

Town Of Nederland
NEDERLAND DOWNTOWN DEVELOPMENT AUTHORITY
NEDERLAND COMMUNITY CENTER 750 Hwy 72 Nederland, CO 80466
Multi-Purpose Room
December 19, 2012 at 6:30 pm

AGENDA

A. CALL TO ORDER

B. ROLL CALL

C. PUBLIC COMMENT

D. CONSENT AGENDA

1. Approval of November 28, 2012 - Regular Meeting Minutes
2. Approval of Warrants

E. INFORMATIONAL ITEMS

1. Treasurer Report - Eva Forberger
2. Executive Director Report - Paul Turnburke

F. DISCUSSION ITEMS

1. Consideration of the latest design for the NedPeds project – Brian and Conor
2. Land use application for a Planned Unit Development (PUD) within the DDA

G. OTHER BUSINESS (NEW)

H. ADJOURNMENT

The NDDA Board encourages citizen participation. Public hearings and the “unscheduled citizens” agenda item allow an opportunity to address the Board. Discussion is limited to 3 minutes and please address your comments to the Board. Thank you for your cooperation.

The NDDA Board may take action on any item included on this agenda, regardless of the heading under which such item appears. Discussion items may become action items if the Board determines that deferring final action on an item to a subsequent meeting is unnecessary or unwarranted and that taking immediate action does not compromise any third-party's rights.

The NDDA Board of Trustees meeting packets and agendas are prepared by Friday before the Tuesday meetings and are available on the NDDA website, www.neddda.org. Copies of the agendas and meeting packet are available at no cost via email from www.info@neddda.org. The information is reviewed and studied by the Board members, eliminating lengthy discussions to gain basic understanding. Short discussion on agenda items does not reflect lack of thought or analysis.

Town Of Nederland
NEDERLAND DOWNTOWN DEVELOPMENT
AUTHORITY

NEDERLAND COMMUNITY CENTER 750 Hwy 72 Nederland, CO 80466
Multi-Purpose Room

November 28, 2012 at 6:30pm

Meeting Minutes

A. CALL TO ORDER

Meeting was called to order by Vice-Chairman Pat Everson at 6:30pm.

B. ROLL CALL

Members Present: Pat Everson, Katrina Harms, Donna Sue Kirkpatrick,
Mary Ann Rodak-Friedman, and Annette Croughwell

Absent: Ron Mitchell, Will Guercio

Also present: Paul Turnburke - Executive Director, Eva Forberger - Treasurer

C. PUBLIC COMMENT – there were 3 members of the community present:

Pam North of Gilpin County, attending for the press. David Sites of Nederland, attending the meeting as a matter of general interest and Randy Lee who was attending to answer any questions or concerns regarding the PROSAB Master Plan Draft.

There was no public comment.

D. CONSENT AGENDA

1. Approval of October 17, 2012, and November 7, 2012 minutes

Motion to approve the 10/17/12 minutes was made by Mary Ann Rodak-Friedman and seconded by Annette Croughwell and approved by a unanimous vote.

Motion to approve the 11/7/12 minutes was made by Donna Sue Kirkpatrick and seconded by Mary Ann Rodak-Friedman and also approved by a unanimous vote.

2. Approval of Warrants

Mary Ann Rodak-Friedman motioned for approval of the warrants, seconded by Annette Croughwell, and approved by all in a unanimous vote.

E. INFORMATIONAL ITEMS

1. Treasurer Report

Eva Forberger reminded everyone that the Treasurer's Report was current as of the October 31st, and the DDA loan was approved on 12/6/12. Conor Merrigan's questions were answered regarding TIF funding.

2. Executive Director Report

Paul Turnburke referenced his report and reminded DDA Board members that the ambassador packets sent out by Alisha Reis, as part of the Comp Plan update, needed to be sent in very soon.

3. Introduction of Brian McLaren, Huitt –Zollars, Inc.

Pat Everson introduced Brian to the Board and he indicated that he could be referred to as Design Manager of the NedPed project to sort out the confusion that came with the Project Manager title. He stated that he was excited to be a part of the NedPeds project and getting to know Nederland was interesting and enjoyed being a part of it.

4. Introduction of Conor Merrigan, C2

Pat Everson also introduced Conor Merrigan to the NDDA Board. He stated that as a former resident, it felt good to return, and even if contentious at times, it was great to see overall genuine interest in the NedPeds project. Conor said he was also looking forward to the most sustainable solution to the project.

5. DAT- NedPeds Project Report

Pat Everson referenced her report inquiring if everyone present read and took the opportunity to look over the information in the packet provided for the meeting. Given the opportunity to ask questions – the Board had none.

F. DISCUSSION ITEMS

1. Mining Museum Artifacts

Donna Sue Kirkpatrick provided an update on the Mining Museum artifacts sitting on the lot west of the museum. She will be collecting input and reporting options on finding places for the artifacts / mining equipment as well as a viable solution to moving them.

2. PROSAB Master Plan Questionnaire

Pat introduced the PROSAB Master Plan Draft and read her comments to the Board. Randy Lee was on hand to answer questions and concerns regarding the PROSAB Master Plan Draft. As a document 2 years in the making, with input by Paul Turnburke and Annette Croughwell as DDA members of the steering committee, a public survey, various focus groups and a public survey, the importance of the goals and the unique perspective of the DDA was stated by Randy Lee. The responses given to Michele Martin are as follows:

1. Does the plan compliment the DDA plan of development? Conflict with it?
1.a – Relating to Master Plan: Even though endorsement of the PROSAB plan is difficult, we understand and recognize that we want to work with PROSAB but we are not mature enough as a board to answer specifically. We cannot determine at the moment if it would compliment the DDA’s plans.
1.b – Relating to Gateway Park: Yes, Brian and Conor – our design team - will be directly responsible for the Gateway Park Project and how it relates to the DDA.

2. Does the plan support the improvement of the downtown area?
2.a – Relating to Master Plan: Yes, but existing sidewalks should be included as an asset on the list for the town. Again, as a young board, we are unable to answer this specifically and determine at this time if it would compliment the DDA’s plans.
2.b – Relating to Gateway Park: Yes, it provides for infrastructure improvements (ie, restrooms, parking, is self-contained) and takes the existing “neighborhood commercial” zoning direction, thus supporting commercial growth.

3. Is there anything else that the plan could include that would better support the goals of the DDA?
3.a – Relating to Master Plan: Yes, with the Master Plan as a major contribution – we would like to see it tied into the NedPeds plan. Integrating PROSAB with DDA meetings would help.
3.b – Relating to Gateway Park: Yes, by starting to tie in with the NedPeds project, working with the Design Team, and integrating the NPP process with what is already on the drawing board. Paying attention to infrastructure might be a good start.

G. OTHER BUSINESS (NEW)

None mentioned.

H. ADJOURNMENT

At 7:33 pm a motion to adjourn upstairs to attend the Planning Commission Meeting was made by Annette Croughwell, seconded by Mary Ann Rodak-Friedman and approved unanimously. The meeting was adjourned.

**TOWN OF NEDERLAND
DOWNTOWN DEVELOPMENT AUTHORITY**

WARRANTS

WARRANTS FOR DDA MEETING ON 12/19

Date	Number	VENDOR	AMOUNT	DESCRIPTION
14-Dec	26889	C2 Sustainability	\$ 2,857.50	DDA NEDPEDs project
14-Dec	26899	Huitt Zollar	\$ 7,335.19	DDA NEDPEDs project
14-Dec	26921	Boulder County	\$ 818.11	DDA property taxes
Total Non Payroll Warrants			\$ 11,010.80	



MEMORANDUM

To: NDDA Board

From: Eva Forberger, Treasurer
Town of Nederland

cc: Alisha Reis, Town Administrator

Date: December 15, 2012

Re: Treasurer's Report

Year to date, the DDA has received 99% and 100% of general tax revenue and TIF revenue, respectively. In fact, the DDA TIF revenue has exceeded the budget by 2% due to the collection of prior year taxes in 2012.

Approximately \$17k has been spent on NEDPEDs year to date. It is anticipated that both legal fees and sidewalk maintenance will come under the amended budget amounts for 2012.

