
Clark Store

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| ACTIVITY #: | PL20210026 |
| HEARING DATE(S): | Planning Commission - May 18, 2023 at 6:00 pm Board of County Commissioners - June 06, 2023 at 9:35 am |
| PETITIONER: | ENTELCO CORPORATION |
| PETITION: | Planned Unit Development – Conceptual PUD and Sketch Subdivision for the Clark Store. The store is located on a 63 acre parcel and the owners seek to create a PUD and final plat of the parcel. |
| LEGAL DESCRIPTION: | PARCEL C, NORTH ROUTT PRESCHOOL SUBDIVISION EXEMPTION 63.34AC |
| LOCATION: | 54175 COUNTY ROAD 129, ROUTT, CO 80428 at the intersection of CR 129 and CR 62 |
| ZONE DISTRICT: | Agriculture/Forestry (A/F) |
| AREA: | 63.34 |
| STAFF CONTACT: | Alan Goldich, agoldich@co.routt.co.us |
| ATTACHMENTS: | <ul style="list-style-type: none">• Narrative and supplement• Examples of new food service structures• Referral agency comments• Proposed lot layout |

History:

The store has been in existence since approximately 1971 before the County adopted zoning. In the early 1970s, after the County adopted zoning in 1972, there was a flurry of activity on the site. There were multiple applications and hearings that discussed re-zones, PUDs, and other development ideas. During this time, it was expected that the water and sewer lines from the Steamboat Lake developments would be extended to this area. However, this never occurred.

After this timeframe, things settled down until 1981. In January 1982, a resolution was approved by the Board of County Commissioners re-zoning the land to Outdoor Recreation and approving a Conceptual PUD. This approval was contingent upon a plat for the land being recorded. The plat was never recorded and the approval lapsed.

In the mid-2000s the development of the North Routt Charter School and Pre-school occurred on this parcel. This involved several use permits for the schools and the eventual subdivision of the school lot from the subject lot. This was processed as a Minor Development Subdivision Exemption (MDSE) which could only occur on A/F zoned lots. The MDSE process was a catch all for various types of subdivisions and was the precursor to the LPS and Division of Land for Public Purposes process.

Site Description:

The site is located on the west side of County Road (CR) 129 in Clark. CR 62 cuts through the south central portion of the site in an east/west orientation with 18.59 acres on the south side of CR 62 and 43.51 acres to the north. The portion to the south of CR 62 contains the Clark Store, parking area, and other associated facilities. To the south of the store, on the same parcel, is a stone and log residence (Stone House) that has two units and totals 1,920 square feet. Further south is a barn (Barn) that contains four apartments and totals 1,647 square feet. The units occupy the entire structure. The Assessor inventories these structures as being constructed in 1932. It is the Planning Department's assumption that the Stone House has been used as a residence since that time. It is unclear when the Barn began to be used as residences. The applicant stated that the Barn has been used as residences since at least the mid 1980s.

There is a waterbody that flows to the south of the Barn. Mature cottonwoods line this waterbody. In the far northwestern portion of the site, the Elk River flows on the property. The balance of the property is a hay field.

There are two signs on the property. One is in the southern portion of the parcel. It measures 10'x8'. A second sign is located at the intersection of CR 129 and CR 62. This sign measures 3.5'x7.5'.

The closest residence to the store, other than those on-site, is approximately 560' to the east, across CR 129. There are several other residences within approximately 1,000' of the store.

Project Description:

Subdivision

The applicant has requested to subdivide a 5-acre lot off of the existing 63.34-acre parcel to contain the store, associated outdoor improvements, and the residential units. This parcel would then be re-zoned to PUD. The proposal would result in two lots. One being 5 acres (Lot 1) and zoned PUD. The other would be 57.05 acres (Lot 2) and would encompass land on both the north and south sides of CR 62. The zoning of Lot 2 would remain A/F. The remaining 1.29 acres is currently taken up by the CR 62 right of way. This acreage will be dedicated to the County.

PUD

The applicant would also like to put a PUD in place so that improvements can be made to the Clark Store and the existing residential units.

Clark Store

The store currently houses a retail convenience store, liquor store, post office, library, deli, ice cream store, and coffee shop. They would like to add the following:

- Outdoor public gathering space in between the store and the residential units to the south – see site plan for layout and details
- Outdoor food and beverage service which includes:
 - Three new structures – either converted shipping containers or custom built structures
 - 120 sq ft storage shed
 - 120-160 sq ft beer/wine structure. A converted, permanent Airstream trailer has been proposed as an option
 - 160 sq ft food prep/BBQ/grill structure
 - Hours: 3pm – 9pm
 - 3-4 additional employees

- Parking is provided by the current parking lot. An overflow parking area is identified on the north side of the store.

Housing

There are six existing dwelling units on the property in two different structures. These units have been used to house employees of the Clark Store and other properties owned by the applicant and are proposed to continue as such. This PUD will codify these structures and uses. If this application is approved, the applicant would then be able to improve these structures or tear them down and rebuild them. The applicant is requesting to increase the size of the Barn with four units to up to 3,000 total square feet and to enlarge the Stone House with two units to up to 2,100 total square feet.

Water

Currently the store and the dwelling units are served by the Bush Spring, which is decreed for .0111 cubic feet per second (five gallons a minute) for domestic purposes. The applicant stated that they would apply for a second water right to enlarge the spring. This right would be a junior right and subject to administration. Therefore, the applicant plans to apply for an augmentation contract through the Upper Yampa Water Conservancy District. The augmentation contract must include any depletions that occur from a future well placed on the 57.05-acre parcel (Lot 2) as well. Please see the applicant's narrative for additional details on the water source and additional details.

Staff Comments:

- The Master Plan identifies Tier 3 Growth Areas, of which Clark is a part of. Tier 3 Growth Areas are defined as unincorporated communities that exist throughout the County that have historically established development, infrastructure and may accommodate future growth opportunities. Proposals are considered on a case-by-case basis and evaluated to determine if they meet the requirements of adopted plans in the County and if adequate infrastructure is available to accommodate the development.

Acceptable, small-scale developments may arise in Tier 3 areas based on a response to market conditions, housing demand and workforce housing needs in the County and should support the local residents' needs.

- Referral comments
 - Environmental Health – Applicant is required to submit plan review materials for expansion of retail food operation. Additionally, information relative to onsite wastewater treatment systems, previously permitted under EH permits #94-16, #85-29, and #71-05, needs to be provided.
 - North Routt Fire - Any open wood burning appliances will require inspection and permitting by NRFPD. The Dry Hydrant located 200' south is in disrepair and should be repaired or removed and a viable water source be identified/coordinated with NRFPD and the land owners.
 - Division of Water Resources (Division) – It is the Division's opinion that the expansion of the Bush Spring and a future well on Lot 2 will cause a material injury to decreed water rights and that a court approved water augmentation plan or a contract to operate under the Upper Yampa Water Conservancy District's (Upper Yampa) umbrella augmentation plan must be in place. The Division has requested that prior to final approval an approved water augmentation plan or contract to operate under the Upper Yampa Water Conservancy District's umbrella augmentation plan be submitted.

The Division noted that information detailing the physical adequacy of the water supply was not submitted. They suggested that we require that this information be submitted at the next stage of review.

- Colorado Parks and Wildlife – Animal proof trash containers should be used.

Staff Recommendation

Staff recommends that the application be **RECOMMENDED FOR APPROVAL** to the Board of County Commissioners.

*****Issues for Discussion*****

1. Do you have any concerns with the architectural style of the structures that are proposed?

Compliance with the Routt County Master Plan, Sub Area Plans and Zoning Regulations

The Routt County Master Plan (Master Plan), Sub Area Plans, and Zoning Regulations contain dozens of land use policies and regulations that are intended to reinforce the guiding principles of the Master Plan. This report categorizes subject matter content that is important to consider when reviewing. The categories include:

1. Public Health, Safety and Nuisances
2. Regulations and Standards
3. PUD Regulations and Standards
4. Zoning Amendment Standards
5. Community Character and Visual Impacts
6. Roads, Transportation and Site Design
7. Natural Environment
8. Mitigation Techniques

Within each category are applicable policies and regulations. Specific Zoning Regulations sections include:

- **Section 5** of the Zoning Regulations are designed to limit or eliminate conditions that could negatively impact the environment and/or use of surrounding properties and shall apply in all Zone Districts and to all land uses unless otherwise noted.
- **Section 6** of the Zoning Regulations contains mitigation techniques and applies to all Minor, Administrative, Conditional or Special Uses allowed by permit only, PUD plans, Site plans, and Subdivisions.
- **Section 7** of the Zoning Regulations applies to all PUDs.

- **Section 3** of the Subdivision Regulations are in place to ensure that a subdivision application is designed in a manner to best serve the public.
- **Section 4** of the Subdivision Regulations are in place to make sure that all of the required infrastructure is accounted for, designed so as to create efficient and buildable lots and to ensure that the required infrastructure is installed.

Interested parties are encouraged to review the Master Plan, Sub Area plans and Zoning Resolution to determine if there are other policies and regulations that may be applicable to the review of this petition.

Planning Staff comments are included in bold at the end of each category and highlight questions and/or comments from the general public, referral agencies, and Planning Staff.

1. Public Health, Safety and Nuisances

Applicable Zoning Regulations

- 5.1.1 Every use shall be operated so that it does not pose a danger to public health, safety or welfare.
- 5.1.2 Every use shall be operated in conformance with all applicable federal, state and local regulations and standards. Failure to comply with any and all applicable federal, state and local regulations and standards may be cause for review and/or revocation of any Land Use Approval granted pursuant to these regulations.
- 6.1.7.C Natural Hazards
- 6.1.7.H Wildland Fire
- 6.1.7.I Noise
- 6.1.7.L Odors
- 6.1.7.M Vibration

Applicable Subdivision Regulations

- 3.1.D Steep land greater than a 30% slope, unstable land, land subject to flooding or to inadequate drainage, or otherwise substandard land shall not be platted for occupancy or any use which might endanger health, life, property or which may aggravate flood or erosion hazards. Land not usable for residential purposes may be set aside for open area uses such as parks, conservation areas, farm land, recreational areas.
- 3.1.M The soil and drainage conditions shall be of a sufficiently stable nature, as shown in a current soils test, as to support development including whatever sewage disposal treatment is utilized.
- 3.1.N The proposed subdivision shall not create fire hazards and shall include wildland fire mitigation measures if necessary.

Applicable Routt County Master Plan Policies

- 10.5 Encourage new construction to be as energy efficient and sustainable as possible.

- 10.7 Implement CAP Waste Sector Strategies and Actions to incorporate policies into the land use framework.
- 11.12 Discourage land uses that increase the potential for wildfires in high risk wildfire hazard areas.
- 11.15 Prohibit all development on slopes of 30% or greater. Development in steep draws or valleys, which tend to channel fire movement, is particularly dangerous and is also strongly discouraged.
- 12.2 Encourage development in Future Growth Areas that incorporates essential services (e.g. grocery, medical care, childcare).

Applicable Upper Elk River Valley Community Plan

- 2.8.4.1 Encourage private sector developers and organizations to consider the need for public facilities and services. Ensure that fire, police, ambulance, emergency management service, and other health, safety and welfare services are adequate to serve existing and proposed growth.

Staff comments: This project does not appear to pose a danger to public health, safety, or welfare. There are no mapped natural hazards and most of the site is mapped as having a low wildfire risk. North Routt Fire provided comments and did not mention wildfire risk. They stated that all fire features shall comply with UL ratings, the new structures will have to meet appropriate fire codes, and the dry fire hydrant located south of the site will need to be repaired and a viable water source provided. Some noise from customers and odors from cooking food can be expected, but since the immediately surrounding area is not developed, impacts from these activities are not expected to be significant. Also, no complaints about the existing operation have been received by the Planning Department.

There are no development constraints on Lot 1 (the PUD parcel), so “no build” zones will not have to be identified on the plat for Lot 1. A new septic system is proposed for the project and will have to meet all County and State requirements. The existing development shows that the soils can handle the proposed expansion.

