

Board of County Commissioners Meeting

Tuesday, March 1, 2016

Hearing Room 1, First Floor

AGENDA

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

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

General Procedures

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

Public Comment (8:00 a.m.)

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

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

Business Meeting

Call to Order

Pledge of Allegiance

Approval of Minutes Dated February 16, 2016

Tuesday, March 1, 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 CC16-069** Expenditure Approval Listings Dated February 25, 2016 – Accounting
2. **Resolution CC16-070** Ratification of Expenditure Approval Listings Dated February 18, 2016 - Accounting
3. **Resolution CC16-071** Bi-Weekly Payroll Register - Accounting
4. **Resolution CC16-072** Abatement/Refund of Property Taxes - Board of Equalization
5. **Resolution CC16-073** Abatement/Refund of Property Taxes - Board of Equalization
6. **Resolution CC16-074** Abatement/Refund of Property Taxes - Board of Equalization
7. **Resolution CC16-075** Abatement/Refund of Property Taxes - Board of Equalization
8. **Resolution CC16-076** Payroll and Payment Certification for the Month of November 2015 - Human Services
9. **Resolution CC16-077** Payroll and Payment Certification for the Month of December 2015 - Human Services
10. **Resolution CC16-078** Agreement - Jeffco Action Center Inc. for the Receipt of Daniel's Grant Funds for the Use by Head Start as Part of the Jeffco Prosperity Project – Human Services
11. **Resolution CC16-079** First Amendment to Lease and Service Agreement - Rocky Mountain Chefs of Colorado, Inc. (RMCC) (Arvada Head Start) - Human Services

Tuesday, March 1, 2016 (continued)

12. **Resolution CC16-080** Personal Property Tax Incentive - CoorsTek - Finance and IT
13. **Resolution CC16-081** Great Outdoors Colorado CONNECT Initiative Concept Papers - Peaks to Plains Trail, Mouth of Clear Creek Canyon Segment Open Space
14. **Resolution CC16-082** Release of a Portion of a Utility Easement - Kaj A. Mailo that is Located at 12974 West Chenango Drive - Planning and Zoning
15. **Resolution CC16-083** Purchase Order - Jviation Inc. for Design Engineering Services for Runway 12R/30L Rehabilitation (\$514,131.50) - Airport

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

Regular Agenda – No Agenda Items

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.

(continued)

Tuesday, March 1, 2016 (continued)

Hearing Consent Agenda

16. **Case Number:** **15-129613RZ: Rezoning (CC16-067)**
Case Name: 8290 W Coal Mine Avenue Official Development Plan
Owner/Applicant: 4 Paws 4 Life Rescue, a Colorado non-profit corporation
Location: 8290 West Coal Mine Avenue
Section 26, Township 5 South, Range 69 West
Approximate Area: 4.62 Acres
Purpose: **To rezone from Agricultural-One (A-1) to Planned Development (PD) to allow an assisted living / memory care facility.**
Case Manager: Alan Tiefenbach
17. **Case Number:** **15-127879RZ: Rezoning (CC16-068)**
Case Name: 5770 McIntyre Street Official Development Plan
Owner/Applicant: Jefferson Development Associates LLC
Location: 5770 McIntyre Street
Section 12, Township 3 South, Range 70 West
Approximate Area: 10.08 Acres
Purpose: **To rezone from Industrial-Three (I-3) and Planned Development (PD) to a PD allowing office and industrial uses.**
Case Manager: Alan Tiefenbach
18. **Case Number:** **15-125409RZ: Rezoning (CC16-064)**
Case Name: 4370 Kendrick Street – Official Development Plan
Owner/Applicant: 15000 W Kendrick St, LLC
Location: 4300 Kendrick Street (PIN: 30-244-01-006),
14990 West 44th Avenue (PIN: 30-244-01-007) and 15000 West 44th Avenue (PIN: 30-244-01-008)
Approximate Area: 14.49 Acres
Purpose: **To rezone from Industrial-One (I-1), Industrial-Three (I-3) and Residential- Three (R-3) to a Planned Development (PD) which follows the I-1 standard zone district and allows a food and beverage kiosk as an accessory use.**
Case Manager: Heather Gutherless

Tuesday, March 1, 2016 (continued)

19. **Case Number:** 15-123746RZ: Rezoning (CC16-065)
Case Name: Lot 2 Dancing Deer Rezoning
Owner/Applicant: Deer Mountain Estates, Inc.
Location: 9351 Watson Gulch Road
Section 11, Township 6 South, Range 70 West
Approximate Area: 15.15 Acres
Purpose: To rezone from Agricultural-Two (A-2) to Agricultural-One (A-1) to allow a minimum 5-acre lot size.
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.

Hearing Regular Agenda

20. **Case Number:** 15-107574VA: Vacation (CC16-066)
Owner/Applicant: Jefferson County
Location: Rights-of-way near West 49th Avenue and Youngfield Street (Adjacent to the Mount Olivet Cemetery which has an address of 12801 West 44th Avenue)
Section 17, Township 3 South, Range 69 West
Approximate Area: 0.0984 Acres
Purpose: To vacate portions of West 49th Avenue and Youngfield Street.
Case Manager: Steve Krawczyk

Reports

County Commissioners

County Manager

County Attorney

Adjournment

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

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

COMMISSIONERS' MINUTES OF FEBRUARY 16, 2016

The Board of County Commissioners of the County of Jefferson, State of Colorado, met in regular session on February 16, 2016 in the Jefferson County Government Center, Golden, Colorado. Commissioner Libby Szabo, Chairman presided. Commissioner Donald Rosier, Commissioner Casey Tighe and Tracy Emerson, Deputy Clerk to the Board, were present.

Commissioner Libby Szabo, Chairman called the meeting to order.

STAFF PRESENT:

Ralph Schell, County Manager
Ellen Wakeman, County Attorney

PROCLAMATION - World Spay Day

The Commissioners declared February 23, 2016 as World Spay Day in recognition and awareness of the organizations and the citizens that work together to ensure the spaying or neutering of pets.

APPROVAL OF MINUTES

Following a general discussion, the Board upon motion of Commissioner Rosier, duly seconded by Commissioner Tighe and by unanimous vote, approved the Minutes of February 9, 2016

CONSENT AGENDA

The Board approved the following Resolutions:

1. **Resolution CC16-048** Expenditure Approval Listings Dated February 11, 2016 – Accounting
2. **Resolution CC16-049** Expenditure Approval Listings Dated February 18, 2016 – Accounting
3. **Resolution CC16-050** Bi-Weekly Payroll Register – Accounting
4. **Resolution CC16-051** Adoption of Alternate Protest and Appeal Procedure - Board of Equalization
5. **Resolution CC16-044** Grant Application and Acceptance – Colorado Department of Public Safety for the FY2016 Emergency Management Performance Grant – Sheriff

6. **Resolution CC16-052** Purchase Order - Express Services, Inc. for As-Needed Temporary Employment Services (\$200,000.00) - Human Services

7. **Resolution CC16-053** Purchase Order - Express Services, Inc. for Temporary Employment Services for Workforce Innovation and Opportunity Act (\$500,000.00) - Human Services

8. **Resolution CC16-054** 2016 Local Park and Recreation & Nonprofit Grant Awards - Open Space

9. **Resolution CC16-055** Approval of Regulatory Signs Installed August 1, 2015 through December 31, 2015 - Transportation and Engineering

10. **Resolution CC16-056** Agreement - City of Lakewood and Urban Drainage and Flood Control District for Funding of Major Drainageway Planning and Flood Hazard Area Delineation for Weaver Creek - Transportation and Engineering

11. **Resolution CC16-057** Intergovernmental Improvements Agreement - City and County of Denver for Red Rocks Parking Lot - Planning and Zoning

12. **Resolution CC16-058** Purchase Order - MHC Kenworth, Inc. for the Purchase of Three (3) Kenworth Tandem Axle Cab and Chassis Trucks (\$361,905.00) – Fleet

13. **Resolution CC16-059** Purchase Order - Honnen Equipment Company for Three (3) John Deere, 772G, 6WD Motor Graders (\$784,500.00) – Fleet

14. **Resolution CC16-060** Purchase Order - Honnen Equipment Company for the Purchase of One (1) 2016 John Deere 644K 4 Yard Loader (\$216,637.00) – Fleet

15. **Resolution CC16-061** Purchase Order - OJ Watson Company, Inc. for the Purchase of Three (3) 2016 Trafix Devices TL-3, Scorpion Trailer Attenuators (\$112,158.00) – Fleet

16. **Resolution CC16-062** Purchase Order - OJ Watson Company, Inc. for the Purchase of Six (6) Dump Body Component Packages on International Bobtail Plow Trucks (\$166,026.00) – Fleet

17. **Resolution CC16-063** Purchase Order - OJ Watson Company Inc. for the Purchase of Three (3) Dump Body Component Packages to be Installed on New International Dump/Snowplow Trucks (\$206,691.00) - Fleet

REGULAR AGENDA – No Agenda Items

PUBLIC HEARING CONSENT AGENDA – No Agenda Items

PUBLIC HEARING REGULAR AGENDA – No Agenda Items

REPORTS

County Commissioners reported on attending the Colorado Counties Inc. (CCI), and Commissioner Szabo toured the many facilities of Family Tree.

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

Tracy Emerson, Deputy Clerk

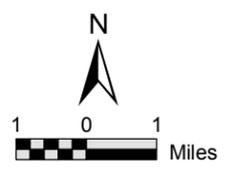
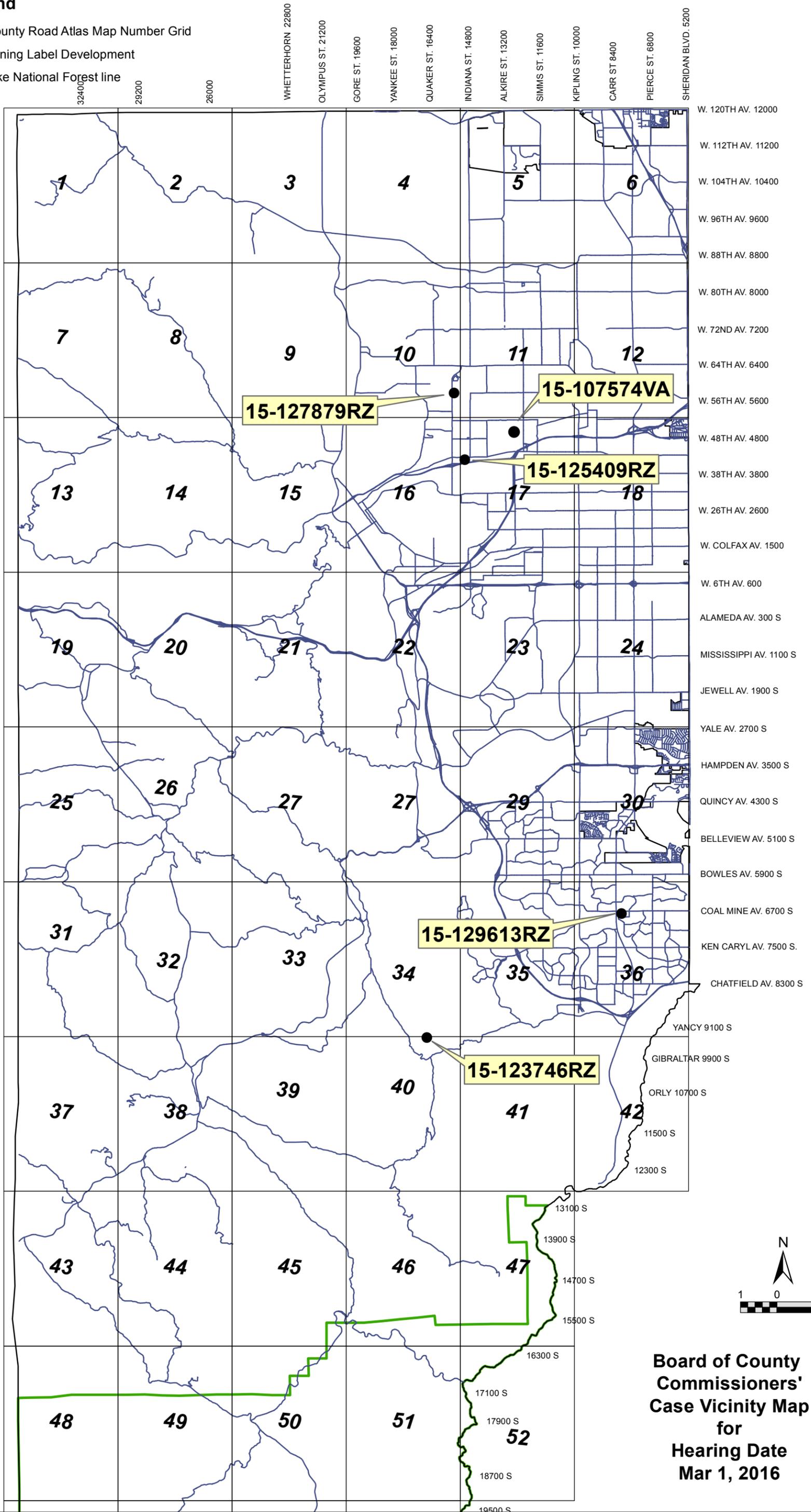
Libby Szabo, Chairman

Legend

— County Road Atlas Map Number Grid

● Zoning Label Development

□ Pike National Forest line



**Board of County
Commissioners'
Case Vicinity Map
for
Hearing Date
Mar 1, 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: March 1, 2016

Staff Recommendation:

Approve the Expenditure Approval Listings dated February 25, 2016
Resolution No.

CC 16 - 069

Background:

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

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

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

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

MEMORANDUM

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

FROM:  Ralph Schell, County Manager

DIST: Tim Kauffmann, County Treasurer

RE: Ratification of Expenditure Approval Listing dated February 18, 2016

DATE: March 1, 2016

Staff Recommendation:

BCC hereby ratifies the Expenditure Approval Listings dated February 18, 2016 that were prepared by the Accounting Division and reviewed and approved by the County Manager or his designee, and ratifies payment of the same by the County Treasurer.

Resolution No.

CC 16 - 0 7 0

Background:

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

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

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

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

MEMORANDUM

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

FROM:  Ralph Schell, County Manager

DIST: Ralph Schell, Tim Kauffman, Accounting

RE: BI-WEEKLY PAYROLL REGISTER

DATE: March 1, 2016

Staff Recommendation:

Approve the issuance of county warrants as listed on this Bi-Weekly Payroll Register for period ending February 20, 2016.

Resolution No.

CC 16 - 0 7 1

Background:

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

Prepared By: Jefferson County Accounting Division

MEMORANDUM

TO: The Board of County Commissioners
FROM: Board of Equalization
CC: Ellen G. Wakeman, County Attorney
RE: Abatement/Refund of Property Taxes

Staff Recommendation:

Resolved, that the Board of County Commissioners approves the findings and recommendations of the Jefferson County Assessor denoted in the corresponding abatement resolutions and adopts those findings and recommendations as its final action on these abatement petitions.

| <u>CASE NO.</u> | <u>PETITIONER</u> | <u>TAXES ABATED/REFUNDED</u> |
|-----------------|---------------------|------------------------------|
| A15-194 | Plantastic Ventures | \$10,035.85* |
| A15-196 | Plantastic Ventures | \$6,768.01* |

*To amend previous Resolution CC16-006 due to clerical error.

Resolution No. _____ CC16-072

Background:

Final Board action on 2 abatement petitions, \$ 16,803.86 to be refunded. Taxpayers have filed abatement petitions alleging that their property has been overvalued or that their tax levy is illegal. The Assessor recommends approval of these petitions in the amounts indicated in the corresponding resolutions. The Board is taking action on these abatement petitions by accepting or rejecting the Assessor's recommendations.

If an abatement appeal is approved by the board, the Treasurer's Office will calculate interest owed and send payment to the taxpayer. The Property Tax Administrator must approve all refunds in excess of \$10,000.00. If unsatisfied with this Board's action, a taxpayer may appeal further to the State Board of Assessment Appeals. Abatement refunds over \$10,000.00 are recommended for the following reasons:

A15-194: Value adjusted to equalize land value with other greenhouse properties in the County.

Prepared by: Writer Mott, Assistant County Attorney
Distribution: Board of Equalization



MEMORANDUM

TO: The Board of County Commissioners
FROM: Board of Equalization
CC: Ellen G. Wakeman, County Attorney
RE: Abatement/Refund of Property Taxes

Staff Recommendation:

Resolved, that the Board of County Commissioners approves the findings and recommendations of the Jefferson County Assessor denoted in the corresponding abatement resolutions and adopts those findings and recommendations as its final action on these abatement petitions.

| <u>CASE NO.</u> | <u>PETITIONER</u> | <u>TAXES ABATED/REFUNDED</u> |
|-----------------|---------------------|------------------------------|
| A15-229 | Kimary A. Marchese | \$0.00 |
| A15-230 | Kimary A. Marchese | \$0.00 |
| A15-311 | New Clear Creek LLC | \$0.00 |

Resolution No. **CC 16 - 073**

Background:

Final Board action on 3 abatement petitions, \$0.00 to be refunded. Taxpayers have filed abatement petitions alleging that their property has been overvalued or that their tax levy is illegal. The Assessor recommends denial of these petitions for the reasons indicated in the corresponding resolutions. The Board is taking action on these abatement petitions by accepting or rejecting the Assessor's recommendations. If unsatisfied with this Board's action, a taxpayer may appeal further to the State Board of Assessment Appeals.

Prepared by: Writer Mott, Assistant County Attorney
 Distribution: Board of Equalization



MEMORANDUM

TO: The Board of County Commissioners
THROUGH: Ellen G. Wakeman, County Attorney
FROM: Board of Equalization
RE: Abatement/Refund of Property Taxes

CC 16 - 074

Staff Recommendation:

Resolved, that the Board of County Commissioners approves the findings and recommendations of the Jefferson County Assessor denoted in the corresponding abatement resolutions and adopts those findings and recommendations as its final action on these abatement petitions.

| CASE NO. | PETITIONER | TAXES TO BE ABATED/REFUNDED |
|----------|------------------------|-----------------------------|
| A015-150 | Van Dinh | \$ 1,471.43 |
| A015-117 | Stewart F. Glendinning | \$ 12,571.24 |
| A15-197 | Plantastic Ventures | \$ 11,465.78 |

Background:

Final Board action on 3 abatement petitions, \$25,508.45 to be refunded. Taxpayers have filed abatement petitions alleging that their property has been overvalued or that their tax levy is illegal. The Assessor recommends approval of these petitions in the amounts indicated in the corresponding resolutions. The board is taking action on these abatement petitions by accepting or rejecting the Assessor's recommendations.

If an abatement appeal is approved by the board, the Treasurer's Office will calculate interest owed and send payment to the taxpayer. The Property Tax Administrator must approve all refunds in excess of \$10,000.00. If unsatisfied with this board's action, a taxpayer may appeal further to the State Board of Assessment Appeals. Abatement refunds over \$10,000.00 are recommended for the following reasons:

A015-117: Land value adjusted to forest agricultural classification.

A15-197: Value adjusted to equalize land value with other greenhouse properties in the County.

WM/BOE:

A handwritten signature in black ink, appearing to be 'W.M.' or similar initials, written in a cursive style.

MEMORANDUM

TO: The Board of County Commissioners
FROM: Board of Equalization
CC: Ellen G. Wakeman, County Attorney
RE: Abatement/Refund of Property Taxes

CC 16 - 0 7 5

Staff Recommendation:

Resolved, that the Board of County Commissioners approves the findings and recommendations of the Jefferson County Assessor denoted in the corresponding abatement resolutions and adopts those findings and recommendations as its final action on these abatement petitions.

| <u>CASE NO.</u> | <u>PETITIONER</u> | <u>TAXES ABATED/REFUNDED</u> |
|------------------------|------------------------------------|-------------------------------------|
| A15-252 | Alisa Properties, Inc. | \$0.00 |
| A15-238 | Cynthia J. Cannon | \$4,198.25 |
| A15-205 | Chanson LLC | \$3,713.62 |
| A15-206 | Don Lee Brown Trust | \$1,616.69 |
| A15-218 | Endless Horizons LLC | \$2,690.09 |
| A15-222 | Paul L. Guernsey Jr. | \$1,291.85 |
| A15-244 | Kenneth E. & Glenda Harman | \$1,901.98 |
| A15-231 | James P. Kelley | \$6,328.63 |
| A15-232 | James P. Kelley | \$3,805.92 |
| A15-221 | Kong Company LLC | \$13,304.50 |
| A015-123 | LB Management LLC | \$7,217.46 |
| A15-215 | Eugene M. Lafore | \$5,715.88 |
| A16-010 | David Mariea | \$171.91 |
| A15-240 | John and Iva Moreno | \$516.36 |
| A15-254 | Andrey & Yelena Moroz | \$978.15 |
| A15-211 | Shane D. Parsley | \$292.58 |
| A16-020 | Terrence J. Rennolds | \$3,080.77 |
| A15-256 | Terrence J. Rennolds | \$14,088.34 |
| A15-220 | Rocky Mountain School of Art, Inc. | \$13,766.30 |
| A15-223 | Elizabeth Ann Sheflin | \$4,039.46 |
| A15-258 | TCF National Bank | \$0.00 |
| A15-216 | 43rd Avenue Partnership LLP | \$1,884.49 |

Resolution No. _____

Background:

Final Board action on 22 abatement petitions, \$ 90,603.23 to be refunded. Taxpayers have filed abatement petitions alleging that their property has been overvalued or that their tax levy is illegal. The Assessor recommends approval of these petitions in the amounts indicated in the corresponding resolutions. The Board is taking action on these abatement petitions by accepting or rejecting the Assessor's recommendations.

If an abatement appeal is approved by the board, the Treasurer's Office will calculate interest owed and send payment to the taxpayer. The Property Tax Administrator must approve all refunds in excess of \$10,000.00. If unsatisfied with this Board's action, a taxpayer may appeal further to the State Board of Assessment Appeals. Abatement refunds over \$10,000.00 are recommended for the following reasons:

A15-221: 2013 value adjusted to match 2014 value assigned by the Board of Equalization.

A15-256: Land value adjusted based on prior Board of Assessment Appeals stipulation. Correction made to assess residence at residential rate, rather than commercial rate.

A15-220: Correction made to assess residence at residential rate, rather than commercial rate.

Prepared by: Casie Stokes, Assistant County Attorney *CAS*
Distribution: Board of Equalization

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

DIST: Lynn A. Johnson

RE: PAYROLL AND PAYMENT CERTIFICATIONS
FOR THE MONTH OF NOVEMBER 2015

Staff Recommendation:

Resolved, that the Board of County Commissioners approves the Divisions of Community Assistance, and Children, Youth and Families' payrolls and payments for the month of November 2015.

Resolution No. **CC 16 - 0 7 6**

Background:

Section 26-1-123(3)(a), C.R.S. 1973 as amended, requires the County Board of County Commissioners to administer the Human Services' fund pursuant to rules and regulations adopted by the State Department. State Department regulations require all County Division payrolls, defined as "listings of multiple payees on a form providing warrant number, name of payee, and amount of warrant" be certified by the County Director and Chairman of the Board of County Commissioners upon approval by the Board. The November 2015 payrolls and payments have been certified by Lynn A. Johnson, and are temporarily placed in the possession of the Clerk to the Board of County Commissioners pending action on this resolution.

MEMORANDUM

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

FROM:  Ralph Schell, County Manager

DIST: Lynn A. Johnson

RE: PAYROLL AND PAYMENT CERTIFICATIONS
FOR THE MONTH OF DECEMBER 2015

Staff Recommendation:

Resolved, that the Board of County Commissioners approves the Divisions of Community Assistance, and Children, Youth and Families' payrolls and payments for the month of December 2015.

Resolution No.**CC 16 - 077****Background:**

Section 26-1-123(3)(a), C.R.S. 1973 as amended, requires the County Board of County Commissioners to administer the Human Services' fund pursuant to rules and regulations adopted by the State Department. State Department regulations require all County Division payrolls, defined as "listings of multiple payees on a form providing warrant number, name of payee, and amount of warrant" be certified by the County Director and Chairman of the Board of County Commissioners upon approval by the Board. The December 2015 payrolls and payments have been certified by Lynn A. Johnson, and are temporarily placed in the possession of the Clerk to the Board of County Commissioners pending action on this resolution.

STATE OF COLORADO)
) S.S.
COUNTY OF JEFFERSON)

I, Lynn A. Johnson, Executive Director of the Department of Human Services for Jefferson County, Colorado, hereby certify that the payments herein set forth by the Divisions of Community Assistance, and Children, Youth and Families have been reviewed by staff to be true and accurate payments made to the respective payee(s), and totaling the sum of \$8,368,680.49 for the month of December 2015.

2-18-2016
Date


Director

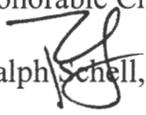
STATE OF COLORADO)
) S.S.
COUNTY OF JEFFERSON)

I, Libby Szabo, Chairman of the Board of County Commissioners of Jefferson County, Colorado, hereby certify that the payment(s) as set forth herein have this date been approved, and warrant(s) in payment thereof ordered issued upon the programs as listed for the month of December 2015, totaling the sum of \$8,368,680.49.

Date

Chairman

MEMORANDUM

TO: Honorable Chairman and Members of the Board of County Commissioners
FROM:  Ralph Schell, County Manager
RE: JEFFCO ACTION CENTER, INC. - JEFFCO PROSPERITY PROJECT (JPP)
DATE: March 1, 2016

Staff Recommendation: That the Board of County Commissioners approves the Agreement with the Jeffco Action Center, Inc., for the receipt of Daniel's grant funds for the use by Head Start as part of the Jeffco Prosperity Project, and authorizes the Chairman to sign the Agreement

Resolution No. **CC 16 - 078**

Background: This agreement will provide a total of \$220,000 to t Jefferson County Head Start to be dispersed over a three year period. These funds will be used to provide services in support of families participating in the JPP as well as potential participants of the JPP. These funds will pay for a full time mental health specialist, individual play therapy sessions, staff training, parenting intervention classes and evaluation of services.

Board of County Commissioners Briefing: Manager's Report January 26, 2016

Fiscal Impact: There will be no fiscal impact to the County.

Distribution: 1 Original to the Clerk to the Board
1 Original to Human Services Administration
1 Copy to Gay Ummel, Assistant County Attorney

CONTRACT REVIEW ROUTING FORM

Parties to Contract: JEFFERSON COUNTY & JEFFCO ACTION CENTER, INC.

Third Party Authorized Rep: Joyce Johnson, Director Jeffco Prosperity Project

Phone: 720-497-7944 Fax: _____ Third Party Tax I.D.: _____

Remittance Address: 8755 W. 14th Ave., Lakewood, Co 80214

Contacts: Originating Department and Contact: Human Services, Lynn A Johnson Phone: X4002

Purchasing Department Contact: N/A Phone: _____

County Attorney Contact: Gay Ummel Phone: _____

X8963

| | | | | |
|--|---|--|--------------------------------|--|
| MANDATORY ACCOUNT INFORMATION | | | Total Amount: \$220,000 | |
| Account Number: <u>123.969806.372000</u> | Project: <u>N/A</u> | Funds Available: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> | | |
| Multi-Year Contract: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> | Amount of Contract Budgeted in Current Year: \$160,000 | | | |

ROUTING

| O R D E R | Department | Authorized Signatures Name/Initials | Date Received | Date Forward | Comments |
|-----------------------|------------------------|--|---------------|--------------|----------|
| 1 | Originator | <i>Gayle P. Johnson</i> | mm/dd/yy | mm/dd/yy | |
| 2 | Deputy Director | <i>M. C. By...</i> | 11/25/16 | | |
| 3 | Department Director | <i>L. H.</i> | 2/18/2016 | | |
| 4 | County Attorney | <i>CBU Gay Ummel</i> | 1/25/16 | 1/28/16 | |
| 5 | BCC Agenda Coordinator | <i>AMS</i> | | | |

ROUTING INSTRUCTIONS

- (1) Number the left-hand column in the order in which the contract is to be routed.
- (2) Initials of reviewer indicate that the contract is acceptable and ready for award, from reviewer's perspective.
- (3) Signature of authorized department contact for contractual questions.

CONTRACT DISTRIBUTION (Include copy of Contract Review/Routing Form and any other necessary documents)

- Original Contract - Clerk to the Board
- Original Contract(s) - Human Services Administrative Office (responsible for any additional distribution that may be necessary)
- Contract Copies - County Manager for publication, County Attorney

2016 JAN 28 PM 5:20
 JEFFERSON COUNTY
 HUMAN SERVICES
 DIRECTOR'S OFFICE

MEMORANDUM

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

FROM:  Ralph Schell, County Manager

RE: **FIRST AMENDMENT TO LEASE AND SERVICES AGREEMENT WITH ROCKY MOUNTAIN CHEFS OF COLORADO (ARVADA HEAD START)**

DATE: March 1, 2016

Staff Recommendation: That the Board of County Commissioners approves the First Amendment to Lease and Services Agreement between the County and Rocky Mountain Chefs of Colorado, Inc. (RMCC), and the authorization for the Chairman to sign the lease and services Agreement.

CC 16 - 079

Resolution No.

Background: The County originally collaborated with RMCC to lease the kitchen facilities and cafeteria at the Jefferson County Head Start (JCHS) Arvada site in November of 2011. RMCC has renewed a lease with Jefferson County to use the JCHS Arvada kitchen and cafeteria since this time. RMCC is an organization that operates a cooking school apprenticeship program that provides on-the-job training programs and technical cooking classes to its students in the Denver metropolitan area. RMCC teaches courses at the Arvada Head Start facility three nights each week during the school year. RMCC pays \$500 rent per month to the County to cover its pro-rata share of the building operating costs. RMCC also pays its proportionate use share of the maintenance and repair of County-owned kitchen equipment and cleaning supplies.

BCC Briefing: The Board of County Commissioners was briefed on February 16, 2016.

Fiscal Impact: There is no fiscal impact to the County.

Distribution:

- 1 Original to the Clerk to the Board
- 1 Original to Human Services Administration
- 1 Copy to Gay Ummel, Assistant County Attorney

CONTRACT REVIEW ROUTING FORM

Parties to Contract: JEFFERSON COUNTY & ROCKY MOUNTAIN CHEFS OF COLORADO

Third Party Authorized Rep: Greg Sever, President

Phone: _____ Fax: _____ Third Party Tax I.D.: _____

Remittance Address: PO Box 18091, Golden, CO 80402

Contacts: Originating Department and Contact: Human Services, Lynn A Johnson Phone: X4002
 Purchasing Department Contact: N/A Phone: _____
 County Attorney Contact: Kurt Behn Phone: X8923

| | | | | | |
|--|---|---|--|------------------------------|--|
| MANDATORY ACCOUNT INFORMATION | | | | Total Amount: \$4,500 | |
| Account Number: <u>69998.372000</u> | Project: <u>N/A</u> | Funds Available: Yes <input type="checkbox"/> No <input type="checkbox"/> | | | |
| Multi-Year Contract: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> | Amount of Contract Budgeted in Current Year: <u>N/A</u> | | | | |

ROUTING

| O R D E R | Department | Authorized Signatures Name/Initials | Date Received | Date Forward | Comments |
|-----------------------|------------------------|--|---------------|--------------|----------|
| 1 | Originator | <i>Greg Sever</i> | mm/dd/yy | mm/dd/yy | |
| 2 | Deputy Director | <i>M. Behn</i> | 1/28/16 | | |
| 3 | Department Director | <i>Lynn Johnson</i> | 2/17/2016 | | |
| 4 | County Attorney | <i>Kurt Behn</i> | 1/28 | 1/28 | |
| 5 | BCC Agenda Coordinator | <i>AMJ</i> | | | |

ROUTING INSTRUCTIONS

- (1) Number the left-hand column in the order in which the contract is to be routed.
- (2) Initials of reviewer indicate that the contract is acceptable and ready for award, from reviewer's perspective.
- (3) Signature of authorized department contact for contractual questions.

CONTRACT DISTRIBUTION (Include copy of Contract Review/Routing Form and any other necessary documents)

Original Contract - Clerk to the Board

Original Contract(s) - Human Services Administrative Office (responsible for any additional distribution that may be necessary)

Contract Copies - County Manager for publication, County Attorney

2016 JAN 28 PM 5:20

JEFFERSON COUNTY
HUMAN SERVICES
DIRECTOR'S OFFICE

MEMORANDUM

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

FROM:  Ralph Schell, County Manager

DIST: Holly Björklund, Finance and IT Director; David Wunderlich, County Attorney's Office; Deborah Freischlag, Accounting Director; Leigh Seeger, Jefferson County Economic Development Corporation

RE: Personal Property Tax Incentive

DATE: March 1, 2016

Staff Recommendation:

Approve the following personal property tax refund incentive for the following company which desires to relocate/expand its business facility in Jefferson County and authorize the Chairman to execute an agreement for such tax incentive as approved in form by the County Attorney's Office.

CoorsTek: 50% for the first ten (10) years of operation provided that the company commences operation on or before December 31, 2016 and hires the number of additional employees at the designated salary ranges and invests the amounts for personal property, capital, equipment, and real property all as set forth in its incentive questionnaire.

The tax incentive granted herein is contingent on the company meeting all statutory criteria for such incentive. The tax incentive percentage shall be based on that portion of personal property taxes, which is retained by the County and shall not include any taxes due to the school district, any special district or other entity.

Resolution No. **CC 16 - 080**

BCC Briefing Presented by Holly Björklund on February 16, 2016

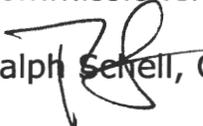
Prepared by: Holly Björklund

Contacts: Holly Björklund, 303-271-8597
David Wunderlich, 303-271-8939
Leigh Seeger 720-544-5505

MEMORANDUM

AGENDA ITEM 13

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

FROM:  Ralph Schell, County Manager

RE: Great Outdoors Colorado CONNECT Initiative Concept Papers – Peaks to Plains Trail, Mouth of Clear Creek Canyon Segment

DATE: March 1, 2016

Staff Recommendation:

That the Board of County Commissioners approve and sign the letter of support, which GOCO requires, for the County's GOCO Connect Initiative Concept paper for the Peaks to Plains Trail, Mouth of Clear Creek Canyon Segment.

Resolution No. CC 16 - 081

Background:

Staff is developing a concept paper in response to the Great Outdoors Colorado (GOCO) Connect Initiative for the Peaks to Plains Trail, Mouth of Clear Creek Canyon Segment. A call for concept papers for trail gap segments was issued in January and is due on March 8. Those projects the GOCO Board finds suitable will advance to the formal grant application phase with anticipated award expected in October, 2016.

Together with the County's submission of its concept paper for an additional 1.5 mile segment of the Peak to Plains Trail, the GOCO Board requires a letter of support from the Board of County Commissioners.

BCC Briefing Presented on: January 26, 2016

Prepared by: Nancy York, Open Space Planning Supervisor

Distribution:

Original returned to: Nancy York

Copies to: Rosanna Janzer, Nancy York, Steve Snyder, Teri Schmaedecke

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: Release of a Portion of a Utility Easement

DATE: March 1, 2016

Staff Recommendation:

Approve the Commissioners' Deed to relinquish a portion of a Utility Easement to the applicant, Kaj A. Mailo that is located at 12974 West Chenango Drive.

Resolution No. **CC 16 - 0 8 2**

Background: The applicant is requesting to vacate the northernmost two feet of an 8-foot wide Utility Easement via a Commissioners' Deed in order to permit the completion of a proposed garage. The Commissioners' Deed was approved as to form by the County Attorney's Office. The garage setbacks will meet the requirements of the Zoning Resolution.

The applicant is not currently in another Planning and Zoning process; as a result, this easement needs to be separately approved by the Board of County Commissioners as required by current policies and procedures.

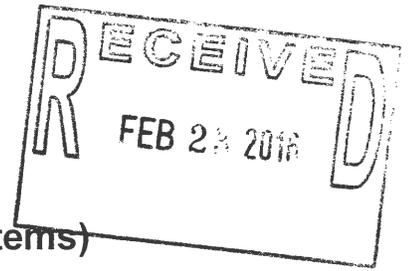
BCC Briefing Presented on: January 19, 2016

Prepared by: Carol Smith, Planning and Zoning, x8478

Distribution

Original returned to: Carol Smith, Planning and Zoning

Copies to: Jeanie Rossillon, Development and Transportation Director
John Wolforth, Director of Planning and Zoning
Kourtney Hartmann, County Attorney's Office



BCC HEARING ROUTING FORM (non-purchasing items)

Contacts: Originating Division and Contact: Carol Smith Phone: X8478
 County Attorney Contact: Kourtney Hartmann Phone: X 8964

BCC Hearing March 1, 2016 – BCC Business Consent Agenda

Planning and Zoning – Release of a Portion of a Utility Easement

| ROUTING | | | | | |
|---------|--|--|------------|------------|----------|
| ORDER | Division | Authorized Signatures Name/Initials | Date Rec'd | Date Frw'd | Comments |
| () | Originator – Carol Smith | CS | | 2/22 | |
| () | Division Director – John Wolforth | QW | 2/22/16 | 2/22/16 | |
| () | Department Director – Jeanie Rossillon | JR | 2/23/16 | 2/23/16 | |
| () | County Attorney- Kourtney Hartmann | KH | 2/22/16 | 2/22/16 | |
| () | Elected Official | | | | |
| () | BCC Agenda Coordinator | | | 2/22/16 | |

MEMORANDUM

AGENDA ITEM 15

TO: Honorable Chairman and Members of the Board of County Commissioners
FROM:  Ralph Schell, County Manager
DIST: Bryan Johnson, Marcia Sieben, Deborah Freischlag
RE: Purchase Order for Design Engineering Services for Runway 12R/30L Rehabilitation - Rocky Mountain Metropolitan Airport

Staff Recommendation: Approve an expenditure in the amount of \$514,131.50 to Jviation Inc. for professional design engineering services related to the rehabilitation and improvements of Runway 12R/30L. The authorized representative may approve any change order, provided that no combination of change orders shall increase the total price payable under this contract by more than **10%** or an amount greater than \$565,544.65.