**TOWN OF NEDERLAND
2012 MONTHLY FINANCIAL REPORT**

<i>Preliminary and Unaudited</i>	<i>YEAR TO DATE</i>		<i>FULL YEAR</i>			
	2012	2012	2012	2011		
<u>NOVEMBER 2012</u>	ACTUALS	AMENDED BUDGET	BUDGET	PRIOR YEAR	<u>VS. PRIOR YEAR</u>	
DOWNTOWN DEVELOPMENT AUTHORITY						
BEGINNING FUND BALANCE	70,335	70,335	122,589	96,859	VAR	%
<i>NON TIF FUNDING</i>						
TAXES	26,507	26,723	26,723	27,516	(793)	-3%
* INTERGOVERNMENTAL	66,677	66,667	-	8,000	58,667	733%
* LOAN PROCEEDS	117,000	234,000				
MISCELLANEOUS	491		-	2,258	(2,258)	-100%
INTEREST	305		-	714	(714)	-100%
TOTAL REVENUE	210,980	327,390	26,723	38,488		
PERSONNEL	19,560	22,760	7,630	19,528	3,232	17%
LEGAL FEES	6,294	8,000	3,000	11,121	(3,121)	-28%
TREASURER'S FEE (TAXES)	1,987	2,000	-	1,981	19	1%
ACCOUNTING FEE	1,500	1,750		3,178		
* CAPITAL OUTLAYS	17,547	54,312		66,612	(12,300)	-18%
GRANT	1,000	1,000				
SIDEWALK MAINTENACE	1,958	4,000		5,873		
FLOWERS/PROJECTS	3,600	3,625		4,441		
OTHER	2,422	2,500	525	8,293	(5,793)	-70%
TOTAL EXPENDITURES	55,868	99,947	11,155	121,026		
<i>TIF FUNDING</i>						
TIF REVENUE	104,607	101,929	101,929	104,413	(2,484)	-2%
* DEBT SERVICE	146,084	180,297	47,400	48,399	131,898	273%
ENDING FUND BALANCE	183,970	219,410	192,686	70,335		
NON TIF FUNDS BALANCE	35,126	107,457	(51,750)	(119,986)		
RESEVERED	19,765	100,000				
UNRESERVED	15,362	7,457				
TIF FUNDS BALANCE	148,844	111,953	244,436	190,321		
<i>* See Details below</i>						
<i>Capital Outlays</i>						
NEDPEDs	17,235	54,000				
Sidewalks Phase 1	312	312				
Total	17,547	54,312				
<i>Loan Proceeds</i>						
NEDPEDs	37,000	154,000				
Sidewalks Ph 1/Sidewalk Maint/Flowers	80,000	80,000				
Total	117,000	234,000				
<i>Intergovernmental</i>						
CDOT Phase 2						
CDOT Phase 1	66,667	66,667				
Total	66,667	66,667				
<i>Debt Service</i>						
Mutual of Omaha Loans	22,386	22,386				
Tractor Payments	4,490	4,897				
Sidewalk Phase 1 Old Costs	80,223	80,223				
NedPeds	22,385	45,124				
Refinanced Loan	16,600	27,667				
Total	146,084	180,297				

NEDERLAND DOWNTOWN DEVELOPMENT AUTHORITY
DIRECTORS' REPORT
December 19, 2012

1. Time Reporting

The following is a breakout of my time related to the NED PED project and basic administrative tasks. Since November 17, my time breakout is as follows (as of December 13):

NED PED time	12.5 hrs (60%)
Administrative time	8.5 hrs (40%)
<u>Total time</u>	<u>21.0 hrs (100%)</u>

This will be the last month for my formal responsibilities as Project Coordinator for the NedPeds project, although I will continue to assist Brian and Conor as needed. This month I have worked with them to make sure they have the information and tools to do their jobs most effectively. Conor is doing a good job of hitting the ground running, and I believe he will provide effective project management for NedPeds, in addition to taking our communities' concerns and ideas on sustainability to a new level.

During our December meeting, Brian McLaren will give a presentation of the latest schematic plans for NedPeds, as well as a discussion of possible materials and preliminary cost estimates. The input from this meeting, along with the comments from SAB, will be incorporated into the plans submitted to CDOT. There will also be a discussion of comments received to date so that board members can be familiar with the process so far.

As a heads-up going into the holidays, January should be a relatively quiet month for NedPeds. The only meeting scheduled is a DAT meeting for presentation of Design Development Plans. The date for this meeting may be adjusted slightly, and Conor will be able to update everyone soon with that information.

February will be busy for NedPeds, with all advisory boards getting a second round of reviews per the NPP, followed by a presentation of final plans to the BOT in March.

AGENDA INFORMATION MEMORANDUM
NEDERLAND DOWNTOWN DEVELOPMENT AUTHORITY
MEETING DATE: December 19, 2012
INITIATED BY: Conor Merrigan – C₂
INFORMATION: ACTION: OR DISCUSSION: X

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AGENDA ITEM: Consideration of the latest design for the NedPeds project.

SUMMARY: The NedPeds design is currently being prepared for its initial submittal to CDOT. While this will involve a good deal of translating the information from the design drawings to more detailed engineering calculations, there are some critical areas of input the design team needs from the DDA in order to present the full suite of options to CDOT for their consideration and review.

In addition, the design team has been asked to come up with some preliminary cost estimates for the board to consider as the process moves forward.

The following items will be presented for the board to weigh in on and provide guidance:

- Current layout of the NedPeds design
- Initial material choices to present to CDOT (we may submit a number of options)
- Stormwater calculations to date
- Cost estimates to date will be presented at the meeting

Attachments:

- Latest NedPeds Schematic (12-12-12) – (too large to post / e-mail: please contact Sue for electronic or paper copy: secneddda@gmail.com or wait for presentation at meeting)

- Unpaved Roads Article

- NedPeds DRAFT Survey:

<https://docs.google.com/spreadsheets/viewform?fromEmail=true&formkey=dEQ0QUxhdDc4czVFSjZHc3IRRTRoT1>

- Collective Project Goals and Design Team Responses

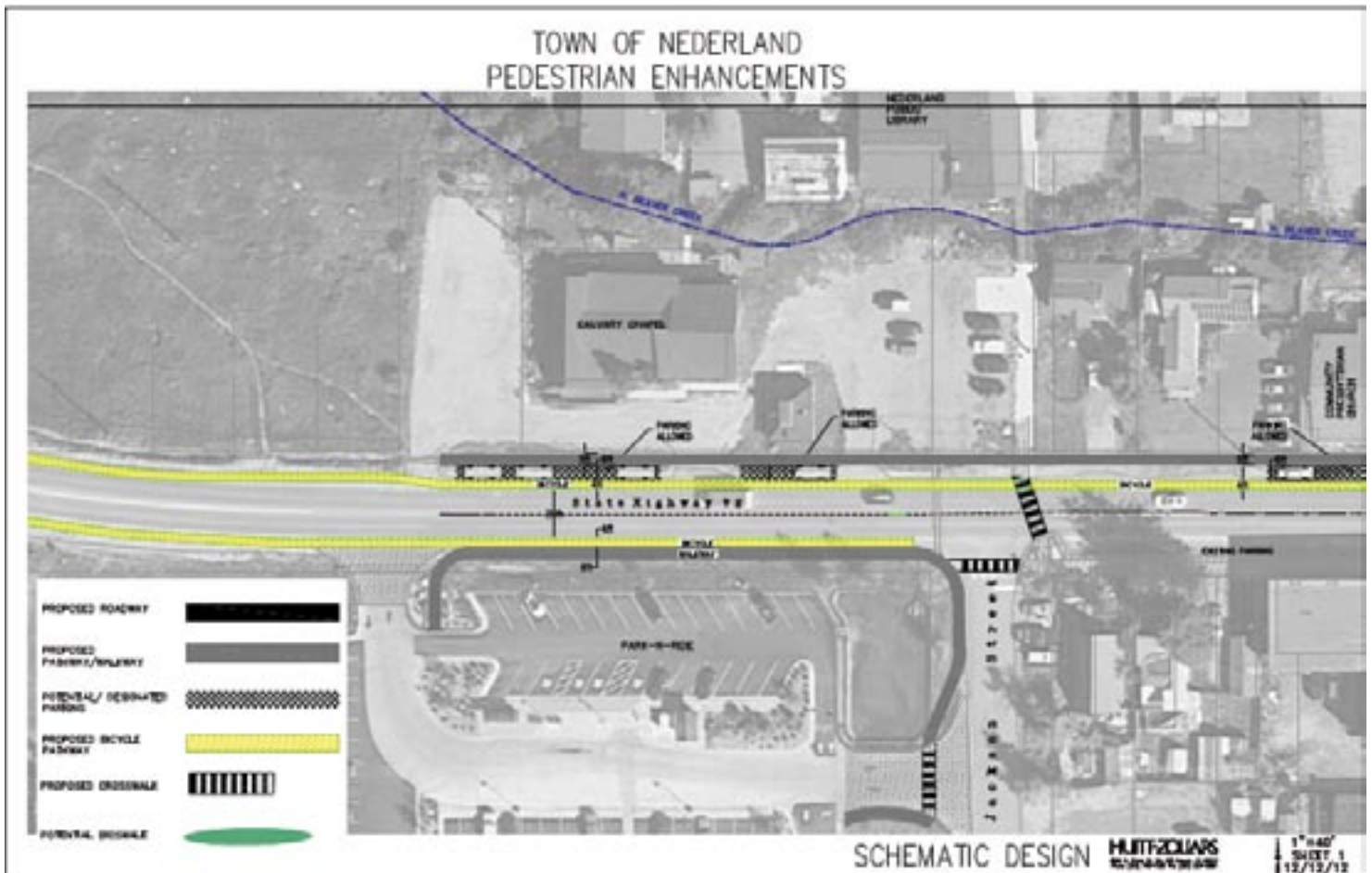
This meeting will be posted and advertised as open to the public and all direction will be captured in the meeting minutes as well as in the unofficial meeting notes taken by Project manager Conor Merrigan for inclusion on the publically available list of current desires and goals for the project.

RECOMMENDATIONS: Guidance needs to be given in regards to the above items so that the submittal to CDOT is as accurate as possible given the early stage of the design and that there are enough options for them to weigh in on. The design is proceeding as a collaborative one per the NPP process and as such is largely ready; this will be the last chance for the DDA to specifically comment before the submittal.

FINANCIAL CONSIDERATIONS: Because cost estimates will be provided at this time, the overall budgeting process will be able to be revisited and revised going forward.

For Entire Document - (too large to e-mail / post)

Please contact Sue at secneddda@gmail.com for an electronic file or a paper copy. Or - you will be able to review at the 12/19 meeting.