Energy efficiency in new construction is dictated by the Building Code. The Building Dpt is currently working on adopting the next version of the Building Code and energy efficiency in new structures is an important part in that update. Currently the Zoning Regulations do not have standards for waste reduction. Staff will be working to incorporate these into the Zoning Regulations and they will have to be complied with if they are in place prior to the next submission for this project. Staff believes that all services necessary to serve this project are in place.

***Is the application in compliance with the Policies and Regulation outlined above? Yes or No*

2. Regulations and Standards

Applicable Zoning Regulations

- 5.3 Secondary Dwelling Unit Standards
- 6.1.2 The proposal shall be consistent with applicable Master Plans and sub-area plans.

- 6.1.5 The proposal shall meet or exceed accepted industry standards and Best Management Practices (BMP's).

Applicable Subdivision Regulations

- 3.1.P Proposed subdivisions shall be in substantial conformance with the Routt County Master Plan and all adopted sub-area plans.
- 3.1.Q Proposed subdivisions shall be in substantial conformance with Section 6 of the Routt County Zoning Regulations.

Staff comments: The PUD zone district does not have secondary dwelling unit (SDU) standards. For Lot 1 (the PUD parcel), the number of units allowed is whatever is proposed and approved through the PUD process. The applicant proposes six existing units in two structures. Lot 2 will be subject to the SDU standards. It is staff's opinion that this project is in compliance with the Routt County Master Plan and the Upper Elk River Valley Community Plan.

***Is the application in compliance with the Policies and Regulation outlined above? Yes or No*

3. PUD Regulations and Standards

Applicable Zoning Regulations

- 7.3.A The PUD shall be consistent with the intent and policies of the Master Plan and any applicable sub-area plans.
- 7.3.B The PUD shall comply with all applicable standards and mitigation techniques listed in Sections 5, 6, 8 and 9 of these Regulations
- 7.3.C The design and construction of the PUD shall include adequate, safe and convenient arrangements for pedestrian and vehicular circulation, off-street parking and loading space.
- 7.3.D While there are no fixed setbacks and lot widths required for a PUD, the Planning Commission may require such setbacks, lot widths, and space between buildings as necessary to provide adequate access and fire protection, to ensure proper ventilation, light, air and snow melt between buildings, proper locations from utility lines, and to ensure that the PUD is compatible with other development in the area.
- 7.3.E Open space for the PUD shall be planned to produce maximum usefulness to the residents of the development for the purposes of recreation, scenery, and to produce a feeling of openness. All areas designated as open space pursuant to the requirements of this section shall be provided with access from a public road, street, or right-of-way.
- 7.3.F Open space: A minimum of 25% of the total PUD area shall be devoted to open air recreation or other usable open space, public or quasi-public. Public sites as required as part of a Subdivision may be included in the required 25%. Unusable open space shall not be included in the required 25%. It shall be the option of the Board of County Commissioners to require any of the "useable open space" of a Planned Unit Development to be dedicated to a public agency or homeowners association.

- 7.3.G The developer shall provide within the PUD central water and sewer facilities as may be required by the Planning Commission, the Colorado Department of Public Health and Environment, and the local health authorities.
- 7.3.H Clustered housing shall be encouraged to promote maximum open space and economy of development and variety in type, design, and layout of buildings.
- 7.3.I Residential density shall be limited as required by the Planning Commission and the County Commissioners upon consideration of the Master Plan and individual characteristics of the subject land.
- 7.3.J The density of uses other than residential shall be limited as required by the Planning Commission and the County Commissioners upon consideration of the Master Plan and individual characteristics of the subject land and the adjoining properties.
- 7.3.K Mixed Uses: The PUD shall be designed, in so far as practicable when considering the overall size of the PUD, to provide commercial, recreational and educational amenities conveniently located to its residents in order to alleviate the impacts of increased traffic congestion.
- 7.3.L Architecture: Each structure in the PUD shall be designed in such a manner as to be compatible with other units in the area, yet to avoid uniformity and lack of variety of structural designs among the PUD.
- 7.3.M Maintenance of Open Space: No PUD shall be approved unless the County is satisfied that the landowner has provided for or established an adequate organization for the ownership and maintenance of open space and private roads, drives and parking.
- 7.3.1 Before an approved PUD plan or an amendment thereto is recorded, the land on which it is located shall be zoned PUD or OR. If a Zone Change is required, all the applicable Standards, including, but not limited to Section 8.2 of these Regulations shall apply.

Staff comments: Nothing about the basic layout of the site is changing. The structures, access and parking areas are as they have existed for the past several decades and have been adequate for the existing uses. Including the overflow parking area, there is adequate room onsite for parking. An additional overflow parking area has been identified. A condition restricting parking on CR 129 and 62 is included. No complaints concerning parking have been received. The only new structures being proposed are the food and beverage structures. All of these are proposed to be located in the central portion of the site so the setbacks that currently exist will dictate. The current layout of the site, and the proposed improvements, provides open space that meets the requirements of this section. A new septic system is proposed for the project and will have to meet all County and State requirements. No new residential units are proposed, only upgrades and improvements to the existing ones, or the reconstruction of them. Although mixed uses are proposed for the PUD, standard 7.3.K is meant to reduce the traffic impacts of residential subdivisions. No amount of mixed use on this site will reduce traffic associated with this use. The applicant has provided examples of what the new food service structures will look like. They have also provided architectural examples of what the Stone House or Barn could look like. Staff has suggested that a plat note be included stating that if the Stone House or the Barn are torn down and reconstructed, the architectural style of the replacement structures must match the character of other structures in the vicinity and that the style must be approved by the Planning Director.

*****Is the application in compliance with the Policies and Regulation outlined above? Yes or No***

4. Zoning Amendment Standards

Applicable Zoning Regulations

- 8.2.1 In any petition for zoning amendment, the petitioner shall have the burden of showing that all of the following exist:**
- 8.2.1.A That the proposed zone change is consistent with the goals and policies of the Master Plan and any applicable sub-area plans.
 - 8.2.1.B That the area in question possesses geological, physiological and other environmental conditions compatible with the characteristic of the Zone District requested.
 - 8.2.1.C That the advantages of the Zone District requested substantially outweigh the disadvantages to the County and neighboring land occasioned by the amendment.
 - 8.2.1.D That the applicable provisions of these Regulations have been met
 - 8.2.1.E That in the case of a zone amendment request that would increase allowable residential, commercial, or industrial density, that adequate facilities such as roads, water and sanitation, fire protection, emergency services and public utilities shall be available to serve the areas.
- 8.2.2 In addition, zoning amendments shall be allowed only after the petitioner demonstrates that rezoning is necessary for one or more of the following reasons:**
- 8.2.2.A The existing Zone District is inconsistent with the policies and goals of the applicable Master Plan and any applicable adopted area or community plan; or
 - 8.2.2.B The area for which rezoning is requested has changed or is changing to such a degree that it is in the public interest to encourage a new use or density in the area; or
 - 8.2.2.C The proposed rezoning is necessary in order to provide land for a demonstrated community need; or
 - 8.2.2.D The existing zone classification currently shown on the Official Zoning Map is an error.

Staff comments: The proposed re-zone is consistent with the goals and policies of the Master Plan and Upper Elk River Valley Plan. The use of this property as a store for the past 50 years has created physical and environmental conditions that are compatible with the proposed use. There are many advantages to the proposed zone district. These include allowing an established operation to make changes to their operation that will help them adapt to increasing demand and maintain the housing and commercial services that they currently provide to locals. All applicable regulations can be met and services are in place to adequately serve this expansion. This application complies with 8.2.2.A-C. The Upper Elk River Valley Plan supports local and tourism based operations and the re-zoning will allow the store to expand its operations. Although this use has been in place for 50 years, a re-zone is necessary to accommodate changes in the area and to support the public's interest in the continuation of this use.

*****Is the application in compliance with the Policies and Regulation outlined above? Yes or No***

5. Community Character and Visual Impacts

Applicable Zoning Regulations

- 5.1.4 Outdoor storage of materials which might cause fumes, odors, dust, fire hazard, or health hazards is prohibited unless such storage is within enclosed containers or unless a determination is made that such use will not have a detrimental impact on the environment
- 5.9 Sign Standards
- 5.10 Standards for Structures within mapped Skyline Areas
- 6.1.6 Outdoor Lighting: The proposal shall comply with the Outdoor Lighting Standards in Section 6.3 of these Regulations.
- 6.1.7.G Visual Amenities and Scenic Qualities.
- 6.1.7.K Land Use Compatibility.
- 6.1.7.O Historical Significance.

Applicable Subdivision Regulations

- 3.1.K The proposed subdivision shall not create water, air, noise or visual impacts that cannot be mitigated.
- 3.1.L The proposed subdivision shall include plans for adequate screening from major access roads, including landscaping and other means to preserve privacy and mitigate visual impacts to surrounding areas.

Applicable Routt County Master Plan Policies

- 4.1 Direct new growth and development to Tier 1, Tier 2, and Tier 3 Future Growth Areas, in that order and as defined in the Growth & Land Use Chapter.
- 4.2 Support infill development and redevelopment that is complementary to existing character and consistent with available resources to accommodate evolving community needs within the Future Growth Areas.
- 4.4 Support needed housing, economic and infrastructure development to accommodate growth in Future Growth Areas as defined.
- 4.6 Support efforts to maintain Dark Skies and control light pollution.
- 4.9 Discourage development on ridges that result in sky lining.
- 5.1 The importance of preservation of cultural and historic resources, including archaeological sites, historic structures, natural areas, and agricultural landscapes should be considered in the review of proposed new land uses.
- 5.2 Support adaptive re-use of historic structures.
- 5.3 Encourage new development to incorporate, complement, or reuse historic structures and cultural places or elements.

- 6.4 Small-scale developments should be considered in Tier 3 Small Established Communities like Phippsburg and Milner if they provide community benefits such as low income or workforce housing, or services.
- 6.6 Encourage workforce and affordable housing to be integrated throughout new development rather than concentrated in one location or building.
- 6.19 Allow commercial development in Tier 1 municipalities, allow appropriately scaled commercial development Tier 2 Targeted Growth Areas and, on a case-by-case basis, in Tier 3 Small Established Communities if determined to address a community need.
- 8.1 Evaluate the most appropriate areas for recreational use.
- 9.3 Discourage development that changes the rural character or historic agricultural uses and/or practices.
- 9.7 Protect prime agricultural areas from the impacts of developments and commercial recreation.
- 9.10 Encourage private landowners to maintain agricultural properties.
- 9.16 Protect unique view corridors with high aesthetic value, including the south valley floor and the Hwy 40 and CR 129 corridors.

Applicable Upper Elk River Valley Community Plan

- 2.1.4.3 If development occurs, promote the clustering of homesites to maximize the area retained in agricultural uses.
- 2.4.4.1 Rural-type tourist operations such as guest ranches and similar operations are an appropriate and important part of the area's heritage and economy and should be supported. In evaluating proposals consider the following:
 - a) New visitor accommodations should preserve significant amounts of open space and the size of the operation should be proportional to the open space preserved with traffic generation less than the associated LPS development;
 - b) Provide year round access; and
 - c) Create minimal impacts.
- 2.4.4.2 Encourage appropriately scaled commercial development that is of similar size, height and character of existing structures. Ensure new structures are compatible with the rural mountain community with sensitive placement and design.
- 2.4.4.4 Expansion of existing businesses is supported as owners determine a need, so long as such expansion is visually compatible with the rural mountain community. Size, shape and form, massing and height, materials and scale should be compatible to what is built today.
- 2.4.4.9 Encourage development of employee housing opportunities both on and off site.
- 2.5.3.5 New residential development should not be at densities greater than allowed under state law, existing approvals, or LPS developments.
- 2.5.3.10 Protect the visual quality and rural character of the valley at night by encouraging the use of minimal exterior lighting, that lighting be downcast, and that there be no general floodlighting of buildings.

