recommended approval of the Final Plat for Carriage Hills Filing No. 1, Replat A with the condition that the applicant provide a summary of metropolitan district maintenance responsibilities and that the applicant address the presence of burrowing owls; and

WHEREAS, the Board of Trustees of the Town of Frederick, Colorado, on Tuesday, August 11, 2020, reviewed the application of Carriage Hills Development, Inc. for the Final Plat for Carriage Hills Filing No. 1, Replat A of the following real property, to wit;

See attached Exhibit A

Town of Frederick, County of Weld, State of Colorado.

BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF FREDERICK, COLORADO, AS FOLLOWS:

Section 1. Findings of Fact.

a. The applicant's applications and supporting documents are in substantial compliance with the *Frederick Land Use Code*, the *Comprehensive Plan* and the Final Plat for Carriage Hills Filing No. 1, Replat A.

b. The application for the Final Plat for Carriage Hills Filing No. 1, Replat A is compatible with the adjacent land uses and conforms with the requirements and standards established in the *Frederick Land Use Code*.

c. The Final Plat for Carriage Hills Filing No. 1, Replat A as proposed preserves the health, safety, welfare and interest of the citizens of the Town of Frederick, Colorado.

Section 2. Conclusions and Order Approving the Final Plat for Carriage Hills Filing No. 1, Replat A and the vacation of certain alleys and streets in Carriage Hills Filing 1.

a. The Final Plat for Carriage Hills Filing No. 1, Replat A is approved with two conditions.

- b. The vacation of certain alleys and streets in Carriage Hills Filing 1 are hereby approved.

Section 3. Effective Date. This resolution shall become effective immediately upon adoption.

Section 4. Repealer. All resolutions, or parts thereof, in conflict with this resolution are hereby repealed, provided that such repealer shall not repeal the repealer clauses of such resolution nor revive any resolution thereby.

Section 5. Certification. The Town Clerk shall certify to the passage of this resolution and make not less than one copy of the adopted resolution available for inspection by the public during regular business hours.

INTRODUCED, READ, PASSED, AND SIGNED THE 11th DAY OF AUGUST 2020.

ATTEST:

TOWN OF FREDERICK

By _____
Meghan C. Martinez, CMC, Town Clerk

By _____
Traci Crites, Mayor

Exhibit A

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LEGAL DESCRIPTION

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AND

Blocks 3 and 4, Carriage Hills Filing No. 1, together with the hereby vacated alley lying between said Blocks;

AND

Block 5, Carriage Hills Filing No. 1, together with the hereby vacated 10-foot alley lying adjacent to said Block.

Area = 293,894 square feet (6.747 acres), more or less.

**TOWN OF FREDERICK, COLORADO
RESOLUTION NO. 20-R- 59- B**

A RESOLUTION OF THE TOWN OF FREDERICK, COLORADO, DENYING THE FINAL PLAT FOR CARRIAGE HILLS FILING NO. 1, REPLAT A, THE VACATION OF CERTAIN ALLEYS AND STREETS IN CARRIAGE HILLS FILING 1 AND ADOPTING CERTAIN FINDINGS OF FACT AND CONCLUSIONS.

WHEREAS, the Town of Frederick Planning Commission reviewed the Application of the Carriage Hills Development, Inc. on July 21, 2020, and recommended approval of the Final Plat for Carriage Hills Filing No. 1, Replat A with the condition that the applicant provide a summary of metropolitan district maintenance responsibilities and that the applicant address the presence of burrowing owls; and

WHEREAS, the Board of Trustees of the Town of Frederick, Colorado, on Tuesday, August 11, 2020, reviewed the application of Carriage Hills Development, Inc. for the Final Plat for Carriage Hills Filing No. 1, Replat A of the following real property, to wit;

See attached Exhibit A

Town of Frederick, County of Weld, State of Colorado.

BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF FREDERICK, COLORADO, AS FOLLOWS:

Section 1. Findings of Fact.

a. The applicant's applications and supporting documents are in substantial compliance with the *Frederick Land Use Code*, the *Comprehensive Plan* and the Final Plat for Carriage Hills Filing No. 1, Replat A.

b. The application for the Final Plat for Carriage Hills Filing No. 1, Replat A is compatible with the adjacent land uses and conforms with the requirements and standards established in the *Frederick Land Use Code*.

c. The Final Plat for Carriage Hills Filing No. 1, Replat A as proposed preserves the health, safety, welfare and interest of the citizens of the Town of Frederick, Colorado.

Section 2. Conclusions and Order Approving the Final Plat for Carriage Hills Filing No. 1, Replat A and the vacation of certain alleys and streets in Carriage Hills Filing 1.

a. The Final Plat for Carriage Hills Filing No. 1, Replat A is denied for the following reasons:

- i.
- ii.

b. The vacation of certain alleys and streets in Carriage Hills Filing 1 are hereby denied for the following reasons.

- i.
- ii.

Section 3. Effective Date. This resolution shall become effective immediately upon adoption.

Section 4. Repealer. All resolutions, or parts thereof, in conflict with this resolution are hereby repealed, provided that such repealer shall not repeal the repealer clauses of such resolution nor revive any resolution thereby.

Section 5. Certification. The Town Clerk shall certify to the passage of this resolution and make not less than one copy of the adopted resolution available for inspection by the public during regular business hours.

INTRODUCED, READ, PASSED, AND SIGNED THE 11th DAY OF AUGUST 2020.

ATTEST:

TOWN OF FREDERICK

By _____
Meghan C. Martinez, CMC, Town Clerk

By _____
Tracie Crites, Mayor

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AND

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AND

Block 5, Carriage Hills Filing No. 1, together with the hereby vacated 10-foot alley lying adjacent to said Block.

Area = 293,894 square feet (6.747 acres), more or less.

**TOWN OF FREDERICK, COLORADO
RESOLUTION NO. 20-R-59- C**

A RESOLUTION OF THE TOWN OF FREDERICK, COLORADO, APPROVING THE FINAL PLAT FOR CARRIAGE HILLS FILING NO. 1, REPLAT A, THE VACATION OF CERTAIN ALLEYS AND STREETS IN CARRIAGE HILLS FILING 1 WITH CONDITIONS AND ADOPTING CERTAIN FINDINGS OF FACT AND CONCLUSIONS.

WHEREAS, the Town of Frederick Planning Commission reviewed the Application of the Carriage Hills Development, Inc. on July 21, 2020, and recommended approval of the Final Plat for Carriage Hills Filing No. 1, Replat A with the condition that the applicant provide a summary of metropolitan district maintenance responsibilities and that the applicant address the presence of burrowing owls; and

WHEREAS, the Board of Trustees of the Town of Frederick, Colorado, on Tuesday, August 11, 2020, reviewed the application of Carriage Hills Development, Inc. for the Final Plat for Carriage Hills Filing No. 1, Replat A of the following real property, to wit;

See attached Exhibit A

Town of Frederick, County of Weld, State of Colorado.

BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF FREDERICK, COLORADO, AS FOLLOWS:

Section 1. Findings of Fact.

a. The applicant's applications and supporting documents are in substantial compliance with the *Frederick Land Use Code*, the *Comprehensive Plan* and the Final Plat for Carriage Hills Filing No. 1, Replat A.

b. The application for the Final Plat for Carriage Hills Filing No. 1, Replat A is compatible with the adjacent land uses and conforms with the requirements and standards established in the *Frederick Land Use Code*.

c. The Final Plat for Carriage Hills Filing No. 1, Replat A as proposed preserves the health, safety, welfare and interest of the citizens of the Town of Frederick, Colorado.

Section 2. Conclusions and Order Approving the Final Plat for Carriage Hills Filing No. 1, Replat A and the vacation of certain alleys and streets in Carriage Hills Filing 1.

a. The Final Plat for Carriage Hills Filing No. 1, Replat A is approved with the following conditions:

- i.
- ii.
- iii.

b. The vacation of certain alleys and streets in Carriage Hills Filing 1 are hereby approved with the following conditions.

