



PLANNING COMMISSION - RESCHEDULED FROM 2/15/2023

Wednesday, February 22, 2023 at 5:00 PM

Palmer Lake Town Hall – 28 Valley Crescent, Palmer Lake, Colorado

Live Stream available on Town website

AGENDA – REVISED 2/20/2023

This agenda is subject to revision 24 hours prior to commencement of the meeting.

Call to Order

Roll Call

Approval of Minutes

- [1.](#) Minutes from 01/19/2023 Meeting

Public Hearing

Chair will introduce the item and hear the request from the applicant. Chair will ask if there is any public member wishing to speak for or against the request. Public should address the Planning Commission members directly while members listen. Applicant may provide closing remarks and Commission members may ask questions of the applicant. Chair will close the hearing and Commission members then discuss the item and move a recommendation for the Board of Trustees. (If additional information or time is required, Planning Commission may continue the hearing to a particular date.)

- [2.](#) Application for Replat - Milton
- [3.](#) Application to Request Right-of-Way Vacation

Business Items

- [4.](#) Recommendation on Application to Replat (Milton)
- [5.](#) Recommendation on Application to Vacate ROW (Portion of Brook)
6. Continued Pre-Application Review - Elephant Rock Villas
- [7.](#) Consider Planning Consultant to Review Proposed Developments
- [8.](#) Distribute Land Use Code Diagnosis and Worksheet (CMI)

Next Meeting (3/15) and Future Items

Adjourn

WORKSHOP - Continued Discussion/Review of Town Sign Code

Americans with Disabilities Act

Reasonable accommodations for persons with a disability will be made upon request. Please notify the Town of Palmer Lake (at 719-481-2953) at least 48 hours in advance. The Town of Palmer Lake will make every effort to accommodate the needs of the public.

Notice

Notice is hereby given that more than two members of the Board of Trustees may be present; however, there will be no action taken by the Board of Trustees at this meeting.



PLANNING COMMISSION - RESCHEDULED FROM 1/18/2023

Wednesday, January 25, 2023 at 5:00 PM

Palmer Lake Town Hall – 28 Valley Crescent, Palmer Lake, Colorado

MINUTES

Call to Order. Chair Ihlenfeld called the meeting to order at 5:02 pm.

Roll Call. Present: Commissioners Charlie Ihlenfeld, Bill Fisher, Mark Bruce, Amy Hutson, Susan Miner.

1. Nominate and Vote on Commission Chair. MOTION (Bruce, Hutson) to nominate Charlie Ihlenfeld as Chair. Motion PASSED (5-0).
2. Nominate and Vote on Commission Vice Chair. MOTION (Bruce, Miner) to nominate Bill Fisher as Vice Chair. Motion PASSED (5-0).

Approval of Minutes

3. Minutes from 12/21/2022 Meeting. MOTION (Hutson, Fisher) to approve the minutes from the December 21 meeting. Motion PASSED (5-0).

Business Items

4. Pre-application Review of Elephant Rock Villas Plan Submittal – Chair Ihlenfeld read a notice for the record stating this is a pre-application and the sketch plan is being considered for feedback from the Commission members to the applicant for a final submittal. Mr. Todd Dormann, property owner, presented the project, and introduced the team, including Chris Lieber – NES; Rich Gallegos – RESPEC; Ingrid Richter – Olive Real Estate Grp; Chris Cummins – Esq., Monson, Cummins, Shohet & Farr, Water Attorney; Jeff Hodsdon – LSC Transportation Consultants. Mr. Dormann provided his background and expertise in property management. He explained that he would hold single ownership of the townhomes to rent and be the property manager. He then described the property, which would neighbor Recovery Village and the private property of Mr. Curt Reese. He explained the long- and short-term rental use and design of the combination duplex and triplex to fit the area. Mr. Lieber reviewed the property referring to the Community Master Plan and future land use map, noting the proposed site plan will maintain a 100' setback from Hwy 105. He explained the retention of open space and natural vegetation where possible. Discussion took place about density. The clustered units built in phases will include attached 2-car garages and additional parking in the area. It is planned that five (5) phases be implemented over a 25-year period. Mr. Hodsdon explained the traffic impact. He spoke about the prepared CDOT traffic study and submittal for access. He stated that CDOT's traffic count evaluation does not require turn lanes. Commissioner Fisher referred to the Master Plan noting a quarter mile between access points.

Mr. Hodsdon stated CDOT's requirement is half-mile access points. Mr. Cummins spoke about serving the property best with town water. They propose extending the line from MTI/Recovery Village. This would serve approximately 130 taps for 57 units over the course of years, with the first phase serving 15 units. Commissioner Fisher asked about residential wells and whether another Arapahoe well would serve the area and the project pay the installation. Mr. Cummins expressed concern of the water quality and density to serve multi-units. Ms. Riggs reviewed the design of the units, noting the color to not detract from the natural environment. She reviewed the mix of material and breaks in the designs to give dimension. Discussion took place about the rear of the structures. Mr. Gallegos discussed the topography of the property and its challenges and desire to minimize disturbance to match it as much as possible. He explained the utilities layout including additional hydrants in each phase. Discussion took place about a second access and the detention pond facing Hwy 105. Ms. Richter summarized the project and reviewed the next steps in the project within the next couple months. The team wants to engage with the public. Commissioner Miner asked why not single-family residences to be owner-occupied. Discussion ensued about cost of rent and the need for affordable housing, as well as what finishing looks like if the project halted at a future phase. Mr. Cummins explained that each phase is planned individually by cluster. Mr. Curtis Reese (neighboring landowner) spoke of his concern about density, the added traffic to Hwy 105, and his concern of water use and the restrictions it may cause. He also expressed concern about losing his view. Mr. Roger Mosley addressed the Commission about Master Plan objectives, noting that a 2.5-acre household does not meet the applicable objective of maximum allowed density for the area. He referred to the original PUD plans when the property was part of the Recovery Village PUD. Mr. Mosley also stated that more taps will stress the water system. Mr. Kurt Ehrhardt offered the background on this property and the original PUD project. He suggested a deceleration lane on Hwy 105. He was also concerned about water extending to the project. Mike Richards stated concern about water. Commissioner Hutson stated that results of the neighborhood meetings were that residents are against multi-family homes (high density). Further discussion of member interpretation of the Master Plan resulted. Commissioner Fisher asked if 2.5-acre mansions were needed vs. something affordable. He offered his opinion that this project met the high density noted in the Master Plan. He suggested more screening to preserve the corridor of Hwy 105 and suggested 150' setbacks from the highway. Members expressed concern about abutting neighbors, screening, and consideration of fencing on units, landscaping, and affordable rent for future years. Mr. Dormann said he understood the members' concerns and stated that his practice is to raise rent generally 2% annually to cover costs. Discussion took place to consider a trail easement for future connectivity within the 150' setbacks on the development.

5. Interview Planning Commission Member Candidates & Recommend Appointment(s) to Board of Trustees – Commission members asked the candidate why they want to participate with Planning Commission. Each candidate spoke to their background, qualifications and desire to serve the community. Mr. Tim Caves stated he is a fairly new resident to Palmer Lake and has a background as a builder. Ms. Lindsey Zapalac stated she is a new resident to Palmer Lake, ran for a Board Trustee position in 2022, has background in project management, and desires to be a resident of Palmer Lake for the rest of her life. MOTION (Hutson, Fisher) to recommend the Board of Trustees appoint Tim Caves to the Planning Commission. Motion

PASSED (5-0). MOTION (Bruce, Miner) to recommend the Board of Trustees appoint Lindsey Zapalac to the Planning Commission. Motion PASSED (5-0).

