

**REGULAR MEETING OF THE
ARAPAHOE COUNTY PLANNING COMMISSION
TUESDAY, JANUARY 19, 2016 @ 6:30 P.M.**

REGULAR ITEMS

ITEM 1: <i>(Click here to view packet.)</i>	Z15-003, Denver Jewish Senior Living / Preliminary Development Plan (PDP)	
LOCATION:	2451 and 2453 S. Wabash Street; west and adjacent to Denver Jewish Day School	VOTE:
ACREAGE:	2,304 acres	<input type="checkbox"/> IN FAVOR
EXISTING ZONING:	Agricultural-2 (A-2)	<input type="checkbox"/> OPPOSED
PROPOSED USE:	Senior Housing Planned Unit Development (SH-PUD)	<input type="checkbox"/> ABSENT
APPLICANT:	Buccaneer Development, Inc.	<input type="checkbox"/> ABSTAIN
CASE MANAGERS:	Planner, Molly Orkild-Larson; Engineer, Sarah White	
REQUEST:	Assisted Living and Memory Care Facility for residents 55 years and older.	<input type="checkbox"/> CONTINUED TO:
MOTION SUMMARY:		Date: _____
ITEM 2: <i>(Click here to view packet.)</i>	Z15-005, KOA Kampground Strasburg / Conventional Rezone	
LOCATION:	East of the existing KOA Kampground at 1312 Monroe St., Strasburg, CO	VOTE:
ACREAGE:	Approximately 8 Acres	<input type="checkbox"/> IN FAVOR
EXISTING ZONING:	A-E (Agricultural Estate)	<input type="checkbox"/> OPPOSED
PROPOSED USE:	Expansion of existing KOA Kampground	<input type="checkbox"/> ABSENT
APPLICANT:	Scott Jacobson and Marina Seecharan	<input type="checkbox"/> ABSTAIN
CASE MANAGERS:	Planner, Sherman Feher; Engineer, Sue Liu	
REQUEST:	Request to rezone to "O" Open and "F" Floodplain	<input type="checkbox"/> CONTINUED TO:
MOTION SUMMARY:		Date: _____

STUDY SESSION AGENDA ITEMS

ITEM 1: <i>(Click here to view packet.)</i>	Land Development Code Assessment	DIRECTION/ACTION
CASE MANAGER:	Jason Reynolds, Current Planning Program Manager	INFORMATIONAL

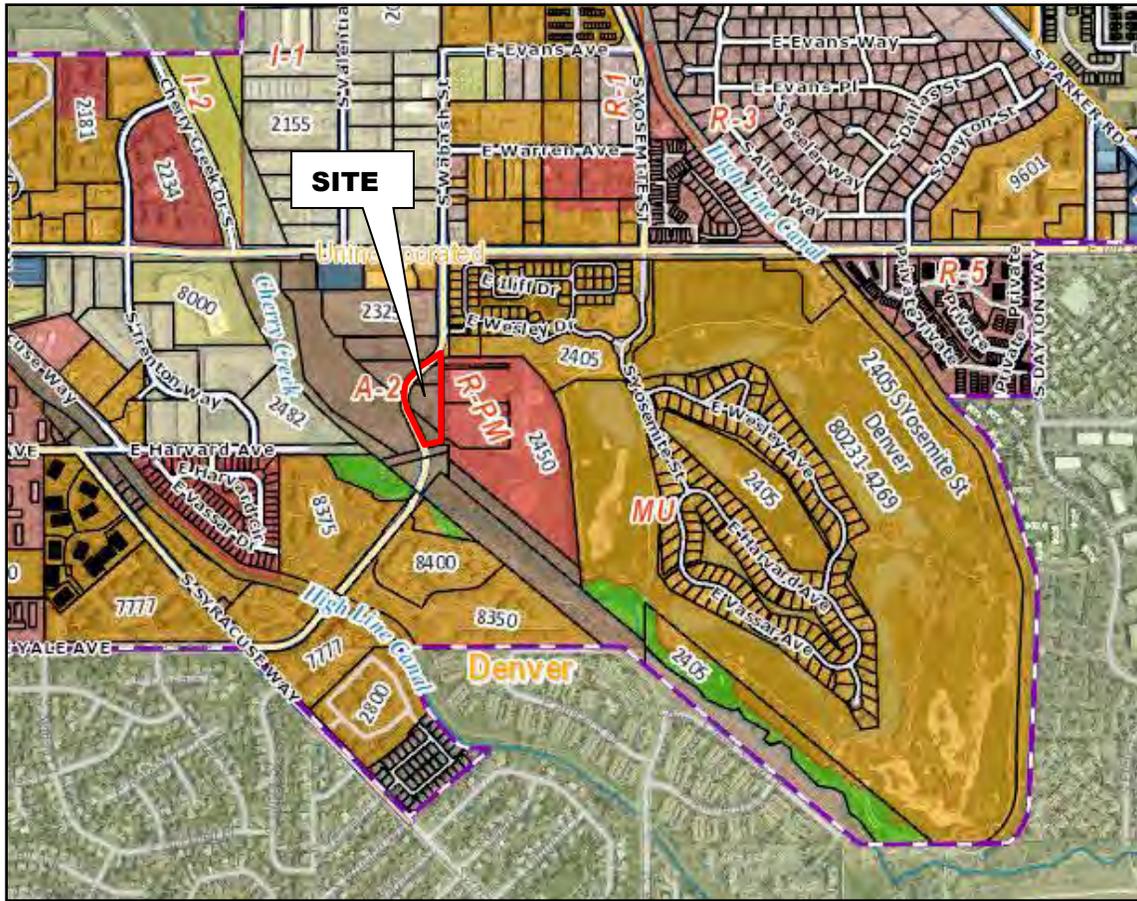
ANNOUNCEMENTS:

- The next regular Planning Commission meeting is scheduled for February 2, 2016.
- Planning Commission agendas, Board of County Commissioner agendas, and other important Arapahoe County information may be viewed online at www.arapahoegov.com or you may contact the Planning Division at 720-874-6650.

PLANNING COMMISSION MEMBERS:

Mark Brummel -	Richard Rader -	Paul Rosenberg, Chair Pro-Tem -
Diane Chaffin -	Jane Rieck -	Richard Sall -
Brian Weiss, Chair -		

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Zoning Map

ADJACENT SUBDIVISIONS, ZONING, AND LAND USES:

North and West: Land to the north and west of the site is owned by the Cherry Creek Valley Water and Sanitation District and used for regional water detention and storage. The zoning is Agricultural-2 (A-2). North of the Denver Jewish Day School is a single family residence and Cherry Creek Country Club subdivision including the club house parking lot and single family homes. These parcels are zoned Mixed Use (MU).

South: Arapahoe County’s Wabash Trailhead and Cherry Creek, zoned Agricultural-2 (A-2).

East: Denver Jewish Day School zoned Residential PUD – Moderate Density (R-PM). The Cherry Creek Country Club subdivision is east and adjacent to the Denver Jewish Day School and is zoned MU.

PROPOSAL:

The applicant, Buccaneer Development, Inc., on behalf of the property owner, Denver Jewish Day School, is seeking approval of Case No. Z15-003, Denver Jewish Senior Living PDP.

The PDP proposes to rezone 2.304 acres from Agricultural-2 (A-2) to Senior Housing - Planned Unit Development (SH-PUD).

The application is for a three-story 102 unit (108 beds) assisted living and memory care residential facility for individuals 55 years of age and older. Both the assisted living and memory care are to have a safe and secure 24-hour living environment. The assisted living will provide its residents with support and access to personal care services (without medical care), three meals per day, bathing, medication reminders, dressing, housekeeping, maintenance, activities and transportation. The memory care portion of the facility will be similar to the assisted living, but is designed for those with neurocognitive disorders making it unsafe for them to remain at home. Memory care allows a person experiencing memory loss to maintain a level of independence while relying on the safety and security of being in a residential community with professional staff.

The maximum height of the structure initially proposed was 55 feet; however, after meeting with the Four Square Mile Neighborhoods Association, the applicant reduced it to 47 feet due to their concerns.

No residents within this facility will drive a vehicle. To accommodate the facility's staff, visitors and deliveries, 28 parking spaces are proposed on-site. A parking analysis is provided in this report.

The parcel will have two points of access from S. Wabash Street. The north access will be used by the facility along with the Denver Jewish Day School's staff and faculty; the south access will be used for the school's parents, students and visitors and Wabash trailhead visitors. The following exhibit shows the relationship of access points to the realigned S. Wabash Drive and to the school property.

DENVER JEWISH SENIOR LIVING - PRELIMINARY DEVELOPMENT PLAN

PART OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 28,
TOWNSHIP 4 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN,
CITY OF DENVER, COUNTY OF ARAPAHOE, COLORADO

LEGAL DESCRIPTION

A PARCEL OF LAND LOCATED IN THE SOUTHWEST QUARTER OF SECTION 28, TOWNSHIP 4 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF ARAPAHOE, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF SECTION 28 AND CORNER OF THE WEST SIDE OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 28 AND PROCEEDING NORTHEAST ALONG THE WEST LINE OF SAID QUARTER OF SECTION 28 WITH A 2.21" BEARING (S70°00'00" W) 100.00' AND AT THE EAST SOUTHWEST CORNER WITH A 2.21" BEARING (S70°00'00" W) 100.00' TO THE POINT OF BEGINNING;

THENCE SOUTHWEST 87°45'15" WEST, A DISTANCE OF 221.18 FEET ALONG THE EAST LINE OF SAID NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 28 TO THE POINT OF BEGINNING; THENCE SOUTHWEST 87°45'15" WEST, A DISTANCE OF 110.59 FEET ALONG THE NORTH LINE TO THE POINT OF BEGINNING;

THENCE SOUTHWEST 87°45'15" WEST, A DISTANCE OF 110.59 FEET TO POINT OF BEGINNING;

THENCE ALONG THE EAST OF A NEARLY QUARTER TO THE RIGHT HAVING A BEARING (S70°00'00" W) 100.00' AND AN ANGLE OF 90°00'00" TO THE POINT OF BEGINNING; THENCE SOUTHWEST 87°45'15" WEST, A DISTANCE OF 110.59 FEET TO THE POINT OF BEGINNING;

THENCE SOUTHWEST 87°45'15" WEST, A DISTANCE OF 110.59 FEET ALONG THE WEST LINE TO THE SOUTHWEST CORNER OF THE PROPERTY DESCRIBED IN SPONSOR'S MAPS AND RECORDS; THENCE SOUTHWEST 87°45'15" WEST, A DISTANCE OF 110.59 FEET TO THE POINT OF BEGINNING;

THENCE WEST 90°00'00" WEST, A DISTANCE OF 110.59 FEET ALONG THE WEST LINE TO THE SOUTHWEST CORNER OF THE PROPERTY DESCRIBED IN SPONSOR'S MAPS AND RECORDS; THENCE SOUTHWEST 87°45'15" WEST, A DISTANCE OF 110.59 FEET TO THE POINT OF BEGINNING;

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BENCHMARKS

LOCAL BENCHMARKS

1. A 1/4" X 1/4" X 1/4" IRON NAIL UNDER ACCESS COVER LOCATED AT THE INTERSECTION OF WABASH AVENUE AND WABASH STREET. ELEVATION: 7052.33 (MDS-10).

2. A 1/4" X 1/4" X 1/4" IRON NAIL UNDER ACCESS COVER LOCATED AT THE INTERSECTION OF WABASH AVENUE AND WABASH STREET. ELEVATION: 7052.33 (MDS-10).

STATE BENCHMARKS

1. A 1/4" X 1/4" X 1/4" IRON NAIL UNDER ACCESS COVER LOCATED AT THE INTERSECTION OF WABASH AVENUE AND WABASH STREET. ELEVATION: 7052.33 (MDS-10).

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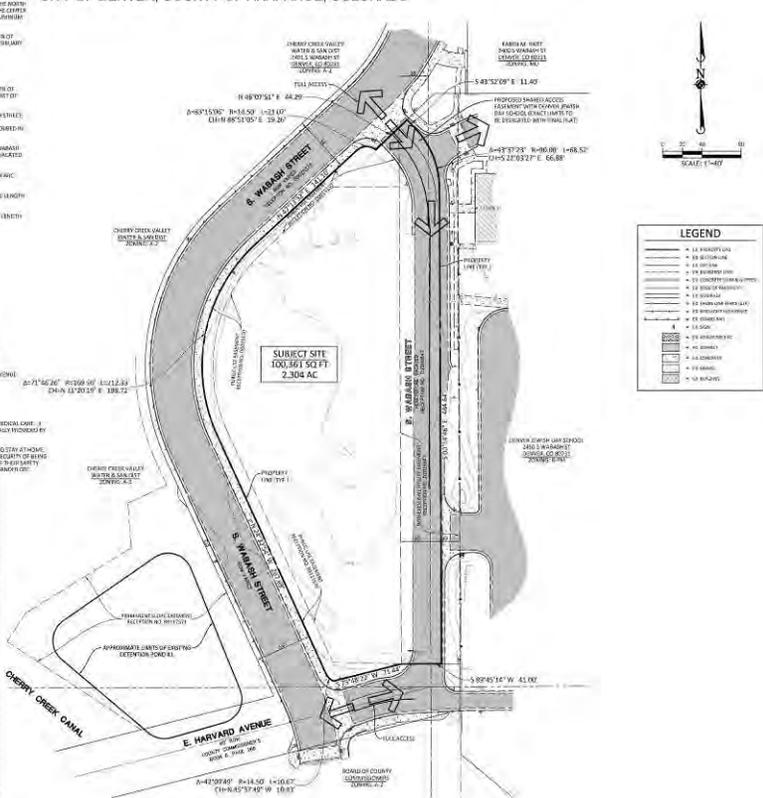
ASSISTED LIVING/MEMORY CARE DEFINITION

ASSISTED LIVING/MEMORY CARE IS THE SAFETY AND SECURITY OF 24 HOUR SUPPORT AND ACCESS TO PERSONAL CARE SERVICES INCLUDING MEDICAL CARE, MEALS, DRESSING, BATHING, TOILETING, HOUSEKEEPING, MAINTENANCE, ACTIVITIES, TRANSPORTATION, AND OTHER SERVICES PROVIDED BY ON-SITE STAFF.

MEMORY CARE IS SIMILAR TO ASSISTED LIVING, BUT IS DESIGNED FOR THOSE WITH NEUROCOGNITIVE CONCERNS MAKING IT UNSAFE FOR THEM TO LIVE AT HOME. MEMORY CARE IS A SPECIALIZED PROGRAM OF ASSISTED LIVING THAT PROVIDES 24 HOUR SUPPORT AND PROGRAMS THAT FOCUS ON SAFETY AND WELL-BEING FOR RESIDENTS WITH MEMORY CARE NEEDS. THESE ARE SPECIALIZED PROGRAMS THAT ARE BASED ON THE INDIVIDUAL'S SPECIFIC NEEDS.

DEVELOPMENT CRITERIA		
SITE INFORMATION	PROPOSED	EXISTING
Site Area (Acres)	2.208 Acres (100,361 S.F.)	2.208 Acres (100,361 S.F.)
Maximum Open Space	0%	0%
Maximum Lot Coverage (at lot base)	35%	35%
ZONING	APPLICABLE	EXISTING
Zone District	A-2	A-2
Permitted Uses	Assisted Living, Memory Care (Up to 55 beds if approved)	Assisted Living, Memory Care (Up to 55 beds if approved)
Accessory Uses	Rehabilitation, medical, medical, senior center, day care, health and fitness center, and other (subject to prior approval)	Rehabilitation, medical, medical, senior center, day care, health and fitness center, and other (subject to prior approval)
Minimum Number of Senior Housing Units	100 Units	100 Units
Minimum Density	44.4 units/acre	44.4 units/acre
BUILDING INFORMATION		
Building (permitted) Maximum Floor Area (sq ft)	32,171	32,171
Maximum Height (feet)	20 FT	20 FT
Maximum Number of Stories	3	3
Maximum Building Volume	41,411	41,411
Maximum Distance Between Buildings	N/A	N/A
PARKING		
Minimum Number of Spaces	17 spaces per unit	17 spaces per unit
Minimum Number of Spaces	17 spaces per unit	17 spaces per unit

CASE NO. Z15-003



Site Plan

STAFF RECOMMENDATION:

Staff recommends the application be approved based on the findings and subject to the conditions of approval outlined herein.

I. BACKGROUND

The site consists of three parcels, which are all zoned A-2. Two of the three parcels are vacant; the northern most property contains a vacant single family residence, which will be demolished when the site is developed.

The three parcels are unplatted and were created when S. Wabash Street was realigned and road right-of-way was vacated in 2011 (Case No. V11-003).

II. DISCUSSION

Staff review of this application included a comparison of the proposal to: 1) applicable policies and goals outlined in the Comprehensive Plan; 2) review of pertinent zoning regulations; and 3) analysis of referral comments.

1. The Comprehensive Plan

Comprehensive Plan (Comp Plan): This application complies with the following Goals and Policies of the Comp Plan, as follows:

- Goal GM 4 – Promote Compact Growth in the Urban Service Area.

The proposed development maximizes existing public facilities.

- Policy GM 4.3 – Promote Infill Development and Redevelopment in the Urban Service Area.

The proposal provides infill development.

- Goal PFS1 – Plan for Adequate Public Facilities and Services in Growth Areas.

Based on responses from service providers, adequate public facilities and services are present in the area.

- Policy NH 1.2 – Promote a Diversity of Housing types in Growth Areas Countywide.

If approved, the proposal would promote a housing type that is in demand.

- Policy NH 3.2 – Support Provision of Special-Needs Housing in Growth Areas.

The proposal supports the provision of elderly housing.

Four Square Mile (4SQM) Subarea Plan: The Comp Plan's 4SQM Subarea Plan designates this site as Multi-Family (MF). As per this plan, the primary uses of MF include multi-family residential structures such as apartments, cooperatives, condominium dwelling units with shared or designated on-site parking, open space and recreation facilities for residents; the recommended development density is 13 to 25 dwelling units per gross acre. The proposed senior housing (assisted living and memory care) use generally aligns with the 4SQM Subarea Plan designation.

If assisted living and memory care units are calculated as equivalent to dwelling units, such as apartments or townhomes, the density of 44.3 dwelling units per acre is significantly greater than the plan specifies. The Comp Plan does not

directly address senior housing as the market supports that use today. The SH-PUD zone district, as described in the Arapahoe County Land Development Code (LDC), seems to anticipate some level of independent living dwelling units, but is the best fit currently available for a use that merges residential living with some level of care similar to nursing homes. These residential facilities typically include centralized dining rooms and meal service, and individual “units” or “apartments” may not include basic kitchen facilities. In addition to residential use, other assistive services in daily living are provided.

While the Comp Plan and the LDC serve different purposes, the SH-PUD zone district provides some locational criteria recommended for senior living residences and may provide some guidance in addition to the Comp Plan and Subarea Plan as to fit with respect to recommended land use categories and densities.

The applicant believes there are numerous changed conditions that have occurred since adoption of the 4SQM Subarea Plan that justify rezoning the property to SH-PUD and support this change within the current Subarea Plan designation, including:

1. “When the Property was designated MF, it was part of a larger MF area located to the west of the then current location of South Wabash Street. Since that time, South Wabash has been relocated to the west, leaving this 2.3 acre remnant parcel next to the Denver Jewish Day School. The larger MF parcel to the west of the Property has been acquired by SEMSWA and is dedicated for regional drainage, including detention for the Property. The Four Square Mile Subarea Plan was not modified at the time to address the changed location of South Wabash Street or the regional detention uses of the parcel to the west.
2. A MF land use designation no longer makes sense for a 2.3 acre parcel. The parcel is too small to accommodate a traditional 25 dwelling units/acre MF product similar to those designated MF around the Denver Jewish Day School campus.
3. The Cherry Creek Country Club residential area east of the Denver Jewish Day School was in its infancy when the Four Square Mile Subarea Plan was completed. This neighborhood has much more direct contact with the Denver Jewish Day School and its future development and many more residents than when the Four Square Subarea Plan was completed.

In addition, a senior living community on the Property actually will result in a density on the Property similar to a multi-family product. This is

because the average number of bedrooms in a multi-family unit is two bedrooms, while a senior living unit only has one bedroom. Thus, while the proposed project with 102 beds technically is calculated at a density of 44 dwelling units per acre, a multi-family product at 25 units/acre could result in the same number of beds.

Finally, when compared to a multi-family development that has a much higher parking requirement because all the residents drive, the senior community will have NO residents driving. This will result in significantly less traffic generated from the Project and less associated related maintenance.”

Staff Analysis: The area has changed since the creation of the Subarea Plan, and the MF designation in the area may not be attainable due to the existing land uses and the size of the parcel.

As per the ITE Trip Generation Manual, 9th edition, 382 daily trips and 36 peak hour trips would be generated from a MF development with a density of 25 dwelling units per acre on 2.3 acres. The applicant indicates that 288 daily trips/24 peak hour trips would occur for an assisted living facility. The traffic impact from the proposed development is less than a standard multi-family product with a 25 units per acre density.

The residential units proposed at the facility also differ from the traditional MF unit in that they will not have a kitchen. Residents at the facility will receive their meals in a central dining room at the facility.

The application appears to support the Comp Plan by providing a needed housing product (elderly housing and more specifically assisted living) in an area that has services. Staff would note that the Four Square Mile Neighborhoods Association, drivers in the development of the Subarea Plan, submitted two comment letters with respect to density and other concerns.

With respect to the density of the project in relation to the Subarea Plan, the email dated October 23, 2015, states in part, “Although we have some concerns about the fairly high density, we believe that would be acceptable, IF it is given the senior facility designation. The senior facility use is appropriate for this parcel.... If the applicant amends the application for multi-family, we would strenuously object to the density levels.”

The letter dated November 13, 2015, opposes the project on the basis of building height and states in part, "At this time, the maximum height is therefore our only concern, and in general, we believe the memory care and senior living facility would be a welcome development in that location."

A neighbor property owner also submitted a letter opposing the project, dated June 18, 2015, stating in part, "While I have no objection as to the planned use of the land for assisted living, I do have objections to the planned density of the project as it is currently being proposed, to the proposed surface parking only and to the additional traffic burden that such a dense development would put on an already limited Wabash Street." All letters are attached to this report.

2. Land Development Code (LDC) Review

Senior Housing Zone District:

The LDC includes a zone district for Senior Housing (SH) under Chapter 6 Residential Zone Districts, Section 6-500. A principal, permitted use is housing for residents age 55 and older. This zoning designation requires use of the Planned Unit Development (PUD) process and approval of a PDP to establish some criteria, (such as the 35% open space requirement) while others are directed by the LDC.

Section 6-506.01 states senior housing should be accessible to:

A. Established public transportation routes.

A bus stop is located within 700 feet of the site on E. Iliff Avenue. Employees and visitors of the facility have the option of taking public transportation, if desired.

B. Existing or proposed shopping areas.

Given the nature of the residents of this facility, the need for being close to shopping centers is less than independent senior housing.

C. Public or private recreational amenities.

The development will provide secure outdoor and internal common areas. Again, given the nature of the residents, the need for recreational amenities is diminished compared to other senior housing. Staff and visitors will have access to the Cherry Creek bike path, located just south of the proposed facility.

- D. Other residential areas to minimize senior citizen isolation.

The proposed facility is approximately 450 feet from the multi-family development to the south and 250 feet away from the Cherry Creek Country Club. Both the proposed facility and school are within close proximity to residential development.

- E. Situated to minimize traffic and emergency vehicle access impacts to surrounding neighborhoods.

The proposed facility's entrance faces Denver Jewish Day School, which will direct traffic movements and parking to the east side of the site and away from S. Wabash Street. Emergency access will be further addressed at FDP.

- F. Medical facilities.

The facility is 4.4 miles from the Medical Center of Aurora.

Section 6-506.02 requires the placement of a note on the PDP which states: "A note shall be placed on the Preliminary Development Plan prescribing a minimum age limit for one occupant of each unit in the project at 55 years of age or older. The restriction may be released for rental units which are advertised for 270 consecutive days and not occupied by one or more qualified individuals. Those unoccupied units, and those only, may then be rented to person(s) of any age. In the event that such unit is occupied by a non-senior, and later vacated, the 270-day period shall apply to that unit."

The applicant has placed this note on the PDP.

Section 6-506.03 provides some options for facilities that are non-profit.

The applicant does not plan on this facility being a non-profit subsidized facility; therefore, this section of the LDC is not applicable.

Planned Unit Development:

Chapter 13-100, Planned Unit Development (PUD) of the LDC, states the PUD process is intended to prevent the creation of a monotonous urban landscape by allowing for the mixture of uses, which might otherwise be considered non-compatible, through the establishment of flexible, development standards, provided said standards:

- A. Recognize the limitations of existing and planned infrastructure, by thorough examination of the availability and capability of water, sewer, drainage, and transportation systems to serve present and future land uses.

Water and sanitation is located in easements within the vacated S. Wabash Street. Stormwater drainage and detention for the site can be accommodated on the parcel to the west.

Traffic congestion and flow in the area has been improved with the realignment of S. Wabash Street and construction of the Yale-Wabash Bridge.

- B. Assure compatibility between the proposed development, surrounding land uses, and the natural environment.

The Denver Jewish Day School and the applicant seek to provide a senior living community that will promote community cohesion. This facility will allow grandparents and other relatives of students of the Denver Jewish Day School to live near their families and have an opportunity to be involved in their families' educational activities. The project will also include a plaza for the school and families to drop off their children and visit their senior family members.

The existing school screens and provides a buffer between the Cherry Creek Country Club residences and proposed facility. The land west, north and south of the site is vacant and is used for regional water storage and as open space/trail corridor. These open areas will also serves as a buffer between the facility and the residential developments to the north, west and southwest.

- C. Allow for the efficient and adequate provision of public services. Applicable public services include, but are not limited to, police, fire, school, parks, and libraries.

The proposal will be served by existing public services. The property is close to Cunningham Fire Protection District Station 61 (1.6 miles) and Medical Center of Aurora (4.4 miles). The facility will also be adjacent to the Denver Jewish Day School, where interaction between the students and residents will be encouraged.

This facility is near the Cherry Creek trail but given the nature of the residents, outdoor activities will be kept to the secured internal or outdoor areas within the development. Staff and visitors will have access to the trail.

- D. Enhance convenience for the present and future residents of Arapahoe County by ensuring appropriate supporting activities, such as employment, housing, leisure time and retail centers are in close proximity to one another.

The proposed development will provide employment opportunities and a housing type that is needed in the area.

Given the nature of the facility's residents, the need for close shopping centers is diminished. Staff will have proximate access to shopping at E. Iliff Avenue and S. Wabash Street, as well as the shopping center at E. Iliff Avenue and S. Quebec Street.

- E. Ensure public health and safety is adequately protected against natural, and man-made hazards, which include, but are not limited to, traffic noise, water pollution, airport hazards and flooding.

The site is outside the 100-year floodplain and airport influence area.

Tri-County Health Department's referral letter indicates an old landfill is 1,000 feet to the northwest of the site and advises the applicant conduct a flammable gas investigation to determine if flammable gas (methane) is present in the subsurface soils of the site, or, in lieu of an investigation, install a flammable gas control system. The applicant's engineer responded to Tri-County's comments in a letter dated January 8, 2016. This letter states that they ..."could not confirm that significant historical mining activities occurred on-site through of aerial photographs and the recent geotechnical engineering study did not identify domestic refuse, construction debris, or other solid waste during field exploration...." Neither study specifically addresses methane gas therefore staff has set a condition for the applicant to further address this matter during the FDP.

- F. Provide for accessibility within the proposed development and between the development and existing adjacent uses. Adequate on-site interior traffic circulation, public transit, pedestrian avenues, parking and thoroughfare connections are all factors to be examined when determining the accessibility of a site.

Access: *The site has two points of access from S. Wabash Street. The north access point is to be shared with the proposed facility and Denver Jewish Day School's faculty and staff; whereas, in the future, the south access will only be used by the school's parents, students and visitors and public using the trailhead. Under a future application for the Final Development Plan (FDP), the applicant proposes to remove the portion of the vacated S. Wabash Street so the facility and the south access drive will no longer be connected.*

Parking: *None of the residents within the proposed facility will drive. The applicant is proposing 28 on-site parking spaces for employees, visitors and deliveries, which equates to approximately one parking space per four beds (28 parking spaces/108 beds). The LDC parking requirement for a nursing home, or similar extended-care facility, is one parking space per two employees plus one parking space per two beds, which would require this development to have 62 parking spaces (108 beds and 16 employees per shift).*

The applicant believes the amount of parking needed for assisted living/memory facilities is less than what the County requires. The applicant's architect, H+L Architects, provided staff with a letter documenting the parking of other assisted living/memory care facilities in the surrounding area. The letter provided the number of each facility's units and parking spaces, along with the number of parking space used during peak weekday and weekends. The research indicates the average parking ratio of used spaces is 0.32, or approximately one parking space per three beds.

Staff feels the applicant has demonstrated this parking ratio is sufficient and can be applied to this development. Therefore, the PDP will need to specify 36 parking spaces. The applicant has the ability to enter into a joint parking agreement with Denver Jewish Day School to use 7 to 10 of the school's parking spaces if the County determines more parking is required (see letter dated December 16, 2015 from Denver Jewish Day School). Staff has recommended a condition of approval that 36 spaces be provided between the school site and the senior living site.

Public transit: *A bus stop is located within 700 feet of the site on E. Iliff Avenue, and could be utilized by the facility's employees and visitors.*

- G. Minimize disruption to existing physiographic features, including vegetation, streams, lakes, soil types and other relevant topographical elements.

No significant physiographic features exist on, or adjacent to, this site.

- H. Ensure that the amenities provided adequately enhance the quality of life, in the area, by creating a comfortable and aesthetically enjoyable environment through conventions, such as, the preservation of mountain views, the creation of landscaped open areas and the establishment of recreational activities.

The proposed PDP sets requirements in the form of a minimum open space requirement, which the applicant will meet with the proposed 35% open

space. Additional detail, such as landscape plans, vegetation specifications and architectural elevations, will be required with the FDP.

The proposed development will contain secure open areas for the memory care residents and other amenities for the assisted living residents. The project will be connected to the surrounding area by a plaza for pick up and drop off of resident’s family and visitors. These amenities will be further developed under the FDP.

To address concerns of the 47 foot height of the proposed facility, and visual impacts to surrounding neighbors potentially most affected, the applicant conducted a View Corridor Study, see attached. Views from the north and east within the Cherry Creek Country Club development were analyzed, and the facility appears to have little visual impact.

- I. Enhance the usable open spaces in Arapahoe County and provide sufficient unobstructed open spaces and recreational areas to accommodate a project’s residents and employees.

The PDP allocates 35% of the property to unobstructed open space.

3. Referral Comments

Comments received during the referral process are as follows:

Referral Agency	Comments
Arapahoe County Engineering Services Division	Staff is working with the applicant to address all engineering comments.
Arapahoe County Mapping	Staff is working with the applicant to address all mapping comments.
Arapahoe County Open Space	No comments.
Arapahoe County Zoning	No comments.
Arapahoe County Assessor	No response received.
Arapahoe County Sheriff – Crime Prevention and Patrol	Indicated facility planning should include consultation with the Sheriff’s Office and fire district for recommendations on safe living for any memory care patients. The applicant acknowledges this concern.
Arapahoe County Library District	No comments.
City and County of Denver - Planning	No comments received.
Cunningham Fire Protection District	District supports the PDP.
Arapahoe County Parks and Rec. District	No comments.

Post Office Growth Coordinator	No response received.
Cherry Creek School District	District understands the facility will not have any children; therefore, no cash-in-lieu fees will be required. However, if in the future, the utilization changes to include children, District reserves the right to ask for fees.
Tri-County Health Department	Since a closed landfill was within 1,000 feet of the site, this agency recommends a flammable gas investigation be conducted to determine if methane is present in the subsurface soils. In lieu of conducting an investigation, a flammable gas control system shall be installed. Plans for serving food to the public must be reviewed by this agency.
Four Square Mile Neighborhoods	This group opposes the development on the basis the proposed maximum height is excessive and out of character of the Four Square Mile area.
West Arapahoe Conservation District	No response received.
RTD	No response received.
Century Link	No response received.
Xcel Energy	Xcel indicates they own and operate existing electric distribution facilities within the proposed project area and for the applicant to contact them and complete the application process before developing the site. The applicant is willing to comply with this request.
Army Corps. of Engineers	No comments.
Southeast Metro Stormwater Authority (SEMSWA)	SEMSWA found the application to be generally in conformance with the Arapahoe County Stormwater Management Manual.
Cherry Creek Valley Water and Sanitation (CCVW&S)	The subject site is within CCVW&S's district. Water and sewer lines are available subject to water and sewer extensions, payment of all fees and adherence to the district's rules and regulations.
Urban Drainage	No response received.
Denver Jewish Day School	No response received.
Cherry Creek Country Club	No response received.
Cherry Creek Country Club Master Association	No response received.
Highland Glen	No response received.
Hunters Glen	No response received.
Fox Crossing Apartment	No response received.
Village at Cherry Creek Country Club HOA	No response received.

4. Additional Comments

As noted under the discussion of the Comp Plan density factors, several comment letters were received from the Four Square Mile Neighborhoods Association and from nearby residential property owner. Favorable comments were that the senior living facility would provide a housing type where there is an urgent need and will provide a stronger connectivity and sense of community by being located next to the Denver Jewish Day School, which would encourage student interaction with the senior residents. Comments opposing the development based on density or site design included concerns with building height, impacts to S. Wabash Street due to traffic generated from the facility, and parking sufficiency.

5. Meetings

Neighborhood Information Open House: Held on June 30, 2015 at the Cherry Creek Country Club. This meeting was held to inform residents of the proposed assisted living/memory care facility and answer any questions. Twelve residents attended and provided positive feedback to the applicant.

Fire Protection District: A meeting was held on September 25, 2015 with the Cunningham Fire Protection District to review and provide comments on fire access to the facility. These comments will be further addressed in the FDP.

Four Square Mile Neighborhoods Association: The applicant met with the 4SQM group. Based on specific comments and requests received on September 30, 2015, the applicant: 1) removed from consideration zoning the parcel to Mixed Use PUD even though this zone district would have assisted the applicant in terms of lending and fair housing for individuals under the 55 year Senior Housing requirement who need assisted living or memory care; and 2) reduced the initial height of 55 feet to 47 feet.

View Corridor Study/Building Height: To analyze the visual impact of the proposed structure, the applicant conducted a View Corridor Study from “key locations and view corridors surrounding the subject site”, see attached. The applicant believes the building height of 47 feet does not create any major obstructions. The 47 foot height is the required minimum for a three-story assisted living facility, due to resident ceiling heights as well as HVAC and other mechanical/electrical requirements between floors. These ceiling heights are unique to assisted living facilities versus multi-family housing.

The applicant appreciates the 4SQM’s reference to the Denver Senior Housing project (Z13-001) and the height set by the Planning Commission. This application proposed an initial height of 42 feet which was reduced to 38 feet in order to reflect the Planning Commission’s recommendation. While the PDP

application received approval by the Board of County Commissioners, no signed plan was submitted to complete the PDP approval process, and the applicant eventually withdrew the PDP and pending FDP application from further consideration.

The applicant believes the 4SQM issues with the height of the application is related to the possibility of the project setting a precedent in the general Four Square Mile area, and not to the specific application, as the project site is not directly contiguous to any residential homes and does not adversely affect the homes in the Cherry Creek Country Club.

STAFF FINDINGS:

Staff has visited the site and reviewed the plans, supporting documentation, referral comments and citizen input in response to this application. Based on the review of applicable policies and goals, as set forth in the Comp Plan, review of the development regulations and analysis of referral comments, our findings include:

1. The proposed Preliminary Development Plan for senior housing, to include assisted living and memory care, generally conforms to the overall goals and intent of the Arapahoe County Comprehensive Plan and the Four Square Mile Subarea Plan in regards to the policies set forth in those plans and nature of the development.
2. The proposed Preliminary Development Plan is consistent with development standards enumerated in the Arapahoe County Land Development Code with the exception of Section 12-1200 Parking Standards. Staff supports the applicant's plan to provide a minimum of 36 parking spaces between the site and the Denver Jewish Day School based on comparative data submitted. The exact layout and distribution will be determined with the Final Development Plan.
3. The proposed Preliminary Development Plan complies with the process and requirements outlined in Sections 6-500 SH Senior Housing (SH-PUD) and 13-100 Planned Unit Development (PUD) of the Arapahoe County Land Development Code.

RECOMMENDATION:

Considering the findings and other information provided herein, staff recommends approval of Case No. Z15-003, Denver Jewish Senior Living PDP, subject to the following conditions:

1. Prior to signature of the final mylar copy of the Preliminary Development Plan, the applicant agrees to address the Planning Division, Mapping Division, and Engineering Services Division comments and concerns, as outlined in their plans and reports.

2. The applicant is required to provide a minimum of 36 parking spaces which can be satisfied in part by an agreement with the Denver Jewish Day School for the additional parking spaces needed. This agreement shall be recorded with the Arapahoe County Office of the Clerk and Recorders prior to Arapahoe County signing the Final Development Plan.
3. At the time of the Final Development Plan, the applicant shall address the potential presence of flammable gas (methane) to the satisfaction of the Tri-County Health Department.

DRAFT MOTIONS:

1. **Recommend Conditional Approval:** In the case of Z15-003, Denver Jewish Senior Living Preliminary Development Plan, the Planning Commissioners have read the staff report and received testimony at the public and find ourselves in agreement with staff findings 1 through 3, including all plans and attachments as set forth in the staff report dated January 11, 2016, and recommend approval of this application, subject to the following conditions:
 - a. Prior to signature of the final mylar copy of the Preliminary Development Plan, the applicant agrees to address the Planning Division, Mapping Division, and Engineering Services Division comments and concerns, as outlined in their plans and reports.
 - b. The applicant is required to provide a minimum of 36 parking spaces which can be satisfied in part by an agreement with the Denver Jewish Day School for the additional parking spaces needed. This agreement shall be recorded with the Arapahoe County Office of the Clerk and Recorders prior to Arapahoe County signing the Final Development Plan.
 - c. At the time of the Final Development Plan, the applicant shall address the potential presence of flammable gas (methane) to the satisfaction of the Tri-County Health Department.

Alternative Motions – The following motions are provided as alternatives to the recommended motion for Conditional Approval:

2. **Recommend Denial:** In the case of Z15-003, Denver Jewish senior Living Preliminary Development Plan, the Planning Commission has read the staff report dated January 11, 2016, and received testimony at the public hearing. Based on the information presented and considered during a public hearing, we do not provide a favorable recommendation to the Board of County Commissioners based on the following findings:

a. *State new, or amended findings in support of denial.*

b. ...

3. **Continue to Date Certain:** In the case of Z15-003, Denver Jewish Senior Living Preliminary Development Plan, I move to continue the hearing to [date], 6:30 p.m., to obtain additional information and to further consider the information presented.

Attachments:

Application & Exhibits

Engineering Staff Report

Referral Comments

Meeting Information



Public Works and Development
 6924 S. Lima Street
 Centennial, Colorado 80112
 Phone: 720-874-6650 FAX 720-874-6611
www.arapahoe.gov

Land Development Application Formal

Form must be complete

Land Development Application material received after 2pm shall be date stamped as received the following working day.

APPLICANT/REPRESENTATIVE:	ADDRESS: 2373 Central Park Blvd., Ste 100 Denver, CO 80238 PHONE: 303-957-7078 FAX: N/A EMAIL: susan@thestantonsolution.com	SIGNATURE: NAME: TITLE:
OWNER(S) OF RECORD:	ADDRESS: Denver Jewish Day School 2450 S. Wabash Street Denver, CO 80231 PHONE: 303-369-0663 FAX: 303-369-0664 EMAIL: ahazel@denverjds.org	SIGNATURE: <i>Avi Halzel</i> NAME: <i>Avi Halzel</i> TITLE: <i>HOS/CEO</i>
ENGINEERING FIRM:	ADDRESS: Manhard Consulting 7442 S Tucson Way Centennial, CO PHONE: (303) 708-0500 FAX: EMAIL: kbarney@manhard.com	CONTACT PERSON: Kevin P. Barney, Project Manager D: 303-531-3207

Pre-Submittal Case Number: _____ Pre-Submittal Planner: Molly Orchid-Larson Pre-Submittal Engineer: Sarah White

Parcel ID no. (AIN no.) (Parcel IDs – 1973-28-4-00-066, 067 & 068)

Address: 2450, 2451 & 2453 S. Wabash St.

