

**MINUTES OF THE REGULAR MEETING OF THE
ARAPAHOE COUNTY PLANNING COMMISSION
TUESDAY, AUGUST 6, 2024**

ATTENDANCE	<p>A regular meeting of the Arapahoe County Planning Commission (PC) was called and held in accordance with the statutes of the State of Colorado and the Arapahoe County Land Development Code.</p> <p>The following Planning Commission members were in attendance: Rodney Brockelman; Kathryn Latsis; Randall Miller, Dave Mohrhaus, Chair Pro-Tem; Richard Sall; and Lynn Sauve, Chair.</p> <p>Also, present were Robert Hill, Senior Assistant County Attorney; Jason Reynolds, Planning Division Manager; Ava Pecherzewski, Development Review Planning Manager (moderator); Molly Orkild-Larson, Principal Planner; Kat Hammer, Senior Planner; Sue Liu, Engineer; Ceila Rethamel, Acting Engineering Services Division Program Manager; Doug Stern, Road & Bridge Infrastructure Manager; and Kim Lynch, Planning Technician.</p>
CALL TO ORDER	<p>Ms. Sauve called the meeting to order at 6:30 p.m. and roll was called. The meeting was held in person and through the Granicus Live Manager platform with telephone call-in for staff members and public.</p>
GENERAL BUSINESS ITEMS:	
APPROVAL OF THE MINUTES	<p>The motion was made by Mr. Mohrhaus and duly seconded by Ms. Latsis to accept the minutes from the July 16, 2024, Planning Commission meeting, as submitted:</p> <p>The vote was:</p> <p>Mr. Brockelman, Abstain; Ms. Latsis, Yes; Mr. Miller, Yes; Mr. Mohrhaus, Yes; Ms. Sauve, Yes; Mr. Sall, Yes.</p>
PUBLIC HEARING ITEMS:	
ITEM 1	<p>CASE NO. LDC24-002, SIGN REGULATIONS / LAND DEVELOPMENT CODE (LDC) AMENDMENT – KAT HAMMER, SENIOR PLANNER– PUBLIC WORKS AND DEVELOPMENT (PWD)</p> <p>Ms. Sauve asked the County Attorney if the PC had jurisdiction to proceed. Mr. Hill said that Case No. LDC24-002 had been properly noticed and the PC had jurisdiction to proceed.</p>

Ms. Hammer explained this county-initiated project proposed amending the Land Development Code (LDC), specifically, Section 4-1-5, Signs, Section 5-4.4, Planned Sign Program, and Chapter 7, Definitions. She reported staff had worked with Clarion Associates to produce proposed revisions to the LDC to match more common practices and simplify the sign regulations and process. She described how the proposed revisions allowed for increased freestanding signage depending on the adjacent street frontage and the size of the parcel(s) and confirmed they were intended to simplify the permitted number and size of fascia signs, remove special sign allowances for specific uses, update and include definitions for certain types of signs, and revise the process and clarify the regulations of the Planned Sign Program. She said Staff brought this proposal to the Planning Commission for a study session on March 12, 2024 where they did not have the definition for Agricultural Entry Feature established. She added staff proposed that this type of sign be defined as, “A structure made up of vertical supports located on either side of the primary vehicle entrance driveway to a property zoned A-1 or A-E and a horizontal element joining the tops of the two vertical supports, and in which the surface of the vertical supports and horizontal element has a width of at least two feet when viewed from the public or private street from which the entry driveway departs.” She said these types of signs would be subject to the underlying zone district maximum height, which is 50 feet for A-1 and A-E zone districts. She stated when Staff brought this proposal to the Board of County Commissioners (BOCC) for a study session on April 12, 2024 they raised concerns about the definition of a vehicle sign and a pole sign (pole signs are prohibited in the LDC). She reported the BOCC was concerned that signage on vehicles for businesses is what the LDC was regulating, and Staff revised the definition of a vehicle sign to clarify that a vehicle sign is an advertisement painted or affixed to a car, truck, trailer, or other similar motorized or non-motorized vehicle that is parked and visible from the public right-of-way and used primarily as a sign and not as a vehicle. She added that Staff also revised the definition of pole sign, to clarify that a pole sign is mounted on a freestanding pole or other support so that the bottom edge of the sign face is at least three feet or more above grade, which distinguishes pole sign from a permanent freestanding sign, which is permitted per the LDC.

There was discussion around the following questions:

- What was the max height for agricultural property entrance signs?
- Were election or garage sale signs considered pole signs?