- 6. Update on Master Plan Implementation Steps – Dawn Collins referred to the shared CMI memo. An official zoning map will be brought before the Board of Trustees for approval. CMI is working on a diagnosis of the land use code. Collins noted staff is working on a new cost recovery agreement for land use development discussions. The purpose is to reimburse the town for expenses incurred by paying town consultants (legal, engineering, stormwater). Collins stated with a high-level diagnosis of land use regulations, CMI will distribute a worksheet on land use for the members. Approximately \$8,000 to \$9,000 of the remaining funds from the CMI scope of work is being utilized for these next steps.

Next Meeting (2/15) and Future Items

Adjourn MOTION (Fisher, Hutson) to adjourn at 7:33PM. Motion PASSED.

Workshop: Continued Discussion/Review to Amend Sign Code. The workshop to discuss/consider new sign code followed the regular meeting.

Planning Commission Chair

ATTEST: _____
Dawn Collins, Town Clerk/Administrator



42 Valley Crescent
PO Box 208
Palmer Lake, CO 80133
719-481-2953 - Office

Office Use Only	
Case Number:	<u>PC 2115</u>
Date:	_____
Fees \$250 \$10 per acre:	<u>500 -</u>
Check #:	<u>2210</u>
Rec'd By:	<u>PAT</u>
Application Complete:	_____

Vacation & Replat Application Form

Name of Applicant/Property Owner: Arlon and Sylvia Martin
 Address: 215 Canon Dr Santa Barbara, CA 93105 Phone#: 805-698-8551
 Email: aron.martin@gmail.com
 Name of Proposal: Lakeview West Subd.
 Tax Schedule #: Assessor's Parcel #: 7105212005

This is a Vacation Plat – A map indicating a proposed elimination of a dedicated street, road easement or subdivision. It shall be prepared by a Colorado Registered Land Surveyor in accordance with a Subdivision Regulations. If approved, it shall be recorded with the County Clerk and Recorder’s Office.

This is a Replat – A map which indicates an alternation from an approved Subdivision Final Plat. Such a proposal shall abide by the same regulations which affect a Final Plat submittal.

Please fill out the appropriate submission checklist to complete the application.

Location of Property: 253 Milton St.
 Nearest Street Intersection: Park Existing Subdivision: Blk 63, Lots 1-11
 Current Zoning and Uses of Surrounding Property: N: _____
 E: _____
 S: _____
 W: _____

Signature of Owner: Arlon Martin Date: Sept 7, 2022
 Applicants Name: Arlon Martin Sylvia Martin Address/Location: 215 Canon Drive
Santa Barbara, CA
93105

To: Planning Commission and Board of Trustees for Palmer Lake, CO
Attn. Ms. Dawn Collins, Town Administrator and Clerk
42 Valley Crescent
P.O. Box 208
Palmer Lake, CO 80133

January 27, 2023

From: Arlon and Sylvia Martin
215 Canon Ave.
Santa Barbara, CA 93105

Re: Lakeview West Subdivision, 253 Milton Street

Dear Ms. Collins, Planning Commission and Board of Trustees

We are requesting to Replat all of Block 63 and the Southerly One-Half of Brook Street from Viola Street to Park Street, in Palmer Lake Amended Filing, into three single Family Residential Lots.

Two of the three proposed lots will be larger than 10,000 square feet and noted on the Proposed Plat as being restricted from Future Replatting into smaller lots.

The generally flat Lot with the existing house at 253 Milton Street is to remain and currently has access from Park Street. This Lot would have the ability for future demolition of the existing structure and relocation of the access point.

The other two lots would have access from either Viola Street or Park Street for possible over-under parking. The approximate slope of these lots is 13%, sloping down from Viola Street to Park Street.

The portion of Brook Street to be vacated has not been used and has utilities shown on the Preliminary Plot. An Easement will be Platted for that utility. A portion of Brook Street has been previously vacated by PARKVIEW SUB Replat. The Northerly One Half of Brook Street would remain as access to the unimproved Alley adjacent to the rear of Lot 10 Block 58 in Palmer Lake Amended Filing.

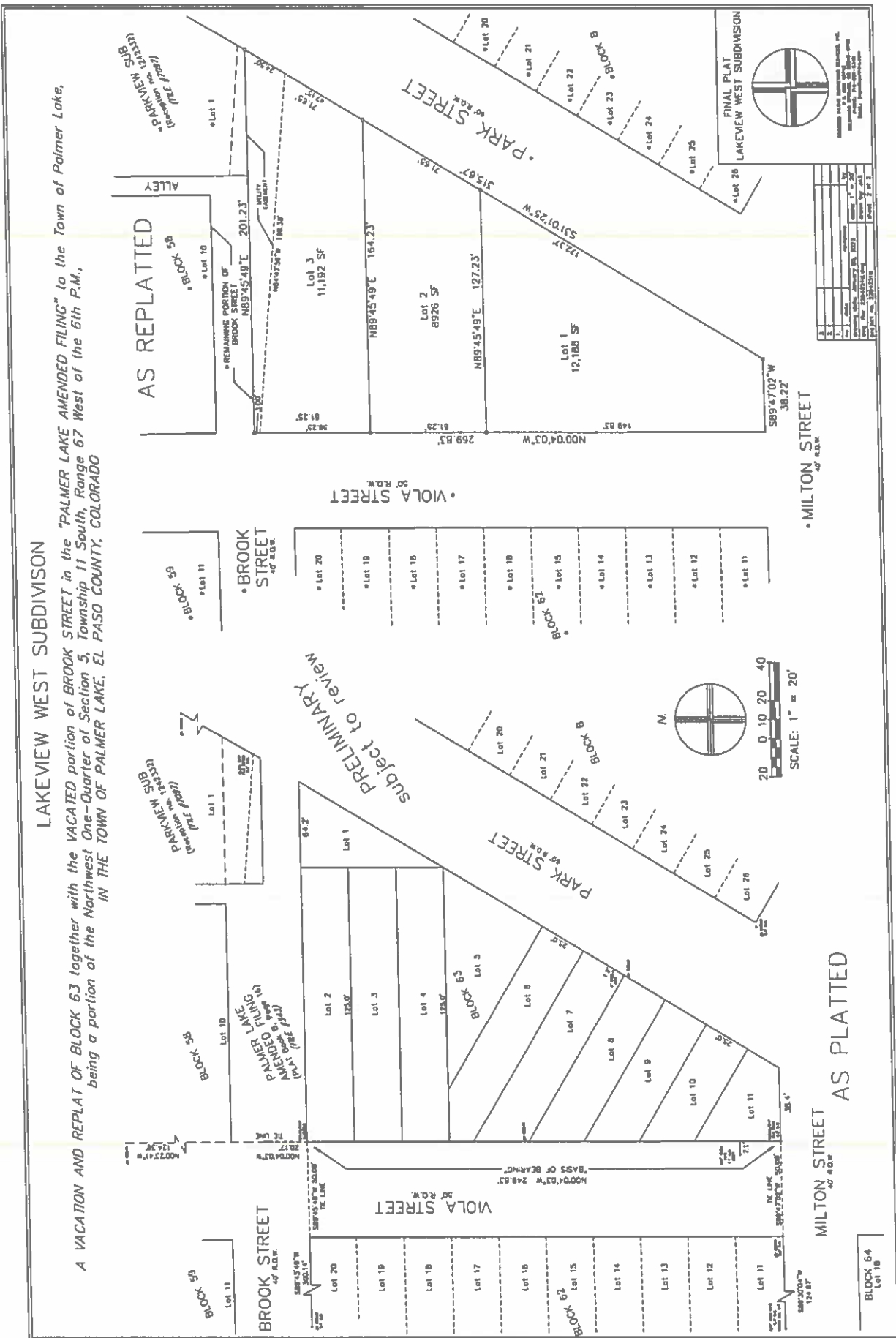
If you have any questions, please contact us at arlonmartin@gmail.com or by cell 805-698-8551.