The County's Authorized Representative is Bryan Johnson or other person as may be designated by the Department Director or the County Manager.

Final completion of this portion of the project is anticipated to be 110 days after commencement of construction.

Resolution No. **CC 16 - 083**

Background: Runway 12R/30L is the Airport's secondary runway and has not been rehabilitated since it was constructed in 1991. The runway has undergone fog sealing and crack sealing treatments throughout the years to prolong its useful life; however, the pavement is worn and shows signs of stress. The proposed project includes a mill and fill overlay of the runway surface, along with reinforcement of a manhole to better accommodate aircraft movement.

This request is for engineering design services and assistance during the bidding phase.

All work will be performed per the terms and conditions of the Master Contract for Consulting Services.

Fiscal Information: Funding is available in the 2016 CIP budget. Ninety percent (90%) of the funds will be reimbursed from an FAA grant, and five percent (5%) from a CDOT Aeronautics grant. This expenditure is within the scope and budget for this portion of the overall project.

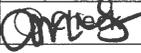
BCC Briefing Presented by: Bryan Johnson on January 12, 2016

Originator: Agenda memo prepared by Marcia Sieben, Purchasing, Ext. 8591

Contacts: Brian Bishop x4861

Original returned to: Marcia Sieben, Purchasing

Copies to: Jeanie Rossillon, Development & Transportation
 Brian Bishop, Airport

| | | |
|---------------------------|---|--|
| Approvals | Marcia Sieben, Purchasing Mgr Jeanie Rossillon, Dept Dir Bryan Johnson, Div Dir | Approved: 2/23/16 Approved: 2/23/16 Approved: 2/23/16 |
| Agenda Coordinator Review | |  |
| Final Signatory/Approval | BCC | |
| Vendor | Jviation Inc | |
| End User | Airport | |
| Type (Contract, PO, etc) | PO | |
| Dollar Value | \$514,131.50 | |
| Term | 110 calendar days after commencement of construction | |
| Description | Design Engineering Services | |
| Purchasing Agent | Marcia Sieben | |

CASE SUMMARY

Consent Agenda

PC Hearing Date: February 10, 2016

BCC Hearing Date: March 1, 2016

15-129613RZ Rezoning

Case Name: 8290 W Coal Mine Avenue Official Development Plan

Owner/Applicant: 4 Paws 4 Life Rescue, a Colorado nonprofit corporation

Location: 8290 West Coal Mine Avenue
Section 26, Township 5 South, Range 69 West

Approximate Area: 4.62 Acres

Purpose: **To rezone from Agricultural-One (A-1) to Planned Development (PD) to allow an assisted living / memory care facility.**

Case Manager: Alan Tiefenbach

Issues:

- The Planning Commission approved a Plan Exception allowing Assisted Living / Memory Care where Neighborhood Commercial is recommended.

Recommendations:

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

Interested Parties:

- Surrounding community

Level of Community Interest: Low

Representative for Applicant: Courtney Colbert, United Properties

General Location: Near SE quadrant of S. Wadsworth Blvd and W. Coal Mine Ave

Case Manager Information: Phone: 303-271-8738 e-mail: atiefenb@jeffco.us

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

BEFORE THE PLANNING COMMISSION
COUNTY OF JEFFERSON
STATE OF COLORADO

February 10, 2016

RESOLUTION

15-129613RZ (B) **Rezoning**
Case Name: 8290 W Coal Mine Avenue Official Development Plan
Owner/Applicant: 4 Paws 4 Life Rescue, a Colorado nonprofit
 corporation
Location: 8290 West Coal Mine Avenue
 Section 26, Township 5 South, Range 69 West
Approximate Area: 4.62 Acres
Purpose: **To rezone from Agricultural-One (A-1) to
 Planned Development (PD) to allow an assisted
 living / memory care facility.**
Case Manager: Alan Tiefenbach

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, except for the land use policies pertaining to allowing assisted living/memory care uses in an area designated for Neighborhood Commercial, for which the Planning Commission is recommending approval of a Plan Exception.
 - B. The proposed land use is compatible with existing and allowable land uses in the surrounding area because the property is located at the entrance into a residential community and this use is more compatible with the existing residences than the Neighborhood Commercial uses recommended by the Plan.

- C. The proposed land uses would not result in significant impacts to the health, safety, and welfare of the residents and landowners in the surrounding areas as indicated in the staff report.
3. The following is a condition of approval:
- A. Recordation of a revised Official Development Plan in accordance with the red-marked print dated February 10, 2016.

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

| | | |
|--------------|----------------|------------|
| Commissioner | Rogers | Aye |
| Commissioner | Moore | Aye |
| Commissioner | Harris | Aye |
| Commissioner | Hammond | Aye |
| Commissioner | Hatton | Aye |
| Commissioner | Burke | Aye |
| Commissioner | Ahuja | Aye |

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

I, Bonnie Benedik, Administrative Assistant for the Jefferson County Planning Commission, do hereby certify that the foregoing is a true copy of a Resolution duly adopted by the Jefferson County Planning Commission at a regular hearing held in Jefferson County, Colorado, February 10, 2016.



Bonnie Benedik
Administrative Assistant

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

BEFORE THE PLANNING COMMISSION
COUNTY OF JEFFERSON
STATE OF COLORADO

January 28, 2016

RESOLUTION

| | |
|--------------------------|--|
| 15-129613RZ (A) | Rezoning |
| Case Name: | 8290 W Coal Mine Avenue Official Development Plan |
| Owner/Applicant: | 4 Paws 4 Life Rescue, a Colorado nonprofit corporation |
| Location: | 8290 West Coal Mine Avenue Section 26, Township 5 South, Range 69 West |
| Approximate Area: | 4.62 Acres |
| Purpose: | To rezone from Agricultural-One (A-1) to Planned Development (PD) to allow an assisted living / memory care facility. |
| Case Manager: | Alan Tiefenbach |

Based on the evidence, testimony, exhibits, and recommendations of the Jefferson County Planning and Zoning Division, and comments of public officials, agencies, citizens of the County, and other interested parties, the Planning Commission finds the following with respect to a Plan Exception for the above referenced case:

- A. The exception addresses a unique situation and the applicant has articulated as to the reasons of the unique situation.
- B. Any negative impacts caused by the exception would likely be less than what could be generated by the recommended use.
- C. The exception is not considered to be setting a precedent as indicated in the staff report.

NOW THEREFORE BE IT RESOLVED, that a Plan Exception is hereby APPROVED WITH CONDITIONS for Rezoning Case No. 15-129613RZ subject to the following condition:

- A. The Board of County Commissioners approves the rezoning of the above referenced property to allow an assisted living/memory care facility in Rezoning Case No. 15-129613RZ.

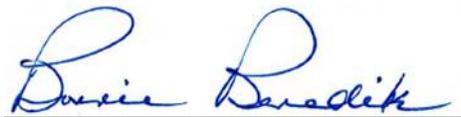
In the event Rezoning Case No. 15-129613RZ is denied by the Board of County Commissioners, this Plan Exception shall become null and void.

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

| | | |
|--------------|----------------|------------|
| Commissioner | Rogers | Aye |
| Commissioner | Burke | Aye |
| Commissioner | Ahuja | Aye |
| Commissioner | Moore | Aye |
| Commissioner | Harris | Aye |
| Commissioner | Hammond | Aye |
| Commissioner | Hatton | Aye |

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

I, Bonnie Benedik, Administrative Assistant for the Jefferson County Planning Commission, do hereby certify that the foregoing is a true copy of a Resolution duly adopted by the Jefferson County Planning Commission at a regular hearing held in Jefferson County, Colorado, February 10, 2016.



Bonnie Benedik
Administrative Assistant

Staff Report

PC Hearing Date: February 10, 2016

BCC Hearing Date: March 1, 2016

15-129613RZ Rezoning

Case Name: 8290 W Coal Mine Avenue Official Development Plan

Owner/Applicant: 4 Paws 4 Life Rescue, a Colorado nonprofit corporation

Location: 8290 West Coal Mine Avenue
Near SE quadrant of South Wadsworth Blvd and West Coal Mine Ave
Section 26, Township 5 South, Range 69 West

Approximate Area: 4.62 Acres

Purpose: **To rezone from Agricultural-One (A-1) to Planned Development (PD) to allow an assisted living / memory care facility.**

Case Manager: Alan Tiefenbach

Representative: Courtney Colbert, United Properties

Existing Use: Dog Kennel and Single Family Detached

BACKGROUND/UNIQUE INFORMATION:

This proposal is to rezone from Agricultural-One (A-1) to Planned Development to allow a 100 bed, 90,000 square foot memory care facility.

The subject property is a 4.6 acre parcel located in the southeastern quadrant of south Wadsworth Blvd and west Coal Mine Ave. West of the property is a retail development, including a gas station and the Dutch Creek Shopping Center. To the east of the property is the Living Savior Evangelical Lutheran Church. Single Family Residential borders the property to the south as well as further east and across the street to the north. Directly abutting the property and within a floodplain to the south is the Dutch Creek Trail greenway, owned by Foothills Park and Recreation District. The property contains four existing buildings and is presently operating as a dog rescue operation.

SURROUNDING ZONING/LAND USE:

| | Adjacent Zoning | Land Use |
|---------------|--------------------------|---------------------------|
| North: | Planned Development (PD) | Neighborhood Commercial |
| South: | Planned Development (PD) | Single Family Residential |
| East: | Planned Development (PD) | Religious Institution |
| West: | Planned Development (PD) | Single Family Residential |

NOTIFICATION:

A community meeting was held for this rezoning application on November 12, 2015. There were 20 citizens in attendance. Those in attendance were generally in support of the proposal.

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 one-mile radius of the site. The initial notification was mailed at the time of the 1st 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 – Ken Caryl Hub.

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

- Advantage At Stony Creek Assn
- COHOPE
- Columbine Knolls HOA
- Columbine Knolls North HOA
- Columbine Townhouses I
- Columbine Knolls South Estates
- Columbine Townhouses II
- Columbine West Civic Assn
- Coventry HOA
- Dutch Ridge HOA
- Jefferson County Horsemen's Assn
- Lakehurst West Filing 5 Homeowners Assn
- Kipling Hills HoA
- Kipling Villas HOA
- Leawood Civic Assn
- Lexington Village One Condo Assn
- Precedent At Stony Creek
- Steeplechase HOA
- Stony Creek 6 HOA
- Terrace At Columbine II Owner Assn

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

COMPREHENSIVE MASTER PLAN ASSESSMENT:

Area Plan: S. Plains Area/ Plan

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

Services: Littleton Fire Protection District
 Southwest Metropolitan Water and Sanitation District

ANALYSIS OF PLAN:

1. Land Use:

Areas of Conformance:

a. All Development

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. It encourages economic development, infill and redevelopment projects. New developments should be evaluated for their impacts to the health of the community.

The proposed rezoning would allow a 100 bed, 90,000 square foot assisted living / memory care facility. The subject property provides a transition from highly intensive commercial uses to the west to the small church and residential uses to the east and south. Although this use is considered a commercial use, it is more residential in nature. The facility is intended to be designed to resemble a residential structure, will be within the typical 35' height limit recommended by the Plan, and will be a low traffic generating use. Also, the Plan does not anticipate this type of use and does not give specific recommendations as to where they should be located.

b. Business and Industry

The plan prioritizes promoting land uses that expand and diversify the County's economic base and create primary jobs.

According to the applicant's cover letter, this facility would create approximately 60 jobs. These types of higher paying jobs bring additional employees to live and spend money in and around their place of employment, adding to the County's economic base.

b. Housing

The CMP has a goal of providing a variety of housing options which complement the existing community character and utilize excellent design and materials.

The rezoning would add a valuable housing option that is currently underserved. Staff acknowledges the demand for elder-care is rising and there is a shortage of available properties. In fact, the Comprehensive Master Plan strives to provide housing options to accommodate the growing aging population, including independent living, co-housing, accessory dwelling units, assisted living, and nursing care options. It also mentions the preferable location for senior housing is near transit and services that provide for everyday needs. Allowing this use in this specific location will allow seniors to stay in their neighborhood and continue to be integrated into their existing community instead of moving to a facility in an unfamiliar area and location.

Areas of Non-Conformance:

I. Area/Community Plan Recommendation

The South Plains Area Plan recommends this property for Neighborhood Commercial uses. These uses include all Limited Commercial Uses, grocery stores typically up to 75,000 square feet, retail businesses and small theaters typically less than 24,000 square feet, fast food restaurants, neighborhood taverns and nightclubs, and automobile repair facilities and gas stations. It may include shops for custom work such as electrical, plumbing, air conditioning and similar type shops, with no outdoor storage.

The subject property is directly adjacent to an intensive commercial center comprised of a gas station, retail, restaurants as well as a sports bar. However, properties to the east transition to a small church and then lower density single family residential, including south and north of the property. The Plan intends arterial intersections to be desirable locations for commercial uses, and this property is not located directly on the intersection. The property does not connect to the retail center to the west, and presently only has right-in right-out access – not ideal for retail commercial use. In addition, the Plan did not anticipate the growing demand for senior care and has no specific areas where it is

recommended. As it creates jobs, is a quiet use, and does not require arterial exposure, staff believes the location proposed is appropriate for this use and preferable to other locations more suitable for commercial uses. Staff believes this would be an effective transitional use between the commercial to the west and residential to the east. However, although staff does believe this is an appropriate use in this location, a Plan Exception was required. The Planning Commission approved this Plan Exception at their February 10, 2016 hearing.

Summary of Analysis: Staff believes this is an appropriate use in this location and would be an effective transition property. It would also create jobs and provide housing options. However, because the Plan recommends Limited Commercial uses, it does not comply with this section of the Plan.

2. Physical Constraints:

The Comprehensive Master Plan describes physical constraints as 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. Geologic Hazards & Constraints

The Plan promotes public safety and seeks to reduce loss of property due to geologic hazards and constraints. It mentions that development proposals should address how geologic constraint areas will be mitigated.

This rezoning application was referred to the Engineering Geologist, who stated the site is located within the Jefferson County Designated Dipping Bedrock Area. If the zoning were approved, a site development plan will follow and geologic and geotechnical reports will be required with the SDP application along with the grading and possibly over-excavation plans.

c. Floodplains

The Plan seeks to ensure development activities in or around floodplains mitigates impacts to life and property.

A floodplain encroaches onto the property at the southern end. However, no development is proposed in this area.

Summary of Analysis: The proposed development would not aggravate, accelerate, or increase the level of risk from natural or man-made hazards.

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 Plan encourages the effective management of air quality and the impacts of light, odor, and noise.

The subject property is presently recommended for Neighborhood Commercial uses. These uses include grocery stores, drive through restaurants, and gas stations. The air, light, odor and noise impacts from these uses (such as illuminated canopies, signage, and traffic) would likely be significantly greater than the impacts generated from the senior care development the applicant is proposing. Staff believes this is a compatible use adjacent to existing residential and would serve as an effective transition property. It should be noted that the ODP will follow the Agricultural-One (A-1) zone district standards except to allow memory care uses. This was intentional by the applicant to ensure any subsequent development would be compatible with the adjacent residences.

b. Visual Resources

The CMP states new development in areas with visual resources should attempt to integrate development into the natural environment.

The subject property is not indicated to be within an area of significant visual resources. However, given the residential nature of the properties to the north, south and east, the applicant has agreed to restrict the height to the 35' which is typical of residential structures in Jefferson County.

Given this type of development has a market-based incentive to attract potential residents; staff believes the Architecture Section of the Zoning Resolution provides satisfactory architectural requirements.

Summary of Analysis: The air, light, odor and noise impacts on this development would likely be less than the impacts that could be generated from the allowed or recommended uses. Staff finds the proposal complies with this section of the Plan.

4. Infrastructure, Water & Services:

The applicable elements of this chapter include Transportation, Water and Wastewater, and Services.

Areas of Conformance:

a. Transportation

A goal of the CMP is to 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 that the traffic generated from the proposed use would be approximately 223 trips per day, which is significantly lower than many of the other recommended uses for this property. The analysis goes on to mention W. Coal Mine Ave in this area is a Minor Arterial. Traffic volume for this street based on its classification is 10,000 to 25,000 average daily trips. The study finds the impacts from the site-generated traffic will be negligible in comparison to the existing and projected traffic on West Coal Mine Avenue. Transportation and Engineering and Planning Engineering have reviewed the Transportation Analysis and agree with the findings. Improvements to W. Coal Mine Avenue will be evaluated at the time of the Site Development Plan.

b. Water & Wastewater

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

The subject property will be served by the Southwest Metropolitan Water and Sanitation District. The District indicated they would provide service for the proposed uses.

Stormwater runoff will be addressed at the time of Site Development Plan. 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 the spread of vector-borne diseases such as West Nile Virus by managing potential mosquito habitat.

e. Services

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

The property is served by the Littleton Fire Protection District.

Summary of Analysis: The rezoning proposal would comply with the Plan's goals for this chapter.

COMPATIBILITY:

The proposed use would be compatible with allowed and existing land uses in the general vicinity of the project area. The property is located with commercial to the west and mature, existing residential to the east and south. The recommended commercial uses could generate more intensive impacts than an assisted living / memory care facility. The proposal would be a quiet use, and the applicant has limited the height to 35' and established 50' setbacks to keep the height of the building consistent with the surrounding residential properties.

SUMMARY OF STAFF POSITION:

Staff supports this request. The property is not ideal for the commercial uses recommended by the Plan, it is at the entrance into a residential neighborhood, and is not located on an arterial intersection. Also the use would generate jobs, accentuate the County's economic base meanwhile being a relatively quiet use.

PLANNING COMMISSION:

Planning Commission Recommendation (Resolution Dated February 10, 2016 Attached):

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

The case was scheduled on the consent agenda for the Planning Commission hearing. However, one citizen requested the case be put on the regular agenda so that she could testify. The citizen voiced her preference with the property remaining agricultural, and that she did not prefer additional commercial uses in the neighborhood. The Planning Commission briefly questioned staff and the applicant regarding uses that would be allowed by the existing zoning, uses recommended by the Plan, and parking. After the discussion, the Planning Commission approved the Plan Exception and voted to recommend approval of the rezoning application to the Board of County Commissioners.

PLAN EXCEPTION

The Planning Commission approved an exception to the Comprehensive Master Plan, thus allowing assisted living / memory care uses in an area designated for Neighborhood Commercial. The decision by the Planning Commission was based on their determination of compliance with the following:

- **The purpose of the exception is to address a unique situation and it articulated as to the reasons of the unique situation;**
- **The negative impacts, if any, to the surrounding community can be mitigated or eliminated or that these impacts are comparable to the recommended land use; and**
- **The exception is not considered to be setting a precedent.**

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, except for the land use policies pertaining to allowing assisted living / memory care uses in an area designated for Neighborhood Commercial, for which the Planning Commission approved a Plan Exception; and,**
2. **The proposed land use is compatible with existing and allowable land uses in the surrounding area because the property is located at the entrance into a residential community and this use is more compatible with the existing residences than the**

Neighborhood Commercial uses recommended by the Plan; and,

3. The proposed land uses would not result in significant impacts to the health, safety, and welfare of the residents and landowners in the surrounding areas as indicated in the staff report.

And;

Staff recommends that the Board of County Commissioners APPROVE Case No. 15-129613RZ subject to the following conditions:

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

COMMENTS PREPARED BY:



Alan Tiefenbach, Planner
February 22, 2016

Jefferson County Land Use Case Management

CASE DATES SUMMARY

Case Number: **15-129613RZ**

Case Type: **Rezoning**

Pre-application Meeting Date: **October 8, 2015**

Community Meeting Date: **November 12, 2015**

Applicant Makes Complete Submittal: **December 14, 2016**

Case Sent on First Referral: **December 16, 2016**

All Responses Provided to Applicant: **January 14, 2016**

Determination That Case Should Proceed to Hearing: **January 14, 2016**

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

COUNTY COMMISSIONER'S CERTIFICATE:

This Official Development Plan, titled 8290 W Coal Mine Avenue 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 No. 15-129613RZ

Legal Description

Street Location of Property 8290 West Coal Mine Avenue

Is there an existing structure at this address?

Yes X No _____

Type the legal description and address below.

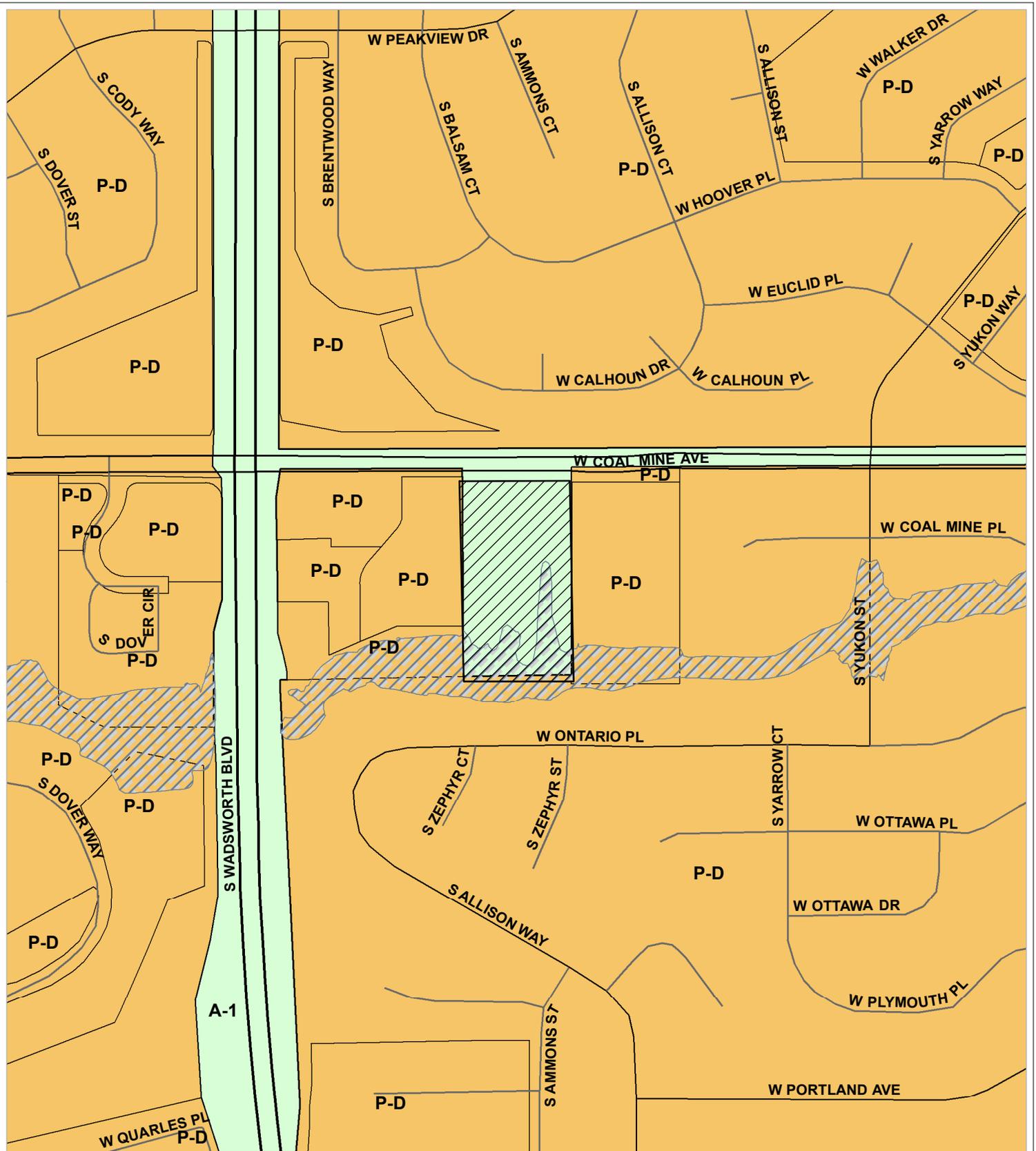
The West ½ of the East ½ of the North ½ of the Northwest ¼ of the Northwest ¼ Section 26, Township 5 South, Range 69 West of the 6th Principal Meridian, Except the Northerly 50 feet thereof, and except those portions described in Deed recorded June 13, 1995 at Reception No. F0069213, County of Jefferson, State of Colorado.

Containing 4.62 Acres more or less.

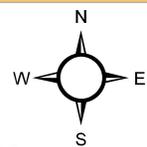
Advise of Ortho Map No. 15 Section 26 Township 5 S. Range 69 W.

Calculated Acreage 4.62 Acres Checked by: Ben Hasten

Address Assigned (or verified) 8290 West Coal Mine Avenue



Case Number: 15-129613RZ
Location: Section 26, T5S, R69W



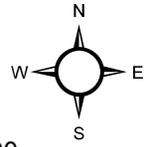
400 0 400 800 Feet



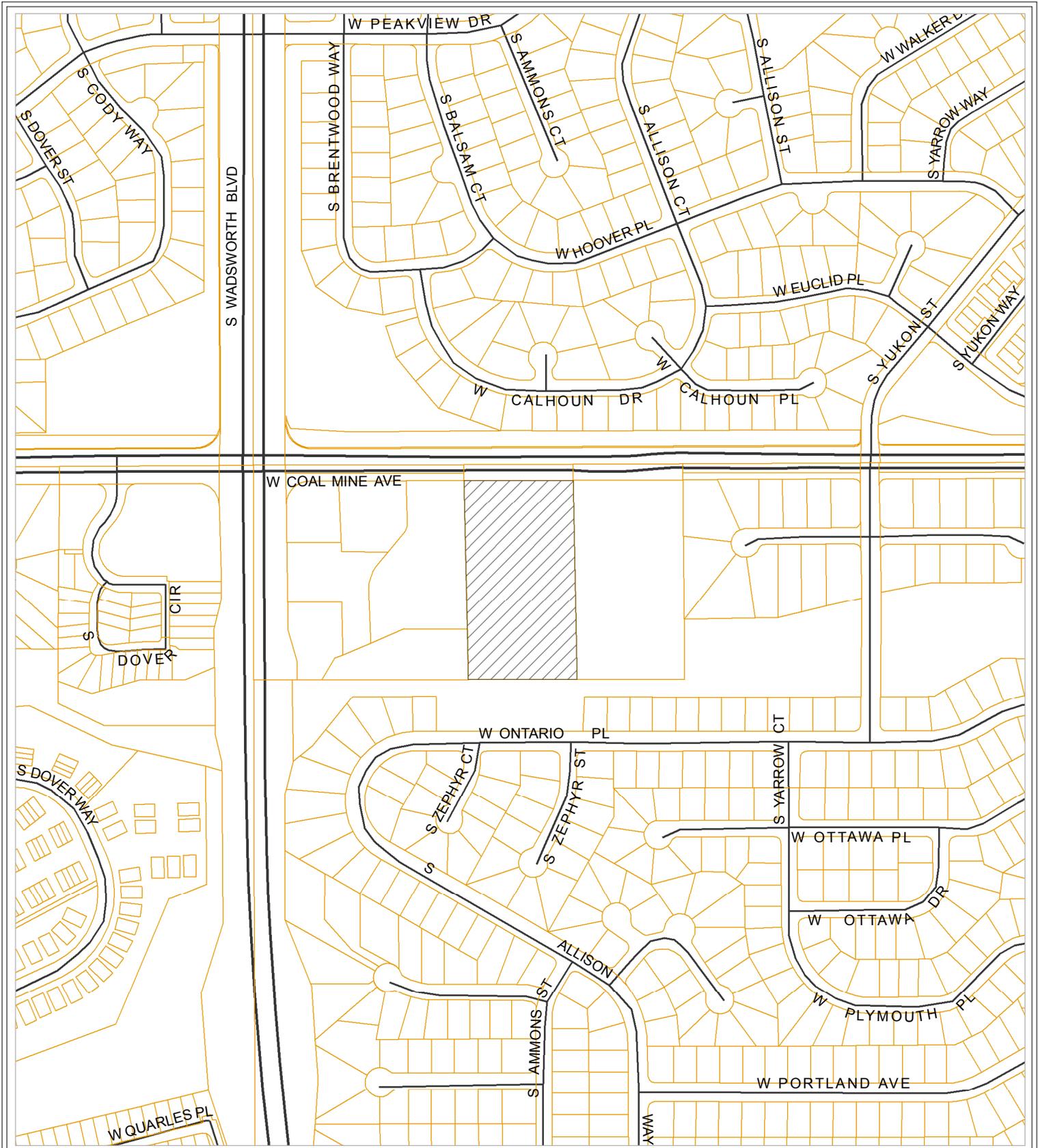
This product has been developed for internal use only. The Planning and Zoning Division makes no warranties or guarantees, either expressed or implied, as to the completeness, accuracy or correctness of such products, nor accepts any liability arising from any incorrect, incomplete or misleading information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



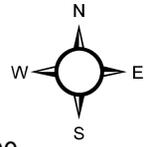
Case Number: 15-129613RZ
Location: Section 26, T5S, R69W



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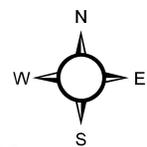
Case Number: 15-129613RZ
Location: Section 26, T5S, R69W



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Case Number: 15-129613RZ
Location: Section 26, T5S, R69W



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.

From: [Nathan Seymour](#)
To: [Alan Tiefenbach](#)
Subject: 15-129613RZ - 8290 W. Coal Mine Ave - Planning Engineering Comments
Date: Wednesday, January 06, 2016 3:39:51 PM

Alan,

The traffic analysis and Phase I drainage report provided for the rezoning are adequate and complete.

The applicant should be aware that prior to the issuance of a building permit, a Site Development Plan Approval is required; please see the Zoning Resolution, Section 1.I for more detail on the requirements for the Site Development Plan.

The applicant should be aware that prior to the issuance of a building permit, a Floodplain Permit and associated CLOMR/LOMR is required to be approved. This is typically done prior to or concurrently with the Site Development Plan.

I have no outstanding comments for this rezoning.

Nathan Seymour

Civil Planning Engineer
Jefferson County Planning & Zoning
100 Jefferson County Parkway, Suite 3550
Golden, Colorado 80419-3550
(303) 271-8751 FAX: (303) 271-8744
Email: nseymour@jeffco.us

MEMO

TO: Alan Tiefenbach
Jefferson County Planning and Zoning Division

FROM: Tracy Volkman
Jefferson County Environmental Health Services Division

DATE: December 21, 2015

SUBJECT: Case #15-129613 RZ
Courtney Colbert
8290 W Coal Mine Ave

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

PROPOSAL SUMMARY

To rezone from Agricultural-One (A-1) to Planned Development (PD) to allow memory care and assisted living facility

COMMENTS

Jefferson County Public Health (JCPH) provided comments on October 5, 2015 regarding the pre-application process for this property. We have reviewed the documents submitted by the applicant for this proposed rezoning process and has the following comments:

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

REZONING REQUIREMENTS:

| ✓ | Date Reviewed | Required Documentation/Actions | Refer to Sections |
|---|---------------|---|-------------------|
| ✓ | 12/21/2015 | 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 |

SITE DEVELOPMENT REQUIREMENTS (In addition to the Rezoning Requirement):

| ✓ | Date Reviewed | Required Documentation/Actions | Refer to Sections |
|---|---------------|--|-------------------------------|
| ✓ | 12/21/2015 | Submit a notarized Environmental Questionnaire and Disclosure Statement packet, in accordance with the LDR Section 30, if applicable. | Environmental Site Assessment |

WATER/WASTEWATER

The Southwest Metropolitan Water and Sanitation District will provide public water and sanitary services for the proposed development according to a letter dated November 20, 2015.

ENVIRONMENTAL SITE ASSESSMENT

JCPH has reviewed the Environmental Questionnaire and Disclosure Statement (EQDS) provided by the applicant dated December 11, 2015. The purpose of the EQDS is to evaluate the potential for transfer of environmental liability to the County when land is dedicated or otherwise transferred to the County. The applicant did check "yes" on one category of environmental concern on the cover sheet regarding materials containing asbestos.

The primary concern with exposure to asbestos is mesothelioma, which is a type of cancer. Asbestos fibers are strong and resistant to heat making them useful in a wide variety of applications, such as insulation, brakes, shingles, flooring and many other products. If asbestos is broken up or disturbed, such as, when removing asbestos containing products, dust may be created. If the dust is inhaled or swallowed, the asbestos fibers can settle in the lungs or in the stomach where they can cause irritation that may lead to mesothelioma. It can take up to 20-40 years for mesothelioma to develop. Asbestos exposure may also increase the risk of asbestosis (an inflammatory condition affecting the lungs that can cause shortness of breath, coughing, and permanent lung damage) and other nonmalignant lung and pleural disorders. **As such, it is required to obtain a Demolition Permit from the Asbestos Section at the Colorado Department of Public Health and the Environment, (303.692.3100) for any proposed remodeling or demolition activity.**

Phase I Environmental Site Assessment

A Phase I ESA dated November 18, 2015 prepared by Kumar & Associates, Inc was submitted for review. JCPH concurs with the findings set forth in this document.

Asbestos Survey

An Asbestos-Containing Materials Survey dated November 20, 2015 was prepared by Kumar & Associates for review. JCPH concurs with the findings set forth in this document. Please note that **all buildings that are going to be remodeled, renovated, and or demolished must obtain a Demolition Permit. See Air Section for details.**

ACTIVE LIVING

JCPH commends the applicant for including internal courtyards where residents can enjoy the outdoors. We would encourage the applicant to consider providing active community gardening space to allow future residents to garden. This can enhance the health and mental well-being of the future residents.

AIR

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

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

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

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.

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

State licenses are required for senior assisted living centers and similar uses. The applicant must contact the Colorado Department of Public Health and Environment, Health Facilities Division at 303.692.2800 for an information packet regarding these types of operations, including all applicable regulations.

Memorandum

To: Alan Tiefenbach
Planner

From: Patrick O'Connell
Geologist

Date: January 6, 2016

Re: 8290 West Coal Mine, Case No. 15-129613RZ

I reviewed the submitted documents for the subject property. I have the following comment.

1. The site is not located in a geologic hazard area, and geologic and geotechnical reports are not required at the time of the rezoning.
2. A FEMA designated floodplain (detailed AE) for Dutch Creek is located on the southern portion of the property.

ADDRESSING

MEMO

To: Alan Tiefenbach
FROM: Patricia Romero
SUBJECT: 15-129613RZ 8290 W Coal Mine Avenue
DATE: December 22, 2015

Addressing offers the following comments on this proposal:

1. The purpose of this Rezoning is to rezone from Agricultural-One (A-1) to Planned Development (PD) to allow memory care / assisted living.
2. Access is currently off of W Coal Mine Avenue. There are two valid existing addresses, 8160 and 8290 W Coal Mine Avenue, in the addressing data base.
3. The new building will retain only one of these addresses.
4. The address that will be retained is 8160 W Coal Mine Avenue. This will allow the addresses on this road to be in sequential order with the addresses to the east and the west of this parcel.

Please let me know if you have any questions.



Jefferson County, Colorado
Transportation & Engineering Division

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

P&Z REFERRAL T&E RESPONSE

To: Alan Tiefenbach *P&Z Case Manager* From: Mike Vanatta, Pre-Construct. Engineer

Case #: 15-129613 RZ Due Date: January 6, 2016

Property Address or PIN: 8290 W Coal Mine Ave

- 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

Robert Taylor - Corridor Projects/ROW

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

Derek Schuler - Traffic/Trans Engineer

Yelena Onnen -Transportation Planning

| | Included in referral | Reviewed | | Comments |
|--------------------------------------|--------------------------|--------------------------|--------------------------|--|
| | | No | Yes | |
| Traffic study | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | -Based on the submitted traffic generation analysis, T&E concurs that the proposed development will not negatively impact the surrounding street network, and, therefore, supports the waiver of a Traffic Impact Study. - The applicant states that it will keep the RIRO access to the site as is, however the current driveway is not in compliance as it is less than 275' feet from both driveways to the east and west. In the previous referral, T&E expressed its preference for an interparcel connection to the driveway to the west. |
| 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



City of Littleton
Fire Prevention and Life Safety
2255 W Berry Ave
Littleton, Colorado 80120
303-795-3800 : Fax 303-795-4380

Proudly serving the communities of:



*City of Littleton
Littleton Fire Protection District
Highlands Ranch Metro District*

November 18, 2015

United Properties
Megan Turner
1331 17th Street, Suite 604
Denver CO 80202

RE: 8290 W Coal Mine Ave

The above address is located within the boundaries of the Littleton Fire Protection District. Any construction on the site will be serviced by existing fire department resources.

Respectfully,

Doug Ireland, Deputy Fire Marshal
Littleton Fire Rescue



Southwest Metropolitan Water and Sanitation District

www.swmetrowater.org

8739 W. Coal Mine Ave. • Littleton, Colorado 80123 • (303) 979-2333 • Fax (720) 726-5042

November 20, 2015

Megan Turner
Representing 8290 W. Coal Mine Ave

Re: Sewer and Water Service to 8290 W. Coal Mine Ave.

Dear Ms. Turner,

Please be advised that the above referenced property is entirely within the water and sanitary sewer service boundaries of the Southwest Metropolitan Water and Sanitation District.

Pending the installation and acceptance of necessary water and sewer facilities and the purchase of all appropriate tap permits, Southwest Metropolitan will supply water and sanitary sewer service to the subject tract in accordance with District rules and regulations.

Water service requires the purchase of tap permits from both the District and the Denver Water Department.

