

PROJECT NAME: Lyons Valley Townhomes LLC

APPLICANT: Summit Housing Group

PROJECT ADDRESS: O Carter Drive

NAME OF REVIEWER: Paul Glasgow AICP

DATE REVIEWED: 3/4/2020

(Redlines indicate revisions on 3/10)\$

SUMMARY

Background

Since 2013, the Town of Lyons has been trying to replace 100 affordable homes lost in the flood. Affordable housing remains one of the Board of Trustees' top priority.

Pursuant to the Colorado Action Plan for Disaster Recovery, \$4 million of Community Development Block Grant – Disaster Recovery ("CDBG-DR") Housing New Construction was allocated to support affordable housing development in Lyons, subject to Department of Local Affairs, Division of Housing (DOLA DOH) CDBG-DR funding application and underwriting. In 2018, the Town developed an RFP for Tract A of Filing 8 of the Lyons Valley Park subdivision.

In 2018, the Town entered into a Purchase and Sale Agreement with Lyons Valley Park, Inc. for Tract A of Filing 8 in the Lyons Valley Park development for facilitating the construction of replacement housing on the property (all units are rental) using the Lyons Affordable Housing Allocation. Around the same time, the Town issued a Request for Proposal and accepted the proposal of the Summit Housing Group for an affordable housing development on Tract A, Lyons Valley Park – Filing No. 8.

Community Involvement

Since that time, Summit Housing Group has held two listening sessions with the community to develop an affordable housing plan that meets the community's needs. The Summit Housing Group applied for and received a 4% Low Income Housing Tax Credit reservation and has subsequently been going through the process to close on the financing.

Following the Town's acceptance of the Summit Housing Group's (SHG) proposal, the SHG held community listening sessions and collected information on the proposed development. It modified the development proposal to meet the requests of the community and other funding partners. The Summit Housing Group agreed to reduce the number of multifamily housing units constructed to 21 multifamily homes on Tract A and 19 single-family homes to match the neighborhood concerns and avoid unnecessary blasting of rock.

The development plan in question today includes only Tract A and not the 19 single-family homes. The single-family lots were already permitted as part of the final plat. They will not come before either the Planning and Community Development Commission nor the Board of Trustees, but will be reviewed by staff on a case by case basis when an owner submits a building permit.

In addition to Tract A, the Summit Housing Group has agreed to develop all of the utilities and infrastructure for the water, sewer, electric and storm drainage, including the paving of the entire roadway in Lyons Valley Park, Filing 8.

Development Plan Review Process

Chapter 16 Section 17 of the Lyons Municipal Code defines the process for development plan review.

https://library.municode.com/co/lyons/codes/municipal_code?nodeId=CH16ZO_ART17SIPLDEPLREPR

In accordance with Sec. 16-17-20. - Site plan and/or development plan review, purpose and applicability, the Town found that the development plan for Tract A is not a minor building permit application requiring the applicant submit a development plan that depicts how the site will be developed. This review and the development plan ensure that the building and site design will be in compliance with all applicable Town zoning standards and other duly adopted regulations not found in the Building Code.

The development plan review process is performed by the PCDC for all applications that are multi-family where the proposal entails a building floor area expansion, major structural alteration or new construction of three (3) or more dwelling units.

The application was processed in accordance with 16-70-30 the site plan and/or development plan review process.

Comprehensive Plan Consistency

The Comprehensive Plan is the overall guide to growth and development in the Town of Lyons. It should be used to help ensure that all development applications meet the intent of the Comprehensive Plan and help to further the goals illustrated within the plan. The town's most recently adopted Comprehensive Plan was in 2010. Since that time, the Comprehensive Plan has continued to evolve and is now made up of three documents:

1. Comprehensive Plan 2010 – is a plan for growth and development in the municipal boundaries
2. Recovery Action Plan 2014 – is a plan developed after the flood as recovery wasn't contemplated in the 2010 Comprehensive plan, and
3. Lyons Primary Planning Area Plan 2016 – is a plan for the municipal growth areas (i.e. areas that the Town and the County agree are appropriate for annexation into the Town).