The dirty truth about unpaved roads

Sunday, May 20, 2012 from *Poughkeepsie Journal*

[Dr. David L. Strayer \(/science-program/our-scientists/dr-david-l-strayer\)](#)

Paving rural roads is one of the local issues that can get people in Dutchess County worked up. Some people like the rural look of unpaved roads, and that they restrict the volume and speed of traffic. Others think that paved roads are safer and more comfortable to drive on. And then there is cost – it's said that paved roads cost less to maintain, but are very expensive to build.

I'm not going to discuss any of these important issues today, but will focus on the ecological impacts of unpaved roads. I often hear the claim that unpaved roads are "greener" than paved roads because they are permeable (they allow rainwater to percolate instead of running off).

In fact, the dirty secret about unpaved roads is that they have a poor ecological record. To begin with, even unpaved roads are so compacted that they allow very little water to soak in, unless they are specifically built and maintained to allow water to infiltrate. So rainwater just runs off of unpaved roads, as it does for paved roads, and the supposed ecological benefit of unpaved roads is illusory.

The chief problem with unpaved roads is that they are subject to erosion, which can generate a lot of sediment that runs off into watercourses. This problem is so bad (and so well known to ecologists) that unpaved roads and poorly managed construction sites often are identified as the worst hot spots on the landscape for sediment generation.

This sediment is a problem for several reasons. First, it can smother stream habitats and their inhabitants, reducing biodiversity and eliminating sensitive species from our streams. In particular, it can clog stream gravels and prevent spawning and rearing of trout.

In addition, adding sediment to streams can cause them to become unstable and change their courses. This instability can pose a problem for plants and animals that live in or along streams, as well as for humans that live near streams.

Perhaps of greater interest, by accumulating in streams, this sediment can raise streambeds and make flooding worse. In the wake of last year's flooding, there have been many suggestions to "clean out" local



Unpaved roads are subject to erosion, which can generate a lot of sediment that runs off into watercourses. (Photo credit: Bigstock)

Related Issues

[Land-use & Human Impacts \(/issues-ecology/land-use-human-impacts\)](#)

streams to prevent future flood damage. Such campaigns by themselves will cost precious tax dollars and are likely to damage stream habitats without providing long-term relief from flood damage (see "Flood mitigation requires care", Poughkeepsie Journal, 23 October 2011).

Instead, if any program to reduce future flood damage is to be effective, it must focus on reducing sediment inputs to streams, as well as any "cleaning" of the channels that might actually be required. This includes sediments generated from unpaved roads.

Unpaved roads may generate a lot of dust during dry periods. This dust can alter roadside vegetation, and has been considered to harm human health. In addition, any chemicals that are applied to unpaved roads to keep down dust may themselves have ecological or health effects.

It is worth noting that some of the benefits of unpaved roads in slowing traffic may also be achieved by using road designs that incorporate alternative "calming" measures that do not have the negative ecological effects of unpaved roads. See the "New Greenway Guide: Rural Roads", at

<http://www.co.dutchess.ny.us/CountyGov/Departments/Planning/planonit0304...>

(<http://www.co.dutchess.ny.us/CountyGov/Departments/Planning/planonit03042010.pdf>) for a good introduction to these measures.

So whatever their merits, unpaved roads are not especially "green", and have some ecological effects that are distinctly negative. I'm not saying that this means that we should go out and immediately pave all the roads in the county. Certainly all of the issues that I raised at the beginning of this article should be considered. However, in any comprehensive discussion about the values of paved vs. unpaved roads, we should consider the real and substantial negative ecological effects of unpaved roads.

Dave Strayer is a freshwater ecologist at the Cary Institute of Ecosystem Studies in Millbrook.

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Expressed Desires/Goals from Boards and Commissions for NedPeds Project, and Design Team Responses

- For now, the desire is that any signage must match the current signage displayed throughout the town
 - There will be close collaboration with PROSAB
- Investigate crosswalk locations, specifically one from the park-n-ride to the library as opposed to two, inclusion of one at Jefferson Street, the best placement within the roundabout for maximum safety, and placed to avoid parking spaces near Snyder.
 - As design progresses, the site will be walked to start determine the best locations
- Consider one sidewalk versus two along 119
 - This will be tabled until the costing phase
- Consider clear delineation of bicycle ROWs
 - Design team will present options when design is closer to complete
- Simplify signage wherever possible
- Consider traffic calming measure for drivers coming North on Bridge
 - To be investigated
- Please address run-off issues from paved businesses near roundabout
 - Calculations will be completed for runoff and the water features will be sized to that level at a minimum
- Consider including more on-street parking along Snyder to access business and provide ease of exit once business is complete
 - It appears that the best option for this parking would be along the east side of Snyder, between 2nd St. & N. Beaver Creek., there would be room for about 2-3 spaces. That would put the Snyder St. path on the west side of the street between 2nd& 119. However, given the angle parking on Snyder south of 2nd St., the best location for the path in this block would be along the east side of the street.
- Ensure material for walkway is easy to maintain
 - Address after prioritization survey
- Desire for walkway material to be plowable
 - Address after prioritization survey
- Desire that walkway material is distinct and in keeping with town character
 - Include/investigate “boardwalk” concrete by whistler’s as one alternative
 - Address after prioritization survey
- Desire that the walkway be replicable
 - Address after prioritization survey



- Desire that the walkway be affordable
 - Address after prioritization survey
- Preference that the walkway be porous
 - The above 6 bullets seem to lean towards a “crusher fines” or similar type of pathway, this will be considered as an option after prioritization survey
- Desire to educate stakeholders (non-boards)
 - Provide at least one Public Meeting to educate residents with theme of what residents can do to improve habitat functionality in their backyards.
- Design for capacity to handle a 100 year flood without backing up
 - This goal was stated by Brian McClaren as reasonable for culvert sizing (both 2nd and East) to address the immediate issue of North Beaver Creek flooding. There will be consequences downstream in the stream channel through private property and it is recommended by the design team that both culverts be replaced to avoid simply shifting the flooding to the next bottleneck.
- Design the water quality features to serve as many functions as possible and to detain as much on street water as can be practically fit in the project
 - The narrow ROW along 2nd St., combined with the need to maintain driveway access to the various properties does put a constraint on the amount of space available for water quality mitigation features. The plan for bioswales in the Gateway Park Concept drawings will help this out.
- Design with a goal of reducing the embodied energy (or possibly total energy) of the project to use half of the energy that Phase 1 used on a /SF basis
 - Project team investigating phase 1 energy, will report as design progresses
- Create a document indicating what concerns are being brought up at various meetings and how the design team will address them (Mayor Guerlach)
 - This will be stored separately and include all of the goals/desires along with design team responses
- Place an emphasis on the needs of the entire system to be addressed especially the upstream portions of the creek (outside of project scope). Provide recommendations and advice as possible to mitigate major flooding at the ecosystem level
 - Will continue to work with BoT and others on best way to do so
- Quantify the benefits of the project via LEED-ND and the Sustainable Sites Initiative
 - Certification matrix to be developed prior to the new year
- Major design decisions should include life-cycle costs
 - Noted, will be presented for design options



- Work with PROSAB to take advantage of synergies and help inform future planning
 - Design team will do so
- The treatment of the right of way issues should be conducted in an equitable manner; while it is recognized that there will be “winners” and “losers” the design should strive to demonstrate appropriate and equal concern for all affected residents
- Life-cycle costs and impacts of the project should be given serious consideration as part of the design process
 - Address after prioritization survey
- Consider some means for additional pedestrian safety at the roundabout, including tables at select crossings
- The design should be “self-enforcing” when it comes to where parking occurs as there is limited enforcement of illegal parking in town
- The design should address the dust issues for residents and business owners along second street
 - Address after prioritization survey
- The design should address erosion issues along 2nd St
 - Address after prioritization survey
- Design should be include 14 ft ROWs and enough room to turn a fire truck onto
 - This will be included as a minimum
- Design should be flexible to accommodate future development
 - Address after prioritization survey

AGENDA INFORMATION MEMORANDUM
NEDERLAND DOWNTOWN DEVELOPMENT AUTHORITY
MEETING DATE: December 19, 2012

INITIATED BY: Susan Churches / Michele Martin

INFORMATION: ACTION: OR DISCUSSION: x

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AGENDA ITEM: Land use application for a Planned Unit Development (PUD) within the DDA

SUMMARY:

This is a new concept application for a Planned Unit Development (PUD) to be heard before the Planning Commission (PC) on 1/23. This is the Grahn's property, which currently consists of 15 lots (trailer park at 180 E. 3rd, 2 homes on East Street, and the apartments at 260 East Street). Michele would like to have your comments (as a board) back by Friday, January 4, 2013.

Dear DDA Board Members,

Recently, you were sent a land use application for a Planned Unit Development (PUD) concept within the DDA district. It has come to my attention that some explanation regarding review of private projects vs. public projects would be useful. You all are familiar with plans review for public projects, particularly given the intensive review of the current NedPeds project you all are working on.

Public projects – those projects involving public lands – are reviewed in Nederland using the Nederland Public Process (NPP) as a guide, which invites all advisory boards review as a matter of course, particularly on larger projects such as NedPeds.

However, private project review is different. Projects involving privately-owned lands are guided by the Nederland Municipal Code, with review requirements outlined by ordinance. It is important that private project review is conducted per code requirement to ensure private property owners' full Constitutionally protected property rights are protected. These types of land use matters are known as being "quasi-judicial" in that the review is more like a court review than like an NPP process. It can cause very serious legal issues for the Town if the Code requirements (as dictated by federal, state, and Constitutional law) are not followed.

