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Planning & Zoning Division
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PRE-APPLICATION REVIEW RESPONSE

Case Number:	13-109253 PA	Pre-Application Meeting Date:	June 20, 2013
Process:	**Rezoning**	Date Response Prepared:	June 21, 2013

Contacts

Case Manager:	Phone:	e-mail:
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Summary of Request

5660 West Coal Mine, approximately ¼ mile west of Sheridan Boulevard and West Coal Mine.

Proposal to rezone from Residential One (R-1) to Planned Development (PD) to allow for the existing use of a church and allow for a school and daycare.

Items Submitted for Pre-Application Review

X	Cover Letter		Proof of Access
X	Vicinity Map		Proof of Water
	Development Plan		Proof of Sanitation
X	Written Restrictions		Proof of Fire Protection
X	Current Deed or Title Commitment		Landscape Plan
	Pre May 5, 1972 Deed		

Staff Position

The information submitted for the pre-application has been reviewed by the Planning Division and other agencies on a 3-day referral. The pre-application review is not a final and all-inclusive review and comments may change based on the submittal of additional information, changes to the proposal, the discovery of new, false or incomplete information and comments from referral agencies.

Based on the limited information submitted for the pre-application review, Staff takes the following preliminary position:

	Supports the proposal
X	**Generally Supports the proposal**
	Does not Support the proposal

Please reference the Key Issues section of this response for specific information related to Staff's position.

Final Decision

Final decisions on land use applications are made by the Planning Commission and the Board of County Commissioners.

Key Issues

- Staff recommends that the applicant pursue a rezoning instead of the special use process. This would allow for the applicant to modify the restrictions as needed to allow for the existing uses and future uses. The time, cost and submittal requirements would remain the same for the rezoning as it would for the special use.
- Staff recommends that legal parcel research be completed to ensure that the property is a legal parcel and in conformance with State Senate Bill 35.
- Staff recommends a survey or Improvement Location Certificate be done for the property to verify the location of the ground sign and the shed. Depending on where the sign is located, a Vacation of the right-of-way may be required. The vacation process can be completed in conjunction with the rezoning process.
- With the formal submittal, staff will request a more detailed cover letter stating specific uses, size limitations, signage etc. which will be used to create a Planned Development (PD “Lite”).

Summary of Process

The applicant should refer to Section 1 of the Zoning Resolution for complete process requirements.

Rezoning

1. **Community Meeting:** The applicant will be required to hold a community meeting for the proposed development. The property will need to be posted with the date and location of the Community Meeting and a notification letter will need to be sent to property owners and registered associations. Please contact the case manager to set up a time and place for the Community Meeting. Reference the enclosed guide for details of this requirement.

2. **Initial Submittal:** The initial submittal documents will be reviewed by the case manager to determine if they are acceptable for the referral process. The submittal documents should be submitted to staff electronically and the review time by Staff may take up to 7 calendar days. If there are any modifications that need to be addressed, the applicant will be asked to revise the documents and resubmit. Once the documents are acceptable for the referral process, the applicant shall submit all documents electronically to the case manager.

3. **Community Notification:** The applicant is required to send notification to surrounding property owners at the time of formal application submittal. At this time, the case manager will notify any registered Homeowners' Associations and Umbrella Groups of the formal application submittal.

4. **Formal Submittal:** Within 3 calendar days of the formal submittal, the documents will be sent out on referral to various review agencies. The referred documents will be reviewed during a 21-calendar day period. At the conclusion of the referral process, the case manager will compile all of the comments received from the various referral entities and forward them to the applicant within 5 working days.

   When the documents are sent out on the 21 day referral, the case manger will schedule the Planning Commission and Board of County Commissioners hearing dates in accordance with the process requirements. The hearing dates established at this time are tentative. These hearing dates will only be achieved if the applicant sufficiently addresses County and referral agency concerns within the allotted timeframes.

5. **Preparation for Hearing:** Once the documents are acceptable or the applicant chooses to proceed forward without Staff support, the case will be ready to be presented to the Planning Commission and then the Board of County Commissioners. The final documents must be submitted to the case manager no later than 21 days prior to the Planning Commission hearing. Proper community notification, sign posting and publication must be completed in accordance with the process requirements.

6. **Hearings:** The Planning Commission will review the case and testimony, and will forward a recommendation to the Board of County Commissioners. The Board of County Commissioners will review the case, the Planning Commission Recommendation and testimony, and will approve or deny the application. Any approval conditions imposed on the application by the Board of County Commissioners will need to be satisfied prior to the final document being recorded in the Clerk and Recorders Office.

