

## MEMORANDUM

**TO:** Planning Board  
**FROM:** Chandler Van Schaack, Case Manager  
**DATE:** August 6, 2015  
**SUBJECT:** **Call Up Item:** Hawthorn 711 Subdivision (LUR2015-00037): Minor Subdivision to subdivide one 0.34-acre developed lot at 711 Hawthorn St. to create 2 new residential lots: Lot 1 (7,605 s.f.) and Lot 2 (7,321 s.f.). Lot 1 will contain the existing single family home. The call up period expires on **August 10, 2015**.

Attached is the disposition for the conditional approval (see [Attachment A](#)) for the Final Plat for the proposed Hawthorn 711 Subdivision within the RL-1 (Residential- Low 1) zoning district. As indicated in [Attachment B](#), this approval will result in the replat of one existing lot to create two new residential lots: Lot 1 (7,605 s.f.) will contain an existing single family home, and Lot 2 (7,321 s.f.) will be sold as a vacant, developable lot. No modifications to the development code or minimum lot standards have been requested as a part of this application. 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).



**Figure 1: Vicinity Map**

### **Background.**

As shown in **Figure 1**, 711 Hawthorn Ave. is located in North Boulder on the north side of Hawthorn Ave. between the terminus of 6<sup>th</sup> Street and 9<sup>th</sup> Street. The property is zoned RL-1 (Residential- Low 1), which is defined as “Single-family detached residential dwelling units at low to very low residential densities” per section 9-5-2(c)(1)(A), B.R.C. 1981. The surrounding neighborhood is also zoned RL-1. Pursuant to section 9-8-1, Table 8-1, “Intensity Standards,” the minimum lot area for the RL-1 zone district is 7,000 square feet; however, the lots located along Hawthorn Ave. in this area range in size from approximately 5,000 square feet to 18,500 square feet.

The subject property is 14,926 sq. ft. (0.34-acres) in size and currently contains a detached single-family dwelling unit, constructed in 2015 (the home and garage shown in **Figure 1** were demolished prior to construction of the new home). As indicated above, the proposed subdivision will result in the replat of the existing lot to create two new residential lots: Lot 1 (7,605 s.f.) will contain the existing single family home, and Lot 2 (7,321 s.f.) will be sold as a vacant developable lot. The existing home was designed in anticipation of the proposed subdivision, and will meet all applicable zoning standards following creation of the new lots. Each lot will take access from Hawthorn Ave. via separate driveways.

**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 two neighbors opposed to the proposed subdivision based on concerns over increased density and traffic in the neighborhood. Staff explained that the proposed subdivision meets the minimum required lot size for the zone district and that any new development would be subject to the existing zoning standards.

**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 C** for staff analysis of the land use code criteria.

This application was approved by Planning and Development Services staff on July 27, 2015 and the decision may be called-up before Planning Board on or before **August 10, 2015**. One Planning Board meeting is scheduled within the 14-day call-up period, on **August 6, 2015**. Questions about the project or decision should be directed to Chandler Van Schaack at (303) 441-3137 or [vanschaack@bouldercolorado.gov](mailto:vanschaack@bouldercolorado.gov).

**Attachments:**

- A. [Signed Disposition](#)
- B. [Approved Final Plat for Hawthorn 711 Subdivision](#)
- C. [Staff's Analysis of Lot Standards for Subdivision](#)



**CITY OF BOULDER  
Community Planning and 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 Chapter 9-12-5, B.R.C. 1981, as applied to the proposed development.

DECISION: **APPROVED**  
PROJECT NAME: **Hawthorn 711 Subdivision**  
DESCRIPTION: **MINOR SUBDIVISION to divide the property into two lots:  
Lot 1 (7,605 sf) and Lot 2 (7,321 sf).**  
LOCATION: **711 Hawthorn Ave.**  
COOR: **N05W07**  
LEGAL DESCRIPTION: **See Attached Exhibit A**  
APPLICANT: **Anthony Kimbiris**  
OWNER: **Antoinette Piaggio**  
APPLICATION: **Minor Subdivision, LUR2015-00037**  
ZONING: **RL-1**  
CASE MANAGER: **Chandler Van Schaack**

