

# **Board of County Commissioners Meeting**

**Tuesday, June 21, 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 (9:00 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](http://www.jeffco.us)), by e-mail ([commish@jeffco.us](mailto: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 June 14, 2016**

**Tuesday, June 21, 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 CC16-246** Expenditure Approval Listings - Accounting
2. **Resolution CC16-247** Bi-Weekly Payroll Register - Accounting
3. **Resolution CC16-248** Retroactive Approval for Grant Application and Award - State Criminal Alien Assistance Program (SCAAP) Grant CY2016 - Sheriff
4. **Resolution CC16-250** Grant Application - The Economic Development Administration (EDA), U.S. Department of Commerce (DOC) for the FY2016 Regional Innovation Strategies Program - FY2016 i6 Challenge Grant - Commissioners

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

## **Regular Agenda**

5. **Resolution CC16-249** Agreement - Jefferson County Business Education Alliance, a Colorado Non Profit Corporation (\$25,000.00) - County Manager

## **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.

Tuesday, June 21, 2016 (continued)

Hearing Consent Agenda

6. **Resolution CC16-243**

**Case Number:** 13-107565VA: Vacation  
Owner: Jefferson County  
Applicant: Bryan and Meredith Bockman  
Location: Right-of-way adjoining 8335 Doubleheader Ranch Road Section 5, Township 6 South, Range 70 West  
Approximate Area: 0.0523 Acres  
**Purpose:** To vacate a portion of Doubleheader Ranch Road  
Case Manager: Steve Krawczyk

7. **Resolution CC16-245**

**Case Number:** 15-120467RZ: Rezoning (continued from June 14, 2016)  
Case Name: Pennington Acres  
Owner/Applicant: Pennington Family Trust  
Location: 13371 West 58th Avenue  
Section 7, Township 3 South, Range 69 West  
Approximate Area: 10.086 Acres  
**Purpose:** To rezone from Agricultural-Two (A-2) to Planned Development (PD) to allow the subdivision of the property into five (5) lots for single family detached units.  
Case Manager: Christiana Farrell

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.

(Continued)

**Tuesday, June 21, 2016 (continued)**

**Hearing Regular Agenda**

**8. Resolution CC16-244**

**Case Number:** 16-101909RZ: Rezoning  
Case Name: Bailey ODP  
Owner/Applicant: Geoffrey R. and Kendall A. Bailey  
Location: 15200 West 32<sup>nd</sup> Avenue  
Section 25, Township 3 South, Range 70 West  
Approximate Area: 6.135 Acres  
**Purpose:** **To rezone from Agricultural-Two (A-2) to Planned Development (PD) to allow sixteen (16) lots for single-family detached units.**  
Case Manager: Christiana Farrell

**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](http://www.jeffco.us).

## COMMISSIONERS' MINUTES OF JUNE 14, 2016

The Board of County Commissioners of the County of Jefferson, State of Colorado, met in regular session on June 14, 2016 in the Jefferson County Government Center, Golden, Colorado. Commissioner Libby Szabo, Chairman presided. Commissioner Casey Tighe and Tracy Emerson, Deputy Clerk to the Board, were present. Commissioner Donald Rosier was excused.

Commissioner Libby Szabo, Chairman 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 Szabo and by majority vote with Commissioner Rosier excused, approved the Minutes of May 31, 2016.

### CONSENT AGENDA

The Board approved the following Resolutions:

1. **Resolution CC16-229** Expenditure Approval Listings Dated June 9, 2016 - Accounting
2. **Resolution CC16-230** Ratification of Expenditure Approval Listings Dated June 2, 2016 - Accounting
3. **Resolution CC16-231** Bi-Weekly Payroll Register - Accounting
4. **Resolution CC16-232** Abatement/Refund of Property Taxes – Board of Equalization
5. **Resolution CC16-233** Abatement/Refund of Property Taxes – Board of Equalization
6. **Resolution CC16-234** Abatement/Refund of Property Taxes – Board of Equalization
7. **Resolution CC16-235** Payroll and Payment Certifications for the Month of April 2016 - Human Services

8. **Resolution CC16-236** Grant Application - Jefferson County Head Start Extended Duration of Services Grant - Head Start
9. **Resolution CC16-237** Amended Grant Application - 2016 Jefferson County Head Start Grant - COLA - Head Start
10. **Resolution CC16-238** Grant Application - 2016 Jefferson County Head Start - Office of Head Start, Region VIII to Purchase and Install New Playground Equipment - Head Start
11. **Resolution CC16-239** Agreement - Jeffco Prosperity Project and Jeffco Action Center, Inc. dba The Action Center for Gen App Development - Human Service
12. **Resolution CC16-240** Grant Application and Grant Acceptance – Federal Aviation Administration and Colorado Department of Transportation for AIP 59 - Runway 12R/30L Rehabilitation Project – Airport
13. **Resolution CC16-241** Amended and Restated Intergovernmental Agreement Establishing the Chatfield Watershed Authority - Planning and Zoning
14. **Resolution CC16-242** Intergovernmental Agreement - City of Golden for the Use of Colocation Space in the Jefferson County Data Center - IT Services

**REGULAR AGENDA – No Agenda Items**

**PUBLIC HEARING CONSENT AGENDA**

No one requested to testify in the following case:

15. **Resolution CC16-228**  
**Case Number: 15-120467RZ: Rezoning**  
Case Name: Pennington Acres  
Owner/Applicant: Pennington Family Trust  
Location: 13371 West 58th Avenue  
Section 7, Township 3 South, Range 69 West  
Approximate Area: 10.086 Acres  
**Today's Action: To continue the Case to June 21, 2016.**

**Purpose: To rezone from Agricultural-Two (A-2) to Planned Development (PD) to allow the subdivision of the property into five (5) lots for single-family detached units.**

Case Manager: Christiana Farrell

The Board upon motion of Commissioner Tighe, duly seconded by Commissioner Szabo and by majority vote with Commissioner Rosier excused, adopted a resolution approving the item on the consent agenda subject to the adopted conditions of approval.

### **PUBLIC HEARING REGULAR AGENDA – No Agenda Items**

#### **REPORTS**

The Commissioners met with the Liquor Licensing Authority Board, attended the West Chamber of Commerce event and the Colorado County Commissioners Conference. They also learned about Jeffco Thrives, a new Human Services program.

They also discussed the annual Jefferson County Food Drive and encouraged people to donate food and money to this important cause. The annual food drive helps to feed over 400 households each year in the County.

Both Commissioners also mentioned the exciting plans for the upcoming Jeffco Fair and Festival scheduled for August 11 – 14, 2016.

#### **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

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Tracy Emerson, Deputy Clerk

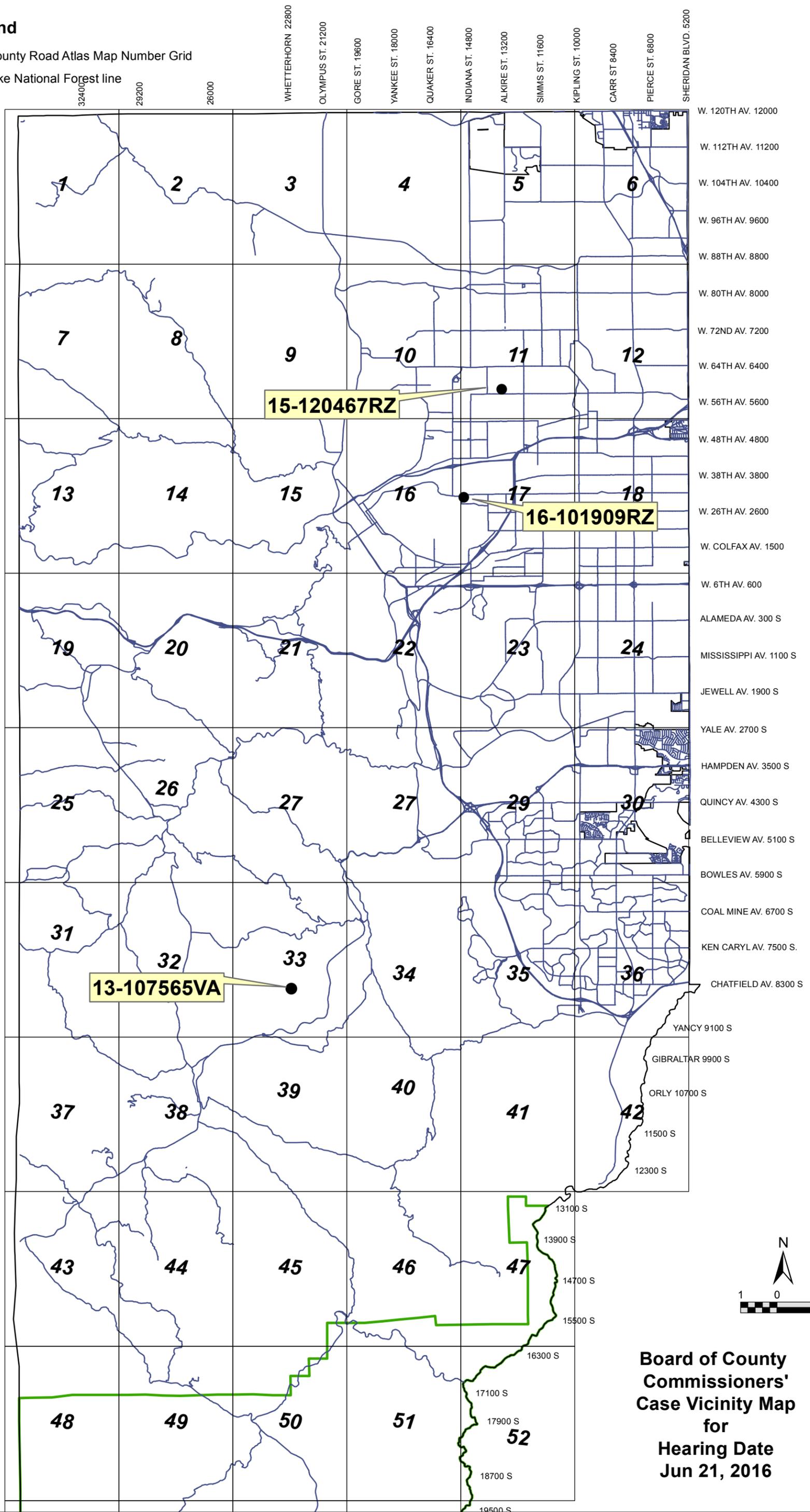
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Libby Szabo, Chairman

**Legend**

— County Road Atlas Map Number Grid

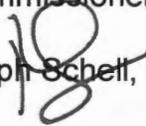
▭ Pike National Forest line



**Board of County  
Commissioners'  
Case Vicinity Map  
for  
Hearing Date  
Jun 21, 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:** June 21, 2016

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**Staff Recommendation:**

Approve the Expenditure Approval Listings dated June 16, 2016  
Resolution No.

**CC 16 - 246**

**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.

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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:** Ralph Schell, Tim Kauffman, Accounting  
**RE:** BI-WEEKLY PAYROLL REGISTER  
**DATE:** June 21, 2016

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**Staff Recommendation:**

Approve the issuance of county warrants as listed on this Bi-Weekly Payroll Register for period ending June 11, 2016.

Resolution No.

**CC16-247**

**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.

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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:** State Criminal Alien Assistance Program (SCAAP) Grant  
Retroactive Approval for Application and Award for CY2016

**DATE:** June 21, 2016

**Staff Recommendation:** The Jefferson County Board of Commissioners approves the grant application between the County and the Bureau of Justice Programs for the purposes of receiving grant revenue for the reimbursement of costs incurred related to the detention of State Criminal Aliens in the Jefferson County Detention Facility during the FFY2015 SCAAP reporting period of 12:00 a.m. (midnight), July 1, 2014 to 11:59 p.m., June 30, 2015. The Board ratifies the online application for this grant, by the Jefferson County Sheriff's Office Grants Specialist, designates Division Chief Patricia Woodin as the SCAAP Program "authorized designee", approves the acceptance of the awarded grant funds, authorizes the execution of any necessary documents and directs that the funds be included in a supplemental appropriation to the Sheriff's Office 2016 budget.

**Resolution No.** CC16 - 248

**Background:** State and Local Governments bear the costs associated with incarcerating foreign-born inmates when they enter the criminal justice system. Jefferson County has in the past, and is currently burdened with the costs associated with incarcerating these foreign-born inmates. In response to the increasing costs associated with housing these inmates, the federal government has initiated a grant reimbursement program, the State Criminal Alien Assistance Program (SCAAP) to provide reimbursement for foreign-born inmates beyond the 4 days supported by Immigration and Customs Enforcement (ICE).

**Fiscal Impact:** This is a reimbursement award for services rendered in the reporting period referenced above.

**Prepared by:** Beth Mundell, Sheriff's Office Grants Specialist

**Distribution:**

**Original returned to:** Clerk to the Board

**Copies to:** Beth Mundell, Sheriff's Office  
Tina Davros, Sheriff's Office Director of Asset Management  
Patricia Woodin, Detentions Division Chief  
Andrea Amundson, Accounting  
Joanne Kortendick, County Attorney's Office  
Mary O'Neil, Budget

# GRANT APPLICATION APPROVAL ROUTING FORM

**Parties to Contract:** Jefferson County and Bureau of Justice Assistance, Office of Justice Programs

Third Party Authorized Rep: \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_ Third Party Tax I.D.: \_\_\_\_\_

Remittance Address: \_\_\_\_\_

**Process Dates:** Must be executed by BCC: As this is a reimbursement grant, BCC signs off AFTER "award" is determined.

**Contacts:** Originating Department/Contact: Sheriff's Office/ Beth Mundell Phone: X5120

Purchasing Department/Contact: \_\_\_\_\_ Phone: \_\_\_\_\_

County Attorney/Contact: Joanne Kortendick Phone: x8955

<b>MANDATORY ACCOUNT INFORMATION</b>		Total Amount: <u>unknown</u>	
Account Number: 926909	<u>3CAAP</u>	Project: State Criminal Alien Assistance Program	Funds Available: Yes
Multi-Year Contract: Yes	No <input checked="" type="checkbox"/>	Amount of Contract Budgeted in Current Year: \$0.00	

## ROUTING

O R D E R	Department	Authorized Signatures Name/Initials (*)	Date Rec'd	Date Frw'd	Comments
1	Originator (**)	Beth Mundell/ <u>BM</u>	3/14/16	4/5/16	
2	Division Chief Detentions	Pat Woodin/ <u>PW</u>	4/11/16	4/12/16	
3	SO Asset Manager	Tina Davros/ <u>TD</u>	4/13/16	4/13/16	
4	Div Chief Support/Svc.	Dan Gard/ <u>DG</u>	4/14/16	4/14/16	
5	Undersheriff	Ray Flee/ <u>RF</u>	4-15	4-15	
6	Budget Other	<u>Andre Anderson</u>			Courtesy copy
7	County Attorney	Joanne Kortendick/ <u>JK</u>	6-7	6-9	
8	County Manager	Ralph Schell/ <u>RS</u>			
9	BCC Agenda Coordinator	Janice Fredricksen/ <u>JF</u>			Accompanies award if/when received
10					

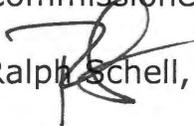
## INSTRUCTIONS

1 Number the left hand column in the order in which the contract is to be routed. (The above listing represents the typical routing for a construction bid.)

(\*\*) Signature of authorized department contact for contractual questions.

**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: FY2016 Regional Innovation Strategies Program - FY2016 i6 Challenge Grant

DATE: June 21, 2016

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**Staff Recommendation:** that the Board of County Commissioners approves the submission of, and authorizes the chairman to sign, the i6 Challenge Grant Application.

**CC 16 - 250****Resolution No.**

**Background:** The Economic Development Administration (EDA), U.S. Department of Commerce (DOC) is committed to fostering connected, innovation-centric economic sectors which support the conversion of research into products and services, businesses, and ultimately jobs through entrepreneurship. The DOC FY 2014-2018 Strategic Plan sets forth the strategic goal of working within and across ecosystems throughout the country to develop regional innovation strategies, including regional innovation clusters. Regional innovation strategies are a keystone of the Secretary of Commerce's commitment to building globally competitive regions. As part of this strategy, funding is available for capacity-building programs that provide proof-of-concept and commercialization assistance to innovators and entrepreneurs and for operational support for organizations that provide essential early-stage funding to startups.

BCC Briefing Presented on: April 26, 2016

**Original returned to:** BCC Administration

## BCC HEARING ROUTING FORM (non-purchasing items)

**Contacts:**                      Originating Division and Contact: Donald Rosier - Commissioner      Phone: Ext. 8525  
    County Attorney Contact: Ellen Wakeman                                      Phone: Ext. 8965

*Title*

ROUTING					
O R D E R	Division	Authorized Signatures  Name/Initials	Date Rec'd	Date Fw'd	Comments
( )	Originator	Donald Rosier	<i>[Signature]</i>		
( )	Division Director				
(1)	Department Director				
(2)	County Attorney	Ellen Wakeman	<i>[Signature]</i>	6/16	
( )	Elected Official				
(3)	BCC Agenda Coordinator	Janice Fredricksen	<i>[Signature]</i>		

09/02/2009

MEMORANDUM

**TO:** Honorable Chairman and Members of the Board of County Commissioners  
**FROM:** Ralph Schell, County Manager  
**RE:** Agreement between the Jefferson County Business Education Alliance, a Colorado non-profit corporation and Jefferson County, Colorado  
**DATE:** June 21, 2016

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**Staff Recommendation:**

That the Board of County Commissioners approves and authorizes the Chairman to sign the 2016 Agreement with the Jefferson County Business Education Alliance, a Colorado non-profit corporation and Jefferson County for \$25,000.

**Contract duration** through June 30, 2017

**Resolution No.** CC16- **CC 16 - 249**

**Background:**

The Jefferson County Business Education Alliance seeks a contract to provide services to the County in connection with its program to provide high school students training in basic business skills. The JCBEA will market the County in connection with the program, as indicated on the attached proposal.

**BCC Briefing:** Funding for the Jefferson County Business Education Alliance was approved in the 2016 budget. The contract was discussed at the May 17, 2016 briefing.

**Fiscal Impact:** \$25,000

**Prepared by:** Kate Newman, Deputy County Manager, x8567

**Distribution**

**Original returned to:** Kate Newman, Deputy County Manager, x8567

**Copies to:** Ellen Wakeman, Mary O'Neil

## CONTRACT

THIS CONTRACT, dated for reference purposes only this 12th day of June, 2016, is made and entered into by and between the COUNTY OF JEFFERSON, STATE OF COLORADO, a body politic and corporate (the "County") and JEFFERSON COUNTY BUSINESS EDUCATION ALLIANCE (the "Contractor").

### WITNESSETH:

WHEREAS, the County desires the services provided by the Contractor as more fully described in the Proposal to market Jefferson County through the Jefferson County Business Education Alliance attached hereto and incorporated herein (the "Services"), and;

WHEREAS, the Board of County Commissioners has authority to market the county under Section 30-11-116, C.R.S.; and

WHEREAS, the Contractor is ready and willing to perform in accordance with the terms and conditions of this Contract.

NOW, THEREFORE, for and in consideration of the covenants and conditions set forth herein, and for other good and valuable consideration, the sufficiency of which is hereby acknowledged, the County and the Contractor agree as follows:

1. **CONTRACT DOCUMENTS.** The "Contract Documents" shall consist of this Contract, the Proposal to market Jefferson County through the Jefferson County Business Education Alliance dated May 9, 2016, the Payment Schedule, Reporting, Insurance Requirements, and Provision Regarding Illegal Aliens, all of which are incorporated herein by this reference whether or not attached hereto. If there is any conflict between this Contract and the other Contract Documents, this Contract shall control.
2. **DESCRIPTION OF SERVICES.** The Contractor shall provide complete and timely performance of everything described in or reasonably implied from the Contract Documents (the "Services"). The Contractor warrants that it is fully qualified to perform the Services and shall perform the Services in accordance with the professional standards of the industry and in strict accordance with the provisions of the Contract Documents. No adjustment or modification of the Contract Documents shall be allowed for any misunderstanding of the Services or of the terms and provisions contained in the Contract Documents.
3. **AUTHORIZED REPRESENTATIVES.** The County designates Kate Newman, Deputy County Manager as the "County Representative" under this Contract. The Contractor designates Joni Inman, Executive Director, as the "Contractor Representative" under this Contract. The Contractor Representative shall have the authority to bind the Contractor with respect to the Services and shall be present at the work site as necessary to assure the Contractor's satisfactory performance. The Contractor Representative shall also be responsible for advising the County Representative of the status of the Services and agrees to take direction only from the County Representative and to comply promptly and fully with the reasonable requests and directives issued by the County Representative from time to time. The County may

change its representative at any time by notice to the Contractor. The Contractor shall not replace the Contractor Representative unless: (a) The County requests a replacement, or (b) The Contractor terminates the employment of the Contractor Representative and provides a satisfactory substitute. The County must approve a substitute Contractor Representative, and, if no substitute is acceptable, the County may terminate this Contract.

4. **APPROVAL AND ACCEPTANCE OF SERVICES.** The County Representative shall be the sole judge of the acceptability of the Services by the Contractor and the sufficiency of any supporting data submitted by the Contractor. If, at the sole discretion of the County, conferences with the Contractor are necessary or desirable to explain or correct Services, the Contractor shall make no additional charge for time or costs for attendance at such conference or for making the required explanations or corrections.

5. **PRICE AND PAYMENT.** The County shall pay the Contractor a not-to-exceed amount of Twenty-Five Thousand Dollars and No Cents (\$25,000.00) (the "Contract Price") upon satisfactory completion of the Services in accordance with the Payment Schedule. The Contract Price shall not be increased regardless of the time expended or expenses incurred by the Contractor. The Contractor shall not be entitled to reimbursement or payment for any travel, meals, entertainment, administrative or overhead (copies, telephone, supplies, etc.) costs.

6. **TERM, PERIOD OF PERFORMANCE.** The term for the Services shall be July 1, 2016, to and including June 30, 2017.

7. **CHANGES IN SERVICES.** The County Representative, by written instructions issued to the Contractor, may extend the Start Date or the Completion Date or make such changes in the Services as may be necessary to accomplish the purposes intended to be provided under this Contract. This Contract contains the entire agreement of the parties and may not be modified or amended except by an agreement in writing signed by the parties. The Contractor shall not commence any changed or increased Services prior to receipt of the required duly executed change order or contract amendment. The County shall have no duty or obligation to compensate or reimburse the Contractor for any additional Services not specifically authorized as provided herein.

8. **AMENDMENT.** This Contract contains the entire agreement of the parties relating to the subject matter hereof and, except as provided, this Contract may not be modified or amended except by written agreement of the parties. For purposes of clarity, the terms and conditions of any Contractor invoice, Contractor time sheet, or other form, including but not limited to indemnification, limitation of liability, or cancellation fees, shall be void and of no effect against the County notwithstanding any signatures on such form by a County employee. The Contractor's rights and obligations shall be solely governed by the terms and conditions of this Contract and the Contract Documents. Any County employee's signature on Contractor's forms shall be effective only to establish receipt of services.

9. **TERMINATION.** The County reserves the right to terminate this Contract, in whole or in part, with or without cause by written notice to the Contractor. In the event of termination, the Contractor shall incur no additional expenses and shall perform no further Services for the County under this Contract after the date of receipt of the notice of termination,

unless otherwise specified by the County. The County shall pay the Contractor for all Services satisfactorily performed prior to receipt of the notice of termination and for other services required by the County to be completed prior to termination and satisfactorily performed. In the event that the County terminates this Contract for cause, the provisions of the paragraph titled "Damages" shall apply.

10. **DAMAGES.** If the Contractor fails to comply with any material provision of the Contract, the Contractor shall be liable for any and all damages, including without limitation, the cost of procuring similar supplies or services and all other costs and expenses incurred by the County because of such failure.

The Contractor's failure substantially to complete the Services in conformance with this Contract shall result in damages suffered by the County, including, without limitation, the County's cost to complete the Services together with any other expenses incurred, as determined by the County. The County may offset any amounts owed to it as damages against any monies due and owing to the Contractor under this Contract. In addition, the County shall be entitled to any other rights and remedies available to it in law or equity.

11. **NON-ASSIGNMENT, SUBCONTRACTORS, PERSONAL SERVICES.** The Contractor shall not assign this Contract or employ any sub-contractor without the prior written approval of the County Representative. The Contractor shall be responsible for the acts and omissions of its agents, employees and sub-contractors. The Contractor shall bind each sub-contractor to the terms of this Contract. The County may terminate this Contract if the Contractor assigns or subcontracts this Contract without the prior written consent of the County Representative, and any such assignment or subcontracting shall be a material breach of this Contract. This Contract is a personal services contract pursuant to which the County intends to obtain the personal services of the Contractor Representative designated whose knowledge, skills and experience are deemed essential to satisfactory performance of the Services.

12. **INDEPENDENT CONTRACTOR STATUS; PAYMENT OF TAXES AND UNEMPLOYMENT INSURANCE.** The Contractor is an independent contractor and is not an agent, servant or employee of the County. The Contractor and its employees are not entitled to workers' compensation benefits through the County. The Contractor is solely responsible for necessary and adequate workers' compensation insurance and shall be responsible for withholding and paying all federal and state taxes. The Contractor and its employees are not entitled to unemployment insurance benefits unless unemployment compensation coverage is provided by an entity other than the County. The Contractor hereby acknowledges full and complete liability for and timely payment of all local, state and federal taxes imposed including, without limitation, tax on self-employment income, unemployment taxes and income taxes.

13. **INSURANCE.** The Contractor and its subcontractors shall purchase and maintain such insurance in a company or companies licensed to do business in the State of Colorado as will protect them from claims which may arise out of or result from operations under the Contract, whether such operations be by themselves or by any subcontractor or by anyone directly or indirectly employed by any of them, or by anyone for whose acts any of them may be liable. The insurance required in this paragraph shall be written for not less than the amounts set forth in the Insurance Requirements Exhibit attached hereto. The Contractor shall

provide certificates evidencing such coverage to the County Representative prior to commencing the Work and during the term of this Contract shall provide the County written evidence of continuing insurance coverage within three (3) business days of a request from the County. The Contractor shall provide the County no less than thirty (30) days' prior written notice of any proposed change to, or cancellation of the insurance coverage. Any proposed change to the insurance coverage shall comply with the terms of this Contract. If requested by the County, the Contractor shall request from its insurance company an endorsement to the insurance policy for this Contract, in a form approved by the County Attorney's Office, which will require the insurance company to provide the County with notice of cancellation of the policy. The Contractor shall promptly comply with all terms of the endorsement and shall pay the cost of the endorsement.

14. **CERTIFICATE OF INSURANCE.** All certificates of insurance and guarantees required by this Contract shall be submitted by the Contractor prior to commencement of the Work to:

County Manager  
Attn: Kate Newman, Deputy County Manager  
100 Jefferson County Parkway  
Golden, Colorado 80419

Within a reasonable time after submittal, the County shall either approve the certificates of insurance or notify the Contractor of any unacceptable conditions stating the specific reasons therefor. The Contractor shall promptly re-submit an acceptable certificate of insurance, which the County shall review within a reasonable time. The County shall not issue a Notice to Proceed until all required certificates of insurance have been accepted by the County. Certificates of insurance shall name Jefferson County as an additional insured as its interest may appear.

15. **INDEMNIFICATION.** The Contractor shall indemnify, defend and hold the County and its officials, agents and employees harmless from and against any and all claims, damages, losses, injuries and expenses (including reasonable attorneys' fees), relating to or arising out of: (1) any act or omission of the Contractor, its officers, employees, sub-Contractors, or agents in connection with the performance of the Services; (2) any breach of a covenant, representation or warranty made by the Contractor under this Contract; and (3) use by the Contractor of any intellectual property in connection with the Services (whether such intellectual property is owned by the Contractor or a third party) or the incorporation by the Contractor of intellectual property into the Services.

16. **EQUAL EMPLOYMENT OPPORTUNITY**. The Contractor shall not refuse to hire, discharge, promote or demote, or discriminate in matters of compensation against any person otherwise qualified solely because of race, creed, sex, color, national origin or ancestry, religion, disability, age, sexual orientation, or any other basis prohibited by federal, state or local law.

17. **ILLEGAL ALIENS/AUTHORIZATION TO WORK**. Contractor will comply with C.R.S. §8-17.5-101, as set forth on the Attachment titled "Provision Regarding Illegal Aliens."

18. **NON-APPROPRIATION**. The payment of County obligations in fiscal years subsequent to the current year is contingent upon funds for this Contract being appropriated and budgeted. If funds for this Contract are not appropriated and budgeted in any year subsequent to the fiscal year of execution of this Contract, this Contract shall terminate. The County's fiscal year is currently the calendar year.

19. **WARRANTIES**. The Contractor represents and warrants that:

(a) It is fully qualified to perform the Services and will perform the Services in a timely, accurate, and competent manner in accordance with the professional standards of the industry; provided that this warranty shall not abrogate any independent duty of care owed by the Contractor to the County;

(b) Any methodologies or programs or other intellectual property utilized under this Contract were independently developed by it or duly licensed from third parties and shall neither infringe upon nor violate any patents, copyrights, trade secrets or other proprietary or intellectual property rights of a third party;

(c) If it is an entity, it is duly organized, validly existing and in good standing under the laws of the State of Colorado;

(d) The execution, delivery and performance of this Contract by the Contractor does not and will not: (1) require the consent of any undisclosed person or entity, (2) violate any legal requirement or (3) conflict with, or constitute a breach or violation of (a) its entity's organizational documents, if any, or (b) the terms or provisions of any other agreement, instrument or understanding by which the Contractor is bound or affected.

20. **NOTICES**.

(a) "Key Notices" under this Contract are notices regarding any Contract renewals, Contract default, contractual dispute, termination of the Contract, or changes in the notice address. Key Notices shall be given in writing and shall be deemed received if given by: (i) confirmed electronic transmission (as defined in subsection (b) below) when transmitted, if transmitted on a business day and during normal business hours of the recipient, and otherwise on the next business day following transmission; (ii) certified mail, return receipt requested, postage prepaid, three (3) business days after being deposited in the United States mail; or (iii) overnight carrier service or personal delivery, when received. For Key Notices, the parties will

follow up any electronic transmission with a hard copy of the communication by the means described in subsection (a)(ii) or (a)(iii) above. All other daily communications or notices between the parties that are not Key Notices may be done via electronic transmission. Notice shall be given to the parties at the following addresses:

The Contractor:

Jefferson County Business Education Alliance  
Attn: Joni Inman, Executive Director  
809 Quail Street  
Building #1  
Lakewood, CO 80215  
Tele: 303-568-0874

The County:

County Manager  
Attn: Kate Newman  
100 Jefferson County Pkwy.  
Golden, Colorado 80419  
Tele: 303-271-8567  
Email: [knewman@jeffco.us](mailto:knewman@jeffco.us)

with a copy to:

Jefferson County Attorney  
100 Jefferson County Pkwy.  
Golden, Colorado 80419-5500  
Tele: 303-271-8900  
E-Mail: [CAOContracts@jeffco.us](mailto:CAOContracts@jeffco.us)

All Key Notices to the County shall include a reference to the Contract including the Contractor's name and the date of the Contract.

(b) Electronic Transmissions. The parties agree that: (i) any notice or communication transmitted by electronic transmission, as defined below, shall be treated in all manner and respects as an original written document; (ii) any such notice or communication shall be considered to have the same binding and legal effect as an original document; and (iii) at the request of either party, any such notice or communication shall be re-delivered or re-executed, as appropriate, by the party in its original form. The parties further agree that they shall not raise the transmission of a notice or communication, except for Key Notices, by electronic transmission as a defense in any proceeding or action in which the validity of such notice or communication is at issue and hereby forever waive such defense. For purposes of this Contract, the term "electronic transmission" means any form of communication not directly involving the physical transmission of paper, that creates a record that may be retained, retrieved and reviewed by a recipient thereof, and that may be directly reproduced in paper form by such a recipient through an automated process, but specifically excluding facsimile transmissions and texts.

21. **MISCELLANEOUS PROVISIONS.**

(a) **Compliance with Laws.** The Contractor shall observe and comply with all Federal, State and local laws, regulations and ordinances that affect the Contractor or those employed or engaged by it, the materials or equipment used and the performance of the Services. The Contractor shall procure all necessary approvals, licenses and permits at its own expense.

(b) **Officials Not to Benefit.** No elected or employed member of the County government shall be paid or receive, directly or indirectly, any share or part of this Contract or any benefit that may arise therefrom.

(c) **Conflict of Interest.** The Contractor shall not knowingly perform any act that would conflict in any manner with the performance of the Services. The Contractor certifies that it is not engaged in any current project or business transaction, directly or indirectly, nor has it any interest, direct or indirect, with any person or business that might result in a conflict of interest in the performance of Services.

(d) **County's Ownership of Documents/Deliverables.** Any data, documents or other things or information provided by the County to the Contractor or to which the Contractor has access during the performance of the Services (the "County Documents") and any reports, drawings, results, conclusions of the Services or other writings or products produced by the Contractor (the "Deliverables") shall be and remain the sole property of the County at all times; and the Contractor shall not use any of the Deliverables or County Documents for any other purpose. The Deliverables shall also constitute a "work made for hire," and the County shall retain all right, title and interest in and to both the County Documents and the Deliverables. The Contractor shall provide to the County all of the Deliverables and return all County Documents by the Completion Date or the earlier termination of this Contract. The Contractor shall not disclose to any third party any County Document or Deliverable without the prior written approval of the County unless required under the Colorado Public Records Act or other law.

(e) **Confidentiality.** During the course of Contractor's performance of the Services, Contractor may have access to certain confidential and proprietary information owned by the County that may be disclosed to Contractor and Contractor's employees, agents, representatives, assigns or subcontractors orally, in writing or by observation. All such information disclosed to Contractor or Contractor's employees shall be maintained in strict confidence, shall not be used except as necessary for the performance of the Contract and shall not be disclosed to any third party without prior written approval of the County unless required under the Colorado Public Records Act or other law. All tangible items or material developed by or made available to Contractor or Contractor's employees, agents, representatives, assigns, or subcontractors hereunder shall be delivered to the County promptly upon the cancellation, termination or completion of this Contract.

(f) **Confidentiality of Systems.** In addition to containing public record information, a substantial amount of the information stored in the County's networks and systems (collectively, the "System") is confidential and is prohibited from unauthorized disclosure. Many programs, processes and other software products in the County's possession are confidential and may be protected by copyright, trade secret or other proprietary rights, and are not subject to unauthorized

disclosure. All proprietary rights shall at all times remain with the County, and no such rights are transferred to the Contractor. The County is and shall remain the sole owner of any programs, data or other information contained on the System, and at no time shall the Contractor have the right to license, sublicense, assign, sell, copy, modify or otherwise make available to any third party, any portion of the System or any information contained on the System. The Contractor shall indemnify and hold harmless the County and its elected officials, agents and employees from and against any and all liability, claims, damages and expenses (including reasonable attorneys' fees) arising out of the Contractor's unauthorized access to, modification or disclosure of, such System information.

(g) Governing Law, Forum, Venue. This Contract and the rights and duties of the parties hereunder shall be interpreted in accordance with the laws of the State of Colorado applicable to contracts made and to be performed entirely within such State without regard to its conflict of law provisions; and the Courts of such State shall have sole and exclusive jurisdiction over any disputes or litigation arising hereunder. Venue for any and all legal actions arising hereunder shall lie in the District or County Court in and for the County of Jefferson, State of Colorado.

(h) Survival. Notwithstanding anything to the contrary, the parties understand and agree that all terms and conditions of this Contract that require continued performance or compliance beyond the termination or expiration of this Contract, including without limitation the indemnification and warranty provisions, shall survive such termination or expiration and shall be enforceable against a party if such party fails to perform or comply with such term or condition.

(i) Sales Tax Exemption. The Contractor will not be required to pay Colorado State sales and use taxes for the Services. The Contractor may obtain a sales tax exemption permit from the State of Colorado, Department of Revenue, if necessary, to obtain materials for the Services without the payment of Colorado State sales and use tax.

(j) Waiver. This Contract or any of its provisions may not be waived except in writing by a party's authorized representative. The failure of a party to enforce any right arising under this Contract on one or more occasions will not operate as a waiver of that or any other right on that or any other occasion.

(k) No Third Party Beneficiaries. The enforcement of this Contract and all rights of action relating to such enforcement, shall be strictly reserved to the County and the Contractor. Nothing contained in this Contract shall give or allow any claim or right of action whatsoever by any other third person, nor shall anything contained in this Contract be construed as a waiver of any provision of the Colorado Governmental Immunity Act, C.R.S. §24-10-101, et. seq., as amended. It is the express intention of the County and the Contractor that any such person or entity, other than the County or the Contractor, receiving services or benefits under this Contract shall be deemed an incidental beneficiary only.

(l) Records Retention. The Contractor shall maintain all records, including working papers, notes and financial records, which records shall be available to the County for inspection

and audit for a period of three (3) years from the date of termination of the Contract unless the Contractor is notified in writing by the County of the need to extend the retention period. Copies of such records shall be furnished to the County upon request without charge by the Contractor.

(m) Execution by Counterparts; Electronic Signatures. This Contract may be executed in two or more counterparts, each of which shall be deemed an original, but all of which shall constitute one and the same instrument. The Parties approve the use of electronic signatures for execution of this Contract. Only the following two forms of electronic signatures shall be permitted to bind the Parties to this Contract: (1) Electronic or facsimile delivery of a fully executed copy of a signature page; (2) The image of the signature of an authorized signer inserted onto PDF format documents. All documents must be property notarized, if applicable. All use of electronic signatures shall be governed by the Uniform Electronic Transactions Act, C.R.S. §§24-71.3-101 to -121.

(n) Proper Execution. Each party represents that all procedures necessary to authorize such party's execution of this Contract have been performed and that the person signing for such party has been authorized to do so.

**IN WITNESS WHEREOF**, the parties hereto have caused this Contract to be executed.

COUNTY OF JEFFERSON  
STATE OF COLORADO

By \_\_\_\_\_  
Libby Szabo, Chairman  
Board of County Commissioners

STATE OF COLORADO  
COUNTY OF JEFFERSON

The foregoing Contract was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2016 by Libby Szabo as Chairman of the Board of County Commissioners for the County of Jefferson, State of Colorado.

\_\_\_\_\_  
Notary's official signature

\_\_\_\_\_  
Commission expiration date

Contractor:

JEFFERSON COUNTY BUSINESS EDUCATION  
ALLIANCE

By Joni D. Inman

STATE OF COLORADO  
COUNTY OF Jefferson

The foregoing Contract was acknowledged before me this 15<sup>th</sup> day of June, 2016  
by Joni Inman as \_\_\_\_\_ of Jefferson County Business Education  
Alliance.

**JANICE M FREDRICKSEN**  
NOTARY PUBLIC  
STATE OF COLORADO  
Notary ID 19994006074  
My Commission Expires 05/23/2019

Janice M Fredricksen  
Notary's official signature

May 23, 2019  
Commission expiration date

## **Deliverables**

- Jefferson County will be recognized as the Diamond Sponsor of all JCBEA programming.
- Jefferson County will be recognized as the primary supporter in all communication with regional and national entities.
- Jefferson County's logo will be prominently displayed on the JCBEA website, with a link to the County website.
- Jefferson County's logo will appear on all program materials that are provided to students and their families.
- Jefferson County will be publicly recognized at all JCBEA events.
- A press release will be issued, with language developed jointly with the County's communication staff, regarding County and JCBEA efforts to focus on providing a well trained business force to employers.
- The County will be provided with table marketing space at all JCBEA events.
- JCBEA will provide Basic Business Etiquette training in scheduled sessions for County employees.
- Jefferson County will be featured with professional on-site signage at events.
- Jefferson County will be recognized as the sponsor of the first year of the Virtual Career Day project.
- Ad space will be provided on the JCBEA website.
- Quarterly reports will be provided to the Board of Commissioners.

## **Measureable Outcomes**

A well-educated workforce is a key to economic prosperity. Jefferson County benefits from this program by ensuring that employers have trained entry-level employees. This is important not only to the attraction of business to Jefferson County but also in the reduction of unemployment rates.

Therefore, the JCBEA has identified the following as metrics of success for the 12 month period beginning June, 2016:

- Increase the total number of Career Ready Workshops held at Jefferson County high schools by 60%, from seven to 11.
- Lower the age of eligible participants from 16 to 15 years of age – resulting in an increase of participants by five per class – a 25% increase in class size. This will result in 275 students receiving Career Ready Certification.
- Add a Career Ready Workshop for the children, ages 15 and older, in the Jefferson/Gilpin CASA program. This program will be held in August, 2016, with an anticipated enrollment of 40.
- Establish one full-day entrepreneur basics program for teens in Jefferson County. These teens will then be connected to entrepreneur programs at Red Rocks Community College. Anticipated enrollment: 25.

- Increase number of Jefferson County businesses that commit to providing Career Ready graduates priority hiring status by 100%, from 17 to 34.
- Increase number of Jefferson County businesses offering job shadow opportunities by 100%, from 20 to 40.
- Increase number of business representatives training workshop sessions by 100%, from 12 to 24, which will allow us to grow.
- Approximately 350 notebooks will be branded with, “This program brought to you through the generosity of the business community, with special gratitude to the support of the Jefferson County Board of Commissioners.” These are distributed to students and sponsors.
- Finalize strategic plan for development of a “Virtual Career Day” database, highlighting Jefferson County businesses and the jobs within those companies.
- The JCBEA presents to approximately 24 community organizations per year, each with a minimum of 20 in attendance. All marketing materials will be branded with the support language identified above – exposure: 480.

The Board of the Jefferson County Education Alliance meets in a Strategic Planning session at the end of June, to establish three-year goals. Those will be shared with the County Commissioners during the quarterly updates.

### **Commitment**

It is my commitment, as Executive Director of the Jefferson County Business Education Alliance, to come before the Board of County Commissioners at requested intervals with reports on progress of our mission. I further commit to working with the Commissioners in the pursuit and creation of a strong vocational education program that will benefit both employers and students.

Thank you all so much for your consideration. Please let me know if I can provide more information. I'm also happy to meet with you for further discussion.

Best to all,

*Joni Inman*

Joni Inman  
 Executive Director  
 Jefferson County Business Education Alliance  
 303-568-0874 (office)  
 303-829-1655 (mobile)

**PAYMENT SCHEDULE**

**Contract price not to exceed \$25,000. Payments will be made in equal quarterly payments of \$6,250 beginning September 1, 2016 upon receipt of an invoice and report from JCBEA showing appropriate progress toward completion of Deliverables and Measurable Outcomes, as determined by the Board of County Commissioners.**

**REPORTING**

**The Jefferson County Business Education Alliance will provide quarterly briefings to the Board of County Commissioners, either in person or in written report, whichever is preferred.**

	<b>INSURANCE REQUIREMENTS –</b>	<b>GENERAL</b>
I	<b>Prior to the commencement of any work the vendor shall forward certificates of insurance to the department specified in the award document.</b>	
II	<b>Certificate Holder must be Jefferson County, Colorado.</b>	Required
II	<b>Jefferson County must be added as an additional insured to all general liability and auto liability, and any excess liability policies.</b>	Required
III	Insurance - Minimum requirement	
	Workers compensation - statutory limits provided by an insurance carrier that is licensed to do business in Colorado. The policy shall contain a Waiver of Subrogation on behalf of Jefferson County. Employer's liability - \$100,000 each accident \$500,000 disease policy limit \$100,000 disease each employee	Required UNLESS SOLE PROPRIETORSHIP
	Commercial General Liability - on an Occurrence Form The policy must not exclude or reduce coverage for mobile equipment, personal injury; blanket contractual; and death. Personal injury coverage must have the employee exclusion deleted. The policy shall contain a Waiver of Subrogation on behalf of Jefferson County.	Required \$500,000 ea occurrence \$1M general aggregate
	Commercial automobile liability insurance - including hired and non-owned vehicles, if autos are used in the performance of work under this agreement. Combined single limit for bodily injury and property damage.	\$100,000 per occurrence \$300,000 aggregate
	All deductibles or self-insured retentions (SIRs) in excess of \$5,000 must be listed on the certificate of insurance	Required
	The insurance requirements specified by the county shall remain in effect for the full term of the contract and/or agreement and any extension thereof. Updated Certificates of Insurance shall be sent to the county during the full term of the contract and/or agreement and any extension thereof.	Required
	The county reserves the right to reject any insurer it deems not financially acceptable on insurance industry resources. Property and liability insurance companies shall be licensed or approved to do business in Colorado and shall have an A.M. Best rating of not less than A-/VII. Additionally the county reserves the right to reject any insurance with relatively large deductibles or self-insured retentions (SIRs), deemed by the county to pose too high a risk based on the size of the contractor, financial status or rating of the contractor, or based on the size or type of the project and the exposure.	Required
	Any deviations below the standards given above must be approved by Jefferson County Risk Management	Required
IV	<b>Any subcontractors must meet the same insurance requirements for the contract or purchase order unless Risk Management has approved a deviation</b>	<b>Required</b>
V		

M:\GROUPS\RISK\General.doc

### PROVISIONS REGARDING ILLEGAL ALIENS

If Contractor has any employees or subcontractors, Contractor shall comply with C.R.S. §8-17.5-101, *et seq.*, regarding Illegal Aliens - Public Contracts for Services, and this Contract. By execution of this Contract, Contractor certifies that it does not knowingly employ or contract with an illegal alien who will perform work under this Contract and that Contractor will participate in either the E-Verify Program or Department Program in order to confirm the eligibility of all employees who are newly hired for employment to perform work under this Contract.

A. Contractor shall not:

- (i) Knowingly employ or contract with an illegal alien to perform work under this Contract; or
- (ii) Enter into a contract with a subcontractor that fails to certify to Contractor that the subcontractor shall not knowingly employ or contract with an illegal alien to perform work under this Contract.

B. Contractor has confirmed the employment eligibility of all employees who are newly hired for employment to perform Work under this Contract through participation in either the E-Verify Program or Department Program.

C. Contractor shall not use either the E-Verify Program or Department Program to undertake pre-employment screening of job applicants while this Contract is in effect.

D. If Contractor obtains actual knowledge that a subcontractor performing work under this Contract knowingly employs or contracts with an illegal alien, Contractor shall:

- (i) Notify the subcontractor and the County within three days that Contractor has actual knowledge that the subcontractor is employing or contracting with an illegal alien; and
- (ii) Terminate the subcontract with the subcontractor if within three days of receiving the notice required pursuant to the preceding sub-subparagraph of this subparagraph, the subcontractor does not stop employing or contracting with the illegal alien; except that Contractor shall not terminate the contract with the subcontractor if during such three days the subcontractor provides information to establish that the subcontractor has not knowingly employed or contracted with an illegal alien.

E. Contractor shall comply with any reasonable request by the Department of Labor and Employment made in the course of an investigation that the Department is undertaking pursuant to the authority established in C.R.S. §8-17.5-102(5).

F. If Contractor violates this provision of this Contract, the County may terminate the Contract for a breach of contract. If the Contract is so terminated, Contractor shall be liable for actual and consequential damages to the County as required by law.

G. The County will notify the Office of the Secretary of State if Contractor violates this provision of this Contract and the County terminates the Contract for such breach.



# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)  
06/10/2016

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

**IMPORTANT:** If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

<b>PRODUCER</b> Aimee Skul(0733302) 6355 Ward Rd Unit 307  Arvada CO 80004-3823		<b>CONTACT NAME:</b> <b>PHONE (A/C, No, Ext):</b> 720-974-9320 <b>FAX (A/C, No):</b> 866-903-6417 <b>E-MAIL ADDRESS:</b> afoose@farmersagent.com															
<b>INSURED</b>  JEFFERSON COUNTY BUSINESS EDUCATION ALLIANCE 51 S DEFRAME WAY GOLDEN CO 80401		<table border="1"> <thead> <tr> <th>INSURER(S) AFFORDING COVERAGE</th> <th>NAIC #</th> </tr> </thead> <tbody> <tr> <td>INSURER A : Truck Insurance Exchange</td> <td>21709</td> </tr> <tr> <td>INSURER B : Farmers Insurance Exchange</td> <td>21652</td> </tr> <tr> <td>INSURER C : Mid Century Insurance Company</td> <td>21687</td> </tr> <tr> <td>INSURER D : Great American Insurance Companies</td> <td></td> </tr> <tr> <td>INSURER E :</td> <td></td> </tr> <tr> <td>INSURER F :</td> <td></td> </tr> </tbody> </table>		INSURER(S) AFFORDING COVERAGE	NAIC #	INSURER A : Truck Insurance Exchange	21709	INSURER B : Farmers Insurance Exchange	21652	INSURER C : Mid Century Insurance Company	21687	INSURER D : Great American Insurance Companies		INSURER E :		INSURER F :	
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INSURER D : Great American Insurance Companies																	
INSURER E :																	
INSURER F :																	

**COVERAGES                      CERTIFICATE NUMBER:                      REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<b>GENERAL LIABILITY</b> <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR  GENL AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC			605864616	09/17/2015	09/17/2016	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 1,000,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000
A	<b>AUTOMOBILE LIABILITY</b> <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> HIRED AUTOS <input checked="" type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS			605864616	09/17/2015	09/17/2016	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
	<b>UMBRELLA LIAB</b> <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS-MADE DED      RETENTION \$						EACH OCCURRENCE \$ AGGREGATE \$
	<b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b> ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below						WC STATU-TORY LIMITS      OTH-ER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$
D	Directors and Officers Liability			EPP2452391	10/27/2015	10/27/2016	\$1,000,000 Each Occurrence

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)

**CERTIFICATE HOLDER                      CANCELLATION**

COUNTY MANAGER Attn: Kate Newman, De 100 Jefferson County Parkway Golden, CO 80419	<b>SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.</b>  <b>AUTHORIZED REPRESENTATIVE</b> Aimee Skul
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## CASE SUMMARY Consent Agenda

**PC Hearing Date:** June 1, 2016

**BCC Hearing Date:** June 21, 2016

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**13-107565VA** Vacation

**Owner:** Jefferson County

**Applicant:** Bryan and Meredith Bockman

**Location:** Right-of-way adjoining 8335 Doubleheader Ranch Road  
Section 5, Township 6 South, Range 70 West

**Approximate Area:** 0.0523 Acre

**Purpose:** **To vacate a portion of Doubleheader Ranch Road.**

**Case Manager:** Steve Krawczyk

---

**Issues:**

- None

**Related Deeds:**

- ED 15-128779DE, an easement agreement between the County and the applicants to allow the County to mitigate any potential damage to remaining right-of-way

**Recommendations:**

- **Staff:** Recommends APPROVAL subject to conditions
- **Planning Commission:** Recommends APPROVAL subject to conditions

**Interested Parties:**

- None

**Level of Community Interest:** Low

**General Location:** Doubleheader Road and Cook Road

**Case Manager Information:** Phone: 303-271-8736 e-mail: skrawczyk@jeffco.us

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

BEFORE THE PLANNING COMMISSION  
COUNTY OF JEFFERSON  
STATE OF COLORADO

**June 1, 2016**

**RESOLUTION**

---

**13-107565VA**

**Owner:**

**Vacation**

Jefferson County

**Applicants:**

Bryan and Meredith Bockman

**Location:**

Right-of-way adjoining 8335 Doubleheader Ranch Road

Section 5, Township 6 South, Range 70 West

**Approximate Area:**

0.0523 Acre

**Purpose:**

**To vacate a portion of Doubleheader Ranch Road.**

**Case Manager:**

Steve Krawczyk

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. Jefferson County has acquired a public roadway over, through and on the lands described herein.
  - B. The right-of-way described herein is no longer necessary for use by the public.
  - C. The right-of-way is not within the limits of any city or town and does not form the boundary line of a city, town or county.
  - D. By a vacation of said right-of-way no land would be left without an established public street or road or private access easement connecting it with another established public street or road.
  - E. The proposal conforms to the Land Development Regulation

because all applicable regulations have been satisfied as indicated within this report.

3. The following are conditions of approval:
  - A. Acceptance of Easement Deed 15-128779DE by the Board of County Commissioners.
  - B. A completed merger agreement that merges the vacated right-of-way with the adjoining property, Lot 51, Doubleheader Ranch Estates – Filing 4.

And, Staff further recommends that the Planning Commission recommend, pursuant to the authority granted in C.R.S. 43-2-302-(1)(f), that the vacated right-of-way as described on the legal descriptions attached hereto as Exhibit "A" shall best in and to abutting property owners, Bryan and Meredith Bockman, property address of 8335 Double Header Ranch Road, Morrison, Colorado 80465.

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

Commissioner	<b>Rogers</b>	<b>Aye</b>
Commissioner	<b>Hammond</b>	<b>Aye</b>
Commissioner	<b>Hatton</b>	<b>Aye</b>
Commissioner	<b>Burke</b>	<b>Aye</b>
Commissioner	<b>Westphal</b>	<b>Aye</b>
Commissioner	<b>Spencer</b>	<b>Aye</b>
Commissioner	<b>Schiche</b>	<b>Aye</b>

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, June 1, 2016.

Jefferson County Planning Commission Resolution  
Case # 13-107565VA  
June 1, 2016  
3 of 3

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

Bonnie Benedik  
Administrative Assistant

## Staff Report

**PC Hearing Date:** June 1, 2016

**BCC Hearing Date:** June 21, 2016

---

**13-106416VA** Vacation

**Owner:** Jefferson County

**Applicant:** Bryan and Meredith Bockman

**Location:** Right-of-way adjoining 8335 Doubleheader Ranch Road  
Section 5, Township 6 South, Range 70 West

**Approximate Area:** 0.0523 Acre

**Case Manager:** Steve Krawczyk

**Purpose:** **To vacate a portion of Doubleheader Ranch Road.**

---

### **Background/Unique information:**

This Vacation case is associated with a Grading Permit (Case No.11-105560GP) for a property at 8335 Doubleheader Ranch Road, which is an administrative process. The purpose of the Grading permit is to repair a slope failure due to modifications made in the field that were not in conformance with the approved permit.

There is an active zoning violation on the property, 12-114393CV, with an associated stipulation between the property owners/applicants and the County. The zoning violation is for grading without a permit. The property owner wants to vacate a portion of the right-of-way in order to complete the work required by the stipulation.

The Grading Permit will allow the construction of a retaining wall and driveway in an area that is now County right-of-way. As a part of the Grading Permit, the applicant is proposing to vacate a portion of County right-of-way to accommodate the reconfigured driveway and retaining walls.

Doubleheader Ranch Road was dedicated to and accepted by the County as part of the Doubleheader Ranch Estates Filing 4 Subdivision.

### **Community Notification:**

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

1. Notification of this proposed development was mailed to adjoining property owners and registered associations of the subject property. The initial notification was mailed at the time of the 1<sup>st</sup> referral. Additional notification was mailed 14 days prior to the Planning Commission Hearing.
2. A sign, identifying the dates of both the Planning Commission Hearing and the Board of County Commissioner's Hearing, was provided to the applicant for posting on the site. The sign was provided

to the applicant with instructions that the site be posted 14 days prior to the Planning Commission Hearing.

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

- Berrien Ranch Umbrella Group
- Jefferson County Horseman's Assoc
- Conifer Area Council
- Doubleheader Mountain Assn

During the processing of the application, Staff has not received any written responses in objection to the proposal.

**Issues Analysis:**

	Maintenance	Traffic & Safety	Emergency Access	Property Owner Access	Utilities
<b>Acceptable</b>	X(1)	X(2)	X(3)	X(4)	X(5)
<b>Unacceptable</b>					

.....

**1. Maintenance:**

The proposed vacated area will require an easement agreement that will grant the County the right to mitigate any damage that the driveway and retaining wall may cause to the remaining portion of right-of-way. The Road & Bridge and Transportation & Engineering Divisions support this right-of-way vacation request. The vacated property will vest to the adjoining property owners/applicants and they will be responsible to maintain the newly acquired property.

**2. Traffic and Safety:**

There is no constructed road within the proposed vacation of right-of-way; therefore, this right-of-way vacation request will not impact traffic circulation or safety.

**3. Emergency Access:**

There is not an existing road or fire protection facility within the proposed vacated area. This right-of-way vacation will not impact fire protection and rescue operations from the Inter-Canyon Fire Protection District.

**4. Property Owner Access:**

All property owners that may be impacted by this right-of-way vacation have existing access. The vacation request will not impact access to any properties. The merger of the vacated area and the applicants' property is required to assure access to the property owners/applicants' property and is listed as a condition of approval.

**5. Utilities:**

All utility companies, including Xcel Energy, Comcast Cable and CenturyLink, have provided letters stating there are no existing or proposed utilities within the area of right-of-way proposed to be vacated.

**6. Easement Deed:**

Easement Deed ED 15-128779DE is an easement agreement between the applicants and the County, which is over and across the to-be-vacated right-of-way area. The deed has been submitted as required to allow the County to mitigate any damage the driveway and retaining wall may cause to the remaining portion of right-of-way. The acceptance of this deed by the Board of County Commissioners is listed as a condition of approval.

**7. Statutory Requirement – Boundary (C.R.S §43-2-303):**

The right-of-way requested to be vacated with this application is not within the limits of any city or town, and it does not form the boundary line of a city, town or county.

**8. Vesting:**

The vacated right-of-way will vest to Bryan and Meredith Bockmon, who are the abutting property owners.

**9. Planning Commission:**

Planning Commission Recommendation (Resolution dated June 1, 2016 attached):

Approval	_____
Approval with Conditions	<u>X (7-0)</u>
Denial	_____

This case was scheduled on the consent agenda for the Planning Commission hearing and was not removed from the consent agenda for discussion.

**SUMMARY/RECOMMENDATIONS:**

**Staff recommends that the Board of County Commissioners find that:**

- 1. Jefferson County has acquired a public roadway over, through and on the lands described herein.**
- 2. The right-of-way described herein is no longer necessary for use by the public.**
- 3. The right-of-way is not within the limits of any city or town and does not form the boundary line of a city, town or county.**
- 4. By a vacation of said right-of-way no land would be left without an established public street or road or private access easement connecting it with another established public street or road.**
- 5. The proposal conforms to the Land Development Regulation because all applicable regulations have been satisfied as indicated within this report.**

AND

Staff recommends that the Board of County Commissioners APPROVE Case No. 13-107565VA subject to the following conditions:

1. Acceptance of Easement Deed ED 15-128779DE by the Board of County Commissioners.
2. A completed merger agreement that merges the vacated right-of-way with the adjoining property, Lot 51, Doubleheader Ranch Estates - Filing 4.

AND

Staff further recommends that pursuant to the authority granted in C.R.S. 43-2-302(1)(f), the Board of County Commissioners direct that the portion of vacated right-of-way as described on the legal descriptions attached hereto as Exhibit "A", shall vest in and to abutting property owners, Bryan and Meredith Bockmon, property address of 8335 Doubleheader Ranch Road, Morrison, Colorado 80465.

COMMENTS PREPARED BY:

*Steve Krawczyk*

Steve Krawczyk, Civil Planning Engineer  
June 10, 2016

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

May 18, 2016

Case Number: **13-107565VA**

Case Type: **Vacation**

Applicant Makes Complete Submittal: **September 20, 2013**

Case Sent on Referral: **September 24, 2012**

All Responses Provided to Applicant: **October 8, 2013**

Applicant Resubmits: **January 23, 2014**

All Responses Provided to Applicant: **February 7, 2013**

Applicant Resubmits: **January 7, 2016**

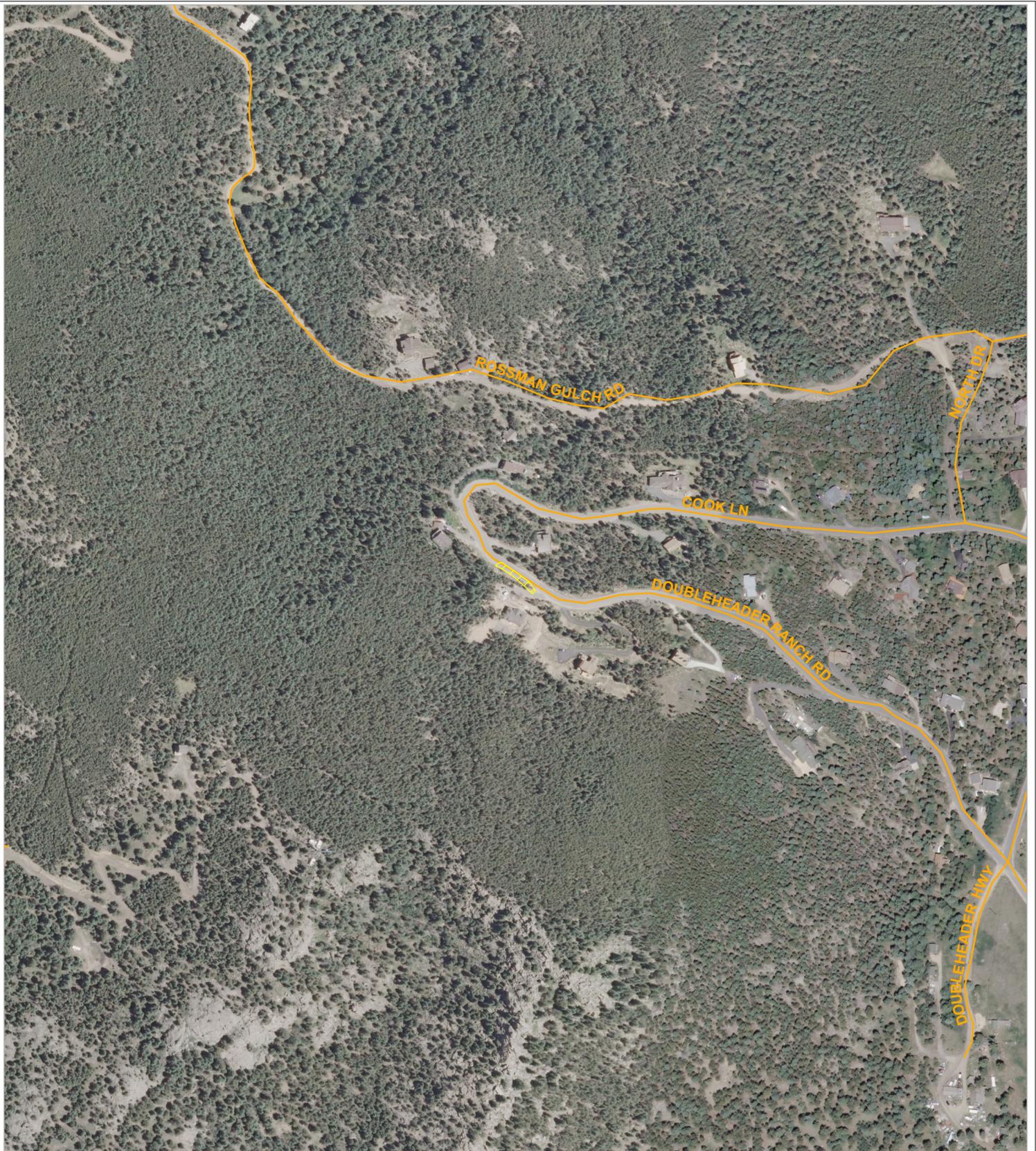
All Responses Provided to Applicant: **Febraury 10, 2016**

Applicant Resubmits: **April 14, 2016**

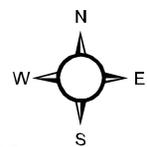
Determination That Case Should Proceed to Hearing: May 12, 2016

County Staff Determination:

**X** Applicant's Request:



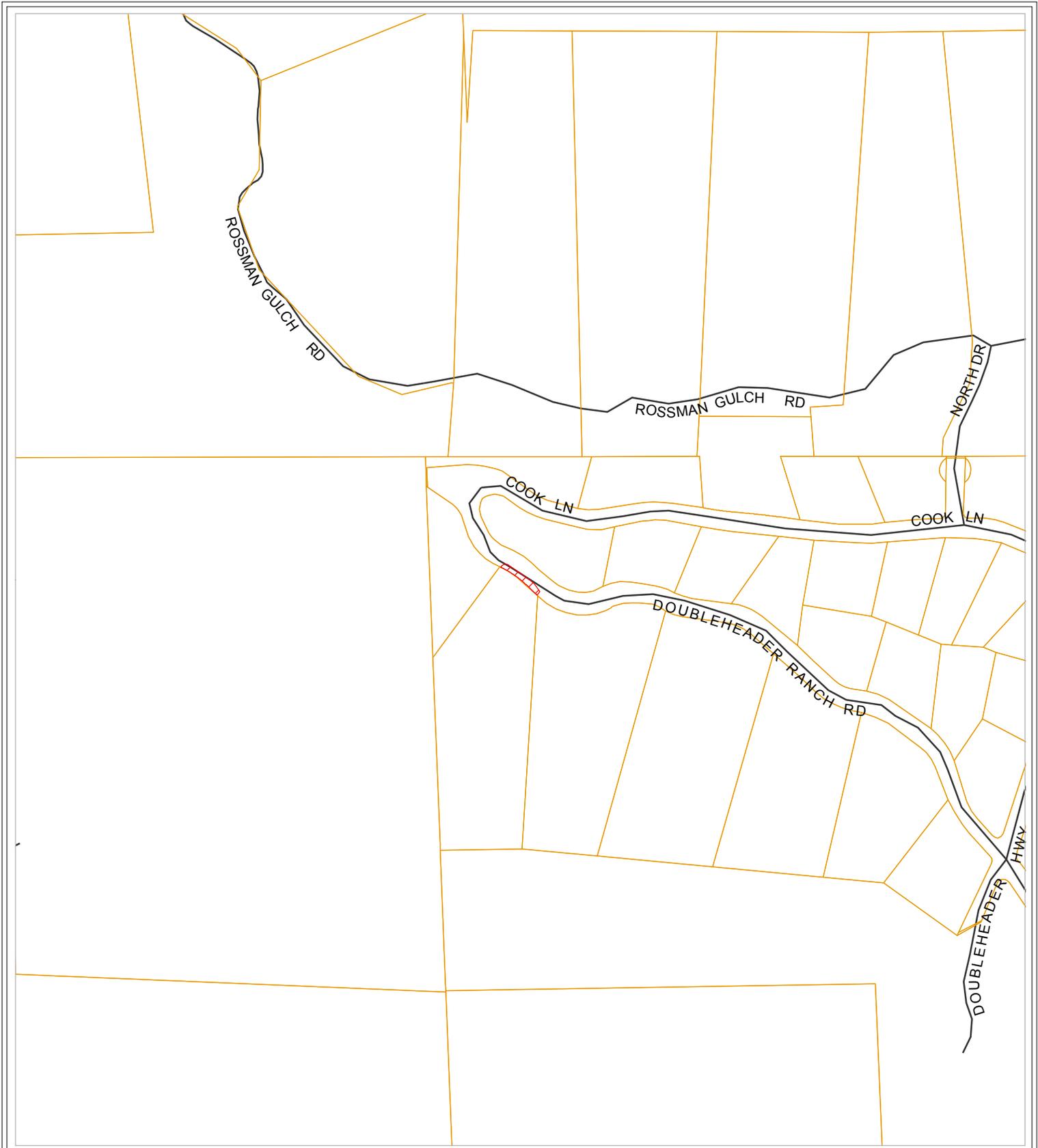
**Case Number: 13-107565VA**  
**Location: Section 5, T6S, R70W**



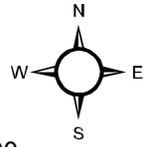
400 0 400 800 Feet



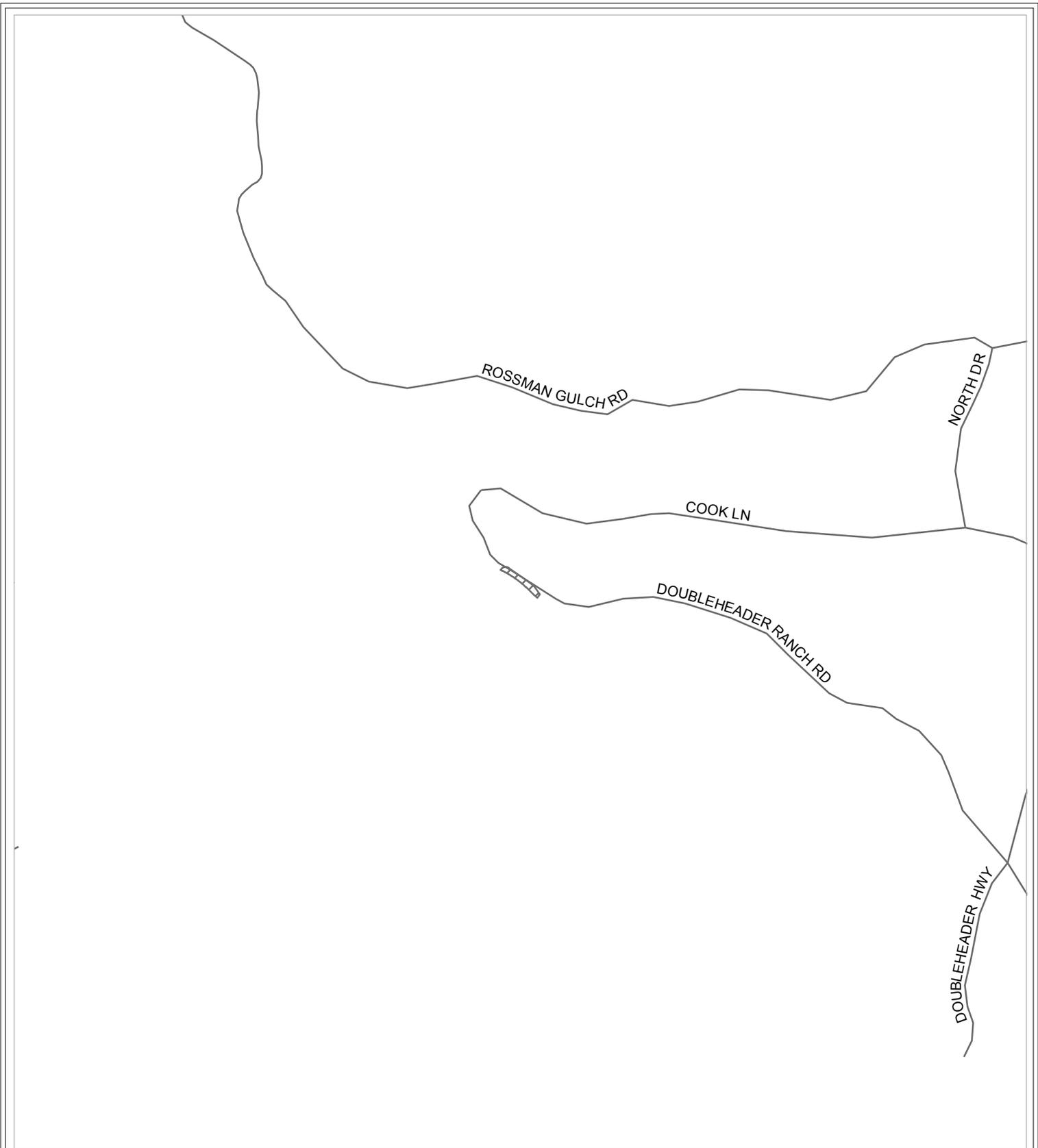
This product has been developed for internal use only. The Planning and Zoning Division makes no warranties or guarantees, either expressed or implied, as to the completeness, accuracy or correctness of such products, nor accepts any liability arising from any incorrect, incomplete or misleading information contained therein.



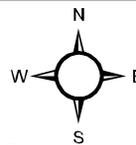
**Case Number: 13-107565VA**  
**Location: Section 5, T6S, R70W**



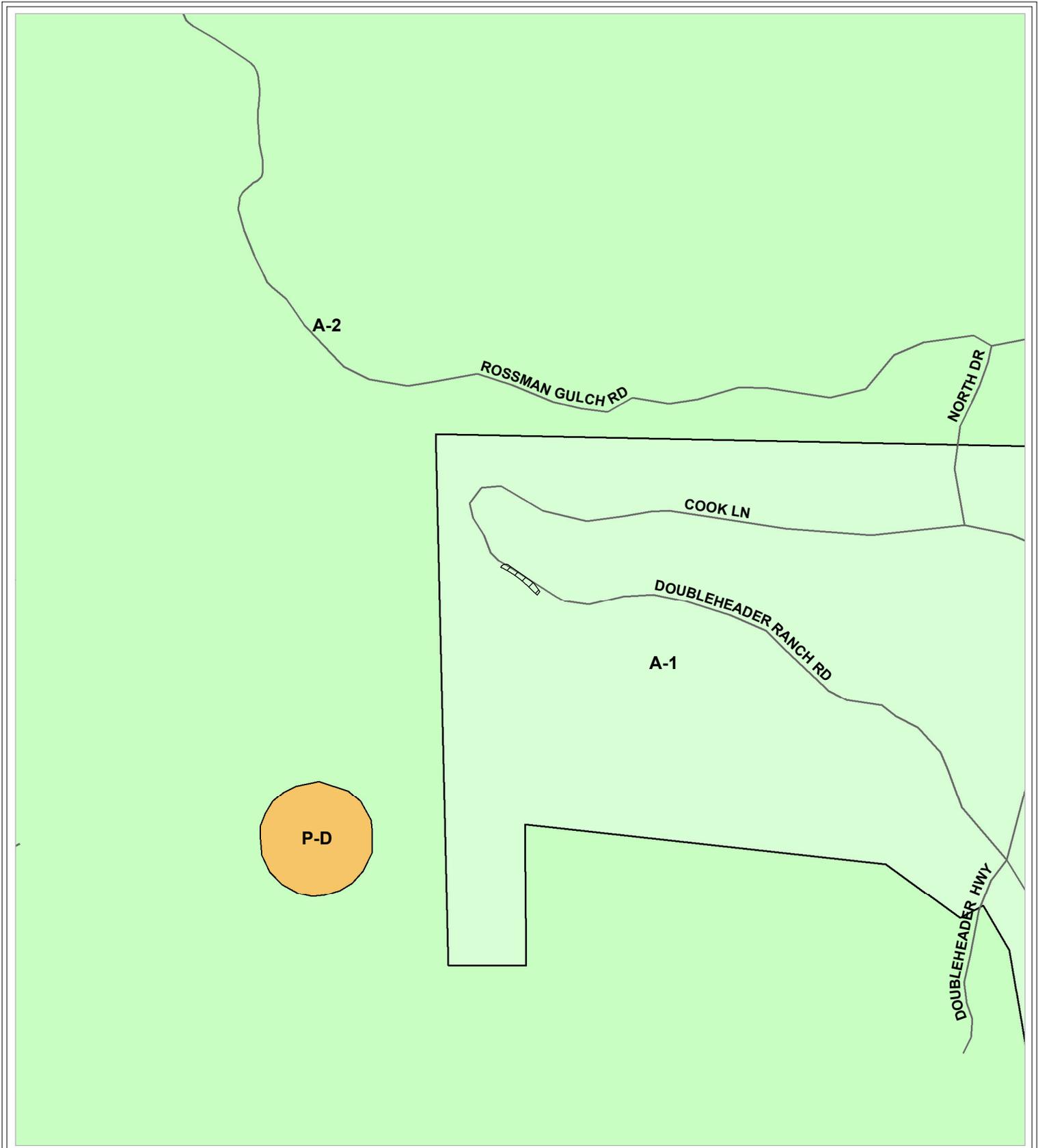
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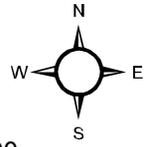
**Case Number: 13-107565VA**  
**Location: Section 5, T6S, R70W**



This product has been developed for internal use only. The Planning and Zoning Division makes no warranties or guarantees, either expressed or implied, as to the completeness, accuracy or correctness of such products, nor accepts any liability arising from any incorrect, incomplete or misleading information contained therein.



**Case Number: 13-107565VA**  
**Location: Section 5, T6S, R70W**



This product has been developed for internal use only. The Planning and Zoning Division makes no warranties or guarantees, either expressed or implied, as to the completeness, accuracy or correctness of such products, nor accepts any liability arising from any incorrect, incomplete or misleading information contained therein.

## ELECTRONIC APPLICATION

A Vacation application has been submitted to Jefferson County Planning and Zoning. Please review the submittal documents that can be found electronically at <http://jeffco.us/planning/> under the "Active Cases" link, and refer to "Vacation". The case information may be located using the case number for the application listed below. **Please allow 24 hours for the documents to be posted to the website.** Please respond electronically to the case manager by the due date below.

Case Number: **13-107565VA**

Case Type: **Vacation of Right-of-Way**

Property Address: 8335 Doubleheader Ranch Road

Purpose: To vacate portions of platted ROW.

Comments Due: **Friday, October 4, 2013**

Case Manager: **Aaron McLean**

Case Manager Contact Information: [amclean@jeffco.us](mailto:amclean@jeffco.us) **303-271-8727**

### **Referrals:**

#### *Internal:*

Planning Engineering  
Zoning Administration  
Cartography  
Addressing  
Assessor  
Transportation and Engineering  
Road & Bridge District 3

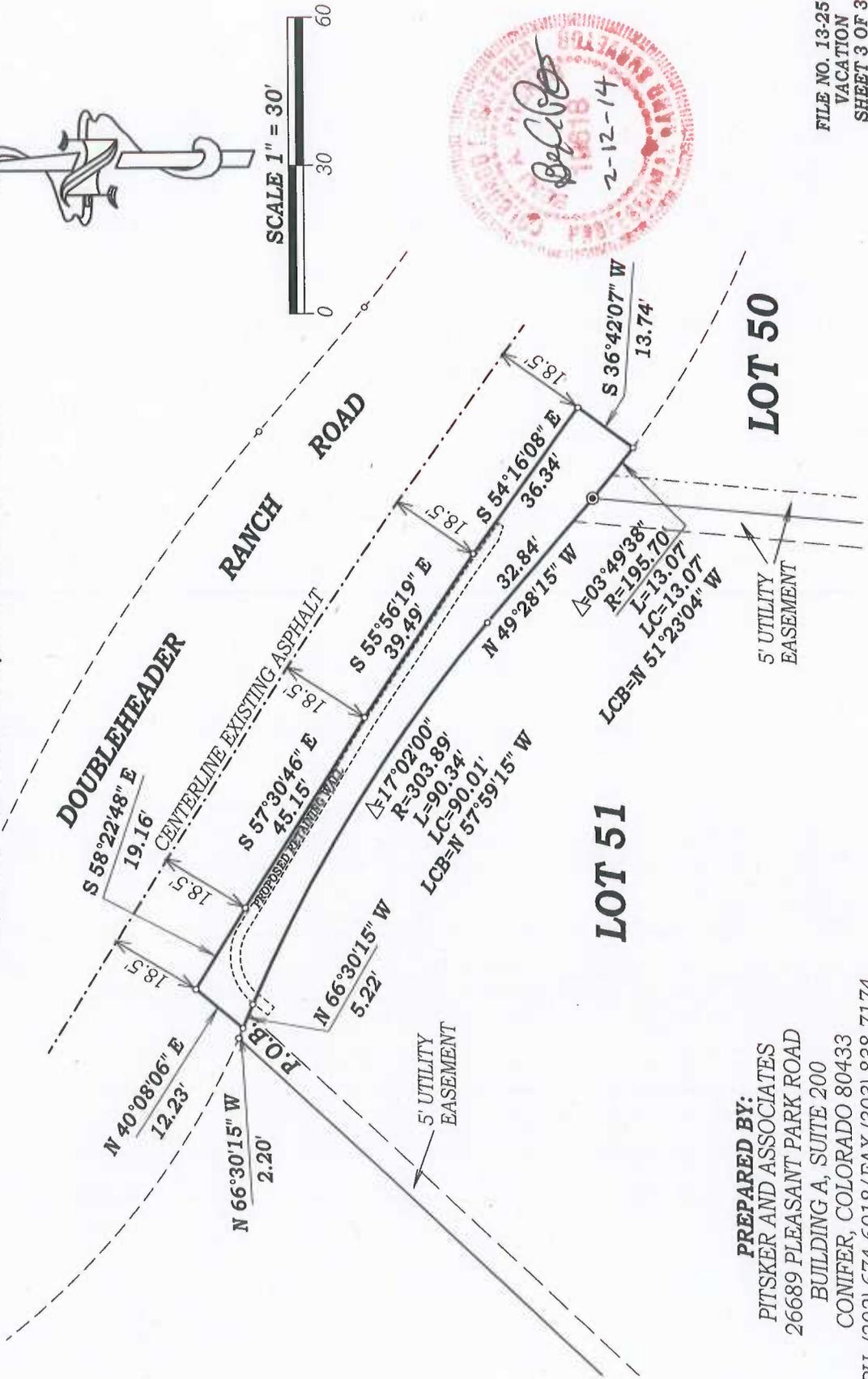
#### *External:*

Xcel  
IREA  
CenturyLink  
Comcast

# EXHIBIT "A"

## PORTION OF DOUBLEHEADER RANCH ROAD VACATION

DOUBLEHEADER RANCH ESTATES - FILING 4,  
PART OF SECTION 5, T. 6 S., R. 70 W. OF THE 6TH. P.M.,  
COUNTY OF JEFFERSON, STATE OF COLORADO.



**PREPARED BY:**  
PITSKER AND ASSOCIATES  
26689 PLEASANT PARK ROAD  
BUILDING A, SUITE 200  
CONIFER, COLORADO 80433  
PH. (303) 674-6018/FAX (303) 838-7174

12 FEBRUARY, 2014  
FILE NO. 13-256  
SHEET 2 OF 3  
VACATED RIGHT-OF-WAY



## **LEGAL DESCRIPTION**

### **VACATED RIGHT-OF-WAY**

A PORTION OF DOUBLEHEADER RANCH ROAD, AS SHOWN ON THE RECORDED PLAT OF DOUBLEHEADER RANCH ESTATES - FILING 4 (PLAT BOOK 32, PAGE 2), COUNTY OF JEFFERSON, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTHERLY LINE OF LOT 51, DOUBLEHEADER RANCH ESTATES - FILING 4, WHENCE THE NORTHWEST CORNER OF SAID LOT 51 BEARS NORTH 66°30'15" WEST, A DISTANCE OF 2.20 FEET;  
THENCE NORTH 40°08'06" EAST, A DISTANCE OF 12.23 FEET;  
THENCE SOUTH 58°22'48" EAST, A DISTANCE OF 19.16 FEET;  
THENCE SOUTH 57°30'46" EAST, A DISTANCE OF 45.15 FEET;  
THENCE SOUTH 55°56'19" EAST, A DISTANCE OF 39.49 FEET;  
THENCE SOUTH 54°16'08" EAST, A DISTANCE OF 36.34 FEET;  
THENCE SOUTH 36°42'07" WEST, A DISTANCE OF 13.74 FEET, MORE OR LESS, TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF DOUBLEHEADER RANCH ROAD AND TO A POINT OF CURVATURE;  
THENCE WESTERLY, ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE OF DOUBLEHEADER RANCH ROAD, THE FOLLOWING FOUR (4) COURSES:  
1) 13.07 FEET, ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 195.70 FEET A CENTRAL ANGLE OF 03°49'38", AND A CHORD OF 13.07 FEET BEARING NORTH 51°23'04" WEST;  
2) NORTH 49°28'15" WEST, A DISTANCE OF 32.84 FEET, TO A POINT OF CURVATURE;  
3) 90.34 FEET, ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 303.89 FEET AND A CENTRAL ANGLE OF 17°02'00";  
4) NORTH 66°30'15" WEST, A DISTANCE OF 5.22 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.



Board of County Commissioners

**Libby Szabo**  
District No. 1  
**Casey Tighe**  
District No. 2  
**Donald Rosier**  
District No. 3

April 18, 2016

Bryan and Meredith Bockmon  
8335 Doubleheader Ranch Road  
Morrison, Colorado 80465

**Re: Zoning Violations at 8335 Doubleheader Ranch Road, Morrison, Colorado 80465**

Dear Mr. and Ms. Bockmon,

Please find enclosed for your review a proposed Third Amended Stipulation. Please sign and initial where indicated and return the Third Amended Stipulation to the County Attorney's Office for filing with the Court by May 2, 2016. If it is more convenient, you may fax the stipulation to the County Attorney's Office at (303) 271-8901 or email me at [tgarrod@jeffco.us](mailto:tgarrod@jeffco.us). Once the Court adopts the stipulation as an order, I will forward a copy of the order to you in the mail.

The Court will not accept documents with handwritten changes; therefore, I request that you do not write on the stipulation other than signing and initialing where indicated. If you have any questions or concerns regarding the language of the stipulation, please call Nathan Buxton at (303) 271-8737. Thank you for your cooperation in resolving this matter.

Sincerely,

Teri Garrod

*Legal Assistant to Casie Stokes*  
Jefferson County Attorney's Office

enclosure

COUNTY COURT, JEFFERSON COUNTY COLORADO 100 Jefferson County Parkway, Golden, Colorado 80401	<b>▼ COURT USE ONLY ▲</b>
Plaintiff(s): THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF JEFFERSON, STATE OF COLORADO, a body politic and corporate  Defendant(s): BRYAN BOCKMON and MEREDITH BOCKMON	
<b>Attorneys for Plaintiff</b> JEFFERSON COUNTY ATTORNEY ELLEN G. WAKEMAN, #12290 Casie A. Stokes, #38623 Assistant County Attorney Jefferson County Attorney's Office 100 Jefferson County Parkway, #5500 Golden, CO 80419-5500 Phone: 303-271-8900 Fax: (303) 271-8901 Email: <a href="mailto:cstokes@jeffco.us">cstokes@jeffco.us</a>	Case No. 2012C1089  Division: H Ctrm.: 1C
<b>THIRD AMENDED STIPULATION UNDER RULE 307(D)</b>	

Plaintiff, the Board of County Commissioners of the County of Jefferson (the "County"), by and through counsel, and Defendants, Bryan Bockmon and Meredith Bockmon (jointly, the "Bockmons"), agree upon the following facts and stipulate to the following:

1. The Bockmons own and/or use land located at 8335 Doubleheader Ranch Road, Jefferson County, Colorado (the "Property").
2. The Bockmons admit that they are in violation of the Jefferson County Zoning Resolution, with respect to the Property, in that the Bockmons admit:
  - (a) Land disturbance has occurred on the Property without an approved grading permit from the County; and
  - (b) Such land disturbance on the Property fails to meet the County's performance standards for land disturbance.

3. The above violation gives rise to a dispute which might be the subject of a civil action.

4. The Jefferson County Court is the proper jurisdiction and venue for this controversy.

5. The Bockmons agree that they will remedy the aforementioned violations of the Jefferson County Zoning Resolution by:

(a) No later than **June 30, 2016**, obtaining an approved Grading Permit from the County for the land disturbance on the Property by, *inter alia*, posting the required performance guarantee. The Bockmons agree to maintain the County's performance standards for land disturbance throughout all land disturbance activity on the Property through final stabilization in conjunction with the approved Grading Permit; and

(b) The Bockmans agree to complete the steps necessary to obtain approval of the requested vacation of rights-of-way no later than **June 21, 2016**; and

(c) Thereafter, the Bockmons agree to satisfactorily complete the land disturbance on the Property as contemplated by the approved Grading Permit no later than **August 31, 2016**.

6. If the Bockmons fail to meet any of the deadlines in this Stipulation, the Bockmons agree that judgment shall enter against the Bockmons and in favor of the County in the amount of five hundred dollars (\$500.00), upon motion by the County. This judgment shall be in addition to any other legal remedies available to the County to enforce the terms of this Stipulation. If judgment enters against the Bockmons pursuant to this Paragraph, the County retains its right to pursue the imposition of additional fines against the Bockmons pursuant to C.R.S. § 30-28-124.5.

7. The County agrees to not seek imposition of the \$500.00 judgment referred to in Paragraph 6, above, if, before a deadline in this Stipulation passes, the Bockmons give reasonable grounds to the County to request to an amendment to this Stipulation to provide the Bockmons additional time to comply with its terms. If, however, the Bockmons do not provide reasonable grounds for amendment or do not request an amendment to this Stipulation prior to a deadline, the Bockmons agree that the full \$500.00 judgment shall enter in favor of the County whether or not an amendment to this Stipulation is agreed to by the parties.

8. The Bockmons authorize any representative of the Jefferson County Planning and Zoning Division to enter upon the Property and inspect it to confirm compliance with the terms of this Stipulation.

9. The Bockmons understand that they have the right to consult with an attorney of their choice prior to entering into this Stipulation with the County.

10. The Bockmons agree that this Stipulation and terms thereof will be made an Order of the Court enforceable by any legal means available, including contempt proceedings.

11. Upon full compliance with the terms of this Stipulation, the County will move the Court to dismiss this matter without prejudice.

JEFFERSON COUNTY ATTORNEY  
ELLEN G. WAKEMAN, #12290  
*Counsel for Plaintiff*

By: \_\_\_\_\_

*Casie A. Stokes*

Casie A. Stokes, #38623  
Assistant County Attorney  
100 Jefferson County Parkway, Suite 5500  
Golden, CO 80419  
Telephone: 303-271-8900  
Email: [cstokes@jeffco.us](mailto:cstokes@jeffco.us)

Date: 4/16/16

By: \_\_\_\_\_

*Bryan Bockmon*

Bryan Bockmon  
8335 Doubleheader Ranch Rd.  
Morrison, CO 80465  
Email: [bbockmon@gmail.com](mailto:bbockmon@gmail.com)

Date: 4/21/16

By: \_\_\_\_\_

*Meredith Bockmon*

Meredith Bockmon  
8335 Doubleheader Ranch Rd.  
Morrison, CO 80465

Date: 4/21/16

**From:** [Moore, Scott](#)  
**To:** [Aaron McLean](#)  
**Subject:** RE: 13-107565VA, vacation of ROW, 8335 Doubleheader Road  
**Date:** Tuesday, October 08, 2013 11:23:00 AM

---

Aaron, Comcast has no objections, we have no utilities in this area. TY

---

**From:** Aaron McLean [mailto:[amclean@co.jefferson.co.us](mailto:amclean@co.jefferson.co.us)]  
**Sent:** Tuesday, October 08, 2013 11:12 AM  
**To:** Moore, Scott  
**Subject:** 13-107565VA, vacation of ROW, 8335 Doubleheader Road

Hello Scott

Does Comcast have any comments on the proposed vacation of portions of ROW for Doubleheader Ranch Road? The applicant needs to place a retaining wall that encroaches into the ROW, rather than a license agreement the County is requesting the ROW be vacated and vested to the applicant.

I have attached the related documents and here is a link to the documents on our website:

[http://jeffco.us/planning-and-zoning/active-cases/vacation/13-107565va--\(8335-doubleheader-ranch-road\)/](http://jeffco.us/planning-and-zoning/active-cases/vacation/13-107565va--(8335-doubleheader-ranch-road)/)

Regards,

**Aaron McLean**  
Planner  
Planning & Zoning Division  
Jefferson County, Colorado  
303.271.8727  
<http://jeffco.us/planning/>



**Right of Way & Permits**

1123 West 3<sup>rd</sup> Avenue  
Denver, Colorado 80223  
Telephone: **303.571.3306**  
Facsimile: 303. 571.3660  
donna.l.george@xcelenergy.com

October 3, 2013

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

Attn: Aaron McLean

**Re: 8335 Doubleheader Ranch Road ROW Vacation, Case # 13-107565VA**

Public Service Company of Colorado (PSCo) has reviewed the plans for the above captioned project and has **no apparent conflict**.

The property owner/developer/contractor must contact the **Builder's Call Line at 1-800-628-2121** and complete the application process for any new gas or electric service, or modification to existing facilities. It is then the responsibility of the developer to contact the Designer assigned to the project for approval of design details. Additional easements may need to be acquired by separate document for new facilities.

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

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

Sincerely,

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



May 20, 2016

Mr. and Mrs. Bryan Bockmon  
8335 Doubleheader Ranch Rd.  
Morrison, CO 80465

RE: Partial ROW Vacation  
Lot 51, Doubleheader Ranch Estates Filing #4  
Jefferson County Case Number 13-107565VA

Dear Mr. and Mrs. Bockmon,

Qwest Corporation d/b/a CenturyLink QC has reviewed your requested partial vacation of Doubleheader Ranch Road, as referenced above.

CenturyLink has no objection to a vacation, per the attached Exhibit "A".

Please contact me if further consideration is required from CenturyLink.

Sincerely,

A handwritten signature in blue ink that reads "Charles Place".

Charles Place  
Permits Coordinator  
CenturyLink  
7759 S. Wheeling Ct.  
Englewood, CO 80112

[charles.place@centurylink.com](mailto:charles.place@centurylink.com)

720.578.5132

## INTEROFFICE MEMORANDUM

October 3, 2013

To: Aaron McLean, Case Manager

From: Kathy Sewolt, County Assessors Office

Case Name: **Vacation of portion of Doubleheader Ranch Rd.**

Case #: **13-107565VA**

---

Comments:

My only concern with this vacation is that extends beyond the lot line of lot 51 over to lot 50. Unless the vacation resolution tells us that all of the vacated road will vest to the owners of lot 51, then the part that adjoins lot 50 will vest to those owners of that lot.

If I can be of further assistance, please call me at 303-271-8645

## Steve Krawczyk

---

**From:** Ben Hasten  
**Sent:** Monday, May 23, 2016 4:15 PM  
**To:** Steve Krawczyk  
**Subject:** RE: 13-8335 Doubleheader Ranch Road

Carto has no further concerns regarding this case.

Ben

---

**From:** Steve Krawczyk  
**Sent:** Monday, May 23, 2016 3:57 PM  
**To:** Ben Hasten  
**Subject:** FW: 13-8335 Doubleheader Ranch Road

Here are the last redlines



## INTER-CANYON FIRE PROTECTION DISTRICT

To: Mr. Steve Krwaczyk, Civil Engineer

From: Randy Rudloff, Fire Marshal

Date: May 23, 2016

Subject: 8335 Double Header Ranch Road

Inter-Canyon has no issues with the vacation on the west side of Double Header Ranch Road to construct a retaining wall. The retaining wall will stabilize the soil along the bank.

I can be reached at 303-947-3126 or by email [ranrud@intercanyonfire.org](mailto:ranrud@intercanyonfire.org) if you have any questions.

Sincerely:

A handwritten signature in black ink, appearing to read "Randy Rudloff".

Randy Rudloff

---

## ADDRESSING

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# MEMO

---

To: Aaron McLean  
FROM: Patricia Romero  
SUBJECT: 13-107565VA 8335 Doubleheader Ranch Road  
DATE: October 8, 2013

---

Addressing offers the following comments on this proposal:

1. The purpose of this Vacation is to vacate a portion of Doubleheader Ranch Road to allow for a proposed retaining wall that will otherwise encroach into the right of way.
2. Access is currently off of Doubleheader Ranch Road. There is a valid existing address, 8335 Doubleheader Ranch Road, in the addressing data base.

If you need further clarification or if I can be of further assistance, please let me know.

# Memorandum

**To:** Steve Krawczyk  
Civil Engineer

**From:** Patrick O'Connell  
Engineering Geologist

**Date:** February 28, 2012

**Re:** 8335 Doubleheader Ranch Road, Case No. 11-105560GP

---

I have reviewed the September 9, 2008 Soils and Geology Excavation Cut and Fill Evaluation, the October 20, 2008 Addendum prepared by P Budd, the December 28, 2011 plans prepared by PPE, and the October 20, 2011 Retaining Wall Calculations prepared by PPE, and the July 14, 2011 revised retaining wall prepared by Inspectrum for the subject site. I have the following comments:

1. Given the multiple retaining walls onsite, an engineer's certification regarding the retaining wall construction will be required. The certification must reference the materials encountered, wall construction (Redi-Rock and drystack), fill placement, and final construction. This will require the engineer to be onsite throughout the construction process.

## MEMORANDUM

**TO:** Aaron Mclean, Case Manager  
**FROM:** Steve Krawczyk, Planning Engineering  
**DATE:** October 8, 2013

**RE:** **13-107565VA**; Application for a vacation of rights-of-way at 8335 Doubleheader Ranch Road for a proposed retaining wall.

These comments have been based upon the application package and the requirements of the Jefferson County Land Development Regulation (LDR), the Jefferson County Zoning Resolution (ZR), the Jefferson County Storm Drainage Design and Technical Criteria (Storm Drainage Criteria) and the Jefferson County Roadway Design Manual (Roadway Manual).

### VACATION COMMENTS

1. Planning Engineering has found the construction plans acceptable for grading case 11-105560GP.
2. Vacation of ROW request: The vacation of ROW will require an easement to the county for the proposed side slope. Please revise the easement to include the area to the edge of the private driveway.(see the enclosed)
3. A completed merger agreement is required to combine the vacated property with the remainder of the property 8335 Doubleheader Road. This will be required with the grading permit.

### CONCLUSION

The applicant should respond to these comments. If there are any questions please contact Steve Krawczyk at 303-271-8736.