- i.
- ii.
- iii.

Section 3. Effective Date. This resolution shall become effective immediately upon adoption.

Section 4. Repealer. All resolutions, or parts thereof, in conflict with this resolution are hereby repealed, provided that such repealer shall not repeal the repealer clauses of such resolution nor revive any resolution thereby.

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INTRODUCED, READ, PASSED, AND SIGNED THE 11th DAY OF AUGUST 2020.

ATTEST:

TOWN OF FREDERICK

By _____
Meghan C. Martinez, CMC, Town Clerk

By _____
Tracie Crites, Mayor

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AND

Blocks 3 and 4, Carriage Hills Filing No. 1, together with the hereby vacated alley lying between said Blocks;

AND

Block 5, Carriage Hills Filing No. 1, together with the hereby vacated 10-foot alley lying adjacent to said Block.

Area = 293,894 square feet (6.747 acres), more or less.

TOWN OF FREDERICK, COLORADO
ORDINANCE NO. 1341-A

**AN ORDINANCE OF THE TOWN OF FREDERICK, COLORADO,
APPROVING THE FINAL PLAT FOR CARRIAGE HILLS FILING 1, REPLAT
A AND THE VACATION OF CERTAIN ALLEYS AND STREETS IN
CARRIAGE HILLS FILING 1.**

WHEREAS, the Town of Frederick Planning Commission reviewed the Application of Carriage Hills Development, Inc, on July 21, 2020, and recommended approval of the Final Plat for Carriage Hills Filing 1, Replat A with the condition that the applicant provide a summary of metropolitan district maintenance responsibilities and that the applicant address the presence of burrowing owls; and

WHEREAS, the Board of Trustees of the Town of Frederick, Colorado, on Tuesday, August 11, 2020, reviewed the application of Carriage Hills Development, Inc, for the Final Plat for Carriage Hills Filing 1, Replat A, of the following real property, to wit;

See attached Exhibit A

Town of Frederick, County of Weld, State of Colorado.

**BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF FREDERICK,
COLORADO, AS FOLLOWS:**

Section 1. The Final Development Plan for Carriage Hills Filing 1, Replat A is hereby approved.

Section 2. The vacation of certain alleys and streets in Carriage Hills Filing 1 are hereby approved.

Section 3. Effective Date. This ordinance shall be published and become effective as provided by law.

Section 4. Severability. If any part, section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid, such invalidity shall not affect the validity of the remaining sections of the ordinance. The Town Board hereby declares that it would have passed the ordinance including each part, section, subsection, sentence, clause or phrase thereof, irrespective of the fact that one or more parts, sections, subsections, sentence, clauses or phrases are declared invalid.

Section 5. Repealer. All ordinances or resolutions and motions of the Board of Trustees of the Town of Frederick or parts thereof, in conflict with this ordinance are to the extent of such conflict hereby superseded and repealed, provided that such repealer shall not repeal the repealer clauses of such ordinance, resolution or motion, nor revive any ordinance, resolution or motion thereby.

**INTRODUCED, READ, PASSED, ADOPTED AND ORDERED PUBLISHED THIS 11th
DAY OF AUGUST 2020.**

ATTEST:

TOWN OF FREDERICK

By _____
Meghan C. Martinez, CMC, Town Clerk

By _____
Traci Crites, Mayor

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TOWN OF FREDERICK, COLORADO
ORDINANCE NO. 1341-B

AN ORDINANCE OF THE TOWN OF FREDERICK, COLORADO, DENYING THE FINAL PLAT FOR CARRIAGE HILLS FILING 1, REPLAT A AND THE VACATION OF CERTAIN ALLEYS AND STREETS IN CARRIAGE HILLS FILING 1.

WHEREAS, the Town of Frederick Planning Commission reviewed the Application of Carriage Hills Development, Inc, on July 21, 2020, and recommended approval of the Final Plat for Carriage Hills Filing 1, Replat A with the condition that the applicant provide a summary of metropolitan district maintenance responsibilities and that the applicant address the presence of burrowing owls; and

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Town of Frederick, County of Weld, State of Colorado.

BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF FREDERICK, COLORADO, AS FOLLOWS:

Section 1. The Final Development Plan for Carriage Hills Filing 1, Replat A is hereby denied for the following reasons.

- i.
- ii.

Section 2. The vacation of certain alleys and streets in Carriage Hills Filing 1 are hereby denied for the following reasons.

- i..
- ii.

Section 3. Effective Date. This ordinance shall be published and become effective as provided by law.

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ATTEST:

TOWN OF FREDERICK

By _____
Meghan C. Martinez, CMC, Town Clerk

By _____
Tracie Crites, Mayor

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Area = 293,894 square feet (6.747 acres), more or less.

TOWN OF FREDERICK, COLORADO
ORDINANCE NO. 1341C

**AN ORDINANCE OF THE TOWN OF FREDERICK, COLORADO,
APPROVING WITH CONDITIONS THE FINAL PLAT FOR CARRIAGE HILLS
FILING 1, REPLAT A AND THE VACATION OF CERTAIN ALLEYS AND
STREETS IN CARRIAGE HILLS FILING 1.**

WHEREAS, the Town of Frederick Planning Commission reviewed the Application of Carriage Hills Development, Inc, on July 21, 2020, and recommended approval of the Final Plat for Carriage Hills Filing 1, Replat A with the condition that the applicant provide a summary of metropolitan district maintenance responsibilities and that the applicant address the presence of burrowing owls; and

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COLORADO, AS FOLLOWS:**

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- iii.

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TOWN OF FREDERICK

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Meghan C. Martinez, CMC, Town Clerk

By _____
Tracie Crites, Mayor

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TOWN OF FREDERICK BOARD OF TRUSTEES INFORMATION MEMORANDUM

Tracie Crites, Mayor

Rusty O'Neal, Trustee
Mark Lamach, Trustee
Adam Mahan, Trustee

Dan March, Mayor Pro Tem
Kevin Brown, Trustee
Windi Padia, Trustee

Upcoming Events

Agenda Date: Town Board Meeting - August 11, 2020

Attachments: N/A

Submitted by: Angela Wilson
Communications & Engagement Manager

Approved for Presentation: _____
Town Administrator

Detail of Issue/Request:

Miners Day is our premier community event that originated as a celebration to honor and remember Frederick's mining heritage. Traditionally, this annual event features family-oriented fun and entertainment throughout the day including a parade, burro race, exhibitor booths, food/refreshment vendors, activities, contests live entertainment, ending with a spectacular evening concert and fireworks display. Annually, this event attracts 5000 attendees.

In response to the COVID-19 pandemic and the guidelines for outdoor events per the State of Colorado, Miners Day will require significant modifications.

Legal Comments:

Not Applicable.

Alternatives/Options

1. Cancel
 - a. Cancel the entire event.
2. Modified Event

Built on What Matters.

- a. Proceed with a modified event that adheres to State of Colorado and the CDPHE outdoor event guidelines.
 - i. Remove activities that encourage mingling: bounce houses, beer gardens, family activities, etc.
 - ii. Reschedule fireworks show for Festival of Lights on December 5, 2020 or New Year's Eve event on December 31, 2020.
 - iii. September 19, 2020 event would include food trucks, vendors (Miners Market) and burro race.
- b. Add event aspects to honor Frederick's mining heritage
 - i. Recruit Frederick residents to help us gather family stories of Frederick mining heritage to share in a video mini-series the week before Miners Day.
 - ii. Partner with the Historical Preservation Advisory Commission to film a virtual tour of the Miners Museum.
 - iii. Start a tradition of a ceremony at the Miners Wall including a moment of silence and laying of a wreath.

Financial Considerations:

Not applicable.

