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4/4/2017

RE: Alice Claim aka Alice Lode Subdivision and Plat Amendment Planning Commission review

Dear Planning Commission:

Please find the letter below that we provided to the City Council on March 8th, 2017 regarding the proposed Alice Claim/Alice Lode project.

At the March 9, 2017 Council meeting, the project was remanded back to the Planning Commission as part of a procedural requirement to have the Commission review the proposed changes to the plan due to a redesigned access into the desired subdivision.

Thus far, a summary of the key actions on this application over the past three years have included the following:

- 1) a recommendation of denial to the Subdivision and CUP by the Planning Commission – with a complete “findings of fact and conclusions of law” to support that denial;
- 2) an edited plan with the same density but lots locations altered remanded back to you after the applicant presented a new plan to City Council at their Council hearing;
- 3) a recommendation of approval of the Subdivision and approval of the retaining wall CUP by the Planning Commission of the edited plan;

- 4) an appeal filed by interested parties on the approval of the CUP for the retaining walls;
- 5) an agreement for an easement across an access into the proposed subdivision, altering the site plan and reducing the retaining walls;
- 6) an agreed upon stay of the appeal of the CUP pending the outcome of the Subdivision Plat;
- 7) the remand of the Subdivision Plat with the new access to the Planning Commission.

As stated in our letter to the Council below, we believe the progress made on the plan by eliminating the unnecessary 5th point of convergence in that very tight canyon is the best solution for this site. However, it continues to be our opinion that the other areas of concern with the plan, some of which were highlighted in the initial 2015 denial, continue to not be addressed. We believe that these issues ranging from wildfire hazard to traffic, and safety to code compliance will need to be addressed in order to comply with City's adopted Subdivision Standards.

As the final undeveloped (some platted, some un-platted) parcels come before you for discussion, they all are required to meet the same standards based on their zoning and the proposal of the developer. Please recognize this review of the Alice parcel as a continued opportunity to use the tools provided to you – that will require replication for all others planning to make proposals in the future. A failure to utilize the standard now does not benefit the community as we face challenges ahead.

Thank you.

Sincerely,

Brooke Hontz
Charlie Wintzer
Tom Gadek
Holger and Ellie Vogel
Carol B Sletta
Kathryn Deckert
Michelle Skally Doilney
James A. Doilney

3/8/2017

RE: Alice Claim aka Alice Lode Subdivision and Plat Amendment

Dear City Council:

We support the proposed action of remanding the Alice Claim Subdivision Plat application to the Planning Commission for their review while staying the CUP for the proposed retaining walls. The progress made by the applicant and their neighbors to eliminate a 5th ingress and egress in that location and reduce the overall impact of the retaining walls is both supported and appreciated. Utilizing the existing driveway located at the top of King Road eliminates two of the major issues with the whole project. We appreciate the significant improvement of this new proposal and easement location.

The purpose of this letter is to preserve our rights to comment on the Subdivision application going forward. Instead of a presentation and public comment at the March 9, 2017 meeting, where you've planned on sending it back to the Commission prior to your review, we'd like to provide the broad issues herein and be prepared to speak when the plan comes back in front of you for decision. Our desire is to allow the Planning Commission to complete their process as a recommending body, then to provide direct comment to you on any remaining issues we may have.

As you may recall, the first time a Planning Commission ever (since the first submittal in 2004) provided a recommendation to you on this Subdivision Plat was in 2015 – and it was a negative recommendation. The applicant chose to present an alternative plan, called the “new gully plan” to City Council instead of the denied plan at their public hearing in front of you, which you immediately remanded back to the Planning Commission.

Although the revised access plan is a huge improvement to traffic and safety concerns at the King/Ridge/Sampson etc. intersection, there continue to be unaddressed issues that mandate attention in order to provide an approval. To be clear, density remains an issue. The creation (which is why a subdivision is required) of 9 new lots where there currently is one parcel is driving the requirements for a subdivision application review – which must meet the City' standards.

In both written letters/presentations and in public testimony we have identified the following thematic issues which still need to addressed:

1. Land Management Code Purpose
2. Subdivision Code
3. Zoning Standards (including but not limited to standards, purpose, vegetation, wildlife)
4. What year/code the application is required to follow, and General Plan (2004-2017)?
5. Density
6. Lot and building pad locations
7. Good Cause
8. Traffic
9. Public Health, Safety and Welfare
10. Slope
11. Vegetation
12. Snow removal and storage
13. Old Town Streets

14. Wild land/Urban Interface Public Safety
15. Restrictions due to the Characteristics of the land
16. Public Services (water and sewer, etc)
17. Adjacent potential development

We will plan on addressing these issues when the application is in front of you again for your decision.

Thank for your continued hard work. We appreciate all that you do.

Best regards,

Brooke Hontz
Charlie Wintzer
Holger and Ellie Vogel
Carol B Sletta
Kathryn Deckert
Michelle Skally Doilney
James A. Doilney