SK  
Attachment/Enclosure  
c: File

**From:** [Larry Benshoof](#)  
**To:** [Kourtney Hartmann](#)  
**Cc:** [Steve Krawczyk](#)  
**Subject:** RE: Doubleheader Easement - Revision?  
**Date:** Monday, April 11, 2016 10:04:01 AM

---

Sorry – I thought I replied. I'm ok with your changes.

---

**From:** Kourtney Hartmann  
**Sent:** Friday, April 08, 2016 3:01 PM  
**To:** Larry Benshoof  
**Cc:** Steve Krawczyk  
**Subject:** FW: Doubleheader Easement - Revision?

Any thoughts on this one? We need to get a response back to the applicant.

Thanks,

Kourtney  
X8964

---

**From:** Kourtney Hartmann  
**Sent:** Thursday, March 31, 2016 10:40 AM  
**To:** Larry Benshoof  
**Subject:** Doubleheader Easement - Revision?

Hi Larry,

Mr. Bockman sent an email to Steve K in P&Z with some concerns on the language in the proposed easement for the wall on Doubleheader. I've attached a copy of the email with Mr. Bockman's concerns.

I'm of the opinion that we are agreeing to vacate this ROW to allow him to build this wall under the condition that we incur no liability, so I'm not really inclined to change anything in Section 4 of the Agreement. His email is not entirely clear, but I believe that may be the provision he is concerned about. I think we might be willing to agree that Mr. Bockman would not need to indemnify us from our own negligence, so I have added that language into the draft easement.

What do you think about this proposed change to satisfy his request? If not, I think we tell him that is the cost of getting the ROW vacated, if he doesn't like it we won't vacate the ROW.

Thoughts?

Thanks,

Kourtney  
X8964

## Steve Krawczyk

---

**From:** Robert Taylor  
**Sent:** Friday, May 20, 2016 11:35 AM  
**To:** Steve Krawczyk  
**Subject:** RE: 13-107565VA; Application for a vacation of rights-of-way at 8335 Doubleheader Ranch Road for a proposed retaining wall.

Steve,  
T&E recommends approval of the vacation as long as the Maintenance Agreement is approved and recorded concurrently.  
Sincerely,

*Robert Taylor*  
Right of Way Agent  
Jefferson County  
Transportation & Engineering Division  
303.271.8459  
[rbtaylor@jeffco.us](mailto:rbtaylor@jeffco.us)

---

**From:** Steve Krawczyk  
**Sent:** Friday, May 20, 2016 10:02 AM  
**To:** Robert Taylor  
**Subject:** RE: 13-107565VA; Application for a vacation of rights-of-way at 8335 Doubleheader Ranch Road for a proposed retaining wall.

Hi Robert  
Can you send me a clean copy of T&E approval.

It is our opinion that we are agreeing to vacate this ROW to allow you to build this wall .  
What do you think about this proposed request?

We will need the updated documents before we go to hearing on the vacation.

I included the final plans.

---

**From:** Robert Taylor  
**Sent:** Thursday, January 30, 2014 2:46 PM  
**To:** Steve Krawczyk; Aaron McLean  
**Subject:** RE: 13-107565VA; Application for a vacation of rights-of-way at 8335 Doubleheader Ranch Road for a proposed retaining wall.

Steve – Since it is 3’ dry stack boulders (let’s call it riprap), it is acceptable to T&E as proposed.  
Thanks

**From:** [Jeremy Cohen](#)  
**To:** [Aaron McLean](#)  
**Subject:** Comments on 13-107565VA  
**Date:** Sunday, September 22, 2013 3:32:08 PM

---

Hello Aaron,

If approved, the applicants will need to complete a merger of the vacated property with their lot. The retaining wall will need to either be reviewed as part of the grading permit or a separate miscellaneous permit will be required if the retaining wall is over 36 inches in height. The applicants will need to abide by all other aspects of the stipulation, grading permit, and any other necessary County process.

Thanks,

*Jeremy Cohen*

Permit Review Supervisor  
Jefferson County Planning and Zoning Division  
100 Jefferson County Parkway, Suite 3550  
Golden, Colorado 80419-3550  
Phone: 303-271-8722  
Fax: 303-271-8744

# 8335 DOUBLE HEADER RANCH ROAD

## GRADING, EROSION AND SEDIMENT CONTROL PLAN



Know what's below.  
Call before you dig.

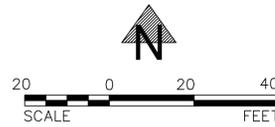
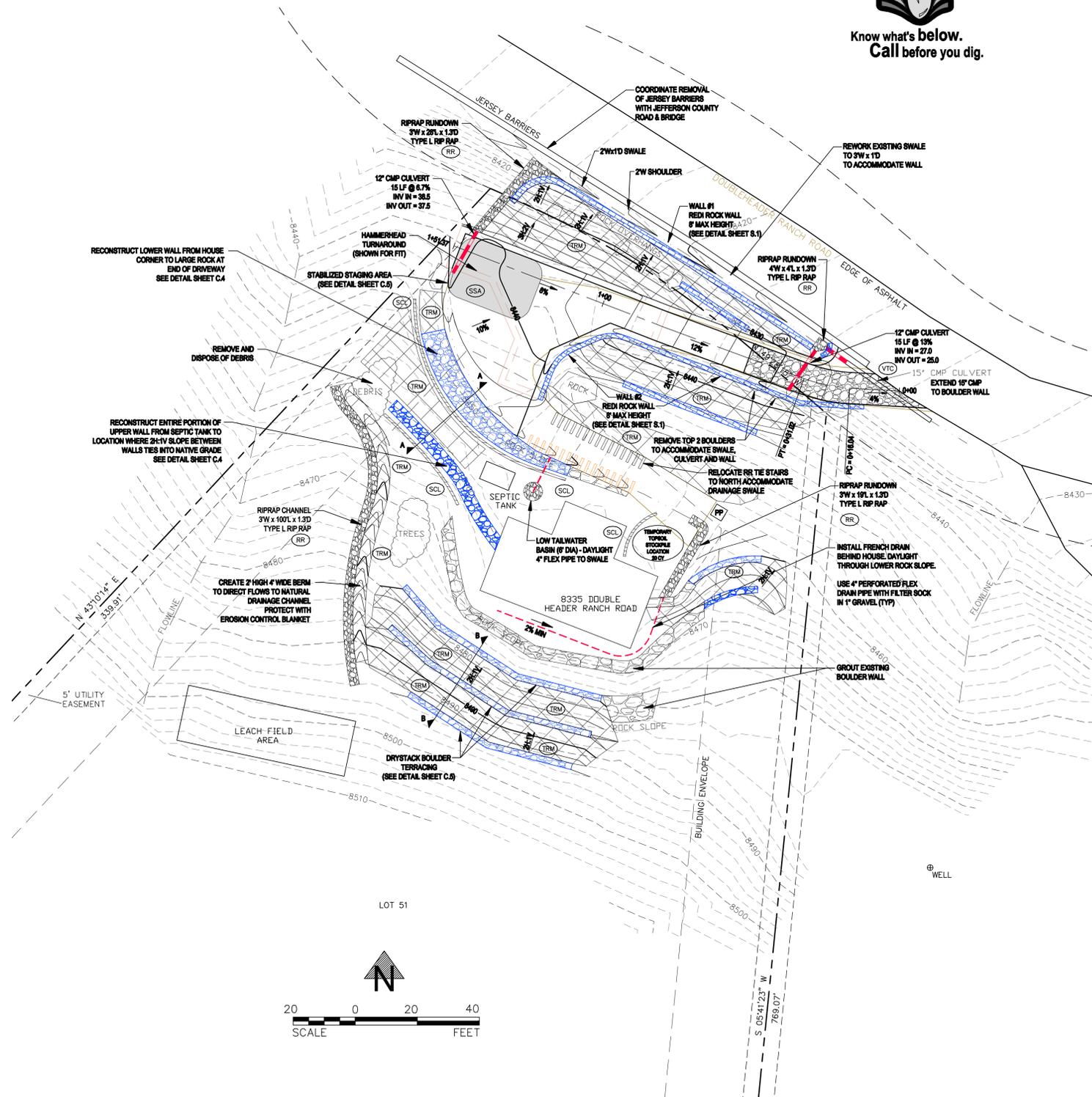
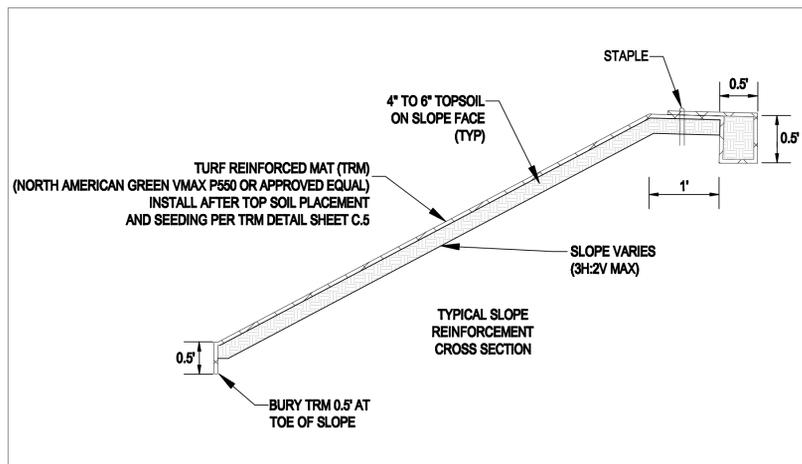
### BMP MASTER LEGEND

	CD	NATURAL ROCK CHECK DAM
	CWA	CONCRETE WASHOUT AREA
	CF	CONSTRUCTION FENCE
	TRM	TURF REINFORCED MAT
	IP	INLET PROTECTION
	RR	RIPRAP RUNDOWN
	RBC	ROCK BERM CULVERT PROT.
	SCL	SEDIMENT CONTROL LOG / TEMP CHECK DAM
	SD	SEEDING
	VTC	VEHICLE TRACKING CONTROL

\* EROSION CONTROL MEASURES  
USED ON THIS PROJECT

### LEGEND

	= EXISTING 10' CONTOURS
	= PROPOSED 10' CONTOURS
	= EXISTING 2' CONTOURS
	= PROPOSED 2' CONTOURS
	= PROPERTY BOUNDARY
	= TEMPORARY PORTA-POTTY



DATE	REVISION	BY
6.15.11	JEFFCO COMMENTS 5.6.11	CP
7.26.11	JEFFCO COMMENTS 7.31.11	CP
9.20.11	JEFFCO COMMENTS 9.15.11	NA
10.17.11	JEFFCO COMMENTS 10.15.11	NA
12.28.11	JEFFCO COMMENTS 12.20.11	CP
5.10.16	RELOT / RESUBMIT DWGS	CP

**8335 DOUBLE HEADER RANCH ROAD**  
MORRISON, COLORADO  
JEFFERSON COUNTY

**PURRINGTON CIVIL LLC**  
523 PARK POINT DRIVE  
SUITE 330  
GOLDEN, CO 80401  
Phone: 303.961.8602  
Fax: 303.961.2224  
www.PurrringtonCivil.com

**GRADING, EROSION AND SEDIMENT CONTROL PLAN**  
SCALE: AS NOTED



**C.2**

**EASEMENT AGREEMENT**

15-128779DE

THIS EASEMENT AGREEMENT (this "Easement Agreement") is dated for reference purposes only this 14th day of April, 2016, and is between the COUNTY OF JEFFERSON, STATE OF COLORADO, a body politic and corporate (the "County") and BRYAN BOCKMON and MEREDITH BOCKMON (collectively, the "Bockmons"). The County and the Bockmons are referred to herein individually as a "Party" and collectively as the "Parties".

**RECITALS**

A. The County is the owner in fee simple of certain real property located in Jefferson County, Colorado, described as Doubleheader Ranch Road in the Doubleheader Ranch Estates First Filing, recorded November 7, 1962 at Book 23 Page 56 ("Doubleheader Ranch Road").

B. The Bockmons desire to design, construct and maintain a driveway and a retaining wall which supports the driveway access to their property located at Parcel ID # 60-052-03-002 commonly known as 8335 Doubleheader Ranch Road, Morrison, CO 80465 (the "Driveway and Retaining Wall").

C. A portion of the Driveway and Retaining Wall which the Bockmons desire to construct encroaches into the County maintained Doubleheader Ranch Road.

D. The Bockmons have requested that the County vacate a portion of Doubleheader Ranch Road in order to allow them to construct the Driveway and Retaining Wall which was approved as Vacation Case # 13-107565VA by the Jefferson County Board of County Commissioners on \_\_\_\_\_, 20\_\_, which is recorded at Reception No. \_\_\_\_\_.

E. As a condition of the vacation of the right-of-way, the Board of County Commissioners required this Easement be granted to the County in order to allow the County to mitigate any damage the Driveway and Retaining Wall may cause to the remaining portion of the County's right-of-way for Doubleheader Ranch Road.

**AGREEMENT**

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, and in consideration of the mutual agreements, conditions, and provisions hereinafter set forth, the Parties agree to the following:

1. Easement. The Bockmons, their successors and assigns, hereby grant to the County a non-exclusive permanent easement over, under and across the property more particularly described on Exhibit A attached hereto and incorporated by this reference (the "Easement Area") for the purpose of repairing, removing or mitigating any damage the Driveway and Retaining Wall may cause to the public right of way adjacent to the Bockmons'

property, commonly known as Doubleheader Ranch Road, together with all rights and privileges as are necessary or incidental to the reasonable and proper use of the Easement Area for the purposes stated herein. The Easement creates the right for the County to enter to the Easement Area to protect the County right-of-way; however, the County has no obligation to enter into the Easement Area for any reason whatsoever. The Bockmons reserve the right to use and occupy the Easement Area for any purpose not inconsistent with the rights and privileges granted herein, so long as such activity does not adversely impact the County's use and maintenance of Doubleheader Ranch Road.

2. County Entry of Property.

a. Notice of Entry. Except in the case of an emergency, the County will use commercially reasonable efforts to attempt to notify the Bockmons at least 24 hours in advance of any action to enter the Easement Area and perform mitigation work in the area.

b. No Obligation to Restore. In the event the County enters the property to mitigate damage to the County maintained right-of-way, the County shall have no obligation to restore the Easement Area to its prior condition. The parties agree the sole purpose of this Easement is to allow the County access to the property to mitigate any damage that may occur to the County maintained right-of-way for Doubleheader Ranch Road. The County will use commercially reasonable efforts to minimize the impact of any mitigation work in the Easement Area, but the County has no obligation to maintain access to the Bockmons' property.

3. Bockmons' Obligations. It is expressly understood that any construction, maintenance, and repair of the Driveway and the Retaining Wall within the Easement Area shall remain the responsibility of the Bockmons or their successors or assigns. The Bockmons will be required to obtain the necessary grading permits, right of way construction permits and other permits or approvals as are required by the then current County regulations in effect for any work within the Easement Area or on their property.

4. No Liability. The County shall not be liable to the Bockmons or any other person or entity whatsoever for any injury or damage to persons or property occasioned by reason of the use by the County, its contractors, subcontractors, agents, employees, licensees, or invitees of the Easement Area.

5. Indemnification. The Bockmons, their successors or assigns, shall indemnify and hold the County harmless from any and all loss or damage, and claims of loss or damage, including without limitation attorneys' fees, sustained or incurred by the County resulting from any loss or injury or damage to any person or property related to the impacts of the Driveway and Retaining Wall on County property, except to the extent such loss, damage or claim is caused by the negligence of the County.

6. Waiver. Enforcement of the terms of this Easement Agreement will be at the discretion of the parties and any forbearance by either party to exercise its rights herein will not

be deemed or construed to be a waiver of such breach or of any subsequent breach of the same or any other term of this Easement Agreement or of any of the parties' rights under this Easement Agreement. No delay or omission by any party in the exercise of any right or remedy will impair such right or remedy or be construed as a waiver.

7. Counterparts. This Easement Agreement may be executed in counterparts, each of which, taken as a whole, shall constitute but a single instrument.

8. Approvals. Nothing granted hereunder is intended to convey or imply the approval of any federal, state, or local regulatory or governmental agency, including Jefferson County, with respect to any actions which the Bockmons may desire to take under the terms of this Easement Agreement or otherwise relating to the Easement Area.

9. Governing Law and Venue. This Easement Agreement and the rights and duties of the parties hereunder shall be interpreted in accordance with the laws of the State of Colorado. Venue for any and all legal actions arising hereunder shall lie in the District Court in and for the County of Jefferson, State of Colorado.

10. Runs with the Land. The covenants, terms, conditions, and restrictions of this Easement Agreement will be binding upon, and inure to the benefit of, the Parties and their respective successors and assigns and will continue running within the land in perpetuity.

11. Entire Agreement. This written Easement Agreement constitutes the entire agreement of the parties. No provisions regarding the subject matter of this Easement Agreement, other than those expressly set forth herein, will be of any force and effect. No modification, change or alteration of this Easement Agreement will be of any force or effect, unless in writing and signed by the Parties.

12. Notice. All notices, demands, requests and other communications required or permitted under this Easement Agreement will be in writing and will be deemed delivered when actually received or, if by telecopy, on the next business day after receipt, or, if earlier, and regardless whether actually received or not, three days after deposit in the United States mails, first class, postage prepaid, registered or certified addressed as follows:

if to the Bockmons:                   8335 Doubleheader Ranch Road  
  Morrison, CO 80465

if to the County:                     Jefferson County Road & Bridge Division  
  21401 Golden Gate Canyon Road  
  Golden, CO, 80403

with a copy to:                     Jefferson County Attorney's Office  
  100 Jefferson County Parkway, Suite 5500  
  Golden, CO 80419

Any party may change its address by giving notice to the other parties as provided for above.

IN WITNESS WHEREOF, the Parties have executed this Easement Agreement.

THE COUNTY:

ATTEST:  
(Seal)

COUNTY OF JEFFERSON,  
STATE OF COLORADO

By: \_\_\_\_\_  
Deputy Clerk

By: \_\_\_\_\_  
\_\_\_\_\_, Chairman  
Board of County Commissioners

STATE OF COLORADO  
COUNTY OF JEFFERSON

The foregoing Easement Agreement was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_ by \_\_\_\_\_ as Chairman of the Board of County Commissioners for the County of Jefferson, State of Colorado.

WITNESS my hand and official seal.

My Commission expires: \_\_\_\_\_

\_\_\_\_\_  
Notary Public

APPROVED AS TO FORM:

By: \_\_\_\_\_  
Assistant County Attorney

THE BOCKMONS:

By:   
Bryan Bockmon

By:   
Meredith Bockmon

STATE OF COLORADO  
COUNTY OF Jefferson

The foregoing Easement Agreement was acknowledged before me this 14<sup>th</sup> day of April, 2016 by Bryan Bockmon and Meredith Bockmon.

WITNESS my hand and official seal.

My Commission expires: July 16, 2019

Chelsey A. Jones  
Notary Public

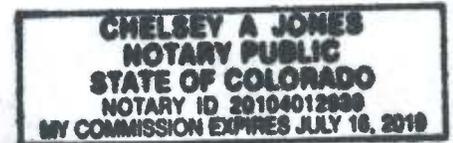


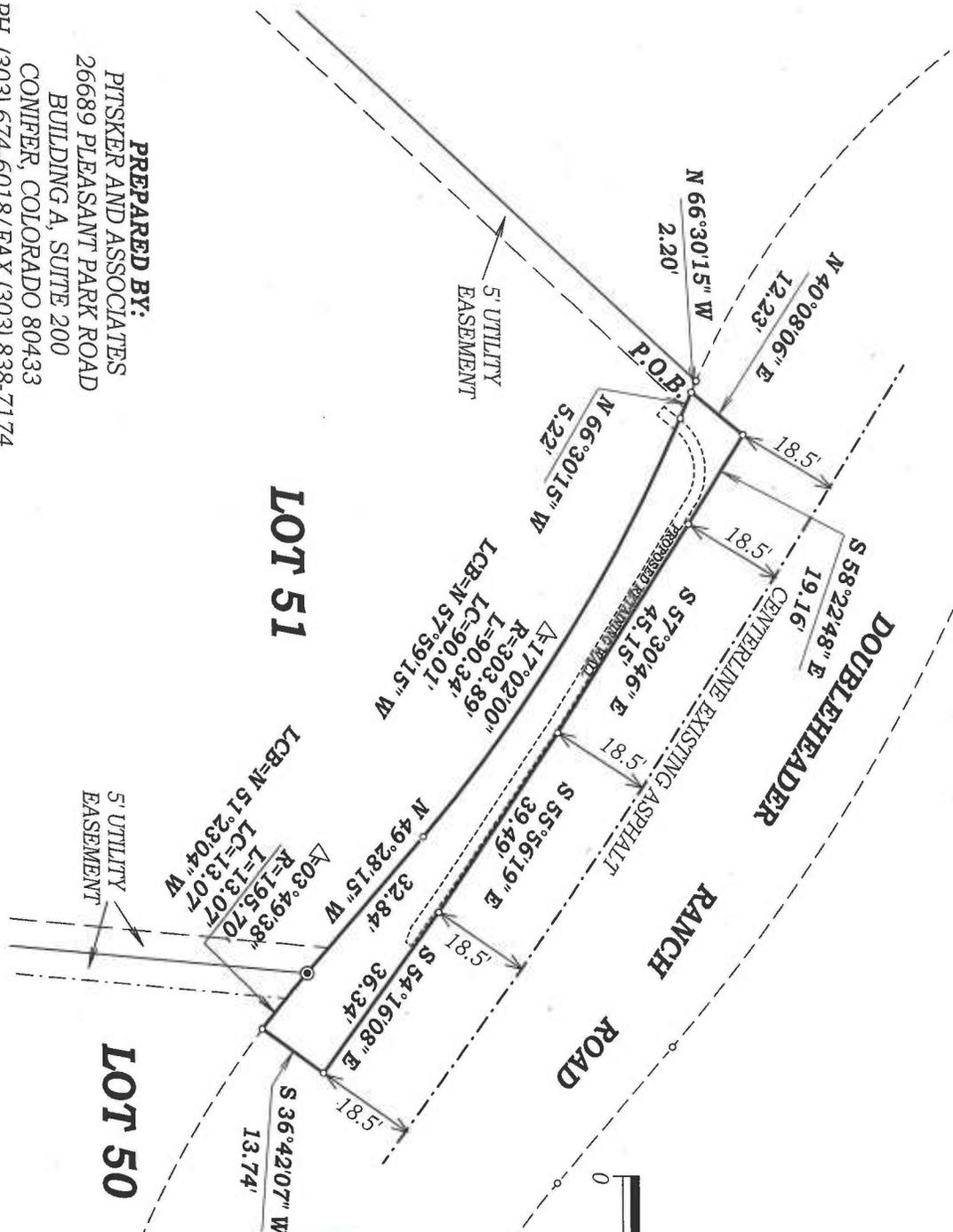
EXHIBIT A  
LEGAL DESCRIPTION OF EASEMENT AREA

See attached.

# EXHIBIT "A"

## PORTION OF DOUBLEHEADER RANCH ROAD VACATION

DOUBLEHEADER RANCH ESTATES - FILING 4,  
PART OF SECTION 5, T. 6 S., R. 70 W. OF THE 6TH. P.M.,  
COUNTY OF JEFFERSON, STATE OF COLORADO.



**PREPARED BY:**  
PTSKER AND ASSOCIATES  
26689 PLEASANT PARK ROAD  
BUILDING A, SUITE 200  
CONIFER, COLORADO 80433  
PH. (303) 674-6018/FAX (303) 838-7174

FILE NO. 13-256  
VACATION  
SHEET 3 OF 3  
2-12-14

**PREPARED BY:**  
PITSKER AND ASSOCIATES  
26689 PLEASANT PARK ROAD  
BUILDING A, SUITE 200  
CONIFER, COLORADO 80433  
PH. (303) 674-6018/FAX (303) 838-7174

12 FEBRUARY, 2014  
FILE NO. 13-256  
SHEET 1 OF 3  
MAINTENANCE EASEMENT



## **LEGAL DESCRIPTION**

### **MAINTENANCE EASEMENT**

A PORTION OF DOUBLEHEADER RANCH ROAD, AS SHOWN ON THE RECORDED PLAT OF DOUBLEHEADER RANCH ESTATES - FILING 4 (PLAT BOOK 32, PAGE 2), COUNTY OF JEFFERSON, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTHERLY LINE OF LOT 51, DOUBLEHEADER RANCH ESTATES - FILING 4, WHENCE THE NORTHWEST CORNER OF SAID LOT 51 BEARS NORTH 66°30'15" WEST, A DISTANCE OF 2.20 FEET;  
THENCE NORTH 40°08'06" EAST, A DISTANCE OF 12.23 FEET;  
THENCE SOUTH 58°22'48" EAST, A DISTANCE OF 19.16 FEET;  
THENCE SOUTH 57°30'46" EAST, A DISTANCE OF 45.15 FEET;  
THENCE SOUTH 55°56'19" EAST, A DISTANCE OF 39.49 FEET;  
THENCE SOUTH 54°16'08" EAST, A DISTANCE OF 36.34 FEET;  
THENCE SOUTH 36°42'07" WEST, A DISTANCE OF 13.74 FEET, MORE OR LESS, TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF DOUBLEHEADER RANCH ROAD AND TO A POINT OF CURVATURE;  
THENCE WESTERLY, ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE OF DOUBLEHEADER RANCH ROAD, THE FOLLOWING FOUR (4) COURSES:

- 1) 13.07 FEET, ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 195.70 FEET A CENTRAL ANGLE OF 03°49'38", AND A CHORD OF 13.07 FEET BEARING NORTH 51°23'04" WEST;
- 2) NORTH 49°28'15" WEST, A DISTANCE OF 32.84 FEET, TO A POINT OF CURVATURE;
- 3) 90.34 FEET, ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 303.89 FEET AND A CENTRAL ANGLE OF 17°02'00";
- 4) NORTH 66°30'15" WEST, A DISTANCE OF 5.22 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

**PREPARED BY:**  
PITSKER AND ASSOCIATES  
26689 PLEASANT PARK ROAD  
BUILDING A, SUITE 200  
CONIFER, COLORADO 80433  
PH. (303) 674-6018/FAX (303) 838-7174

12 FEBRUARY, 2014  
FILE NO. 13-256  
SHEET 2 OF 3  
VACATED RIGHT-OF-WAY



## **LEGAL DESCRIPTION**

### **VACATED RIGHT-OF-WAY**

A PORTION OF DOUBLEHEADER RANCH ROAD, AS SHOWN ON THE RECORDED PLAT OF DOUBLEHEADER RANCH ESTATES - FILING 4 (PLAT BOOK 32, PAGE 2), COUNTY OF JEFFERSON, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTHERLY LINE OF LOT 51, DOUBLEHEADER RANCH ESTATES - FILING 4, WHENCE THE NORTHWEST CORNER OF SAID LOT 51 BEARS NORTH 66°30'15" WEST, A DISTANCE OF 2.20 FEET;  
THENCE NORTH 40°08'06" EAST, A DISTANCE OF 12.23 FEET;  
THENCE SOUTH 58°22'48" EAST, A DISTANCE OF 19.16 FEET;  
THENCE SOUTH 57°30'46" EAST, A DISTANCE OF 45.15 FEET;  
THENCE SOUTH 55°56'19" EAST, A DISTANCE OF 39.49 FEET;  
THENCE SOUTH 54°16'08" EAST, A DISTANCE OF 36.34 FEET;  
THENCE SOUTH 36°42'07" WEST, A DISTANCE OF 13.74 FEET, MORE OR LESS, TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF DOUBLEHEADER RANCH ROAD AND TO A POINT OF CURVATURE;

THENCE WESTERLY, ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE OF DOUBLEHEADER RANCH ROAD, THE FOLLOWING FOUR (4) COURSES:

- 1) 13.07 FEET, ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 195.70 FEET A CENTRAL ANGLE OF 03°49'38", AND A CHORD OF 13.07 FEET BEARING NORTH 51°23'04" WEST;
- 2) NORTH 49°28'15" WEST, A DISTANCE OF 32.84 FEET, TO A POINT OF CURVATURE;
- 3) 90.34 FEET, ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 303.89 FEET AND A CENTRAL ANGLE OF 17°02'00";
- 4) NORTH 66°30'15" WEST, A DISTANCE OF 5.22 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

## CASE SUMMARY Consent Agenda

**PC Hearing Date:** May 25, 2016

**BCC Hearing Date:** June 21, 2016 ([previous hearing date: June 14, 2016](#))

---

**15-120467RZ** Rezoning ([continued from June 14, 2016](#))

**Case Name:** Pennington Acres

**Owner/Applicant:** Pennington Family Trust

**Location:** 13371 West 58th Avenue  
Section 7, Township 3 South, Range 69 West

**Approximate Area:** 10.086 Acres

**Purpose:** **To rezone from Agricultural-Two (A-2) to Planned Development (PD) to allow the subdivision of the property into five (5) lots for single-family detached units.**

**Case Manager:** Christiana Farrell

---

**Issues:**

- None

**Recommendations:**

- **Staff:** Recommends APPROVAL
- **Planning Commission:** Recommends APPROVAL subject to conditions

**Interested Parties:**

- Neighboring Property Owners

**Level of Community Interest:** Low

**Representative:** Mark Bishop, Jehn Engineering

**General Location:** Half way between Ward Road and Eldridge Street along West 58th Avenue

**Case Manager Information:** Phone: 303-271-8740      e-mail: cfarrell@jeffco.us

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

BEFORE THE PLANNING COMMISSION  
COUNTY OF JEFFERSON  
STATE OF COLORADO

**May 25, 2016**

**RESOLUTION**

---

**15-120467RZ**                      **Rezoning**  
**Case Name:**                      Pennington Acres  
**Owner/Applicant:**              Pennington Family Trust  
**Location:**                        13371 West 58th Avenue  
   Section 7, Township 3 South, Range 69 West  
**Approximate Area:**              10.086 Acres  
**Purpose:**                            **To rezone from Agricultural-Two (A-2) to  
Planned Development (PD) to allow the  
subdivision of the property into five (5) lots for  
single-family detached units.**  
**Case Manager:**                    Christiana Farrell

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 proposal is in general conformance with the Comprehensive Master Plan because it meets all applicable sections of the Plan policies.
  - B. The proposed land use is compatible with existing and allowable land uses in the surrounding area because there are similarly sized residential lots surrounding the property.
  - C. The proposed land use will not result in significant impacts to the health, safety, and welfare of the residents and landowners in the surrounding area.
3. The following is a condition of approval:

- A. Recordation of the Official Development Plan in accordance with the red-marked print dated May 25, 2016.

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

Commissioner	<b>Rogers</b>	<b>Aye</b>
Commissioner	<b>Moore</b>	<b>Aye</b>
Commissioner	<b>Harris</b>	<b>Aye</b>
Commissioner	<b>Hammond</b>	<b>Aye</b>
Commissioner	<b>Hatton</b>	<b>Aye</b>
Commissioner	<b>Westphal</b>	<b>Aye</b>
Commissioner	<b>Schiche</b>	<b>Aye</b>

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, May 25, 2016.



Bonnie Benedik  
Administrative Assistant

**Staff Report**

**PC Hearing Date:** May 25, 2016  
**BCC Hearing Date:** June 21, 2016 (continued from June 14, 2016)

---

**15-120467RZ** Rezoning (continued from June 14, 2016)  
**Case Name:** Pennington Acres  
**Owner/Applicant:** Pennington Family Trust  
**Location:** 13371 West 58th Avenue  
Section 7, Township 3 South, Range 69 West  
**Approximate Area:** 10.086 Acres  
**Purpose:** **To rezone from Agricultural-Two (A-2) to Planned Development (PD) to allow the subdivision of the property into five (5) lots for single-family detached units.**  
**Case Manager:** Christiana Farrell

---

**Representative:** Mark Bishop, Jehn Engineering  
**Existing Use:** Residential

---

**BACKGROUND/UNIQUE INFORMATION:**

This is a request to rezone a 10.086 acre parcel from Agricultural-Two (A-2) to Planned Development (PD) to allow the subdivision of the property into five (5) lots for single-family detached homes. The proposal is for the northern portion to allow four, 1-acre lots and southern portion, adjacent to W. 58<sup>th</sup> Avenue, and to allow a single 5-acre lot. The subject property is located within Area 6 of the North Plains Area Plan Fairmount Subarea. Area 6 is considered the Van Bibber Special Character Area and is recommended for residential development, not to exceed 1 dwelling unit per 2 acres with a minimum 1-acre lot size. The proposal substantially conforms to the North Plains Plan's recommended land use and density for this site.

The subject property is a relatively flat piece of ground sloping from west to east at an elevation of about 5520'. There are no floodplains or geologic hazard areas that would affect the future development of this site. Water is provided by North Table Mountain Water and Sanitation for both the existing and proposed lots. Individual septic is proposed, which would meet the one-acre lot size requirement by Public Health.

Staff recommended that the applicant propose an Official Development Plan that followed the requirements for two of Jefferson County's standard zone districts: Agricultural-One (A-1) for the southern 5-acre portion, and Suburban Residential-One (SR-1) for the northern portion. This approach was recommended because these two zone districts upheld the typical standards that are recommended for the Van Bibber Special Character area in terms of setbacks, lot sizes, heights, and allowance for animals.

**SURROUNDING ZONING/LAND USE:**

	<b>Adjacent Zoning</b>	<b>Land Use</b>
<b>North:</b>	City of Arvada	Single Family Detached
<b>South:</b>	A-2	Single Family Detached
<b>East:</b>	A-2	Single Family Detached
<b>West:</b>	A-2	Single Family Detached

**NOTIFICATION:**

A community meeting was held for this rezoning application on July 9, 2015. There were four citizens in attendance. Primary concerns were traffic, density, and tree preservation.

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

1. Notification of this proposed development was mailed to property owners within a 500 feet radius of the site, and to Homeowners' Associations and Umbrella Groups located within a one-mile radius of the site. The initial notification was mailed at the time of the 1<sup>st</sup> referral. Additional 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 Arvada Denver Post Hub two weeks prior to the hearing.

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

- Candlelight First Sub-Association
- Candlelight Valley HOA
- Cottonwood West HOA
- Eagle Pointe HOA
- Fairmount Improvement Assn
- Jefferson County Horsemen's Assn
- Marriott Orchard HOA

During the processing of the application, Staff has received one response in objection to the proposal. This response is included in the packet.

**COMPREHENSIVE MASTER PLAN ASSESSMENT:  
Area Plan: Evergreen Area Community Plan**

	<b>Land Use</b>	<b>Physical Constraints</b>	<b>Community Resources</b>	<b>Infrastructure, Water and Services</b>
<b>Conformance</b>	<b>X(1)</b>	<b>X(2)</b>	<b>X(3)</b>	<b>X(4)</b>
<b>Non-Conformance</b>				

**Services:** Arvada Fire Protection District  
North Table Mountain Water and Sanitation District

\*\*\*\*\*

## ANALYSIS OF PLAN:

1. **Land Use:** The Comprehensive Master Plan discusses encouraging development that is appropriate to the area, and ensuring that there are unique and diverse communities in which to live, work, and enjoy outdoor recreation. New developments should be evaluated for the impacts on the health of a community, and that new development should strive to properly and reasonably mitigate the harmful effects, if any, on existing and entitled uses on adjacent parcels.

### **Areas of Conformance:**

#### **a. All Development**

In keeping with the goal stated above, policies applicable to this application includes those that discuss mitigating harmful effects on existing and zoned land uses and ensuring compatibility with existing and zone uses.

*This rezoning proposal would allow for four new residential units on one acre lots. The surrounding community is also residential uses on typically smaller lot sizes than the ones being proposed. The written restrictions for these lots will follow the standards of the Jefferson County Zoning Resolution for the SR-1 Zone Districts which have similar setbacks and height restrictions as the surrounding development. The existing home will be on a 5-acre lot, and follow the A-1 Zone District standards.*

#### **b. Housing**

The goals of this section are to provide a variety of housing options, which complement the existing community character and utilize excellent design and materials and to promote well-planned sustainable residential neighborhoods that create a sense of place.

*This proposal will allow for the construction of four custom built homes, so the quality of design will complement the surrounding Van Bibber Special Character Area.*

#### **c. Area/Community Plan Recommendation for Activity Centers**

The subject property contains one 10-acre parcel and is located within Area 6 of the North Plains Area Plan, Fairmount Subarea. Area 6 is within the Van Bibber Special Character Area. The overall density in this area should not exceed one dwelling unit per 2 acres with a minimum lot size of 1-acre.

*The applicant's proposal to rezone the subject property to allow for a total of five (5) single family residential lots on ten acres, with a minimum size of one (1) acre would be considered in substantial conformance with the North Plains Plan recommended land use and density for this site.*

**Summary of Analysis: The applicable Land Use policies are met by the proposed zoning.**

2. **Physical Constraints:** The Comprehensive Master Plan describes physical constraints are those physical features that due to safety concerns may potentially restrict where and how development occurs. Physical Constraints include geologic hazards and constraints, floodplains, wetlands, wildfire, radiation, landfills, abandoned mines, and wildlife habitat.

### **Areas of Conformance:**

#### **a. General**

This section discusses avoiding physical constraint areas if possible.

*This property does not contain any geologic hazards or constraints or floodplains. It is not within a moderate or higher wildfire hazard area, and is not in an identified wildlife habitat area.*

**Summary of Analysis: This proposal conforms to the Physical Constraints chapter of the CMP.**

3. **Community Resources:** The Community Resources chapter contains policies that relate to historic

structures or sites, scenic corridors, natural features, air quality, light, odor and noise pollution, open space and trails.

**Areas of Conformance:**

**a. Air, Light, Odor, and Noise**

*The impacts of to air, light, odor, and noise will not change in any significant way.*

**b. Visual Resources**

The Plan strives to protect the visual resources and unique natural features of the County. Visual impact of new development in visually sensitive areas should be mitigated.

*The subject property is not within a visual resource area. The A-1 and SR-1 designation for proposed zoning would allow structures to be 35 feet in height, which is the same as the surrounding residential allowance. The setbacks and lot sizes of the proposed rezoning will maintain an open feel for the area.*

**Summary of Analysis: This proposal complies with the Community Resources chapter of the CMP.**

4. **Infrastructure, Water & Services:** The applicable elements of this chapter include Transportation, Water and Wastewater, and Services.

**Areas of Conformance:**

**a. Transportation**

*A single family dwelling already exists on the southern portion of the property. New traffic generated will be for the four new homes on the northern portion of the property. The additional trips generated will not be significant for the collector street (West 58<sup>th</sup> Avenue).*

**b. Water & Wastewater**

*This property is served by North Table Mountain Water and Sanitation District for water, and will likely have OWTS for wastewater. Public Health regulations for lot size on OWTS will be met.*

**c. Other Utilities**

*Electricity is provided by Xcel Energy, they had no objections to this rezoning proposal.*

**d. Services**

*This property is served by the Arvada Fire Protection District, which has no concerns with the rezoning.*

**Summary of Analysis: This proposal is in conformance with the Infrastructure, Water & Services chapter of the CMP.**

**COMPATIBILITY:**

A goal of the CMP is to coordinate new development with existing development to avoid or mitigate negative impacts on adjacent land uses, and to strive to maintain or enhance existing buffers, separations, and screening if compatibility cannot be achieved through other methods.

The proposed rezoning is compatible with allowed and existing land uses in the general vicinity of the project area because the residential area around the subject property contains single-family detached homes on similarly sized lots with similar restrictions for height and setbacks.

**SUMMARY OF STAFF POSITION:**

*Staff supports this rezoning proposal. The proposed use conforms to the land use recommendation of the North Plains Area Plan - Fairmount Subarea, and it is compatible with surrounding uses. The overall density and lot sizes are in conformance with what the Plan recommends for the area.*

**PLANNING COMMISSION:**

Planning Commission Recommendation (Resolution Dated May 25, 2016, Attached):

Approval	_____
Approval with Conditions	<u>    X (7-0) vote    </u>
Denial	_____

The case was scheduled on the regular agenda for the Planning Commission hearing. One citizen offered public testimony which included questions on how Jefferson County calculates density, and whether the notification process for the hearing allowed other citizens adequate time to respond with concerns. Staff explained the notification process and that this case met all the notification requirements. Staff also explained the way that density is calculated using an overall lot size and that this proposal would be meeting the land use density recommended by the North Plains Area Plan for this site. Subsequently, the Planning Commission voted unanimously to recommend approval of the rezoning application.

**FINDINGS/RECOMMENDATIONS:**

**Staff recommends that the Board of County Commissioners find that:**

- 1. The proposal is in general conformance with the Comprehensive Master Plan because it meets all applicable sections of the Plan policies;**
- 2. The proposed land uses are compatible with existing and allowable land uses in the surrounding area because there are similarly sized residential lots surrounding the property; and**
- 3. The proposed land use will not result in significant impacts to the health, safety, and welfare of the residents and landowners in the surrounding area.**

**And;**

**Staff recommends that the Board of County Commissioners APPROVE Case No. 15-120467RZ subject to the following conditions:**

- 1. Recordation of the Official Development Plan in accordance with the red-marked print dated June 21, 2016.**

COMMENTS PREPARED BY:

*Christiana Farrell*

\_\_\_\_\_  
Christiana Farrell, Planner  
June 1, 2016

**Jefferson County Land Use Case Management**

**CASE DATES SUMMARY**

Case Number: **15-120467RZ**

Case Type: **Rezoning**

Pre-application Meeting Date: **April 30, 2015**

Community Meeting Date: **July 9, 2015**

Applicant Makes Complete Submittal: **August 31, 2015**

Case Sent on First Referral: **September 1, 2015**

All Responses Provided to Applicant: **May 3, 2016**

Determination That Case Should Proceed to Hearing: **April 23, 2015**

County Staff Determination: **X**

Applicant's Request: **X**

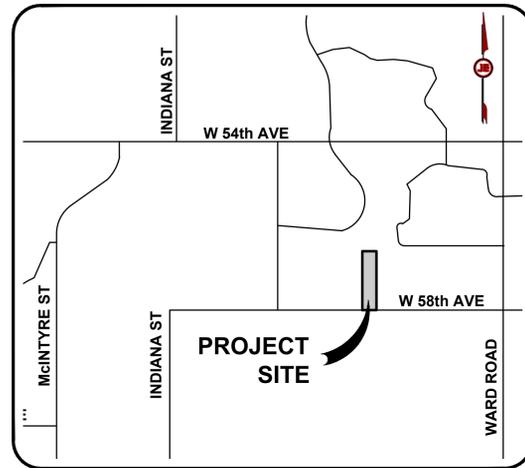
# PENNINGTON ACRES OFFICIAL DEVELOPMENT PLAN

Red Marked Print  
6-21-16

CASE NUMBER: 15-120467RZ

MAP NUMBER: 49

LOCATED IN THE SE QUARTER OF SECTION 7, TOWNSHIP 3 SOUTH, RANGE 69  
WEST OF THE 6TH P.M., COUNTY OF JEFFERSON, STATE OF COLORADO  
SHEET 1 OF 1



VICINITY MAP

1" = 2,000'

**LEGAL DESCRIPTION:**

TRACT 3, ARVADA FRUIT GARDENS, RECORDED AT PLAT BOOK 2, PAGE 76A,  
RECEPTION NO. 10081009.



CONTAINING 439,357 SQUARE FEET OR 10.086 ACRES, MORE OR LESS.

**LIVESTOCK REGULATIONS:**

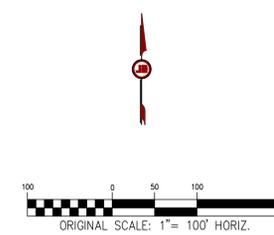
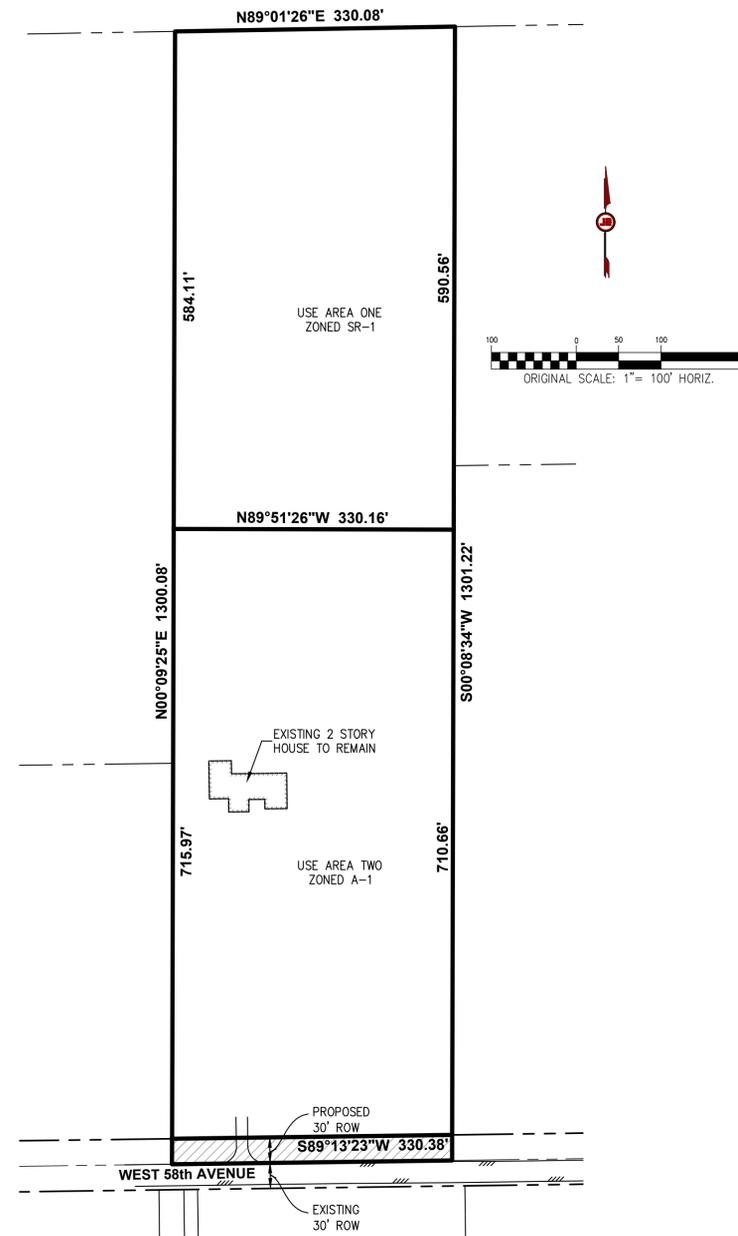
HORSES AND OTHER LIVESTOCK SHOULD BE PERMITTED AS FOLLOWS:  
 - THE MINIMUM LOT AREA SHOULD BE 43,560 SQUARE FEET (1 ACRE). IN ORDER TO BALANCE THE NEEDS OF THE ANIMALS WITH EROSION CONTROL, EACH LARGE ANIMAL SHOULD HAVE A PEN OF AT LEAST 12' X 12', AND ACCESS TO A FENCED TURN-OUT AREA OF AT LEAST 12' X 50'. SHADE AND/OR COVER SHOULD ALSO BE PROVIDED TO PROTECT THE ANIMALS FROM BOTH SUN AND INCLEMENT WEATHER. THE TOTAL NUMBER OF SUCH ANIMALS SHOULD NOT EXCEED 4 PER ACRE, EXCEPT THAT OFFSPRING OF ANIMALS ON THE PROPERTY MAY BE KEPT UNTIL WEANED.  
 - STALLIONS AND BULLS SHOULD NOT BE PERMITTED IN RESIDENTIAL SUBDIVISIONS WITH LOT SIZES OF LESS THAN 5 ACRES. STALLIONS AND BULLS SHALL BE KEPT IN A PEN, CORRAL, OR RUN AREA ENCLOSED BY A 7 FOOT FENCE OF SUFFICIENT STRENGTH TO CONTAIN THE ANIMAL(S), EXCEPT WHEN IT IS NECESSARY TO REMOVE THEM FOR TRAINING, BREEDING, OR OTHER SIMILAR PURPOSES.

~~HOUSING:  
LIVESTOCK LOTS AND NON-LIVESTOCK LOTS SHOULD BE SEGREGATED WITHIN A DEVELOPMENT TO PREVENT CONFLICTS BETWEEN LIVESTOCK ACTIVITIES AND NON-LIVESTOCK RESIDENTIAL ACTIVITIES. (N.P.S.)~~

ACCESSORY BUILDINGS HOUSING ANIMALS SHOULD BE SET BACK AT LEAST 100 FEET FROM THE FRONT PROPERTY LINE AND SHOULD CONFORM TO SIDE AND REAR SETBACKS FOR THE DWELLING.