Subdivision Name & Filing:

	EXISTING	PROPOSED
Zoning:	A2	SH PUD
Case/Project/Subdivision Name:		
Site Area (Acres):	2.304	2.304
Floor Area Ratio (FAR):		
Density (Dwelling Units/Acre):	N/A	44.27
Building Square Footage:	848 sf	
Disturbed Area (Acres):		
Related Case Numbers: (Final/Preliminary Development Plan, Rezoning, and/or Plat)	Q15-020	

CASE TYPE

Case Type	Location & Extent	Case Type	Case Type
1041- Areas & Activities of State Interest		X Preliminary Development Plan	Special District/Title 30
1041- Areas & Activities of State Interest – Use by Special Review	Location & Extent – Major Amendment	Preliminary Development Plan – Major Amendment	Special District/Title 32
Comprehensive Plan	Master Development Plan	Preliminary Plat	Street Name Change
Final Development Plan	Master Development Plan – Major Amendment	Replat - Major	Use by Special Review
Final Development Plan – Major Amendment	Minor Subdivision	Rural Cluster	Use by Special Review – Major Amendment
Final Plat	Planned Sign Program	Rezoning Conventional	Use by Special Review – Oil & Gas
Land Development Code Amendment	Planned Sign Program – Major Amendment	Rezoning Conventional – Major Amendment	Vacation of Right-of-Way/Easement/Plat

THIS SECTION FOR OFFICE USE ONLY

Case No:	Planning Manager:	Engineering Manager:
Planning Fee: Y N \$	Engineering Fee: Y N \$	

This application shall be submitted with all applicable application fees. Submittal of this application does not establish a vested property right in accordance with C.R.S. 24-68-105(1). Processing and review of this application may require the submittal of additional information, subsequent reviews, and/or meetings, as outlined in the Arapahoe County Land Development Code.



August 6, 2015

Molly Orkild-Larson,
Arapahoe County
6924 S. Lima St.
Centennial, CO 80112

RE: Denver Jewish Senior Living Preliminary Development Plan Submittal

Dear Ms. Orkild-Larson:

It is a pleasure to submit to you and the Arapahoe County Planning Division the Phase I application for the Preliminary Development Plan for the Denver Jewish Senior Living project. The purpose of this letter is to introduce the intent and goals of this project. In addition to this letter of intent, this submittal includes the following materials

- Land Development Application
- Review Fee Checks
- Tax Summaries
- Letter of Authorization
- Pre-submittal Notes
- Final Plat (not included – lots to be platted after SDP approval)
- Most Recent FDP (for the Denver Jewish Day School proper)
- Prints of the Proposed Project (PDP)
- Map of Adjacent Property Owners and Address List
- Title Commitment
- Waiver Request Form
- Certified Legal Description
- Phase I Drainage Study
- Rezoning Conditions and Exhibits

We look forward to working with the County on the review and PDP approval to help bring the Denver Jewish Senior Living community to Arapahoe County. Please feel free to contact me with any questions at 303-957-7078

Sincerely,

Susan Stanton
Principal

A. Project Overview

The site is located at 2450, 2451 & 2453 S. Wabash St., located near Wabash and Illiff. (Parcel IDs – 1973-28-4-00-066, 067 & 068 – parcels are highlighted below). The site includes 2.304 acres (100,362 sf) and is currently zoned A-2.



The property currently includes three parcels all owned by Denver Jewish Day School (a letter of authorization is included) and under contract with Buccaneer Development, Inc.. The PDP application is to rezone the property to allow for an assisted living/memory care community under the Senior Housing – PUD Designation.

B. Project Description

The intent of the project is to construct a senior living facility on the site which would include a maximum of 102 units. The building would also include a central kitchen, laundry and administrative area located on the first floor. There will be social spaces and bistros on each level and a dining room on one of the upper levels. The site will contain approximately 28 parking spaces for visitors and staff which is in line with the 25% parking ratios used by most cities for assisted living/memory care communities where none of the residents drive. The site will also accommodate secure courtyard gardens for the memory care residents and other gardens and amenities for the assisted living residents. There will also be connectivity to the community and a plaza for Denver Jewish Day School for family members to drop off their children and visit their senior family member. The building height requested is 55' (three stories) from the average grade to allow for a sloped roof structure or a flat roof with high parapets to screen equipment. The building will be in compliance with all applicable codes and fully sprinkled.

There are utility and storm water drainage easements along the vacated Wabash Rd. alignment

C. Current Zoning

The current zoning on the parcels is A-2 (with a single family residential unit, vacant commercial lots and open space)



D. Special Districts

The property is or will be located in the following service districts:

1. Cherry Creek School District
2. Southeast Metro Storm water Authority (SEMSWA)
3. Cherry Creek Basin 7
4. Arapahoe County Law Enforcement Authority
5. Arapahoe County Recreation
6. Arapahoe Library District
7. Cunningham Fire District
8. RTD
9. Urban Drainage and Flood
10. Urban Drainage and Flood (S. Platte)

E. Transportation

As part of our application we have requested one waiver to related to the traffic study requirement. Felzburg, Holz Ullevig the engineer for the Wabash Street realignment has prepared our request. The team has talked with engineering and understand a formal waiver request form, if approved, will be signed as part of this review.

F. Project Team

Developer

Jon Griffis & Tony Varkony
Buccaneer Development, Inc.
5690 DTC Blvd., Suite 285W
Greenwood Village, CO 80111
jgriffis@bucdev.com
303-531-7900

Owner

Avi Hazel, CEO
Denver Jewish Day School
2450 Wabash St.
Denver, CO 80231

Owner Representative – Point of Contact

Susan Stanton, Principal
The Stanton Solution, LLC
2373 Central Park Blvd, Suite 100
Denver, CO 80238
susan@thestantonsolution.com
303-957-7078

Architect

Gary Prager, AIA, NCARB, LEED AP, CDT
H+L Architecture
1755 Blake Street, Suite 400
Denver, CO 80202
gprager@hlarch.com
d: 303.298.4728

Engineer

Kevin Barney, PE
Manhard Engineering
7442 S Tucson Way
Centennial, CO
kbarney@manhard.com
303-531-3207

Transportation Engineer

Felzburg Holt & Ullevig
508 Tejon Street
Colorado Springs, CO 80903
Todd.Frisbie@FHUENG.COM
719-314-1800



Revised January 11, 2016

Molly Orkild-Larson,
Arapahoe County
6924 S. Lima St.
Centennial, CO 80112

RE: Denver Jewish Senior Living Preliminary Development Plan Second Referral Response Letter

Dear Ms. Orkild-Larson:

We are please to respond to the second round of referral comments related to our application and look forward to the opportunity to bring our project forward to Planning Commission and the Board of Commissioners.

Planning Comments

Sheet 1 – Cover Sheet

1. As per the Fire Protection District's November 3, 2015 letter there is a comment regarding a traffic signal. Is there a reason this was left off on this sheet?

A traffic signal will not be installed as part of this development. Per Arapahoe County Planning, the traffic signal note is not required and need not be added.

2. Appendix D? See redline comment under Fire Department Notes: #6.

The Fire Department had asked that "Appendix D" be added to this note in the first round of comments.

The Fire Department had asked that "Appendix D" be added to this note in the first round of comments.

The second round of comments does not request this note therefore "Appendix D" has been removed from the note.

3. Please address all other redlined comments on this sheet.

All other redline notes have been addressed on this sheet.

Sheet 2 – Site Plan

1. See comments under the Development Criteria, Existing Permitted Uses.

Existing permitted use comments have been updated in the Development Criteria table.

2. Revise the proposed maximum density.

The proposed maximum density has been revised to 44.3 Units/Acre.

3. The information that has been provided doesn't support the parking ratio proposed, the unit of measurement differs (occupant/bed, bedroom, and unit). In order to establish if you have sufficient

parking, we need to know how many occupants there will be at the facility. How do you know if you have a sufficient number of staff (and parking spaces) if you don't know how many residents will be at this facility? Is there another facility similar to yours that uses this parking ratio?

H+L conducted a site survey of nine comparable operating facilities in the metro Denver region (See Parking Ratio Study). The average actual parked ratio was .32 spaces per unit. The applicant is proposing that .25 spaces/unit be provided on site with an additional .07 spaces met through a formal joint parking agreement with the school. A letter of support from the school is provided in this resubmittal.

4. Please provide a definition of memory care and assisted living on this sheet. H+L
A definition of assisted living and memory care has been added to this sheet.

5. Please address all other redlined comments on this sheet.

All other redline notes have been addressed on this sheet. A pdf has been included with this resubmittal that provides a response to each redline comment.

Engineering Comments

The Division of Engineering Services recommends this case favorably subject to the following conditions:

1. The applicant agrees to address the Division of Engineering Services' comments and concerns as identified within this report.

Yes, the applicant agrees to address the Division of Engineering Services' comments and concerns as identified within this report.

2. SEMSWA has found the Phase I Drainage Report in compliance with County standards and has no further comments.

Comment noted.

Preliminary Development Plan (PDP)

1. Minor comments on the plan set in regards to some line delineation; otherwise ESD has no further comments on the PDP.

Line delineation and text corrections have been made to the signature blocks on Sheet 1.0 Cover Sheet.

Phase I Drainage Study

Redline Comments provided on Phase 1 Drainage Report by Sarah White.

This resubmittal includes a pdf with responses to the County redline comments made on the Phase I Drainage Report.

2. Please check calculations in Appendix D, page "Impervious Percentage Calculations" – it would seem the second line should only include the areas B1-4 for Wabash St, as presented it appears to double calculate Basin 1&2.

The calculations in Appendix D have been updated as requested.

3. Page 1 of report and Appendix B state the site has a Type B hydrological soil group. However, Appendix D calculates using soil type C, please update or note reason for using a different soil group.

Appendix D uses Type C soils within the calculations to provide a more “apples to apples” comparison with the previous detention calculations prepared by FHU, which assumed a Type C soil. A Type B soil drains more effectively into the soil, and therefore using the Type C soil in these calculations is more conservative.

4. Drainage map – please label Basin B1-4 (Wabash St), include flow arrows and either remove all non-relevant lines or add to legend.

The Drainage Map has been revised as requested to Label Basins B1-4, including flow arrows.

Traffic Impact Study (TIS)

5. The TIS Waiver has been accepted by the County. Please note that changes to the proposed development may trigger a re-evaluation of the traffic waiver.

Comment Noted

Public Safety

Facility planning should include consultation with Sheriff's Office Crime Prevention Section and Cunningham Fire Department officials for recommendations on safe living for any memory care patients. This location is close to the Cherry Creek Trail which is a search and rescue concern for any memory care patients who may walk away.

It is the intention of this design team to complete the schematic design and meet with all jurisdictional agencies. The project architect, H+L, is familiar with the concepts of CPTED and has previously worked with the Arapahoe County Sheriff's Office on a project using those guidelines. The Sheriff's Department will be one on the agencies consulted at that time.

With regard for the concern about elopement of the memory care residents, H+L has extensive experience related to the issues and have designed outdoor areas in a secure environment. This is mainly an operations issue and once a developer/operator is identified, this will become part of the program for a memory care unit. There are also other methods to consider including electronic monitoring to keep track of residents as well as staffing programs to observe and physically monitor resident activities. This too can be discussed at the schematic design phase.

Outside Referrals

Cunningham Fire District

The Fire District requires that the following general comments are included on the cover

sheet of the FDP:

1. Fire Department Access:

1. Surfaced access roads capable of withstanding the imposed loads of fire apparatus and all required hydrants shall be installed prior to construction.

2. All roads and drives are hereby designated as fire lanes. When required by the Fire District, all fire lanes shall be posted "No Parking – Fire Lane." All fire lanes shall be included in the Arapahoe County program for enforcement of private property parking.

3. Turning radius and navigation through the development shall meet the Cunningham Fire Protection Districts specifications and is verified using an approved method. (Auto-Cad drawings must be provided, vehicle information can be found on our website www.cfpd.org)

4. Any proposed "pork-chop" or any traffic direction features at the entrance of the development shall have a designed width of 16 feet minimum drive with mountable curbs and no obstructions to the entrances.

5. If a traffic signal is added as part of this development it is required to have an opticom traffic device installed.

6. If the proposed structures are 30-feet in height the fire department access drives within the development shall be a minimum of 26-feet in width.

7. The fire apparatus access road shall comply with the requirements of Section 503 and shall extend to within 150 feet of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility. Plan demonstrating the structures meet the Section 503 requirement.

8. All fire hydrants are to be installed in conformance with Sections 507 and Appendix C of the 2009 International Fire Code. No landscaping, fencing or any other obstruction shall be placed within three feet of a fire hydrant.

The Fire Department notes have been incorporated into the Cover Sheet. As per a discussion with Planning, Note #5 need not be added as a traffic signal will not be installed as part of this development.

The Fire Department notes have been incorporated into the Cover Sheet. As per a discussion with Planning, Note #5 need not be added as a traffic signal will not be installed as part of this development.

Four Square Mile Neighborhood

We appreciate the feedback from the Four Square Mile Neighborhood. Based on feedback from the 4SQM, the applicant removed from consideration the use of Mixed Use PUD even though the MU PUD would have provided benefit to the applicant in terms of lending and fair housing for those needing assisted living or memory care who are under the age requirement for Senior Housing. In addition, the applicant changed the initial height request from 55' to 47". Further a view corridor study was conducted from key locations and view corridors surrounding the immediate site. The study revealed that, in this site context, the 47' did not cause any major obstructions to resident view corridors. 47' is the required minimum for a three story assisted living facility due additional spacing required for ceiling heights as well as HVAC and other mechanical/electrical requirements between floors. This situation is unique to assisted living versus a typical multifamily project. In addition, we appreciate the reference to the Denver Senior Living project; however, this project was not able to proceed. The applicant has a long track record of working in the senior living arena and improper ceiling heights and space between floors can effect the viability of this type of project.

Cherry Creek Schools

Required No Action

US Army Corp

No Comment

Arapahoe County Park and Recreation

No comment.

SEMSWA

No Action Needed, requesting 2 copies of approved drainage report
Acknowledged

Xcel

We acknowledge the letter provided by Xcel Energy dated November 16, 2015. We understand that additional easements may be required for this project and those additional easements will be coordinated with XCEL at the Final Plat stage of this project. The developer/contractor will also contact Builder's Call Line to complete the application process for new gas and electric service prior to construction.

Tri-County Health Department

A letter dated, December 31, 2015 was sent discussing a closed landfill within 1,000 feet of the subject property.

Please see attached letter from Kumar & Associates related to this matter. K+A performed a Phase I environmental site assessment in December, 2014. Based on its findings, "the nearby landfill activities do



not present a REC and a flammable investigation is not required” as stated by Mark Lancaster, Environmental Services Manager.

We look forward to working with the County on the review and PDP approval to help bring the Denver Jewish Senior Living community to Arapahoe County. Please feel free to contact me with any questions at 303-957-7078

Sincerely,

A handwritten signature in blue ink that reads "Susan Stanton". The signature is written in a cursive style.

Susan Stanton
Principal

Attachments (sent with original letter)

- Copy of checklist
- Completed Review and Approval Form
- Phase I Drainage Study
- PDP Sheet 1 and 2



Denver Jewish Senior Living Comparable Parking Ratios

Based on the design of many assisted living facilities across the country, we have observed that many of the municipalities have differing parking requirements. Our recent research of various City and County parking regulations have resulted in many jurisdictions moving to a smaller parking ratio of .25 spaces for this occupancy. Due to that fact that the residents of these Assisted Living facilities do not drive, other municipalities are moving in that direction by variance or through a TOD designation.

To further assist Arapahoe County in evaluating our proposal, we have conducted site visits during peak hours and weekends at comparable facilities. Many of these sites were visited multiple times. Our peak hour visits occurred after working hours when people visit their family members on the way home from work or after the dinner hour. Other times occurred during the late morning hours and early afternoons on weekends.

Facility Name & Address	Number of units	Number of spaces provided	Spaces/unit	Number of spaces used – observed	Spaces/unit utilization
Brookdale Highline 1640 S. Quebec Way	96	34	.35	16	.17
Brookdale DTC 4901 S. Monaco Street	96	40	.42	20	.21
Brookdale Aurora 1860 S. Potomac	76	62	.82	30	.39
New Dawn 2000 S. Blackhawk	48	25	.52	18	.38
Peakview Centennial 6021 S. Liverpool	85	60	.71	38	.45
MorningStar @ Jordan 14301 E. Arapahoe Road	88	58	.66	33	.38
Villagio of Aurora (Project in Design)	138	81	.59	N/A	N/A
Spectrum Highpoint 6383 E. Girard Place	97	69	.71	41	.42
Anthem Chelsea Place 14055 E. Quincy	60	26	.43	8	.13
Averages			.58		.32

Based on the examples of comparable parking regulations as well as the parking lot survey, we still support our initial application of .25 spaces per unit based on other codes, however, could understand if the County would like for us to find an additional .07 space through a joint agreement with the Denver Jewish Day School to provide a backup of 7 to 10 spaces for peak days and unforeseen circumstances. The exact count we expect would be determined at FDP phase when the number of units is more defined.

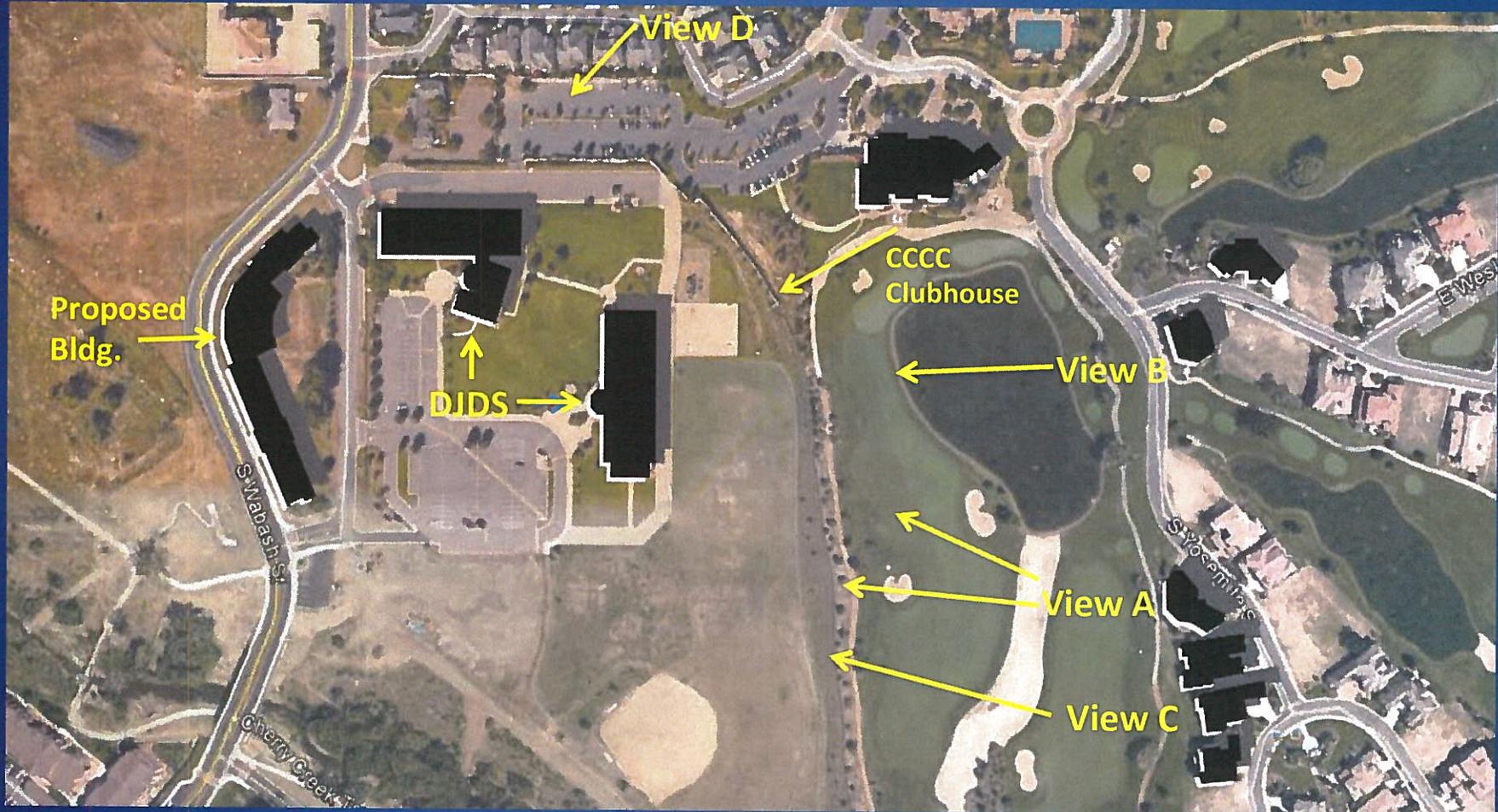
View Corridor Study

Denver Jewish Senior Living



BUCCANEER
DEVELOPMENT, INC.

Cherry Creek Country Club View Corridor Studies



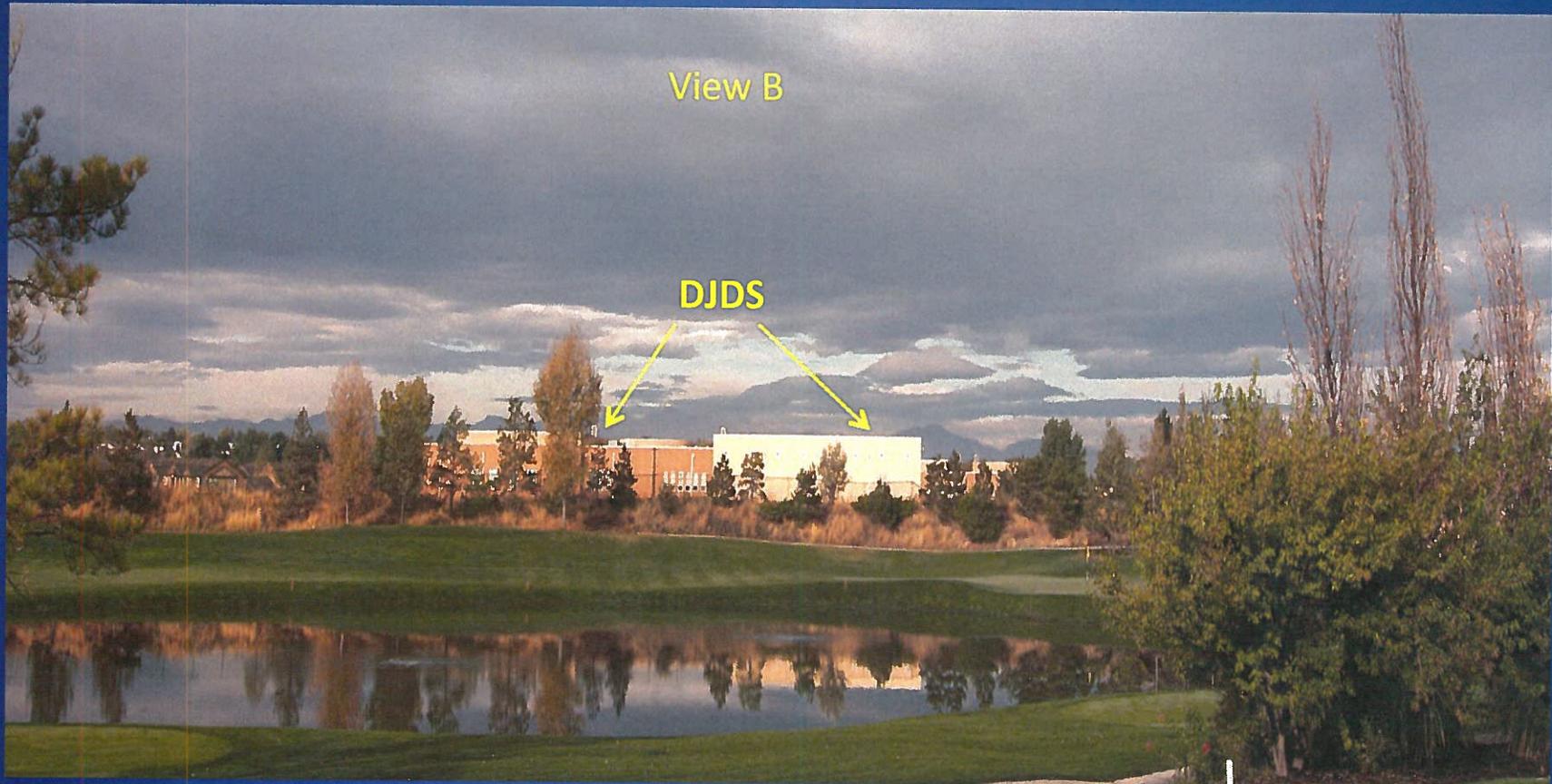
Study Areas



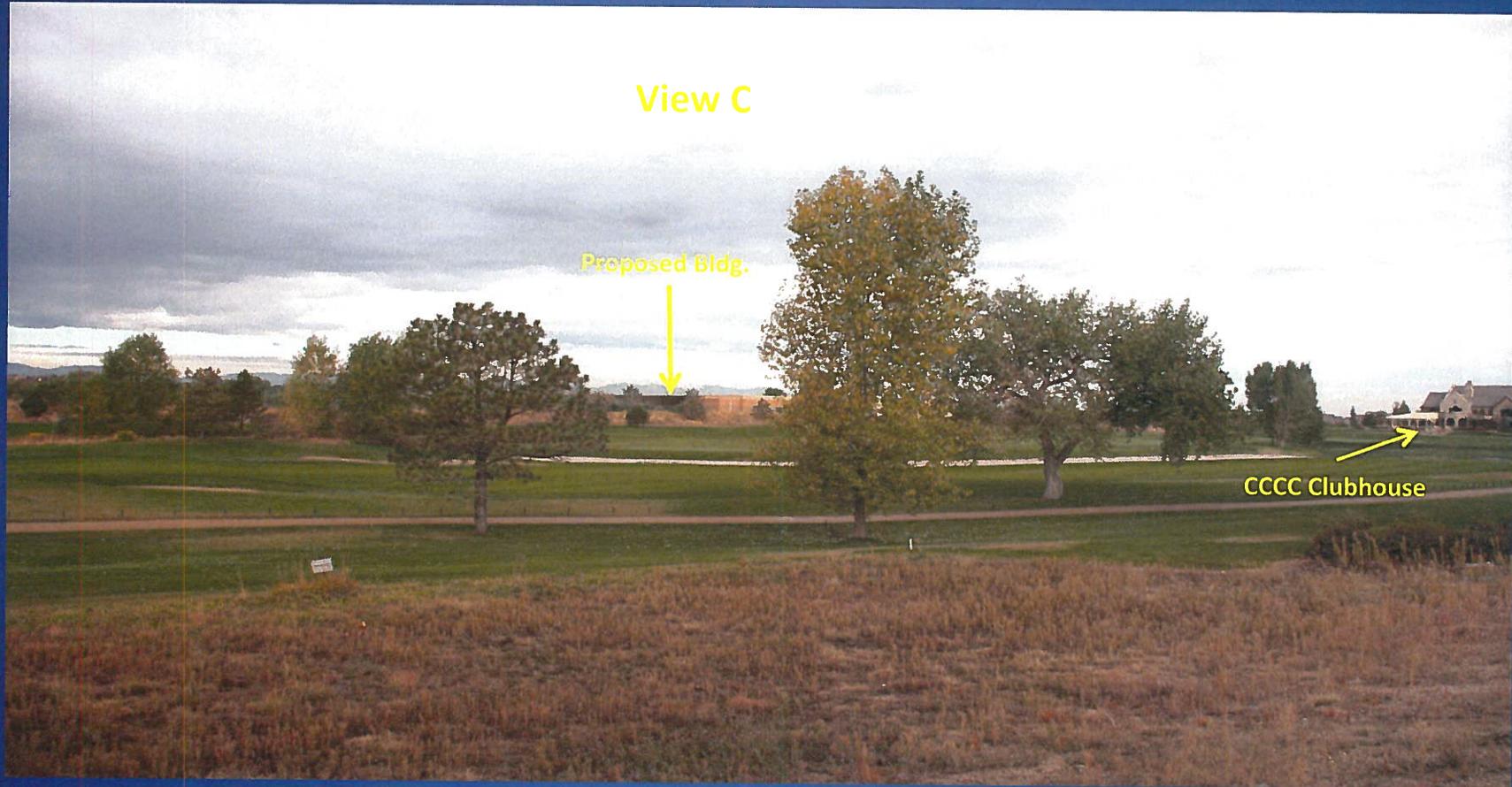
View A – CCCC 1st Fairway



View B – CCCC Residential Entrance



View C – CCCC 1st Fairway Houses



View D – Cherry Creek Country Club Townhomes



VIEW "D" FROM CCCC TOWNHOMES
4 SQUARE MILE NEIGHBORHOODS





Extraordinary Education. Timeless Traditions. Inspired Lives.

2450 South Wabash Street
Denver, Colorado 80231-3816
PHONE: 303-369-0663
FAX: 303-369-0664
denverjds.org

Head of School/CEO
Avi Halzel, MAEd

Principal, Lower Division
Elana K. Shapiro

Principal, Upper Division
Bryan M. Hay

School Rabbi,
Dean of Judaic Studies
Rabbi Mark Asher Goodman

Board Chair
Leslie Sidell

Immediate Past Chair
Lisa Reckler Cohn

2015-16 Board Members

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Irit Waldbaum
Phil Weiser
Jason Williamson

President PTO
Carla Kutnick

Rabbinic Council
Representative, Ex-Officio
Rabbi Jeffrey Kaye

*The mission of our Jewish
community day school is to
educate Jewish students
through an integrated secular
and Jewish studies program to
thrive in college and beyond
and act ethically and
purposefully in the world.*

October 1, 2015

To Whom It May Concern,

On behalf of Denver Jewish Day School, I am writing to confirm that the school (who is under contract to sell property to Buccaneer Development) is aware that the PDP that has been submitted by Buccaneer to Arapahoe County shows two access points from Wabash St. One to the North for faculty and staff and one to the south for parents, students and visitors. We also understand there will be a secured fire only access point approximately halfway between the two formal access drives that can be accessed by the fire department from both the school parking lot and the new driveway to be built with the senior living community.

Please note that with the vacation of old Wabash St. (that is the street some of the school students and visitors use simply for convenience), the old Wabash has not been a dedicated ROW since the realignment of Wabash. When the school agreed to the realignment of Wabash St., we anticipated and agree that the access configuration as shown in the PDP will be the formal access points to and from the school.

Avi Halzel
Head of School/CEO





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Denver, Colorado 80231-3816
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**Rabbinic Council
Representative, Ex-Officio**
Rabbi Jeffrey Kaye

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and act ethically and
purposefully in the world.*

Molly Orkild-Larson
Senior Planner
Arapahoe County
6924 South Lima Street
Centennial CO 80112

December 16, 2015

Ms. Molly Orkild Larson,

On behalf of the Denver Jewish Day School, we understand that the developer of the Denver Jewish Senior Living Project may require a joint parking agreement to utilize parking available on the school site. The developer has estimated between 7-10 spaces may be required to meet the parking count found during the developer/architect site survey conducted by H+L architecture. On behalf of the school we agree to enter into an agreement with the developer related to joint parking on the DJDS site.

We understand the County will be looking for a more formal agreement during the FDP phase of the project entitlements.

Thank you for your consideration,

Avi Halzel
Head of School/CEO

RECEIVED

DEC 18 2015

ARAPAHOE COUNTY
PLANNING DIVISION





Kumar & Associates, Inc.
Geotechnical and Materials Engineers
and Environmental Scientists

2390 South Lipan Street
Denver, Colorado 80223
phone: 303-742-9700
fax: 303-742-9666
email: kadenver@kumarusa.com
www.kumarusa.com



Office Locations: Denver (HQ), Colorado Springs, Fort Collins, and Frisco, Colorado

January 8, 2016

Buccaneer Development, Inc.
6590 DTC Boulevard, Suite 285W
Greenwood Village, Colorado 80111

Attention: Jonathan Griffis
Phone: 303-531-7900
Mobile: 303-981-0600
Email: jgriffis@bucdev.com

Subject: Tri-County Health Department Preliminary Development Plan Review, Denver Jewish Senior Living, South Wabash Street, Unincorporated Arapahoe County, Colorado
Project No. 14-1-599

RECEIVED

JAN 11 2016

ARAPAHOE COUNTY
PLANNING DIVISION

Dear Mr. Griffis:

Kumar & Associates, Inc. (K+A) appreciates the opportunity to provide this letter to document additional information obtained from Tri-County Health Department (TCHD) concerning the above-referenced project.

Buccaneer Development provided K+A with a plan review comment letter from TCHD, dated December 31, 2015. The letter included the following comments concerning a nearby historical solid waste landfill.

"There is a closed landfill located within 1,000 feet of the subject property. Flammable gas from decomposing organic matter in old landfills may travel up to 1,000 feet from the source. Because construction is planned on this property, we recommend the following:

1. A flammable gas investigation should be conducted to determine if flammable gas (methane) is present in the subsurface soils at the property. The plan for the investigation should be submitted to Tri-County Health Department (TCHD) for review and approval.
2. TCHD will review the results of the investigation. If the investigation indicates that methane is not present at or above 20% of the lower explosive limit for methane (1% by volume in air) in the soils, no further action is required.
3. In lieu of the investigation, a flammable gas control system shall be designed and constructed to protect buildings and subsurface access to utilities, i.e. vaults, manholes, etc. from flammable gas. Health and safety practices shall be followed during construction to protect site workers. A copy of TCHD guidelines for safe construction in areas on or near former landfills has been attached."

K+A contacted Laurel Broten, TCHD land use and built environment specialist, to discuss the department's requirement to conduct a flammable gas investigation. According to Ms. Broten, TCHD's database identifies the content of the landfill discussed in the department's comment letter as construction/demolition debris, which is less likely to produce excessive methane than a domestic organic waste landfill. Ms. Broten explained that TCHD's comments concerning the

landfill are recommendations and not requirements that need to be completed in order to obtain applicable permits or plan approval.

K+A performed a Phase I environmental site assessment (ESA) in December 2014, which stated the following:

“A reported landfill that extended from the southern portion of the subject site to Cherry Creek and approximately 1,000 feet to the northwest was identified during review of regulatory information. Since K+A could not confirm that significant historical mining activities occurred on-site through review of aerial photographs and the recent geotechnical engineering study did not identify domestic refuse, construction debris, or other solid waste during field exploration, the landfill listings do not present a recognized environmental condition (REC) in connection with the subject property. If landfill waste is discovered during future development of the site, the materials should be characterized and disposed in accordance with applicable regulations.”

Based on the findings of the 2014 Phase I ESA and clarification of TCHD’s preliminary development plan review recommendations, the nearby landfilling activities do not present a REC and a flammable gas investigation is not required.

Please contact us if you have any questions concerning this issue or if we can be of further assistance with this project.

Sincerely,

KUMAR & ASSOCIATES, INC.

By 

Mark L. Lancaster
Environmental Services Manager

MLL/jw
cc: file & book



Engineering Services Division Staff Report

Date: January 5, 2016

To: Jon Griffis, Buccaneer Development
Susan Stanton, The Stanton Solution
Kevin Barney, Manhard Consulting

CC: Molly Orkild-Larson, Planning Division
Chuck Haskins, Engineering Services Division, Division Manager

From: Sarah White, Engineering Services Division

Re: Z15-003
Denver Jewish Senior Living
PDP

Findings:

The Arapahoe County Division of Engineering Services has reviewed this referral and has the following findings:

1. This parcel is in the Cherry Creek Basin 7 drainage basin. A fee of \$4,827/impervious acre has been established for the storm sewer recovery fees in this watershed. Arapahoe County collects these fees at time of Final Development Plan.
2. This development lies within the boundaries of the Southeast Metro Stormwater Authority (SEMSWA).
3. This development lies within the boundaries of the Urban Drainage and Flood Control District (UDFCD).
4. Assisted Living Facilities typically generate minimal traffic, as noted in the Traffic Impact Study (TIS) Waiver.
5. Entrance re-alignment may be necessary for the adjoining property, Denver Jewish Day School. The TIS waiver evaluates the interaction of the proposed development and the school and finds insignificant adverse impact. The school has additionally submitted a letter to the County to state that they "anticipate and agree" to the change in access configurations.

6. Engineering Fees for this case review of the Preliminary Development Plan and Phase I Drainage Report have been paid.
7. A Replat and Final Development Plan for this site will be necessary.

STAFF COMMENTS

The Engineering Services Division (ESD) has completed review for the above referenced project. ESD has reviewed the documents provided with the resubmittal of this project and provides the following comments:

1. Arapahoe County and Southeast Metro Stormwater Authority (SEMSWA) have no further comments in relation to the Phase I Drainage Report.
2. SEMSWA has issued a Memorandum of Design Approval for Stormwater Facilities.
3. The Drainage Report may be submitted for Final Approval.
4. The TIS Waiver has been accepted by the County.
5. Applicant may need to address any remaining comments on the PDP check prints. Please confirm status of checkprints and/or Mylar with Planning Department.

FINAL SUBMITTAL PROCEDURE - Attached to this report is an instruction checklist to the applicant regarding resubmittal of documents. The number of documents also includes documents requested by SEMSWA. Staff will forward the applicable documents; please do not submit directly to SEMSWA. The applicant and their consultants must follow these instructions to avoid delays in processing of this case.

Final Submittal CHECKLIST

Please confirm the following finalized documents items are submitted:

	Engineering Documents Required with the Formal Phase II Referral Submittal to the County Planning Division	Needed Copies
X	A copy of this final submittal Checklist	1
X	Completed Review and Approval Form (Arapahoe County Form 581) available on-line at http://www.arapahoegov.com/index.aspx?NID=569	1
	Traffic Impact Study	
X	Phase I Drainage Study	5 + 1 digital
	Phase II Drainage Study	
	Phase III Drainage Study	
	Drainage Letter of Conformance	
	Operations & Maintenance Manual	
	Preliminary Construction Drawings	
	Construction Drawings	
	Pavement Design Report	
	Grading, Erosion and Sediment Control (GESC) documents	
	Legal Description and Exhibit	
	Legal name, legal address, and title (if any) of the Owner, assign, or person with signatory authority on behalf of the Owner	

Case No. Z15-003

Case Engineer: Sarah White

Final Submittal Requirements:

Once plans and/or reports have been accepted for approval by the Engineering Division, the Applicant's representative shall submit to the Engineering Department a minimum of five (5) sets of blackline copies of the Drainage Report. The Engineering Division will stamp accept/approve Reports all submitted sets. **One (1) set of County stamped plans/reports will be returned to the Applicant.** The representative may also submit additional signed sets of Construction Plan and/or Report blacklines to be approved and signed by the Engineering Division for use by the, owner / developer, consultant, contractors, etc.



ARAPAHOE COUNTY
COLORADO'S FIRST

Arapahoe County Public Works and Development - Planning Division

6924 S. Lima Street, Centennial, CO 80112

Phone: 720-874-6650 | Fax: 720-874-6611

www.arapahoegov.com

Phase II Referral Routing

Agency Receiving Referral: Arapahoe County Mapping Dept

Agency Contact Person: Karen Kennedy

Case Number: Z15-003, Preliminary Development Plan (PDP)

Case Name: Denver Jewish Senior Living PDP

Case Planner: Molly Orkild-Larson, MOrkild-larson@arapahoegov.com

Case Engineer: Sarah White - SWhite@arapahoegov.com

Date Sent: 10/14/2015

Date to be Returned: 11/16/2015

INSTRUCTIONS:

The enclosed case has been submitted to the Arapahoe County Planning Office for consideration. Because of the possible effect of the proposed development upon your area, the case is being referred for your comment. Please examine this request and, after review, check the appropriate box, sign, add comments as necessary and return to the Arapahoe County Planning Office on or before the date indicated above.