The Development Plan achieves the following Comprehensive Plan goals, objectives and strategies.

From the 2010 Comprehensive Plan:

Housing Goal: Recognize and accommodate the housing needs of a diverse population.

Housing Objective 1.2: Increase opportunities for affordable housing.

Housing Strategy 1.2.2: Work with nonprofit partners such as Boulder County Housing and Human Services, Colorado Division of Housing, Habitat for Humanity, interested landowners and developers to explore opportunities to integrate affordable housing units into proposed development and redevelopment projects, including commercial and market-rate housing projects.

Sustainable Design & Development Principles. The Town strongly encourages all new development or redevelopment to follow these principles to the extent practicable.

Build for Everyone - Every neighborhood should have a variety of housing types and a mix of land uses. The goal is to design a strong neighborhood structure that can accommodate a range of uses and be flexible enough to adapt to change over time. For example, the size, type of unit and cost of residences should be diverse enough to allow residents to live in the area as their needs change.

Fit within and Enhance the Environment - Minimize the development's footprint. Preserve existing drainage patterns, minimize grading and impervious areas (building envelope, size of parking lots, roads, etc.).

Create Inviting Public Spaces Public spaces such as parks, civic buildings and gateway landscapes should be highly visible from the public realm.

From the 2014 Recovery Action Plan

Housing Goal 1: Recognize and accommodate the housing needs of a diverse population.

Housing Objective 1.1: Encourage and facilitate the rebuilding of the Lyons housing stock and the return of residents displaced by flooding.

Housing Objective 1.3: Increase opportunities for affordable housing.

Referrals

The following summaries attempt to show the referral agency's comments and the staff response. The staff report identifies the major comments in each referral. Some referrals have additional exhibits and development plan markups.

Boulder County - Boulder County's referral supports the application and believes it will help achieve the Boulder County Regional Housing Partnership's Priorities and Strategies for Expanding Access to Diverse Housing for the Community that the Town adopted in 2017 (see resolution 2017-152)

Staff Response: *The town has identified a goal of 10% of the Lyons housing stock be affordable. Currently, only six housing units have been built to replace the 100 units lost in the 2013 flood. Forty additional housing units will be a significant step toward the goal.*

CDOT - CDOT has reviewed the above proposal. Based on the information provided within the TIS, CDOT does not believe the intersection of US 36 and McConnell Drive requires re-evaluation because of this proposed project. The intersection can accommodate the volume of traffic generated by this proposal. CDOT has no comment.

Staff Response: *The entire Filing 8 of Lyons Valley Park contemplated single-family and multi-family houses on this site. Carter Drive roadway and McConnell Drive were both designed to support this amount of traffic.*

Ecology Board - 1. The remediation of the flood-damaged banking on the riverside lots will require review of the design work by the Ecology Advisory Board. This remediation affects Town-owned riparian land and the EAB will need assurance that the remediation is done properly and without ecological harm. 2. There is concern by the EAB that the addition of pervious surfaces where there is now natural grassland will increase run-off into the nearby St. Vrain River. The EAB needs assurance that the drainage from this development will be properly treated in a swale or detention pond designed to handle 100-year flood flows and that the run-off will not be directed without treatment into the river. The Ecology Board also asked that staff share the Sustainability River Action Plan with SHG.