**PERMITTED USES:**

USE AREA ONE: ALL THE STANDARDS OF THE JEFFERSON COUNTY SUBURBAN RESIDENTIAL-ONE ZONE DISTRICT.  
 USE AREA TWO: ALL THE STANDARDS OF THE JEFFERSON COUNTY SUBURBAN AGRICULTURAL-ONE DISTRICT.



**COUNTY COMMISSIONERS CERTIFICATE:**

THIS OFFICIAL DEVELOPMENT PLAN, TITLED \_\_\_\_\_ WAS AP-  
 PROVED THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_ AND IS ACCEPTED BY THE BOARD  
 OF COMMISSIONERS THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

BOARD OF COUNTY COMMISSIONERS:

CHAIRMAN \_\_\_\_\_

CLERK \_\_\_\_\_

**CLERK AND RECORDER'S CERTIFICATE:**

THIS OFFICIAL DEVELOPMENT PLAN, TITLED \_\_\_\_\_ WAS AP-  
 ACCEPTED FOR FILING IN THIS OFFICE OF THE COUNTY CLERK AND RECORDER OF JEFFERSON COUNTY  
 AT GOLDEN, COLORADO ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_  
 AT \_\_\_\_\_ O'CLOCK \_\_\_\_M.

JEFFERSON COUNTY CLERK RECORDER

By: \_\_\_\_\_  
 DEPUTY CLERK

**APPLICABILITY STATEMENT:**

EXCEPT AS EXPRESSLY PROVIDED OTHERWISE IN THIS OFFICIAL DEVELOPMENT PLAN, DEVELOPMENT OF THIS PROPERTY SHALL CONFORM TO THE JEFFERSON COUNTY ZONING RESOLUTION IN EFFECT AT THE TIME OF PLATTING AND BUILDING PERMIT APPLICATION.

**OWNER'S CERTIFICATE:**

Pennington Family Trust  
 By \_\_\_\_\_ As Trustee  
 Mark F Pennington

**NOTARY PUBLIC:**

THIS OFFICIAL DEVELOPMENT PLAN, TITLED \_\_\_\_\_  
 COUNTY OF \_\_\_\_\_ )  
 )SS  
 STATE OF \_\_\_\_\_ )  
 THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.  
 BY \_\_\_\_\_  
 WITNESS MY HAND AND OFFICIAL SEAL  
 MY COMMISSION EXPIRES: \_\_\_\_\_  
 NOTARY PUBLIC \_\_\_\_\_

**STANDARD FLEXIBILITY STATEMENT:**

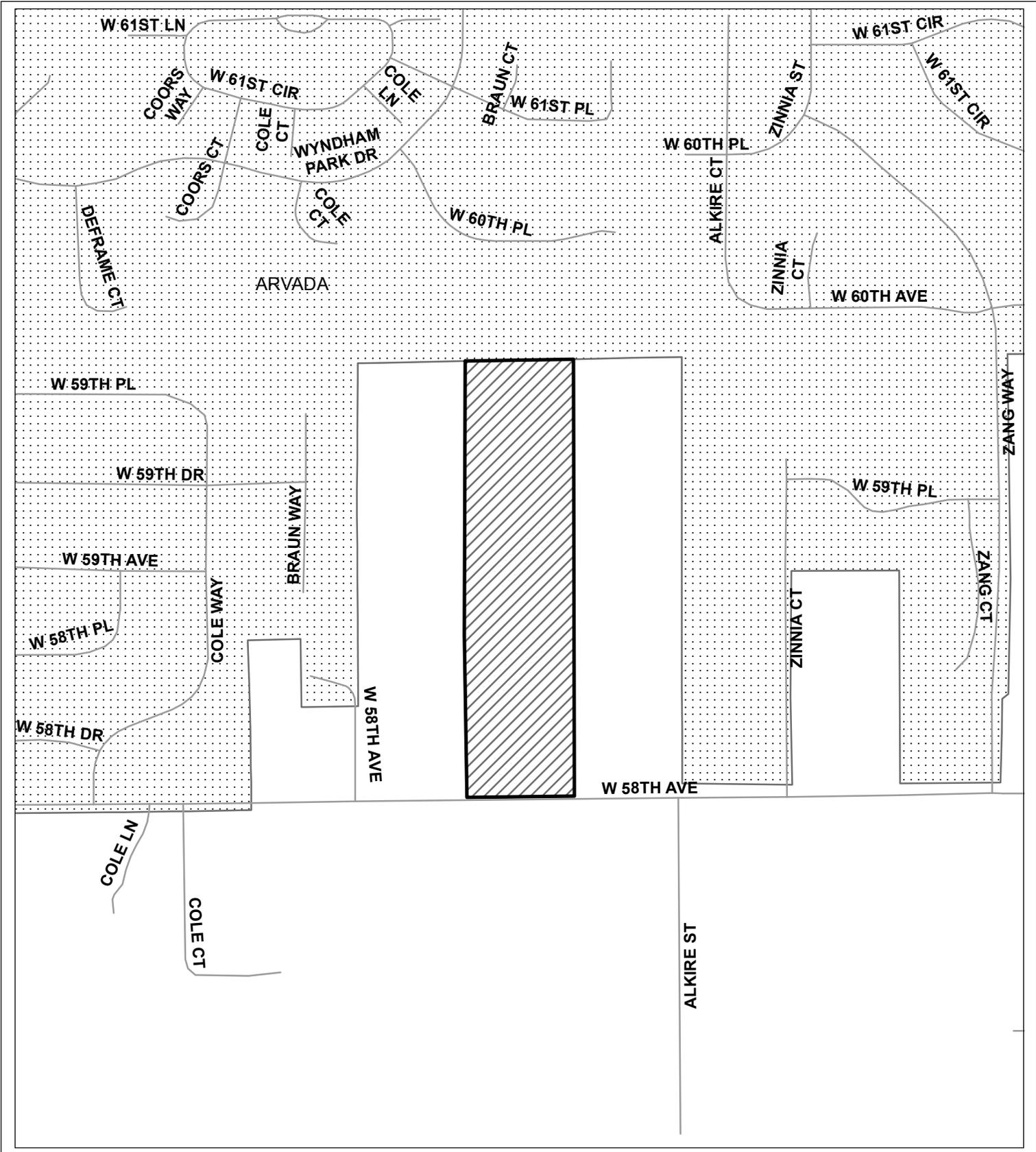
THE GRAPHIC DRAWINGS CONTAINED WITHIN THIS OFFICIAL DEVELOPMENT PLAN ARE INTENDED TO DEPICT GENERAL LOCATIONS AND ILLUSTRATE CONCEPTS OF THE TEXTUAL PROVISIONS OF THIS OFFICIAL DEVELOPMENT PLAN. DURING THE PLATTING PROCESS THE PLANNING AND ZONING DIRECTOR MAY ALLOW MINOR VARIATIONS FOR THE PURPOSE OF ESTABLISHING:

- A. FINAL ROAD ALIGNMENTS
- B. FINAL CONFIGURATION OF LOT AND TRACT SIZES AND SHAPES
- C. FINAL BUILDING ENVELOPES
- D. FINAL ACCESS AND PARKING LOCATIONS
- E. LANDSCAPING ADJUSTMENTS

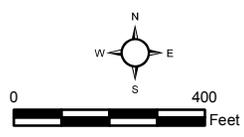
NO.	REVISIONS	DATE	BY
1	REVISED PER COUNTY COMMENTS	11/3/2015	EJ
2	REVISED CASE NO. PER COUNTY COMMENTS	01/21/2016	EJ
3	REVISED PER COUNTY COMMENTS	05/17/2016	EJ







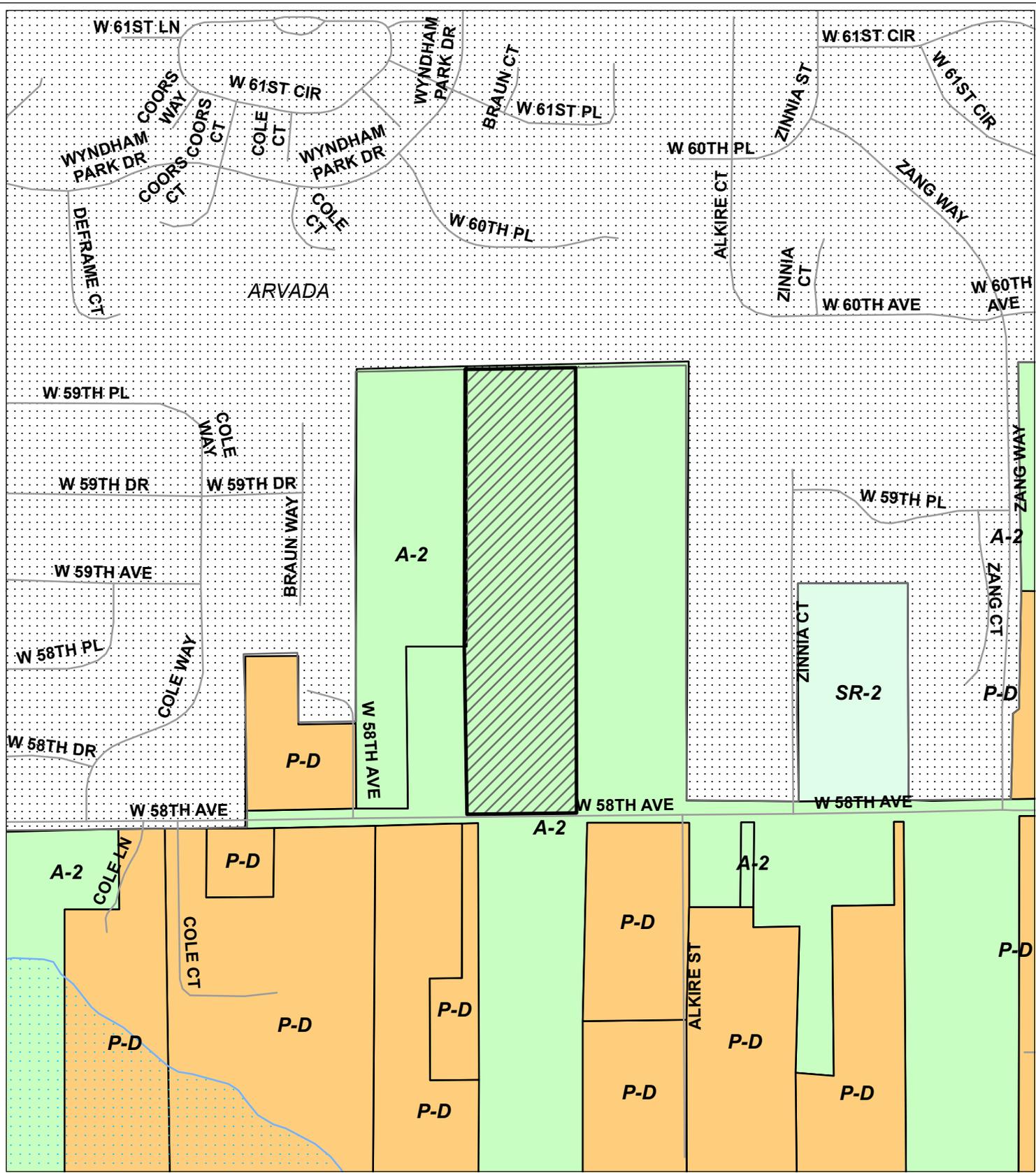
**Case Number: 15-120467RZ**  
**Location: Sec. 7, T3S, R69W**



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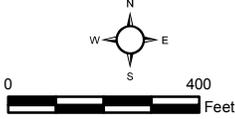
**Vicinity**

1:4,800 Plot: 2015-09-02  
 Orthos: 49



Case Number: 15-120467RZ  
 Location: Sec. 7, T3S, R69W

**Zoning**



This product has been developed for internal use only. The Planning and Zoning Department makes no warranties or guarantees, either expressed or implied, as to the completeness, accuracy or correctness of such products, nor accepts any liability arising from any incorrect, incomplete or misleading information contained therein.

Legal DescriptionStreet Location of Property 13371 West 58<sup>th</sup> Avenue

Is there an existing structure at this address?

Yes X No       

Type the legal description and address below.

A PARCEL OF LAND LOCATED IN THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 7, TOWNSHIP 3 SOUTH, RANGE 69 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF JEFFERSON, STATE OF COLORADO AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

## BASIS OF BEARINGS:

BEARINGS ARE BASED ON THE NORTH LINE OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER, BEING CONSIDERED TO BEAR NORTH 89°01'26" EAST, A DISTANCE OF 1220.32 FEET BETWEEN THE FOLLOWING DESCRIBED MONUMENTS:

- EAST QUARTER CORNER (WITNESS) OF SECTION 7, FOUND 3.25" ALUMINUM CAP PLS 13213, 100 FT. WITNESS CORNER, MATCHES MONUMENT RECORD ON FILE.

-CENTER EAST SIXTEENTH CORNER OF SECTION 7, FOUND 2" ALUMINUM CAP (ILLEGIBLE) WHICH OTHERWISE MATCHES MONUMENT RECORDS ON FILE.

COMMENCING AT SAID WITNESS CORNER TO THE EAST QUARTER CORNER OF SECTION 7;

THENCE ALONG SAID NORTH LINE SOUTH 89°01'24" WEST, A DISTANCE OF 230.08 FEET TO THE NORTHEAST CORNER OF TRACT 3, ARVADA FRUIT GARDENS AND THE POINT OF BEGINNING;

THENCE ALONG THE BOUNDARY OF SAID TRACT 3 THE FOLLOWING 4 (FOUR) COURSES AND DISTANCES

- 1) THENCE SOUTH 00°08'34" WEST, A DISTANCE OF 1,331.22 FEET TO THE SOUTHEAST CORNER OF SAID TRACT 3 AND THE SOUTH LINE OF SAID NORTHEAST QUARTER OF THE SOUTHEAST QUARTER;
- 2) THENCE ALONG SAID SOUTH LINE SOUTH 89°13'23" WEST, A DISTANCE OF 330.39 FEET TO THE SOUTHWEST CORNER OF SAID TRACT 3;
- 3) THENCE ALONG THE WESTERLY LINE OF SAID TRACT 3 NORTH 00°09'25" EAST, A DISTANCE OF 1,330.08 FEET TO THE NORTHWEST CORNER OF SAID TRACT 3 AND THE SAID NORTHERLY LINE OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER;
- 4) THENCE ALONG SAID LINE NORTH 89°01'26" EAST, A DISTANCE OF 330.08 FEET TO THE POINT OF BEGINNING.

CONTAINING 439,357 SQUARE FEET OR 10.086 ACRES, MORE OR LESS.

Advise of Ortho Map No. 49 Section 7 Township 3 S. Range 69 W.

Calculated Acreage 10.1 Acres Checked by: Ed Wieland

Address Assigned (or verified) 13371 West 58<sup>th</sup> Avenue

**From:** [Bonnie Benedik](#)  
**To:** [John Nihiser](#); [Nancy York](#); [Ed Wieland](#); [Kirk Hagaman](#); [Pat OConnell](#); [Mike Vanatta](#); [Craig Sanders](#); [Russell Clark](#); [Charles Barthel](#); [Dennis Dempsey](#); [Carlos Atencio](#)  
**Cc:** [Ed Peck](#); [Ben Hasten](#); [Patricia Romero\(Planning & Zoning\)](#); [Patricia Krmpotich](#); [Lindsay Townsend](#); [Tracy R. Volkman](#); [Mike Schuster](#); [Ross Klopff](#); [Heather Gutherless](#); [Michaelyne Klym](#); [John Wolforth](#)  
**Bcc:** ["rsmetana@arvada.org"](#); ["justinh@apexprd.org"](#); ["rdudley@associacolorado.com"](#); ["felicia@acmhoa.com"](#); ["bernie@imark-co.com"](#); ["kathy@kchoa.com"](#); ["judson@bajabb.com"](#); ["Judy Thomas"](#); ["codychristman@gmail.com"](#)  
**Subject:** 15-120467RZ and 15-121149PF - Electronic 2nd referrals  
**Date:** Tuesday, December 01, 2015 11:42:00 AM

**ELECTRONIC REFERRAL**

-  
**JEFFERSON COUNTY, COLORADO**

Documents related to a Rezoning have been submitted to Jefferson County Planning and Zoning. This case is now beginning the **SECOND REFERRAL** part of the process. Please review the specific electronic documents related to the first found [here](#). Comments on the first should be submitted via e-mail to the case manager by the due date below. THIS CASE IS GOING THROUGH A REZONING AND PLAT SIMULTANEOUSLY. This is the Rezoning portion – please submit your comments accordingly.

Case Number: **15-120467RZ**  
 Case Name: **13371 W 58Th Avenue**  
 General Location: Half way between Ward Rd and Eldridge St along W 58th Ave  
 Case Type: **Rezoning**  
 Type of Application: Rezone 10 acre parcel to allow for one 5 acre lot to the south, and four 1 acre lots to the north.  
 Case Manager: **Christiana Farrell**  
**Comments Due: December 15, 2015**  
 Case Manager Contact Information: **cfarrell@jeffco.us      303-271-8740**

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).

<b>Jeffco:</b> Building Safety Open Space Cartography Addressing Geologist T&E Public Health Zoning Administration Planning Engineering Long Range Road and Bridge 1	<b>External:</b> City of Arvada Apex Park and Rec	<b>HOA:</b> CANDLELIGHT FIRST SUBASSOCIATION 801171 CANDLELIGHT VALLEY HOA 757473 COTTONWOOD WEST HOA 757448 EAGLE POINTE HOA 757426 FAIRMOUNT IMPROVEMENT ASSN 757323 JEFFERSON COUNTY HORSEMENS ASSN 757337 MARRIOTT ORCHARD HOA 757478
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**ELECTRONIC REFERRAL**

-  
**JEFFERSON COUNTY, COLORADO**

Documents related to a Preliminary-Final Plat have been submitted to Jefferson County Planning and Zoning. This case is now beginning the **SECOND REFERRAL** part of the process. Please review the specific electronic documents related to the first found [here](#). Comments should be submitted via e-mail to the case manager by the due date below. THIS CASE IS GOING THROUGH A REZONING AND PLAT SIMULTANEOUSLY. This is the Preliminary-Final Plat

portion – please submit your comments accordingly.

Case Number: **15-121149 PF**

Case Name: **13371 W 58Th Avenue**

General Location: Half way between Ward Rd and Eldridge St along W 58th Ave

Case Type: **Plat**

Type of Application: Plat 10 acre parcel to allow for one 5 acre lot to the south, and four 1 acre lots to the north.

Case Manager: **Christiana Farrell**

**Comments Due: December 15, 2015**

Case Manager Contact Information: **cfarrell@jeffco.us 303-271-8740**

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>	<u>External:</u>	<u>HOA:</u>
Building Safety Open Space Cartography Addressing Geologist T&E Public Health Zoning Administration Planning Engineering Long Range Road and Bridge 1	City of Arvada Apex Park and Rec	CANDLELIGHT FIRST SUBASSOCIATION 801171 CANDLELIGHT VALLEY HOA 757473 COTTONWOOD WEST HOA 757448 EAGLE POINTE HOA 757426 FAIRMOUNT IMPROVEMENT ASSN 757323 JEFFERSON COUNTY HORSEMENS ASSN 757337 MARRIOTT ORCHARD HOA 757478

**Christiana Farrell**

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**From:** AutoMailer@jeffco.us  
**Sent:** Thursday, October 01, 2015 11:06 AM  
**To:** Christiana Farrell  
**Cc:** Ross Klopf  
**Subject:** Agency Response

Address: 13371 W 58Th Avenue  
Case Number: 15 120467 RZ  
Review: Engineer (Development Review)  
Review Results: Complete  
Scheduled End Date: 09/21/2015  
Signoff Date: 10/01/2015  
Process Comments: No Comments or concerns with Rezoning case. There will be a minimal impact to traffic.  
Case Type: Rezoning: Straight Zone District  
Reviewer: Ross Klopf  
Case Description: Rezone 10 acre parcel to allow for one 5 acre lot to the south, and four 1 acre lots to the north.

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](mailto:tgagnon@jeffco.us)

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## ADDRESSING

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# MEMO

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To: Christiana Farrell  
FROM: Patricia Romero  
SUBJECT: 15-120467RZ 13371 W 58<sup>th</sup> Avenue  
DATE: December 14, 2015

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Addressing offers the following comments on this proposal:

1. The purpose of this Rezoning is to Rezone a 10 acre parcel to allow for one 5 acre lot to the south, and four 1 acre lots to the north.
2. Access is currently off of W 58<sup>th</sup> Avenue. There is a valid existing address, 13371 W 58<sup>th</sup> Avenue, in the addressing database. This address will remain with lot 1.
3. Addresses for lots 2-5 will not be available until the Plat is approved and recorded.

Please let me know if you have any questions.



Jefferson County, Colorado  
Transportation & Engineering Division

100  
3

Waiver was  
dropped. Cash-in-  
lieu will be paid.

10/18/10

Suite 3500, Golden, Colorado 80419-3500  
3.271.8490 • <http://jeffco.us/highways>

# P&Z REFERRAL T&E RESPONSE

To:  *P&Z Case Manager* 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

Board of Directors  
Jeff Glenn, President  
Jim Whitfield, Vice President  
Lee Humrich, Treasurer/Secretary  
Kristen Larington, Director  
Tommy Skul, Director

Executive Director  
Mike Miles



December 2, 2015

Jefferson County Planning and Zoning  
Attn: Christiana Farrell  
100 Jefferson County Parkway, Suite 3550  
Golden, CO 80419

Reference: Candlelight Rezoning  
Address: 13371 W. 58<sup>th</sup> Ave., Arvada CO.

**Case Numbers: 15-120467RZ**

Dear Ms. Farrell;

Apex Park and Recreation District does not object to the rezoning of the property at 13371 W. 58<sup>th</sup> Ave., Arvada, CO.

The property is within our district and currently paying taxes to our district. Upon the rezoning, the taxes should remain consistent with the current taxes.

Per the Intergovernmental agreement between Apex Park and Recreation District and The City of Arvada any required open space or fees in lieu of park and school land dedication will be determined by The City of Arvada. The actual amount of land or fees is based upon the appraised values of the acreage of land dedication as set forth in the Land Development Regulations.

I may be reached at (303) 467-7129 should you wish to discuss any issues related to this development, or you may contact Luann Levine, Executive Assistant, at (303) 403-2518.

Sincerely,

Justin Howe  
District Services Division Manger

Enclosures

cc: Mike Miles, Executive Director  
Luann Levine, Executive Assistant

February 7, 2016

Ms. Christiana Farrell  
Jefferson County  
100 Jefferson County Parkway  
Golden, CO 80401

Re: 13371 W 58<sup>th</sup> Avenue Plat and Rezoning, Jeffco Case# 16-121149PF & 15-120467RZ,  
AFPD Project # 16-011D

Ms. Farrell:

The referral referenced above was reviewed for compliance with the *2012 International Fire Code (IFC)* as adopted by Jefferson County; and as adopted and amended by the Arvada Fire Protection District. The following comments are provided for the property owner's information in anticipation that a new buildings will likely be built on the new parcels in the future. The following comments will apply when any new is building constructed or moved unto the respective parcels.

**1. Fire protection service**

This parcel is currently within the jurisdictional boundaries of the Arvada Fire Protection District (AFPD). The fire protection services for this parcel are provided primarily by AFPD Fire Station #6 located at 6403 Simms Street.

**2. Fire apparatus access**

Fire apparatus access that complies with the *Jefferson County Land Development Regulations; the Jefferson County Roadway Design and Construction Manual*; and the requirements of the *2012 International Fire Code (IFC)* as adopted by Jefferson County and amended by the Arvada Fire Protection District shall be provided.

**3. Water supply for fire-protection**

A minimum of one fire hydrant shall be provided within 600-0 feet of the most remote point of the new building constructed on lot #4 as measured along fire apparatus access roads. The fire installation of the new fire hydrant indicated on the site plan will meet this requirement. (*2012 IFC Sections 508.1*)

A minimum fire-flow of 1,000 gallons-per-minute with a minimum duration of 1-hour shall be provided for one- and two-family dwellings up to 3,600 square-feet constructed on these sites. Dwellings exceeding 3,600 square-feet in area shall provide the required fire-flow and duration specified in table B105 of the *2012 International Fire Code (IFC)*.

Please contact me at (720) 398-0297 or via e-mail at [kevin.ferry@arvadafire.com](mailto:kevin.ferry@arvadafire.com) if you should have any questions or need further information.

Sincerely,

*Kevin Ferry /S/*

Kevin Ferry  
Fire Marshal

**Christiana Farrell**

---

**From:** AutoMailer@jeffco.us  
**Sent:** Monday, December 14, 2015 3:06 PM  
**To:** Christiana Farrell  
**Cc:** Ed Wieland  
**Subject:** Agency Response

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Address: 13371 W 58Th Avenue  
Case Number: 15 120467 RZ  
Review: Cartographic  
Review Results: Complete  
Scheduled End Date: 12/15/2015  
Signoff Date: 12/14/2015  
Process Comments: Conditional Approval. One typo in CaseNo to have corrected.  
Case Type: Rezoning: Straight Zone District  
Reviewer: Ed Wieland  
Case Description: Rezone 10 acre parcel to allow for one 5 acre lot to the south, and four 1 acre lots to the north.

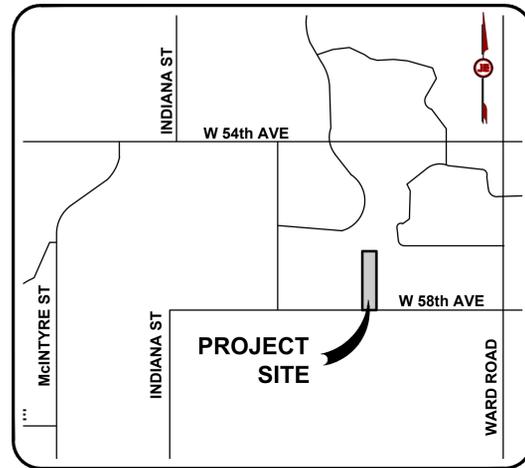
This Email has been automatically generated, do not reply to sender:  
If you have any Review questions, contact Ed Wieland

If you have any technical questions contact [tgagnon@jeffco.us](mailto:tgagnon@jeffco.us)

# PENNINGTON ACRES OFFICIAL DEVELOPMENT PLAN

LOCATED IN THE SE QUARTER OF SECTION 7, TOWNSHIP 3 SOUTH, RANGE 69  
WEST OF THE 6TH P.M., COUNTY OF JEFFERSON, STATE OF COLORADO

SHEET 1 OF 1



VICINITY MAP  
1" = 2,000'

### LEGAL DESCRIPTION:

A PARCEL OF LAND LOCATED IN THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 7, TOWNSHIP 3 SOUTH, RANGE 69 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF JEFFERSON, STATE OF COLORADO AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS:

BEARINGS ARE BASED ON THE NORTH LINE OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER, BEING CONSIDERED TO BEAR NORTH 89°01'26" EAST, A DISTANCE OF 1220.32 FEET BETWEEN THE FOLLOWING DESCRIBED MONUMENTS:

- EAST QUARTER CORNER (WITNESS) OF SECTION 7, FOUND 3.25" ALUMINUM CAP PLS 13213, 100 FT. WITNESS CORNER, MATCHES MONUMENT RECORD ON FILE.
- CENTER EAST SIXTEENTH CORNER OF SECTION 7, FOUND 2" ALUMINUM CAP (ILLEGIBLE) WHICH OTHERWISE MATCHES MONUMENT RECORDS ON FILE.

COMMENCING AT SAID WITNESS CORNER TO THE EAST QUARTER CORNER OF SECTION 7;

THENCE ALONG SAID NORTH LINE SOUTH 89°01'24" WEST, A DISTANCE OF 230.08 FEET TO THE NORTHEAST CORNER OF TRACT 3, ARVADA FRUIT GARDENS AND THE POINT OF BEGINNING;

THENCE ALONG THE BOUNDARY OF SAID TRACT 3 THE FOLLOWING 4 (FOUR) COURSES AND DISTANCES

- 1) THENCE SOUTH 00°08'34" WEST, A DISTANCE OF 1,331.22 FEET TO THE SOUTHEAST CORNER OF SAID TRACT 3 AND THE SOUTH LINE OF SAID NORTHEAST QUARTER OF THE SOUTHEAST QUARTER;
  - 2) THENCE ALONG SAID SOUTH LINE SOUTH 89°13'23" WEST, A DISTANCE OF 330.39 FEET TO THE SOUTHWEST CORNER OF SAID TRACT 3;
  - 3) THENCE ALONG THE WESTERLY LINE OF SAID TRACT 3 NORTH 00°09'25" EAST, A DISTANCE OF 1,330.08 FEET TO THE NORTHWEST CORNER OF SAID TRACT 3 AND THE SAID NORTHERLY LINE OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER;
  - 4) THENCE ALONG SAID LINE NORTH 89°01'26" EAST, A DISTANCE OF 330.08 FEET TO THE POINT OF BEGINNING.
- CONTAINING 439,357 SQUARE FEET OR 10.086 ACRES, MORE OR LESS.

### ALLOWED USES:

HORSES AND OTHER LIVESTOCK SHOULD BE PERMITTED AS FOLLOWS:

- THE MINIMUM LOT AREA SHOULD BE 43,560 SQUARE FEET (1 ACRE). IN ORDER TO BALANCE THE NEEDS OF THE ANIMALS WITH EROSION CONTROL, EACH LARGE ANIMAL SHOULD HAVE A PEN OF AT LEAST 12' X 12', AND ACCESS TO A FENCED TURN-OUT AREA OF AT LEAST 12' X 50'. SHADE AND/OR COVER SHOULD ALSO BE PROVIDED TO PROTECT THE ANIMALS FROM BOTH SUN AND INCLEMENT WEATHER. THE TOTAL NUMBER OF SUCH ANIMALS SHOULD NOT EXCEED 4 PER ACRE, EXCEPT THAT OFFSPRING OF ANIMALS ON THE PROPERTY MAY BE KEPT UNTIL WEANED.
- STALLIONS AND BULLS SHOULD NOT BE PERMITTED IN RESIDENTIAL SUBDIVISIONS WITH LOT SIZES OF LESS THAN 5 ACRES. STALLIONS AND BULLS SHALL BE KEPT IN A PEN, CORRAL, OR RUN AREA ENCLOSED BY A 7 FOOT FENCE OF SUFFICIENT STRENGTH TO CONTAIN THE ANIMAL(S), EXCEPT WHEN IT IS NECESSARY TO REMOVE THEM FOR TRAINING, BREEDING, OR OTHER SIMILAR PURPOSES.

### HOUSING

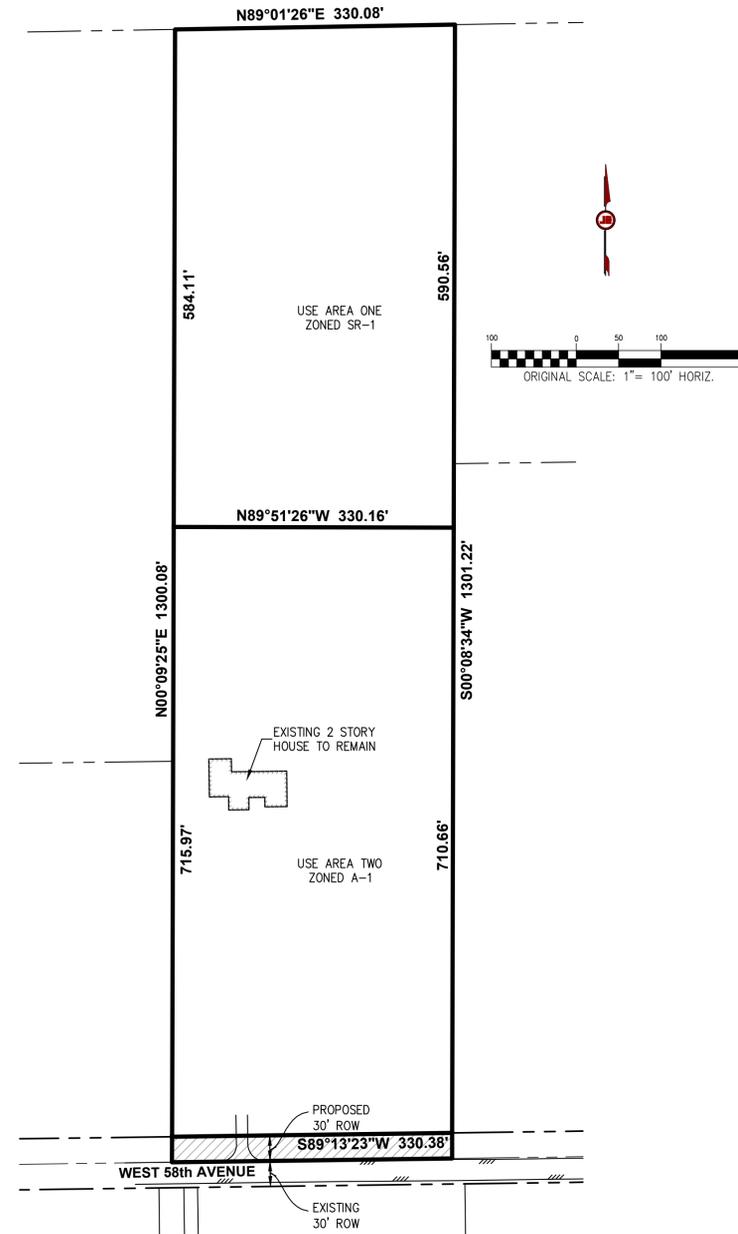
LIVESTOCK LOTS AND NON-LIVESTOCK LOTS SHOULD BE SEGREGATED WITHIN A DEVELOPMENT TO PREVENT CONFLICTS BETWEEN LIVESTOCK ACTIVITIES AND NON-LIVESTOCK RESIDENTIAL ACTIVITIES. (NP .5)

ACCESSORY BUILDINGS HOUSING ANIMALS SHOULD BE SET BACK AT LEAST 100 FEET FROM THE FRONT PROPERTY LINE AND SHOULD CONFORM TO SIDE AND REAR SETBACKS FOR THE DWELLING.

### ARCHITECTURAL STANDARDS:

THE GENERAL THEME OF THE ARCHITECTURAL STYLE WILL BE CONTEMPORARY MODERN. UNUSUAL STYLES OR DESIGNS WILL NOT BE ACCEPTED. DESIGNS SHOULD BE IN KEEPING WITH THE RURAL CHARACTER OF THE VAN BIBBER AREA.

- MINIMUM SIZE OF THE HOUSE SHALL BE 2,000 SQUARE FEET ON THE MAIN FLOOR NOT INCLUDING GARAGES. MINIMUM FINISH AREA OF HOMES SHALL BE 3,200 SQUARE FEET.
- MAXIMUM ROOF SLOPE TO BE 6:12 EXCEPT FOR ISOLATED ELEMENTS SUCH AS DORMERS.
- PRIMARY STRUCTURES ARE TO HAVE A MINIMUM OF 30% MASONRY I.E.: NATIVE, STONE, MANUFACTURED STONE, BRICK OR STUCCO.
- 75% OF FRONT ELEVATION SHALL BE MASONRY.
- USE OF FIRE RESISTANCE CLADDING (HARDY PLANK OR EQUAL TO) IS ENCOURAGED WHERE APPLICABLE.
- LOG ACCENTS ARE ACCEPTABLE.
- ROOFING MATERIALS
  - 20 YEAR HIGH DEFINITION ARCHITECTURAL ASPHALT SHINGLE (CLASS A)
  - CLAY/ CONCRETE TILE
  - STEEL ACCENTS
  - WOOD SHAKE ROOFS ARE PROHIBITED
- GENERAL EARTH TONE/ WARM COLORS ARE TO BE UTILIZED



### COUNTY COMMISSIONERS CERTIFICATE:

THIS OFFICIAL DEVELOPMENT PLAN, TITLED \_\_\_\_\_ WAS AP-  
PROVED THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_ AND IS ACCEPTED BY THE BOARD  
OF COMMISSIONERS THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

BOARD OF COUNTY COMMISSIONERS:

CHAIRMAN \_\_\_\_\_

CLERK \_\_\_\_\_

### CLERK AND RECORDER'S CERTIFICATE:

THIS OFFICIAL DEVELOPMENT PLAN, TITLED \_\_\_\_\_ WAS AP-  
ACCEPTED FOR FILING IN THIS OFFICE OF THE COUNTY CLERK AND RECORDER OF JEFFERSON COUNTY  
AT GOLDEN, COLORADO ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_  
AT \_\_\_\_\_ O'CLOCK \_\_\_\_\_ M.

JEFFERSON COUNTY CLERK RECORDER \_\_\_\_\_ By: \_\_\_\_\_  
DEPUTY CLERK \_\_\_\_\_

### APPLICABILITY STATEMENT:

EXCEPT AS EXPRESSLY PROVIDED OTHERWISE IN THIS OFFICIAL DEVELOPMENT PLAN, DEVELOPMENT OF THIS PROPERTY SHALL CONFORM TO THE JEFFERSON COUNTY ZONING RESOLUTION IN EFFECT AT THE TIME OF PLATTING AND BUILDING PERMIT APPLICATION.

### OWNER'S CERTIFICATE:

WE, RICHARD L TODD AND \_\_\_\_\_ AS OWNERS OF THE LAND AFFECTED BY THIS PLANNED DEVELOPMENT, ACCEPT AND APPROVE ALL CONDITIONS SET FORTH HEREIN.

OWNERS: \_\_\_\_\_ DATE: \_\_\_\_\_

\_\_\_\_\_ DATE: \_\_\_\_\_

### NOTARY PUBLIC:

THIS OFFICIAL DEVELOPMENT PLAN, TITLED \_\_\_\_\_  
COUNTY OF \_\_\_\_\_ )

STATE OF \_\_\_\_\_ )SS

STATE OF \_\_\_\_\_ )

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

BY \_\_\_\_\_

WITNESS MY HAND AND OFFICIAL SEAL

MY COMMISSION EXPIRES: \_\_\_\_\_

NOTARY PUBLIC \_\_\_\_\_

### STANDARD FLEXIBILITY STATEMENT:

THE GRAPHIC DRAWINGS CONTAINED WITHIN THIS OFFICIAL DEVELOPMENT PLAN ARE INTENDED TO DEPICT GENERAL LOCATIONS AND ILLUSTRATE CONCEPTS OF THE TEXTUAL PROVISIONS OF THIS OFFICIAL DEVELOPMENT PLAN. DURING THE PLATTING PROCESS THE PLANNING AND ZONING DIRECTOR MAY ALLOW MINOR VARIATIONS FOR THE PURPOSE OF ESTABLISHING:

- FINAL ROAD ALIGNMENTS
- FINAL CONFIGURATION OF LOT AND TRACT SIZES AND SHAPES
- FINAL BUILDING ENVELOPES
- FINAL ACCESS AND PARKING LOCATIONS
- LANDSCAPING ADJUSTMENTS

NO.	REVISIONS	DATE	BY
1	REVISED PER COUNTY COMMENTS	11/3/2015	EJ



5680 WEBSTER STREET  
ARVADA, CO 80002  
PH: (303) 423-6036 FAX: (303) 467-9438



March 3, 2016

Mr. Mark Bishop  
Project Manager  
Jehn Engineering  
5690 Webster Street  
Arvada, Co 80002

**Re: 3rd Plan Review Pennington Acres Water Construction Plans Comments**

Dear Mark,

The review for the referenced plans has been completed. Please address the following concerns:

- Provide an easement for the water main.

If you have questions or need clarification please do not hesitate to contact me.

Sincerely,

Wendy M Weiman, PE  
Project Engineer  
North Table Mountain Water and Sanitation District



Right of Way & Permits

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

February 10, 2016

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

Attn: Christiana Farrell

**Re: Pennington Acres, Case #s 15-121149PF and 15-120467RZ**

Public Service Company of Colorado's (PSCo) Right of Way & Permits Referral Desk has reviewed the plat and official development plan for **Pennington Acres**. As always, thank you for the opportunity to take part in the review process. PSCo acknowledges all platted dry utility easements and requests that the following language or plat note be placed on the preliminary and final plats for the subdivision:

***Utility easements are dedicated on private property and to Jefferson County for the benefit of the applicable utility providers for the installation, maintenance, and replacement of electric, gas, television, cable, and telecommunications facilities (Dry Utilities). Permanent structures, improvements, objects, buildings, wells, water meters and other objects that may interfere with the utility facilities or use thereof (Interfering Objects) shall not be permitted within said utility easements and the utility providers, as grantees, may remove any Interfering Objects at no cost to such grantees, including, without limitation, vegetation. Public Service Company of Colorado (PSCo) and its successors reserve the right to require additional easements and to require the property owner to grant PSCo an easement on its standard form.***

Please be aware PSCo owns and operates existing natural gas and electric distribution facilities within the proposed project area. The property owner/developer/contractor must contact the **Builder's Call Line at 1-800-628-2121** and complete the application process for any new gas or electric service, or modification to existing facilities. It is then the responsibility of the developer to contact the Designer assigned to the project for approval of design details. Additional easements may need to be acquired by separate document for new facilities.

Public Service Company has no objection to this proposed rezone, contingent upon Public Service Company of Colorado's ability to maintain all existing rights and this amendment should not hinder our ability for future expansion, including all present and any future accommodations for natural gas transmission and electric transmission related facilities.

As a safety precaution, PSCo would like to remind the developer to call the **Utility Notification Center at 1 800-922-1987** for utility locates prior to construction.

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



# CITY OF ARVADA

COMMUNITY DEVELOPMENT DEPARTMENT

FACSIMILE: 720-898-7437 ▲ TDD: 720-898-7869

PHONE: 720-898-7435

September 22, 2015

Christiana Farrell  
Jefferson County Planning and Zoning Division  
100 Jefferson County Parkway, Suite 3550  
Golden, CO 80419-3550

Re: Case Number: 15-120467RZ  
Case Name: 13371 W 58<sup>th</sup>

Dear Ms. Farrell:

This letter is in response to the above referenced case the City of Arvada Community Development Department received on August 31, 2015.

- The subject property is identified as Suburban Residential (SUBR) within the Arvada Comprehensive Plan. Primary uses include: Single-family residences, duplexes, and attached residences while secondary uses include: Supporting and complementary uses, including open space and recreation, schools, places of worship, and other public uses. Senior housing facilities are also appropriate if compatible with the surrounding areas. The proposed single-family detached residential land use fits within the Arvada Comprehensive Plan for this site.

Please refer all future submittals for this project to me. If you have any questions, please contact me directly at 720-898-7441 or via email at [jcramer@arvada.org](mailto:jcramer@arvada.org).

With the greatest respect,

James A. Cramer  
Planner I  
City of Arvada  
Community Development  
[jcramer@arvada.org](mailto:jcramer@arvada.org)

**Christiana Farrell**

---

**From:** Cheryl Drake [cheryl@arvada.org]  
**Sent:** Wednesday, September 09, 2015 12:10 PM  
**To:** Christiana Farrell  
**Subject:** Re: Rezoning Formal Application Submitted to Jefferson County

Hi Christiana,

Previously there had been some public concern expressed about trail access. Our Parks staff have reviewed this and have the following comments:

The north-south access is intended as an access easement for the new residents, not a public access.

As a private road access, the public will be stopped at 58th Avenue, no closer to Wyndham. Candlelight to the west and Golden Gate to the east have public road access leading to the drainage between Wyndham on the north. Golden Gate has the better trail potential for connection along the drainage to the east and across the drainage north into Wyndham. So, without an intended public access, Arvada north-south trail intentions are not appropriate in this project.

However, trail easement dedication along 58th Avenue is appropriate as part of a future Community Trail construction along both sides of 58th Avenue.

Thank you.

On Mon, Aug 31, 2015 at 2:17 PM, Christiana Farrell <[cfarrell@co.jefferson.co.us](mailto:cfarrell@co.jefferson.co.us)> wrote:

You are being notified that a formal application for rezoning was submitted to Jefferson County Planning and Zoning for 13371 W 58<sup>th</sup> Ave to allow for four additional lots along the north of the parcel.

Please find the attached postcard with all important information regarding this case. No public hearings have yet been scheduled, but please forward comments by September 21<sup>st</sup> to me in order to have them added to the first referral.

**Christiana Farrell, AICP**

Planner

Jefferson County Planning and Zoning

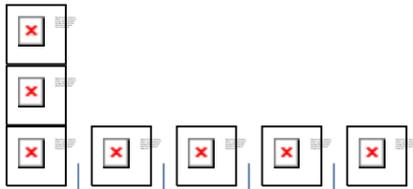
100 Jefferson County Parkway

Golden, CO 80419

[cfarrell@jeffco.us](mailto:cfarrell@jeffco.us) | 303-271-8740

--

**Cheryl Drake**  
Senior Planner  
720-898-7436  
[cheryl@arvada.org](mailto:cheryl@arvada.org)



# COLORADO GEOLOGICAL SURVEY

1801 19<sup>th</sup> Street  
Golden, Colorado 80401



February 16, 2016

Karen Berry  
State Geologist

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

**Location:**  
NE¼ SE¼ Section 7,  
T3S, R69W of the 6<sup>th</sup> P.M.  
39.8044, -105.1492

**Subject: 13371 W. 58<sup>th</sup> Avenue – Rezoning (15-120467RZ), Preliminary and Final Plat (15-121149PF)  
Jefferson County, CO; CGS Unique No. JR-16-0006**

Dear Ms. Farrell:

Colorado Geological Survey has reviewed the above-referenced rezoning and preliminary & final plat referral. I understand the applicant proposes five single family detached residential lots on approximately 10 acres located at 13371 W. 58<sup>th</sup> Avenue. Proposed Lot 1, 5.4 acres, contains an existing home. Proposed Lots 2 through 5, 1 to 1.25 acres, are undeveloped.

With this referral, we received a referral requesting CGS's review (January 21, 2016), a Geotechnical Engineering and Geologic Report (Pickering, Cole & Hivner, LLC, June 11, 2015), a Phase III Drainage Report (Jehn Engineering, October 2015), a set of two final plat sheets (Jehn, October 16, 2015), a set of 11 Site Construction Plans (Jehn, November 3, 2015), and other documents.

The site does not contain steep slopes, is not undermined, is not located within a mapped flood hazard zone, and is not exposed to or located within any identified geologic hazard areas that would preclude the proposed residential use and density.

**Very highly expansive clay soils and claystone bedrock.** Pickering, Cole & Hivner's Geotechnical Engineering and Geologic Report contains a good description of surface and subsurface conditions, and makes appropriate recommendations (drilled pier foundations and structurally supported floors, or overexcavation to a depth of at least ten feet below lowest foundation elements and extending laterally at least five feet beyond building footprints) for mitigating the site's very highly expansive clay soils and claystone bedrock. **Provided PCH's geotechnical recommendations regarding earthwork, foundations, floor systems, surface and subsurface drainage, pavements, etc. are strictly adhered to, CGS has no objection to approval of the rezoning, preliminary, and final plat.**

**Onsite wastewater systems (OWS, or septic systems).** According to the documents and construction plans, onsite wastewater systems are planned. NRCS soils survey data indicates that the site soils are very limited in suitability for conventional septic tank absorption fields due to slow percolation rates, so proposed OWS on the four new lots will probably need to be designed by an engineer. Engineered OWS tend to require more maintenance and have shorter lifespans than conventional systems, so **a backup absorption field location should be identified on each lot.**

Christiana Farrell  
February 16, 2016  
Page 2 of 2

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](mailto:carlson@mines.edu).

Sincerely,

A handwritten signature in black ink, appearing to read "Jill Carlson". The signature is fluid and cursive, with a large initial "J" and "C".

Jill Carlson, C.E.G.  
Engineering Geologist

# Memorandum

**To:** Christiana Farrell  
Planner

**From:** Patrick O'Connell  
Geologist

**Date:** September 10, 2015

**Re:** 13371 West 58<sup>th</sup> Ave, Case No. 15-120467RZ

---

The intent of the application is to rezone to allow for mixed uses. I have the following comment.

1. The site is not within a zoned or unzoned geologic hazard area and reports are not required with the rezoning process.

## Christiana Farrell

---

**From:** judythomas [etomandjudy@centurylink.net]  
**Sent:** Wednesday, December 02, 2015 2:26 PM  
**To:** Christiana Farrell  
**Subject:** Re: Re 13371 W 58Th Avenue

Christiana:

Thanks for the quick response and helpful information. Got a look at the property, and it doesn't appear to impact any equine activities or properties.

