David Torgler, Administrator/Clerk

COMMUNICATION FORM

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FROM: David Torgler, Town Administrator/Clerk
DATE: January 5, 2024
ITEM: Tim Scopac – Land Use Change of Minor Impact, 307 S. Grandview Avenue
ATTACHED: Land Use Change of Minor Impact Application, Public Notice, and Staff Report

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BOARD ACTION: __X__ ACTION ITEM
____ DIRECTION REQUESTED
____ INFORMATION

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REQUEST OR ISSUE: Public Hearing, review and consideration of an application for a Land Use Change of Minor Impact to build a single family home (PT of Lot A Third Addition to Town of Oak Creek, Parcel ID 100900101), Performance District 7.

RECOMMENDED ACTION: At the December 20, 2023 Planning Commission meeting commissioners recommended approval of the application subject to the following:

Findings of fact and subject to the Conditions of Approval:

The Planning Commission/ Town Board find that the proposed land use change is in:

A. Conformance of the proposed land use change with the policies and principles in the Oak Creek Comprehensive Plan Update, pursuant to C.R.S., 1973, Section 31-23-206;
B. Conformance with the requirements and performance standards established in this code;
C. Preservation of the health, safety and welfare of the citizens of the Town of Oak Creek, Colorado.

And, subject to the following conditions of approval:

CONDITIONS OF APPROVAL: the following conditions are recommended to be included as part of the proposed Land Use Changes of Minor Impact for the variance and land use change subject to the following requirements:

1. Per 17.03.014 the approval expires three (3) years from approval by the Town Board of this application unless application for renewal is obtained pursuant to the Oak Creek Land Use Code.
2. Petitioner should be required to reclaim disturbed land not used for structures or parking with new vegetation.
3. Garage and parking will be recessed five feet from the front door or that this requirement is waived due to the lot configuration per Section 17.03.02 of the Municipal Code.
4. All exterior lighting on the site will meet the requirements of Section 17.10.10 of the Municipal Code.
5. Snow storage area shall be identified on this site plan per Section 17.10.013 of the Municipal Code.
6. Petitioner shall provide a lot coverage calculation for consideration of this application by the Town Board.

BACKGROUND INFORMATION: At the December 20, 2023 Planning Commission meeting the commissioners considered the application referenced above and recommended its approval subject to the findings and conditions also stated above.

FISCAL IMPACTS: The proposed infill housing development will provide additional tax revenues to support local government services.

LEGAL ISSUES: This application is following the Town of Oak Creek's Municipal (land use) codes for infill development and for development in Performance District 7 where any development follows the conditional use process.

CONFLICTS OR ISSUES: None known

SUMMARY AND ALTERNATIVES: Per Section 17.03.012 – Review procedure for land use changes of minor impact: the Board of Trustees shall consider the application, other information and materials submitted for their consideration, and the recommendation of the planning commission at a public hearing and make a decision thereon within thirty days of such public hearing; provided that during this time, the board determines that the application should be for a major land use change, in which case the procedure in Section 17.03.013 shall be followed. The Board may place any conditions upon its approval, including without limitation, submission of performance bonds, deed restrictions, and improvement agreements.