Staff Response: *Staff shared the Ecology Board's Sustainable River Action Plan and the restoration request from the ecology board. Staff spoke with the Town's recovery staff to estimate the cost of restoration. They estimated that restoration would cost at least as much as an adjacent restoration that the Town is currently conducting, which would be significant (between \$500,000 and \$1,000,000 due to the armoring and permitting that would be required). Although SHG would be willing to entertain restoration, at that magnitude, restoration would be cost prohibitive without additional funding. The Development Plan does not touch the flood-damaged banks, so would not support a requirement with predicted cost and time delays. SHG recently modified the drainage report with the help of Town engineers to address the drainage and detention system. Rather than use the system that was designed and approved for the Lyons Valley Park Subdivision. SHG designed a detention pond on tract A. The "pond" will capture and detain runoff from Tract A so that proposed conditions match off site historic flows. The pond will also provide significant water quality improvements. It will detain a 100-year storm event and will substantially reduce the runoff from Lyons Valley Park, filing 8 properties in developed areas of the Lyons Valley Park Subdivision.*

Lyons - Fire Protection District - Please note the following concern: The Fire Department will need to review the entire set of plans for this project prior to starting construction and obtaining building permits.

Staff Response: *SHG worked with the Lyons Fire Protection District throughout project planning. SHG originally designed the affordable housing development with a cul-de-sac. After discussions with the Town and the Lyons Rural Fire District, SHG agreed to complete the entire roadway planned for Lyons Valley Park, Filing 8 to accommodate traffic flow and emergency response needs. Staff has shared the referral and will require that SHG submit construction plans prior to obtaining building permits.*

Town Engineer (MurraySmith) – Staff provided major comments and more specific notes on the plan. Major comments are listed below; for less-major comments and more information, see MurraySmith referrals)

1) The Town of Lyons Water Distribution System Construction Design Standards state that water mains must have a minimum of 4.5 feet and a maximum of 6 feet of cover from finished grade directly above the pipe to the top of the pipe, and sanitary sewer lines must have a minimum of 4.5 feet of cover from finished grade directly above the pipe to the top of the pipe. Please show the proposed grade at the centerline of the water and sanitary sewer lines with the required clearance or label the points of minimum and maximum cover on each profile to demonstrate that minimum and maximum cover are not exceeded. 2) Ensure the required minimum horizontal separation of 10 feet is maintained between sanitary sewer and waterline mains and laterals. 3) Include additional ADA curb ramps at each end of the multifamily-site road to allow for crossing to the opposite side of Carter Drive. 4) Include utility stubs for Tract A, and confirm locations are coordinated with Final Engineering Plans – Public Improvements. The mainline utility stubs and service laterals should be constructed beyond the right of way with the Carter Drive and public improvements. 5) Include utility stubs for Tract A and confirm locations are coordinated with Final Engineering Plans – Public Improvements. The mainline utility stubs and service laterals should be constructed beyond the right of way with the Carter Drive and public improvements. 6) Please provide documentation on: how the water quality capture volume is being achieved; how water quality treatment standards and requirements from CDPHE and/or MHFD (UDFCD) are being met utilizing the existing porous landscape detention area. This water quality/detention facility that was part of the drainage report 13 years ago, please confirm that the water quality BMPs using current MHFD standards are being met as no documentation of the water quality capture volume has been included in either the 2007 or the current drainage reports. 7) Please provide calculations for runoff coefficients listed in the drawings.

Staff Response: The Town Engineer is working with SHG to address these comments *on the Final Engineering Plans. The updated plans are not yet available for review. Either all issues will be addressed, or additional conditions will be added to this staff report.*

NLine Electric (electric contractor) – 1) Dry utility will be required to go around the storm inlet. Provide easements. 2) Easements will be required for all instances where electric utilities are under site improvements (sidewalks, roadways) 3) Please provide cut sheet for the street lighting at LVT for both the 14 and 22 foot poles. Identify if they are LED, dimmable, skirted, etc. Please use 7-pin photo-cell spec with these lights. 4) p=Please submit electrical one-line diagrams. 5) Sheet C1.02 - Please note: gas and electric will not be installed in the same trench as the Town of Lyons Electric Utility. Provide accommodations for gas as needed. 6) Sheet C1.06 - Acknowledge where silt fence conflicts with dry utility installation; the developer will remove and replace the fencing as needed without cost to the utilities.