Sanitary sewer collection and transportation service will be available to the proposed development from Southwest Metropolitan. Wastewater from the District is processed and treated by the City of Littleton pursuant to contract.

Sanitary sewer service requires the purchase of tap permits from both the District and the City of Littleton. There are presently no restrictions on the issuance of sanitary sewer tap permits by the District or the City of Littleton.

Please don't hesitate to contact me should you have any questions.



Tony Cocozzella
Project Coordinator
Platte Canyon/Southwest Metropolitan Water and Sanitation Districts
8739 W. Coal Mine Ave.
Littleton, CO 80123
Office: (720) 726-5030
Cell : (303) 829-9407



**8290 W. Coal Mine Avenue
Proposed Senior Living and Memory Care Facility**

Project Narrative

Property Owner/Applicant Information

United Properties of Colorado LLC (“United Properties”) is proposing a senior living and memory care facility to be located at 8290 W. Coal Mine Avenue. The proposed site is generally located at the southeast corner of West Coal Mine Avenue and South Wadsworth Boulevard.

On November 11, 2015, a neighborhood meeting was conducted at the church directly east of the proposed senior living and memory care facility with community members and City Staff present. The community was generally accepting of the proposed use and current site plan, and the church leaders have voiced strong support for a senior living facility at this location.

Background

The site was undeveloped land from at least 1938 until the mid-1970’s (1975 per Jefferson County Assessor), when the current on-site buildings were constructed. The site is currently an operational dog kennel (4 Paws 4 Life Rescue) with an operational office in the residential building. There are also three (3) other structures on the site being used for storage purposes. The site has operated since its construction in 1975 to the knowledge of the Applicant.

Rezoning

The Applicant is proposing a use that is outside of the existing standards of the Agricultural-One Zone District. The exception to an Agricultural-One Zone District the Applicant is proposing a senior living and memory care facility use. Also enclosed with this submittal is a Plan Exception letter outlining in detail the justification for such an exception, along with a traffic analysis showing the insignificant impact of the proposed senior living and memory care facility use.

With this submittal we hope to receive a rezoning plan exception to the Agricultural-One Zone District. Along with this letter, please find attached the Application Form, Plan Exception Letter, Official Development Plan, Proof of Ownership, Proof of Water, Proof of Sewer, Proof of Fire Protection, Traffic Analysis, Phase 1 Drainage Report, Floodplain Report, Environmental Questionnaire and Disclosure, and Certificate of Taxes Paid.

Sincerely,

United Properties of Colorado LLC

Courtney Colbert
Associate



December 11, 2015

Mr. Alan Tiefenbach
Jefferson County Planning & Zoning Division
100 Jefferson County Parkway
Golden, CO 80419-3550

RE: 8290 W. Coal Mine Senior Living Facility— Request for Plan Exception

Mr. Tiefenbach:

Thank you for your consideration of this proposed plan exception and rezoning. United Properties of Colorado LLC (“United Properties”) is pleased to provide this plan exception letter for the proposed redevelopment of 8290 W. Coal Mine Avenue to allow for a senior living and memory care facility, generally located at the southeast corner of West Coal Mine Avenue and South Wadsworth Boulevard. The purpose of this Rezoning is to allow an assisted living and memory care facility use. The following outlines responses to the three items required for plan exception and explains how it is applicable to the rezone of the site:

1) Exception is unique situation:

The proposed senior living and memory care facility use is compatible with the surrounding community, and makes for a smooth transition in intensity from the commercial located to the west at Wadsworth and Coal Mine, to the less intense commercial use and single family residential to the east. This specific location will allow seniors to stay in their neighborhood and continue to be integrated into their existing community instead of moving to a facility in an unfamiliar area and location. The proposed application will comply with PD-Lite process and Comprehensive Master Plan (“CMP”) with filed Plan Exceptions. Our market analysis shows that senior living is an underserved market in this area and there is an immediate need, with 9.9% of the total South Plains population being seniors.

2) No negative impacts to surrounding community:

There are no negative impacts of the proposed use to the surrounding area. The traffic analysis shows negligible traffic use compared to any other zoned use contemplated for this area in the CMP. A senior living and memory care facility at this location will also have insignificant noise and no light pollution to surrounding properties.

The current recommended use of the property would generate a more intense use than the intensity of a senior living and memory care facility. This proposal will eliminate the possibility of these negative impacts to the surrounding community by development of a large commercial use as allowed per the CMP. This use does not require any infrastructure investment from Jefferson County. Additionally, a senior living and memory care facility at this site will be a great compliment to the adjacent church, as religious establishments and senior facilities have been known to collaborate together in communities.

3) Exception not considered to be setting a precedent:

Due to the unique location and surrounding area of this site, the exception does not set a precedent. Due to the site's existing zoning being one of the last remaining A1 zoned properties in the area, there are no other properties that have this zoning designation and are also planned for commercial per the CMP. The proposed project will be the perfect complement to what the *South Plains Area Plan* and the updated CMP anticipate for this area.

If you have any questions regarding this plan exception letter please feel free to contact me at 720-898-5870 or via email courtney.colbert@uproperties.com.

Sincerely,

United Properties of Colorado LLC



Courtney Colbert
Associate

CASE SUMMARY
Consent Agenda

PC Hearing Date: February 10, 2016

BCC Hearing Date: March 1, 2016

15-127879RZ Rezoning

Case Name: 5770 McIntyre Street Official Development Plan

Owner/Applicant: Jefferson Development Associates LLC

Location: 5770 McIntyre Street
Section 12, Township 3 South, Range 70 West

Approximate Area: 10.08 Acres

Purpose: **To rezone from Industrial-Three (I-3) and Planned Development (PD) to a PD allowing office and industrial uses.**

Case Manager: Alan Tiefenbach

Issues:

- None

Recommendations:

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

Interested Parties:

- None

Level of Community Interest: Low

Representative for Applicant: Scott Carlson

General Location: East of the W. 58th Ave / McIntyre St intersection

Case Manager Information: Phone: 303-271-8738 e-mail: atiefenb@jeffco.us

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

BEFORE THE PLANNING COMMISSION
COUNTY OF JEFFERSON
STATE OF COLORADO

February 10, 2016

RESOLUTION

| | |
|---------------------------|--|
| <u>15-127879RZ</u> | Rezoning |
| Case Name: | 5770 McIntyre Street Official Development Plan |
| Owner/Applicant: | Jefferson Development Associates LLC |
| Location: | 5770 McIntyre Street Section 12, Township 3 South, Range 70 West |
| Approximate Area: | 10.08 Acres |
| Purpose: | To rezone from Industrial-Three (I-3) and Planned Development (PD) to PD to allow office and industrial uses. |
| Case Manager: | Alan Tiefenbach |

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 it is an industrial use in an Industrial area.
 - 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:

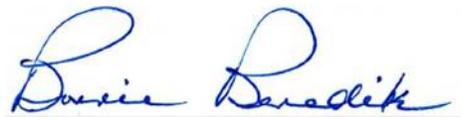
- A. Recordation of a revised Official Development Plan in accordance with the red-marked print dated February 10, 2016

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

| | | |
|--------------|----------------|------------|
| Commissioner | Rogers | Aye |
| Commissioner | Moore | Aye |
| Commissioner | Harris | Aye |
| Commissioner | Hammond | Aye |
| Commissioner | Hatton | Aye |
| Commissioner | Burke | Aye |
| Commissioner | Ahuja | Aye |

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

I, Bonnie Benedik, Administrative Assistant for the Jefferson County Planning Commission, do hereby certify that the foregoing is a true copy of a Resolution duly adopted by the Jefferson County Planning Commission at a regular hearing held in Jefferson County, Colorado, February 10, 2016.



Bonnie Benedik
Administrative Assistant

Staff Report

PC Hearing Date: February 10, 2016

BCC Hearing Date: March 1, 2016

15-127879RZ Rezoning

Case Name: 5770 McIntyre Street Rezoning Official Development Plan

Owner/Applicant: Jefferson Development Associates, LLC

Location: 5770 McIntyre Street
SW of the intersection of W. 58th Pl and McIntyre St
Section 12, Township 3 South, Range 70 West

Approximate Area: 10.08 Acres

Purpose: **To rezone from Industrial-Three (I-3) and Planned Development (PD) to a PD allowing office and industrial uses.**

Case Manager: Alan Tiefenbach

Representative: Scott Carlson

Existing Use: Vacant

BACKGROUND/UNIQUE INFORMATION:

This is a proposed rezoning from Industrial-Three (I-3) and Planned Development (PD) to a PD allowing office and industrial uses.

The subject properties are comprised of the southern 7.65 acre parcel (PIN 30-124-00-011) and a 2.43 acre part of the northern Parcel (PIN 30-124-00-004). Both of these areas are presently undeveloped. They are bordered to the north by existing office and light industrial uses, to the east by undeveloped land owned by Consolidated Mutual Water Company, agricultural property to the south, and directly across the street is the Estates at Van Bibber – single family residential on approximately ½ acre lots. The Farmer’s Highline canal parallels the property line along the southern and eastern sides.

The properties to the north are zoned I-3. The approximately north half of Parcel 30-124-00-011 is also zoned I-3. The other half of this same parcel (the southern half) is zoned Planned Development (Table Mountain Research Center South ODP). This split zoning is a result of a 1983 rezoning that established this area as a PD rather than I-3 to address neighbor concerns regarding limiting height and requiring larger setbacks.

The applicant proposes to rezone the southern split zoned 7.65 acre parcel (PIN 30-124-00-011) and 2.43 acres of northern parcel (PIN 30-124-00-004) into one PD, and then intends to adjust property lines to make this new PD area a single lot. The proposed PD allows all the uses in I-3, except for sexually oriented businesses and recycling transfer stations. The 50’ height limit and larger 20 foot south and east setback is carried over from the existing PD for the southern portion of the portion of 7.65 acre parcel (PIN 30-124-00-011) currently zoned PD.

SURROUNDING ZONING/LAND USE:

| | Adjacent Zoning | Land Use |
|---------------|---|-----------------------------------|
| North: | Industrial-One (I-3) | Industrial |
| South: | Agricultural-Two (A-2) | Agricultural / Residential |
| East: | Agricultural-Two (A-2) | Consolidated Mutual Water Company |
| West: | Agricultural-Two (A-2) and Planned Development (PD) | Single Family Residential |

NOTIFICATION:

A community meeting was held for this rezoning application on November 3, 2015. There were 7 citizens in attendance. Those in attendance did not express opposition but did state that retaining the height restriction and larger setbacks from the canal was important to them.

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 one-mile radius of the site. The initial notification was mailed at the time of the 1st 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:

- Jefferson County Horseman's Assoc.
- Candlelight Valley HOA
- Candlelight First Sub-Association
- Fairmount Improvement Assn
- Forest Springs HOA
- Jefferson County Horsemens Assn
- Marriott Orchard HOA
- Save The Mesas Inc

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

COMPREHENSIVE MASTER PLAN ASSESSMENT:

Area Plan: North Plains Area Plan

| | Land Use | Physical Constraints | Community Resources | Infrastructure, Water and Services |
|--------------------|-----------------|-----------------------------|----------------------------|---|
| Conformance | X(1) | X (2) | X (3) | X (4) |
| | | | | |

Services: Fairmount Fire Protection District
 North Table Mountain Water and Sanitation District

ANALYSIS OF PLAN:

1. Land Use:

Areas of Conformance:

a. All Development

The Comprehensive Master Plan discusses encouraging development that is appropriate to the area, and promoting a variety of land uses.

This rezoning would allow industrial and office uses in an area which is already zoned and recommended for these uses. This rezoning will merely create one comprehensive Planned Development area for future development. A PD is proposed rather than I-3 to carry over the existing height restrictions and larger setbacks already required in the PD-zoned portion of the southern half of 7.65 acre parcel (PIN 30-124-00-011).

b. Business and Industry

The Plan promotes land uses that expand and diversify the County's economic base and create primary jobs. When commercial zoning is proposed, office and light industrial, as well as uses that support small businesses are generally desirable.

This ODP would continue to allow office and light industrial uses, and would establish a new PD area desired for future industrial development. This rezoning would be consistent with the intent to provide primary jobs, and would be a continuation of the office and light industrial complex to the north.

c. Area/Community Plan Recommendation

The subject properties are located within Area 24 of the North Plains Area Plan, Fairmount Subarea. Area 24 is recommended for Industrial land uses. Industrial uses include uses such as manufacturing, processing or fabrication of commodities, warehousing, repair and servicing of equipment, and sale of commodities manufactured, processed, fabricated or warehoused on the premises. The North Plains Area Plan also allows for retail development that is ancillary to office/industrial land uses within areas recommended for office and industrial development throughout the Plan.

This rezoning would allow for the continuance of office and light industrial entitlements of the type recommended by the Plan. The ODP prohibits several uses allowed by I-3 which might not be appropriate for this property. These uses include Sexually Oriented Businesses and recycling transfer stations.

Summary of Analysis: This rezoning would retain existing office and light industrial entitlements, which are recommended in this area and are uses that produce primary jobs. The rezoning complies with this section of the Plan.

2. **Physical Constraints:** The Comprehensive Master Plan describes physical constraints as 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 strives to ensure development should not aggravate, accelerate, or increase the level of risk from natural hazards.

The subject properties are adjacent to but not within a 100 year floodplain. No other natural hazards exist in this area. Neither the County Geologist nor Planning Engineering expressed concerns with the proposal.

Summary of Analysis: No wetlands, floodplains, wildfire, radiation, landfills, abandoned mines, or wildlife habitat exists on the site. The rezoning meets 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 intends to protect the Visual Resources and unique natural features of the County.

Although the subject properties are not within a sensitive visual corridor, they are adjacent or close to recreational trails, open lands owned by Consolidated Mutual Water Company and Denver Water, and reservoirs such as Hyatt Lake. They are also directly across the street (east) of the Estates at Van Bibber Subdivision. Because the existing ODP on half of the southern parcel limits height to 50', the proposed ODP continues these height restrictions. The new ODP also proposes to maintain the 20 foot southern and eastern setbacks as currently exists in this same area in the existing ODP. The areas currently zoned I-3 do not have any height limitations, which is also carried forward in the proposed ODP. The applicant has additionally agreed to add a note prohibiting any outdoor storage within the 50-foot front setback along McIntyre Street.

b. Air, Light, Odor, and Noise

The Plan encourages the effective management of air quality and the impacts of light, odor, and noise.

The I-3 Zone District is the lightest industrial zone district, prohibiting outside processing or manufacturing. In addition, the ODP prohibits recycling transfer stations, which are allowed in the I-3 District. Staff believes noise, odor and air impacts would be negligible, but noise impacts are expected in an office and light industrial complex. All lighting would be restricted to 20' in height and downcast, with light spill contained on the property.

Summary of Analysis: Staff does not anticipate degradation in air quality, additional lighting, odor impacts, or additional noise beyond what could already be allowed on the property. In addition, the property is part of and surrounded by an industrial-office park. The proposal complies with the Community Resources portion of the Plan.

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

Areas of Conformance:

a. Transportation

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

This rezoning seeks to establish a new Planned Development area with height restrictions and larger setbacks. The uses proposed are already entitled uses. Any future development would require a site development plan, which could include a transportation analysis or study. Neither Planning Engineering nor Transportation and Engineering expressed concerns with this rezoning proposal.

b. Water & Wastewater

A goal of the CMP is to ensure existing services are sufficient for proposed new development. Quantity and quality of water resources in the County should be protected.

The subject properties are bordered on the south and east by the Highline Canal. Accordingly, staff referred this to Public Health, Denver Water, Consolidated Mutual Water Company, and the Farmers' High Line Canal & Reservoir Company. No concerns were expressed with this proposal.

Stormwater runoff will be addressed at the time of Site Development Plan. 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 the spread of vector-borne diseases such as West Nile Virus by managing potential mosquito habitat.

c. Services

Ensure that existing and new developments are served at an acceptable level by law enforcement, fire protection, and emergency and disaster services.

Fairmount Fire Protection District has submitted a letter stating they will provide service to the property. Water and Sewer is provided by North Table Mountain Water and Sanitation District.

Summary of Analysis: Proof of water, sewer and fire service has been provided. There would be no additional traffic impacts above what could already be allowed. The applicant has agreed to an extended setback that could help mitigate any potential deleterious impacts to the adjacent Farmer's Highline Canal and reservoirs. The proposed rezoning would meet the recommendations of the Infrastructure, Water & Services Section of the Plan.

COMPATIBILITY:

The proposed rezoning is compatible with allowed and existing land uses in the general vicinity of the project area. In addition, the property is currently zoned to allow industrial uses. The properties are within an established industrial park, bordering industrial uses to the north, and are recommended for this use per the Area Plan. In addition, wider setbacks to the south and east have remained, and the most potentially undesirable uses have been prohibited. Staff believes this is an appropriate use in this location.

SUMMARY OF STAFF POSITION:

Staff supports this rezoning proposal. Industrial Uses in this location are recommended by the Plan, it is directly adjacent to similar uses, and the applicant has agreed to additional restrictions to limit the height, increase the southern setbacks and limit the uses and location of outdoor storage.

PLANNING COMMISSION:

Planning Commission Recommendation (Resolution Dated February 10, 2016 Attached):

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

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

FINDINGS/RECOMMENDATIONS:

Staff recommends that the Board of County Commissioners find that:

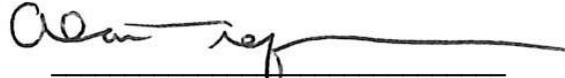
1. **The proposal is in general conformance with the Comprehensive Master Plan because it meets all applicable sections of the Plan policies;**
2. **The proposed land use is compatible with existing and allowable land uses in the surrounding area because it is an industrial use in an industrial area; 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. 15-127879RZ subject to the following conditions:

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

COMMENTS PREPARED BY:



Alan Tiefenbach, Planner
February 22, 2016

Jefferson County Land Use Case Management

CASE DATES SUMMARY

Case Number: **15-127879RZ**

Case Type: **Rezoning**

Pre-application Meeting Date: **May 7, 2015**

Community Meeting Date: **November 3, 2015**

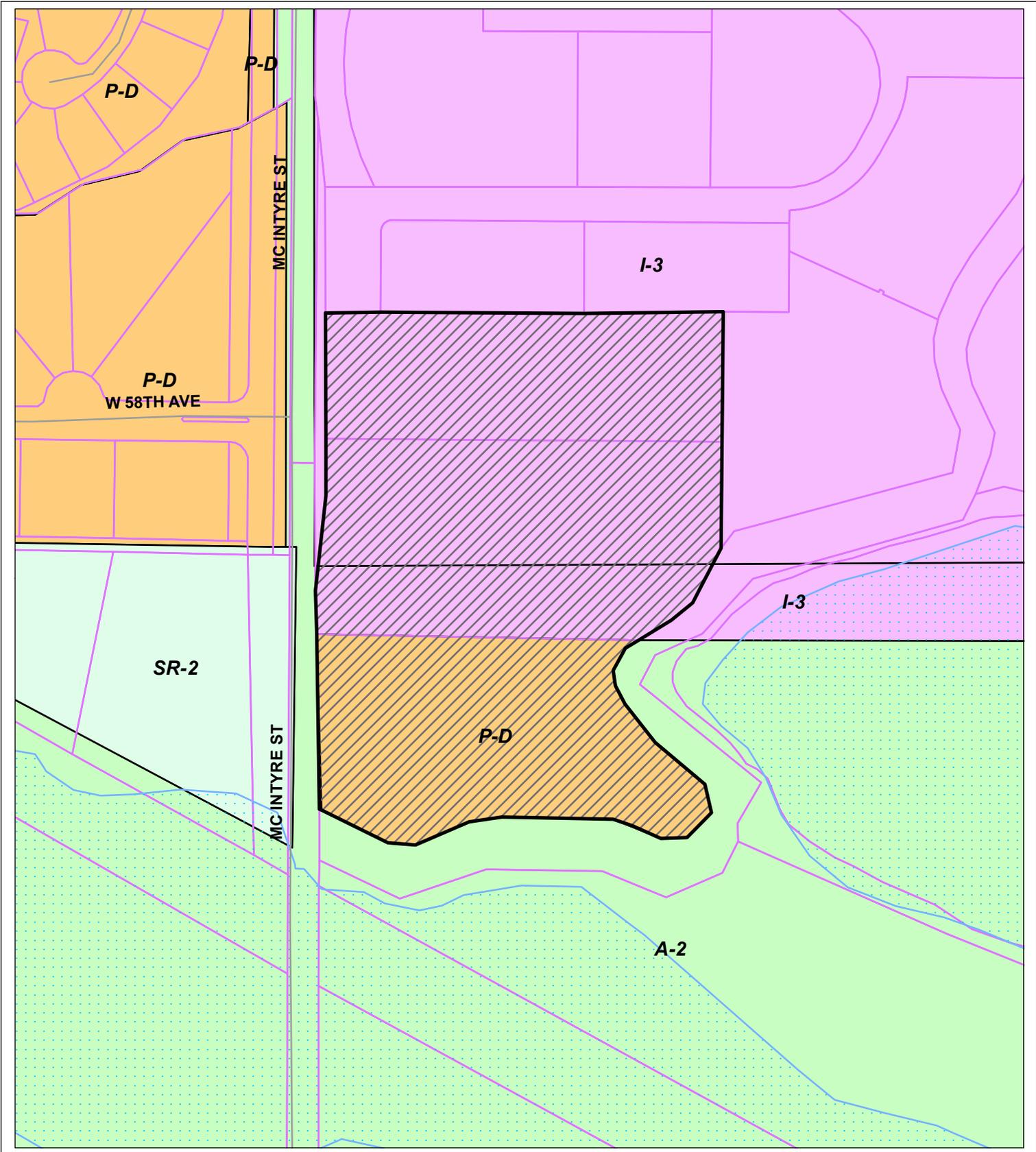
Applicant Makes Complete Submittal: **December 15, 2015**

Case Sent on First Referral: **December 16, 2015**

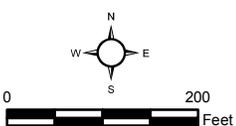
All Responses Provided to Applicant: **January 6, 2016**

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

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



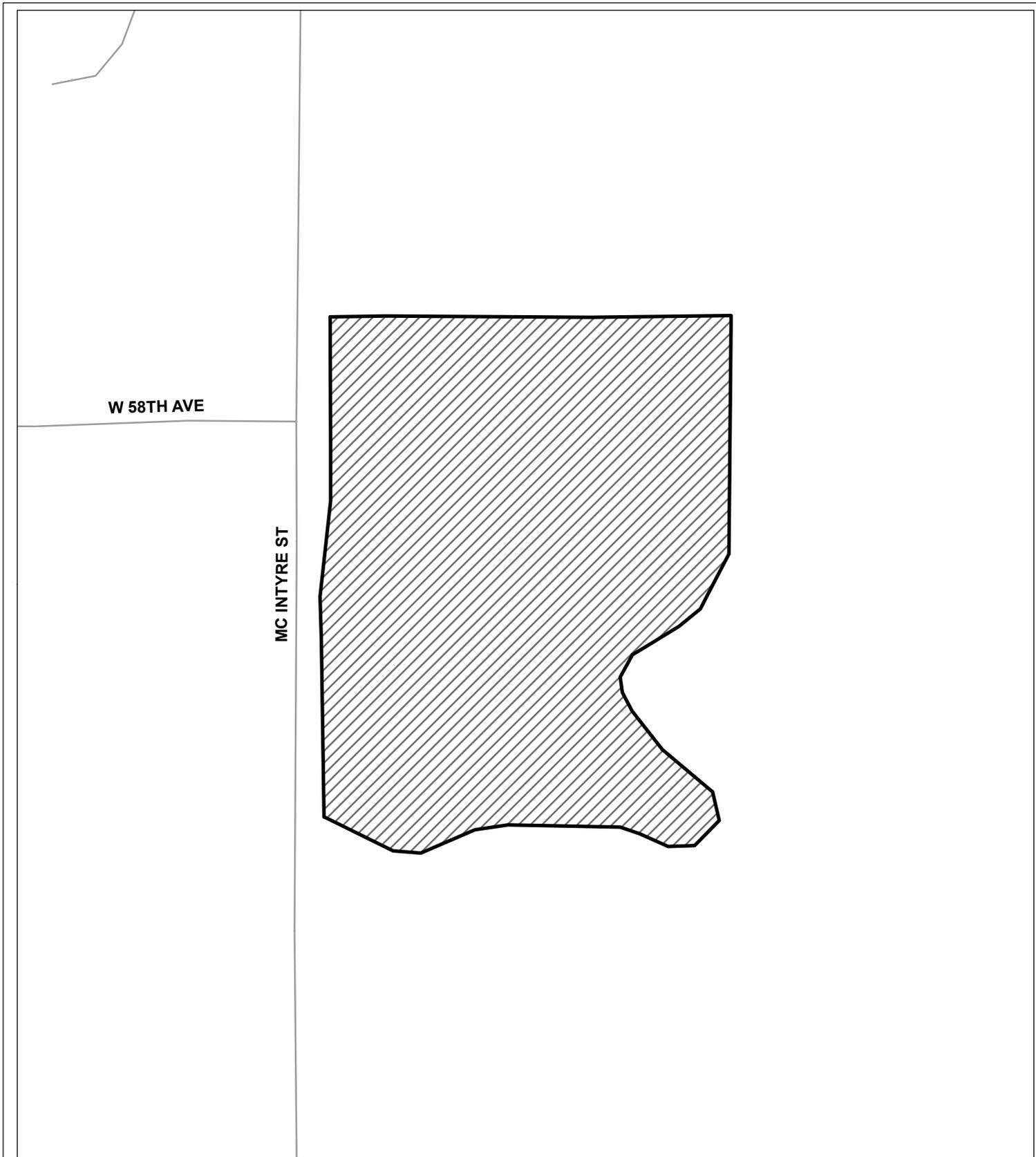
Case Number: 15-127879RZ
Location: Sec. 12, T3S, R70W



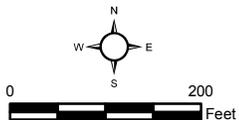
Zoning

- Legend**
-  Site_RZ
 -  DFIRM_100Yr_FloodHazardZones

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Case Number: 15-127879RZ
Location: Sec. 12, T3S, R70W



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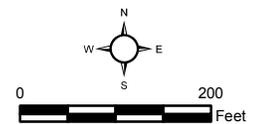
Vicinity

1:2,400 Plot: 2015-12-29
Orthos: 75



Case Number: 15-127879RZ
Location: Sec. 12, T3S, R70W

2012 Photography



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1:2,400

Plot: 2015-12-29

Orthos: 75

Legal Description

Street Location of Property 5770 Mc Intyre Street

Is there an existing structure at this address?

Yes No

Type the legal description and address below.

A PARCEL OF LAND BEING A PORTION OF THE SOUTHEAST QUARTER OF SECTION 12, TOWNSHIP 3 SOUTH, RANGE 70 WEST OF THE 6TH PRINCIPAL MERIDIAN AND BEING FURTHER DESCRIBED AS FOLLOWS:

BEARINGS ARE BASED ON THE WEST LINE OF THE SOUTHEAST QUARTER OF SECTION 12 BEING ASSUMED TO BEAR SOUTH 00°15'56" WEST, A DISTANCE OF 1325.84 FEET BETWEEN THE FOLLOWING DESCRIBED MONUMENTS;

-THE CENTER QUARTER CORNER OF SAID SECTION 12 BEING A FOUND 2" ALUMINUM CAP IN RANGE BOX, PLS 27615 MATCHING MONUMENT RECORD ON FILE.

-THE CENTER SOUTH SIXTEENTH CORNER OF SAID SECTION 12 BEING A FOUND 2 " ALUMINUM CAP IN RANGE BOX, PLS 27615 MATCHING MONUMENT RECORD ON FILE.

BEGINNING AT THE CENTER QUARTER OF SAID SECTION 12; THENCE SOUTH 00°15'56" WEST ALONG THE WEST LINE OF THE SOUTHEAST ONE-QUARTER OF SAID SECTION 12, A DISTANCE OF 959.32 FEET TO A POINT OF INTERSECTION OF SAID BASIS OF BEARINGS AND THE SOUTHERLY LINE EXTENDED OF THOSE PARCELS DESCRIBED IN THE SEAVIEW SUBDIVISION PLAT RECEPTION #2011118055 AND THAT PARCEL DESCRIBED AT RECEPTION #2013060622 ;

THENCE ALONG SAID SOUTHERLY LINE EXTENDED SOUTH 89°43'43" EAST, A DISTANCE OF 44.81 FEET TO THE EASTERLY RIGHT-OF-WAY OF McINTYRE STREET AND THE POINT OF BEGINNING;

THENCE CONTINUING ALONG SAID SOUTHERLY LINE AND SOUTHERLY LINE EXTENDED SOUTH 89°43'43" EAST, A DISTANCE OF 617.51 FEET TO THE WESTERLY LINE OF THE TABLE MOUNTAIN RESEARCH CENTER SITE EXEMPTION SURVEY NO. 1, RECEPTION #84019145 ;

THENCE ALONG SAID WESTERLY LINE SOUTH 00°16'02" WEST, A DISTANCE OF 361.41 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF THE FARMERS HIGHLINE CANAL;

THENCE SOUTHERLY ALONG SAID WESTERLY RIGHT-OF-WAY OF CANAL AND ALONG THE EASTERLY LINE OF THAT "PARCEL A" DESCRIBED IN SAID BOOK 2641 AT PAGE 741 AND THE SOUTHERLY LINE OF THAT TRACT DESCRIBED IN RECEPTION NO. 84088368 THE FOLLOWING NINETEEN (19) COURSES AND DISTANCES.;

Advise of Ortho Map No. 75 Section 12 Township 3 S. Range 70 W.

Calculated Acreage 10.077 Acres Checked by: Ed Wieland

Address Assigned (or verified) 5770 Mc Intyre Street

Legal Description continued

- 1) THENCE SOUTH 47°16'02" WEST, A DISTANCE OF 68.24 FEET;
- 2) THENCE SOUTH 48°58'27" WEST, A DISTANCE OF 42.27 FEET;
- 3) THENCE SOUTH 58°18'15" WEST, A DISTANCE OF 82.08 FEET;
- 4) THENCE SOUTH 48°59'17" WEST, A DISTANCE OF 25.21 FEET;
- 5) THENCE SOUTH 28°17'25" WEST, A DISTANCE OF 38.62 FEET;
- 6) THENCE SOUTH 08°17'35" EAST, A DISTANCE OF 23.59 FEET;
- 7) THENCE SOUTH 27°56'16" EAST, A DISTANCE OF 31.55 FEET;
- 8) THENCE SOUTH 38°01'29" EAST, A DISTANCE OF 74.29 FEET;
- 9) THENCE SOUTH 50°05'48" EAST, A DISTANCE OF 99.46 FEET;
- 10) THENCE SOUTH 13°18'55" EAST, A DISTANCE OF 44.46 FEET;
- 11) THENCE SOUTH 44°29'35" WEST, A DISTANCE OF 53.20 FEET;
- 12) THENCE SOUTH 87°51'42" WEST, A DISTANCE OF 40.09 FEET;
- 13) THENCE NORTH 66°27'04" WEST, A DISTANCE OF 47.45 FEET;
- 14) THENCE NORTH 71°24'14" WEST, A DISTANCE OF 30.63 FEET;
- 15) THENCE NORTH 89°06'20" WEST, A DISTANCE OF 170.13 FEET;
- 16) THENCE SOUTH 82°04'02" WEST, A DISTANCE OF 50.49 FEET;
- 17) THENCE SOUTH 66°11'45" WEST, A DISTANCE OF 89.49 FEET;
- 18) THENCE NORTH 85°29'25" WEST, A DISTANCE OF 41.91 FEET;
- 19) THENCE NORTH 63°55'32" WEST, A DISTANCE OF 113.28 FEET TO A POINT ON THE WEST LINE OF THE TRACT OF LAND DESCRIBED IN RECEPTION NO. 84088368 OF THE JEFFERSON COUNTY RECORDS, SAID POINT LYING 30 FEET EASTERLY OF THE WEST LINE OF THE SOUTHWEST ONE-QUARTER OF THE SOUTHEAST ONE-QUARTER OF SAID SECTION 12;

THENCE NORTHERLY ALONG SAID WEST LINE AND ALONG THE EASTERLY LINE OF THAT TRACT OF LAND DESCRIBED IN RECEPTION NO. 81044029 OF THE JEFFERSON COUNTY RECORDS THE FOLLOWING THREE (3) COURSES AND DISTANCES:

- 1) THENCE NORTH 00°16'22" EAST, A DISTANCE OF 335.98 FEET;
- 2) THENCE NORTH 06°10'17" EAST, A DISTANCE OF 141.08 FEET;
- 3) THENCE NORTH 00°19'09" EAST, A DISTANCE OF 270.70 FEET TO THE POINT OF BEGINNING.

CONTAINING 438,963 SQUARE FEET OR 10.077 ACRES, MORE OR LESS.

I, ROBERT J. HENNESSY, A PROFESSIONAL LAND SURVEYOR LICENSED IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THE ABOVE DESCRIPTION WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND CHECKING.

ROBERT J. HENNESSY, PLS NO. 34580
 FOR AND ON BEHALF OF JEHN ENGINEERING INC.
 5690 WEBSTER STREET, ARVADA, CO. 80002

Advise of Ortho Map No. 75 Section 12 Township 3 S. Range 70 W.
 Calculated Acreage 10.077 Acres Checked by: Ed Wieland
 Address Assigned (or verified) 5770 Mc Intyre Street

Jefferson County Land Use Case Management

CASE DATES SUMMARY

Case Number: **15-127879RZ**

Case Type: **Rezoning**

Pre-application Meeting Date: **May 7, 2015**

Community Meeting Date: **November 3, 2015**

Applicant Makes Complete Submittal: **December 15, 2015**

Case Sent on First Referral: **December 16, 2015**

All Responses Provided to Applicant: **January 6, 2016**

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

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

From: [Bonnie Benedik](#)
Bcc: [Ed Wieland](#); [Ben Hasten](#); [Kirk Hagaman](#); [Patricia Romero\(Planning & Zoning\)](#); [Ed Wieland](#); [John Nihiser](#); [Pat OConnell](#); [Charles Barthel](#); [Ross Klopf](#); [Nancy York](#); [Dennis Dempsey](#); [Russell Clark](#); [Heather Gutherless](#); [Mike Schuster](#); [Tracy R. Volkman](#); [Craig Sanders](#); [Mike Vanatta](#); [Patricia Krmpotich](#); [Lindsay Townsend](#); [Carlos Atencio](#); [Michaelyne Klym](#); ["justinh@apexprd.org"](#); ["Neil Rosenberger"](#); ["Wendy@ntmwater.org"](#); ["rdudley@associacolorado.com"](#); ["felicia@acmhoa.com"](#); ["judson@bajabb.com"](#); ["Judy Thomas"](#); ["codychristman@gmail.com"](#); ["donaldparker@gmail.com"](#); [John Wolforth](#); [Russell Clark](#)
Subject: 15-127879RZ - Electronic Referral
Date: Wednesday, December 16, 2015 10:35:00 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 1st Referral part of the process. Please review the specific electronic documents related to the 1st Referral found [here](#). Comments on the 1st Referral should be submitted electronically to the case manager by the due date below.

Case Number: 15-127879RZ
 Case Name: 5770 McIntyre Street Rezoning
 Address: 5770 McIntyre Street
 General Location: NE corner of McIntyre St at W. 58th Ave
 Case Type: Rezoning
 Type of Application: To rezone from I-3 and PD to a new PD to allow industrial uses.
 Case Manager: Alan Tiefenbach
Comments Due: January 6, 2015
 Case Manager Contact Information: atiefenb@jeffco.us 303-271-8738

The entire case file for this application can be viewed [here](#).

| JEFFCO: | EXTERNAL: | HOA: |
|---|--|---|
| Cartography Addressing Building Open Space Geologist Planning Engineering Long Range Historic Commission Zoning Administration Public Health Transportation & Engineering Road & Bridge, Dist. 1 | Apex Park and Rec District Fairmount Fire Protection District N. Table Mountain W&S District | CANDLELIGHT FIRST SUBASSOCIATION CANDLELIGHT VALLEY HOA FAIRMOUNT IMPROVEMENT ASSN FOREST SPRINGS HOA JEFFERSON COUNTY HORSEMENS ASSN MARRIOTT ORCHARD HOA SAVE THE MESAS INC |

From: [Nathan Seymour](#)
To: [Alan Tiefenbach](#)
Subject: 15-127879RZ - 5770 McIntyre - Planning Engineering Comments
Date: Wednesday, January 06, 2016 3:22:57 PM

Alan,

Planning Engineering confirms that a Traffic Analysis is not required with the rezoning. At the time of the SDP or Plat a traffic analysis or traffic study will be required. Planning Engineering has no outstanding comments related to the rezoning.

Nathan Seymour

Civil Planning Engineer
Jefferson County Planning & Zoning
100 Jefferson County Parkway, Suite 3550
Golden, Colorado 80419-3550
(303) 271-8751 FAX: (303) 271-8744
Email: nseymour@jeffco.us

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 17, 2015

Jefferson County Planning and Zoning
Attn: Alan Tiefenbach
100 Jefferson County Parkway, Suite 3550
Golden, CO 80419

Reference: McIntyre Street Rezoning
Address: 5770 McIntyre St., Arvada CO.

