

Deborah K Hess is inviting you to a scheduled Zoom meeting.

Topic: PLANNING COMMISSION MEETING - MAY 9, 2022

Time: May 9, 2022 06:00 PM Mountain Time (US and Canada)

Join Zoom Meeting

<https://us02web.zoom.us/j/89685295557?pwd=YWh6QXRBNXVFRnFaVFRIRUVtSEZYQT09>

Meeting ID: 896 8529 5557

Passcode: 849268

One tap mobile

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+1 646 558 8656 US (New York)

Meeting ID: 896 8529 5557

Passcode: 849268

Find your local number: <https://us02web.zoom.us/u/kbMFzilpAk>

The scheduled public hearing is a quasi-judicial hearing; therefore, no comments will be taken by Zoom. You may listen to the hearing – but no participation will be allowed using Zoom. You may attend the meeting in person to participate.

**TOWN OF GRANBY, COLORADO
PLANNING COMMISSION**

AGENDA

MONDAY, MAY 9, 2022

6:00 PM

GRANBY TOWN HALL

ZERO JASPER AVENUE

REGULARLY SCHEDULED MEETING OF THE PLANNING COMMISSION CALLED TO ORDER

(Any Planning Commission member with a potential conflict of interest on any matter on this agenda should declare so at this time.)

6:00 PM

NOTE: FOR ALL PUBLIC HEARINGS - COMMENTS ARE LIMITED TO 3 MINUTES PER PERSON

(1) OATH OF OFFICE – CARIN AICHELE / TOWN CLERK

6:00 PM

**(2) NO MINUTES FOR MARCH 7, 2022 – THEY WILL BE AVAILABLE AT THE NEXT SCHEDULED PLANNING COMMISSION MEETING
6:05 PM**

**(3) DISCUSSION AND POSSIBLE APPROVAL OF RESOLUTION 2022-05-09___, A RESOLUTION SPECIFYING THE MANNER IN WHICH MINUTES ARE TO BE TAKEN AT REGULAR AND SPECIAL MEETINGS OF THE PLANNING COMMISSION
6:05 PM**

**(4) DISCUSSION AND POSSIBLE APPROVAL OF RESOLUTION 2022-05-09___, A RESOLUTION OF THE TOWN OF GRANBY PLANNING COMMISSION RECOMMENDING THE FINAL PLANNED DEVELOPMENT PLAN FOR GRANBY RANCH FILING 13 BE DECLARED NULL AND VOID IN WHOLE
6:10 PM**

(5) PUBLIC HEARING FOR DISCUSSION AND POSSIBLE APPROVAL OF THE FOLLOWING:

RESOLUTION 2022-05-09___, A RESOLUTION OF THE TOWN OF GRANBY PLANNING COMMISSION APPROVING, WITH CONDITIONS, THE PRELIMINARY SUBDIVISION PLAT FOR RESUBDIVISION OF GRANBY RANCH FILING NO. 13

OR

**RESOLUTION 2022-05-09___, A RESOLUTION OF THE TOWN OF GRANBY PLANNING COMMISSION DISAPPROVING THE PRELIMINARY SUBDIVISION PLAT FOR RESUBDIVISION OF GRANBY RANCH FILING NO. 13
6:20 PM**

**ANY OTHER BUSINESS TO COME BEFORE THE PLANNING COMMISSION OR MEETING TO ADJOURN
6:45 PM**

Anyone who wishes to attend any meeting and who needs special accommodations, please contact Deb Hess, CMC, Town Clerk / Planning Coordinator, at the Town Hall, 887-2501, prior to the meeting. "Estimated Time" is subject to change. Public hearings are noticed at specific times and must be complied with.

**TOWN OF GRANBY
PLANNING COMMISSION
RESOLUTION 2022-05-09__**

**A RESOLUTION SPECIFYING THE MANNER IN WHICH MINUTES ARE TO BE
TAKEN AT REGULAR AND SPECIAL MEETINGS OF THE PLANNING
COMMISSION**

WHEREAS, pursuant to Colorado Revised Statute section 31-23-204, the Planning Commission for the Town of Granby, Colorado must keep a record of its resolutions, transactions, findings, and determinations, which record is to be a public record; and

WHEREAS, the Planning Commission finds it in the best interest of the Town for reason of administrative efficiency to revise the manner in which minutes of regular and special meetings of the Planning Commission are taken.

NOW THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE TOWN OF GRANBY, COLORADO, AS FOLLOWS:

1. The Town Clerk shall prepare minutes of all regular or special meetings of the Planning Commission where formal action including approval of resolutions, or transactions and making findings and determinations on any matter, may occur. Such minutes shall include the date, time and place of the meeting, and the names of officials and staff in attendance. The minutes shall be a summarized record of the proceedings and need not provide a verbatim recitation of what was specifically stated by each individual participant at such meeting. The minutes shall contain a separate paragraph for each subject matter and, at a minimum, shall reflect each subject or item considered and the language of and disposition of each motion, resolution, ordinance, or matter on which action is taken.
2. Minutes of any quasi-judicial hearings, including but not limited to annexation and zoning hearings or hearings concerning conditional use permits, may contain substantially more information where the Town Clerk finds it in the best interest of the Town. Nothing in this resolution alters any obligation of the Town Clerk to provide recordings of any proceedings as required by law.
3. All meeting minutes shall be approved at subsequent regular or special meetings of the Planning Commission. After minutes have been approved, they may only be corrected or amended by “motion to amend minutes previously adopted,” if a material error or omission is reasonably established by review of any transcript, recording or other materials from the meeting in question.