Ms. Hammer affirmed the maximum height for A-1 and AE zone district agricultural property entrance sign was 50 feet. Mr. Hill explained both election and garage sale signs were considered

	<p>temporary use signs and were not subject to the LDC pole sign restriction.</p> <p>Ms. Sauve opened the hearing for public comments. There were no members of the public present and there were no callers. The public hearing was closed.</p> <p>The motion was made by Mr. Brockelman and duly seconded by Mr. Miller, in the case of LDC24-002, Sign Regulations / LDC Amendments, I have reviewed the staff report, including all exhibits and attachments, and have listened to the applicant’s presentation and the public comment as presented at the hearing and hereby move to recommend approval of this application based on the findings in the staff report, subject to the following stipulation:</p> <ol style="list-style-type: none"> 1. Staff, with the approval of the County Attorney, may correct typographical errors and make such revisions to the Code amendment as are necessary to incorporate the approved amendment into the Land Development Code for publication. <p>The vote was:</p> <p>Mr. Brockelman, Yes; Ms. Latsis, Yes; Mr. Miller, Yes; Mr. Mohrhaus, Yes; Mr. Sall, Yes; Ms. Sauve, Yes.</p>
<p>ITEM 2</p>	<p>CASE NO. PP23-001, FOREST RIM ESTATES #02 / PRELIMINARY PLAT (PP) – MOLLY ORKILD-LARSON, PRINCIPAL PLANNER; SUE LIU, ENGINEER – PUBLIC WORKS AND DEVELOPMENT (PWD)</p> <p>Ms. Sauve asked the County Attorney if the PC had jurisdiction to proceed. Mr. Hill said that Case No. PP23-001 had been properly noticed and the PC had jurisdiction to proceed.</p> <p>Ms. Orkild-Larson stated the applicant was seeking approval to subdivide a 31.21-acre parcel into ten lots and two tracts. She said lots 1 through 10 would be developed for single-family residential, Tract A for drainage, water quality, and emergency access, and Tract B for a private access roadway, drainage, and utilities. She explained access to the subject property was proposed through a 60-foot-wide parcel (Reception Number D5108755) of which only a 50-foot width was needed for the access road, was owned by the applicant and was in the Allred Subdivision. She described how the parcel connected the proposed development to E. Jamison Circle and would be documented by the subject plat by its reception number. She added that the two five-foot easements on each side of the road would be granted to the owners of Tracts 5 and 6 of the Allred Subdivision for non-right-of-way uses.</p>

She said two 30' x 30' sight triangles at the entrance to E. Jamison Drive would be required and dedicated by the owners of Tracts 5 and 6 before the signing of the final plat. She stated a water cistern was to be located within the development and to be used by the fire district the location of which would be determined at the time of the final plat. She concluded staff recommended this application be recommended for approval.

Mr. Sean McMillen, Turnkey Ventures, clarified that only 9 new lots would be accessed by the new road coming off Jamison Road. He affirmed the original owners of the property (the Guilfords) would remain in the house on the 10th lot accessed by Kettle Road. He stated the zoning of the property allowed a minimum size of 2.4 acres which was much larger than the lot size of the development to the north. He reiterated the interior roadway for the 9 remaining lots would be accessed by the parcel adjacent to Jamison Circle owned by the Guilfords. He said many of the impacted residents had been in discussion with the developer regarding sight triangles and tree removal and replacement that would be required.

There was discussion around the following questions:

- Would there be a new Homeowners Owners Association (HOA) for this development?
- What was the expected price of a home on the lots? Would they blend with values for existing Allred Subdivision?
- Was there one developer for all these lots?
- How would the maintenance of the public road be handled? When and how does the county determine when a road is ready for maintenance?
- What was the volume of traffic expected with this new development?

Mr. McMillen responded that the first filing had begun forming an HOA and this 2nd filing would form another HOA. He said homes were expected to be valued at up to \$2.5 million each for the nine new lots and while the \$700,000-900,00 estimated value of Allred subdivision properties was not as high, this should enhance the value of all the existing homes. Mr. Reynolds confirmed the last sale in the Allred subdivision was \$869,500 in 2023. Mr. McMillen declared individual lots would be developed and built by the buyers and not by any one development group.

Mr. Doug Stern, Infrastructure Manager for Arapahoe County Road & Bridge department, spoke about current maintenance of Jamison Circle and how and when the County determined a road should be maintained. He reported all roadways maintained by Arapahoe Co were inspected and assigned a code regarding level of damage, then prioritized based

on highest repair need. He said this sophisticated model predicted when a roadway might need repair in the future and then R&B would go out at that time to inspect that road and schedule repair as needed. He concluded that all roadways in the county were treated the same with respect to this maintenance schedule.

Ms. Sue Liu, Engineer for Engineering Services Division, said that the traffic study had indicated that this new development would add around 94 daily trips, and this was considered a very minimal impact that would not change the level of service. She confirmed that the standard number for a rural road such as Jamison Circle was around 1500 trips per day.

Ms. Sauve opened the hearing for public comments. There were fifteen members of the public present, twelve of whom wished to speak. Eight were opposed, three were in favor of the application and two were undecided. There were no callers. The questions and concerns voiced are summarized here:

- Existing Allred neighbors in 19 homes, 4 of whom were disabled, were concerned about increased traffic on a street with no sidewalk and culvert drainage.
- Construction traffic for new development would cause damage to a poorly maintained Jamison Circle. Were there other options for how this would be managed?
- Would the cistern provide adequate fire emergency water for the full development of the original ranch property?
- How would snow removal be handled?
- Concern that drainage from new development would flow to Allred development and culverts would be overwhelmed flooding the existing properties.
- Transfer of 60-acre parcel to the owner was disputed based review on the 1972 plat and no clarification or confirmation had been received from Arapahoe County.
- Traffic Study made did not take into account the nature of this secluded, walkable neighborhood and allowed more new trips per day than was desirable and negatively impacted the safety of neighbors, many of whom walked the neighborhood for physical therapy and exercise.

