

Board of County Commissioners Meeting

Tuesday, August 2, 2016

Hearing Room 1, First Floor

AGENDA

The Tuesday meeting of the Board of County Commissioners (The Board) is an open meeting in which the Board approves contracts, expends funds, hears testimony, makes decisions on land use cases and takes care of other county matters. The public is welcome to attend.

The Board meeting has three parts: Public Comment, the Business Meeting and the Public Hearing.

General Procedures

Agenda items will normally be considered in the order they appear on this agenda. However, the Board may alter the agenda, take breaks during the meeting, work through the noon hour; and even continue an item to a future meeting date.

Public Comment (8:00 a.m.)

The Board welcomes your comments; During the public comment time, members of the public have three minutes to present views on county matters that are not included on the Hearing Agenda. The public comment time is not for questions and answers: it is your time to express your views.

Please note that you are always welcome to communicate with the Board on the county's Web site (www.jeffco.us), by e-mail (commish@jeffco.us), by phone (303-271-8525), fax (303-271-8941) or US mail (100 Jefferson County Parkway, Golden, CO 80419). You can also meet your Commissioners at numerous community events such as town hall meetings, homeowner associations and chamber meetings.

Business Meeting

Call to Order

Pledge of Allegiance

Approval of Minutes Dated July 19, 2016

Tuesday, August 2, 2016 (continued)

Consent Agenda

CONSENT AGENDA PROCEDURES - Items on the Business Meeting Consent Agenda generally are decided by the Board without further discussion at the meeting. However, any Board member may remove an item from the Business Meeting Consent Agenda. The Board is not required to take public comment on removed items, but may request additional information and input.

1. **Resolution CC16-299** Expenditure Approval Listings Dated July 28, 2016 - Accounting
2. **Resolution CC16-300** Ratification of Expenditure Approval Listing Dated July 21, 2016 - Accounting
3. **Resolution CC16-301** Bi-Weekly Payroll Register - Accounting
4. **Resolution CC16-302** Raise the Bar: Protect Our Constitution - Board of County Commissioners
5. **Resolution CC16-303** Colorado State Historical Fund - Grant Project #2011-01-020, Amendment to Grant Contract (#2011-01-020 C) and Third Amendment to Pleasant View Metropolitan District Intergovernmental Agreement - Open Space
6. **Resolution CC16-304** Third Amendment to Contract - Concrete Express, Inc. for Special Projects Concrete Removal and Replacement (Additional NTE \$500,000.00 for Revised Total Contract Amount \$1,038,282.70) - Road and Bridge
7. **Resolution CC16-305** First Amendment to Contract - Silva Construction, Inc. for Concrete Removal and Replacement (Additional NTE \$500,000.00 for Total Revised Contract Amount \$1,500,000.00) - Road and Bridge
8. **Resolution CC16-306** Agreement - Urban Drainage and Flood Control District Regarding Funding of Final Design, Right-of-Way Acquisition and Construction of Drainage and Flood Control Improvements for Van Bibber Creek at McIntyre Street - Transportation and Engineering

Other Contracts and Resolutions for which Notice was not possible may be considered.

Tuesday, August 2, 2016 (continued)

Regular Agenda

Law Enforcement Authority

- 9. Law Enforcement Authority Report

Public Hearing

There are two parts to the Public Hearing Agenda: the Hearing Consent Agenda and the Regular Hearing Agenda.

Items are listed on the Hearing Consent Agenda because no testimony is expected. In the event a Commissioner or any member of the public wishes to testify regarding an item on the Consent Agenda, the item will be removed and considered with the Regular Hearing Agenda.

Unless otherwise stated by the Chair, a motion to approve the Hearing Consent Agenda shall include and be subject to staff's findings, recommendations, and conditions as listed in the applicable Staff Report.

Hearing Consent Agenda - No Agenda Items

The public is entitled to testify on items under the Public Hearing Regular Agenda. Information on participation in hearings is provided in the County's brochure, *"Your Guide to Board of County Commissioners Hearings."* It may be obtained on the rack outside the hearing room or from the County Public Information Office at 303-271-8512.

Hearing Regular Agenda

- 10. **Resolution CC16-298**
 - Case Number:** 16-111400RZ: Rezoning - Open Space Eligibility Phase
 - Case Name: Deer Creek Golf Course Rezoning
 - Owner/Applicant: In Play Membership Golf, Inc.
 - Location: 8135 Shaffer Parkway, Sections 32 and 33, Township 5 South, Range 69 West
 - Approximate Area: 90.44 acres
 - Purpose:** To determine eligibility to rezone Open Space within a Planned Development (PD) Zone District.
 - Case Manager: Mike Madrid

Tuesday, August 2, 2016 (continued)

Reports

County Commissioners

County Manager

County Attorney

Adjournment

Jefferson County does not discriminate on the basis of race, color, national origin, sex, religion, age, disability or sexual orientation in the provision of services. Disabled persons requiring reasonable accommodation to attend or participate in a County service, program or activity should call 303-271-5000 or TDD 303-271-8071. We appreciate a minimum of 24 hours advance notice so arrangements can be made to provide the requested auxiliary aid.

Board of County Commissioners meetings can be viewed on a television monitor in the cafeteria on the lower level of the Jefferson County Administration and Courts Facility. Also, you may use the cafeteria tables there to work or gather until the Board is ready to hear your case. Board meetings and hearings are recorded and available on the county's Web site at www.jeffco.us.

COMMISSIONERS' MINUTES OF JULY 19, 2016

The Board of County Commissioners of the County of Jefferson, State of Colorado, met in regular session on July 19, 2016 in the Jefferson County Government Center, Golden, Colorado. Commissioner Donald Rosier, Chairman Pro-tem presided. Commissioner Casey Tighe and Debbie Quinn, Deputy Clerk to the Board, were present. Commissioner Libby Szabo was excused.

Commissioner Donald Rosier, Chairman Pro-tem called the meeting to order.

STAFF PRESENT:

Ralph Schell, County Manager
Ellen Wakeman, County Attorney

APPROVAL OF MINUTES

Following a general discussion, the Board upon motion of Commissioner Tighe, duly seconded by Commissioner Rosier and by majority vote with Commissioner Szabo excused, approved the Minutes of July 12, 2016.

CONSENT AGENDA

The Board approved the following Resolutions:

1. **Resolution CC16-282** Expenditure Approval Listings Dated July 14, 2016 - Accounting
2. **Resolution CC16-283** Expenditure Approval Listings Dated July 21, 2016 - Accounting
3. **Resolution CC16-284** Bi-Weekly Payroll Register - Accounting
4. **Resolution CC16-285** Abatement/Refund of Property Taxes - Board of Equalization
5. **Resolution CC16-286** Appointments to the Jefferson County Corrections Board - Board of County Commissioners
6. **Resolution CC16-287** Reimbursement of Taxes on PIN 300211594, Tax Lien 201001736 - Treasurer
7. **Resolution CC16-288** Reimbursement of Taxes on PIN 300215250, Tax Lien 201301217, Tax Lien 201401021 - Treasurer

8. **Resolution CC16-289** Grant Application and Acceptance - Department of Justice, Office of Justice Programs for the Paul Coverdell Forensic Science Improvement Grants Program - Sheriff
9. **Resolution CC16-290** Grant Application and Acceptance - Colorado Department of Local Affairs for 2016 Limited Gaming Grant Funds - Sheriff
10. **Resolution CC16-291** Payroll and Payment Certifications for the Month of May 2016 - Human Services
11. **Resolution CC16-292** Meadows Golf Course - Skyland Meadows Developments Ltd. Easement OS07-41 - Open Space
12. **Resolution CC16-293** Purchase Order - Concrete Express, Inc. for Concrete Services for Matthews/Winters Park (NTE \$111,432.00) - Open Space
13. **Resolution CC16-294** Contract - Murphy Company Mechanical Contractors and Engineers for the Design-Build Replacement of Air Handler Units for the Courts and Administration Building, Phase II Resolution (\$2,374,825.00) - Facilities
14. **Resolution CC16-295** Contract - Martin Marietta Materials, Inc. for 2016 Major Asphalt Removal and Replacement Services (NTE \$552,900.09) - Facilities
15. **Resolution CC16-296** Personal Property Tax Incentive - Zimmer Biomet Spine, Inc. - Finance and IT
16. **Resolution CC16-297** 2016 Grant Recommendations for Scientific and Cultural Facility District Funding for 2017 Programs - Board of County Commissioners

REGULAR AGENDA- No agenda items

PUBLIC HEARING CONSENT AGENDA- No agenda items

PUBLIC HEARING REGULAR AGENDA - No agenda items

REPORTS

The Commissioners' reported that they attended various meetings recently including the CCI Legislative Briefing, Budget meetings, the Pilatus Ground Breaking Ceremony and the memorial for Senator Bill Armstrong.

ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned.

Attest:

Board of County Commissioners of
the County of Jefferson, Colorado

Debbie Quinn, Deputy Clerk

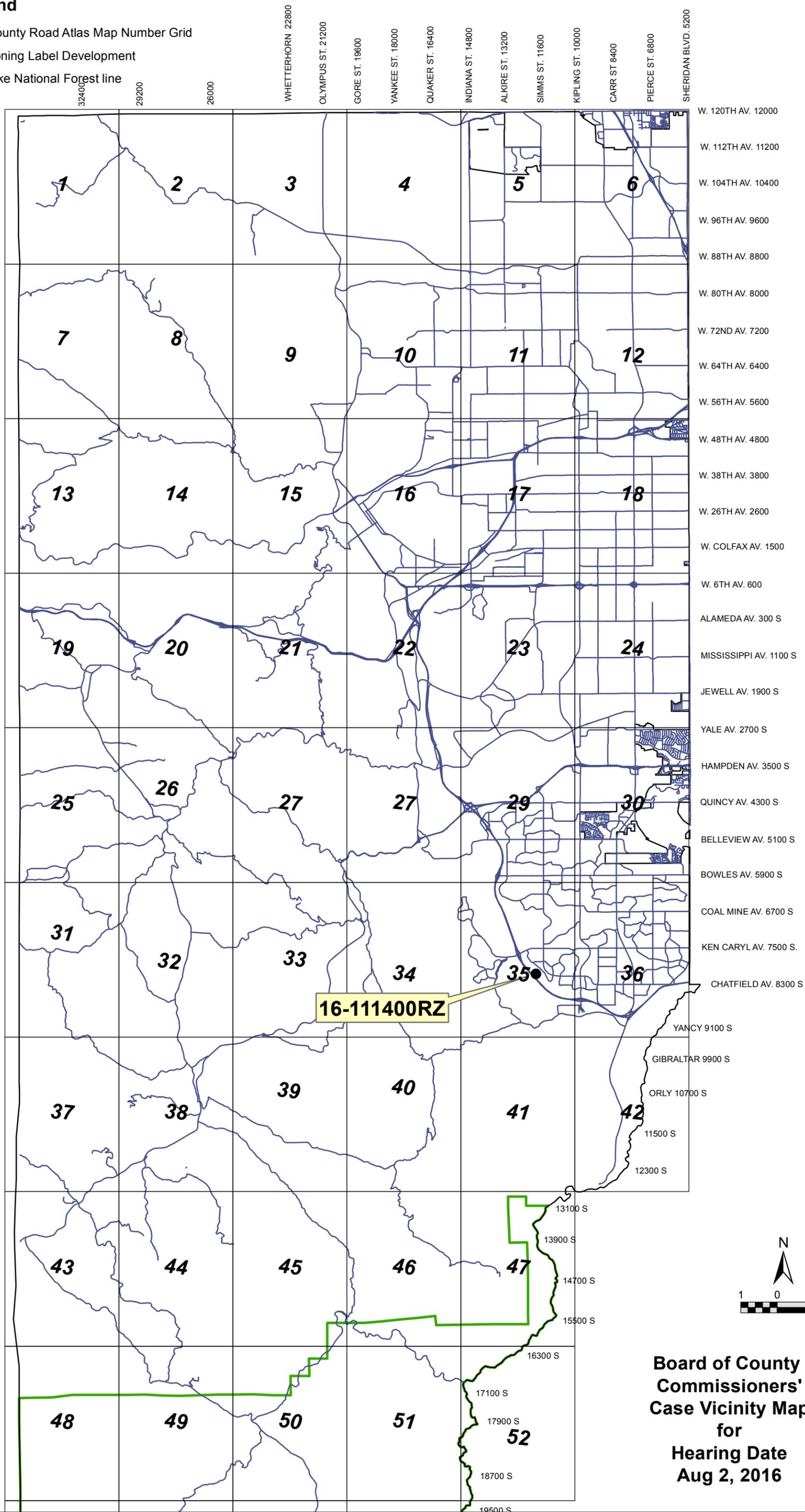
Donald Rosier, Chairman Pro-tem

Legend

— County Road Atlas Map Number Grid

● Zoning Label Development

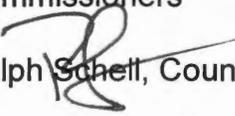
□ Pike National Forest line



**Board of County
Commissioners'
Case Vicinity Map
for
Hearing Date
Aug 2, 2016**

MEMORANDUM

TO: Honorable Chairman and Members of the Board of County Commissioners

FROM:  Ralph Schell, County Manager

DIST: Tim Kauffmann, County Treasurer

RE: EXPENDITURE APPROVAL LISTINGS

DATE: August 2, 2016

Staff Recommendation:

Approve the Expenditure Approval Listings dated July 28, 2016
Resolution No.

CC 16 - 299

Background:

The Board of County Commissioners has reviewed all claims presented for Audit and allowance to the Board as represented on said Expenditure Approval Listings and the Board of County Commissioners find that all said claims as represented on said Expenditure Approval Listings shall be allowed, and, hereby, directs the County Treasurer to pay same.

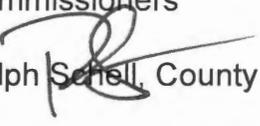
Further, the staff has reviewed all claims and certify that all claims are valid
And are in order to be paid.

Prepared by: Kay Aberle, Accounting Supervisor, X8532, Jefferson County Accounting Division

Reviewed by: Deborah Freischlag, Director of Accounting, X8529, Jefferson County Accounting Division

MEMORANDUM

TO: Honorable Chairman and Members of the Board of County Commissioners

FROM:  Ralph Schell, County Manager

DIST: Tim Kauffmann, County Treasurer

RE: Ratification of Expenditure Approval Listing dated July 21, 2016

DATE: August 2, 2016

Staff Recommendation:

BCC hereby ratifies the Expenditure Approval Listings dated July 21, 2016 that were prepared by the Accounting Division and reviewed and approved by the County Manager or his designee, and ratifies payment of the same by the County Treasurer.

Resolution No. **CC16-300**

Background:

The Board of County Commissioners has reviewed all claims presented for Audit and allowance to the Board as represented on said Expenditure Approval Listings and the Board of County Commissioners find that all said claims as represented on said Expenditure Approval Listings shall be allowed, and, hereby, directs the County Treasurer to pay same.

Further, the staff has reviewed all claims and certify that all claims are valid and are in order to be paid.

Prepared by: Sheri Haxton, Administrative Coordinator, x8559, Jefferson County Accounting Division

Reviewed by: Deborah Freischlag, Director of Accounting, x8542, Jefferson County Accounting Division.