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

Approved On: 7-27-15  
Date

By: [Signature]  
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: 8-10-15

Final Approval Date: 8-11-15

**EXHIBIT A**

**LEGAL DESCRIPTION**

ALL THAT PORTION OF THE SOUTHEAST QUARTER OF SECTION 24, TOWNSHIP 1 NORTH, RANGE 71 WEST OF THE 6TH P.M. IN THE COUNTY OF BOULDER, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF THAT PARCEL OF LAND DESCRIBED IN BOULDER COUNTY RECEPTION NUMBER 01477018; THENCE SOUTH 89°36'26" WEST, ALONG THE NORTH RIGHT-OF-WAY LINE OF HAWTHORN AVENUE, A DISTANCE OF 99.10 FEET TO A POINT, WHENCE A FOUND BENT #4 REBAR BEARS NORTH 84°24'46" WEST, A DISTANCE OF 0.19 FEET; THENCE NORTH 00°43'26" WEST, A DISTANCE OF 150.10 FEET TO A FOUND #3 SMOOTH BAR; THENCE NORTH 89°43'32" EAST, A DISTANCE OF 99.93 FEET TO A POINT, WHENCE A FOUND #5 REBAR BEARS NORTH 76°34'28" WEST, A DISTANCE OF 1.00 FEET; THENCE SOUTH 00°24'23" EAST, A DISTANCE OF 149.89 FEET TO THE POINT OF BEGINNING.

CITY OF BOULDER,  
COUNTY OF BOULDER,  
STATE OF COLORADO.

**Dedication**  
 KNOW ALL MEN BY THESE PRESENTS, THAT THE UNDERSIGNED, BEING THE OWNER OF THAT PARCEL OF LAND SITUATED IN THAT PORTION OF THE SOUTHEAST QUARTER OF SECTION 24, TOWNSHIP 1 NORTH, RANGE 71 WEST OF THE 6TH P.M. IN THE COUNTY OF BOULDER, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF THAT PARCEL OF LAND DESCRIBED IN BOULDER COUNTY RECEPTION NUMBER 01477018; THENCE SOUTH 89°36'26" WEST, ALONG THE NORTH RIGHT-OF-WAY LINE OF HAWTHORN AVENUE, A DISTANCE OF 99.10 FEET TO A POINT, WHENCE A FOUND BENT #4 REBAR BEARS NORTH 84°24'46" WEST, A DISTANCE OF 0.19 FEET; THENCE NORTH 00°43'26" WEST, A DISTANCE OF 150.10 FEET TO A POINT, WHENCE NORTH 89°43'32" EAST, A DISTANCE OF 99.93 FEET TO A POINT, WHENCE A FOUND #5 REBAR BEARS NORTH 76°34'28" WEST, A DISTANCE OF 1.00 FEET; THENCE SOUTH 00°24'23" EAST, A DISTANCE OF 149.89 FEET TO THE POINT OF BEGINNING.

CITY OF BOULDER,  
 COUNTY OF BOULDER,  
 STATE OF COLORADO.

SAID DESCRIBED PARCEL CONTAINING 14,926 SQ. FT. HAS CAUSED SAID PROPERTY TO BE Laid OUT, SURVEYED, SUBDIVIDED AND PLATED UNDER THE DEED OF HAWTHORN AVENUE, A DISTANCE OF 150.10 FEET IN THE CITY OF BOULDER, COUNTY OF BOULDER, STATE OF COLORADO.

BY: ANTONETTE PIAGGIO

**Acknowledgement**

STATE OF \_\_\_\_\_ )  
 COUNTY OF \_\_\_\_\_ ) SS.  
 THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, BY ANTONETTE PIAGGIO.

WITNESS MY HAND AND SEAL,  
 MY COMMISSION EXPIRES: \_\_\_\_\_

[SEAL] NOTARY PUBLIC \_\_\_\_\_

**Lenders Consent and Subordination**

THE UNDERSIGNED, A BENEFICIARY UNDER A CERTAIN DEED OF TRUST IN THE COUNTY OF BOULDER, STATE OF COLORADO, DO HEREBY CONSENT TO 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.

