

**RESOLUTION OF THE TOWN COUNCIL OF BASALT, COLORADO, GRANTING
SKETCH PLAN APPROVAL FOR A SUBDIVISION AND PLANNED UNIT
DEVELOPMENT INCLUDING ANNEXATION FOR PROPERTY KNOWN AS THE
STOTT'S MILL PROPERTY**

**Town of Basalt, Colorado
Resolution No. 08
Series of 2007**

RECITALS

1. BRIKOR Development, LLC, ("Applicant"), submitted in November 2005, an application for Sketch Plan PUD and Subdivision for the property known as the Stott's Mill Property, which property is more particularly described in Exhibit A (The "Property"). Said application was subsequently revised through the sketch plan review process.

2. Applicant requests approval for a 18 acres PUD and to permit approximately 100 dwelling units, two parks, 3,000 square feet of commercial, and a related subdivision of land, all as more fully described in the application.

3. The zoning shall include PUD control regulations which address architectural guidelines, a refined schedule of uses, modified setbacks, modified building heights, parking requirements, limitations on use of automobiles, and floor area provisions.

4. The Planning and Zoning Commission considered the application at a public meeting beginning on February 22, 2006, and continuing through September 19, 2006. Throughout the meetings, evidence and testimony was offered by the Applicant, staff and members of the public.

5. The Basalt Town Council considered the application at a public meeting beginning on February 22, 2006, and continuing through May 8, 2007. Throughout the meetings, evidence and testimony was offered by the Applicant, staff and members of the public.

6. The Basalt Town Council finds that the Applicant's request is consistent with the applicable provisions of the Town Code, provided Applicant adheres to the conditions identified in this Resolution.

NOW, THEREFORE, BE IT RESOLVED by the Basalt Town Council of Basalt, Colorado, as follows:

The Basalt Town Council incorporates the above recitals and all exhibits as references and as findings and determinations, and conclusively makes all of the findings of fact, determinations and conclusions contained herein.

FINDINGS

1. Based on the evidence, testimony, exhibits, and comments from the public, Applicant and Town staff, the Basalt Town Council finds and determines as follows in accordance with Town Code §§ 16-63(b) for the purposes of sketch plan approval:

2. The PUD Plan conforms with the provisions of Article 16 of the Town Code provided that the conditions contained in this resolution are satisfied.

3. The PUD development will not have an adverse environmental impact, such as excessively increasing traffic hazards or congestion, overloading utilities or otherwise being detrimental to the general welfare of the community.

4. The PUD development will complement and be integrated with the existing and approved but not yet existing development in the area.

5. The PUD development will provide numerous community benefits.

6. The variations from the strict requirements of the Town Code are designed to improve the efficiency of the development pattern, preserve existing natural assets, accomplish a more desirable residential or commercial environment, or encourage the use of open space and recreational facilities.

7. The variances from strict compliance with the Code requirements are justified because the PUD Plan exceeds certain design standards or contains certain exceptional and desirable features that enhance the overall PUD Plan.

8. The PUD Plan satisfies one or more of the purposes set forth in § 24-67-102(1), C.R.S.

CONCLUSIONS

Based on the evidence, testimony, exhibits, and comments from the public, Applicant and Town Staff, the Basalt Town Council hereby grants approval for the Sketch Plan Planned Unit Development and Subdivision for the Stott's Mill Property, subject to the conditions contained herein and within **Exhibits B, C, D, and E**.

1. Applicant shall comply with all material representations made by Applicant in the Application including the supporting documents and in the meetings before the Planning and Zoning Commission and Basalt Town Council.

