

Staff Report

PC Hearing Date: April 24, 2013 (Previous Hearing Date: April 10, 2013)

BCC Hearing Date: April 30, 2013

12-118283PF Preliminary and Final Plat (continued from April 10, 2013)

Case Name: Green Gables Filing 1

Owner/Applicant: Green Gables Development Company, Inc.

Location: 6800 West Jewell Avenue

Approximate Area: 152.22 Acres

Purpose: To subdivide the property into three (3) super lots for mixed-use development, one (1) lot for high density residential development, one (1) lot for low and medium density residential development and special destination commercial development, one (1) lot for medium residential density development and one (1) lot for low density residential development.

Case Manager: Sean Madden

Representative: Steve O'Dell, Principal, Green Gables Development Company, Inc.

Zoning: Planned Development (PD)

BACKGROUND/UNIQUE INFORMATION:

The subject property is currently zoned Planned Development and was formerly a golf course. The golf course has ceased operation. All the buildings on the subject properties will be removed during construction. The zoning requirements of Planned Development and the Jefferson County Land Development Regulation is applicable to this subdivision. The Official Development Plan (OPD), was approved on July 27, 2012, which allows the three (3) super lots for mixed-use development, one (1) lot for high density residential development, one (1) lot for low and medium density residential development and special destination commercial development, one (1) lot for medium residential density development, and one (1) lot for low density residential development.

The proposed development, Green Gables Filing 1, is located in a plains area that is characterized by gentle slopes ranging from 1% to 7%, with steeper slopes along the drainage way. The site is traversed by Sanderson Gulch, a major drainage way. The developer intends to use the Sanderson Gulch area as a recreational and natural amenity area incorporated into the site layout. Sanderson Gulch is located within a designated Federal Emergency Management Agency floodplain as shown on Flood Insurance Rate Map panel 08059C0315E. Tracts A, B and C encompass the drainage way and detention pond; drainage easements will be dedicated by the plat document across these tracts.

There are five proposed access locations for this development. There are two proposed access locations from West Jewell Avenue: South Upham Court and South Pierce Way. There are also two proposed

access locations from South Wadsworth Boulevard: West Evans Avenue and West Warren Avenue. A future access location is located at the southern boundary of the plat, South Upham Street; this access location will eventually extend to the south and connect to the intersection of Morrison Road and South Wadsworth Boulevard.

Improvements for this subdivision include public streets, regional storm drainage facilities, public trails and sidewalks, water and sewer lines, a public park and landscaping.

Historical Properties Inventory Record dated September 26, 2012 has identified historically significant buildings within the property. Prior to removal of these historically significant buildings, the Jefferson County Historical Commission will inventory and document said buildings.

NOTIFICATION:

As a requirement of the Jefferson County Land Development Regulation, 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 hearing 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.

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

- The Summer Field Townhome Ass.
- Southern Gables HOA
- Lakewood Estates HOA Filing 1
- Jefferson County Horseman's Assoc.

The Homeowners' Associations and Umbrella Groups within the City of Lakewood that received notification not required by Jefferson County Land Development Regulation are as follows:

- Calahan Awareness
- Thraemoor HOA
- West 6200 Jewell Avenue
- Judy Thomas
- South Lakewood Business Assoc.
- Greenbrier-Cloverdale HOA
- Ward Lake Assoc.
- Westgate Improvement District
- Southern Gables HOA
- West Star HOA

Staff has received written responses expressing concerns about the proposed subdivision and the possibility of a Wal-Mart project in this area and connection to Morrison Road. Staff has received several telephone calls and has met with adjacent property owner in regards to this case. The interested citizens have concerns related to increased traffic and pedestrian access to the existing adjacent office buildings near the northwest corner of the proposed subdivision.

ISSUES ANALYSIS:

	Layout/Design	Access/Roads	Water/San. & Utilities	Fire Protection	Drainage	Hazards	Sensory Impacts	Wildlife/Landscaping
Acceptable	X(1)	X(2)	X(3)	X(4)	X(5)	X(6)	X(7)	X(8)
Unacceptable								

Services: West Metro Fire Protection District
 Bancroft Clover Water and Sanitation District
 CenturyLink
 Xcel Energy

SUMMARY OF ACCEPTABLE ISSUES:

1. Layout/Design:

The proposed configuration of lots and tracts is in compliance with Section 14.A. of the Jefferson County Land Development Regulation. The mixed use commercial lots (Lots 1-3) within this subdivision are superlots, which can be further divided by an administrative Minor Adjustment process. The superlots are non-buildable until further plat, exemption from platting and/or site development plan approval.