MEMORANDUM

TO: Honorable Chairman and Members of the Board of County Commissioners

FROM:  Ralph Schell, County Manager

DIST: Ralph Schell, Tim Kauffman, Accounting

RE: BI-WEEKLY PAYROLL REGISTER

DATE: August 2, 2016

Staff Recommendation:

Approve the issuance of county warrants as listed on this Bi-Weekly Payroll Register for period ending July 23, 2016.

Resolution No.

CC 16 - 3 0 1

Background:

Payroll warrants and ACH Direct Deposit Notifications have been prepared in accordance with current Personnel Action forms and time sheets received in the Financial Control Division by the required deadlines and all applicable taxes and deductions have been withheld therefrom. A summary register of these claims has been circulated and thereby presented for audit and allowance by the Board of County Commissioners. The Board of County Commissioners hereby directs the County Treasurer to pay same.

Prepared By: Jefferson County Accounting Division

M E M O R A N D U M

TO: Honorable Chairman and Members of the Board of County Commissioners

FROM: Ralph Schell, County Manager

RE: Raise the Bar: Protect Our Constitution

DATE: August 2, 2016

CC 16 - 3 0 2

Staff Recommendation: That the Board of County Commissioners adopt a resolution in support of Raise the Bar, Protect Our Constitution.

WHEREAS, the Jefferson County Board of Commissioners, have a unique role in governance with both legislative and executive duties; and

WHEREAS, the Commissioners are the elected officials closest to the constituents in Jefferson County; and

WHEREAS, the Commissioners are looked to for leadership on matters of government policy; and

WHEREAS, Colorado law requires the same citizen initiative process to amend our Constitution as our state statutes creating a framework for one of the most easily amended Constitutions in the country; and

WHEREAS, under the current initiative process, there is no incentive to seek a statutory change as opposed to a constitutional amendment since the standard to change both is the same; and

WHEREAS, since 2005, special interests have presented Colorado voters with over two dozen constitutional amendments, measures that have triggered expensive, and frequently unproductive and harmful political fights; and

WHEREAS, the Board believes that the ease of amending Colorado's constitution leaves the state vulnerable to out of state special interest groups; and

WHEREAS, the Board believes that amendments to the Constitution should be broadly and not narrowly supported; and

WHEREAS, the Board believes that broad support would be shown by including all Coloradans in the signature gathering process with signatures obtained from all 35 state senate districts before a measure qualifies for the ballot; and

WHEREAS, the Board believes that once on the ballot, broad support would be shown by achieving 55% of the vote to pass instead of the current requirement of a simple majority; and

WHEREAS, the Board believes that the Raise the Bar, Protect Our Constitution initiative preserves voters' rights to propose changes and place an initiative on the ballot; now

THEREFORE, BE IT RESOLVED THAT the Board of Commissioners of Jefferson County, support Raise the Bar, Protect our Constitution's measure that makes it harder to amend the Colorado Constitution.

Resolution No. CC 16 - 302

Background: Our state constitution should serve as our foundation similar to the U.S. Constitution. Yet our state requires the same initiative process to amend our Constitution as our state laws. This framework has made Colorado's ballot and Constitution, among the most easily changed in the country. The result has led to an obscene number of amendments that, at times, conflict with one another.

- The Colorado Constitution has over 150 amendments; in comparison, the United States Constitution has only 27 amendments
- Out of all 50 states, only California and Oregon have seen more proposed citizen initiatives than Colorado.
- Since 2005 Colorado voters have been presented with over two dozen constitutional amendments, and just two initiated statutes.

Additionally, the current framework has made the Colorado Constitution a special interest playground of sorts; a direct result of the low bar to amending the Constitution

BCC Briefing Presented on: July 19, 2016

Fiscal Impact: n/a

Original returned to: Deborah Churchill, BCC Office

Distribution: n/a

MEMORANDUM

AGENDA ITEM 5

TO: Honorable Chairman and Members of the Board of County Commissioners
FROM: Ralph Schell, County Manager
RE: Colorado State Historical Fund – Grant Project #2011-01-020, Amendment to Grant Contract (#2011-01-020 C) and Third Amendment to Pleasant View Metropolitan District Intergovernmental Agreement
DATE: August 2, 2016

Staff Recommendation:

That the Board of County Commissioners approve Contract Amendment #2011-01-020 C with the Colorado Historical Society and the Pleasant View Metropolitan District (District) and the Third Amendment to Intergovernmental Agreement with the District.

Authorization for: 1) the Chairman of the Board to execute Contract Amendment #2011-01-020 C and the Third Amendment to Intergovernmental Agreement.

Resolution No.

CC16-303

Background:

In 2011, the County and the District entered into a Grant Contract with the State of Colorado for interior renovation of the Recreation Hall/Building 48, located in Pleasant View Community Park at Camp George West. The Grant Contract awarded \$146,245 for the project. The County leases Pleasant View Community Park to the District, which is performing the interior renovation project. In 2011, the County also entered into an Intergovernmental Agreement with the District that specifies certain obligations of the District under the Grant Contract.

The Grant Contract had been amended twice to extend the Contract term to afford the District the opportunity to complete the project. The proposed third Amendment to the Grant Contract changes the funding amounts for certain items in the project budget without changing the total project cost. The revised cost for certain line items is due to updated pricing and application of the contingency to some of the line items. The Third Amendment to the Intergovernmental Agreement will also incorporate the new terms of the third Amendment to the Grant Contract.

<u>Project Line Item</u>	<u>Original Project Budget</u>	<u>Revised Project Budget</u>
Professional Services	\$22,300	*\$22,300
Ceiling & Walls	\$10,821	\$17,259
Floors	\$9,580	\$16,129
Fireplace	\$8,600	\$5,000
Room Partitionings	\$36,093	\$24,745
Building Systems	\$84,120	\$107,812
Interpretive Signs	\$3,000	*\$3,000
Contingency	\$21,731	\$0
Total	\$196,245	\$196,245

*No change in revised budget

BCC Briefing Presented: July 12, 2016
Prepared by: Steve Snyder, Assistant County Attorney
Distribution:
Original returned to: Teri Schmaedecke, Clerk to Board
Copies to: Rosanna Janzer, Don Klima and Steve Snyder

BCC HEARING ROUTING FORM (non-purchasing items)

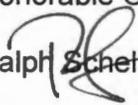
Contacts: Originating Division and Contact: Jeffco Open Space Phone: 303-271-5951
 County Attorney Contact: Steve Snyder Phone: 303-271-8926

Item Title: Colorado State Historical Fund – Grant Project #2011-01-020,
 Third Amendments to Grant Contract and Pleasant View
 Metropolitan District Intergovernmental Agreement

ROUTING					
O R D E R	Division	Authorized Signatures Name/Initials	Date Rec'd	Date Fw'd	Comments
(1)	Originator	SS	7/22/16	7/22/16	
()	Budget	NAT	7/25/16	7/25/16	
(2)	Division/Department Director	TM	7/22/16	7/22/16	
(3)	County Attorney	SLS	7/22/16	7/22/16	
()	Elected Official				
(4)	BCC Agenda Coordinator				

MEMORANDUM

AGENDA ITEM 6

TO: Honorable Chairman and Members of the Board of County Commissioners
FROM:  Ralph Schell, County Manager
DIST: Clerk to the Board, Larry Benshoof, Gay Ummel, Deborah Freischlag
RE: Third Amendment to the Contract for Special Projects Concrete Removal and Replacement Road and Bridge

Staff Recommendation: Approve the amendment to the contract between Jefferson County and **Concrete Express, Inc.** in an amount not to exceed \$500,000.00 for additional concrete work to be added during the current term for work associated with the County's asphalt overlay program, for a revised total contract amount of \$1,038,282.70. The County's Representative is Larry Benshoof, or other person as may be designated by the Department Director or County Manager.

Contract Term: The Contract Term remains the same; January 1, 2016 through December 31, 2016.

Resolution No. **CC16-304**

Background: The Road and Bridge Division requires supplemental assistance to remove and replace damaged concrete at various locations throughout Jefferson County. The work is crucial to the success of the asphalt overlay maintenance program, which requires concrete repairs prior to the commencement of asphalt overlay work.

The previous contract for concrete services associated with the asphalt overlay program was terminated due to nonperformance of the contractor, necessitating adding that work to two existing contracts so that prescheduled program work can be accomplished this year.

Fiscal Information: Funding for this contract is available from the 2016 Operations budget. This is within the scope and budget for these services.

BCC Briefing Presented By Jeanie Rossillon on January 19, 2016.

Originator: Agenda memo prepared by Dawn Krank, Purchasing, Ext. 8590

Original returned to: Dawn Krank, Purchasing

Copies w/o contract to: Jeanie Rossillon, Development & Transportation Director
 Michael Dobbs, Road and Bridge
 Sam Bican, Risk Management

Approvals	Gay Ummel, County Atty Jeanie Rossillon, Dept Dir Larry Benshoof, Div Dir	Approved: 7/26/2016 9:37 AM Approved: 7/26/2016 9:19 AM Approved: 7/26/2016 10:26 AM
Agenda Coordinator Review		<input checked="" type="checkbox"/> Check <i>AMO</i>
Final Signatory	Board of County Commissioners	
Vendor	Concrete Express, Inc.	
End User	Road & Bridge	
Type (Contract, PO, etc)	Contract Amendment	
Dollar Value	\$500,000.00	
Term	No change	
Description	3 rd Amendment Contract for Special Projects - Concrete Removal and Replacement	
Purchasing Agent	Dawn Krank	

MEMORANDUM

AGENDA ITEM 4

TO: Honorable Chairman and Members of the Board of County Commissioners
FROM: Ralph Schell, County Manager
DIST: Clerk to the Board, Larry Benshoof, Gay Ummel, Deborah Freischlag
RE: First Amendment to the Contract for Concrete Removal and Replacement Road and Bridge

Staff Recommendation: Approve the amendment to the contract between Jefferson County and **Silva Construction, Inc.** in an amount not to exceed \$500,000.00 for additional concrete work to be added during the current term for work associated with the County's asphalt overlay program, for a revised total contract amount of \$1,500,000.00. The County's Representative is Larry Benshoof, or other person as may be designated by the Department Director or County Manager.

Contract Term: The Contract Term remains the same; all work will be completed on or before November 15, 2016.

Resolution No. **CC16-305**

Background: The Road and Bridge Division requires supplemental assistance to remove and replace damaged concrete at various locations throughout Jefferson County. The work is crucial to the success of the asphalt overlay maintenance program, which requires concrete repairs prior to the commencement of asphalt overlay work.

The previous contract for concrete services associated with the asphalt overlay program was terminated due to nonperformance of the contractor, necessitating adding that work to two existing contracts so that prescheduled program work can be accomplished this year.

Fiscal Information: Funding for this contract is available from the 2016 Operations budget. This is within the scope and budget for these services.

BCC Briefing Presented By Jeanie Rossillon on January 19, 2016.

Originator: Agenda memo prepared by Dawn Krank, Purchasing, Ext. 8590

Original returned to: Dawn Krank, Purchasing

Copies w/o contract to: Jeanie Rossillon, Development & Transportation Director
 Michael Dobbs, Road and Bridge
 Sam Bican, Risk Management

Approvals	Gay Ummel, County Atty Jeanie Rossillon, Dept Dir Larry Benshoof, Div Dir	Approved: 7/22/2016 1:39 PM Approved: 7/22/2016 10:45 AM Approved: 7/22/2016 11:54 AM
Agenda Coordinator Review		<input checked="" type="checkbox"/> Check <i>amy</i>
Final Signatory	Board of County Commissioners	
Vendor	Silva Construction, Inc.	
End User	Road & Bridge	
Type (Contract, PO, etc)	Contract Amendment	
Dollar Value	\$500,000.00	
Term	No change	
Description	1st Amendment Contract for Concrete Removal and Replacement	
Purchasing Agent	Dawn Krank	

MEMORANDUM

TO: Honorable Chairman and Members of the Board of County Commissioners

FROM: Ralph Schett, County Manager

RE: **Agreement Regarding Funding of Final Design, Right-of-Way Acquisition and Construction of Drainage and Flood Control Improvements for Van Bibber Creek at McIntyre Street**

DATE: August 02, 2016

Staff Recommendation: Resolved, that the Board of County Commissioners hereby approves the Agreement Regarding Funding of Final Design, Right-of-Way Acquisition and Construction of Drainage and Flood Control Improvements for Van Bibber Creek at McIntyre Street between the County and the Urban Drainage and Flood Control District.

Resolution No. **CC16-306**

Background: The Board of County Commissioners is asked to consider an agreement with the Urban Drainage and Flood Control District (UDFCD) for the design, right-of-way acquisition and construction of drainage and flood control improvements for Van Bibber Creek at McIntyre Street. The Van Bibber Creek crossing of McIntyre Street is a 60 inch corrugated metal pipe (CMP) which is significantly undersized for a major drainageway of its size. The existing 60 inch CMP has a capacity of approximately 150 cubic feet per second (cfs) while the estimated 10 year and 100 year storm peak flows are 1750 cfs and 3480 cfs respectively. Flows from Van Bibber Creek frequently overtop McIntyre Street. This was vividly demonstrated during the floods in September 2013. During these floods the depth of overtopping made vehicular travel hazardous for an extended period of time.

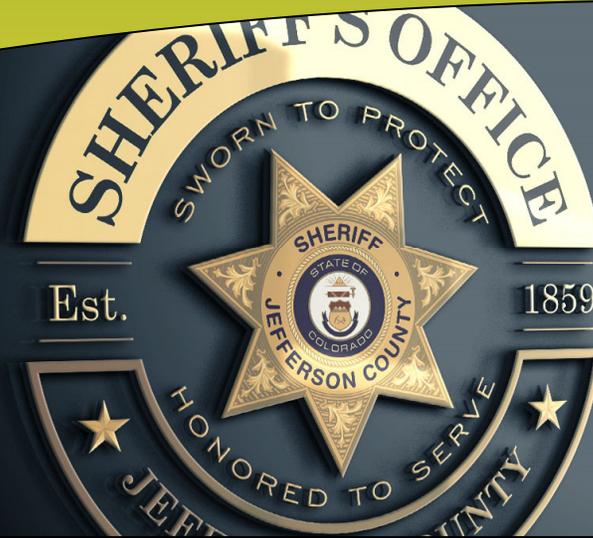
BCC Briefing Presented on: January 19, 2016 at D&T Semi-Annual Briefing

Fiscal Impact: Project Funds are available in the 2016 CIP. Cooperative projects with UDFCD are shared on a 50/50 cost sharing basis. UDFCD will contribute \$175,000 and Jefferson County will contribute \$175,000 for final design.

Original returned to: Clerk to the Board

Distribution:

Andrea Amundson, Accounting
Kourtney Hartmann, County Attorney's Office
Jeanie Rossillon, Development and Transportation
Steve Durian, Transportation and Engineering
Mike Vanatta, Transportation and Engineering



- Strategic Plan 2
- Response Times 3
- Staffing, FBI Academy 4
- Prevention & Education 5
- Making Connections 6
- Sex Offenders 7
- Traffic Operations 8
- Personal Property Crimes 9
- Crime Statistics 10

SHARP(er)/ SMART(er) JeffCo Activity

The SHARPER(er)/SMART(er) JeffCo process employs real-time crime analysis combined with proven and innovative crime reduction techniques. This requires area commanders to immediately identify and address current crime conditions and prevent future ones from arising. Staff members from all three precincts meet monthly to discuss crime trends, quality-of-life issues, crime prevention techniques and solutions.

