



SUBDIVISION EXEMPTION OR MINOR PLAT AMENDMENT OR MAJOR PLAT AMENDMENT TOWN OF GYPSUM

(Revised 12/29/2015)

Lana Gallegos, Senior Planner 970-524-1729
Cindy Schwartz, Assistant Planner 970-524-1750

DATE APPLICATION SUBMITTED: July 20, 2016

NAME OF SUBDIVISION: Second Amended Final Plat, Eagle Valley Industrial Park Subdivision

NAME OF OWNER: Clearwater Ventures, LLC **PHONE:** (970) 331-0799

MAILING ADDRESS: c/o Sarah J. Baker PC, PO Box 4551, Eagle CO 81631

EMAIL ADDRESS: sbaker@sbakerpc.com

FEE: \$200 plus \$50 per unit or parcel Deposit: \$3,000

TOTAL PAID: \$ 3300.00 **CK#** 5010 **DATE** July 18, 2016

Payment of fees:

1. Town Manager, or their authorized designee, has authority to increase or decrease the deposit amount required according to project complexity and estimated costs required for outside services, including but not limited to, general counsel and water attorney fees, engineering fees, plat check fees, recording fees, and publication fees.

2. Deposits may be required to be increased prior to proceeding with processing of application if it is determined costs will exceed said deposit.

3. All fees incurred above deposit amounts are still the responsibility of the applicant as required by the Gypsum Municipal Code even if approval is denied or application is withdrawn.

4. Permit fees cover town planning staff review time and all Planning Commission and Town Council hearings.

5. Deposit cover items, including but not limited to, town engineer review times, outside engineer review times, general counsel and water attorney fees, publication notices, postage/ mailing notices, plat check fees, updates to GIS system, and updates to the town zoning map.

6. Any outstanding fees due to the Town must be paid before any additional land use applications will be accepted.

7. Combined submissions, such as annexation and sketch plans, or preliminary and final, shall be accompanied by a combined fee. (Ord. 2010-23)

ITEMS TO BE INCLUDED, BUT NOT LIMITED TO, ARE:

Application and materials are to be submitted no later than 60 days prior to the scheduled Planning Commission meeting. The application may be processed sooner if staff time allows it. In addition, the following must be completed:

Please initial that the item has been submitted and/or acknowledged.

SB (1) 24" x 36" Mylar copy of Subdivision Exemption Plat due one week prior to second reading of scheduled Town Council meeting (It is the responsibility of owner to get all signatures required; Certificate of Dedication and Ownership, Title Certificate, Surveyor Certificate, Treasurer Certificate)

SB (1) 11" x 17" copy of Subdivision Exemption Plat due at application

SB (1) 24" x 36" copies of Subdivision Exemption Plat due at application shall include:

- Roads
- Setbacks
- Easements
- Utilities
- Drainage
- Parking, if applicable

SB Letter giving details of proposed changes and the reasons they are necessary. Letter should also state why the proposed subdivision of lot(s) meets exemption requirements.

SB Tax certificate showing taxes and assessments as current.

SB A current title report from a licensed Colorado title company shall be provided showing the names of all surface owners, lien holders, mineral owners and lessees of mineral rights in the platted area as they appear upon records in the County Clerk and Records office.

SB All utility and drainage easements shall remain on the subject property unless the utility companies that have said easements agreed in writing to release said easements to the property.

SB Shall have not significant impact on the adjoining property or the Town as a whole, and shall not require any changes in infrastructure (i.e. roads, utilities, etc.)

SB Current soils report

SB The changes proposed shall in no way violate the existing zoning of the area.

SB List of the names and addresses of owners of all properties within 300ft of all boundary lines printed on 2 sheets of mailing labels. **List mineral owners if applicable.**

SB All information shall also be provided electronically on a disk (PDF).

POSTING NOTICE

17.70.010 Notice Requirements

Certain subdivision actions require a public hearing, notice of which shall be given in the manner and within the times set forth in the following Notice Requirements.