Judy

On Dec 2, 2015, at 2:20 PM, Christiana Farrell <[cfarrell@co.jefferson.co.us](mailto:cfarrell@co.jefferson.co.us)> wrote:

> Judy,  
>  
> It is being rezoned from Agricultural 2 to Planned Development to allow the existing 10 acre parcel to become one 5-acre lot to the south where the existing house will remain, and four 1-acre lots to the north for a total of 4 new homes. The remaining acre balance will be taken up with the access road between the lots.  
>  
> Christiana Farrell, AICP  
> Planner  
> Jefferson County Planning and Zoning  
> 100 Jefferson County Parkway  
> Golden, CO 80419  
> [cfarrell@jeffco.us](mailto:cfarrell@jeffco.us) | 303-271-8740  
>  
>  
>  
> -----Original Message-----  
> From: judythomas [<mailto:etomandjudy@centurylink.net>]  
> Sent: Wednesday, December 02, 2015 2:09 PM  
> To: Christiana Farrell  
> Subject: Re 13371 W 58Th Avenue  
>  
> Hi Christiana,  
>  
> A quick question about this property: It's being rezoned from what to what?  
>  
> Thanks,  
>  
> Judy Thomas  
> Jefferson County Horse Council

**MEMO**

**TO:** Christiana Farrell  
Jefferson County Planning and Zoning Division

**FROM:** Tracy Volkman  
Jefferson County Environmental Health Services Division

**DATE:** December 1, 2015

**SUBJECT:** Case #15-120467 RZ  
13371 W 58th Avenue  
Pennington Mark F Trustee  
13371 W 58th Ave

The applicant has met the public health requirements for the proposed rezoning of this property.

**PROPOSAL SUMMARY**

Rezone to allow for five (5) lots

**COMMENTS**

Jefferson County Public Health (JCPH) provided comments dated April 24, 2015 and September 10, 2015 regarding the proposed rezoning process for this property. We have reviewed the documents submitted by the applicant for this proposed rezoning process and have the following updated 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.**

✓	Date Reviewed	Required Documentation/Actions	Refer to Sections
✓	9-10-2015	Submit a will serve letter from the Water and Sanitation District that states public water is available to the proposed lots in accordance with the Jefferson County Zoning Resolution and Land Development Regulation (LDR) Section 21.	Water

✓	12-01-2015	Submit a letter that states North Table Mountain (NTM) Water and Sanitation District has no concerns with the proposed development to be served by onsite wastewater treatment systems (OWTS) since the proposed development may be within 400 feet of the public sanitary sewer.	Wastewater
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### **WATER**

In a letter dated August 19, 2015 the North Table Mountain (NTM) Water and Sanitation District provided a letter stating the proposed development is within the District's boundaries

### **WASTEWATER**

The NTM Water and Sanitation District provided a letter dated May 15, 2015 stating that public sewer is not available to the proposed development and they have no concerns with the property being developed with onsite wastewater treatment systems (OWTS).

The resultant parcels of the proposed plat meets this Department's minimum lot size requirement of one (1) acre to be developed with public water and onsite wastewater systems.

### **AIR**

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. JCPH can provide a dust control plan template to the applicant upon request.

### **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.

### **NOISE**

The Colorado Revised Statutes (Sections 25-12-101 through 108) stipulate that maximum residential noise levels must comply with the following 25 feet from the property line:

- 55dB(A) between 7:00 a.m. and 7:00 p.m.
- 50dB(A) at all other times.

## Christiana Farrell

---

**From:** Sullivan, John (Storage (FED SI)) [sullivan.john@hp.com]  
**Sent:** Tuesday, July 14, 2015 10:35 AM  
**To:** Christiana Farrell  
**Subject:** FW: Documents related to 13371 West 58th Avenue

Hi Christiana,

I'm writing to you regarding case 15-112526CMT; 13371 West 58<sup>th</sup> Avenue with two suggestions/requests:

1. There are some existing trail easements adjacent to the north of the proposed development, and I'd like to suggest that the development of this property include a trail connection into the existing Arvada trail system.
2. You mentioned that the properties are planning to use septic and will not connect to North Table Mountain water or to City of Arvada water. I'd like to suggest that the properties be tied into an existing sewer system, or I'd like more information on the reasoning behind allowing them to rely on septic so close to other residential housing.

Thank you for your help.

Regards,

John Sullivan  
303-521-1654

---

**From:** Sullivan, John (Storage (FED SI))  
**Sent:** Friday, July 10, 2015 12:55 PM  
**To:** 'mbishop@jehnengineering.com'  
**Cc:** 'jjehn@jehnengineering.com'; 'gordon@arvada.org'  
**Subject:** Documents related to 13371 West 58th Avenue

Hi Mark:

Can you please send me any outline plans you have on the proposed development at 13371 West 58<sup>th</sup> Avenue? I am an adjacent homeowner. I am very interested in discussing with you the development and potentially arranging a link into an adjacent trail system that already has an easement for future access.

Thanks,

John L. Sullivan  
Global Aerospace and Govt Alliances  
HP Storage Division  
[Sullivan.John@hp.com](mailto:Sullivan.John@hp.com)  
303-521-1654

## Patrick Thiessen

6017 Cole Court, Arvada, Colorado 80004  
(720) 878-3095 prthiessen@yahoo.com

July 9, 2015

Ms. Christiana Farrell  
Jefferson County Planning and Zoning Division  
100 Jefferson County Parkway  
Golden, Colorado 80419

### **Regarding: Case Number 15-112526CMT, Address 13371 W. 58<sup>th</sup> Avenue**

Dear Ms. Farrell:

My wife and I are the residents and owners of 6017 Cole Court, Arvada, Colorado 80004. We are in opposition to the Rezoning Pre-Application for 13371 W. 58<sup>th</sup> Avenue, Arvada, Colorado 80004 ("Proposed Development") dated April 15, 2015. Our opposition is based on the following.

We are generally opposed to the Proposed Development because it will drive down the property values for neighboring properties. It will also compromise the openness and agricultural feeling of this area.

With respect to the specific Pre-Application proposal, we are opposed to it for the following reasons. First, pursuant to the Final North Plains Area Plan ("Area Plan"), the Proposed Development is located in Area 6: Van Bibber Special Character Area. The Area Plan specifically states, "The overall density in this area should not exceed one dwelling unit per 2 acres. The minimum lot size in this area should be 1 acre." Page 9, Section 11(b)(1)(B). The Proposed Development is not in conformance with the Area Plan. The Proposed Development exceeds the requirement that the density should not be greater than one dwelling per 2 acres. The five proposed lots are the following sizes; Lot 1: 1.23 acres; Lot 2: 1.23 acres; Lot 3: 1.00 acres; Lot 4: 1.00 acres; Lot 5: 5.04 acres. The total of the five lots is 9.50 acres ( $1.23+1.23+1.00+1.00+5.04 = 9.50$ ), dividing by the number of lots (5) equals an average lot size of 1.9 acres, which does not satisfy the two-acre density minimum. The two-acre density minimum is very important to maintain the quality and agriculture feeling of the Van Bibber Special Character Area. The Long Range Referral dated April 29, 2015 ("Long Range Referral") acknowledges this in the Wildlife and Vegetation section on Page 4 stating, "These areas are particularly sensitive to development."

Second, as noted by Mr. Jeremy Cohen, the Permit Review Supervisor for the Jefferson County Planning and Zoning Division, in his April 28, 2015 email, it is not possible to tell if the Proposed Development meets the minimum lot size requirement of one acre because it is not clear how Lots 1 through 4 would be accessed. Further, formal request for Pre-Application Meeting dated April 15, 2015, states that the lots will be accessed via a "private road easement". Therefore, the easement area must be subtracted from the lot size for Lot 3 and 4 (1.00 acres each), which will then not meet the one-acre minimum requirement of the Area Plan. Moreover, Mr. Ross Klopff stated in his Pre-Application Review Response dated May 1, 2015, that the detention ponds may need to be in separate tracts, which will reduce the area counted toward the minimum lot size. The Pre-Application map does not account for this. Therefore, the Proposed Development should be rejected.

Third, the Long Range Referral, Page 3, notes, "The area has open lands and also a historic grove of trees that have been registered with the Colorado Tree Society." The Proposed Development appears to contain two very large trees located near the northwest corner of proposed Lot 1. These trees are some of the largest trees in the Van Bibber area and specifically the northern tree is larger than most of the trees in Van Bibber Open Space. The Pre-Application does not indicate that this tree will be preserved. Instead, it indicates that Proposed Development map indicates that this area will consist of a "stormwater feature". Destruction of this tree would be a great loss to the Van Bibber Special Character Area and would be in contravention of the Trees Across Arvada 2014-2015 Program, which seeks to increase shade trees in Arvada. Therefore, we are firmly opposed to the Proposed Development because the plan does not ensure the preservation of this tree.

Fourth, we are opposed to the Proposed Development because it seeks to have Lots 1-4 zoned R-1. As stated by Mr. Jeremy Cohen, in his April 28, 2015 email, R-1 might be appropriate so long as no large animals will be kept on Lots 1-4. The Pre-Application does not indicate whether horses or other livestock will be kept and it is therefore inadequate.

Fifth, there appears to be a freshwater emergent wetland bordering the Proposed Development on the northeastern corner of proposed Lot 2. *Exhibit 1 attached*. It is unclear if the developer has considered the impact the Proposed Development will have on this wetland.

We are firmly opposed to the Proposed Development and intend to provide further opposition and comments if the developer moves forward with the proposal.

Sincerely,



Patrick R. Thiessen

Wetlands Mapper x

www.fws.gov/wetlands/data/mapper.HTML

**Wetlands**

- Wetlands
- Riparian
- Riparian Mapping Areas
- Data Source
- Source Type
- Image Scale
- Image Year
- Areas of Interest
- FWS Refuges
- Historic Wetland Data

**Wetlands**

- Estuarine and Marine Deepwater
- Estuarine and Marine Wetland
- Freshwater Emergent Wetland
- Freshwater Forested/Shrub Wetland
- Freshwater Pond

upper right side corner.

- Adobe Flash™ is required to access the Wetlands Mapper. Please visit the Adobe Flash Player website (<http://www.adobe.com/products/flashplayer/>) to download the latest version of the player. Adobe Flash is a trademark from Adobe Systems Incorporated.

Contact Us

\* If you have trouble viewing or printing the mapper data, please see [this FAQ](#).

Last updated: June 12, 2015

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12:26 PM 7/9/2015



\* Proposed Development

## Section 25: Agricultural District

(orig. 3-26-13)

### A. Intent and Purpose

1. The Agricultural Zone Districts are intended to provide for limited farming, ranching and agriculturally related uses while protecting the surrounding land from any harmful effects. (orig.3-26-13)
2. Contained in this section are the allowed land uses, building and lot standards (including minimum setbacks) and other general requirements for each specific agricultural zone district. (orig.3-26-13)
3. The Agricultural Zone Districts are divided as follows: (orig.3-26-13)
  - a. Agricultural-One (A-1)
  - b. Agricultural-Two (A-2)
  - c. Agricultural-Thirty Five (A-35)
4. A revision in March, 1972, increased the minimum land area for the Agricultural-One district to 5 acres. (orig.3-26-13)
5. A revision in March, 1972, increased the minimum land area for the Agricultural-Two district to 10 acres. (orig.3-26-13)

### B. Permitted Uses (orig. 3-26-13)

Uses	A-1	A-2	A-35
Single Family Dwelling, Barn, Stable, Silo.	X	X	X
General Farming, including grains, fruit, vegetables, grasses, hay, livestock raising, and the keeping and boarding of horses. See general requirements below.	X	X	X
Poultry hatcheries and farms, fish hatcheries and dairy farms.	X	X	X
Greenhouse and nursery, including both wholesale and retail, provided products sold are raised on the premises.	X	X	X
Forestry farming, including the raising of trees for any purpose.	X	X	X
Fur farm and raising of rabbits, chinchillas and other similar animals.	X	X	X
Public Park, Class I public recreation facilities, Class II public recreation facilities are permitted only if the site is in compliance with the current minimum lot size requirement.	X	X	X
Veterinary hospital	X	X	X
Cemetery, mausoleum, mortuary and related uses.	X	X	X
Beekeeping operations	X	X	X
Oil and gas drilling and production subject to the Drilling and Production of Oil and Gas Section of this Zoning Resolution, except where located within a subdivision platted and recorded in the records of the Clerk and Recorder.	X	X	X
Telecommunications Land Uses shall comply with the provisions of the Telecommunications Uses Section of this Zoning Resolution.	X	X	X
Energy Conversion Systems (ECS) land uses shall comply with the provisions of the Alternative Energy Resources Section of the Zoning Resolution.	X	X	X
Water supply reservoir and irrigation canal	X	X	X

**C. Accessory Uses** (orig. 3-26-13)

<b>Uses</b>	<b>A-1</b>	<b>A-2</b>	<b>A-35</b>
Accessory structures including private garage, storage shed, corral, pens, and runs.	X	X	X
Roadside stand for operation during not more than 6 months in each year for the sale of farm products raised or produced on the premises, provided such stands are located no less than 30 feet distance from any street, highway, or right-of-way line.	X	X	X
Private building and kennels for housing dogs, cats or similar domestic pets. On legal non-conforming lots or parcels of 1 acre or less in size, the maximum total number of dogs, cats and similar domesticated pets which may be kept shall be 3. Litters of puppies or kittens may be kept until weaned.	X	X	X
Temporary storage of defensible space, associated fuel break and forest management thinning in accordance with defensible space, fuel break and forest management programs as specified in this Zoning Resolution and Land Development Regulation.	X	X	X
Home Occupations provided the requirements and conditions of the Board of Adjustment or the Home Occupations Section of this Zoning Resolution are met.	X	X	X
Accessory uses per the Accessory Use Section of the Zoning Resolution.	X	X	X

**D. Special Uses** (orig. 3-26-13)

<b>Uses</b>	<b>A-1</b>	<b>A-2</b>	<b>A-35</b>
Sewage treatment plant	X	X	X
Religious Assemblies and related uses, rectory, parish house and school.	X	X	X
Radio, television and microwave transmission and relay towers and equipment; meteorological data collection towers and equipment; low power, micro-cell and repeater telecommunications facilities, including antenna and towers.	X	X	X
Cable television reception station	X	X	X
A group living facility, other than homes for social rehabilitation, or a home where up to 6 unrelated individuals are living together, that is occupied by more than one registered sex offender.	X	X	X
Group, foster or communal home, residential treatment center, community residential home, home for social rehabilitation, assisted living residence, personal care boarding home, specialized group facility, receiving home for more than 4 foster home residents, residential child care facility or shelter from domestic violence, licensed or certified by state if applicable, in which 7 or more residents who are not legally related live and cook together as a single housekeeper unit not located within 750 of another similar type home or shelter.	X	X	X
State licensed daycare center or preschool or nursery.	X	X	X
Arborist or tree service	X	X	X
Natural resource transportation and conveyance systems	X	X	X
Public Kennel or cattery	X	X	X
Public riding academy or stable	X	X	X
Limited sawmill operation use in support of Pine Beetle Control	X	X	X
Camps, campgrounds, picnic grounds, and lodges or other similar facilities. Specific conditions and limitations for use, including maximum periods of visitor occupancy and types or maximum numbers of occupied vehicles or sites, will be established as terms of the Special Use approval.	X	X	X
Oil and gas drilling and production, where located within a subdivision platted and recorded in the records of the Clerk and Recorder. Such operations shall conform to the standards contained in the Drilling and Production of Oil and Gas Section of the Zoning Resolution, except as modified in the resolution approving the Special Use.	X	X	X
Class I, II, III Commercial Recreational Facilities. Class II public recreational facilities on sites which do not meet the current minimum lot size requirement. Class III public recreational facilities.	X	X	X

Uses	A-1	A-2	A-35
Limited sawmill operation use in support of defensible space, associated, fuel break and forest management programs as required under the Zoning Resolution and Land Development Regulations.	X	X	X
Trap, skeet or rifle range		X	X
Recycling transfer station, Type I or Type II: the facility shall only accept trees and slash generated from local efforts associated with regulatory/ voluntary defensible space, fuel break and forest management plans, and Pine Beetle control programs.		X	X
Dangerous and wild animal ranching, training, sales and exhibition provided that the property is 10 acres or greater and such use is in compliance with the General Provisions and Regulations Section of this Zoning Resolution.		X	X

**E. Lot and Building Standards (orig. 3-26-13)**

Districts	Front Setback		
	Primary Structure/Garage		All Other Accessory Structure
A-1, A-2, A-35	50 ft.		Livestock – 75 ft. Pens/Runs/Structures <sup>1</sup> – 100 ft. All Other Accessory Building – 50 ft.
Districts	Side Setback		
	Primary Structure/Garage		All Other Accessory Structure
	Side	Side to Street	
A-1, A-2, A-35	30 ft.	50 ft.	Livestock – 75 ft. Pens/Runs/Structures <sup>1</sup> – 100 ft. All Other Accessory Building – 50 ft.
Districts	Rear Setback		
	Primary Structure/Garage		All Other Accessory Structure
A-1, A-2, A-35	50 ft.		50 ft.

<sup>1</sup> Applied to all pens, runs, and structures utilized for fur farms, poultry farms, kennels and catteries.

Districts	Building Height	Lot Size (see a & b below)
A-1	35 ft.	5 Acre (217,800 s.f.)
A-2	35 ft.	10 Acre (435,600 s.f.)
A-35	35 ft.	35 Acre (1,524,600 s.f.)

1. Lot Standards

- a. The minimum lot area for any use permitted in this district shall be the lot size stated above unless the lot falls within the provisions set forth in the Enforcement and Administrative Exceptions Section of this Zoning Resolution. (orig.3-26-13)
- b. The minimum lot area for a lot developed through the rural cluster process shall be as set forth in the Land Development Regulation. (orig.3-26-13)

**F. Fences**

1. Maximum Fence Height: 7 feet. (orig.3-26-13)
2. Fence permits are required for any fence over 42 inches in height. (orig.3-26-13)
3. Electric fences are permitted provided the electrical fence device is in compliance with Colorado State Department of Agriculture specifications. No electric fence is allowed as boundary or perimeter fence on lot lines abutting residential zone districts. (orig.3-26-13)

4. Fences on corner lots must comply with the vision clearance triangle requirements as specified in the Definitions Section of this Zoning Resolution. (orig.3-26-13)
5. On adjacent lots where allowed fence heights differ, the lower height restriction shall govern. (orig.3-26-13)

**G. General Requirements**

1. All setbacks shall be measured from the foundation or wall; however, eaves, roof overhangs and fireplaces may protrude 24 inches into the setback. (orig.3-26-13)
2. Corner lots must comply with the vision clearance triangle requirements as specified in the Definitions Section of this Zoning Resolution. (orig.3-26-13)
3. No structure may be erected placed upon or extend over any easement unless approved in writing by the agency or agencies having jurisdiction over such easement. (orig.3-26-13)
4. Manure shall not be allowed to accumulate so as to cause a hazard to the health, safety or welfare of humans and/or animals. The outside storage of manure in piles shall not be permitted within 100 feet of the front lot line and 50 feet of the side and rear lot lines. (orig.3-26-13)
5. Stallions shall be kept in a pen, corral or run area enclosed by a 6 foot chain link fence, or material equal or greater in strength, except when it is necessary to remove them for training, breeding or other similar purposes. (orig.3-26-13)
6. On legal non-conforming lots or parcels of 1 acre or less in size, the following is the density per acre limitation for horses, mules, donkeys, sheep, cattle, goats, swine, buffalo, beefalo and other large domesticated animals: (orig.3-26-13)
  - a. The minimum square footage of open lot area available to animals (does not include lawns, gardens, driveways, recreation facilities, etc), not including the dwelling shall be 9,000 square feet for the first animal and 6,000 square feet for each additional animal. The total number of such animals that may be kept shall not exceed 4 per 1 acre. (orig.3-26-13)
  - b. Offspring of animals on the property may be kept until weaned. (orig.3-26-13)

## Section 24: Suburban Residential District

(orig. 3-26-13)

### A. Intent and Purpose

1. The Suburban Residential Districts are intended to provide for low density suburban residential development in any terrain where certain agricultural uses are compatible with residential development. (orig.3-26-13)
2. Contained in this section are the allowed land uses, building and lot standards (including minimum setbacks) and other general requirements for each specific suburban residential zone district. (orig.3-26-13)
3. The Suburban Residential Zone Districts are divided as follows:
  - a. Suburban Residential-One (SR-1)
  - b. Suburban Residential-Two (SR-2)
  - c. Suburban Residential-Five (SR-5)

### B. Permitted Uses (orig. 3-26-13)

Use	SR-1	SR-2	SR-5
Single-Family Dwelling	X	X	X
Group Home for up to 8 aged persons not located with 750 of another such group home; state licensed group home for up to 8 developmentally disabled persons not located with 750 of another such group home; state licensed group home for up to 8 mentally ill persons not located with 750 of another such group home or group home for the aged or developmentally disabled persons.	X	X	X
Public park, Class I public recreation facilities.	X	X	X
Water supply reservoir and irrigation canal	X	X	X
Telecommunications Land Uses shall comply with the provisions of the Telecommunications Uses Section of this Zoning Resolution.	X	X	X
Energy Conversion Systems (ECS) land uses shall comply with the provisions of the Alternative Energy Resources Section of the Zoning Resolution.	X	X	X

### C. Accessory Uses (orig. 3-26-13)

Use	SR-1	SR-2	SR-5
Private garage, one mini structure, storage shed.	X	X	X
Private greenhouse and nursery, noncommercial conservatory for plants and flowers.	X	X	X
Private poultry house and pigeon coop with no more than 400 square feet of floor area; private rabbit and chinchilla hut with no more than 100 square feet of floor area.	X	X	X
Private building or kennel for housing dogs, cats and similar domestic pets. The maximum total number of dogs, cats and similar domestic pets which may be kept shall be 3. Litters of puppies or kittens may be kept until weaned.	X	X	X
Private stable and/or barn for keeping horses, cattle, sheep, goats or other similar domesticated animals. See general requirements below.	X	X	X
Home Occupations provided the requirements and conditions of the Board of Adjustment or the Home Occupations Section of this Zoning Resolution are met.	X	X	X
Accessory Uses per the Accessory Use Section of the Zoning Resolution.	X	X	X

**D. Special Uses** (orig. 3-26-13)

Use	SR-1	SR-2	SR-5
Religious Assemblies and related uses, parish house and/or parsonage.	X	X	X
Cable Television reception substation	X	X	X
Private nonprofit museum.	X	X	X
A group living facility, other than homes for social rehabilitation, or a home where up to 6 unrelated individuals are living together, that is occupied by more than one registered sex offender.	X	X	X
Group, foster or communal home, residential treatment center, community residential home, home for social rehabilitation, assisted living residence, personal case boarding home, specialized group facility, receiving home for more than 4 foster home residents, residential child care facility or shelter from domestic violence, licensed or certified by state if applicable, in which 7 or more residents who are not legally related live and cook together as a single housekeeper unit not located within 750 of another similar type home or shelter.	X	X	X
Group home for the aged, group home for the developmentally disabled, group home for the mentally ill persons, licensed or certified by the state if applicable, in which 9 or more residents who are not legally related live and cook together as a single housekeeper unit, where such home is not located within 750 of another similar type home, licensed or certified by the state if applicable.	X	X	X
State licensed daycare or large day –care home or preschool or nursery.	X	X	X
Parochial or private schools. Not included are private vocational, trade or professional schools, schools of art, music or dance and schools for subnormal or mentally disturbed adults. Exceptions listed above shall not preclude home occupations authorized by the Board of Adjustment or the Home Occupations Section of this Zoning Resolution.	X	X	X
Oil and gas drilling and production Subject to the Drilling and Production of Oil and Gas Section of this Zoning Resolution, except where located within a subdivision platted and recorded in the records of the Clerk and Recorder.	X	X	X
Class I or II commercial recreational facility. Class II public recreational facility.	X	X	X

**E. Lot and Building Standards** (orig. 3-26-13)

District	Front Setback	
	Primary Structure/Garage	All Other Accessory Structure
SR-1	30 ft.	Housing Animals – 100 ft. All Other Accessory Structure – 50 ft.
SR-2	50 ft.	Housing Animals – 100 ft. All Other Accessory structure – 50 ft.
SR-5	50 ft.	Housing Animals – 100 ft. All Other Accessory Structure – 50 ft.

District	Side Setbacks		Rear Setback
	Side	Side to Street	Any Building
SR-1	30ft.	30 ft.	20 ft.
SR-2	50ft	50 ft.	50 ft.
SR-5	50ft	50 ft.	50 ft.

District	Building Height		Lot Size
	Primary	Accessory	Single Family
SR-1	35 ft.	25 ft.	1 Acre (43,560 sf.)
SR-2	35 ft.	25 ft.	2 Acre (87,120 sf.)
SR-5	35 ft.	25 ft.	4 Acre (174,240 sf.)

**F. Fences**

1. Maximum fence height: 6 feet. (orig.3-26-13)
2. Fence permits are required for any fence over 42 inches in height. (orig.3-26-13)
3. No barbed wire shall be permitted as material for a boundary or perimeter fence in this district. (orig.3-26-13)
4. No electric fence shall be permitted in this district. (orig.3-26-13)
5. Fences on corner lots must comply with the vision clearance triangle requirements as specified in the Definitions Section of this Zoning Resolution. (orig.3-26-13)
6. On adjacent lots where allowed fence heights differ, the lower height restriction shall govern. (orig.3-26-13)

**G. General Requirements**

1. All setbacks shall be measured from the foundation or wall; however, eaves, roof overhangs and fireplaces may protrude 24 inches into the setback. (orig.3-26-13)
2. Corner lots must comply with the vision clearance triangle requirements as specified in the Definitions Section of this Zoning Resolution. (orig.3-26-13)
3. No structure may be erected, placed upon, or extend over any easement unless approved in writing by the agency or agencies having jurisdiction over such easement. (orig.3-26-13)
4. Manure shall not be allowed to accumulate so as to cause a hazard to the health, safety or welfare of humans and/or animals. The outside storage of manure in piles shall not be permitted within 100 feet of the front lot line and shall conform to the side and rear setback requirements for a dwelling. (orig.3-26-13)
5. Stallions or bulls shall be kept in a pen, corral or run area enclosed by a 6 foot chain link fence, or material equal or greater in strength, except when it is necessary to remove them for training, breeding or other similar purposes. (orig.3-26-13)
6. Where allowed the keeping of horses, cattle, sheep, goats, or other similar domesticated animals shall be kept in a fenced area. The total number of animals, listed above, is limited as follows. The total number of animals, listed above, is limited as follows. (orig.3-26-13)

The minimum square footage of open lot area, not including the dwelling, shall be 9,000 square feet for the first animal and 6,000 square feet for each additional animal. The total number of such animals that may be kept shall not exceed 4 per 1 acre; except that offspring of animals on the property may be kept until weaned. (orig.3-26-13)

## CASE SUMMARY Regular Agenda

**PC Hearing Date:** June 1, 2016

**BCC Hearing Date:** June 21, 2016

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**16-101909RZ** Rezoning

**Case Name:** Bailey ODP

**Owner/Applicant:** Geoffrey R. and Kendall A. Bailey

**Location:** 15200 West 32<sup>nd</sup> Avenue  
Section 25, Township 3 South, Range 70 West

**Approximate Area:** 6.135 Acres

**Purpose:** **To rezone from Agricultural-Two (A-2) to Planned Development (PD) to allow sixteen (16) lots for single-family detached units.**

**Case Manager:** Christiana Farrell

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**Issues:**

- Neighbor concerns related to density and traffic

**Recommendations:**

- **Staff:** Recommends APPROVAL subject to conditions
- **Planning Commission:** Recommends APPROVAL subject to conditions

**Interested Parties:**

- Nearby neighbors

**Level of Community Interest:** Medium

**Representative for Applicant:** Ethan Watel, Baseline Corporation

**General Location:** Southeast corner of West 32<sup>nd</sup> Avenue and Kendrick Street

**Case Manager Information:** Phone: 303-271-8740 e-mail: cfarrell@jeffco.us

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

BEFORE THE PLANNING COMMISSION  
COUNTY OF JEFFERSON  
STATE OF COLORADO

**June 1, 2016**

**RESOLUTION**

---

<b><u>16-101909RZ</u></b>	<b>Rezoning</b>
<b>Case Name:</b>	Bailey ODP
<b>Owner/Applicant:</b>	Geoffrey R. and Kendall A. Bailey
<b>Location:</b>	15200 West 32 <sup>nd</sup> Avenue Section 25, Township 3 South, Range 70 West
<b>Approximate Area:</b>	6.135 Acres
<b>Purpose:</b>	<b>To rezone from Agricultural-Two (A-2) to Planned Development (PD) to allow sixteen (16) lots for single-family detached units.</b>
<b>Case Manager:</b>	Christiana Farrell

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 proposal is in general conformance with the Comprehensive Master Plan because it meets all applicable sections of the Plan policies.
  - B. The proposed land uses are compatible with existing and allowable land uses in the surrounding area because the lot sizes, densities and uses are comparable to surrounding properties.
  - C. The proposed land uses will not result in significant impacts to the health, safety, and welfare of the residents and landowners in the surrounding area.
3. The following is a condition of approval:

- A. Recordation of a revised Official Development Plan in accordance with the red-marked print dated June 1, 2016.

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

Commissioner	<b>Rogers</b>	<b>Aye</b>
Commissioner	<b>Hammond</b>	<b>Aye</b>
Commissioner	<b>Hatton</b>	<b>Aye</b>
Commissioner	<b>Burke</b>	<b>Aye</b>
Commissioner	<b>Westphal</b>	<b>Aye</b>
Commissioner	<b>Spencer</b>	<b>Aye</b>
Commissioner	<b>Schiche</b>	<b>Aye</b>

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, June 1, 2016.



Bonnie Benedik  
Administrative Assistant

**Staff Report**

**PC Hearing Date:** June 1, 2016

**BCC Hearing Date:** June 21, 2016

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**16-101909RZ** Rezoning

**Case Name:** Bailey ODP

**Owner/Applicant:** Geoffrey R. and Kendall A. Bailey

**Location:** 15200 West 32<sup>nd</sup> Avenue  
Section 25, Township 3 South, Range 70 West

**Approximate Area:** 6.135 Acres

**Purpose:** **To rezone from Agricultural-Two (A-2) to Planned Development (PD) to allow sixteen (16) lots for single-family detached units.**

**Case Manager:** Christiana Farrell

---

**Representative:** Ethan Watel, Baseline Corporation

**Existing Use:** Single Family Residential

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**BACKGROUND/UNIQUE INFORMATION:**

This is a request to rezone from Agricultural-Two (A-2) to Planned Development (PD) to allow up to 16 single family homes.

The subject property is an approximately 6-acre lot located at the southeast quadrant of W. 32<sup>nd</sup> Ave and Kendrick St. in the Applewood neighborhood. It is a level, heavily treed lot which contains a pond in the center of the property. There is an existing single family residence, constructed in 2010, at the northeast portion of the property. The Rocky Mountain Ditch parallels the property at its eastern property line and the Lee, Stewart, and Eskin Ditch parallels the property at its southern property line. Lots surrounding the property range from 7,500 sf at the north to 10,800 sf to the south and west.

**SURROUNDING ZONING/LAND USE:**

	<b>Adjacent Zoning</b>	<b>Land Use</b>
<b>North:</b>	Planned Development (PD)	Single Family Residential (8.5 du/acre)
<b>South:</b>	Residential One-A (R-1A)	Single Family Residential (4.5 du/1 acre)
<b>East:</b>	Agricultural –Two (A-2)	Single Family Residential (1 du/10 acres)
<b>West:</b>	Residential-One (R-1)	Single Family Residential (3.5 du/10 acre)

**NOTIFICATION:**

A community meeting was held for this rezoning application on December 17, 2015. At least 47 citizens were in attendance. Those in attendance **expressed concerns** related to density, traffic, property values, water quality and wildlife.

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

1. Notification of this proposed development was mailed to property owners within a 500-foot radius of the site and to Homeowners’ Associations and Umbrella Groups located within a 1-mile radius of the site. The initial notification was mailed at the time of the 1<sup>st</sup> referral. Additional 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 hearing before the Planning Commission and the Board of County Commissioners’ was published in the Denver Post – Golden/Foothills Hub.

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

- Applewood Lane HOA
- Applewood POA
- Applewood Valley HOA
- Fairmount Improvement Assoc.
- Jefferson County Horseman’s Assoc
- Rolling Hills East HOA
- Save the Mesas, Inc

During the processing of the application, Staff **has** received responses, both in support and in objection to the proposal. Objections were based upon the same concerns as expressed at the community meeting.

**COMPREHENSIVE MASTER PLAN ASSESSMENT:  
Area Plan: Central Plains Area Plan**

	Land Use	Physical Constraints	Community Resources	Infrastructure, Water and Services
<b>Conformance</b>	X(1)	X (2)	X (3)	X (4)
<b>Non-Conformance</b>				

**Services:** West Metro Fire Protection District  
Consolidated Mutual Water Company  
Applewood Sanitation District

\*\*\*\*\*

**ANALYSIS OF PLAN:**

**1. Land Use:**

***Areas of Conformance:***

**a. All Development**

The Comprehensive Master Plan (CMP) encourages development that is appropriate to the area, recommends infill and redevelopment projects to improve the vitality of the community, to reduce sprawl and to increase tax benefits to the County.

*The subject property is within an area surrounded by zoning that allows lot sizes ranging from 9,000 sf to the south to 5,000 feet to the north. There are several lots to the east that are as large as 1 acre. However, these lots have the same density recommendations as the subject property (3 dwelling units per acre). This rezoning would result in development which is appropriate to the area, would comply with the Plan recommendations, and would be considered an infill development.*

**b. Housing**

A goal of the housing section of the CMP is to promote well-planned sustainable residential neighborhoods that create a sense of place and complement the existing community character through a variety of housing options.

*As mentioned above, this rezoning would result in housing that would be comparable to the surrounding properties and would complement the existing community character.*

**c. Livestock**

The Plan recommends allowing livestock in appropriate areas.

*The proposed ODP follows the Residential-One A Zone District, which allows livestock on lots which have at least 9,000 square feet of area dedicated to the animal. This would be the same requirement as the surrounding lots.*

**d. Area Recommendation**

The subject property is located within Area 7 of the Central Plains Plan, which is recommended for residential development at a density of 3 dwelling units per acre.

*The applicant's proposal to rezone and subdivide the approximately 6 acre parcel into 16 single family detached lots would be consistent with the Plan's recommended land use and density for this site.*

**Summary of Analysis:** *The proposed rezoning to allow up to 16 lots with a minimum sizes of 9,000 square feet is comparable with the surrounding properties and is within the recommendation of the Central Plains Area Plan.*

**2. Physical Constraints:** The Comprehensive Master Plan describes physical constraints are those physical features that due to safety concerns may potentially restrict where and how development occurs. Physical Constraints include geologic hazards and constraints, floodplains, wetlands, wildfire, radiation, landfills, abandoned mines, and wildlife habitat.

***Areas of Conformance:***

**a. General**

The Plan states that development should not aggravate, accelerate, or increase the level of risk from natural hazards.

*The rezoning application was referred to the County Geologist as well as the Colorado Geological Survey. Neither entity expressed concerns with the application. The property is not within a floodplain, nor are there significant slopes or geologic hazards. There are ditches along the property at its southern and eastern property lines. There is an existing pond on the property; it is possible that due*

to shallow groundwater, basements will not be feasible with the proposed houses. The issue of basements will be further explored during the subdivision process.

**Summary of Analysis:** No hazards have been identified on the property, and the existing ditches have been addressed with setbacks. The proposal complies with this section of the Plan.

3. **Community Resources:** The Community Resources chapter contains policies that relate to historic structures or sites, scenic corridors, natural features, air quality, light, odor and noise pollution, open space and trails.

**Areas of Conformance:**

**a. Visual Resources**

The Plan strives to mitigate the visual impact of new development in visually sensitive areas.

*The subject property is not indicated to be within a visually sensitive area. Building height is limited to 35' maximum; the same height presently allowed on the property under the existing Agricultural-Two zone district. This is also the allowed height for the other surrounding residences in the area.*

**b. Air, Light, Odor, and Noise**

A goal of the Plan is to encourage the effective management of air quality and the impacts of light, odor and noise.

*Air, light, odor and noise impacts associated with the development of 16 new homes would be comparable to the impacts associated with any of the other surrounding residential developments. Temporary noise impacts resulting from construction activities should be expected.*

**Summary of Analysis:** The proposed rezoning will have minimal affects on the air, light, odor and noise to the surrounding developments, which are primarily residential. Visual impacts would be related to new buildings and/or the building height, which could already occur under the present zoning.

4. **Infrastructure, Water & Services:** The applicable elements of this chapter include Transportation, Water and Wastewater, and Services.

**Areas of Conformance:**

**a. Transportation**

The Plan states that the County should ensure that the transportation system will have the capacity to support future population growth while maintaining an acceptable level of service.

*The applicant submitted a transportation analysis. The analysis indicates access to the new homes will be via a private drive off of Kendrick Street. The existing home will be served by the existing driveway on West 32nd Avenue. The analysis concludes that approximately 152 new daily trips will be generated by the 16 proposed houses. Kendrick Street is classified as a Collector Street, which presently handles approximately 1,925 daily trips. The design volume for collectors is up to 8,000 average daily trips. The transportation system has adequate capacity to serve the proposed houses. Due to the median in Kendrick Street, vehicular access to this site will require a U-turn further south on Kendrick Street, or an alternate route through a neighborhood street. Improvements may be required along Kendrick Street for turn lanes through the median at the time of platting.*

**b. Water & Wastewater**

The Plan strives to protect the quality and quantity of water resources in the County.

*Stormwater runoff will be addressed at the time of plat. It will be required to meet the standards of the Jefferson County Storm Drainage Design and Technical Criteria Manual. This includes employing runoff reduction practices, water quality and control, Best Management Practices, and controlling vector-borne diseases such as West Nile Virus.*

**c. Services**

A goal of the CMP is to ensure existing Services are sufficient for proposed new development.

*The property will be served by the Consolidated Mutual Water Company and the Applewood Sanitation District, who have submitted "will serve" letters.*

**Summary of Analysis:** *Kendrick Street has been designed to provide sufficient capacity to accommodate the proposed houses, and the water and sewer providers have submitted "will serve" letters. The proposal complies with this section of the Plan.*

**COMPATIBILITY:**

Staff believes this proposal is compatible with the allowed and existing land uses in the general vicinity. The proposed lot sizes of 9,000 square feet would be consistent with the lot sizes of surrounding properties, and the larger lots to the east have the same density recommendations as the subject property. The written restrictions require a 20-foot setback along all boundaries of the ODP, which should help mitigate perceived impacts from the new residences and is consistent with the setback requirements of the surrounding properties.

**SUMMARY OF STAFF POSITION:**

*Staff supports the proposed rezoning request because of the compatibility in the lot sizes, and because the development utilizes existing infrastructure. Furthermore, the proposed densities will be in conformance with the Plan's recommended density and be consistent with the surrounding residential densities.*

**PLANNING COMMISSION:**

Planning Commission Recommendation (Resolution Dated June 1, 2016, Attached):

Approval	_____
Approval with Conditions	<u>          X (7-0) vote          </u>
Denial	_____

The case was scheduled on the regular agenda for the Planning Commission Hearing. Eight citizens offered public testimony. Five were in support of the proposal, citing how the owner's proposal would fit in well with the community. Three citizens were in opposition to the proposal, citing how they were concerned about traffic and access, as well as how they would like the pond preserved for wildlife. Staff and the applicant responded to the citizen concerns indicating that the platting process would address the access concerns, and that the pond was under the control of the ditch company and no guarantees could be made by the owner to preserve it. After hearing the responses and discussing the issues with Staff and the applicant, the Planning Commission voted unanimously to recommend approval of the rezoning application.

**FINDINGS/RECOMMENDATIONS:**

**Staff recommends that the Board of County Commissioners find that:**

- 1. The proposal is in general conformance with the Comprehensive Master Plan because it meets all applicable sections of the Plan policies;**
- 2. The proposed land uses are compatible with existing and allowable land uses in the surrounding area because the lot sizes, densities and uses are comparable to surrounding properties; and,**

3. The proposed land uses will not result in significant impacts to the health, safety, and welfare of the residents and landowners in the surrounding area.

And;

Staff recommends that the Board of County Commissioners APPROVE Case No. 16-101909RZ subject to the following conditions:

1. Recordation of the Official Development Plan in accordance with the red-marked print dated June 21, 2016.

COMMENTS PREPARED BY:

*Christiana Farrell*

---

Christiana Farrell, AICP  
June 3, 2016

**Jefferson County Land Use Case Management**

**CASE DATES SUMMARY**

Case Number: **16-101909 RZ**

Case Type: **Rezoning**

Pre-application Meeting Date: **August 27, 2015**

Community Meeting Date: **December 17, 2015**

Applicant Makes Complete Submittal: **January 21, 2016**

Case Sent on First Referral: **February 2, 2016**

All Responses Provided to Applicant: **March 1, 2016**

Determination That Case Should Proceed to Hearing: **May 10, 2016**

County Staff Determination: **X**

Applicant's Request: **X**

**Bailey Official Development Plan  
Rezoning Case # 16-101909 RZ**

A. Intent – The purpose of this Rezoning is to allow 16 or fewer lots for a lock-and-leave, “cottage-style” single family home residential development. Single family detached homes will be designed and constructed within the guidelines of an Architectural Control Committee (which will be known as the Bailey ACC), and landscaping will be installed and maintained by a Homeowners Association (HOA).

B. The Board of County Commissioners’ resolution authorizing this rezoning subject to conditions is recorded at Reception # \_\_\_\_\_ in the Jefferson County, Colorado real property records.

C. A maximum of 16 lots shall be allowed that follow all of the standards of the R1-A zone district including the 9000 square foot minimum lot size, as well as all other applicable sections of the Zoning Resolution, shall apply to the property as shown on the graphic attached hereto as Exhibit A and the legal description attached hereto as Exhibit B with the following exceptions:

1. One communal feature shall be allowed as a standalone primary use on no more than one lot. This communal feature can be a private park, clubhouse, or other similar recreational use or facility for the use by the residents of this Planned Development, ~~and cannot exceed 4000 sq ft in size.~~

~~1.2.~~ Building footprints on a lot cannot exceed 4,000 square feet in size.

~~2.3.~~ Setbacks for anything requiring a building permit shall be as follows\*:

- a. From the exterior boundary of this Planned Development: 20 feet
- b. From interior property lines:
  - i. Front to House: 15 feet
  - ii. Front to Garage (when parallel to street): 18 feet
  - iii. Side: 5 feet
  - iv. Rear: 15 feet

~~c. From the Lee, Stewart, and Eskin Ditch: 10 feet from ditch easement.\*\*~~

~~d. From the Rocky Mountain Ditch: 20 feet from west side of ditch easement.\*\*~~

~~e. From interior water feature pond: None~~

\*Counterforts and other similar foundation elements may be permitted to extend into the setbacks by up to 3 feet.

~~3.4.~~ \*\*No fences, retaining walls, or structures are permitted, landscaping or other permanent private improvements are permitted to be built within the ditch setback easements or tracts, which will be determined at time of platting.

~~4.5.~~ Setbacks for the private access road from the exterior boundary of this Planned Development shall be no less than 10 feet in order to preserve the neighboring trees.

~~5. Fences~~

~~6. No fencing shall be permitted on or near interior lot lines to separate one lot/yard from the adjacent lot/yard.~~

~~7.6.~~ Fences along the exterior property boundary:

~~i. The maximum fence height allowed shall be 6 feet.~~

~~ii. Fences shall be constructed of materials that are similar to or complimentary to the primary building material and architecture.~~

Fences shall include visual breaks or architectural treatments at a minimum of every 100 linear feet. These treatments may include columns, planting areas, open fencing sections, or other treatments that break up the plane of the fencing.

~~b. Interior screening fences (i.e., trash enclosures) may be 4 feet maximum height.~~

~~c. Chain link, barbed wire, or electric fences are not permitted in any area.~~

8.7. Lighting: A maximum of three (3) pole lights shall not exceed 15 feet in height, and shall use downcast, cut-off type fixtures and must be within the tract for the private drive.

DRAFT

Draft June 1, 2016

**OWNERS' CERTIFICATE:**

Geoffrey R. Bailey and Kendall A. Bailey, owners of the land affected by this Official Development Plan, accept and approve all conditions set forth herein.

By: \_\_\_\_\_  
Geoffrey R. Bailey

Date: \_\_\_\_\_

By: \_\_\_\_\_  
Kendall A. Bailey

Date: \_\_\_\_\_

State of Colorado )  
 ) ss.  
County of Jefferson )

The foregoing was acknowledged before me this day of \_\_\_\_\_ 201\_\_\_\_, by  
Geoffrey R. Bailey.

WITNESS my hand and official seal [Seal]

\_\_\_\_\_  
Notary Public  
My commission expires: \_\_\_\_\_

State of Colorado )  
 ) ss.  
County of Jefferson )

The foregoing was acknowledged before me this day of \_\_\_\_\_ 201\_\_\_\_, by Kendall A. Bailey.

WITNESS my hand and official seal [Seal]

\_\_\_\_\_  
Notary Public  
My commission expires: \_\_\_\_\_

**COUNTY COMMISSIONER'S CERTIFICATE:**

This Official Development Plan, titled *Bailey Official Development Plan*, was approved the \_\_\_\_\_ day of \_\_\_\_\_ 201\_\_\_\_, and is accepted by the Board of County Commissioners this \_\_\_\_\_ day of \_\_\_\_\_, 201\_\_\_\_.

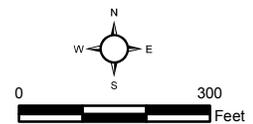
BOARD OF COUNTY COMMISSIONERS:

\_\_\_\_\_  
Chairman

\_\_\_\_\_  
Clerk



**Case Number: 16-101909RZ**  
**Location: Sec. 25, T3S, R70W**



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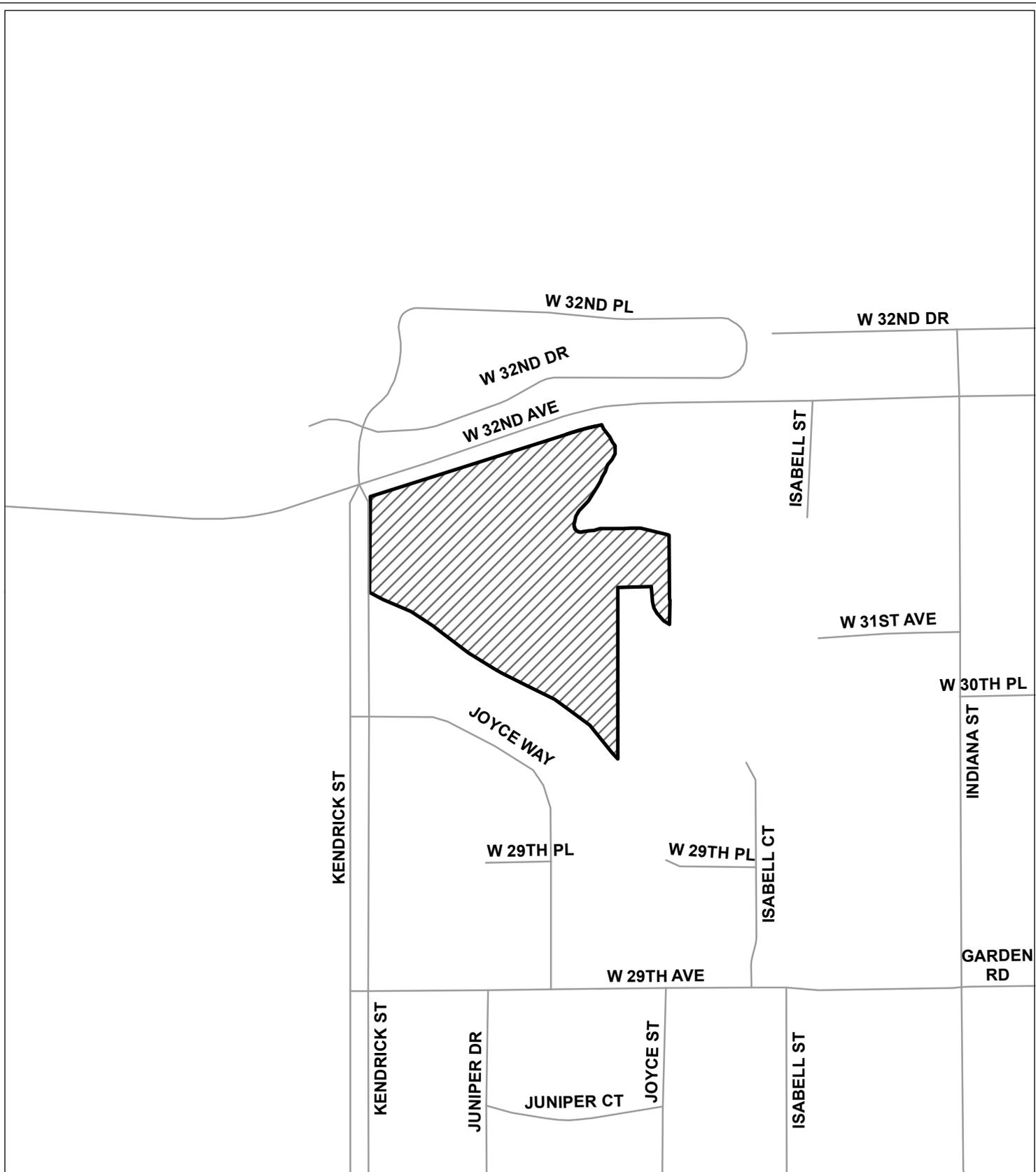
**2012 Photography**

1:3,600

Plot: 2016-02-19

Orthos: 77, 51



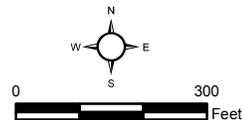


**Case Number: 16-101909RZ**  
**Location: Sec. 25, T3S, R70W**

**Vicinity**

**Legend**

 Site\_RZ



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1:3,600

Plot: 2016-02-19

Orthos: 77, 51

## Legal Description

Street Location of Property 15200 West 32<sup>nd</sup> Avenue

Is there an existing structure at this address?

