



**MINUTES OF THE REGULAR MEETING OF THE
ARAPAHOE COUNTY PLANNING COMMISSION
TUESDAY, AUGUST 6, 2019**

ATTENDANCE	<p>A regular meeting of the Arapahoe County Planning Commission was called and held in accordance with the statutes of the State of Colorado and the Arapahoe County Land Development Code. The following Planning Commission members were in attendance:</p> <p>Jane Rieck, Chair; Richard Sall; Diane Chaffin, Chair Pro-Tem; Jamie Wollman; and Randall Miller</p> <p>Also present were: Robert Hill, Senior Asst. County Attorney; Chuck Haskins, Engineering Services Division Manager; Sarah White, Engineer; Kurtis Cotton, Engineer; Bill Skinner, Senior Planner; Molly Orkild-Larson, Senior Planner; Kathleen Hammer, Planner II; Kelsea Dombrovski, Planner I; Jason Reynolds, Current Planning Program Manager; Jan Yeckes, Planning Division Manager, and members of the public.</p>
CALL TO ORDER	Chair Rieck called the meeting to order at 6:30 p.m. and noted a quorum of the Board was present.
DISCLOSURE MATTERS	There were no Planning Commission member conflicts with the matters before them.
GENERAL BUSINESS ITEMS:	
APPROVAL OF THE MINUTES	<p>The motion was made by Ms. Wollman and duly seconded by Mr. Miller to accept the minutes from the July 16, 2019 Planning Commission meeting, as amended, to correct page 4, line 7 to change the “T” in the word <i>Their</i> from upper to lower case.</p> <p>The motion passed unanimously.</p>
REGULAR ITEMS:	

ITEM 1

Case No. PM18-005, Laing Subdivision / Minor Subdivision – Kelsea Dombrovski, Planner I, Public Works and Development (PWD)

Ms. Dombrovski introduced the case, established jurisdiction, reviewed the recommended conditions for approval, and noted the cash in lieu of land dedication (cash-in-lieu fees) would be due at the time of plat recordation.

Mr. Elam Laing, property owner, presented a PowerPoint, a copy of which was retained for the record. He introduced the application, reviewed the project timeline, and presented the plan to split the property into two lots of approximately 19 acres each. He explained the intent was to preserve the rural character of the area. Mr. Laing reviewed the Comprehensive Plan goals, applicable to the request, and noted the proposal would maintain the agricultural zoning on the property. He expressed appreciation to staff for their assistance with the project.

Ms. Rieck opened the hearing for public comments. There were no public comments. The public hearing was closed.

Mr. Miller asked staff for clarification on the water supply approval.

Ms. Dombrovski noted the State Engineer had approved an augmentation plan to allow the well to serve both properties.

Mr. Miller asked what this augmentation would be.

Mr. Laing explained there was a given volume of water in aquifers beneath the land. He said the well was permitted to provide 9 acre-feet of water over 40 acres. He reported by agreeing to reduce the supply by 6 acre-feet, the State Engineer approved using 3 acre-feet over the two lots (1.5 acre-feet per lot from the Denver aquifer). He explained how many agricultural animals this would serve in addition to the homes. Mr. Laing read the decision of the State Engineer into the record.

Ms. Rieck asked whether the plan was to sell the lots.

Mr. Laing said they would like an additional lot for family and anticipate living on the properties.

It was moved by Ms. Wollman and duly seconded by Mr. Sall, in the case of PM18-005, Laing Subdivision / Minor Subdivision, that the Planning Commissioners reviewed the staff report,

	<p>including all exhibits and attachments, listened to the applicant's presentation and the public comment, as presented at the public hearing, and moved to recommend approval of the application based on the findings in the staff report, subject to the following conditions:</p> <ol style="list-style-type: none"> 1. Prior to signature of the final copy of this plat the applicant must address Public Works Staff comments and concerns. 2. The applicant shall meet requirements listed in the State Water Engineer Letter dated July 10, 2019, and provide evidence of meeting these requirements, prior to the Board Chair's signature on the Final Plat. 3. The applicant shall pay a total amount of cash-in-lieu of \$2,465.47 to be distributed as follows: Schools: \$2,095.47; Public Parks: \$355.20; and Other Public Purposes: \$14.80. <p>The vote was:</p> <p>Ms. Rieck, Yes; Ms. Chaffin, Yes; Mr. Miller, Yes; Mr. Sall, Yes; Ms. Wollman, Yes.</p>
<p>ITEM 2</p>	<p>Case No. PM18-002, Cherry Tree Estates / Minor Subdivision – Molly Orkild-Larson, Senior Planner, Public Works and Development (PWD)</p> <p>Ms. Orkild-Larson introduced the application and established jurisdiction for the public hearing. She addressed the cash in lieu of land dedication (cash-in-lieu fees) due at the time of recording the plat. She noted having received a citizen concern. She also reported the property was land locked and the applicant was continuing to work with the City and County of Denver to finalize the preliminary access previously granted for the property.</p> <p>There were questions asked about the Specific Development Plan that had already been approved for the project and typical timeline for the process in relation to the two applications. The work underway with the City and County of Denver was discussed. The Planning Commission (PC) asked if the fire district concerns had been resolved.</p> <p>Tim VanMeter, Cherry Tree Estates LLC, applicant, reviewed the elements of the plans for the property that were approved through the earlier General Development Plan (GDP) and Specific Development Plan (SDP). He explained the work started by the City and County of Denver for a park along the Cherry Creek corridor adjoining the property; the project will include a wrought-iron fence along the</p>

