MEMORANDUM

TO: Planning Board
FROM: Sloane Walbert, Case Manager
DATE: April 28, 2015
SUBJECT: **Call-Up Item**: Minor subdivision review, case no. LUR2015-00008, for the creation of a second residential lot with frontage on 15th Street. Lot 1A to be 7,605 square feet and Lot 2A to be 7,404 square feet**.** This approval is subject to potential call-up on or before **May 11, 2015.**

Attached is the disposition of the conditional approval (see **Attachment A**) of a Minor Subdivision for the subdivision of a residential property within the Residential Low – 1 (RL-1) zoning district to create an additional lot that will front on 15th Street. All structures on the property have been demolished (refer to *Figure 1, Current Conditions*). Each resulting lot will contain building envelopes suitable for the construction of single-family homes. Pursuant to section 9-12-5(a), B.R.C. 1981, a Minor Subdivision is required to subdivide the property (see **Attachment B** for Approved Final Plat).

Background. The subject property is a 0.34-acre lot located on the southeast corner of Bluebell Avenue and 15th Street in the East Chautauqua neighborhood (refer to *Figure 2, Vicinity Map*). The property was originally platted per the Interurban Park Addition in 1908. The property previously contained a single-family home that was constructed in 1951, a carport and stone landscape walls, as seen in the aerial photo on the next page. All structures have been removed from the property to accommodate the new property line (refer to *Figure 1* and **Attachment B**). Vehicular access to both lots will be from 15th Street. In addition, a 5-foot public utility easement will be dedicated on the plat for existing services that cross the proposed lot lines.

Figure 1: Current Conditions

The project site is zoned Residential - Low 1 (RL-1), which is defined as *"single-family detached residential dwelling units at low to very low residential densities."* The minimum lot area in RL-1 zoning is 7,000 square feet. Both proposed lots meet this minimum lot area requirement. Following subdivision, both lots will be limited to a single dwelling unit (unless accessory dwelling units are proposed and approved pursuant to section 9-6-3(a), "Accessory Units," B.R.C. 1981). Future development will be subject to compatible development standards, including side yard bulk plane, side yard wall articulation, maximum building coverage, and floor area ratio (FAR) requirements.

Public Comment. Required public notice was provided in the form of written notifications to adjacent property owners of the subject property. In addition, a public notice sign was posted on the property. Therefore, all public notice requirements of section 9-4-3, "*Public Notice Requirements*," B.R.C. 1981 were met. Staff received comments from one neighbor concerned about the size and height of homes that could be build on each lot. Based on marketing materials that were placed on the property, they are concerned about new structures blocking views. Refer to **Attachment C** for public comment. Staff explained that the size and scale of any proposed homes would be determined by the applicable zoning standards, including compatible development

standards and solar access standards. The application was also sent to the neighborhood association for comment.

Figure 2: Vicinity Map

Conclusion. Staff finds that this application meets the Minor Subdivision criteria set forth in section 9-12-5(e), B.R.C. 1981. Further, the subdivision meets the minimum lot area requirements (Table 8-1: Intensity Standards) and the Standards for Lots and Public Improvements (Section 9-12-12). Refer to **Attachment D** for staff analysis of the land use code criteria.

This application was approved by Planning and Development Services staff on April 27, 2015 and the decision may be called-up before Planning Board on or before **May 11, 2015**. One Planning Board meeting is scheduled within the 14-day call-up period, on **May 7, 2015**. Questions about the project or decision should be directed to Sloane Walbert at 303-441-4231 or via email walberts@bouldercolorado.gov.

Attachments.

Attachment A: Disposition of Approval
Attachment B: Approved Final Plat for Interurban Park Addition Replat A
Attachment C: Public Comments Received
Attachment D: Analysis of City Code Criteria

ATTACHMENT A

CITY OF BOULDER
Community Planning & Sustainability
1739 Broadway, Third Floor • P.O. Box 791, Boulder, CO 80306-0791
phone 303-441-1880 • fax 303-441-3241 • web www.bouldercolorado.gov

CITY OF BOULDER PLANNING DEPARTMENT
NOTICE OF DISPOSITION

You are hereby advised that the following action was taken by the Planning Department based on the standards and criteria of the Land Use Regulations as set forth in section 9-12-5, B.R.C. 1981, as applied to the proposed development.