The developer will be required to provide 4" PVC sleeves for the electric utility. *Upon request from the Town of Lyons, NLine Electric will complete the electric design and provide those sleeve locations.* 7) Provide sheet E30 with load calculations.

Staff Response: *Staff provided SHG with these comments and is working with SHG to resolve these issues. Added as additional condition of approval.*

Parks and Recreation Commission – 1) Statement One Concerning Trails: The Parks and Rec Commission (PRC) agrees with section one under Significant Environmentally Sensitive Factors in the Environmental Impact Response that states, “The project will try to maintain current open space features like the trail systems, etc. that is important to the town of Lyons residents.” It is the desire of the PRC to maintain the trail connection to the South Ledge Ditch access road. The existing easement just west of lot 17 will be located on a steep embankment, and the PRC would like to know if other easement locations are feasible. One easement location could be south of lots 25 and 26 and north of lot 27. We estimate the easement would be approximately 115’ long and begin off of Lively Ct. 2) Statement Two Concerning Town Employee Recruitment and Retention: The Parks and Rec Commission believes that the proposed development on Tract A can provide housing opportunities for current and potential town employees which are currently unavailable.

Staff Response: *Staff shared with the developer. The developer is willing to construct a connection, if necessary, through the Town’s existing land, but on subsequent discussions with the Town Administrator and Town Attorney have not been advised that providing a trail to connect to a non-Town-owned or secured trail easement may result in the elimination of that access altogether. It would not be prudent to have the developer connect to the trail unless the Town has an agreement to use the trail. Although Staff supports the PRCs recommendation, and the developer would be willing, I am not recommending moving forward with a connection to the South Ledge Ditch at this point in time.*

St Vrain Valley School District – Thank you for referring the to the School District. The District has reviewed the development proposal in terms of (1) available school capacity, (2) required land dedications and/or cash-in-lieu fees and (3) transportation/access considerations. After reviewing the above proposal, the School District finds Lyons Elementary, Lyons Middle and Lyons Senior High won’t exceed the benchmark.

Staff Response – *The SHG will pay the cash in lieu fee developed when applying for the building permit. With the current configuration of 21 multi-family and 19 single-family units, this fee would be \$7,413 for the the 19 multifamily for (353 per unit) and \$10,469 for the singlefamily (551 per unit) for a total of \$18,162.*

Utilities and Engineering Board – The UEB wants to make sure that the drainage study did, or will, look to the more recent ICON stormwater report when considering drainage implications for Tract A. While most of the surrounding area drainage concern does fall onto Carter Drive and the single-family homes area which are already platted, we wanted to make sure the amount of impervious surface being added for the Tract A portion of development was reviewed with respect to the ICON report.

The UEB would like to see actual mappings or drawings showing the various sub-basins listed in the drainage report.

The UEB also discussed the concerns that were presented to them about the 18" storm sewer system that ICON's stormwater report lists. The UEB had specific concerns with ICON's interpretation of the stormwater improvements in this area and voiced those concerns when the report was drafted. We sent our concerns to ICON and requested feedback from them and that changes be made to the report before accepting the final stormwater master plan for approval. ICON did send a response to the UEB's concerns: "Comment noted and fair point. ... The local drainage criteria should continue to recommend 18" diameter and similar storm sewer culverts." Based on our previous review and ICON's response the UEB did not have concerns about 18" culverts.

The UEB does feel the drainage study should specifically reference the ICON study and show how they will accommodate all concerns listed for this part of town. If they have documentation to show concerns expressed in the ICON report other than the 18" storm sewer line, which should not be a concern, that information should be included in the report.

Staff Response: *The Town Engineer is working with SHG to address these concerns. SHG is designing a stormwater pond to adequately address the water quality and detention requirements for the stormwater runoff from Tract A. Added as condition of approval.*

Utility Coordinator – Need electric system design; sewer laterals cannot connect to manholes.