Best Regards,



Arlon and Sylvia Martin

Cc: Dawn Collins, Town Administrator/Clerk, Palmer Lake, CO



LAKEVIEW WEST SUBDIVISION

A VACATION AND REPLAT OF BLOCK 63 together with the VACATED portion of BROOK STREET in the PALMER LAKE AMENDED FILING to the Town of Palmer Lake, Township 11 South, Range 67 West of the 6th P.M., IN THE TOWN OF PALMER LAKE, EL PASO COUNTY, COLORADO

BE IT KNOWN BY THESE PRESENTS: That SYLVIA and ALVIN MARTIN being the owners of the following described tract of land to-wit: Lots 1 & 11, Town of Palmer Lake, El Paso County, Colorado...

DEDICATION: The above-named SYLVIA MARTIN, has caused this instrument to be recorded in the public records of the State of Colorado...

IN WITNESS WHEREOF: The above-named SYLVIA MARTIN, has caused this instrument to be signed and attested in the presence of me, a Notary Public...

NOTARIAL: STATE OF COLORADO, COUNTY OF EL PASO. The above and aforementioned one subscribed before me this 1st day of February, 2013, at the City of Palmer Lake, Colorado...

IN WITNESS WHEREOF: The above-named ALVIN MARTIN, has caused this instrument to be signed and attested in the presence of me, a Notary Public...

NOTARIAL: STATE OF COLORADO, COUNTY OF EL PASO. The above and aforementioned one subscribed before me this 1st day of February, 2013, at the City of Palmer Lake, Colorado...

NOTICE IS HEREBY GIVEN: That the area indicated in the attached plat is subject to the rules of the State of Colorado regarding the recording of instruments...

APPROVAL: Heard and recommended for approval on the 1st day of February, 2013 by the Planning Commission, Town of Palmer Lake.

Heard and approved on the 1st day of February, 2013 by the Board of Trustees for the Town of Palmer Lake.

Attest by: [Signature] Town Clerk

RECORDING: STATE OF COLORADO, COUNTY OF EL PASO. I hereby certify that this instrument was filed for record in my office at the City of Palmer Lake, Colorado...

FEES: Per Page Fee, Stamp Fee, Record Fee, etc.

SURVEYOR'S CERTIFICATION: I, the undersigned, SYLVIA MARTIN, have caused this instrument to be signed and attested in the presence of me, a Notary Public...

PRELIMINARY Subject to Review

- NOTES: 1. - Indicates a lot or parcel with Surveyor's Co. P.L.S. #1787. 2. - Indicates a portion of a lot or parcel. 3. - Indicates a portion of a lot or parcel. 4. - Indicates a portion of a lot or parcel. 5. - Indicates a portion of a lot or parcel. 6. - Indicates a portion of a lot or parcel. 7. - Indicates a portion of a lot or parcel. 8. - Indicates a portion of a lot or parcel. 9. - Indicates a portion of a lot or parcel. 10. - Indicates a portion of a lot or parcel.

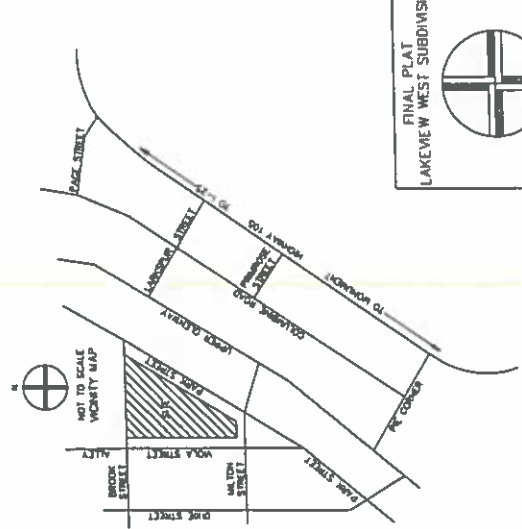
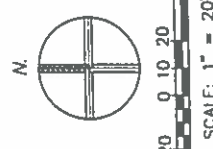
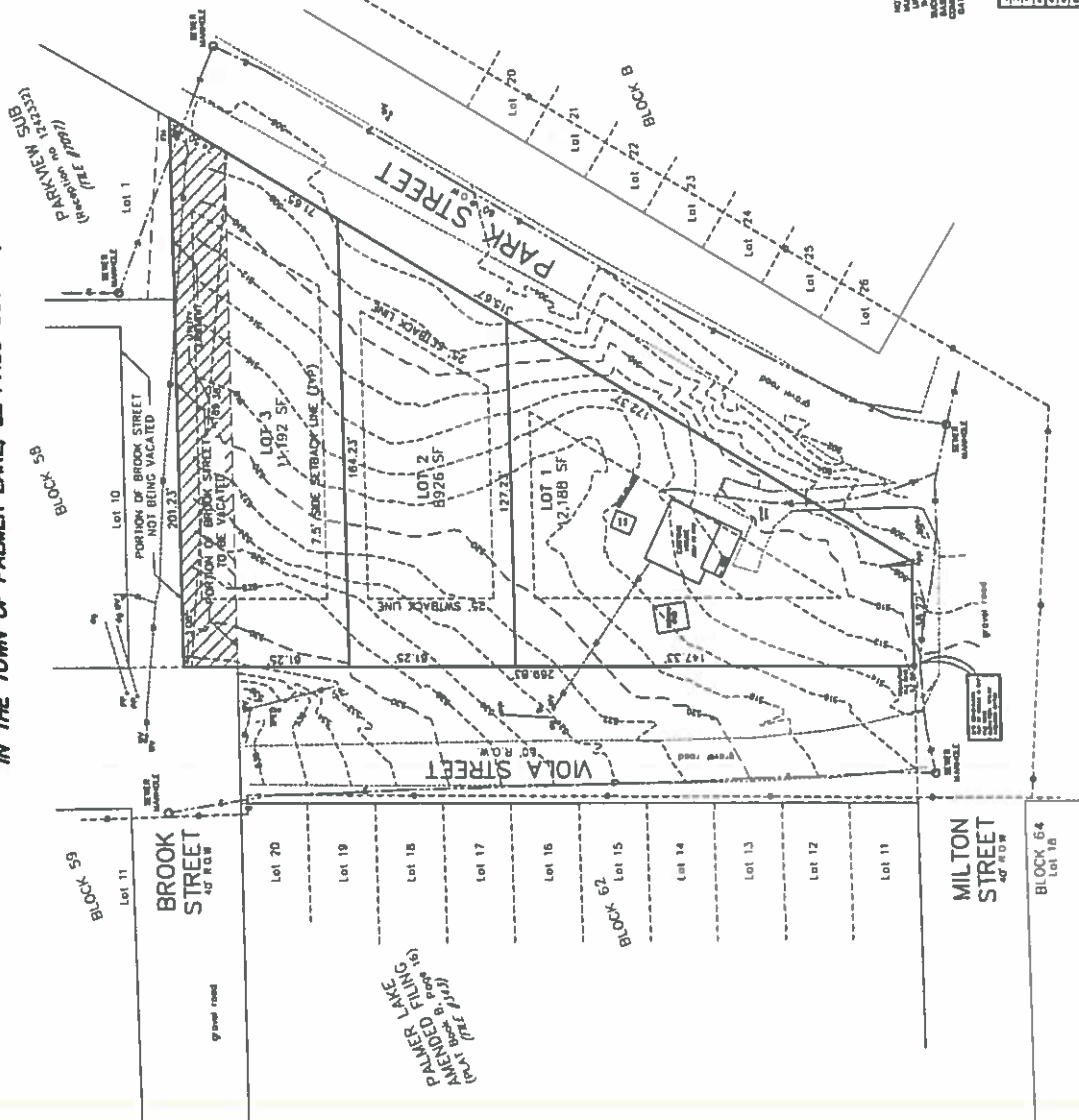


Table with columns for Name, Address, and other details. Includes names like SYLVIA MARTIN and ALVIN MARTIN.