DECISION:	**APPROVED**
PROJECT NAME:	**INTERURBAN PARK ADDITION REPLAT A**
DESCRIPTION:	**MINOR SUBDIVISION of an existing property to create one additional residential lot with frontage on 15th Street. Lot 1A to be 7,605 square feet and Lot 2A to be 7,404 square feet.**
LOCATION:	**1500 BLUEBELL AV**
COOR:	**S01W06**
LEGAL DESCRIPTION:	**Lots 1 and 2, Block 11, Interurban Park, together with all that portion of the vacated alley in said Block 11, lying Southerly of the adjacent to said Lots 1 and 2, County of Boulder, State of Colorado**
APPLICANT/OWNER:	**Stephen Brown/Brown Development Group, LLC**
APPLICATION:	**LUR2015-00008**
ZONING:	**Residential Low-1 (RL-1)**
CASE MANAGER:	**Sloane Walbert**

THIS IS NOT A SITE SPECIFIC DEVELOPMENT PLAN APPROVAL AND NO VESTED PROPERTY RIGHT IS CREATED BY THIS APPROVAL.

Approved on: 4.27.15
Date

By:
David Driskell, Executive Director of Community Planning and Sustainability

This decision may be appealed to the Planning Board by filing an appeal letter with the Planning Department within two weeks of the decision date. If no such appeal is filed, the decision shall be deemed final fourteen days after the date above mentioned.

Appeal to Planning Board expires: 5/11/15

CONDITIONS OF APPROVAL

None.

Address: 1500 BLUEBELL AVE.

FINAL PLAT

INTERURBAN PARK ADDITION REPLAT A

A RESUBDIVISION OF LOTS 1 AND 2, BLOCK 11, INTERURBAN PARK ADDITION, TOGETHER WITH ALL THAT PORTION OF THE VACATED ALLEY IN SAID BLOCK 11 LYING SOUTHERLY OF THE ADJACENT TO SAID LOTS 1 AND 2, LOCATED IN THE NORTHWEST QUARTER OF SECTION 6, TOWNSHIP 1 SOUTH, RANGE 70 WEST OF THE 6TH P.M., CITY OF BOULDER, COUNTY OF BOULDER, STATE OF COLORADO

TOTAL AREA = 15,009 SQ. FT. OR 0.34 ACRES

SHEET 1 OF 1

DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT THE UNDERSIGNED BEING THE OWNER OF THAT REAL PROPERTY SITUATED IN THE NORTHWEST QUARTER OF SECTION 6, TOWNSHIP 1 SOUTH, RANGE 70 WEST OF THE 6TH P.M., IN THE CITY OF BOULDER, COUNTY OF BOULDER, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

LOTS 1 AND 2, BLOCK 11, INTERURBAN PARK ADDITION, ACCORDING TO THE RECORDED PLAT THEREOF, TOGETHER WITH ALL THAT PORTION OF THE VACATED ALLEY IN SAID BLOCK 11, LYING SOUTHERLY OF THE ADJACENT TO SAID LOTS 1 AND 2, MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGINNING AT A FOUND #5 REBAR WITH 1 1/2" ALUMINUM CAP STAMPED "FLATIRONS SURV. 16406" AT THE NORTHWEST CORNER OF LOT 1, INTERURBAN PARK ADDITION, THENCE S88°42'27"E, A DISTANCE OF 100.10 FEET, THENCE S01°17'29"E, A DISTANCE OF 149.96 FEET, THENCE N88°41'07"W, A DISTANCE OF 100.10 FEET, THENCE N01°17'29"W, A DISTANCE OF 149.92 FEET TO THE POINT OF BEGINNING,
COUNTY OF BOULDER,
STATE OF COLORADO.

SAID DESCRIBED PARCELS CONTAINING 15,009 SQ. FT.