Staff response – *Staff is working with the applicant to address these issues. Either all issues will be addressed, or additional conditions will be added to this staff report.*

Xcel – Public Service Company of Colorado's (PSCo) Right of Way & Permits Referral Desk has reviewed Development Plan at 0 Carter Drive. The property owner/developer/contractor must complete the application process for any new natural gas service via xcelenergy.com/InstallAndConnect. It is then the responsibility of the developer to contact the Designer assigned to the project for approval of design details. Additional easements may need to be acquired by separate document for new facilities.

As a safety precaution, PSCo would like to remind the developer to call the Utility Notification Center by dialing 811 for utility locates prior to construction.

Staff Response: Staff informed SHG of the requirement and that it should add note to the utility plan. Added as condition of approval.

SITE PLAN AND/OR DEVELOPMENT PLAN REVIEW CRITERIA. 16-17-40

CRITERION	HAS CRITERION BEEN MET? Yes /No	COMMENTS
1. All of the information required on the site plan or development plan is shown.	Yes	
2. The lot size and lot dimensions are consistent with what is shown on the approved final plat.	Yes	The lot lines in the development plan Tract A are consistent with Lyons Valley Park filing 8.
3. No buildings or structures infringe on any required setbacks, easements or rights-of-way unless approved in writing by the easement holder or owner of the right-of-way.		There are no known easements on the site, the development plan. The setbacks are consistent with the requirements in the zoning code, a 25' setback from Carter Drive.
4. The proposed site grading is consistent with the requirements of the Town's adopted storm drainage criteria or master drainage plan, and grading disturbance of significant existing natural vegetation and natural landforms has been minimized to the maximum extent feasible.	YES	The proposed site grading is consistent with the requirements of the Town's adopted storm drainage criteria or the master drainage plan. The development preserves a significant portion of the Tract A parcel as open.

5. The density and dimensions shown conform with this Chapter or the approved PUD requirements.	YES	The density of the development is below the allowable density for the development per the zoning adopted in Lyons Valley Park P. R. D. Master Plan. It is located in Planning Area 7 (PA-7) in the Master Plan, the Master Plan allows a density of 7.7 units per acre within PA-7. At 3.82 acres, the allowable density is 29 multifamily units, and this project proposes 21.
6. The applicable regulations, design standards and guidelines have been adequately addressed and the proposed improvements conform with this Code, including but not limited to the following standards, as applicable:	YES	
a. Lighting shall be arranged so it neither unreasonably disturbs occupants of adjacent residential properties nor interferes with traffic. The light source shall be concealed by a full cutoff lighting fixture so that the light source is not visible from any street right-of-way or adjacent properties. In order to direct light downward and minimize the amount of light spill into the night sky and onto adjacent properties, all lighting fixtures shall be cutoff fixtures. The maximum permitted illumination at the property line shall be two (2) foot-candles. Light fixtures shall not exceed twenty-four (24) feet in height and shall be mounted in such a manner that the cone of light is contained on-site and does not cross any property line of the site. Lighting used to accent architectural features, landscaping or art may be directed upward, provided that the fixture shall be located, aimed or shielded to minimize light spill into the night sky. The use of sensor technologies, timers or other means to activate lighting during times when it will be needed is encouraged to conserve energy, provide safety and promote compatibility	<u>YES</u> NO	In general, this is achieved although at intersections in the development, a part of the safety concerns the applicant has requested that additional light be allowed. The environmental Impact Statement and the Photometric Plan in the site development plan together address this issue. "The project will employ dark sky compliant outdoor fixtures to reduce and eliminate any [light] pollution."