Yes X No \_\_\_\_\_

Type the legal description and address below.

LEGAL DESCRIPTION FOR BAILEY PROPERTY (PREPARED BY JEFFERY J. MACKENNA, FALCON SURVEYING):

15200 W. 32ND AVENUE, GOLDEN, COLORADO 80401

A PARCEL OF LAND SITUATED IN THE SOUTHEAST ¼ OF SECTION 25, TOWNSHIP 3 SOUTH, RANGE 70 WEST OF THE 6TH PRINCIPAL MERIDIAN BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST 1/4 CORNER OF SECTION 25, TOWNSHIP 3 SOUTH, RANGE 70 WEST OF THE 6TH PRINCIPAL MERIDIAN, JEFFERSON COUNTY, COLORADO FROM WHENCE THE NORTHWEST CORNER OF THE NORTHEAST ¼ OF THE SOUTHEAST ¼ OF SAID SECTION 25 BEARS S 89°17'00" W A DISTANCE OF 1330.16 FEET, WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO;

THENCE S 89°17'00" W ALONG THE NORTH LINE OF THE NORTHEAST ¼ OF THE SOUTHEAST ¼ OF SAID SECTION 25 A DISTANCE OF 660 FEET;

THENCE S 00°00'00" E A DISTANCE OF 290 FEET TO THE POINT OF BEGINNING;

THENCE N 76°41'36" W 63.65 FEET TO A POINT ON THE NORTHERLY BANK OF THE ROCKY MOUNTAIN DITCH;

THENCE WESTERLY AND NORTHERLY ALONG THE NORTHERLY AND EASTERLY BANK OF THE ROCKY MOUNTAIN DITCH THE FOLLOWING 27 COURSES:

- 1) N 89°15'03" W A DISTANCE OF 23.23 FEET;
- 2) S 85°25'24" W A DISTANCE OF 16.44 FEET;
- 3) S 89°28'32" W A DISTANCE OF 51.57 FEET;
- 4) S 72°29'27" W A DISTANCE OF 13.60 FEET;
- 5) S 88°37'48" W A DISTANCE OF 11.83 FEET;
- 6) S 79°40'59" W A DISTANCE OF 14.04 FEET;
- 7) 18.59 FEET ALONG A CURVE TO THE RIGHT, HAVING A CENTRAL ANGLE OF 71°12'49", A RADIUS OF 14.96 FEET AND A CHORD WHICH BEARS N 71°46'41" W A DISTANCE OF 17.42 FEET TO A POINT OF COMPOUND CURVATURE;
- 8) 12.26 FEET ALONG AN ARC OF A CURVE TO THE RIGHT, HAVING A CENTRAL ANGLE OF 29°24'03", A RADIUS OF 23.90 FEET AND A CHORD WHICH BEARS N 11°34'47" W A DISTANCE OF 12.13 FEET;
- 9) N 12°40'10" E A DISTANCE OF 18.28 FEET;
- 10) N 30°45'16" E A DISTANCE OF 13.42 FEET;
- 11) N 42°14'28" E A DISTANCE OF 30.53 FEET;
- 12) N 32°19'02" E A DISTANCE OF 37.31 FEET;
- 13) N 01°43'42" W A DISTANCE OF 3.95 FEET;
- 14) N 50°29'14" E A DISTANCE OF 11.05 FEET;
- 15) N 21°15'18" E A DISTANCE OF 10.88 FEET;
- 16) N 29°48'07" E A DISTANCE OF 14.38 FEET;
- 17) N 18°23'29" E A DISTANCE OF 15.24 FEET;
- 18) N 39°31'31" E A DISTANCE OF 15.99 FEET TO A POINT ON THE WESTERLY EDGE OF A CONCRETE HEADWALL;

THENCE ALONG SAID HEADWALL THE FOLLOWING 3 COURSES;

- 19) N 18°42'26" W A DISTANCE OF 3.91 FEET;

## Legal Description continued

20) N 30°33'33" E A DISTANCE OF 11.13 FEET;

21) S 74°01'51" E A DISTANCE OF 1.98 FEET, THENCE CONTINUING ALONG THE BANK OF THE ROCKY MOUNTAIN DITCH THE FOLLOWING COURSES;

22) N 00°46'31" E A DISTANCE OF 17.94 FEET;

23) N 34°18'49" W A DISTANCE OF 10.31 FEET;

24) N 29°46'42" W A DISTANCE OF 13.58 FEET;

25) N 19°06'53" W A DISTANCE OF 5.77 FEET;

26) N 44°11'08" W A DISTANCE OF 17.17 FEET;

27) N 24°56'12" W A DISTANCE OF 14.44 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF WEST 32ND AVENUE;

THENCE WEST ALONG THE SOUTH RIGHT OF WAY LINE OF WEST 32ND AVENUE 89.71 FEET ALONG A CURVE TO THE LEFT WITH A RADIUS OF 635.00 FEET, A DELTA ANGLE OF 08°05'40" AND A CHORD BEARING S 75°12'19 W, 89.63 FEET:

THENCE CONTINUING ALONG SAID SOUTH RIGHT OF WAY LINE OF WEST 32ND AVENUE

S 71°09'28" W A DISTANCE OF 431.20 FEET TO THE INTERSECTION OF THE SOUTH RIGHT OF WAY LINE OF WEST 32ND AVENUE AND THE EAST RIGHT OF WAY LINE OF KENDRICK STREET;

THENCE S 00°08'33" W ALONG SAID EAST RIGHT OF WAY LINE A DISTANCE OF 257.33 FEET TO THE NORTHWEST CORNER OF LOT 1 APPLEWOOD MIDWAY SECOND FILING AS RECORDED UNDER BOOK 32 PAGE 32 AT THE JEFFERSON COUNTY CLERK AND RECORDER'S OFFICE;

THENCE ALONG THE NORTHERLY LINE OF SAID APPLEWOOD MIDWAY SECOND FILING THE FOLLOWING SEVEN COURSES:

1) S 74°24'27" E A DISTANCE OF 70.15 FEET;

2) S 61°31'21" E A DISTANCE OF 65.13 FEET;

3) S 51°42'51" E A DISTANCE OF 82.83 FEET;

4) S 57°19'09" E A DISTANCE OF 98.31 FEET;

5) S 64°26'51" E A DISTANCE OF 124.53 FEET;

6) S 55°05'39" E A DISTANCE OF 96.34 FEET;

7) S 41°09'03 "E A DISTANCE OF 102.92 FEET TO THE NORTHEAST CORNER OF SAID APPLEWOOD MIDWAY SECOND FILING;

THENCE N 00°18'16" W A DISTANCE OF 399.45 FEET;

THENCE N 89°33'00" E A DISTANCE OF 78.65 FEET;

THENCE S 07°36'00" E A DISTANCE OF 58.25 FEET;

THENCE S 50°42'11" E A DISTANCE OF 39.20 FEET;

THENCE N 00°00'00" E A DISTANCE OF 193.29 FEET TO THE POINT OF BEGINNING.

CONTAINING: 267,235 SQUARE FEET, OR 6.135 ACRES, MORE OR LESS.

Advise of Ortho Map No. 51 & 77 Section 25 Township 3 S. Range 70 W.

Calculated Acreage 6.135 Acres Checked by: Ed Wieland

Address Assigned (or verified) 15200 West 32<sup>nd</sup> Avenue

SUBJECT LINE: 16-101909RZ 1ST 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 first 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 property will also submit for a subsequent subdivision plat related to the rezoning request.

Case Number: **16-101909RZ**

Case Name: **Bailey ODP**

General Location: **SE Corner of W 32<sup>nd</sup> Ave and Kendrick Street.**

Case Type: **Rezoning**

Type of Application: Rezoning to allow a maximum 16 lot subdivision

Case Manager: **Christiana Farrell**

**Comments Due: February 21, 2016**

Case Manager Contact Information: **cfarrell@jeffco.us**      **303-271-8740**

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> Building Safety Open Space Cartography Addressing Geologist T&E Public Health Zoning Administration Planning Engineering Long Range Road and Bridge 1 Assessor's Office Weed and Pest Jeffco Historical Commission	<u>External:</u> Prospect Park and Rec Xcel Comcast CenturyLink Post Office 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 Lee Stewart Eskils Ditch Consolidated Mutual Water West Metro Fire Protection Dist RTD Urban Drainage Rocky Mountain Ditch Company	<u>HOA:</u> Applewood Lane HOA 757354 Applewood POA 757291 Applewood Valley HOA 757292 Fairmount Improvement Assn 757323 Jeffco Horsemens Assn 757337 Rolling Hills East HOA 757470 Save the Mesas Inc 757475  Rolling Hills Estates - late
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## MEMORANDUM

**TO:** Christiana Farrell, Case Manager  
**FROM:** Steve Krawczyk, Planning Engineering  
**DATE:** February 21, 2016

**RE:** 16-101909RZ; Rezoning and Plat to allow for 16 single family at 15200 32<sup>nd</sup> Avenue

These comments have been based upon the application package and the requirements of the Jefferson County Land Development Regulation (LDR), the Jefferson County Zoning Resolution (ZR), the Jefferson County Storm Drainage Design and Technical Criteria (Storm Drainage Criteria) and the Jefferson County Roadway Design Manual (Roadway Manual).

### REZONING COMMENTS

1. The applicant needs to be aware that prior to building permit and/or lot sale a Plat is required in conformance with the Land Development Regulation. Access location should be removed from the ODP. Additional improvements such as turn lanes, signage and striping will be required with the submittal of the Plat. Any design and construction standards shall be in accordance with the LDR/Roadway Design Manual and be determined during the platting process.

### Traffic Study Comments

1. Access for the subdivision must take access point private drive off of Kendrick Street and must comply with the county spacing requirements. This access location is acceptable. Additional improvements such as a left turn should be addressed at time of platting.
2. A wavier will be required for the access off 32<sup>nd</sup> Avenue at time of platting.

### Conclusion

These initial case comments are based solely upon the submitted preliminary application package. They are intended to make the applicant aware of regulatory requirements. Failure by Planning Engineering to note any specific item does not relieve the applicant from conforming to all County regulations. Furthermore, if the proposed site layout and design are altered substantially during subsequent County land development processes (rezoning, platting, exemptions, grading permits, resubmittals), Planning Engineering reserves the right to modify these initial comments or add appropriate additional comments.

The applicant should respond to these comments. If there are any questions please contact Steve Krawczyk at 303-271-8736.

SK

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## ADDRESSING

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# MEMO

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To: Christiana Farrell  
FROM: Patricia Romero  
SUBJECT: 16-101909RZ 32<sup>nd</sup> & Kendrick Street  
DATE: February 16, 2016

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Addressing offers the following comments on this proposal:

1. The purpose of this Rezoning is to Rezone from Agricultural-Two (A-2) to Planned Development (P-D) to allow for future subdivision of the site for up to 16 single family homes.
2. Access is off of West 32<sup>nd</sup> Avenue. There is a valid existing address, 15200 W 32<sup>nd</sup> Avenue, in the addressing database. **This address will change.**
3. The interior road will need to be named. The name selected for the road will be according to the Metro Grid System.
4. All addresses given will be based on access. All addresses will be available when the Plat is approved and recorded.

Please let me know if you have any questions.

# Memorandum

**To:** Christiana Farrell  
Planner

**From:** Patrick O'Connell  
Geologist

**Date:** February 24, 2016

**Re:** 15200 West 32<sup>nd</sup> Ave, Case No. 16-101909RZ

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The intent of the application is to rezone to allow for PD. I have the following comment.

1. The site is not within a zoned or unzoned geologic hazard area and reports are not required with the rezoning process.

## Christiana Farrell

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**From:** AutoMailer@jeffco.us  
**Sent:** Wednesday, February 24, 2016 3:35 PM  
**To:** Christiana Farrell  
**Cc:** Regina Elsner  
**Subject:** Agency Response

Address: Bailey ODP  
Case Number: 16 101909 RZ  
Review: Open Space  
Review Results: Comments Sent (request re-review)  
Scheduled End Date: 02/22/2016  
Signoff Date: 02/24/2016  
Process Comments: JCOS recommends that a pedestrian/multi-use connection is included on 32nd Avenue. Trail already in place along 32nd Avenue to the east of this property is an 8' wide concrete pathway. Continued pedestrian connectivity is desired in this area.  
Case Type: Rezoning: Official Development Plan (ODP)  
Reviewer: Regina Elsner  
Case Description: Rezone from Agricultural-Two (A-2) to Planned Development (P-D) to allow for future subdivision of the site for up to 16 single family homes.

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

If you have any technical questions contact [tgagnon@jeffco.us](mailto:tgagnon@jeffco.us)

**MEMO**

**TO:** Christiana Farrell  
Jefferson County Planning and Zoning Division

**FROM:** Tracy Volkman  
Jefferson County Environmental Health Services Division

**DATE:** April 12, 2016

**SUBJECT:** Case #16-101909 RZ  
Bailey ODP  
Ethan Watel  
15200 W 32nd Ave

**The applicant has met the public health requirements for the proposed rezoning of this property.**

**PROPOSAL SUMMARY**

Rezone and plat into 16 residential lots

**COMMENTS**

Jefferson County Public Health (JCPH) has provided comments on August 24, 2015 and February 2, 2016 regarding the proposed rezoning process. **Our comments remain unchanged.**

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.**

✓	Date Reviewed	Required Documentation/Actions	Refer to Sections
✓	2-2-2016	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**

Consolidated Mutual Water will provide the water services for the proposed development according to Form 1001, Jefferson County Public Health Certificate of Water and Sewer Availability, dated January 14, 2016.

The Applewood Sanitation District will provide the sanitary services for the proposed development according to a letter dated January 18, 2016 prepared by RG and Associates, LLC (engineers for the Applewood Sanitation District).

### **ACTIVE LIVING**

JCPH commends the applicant for including a water feature and pedestrian trail for the future residents of this subdivision. This will promote public health by increasing physical activity. We recommend the trail width be a minimum of 5-6 feet wide that will allow two people to walk abreast.

### **ENVIRONMENTAL SITE ASSESSMENT (LDR 30)**

Although not required for the rezoning process, the applicant has submitted an Environmental Questionnaire and Disclosure Statement (EQDS). We have reviewed the EQDS. The applicant checked "No" on all categories of environmental concern on the cover sheet. From this information it does not appear that any environmental factors exist which would negatively impact the property.

### **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.

### **REGULATED FACILITIES**

If the water feature will be for recreational use by residents, it may be subject to a plan review, routine inspections and applicable fees by this Department. Please contact Matthew Garcia, Plan Review Coordinator (303.271.5762) for more information.



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

Jefferson County, Colorado  
Transportation & Engineering Division

# P&Z REFERRAL T&E RESPONSE

To:  *P&Z Case Manager* 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

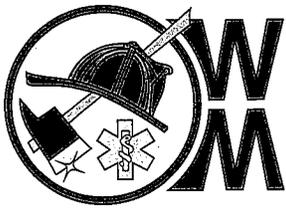
## Traffic Operations / Transportation Planning

	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



# West Metro Fire Protection District

433 S. Allison Parkway  
Lakewood, CO 80226

Bus: (303) 989-4307  
Fax: (303) 989-6725  
[www.westmetrofire.org](http://www.westmetrofire.org)

February 5, 2016

Christiana Farrell  
100 Jefferson County Parkway  
Suite 3550  
Golden, CO 80419-3350  
[cfarrell@jeffco.us](mailto:cfarrell@jeffco.us)  
303-271-8740  
Re: Case #16-101909RZ (15200 West 32<sup>nd</sup> Avenue)

Dear Ms. Farrell,

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.

WMFPD has no comment on the proposed re-zoning.

The water plan, fire hydrant locations, and fire apparatus access will be assessed as formal site development plans are submitted. Acceptable plans will show the building construction type, building height, and proposed fire hydrant locations. The plans must also show that all portions of the exterior of buildings can be reached within 150 feet of a 24 foot wide fire access lane. Buildings taller than 30 feet will have additional access requirements.

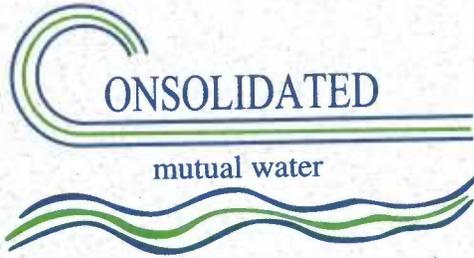
Permits are required from the fire district for all work on automatic fire protection systems, all work on automatic fire detection systems, underground fire line, radio amplification, and for the storage of hazardous materials.

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](mailto:bkral@westmetrofire.org).

Respectfully,

Bruce Kral  
Fire Marshal



April 13, 2016

Jefferson County Planning and Zoning  
Ms. Christiana Farrell  
100 Jefferson County Parkway, Suite 3550  
Golden, Colorado 80419-3550

**Re: Case Number 16-101909 RZ – Southeast corner of West 32<sup>nd</sup> Avenue & Kendrick Street**

Dear Ms. Farrell:

This letter will acknowledge receipt of your correspondence dated April 7, 2016, regarding the above referenced property.

Our comments remain the same as in prior correspondence to the Planning Department. We have no additional comments or changes for the above referenced project.

If you should have any questions or comments regarding this correspondence, please contact this office.

Sincerely,

Andy Rogers  
Project Engineer

cc: Michael Queen, CMWCo President  
Zach Queen, CMWCo Superintendent of Distribution  
Kim Medina, CMWCo Tap Administrator

# COLORADO GEOLOGICAL SURVEY

1801 19<sup>th</sup> Street  
Golden, Colorado 80401



February 22, 2016

Karen Berry  
State Geologist

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

**Location:**  
NW¼ NE¼ SE¼ Section 25,  
T3S, R70W of the 6<sup>th</sup> P.M.  
39.7604, -105.1688

**Subject: Bailey ODP – Rezoning (16-101909RZ)**  
**Jefferson County, CO; CGS Unique No. JR-16-0009**

Dear Ms. Farrell:

Colorado Geological Survey has reviewed the Bailey ODP rezoning referral. I understand the applicant proposes to rezone a 6.35-acre parcel located at the southeastern corner of W. 32<sup>nd</sup> Avenue and Kendrick Street from A-2 to PD to allow a future 16-lot residential subdivision. The property contains a home, a large pond, several smaller ponds, and an abandoned ditch.

With this referral, we received a referral requesting CGS's review (February 2, 2016), a copy of the Development Permit Application (signed January 15, 2016), an Application for Rezoning cover letter, a Bailey Official Development Plan drawing, and a Phase I Drainage Report (Baseline Engineering, January 20, 2016), a Bailey Official Development Plan Draft document (January 19, 2016), and a Land Survey Plat and Topographic Survey (Falcon Surveying, January 16, 2015). No geologic or geotechnical information was included with the available referral documents, although the Land Survey Plat and Topographic Survey shows several test bore locations.

The site does not contain steep slopes, is not undermined, is not located within a mapped flood hazard zone, and is not exposed to or located within any identified geologic hazard areas that would preclude the proposed residential use and density. CGS therefore has no objection to the proposed rezoning. However, potential development constraints that will need to be addressed include:

**Shallow groundwater.** Based on the close proximity of numerous surface water features, including ditches and ponds, and very shallow groundwater on adjacent sites, below-grade construction (basements and crawl spaces) should not be considered feasible unless an area groundwater collection system (underdrain) is constructed beneath the sanitary sewer system. Individual foundation perimeter drains should be connected to the groundwater collection system. I believe Jefferson County has adopted regulations regarding underdrain system design, construction, maintenance responsibility, and documentation.

**Expansive and collapsible soils.** According to available geologic mapping (Van Horn, 1972, Surficial and bedrock geologic map of the Golden quadrangle, Jefferson County, Colorado: U.S. Geological Survey, Miscellaneous Geologic Investigations Map I-761-A, scale 1:24,000), the site is underlain by alluvial (river) and colluvial (slope wash) deposits consisting of clay, silt, fine sand, and possibly boulders.

The clay minerals in these soils are typically moisture-sensitive, meaning that they exhibit volume changes (shrink-swell) in response to changes in water content, and can cause significant damage to foundations and improvements if not properly identified and mitigated. Fine-grained alluvial soils can also exhibit low density, low strength, and collapse under wetting and loading.

A preliminary geotechnical investigation will be needed, if one has not been completed already, to determine depth to bedrock and seasonal groundwater levels, to characterize soil and bedrock engineering properties such as density, strength, water content, and allowable bearing pressures, and to identify potentially moisture-sensitive (expansive and collapsible) soils and expansive claystone bedrock, if present. This information is needed to determine the site's suitability for below-grade construction, design subsurface drainage, and provide preliminary design criteria for subgrade preparation, foundations, floor systems, roads, pavements, underground utilities, etc.

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](mailto:carlson@mines.edu).

Sincerely,

A handwritten signature in black ink, appearing to read "Jill Carlson". The signature is fluid and cursive, with a large initial "J" and "C".

Jill Carlson, C.E.G.  
Engineering Geologist



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## PROSPECT RECREATION & PARK DISTRICT

4198 Xenon St., Wheat Ridge, CO 80033 • 303.424.2346 • Fax 303.424.4066

February 17, 2016

Jefferson County Planning & Zoning Division  
100 Jefferson County Parkway  
Suite 3500  
Golden, CO 80419-3500  
Attn: Christiana Farrell, Case Manager

RE: Case #16-101909RZ  
Bailey Official Development Plan

Dear Christiana,

Thank you for the opportunity to comment on the above listed case. Prospect Recreation & Park District (PRPD) has no technical objections to the documentation as provided.

PRPD is a shareholder on the Lee Stewart & Eskins Ditch (LSE), an irrigation water conveyance that traverses the southern border of this property. Protection and non-disturbance of the Lee Stewart Eskins & Ditch and the water conveyed by the LSE are paramount concerns of PRPD should this property be rezoned and ultimately undergo further development.

Sincerely,

*Mike Hanson*

Mike Hanson  
District Manager

cc: PRPD Board of Directors



**Right of Way & Permits**

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

February 19, 2016

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

Attn: Christiana Farrell

**Re: Bailey ODP Rezone, Case # 16-101909RZ**

Public Service Company of Colorado's (PSCo) Right of Way & Permits Referral Desk has reviewed the request for the **Bailey ODP Rezone**. Please be advised that PSCo has existing natural gas facilities within the areas indicated in this proposed rezone. Public Service Company has no objection to this proposed rezone, contingent upon Public Service Company of Colorado's ability to maintain all existing rights and this amendment should not hinder our ability for future expansion, including all present and any future accommodations for natural gas transmission and electric transmission related facilities.

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



## COLORADO

Division of Water Resources

Department of Natural Resources

1313 Sherman Street, Room 821  
Denver, CO 80203

April 13, 2016

Christiana Farrell  
Jefferson County Planning and Zoning Department  
Transmitted via email:  
[cfarrell@jeffco.us](mailto:cfarrell@jeffco.us)

**RE: Bailey ODP (15200 W 32<sup>th</sup> Avenue)  
Case no. 16-101909RZ  
SE1/4 of Section 25, T3S, R70W, 6<sup>th</sup> P.M.  
Water Division 1, Water District 7**

Dear Ms. Farrell:

We have reviewed the information provided on April 7, 2016 concerning the above referenced proposal to rezone a 6.14-acre parcel from Agricultural-Two (A-2) to Planned Development (P-D) in order to allow for 16 single-family residential detached residential lots. We have previously provided comments to this proposal by our letter dated February 4, 2016.

### Water Supply Demand

The estimated water requirements are still listed at 5,600 gallons per day (6.27 acre-feet annually). This amount breaks down to 250 gallons per day (0.28 acre-feet per year) for household use per lot and 100 gallons per day (0.11 acre-feet per year) per lot for other un-described use.

### Source of Water Supply and Detention facility

The proposed water source is still listed as the Consolidated Mutual Water Company ("Water Company"). A letter of commitment for service was not provided with the referral material. In the Jefferson County Public Health Certificate of water and sewer availability, the Water Company indicated that water service is available subject to compliance with the Company Rules, Regulations and Requirements for such service. According to our records, the Water Company obtains its water supply through a distributor's agreement with the Denver Water Department. The Denver Water Department is considered to be a reliable water source.

### State Engineer's Office Opinion

Since no changes in the water supply for this subdivision were identified in this submittal, the comments from our letter dated February 4, 2016 still apply, including the recommendations for the proposed detention pond and that it is our opinion that the proposed water supply is adequate and can be provided without causing injury to decreed water rights as long as the Water Company agrees to provide taps to all of the proposed lots.



Bailey ODP (15200 W 32<sup>nd</sup> Avenue)  
April 13, 2016  
Page 2 of 2

Should you or the Applicant have any questions, please contact Ioana Comaniciu of this office.

Sincerely,



Joanna Williams, P.E.  
Water Resource Engineer

cc: Subdivision file: 23763



## Christiana Farrell

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**From:** Kuster - CDPHE, Kent [kent.kuster@state.co.us]  
**Sent:** Thursday, April 14, 2016 9:44 AM  
**To:** Christiana Farrell  
**Subject:** 16-101909 RZ

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

April 22, 2016

Dear Christiana Farrell,

The Colorado Department of Public Health and Environment has the following comments on the request for a rezoning Case No. 16-101909 RZ located in Jefferson County. "Land development construction activities (earth moving) that are more than **six months in duration** require an Air Pollutant Emissions Notice (APEN) from the 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.

Additionally, if the applicant is planning on demolishing, renovating or remodeling any existing structures on the property, they should be aware that in Colorado there are regulations regarding the appropriate removal and handling of asbestos, lead-based paint, and chlorofluorocarbons (CFCs) as part of a demolition, renovation or remodeling project. These regulations are presented in AQCC Number 8 (asbestos), Number 19 (lead-based paint), and Number 15 (CFCs) which can be found at [www.colorado.gov/cdphe/aqcc-regs](http://www.colorado.gov/cdphe/aqcc-regs).

These regulations may require the use of, or inspection by, companies or individuals that are certified to inspect or remove these hazards prior to renovation or demolition. In the case of lead-based paint hazards, notification to building occupants is required for all renovations in target housing performed for compensation. The Division must also be notified of abatement or demolition activities prior to beginning any work in the case of asbestos and any business involved with CFCs in any way (repair, maintenance, service or disposal of equipment containing CFCs, air conditioning and refrigeration service, recycling or recovery of ozone depleting compound refrigerants, etc.) must notify the Division annually and may have to register their equipment. Further, any CFCs present must be recovered prior to the demolition of a structure or any activity that would release refrigerant into the atmosphere.

For additional guidance on these regulations and lists of certified companies and individuals please visit [www.colorado.gov/cdphe/asbestos](http://www.colorado.gov/cdphe/asbestos) for asbestos, [www.colorado.gov/cdphe/leadpaint](http://www.colorado.gov/cdphe/leadpaint) for lead-based paint or [www.colorado.gov/pacific/cdphe/categories/services-and-information/environment/air-quality/cfcs](http://www.colorado.gov/pacific/cdphe/categories/services-and-information/environment/air-quality/cfcs) for CFCs.

If you have any questions about Colorado's asbestos, lead-based paint, and CFC regulations or are unsure whether you are subject to them please call the Indoor Environment Program at 303-692-3100."

In addition, we suggest that the applicant comply with all state and federal environmental rules and regulations. This may require the applicant or its contractor to obtain 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 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](mailto:kent.kuster@state.co.us)

June 10, 2016

Dear Commissioner Szabo:

This letter is in reference to the rezoning of a parcel of land on 32nd and Kendrick Street in Golden, CO. The rezoning permit number is 16101909-RZ.

We'd like to establish up front that we've lived directly across the street from the proposed development for more than 20 years, and because our hearts sink every time we think about the noise, dust, and loss of a tranquil oasis in the neighborhood, we appeal to you to please consider our strong opposition to this project.

One of our main concerns is we don't feel that 16 homes should even be allowed on that property because of soil content and water table issues. We feel that the likelihood of these homes shifting is strong. The Colorado Geological Survey specified that a "geotechnical investigation" needs to be done. The Survey stated "This information is needed to determine the site's suitability for below-grade construction, design subsurface drainage, and provide preliminary design criteria for subgrade preparation, foundations, floor systems, roads, pavements, underground utilities, etc." (see attached letter). The Survey also clearly stated that no basements or crawl spaces should be allowed if the homes are built.

We don't see any response to this in the public documents. In addition, borings have been done but nobody, even the Survey, has that information, as far as we can tell. We understand that this will probably be addressed when the plat is done, but why go through zoning approvals if it's not viable land for a dense housing development? No rezoning vote was taken on the Applewood Golf Course redevelopment after it was found that homes couldn't be built; why is this any different? We ask you to postpone your vote until this has been reviewed.

If this is viable land for redevelopment, then the next unanswered question is traffic mitigation. The road may be able to handle 8,000 cars daily, but the residences can't. We're also strongly opposed to a roundabout at 32nd and Kendrick Street. Over time, we have beautified the side of our property that faces 32nd and it would be difficult to see that destroyed. With the planned dense housing, fencing, and the negative impacts on the community of this redevelopment plan, we have talked with numerous real estate agents and learned that this will cause our house to drop in value from where it currently stands. Adding a roundabout will drop our property value even further.

We do, however, understand the issues and concerns of the residents on both sides of Kendrick, with traffic having to do a U-turn on 29th. With that many homes and traffic it will be a safety concern and devalue even more homes in the area, which would seem to make any tax revenue gains from additional houses almost moot.

We feel that a U-turn could cut through the median from southbound Kendrick directly to the property (if the Rolling Hills Homeowners Association approves this idea). Although this still affects us dramatically with an increase in traffic and congestion in front of our house, we think it's best for the neighborhood because it solves the issues with numerous houses up the street. We believe that compromise is how we should all handle issues even if the current property owner does not. We are

willing to “take the hit” of a left-turn opening through the median near the front of our house for the good of the community.

As we’ve said before, as long-term upper-middle-class residents of Jefferson County, we understand that we don’t have the power of inherited/entitlement money, like the players involved with this redevelopment have, to truly put up a fight to this redevelopment. When a private helicopter flew directly over our house to land on the property, we came to truly understand that these people really don’t care about the community, only their own profit/loss. It’s disappointing the current owners made poor decisions in not recognizing basic spend/ROI with the property, and that now they’re making decisions that affect the community with a purely profit focus. **We reiterate that we do not feel that ONE property owner “needing to recoup his losses” is a compelling reason for rezoning.** If the property no longer works for them, the property owners should have to sell it on the open market and take their losses like everybody else. Also, although some may tout themselves as “green,” the proposed approach on this property is about as “ungreen” as you can get, particularly since it has been zoned agriculturally for many decades. This zoning makes it a beautiful part of our neighborhood that is home to many species of wildlife and birds.

Thank you for reading this letter. We can only hope that you’ll do the right thing for the ENTIRE community at the June 21st meeting.

Best regards,

Rene Howard and Paul Texeira  
3161 Kendrick Street – Golden, CO 80401 – 303-279-3347

## Christiana Farrell

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**From:** Russell Clark  
**Sent:** Friday, June 03, 2016 8:24 AM  
**To:** Christiana Farrell  
**Subject:** FW: Opposition to Rezoning of lot near 32nd avenue and kendrik

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

FYI

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**From:** John Wolforth  
**Sent:** Friday, June 03, 2016 7:19 AM  
**To:** Heather Gutherless  
**Cc:** Russell Clark; Mike Schuster  
**Subject:** Fwd: Opposition to Rezoning of lot near 32nd avenue and kendrik

Begin forwarded message:

**From:** Deborah Churchill <[dchurchi@co.jefferson.co.us](mailto:dchurchi@co.jefferson.co.us)>  
**Date:** June 3, 2016 at 7:08:51 AM MDT  
**To:** commish3 <[commish3@co.jefferson.co.us](mailto:commish3@co.jefferson.co.us)>, commish1 <[commish1@co.jefferson.co.us](mailto:commish1@co.jefferson.co.us)>, commish2 <[commish2@co.jefferson.co.us](mailto:commish2@co.jefferson.co.us)>  
**Cc:** John Wolforth <[jwolfort@co.jefferson.co.us](mailto:jwolfort@co.jefferson.co.us)>  
**Subject:** FW: Opposition to Rezoning of lot near 32nd avenue and kendrik

Commissioners, FYI.

John, I'm not sure who the case manager is for this one so cc: you so you can forward to staff for the case file.

*Deborah Churchill*  
*Executive Assistant*  
*Jefferson County Board of County Commissioners*  
*100 Jefferson County Parkway*  
*Golden, CO 80419*  
*303.271.8525 (Main)*  
*303.271.8502 (Direct)*  
[dchurchi@jeffco.us](mailto:dchurchi@jeffco.us)

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**From:** Mike Melancon [<mailto:mjmelancon@gmail.com>]  
**Sent:** Thursday, June 2, 2016 10:04 AM  
**To:** Commish  
**Subject:** Opposition to Rezoning of lot near 32nd avenue and kendrik

Hello Commissioners,

There is a proposal to rezone the property on the Southeast corner of Kendrick and 32nd avenue to allow for 16 homes to be built. There are several this rezoning is bad for the community. I am sorry, but I do not know the resolution number.

Increased traffic - This is a small area to put such high density of homes. The traffic increase would add to an already busy area near rolling hills and create additional safety issues.

Development Density - A development of this density would not fit within the current aesthetics of the neighborhood.

Precedent for other development in the area - This would set precedent for other property owners to rezone their lots and add homes between existing structures.

Thank you for your consideration.

Mike Melancon

## Christiana Farrell

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**From:** Bruce Daniel [bruce\_d@stevensandson.com]  
**Sent:** Wednesday, June 01, 2016 2:04 PM  
**To:** Christiana Farrell  
**Subject:** Bailey planning and zoning 32nd and Kendrick

Good afternoon,

My wife and I are longtime Residents of Jefferson County, living in Arvada and owning several business properties within a couple of miles of the subject property. While I have yet to meet, or converse with Mr. Geoff Bailley, I wanted to express my approval of his planned subdivision, and the residential development on the property. I have interest in relocating to the area and feel the small enclave planned by Mr. Baily is a very attractive fit. A community of less than 20 homes presents minimal traffic issues as well as minimizing pressures on other resources. It is my understanding the development is being designed to be a "Lock and Leave" community, allowing the residents of the development to travel, to other parts of the world for extended periods of time. Obviously, as a resident that enjoys spending a great deal of time in warmer claimants during the winter months, my pressures on traffic and other resources are further minimized by my limited presences in the community.all the time while paying taxes to Jefferson County. My wife, Kay and I urge you to approve the Bailey proposal. My wife and I are traveling to Arkansas to attend a planning session for raising funds to cure Diabetes. Our Grandson was diagnosed at the age of two with Type One Diabetes. We are passionate about the fight against this terrible affliction and regret our absence from the meeting. We would be pleased to meet in person with you should desire further conversation.

Regards,

Bruce C. Daniel and Kay L. Daniel

## Christiana Farrell

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**From:** Coors, Joe Jr. [jctwo@CoorsTek.com]  
**Sent:** Wednesday, June 01, 2016 10:56 AM  
**To:** Christiana Farrell  
**Subject:** FW: Bailey Subdivision 32nd and Kendrick Golden, Co

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**From:** Bruce Daniel [[mailto:bruce\\_d@stevensandson.com](mailto:bruce_d@stevensandson.com)]  
**Sent:** Tuesday, May 31, 2016 12:59 PM  
**To:** [Cfarrell@jefferson.co.us](mailto:Cfarrell@jefferson.co.us)  
**Cc:** Kay Daniel  
**Subject:** Bailey Subdivision 32nd and Kendrick Golden, Co

Good afternoon,

My wife and I are longtime Residents of Jefferson County, living in Arvada and owning several business properties within a couple of miles of the subject property. While I have yet to meet, or converse with Mr. Geoff Bailley, I wanted to express my approval of his planned subdivision, and the residential development on the property. I have interest in relocating to the area and feel the small enclave planned by Mr. Baily is a very attractive fit. A community of less than 20 homes presents minimal traffic issues as well as minimizing pressures on other resources. I It is my understanding the development is being designed to be a "Lock and Leave" community, allowing the residents of the development to travel, to other parts of the world for extended periods of time. Obviously, as a resident that enjoys spending a great deal of time in warmer claimants during the winter months, my pressures on traffic and other resources are further minimized by my limited presences in the community...all the time while paying taxes to Jefferson County. My wife, Kay and I urge you to approve the Baily proposal. My wife and I are traveling to Arkansas to attend a planning session for raising funds to cure Diabetes. Our Grandson was diagnosed at the age of two with Type One Diabetes. We are passionate about the fight against this terrible affliction and regret our absence from the meeting. We would be pleased to meet in person with you should desire further conversation.

Regards,

Bruce C. Daniel and Kay L. Daniel

## Christiana Farrell

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**From:** Paul Texeira [paulteixeira@yahoo.com]  
**Sent:** Tuesday, May 31, 2016 7:00 PM  
**To:** Christiana Farrell  
**Cc:** Rene Howard  
**Subject:** Re: Bailey's Rezoning Application - 16101909RZ

Christiana:

Thanks for the quick response and got your VM also. Rene and I were traveling today and I'm out on business travel tomorrow so won't be able to attend the meeting.

I did read through your analysis and approval of the rezoning application. Really not much I can say but do want to correct a couple of observations, not that it is going to change your mind. Your note did state the west side of the property is similar in size but our property to the west is 17,800 sq. ft., so not not near the same and we almost run the entire property in question. The development across 32nd street (Rolling Hill Estates) wasn't inserted in a location with houses all around it so I look at that as something different than where this property is going to go in the middle of a neighborhood. We also will all see the houses while the other is separated and in it's own little neighborhood.

When you mentioned a U-turn farther South on Kendrick, I'm hoping that would be by Joyce street where they're far more homes that would benefit from a turn around spot and would solve more traffic issues than one right into that property that is limited.

Thanks and I know you can't please everyone but it's sad that numerous long time residents are moving because of this development.

Thanks..

Paul Texeira

On Tuesday, May 31, 2016 5:24 PM, Christiana Farrell <cfarrell@co.jefferson.co.us> wrote:

Paul and Rene,

Please find the answers to your questions below. I have also attached the staff report for the hearing tomorrow which might further clarify the rezoning process.

### Christiana Farrell, AICP

Planner  
Jefferson County Planning and Zoning  
100 Jefferson County Parkway  
Golden, CO 80419  
[cfarrell@jeffco.us](mailto:cfarrell@jeffco.us) | 303-271-8740

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**From:** Paul Texeira [mailto:paulteixeira@yahoo.com]  
**Sent:** Tuesday, May 31, 2016 11:16 AM  
**To:** Christiana Farrell  
**Cc:** Rene Howard  
**Subject:** Re: Bailey's Rezoning Application - 16101909RZ

Dear Christiana:

We have a few questions before tomorrow's meeting on the redevelopment plan for the property at 32<sup>nd</sup> and Kendrick Street (Case number: 16101909RZ). Will there be a detailed redevelopment plan to review, either at tomorrow's meeting or before the Jefferson County commissioner hearings?

There will not be a detail lot layout because this is only the rezoning portion of the process, the subdivision plat will come later that will detail the roads and building sites.

The only plat we saw was at the Community Meeting and it was unacceptably vague. We need to know what has been done since then in terms of how many lots are now planned to be sold, [There will be 16 total lots], what other changes have been made to the plan, what traffic impacts and road changes are expected, how many trees are planned to be removed, and many more such details. It was clear at the Community Meeting that the property owner and the developer needed to make a lot of changes to the plan that was presented at that meeting and have read some of those changes on-line in the documents but nothing 100% defined/confirmed.

For example, the Colorado Geological Survey specified that a "geotechnical investigation" needs to be done. They stated "This information is needed to determine the site's suitability for below-grade construction, design subsurface drainage, and provide preliminary design criteria for subgrade preparation, foundations, floor systems, roads, pavements, underground utilities, etc." Has this investigation been done? We don't see it in the public documents. The geotechnical investigation has not yet been done because it is not required for the rezoning, but they will need to do everything outlined in the recommendations regardless when it is required at the time of subdivision plat.

Will Jefferson County be presenting road change plans for 32<sup>nd</sup> Avenue and Kendrick Street at the two different meetings or on your website before the meetings? Can it be confirmed, if there are road changes, that the developer must pay those costs instead of the taxpayer? There will be no final plans at this stage for the roadway design, but yes the costs will fall to the developer based on a fee scale for the amount of impacts predicted. Typically the county collect cash in lieu.

We are strongly opposed to a roundabout at 32<sup>nd</sup> and Kendrick Street because we live there. With the planned dense housing, fencing, and the negative impacts on the community, we feel that our house will drop in value from where it currently stands. Adding a roundabout will drop our property value even further.

As long-term upper-middle-class residents of Jefferson County, we understand that we don't have the power of inherited/entitlement money to truly put up a fight to this redevelopment. When private helicopters flew directly over our house to land on the property, we came to truly understand that these people really don't care about the community, only their own profit/loss. It is disappointing the current owners made poor personal/business decisions in not recognizing basic spend/ROI with the property, and that now they are making decisions that affect the community with a purely profit focus.

**We do not feel that one property owner "needing to recoup his losses" is a compelling reason for rezoning.** Also, although some may tout themselves as "green," the proposed approach on this property is about as "ungreen" as you can get, particularly since it has been zoned agriculturally for many decades.

Thank you in advance for your prompt answers to our questions.

Best regards,

Rene Howard

Paul Texeira

On Friday, April 8, 2016 5:29 PM, Paul Texeira <[paulteixeira@yahoo.com](mailto:paulteixeira@yahoo.com)> wrote:

Christiana:

Thanks! Have a great weekend!!

Paul Texeira  
303-204-3310

On Monday, April 4, 2016 12:47 PM, Christiana Farrell <[cfarrell@co.jefferson.co.us](mailto:cfarrell@co.jefferson.co.us)> wrote:

Here you go!

**Christiana Farrell, AICP**

Planner  
Jefferson County Planning and Zoning  
100 Jefferson County Parkway  
Golden, CO 80419  
[cfarrell@jeffco.us](mailto:cfarrell@jeffco.us) |303-271-8740

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**From:** Yelena Onnen  
**Sent:** Monday, April 04, 2016 10:47 AM  
**To:** Christiana Farrell  
**Cc:** Derek Schuler  
**Subject:** RE: Bailey's Rezoning Application - 16101909RZ

Hello Christiana,

Attached is the traffic study; it was conducted on 6/4/2013.

Thanks,  
Yelena

**Yelena Onnen | Transportation Planner**  
Jefferson County Colorado | Transportation & Engineering  
100 Jefferson County Pkwy, Suite 3500, Golden, CO 80419  
(303) 271-8497 | [yonnen@jeffco.us](mailto:yonnen@jeffco.us)

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**From:** Mike Vanatta  
**Sent:** Sunday, April 03, 2016 7:01 PM  
**To:** Christiana Farrell; 'Paul Texeira'  
**Cc:** Derek Schuler  
**Subject:** RE: Bailey's Rezoning Application - 16101909RZ

Sorry Christina, any traffic information should go through Derek who is in charge of the Traffic/Transportation team.

Thanks!

*Michael Vanatta, P.E.  
Assistant Director/Pre-Construction Engineer  
Jefferson County  
Transportation and Engineering Division  
100 Jefferson County Pkwy, Suite 3500  
Golden, CO 80419-3550  
Direct: (303) 271-8481  
Email: [mvanatta@jeffco.us](mailto:mvanatta@jeffco.us)*

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**From:** Christiana Farrell  
**Sent:** Sunday, April 03, 2016 5:15 PM  
**To:** 'Paul Texeira'  
**Cc:** Mike Vanatta  
**Subject:** RE: Bailey's Rezoning Application - 16101909RZ

Paul,

I am sorry that Mike did not get back to you. I have copied him again above.

Regarding the setback, I am still coordinating with the ditch company what type of structures might be allowed within the easement. I know there are concerns about the access road going along there, and I have included comments in the rezoning that there should be written restrictions to keep certain types of development way from the ditch. The final layout will not happen until the plat, but certainly setbacks can included in the rezoning.

**Christiana Farrell, AICP**

Planner  
Jefferson County Planning and Zoning  
100 Jefferson County Parkway  
Golden, CO 80419  
[cfarrell@jeffco.us](mailto:cfarrell@jeffco.us) |303-271-8740

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**From:** Paul Texeira [<mailto:paulteixeira@yahoo.com>]  
**Sent:** Wednesday, March 30, 2016 1:55 PM  
**To:** Christiana Farrell  
**Subject:** Re: Bailey's Rezoning Application - 16101909RZ

Christiana:

Hope your week is going well! Never got a response back from Mike on when the traffic study was done (Month) and still wanted to get your input on my questions about the setback.

Thanks in advance for your answers to the questions I had..

Paul Texeira  
303-204-3310

On Wednesday, March 9, 2016 2:10 PM, Paul Texeira <[paulteixeira@yahoo.com](mailto:paulteixeira@yahoo.com)> wrote:

Christiana:

Appreciate it!

In reading some of the letters, with a set-back/easement from the ditch being at 20' does that mean nothing like a fence, driveway, access road or structure can be built within 20' feet from the ditch?

Thanks..  
Paul Texeira

On Wednesday, March 9, 2016 12:42 PM, Christiana Farrell <[cfarrell@co.jefferson.co.us](mailto:cfarrell@co.jefferson.co.us)> wrote:

Paul,

I am actually not sure which month the T&E traffic count was obtained in 2013. I am copying **Mike Vanatta** who sent me the referral comments for this case (16-101909RZ). He should be able to answer your questions.

I will add your comments to the case file as well so that can be used in evaluating this proposal.

**Christiana Farrell, AICP**

Planner  
Jefferson County Planning and Zoning  
100 Jefferson County Parkway  
Golden, CO 80419  
[cfarrell@jeffco.us](mailto:cfarrell@jeffco.us) |303-271-8740

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**From:** Paul Texeira [<mailto:paulteixeira@yahoo.com>]  
**Sent:** Friday, March 04, 2016 12:07 PM  
**To:** Christiana Farrell  
**Subject:** Bailey's Rezoning Application - 16101909RZ

Christiana:

Hope your week is going well! A quick question on the Baily's Rezoning Application and the traffic report mentioned below.

The 2014 Traffic Count Report from Jefferson County Transportation and Engineering Division shows that total traffic on Kendrick Street was 1,925 vehicles. The traffic count was collected over a 24-hour period in 2013.

Which month of the year did that take place? The estimates are for a 7.9% increase on Kendrick street traffic but if the traffic count was in the summer then the percentage in non summer months would be dramatically higher due to the amount of Club traffic that happens in the Summer months. I understand Kendrick is designated as a road that can handle 8000 vehicles but just want the community to understand traffic impacts from the development.

Thanks and have a great weekend!