HAS CAUSED SAID PROPERTY TO BE LAID OUT, SURVEYED, SUBDIVIDED AND PLATTED UNDER THE NAME OF "INTERURBAN PARK ADDITION REPLAT A", A SUBDIVISION IN THE CITY OF BOULDER, COUNTY OF BOULDER, STATE OF COLORADO, AND BY THESE PRESENTS DOES HEREBY DEDICATE TO THE CITY OF BOULDER THAT REAL PROPERTY DESIGNATED AS "UTILITY EASEMENT" ON THE ACCOMPANYING PLAT AS AN EASEMENT FOR THE CONSTRUCTION, INSTALLATION, OPERATION, MAINTENANCE, REPAIR AND REPLACEMENT FOR ALL SERVICES, INCLUDING WITHOUT LIMITING THE GENERALITY OF THE FOREGOING: TELEPHONE AND ELECTRIC LINES, WORKS, POLES, UNDERGROUND CABLES, GAS PIPELINES, WATER PIPELINES, SANITARY SEWER LINES, STREET LIGHTS, CULVERTS, HYDRANTS, DRAINAGE DITCHES AND DRAINS AND ALL APPURTENANCES THERETO. IT IS EXPRESSLY UNDERSTOOD AND AGREED BY THE UNDERSIGNED THAT ALL EXPENSES AND COSTS INVOLVED IN CONSTRUCTING AND INSTALLING WATER PIPELINES AND APPURTENANCES, SANITARY SEWER WORKS AND LINES, GAS SERVICE LINES, ELECTRICAL SERVICE WORKS AND LINES, STORM SEWERS AND DRAINS, STREET LIGHTING, GRADING AND LANDSCAPING, CURBS, GUTTERS, STREET PAVEMENT, SIDEWALKS, AND OTHER SUCH UTILITIES AND SERVICES SHALL BE GUARANTEED AND PAID FOR BY THE SUBDIVIDER OR ARRANGEMENTS MADE BY THE SUBDIVIDER THEREFORE WHICH ARE APPROVED BY THE CITY OF BOULDER, AND SUCH SUMS SHALL NOT BE PAID BY THE CITY OF BOULDER, COLORADO, AND THAT ANY ITEM SO CONSTRUCTED OR INSTALLED AND ACCEPTED BY THE CITY OF BOULDER, COLORADO, SHALL BECOME THE SOLE PROPERTY OF THE CITY OF BOULDER, EXCEPT ITEMS OWNED BY MUNICIPALLY FRANCHISED OR PERMITTED UTILITIES, WHICH ITEMS, WHEN CONSTRUCTED OR INSTALLED, SHALL REMAIN THE PROPERTY OF THE OWNER OR THE PUBLIC UTILITY, AND SHALL NOT BECOME THE PROPERTY OF THE CITY OF BOULDER.

FOR THE APPROVAL OF "INTERURBAN PARK ADDITION REPLAT A" AND THE DEDICATIONS AND CONDITIONS WHICH APPLY THERETO THIS_____DAY OF_____, 20____.

BROWN DEVELOPMENT GROUP, LLC,
A COLORADO LIMITED LIABILITY COMPANY

BY: _____
STEPHEN M. BROWN, MEMBER

ACKNOWLEDGEMENT

STATE OF COLORADO)
) SS
COUNTY OF BOULDER)

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 2015, BY STEPHEN M. BROWN, MEMBER OF BROWN DEVELOPMENT GROUP, LLC, A COLORADO LIMITED LIABILITY COMPANY.

WITNESS MY HAND AND SEAL.
MY COMMISSION EXPIRES: _____

[SEAL] _____
NOTARY PUBLIC

LENDER'S CONSENT AND SUBORDINATION

THE UNDERSIGNED, A BENEFICIARY UNDER A CERTAIN DEED OF TRUST ENCUMBERING THE PROPERTY, HEREBY EXPRESSLY CONSENTS TO AND JOINS IN THE EXECUTION AND RECORDING OF THIS SUBDIVISION PLAT, DEDICATION AND EASEMENTS SHOWN HEREON AND MAKES THE DEED OF TRUST SUBORDINATE HERETO. THE UNDERSIGNED REPRESENTS THAT HE OR SHE HAS FULL POWER AND AUTHORITY TO EXECUTE THIS LENDER'S CONSENT AND SUBORDINATION ON BEHALF OF THE LENDER STATED BELOW.