FIFTH THIRD MORTGAGE COMPANY

BY: \_\_\_\_\_ AUTHORIZED REPRESENTATIVE \_\_\_\_\_

**Acknowledgement**

STATE OF \_\_\_\_\_ )  
 COUNTY OF \_\_\_\_\_ ) SS.  
 THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, BY \_\_\_\_\_ AS AUTHORIZED REPRESENTATIVE OF FIFTH THIRD BANK MORTGAGE COMPANY.  
 WITNESS MY HAND AND SEAL,  
 MY COMMISSION EXPIRES: \_\_\_\_\_

[SEAL] NOTARY PUBLIC \_\_\_\_\_

**Lenders Consent and Subordination**

THE UNDERSIGNED, A BENEFICIARY UNDER A CERTAIN DEED OF TRUST IN THE COUNTY OF BOULDER, STATE OF COLORADO, DO HEREBY CONSENT TO 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.

GREAT WESTERN BANK

BY: \_\_\_\_\_ AUTHORIZED REPRESENTATIVE \_\_\_\_\_

**Acknowledgement**

STATE OF \_\_\_\_\_ )  
 COUNTY OF \_\_\_\_\_ ) SS.  
 THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, BY \_\_\_\_\_ AS AUTHORIZED REPRESENTATIVE OF GREAT WESTERN BANK.  
 WITNESS MY HAND AND SEAL,  
 MY COMMISSION EXPIRES: \_\_\_\_\_

[SEAL] NOTARY PUBLIC \_\_\_\_\_

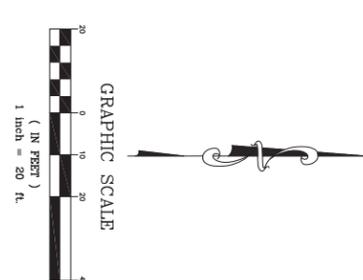
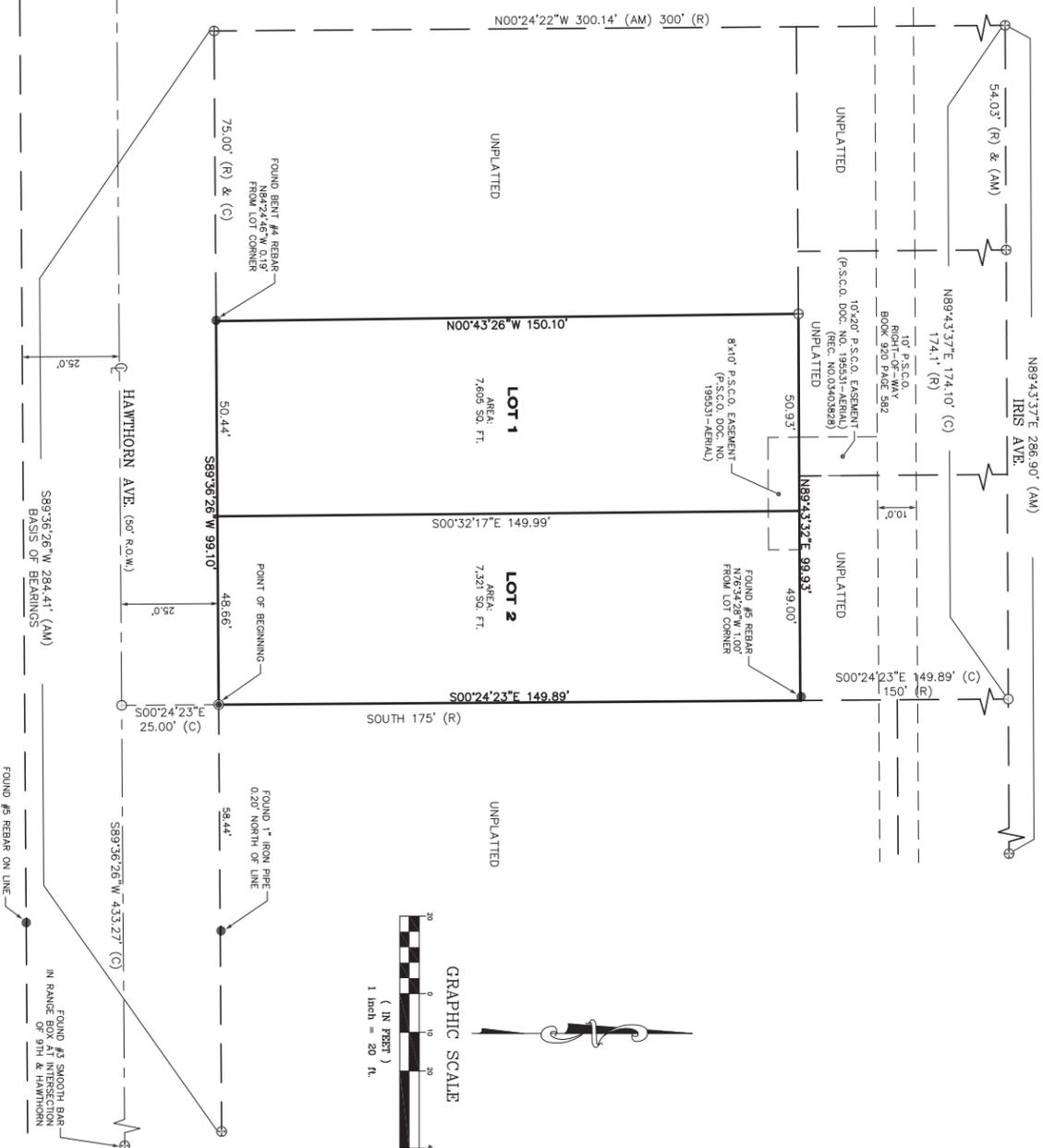
**FINAL PLAT**  
**HAWTHORN 711 SUBDIVISION**  
 A SUBDIVISION OF A TRACT OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 24, TOWNSHIP 1 NORTH, RANGE 71 WEST OF THE 6TH P.M., CITY OF BOULDER, COUNTY OF BOULDER, STATE OF COLORADO  
 TOTAL AREA = 14,926 SQ FT  
 SHEET 1 OF 1