Type of Action	Hearing Requirement	Notice in Newspaper	Service or Mailing	Posting
Sketch Plan	Planning Commission	10 days	10 days	10 days
Preliminary Plan	Planning Commission & Town Council	10 days	10 days	10 days
Final Plat	Planning Commission & Town Council	10 days	10 days	10 days
Minor Plat Amendment	Planning Commission	10 days	10 days	Optional
Major Plat Amendment	Planning Commission & Town Council	10 days	10 days	10 days
Vacating Subdivision	Planning Commission & Town Council	10 days	10 days	10 days
Vesting Property Rights	Planning Commission & Town Council	10 days	10 days	10 days

17.70.020 – Posting

A. Responsibility - Posting of a sign on the property giving notice of any public hearing shall be the responsibility of the applicant. Staff shall advise the applicant in writing within five business days of receipt of the application of this posting requirement and the location and number of signs required for the application. All signs must be prepared by or for the applicant at the applicant's expense. All signs must be posted on the property not less than ten days prior to the scheduled public hearing as set forth in section 17.70.010. The applicant must take a clear and distinct photograph of the sign(s) and submit the photograph(s) to the planning department immediately upon posting the property. No later than noon on Friday prior to the scheduled public hearing, the applicant shall present a certificate of posting in the following form to the planning department.

B. Certificate of Posting

Certificate of Posting

I hereby certify under oath that a sign (or signs (_____)) was posted on the property known by street and number as _____ on _____, 20_____, at least ten (10) days prior to the public hearing on the Application for _____ for this property as shown in the photograph(s) submitted in support of this Certificate as notice of this public hearing before the Planning and Zoning Commission/Town Council on _____, 20_____, at _____ p.m.

Dated this _____ day of _____, 20_____.

Applicant

State of Colorado)
) ss.
County of Eagle)

Subscribed and sworn to before me this _____ day of _____, 20_____ by _____ as Applicant.

My commission expires _____.

Notary Public

Failure to present the certification of posting and submit the photograph(s) will result in a rescheduling of the public hearing and require a new posting of the property.

C. Sign Specifications

Applicants shall post notice by a sign not less than three feet by four feet in size erected on posts no lower than four feet above natural grade and legible from the nearest dedicated public right-of-way. The title of the sign shall be in letters not less than five inches high. Said sign shall be removed by the applicant within two weeks of the conclusion of the public hearing. A sample format for the sign is as follows:

** A sign may also be purchased from the town for a fee of \$100.

<p>NOTICE OF PUBLIC HEARING (FILE NUMBER)</p> <p>Notice is hereby given that the property upon which this sign is posted shall be considered for approval of a _____ at a public hearing pursuant to the Town of Gypsum Zoning Code. Further information concerning this application or proposal may be obtained by calling the Planning Department Office at (970) 524-7514.</p> <p>The hearing is to be held before the _____ on the _____ day of _____, 20_____, in the Council Chambers, at 50 Lundgren Boulevard, Gypsum, Colorado at 7:00 p.m., or as soon thereafter as the matter may be heard. The general public may attend the public hearing to hear issues and to express their opinions.</p>
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Please note: The Town retains the authority to instruct any subdivision exemption to go through a full subdivision process at its sole discretion.

All costs incurred by the Town in reviewing the application must be reimbursed by the applicant prior to final action by the Town. Professional services subject to reimbursement include, Town Engineer, Town Attorney, Town Water Engineer, publication fees, zoning map updates, etc...

I have read the application form for Final Plat submittal and understand it is my responsibility to provide the proper officials with the information as outlined in this application. I also understand it is my responsibility to attend or have someone represent this project at the Planning Commission and Town Council meetings.

Upon satisfactory completion of this Application, the Town Council will consider your request at a public hearing. The Town reserves the right to approve or deny the Application based on its discretion.



Signature (Must be signed by owner)
Clearwater Ventures, LLC
By: Sarah J. Baker, Manager

July 20, 2016

Date



**CHANGE IN ZONING
TOWN OF GYPSUM**

(Revised 12/29/2015)

Lana Gallegos, Senior Planner 970-524-1729
Cindy Schwartz, Assistant Planner 970-524-1750

DATE APPLICATION SUBMITTED: July 20, 2016

NAME OF SUBDIVISION: Second Amended Final Plat, Eagle Valley Industrial Park Subdivision

NAME OF OWNER: Clearwater Ventures, LLC **PHONE:** (970) 331-0799

MAILING ADDRESS: c/o Sarah J. Baker PC, PO Box 4551, Eagle, CO 81631

EMAIL ADDRESS: sbaker@sbakerpc.com

CURRENT ZONING: Developing Resources

PROPOSED ZONING: Agricultural (Lot 2) / Light Industrial (Lot 3)

ZONE APPLICATION FEE: \$250 **DEPOSIT:** \$250

TOTAL PAID: \$ 500.00 **CK#** 5011 **DATE** July 18, 2016

Payment of fees:

1. Town Manager, or their authorized designee, has authority to increase or decrease the deposit amount required according to project complexity and estimated costs required for outside services, including but not limited to, general counsel and water attorney fees, engineering fees, plat check fees, recording fees, and publication fees.