Fees

1. Application Form and Fees: A fully completed and executed application form and filing fee shall accompany the submittal. The fee is $300 multiplied by the square root of the acreage or $800 whichever fee is greater. This fee may be reduced by $200 if the formal development application is made within 1 year of the date of this Pre-Application meeting.

   The above application fee covers the 1st and 2nd referrals as defined in the process requirements. Developments that require additional referrals will be charged $450 for the 3rd referral and $800 for any subsequent referrals.

2. Outside Agency Review Fees: These fees will be determined during the initial review and will need to be submitted with the formal submittal that will be referred to outside agencies.

3. School and Park Fees: These fees are applicable to residential developments as required by Section 32 of the Land development Regulation and must be paid prior to recordation of the plat document.

4. Traffic Impact Fees: Traffic Impact Fees are required at the time of building permit application. The fee schedule is updated on a yearly basis. The current fee schedule is attached to this pre-application response.

Items Provided to Applicant			
X	Staff Comments		Water Supply Summary Form
X	Development Application		Environmental Questionnaire
	Process Guide		Current Traffic Impact Fee Schedule
	Community Meeting Guide		Mineral Rights Notification Form
	Community Notification Guide		Red Lined Written Restrictions
	Submittal Checklist		Red Lined Graphic
	Printout of Property Owners and Associations in Notification Area		

Important Note

If a formal land use application is made within 1 year of the date of the pre-application meeting, the fee for this pre-application will be credited towards the processing fee for the land use application.

For More Information

For related information including the Zoning Resolution, Land Development Regulation, Community Plans, Roadway Design Manual, Drainage Criteria, etc…, please visit our web site at:
http://planning.jeffco.us

Staff Comments

Development Services:

Current Planning:

1. Per Section 1 of the Zoning Resolution, there are limitations upon Special Use Applications which include the lot, parcel, or boundary area subject to the Special Use being required to conform to the minimum lot and building standards of the underlying zone district. The existing sign does not meet the 10 ft setback from the lot line, and is not within the maximum sign area of 25 square feet, as is required by the Zoning Resolution for signage in residential zone districts. The existing shed does not meet the 15 ft side setback from the lot line as required for accessory structures in the R-1 Zone District. Because of this; the property is not eligible for a Special Use reprocess. A Rezoning will be required.

2. The primary intent of this Rezoning is to allow for the existing church. The simplest approach to accomplish this would be to rezone the property to a Planned Development with a simplified document called a 'PD-Lite." Staff will prepare this document for the applicant.

Long Range Planning:

Current Zoning: Residential-One (R-1)
Proposed Zoning: Special Use
Acres: 2.17 acres +/-

Applicable Plan's Land Use Recommendations:

☒ Comprehensive Master Plan (CMP)
☒ Community Plan: South Plains Area Plan (SP)
Land Use Recommendation: This property is subject to the recommendations found in *The South Plains Area Plan* and the updated *Comprehensive Master Plan.* The subject property is located outside of an activity center and within an established residential neighborhood. The South Plains Area Plan recommends residential development at 4 dwelling units per acre for this site. A church and church uses would be considered a Community Use. Community Uses may be located

throughout the County when meeting with the appropriate conditions. The applicant's request for a Special Use to allow for the existing church operation would comply with the Plan's recommended land use for this site.

Comprehensive Master Plan (Updated as of 12/12/2012)

Section	**Development Review**							
Chapters	**Land Use**		**Physical Constraints**		**Community Resources**		**Infrastructure, Water and Services**	
Elements	All Development	x	General	x	Historic Resources	x	Transportation	x
	Business and Industry	x	Geologic Hazards	x	Visual Resources	x	Water and Wastewater	x
	Housing		Floodplains		Air, Light, Odor, and Noise	x	Water Storage	
	Mixed-Use		Wildfire		Open Space	x	Other Utilities	x
	Community Uses		Radiation		Recreation and Trails		Services	x
	Livestock		Landfills		Recreation and Tourism		Special Districts	
	Renewable & Alternative Energy	x	Mines					
	Extractive Resources		Wildlife & Vegetation	x				
	Solid Wastes and Hazardous Materials							
	Activity Centers							
	Site Design	x						
Area Plan	**Land Use Area**	**Land Use Recommendation**						
South Plains	Area 3	Recommended Land Use: Residential for 4 dwellings per acre						

Special Use Criteria

a) Traffic Impacts, volumes of trips, safety and access

- The applicant should provide an estimate of how many vehicle trips per day would be generated by the operation of the church, school and day care facility.
- New development proposal should demonstrate how the transportation system can accommodate the traffic generated by the proposed development. (CMP p. 52)
- Development should not degrade the Level of Service (LOS) to below level D during peak traffic periods. (CMP p. 52)
- It appears that legal access has been established and there is room to accommodate ample parking.
- Any transportation improvements necessary to accommodate this proposal should be the financial responsibility of the applicant.