Case Numbers: 15-127879RZ

Dear Mr. Tiefenbach:

Apex Park and Recreation District does not object to the rezoning of the property at 5770 McIntyre St., 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: Lauri Dannemiller, Executive Director
Luann Levine, Executive Assistant

MEMO

TO: Alan Tiefenbach
Jefferson County Planning and Zoning Division

FROM: Tracy Volkman
Jefferson County Environmental Health Services Division

DATE: December 21, 2015

SUBJECT: Case #15-127879 RZ
Mark Bishop
5770 McIntyre St

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

PROPOSAL SUMMARY

To rezone from I-3 and PD to a new PD to allow industrial uses

COMMENTS

Jefferson County Public Health (JCPH) provided comments dated February 11, 2014 and May 4, 2015 regarding previous case referrals for this property. We have reviewed the documents submitted by the applicant for this rezoning process and have the following comments:

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

| ✓ | Date Reviewed | Required Documentation/Actions | Refer to Sections |
|---|---------------|---|-------------------|
| ✓ | 12-21/2015 | Submit a will serve letter from the Water and Sanitation Districts indicating public water and sewer is available to the proposed development in accordance with the Land Development Regulation (LDR) 21 and 22. | Water/Wastewater |

WATER/WASTEWATER

The North Table Mountain Water and Sanitation District will provide water and sewer services for the proposed development as stated in a letter dated December 9, 2015.

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.

NOISE

Since this development is essentially surrounded by residential properties; noise levels emitted from this property are more stringent and must comply with the Colorado Revised Statutes (Sections 25-12-101 through 108) which stipulates that the 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.

REGULATED FACILITIES

Certain commercial uses may be subject to plan reviews, inspections, licensing and/or permitting by this Department, or referred to State agencies. Regulated uses include the following:

- Child Care Centers/Schools
- Assisted Living/ Nursing Home
- Food Service Establishments/Grocery Stores
- Swimming Pools/Hot tubs,
- Dry Cleaner
- Gasoline Stations/Auto Repair/Auto Body

Memorandum

To: Alan Tiefenbach
Planner

From: Patrick O'Connell
Geologist

Date: January 6, 2016

Re: 5770 McIntyre Street, Case No. 15-127879RZ

I reviewed the submitted documents for the subject property. I have the following comment.

1. The site is not located in a geologic hazard area, and geologic and geotechnical reports are not required at the time of the rezoning.

From: [Wendy Weiman](#)
To: [Alan Tiefenbach](#)
Cc: [Bart Sperry](#)
Subject: 15-127879RZ; 5770 McIntyre Street Rezoning
Date: Friday, December 18, 2015 9:15:58 AM

Good morning Alan!

The District has no comment regarding the referenced rezoning case.

Thanks!

Wendy M. Weiman, P.E.

Project Engineer

North Table Mountain Water & Sanitation District

14806 W. 52nd Avenue

Golden, Colorado 80403

Tel (303)279.2854 Ext. 306

Fax (303) 279-2865

Email - wendy@ntmwater.org

www.ntmwater.org

ADDRESSING

MEMO

To: Alan Tiefenbach
FROM: Patricia Romero
SUBJECT: 15-127879RZ 5770 McIntyre Street
DATE: December 22, 2015

Addressing offers the following comments on this proposal:

1. The purpose of this Rezoning is to rezone from PD and I-3 to PD to allow office and industrial uses.
2. Access is off of county maintained McIntyre Street. There is a valid existing address, 5770 McIntyre Street, in the addressing database.

Please let me know if you have any questions.



Jefferson County, Colorado
Transportation & Engineering Division

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

P&Z REFERRAL T&E RESPONSE

To: 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" value="We agree that the traffic analysis can be waived for this rezoning submittal only. Any future proposal for actual development should include the traffic analysis."/> |
| 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

Name

Comments



CERTIFICATION OF WATER AND SEWER AVAILABILITY

December 9th, 2015

Jefferson County Planning Department
Foothills Office Park
100 Jefferson County Parkway, Suite 3550
Golden, CO 80419-3550

RE: 5770 McIntyre Street (Jefferson Center), Jefferson County

Jefferson County:

Pursuant to paragraph 5.4 of the Rules and Regulations, North Table Mountain Water and Sanitation District has reviewed the above referenced rezoning application and finds that the property which is the subject of said application is within the boundaries of the District, water and sewer service is available, and the referenced property is therefore eligible for such service, subject to the following:

1. Water service is available within the District and the developer must provide all facilities required to serve the development. No specific quantity or pressure is guaranteed.
2. No water or sewer service will be considered until the developer submits detailed plans for water and sewer construction to serve the development and such plans shall be approved by the District Engineer.
3. Sewer service is available within the District to serve the development. No specific capacity or location guaranteed.
4. No specific fire flow is guaranteed.
5. Agreement on the part of the applicant to comply with all rules, regulations and engineering requirements of the District, in effect at the time the District approves the tap application. In the interest of water conservation, District may enact rules and regulations governing the installation and use of landscaping on the property described.

CERTIFICATION OF WATER AVAILABILITY

Page 2 of 2

6. Payment of all fees and charges levied, assessed, or collected by the District, in effect at the time the District approves the tap application.

As of the date of this letter, there are no limitations on issuance of water or sewer taps, however, by reasons of drought conditions, District does not and can not guarantee issuance of water taps which may be applied for in the future.

This letter has been reviewed with the Board of Directors and represents the District's position in this matter.

Sincerely,



Bart Sperry, P.E.
District Manager/Engineer



Fire Protection District

Protecting Lives and Property Since 1962

December 2, 2015

FFPD-FP-018-15

Mr. Mark Bishop (via email)
mbishop@jehnengineering.com
Pamela Lacy
1656 S. Kline Court
Lakewood, CO 80232

**Re: Fire Protection:
5770 McIntyre Street
Golden, CO 80403**

To whom it may concern:

The property identified above is protected by the Fairmount Fire Protection District (FFPD). Fire service will be provided as long as provisions of the International Fire Code, 2012 edition, including adopted amendments, are met.

Permits from the fire district are required for private roads and driveway(s), core and shell, tenant improvements, all work on automatic fire detection and fire suppression systems, solar photovoltaic systems, radio amplification, underground fire line and the storage of hazardous materials.

FFPD reserves the right to provide additional comments/requirements if any needed plans are submitted and reviewed per applicable codes and amendments.

If you need additional information or have questions or concerns please contact me at (303) 279-2928 extension 104 or via e-mail: nrosenberger@fairmountfire.org

Respectfully,
Fairmount Fire Protection District

Neil Rosenberger, Fire Marshal
nrosenberger@fairmountfire.org

cc: Pamela Lacy
file

Jefferson Development Associates, LLC
1656 S. Kline Ct.
Lakewood, CO 80232

December 11, 2015

Mr. Alan Tiefenbach
Jefferson County Planning and Zoning Department
100 Jefferson Parkway, Suite 3550
Golden, CO 80419

RE: 5770 McIntyre Street Rezoning

Dear Alan:

Jefferson Development Associates, the owner of the subject property, hereby submits a formal submittal for a rezoning of 10.077 acres from PD and I-3 to I-3 with restrictions. The restrictions being a height restriction of 50 ft. in a line east-west 200 ft. north of the southernmost point of the property line and a 20 ft. building setback from the southern property line. The restrictions that we discussed for prohibited uses, setbacks and building height have been included.

The following documents are attached for your review:

Application Form
ODP-Lite
Will Serve Letters
Traffic Analysis Waiver Request
Proof of Ownership

We look forward to working with you.

Sincerely,

Pamela L. Lacy
Managing Partner
Jefferson Development Associates

Section 27: Industrial District

(orig. 3-26-13)

A. Intent and Purpose

1. The Industrial Zone Districts are intended to provide areas for low to heavy industrial development and industrial uses requiring specific designation, where allowed. (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 industrial zone district. (orig.3-26-13)
3. The Industrial zone districts are divided as follows: (orig.3-26-13)
 - a. Industrial-One (I-1): to provide areas for medium industrial development
 - b. Industrial-Two (I-2): to provide areas for heavy industrial development.
 - c. Industrial-Three (I-3): to provide areas for light Industrial development.
 - d. Industrial-Four (I-4): to provide areas for heavy industrial development and industrial uses requiring specific designation.

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

| Use | I-1 | I-2 | I-3 | I-4 |
|--|----------------|----------------|----------------|-----|
| Light Manufacturing, processing or fabrication of commodities Except those permitted in the Industrial-One, Industrial-Two or Industrial-Four Districts. All such manufacturing, processing or fabrication shall be completely enclosed within a legally constructed building. | | | X | |
| Manufacturing, processing or fabrication of commodities Except those permitted in the Industrial-Two or Industrial-Four Districts. | X | | | |
| Manufacturing, processing or fabrication of commodities. Except those specifically permitted within the Industrial-Four District, including the following: Abrasives; alcoholic distillation; animal by-products; bone black; brewery; carbon black and lamp black; charcoal; chemicals, heavy or industrial; cinder and cinder block; coal and coke; detergents, soaps and by-products, using animal fat; fermented fruits and vegetable products, manufacture; fertilizers; fungicides; gases, other than nitrogen and oxygen; glass; glue and size; graphite; gypsum and other forms of plaster base; insecticides; insulation, flammable types, or fabrication; matches; meat slaughtering or packing; metals, extraction or smelting; metal ingots, pigs, casting, sheets or bars; oils and fats, animal and vegetable; paints, pigments, enamel, japans, lacquers, putty, varnishes, whiting and wood filler; paper pulp and cellulose; paraffin; petroleum and petroleum products; portland and similar cements; rubber, processing or reclaiming; sawmill or planing mill; serums, toxins, viruses; sugars and starches; tannery; turpentine; wax and wax products; and wood preserving by creosoting or other pressure impregnation of wood by preservatives. | | X | | |
| Manufacturing, processing or fabrication of commodities; manufacture and storage of explosives (in conformance with setback and other safety requirements of the Building Code, and other applicable codes). | | | | X |
| Foundry | X | X | | X |
| Rock crusher | X | X | | X |
| Storage of gasoline and other petroleum products; for the permitted above-ground storage of flammable liquids, see the Accessory Use Section of this Zoning Resolution. | X | X | | X |
| Brick, tile or terra cotta manufacture. | X | X | | X |
| Light or power plant, central station. | X | X | | X |
| Grain drying or poultry feed manufacture, feed mill. | X | X | | X |
| Wholesale sales, mini-warehousing, warehousing or storage of any commodity. | X ¹ | X ¹ | X ² | X |

| Use | I-1 | I-2 | I-3 | I-4 |
|--|----------------|----------------|----------------|-----|
| Sale at retail of any commodity manufactured, processed, fabricated or warehoused on the premises. | X | X | X | X |
| Sale of retail hardware or equipment, supplies or materials (except commercial explosives) for agriculture, mining, industry, business, transportation, building, and other construction. | X | X | X | X |
| Repair, rental and servicing of any commodity, the manufacture, processing, fabrication, warehousing or sale of which is permitted. | X | X | X | X |
| Craft breweries, distilleries, and wineries. | X | X | X | X |
| Veterinary Hospitals | X | X | X | X |
| Railroad facilities, not including shops. | X | X | X | X |
| Storage of operable motor vehicle regardless of size | X | X | X | X |
| Storage of boats, trailers, recreational vehicles, and other similar recreation equipment. | X | X | X | X |
| Storage of machinery or vehicles not in operating condition, provided that all such properties shall be screened from adjacent streets, or other public ways, by an 8 foot solid fence, to be maintained in a neat and well kept manner. | | | | X |
| Terminals for transportation and public transit vehicles | X | X | X | X |
| Motor vehicle service station, gasoline filling station and car wash. | X | X | X | X |
| Oil and Gas drilling and production subject to the Drilling and Production of Oil and Gas Section of this Zoning Resolution. | X | X | X | X |
| Office used for direct support and as an integral part of a permitted use within this district, when located on the same lot as the use. Temporary office structure will be allowed not to exceed a 5-year period. | X | X | | X |
| All Office uses | X | X | X | X |
| Laboratory | X | X | X | X |
| Research and development facility | X | X | X | X |
| Recycling transfer station, Type I. | X ³ | X ³ | X ³ | X |
| Indoor Recreation and Sports Training Facilities | X | X | X | X |
| Other similar industrial uses that are not more detrimental to the highest and best use of land in this district than the permitted uses listed above. | X | X | X | X |
| Sexually Oriented Businesses located in accordance with the provision of the General Provisions and Regulations Section of this Zoning Resolution. | X | X | X | X |
| Telecommunications Land Uses: Telecommunications Land Uses shall comply with the provisions of the Telecommunications Uses Section of this Zoning Resolution. | X | X | X | X |
| Energy Conversion Systems: Energy Conversion Systems (ECS) land uses shall comply with the provisions of the Alternative Energy Resources Section of the Zoning Resolution. | X | X | X | X |

¹ With the following exceptions: sales, warehousing, storage, or accumulation of junk, including machinery or vehicles not in operating condition, may be permitted only if contained within a building.

² With the following exceptions: No live animals, commercial explosives or above ground bulk storage of flammable liquids or gases may be included.

³ Allowed when completely enclosed within a building. Exception: a recycling transfer station that is not enclosed within a building is permitted when:

- a. The area utilized by containers is less than 200 square feet in size.
- b. The facility accepts only recyclable glassware, metal cans, newspaper, small plastic containers, paper, cardboard.
- c. The facility utilizes containers which screen the materials from weather and public view.
- d. The height of any structure does not exceed 14 feet.

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

| Use | I-1 | I-2 | I-3 | I-4 |
|--|-----|-----|-----|-----|
| Caretakers unit accessory to mini-warehouse uses | X | X | X | X |

D. Special Uses

The following uses shall be permitted only upon review by the Planning Commission and approval by the Board of County Commissioners: (orig. 3-26-13)

| Use | I-1 | I-2 | I-3 | I-4 |
|---|-----|-----|-----|-----|
| Holding area for motor vehicles (operable or inoperable) removed from public roads and awaiting disposition by proper legal authorities. Such motor vehicles shall be enclosed by a closed fence (one preventing view) at least 8 feet in height. | 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 | X |
| Cable Television Reception Station | X | X | X | X |
| Trash Transfer Station | X | X | | X |
| Type II Recycling Transfer Station | X | X | X | X |
| Sanitary Landfill | | | | X |
| Junk yards, automobile wrecking, processing yards and other similar uses. | | | | X |

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

| Districts | Setbacks – Structural | | | | | Setbacks – Gas Pump | | |
|-----------|-----------------------|--------------------|----------------|---------------------|--------------------|---------------------|--------|--------|
| | Front | Side | Side to Street | Rear | | Front | Side | Rear |
| | | | | Prop. Line | Alley ¹ | | | |
| I-1 | 50 ft. | 5 ft. | 30 ft. | 10 ft. | 15 ft. | 18 ft. | 18 ft. | 10 ft. |
| I-2 | 50 ft. | 5 ft. | 30 ft. | 10 ft. | 15 ft. | 18 ft. | 18 ft. | 10 ft. |
| I-3 | 50 ft. | 5 ft. ² | 30 ft. | 10 ft. ³ | 15 ft. | 18 ft. | 18 ft. | 10 ft. |
| I-4 | 50 ft. | 5 ft. | 30 ft. | 10 ft. | 15 ft. | 18 ft. | 18 ft. | 10 ft. |

¹ Measured from the center of the alley.

² The side setback requirement for a standalone office shall be 20 ft.

³ The rear setback requirement for a standalone office shall be 20 ft.

| Districts | Building Height | Lot Size |
|-----------|-------------------|----------|
| I-1 | None | None |
| I-2 | None | None |
| I-3 | None ¹ | None |
| I-4 | None | None |

¹ The height limitation for a standalone office shall be 46 ft.

F. Fencing

- Maximum height: None. (orig.3-26-13)
- Fence permits are required for any fence over 42 inches in height. (orig.3-26-13)
- No barbed wire shall be permitted as material for a boundary or perimeter fence. However, boundary or perimeter fences may include not more than 4 strands of barbed wire as the top 18 inches or less of the fence, which may be angled inward up to 45 degrees, provided the lowest strand of barbed wire is at least 6 feet above the ground. (orig.3-26-13)

4. No electric fence shall be permitted in this district for a boundary or perimeter fence. (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, except that fences constructed of woven wire or ornamental iron which are 80 percent open may be erected with no height limitation. (orig.3-26-13)
6. Where allowed, materials stored outside shall be enclosed and concealed by a closed fence (one preventing view) at least 6 feet in height. When abutting a residential zone district fencing shall be wooden, masonry or hedge. Such fence shall be constructed and maintained in good condition. As used in this section, outdoor storage of material shall include by way of example: equipment, vehicles (operable or inoperable), trailers, pipes, construction materials or other items but shall not include employee or customer parking lots or where sample merchandise is necessary for sale. Merchandise shall not exceed the height of the fence, except for operable vehicles, trailers, or other equipment designed to be towed or lifted as a single component. Where the topography of the land is such that a fence would not prevent view from adjoining property or right-of-way, the Director of Planning and Zoning may waive this requirement. No outdoor storage shall be allowed within a required front setback or within any required landscaping area. (orig.3-26-13; am. 3-3-15)

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, except as specified in the "Fences" portion of this section. (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. Every use shall be so operated that the ground vibration inherently or recurrently generated is not perceptible, without instruments, beyond any boundary line of the lot on which the use is located. (orig.3-26-13)
5. Every use shall be so operated that it does not emit an obnoxious or dangerous degree of heat, glare, radiation or fumes beyond any boundary line of the lot on which the use is located. (orig.3-26-13)
6. No materials or wastes shall be deposited upon a lot in such form or manner that they may be transferred off the lot by natural causes or forces. (3-26-13)
7. All materials or wastes which might cause fumes or dust, or which constitute a fire hazard, or which may be edible by or otherwise attractive to rodents or insects, shall be stored outdoors in closed containers only. (3-26-13)

CASE SUMMARY
Consent Agenda

PC Hearing Date: February 10, 2016

BCC Hearing Date: March 1, 2016

15-125409RZ Rezoning

Case Name: 4370 Kendrick Street – Official Development Plan

Owner/Applicant: 15000 W Kendrick St, LLC

Location: 4300 Kendrick Street (PIN: 30-244-01-006), 14990 West 44th Avenue (PIN: 30-244-01-007) and 15000 West 44th Avenue (PIN: 30-244-01-008)
Section 24, Township 3 South, Range 70 West

Approximate Area: 14.49 Acres

Purpose: **To rezone from Industrial-One (I-1), Industrial-Three (I-3) and Residential-Three (R-3) to a Planned Development (PD) which follows the I-1 standard zone district and allows a food and beverage kiosk as an accessory use.**

Case Manager: Heather Gutherless

Issues:

- None

Recommendations:

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

Interested Parties:

- None

Level of Community Interest: Low

Representative for Applicant: Cari Martinez

General Location: W. 44th Avenue and Kendrick Street

Case Manager Information: Phone: 303-271-8716 e-mail: hgutherl@jeffco.us

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

BEFORE THE PLANNING COMMISSION
COUNTY OF JEFFERSON
STATE OF COLORADO

February 10, 2016

RESOLUTION

15-125409RZ

Rezoning

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Case Manager: Heather Gutherless

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 the proposed uses are similar to what currently exists and potential stacking from the kiosk will be addressed through future processes.

- 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 a revised Official Development Plan in accordance with the red-marked print dated February 10, 2016.

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

| | | |
|--------------|----------------|------------|
| Commissioner | Rogers | Aye |
| Commissioner | Moore | Aye |
| Commissioner | Harris | Aye |
| Commissioner | Hammond | Aye |
| Commissioner | Hatton | Aye |
| Commissioner | Burke | Aye |
| Commissioner | Ahuja | Aye |

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

I, Bonnie Benedik, Administrative Assistant for the Jefferson County Planning Commission, do hereby certify that the foregoing is a true copy of a Resolution duly adopted by the Jefferson County Planning Commission at a regular hearing held in Jefferson County, Colorado, February 10, 2016.



Bonnie Benedik
Administrative Assistant

Staff Report

PC Hearing Date: February 10, 2016

BCC Hearing Date: March 1, 2016

15-125409RZ Rezoning

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Approximate Area: 14.49 Acres

Purpose: **To rezone from Industrial-One (I-1), Industrial-Three (I-3) and Residential- Three (R-3) to a Planned Development (PD) which follows the I-1 standard zone district and allows a food and beverage kiosk as an accessory use.**

Case Manager: Heather Gutherless

Representative: Cari Martinez

Existing Use: Industrial

BACKGROUND/UNIQUE INFORMATION:

The applicant would like to place a food and beverage kiosk on the property addressed as 15000 West 44th Avenue. Originally, the applicant was seeking a temporary use permit to allow this kiosk, but temporary uses must still be allowed by the underlying zoning. Since this property is zoned Industrial, and does not allow restaurants, the property must be rezoned to allow for the use. After the rezoning is complete the applicant may file for a temporary use permit on an annual basis for 5 years. If approved, this would allow the use on the property without first completing a Site Development Plan process. If the applicant wants to continue to have the kiosk on the site after 5 years, a Site Development Plan will need to be completed.

During the process, there was inconsistent information about which properties were included in the rezoning application. The property owner owns three properties in the area, but the operators of the kiosk only wanted to operate on one of the properties. Over the three properties there is a combination of Industrial-One (I-1), Industrial-Three (I-3), and Residential-Three (R-3) zoning. The owner decided to include all properties in the application so that all properties have a single, unified zoning designation of Planned Development (PD). Based on the area plan recommendation and surrounding land uses and zoning, it was decided to request that the PD follow the I-1 zone district.

SURROUNDING ZONING/LAND USE:

| | Adjacent Zoning | Land Use |
|---------------|--|--|
| North: | Industrial – One (I-1) | Industrial, including Ball Metal Container Group |
| South: | Agricultural –Two (A-2) / Industrial-Two (I-2) | State Highway 58 / Coors Brewing Company |
| East: | Restricted Commercial-One (RC-1) / Industrial – One(I-1) | Asphalt Paving Company Office and Warehouse |
| West: | Residential-Two (R-2) | Single Family Residential (5 du/acre) |

NOTIFICATION:

A community meeting was held for this rezoning application on June 29, 2015. There were two (2) citizens in attendance. One of those two citizens in attendance **expressed concerns** related to the proposed application. The concerns were in relation to the traffic from the existing industrial businesses. Once it was explained that this application was primarily to add the food and beverage kiosk, the citizen was no longer concerned.

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 one-mile radius of the site. The initial notification was mailed at the time of the 1st 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 Golden/Foothills Denver Post Your Hub.

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

- Applewood POA
- Fairmount Improvement Assn
- Jefferson County Horseman’s Assn
- Marriott Orchard HOA
- Rolling Hills East HOA
- Save the Mesas Inc
- The Orchard HOA
-

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

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

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

Services: Fairmount Fire Protection District
North Table Mountain Water and Sanitation District

ANALYSIS OF PLAN:

1. **Land Use:** The Comprehensive Master Plan encourages development that is appropriate to the area, economic development by promoting a variety of land uses and infill and redevelopment projects.

Areas of Conformance:

a. All Development

This element discussed accommodating a balance of land uses and has several policies regarding compatibility.

The proposal has two aspects to it; the representative is proposing a food and beverage kiosk and the owner is cleaning up the split zoning on the three properties. Some policies may apply to just the food and beverage kiosk, some may apply to the split zoning and others may apply to both.

The food and beverage kiosk will provide for a broader variety of land uses in the area. Most properties are industrial, so food establishments are not allowed. This proposal will allow for a limited size food establishment to provide refreshments for the businesses in the area.

In regard to fixing the split zoning, 75% of the property is currently zoned I-1. The North Plains Area recommends industrial uses for this entire area, including the residential to the west. The I-3 portion of the property is mainly located along West 44th Avenue, with just a small amount along the border with the residential uses. The R-3 zoning is adjacent to other industrial uses, so rezoning the entire property to PD following I-1 is compatible with existing and potential uses.

b. Business and Industry

One of the applicable policies in this element is that when commercial zoning is proposed, office and light industrial, as well as uses that support small businesses are generally desirable.

This policy would apply to both aspects of the proposal. The industrial uses would be consistent across the entire property, making development or redevelopment less difficult. The kiosk would be a small business in the area.

I. Area/Community Plan Recommendation

The North Plains Area Plan shows this property within Area 24, which is recommended for Industrial uses. Additionally, there is a policy that states “Retail development that is ancillary to office/industrial land uses is acceptable throughout office/industrial areas.”

Consolidating the split zoning into one PD zone district that follows I-1 would meet the recommendations of this plan.

Additionally, the kiosk is limited to 100 square feet in size, so would be considered an ancillary retail use, which is acceptable in this area.

Summary of Analysis: The proposal conforms to the applicable Land Use policies in the Comprehensive Master 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.

This property does not contain any of the above identified physical constraints.

Summary of Analysis: This proposal conforms to the Physical Constraints policies in the

Comprehensive Master 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. Historic Resources

According to County Assessor records, a part of the existing warehouse was constructed in early 1900s. The intent of this proposal is to add the food and beverage kiosk and clean up the zoning on the properties. If in the future, any of the existing buildings are substantially remodeled or if new buildings are constructed, another County process would be required, at which time, the historic nature of any existing buildings can be addressed.

b. Visual Resources

There are no visual resources on this site.

c. Air, Light, Odor, and Noise

This section encourages the effective management of air quality and the impacts of light, odor, and noise.

Industrial uses will typically have more impacts related to Air, Light, Odor, and Noise than other uses. However, this is an industrial area already with the majority of the surrounding parcels being zoned I-1. Any uses will have to meet all current County, State and Federal regulations regarding Air, Light, Odor and Noise.

Summary of Analysis: This proposal conforms to the Community Resources policies in the Comprehensive Master Plan.

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

a. Transportation

The Plan discusses ensuring that new development has adequate transportation infrastructure to serve it.

This property is accessed via Kendrick Street and West 44th Avenue, both County dedicated and maintained streets. If the rezoning is approved, a temporary use permit for the food and beverage kiosk may be granted for up to 5 years. After that time, if it is desired to continue the use, a Site Development Plan will be required, at which time the County will determine what improvements are needed to these streets.

County Staff did have a concern about whether vehicular stacking from the food and beverage kiosk would impact traffic on West 44th Avenue. Since the next step is a temporary use permit that is renewed on an annual basis, staff determined that monitoring of the stacking would be adequate for now. If traffic is impacted, then striping and/or signage may be required so that stacking occurs on Kendrick Street rather than West 44th Avenue.

b. Water & Wastewater

The Plan discusses ensuring that new development has appropriate water service and wastewater treatment.

This property is served by North Table Mountain Water and Sanitation District. They already provide service to the property and had no concerns with this proposal. The food and beverage kiosk will not be tying into public water and sanitation, but will follow Jefferson County Public Health Regulations for retail food establishments.

c. Other Utilities

The Plan discusses ensuring that utilities are adequate for existing and future development.

Utilities exist to the site. Additional utility service is not required.

d. Services

The Plan discusses ensuring that services are sufficient for the proposed new development.

This property is served by the Fairmount Fire Protection District. The Fire Department commented that they had no objections to the allowance of the food and beverage kiosk. They did go on to note that off-street driveway access to the primary commercial building and installed kiosk will need to be maintained for emergency response vehicles and personnel. Also, UL approved ABC dry chemical fire extinguishers will be required to be installed and maintained in the kiosk.

Summary of Analysis: This proposal conforms to the Infrastructure, Water & Services policies in the Comprehensive Master Plan.

COMPATIBILITY:

The properties surrounding the subject property to the north, east and south, and a small amount to the west are zoned I-1. There is a small amount of RC-1 to the east that contains the offices for the Asphalt Paving Company’s operations. To the west is R-2, which is where compatibility may be questioned. However, 70% of the length of the western property line is already I-1. So in those locations the impacts will not change. The currently zoned I-3 portion is where the food and beverage kiosk is proposed. Staff did have concerns about how stacking may impact West 44th Avenue and properties west of Kendrick. If the property is rezoned, a temporary use permit will be required and renewed on an annual basis for 5 years. During each evaluation, stacking will be evaluated. If there are impacts, they may be addressed through signage and striping to direct patrons of the kiosk to stack along the east side of Kendrick where impacts would be lessened.

SUMMARY OF STAFF POSITION:

Staff supports this proposed rezoning. The uses comply with the land use recommendation in the Comprehensive Master Plan and the uses are compatible with existing and potential surrounding uses.

PLANNING COMMISSION:

Planning Commission Recommendation (Resolution Dated February 10, 2016 Attached):

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

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

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 use is compatible with existing and allowable land uses in the surrounding area because the proposed uses are similar to what currently exists and potential stacking impacts from the kiosk will be addressed through future processes; 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. 15-125409RZ** subject to the following conditions:

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

COMMENTS PREPARED BY:

A handwritten signature in blue ink, appearing to read 'H. Gutherless', is written over a horizontal line.

Heather Gutherless, Senior Planner
February 23, 2016

Jefferson County Land Use Case Management
CASE DATES SUMMARY

Case Number: **15-123746RZ**

Case Type: **Rezoning**

Pre-application Meeting Date: **April 23, 2015**

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

Applicant Makes Complete Submittal: **October 5, 2015**

Case Sent on First Referral: **October 7, 2015**

All Responses Provided to Applicant: **November 10, 2015**

Determination That Case Should Proceed to Hearing: **December 29, 2015**

County Staff Determination: **X**

Applicant's Request: **X**

COUNTY COMMISSIONER'S CERTIFICATE:

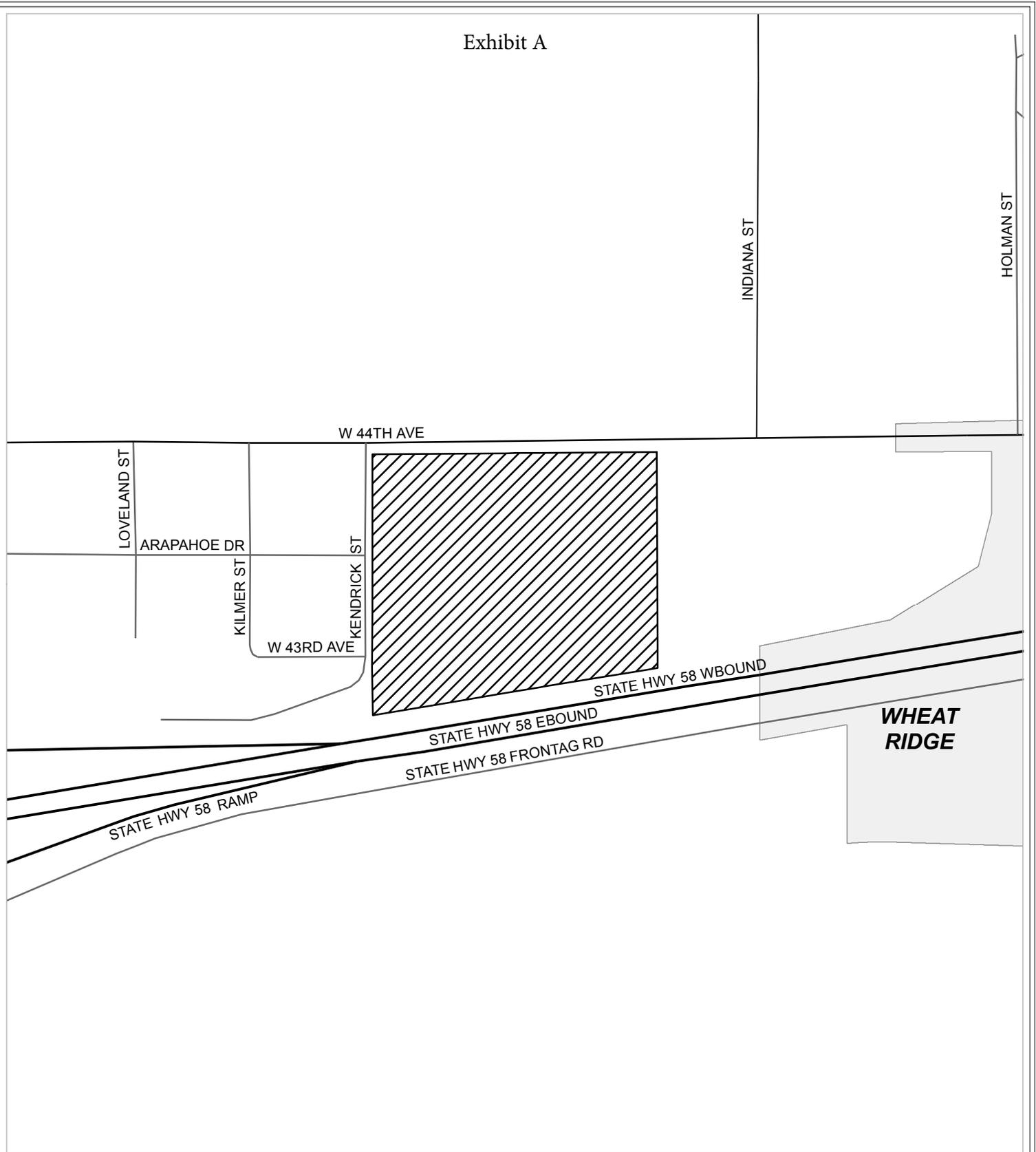
This Official Development Plan, titled 4370 Kendrick Street Official Development Plan, was approved the _____ day of _____, 201____, and is accepted by the Board of County Commissioners this _____ day of _____, 201____.

BOARD OF COUNTY COMMISSIONERS:

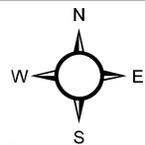
Chairman

Clerk

Exhibit A



Case Number: 15-125409RZ
Location: Section 24, T3S, R70W



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Legal Description

Street Location of Property 14902 W. 44th Ave., 14990 W. 44th Ave., 15000 W. 44th Ave., 15002 W. 44th Ave., 4300 Kendrick St., 4340 Kendrick St., 4350 Kendrick St., and 4370 Kendrick St.

Is there an existing structure at this address? Yes X No

Type the legal description and address below.

Parcel One:

**Lots 1 and 2,
Finding Subdivision, Amendment 1,
County of Jefferson, State of Colorado**

Parcel Two:

A tract of land located in the Southeast ¼ of Section 24, Township 3 South, Range 70 West of the 6th Principal Meridian, said tract being a portion of Tracts 11 and 12 of the Findings Subdivision, more particularly described as follows:

Beginning at the Southeast corner of Schreiner's Resubdivision, said corner being the True Point of Beginning; Thence North 00 degrees 03 minutes 03 seconds East along the East line of Kendrick Street, said line also being the East line of Schreiner's Resubdivision a distance of 161.063 feet to a point; Thence South 87 degrees 14 minutes 32 seconds East a distance of 176.564 feet to a point; Thence North 83 degrees 45 minutes 45 seconds East a distance of 60.563 feet to a point; Thence South 79 degrees 16 minutes 58 seconds East a distance of 92.930 feet to a point; Thence South 43 degrees 24 minutes 46 seconds East a distance of 34.658 feet to a point; Thence South 83 degrees 04 minutes 14 seconds East a distance of 26.138 feet to a point; Thence South 08 degrees 01 minutes 40 seconds East a distance of 200.302 feet to a point on the Northerly right of way line of Colorado State Highway Number 58; Thence South 80 degrees 43 minutes 00 seconds West along the Northerly right of way line of Colorado State Highway Number 58 a distance of 411.274 feet to a point that intersects on the East line of Kendrick Street extended; Thence North 00 degrees 03 minutes 03 seconds East a distance of 150.552 feet to the True Point of Beginning,

**County of Jefferson,
State of Colorado.**

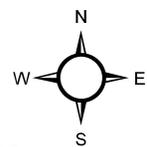
Advise of Ortho Map No. 50 Section 24 Township 3 S. Range 70 W.

Calculated Acreage 14.49 Acres Checked by: Ben Hasten

Address Assigned (or verified) 14902 W. 44th Ave., 14990 W. 44th Ave., 15000 W. 44th Ave., 15002 W. 44th Ave., 4300 Kendrick St., 4340 Kendrick St., 4350 Kendrick St., and 4370 Kendrick St.