## Christiana Farrell

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**From:** Danielle Radovich [danielle.radovich@comcast.net]  
**Sent:** Thursday, May 19, 2016 1:55 PM  
**To:** Christiana Farrell  
**Subject:** Rezoning

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

**Re: Case Type:** Rezoning  
**Case Number:** 16-101909RZ **Case Name:** Bailey ODP  
**Where:** [15200 W 32Nd AVE](#)

Christiana,

I'm writing about the Bailey rezoning issue. We live at 2980 Joyce Way Golden 80401 and our property backs up to a small portion of the Bailey property. I would like to strongly encourage the planning commission to look at putting a roundabout at 32nd & Kendrick allowing access to the potential new develop from 32nd rather than Kendrick. The traffic issues at that corner coupled with the neighborhood safety, demands we take a very close look at this and limit the traffic on Kendrick.

I would also like to add that I am opposed to the number of units currently planned for this particular property. I believe at most there should only be 8 units as that would be more in line with the character and the existing properties surrounding this one.

Thank you for taking my thoughts into consideration.

Best,  
Danielle Radovich Piper  
2980 Joyce Way  
Golden 80401

Sent from my iPad

## Christiana Farrell

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**From:** David Dooley [djd2nd@gmail.com]  
**Sent:** Friday, March 04, 2016 12:55 PM  
**To:** Christiana Farrell  
**Subject:** Bailey ODP Jeffco Case #16-101909RZ

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Christiana Farrell,

My name is David Dooley and I live at 15071 W 32nd Pl. I agree that the development of that lot would only add to the hazard at the intersection of Kendrick at 32nd ave. I would be in favor of the roundabout Glen Douglass proposed, as it would make that intersection much safer and would allow development of that sight. Without the roundabout I would be opposed to the zoning request. Thanks David

I am writing to voice my opposition to the proposed redevelopment of the property [15200 West 32nd Avenue; Case number 15-127858CMT]. I have several reasons why I believe this is a plan that will be detrimental to our entire neighborhood. I have several concerns as the proposal currently reads.

- The increase in foot traffic up and down Kendrick to South Table Mountain with the heavy, fast traffic along it is a safety issue.
- The plan is for an urban-density level, which is incompatible with the rest of the neighborhood.
- With requirements for sidewalks and a bike trail for future use, the current plan is not compatible—space-wise.
- Wildlife migration routes would be destroyed by this development. The area has been used by elk, deer, coyotes, as well as many others, for over a century to move along our irrigation ditch. The noise, and activity involved in this proposal, and the crowded style of housing once the proposed development is built, would scare away all the wildlife for good. Trees would also be removed which impacts residents and wildlife.
- Property values will be affected by this kind of urban-density housing.
- We do not have street lights in this area, which is the dark sky approach that is such a benefit of this area. This development requires street lights.

I hope that the aesthetics, safety, and environment, and wildlife protection of our beautiful community will be valued and that this proposed development will remain undeveloped or change it to be more compatible with our neighborhood.

Thank you.

Donna Adkins  
Crabapple Place

## Christiana Farrell

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**From:** Donna Walker Comcast [donnajwalker@comcast.net]  
**Sent:** Thursday, May 19, 2016 5:10 PM  
**To:** Christiana Farrell  
**Subject:** Bailey Rezoning Proposal Case #16-101909RZ

Ms. Ferrell,

Our property backs up to the Bailey property. While we would prefer the open space, we know that Mr. Bailey has tried to sell it on multiple occasions without success and understand his need to get his money out by developing the property. Our biggest concern is the access to the property. If access is granted from Kendrick, either residents would have to do a U-Turn at 29<sup>th</sup> (pain). Have you considered putting in a roundabout on 32<sup>nd</sup> for access to the property? That would slow traffic, give easier access and aligns with the current flow/roundabout at 32<sup>nd</sup> and Eldridge.

Thank you,

Donna Walker Lundeen

## Christiana Farrell

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**From:** Jeff Klem [Jklem@vailresorts.com]  
**Sent:** Tuesday, February 09, 2016 1:02 PM  
**To:** Christiana Farrell  
**Subject:** RE: Bailey Development

thanks Christiana.

we're likely to move if this development goes through. we are certain to if the access is from Kendrick. too bad.  
I appreciate the information...it helps a bunch with our planning.

thanks again.  
Jeff

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**From:** Christiana Farrell [mailto:cfarrell@co.jefferson.co.us]  
**Sent:** Tuesday, February 09, 2016 10:13 AM  
**To:** Jeff Klem  
**Cc:** Megan Klem (mklem70@gmail.com)  
**Subject:** RE: Bailey Development

Jeff,

The proposal for 15200 W 32<sup>nd</sup> Ave is in the 1<sup>st</sup> referral phase of the rezoning process. A formal application was submitted about a week and a half ago. Notification has been sent to all adjacent property owners and HOAs. I have attached the referral form showing all of the agencies that have been requested to provide comments. They have 3 weeks to do so.

I have also attached the rezoning process guide to help you understand the rest of the process moving forward. You will again be notified of any public hearings.

I have also attached the 1<sup>st</sup> referral comments that we just received from Transportation and Engineering. There is not yet a final decision on the access onto W 32<sup>nd</sup> vs Kendrick, but road improvements on both will be required based on what the applicant submitted for the traffic study.

You are welcome to view all of the plans for this proposal by using our website and the case number. There is a link in the attached referral form.

Let me know if you have other questions.

### Christiana Farrell, AICP

Planner  
Jefferson County Planning and Zoning  
100 Jefferson County Parkway  
Golden, CO 80419  
[cfarrell@jeffco.us](mailto:cfarrell@jeffco.us) | 303-271-8740

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**From:** Jeff Klem [mailto:Jklem@vailresorts.com]  
**Sent:** Monday, February 08, 2016 8:13 AM  
**To:** Christiana Farrell  
**Cc:** Megan Klem (mklem70@gmail.com)  
**Subject:** RE: Bailey Development

good morning Christiana (sorry about the mistake in your name below...I just had the initial for your first name and my failing memory!).

I received the Application Submittal Notification in the mail for the Bailey ODP early last week.

I'm hopeful you can give me some guidance in relation to my note below.

thanks in advance.

Jeff

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**From:** Jeff Klem  
**Sent:** Wednesday, January 27, 2016 9:41 AM  
**To:** [cfarrell@jeffco.us](mailto:cfarrell@jeffco.us)  
**Subject:** Bailey Development

Hello Courtney. I appreciate you joining in on the meeting at Rolling Hills late last year in regard to the proposed development of the Bailey property on the corner of Kendrick and 32<sup>nd</sup> in Applewood.

Two reasons for my quick note today:

1. to better understand where that development is in the approval process.
2. to better understand the proposal to have the access be on Kendrick and the assessments and research that has been conducted to come to that conclusion. from all that was discussed at the meeting, this, by far, is my greatest concern.

what direction can you provide me to become better educated on the two points above as well as guidance to understand my rights as a resident on Kendrick Street in regard to the proposed access?

thanks Courtney.

Jeff

**Jeff Klem**  
**Vice President Talent Management**  
**VAILRESORTS®**  
EXPERIENCE OF A LIFETIME

**M:** 303-810-3296

## Christiana Farrell

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**From:** Jeff Klem [Jklem@vailresorts.com]  
**Sent:** Tuesday, May 17, 2016 9:11 PM  
**To:** Christiana Farrell  
**Cc:** Megan Klem (mklem70@gmail.com)  
**Subject:** RE: Bailey Rezoning Proposal

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

thanks Christina.

again, even though I'm not in favor of the development in general and what it will do to the value (financial and otherwise) to the surrounding properties like mine, my biggest concern remains the access.

access from Kendrick seems just plain silly to me. it is a road separated by a median forcing anyone who lives in the proposed development to drive south on Kendrick from 32<sup>nd</sup> and make a Uturn to drive north on Kendrick to access the development. I did not see anything related to what happens at the intersection of Kendrick and 29<sup>th</sup> accounted for in any of the documents. if the residents of the development would choose to take Indiana to 29<sup>th</sup> to Kendrick to avoid the Uturn there still is the 29<sup>th</sup> and Kendrick issue.

and, there was no study done, that I found of increased traffic on Indiana nor 29<sup>th</sup>. these roads will surely see increased traffic. believe me, people will grow tired of the Uturn.

further, the homes on Kendrick between 29<sup>th</sup> and 32<sup>nd</sup> will be the ones primarily affected because of the access options described above. there are currently about 8 homes that have this Uturn or Indiana options to access their homes. this will, at the very least double, and likely more dependent on how many new homes ultimately are included in the new development.

an email from another resident suggesting a roundabout on 32<sup>nd</sup> w/ an access spur to the new development solve numerous issues...some that exist today (e.g., speed on 32<sup>nd</sup>, risk of entry from Rolling Hills Estates & Kendrick) and those that would be created by the new development.

has there been any serious consideration of this option?

what further study may we request and can we do so at or before the hearing on June 1?

any guidance is appreciated.

Jeff Klem

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**From:** Christiana Farrell [<mailto:cfarrell@co.jefferson.co.us>]  
**Sent:** Wednesday, May 11, 2016 11:21 AM  
**To:** Christiana Farrell  
**Subject:** Bailey Rezoning Proposal

The attached case has been scheduled for public hearing.

**Case Type:** Rezoning

**Case Number:** 16-101909RZ **Case Name:** Bailey ODP

**Where:** 15200 W 32Nd AVE

**General Location:** SE corner of W32nd Ave and Kendrick Street

**Case Manager:** Christiana Farrell, 303-271-8740, [cfarrell@jeffco.us](mailto:cfarrell@jeffco.us)

**Purpose:** Rezone from Agricultural-Two (A-2) to Planned Development (P-D) to allow for future subdivision of the site for up to 16 single family homes.

**Planning Commission:** Wednesday, Jun 01, 2016 at 6:15 p.m.

## Christiana Farrell

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**From:** Julia Mulligan [mymabrico@comcast.net]  
**Sent:** Friday, May 20, 2016 3:05 PM  
**To:** Christiana Farrell  
**Subject:** Rezoning #16-101909RZ

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Dear Ms. Farrell:

We have lived on Kendrick Street in Applewood for over 20 years. During that time, we have seen much of what was once open space become developed. As a community, we have been able, through no small effort, to retain important open space tracts for park and recreational usage. We make this effort because we believe that this enhances the existing neighborhood as well as contributing to the conservation and welfare of native flora and fauna. This is good for Colorado and for Jefferson County.

The reason we and others moved to Applewood is exactly because of open space, horse property, and large lot sizes. All this within close proximity urban Denver.

In its best form, wise and well-thought-out development can be a very good thing for a community. However, unwise development hurts the value of the existing neighborhood and diminishes the overall desirability of an area.

We feel that at least two factors regarding the proposed development of the Bailey property at the corner of Kendrick and 32nd Avenue will will diminish the quality and value of the existing neighborhood:

The existing proposal would allow for 16 single family homes. We believe that this number is far too high. We would love to see the property remain as it is, but we understand that circumstances change. That said, we do not feel that the proposed development reflects the current makeup of the neighborhood. We feel strongly that, if approved, the number of homes allowed should be reduced to six or fewer, in order to enhance and mirror the existing neighborhood, as well as support current home values.

Additionally, in order to accommodate these proposed homes, a U-turn has been offered as a way to allow traffic to access the new homesites. We are absolutely against this proposed U-turn. Kendrick already has substantially more traffic than surrounding neighborhood streets, being the only access road to and from Rolling Hills Country Club. We and our neighbors work hard to ensure that local traffic remains manageable and that drivers obey the speed limit.

Many of the families that live on Kendrick have small children who are often playing outside, going to and from the bus stop, and riding bikes or skateboards on the street and sidewalks. We love this about our neighborhood and our street. Sixteen houses and the additionally ensuing traffic would be more than Kendrick and it's neighbors should have to bear. Not only the number of homes, but also the upheaval to the street will adversely affect all the homes and lifestyle on Kendrick. Kendrick Street and our neighborhood should not be viewed as a "right of way" for any development. If there is to be access to a development, it should be from 32nd Avenue, or not at all.

We believe that the Commission and Board should reduce the number of homes allowed for this property rezoning, and reject the proposed U-turn on Kendrick Street.

Yours,

We are writing to voice our strong opposition to the proposed redevelopment of the Baileys' property [15200 West 32nd Avenue; Case number 15-127858CMT] directly across the street from our home. We have a number of reasons why we think this is an ill-conceived plan that will be extremely detrimental to our neighborhood. We understand some of the below points will be addressed at the Community meeting on December 17<sup>th</sup> but at this point these are our concerns as the proposal currently reads.

- The documents state that no ingress/egress is allowed from 32nd Avenue. Currently there is access to the property from 32nd Avenue (a driveway); was this illegal all these years? The plans also show ingress/egress unto 32nd Avenue.
- Lots 15 and 16 appear to have no access. How are the residents supposed to get to their homes?
- With no access to 32nd Avenue, roadways within the proposed development will need to be expanded to accommodate all homes planned. How, then, is it possible to put up to 16 homes on the land?
- Again because no access is available from 32nd Avenue, all vehicles would exit from the proposed development and attempt to merge onto Kendrick going north. This is unsafe and will increase congestion to an unsustainable level.
- The residents of the proposed development will have a tendency to go up Kendrick using the wrong side of the road instead of conducting a U-turn. We see this now, without additional traffic. Again, this will cause a major safety issue.
- Kendrick Street is already a very busy street with vehicles moving far over posted speed limits and driving up onto sidewalks to "avoid" the speed bumps.
- The increase in foot traffic up and down Kendrick to South Table Mountain with the heavy /fast traffic along it going to the club would be another safety issue.
- The proposed lot size is not compatible with existing houses adjacent to the proposed development. The plan is for an urban-density level, which is incompatible with the rest of the neighborhood.
- With requirements from the county for sidewalks and room for a bike trail for future use, the current plan is not compatible. There simply is not room.
- With requirement for "clear sight lines" coming out of Kendrick Street all trees currently on north side would need to be removed, affecting the nature of the area.
- Wildlife migration routes would be destroyed by this proposal. The property deemed for development has been used by elk, deer, foxes, and coyotes, among others, for more than 100 years to move along the irrigation ditch. The noise, dust, and activity involved in this proposal, and the condensed style of housing once the proposed development is built, would scare away all the wildlife for good.
- Property values adjacent to and on Kendrick, Joyce, etc. will be affected by this urban-density housing.
- Currently, there are no street lights in this area. This proposed development would require street lights and ruin the traditional dark sky approach to living in this area.
- We saw no fencing proposals to enclose/block sight of the proposed development.

We hope that aesthetics, safety, and environment/wildlife protection will prevail and that this proposed development will remain unbuilt or change it to be more compatible to the neighborhood.

Thank you.

Paul Teixeira  
Rene Howard  
3161 Kendrick Street  
Golden, CO 80401  
[paulteixeira@royalsovereign.com](mailto:paulteixeira@royalsovereign.com)  
rhoward@wordprose.net

To: Christiana Farrell & Jefferson County Planning

Re: 15-127858CMT – 15200 W. 32<sup>ND</sup> Ave.

We are writing to express my objection to the proposed housing development, based upon the preliminary application of 16 lots/homes at 15200 W. 32<sup>nd</sup> Ave. for the below reasons as explained to the community on 12/17/15 at Rolling Hills Country Club.

1. **Land Use / Existing Zoning:** The current zoning is agriculture and should remain Agriculture. During the community meeting held on 12/17 the current owner described his reasoning to propose rezoning from Agriculture to PD to “re-coup some of the money he has invested in the property”. While there is no doubt that the current property owner has invested in the property, re-zoning and the building additional homes to re-coup investment is not just cause for rezoning. If the current property owners no longer wishes to own the property, they should sell the property as-is they should sell the property at market value with the Agriculture zoned designation.

There are several organizations that promote urban farming of agriculture zoned land throughout the metro area as denoted by a letter dated April 30<sup>th</sup>, 2015 from Dan Greave – President of the Rocky Mountain Farmers Union <sup>1</sup> during the Applewood Golf Course re-zoning case. (see footnote for link to document). Agriculture land, in general, is under attack as urban sprawl consumes open spaces. There are a number of nearby agriculture zoned properties, just like the property planned to be re-zoned, that are functioning urban farms. The property at 15200 W. 32<sup>nd</sup> should remain agriculture just like others in the immediate area.

Selected Urban Farms in the immediate area include (there are many more!)

- True Roots Farm @ 13645 W. 52<sup>nd</sup> (Arvada)
- Table Mountain Farms @ 16079 W 50<sup>th</sup> Ave. (Golden 80403)
- Five Fridges Farm @ 11100 W 38<sup>th</sup> Ave (Wheat Ridge)
- Roost Farms @ 7395 W. 32<sup>nd</sup> Ave (Wheat Ridge)
- Legacy Valley Farm (Horses) @ 7602 Quaker St. (Arvada)

The above farms are very active in the community and some are on leased land from private landowner. They provide local food via supermarkets and community supported agriculture (CSA) programs. Additionally, they provide jobs, and education to the local community including local schools. A commitment from Jefferson County to keep agriculture zoned land in the urban areas needs to be fully committed to. As more and more agriculture land is rezoned to allow for high density housing the ability for Jefferson County to provide things like Farmers Markets and food education to local schools (both private and public) is diminished.

2. **Negative Wildlife Impacts:** Agriculturally zoned land, due to it allowing only one dwelling unit per 10 acres promotes wildlife access and allows wildlife to migrate as needed for all to enjoy. This property sits directly between Clear Creek, North Table Mesa and South Table Mesa open spaces and like other open spaces in the Applewood Mesa neighborhood (Maple Grove Park, Applewood Golf Course, Miller Coors Water Retention Ponds, Maple Grove & Manning School Grounds, etc).
3. **Current Proposed Density Far Too Dense:** The currently proposed housing density is far too dense based upon the surrounding neighborhood lot sizes. During the 12/17/15 community meeting it was stated that at 8,000 sq ft.

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1 <http://jeffco.us/amandaltol/PublicDocs/Rezoning/15-113628RZ%20Applewood%20Golf%20Course%20Rezoning/6.%20Misc%20Documents/15-102161CMT%20-COMMUNITY-MEETING/3.%20Correspondence/Citizen/ApplewoodLetter.pdf>

2 <http://jeffco.us/amandaltol/PublicDocs/Community%20Meeting/15-127858CMT%2015200%20W%2032Nd%20Avenue/1.%20Application%20Documents/PRE%20APP%20RESPONSE%2015200%20W%2032nd%20Ave%20%28Rezoning%20&%20Plat%29.pdf>

3 <http://jeffco.us/amandaltol/PublicDocs/Community%20Meeting/15-127858CMT%2015200%20W%2032Nd%20Avenue/1.%20Application%20Documents/15-119344PA%2015200%20W%2032Nd%20Avenue/1.%20Application%20Documents/15-119344PA%20submittal%20docs.pdf> (PAGE 7)

minimum is comparable with the surrounding neighborhood. As the data below shows, this is a completely false statement.

The analysis below shows applicable lot sizes for the surrounding neighborhood and is shown in a few different ways to further analyze and show the lot sizes when the larger properties in the surrounding neighborhood are removed from the data set. Should the re-zoning be allowed to go through (which I believe it should not), in summary a **median lot size of 13,400** should be enforced to maintain the neighborhood’s look, feel, and overall integrity **with a minimum lot size of ~10,500 sq. ft.** The smallest lot size in the neighborhood immediately to the south is 10,369 sq. ft. which is approximately 30% (29.6%) higher than what the developer is currently proposing at 8,000 sq. ft.

In summary, we believe that existing zoning for the property at 15200 W. 32<sup>nd</sup> should remain Agriculture for the reasons stated above. Far too often, especially in today’s residential housing market, dollars take precedence over the negative long term impacts on the existing community

Regards,

Ryan & Jennifer Root  
3150 Gardenia St.  
Golden, CO 80401

\*\*\*\*\* see below for additional detail.

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1 <http://jeffco.us/amandaltol/PublicDocs/Rezoning/15-113628RZ%20Applewood%20Golf%20Course%20Rezoning/6.%20Misc%20Documents/15-102161CMT%20-COMMUNITY-MEETING/3.%20Correspondence/Citizen/ApplewoodLetter.pdf>

2 <http://jeffco.us/amandaltol/PublicDocs/Community%20Meeting/15-127858CMT%2015200%20W%2032Nd%20Avenue/1.%20Application%20Documents/PRE%20APP%20RESPONSE%2015200%20W%2032nd%20Ave%20%28Rezoning%20&%20Plat%29.pdf>

3 <http://jeffco.us/amandaltol/PublicDocs/Community%20Meeting/15-127858CMT%2015200%20W%2032Nd%20Avenue/1.%20Application%20Documents/15-119344PA%2015200%20W%2032Nd%20Avenue/1.%20Application%20Documents/15-119344PA%20submittal%20docs.pdf> (PAGE 7)

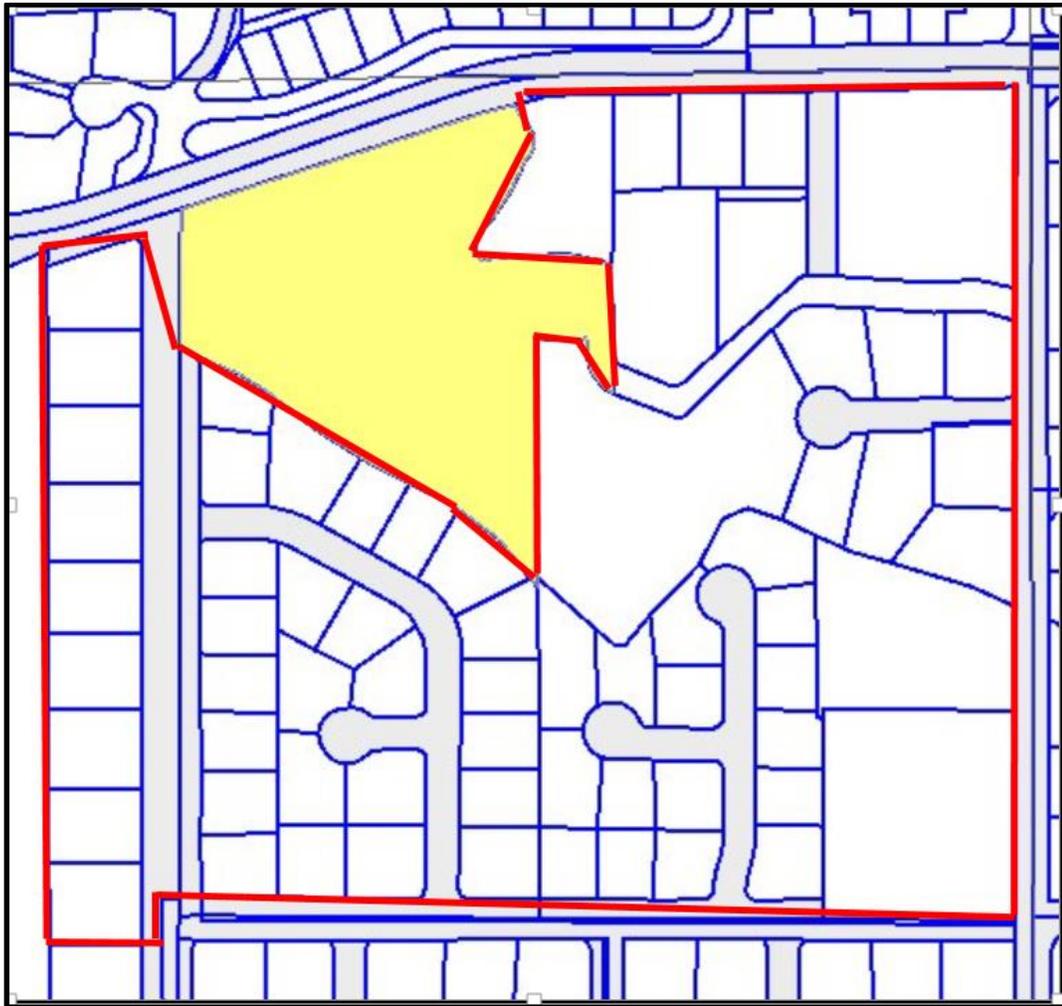
## Summary of Area Lot Sizes

The below tables describe lot sizes in the surrounding neighborhood of the proposed property at 15200 W. 32<sup>nd</sup> Ave. The lot size data was sourced from the Jefferson County Assessor website and is listed below this summary for reference.

### 1. View 1:

#### *Lot Size of Surrounding Neighborhood Contained by Red Boundary vs. Preliminary Proposed Development*

	Existing Neighborhood Sq. Ft.	Proposed Development Sq. Ft.	Proposed Development Difference
Average Lot Size	17,803	10,424	<b>-41.4%</b>
Median Lot Size	13,440	8,986	<b>-33.1%</b>



<sup>1</sup> <http://jeffco.us/amandaltol/PublicDocs/Rezoning/15-113628RZ%20Applewood%20Golf%20Course%20Rezoning/6.%20Misc%20Documents/15-102161CMT%20-COMMUNITY-MEETING/3.%20Correspondence/Citizen/ApplewoodLetter.pdf>

<sup>2</sup> <http://jeffco.us/amandaltol/PublicDocs/Community%20Meeting/15-127858CMT%2015200%20W%2032Nd%20Avenue/1.%20Application%20Documents/PRE%20APP%20RESPONSE%2015200%20W%2032nd%20Ave%20%28Rezoning%20&%20Plat%29.pdf>

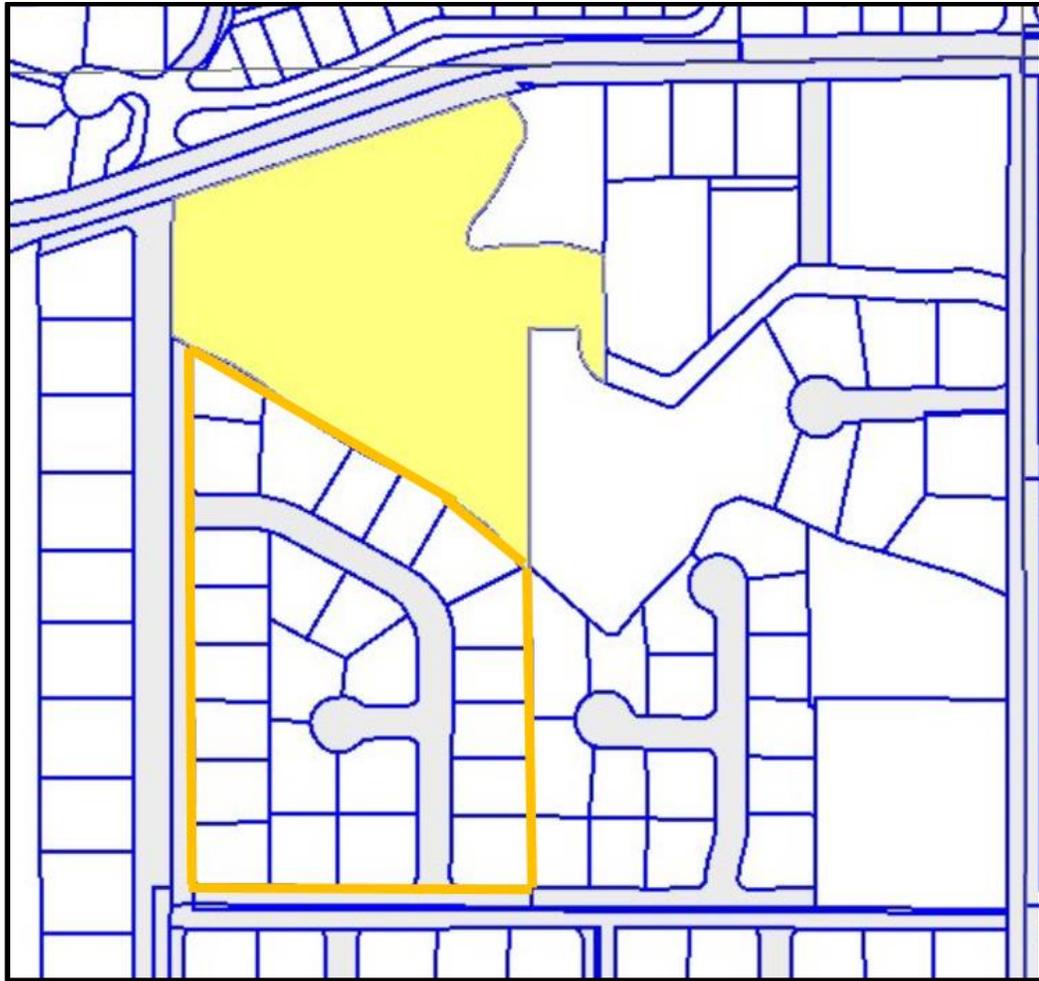
<sup>3</sup> <http://jeffco.us/amandaltol/PublicDocs/Community%20Meeting/15-127858CMT%2015200%20W%2032Nd%20Avenue/1.%20Application%20Documents/15-119344PA%2015200%20W%2032Nd%20Avenue/1.%20Application%20Documents/15-119344PA%20submittal%20docs.pdf> (PAGE 7)

**2. View 2:**

**Lot Size of Immediate Surrounding Neighborhood (to the south) Contained by Orange Boundary (see figure 2 below)**

- a. Including: Lot sizes directly to the south;
- b. Excluding: Larger properties to the east
- c. Minimum lot size in this area is 10,369 sq. ft.

	Existing Neighborhood Sq. Ft.	Proposed Development Sq. Ft.	Proposed Development Difference
Average Lot Size	12,541	10,424	<b>-16.8%</b>
Median Lot Size	12,317	8,986	<b>-27.0%</b>



<sup>1</sup> <http://jeffco.us/amandaltol/PublicDocs/Rezoning/15-113628RZ%20Applewood%20Golf%20Course%20Rezoning/6.%20Misc%20Documents/15-102161CMT%20-COMMUNITY-MEETING/3.%20Correspondence/Citizen/ApplewoodLetter.pdf>

<sup>2</sup> <http://jeffco.us/amandaltol/PublicDocs/Community%20Meeting/15-127858CMT%2015200%20W%2032Nd%20Avenue/1.%20Application%20Documents/PRE%20APP%20RESPONSE%2015200%20W%2032nd%20Ave%20%28Rezoning%20&%20Plat%29.pdf>

<sup>3</sup> <http://jeffco.us/amandaltol/PublicDocs/Community%20Meeting/15-127858CMT%2015200%20W%2032Nd%20Avenue/1.%20Application%20Documents/15-119344PA%2015200%20W%2032Nd%20Avenue/1.%20Application%20Documents/15-119344PA%20submittal%20docs.pdf> (PAGE 7)

3. **Figure 3: Lot Size of Properties directly bordering the proposed property contained by Green property lines (see figure 3 below)**

	Existing Neighborhood Sq. Ft.	Proposed Development Sq. Ft.	Proposed Development Difference
Average Lot Size	33,284	10,424	<b>-68.7%</b>
Median Lot Size	14,988	8,986	<b>-40.0%</b>

Further narrowing the data down to contain the one (1) Kendrick Lot and the five (5) Joyce Way lots directly bordering property to the south (also in Green)

	Existing Neighborhood Sq. Ft.	Proposed Development Sq. Ft.	Proposed Development Difference
Average Lot Size	12,726	10,424	<b>-18.1%</b>
Median Lot Size	11,570	8,986	<b>-22.3%</b>



1 <http://jeffco.us/amandaltol/PublicDocs/Rezoning/15-113628RZ%20Applewood%20Golf%20Course%20Rezoning/6.%20Misc%20Documents/15-102161CMT%20-COMMUNITY-MEETING/3.%20Correspondence/Citizen/ApplewoodLetter.pdf>

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3 <http://jeffco.us/amandaltol/PublicDocs/Community%20Meeting/15-127858CMT%2015200%20W%2032Nd%20Avenue/1.%20Application%20Documents/15-119344PA%2015200%20W%2032Nd%20Avenue/1.%20Application%20Documents/15-119344PA%20submittal%20docs.pdf> (PAGE 7)

**Data Set Used:**

*Source for Figures 1, 2, and 3 above: Jefferson County Assessor Website*

*Source for Developer Lots: Preliminary Application submitted on 8/19/2015*

Figure 1 Data Set - All Lot Sizes In Surrounding Neighborhood		Figure 2 Data Set - All Lot Sizes In Immediate Surrounding Neighborhood		Figure 3 Data Set - All Lots Directly Bordering Proposed Property		Figure 3 Data Set - Lots Directly Bordering To the South of Proposed Property		DEVELOPER LOTS (AS SUBMITTED ON 8/19/2015)	
Average All Lots	17,803	Average All Lots	12,541	Average All Lots	33,284	Average All Lots	12,726	Average All Homes:	10,424
Median All Lots	13,440	Median All Lots	12,317	Median All Lots	14,988	Median All Lots	11,570	Median All Homes:	8,986
Address	Sq. Ft	Address	Sq. Ft	Address	Sq. Ft	Address	Sq. Ft	Lot	Sq. Ft
3161 Kendrick St.	18,031	3028 Kendrick St.	10,928	3028 Kendrick St.	10,928	3028 Kendrick St.	10,928	Lot #1	9144
3081 Kendrick St.	17,800	3068 Kendrick St.	13,041	3060 Joyce Wy.	16,804	3060 Joyce Wy.	16,804	Lot #2	12730
3021 Kendrick St.	17,588	15131 W. 29th Ave.	12,536	3040 Joyce Wy.	10,641	3040 Joyce Wy.	10,641	Lot #3	8954
2981 Kendrick St.	17,447	15091 W. 29th Ave.	14,241	3020 Joyce Wy.	10,781	3020 Joyce Wy.	10,781	Lot #4	8145
2961 Kendrick St.	16,132	15066 W. 29th Pl.	13,787	3000 Joyce Wy.	14,988	3000 Joyce Wy.	14,988	Lot #5	20435
2951 Kendrick St.	16,708	15086 W. 29th Pl.	13,440	2980 Joyce Wy.	12,211	2980 Joyce Wy.	12,211	Lot #6	8146
2941 Kendrick St.	18,168	15085 W. 29th Pl.	13,114	14900 W. 31st Ave	133,294			Lot #7	9018
2921 Kendrick St.	16,591	2961 Joyce Wy.	12,211	3105 Isabell St.	50,268			Lot #8	14865
2901 Kendrick St.	18,228	3021 Joyce Wy.	11,309	15150 W 32nd Ave.	39,640			Lot #9	13102
3028 Kendrick St.	10,928	3051 Joyce Wy.	12,317					Lot #10	9801
3068 Kendrick St.	13,041	3060 Joyce Wy.	16,804					Lot #11	8465
2998 Kendrick St.	13,000	3040 Joyce Wy.	10,641					Lot #12	8562
2978 Kendrick St.	12,150	3020 Joyce Wy.	10,781					Lot #13	8189
2958 Kendrick St.	12,150	3000 Joyce Wy.	14,988					Lot #14	8547
2948 Kendrick St.	12,150	2980 Joyce Wy.	12,211					Lot #15	8339
2928 Kendrick St.	11,833	2960 Joyce Wy.	10,369					Lot #16	10347
2908 Kendrick St.	13,280	2950 Joyce Wy.	10,464						
15131 W. 29th Ave.	12,536	2940 Joyce Wy.	11,255						
15091 W. 29th Ave.	14,241	15041 W. 29th Ave.	13,833						
15066 W. 29th Pl.	13,787								
15086 W. 29th Pl.	13,440								
15085 W. 29th Pl.	13,114								
2961 Joyce Wy.	12,211								
3021 Joyce Wy.	11,309								
3051 Joyce Wy.	12,317								
3060 Joyce Wy.	16,804								
3040 Joyce Wy.	10,641								
3020 Joyce Wy.	10,781								
3000 Joyce Wy.	14,988								
2980 Joyce Wy.	12,211								
2960 Joyce Wy.	10,369								
2950 Joyce Wy.	10,464								
2940 Joyce Wy.	11,255								
15041 W. 29th Ave.	13,833								
15021 W. 29th Ave.	9,756								
14981 W. 29th Ave.	9,645								
14951 W. 29th Ave.	10,605								
14956 W. 29th Pl.	11,505								
14976 W. 29th Pl.	9,349								
14996 W. 29th Pl.	13,808								
14995 W. 29th Pl.	17,020								
14975 W. 29th Pl.	10,748								
14955 W. 29th Pl.	10,402								
3059 Isabell Ct.	11,289								
3088 Isabell Ct.	15,605								
3058 Isabell Ct.	8,545								
3028 Isabell Ct.	9,591								
2988 Isabell Ct.	9,462								
2958 Isabell Ct.	9,439								
2928 Isabell Ct.	12,948								
2985 Indiana St.	92,347								
3049 Indiana St.	19,897								
3085 Indiana St.	15,682								
14828 W. 31st Ave.	21,168								
14848 W. 31st Ave.	13,785								
14900 W. 31st Ave	133,294								
14847 W. 31st Ave.	17,140								
14827 W. 31st Ave.	15,971								
14817 W. 31st Ave.	14,488								
3130 Indiana St.	18,357								
3115 Isabell St.	25,265								
3105 Isabell St.	50,268								
3183 Isabell St.	14,985								
15050 W 32nd Ave.	15,682								
15150 W 32nd Ave.	39,640								

1 <http://jeffco.us/amandaltol/PublicDocs/Rezoning/15-113628RZ%20Applewood%20Golf%20Course%20Rezoning/6.%20Misc%20Documents/15-102161CMT%20-COMMUNITY-MEETING/3.%20Correspondence/Citizen/ApplewoodLetter.pdf>

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## Christiana Farrell

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**From:** Lamar Schild [Lschild@aol.com]  
**Sent:** Tuesday, May 31, 2016 11:37 AM  
**To:** Christiana Farrell  
**Subject:** Bailey Property 32nd and Kendrick

Hi Christina,

We will not be unable to attend the Public Hearing tomorrow evening but we wanted to pass along our support for the project as proposed.

I am a Realtor in the Applewood area for many years, a resident and neighbor across the street from the proposed project.

As a Realtor, I hear from many people that have a desire for Patio homes like these within the Applewood area and close to Rolling Hills Country Club.

I'm sorry we can't attend but thought an email would at least let you know of our support. Give me call if you have any questions of me.

Regards,

Lamar and Reney Schild  
3021 Kendrick St  
303-233-3313  
Sent from my iPad

## Christiana Farrell

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**From:** Mark Tomko [mark@metcolandscape.com]  
**Sent:** Tuesday, May 31, 2016 10:34 AM  
**To:** Christiana Farrell  
**Subject:** bailey prop case #16-101909RZ

Hello Christiana—we would like to take a moment to voice our support for the proposed development of the Bailey's property at 32<sup>nd</sup> and Kendrick Street—we are in support of this project as we have known the Bailey family for decades and they have developed and constructed many properties in Jefferson County --You can be assured that this development will be top notch and it will enhance the surrounding neighborhood—

Please give serious consideration to passage of the new zoning—

Respectfully,

Mark E. Tomko  
Metco Landscape, Inc.  
(303) 548-5526



## Christiana Farrell

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**From:** Jeff Klem [Jklem@vailresorts.com]  
**Sent:** Tuesday, May 17, 2016 9:11 PM  
**To:** Christiana Farrell  
**Cc:** Megan Klem (mklem70@gmail.com)  
**Subject:** RE: Bailey Rezoning Proposal

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

thanks Christina.

again, even though I'm not in favor of the development in general and what it will do to the value (financial and otherwise) to the surrounding properties like mine, my biggest concern remains the access.

access from Kendrick seems just plain silly to me. it is a road separated by a median forcing anyone who lives in the proposed development to drive south on Kendrick from 32<sup>nd</sup> and make a Uturn to drive north on Kendrick to access the development. I did not see anything related to what happens at the intersection of Kendrick and 29<sup>th</sup> accounted for in any of the documents. if the residents of the development would choose to take Indiana to 29<sup>th</sup> to Kendrick to avoid the Uturn there still is the 29<sup>th</sup> and Kendrick issue.

and, there was no study done, that I found of increased traffic on Indiana nor 29<sup>th</sup>. these roads will surely see increased traffic. believe me, people will grow tired of the Uturn.

further, the homes on Kendrick between 29<sup>th</sup> and 32<sup>nd</sup> will be the ones primarily affected because of the access options described above. there are currently about 8 homes that have this Uturn or Indiana options to access their homes. this will, at the very least double, and likely more dependent on how many new homes ultimately are included in the new development.

an email from another resident suggesting a roundabout on 32<sup>nd</sup> w/ an access spur to the new development solve numerous issues...some that exist today (e.g., speed on 32<sup>nd</sup>, risk of entry from Rolling Hills Estates & Kendrick) and those that would be created by the new development.

has there been any serious consideration of this option?

what further study may we request and can we do so at or before the hearing on June 1?

any guidance is appreciated.

Jeff Klem

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**From:** Christiana Farrell [<mailto:cfarrell@co.jefferson.co.us>]  
**Sent:** Wednesday, May 11, 2016 11:21 AM  
**To:** Christiana Farrell  
**Subject:** Bailey Rezoning Proposal

The attached case has been scheduled for public hearing.

**Case Type:** Rezoning

**Case Number:** 16-101909RZ **Case Name:** Bailey ODP

**Where:** 15200 W 32Nd AVE

**General Location:** SE corner of W32nd Ave and Kendrick Street

**Case Manager:** Christiana Farrell, 303-271-8740, [cfarrell@jeffco.us](mailto:cfarrell@jeffco.us)

**Purpose:** Rezone from Agricultural-Two (A-2) to Planned Development (P-D) to allow for future subdivision of the site for up to 16 single family homes.

**Planning Commission:** Wednesday, Jun 01, 2016 at 6:15 p.m.

## Christiana Farrell

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**From:** Danielle Radovich [danielle.radovich@comcast.net]  
**Sent:** Thursday, May 19, 2016 1:55 PM  
**To:** Christiana Farrell  
**Subject:** Rezoning

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

**Re: Case Type:** Rezoning  
**Case Number:** 16-101909RZ **Case Name:** Bailey ODP  
**Where:** [15200 W 32Nd AVE](#)

Christiana,

I'm writing about the Bailey rezoning issue. We live at 2980 Joyce Way Golden 80401 and our property backs up to a small portion of the Bailey property. I would like to strongly encourage the planning commission to look at putting a roundabout at 32nd & Kendrick allowing access to the potential new develop from 32nd rather than Kendrick. The traffic issues at that corner coupled with the neighborhood safety, demands we take a very close look at this and limit the traffic on Kendrick.

I would also like to add that I am opposed to the number of units currently planned for this particular property. I believe at most there should only be 8 units as that would be more in line with the character and the existing properties surrounding this one.

Thank you for taking my thoughts into consideration.

Best,  
Danielle Radovich Piper  
2980 Joyce Way  
Golden 80401

Sent from my iPad

## Christiana Farrell

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**From:** Julia Mulligan [mymabrico@comcast.net]  
**Sent:** Friday, May 20, 2016 3:05 PM  
**To:** Christiana Farrell  
**Subject:** Rezoning #16-101909RZ

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Dear Ms. Farrell:

We have lived on Kendrick Street in Applewood for over 20 years. During that time, we have seen much of what was once open space become developed. As a community, we have been able, through no small effort, to retain important open space tracts for park and recreational usage. We make this effort because we believe that this enhances the existing neighborhood as well as contributing to the conservation and welfare of native flora and fauna. This is good for Colorado and for Jefferson County.

The reason we and others moved to Applewood is exactly because of open space, horse property, and large lot sizes. All this within close proximity urban Denver.

In its best form, wise and well-thought-out development can be a very good thing for a community. However, unwise development hurts the value of the existing neighborhood and diminishes the overall desirability of an area.

We feel that at least two factors regarding the proposed development of the Bailey property at the corner of Kendrick and 32nd Avenue will will diminish the quality and value of the existing neighborhood:

The existing proposal would allow for 16 single family homes. We believe that this number is far too high. We would love to see the property remain as it is, but we understand that circumstances change. That said, we do not feel that the proposed development reflects the current makeup of the neighborhood. We feel strongly that, if approved, the number of homes allowed should be reduced to six or fewer, in order to enhance and mirror the existing neighborhood, as well as support current home values.

Additionally, in order to accommodate these proposed homes, a U-turn has been offered as a way to allow traffic to access the new homesites. We are absolutely against this proposed U-turn. Kendrick already has substantially more traffic than surrounding neighborhood streets, being the only access road to and from Rolling Hills Country Club. We and our neighbors work hard to ensure that local traffic remains manageable and that drivers obey the speed limit.

Many of the families that live on Kendrick have small children who are often playing outside, going to and from the bus stop, and riding bikes or skateboards on the street and sidewalks. We love this about our neighborhood and our street. Sixteen houses and the additionally ensuing traffic would be more than Kendrick and it's neighbors should have to bear. Not only the number of homes, but also the upheaval to the street will adversely affect all the homes and lifestyle on Kendrick. Kendrick Street and our neighborhood should not be viewed as a "right of way" for any development. If there is to be access to a development, it should be from 32nd Avenue, or not at all.

We believe that the Commission and Board should reduce the number of homes allowed for this property rezoning, and reject the proposed U-turn on Kendrick Street.

Yours,

## Christiana Farrell

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**From:** Donna Walker Comcast [donnajwalker@comcast.net]  
**Sent:** Thursday, May 19, 2016 5:10 PM  
**To:** Christiana Farrell  
**Subject:** Bailey Rezoning Proposal Case #16-101909RZ

Ms. Ferrell,

Our property backs up to the Bailey property. While we would prefer the open space, we know that Mr. Bailey has tried to sell it on multiple occasions without success and understand his need to get his money out by developing the property. Our biggest concern is the access to the property. If access is granted from Kendrick, either residents would have to do a U-Turn at 29<sup>th</sup> (pain). Have you considered putting in a roundabout on 32<sup>nd</sup> for access to the property? That would slow traffic, give easier access and aligns with the current flow/roundabout at 32<sup>nd</sup> and Eldridge.

Thank you,

Donna Walker Lundeen

## Christiana Farrell

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**From:** Ryan Root [ryan.root@gmail.com]  
**Sent:** Thursday, March 31, 2016 2:46 PM  
**To:** Christiana Farrell  
**Subject:** 16-101909RZ - Bailey ODP - Opposed

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Hi Christiana -

We wanted to re-iterate our opposition to the rezoning application at 15200 W. 32nd. I'm not 100% sure if the community needed to write again post application / community meeting.

We believe that agriculture A-2 land in a residential / urban setting is an extremely valuable commodity to the community and should be treated by the county, regardless of the "larger" master plan, as such.

This being said, if the development is allowed to go through we believe that the county should be more prescriptive in their wording regarding minimum lot size. The "9,000 to 10,000" wording is vague. We believe that a minimum lot size of 10,300 sq. ft should be adhered to as this is comparable to the existing neighborhood directly to the south.

Additionally, if the rezoning is to proceed, we believe a roundabout described by Glenn Douglass should be part of the overall plan. We live of Gardenia and 32nd and see speeds WAY above 35 mph on a daily basis. Vehicle speeds from McIntyre to Youngfield along W 32nd in a residential neighborhood are way to high as is. A roundabout at Kendrick and W. 32nd Ave. in my opinion would be welcomed by existing residents.

Regards,  
Ryan Root

## Christiana Farrell

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**From:** David Dooley [djd2nd@gmail.com]  
**Sent:** Friday, March 04, 2016 12:55 PM  
**To:** Christiana Farrell  
**Subject:** Bailey ODP Jeffco Case #16-101909RZ

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Christiana Farrell,

My name is David Dooley and I live at 15071 W 32nd Pl. I agree that the development of that lot would only add to the hazard at the intersection of Kendrick at 32nd ave. I would be in favor of the roundabout Glen Douglass proposed, as it would make that intersection much safer and would allow development of that sight. Without the roundabout I would be opposed to the zoning request. Thanks David

---

15153 WEST 32ND DRIVE, GOLDEN, COLORADO 80401 (303) 421 - 4165

February 29, 2016

Ms. Christiana Farrell, AICP  
Jefferson County Planning & Zoning Division  
100 Jefferson County Parkway, Suite 3550  
Golden, Colorado 80401-3550

**RE: 15200 West 32nd Avenue - Bailey ODP - Case Number 16-101909RZ  
Traffic Safety and Site Access Issues**

In response to the referral the Rolling Hills Estates HOA has received from your office regarding the above referenced proposed re-zoning (Bailey ODP), I'd like to relay some concerns and issues that has been brought up and discussed at our HOA meetings in regards to traffic safety in the vicinity of West 32nd Avenue and Kendrick Street.