The residential lots within this subdivision are not designated as superlots and are non-buildable until further Plat and/or Site Development Plan approval, as applicable. The Site Development Plan process is utilized for multi-family development and special destination commercial development within a platted lot.

2. Access/Streets:

The Major Thoroughfare Plan identifies West Jewell Avenue as a Minor Arterial Street. This street affronts the north boundary of the proposed subdivision and continues further to the east and west of the subdivision. The City of Lakewood controls and maintains West Jewell Avenue. The template for a Minor Arterial Street includes an 8 foot detached sidewalk. For the sake of conforming to the City of Lakewood traffic operations, staff worked with the applicant and the request from the City of Lakewood not to provide deceleration lanes at the access locations along West Jewell Avenue; the granting of the waiver request is elaborated below. The access location at South Upham Court will have a right-in, right-out traffic movement. The access location at South Pierce Way will have full traffic movement. The City of Lakewood has provided verbal comments related to the required construction plans and guarantee related to the improvements located within West Jewell Avenue. The comments received by Staff are minor and will be addressed with the next construction plan review.

The Major Thoroughfare Plan identifies South Wadsworth Boulevard as a Principal Arterial Street. This street affronts the west boundary of the proposed subdivision and continues further to the north and south of the subdivision. The City of Lakewood in conjunction with the Colorado Department of Transportation controls and maintains South Wadsworth Boulevard. The template for a Principal

Arterial Street includes an 8 foot detached sidewalk. The access location at West Warren Avenue will have a right-in, right-out traffic movement. The access location at West Evans Avenue will have 3/4 traffic movement. The City of Lakewood has provided comments related to the required construction plans and guarantee related to the improvements located within South Wadsworth Boulevard. The comments received by Staff are minor and will be addressed with the next construction plan review.

Minor Arterial streets are designed to accommodate approximately 15,000 to 25,000 vehicle trips per day. Principal Arterial Streets are designed to accommodate approximately 25,000 to 40,000 vehicle trips per day. The applicants submitted a traffic impact study prepared by Kimley-Horn and Associates, Inc., dated December, 2012. The report anticipates approximately 660 vehicle trips per hour accessing South Wadsworth Boulevard for an average peak hour from the proposed development. The report also anticipates approximately 649 vehicle trips per hour accessing West Jewell Avenue for an average peak hour from the proposed development. The overall average daily trips are approximately 10,324 at full build out. Language in the traffic study identifies when the development is required to connect to Morrison Road by extending the existing South Upham Street south. This requirement is warranted when the south bound Wadsworth Boulevard left turn volume to the proposed subdivision exceeds 120 peak trips per hour. The connection will optimize circulation and keep the traffic level of service in the area from lowering to an unacceptable level. Staff has deemed the submitted updated traffic study report to be acceptable.

The Director of Planning and Zoning granted the following administrative waiver: Section 3.7.3.2 of the Jefferson County Roadway Design and Construction Manual, which states right turn deceleration lanes are required at arterial street intersections. The administrative waiver was granted for the following reasons:

- The City of Lakewood controls and maintains Jewell Avenue. The City of Lakewood is of the opinion that the right turns deceleration lanes are not needed for this proposed subdivision due to Pierce Street having a total of 30 right turning vehicles during the peak hour which is extremely low. The volumes at Garrison, Kipling Street and Pierce far exceed those numbers and have not experienced any safety concerns at those locations. The City of Lakewood is also concerned about the extra maintenance of the lane and the island and the low total volume on Jewell does not make sense as expressed in its correspondence dated February 22, 2013 (attached).
- Transportation and Engineering Division did not recommend nor require the right-turn lanes as expressed in its correspondence dated March 11, 2013 (attached). Transportation and Engineering has expressed that the Roadway and Design Manual in relation to the right-turn lanes needs to be updated to include a combination of criteria and engineering judgment. Transportation and Engineering also expressed that the City of Lakewood manages West Jewell Avenue and the Jefferson County should respect their recommendations.

The interior streets within this development will be public. As stated above, the connection to Morrison Road will be required when the South Bound Wadsworth Boulevard left turn volume to the proposed subdivision exceeds 120 peak trips per hour. The connection will optimize circulation and keep the traffic level of service in the area from lowering to an unacceptable level.