2. In addition to the submission contents required by the Town Code, the Preliminary Planned Unit Development and Preliminary Subdivision Plat Submittal

("Preliminary Submittal") shall include the following:

- a. Demonstration of compliance with the Basalt Master Plan.
 - b. The Preliminary Submittal shall demonstrate compliance with the comments received by referral agencies which are not inconsistent with the recommendations made by the Basalt Planning and Zoning Commission and Basalt Town Council.
3. This Resolution shall be recorded with the Offices of the Clerk and Recorder of Pitkin County.
 4. The approval granted hereby shall be valid for one year from the date of the vote hereon and shall be void if a complete Preliminary Plan Submittal is not submitted to the Town by that date.
 5. Pursuant to § 16-65(b)(2), Town Code, this approval shall not form the basis for any actionable reliance for the Applicant and shall not create any obligation for the Town Council to provide later approvals or annex the property.

READ AND ADOPTED by a vote of 4 to 0 on May 8, 2007.

TOWN OF BASALT, COLORADO

By: _____
Leroy Duroux, Mayor

ATTEST:

By: _____
Pam Schilling, Clerk

EXHIBIT A

PROPERTY DESCRIPTION ANNEXATION PARCEL NO. 1

A PARCEL OF LAND SITUATED IN GOVERNMENT TRACT 59, SECTION 18, TOWNSHIP 8 SOUTH, RANGE 86 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF PITKIN, STATE OF COLORADO LYING NORTHERLY OF THE DENVER AND RIO GRANDE WESTERN RAILROAD NORTHERLY RIGHT-OF-WAY, SOUTHERLY OF THE HOME SUPPLY DITCH CENTERLINE, WESTERLY OF THE EASTERLY BOUNDARY OF SAID TRACT 59, AND EASTERLY OF THE EASTERLY BOUNDARY OF GOVERNMENT TRACT 62, ALSO LOCATED IN SAID SECTION, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT ANGLE POINT NO.7 OF SAID TRACT 59, A BRASS CAP FOUND IN PLACE; THENCE N 00°07'14" W 470.14 FEET ALONG SAID TRACT 59 EASTERLY BOUNDARY TO A POINT ON SAID DENVER AND RIO GRANDE WESTERN RAILROAD RIGHT-OF-WAY, A REBAR AND CAP IN PLACE, THE POINT OF BEGINNING; THENCE LEAVING SAID BOUNDARY N 58°15'15" W A DISTANCE OF 1080.53 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY OF SOUTH SIDE DRIVE; THENCE LEAVING SAID RAILROAD RIGHT-OF-WAY N00°00'00"E ALONG THE EASTERLY RIGHT-OF-WAY OF SOUTH SIDE DRIVE A DISTANCE OF 615.72 FEET TO A POINT IN THE CENTERLINE OF THE HOME SUPPLY DITCH; THENCE LEAVING SAID EASTERLY RIGHT-OF-WAY THE FOLLOWING TWENTY-TWO (22) COURSES ALONG THE CENTERLINE OF SAID DITCH:

1. S72°27'25"E A DISTANCE OF 58.23 FEET
2. S53°44'18"E A DISTANCE OF 45.26 FEET
3. S72°12'54"E A DISTANCE OF 45.18 FEET
4. S78°27'33"E A DISTANCE OF 51.82 FEET
5. S56°26'38"E A DISTANCE OF 42.09 FEET
6. S65°49'28"E A DISTANCE OF 35.10 FEET
7. N76°21'31"E A DISTANCE OF 44.99 FEET
8. N83°19'21"E A DISTANCE OF 47.61 FEET
9. N61°09'54"E A DISTANCE OF 31.56 FEET
10. N37°07'44"E A DISTANCE OF 78.37 FEET
11. N49°28'10"E A DISTANCE OF 50.37 FEET
12. N43°52'29"E A DISTANCE OF 50.79 FEET
13. N53°29'04"E A DISTANCE OF 33.75 FEET
14. S71°19'25"E A DISTANCE OF 50.06 FEET
15. S78°23'47"E A DISTANCE OF 49.44 FEET
16. S77°21'35"E A DISTANCE OF 55.18 FEET
17. S50°57'32"E A DISTANCE OF 30.88 FEET
18. S29°22'29"E A DISTANCE OF 51.32 FEET

19. S27°11'00"E A DISTANCE OF 98.77 FEET
20. S32°06'27"E A DISTANCE OF 51.73 FEET
21. S59°45'32"E A DISTANCE OF 51.97 FEET
22. N81°40'23"E A DISTANCE OF 81.75 FEET TO A POINT

ON THE EASTERLY BOUNDARY OF SAID TRACT 59; THENCE LEAVING THE CENTERLINE OF SAID DITCH S00°07'14"E ALONG SAID TRACT BOUNDARY A DISTANCE OF 1013.15 FEET TO THE POINT OF BEGINNING; SAID PARCEL CONTAINING 17.976 ACRES, MORE OR LESS.