The Code requires that land use applications involving private projects must be reviewed by the Planning Commission and Board of Trustees. As a matter of courtesy, Town staff has sought the input of the DDA when applications involve projects within the DDA district. It is important that all projects referred to the DDA are discussed at the DDA meetings only, in order to comply with the rules for quasi-judicial reviews. Just as a judge may not contact parties in a case appearing before him, it is not appropriate to contact the applicant outside of such meetings. If the DDA Board has questions of the applicant, they are best forwarded as part of the DDA's review via Town staff. That way we may ensure proper review and monitor for any conflicts.

Please let me know if you have questions. I appreciate your willingness to review projects for the Town.

Respectfully,

Alisha Reis



TOWN OF NEDERLAND
LAND USE APPLICATION PROCESS CHECKLIST
FOR INTERNAL USE

Application Type: Conceptual PUD
 Applicant Name: Sally Grahn
 Property Address: 180 E. Street, 181 E 2nd, 187 E 2nd, 260 E Street

Type and date of hearing(s):

PC 1/23/13 BZA _____ BOT _____

Date complete application received: 11/14/12

Public notice deadline: N/A concept

Date letters sent to adjacent property owners: _____

Date property posted: _____

ANALYSIS

	<u>Date</u>	<u>Notes</u>
<input checked="" type="checkbox"/> Staff	<u>12/10/12</u>	_____
<input checked="" type="checkbox"/> Legal	<u>"</u>	_____
<input checked="" type="checkbox"/> Police	<u>"</u>	_____
<input checked="" type="checkbox"/> Fire	<u>"</u>	_____
<input checked="" type="checkbox"/> Public Wks	<u>"</u>	_____
<input checked="" type="checkbox"/> DDA	<u>"</u>	_____
<input type="checkbox"/> SAB	<u>N/A</u>	_____
<input checked="" type="checkbox"/> Env impact	<u>12/10/12</u>	_____

- Engineering 12/10/12 _____
- Geotech " _____
- BVSD " _____
- Century Link " _____
- Xcel " _____

Conceptual Plan Review Application

Town of Nederland, 45 W. 1st Street, PO Box 396, Nederland CO 80466

The purpose of the Concept Plan Review is for the applicant to meet with Town staff and Town Advisory Boards to evaluate and discuss the basic concepts for development of a proposed Planned Unit Development (PUD). It is the time when determinations should be made as to whether the proposed PUD complies with the purpose and intent of Town code and with the Comprehensive Plan and is generally compatible with surrounding land uses. It is also the opportunity to reach general agreement on such issues as the appropriate range of units and commercial space proposed, the types of use, dimensional limitations and other variations that may be considered; the general locations intended for development and the areas planned to remain undeveloped; the general alignments for access; and how water supply and sewage disposal will be provided. The Concept Plan Checklist covers all the information that needs to be addressed before any action can be taken by the Planning Commission. The outcome of Concept Plan review should be an identification of issues and concerns the applicant must address if the project is ultimately to receive approval for a Preliminary Plan for PUD from the town.

NAME: Thomas D & Sally A Grahn

DATE: November 12, 2012

ADDRESS: PO Box 399, Nederland, CO 80466

PHONE: 303-258-3652 EMAIL: sallygrahn@yahoo.com

PROJECT LOCATION: 180 East Third Street, 181 East Second Street, 187 East Second Street, 260 East Street

PROPERTY OWNER: 180 East Third Street LLC, Thomas D Grahn, Member and Sally A Grahn, Member; 260 East Street LLC, Thomas D Grahn, Member and Sally A Grahn, Member

**BLOCK 2 SUBDIVISION Roose's ZONING NC
LOTS 16 - 28 LOTS 15 & 29 less the west 10 feet of said lots Plus
vacated alley. See survey for details.**

**BRIEF DESCRIPTION OF PROJECT:
See attached: "Nature and Extent of Proposed Development"**

To be submitted with application

Site Plan Review Fee: \$250

Engineering Review Fee: \$1000*

4 copies of site plan (please refer to attached checklist)

Applicant Signature Date

Thomas D. Grahn
Sally A. Grahn 11/12/12

Property Owner Signature Date

Thomas D. Grahn
Sally A. Grahn 11/12/12

*It is the policy of the Town of Nederland to require a review, by a licensed engineer, of material submitted by the applicant. The cost of said engineering review is the responsibility of the applicant. The \$1000 collected by the town is placed in escrow for the duration of the review process. Expenses incurred by a licensed engineer are paid from the escrow account. Any unused money left in the escrow account is returned to the applicant at the end of the review process.

APPLICATION CHECKLIST:

All applications must contain the following information in the format described. Applications will not be accepted if any of these items are missing or are incomplete. **Staff Initials**

Completed original application form with property owner's signature
(copies are not accepted) mgm

Application and escrow fees pd \$1250 11/12/12 \$250 concept
\$1000 escrow mgm

1. A written statement describing the nature and extent of the development proposed, to include information on proposed uses, densities, contemplated ownership patterns and phasing plans, and a statement outlining how and where the proposed development deviates from the development standards prescribed in the underlying Town Code and Comprehensive Plan. mgm

See attached: "Nature and Extent of Proposed Development"

Four copies of 18x24 blue or blacklines of:

Conceptual Site Plan **SEE SURVEY** mgm

Conceptual Landscape Plan (identify screening, buffers, berms and retaining walls) mgm

This will be addressed when someone applies for a building permit.

Conceptual Architecture Plan (indicate generic materials and colors to be used on the buildings, colored elevations will be required for the public hearing. mgm

This will be addressed when someone applies for a building permit.

Existing Conditions Survey (stamped by a licensed surveyor indicating existing conditions of the property, to include, but not limited to, the location of improvements, contour lines, natural features, existing vegetation, watercourses and perimeter property lines) mgm

SEE SURVEY

Preliminary Traffic Report mgm

East Third Street: Currently residents of 11 trailers and 10 apartments access their apartments from East Third Street. If the trailers were eliminated, only the residents of the apartments and four lots (Lots 1, 2, 3 and 4 would access their properties from East Third Street (a decrease of 7 residences). East Second Street: Because we closed off the Second Street access to the the trailers and to the 260 East Street Apartments, only the homes at 181 & 187 East Second Street access their property from Second Street. Potentially there could be five homes, Lots 5, 6, 7, 8 and 9, that would access their homes from East Second Street (an increase of 3 residences).

Preliminary Drainage Plan and Preliminary Utility Plan mgm
Drainage: This will be addressed when someone applies for a building permit. However see attached "Preliminary Soils Report" from Western Soils, Inc. Full depth basements are not recommended.

Utility: Water, sewer and gas are available to all lots on both East Third Street and East Second Street. Easements along the edge of the lots will be given to underground power from East Second Street to Lots 1,2,3 and 4. See "Nature and Extent of Proposed Development." **SEE SURVEY**

Preliminary Environmental Assessment mgm
See attached "Preliminary Soils Report" from Western Soils, Inc.

Market Analysis and Feasibility Study to justify the proposed plan mgm

There are currently no new homes on small in-town lots on the market or recently sold. Such housing stock is not available in Nederland.

Preliminary fiscal impact analysis of the estimated demands for Town services and a statement of projected Town tax revenue based upon historic Town tax levy, and a schedule of projected revenue. mgm

There are three water/sewer taps currently on the property. As homes are built on Lots 1 - 9, a maximum of seven more water/sewer taps would be needed. This would provide income to the Town, with no additional water usage as there are already 13 rentals using water (2 homes and 11 trailers).

Additional reports/plans/information as deemed necessary _____

Mailing labels for property owners within 300 feet of property boundaries (Available from the Boulder County Assessor's Office – 303.441.3530) mgm

CONCEPTUAL/PRELIMINARY PLANS TO INCLUDE:

Title Block with proposed name of project, applicant, and map preparer; address of site, date of map; and work record with revision dates. **SEE SURVEY** mgm

North Arrow **SEE SURVEY** mgm

Graphic and written scale **SEE SURVEY** mgm

Vicinity map (scale: 1"=600') showing the proposed site in relation to all adjacent properties and legal description for the property mgm

SEE SURVEY

- General land uses and location of adjacent structures mgm
SEE SURVEY
- Present zoning and any proposed zoning changes mgm
Present: **NC**
Proposed zoning changes: **See "Nature and Extent of Proposed Development" for set-back changes.**
- Existing and proposed easements mgm
Existing: **SEE SURVEY**
Proposed: **Easements for underground power, waterline and road as defined in "Nature and Extent of Proposed Development."**
SEE SURVEY
- Boundary and size of site in acres and square feet mgm
SEE SURVEY
- Existing watercourses (ditches, wetlands, floodplains and creeks) mgm
SEE SURVEY
- Pedestrian and vehicular ingress and egress, internal circulation, proposed trails and connections, proposed open space and recreational areas, and sidewalks. mgm
Access will be from existing streets with no internal circulation.
- Location and dimensions of all existing and proposed right-of-ways, alleys, other public ways or private drives within or adjacent to the property mgm
Location of driveways will be addressed when someone applies for a building permit.
- All areas proposed for dedication or reservation mgm
See "Nature and Extent of Proposed Development" for list.
SEE SURVEY
- Grading and drainage plan, showing existing and proposed topography at minimum two-foot contour intervals, extending 50 feet from the site, and based on a NGVD 29 benchmark (note on plans) mgm
SEE SURVEY
- Location, proposed use, dimensions and height of all buildings, including building setback dimensions to each lot line mgm
This will be addressed when someone applies for a building permit.
- Location, design and construction materials of all parking and truck loading areas, and number of parking spaces mgm
This will be addressed when someone applies for a building permit.