The public hearing was closed.

Mr. McMillen responded that construction traffic would develop slowly as next phase of development would be addressed in greater detail during the upcoming Final Plat and Site Plan review cycle. He said initial construction vehicles would be restricted to a 15-mph limit. He explained that there were two 30,000-gallon cisterns for fire emergencies, one on each filing of the development as required by the fire department. He explained that snow removal would be handled by

the developer once the project was approved and construction began until such time as an HOA was in place. He assured all present the Final Plat would have more specific detail and his engineering development team was prioritizing traffic and drainage to address safety and storm water concerns. He stated the existing road would be repaired to preconstruction or better.

Ms. Orkild-Larson explained the ownership of the parcel identified for connection of the development to Jameson Circle had been verified by Arapahoe County and the resident with this concern would be contacted and necessary documentation would be shared to address his concern.

Mr. Reynolds remarked that the 2018 Comprehensive Plan identified that this project was located in a future residential area and allowed from 1 - 8 dwelling units per acre which could mean that anywhere from 31 – 248 lots could be developed with this project per the guideline. He suggested nine units with the projected increase in traffic trips per day was a much more desirable outcome.

Commissioner Brockelman stated he lived in rural area and understood what the public was facing. He said he felt this development was the right move that protected them from a much higher density development. Commissioner Latsis commented that the owner (the Guilford family) was going to lengths to make a balanced impact on the area and this effort was appreciated. Commissioner Miller stated this was a nice option compared to what was seen regularly with new development projects by the PC. He indicated that water concern was real, and the final plat review would speak more to this issue. He expressed his appreciation for the public presence and impact made tonight. Chair Sauve agreed and thanked all for their attendance.

The motion was made by Ms. Latsis and duly seconded by Mr. Brockelman, In the case of PP23-001, Forest Rim Estates Filing No. 2 Preliminary Plat, I have reviewed the staff report, including all exhibits and attachments, and have listened to the applicant's presentation and any public comment as presented at the hearing and herby move to recommend approval of this application based on the following conditions:

- 1. Prior to signature of the final copy of these plans, the applicant will address all Public Works and Development Staff comments.**
- 2. Prior to the signature of the final plat, the 30' x 30' sight triangle at the entrance of E. Jamison shall be dedicated by the property owners of Tract 5 and Tract 6 of the Allred Subdivision.**
- 3. Prior to the signature of the final plat, the property owner shall grant the five-foot easements of the access road to the**

	<p>property owners of Tract 5 and Tract 6 of the Allred Subdivision.</p> <ol style="list-style-type: none"> 4. Prior to the signature of the final plat, the Applicant shall address the South Metro Fire Rescue and Xcel Energy’s requirements. 5. Prior to the signature of the final plat, a weed management plan shall be provided for review and approval by the County Planning Division. 6. If prairie dog towns are present within the subject property, a burrowing owl survey shall be conducted if any earthmoving is to occur between March 15 and August 31. This survey shall be submitted to the County Planning Division and Colorado Parks and Wildlife for review and approval. 7. If the start of construction occurs during the raptor nesting season, a nesting raptor surveys shall be conducted prior to the start of construction to identify active nests within 0.25 miles of the project workspace. In the event that an active raptor nest is discovered at the time of construction, the Applicant shall notify the Colorado Parks and Wildlife and identify appropriate measures in order to minimize impacts. This survey shall be submitted to the County Planning Division and the Colorado Parks and Wildlife for review and approval. 8. The subdivision shall use Colorado Parks and Wildlife’s recommended wildlife-friendly fencing. <p>The vote was:</p> <p>Mr. Brockelman, Yes; Ms. Latsis, Yes; Mr. Miller, Yes; Mr. Mohrhaus, Yes; Mr. Sall, Yes; Ms. Sauve, Yes.</p>
ANNOUNCEMENTS	<p>Ms. Orkild-Larson announced the next meeting August 20, 2024 would be held at the Arapahoe Room on the Lima Plaza Campus.</p> <p>Mr. Reynolds gave a preview of the Land Development Code Amendment hearing item scheduled to add qualifications of marijuana to be classified as a Schedule 3 drug and be processed into pharmaceutical grade products for research purposes in addition to medical and recreational provision. He said code clarification was needed for this new state law. He indicated the Use by Special Review for non-consecutive moves of existing retail providers needed also to be amended. He promised to get into more detail on August 20th.</p>
ADJOURNMENT	<p>There being no further business to come before the Planning Commission, the meeting was adjourned.</p>