AMFIRST BANK, N.A

BY: _____
AUTHORIZED REPRESENTATIVE

ACKNOWLEDGMENT

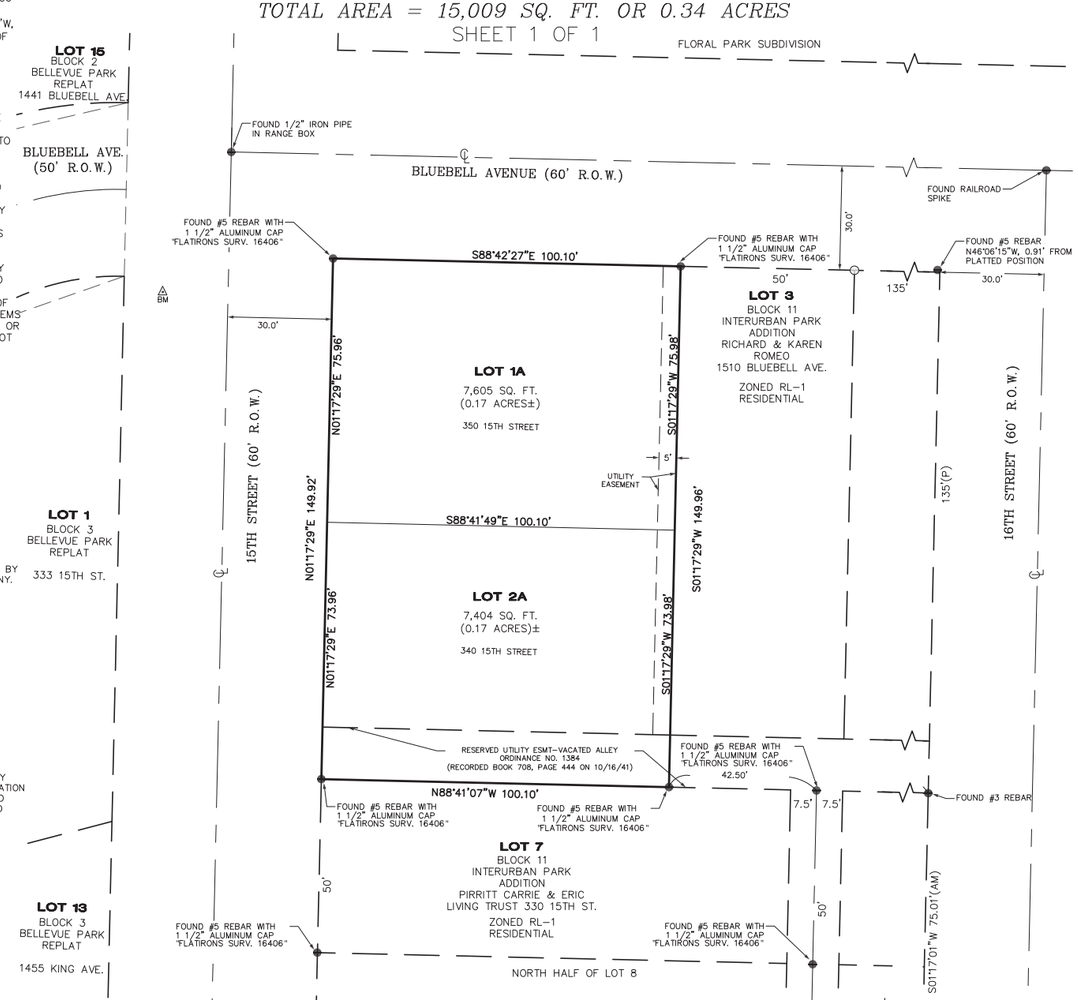
STATE OF _____)
)SS
COUNTY OF _____)

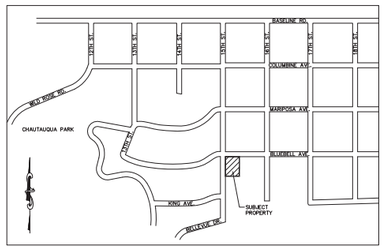
THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 2015,

BY _____AS_____OF AMFIRST BANK, N.A.

WITNESS MY HAND AND SEAL.
MY COMMISSION EXPIRES: _____

[SEAL] _____
NOTARY PUBLIC





Vicinity Map NOT TO SCALE

Subdivision Area

LOT 1A 7,605 SQUARE FEET (0.17± ACRES)

LOT 2A 7,404 SQUARE FEET (0.17± ACRES)

TOTAL SUBDIVISION AREA:

15,009 SQUARE FEET (0.34 ACRES)

GRAPHIC SCALE

20 0 10 20 40

(IN FEET)
1 inch = 20 ft.