✓ Location, design and construction materials of all existing or proposed site improvements, including drains, culverts, retaining walls, surface treatments and fences.

This will be addressed when someone applies for a building permit. mgm

✓ Description of the method of sewage disposal and location, design and construction materials of such facilities

This will be addressed when someone applies for a building permit. mgm

There are currently three taps on the property which can be used by three of the sites; other sites will need to purchase and install taps.

✓ Description of the method of stormwater collection and location, design and construction materials of such facilities.

This will be addressed when someone applies for a building permit. mgm

✓ Description of the method of securing public or private water and location, design and construction materials of such facilities

This will be addressed when someone applies for a building permit. mgm

There are currently three taps on the property which can be used by three of the sites; other sites will need to purchase and install taps.

✓ Proposed method of fire protection and emergency medical services, location of fire and other emergency zones, including the location of fire hydrants

mgm

SEE SURVEY

NATURE AND EXTENT OF PROPOSED DEVELOPMENT

BRIEF DESCRIPTION OF PROJECT:

Since 1981 we have owned, first with partners and then as sole owners, the trailer park at 180 East Third Street and the homes at 181 and 187 East Second Street. In 1982 we purchased the apartments at 260 East Street. These properties consist of 10 apartments, 11 trailers (originally 12, but we have discontinued the use of trailer #9) and 2 homes – a total of 23 rentals. The property currently has 15 lots.

The goals of this project are as follows:

- To adjust the lots so the 260 East Street apartment building will not encroach on adjacent lots.**
- As current use is continued, to gradually replace the current trailers with homes. Although the time-line for this will depend on the real estate market and the availability of financing, the intent is to gradually do this over a ten year time frame. To do this we plan to adjust lot lines to create conforming lots of greater than or equal to 4500 square feet each throughout the current trailer court and the property on East Second Street. (At the present time lots 15 and 29 are not conforming as they are less than 4000 square feet, and some of the lots are larger than the required 4000 square feet.) The number of lots owned by 180 East Third Street LLC will decrease from ten to eight, but each lot will be bigger, thus more desirable as a building lot.**

SPECIFICS OF PROJECT:

- **Adjust the lot lines to create 9 conforming lots of greater than or equal to 4500 square feet each – Lots 1 - 9. SEE SURVEY**
- **Modify, dissolve and/or re-plat the lot lines for the area that includes what is currently Lots 20-24 and the apartment building. We propose re-orienting at least one of the lots at the southern edge of that parcel to run in an East-West direction, which would impact what are currently Lots 20 and 21. At this time, we do not have a specific proposal for re-drawing the remaining lots in this parcel. We propose dissolving the lot lines as shown on the attached survey, reserving the right in the PUD to re-plat the parcel at a later date into 5 lots, with boundaries to be determined by a future purchaser and/or developer. SEE SURVEY**
- **Change set-back requirements on Lots 1 - 9 as follows:**
 - **Established set-back line from street and front yard on Lots 1 – 9 to be 10 feet. This makes sense in terms of snow plowing and shoveling. This is especially important for older residents as long driveways to the house and garage require more shoveling or plowing. This also fits in with the neighborhood as most nearby homes have very little set-back. The two adjacent homes on East Second Street, 155 East Second Street and 171 East Second Street, both have less than 10 feet of set-back. Also the home directly south across from Lot 9, 198 East Street, has less than 10 feet of set-back.**
 - **Established rear set-back on Lot 9 to be 5 feet. This is necessary to allow a structure as this lot orients from east to west and is only 45 feet deep – thus would not allow a structure with the current set-backs.**
- **Create easements as follows:**
 - **For Water Line to 260 East Street Apartments SEE SURVEY**
 - **5 foot easement on west boundary of Lot 9**
 - **5 foot easement on east boundary of Lot 8**
 - **For Power to Lot 1 - 4 SEE SURVEY**
 - **5 foot easement on the east, west and north boundary of Lot 6 and Lot 7**
 - **5 foot easement on the east boundary of Lot 5**
 - **5 foot easement on the west boundary of Lot 8**
 - **5 foot easement on the south boundary of Lot 2 and Lot 3**
 - **For Road Easement to Town of Nederland on southeast corner of Lot 9 SEE SURVEY**
- **We intend to re-develop the area to build single family homes on the new, conforming lots; however we will not be able to complete such development in one phase. As a result, the existing uses need to continue until the entire property is re-developed. The right to continue all current uses, including the trailer park, apartment building, and residential homes, shall remain in place and such rights shall run with the land to any subsequent purchaser.**



WESTERN SOILS, INC.

Geotechnical Engineering

Project #: 2010-33

June 28, 2010

Tom and Sally Grahn
PO Box 399
Nederland, Colorado 80466

Introduction

On June 21, 2010, Gary Rosson of Western Soils, Inc. made a site observation of the soil conditions exposed within five test pit excavations located throughout Lots 15 through 29 of Roose's Addition in the Town of Nederland, Boulder County, Colorado. The purpose of this investigation was to examine the soil conditions exposed within the test pits to enable us to provide preliminary geotechnical engineering recommendations for this property. It is our understanding that no building plans have been accomplished for this site at this time.

Soil & Groundwater Conditions

At the time of the investigation, five test pits were excavated with a backhoe throughout this property. The locations of the test pits are shown on Figure 1. Examination of the cut face of Test Pit 1 revealed the following soil profile:

0'0" - 0'6"	<u>Topsoil</u> , silty, sandy, intermixed with gravel, dark brown, loose
0'6" - 1'8"	<u>Silt</u> , sandy with occasional gravels and small boulders, dark brown, loose
1'8" - 4'6"	<u>Sand and Gravel</u> , slightly clayey to clayey, silty, orange brown medium dense
4'6" - 9'0"	<u>Sand and Gravel</u> , slightly clayey, silty, with occasional cobbles, brown, medium dense

Groundwater seepage was encountered at approximately 8 feet.

Examination of the cut face of Test Pit 2 revealed very similar soil conditions to Test Pit 1. The following soil profile was exposed:

0'0" - 0'6"	<u>Topsoil</u> , silty, sandy, intermixed with gravel, dark brown, loose
0'6" - 1'8"	<u>Silt</u> , sandy with occasional gravels and cobbles, dark brown, loose
1'8" - 4'6"	<u>Sand and Gravel</u> , slightly clayey to clayey, silty, orange brown medium dense
4'6" - 9'0"	<u>Sand and Gravel</u> , slightly clayey, silty, with occasional cobbles, brown, medium dense

Groundwater seepage was encountered at approximately 4 feet 6 inches.

Examination of the cut face of Test Pit 3 revealed the following soil profile:

- 0'0" - 1'0" Topsoil, slightly clayey, silty sandy, gravelly, with occasional cobbles, loose
- 1'0" - 2'4" Fill, slightly clayey, silty, very sandy, gravelly, contains organics, brown, loose
- 2'4" - 5'9" Silt, clayey, slightly sandy with occasional gravels, dark brown to black, soft
- 5'9" - 7'0" Sand and Gravel, slightly clayey to clayey, silty, dark brown to brown, medium dense

Groundwater seepage was encountered at approximately 5 feet 6 inches.

Examination of the cut face of the Test Pit 4 revealed the following soil profile:

- 0'0" - 1'4" Fill, silty, sandy with scattered gravels and occasional cobbles and small boulders, brown, loose to medium dense
- 1'4" - 2'9" Silt, slightly clayey, sandy, with occasional gravels, cobbles and small boulders, dark brown, loose
- 2'9" - 7'0" Sand and Gravel, slightly clayey, silty, with occasional cobbles, brown, medium dense

Groundwater seepage was encountered at approximately 4 feet 4 inches.

Examination of the cut face of Test Pit 5 revealed the following soil profile:

- 0'0" - 0'8" Topsoil, silty, sandy, with occasional gravel, dark brown, loose
- 0'8" - 3'0" Silt, slightly clayey, sandy, with occasional gravels, cobbles and small boulders, brown, loose
- 3'0" - 5'6" Sand and Gravel, slightly clayey to clayey, with occasional cobbles, orange brown, medium dense
- 5'6" - 8'0" Sand and Gravel, slightly clayey, silty, with cobbles, brown, medium dense

Groundwater seepage was encountered at approximately 5 feet 6 inches.

Foundation Recommendations

It is our opinion that any buildings to be constructed on this site can be supported on spread footings, either continuous spread footings or isolated pad footings, as long as the recommendations provided in this report are adhered to. All footings must be excavated through any fill, topsoil and silt and should bear on the sand and gravel soils. The footings should be placed deep enough for frost protection, 4 feet below the outside grade. All loose soil from the excavation activities should be removed within the footing forms down to firm,

undisturbed soils or any loose soils within the footing forms should be thoroughly compacted prior to pouring the concrete for the footings.

For preliminary consideration, the footings should be designed for a maximum soil bearing pressure of 2000 psf, based on dead load plus full live load.

Walls that are to retain soil must be designed as retaining walls to resist lateral earth pressures. On this site we recommend that the walls be designed using a lateral earth pressure equivalent to that developed by a fluid weighing 45 PCF. Use of the above value assumes that on-site sand and gravel soils are utilized as backfill and that the soil behind the wall will not be allowed to become saturated at any time during the life of the wall. Proper site grading and drainage, proper compaction of the backfill and the installation of an appropriate drainage system at the base of any foundation wall which is to retain soil will help to prevent saturation of the backfill.