Staff Recommendation:

The Miners Day Committee met on Wednesday, August 5, 2020. In attendance was Angela Wilson, Jessica Hill, Trustee Kevin Brown, Rick Hand, Nancy Bergen, Sue Chestek and Toni McNeill. At this meeting, Brad Wann of the Western Pack Burro Association joined via Zoom to discuss the historical significance and importance of documentation in support of the State of Colorado office sport for the burro race. After discussion, the Miners Day Committee has elected to proceed with a modified event consisting of food trucks, market vendors (Miners Market), Western Pack Burro Association burro race and added virtual experiences throughout the week honoring our mining heritage.

The burro race will be a non-spectator event beginning and ending in Centennial Park on the morning of Saturday, September 19th. The Miners Market and food trucks will be in Centennial Park between 11 am and 4 pm.



TOWN OF FREDERICK BOARD OF TRUSTEES ACTION MEMORANDUM

Tracie Crites, Mayor

Dan March, Mayor Pro Tem
Mark Lamach, Trustee
Adam Mahan, Trustee

Rusty O'Neal, Trustee
Kevin Brown, Trustee
Windi Padia, Trustee

Consideration of Variance for Second Driveway Access at 8027 Dawnhill Circle

Agenda Date: Town Board Meeting - August 11, 2020

Attachments:

- a. Site Plan
- b. Letter from Applicant
- c. Resolution

Finance Review: _____
Finance Director

Submitted by: _____
Maureen Welsh
Planner I

Approved for Presentation: _____

Town Manager

Quasi-Judicial

Legislative

Administrative

Summary Statement:

This is a request for a variance from Land Use Code Subsection 2.b.(7)(a) of Section 2.6 stating that driveway access to a local street from a single-family detached residential lot shall be limited to one (1) driveway curb-cut or driveway access of no greater than thirty (30) feet in width. The applicant is requesting permission to utilize the existing second driveway access off of Morningside Drive in order to access their proposed detached garage.

Detail of Issue/Request:

Applicant: Brandon Stoner, Housewrights Guild

Property Owners: Chris and Amy Barnett
8027 Dawnhill Circle
Frederick, CO 80516

Built on What Matters.

Location and Zoning: This site is located within Morningside Estates at the northwest corner of Dawnhill Circle. The property is zoned Residential Estate District (R-E).

Surrounding Land Uses and Zoning:

- North Land use: Vacant Land (Haley Annexation)
Zoning: Residential Low Density (R-1)
- South Land use: Residential
Zoning: Residential Estate (R-E)
- West Land use: Residential
Zoning: Residential Estate (R-E)
- East Land use: Residential
Zoning: Residential Estate (R-E)

Vicinity Map:



Request:

The approved driveway access at 8027 Dawnhill Circle is located on the west side of the Dawnhill Circle cul-de-sac. The frontage of this lot is 66.5' wide and has an electrical pedestal on the southern end of the driveway as well as a fire hydrant located at the northern end of the driveway. The frontage of the lot is also landscaped with mature trees and other vegetation. With these physical barriers, as well as the

home sitting at the fullest extent of the allowed setbacks and affording no additional space to extend the driveway, the applicants are requesting permission to use the gravel drive off of Morningside Drive that extends into their lot. The use of the existing gravel drive off of Morningside Drive will allow them to access their proposed detached garage.

It's important to acknowledge that this property is unique in that it has legal frontage on two separate public streets, without being a standard corner lot. The Land Use Code restricts access to a lot to one single 30' wide access point. It did not anticipate a situation where a non-corner lot has two street frontages.

Review Criteria:

The following are the review criteria by which the Board of Trustees, sitting as the Board of Adjustment, considers variances. Staff comments are included after each criterion.

According to Land Use Code Section 4.7.7, the Board shall not grant a variance which:

(1) Permits a land use not allowed in the zoning district in which the property is located;

Staff Comment: The proposed variance would not permit a land use not allowed in the R-E zone. Accessory uses such as garages are allowed in the R-E zone providing that they meet setbacks, height and architectural requirements.

(2) Is in the public right-of-way or on public property;

Staff Comment: The gravel access off of Morningside Drive is on private property owned by the homeowners of 8027 Dawnhill Circle. The request would require accessing the existing public right-of-way of Morningside Drive.

(3) Alters any definition of this Code;

Staff Comment: The proposed variance would not alter any definitions in the Code.

(4) Is other than the minimum variance that will afford relief with the least modification possible to the requirements of this Code;

Staff Comment: Based on the materials submitted, the requested variance appears to be the minimum required to accommodate the applicant's desired proposed detached garage.

(5) Is based on physical conditions or circumstances of the property so general or recurring in nature as to reasonably make practicable the formulation of a general regulation to be adopted as an amendment to this Code;

Staff Comment: This lot has two legal street frontages due to the original platting in 1996. The Land Use Code did not account for this type of lot when restricting access to a lot to one single 30' wide access point.

(6) Is based exclusively on findings of personal or financial hardship. Convenience, profit or caprice shall not constitute undue hardship.

Staff Comment: The homeowners could extend their existing driveway along the southern portion of the lot. However, this option would require the removal of mature landscaping.

According to Land Use Code Section 4.7.7, in order to grant a variance, the Board shall also find that all the following have been satisfied:

- (1) That there are unique physical circumstances or conditions such as irregularity, narrowness or shallowness of the lot, or exceptional topographical or other physical condition particular to the affected property;

Staff Comment: The narrowness of the frontage of this lot accompanied with an electrical utility box and fire hydrant make it necessary for this variance request.

- (2) That, because of these unique physical circumstances or conditions, the property cannot be reasonably developed or used in compliance with the provisions of this Code;

Staff Comment: Due to the home's orientation on the lot as well as physical barriers that line the frontage of this lot, the homeowners are unable to access their proposed detached garage without the granting of this variance to use the gravel driveway access off of Morningside Drive.

- (3) That, due to such unique physical circumstances or conditions, the strict application of this Code would create a demonstrated hardship;

Staff Comment: If the Code were applied strictly, the applicant could have the option of extending the driveway off of Dawnhill Circle along the southern end of the lot into the back.

- (4) That the demonstrable hardship is not self-imposed;

Staff Comment: The homeowners bought this property with an existing driveway in place on the far west side of the property off Morningside Drive. They purchased the lot with the intention of building a detached accessory structure and utilizing the existing gravel drive.

- (5) That the variance, if granted, will not adversely affect the proposed development or use of adjacent property or neighborhood;

Staff Comment: The use of the gravel drive off Morningside Drive to access their permitted detached garage would not impact the character of Morningside Estates Subdivision. The gravel drive has been existing since, approximately 2002.

- (6) That the variance, if granted, will not change the character of the zoning district in which the property is located;

Staff Comment: If granted, this variance will not change the character of this specific zone district in which the property is located.

- (7) That the variance, if granted, is in keeping with the intent of this Code;

Staff Comment: If granted, this variance is contrary to the existing code.

(8) That the variance, if granted, will not adversely affect the health, safety or welfare of the citizens of the Town.

Staff Comment: The proposed variance, if granted, would not likely adversely affect the health, safety or welfare of the Town's citizens.

Public Notice:

This project was properly noticed according to the requirements of Section 4.5 of the Frederick Land Use Code. There have been no concerns with the proposal submitted to the Town.

Legal Comments:

The application has been reviewed by the Town Attorney, whose comments have been incorporated accordingly.

Alternatives/Options:

The Members of the Board of Adjustments may recommend approval of the request, denial of the request, or approval of the request with conditions.

Financial Considerations:

Not applicable.

Staff Recommendation:

Staff is seeking Board direction.