Staff comments: No outdoor storage is proposed. There are two signs on the property. If approved, the sign on the southern portion of the site will not be on the same parcel as the store. The regulations do not allow for off-site commercial signs. This sign will have to be removed. A condition addressing this is suggested. This area is not in a mapped skyline area. A note on the PUD Plan requiring downcast and opaquely shielded lighting is suggested. The Clark Store has been in existence since 1971. It is an integral part of the North Routt community and staff would argue that it helps shape the cultural and historic narrative of the area. Since it has been around for so long, it has shown that is compatible with surrounding area. Staff has not been able to identify any significant impacts that warrant mitigation.

The Clark area is identified as a Tier 3 Future Growth Area in the 2022 Master Plan. As such, this type of development has been deemed appropriate in this area. No new housing is proposed but a goal of the project is to be able to upgrade and improve those units that currently exist to support local residents' needs. This use provides a community benefit by providing a local general store and by providing a gathering place for the community.

Based on the proposed layout of the site, the new structures and other proposed improvements will only be visible for a short period of time, when one drives by the store, and will not have a significant impact on visual resources.

***Is the application in compliance with the Policies and Regulation outlined above? Yes or No*

6. Roads, Transportation and Site Design

Applicable Zoning Regulations

- 5.2 Dimensional Standards
- 5.4 Parking Standards
- 5.5 Addressing Standards
- 5.6 Access to Buildable Lot Standards
- 5.7 Right of Way Access Standards: A Right of Way Access Permit is required prior to construction of any new access point onto a County Road or other Local Public Road or Right of Way.
- 6.1.4 Public Road Use Performance Standards: The proposal shall comply with the Public Road Use Performance Standards in Section 6.2 of these Regulations.
- 6.1.7.A Public Roads, Services and Infrastructure
- 6.1.7.B Road Capacity, traffic, and traffic safety
- 6.1.7.N Snow Storage

Applicable Subdivision Regulations

3.1 General Design Standards

- 3.1.A The subdivision layout shall result in the creation of lots that are capable of being built upon.
- 3.1.C The roads and trails within the proposed subdivision shall provide for existing and future connectivity to surrounding lands.

- 3.1.G The subdivision layout shall be designed to preserve natural topography and existing vegetation to the greatest extent possible while still meeting all the technical requirements of these Regulations (street width, street grade, access etc.). Overlot grading shall not be allowed.
- 3.1.H The proposed subdivision shall not create undue traffic congestion or traffic hazards.
- 3.2 Roads, Streets, and Alleys – General Standards
 - 3.2.1 Streets and Roads
- 3.5 Open Spaces and Public Sites
 - 3.5.2 Park Lands
 - 3.5.3 School Sites

Applicable Routt County Master Plan Policies

- 4.3 Promote development patterns that correspond with the natural topography and encourage the arrangement of uses and density patterns to support walkable and bikeable communities and neighborhoods.
- 7.6 Require that new development proposals include provisions to create and improve links to trail systems both as an alternative to the automobile and for recreational use.
- 7.7 Encourage a pedestrian/bike system which connects retail areas, public facilities, recreational areas and neighborhoods that minimizes auto-truck-rail conflicts.
- 7.14 Encourage the separation of transportation modes as much as possible on County roads and state highways through the use of parallel trails or wide shoulders.
- 7.15 Ensure that future development occurs where roads can accommodate projected traffic volumes and patterns.
- 8.4 Commercial recreational businesses should be located on primary roads in the County, when possible. Discourage commercial recreational development that creates traffic on Secondary A and Secondary B County roads.
- 8.9 Provide for open space within all new developments in order to protect and enhance the environment and the quality of life.
- 8.10 Ensure that usable open space is required for developments that provides active and passive recreational environments.
- 9.4 Preserve open space.

Applicable Upper Elk River Valley Community Plan

- 2.7.4.5 Develop a trail system for alternative transportation modes (e.g. bicycle, pedestrian, equestrian, snowmobile) in the Upper Elk River Valley. Consider trails that link recreational concentrations in parks and a trail along RCR 129.
- 2.7.4.8 Connect appropriate trails to create an integrated system.
- 2.8.4.2 Promote the concept of the “Cluster” development to help decrease the need for public facilities and services; to decrease the need to extend and pay for public services, and; to maximize the area retained in rural land uses or open space.

Staff comments: There are no set dimensional standards in the PUD zone district. These are determined through the review process. Lot 2 will remain zoned A/F, and it meets the dimensional standards. There is adequate room on Lot 1 for onsite parking. An additional overflow parking area has been identified. The store and the other structures already have addresses. When a building permit is applied for on Lot 2, an address will be assigned at that point. The store has two access, one off of CR 129 and another off of CR 62. Road and Bridge did not have any concerns with the application. Their only comments were that any and all permits be obtained and that there be no parking allowed on the County Roads. There appears to be adequate room for snow storage.

The application would create lots that are capable of being built upon. There are no trails in the area that can be connected to. Open space is being provided for through the PUD standards. The dedication of school and park lands is intended to offset the impacts to these services from additional residential development. Since this subdivision does not create additional residential density, this requirement is not applicable.

***Is the application in compliance with the Policies and Regulation outlined above? Yes or No*

7. Natural Environment

Applicable Zoning Regulations

- 5.11 Waterbody Setback Standards
- 6.1.7.D Wildlife and Wildlife Habitat.
- 6.1.7.E Water Quality and Quantity.
- 6.1.7.F Air Quality.
- 6.1.7.J Wetlands.
- 6.1.7.P Reclamation and Restoration.
- 6.1.7.Q Noxious Weeds.

Applicable Subdivision Regulations

- 3.1.E Any land subject to flooding or in a natural drainage channel shall not be platted for occupancy. The areas subject to flooding should be left as open space or reserved as conservation easement areas.
- 3.1.F Provisions shall be made to preserve as open space any natural features of the site that would enhance the subdivision, i.e. unusual rock formations, lakes, rivers, streams, trees, or attractive relief features.
- 3.1.J An adequate water supply shall be available for the proposed subdivision.
- 3.2.2.D Where a subdivision is traversed by a water course, stream or drainage way, there shall be provided a storm water easement or drainage right-of-way conforming substantially with the lines of such water course, and such further width or construction or both that will be adequate for drainage purposes. Parallel streets, parkways, walkways, culverts, bridges or storm sewers may be required in connection with such drainage easement. In addition, storm sewers that meet water pollution prevention

standards shall be installed wherever necessary based on engineering surveys although separate easements for storm sewers may not be required. Open space areas should include any major streams or water courses on the property. Such easements may be provided as dedicated public lands or held by quasi-public organizations such as a homeowners association.

- 3.3.E Sufficient area for leach fields where individual sewage disposal systems are proposed in conformance with the Routt County Department of Environmental Health regulations; and
- 3.3.F Suitable location for wells where individual septic systems are proposed in conformance with the Routt County ISDS Regulations.

Applicable Routt County Master Plan Policies

- 4.5 Apply best practices and data to inform decisions impacting sensitive ecological and wildlife areas throughout the County.
- 11.3 Protect wildlife species and their habitats.
- 11.4 Include wildlife habitat and species information in land use and site plan decision making.
- 11.5 Encourage land use practices that will minimize conflicts between wildlife and human uses.
- 11.6 Consider impacts on wildlife before approving new recreational uses, residential developments, and other developments and permits.
- 11.7 Minimize the cumulative impacts of development on wildlife and wildlife habitat.

Applicable Upper Elk River Valley Community Plan

- 2.3.4.4 Strongly encourage building and development outside of riparian areas, critical wildlife habitat and wildlife movement corridors within the planning area. If this is not possible, encourage mitigation of impacts to wildlife with appropriate lighting, fencing and pet control provisions.

Staff comments: There are no waterbodies or wetlands near where any work is proposed. CPW stated that they do not anticipate any major wildlife impacts from this proposal. They did state that they recommend using Interagency Grizzly Bear Committee (IGBC) certified refuse containers. A condition of approval addressing this is suggested. No impacts to air quality are anticipated. The northwest portion of Lot 2 is mapped as a floodplain by FEMA. This area is off limits to development and must be identified on the Final Plat as a no-build zone.

The applicant has stated that they will apply for a contract with Upper Yampa to offset the depletions caused by the additional/existing uses proposed on the site.

****Is the application in compliance with the Policies and Regulation outlined above? Yes or No**

8. Mitigation Techniques

Applicable Zoning Regulations

Mitigation Techniques to Reduce Noise Impacts:

6.10.A Limit hours of operation

Mitigation Techniques to Reduce Impacts to Residential and Recreational Uses:

6.13.C Practice continued mitigation of noise, dust, and other environmental impacts.

Staff comments: No complaints about the existing operation have been received by the Planning Department. Expanding to include additional outdoor gathering places could have a negative impact on surrounding uses and landowners. However, because of the limited number of residences and the general layout of the surrounding area, no significant impacts are anticipated.

***Is the application in compliance with the Policies and Regulations outlined above? Yes or No*

PLANNING COMMISSION / BOARD OF COUNTY OPTIONS:

Approve the Conceptual PUD, Zone Change, and Sketch Subdivision request without conditions if it is determined that the petition will not adversely affect the public health, safety, and welfare and the proposed use is compatible with the immediately adjacent and nearby neighborhood properties and uses and the proposal is in compliance with the Routt County Zoning Regulations and complies with the guidelines of the Routt County Master Plan. The applicable provisions of Sections 5 and 6 have been reviewed and appropriate findings and conditions are included in the approval outlined herein.

Deny the Conceptual PUD, Zone Change, and Sketch Subdivision request if it is determined that the petition will adversely affect the public health, safety, and welfare and/or the proposed use is not compatible with the immediately adjacent and nearby neighborhood properties and uses and/or the proposed use is not in compliance with the Routt County Zoning Regulations and/or the Routt County Master Plan. Make specific findings of fact; cite specific regulations or policies by number from the Routt County Master Plan, and the Routt County Zoning Regulations.

Table the Conceptual PUD, Zone Change, and Sketch Subdivision request if additional information is required to fully evaluate the petition. Give specific direction to the petitioner and staff.

Approve the Conceptual PUD, Zone Change, and Sketch Subdivision request with conditions and/or performance standards if it is determined that certain conditions and/or performance standards are necessary to ensure public, health, safety, and welfare and/or make the use compatible with immediately adjacent and neighborhood properties and uses and/or bring the proposal into compliance with the Routt County Zoning Regulations and Routt County Master Plan.

FINDINGS OF FACT that may be appropriate if the Conceptual PUD and Sketch Subdivision is approved:

1. The proposal with the following conditions meets the applicable guidelines of the Routt County Master Plan and the Upper Elk River Valley Community Plan and is in compliance with the

applicable provisions of Sections 5, 6, 7 and 8 of the Routt County Zoning and the applicable provisions of the Subdivision Regulations.

2. The application is found to be an acceptable development within a Tier III Growth Area, small established community, because the project is a historically established development, on a county road with available land and therefore may accommodate future growth opportunities.
3. In review of the Zoning Amendment standards, it has been determined that the Zoning Amendment standards have been met.
4. Dedication of school and park sites is intended to offset impacts from additional residential development. Since this application does not result in additional residential development, dedication of land for schools and parks is not applicable.