Exhibit “B”

Community Benefits

- A. The Development shall satisfy annexation requirements for park and trail improvement and dedication improvements as described further in Exhibit E. A public bathroom shall be provided for users of the RFTA valley wide trail and designed to accommodate winter use of the Nordic trail.
- B. The Development shall provide an affordable housing program that exceeds the Town Code, provides teacher housing in lieu of land dedication, provides a relocation dwelling unit for the river master plan, and provides long term “attainable” housing for a community of residents as described further in Exhibit C.
- C. The Applicant shall locate a day care center on the property;
- D. The development shall satisfy the annexation policy for a minimum 1% Real Estate Transfer Assessment to be used for community benefits.
- E. The Applicant shall agree to be in a special district to help fund river and flood prevention improvements. River improvements are needed to ensure better vehicle exiting for all of Southside in the event the south side flooding occurs. While the district is not established at the present time, the concept would be that all annexations contribute to some extent to the funding of needed river improvements. This type of project would be assessed at a lesser extent than properties in the floodplain or adjacent to the river which benefit to a much greater extent by the improvements.
- F. The development shall provide logical pedestrian and vehicular connections with neighboring properties which meet the goals of long term planning documents for the Town as described further in the Stott’s Mill Application and which shall be refined in the Preliminary Plan Review.
- G. The development shall satisfy green building principles and at a minimum comply with the program submitted in the Application. The Town shall consult with an expert to see what additional green building principles should be added to the program during the Preliminary Plan review.
- H. The Town shall complete an economic analysis of the Stott’s Mill proposal which will be used to determine the final mitigation package for the development.

Exhibit “C”

Affordable Housing and Community Character

- A. The application shall exceed the minimum code requirements for affordable housing in terms. At a minimum the Developer shall supply at least 30% of the total number housing units as affordable housing and comply with their revised proposal with a cover letter from March Chain dated March 16, 2007, with attachments as modified by this resolution. The categories for the units shall be consistent with the Developers proposal.
1. The deed restricted affordable housing shall be distributed throughout the multi-family and the small lot areas and shall not be concentrated in any portion of the development.
 2. At least 2 of the deed restricted RO restricted dwelling units shall be on the 28 foot wide lots. (As a clarification, by RO restricted dwelling units, we mean those with the limitations that qualify them to be counted as one of the affordable housing mitigation units.)
 3. In the Preliminary Plan Application, the Developer shall include a proposal for building “shells” to encourage variety and for better price points for some of the free market units.
 4. In the Preliminary Plan application, the Developer shall commit to assist in the construction of affordable housing off-site, potentially on either of the two lots on the other side of Southside Drive. This would be construction for either the horizontal or vertical improvements. The Developer shall meet with the Town before submitting the Preliminary Plan application to refine a proposal.
 5. The Developer will offer 25 % the small lots or 15 units to “owner builders”. Of this total, up to 5 units of the RO deed restricted units may be permitted to count toward the required number of owner builder units. At least two of the owner builder lots shall be on the 42 foot wide lots.
 6. The Developer shall participate with Mountain Regional Housing Corporation to provide buy downs and down payment assistance. The Developer shall work with Mountain Regional Housing Corporation during the Preliminary Plan Process to refine how this assistance will be provided.
 7. The Developer shall be permitted to locate up to 5 additional affordable housing units above the day-care facility if the day-care facility and affordable units are able to fit on the same site and satisfy State licensing rules and regulations. The

parkland and open space requirements as included in this Resolution shall not be increased if these additional affordable housing units are constructed.