Newsworthy Patrol Activity for Second Quarter 2016

Deputy struck by trespass suspect

On April 23 deputies were dispatched to a report of cars being broken into. Deputies spotted the reported suspect vehicle, accompanied by a stolen vehicle. The two vehicles turned into a gated community off W. Remington Avenue and S. Kipling Parkway. Two deputies blocked the only exit with their patrol vehicles. One driver rear-ended one patrol car. The deputies exited their vehicles and attempted to detain the driver but were interrupted when the second vehicle struck one of the deputies, providing a distraction and getaway for the suspects. Shortly after hitting the deputy, the suspects rammed a Denver Police car. One of the suspects was apprehended and the other remains at large.

Mother arrested in death of 3-month-old

On May 20 the Jefferson County Sheriff's Office received a 911 call referencing a 3-month-old baby not breathing. The baby was at a residence with his mother on Lookout Mountain Circle in Golden. When deputies arrived they found the baby unresponsive and started CPR. Medical arrived a short time later and transported the baby to the hospital where he was pronounced deceased. An autopsy determined the baby died from injuries consistent with abuse. After interviewing both parents, the 21-year-old mother was arrested on June 3 on suspicion of first degree murder and child abuse resulting in death.

Homicide arrest

On June 21 a search warrant was served at the Denver residence of a 21-year-old murder suspect. He was arrested on suspicion of the first degree murder on June 17 of his acquaintance Zachary Greenstreet, in the 5200 block of Union Court. Deputies responded that day on a report of shots fired and found the victim deceased in the driveway.



2016 Sheriff's Office Goals

The Sheriff's Office recently finalized a multi-year strategic plan to enhance delivery of law enforcement services for Jefferson County by more efficiently managing resources and more effectively measuring performance. Division chiefs are responsible for ensuring short terms goals are met and future challenges are overcome. Our current mission, values, and vision are incorporated into the strategic plan that addresses accountability, communication, employee development, recruitment and retention, teamwork, innovation, and community engagement through the following goals.

- Initiate an annual leadership conference series to capture input from all supervisory staff
- Initiate organizational restructuring to streamline processes, enhance communications, empower employees, maintain integrity, and utilize talent
- Ensure continuity of operations during the establishment of a regional communications center
- Incorporate SMART and SHARP initiatives to better address community policing issues and operational processes
- Enhance communication and information sharing
- Implement a new employee performance management system
- Create a supervisor growth and development training program
- Attain funding for competitive salaries to encourage new and long-term employment
- Develop an effective recruitment process to achieve a more representative workforce
- Promote greater interdepartmental connections to enhance unity among employees
- Ensure oversight and accountability for new and existing technology
- Continue to facilitate an annual Safety in Faith Summit to strengthen relationships with faith communities
- Attain funding for a new Mountain Precinct

School Resource Officers

Each of the 10 School Resource Officers (SROs) work 208 days within Jefferson County Public Schools. In addition to being first responders these deputies are unique in that they develop relationships with students, faculty and staff. The SRO deputies ultimately serve to provide a safe and secure learning environment. At the close of the school year in June, the SROs were assigned to precincts, allowing the traffic unit to enhance summer traffic enforcement.

	April	May
Felony Reports	4	7
Misdemeanor Reports	26	33
Incident Reports	34	31
Supplemental Reports	12	19
Felony Arrests	2	2
Misdemeanor Arrests	2	2
School Area Traffic Summonses	13	3



New Public Information Officer

On June 30 the Sheriff's Office welcomed a new Public Information Officer. Jenny Fulton had served as the Director of Strategic Communications for the County of Peoria, Illinois (pop. 188,000) since 2005. She was responsible for public information duties for the county as well as the Peoria County Sheriff's Office.



In 2007, Jenny formed the Central Illinois Public Information Officers Committee and served as its chairperson until her recent departure for Jefferson County. Under her direction, the committee managed public information for three large scale disasters, including record flooding of the Illinois River in 2013 and an EF-4 tornado that struck Washington, IL, later that same year.

Earlier this year, Jenny earned the Civilian Employee of the Year Award from the Peoria County Sheriff's Office for her use of social media to help apprehend suspects and keep the public informed of emergencies, severe weather outbreaks, and other significant events.

Average Response Times to Priority One Calls

A priority one call is defined as "calls for service which are critical and in-progress, where immediate intervention is required to avert personal injury, or where prompt arrival is necessary to effect criminal apprehension."

The target response time to priority one calls are varied based on the precinct. For the mountainous areas of unincorporated Jefferson County a greater response time is anticipated, while responses in more densely populated areas are typically quicker. The table below represents the time a call is created by a call taker in dispatch to the time the deputy arrives on scene.

Second Quarter Priority One Response Times		April	May	June
Mountain Precinct	Calls Received	84	101	106
	Average Create to Arrive Response Time	0:11:57	0:9:45	0:11:42
	Target Response Time	0:10:00	0:10:00	0:10:00
North Precinct	Calls Received	103	121	150
	Average Create to Arrive Response Time	0:09:52	0:09:34	0:10:13
	Target Response Time	0:07:00	0:07:00	0:07:00
South Precinct	Calls Received	227	234	257
	Average Create to Arrive Response Time	0:07:08	0:09:01	0:07:40
	Target Response Time	0:05:00	0:05:00	0:05:00
Total Priority One Calls		414	456	513

In the second quarter of 2016, deputies responded to 1,364 priority one calls in unincorporated Jefferson County.



Authorized Sworn Personnel

Sheriff	1
Undersheriff	1
Division Chiefs	4
Captains	7
Lieutenants	17
Sergeants	57
Deputy Sheriffs - Specialty	71
Deputy Sheriffs	361
Deputy Sheriffs - Trainee	17
Specialty Assignments	5
TOTAL	541



Staffing JCSO

As of June 30, 2016, JCSO was considered 95% staffed with sworn personnel (514 out of 541 authorized). Nine sworn employees were on continuous FMLA or military leave and 34 are currently in field training or the academy. Staffing shortages have been supplemented with individuals who have retired and returned as part-time employees.

In 2015 the turnover rate for sworn, including retirements, was about eight percent. The projected turnover rate for the remainder of 2016, based on the past six months, will be about 14%. The ideal attrition rate is about six percent.

Path to Success

North Precinct Captain Del Kleinschmidt recently returned from the FBI National Academy, where he participated in a ten week leadership development course.

Captain Kleinschmidt joined 213 proven law enforcement leaders from 21 international countries, 47 states, eight federal civilian agencies, and four military organizations in the 264th session of the National Academy.

FBI Director James Comey presented Kleinschmidt his certificate and the pictured 'Yellow Brick Road' plaque during a graduation ceremony in Quantico, Virginia on June 10.



Captain Kleinschmidt proudly displays his plaque signifying he is among less than one percent of American law enforcement officers who have graduated from the FBI National Academy. JCSO has had the distinct privilege of sending eight current executives and command staff to the National Academy.

The advanced academic and physical training included the topics of leadership, terrorism, organizational development and media relations. Officer wellness and fitness also played an important part in the daily regimen.



Prevention & Education Efforts



Crime Prevention Unit

The Sheriff's Office currently has one full time and one part time certified crime prevention deputies who address citizen concerns and share vital information with the public through on-site visits, public presentations, tours, special events, Nextdoor.com notifications, and other opportunities.

Deputies Gonda and Herman received "Crime Prevention Through Environmental Design" training and certification in the second quarter of 2016. The week-long course is based on the principle that proper design and effective use of buildings and spaces in neighborhoods can reduce the incidence of crime and improve quality of life for citizens.

The Crime Prevention Unit is available to speak on a variety of public safety topics. They also offer home and business security surveys and attend homeowner, realty and business watch association meetings. Second quarter activities included

- Presenting to Mother's International on children's safety, CodeRed, Smart911 and Nextdoor
- Coordinating and hosting the annual Citizen's Academy
- Attending the Kendallvue Elementary Community BBQ, CSP Safety Fair, Rhubarb Festival, and the Evergreen Rodeo
- Participating in the Ken Caryl Valley Emergency Preparedness Exercise

Wildfire Exercise

On May 21 Jefferson County Emergency Management coordinated a wildfire exercise in the Ken Caryl Valley. Over 200 employees from JeffCo participated, including 25 law enforcement personnel in the field. In addition, 13 fire agencies participated with 25 apparatuses, including the JCSO brush truck. Residents were also encouraged to participate in the voluntary evacuation portion of the exercise. The exercise helps increase preparedness for:

- CodeRED emergency notifications
- Smart911
- Evacuation levels
- Evacuation plans
- Finding up-to-date emergency information on the blog and social media
- 72 hour emergency supply kit
- Plans for pets



Jefferson County: A safe place to live, learn, work & play

Dignitary Security

Several deputies provided escort security at the Rocky Mountain Regional Airport to the Dalai Lama for a speaking engagement in Boulder on June 24. K9 deputies also provided security before, during, and after the event.



Youth Academy

The 2016 Youth Academy graduated in June. Participants toured the jail, learned about our Explosive Detection Unit, met our K9s, visited Dispatch, learned how to conduct traffic stops, wore DUI goggles and even used training guns to conduct building searches.



Making the Most

Deputy DiLorenzo and K9 Graffit graciously accepted the invitation to support young entrepreneurs in Parfet Park.



To the Rescue

Deputy Vigil stopped to assist a motorist on Evergreen Parkway when part of her tire had come off. He positioned his vehicle to provide protection, removed the tire, and put on the spare. While tire repair is not a prerequisite of the job, nor is it taught in the academy, this action demonstrated our core values of integrity, excellence, and respect.



Special Olympics

Several members of the Sheriff's Office were proud to join law enforcement agencies around the state to support the Special Olympians of Colorado at the Law Enforcement Torch Run in May.



Second Quarter Runaway Cases

Cases Assigned	62
Cases Closed	57
Open Cases	5



In April, the Crimes Against Children Unit received 81 new cases to investigate. In May and June, 68 and 66 cases were received, respectively.

Operation '420 Week'

In response to a 35% increase in online escort postings during '420 Week' in 2015, the Crimes Against Children Unit conducted a human trafficking and prostitution sting during this year's event that attracted thousands of tourists to the Denver area on April 19. The sting operation achieved success with the support of the Special Investigations and Directed Operations Units as well as several partner agencies.

This year, six women were charged with prostitution and three pimps were identified. Investigators were assigned to follow-up operations, including two who recently returned from Florida on a related human trafficking investigation..

Sex Offender Registration

In the second quarter of 2016, three employees assigned to sex offender management maintained more than 470 sex offender records.

New registrations	90
Re-registrations	162
De-registrations	77



Second Quarter
Jefferson County
Summonses

2015	1,704
2016	2,685

Traffic Operations



The primary goal of JCSO traffic enforcement is to reduce injury and death related to accidents and unsafe driving in the county.

Summonses Issued by Traffic Unit

The four members of the Traffic Unit wrote 922 summonses in the second quarter of 2016. On average, they each wrote nine summonses per day in April, seven summonses per day in May, and 10 summonses in June. In April and May, about 27% of summonses were issued in areas where complaints were received, such as McIntyre construction, Easley Road, and Quaker Street.

Fewer complaints were received in June and School Resource Officers were reallocated into the precincts to handle priority calls allowing the Traffic Unit to dedicate resources to identified crash areas such as C-470, S. Wadsworth Boulevard, Highway 285, and Highway 74.

Summonses issued in:	April	May	June
Crash Areas	158	172	343
Complaint Areas	71	67	41
School Areas	16	29	0
Other Areas	4	29	33

Crash Incidents

- On May 10 a vehicle lost control on Foxton Road and left the roadway. Three people were killed and one was injured. Excessive speed was the contributing factor.
- On June 4 a driver turned in front of an oncoming motorcycle headed southbound on Highway 285. The motorcycle collided with the vehicle and the driver was killed.

Crash type	April	May	June
Fatal	0	1	1
Injury	23	22	34
Property	196	232	242
Totals	219	255	277

On average, the Traffic Unit educated and released five percent of all traffic stops that occurred in the second quarter of 2016.



Personal Property Crimes



Motor Vehicle Trespasses

Second Quarter	2012	2013	2014	2015	2016
Motor Vehicle Trespasses	177	178	141	119	171

In 2016, JeffCo has experienced a marked increase in motor vehicle trespasses at mountain parks and park & ride lots. Also contributing to the increase in MV trespasses over second quarter 2015 are the following incidents:

- On May 13 eight company owned vehicles were trespassed in the 5600 block of Ward Road.
- On a Friday night in June, nine trespasses occurred in Lochwood with an additional nine in the Columbine West neighborhoods. All but two of the cars trespassed were unlocked or showed no signs of forced entry.

Burglaries

Second Quarter	2012	2013	2014	2015	2016
Burglaries	142	137	116	184	146



Second quarter burglaries dropped significantly compared to 2015. Below are a few unusual cases:

- On April 19 deputies responded to a home in the 8700 block of S. Jellison Court that had been burglarized while the homeowners were on vacation. The suspects damaged the home by tampering with the water pipes. In addition to \$50,000 in personal property damage, the interior of the home sustained an estimated \$175,000 in water damage. The investigation is ongoing.
- On April 25 the Sheriff's Office executed a search warrant on a storage unit in Castle Rock rented by the suspects of multiple mailbox burglaries. The search revealed large amounts of mail from the Lookout Mountain and Genesee area, as well as Douglas County. Both suspects were arrested.
- On June 20 an alarm was tripped at a gun broker located in the 8900 block of W. Bowles Avenue. The suspect smashed three counter displays and took more than 30 handguns. The investigation is ongoing.

Motor Vehicle Thefts

Second Quarter	2012	2013	2014	2015	2016
Motor Vehicle Thefts	28	45	34	54	66



Motor vehicle thefts often trace back to homeless substance abusers who use the stolen vehicle for a short time, then dump it. An increase in auto thefts has prompted the Directed Operations Unit to utilize tracking devices when a stolen auto is located, in hopes of apprehending the suspect while driving the vehicle. Interesting MVTs this quarter include:

- On April 4 two stolen vehicles were found at the Bear Valley Condos. One month prior, another stolen vehicle was found in the same location. One stolen vehicle had fictitious plates that listed to a person with warrants. This person was found on scene and arrested.
- A Subaru was left unlocked with the keys under the floor mat per AAA's instructions after the vehicle broke down in Clear Creek Canyon. When AAA and the victim returned they discovered the vehicle had been moved several miles down the road and vandalized.



Crime Statistics



The JCSO crime analyst compiles reported Part 1 and Part 2 crimes each quarter.

