

**FREMONT COUNTY  
PLANNING COMMISSION MEETING MINUTES  
NOVEMBER 5, 2013**

**MEMBERS PRESENT**

Byron Alsup, Chairman  
Mike Krauth, Jr., Secretary  
Michael Pullen  
Larry Brown  
Joe Lamanna  
Larry Baker  
Dennis Wied

**STAFF PRESENT**

Bill Giordano, Planning Director  
Donna Monroe, Planning Assistant

**MEMBERS ABSENT**

None

**1. CALL TO ORDER**

**2. PLEDGE OF ALLEGIANCE**

**3. APPROVAL OF AGENDA**

**4. APPROVAL OF MINUTES**

- a. October 1, 2013 Planning Commission Meeting

**5. UNFINISHED BUSINESS**

NONE

**6. NEW BUSINESS**

**REQUEST: MS 13-002 J and G**

Request approval of a **three (3) lot minor subdivision, Department file #MS 13-002 J and G Subdivision**, by John A. and Gail Ann McDermott, for their property *which is located on the west side of Pisgah Lane, approximately 270 feet north of the intersection of Park Avenue and Pisgah Lane, in the Lincoln Park Area (715 Pisgah Lane)*. Proposed Lot 1, houses a single family dwelling and a shed with a proposed lot size of 1.15 acres. Proposed Lot 2 is vacant and will consist of 0.429 acres. Proposed Lot 3 is vacant and will consist of 0.459 acres. All three (3) properties will be accessed from Pisgah Lane. An additional ten (10) foot right-of-way will be dedicated to the County along Pisgah Lane and Cliff Drive in order to comply with the requirement of a sixty (60) foot right-of-way for an Urban Local Street as per the Master Plan Transportation Plan. The property is zoned Agricultural Suburban and contains a total of 2.186 acres. The property is currently being used for residential and agricultural purposes, however a zone change request to rezone the property to Low Density Residence is currently in the application process. The approval of the zone change request will allow the proposed lot sizes for Lot 2 & 3.

***REPRESENTATIVE: Matt Koch, Cornerstone Land Surveying, Inc.***

**7. ADJOURNMENT**

**8. MASTER PLAN WORKSHOP**

Continue with review of the Master Plan (*if time allows*)

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**1. CALL TO ORDER**

Chairman Byron Alsup called the meeting to order at 4:05 pm.

**2. PLEDGE OF ALLEGIANCE**

Pledge of Allegiance was recited.

**3. APPROVAL OF AGENDA**

Chairman Alsup asked if there were any changes, additions or corrections to the November 5, 2013 Fremont County Planning Commission Meeting Agenda.

**MOTION**

Mr. Larry Brown moved to accept the November 5, 2013 Fremont County Planning Commission Meeting agenda as written.

**SECOND**

Mr. Larry Baker seconded the motion.

Chairman Alsup called for a roll call vote, and the motion passed unanimously. (7 of 7)

**4. APPROVAL OF THE OCTOBER 1, 2013 PLANNING COMMISSION MEETING MINUTES**

Chairman Alsup asked if there were any changes, additions or corrections to the October 1, 2013 Fremont County Planning Commission Meeting Minutes.

**MOTION**

Mr. Baker moved to accept the October 1, 2013 Fremont County Planning Commission Meeting Minutes as written.

**SECOND**

Mr. Mike Pullen seconded the motion.

Chairman Alsup called for a roll call vote, and the motion passed unanimously. (6 of 6)

Mr. Dennis Wied recused himself since this is his first meeting and he has no knowledge of what was presented at the previous meeting (10/1/13).

**5. UNFINISHED BUSINESS**

The Planning Commission had no unfinished business.

**6. NEW BUSINESS**

**REQUEST: MS 13-002 J and G**

Mr. Matt Koch, Cornerstone Land Surveying, was present to request approval of a minor subdivision for John and Gail McDermott's property which is located on the west side of Pisgah Lane, approximately 270 feet north of the intersection of Park Avenue and Pisgah Lane, in the Lincoln Park Area (715 Pisgah Lane). Proposed Lot 1, houses a single family dwelling and a shed with a proposed lot size of 1.15 acres. Proposed Lot 2 is vacant and will consist of 0.429 acres. Proposed Lot 3 is vacant and will consist of 0.459 acres. All three (3) properties will be

accessed from the west side of Pisgah Lane. He stated that this is the follow-up to the zone change to Low Density Residence which will allow the proposed lots. This is the only vacant property in the area.

As far as the requirements and contingencies, most of them are standard requirements and most concern the required drainage plan. An abbreviated plan was originally submitted, however County Engineer, Don Moore, has requested a formal drainage plan be submitted by a register engineer. There is a low spot in the middle of the property which will be used for detaining excess runoff, which Mr. Moore agrees can be used for detaining excess flow however he just wants to be sure that everything is okay. There is public sewer service to the proposed lots and we have received documentation that service is available.