CONDITIONS that may be appropriate may include the following:

Conceptual PUD:

1. The Conceptual PUD approval is valid for 12 months. This Conceptual PUD approval is contingent on submittal of a complete application for a Final PUD within twelve (12) months. Extension of up to one (1) year may be approved administratively.
2. This approval shall become effective upon the recording of the Final PUD plan.
3. Prior to recordation, the applicant shall submit an electronic copy of the approved plat to the County Planning Department in a .DWG format or other format acceptable to the GIS Department.
4. Prior to operation, permittee shall submit to Routt County proof of a Sales Tax Account /License.
5. The Final PUD Plan shall be recorded concurrently with the Final Plat and Zone Change Resolution.
6. Prior to recording the Final PUD Plan, the permittee shall provide evidence of liability insurance in compliance with the County's Insurance and Surety Requirements policy then in effect. The certificate of insurance shall include all permit numbers associated with the activity and Routt County shall be named as an additional insured. Permittee shall notify the Routt County Planning Department of any claims made against the policy.
7. This permit is contingent upon any required permits being obtained and complied with from all involved agencies including, but not limited to the following:
 - a) North Routt Fire Dpt. - open wood burning appliances
 - b) Routt County Environmental Health – expansion of retail food licensingThe operation shall comply with all federal, state and local laws. Copies of permits or letters of approval shall be submitted to the Routt County Planning Department
8. A report on the adequacy of the existing onsite wastewater treatment system (OWTS) to accommodate the proposed and existing uses shall be submitted at the next stage of review.
9. Prior to the recording of the PUD Plan, evidence of a court approved water augmentation plan or a contract to operate under the Upper Yampa Water Conservancy District's umbrella augmentation plan shall be submitted.
10. A report showing the physical adequacy of the water supply shall be submitted at the next stage of review.

11. Planning can sign off on the liquor license request following the submission of a complete application for Final PUD and Preliminary and Final Subdivision.
12. The following shall be shown on the Final PUD Plan and incorporated into the PUD Guide:

Uses include:

- a. Convenience Store and associated uses including but not limited to:
 - i. Convenience store
 - ii. Post office
 - iii. Liquor store
 - iv. Ice cream shop
 - v. Deli
 - b. Indoor and outdoor food service
 - c. Outdoor alcohol service
 - d. Outdoor gathering and dining area
 - e. Parking
 - f. Structures shown on PUD plan
 - g. 40' maximum building height
 - h. Open Space
 - i. Two residential structures which contain:
 - i. 4 individual units with a total square footage of no more than 3,000 sq ft between the four units
 - ii. 2 individual units with a total square footage of no more than 2,100 sq ft between the two units
13. Notes on the Final PUD Plan shall include:
 - a. This PUD allows for the uses and structures detailed on this Final PUD Plan. Accessory structures/uses and minor variations qualifying as technical corrections as detailed in Section 7.4.1 of the Zoning Regulations may be administratively approved by the Planning Director, without public notice prior to the decision.
 - b. Any complaints or concerns which may arise from this operation may be cause for review at, at any time, and amendment or addition of conditions if necessary.
 - c. No junk, trash, or inoperative vehicles shall be stored on the property.
 - d. All exterior lighting shall be downcast and opaquely shielded in accordance with Section 6.3 of the Routt County Zoning Regulations.
 - e. The permittee shall prevent the spread of weeds to surrounding lands, and comply with the most current version of the Colorado Noxious Weed Act and Routt County regulations for noxious weeds No chemical pesticides, herbicides, fertilizers, or hazardous material shall be stored, used, or located on the site.
 - f. Use of IGBC certified bear-resistant canisters shall be used to reduce human-bear conflict.
 - g. Any fencing installed on the property should be wildlife friendly to prevent entanglement and entrapment of wildlife. Recommendations can be found in CPW's Fencing with Wildlife in Mind publication.
 - h. The architecture of any new structures shall be in character with the other structures in the vicinity and shall be approved by the Planning Director prior to Planning signing off on the building permit.
 - i. There shall be no parking on County Roads 129 and 62.

Rezoning

1. The Zone Change Resolution shall be recorded concurrently with the Final PUD Plan and Final Plat if applicable.

Subdivision:

1. This Sketch Subdivision Plan approval is contingent on submittal of a complete application for a Preliminary Subdivision Plan within twelve (12) months. Extension of up to one (1) year may be approved administratively.
2. The Final Plat shall be recorded concurrently with the final PUD Plan and Zone Change Resolution.
3. Prior to recordation, the applicant shall submit an electronic copy of the approved plat to the County Planning Department in a .DWG format or other format acceptable to the GIS Department.
4. All property taxes must be paid prior to the recording of the final documents. A certificate of taxes due shall be submitted showing a \$0 balance prior to recording the final documents.
5. The right of way for County Road 62 shall be appropriately dedicated on the final plat.
6. A 'no build' zone shall be indicated on the plat for Lot 2 to avoid construction of structures and septic fields within the special flood hazard area. The "no build" zones shall be approved by the Planning Director before the plat is recorded.
7. An easement on Lot 2 for the benefit of the septic system that serves the store on Lot 1 shall be shown on the plat. Alternatively, a separate document granting this easement can be recorded. Reference to this document shall be shown on the Final Plat.
8. Prior to recording the Final Plat, the sign on the southern portion of Lot 2 shall be removed.
9. The notes on the plat shall include, but are not limited to the following:
 - a. Routt County is not responsible for maintaining or improving subdivision roads. The roads shown hereon have not been dedicated nor accepted by the County.
 - b. The suitability of these lots for an individual septic disposal system and the availability of permits for individual septic disposal systems have not been established. The issuance of permits for individual septic disposal systems shall be a condition of obtaining a building permit for these lots.
 - c. Existing and new accesses shall meet access standards set forth by the Routt County Road and Bridge Department and Fire Prevention Services.
 - d. The availability of water and permits for wells on the lots or parcels hereon shown has not been established.
 - e. Revegetation of disturbed areas shall occur within one growing season with a seed mix that avoids the use of aggressive grasses. See the Colorado State University Extension Office for appropriate grass mixes.
 - f. Routt County (County) and the North Routt Fire District (District) shall be held harmless from any injury, damage, or claim that may be made against the County or the District by reason of the County's or the District's failure to provide ambulance, fire, rescue or police protection to the property described on this plat, provided that the failure to provide such services is due to inaccessibility of the property by reason of internal roads being

impassable. This conditions shall not relieve the County or the District of their responsibility to make a bona fide effort to provide emergency services should the need arise.

- g. Address signage in conformance with Routt County Road Addressing, Naming, and Signing Policy shall be located at the entrance to the driveway.
- h. A current soils test showing that the soil is of a sufficient stable nature to support development will be required before obtaining a building permit.



Ph: 970-871-6772 · Cell: 970-819-1161 · P.O. Box 775966 · Steamboat Springs, Colorado 80477

February 8, 2023

Routt County Planning
136 6th Street
Steamboat Springs, Colorado

RE: Clark Store at 54715 County Road 129
November 15, 2022 Planning Review Reply
Four Points Job No. 2025-002

Dear Routt County Planning;

Four Points Surveying and Engineering (Four Points) is pleased to provide this updated narrative for the sketch plan application for a planned unit development (PUD) of the Clark Store, also known as Parcel C, North Routt Preschool Subdivision Exemption. Four Points is working with the ownership group of the parcel in proposing a PUD for the site to separate the Clark Store from the portion of the property both north and south of County Road 62. **Four Points has addressed comments from the November 15, 2022 letter from the planning department in this updated narrative.**

As proposed on the submitted plans, a right-of-way will be dedicated to Routt County for RCR 62 of 1.29 acres. Additionally, a south parcel (Lot 1, PUD) will contain an open space area and the Clark Store PUD, for a total of 5.00 acres. The Lot 2 parcel, with segments on both the north and south sides of RCR 62, will contain the remaining parcel area, 57.05 acres.

The Clark Store has served as a community hub of Clark, Colorado for approximately fifty years. The property has included employee housing and rental housing in the barn structure. Aside from offering groceries, deli and grill services, it also houses the Clark Post office. Through the years, the store has become a mainstay for summer travelers on their way to Steamboat Lake State Park, Hahns Peak Lake, Pearl Lake State Park and innumerable forest and wilderness destinations of North Routt County. **Currently the large unpaved parking lot at the Clark Store can accommodate 32 cars and trucks. The stone house and apartments have parking areas that can park 12 vehicles. Summer use of the parking lot at the Clark Store has room for RVs, trailers and other large vehicles. For the last few decades parking has not been issue since larger vehicle tend to stop at the Steamboat Roadhouse or other areas which provide gas. There are trailer with boats that come to the store but they tend to park on the outside of the parking lot. We have added an overflow parking area of 15,000 square feet at the north end of the property which can be graded to provide additional parking if the need arises with the PUD property. The expanded uses may trigger the need for the parking but the owners would like to wait and review impacts prior to undertaking the grading.**

There are two signs for the Clark Store located on the property, one adjacent to County Road 129 (32 square feet) and one on the front of the building which are letters on the front of the building (36 square feet). The property does not have any developed trails for public or private use.

In recent years traffic to North Routt has steadily increased and owners have felt that pressure on the services at the Clark Store.

Therefore, we are taking the first step through this planning application for a PUD to expand the existing business to include a seasonal, outdoor dining program that will help meet the needs of this increasing density of travelers to North Routt County while also reducing pressure on the interior of our store. Most importantly the expansion of services and

food options will maintain a functional balance between the needs of the seasonal guests and those or year-round, local community.

In the summer of 2020, the Clark Store successfully managed to keep the staff, community and customers healthy despite the abrupt and necessary challenge of meeting Covid-19 restrictions. From that experience we also realized that a seasonal outdoor dining program would help us maintain a viable and robust presence to the community that the Clark Store serves.

Therefore, the proposed PUD will permit the expansion of the store operations to include seasonal, outdoor food preparation services along the south and west boundaries of the store.

Expanded services to include:

- Community outdoor space: we are already a hub of the community, and with additional landscaping and added services we think we can provide additional green space for benefit of the community. Whether it is a safe space for school kids to gather while waiting for their parents after school, or a local gathering spot for the local ranchers to have coffee and eggs; we want to expand in a manner that enhances our role to the North Routt community.
- Outdoor food and beverage area that will improve the usable space to the south and west for the Clark Store. We see this as an additive improvement to both customers and the community as they will be able to enjoy the seasonal warmth and sun of the Clark Store, taking in the beautiful sunset views of Sand Mountain.
- Smoked meats and BBQ - prepped and served from a new converted Conex or custom-built shed style structure.
- Clyde's Pies Pizza - Clyde's Pies has been serving wood fired pizzas from the store for three summers now and we'd like to make this a more permanent fixture.
- Outdoor beer and wine service from a converted Conex, custom build shed style, or converted Airstream structure- a tavern application has been submitted and is pending review.
- Hours for the outdoor dining will be approximately 3-9PM
- We anticipate 3-4 extra employees for the program.
- Improving and upgrading the existing apartments on the property.
- Increased area for seating, yard games, and picnicking.

The PUD is proposing to create the building envelope areas around the existing Clark Store, the Stone House building, and the Barn Living Quarters. The creation of the proposed building envelope for the Clark Store will permit the proposed expansion of the existing commercial operation and contain the limits of the expansion. The building envelopes for the existing Stone House and Barn Living Quarters will permit the upgrading or improvements to the two units in the Stone House and four existing apartments in the barn area in the future.

Summary of uses -Existing Uses

The Clark store currently operates as a retail, convenience, liquor store, post office, library, deli, ice cream store, and coffee shop. There are also two buildings used as rental properties with a total of six units on the property.

Proposed Uses:

The goal of PUD is to have the existing uses approved for the parcel. Approval of the PUD will permit the Clark store to continue with all of the uses and upgrade the uses as noted above. The only new buildings are plans to install three Conex containers and/or custom-built shed structures to be used for food and drink services (2 total) and seasonal storage (1 total). The owners would like to fix buildings and upgrade the facilities to provide better service to the community.

The different uses of the property split the required parking into retail store and restaurant/tavern categories. The Clark store has a footprint of 3250 sq. ft., for this analysis we will classify the store as retail, which equates to 11 required spaces. The proposed seasonal outdoor dining will occupy 2,800 sq. based on a restaurant tavern parking of 1 space per 150 sq. ft., the area will require 19 spaces; for a total of 30 spaces. The 30 spaces are close to the maximum the parking lot can accommodate but the expectation is many people at the restaurant areas will also be customers at the store and vice-versa. We have added an overflow parking area of 15,000 square feet at the north end of the property which can be graded to provide additional parking if the need arises with the PUD property. The expanded uses may trigger the need for the parking but the owners would like to wait and review impacts prior to undertaking the grading.