COMMENTS:

Reviewer First & Last Name:

Have NO Comments to make on the case as submitted

Have the following comments to make related to the case:

Karen Kennedy 10-15-15

See redlines done in BlueBeam

Molly Orkild-Larson

From: Alan Snyder
Sent: Monday, January 11, 2016 8:05 AM
To: Molly Orkild-Larson
Subject: Z15-003

Zoning Phase review comments are as follows.
No Comments

Alan

Alan Snyder
Community Compliance Officer
Arapahoe County
Public Works and Development
720-874-6712



ARAPAHOE COUNTY
COLORADO'S FIRST

Arapahoe County Public Works and Development - Planning Division

6924 S. Lima Street, Centennial, CO 80112

Phone: 720-874-6650 | Fax: 720-874-6611

www.arapahoegov.com

Phase II Referral Routing

Agency Receiving Referral: Arapahoe County Sheriff's Office

Agency Contact Person: Glenn Thompson, Public Safety Bureau Chief

Case Number: Z15-003, Preliminary Development Plan (PDP)

Case Name: Denver Jewish Senior Living PDP

Case Planner: Molly Orkild-Larson, MOrkild-larson@arapahoegov.com

Case Engineer: Sarah White - SWhite@arapahoegov.com

Date Sent: 10/14/2015

Date to be Returned: 11/16/2015

INSTRUCTIONS:

The enclosed case has been submitted to the Arapahoe County Planning Office for consideration. Because of the possible effect of the proposed development upon your area, the case is being referred for your comment. Please examine this request and, after review, check the appropriate box, sign, add comments as necessary and return to the Arapahoe County Planning Office on or before the date indicated above.

COMMENTS:

Reviewer First & Last Name:

Have NO Comments to make on the case as submitted

Have the following comments to make related to the case:

Glenn Thompson, Bureau Chief

Facility planning should include consultation with Sheriff's Office Crime Prevention Section and Cunningham Fire Department officials for recommendations on safe living for any memory care patients. This location is close to the Cherry Creek Trail which is a search and rescue concern for any memory care patients who may walk away.

RECEIVED

OCT 16 2015

ARAPAHOE COUNTY
PLANNING DIVISION



ARAPAHOE COUNTY
COLORADO'S FIRST

Arapahoe County Public Works and Development - Planning Division

6924 S. Lima Street, Centennial, CO 80112

Phone: 720-874-6650 | Fax: 720-874-6611

www.arapahoegov.com

Phase II Referral Routing

Agency Receiving Referral: Cunningham Fire Protection District

Agency Contact Person: Tyler Everitt

Case Number: Z15-003, Preliminary Development Plan (PDP)

Case Name: Denver Jewish Senior Living PDP

Case Planner: Molly Orkild-Larson, MOrkild-larson@arapahoegov.com

Case Engineer: Sarah White - SWhite@arapahoegov.com

Date Sent: 10/14/2015

Date to be Returned: 11/16/2015

INSTRUCTIONS:

The enclosed case has been submitted to the Arapahoe County Planning Office for consideration. Because of the possible effect of the proposed development upon your area, the case is being referred for your comment. Please examine this request and, after review, check the appropriate box, sign, add comments as necessary and return to the Arapahoe County Planning Office on or before the date indicated above.

COMMENTS:

Reviewer First & Last Name:

Have NO Comments to make on the case as submitted

Have the following comments to make related to the case:

Tyler Everitt

Please See Attached

RECEIVED

NOV 05 2015

**ARAPAHOE COUNTY
PLANNING DIVISION**



CUNNINGHAM FIRE PROTECTION DISTRICT

2015 SOUTH DAYTON STREET ♦ DENVER, CO 80247 ♦ Phone: (303) 755-9202
Fax: (303) 337-7971

PDP Comment

November 3, 2015

Molly Orkild-Larson
Arapahoe County Public Works and Development
6924 S. Lima Street
Centennial, CO 80112

Re: Denver Jewish Senior Living – Z15-003; CFPD 15-991

The Fire District has reviewed the referral for the above referenced case for compliance with the *2009 International Fire Code (IFC)* as adopted by the District. The Fire District supports the PDP for approval and does not have any changes to the PDP document. The comments listed below are requirements for the FDP Document and will be reviewed at the FDP phase.

The following notes would be needed on the FDP Plan for Review and Approval:

The Fire District requires that the following general comments are included on the cover sheet of the FDP:

1. Fire Department Access:

1. Surfaced access roads capable of withstanding the imposed loads of fire apparatus and all required hydrants shall be installed prior to construction.
2. All roads and drives are hereby designated as fire lanes. When required by the Fire District, all fire lanes shall be posted “No Parking – Fire Lane.” All fire lanes shall be included in the Arapahoe County program for enforcement of private property parking.
3. Turning radius and navigation through the development shall meet the Cunningham Fire Protection Districts specifications and is verified using an approved method. (Auto-Cad drawings must be provided, vehicle information can be found on our website www.cfpd.org)
4. Any proposed “pork-chop” or any traffic direction features at the entrance of the development shall have a designed width of 16 feet minimum drive with mountable curbs and no obstructions to the entrances.

5. If a traffic signal is added as part of this development it is required to have an opticom traffic device installed.
6. If the proposed structures are 30-feet in height the fire department access drives within the development shall be a minimum of 26-feet in width.
7. The fire apparatus access road shall comply with the requirements of *Section 503* and shall extend to within 150 feet of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility. Plan demonstrating the structures meet the *Section 503* requirement.
8. All fire hydrants are to be installed in conformance with *Sections 507 and Appendix C* of the *2009 International Fire Code*. No landscaping, fencing or any other obstruction shall be placed within three feet of a fire hydrant.

If you need any additional information or have any questions, please contact me at (303) 338-4204. The Fire Prevention Bureau fax number is (303) 337-7971.

Sincerely,

Tyler Everitt
Deputy Fire Marshal



ARAPAHOE COUNTY
COLORADO'S FIRST

Arapahoe County Public Works and Development - Planning Division

6924 S. Lima Street, Centennial, CO 80112

Phone: 720-874-6650 | Fax: 720-874-6611

www.arapahoegov.com

Phase II Referral Routing

Agency Receiving Referral: Arapahoe Park and Recreation District

Agency Contact Person: Lynn Cornell, District Manager

Case Number: Z15-003, Preliminary Development Plan (PDP)

Case Name: Denver Jewish Senior Living PDP

Case Planner: Molly Orkild-Larson, MOrkild-larson@arapahoegov.com

Case Engineer: Sarah White - SWhite@arapahoegov.com

Date Sent: 10/14/2015

Date to be Returned: 11/16/2015

INSTRUCTIONS:

The enclosed case has been submitted to the Arapahoe County Planning Office for consideration. Because of the possible effect of the proposed development upon your area, the case is being referred for your comment. Please examine this request and, after review, check the appropriate box, sign, add comments as necessary and return to the Arapahoe County Planning Office on or before the date indicated above.

COMMENTS:

Reviewer First & Last Name:

Have NO Comments to make on the case as submitted

Have the following comments to make related to the case:

Lynn H. Cornell

This particular development has no impact to our park district. It is not located near or within our district boundaries. We do appreciate the referral opportunity as always.

RECEIVED

OCT 14 2015

**ARAPAHOE COUNTY
PLANNING DIVISION**

David Strohfus
Director of Planning &
Interagency Relations



Educational Services Center
4700 S. Yosemite Street
Greenwood Village, CO 80111

720.554.4244

dstrohfus@cherrycreekschools.org

November 2, 2015

Ms. Molly Orkild-Larson
Arapahoe County Public Works & Development
6924 South Lima Street
Centennial, CO 80112

Subject: Denver Jewish Senior Living PDP
Case Number Z15-003
102 Unit Senior Independent Living Community

To Whom it May Concern:

Cherry Creek School District No. 5 has reviewed the information provided by the Arapahoe County Department of Planning and Development regarding the PDP for Denver Jewish Senior Living. The Cherry Creek School District provides educational services to children in the surrounding area residing within the boundaries of the Cherry Creek School District. It is understood that this is a senior independent living community. It is the opinion of the Cherry Creek School District that no cash in lieu fees are required at this time due to the fact that this development will not generate students in our schools.

The Cherry Creek School District reserves the right to request cash in lieu fees at a later time if this property is ever sold and/or the utilization of the property changes to include minor-aged children. This would be necessary in order to provide adequate educational services for future students.

Thank you for the opportunity to review this proposal. Should you need additional information from Cherry Creek Schools, please feel free to contact me.

Sincerely,

A handwritten signature in blue ink, appearing to read "David Strohfus", is written over a horizontal line.

David Strohfus
Director of Planning and Interagency Relations

cc: Sheila L. Graham – Assistant Superintendent of Educational Support Services
Randy Hawbaker – Executive Director of Educational Support Services
Angela McCain – Director of Planning and Interagency Relations



December 31, 2015

Molly Orkild-Larson
Arapahoe County Public Works and Development
6924 S. Lima Street
Centennial, CO 80112

RE: Denver Jewish Senior Living PDP
Case No.: Z15-003
TCHD Case No.: 3765

Dear Ms. Orkild-Larson:

Thank you for the opportunity to review and comment on the preliminary development plan for Denver Jewish Senior Living. Tri-County Health Department (TCHD) staff has reviewed the application for compliance with applicable environmental and public health regulations. After reviewing the application, TCHD has the following comments:

Closed Landfill

There is a closed landfill located within 1000 feet of the subject property. Flammable gas from decomposing organic matter in old landfills may travel up to 1000 feet from the source. Because construction is planned on this property, we recommend the following:

1. A flammable gas investigation should be conducted to determine if flammable gas (methane) is present in the subsurface soils at the property. The plan for the investigation should be submitted to Tri-County Health Department (TCHD) for review and approval.
2. TCHD will review the results of the investigation. If the investigation indicates that methane is not present at or above 20% of the lower explosive limit for methane (1% by volume in air) in the soils, no further action is required.
3. In lieu of the investigation, a flammable gas control system shall be designed and constructed to protect buildings and subsurface access to utilities, i.e. vaults, manholes, etc. from flammable gas. Health and safety practices shall be followed during construction to protect site workers. A copy of TCHD guidelines for safe construction in areas on or near former landfills has been attached.

Food Service

If the facility is intending to open a kitchen that can serve food to the public, plans shall be submitted for review by TCHD for compliance with Colorado Retail Food Establishment Rules and Regulations and approved by the Department before start of construction. We recommend that the City of Aurora require the plan review and approval be completed before issuing a building permit. The applicant shall call TCHD's Plan Review Hotline, at our Administrative Office at (303) 846-6230, regarding requirements for and scheduling a plan review. Instructions for opening a retail food establishment can be found on line at TCHD's web site at <http://www.tchd.org/DocumentCenter/View/315>.

Community Design for Public Health

We are pleased that this project is being developed to meet the needs of aging adults since older adults comprise the fastest growing segment of the population. Because regular physical activity supports better health outcomes, Tri-County encourages community designs that promote residents' incorporating regular exercise in the form of walking into their daily routines. TCHD commends the applicant for including ICC/ANSI accessible walkways throughout the development.

Please feel free to contact me at (720) 200-1585 or lbroten@tchd.org if you have any questions regarding TCHD's comments.

Sincerely,

A handwritten signature in black ink, appearing to read 'L Broten', written in a cursive style.

Laurel Broten, MPH
Land Use and Built Environment Specialist
Tri-County Health Department

CC: Sheila Lynch, Laura DeGolier, TCHD

Molly Orkild-Larson

From: Laurel Broten <lbroten@tchd.org>
Sent: Thursday, December 31, 2015 2:23 PM
To: Molly Orkild-Larson
Cc: Jason Reynolds; Sheila Lynch
Subject: RE: Referral Response for Denver Jewish Senior Living PDP

I don't know that it had a name. Below is a screenshot of our historic landfill database. Our records (AR-016, ID 284) indicate that there was "open demolition" on the site and that's why we recommended the flammable gas investigation.



CHERRY CREEK VALLEY WATER AND SANITATION DISTRICT
2325 SOUTH WABASH STREET
DENVER, COLORADO 80231
(303) 755-4474

PAUL J. HANLEY, Chairman
MARK L. LAMPERT, Vice Chairman
WILLIAM M. MACPHEE, Secretary/Treasurer
FREDERICK L. NORMAN, Director
BRADLEY W. RASTALL, Director

RECEIVED

JAN 11 2016

ARAPAHOE COUNTY
PLANNING DIVISION

AVAILABILITY OF SERVICE LETTER

January 11, 2016

Molly Orkild
Arapahoe County Public Works and Development
6924 South Lima Street
Centennial CO 80112

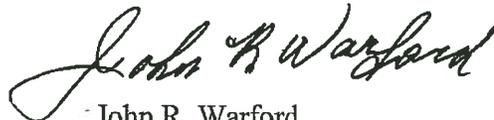
Re: Denver Jewish Senior Living
Parcel 1973-28-4-00-066 2451 S Wabash St
Parcel 1973-28-4-00-067 2453 S Wabash St
Parcel 1973-28-4-00-068 No assigned address

The above referenced property is within the service area of the District. The District is a Master Meter Distributor for Denver Water. Water and sewer service is available subject to extension of water and sewer lines, payment of all fees, and the District's Rules and Regulations.

If you have any questions regarding this matter, please feel free to contact this office.

Sincerely,

CHERRY CREEK VALLEY WATER
AND SANITATION DISTRICT



John R. Warford
Manager

Molly Orkild-Larson

Subject: FW: Feedback on Denver Jewish senior housing project

From: "Hanley, Paul J." <PHanley@spencerfane.com>
Date: October 23, 2015 at 5:05:40 PM MDT
To: "Jan Yeckes (JYeckes@arapahoegov.com)" <JYeckes@arapahoegov.com>
Cc: "Mark Lampert (mlampert@4edisp.net)" <mlampert@4edisp.net>
Subject: FW: Feedback on Denver Jewish senior housing project

Jan,

Although we have some concerns about the fairly high density, we believe that would be acceptable, IF it is given the senior facility designation. The senior facility use is appropriate for this parcel. The applicant explained to us, however, that they may not be able to use the senior facility designation because some memory care patients are under the age requirement for a senior facility designation. (Arapahoe County should amend the designation to allow a certain number of memory care patients under the age requirement for a senior living facility.) If the applicant amends the application for multi-family, we would strenuously object to the density levels.

In addition to the foregoing concern, our greater concern is over the height. In general in the 4SQM area, we do not believe high rise buildings are appropriate. We believe a general 35-foot height limitation allow an ample opportunity for property developers to profit and create responsible development that will preserve 4SQM as a unique and desirable place to live. Most of the existing zoning in 4SQM is subject to a 35 foot limitation, and of the multifamily apartments that have been built (with the exception of four-story Lugano in an area designated as a Town Center) all the other multi-story apartments and buildings are three stories or less. This provides for a more wide open feel and preserves some view for adjacent single family homes to these developments, thus preserving the character of 4SQM.

The proposed PDP is now 47 feet. The applicant represented this is three stories with a flat roof. We cannot figure out why a maximum height of 47 feet is needed for three stories of ten feet and a flat roof. We asked for the Denver Senior living minutes, because there, they initially asked for 48 feet and I believe the Planning Commission bumped it down to 37 or 38 feet. The same should be done here to provide consistency throughout the 4SQM area.

The applicant suggested that the clubhouse at the County Club was 49 feet. But that parcel is in the middle of a golf course and gated community. It is quite isolated from the rest of 4SQM. The subject parcel is not. It is near the Iliff corridor where substantial redevelopment is likely to take place in upcoming years. A 47 foot height will set an adverse precedent. The Planning Commission realized that in connection with Denver Senior Living and the same should be done here.

Paul J. Hanley,
Four Square Mile Citizens



FOUR SQUARE MILE NEIGHBORHOODS

c/o Mark Lampert
9022 East Colorado Drive
Denver, CO 80231

November 13, 2015

Via Email

Ms. Jan Yeckes
Arapahoe County Planning

Re: Denver Jewish Senior Living PDP Application

Dear Jan:

Four Square Mile Neighborhoods (4SQM) opposes Denver Jewish Senior Living's proposed PUD on the basis that the proposed maximum height of 48 feet is excessive and out of character for 4SQM.

The 4SQM Sub-Area Plan density limits effectively impose a de facto height limitation on multi family dwellings because of the 25 dwelling unit per acre maximum. Most of the existing zoning in 4SQM is subject to a 35 foot limitation, and of the multifamily apartments that have been built (with the exception of four-story Lugano in an area designated as a Town Center) all the other multi-story apartments and buildings are three stories or less. (The applicant references the Cherry Creek Country Club clubhouse, but this is geographically isolated in the middle of a golf course in a gated community.) The overall 35 foot height limitation in 4SQM provides for a more wide open, rural feel and thus preserves the character of 4SQM.

The subject property is currently zoned for a maximum height limitation of 35 feet. Therefore, the property has been owned and was acquired subject to such limit. A maximum height of 35 is therefore not unreasonable.

Further, the developer represented that a part of this building would be three stories with a flat roof. Therefore, a maximum height of 48 feet is unnecessary. Another developer of a multi family property has described a currently designed three story structure to us as having three floors of 9 feet each with a pitched roof of 11 feet, leading to 38 feet. This is an acceptable maximum height for a three story structure, rather than the proposed 48 feet.

Similar concerns about the maximum height were raised with respect to the Denver Senior Living application on Warren. Following the expression of those concerns, the Planning Commission approved the project with a 38 foot height limitation. This is what the maximum height of this project should be.

At this time, the maximum height is therefore our only concern, and in general, we believe the memory care and senior living facility would be a welcome development in that location. We may have additional comments as the plans become more definite.

Jan Yeckes
Arapahoe County Planning
November 13, 2011
Page 2

Very Truly Yours,

FOUR SQUARE MILE NEIGHBORHOODS

By Mark Lampert

cc: Jan Yeckes, Arapahoe County
Hughes Mountain View Neighborhood
Mountain View Gardens HOA
Alton Park HOA
Yorkshire Estates HOA
Huntington Estates-Welch HOA



Right of Way & Permits

1123 West 3rd Avenue
Denver, Colorado 80223
Telephone: **303.571.3306**
Facsimile: 303. 571.3284
donna.i.george@xcelenergy.com

November 16, 2015

Arapahoe County Public Works and Development
6924 South Lima Street
Centennial, CO 80112

Attn: Molly Orkild-Larson

Re: Denver Jewish Senior Living PDP, Case # Z15-003

Public Service Company of Colorado's (PSCo) Right of Way & Permits Referral Desk has reviewed the PDP plans for **Denver Jewish Senior Living**. Please be aware PSCo owns and operates existing electric distribution facilities within the proposed project area. The property owner/developer/contractor must contact the **Builder's Call Line at 1-800-628-2121** and complete the application process for any new gas or electric service, or modification to existing facilities including relocation and/or removal. It is then the responsibility of the developer to contact the Designer assigned to the project for approval of design details. Additional easements may need to be acquired by separate document for new facilities.

As a safety precaution, PSCo would like to remind the developer to call the **Utility Notification Center, at 1-800-922-1987** to have all utilities located prior to any construction.

Should you have any questions with this referral response, please contact me at 303-571-3306.

Donna George
Contract Right of Way Referral Processor
Public Service Company of Colorado

Molly Orkild-Larson

From: Downing, Kiel G NWO <Kiel.G.Downing@usace.army.mil>
Sent: Wednesday, October 14, 2015 2:14 PM
To: Molly Orkild-Larson
Subject: RE: Denver Jewish Senior Living Preliminary Development Plan (Z15-003) - Phase II Referral (UNCLASSIFIED)

Classification: UNCLASSIFIED
Caveats: NONE

No comments

Kiel Downing
State Program Manager
Denver Regulatory Office
9307 S. Wadsworth Blvd.
Littleton, CO 80126
303-979-4120

-----Original Message-----

From: Molly Orkild-Larson [<mailto:MOrkild-Larson@arapahoegov.com>]
Sent: Wednesday, October 14, 2015 1:12 PM
To: Molly Orkild-Larson
Subject: [EXTERNAL] Denver Jewish Senior Living Preliminary Development Plan (Z15-003) - Phase II Referral

Please find attached Arapahoe County's Phase II Referral Form, Letter of Intent, Site Plan, and Drainage Report for the proposed Preliminary Development Plan mentioned above. Please review and provide me with your comments before on the date indicated on the referral form.

Classification: UNCLASSIFIED
Caveats: NONE

Maureen C. Williams
9366 E Harvard Ave.
Denver, CO 80231

June 18, 2015

Jan Yeckes
Planning Division Manager
Arapahoe County
Lima Plaza
6924 S. Lima St.
Centennial, CO 80112

RECEIVED

JUN 23 2015

ARAPAHOE COUNTY
PLANNING DIVISION

RE: Potential rezoning of 2450, 2451 and 2453 S Wabash Street and Preliminary Development Plan Request by Buccaneer Development, Inc.

To Whom It May Concern,

I live at the Cherry Creek Country Club. I received a letter in the mail today from Buccaneer Development, Inc. The letter (a copy of which is enclosed for your convenience) indicated that Buccaneer Development is in the preliminary stages of developing 2450, 2452 and 2453 S Wabash St.

While I have no objection as to the planned use of the land for assisted living, I do have objections to the planned density of the project as it is currently being proposed, to the proposed surface parking only and to the additional traffic burden that such a dense development would put on an already limited Wabash Street.

I spoke with Jonathan Griffis (the signer of the letter) this morning to ask him how tall the building would be to contain 102 Units, as the letter makes no mention of this nor of the layout of the senior assisted living community as currently designed. He indicated that the current plans for the 102 units call for 3 buildings of various heights and propose only surface parking. His rationale for surface parking only (as opposed to underground parking) was that the members of the community would not be driving. This is contrary to the density and parking requirements of a fully tenanted and staffed assisted living as proposed.

I am very concerned that this is too many units on a 2.3-acre site and that if there are 3 buildings with courtyards between them there will not be enough parking for a surface only option.

It may be that in many situations only one person of a couple needs assistance and that only the non-assisted person drives to and from the community on a daily basis. If this were true in only half the cases that would be at least 50, cars that would require a parking space for all or part of each day. Obviously if there are two unrelated tenants per room, the parking requirements go up exponentially.

In addition, there would have to be parking for all of the staff on each shift. I do not know how many people would be required to meet the daily needs of a community of 102 individuals who require assistance. However, for assisted living there would clearly be office staff, nurses, cooks, cleaners, dishwashers, maintenance workers etc. on each shift. At the very least, there is likely a three to one ratio, adding another 30 people for each shift, and resulting in 30 additional cars.

There also needs to be parking for the visitors and guests of the members of the community as well as doctors who would necessarily come to examine their patients. Hypothetically perhaps another 20 additional spaces would be required on an ongoing basis.

Maureen C. Williams
9366 E Harvard Ave.
Denver, CO 80231

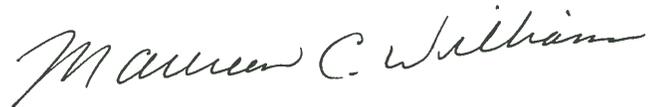
A 2.3-acre site cannot possibly accommodate 3 building, 2 courtyards and between 75 to 100 parking spaces as well.

As I said at the outset, I live in the Cherry Creek Country Club (adjacent to the Denver Jewish School) and use Wabash Street on a daily basis. It is currently a 2-lane road that goes around the Denver Jewish School at a maximum speed of 20 miles per hour. It already has an abundance of commuter traffic especially during rush hour. The increased traffic from the proposed plan will put a heavy a burden on the street that it cannot possibly accommodate.

Unfortunately, I will be unable to attend the meeting set forth in the letter as I have prior plans to be out of town on that day. However, I wanted to put in writing my objection as to the density, the increased traffic and parking problems that may occur.

I hope that your agency will give careful consideration to these issues and require clear solutions from the developer before it moves forward with this application.

Very truly yours,



Maureen Williams

cc: Buccaneer Development, Inc.

RECEIVED

JUN 23 2015

ARAPAHOE COUNTY
PLANNING DIVISION

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ARAPAHOE COUNTY
PLANNING DIVISION

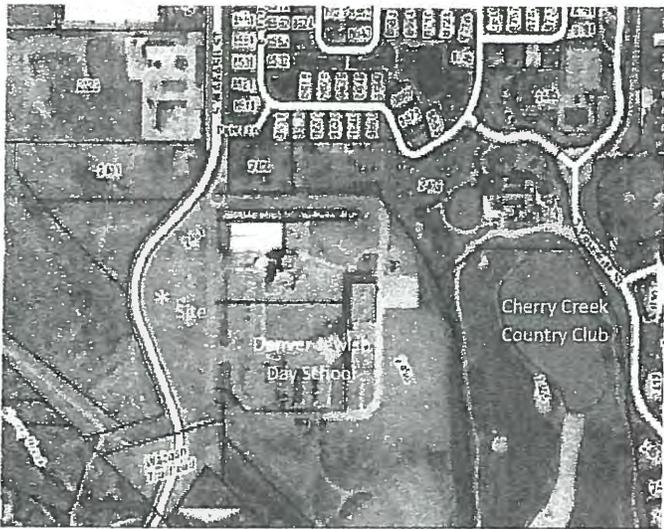
June 16, 2015

Subject: Neighborhood Information Open House – Denver Jewish Senior Living

Dear Neighbor,

We are writing to introduce ourselves as well as share plans for an assisted living/memory care senior living community we would like to bring to the neighborhood. The Denver Jewish Day School is under contract to sell to Buccaneer Development Inc. approximately 2.3 acres of excess property located on the west side of the school and Buccaneer will be submitting a formal application to Arapahoe County to rezone the property. This property is located near S. Wabash and Iliff at 2450, 2451, and 2453 S. Wabash Street. The new facility will be the Denver Jewish Senior Living Community.

Buccaneer has the full support of Denver Jewish Day School for the proposed project.



We will be asking Arapahoe County to approve a Preliminary Development Plan ("PDP") to rezone the site for senior housing. Current plans for the site are to construct up to 102 units of assisted living/memory care. There will be connectivity directly to the school and community and a plaza for resident families to visit their senior family members.

The PDP application will be the first in a series of applications required by Arapahoe County. Additional submittals are expected to occur that will finalize further detail regarding the project. Arapahoe County will be

holding public hearings to review and approve the PDP as well as future applications made by Buccaneer in regard to this project.

A Neighborhood Information Open House regarding the proposed Denver Jewish Senior Living Community will be held to provide you an opportunity to learn about the project and provide comment. The Open House will be held on:

- **Date:** Tuesday, June 30th from 5:30 PM- 7:00 PM
- **Location:** Cherry Creek Country Club, 2405 S. Yosemite

At this meeting, we will make every effort to help you understand our project and to answer any questions. Should you have questions prior to the meeting, please contact Jon Griffis at 303-531-7900.

Sincerely,

Jonathan Griffis
Buccaneer Development

MAX
SIZE

SURFACE
PARKING

PLAN -
1 story
2 story
3 story

Ms. Molly Orkild-Larson, AICP

Senior Planner
Planning Division
6924 S. Lima Street
Centennial, CO 80112

July 14, 2015

Dear Mrs. Molly Orkild,

This letter is in support of the proposed Denver Jewish Senior Living Community to be located at 2450- 2453 Wabash Street. As a resident of the Cherry Creek Country Club neighborhood, I feel this project would be a welcomed addition.

The Denver Jewish Senior Living Community is an ideal purpose for this vacant land. Like many other communities in the Denver Metro area we have a need for senior housing and this proposed project will help meet that urgent need for seniors in our area. The proposed site plan creates a convenient connection to the current Denver Jewish Day School campus, providing direct access and enabling families with students at DJDS to have daily visits with their grandparents and relatives. This connectivity will strengthen our already strong sense of community.

The design of the Community is functional for its residents, but is also aesthetically pleasing and adds value to the neighborhood. The proposed design also includes gardens, ponds and walking paths to our community, and the project will have very little impact on our neighborhood's traffic, design and character. Other uses for this land could provide greater impact on our community.

The Denver Jewish Senior Living Community will be an asset to our community. I am in strong favor of this project being approved.

In Support,


Resident Cherry Creek Country Club





Denver Jewish Senior Living Community Informational Open House Summary

Date- June 30, 2015 Location: Cherry Creek Country Club

Time- 5:30- 7:00 PM

Summary/Feedback

All residents who attended open house provided positive feedback and support for the proposed Denver Jewish Senior Living Community. Comments were made to our development team that the community was pleased with use of the land and many expressed relief that an apartment building was not planned for the site. It was expressed by several that there was a need for senior living in the area. Attendees thought the design of the center was well thought out and it would be an attribute to the surrounding area.

Written feedback that we collected from attendees:

"This will be a great addition to our community. It will be beautiful addition." -Kristi Dameron

"Great project and use of the land." Gary and Evy

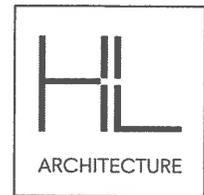
"Approve of the project. Great idea school across from the building." Kathy Truglio

"I wholeheartedly support the project."- Evelyn Shafer

"I think this is a good idea and good use of the land." - OC

Attendees

Name	Address	Email	Phone
Kathy and Glen Truglio	8747 E Wesley Drive, Denver, CO 80231	glenntruglio@gmail.com	303-632-6526
Byron and Evy Shafer	9227 E Wesley Ave, Denver, CO 80231	byrondev@comcast.net	303-745-3120
Tom and Julie Dameron	8578 E Wesley, Denver, CO 80231		
Lauren Immel	8630 EW, Denver, CO 80231		
Barbara Burry	8694 E Illiff Dr., Denver, CO 80231	bebeburry@aol.com	-
Kristi Dameron	8578 E Wesley Drive, Denver, CO 80231		
Shanel Hughes	498 S Memphis Way A, Aurora, CO 800170	Shughes10@live.com	
Cindy and John Ridder	8828 E Wesley Dr., Denver, CO 80231	cindyridd@comcast.net	



MEETING MINUTES NO. 1 (Revised)

PROJECT: Denver Jewish Senior Living
2450 S. Wabash St.
Denver, CO
H+L Project No. 517.001

MEETING: Cunningham Fire Protection District

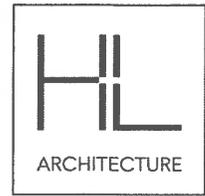
DATE AND TIME: Sept. 25, 1:30 pm
LOCATION: Cunningham Fire District Office
2015 S. Dayton St.
Denver, CO 80247

ATTENDEES: Tyler Everitt, Cunningham Fire
Scott Hare, Cunningham Fire
Jon Griffis, Buccaneer Development
Dan Rodriguez, Manhard Consulting
Melanie Tang, H+L Architecture

AUTHOR: Melanie Tang
For corrections or clarifications, contact: 303/298-4765

DISTRIBUTION: All Present, Terry Varkony, Susan Stanton, Kevin Barney, Gary Prager

ITEM	DISCUSSION	ACTION
1.1	The purpose of this meeting was to review fire access to the proposed senior living project located at 2450 S. Wabash St. in Denver.	
1.2	Cunningham Fire requires access to every portion of the building within 150' of the fire truck. Tyler indicated that exceptions to the 150' distance would be considered if the building is fully sprinklered, the additional distance is within reason, and the layout does not inhibit safe access.	
1.3	The preliminary site plan shows a secured memory care outdoor garden along the front of the building. Access to the interior of the fenced garden would be required during a fire event. This could be achieved through the use a knox box on the gate.	
1.4	From a project development standpoint, Cunningham Fire cannot approve fire access from the new S. Wabash Street. They require an approved area to conduct their firefighting operations and a public road does not serve as a viable alternative. The design team proposed incorporating a staging area off Wabash, near the turn in the road for fire operations and Tyler was agreeable to it. The staging area would essentially be a widened section of the road sized to accommodate one, 50'-0" long fire truck, with a minimum road width of 26'-0", including space for truck stabilizers. A hydrant will be required at this location. When not in use, the area will be roped off with a chain and knox lock, and possibly "No Parking" signs. Approval will be required from the county roadway division.	



ITEM	DISCUSSION	ACTION
1.5	Cunningham Fire will use the S. Wabash staging area for their aerial access. Access is required only from one side therefore the east side is not anticipated as an aerial access point.	
1.6	There was a discussion about having two points of access on the site. As currently planned, the project shows one access on the north end. Cunningham would like a second route in and out of the site, closer to the south end. There were discussions about keeping the middle drive from Denver Jewish Day School available to serve as the second access point. This would allow fire trucks to enter/exit the site, circulate through the school's parking lot and access the north or south entrances off S. Wabash Street. The secondary access would be secured by a chain and lock to ensure the students do not use this as a primary point of access. This solution is acceptable to Tyler.	
1.7	It was agreed that the Fire Department Connection (FDC) and should be located at the front entry. A fire hydrant located within 50 feet of the FDC will be required.	
1.8	Parking is permitted on one side of a fire lane if the lane is at least 30'-0" wide.	
1.9	Radio coverage is required throughout buildings over 50,000sf.	
1.10	Tyler provided sections of the Cunningham Fire Code Amendments and specifications for fire apparatus vehicles.	

END OF MEETING MINUTES

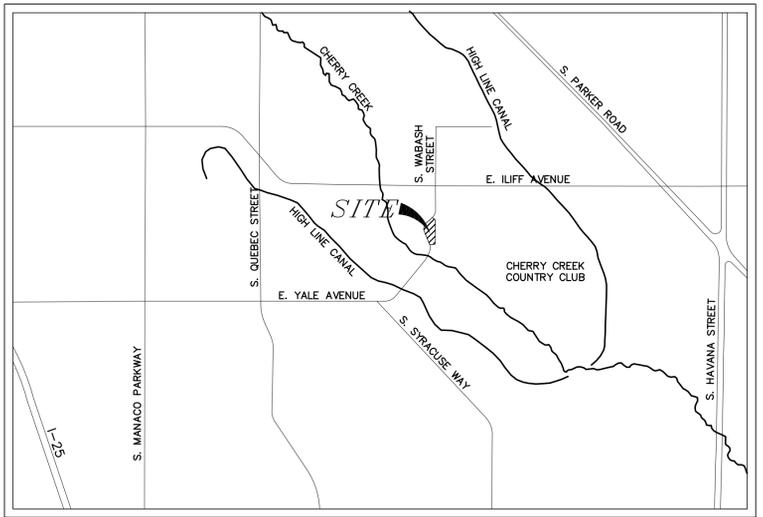
The contents of these minutes are assumed to be correct unless H+L Architecture is notified, in writing, of any additions, corrections, or deletions within three (3) calendar days of receipt.

DENVER JEWISH SENIOR LIVING - PRELIMINARY DEVELOPMENT PLAN

PART OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 28,
TOWNSHIP 4 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN,
CITY OF DENVER, COUNTY OF ARAPAHOE, COLORADO

SHEET INDEX

SHEET NO.	SHEET TITLE
PDP 1.0	COVER SHEET
PDP 2.0	PDP EXHIBIT



VICINITY MAP

(1" = 1000')



PROJECT DESCRIPTION:

- THE PROJECT IS INTENDED TO BE A 102 UNIT SENIOR LIVING FACILITY SERVING ASSISTED LIVING AND MEMORY CARE RESIDENTS WITH THE ASSOCIATED SERVICES AND FACILITIES TO SERVE THE COMMUNITY.

PERMITTED USES:

- ASSISTED LIVING AND MEMORY CARE
- THE MINIMUM AGE LIMIT FOR ONE OCCUPANT OF EACH UNIT IN THE PROJECT SHALL BE 55 YEARS OF AGE OR OLDER. THE RESTRICTION MAY BE RELEASED FOR RENTAL UNITS WHICH ARE ADVERTISED FOR 270 CONSECUTIVE DAYS AND NOT OCCUPIED BY ONE OR MORE QUALIFIED INDIVIDUALS. THOSE UNOCCUPIED UNITS, AND THOSE ONLY, MAY THEN BE RENTED TO PERSON(S) OF ANY AGE. IN THE EVENT THAT SUCH UNIT IS OCCUPIED BY A NON-SENIOR, AND LATER VACATED, THE 270-DAY PERIOD SHALL APPLY TO THAT UNIT.

DESIGN GUIDELINES:

SITE COVERAGE AND BUILDING SCALE

- IN GENERAL, BUILDINGS AND THEIR RELATED SITE DEVELOPMENT SHOULD NOT OVERWHELM THE SITE AND SHOULD FIT COMFORTABLY WITHOUT EXCESSIVE CROWDING OF THE SITE OR ADJACENT PARCELS.

LANDSCAPING

- A COMMON THEME SHOULD BE ESTABLISHED THROUGH THE USE OF DECORATIVE LIGHTING, ENTRY MONUMENTATION AND SIGNAGE, LANDSCAPE FEATURES, AND MATERIALS COMMON TO THE COMMUNITY AMENITIES, AND BUILDINGS.
- WITHIN AND AROUND PARKING LOTS, PLANTINGS MAY PROVIDE SCREENING AND SHADE. PARKING LOT PLANTING CAN ALSO CONTRIBUTE TO THE ORGANIZATION OF THE PARKING BY DELINEATING CIRCULATION ROUTES. LANDSCAPED PARKING ISLANDS MAY BE PLANNED WHERE POSSIBLE.
- LANDSCAPED BUFFERS ALONG PUBLIC USE EASEMENT THAT BORDER S. WABASH STREET MAY BE PROVIDED.
- COMPLIANCE WITH SECTION 12-1400 LANDSCAPE DESIGN STANDARDS, ARAPAHOE COUNTY LAND DEVELOPMENT CODE AND OTHER APPLICABLE CODES AND STANDARDS.

PEDESTRIAN CIRCULATION

- PROVIDE A TRANSITION FROM VEHICLE SCALE TO A PEDESTRIAN SCALE. THIS TRANSITION IS POSSIBLE BY CREATING LANDSCAPED WALKING ROUTES FROM PARKING SPACES TO THE ENTRANCE AND BY CREATING LANDSCAPED BUILDING ENTRY WAYS.
- PEDESTRIAN WALKWAYS OF 5' SHOULD BE PROVIDED THROUGHOUT THE SITE, WITH CLEAR ROUTES TO THE BUILDING ENTRANCES AND PEDESTRIAN ORIENTED OUTDOOR SPACES.
- SEPARATING WALKWAYS FROM PARKING AND DRIVES WITH LANDSCAPING IS ENCOURAGED WHERE PRACTICAL.
- WHERE WALKS ARE ATTACHED TO HEAD-IN PARKING, 12"-18" EXTRA WALK WIDTH SHOULD BE ADDED TO ALLOW FOR BUMPER OVERHANGS.
- SPECIAL PAVING FOR WALKWAYS, ESPECIALLY AT ENTRANCES AND CROSSWALKS, IS ENCOURAGED.
- PEDESTRIAN WALKWAYS MAY INCORPORATE THEMATIC MATERIALS, COLORS, AND DESIGN INTO THE PEDESTRIAN ELEMENT.

LIGHTING

- LIGHTING SHOULD BE CONSISTENT AT PARTICULAR AREAS AND HELP GUIDE PEOPLE TO THEIR DESTINATION SAFELY.
- STREET LIGHTING IS REQUIRED AT ALL DRIVEWAY ENTRANCES AND ALONG PUBLIC ROADWAYS.
- LIGHTING SHOULD BE PROVIDED TO ALLOW EASY IDENTIFICATION OF ADDRESSES, DRIVES, AND COMMON ELEMENTS.
- LIGHTING SHOULD BE OF A HUMAN SCALE.
- FULL CUT OFF LIGHTING SHOULD BE UTILIZED TO PREVENT LIGHT SPILLAGE ONTO ADJOINING PROPERTIES.