Crime Categories		2Q12	2Q13	2Q14	2Q15	2Q16
PART 1	Arson	15	3	10	5	9
	Assault	196	192	170	209	211
	Burglary	142	137	116	184	146
	Homicide/Attempt Homicide	0	0	1	1	1
	Kidnap	3	7	6	6	3
	Motor Vehicle Theft	28	45	34	54	66
	Robbery	1	3	3	5	5
	Theft	407	386	361	363	332
	Unlawful Sexual Behavior	50	49	56	62	47
Total	842	822	757	889	820	
PART 2	Drugs	184	121	91	96	86
	Family	113	117	105	104	130
	Forgery	13	11	9	10	13
	Fraud	170	180	145	187	150
	Government	33	40	44	55	63
	Mischief	180	143	140	157	227
	Morals	10	2	16	5	20
	Peace	244	268	224	169	157
	Property	165	151	132	144	154
	Trespass-Dwelling	21	25	26	22	20
	Trespass-Vehicle	177	178	141	119	171
	Weapons	9	16	8	16	21
	Total	1,319	1,252	1,081	1,084	1,212
Grand Totals	2,161	2,074	1,838	1,973	2,032	



CASE SUMMARY

Regular Agenda

PC Hearing Date: July 13, 2016

BCC Hearing Date: August 2, 2016

16-111400RZ Rezoning – Open Space Eligibility Phase

Case Name: Deer Creek Golf Course Rezoning

Owner/Applicant: In Play Membership Golf, Inc.

Location: 7951, 8135 & 8137 Shaffer Parkway and a portion of Deer Creek Golf Course Sections 32 and 33, Township 5 South, Range 69 West

Approximate Area: 90.44 Acres

Purpose: **To determine eligibility to rezone open space within a Planned Development (PD) Zone District.**

Case Manager: Mike Madrid

Issues:

- Rezoning open space designated in a Planned Development Zone District.

Recommendations:

- **Staff:** Recommends finding that the property is ELIGIBLE for rezoning with conditions
- **Planning Commission:** Recommends finding that the property is ELIGIBLE for rezoning with conditions

Interested Parties:

- Many of the adjacent business owners within the industrially zoned areas have concerns with rezoning these parcels. Concerns include how future development will affect their currently operating businesses.
- Approximately 150 citizens in attendance at both Community Meetings

Level of Community Interest: Low

Representative for Applicant: Dennis Carruth, Carruth Properties Company

General Location: Deer Creek Golf Course, Shaffer Pkwy & W Chatfield Ave

Case Manager Information: Phone: 303-271-8767 e-mail: mmadrid@jeffco.us

It was moved by Commissioner **BURKE** that the following Resolution be adopted:

BEFORE THE PLANNING COMMISSION
COUNTY OF JEFFERSON
STATE OF COLORADO

July 13, 2016

RESOLUTION

<u>16-111400RZ</u>	Rezoning – Open Space Eligibility Phase
Case Name:	Deer Creek Golf Course Rezoning
Owner/Applicant:	In Play Membership Golf, Inc.
Location:	8135 Shaffer Parkway Section 33, Township 5 South, Range 69 West
Approximate Area:	90.44 acres
Purpose:	To determine eligibility to rezone Open Space within a Planned Development (PD) Zone District.
Case Manager:	Mike Madrid

The Jefferson County Planning Commission hereby recommends **APPROVAL WITH CONDITIONS** of the above application on the basis of the following facts:

1. That the factors upon which this decision is based include evidence and testimony and staff findings presented in this case.
2. The Planning Commission finds that:
 - A. The criteria for rezoning open space set forth is Section 1.M.5.a of the Jefferson County Zoning Resolution has not been met as set forth in this staff report. However, as proved in Section 1.M.5.b, the subject property may be rezoned if the request includes additional land in the same vicinity which replaces the lost open space with land that is superior in open space quality.
 - B. Rezoning the remainder of the Deer Creek Golf Course to remove the non-open space uses would satisfy the requirement of Section 1.M.5.b to replace the lost open space with land that is superior in open space quality.

3. The Planning Commission hereby recommends to the Board of County Commissioners that the Applicant may proceed with the rezoning of the subject property subject to the following condition:
 - A. The Revised Official Development Plan that is proposed in the second phase of this case shall include a rezoning of the remainder of the Deer Creek Golf Course property that falls within the Ken Caryl Ranch Official Development Plan to remove the non-open space uses.

Commissioner **HARRIS** seconded the adoption of the foregoing Resolution, and upon a vote of the Planning Commission as follows:

Commissioner	Rogers	Aye
Commissioner	Moore	Aye
Commissioner	Harris	Aye
Commissioner	Hammond	Aye
Commissioner	Hatton	Aye
Commissioner	Burke	Aye
Commissioner	Schiche	Aye

The Resolution was adopted by **unanimous** vote of the Planning Commission of the County of Jefferson, State of Colorado.

I, Bonnie Benedik, Administrative Assistant for the Jefferson County Planning Commission, do hereby certify that the foregoing is a true copy of a Resolution duly adopted by the Jefferson County Planning Commission at a regular hearing held in Jefferson County, Colorado, July 13, 2015.



Bonnie Benedik
Administrative Assistant

**Staff Report
Regular Agenda**

PC Hearing Date: July 13, 2016

BCC Hearing Date: August 2, 2016

16-111400RZ Rezoning – Open Space Eligibility Phase

Case Name: Deer Creek Golf Course Rezoning

Owner/Applicant: In Play Membership Golf, Inc.

Location: 7951, 8135 & 8137 Shaffer Parkway and a portion of Deer Creek Golf Course Sections 32 and 33, Township 5 South, Range 69 West

Approximate Area: 90.44 Acres

Purpose: **To determine eligibility to rezone open space within a Planned Development (PD) Zone District.**

Case Manager: Mike Madrid

Representative: Dennis Carruth, Carruth Properties Company

Existing Use: Golf Course

BACKGROUND/UNIQUE INFORMATION:

The applicant seeks to rezone approximately 25 acres in and around the Deer Creek Golf Course to allow development. The properties in question have multiple zonings. A portion of the property (approximately 8 acres) is zoned as open space within a Planned Development. This designation of open space in the Planned Development is only for this specific development area and is not an area that is owned or maintained by Jefferson County through the Jefferson County Open Space program. The Zoning Resolution has very specific criteria for rezoning areas designated for open space within a Planned Development zone district. In order for the property to be eligible to be rezoned, the Board of County Commissioners must determine that either the open space designation is not warranted, or the applicant must include additional land in the rezoning to replace the lost open space. In this case, the applicant has chosen to include in the rezoning additional property currently being used as the Deer Creek Golf Course, with the intent to limit future uses to open space and golf course only. Additionally, the applicant has stated that they will place a conservation easement over the entire golf course, which would further limit the ability for future development.

The portion of the property that is 'open space' is currently zoned under the Ken Caryl Ranch Official Development Plan (ODP). More specifically, the approximately 8 acres in question is within the use area designated as Ken Caryl Recreation and Open Space (C-O K/C). The C-O K/C use area within this Planned Development allows for the following uses:

1. *Agricultural uses limited to the grazing and keeping of livestock, growing of hay, grains, grasses, trees, shrubs, and truck gardens, and accessory uses thereof such as barns, sheds, corrals, etc.*
2. *Public parks, playgrounds and other public or private recreational uses.*
3. *Building and structures customarily accessory to the permitted uses.*
4. *Deposit and/or excavation of sand, gravel, rock, earth, minerals and other similar materials under*

the limitations of and in the manner prescribed in Paragraph 5 of Section 25 of the Jefferson County Zoning Resolution.

5. *Governmental buildings or uses such as police stations, fire stations, post offices; and electric substations, gas regulator stations, telephone exchanges, water reservoirs and utility pumping stations, water wells and cable television antennas and other private and public utility uses.*
6. *Cemetery.*
7. *Recreation uses of all types, including but not limited to golf courses, tennis courts, swimming pools, ball fields, camping, hiking, horseback riding, equestrian facilities and bicycle trails, trap-shooting, rifle, pistol and archery ranges, and picnic areas.*

The Jefferson County Zoning Resolution has specific criteria for rezoning open space within the Planned Development Zone District. The Zoning Resolution requires that the Board of County Commissioners determine that the open space designation is not warranted based on the following criteria:

1. The property has none of the following features:
 - a. Significant or desirable wildlife habitat or migration routes.
 - b. Rare or unusual vegetation or ecosystems.
 - c. Remarkable geologic features such as rock outcrops or formations.
 - d. Historic resources.
 - e. Significant views or view corridors.
 - f. Riparian and/or wetland areas.
 - g. Bodies of water, except those constructed for utilitarian purposes which are no longer needed for that purpose and which were not intended also to provide wildlife habitat.
 - h. Trail corridors, such as existing trails, trail easements, or trail connections shown on an ODP.
2. The open space area was not set aside as an integral part of the overall development, rather than designated as "open space" because future development was unknown or unplanned at the time of zoning to Planned Development.
3. The property is not being used for active or passive recreation by the surrounding community.
4. The open space was not designated as the result of a density transfer or other adjustment to allow a higher density elsewhere.
5. The open space was not part of a Rural Cluster development.

Additionally, property not eligible for Rezoning under the open space rezoning criteria may only be rezoned where all of the following exist:

1. The Rezoning request includes additional land in the same vicinity which land would replace the lost open space value set forth above with land that is superior in open space quality.
2. The applicant has given notice of the Rezoning request by first class mail, return receipt requested, to property owners, registered associations, the Colorado State Division of Wildlife, local park and recreation district, and other referral agencies, as determined by Planning and Zoning. This provision does not supersede notice requirements set forth elsewhere in this Zoning Resolution.

The review of the open space rezoning eligibility criteria does not involve a review of the proposed use; only the open space review criteria. This Staff Report analyzes each of the criteria listed in Section 1.M.5 of the Zoning Resolution.

If the Board of County Commissioners determines the property is eligible to be rezoned to another use, the applicant will then submit a rezoning application for the specific use requested. Approval of the eligibility of the property to be rezoned does not require the Board to approve a rezoning request for a specific use. Rezoning for the specific use will proceed as a typical rezoning application and will be decided upon after being heard by the Planning Commission and Board of County Commissioners at separate future public hearings.

SURROUNDING ZONING/LAND USE:

	Adjacent Zoning	Land Use
North:	P-D	Ken Caryl Industrial Zoning
South:	P-D	Open Space / C-470 / Single Family Residential
East:	P-D	Ken Caryl Industrial Zoning
West:	P-D	Open Space / C-470

NOTIFICATION:

A community meeting was held for this rezoning application on April 6, 2016 at the Deer Creek Golf Clubhouse. 121 citizens signed in on the sign-in sheet. Before the meeting could begin, the number of people in attendance exceeded the maximum capacity for the clubhouse, which caused the community meeting to be rescheduled to May 12, 2016 at the Terrace Gardens at Ken Caryl. 90 people signed in on the sign-in sheet for the rescheduled meeting.

As a requirement of the Jefferson County Zoning Resolution, the following notice was provided for this proposal:

1. Notification of this request was mailed to property owners within a 500 foot radius of the site and to Homeowners' Associations and Umbrella Groups located within a one-mile radius of the site. Because no Formal Application for Rezoning has been submitted to Planning and Zoning during this phase, an initial notification for the Rezoning has not been sent. Notification was mailed 14 days prior to the Planning Commission Hearing identifying the scheduled hearings dates for both the Planning Commission Hearing and the Board of County Commissioners Hearing.
2. Sign(s), identifying the dates of both the Planning Commission Hearing and the Board of County Commissioners Hearing, were provided to the applicant for posting on the site. The sign(s) were provided to the applicant with instructions that the site be posted 14 days prior to the Planning Commission Hearing.
3. Notification of the hearings before the Planning Commission and the Board of County Commissioners was published in the Denver Post – Ken Caryl Hub.

The Homeowners' Associations and Umbrella Groups that received notification are as follows:

- Chatfield Bluffs South HOA
- COHOPE
- Deer Creek I HOA
- Dutch Ridge HOA
- Jefferson County Horsemen's Association
- Ken Caryl Ranch Master Association
- Ken Caryl Ranch Metro District
- Ken Caryl Ranch Office Park Association
- Meadow Ranch Masters Association
- Meadows Sanctuary
- Mountain Gate at Ken-Caryl Condo Association
- Settlement Townhomes
- Stony Creek 6 HOA
- Sunset Management Services
- Sunset Ridge Townhouse Association
- Village at Meadow Ranch
- Williamsburg I
- Willowbrook Association

During the processing of the application for this eligibility determination, Staff has received many written responses related to the proposed rezoning, but Staff has not received written responses related to the open space rezoning criteria found in the Jefferson County Zoning Resolution, which is the subject of this Report. Staff will provide any comments related to the open space rezoning eligibility as they are received. Comments related to the proposed rezoning were not included in the packet. Notwithstanding, the comments related to the rezoning will be included in the rezoning packet, if the Board of County Commissioners determines the property is eligible for rezoning.

JEFFERSON COUNTY ZONING RESOLUTION ASSESSMENT:

Section 1.M.5.a Criteria	Meets Criteria	
	Yes	No
1. The property has none of the following features:		
a. Significant or desirable wildlife habitat or migration routes.	X	
b. Rare or unusual vegetation or ecosystems.	X	
c. Remarkable geologic features such as rock outcrops or formations.	X	
d. Historic resources.	X	
e. Significant views or view corridors.	X	
f. Riparian and/or wetland areas.	X	
g. Bodies of water, except those constructed for utilitarian purposes which are no longer needed for that purpose and which were not intended also to provide wildlife habitat.	X	
h. Trail corridors, such as existing trails, trail easements, or trail connections shown on an ODP.	X	X
2. The open space area was not set aside as an integral part of the overall development, rather than designated as "open space" because future development was unknown or unplanned at the time of zoning to Planned Development.	X	
3. The property is not being used for active or passive recreation by the surrounding community.		X
4. The open space was not designated as the result of a density transfer or other adjustment to allow a higher density elsewhere.	X	
5. The open space was not part of a Rural Cluster development.	X	

Staff's analysis of the property shows that it is not eligible for Rezoning under the open space rezoning criteria; Staff then performed an analysis of the criteria identified in the Zoning Resolution in Section 1.M.5.b. The Zoning Resolution states that property not eligible by the above analysis may only be rezoned where all of the following exist:

Section 1.M.5.b Criteria	Meets Criteria	
	Yes	No
1. The Rezoning request includes additional land in the same vicinity which land would replace the lost open space value set forth above with land that is superior in open space quality.	X	
2. The applicant has given notice of the Rezoning request by first class mail, return receipt requested, to property owners, registered associations, the Colorado State Division of Wildlife, local park and recreation district, and other referral agencies, as determined by Planning and Zoning. This provision does not supersede notice requirements set forth elsewhere in this Zoning Resolution.	X	

ANALYSIS OF SECTION 1.M.5.a OF THE JEFFERSON COUNTY ZONING RESOLUTION:

1. **The property (the 8 acre parcel that is designated open space) has none of the following features:**

- a. **Significant or desirable wildlife habitat or migration routes.**

Staff Analysis: The subject property is currently being utilized as a commercial golf course. The Colorado Division of Wildlife was sent a referral regarding the eligibility phase of this Rezoning case and did not send a response. To the best of Staff's

knowledge, the area that is seeking rezoning is not home to significant wildlife habitat or migration routes.

b. Rare or unusual vegetation or ecosystems.