8027 DAWN HILL CIRCLE



House Wrights Guild
Design/Build/Manage/Consult

SITE PLAN

SCALE:
1/8" = 1'-0"

1

OWNER:
CHRIS AND AMY
BARNETT

SCOPE OF WORKS

BUILD NEW DETACHED GARAGE PER PLANS

DRAFTER:
HOUSEWRIGHTS GUILD
BRANDON STONER
970-576-5274
BRANDON@HOUSEWRIGHTSGUILD.COM

ENGINEER:
CES ENGINEERING
970-347-0615

BUILDER:
HOUSEWRIGHTS GUILD
970-576-5274

SITE INDEX:

- A1 TITLE / SITE & ROOF PLAN
- A2 EXPLODED PLOT PLAN
- A3 FLOOR PLAN
- A4 ELEVATIONS
- A5 ELEVATIONS
- A6 ELECTRICAL AND HVAC
- A7 ROOF

PROJECT DATA

OCCUPANCY:
DETACHED GARAGE

(T) STRUCTURE = 1576 SQ. FT.
LOT SIZE: 48390 SQ. FT. (1.11 Acres)
(N) STRUCTURE = 3.2 % LOT COVERAGE

REVISIONS

THIS SET OF CONSTRUCTION DOCUMENTS, INCLUDING ALL SETS AND SUPPLEMENTAL SHEETS OF ADDENDUMS, IS NOT TO BE USED IN EITHER ENTIRETY OR PARTIALLY FOR ANY OTHER PROJECT WITHOUT THE WRITTEN APPROVAL OF HOUSEWRIGHTS GUILD. THE REPRODUCTION OR MODIFICATION OF THIS DOCUMENT WITHOUT THE WRITTEN CONSENT OF HOUSEWRIGHTS GUILD IS PROHIBITED. THIS DOCUMENTATION INCLUDES NEW WORK AND DOES NOT REPRESENT A GUARANTEE OF ACCURACY IN ANY WAY. THE ACCURACY OF THIS INFORMATION AND WORK SHALL BE DETERMINED FROM ANY DISCREPANCY BETWEEN THIS DOCUMENT AND EXISTING CONDITIONS.

VICINITY MAP

GENERAL NOTES

- All workmanship and materials shall conform to the requirements of the 2018 Edition of the IRC.
- Before any work has begun, the contractor shall make a thorough inspection of the building and site to check and verify all dimensions and conditions noting existing work to remain and notifying the owner and drafter in writing of any discrepancies between existing conditions and those shown on the construction documents.
- Any omissions, conflicts, or discrepancies between the various elements of the construction documents and or specifications shall be brought to the attention of the owner and drafter. All work is to be coordinated so that cooperation between the trades where required is accomplished.
- Verify all openings throughout construction with all participants trades such as heating, plumbing, electrical trades for size and location. Notify owner and Drafter in writing of any deviations from the construction documents.
- Follow dimensions explicitly, do not scale drawings. Confirm with Drafter before proceeding if conflict arise.
- Pool, spas, walls, fences, patio covers, and other free standing structures require separate permit and review.
- Contractor with his selected H.V.A.C. Subcontractor to assess existing H.V.A.C. systems to determine functionality & code compliance. Make recommendations to owner as to proposed modifications & cost. Advise Owner and Drafter if framing modifications are necessary.
- Verify & coordinate exterior hardscape, landscape & irrigation systems with owner and landscape drafter/architect.

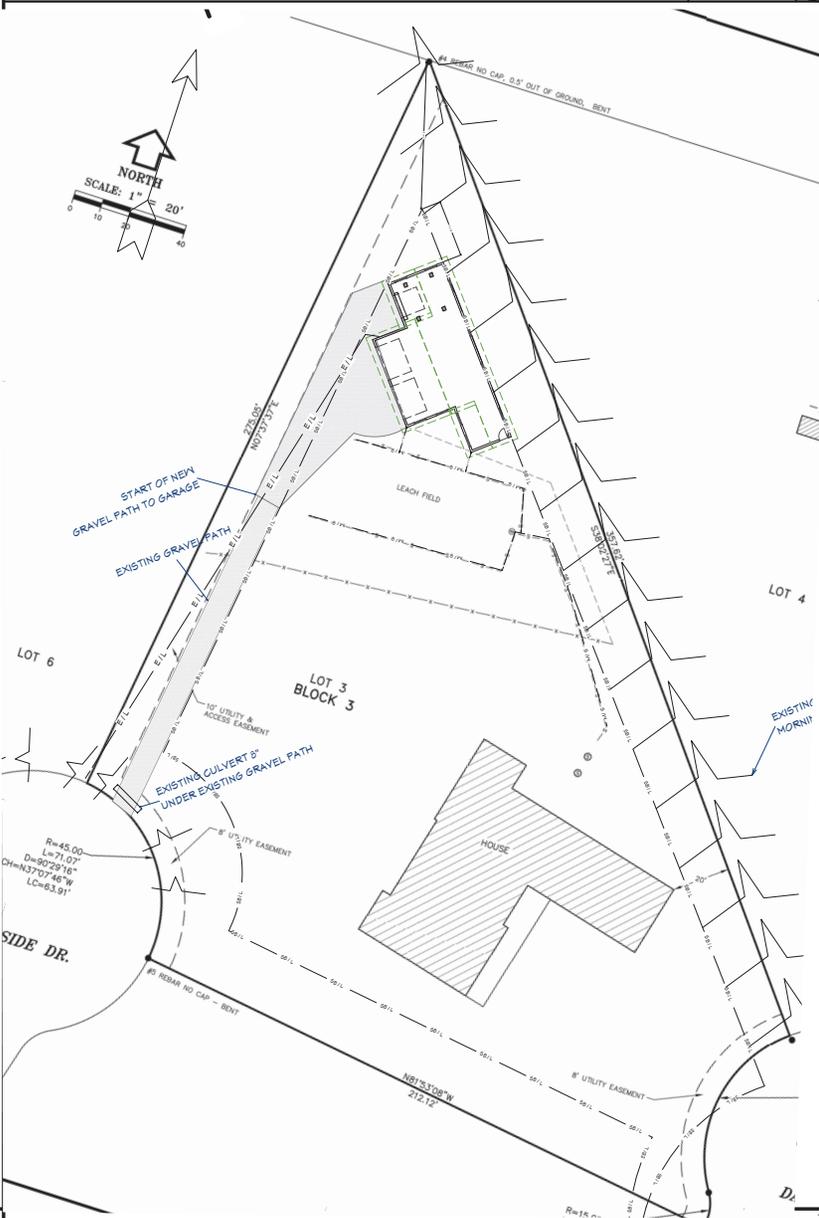
CLIENT:

Chris and Amy Barnett
8027 DawnHill Circle

1	TITLE
DATE	7/6/2020
SCALE	1/8" = 1'-0"
ARTIST	
BRANDON STONER 970-576-5274	

SHEET

A1





House Wrights Guild
Design/Build/Manage/Consult

REVISIONS

△	
△	
△	

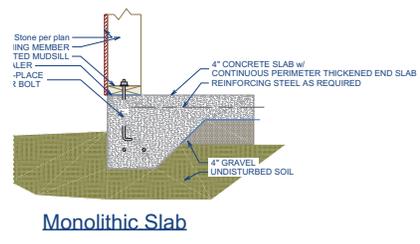
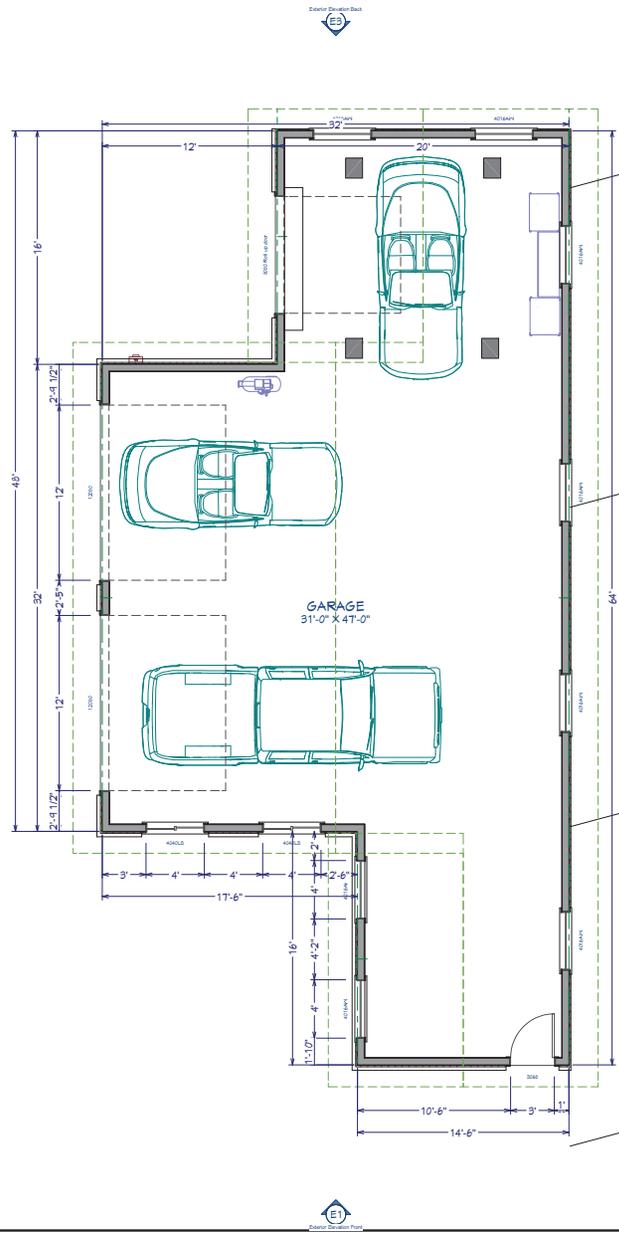
THIS SET OF CONSTRUCTION DOCUMENTS, INCLUDING ALL NOTES AND SPECIFICATIONS, IS TO BE USED IN ENTIRE ENTIRETY OF THE PROJECT AND IS NOT TO BE USED IN OTHER PROJECTS WITHOUT THE WRITTEN PERMISSION OF THE ARCHITECT. THE ARCHITECT'S RESPONSIBILITY IS TO PROVIDE A COMPLETE SET OF CONSTRUCTION DOCUMENTS THAT ACCURATELY REPRESENT THE DESIGN INTENT. THE ARCHITECT DOES NOT ASSUME RESPONSIBILITY FOR THE ACCURACY OF THE INFORMATION PROVIDED IN THIS DOCUMENT OR FOR THE ACCURACY OF THE INFORMATION PROVIDED BY OTHERS. THE ARCHITECT'S RESPONSIBILITY IS TO PROVIDE A COMPLETE SET OF CONSTRUCTION DOCUMENTS THAT ACCURATELY REPRESENT THE DESIGN INTENT.

CLIENT:
Chris and Amy Barnett
8027 DawnHill Circle

3	existing
DATE	7/6/2020
SCALE	1/4" = 1'-0"
ARTIST	
BRANDON STONER	
970-576-5274	

SHEET

A3



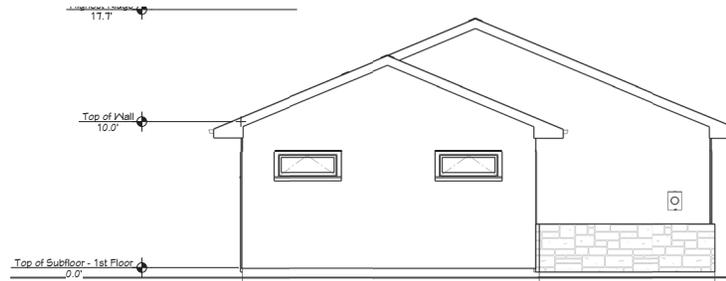
Monolithic Slab

FLOOR PLAN SCALE: 1/4" = 1'-0" 3

THE PAPER SIZE NEEDS TO BE 24" x 36" TO SCALE PROPERLY



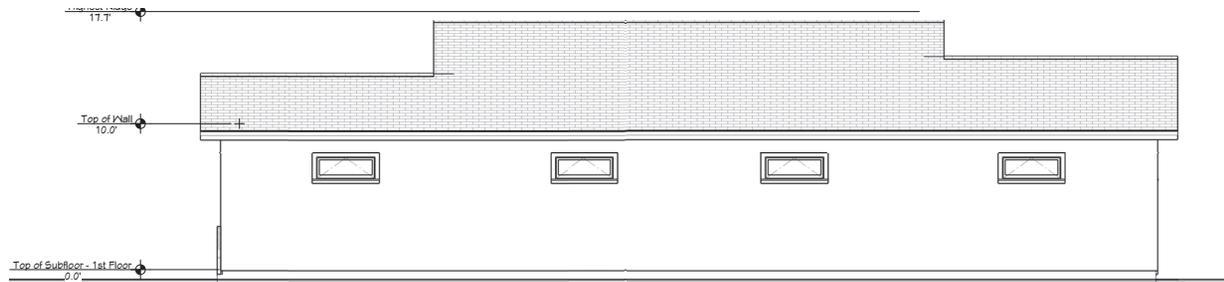
House Wrights Guild
Design/Build/Manage/Consult



NORTH ELEVATION

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

N



EAST ELEVATION

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

E

ELEVATIONS

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

4

REVISIONS

THIS SET OF CONSTRUCTION DOCUMENTS, INCLUDING ALL ADDENDUMS AND SPECIFICATIONS, IS PROVIDED AS INFORMATION ONLY AND IS NOT TO BE USED IN EITHER ENTIRETY OR PARTIALLY FOR ANY OTHER PROJECT WITHOUT THE WRITTEN APPROVAL OF THE ARCHITECT. THE ARCHITECT'S RESPONSIBILITY IS TO PROVIDE ACCURATE INFORMATION AND TO MAINTAIN THE ACCURACY OF THIS INFORMATION. THE ARCHITECT DOES NOT WARRANT THE ACCURACY OF THIS INFORMATION. ANY ERRORS, OMISSIONS, OR INCONSISTENCIES SHALL BE THE RESPONSIBILITY OF THE CLIENT. THE CLIENT SHALL BE RESPONSIBLE FOR ANY DISCREPANCIES BETWEEN THIS DOCUMENT AND EXISTING CONDITIONS.

CLIENT:
Chris and Amy Barnett
8027 DawnHill Circle

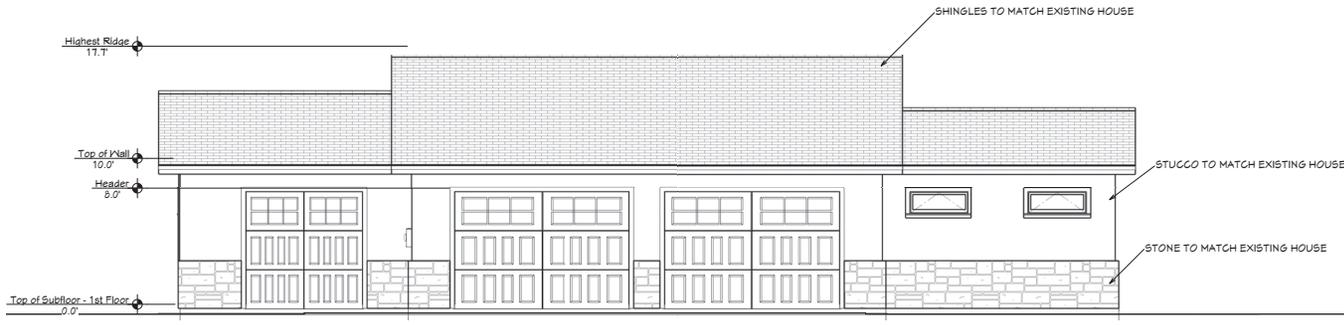
4	existing
TITLE	existing
DATE	7/6/2020
SCALE	1/4" = 1'-0"
ARTIST	
BRANDON STONER	
970-576-5274	