ARCHITECTURAL ELEMENTS

- BUILDINGS SHOULD CONVEY THE SENSE OF A HIGH QUALITY DEVELOPMENT THROUGH THE USE OF PERMANENT AND DURABLE MATERIALS, CAREFUL DETAILING, AND THE SENSE OF INTEGRATION OF BUILDING WITH SITE ARE ENCOURAGED.

ARCHITECTURE

ARCHITECTURE MAY INCLUDE:

- FAÇADE ARTICULATION TO DIFFERENTIATE INDIVIDUAL UNITS.
- COMPLEX MASSING CONFIGURATIONS WITH A VARIETY OF DIFFERENT WALL PLANES AND ROOF PLANES.
- NO BUILDING STAIRWAYS OUTSIDE BUILDING ENVELOPES.
- LOCATE ROOFTOP MECHANICAL UNITS BEHIND PARAPET WALLS OR IN ROOF WELLS TO MINIMIZE VISIBILITY AND GROUND LEVEL IMPACT.
- IDENTIFICATION OF ENTRANCES BY AN ARCHITECTURAL TREATMENT SUCH AS A COVERED PORTICO OR DIFFERENT ROOFLINE TREATMENT.
- DETAILED WINDOW AND DOOR TRIMS.
- INCLUDE PROJECTIONS, RECESSED, SHADOW LINES, WINDOW PATTERNS AND OVERHANGS TO PROVIDE FRONT AND REAR VARIATION IN WALL PLANES.
- PROVIDE WINDOWS ON ALL ELEVATIONS.

BUILDING MASSING

- LARGE, UNARTICULATED AND BULKY BUILDING MASS AND LARGE UNARTICULATE WALLS SHOULD BE AVOIDED.

BUILDING MATERIALS

- BUILDINGS MUST BE CONSTRUCTED WITH, PERMANENT AND CAREFULLY CRAFTED MATERIALS. SUCH MATERIALS AS BRICK, STONE, CULTURED STONE, STUCCO, CEMENTITIOUS SIDING/PANELS, METAL PANELS, ETC. AND WELL DETAILED WOOD WALLS ARE ENCOURAGED AS PRIMARY MATERIALS.

PARKING

- PARKING MAY BE INTEGRATED WITH THE DESIGN OF THE PRIMARY STRUCTURES WHICH THEY SERVE.

SIGNAGE

- IT IS THE INTENT OF THIS PROJECT TO PROVIDE ENTRY MONUMENTATION AND SIGNAGE THAT WILL BE CONSISTENT WITH OR COMPLIMENTARY TO THE ARCHITECTURAL THEME FOR THIS NEIGHBORHOOD AND PROVIDE NEIGHBORHOOD IDENTITY.

FIRE DEPARTMENT NOTES:

- SURFACED ACCESS ROADS CAPABLE OF WITHSTANDING THE IMPOSED LOADS OF FIRE APPARATUS AND ALL REQUIRED HYDRANTS SHALL BE INSTALLED PRIOR TO CONSTRUCTION.
- ALL ROADS AND DRIVES ARE HEREBY DESIGNATED AS FIRE LANES. WHEN REQUIRED BY THE FIRE DISTRICT, ALL FIRE LANES SHALL BE POSTED "NO PARKING - FIRE LANE" ALL FIRE LANES SHALL BE INCLUDED IN THE ARAPAHOE COUNTY PROGRAM FOR ENFORCEMENT OF PRIVATE PROPERTY PARKING.
- TURNING RADIUS AND NAVIGATION THROUGH THE DEVELOPMENT SHALL MEET THE CUNNINGHAM FIRE PROTECTION DISTRICTS SPECIFICATIONS AND IS VERIFIED USING AN APPROVED METHOD.
- ANY PROPOSED "PORK-CHOP" OR ANY TRAFFIC DIRECTION FEATURES AT THE ENTRANCE OF THE DEVELOPMENT SHALL HAVE A DESIGNATED WIDTH OF 16 FEET MINIMUM DRIVE WITH MOUNTABLE CURBS AND NO OBSTRUCTIONS TO THE ENTRANCES.
- IF THE PROPOSED STRUCTURES ARE 30 FEET IN HEIGHT THE FIRE DEPARTMENT ACCESS DRIVE WITHIN THE DEVELOPMENT SHALL BE A MINIMUM OF 26 FEET IN WIDTH.
- THE FIRE APPARATUS ACCESS ROAD SHALL COMPLY WITH THE REQUIREMENTS OF SECTION 503 OF THE INTERNATIONAL FIRE CODE AND SHALL EXTEND TO WITHIN 150 FEET OF ALL PORTIONS OF THE FACILITY AND ALL PORTIONS OF THE EXTERIOR WALLS OF THE FIRST STORY OF THE BUILDING AS MEASURED BY AN APPROVED ROUTE AROUND THE EXTERIOR OF THE BUILDING OR FACILITY. PROVIDE A PLAN DEMONSTRATING THE STRUCTURES MEET THE SECTION 503 REQUIREMENTS.
- ALL FIRE HYDRANTS ARE TO BE INSTALLED IN CONFORMANCE WITH SECTIONS 507 AND APPENDIX C OF THE 2009 INTERNATIONAL FIRE CODE. NO LANDSCAPING, FENCING OR ANY OTHER OBSTRUCTION SHALL BE PLACED WITHIN THREE FEET OF A FIRE HYDRANT.

STANDARD NOTES:

STANDARD NOTES:
THE OWNER(S), DEVELOPER(S) AND/OR SUBDIVIDER(S) OF THE PRELIMINARY DEVELOPMENT PLAN KNOWN AS DENVER JEWISH SENIOR LIVING, THEIR RESPECTIVE SUCCESSORS, HEIRS AND/OR ASSIGNS AGREE TO THE FOLLOWING NOTES:

STREET MAINTENANCE

IT IS MUTUALLY UNDERSTOOD AND AGREED THAT THE DEDICATED ROADWAYS SHOWN ON THIS PLAT/PLAN WILL NOT BE MAINTAINED BY THE COUNTY UNTIL AND UNLESS THE STREETS ARE CONSTRUCTED IN ACCORDANCE WITH THE SUBDIVISION REGULATIONS IN EFFECT AT THE DATE CONSTRUCTION PLANS ARE APPROVED, AND PROVIDED CONSTRUCTION OF SAID ROADWAYS IS STARTED WITHIN ONE YEAR OF THE CONSTRUCTION PLAN APPROVAL. THE OWNERS, DEVELOPERS AND/OR SUBDIVIDERS, THEIR SUCCESSORS AND/OR ASSIGNS IN INTEREST, SHALL BE RESPONSIBLE FOR STREET MAINTENANCE UNTIL SUCH TIME AS THE COUNTY ACCEPTS THE RESPONSIBILITY FOR MAINTENANCE AS STATED ABOVE.

DRAINAGE MAINTENANCE

THE PROPERTY OWNER SHALL BE RESPONSIBLE FOR MAINTENANCE OF ALL DRAINAGE FACILITIES INSTALLED PURSUANT TO THE SUBDIVISION AGREEMENT. REQUIREMENTS INCLUDE, BUT ARE NOT LIMITED TO MAINTAINING THE SPECIFIED STORM WATER DETENTION/RETENTION VOLUMES, MAINTAINING OUTLET STRUCTURES, FLOW RESTRICTION DEVICES AND FACILITIES NEEDED TO CONVEY FLOW TO SAID BASINS. ARAPAHOE COUNTY SHALL HAVE THE RIGHT TO ENTER PROPERTIES TO INSPECT SAID FACILITIES AT ANY TIME. IF THESE FACILITIES ARE NOT PROPERLY MAINTAINED, THE COUNTY MAY PROVIDE NECESSARY MAINTENANCE AND ASSESS THE MAINTENANCE COST TO THE OWNER OF THE PROPERTY.

EMERGENCY ACCESS NOTE

EMERGENCY ACCESS IS GRANTED HEREWITH OVER AND ACROSS ALL PAVED AREAS FOR POLICE, FIRE AND EMERGENCY VEHICLES.

LANDSCAPE MAINTENANCE

THE OWNERS OF THIS PLAN OR PLAT, THEIR SUCCESSORS AND/OR ASSIGNS IN INTEREST, THE ADJACENT PROPERTY OWNER(S), HOMEOWNER'S ASSOCIATION OR OTHER ENTITY OTHER THAN ARAPAHOE COUNTY IS RESPONSIBLE FOR MAINTENANCE AND UPKEEP OF PERIMETER FENCING, LANDSCAPED AREAS AND SIDEWALKS BETWEEN THE FENCE LINE/PROPERTY LINE AND ANY PAVED ROADWAYS.

THE OWNERS OF THIS SUBDIVISION, THEIR SUCCESSORS AND/OR ASSIGNS IN INTEREST, OR SOME OTHER ENTITY OTHER THAN ARAPAHOE COUNTY, AGREE TO THE RESPONSIBILITY OF MAINTAINING ALL OTHER OPEN SPACE AREAS ASSOCIATED WITH THIS DEVELOPMENT.

SIGHT TRIANGLE MAINTENANCE

THE OWNERS OF PRIVATE PROPERTY CONTAINING A TRAFFIC SIGHT TRIANGLE ARE PROHIBITED FROM ERECTING OR GROWING ANY OBSTRUCTIONS OVER THREE FEET IN HEIGHT ABOVE THE ELEVATION OF THE LOWEST POINT ON THE CROWN OF THE ADJACENT ROADWAY WITHIN SAID TRIANGLE.

DRAINAGE MASTER PLAN NOTE

THE POLICY OF THE COUNTY REQUIRES THAT ALL NEW DEVELOPMENT AND REDEVELOPMENT SHALL PARTICIPATE IN THE REQUIRED DRAINAGE IMPROVEMENTS AS SET FORTH BELOW:

- DESIGN AND CONSTRUCT THE LOCAL DRAINAGE SYSTEM AS DEFINED BY THE PHASE III DRAINAGE REPORT AND PLAN.
- DESIGN AND CONSTRUCT THE CONNECTION OF THE SUBDIVISION DRAINAGE SYSTEM TO A DRAINAGEWAY OF ESTABLISHED CONVEYANCE CAPACITY SUCH AS A MASTER PLANNED OUTFALL STORM SEWER OR MASTER PLANNED MAJOR DRAINAGEWAY. THE COUNTY WILL REQUIRE THAT THE CONNECTION OF THE MINOR AND MAJOR SYSTEMS PROVIDE CAPACITY TO CONVEY ONLY THOSE FLOWS (INCLUDING OFFSITE FLOWS) LEAVING THE SPECIFIC DEVELOPMENT SITE. TO MINIMIZE OVERALL CAPITAL COSTS, THE COUNTY ENCOURAGES ADJACENT DEVELOPMENTS TO JOIN IN DESIGNING AND CONSTRUCTING CONNECTION SYSTEMS. ALSO, THE COUNTY MAY CHOOSE TO PARTICIPATE WITH A DEVELOPER IN THE DESIGN AND CONSTRUCTION OF THE CONNECTION SYSTEM.
- EQUITABLE PARTICIPATION IN THE DESIGN AND CONSTRUCTION OF THE MAJOR DRAINAGEWAY SYSTEM THAT SERVES THE DEVELOPMENT AS DEFINED BY ADOPTED MASTER DRAINAGEWAY PLANS (SECTION 3.4 OF THE ARAPAHOE COUNTY STORMWATER MANAGEMENT MANUAL) OR AS REQUIRED BY THE COUNTY AND DESIGNATED IN THE PHASE III DRAINAGE REPORT.

SPECIFIC NOTES:

- TO INCLUDE SAID DEVELOPMENT WITHIN A SPECIAL DISTRICT FOR THE PURPOSE OF PARTICIPATING IN THE CONSTRUCTION OF NECESSARY OFF-SITE IMPROVEMENTS AT THE TIME OF APPROVAL OF FINAL DEVELOPMENT PLANS.
- TO COOPERATE WITH OTHER OWNERS OF OTHER PARCELS AND/OR SPECIAL DISTRICTS IN OFF-SITE ROADWAY AND OPEN SPACE IMPROVEMENTS AS NECESSITATED BY DEVELOPMENT IMPACTS AS MAY BE DETERMINED BY THE BOARD OF COUNTY COMMISSIONERS.
- TO INCLUDE SAID DEVELOPMENT IN A MASTER DRAINAGE IMPROVEMENT DISTRICT IF SUCH A DISTRICT IS FORMED.

BOARD OF COUNTY COMMISSIONERS APPROVAL

APPROVED BY THE ARAPAHOE COUNTY BOARD OF COMMISSIONERS,

THIS _____ DAY OF _____ A.D., 20____.

CHAIR: _____

ATTEST: _____

PLANNING COMMISSION RECOMMENDATION

NOT RECOMMENDED/RECOMMENDED BY THE ARAPAHOE COUNTY PLANNING COMMISSION,

THIS _____ DAY OF _____ A.D., 20____.

CHAIR: _____

CERTIFICATE OF OWNERSHIP

_____ HEREBY AFFIRM THAT I AM THE OWNER OR AUTHORIZED AGENT OF ALL INDIVIDUALS HAVING OWNERSHIP INTEREST IN THE PROPERTY DESCRIBED HEREIN, KNOWN AS DENVER JEWISH SENIOR LIVING, CASE NO. Z15-003.

_____ OWNER OF RECORD OR AUTHORIZED AGENT

STATE OF _____ }
COUNTY OF _____ } SS.

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME

THIS _____ DAY OF _____, 20____ BY _____ NAME

AS _____ OF _____ AN AUTHORIZED SIGNATORY

TITLE _____

BY _____ WITNESS MY HAND AND SEAL

NOTARY PUBLIC _____

_____ MY COMMISSION EXPIRES _____

ADDRESS _____

CITY _____ STATE _____ ZIP CODE _____

Note:
THIS DOCUMENT IS A PRELIMINARY DEVELOPMENT PLAN. IT IS NOT TO BE USED FOR CONSTRUCTION. THE ARCHITECTURE AND ENGINEERING FIRM HAS NOT CONDUCTED A VISUAL ANALYSIS OF THE PROJECT'S IMPACTS ON THE ENVIRONMENT. THE ARCHITECTURE AND ENGINEERING FIRM HAS NOT CONDUCTED A VISUAL ANALYSIS OF THE PROJECT'S IMPACTS ON THE ENVIRONMENT. THE ARCHITECTURE AND ENGINEERING FIRM HAS NOT CONDUCTED A VISUAL ANALYSIS OF THE PROJECT'S IMPACTS ON THE ENVIRONMENT.



1755 BLAKE STREET
SUITE 400
DENVER, CO 80202
303.298.4700



BUCCANEER
DEVELOPMENT, INC.

**DENVER JEWISH
SENIOR LIVING**
2450, 2451, 2453 S. WABASH STREET
DENVER, CO 80231

COVER SHEET

Project Number:	517.001
Issued For:	PDP
Date:	11 JUNE 2015
Revision	Date
RESPONSE TO 1ST REVIEW COMMENTS	08 OCTOBER 2015
RESPONSE TO 2ND REVIEW COMMENTS	08 DECEMBER 2015

**PDP
1.0**

CASE NO. Z15-003

DENVER JEWISH SENIOR LIVING - PRELIMINARY DEVELOPMENT PLAN

PART OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 28,
TOWNSHIP 4 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN,
CITY OF DENVER, COUNTY OF ARAPAHOE, COLORADO

LEGAL DESCRIPTION

A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 28, TOWNSHIP 4 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF ARAPAHOE, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF SAID SOUTHEAST QUARTER OF SECTION 28 AND CONSIDERING THE NORTH LINE OF SAID NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 28 TO BEAR NORTH 89°49'34" EAST BEING MONUMENTED AT THE CENTER QUARTER CORNER OF SAID SECTION 28 WITH A 3.25" BRASS CAP STAMPED "PLS 16398" AND AT THE EAST SIXTEENTH CORNER WITH A 3.25" ALUMINUM CAP STAMPED "LS 30109", WITH ALL BEARINGS CONTAINED HEREIN BEING RELATIVE THERETO;

THENCE SOUTH 00°14'46" EAST, A DISTANCE OF 720.78 FEET ALONG THE EAST LINE OF SAID NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 28 TO THE NORTH LINE OF VACATED SOUTH WABASH STREET DESCRIBED IN PETITION FOR VACATION OF RIGHT-OF-WAY, RECORDED FEBRUARY 14, 2012 AT RECEPTION NO. D2016847;

THENCE SOUTH 46°07'51" WEST, A DISTANCE OF 30.00 FEET ALONG SAID NORTH LINE TO THE POINT OF BEGINNING;

THENCE SOUTH 43°52'09" EAST, A DISTANCE OF 11.40 FEET TO A POINT OF CURVATURE;

THENCE ALONG THE ARC OF A TANGENT CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 43°37'23", A RADIUS OF 90.00 FEET, AN ARC LENGTH OF 68.52 FEET, THE CHORD OF WHICH BEARS SOUTH 22°03'27" EAST, A DISTANCE OF 66.88 FEET TO A POINT OF TANGENCY ON A LINE 11.00 FEET EAST OF AND PARALLEL WITH SAID EAST LINE OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 28;

THENCE SOUTH 00°14'46" EAST, A DISTANCE OF 484.64 FEET ALONG SAID PARALLEL LINE TO THE SOUTH LINE OF SAID VACATED SOUTH WABASH STREET;

THENCE SOUTH 89°45'14" WEST, A DISTANCE OF 41.00 FEET ALONG LAST SAID SOUTH LINE TO THE SOUTHEAST CORNER OF THE PROPERTY DESCRIBED IN SPECIAL WARRANTY DEED RECORDED FEBRUARY 23, 2010 AT RECEPTION NO. D0017324;

THENCE WESTERLY AND NORTHERLY ALONG THE SOUTH AND WEST LINES OF LAST SAID PROPERTY AND ALONG THE EASTERLY LINE OF SOUTH WABASH STREET DESCRIBED IN SPECIAL WARRANTY DEED, RECORDED MARCH 25, 2010 AT RECEPTION NO. D0028375, AND ALONG SAID NORTH LINE OF VACATED SOUTH WABASH STREET FOR THE FOLLOWING SEVEN (7) COURSES:

- 1) THENCE SOUTH 75°48'22" WEST, A DISTANCE OF 71.44 FEET TO A POINT ON A NON-TANGENT CURVE;
- 2) THENCE ALONG THE ARC OF A NON-TANGENT CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 42°09'49", A RADIUS OF 14.50 FEET, AN ARC LENGTH OF 10.67 FEET, THE CHORD OF WHICH BEARS NORTH 45°37'49" WEST, A DISTANCE OF 10.43 FEET TO A POINT OF TANGENCY;
- 3) THENCE NORTH 24°32'54" WEST, A DISTANCE OF 267.69 FEET TO A POINT OF CURVATURE;
- 4) THENCE ALONG THE ARC OF A TANGENT CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 71°46'26", A RADIUS OF 169.50 FEET, AN ARC LENGTH OF 212.33 FEET, THE CHORD OF WHICH BEARS NORTH 11°20'19" EAST, A DISTANCE OF 198.72 FEET TO A POINT OF TANGENCY;
- 5) THENCE NORTH 47°13'32" EAST, A DISTANCE OF 141.10 FEET TO A POINT OF CURVATURE;
- 6) THENCE ALONG THE ARC OF A TANGENT CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 83°15'06", A RADIUS OF 14.50 FEET, AN ARC LENGTH OF 21.07 FEET, THE CHORD OF WHICH BEARS NORTH 88°51'05" EAST, A DISTANCE OF 19.26 FEET TO A NON-TANGENT LINE;
- 7) THENCE NORTH 46°07'51" EAST, A DISTANCE OF 44.29 FEET TO THE POINT OF BEGINNING;

COUNTY OF ARAPAHOE, STATE OF COLORADO. CONSISTING OF 2.304 ACRES.

BENCHMARKS

SOURCE BENCHMARKS:

NGS A 408 (PID KK1499)
A STAINLESS STEEL DATUM POINT UNDER ACCESS COVER LOCATED AT THE INTERSECTION OF HAMPDEN AVENUE AND WILLOW STREET.
ELEVATION = 5562.26 (NAVD 88)

NGS K 406 (PID KK1495)
A STAINLESS STEEL DATUM POINT UNDER ACCESS COVER LOCATED AT THE INTERSECTION OF SOUTH MONACO STREET AND YALE AVENUE.
ELEVATION = 5487.78 (NAVD 88)
MEASURED ELEVATION = 5487.79

SITE BENCHMARKS (BM):

1. UPPER WEST FLANGE BOLT OF THE HYDRANT LOCATED APPROXIMATELY 450 FEET NORTH OF THE CENTER LINE OF HARVARD AVENUE AND APPROXIMATELY 24 FEET EAST OF THE CENTER LINE OF VACATED WABASH STREET.
ELEVATION = 5449.27
2. SHAFT OF NAIL SET IN THE SOUTH SIDE OF THE POWER POLE LOCATED APPROXIMATELY 40 FEET NORTH OF THE CENTER LINE OF HARVARD AVENUE AND APPROXIMATELY 70 FEET WEST OF THE CENTER LINE OF VACATED WABASH STREET.
ELEVATION = 5448.00

ASSISTED LIVING/MEMORY CARE DEFINITION

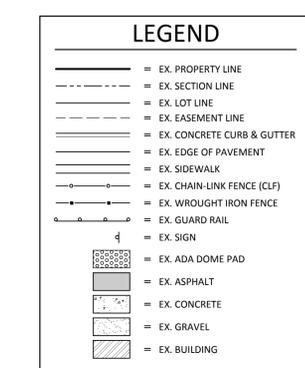
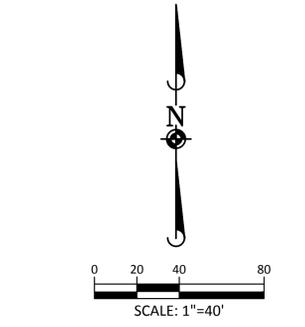
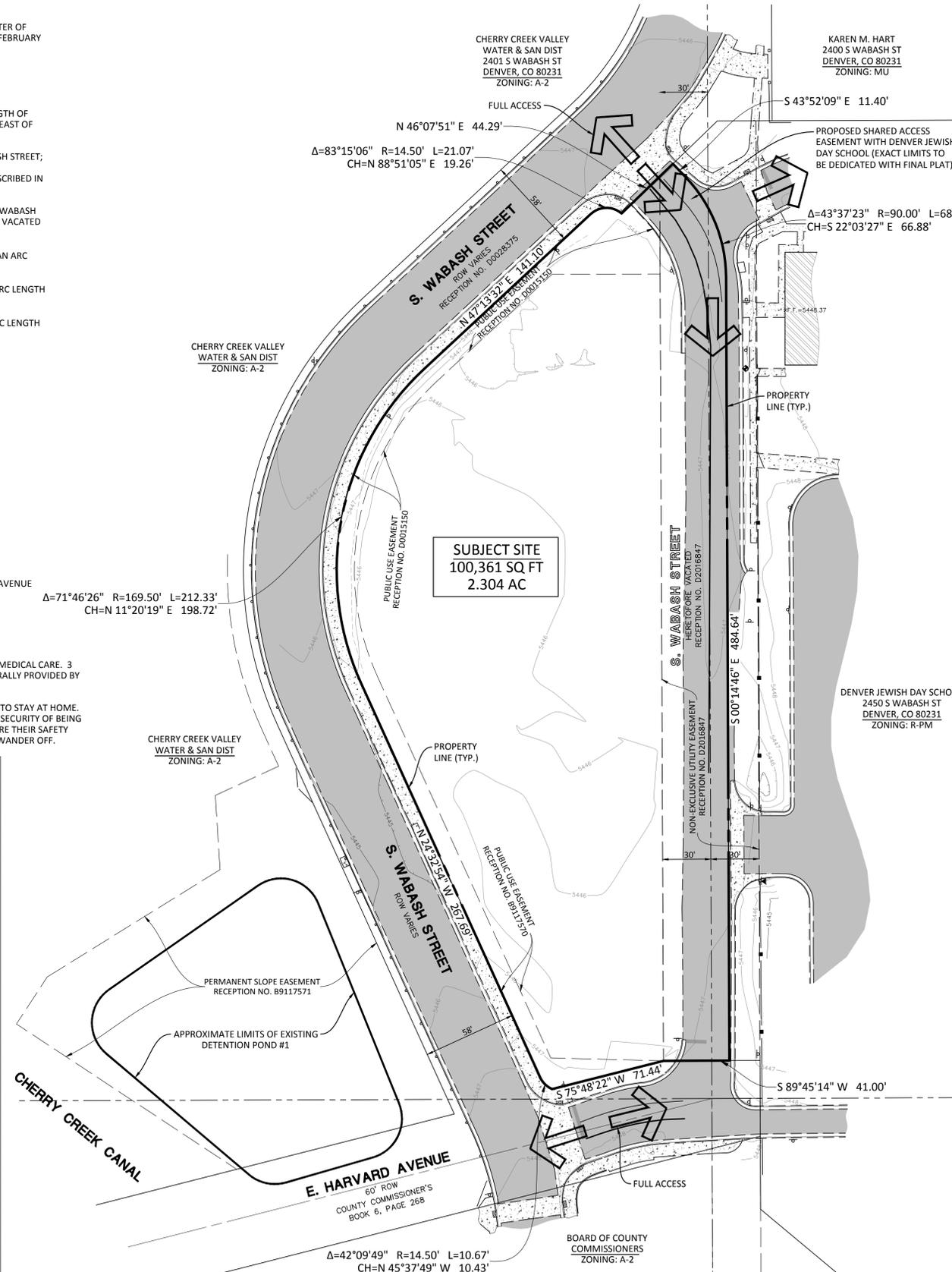
ASSISTED LIVING ENVIRONMENTS OFFER THE SAFETY AND SECURITY OF 24 HOUR SUPPORT AND ACCESS TO PERSONAL CARE SERVICES WITHOUT MEDICAL CARE. 3 MEALS PER DAY, BATHING, MEDICATION REMINDERS, DRESSING, HOUSEKEEPING, MAINTENANCE, ACTIVITIES, TRANSPORTATION ETC. ARE GENERALLY PROVIDED BY ON-SITE STAFF.

MEMORY CARE IS SIMILAR TO ASSISTED LIVING, BUT IS DESIGNED FOR THOSE WITH NEUROCOGNITIVE DISORDERS MAKING IT UNSAFE FOR THEM TO STAY AT HOME. MEMORY CARE ALLOWS A PERSON EXPERIENCING MEMORY LOSS TO MAINTAIN A LEVEL OF INDEPENDENCE WHILE RELYING ON THE SAFETY AND SECURITY OF BEING IN A RESIDENTIAL COMMUNITY WITH A PROFESSIONAL STAFF. THEY HAVE THE SAME ACCESS TO 24 HOUR SUPPORT AND PROGRAMS THAT ENSURE THEIR SAFETY AND PRESERVE THEIR QUALITY OF LIFE. THESE ARE SECURED ENVIRONMENTS AND OUTDOOR SPACES TO ENSURE THAT THE RESIDENTS DO NOT WANDER OFF.

DEVELOPMENT CRITERIA		
SITE INFORMATION	PROPOSED	EXISTING
Gross Site Area	2.304 Acres (100,362 SF)	2.304 Acres (100,362 SF)
Minimum Open Space	35%	35%
Maximum Lot Coverage (% of lot area)	65%	65%
ZONING		
Zone District	SH PUD	A-2
Permitted Uses	Assisted Living, Memory Care (for 55 years of age or older)	Agriculture or ranch use, farm or ranch animal center, group home type A, manufactured home, single family dwelling unit, small wind energy conversion system, stable-commercial and private riding, accessory use and accessory structure.
Accessory Uses	Recreation, medical, religious, laundry and/or caretaker facilities, and other building(s) and use(s) customarily appurtenant to the permitted use.	
Maximum Number of Senior Housing Units	102 Units	
Maximum Density	44.3 Units/Acre	
BUILDING INFORMATION		
Building Setbacks (measured from Property Line):		
North (Side Corner)	38 FT	
South (Side)	20 FT	
East (Front)	41 FT	
West (Rear)	11 FT	
Maximum Building Height	47 FT	35 FT
Maximum Distance Between Buildings	N/A	
PARKING		
Parking Ratio	0.25 space per unit *	
Staffing Ratio	1:7 average at peak	
Parking Spaces Planned	28 total (15 staff, 11 guest, 1 HC, 1 van)	

CASE NO. Z15-003

*IF IT IS DETERMINED THAT DURING THE PREPARATION OF THE FINAL DEVELOPMENT PLAN (FDP) THAT ADDITIONAL PARKING WILL BE REQUIRED FOR THE PROPOSED FACILITY, SHARED PARKING WITH THE ADJACENT SCHOOL TO THE EAST CAN BE UTILIZED.



Note:
THESE DOCUMENTS ARE A PRELIMINARY DEVELOPMENT PLAN. THEY DO NOT CONSTITUTE A FINAL DEVELOPMENT PLAN. THEY ARE SUBJECT TO THE REVIEW AND APPROVAL OF THE BOARD OF COUNTY COMMISSIONERS. THE BOARD OF COUNTY COMMISSIONERS MAY REQUIRE CHANGES TO THESE DOCUMENTS. THE BOARD OF COUNTY COMMISSIONERS MAY REQUIRE CHANGES TO THESE DOCUMENTS. THE BOARD OF COUNTY COMMISSIONERS MAY REQUIRE CHANGES TO THESE DOCUMENTS.

ARCHITECTURE
1755 BLAKE STREET
SUITE 400
DENVER, CO 80202
303.298.4700

Manhard CONSULTING

BUCCANEER DEVELOPMENT, INC.

DENVER JEWISH SENIOR LIVING
2450, 2451, 2453 S. WABASH STREET
DENVER, CO 80231

PDP EXHIBIT

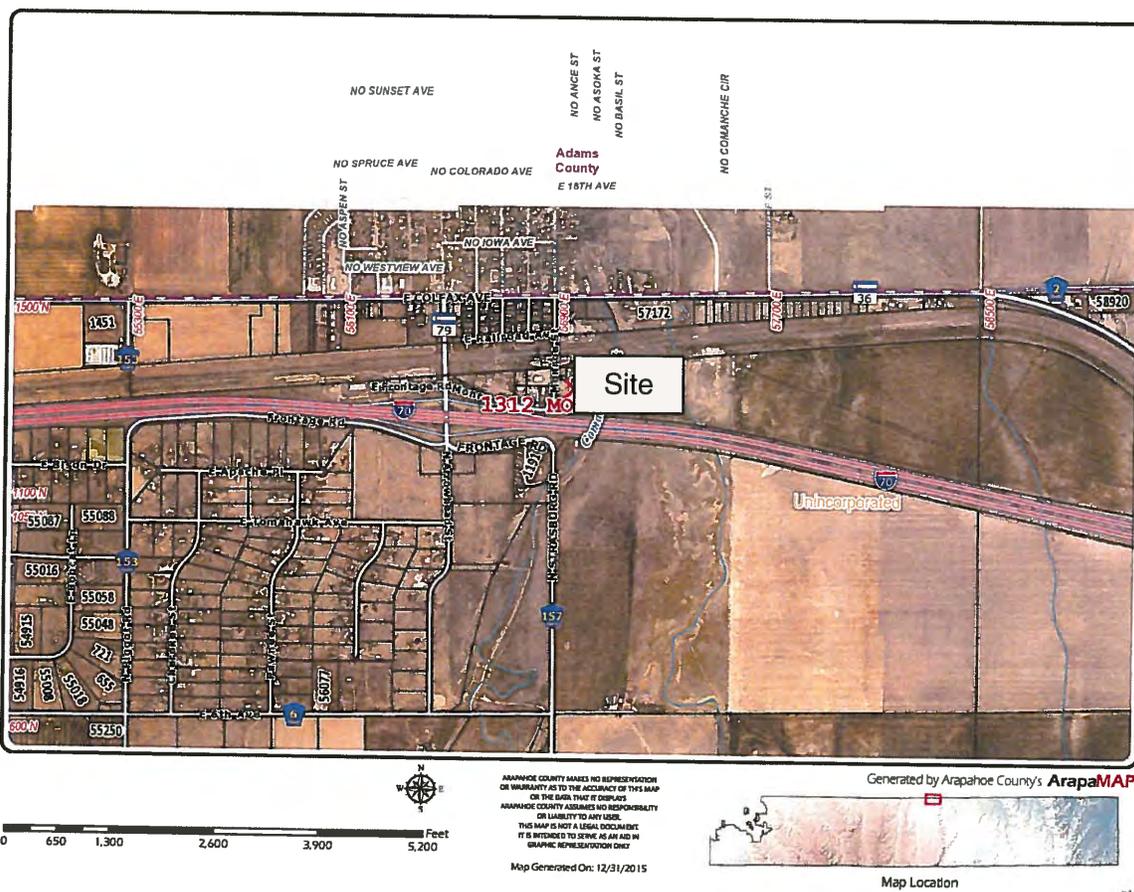
Project Number:	517.001
Issued For:	PDP
Date:	11 JUNE 2015
Revision	Date
COUNTY COMMENTS	10/07/15
REFERRAL COMMENTS	12/10/15

PDP 2.0

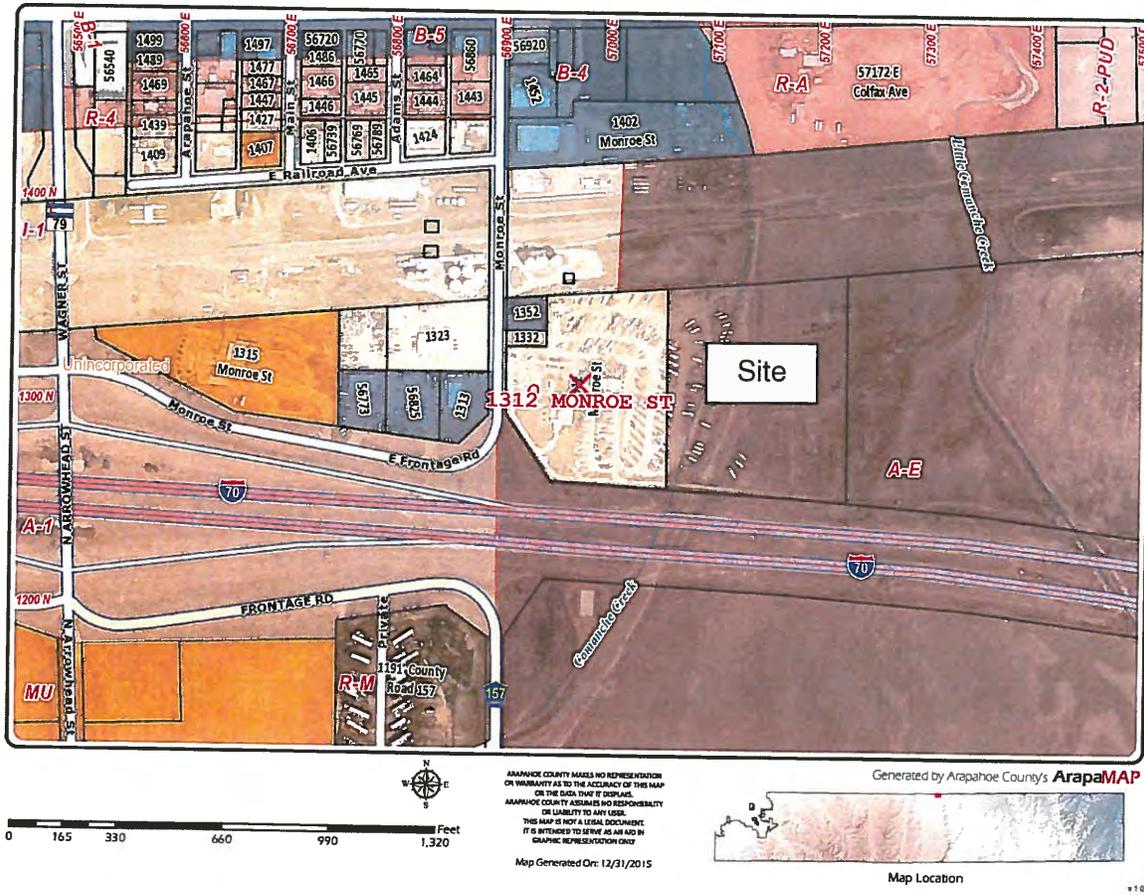
ARAPAHOE COUNTY PLANNING COMMISSION
PUBLIC HEARING
JANUARY 19, 2016
6:30 P.M.

SUBJECT: Z15-005, KOA KAMPGROUND REZONE FROM A-E (AGRICULTURAL ESTATE) TO "O" (OPEN) & "F" (FLOODPLAIN)
SHERMAN FEHER, SENIOR PLANNER **January 7, 2016**

VICINITY MAP This proposal is in Commissioner's District #3. The site is located east of the existing KOA Kampground at 1312 Monroe Street, Strasburg, CO.



Vicinity Map



Zoning Map

ZONING AND LAND USES:

- North - A-E, Agriculture and Railroad ROW
- South - A-E, Agriculture and I-70 Interstate Freeway
- East - A-E, Agriculture
- West - "O", RV Park (KOA Kampgrounds)



Looking over property to the North



Looking over property to the East



Looking south of property (I-70)



Looking at existing KOA Kampground that is to the west of the proposed rezone property

PROPOSAL:

The applicant Scott Jacobson, and as owner, is requesting approval of a conventional rezone known as KOA Kampground Rezone. The purpose of this request is to change the zoning from A-E (Agricultural Estate) to "O" (Open) and "F" (Floodplain) in order to expand the KOA Kampground.

RECOMMENDATIONS AND FINDINGS:

Staff: Staff is recommending approval of the rezone, subject to conditions of approval.

I. BACKGROUND

The existing zoning for this lot is A-E. The A-E zoning was the original zoning which was enacted on June 27, 1972.

The previous owner of the KOA Kampground expanded the RV Park to the property to the east of the initial KOA Kampground which was zoned A-E which did not permit an RV Park or related activity. The applicant is seeking to rezone the property east of the current RV Park to legally allow the expansion of the KOA Kampground. The "O" and "F" zoned districts allow an RV Park with certain stipulations, particularly in the "F" zoned districts.

II. DISCUSSION

Staff review of the rezoning application included a comparison of the proposed rezone to policies and goals outlined in the Comprehensive Plan, a review of pertinent zoning regulations, background activity, and an analysis of referral comments.

1. The Comprehensive Plan

The Arapahoe County Comprehensive Plan (Strasburg Sub-Area Plan) designates this site as "Agriculture, 19 acres."

The proposed rezone is compatible with the Arapahoe County Comprehensive Plan (Strasburg Sub-Area Plan) as the definition of "Agriculture-19 acres" includes non-urban uses, which could include an RV Park.

2. Ordinance Review and additional Background Information

Section 13-201 et al of the Arapahoe County Land Development Code states that, "All rezoning applications must meet the following standards:"

- a. **Recognize the limitations of existing and planned infrastructure, by thoroughly examining the availability and capability of water, sewer, drainage, and transportation systems to serve present and future land uses.**

Water and sewer service is theoretically provided by Strasburg Water and Sanitation District, however no water or sewer service will be provided on the proposed property because most of the property is in a floodplain. The existing road system provides reasonable access to the subject property.

- b. **Assure compatibility between the proposed development, surrounding land uses, and the natural environment.**

The proposed "O" and "F" zoned districts and the proposed use of expansion of the KOA Kampground are generally compatible with the surrounding land uses and natural environment which is zoned A-E to the north, east, and south of the property and zoned "O" to the west of the property. The current adjacent land uses are agriculture to the north, east and south (along with the I-70 freeway) and the existing KOA Kampground is west of the property proposed to be rezoned.

- c. **Allow for the efficient and adequate provision of public services. Applicable public services include, but are not limited to, police, fire, school, park, and libraries.**

The proposal can be served by existing public services, as evidenced by referral agency responses or the lack thereof.