The proposed open space area will be undeveloped and be devoted to open air recreation as permitted by the PUD standards. The area is currently level and used for hay production. Future uses may be an events field for soccer, horse shoes, and other games.

The properties can be served by a spring and pipeline using an existing water right and a new water right enlargement as outlined below, an upgraded onsite wastewater treatment system (e.g., leach fields) will be required for the wastewater treatment if the PUD is approved. The owners have designated an easement area on the adjacent parcel. **The existing dry hydrant will be repaired and replaced and connected to the water system.**

Utilities

- Currently the Clark Store and the Clark Store residential buildings are served by the Bush Spring and Pipeline, Priority #15. There is no well on the site but there is a monitoring well. In addition to the store, there are six dwellings served by the spring. We are providing records from the pump operator, Scott Smith from 2021 - 2022. The records show the average usage to be around 1,000 to 2,000 gallons/day, depending on the season. Mr. Smith says the spring produces a lot of water, including substantial overflow from the overflow pipe into Greenville Creek. The Division of Water Resources notes the spring is adjudicated for 0.011 cfs. **Based on the limited water rights for the property; the owners plan to work with LRE Water and file for new water right on the Bush Spring and Pipeline for Commercial and other uses. The new water right will be junior to the Colorado Water Conservancy Board (CWCBC) instream flow right on the Elk River. As such, at times when the instream flow right is not satisfied (typically late summer, early fall) the junior Bush Spring and Pipeline right would be out-of-priority and must shut off or operate pursuant to a plan for augmentation. To accompany the new water right filing, the owners plan to apply for a contracted under the Upper Yampa Water Conservancy District's Elk River basin wide augmentation plan. The augmentation plan will allow the new junior water right to be able to divert at times when the CWCBC instream flow is not satisfied. The owner and LRE Water will develop a schedule of the monthly demands (diversion supply) and depletions (consumptive use) associated with the new water right. The District would then issue a contract for the amount of water needed to replace depletions plus transit losses from Steamboat Lake to the Clark Store.**
- **Records indicate there may have been a monitoring well on the property but to our knowledge there is not a functioning well for water supply**

Residential Units -

The PUD contains 4 residential units within a single structure known as 'The Barn.' The Barn was originally used as staff housing for the Home Ranch, ca. ~ 1990. The Barn Units were refurbished and updated in 2019 before being leased as rental units.

The Barn itself we believe to have been built ca. 1965. But we're not exactly sure.

We believe the combination of expansion of the community hub for North Routt and the preservation of the existing residential housing units on the site will allow the Clark Store to continue to serve the North Routt Community for the next fifty years.

Please process this application as soon as possible and we look forward to the review and future planning hearings on the project. Please do not hesitate to call or reply with any questions.

Sincerely;

Walter N. Magill, PE-PLS
Four Points Surveying and Engineering

From: [Daniel Stranahan](#)
To: [Alan Goldich](#)
Cc: [Walter Magill](#)
Subject: Re: Clark Store
Date: Wednesday, February 22, 2023 10:14:10 PM

Alan -

The assessor's record is likely showing two distinct buildings: What we call, 1) The Stone House (2 units); and 2) The Barn (4 units). Depending on the date of their records, it is possible that they still show only one kitchen for the Barn. But it was remodeled some time ago to have 4 units with kitchenettes as staff-housing for the Home Ranch. The Stone House has been taken off-line for occupancy for several years and we don't currently have plans to rehab it for residential use. The Barn is trickier, we had renters in there but recently (Fall 2022) gave notice that we will not be renewing leases because we discovered a bat population in the roof. We took the necessary steps to seal off the residential units from bat intrusion, but the long-term solution is really to rebuild from the ground up. They are both pretty old buildings (I don't have exact dates).

Entelco is currently exploring how to move forward with The Barn. We would like to keep the option open for us to rebuild a new 4 unit structure in its place, an option which could provide some long-term affordable housing in Clark. We would like to retain the same option for the Stone House as well, but it's status is less pressing to us than the Barn's. The Routt County Master Plan notwithstanding, there is a clear need for affordable housing in Clark (and North Routt) and keeping these 6 units viable would really help with that. So, our hope is to preserve their viability even if it means rebuilding them.

I think a site visit makes sense and I can be available Tuesday-Friday next week, if you want to give me a window of time I'll just make sure I'm at the Store within it and can meet you there.

Could you also please provide me with a list of what you'd like to see, so I can get keys if necessary?

Daniel Stranahan
206.794.3656- c
steadydaniel@gmail.com
Daniel Stranahan
206.794.3656- c
steadydaniel@gmail.com

On Feb 21, 2023, at 10:30 AM, Alan Goldich <agoldich@co.routt.co.us> wrote:

Good morning. Hope everyone enjoyed the long weekend. I reviewed the additional information that was submitted. A little more clarification needs to be provided. Under the 'Summary of uses – Existing Uses' section, 6 units are mentioned. However under the 'Utilities' section, only 4 are mentioned. The 'Utilities' section needs to be updated to provide the requested information for the other 2 units. Is each one of these 'units' its own independent unit? Looking at the Assessor's property record card,

From: [Daniel Stranahan](#)
To: [Alan Goldich](#)
Cc: [Walter Magill](#); [abbot stranahan](#)
Subject: Re: Clark Store PUD; PL20220026
Date: Tuesday, October 11, 2022 10:19:40 AM

Alan -

Thanks for your correction on the acreage numbers. Walter and I will straighten these out in the narrative and survey.

I can elaborate on your 2nd question:

- There are three proposed structures:
 - a small <120 sq ft open "Ag shed" to provide shelter for Clyde's Pie's pizza trailer
 - a slightly larger beer and wine structure (either a converted Conex, custom-built shed, or converted Airstream)
 - a larger still food prep/BBQ/Grill structure -either a converted Conex or custom-built structure designed to match the Clyde's Pies shed (and the local Ag vernacular).
- Converted Conex: When I began to sketch this out two years ago, the Conex container was e a convenient starting concept for both an outdoor kitchen and beer and wine service for the "expanded services." That's mostly because I had sourced a few different fabricators who could customize these to suit our needs. They are also easily locked down and winterized for out of season storage.
 - While the Conex might also be used as storage for kitchen, beer and wine related needs, they would not be used as outdoor refrigerated storage of perishable foods, beer and/or wine.
 - I would like to explore (ie, pricing and design) custom-built 'shed-style' structures that would serve the same purpose but, might more closely match to the local building vernacular.
- Airstream Bar: there is also the possibility of using a converted Airstream for beer and wine service - the Airstream would *not* be intended as mobile bar, but a stationary fixture that is more fun (and unique) to walk up to than a shed structure or converted Conex container.
- Here are links to these concepts:
 - <https://www.roxboxcontainers.com/gallery/>
 - <https://coloradocaravan.com/for-sale-2/odessa/>
- If custom built, the food prep/BBQ unit would not need to exceed the footprint of a 20x8' Conex
- The aesthetic goal is to create a structured yet also ad-hoc outdoor feel - part camp-vibe, part backyard BBQ, but within a safely enclosed perimeter meeting all of the professional criteria of a commercial kitchen.

Daniel Stranahan
206.794.3656- c
steadydaniel@gmail.com

Alan -

Please see the following images for more specific examples for our proposed food-prep/beer and wine structures at the Clark Store.

- One scenario is that we start with a small easily converted structure, like the horse-trailer or custom shed, and then the develop that into a more built-out concept such as the converted Conex, Grain Silo or Airstream.
- In any of these cases we would utilize a design language which appropriately suits the building vernacular of North Routt County.
- Under no circumstances would a bar converted form a Horse Trailer or Airstream be intended for use as a mobile bar. These are all conceived as situated structures and would be anchored in place by appropriate means (eg, a concrete pad etc).
- Winterization and snow-loads would also be factored into any of these options.
- Because the outdoor dining area would be 3-seasonal we would pursue a design that is easily "shuttered" and locked-down over the winter season

Please let me know if these examples and description convey the necessary degree of detail for the PUD application.

Best,

Daniel Stranahan

206.794.3656- c

steadydaniel@gmail.com









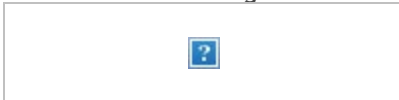
From: [Bond - DNR, Kyle](#)
To: [Alan Goldich](#)
Cc: [Kris Middledorf - DNR](#); [Molly West - DNR](#); [Neumann - DNR, Danielle](#)
Subject: RE: Planning Agency Circulation (PL20210026)
Date: Monday, October 31, 2022 1:19:38 PM

Alan,

Thank you for the opportunity to provide a quick comment regarding the Clark Store PUD. CPW does not anticipate any major wildlife impacts with this project and recognizes its importance for the continued sustainability of necessary facilities in North Routt. CPW would recommend however, implementing the use of Interagency Grizzly Bear Committee (IGBC) certified refuse containers to help prevent and minimize human-bear conflicts. Please feel free to reach out to me with any questions or concerns, thank you.

--

Kyle Bond
District Wildlife Manager - Steamboat North



P 970.870.2197 | C 970.457.0075
925 Weiss Drive, Steamboat Springs, Colorado 80487
kyle.bond@state.co.us | cpw.state.co.us





COLORADO
Division of Water Resources
Department of Natural Resources

March 22, 2023

Alan Goldich
Routt County Planning
via email: Agoldich@co.routt.co.us

Re: Clark Store PUD, PL20210026
Section 28, Township 7 North, Range 85 West
Water Division 6, Water District 58

Dear Mr. Goldich:

We have reviewed the water supply for the above proposal for a PUD that will ultimately result in a subdivision of land, as defined in section 30-28-101(10)(a) C.R.S., of an approximately 64 acre parcel into a 57.05 acre lot, 1.29 acre right-of-way and a 5.00 acre parcel for the Clark Store PUD.

While no information was provided regarding the water supply for the 57.05 acre parcel, within the proposed Clark Store PUD there is the existing store and a barn structure with four existing dwelling units, all of which are to be supplied by a spring. According to the information provided, the spring was decreed as the Bush Spring and Pipeline Priority #5, which was decreed by the court in case no. CA-3538 for 0.0111 cubic feet per second (five gallons per minute) for domestic purposes. The applicant indicated they will apply for a second water right (an enlargement) on the spring. The spring is subject to administration in Colorado's water rights priority system and the applicant has indicated that they are aware the spring is junior in priority and would be subject to curtailment when out-of-priority. As such, they have indicated they intend to apply for a contract to operate the spring under the Upper Yampa Water Conservancy District's umbrella augmentation plan to replace any out-of-priority depletions.

Though the water supply for the Clark PUD is from a surface water right, the applicant should be aware that for subdivisions created after 1972, section 37-92-602(3)(b)(III), requires that the cumulative effect of all wells in a subdivision be considered when evaluating material injury to decreed water rights. Any well or wells that would supply either the 57.05 acre lot or the 5.00 acre PUD lot would be from, or tributary to, the Yampa River. This area of the Yampa River is over-appropriated; therefore, a court decreed plan for augmentation plan would be required to offset depletions caused by the pumping of any wells within the subdivision including any existing wells.

No information was provided concerning the physical adequacy of the water supply. As stated in CRS 30-28-133(3)(d), the subdivider is required to submit "Adequate evidence that a water supply that is sufficient in terms of quality, quantity, and dependability will be available to ensure an adequate supply of water for the type of subdivision proposed." Adequate evidence is usually provided in the form of a water resource report, prepared by a professional engineer or water consultant, which addresses the quality, quantity, and dependability issues. A report of this nature was not provided.

Based on the above, it is our opinion, pursuant to section 30-28-136(1)(h)(I), C.R.S. that the proposed water supply from the spring would cause material injury to decreed water



March 22, 2023

rights if the applicant does not operate the spring under an approved plan for augmentation to replace out of priority depletions. We recommend that prior to final approval of the subdivision, the County requires the applicant to provide a copy of an approved augmentation plan or contract to operate under the Upper Yampa Water Conservancy District's umbrella plan. We also recommend that the county require the applicant to provide evidence of physical adequacy.