SHEET

A4



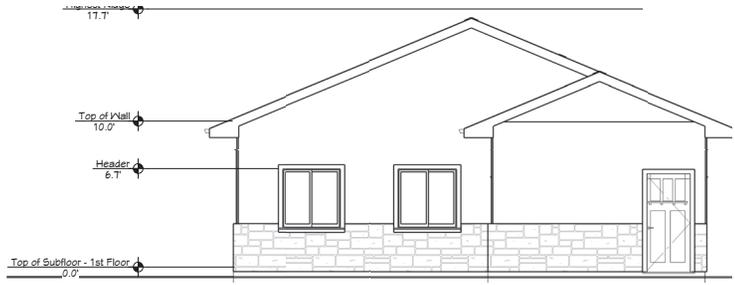
House Wrights Guild
Design/Build/Manage/Consult



SOUTH ELEVATION

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

S



WEST ELEVATION

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

W

ELEVATIONS

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

5

REVISIONS	
△	
△	
△	

THIS SET OF CONSTRUCTION DOCUMENTS, INCLUDING ALL ADDENDUMS AND REVISIONS, IS THE PROPERTY OF HOUSE WRIGHTS GUILD AND IS NOT TO BE USED IN EITHER WHOLE OR IN PART FOR ANY OTHER PROJECT WITHOUT THE WRITTEN PERMISSION OF HOUSE WRIGHTS GUILD. THE REPRODUCTION OR MODIFICATION OF THIS DOCUMENT WITHOUT THE WRITTEN CONSENT OF HOUSE WRIGHTS GUILD IS PROHIBITED. THIS DOCUMENTATION INCLUDES WORK AND DOES NOT INCLUDE ANY PRODUCTS, MATERIALS, OR SPECIFICATIONS IN ANY WAY. THE ACCURACY OF THIS INFORMATION AND WORK SHALL BE DETERMINED FOR ANY DISCREPANCY BETWEEN THIS DOCUMENT AND EXISTING CONDITIONS.

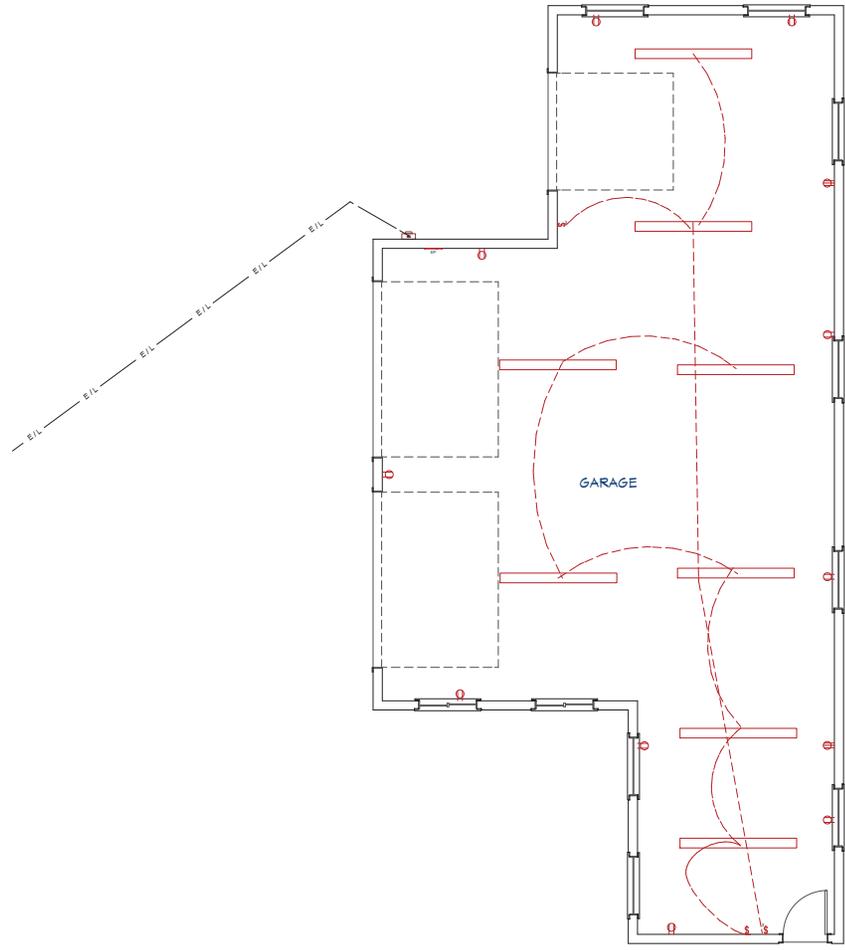
CLIENT:
Chris and Amy Barnett
8027 DawnHill Circle

5	existing
DATE	7/6/2020
SCALE	
ARTIST	
BRANDON STONER	
970-576-5274	

SHEET
A5



House Wrights Guild
Design/Build/Manage/Consult



REVISIONS

THIS SET OF CONSTRUCTION DOCUMENTS, INCLUDING ALL SECTIONS AND SPECIFICATIONS, IS THE PROPERTY OF HOUSE WRIGHTS GUILD AND IS NOT TO BE USED IN EITHER WHOLE OR IN PART FOR ANY OTHER PROJECT WITHOUT THE WRITTEN APPROVAL OF HOUSE WRIGHTS GUILD. THE REPRODUCTION OR MODIFICATION OF THIS DOCUMENT WITHOUT THE WRITTEN CONSENT OF HOUSE WRIGHTS GUILD IS PROHIBITED. THIS DOCUMENTATION INCLUDES NEW WORK AND DOES NOT NECESSARILY INDICATE ALL OF THE EXISTING WORK. THE ACCURACY OF THIS INFORMATION AND THE WAY IT IS INTERPRETED IS THE RESPONSIBILITY OF THE USER. THERE MAY BE DISCREPANCIES BETWEEN THIS DOCUMENT AND EXISTING CONDITIONS.

CLIENT:
Chris and Amy Barnett
8027 DawnHill Circle

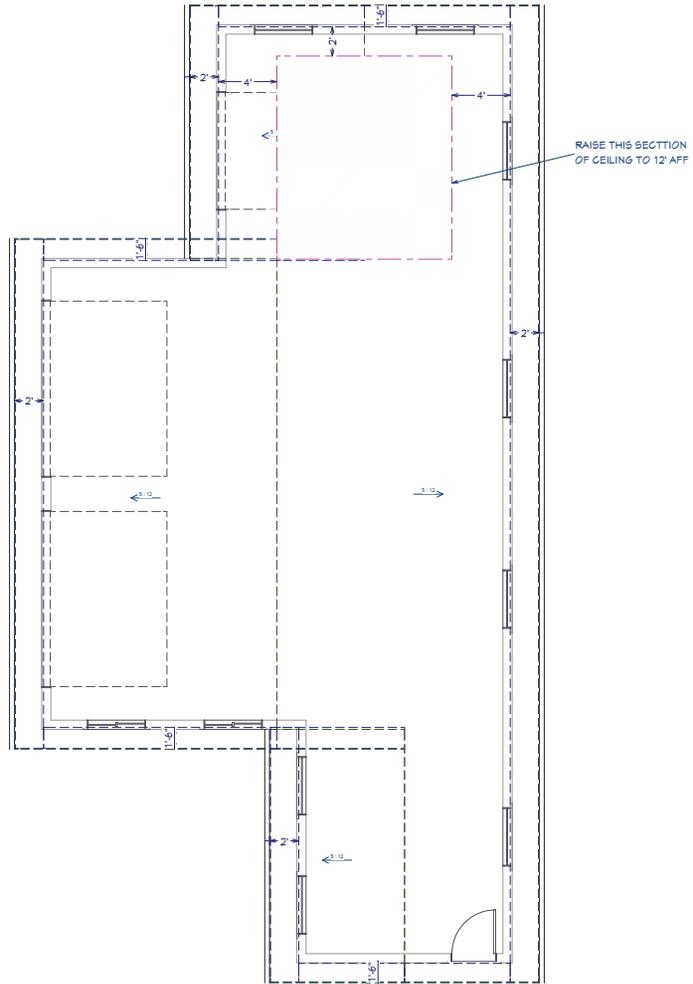
6	ELECTRICAL
DATE	7/6/2020
SCALE	1/4" = 1'-0"
ARTIST	
BRANDON STONER 970-576-5274	

