

MEMORANDUM

TO: Planning Board
FROM: Chandler Van Schaack, Case Manager
DATE: May 21, 2015
SUBJECT: **Call Up Item:** Stark Subdivision (TEC2015-00014): FINAL PLAT to subdivide one existing lot located at 445 College Ave. in the RL-1 zone district to create two new lots. The two new lots, Lot 1 (11,220 s.f.) and Lot 2 (27,354 s.f.), are intended to be developed separately as single family residences following the proposed subdivision. The call up period expires on **June 1, 2015**.

Attached is the disposition for the conditional approval (see [Attachment A](#)) for a review of the Final Plat for the proposed Stark 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 (11,220 s.f.) and Lot 2 (27,354 s.f.), both of which are intended to be developed separately as single family residences following the proposed subdivision. No modifications to the development code or minimum lot standards have been requested as a part of this application.

Process.

Due to the steep slope present on the rear (north) portion of the subject site, the proposed subdivision exceeds the limitations of a Minor Subdivision. Pursuant to Chapter 9-12, B.R.C. 1981, any proposed subdivision of land in a residential zone district which exceeds the limitations of a Minor Subdivision requires approval of a Preliminary and Final Plat. Pursuant to section 9-12-10, B.R.C. 1981, approval of a final plat is subject to call-up by the planning board. If the decision is not called up by the planning board then it will become final fourteen days after the date of the initial approval.

Background.

As shown above in [Figure 1](#), 445 College Ave. is located in Central Boulder near the western terminus of College Avenue. 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, Table8-1,