If you or the applicant has any questions concerning this matter, please contact me for assistance.

Sincerely,

A handwritten signature in black ink, appearing to read "Megan Sullivan", with a long horizontal flourish extending to the right.

Megan Sullivan, P.E.
Water Resource Engineer

MAS: Clark Store PUD_ CDWR Comments.doc

From: [Light - DNR, Erin](#)
To: [Alan Goldich](#)
Cc: [Sullivan - DNR, Megan](#); [Jeff Deatherage - DNR](#)
Subject: Re: Clark Store
Date: Monday, March 27, 2023 8:48:34 PM

Hello Alan - I have looked through the latest report Four Points Surveying. Based on this report, the sole source of water for the Clark Store and its planned expansions is and will be the Bush Spring and Pipeline. As you are aware, the Bush Spring and Pipeline is decreed for domestic purposes only and does not allow for commercial use. To resolve this issue, the owner's [of the Clark Store] plan to file for a new water right that allows for such uses, and because this will be a junior water right, they also plan to obtain a contract with Upper Yampa Water Conservancy District for "augmentation water". This will allow the use of water under the junior water right to continue when the Elk River goes on call by releasing water out of Steamboat Lake to replace out of priority depletions associated with the spring. This plan is appropriate and it will be important for the owners to follow through with this plan.

Please let me know if you need any more information from us.

Erin Light, P.E.

Division Engineer, Water Division 6



(w) (970) 291-0131

925 Weiss Drive, Steamboat Springs, CO 80487

erin.light@state.co.us | dwr.colorado.gov

On Mon, Mar 20, 2023 at 9:20 AM Alan Goldich <agoldich@co.routt.co.us> wrote:

Good morning. Happy first day of spring. Today is the deadline to have comments in for the Clark Store PUD and subdivision. I know there were some issues with their water source so would really appreciate getting comments from you today or tomorrow. Attached is the additional information that they provided in response to your questions. Please let me know if there is anything I can do to help facilitate getting comments in.

Thanks,

Alan Goldich

Routt County Planning

970-879-2704

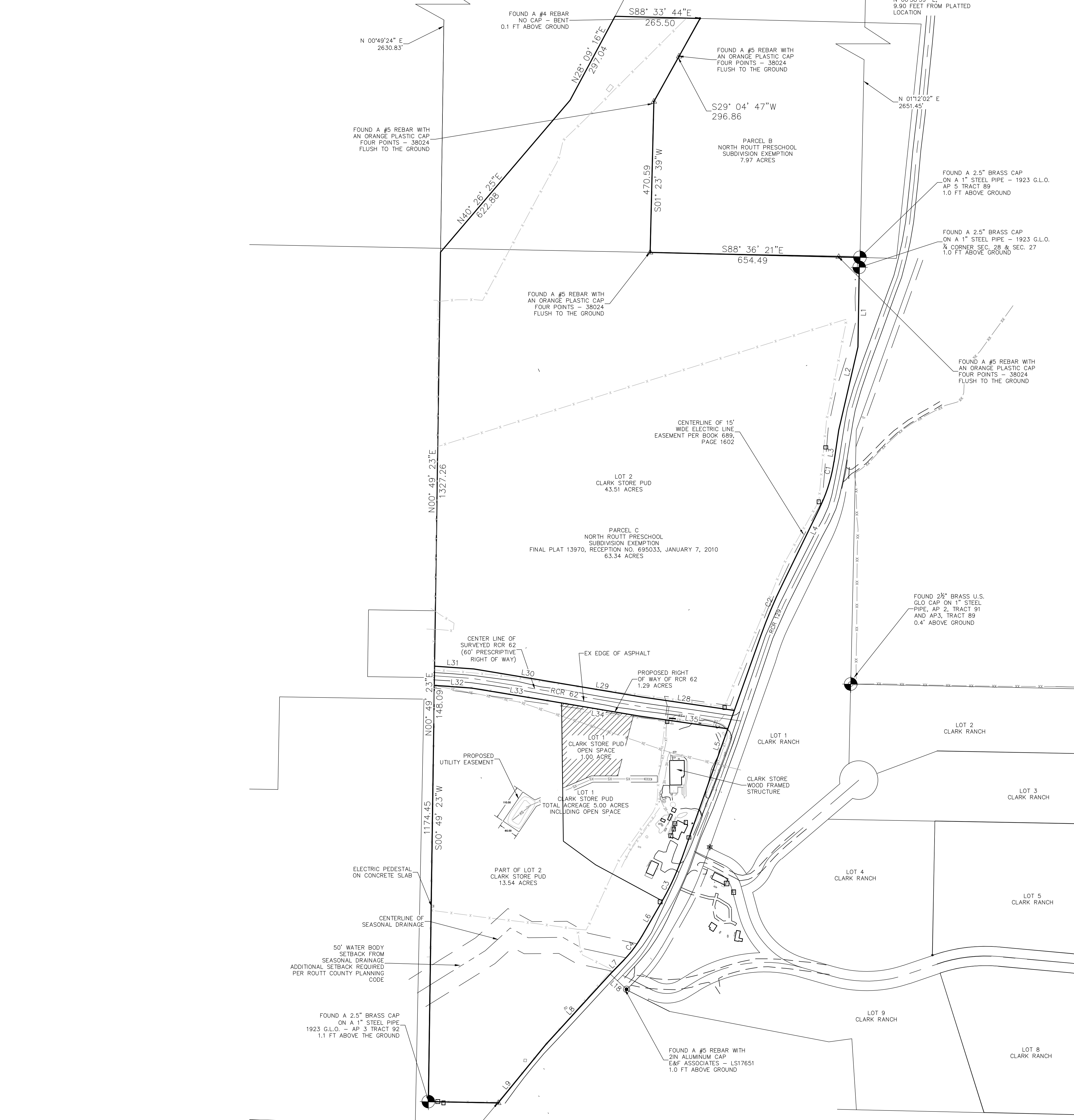
136 6th St., Suite 200

Steamboat Springs, CO 80477

Agoldich@co.routt.co.us



Please consider the environment before printing this email.



- NOTES:
1. AN EXISTING CONDITIONS PLAN OF PARCEL C, NORTH ROUTT PRESCHOOL SUBDIVISION EXEMPTION ACCORDING TO THE PLAT THEREOF AS RECORDED AT CLERK AND RECORDER'S OFFICE, AT RECEPTION NO. 643363, COUNTY OF ROUTT, STATE OF COLORADO.
 2. FIELD SURVEYING COMPLETED JUNE 19, 2020 AND FEBRUARY 2, 2021.
 3. THIS CERTIFICATE DOES NOT CONSTITUTE A TITLE SEARCH BY FOUR POINTS SURVEYING AND ENGINEERING, INC. TO DETERMINE OWNERSHIP OR EASEMENTS OF RECORD. FOR ALL INFORMATION REGARDING EASEMENTS, RIGHTS-OF-WAY, OR TITLE OF RECORD. FOUR POINTS SURVEYING AND ENGINEERING, INC. RELIED UPON THE FINAL PLAT NORTH ROUTT PRESCHOOL.
 4. LEGAL DESCRIPTION PROVIDED BY ROUTT COUNTY ASSESSOR.
 5. LOCATES FOR UTILITIES WERE NOT REQUESTED OR OBTAINED BY FOUR POINTS SURVEYING AND ENGINEERING, INC. IN CONJUNCTION WITH THIS SURVEY. UTILITY LOCATES SHOULD BE OBTAINED PRIOR TO PERFORMING ANY WORK IN THE REFERENCED AREA.
 6. STREET ADDRESS: 54173 COUNTY ROAD 129, STEAMBOAT SPRINGS.
 7. PROPERTY CORNERS FOUND AND USED AS SHOWN HEREON.
 8. THIS PUD APPLICATION IS A SUBDIVISION OF PARCEL C INTO A FIVE ACRE PUD PARCEL WITH ONE ACRE OF OPEN SPACE. THE REMAINDER OF PARCEL C WILL BE SPLIT BY A NEWLY DEDICATED RIGHT OF WAY PARCEL FOR RCR 62 AND IS NOTED AS LOT 2.

| Curve Table | | | | | |
|-------------|--------|---------|-------|-----------------|--------------|
| Curve # | Length | Radius | Delta | Chord Direction | Chord Length |
| C1 | 149.54 | 487.27 | 17.58 | N17° 14' 29"E | 148.95 |
| C2 | 173.22 | 1526.90 | 6.50 | S22° 46' 59"W | 173.13 |
| C3 | 144.08 | 786.22 | 10.50 | N24° 46' 58"E | 143.88 |
| C4 | 92.07 | 372.38 | 14.17 | N37° 06' 58"E | 91.84 |

| Houses Line Table | | |
|-------------------|--------|---------------|
| Line # | Length | Direction |
| L1 | 278.85 | S0° 56' 35"W |
| L2 | 266.86 | S12° 58' 11"W |
| L3 | 100.00 | S8° 26' 59"W |
| L4 | 267.00 | S26° 01' 59"W |
| L5 | 740.00 | S19° 31' 59"W |
| L6 | 127.00 | S30° 01' 59"W |
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| L8 | 297.25 | S42° 23' 33"W |
| L9 | 235.80 | S39° 13' 58"W |
| L18 | 69.77 | N47° 04' 48"W |

| LEGEND | |
|--------|---------------------------------|
| | PROPERTY BOUNDARY |
| | MEASURED PROPERTY BOUNDARY |
| | ADJACENT PROPERTY BOUNDARY |
| | EXISTING EASEMENT |
| | EXISTING EDGE OF ASPHALT |
| | EXISTING 2' CONTOUR |
| | EXISTING 10' CONTOUR |
| | CENTER LINE OF DITCH |
| | EXISTING WATER LINE |
| | EXISTING SEWER LINE |
| | EXISTING UNDERGROUND ELECTRICAL |
| | EXISTING UNDERGROUND TELEPHONE |
| | EXISTING WOOD FENCE |
| | EXISTING CONCRETE PAVING |
| | EXISTING TEMPORARY STRUCTURES |

440 S. Lincoln Ave, Suite 4A
P.O. Box 775966
Steamboat Springs, CO 80487
(970)-871-6772
www.fourpointse.com

PARCEL C, NORTH ROUTT
PRESCHOOL SUBDIVISION EXEMPTION

54173 COUNTY ROAD 129
CLARK, CO 80428

Horizontal Scale

1" = 150'

Contour Interval = 2 ft

DATE: 9-29-2022
JOB #: 2025-002
DRAWN BY: CFB
DESIGN BY:
REVIEW BY:

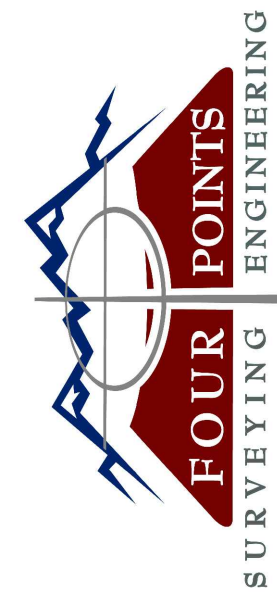
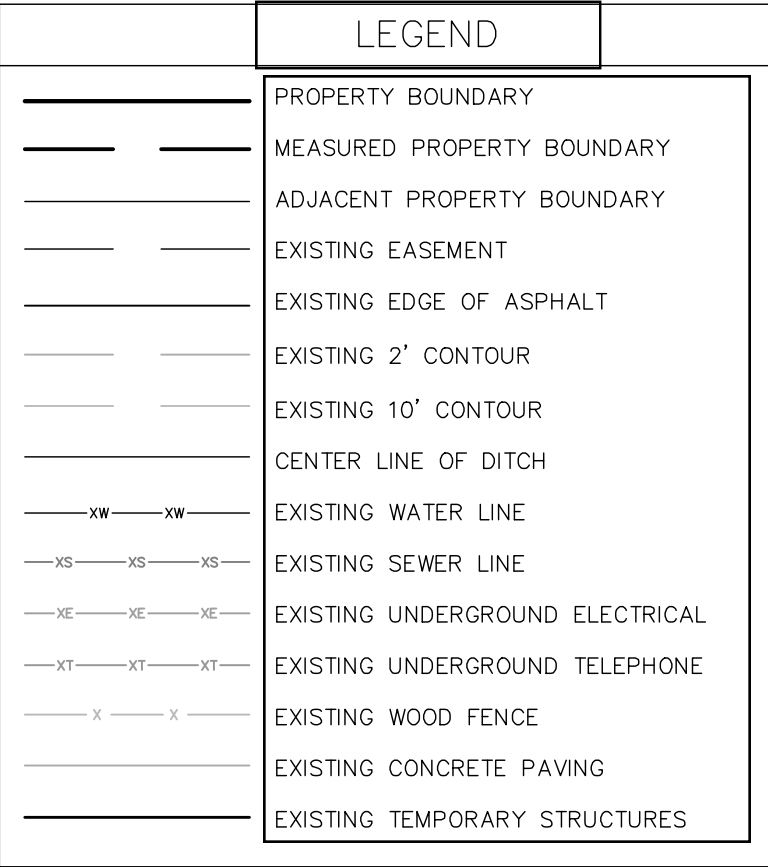
IF THIS DRAWING IS PRESENTED IN A
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GRAPHIC SCALE SHOULD BE UTILIZED.