b) Fire Hazards

- At the time of the formal Special Use application the applicant should provide a "Will Serve" letter from the Littleton Fire Protection District. This letter should address the adequacy of the proposed water supply and water storage facilities; accessibility and access / egress to the site for emergency vehicles; and the capacity of the fire protection personnel and equipment to serve the proposed development.

c) Visual and aesthetic impact, including bulk, scale of buildings as they relate to the surrounding uses

- Security lighting should be kept to a minimum and not spill on to the adjacent residential properties.
- At this time, the applicant did not disclose if there would be a need for any interior or exterior improvements. Are there any plans to modify or extend the existing facility?
- As this is an existing facility, set backs have been established. Would there be a need for any additional landscaping or buffers to mitigate the impact of the proposed use?

d) Solar Access

- The building for the proposed church looks unobstructed and faces to the north. It appears from looking at the air photo image that the site would have very good solar access.
- Alternative energy utilization through site and building design is encouraged.

e) Noise

- The potential noise impacts and hours of operation should be evaluated. (CMP p. 48)

- Noise should not be allowed to adversely affect the health of community residents or interfere with their normal activities.
- If the community has concerns about potential noise generated from a proposed use, the developer should conduct a noise impact study and identify ways to prevent the noise from adversely affecting the community.

f) Geologic Hazards

- The CMP and the South Plains Area Plan maps do not show any know geologic hazards within the area that would impact the subject property.
- The subject property is outside of a designated wildfire area and the property's slope is less than 20%.

g) Drainage, Erosion and Flood Hazards

- We encourage infiltration methods for control of runoff.
- Design landscaped areas to utilize the runoff from roof gutters and impervious areas.

h) Radiation Hazards

- When renovating a building, environmental health hazards, such as lead based paint, mercury, asbestos, etc., should be removed and disposed of properly and safely.

i) Community Character

- The church building was constructed in 1973 and it has been used as a church since that time. The impacts from the operation of a church have been established over time.
- As this is a well established church facility, the overall look and feel of the facility would be in keeping with the character of the community.
- The applicant should address if there is a need for any additional fencing or landscaping.

j) Adequate Water Quality and Quantity and Sewage Disposal

- At the time of the formal Special Use application, the applicant should demonstrate that water is adequate and available for the uses proposed.

k) Availability of Public Facilities

- The applicant should comply with all recommendations from all utility providers.
- Street addresses should be prominently displayed.

Plan Evaluation
General Comments
The South Plains Area Plan (SP) has been adopted and rolled into the Jefferson County Community Plan (CMP).

Plan Evaluation
General Comments

- The subject property is located within more or less a single family residential neighborhood currently zoned Residential-Two. (single family and duplexes)
- The subject property contains 94,830sf or about 2.17 acres. The church building is an existing 2,732sf split level with a 2,592sf basement.
- The proposed site is relatively flat and there does not appear to be other physical constraints on the subject property that would affect the use of this site.
- The *South Plains Area Plan* recommended residential development at 4 dwelling units per acre for this site.
- A church is considered a Community Use. The CMP allows Community Uses to be located anywhere throughout the County regardless of the land use recommendations in this Plan, so long as certain conditions are met. (CMP p. 34)
- At the time of the formal application, the applicant should also provide a fire service verification letter from the West Metro Fire Protection District. The District should acknowledge that the subject property is within the District's boundaries and Fire and Rescue services will be provided by the District.
- Also at the time of the formal rezoning submittal, the applicant should provide a "Will Serve" letter from the appropriate water and sanitation district verifying that there is adequate and available water and sanitation service to serve the church and church uses.

Land Use
South Plains Plan General Policies

- New development or redevelopment should follow the Plan's land use recommendations, and should be coordinated with existing development to avoid or mitigate negative impacts to traffic capacity and adjacent land uses. (SP p. 6)

CMP General Policies

- Development and redevelopment projects should have a balance of land uses.

- New Development should strive to properly and reasonably mitigate the harmful effects, if any, on existing and currently entitled (zoned) uses on adjacent parcels.
- New Developments should be evaluated for their impacts to the health of the community. (CMP p. 30)
- Land uses that support active living and enhance public health are encouraged. Community gardens, community farms and/or rooftop gardens are also encouraged when properly sited.

Infill and Redevelopment

- Infill projects are encouraged to improve the vitality of the community, to reduce sprawl, and to increase tax benefits to the County.