2. Deposits may be required to be increased prior to proceeding with processing of application if it is determined costs will exceed said deposit.

3. All fees incurred above deposit amounts are still the responsibility of the applicant as required by the Gypsum Municipal Code even if approval is denied or application is withdrawn.

4. Permit fees cover town planning staff review time and all Planning Commission and Town Council hearings.

5. Deposit cover items, including but not limited to, town engineer review times, outside engineer review times, general counsel and water attorney fees, publication notices,

postage/ mailing notices, plat check fees, updates to GIS system, and updates to the town zoning map.

6. Any outstanding fees due to the Town must be paid before any additional land use applications will be accepted.

7. Combined submissions, such as annexation and sketch plans, or preliminary and final, shall be accompanied by a combined fee. (Ord. 2010-23)

ITEMS TO BE INCLUDED, BUT NOT LIMITED TO, ARE:

Application and submitted materials are to be submitted no later than 60 days prior to the scheduled Planning Commission meeting. In addition, the following must be completed:

Please initial that the items have been submitted and/or acknowledged.

SB (1) copy of a letter giving reasons the zoning should be granted, impacts to area being rezoned (traffic, parking, roads, water, sewer, emergency services, school, etc...)

SB (1) copy of current title certificate and deeds showing owners of land for which change is requested. **Please provide mineral rights owner(s) on the plat.**

SB A list of names, addresses and zoning of owners of all properties within 300 feet of the proposed zoned property. Provide the names on 2 sheets of mailing labels.

SB (3) 11' x 17" maps to scale showing the land in question, location, legal description of boundaries, location and existing use of all buildings, utility easements, drainage easements or natural drainage features, hazardous areas, setbacks, street names, etc.

SB Information determined by the Planning Department as necessary in order to evaluate the change request.

SB **All information has been provided electronically on a disk (PDF).**

I have read the application form for Zone Change approval and understand it is my responsibility to provide the proper officials with the information as outlined in this application. I also understand it is my responsibility to attend or have someone represent this project at the Planning Commission and Town Council meetings.

I UNDERSTAND THAT APPLYING FOR THIS ZONE CHANGE DOES NOT GIVE ANY GUARANTEE THAT THE ZONE CHANGE WILL BE APPROVED.


SIGNED _____
Clearwater Ventures, LLC
By: Sarah J. Baker, Manager

July 20, 2016
Date _____

POSTING NOTICE

18.16.060 - Notice requirements

Certain zoning actions require a public hearing, notice of which shall be given in the manner and within the times set forth in the following notice requirements:

Type of Action	Hearing Requirement	Notice in Newspaper	Service or Mailing	Posting
Planned Unit Development (PUD)				
PUD Preliminary Plan (18.08.150)	Town Council	15 days	15 days	15 days
Amendments to PUD (18.08.180)	Town Council	15 days	15 days	15 days
Maintenance of Common Property (18.08.030)	Town Council	N/A	15 days	N/A
Conditional Use Permit	None	N/A	N/A	N/A
Suspension/Revocation (18.12.050)	Planning and Zoning Commission	No	10 days	No
Revocation (18.16.040(c))	Town Council	Optional	7 days	Optional
Special Use Permit (18.12.040)	Planning and Zoning Commission	10 days	10 days	10 days
Suspension/Revocation (18.12.050)	Planning and Zoning Commission	No	10 days	No
Revocation (18.16.040(c))	Town Council	Optional	7 days	Optional
Variance (18.13.030)	Planning and Zoning Commission	10 days	10 days	10 days
Appeal	Board of Adjustment	10 days	10 days	10 days
Revocation (18.16.040(c))	Town Council	Optional	7 days	Optional
Location and Extent (18.14)	None	N/A	N/A	N/A
Zoning Code and Map Amendments (18.15.040)				
Text, Not Site Specific	Planning and Zoning Commission	15 days	None	None
Site Specific Amendment	Planning and Zoning Commission	15 days	15 days	15 days
Text, Not Site Specific	Town Council	15 days	None	None
Site Specific Amendment	Town Council	10 days	10 days	10 days
Notice of Violation/Corrective Action Order, Nonemergency (18.16.040(c))	None	None	30 days	30 days (alternative)
Revocation of Building Permit (18.16.040(c))	Town Council	Optional	10 days	Optional
Stop Work Order (18.16.040(c))	None	None	Immediate	Immediate
Appeals (18.16.050)	Board of Adjustment	10 days	10 days	10 days