3. Water and Sanitation/Utilities:

Water and sewer services will be provided by Bancroft Clover Water & Sanitation District. The Office of the State Engineer indicated in its letter dated September 24, 2012 that the proposed water supply will not cause material injury to decreed water rights and that the proposed water supply is physically adequate.

Bancroft Clover Water and Sanitation District has deemed the water and sewer plans to be acceptable. There will be the requirement to record these specific easements prior to recordation of the plat. Recordation of the easements is listed as a condition of approval.

Utilities are available for Green Gables Filing 1. Xcel Energy will provide electricity and gas service. Century Link will provide telephone service.

4. Fire Protection:

West Metro Fire Protection District will provide fire protection for the subject property. Access for this development complies with County regulations. West Metro Fire Protection District has deemed the water plan, hydrant locations and access to be acceptable.

5. Drainage:

The submitted Drainage Report will be acceptable once revised in accordance with Planning Engineering comments dated March 25, 2013.

Urban Drainage and Flood Control District has concerns with the Sanderson Gulch Construction Documents, Civil Construction Documents and design report as expressed in its' correspondence dated April 10, 2013. Resolution of the Urban Drainage and Flood Control District's comments is listed as a condition of approval.

The proposed detention pond is located within Tract C of this plat. This pond provides detention volume for the entire proposed impervious area associated with this plat. The water quality volume for each future developed lot will require on-site water quality facilities. The water quality volume will be determined at the time of the future development for each lot.

This development is required to satisfy Urban Drainage and Flood Control District requirements for maintenance eligibility for the FEMA 100 year floodplain. This requirement is listed as a condition of plat approval. The applicant has obtained a Conditional Letter of Map revision (CLOMR) for this proposed plat.

After the major drainage way has been satisfactorily constructed and has been deemed acceptable by Urban Drainage and Flood Control District and Jefferson County; Staff will perform periodic storm water inspections as required by Section 17 of the Zoning Resolution. If drainage way facilities are not being maintained properly, the Green Gables Metropolitan District 1 or 2 will receive an inspection checklist and request to correct the deficiencies within a certain period of time. If the District fails to comply, an enforcement measure (zoning violation) will be initiated by the County to assure compliance.

6. Hazards/Constraints:

This site is not in an identified geohazard area. An Expansive Soils Plat Restriction has been added to the plat to ensure that geotechnical issues are properly addressed at the time of building permit. The County Geologist expressed concerns about the facing color for the retaining walls in his letter dated March 20, 2013 that still need to be resolved. Resolution of the County Geologist's comment has been listed as a condition of approval.

Public Health has provided comments related to the mitigated area of previously removed underground petroleum storage tanks that had leaked. A note has been placed on the on the plat document that identifies this area in order to provide notice to future property owners and lessees. In addition, a note on the construction document requires the developer and/or contractor to obtain a health and safety plan for excavation activities in the vicinity of the petroleum underground storage tanks prior to any construction activity. Resolution of the Public Health's comments is listed as a condition of approval.

7. Sensory Impacts:

The proposed project is not expected to have undue acoustical, ocular or olfactory impacts. As proposed, the development complies with Section 27 of the Land Development Regulation.

8. Wildlife/Landscaping:

The proposal is expected to have some impact on existing wildlife. However, the applicant has provided some accommodations for wildlife, especially along the major drainage way. This drainage way has preserved corridors for natural habit and movement of wildlife. The applicant has provided considerable open space that helps with the transition of the area from private uses to an urbanized area that will have mixed density residential development and commercial development. A referral was sent to the Division of Wildlife and comments dated October 8, 2012 were provided to Staff suggesting recommendations that will help with the incremental and cumulative impacts to wildlife habitat.

The landscaping plans for the development have been deemed acceptable with minor corrections by Planning and Zoning. The approved Official Development Plan's requirements to provide buffering along the perimeter of West Jewell Avenue and South Wadsworth Boulevard have been met by the proposed landscape plans.

ADDITIONAL REQUIREMENTS:

1. Park and School Requirements:

The applicant is not required to dedicate park and school land and/or pay fees in lieu of land dedication at this time according to the Jefferson County Land Development Regulation. The applicant is not proposing a residential development at this time. However, the applicant has provided approximately 11.15 acres of qualifying park land to be applied to future residential development within this subdivision. The Director of Planning and Zoning has deemed the dedication of 11.15 acres to be acceptable.

2. Park Land Dedication:

The applicant is dedicating Tracts A, B, C, E, F, G, H and Q as park land to Jefferson County by this plat for a public park and public trails. This gives the applicant a credit of 11.15 acres of park land dedication to apply towards the future park land dedication requirements of future residential development. The following table summarizes park land dedication to date.