property line. He reported the County Open Spaces Department was a partner, and the corridor was planned to substitute for the sidewalk previously recommended through the property. Mr. VanMeter answered PC questions about the work underway on the park and the status of the access agreements with the City and County of Denver. Rather than the TEP approved previously by Denver, Mr. VanMeter stated he would be purchasing an easement that correlated with the original TEP. He stated the purchase price had been negotiated and the Council would need to approve the sale of the easement. He reviewed the history of the process to obtain access, to obtain a street name assigned by the City and County of Denver for the private driveway, and to approve signage satisfactory to the South Metro Fire District and Denver Public Works Right-of-Way Division.

Ms. Rieck opened the hearing for public comments. She reminded speakers that comments would only be accepted on the proposal for the subdivision plat.

Nancy Guerre, 1699 S Trenton St #53, Denver, asked the applicant to confirm the easement for access would only be for the Fire District and the Arapahoe County Sheriff's Office.

Mr. VanMeter explained the easement would also provide access to him as the property owner and manager; however, the gate would be locked and not accessible to the public.

There no further public comments. The public hearing was closed.

It was moved by Ms. Chaffin and duly seconded by Ms. Wollman, in the case of PM18-002, Cherry Tree Estates / Minor Subdivision, that the Planning Commission reviewed the staff report, including all exhibits and attachments, listened to the applicant's presentation and the public comment as presented at the public hearing, and moved to recommend approval of this application based on the findings in the staff report, subject to the following conditions:

- 1. Prior to signature of the final copy of this plat the applicant must address Public Works Staff comments and concerns.**
- 2. Cash-in-lieu fees in the amount of \$93,750 comprised of \$90,000 for parks and \$3,750 for other public purposes shall be paid prior to recording of the approved mylar for the Minor Subdivision.**

	<p>3. Since the proposed subdivision was intended for a restricted 55 and older community and memory care facility, the development was not expected to generate significant demand on school facilities. As such, no cash-in-lieu of dedication payments were required for school purposes. However, if the 55 years old age restriction in the development was ever removed, the developer or the then owner of the development would be required to pay school cash-in-lieu fees in accordance with the then applicable provisions of State law and/or County regulations. This condition of approval shall also be added as a note to the plat.</p> <p>4. The cash-in-lieu fees for park purposes shall be used to construct the Cherry Creek trail adjacent to the Cherry Tree Estates development.</p> <p>5. This Minor Subdivision application shall not be scheduled for a public hearing before the Board of County Commissioners for consideration for the Board’s approval until after the applicant has furnished proof in the form of a recorded and lawful permanent easement from the City and County of Denver that provides adequate access across Denver property to serve the Development and that is acceptable to the County under applicable County engineering and development standards.</p> <p>6. This Minor Subdivision application shall not be scheduled for a public hearing before the Board of County Commissioner’s for consideration for the Board’s approval until after the City and County of Denver’s Transportation Engineering Plan (TEP) has been approved by the City and County of Denver and provided to Arapahoe County.</p> <p>7. The applicant shall add an easement table to the plat.</p> <p>The vote was:</p> <p>Ms. Rieck, Yes; Ms. Chaffin, Yes; Mr. Miller, Yes; Mr. Sall, Yes; Ms. Wollman, Yes.</p>
<p>ITEM 3</p>	<p>LE18-007, ECCV Office Expansion / Location and Extent (L&E), Kathleen Hammer, Planner II</p> <p>Ms. Hammer explained the request and provided some details of the development. She reported there had been no inquiries from the public about the proposal. She established jurisdiction for the public</p>