City File No.:

**PRELIMINARY PLAT
LAKEVIEW WEST SUBDIVISION**

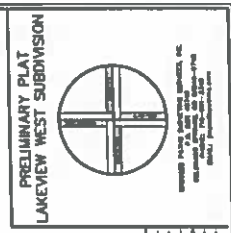
A VACATION AND REPLAT OF BLOCK 63 together with the VACATION of a portion of BROOK STREET in the PALMER LAKE AMENDED FILING* to the Town of Palmer Lake, being a portion of the Northwest One-Quarter of Section 5, Township 11 South, Range 67 West of the 6th P.M., IN THE TOWN OF PALMER LAKE, EL PASO COUNTY, COLORADO



NOTES:
1. Temporary based on estimated values.

LEGEND:
 --- existing underground water line
 --- existing underground gas line
 --- existing fire hydrant
 --- existing water valve
 --- existing power pole
 --- existing water or sewer

NOTICE: ACCORDING TO COLORADO PLATING ACTS AND ORDINANCES, THIS PRELIMINARY PLAT IS SUBJECT TO THE REVIEW AND APPROVAL OF THE BOARD OF COUNTY COMMISSIONERS OF EL PASO COUNTY, COLORADO, AND TO THE REVIEW AND APPROVAL OF THE BOARD OF COUNTY COMMISSIONERS OF EL PASO COUNTY, COLORADO, AND TO THE REVIEW AND APPROVAL OF THE BOARD OF COUNTY COMMISSIONERS OF EL PASO COUNTY, COLORADO, AND TO THE REVIEW AND APPROVAL OF THE BOARD OF COUNTY COMMISSIONERS OF EL PASO COUNTY, COLORADO.



1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26

NOTICE OF PUBLIC HEARING

TOWN OF PALMER LAKE

Notice is hereby given that Palmer Lake Planning Commission shall hold a public hearing on February 15, 2023, at 5 PM at the Town Hall at 28 Valley Crescent, Palmer Lake, to consider a request to replat tax schedule ID 7105212005, Lots 1 thru 11, located at 253 Milton Dr, to three (3) lots. A recommendation will be made to the Board of Trustees on the same matter scheduled to be heard on February 23, 2023, at 5 PM. A copy of the complete application is on file at the Town Clerk office, at 719-481-2953. /s/ Dawn A. Collins, Town Clerk

AFFIDAVIT OF PUBLICATION

STATE OF COLORADO
COUNTY OF El Paso

**NOTICE OF PUBLIC HEARING
TOWN OF PALMER LAKE**

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/s/ Dawn A. Collins, Town Clerk

Published in the Tri-Lakes Tribune February 1, 2023.

I, Haley Zinnel, being first duly sworn, deposes and says that he is the Legal Sales Representative of The Tri Lakes Tribune, LLC., a corporation, the publishers of a daily/weekly public newspapers, which is printed and published daily/weekly in whole in the County of El Paso, and the State of Colorado, and which is called Tri Lakes Tribune; that a notice of which the annexed is an exact copy, cut from said newspaper, was published in the regular and entire editions of said newspaper **1 time(s) to wit 02/01/2023**

That said newspaper has been published continuously and uninterruptedly in said County of El Paso for a period of at least six consecutive months next prior to the first issue thereof containing this notice; that said newspaper has a general circulation and that it has been admitted to the United States mails as second-class matter under the provisions of the Act of March 3, 1879 and any amendment thereof, and is a newspaper duly qualified for the printing of legal notices and advertisement within the meaning of the laws of the State of Colorado.

Haley Zinnel

Haley Zinnel
Sales Center Agent

Subscribed and sworn to me this 02/01/2023, at said City of Colorado Springs, El Paso County, Colorado.

My commission expires June 23, 2026.

Karen Hogan

Karen Hogan
Notary Public
The Gazette

**KAREN HOGAN
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20224024441
MY COMMISSION EXPIRES 06/23/2026**

Document Authentication Number
20224024441-997973



42 Valley Crescent
PO Box 208
Palmer Lake CO 80133
719-481-2953 – office

Office Use Only	
Case Number:	<u>PC 2/15</u>
Date:	<u>1/23/2023</u>
Fees:	<u>\$500.00</u>
Check #:	_____
Rec'd By:	<u>KAC</u>
<i>Note: A minimum of ten days are required to process this application</i>	

Right-of-Way Application

Name of Applicant/Property Owner: SYLVIA & ARLON MARTIN

Address: 215 CANON DR. SANTA BARBARA Phone#: 805-698-8551
CA 93105

Email: arlonmartin@gmail.com

Name of Proposal: Lakeview West Subdivision

Legal Description or Address: Block G3, PALMER LAKE AMENDED FILING
253 MILTON STREET

(If the applicant is someone other than the property owner, the applicant must provide a notarized letter from the property owner giving permission to be represented in this action).

This is a Right-of-Way Vacation – A Right of Way vacation is the termination of the public interest in a right-of-way (built or unbuilt); it extinguishes the easement for public travel that is represented by the right-of-way. The Right of Way is equally divided.

Criteria for approval of a Right-of-Way Vacation - In order to approve any Right-of-Way vacation, the Planning Commission must find, based upon evidence, both factual and supportive, provided by the applicant that the vacation sought will not leave any lands adjoining without an established right of way. and that the portion of the right of way sought to be vacated has now become useless to the property owners, the general public, and the Town of Palmer Lake, and that the Final Plat meets all of the criteria stated in Section 16 of the Palmer Lake Municipal Code.

By signing, Applicant agrees to the following:

- Town of Palmer Lake staff or its consultants may enter the property to inspect the property and evaluate the proposal.
- The applicant/petitioner is liable for all fees and costs associated with the Town's review of this application. These may include, but are not limited, to engineering and consultant fees, public notice / recordation fees, and any other fees paid by the Town in connection with or related to this application.

Payment of the above fees shall not relieve the applicant of any other fees incurred by the Town.

As owner/applicant, I understand and affirm the information contained in this application is accurate, and I agree to the above conditions.

Applicant Signature: *Robn Marti* Date: *Jan. 27, 2023*

Applicant Signature: *[Signature]* Date: *Jan 27, 2023*
(if needed)

If the applicant is not the owner:

As owner of the above property, I agree to the application.