Compatibility

- In the absence of a specific recommendation for a property, the compatibility of proposed land uses should be evaluated on a case by case basis. (SP p. 6)
- New development should coordinate with existing development to ensure compatibility with the surrounding existing and allowable land uses. (CMP p. 31)

Community Uses

- Religious and non-religious assemblies and institutions, typically operated by non-profits provide important community services.
- The CMP encourages community representation in site location and design of new and expanded Community Uses. (CMP p. 34)
- Community Uses should meet the following criteria:
  a. Community Uses should be evaluated upon their impacts. Such evaluation should be consistent with the evaluation of any other new development proposal.
  b. Community Uses should ensure that traffic during peak hours will not caused the roads serving the site to exceed their capacity.
  c. The impacts to the neighborhood surrounding the Community Use should be evaluated.
  d. Services to the site are required to be adequate for the proposed use(s), including the provision of water and sanitation services. (CMP p. 34)
- Joint use of community facilities such as schools and religious assemblies sharing a building are encouraged.
- Community Uses should be distributed throughout the community to provide citizens with access to these services.

Renewable and Alternative Energy

- The use of alternative energy through site and building design should be considered. Passive and active solar access and exposure should be maximized. (CMP p. 35)

Site Design

- Site design should ensure that it is compatible with the community character. (CMP p. 37)
- A transition into the surrounding neighborhood through land uses and design features should be provided.
- If changes to the church building are proposed, the Special Use documents should specify the architecture and site design, including building materials; building types; separation, massing and height; and fencing, if not addressed by the Zoning Resolution. (CMP p. 38)

Drainage

- Natural stream channels and flows should be maintained to protect the surface drainage network.
- Native vegetation along drainageways should be protected. (CMP p. 38)

Water Conservation

- Water conservation techniques should be incorporated into new development projects. Landscape plantings should be designed to minimize water consumption. (CMP p. 39)

Physical Constraints

- Landscaping and drainage plans should be designed to avoid aggravation or acceleration of any moderate hazard area. Drought resistant vegetation is recommended.

Wildlife

- The Plan's Wildlife Map does not show that any wildlife within the area that would be affected by the proposed rezoning project.

Community Resources

Historic

- There does not appear to be any historic or cultural resources within the area that would be affected by the proposed Special Use. This should be verified and a referral sent to the Jefferson County Historical Commission at the time of the formal rezoning submittal.
- If any historical or cultural resources are found on this site, please notify the Jefferson County Historical Commission and the Colorado Historical Society for information regarding the proper care for those artifacts.

Visual Resources

- Visual impact concerns should be addressed at the time of the formal application. Lighting, signs, outside storage areas, and fencing that are obtrusive to surrounding areas should be avoided.

- Fencing and signs should blend into the natural landscape by using natural materials or man-made materials which have a natural appearance.
- View corridors to the Hogback and Mountain Backdrop/Foreground area from existing development should be maintained. Techniques for mitigating adverse impacts on these views should be identified.
- All signs and lighting should comply with the minimum standards found in County's Zoning Resolution.
- Illuminated signs should be directed away from existing residential uses. (SP p. 7)

Air Odor Noise and Light

- There should be adequate buffer areas provided to help offset the potential negative impacts associated with the proposed uses.
- The adverse impacts of noises that do not exceed State noise standards, but are an annoyance, should be mitigated.

CMP General Policies

- New development should be designed to minimize air, light, odor, and noise impacts to adjacent properties. (CMP p. 47)

Air

- New development should mitigate the impacts of dust and other pollutants resulting from construction, grading and other activities that may impact air quality.

Light

- The efficient use of lighting is encouraged to reduce adverse light impacts and conserve energy while providing for public safety, utility, security, productivity, enjoyment and commerce. (CMP p. 48)
- To protect the night sky and glare trespass onto adjacent properties, the light impacts from new development should be minimized.
- Security lighting should be kept to a minimum. The use of motion detector lights should be implemented for security purposes.

Odor

- Any odors associated with new development should be mitigated and not adversely affect the community.

Noise

- To minimize disruptive noise levels, appropriate hours of operation should be identified.
- Land uses that generate levels of noise at the property line that are higher than noise levels permitted by state statute on adjacent properties should be considered incompatible. (CMP p. 48)
- In the vicinity of areas with existing significant noise issues, the use of sound-dampening construction materials and design techniques to reduce the noise level is encouraged.

Open Space

- Please coordinate with Jefferson County Open Space to determine if there are any planned and/or existing trails on or adjacent to the subject site.
- An improved trails network is recommended throughout the area. State, regional and local trail systems should be connected when possible.