Staff Analysis: The subject property is currently being utilized as a commercial golf course which is regularly maintained, eliminating the possibility of the presence of rare and unusual vegetation or ecosystems. Alternatively, a referral response from Jefferson County Weed and Pest Management noted that the property has “significant infestations of noxious weeds” which would require a Noxious Weed Management Plan prior to development of the property.

c. Remarkable geologic features such as rock outcrops or formations.

Staff Analysis: A referral response from the Colorado Geological Survey noted many geological hazards in the area such as shallow groundwater, corrosive soils and the property being located within Jefferson County’s Designated Dipping Bedrock Overlay District. Staff does not consider these geologic hazards to be remarkable or an asset to the surrounding area in any way.

d. Historic resources.

Staff Analysis: The Jefferson County Historical Commission has reviewed the submittals and has found that there are no historic resources on the property.

e. Significant views or view corridors.

Staff Analysis: Upon review of the Official Development Plans that govern this site, Staff finds that the subject properties were not set aside to preserve a significant view shed or view corridor. Some of the adjacent properties may currently have views of the hogback. However, the intent of the open space was not to preserve those views as the property allowed for structures for agricultural, governmental and park purposes that could obstruct views from the industrial businesses.

f. Riparian and/or wetland areas.

Staff Analysis: A referral response from the Colorado Geological Survey was silent as to whether or not the 8 acre site seeking rezoning is within a riparian and/or wetland area. Staff does not believe this area would be classified as riparian or wetlands.

g. Bodies of water, except those constructed for utilitarian purposes which are no longer needed for that purpose and which were not intended also to provide wildlife habitat.

Staff Analysis: There are no bodies of water located on the portion of the subject property that the applicant is seeking to rezone from open space. Massey Draw runs through the golf course, outside of the subject parcel, and is designated as a FEMA 100-year Floodplain.

h. Trail corridors, such as existing trails, trail easements, or trail connections shown on an ODP.

Staff Analysis: There are no existing trails, trail easements or trail connections shown on the Ken Caryl Ranch ODP. The C-470 Bikeway is a Shared Use Path as shown the Jefferson County Bicycle Plan, however it lies within the C-470 right-of-way and not on the subject property. The Deer Creek Golf Course does have cart paths within this property, which may function as a trail to the local community.

- 2. The open space area was not set aside as an integral part of the overall development, rather than designated as "open space" because future development was unknown or unplanned at the time of zoning to Planned Development.**

Staff Analysis: The subject property was set aside for development as Recreation and Open Space in the Ken Caryl Ranch ODP recorded on March 13, 1973. The C-O K/C use area accounts for 5,691 acres of the overall 9,139 acres. While the Land Use Classification and Restrictions of the Ken Caryl Ranch ODP identify this area as Recreation and Open Space, the allowable uses for this area exceed what would normally be considered open space. Such uses include mineral extraction and government facilities. As a result, Staff believes this criteria has been met as the property was not set aside as open space as an integral part of the overall development, but rather that future development was unknown or unplanned at the time given the more intense uses that were also permitted in this use area.

- 3. The property is not being used for active or passive recreation by the surrounding community.**

Staff Analysis: The subject area is being used for active recreation by the surrounding community as a golf course.

- 4. The open space was not designated as the result of a density transfer or other adjustment to allow a higher density elsewhere.**

Staff Analysis: This specific property was not the result of a density transfer or other adjustment to allow a higher density elsewhere.

- 5. The open space was not part of a Rural Cluster development.**

Staff Analysis: The subject parcel was not part of a Rural Cluster development.

Summary: *The property does not meet the requirements under Section 1.M.5.a of the Jefferson County Zoning Resolution. Therefore the property must satisfy the requirements listed under Section 1.M.5.b of the Jefferson County Resolution in order to be eligible to be rezoned to a use other than open space.*

ANALYSIS OF SECTION 1.M.5.b OF THE JEFFERSON COUNTY ZONING RESOLUTION:

- 1. The Rezoning request includes additional land in the same vicinity which land would replace the lost open space value set forth above with land that is superior in open space quality.**

Staff Analysis: The proposal does identify additional land to offset the land being rezoned. The applicant has included the remainder of the golf course that falls within the Ken Caryl Ranch ODP within the rezoning application and has proposed to remove the non-open space uses from this land. Staff considers the revision of the Recreation and open space zone district to only allow open space uses as satisfying the requirement to replace the open space. This would remove the ability to construct uses including governmental buildings, telephone exchanges and mining uses from the golf course. Staff is of the opinion that this creates an actual open space and recreation area that has a higher value and is superior in open space quality than what exists and could exist today under the current zoning. The balance of the Deer Creek Golf Course is in a different zone district that does not have the same allowances as the existing Ken Caryl Ranch ODP's open space.

- 2. The applicant has given notice of the Rezoning request by first class mail, return receipt requested, to property owners, registered associations, the Colorado State Division of Wildlife, local park and recreation district, and other referral agencies, as determined by**

Planning and Zoning. This provision does not supersede notice requirements set forth elsewhere in this Zoning Resolution.

Staff Analysis: Notification of this request has been mailed to property owners within a 500 foot radius of the site and to Homeowners' Associations and Umbrella Groups located within a one-mile radius of the site. The Colorado Division of Wildlife and the local parks and recreation district (Ken Caryl Metropolitan District) were also notified along with various other state and county agencies as determined by Planning and Zoning. The notice will occur again as a part of the rezoning application should this eligibility request be approved by the Board of County Commissioners.

Summary: *The proposal does meet the requirements under Section 1.M.5.b of the Jefferson County Zoning Resolution. The applicant is including additional land in the rezoning for the sole purpose of limiting the land uses to open space and golf courses, which meets the intent of the Zoning Resolution's requirement of replacing the lost open space.*

SUMMARY OF STAFF POSITION:

Staff supports the rezoning eligibility request because it meets the requirements of the Jefferson County Zoning Resolution in providing a higher quality of open space in an area where the surrounding residents can continue to utilize the community golf course. Staff is of the opinion that the removal of a majority of currently permitted uses within the C-O K/C use area of the Ken Caryl Ranch ODP provides a higher quality of open space than exists on the subject property currently.

PLANNING COMMISSION:

Planning Commission Recommendation (Resolution Dated July 13, 2016 Attached):

Eligible to Rezone	_____
Eligible to Rezone with Conditions	<u> X (7-0) vote </u>
Not Eligible to Rezone	_____

The case was scheduled on the regular agenda for the Planning Commission Hearing. At the onset, it was stated that the purpose of the Hearing is to only discuss eligibility criteria for rezoning the property as listed within the Zoning Resolution. There were a couple citizens who indicated that they were interested in providing testimony for this case; however, no public testimony was given. During the Hearing, it was reiterated that any concerns related to future land uses and impacts will be addressed during the Rezoning process should the Board of County Commissioners determine this property to be eligible for rezoning. After hearing the presentations by both staff and the applicant, the Planning Commission proceeded to ask several questions related to the proposal, and then voted to recommend that the property should be found to be eligible to rezone subject to conditions.

FINDINGS/RECOMMENDATIONS:

Eligibility to Rezone Open Space within a Planned Development Zone District:

Staff recommends that the Board of County Commissioners find that:

- 1. The criteria for rezoning open space set forth is Section 1.M.5.a of the Jefferson County Zoning Resolution has not been met as set forth in this staff report; however, as provided in Section 1.M.5.b, the subject property may be rezoned if the request includes additional land in the same vicinity which replaces the lost open space with land that is superior in open space quality.**
- 2. Rezoning the remainder of the Deer Creek Golf Course to remove the non-open space uses would satisfy the requirement of Section 1.M.5.b to replace the lost open space with**

land that is superior in open space quality.

AND;

Staff recommends that the Board of County Commissioners determine that the Applicant may proceed with rezoning of the subject property subject to the following condition:

1. The Revised Official Development Plan that is proposed in the second phase of this case shall include a rezoning of the remainder of the Deer Creek Golf Course property that falls within the Ken Caryl Ranch Official Development Plan to remove the non-open space uses.

COMMENTS PREPARED BY:



Mike Madrid, Planner
July 26, 2016

**Jefferson County Land Use Case Management
CASE DATES SUMMARY**

Date Prepared: **June 29, 2016**

Case Number: **16-111400RZ**

Case Type: **Rezoning**

Pre-application Meeting Date: **February 4, 2016**

Community Meeting Date: **April 6, 2016 & May 12, 2016**

Applicant Makes Complete Submittal: **N/A**

Case Sent on First Referral: **N/A**

All Responses Provided to Applicant: **N/A**

Determination That Case Should Proceed to Hearing: **June 6, 2016**

County Staff Determination: **X** Applicant's Request: **X**

CARRUTH PROPERTIES COMPANY
10106 West San Juan Way, Suite 205
Littleton, Colorado 80127
Tele 303-973-3344
Fax 303-973-8170

June 6, 2016

Mr. Michael Madrid, Planner
Planning and Zoning Division
Jefferson County Department of Development and Transportation
100 Jefferson County Parkway, Suite 3550
Golden, Colorado 80419-3550

Re: Deer Creek Ken-Caryl – Proposed Official Development Plan
Rezoning Open Space Request Letter – 7.865-acre portion of PA 1B

Dear Michael:

This letter constitutes a Rezoning Open Space approval request (*only in reference to the 7.865-acre portion of the 10.605-acre Deer Creek PA 1B*) responding to Jefferson County February 10, 2016 response to the Pre-Application Review application submitted January 21, 2016 (Case No. 16-101710PA). A Community Meeting attended by interested neighbors, property owners and community members was held on May 12, 2016.

The proposal is to rezone property zoned as Recreation and Open Space (C-O K/C) according to the Ken-Caryl Ranch Official Development Plan as amended. Accordingly, this case must be processed in two phases. The first phase will determine if the property is eligible to be rezoned (open space eligibility) and the second phase, should the first phase be approved, will be the consideration of the actual land use (rezoning). The referenced 7.865-acre parcel is currently utilized as golf play area for parts of Hole #6 and Hole #7 of Deer Creek Golf Course.

The purpose of this Open Space Rezoning approval request is to enable development of Deer Creek Parcel PA 1B as one of two relatively small attached and detached single family residential projects within and adjacent to Deer Creek Golf Club (“Deer Creek”). Sale of PA 1A (the driving range parcel) to and refinancing of Deer Creek by Cardel Homes on August 31, 2015 enabled In Play Membership Golf, Inc. (“In Play” - owner of Deer Creek) to pay its bank loan and other liens, emerge from bankruptcy and operate in the normal course, which it is now doing. Entitlement and subsequent sale of both PA 1A and PA 1B will provide sufficient financial capital to cause In Play to (1) continue to operate a quality 18-hole golf facility of benefit to the community and (2) place a conservation easement over remaining Deer

Creek lands sufficient to preserve in perpetuity an 18-hole golf course and club, recreation and/or open space designation; thereby removing future development potentials to the remaining lands.

It is our understanding that rezoning of the 7.865-acre portion of PA 1B from C-O K/C to PD allowing residential use meets all criteria, except for Criterion (3), pursuant to Section 1.5.a. of the Zoning Resolution which addresses ***Criteria for Rezoning Open Space within the Planned Development Zone District.***

a. Except as set forth in paragraph b. below, requests to rezone all or any portion of a property designated in the Planned Development Zone District as open space, conservation, preservation, or other similar term to a classification that would permit development may be granted only if the applicant shows to the satisfaction of the Board of County Commissioners that the open space designation is not warranted because: (orig. 8-31-93)

(1) The property has none of the following features:

- (a) ***Significant or desirable wildlife habitat or migration routes.*** The parcel is currently part of golf hole #6 and golf hole #7 which are used for regular golf play. The western boundary of the parcel aligns with the western boundary of a sanitary sewer trunk line and dedicated easement, all of which is 30 to 100 feet easterly of the Massey Draw drainage course. Any wildlife that currently uses the Massey Draw stream and adjacent wetlands or shrubbery would not be impacted by this development. The eastern boundary of the parcel aligns with adjacent Ken-Caryl Business Center properties.
- (b) ***Rare or unusual vegetation or ecosystems.*** The land on which the parcel is located is currently part of active golf course play areas, including continuous cart path, maintenance routes, fairways, greens and roughs. Wetlands, shrubbery and any other unique vegetation will not be impacted by development of this parcel.
- (c) ***Remarkable geologic features such as rock outcrops or formations.*** There are no remarkable geologic features such as rock outcrops or formations within the parcel.
- (d) ***Historic resources.*** There are no historic resources within the parcel.
- (e) ***Significant views or view corridors.*** There are four office/flex buildings located along the eastern edge of the parcel which enjoy views of the adjacent golf course and perhaps more importantly the Dakota Hogback and Foothills to the west of C-470. Each office/flex building pad sits approximately 18 to 25 vertical feet above the intended residential building pads. Intended development of the parcel is for single story (some with walk-out basements) attached and detached patio homes targeted to empty nester buyers. The heights (22 feet from top of foundation to top of pitched roof) of the homes will only minimally impact views from the office/flex buildings of that portion of the golf course across Massey Draw to the west and will not impact views of the Dakota Hogback and Foothills further to the west. Foreground views of that portion of holes #6 and #7 which are proposed to be rerouted will be disturbed. Of

particular concern, perhaps, is that of Briarwood Gardens which serves as an event center catering to large group gatherings including wedding parties. Recent meetings with each commercial property owner impacted by the proposed development of the 7.865-acre parcel, have focused our efforts in the site plan for the parcel to provide fencing/screen walls and landscaping to screen views of homes while maintaining views across to the western portion of the golf course.

- (f) **Riparian and/or wetland areas.** Such areas are to the west of the parcel along the Massey Draw stream and will be preserved as a continuing part of Deer Creek Golf Course.
- (g) **Bodies of water, except those constructed for utilitarian purposes which are no longer needed for that purpose and which were not intended also to provide wildlife habitat.** The Massey Draw stream lies entirely to the west of the parcel and will not be impacted. Two or three proposed building sites may be impacted by the 100-year floodplain of Massey Draw. If these sites are included in the proposed site development plan, an application will be made to FEMA for a conditional letter of map revision, to be followed by a final determination once development is completed.
- (h) **Trail corridors, such as existing trails, trail easements, or trail connections shown on an ODP.** There are no trail corridors, existing trails, trail easements or trail connections shown on an ODP that are burdened by the parcel. Any golf cart or maintenance paths within the parcel will be relocated in conjunction with redesign and reconfiguration of Holes 6 and 7.

Jefferson County Staff Response Note: Criteria (1)(a) through (1)(h) are met. Staff does not find significant or desirable wildlife habitat, rare or unusual vegetation, remarkable geologic features, historic resources, riparian areas, bodies of water, trail corridors, and probably no significant views that would be impeded.