- d. **Enhance convenience for the present and future residents of Arapahoe County by ensuring that appropriate supporting activities, such as employment, housing, leisure-time, and retail centers are in close proximity to one another.**

There are retail, leisure-time, and employment uses within reasonably close proximity to this parcel.

- e. **Ensure that public health and safety is adequately protected against natural and man-made hazards which include, but are not limited to, traffic noise, water pollution, airport hazards, and flooding.**

There are no known natural or man-made hazards within the site other than the floodplain. Because of the temporary nature of vehicles staying at the RV park, vehicles and trailers can be removed if flooding was imminent.

- f. **Provide for accessibility within the proposed development, and between the development and existing adjacent uses. Adequate on-site interior traffic circulation, public transit, pedestrian avenues, parking and thoroughfare connections are all factors to be examined when determining the accessibility of a site.**

The primary point of access is from Monroe Street in Strasburg and it appears to be adequate for the proposed rezone site. The site provides adequate interior circulation.

- g. Minimize disruption to existing physiographic features, including vegetation, streams, lakes, soil types and other relevant topographical elements.**

No significant physiographic features exist on-site other than the floodplain. Any improvements, such as RV hookup , will be designed in compliance with floodplain regulations.

- h. Ensure that the amenities provided adequately enhance the quality of life in the area, by creating a comfortable and aesthetically enjoyable environment through conventions such as, the preservation of mountain views, the creation of landscaped open areas, and the establishment of recreational activities.**

Mountain views are limited in this area. The expansion of the KOA Kampground will provide additional recreational activities.

- i. Enhance the usable open spaces in Arapahoe County, and provide sufficient unobstructed open space and recreational area to accommodate a project's residents and employees.**

The "F" Zone District does not specify an open space requirement, however generally floodplains are de facto open spaces. The "O" Zone District specifies 90% open space. The proposed development appears to generally meet this requirement.

- j. Ensure the application complies with the requirements of this Resolution and the Arapahoe County Comprehensive Plan.**

This application complies with the requirements of this Resolution and the Arapahoe County Comprehensive Plan, as long as the conditions of approval are met.

Other Items:

A recreational vehicle park generally does not include long-term or permanent parking of recreational vehicles or the storage of recreational vehicles. Regarding storage, the "O" zoned district only allows storage that is customarily appurtenant to the permitted use. In the "F" zoned district, storage is more limited. A condition of approval is included to deal with storage in the "O" zoned district.

4. Referral Comments

Comments received as a result of the referral process are as follows:

Arapahoe County Assessor	Rezone would not affect property classification or value
Arapahoe County Engineer	Comments on PDP. <i>Applicant addressed comments</i>
Arapahoe County Mapping	Some corrections need to be done. <i>The applicant has responded to and made the corrections</i>
Arapahoe County Sheriff	No response
Arapahoe County Zoning	No comment
Colorado Parks and Wildlife	No response
Strasburg Fire District	No response
REAP	Supportive of proposal
Tri-County Health	
Deer Trail Conservation District	No response
IREA	No comment
Strasburg Water and San. District	No comment
East End Advisory Committee	C. Kroh: No comment; J. Cook: Project would help economic development

III. STAFF FINDINGS:

Staff has visited the site and reviewed the plans, supporting documentation, and referral comments, as well as citizen input in response to this application. Based upon review of applicable policies and goals in the Comprehensive Plan, review of the development ordinances, and analysis of referral comments, our findings include:

1. That the proposed Rezone appears to be in conformance with the Arapahoe County Comprehensive Plan/Strasburg Sub-Area Plan, in that it generally provides for recreational development within the "Agriculture 19 acres".
2. The Rezone generally appears to be consistent with uses and development standards enumerated in the Arapahoe County Land Development Code.
3. The proposed Rezone appears to be in compliance with the process outlined in Chapter 13 of the Land Development Code.
4. According to the Land Development Code, storage is restricted in the "O" and "F" zoned districts.

IV. RECOMMENDATION:

Considering the findings and other information provided herein, approval of case number, Z15-005, KOA Kampground Rezone should be made subject to the following conditions:

1. The applicant makes any minor modifications to plans, as requested by the Public Works and Development Department.
2. The applicant agrees to address all Division of Engineering comments and concerns as identified within the attached report.
3. In the "O" zoned district, all storage must be accessory to the campground use.

This is based upon:

- The proposed use conforming to the Comprehensive Plan/Strasburg Sub-Area Plan.
- The uses are compatible with the uses allowed in the proposed zoning district.

V. DRAFT MOTIONS:

A. In the case of P15-005, KOA Kampground Rezone, we have read the staff report and received testimony at the public hearing. We find ourselves in agreement with staff findings 1 through 4 including all plans and attachments as set forth in the staff report dated January 7, 2016, and recommend this case favorably to the Board of County Commissioners subject to the following conditions:

1. The applicant makes any minor modifications to plans, as requested by the Public Works and Development Department.
2. The applicant agrees to address all Division of Engineering comments and concerns as identified within the attached report.
3. In the "O" zoned district, all storage must be accessory to the campground use.

Staff provides the following Draft Motions listed below as general guidance in preparing an alternative motion if the Board of County Commissioners reaches a different determination:

Recommend Denial

In the case of Z15-005, KOA Kampground Rezone, we have read the staff report. We do not find ourselves in agreement with staff findings, including all exhibits and attachments as set forth in the staff report dated January 7, 2016, and recommend denial of this application based on the following findings:

1. *State new findings in support of denial as part of the motion.*

Continue to Date Certain:

In the case of Z15-005, KOA Kampground Rezone, I move to continue the hearing to [*date certain*], 6:30 p.m., to obtain additional information and to further consider the information presented.

Attachments

Application & Exhibits
Referral Comments
Engineering Staff Report



Public Works and Development
 6924 S. Lima Street
 Centennial, Colorado 80112
 Phone: 720-874-6650 FAX 720-874-6611
www.arapahoe.gov

Land Development Application Formal

Form must be complete

Land Development Application material received after 2pm shall be date stamped as received the following working day.

APPLICANT/REPRESENTATIVE: Scott Jacobson	ADDRESS: 1312 Monroe Street Strasburg, CO 80136 PHONE: 303-916-4197 FAX: N/A EMAIL: jacobsonsw@msn.com	SIGNATURE: NAME: Scott Jacobson TITLE: Owner
OWNER(S) OF RECORD: Scott Jacobson	ADDRESS: Same As Above PHONE: FAX: EMAIL:	SIGNATURE: NAME: Scott Jacobson TITLE: Owner
ENGINEERING FIRM: HCL Engineers	ADDRESS: 9570 Kingston Court, Suite 300 Englewood, CO 80112 PHONE: FAX: EMAIL: mdickson@hclengineering.com	CONTACT PERSON: matt Dickson 303 773-1605 X109

Pre-Submittal Case Number: 15-032 Pre-Submittal Planner: Sherman Feher Pre-Submittal Engineer: Sue Liu

Parcel ID no. (AIN no.) 1983-03-2-00-005 and 1983-03-2-00-006

Address: 1312 Monroe Street, Strasburg, CO 80136

Subdivision Name & Filing: N/A - KOA Campground

	EXISTING	PROPOSED
Zoning:	AE	O/F
Case/Project/Subdivision Name:	Case 15-032/KOA Campground	Case 15-032/KOA Campground
Site Area (Acres):	8 Acres	8 Acres
Floor Area Ratio (FAR):	N/A	
Density (Dwelling Units/Acre):	N/A	
Building Square Footage:	N/A	
Disturbed Area (Acres):	N/A	
Related Case Numbers: (Final/Preliminary Development Plan, Rezoning, and/or Plat)	N/A	

CASE TYPE

1041- Areas & Activities of State Interest	Location & Extent	Preliminary Development Plan	Special District/Title 30
1041- Areas & Activities of State Interest - Use by Special Review	Location & Extent - Major Amendment	Preliminary Development Plan - Major Amendment	Special District/Title 32
Comprehensive Plan	Master Development Plan	Preliminary Plat	Street Name Change
Final Development Plan	Master Development Plan - Major Amendment	Replat - Major	Use by Special Review
Final Development Plan - Major Amendment	Minor Subdivision	Rural Cluster	Use by Special Review - Major Amendment
Final Plat	Planned Sign Program	Rezoning Conventional ✓	Use by Special Review - Oil & Gas
Land Development Code Amendment	Planned Sign Program - Major Amendment	Rezoning Conventional - Major Amendment	Vacation of Right-of-Way/Easement/Plat

THIS SECTION FOR OFFICE USE ONLY

Case No: 215-005	Planning Manager: Sherman	Engineering Manager: SUE	RECEIVED AUG 12 2015 ARAPAHOE COUNTY PLANNING DIVISION
Planning Fee: <input checked="" type="radio"/> Y <input type="radio"/> N \$ 500-	Engineering Fee: <input checked="" type="radio"/> Y <input type="radio"/> N \$ 5,000-		

This application shall be submitted with all applicable application fees. Submittal of this application does not establish a vested property right in accordance with 24-68-105(1). Processing and review of this application may require the submittal of additional information, subsequent reviews, and/or meetings as required in the Arapahoe County Land Development Code.



Denver East/Strasburg KOA Kampground

P.O. Box 597 • Strasburg, CO 80136 • (303) 622-9274

Great people.
Great camping.™

September 3, 2015

AngelBella Pride and Joy Inc. dba
Denver East Strasburg KOA Campground
1312 Monroe Street
Strasburg CO 80136

RECEIVED
SEP 24 2015
ARAPAHOE COUNTY
PLANNING DIVISION

RE: KOA Campground Strasburg, CO – Rezoning (Arapahoe County Case Number Z15-005)

Location Address: 1312 Monroe Street, Strasburg Colorado. Parcel IDs 1983-03-2-00-005 (291852. SF) and 1983-03-2-00-006 (8 AC)

Dear Public Works and Development:

We the property owners of the Denver East Strasburg KOA campground, Scott Jacobson and Marina Seecharran, are hereby requesting a proposal for Site Rezoning of the East parcel of the campground (approx. 8 acres) from Zone District A-E to Zone District O-F. The rezoning is vital in order to bring the sites current use as a campground compliant with Arapahoe County zoning code.

All RV sites will be for Temporary use only. We would be using the existing roadways. No modifications will be made to connecting roadways or access points. No grading will occur.

The Denver East Strasburg KOA is highly recognized within the town and community of Strasburg. In the past three (3) years, since taking ownership of the campground, we have made several improvements to enhance the overall image of the campground. This resulted in a Brand recognition from the KOA Corporate office, elevating our status to a “KOA HOLIDAY” campground.

Because of the countless visitors to the campground, the other surrounding businesses, for example the local restaurants; gas station; hardware store; automotive store, museum, etc. within the town have all benefited financially from the campground customers.

The success of our business is highly contingent upon whether we’re able to move forward with the proposed site rezone. Within the past 2 years, the campground has experienced a high volume of campers coming into Colorado from all across the USA and rest of world.

The rezoning of the Flood Zone as highlighted above, would allow for us to continue with the KOA Holiday brand Campground use. This in turn, will allow for us to sustain and grow our business, as well as support the great town and community of Strasburg.

Scott Jacobson and Marina Seecharran
Owner - AngelBella Pride and Joy Inc., dba
Denver East Strasburg KOA



TO: Sherman Feher
Arapahoe County Public Works & Development
6924 South Lima Street
Centennial, CO 80112

DATE: November 10, 2015

SUBJECT: **KOA Campground Strasburg – Phase II Review HCL Responses**

Thank you for reviewing our Phase II rezone plans for the above referenced project. Please find attached our updated plan set which addresses any deficiencies you have made comments on. In addition, see below for written responses to your comments.

Findings

- 1) *Noted.*
- 2) *Noted. A FDP application is being prepared.*
- 3) *Noted. All new electric meters are at least 1 foot above the revides 100 yr BFE.*
- 4) *Noted. A GESG plan is being prepared. No earthwork is proposed with this application.*
- 5) *Noted.*

Reccomendations

- 1) *Agreed.*

General

- 1) *Comments on the included redlined plans have been addressed?*
- 2) *Noted.*

Preliminary Development Plan

- 1) *The case number has been added to the plan sheets.*
- 2) *The floodplain has been added to the plan and the source is referenced.*
- 3) *The random rectangles have been deleted, and the nearby sign has been labeled.*
- 4) *The floodplain designation has been updated.*



Engineering Comment Responses

- 5) *The case number has been added to the plan sheets.*
- 6) *A traffic analysis will be provided per the pre-application notes.*
- 7) *Both floodplain limits are now shown and labeled on the plan.*
- 8) *The street name has been updated to "Monroe Street".*
- 9) *The new delineated "parking" areas are shown as a solid line on the plan. It should be noted that these parking areas really aren't new, but just being more clearly delineated for the campground. Campers have already historically been using these parking areas.*
- 10) *Existing and proposed zoning is now identified on the plan.*
- 11) *Existing structures have now been more clearly identified. There are no proposed structures.*
- 12) *The required note has been added to the plan.*
- 13) *The letter of intent has been updated to clarify that there are NO expansions being proposed with this case and that the site zoning is being updated so that the current use is compliant.*

Sincerely,

A handwritten signature in blue ink, appearing to read 'Matt Dickson', is written over a light blue circular stamp.

Matt Dickson, P.E.
HCL Engineering & Surveying
5970 Kingston Court, Suite 310
Englewood, CO 80112



ARAPAHOE COUNTY
COLORADO'S FIRST

Public Works and Development

6924 South Lima Street
Centennial, Colorado 80112-3853
Phone: 720-874-6500
Fax: 720-874-6611
TDD: 720-874-6574
www.arapahoegov.com
publicworks@arapahoegov.com

Engineering Staff Report

PHASE II – REFERRAL

Date: October 15, 2015
To: Sherman Feher, Planning Division
From: Sue Liu, Engineering Division
RE: Z15-005 KOA Campground Strasburg Rezone

DAVID M. SCHMIT, P.E.
Director

Scope/Location:

Scott Jacobson and Marina Seecharran, the owner of the Denver East Strasburg KOA campground, is requesting approval of the site Rezoning for the east parcel of the campground from current Zone District A-E to Zone Districts O and F. The rezoning is necessary in order to bring the sites current use as a campground compliant with Arapahoe County zoning code. This site is located at 1312 Monroe Street, Strasburg.

All RV sites will be for temporary use only. The existing roadway will be used and no modification will be made to connecting roadways or access points. No grading will occur.

The permitted uses in F Zone includes recreational camps.

Items included with this referral:

Preliminary Development Plan

Cc: Charles V. Haskins, Engineering Services Division, Division Manager
Case File No. Z15-005
SPL RDR

Findings:

The Arapahoe County Division of Engineering Services has reviewed this referral and has the following findings:

1. This site lies outside of the Southeast Metro Stormwater Authority (SEMSWA) and Urban Drainage Flood Control District (UDFCD) service area.
2. The project site is within Comanche Creek 100-year floodplain. A Floodplain Development Permit (FDP) will be required for all activities within a County designated floodplain, regardless of impact. Even when it is apparent that there are no adverse impacts to the floodplain, a permit is required for administrative purposes to ensure that the County is aware of the activities within the floodplain and that they have been evaluated for compliance with the County's requirements (an engineer's Certification of No Impact will be required).
3. Required by State Floodplain Regulation, all utilities located and constructed within the 100-year floodplain shall minimize or eliminate flood damage. This can be accomplished by elevating the boxes at least one foot above the base flood elevation (BFE) and ensuring that any components below the BFE are impermeable to flood waters or protected against flood damage. Engineering/construction drawings should be submitted to the County for review and approval (include the base flood elevation of the 100-year floodplain and the bottom elevation of the electrical equipment) at the time of final site plan process.
4. Grading, Erosion and Sediment Control Plan should be submitted to the County for review and approval at the time of final site plan process.
5. The traffic impact study is waived based on the facts that – a) no expansion of the campground will be proposed. As a result, expected traffic counts and patterns will not change from the current conditions; b) there are no change to the site access and no new access locations are proposed; and c) the site is simply being changed so the current use is in compliance with the County zoning code.

Recommendations:

The Division of Engineering Services recommends this case favorably subject to the following conditions:

1. The applicant agrees to address the Division of Engineering Services' findings, comments, and concerns as identified within this report.

STAFF COMMENTS

General

1. In addition to the comments listed in this report, Staff has provided redlined plans and reports illustrating clarification to comments included within this report and other minor comments to be addressed. Comments within these redlined documents shall be fully addressed. The redlined documents shall be returned to Staff and must be included with the resubmittal for it to be considered complete.
2. RESUBMITTAL PROCEDURE - Attached to this report are instructions to the applicant regarding the resubmittal of documents. The applicant and their consultants must follow these instructions explicitly to avoid delays in our and processing of this case.

Preliminary Development Plan

1. Include "Arapahoe County Case No. Z15-005" in the lower left-hand corner of the plans.
2. Include the floodway boundary on the plan and call out its source of designation.
3. Call out the two small rectangles located at the south end of the existing RV parking lot.
4. Change the floodplain designation source to "Letter of Map Revision. Comanche Creek and Little Comanche Creek, By RESPEC Consulting and Services, Case No. 15-08-0217P".



RECEIVED

OCT 14 2015

Public Works and Development
 6924 S. Lima Street Centennial, Colorado 80112 Phone: 720-874-6650; FAX 720-874-6651
 www.co.arapahoe.co.us

ARAPAHOE COUNTY
 PLANNING DIVISION

Planning Division

Phase II Referral Routing

Case Number / Case Name:	Z15-005, KOA Campground Strasburg Colorado / Conventional Rezone
Planner:	Sherman Feher
Engineer:	Sue Liu
Date:	September 25, 2015
Date to be returned:	October 26, 2015

Arapahoe County Agencies		Citizen's Organizations		
<input checked="" type="checkbox"/>	Assessor / Arapahoe County	Beverly Reynolds		
<input type="checkbox"/>	Attorney / Arapahoe County	Robert Hill	<input type="checkbox"/> CCNA-Cherry Creek Neighborhoods Ass.	
<input type="checkbox"/>	Building / Arapahoe County	Steve Byer	<input type="checkbox"/> CECON-(Within Centennial)	
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	Referral Agencies		<input type="checkbox"/> RTD	Chris Quinn
<input type="checkbox"/>	Architectural Review Committee			
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<input type="checkbox"/>	CGS Colorado Geological Survey-Soils		<input type="checkbox"/> Centurylink/Phone	Charles Place
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<input type="checkbox"/>	HOA/Homeowners Associations			

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COMMENTS:	SIGNATURE
<input type="checkbox"/> Have NO Comments to make on the case as submitted	
<input checked="" type="checkbox"/> Have the following comments to make related to the case: The proposed zoning change will not affect the property classification or value currently listed on the assessment rolls. It is listed as vacant land.	Karen Hart, Assessment Office



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<input checked="" type="checkbox"/> Have the following comments to make related to the case:	<i>KK 10-13-15 SEE REDLINES IN BLUEBEAM</i>



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NOV 09 2015

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COMMENTS:		SIGNATURE
<input checked="" type="checkbox"/>	Have NO Comments to make on the case as submitted	<i>Alan B. [Signature]</i> 10/28/15
<input type="checkbox"/>	Have the following comments to make related to the case:	



October 27, 2015

Sherman Feher
Arapahoe County Planning Division
6924 S. Lima Street
Centennial, CO 80112

RE: KOW Campground Strasburg Rezoning, #Z15-005
TCHD Case #3666

Dear Mr. Feher:

Thank you for the opportunity to review and comment on KOA Campground Strasburg Rezoning for the rezoning of the east parcel of the campground from Zone District A-E to Zone District O-F at 1312 Monroe Street. Tri-County Health Department (TCHD) staff has reviewed the application for compliance with applicable environmental and public health regulations. After reviewing the application, TCHD has no comments.

Please feel free to contact me at 720-200-1593 or mweakley@tchd.org if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael Weakley", written in a cursive style.

Michael Weakley
Water Program Supervisor

CC: Sheila Lynch, Steve Chevalier, TCHD



Public Works and Development
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COMMENTS:	SIGNATURE
<input checked="" type="checkbox"/> Have NO Comments to make on the case as submitted	<i>Sherry Griffin</i> Administrator
<input type="checkbox"/> Have the following comments to make related to the case:	



*Brooks Kaufman
Lands and Rights of Way Director*

October 23, 2015

Sherman Feher
Arapahoe County
Development Services and
Infrastructure Management / Planning
10730 E. Briarwood Avenue, #100
Centennial, Colorado 80112

Re: KOA CAMPGROUND STRASBURG
Case No.: Z15-005

Dear Mr. Feher:

The Association has reviewed the contents in the above-referenced referral response packet. We reviewed the project for maintaining our existing facilities, utility easements, electric loading, service requirements and environmental impact.

The Association has no comments at this time.

Sincerely

A handwritten signature in black ink, appearing to read "Brooks Kaufman", with a long, sweeping horizontal line extending to the right.

Brooks Kaufman
Lands and Rights-of-Way Director

INTERMOUNTAIN RURAL ELECTRIC ASSOCIATION

5496 N. U.S. Highway 85, P.O. Drawer A / Sedalia, Colorado 80135

Telephone (720)733-5493

bkaufman@irea.coop

REAP

Regional Economic Advancement Partnership

P.O. Box 711

Strasburg, CO 80136

303 410-9122

admin@i-70reap.com

www.I-70REAP.com

October 1, 2015

Watkins

*

Bennett

*

Strasburg

*

Byers

*

Deer Trail

*

Aurora

*

Adams

County

*

Arapahoe

County

*

Front Range

Airport

Sherman Feher
Arapahoe County Public Works and Development
6924 S. Lima St
Centennial, Co. 80112

Case Number Z15-005, KOA Campground Strasburg, Co.

Dear Sherman;

REAP supports this site rezoning application for The Denver East/Strasburg Koa Campground.

Koa is an ideal and positive economic driver for the area. Denver East/Strasburg Koa is the best kind of economic development for the local community because it brings in new money from the outside. We hope you will give your approval to their application.

Thank you for your consideration.

Sincerely,

Matt Reay
Chairman

Jack Keever
Executive Director

REAP Mission Statement

Stimulate private investment in order to increase opportunities for employment, expand the tax base, broaden the economy and generally improve the quality of life of our citizens.



Public Works and Development

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<input checked="" type="checkbox"/>	Assessor / Arapahoe County	Beverly Reynolds		
<input type="checkbox"/>	Attorney / Arapahoe County	Robert Hill	<input type="checkbox"/> CCNA-Cherry Creek Neighborhoods Ass.	
<input type="checkbox"/>	Building / Arapahoe County	Steve Byer	<input type="checkbox"/> CECON-(Within Centennial)	
<input checked="" type="checkbox"/>	Engineering / Arapahoe County	Sue Liu	<input type="checkbox"/> Four Square mile Neighborhood	
<input checked="" type="checkbox"/>	Mapping / Arapahoe County	Pat Hubert	<input type="checkbox"/> South Metro Chamber of Commerce	
<input type="checkbox"/>	Oil & Gas / Arapahoe County	Diane Kocis	Conservation District	
<input type="checkbox"/>	Open Space / Arapahoe County	Shannon Carter	<input checked="" type="checkbox"/> Deer Trail Conservation District	Sheryl Wailes
<input checked="" type="checkbox"/>	Planning / Arapahoe County	Sherman Feher	<input type="checkbox"/> West Arapahoe Conservation District	Tasha Chevarria
<input checked="" type="checkbox"/>	Sheriff / Arapahoe County	1 to Brian McKnight 1 to Glenn Thompson	Transportation	
<input type="checkbox"/>	Weed Control / Arapahoe County	Russell Johnson	<input type="checkbox"/> CDOT / State Highway Dept- Region 1	Rick Solomon
<input checked="" type="checkbox"/>	Zoning / Arapahoe County	Tammy King	<input type="checkbox"/> E-470 Authority	Peggy Davenport
	Referral Agencies		<input type="checkbox"/> RTD	Chris Quinn
<input type="checkbox"/>	Architectural Review Committee		<input type="checkbox"/>	
<input type="checkbox"/>	Airport or Military Base		Utilities: Gas, Electric & Phone	
<input type="checkbox"/>	CGS Colorado Geological Survey-Soils		<input type="checkbox"/> Centurylink/Phone	Charles Place
<input type="checkbox"/>	City / Town		<input type="checkbox"/> Conoco Phillips / Gas Pipeline	
<input checked="" type="checkbox"/>	Colorado Parks and Wildlife	Travis Harris	<input type="checkbox"/> XCEL	Donna George
<input type="checkbox"/>	County		<input checked="" type="checkbox"/> IREA	Brooks Kaufman
<input type="checkbox"/>	DRCOG		Water / Sanitation / Stormwater / Wetlands	
<input checked="" type="checkbox"/>	Strasburg Fire District	Tanner McCall	<input checked="" type="checkbox"/> Strasburg Water & Sanitation District	Sheila Cooper
<input type="checkbox"/>	Metro District		<input type="checkbox"/> U.S. Army Corp. of Engineer	Kiel Downing
<input type="checkbox"/>	Post Office Growth Coordinator	J. Hernandez	<input type="checkbox"/> CCBWQA	
<input checked="" type="checkbox"/>	Reap I-70 Regional Economic Advancement Partnership	Matt Reay and Jack Keever	<input type="checkbox"/> Colorado Division of Water Resources	Joanne Williams
<input type="checkbox"/>	Recreation District / Park District (External)		<input type="checkbox"/> SEMSWA	Paul Danley
<input type="checkbox"/>	School District		<input type="checkbox"/> ECCVW&S	Chris Douglass
<input type="checkbox"/>	Special District		<input type="checkbox"/> Urban Drainage	David Mallory
<input checked="" type="checkbox"/>	Tri-County Health Dept.	Sheila Lynch	<input checked="" type="checkbox"/> Other / 5 Sets East End Adv. Committee	<i>Kron</i>
<input type="checkbox"/>	HOA/Homeowners Associations			

The enclosed case has been submitted to the Arapahoe County Planning Office for consideration. Because of the possible effect of the proposed development upon your area, the case is being referred for your comment. Please examine this request and, after review, check the appropriate line and return to the Arapahoe County Planning Office on or before the date indicated above.

COMMENTS:	SIGNATURE
<input checked="" type="checkbox"/> Have NO Comments to make on the case as submitted	<i>Carl Kron</i>
<input type="checkbox"/> Have the following comments to make related to the case:	



RECEIVED

OCT 14 2015

ARAPAHOE COUNTY
PLANNING DIVISION

Public Works and Development
6924 S. Lima Street Centennial, Colorado 80112 Phone: 720-874-6650; FAX 720-874-6611
www.co.arapahoe.co.us

Planning Division
Phase II Referral Routing

Case Number / Case Name:	Z15-005, KOA Campground Strasburg Colorado / Conventional Rezone
Planner:	Sherman Feher
Engineer:	Sue Liu
Date:	September 25, 2015
Date to be returned:	October 26, 2015

Arapahoe County Agencies		Citizen's Organizations			
<input checked="" type="checkbox"/>	Assessor / Arapahoe County	Beverly Reynolds			
<input type="checkbox"/>	Attorney / Arapahoe County	Robert Hill	<input type="checkbox"/> CCNA-Cherry Creek Neighborhoods Ass.		
<input type="checkbox"/>	Building / Arapahoe County	Steve Byer	<input type="checkbox"/> CECON-(Within Centennial)		
<input checked="" type="checkbox"/>	Engineering / Arapahoe County	Sue Liu	<input type="checkbox"/> Four Square mile Neighborhood		
<input checked="" type="checkbox"/>	Mapping / Arapahoe County	Pat Hubert	<input type="checkbox"/> South Metro Chamber of Commerce		
<input type="checkbox"/>	Oil & Gas / Arapahoe County	Diane Kocis	Conservation District		
<input type="checkbox"/>	Open Space / Arapahoe County	Shannon Carter	<input checked="" type="checkbox"/>	Deer Trail Conservation District	Sheryl Wailes
<input checked="" type="checkbox"/>	Planning / Arapahoe County	Sherman Feher	<input type="checkbox"/>	West Arapahoe Conservation District	Tasha Chevarria
<input checked="" type="checkbox"/>	Sheriff / Arapahoe County	1 to Brian McKnight 1 to Glenn Thompson	Transportation		
<input type="checkbox"/>	Weed Control / Arapahoe County	Russell Johnson	<input type="checkbox"/>	CDOT / State Highway Dept- Region 1	Rick Solomon
<input checked="" type="checkbox"/>	Zoning / Arapahoe County	Tammy King	<input type="checkbox"/>	E-470 Authority	Peggy Davenport
Referral Agencies			<input type="checkbox"/>	RTD	Chris Quinn
<input type="checkbox"/>	Architectural Review Committee		<input type="checkbox"/>		
<input type="checkbox"/>	Airport or Military Base		Utilities: Gas, Electric & Phone		
<input type="checkbox"/>	CGS Colorado Geological Survey-Soils		<input type="checkbox"/>	Centurylink/Phone	Charles Place
<input type="checkbox"/>	City / Town		<input type="checkbox"/>	Conoco Phillips / Gas Pipeline	
<input checked="" type="checkbox"/>	Colorado Parks and Wildlife	Travis Harris	<input type="checkbox"/>	XCEL	Donna George
<input type="checkbox"/>	County		<input checked="" type="checkbox"/>	IREA	Brooks Kaufman
<input type="checkbox"/>	DRCOG		Water / Sanitation / Stormwater / Wetlands		
<input checked="" type="checkbox"/>	Strasburg Fire District	Tanner McCall	<input checked="" type="checkbox"/>	Strasburg Water & Sanitation District	Sheila Cooper
<input type="checkbox"/>	Metro District		<input type="checkbox"/>	U.S. Army Corp. of Engineer	Kiel Downing
<input type="checkbox"/>	Post Office Growth Coordinator	J. Hernandez	<input type="checkbox"/>	CCBWQA	
<input checked="" type="checkbox"/>	Reap I-70 Regional Economic Advancement Partnership	Matt Reay and Jack Keever	<input type="checkbox"/>	Colorado Division of Water Resources	Joanne Williams
<input type="checkbox"/>	Recreation District / Park District (External)		<input type="checkbox"/>	SEMSWA	Paul Danley
<input type="checkbox"/>	School District		<input type="checkbox"/>	ECCVW&S	Chris Douglass
<input type="checkbox"/>	Special District		<input type="checkbox"/>	Urban Drainage	David Mallory
<input checked="" type="checkbox"/>	Tri-County Health Dept.	Sheila Lynch	<input checked="" type="checkbox"/>	Other / 5 Sets East End Adv. Committee	<u>COOK</u>
<input type="checkbox"/>	HOA/Homeowners Associations				

The enclosed case has been submitted to the Arapahoe County Planning Office for consideration. Because of the possible effect of the proposed development upon your area, the case is being referred for your comment. Please examine this request and, after review, check the appropriate line and return to the Arapahoe County Planning Office on or before the date indicated above.

COMMENTS:	SIGNATURE
<input type="checkbox"/> Have NO Comments to make on the case as submitted	
<input checked="" type="checkbox"/> Have the following comments to make related to the case:	<i>Janet Cook</i>
<i>Project help support economic development</i>	

KOA KAMPGROUND STRASBURG, COLORADO REZONING PLAN

A PART OF THE NW 1/4 SECTION 3, TOWNSHIP 4 SOUTH, RANGE 62 WEST OF THE 6TH PRINCIPAL MERIDIAN,
COUNTY OF ARAPAHOE, STATE OF COLORADO.

STANDARD NOTES

THE OWNER(S), DEVELOPER(S) AND/OR SUBDIVIDERS(S) OF THE REZONING PLAN KNOWN AS KOA KAMPGROUND, THEIR RESPECTIVE SUCCESSORS, HEIRS AND/OR ASSIGNS AGREE TO THE FOLLOWING NOTES:

STREET MAINTENANCE

IT IS MUTUALLY UNDERSTOOD AND AGREED THAT THE DEDICATED ROADWAYS SHOWN ON THIS PLAT/PLAN WILL NOT BE MAINTAINED BY THE COUNTY UNTIL AND UNLESS THE STREETS ARE CONSTRUCTED IN ACCORDANCE WITH THE SUBDIVISION REGULATIONS IN EFFECT AT THE DATE CONSTRUCTION PLANS ARE APPROVED, AND PROVIDED CONSTRUCTION OF SAID ROADWAYS IS STARTED WITHIN ONE YEAR OF THE CONSTRUCTION PLAN APPROVAL. THE OWNERS, DEVELOPERS AND/OR SUBDIVIDERS, THEIR SUCCESSORS AND/OR ASSIGNS IN INTEREST, SHALL BE RESPONSIBLE FOR STREET MAINTENANCE UNTIL SUCH TIME AS THE COUNTY ACCEPTS THE RESPONSIBILITY FOR MAINTENANCE AS STATED ABOVE.

DRAINAGE MAINTENANCE

THE PROPERTY OWNER SHALL BE RESPONSIBLE FOR MAINTENANCE OF ALL DRAINAGE FACILITIES INSTALLED PURSUANT TO THE SUBDIVISION AGREEMENT. REQUIREMENTS INCLUDE, BUT ARE NOT LIMITED TO MAINTAINING THE SPECIFIED STORM WATER DETENTION/RETENTION VOLUMES, MAINTAINING OUTLET STRUCTURES, FLOW RESTRICTION DEVICES AND FACILITIES NEEDED TO CONVEY FLOW TO SAID BASINS. ARAPAHOE COUNTY SHALL HAVE THE RIGHT TO ENTER PROPERTIES TO INSPECT SAID FACILITIES AT ANY TIME. IF THESE FACILITIES ARE NOT PROPERLY MAINTAINED, THE COUNTY MAY PROVIDE NECESSARY MAINTENANCE AND ASSESS THE MAINTENANCE COST TO THE OWNER OF THE PROPERTY.

EMERGENCY ACCESS NOTE

EMERGENCY ACCESS IS GRANTED HERewith OVER AND ACROSS ALL PAVED AREAS FOR POLICE, FIRE AND EMERGENCY VEHICLES.

DRIVES, PARKING AREAS, AND UTILITY EASEMENTS MAINTENANCE

THE OWNERS OF THIS PLAN OR PLAT, THEIR SUCCESSORS, AND/OR ASSIGNS IN INTEREST, THE ADJACENT PROPERTY OWNER(S), HOMEOWNER'S ASSOCIATION OR OTHER ENTITY OTHER THAN ARAPAHOE COUNTY, IS RESPONSIBLE FOR MAINTENANCE AND UPKEEP OF ANY AND ALL DRIVES, PARKING AREAS, AND EASEMENTS, I.E.: CROSS-ACCESS EASEMENTS, DRAINAGE EASEMENTS, ETC.

LANDSCAPE MAINTENANCE

THE OWNERS OF THIS PLAN OR PLAT, THEIR SUCCESSORS AND/OR ASSIGNS IN INTEREST, THE ADJACENT PROPERTY OWNER(S), HOMEOWNER'S ASSOCIATION OR OTHER ENTITY OTHER THAN ARAPAHOE COUNTY IS RESPONSIBLE FOR MAINTENANCE AND UPKEEP OF PERIMETER FENCING, LANDSCAPED AREAS AND SIDEWALKS BETWEEN THE FENCE LINE/PROPERTY LINE AND ANY PAVED ROADWAYS.

THE OWNERS OF THIS SUBDIVISION, THEIR SUCCESSORS AND/OR ASSIGNS IN INTEREST, OR SOME OTHER ENTITY OTHER THAN ARAPAHOE COUNTY, AGREE TO THE RESPONSIBILITY OF MAINTAINING ALL OTHER OPEN SPACE AREAS ASSOCIATED WITH THIS DEVELOPMENT.

SIGHT TRIANGLE MAINTENANCE

THE OWNERS OF PRIVATE PROPERTY CONTAINING A TRAFFIC SIGHT TRIANGLE ARE PROHIBITED FROM ERECTING OR GROWING ANY OBSTRUCTIONS OVER THREE FEET IN HEIGHT ABOVE THE ELEVATION OF THE LOWEST POINT ON THE CROWN OF THE ADJACENT ROADWAY WITHIN SAID TRIANGLE.

DRAINAGE MASTER PLAN NOTE

THE POLICY OF THE COUNTY REQUIRES THAT ALL NEW DEVELOPMENT AND REDEVELOPMENT SHALL PARTICIPATE IN THE REQUIRED DRAINAGE IMPROVEMENTS AS SET FORTH BELOW:

- DESIGN AND CONSTRUCT THE LOCAL DRAINAGE SYSTEM AS DEFINED BY THE PHASE III DRAINAGE REPORT AND PLAN.
- DESIGN AND CONSTRUCT THE CONNECTION OF THE SUBDIVISION DRAINAGE SYSTEM TO A DRAINAGEWAY OF ESTABLISHED CONVEYANCE CAPACITY SUCH AS A MASTER PLANNED OUTFALL STORM SEWER OR MASTER PLANNED MAJOR DRAINAGE WAY. THE COUNTY WILL REQUIRE THAT THE CONNECTION OF THE MINOR AND MAJOR SYSTEMS PROVIDE CAPACITY TO CONVEY ONLY THOSE FLOWS (INCLUDING OFFSITE FLOWS) LEAVING THE SPECIFIC DEVELOPMENT SITE. TO MINIMIZE OVERALL CAPITAL COSTS, THE COUNTY ENCOURAGES ADJACENT DEVELOPMENTS TO JOIN IN DESIGNING AND CONSTRUCTING CONNECTION SYSTEMS. ALSO, THE COUNTY MAY CHOOSE TO PARTICIPATE WITH A DEVELOPER IN THE DESIGN AND CONSTRUCTION OF THE CONNECTION SYSTEM.
- EQUITABLE PARTICIPATION IN THE DESIGN AND CONSTRUCTION OF THE MAJOR DRAINAGE WAY SYSTEM THAT SERVES THE DEVELOPMENT AS DEFINED BY ADOPTED MASTER DRAINAGEWAY PLANS (SECTION 3.4 OF THE ARAPAHOE COUNTY STORMWATER MANAGEMENT MANUAL) OR AS REQUIRED BY THE COUNTY AND DESIGNATED IN THE PHASE III DRAINAGE REPORT.

PRIVATE STREET MAINTENANCE NOTE

IT IS MUTUALLY UNDERSTOOD AND AGREED THAT THE PRIVATE ROADWAYS SHOWN ON THIS PLAT/PLAN ARE NOT IN CONFORMANCE WITH ARAPAHOE COUNTY ROADWAY DESIGN AND CONSTRUCTION STANDARDS AND WILL NOT BE MAINTAINED BY THE COUNTY UNTIL AND UNLESS THE STREETS ARE CONSTRUCTED IN CONFORMANCE WITH THE SUBDIVISION REGULATIONS IN EFFECT AT THE DATE OF THE REQUEST FOR DEDICATION. THE OWNERS, DEVELOPERS, AND/OR SUBDIVIDERS, THEIR SUCCESSORS AND/OR ASSIGNS IN INTEREST, SHALL BE RESPONSIBLE FOR STREET MAINTENANCE UNTIL SUCH TIME AS THE COUNTY ACCEPTS RESPONSIBILITY FOR MAINTENANCE AS STATED ABOVE.