Mr. Bill Giordano showed the video of the area. He noted that the Transportation Plan requires a sixty (60) foot right-of-way, which requires the dedication of an additional ten (10) feet of right-of-way. There is an issue with that portion of Pisgah north of Cliff Dr. as to the ownership. Mr. Koch is going to research Mr. McDermott's current deed to see if it precedes the platting of the right-of-way. One of the contingencies is that they vacate the right-of-way or show it on the plat.

Mr. Giordano stated that the department did receive documentation from the Fremont Sanitation District stating that they will provide sanitation services; fulfilling that requirement

Mr. Mike Krauth inquired as to why it didn't qualify for an abbreviated drainage plan.

Mr. Giordano stated that he thinks it's because the property is adjacent to a FEMA flood hazard area on the north side of the property.

Mr. Koch supported Mr. Giordano's statement and added that the other reason for not doing an abbreviated plan is because the property is within one (1) mile of the city limits of Cañon City. One of the requirements is that the storm water from the site doesn't drain into Cañon City boundaries.

Chairman Alsup stated that he saw where the Cañon City Fire Department had mentioned a fire hydrant being proposed. He inquired if that is going to be at the expense of the applicant.

Mr. Koch stated that the hydrant is a requirement of the City of Cañon City as per the signed agreement. In addition the applicant will be required to upgrade the existing water line.

Mr. Krauth inquired if there seems to be any problems with the drainage.

Mr. Koch stated that he doesn't foresee any problems, it is very similar to the two (2) previous minor subdivision submittals.

Mr. Krauth stated that they are big enough lots that they should have a pretty good absorption factor.

### **MOTION**

Mr. Brown moved to approve MS 13-002 J and G Subdivision, subject to the following:

**RECOMMENDED CONTINGENCIES:**

The Planning Commission approval recommendation is contingent upon, at a minimum, the following items being provided to the Department, by the applicant, within six (6) months (*no extensions except through regulatory process*) after approval of the application by the Board of County Commissioners.

1. Final plat and copies (*copies to be provided after recordation of the plat*) as required by the Fremont County Subdivision Regulations (FCSR).
2. An updated title insurance commitment or policy shall be required prior to the recording of the subdivision plat, if said recording date is more than sixty (60) days from the effective date of the title insurance commitment or policy. An updated title commitment may result in additional requirements of the applicant.
3. A copy of a recorded Release of Deed of Trust or an executed Ratification, Consent and Release form for documents found at Reception Numbers 861950, 911558 and 911571 of the Fremont County Clerk and Recorder's records.
4. Compliance with any requirements from the Colorado Division of Water Resources.
5. A quit-claim deed to the County for a thirty (30) foot right-of-way from the centerline of Pisgah Lane and the north thirty (30) feet of Cliff Drive, along the entire property frontage. *The Fremont County Master Plan, Transportation Plan designates both streets as Urban Local Streets which requires a sixty (60) foot right-of-way. The dedication will result in the owner providing an additional ten (10) foot of property for future development of the right-of-way.*
6. Documentation as to compliance with the requirements as recommended by the County Reviewing Engineer. An email (10/16/13) from the reviewing engineer indicates that the project will require an engineered drainage plan and that it is not eligible for the abbreviated drainage plan.
7. All required improvements (*drainage facilities*) shall be constructed and approved prior to the recording of the final plat or an executed improvement and escrow agreement shall be provided.
8. A cost estimate for the proposed improvements shall be provided and shall be approved by the County Reviewing Engineer, if required.
9. A letter from a Colorado Professional Engineer, who designed the improvements, stating the specified improvements were constructed to the Engineer's design, prior to recording of the plat and/or release of escrow funds from an improvement and escrow agreement.
10. An executed quit-claim deed with deed restriction addressing the maintenance of any drainage facilities, drainage easements, rights-of-way, etc.
11. Drainage easements shall be shown on the final plat.

12. That portion of Pisgah Lane extending to the north from Cliff Drive shall be shown as a right-of-way on the final plat or it shall be vacated.
13. Documentation from the Fremont Sanitation District as to proof that all lots will be or can be serviced by public sewer.
14. Information to enable Department to compute addresses.
15. Closure sheets for each lot and boundary.
16. Driveway access permits or approval to defer permits requirement to the time of application for building permits for Lots 2 and 3.

**SECOND**

Mr. Baker seconded the motion.

Chairman Alsup called for a roll call vote, and the motion passed unanimously. (7 of 7)

**7. ADJOURNMENT**

Chairman Alsup adjourned the meeting at 4:25 p.m.

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CHAIRMAN, FREMONT COUNTY PLANNING COMMISSION

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DATE