- (2) **The open space area was not set aside as an integral part of the overall development, rather than designated as “open space” because future development was unknown or unplanned at the time of zoning to Planned Development.** The approximately 72 acres of open space that lies between C-470 and the western edge of Phase 2 and Phase 3 of Ken-Caryl Business Center (of which the referenced parcel is a part) is zoned C-O K/C which permits a variety of uses including: agricultural; public parks and playgrounds and accessory buildings and structures; deposit and/or excavation of sand, gravel, rock, earth, minerals and similar materials; governmental buildings or uses such as police stations, fire stations, post offices, electric substations, gas regulator stations, telephone exchanges, water reservoirs and utility pumping stations, water wells and cable television antennas; cemetery; recreational uses of all types; and conditional use as

campground for mounted camper units, camp trailers and motor homes. The height limitation is 35 feet. At time of Jefferson County approval of the Ken-Caryl Ranch Official Development Plan in 1973, as amended over the years, the 72 acres were determined to be largely undevelopable because of the existence of the Massey Draw stream, drainage way and floodplain which lies between the western edge of Ken-Caryl Business Center and the C-470 corridor. The 72 acres were conveyed to the owner of Deer Creek Golf Course in 1998 and subsequently developed for golf play and related improvements. The 72 acres do not accommodate park and/or general recreation amenities for the Ken-Caryl community nor bike or pedestrian trails as part of overall Ken-Caryl Ranch circulation. There is a bike path and pedestrian way along the eastern edge of C-470 (to the west) as well as a bike path and pedestrian way along the western edge of Shaffer Parkway (to the east).

Jefferson County Staff Response Note: Criterion (2) is met. *The C-O K/C zoning allows many uses other than open space such as rock, sand and gravel mining, governmental buildings (post offices and police stations), and agricultural uses. Staff believes that the subject area was set aside as an integral part of the overall development; however, due to the other uses allowed there is a good argument that the area was not set aside as an integral part of an “open space” within the Official Development Plan.*

- (3) ***The property is not being used for active or passive recreation by the surrounding community.*** Indeed the parcel is being used as part of the golf play area of Deer Creek Golf Club, currently operating as a public play facility. At such time as the parcel moves forward with residential development, Hole #6 and Hole #7 (as well as cart path connections) will be reconfigured to enable continued operation of a quality 18-hole golf facility. Also, at such time as this parcel is rezoned (along with Deer Creek Parcel PA 1A), the owner of Deer Creek will place a conservation easement on remaining Deer Creek Golf Club lands sufficient to preserve in perpetuity an 18-hole golf course and club, recreation and/or open space designation.

Jefferson County Staff Response Note: Criterion (3) is not currently met. *Because Criterion (3) is not met, the Zoning Resolution requires that the rezoning request include additional land in the same vicinity, which land would replace the lost open space value set forth above with land that is superior in open space quality. The proposal does not identify additional land to offset the land being rezoned, thus Criterion (3) is not being met. If the applicant were to include the remainder of the golf course within the rezoning application and propose to remove the non-open space uses from the land, Staff would consider that as satisfying the requirement to replace the “lost” open space. In Staff’s opinion, this is creating an overall open space area that would have a higher value and is superior in open space quality.*

The applicant is willing to include the remainder of the golf course parcel (designated as Parcel 2A on Exemption Survey Sec. 32 & 33, T5S, R69W, E42-10-96 Amendment No. 1) and proposes to remove the non-open space uses from the land...and has done so in the revised proposal entitled "Deer Creek Ken-Caryl Official Development Plan". Additionally, the placement of a conservation easement on the remainder of the golf course parcel will place a higher value on remaining golf course lands than currently exists under the array of uses allowed by the C-O K/C zoning.

- (4) ***The open space was not designated as the result of a density transfer or other adjustment to allow a higher density elsewhere.*** The parcel was not designated as the result of a density transfer or other adjustment to allow a higher density elsewhere.

Jefferson County Staff Response Note: Criterion (4) is met. (Staff finds) Criterion (4) is not an issue as the open space designation was not a result of a density transfer.

- (5) ***The open space was not part of a Rural Cluster development.*** The parcel was not part of a Rural Cluster development.

Jefferson County Staff Response Note: Criterion (5) is met. (Staff finds) Criterion (5) is not an issue as the open space designation was not a part of a Rural Cluster development.

This Rezoning Open Space approval request is not considered to be setting a precedent as the proposed patio home enclave utilizes a unique parcel that minimally encroaches onto golf course play; is the reason Deer Creek could discharge its bankruptcy and operate in the normal course; and most importantly enables In Play to agree to retain remaining Deer Creek lands as golf, recreation or open space use in perpetuity.

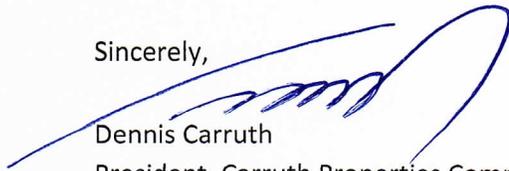
Attached to this Rezoning Open Space Request Letter are the following materials:

- Exemption Survey Sec 32 & 33, T5S, R69W, E42-10-96, Amendment No. 1
- ALTA/ACSM Land Title Survey (referenced 7.865-acre parcel)
- Information Sheet – Deer Creek Ken-Caryl Proposed Official Development Plan
- Deer Creek Ken-Caryl PUD PA 1B & PA 1B Conceptual Site Plans
- Deer Creek Ken-Caryl PA 1B & New Golf Routing Plan

It is our understanding you will review this letter and inclusions for sufficiency and then forward to appropriate parties for referral, anticipating public hearing before the Jefferson County Planning & Zoning Commission on Wednesday, July 13, 2016 and before the Jefferson County Board of County Commissioners on Tuesday, August 2, 2016.

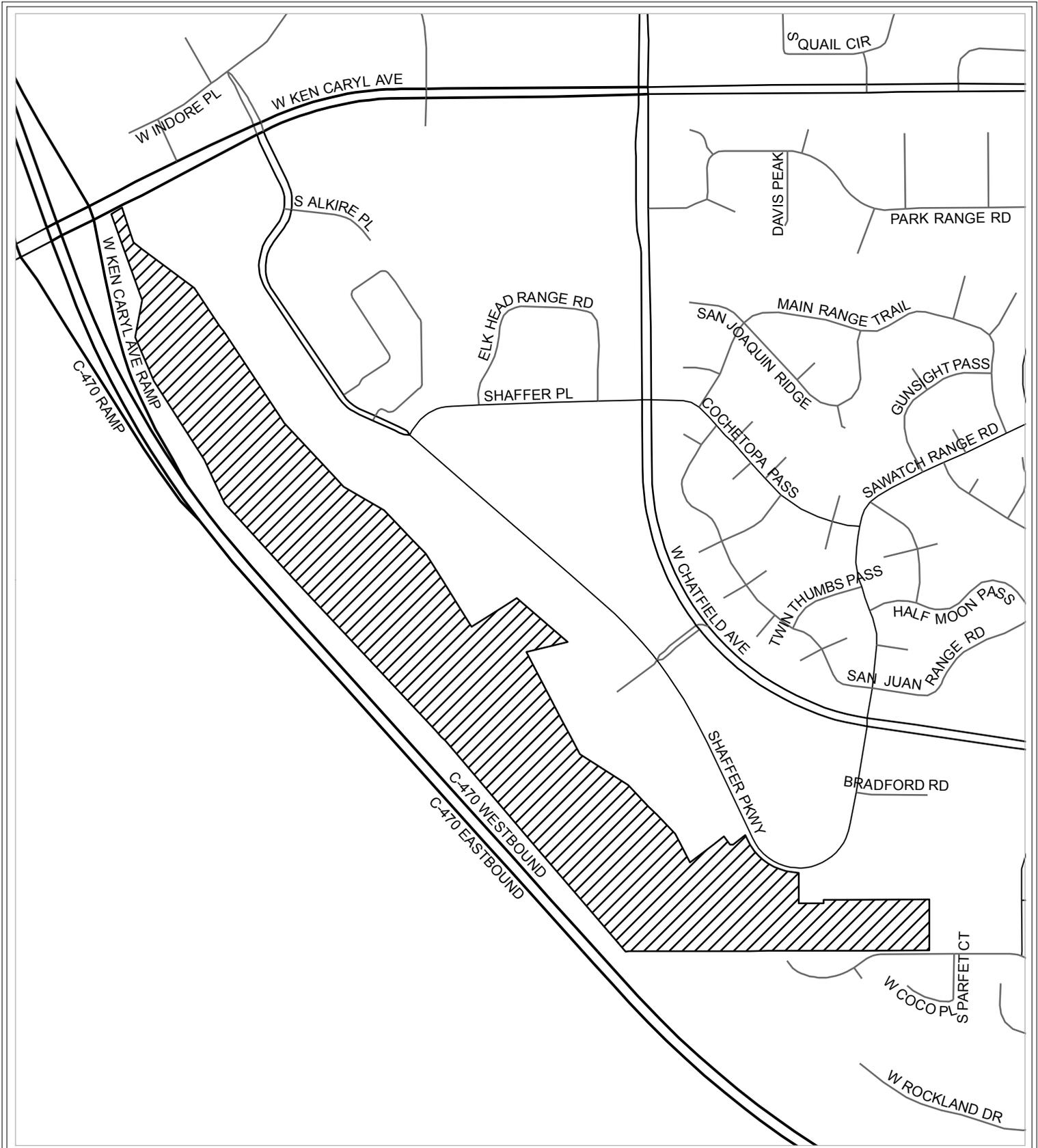
Thank you for your consideration of this Rezoning Open Space approval request. Please let us know if there are questions or comments or if we can provide additional information.

Sincerely,

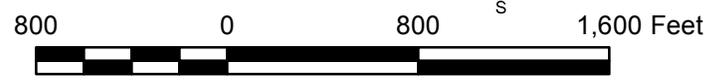
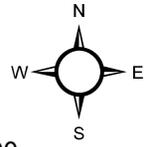


Dennis Carruth
President, Carruth Properties Company

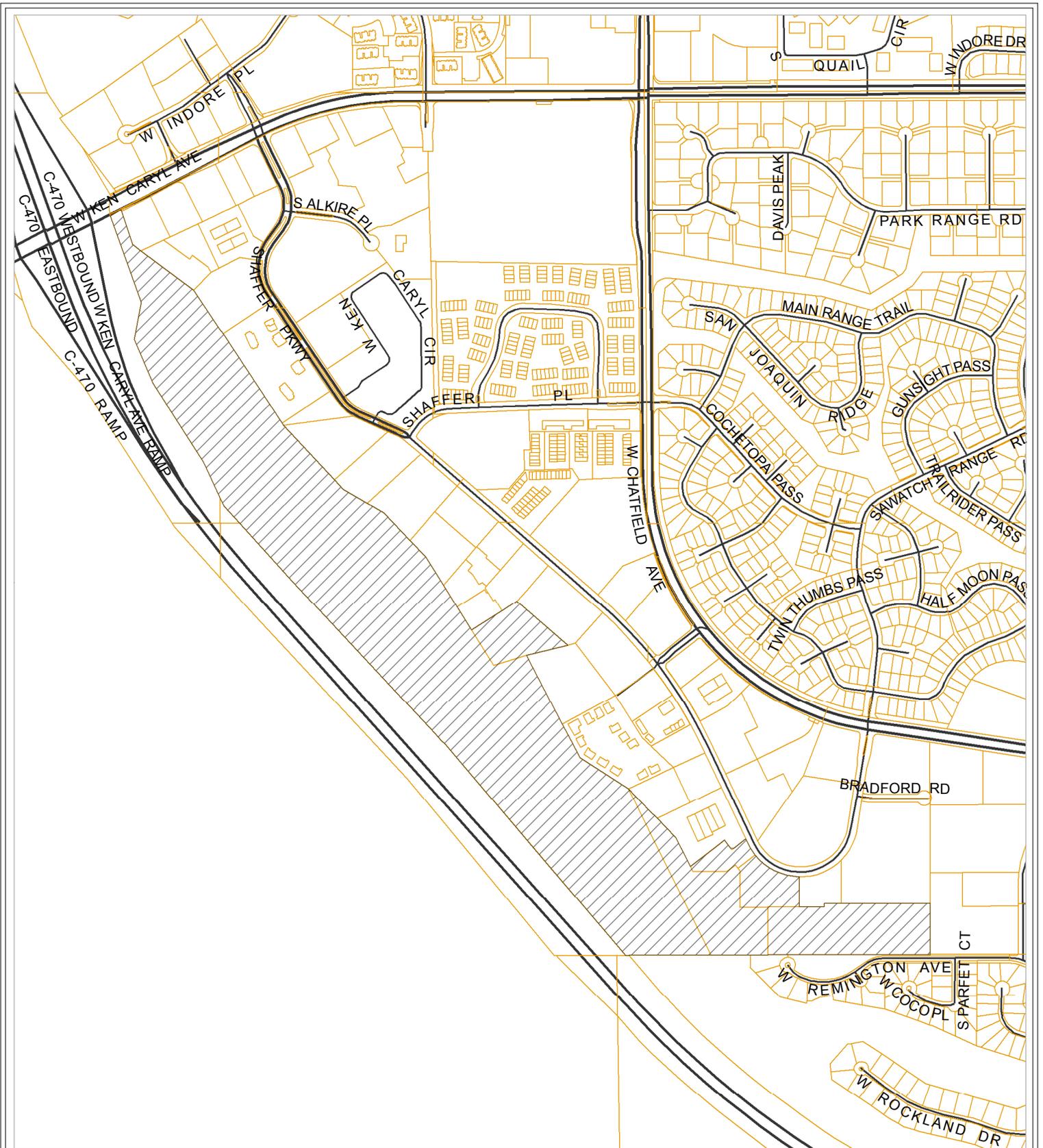
Cc: Rod Mickelberry, Regional President, Cardel Homes rmickelberry@cardelhomes.com
Pat Hamm, V.P of Operations, Cardel Homes pat.hamm@cardelhomes.com
Stacey Hart, President, In Play Membership Golf, Inc. staceyhart7@gmail.com
Brian Hart, Consulting Engineer, Redland bhart@redland.com
Susan Wade, Senior Planner, Redland swade@redland.com
Randy Duzan, Stanley Consultants DuzanRandy@stanleygroup.com



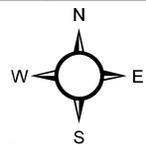
Case Number: 16-111400RZ
Location: Sections 32, 33 T5S, R69W