If the test pit excavations are on or within the actual foundation lines, the test pit should be over-excavated down to the deepest depth which was excavated at the time of our observation and then backfilled and re-compacted up to the desired bearing elevation. If this fill is to support any portion of the foundation system, it should be placed in lifts not to exceed 9 inches in loose thickness and compacted to 100 percent of maximum density as determined by the Standard Moisture Density Relationship, ASTM D698-78. If the test pit is within an area that is to support a concrete slab-on-grade only, the test pit should be re-compacted to 95 percent of maximum dry density as determined by the previously mentioned ASTM specification.

Slab-On-Grade Recommendations

Prior to pouring any slab it is essential that all debris, topsoil and organic materials be removed and all loose fill either removed or compacted to 95% of maximum density as determined by the standard moisture/density relationship test ASTM D698-78.

The onsite soils vary from non-expansive to low expansive potential. Even low expansive soils are cable of some minor heaving and cracking of lightly loaded slabs on grade upon fluctuation of their moisture content. For this reason, we recommend that the following construction techniques be utilized:

1. Provide a 2-inch minimum air space below any interior non-loaded bearing partition to provide for slab movement without damage to the structure.

2. Separate slabs from the foundation elements with a slip joint. A slip joint should be used around the perimeter of the slab and adjacent to any other structural elements.
3. Moderately reinforced slabs continuous through interior slab joints. Slab joints must be provided to control the cracking. The floor joint grid should be designed to allow no more than 100 square feet of continuous slab with maximum joint spacing of 10 feet.
4. Any load bearing partitions must be provided with their own foundation system and the slab separated as outlined above.
5. Any pipes rising through the slab should be provided with flexible couplings or other means to allow substantial movement without damage to the piping. Any ducts connecting to equipment founded on the slab should be equipped with flexible or crushable connections to allow for some slab movement. Equipment and other building appurtenances constructed on the slab should be constructed so that slab movement will not cause damage.

Drainage Recommendations

It is essential that proper site drainage be provided to divert all surface water runoff and water from the roofs well away from the foundation walls.

Satisfactory long-term performance of any foundation system depends on prevention of infiltration of water into the soils supporting the foundation. The following recommendations should be adhered to:

1. Mechanically compact all fill around the buildings. Compaction by ponding or saturation must not be permitted. The backfill should be compacted to not less than 90% of maximum density as determined by the standard moisture/density relationship ASTM D698-78. Backfill, which is to support slabs, should be compacted to 95% of maximum dry density. Note that some moisture may need to be added to the soils in order to obtain the proper compaction. Improper backfill compaction can cause settlement of exterior slabs such as walks, patios and driveways, especially in the areas of deep fill.
2. Provide an adequate grade for rapid runoff of surface water away from the buildings (10 percent minimum for the first 10 feet away from the structure is highly recommended for unpaved areas).
3. A well constructed, leak-resistant series of gutters, or other roof drainage system, is essential.

4. Discharge roof downspouts and all other water collection systems well beyond the limits of the backfill, a minimum of 5 feet. Place sprinkler heads and plantings at least 5 feet from the foundation walls.

It is our opinion that any below grade space (including crawlspaces) should be protected by the installation of a perimeter drainage system. The perimeter drainage system should consist of 4-inch perforated pipe placed on a bedding layer of washed gravel approximately 1 ½ -inches thick. The pipe should then be backfilled so that at least 8 inches of washed gravel surrounds the pipe. The drain lines should be placed at the bottom of the footing and should slope to a positive gravity discharge if possible or to a sump pit equipped with a pump.

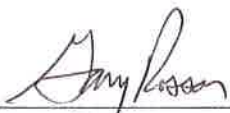
It should be realized that the groundwater levels will fluctuate throughout the year depending upon the amount of precipitation, surface runoff and the application of irrigation water. Based on the groundwater conditions on this site, full depth basement construction is not recommended.

Limitations

As previously mentioned, the purpose of this report is to provide preliminary geotechnical recommendations. Site specific investigations should be accomplished for each building site in order to provide final design information. Variations of the soil conditions not encountered in the test pits are always possible.

If you have any questions about this report or when we can be of further assistance, please call.

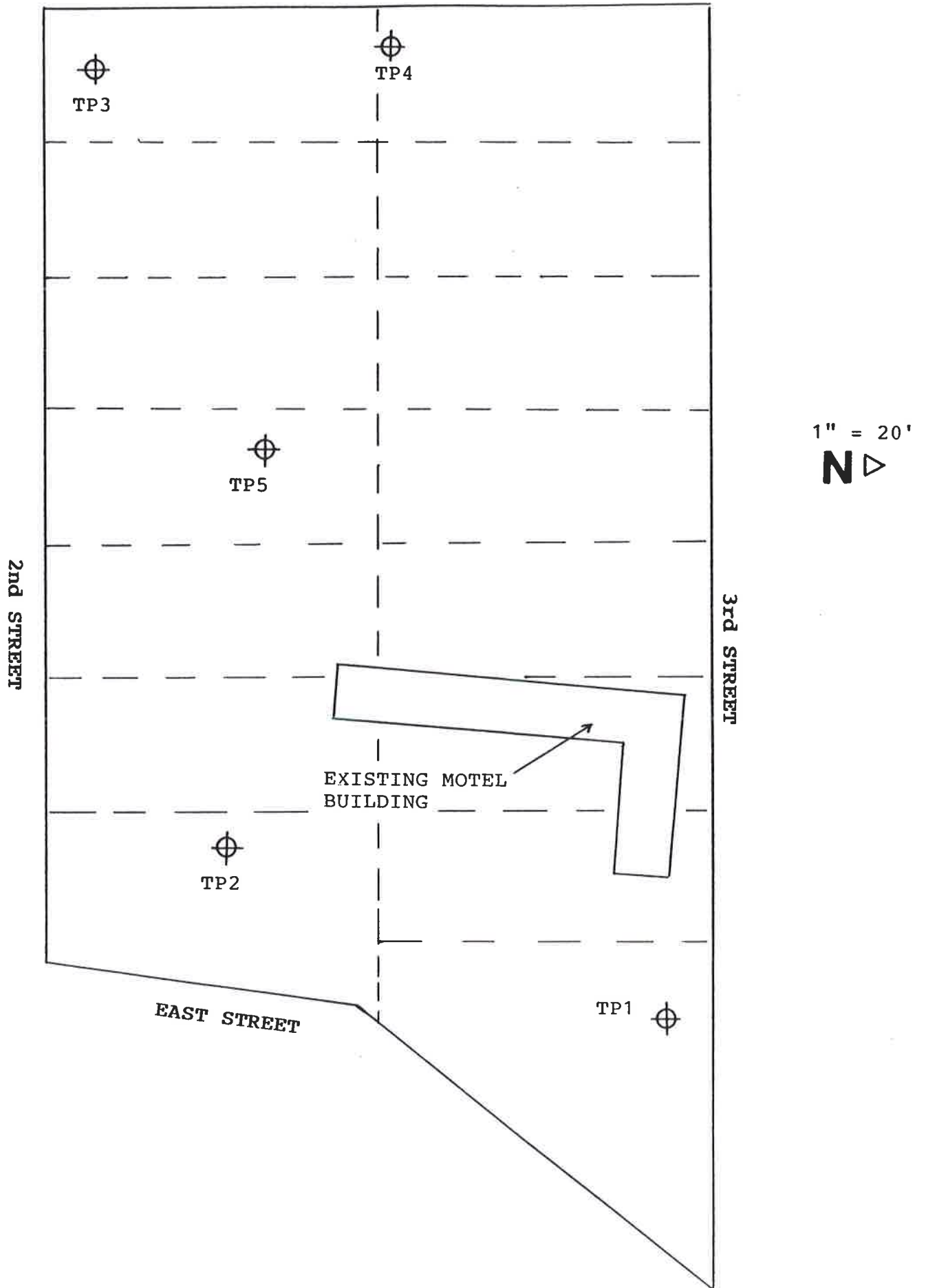
Sincerely,
Western Soils, Inc.

By: 
Gary Rosson, P.E.