MOVED, SECONDED, AND ADOPTED BY THE PLANNING COMMISSION OF THE TOWN OF GRANBY, COLORADO THIS 9TH DAY OF MAY, 2022.

PLANNING COMMISSION

Votes approving: _____

Votes opposed: _____

Absent: _____

Abstained: _____

ATTEST:

Deborah K. Hess, CMC, Town Clerk

Thomas Marquardt, Chairperson

**TOWN OF GRANBY
PLANNING COMMISSION
RESOLUTION 2022-05-09_____**

**A RESOLUTION OF THE TOWN OF GRANBY PLANNING COMMISSION
RECOMMENDING THE FINAL PLANNED DEVELOPMENT PLAN FOR
GRANBY RANCH FILING 13 BE DECLARED NULL AND VOID IN WHOLE**

WHEREAS, on July 3, 2007, the Board of Trustees of the Town of Granby approved Ordinance No. 693, which among other things, approved the Final Planned Development Plan for Granby Ranch Filing No. 13 (the “Filing 13 FDP”); and

WHEREAS, the Filing 13 FDP provided a development schedule of public improvements including the completion of road and utility infrastructure by the summer of 2010 and the completion of paving by the fall of 2010; and

WHEREAS, section 16.90.140(a) of the Granby Municipal Code provides that the Planning Commission may conduct a final development plan special review if the developer of a subdivision (1) Fails to begin subdivision platting and/or draw building permits for construction as detailed in the approved development schedule within 18 months of the scheduled starting date or extensions thereto; (2) displays inactivity or a documented lack of progress as determined by either the staff or planning commission at any stage of the project for more than two years from the last completed benchmark in the approved development schedule; or (3) fails to complete improvements in a timely manner.

WHEREAS, as the developer of Granby Ranch Filing No. 13 has failed to substantially adhere to the Filing 13 FDP development schedule and pursuant to Town staff recommendation, the Planning Commission for the Town of Granby conducted a final development plan special review on May 9, 2022, after the matter was continued from its originally scheduled hearing date of May 2, 2022; and

WHEREAS, after considering the status of the project and any statements or documentation provided by the public and developer at such review, the Planning Commission determined that (1) the Developer has not drawn a building permit for construction as detailed in the development schedule within 18 months of the scheduled starting date or extensions thereto, (2) there has not been any activity related to the project for a period of more than two years from the last completed benchmark in the approved development schedule, and (3) the improvements contemplated to be completed in 2010 remain incomplete in 2022.

**NOW THEREFORE BE IT RESOLVED BY THE PLANNING COMMISSION OF
THE TOWN OF GRANBY, COLORADO AS FOLLOWS:**

1. The Planning Commission hereby recommends to the Board of Trustees that it declare the Final Planned Development Plan for Filing No. 13 null and void.

**INTRODUCED, APPROVED AND ADOPTED AT A REGULAR MEETING OF
THE PLANNING COMMISSION OF THE TOWN OF GRANBY THIS 9TH DAY
OF MAY, 2022.**

ATTEST:

**TOWN OF GRANBY
PLANNING COMMISSION**

Deborah K. Hess, CMC
Town Clerk/ Planning Coordinator

By: _____
Thomas Marquardt
Chairperson

Votes Approving: _____
Votes Opposed: _____
Absent: _____
Abstained: _____

**TOWN OF GRANBY
PLANNING COMMISSION
RESOLUTION 2022-05-09** _____

**A RESOLUTION OF THE TOWN OF GRANBY PLANNING COMMISSION
APPROVING, WITH CONDITIONS, THE PRELIMINARY SUBDIVISION PLAT FOR
RESUBDIVISION OF GRANBY RANCH FILING NO. 13**

WHEREAS, GRCO LLC, has submitted an application for approval of a preliminary plat resubdivision of Granby Ranch Filing No. 13, (“the Preliminary Plat”); and

WHEREAS, the regular public meeting scheduled for May 2, 2022, at which the Planning Commission of the Town of Granby was to consider the Preliminary Plat was continued to May 9, 2022 as the Planning Commission did not have the minimum number of members present to consider the application; and

WHEREAS, the Planning Commission held a hearing on May 9, 2022, and considered the comments of the applicant and the public regarding the Preliminary Plat; and

WHEREAS, the Planning Commission makes the following findings based on the matters presented to it, assuming the conditions set forth below are satisfied:

FINDINGS

- A. The applicant has complied with the provisions of the Town Code regulating applications for a preliminary plat.
- B. The Preliminary Plat is consistent with the Granby Comprehensive Plan, also referred to as the Granby Master Plan.