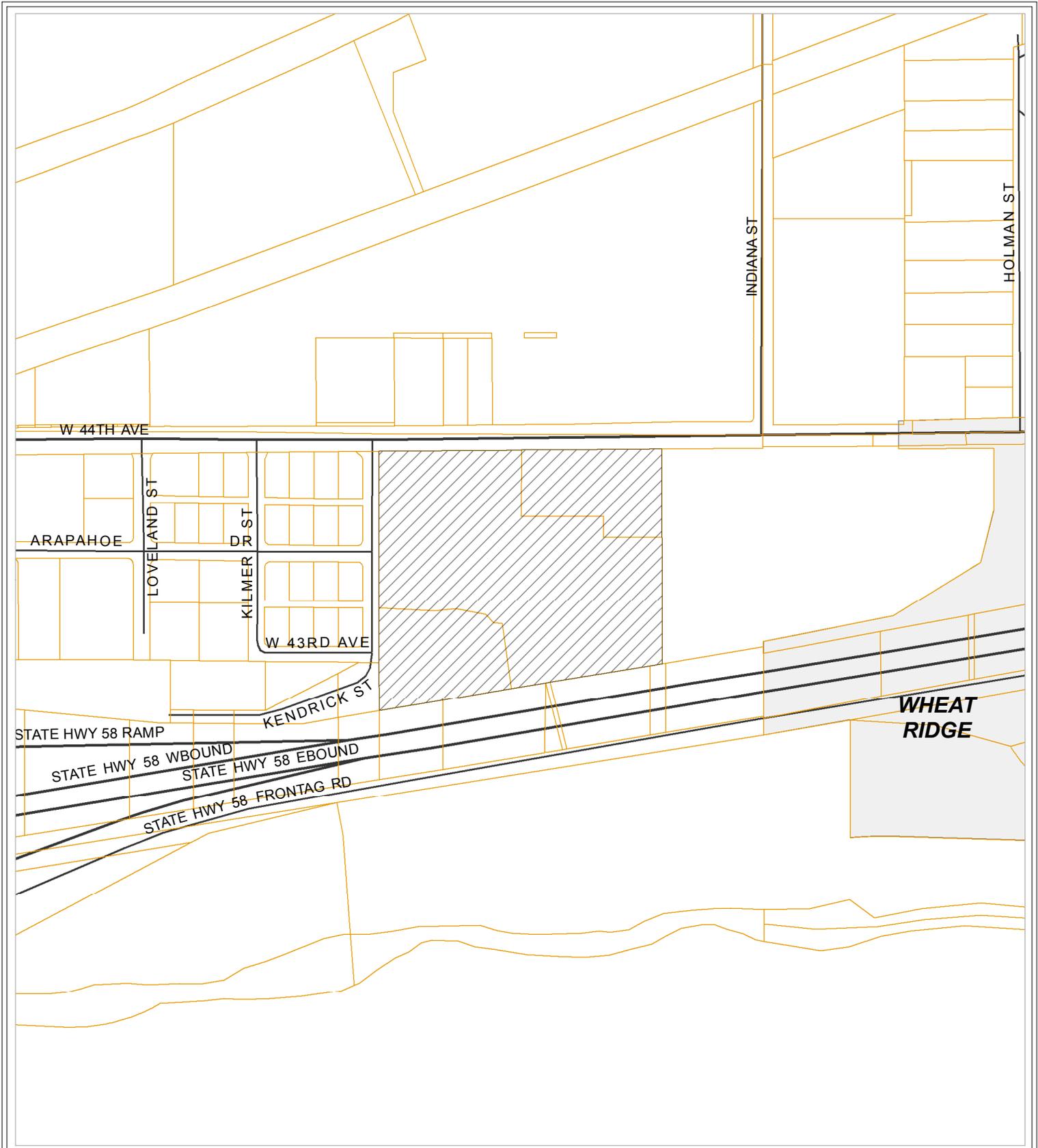
Case Number: 15-125409RZ
Location: Section 24, T3S, R70W



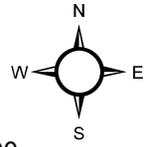
400 0 400 800 Feet



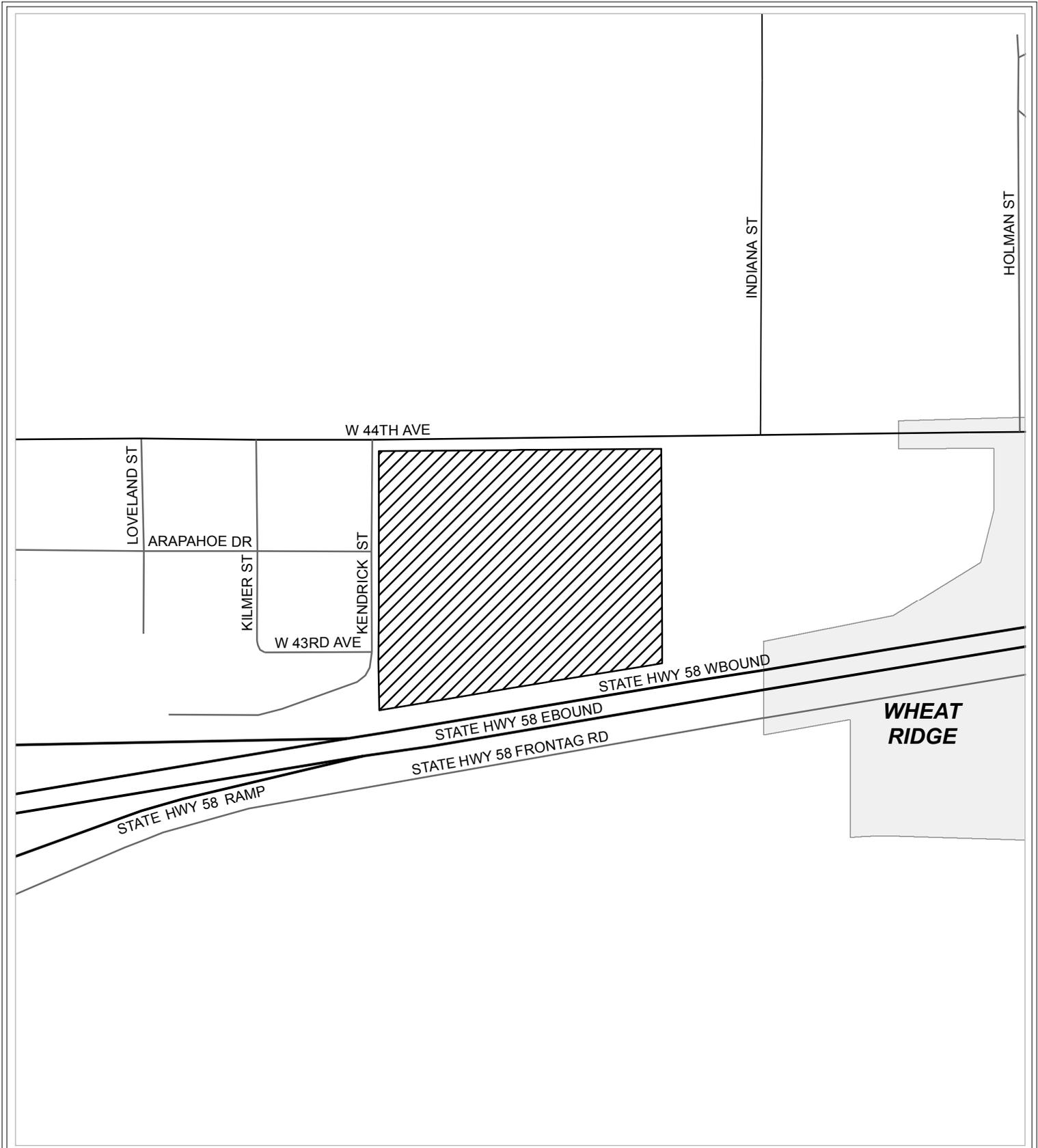
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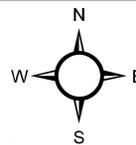
Case Number: 15-125409RZ
Location: Section 24, T3S, R70W



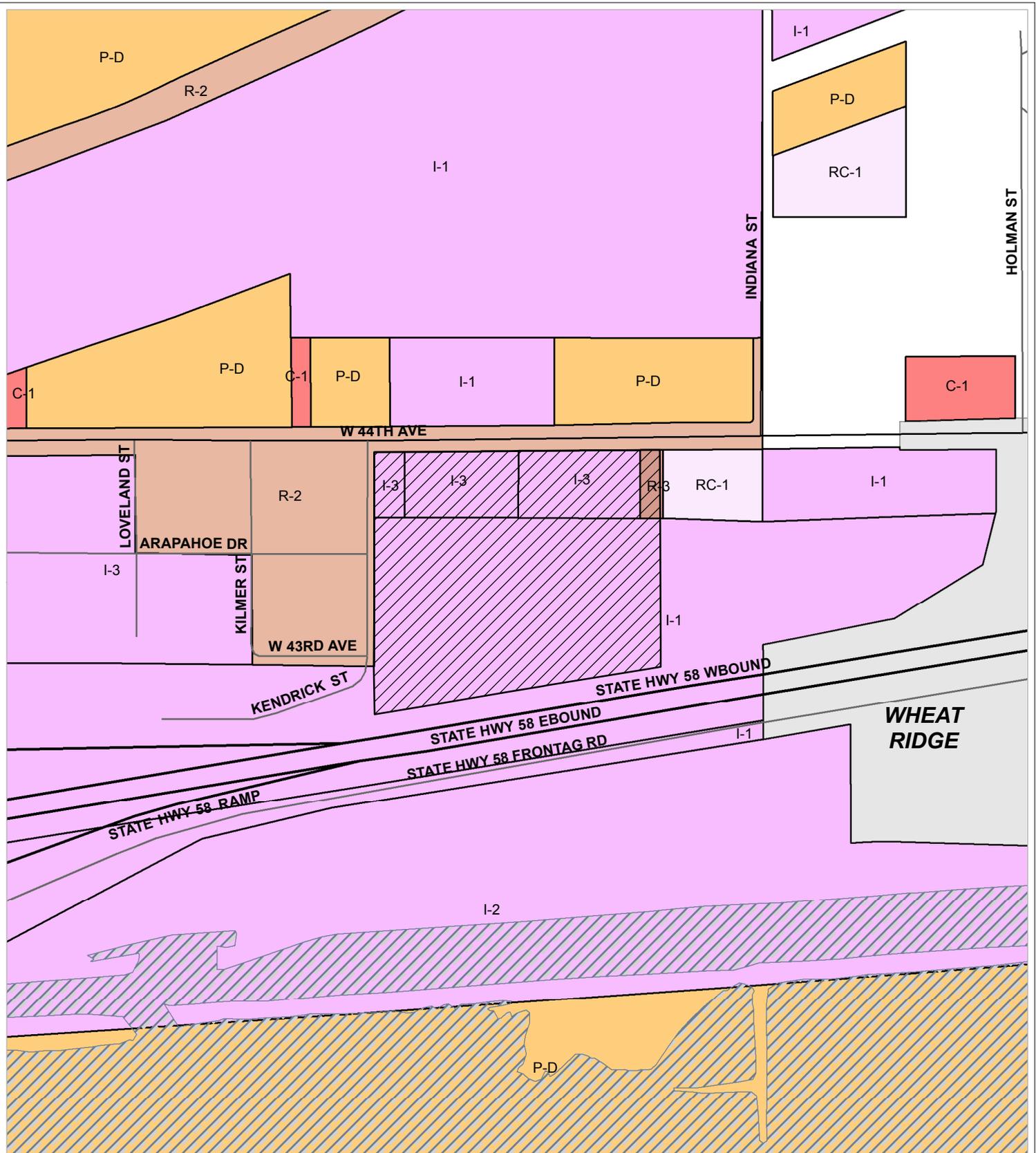
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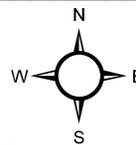
Case Number: 15-125409RZ
Location: Section 24, T3S, R70W



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Case Number: 15-125409RZ
Location: Section 24, T3S, R70W



400 0 400 800 Feet



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Legal Description

Street Location of Property 14902 W. 44th Ave., 14990 W. 44th Ave., 15000 W. 44th Ave., 15002 W. 44th Ave., 4300 Kendrick St., 4340 Kendrick St., 4350 Kendrick St., and 4370 Kendrick St.

Is there an existing structure at this address? Yes X No _____

Type the legal description and address below.

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County of Jefferson, State of Colorado**

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**County of Jefferson,
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Advise of Ortho Map No. 50 Section 24 Township 3 S. Range 70 W.

Calculated Acreage 14.49 Acres Checked by: Ben Hasten

Address Assigned (or verified) 14902 W. 44th Ave., 14990 W. 44th Ave., 15000 W. 44th Ave., 15002 W. 44th Ave., 4300 Kendrick St., 4340 Kendrick St., 4350 Kendrick St., and 4370 Kendrick St.

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

January 27, 2016

Case Number: **15-125409RZ**

Case Type: **Rezoning**

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

Community Meeting Date: **June 29, 2015**

Applicant Makes Complete Submittal: **October 23, 2015**

Case Sent on First Referral: **October 26, 2015**

All Responses Provided to Applicant: **November 24, 2015**

Case Sent on Second Referral: **January 4, 2016**

All Responses Provided to Applicant: **January 15, 2016**

Determination That Case Should Proceed to Hearing: **January 15, 2016**

County Staff Determination: Applicant's Request:

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 1st Referral part of the process. Please review the specific electronic documents related to the 1st Referral found [here](#). Comments on the 1st Referral should be submitted electronically to the case manager by the due date below.

Case Number: 15-125409RZ

Case Name: 4370 Kendrick Street ODP

Address: 15000 W. 44th Avenue and 4370 Kendrick Street

General Location: East of W. 44th Ave. and McIntyre St.

Case Type: Rezoning

Type of Application: To rezone from I-3 and I-1 to PD to allow for a food and beverage kiosk.

Case Manager: Heather Gutherless

Comments Due: **November 16, 2015**

Case Manager Contact Information: **hgutherl@jeffco.us** 303-271-8716

The entire case file for this application can be viewed [here](#).

| JEFFCO: | EXTERNAL: | HOA: |
|---|--|--|
| Addressing Cartography Open Space Geologist Planning Engineering Long Range Planning Zoning Administration Public Health Transportation & Engineering Road & Bridge, Dist 1 Historic Commission | City of Wheat Ridge City of Golden Jeffco EDC Fairmount Fire Protection Dist North Table Mountain Water & Sanitation District Xcel | Save the Mesas Rolling Hills East HOA Jefferson County Horsemens Fairmount Improvement Assn The Orchard HOA Applewood POA Marriott Orchard HOA |

ADDRESSING

MEMO

To: Heather Gutherless
FROM: Patricia Romero
SUBJECT: 15-125409RZ 4370 Kendrick Street
DATE: November 3, 2015

Addressing offers the following comments on this proposal:

1. The purpose of this Rezoning is to rezone from I-1 and I-3 to PD to allow for a food and beverage kiosk.
2. Access is off of county maintained Kendrick Street and West 44th Avenue. There is a valid existing address, 4370 Kendrick Street, in the addressing database.
3. If an address is required for the new coffee kiosk, it will not be available until the SDP is approved and recorded.

Please let me know if you have any questions.

MEMORANDUM

TO: Heather Gutherless, Case Manager
FROM: Steve Krawczyk, Planning Engineering
DATE: January 14, 2016

RE: 15-125409RZ PA Application for a Rezoning - to allow an 8'x8' drive-through coffee kiosk at 15000 44th 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. Official Development Plan (ODP) - Written Restrictions: Planning Engineering has no comments on the proposed Rezoning.
2. Parking Lot Stacking: The minimum stacking distance between the parking lot and public street or right of way will reviewed with renewable of the temporary use permit . A site plan that increase the minimum stacking distance may be required.

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, additional submittals), 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 me at 303-271-8736.

SK:

c: File

Heather Gutherless

From: Neil Rosenberger [nrosenberger@fairmountfire.org]
Sent: Tuesday, October 27, 2015 9:50 AM
To: Heather Gutherless
Cc: Robert Ipatenco
Subject: RE: 15-125409RZ - Electronic Referral

Good morning,

The Fairmount Fire Protection District has no objections at this time regarding the allowance of this food and beverage kiosk. Off-street driveway access to the primary commercial building and installed kiosk at 15000 West 44th Avenue will need to be maintained for emergency response vehicles and personnel. The only additional requirement from our fire district will be that of a UL approved ABC dry chemical fire extinguisher with a minimum rating of 2:A 10:BC, be installed and maintained in the kiosk for employee use in case of fire.

Please contact our office if you have any questions or need further information.

Thank you.

Respectfully,

Neil

Neil Rosenberger, CFO, FM, MIFireE
Division Chief, Fire Marshal
Fairmount Fire Protection District
4755 Isabell Street
Golden, Colorado 80403
(303) 279-2928 Office
(303) 579-3823 Cell
nrosenberger@ffpdfire.org

Fire Sprinklers Save Lives and Property!



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From: Bonnie Benedik [<mailto:bbenedik@co.jefferson.co.us>]
Sent: Monday, October 26, 2015 4:20 PM
Subject: 15-125409RZ - Electronic Referral

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 1st Referral part of the process. Please review the specific electronic documents related to the 1st Referral found [here](#). Comments on the 1st Referral should be submitted electronically to the case manager by the due date below.

Case Number: 15-125409RZ
 Case Name: 4370 Kendrick Street ODP
 Address: 15000 W. 44th Avenue and 4370 Kendrick Street
 General Location: East of W. 44th Ave. and McIntyre St.
 Case Type: Rezoning
 Type of Application: To rezone from I-3 and I-1 to PD to allow for a food and beverage kiosk.
 Case Manager: Heather Gutherless
 Comments Due: **November 16, 2015**
 Case Manager Contact Information: hgutherl@jeffco.us 303-271-8716

The entire case file for this application can be viewed [here](#).

| JEFFCO: | EXTERNAL: | HOA: |
|---|--|--|
| Addressing Cartography Open Space Geologist Planning Engineering Long Range Planning Zoning Administration Public Health Transportation & Engineering Road & Bridge, Dist 1 Historic Commission | City of Wheat Ridge City of Golden Jeffco EDC Fairmount Fire Protection Dist North Table Mountain Water & Sanitation District Xcel | Save the Mesas Rolling Hills East HOA Jefferson County Horsemens Fairmount Improvement Assn The Orchard HOA Applewood POA Marriott Orchard HOA |

Memorandum

To: Heather Gutherless
Planner

From: Patrick O'Connell
Geologist

Date: November 13, 2015

Re: 4370 Kendrick Street, Case No. 15-125409RZ

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.



October 27th, 2015

Heather Gutherless
Jefferson County Planning
hgutherl@jeffco.us

RE: 15-125409RZ; 4370 Kendrick Street ODP

Heather,

North Table Mountain Water and Sanitation District (District) has reviewed the referral for the 4370 Kendrick Street Rezoning Case. The District has no concerns.

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

Thank you,

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

Heather Gutherless

From: AutoMailer@jeffco.us
Sent: Tuesday, October 27, 2015 11:02 AM
To: Heather Gutherless
Cc: Regina Elsner
Subject: Agency Response

Address: 4370 Kendrick Street ODP
Case Number: 15 125409 RZ
Review: Open Space
Review Results: Comments Sent (no further review)
Scheduled End Date: 11/16/2015
Signoff Date: 10/27/2015
Process Comments: JCOS has no comments or concerns on this rezoning.
Case Type: Rezoning: Official Development Plan (ODP)
Reviewer: Regina Elsner
Case Description: To rezone from I-1 and I-3 to PD to allow for a food and beverage kiosk.

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

MEMO

TO: Heather Gutherless
Jefferson County Planning and Zoning Division

FROM: Tracy Volkman
Jefferson County Environmental Health Services Division

DATE: November 5, 2015

SUBJECT: Case #15-125409 RZ
Stu Blattner
4370 Kendrick St

The applicant has met the public health requirements for the proposed rezoning of this property with the understanding that the applicant must still complete a retail food service establishment plan review with applicable fees and obtain a retail food service license from Jefferson County Public Health prior to operation if the rezoning is approved.

PROPOSAL SUMMARY

Rezone to allow for a food and beverage kiosk

COMMENTS

Jefferson County Public Health (JCPH) provided comments on this property in 2003, 2004 and then on April 29, 2015 regarding a pre-application case for this property. We have reviewed the documents submitted by the applicant for this rezoning process and have the following comments:

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

| ✓ | Date Reviewed | Required Documentation/Actions | Refer to Sections |
|---|---------------|--|-------------------|
| ✓ | 11-5-2015 | Submit page 5 from Form 3200 for initial information on water and wastewater proposal. | Water/Wastewater |

WATER/WASTEWATER

The Jefferson County Zoning Resolution Section 1.1.2.k and Section 1.3.a (20) and Section 1.3.a (21) requires proof of water and sewer in accordance with the Land Development Regulation Section 21 and 22.

Water for retail food establishments must be obtained from an approved source. The applicant submitted a letter dated September 24, 2015 and page 5 from Form 3200 that stated bottled water will be used for the kiosk. It is understood this facility will be open seven (7) days a week from 5:00 am to 2:00 pm. As such, we estimate that based on the hours of operation a minimum of 27 gallons of potable water per day must be provided with a 31 gallon holding tank for wastewater storage. The applicant submitted that 10 gallons of potable water will be provided. **The amount of potable water must be increased by 17 gallons.** The size of the wastewater tanks are of sufficient size based on the information provided. Wastewater must be properly disposed of in a sanitary sewer.

- **Submit page 5 from Form 3200. This document can be obtained from Heather Gutherless, Planning and Zoning Case Manager.**

REGULATED FACILITIES

The proposed retail food service establishment (food and beverage kiosk) will be subject to a plan review, yearly licensing and routine inspections with applicable fees by this Department. **Please contact Matthew Garcia, Plan Review Coordinator (303.271.5762) for specific requirements.** "Retail food establishment" means a retail operation that stores, prepares, or packages food for human consumption or serves or otherwise provides food for human consumption to consumers directly or indirectly through a delivery service, whether such food is consumed on or off the premises or whether there is a charge for such food. Colorado Revised Statutes 25-4-1602(14).

Please be advised that the sale of burritos may not be approved as proposed. This will be identified during the retail food establishment plan review of the food and beverage kiosk operation.

Additional equipment inside the kiosk may be required which will be identified during the retail food establishment plan review with this Department.

SUMMARY

The retail food establishment plan review will determine if the food and beverage kiosk can be licensed as a retail food service establishment as proposed. The kiosk must also comply with the Retail Food Establishment Interpretation #02-1.

ENVIRONMENTAL SITE ASSESSMENT

This Department has reviewed the Environmental Questionnaire and Disclosure Statement dated September 16, 2015. 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. Asbestos information can be found at

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

NOISE

Since this facility is essentially surrounded by residential properties to the east of the proposed development, noise levels emitted from this property are more stringent and must comply with the Colorado Revised Statutes (Sections 25-12-101 through 108) which stipulates that the 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.



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: Heather Gutherless *P&Z Case Manager* From: Mike Vanatta, Pre-Construct. Engineer

Case #: 15-125409 RZ Due Date: January 13, 2016

Property Address or PIN: 15000 W 44th Ave and 4370 Kendrick St

- 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

Robert Taylor - Corridor Projects/ROW

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

Derek Schuler - Traffic/Trans Engineer

Yelena Onnen -Transportation Planning

| | Included in referral | Reviewed | | Comments |
|--------------------------------------|--------------------------|--------------------------|--------------------------|---|
| | | No | Yes | |
| Traffic study | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | With an estimated 120 trips per day, no traffic analysis is required. There is a 98' stacking distance to the kiosk, assuming 20' feet/car the queuing area will accommodate approximately 5 vehicles. According to a drive-through queue generation study, coffee shops produce an average maximum queue of 10 - 11 vehicles in the am peak. The data suggests that coffee shops with drive-through lanes should be able to accommodate at least 260' of vehicle staking during morning hours. This queue can be accommodated on Kendrick St, but it may cause traffic delays if it occurs on W 44th Ave during AM peak traffic. |
| 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

Name

Comments

How will vehicular circulation be addressed to direct motorist to queue on Kendrick St and not W 44th Ave?

Study: <http://mikeontraffic.typepad.com/files/drive-through-queue-generation.pdf>

This part of 44th will need adequate ROW for curb, gutter and sidewalks as a Major Collector. - MRV



Right of Way & Permits

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

November 13, 2015

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

Attn: Heather Gutherless

Re: 4370 Kendrick Street ODP Rezone, Case # 15-125409RZ

Public Service Company of Colorado's (PSCo) Right of Way & Permits Referral Desk has reviewed the request for the **4370 Kendrick Street ODP Rezone**. Please be advised that PSCo has existing natural gas and electric 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

Section 27: Industrial District

(orig. 3-26-13)

A. Intent and Purpose

1. The Industrial Zone Districts are intended to provide areas for low to heavy industrial development and industrial uses requiring specific designation, where allowed. (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 industrial zone district. (orig.3-26-13)
3. The Industrial zone districts are divided as follows: (orig.3-26-13)
 - a. Industrial-One (I-1): to provide areas for medium industrial development
 - b. Industrial-Two (I-2): to provide areas for heavy industrial development.
 - c. Industrial-Three (I-3): to provide areas for light Industrial development.
 - d. Industrial-Four (I-4): to provide areas for heavy industrial development and industrial uses requiring specific designation.

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

| Use | I-1 | I-2 | I-3 | I-4 |
|--|----------------|----------------|----------------|-----|
| Light Manufacturing, processing or fabrication of commodities Except those permitted in the Industrial-One, Industrial-Two or Industrial-Four Districts. All such manufacturing, processing or fabrication shall be completely enclosed within a legally constructed building. | | | X | |
| Manufacturing, processing or fabrication of commodities Except those permitted in the Industrial-Two or Industrial-Four Districts. | X | | | |
| Manufacturing, processing or fabrication of commodities. Except those specifically permitted within the Industrial-Four District, including the following: Abrasives; alcoholic distillation; animal by-products; bone black; brewery; carbon black and lamp black; charcoal; chemicals, heavy or industrial; cinder and cinder block; coal and coke; detergents, soaps and by-products, using animal fat; fermented fruits and vegetable products, manufacture; fertilizers; fungicides; gases, other than nitrogen and oxygen; glass; glue and size; graphite; gypsum and other forms of plaster base; insecticides; insulation, flammable types, or fabrication; matches; meat slaughtering or packing; metals, extraction or smelting; metal ingots, pigs, casting, sheets or bars; oils and fats, animal and vegetable; paints, pigments, enamel, japans, lacquers, putty, varnishes, whiting and wood filler; paper pulp and cellulose; paraffin; petroleum and petroleum products; portland and similar cements; rubber, processing or reclaiming; sawmill or planing mill; serums, toxins, viruses; sugars and starches; tannery; turpentine; wax and wax products; and wood preserving by creosoting or other pressure impregnation of wood by preservatives. | | X | | |
| Manufacturing, processing or fabrication of commodities; manufacture and storage of explosives (in conformance with setback and other safety requirements of the Building Code, and other applicable codes). | | | | X |
| Foundry | X | X | | X |
| Rock crusher | X | X | | X |
| Storage of gasoline and other petroleum products; for the permitted above-ground storage of flammable liquids, see the Accessory Use Section of this Zoning Resolution. | X | X | | X |
| Brick, tile or terra cotta manufacture. | X | X | | X |
| Light or power plant, central station. | X | X | | X |
| Grain drying or poultry feed manufacture, feed mill. | X | X | | X |
| Wholesale sales, mini-warehousing, warehousing or storage of any commodity. | X ¹ | X ¹ | X ² | X |

| Use | I-1 | I-2 | I-3 | I-4 |
|--|----------------|----------------|----------------|-----|
| Sale at retail of any commodity manufactured, processed, fabricated or warehoused on the premises. | X | X | X | X |
| Sale of retail hardware or equipment, supplies or materials (except commercial explosives) for agriculture, mining, industry, business, transportation, building, and other construction. | X | X | X | X |
| Repair, rental and servicing of any commodity, the manufacture, processing, fabrication, warehousing or sale of which is permitted. | X | X | X | X |
| Craft breweries, distilleries, and wineries. | X | X | X | X |
| Veterinary Hospitals | X | X | X | X |
| Railroad facilities, not including shops. | X | X | X | X |
| Storage of operable motor vehicle regardless of size | X | X | X | X |
| Storage of boats, trailers, recreational vehicles, and other similar recreation equipment. | X | X | X | X |
| Storage of machinery or vehicles not in operating condition, provided that all such properties shall be screened from adjacent streets, or other public ways, by an 8 foot solid fence, to be maintained in a neat and well kept manner. | | | | X |
| Terminals for transportation and public transit vehicles | X | X | X | X |
| Motor vehicle service station, gasoline filling station and car wash. | X | X | X | X |
| Oil and Gas drilling and production subject to the Drilling and Production of Oil and Gas Section of this Zoning Resolution. | X | X | X | X |
| Office used for direct support and as an integral part of a permitted use within this district, when located on the same lot as the use. Temporary office structure will be allowed not to exceed a 5-year period. | X | X | | X |
| All Office uses | X | X | X | X |
| Laboratory | X | X | X | X |
| Research and development facility | X | X | X | X |
| Recycling transfer station, Type I. | X ³ | X ³ | X ³ | X |
| Indoor Recreation and Sports Training Facilities | X | X | X | X |
| Other similar industrial uses that are not more detrimental to the highest and best use of land in this district than the permitted uses listed above. | X | X | X | X |
| Sexually Oriented Businesses located in accordance with the provision of the General Provisions and Regulations Section of this Zoning Resolution. | X | X | X | X |
| Telecommunications Land Uses: Telecommunications Land Uses shall comply with the provisions of the Telecommunications Uses Section of this Zoning Resolution. | X | X | X | X |
| Energy Conversion Systems: Energy Conversion Systems (ECS) land uses shall comply with the provisions of the Alternative Energy Resources Section of the Zoning Resolution. | X | X | X | X |

¹ With the following exceptions: sales, warehousing, storage, or accumulation of junk, including machinery or vehicles not in operating condition, may be permitted only if contained within a building.

² With the following exceptions: No live animals, commercial explosives or above ground bulk storage of flammable liquids or gases may be included.

³ Allowed when completely enclosed within a building. Exception: a recycling transfer station that is not enclosed within a building is permitted when:

- a. The area utilized by containers is less than 200 square feet in size.
- b. The facility accepts only recyclable glassware, metal cans, newspaper, small plastic containers, paper, cardboard.
- c. The facility utilizes containers which screen the materials from weather and public view.
- d. The height of any structure does not exceed 14 feet.

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

| Use | I-1 | I-2 | I-3 | I-4 |
|--|-----|-----|-----|-----|
| Caretakers unit accessory to mini-warehouse uses | X | X | X | X |

D. Special Uses

The following uses shall be permitted only upon review by the Planning Commission and approval by the Board of County Commissioners: (orig. 3-26-13)

| Use | I-1 | I-2 | I-3 | I-4 |
|---|-----|-----|-----|-----|
| Holding area for motor vehicles (operable or inoperable) removed from public roads and awaiting disposition by proper legal authorities. Such motor vehicles shall be enclosed by a closed fence (one preventing view) at least 8 feet in height. | 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 | X |
| Cable Television Reception Station | X | X | X | X |
| Trash Transfer Station | X | X | | X |
| Type II Recycling Transfer Station | X | X | X | X |
| Sanitary Landfill | | | | X |
| Junk yards, automobile wrecking, processing yards and other similar uses. | | | | X |

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

| Districts | Setbacks – Structural | | | | | Setbacks – Gas Pump | | |
|-----------|-----------------------|--------------------|----------------|---------------------|--------------------|---------------------|--------|--------|
| | Front | Side | Side to Street | Rear | | Front | Side | Rear |
| | | | | Prop. Line | Alley ¹ | | | |
| I-1 | 50 ft. | 5 ft. | 30 ft. | 10 ft. | 15 ft. | 18 ft. | 18 ft. | 10 ft. |
| I-2 | 50 ft. | 5 ft. | 30 ft. | 10 ft. | 15 ft. | 18 ft. | 18 ft. | 10 ft. |
| I-3 | 50 ft. | 5 ft. ² | 30 ft. | 10 ft. ³ | 15 ft. | 18 ft. | 18 ft. | 10 ft. |
| I-4 | 50 ft. | 5 ft. | 30 ft. | 10 ft. | 15 ft. | 18 ft. | 18 ft. | 10 ft. |

¹ Measured from the center of the alley.

² The side setback requirement for a standalone office shall be 20 ft.

³ The rear setback requirement for a standalone office shall be 20 ft.

| Districts | Building Height | Lot Size |
|-----------|-------------------|----------|
| I-1 | None | None |
| I-2 | None | None |
| I-3 | None ¹ | None |
| I-4 | None | None |

¹ The height limitation for a standalone office shall be 46 ft.

F. Fencing

- Maximum height: None. (orig.3-26-13)
- Fence permits are required for any fence over 42 inches in height. (orig.3-26-13)
- No barbed wire shall be permitted as material for a boundary or perimeter fence. However, boundary or perimeter fences may include not more than 4 strands of barbed wire as the top 18 inches or less of the fence, which may be angled inward up to 45 degrees, provided the lowest strand of barbed wire is at least 6 feet above the ground. (orig.3-26-13)

4. No electric fence shall be permitted in this district for a boundary or perimeter fence. (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, except that fences constructed of woven wire or ornamental iron which are 80 percent open may be erected with no height limitation. (orig.3-26-13)
6. Where allowed, materials stored outside shall be enclosed and concealed by a closed fence (one preventing view) at least 6 feet in height. When abutting a residential zone district fencing shall be wooden, masonry or hedge. Such fence shall be constructed and maintained in good condition. As used in this section, outdoor storage of material shall include by way of example: equipment, vehicles (operable or inoperable), trailers, pipes, construction materials or other items but shall not include employee or customer parking lots or where sample merchandise is necessary for sale. Merchandise shall not exceed the height of the fence, except for operable vehicles, trailers, or other equipment designed to be towed or lifted as a single component. Where the topography of the land is such that a fence would not prevent view from adjoining property or right-of-way, the Director of Planning and Zoning may waive this requirement. No outdoor storage shall be allowed within a required front setback or within any required landscaping area. (orig.3-26-13; am. 3-3-15)

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, except as specified in the "Fences" portion of this section. (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. Every use shall be so operated that the ground vibration inherently or recurrently generated is not perceptible, without instruments, beyond any boundary line of the lot on which the use is located. (orig.3-26-13)
5. Every use shall be so operated that it does not emit an obnoxious or dangerous degree of heat, glare, radiation or fumes beyond any boundary line of the lot on which the use is located. (orig.3-26-13)
6. No materials or wastes shall be deposited upon a lot in such form or manner that they may be transferred off the lot by natural causes or forces. (3-26-13)
7. All materials or wastes which might cause fumes or dust, or which constitute a fire hazard, or which may be edible by or otherwise attractive to rodents or insects, shall be stored outdoors in closed containers only. (3-26-13)

CASE SUMMARY
Consent Agenda

PC Hearing Date: February 10, 2016

BCC Hearing Date: March 1, 2016

15-123746RZ Rezoning

Case Name: Lot 2 Dancing Deer Rezoning

Owner/Applicant: Deer Mountain Estates, Inc.

Location: 9351 Watson Gulch Road
Section 11, Township 6 South, Range 70 West

Approximate Area: 15.15 Acres

Purpose: **To rezone from Agricultural-Two (A-2) to Agricultural-One (A-1) to allow a minimum 5-acre lot size.**

Case Manager: Christiana Farrell

Issues:

- None

Recommendations:

- **Staff:** Recommends APPROVAL
- **Planning Commission:** Recommends APPROVAL

Interested Parties:

- Neighboring properties

Level of Community Interest: Medium

Representative: Heather Scott – SHEntitlements

General Location: Intersection of Watson Gulch Road and Dancing Deer Drive

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

February 10, 2016

RESOLUTION

| | |
|---------------------------|--|
| <u>15-123746RZ</u> | Rezoning |
| Case Name: | Lot 2 Dancing Deer Rezoning |
| Owner/Applicant: | Deer Mountain Estates, Inc. |
| Location: | 9351 Watson Gulch Road Section 11, Township 6 South, Range 70 West |
| Approximate Area: | 15.15 Acres |
| Purpose: | To rezone from Agricultural-Two (A-2) to Agricultural-One (A-1) to allow a minimum 5-acre lot size. |
| Case Manager: | Christiana Farrell |

The Jefferson County Planning Commission hereby recommends **APPROVAL** 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, with the exception of the density recommendations of the general land use section, for which adequate evidence has been provided demonstrating that the density will be compatible with the surrounding area.
 - B. The proposed land use is compatible with existing and allowable land uses in the surrounding area because many of the adjacent parcels also have a 5 acre minimum lot size.
 - 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.

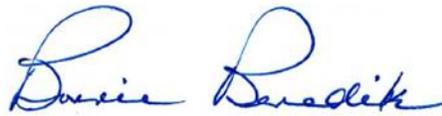
Jefferson County Planning Commission Resolution
Case 15-123746RZ
February 3, 2016
2 of 2

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

| | | |
|--------------|----------------|------------|
| Commissioner | Rogers | Aye |
| Commissioner | Moore | Aye |
| Commissioner | Harris | Aye |
| Commissioner | Hammond | Aye |
| Commissioner | Hatton | Aye |
| Commissioner | Burke | Aye |
| Commissioner | Ahuja | Aye |

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

I, Bonnie Benedik, Administrative Assistant for the Jefferson County Planning Commission, do hereby certify that the foregoing is a true copy of a Resolution duly adopted by the Jefferson County Planning Commission at a regular hearing held in Jefferson County, Colorado, February 10, 2016.



Bonnie Benedik
Administrative Assistant

Staff Report

PC Hearing Date: February 10, 2016

BCC Hearing Date: March 1, 2016

15-123746RZ Rezoning

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Purpose: **To rezone from Agricultural-Two (A-2) to Agricultural-One (A-1) to allow a minimum 5-acre lot size.**

Case Manager: Christiana Farrell

Representative: Heather Scott – SHEntitlements

Existing Use: Residential

BACKGROUND/UNIQUE INFORMATION:

This is a request to rezone Lot 2 of the Dancing Deer Subdivision from Agricultural-Two (A-2) to Agricultural-One (A-1) to allow the minimum required lot size to be 5 acres, rather than 10 acres. The goal of the owner/applicant is to subdivide the 15.15 acre parcel into two lots if this rezoning case is approved; one 5.1 net acre lot, and another 7.26 net acre lot.

The owner/applicant purchased this site as part of a larger 58 acres in 1986 with the intention to subdivide the land. The Dancing Deer Subdivision plat was completed in 2011 and subdivided the 58 acres into 4 lots, of which this parcel is Lot 2. The Water Court decree during the water augmentation planning phase of the previous plat allows for 5 wells, meaning that the owner/applicant has rights to one more well permit than the number of lots in the original Dancing Deer Subdivision. There is the potential for three lots to be carved out of this 15.15 acre site as allowed by the proposed A-1 zoning that requires a 5 acre lot size minimum. However, the applicant has indicated that they will subdivide the site into only two lots with a resultant lot size that would not allow the site to be further subdivided without another rezoning. The owner/applicant would also need to obtain water rights through the court system for an additional lot.

The subject property is located within the Conifer – Hwy 285 Community Plan which recommends this site for 1 dwelling unit per 10-35 acres. The proposed lot size would be considered an area of non-conformance with the Plan. Although Lot 1 (also owned by the applicant and bordering the west side of this parcel) is 21.47 acres and could be subdivided into two 10+ acre lots under the current zoning, the applicant would like be able to subdivide Lot 2 to take advantage of buildable areas within the lot where homes could be located. The owner/applicant believes that the overall density for this area will not exceed that which is recommended by the plan because of how large the adjacent Lot 1 to the west is, and because all the remaining water rights will be exhausted should the division of this last parcel in the subdivision be approved.