SHEET
A6

ELECTRICAL AND HVAC SCALE: 1/4" = 1'-0" **6**



House Wrights Guild
Design/Build/Manage/Consult



REVISIONS

- △
- △
- △

THIS SET OF CONSTRUCTION DOCUMENTS, INCLUDING ALL SHEETS AND EXHIBITS, ARE PREPARED BY ARCHITECTS, ENGINEERS, AND OTHER PROFESSIONALS REGISTERED IN THE STATE OF CALIFORNIA. IT IS NOT TO BE USED IN EITHER ENTIRETY OR PARTIALLY FOR ANY OTHER PROJECT WITHOUT THE WRITTEN APPROVAL OF THE ARCHITECT. THE REPRODUCTION OR MODIFICATION OF THIS DOCUMENT WITHOUT THE WRITTEN CONSENT OF ARCHITECTS WILL BE AT THE USER'S RISK. THIS DOCUMENTATION INCLUDES SOME WORK AND DOES NOT REPRESENT THE ARCHITECT'S LIABILITY. THE ARCHITECT DOES NOT WARRANT THE ACCURACY OF THIS INFORMATION. ANY WORK DONE BY CONTRACTORS FOR ANY DISCREPANCY BETWEEN THIS DOCUMENT AND EXISTING CONDITIONS.

CLIENT:

Chris and Amy Barnett
8027 DawnHill Circle

7	ROOF
DATE	7/6/2020
SCALE	1/4" = 1'-0"
ARTIST	
BRANDON STONER 970-576-5274	

SHEET

A7

ROOF PLAN

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

7

Town of Frederick Planning and Building department

On behalf of the Owners (Chris and Amy Barnett) for the property located at 8027 Dawn Hill Circle Frederick Colorado, I Brandon Stoner (General Contractor, Housewrights Guild) would like the planning and building department to take into consideration a Variance to the code 2.B.7(a).

This lot consists of 48390 total square feet of which the existing residence footprint is 2950 sqft. We are proposing a detached garage with a footprint of 1576 sqft that is located on the north west side of the existing residence.

Due to the layout of the subdivision this residence has a main driveway located at the west end of the cul-de-sac of Dawn hill Circle. The lot frontage to Dawn Hill Circle consists of the driveway with electrical pedestal on the south and a fire hydrant on the north. This fills the lot frontage to Dawn Hill Circle. Due to the shape and slope of the lot the house is located tight to the side yard setbacks pushed tight to the front of the lot. The front 2/3 of the lot is neatly landscaped with large mature trees and other vegetation.

The Owners Bought this property with an Existing driveway in place on the Far west side of the property which feeds off of Morning Side Drive. This is one of the reasons for the purchase of this property, it has great potential for a future out building which was one of the needs of the owner.

What we are proposing has zero impact on the intent of the code in this small acreage subdivision as the majority of properties have additional accesses to the lots to access out lot areas.

This additional access will not be in daily use as the owner is using this as a hobby area and has no intention of paving of further improving the existing access.

We are more than happy to contact the owner to the west of the existing drive and make any accommodations to their needs if any.

The variance we are requesting is to use the existing gravel driveway on the west side of the property to access the new detached structure.

Thanks for your consideration

 6/11/2020

Chris Barnett Owner

Date

 6/11/2020

Brandon Stoner Contractor

Date

**TOWN OF FREDERICK, COLORADO
BOARD OF ADJUSTMENT
RESOLUTION NO. 20-R-01- A**

**A RESOLUTION OF THE BOARD OF TRUSTEES
OF THE TOWN OF FREDERICK
SITTING AS THE BOARD OF ADJUSTMENT
APPROVING A REQUEST FOR A VARIANCE
FOR A SECOND ACCESS TO 8027 DAWN HILL CIRCLE,
LOT 3, BLOCK 3 MORNING SIDE ESTATES FILING NO. 2**

WHEREAS, the Board of Trustees of the Town of Frederick, sitting as the Board of Adjustment, August 11, 2020, has been asked to allow the utilization of an existing second driveway access to 8027 Dawn Hill Circle, Lot 3, Block 3 Morning Side Estates Filing No. 2; and

WHEREAS, the Applicant has submitted a letter requesting a variance from Subsection 2.b.(7)(a) of the Frederick Land Use Code (LUC) requesting this variance;

BE IT RESOLVED BY THE MAYOR AND BOARD OF TRUSTEES OF THE TOWN OF FREDERICK, SITTING AS THE BOARD OF ADJUSTMENT, AS FOLLOWS:

Section 1. Procedural Findings

- a. The Applicant has submitted an explanation letter identifying the variance being requested, citing the portion of the code from which relief is requested and explaining what exceptional condition, practical hardship or unnecessary hardship exists to require the variance.
- b. Notice of the variance request has been published pursuant to LUC Section 4.5.8.
- c. Written notice was provided to adjacent property owners 15 days prior to the date of this hearing pursuant to LUC Section 4.7.7 (2) and Section 4.8.6.e.

Section 2. Review Criteria

The Board of Adjustment finds that the requested variance does not grant a variance which:

- a. Permits a land use not allowed in the zoning district in which the property is located;
- b. Is in the public right-of-way or on public property;
- c. Alters any definition of this Code;
- d. Is other than the minimum variance that will afford relief with the least modification possible to the requirements of this Code;
- e. Is based on physical conditions or circumstances of the property so general or recurring in nature as to reasonably make practicable the formulation of a general regulation to be adopted as an amendment to this Code;
- f. Is based exclusively on findings of personal or financial hardship. Convenience, profit or

caprice shall not constitute undue hardship.

Section 3. Findings of Fact

The Board of Adjustment having considered the presentation of Town staff, the presentation of the Applicant and the comments from the public, finds as follows:

- a. That there are unique physical circumstances or conditions such as irregularity, narrowness or shallowness of the lot, or exceptional topographical or other physical condition particular to the affected property;
- b. That, because of these unique physical circumstances or conditions, the property cannot be reasonably developed or used in compliance with the provisions of this Code;
- c. That, due to such unique physical circumstances or conditions, the strict application of this Code would create a demonstrated hardship;
- d. That the demonstrable hardship is not self-imposed;
- e. That the variance, if granted, will not adversely affect the proposed development or use of adjacent property or neighborhood;
- f. That the variance, if granted, will not change the character of the zoning district in which the property is located;
- g. That the variance, if granted, is in keeping with the intent of this Code; and
- h. That the variance, if granted, will not adversely affect the health, safety or welfare of the citizens of the Town.

Section 4. Conclusions and Order

- a. The Board of Adjustment finds that the Applicant has met its burden of proof to establish the facts necessary to approve the requested variance.
- b. The Applicant is granted a variance to allow the use of the existing driveway access from Morning Side Drive to Lot 3, Block 3 Morning Side Estates Filing No. 2.
- c. This Resolution granting the variance shall be recorded with the Weld County Clerk and Recorder at the expense of the Applicant.

Section 5. Effective Date. This resolution shall become effective immediately upon adoption.

Section 6. Repealer. All resolutions, or parts thereof, in conflict with this resolution are hereby repealed, provided that such repealer shall not repeal the repealer clauses of such resolution nor revive any resolution thereby.

Section 7. Certification. The Town Clerk shall certify to the passage of this resolution and make not less than one copy of the adopted resolution available for inspection by the public during regular business hours.

INTRODUCED, READ, PASSED, AND ADOPTED THIS 11TH DAY OF AUGUST, 2020.