- B. The original request for 3,000 square feet of retail is not approved and has been withdrawn by the Applicant.
- C. River Master Plan Relocation households shall be added to the priority list for the critical employees. During the Preliminary Plan process, the Applicant and Town shall investigate the possibility of giving a priority for families with ties to the Roaring Fork Valley.
- D. The mitigation affordable housing units shall not be responsible for majority of the homeowner association (HOA) dues, with the details to be worked through the Preliminary and Final review process.
- E. The application shall meet the goals of the Town and the project for attainable community housing through the following additional requirements:
 - 1. The development shall provide a local marketing program designed to ensure that the housing units are not second homes that would include at a minimum: local marketing only (i.e. no marketing in national newspapers, no internet marketing); and initial sales to locals.
 - 2. Dwelling units which sell for \$1 Million or more shall have an additional 1 % RETA so that the RETA is a total of 2% for those dwelling units
 - 3. Size restrictions for dwelling units on the small lots:
 - i. 12 units “size capped” units on 28 ft wide lots. Living area capped at 1,328 total sf, with a garage up to 400 total sf in size.
 - ii. 33 units on narrow lots (28 ft wide) sized capped at 2,000 total sf. A 400 total sf garage would also be allowed.
 - iii. 16 units on 42 ft wide lots. Living area capped at 2,376 total sf as per staff recommendation, with a garage up to 624 total sf in size.
 - 4. Size restrictions on the large lots:
 - i. 7 Large lots on the east. Living area capped at up to 4,000 total square feet plus up to a 500 total square foot garage.
 - 5. Multi-Family lots:

- i. The Applicant shall include size restrictions for the free-market multi-family units in the Preliminary Plan Application which result in smaller units than permitted for the smallest single family lots.

6. Garages:

- i. All garages in the development shall be one-story with storage allowed above and shall be unheated. The Applicant and Town shall address the appropriate height at Preliminary Plan review.
- F. Offer non-affordable housing units first to the Town to determine whether the Town or other public entity desires to purchase a deed restriction for the property.
 - G. Before completion of the sketch plan review, the Developer shall present additional proposals to provide “affordability by design” for the small lots which do not inhibit energy efficiency.
 - H. The remaining housing units which are not affordable housing mitigation units shall be resident occupied. These housing units shall have no income or asset restrictions and will not be subject to appreciation caps.
 - I. Consider additional ways to ensure that this is a community of local residents and not second homeowners.
 - J. Allow the duplex opportunity for the small lots as proposed by the Developer with two duplexes (i.e. 4 duplex units) allowed for each block except for Block 9, which could only have one duplex. With the Preliminary Plan application, include provisions to ensure that the duplexes would not become larger homes such as merger prohibitions, provisions that the lots have to be owned by different parties following construction, and provisions that the common walls could not be breached, etc
 - K. Consistent with the Town’s annexation policy, all of the development would have a minimum 1% RETA on initial sales and ongoing sales.
 - L. The small lots shall be permitted to provide one of their required parking spaces on the street as requested by the Developer. Each of the small lots includes parking on-site for two cars and the parking requirement for a three-bedroom dwelling unit is rounded up to three parking spaces for these lots. The other uses shall be code compliant.
 - M. The live/work and home occupational aspects of the Stott’s Mill development shall be refined in the Preliminary Plan process. The space increase proposed for the live/work component for the multi-family units (up from the Town Code’s 15% to 30% for that zone district) is generally acceptable as long as these dwelling units

satisfy the other restrictions of the Town Code's home occupancy restrictions. This does not include the addition of one full time equivalent employee for each of the 31 dwelling units as proposed in the Application (which would be in addition to any workers who live in the dwelling unit). However, Staff is acceptable to looking at some employee component during the Preliminary Plan process. The home occupation proposal for the small lots is generally acceptable. However, this area which is not currently proposed for a full time equivalent employee might be a better location than the multi-family units.

