

## **RESOLUTION #2006-7**

### **LITTLE RIVER RANCH 2 STEP 1 APPROVAL**

**WHEREAS**, Shavano Investments, LLC has submitted a proposed development for Little River Ranch 2 subdivision; and

**WHEREAS**, a Step 1 review and two Public Hearings have been held, and the Planning and Zoning Commission has made recommendations to the Board of Trustees.

**NOW THEREFORE BE IT RESOLVED**, that the Step 1 application of Little River Ranch 2 subdivision is approved under the following terms and conditions:

1. Bridges – The Poncha Springs Lane bridge will remain at 20’ wide, will receive new decking, a 6’ pedestrian bridge will be added, and Poncha Springs Lane, as it approaches the bridge, will be built to a 20’ maximum width with 5’ shoulders (striping). The Little River Ranch bridge will be built with a minimum clear width of 26 feet wide, plus a 6’ pedestrian bridge.
2. Trails will be soft surface as per trail plan submitted 6/5/06. Adequate parking for the trail will be provided on both sides of the Little River Lane bridge and in the public park.
3. All streets (in LRR-1 and LRR-2) will be built to alternate street standards provided by developer in its application, including Hutchinson Lane and Poncha Springs Lane, if Town is expected to take ownership. Standards are 26 feet of paved roadway with 2’ graded shoulder on each side within a 60’ r-o-w, with a borrow ditch on one side and a 6’ wide trail on the other. Poncha Springs Lane north of the intersection with Ouray Avenue will be built to the current Town standards.
4. The developer advised that there are no known wetlands on the property and the floodplain is a very highly defined area. Lots are designed with building envelopes, and the developer agreed to pull the building envelope, for the lots along the river, back 60 feet from the river in keeping with the DOW’s recommendation.
5. Low pressure sewer system is approved, with the Town taking over maintenance, in good working order, at 50% build-out on each main line, and with the developer providing a record of maintenance costs to the Town in order for the Town to determine if an additional fee will need to be assessed to the lot owners served by a low pressure sewer system. The developer will provide the Town with an annual report. The covenants and plat will note that only E-One pumps and parts are to be used, and the Town may have sewer surcharges related to the system.
6. The developer will comply with the requirements from the City of Salida regarding the hot water line easement.
7. The developer will submit a geotechnical report at Step 2 review, and place a plat note delineating all lots where soils or water require engineered foundations. The Town will require the engineered foundation plans at the time of permit application.

8. A 1% real estate transfer assessment will be paid to the Town, by the seller, for every sale of property in the subdivision, excluding the first sale from the developer. A plat note will reflect this requirement.
9. Areas within the floodplain will not be disturbed, except for construction of bridges. All disturbed areas will be revegetated with native materials and sediment control measures should be implemented to minimize erosion and sediment transport. If an Army Corps of Engineer permit is required, the developer will obtain one prior to commencing construction.
10. Comply with CDOT requirements. If approved by CDOT, improvements will be done for LRR 1 and 2 simultaneously.
11. A detailed drainage, erosion and sediment control plan will be submitted at Step 2.
12. Precise calculations will be submitted at Step 2 review showing the static water pressure to the building sites on Lots 36-39. The Town will not commit to serving those four lots above the Del Monte ditch until assured that water service can be provided at 35 psi minimum, and fire suppression is adequate.
13. The developer will provide letters from affected ditch owners that they are satisfied with easements, etc.
14. Plans for phasing will be submitted at Step 2 review.
15. The Town Attorney will review the covenants regarding chemicals and water quality, DOW fences, and animals, and the Town will approve at Step 2.
16. A plat note will be added, regarding the dedication of non-tributary water rights associated with the property to the Town, at Step 2 review.
17. Portions of the covenants dealing with LPSS, environmental, and drainage issues will be amended only after approval by the Town Board of Trustees.
18. System Development Fees: The developer will pay one-third of the portion of the system development fees for water acquisition and sewer plant investment upon the Step 2 approval of the LRR-2 subdivision (currently \$1000 for water acquisition and \$2000 for sewer plant investment). The balance of the fee for these items shall be paid one-half of the balance due one year from Step 2 approval, and the remaining balance due two years from Step 2 approval. In the event that the Town changes these fees prior to payment, the new fee will determine the amount paid by the developer.

As lots are sold during the two-year period, the entire water acquisition and sewer plant investment fees in effect on the date of payment shall be paid out of the proceeds at closing. Credit on the amount due upon the anniversary dates shall be given to the amounts paid upon the sale of each lot. At the time of building permit application, each lot owner shall pay the remaining system development fees without having to pay for water acquisition or sewer plant investment.

Note: Subsequent to development of this language, Crabtree Group determined that the water acquisition fee should be \$3000 and the sewer infrastructure investment fee should be \$1600-\$2500.

PASSED AND ADOPTED, at a regular meeting of the Poncha Springs Board of Trustees this **10th** day of **July, 2006**.

/s/\_\_\_\_\_  
Mark F. Thonhoff, Mayor

ATTEST:

/s/\_\_\_\_\_  
Diana K. Heeney  
CMC/Treasurer