Owner – Print: _____

Owner – Signature: _____ Date: _____

PROCEDURAL CHECKLIST FOR RIGHT-OF-WAY VACATION

Applicant: SYLVIA & ARION MARTIN Address/Location: 253 MILTON STREET
(print or type)

- * Submitted on: JANUARY 24, 2023
- * Property will be posted & published by: _____
- * Planning Commission meeting: _____
- * Board of Trustees meeting: _____

Submittal Requirements:

X	Required Information:
X	Complete application form
X	Letter(s) of Intent - why you are making this request; adjoining property owner
	A map of the proposed right-of-way vacation prepared by a Colorado registered land surveyor. Each plan must include:
X	• Identify the right-of-way requested for vacation ✓
X	• All easements identified on right-of-way and abutting properties ✓
	Required Copies: (Proposed)
X	One (1) each 11x17 paper and electronic copy of proposed vacation
X	Copies of letters of notification to all property owners abutting proposed vacation
	A map of all properties effected by the right-of-way vacation, prepared by a Colorado registered land surveyor. Each plan must include:
X	• Name of the Proposal ✓
X	• Legal description of the Proposal ✓
X	• Date of preparation and Northpoint ✓
X	• A vicinity map ✓
	• Location of land intended to be for public use
	• All monuments
	•
	• Profiles of all roads
X	• Certificates for execution by Executor (s) – (Mylar)*
	•
	•
X	• All easements as required by public and quasi-public agencies ✓
X	• The right-of-way lines, widths, locations, and street names of existing and proposed streets ✓
	Required Copies: (Final)
X	• One (1) copy of final plat - Mylar* – Owner MUST record after approval
X	• One (1) paper copy (24x36) of final plat
X	• One (1) Electronic copy of final plat

To: Planning Commission and Board of Trustees for Palmer Lake, CO
Attn. Ms. Dawn Collins, Town Administrator and Clerk
42 Valley Crescent
P.O. Box 208
Palmer Lake, CO 80133

January 27, 2023

From: Arlon and Sylvia Martin
215 Canon Ave.
Santa Barbara, CA 93105

Re: Lakeview West Subdivision, 253 Milton Street

Dear Ms. Collins, Planning Commission and Board of Trustees

We are requesting to Replat all of Block 63 and the Southerly One-Half of Brook Street from Viola Street to Park Street, in Palmer Lake Amended Filing, into three single Family Residential Lots.

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The other two lots would have access from either Viola Street or Park Street for possible over-under parking. The approximate slope of these lots is 13%, sloping down from Viola Street to Park Street.

The portion of Brook Street to be vacated has not been used and has utilities shown on the Preliminary Plot. An Easement will be Platted for that utility. A portion of Brook Street has been previously vacated by PARKVIEW SUB Replat. The Northerly One Half of Brook Street would remain as access to the unimproved Alley adjacent to the rear of Lot 10 Block 58 in Palmer Lake Amended Filing.

If you have any questions, please contact us at arlonmartin@gmail.com or by cell 805-698-8551.

Best Regards,

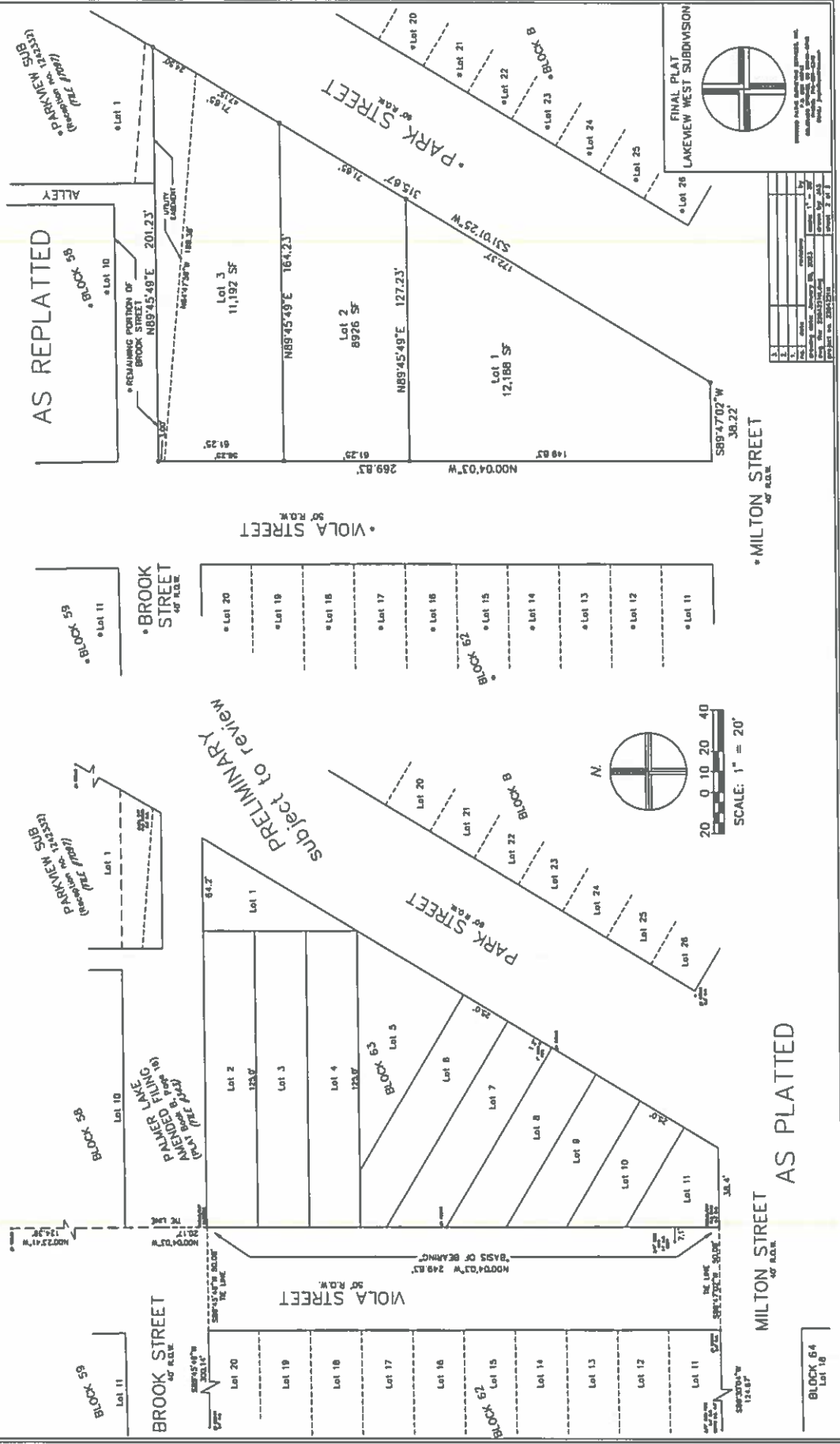


Arlon and Sylvia Martin

Cc: Dawn Collins, Town Administrator/Clerk, Palmer Lake, CO

LAKEVIEW WEST SUBDIVISION

A VACATION AND REPLAT OF BLOCK 63 together with the VACATED portion of BROOK STREET in the "PALMER LAKE AMENDED FILING" to the Town of Palmer Lake, being a portion of the Northwest One-Quarter of Section 5, Township 11 South, Range 67 West of the 6th P.M., IN THE TOWN OF PALMER LAKE, EL PASO COUNTY, COLORADO



LAKEVIEW WEST SUBDIVISION
A VACATION AND REPLAT OF BLOCK 63 together with the VACATED portion of BROOK STREET in the
"PALMER LAKE AMENDED FILING" to the Town of Palmer Lake,
being a portion of the Northwest One-Quarter of Section 5, Township 11 South, Range 67 West of the 6th P.M.,
IN THE TOWN OF PALMER LAKE, EL PASO COUNTY, COLORADO

BE IT KNOWN BY THESE PRESENTS:
That the undersigned, **PAVLA MARTIN**, has vested the following described land to
the City of Palmer Lake, Colorado, to be known as the **LAKEVIEW WEST SUBDIVISION**,
being a portion of the Northwest One-Quarter of Section 5, Township 11 South, Range 67 West of the 6th P.M.,
in the Town of Palmer Lake, Colorado, to be known as the **LAKEVIEW WEST SUBDIVISION**,
containing a total area of 23.200 acres less or 0.740 acres of land.