- N. The Applicant shall construct a fence at the eastern boundary of the property to protect the adjacent agriculture land and shall develop a construction management plan during the later stages of development approval to ensure that the construction activities do not interfere with ditch uses for agriculture uses.

Exhibit “D”

Site Plan, Design, and Development Program

- A. In the Preliminary Plan submittal, the Applicant shall provide drawings and other details on the fences to be permitted for the small lot development, street lights, and other lighting for the development.
- B. The Applicant shall include design guidelines in the Preliminary Plan application that foster community, affordability by design while supporting green building practices.
- C. The 3,000 square foot corner store has been eliminated and shall not be included in the preliminary plan application. The Alternative use for the corner store is a day care facility, although the location might be changed.
- D. Most of the historic ranch and lumber mill buildings and structures on the site shall be reused in the parks.
- E. The reduced front yard setback shall be permitted for an open porch but not for the second floor interior space that overhangs the porch. The second story overhang over the porch into the setback interferes with the open, more semi-public space that an open porch provides which fosters neighborhood interaction and also creates larger and more expensive homes.
- F. Before submittal of the Preliminary Plan the Applicant shall examine whether there is a better lot and dwelling unit plan and alley access plan for the triangular shaped portion of Block 9. The design of the three way intersection appears to have some safety, parking, and utility planning issues. Also, the west two lots of Block 9 might be combined for a triplex or duplex, or this might be a good day care location.
- G. Before submittal of the Preliminary Plan, the Applicant shall examine with the TRC whether there might be a better alley access plan for Blocks 2 and 4. The location of the alley next to the parking lot for the multifamily units might create more asphalt than needed and causes the westernmost lot of Block 4 to have headlight issues and impacts from traffic on all three sides. Possibly that lot should be one of the larger lots or part of a duplex lot so that the garage could best shield the headlights.
- H. The Applicant shall work with the TRC before Preliminary Plan submittal to refine the concepts for shared driveway for the Southside-size lots. This creates potential design challenges as evidenced in the Town’s building permit reviews for Southside PUD lots that are permitted to share driveways
- I. The Applicant shall work with the TRC prior to Preliminary Plan submittal to design the multi-family project to prevent a “wall” of development along Southside Drive.

- J. The Applicant shall work with the TRC before Preliminary Plan submittal to refine the parking requirements and the location of the on and off-street parking under the guidelines contained in this resolution and the Town Code. For example, the on-street parking located within intersections needs to be moved.

Exhibit “E”

Engineering and Related Technical Issues

- A. The Applicant shall participate in or contribute on a proportional basis to the future cost of making the transportation improvements that will be necessary to mitigate the cumulative impacts of traffic growth from this and other expected projects. The amount of the participation shall be determined before the annexation of Stott’s Mill is finalized. The fees will be used toward improvements in the Southside or locations impacted by the Stott’s Mill Traffic.
- B. The Applicant shall participate in or contribute on a proportional basis to the cost of implementing the new water storage tank. The amount of the participation shall be determined before the annexation of Stott’s Mill is finalized.
- C. The Stott’s Mill project shall be subject to certain surcharges, as provided in the Municipal Code, for connecting to the existing water distribution system.
- D. The Stott’s Mill developer shall dedicate by special warranty deed all of its 1.57 cfs, absolute, decreed in the Grace & Shehi Ditch, 0.644 cfs under Priority 142 and 0.926 cfs under Priority 302, which have been historically used to irrigate 12.29 acres of the 17.976 acres proposed for annexation into the Town as more further described in the Memorandum from Tom Kinney, Town of Basalt Water Attorney, to Susan Philp and Larry Thompson dated April 30, 2007.
- E. The Town shall lease back portions of these Grace & Shehi Ditch water right priorities for continuation of raw water irrigation within the Stott’s Mill PUD Parcel.
- F. The developer shall update the Resource Engineering report (dated September 29, 2006) for submittal with the Preliminary PUD application to reflect the amended development program and to reflect the conditions contained in the Council’s Sketch Plan approval and the technical correction identified in the April 30, 2007 memorandum from Tom Kinney.
- G. The Developer shall be required to provide a cash-in-lieu payment reflecting the cost of the Town’s obtaining water rights sufficient to meet the full build-out municipal water service demand occurring during the non-irrigation season (currently anticipated 18.2 acre-feet).
- H. The Developer shall provide raw water irrigation to the entire project. However, the irrigation needs shall be met in a manner that does not conflict with the desired active recreational uses in the South Park. Specifically, irrigation water storage shall not interfere with potential active recreational uses in the South Park, or with potential future