	<p>hearing and stated staff was recommending approval based on staff findings and recommended conditions as outlined in the staff report.</p> <p>Chris Kroeger, Kroeger Engineering, provided some additional details on the proposed configuration and use of the property. He explained the level of service provided by ECCV Water and Sanitation District would not change. He reported the new shop facility would be a prefabricated structure, neutral in color, and a simple A-frame rectangular structure. He stated they were not proposing to add the stone facing that was used in the principal building.</p> <p>Ms. Rieck opened the hearing for public comments. There were no public comments. The public hearing was closed.</p> <p>It was moved by Ms. Wollman and duly seconded by Ms. Chaffin, in the case of LE18-007, ECCV Office Expansion / Location and Extent, that the Planning Commission reviewed the staff report, including all exhibits and attachments, listened to the applicant’s presentation and any public comment as presented at the hearing, and moved to approve the application based on the findings in the staff report, subject to the following condition:</p> <ol style="list-style-type: none"> 1. Prior to signature of the final copy of the plans, the applicant will address all Public Works and Development Staff concerns. <p>The vote was:</p> <p>Ms. Rieck, Yes; Ms. Chaffin, Yes; Mr. Miller, Yes; Mr. Sall, Yes; Ms. Wollman, Yes.</p>
<p>ITEM 4</p>	<p>GDP19-001 Dove Valley Business Park/Master Development Plan (MDP) 6th Amendment, Bill Skinner, Senior Planner</p> <p>Mr. Skinner presented a PowerPoint, a copy of which was retained for the record. He showed a map of the property to provide context in relation to the Dove Valley Business Park and general vicinity, as well as, a map showing the immediate surrounding area. He provided some history of the Dove Valley MDP, noting this was the 6th proposed amendment, and explained the Use Areas (designated as A, B, C, D, E, F) and how those relate to each other. Mr. Skinner reported Use Area F was established approximately 4 years ago to allow uses considered to be light industrial in nature. He stated the applicant was asking to increase the area designated as Use Area F to include this approximately 24-acre property, which was located</p>

adjacent to an existing Area F. Mr. Skinner reported the only staff concern was its location adjacent to Dove Valley Parkway. He said there were several provisions within the Dove Valley standards, such as limitations on overhead doors facing public right-of-way, adjacent to Dove Valley Parkway. He explained the proposal tonight was not to talk about a site plan for a specific project, but only a proposal to expand Use Area F within the overall Dove Valley project to include this site. Mr. Skinner noted outdoor storage would be an accessory use rather than a principal use on the property and would be subject to screening requirements. He reported there was no significant comment from the public or other owners within the area. He stated representatives of Dove Valley Business Associates were present.

Ms. Wollman asked about Mr. Skinner's comments referenced earlier that he had advised that a future application should anticipate including a significant number of trees and landscaping along the parkway with the change in use. Ms. Wollman noted the parkway was fairly well-traveled and the open space values that existed today, with undeveloped land, would go away as remaining land was developed. She felt it was important to incorporate open spaces and landscaping to ensure the quality of the environment.

Mr. Miller noted trees took a long time before they were large enough to adequately screen a development that was higher in impact than would usually be seen in these types of areas.

Sean Flanagan, HAS Acquisitions Inc, on behalf of Dove Valley Business Park Associates LTD, introduced the application. He noted the applicants were pursuing entitlements to the property and did not have site plan details, such as landscaping, fully developed and could not provide those details this evening. He reported HSA had received awards for their business park development. Mr. Flanagan reported the use area requested would allow them to compete on an even plane with other Dove Valley properties, in the immediate area, already designated as Use Area F. He showed a conceptual layout of the buildings and noted the presence and aesthetics along Broncos Parkway were important to them, as well. He also noted there would be on-site detention and felt these areas could help to provide a buffer. He discussed other anticipated design elements in the layout that would help shield the view of parking and other areas that could be more impactful.

It was noted there was not a specific client lined up at this time, so the plans could change. Clarification on the anticipated uses included light assembly and light manufacturing and that outdoor storage could potentially be located, as an accessory use, between the

	<p>buildings. There were some concerns with the heights of buildings close to the parkway and the risk of snow shadows; however, if the buildings were turned the other way, that would create an alley that exposed the view of the interior of the development, which would not be desirable.</p> <p>Jerry Kempf, realtor for the Dove Valley Business Associates, addressed the history of establishing Use Area F due to the requests that were coming in that were in conflict with the MDP. He explained the Use Area F expansion would not change the definition of uses allowed, but would bring more land into the area. He stated Dove Valley Business Associates supported the request.</p> <p>Ms. Rieck opened the hearing for public comments. There were no public comments. The public hearing was closed.</p> <p>It was moved by Mr. Miller and duly seconded by Mr. Sall, in the case of GDP19-001, Dove Valley Business Park Master Development Plan 6th Amendment, that the Planning Commission reviewed the staff report, including all exhibits and attachments, listened to the applicant’s presentation and any public comment as presented at the hearing, and move to recommend approval of the application based on the findings in the staff report, subject to the following condition:</p> <ol style="list-style-type: none"> 1. Prior to signature of the final copy of these plans, the applicant will address all Public Works and Development Staff comments. <p>The vote was:</p> <p>Ms. Rieck, Yes; Ms. Chaffin, Yes; Mr. Miller, Yes; Mr. Sall, Yes; Ms. Wollman, Yes.</p>
<p>ANNOUNCEMENTS</p>	<p>The Planning Commissioners and Mr. Hill all confirmed they would like hard copies of the newly adopted Land Development Code. Staff stated they would distribute those at the August 20th meeting.</p> <p>Rod Brockelman had been scheduled for appointment to District 3 (Commissioner Jeff Baker’s district, east county) on August 13th and August 20th would be his first official meeting. Staff planned to schedule some time to begin training with him prior to the 20th.</p>

	Staff was in process of making an offer for the Long Range Planning Program Manager position and anticipated an update would be available by the August 20 th meeting.
ADJOURNMENT	There being no further business to come before the Planning Commission, the meeting was adjourned.