Infrastructure, Water and Services

Transportation

- Proof of legal access should be provided at the time of the formal application.
- When new transportation system improvements or new development is proposed, adverse impacts on existing neighborhoods should be:
  a. Avoided when possible; or
  b. Mitigated.
- The character of the existing neighborhood street pattern should be respected.
- Transportation improvements should be made in a way that strengthens the area's sense of community.

Connectivity

- Development should coordinate access points, connections, and circulation patterns with adjacent properties, where appropriate.
- New development should be designed to encourage pedestrian and bicycle use and ensure that obstacles to such uses are not created. (CMP p. 52)

CMP Water Policies

- The County's water resources should be protected. New development should ensure it has appropriate water service and wastewater treatment to serve the proposed uses.

Water Quantity

- Applications for new development projects should demonstrate that water is adequate and available to accommodate the proposed uses. (CMP p. 53)

Other Utilities

- The applicant should verify that the utility companies have the capacity to serve the proposed development while maintaining existing service levels. (CMP p. 54)
- Utility lines should be located underground in new development projects when practicable.

Services

- Fire protection providers should review water and sanitation district plans for water lines to ensure the adequacy of the fire flow for fire fighting.

CMP General Services Policies

- New development should demonstrate how services will be provided to the site and submit related service commitment documentation.

Emergency Services

- New development proposals should consider Public safety needs. (CMP p. 55)

Planning Engineering:

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).

SPECIAL USE COMMENTS

1. Planning Engineering has no comments or concerns with this special use.

2. Site Development Plan: The applicant needs to be aware that prior to the issuance of a building permit for a building expansion as outlined in Section 1.I of the Zoning Resolution, 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.

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 Ross Klopf at 303-271-8733.

Engineering Geologist:

No comments

Health & Environment:

Jefferson County Public Health (JCPH) has reviewed the documents submitted by the applicant for this pre-application 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 and platting of this property. NOTE: Items marked with a "√" indicate that the document or action has been completed and approved based on this Department's review.

√	Date Submitted	Required Documentation/Actions	Refer to Sections
		Submit a letter from the local water and / or sanitation district affirming that they provide services to the facility.	Water / Wastewater

WATER / WASTEWATER

Although the applicant did not provide information on the water and wastewater services for this facility, it is located within the boundaries of the Platte Canyon Water and Sanitation District. As long as those services are provided by the District JCPH has no additional comments regarding this issue.

REGULATED FACILITIES
State licenses are required for child care centers. The applicant must contact the Colorado Human Services Department, Division of Child Care at 303.866.5958 for an information packet regarding these types of operations, including all applicable regulations.

The proposed child care center will be subject to a plan review, yearly inspection fee and routine inspections by this Department. Please contact Jessa Woodward, Child Care Plan Review Coordinator (303.271.5761) for specific requirements.

Zoning Administration:

Zoning Administration offers the following comments on this proposal:

1. The purpose of this pre-application is to determine the feasibility of legalizing an existing church through a Special Use process.
2. Legal Parcel Research should be completed for the property to verify it is a proper division of land. No building permits can be obtained until this research is complete.
3. The site plan does not show the number of parking spaces. The applicant must provide evidence of adequate parking for the church, school, and daycare. Parking will refer to the JCZR.
4. The R-1 zone district limits the signage to one wall/ground sign of 25 sq ft, with the ground sign being no taller than 8 ft. All future signs must comply with the regulations listed in the JCZR.
5. The applicant has stated that they may choose to expand the use in the future with additions. All additions must meet the setback requirements of the R-1 zone district and a Site Development Plan may be required.
6. Prior to the placement, erection, or construction of any new structures, signs, fences, retaining walls, etc., on this property, all required permits must be obtained from the County.

If you need further clarification or if I can be of further assistance, please let me know. –Nina Ruiz 303-271-8732

Transportation and Engineering:

Make sure the back parcel is legal ROW for future assess to lots. There is a piece of land adjoining Coal Mine that is more than needed for the Major Collector template.

Road & Bridge:

No comments

Open Space:

Thank you for the opportunity to comment on this Pre-Application proposal for the church located at 5660 W. Coal Mine Avenue. Jeffco Open Space has no issues with this proposal.

However, we do have a comment:
While the site is not located within any Park and Recreation District, it shares its eastern boundary with that of the Normandy Estates Metro Recreation District (District). Also, there is a tract of land just south (past the ROW) that is owned by the Normandy HOA. I recommend that a referral be sent to the District and to Normandy HOA.

As this project moves forward, the developer may wish to coordinate any possible trail connections with the District and/or the HOA.

Building:

No comments