expansion of the South Park area to the east to accommodate active recreational uses. The Applicant shall propose alternatives such as piping the ditch water to the North Park for storage, or using the Home Supply Ditch. The raw water irrigation program shall be one acceptable to the TRC.

- I. If an irrigation water storage pond does happen to be part of the Plan and it is dedicated to the Town, then:
 1. The out-of-priority stream depletions resulting from pond evaporation should be incorporated into the Town's augmentation plan to ensure that all of the Town's augmented water rights structures are incorporated into the Town's augmentation plan so that this augmentation plan is solely owned and maintained by the Town.
 2. The developer shall make a cash payment to the Town in lieu of the dedication of additional water rights and in an amount appropriate to compensate the town for the legal and engineering costs associated with amending the Town's augmentation plan to incorporate the operational pond as an augmented structure.
- J. Design-level geotechnical investigations to address groundwater levels, fluctuations in groundwater levels and perched water levels shall be performed before preparation of Preliminary PUD and Preliminary Subdivision Plat submittal packages to determine if basements are feasible.
- K. The Preliminary Plan application should address the flood potential from flows from the Roaring Fork River and from upslope areas to the south, as recommended in the H-P Geotech report dated 8/8/02 and the comments from the Colorado Geological Survey dated 10/21/02.
- L. Well in advance of the submittal of the Preliminary Plan application, the Applicant shall demonstrate to the satisfaction of the Town Attorney that the provisions in the Rocky Mountain Natural Gas Company (now Kinder Morgan) easement along the south boundary of the property are amended to allow street improvements in the easement area, including hard surfaces, and also to provide that KN Energy (and its successors) will be responsible for repairing the road should KN energy damage the road while working in the easement.
- M. If the above conditions pertaining to the gas main easement are not met, the Developer shall revise the site plan to eliminate the road from encroaching into the easement area. If the easement is amended to the satisfaction of the Town Attorney, the infrastructure in the road shall be designed to lessen the impact to the maximum extent possible. The Applicant shall cooperate with the property owner to the west (Basalt Design Group, Inc.) to eliminate those unacceptable conditions on the easements on Parcel C which may be dedicated to the Town in the for future teacher housing.
- N. Street design for the streets within the project shall generally conform to the street characteristics of the Residential Neighborhood classification in the Town's Complete Street Design manual. Improvements to Southside Drive shall be generally consistent

with the characteristics of Southside Drive north of the project. Traffic projections for the project shall be updated as part of the Preliminary Plan application. All streets, intersections and related transportation facilities shall be designed to handle the projected vehicular, bicycle and pedestrian traffic volume and provide safe and convenient pedestrian and bicycle facilities and crossings. Design of street connections with Southside Drive shall be compatible with a potential Southside Drive turnaround or roundabout being considered in conjunction with other projects, if such an improvement is determined to be best located adjacent to Stott's Mill.