DEDICATION:
The donor hereby dedicates and vests to the City of Palmer Lake, Colorado, the
following described land, to be known as the **LAKEVIEW WEST SUBDIVISION**,
being a portion of the Northwest One-Quarter of Section 5, Township 11 South, Range 67 West of the 6th P.M.,
in the Town of Palmer Lake, Colorado, to be known as the **LAKEVIEW WEST SUBDIVISION**,
containing a total area of 23.200 acres less or 0.740 acres of land.

IN WITNESS WHEREOF:
The undersigned, **PAVLA MARTIN**, has executed this instrument
on this _____ day of _____, 2023, A.D.

NOTARIAL:
STATE OF COLORADO
COUNTY OF EL PASO
The above and foregoing have been read and approved before me this _____ day of _____, 2023, A.D., by **PAVLA MARTIN**

Witness my hand and seal
My commission expires _____

IN WITNESS WHEREOF:
The undersigned, **PAVLA MARTIN**, has executed this instrument
on this _____ day of _____, 2023, A.D.

NOTARIAL:
STATE OF COLORADO
COUNTY OF EL PASO
The above and foregoing have been read and approved before me this _____ day of _____, 2023, A.D., by **PAVLA MARTIN**

Witness my hand and seal
My commission expires _____

NOTICE IS HEREBY GIVEN:
That the above instrument, to be known as the **LAKEVIEW WEST SUBDIVISION**,
being a portion of the Northwest One-Quarter of Section 5, Township 11 South, Range 67 West of the 6th P.M.,
in the Town of Palmer Lake, Colorado, to be known as the **LAKEVIEW WEST SUBDIVISION**,
containing a total area of 23.200 acres less or 0.740 acres of land,
has been filed for recording in the Public Records Office of the County of El Paso, Colorado, on this _____ day of _____, 2023, A.D.

APPROVAL:
Heard and recommended for approval on the _____ day of _____, 2023,
by the Planning Commission, Town of Palmer Lake.

Chair, Planning Commission
Heard and approved on the _____ day of _____, 2023,
by the Board of Trustees for the Town of Palmer Lake.

Mayor, Board of Trustees
Attest by _____
Town Clerk

RECORDING:
I hereby certify that this instrument was filed for record in my office of _____, A.D., and is duly recorded under
the number _____ of the records of El Paso County, Colorado.

FEE:
Per Foot _____
Stamp Fee _____
Total Fee _____

SURVYOR'S CERTIFICATION:
I, the undersigned, **PAVLA MARTIN**, being duly sworn, depose and say that the foregoing plat, map, and plat
correctly represents the land described in the accompanying plat, map, and plat, and that the same is
true and correct to the best of my knowledge and belief, and that I am a duly licensed
surveyor under the laws of the State of Colorado, and that I am duly qualified to perform the duties of
a surveyor, and that I am duly sworn to perform the same.

PRELIMINARY
Subject to review

- 1. ... indicates a lot or lots with Surveyor's Commission #12345.
- 2. ... indicates a lot or lots with Surveyor's Commission #12345.
- 3. ... indicates a lot or lots with Surveyor's Commission #12345.
- 4. ... indicates a lot or lots with Surveyor's Commission #12345.
- 5. ... indicates a lot or lots with Surveyor's Commission #12345.
- 6. ... indicates a lot or lots with Surveyor's Commission #12345.
- 7. ... indicates a lot or lots with Surveyor's Commission #12345.
- 8. ... indicates a lot or lots with Surveyor's Commission #12345.
- 9. ... indicates a lot or lots with Surveyor's Commission #12345.
- 10. ... indicates a lot or lots with Surveyor's Commission #12345.

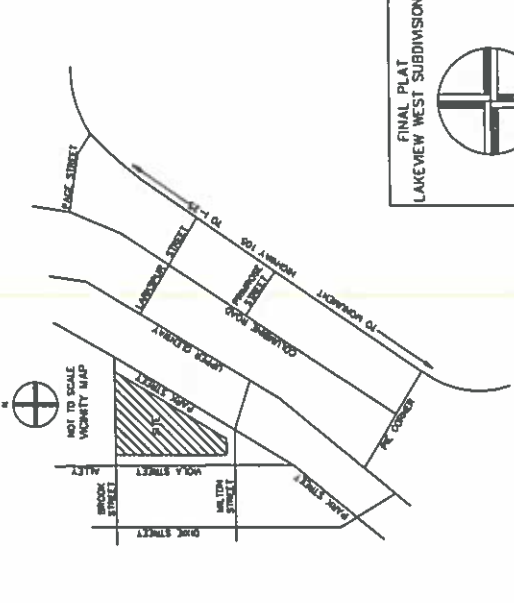
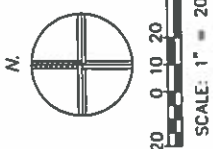
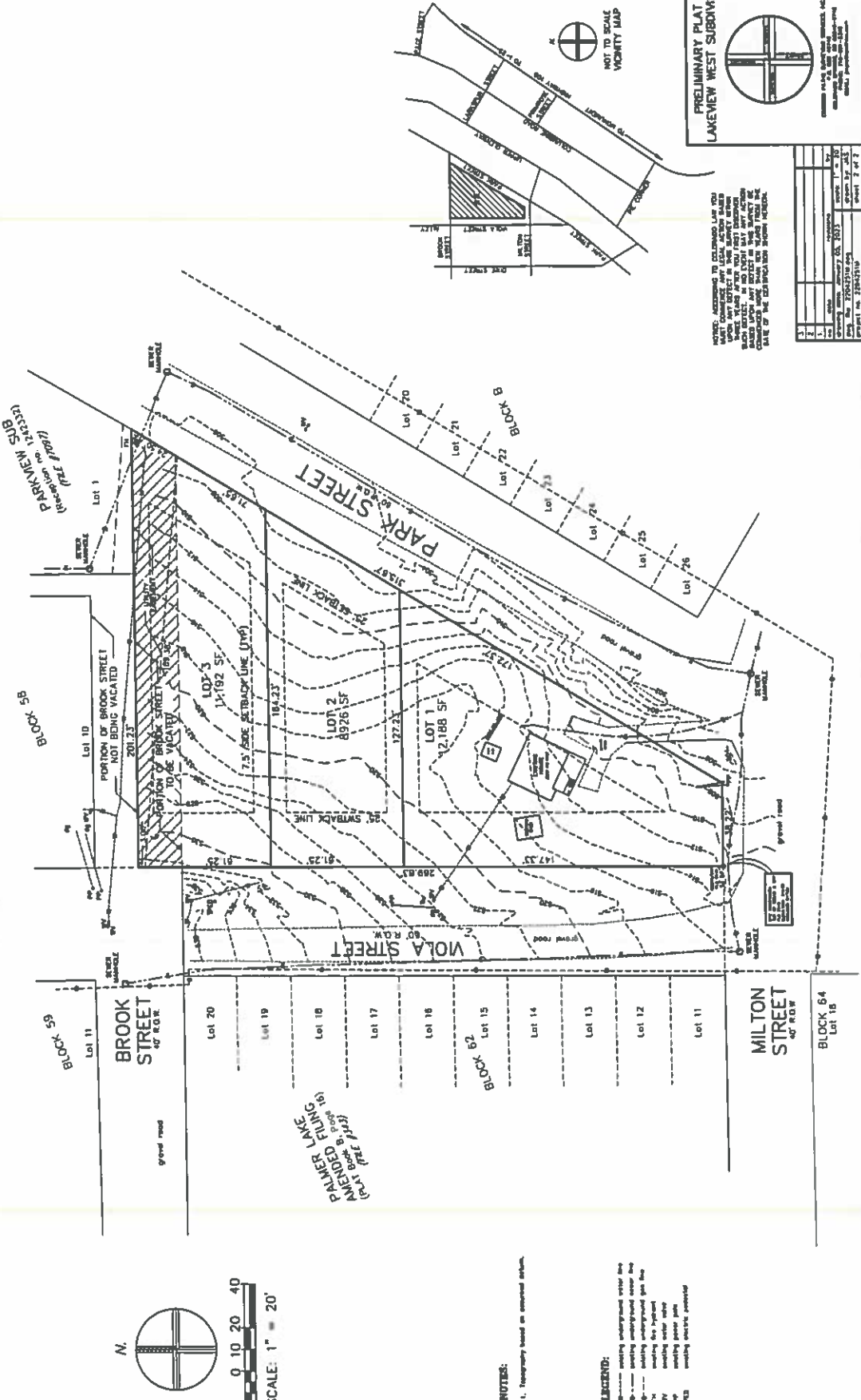