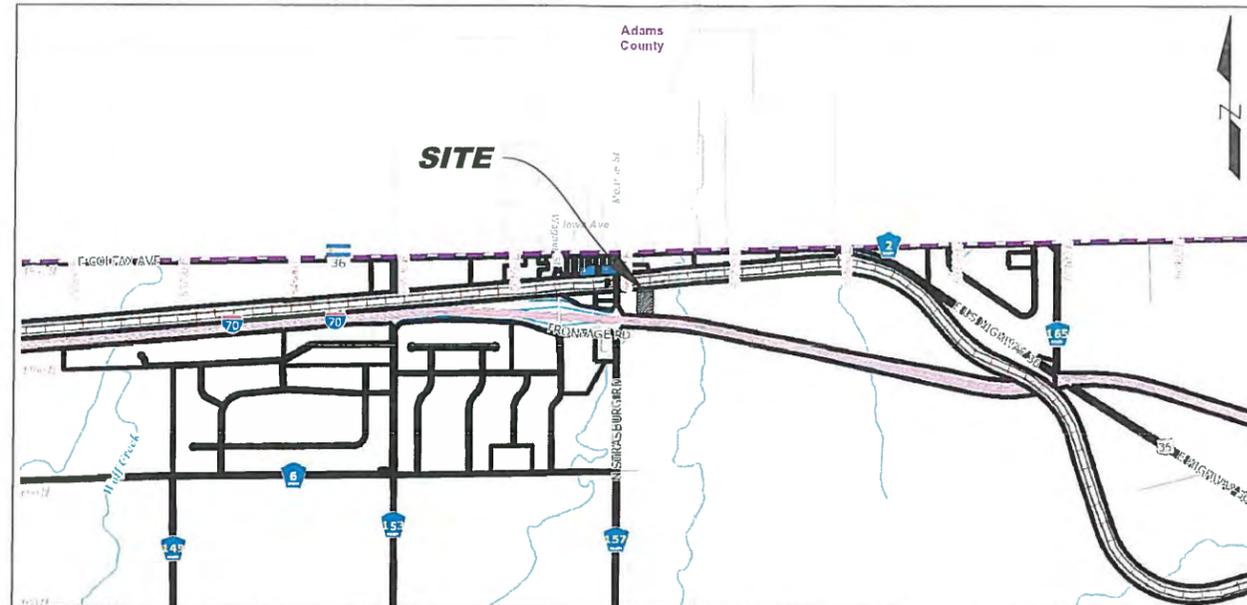
DRAINAGE LIABILITY NOTE

IT IS THE POLICY OF ARAPAHOE COUNTY THAT IT DOES NOT AND WILL NOT ASSUME LIABILITY FOR THE DRAINAGE FACILITIES DESIGNED AND/OR CERTIFIED BY _____ ARAPAHOE COUNTY REVIEWS DRAINAGE PLANS PURSUANT TO COLORADO REVISED STATUTES TITLE 30, ARTICLE 28, BUT CANNOT, ON BEHALF OF _____ GUARANTEE THAT FINAL DRAINAGE DESIGN REVIEW WILL ABSOLVE _____ AND/OR THEIR SUCCESSORS AND/OR ASSIGNS OF FUTURE LIABILITY FOR IMPROPER DESIGN. IT IS THE POLICY OF ARAPAHOE COUNTY THAT APPROVAL OF THE FINAL PLAT AND/OR FINAL DEVELOPMENT PLAN DOES NOT IMPLY APPROVAL OF _____ DRAINAGE DESIGN.

STREET LIGHTING NOTE

ALL LOTS ARE SUBJECT TO AND BOUND BY TARIFFS WHICH ARE NOW AND MAY IN THE FUTURE BE FILED WITH THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO RELATING TO STREET LIGHTING IN THIS PLAN OR PLAT, TOGETHER WITH RATES, RULES, AND REGULATIONS THEREIN PROVIDED AND SUBJECT TO ALL FUTURE AMENDMENTS AND CHANGES THERETO. THE OWNER OR OWNERS, THEIR SUCCESSORS AND/OR ASSIGNS IN INTEREST, SHALL PAY AS BILLED, A PORTION OF THE COST OF PUBLIC STREET LIGHTING IN THE PLAN OR PLAT ACCORDING TO APPLICABLE RATES, RULES, AND REGULATIONS, INCLUDING FUTURE AMENDMENTS AND CHANGES ON FILE WITH THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO.

ARAPAHOE COUNTY CASE NO. Z15-005



VICINITY MAP
1" = 2,000'

ZONING MATRIX

PARCEL	AREA	CURRENT ZONING	CURRENT LAND USE	PROPOSED ZONING	PROPOSED LAND USE
1983-03-2-00-006	8.51 ACRES -- 370,756.32 SF	A-E	VACANT LAND	O: OPEN AND F: FLOODPLAIN	CAMPGROUND/FLOODPLAIN

OWNER

ANGELABELLA PRIDE AND JOY INC.,
A COLORADO CORPORATION
1312 MONROE STREET
STRASBURG, COLORADO 80136
303.916.4197

CIVIL ENGINEER

HCL ENGINEERING & SURVEYING, L.L.C.
9570 KINGSTON COURT
SUITE 310
ENGLEWOOD, COLORADO 80112
LLOYD HERRERA, P.E.
303.773.1605

SHEET INDEX

- COVER SHEET/NOTES
- REZONING PLAN

LEGAL DESCRIPTION (REZONE PARCEL 1983-03-2-00-006)

A PART OF SECTION 3, TOWNSHIP 4 SOUTH, RANGE 62 WEST OF THE 6TH PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:
BEGINNING AT A POINT WHERE THE SOUTH LINE OF THE UNION PACIFIC RAILROAD RIGHT OF WAY INTERSECTS THE WEST LINE OF SECTION 3, TOWNSHIP 4 SOUTH, RANGE 62 WEST; THENCE SOUTH ALONG WEST LINE OF SAID SECTION 3, A DISTANCE OF 361.60 FEET TO A POINT; THENCE SOUTHEASTERLY A DISTANCE OF 253.60 FEET ALONG THE NORTHEASTERLY LINE OF OF HIGHWAY NO. 70 TO A POINT; THENCE A DISTANCE OF 914.55 FEET EAST ALONG THE NORTH LINE OF HIGHWAY 70; THENCE NORTH A DISTANCE OF 715.50 FEET, MORE OR LESS, TO THE SOUTH LINE OF UNION PACIFIC RAILROAD RIGHT OF WAY; THENCE SOUTHWESTERLY ALONG THE SOUTH LINE OF THE UNION PACIFIC RAILROAD RIGHT OF WAY TO THE POINT OF BEGINNING. CONTAINING AN AREA OF 8.51 ACRES (37,0511.36 SQ.FT.); EXCEPTING THEREFROM A TRACT OF LAND DESCRIBED IN DEED RECORDED JANUARY 8, 1948 IN BOOK 597 AT PAGE 309, COUNTY OF ARAPAHOE, STATE OF COLORADO.

STANDARD CERTIFICATES

BOARD OF COUNTY COMMISSIONERS APPROVAL

APPROVED BY THE ARAPAHOE COUNTY BOARD OF COMMISSIONERS, THIS _____ DAY OF _____ A.D., 20____.

CHAIR: _____

ATTEST: _____

PLANNING COMMISSION RECOMMENDATION

NOT RECOMMENDED/RECOMMENDED BY THE ARAPAHOE COUNTY PLANNING COMMISSION, THIS _____ DAY OF _____ A.D., 20____.

CHAIR: _____

SURVEYING CERTIFICATE

I, _____, A LICENSED PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO HEREBY CERTIFY THAT THE SURVEY REPRESENTED BY THIS PLAN WAS MADE UNDER MY SUPERVISION AND THE MONUMENTS SHOWN THEREON ACTUALLY EXIST AND THIS PLAT ACCURATELY REPRESENTS SAID SURVEY.

LICENSED LAND SURVEYOR

CERTIFICATE OF OWNERSHIP

I, _____, HEREBY AFFIRM THAT I AM THE OWNER OR AUTHORIZED AGENT OF ALL INDIVIDUALS HAVING OWNERSHIP INTEREST IN THE PROPERTY DESCRIBED HEREIN, KNOWN AS KOA KAMPGROUND, STRASBURG, COLORADO, Z15-005.

OWNER OF RECORD OR AUTHORIZED AGENT _____ DATE _____

STATE OF _____ S.S.

COUNTY OF _____

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 20____ BY _____

AS _____

OF _____ AN AUTHORIZED SIGNATORY.

BY _____ WITNESS MY HAND AND SEAL

MY COMMISSION EXPIRES _____

CITY _____ STATE _____ ZIP CODE _____



FOR BURIED UTILITY INFORMATION
THREE (3) BUSINESS DAYS
BEFORE YOU DIG
CALL 811
(or 1-800-922-1987)
UTILITY NOTIFICATION
CENTER OF COLORADO (UNCC)
www.uncc.org



REVISIONS	DATE	#

PROJECT: KOA KAMPGROUND, STRASBURG, COLORADO
DRAWING: A-E - O/F REZONING PLAN COVER SHEET
CLIENT: DENVER EAST STRASBURG KOA
DESIGNED BY: MMD
DRAWN BY: RWH
CHECKED BY: JEH
SCALE: _____
HORIZ: _____
VERT: _____
DATE: 08.10.2015

HCL ENGINEERING & SURVEYING, L.L.C.
9570 KINGSTON COURT, SUITE 310
ENGLEWOOD, COLORADO 80112-6004
PHONE: 303.773.1605
WWW.HCLENGINEERING.COM

HCL
ENGINEERS • SURVEYORS

H:\2015 Jobs\153005 Strasburg KOA\CAD\Civil\Plans\1.0 ZONING COVER.dwg 11/11/2015 10:31:07 AM CMCALINDEN

KOA KAMPGROUND STRASBURG, COLORADO REZONING PLAN

A PART OF THE NW 1/4, SECTION 3, TOWNSHIP 4 SOUTH, RANGE 62 WEST OF THE 6TH PRINCIPAL MERIDIAN,
COUNTY OF ARAPAHOE, STATE OF COLORADO.

MONROE STREET

UNION PACIFIC RAILROAD

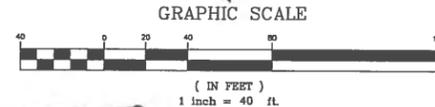
REVISED 100-YEAR FLOODPLAIN
(LETTER OF MAP REVISION, COMANCHE
CREEK, AND LITTLE COMANCHE CREEK,
BY RESPEC CONSULTING SERVICES,
CASE NO. 15-08-0217P)

EXISTING ZONING:
I-1
UNION PACIFIC RAILROAD

PROPERTY
BOUNDARY

ZONING CLASSIFICATION (O)
ACRES = 6.24

CURRENT ZONING CLASSIFICATION (A-E)
ZONING CLASSIFICATION REQUESTED (O/F)
OPEN/FLOODPLAIN
ACRES = 8.51



1352 MONROE STREET
STRASBURG, CO 80136

EXISTING ZONING:
B-4
PUD
SPECIAL PURPOSE
1983-03-2-00-011

ONE STORY MODULAR

EXISTING RV
CAMPING SITES
(TYP.)

EXISTING CONCRETE
PAD

EXISTING RV
CAMPING SITES
(TYP.)

EXISTING
STRUCTURE

S85°53'07.2"W 522.92'

EXISTING ZONING:
A-E
VACANT LAND
1983-03-2-00-006

EXISTING ZONING:
OPEN
1983-03-2-00-005

EXISTING GRAVEL
ACCESS ROADS (TYP.)

25'
EXISTING
R.O.W.

EXISTING ZONING:
A-E
PROPERTY NOT INTEGRAL TO AG OP.
1983-03-2-00-007

1312 MONROE STREET
STRASBURG, CO 80136

PLAYGROUND AREA

ONE STORY WOOD

PROPOSED ZONING:
F
FLOODPLAIN
1983-03-2-00-006

SHOP

POOL AREA

CABIN (TYP.)

REVISED 100-YEAR FLOODPLAIN
(LETTER OF MAP REVISION,
COMANCHE CREEK, AND LITTLE
COMANCHE CREEK, BY RESPEC
CONSULTING SERVICES,
CASE NO. 15-08-0217P)

EFFECTIVE 100-YEAR
FLOODPLAIN

NOTES

1. LAND DEVELOPMENT CODE FOR SIGNS SHALL GOVERN.
2. NO STRUCTURE (TEMPORARY OR PERMANENT), FILL, OBSTRUCTION, STORAGE OF MATERIALS, OR OTHER FLOODPLAIN USES SHALL BE PERMITTED THAT ADVERSELY AFFECT THE EFFICIENCY OR THE CAPACITY OF THE FLOODPLAIN.

REVISED 100-YEAR FLOODPLAIN
(LETTER OF MAP REVISION,
COMANCHE CREEK, AND LITTLE
COMANCHE CREEK, BY RESPEC
CONSULTING SERVICES,
CASE NO. 15-08-0217P)

PROPOSED ZONING:
OPEN
1983-03-2-00-006

PROPERTY
BOUNDARY

ARAPAHOE COUNTY CASE NO. Z15-005



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THREE (3) BUSINESS DAYS
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(or 1-800-922-1987)
UTILITY NOTIFICATION
CENTER OF COLORADO (UNCC)
www.uncc.org



INTERSTATE I-70

R=11610.00
L=162.22'

PROJECT: KOA KAMPGROUND, STRASBURG, COLORADO		DRAWING: PLAN	
CLIENT: DENVER EAST STRASBURG KOA		SCALE: HORIZ: VERT: DATE: 08.10.2015	
DESIGNED BY: MMD		DRAWN BY: KWH	
CHECKED BY: JHJ		DATE: 08.10.2015	
REVISIONS	DATE	#	

HCL ENGINEERING & SURVEYING, L.L.C.
9570 KINGSTON COURT, SUITE 310
ENGLEWOOD, COLORADO 80112-6004
PHONE: 303.773.1605
FAX: 303.773.3287
WWW.HCLENGINEERING.COM

HCL
ENGINEERS • SURVEYORS

SHEET NUMBER
2 OF 2

PROJECT No. 153005

SUBJECT: Land Development Code Assessment/Audit

Jason Reynolds, Current Planning Program Mgr.

January 12, 2016

At the study session, Clarion Associates and staff will present an overview of the Land Development Code Assessment's findings and recommendations. At next week's study session with the Board of County Commissioners, staff will seek confirmation from the Board that we should proceed with the top priorities identified in the Assessment, recognizing that this will require additional funding.

Request and Recommendation

The purpose of this report is to provide an overview of the land development code assessment and seek feedback on the recommendations.

Background

Based on feedback from our land development customers and direction from the BOCC, Public Works and Development has hired Clarion Associates to conduct a land development code assessment. We gathered input from county staff, the Arapahoe Development Services Coordinating Committee (ADSCC), and the Technical Advisory Committee (a smaller group of developers and consultants). Clarion Associates prepared the final version Land Development Code Assessment/Audit using feedback from those committees and staff.

Links to Align Arapahoe

Service First

This project will improve the land use process and the service provided to the land development sector of our customers.

Quality of Life

The update of the land use code will improve the quality of the land uses within the County providing long term sustainability.

Fiscal Responsibility

Land Use Code and Process improvements and modifications will make the land use process more efficient, which in turn attracts economic development and long term sustainability of development in the County.

Discussion

Our primary intent is to amend our land development code to eliminate unnecessary regulatory barriers that may discourage economic development in Arapahoe County; to streamline development procedures; and to make the overall code more efficient and user friendly. The

draft Land Development Code Assessment/Audit identified top priorities to help accomplish those goals. Those top priorities address the feedback we have received from our customers. The secondary focus of the assessment identified other code improvements that may be contributing to an over-reliance on Planned Unit Developments. Clarion Associates provided a set of prioritized recommendations, along with potential timeframes, in Chapter 6 of the assessment:

Phase 1 – Top Priorities (first half of 2016)

- Improve the Planned Unit Development (PUD) system
- Adopt modern base zoning districts

Phase 2 – Medium Priorities (commence in 2016 and finish in 2017)

- Reorganize the development code
- Update development standards (parking, landscaping, signs, etc.)
- Include more visual aids and flowcharts

Phase 3 – Lower Priorities (late 2017)

- Review and update use-specific standards (cell towers, etc.)
- Update and streamline non-PUD procedures

These timeframes assume that the County continues to contract with Clarion Associates. We will discuss this more in the “next steps” section.

This section provides some more detail on each of the recommended steps.

Improve the PUD System (Phase 1)

The report recommends several PUD improvements with the goal of making the approval process simpler and quicker for applicants:

- Consolidate and streamline PUD processes (eliminate the distinction between Master Development Plans and Preliminary Development Plans)
- Clarify PUD amendment criteria and simplify the amendment process
- Develop graphic guides for PUD processes
- Streamline the review process and clarify timelines for applicants
- Align required documentation with the place in the process (make plans more conceptual during early phases)
- Standardize and consolidate submittal checklists
- Simplify adjustments to recorded easements

Some of these steps are already underway; staff has been updating the planning checklists and applications with our transition to electronic submittals and reviews. The most significant of the proposed changes is the first bullet above: based on successful models in other communities, the assessment recommends that the majority of site plans receive administrative/staff review and not public hearings at Planning Commission and the BOCC.

Adopt Modern Base Zoning Districts (Phase 1)

Many of Arapahoe County’s zoning districts are either outdated or fail to offer non-PUD options. The assessment recommends a shift in emphasis away from PUD zoning by providing zoning districts that are flexible and are aligned with current market demands. The goal would be to closely align the districts with our planning goals and market demands so that two thirds of development applications could be processed with administrative/staff review.

Reorganize the Development Code (Phase 2)

Clarion Associates recommends modernizing our code's organization and layout. A more simplified development code would be more user- and business-friendly by minimizing inconsistencies, making answers easier to find, and increasing the ease of future amendments.

Update Development Standards (Phase 2)

The primary focus of this assessment is on land development processes. We also asked the consultant to audit the county's code and identify areas that needed improvement. The assessment recommends updating landscaping, parking, and other standards so that the standards fit the context (as an example, landscaping regulations could be different for the eastern communities or areas with more reliance on non-renewable water sources). The assessment also recommended updating the county's sign code to better comply with a recent U.S. Supreme Court decision (*Reed v. Gilbert*). Finally, Clarion Associates creating more administrative flexibility to allow alternative designs for technical standards such as lighting and landscaping.

Include More Visual Aids and Flowcharts (Phase 2)

Graphics, flowcharts, and tables help convey information more concisely than words. The assessment recommends including more visual aids for standards such as setbacks, parking, and landscaping requirements.

Review and Update Use-Specific Standards (Phase 3)

Our use-specific standards such as the Commercial Mobile Radio Service (cellular tower) regulations should be updated to reflect recent federal laws and rulemaking decisions.

Update and Streamline Non-PUD Development Procedures (Phase 3)

In addition to the recommended updates to the PUD process, other County procedures should be streamlined and revised.

Next Steps

The Land Development Code Assessment identifies a number of problems with our current code and processes. Staff has already begun addressing some of the non-code items identified in the assessment (implementing electronic plan review, revising application checklists). Staff recommends engaging Clarion Associates to assist with the Phase I recommendations. If we go that route, staff may be able to update some of the development standards such as parking in 2016 as well.

Alternatives

Amendments to our code are necessary to help streamline processes and improve customer service. This project directly addresses feedback we have received from our development customers. The major question is whether we continue the project with consultant assistance or whether we attempt the project with internal resources, which will take several years.

Attachment: Arapahoe County Land Development Code Assessment/Audit (not including appendices)



Arapahoe County, Colorado

Land Development Code Assessment/Audit

December 2015

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APPENDIX 1: CRITERIA USED IN PUD PROCESSING AND APPROVAL DETERMINATIONS..... ERROR! BOOKMARK NOT DEFINED.

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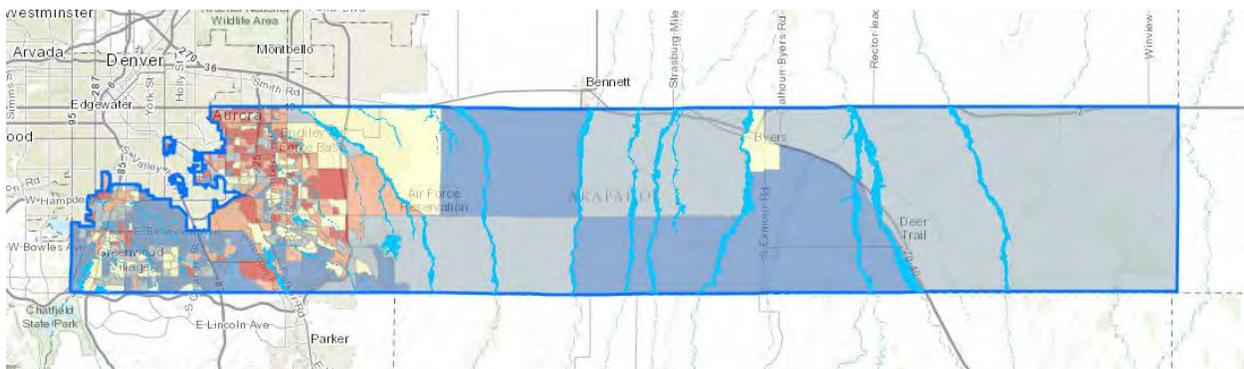
APPENDIX 2: CHECKLISTS USED IN PUD PROCESSING AND APPROVAL DETERMINATIONS..... ERROR! BOOKMARK NOT DEFINED.

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1. INTRODUCTION

1.1 Scope of the Project

Located on the southeastern flank of the Denver metro area, Arapahoe County stretches east-west across a very wide spectrum of land uses and lifestyles. While the western end of the county contains much of the Denver Technology Center (and the jobs and high end housing that go with it), the eastern two-thirds of the county contains large areas of rural, grazing, and agricultural lands. The county's population of over 600,000 is represented by a five-member Board of County Commissioners and applications for development is managed by the Planning and Land Development Division of the Public Works Department. Although the incorporation of the City of Centennial in 2001 removed much of the urban development in the western end from direct land use regulation by the county, there are still significant areas of urbanized land interspersed with the lands of both Centennial and Aurora and still subject to county land use control. As in many counties, the need to design and operate a system of land use, zoning, and subdivision regulations that works well for both urbanizing and rural areas is a challenge.



Clarion Associates has been retained by Arapahoe County to prepare an assessment of the county's current Land Development Code as a first step in possible future amendments to that Code. The project was broken down into three Tasks.

- Task 1 – Understanding and Describing the Problem
- Task 2 – Preparing and Presenting a Draft Assessment
- Task 3 – Revising, Prioritizing, and Presenting a Final Assessment

Task 1 was completed in September, 2015, and involved numerous meetings with property owners, County staff, land developers, special district/service provider staff. A web-based description of the project and on-line survey was also prepared, and the responses to that survey were compiled. Task 2 is the preparation of a Draft Assessment (this document) for review by stakeholders, county staff, and potentially also by appointed and elected officials, in November 2015. Task 3 will include revisions to the Draft Assessment and prioritizing its recommendations by the end of 2015.

1.2 Focus of the Project

In order to respond to those comments and critiques made by landowners and stakeholders, Clarion Associates' Assessment of the Arapahoe County Development Code will focus:

- Primarily on the County's system for approving and amending Planned Unit Developments (PUDs), which is the type of application most commonly used for development review in Arapahoe County; and
- Secondarily on the remaining portions of the Development Code, including zone districts, development standards, and non-PUD development review procedures, as well as enhancing the user-friendliness of the entire Development Code.

2. STAKEHOLDER INPUT RECEIVED

The recurring major issues raised by stakeholders interviewed in September 2015, and by those responding to the on-line survey, are summarized below:

2.1 Major Concerns

Concerns emphasized or raised repeatedly by stakeholders are listed and discussed in this section.

The PUD Process is Too Complicated

- The PUD process is used for almost all new development and the process of PUD approval – and then for repeated PUD amendments -- is time-consuming for both developers and staff. Results from the PUD process are inconsistent and that the outcomes sometimes lead to standard but not excellent development.
- The PUD review process should and can be speeded up. The timeframes for review are not well understood, appear to be poorly coordinated, and seem to take longer than indicated in the Code and are not well understood. In the past, the county did not clearly communicate that the 3-2-1 engineering review process (e.g., three weeks for initial review, then two weeks for review of the revised documents, and one week for review of the re-revised documents) begins after, and is in addition to, the timeframes needed for the land use approval (PDP or FDP) itself. In addition, the county may not have adequately communicated that there is a 14-day initial review for application completeness and initial review that is not spelled out in the Code. There may be some inconsistency in how the review process is managed depending on the planner managing the application.
- There need to be fewer public hearings and more administrative approvals. Under current regulations a Final Development Plan (FDP) is approved by BOCC and can be subject to a public hearing even when the approved Preliminary Development Plan (PDP) is very detailed and the FDP is consistent with that detail. A detailed PDP should allow FDPs to go through an administrative review only, similar to the process currently used in the County's Master Development Plan (MDP) PUD process. More administrative approvals would allow for lower review fees.

Too Much Detail is Required Too Early in the Process

- Too much planning and engineering detail is required too early in the process. Only conceptual levels of detail and design should be required at the Preliminary Development Plan stage – enough to know that approvable designs are possible at the Final Development Plan or Administrative Site Plan stage. Engineers prefer more detail up front, but this requires expensive engineering expenses at a time when site design details are not known and often results in high expenses for re-engineering as those details become clearer at the Final Development Plan or Administrative Site Plan stage. Another concern was the level of technical engineering detail required for Planning Commission and BOCC review when those bodies may not have the

technical capacity to review the level of detail included in those documents. At the same time, some interviewees emphasized that an overly general early submittal does not provide staff enough information/detail for a good response. This can result in poor site design decisions – particularly for trails, parks and open space – that could be avoided with more detail early in the process.

- Interestingly, while the MDP PUD process (currently used only for business and industrial parks) was sometimes mentioned as a model of a simpler PUD system, the primary user of that approval system indicated that one tradeoff is that detailed engineering drawings need to be produced at the earlier (MDP) stage in order for the applicant to know that a conforming Administrative Site Plan will, in fact, be possible.

The PUD Amendment Process Needs to be Simplified

- A major change to a Final Development Plan is treated like a new PUD application, with correspondingly high requirements for submittals. More amendments need to be treated as minor (Administrative or Technical) amendments that could be approved by staff or the Planning Commission. The trend in which some items previously categorized as Technical Amendments are now treated as Administrative Amendments requiring additional review needs to be reversed.
- For both major and minor amendments, the code should only require that those pages of submittals that have been changed need to be submitted (not the entire package – which often contains many unchanged drawings that incur significant costs).

Obsolete Districts and Standards Need to be Updated

- The standard residential zone districts are obsolete, and new residential districts are needed to better address modern forms of housing and mixed-use development. Because of this weakness, PUDs are used for many residential and mixed-use developments where a PUD should not be necessary. The minimum lot size of one acre for residential development in the conventional zone districts is an unusual barrier for newer types of housing development and results in over-use of the PUD process. The maximum height of 25 feet in the R-2 district is also a common barrier to needed residential development.
- Current standards that work for larger developments do not work well for older lots and infill development. Older commercial sites are difficult to redevelop because of the setback and buffer required from adjacent residential districts. Reinvestment in the areas of the county that developed under both conventional and PUD zoning is difficult, often require lengthy PUD amendments, and consume a lot of staff time.
- Many new land use definitions should be added to the code to accommodate new forms of development, and existing definitions need to be updated. For example, a variety of elderly care facilities are difficult to fit into the current code's land use typology and dwelling unit requirements. New commercial and industrial uses can be difficult to align with the uses allowed in older commercial and industrial PUDs.
- The requirements for Location and Extent applications for public facilities need to be more streamlined and clearer. The current system treats the application almost like a standard development review application, but the County's ability to influence the

development is more limited by law and the review should be more limited and efficient.

- The Centennial Airport Environs Planning Area Overlay District (CAEPA) is problematic because the County has maintained the stricter standards that were adopted under the original agreement with the Centennial, but Centennial is no longer enforcing the same standards in the same way. The usefulness of this overlay needs review and standards appropriate for the County should be integrated into the Land Development Code.

Development Standards Need to be Updated and Clarified

- Landscape standards for parking lots are confusing, difficult to calculate, require too much vegetation and are difficult to administer.
- Parking requirements need to be updated and aligned with current parking practices. Some parking standards are too high (e.g., restaurants) while others are inaccurate (i.e., those related to the Americans with Disabilities Act).
- Flexibility is needed at staff level to address those situations where a development standard does not make sense for a specific use and site. Standards appropriate for more urban development may not be applicable for more rural areas of the County which has more dispersed development patterns and different infrastructure (i.e. different landscaping standards where well water is used).
- Street standards need to be reviewed to address connectivity, pedestrian circulation and pedestrian-friendly commercial and mixed-use development. Planning and engineering standards regarding streets need to be better coordinated.

2.2 Minor Concerns

Concerns raised less frequently by stakeholders are listed and discussed in this section.

Management of Review and Referral Process is Unclear

- Some of the Metro districts and utility providers have their own submittal requirements, levels of detail desired for different stages of plan reviews, and timelines for review. In some cases, a faster County timeline for review or lowered level of detail for early submittals would not make a difference, because the district or utility provider will continue to impose stricter standards. Inconsistencies between comments made by different referral departments or agencies should be reconciled, so that that applicant given a consistent message about what changes need to be made.
- It is important to have a point person (case planner) empowered to make decisions shepherding an application through the referral process. This person needs to flag issues, be authorized to resolve conflicts between comments on application materials, and work with the applicant to ensure that all comments are addressed in a timely manner. Applications should not be “processed to meet deadlines” if that is achieved by just delaying resolution of conflicts to a later stage in the approval

process. In an effort to address this concern, the County has expanded its use of post-review meetings to discuss staff comments with applicants.

Plan Documentation Requirements Need to be More Uniform

- The information required on Final Development Plans is not uniform and the template for displaying information needs to be improved. Some PUDs may include language referencing a conventional zone district for development standards or uses not specified on the PUD while others are silent (which increases the need for ad hoc determinations by individual planners and the likelihood of inconsistent decisions).
- The timing for required documents should better align with the construction process. For instance, recording of a drainage easement or a water quality manual prior to start of construction is unnecessary, slows the process and could create a need for later re-recording (for example, if a recorded drainage easement needs to be adjusted during construction) and requiring on plan and profile sheets for water and sewer systems that will be reviewed by non-engineers (e.g. the Planning Commission).

Procedures and Forms Need to be Updated and Fees Lowered

- There are too many forms and checklists. Although these may be intended to help applicants know what to submit and staff to determine if an application is complete, they sometimes include separate checklists from different departments, making it difficult to determine what is needed for an application and if an application is complete. In response, staff emphasized that they are required to – and do – review County fees to ensure that they reflect actual review costs. In addition, the county reviews how its review costs compare to those in other counties, and have found that in some cases they are lower.
- Requirements to record (and sometimes re-record) PUD materials are costly and savings could be gained by requiring only sheets with changes be recorded.
- Moving to electronic application submittal system would be helpful in reducing costs, and is strongly supported by applicants interviewed. The County is currently implementing an electronic review process.

Format and Organization of the Current Code is Inconsistent

- There is not a consistent format for how information is presented in different sections of the Code. There are lengthy lists for submittal requirements for each type of application that are redundant but not ordered in the same way. Public notice requirements are found in multiple locations and could be consolidated in one place. Review criteria can be hard to find and are sometimes commingled with process, development standards and other requirements. Some Code sections are written in very technical language that is difficult for a lay person to understand (for example, the lighting regulations and portions of the landscape regulations).

Coordination With the Comprehensive Plan Needs to be Improved

- The relationship between new development applications and required amendments to the Arapahoe County Comprehensive Plan is unclear. The County is aware of this

confusion, and is currently in the process of improving coordination of rezonings and comprehensive plan amendments. An amendment process for the Plan was recently added and will be updated to better clarify concurrent processing of comprehensive plan amendments with rezonings.

3. RESEARCH ON FRONT RANGE PUD SYSTEMS

Clarion Associates conducted research on how other jurisdictions in the Front Range manage their PUD process and to identify any local best-practices that could be applied in Arapahoe County. A survey of seven Front Range jurisdictions was performed in October 2015 about the land development process with particular emphasis on the PUD process in each jurisdiction. Planning Department staff were interviewed by phone and asked the same set of questions. The PUD and other relevant sections of each jurisdiction’s land development codes were reviewed and the application forms, submittal checklists and application guides were collected for each jurisdiction. The checklists are attached as Appendix 2 to this Assessment. The jurisdictions contacted, questions asked and research findings are discussed in this section. The findings identify the current practice in Arapahoe County, how the majority of the other jurisdictions operate and the practices that are exceptions to the typical majority practice.

3.1 List of Jurisdictions Reviewed

Clarion Associates examined the planned development review procedures in five Front Range counties and in two municipalities in Arapahoe County:

Counties	Municipalities
Adams County	City of Aurora
Douglas County	City of Centennial
El Paso County	
Jefferson County	
Larimer County	

Adams, Douglas, El Paso, Jefferson and Larimer counties were selected based on their similarity to Arapahoe County in terms of managing rural/urban development issues. Two of the counties, El Paso and Larimer, were included to offer a perspective from outside the metropolitan Denver area. Although counties operate under different legislative authority than municipalities, the cities of Aurora and Centennial were included to provide insight on how the process works in other jurisdictions within the county.

3.2 List of Questions Asked

The same set of questions was asked in each jurisdiction, with an emphasis on the planned development process, review criteria and authority, level of detail required and timeframes for review:

1. How does your PUD process work? Is there more than one process? (For example, different processes for simpler/more complex projects? Or different processes for residential and commercial projects?)
2. In practice, do PUD review and approval procedures follow the same steps and requirements that are written in your code? (Or have you developed unwritten rules and practices to address practical problems and unforeseen issues?)
3. What types of PUD approval decisions, if any, can be made:
 - a. Administratively by staff?
 - b. By the Planning Commission
 - c. By the BOCC? When is a public hearing required?
4. What types of PUD amendment decisions, if any, can be made:
 - a. Administratively by staff?
 - b. By the Planning Commission
 - c. By the BOCC? When is a public hearing required?
5. What criteria are used to determine which body is authorized to make a decision (i.e. what types of decisions can be made administratively), and to make the decision itself.
6. What is the timeline for processing and decision-making in each of your different PUD approval processes? Are these timeframes stated in your land development code, or are they stated in an internal administrative document or flowchart? Or are they just general practices that are not written down? Can we get a copy of any written timeframes or flowcharts?
7. Do you permit concurrent review of preliminary, final, and/or site development applications, and if so, which ones, and how has that process worked? Have there been any problems?
8. What planning and engineering documents are required at each level of approval (i.e. For preliminary plan approval? For final plan approval? For site plan approval?) What level of detail is required for each of these documents at each phase in the review process? Can we get copies of all submittal lists and/or planning engineering standards used to determine whether the county has received a “complete application” at each stage of the review process?
9. If different departments disagree as to whether a PUD application meets their requirements, how are those conflicts resolved? How much time does that time take?
10. Do you get complaints about the PUD review and approval process and if so what the most? Are you taking any steps to revise your requirements or procedures in response to those complaints?
11. Is approval of a PUD the only way to get a mixed-use development approved?

3.3 How does the PUD process work? Is there more than one process?

Arapahoe County Practice

Arapahoe County has two planned development processes. The standard PUD process requires a Preliminary Development Plan and a Final Development Plan, both of which require approval by the BOCC. The second Master Development Plan (MDP) PUD process is applied to office and light industrial park developments. This process requires approval of a Master Development Plan by BOCC and approval of an Administrative Site Plan at staff level. Both types of PUDs are considered a rezoning.

Mainstream Practice

Mainstream practice among the Front Range jurisdictions surveyed is to have a single PUD process for all sizes and types of PUD developments. All consider the PUD process a rezoning and final approval for rezoning to a PUD zone district rests with the elected governing body.

Exceptions

The exceptions to the single process approach are Jefferson and Adams counties. In Jefferson County a “Planned Development Light” process may be used for smaller, less complex projects. This process is differentiated from the standard PUD process by the type of documentation required rather by a change in the decision-making process. Development standards and allowed uses are submitted as written documents in 8-1/2 x 11 inch format as rather than drawings on standard 24 x 36 inch sheets with written standards included on the drawings. The Planning Director determines whether a proposed PUD is eligible for this process.

Adams County has an additional preliminary step for any PUD that will be phased. This three step process requires an Overall Development Plan (ODP) which sets general planning and development parameters, a Preliminary Development Plan (PDP) which includes a preliminary plat and has preliminary landscaping, circulation and building details, and a Final Development Plan (FDP) which is the site specific development plan. All three steps require approval by the BOCC. PUDs that will not be phased require only a PDP and FDP. The same process and documentation procedures are followed for both phased and standard PUDs.

While Larimer County has one PUD process, PUDs are allowed only in established Growth Management Areas adjacent to the municipalities in the county. The PUD must comply with the municipality’s comprehensive plan to be approved.

3.4 Do PUD review and approval procedures follow the steps and requirements written in your code?

Arapahoe County Practice

Based on the information gathered during the stakeholder interviews conducted for this assessment, Arapahoe County generally follows the PUD review and approval procedures that are in the Land Development Code. Section 13-104 (Submittal Process for PDP, FDP and MDP) sets forth the general

process for review and approval of a PUD. A detailed review and referral process is not included in the Code, but administrative procedures have been developed, specifying internal review steps. Stakeholders listed concerns with too many required procedures, too many forms, long timeframes for review, and the level of detail required in documents at each phase of the approval process.

Mainstream Practice

All but one of the jurisdictions surveyed indicated they follow the PUD review and approval procedures in their respective codes. The level of code detail regarding specific steps in the review and referral process varies. Douglas and Jefferson counties have explicit procedures for all phases of the review and approval process in their respective codes. In addition, these two counties have development process guides posted on their web sites explaining the review process and timeframes. In Adams County the review and approval process for each step of their PUD approval process (ODP, PDP, and FDP) is uniformly presented in the PUD section of the Code.

Exception

The exception to the mainstream practice is El Paso County. While submittal requirements and approval criteria are detailed in the Code, the procedures for review are established by the Development Services Director in an Administrative Procedures Manual outside the Code.

3.5 What types of PUD Approval Decisions can be made by staff, Planning Commission or BOCC?

Arapahoe County Preliminary Development Plan and Final Development Plan Practice

The Board of County Commissioners is the final decision-making authority for all PUD approval decisions in Arapahoe County. In the standard PUD process, Planning Commission is a recommending body for both the PDP and FDP and public hearings are conducted by the Planning Commission for both of these reviews. A public hearing is also conducted by the BOCC for the PDP but is not required for the FDP. The code allows certain qualifying FDP's to be placed on the consent agenda for the BOCC to ratify the decision of the Planning Commission. The Master Development Plan PUD also has Planning Commission as a recommending body and the BOCC as the final decision-making authority. Public hearings are required at both Planning Commission and the BOCC. Only Administrative Site Plans under the MDP process can be approved at staff level.

Mainstream Practice

All of the jurisdictions surveyed require the elected governing board to make PUD approval decisions. In all cases the Planning Commission is a recommending body and has no decision-making authority for PUD approvals. All jurisdictions require a public hearing before the Planning Commission and the BOCC or City Council for initial approval of the PUD rezoning and development plan. In several cases, staff has authority to review and approve more detailed specific development plans, and plan amendments secondary plans after the initial PUD zoning and plan (and plat, if one is needed) are approved by the governing body.

3.6 What types of PUD Amendment Decisions can be made by staff, Planning Commission or BOCC?

Arapahoe County Practice

Arapahoe County has two types of staff-level amendment processes in the Land Development Code. Administrative Amendments allow minor modifications to the dimensional, density, parking, circulation, and open space standards for PDPs, FDPs and MDPs. Specific criteria must be met to be eligible for an Administrative Amendment and the Code limits the degree of modification that can be granted. A second type of amendment -- Technical Amendments -- provides for minor technical changes that require no or minimal engineering review. If an amendment request does not meet the criteria in the Code for staff to grant an Administrative Amendment, the amendment is considered a major amendment. Major amendments must be processed in the same manner as the original approval, with review by Planning Commission and approval by the BOCC. No PUD amendment decisions are made by Planning Commission.

Mainstream Practice

All but one of the jurisdictions surveyed have minor amendment processes for PUDs that allow staff-level review and approval. The one exception to this is Larimer County, where all PUD amendments go before the BOCC for a decision.