between different land uses. Lower lighting levels at off-peak times are encouraged as a safety measure.		
b. Outdoor storage shall be screened from adjacent properties. Screening shall be achieved through walls, architectural features and landscaping and shall be visually impervious. Permitted outdoor vehicle or equipment storage areas shall be screened by the establishment of landscaped buffers or an opaque fence or wall at least five (5) feet high. Vehicles being serviced or stored for customers shall not be parked on streets, alleys or public sidewalks. Automobile, boat and motorcycle rental and sales lots shall not be greater than one and one-half (1.5) acres.	YES	Other than trash, there is no outdoor storage on the site. Trash areas will be screened from view.
c. Uses that create intense glare or heat, whether direct or reflected, that are perceptible from any point along the site's property lines, shall be conducted within an enclosed building or be effectively screened from public view. If the source of the glare is proposed to be screened with plant material, then the applicant must show that the screening will be effective year-round.	YES	There are no uses that create intense glare or heat.
d. To the extent reasonably feasible, an applicant shall take advantage of opportunities to integrate adjacent outdoor pedestrian spaces and other adjacent land use in a manner consistent with the goals and objectives of the Comprehensive Plan. To the extent reasonably feasible, an applicant shall enter into cooperative agreements with adjacent property owners to share vehicular access in a manner that creates safe traffic movements and minimizes vehicle/pedestrian conflicts, resulting in an integrated network of vehicular and pedestrian access.	Yes	The development is creating a significant pedestrian circulation in the subdivision and will provide a small park for the community. Staff is requesting a condition of development plan approval an easement to allow access to the Loukonen property to the east.

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e. New employment or industrial uses abutting an existing residential neighborhood shall not create drastic or abrupt change in the scale and height of buildings.	YES	A rental office unit is located in the interior of the development in a residential structure and does not abut an existing residential neighborhood.
7. The site can be adequately served with public utilities, services and facilities (i.e., water, sewer, electric, schools, street system, fire protection, public transit, storm drainage, refuse collection, parks system, etc.).	YES	The development will add substantial utilities and facilities that will not only serve the existing development but other parcels that are not part of either the 21 multifamily units or the 19 single-family properties.
8. The site will provide efficient on-site and off-site traffic circulation which will not have a significant adverse impact on the adjacent uses or result in hazardous conditions for pedestrians or vehicles in or adjacent to the site.	YES	The Town Engineer and CDOT determined that the traffic impact analysis and report will not impair the traffic flows on McConnell Drive or on the intersection of McConnell Drive and Ute Highway (Main Street).
9. The site design minimizes environmental impacts, mitigates impacts to wildlife and wildlife habitat and utilizes best management practices to conserve natural resources (consider energy conservation, water conservation, recycling, use of local materials).	YES	The site design minimizes the impact on pervious surfaces and maximizes development on a small portion of Tract A. The construction document will achieve the standards of an Enterprise Green Community. Submittal includes Environmental Impact Analysis responses and more information on stormwater pollution prevention plan, and wildlife impacts.
10. The site has an approved trash disposal plan that addresses litter control, trash collection, on-site storage, pick-up on a regular basis and the Dumpster location with proper screening and buffering so that there are not any substantial impacts to abutting properties. All waste shall be deposited into a completely enclosed container concealed from adjacent properties.	YES	This is addressed in the Project Narrative.
11. Proposed land uses and activities shall be conducted so that any noise generated on the property will not violate the Town's noise regulations in Chapter 10 , Article 11 of this Code, so that any ground vibration created by the	YES	The residential development will not violate the Town's noise regulations

use of the property will be imperceptible without instruments at any point along the property line.		
12. The proposed development shall conform with all applicable local, state and federal regulations.	YES	
13. All of the information required on the site plan or development plan is shown.	YES	

SUMMARY AND ALTERNATIVES: Planning and Community Development Commission has the following options:

- (1) Approve Resolution PCDC 2020-3 without conditions;
- (2) Approve Resolution PCDC 2020-3 with conditions;
- (2) Continue Resolution PCDC 2020-3 to request additional information;
- (2) Deny Resolution PCDC 2020-3;

Recommendation:

Although there are some details to work out to match the standards and lighting requirements are not fully achieved, Staff believes that the development has significantly achieved the criteria in 16-17-40. Staff recommends that the PCDC adopt Resolution 2020-03 with the following conditions:

PROPOSED MOTION: “I MOVE TO APPROVE RESOLUTION 2020-3 PCDC WITH THE FOLLOWING CONDITIONS”

Recommended conditions:

Condition 1) ~~Modify-The applicant will submit and the staff will review for approval~~ the development plan ~~to with include~~ bike racks for multifamily units, include 1 bike parking area per each ~~bedroom unit~~. Space per spot should be approximately 30" x 72" x 48".

~~Condition 2) All structures are constructed to meet 2015 enterprise green communities' criteria including 2.10 Passive Solar Heating/Cooling (to the maximum extent possible with the current building orientation); 4.2 Advanced Water Conservation; and 5.7a Photovoltaic / Solar Hot Water Ready;;~~

Condition ~~23~~) Modify the development plan to ~~include at least 1 electric vehicle charging station~~ be electrical vehicle ready, add provision to development agreement that requires installation of electrical vehicle changing station if a resident has a vehicle that needs one.

Condition 4) Modify the development plan to include storage units are so each unit has enclosed and shielded storage areas.

Condition 6) ~~Since Applicant will submit and the Town will include the development plan agreement considers infrastructure for Lyons Valley Park, Filing 8, a preserve a trail and~~ road access easement ~~to from carter drive to adjacent~~ 12993 N. Foothills Highway (see image below).



Condition 7) Add general note on development plan that the proposed development shall conform with all applicable local, state and federal regulations.

Condition 8) ~~Update draft development agreement~~ Applicant will submit and Staff will review a draft development agreement ~~ww~~with a ~~recommended~~ provision for Board of Trustees to maintains permanent affordability.

Condition 9) Applicant will work with Town staff to develop, submit the modifications requested in the referrals from MurrySmith and NLine Electric and identified in the Site Plan – Comment Response Letter, Lyons Valley Park – Filing No. 7 – Tract A – Lyons, Colorado, Scott, Cox & Associates Project No. 19165A. Town Staff will provide a certification of completeness prior to issuance of a building permit.

Condition 10) All outdoor trash facilities will be stored in ~~b~~Bear proof trash bins.

Condition 11) Based on feedback from the Town Staff the applicant will refine the landscape maintenance plan into a final ~~maintancemaintenance~~ plan. The applicant will submit and the Town Staff will determine completeness of the modification prior to ~~issuance of a building permit~~certificate of occupancy.

Condition 12) Applicant and Town Staff will modify the development plan and the certified drainage report to fully implement the detention concept submitted by the applicant including detention of 100-~~year flood~~stormwater event. The Town Engineer will determine completeness of the detention concept and modified development plan prior to issuance of a building permit.

Condition 13) Applicant will submit and staff review ~~and for~~ approve ~~a final landscape plan and of~~ a landscape irrigation plan, prior to ~~issuance of a building permit~~issuance of certificate of occupancy.

Condition 14) The applicant will refine the development agreement with staff and present to the Board of Trustees a development agreement that ensures access to and maintenance of all public utilities, infrastructure, and the private roadway.

Attachments:

- 1) Resolution approving
- 2) Resolution denying
- 3) Financial staff report
- 4) Application materials
 - a) S_Application and Land Use Deposit
 - b) S_Detention Concept
 - c) S_Development Plan Agreement
 - d) S_Development Plan Agreement Exhibit Public Improvement Cost Estimate 2020-03-05
 - e) S_Drainage Report
 - f) S_Environmental Impact Analysis
 - g) S_Fiscal Impact Analysis
 - h) S_Green Communities Requirement
 - i) S_Narrative
 - j) S_Site Plan Submittal
 - k) S_Traffic Impact Analysis
- 5) Referral materials
- 6) Citizen comment