Table with 3 columns: No., Area, and Remarks. The table contains several rows of data, likely representing lots within the subdivision.

City File No. _____
City of Palmer Lake, Colorado
Palmer Lake, Colorado
Surveyor's Commission #12345
Surveyor's Name: PAVLA MARTIN
Date: _____, 2023, A.D.

**PRELIMINARY PLAT
LAKEVIEW WEST SUBDIVISION**

A VACATION AND REPLAT OF BLOCK 63 together with the VACATION of a portion of BROOK STREET in the "PALMER LAKE AMENDED FILING" to the Town of Palmer Lake, being a portion of the Northwest One-Quarter of Section 5, Township 11 South, Range 67 West of the 6th P.M., IN THE TOWN OF PALMER LAKE, EL PASO COUNTY, COLORADO



NOTES:
1. Topography based on contour method.

LEGEND:
--- existing underground water line
--- existing underground gas line
--- existing underground electric line
--- existing sewer line
--- existing water line
--- existing electric line
--- existing telephone line

NOTES: ACCORDING TO COLORADO LAW YOU MUST OBTAIN A LOCAL ACTION BAKER BASED LAYOUT AFTER YOU HAVE OBTAINED A STATE LAYOUT. THIS LOCAL ACTION BAKER LAYOUT MUST BE OBTAINED IN THE COUNTY OF EL PASO, COLORADO. THE STATE LAYOUT MUST BE OBTAINED IN THE COUNTY OF EL PASO, COLORADO.

**PRELIMINARY PLAT
LAKEVIEW WEST SUBDIVISION**

NOT TO SCALE
VICINITY MAP

1	OWNER	DATE
2	BY	
3	BY	
4	BY	
5	BY	
6	BY	
7	BY	
8	BY	
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100	BY	

NOTICE OF PUBLIC HEARING

TOWN OF PALMER LAKE

Notice is hereby given that Palmer Lake Planning Commission shall hold a public hearing on February 15, 2023, at 5 PM at the Town Hall at 28 Valley Crescent, Palmer Lake, to consider a request to vacate a portion of right of way, Brooks Street, abutting parcel located at 253 Milton Dr. A recommendation will be made to the Board of Trustees on the same matter scheduled to be heard on February 23, 2023, at 5 PM. A copy of the complete application is on file at the Town Clerk office, at 719-481-2953. /s/ Dawn A. Collins, Town Clerk

To: Mr. Blake Menter
348 Park St.
Palmer Lake, CO 80133

January 27, 2023

From: Arlon and Sylvia Martin
215 Canon Ave.
Santa Barbara, CA 93105

Re: Notice of Intent to Vacate and Replat

Dear Mr. Menter,

As required by the Palmer Lake Municipal Code, we are providing you with notice of our intent to vacate and replat the portion of Brook Street that borders our property.

The Northerly One Half of Brook Street would remain as access to the unimproved alley adjacent to the rear of the property, officially described as Lot 10 Block 58.

A portion of the Southerly Half of Brook Street was previously vacated by PARKVIEW SUB Replat.

If you have any questions, please contact us at arlonmartin@gmail.com or by cell 805-698-8551.

Best Regards,



Arlon and Sylvia Martin

Cc: Dawn Collins, Town Administrator/Clerk, Palmer Lake, CO

AFFIDAVIT OF PUBLICATION

STATE OF COLORADO
COUNTY OF El Paso

**NOTICE OF PUBLIC HEARING
TOWN OF PALMER LAKE**

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/s/ Dawn A. Collins, Town Clerk

Published in the Tri-Lakes Tribune February 1, 2023.

I, Haley Zinnel, being first duly sworn, deposes and says that he is the Legal Sales Representative of The Tri Lakes Tribune, LLC., a corporation, the publishers of a daily/weekly public newspapers, which is printed and published daily/weekly in whole in the County of El Paso, and the State of Colorado, and which is called Tri Lakes Tribune; that a notice of which the annexed is an exact copy, cut from said newspaper, was published in the regular and entire editions of said newspaper **1 time(s) to wit 02/01/2023**

That said newspaper has been published continuously and uninterruptedly in said County of El Paso for a period of at least six consecutive months next prior to the first issue thereof containing this notice; that said newspaper has a general circulation and that it has been admitted to the United States mails as second-class matter under the provisions of the Act of March 3, 1879 and any amendment thereof, and is a newspaper duly qualified for the printing of legal notices and advertisement within the meaning of the laws of the State of Colorado.

Haley Zinnel

Haley Zinnel
Sales Center Agent

Subscribed and sworn to me this 02/01/2023, at said City of Colorado Springs, El Paso County, Colorado.

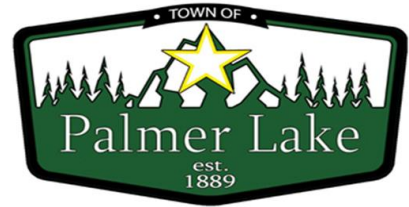
My commission expires June 23, 2026.

Karen Hogan

Karen Hogan
Notary Public
The Gazette

**KAREN HOGAN
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20224024441
MY COMMISSION EXPIRES 06/23/2026**

Document Authentication Number
20224024441-997896



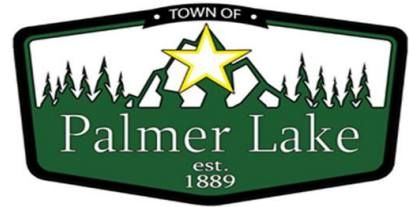
**TOWN OF PALMER LAKE
PLANNING COMMISSION - AGENDA MEMO**

DATE: February 2023	ITEM NO.	SUBJECT:
Presented by: Town Administrator /Clerk		Consideration/ Recommendation to Replat Milton to 3 Lots (Martin)

Background

Staff has reviewed and supports the replat of Lots 1-11 to three lots located at 253 Milton St. Landowners, Arlon and Sylvia Martin are responsible for recording the replat. The intent for less density is supported by town staff. The applicant will be present to speak to the request to replat.

Upon hearing from the applicant and any public members, this is a recommendation to the Board of Trustees for final review and approval of the replat.



Item 5.