TEST PIT LOCATION MAP

FIGURE 1



L a n d S u r v e y P l a t

of a portion of Block 2, ROOSE'S ADDITION to Nederland, located in the northeast 1/4 of Section 13 Township 1 South, Range 73 West of the 6th P.M. in Nederland, Boulder County, Colorado

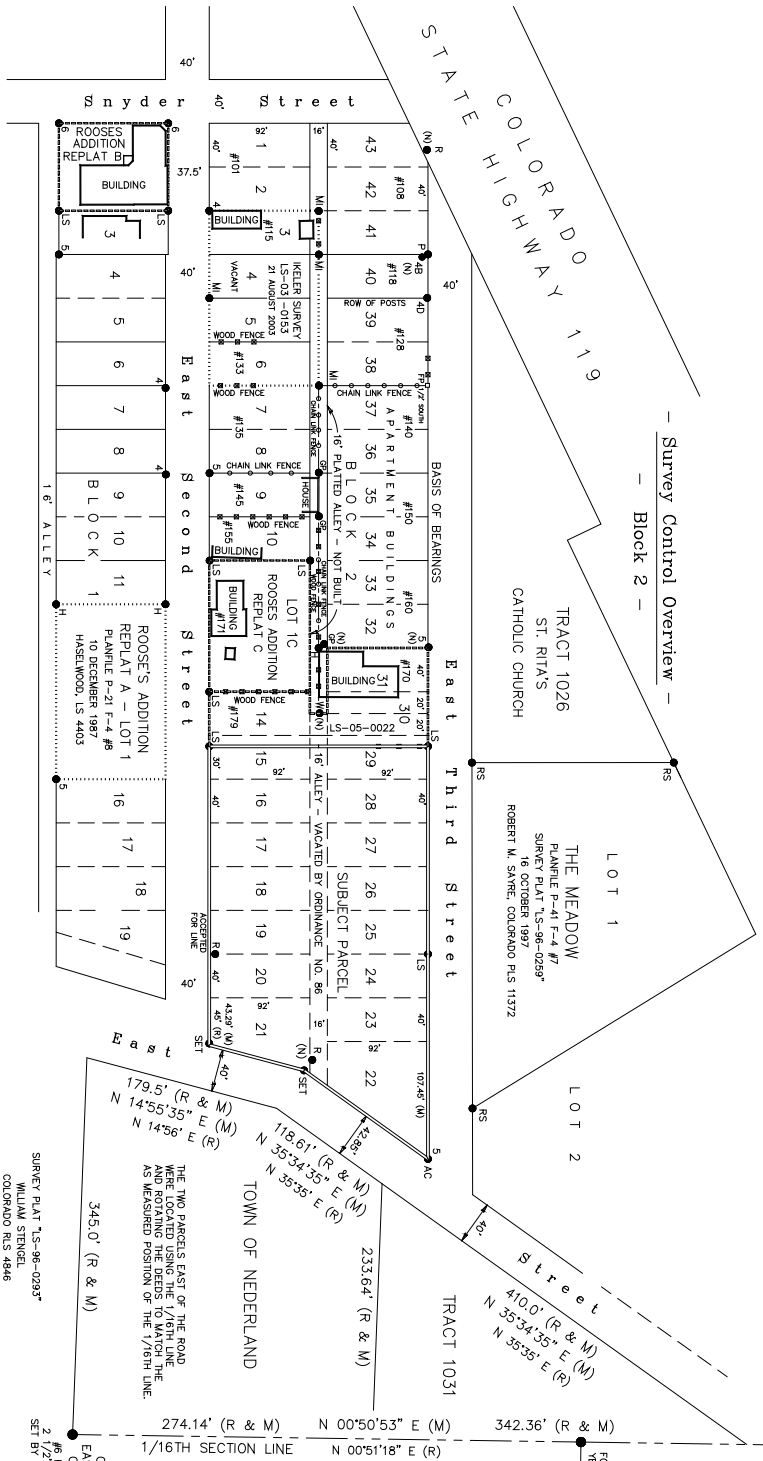
Legend

- SET #5 REBAR WITH ALUMINUM CAP MARKED SURVEY PLAT LS 26300
- LS ALUMINUM CAP MARKED SURVEY PLAT LS 26300
- FOUND #5 REBAR AND ADD'D STAKELET ALUMINUM CAP
- FOUND #4 REBAR
- FOUND BENT #4 REBAR
- #4 REBAR - DESTROYED
- FOUND 7/8 INCH DIAMETER PIPE
- FOUND #6 REBAR
- YELLOW PLASTIC CAP FOUND #4 REBAR WITH ALUMINUM CAP COLORADO LIS 4403
- FOUND #6 REBAR WITH 2 INCH ALUMINUM CAP SET BY ROBERT SAYER FOUND #4 REBAR WITH YELLOW PLASTIC CAP COLORADO LIS 172/8
- FOUND #5 REBAR WITH YELLOW PLASTIC CAP SET BY CERRY PESMAN COLORADO LIS 2376
- FOUND #6 REBAR WITH RINGS-DIAV. W/ALDER COLORADO LIS 28687
- FOUND #4 REBAR WITH YELLOW PLASTIC CAP SET BY MERLE RUST COLORADO LIS 8630
- FFP . . . FENCE POST
- RN . . . RECEPTION NUMBER BOULDER COUNTY RECORDS
- (N) . . . MONUMENT - NOT ACCEPTED BY THIS DEPENDENT SURVEY
- (R) . . . RECORD OR PLATED MEASUREMENT
- (M) . . . AS MEASURED BY THIS SURVEY PLAT
- Ø . . . TELEPHONE PEDESTAL
- Ø . . . UTILITY POLE
- UL . . . OVERHEAD UTILITY LINES
- UC . . . OVERHEAD UTILITY CONNECTION
- EM . . . ELECTRIC WIRE
- TE . . . TELEPHONE CONNECTION
- GM . . . GAS METERS
- SF . . . SQUARE FEET

Surveyor's Statement

I, LEE W. STADLER, A DULY REGISTERED LAND SURVEYOR, LICENSED IN THE STATE OF COLORADO, HEREBY STATE FOR AND ON BEHALF OF FLAGSTAFF SURVEYING, INC., THAT A SURVEY OF THE ABOVE DESCRIBED PREMISES WAS CONDUCTED BY ME AND UNDER MY DIRECT SUPERVISION, RESPONSIBILITY AND CHECKING PRINTING AUGUST & SEPTEMBER 2010. THAT SAID SURVEY AND THE ATTACHED PRINT HEREON WERE MADE IN SUBSTANTIAL ACCORDANCE WITH C.R.S. §§ 39-51-106 "LAND SURVEY PLAT".

LEE W. STADLER
REGISTERED PROFESSIONAL LAND SURVEYOR
COLORADO LICENSE NUMBER 26300



Survey Control Overview

Block 2

TRACT 1026
ST. RITA'S
CATHOLIC CHURCH

East Third Street

TRACT 1031

THE MEADOW
PLANITE P-41-F-4 #7
SURVEY PLAT LS-98-0289
ROBERT M. SAYER, COLORADO PLS 11922

LOT 1

LOT 2

East Street

TRACT 1031

180 EAST THIRD STREET, LLC

PROPERTY DESCRIPTION

260 EAST STREET, LLC

FOUND #4 REBAR WITH YELLOW PLASTIC CAP

SURVEY PLAT "LS-03-0157"

BOULDER LAND CONSULTANTS, INC.

JASON EMERY, COLORADO PLS 20134

IN RANGE BOX PLS 20134

TOGETHER WITH ALL OF THAT PORTION OF THE ALEY RUNNING NEDERLAND VING EAST OF "A LINE DRAWN FROM THE CENTER OF THE SOUTH LINE OF LOT 30 IN SAID BLOCK 2 TO THE CENTER OF THE NORTH LINE OF LOT 14 IN SAID TOWN OF NEDERLAND RECORDED DECEMBER 26, 1951 IN BOOK 899 AT PAGE 154, ADJACENT TO SAID LOTS 20 TO 24.

180 EAST THIRD STREET, LLC

LOTS 16, 17, 18, 19, 25, 26, 27 AND 28

AND LOTS 15 AND 29, LESS THE WEST 10.00 FEET

ROOSE'S ADDITION TO NEDERLAND.

TOGETHER WITH ALL OF THAT PORTION OF THE ALEY RUNNING NEDERLAND WEST OF FROM BLOCK 2, ROOSE'S ADDITION TO NEDERLAND VING EAST OF "A LINE DRAWN FROM THE CENTER OF THE SOUTH LINE OF LOT 30 IN SAID BLOCK 2 TO THE CENTER OF THE NORTH LINE OF LOT 14 IN SAID BLOCK 2, AS VACATED BY ORDINANCE NO. 98 OF THE TOWN OF NEDERLAND RECORDED DECEMBER 26, 1951 IN BOOK 899 AT PAGE 154, ADJACENT TO THE ABOVE DESCRIBED LOTS.

THE TWO PARCELS EAST OF THE ROAD

WERE LOCATED USING THE 1/6TH LINE

AS MEASURED POSITION OF THE 1/6TH LINE

345.0' (R & M)

274.14' (R & M)

1/16TH SECTION LINE

EAST 1/16TH

REBAR WITH CAP

WILLIAM STENGEL

SURVEY PLAT "LS-98-0293"

COLORADO LIS 4646

History & Discussion

THE AMENDED PLAT OF ROOSE'S ADDITION TO NEDERLAND WAS PLATTED IN MARCH 1916. THIS SURVEY IS A DEPENDENT RESURVEY OF THE JAMES T. HASELWOOD, COLORADO LIS 4403, SURVEYS IN THIS AREA.

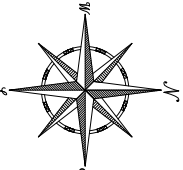
THE NORTH, SOUTH AND WEST LINES OF BLOCK 2 WERE DETERMINED USING THE SURVEY MONUMENTS SHOWN. THE EAST LINE OF BLOCK 2 WAS DETERMINED USING THE #5 REBAR AT THE NORTHEAST CORNER OF BLOCK 2 AND OFFSETTING THE PARCEL LINE ACROSS EAST STREET THROUGH THE #5 REBAR. THE EAST LINE OF LOT 19 WAS DETERMINED BY THE BEARING FROM THE PLAT. LOTS 16, 17, 18 AND 19 WERE DETERMINED BY THE BEARING FROM THE PARALLEL ON THE SOUTHEAST AND NORTHWEST SIDES OF THE ROAD. THE PLAT OF ROOSE'S ADDITION SUPPORTS THIS METHOD.

ORDINANCE NO. 86 - RECORDED IN BOOK 899 PAGE 154 ON DECEMBER 19, 1951. BOULDER COUNTY RECORDS VACATES THE PORTION OF THE ALEY IN BLOCK 2 LYING EAST OF THE CENTER OF THE SOUTH LINE OF LOT 30 TO THE CENTER OF THE NORTH LINE OF LOT 14.