The site is wooded and mountainous. Access for this development comes directly off of Watson Gulch Road, a private road. The property is vacant and would be served by well and septic.

SURROUNDING ZONING/LAND USE:

| | Adjacent Zoning | Land Use |
|---------------|------------------------|--|
| North: | A-2 | Single Family Detached |
| South: | A-2 | Single Family Detached |
| East: | SR-5 | Single Family Detached (4 acre minimum lot size) |
| West: | A-2 | Single Family Detached |

NOTIFICATION:

A community meeting was held for this rezoning application on September 17, 2015. There were 13 citizens in attendance, and 3 people associated with the owner/applicant. Concerns voiced during the meeting regarded overall density in the area, the number of wells that could be drilled, and access roads for fire safety. The owner/applicant explained he already had the water rights, and that a loop road was being built to improve access in emergency situations as required by the previous plat.

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 quarter mile radius of the site and to Homeowners' Associations and Umbrella Groups located within a two-mile radius of the site. The initial notification was mailed at the time of the 1st 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 Ken Caryl Denver Post Hub.

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

- | | |
|---------------------------------|-----------------------------|
| COHOPE | Ken Caryl Ranch Master Assn |
| Conifer Area Council | Ken Caryl Ranch Metro Dist |
| DoubleHeader Mtn Assn | West Ranch HOA |
| Hilldale Pines HOA | White Deer Valley HOA |
| Jefferson County Horsemens Assn | Willowbrook Assn |

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

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

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

Services: Inter-Canyon Fire Protection 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. It encourages economic development and infill and redevelopment projects. It also mentions an analysis of the benefits of a new commercial or industrial project, such as potential job creation or economic benefit, may be considered in the evolution of a project. 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 Non Conformance:

a. Area/Community Plan Recommendation

The subject property is located within the Conifer – Hwy 285 Community Plan which recommends this site for 1 dwelling unit per 10-35 acres.

The proposed lot size minimum of 5 acres would be considered an area of non-conformance with the Plan. However, the overall density within the Dancing Deer development would remain at 1 dwelling unit per 10-35 acres if both lots 1 and 2 were considered. This density could be increased if the applicant, or a future owner, were to decide to subdivide Lot 1, although they would first need to provide proof of water in order to move forward with that subdivision. Combined, Lot 1 and Lot 2 total approximately 40 acres. This proposal would be compatible with several adjacent 5-acre parcels to the east of this site.

Summary of Analysis: The applicable Land Use policies are met by the proposed zoning if an overall density is considered; however, this proposal does not meet the recommended minimum lot size outlined in the plan and would be considered an area of non-conformance.

2. **Physical Constraints:** The Comprehensive Master Plan describes physical constraints as 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. Geologic Hazards and Constraints

The Plan strives to ensure that new developments properly address physical constraints

Physical constraints that have been identified on this property include wildfire hazards and mountain groundwater. This application was referred to the County Geologist who stated that there were no zoned or unzoned geologic hazards on the property, and that given the proposed uses (two SFD) on 15 acres, it does not appear that the water requirement would exceed the 0.28 acre feet per acre per

year threshold as described in Section 21 of the Land Development Regulations. Based on the values utilized, the groundwater budget results in a positive value which indicates the water supply is adequate in terms of quantity. This application was also referred to Inter-Canyon Fire Protection District who stated that they had no issue with the proposal.

Summary of Analysis: This proposal complies with the applicable policies in the Physical Constraints chapter.

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. Historic Resources

The Plan seeks to balance development with the preservation and integration of significant historic resources.

No historic resources have been identified on this property.

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 an additional single family detached home would be comparable to the impacts associated with the already allowed uses on the property and in the surrounding area.

Summary of Analysis: This proposal complies with the applicable policies in the Community Resources chapter.

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.

One additional house will not have significant impacts to traffic. Pursuant to the approved construction plans associated with the previous Dancing Deer plat, the owner/applicant is in the process of building all the required public road improvements. Planning Engineering, Transportation and Engineering, and the Inter-Canyon Fire District had no concerns regarding access.

b. Water & Wastewater

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

Water will be provided by well, and sanitation will be provided by onsite wastewater treatment systems. Both the County Geologist who reviews well water availability, and Public Health who reviews the capacity for onsite wastewater systems had no issues with this proposal.

c. Services

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

This property will be served by the Inter Canyon Fire District for fire and emergency services.

Summary of Analysis: This proposal complies with the applicable policies in the Infrastructure,

COMMENTS PREPARED BY:

Christiana Farrell

Christiana Farrell, Planner
February 23, 2016

Jefferson County Land Use Case Management
CASE DATES SUMMARY

Case Number: **15-123746RZ**

Case Type: **Rezoning**

Pre-application Meeting Date: **April 23, 2015**

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

Applicant Makes Complete Submittal: **October 5, 2015**

Case Sent on First Referral: **October 7, 2015**

All Responses Provided to Applicant: **November 10, 2015**

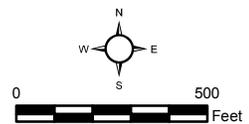
Determination That Case Should Proceed to Hearing: **December 29, 2015**

County Staff Determination: **X**

Applicant's Request: **X**



Case Number: 15-123746RZ
Location: Sec. 11, T6S, R70W



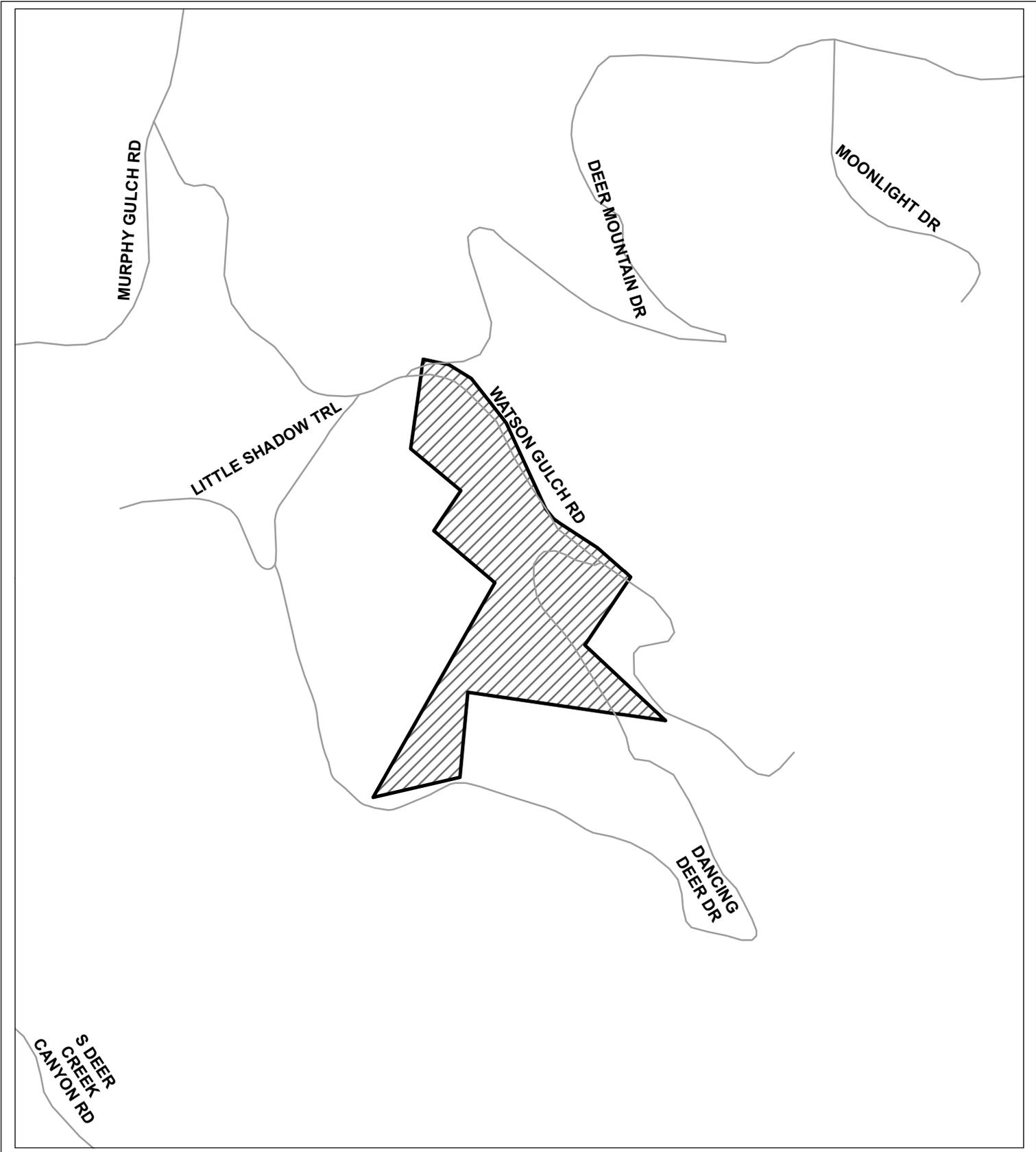
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2012 Photography

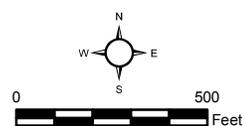
1:6,000

Plot: 2015-10-23

Orthos: 86, 87



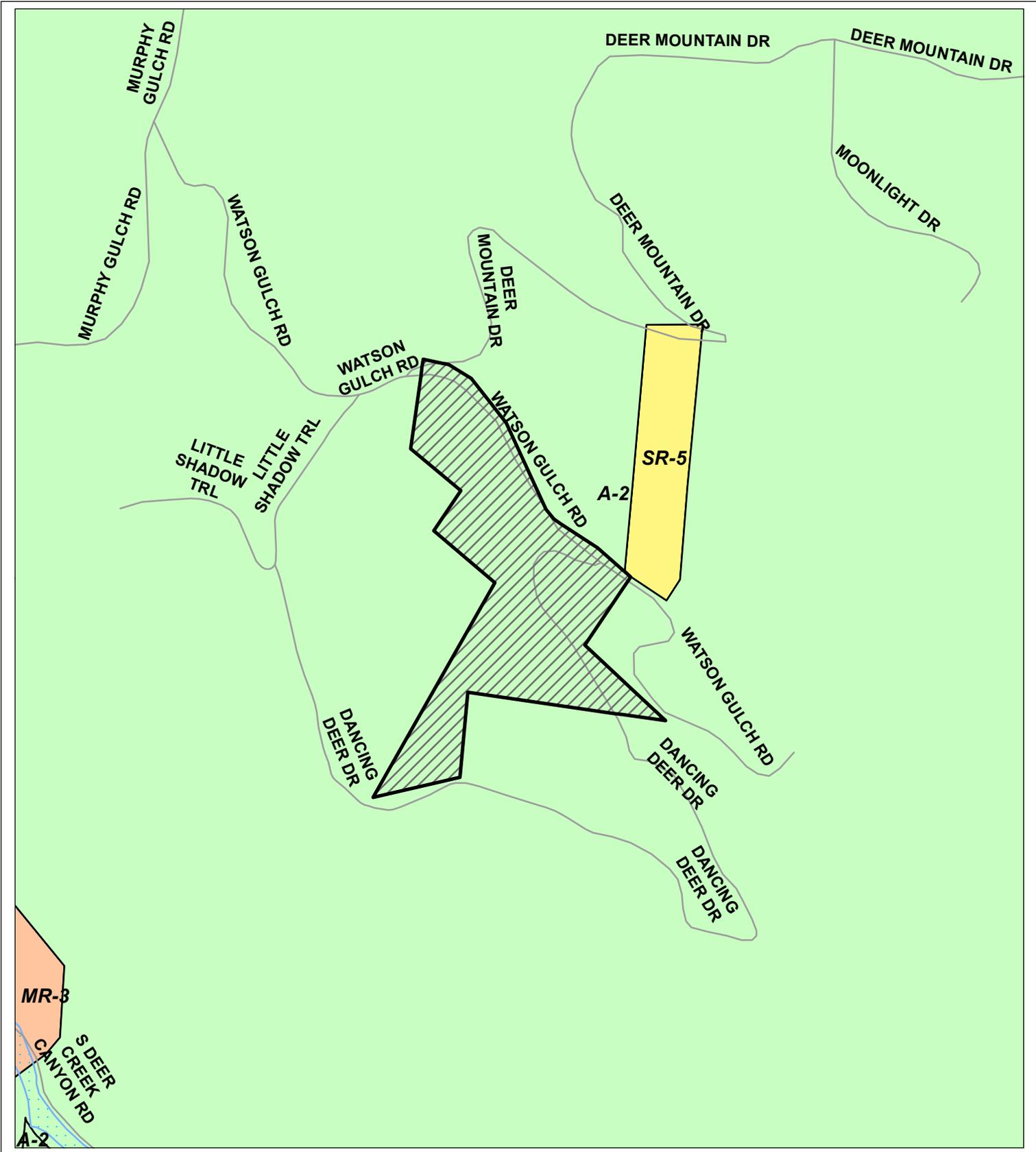
Case Number: 15-123746RZ
Location: Sec. 11, T6S, R70W



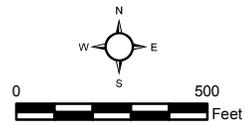
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Vicinity

1:6,000 Plot: 2015-10-23
 Orthos: 86, 87



Case Number: 15-123746RZ
Location: Sec. 11, T6S, R70W



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Zoning

1:6,000 Plot: 2015-10-23
 Orthos: 86, 87

Case No. 15-123746RZ

Legal Description

Street Location of Property 9351 Watson Gulch Road

Is there an existing structure at this address?

Yes X No

Type the legal description and address below.

Lot 2, Dancing Deer Subdivision, Reception Number 2013050390 in the records of the Jefferson County Clerk and Recorder, Colorado.

Advise of Ortho Map No. 86 & 87 Section 11 Township 6 S. Range 70 W.

Calculated Acreage 15.15 Acres Checked by: Ed Wieland

Address Assigned (or verified) 9351 Watson Gulch Road

From: [Bonnie Benedik](#)
Bcc: [John Nihiser](#); [Ed Peck](#); [Nancy York](#); [Ed Wieland](#); [Ben Hasten](#); [Kirk Hagaman](#); [Patricia Romero\(Planning & Zoning\)](#); [Pat OConnell](#); [Craig Sanders](#); [Tracy R. Volkman](#); [Russell Clark](#); [Mike Schuster](#); [John Wolforth](#); [Charles Barthel](#); [Ross Klopff](#); [Dennis Dempsey](#); [Heather Gutherless](#); [Cory Day](#); [Joe Manchen](#); [Elizabeth Woodward](#); ["George Donna L"](#); ["scott_moore@cable.comcast.com"](#); ["charles.place@centurylink.com"](#); ["chris.quinn@rtd-denver.com"](#); ["Kaufman Brooks"](#); ["ranrud@intercanyonfire.org"](#)
Subject: 15-123746RZ - Electronic Referral
Date: Wednesday, October 07, 2015 8:31:00 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 first 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.

Case Number: 15-123746RZ

Case Name: Lot 2 Dancing Deer Rezoning

General Location: Lot 2 of the Dancing Deer Subdivision (**60-111-02-004 / 9341 Watson Gulch Rd**)

Case Type: Rezoning

Type of Application: Rezone from Agricultural-Two to Agricultural-One to allow a minimum 5 acre lot size

Case Manager: Christiana Farrell

Comments Due: October 29, 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> Building Safety Open Space Cartography Addressing Geologist T&E Public Health Zoning Administration Planning Engineering Long Range Road and Bridge 4 | <u>External:</u> Xcel Comcast Century Link Intermountain Rural Electric Assn. Inter-Canyon Fire RTD |
|---|---|

MEMORANDUM

TO: Christiana Farrell, Case Manager
FROM: Steve Krawczyk, Planning Engineering
DATE: October 28, 2015
RE: 15-123746RZ; Rezone and future Preliminary and Final Plat – 9341 Watson Gulch Road.

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. Plat: 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.
2. Phase I Drainage Report: Since the property is not traversed by a major drainage way (a flow path with a tributary area of 130 acres or more) a Phase I Drainage Report is not required for the rezoning process (Zoning Resolution Section 1.H.1.7). During the platting process, a Phase III Drainage Report will be required.

CONCLUSION

1. 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, additional submittals), 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.

Memorandum

To: Christiana Farrell
Planner

From: Patrick O'Connell
Geologist

Date: October 29, 2015

Re: 9351 Watson Gulch Road, Case No. 15-123746RZ

The intent of the application is to rezone to 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.
2. Given the proposed uses (two SFD) on 15 acres, it does not appear that the water requirement would not exceed the 0.28 acre feet per acre per year threshold as described in Section 21 of the LDR. If the water requirement exceeds 0.28 acre feet per acre per year, an Aquifer Test in accordance with Section 21 of the LDR is required with the rezoning application. If the water requirement exceeds 0.10 acre feet per acre per year, an Aquifer Test in accordance with Section 21 of the LDR is required with the SDP/Plat application. If the applicant has other water requirement values than those utilized in the attached Water Availability Analysis (WAA), they should be provided.
3. Based on the values utilized, the Groundwater Budget results in a positive value which indicates the water supply is adequate in terms of quantity.
4. The Water Availability Analysis is attached.

Inter-Canyon Fire/Rescue



To: Mr. Steve Krawczyk, Civil Engineer

From: Randy Rudloff, Fire Marshal

Date: April 21, 2015

Subject: Case No: 15-107136PA, 9341 Watson Gulch Road

I have reviewed the application and have the following comment.

1. This application is to allow Lot 2 which consists of 10 plus acres to be divided into lot 2a and 2b which will consist of 5 plus acres each.
2. Inter-Canyon has no issues with this application.

I can be reached at 303-697-4413 ext. 2 or by email ranrud@intercanyonfire.org if you have any questions.

Sincerely:


Randy Rudloff

Cc: Randy Simpson, Chief of the Department



Jefferson County, Colorado
Transportation & Engineering Division

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

P&Z REFERRAL T&E RESPONSE

To: *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

MEMO

TO: Christiana Farrell
Jefferson County Planning and Zoning Division

FROM: Tracy Volkman
Jefferson County Environmental Health Services Division

DATE: December 28, 2015

SUBJECT: Case #15-123746 RZ
Lot 2 Dancing Deer Rezoning
Joe Dorris
9341 Watson Gulch Rd

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

PROPOSAL SUMMARY

Rezone Lot 2 from A-2 to A-1 to allow for an additional lot and plat.

If the proposal is approved the existing Lot 2 will be subdivided into Lot 2A (7.17 acres) and Lot 2B (7.97 acres).

COMMENTS

Jefferson County Public Health (JCPH) has provided comments in 2009, 2010 and 2011 on previous cases related to this property. We also provided comments on April 22, 2015 and October 20, 2015 regarding this proposed rezoning case. We have reviewed the documents submitted by the applicant for this rezoning proposal and have the following comments:

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

| ✓ | Date Reviewed | Required Documentation/Actions | Refer to Sections |
|---|---------------|---|-------------------|
| ✓ | 4-20-2015 | Submit documents which demonstrate a legal right to the water supply in accordance with the Jefferson County Zoning Resolution (Section 1.1.2.k) and Land Development | Water |

| | | | |
|---|--|--|------------|
| | | Regulation (LDR) Section 21.B.2.a (1) (a) (a-1). Such documentation may include, but is not limited to, a copy of a well permit or water court decree. | |
| ✓ | 12-28-2015 | Submit a new Water Supply Information Summary form to accurately reflect the number of lots proposed. | Water |
| ✓ | 12-28-2015 | Submit a Use Permit, Form 700, with applicable forms and fees to verify that existing onsite wastewater treatment system is functioning for Lot 2 Pin #60-111-02-004. within this subdivision. | Wastewater |
| ✓ | 12-28-2015 | Locate the existing onsite wastewater treatment system components on the proposed plat to verify that all system components are located on Lot 2A. | Wastewater |
| | Deferred until the time of plat proposal | Submit an Onsite Wastewater Report in accordance with LDR Section 22. B.2 using Form 6001, which can be obtained from Planning and Zoning. | Wastewater |

WATER

The Land Development Regulation requires proof of legal water that demonstrates that the water source is legally available for the proposed development in accordance with the County Zoning Resolution and Land Development Regulation (LDR) Section 21.B.2.a (1) (b).

The applicant submitted a copy of Water Court Case 96CW143 filed on August 6, 1997 and a Mountain Mutual Reservoir Company stock certificate dated July 18, 2014 as proof of water for the property located at 9341 Watson Gulch Road. Water Court Decree 96CW143 allows for a total of 12 well permits, 4 exempt well permits and 8 wells pursuant to the plan for augmentation

An updated Water Supply Information Summary has been submitted for a two (2) lot plat.

Since this property is in the Mountain Ground Water Overlay District an aquifer test in accordance with LDR 21.B.2.a (4) (a) must be conducted **if** the development proposal will exceed 0.28 acre feet per acre per year (approximately 250 gallons per day per acre). We calculate that the proposed development will utilize approximately 0.047 acre-feet/acre/year (42 gallons per day per acre). As such an aquifer test is not required for the proposed rezoning of this property.

$$(.33 \text{ acre-feet/year per single family residential unit}) / (7.0 \text{ acres}) = 0.047 \text{ acre-feet/acre/year}$$

This Department recommended in our January 31, 2011 comments that water analyses for Gross Alpha, Uranium, and Radium be conducted at the time of occupancy of each of the homes in order to evaluate whether any treatment of the individual well water supplies would be necessary. Plat Note #22 on the Dancing Deer Subdivision map states that each individual well shall be tested for these water quality parameters at the time the well test is required for the building permit issuance by Jefferson County.

Based on our review of the submitted water supply documents, we have concluded that the applicant has demonstrated that the water source is legally available for the proposed uses and has provided evidence that the water supply is sufficient in terms of quantity and dependability for the proposed uses.

This Department advises all parties to note that the long-term dependability of any water supply in Colorado, be it surface water, ground water, or a combination of surface water and ground water, cannot be guaranteed. All ground water and surface water supplies are subject to fluctuations in precipitation. During periods of drought, it will be necessary to carefully manage all uses of water so that the basic water supply needs for human health and environmental health can be met.

Water Supply Documents Reviewed:

(Note: These are the same documents as submitted for Case #10-128133 FI)

1. Letter dated June 8, 2011 prepared by Ingenuity Enterprises International, Inc.
2. Letter dated January 14, 2011 prepared by Ingenuity Enterprises International, Inc.
3. Water Supply Information Summary (updated for a two (2) lot subdivision)
4. Water Supply Report Summary for Case Number 10-115972 PL, Dancing Deer Subdivision
5. Jefferson County Planning and Zoning Division Water Supply Report Worksheet for Case #10-115972 PL
6. Dancing Deer Water Supply Report submitted for the previous platting of this property dated June 15, 2011
7. Well permit 192518-A
8. Well Construction and Test Report for 192518-A

WASTEWATER

JCPH has no records of the existing onsite wastewater treatment system (OWTS) located on proposed Lot 2A Pin #60-111-02-004. A use permit (Permit #15-128759 OW) was issued on December 10, 2015. The system was found to be functioning at the time of the inspection. An As-built drawing to scale that includes all system components was also submitted as a separate document and on a copy of the proposed subdivision. According to the submitted documents, the existing OWTS is located entirely on proposed Lot 2 and appears to meet all setback requirements from the lot lines. As such, an easement agreement is not needed.

The applicant must submit an Onsite Wastewater Report in accordance with LDR Section 22. B.2 using Form 6001 that can be obtained from Planning and Zoning. This report can be deferred until the time of the platting proposal since the lots will meet the minimum lot size of five (5) acres to be developed with individual wells and onsite wastewater treatment 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.

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.

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.



Brooks Kaufman
Lands and Rights of Way Director

October 23, 2015

Christiana Farrell
Jefferson County
Planning and Zoning Department
100 Jefferson County Parkway, Suite 3550
Golden, Colorado 80419-3550

Re: LOT 2 DANCING DEER REZONING
Case No.: 15-123746RZ

Dear Ms. Farrell

The Association has reviewed the contents in the above-referenced referral response packet. We reviewed the project for maintaining our existing facilities, utility easements, electric loading, and service requirements. We are advising you of the following concerns and comments:

The Association has existing overhead electric facilities on the subject property. The Association will maintain these existing utility easements and facilities unless otherwise requested by the applicant to modify them under the Association's current extension policies.

The Association has no comments at this time.

Sincerely,

A handwritten signature in blue ink, appearing to read "Brooks Kaufman", is written over a light blue horizontal line.

Brooks Kaufman
Lands and Rights-of-Way Director

INTERMOUNTAIN RURAL ELECTRIC ASSOCIATION

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

Telephone (720)733-5493

bkaufman@irea.coop

Christiana Farrell

From: AutoMailer@jeffco.us
Sent: Friday, October 30, 2015 4:30 PM
To: Christiana Farrell
Cc: Russell Clark
Subject: Agency Response

Address: Lot 2 Dancing Deer Rezoning
Case Number: 15 123746 RZ
Review: Long Range
Review Results: No Comment (no further review)
Scheduled End Date: 10/27/2015
Signoff Date: 10/30/2015
Process Comments:
Case Type: Rezoning: Straight Zone District
Reviewer: Russell Clark
Case Description: Rezoning from Agricultural-Two to Agricultural-One to allow a minimum 5 acre lot size

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

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

Christiana Farrell

From: AutoMailer@jeffco.us
Sent: Tuesday, October 13, 2015 11:14 AM
To: Christiana Farrell
Cc: Doug Anderson
Subject: Agency Response

Address: Lot 2 Dancing Deer Rezoning
Case Number: 15 123746 RZ
Review: Open Space
Review Results: Comments Sent (no further review)
Scheduled End Date: 10/27/2015
Signoff Date: 10/13/2015
Process Comments: Open Space has no comment regarding the proposed rezone application.
Case Type: Rezoning: Straight Zone District
Reviewer: Doug Anderson
Case Description: Rezoning from Agricultural-Two to Agricultural-One to allow a minimum 5 acre lot size

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

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

Christiana Farrell

From: Cory Day
Sent: Wednesday, October 07, 2015 9:02 AM
To: Christiana Farrell
Subject: RE: 15-123746RZ - Electronic Referral

It is important that the cul-de-sac be built and built to county standards if we will be asked to maintain it. The potential of increased traffic volume to Murphy Gulch Rd. and Watson Gulch Rd. be considered as well.



Cory Day | Supervisor Senior
Jefferson County Colorado | Road & Bridge, District IV
13008 Parker Ave, Pine, CO 80470
Work: 303-271-5243 Fax: 303-838-7273
Email: cday@jeffco.us | www.jeffco.us

From: Bonnie Benedik
Sent: Wednesday, October 07, 2015 8:32 AM
Subject: 15-123746RZ - Electronic Referral

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 first 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.

Case Number: 15-123746RZ
Case Name: Lot 2 Dancing Deer Rezoning
General Location: Lot 2 of the Dancing Deer Subdivision (**60-111-02-004 / 9341 Watson Gulch Rd**)
Case Type: Rezoning
Type of Application: Rezone from Agricultural-Two to Agricultural-One to allow a minimum 5 acre lot size
Case Manager: Christiana Farrell
Comments Due: October 29, 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> Building Safety Open Space Cartography Addressing Geologist T&E Public Health Zoning Administration Planning Engineering Long Range Road and Bridge 4 | <u>External:</u> Xcel Comcast Century Link Intermountain Rural Electric Assn. Inter-Canyon Fire RTD |
|---|---|

DANCING DEER SUBDIVISION

A SUBDIVISION OF A PARCEL OF LAND BEING LOCATED IN THE EAST ONE-HALF OF SECTION 11, TOWNSHIP 6 SOUTH, RANGE 70 WEST OF THE SIXTH PRINCIPAL MERIDIAN

COUNTY OF JEFFERSON, STATE OF COLORADO. SHEET 1 OF 2

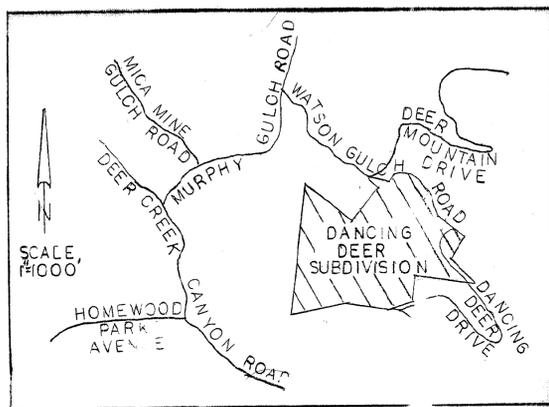
DEDICATION:

KNOW ALL MEN BY THESE PRESENTS, THAT THE UNDERSIGNED, BEING THE OWNER OF THOSE LANDS DESCRIBED BELOW, HAS LAID OUT, SUBDIVIDED AND PLATTED THE SAME INTO LOTS, TRACTS, NO-BUILD AREAS, AND EASEMENTS, AS SHOWN HEREON UNDER THE NAME AND STYLE OF DANCING DEER SUBDIVISION, AND DO, BY THESE PRESENTS, OF ITS OWN FREE WILL AND VOLUNTARILY, WITHOUT COERCION, THREAT OR BUSINESS COMPULSION, GRANT, DEDICATE AND CONVEY TO THE COUNTY OF JEFFERSON, STATE OF COLORADO, IN FEE SIMPLE, TRACT "A", TOGETHER WITH ALL APPURTENANCES THERE TO FOR PUBLIC USE AND GRANT AND CONVEY TO THE COUNTY OF JEFFERSON, STATE OF COLORADO, ALL EASEMENTS, EXCEPT THOSE OF PRIOR RECORD, AS SHOWN HEREON, AND GRANT AND CONVEY TO THE COUNTY OF JEFFERSON AN EASEMENT OVER ANY AND ALL PRIVATE ACCESS DRIVES AND RIGHTS-OF-WAY FOR THE PURPOSE OF PASSAGE OF SERVICE VEHICLES AND PASSAGE OF ALL VEHICLES AND PEDESTRIANS DURING AN EMERGENCY SITUATION. IT IS EXPRESSLY UNDERSTOOD THAT THE ACCEPTANCE OF THE DEDICATION OF THIS EASEMENT IS NOT TO BE CONSTRUED AS AN ACCEPTANCE BY THE COUNTY OF SAID PRIVATE ACCESS DRIVES AND RIGHTS-OF-WAY FOR ANY OTHER PURPOSE INCLUDING MAINTENANCE PURPOSES.

LEGAL DESCRIPTION:

A PARCEL OF LAND BEING LOCATED IN THE EAST ONE-HALF OF SECTION 11, TOWNSHIP 6 SOUTH, RANGE 70 WEST OF THE SIXTH PRINCIPAL MERIDIAN; BEING A PARCEL OF LAND RECORDED AT RECEPTION NO. 86091398, EXCEPTING PARCELS OF LAND RECORDED AT RECEPTION NO. F0105437 AND RECEPTION NO. F0090594, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE CENTER ONE-QUARTER CORNER OF SAID SECTION 11, WHENCE THE EAST ONE-QUARTER CORNER OF SAID SECTION 11 BEARS NORTH 89°24'24" EAST, A DISTANCE OF 2665.30 FEET; THENCE NORTH 05°09'02" EAST, A DISTANCE OF 1101.84 FEET, MORE OR LESS, TO THE SOUTHWESTERLY CORNER OF A PARCEL OF LAND RECORDED AT RECEPTION NO. F0879034; THENCE SOUTH 53°57'03" EAST, ALONG THE SOUTHERLY LINE OF PARCELS OF LAND RECORDED AT RECEPTION NO. F0879034 AND RECEPTION NO. 91097841, A DISTANCE OF 747.55 FEET, MORE OR LESS, TO THE SOUTHEAST CORNER OF SAID PARCEL OF LAND RECORDED AT RECEPTION NO. 91097841; THENCE NORTH 35°59'13" EAST, ALONG THE EASTERLY LINE OF SAID PARCEL OF LAND RECORDED AT RECEPTION NO. 91097841, A DISTANCE OF 522.33 FEET, MORE OR LESS, TO THE NORTHEAST CORNER OF SAID PARCEL OF LAND RECORDED AT RECEPTION NO. 91097841; THENCE NORTH 53°56'40" WEST, ALONG THE NORTH LINE OF SAID PARCEL OF LAND RECORDED AT RECEPTION NO. 91097841, A DISTANCE OF 140.26 FEET; THENCE NORTH 01°27'26" EAST, A DISTANCE OF 45.76 FEET, MORE OR LESS, TO A POINT ON THE CENTERLINE OF A 50-FOOT WIDE ROAD EASEMENT RECORDED AT BOOK 2512 PAGES 225 - 229; THENCE EASTERLY, ALONG SAID CENTERLINE, THE FOLLOWING ELEVEN (11) COURSES: 1) SOUTH 79°18'29" EAST, A DISTANCE OF 224.25 FEET; 2) NORTH 53°41'55" EAST, A DISTANCE OF 180.17 FEET; 3) NORTH 78°09'28" EAST, A DISTANCE OF 74.91 FEET; 4) SOUTH 78°18'26" EAST, A DISTANCE OF 99.98 FEET; 5) SOUTH 58°28'11" EAST, A DISTANCE OF 99.95 FEET; 6) SOUTH 38°14'14" EAST, A DISTANCE OF 129.86 FEET; 7) SOUTH 38°03'03" EAST, A DISTANCE OF 86.46 FEET; 8) SOUTH 24°53'01" EAST, A DISTANCE OF 363.30 FEET; 9) SOUTH 37°28'59" EAST, A DISTANCE OF 47.31 FEET; 10) SOUTH 58°38'14" EAST, A DISTANCE OF 199.43 FEET; 11) SOUTH 48°59'55" EAST, A DISTANCE OF 189.80 FEET, MORE OR LESS, TO THE NORTHWEST CORNER OF EXEMPTION 11-6-70, RECORDED AT RECEPTION NO. F1798495; THENCE SOUTH 33°54'33" WEST, ALONG THE WEST LINE OF SAID EXEMPTION 11-6-70, A DISTANCE OF 314.81 FEET; THENCE SOUTH 46°54'38" EAST, ALONG THE SOUTH LINE OF SAID EXEMPTION 11-6-70, A DISTANCE OF 421.75 FEET, MORE OR LESS, TO A POINT ON THE NORTH LINE OF A PARCEL OF LAND RECORDED AT RECEPTION NO. F0105437; THENCE NORTH 61°50'44" WEST, ALONG THE NORTHERLY LINE OF SAID PARCEL OF LAND RECORDED AT RECEPTION NO. F0105437, A DISTANCE OF 762.76 FEET; THENCE SOUTH 05°07'47" WEST, ALONG THE WEST LINE OF SAID PARCEL OF LAND RECORDED AT RECEPTION NO. F0105437, A DISTANCE OF 325.18 FEET, MORE OR LESS, TO THE NORTHEAST CORNER OF A PARCEL OF LAND RECORDED AT RECEPTION NO. F0090594; THENCE WESTERLY, ALONG THE NORTHERLY LINE OF SAID PARCEL OF LAND RECORDED AT RECEPTION NO. F0090594, THE FOLLOWING THREE (3) COURSES: 1) SOUTH 77°00'00" WEST, A DISTANCE OF 484.29 FEET; 2) NORTH 80°15'59" WEST, A DISTANCE OF 384.01 FEET; 3) SOUTH 76°19'48" WEST, A DISTANCE OF 691.66 FEET, MORE OR LESS, TO THE NORTHWEST CORNER OF SAID PARCEL OF LAND RECORDED AT RECEPTION NO. F0090594; THENCE NORTH 05°04'27" EAST, A DISTANCE OF 516.40 FEET, MORE OR LESS, TO THE POINT OF BEGINNING; SAID DESCRIBED TRACT CONTAINING 58.55 ACRES, MORE OR LESS.