ATTEST

TOWN OF FREDERICK

Meghan C. Martinez, CMC, Town Clerk

By _____
Tracie Crites, Mayor

**TOWN OF FREDERICK, COLORADO
BOARD OF ADJUSTMENT
RESOLUTION NO. 20-R-01- B**

**A RESOLUTION OF THE BOARD OF TRUSTEES
OF THE TOWN OF FREDERICK
SITTING AS THE BOARD OF ADJUSTMENT
DENYING A REQUEST FOR A VARIANCE
FOR A SECOND ACCESS TO 8027 DAWN HILL CIRCLE,
LOT 3, BLOCK 3 MORNING SIDE ESTATES FILING NO. 2**

WHEREAS, the Board of Trustees of the Town of Frederick, sitting as the Board of Adjustment, August 11, 2020, has been asked to allow the utilization of an existing second driveway access to 8027 Dawn Hill Circle, Lot 3, Block 3 Morning Side Estates Filing No. 2; and

WHEREAS, the Applicant has submitted a letter requesting a variance from Subsection 2.b.(7)(a) of the Frederick Land Use Code (LUC) requesting this variance;

BE IT RESOLVED BY THE MAYOR AND BOARD OF TRUSTEES OF THE TOWN OF FREDERICK, SITTING AS THE BOARD OF ADJUSTMENT, AS FOLLOWS:

Section 1. Procedural Findings

- a. The Applicant has submitted an explanation letter identifying the variance being requested, citing the portion of the code from which relief is requested and explaining what exceptional condition, practical hardship or unnecessary hardship exists to require the variance.
- b. Notice of the variance request has been published pursuant to LUC Section 4.5.8.
- c. Written notice was provided to adjacent property owners 15 days prior to the date of this hearing pursuant to LUC Section 4.7.7 (2) and Section 4.8.6.e.

Section 2. Review Criteria

The Board of Adjustment must find that the requested variance does not grant a variance which:

- a. Permits a land use not allowed in the zoning district in which the property is located;
- b. Is in the public right-of-way or on public property;
- c. Alters any definition of this Code;
- d. Is other than the minimum variance that will afford relief with the least modification possible to the requirements of this Code;
- e. Is based on physical conditions or circumstances of the property so general or recurring in nature as to reasonably make practicable the formulation of a general regulation to be adopted as an amendment to this Code;
- f. Is based exclusively on findings of personal or financial hardship. Convenience, profit or

caprice shall not constitute undue hardship.

Section 3. Findings of Fact Supporting the Denial of the Variance

The Board of Adjustment having considered the presentation of Town staff, the presentation of the Applicant and the comments from the public, finds as follows:

- a.
- b.
- c.
- d.

Section 4. Conclusions and Order

- a. The Board of Adjustment finds that the Applicant has not met its burden of proof to establish the facts necessary to approve the requested variance.
- b. The Applicant is therefore denied the requested variance to allow the use of the existing driveway access from Morning Side Drive to Lot 3, Block 3 Morning Side Estates Filing No. 2.
- c. This Resolution denying the variance shall be recorded with the Weld County Clerk and Recorder at the expense of the Applicant.

Section 5. Effective Date. This resolution shall become effective immediately upon adoption.

Section 6. Repealer. All resolutions, or parts thereof, in conflict with this resolution are hereby repealed, provided that such repealer shall not repeal the repealer clauses of such resolution nor revive any resolution thereby.

Section 7. Certification. The Town Clerk shall certify to the passage of this resolution and make not less than one copy of the adopted resolution available for inspection by the public during regular business hours.

INTRODUCED, READ, PASSED, AND ADOPTED THIS 11TH DAY OF AUGUST, 2020.

ATTEST

TOWN OF FREDERICK

Meghan C. Martinez, CMC, Town Clerk

By _____
Tracie Crites, Mayor

**TOWN OF FREDERICK, COLORADO
BOARD OF ADJUSTMENT
RESOLUTION NO. 20-R-01- C**

**A RESOLUTION OF THE BOARD OF TRUSTEES
OF THE TOWN OF FREDERICK
SITTING AS THE BOARD OF ADJUSTMENT
APPROVING A REQUEST FOR A VARIANCE WITH CONDITIONS
FOR A SECOND ACCESS TO 8027 DAWN HILL CIRCLE,
LOT 3, BLOCK 3 MORNING SIDE ESTATES FILING NO. 2**

WHEREAS, the Board of Trustees of the Town of Frederick, sitting as the Board of Adjustment, August 11, 2020, has been asked to allow the utilization of an existing second driveway access to 8027 Dawn Hill Circle, Lot 3, Block 3 Morning Side Estates Filing No. 2; and

WHEREAS, the Applicant has submitted a letter requesting a variance from Subsection 2.b.(7)(a) of the Frederick Land Use Code (LUC) requesting this variance;

BE IT RESOLVED BY THE MAYOR AND BOARD OF TRUSTEES OF THE TOWN OF FREDERICK, SITTING AS THE BOARD OF ADJUSTMENT, AS FOLLOWS:

Section 1. Procedural Findings

- a. The Applicant has submitted an explanation letter identifying the variance being requested, citing the portion of the code from which relief is requested and explaining what exceptional condition, practical hardship or unnecessary hardship exists to require the variance.
- b. Notice of the variance request has been published pursuant to LUC Section 4.5.8.
- c. Written notice was provided to adjacent property owners 15 days prior to the date of this hearing pursuant to LUC Section 4.7.7 (2) and Section 4.8.6.e.

Section 2. Review Criteria

The Board of Adjustment finds that the requested variance does not grant a variance which:

- a. Permits a land use not allowed in the zoning district in which the property is located;
- b. Is in the public right-of-way or on public property;
- c. Alters any definition of this Code;
- d. Is other than the minimum variance that will afford relief with the least modification possible to the requirements of this Code;
- e. Is based on physical conditions or circumstances of the property so general or recurring in nature as to reasonably make practicable the formulation of a general regulation to be adopted as an amendment to this Code;
- f. Is based exclusively on findings of personal or financial hardship. Convenience, profit or

caprice shall not constitute undue hardship.

Section 3. Findings of Fact

The Board of Adjustment having considered the presentation of Town staff, the presentation of the Applicant and the comments from the public, finds as follows:

- a. That there are unique physical circumstances or conditions such as irregularity, narrowness or shallowness of the lot, or exceptional topographical or other physical condition particular to the affected property;
- b. That, because of these unique physical circumstances or conditions, the property cannot be reasonably developed or used in compliance with the provisions of this Code;
- c. That, due to such unique physical circumstances or conditions, the strict application of this Code would create a demonstrated hardship;
- d. That the demonstrable hardship is not self-imposed;
- e. That the variance, if granted, will not adversely affect the proposed development or use of adjacent property or neighborhood;
- f. That the variance, if granted, will not change the character of the zoning district in which the property is located;
- g. That the variance, if granted, is in keeping with the intent of this Code; and
- h. That the variance, if granted, will not adversely affect the health, safety or welfare of the citizens of the Town.

Section 4. Conclusions and Order

- a. The Board of Adjustment finds that the Applicant has met its burden of proof to establish the facts necessary to approve the requested variance, subject to the following additional conditions:
 - i.
 - ii.
 - iii.
- b. The Applicant is granted a variance to allow the use of the existing driveway access from Morning Side Drive to Lot 3, Block 3 Morning Side Estates Filing No. 2.
- c. This Resolution granting the variance shall be recorded with the Weld County Clerk and Recorder at the expense of the Applicant.

Section 5. Effective Date. This resolution shall become effective immediately upon adoption.

Section 6. Repealer. All resolutions, or parts thereof, in conflict with this resolution are hereby repealed, provided that such repealer shall not repeal the repealer clauses of such resolution nor revive any resolution thereby.

Section 7. Certification. The Town Clerk shall certify to the passage of this resolution and make not less than one copy of the adopted resolution available for inspection by the public during regular business hours.

INTRODUCED, READ, PASSED, AND ADOPTED THIS 11TH DAY OF AUGUST, 2020.

ATTEST

TOWN OF FREDERICK

Meghan C. Martinez, CMC, Town Clerk

By _____
Traci Crites, Mayor