- Legend**
- FOUND MONUMENT AS DESCRIBED
  - ⊕ FOUND #3 SMOOTH BAR, BELIEVED TO BE ORIGINAL MONUMENTS FOR SURROUNDING PARCELS ~ EARLY 1950'S
  - SET #5 REBAR WITH 1 1/2" ALUMINUM CAP FLATIRONS SURV 16406
  - CALCULATED POSITION (NOT FOUND OR SET) INFORMATION
  - (C) CALCULATED FROM RECORD AND AS MEASURED
  - (AM) AS MEASURED AT TIME OF SURVEY
  - (R) AS PER RECORD INFORMATION



**Boundary Closure Report**

COURSE: S89°36'26"W	LENGTH: 99.10'
COURSE: N00°43'26"W	LENGTH: 150.10'
COURSE: N89°43'32"E	LENGTH: 99.93'
COURSE: S00°24'23"E	LENGTH: 149.89'
PERIMETER:	499.02'
AREA:	14926.45 SQ. FT.
ERROR CLOSURE:	0.00
ERROR NORTH:	N67°37'35"W
ERROR WEST:	0.001
PRECISION 1:	0.0012
PRECISION 2:	4990220000.00



**Notes**

1. HEINTAGE TITLE COMPANY COMMITMENT NUMBER 598-H0435077-023-013, DATED OF MAY 12, 2015 AT 7:00 A.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. 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 BROUGHT TO CHALLENGE THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.
3. THIS PLAT IS VALID ONLY IF PRINT HAS ORIGINAL SEAL AND SIGNATURE OF SURVEYOR.
4. BASIS OF BEARINGS: GPS DERIVED BEARINGS BASED ON A BEARING OF S89°36'26"W ALONG THE NORTH RIGHT-OF-WAY LINE OF HAWTHORN AVENUE, BETWEEN FOUND #3 SMOOTH BARS AS SHOWN HEREON. COLORADO STATE PLANE COORDINATE SYSTEM, NORTH ZONE, NORTH AMERICAN DATUM 1983 (NAD83). ALL BEARINGS SHOWN HEREON ARE RELATIVE THERE TO.
5. ANY PERSON WHO KNOWINGLY REMOVES, ALTERS OR DEFACES ANY PUBLIC LAND SURVEY MONUMENT AND/OR BOUNDARY MONUMENT OR ACCESSORY, COMMITS A CLASS TWO (2) MISDEMEANOR PUNISHABLE TO STATE STATUTE C.R.S. SEC. 18-6-508.
6. THE DISTANCE MEASUREMENTS SHOWN HEREON ARE U.S. SURVEY FOOT.
7. FLOOD INFORMATION: THE SUBJECT PROPERTY IS LOCATED IN ZONE X UNSHADED, AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN AND/OR ZONE D1 AREAS IN WHICH FLOOD HAZARDS ARE UNDETERMINED, BUT POSSIBLE. FLOOD INFORMATION IS BASED ON A FLOOD HAZARD MAP DATED DECEMBER 18, 2012, 080024-0391-11, DATED DECEMBER 18, 2012. THE MAP DOES NOT DIFFERENTIATE BETWEEN ZONE X UNSHADED AND ZONE D1 FLOOD INFORMATION IS SUBJECT TO CHANGE.
8. DATES OF FIELDWORK: MAY 6, 2013.