18.16.070 – Posting

- (a) **Responsibility.** Posting of a sign on the property giving notice of any public hearing shall be the responsibility of the applicant. Staff shall advise the applicant in writing within five business days of receipt of the

application of this posting requirement and the location and number of signs required for the application. All signs must be prepared by or for the applicant at the applicant's expense. All signs must be posted on the property not less than 15 or not less than ten days prior to the scheduled public hearing as set forth in section 18.16.060. The applicant must take a clear and distinct photograph of the sign(s) and submit the photograph(s) to the planning department immediately upon posting the property. No later than noon on Friday prior to the scheduled public hearing, the applicant shall present a certificate of posting in the following form to the planning department.

(b) Certificate of posting.

Certificate of Posting

I hereby certify under oath that a sign (or signs (_____)) was posted on the property known by street and number as _____ on _____, 20 _____, at least ten days prior to the public hearing on the Application for _____ for this property as shown in the photograph(s) submitted in support of this Certificate as notice of this public hearing before the Planning and Zoning Commission/Board of Adjustment/Town Council on _____, 20 _____ at _____ .m.

Dated this _____ day of _____, 20 _____.

Applicant

State of Colorado)
) ss.
County of Eagle)

Subscribed and sworn to before me this _____ day of _____, 20 _____ by _____ as Applicant.

My commission expires _____.

Notary Public

Failure to present the certificate of posting and submit the photograph(s) will result in a rescheduling of the public hearing and require a new posting of the property.

(c) Sign specifications. A sign not less than three feet by four feet in size erected on posts no lower than four feet above natural grade and legible from the nearest dedicated public right-of-way. Title of sign shall be in letters not less than five inches high. Said sign shall be removed by the applicant within two weeks of the conclusion of the public hearing. A sample format for the sign is as follows:

** A sign may also be purchased from the town for a fee of \$100.

**NOTICE OF PUBLIC HEARING
(CASE NUMBER)**

Notice is hereby given that the property upon which this sign is posted shall be considered for approval of a _____ at a public hearing pursuant to the Town of Gypsum Zoning Code. Further information concerning this application or proposal may be obtained by calling the Planning Department Office at (970) 524-7514.

The hearing is to be held before the _____ on the _____ day of _____ (Month), (Year), in the Council Chambers, 50 Lundgren Boulevard, Gypsum, Colorado at 7:00 p.m., or as soon thereafter as the matter may be heard. The general public may attend the public hearing to hear issues and to express their opinions.

ZONE CHECKLIST (to be completed by Town of Gypsum):

Name of Subdivision _____

Zone application due 60 days before Planning Commission Meeting

Date turned in: _____

Planning Commission public hearing date: _____

Town Council public hearing date: _____

Agencies need to respond within 21 days from date of mailing: _____

Distributed to:

Date:

Town Planner _____

Town Manager _____

Planning Commission (7 members) _____

Town Council (7 members) _____

Town Engineer _____

Public Works Director _____

Town Attorney- Bob Cole _____

Town Water Attorney- _____

Town Water Engineer- Zancanella _____

Additional distribution:

Town of Eagle _____

KN Energy _____

Century Tel _____

Holy Cross Elec. _____

Eagle County Comm. Dev. _____

Eagle County School _____

Natural Resource Con. Dist. _____

Bureau of Land Mgmt. _____

Division of Wildlife _____

County Commissioners _____

County Environ. Health _____

WECMRD _____

Eagle County Library _____

Eagle Cty. Ambulance _____

Cedar Hill Cemetery _____

Colo. Mtn. College _____

Eagle Fire Depart. _____

Co River Water Dist. _____

Public Hearing Notice mailed to adjacent land owners
(for Planning Commission Public Hearing) _____

Date emailed to Reader Board & Eagle Valley Enterprise
(for Planning Commission Public Hearing) _____

Public Hearing Notice mailed to adjacent land owners
(for Town Council Public Hearing Notice) _____

Date emailed to Reader Board & Eagle Valley Enterprise
(for Town Council Public Hearing Notice) _____