Mainstream practice allows administrative amendments for minor changes to dimensional and other on-site development standards that do not alter the overall design and character of the PUD project. Administrative amendments generally are not allowed to alter the commitments and guarantees of subdivision improvement agreements or development agreements. The criteria to define what constitutes a minor amendment vary from strict lists in some communities delegations of broad authority to the Director in others. For instance, Douglas County strictly limits administrative authority to a defined percentage increase or decrease in the standard established in the PUD. In contrast, El Paso County gives broad authority to the Development Services Department to determine whether proposed changes in plan elements such as building location or the alignment of utilities or roadways are major or minor.

Other differences in amendment procedures include the following. El Paso County allows a PUD to establish its own criteria for what can be amended by administrative review. If not included in the PUD, amendments are processed under the provisions of the current land use code. Jefferson County permits staff to make administrative decisions for minor changes to both on and off-site improvements through a Minor Variation process while a Minor Modification process is used for minor changes to site development plans. In both cases, eligibility for the administrative process is determined by the Director of Planning. Anything that is determined not eligible for a minor amendment process is a major amendment and is processed as a rezoning.

3.7 What criteria are used to determine which body is authorized to make a decision and to make the decision itself?

Arapahoe County Practice

Arapahoe County's Land Development Code gives joint authority to the Planning Division Manager and Engineering Services Division Manager to decide both Administrative and Technical Amendments. The code also has standards to determine if an application qualifies for that amendment process and criteria to make the decision or for the amendment process.

Mainstream Practice

The mainstream practice in the jurisdictions surveyed is to state who makes a decision in the code and to include the criteria for making the decision in the code. As noted above, the level of detail for the criteria for decision-making varies among the jurisdictions. Relevant sections of each jurisdiction's code are included in Appendix 1 to this report.

Exception

Larimer County's code does not have criteria to determine which body makes a decision, since all decisions go to the BOCC.

3.8 What is the timeline for PUD approval processes?

Arapahoe County Practice

Arapahoe County combines timeframes specified in the Land Development Code with general administrative practices and a 30 day referral period for outside agency comments. The LDC requires that Administrative Site Plans prepared under a Master Development Plan have a pre-submittal meeting (unless the MDP states otherwise or the requirement is waived by the Planning Director). The code pre-submittal meeting must be held within five days after a request for a meeting is received, or the pre-submittal meeting requirement is automatically waived. Specific timeframes for other specific review steps are not indicated in the code.

The Arapahoe County Land Development Application Instructions identify the following process and timeframes for review:

- Pre-submittal Meeting: Required
- Completeness of Application: 3 working days
- Phase I: 10 working day internal referral only, intended to determine if application has necessary detail to refer to outside agencies
- Phase II: 30 calendar day referral to both internal and external agencies. This may be extended depending on the complexity of application
- Phase I and Phase II reviews can be combined as determined at the pre-submittal meeting.

In practice the total estimated timeframe for review, including public hearings, ranges from five to eight months for a Preliminary Development Plan review and three to six months for a Final Development Plan review. The total estimated timeframe ranges from eight to 14 months. If applications are submitted and reviewed concurrently the time frame may be only seven to 12 months. Review times vary based on complexity of project and the amount of time an applicant takes to respond to comments and resubmit plans for review. They also vary when referrals to outside service providers (primarily some of the smaller districts) are not returned in a timely manner.

The Engineering Division also has an administratively established timeframe for review called the “3-2-1 review”. The Division’s review can begin after the FDP or ASP approvals by the Planning Department or can sometimes be managed concurrently with Planning Department processes, depending on the case type. This review process is intended for detailed review of civil construction plans. Engineering initial review is three weeks, with a decreased review time for each subsequent review, e.g., two weeks for the second submittal and one week for the third submittal. Stakeholders commented that the relationship of this review process with the Phase I (county agencies only) and Phase II (outside agencies included) process described in the Land Development Application is not well understood.

Mainstream Practice

Most of the jurisdictions surveyed establish review procedures and timeframes administratively (as opposed to stating them in their zoning and subdivision codes). El Paso County and Centennial indicated they are currently in the process of developing an Administrative Procedures Manual. Aurora’s timeframes and procedures for processing applications are included in the Aurora Development Handbook, which is available on its website.

Douglas and Jefferson counties both have explicit timeframes for each step in the review process and also identify timeframes for applicant response to referral comments. The Douglas County Code includes a section describing review timeframes in each step in the process. Jefferson County Code has a chart detailing timeframes for review.

The table below shows the timeframes for review for common steps in the review process for each of the jurisdictions surveyed. The review timeframes are stated in calendar days.

	Pre-Submittal	Completeness Review	1st Referral	2nd Referral	3rd Referral	Total Estimated Timeframe
Arapahoe	Yes	3 days	14 days	30 days	If needed	210 – 420 days
Adams	Yes	Yes	45 days	If needed	If needed	90-180 days
Douglas	7 – 10 days	15 days	21 days	If needed	If needed	230 days
El Paso	Yes	Yes	21 days	14 days	If needed	Varies
Jefferson	10 – 15 days	7 days	21 days	14 days	If needed	100 days
Larimer	Yes	Yes	21 days	21 days	If needed	1 – 1-1/2 yrs.
Aurora	Yes	Yes	15 – 20 days	15 – 20 days	15 - 20 days	87-115 days
Centennial	5 days	5 days	28 days	21 days	14 days	Varies

The timeframes in the above table are based on interviews conducted with planning staff in each jurisdiction, development guides available on Douglas, Jefferson and Larimer Counties’ and Aurora’s websites, and information contained in individual jurisdictions’ land development codes. Only the City of Aurora has a published administrative procedures guide with a chart detailing the specific timeframes

for each step of the development application review process. This guide also has charts showing the timelines for review of civil construction plans and building plans.

All the jurisdictions surveyed have a pre-submittal process, with Douglas, Jefferson and Centennial specifying timeframes for the pre-submittal process and for determinations of completeness prior to the application being accepted and referred for comment. Most of the PUD systems assume that at least two rounds of referrals may be necessary at each stage of the PUD process; a first referral, after which the applicant submits revised documents that are then referred back to the department or agency for confirmation that the required changes have been made.

The mainstream approach to the referral period is a longer referral time for the initial review and shorter timeframes for each subsequent referral. Most jurisdictions' first referral period is 21 – 28 days for internal and outside agency review of applications. Adams County staff reported that the 21 day timeframe in the code is not used; they schedule 45 days for both first and second referrals. Among most of the other jurisdictions surveyed, the second referral period is generally 14 – 21 days. Douglas County does not specify a second referral period but indicates additional referrals may be needed depending on the extent of the design changes resulting from the first referral. None of the jurisdictions except Aurora and Centennial specify timeframes for a third referral.

Aurora's administrative procedures for development review establish four different application schedules that are tied to an electronic tracking system. Development applications are assigned one of three pre-determined schedules for review based on the type of application. Less complex development applications (e.g. minor site plan amendment or sign variance) have a faster schedule than more complex and larger applications (e.g. subdivision plat or rezoning). Once accepted as complete, the application is entered into the tracking system, which automatically generates deadlines that are strictly adhered to. Staff indicated that there is little deviation from the schedule because (1) the pre-submittal process does a good job of identifying what needs to be included in each application, and (2) the City places a high priority on efficient processing of development applications.

Most of the jurisdictions estimate the total timeframe for processing a PUD application is three to eight months. These estimates do not include the public hearing process except in the case of Adams and Larimer counties. Jefferson County's estimated timeframe of 100 days includes specific timeframes for applicants' responses; if applicants do not meet their response times the process is longer. Adams County staff noted that while it is possible to get through the review and approval process in 90 days, this can only happen if there are only very minor comments during the referral period. It is more usual for a PUD rezoning application to take six months from the conceptual (pre-submittal) meeting to public hearing.

Larimer County's estimated total processing timeframe is significantly longer than the other jurisdictions surveyed. That county's 12-18 month estimate is for full entitlement through their Planned Land Division process. This process combines the PUD rezoning with the preliminary and final plat process. El Paso County noted that it develops a timeframe for review with the applicant during the pre-submittal meeting, called an "early assistance" meeting. This review schedule is developed based on the complexity, size, and location of the project and takes into account the work schedule and case load of the Development Services Department. Similar to El Paso County, Centennial bases a total estimated timeframe for review on the complexity of the project.

3.9 Do you permit concurrent review of applications and have there been problems?

Arapahoe County Practice

Arapahoe County's code specifically allows concurrent review (1) for Final Development Plans and final subdivision plats, and (2) for Administrative Site Plans and subdivision plats and building permit applications (as provided for in the approved Master Development Plan). In practice Arapahoe County sometimes also processes Preliminary and Final Development Plans concurrently.

Mainstream Practice

Mainstream practice among the survey jurisdictions is to allow some concurrent reviews, with the caveat being that such reviews are at the risk of the applicant. The stage where the concurrent review may occur varies. Douglas and Jefferson counties recommend a staggered process, e.g. submit a plat after the PUD referral process is complete or after the Planning Commission public hearing, in order to minimize risk to the applicant. Jefferson County allows site development plans and plats to be reviewed concurrently if the project is not expected to be contentious. Adams County and Centennial allow concurrent review of PUD rezoning with preliminary plat. In Centennial, a preliminary plat can be required concurrent with a site development plan to demonstrate compatibility. Concurrent reviews are allowed in El Paso County at the discretion of the Development Services Department Director.

No problems with concurrent reviews were specifically identified by the surveyed jurisdictions other than the potential risk and cost to applicants in producing more detailed plans, required for a subdivision plat or site development plan but not for the rezoning process, prior to approval of the PUD rezoning.

Exceptions

Larimer County is the exception to these approaches. As noted previously, Larimer County has a Planned Land Development process that incorporates the PUD rezoning into with the platting process. Since all PUD's in Larimer County are in growth management areas associated with municipalities, this process is used to ensure that PUDs are designed to be compatible with the development standards of the growth management area municipality.

3.10 What planning and engineering documents are required, what level of detail is required, and what constitutes a complete application?

Arapahoe County Practice

Arapahoe County has detailed checklists that are used to identify what planning and engineering documents must be submitted with the application and what may be required during the review process. Checklists are typically given to applicants through the presubmittal process. Some of the referral agencies in Arapahoe County also have checklists, and in some cases those checklists overlap

the topics covered in the county checklists. Stakeholders commented that there are frequently conflicts between the levels of detail required by the county and reviewing agencies (primarily metro districts) at different stages in the review process.

Mainstream Practice

Checklists are typical in the jurisdictions surveyed. Common practice is to identify the planning and engineering documents needed for the application during a pre-submittal meeting with the applicant. Typically a written summary of the meeting and checklists of required documents are provided to the applicant either at or within a set timeframe after the meeting. It is usual to require that applications be submitted in a timely fashion (which can sometimes be as long as a year) after the pre-submittal meeting. This reduces the risk of applications being rejected based on changes to required documentation and regulations that have occurred since the pre-submittal meeting.

All of the jurisdictions surveyed indicated that the level of detail required for planning and engineering documents is determined contextually. Variations in the documents and level of detail required occur for a variety of reasons. The size and location of the project, the land uses contemplated, the level and type of pre-existing infrastructure, site topography, and other factors are considered to determine what documents will be required. For example, more detail may be required earlier in the process for “Greenfield” development where there is little or no pre-existing infrastructure or in cases where there are existing infrastructure capacity problems. Nevertheless, it is customary to have a basic list of planning and engineering documents identified that are pertinent for all types of applications, and that list is tailored to specific application requirements at the pre-submittal stage. Submittal checklists from the jurisdictions surveyed are included in Appendix 2. Selected application forms and development guides provided by the jurisdictions surveyed have been delivered along with this Assessment.

3.11 If different departments disagree as to whether a PUD application meets their requirements, how are those conflicts resolved?

Arapahoe County Practice

In Arapahoe County a staff planner manages the planning components of the application review and a staff engineer manages the engineering review of the application. Each department meets separately to review applications internally, but the planner and engineer meet together with the applicant to review all comments. The planner works with the engineer to resolve any differences prior to the application being scheduled for public hearing.

Mainstream Practice

Mainstream practice is to assign a planner to the PUD application who acts as the overall case manager for the application. In this role the planner is responsible for collating referral comments, reviewing all referral comments with the applicant and ensuring the applicant is responding to comments. The planner/case manager follows-up with applicants and referral agencies regarding unresolved issues, seeks to resolve technical issues and facilitates meetings with all parties to resolve conflicts. The case planner/manager does not have the authority to make final decisions to resolve conflicting requirements, but is tasked with ensuring there is resolution prior to public hearing. In some cases the application will not be scheduled for public hearing until a mutually agreeable solution is found.

Exceptions

In Centennial an integrated internal review process is used to coordinate comments prior to releasing the comments to the applicant. This is a weekly technical meeting with all internal and external reviewers where the comment letter is discussed before it is finalized.

3.12 Do you get complaints about the PUD process?

Arapahoe County Practice

This Land Development Code Assessment project is the outcome of past complaints about Arapahoe County's PUD approval and PUD amendment processes. In general, the complaints focused on timeframes for review, level of detail required at each stage of the review and referral process, and thresholds for major amendments, Administrative Amendments, and Technical Amendments. Inflexibility in the process -- especially as related to proposed changes of use in an FDP -- was also a concern.

Mainstream Practice

Most of the jurisdictions surveyed indicated few complaints about their PUD processes. Both Adams and Douglas counties attribute this to having fast and straight-forward review processes and using the pre-submittal process for early identification of issues to be addressed in the application. Adams County noted that it has some issues managing the flow of comments between outside referral agencies and applicants. Centennial has no complaints regarding the review process but does get complaints regarding specific standards, particularly as applied to smaller sites, such as open space buffer requirements for small commercial sites. Larimer County processes very few PUDs.

Exceptions

The range of complaints heard in the other three surveyed jurisdictions is fairly typical and included overuse of the PUD, slowness of the process, level of detail required, and the desire for more predictability balanced with flexibility. The City of Aurora is in the process of a comprehensive update to its development regulations, with particular emphasis on updating zone districts, improving development standards and modernizing review procedures. Adams County noted that it is in the process of clarifying their review timeframes to address internal administrative concerns with the flow of comments during the referral process.

3.13 Is a PUD the only way to get a mixed-use development approved?

Arapahoe County Practice

In Arapahoe County, a PUD is the only way a mixed-use development can be approved. Arapahoe County's Land Development Code includes a Mixed-Use zone district, but use of that zone must be

approved through the PUD process. There are Mixed-Use PUD zones in the county, most commonly in newer developments such as Copperleaf and Prosper.

Mainstream Practice

The use of standard (non-PUD) mixed-use zone districts is not currently common practice among the counties surveyed; a PUD is typically used to process a mixed-use development.

Exceptions

However, the low use of mixed-use districts noted above may be changing. Jefferson County recently updated its code to include three standard mixed-use zone districts. Although intended in part to avoid the use of the PUD process, staff is unsure how often these three districts will be used when the alternative is an ability to set all development standards, including uses, through the existing PUD process. Centennial and Aurora both have standard zone districts for mixed use development. Centennial's mixed use zone districts are form-based with prescriptive street and building typologies. Centennial's code specifically includes mixed-use zones to avoid the use of PUDs to achieve desired mixed-use development. Aurora's mixed-use zone districts have been successful in reducing the use of the PUD process to accommodate mixed-use projects.

4. SUMMARY AND CONCLUSIONS FROM PUD RESEARCH

4.1 Gaps between Arapahoe County and Mainstream Practice

Timing of PUD Applications and Amendments

The timeframes for each step in the review process are not well documented in Arapahoe County. Because of the poor public documentation there is a lack of understanding in the development community about review timeframes, how the process works and when a decision will be made. Arapahoe County also uses different terminology from other jurisdictions to describe its referral process. The Phase I review is a more detailed version of what is called a completeness review in other jurisdictions. The comments received from the Arapahoe County Phase I review are only from the county. The applicant receives additional comments from outside agencies in the Phase II portion of the review. This causes confusion for the applicant and leads to the feeling that more and more information and detail is being requested of the applicant. Other surveyed jurisdictions better differentiate a completeness review from the formal submittal that is distributed for referral comment process.

A more efficient and straight-forward three step review process is typically followed by most jurisdictions with a completeness review, a first referral to all reviewing agencies, and a second referral after comments are incorporated into the project documents. A third referral may be performed if needed. The completeness review is an internal review to ensure all required documents are included in the application and there are no obvious errors or omissions in the documents. Detailed comments by both internal and external agencies are made during the formal referral process, which allows for more coordination of comments and reduces the risk of duplicative or conflicting comments being forwarded to applicants.

Levels of Detail Required for PUD Applications and Amendments

In all jurisdictions, there is clear recognition that site specific conditions play a considerable role in what engineering and planning documents are needed and the level of detail needed to adequately review those documents. As Appendix 2 demonstrates, however, there is no uniformity among the surveyed jurisdictions about what specific documents are needed in response to specific site conditions, the names of those documents, or the levels of detail associated with terms like “conceptual” or “final.” Still, our review of checklist and application forms in the surveyed jurisdictions did provide some lessons for future improvements in this area.

Douglas and Jefferson Counties are noteworthy examples. In these two jurisdictions PUD zoning can occur with minimal engineering detail in the governing development plan. For example the Douglas County PUD regulations prescriptively list what information is required to be included in the development plan for the initial rezoning to PUD. Utility layout, grading, and drainage are not mandated on the development plan. Instead, documentation of the ability to supply or connect to water and sanitation facilities is to be submitted with the application. Capacity analyses for traffic, fire and schools are also required. More detailed engineering information is reviewed concurrently or after the PUD rezoning is approved through the site improvement plan process or platting process. Douglas County also does a good job of relating the level of detail expected at each step of its three-step subdivision

process, again with prescriptive requirements included in the code. The Sketch Plan is an initial review to determine feasibility of a subdivision. Preliminary technical reports are required for this level review, such as Phase I Drainage Report, preliminary geotechnical reports, and traffic studies as well as discussion of infrastructure and other services. The Sketch Plan must be reviewed and approved by the BOCC prior to preliminary plan and final plat. The preliminary plan requires a Phase II Drainage Report and evidence of adequate water supply and sanitation service. Detailed engineering and construction plans are not required until final plat when a Phase III Drainage Report, grading, plan, utility plan and construction plans for roadway, storm water, water and sanitary sewer must be submitted.

In Jefferson County a rezoning to PUD requires an Overall Development Plan, the main component of which is written restrictions detailing the uses and standards for development under the PUD. A graphic, depicting the layout of the parcel and proposed use areas and other physical features of the site, may be required as determined by the Planning Department. Similar to Douglas County, greater detail comes through the platting and site plan processes. Jefferson County's subdivision regulations identify in chart format the documents to be submitted for preliminary and final plat and for other development procedures under these regulations. Each document listed in the chart is indexed to a definitions section making it easy to interpret the chart. Uniquely, this chart also layouts (1) which documents are submitted as part of the application, (2) which are required during processing of the application/prior to hearing, and (3) which are necessary prior to recordation of the final document.

PUD Approval Process

The Arapahoe County PUD process differs from mainstream practice in two significant ways. First, the Code sets up two PUD processes, one of which is targeted to a specific type and style of development. The PDP/FDP process is a two-step process available for all types of development. In this process the FDP has the same function as an Administrative Site Plan but requires approval by the BOCC. In contrast, the MDP process is expressly aimed to encourage office and industrial park developments, with some allowance for residential and retail uses to be included in the development. Once the MDP is approved by the BOCC, future site development can be approved under the Administrative Site Plan process. The other surveyed jurisdictions use one process with same steps and series of approvals for all types of land uses.

Second, the BOCC remains the final arbiter for site specific detail in the PDP/FDP process. The norm elsewhere is to segment the PUD process so that the overall approval authority for the PUD zone designation and development standards remains with the elected governing body but detailed site development plans can be reviewed and approved administratively. This more standard approach is very similar to Arapahoe County's MDP process. In this process an overall development plan that is fairly detailed is approved by the BOCC with subsequent site specific development plans reviewed through the Administrative Site Plan process.

PUD Amendment Process

The PDP/FDP amendment process in Arapahoe County is constrained in a manner not found in other jurisdictions because the FDP functions as a site plan. Although the FDP can be eligible for the Administrative Amendment process, changes that comply with the governing PDP often require review by the Board of County Commissioners since that body made the initial approval of the FDP. This is particularly evident when a use not specified on the FDP document, but allowed by the governing PDP, is proposed. Because the new use was not approved on the original FDP the entire FDP requires an amendment that is approved by BOCC.

This results in a situation where changes to site plans that are normally reviewed administratively in other jurisdictions are subject to a public hearing process. In contrast, Arapahoe County's MDP process is more aligned with conventional PUD amendment procedures. Since sites within an MDP are developed with an Administrative Site Plan a change from one use to another use allowed in the MDP can be approved administratively.

Managing the Process

A key element of the application process learned from our research is that the planner in charge of the PUD application needs to be proactive in managing the application process. Assisting the application through the process means the planner is tracking the application, ensuring deadlines are being met and facilitating resolution of tricky issues. In Arapahoe County it is unclear who is responsible to resolve conflicting referral agency comments and how the flow of information about a project is managed. It is not clear that the planners/case managers in Arapahoe County are given the same responsibilities or duties available in some other jurisdictions to play this role effectively. Some of the tools used by other jurisdictions to assist case management include pre-submittal meetings with key referral agencies involved, electronic project tracking systems, inter-departmental design review meetings to discuss comments, and coordinated referral comments consolidated into one document for applicants. In some counties the project manager is responsible for consolidating and resolving conflicts between planning, engineering, and agency comments, but that approach is not currently followed in Arapahoe County.

4.2 Recommendations to Improve the PUD System

Clarion Associates identified eight key areas where there are opportunities to improve the Arapahoe County PUD approval and amendment systems. These improvements are focused to reduce confusion about how the system works, clarify information needed for the process, and modernize the regulations.

Consolidate and Streamline PUD Processes

The county has two different PUD processes for different types of land uses. One process with the same steps and approval authorities would be easier to administer and simpler for the development community and the public to understand. Use-specific PUD approval criteria and submittal requirements can be included in a consolidated PUD process to address use-specific issues and impacts. A single process in which staff may approve Final Development Plans that are consistent with more-detailed Preliminary Development Plans would bring the county more in line with the other surveyed jurisdictions.

One example of a more streamlined single PUD process – with flexibility to address variations in size and complexity would be to require all rezonings and PDPs are reviewed by the Planning Commission and approved by the Board of County Commissioners.

1. **Detailed Application.** If the PDP application meets stated levels of specificity regarding land uses, density and intensity of development, circulation, open space, and drainage systems, then further approvals would be administrative actions by staff pursuant to objective criteria in the LDC and the PDP.
 - a. **Small/Simple Projects.** For individual lots where a single commercial, institutional, or multifamily building will be located on a single parcel of land, no FDP would be required – staff would approve an administrative site plan based on objective LDC and PDP standards.

This is similar to the current MDP process. However, if a simple project raised significant issues that were not foreseen in the PDP approval process, staff would have the ability to “bump up” the application for a public hearing before the Planning Commission.

b. **Larger/More Complex Projects.** For more complex developments – e.g. multiple buildings on a single lot, or developments over five acres in size, or those including circulation, drainage, or open space lands or infrastructure improvements affecting adjacent parcels – Planning Commission approval of an FDP following a public hearing would be required. However, the FDP would not be required to include engineering detail; that level of construction and engineering approval would be approved through an administrative site plan.

2. **General Application.** If the application does not meet those stated levels of specificity, then a second public hearing before the Planning Commission will be required to approve an FDP, and later approvals of site plans would be administrative staff decisions. Again, however, the FDP will not be required to include construction or engineering details.

This example approach would leave the applicant in control of whether more than one public hearing is required. Those applicants unwilling or unable to submit detailed PDPs for approval would have the option of (a) going forward with rezoning and PDP approval knowing that an additional FDP hearing before the Planning Commission is required, or (b) waiting until their project details are more certain, submitting a more detailed PDP, and avoiding additional public hearings.

In addition, the current PUD amendment system could be simplified – as it is in many communities – into a Minor/Major Amendment system. Minor amendments are those that involve details not inconsistent with a prior PDP or FDP approval, and could be approved administratively. Major amendments require a public hearing in front of whichever body granted the approval being amended (Planning Commission for FDPs, BOCC for PDPs).

Clarify Criteria for PUD Amendments

The county offers lengthy lists of criteria to determine eligibility for the amendment process and to decide whether the amendment will be recommended for approval. These criteria need to be reviewed and refined to eliminate unnecessary restrictions on amendment eligibility. Criteria that are not good indicators of whether the proposed amendment will significantly alter the character or performance of the development should be deleted or redefined.

Simplify the PUD Amendment Process

The amendment process has too many steps and too much documentation is required. This adds time and cost to the PUD amendment process for both the county and the applicant. Opportunities for improvement include:

- Consolidate and simplify the Administrative Amendment and Technical Amendment review processes.
- Incorporate the amendment eligibility determination into the standard pre-submittal process.
- Require only the PUD document sheets that have revisions be submitted with the minor or major amendment process.
- Consider permitting PUD application documents to define the limits of major and minor amendments (as in El Paso County).

Develop Graphic Guides for PUD Processes

User-friendly, highly graphic process guides for PUD approval and amendment processes should be created and posted on-line. Aurora's Development Handbook and Douglas County's guides are good models. The guides should incorporate flowcharts outlining the full process, and should indicate that review of civil engineering drawings may take an additional six weeks following approval. Information about the referral process, criteria for review and documentation required for an application should be included. The fact that unusual or complex projects may need to diverge from the standard flowchart is not a good reason to avoid depicting the standards workflow. Other communities that have graphic representations of their development review processes have disclaimers noting where there may be variations in the process due to the specifics of the proposed project.

Streamline the PUD Review Process

Providing better information to the applicant earlier in the referral process will streamline the process. A completeness review should occur very soon after submittal and should not be confused with the current Phase I review. The County's Phase I/Phase II distinction can be eliminated by combining the Phase I review/referral process with the Phase II process. Once an application is deemed to be complete it should be distributed to both internal and outside referral departments and agencies at the same time. If this change is implemented, referral comments will be better coordinated, applicants will receive more information, and applicants can submit more accurate and complete documents for second referrals to all agencies later in the process.

Establish Clear Timeframes for PUD Review

The timeframes for PUD review are neither well defined nor easy to find. Distinct timeframes specific to the PUD process should be developed, included in an Administrative Procedures Manual or on the County's web site, and should be published in the PUD process summary guides. Timeframes should indicate the applicant's responsibilities in the review process, including timely response to comments. Any overall timeframes should be extended by the number of days by which an applicant exceeds the time period established for their responses or corrected submittals to the County.

Align Required Documentation with Process

All planning and engineering checklists, both internal and external, should be reviewed to eliminate any conflicting requirements and to define the levels of detail in each type of "conceptual" or "final" calculations and drawings. Arapahoe County should also review the checklists in Appendix 2 and ensure that the County is not requiring a higher level of design or drawing detail at early phases of project review than other Front Range communities. It appears that both Douglas and Jefferson Counties accept more conceptual plans and studies for initial review of PUD applications, and if these are generally adequate for those stages of review it is not clear why higher levels of detail would be required in Arapahoe County. Delay in submitting engineering details can increase an applicant's risk, however, since proposed buildings or site features contemplated in a more conceptual plan may not be able to be engineered or engineering solutions may be different and more costly than anticipated.

To address concerns about level of detail and what documents/drawings are required at different stages in the review and approval process, the County should develop a schedule identifying the documents required prior to key decisions-points, as in Jefferson County.

Consolidate and Standardize Submittal Checklists

A consolidated checklist identifying who the referral agencies are and the information required by each agency should be developed. Relevant criteria and design standards manuals should be cross-referenced so applicants can easily reference information needed to complete the application.

Simplify Adjustments to Recorded Easements

Easements that are recorded as part of subdivision plats processed in concert with an MDP may not mesh with the site design and layout of buildings, parking and other features detailed in an Administrative Site Plan. In plans that are developed over time drainage easements across undeveloped parcels within the MDP may be required to accommodate a different drainage pattern resulting from the development of another parcel in the MDP. While it is typical to require such easements, the County should consider instituting a process that expedites adjustments to such easements within an approved MDP projects. This could be accomplished by delegation of authority to staff to accept such easement adjustments on behalf of the BOCC and a monthly report to BOCC of easement adjustments approved. In Jefferson County the approval authority for the process in which the easement is identified has the authority to accept the easement. Plats and associated easements are approved by the BOCC. Site development plans and associated easements are approved by staff. The El Paso County model could also be applied here, with language included on the approved MDP to allow for staff level approval of such modifications.

5. REVIEW OF REMAINDER OF DEVELOPMENT CODE

5.1 Structure

The most recent version of the Arapahoe County Land Development Code was adopted in 2010 and most recently revised in late 2013. It contains 19 chapters, which is significantly more than most newer development codes. The 19 chapters of the current Development Code are compared with a typical simpler code structure in the table below.

Current Development Code Chapters	Typical Newer Code Structure
1. General Provisions	1. General Provisions
2. Review and Decision-Making Bodies	2. Zoning Districts
3. Obsolete Zone Districts	<ul style="list-style-type: none"> • Agricultural and Residential • Mixed Use • Special Purpose • Overlay
4. Agricultural Zone Districts	
5. Rural Residential Zone Districts	
6. Residential Zone Districts	
7. Commercial Zone Districts	3. Permitted Uses
8. Industrial Zone Districts	<ul style="list-style-type: none"> • Permitted Use Table • Use-Specific Standards
9. Other Zone Districts	
10. Overlay Districts	4. Development and Subdivision Standards
11. Non-conformities	5. Procedures and Enforcement
12. Specific Regulations	6. Definitions
13. Zoning Procedures	
14. Subdivision Regulations	
15. Design Principles	
16. Standard Notes	
17. Notice and Notification	
18. Streetscape Guidelines	
19. Definitions	

The simpler structure in the right-hand column of the table has the advantage of grouping all information about permitted land uses (i.e. “What can I do on my land?”) in one chapter; all material about development size, layout and quality (i.e. “How do I need to lay it out and build it?”) in one chapter; and all provisions about how applications will be reviewed and approved (i.e. “How do I get to ‘yes?’”) in a third chapter. This structure provides a very robust foundation for a user-friendly code.

In addition to the large number of chapters, the current structure of the Arapahoe County Development Code has several major weaknesses.

- First, and related to our research on PUDs above, all materials related to development review and approval procedures and non-conformities are not consolidated in one area of the Code. That material is divided among Chapter 2 (Review and decision-making bodies), Chapter 11 (Non-conformities), Chapter 13 (Zoning Procedures), Chapter 14 (Subdivision Regulations), and Chapter 17 (Notice and Notification).

- Second, dividing Residential, Commercial, and Industrial zone districts into separate chapters makes it difficult for the Code to accommodate mixed-use development of the type often desired in activity centers or business parks. As a practical matter, many traditional Commercial zone districts also allow residential development, and many Industrial districts permit commercial development, but the division of the code into the three conventional zone district categories makes it more difficult for readers and investors to know that, and makes it more difficult to develop true mixed use standards. Most newer codes group most or all zone districts that allow both residential and commercial primary uses of land as Mixed Use districts. As a category of Special Purpose zoning, they also often include Business Park zones that allow a broad range of commercial, industrial, institutional, lodging, and multifamily uses.
- Third, Chapter 12 (Special Regulations) contains a wide assortment of land use, development, and health and safety regulations mixed together indiscriminately. This is common in older, poorly organized codes, and becomes the repository of all provisions that don't have another logical home. Modern codes eliminate this "bin" chapter and separate those that relate to specific uses ("Use-specific standards") from those addressing development layout and quality ("Development standards"). In spite of the wide range of topics covered in Chapter 12, some regulations that would be normally grouped with Development Standards appear in other chapters (such as the Chapter 15 Design Principles and Chapter 18 Streetscape Guidelines), which appear to be afterthoughts to the basic code structure.
- Fourth, the structure of each Zone District chapter is very outdated. Most newer codes do not include a separate list of permitted uses and dimensional standards for each district or pair of districts. Those details are consolidated into a master permitted use table like the portion of a table from another community shown below.

PERMITTED USE TABLE															
P=Permitted use C=Conditional use A=Accessory use CA=Conditional Accessory use T=Temporary use															
Zoning District	Residential				Mixed Use					Special Purpose				Use-Specific Standards, in 29-3.3	
LAND USE CATEGORY	R-1	R-2	R-MF	R-MH	M-OF	M-N	M-C	M-DT	M-BP	IG	A	O	PD		
RESIDENTIAL USES															
Household Living															
Dwelling, One-family Detached	P	P	P	P	P	P					P			Per PD Approval	29-3.3.a
Dwelling, One-family Attached		P	P		P	P									29-3.3.b
Dwelling, Two-family		P	P		P	P									
Dwelling, Co-housing Project			P		P			P							
Dwelling, Live-work			P		P	P	P	P							29-3.3.c
Dwelling, Multi-family			P		P	P	P	P							
Manufactured Home Park				P											

A comprehensive table approach makes it easier for potential investors and developers to identify where to buy land zoned for the product they want to develop. Just as importantly, it makes it easier for the county to ensure that the pattern of permitted and conditional uses maintains an internal logic. The table makes it easy to identify “gaps” where a use should probably be made available because it is permitted on other, similar districts (unless there is a good reason not to do that).

5.2 Zone Districts

Early on in our stakeholder outreach about the Arapahoe County PUD process and standards, we heard that PUDs are often used because the county’s existing “standard” zone districts are outdated and do not match modern development desires and practices. We agree that is the case.

The Code currently contains 21 base zoning districts, plus four overlay districts (plus eight “obsolete” zone districts into which the County does not intend to zone additional lands). While 21 base zoning districts is reasonable for a county the size and complexity of Arapahoe County (and in fact a few more districts may be justified to accommodate new development patterns), the large number of obsolete districts shows how that the system of base districts has become quite outdated. In fact, the B-5 district has been made obsolete and then “resurrected” as an active zone district (it appears in both lists), which is further evidence of the need to revisit these districts.

The current menu of Residential Districts appears particularly outdated. While there are five standard residential districts that have been designated “obsolete”, there are six in current use (R-A, R-E, R-1, SH, and R-M). We understand, however, that the six active residential districts are almost never used for new development – which indicates that either the dimensional, performance, and/or design standards are not well matched to current development demands and opportunities. At the same time, one planned districts (R-PD) has been retired and replaced by three planned residential districts (R-PSF, R-PM, and R-PH), which suggests the desire or need to use planned districts to achieve desired residential lot sizes, layouts, and design.

Rather than increasing reliance on planned development zones, many modern codes use standard residential zones that “build in” the flexibility to lay out development in different patterns, and with different mixes of lot sizes and open space. Since 70 percent of all development is residential (and more in rural areas) revisiting and reinventing the county’s base residential districts would go a long way to reduce reliance on PUDs to approve relatively routine residential developments. As an aside, very few new codes use a Senior Housing district; instead, the growing need for senior housing is accommodated as a permitted or special review use in other residential and non-residential zone districts.

In addition, Arapahoe County’s current Residential zone districts (both current and obsolete) do not appear to accommodate many types of residential development currently in demand or likely to be in demand in the future. The minimum lot sizes of the standard obsolete zones range from 20,000 sq. ft. to 6,000 sq. ft., and those of the current standard (non-planned) Residential districts range from 2.41 acres (R-E) to 40,000 sq. ft. (R-1). Much of the newer residential demand in both urban and rural areas is for single family residential lots much smaller than 40,000 square feet.

For example, the adjacent City of Aurora includes base residential zone districts allowing minimum lot sizes of as low as 3,700 square feet, subject to strict design and spacing requirements to protect community character. Adjacent Centennial, Colorado, allows residential lots as small as 5,000 square feet in base residential zone districts. In addition, none of the Arapahoe County base residential zones (current or obsolete) allow innovative types of housing development such cottage housing infill, co-

housing developments, live-work, auto courts, loop lanes, or other types of land efficient development that are increasingly seen in the Denver metro market.

While the current Planned Residential districts allow densities ranging from 4 dwelling units per acre in R-PSF to unlimited multifamily density (with a minimum of 11 dwelling units per acre (R-PH), projects in those districts can only be achieved through approval by the Planning Commission and the BOCC as described in the PUD analysis above. The need to obtain PUD approval for initial development, and then to process PUD amendments as market conditions change, is a serious disincentive to many types of residential development for which there is market demand.

As noted above, the division of the Zone Districts into Residential, Commercial, and Industrial categories makes it difficult to encourage mixed use development. In fact, it pushes property owners towards unnecessary PUDs to achieve this often-desired result. As an example, none of Arapahoe County's six active business and industrial uses permit attached or multifamily development. Even the relatively low-impact Live/Work use is "Reserved for future code amendment." Many newer codes allow Live/Work, attached and multifamily residential uses in almost all zone districts that allow light- or medium- intensity commercial uses. Some even allow multifamily and lodging uses in light industrial zones. In short, the grouping and description of zone districts in outdated categories illustrates an important mismatch between the current Land Development Code and types of development desired by many communities. While many combinations of uses are possible through rezoning to the Mixed Use (MU) zone district, those too require approval of a development plan as a prerequisite to mixing the uses.

The Arapahoe County Development Code also lists some zone districts to cover uses that are usually not defined as zone districts, but are instead handled as permitted or special exception uses in other zone districts. Examples include the Senior Housing (SH) district mentioned earlier and the Cultural (C) district.

In addition, many newer codes would designate the Floodplain district regulation in Section 9-400 as an overlay zoning district rather than a base district. The overlay would reflect the provisions of current Section 12-2000 (Floodplain Management and Flood Damage Prevention Regulations) and would include a link to the current FEMA flood protection map adopted by the County. As that GIS map is amended in the future, the revised boundaries would be available to LDC readers through the link. Some communities also place a reduced/simpler map of the flood plain boundaries into the LDC itself along with a caveat that the map is not official and cannot be relied on for precise boundary locations. The provisions of Section 12-2000 appear thorough and only moderately dated, but should probably be reviewed to ensure that they reflect current best practices. More specifically, the County should probably reflect any additional requirements or incentives established by the Federal Emergency Management Agency (FEMA) in light of recent flood damage along the Front Range. In addition, the provisions of FEMA's Community Rating System (CRS) program should be reviewed; in some cases, inclusion of some minor flood protection standards or programs may result in potentially significant reductions in flood risk ratings for the county.

Although cooperation in land use planning among adjoining jurisdictions is laudable, we understand that provisions of the provisions of the Centennial Airport Environs Planning Area are not being in the same way by Arapahoe County and the City of Centennial. However, some of the use-specific design standards included in this section reflect emerging best planning practices, and their application to those land uses throughout Arapahoe County should be considered. In addition, some of the overlay districts (for example, the Strasburg Business/Commercial Overlay District) use permitted use names that do not match those in the general permitted use tables, which makes consistent application and enforcement of the code difficult. The materials included in current Section 10-400 (Overlay District Voided/De-

annexed/Disconnected Land) could be included in a general text provision; few counties address the issues created by de-annexed and disconnected lands through the use of an overlay district.

Finally, many communities that have designated “obsolete” zone districts often remove those from the Development Code. They can be retained in another administrative document for reference or enforcement purposes, but do not need to take up space in the Code itself.

5.3 Permitted Uses

Although occasionally outdated, the lists of permitted uses, special exception uses, and uses by special exception in the current Arapahoe Development code appears to have been reviewed and revised in the recent past. Many of the uses often missing or poorly addressed in county development codes are addressed well in Arapahoe County, but there is room for improvement. While some of the listed uses are fairly standard for county development codes, others are overly specific or no longer match modern market needs, and still others are missing from the lists altogether. A sample of uses in each category is shown below.