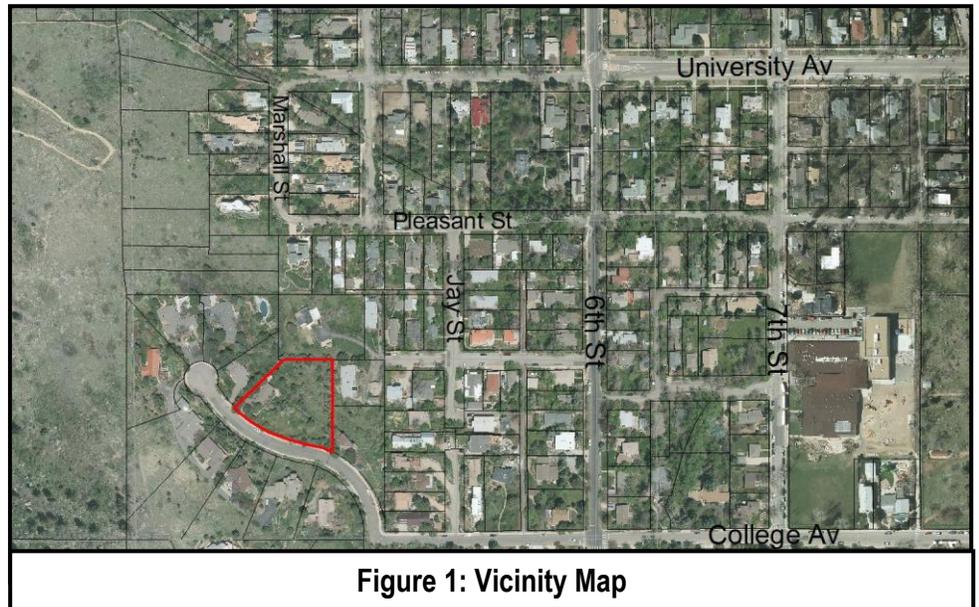


Figure 1: Vicinity Map

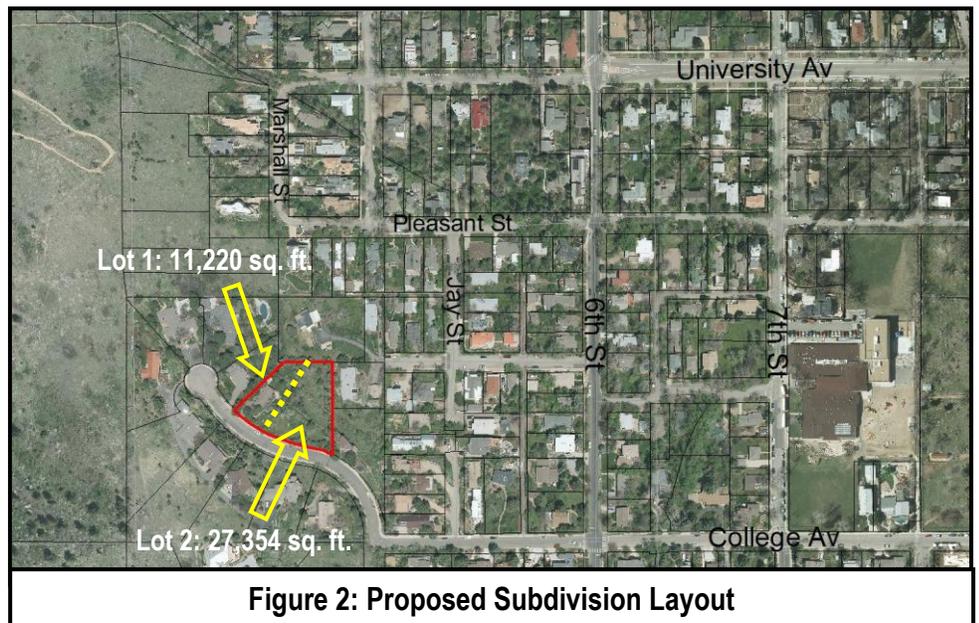


Figure 2: Proposed Subdivision Layout

Address: 445 College Ave.

“Intensity Standards,” the minimum lot area for the RL-1 zone district is 7,000 square feet; however, the lots located along College Ave. on this block range in size from approximately 14,700 square feet to 38,574 square feet.

The subject property totals 38,574 square feet (0.89-acres) in size and is currently undeveloped. As indicated above, the proposed subdivision will result in two new residential lots: Lot 1 (11,220 s.f.) and Lot 2 (27,354 s.f.), both of which are intended to be developed separately as single family residences following the proposed subdivision (See **Figure 2** above for the proposed subdivision layout). New single family residences will be required to comply with the city’s compatible development standards, solar shadow requirements and the residential energy code.

Analysis / Conclusion.

Staff finds that this application is consistent with the intent of the Subdivision standards found in Chapter 9-12, B.R.C. 1981 and meets all applicable Final Plat criteria set forth in section 9-12-8(b), B.R.C. 1981. Both of the new lots will exceed the minimum lot size required by the RL-1 zone district (7,000 square feet).

Public Comment and Process:

The required public notice was given in the form of written notification mailed to all property owners within 600 feet of the subject property and a sign posted on the property for at least 10 days. All notice requirements of Section 9-4-2, B.R.C. 1981 have been met. Staff has not received any comments regarding the proposed subdivision.

This proposal was approved by Planning and Development Services staff on May 18, 2015, and the decision may be called up before Planning Board on or before **June 1, 2015**. There is one Planning Board meeting within the 14-day call up period on **May 21, 2015**. Questions about the project or decision should be directed to Chandler Van Schaack at (303) 441-3137 or vanschaackc@bouldercolorado.gov.

Attachments:

- A. Signed Disposition
- B. Approved Final Plat for Stark Subdivision
- C. Staff’s Analysis of Lot Standards for Subdivision



CITY OF BOULDER
Community Planning and Sustainability

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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, B.R.C. 1981, as applied to the proposed development.

DECISION: **Approved with Condition**
 PROJECT NAME: **Stark Subdivision**
 DESCRIPTION: **Final Plat to subdivide one 0.885-acre lot to create two new residential lots: Lot 1 (11,220 s.f.) and Lot 2 (27,354 s.f.).**
 LOCATION: **445 College Ave.**
 COOR: **N02W07**
 LEGAL DESCRIPTION: **Lots 11, 12, and 13, Kecoughtan Hills, City of Boulder, County of Boulder, State of Colorado**
 APPLICANT: **Stephen Sparr**
 OWNER: **George Stark and Stephanie Stark**
 APPLICATION: **TEC2015-00014**
 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: _____

Date

5.18.15

By: _____

David Driskell, Executive Director of Community Planning & 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: _____

6.1.15

Final Approval Date: _____

6.2.15

1. The subdivision is approved subject to the terms of the Subdivision Agreement.

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;

Standard met.

- (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 College 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, with Lot 1 being 11,220 square feet and Lot 2 being 27,354 square feet, respectively. 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 College 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 borders a residential street that terminates a half-block to the west. There is no thru-traffic on this portion of College Ave., so noise levels are 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 College 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 outlet.

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 College Ave.

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

Standard met. Existing street signs for College 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. The property is served by an existing overhead power line which is located on the adjacent property to the north and on a very steeply sloped area; therefore, it is not possible to underground the power lines as part of this subdivision.

(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.