9. THE FOLLOWING DOCUMENT IS MENTIONED IN THE ABOVE REFERENCED TITLE COMMITMENT AND IS REFERRED TO BY THIS SURVEYOR. THE FOLLOWING LIST CONTAINS THE TITLE COMMITMENT SHOWN GRAPHICALLY. THE FOLLOWING LIST CONTAINS THE TITLE COMMITMENT EXCEPTION NUMBER, DATE RECORDED, RECEPTION NUMBER AND/OR BOOK AND PAGE #9 JUL. 02, 1872 BOOK V, PAGE 362 PATENT FROM USA TO MARIA TOURELLOTT. (RESERVATIONS FOR MINING AND RIGHTS OF WAY FOR DITCHES OR CANALS CONSTRUCTED BY THE AUTHORITY OF THE USA). \*NOTE COPY OF DOCUMENT PROVIDED BY TITLE COMPANY IS ILLIGIBLE. RESERVATIONS LISTED ABOVE ARE TAKEN FROM TITLE COMMITMENT.  
 #11 MAY 29, 2013 REC. NO. 3315162 DEED OF TRUST  
 #12 OCT. 9, 2013 REC. NO. 3346776 DEED OF TRUST
10. THE TOTAL AREA OF THE SUBJECT PROPERTY IS 14,926 SQ. FT. OR 0.34 ACRES. MORE OR LESS AREA AS SHOWN HEREON IS A RESULTANT FACTOR, NOT A DETERMINANTIVE FACTOR, AND MAY CHANGE SIGNIFICANTLY WITH MINOR VARIATIONS IN FIELD MEASUREMENTS OR THE SOFTWARE USED TO PERFORM THE CALCULATIONS. FOR THIS REASON, THE AREA IS SHOWN AS A "MORE OR LESS" FIGURE, AND IS NOT TO BE RELIED UPON AS AN ACCURATE FACTOR FOR REAL ESTATE SALES PURPOSES.
11. THE SUBJECT PROPERTY IS ZONED RL-1, RESIDENTIAL-LOW 1, PER CITY OF BOULDER, AS RESEARCHED ON MAY 17, 2013.
12. THE PROPOSED USE OF LOT 1 AND LOT 2 IS TO REMAIN RL-1 (RESIDENTIAL-LOW 1).

**Surveyor's Statement**

I, JOHN B. GUYTON, A LAND SURVEYOR LICENSED IN THE STATE OF COLORADO, HEREBY STATE FOR AND ON BEHALF OF FLATIRONS, INC., THAT A SURVEY OF HAWTHORN 711 SUBDIVISION WAS CONDUCTED BY ME OR UNDER MY RESPONSIBLE CHARGE ON MAY 6, 2013; AND THAT THE ACCOMPANYING PLAT ACCURATELY AND PROPERLY SHOWS SAID SUBDIVISION AND THE SURVEY THEREOF.

JOHN B. GUYTON, COLORADO P.L.S. #6406  
 CHAIRMAN & CEO, FLATIRONS, INC.

**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 HERETO AFFIXED BY ITS CITY MANAGER THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

CITY CLERK \_\_\_\_\_ CITY MANAGER \_\_\_\_\_

**Clerk and Recorder's Certificate**

STATE OF COLORADO )  
 COUNTY OF BOULDER ) SS.  
 I HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED IN MY OFFICE AT \_\_\_\_\_ ON \_\_\_\_\_ M., THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, AND IS RECORDED AT RECEPTION # \_\_\_\_\_.

FEES PAID: \$ \_\_\_\_\_

CLERK AND RECORDER \_\_\_\_\_ DEPUTY \_\_\_\_\_

REVISION	PER CLIENTS COMMENTS	DATE
1	REVISIONS PER CLIENTS COMMENTS	4/7/15 ED
2	REVISIONS PER CLIENTS COMMENTS	4/7/15 ED
3	REVISIONS PER CLIENTS COMMENTS	6/8/15 ED
4	CITY OF BOULDER COMMENTS	7/6/15 ED
5		
6		
7		
8		
9		
10		

FINAL PLAT  
**HAWTHORN 711 SUBDIVISION**  
 COPYRIGHT 2015 FLATIRONS, INC.