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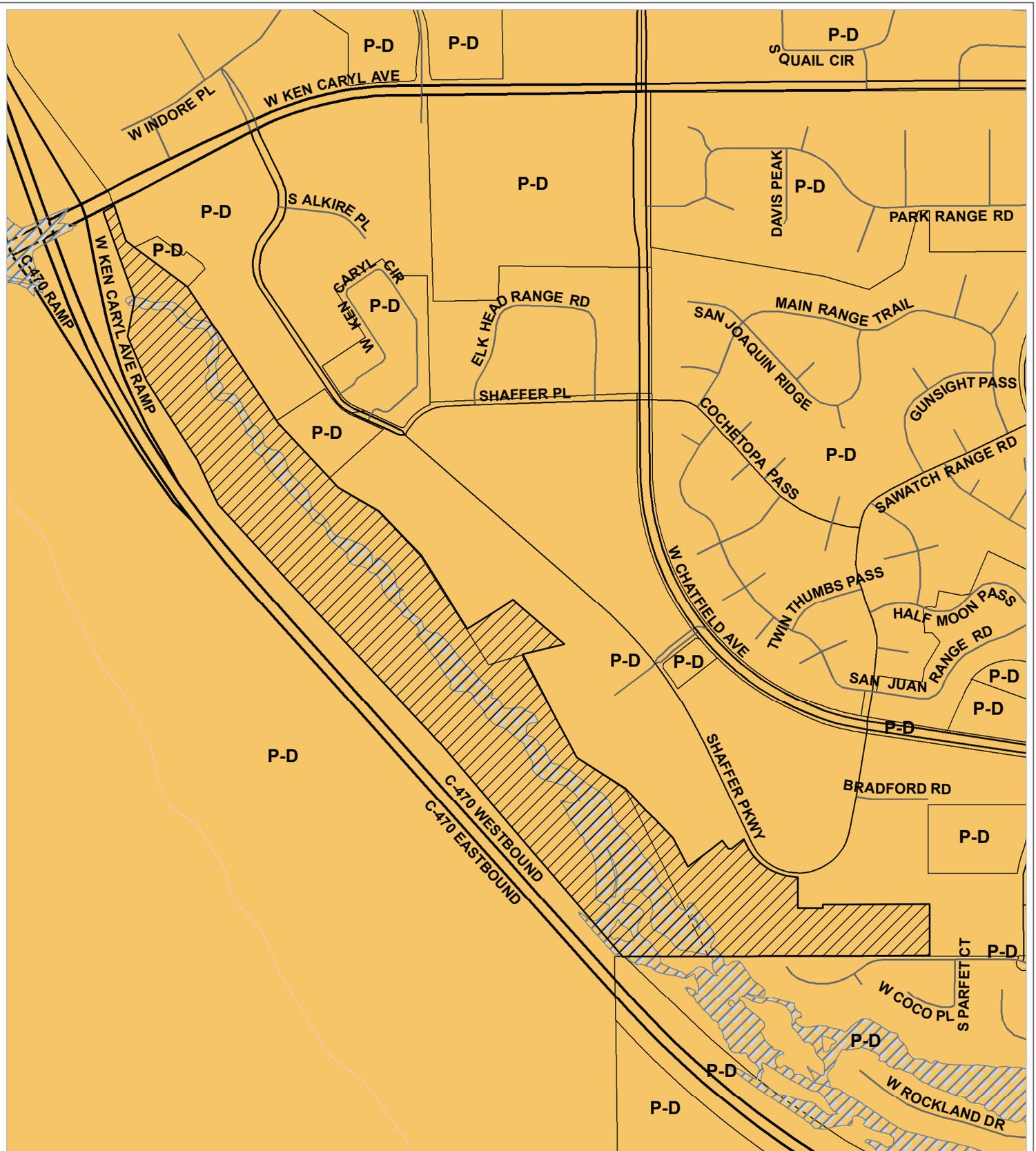
Case Number: 16-111400RZ
Location: Sections 32, 33 T5S, R69W



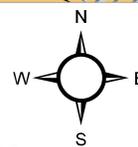
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Case Number: 16-111400RZ
Location: Sections 32, 33 T5S, R69W



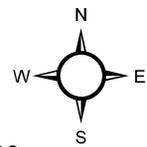
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Case Number: 16-111400RZ
Location: Sections 32, 33 T5S, R69W



800 0 800 1,600 Feet



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Case No. 16-111400RZ

Legal Description

Street Location of Property 7951, 8135 & 8137 Shaffer Parkway and a portion of Deer Creek Golf Course
Is there an existing structure at this address? Yes X No

Type the legal description and address below.

PARCEL 2A, EXEMPTION SURVEY SEC 32 & 33, T5S, R69W, E42-10-96 AMENDMENT NO. 1, RECORDED AT RECEPTION NO. F0509227 AND
LOT 24A, BLOCK 1, KEN-CARYL BUSINESS CENTER PHASE 2 AMENDMENT 6, RECORDED AT RECEPTION NO. F2059684 AND
LOT 19B, KEN-CARYL BUSINESS CENTER PHASE 2 AMENDMENT NO. 1 EXEMPTION SURVEY NO. 5 AMENDMENT NO. 1, RECORDED AT RECEPTION NO. F0952669 AND
LOT 14A KEN-CARYL BUSINESS CENTER PHASE 2 AMENDMENT NO. 2, RECORDED AT RECEPTION NO. F0820362 AND
TRACT A, KEN-CARYL BUSINESS CENTER PHASE 2 AMENDMENT NO. 1, RECORDED AT RECEPTION NO. F0690180.
ALL RECORDED WITH THE CLERK AND RECORDER IN THE COUNTY OF JEFFERSON, STATE OF COLORADO.
CONTAINING 90.443 ACRES, MORE OR LESS.

Advise of Ortho Map No. 36, 37, 59, 60 Section 32, 33 Township 5 S. Range 69 W.

Calculated Acreage 90.443 Acres Checked by: Ben Hasten

Address Assigned (or verified) 7951, 8135 & 8137 Shaffer Parkway and a portion of Deer Creek Golf Course

SUBJECT LINE: 16-111400RZ FIRST PHASE ELECTRONIC REFERRAL FOR REZONING

ELECTRONIC REFERRAL

JEFFERSON COUNTY, COLORADO

Documents related to a Rezoning have been submitted to Jefferson County Planning and Zoning. This case is beginning the Open Space Eligibility Phase referral part of the process and your agency's comments are requested. Please review the specific electronic documents related to the first referral found **here**. Comments should be submitted via e-mail to the case manager by the due date below. This referral is part of a process to determine eligibility of the property to be rezoned as it is Open Space within a Planned Development Zone District.

Case Number: **16-111400RZ**

Case Name: **Deer Creek Golf Course Rezoning**

General Location: **Deer Creek Golf Course**

Case Type: **Rezoning**

Type of Application: To determine eligibility to rezone Open Space within a Planned Development (PD) Zone District.

Case Manager: **Mike Madrid**

Comments Due: **June 29, 2016**

Case Manager Contact Information: **mmadrid@jeffco.us 303-271-8767**

Additional information related to this case can be viewed **here**. Some of the links on this page that may be helpful are the links to the case file (public documents), to the Jeffco mapping system (jMap) and to the case tracking system (general application details).

<u>Jeffco:</u> Open Space Cartography Addressing Geologist T&E Public Health Zoning Administration Planning Engineering Long Range Road and Bridge 2 Weed and Pest Jeffco Historical Commission	<u>External:</u> Xcel Comcast CenturyLink Colorado Dept. of Public Health Colorado Historical Society Division of Wildlife Soils Conservation District Colorado Geological Survey Division of Water Resources, State Engineer's Office Pleasant View Water and Sanitation District West Metro Fire Protection Dist Urban Drainage	<u>HOA:</u> Chatfield Bluffs South HOA – 757440 COHOPE – 757299 Deer Creek I HOA – 757522 Dutch Ridge HOA – 757316 Jefferson County Horsemen's Assn – 757337 Ken Caryl Ranch Master Assn – 757338 Ken Caryl Ranch Metro District – 757339 Ken Caryl Ranch Office Park Assn – 757446 Meadow Ranch Masters Assn – 757528 Meadows Sanctuary – 757308 Mountain Gate at Ken-Caryl Condo Assn – 757519 Settlement Townhomes – 757491 Stony Creek 6 HOA – 757408 Sunset Management Services – 757445 Sunset Ridge Townhouse Assn – 757525 Village at Meadow Ranch – 757529 Williamsburg I – 757417 Willowbrook Assn – 757461
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ADDRESSING

MEMO

To: Mike Madrid
FROM: Kendell Court
SUBJECT: 16-111400RZ
DATE: June 27, 2016

Addressing offers the following comments on this proposal:

1. The purpose of this Rezoning is to determine the eligibility to rezone Open Space within a Planned Development Zone District.
2. Access is off of Shaffer Parkway. Access will need to be verified. There are valid existing address in the addressing database, 7951, 8135 & 8137 Shaffer Parkway. These addresses may change.
3. According to the PUD site plan, the interior roads used for access will need to be named. Road names will be assigned based on the location within the Metropolitan Grid System. Road names will be available before the Plat is recorded.
4. Address will be based on access and will be available after the Plat is recorded.

Please let me know if you have any questions.



Jefferson County, Colorado
Transportation & Engineering Division

100 Jefferson County Parkway, Suite 3500, Golden, Colorado 80419-3500
☎ 303.271.8459 • Fax 303.271.8490 • <http://jeffco.us/highways>

P&Z REFERRAL T&E RESPONSE

To: From:

Case #: Due Date:

Property Address or PIN:

- Amanda Attempt Result & Attachments:**
- Comments Sent = T&E wants 2nd referral
 - Complete = Do Not send further referrals
 - No Comments = Do Not send further referrals
 - Additional information, plans, etc are also attached in Amanda

Drainage

T&E is currently working on a project in the area. See attached information.

Other Notes:

No Concerns

Right-of-Way / Roadway Corridor Expansion Projects

Land owner will need to refund County \$ for ROW purchased in for

This amount **must** be paid before plat is recorded and/or plans are approved and released for construction.

Documentation attached in Amanda Documentation to follow

Additional ROW needed for upcoming T&E project. Plan sheet attached with required width/area.

Fee-in-lieu of adjacent roadway construction preferred, due to planned construction by the County. Please have the applicant submit a cost estimate.

Other Notes:

No Concerns

Traffic Operations / Transportation Planning

	Included in referral	Reviewed		Comments
		No	Yes	
Traffic study	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="text"/>
Signage & striping plan	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Signal plans	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Trails or sidewalks	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Street road plans	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/> No Concerns				

Additional Comments

Comments

Name



COLORADO
Division of Water Resources
Department of Natural Resources

1313 Sherman Street, Room 821
Denver, CO 80203

June 28, 2016

Mike Madrid
Jefferson County Planning and Zoning
Transmission via email: mmadrid@jeffco.us

Re: Deer Creek Golf Course Rezoning
Case Number 16-111400RZ
Pt. SE¼ Section 32, T5S, R69W, 6th P.M.
Water Division 1, Water District 8

Dear Mr. Madrid:

We have reviewed the above referenced request to rezone a 7.865-acre portion of an existing 10.605-acre parcel from recreation and open space (C-O K/C) to residential use (PD). The submitted material does not appear to qualify as a “subdivision” as defined in § 30-28-101(10)(a), C.R.S. Therefore, pursuant to the State Engineer’s March 4, 2005 and March 11, 2011 memorandums to county planning directors, this office will only perform a cursory review of the referral information and provide comments. The comments will not address the adequacy of the water supply plan for this property or the ability of the water supply plan to satisfy any County regulations or requirements.

The 7.865 acres are currently used as golf play area for the Deer Creek Golf Course. The rezoning will allow the property to be developed as an attached and detached single-family residential project. The 7.865 acres are located within the water service area of the Ken-Caryl Ranch Water & Sanitation District (“District”). The District is contracted with the Denver Water Board (“Denver Water”) and obtains treated water on demand pursuant to Denver Water Distributor Contract No. 221. This office considers Denver Water to be a reliable water supplier.

Provided the Ken-Caryl Ranch Water & Sanitation District is willing and able to serve the proposed residential uses, this office has no objection to the proposed rezoning. If you or the applicant have any questions regarding this matter, please contact Sarah Brucker of this office for assistance.

Sincerely,


Tracy L. Kosloff, P.E.
Water Resource Engineer

TLK/srb: Deer Creek Golf Course Rezoning (Jefferson)



Michael Madrid

From: Kuster - CDPHE, Kent [kent.kuster@state.co.us]
Sent: Friday, June 24, 2016 11:40 AM
To: Michael Madrid
Subject: Case #16-111400RZ

Follow Up Flag: Follow up
Flag Status: Flagged

June 24, 2016

Dear Mike Madrid,

The Colorado Department of Public Health and Environment has the following comment for the rezoning of Deer Creek Golf Course Case No. 16-111400RZ.

In Colorado, land development construction activities (earth moving) that are greater than 25 acres or more than six months in duration require an Air Pollutant Emissions Notice (APEN) from the Air Pollution Control Division and may be required to obtain an air permit depending on estimated emissions. In addition, a start-up notice must be submitted thirty days prior to beginning a land development project.

Please refer to the website <https://www.colorado.gov/pacific/cdphe/air-permits> for information on land use APENs and permits forms. Click on Construction Permit and APEN forms, and then click on the "Specialty APENs" to access the land development specific APEN form.

In addition, we recommend that the applicant comply with all state and federal environmental rules and regulations. This may require obtaining a permit for certain regulated activities before emitting or discharging a pollutant into the [air](#) or [water, dispose of hazardous waste](#) or engaging in certain regulated activities.

Please contact Kent Kuster at [303-692-3662](tel:303-692-3662) with any questions.

Sincerely,

Kent Kuster

Environmental Specialist

Colorado Department of Public Health and Environment

--

Kent Kuster

Environmental Protection Specialist

Colorado Department of Public Health and Environment

4300 Cherry Creek Drive South

Denver, CO 80246-1530

303-692-3662 | kent.kuster@state.co.us

COLORADO GEOLOGICAL SURVEY

1801 19th Street
Golden, Colorado 80401



Karen Berry
State Geologist

June 29, 2016

Mike Madrid
Jefferson County Planning and Zoning
100 Jefferson County Parkway, Suite 3550
Golden, CO 80419

Location:
S½ SW¼ Section 33 (PA 1A)
and N½ SE¼ Section 32 (PA 1B)
T5S, R69W of the 6th P.M.
39.5667, -105.1255 and 39.5715, -105.1324

Subject: Deer Creek Golf Course – Rezoning
Case No. 16-111400RZ; Jefferson County, CO; CGS Unique No. JR-16-0028

Dear Mr. Madrid:

Colorado Geological Survey has reviewed the Deer Creek Golf Course rezoning referral. I understand the applicant proposes to rezone portions of open space within the Deer Creek Golf Course and existing industrial lots to allow development of 71 residential lots (64 paired and 7 single units) on 11 acres (PA 1A) and 57 attached (paired) residential lots on 10 acres (PA 1B).

With this referral I received a request for CGS review (June 22, 2016), an Information Sheet, Deer Creek Ken-Caryl Proposed ODP (June 10, 2016), a Rezoning Open Space Request Letter – 7.865-acre portion of PA 1B (Carruth Properties, June 6, 2016), Conceptual Site Plans PA 1A and PA 1B (Cardel Homes/Redland, April 27, 2016), an ALTA/ACSM Land Title Survey for Part of Parcel 2A, Exemption Survey Sections 32 & 33, T5S, R69W, E42-10-96 Amendment No. 1 (Rocky Mountain Meridian, Inc., January 5, 2016) and the plat for Exemption Survey Sec. 32 & 33, T5S, R69W, E42-10-96 Amendment No. 1 (JR Engineering, November 25, 1996).

CGS has several comments regarding the proposed rezoning:

Steeply dipping bedrock and overexcavation. The site is located within or immediately east of Jefferson County's Designated Dipping Bedrock Area (DDBA). The county should require a site-specific geologic hazard and geotechnical investigation at preliminary plat to characterize depths to groundwater and bedrock, and soil and bedrock engineering properties, including swell potential, for use in determining whether Jefferson County's DDBA regulations apply to the two proposed planning areas, and to determine preliminary overexcavation criteria beneath buildings, flatwork, and pavements. Overexcavation recommendations should specify depth and lateral extent of overexcavation, and fill placement criteria such as water content, lift thickness, compaction effort, maximum allowable swell potential of the replaced fill, and testing frequency to ensure compliance with specifications.