Notes

1. FIRST AMERICAN TITLE COMMITMENT NUMBER 5509-2378775, DATED MARCH 16, 2015 AT 5:00 P.M., WAS ENTIRELY RELIED UPON FOR RECORDED INFORMATION REGARDING RIGHTS-OF-WAY, EASEMENTS AND ENCUMBRANCES IN THE PREPARATION OF THIS SURVEY. THE PROPERTY SHOWN AND DESCRIBED HEREON IS ALL OF THE PROPERTY DESCRIBED IN SAID TITLE COMMITMENT.
2. BASIS OF BEARINGS: AN ASSUMED BEARING OF SOUTH 88°42'27" EAST, A DISTANCE OF 345.27 FEET ALONG THE CENTERLINE OF BLUEBELL AVENUE BETWEEN A FOUND 1/2" IRON PIN IN RANGE BOX AT THE INTERSECTION OF BLUEBELL AVENUE AND 15TH STREET AND A FOUND RAIL ROAD SPIKE AT THE INTERSECTION OF BLUEBELL AVENUE AND 16TH STREET, WITH ALL BEARINGS CONTAINED HEREIN BEING RELATIVE THERETO.
3. DATES OF FIELD WORK: JULY 9, 2014.
4. THE SUBJECT PROPERTY IS ZONED RESIDENTIAL-LOW 1 (RL-1) PER CITY OF BOULDER.
5. FLOOD INFORMATION: THE SUBJECT PROPERTY IS LOCATED IN ZONE X UNSHADED, AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN, ACCORDING TO THE FEMA FLOOD INSURANCE RATE MAP; COMMUNITY-PANEL NO. 080024-0557 J, DATED DECEMBER 18, 2012. FLOOD INFORMATION IS SUBJECT TO CHANGE

Legend

- ● FOUND MONUMENT AS DESCRIBED
- ○ CALCULATED POSITION (NOT FOUND OR SET)
- ℄ CENTERLINE

SURVEYOR'S CERTIFICATE

I, JOHN B. GUYTON, A DULY REGISTERED LAND SURVEYOR, LICENSED IN THE STATE OF COLORADO, HEREBY STATE FOR AND ON BEHALF OF FLATIRONS, INC., THAT THE SURVEY OF A RESUBDIVISION OF LOTS 1 AND 2, AND THE NORTH HALF OF THE VACTED ALLEY, INTERURBAN PARK ADDITION WAS PERFORMED BY ME OR UNDER MY DIRECT SUPERVISION, RESPONSIBILITY AND CHECKING, AND THAT THIS PLAT HAS BEEN PREPARED IN COMPLIANCE WITH ALL APPLICABLE LAWS OF THE STATE OF COLORADO AT THE TIME OF THIS SURVEY AND IS ACCURATE TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF.

JOHN B. GUYTON
COLORADO P.L.S. #16406
CHAIRMAN & CEO,
FLATIRONS, INC.

DATE
FSI JOB NO. 14-64,104

APPROVALS

_____
DIRECTOR OF PLANNING

_____
DIRECTOR OF PUBLIC WORKS AND UTILITIES

CITY MANAGER'S CERTIFICATE

IN WITNESS WHEREOF, THE SAID CITY OF BOULDER HAS CAUSED ITS SEAL TO BE HEREUNTO AFFIXED BY ITS CITY MANAGER THIS _____DAY OF_____, 20___.

ATTEST:

_____ _____
CITY CLERK CITY MANAGER

CLERK AND RECORDER'S CERTIFICATE

STATE OF COLORADO)
) SS
COUNTY OF BOULDER)

I HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED IN MY OFFICE AT _____O'CLOCK, ___M., THIS _____ DAY OF _____, 20____, AND IS RECORDED AT RECEPTION #_____.

FEES PAID: $_____

_____ _____
CLERK AND RECORDER DEPUTY

REVISION	DATE
1 CITY OF BOULDER COMMENTS	2/25 2015 W. BECKETT
2 CITY OF BOULDER COMMENTS	3/23 2015 W. BECKETT
3 CITY OF BOULDER COMMENTS	4/3 2015 W. BECKETT
4	
5	
6	
7	
8	

FINAL PLAT
INTERURBAN PARK ADDITION REPLAT A

Flatirons, Inc.
Surveying, Engineering & Geomatics
www.Flatironsinc.com
655 FOURTH AVE
LONGMONT, CO 80501
PH: (303) 776-1733
FAX: (303) 776-4355
3825 IRIS AVE, STE 395
BOULDER, CO 80301
PH: (303) 443-7001
FAX: (303) 443-9830
3660 DOWNING ST
UNIT E
DENVER, CO 80205
PH: (303) 936-6997

JOB NUMBER:
14-64,104
DATE:
9-2-2014
DRAWN BY:
B. SWIFT/W. BECKTT
CHECKED BY:
JZG,ETB,WW

SHEET 1 OF 1

BY:BBECKETT FILE:64104-PRELIMINARY-FINAL PLAT-4TH SUBMITTAL.DWG DATE:4/3/2015 3:36 PM

ATTACHMENT C

2/18/15 - Phone conversation with Dean Dinair (neighbor at 1507 Bluebell Ave.).