Sample of Current Listed Uses in the Development Code		
Standard uses	Over-specific or Outdated Uses	Missing Uses
Home occupations	Explosion welding, cladding, or metallurgical bonding of metals	Recycling drop-off facility
Small wind energy conversion systems	Amateur motor sports facility	Cottage housing development
Group homes	Animal-assisted therapy activities	Co-housing development
Sexually-oriented businesses	Farm and gardening classes	Live-work dwelling
Bed and breakfast	Flower farms	Dispatch facility for personal/business services
Marijuana use	Hunting club	Artisan manufacturing
Oil and gas facility	Major electrical, natural gas, and petroleum-derivative facilities of a private company	
Farmer's market	Storage and sale of firewood	
Kennel or animal hospital	Telephone exchanges and similar buildings to house telephone or communications equipment	
Manufactured home	Open air assembly facility Go-kart and skateboard tracks	
Single-family dwelling unit		
Single-family attached dwelling unit		

While the list of uses available in different zone districts is not significantly out of date, the issue of the permitted scale of different uses appears to be poorly addressed. In many cases, the “fit” of a particular

use and a particular zone district depends more on the size and scale of the use than on its name. As an example, a 10,000 or 15,000 square foot hardware store would be an appropriate addition to many neighborhood and community scale mixed use districts, but a big box home building supply store would be out of scale and generate too much traffic to be a good neighbor. Many newer codes establish a maximum size for commercial and institutional uses for different mixed use zone districts, but that important aspect of use control appears to be missing from the Arapahoe County code.

Finally, the naming of specific uses is inconsistent among districts. In some cases, “church” is identified as a separate use (that is usually retitled as “religious institution” in most newer codes), but in other cases it is included as an example of a “quasi-public use”.

Some of Arapahoe County’s permitted use regulations are contained in Chapter 12 (Specific Use Regulations), where they are commingled with other types of regulations. By organizing use regulations in a comprehensive Permitted Use Table (as described in the Structure discussion above), these types of standards can be brought closer to other use regulations for better reader understanding and internal consistency. Our additional comments on the use regulations included in this poorly organized chapter include the following:

- 12-400 (Home Occupation). The current regulations are very simple. While they avoid the over-regulation of home occupations often found in older development codes, some provisions may be too narrow to accommodate the range of home occupations routinely conducted in many residential neighborhoods. Many newer codes allow home occupations to include one employee from outside the household in some zone districts, limit the number of visits from delivery trucks per week (rather than prohibiting them altogether), and/or prohibit or limit some specific types of activities that have predictable neighborhood impacts (which often includes vehicle and equipment repair and retail sales activities).
- Section 12-500 (Temporary Structures) and Section 12-600 (Temporary Uses). These two sections should be integrated, because as a practical matter many of these types of uses and structures are related to each other (i.e. approval of the temporary use implies approval of the required temporary structure, and vice-versa). In addition, this section of the Code should be reviewed and probably expanded, since the list of possible temporary activities extends significantly beyond those currently listed in the Code. Procedures for obtaining a Temporary Use Permit in Sections 12-605 through 12-611 should be grouped with other procedures in the Code.
- 12-700 (Small Wind Energy Conversion Systems). These standards appear current and to allow adequate height to generate small amounts of wind energy. Procedures for obtaining approvals should be grouped with other Code procedures.
- 12-800 (Fence Regulations). These standards appear current and do not require revisions.
- 12-900 (Group Homes). These standards appear to have been reviewed recently and do not require revision. Although the 750 foot spacing requirement is authorized (but not required) by Colorado state law, the County should consider whether this type of spacing is needed for the benefit of the residents of group homes. When challenged, some courts have invalidated spacing requirements unsupported by evidence of the medical rationale behind the spacing rule.
- 12-1000 (Sexually-oriented Businesses). These standards appear current and do not require revision.

- 12-1100 (Commercial Mobile Radio Service (CMRS) Facilities). Although the general structure of this section is current and the standards are thorough, the substantive standards should be reviewed for compliance with recent rules issued by the Federal Communications Commission regarding (1) presumed “reasonable” times for review and approval of attached and freestanding facilities, and (2) the requirement that local governments approve within 60 days applications for co-locations of “eligible facilities” that do not result in “substantial change” to an existing tower or antenna structure. Procedural requirements in Section 12-1107 should be reviewed for compliance with these new federal rules, and should be consolidated with other procedures in the Development Code.
- 12-1500 (Explosion Welding, Cladding, or Metallurgical Bonding of Metals). The use to which these standards apply is defined too specifically. These standards should be reviewed to ensure that they reflect current best practices in light of current technologies used for this type of activity, and the standard made more generally applicable.
- 12-1600 (Bed and Breakfast Standards). These standards appear current and do not need to be revised.
- 12-1700 (Amateur Motorsports Facility). The use to which these standards apply is defined very specifically. If these standards are retained they should be made more generally applicable to outdoor entertainment and recreation facilities likely to draw significant crowds and automobile traffic.
- 12-1800 (Marijuana Land Uses). Because the legalization of recreational marijuana in Colorado is relatively recent, these standards adopted in November 2015 reflect general community sentiment as to how these uses should be regulated. We recommend that these standards be carried over, but that the defined terms (and all other definitions in the Code) be consolidated into a single chapter devoted to definitions.
- 12-1900 (Oil and Gas Facilities). Like the county’s regulations for marijuana, these standards appear to have been adopted relatively recently, probably in response to new technologies and public concern about hydraulic fracturing (“fracking”) operations. Because they likely reflect recent community compromises about how to regulate this activity, we recommend that these regulations also be carried over. However, as with other portions of the current code, procedures should be consolidated into a single procedures chapter, and submittal requirements and specific plan content requirements should be removed from the Code and posted on the county’s web site.
- 12-2200 (Community Gardens). These standards appear to be relatively recent, and therefore probably reflect recent community sentiment on how this use should be regulated. However, the prohibition on use of vacant residential property for these purposes is unusual, as are the limits on the amount of an individual lot that can be devoted to this use. Submittal requirements for the registration of the garden appear fairly strict for this use.
- 12-2300 (Farmers’ Markets). These minimal requirements for this use may not be necessary.

5.4 Development and Quality Standards

Our comments on this topic include regulations currently included located in the following sections of the Land Development Code.

- 12-100 (Areas and Activities of State Interest (“1041 Regulations”)). The adoption of these regulations is governed by Colorado Revised Statutes §§ 24-65.1-101 to 24-65.1-502, and we assume that the county has followed the statutory procedure for adoption of these regulations. However, once adopted, the two sets of 1041 regulations adopted by Arapahoe County (Mineral Resource Areas and Geologic Hazard Areas) operate like overlay districts, and it might be clearer to Code readers and property owners if these regulations were recast as mapped overlay districts.
- 12-200 (Grading, Erosion and Sediment Control Regulations). These regulations are primarily focused on describing a procedure for obtaining GESC permits. Technical standards to govern the approval of those permits are not contained in the Code but are cross referenced in a GESC Manual. Because they are primarily procedural, these regulations should be grouped with other procedures in the Development Code.
- 12-300 (Sign Regulations). Although perhaps adequate when they were adopted, these sign regulations need to be revisited in light of the U.S. Supreme Court’s 2015 decision in Reed v. Gilbert. That decision called into question the common practice of describing different size, height, location, and other regulations for different types of commercial and non-commercial signs, as may also require reconsideration of the common sign code distinctions between on-site and off-site signs. Since these types of distinctions are present in the current sign regulations, significant changes will likely be needed, and this will require significant time from the Arapahoe County Attorney’s office, among others. Application review and approval procedures should be grouped with other procedures in the Code.
- 12-1200 (Parking Regulations). These standards should be reviewed and possibly revised to provide additional flexibility while maintaining visual appearance of attractive parking areas. Some current provisions are unusual in newer development codes, including (but not limited to) the provision that all required parking be provided on the same parcel as the primary land use, the prohibition on counting tandem parking spaces toward require off-street parking, and the prohibition on compact car parking spaces. Inflexible parking requirements are sometimes a significant factor in pushing applicants toward the use of Planned Unit Developments, and one that can easily be avoided by more current parking rules. In addition, many newer codes group parking lot landscaping provisions with other landscaping and buffering provisions in order to avoid inconsistent requirements and to encourage more integrated and land-efficient landscaping design. Some of the current landscaping requirements appear to require inefficient land layouts that are probably not appropriate for more urbanized areas of the county and small- and medium-sized activity centers.

Some of the minimum parking requirements appear high – even for a low-density and primarily auto-oriented county – and should probably be reduced in multi-tenant activity centers and business parks. Minimum requirements for restaurant parking are the highest Clarion Associates has reviewed in some time. General retail parking standards and some assembly space standards also appear high. In addition, parking requirements based on the number of employees should generally be avoided, since employment levels often change. If those standards are retained, they should be recast as requirements based on the design capacity of the building rather than actual persons then employed, in order to simplify code administration.

Most newer codes include a table authorizing reduced parking requirements for joint use/mixed use facilities without the need for submittal and approval of a joint use parking agreement. As a practical matter, such agreements prove very hard to monitor and enforce over time.

- 12-1300 (Lighting Regulations). The provisions of this section appear both current and very thorough, and only require revision to remove overly technical terminology cited by stakeholders as a barrier to understanding these requirements. For example, the current regulations include standards based on footcandles, candelas per meter squared, nits, and lumens, as well as cross-references to IESNA standards. In addition, illustrations of the key lighting types and concepts would be helpful. In addition, this section does not include minimum energy efficiency standards for new outdoor lighting fixtures. Because outdoor lighting is a significant source of avoidable energy consumption, this additional standard is included in an increasing number of development codes.
- 12-1400 (Landscaping Regulations). The general amounts of landscaping required appear reasonable for a generally suburban context emphasizing attractive site design. However, some stakeholders mentioned that the text uses overly technical terms and would benefit from revisions to make them more understandable. In addition, some of the standards might be revised to match the more urban contexts in the western end of the county and the more rural contexts in the eastern portions of the county. This type of tailoring was completed for the lighting standards, and the landscaping regulations would benefit from a similarly thoughtful approach.

In addition, the structure of these regulations is somewhat unusual, in that the required amounts of landscaping are not divided into the usual categories of (1) street frontage landscaping, (2) parking lot landscaping, (3) property edge buffering from developments of a different scale or character, and (4) building foundation landscaping for larger facilities in more urban contexts. In some cases it is not clear whether all of the requirements are additive, or whether overlapping requirements can be reconciled by complying with the stricter of the two (which is the case in most modern codes). As with lighting regulations, illustrations of the requirements would be helpful to LDC readers. However, the fact that these regulations cover county rights-of-way, medians, major drainageways, and public and private parks is helpful and will contribute significantly to the visual appeal of the county. Enforcement provisions should be consolidated with other enforcement provisions.

- 12-2100 (Trash Containers/Dumpsters/Roll-offs). These are unusual standards to find in a county development code. If they are retained they should be grouped with other operating and maintenance standards.
- Chapter 15 (Design Principles). This detailed chapter of mandatory design standards and advisory design guidelines appears to be fairly recent and to reflect generally current practice for similar materials. Helpfully, it identifies the difference between standards and guidelines. Even more clarity would be provided if the Code indicated that a development application that meets applicable standards cannot be denied or approved with conditions (or recommended for denial or approval with conditions) because it fails to meet guidelines.
- Section 15-100 (Development Design Principles). Although the introductory paragraph on applicability is helpful, it appears to cover all possible applications except variances, amendments, and subdivisions. However, some of the design guidelines and standards would be best applied at the subdivision stage, and the county should consider adding Preliminary and Final Plats to the list of procedures where these materials should be applied. The county should also consider whether these materials should apply to Location and Extent reviews, which are intended to be more limited than standard development review procedures. In addition, there are areas of overlap between the requirements of this section and other areas of the

Development Code (such as the Landscaping regulations in Section 12-1400), and those sections should be reconciled and consolidated if possible. Finally, the structure of this section is non-intuitive, and might be easier to follow if all Residential development materials, all Mixed-use development materials, and all Non-residential development materials were grouped into three sections, and then internally organized into subsections for standards and guidelines.

- Section 15-200 (Subdivision Design Principles and Standards). As noted above, the county may want to consider integrating some of these standards with those in Section 15-100, since some of those principles could be best applied when land is subdivided. In general, these design standards appear less current than the Development Design Principles in Section 15-100, and should be reviewed and possibly updated. For example, the practice of designating parking restrictions on development plans and plats in Section 15-202.02 is unusual in modern development codes, as parking restrictions can easily change over time after the plat has been recorded. Similarly, the provisions of Section 15-202.05 regarding responsibilities for abutting streets should be reviewed for compliance with recent court decisions regarding proportionate exactions. While many counties follow a longstanding practice of requiring dedication of land or improvements for “half a street” along section lines and sometimes half or quarter section lines, those exactions may not be justified if development on the property will not generate sufficient to justify the need for those streets. Under the U.S. Supreme Court’s decisions in Nollan v. California Coastal Commission and Dolan v. Tigard, any exactions of land must have a rational nexus with the development on the land and be roughly proportional to the impacts of that development. Although the title of this chapter and subchapters identify them as principles and standards, much of the material is worded as advisory guidelines using terms like “should” and “encourage” and “appropriate”, which could make predictable and consistent enforcement of the material difficult. Provisions related to lots and blocks are very general, and do not directly address required levels of connectivity, which is a common feature of newer subdivision regulations.
- Section 15.300 (Improvement Requirements). These standards appear thorough and offer subdividers significant flexibility in both the types of assurance of improvement completion provided to Arapahoe County and the timing of construction drawing approvals.
- Section 15-400 (Rural Site Development Standards and Guidelines). Because of the significantly different characters of eastern and western Arapahoe County, it is wise for the Development Code to include these alternative standards, and to provide that in case of conflict they shall prevail over the more urban standards applicable in the western parts of the county. The section also clearly distinguishes between standards and guidelines, which should simplify administration. These materials are very current and thorough, and do not need to be revisited.
- Chapter 16 (Standard Notes). This entire chapter contains material only used by applicants for specific types of development approvals, and not of interest to many citizens and potential investors reading the Development Code. These materials should be removed from the Code and maintained on the county’s web site, where they could be easily amended as laws and technology change without requiring an amendment of the Code itself.
- Chapter 18 (Arapahoe County Streetscape Guidelines). Although titled as guidelines, many of the provisions of this chapter use mandatory language and may be intended to be regulations. Many of the standards are tied to specific street cross-sections, and some of those cross-sections appear to be dated and may need to be revised. In addition, many of the graphics are unclear (and in some cases almost unreadable) and need to be updated. The content of the

Maintenance Regime in Section 18-103.10 and the Bibliography in Section 18-104 are very unusual to find in a county code and could probably be deleted or moved to the county's web site.

5.5 Non-PUD Development Review Procedures

As mentioned in the Development Code Structure discussion above, Clarion Associates recommends that all provisions related to the review and approval of all land use-related applications be grouped together –both for internal consistency and to avoid repetition. This “Procedures and Enforcement” chapter should start off with the content of Chapter 2 (Review and Decision-making Bodies), including Table 2-1 (Summary of Review and Decision-Making Authority). For reference, that table is shown below.

TABLE 2-1: SUMMARY OF REVIEW AND DECISION-MAKING AUTHORITY				
R = Review/Recommending Body D = Decision-Making Body A = Hears Appeals				
* = Public Hearing Required + = Consent Agenda				
Type of Application	PWD STAFF	PC	BOCC	BOA
1041 Permit	R	R*	D*	
Administrative Amendment	D		A	
Administrative Site Plan	D		A	
Certificate of Designation	R	R	D	
Comprehensive Plan Adoption or Amendment	R	D*		
Development Agreement/Vested Rights	R		D*	
Engineering Related Easement and ROW Dedication	R		D	
Engineering Waiver	D		A	
Floodplain Development Permit	D		A	
Location and Extent	R	D*	A	
Metro District- Title 32	R	R	D	
Planned Sign Program	R	R*	D+	
Planned Unit Developments (PUD):				
Final Development Plan (FDP)	R	R*	D/D*	
Master Development Plan (MDP)	R	R	D*	
Preliminary Development Plan (PDP)	R	R*	D*	
Rezoning (Zoning Map Amendments)	R	R*	D*	
Special District- Title 30	R	R	D	
Special Exception Use	R			D*
Street Name Change	R	R*	D*	
Subdivision:				
Affidavit of Correction	D		A	
Final Plat (FP)	R		D*	
Minor Subdivision Plat	R	R	D	
Plat Correction	R		D	
Preliminary Plat	R	R*	D	
Replat/Administrative	R		D	
Replat/Full	R		D*	
Rural Cluster Subdivision	R	R*	D*	

In order to encourage faster and more consistent decisions, most newer development codes strive to delegate decision-making down to the lowest level capable of doing the job well, but leave appeals available for those who believe the decision at that level do not comply with the Code. In addition, many newer codes distinguish between appeals (which only raise the technical question of whether a lower body made a correct decision under the Code) and other types of applications that involve the exercise of planning judgment (i.e. there is no “right” answer under the Code, because reasonable people could differ as to whether stated criteria have been met). In general, newer codes try to avoid having appeals of technical questions heard by the Planning Commission or Board of County Commissioners, because of the likelihood that a technical question will be subject to planning discretion or political judgment.

In light of these principles, it is somewhat surprising to see that appeals of Administrative Amendments, Administrative Site Plans, Engineering Waivers, Floodplain Development Permits, Location and Extent Determinations, and Technical Amendments sent to the Board of County Commissioners. Appeals of

these technical decisions could often be resolved by a Board of Adjustment (or even the Planning Commission) in a less politicized atmosphere.

As noted in our evaluation of the county's PUD system above, it is also not clear that most or all Final Development Plans (FDPs) need to be approved by the Board of County Commissioners.

In addition, like many older development codes, the Arapahoe County rules distinguish between Special Exception uses (decided by the Board of Adjustment) and Uses by Special Review (decided by the BOCC). Many newer codes consolidate all discretionary use decisions into a single category; those with minor impacts are sometimes decided by staff based on stated criteria, those with moderate impacts by the Planning Commission, and those with major impacts or countywide significance by the Board of County Commissioners).

Clarion Associates' additional observations about the non-PUD procedures in the current Development Code include the following:

- As noted in several comments above, all procedural provisions should be consolidated into a single chapter of the Development Code. This would allow common procedural requirements to be stated one time, rather than repeated in multiple sections of the Code. Examples of common development standards include (1) requirements to file applications on county-approved forms, (2) requirements that each application be accompanied by an application fee in an amount established BOCC resolution, and (3) requirements for consistent public notification for similar types of applications.
- 13-200 (Conventional Zoning). Although only a small number of zoning applications follow this procedure, it should be the most commonly used process, with PUDs being the exception rather than the norm. As noted above, that cannot happen until the menu of available zone districts is revised to better match development and market needs in Arapahoe County. In addition, we recommend some revisions to this section. The provisions of 13-202.02 should be revised or deleted; in almost all communities an amendment to a "straight" zone district also affects existing land zoned in that districts (otherwise the regulations in these districts would have to be applied differently to different properties depending on when they were zoned). The better practice is to apply nonconformity principles to protect owners who have invest or built in reliance on an earlier version of the straight zone.
- Section 13-300 (Small Lot Standards). This section may be mis-codified, since it could be applied during the subdivision process as well as during the FDP process. Although the introductory section suggests that these standards can be applied through conventional zones, there is no conventional zone in current use that would allow lots under 6,000 square feet; it appears that all small lots now need to be approved through PUD, which should not be necessary. These standards should appear in the subdivision regulations and be usable with a straight zone allowing lots of these sizes. In order to reduce apprehension about the impact of small lot developments on surrounding residential areas, Arapahoe County may want to follow Aurora's lead in limiting the size of very small lot developments and/or requiring that they be spaced a stated distance from each other. The creation of a workable small lot zone and platting procedures would go far to reduce the over-reliance on PUDs in the county. In addition, the substantive provisions of this chapter should be revised. The current standards are worded as application requirements, which should not appear in the Code, but they actually contain some substantive standards that should appear as objective measures for acceptable small lot development.

- Section 13-400 (Administrative Site Plan). This typical section appears to require little revision, but the county may want to consider exempting duplex development from this requirement (as well as single-family detached development, which is already exempted).
- Section 13-500 (Administrative Amendment) and Section 13-600 (Technical Amendment). It is unusual to find two different versions of a minor amendment procedure. In the course of our PUD research, we found only one nearby county (Jefferson County) that uses a similarly minor distinction between types of small amendments to previous approvals. Most newer codes include only one minor amendment processes for small modifications to prior approvals, as well as one major amendment process (which essentially requires that the application proceed through the same steps and review bodies as the original project approval). These two procedures could be combined into a single minor amendment process. While the scope and detail of what can be varied through the Administrative Amendment process is currently described in great and helpful detail, we suggest that these parameters be revisited and that the scope of Administrative Amendments be expanded to include other forms of amendments that make little difference to the long-term appearance, traffic, service demands, or sustainability of the resulting development.
- Section 13-700 (Location and Extent). This section appears to treat applications for Location and Extent review similarly to other land use actions (other than a rezoning or PUD). A hearing before the Planning Commission is required, and appeals to the BOCC are permitted. During early stakeholder interviews, however, we heard that the process may be requiring too much detail and analysis in light of the fact that – in the end – the applicant whose project is the subject of the Location and Extent review may override the decision of the Planning Commission and the BOCC. To be clear, we do not recommend that the process be simplified, but that the submittal requirements and level of detail be reviewed to focus on the basic parameters of the proposed facility and its location and impacts. Following the final decision of the applicant as to whether to move forward with its project in the proposed location, standard county engineering and construction standards will apply in any event.

13-800 (Special Exception Uses) and Section 13-900 (Use by Special Review). These two special use approval processes are confusingly-similarly named, and could be replaced with names including the terms “minor” and “major” to highlight the fundamental differences between the two. Many communities use only a single version of a special use review – which is easier for the public to understand – but clarify that in some cases the decision is made by the Board of Adjustment while higher-impact and higher-visibility uses are decided by the BOCC. Consolidation of these two procedures is less important than better distinguishing the names of the two procedures.

In addition, the amendment provisions in Section 13-906 should be combined with the major/minor amendment provisions in many other zoning procedures, rather than repeated with minor variations in each individual procedural chapter. Many newer codes have a single section addressing how all minor and major amendments to prior approvals are reviewed and approved.

- Section 13-1000 (Variances and Interpretations to these Regulations). This section appears to contain a standard procedure and criteria for variances, and does not need revision. However, the Development Code does not clarify how Arapahoe County will process applications for “reasonable accommodation” under the federal Fair Housing Act Amendments of 1988. That Act requires that local governments be prepared to approve reasonable requests for variations

in rules and standards if necessary to allow a person protected by the Fair Housing Act (most often, a person with a handicap) the ability to access or use a housing unit. The procedure itself does not need to be included in the Development Code, but the county should decide in advance how such requests will be processed. We recommend that response to requests for “reasonable accommodation” be an administrative action of the Director without the need for a public hearing that might tend to draw attention or stigmatize the very populations whose rights are intended to be protected under the Fair Housing Act.

- Sections 13-1100 (Rural Cluster Option) and 14-1000 (Rural Cluster Options). It is not clear why these two sections appear in different sections of the Code. They should probably be combined and included in Chapter 14 (Subdivision) unless the regulations in Section 13-1100 are intended to apply in a non-subdivision context (e.g. a site condominium on a single parcel of land), in which case it may make sense to keep them separate. Both of these sections contain very thorough and detailed regulations that appear to have been drafted and revised recently, and to offer the very significant density bonuses required to make these types of programs effective. Most newer codes include these types of standards in the zoning controls and then include subdivision rules that require all lots to comply with applicable zoning standards (which avoids addressing the issue twice and the inconsistencies that occur when that happens). In addition, the county should consider whether the Priority Review provisions in Section 14-1002.01 have been effective; in many communities implementation of these types of priorities has been difficult an ineffective. Otherwise these two sections do not need to be revised.
- Section 14-100 (Subdivision Regulations). The purpose statement for this chapter appears dated in that it does not reflect the importance of avoiding or mitigating damage to sensitive lands, which are key feature in many newer county subdivision regulations. In addition, the chapter reads as if it was at one time a freestanding document that has since been incorporated into the Development Code. Some subsections (such as the Duty to Conform, Separability Clause, and Processing Fees and) are not necessary in an integrated Development Code because they can be stated once for the entire code. It appears that the formulas for calculation of land dedication requirements in Section 14-111 have been considered in detailed and are likely the study of thorough studies; if they are current, they do not need to be revisited. Because of the decision of the U.S. Supreme Court in St. John’s Water District v. Koontz, 133 S.Ct. 2586 (2013), it is particularly important that the county not deviate (particularly upward) from these standards unless it is confident that the alternate dedication requirement is related to and roughly proportional to the impacts of the proposed development.
- Sections 14-202 (Approval Standards for a Preliminary Plat) and 14-302 (Approval Standards for a Final Plat). These two sections currently do not mention consistency with the Arapahoe County Comprehensive Plan as a mandatory approval standard. In the case of Larimer County v. Conder, 927 P.2d 1339 (Colo. 1996), the Colorado Supreme Court held that a county can include consistency with adopted plans as a criteria for subdivision approval IF the county’s regulations include that requirement and the comprehensive plan provisions are adequately detailed to provide accurate guidance on the application. We recommend the Development Code include an explicit statement that Preliminary Plats must be consistent with the county’s comprehensive plan.
- Section 14-500 (Minor Subdivision) is straightforward, but it is not clear why these should need to be reviewed by the Planning Commission or approved by the Board of County Commission if no infrastructure or dedications are involved, or why they could not be approved on a consent agenda. The general purpose of Minor Subdivision procedures is to simplify the process and to

delegate decision-making to the lowest possible level consistent with Colorado law. Although Colorado law requires a public hearing on subdivisions, we believe that other counties also use the consent agenda approach in which concern by neighbors or others triggers a removal from the consent agenda and a public hearing. However, when a hearing is requested, we recommend that it happen at the Planning Commission rather than at the BOCC level.

- Sections 14-600 (Administrative Replat Procedures), 14-700 (Vacation of Roadways, Public Easements, and Plats), 14-800 (Plat Correction), and 14-900 (Subdivision Exemption) appear straightforward, and may not need revision. However, if the County has had problems with “paper plats” (subdivisions approved in the distant past on which improvements have not been installed or lots sold) or “obsolete subdivisions” (subdivisions that no longer meet the county’s standards for protection of health or safety), the County may want to clarify whether the County can be an applicant in a plat vacation (or partial vacation) proceeding. While inclusion of these types of provisions has not been common in the past, some counties that have been experiencing financial risk or threats to public health and safety from paper plats or obsolete subdivisions have begun to include them.
- Chapter 17 (Notice and Notification). This important section of the Code covers a topic where many newer codes are making significant changes to traditional practices. More specifically, many communities are revising their notice requirements to encourage earlier communication between applicants and surrounding neighborhoods, to rely less on newspapers (both to reduce costs, and because the number of regularly published newspapers is shrinking), and to use more extensive web-based notification systems. There is also a smaller trend away from mailed notices because of the costs involved. Arapahoe County’s posted and mailed notice provisions in Sections 17-101 and 17-102 appear adequate, but the county may want to consider clarifying that notice is not required for minor amendments to PDPs and FDPs. Many newer codes would remove the actual text of required notices and letters and would instead make them available on a government web site.
- Appeals. Throughout the Code, there are several instances where decisions of the Planning Commission can be appealed to the Board of County Commissioners for final action. With the exception of rezoning applications (including PUD rezonings), it is preferable not to allow decisions regarding the application of the Development Code to specific pieces of property to return to the elected body responsible for approval of the Development Code itself. Returning individual property decisions (short of rezoning, which is a legislative action) to the legislative body tends to politicize what should be administrative decisions, and often leads to perceptions that land use decisions are inconsistent or involve favoritism, and that applicants are not being treated equally. The county may want to consider whether some types of appeals should not go to the BOCC but should instead be considered through the courts through a Rule 105(a)(4) action.

5.6 Other Observations

Three additional observations about the current Arapahoe County Land Development Code are listed below.

- Chapter 19 (Definitions). This section contains approximately 50 pages of definitions for terms used in the Development Code. The content appears very thorough and to include definitions

for most of the permitted uses and other key terms in the chapters that precede it. After other sections of the Code are reviewed and revised as described above, this chapter should be reviewed and revised for consistency with other materials. More specifically, the review of Chapter 19 should:

- Ensure that all of the (revised)permitted uses are defined;
- New terms such as “eligible facilities” and “substantial change” from recent Federal Communications Commission rulemaking are included;
- Ensure that terminology for group homes matches the terminology of federal and state anti-discrimination and fair housing laws, as well as state facilities licensing laws to the greatest degree possible;
- Revise sign-related definitions to align with new names and categories required following the county’s review for compliance with the Reed v. Gilbert decision;
- Ensure that definitions of terms related to the regulation of uses involving First Amendment rights (including adult uses and religious institutions) are adequate to protect those rights; and
- Delete all definitions of terms no longer used in the Development Code.

Outdated and poor quality graphics associated with various definitions should also be updated. In addition, many newer codes supplement the definitions chapter with new sections on Rules of Measurement and Rules of Interpretation in order to facilitate more consistent administration of the Code.

- Chapter 11 (Nonconformities). These provisions appear up-to-date and do not require significant revision, except that the missing provisions on Nonconforming Development Standards should be completed. In general, many communities state that nonconforming development standards do not prevent an otherwise conforming use or structure from expanding, from being restarted after a discontinuance, or from being rebuilt following an accident or natural disaster. In addition, many newer codes allow discontinuance of a nonconforming use for more than six months (one year is more typical) before the nonconforming use status is lost, and in some cases a longer time is permitted for structures designed for a particular use (e.g. churches).
- Submittal Lists and Application Requirements. Throughout the Development Code, many sections include long, detailed lists of development submittal requirements, application forms, notice texts, or standard form letters or certifications. Almost all newer development codes remove those materials from the Code and locate them in an administrative manual or (increasingly) on the local government’s web site where they can be updated simply and without need to for a formal Development Code amendment procedure. We recommend that all application material lists, submittal lists, and notice texts be removed from the Code.

5.7 User-friendliness

The current Arapahoe County Development Code is very user-unfriendly. Many citizens, as well as property owners and potential investors, would find it difficult to navigate and understand. A more

user-friendly Code begins with a simple and intuitive structure of the type discussed in the “Structure” section above. In addition, Development Code would benefit from:

- A simpler division of zone districts into the Residential, Mixed Use, and Special Purpose zone district structure described above. Agricultural districts would be classified as Special Purpose zone districts.
- The use of a master Permitted Use table allowing comparison of Permitted, Special Review, Accessory, and Temporary uses across all zone districts.
- The use of many more high quality graphics to illustrate development standards and definitions.
- The inclusion of a graphic flowchart for each development application process. For public consumption, these should be general charts showing steps in each process and identifying the decision-making body. More detailed timelines of specific procedures – and variations of procedures for special cases – with deadlines and times for processing can be made available on the county’s web site.
- As noted above, all application submittal requirements and standard notice texts should be removed from the Development Code and relocated to the county’s web site, where they can be revised as development types and development review technologies change without having to amend the Code.

6. PRIORITIZED RECOMMENDATIONS FOR DEVELOPMENT CODE IMPROVEMENTS

The primary purpose of this Development Code Assessment has been to identify reasons behind dissatisfaction with Arapahoe County’s Planned Unit Development review and amendment system. That has been the primary focus of stakeholder outreach, surveys of other Front Range communities, and the analysis in Sections 2, 3, and 4 of this document. Our secondary focus has been to identify other sections of the Development Code that may need to be revisited and updated – with particular focus on those outdated provisions that may be leading to over-use of Planned Unit Developments as the primary route to development approval in the county. We believe these should remain the county’s top areas of focus as additional changes to the Development Code are considered. Consistent with this approach, our prioritized list of needed changes to the Arapahoe County Development Code are listed below.

6.1 Top Priorities – Phase 1

(First Half of 2016)

Based on staff and stakeholder comments and our experience around the U.S., we believe that the most pressing need is for Arapahoe County to modernize its PUD procedures and to create modern base residential zone districts that would significantly reduce reliance on PUD approvals (and the time and expense of amending them and managing development within approved PUDs over time). This is not “low-hanging fruit”, but the changes that would create the most immediate improvement in stakeholder and staff satisfaction with the LDC and the efficiency of County planning and development operations.

Improve the PUD System

Implement the eight changes to improve the performance of the PUD system identified in Section 5 of this document.

Adopt Modern Base Zone Districts

Develop a set of Residential and Mixed Use zone districts more aligned with current market demands and layout/design approaches, with significant internal flexibility to mix housing types and densities as long as Development Code standards for circulation, open space, and infrastructure are met. This important step will remove substantial pressure leading to the over-use of Planned Unit Developments for relatively common styles and patterns of development, and will produce significant administrative savings through reduced PDP and FDP approvals and amendment hearings in the future. The county’s goal should be to design districts so aligned with its planning goals and market demands that more than two-thirds of all development applications can be handled administratively. The County’s obsolete zone districts -- R-2, R-3, R-3S, R-4, R-5, R-P, B-2, Senior Housing (SH), and Cultural (C) zone districts (the last two of which really describe land uses that could easily be incorporated in other zone districts) – should be repealed and removed from the LDC.

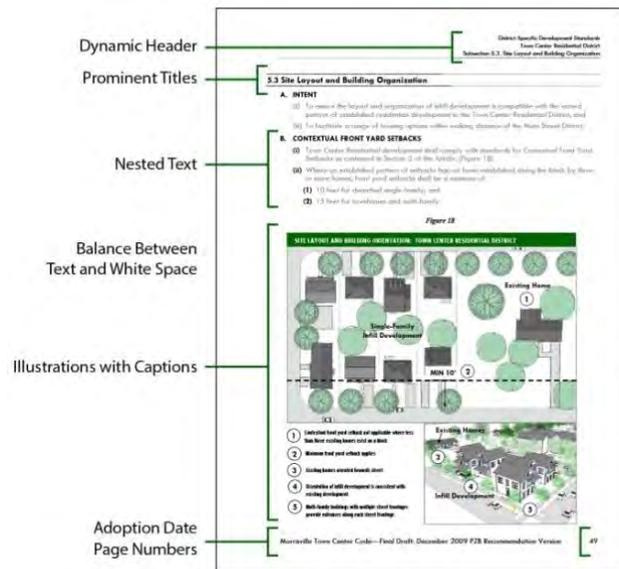
6.2 Medium Priorities – Phase 2

(2016-2017)

Once the PUD system has been revised and over-reliance on that system is addressed, the County should lay a strong foundation for a modern code structure and for updated development standards to better reflect the County’s planning goals. Making the LDC more user-friendly and linking it more closely to the quality and types of development the BOCC wants to see in the future will go far to improving public satisfaction with the system, avoid the need to re-debate quality standards with each new development, and promote consistent decision-making.

Reorganize the Development Code

Use a more intuitive five- or six- chapter structure that consolidates materials related to permitted uses and conditions, required development standards and guidelines, and different review and approval procedures in three integrated chapters. This will provide the foundation for a more user-friendly and business-friendly code where answers are easier to find, inconsistencies between related provisions are minimized, and future amendments to the Code do not have to be made through the addition of freestanding chapters (which appears to have happened in the past). While reorganization may sound like a “non-substantive” (and therefore optional) step, our experience is that a clearer, more intuitive, and more logical LDC structure will allow much greater public, stakeholder, Planning Commission, and BOCC understanding of the implications of different substantive changes and significantly improve public satisfaction with the County’s development review and approval system.



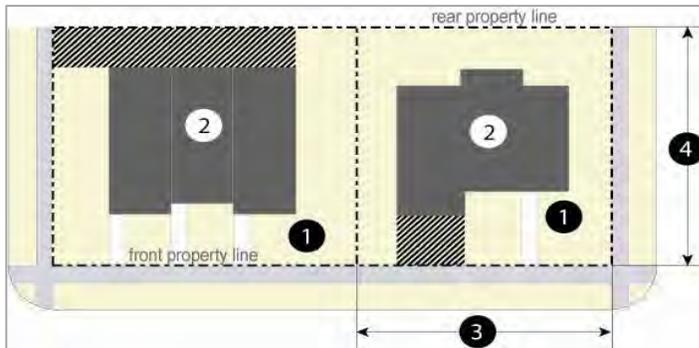
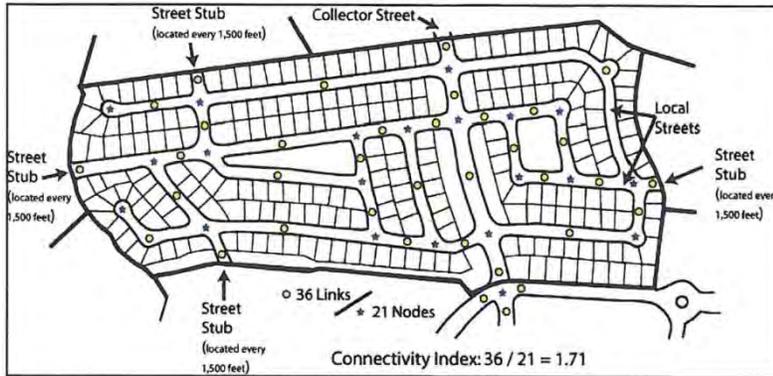
Update the Development Standards

Review landscaping, parking, and other development standards to better tailor those standards to the very different contexts in eastern and western Arapahoe County (as has been done with the lighting standards). In addition, consider whether standards related to the operation and maintenance of properties (after approval and construction) need to be strengthened. Include an “Equivalent Performance” provision allowing the Director to administratively approve deviations from technical landscaping and lighting standards when the Director determines that the alternative proposed by an applicant will result in better design and have no more adverse impacts on surrounding properties. In addition, adopt revisions to the Arapahoe County sign regulations needed to comply with the Reed v. Gilbert decision.

Include More Visual Aids and Flowcharts

Photographs, tables, flowcharts, illustrations, and other graphics are helpful in conveying information concisely. The city’s current zoning and subdivision regulations make limited use of such tools. We recommend expanding the use of visual aids to help explain how the development regulations work – for example, by clearly showing how dimensional standards are measured and how development

standards (parking, landscaping, building design, etc.) are applied. This will be particularly important if new or updated design standards are considered.

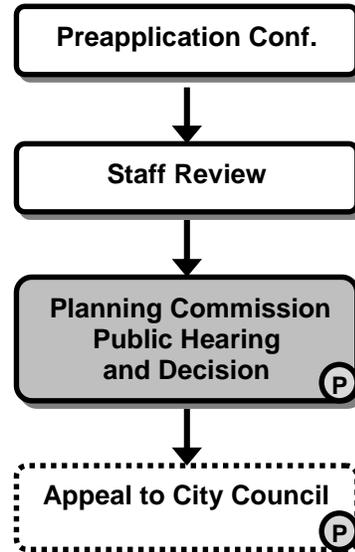


**TABLE 50-14.4-1
RR-2 DISTRICT DIMENSIONAL STANDARDS²⁵**

LOT STANDARDS	
Minimum lot area per family	2 acres
Minimum lot frontage	100 ft.
SETBACKS, MINIMUM	
Minimum depth front yard	35 ft.
Minimum width of side yard	10 ft.
Corner Lot: width of front side yard	25 ft.
Minimum depth of rear yard	25 ft.
BUILDING STANDARDS	
Maximum height of building	30 ft.

Section 50.21 *Dimensional Standards* contains additional regulations applicable to this district.

Special Use Permit



(P) Indicates Public Hearing Required

6.3 Lower Priorities – Phase 3 (Second half of 2017)

Review and Update Use-Specific Standards

Ensure that use-specific standards reflect recent laws and rule-making by the Federal Communications Commission. During this process, adopt revisions to the CMRS standards to reflect recent federal laws and rulemaking decisions about presumably reasonable timeframes for processing applications for

telecommunications facilities and for approving requests for “eligible facilities” that do not “substantially change” an existing tower or base station facility.

Update and Streamline Non-PUD Development Procedures

In addition to the recommended improvements to the PUD approval and amendment procedures listed in Sections 3 and 4 of this document, make the additional changes to development review and approval procedures outlined in Section 5 of this document. In the process, adopt a predictable process for review of applications for “reasonable accommodation” under the federal Fair Housing Act Amendments of 1988.