As you may know, West 32nd Avenue is classified as a collector and Kendrick Street a local street. There have been several accidents at the intersection in years past due to excessive speed and limited sight distance on West 32nd Ave. Vehicles pulling out onto West 32nd Avenue from Kendrick Street are constantly at risk from being hit by oncoming traffic, especially for residents pulling out from the Rolling Hills Estates' entrance. Though the speed limit is 35 MPH, it has been my experience that travel speeds for both eastbound and westbound traffic on West 32nd Avenue are frequently exceeding that.

In addition to the traffic safety issues at the above mentioned intersection, there have been at least 3 other accidents within the last 8 years where eastbound vehicles have lost control on West 32nd Avenue and crashed through the subdivision's perimeter fence along the north side of West 32nd Avenue at the same location. The most recent accident occurred this winter. Attached is an aerial photo / diagram of West 32nd Avenue showing the general same area where 3 accidents have occurred due to excessive vehicle speeds and road conditions. Two of the accidents resulted with the vehicles going through the fence and over the existing 10 foot retaining wall and onto West 32nd Drive resting upside down with injuries to its occupants.

In view of the above mentioned circumstances, I would suggest that the developer's engineer consider a traffic roundabout similar to the one more or less recently constructed at West 32nd Avenue and Eldridge Street. Having done a stint as a Jefferson County traffic engineer back in the early 1990s, I believe that a roundabout might provide both a speed limiting function and address the access issues for the proposed Bailey subdivision. A roundabout scenario could potentially provide some benefits to address traffic safety and traffic flow for the intersection which has been considered for 4 way stop signs. The proposed Bailey subdivision will only exacerbate current traffic flow by the close proximity of the proposed Kendrick Street access point to

page 2  
February 29, 2016

West 32nd Avenue as shown to residents at the Community Meeting on December 17, 2015. I've attached in that regard a conceptual diagram of what such a roundabout could look like, though it's admittedly a simplified sketch. Due to the complications created by the nearby Rocky Mountain Ditch immediately adjacent to the north side of West 32nd Avenue, it would appear that the bulk of the necessary Right-Of-Way for such a feature would require it to be provided by the Bailey parcel.

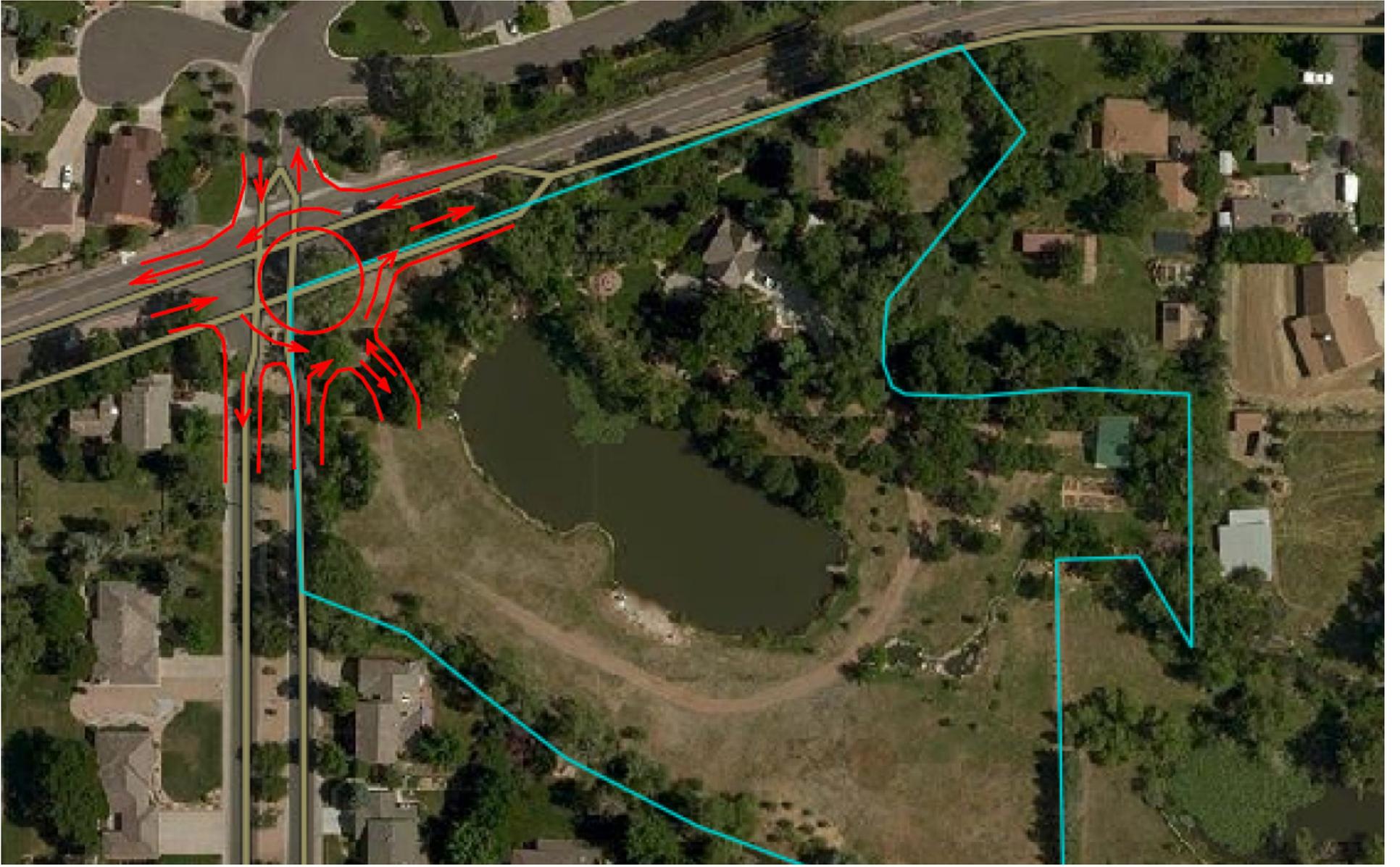
We appreciate the opportunity to comment.

Sincerely Yours,

*Glenn Douglass*  
Glenn M. Douglass, P.E.

cc: Mark Graff, Rolling Hills Estates HOA, Inc.  
Rolling Hills Estates HOA Board

Attachments: Exhibit showing fence/ retaining wall crash area on W. 32nd Av.  
Exhibit showing Conceptual Roundabout @ W.32nd Av./ Kendrick St.





## Christiana Farrell

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**From:** Jeff Klem [Jklem@vailresorts.com]  
**Sent:** Tuesday, February 09, 2016 1:02 PM  
**To:** Christiana Farrell  
**Subject:** RE: Bailey Development

thanks Christiana.

we're likely to move if this development goes through. we are certain to if the access is from Kendrick. too bad.  
I appreciate the information...it helps a bunch with our planning.

thanks again.  
Jeff

---

**From:** Christiana Farrell [mailto:cfarrell@co.jefferson.co.us]  
**Sent:** Tuesday, February 09, 2016 10:13 AM  
**To:** Jeff Klem  
**Cc:** Megan Klem (mklem70@gmail.com)  
**Subject:** RE: Bailey Development

Jeff,

The proposal for 15200 W 32<sup>nd</sup> Ave is in the 1<sup>st</sup> referral phase of the rezoning process. A formal application was submitted about a week and a half ago. Notification has been sent to all adjacent property owners and HOAs. I have attached the referral form showing all of the agencies that have been requested to provide comments. They have 3 weeks to do so.

I have also attached the rezoning process guide to help you understand the rest of the process moving forward. You will again be notified of any public hearings.

I have also attached the 1<sup>st</sup> referral comments that we just received from Transportation and Engineering. There is not yet a final decision on the access onto W 32<sup>nd</sup> vs Kendrick, but road improvements on both will be required based on what the applicant submitted for the traffic study.

You are welcome to view all of the plans for this proposal by using our website and the case number. There is a link in the attached referral form.

Let me know if you have other questions.

### Christiana Farrell, AICP

Planner  
Jefferson County Planning and Zoning  
100 Jefferson County Parkway  
Golden, CO 80419  
[cfarrell@jeffco.us](mailto:cfarrell@jeffco.us) | 303-271-8740

---

**From:** Jeff Klem [mailto:Jklem@vailresorts.com]  
**Sent:** Monday, February 08, 2016 8:13 AM  
**To:** Christiana Farrell  
**Cc:** Megan Klem (mklem70@gmail.com)  
**Subject:** RE: Bailey Development

good morning Christiana (sorry about the mistake in your name below...I just had the initial for your first name and my failing memory!).

I received the Application Submittal Notification in the mail for the Bailey ODP early last week.

I'm hopeful you can give me some guidance in relation to my note below.

thanks in advance.

Jeff

---

**From:** Jeff Klem  
**Sent:** Wednesday, January 27, 2016 9:41 AM  
**To:** [cfarrell@jeffco.us](mailto:cfarrell@jeffco.us)  
**Subject:** Bailey Development

Hello Courtney. I appreciate you joining in on the meeting at Rolling Hills late last year in regard to the proposed development of the Bailey property on the corner of Kendrick and 32<sup>nd</sup> in Applewood.

Two reasons for my quick note today:

1. to better understand where that development is in the approval process.
2. to better understand the proposal to have the access be on Kendrick and the assessments and research that has been conducted to come to that conclusion. from all that was discussed at the meeting, this, by far, is my greatest concern.

what direction can you provide me to become better educated on the two points above as well as guidance to understand my rights as a resident on Kendrick Street in regard to the proposed access?

thanks Courtney.

Jeff

**Jeff Klem**  
**Vice President Talent Management**  
**VAILRESORTS®**  
EXPERIENCE OF A LIFETIME

**M:** 303-810-3296

## Christiana Farrell

---

**From:** Ryan Root [ryan.root@gmail.com]  
**Sent:** Thursday, February 04, 2016 10:04 AM  
**To:** Christiana Farrell  
**Subject:** RE: 16-101909RZ - Referrals

Thank you. The FAQ on their website states 20 feet.

<http://www.rockymtnditch.com/faq.html>

---

**From:** Christiana Farrell [<mailto:cfarrell@co.jefferson.co.us>]  
**Sent:** Wednesday, February 3, 2016 4:44 PM  
**To:** 'Ryan Root' <[ryan.root@gmail.com](mailto:ryan.root@gmail.com)>  
**Subject:** RE: 16-101909RZ - Referrals

Ryan,

Thank you for bringing my attention to this. I have added them to the referral list. I am not sure what the easement is, but I will follow up when they provide comments.

### Christiana Farrell, AICP

Planner  
Jefferson County Planning and Zoning  
100 Jefferson County Parkway  
Golden, CO 80419  
[cfarrell@jeffco.us](mailto:cfarrell@jeffco.us) |303-271-8740

---

**From:** Ryan Root [<mailto:ryan.root@gmail.com>]  
**Sent:** Wednesday, February 03, 2016 12:05 PM  
**To:** Christiana Farrell  
**Subject:** 16-101909RZ - Referrals

Hi Christiana -

Should Rocky Mountain Ditch company be included in the referral for response on 16-101909RZ? I know they have easement guidelines; I did not see them listed on the referral list.

<http://www.rockymtnditch.com/faq.html>

### What is the Ditch's prescriptive easement?

The generally accepted easement width for open sections is the ditch width plus 20 feet from the top of bank on both sides. Please contact us for any proposed work near the ditch and we would be happy to conduct a site visit.

Right of Entry, Access for maintenance, etc. are additional considerations...

Regards,  
Ryan ROot

## Christiana Farrell

---

**From:** Ryan Root [ryan.root@gmail.com]  
**Sent:** Wednesday, February 03, 2016 12:05 PM  
**To:** Christiana Farrell  
**Subject:** 16-101909RZ - Referrals

Hi Christiana -

Should Rocky Mountain Ditch company be included in the referral for response on 16-101909RZ? I know they have easement guidelines; I did not see them listed on the referral list.

<http://www.rockymtnditch.com/faq.html>

### **What is the Ditch's prescriptive easement?**

The generally accepted easement width for open sections is the ditch width plus 20 feet from the top of bank on both sides. Please contact us for any proposed work near the ditch and we would be happy to conduct a site visit.

Right of Entry, Access for maintenance, etc. are additional considerations...

Regards,  
Ryan ROot

## Christiana Farrell

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**From:** tstevinson [tstevinson@aol.com]  
**Sent:** Saturday, January 30, 2016 8:39 PM  
**To:** Christiana Farrell  
**Subject:** Bailey Development at Kendrick Street and 32nd

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Ms. Farrell,

I would like to add my support for the proposed development that is anticipated by Geoff and Kendall Bailey on their property at 32nd and Kendrick.

I believe that the proposed application does meet with the County's Master Plan, and truly complements the neighborhood in which it sits. The small cottage type environment being considered seems to me to be a wonderful segue from the single family and patio homes that are already nearby, to the larger estate homes in the vicinity. It should also add another customer base to the area's home market. The anticipated price points, and structural style should enhance these two characteristics.

Certain aspects that are always a consideration on all new developments, such as density, traffic, accessibility, and improved infrastructure issues, I believe can easily be handled within the development process. However, looking at each of these aspects, I believe that the anticipated density issue should not be a concern. The proposed densities seem to be very reasonable for the site. Both Kendrick and 32nd, and the site itself, will most likely need some improvements to support the modest increased pedestrian and automotive traffic that will certainly come, and utilities and communication improvements that certainly will be needed. However, these issues can easily be answered during the development and construction phases.

So with all of this being said, I lend my support to this plan, and encourage the County to approve the proposal.

Best regards,

Terry J. Stevinson

14744 W. 32nd Drive  
Golden, CO 80401-1417  
303-915-2174 (m)  
303-279-3982 (f)  
[tstevinson@aol.com](mailto:tstevinson@aol.com)

## Christiana Farrell

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**From:** Jim McIntyre [jc3060@centurylink.net]  
**Sent:** Sunday, January 31, 2016 11:46 AM  
**To:** Christiana Farrell  
**Subject:** Bailey property

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Dear Christina Farrell:

Regarding the proposed development of the Bailey property we would state the following:

We have watched the Baileys transform their property from what it was when they purchased it to a lovely addition to the neighborhood. Any development for "cottage" homes that they would undertake would be done in a first class manner. There is a desire for downsizing by many who really want to remain in this wonderful area, but there is a lack of situations for doing that so we think there would be good demand for this development. We have lived in our home at 3060 Joyce Way directly south of the pond since November of 1971 and have enjoyed many hours watching the various birds, ducks, deer, elk, and other wildlife that take advantage of it. Needless to say we will miss that for it has been a very unique opportunity to say the least.

Sincerely, Carol & Jim McIntyre

## Christiana Farrell

---

**From:** Dan Forey [foreydan@gmail.com]  
**Sent:** Thursday, January 28, 2016 10:07 AM  
**To:** Christiana Farrell  
**Subject:** Fwd: rezoning

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

----- Forwarded message -----

From: **Dan Forey** <foreydan@gmail.com>  
Date: Thu, Jan 28, 2016 at 8:23 AM  
Subject: rezoning  
To: [cfarrell@jefco.us](mailto:cfarrell@jefco.us)

Christiana

I'm writing to you in support of the rezoning request for the Bailey property in Applewood at Kendrick and 32and.

I attended the community meeting at RHCC several weeks ago to hear the discussions about rezoning this property. I grew up in Applewood. My parents moved to Jefferson County in 1955. We moved into a single family home on Willow Lane, backing up to the new Consolidated Mutual reservoir.

I started grade school at Maple Grove. Then a four room school house at 32and and Youngfield, then a gravel road. I attended Manning Jr High the first year it opened and Wheat Ridge High. I attended Florida State University on a full football scholarship. My wife and I graduated on Friday, got married on Saturday and drove back to Applewood to start our family.

In 1962 my parents bought 15 acres on 32and just west of what is now Applewood golf course. The farm house didn't have indoor plumbing. We were not able to sell our Willow lane house. We sold the property. It is now Mountair Village.

We now live on 26th Ave. Applewood is a great neighborhood that has evolved to meet the needs of the community, including the nearby developments of Denver West, Colorado Mills and the expansion of the National Renewable Energy Lab.

This new development will enhance our quality of life.

I like the way Geoff Bailey is going to keep the property as natural as possible.

Thanking you in advance,

Dan and Karen Forey  
15381 W. 26th Ave  
Golden, CO 80401

## Christiana Farrell

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**From:** Travis Cebula [turbolemming@yahoo.com]  
**Sent:** Saturday, January 23, 2016 11:24 AM  
**To:** Christiana Farrell  
**Subject:** 15200 W. 32nd Avenue

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

1/23/2016

Dear Christiana Farrell,

I am writing with regard to the proposed re-zoning of 15200 W. 32<sup>nd</sup> Ave. While my wife and myself are not unequivocally enthusiastic about a new development literally on our back porch, we do accept such changes as inevitable when one lives in a community for over forty years. Perhaps, in a perfect world, there would be a limitless font of money to purchase every bit of open land for market price and turn it into a park or nature sanctuary. However, this is not the world we live in.

And, if such development is bound to happen over time, we believe that, based on how they've cared for the property so far, Geoff and Kendall Bailey will be better stewards for the process than most anyone else could hope to be. I think their plan represents one of the best chances for the community as a whole to have a quality outcome--short of doing nothing, effectively leaving the beautiful property as-is in perpetuity (which we have already acknowledged as an unrealistic expectation).

I summarized my feelings about the project in a letter to Geoff, which I wrote shortly after the initial community meeting at Rolling Hills. I am including that letter below.

12/18/2015

Dear Geoff,

Thank you for your presence at last night's meeting! It couldn't have been entirely easy for you, I'm sure. Per our previous conversations, I know this isn't a simple situation for you—not just dollars and cents. I also know, probably as well as anyone alive, how much work you put into that property. I used to go over there regularly when I was growing up, and remember vividly the various garages and chicken coops and whatnot that were over there. My father and Duane were close friends, going on fishing trips to Belize together, etc. They also cooperated on keeping both ponds stocked with fish. I was lucky enough to get to know Duane a bit, such that I managed to avoid his temper, which was notorious among the kids in the neighborhood (lots of stories about rock salt and shotguns). In any case, there was a lot of junk there for you to deal with, and I'm not surprised a bit that house fell over with a nudge. I'm glad no one was in it when it happened.

All of this is to say that you and your family have made the property beautiful, and even more so considering the state it was in before. I can only imagine how it felt when you were putting together that hypothetical drawing of lot lines and had to write "demolished" on things like your garden, patio, and landscaping. There are certainly multiple sides of this process for you, too, not just for the neighborhood.

Shannon and I are overall very pleased with your vision for the new development: cottage-style homes, single story, keeping the water in place, no fencing, etc. It sounds like you've tried very hard to come up with something special for the property, and have succeeded in doing so thus far. We have two main concerns, which I also mentioned to Vince last night.

1. Protect the trees along the property line. You addressed this at the meeting, but we want to emphasize it. I think they're assets to both of our properties.
2. We would like a fence built along the property boundary to delineate the limits of the development, both to protect our dogs (who roam, as you know) from construction, and also to let new homeowners know where the lines are—we think this will be especially important if the interior of the development is "free range" as you hope for it to be.

That's it. If we can get those pieces worked out, and it sounded like Vince would be willing to write them into the development plan, then Shannon and I will be fully supportive of your project moving forward.

As an additional side note—we thought we might mention that, as subdividing moves forward, we would be interested in purchasing the area tentatively identified as "Lot 5" on your map... as-is. I don't know if you would be interested, also, but it would be a piece that wouldn't require development in terms of utilities, etc., and it would also be a bit of the heart of the property that would be preserved. We've been trying to decide on a spot to build a similar garden for years now, and yours is lovely! It also might be a bit of a help to you in terms of reducing the total number of houses in the development when it comes time to sell the idea again. Just a thought. Let us know what you think about the idea, too!

Have a very Merry Christmas and a safe and happy holiday season with the family. Hopefully we'll meet across the fence again soon!

Best,  
Travis Cebula

303-278-1828  
303-882-3745 (mobile)  
14900 W. 31<sup>st</sup> Ave.  
Golden, CO 80401  
[turbolemming@yahoo.com](mailto:turbolemming@yahoo.com)

If you have any questions or would like to speak with me further on this matter, please feel free to contact me.

Cheers,  
Travis Cebula

## Christiana Farrell

---

**From:** Coors, Joe Jr. [jctwo@CoorsTek.com]  
**Sent:** Thursday, January 21, 2016 10:30 PM  
**To:** Christiana Farrell  
**Subject:** BAILEY PROPERTY

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

To: Jeffco Planning Commission

Attn: Christiana Farrell, Case Manager

Subj: Bailey Property, 15200 West 32<sup>nd</sup> Ave., Golden, CO, 80401

Christiana –

Please accept this note from me that I fully endorse the Re-Zoning of the Bailey Property.

This is a fabulous piece of property which has the potential to be enjoyed by a number of homeowners. The concept of a Lock & Leave” Cottage environment on that land is most appealing to me and my wife. As “septuagenarians”, and snow bird travelers, and wanting to downsize, this development would be ideal for us. And I already heard the same comments from a dozen other “empty nesters”.

I understand that there are those who wish the property to remain intact for various reasons. But absent a buyer for the whole property (the Baileys have tried to sell the entire property for last three years), there aren’t many appealing and viable options left to the owner (the Baileys).

As we learned at the December Community Meeting, the proposed development fits the County’s Master Plan, and in reality, developing the property is the highest and best use of the land.

So I am very hopeful that the Jeffco Planning Commission will approve the Re-Zoning application that will allow a very responsible, single family development to go forward.

Thank you for your consideration.

Sincerely,

Joe & Gail Coors  
2981 Kendrick Street  
Golden, CO 80401

**Christiana Farrell**

---

**From:** CLRasey@comcast.net  
**Sent:** Thursday, December 17, 2015 1:36 PM  
**To:** Christiana Farrell  
**Subject:** Proposed rezoning

To Whom It Concerns:

I am unable to attend the Community Meeting tonight at Rolling Hills Country Club. So are my elderly parents. We both have lived a few blocks from 15200 W 32nd Ave for more than 40 years. We have watched the area go from horse-property and open areas to what has ruined the rest of the metro area: too many houses crammed together obscuring what we all like about Colorado: the mesa and the mountains. The other day, there were 2 bull elk resting by the pond on the land that someone thinks is appropriate for putting 16 (??) houses on. Please allow there to be agricultural land in the metro area. We do not have the water resources to support more and more people. There is no reason to pave over every piece of natural space. This Applewood area is unique. Please do not let it be ruined.

Thank you,

Lynne Rasey  
15045 Echo Drive  
Golden, CO 80401  
303-278-1923

March 30, 2015

Christiana Farrell, AICP, Planner  
Jefferson County Planning and Zoning  
100 Jefferson County Pkwy, Suite 3550  
Golden, CO 80419



**RE: Revised ODP Written Restrictions in Response to *First Referral Response Letter – Bailey Rezoning Case No. 16-101909 RZ***

Dear Christiana:

Baseline Corporation is in receipt of the First Referral Response Letter to the submitted Official Development Plan (ODP) for the rezoning of the Bailey property at 15200 W 32<sup>nd</sup> Avenue, which requested the allowance of up to 16 single family detached residential lots as part of a Planned Development. Baseline and the property owners have considered and addressed comments in the aforementioned letter in the attached Revised Official Development Plan (RODP), and provided written responses to each comment below in ***bold, italic text***.

Written Restrictions

1. Over the first referral phase staff has met several times to go over all of the proposed use and lot and building standards, and incorporate comments from the other county agencies. The written restrictions have a lot of unnecessary content that can be removed and/or clarified. Please refer to the attached redlined Bailey ODP that you submitted for the ways that these written restrictions could be improved.  
***Significant content has been removed and clarified as instructed in the redlined Bailey ODP. See RODP.***
2. It is a bit unclear as to whether or not you are planning on doing a full Mylar ODP with a graphic, and then putting the approved written restrictions onto this document when/if they are approved because there is not a place to put the written restrictions, and there are not any different use areas noted on the graphic portion. So, based on how much content staff believes can be removed from the written restriction, and how there is not actually a need for a graphic to show use areas; staff believes an 8.5 X 11 "PD lite" rezoning document could work for this case.  
***A full Mylar ODP was originally planned. Given your feedback we will proceed with a "PD Lite" document. The Written Restrictions have been formatted as such.***
3. The Central Plains Area Plan recommends this site for 3 dwelling units per acre, so the 16 proposed total lots on the 6.135 acres would meet the recommendation of the Plan for overall density. However, staff has concerns about the minimum lot size allowance. In the pre-application response letter staff sent back to the applicant on August 31, 2015 we stated that the minimum lot size should be compatible to the lots that are in close proximity to this site. Staff believes that since the largest lot that is directly adjacent to this parcel is still over 10,000 sq. ft., that the minimum lot size should be increased to perhaps 9000-10,000 sq. ft. Staff understands that a large area will be preserved with the water feature in the middle, but if that goes away, 8000 sq. ft. lots are still too small to be directly adjacent to the R-1A neighbor lots to the south.

**Corporate Headquarters**  
Downtown Golden  
1950 Ford Street  
Golden, Colorado 80401  
Ph 303.940.9966  
Fax 303.940.9959

**High Plains**  
Downtown Greeley  
710 11th Avenue, Suite 105  
Greeley, Colorado 80631  
Ph 970.353.7600  
Fax 970.353.7601

**Rocky Mountains**  
Ski Village  
1815 Central Park Drive, #370  
Steamboat Springs, Colorado 80477  
Ph 970.879.1825  
Fax 866.242.9106

***We have revised the minimum lot size which has been increased from 8,000 to 9,000 Sq. Ft. per lot, and the reference to minimum lot size was removed from the RODP, as 9,000 Sf. is the minimum lot size requirement of the R-1A Zoning District.***

4. It seems like the applicant is trying to base the written restrictions on the Jefferson County standard R-1A zone district, but with different front and rear setbacks. Perhaps it would be easier to just use this standard zone district as the base and then refer to the wanted changes.  
***As recommended, the R-1A zone district is now used as a base zoning district, and all exceptions to the R-1A standards are referred to directly. See RODP.***
5. Staff would like to see a buffer requirement along the south property line. Perhaps even just a larger setback than the proposed 15 ft. minimum to the rear because this could allow a new house very close to the existing houses along the south.  
***A new primary structure minimum setback of 20 feet is now included around the entire exterior boundary of the Planned Development, including the south property line. See RODP- 5.c.i.4. In some locations the setback will effectively be larger, such as at southern property line. The Lee, Stewart, & Eskins Ditch has a 30 feet right-of-way (15 feet on each side of the ditch centerline). The centerline is located approximately 9 feet north of the Bailey property line, thus the effective setback along this portion of the ditch is as much as 24 feet.***
6. Under the Circulation Section there should also be written restrictions for the access road to not go directly along the adjacent property lines. During the community meeting the applicant told neighbors that they would preserve the trees along the southeast property line and leave a buffer between the road and trees. This needs to be added to the written restrictions.  
***A new private street setback of 10 feet has been included around the entire exterior boundary of the planned development, including the southeast property line. This should provide a sufficient buffer between the private road and the existing trees. See RODP - 5.c.iii. Language regarding the preservation of existing trees has been included in the Statement of Intent of the RODP.***
7. There should also be something in the written restrictions for the two ditches and how close roads and buildings can be built to them. These restrictions should reflect the agency comments from the ditch company.  
***We have spoken with the owners of both the Lee, Stewart, & Eskins (LSE) Ditch and the Rocky Mountain Ditch (RMD). The LSE ditch has a right-of-way of 15 feet from the centerline of their ditch. The RMD has a prescriptive right-of-way with no defined width but the ditch manager has requested that no structures be placed within 20 feet from the top of ditch bank. The RMD manager stated that smaller setbacks would be reviewed on a case by case basis. Both ditch companies have indicated that the width of the ditch right-of-way is all that is needed for ditch setbacks. These setbacks are included in the RODP Sections 5.c.i.6 and 5.c.ii.2.***
8. All of the content related to the Bailey Architectural Control committee is unenforceable by County Staff and should be removed from the written restrictions. However, if to appease the residents, the existing note in the intent statement can be kept.  
***Content relating to the Bailey Architectural Control Committee has been largely removed, with limited inclusion in the Statement of Intent and the Architectural Provisions sections of the RODP.***
9. A second referral will be required to allow other agencies another chance to comment on the revised proposal. The applicant should review the staff recommended ODP changes and decide if

this document should be used going forward into the second referral phase. If changes are desired, please let me know.

***The RODP reflects the first referral comments, and should be used for the second referral phase.***

10. Please work with your case manager to schedule a hearing date.

***Baseline will schedule a hearing date in coordination with the case manager.***

Engineering Concerns:

1. At the time of the plat there will be requirements to address access concerns including how driveways are not permitted to take access from a major collector like W 32<sup>nd</sup> Ave, and how Kendrick Street could be improved so that residents will not have to do a U-turn every time they try to enter the main entrance on Kendrick because of the split median.

***Noted, we will address this at time of plat.***

2. There will be some land dedication along both Kendrick and 32<sup>nd</sup> for bike lanes and sidewalks, but T&E would like to meet with the applicant to discuss more ROW acquisition for the maintenance of the drainage canal.

***Noted, we will address this at time of plat.***

Thank you for the review. In summary, the following documents are included with this submittal:

- Revised Bailey Official Development Plan

Please contact me if you have any questions.

Sincerely,



Ethan Watel, AICP  
Senior Planner, Project Manager  
Baseline Corporation

CC: Geoff Bailey  
Noah Nemmers, Baseline Corporation

# Jefferson County

Planning and Zoning Division



**16-101909 RZ**

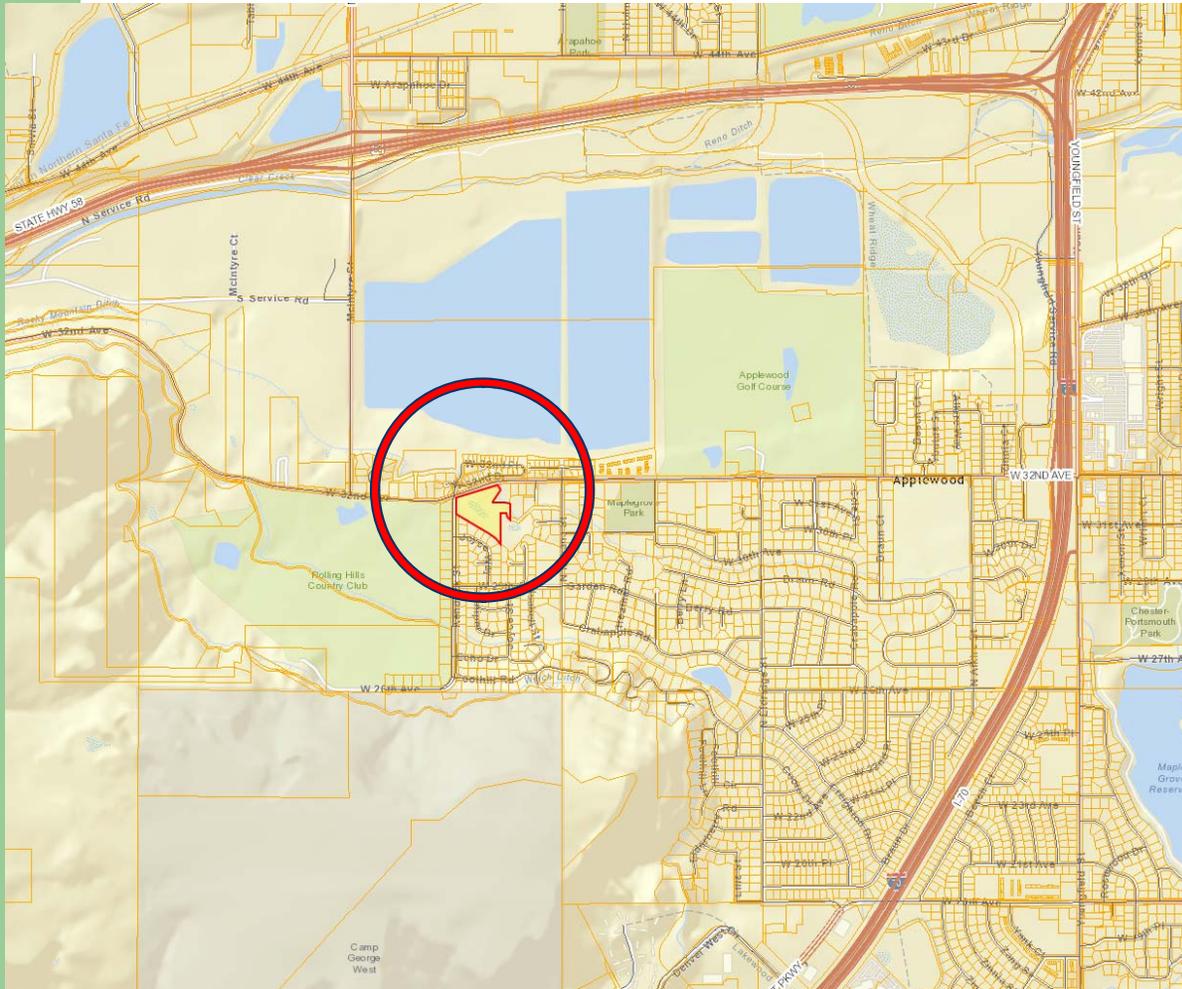
**Bailey Official Development Plan**

BCC Hearing: 6-21-16

Case Manger: Christiana Farrell

# Jefferson County

Planning and Zoning Division



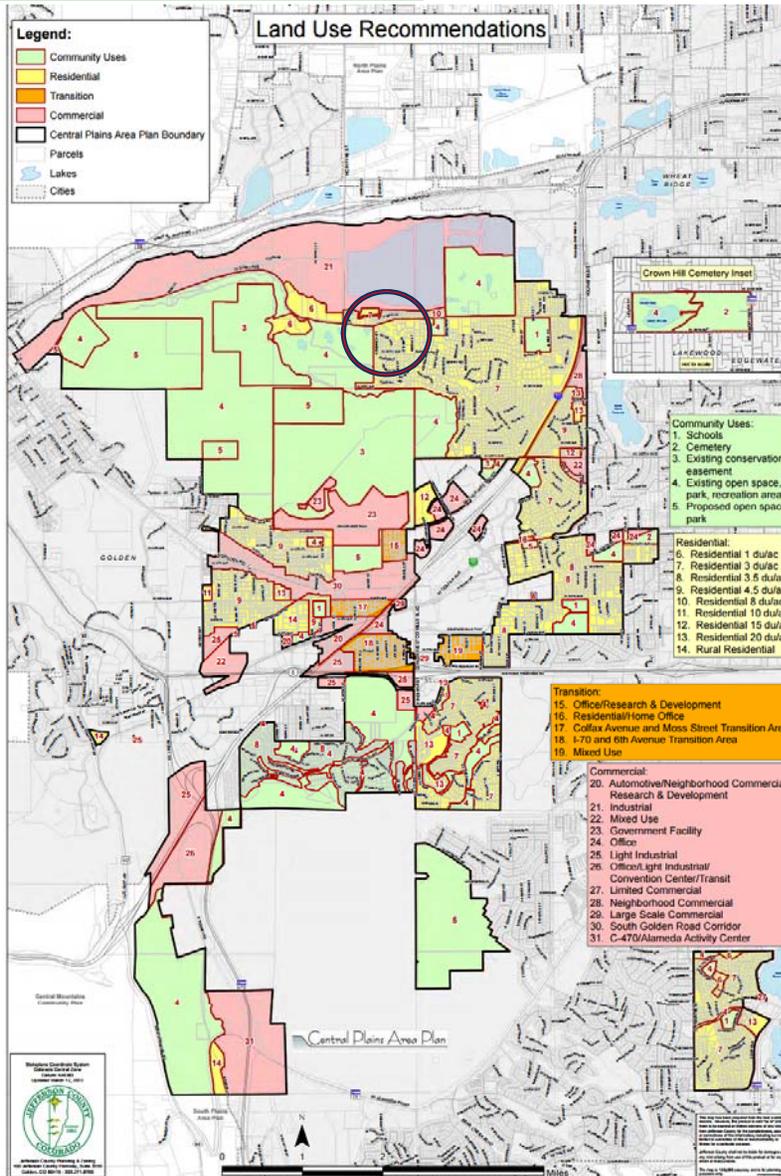
Address:  
15200 W 32<sup>nd</sup> Ave  
Golden, CO 80401

Request:  
To rezone 6.135 acres  
from Agricultural-Two  
(A-2) to Planned  
Development (PD) to  
allow sixteen (16) lots  
for single-family  
detached units.



# Jefferson County

Planning and Zoning Division



## Land Use Recommendation

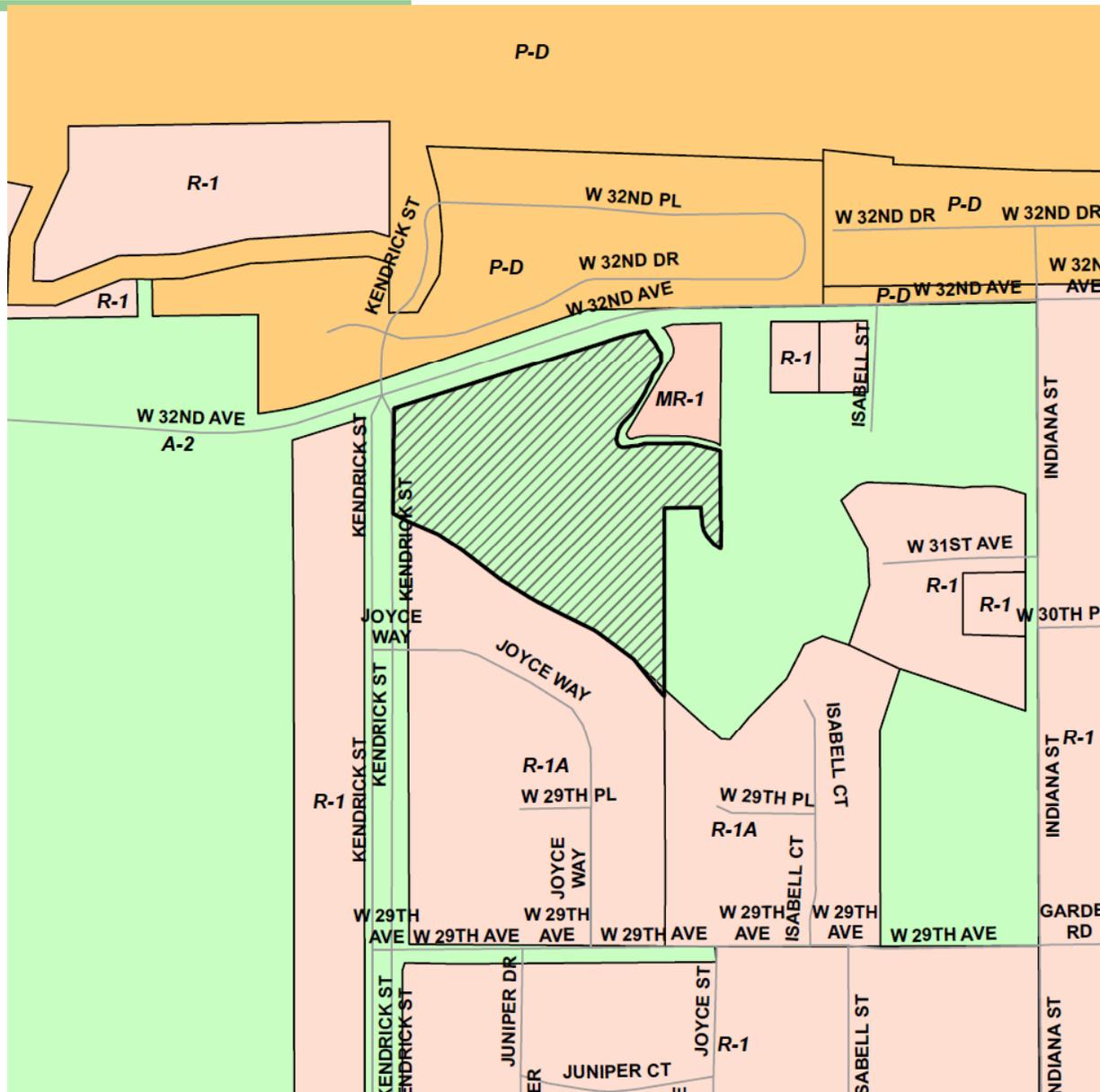
- Area 7 of the *Central Plains Plan*
- Recommended for Residential density of 3 dwelling units per acre.

# Jefferson County

Planning and Zoning Division



## Zoning



# Jefferson County

Planning and Zoning Division

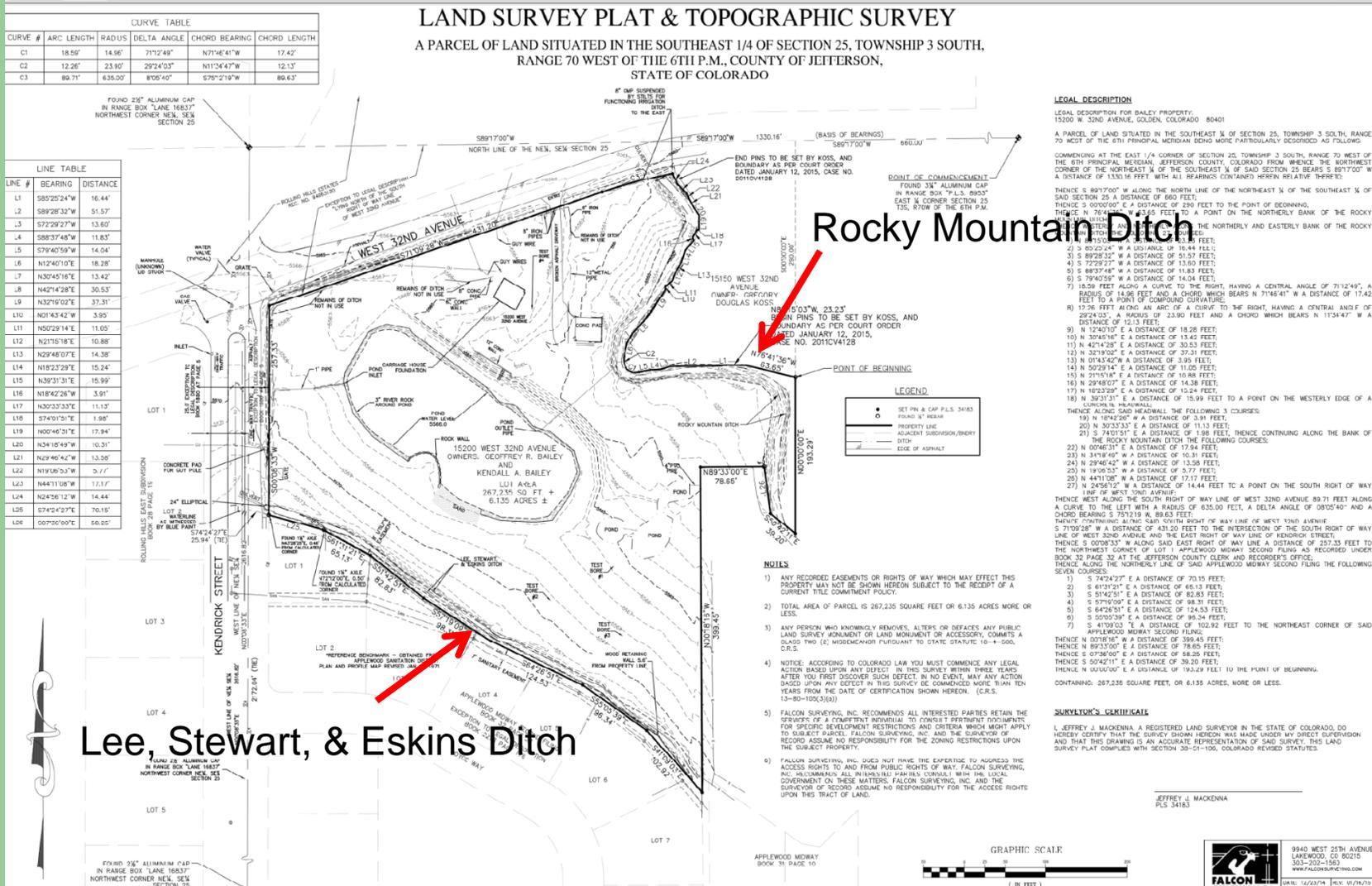


## Compatibility and the Proposed ODP

Will follow the  
**R-1A Zone**  
District with a  
few exceptions



## Site Characteristics



Lee, Stewart, & Eskins Ditch

Rocky Mountain Ditch

# Jefferson County

Planning and Zoning Division



## Traffic

- Design Volume for Collectors is 1,000-8,000 ADT
- This proposal adds 152 additional vehicles to current volumes
- This is not a significant increase to warrant improvements





**Bailey Official Development Plan  
Rezoning Case # 16-101909 RZ**

- A. Intent – The purpose of this Rezoning is to allow 16 or fewer lots for a lock-and-leave, cottage-style single family home residential development. Single family detached homes will be designed and constructed within the guidelines of an Architectural Control Committee (which will be known as the Bailey ACC), and landscaping will be installed and maintained by a Homeowners Association (HOA).
- B. The Board of County Commissioners' resolution authorizing this rezoning subject to conditions is recorded at Reception # \_\_\_\_\_ in the Jefferson County, Colorado real property records.
- C. A maximum of 16 lots shall be allowed that follow all of the standards of the R1-A zone district including the 9000 square foot minimum lot size, as well as all other applicable sections of the Zoning Resolution, shall apply to the property as shown on the graphic attached hereto as Exhibit A and the legal description attached hereto as Exhibit B with the following exceptions:
1. One communal feature shall be allowed as a standalone primary use on no more than one lot. This communal feature can be a private park, clubhouse, or other similar recreational use or facility for the use by the residents of this Planned Development, and cannot exceed 4,000 sqft in size.
  - 1-2 Building footprints on a lot cannot exceed 4,000 square feet in size.
  - 2-3 Setbacks for anything requiring a building permit shall be as follows\*:
    - a. From the exterior boundary of this Planned Development: 20 feet
    - b. From interior property lines:
      - i. Front to House: 15 feet
      - ii. Front to Garage (when parallel to street): 18 feet
      - iii. Side: 5 feet
      - iv. Rear: 15 feet
    - c. From the Lee, Stewart, and Eskin Ditch: 10 feet from ditch easement\*\*
    - d. From the Rocky Mountain Ditch: 20 feet from west side of ditch easement\*\*
    - e. From interior water feature pond: None

\*Counterforts and other similar foundation elements may be permitted to extend into the setbacks by up to 3 feet.
  - 2-4. ~~No fences, retaining walls, or structures are permitted, landscaping or other permanent private improvements are permitted to be built within the ditch setbacks/easements or tracts, which will be determined at time of platting.~~
  - 4-5. Setbacks for the private access road from the exterior boundary of this Planned Development shall be no less than 10 feet in order to preserve the neighboring trees.
  5. ~~Fences~~
  6. ~~No fencing shall be permitted on or near interior lot lines to separate one lot/yard from the adjacent lot/yard.~~
    - 7-9. Fences along the exterior property boundary:
      - i. The maximum fence height allowed shall be 6 feet.
      - ii. Fences shall be constructed of materials that are similar to or complimentary to the primary building material and architecture.

## Planning Commission

- Staff and the applicant agree with the newest redlined revisions to the written restrictions from the June 1<sup>st</sup> hearing
- 7-0 vote for approval

Draft June 1, 2016

Fences shall include visual breaks or architectural treatments at a minimum of every 100 linear feet. These treatments may include columns, planting areas, open fencing sections, or other treatments that break up the plane of the fencing.

- b. Interior screening fences (i.e., trash enclosures) may be 4 feet maximum height.
- c. Chain link, barbed wire, or electric fences are not permitted in any area.

8-7. Lighting: A maximum of three (3) pole lights shall not exceed 15 feet in height, and shall use downcast, cut-off type fixtures and must be within the tract for the private drive.



## FINDINGS/RECOMMENDATIONS:

### **FINDINGS/RECOMMENDATIONS:**

Staff recommends that the Board of County Commissioners find that:

1. The proposal is in general conformance with the Comprehensive Master Plan because it meets all applicable sections of the Plan policies;
2. The proposed land uses are compatible with existing and allowable land uses in the surrounding area because the lot sizes, densities and uses are comparable to surrounding properties; and,
3. The proposed land uses will not result in significant impacts to the health, safety, and welfare of the residents and landowners in the surrounding area.

And;

Staff recommends that the Board of County Commissioners APPROVE Case No. 16-101909RZ subject to the following conditions:

1. Recordation of the Official Development Plan in accordance with the red-marked print dated June 21, 2016.