- O. The Applicant shall comply with the annexation requirements for parkland dedication and park improvements by:
1. Dedicating and improving for parks 4.52 acres of park land as shown on the site plan dated 5-30-06. This shall satisfy the parkland dedication requirements even if additional deed restricted affordable housing units are added to the program. However if the Developer can not provide 4.52 acres of improved parkland for some reason (such as storm water or irrigation storage that interferes with the park use), then the Developer shall satisfy the deficiency by providing fees in lieu for parkland dedication and improvement.
 2. Providing significant amenities within the park areas. This is necessary to satisfy annexation policies and because many areas being dedicated have marginal benefit for park use (such as the ditch and narrow triangular-shaped areas).
 - i. For South Park, improvements shall include a public bathroom in the vicinity of the Denver and Rio Grande Trail, playground equipment, drinking fountain, trails, signage, bicycle parking facilities. The Developer and TRC shall study options for other active areas in the South Park to be constructed by the Developer such as tennis courts, a youth soccer field, or basketball courts and the optimum vehicle parking arrangement before submittal of any Preliminary Plan Application. During the Preliminary Plan review, determine the best crossings from the Denver and Rio Grande Trail to the Park and the best treatment of the ditch in that area including the ditch crossing and whether fencing is advisable.
 - ii. In the North Park, provide for the historic structure as a picnic shelter, trails, and fences. The trail shall be planned for possible future extension in each direction along the Home Supply Ditch corridor. This park shall not be planned for small children. The Home Supply ditch shall be adequately fenced to provide safety for children and special study shall be given to the area by Southside Drive. During the Preliminary Plan review, determine how much of the "natural vegetation" should be preserved and what additional vegetation should be added consistent with the planned activities of the Home Supply Ditch Company.
 3. The Preliminary Plan shall eliminate using the parks for storm water drainage in a manner that would make the park unusable (except in extremely large storm events). A portion of the park may be used for drainage only if it does not impact the body of the park from being used now and in the future for a park, including impervious uses such as tennis courts, basketball courts, etc. Criteria for

integrating stormwater detention and park uses shall be developed and approved by the TRC prior to the submittal of any Preliminary Plan application.

4. The homeowner's association shall share in the responsibility for park maintenance (agreed to by the Developer at the April 25th meeting) except for higher maintenance park facilities such as any courts or public bathroom facilities that are to be used by the larger community. Details on operations and maintenance shall be further addressed in the preliminary and final development review stages. However, the Town shall retain authority over the uses and operation of the Parks.
 5. Include trail-like connector between the north park and the south park midway between Allison Lane and Southside Drive (reflected on the current plans).
- P. The Preliminary Plan shall show street and alley turn radii that satisfy the concerns raised by the Basalt and Rural Fire District and SGM in their referral comments.
- Q. Because the Street and Alley configuration is tight and the lots small, special attention needs to be used in locating the utility installations, such as utility boxes, pedestals, transformers and trash receptacles, and mailboxes. Most of these facilities will be in the alley and shall be installed so as not to impede vehicular traffic and meet the aesthetic goals of the Town. The plan for these facilities needs to be designed and included in the Preliminary Plan Submittal.
- R. The site appears to have a well, shallow utilities and an ISDS associated with it. In the Preliminary Plan the Applicant shall state how these existing facilities will be abandoned or incorporated into the project.
- S. Before submittal of the Preliminary Plan, review the plan with RFTA to ensure that any compatibility issues and setback issues are adequately addressed as a significant boundary of the project adjoins the RFTA (formerly Denver & Rio Grande) right-of-way.
- T. The project's compatibility with operation and maintenance of the Home Supply Ditch should be addressed prior to Preliminary Plan submittal. The Preliminary Plan submittal should include a signed agreement between the owners of the Home Supply Ditch Company and this development, which covers such things as leaving the ditch open, debris grates, public safety issues, fencing, access easements, etc.
- U. Included in the Preliminary Plan submittal shall be additional information on how the parking will be managed. Will there be any designated site for parking of resident's trailers, recreational vehicles, etc.? There shall be no designated spaces, except for handicap spaces on the public streets.
- V. Before Preliminary Plan submittal the Applicant shall confirm whether a CDOT access permit is necessary.

W. In the Preliminary Plan submittal, address the Technical requirements regarding the design and engineering of the streets, utilities including the shallow utilities, parking lot access drive and parking as outlined in the Technical Memorandum from SGM dated December 12, 2005, updated March 30, 2006.