Dedicated Park Land	Park Land Area
Public Trails with amenities and Open Area within Tracts A, B and C	8.52 Acres
Public Trails within Tracts A, E, F, G and H	1.35 Acres
Public Park, Tract Q	1.28 Acres
Total Park Land Dedicated	11.15 Acres

The above table indicates that with the approval of Green Gables Filing 1, 11.15 acres of park land is available for credit towards future park requirements for residential development located within the boundary of this plat.

3. School Fee:

The applicant is not required to submit school fees at this time. School Fees will be determined at the time of future residential development.

4. Performance Guarantee and Subdivision Improvements Agreement:

The public improvements will be guaranteed by plat restriction. At this time, the subdivision improvements agreement has not been approved as to form by the County Attorney's Office, and the Exhibit "A" to be attached to the subdivision improvements agreement has not been finally approved. Approval of the subdivision improvements agreement and Exhibit "A" are listed as conditions of approval for this development. If this plat application is approved, then the Chairman shall be authorized to sign the agreement on behalf of the County and to place the agreement of record.

5. Intergovernmental Agreement:

In order to facilitate landscaping improvements within County right-of-way, the Green Gables Metropolitan District No. 1 and the County will enter into Intergovernmental Agreement describing the maintenance responsibilities for these landscaping improvements. At this time, the Intergovernmental Agreement has not been approved as to form by the County Attorney's Office. Approval of the Intergovernmental Agreement is listed as a condition of approval for this development. If this plat application is approved, then the Chairman shall be authorized to sign the agreement on behalf of the County and to place the agreement of record.

6. Mineral Rights:

The applicant in this case certified that the required inspection occurred per Colorado State Statute and that the inspection indicated that mineral rights have not been severed from the surface estate of the subject property.

7. Deeds:

Deed D13-102210DE has been submitted as required for dedication of right-of-way along South Wadsworth Boulevard to Jefferson County.

Deed D13-102137DE has been submitted as required for dedication of right-of-way along West Jewell Avenue to Jefferson County.

8. Commissioners' Deed:

Commissioners Deed CD 13-104248DE is for the conveyance of dedicated park land to Green Gables Metropolitan District No.1.

9. Vacation of Easements: A vacation certificate has been placed on the plat document to vacate a previously dedicated emergency access, utility and drainage easement and a drainage easement to the County since said easements are no longer required and are superseded by this plat.

FINDINGS/RECOMMENDATIONS:

Staff recommends that the Planning Commission find that the proposal substantially conforms to the Land Development Regulation because all applicable regulations have been satisfied, or will be satisfied, as indicated within this report.

And;

Staff recommends that the Planning Commission recommend APPROVAL of Case No. 12-118283PF subject to the following conditions:

1. Submittal of a title insurance commitment update with an effective date less than 45 days

prior to the recording of the plat which depicts no new owners or encumbrances. Said title insurance commitment shall be approved by the County Attorney's Office.

2. The Improvements Agreement and Exhibit "A" being approved as to form by the County Attorney's Office.
3. The plat mylars being prepared in accordance with the red marked print dated April 24, 2013.
4. Submittal of a current tax certificate from the County Treasurer's Office indicating that all ad valorem taxes applicable to Green Gables Filing 1 for prior years have been paid.
5. Resolution of Planning Engineering's comments dated March 25, 2013.
6. Resolution of Urban Drainage and Flood Control District's comments dated April 10, 2013.
7. Resolution of County Geologist comments dated March 20, 2013.
8. Resolution of Public Health comments dated March 28, 2013.
9. Approval of construction plans and maintenance eligibility of the major drainage way, Sanderson Gulch, by Urban Drainage and Flood Control District.
10. Recordation of the Subsurface Groundwater Collection System Maintenance Plan.
11. Recordation of the Bancroft Clover Water and Sanitation District Easements.
12. Approval of Commissioners' Deed CD 13-11047248DE by the Board of County Commissioners.
13. Acceptance of Deed, D 13-102210DE by the Board of County Commissioners.
14. Acceptance of Deed, D 13-102137DE by the Board of County Commissioners.
15. Approval of the Intergovernmental Agreement between Green Gables Metropolitan District No. 1 and Jefferson County for maintenance of landscaping within County right-of-way by the Board of County Commissioners.

COMMENTS PREPARED BY:

Sean Madden, Civil Planning Engineer
April 16, 2013