From: Dean
To: Walbert, Sloane
Subject: 1500 Bluebell
Date: Wednesday, February 18, 2015 5:09:25 PM

HI There:

Thank you so very much calling me regarding the building application (or whatever the correct technical term is) on Bluebell 1500.

As I mentioned on the phone, I am not trying to sabotage anything (not that I could) or pester you from now until the end of time.

If you could just let me know how and when we as neighbors can have some input into the final design (size/height) of the properties.

It is a beautiful part of Boulder, and it would be a shame to destroy it.

Thank you again for your time and kindness in explaining the A's and B's to me.

☺

Cheers

Dean

[redacted]

From: Walbert, Sloane
To: "Dean"
Subject: RE: 1500 Bluebell
Date: Friday, February 20, 2015 5:04:30 PM
Attachments: Review Comments 1500 Bluebell Ave.pdf

Hi Dean,

Please see information below and attached review comments.

Public Input and Call-up Process:
Neighborhood comment is welcome on a application for a minor subdivision. Staff will review the proposal and if the subdivision, i.e. final plat, is deemed to meet the applicable criteria (see below) they will issue a disposition of approval. A fourteen day call-up period begins and a memorandum is forwarded to the Planning Board (refer to section 9-4-4 of the land use code). During this period a member of the planning board may call the decision for a public hearing. In addition, any member of the public who is aggrieved by the decision may call up the item for a public hearing by filing an appeal with city staff within fourteen days of the decision. A public hearing will be scheduled within sixty days of the appeal. During this hearing the Board will determine whether the subdivision application meets the requirements of this code and other ordinances of the City and will grant or deny the application.

Review Criteria for Minor Subdivision:
The criteria for a minor subdivision can be found in section 9-12-5. Additionally, the proposed subdivision must meet the lot standards in section 9-12-12. If a member of the public would like to call-up a decision on a subdivision they typically need to point to the specific criteria that they believe the subdivision does not meet or demonstrate that the subdivision is a detriment to public health, safety or welfare. Refer to the criteria checklist at the end of the review comments to see all applicable criteria.

Future Development Constraints:
All this being said, the subdivision affects this property only in that two houses could be allowed rather than one. The actual allowances for the design of the structures is determined by the underlying zoning (RL-1). There is no public input into the design of single family homes as long as they meet all of the applicable zoning standards. The maximum permissible height, setbacks, etc., i.e. form and bulk, can be found in table 7-1 of the land use code. The maximum allowable square footage, i.e. intensity, can be found in table 8-1. In addition, any development on this property would be required to meet compatible development standards. The intent of these standards is to protect the character of established single-family neighborhoods by assuring that new construction and additions are compatible in scale and bulk with the existing development. These regulations include limitations on side yard bulk plane (section 9-7-9), side yard wall articulation (section 9-7-10), maximum building coverage (section 9-7-11), and maximum floor area ratio (FAR) (section 9-8-2). I am happy to provide more information on the implications of these regulations if you are interested.

I hope this is helpful. Please let me know if I can be of further assistance or if you are having issues

with the links to the code. Enjoy the snowy weekend!

Sloane Walbert
Planner I, Department of Community Planning and Sustainability
City of Boulder
1739 Broadway, 3rd Floor
P.O. Box 791
Boulder, CO 80306-0791
(303) 441-4231 Direct
WalbertS@bouldercolorado.gov

From: Dean
To: Walbert, Sloane
Subject: 1500 Bluebell
Date: Thursday, March 19, 2015 8:12:43 PM

Hi Sloan:

This is Dean again, the Bluebell neighbor from across the street. Thanks again for that email you sent.

The only question I have at this point, is how to get involved a little more in this project (as much as the law of allows only of course). I read all of the links you gave me, but I am still a little unsure as to the "spirit" or intent of the laws as they were written. Clearly they give structure to this process, but does the city consider and take any inputs/requests from the immediately affected neighbors?

Or is it, as long as you do not violate the law (or not get caught) you can do anything that you want?

Thank you for your time, I know you are busy.