**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
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**DRAFT - FOR REVIEW & COMMENT**

JOB NUMBER: \_\_\_\_\_  
 DATE: 05-24-2013  
 DRAWN BY: J. KONITZ  
 CHECKED BY: \_\_\_\_\_  
 WW/JK

SHEET 1 OF 1

**Section 9-12-5(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;

*Standard met. The subject lot is located in the RL-1 (Residential Low – 1) zoning district.*

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

*Standard met. The proposal is to subdivide one existing lot into two new lots.*

- (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;

*Standard met. All public improvements required to serve the new lot are already in place.*

- (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

*Not applicable, as the existing lot is currently a metes and bounds parcel.*

- (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.

*Standard met. See analysis of lot standards below. The applicant has also provided documentation demonstrating that the existing home will comply with all Solar Access requirements following the proposed subdivision.*

**Section 9-12-8, "Final Plat," B.R.C. 1981**

- (a) A final plat may be submitted at the same time as a preliminary plat.

*The Preliminary and Final Plat applications were submitted concurrently.*

- (b) In order to obtain city manager review of a final plat, the subdivider shall submit a final plat that conforms to the approved preliminary plat, includes all changes required by the manager or the planning board, and includes the following information:

- (1) A map of the plat drawn at a scale of no less than one inch equals one hundred feet (and of a scale sufficient to be clearly legible) with permanent lines in ink and whose outer dimensions are

twenty-four inches by thirty-six inches on a reproducible Mylar sheet (maps of two or more sheets shall be referenced to an index placed on the first sheet);

*Standard met.*

- (2) A one inch equals one hundred feet reduction of the plat;

*Standard met.*

- (3) The title under which the subdivision is to be recorded;

*Standard met.*

- (4) Accurate dimensions for all lines, angles and curves used to describe boundaries, public improvements, easements, areas to be reserved for public use and other important features. (All curves shall be circular arcs and shall be defined by the radius, central angle, tangent, arc and chord distances. All dimensions, both linear and angular, are to be determined by an accurate control survey in the field that must balance and close within a limit of one in ten thousand. No final plat showing plus or minus dimensions will be approved.);

*Standard met.*

- (5) The names of all abutting subdivisions, or, if the abutting land is unplatted, a notation to that effect;

*Standard met.*

- (6) An identification system for all lots and blocks and names for streets;

*Standard met.*

- (7) An identification of the public improvements, easements, parks and other public facilities shown on the plat, a dedication thereof to the public use and areas reserved for future public acquisition;

*Standard met.*

- (8) The total acreage and surveyed description of the area;

*Standard met.*

- (9) The number of lots and size of each lot;

*Standard met.*

- (10) Proposed ownership and use of outlots;

*Not Applicable, as no outlots are included.*

- (11) A designation of areas subject to the one-hundred-year flood, the estimated flow rate used in determining that designation, and a statement that such designation is subject to change;

*Not applicable, as the property is not within a floodplain.*

- (12) A description of all monuments, both found and set, that mark the boundaries of the property and a description of all control monuments used in conducting the survey;

*Standard met.*

- (13) A statement by the land surveyor that the surveyor performed the survey in accordance with state law;

*Standard met.*

- (14) A statement by the land surveyor explaining how bearings, if used, were determined;

*Standard met.*

- (15) The signature and seal of the Colorado registered land surveyor;

*Standard met.*

- (16) A delineation of the extent of the one hundred year floodplain, the base flood elevation, the source of such delineation and elevation and a statement that they are subject to change;

*Not applicable, as the property is not within a floodplain.*

- (17) The square footage of each lot;

*Standard met.*

- (18) Certification for approval by the following:

- (A) Director of planning,

*Standard met.*

- (B) Director of public works and utilities,

*Standard met.*

- (C) Director of parks and recreation, if park land is dedicated on the plat, and

*Not applicable*

(D) Director of real estate and open space, if open space land is dedicated on the plat;

*Not Applicable*

(19) Signature blocks for all owners of an interest in the property; and

*Standard met.*

(20) A signature block for the city manager's signature.