VICINITY MAP



NOTES:

- 1. THE PLAT CONSISTS OF 4 SINGLE FAMILY LOTS. ONLY ONE RESIDENTIAL DWELLING IS PERMITTED ON EACH SINGLE FAMILY LOT.
2. DIMENSIONS IN PARENTHESIS ARE THOSE PER DEEDS RECORDED AT RECEPTION NO. 86091398, RECEPTION NO. F0105437 AND RECEPTION NO. F0090594 WHEN DIFFERENT FROM THOSE MEASURED IN THE FIELD.
3. ANY PERSON WHO KNOWINGLY REMOVES, ALTERS OR DEFACES ANY PUBLIC LAND SURVEY MONUMENT OR LAND BOUNDARY MONUMENT OR ACCESSORY COMMITTS A CLASS TWO (2) MISDEMEANOR PURSUANT TO STATE STATUTE 18-4-508, C.R.S.
4. NOTICE: ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF CERTIFICATION SHOWN HEREON.
5. BASIS OF BEARING IS A PORTION OF THE WEST LINE OF THE PARCEL OF LAND RECORDED AT RECEPTION NO. 86091398, BETWEEN THE #4 REBAR (ILLEGIBLE PLASTIC CAP) FOUND AT THE SOUTHWEST CORNER OF THE PARCEL OF LAND RECORDED AT RECEPTION NO. 86091398 AND THE #1/4 ALUMINUM CAP ON 2-1/2" ALUMINUM PIPE (I.S. 22094) FOUND AT THE CENTER 1/4 CORNER OF SAID SECTION 11. SAID BEARING IS NORTH 05°04'27" EAST, PER LAND SURVEY PLAT RECORDED AT RECEPTION NO. F0032910, AS SHOWN HEREON.
6. THE LIMITS OF THE 100- YEAR FLOODPLAIN DO NOT EXIST WITHIN THE BOUNDARY OF THIS SUBDIVISION.
7. THE APPROVED DRAINAGE PLANS FOR DANCING DEER SUBDIVISION ARE ON FILE WITH THE JEFFERSON COUNTY PLANNING AND ZONING DIVISION. THE "DRAINAGE SYSTEM" INCLUDES THE DRAINAGE FACILITIES, RETENTION AND/OR DETENTION FACILITIES AND ASSOCIATED APPURTENANCES AS DESCRIBED ON THE APPROVED DRAINAGE PLANS. NO MODIFICATIONS TO THE DRAINAGE SYSTEM SHALL BE ALLOWED WITHOUT PRIOR APPROVAL FROM JEFFERSON COUNTY. THE DRAINAGE SYSTEM FOR THE DEVELOPMENT SHALL BE OWNED AND MAINTAINED BY THE HOMEOWNERS ASSOCIATION. THE SUBDIVIDER SHALL PROVIDE THE HOMEOWNERS ASSOCIATION WITH THE NECESSARY EASEMENTS, ACROSS PRIVATE PROPERTY, SO THAT THE HOMEOWNERS ASSOCIATION CAN FULFILL ITS MAINTENANCE OBLIGATION OF THE DRAINAGE SYSTEM FOR THE DEVELOPMENT. INDIVIDUAL ON LOT MOUNTAIN POROUS LANDSCAPE DETENTION FACILITIES SHALL BE MAINTAINED BY THE INDIVIDUAL LOT OWNERS. THE ENTIRE DRAINAGE SYSTEM SHALL BE MAINTAINED BY THE SUBDIVIDER, ITS SUCCESSORS OR ASSIGNS UNTIL SUCH TIME AS THE HOMEOWNERS ASSOCIATION OR INDIVIDUAL LOT OWNERS ACCEPTS SUCH RESPONSIBILITY.
8. * INDICATES THOSE LOTS IN WHICH FINAL GRADING INFLUENCES DRAINAGE PATTERNS. PRIOR TO ISSUANCE OF A BUILDING PERMIT ON SUCH MARKED LOTS, A SITE GRADING PLAN AND A PERCOLATION TEST AT THE LOCATION OF THE INDIVIDUAL ON LOT MOUNTAIN POROUS LANDSCAPE DETENTION FACILITY MUST BE SUBMITTED TO AND APPROVED BY THE PLANNING AND ZONING DIVISION.
9. * ANY ADDITIONAL DRAINAGE EASEMENTS THAT ARE DETERMINED TO BE NEEDED FOR THE POROUS LANDSCAPE DESIGN FACILITIES ON ANY LOT WILL BE SUBMITTED IN CONJUNCTION WITH THE BUILDING PERMIT APPLICATION.
10. WATER WILL BE SUPPLIED TO LOTS 1 - 4, INCLUSIVE, BY INDIVIDUAL WELLS SUBJECT TO THE WATER AUGMENTATION PLAN (DISTRICT COURT, WATER DIVISION 1, COLORADO CASE NO. 96CW143) RECEPTION NO. F0482931 WHICH LIMITS USE.
11. NO BUILDING PERMIT SHALL BE ISSUED FOR ANY DWELLING STRUCTURE ON ANY LOT WHERE DRIVEWAY CONSTRUCTION PLANS ARE REQUIRED BY JEFFERSON COUNTY UNTIL THE DRIVEWAY CONSTRUCTION PLANS HAVE BEEN SUBMITTED TO THE COUNTY AND HAVE BEEN FOUND TO COMPLY WITH COUNTY REGULATIONS.
12. DISTANCES ON THIS SURVEY ARE EXPRESSED IN U.S. SURVEY FEET AND DECIMALS THEREOF. A U.S. SURVEY FOOT IS DEFINED AS EXACTLY 1200/3937 METERS. ALL BEARINGS SHOWN HEREON ARE IN DEGREES-MINUTES-SECONDS.
13. TRACT "A" IS DEDICATED BY THIS PLAT TO JEFFERSON COUNTY FOR RIGHT-OF-WAY PURPOSES.
14. A UNITED STATES PATENT, WHICH AFFECTS THE PLAT, IS RECORDED AT BOOK 119 PAGE 565. THE PATENT RESERVES A RIGHT-OF-WAY FOR DITCHES OR CANALS CONSTRUCTED BY AUTHORITY OF THE UNITED STATES. NO DITCHES OR CANALS EXIST WITHIN THE BOUNDARIES OF THE PLAT.
15. A RIGHT OF INGRESS AND EGRESS TO PROSPECT, MINE AND REMOVE MINERALS, WHICH AFFECTS THE PLAT, IS RECORDED IN THE DEED AT BOOK 239 PAGE 466. NO LEGAL DESCRIPTION, WHICH CAN BE PLOTTED, EXISTS IN THE DEED DOCUMENT.
16. 5 FOOT NON-EXCLUSIVE UTILITY EASEMENTS ARE DEDICATED BY THIS PLAT FOR THE USE OF UTILITY COMPANIES ALONG ALL LOT LINES AS SHOWN HEREON.
17. A "QUITCLAIM DEED", WHICH AFFECTS THIS PLAT, IS RECORDED AT RECEPTION NO. 2006132611. THE #3 REBAR (NO CAP) FOUND AT THE SOUTHEASTERLY CORNER WAS NOT ACCEPTED PER THE SECTION BREAKDOWN.
18. TRACT B IS A NON-BUILDABLE AREA. TRACT B SHALL BE CONVEYED TO THE INDIVIDUAL LAND OWNER ABUTTING THE TRACT TO THE WEST AT THE TIME OF RECORDING OF THE PLAT. THE CONVEYANCE OF TRACT B WILL CORRECT AN ENCROACHMENT OF RECEPTION NO. 2006132611 INTO THE PLAT.
19. TRACT B IS A NON-BUILDABLE AREA AND IS CONVEYED TO THE ADJACENT PROPERTY OWNER RECORDED AT RECEPTION NO. 201210394.
20. THE DIRECTOR OF PLANNING AND ZONING HAS GRANTED A WAIVER TO SECTION 15.A.1.c.(3) OF THE JEFFERSON COUNTY LAND DEVELOPMENT REGULATION WHICH PROVIDES THAT A CUL-DE-SAC IS NOT ALLOWED TO BE OVER ONE MILE IN LENGTH NOR HAVE MORE THAN 35 RESIDENTIAL UNITS ON IT, IN REGARD TO THE PLAT OF DANCING DEER SUBDIVISION.
21. NO BUILDING PERMIT SHALL BE ISSUED FOR ANY DWELLING STRUCTURE, REGARDLESS OF SIZE OR ANY OUT BUILDINGS OVER 1000 SQUARE FEET (GROSS FLOOR AREA) ON ANY LOT UNTIL MONITORED FIRE SUPPRESSION SYSTEM(S) PLANS FOR THAT STRUCTURE HAVE BEEN REVIEWED AND APPROVED BY THE FIRE PROTECTION DISTRICT. AT THE TIME OF BUILDING PERMIT APPLICATION, A LETTER FROM THE FIRE PROTECTION DISTRICT SHALL BE SUBMITTED TO THE PLANNING AND ZONING DIVISION INDICATING THAT SAID MONITORED FIRE SUPPRESSION SYSTEM(S) HAVE BEEN APPROVED.
22. EACH INDIVIDUAL WELL SHALL BE TESTED FOR GROSS ALPHA, URANIUM AND RADIUM AT THE TIME OF THE WELL TEST REQUIRED FOR BUILDING PERMIT ISSUANCE AND THE RESULTS PROVIDED TO JEFFERSON COUNTY PUBLIC HEALTH TO DETERMINE WHETHER ANY TREATMENT OF THE INDIVIDUAL WELL WATER SUPPLY IS NECESSARY.
23. A "RELEASE AND QUIT CLAIM DEED", WHICH AFFECTS THE PLAT IS RECORDED AT RECEPTION NO. F0741256 WHICH RELEASED CERTAIN GENERAL RAILROAD RESERVATIONS AS TO ANY PROPERTY OWNED OF RECORD IN FEE BY UNION PACIFIC RESOURCES GROUP, INC., UNION PACIFIC RESOURCES COMPANY OR ROCK SPRINGS ROYALTY COMPANY THE RIGHT TO "... ITS RAILROAD OPERATING RIGHTS OF WAY..." IN THE NE 1/4 SECTION 11, T6S, R70W.
24. PURSUANT TO THE REQUEST FOR NOTIFICATION OF SURFACE DEVELOPMENT RECORDED AT RECEPTION NUMBER F1489809, THE PROPERTY OWNER MADE THE NOTIFICATIONS AND A MEMORANDUM OF AGREEMENT WAS RECORDED OCTOBER 16, 2012 AT RECEPTION NUMBER 201210394 WHICH REQUIRES THE SURFACE OWNER TO PURCHASE A RELINQUISHMENT AND QUIT CLAIM DOCUMENT FOR THE MINERALS RELATED TO AN AGREEMENT CONCERNING MINERAL RIGHTS WITH VARIOUS ANADARKO ENTITIES.
25. AREAS SHOWN AS WITHIN LOTS, ARE NO-BUILD AREAS AND NO BUILDINGS SHALL BE ALLOWED IN THESE AREAS.

COVENANT AND PLAT RESTRICTION ON CONVEYANCE, SALE OR TRANSFER

AS A CONDITION OF APPROVAL OF THIS PLAT BY THE BOARD OF COUNTY COMMISSIONERS OF JEFFERSON COUNTY AND TO MEET THE REQUIREMENTS OF SECTION 30-28-137, C.R.S., AS AMENDED, NO CONVEYANCE, SALE OR TRANSFER OF TITLE OF THIS ENTIRE SUBDIVISION, OR OF ANY LOT, LOTS, TRACT OR TRACTS OF LAND IDENTIFIED HEREON, SHALL BE MADE, NOR SHALL ANY BUILDING PERMIT OR CERTIFICATE OF OCCUPANCY BE ISSUED UNTIL A CERTIFICATE OF COMPLIANCE HAS BEEN GRANTED BY THE COUNTY OF JEFFERSON, STATE OF COLORADO, DULY RECORDED BY THE CLERK AND RECORDER OF SAID SAME COUNTY, CERTIFYING THAT:

a) THOSE PUBLIC IMPROVEMENTS AS SET FORTH IN EXHIBIT "A" OF THE SUBDIVISION IMPROVEMENTS AGREEMENT, RECORDED UNDER RECEPTION NUMBER 201200777, OF THE RECORDS OF THE JEFFERSON COUNTY CLERK AND RECORDER, OR THAT PORTION OF SAID IMPROVEMENTS AS SHALL BE NECESSARY TO TOTALLY SERVE SPECIFIC LOT (S) OR TRACT (S) COVERED BY A PARTICULAR CERTIFICATE OF COMPLIANCE, HAVE BEEN PROPERLY DESIGNED, ENGINEERED, CONSTRUCTED AND ACCEPTED AS MEETING THE STANDARDS OF THE COUNTY OF JEFFERSON, APPLICABLE SPECIAL DISTRICTS, AND APPLICABLE SERVICING AUTHORITIES, OR THAT A SUBSTITUTED SECURITY OR COLLATERAL AUTHORIZED PURSUANT TO SECTION 30-28-101, C.R.S., AS AMENDED, HAS BEEN SUBMITTED TO AND ACCEPTED BY THE COUNTY OF JEFFERSON, WHICH IS SUFFICIENT IN THE JUDGMENT OF THE COUNTY TO ASSURE COMPLETION OF ALL PUBLIC IMPROVEMENTS AS SET FORTH IN EXHIBIT "A" OF SAID SUBDIVISION IMPROVEMENTS AGREEMENT RECORDED UNDER RECEPTION NUMBER 201200777, OR ANY PORTION THEREOF NECESSARY TO SERVE THE SPECIFIC LOT (S) OR TRACT (S) TO BE COVERED BY A PARTICULAR CERTIFICATE OF COMPLIANCE AND TO ASSURE SAID IMPROVEMENTS ARE COMPLETED IN ACCORDANCE WITH REASONABLE DESIGN AND TIME SPECIFICATIONS.

AS A CONDITION OF APPROVAL OF THIS PLAT BY THE BOARD OF COUNTY COMMISSIONERS OF JEFFERSON COUNTY, NO CONVEYANCE, SALE OR TRANSFER OF TITLE OF LOTS 1 - 4 IDENTIFIED HEREON, SHALL BE MADE, NOR SHALL ANY BUILDING PERMIT OR CERTIFICATE OF OCCUPANCY BE ISSUED BY THE COUNTY OF JEFFERSON, STATE OF COLORADO, UNTIL SUCH TIMES AS THE FOLLOWING HAS BEEN ACCOMPLISHED BY THE DEVELOPER. A LETTER OF COMPLIANCE HAS BEEN RECEIVED FROM THE COLORADO STATE FOREST SERVICE STATING PRACTICES DESIGNED TO REDUCE WILDFIRE HAZARDS HAVE BEEN COMPLETED. SUCH WORK MAY INCLUDE, BUT NOT NECESSARILY LIMITED TO THE FOLLOWING:

- * FUEL BREAK THINNINGS

PROVIDED, HOWEVER THAT A CONVEYANCE, SALE OR TRANSFER OF A SPECIFIC LOT (S) OR TRACT (S) OF LAND IDENTIFIED HEREON MAY BE MADE PRIOR TO COMPLIANCE WITH THE ABOVE PROVISIONS WHERE THE SUBDIVIDER (S) AND THE PROPOSED TRANSFERREE, WHO MUST ALSO QUALIFY AS A "SUBDIVIDER" UNDER THE PROVISIONS OF SECTION 30-28-137, C.R.S., AS DERIVED IN SECTION 30-28-101(B), C.R.S., AND THE BOARD OF COUNTY COMMISSIONERS OF JEFFERSON COUNTY HAVE EXECUTED AN AMENDMENT TO THE SUBDIVISION IMPROVEMENTS AGREEMENT WHEREBY THE TRANSFEREE SUBDIVIDER AGREES TO COMPLY WITH THE SAME REQUIREMENTS AND RESTRICTIONS OF THIS COVENANT AND PLAT RESTRICTION ON CONVEYANCE, SALE OR TRANSFER.

THESE RESTRICTIONS ON CONVEYANCE, SALE OR TRANSFER OF TITLE OF THIS ENTIRE SUBDIVISION OR ANY LOT (S) OR TRACT (S) OF LAND IDENTIFIED HEREON SHALL RUN WITH THE LAND AND SHALL EXTEND TO AND BE BINDING UPON THE HEIRS, EXECUTORS, LEGAL REPRESENTATIVES AND ASSIGNS OF THE SUBDIVIDER AND SHALL BE ENFORCEABLE PURSUANT TO THE PROVISIONS OF SECTION 30-28-137, C.R.S., AS AMENDED.

APPROVED, COVENANTED AND AGREED TO AS CONSIDERATION FOR FINAL PLAT APPROVAL BY THE BOARD OF COUNTY COMMISSIONERS THIS 22nd DAY OF December, 2012.

OWNER / SUBDIVIDER:

DEER MOUNTAIN ESTATES INC., A COLORADO CORPORATION

Joseph M. Dorris, President; Jean J. Chapman, Assistant Secretary

COUNTY OF JEFFERSON)
STATE OF COLORADO) ss

THE FOREGOING DEDICATION AND THE FOREGOING COVENANT AND PLAT RESTRICTION ON CONVEYANCE, SALE OR TRANSFER WERE ACKNOWLEDGED BEFORE ME THIS 22nd DAY OF December, 2012, BY JOSEPH M. DORRIS, AS PRESIDENT AND

JEAN J. CHAPMAN, AS ASSISTANT SECRETARY OF DEER MOUNTAIN ESTATES INC.,

A COLORADO CORPORATION.

WITNESS MY HAND AND OFFICIAL SEAL

NOTARY PUBLIC Sherry A. Neal

MY COMMISSION EXPIRES 5/15/16



SURVEYOR'S CERTIFICATE:

I, RUSSELL E. KOTTKE, A REGISTERED LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THE SURVEY OF DANCING DEER SUBDIVISION WAS MADE BY ME OR DIRECTLY UNDER MY SUPERVISION ON OR ABOUT THE 21st DAY OF DECEMBER, 2010, AND THAT THE ACCOMPANYING PLAT ACCURATELY AND PROPERLY SHOWS SAID SUBDIVISION AND THE SURVEY THEREOF.

12/21/2012 DATE



TITLE COMPANY CERTIFICATE:

I, Steven Wood, AS AUTHORIZED AGENT OF THE UNDERSIGNED TITLE COMPANY, DO HEREBY CERTIFY THAT I HAVE EXAMINED THE TITLE OF LANDS HEREBY DEDICATED AND SHOWN ON THIS PLAT; AND THE TITLE OF SUCH LANDS IS IN THE DEDICATORS, FREE AND CLEAR OF ALL LIENS AND ENCUMBRANCES, EXCEPT AS SHOWN IN TITLE COMMITMENT NO. 91, F0360437-134-ND, RECEPTION NO. 2, ISSUED BY FIDELITY NATIONAL TITLE COMPANY, WITH AN EFFECTIVE DATE OF April 11, 2012.

Signature of Steven Wood, AS AUTHORIZED AGENT OF FIDELITY NATIONAL TITLE COMPANY

REVIEW CERTIFICATE:

REVIEWED BY PUBLIC HEALTH THIS 26th DAY OF April, 2013.

Signature of Jean K. Volkman, PUBLIC HEALTH

REVIEWED BY THE PLANNING COMMISSION THIS 26th DAY OF April, 2013.

Signature of Chairwoman, CHAIRMAN

ACCEPTANCE CERTIFICATE:

THE FOREGOING PLAT IS APPROVED FOR FILING; AND CONVEYANCE OF TRACT "A" AND THE EASEMENTS IS ACCEPTED BY THE COUNTY OF JEFFERSON, STATE OF COLORADO, THIS 26th DAY OF April, 2013. THE COUNTY SHALL UNDERTAKE MAINTENANCE OF ANY SUCH STREETS, ROADS AND PUBLIC WAYS ONLY AFTER CONSTRUCTION THEREOF HAS BEEN SATISFACTORILY COMPLETED BY THE DEVELOPER AND ACCEPTED BY THE COUNTY.



Signature of Chairwoman, BOARD OF COUNTY COMMISSIONERS

CLERK AND RECORDER'S CERTIFICATE:

ACCEPTED FOR FILING IN THE OFFICE OF THE COUNTY CLERK AND RECORDER OF JEFFERSON COUNTY AT GOLDEN, COLORADO, THIS 29th DAY OF APRIL, 2013.

Pam Anderson, COUNTY CLERK AND RECORDER

Sharon A. Cox, BY: DEPUTY CLERK



Handwritten signature and date: Jean Madelon A.K. 4/09/13

DANCING DEER SUBDIVISION

A SUBDIVISION OF A PARCEL OF LAND BEING LOCATED IN THE
EAST ONE-HALF OF SECTION 11,
TOWNSHIP 6 SOUTH, RANGE 70 WEST OF THE SIXTH PRINCIPAL MERIDIAN
COUNTY OF JEFFERSON,
STATE OF COLORADO.
SHEET 2 OF 2

CASE NUMBER: 10-128133FI

MAP NUMBER: 86 & 87

TRACT "A" CENTERLINE DATA

| Bearing | Distance |
|------------------|----------|
| L1 S 79°18'29" E | 231.05' |
| L2 N 53°41'55" E | 60.87' |
| L3 S 36°18'05" E | 20.00' |

TRACT "A" LINE DATA

| Bearing | Distance |
|------------------|----------|
| L4 S 79°18'29" E | 228.44' |
| L5 N 53°41'55" E | 15.17' |

TRACT "A" CURVE DATA

| Delta | Radius | Arc Length |
|---------------|--------|------------|
| C1 70°31'44" | 15.00' | 18.46' |
| C2 250°31'44" | 45.00' | 196.76' |

DRAINAGE EASEMENT LINE DATA

| Bearing | Distance |
|-------------------|----------|
| L11 S 46°51'57" E | 86.77' |
| L12 N 31°35'13" W | 132.01' |
| L13 N 58°24'47" E | 20.00' |
| L14 S 31°35'13" E | 100.00' |
| L15 S 00°24'47" W | 37.74' |
| L16 N 49°53'00" W | 90.00' |
| L17 N 01°32'08" E | 100.00' |
| L18 S 88°27'52" E | 20.00' |
| L19 N 01°32'08" E | 89.21' |
| L20 S 88°27'52" E | 20.00' |
| L21 N 36°09'17" E | 118.70' |
| L22 N 10°53'01" W | 20.00' |
| L23 N 79°06'59" E | 100.00' |
| L24 N 24°53'01" W | 20.61' |
| L25 S 79°06'59" W | 104.99' |

DRAINAGE EASEMENT CURVE DATA

| Delta | Radius | Arc Length | Chord | Ch Bear |
|--------------|---------|------------|--------|---------------|
| C3 11°33'33" | 152.89' | 30.85' | 30.79' | N 01°32'08" E |

20' ACCESS AND UTILITY EASEMENT LINE DATA

| Bearing | Distance |
|-------------------|----------|
| L6 N 45°18'34" E | 62.33' |
| L7 N 38°20'25" E | 32.92' |
| L8 N 33°44'33" E | 45.66' |
| L9 N 27°07'46" E | 47.99' |
| L10 N 19°19'33" E | 32.90' |

TROXEL ESTATES RECP. #F2146640

CENTERLINE
50' WIDE ROAD
EASEMENT
BOOK 2512 PAGE 225
RECEPTION NO. 8708245
RECEPTION NO. 87074761
RECEPTION NO. 93087602



SCALE 1" = 100'

LEGEND

- ▲ INDICATES #3 REBAR (NO CAP) FOUND, THIS SURVEY.
- △ INDICATES #3 REBAR WITH 1" PLASTIC CAP (L.S. #22094) FOUND, THIS SURVEY.
- ◆ INDICATES #4 REBAR WITH 1" PLASTIC CAP (L.S. #19618) FOUND, THIS SURVEY.
- INDICATES #4 REBAR WITH 1" PLASTIC CAP (L.S. #7234) FOUND, THIS SURVEY.
- INDICATES #4 REBAR (NO CAP) FOUND, THIS SURVEY.
- ◇ INDICATES #4 REBAR WITH 1-1/4" PLASTIC CAP (L.S. #25633) SET, THIS SURVEY.
- ⊙ INDICATES #4 REBAR (ILLEGIBLE PLASTIC CAP) FOUND, THIS SURVEY.
- ⊕ INDICATES #5 REBAR WITH 1-1/2" PLASTIC CAP (L.S. #10945) FOUND, THIS SURVEY.
- ⊖ INDICATES FOUND MONUMENT AS DESCRIBED HEREON.

INDICATES NO-BUILD AREAS.

50' ROAD EASEMENT LINE DATA

| Bearing | Distance |
|-------------------|----------|
| L26 S 48°59'55" E | 153.23' |
| L27 S 48°59'55" E | 193.30' |

50' ROAD EASEMENT CURVE DATA

| Delta | Radius | Arc Length | Chord | Ch Bear |
|--------------|--------|------------|--------|---------------|
| C4 70°58'55" | 52.00' | 64.42' | 60.38' | N 75°05'56" E |

EXEMPTION 11-6-70

03-104322EX
RECP. #F1798495



MAP PREPARED: 28 DECEMBER, 2010

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

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)

| Uses | A-1 | A-2 | A-35 |
|---|------------|------------|-------------|
| 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)

| Uses | A-1 | A-2 | A-35 |
|---|------------|------------|-------------|
| 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 ¹ – 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 ¹ – 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. |

¹ 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)

CASE SUMMARY
Regular Agenda

PC Hearing Date: February 3, 2016

BCC Hearing Date: March 1, 2016

15-107574VA Vacation

Owner/Applicant: Jefferson County

Location: **Rights-of-way near West 49th Avenue and Youngfield Street (Adjacent to the Mount Olivet Cemetery which has an address of 12801 West 44th Avenue)**
Section 17, Township 3 South, Range 69 West

Approximate Area: 0.0984 Acre

Purpose: **To vacate portions of West 49th Avenue and Youngfield Street.**

Case Manager: Steve Krawczyk

Issues:

- None

Waiver:

The Director of Planning and Zoning has granted the following administrative waiver:

- Part 7, Chapter 4, Section 2.A.1. of the Jefferson County Policies and Procedures relating to the requirement for Vacation application fee.

Recommendations:

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

Interested Parties:

- None

Level of Community Interest: Low

Representative for Applicant: Robert Taylor, Transportation and Engineering

General Location: Northwest corner of West 49th Avenue & Youngfield Street

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

February 3, 2016

RESOLUTION

15-107574VA

Vacation

Owner/Applicant:

Jefferson County

Location:

Rights-of-way near West 49th Avenue and Youngfield Street (Adjacent to the Mount Olivet Cemetery which has an address of 12801 West 44th Avenue)
Section 17, Township 3 South, Range 69 West

Approximate Area:

0.0984 Acres

Purpose:

To vacate portions of West 49th Avenue and Youngfield Street.

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 Planning Commission hereby recommends APPROVAL of case no. 15-107574VA. The Planning Commission further recommends that pursuant to the authority granted in C.R.S. 43-3-302(1)(f), that the portions of adjoining vacated rights-of-way, as described on the legal description attached hereto as Exhibit A, shall vest in and to abutting property owner, The Mount Olivet Cemetery Association, property address of 12801 West 44th Avenue, Wheat Ridge, CO 80033.

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

| | | |
|--------------|----------------|------------|
| Commissioner | Rogers | Aye |
| Commissioner | Moore | Aye |
| Commissioner | Harris | Aye |
| Commissioner | Hammond | Aye |
| Commissioner | Burke | Aye |
| Commissioner | Ahuja | Aye |

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

I, Bonnie Benedik, Administrative Assistant for the Jefferson County Planning Commission, do hereby certify that the foregoing is a true copy of a Resolution duly adopted by the Jefferson County Planning Commission at a regular hearing held in Jefferson County, Colorado, February 3, 2016.



Bonnie Benedik
Administrative Assistant

STAFF REPORT

PC Hearing Date: February 3, 2016

BCC Hearing Date: March 1, 2016

15-107574VA Vacation

Owner/Applicant: Jefferson County

Location: Rights-of-way near West 49th Avenue and Youngfield (Adjacent to the Mount Olivet Cemetery which has an address of 12801 West 44th Avenue) Section 17, Township 3 South, Range 69 West

Approximate Area: 0.0984 Acre

Case Manager: Steve Krawczyk

Purpose: **To vacate portions of West 49th Avenue and Youngfield Street.**

Background/Unique information:

Pursuant to direction by the Board of County Commissioners as a result of a Staff briefing on January 16, 2014, Staff is proposing to vacate portions of West 49th Avenue and Youngfield Street that are not being utilized for public access and are not needed by the County. This proposed Vacation of rights-of-way abuts Mount Olivet Cemetery to the west. The area is currently being used for grave sites by Mount Olivet. The to-be vacated rights-of-way are located outside the existing travelled streets, West 49th Avenue and Youngfield Street. In addition, the proposed Vacation does not impact existing access to other residences and properties.

Fee Waiver:

The Director of Planning and Zoning granted the following administrative fee waiver:

- Part 7, Chapter 4, Section 2.A.1. of the Jefferson County Policies and Procedures related to the requirement for the submittal of a Vacation application fee.
The rationale for waiving the application fee was predicated on this being a County initiated process.

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 1st 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:

- Prospect Recreation and Park District
- Jefferson County Horseman's Assoc
- Fairmount Improvement Assn

During the processing of the application, Staff has not received any written responses in objection to the proposal. However, at the onset of the process, several citizens expressed concerns about access to their properties that may be impacted by this Vacation. Staff believes that the citizens' concerns about access have been satisfactorily addressed.

Issues Analysis:

| | Maintenance | Traffic & Safety | Emergency Access | Property Owner Access | Utilities | Statutory Requirement | Vesting |
|---------------------|-------------|------------------|------------------|-----------------------|-----------|-----------------------|---------|
| Acceptable | X(1) | X(2) | X(3) | X(4) | X(5) | X(6) | X(7) |
| Unacceptable | | | | | | | |



1. Maintenance:

The proposed Vacation area is not maintained by the County. The Road and Bridge and Transportation and Engineering Divisions support this right-of-way Vacation request. The vacated property will vest to the adjoining property owner, The Mount Olivet Cemetery Association. The Association is agreeable to the vesting of this to-be-vacated rights-of way to them and will continue to maintain the newly acquired property in its existing state.

2. Traffic and Safety:

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

3. Emergency Access:

There is not an existing road or fire protection facilities within the proposed vacated area. This right-of-way Vacation will not impact fire protection and rescue operations from the Fire Protection District. The Fairmount Fire Protection District in its correspondence, dated January 19, 2016, stated that they have no objection to this right-of-way Vacation request.

4. Property Owner Access:

All property owners that may be impacted by this Vacation have existing access; this right-of-way Vacation request will not impact access to any existing lot, parcel and/or tract.

5. Utilities:

All utility companies and districts including CenturyLink, Xcel Energy, Comcast Cable, Consolidated Mutual, Fruitdale Water and Sanitation District, North Table Mountain Water and Sanitation District, Valley Water District and Wheat Ridge Water and Sanitation District have provided letters stating there are no existing or proposed utilities within the proposed right-of-way Vacation area.

6. 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.

7. Vesting:

The vacated right-of-way will vest to the Mount Olivet Cemetery Association who is the property owner abutting the proposed vacated right-of-way.

Planning Commission:

Planning Commission Recommendation (Resolution dated February 3, 2016 attached):

| | |
|--------------------------|--------------|
| Approval | _____ |
| Approval with Conditions | <u>X 6-0</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.

Just prior to the Planning Commission Hearing, two citizens, who own property nearby, expressed concerns to Staff about access and rights-of-way on West 49th Avenue and Youngfield Street as it relates to this case. The two citizens did not testify at the Planning Commission Hearing; however, they did request a meeting with Staff after the Planning Commission Hearing.

At the follow-on meeting, Staff explained that the proposed Vacation complies with County regulations and State statutes; and that the Vacation will not impact the physical access as it exists. The proposed vacated area is outside the existing travelled streets and the remaining access meets the 20' minimum required by the Zoning Resolution. Staff is of the understanding that the concerned citizens may attend the Board of County Commissioners hearing to testify about their concerns pertaining to legal access to their respective properties. The legal access issues for the concerned citizens is attributed to travelled streets that are not within dedicated County rights-of-way, and the citizens do not have the rights (access easements) to cross other private properties to get their respective properties. Staff did recommend several options to the citizens about how to resolve their access issues, including seeking legal advice, requesting information from the County to substantiate claims that the streets (Youngfield Street and West 49th Avenue) were previously maintained by the County, obtaining private access easements where possible or obtaining Land Disturbance permit(s) to construct non-maintained County streets within dedicated County rights-of-way.

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.15-107574VA and that the Board of County Commissioners pursuant to the authority granted in C.R.S. 43-2-302(1)(f), direct that the portions of adjoining vacated rights-of-way, as described on the legal description attached hereto as Exhibit A, shall vest in and to abutting property owner, The Mount Olivet Cemetery Association, property address of 12801 West 44th Avenue, Wheat Ridge, CO 80033.

COMMENTS PREPARED BY:

Steve Krawczyk

Steve Krawczyk, Civil Planning Engineer
March 1, 2016

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

January 20, 2016

Case Number: **15-107574VA**

Case Type: **Vacation**

Applicant Makes Complete Submittal: April 30, **2015**

Case Sent on Referral: April 30,, **2015**

All Responses Provided to Applicant: **May 14, 2015**

Applicant Resubmits: **September 10, 2015**

Determination That Case Should Proceed to Hearing: December 10, 2015

County Staff Determination:

X Applicant's Request:

Application Fee Waiver

CSDC AMANDA 6.15.1.15102718 - User: TGAGNON (Tom Gagnon) Signed on to PROD64 amanda - Windows Internet Explorer

File Data Search Edit Actions Reports Help

Display Task List Reports Permit Property People Admin LOC RFS My Office

AMANDA

Display Task List x Vacation ROW for a portion of 49th Ave[W... x

List View

1 row retrieved Show counts

| Folder Number | Folder Description |
|-----------------------|---|
| 2016 101037 000 00 WR | A vacation initiated by the county to vacat |

35500 Director Planning & Zoning - 80033 16 101037 000 00 WR

Assigned User: John Wolforth

Reference: [] Inspection#: [] Priority: [] Status: Complete Mandatory:

To Start: Jan 19, 2016 12:00a.m.

To End: Jan 26, 2016 12:00a.m.

Started: Jan 19, 2016 1:47p.m.

Ended: Jan 19, 2016 1:47p.m.

Base Start: Jan 19, 2016

Base End: Jan 26, 2016

Sign Off: John Wolforth

Comment: []

File1: [] File2: [] File3: [] Discipline: Planning

Print Flag Scheduled Assign To-Do

Display Order: 50 Process RSN: 5296546

Attempt(1) Checklist Me... Deficiency Attachme... Info Peo... Insp. Det...

+ Add Delete Save Refresh

| Date | User | Comment | Result | Time | Overtime | Unit | Ext Insp | Expense |
|-----------------------|---------------|---------|---------------|------|----------|------|----------|---------|
| Jan 19, 2016 13:47:06 | John Wolforth | | Complete (PD) | | | Hour | | \$0.00 |

Audit

Audit Start Today Repeat Reschedule Re-Default Print

Assign

125%

ELECTRONIC REFERRAL

JEFFERSON COUNTY, COLORADO

Documents related to a Vacation of Right of Way for a portion of West Coneflower Drive that is adjacent to 12681 West 49th Ave has been submitted to Jefferson County Planning and Zoning. This case is now beginning the 1st Referral part of the process. Please review the specific electronic documents related to the 1st Referral found [here](#). Comments on the Vacation Case should be submitted electronically to the case manager by the due date below.

Case Number: 15-107574VA
Case Name: Vacation of Right of Way for a portion of 49th Ave and Youngfield St
Address: Parcel ID 39-173-01-065 (adjacent to 12681 West 49th Ave.
General Location: Located Right-of-way for 49th Avenue and Youngfield Street
Case Type: Vacation of County Right of Way
Comments Due: **May 11, 2015**
Case Manager: Steve Krawczyk
Case Manager Contact Information: skrawczy@jeffco.us 303-271-8736

The entire case file for this application can be viewed [here](#).

Referrals:

Internal Agencies:

Zoning Administration-Jeremy
Addressing-Bev
Transportation and Eng- Derek
Road and Bridge-Andy Rohwer
Assessor-Kathy
Cartography-Ed
Open Space-Nancy York

External Agencies:

PROSPECT RECREATION AND PARK
FAIRMOUNT IMPROVEMENT ASSN,
FAIRMOUNT FIRE PROTECTION DIST
FRUITDALE SAN DISTRICT
VALLEY WATER DIST
COMCAST
XCEL
CENTURYLINK

HOAS:

Jefferson County Horseman's Assoc

Adjacent Property Owners

See the enclosed List
(8 property owners)

Steve Krawczyk

From: AutoMailer@jeffco.us
Sent: Tuesday, May 05, 2015 1:57 PM
To: Steve Krawczyk
Cc: Patricia Romero(Planning & Zoning)
Subject: Agency Response

Address: Vacation ROW for a portion of 49th Ave
Case Number: 15 107574 VA
Review: Addressing
Review Results: Complete
Scheduled End Date: 05/11/2015
Signoff Date: 05/05/2015
Process Comments:
Case Type: Vacation Right of Way: Local Street
Reviewer: Patricia Romero
Case Description: Vacation of Right of Way for a portion of 49th Ave and Youngfield St

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

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

Steve Krawczyk

From: Kathy Sewolt
Sent: Monday, December 07, 2015 12:45 PM
To: Steve Krawczyk
Subject: RE: 15-107574VA, Vacation of Right of Way for a portion of 49th Ave and Youngfield St

Steve,

I have no objections or concerns about this vacation.

Sincerely,

Kathy Sewolt
Manager, Real Property & GIS
Jefferson County Assessors Office
303-271-8645
ksewolt@co.jefferson.co.us

From: Steve Krawczyk
Sent: Friday, December 04, 2015 9:07 AM
To: Kathy Sewolt
Subject: 15-107574VA, Vacation of Right of Way for a portion of 49th Ave and Youngfield St

Hi Kathy,

Now that the ROW has been recorded. Can I get a the assessor's have no concerns or objections memo for the records for this vacation is that part of W. 49th Ave.

Thanks!

Steve Krawczyk, PE, MS, CFM
Civil Engineer
Planning and Zoning Division
100 Jefferson County Parkway, Suite 3550 Golden, CO 80419-3550
Phone: (303) 271-8736 (direct)
Fax: (303) 271-8744
Email: skrawczyk@jeffco.us
<http://planning.jeffco.us>

Steve Krawczyk

From: AutoMailer@jeffco.us
Sent: Thursday, May 07, 2015 11:36 AM
To: Steve Krawczyk
Cc: Ben Hasten
Subject: Agency Response

Address: Vacation ROW for a portion of 49th Ave
Case Number: 15 107574 VA
Review: Cartographic
Review Results: Complete
Scheduled End Date: 05/11/2015
Signoff Date: 05/07/2015
Process Comments: Carto Graphics are on the M: drive
Case Type: Vacation Right of Way: Local Street
Reviewer: Ben Hasten
Case Description: Vacation of Right of Way for a portion of 49th Ave and Youngfield St

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

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

Steve Krawczyk

From: Place, Charles [Charles.Place@CenturyLink.com]
Sent: Tuesday, April 28, 2015 7:30 AM
To: Steve Krawczyk
Subject: Case 15-107574VA

Follow Up Flag: Follow up
Flag Status: Flagged

Steve,

CenturyLink has no comment on Case 15-107574VA.