Cheers

Dean

[redacted]

From: Walbert, Sloane
To: "Dean"
Subject: RE: 1500 Bluebell
Date: Friday, April 03, 2015 1:16:30 PM

Hi Dean,

You are welcome to speak at the Planning Board meeting once the proposal is sent for call-up. However, as a explained on the phone if the subdivision meets the zoning and lot standards essentially the city is obligated to approve the subdivision.

The zoning restrictions on what can be built on the created lots were determined through a public process with significant input from the community. In particular, the compatible development regulations were adopted in 2009 to protect the character of established single-family neighborhoods by assuring that new construction and additions are compatible in scale and bulk with the character of the neighborhood. There is no opportunity for public comment once the developer submits for building permit. They are allowed to build anything that meets the zoning regulations and building code per personal property rights. Due to the size of the lots they are not eligible for any process that would modify the zoning regulations. It would be very difficult to violate the zoning regulations since they are required to submit very detailed plans with the building permit and any proposed buildings will be inspected at multiple points to ensure that they are building to the plans.

I hope this information is helpful. I know that you are concerned about the impact of development on your property. Unfortunately, there is not public process to comment specifically on buildings they propose for the property.

Thanks,

Sloane Walbert
Planner I, Department of Community Planning and Sustainability
City of Boulder
1739 Broadway, 3rd Floor
P.O. Box 791
Boulder, CO 80306-0791
(303) 441-4231 Direct
WalbertS@bouldercolorado.gov

ATTACHMENT D

SECTION 9-12-5(E), B.R.C. 1981 – MINOR SUBDIVISION

✓ (a) Scope: A minor subdivision is a division of land that is already served by city services, will not require the extension of streets or public improvements and will not result in more than one additional lot.

(b) Limitations: The provisions of this section shall not apply to a replat that:

✓ (1) Requires any variations to section 9-12-12, "Standards for Lots and Public Improvements," B.R.C. 1981;

See below.

✓ (2) Requires the dedication of public or private access easements or public right of way for new streets, alleys or shared access driveways;

✓ (3) Requires the extension of a public improvement such as a street, alley, water main or sewer main, or requires any engineering plans, including but not limited to drainage reports for any public or private improvement;

✓ (4) Is located on lands containing slopes of fifteen percent or greater;

✓ (5) Requires the removal of an existing principal building; or

✓ (6) Is located in a nonresidential zone district described in section 9-5-2, "Zoning Districts," B.R.C. 1981.

The subject property is located in an RL-1 zone district.

(c) Application Requirements: The subdivider shall submit to the City the following items:

✓ (1) An application for a minor subdivision on a form provided by the city manager and the fee prescribed by section 4-20-43, "Development Application Fees," B.R.C. 1981;

✓ (2) A preliminary plat meeting all of the requirements of section 9-12-6, "Application Requirements for a Preliminary Plat," B.R.C. 1981;

✓ (3) A final plat meeting all of the requirements of section 9-12-8, "Final Plat," B.R.C. 1981;

✓ (4) A title commitment or attorney memorandum based upon an abstract of title, current as of the date of submitting the minor subdivision;

✓ (5) A lot line and boundary verification required by section 9-12-9, "Lot Line and Boundary Verification," B.R.C. 1981, if the requirements of section 9-12-9, "Lot Line and Boundary Verification," B.R.C. 1981, have not been met on the original plat; and

✓ (6) A shadow analysis for any existing buildings that is drawn in compliance with section 9-9-17, "Solar Access," B.R.C. 1981, and any other standards as may be required by the city manager.

All structures were demolished prior to final approval of the subdivision; hence, no shadow analysis is necessary.

(e) Standards for Minor Subdivisions: The city manager will approve the minor subdivision after finding that the following standards have been met:

✓ (1) The land is in a residential zoning district described in section 9-5-2, "Zoning Districts," B.R.C. 1981;

✓ (2) The division of land will create no more than one additional lot;

✓ (3) The division of land will not require the extension of any public improvements, including, without limitation, the extension of roads or utilities to serve the property;

✓ (4) If the minor subdivision is a replat of a previously approved subdivision, the document shall be named with the same name as that of the original subdivision and shall indicate thereon that it is a replat of the original subdivision. Newly adjusted or created lots shall be designated to adequately indicate that original lot lines have been adjusted with a similar lot name; and

✓ (5) The lots and existing structures will comply with the lot standards of section 9-12-12, "Standards for Lots and Public Improvements," B.R.C. 1981, and the solar access requirements of section 9-9-17, "Solar Access," B.R.C. 1981.