*Standard met.*

(c) The subdivider shall include with the final plat:

(1) Engineering drawings, certified by a professional engineer registered in the State of Colorado, for proposed public and private utility systems meeting the requirements of the City of Boulder Design and Construction Standards;

*Standard met.*

(2) An update to the preliminary title report or attorney memorandum based upon an abstract of title current as of the date of submitting the plat;

*Standard met.*

(3) Covenants for maintenance of private utilities or improvements, as prescribed by subsection 9-12-12(c), B.R.C. 1981;

*Standard met.*

(4) Copies of documents granting any easements required as part of the plat approval, the county clerk and recorder's recording number and proof of ownership of the property underlying the easement satisfactory to the city attorney;

*Not applicable, as no easements are required to be dedicated through this process.*

(5) Evidence that adequate utility services, including electrical, natural gas, telephone and other services, are provided for each lot within the subdivision; and

*Standard met.*

(6) Agreements with ditch companies, if needed.

*Not Applicable.*

**Section 9-12-12, "Standards for Lots and Public Improvements," B.R.C. 1981**

Section 9-12-12, "Standards for Lots and Public Improvements," B.R.C. 1981 includes all of the substantive regulatory requirements that need to be met in order to have an approvable final plat. The proposed subdivision meets all of the standards set forth in Section 9-12-12, B.R.C. 1981. Below is a summary of the staff findings on each of the standards.

(a) Conditions Required: Except as provided in subsection (b) of this section, subdivision plats shall comply with section 9-9-17, "Solar Access," B.R.C. 1981, and meet the following conditions:

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

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

*Standard met. Both of the proposed new lots will front onto Hawthorn Ave.*

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

*Standard met.*

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

*Standard met.*

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

*Both of the proposed new lots meet the 7,000 s.f. minimum lot size requirement for the RL-1 zone district. Any new development on the new lots will be subject to compatible development standards, including Solar Access standards. Standard met.*

(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.

*Standard met. Both lots will front on Hawthorn Ave. only.*

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

*Standard met.*

(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.

*Not applicable, as neither of the proposed lots will be a corner lot.*

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

*Standard met. Both of the proposed new lots are large enough to accommodate the setback requirements of section 9-7-1.*

(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.

*Standard met. The applicant has demonstrated that each of the new lots is not unstable, and that each lot has at least one thousand square feet of buildable area.*

(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.

*Not applicable, as the subject property does not border an airport, a railroad right-of-way, a freeway or a major street, and noise on Hawthorne Ave. is minimal.*

(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.

*Standard will be met at time of building permit application.*

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

*Standard met.*

(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.

*Not applicable, as the proposed subdivision is not crossed by any irrigation ditch or channel, natural creek, stream, or other drainage way.*

(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.

*Standard met.*

(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:

*The applicant has demonstrated that following subdivision any new development on the new lots will be able to meet all applicable solar access standards for the RL-1 zone district.*

(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.

*Standard met.*

(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.

*Standard met.*

(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.

*Standard met.*

(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.

*A Landscape Plan will be required at time of redevelopment of the new lots.*

(2) Transportation Standards for Streets, Alleys, and Sidewalks: Streets, curb and gutters, sidewalks, alleys, and the public rights-of-way therefore, are provided in conformity with the standards in the City of Boulder Design and Construction Standards, and meet the following conditions:

*There is an existing sidewalk in front of the subject property, as well as an existing curb cut in front of the proposed Lot 1. No additional transportation improvements are required as part of the proposed subdivision. A new curb cut will be required for any new development on Lot 2.*

(A) Streets are aligned to join with planned or existing streets.

*Not applicable, as there are no new streets proposed.*

(B) Streets are designed to bear a relationship to the topography, minimizing grade, slope, and fill.

*Not applicable, as there are no new streets proposed.*

(C) There are no dead-end streets without an adequate turnaround and appropriate barriers.

*Not applicable, as there are no new streets proposed.*

(D) Access to freeway, arterial, or collector street occurs only at intersections approved by the city manager, if the manager finds that the access provides efficient traffic movement and safety for drivers and pedestrians.

*Not applicable, as both lots take access from Hawthorn Ave., which is a local street.*

(E) A street of only one-half width is not dedicated to or accepted by the city.