Charles Place

Right of Way Manager

7759 S. Wheeling Ct.

Englewood, CO 80112

720.578.5132

This communication is the property of CenturyLink and may contain confidential or privileged information. Unauthorized use of this communication is strictly prohibited and may be unlawful. If you have received this communication in error, please immediately notify the sender by reply e-mail and destroy all copies of the communication and any attachments.

Steve Krawczyk

From: Debbie McIntyre
Sent: Tuesday, April 28, 2015 7:28 AM
To: Steve Krawczyk
Subject: FW: Electronic Referral 15-107574VA - 49th Ave. and Youngfield St.

Follow Up Flag: Follow up
Flag Status: Flagged

From: Moore, Scott [mailto:Scott_Moore@cable.comcast.com]
Sent: Tuesday, April 28, 2015 6:56 AM
To: Debbie McIntyre
Cc: 'nrosenberger@fairmountfire.org'; 'Donna.L.George@xcelenergy.com'; 'charles.place@centurylink.com'; 'gcharbonnierfsd3@qwestoffice.net'; 'barry@wrwdistrict.com'
Subject: RE: Electronic Referral 15-107574VA - 49th Ave. and Youngfield St.

Hi Debbie, Comcast has no comments or objections.

Thanks.

Scott R. Moore
6850 S Tucson Way
Englewood, CO 80112
T. 303 603 5665
F. 303 603 5609
Scott_Moore@cable.comcast.com

From: Debbie McIntyre [<mailto:dmcintyr@co.jefferson.co.us>]
Sent: Monday, April 27, 2015 3:35 PM
Cc: 'nrosenberger@fairmountfire.org'; Moore, Scott; 'Donna.L.George@xcelenergy.com'; 'charles.place@centurylink.com'; 'gcharbonnierfsd3@qwestoffice.net'; 'barry@wrwdistrict.com'
Subject: FW: Electronic Referral 15-107574VA - 49th Ave. and Youngfield St.

ELECTRONIC REFERRAL

JEFFERSON COUNTY, COLORADO



April 29, 2015

Jefferson County Planning and Zoning
Mr. Steve Krawczyk
100 Jefferson County Parkway, Suite 3550
Golden, Colorado 80419-3550

**Re: Case Number 15-107574VA – Vacation of Right of Way (12681 West
49th Avenue**

Dear Mr. Krawczyk:

This will acknowledge receipt of your correspondence on April 27, 2015, regarding the above referenced project.

The above referenced project address is not within The Consolidated Mutual Water Company's service area; therefore we do not service the above location. The Company does have raw water mains outside its service area near the proposed location but said mains are not in conflict with the proposed vacation and The Company has no objections.

If you should have any questions regarding this correspondence, please contact this office.

Sincerely,

Andy Rogers
Project Engineer

/lw

cc: Michael E. Queen, CMWCo President
Zach Queen, CMWCo Superintendent of Distribution

Steve Krawczyk

From: Neil Rosenberger [nrosenberger@fairmountfire.org]
Sent: Wednesday, January 20, 2016 12:02 PM
To: Steve Krawczyk
Cc: Robert Ipatenco
Subject: RE: 15-107574VA Vacation of Right of Way for a portion of 49th Avenue and Youngfield Street

Good afternoon Steve,

After revisiting the exhibits for Case #15-107574VA -49th Avenue & Youngfield Street, and the discussion you and I had over the phone again this morning, I have decided that the Fairmount Fire Protection District no longer has any objection to the Vacation of the Right of Way for the portion of West Conefield Drive, adjacent of 12681 West 49th Avenue. Your explanation pertaining to the Vacation of the Right of Way only affecting the roadway adjacent to the Mount Olivet Cemetery Property and the gate/maintenance drive therein is satisfactory to meet our concerns that were stated in my earlier email response dated April 29, 2015. Thank you.

Respectfully,

Neil

Neil Rosenberger, CFO, FM, MIFireE
Division Chief, Fire Marshal
Fairmount Fire Protection District
4755 Isabell Street
Golden, Colorado 80403
(303) 279-2928 Office
(303) 579-3823 Cell
nrosenberger@ffpdfire.org

Fire Sprinklers Save Lives and Property!



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From: Steve Krawczyk [<mailto:skrawczyk@co.jefferson.co.us>]
Sent: Tuesday, January 19, 2016 5:07 PM
To: Neil Rosenberger
Subject: 15-107574VA Vacation of Right of Way for a portion of 49th Avenue and Youngfield Street

Good Morning
Neil,

The vacation of the Right-of-way is the only for the rights-of-way in side of the fence line of the Mount Olivet Cemetery and is being used as grave site. You think you could modify your email to reflect that portion of the rights-of-way.

Steve Krawczyk

From: fsd3@qwestoffice.net
Sent: Monday, September 28, 2015 1:14 PM
To: Steve Krawczyk
Subject: Fw: 49th Ave - Mt Olivet Vacation case

Hello Steve,

Here is what you should have received.

From: fsd3@qwestoffice.net
Sent: Tuesday, September 1, 2015 11:03 AM
To: [Steve Krawczyk](#)
Subject: Re: 49th Ave - Mt Olivet Vacation case

Thank you for sending over the drawing that helped a lot. Fruitdale Sanitation District has no lines and we do not need a right of way in the area you plan to vacate.
Please call me if you have any questions or concerns.

Gary Charbonnier
Fruitdale Sanitation District
4990 Miller Street
Wheat Ridge CO 80033
Phone (303) 424-5476
Email gcharbonnier@fruitdale.net

From: [Steve Krawczyk](#)
Sent: Monday, August 31, 2015 2:41 PM
To: 'Wendy Weiman'
Cc: 'Andy Rogers' ; <mailto:fsd3@qwestoffice.net>
Subject: 49th Ave - Mt Olivet Vacation case

Hello

Andy, Gary and Wendy,

Attached please find an exhibit map and an internal staff report written last year that helps to explain the overall issues. But I think under the recommendations section that states "some portions are occupied by gravesites" is most important to you. In addition we have right of way along your north property line that you might find useful if the county vacates.

Please send me back an e-mail and address if any utilities are present and if an easement is required.

Thanks

Steve Krawczyk, PE, MS, CFM
Civil Engineer
Planning and Zoning Division
100 Jefferson County Parkway, Suite 3550 Golden, CO 80419-3550

Steve Krawczyk

From: Wendy Weiman [Wendy@ntmwater.org]
Sent: Monday, August 31, 2015 4:10 PM
To: Steve Krawczyk
Subject: RE: 49th Ave - Mt Olivet Vacation case
Attachments: JeffersonCountyVacation.pdf

Good afternoon Steve,

Thank you for sending over the vacation information. All of NTM's easements are outside the proposed vacation, see attached.

Thanks again and I hope all is well!

Wendy M. Weiman, P.E.

Project Engineer

North Table Mountain Water & Sanitation District

14806 W. 52nd Avenue
Golden, Colorado 80403
Tel (303)279.2854 Ext. 306
Fax (303) 279-2865
Email - wendy@ntmwater.org
www.ntmwater.org

From: Steve Krawczyk [<mailto:skrawczyk@co.jefferson.co.us>]
Sent: Monday, August 31, 2015 2:42 PM
To: Wendy Weiman
Cc: 'Andy Rogers'; 'fsd3@qwestoffice.net'
Subject: 49th Ave - Mt Olivet Vacation case

Hello

Andy, Gary and Wendy,

Attached please find an exhibit map and an internal staff report written last year that helps to explain the overall issues. But I think under the recommendations section that states "some portions are occupied by gravesites" is most important to you. In addition we have right of way along your north property line that you might find useful if the county vacates.

Please send me back an e-mail and address if any utilities are present and if an easement is required.

Thanks

Steve Krawczyk, PE, MS, CFM
Civil Engineer
Planning and Zoning Division
100 Jefferson County Parkway, Suite 3550 Golden, CO 80419-3550
Phone: (303) 271-8736 (direct)
Fax: (303) 271-8744
Email: skrawczyk@jeffco.us

District Boundary

NTM Easements

Proposed Vacation



Steve Krawczyk

From: AutoMailer@jeffco.us
Sent: Tuesday, May 05, 2015 2:43 PM
To: Steve Krawczyk
Cc: Regina Elsner
Subject: Agency Response

Address: Vacation ROW for a portion of 49th Ave
Case Number: 15 107574 VA
Review: Open Space
Review Results: Comments Sent (no further review)
Scheduled End Date: 05/11/2015
Signoff Date: 05/05/2015
Process Comments: JCOS has no comments or concerns on this referral.
Case Type: Vacation Right of Way: Local Street
Reviewer: Regina Elsner
Case Description: Vacation of Right of Way for a portion of 49th Ave and Youngfield St

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

Steve Krawczyk

From: AutoMailer@jeffco.us
Sent: Thursday, May 14, 2015 3:39 PM
To: xskrawczyk@jeffco.us
Cc: Steve Krawczyk
Subject: Agency Response

Address: Vacation ROW for a portion of 49th Ave
Case Number: 15 107574 VA
Review: Road & Bridge
Review Results: Complete
Scheduled End Date: 05/11/2015
Signoff Date: 05/14/2015
Process Comments: Road and Bridge has no concerns with the Proposed vacation.
Case Type: Vacation Right of Way: Local Street
Reviewer: Steve Krawczyk
Case Description: Vacation of Right of Way for a portion of 49th Ave and Youngfield St

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

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

Steve Krawczyk

From: v.waterdist_kathy@comcast.net
Sent: Tuesday, September 29, 2015 10:42 AM
To: Steve Krawczyk
Subject: Re: 49th Ave - Mt Olivet Vacation case

Hi Steve:

I was able to have my engineer visit the site of the proposed easement vacation that is west of the Mt. Olivet fence.

The District has no facilities within the proposed vacation area, and the District has no concerns with the vacation.

Please feel free to contact me with any further questions.

Sincerely,

Kathleen Kadnuck
Valley Water District
Office Manager
303-424-9661

From: "Steve Krawczyk" <skrawczy@co.jefferson.co.us>
To: "v.waterdist_kathy@comcast.net" <v.waterdist_kathy@comcast.net>
Sent: Monday, September 28, 2015 11:22:00 AM
Subject: 49th Ave - Mt Olivet Vacation case

Hello

Kathy,

Attached please find an exhibit map and an internal staff report written last year that helps to explain the overall issues. But I think under the recommendations section that states "some portions are occupied by gravesites" is most important to you. In addition we have right of way along your north property line that you might find useful if the county vacates.

Please send me back an e-mail and address is any utilities are present and if an easement is required.

Thanks

Steve Krawczyk, PE, MS, CFM
Civil Engineer
Planning and Zoning Division
100 Jefferson County Parkway, Suite 3550 Golden, CO 80419-3550
Phone: (303) 271-8736 (direct)
Fax: (303) 271-8744
Email: skrawczy@jeffco.us
<http://planning.jeffco.us>

Steve Krawczyk

From: Debbie McIntyre
Sent: Tuesday, April 28, 2015 11:33 AM
To: Steve Krawczyk
Subject: FW: Electronic Referral 15-107574VA - 49th Ave. and Youngfield St.

Follow Up Flag: Follow up
Flag Status: Flagged

From: Barry Hudson [<mailto:barry@wrwdistrict.com>]
Sent: Tuesday, April 28, 2015 11:30 AM
To: Moore, Scott; Debbie McIntyre
Cc: 'nrosenberger@fairmountfire.org'; 'Donna.L.George@xcelenergy.com'; 'charles.place@centurylink.com'; 'gcharbonnierfsd3@qwestoffice.net'
Subject: RE: Electronic Referral 15-107574VA - 49th Ave. and Youngfield St.

There are no Wheat Ridge Water district facilities at that location. Water there is handled by Consolidated Mutual Water.

Barry Hudson, Manager

From: Moore, Scott [mailto:Scott_Moore@cable.comcast.com]
Sent: Tuesday, April 28, 2015 6:56 AM
To: Debbie McIntyre
Cc: 'nrosenberger@fairmountfire.org'; 'Donna.L.George@xcelenergy.com'; 'charles.place@centurylink.com'; 'gcharbonnierfsd3@qwestoffice.net'; Barry Hudson
Subject: RE: Electronic Referral 15-107574VA - 49th Ave. and Youngfield St.

Hi Debbie, Comcast has no comments or objections.

Thanks.

Scott R. Moore
6850 S Tucson Way
Englewood, CO 80112
T. 303 603 5665
F. 303 603 5609
Scott_Moore@cable.comcast.com

From: Debbie McIntyre [<mailto:dmcintyr@co.jefferson.co.us>]
Sent: Monday, April 27, 2015 3:35 PM
Cc: 'nrosenberger@fairmountfire.org'; Moore, Scott; 'Donna.L.George@xcelenergy.com'; 'charles.place@centurylink.com'; 'gcharbonnierfsd3@qwestoffice.net'; 'barry@wrwdistrict.com'
Subject: FW: Electronic Referral 15-107574VA - 49th Ave. and Youngfield St.

ELECTRONIC REFERRAL

49th Avenue/Youngfield Street
(between Ward Road and Mt. Olivet Cemetery)
January 16, 2014

ISSUE:

Property owners in the area are concerned about right-of-way, maintenance, and usage of 49th Avenue and Youngfield Street

BACKGROUND:

In July of 2013, Nancy Hollinger (12601 W. 49th Avenue) contacted the Planning and Zoning Division to report that Byron and Ranya Kelly (12681 W. 49th Avenue) were putting "private road" and "no trespassing" signs in the County right-of-way. Prior to that, Mrs. Hollinger had registered concerns about roadway maintenance. Also, in July of 2013, Commissioner Don Rosier met with Mrs. Hollinger and Nancy Franz (4950 Youngfield Street). As a result of that meeting, staff researched records, found property pins, staked right-of-way, prepared graphics of the area and shared that information with all of the interested property owners.

DISCUSSION:

The following are facts that seem to be undisputed:

- Right-of-way for 49th Avenue and Youngfield Street has been dedicated, deeded, and assigned by court documents.
- The Board of County Commissioners has never accepted the roads for maintenance because they were never improved to County standards.
- The traveled surface of the road lies within the County right-of-way and also on properties owned by the Kelly's and RTD. RTD acquired the railroad right-of-way earlier in 2013.
- Landscaping owned by the Kelly's and Mrs. Hollinger encroaches into the County right-of-way.

Some of the concerns expressed by the property owners are:

- Blocking of access
- Excessive speeds
- Condition of the roads
- Use of roads by Mt. Olivet
- Trespassing

Staff considered a number of options to address the fact that the right-of-way does not always coincide with the travelled way. It should be noted that this situation is by no means unique in Jefferson County (for both maintained and non-maintained roads). The range of options vary from doing nothing to relocating the road within the right-of-way and/or purchasing the RTD property that is occupied by the road and then taking over maintenance of the road..

RECOMMENDATIONS:

Staff recommends simply vacating that portion of the right-of-way that is west of the Mt. Olivet fence. Reasons for recommending this specific action are:

- The right-of-way is being used by Mt. Olivet and some portions are occupied by gravesites.
- Staff does not foresee any future need for that portion of ROW

Staff recommends that no further action be taken for the following reasons:

- Upon potential redevelopment of the properties (including the RTD property), it may be desirable to relocate the traveled surface within the right-of-way.
- It is not customary for the County to take over maintenance of roads that are not built to County standards.
- It is not customary for the County to relocate non-maintained roads.
- It is likely that the property owners have use of the traveled surface, with or without the right-of-way.

NEXT STEPS:

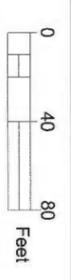
Staff should contact Mt. Olivet to discuss the vacation proposal. If Mt. Olivet is agreeable, a right-of-way vacation case will be processed and heard by the Planning Commission and Board of County Commissioners.

FISCAL IMPACT:

No out-of-pocket expenses are anticipated as a result of the recommendations..

ORIGINATORS:

Jeanie Rossillon, Development & Transportation Director

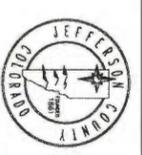


LEGEND

| | | | |
|---|------------------------|-------|---------------------------------|
| ⊙ | Sanitary Sewer Manhole | — X — | New Fence |
| ⊗ | Water Valve | — X — | Fence |
| ⊕ | Power Pole | — | Gas Line |
| ⊖ | Guy Anchor | — | tele— Telephone Line |
| ☆ | Light Pole | — | FO— Fiber Optic Line |
| △ | Control Point | — | cbl— Cable TV |
| ● | Property Pin | — | wt— Water Line |
| ⊙ | Sign & Object Marker | — | oh— Over Head Electric Line |
| ○ | Utility Line pot hole | — | uge— Under Ground Electric Line |
| ▨ | Proposed Vacation | — | son— Sanitary Line |
| | | --- | Proposed toe of slope |

| | | | |
|------------|---|------------------|------------|
| Revisions: | Designed By | Scale | (As Shown) |
| | Drawn By | Date Created: | 1/17/2014 |
| | Checked By | Plot Date: | 1/17/2014 |
| | Staff | F.I.R. Date: | |
| | | F.O.R. Date: | |
| | | For Const. Date: | |
| | File Location: G:\PROJECTS\Special Projects_5th Floor\4 CAD\DWG | | |

JEFFERSON COUNTY
DIVISION OF
TRANSPORTATION AND ENGINEERING
100 JEFFERSON COUNTY PARKWAY, SUITE 3500
GOLDEN, COLORADO 80419
(303) 271-8495



49th @ MT OLIVET CEMETERY
STAFF RECOMMENDATION

Project No. _____ Sheet _____ of _____

Special BY 3 DEED - The Out West Printing and Stationery Co., Colorado Springs, Colo.

This Deed, Made this 2d day of June in the year of our Lord one thousand nine hundred and fourteen, between Thomas Williams of the County of Jefferson and State of Colorado, of the first part, and

County of Jefferson and State of Colorado, of the second part:

Witnesseth, That the said party of the first part, for and in consideration of the sum of one hundred (\$100) Dollars, to the said party of the first part in hand paid by the said party of the second part, the receipt whereof is hereby confessed and acknowledged, has granted, bargained, sold and conveyed, and by these presents do grant, bargain, sell, convey and confirm unto the said party of the second part, his heirs and assigns forever, all the following described lots or parcels of land, situate, lying and being in the County of Jefferson and State of Colorado, to-wit: a strip thirty (30) in width of the West side of the North East Quarter of Section Seventeen (17) and a strip fifty (50) in width from the corner between the South corner of the North half (2) of the South East Quarter of Section 17 and the North half (2) of the South Quarter of Section 17 (17) to a point between Lots 18 and 22 of Standley Heights at the South West corner of said Block 18 and South East corner of said Lot 22 and thirty (30) feet in width along the East side of said Lot 21, in said Standley Heights said strips known as the Ward Road, also a strip thirty (30) ft wide and one thousand (1000) in length from the said Ward Road and along the North line of the Colo & So R.R. in Lot 21, thence along South line of said Lot 21, thence N. on W. line of said Lot 21, thence S. of said width along the South line of Lots 28, 24, 33, 33, 31 & 30 of said Standley Heights, also a strip fifty (50) in width, running East between Lots 7, 8, 9, 10, 13, 14 & 15 to a point between Lots 14 & 16, to a point 20 ft W. of East side of Lot 15 and thirty feet wide along South side of Lot 15 to S. E. Cor. of 9th St. Sec 17 also a strip twenty (20) feet wide off of and along East side of Lot 15 running south to the North line of R. R. right of way said strip being conveyed for the purpose of Public Roads all of said strips in Secs 17 & 18 Twp. 3 S. R. 6 E. 4 W.

Together With all and singular the hereditaments and appurtenances thereunto belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof; and all the estate, right, title, interest, claim and demand whatsoever, of the said party of the first part, either in law or equity, of, in and to the above bargained premises, with the hereditaments and appurtenances.

To Have and to Hold The said premises above bargained and described, with the appurtenances unto

the said party of the second part, his heirs and assigns forever. And the said Thomas Williams party of the first part, for his self, his heirs, executors and administrators, doth covenant, grant, bargain and agree to and with the said party of the second part, his heirs and assigns, that at the time of the executing and delivery of these presents, well seized of the premises above conveyed, and of good and lawful title, perfect, absolute and indefeasible estate of inheritance, in law, in fee simple, and his own right, full power and authority, to grant, bargain, sell and convey the same in manner and form aforesaid, and that the same are free and clear from all former and other grants, bargains, sales, liens, taxes, assessments and incumbrances of whatever kind or nature soever.

and the above bargained premises in the quiet and peaceable possession of the said party of the second part, his heirs and assigns, against all and every person or persons lawfully claiming or to claim the whole or any part thereof, the said party of the first part shall and will Warrant and Forever Defend.

In Witness Whereof, The said party of the first part hath hereunto set his hand and seal the day and year first above written.

Signed, Sealed and Delivered in Presence of Thomas Williams Seal Seal Seal

STATE OF COLORADO, COUNTY OF Jefferson ss. I, George Townsend a Notary Public in and for the said County, in the State aforesaid, do hereby certify that

Thomas Williams who is personally known to me to be the person whose name is subscribed to the foregoing Deed, appeared before me this day in person, and acknowledged that he signed, sealed and delivered the said instrument of writing as his free and voluntary act and deed, for the uses and purposes therein set forth. Given under my hand and notarial seal, this 2d day of June A. D. 1914. My Commission expires May 4th 1918.



George Townsend NOTARY PUBLIC.

Filed for record the 4th day of Dec A. D. 1914, at 9:15 o'clock A.M.

J. S. T. Gregg RECORDER. By J. S. T. Gregg DEPUTY.

Book 2 PAGE 68 B
00876226

1/4 Cor.

N.E. COR. SEC. 18 N.W. COR. SEC. 17

PLAT of Standley Heights

SUBDIVISION OF PART OF SECTIONS 17 AND 18 IN T. 3 S. R. 69 W.

The lines, measurements and areas of numbered lots on this plat correctly represents the subdivision of the N.E. 1/4, the N. 1/2 of the S.E. 1/4 and the N. 1/2 of the S.W. 1/4 of Section 17 and the N. 1/2 of the S.E. 1/4 of Section 18 in Township Three (3) South, Range Sixty-Nine (69) West of the Sixth (6th) Principal Meridian.

The following roads shown on this plat, ~~are dedicated to the use of the public.~~ ^{are reserved by the locator for} use: From center of section 17, a roadway 60 feet wide running east to east line of the section. Another roadway 20 feet wide beginning on the public road, 666 feet south from the north 1/4 corner of section 17 and running east 2000 feet. Also the road 30 feet wide beginning on the public highway 1725 feet south from the center of section 17, and running west to the center of the west line of the S.E. 1/4 of section 18.

I, Thomas Williams, have caused to be surveyed and platted the land designated hereon for the purpose of accurately defining and describing the different lots and parcels of lands, and the roads thereon for the purpose and use as designated.

Thomas Williams

Plat Registration
Recorded Dec 8, 1931
Rec # 81089023

State of Colorado,
County and City of Denver.

Subscribed and sworn to by Thomas Williams, before me, a Notary Public in and for said county and state this 13th day of February, A.D. 1907. My Commission expires February 28, 1907.

Ella J. Burns
Notary Public

Only 31st 10.00
2- 8
H. J. Juchus
S. D.

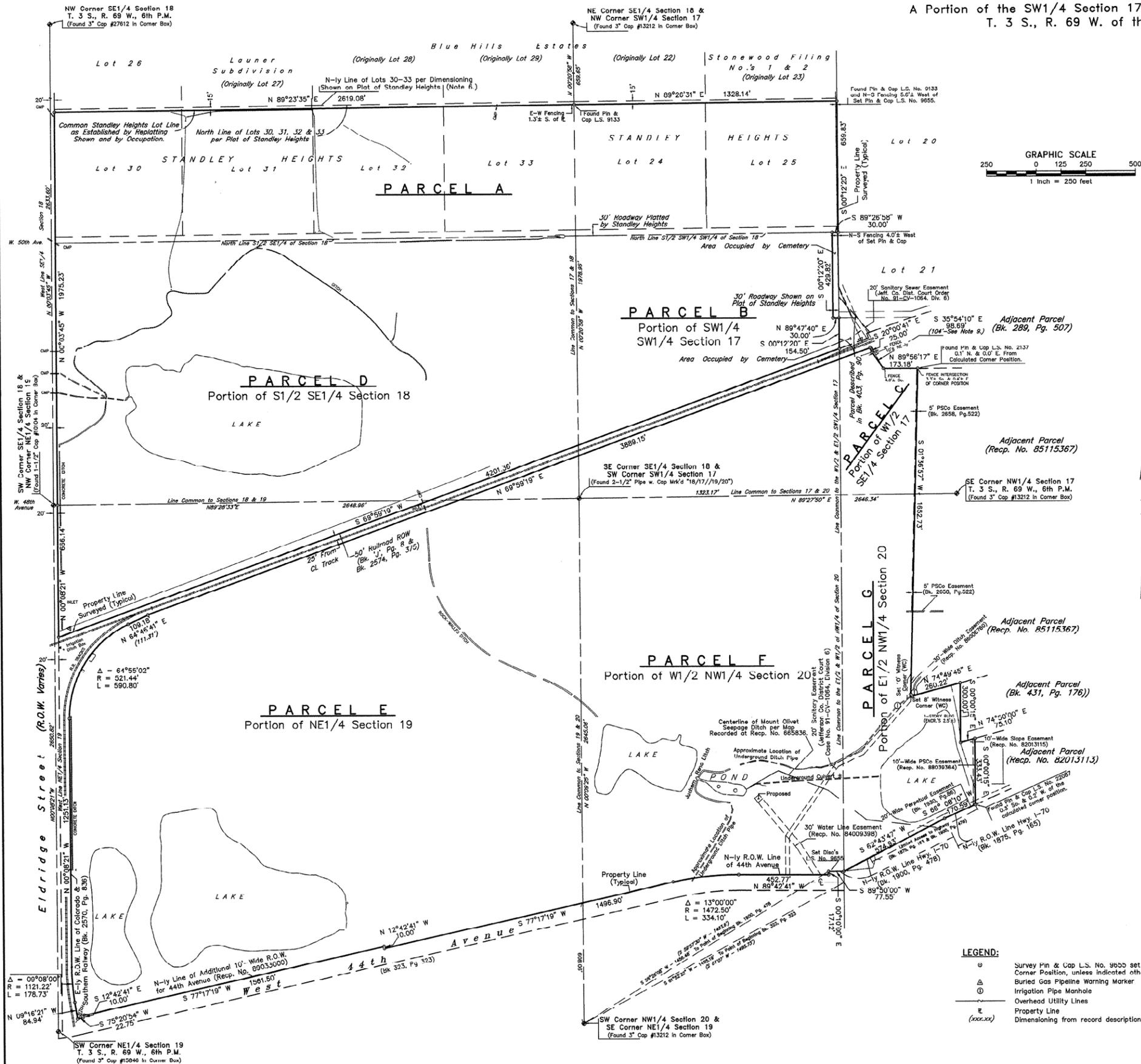
Scale, 1 inch = 200 ft.



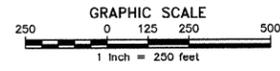
Survey BK 64 pg 50 Rec # F1177449 2-1-2001 11:49:38 AM County of Jefferson State of Colorado #2000

LAND SURVEY PLAT

A Portion of the SW1/4 Section 17, SE1/4 Section 18, NE1/4 Section 19 and NW1/4 Section 20 T. 3 S., R. 69 W. of the 6th P.M., County of Jefferson, State of Colorado

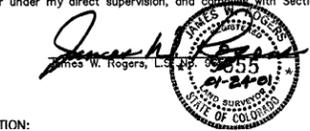


LEGAL DESCRIPTION: Parcel A: A parcel of land being all of Lots 24, 25, 30, 31, 32, and 33, Standley Heights... Parcel B: The Southwest 1/4 of the Southwest 1/4 of said Section 17... Parcel C: That part of the West 1/2 of the Southeast 1/4 of the Southwest 1/4 of Section 17... Parcel D: The South 1/2 of the Southeast 1/4 of Section 18... Parcel E: That part of the Northeast 1/4 of Section 19... Parcel F: That part of the West 1/2 of the Northwest 1/4 of Section 20...



- NOTES: 1.) In preparing this survey, the undersigned surveyor relied solely upon title and easement research developed within Chicago Title Insurance Company Commitment No.'s 1010958 and 1012315... 2.) Certification Defined: The use of the word "certify" or "certification" by a registered professional surveyor... 3.) Notice: According to Colorado law you must commence any legal action based on any defect in this survey within three years after you first discover such defect... 4.) Bearings are based on the East Line of the Northwest Quarter of Section 20... 5.) The Plat of Standley Heights is recorded in Plat Book 2 at Page 68A... 6.) It is the undersigned surveyor's opinion that the north line of Lots 24, 25, 30, 31, 32, and 33 of Standley Heights is dimensionally platted 15 feet north of the line of occupation... 7.) There are grave sites within the area labeled "Area of Occupation by Cemetery" along the easterly boundary line shown hereon... 8.) A portion of the Southeast Quarter of the Southwest Quarter of Section 17 lying southerly of Standley Heights Lot 21 and north of the northerly railroad right-of-way line is not contained within the above mentioned title commitments... 9.) The northerly corner of this property line has been positioned so that the closing distance (1216.6 feet along the southerly railroad right-of-way line) of the parcel described in Book 289 at Page 507 is held... 10.) Because of conflicts of interpretation and occupation, the advice of counsel and/or neighboring ownership agreement is suggested before exercising normal ownership decisions along the northerly and easterly boundary lines shown hereon... 11.) The topography shown is based on aerial photogrammetry and was prepared by Kucera West, Inc.

SURVEYOR'S CERTIFICATION: I hereby certify this is a true and correct land survey plat of the above described parcel and was performed by me, or under my direct supervision, and complies with Section 38-51-102, Colorado Revised Statutes.



FILING CERTIFICATION: Deposited this ___ day of ___, 20___, at ___ M., in Book ___ of the County Surveyor's LAND SURVEY / RIGHT-OF-WAY SURVEYS at Page ___ Reception Number ___

COUNTY SURVEYOR

By: DEPUTY COUNTY SURVEYOR

EXHIBIT "A"

"PAGE 1 OF 2"

A TRACT OF LAND BEING A PART OF YOUNGFIELD STREET AS DESCRIBED IN CIVIL ACTION NUMBER 36311 AND PART OF WEST 49TH STREET AS DESCRIBED AT BOOK 193, PAGE 242 JEFFERSON COUNTY RECORDS. BEING SITUATED IN THE SOUTHWEST ONE-QUARTER OF SECTION 17, TOWNSHIP 3 SOUTH, RANGE 69 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF JEFFERSON, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF LOT 21, STANDLEY HEIGHTS SUBDIVISION, BOOK 2 PAGE 68B JEFFERSON COUNTY RECORDS;
THENCE N 00°27'03" W, A DISTANCE OF 124.47 FEET TO A POINT;
THENCE S 22°20'09" E, A DISTANCE OF 80.48 FEET TO A POINT;
THENCE S 00°27'03" W, A DISTANCE OF 49.59 FEET TO A POINT;
THENCE N 89°09'46" E, A DISTANCE OF 19.87 FEET TO A POINT;
THENCE S 22°20'09" E, A DISTANCE OF 32.24 FEET TO A POINT;
THENCE S 89°09'46" W, A DISTANCE OF 61.88 FEET TO A POINT;
THENCE N 00°27'03" W, A DISTANCE OF 30.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 4,287 SQ. FT. MORE OR LESS.

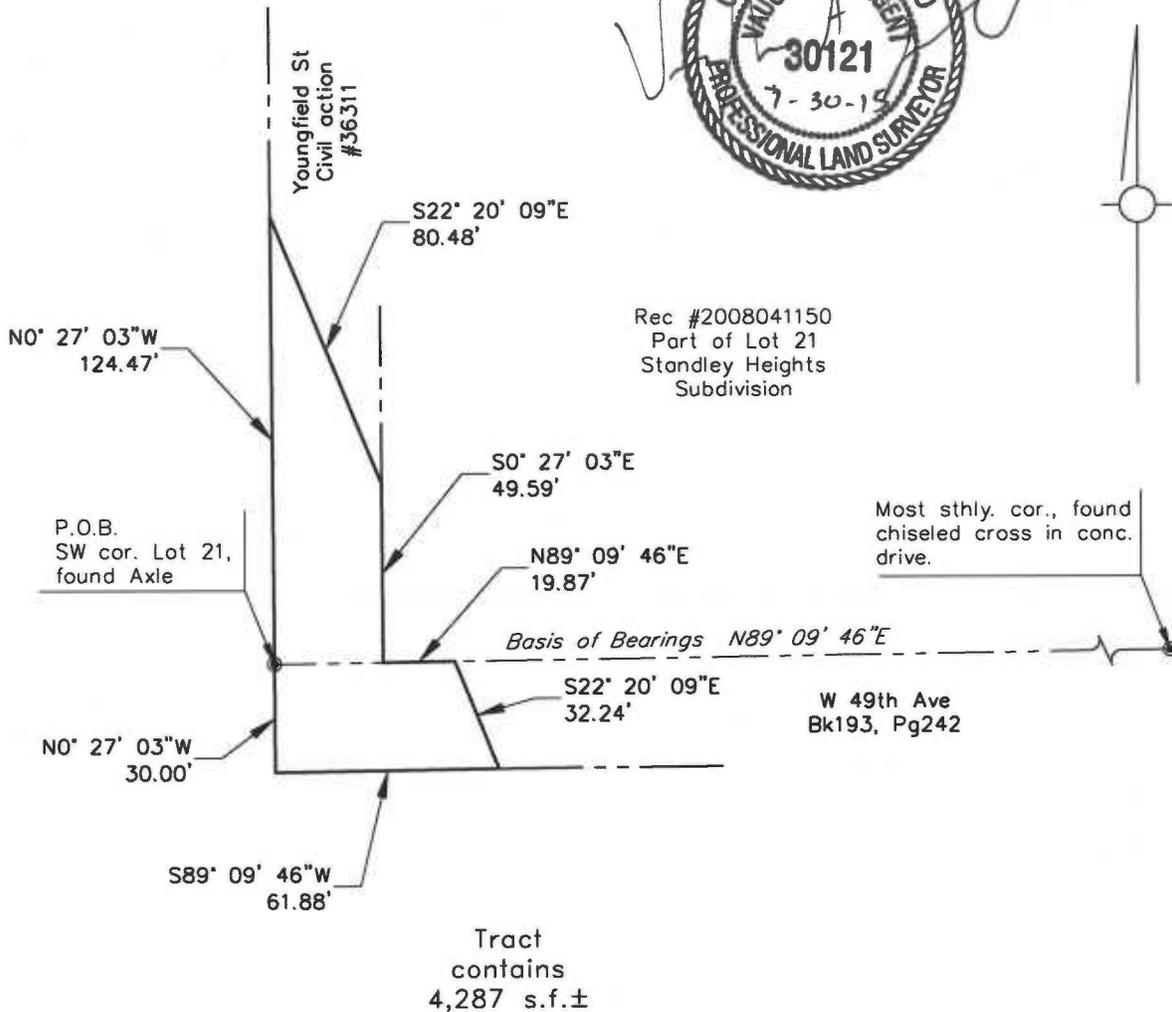
BASIS OF BEARINGS: ASSUMING THE LINE BETWEEN THE SOUTHWEST CORNER OF SAID LOT 21 BEING A FOUND AXLE AND THE MOST SOUTHERLY CORNER OF THAT PARCEL DESCRIBED AT RECEPTION NUMBER 2008041150 JEFFERSON COUNTY RECORDS, BEING A FOUND CHISELED CROSS IN A CONCRETE DRIVEWAY BEARS N 89°09'46" E, WITH ALL OTHER BEARINGS HEREIN RELATIVE THERETO.

I, VAUGHN A. SARGENT A PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO DO HEREBY STATE THAT THE ABOVE PROPERTY DESCRIPTION AND ATTACHED EXHIBIT WERE PREPARED FOR AND ON BEHALF OF JEFFERSON COUNTY, UNDER MY RESPONSIBLE CHARGE, AND ON THE BASIS OF MY KNOWLEDGE, AND BELIEF, IS CORRECT.

VAUGHN A. SARGENT, PLS
COLORADO REGISTRATION NO. 30121



SW 1/4 SECTION 17, TOWNSHIP 3 SOUTH, RANGE 69 WEST 6th P M
 ----- JEFFERSON COUNTY -----



Rec #2008041150
 Part of Lot 21
 Standley Heights
 Subdivision

Note:
 This exhibit does not represent
 a monumented survey and is
 intended only to depict the
 attached property description.



Jefferson County Proj. No. 5042

| |
|------------------|
| DATE: 04/16/15 |
| DRAWN BY: D.A.M. |
| CHECKED BY: V.S. |
| SCALE: As Shown |
| FILE: As Shown |

JEFFERSON COUNTY
 TRANSPORTATION AND ENGINEERING
 100 JEFFERSON CNTY. PKWY., SUITE 3500
 GOLDEN ,CO. 80419 (303) 271-8495

EXHIBIT 'A' 2 of 2
VACATION
YOUNGFIELD ST / W 49TH AVE



15-107574VA

Vacation of Right-of-Way

Case Manager: Steve Krawczyk



Background

- Vicinity Map



Jefferson County

Planning and Zoning Division



- Vacation Layout



Jefferson County

Planning and Zoning Division





Utility Easement





- **Maintenance**
- **Traffic and Safety**
- **Emergency Access**
- **Property Owner Access**



- **Utilities**
- **Statutory Requirement**
- **Vesting**



Recommendation

- **Staff Recommends Approval**
 - Based on the findings and recommendations listed within the Staff report