ORDINANCE NO. 88 - DATED 20 FEBRUARY 1953 - VACATES THE ALLEYS IN BLOCKS 2 AND 3 OF ROOSE'S SECOND ADDITION TO THE TOWN OF NEDERLAND. MANY OF THE SURVEYS IN THIS AREA SHOW THE WESTERN PORTION OF THE 16 FOOT WIDE PLATTED ALLEY IN BLOCK 2 OF ROOSE'S ADDITION AS VACATED USING THIS ORDINANCE INCORRECTLY.

Flagstaff Surveying Inc.

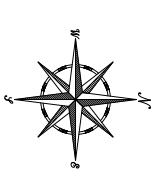
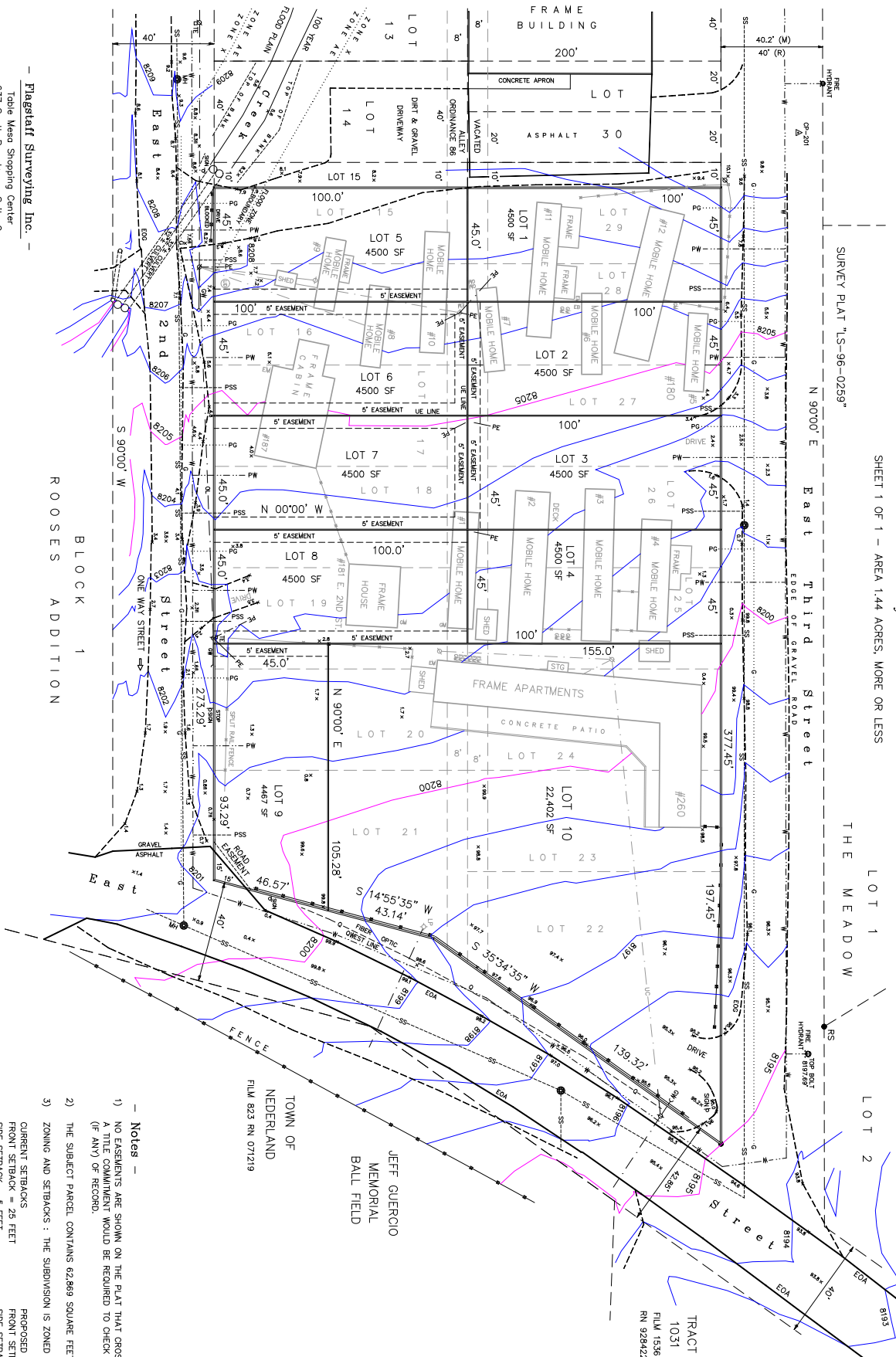
Table Mesa Shopping Center
637 South Broadway, Suite C
Boulder, Colorado
303.499.9737
16432a-2.dwg . 7 November 2012



Notes

- 1) NO EMBLEMETS ARE SHOWN ON THE PLAT THAT CROSS BLOCK 2. A TITLE COMMENTED WOULD BE REQUIRED TO CHECK FOR EMBLEMETS (IF ANY) OF RECORD.
- 2) ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.
- 3) BASIS OF BEARINGS : PER THE RECORDED PLAT. I USED THE PLATTED BEARING - NORTH 90°00' EAST - ALONG THE SOUTH LINE OF THIRD STREET BETWEEN THE 7/8 INCH DIAMETER PIPE AT THE NORTHWEST CORNER OF LOT 40 AND THE #5 REBAR AT THE NORTHEAST BLOCK CORNER AS SHOWN HEREON.
- 4) ALL UNDERGROUND UTILITIES SHOULD BE FIELD LOCATED BY THE APPROPRIATE AGENCY PRIOR TO ANY CONSTRUCTION OR DIGGING ON OR ADJACENT TO THE SUBJECT PROPERTY.
- 5) ALL LOTS IN BLOCK 2 ARE 40 FEET BY 92 FEET PER THE PLAT AND AS MEASURED BY THIS SURVEY EXCEPT AS SHOWN.
- 6) ALL POINTS SHOWN IN THE BLOCK 2 SURVEY OVERVIEW FIT THE PLATTED MEASUREMENTS WITHIN 1/2 FOOT, UNLESS OTHERWISE SHOWN.
- 7) MAJOR IMPROVEMENTS ARE SHOWN FOR CLARITY.
- 8) THE SUBJECT PARCEL CONTAINS 62,869 SQUARE FEET (1.44 ACRES).
- 9) SEE SHEET 2 OF 2 FOR LOT DETAIL.

- Preliminary Plat and Master Utility Plan -
 for ROBERT'S REPLAT - a portion of Block 2
 ROOSE'S ADDITION to Nederland
 Boulder County, Colorado
 SHEET 1 OF 1 - AREA 1.44 ACRES, MORE OR LESS



- Legend**
- Light Pole . . . LP
 - Overhead Utility Lines . . . OL
 - Gas Lines . . . G
 - Water Line . . . W
 - Sanitary Sewer Line . . . SS
 - Proposed Water Line . . . PW
 - Proposed Gas Line . . . PG
 - Proposed Sanitary Line . . . PSS
 - Proposed Electric Connection . . . PE
 - Cuy Wire . . . CW
 - Utility Connection . . . UC
 - Utility Pole . . .
 - Spot Shot Elevation . . . x 86.7
 - Reception Number . . . RN
 - Edge of Asphalt . . . EOA
 - Edge of Gravel . . . EOG
 - Fiber Optic Line . . . Q
 - Manhole . . . MH
 - Underground Electric . . . UE

- Notes**
- 1) NO EASEMENTS ARE SHOWN ON THE PLAT THAT CROSS BLOCK 2.
 - A TITLE COMMITMENT WOULD BE REQUIRED TO CHECK FOR EASEMENTS (IF ANY) OF RECORD.
 - 2) THE SUBJECT PARCEL CONTAINS 62,869 SQUARE FEET (1.44 ACRES).
 - 3) ZONING AND SETBACKS : THE SUBDIVISION IS ZONED "NEIGHBORHOOD - COMMERCIAL".

- Current Setbacks**
- FRONT SETBACK = 25 FEET
 - SIDE SETBACK = 5 FEET
 - REAR SETBACK = 15 FEET
- Proposed Setbacks**
- FRONT SETBACK (LOTS 1 THROUGH 8) = 10 FEET
 - SIDE SETBACK = 5 FEET
 - REAR SETBACK (LOTS 1 THROUGH 8) = 15 FEET
 - NORTH SETBACK (LOT 9) = 5 FEET
 - SOUTH SETBACK (LOT 9) = 10 FEET
 - EAST SETBACK (LOT 9) = 10 FEET

BLOCK 1
 ROOSE'S ADDITION

TOWN OF NEDERLAND
 FILM 823 RN 071219

JEFF GUERCIO
 MEMORIAL
 BALL FIELD

TRACT 1031
 FILM 1536
 RN 928422

CHAIR

- Planning Commission Certificate -
 APPROVED BY THE TOWN OF NEDERLAND PLANNING COMMISSION THIS
 DAY OF _____ A.D., 2012.

- Flagstaff Surveying Inc. -
 Table Mesa Shopping Center
 637 South Broadway, Suite C
 Boulder, Colorado, 80305
 303.449.9737
 16432B-1.dwg - 5 November 2012
 PREPARED BY LEE STADEL
 REGISTERED PROFESSIONAL LAND SURVEYOR
 COLORADO LICENSE NUMBER 26300