✓ (f) Dedication and Vacation of Easements: Right-of-way necessary to bring an existing street or alley up to a current city standard, or public easements for utilities or sidewalks may be dedicated on a minor subdivision plat. The City may approve the vacation of city utility easements on the replat.

SECTION 9-12-12(A) – STANDARDS FOR LOTS

(1) Standards for Lots: Lots meet the following conditions:

✓ (A) Each lot has access to a public street.

✓ (B) Each lot has at least thirty feet of frontage on a public street.

✓ (C) No portion of a lot is narrower than thirty feet.

✓ (D) Lots and existing structures meet all applicable zoning requirements of this title and section 9-9-17, "Solar Access," B.R.C. 1981.

The minimum lot area in RL-1 zoning is 7,000 square feet. Both proposed lots meet this minimum requirement. Also, the minimum lot per dwelling unit is 7,000 square feet. With the minor subdivision both lots will be limited to a single dwelling unit. Development on these lots will be subject to compatible development regulations.

✓ (E) Lots with double frontage are avoided, except where necessary to provide separation from major arterials or incompatible land uses or because of the slope of the lot.

✓ (F) Side lot lines are substantially at right angles or radial to the centerline of streets, whenever feasible.

✓ (G) Corner lots are larger than other lots to accommodate setback requirements of section 9-7-1, "Schedule of Form and Bulk Standards," B.R.C. 1981.

The corner lot (Lot 1A) is larger to accommodate the minimum 12.5' side yard landscaped setback from a street.

✓ (H) Residential lots are shaped so as to accommodate a dwelling unit within the setbacks prescribed by the zoning district.

✓ (I) Lots shall not be platted on land with a ten percent or greater slope, unstable land or land with inadequate drainage unless each platted lot has at least one thousand square feet of buildable area, with a minimum dimension of twenty-five feet. The city manager may approve the platting of such land upon finding that acceptable measures, submitted by a registered engineer qualified in the particular field, eliminate or control the problems of instability or inadequate drainage.

N/A (J) Where a subdivision borders an airport, a railroad right-of-way, a freeway, a major street or any other major source of noise, the subdivision is designed to reduce noise in residential lots to a reasonable level and to retain limited access to such facilities by such measures as a parallel street, a landscaped buffer area or lots with increased setbacks.

✓ (K) Each lot contains at least one deciduous street tree of two-inch caliper in residential subdivisions, and each corner lot contains at least one tree for each street upon which the lot fronts, located so as not to interfere

with sight distance at driveways and chosen from the list of acceptable trees established by the city manager, unless the subdivision agreement provides that the subdivider will obtain written commitments from subsequent purchasers to plant the required trees.

✓ (L) The subdivider provides permanent survey monuments, range points and lot pins placed by a Colorado registered land surveyor.

N/A (M) Where an irrigation ditch or channel, natural creek, stream or other drainage way crosses a subdivision, the subdivider provides an easement sufficient for drainage and maintenance.

✓ (N) Lots are assigned street numbers by the city manager under the city's established house numbering system, and before final building inspection the subdivider installs numbers clearly visible and made of durable material.

(O) For the purpose of ensuring the potential for utilization of solar energy in the city, the subdivider places streets, lots, open spaces and buildings so as to maximize the potential for the use of solar energy in accordance with the following solar siting criteria:

N/A (i) Placement of Open Space and Streets: Open space areas are located wherever practical to protect buildings from shading by other buildings within the development or from buildings on adjacent properties. Topography and other natural features and constraints may justify deviations from this criterion.

✓ (ii) Lot Layout and Building Siting: Lots are oriented and buildings sited in a way which maximizes the solar potential of each principal building. Lots are designed so that it would be easy to site a structure which is unshaded by other nearby structures and so as to allow for owner control of shading. Lots also are designed so that buildings can be sited so as to maximize the solar potential of adjacent properties by minimizing off-site shading.

N/A (iii) Building Form: The shapes of buildings are designed to maximize utilization of solar energy. Existing and proposed buildings shall meet the solar access protection and solar siting requirements of section 9-9-17, "Solar Access," B.R.C. 1981.

N/A (iv) Landscaping: The shading impact of proposed landscaping on adjacent buildings is addressed by the applicant. When a landscape plan is required, the applicant shall indicate the plant type and whether the plant is coniferous or deciduous.