**TOWN OF PALMER LAKE
PLANNING COMMISSION - AGENDA MEMO**

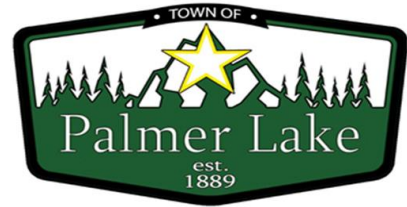
DATE: February 2023	ITEM NO.	SUBJECT:
Presented by: Town Administrator /Clerk		Consideration/ Recommendation to Vacate Portion of ROW - Brook (Martin)

Background

Staff has reviewed and supports the vacation of a portion of Brook St with a permanent utility easement included. The desire for less density in the area is supported along with proper easements for access to infrastructure and to provide appropriate residential setbacks on lot 3. Town staff heard from the abutting landowner, Menter, and stated support for the vacation of the ROW.

Landowners, Arlon and Sylvia Martin are responsible for recording the vacation.

Upon hearing from the applicant and any public members, this is a recommendation to the Board of Trustees for final review and approval of a portion of the Brook ROW vacation.



**TOWN OF PALMER LAKE
PLANNING COMMISSION - AGENDA MEMO**

DATE: February 2023	ITEM NO.	SUBJECT:
Presented by: Town Administrator /Clerk		Review Recommendation for a Planner Review of Developments

Background

As PC members are aware, the land use code requires review and revision. As a result of discussions with CMI about the land use diagnosis, and the current concerns of the town code, it is suggested that Planning Commission consider recommendation of a *consultant* planner to include on reviews of large development proposals.

PLANNING COMMISSION

2.12.080. - Staff and finances.

The planning commission may appoint such employees as it deems necessary for its work with the consent of the board of trustees. The commission may also contract, with approval of the board of trustees, with municipal planners, engineers and architects and other consultants for such services as it requires. All other proceedings shall be governed by the statutes of the state then in effect relating to planning commissions.

(Code 1973, § 2.16.080; Ord. No. 11-1989, § 8, 1989)

The cost would be reimbursed by applicants with a cost reimbursement agreement.

Note the enclosed memo provided by CMI relating to this request. Staff will review the samples and discuss a simple format to be considered with the Board of Trustees.

Currently, prior to a formal RFP process, staff inquired whether CMI will consider current/forthcoming proposed developments while in the process of reviewing the land use code.



Community Matters Institute

Tel: ++303 730 0396

barbcole@communitymattersinstitute.org

M E M O

To: Dawn Collins, CMC, Town Administrator/Clerk
 From: Barb Cole, Executive Director, CMI
 CC: Julia Stambaugh, Deputy Town Clerk, Mike Davenport, CMI and Matt Krob, Town Attorney
 Date: Tuesday, January 17, 2023
 RE: Cost reimbursement agreement and fees

Most of the small statutory towns we work with have limited staff. When larger projects are presented to Town Staff, staff often hires consultants including the contracted Town Engineer, Town Attorney, land use planner, licensed surveyor, traffic engineer or other specialists such as wetlands experts to help in the processing and review of these developments.

To cover the costs, most communities require a fee as well as a cost reimbursement to cover the costs of such reviews. CMI recommends that the following new section be inserted after this section of the text.

Code Amendment to clarify fee, cost reimbursement and deposit:

17.12.050 Land use procedures. (amended)

(a) The applicant shall complete an application form and tender the required application fee and sign the cost reimbursement agreement and any required deposit to the town clerk.

(b) The town clerk, within 15 days after receipt, shall review the application for completeness with town department staff and respond to the applicant. The applicant shall be notified if the application is complete and said application will then follow the application procedures for each type of application.

(Code 1973, § 17.12.050; Ord. No. 2-1980, § 9, 1980)

17.12.055 Application Fees, Cost Reimbursement Agreement, and Deposits. (NEW)

(a) All applications submitted to the Town pursuant to this chapter are subject to a non-refundable fee to cover the cost of review by the Town and notice and publication expenses. Such fees are set by the Board of Trustees and may be amended by Resolution.

(b) In addition to the fees provided for in subsection (a), the applicant shall enter into a cost reimbursement agreement to reimburse all of the Town’s non-staff costs and expenditures in reviewing an application including but not limited to attorney’s fees, consultant engineer’s fees, consultant surveyor’s fees, consultant planner’s fees and other hired consultants providing services to the town with respect to the application. The fee and cost reimbursement agreement are necessary to cover costs for review by and consultation with any other expert whom the Town may reasonably employ in reviewing an application. [Optional- Where actual costs in incurred by the Town exceed the nonrefundable fee, the applicant is liable for such costs.]¹

¹ Municipalities can choice if the fee should be subtracted from any cost incurred or simply be used to cover staff time.

- (c) Where the Town Administrator or Town Administrator's designee finds it necessary for the security of the town, the Town Administrator or Town Administrator's designee may require an applicant to deposit funds with the Town, prior to the Town considering any application pursuant to this section, to cover the anticipated costs and expenditures in reviewing the application.

Fees, Deposits, and Cost Reimbursement Agreements, .

Recommended Fees

In all cases, fees should be non-refundable and paid at the time of application. In one municipality, the El Paso-based municipality collected a deposit that was refundable, but no one on staff was tracking the expenses or lack thereof. It became an accounting nightmare and a potential legal issue if anyone came forward to challenge the non-reimbursement of a deposit for a project that did not go forward.

Deposit Method

Many municipalities use the deposit method to cover the cost of consultants that assist in the review of a development application. After the initial non-refundable fee is collected, each consultant (Town attorney, town planner, town engineer, and other specialists) bills the municipality, and that invoice is passed on to the applicant for payment within 30 days.

Any application for a development process shall be accompanied by the deposit of a sum to be determined by the City to ensure payment of the City's costs incurred in processing the application and an executed agreement by which the applicant agrees to replenish the deposit when requested by the City and to pay on a monthly basis all costs incurred by the City in processing the application. The City Clerk shall send the applicant a statement of costs incurred by the City after completion of the process. Costs chargeable hereunder include but are not limited to, publication costs, postage costs, recording fees, attorney's fees, engineering fees, planning fees, administrative costs, and other professional fees. Any amount of the deposit not expended will be refunded by the City within forty-five (45) days after the applicant's withdrawal of the application or petition, or the City's final action on the application.

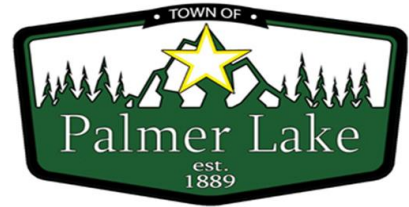
Cost Reimbursement Method

Cost Reimbursement Agreements are typically signed by an applicant at the same time as the General Application Form is completed. A cost reimbursement agreement is not needed for all projects. Usually, smaller simple applications do not require a cost reimbursement agreement. For example, new single-family homes, renovations, and additions normally do not require a cost reimbursement agreement. There should be a 'trigger' that is established. This is a policy decision that should be made by the Board. The agreement binds the applicant to pay all non-staff costs as drafted on the preceding page:17.12.055.

I have attached several examples of cost reimbursements from municipalities where we have previously provided services. I am confident that Krob Law also has examples from communities that they represent.

Attachments

- Examples of Cost reimbursements emailed as separate PDF files.



Item 8.

**TOWN OF PALMER LAKE
PLANNING COMMISSION - AGENDA MEMO**

DATE: February 2023	ITEM NO.	SUBJECT:
Presented by: Town Administrator /Clerk		Distribute Land Use Code Diagnosis and Worksheet

CMI has completed the diagnosis of the land use code and assembled a worksheet for members to individually review/submit comments.

The packets are under review by legal and will be distributed at the meeting. A 2-3 week timeframe will be provided for completion, return to Town staff to forward to CMI to assemble for a workshop review with the Planning Commission in March. In the meantime, the diagnosis will be used to apply for a DOLA grant to fund the cost of the land use code revision by CMI.