*Standard met.*

(F) When the plat dedicates a street that ends on the plat or is on the perimeter of the plat, the subdivider conveys that last foot of the street on the terminal end or outside border of the plat to the city in fee simple, and it is designated by using an outlot.

*Not applicable, as no street is being dedicated to the city through this subdivision.*

(G) Streets are provided as prescribed by the Boulder Valley Comprehensive Plan, adopted subcommunity or area plans, or the Transportation Master Plan.

*Standard met.*

(H) Alleys are encouraged and should be provided. If they are provided, they are paved or otherwise appropriately surfaced with a material approved by the city manager for the specific application and location.

*Standard met. No new alleys are being constructed as part of this subdivision.*

(I) Sidewalks are provided in all subdivisions, unless the city manager determines that no public need exists for sidewalks in a certain location.

*Standard met. There is an existing sidewalk along Hawthorn Ave.*

(J) Signs for street names (subject to approval of the city manager), directions, and hazards are provided.

*Standard met. Existing street signs for Hawthorn Ave. are already in place.*

(K) Traffic control signs are provided, as required by the city manager for control of traffic.

*Standard met. No new traffic control signs are required.*

(L) Pedestrian crosswalks are provided, as required by the city manager for traffic control and, at a minimum, between streets where the distance between intersecting streets exceeds one thousand feet.

*Standard met. No crosswalks will be required.*

(M) Bike paths or lanes are provided in conformity with the City of Boulder Comprehensive Plan for bicycle facilities and are dedicated to the city.

*Standard met. No new bicycle lanes are required.*

(N) Private streets are not permitted.

*Standard met. No private streets are being constructed as part of this subdivision.*

(3) Standards for Water and Wastewater Improvements: Water and wastewater utilities are provided in conformity with the construction and design standards in the City of Boulder Design and Construction Standards, and meet the following conditions:

(A) Water and sanitary sewer mains are provided as necessary to serve the subdivision.

*Standard met.*

(B) Easements are provided for city utilities as prescribed by the City of Boulder Design and Construction Standards.

*Standard met.*

(C) Easements for utilities other than city utilities are provided as required by the applicable private utility.

*Standard met.*

(D) Newly installed telephone, electric, and cable television lines and other similar utility service are placed underground. Existing utilities are also placed underground unless the subdivider demonstrates to the manager that the cost substantially outweighs the visual benefit from doing so. But transformers, switching boxes, terminal boxes, meter cabinets, pedestals, ducts, electric transmission and distribution feeder lines, communication long distance trunk and feeder lines, and other facilities necessarily appurtenant to such facilities and to underground utilities may be placed above ground within dedicated easements or public rights-of-way.

*Standard met. There are existing utilities serving the property. The existing gas, sanitary sewer and water lines are already underground.*

(4) Standards for Flood Control and Storm Drainage: Flood control and storm drainage measures are provided as required by the city's master drainage plan and in conformity with the construction and design standards in the City of Boulder Design and Construction Standards, and meet the following conditions:

(A) The measures retain existing vegetation and natural features of the drainageway where consistent with the master drainage plan.

*Standard met.*

(B) Any land subject to flooding by a one hundred-year flood conforms to the requirements of chapter 11-5, "Storm Water and Flood Management Utility," B.R.C. 1981.

*Not applicable. The subject property is not located within a floodplain.*

(C) Storm drainage improvements and storm sewers are maintained to collect drainage from the subdivision and convey it off-site into a city right of way or drainage system without adversely affecting adjacent property.

*Standard met.*

(D) Bridges, culverts, or open drainage channels are provided when required by the flood control utility master drainage plan.

*Not applicable.*

(E) All subdivisions shall be designed to minimize flood damage.

*Not applicable.*

(F) All subdivisions shall have public utilities and facilities, including, without limitation, sewer, gas, electrical, and water systems, located and constructed to prevent flood damage.

*Not applicable.*

(G) All subdivisions shall have adequate drainage provided to reduce exposure to flood damage.

*Standard met.*

(5) Standards for Fire Protection: Fire protection measures meet the following conditions:

(A) Fire hydrants are provided as required by chapter 10-8, "Fire Prevention Code," B.R.C. 1981.

*Standard met.*

(B) Fire lanes are provided where necessary to protect the area; an easement at least sixteen feet wide for fire lanes is dedicated to the city, remains free of obstructions, and permits emergency access at all times.

*Not applicable, as no new fire lanes are required.*