CONDITIONS

The foregoing findings are made expressly contingent on and subject to the Applicant satisfying the following conditions. Unless indicated otherwise, such conditions must be satisfied prior to the submission of a Final Plat.

1. Payment of all legal, engineering and administrative fees incurred by the Town in connection with review, processing, consideration and approval of the application.
2. Dedication of lands for schools or payment of fees in lieu of such dedication.
3. Compliance with all provisions of the Preliminary Plan and any amendments thereto.
4. Compliance by the applicant with all statements and representations made by the applicant during the course of public meeting or hearings concerning the application.
5. Satisfaction of any issues raised by or conditions contained in the following:

- a. E-mail from Tammara K. Granger, District Administrator for Granby Sanitation District, to Deborah K. Hess, Town Clerk, dated April 20, 2022, requesting an overlay of the Filing 13 proposed resubdivision on the 2004 Expansion Land or 2006 Exclusion Land properties and the subsequent letter from the Granby Sanitation District to Cathy Tindle dated April 25, 2022.
 - b. Memorandum from David M. Kotz to the Town of Granby on April 22, 2022 Concerning the Resubdivision of Tract A.
 - c. Memorandum dated April 25, 2022, from Barb Cole to Town staff regarding Filing 13A-Conditions of Approval.
6. Provide evidence that the requirements within section 3.04(b) and (c) the Planned Development Overlay District Preliminary Plan related to lot size and width are met by the application.
 7. Address staff concerns regarding the placement of parking spaces in common areas and rights-of-way, and the impact on maintenance, repair, replacement, and attendant property rights.
 8. Address concerns raised by e-mails dated April 26, 2022 from Xcel Energy and April 28, 2022 from Mountain Parks Electric, Inc. regarding utility separation and the ability to service gas and electric power to the subdivision.

[insert additional conditions as necessary]

NOW THEREFORE BE IT RESOLVED BY THE PLANNING COMMISSION OF THE TOWN OF GRANBY, COLORADO AS FOLLOWS:

The Planning Commission approves the Preliminary Plat, subject to the conditions identified above.

MOVED, SECONDED, AND ADOPTED BY THE PLANNING COMMISSION OF THE TOWN OF GRANBY, COLORADO THIS 9TH DAY OF MAY, 2022.

**TOWN OF GRANBY
PLANNING COMMISSION**

S E A L

Votes approving: _____
Votes opposed: _____
Absent: _____
Abstained: _____

ATTEST:

Deborah K. Hess, CMC
Town Clerk / Planning Coordinator

Thomas Marquardt
Chairman

**TOWN OF GRANBY
PLANNING COMMISSION
RESOLUTION 2022-05-09__**

**A RESOLUTION OF THE TOWN OF GRANBY PLANNING COMMISSION
DISAPPROVING THE PRELIMINARY SUBDIVISION PLAT FOR RESUBDIVISION
OF GRANBY RANCH FILING NO. 13**

WHEREAS, GRCO LLC, has submitted an application for approval of a preliminary plat resubdivision of Granby Ranch Filing No. 13, (“the Preliminary Plat”); and

WHEREAS, the regular public meeting scheduled for May 2, 2022, at which the Planning Commission of the Town of Granby was to consider the Preliminary Plat was continued to May 9, 2022 as the Planning Commission did not have the minimum number of members present to consider the application; and,

WHEREAS, the Planning Commission held a hearing on May 9, 2022, and considered the comments of the applicant and the public regarding the Preliminary Plat; and

WHEREAS, the Planning Commission makes the following findings based on the matters presented to it, assuming the conditions set forth below are satisfied:

FINDINGS

A. The applicant has not complied with the provisions of the Town Code regulating applications for a preliminary plat by not providing the following: [indicate with specificity the materials that are missing as required pursuant to Granby Municipal Code Section 17.20.030(f) or 17.35.010(b)]

[OR]

B. The Preliminary Plat is not consistent with the Granby Comprehensive Plan, also referred to as the Granby Master Plan or other documents providing for the development of the property including the Planned Development Overlay District Preliminary Plan. [Indicate with particularity how these criteria are not met]

NOW THEREFORE BE IT RESOLVED BY THE PLANNING COMMISSION OF THE TOWN OF GRANBY, COLORADO AS FOLLOWS:

The Planning Commission disapproves the Preliminary Plat for the reasons stated above.

MOVED, SECONDED, AND ADOPTED BY THE PLANNING COMMISSION OF THE TOWN OF GRANBY, COLORADO THIS 9TH DAY OF MAY, 2022.

TOWN OF GRANBY

PLANNING COMMISSION

S E A L

Votes approving: _____

Votes opposed: _____

Absent: _____

Abstained: _____

ATTEST:

Deborah K. Hess, CMC
Town Clerk / Planning Coordinator

Thomas Marquardt
Chairman