Overexcavation to a depth of *at least* 10 feet below lowermost foundation elements and extending laterally at least 10 feet beyond planned building footprints, with replacement, if suitable for re-use, as a reworked, water-treated, and properly compacted fill, or replacement with non-expansive imported material, remains the only reliably effective method of mitigating the effects of differentially expansive shales, claystones and sandstones within the footprint of individual structures in the steeply dipping bedrock area of the Front Range.

Additional, building-specific geotechnical investigations, including drilling, sampling, lab testing, and analysis, will be needed, once overexcavation and grading are complete, to verify that swell potential values have been reduced to acceptable levels, and to design individual foundations, floor systems and pavements.

A subsurface groundwater collection system is required within the DDBA, to help reduce wetting (and therefore potentially damaging shrink-swell) of clay soils within, and steeply dipping claystone layers beneath, the overexcavated and replaced fill prism. The groundwater collection system must have positive drainage to a daylight discharge point.

Shallow groundwater. Based on PA 1A's irrigation history as a driving range, and PA 1B's proximity to an active drainage, shallow groundwater is a potential concern. If the site is within the DDBA, the groundwater collection system discussed above may mitigate shallow groundwater concerns. However, dewatering may be necessary to allow overexcavation. Even if the site is determined to be not within the DDBA, a subsurface groundwater collection system may be needed to allow full-depth basements. Full-depth basements should not be considered unless the applicant demonstrates that a minimum 5 ft. separation distance between basement floor levels and shallowest anticipated groundwater elevations can be maintained year-round.

Setback from drainage. A mapped flood zone associated with a tributary of Deer Creek is located immediately southwest of PA 2B. A qualified hydrologist should evaluate the site-specific channel hydraulics and flood zone limits based on existing and anticipated development conditions, to verify the accuracy of the mapped flood zone at the plat scale and to identify appropriate development setbacks from the flood zone boundaries, not just to reduce the risk of damage caused by rising waters, but also to reduce risks of slope instability caused by streambank erosion and undercutting.

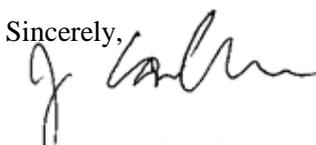
Steep slopes and potential slope instability are a concern along the southwestern boundary of PA 1B. CGS recommends that the county require slope stability analysis for at least several cross sections through PA 1B. Retaining walls, building foundations, and upslope walls that will function as retaining walls must be designed by a qualified geotechnical or civil engineer, and must include adequate behind-wall drainage. A qualified geotechnical professional should determine maximum allowable temporary and permanent cut/fill heights and slope angles for use in development of project grading plans. Site grading and drainage plans should be prepared and reviewed by a qualified engineer who is familiar with slope stability concerns.

Uncontrolled, debris- and/or organics-laden fill, and soft, wet, low-strength soils, possibly containing organics, are potential concerns. The preliminary geologic hazard and geotechnical investigation should identify any problematic soils and fill material, and should make recommendations regarding removal and replacement with properly placed and compacted structural fill.

Corrosive soils. NRCS soil survey data indicates that the soils beneath PA 1A are highly corrosive to uncoated steel. The need for corrosion protection should be evaluated as part of the geotechnical investigation. Epoxy-coated, plastic/composite, concrete, or otherwise corrosion-resistant or corrosion-proof basement window wells are recommended, rather than the standard uncoated galvanized steel, on lots where basements are planned and are determined to be feasible.

Thank you for the opportunity to review and comment on this project. If you have questions or require further review, please call me at (303) 384-2643, or e-mail carlson@mines.edu.

Sincerely,



Jill Carlson, C.E.G.
Engineering Geologist

MEMO

TO: Michael Madrid
Jefferson County Planning and Zoning Division

FROM: Tracy Volkman
Jefferson County Environmental Health Services Division

DATE: June 23, 2016

SUBJECT: Case #16-111400 RZ
Deer Creek Golf Course Rezoning
Dennis Carruth

PROPOSAL SUMMARY

To determine eligibility to rezone Open Space within a Planned Development (PD) Zone District.

COMMENTS

Jefferson County Public Health (JCPH) provided comments on February 1, 2016 regarding the pre-application process for this case. We have reviewed the documents submitted by the applicant for this proposed rezoning case and have the following comments:

The applicant must submit the following documents or take the following actions prior to a ruling on the proposed rezoning of this property. NOTE: Items marked with a “✓” indicate that the document has been submitted or action has been taken. **Please read entire document for requirements and information. Please note additional documentation may be required.**

REZONING REQUIREMENTS:

✓	Date Reviewed	Required Documentation/Actions	Refer to Sections
		Submit a letter from the Water and Sanitation District to provide proof of public water and sewer services in accordance with the Jefferson County Zoning Resolution and Land Development Regulation (LDR) Section 21 and 22.	Water/Wastewater

WATER/WASTEWATER

The Water and Sanitation District must provide a letter stating that they will provide public water and sanitary services for the proposed development.

ACTIVE LIVING

In order to promote regular exercise and alternate travel choices this Department recommends that this project be designed in a manner to facilitate walking and biking. We encourage the developer to consider a project plan that includes design elements such as the following:

- An integrated and continuous system of sidewalks/pathways throughout the site designed to connect to existing or future paths in the area;
- Provide a street grid that would allow for continuous movement, this would promote walking and bicycling.
- Provide for safe pedestrian crossings, such as sidewalk flares and raised crossings, at all roadway intersections;
- Provide pocket parks or green space for the residential community to gather.
- Support transit options and smart growth principles.
- Provide for safe pedestrian crossings, such as, sidewalk flares and raised crossings at all roadway intersections.

Design elements such as these can promote public health by fostering a sense of community and enhancing the well-being of the users of this development, as well as area residents.

AIR

The Colorado Department of Public Health and Environment, Air Quality Control Commission Regulation No. 8, Part B, Asbestos Control requires that all buildings that are going to be remodeled, renovated, and or demolished must have a full inspection by a current Colorado-certified asbestos building inspector before conducting any work and must obtain a Demolition Permit. Based on the results of the inspection, if asbestos is detected, the applicant must obtain an Asbestos Abatement Permit from the Asbestos Section at the Colorado Department of Public Health and the Environment (303.692.3100). All building materials that will be impacted that contain asbestos that is friable or will become friable during the remodel, renovation, or demolition in quantities over the volume of a 55-gallon drum must be removed prior to any work. The asbestos removal must be done by a certified asbestos removal contractor (General Abatement Contractor) using trained and certified asbestos abatement workers prior to demolition.

Please contact John Moody at 303.271.5714 or Dave Volkel at 303.271.5730 for more information about this process.

A fugitive dust permit is not required for the development of this site. However, the developer must use sufficient control measures and have a dust control plan in place to minimize any dust emissions during demolition, land clearing and construction activities. This department will investigate any reports of fugitive dust emissions from the project site. If confirmed, a notice of violation will be issued with appropriate enforcement action taken by the State.

RADON

It is highly recommended to design all new dwelling units in Jefferson County with radon resistant construction according to the Environmental Protection Agencies Model Standards and Techniques for Control of Radon in New Residential Buildings, March 1994.

WETLANDS

Since part of this property has wetlands, this property may be subject to the Army Corps of Engineers permitting requirements, 303.979.4120, if the wetlands are disturbed for these events.

NOTE: These case comments are based solely upon the submitted application package. They are intended to make the applicant aware of regulatory requirements. Failure by Jefferson County Public Health to note any specific item does not relieve the applicant from conforming to all County regulations. Jefferson County Public Health reserves the right to modify these comments and or add appropriate additional comments.

Michael Madrid

From: AutoMailer@jeffco.us
Sent: Tuesday, June 21, 2016 3:43 PM
To: Michael Madrid
Cc: Ross Klopf
Subject: Agency Response

Address: Deer Creek Golf Course Rezoning
Case Number: 16 111400 RZ
Review: Engineer (Development Review)
Review Results: Complete
Scheduled End Date: 06/27/2016
Signoff Date: 06/21/2016
Process Comments: No comment or concern, with land swape to improve quality of existing open space.
Case Type: Rezoning: Official Development Plan (ODP)
Reviewer: Ross Klopf
Case Description: To determine eligibility to rezone Open Space within a Planned Development (PD) Zone District.

This Email has been automatically generated, do not reply to sender:
If you have any Review questions, contact Ross Klopf

If you have any technical questions contact tgagnon@jeffco.us

Michael Madrid

From: Alicia Doran
Sent: Tuesday, June 28, 2016 11:18 AM
To: Michael Madrid
Subject: RE: 16-111400RZ - FIRST PHASE ELECTRONIC REFERRAL FOR REZONING
Attachments: 2016 Nox Weed Management Plan instructions.docx

Follow Up Flag: Follow up
Flag Status: Completed

Hi – Thank you for the opportunity to comment on this case.

Deer Creek Golf Course has significant infestations of noxious weeds and a Noxious Weed Management Plan will need to be submitted to me by 7/13/16. (See attached). The plan will need to include details for preventing the movement of contaminated soil offsite.

The proposal documents make mention of a conservation easement being created. Who will be the grantee/easement holder?

Thanks,
Alicia

Alicia Doran
Weed & Pest Management Specialist
Jefferson County Pest Inspector
700 Jefferson County Parkway, Suite 100
Golden, Colorado 80401
adoran@jeffco.us
O 303-271-5989
www.jeffco.us/weed

Stay connected with Jeffco!  

From: Bonnie Benedik
Sent: Wednesday, June 22, 2016 8:22 AM
Subject: 16-111400RZ - FIRST PHASE ELECTRONIC REFERRAL FOR REZONING

ELECTRONIC REFERRAL

JEFFERSON COUNTY, COLORADO



Right of Way & Permits

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

June 28, 2016

Jefferson County Planning and Zoning
100 Jefferson County Parkway, Suite 3550
Golden, CO 80419

Attn: Mike Madrid

Re: Deer Creek Golf Course Rezone, Case # 16-111400RZ

Public Service Company of Colorado's (PSCo) Right of Way & Permits Referral Desk has reviewed the request for the **Deer Creek Golf Course Rezone**. Public Service Company has no objection to this proposed rezone, contingent upon PSCo's ability to maintain all existing rights and this amendment should not hinder our ability for future expansion.

If you have any questions about this referral response, please contact me at (303) 571-3306.

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



West Metro Fire Protection District

433 S. Allison Parkway
Lakewood, CO 80226

June 27, 2016

Bus: (303) 989-4307
Fax: (303) 989-6725
www.westmetrofire.org

Mike Madrid
100 Jefferson County Parkway, Suite 3550
Golden, CO 80419-3350
mmadrid@jeffco.us
303-271-8767
Re: Case #16-111400RZ (Deer Creek Golf Course)

Dear Mr. Madrid,

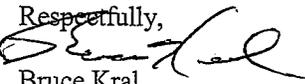
This property is within the West Metro Fire Protection District (WMFPD). Fire service will be provided as long as provisions of the International Fire Code, 2015 edition, including amendments, are met in development.

Determining the feasibility of the proposed rezoning use should include consideration of the following:

- Since the plans are conceptual at this point, the fire access, water plan, and fire hydrant locations still need to be addressed in greater detail. Acceptable plans will show the building construction type, building heights, and proposed fire hydrant locations.
- Cul de sacs will need to meet county standards and possibly will need computer generated turning exhibits to demonstrate fire apparatus with WMFPD specifications can adequately navigate the turn around.
- As this is a proposed development of over 30 units per parcel, a second access point will need to be added that is at least $\frac{1}{2}$ the diagonal measurement of the property away from the first access point.
- Fire apparatus pathways appear to have tight radii and will need computer generated turning exhibits to demonstrate fire apparatus with WMFPD specifications can adequately navigate the streets.
- Details of the "emergency access" points will need to be approved.
- Parking prohibitions may be needed to ensure fire lane widths are not compromised.
- Emergency access easements will need to be in place for all streets used as fire lanes and emergency access points.

Permits are required from the fire district for core and shell, all work on automatic fire protection systems, all work on automatic fire detection systems, underground fire line, radio amplification, solar photovoltaic systems, and for the storage of hazardous materials. WMFPD reserves the right to provide additional comments/requirements at the time when plans are submitted and reviewed per applicable codes and amendments. If you have any questions contact me at 303-989-4307 extension 513 or e-mail: bkral@westmetrofire.org.

Respectfully,


Bruce Kral
Fire Marshal

5. Criteria for Rezoning Open Space within the Planned Development Zone District
 - a. Except as set forth in paragraph b. below, requests to rezone all or any portion of a property designated in the Planned Development Zone District as open space, conservation, preservation, or other similar term to a classification that would permit development may be granted only if the applicant shows to the satisfaction of the Board of County Commissioners that the open space designation is not warranted because: (orig. 8-31-93)
 - (1) The property has none of the following features: (orig. 8-31-93)
 - (a) Significant or desirable wildlife habitat or migration routes. (orig. 8-31-93)
 - (b) Rare or unusual vegetation or ecosystems. (orig. 8-31-93)
 - (c) Remarkable geologic features such as rock outcrops or formations. (orig. 8-31-93)
 - (d) Historic resources. (orig. 8-31-93)
 - (e) Significant views or view corridors. (orig. 8-31-93)
 - (f) Riparian and/or wetland areas. (orig. 8-31-93)
 - (g) Bodies of water, except those constructed for utilitarian purposes which are no longer needed for that purpose and which were not intended also to provide wildlife habitat. (orig. 8-31-93)
 - (h) Trail corridors, such as existing trails, trail easements, or trail connections shown on an ODP. (orig. 8-31-93)
 - (2) The open space area was not set aside as an integral part of the overall development, rather than designated as "open space" because future development was unknown or unplanned at the time of zoning to Planned Development. (orig. 8-31-93)
 - (3) The property is not being used for active or passive recreation by the surrounding community. (orig. 8-31-93)
 - (4) The open space was not designated as the result of a density transfer or other adjustment to allow a higher density elsewhere. (orig. 8-31-93)
 - (5) The open space was not part of a Rural Cluster development. (orig. 7-1-03)
 - b. Property not eligible for Rezoning under the Open Space Rezoning criteria may only be rezoned where all of the following exist. (orig. 8-31-93; am. 12-17-02)
 - (1) The Rezoning request includes additional land in the same vicinity which land would replace the lost open space value set forth above with land that is superior in open space quality. (orig. 8-31-93)

- (2) The applicant has given notice of the Rezoning request by first class mail, return receipt requested, to property owners, registered associations, the Colorado State Division of Wildlife, local park and recreation district, and other referral agencies, as determined by Planning and Zoning. This provision does not supersede notice requirements set forth elsewhere in this Zoning Resolution. (orig. 8-31-93; am. 4-27-04; am. 5-20-08)
- c. Nothing set forth above shall require the Board of County Commissioners to grant a Rezoning request which meets the criteria set forth above where the Board of County Commissioners determines that such request is not in the best interests of the present and future inhabitants of Jefferson County or is not in conformance with the Rezoning criteria set forth elsewhere in this Zoning Resolution. (orig. 8-31-93)