DRAWING:

CLARK STORE
PUD PLAN

SHEET #

C2



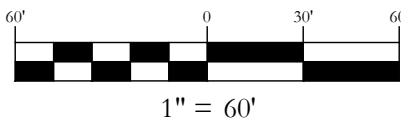
**440 S. Lincoln Ave, Suite 4A
P.O. Box 775966
Steamboat Springs, CO 80487
(970)-871-6772
www.fourpointsse.com**

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PARCEL C, NORTH ROUTT
PRESCHOOL SUBDIVISION EXEMPTION

54173 COUNTY ROAD 129
CLARK, CO 80428

Horizontal Scale



Contour Interval = 2 ft

DATE: 9-29-2022

JOB #: 2025-002

DRAWN BY: CFE

DESIGN BY: _____

REVIEW BY:

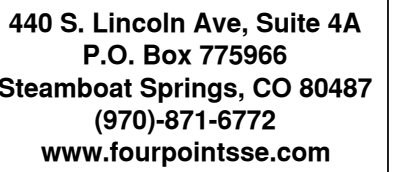
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GRAPHIC SCALE SHOULD BE UTILIZED

DRAWING:

CLARK STORE PUD SOUTHERN HALF

SHEET #

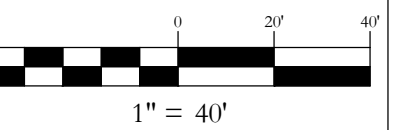
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PARCEL C, NORTH ROUTT
PRESCHOOL SUBDIVISION EXEMPTION

54173 COUNTY ROAD 129
CLARK, CO 80428

Horizontal Scale



Contour Interval = 2 ft

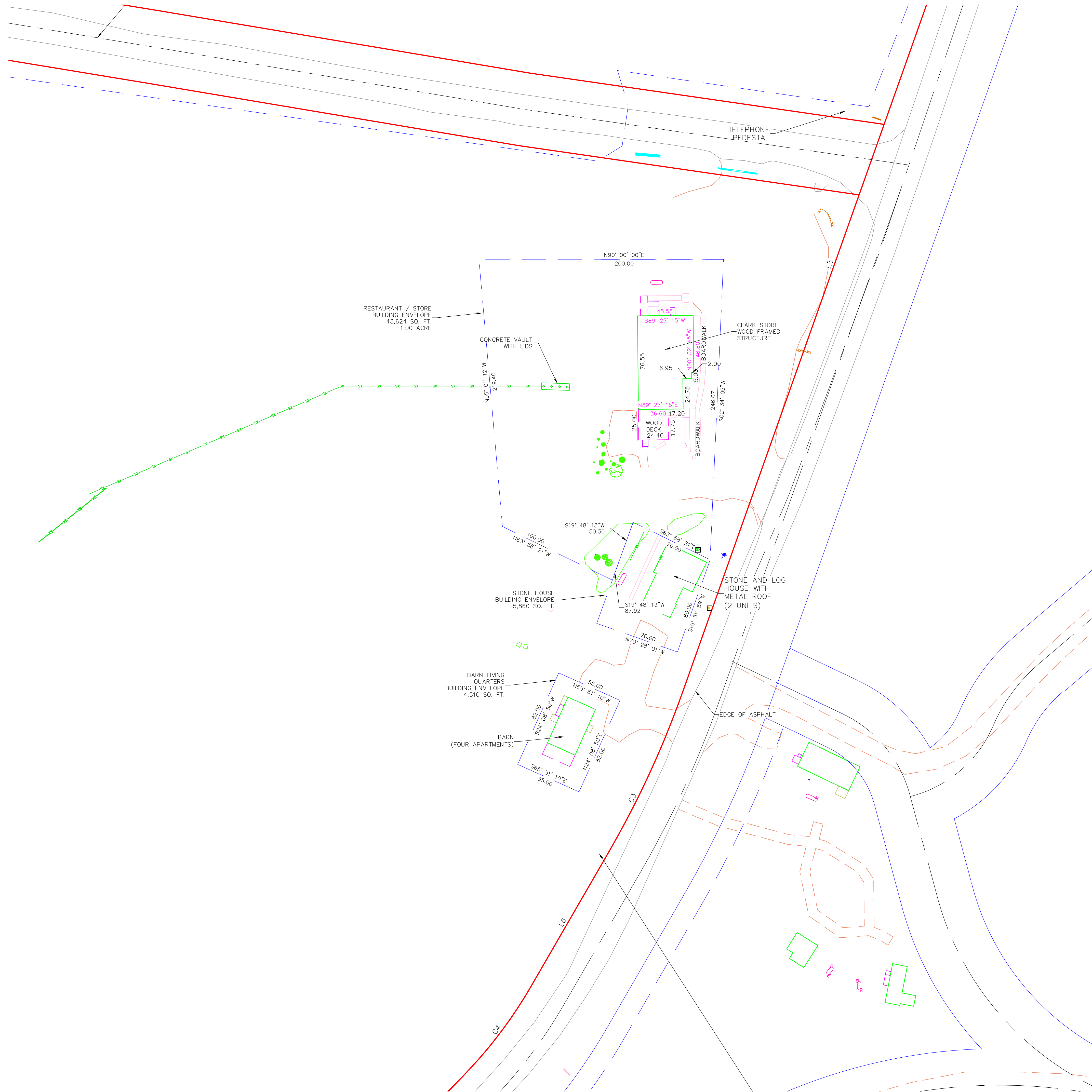
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| DATE: 11-5-2021 |
| DOB #: 2025-002 |
| DRAWN BY: CFB |
| DESIGN BY: |
| REVIEW BY: |
| IF THIS DRAWING IS PRESENTED IN A FORMAT OTHER THAN 24" X 36", THE GRAPHIC SCALE SHOULD BE UTILIZED. |

DRAWING:

PUD DETAILS

SHEET #

C4


















PLANNED UNIT DEVELOPMENT NOTES:

1. THE CLARK STORE PARCEL IS ESTABLISHED BY THE PLANNED UNIT DEVELOPMENT
RECORDED FINAL PLAT AND PUD RECORDED AT RECEPTION NO. _____
2. THE PUD CREATES DEDICATES A RIGHT OF WAY PARCEL FOR ROUTT COUNTY ROAD
#62, A THREE LOT SUBDIVISION AND AN OPEN SPACE PARCEL.
3. THE OPEN SPACE PARCEL IS TO BE OWNED AND MANAGED BY LOT 1, PARCEL C
4. NORTH RURAL PRESCHOOL SUBDIVISION, EXEMPTION PUD.
5. THE EXISTING USES AS OF 2021 ARE PERMITTED BY THE APPROVAL OF THE PUD.
6. THE STORE BUILDING ENVELOPE CONTAINS THE EXISTING CLARK STORE FACILITY.
7. THE CLARK STORE CURRENTLY CONTAINS A COMMERCIAL KITCHEN, TAKEOUT DELI,
8. CONVENIENCE STORE, POST OFFICE, LIQUOR STORE AND BATHROOMS.
9. ALLOWED FUTURE USES WITHIN THE BUILDING ENVELOPE INCLUDE EXPANSION OF
10. ANY OF THE EXISTING USES WITHIN THE PROPOSED BUILDING ENVELOPE.
11. FUTURE USES MAY INCLUDE AN EXPANDED RESTAURANT AND OR BAR WITH LESS
12. THAN 25 SEATS, NEW OUTDOOR KITCHEN AND DINING AREA AND EXPANDED
13. RESTROOMS.
14. ANY EXPANSIONS OR INCREASED USES ARE SUBJECT TO BUILDING PERMIT REVIEW.
15. THE STONE HOUSE BUILDING ENVELOPE CONTAINS TWO EXISTING EMPLOYEE
16. HOUSING UNITS.
17. THE STONE HOUSE BUILDING ENVELOPE REPRESENTS THE MAXIMUM EXPANSION OF
18. ANY BUILDING FOOTPRINT. USES WITHIN STONE HOUSE BUILDING ENVELOPE SHALL
19. NOT EXCEED TWO HOUSING UNITS.
20. THE BARN LIVING QUARTER BUILDING ENVELOPE CONTAINS FOUR EXISTING
21. EMPLOYEE HOUSING UNITS.
22. THE BARN LIVING QUARTER BUILDING ENVELOPE REPRESENTS THE MAXIMUM
23. EXPANSION OF ANY BUILDING FOOTPRINT. USES WITHIN BARN LIVING QUARTER
24. BUILDING ENVELOPE SHALL NOT EXCEED FOUR HOUSING UNITS.
25. TOTAL HOUSING UNITS PERMITTED BY THE PUD IS SIX UNITS.

| Curve Table | | | | | |
|-------------|--------|---------|-------|-----------------|--------------|
| Curve # | Length | Radius | Delta | Chord Direction | Chord Length |
| C1 | 149.54 | 487.27 | 17.58 | N17° 14' 29"E | 148.95 |
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| Houses Line Table | | |
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| L9 | 235.80 | S39° 13' 58"W |
| L18 | 69.77 | N47° 04' 48"W |

| Houses Line Table | | |
|-------------------|--------|-----------|
| Line # | Length | Direction |

| LEGEND | |
|---|---------------------------------|
|  | PROPERTY BOUNDARY |
|  | MEASURED PROPERTY BOUNDARY |
|  | ADJACENT PROPERTY BOUNDARY |
|  | EXISTING EASEMENT |
|  | EXISTING EDGE OF ASPHALT |
|  | EXISTING 2' CONTOUR |
|  | EXISTING 10' CONTOUR |
|  | CENTER LINE OF DITCH |
|  | EXISTING WATER LINE |
|  | EXISTING SEWER LINE |
|  | EXISTING UNDERGROUND ELECTRICAL |
|  | EXISTING UNDERGROUND TELEPHONE |
|  | EXISTING WOOD FENCE |
|  | EXISTING CONCRETE PAVING |
|  | EXISTING TEMPORARY STRUCTURES |

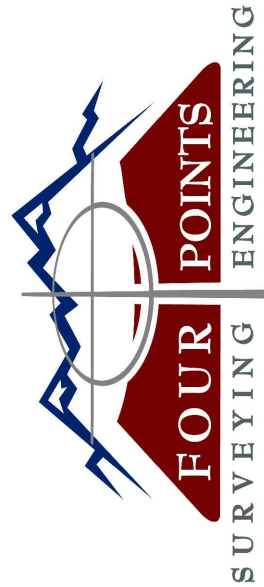


| Curve Table | | | | | |
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| Line # | Length | Direction |

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| | EXISTING WOOD FENCE |
| | EXISTING CONCRETE PAVING |
| | EXISTING TEMPORARY STRUCTURES |

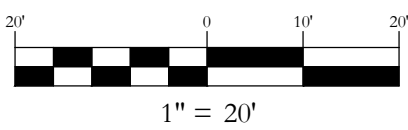


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| INT | | | | | | | | | | |
|-----------|--|--|--|--|--|--|--|--|--|--|
| REVISIONS | | | | | | | | | | |
| DATE | | | | | | | | | | |
| No. | | | | | | | | | | |

PARCEL C, NORTH ROUTT
PRESCHOOL SUBDIVISION EXEMPTION
54173 COUNTY ROAD 129
CLARK, CO 80428

Horizontal Scale



1" = 20'

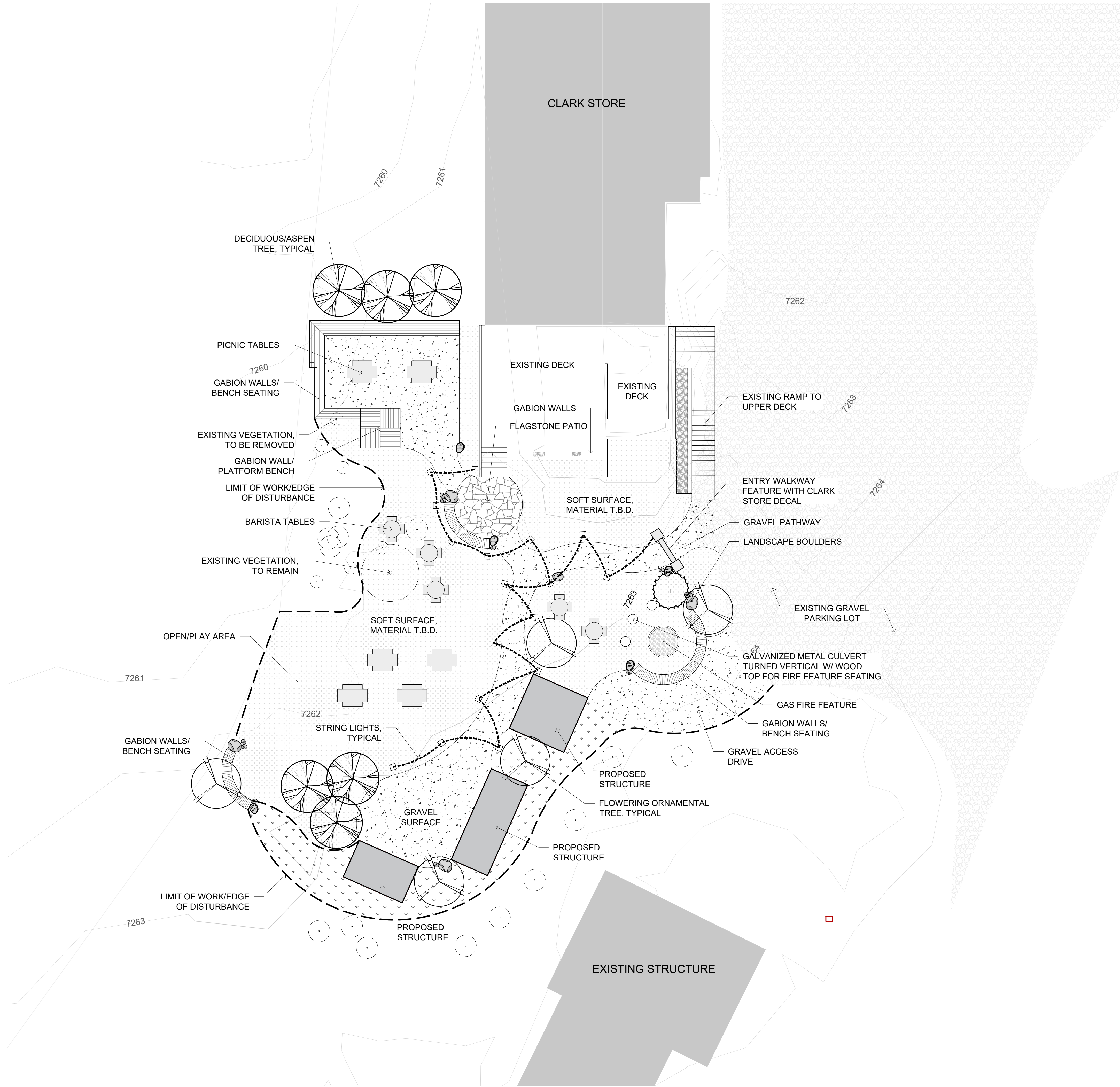
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DATE: 11-11-2021
JOB #: 2025-002
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DESIGN BY:
REVIEW BY:
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FORMAT OTHER THAN 24" X 36", THE
GRAPHIC SCALE SHOULD BE UTILIZED.

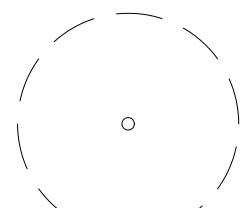
DRAWING:
PUD DETAILS

SHEET #

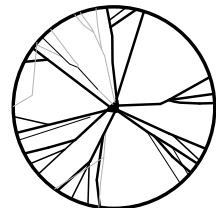
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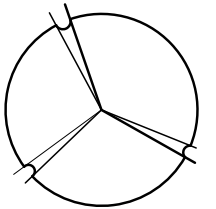
1 LANDSCAPE LEGEND



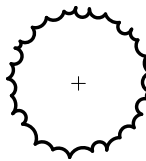
Existing Tree/Plant Material



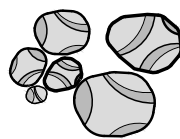
Proposed Deciduous/Aspen Tree



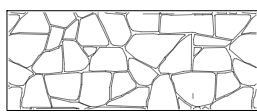
Proposed Ornamental Flowering Tree



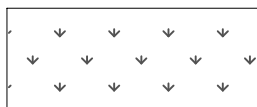
Proposed Evergreen Tree
(6' to 10' Ht.)



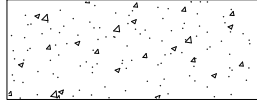
Landscape Boulders



Flagstone Patio



Native Seed



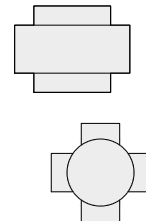
Landscape Gravel (Material T.B.D.)



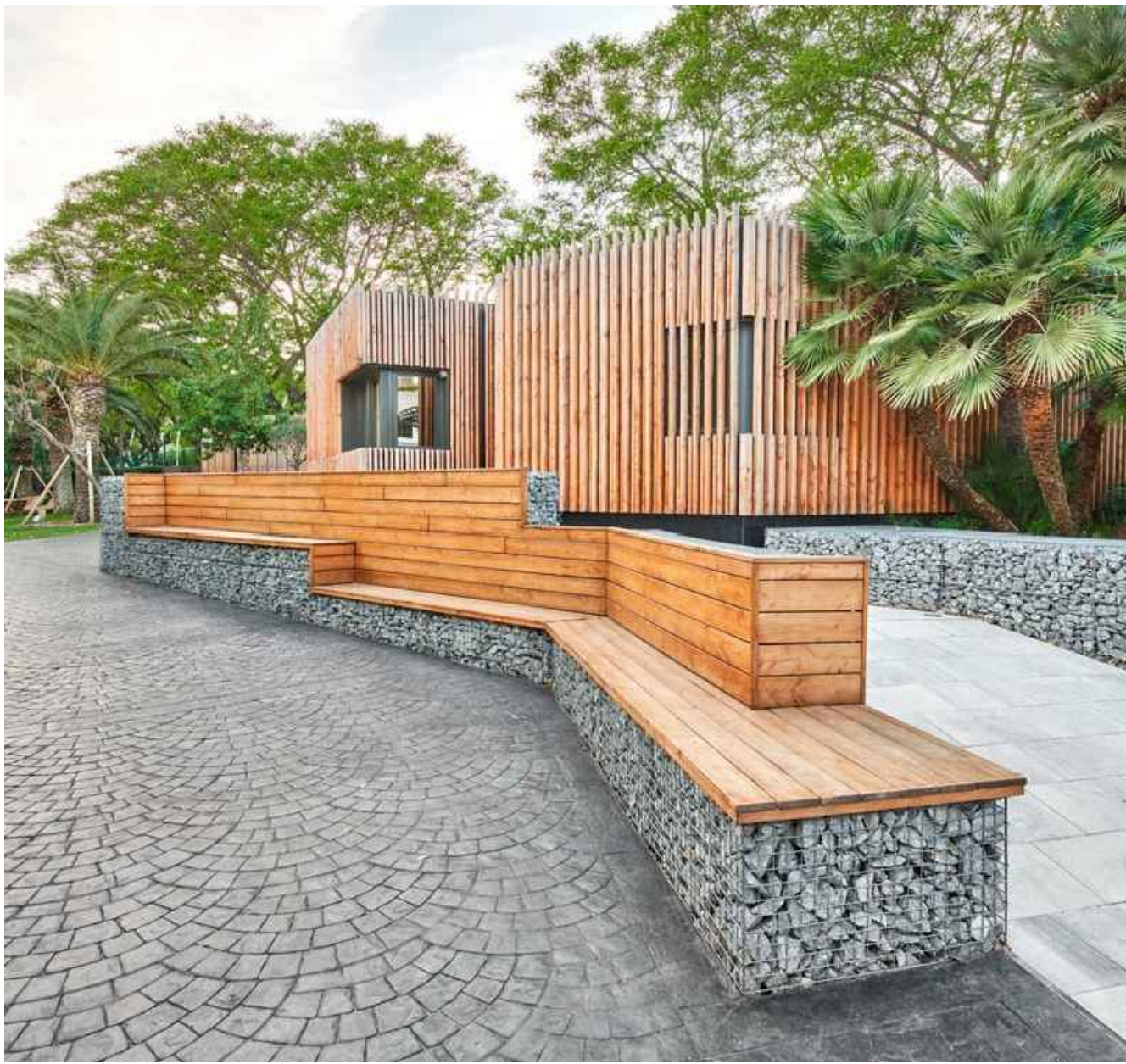
Soft Surface (Material T.B.D.)



String Lighting

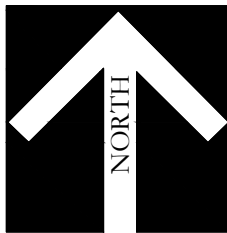
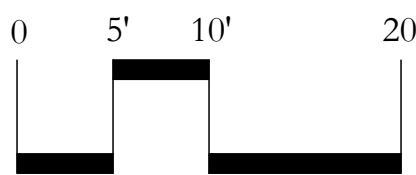


Patio Furniture



Gabion Wall Bench, Sample Image

SCALE: 1" = 10'-0"



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This document, ideas and designs incorporated herein, are an instrument of professional service, is the property of Gecko Landscape & Design, and is not to be used, in whole or in part, for any other project without written authorization of one of the principals of Gecko Landscape & Design.
By submitting these plans, the landscape designer has performed the contracted design services with due diligence and care in accordance with current Colorado law and accepted landscape design practices and ethics.
Any discrepancies discovered by the use of these plans shall be reported immediately to the landscape designer. A failure to immediately notify the landscape designer may release the landscape designer from all liabilities.
Changes made to the plans without the issuance of an addendum, or without the written consent of the landscape designer shall be considered unauthorized. Unauthorized changes to the plans release the landscape designer from all liabilities.

THE CLARK STORE
LANDSCAPE PLAN
54175 RCR 129
CLARK - COLORADO 80428

LANDSCAPE
MASTER
PLAN

NOT FOR
CONSTRUCTION

| | |
|---------------|---------------------|
| SCALE: | 1" = 10' - 0" |
| DATE: | 08/19/2021 |
| REVISION | |
| | |
| FILE NAME: | Clark_Store_Bs1.dwg |
| DRAWN BY: | NP |
| CHECKED BY: | MB |
| SHEET NUMBER: | |

LM 1.0