



Board Summary Report

File #: 25-125

Agenda Date: 2/25/2025

Agenda #: 7.c.

To: Board of County Commissioners

Through: Bryan Weimer, Director, Public Works and Development

Prepared By:
Ernie Rose, Senior Planner, Public Works and Development

Presenter: Ernie Rose, Senior Planner, Public Works and Development

Subject:
Little Sunshine’s Playhouse and Preschool Use by Special Review (case no. USR23-002)

Purpose and Request:

Little Sunshine’s Playhouse & Preschool, applicant, and Lennox at Copperleaf, property owner, propose a Use by Special Review (USR) for a proposed 10,967 square-foot childcare facility on a 2.03-acre parcel southwest of the corner of Quincy Avenue and Copperleaf Boulevard. The proposal includes constructing two play areas: a 3,910-square-foot playground and a 2,645-square-foot infant playground, along with associated parking, sidewalks, and landscaping. The Copperleaf Preliminary Development Plan (zoned MU-PDP) requires Use by Special Review (USR) for a daycare facility...end

Background and Discussion: The subject property is in Use Area Parcel M of the Copperleaf Preliminary Development Plan (Z13-003). This zone, known as a “Town Centre,” requires a Use by Special Review (USR) for a daycare facility at this location. Furthermore, this property is governed by the Copperleaf Development Agreement, executed in 2005. Properties in Use Area M must have site plans reviewed by the Planning Commission through the Final Development Plan process, as stipulated in the Copperleaf Development Agreement. An associated Final Development Plan application is being reviewed concurrently with this application (Case No. FDP23-001).

The Planning Commission provides an overall recommendation on the Final Development Plan. The case is then forwarded to the Board of County Commissioners for approval of the Final Development Plan (FDP) (Land Development Code Section 13-101.03 (archived LDC, adopted January 31,2011 and revised January 2, 2017) and the daycare land use through the Use by Special Review (USR) process (Land Development Code Section 5-3.4 adopted April 2, 2001, and subsequently adopted on July 10, 2024).

Request to Vary from the Land Development Code

Section 4-1.2. B.3 of the LDC allows the applicant to submit a request to reduce parking requirements to the Planning Manager through a Land Development application. The applicant is required to provide 44 parking spaces and proposes to provide 42. The Copperleaf PDP states all parking requirements will follow the LDC, as in effect on March 29, 2004, or subsequent parking codes adopted by Arapahoe County, whichever is less stringent. The applicant requested that the County apply the 2019 parking requirements, which require one parking space per 250 square feet. This proposal requires 44 parking spaces. The applicant proposes 42

parking spaces, a 5.6% reduction based on the 2019 LDC requirements.

The Copperleaf Towne Centre Design Guidelines (May 24, 2004) state that waivers for reducing the parking standard can be sought at the FDP if it is not practical or feasible or may result in a less-than-appropriate design response. This statement applies to the site as adding more parking spaces will result in parallel and tandem orientation, which is not permitted under the LDC. Arapahoe County planning staff supported this request for the reasons stated by the applicant.

On January 21, 2025, the Planning Commission recommended approval of the Final Development Plan (FDP) with a 7-0 vote. The FDP aspect of this case was added to the BOCC General Business Agenda for February 25, 2025. The BOCC will address the daycare land use through the Use by Special Review (USR) process and only consider the USR during the public hearing.

Fiscal Impact: No fiscal impacts are anticipated at this time

Alternatives: The Board of County Commissioners has alternatives that include the following:

1. Approve the proposed Use by Special Review.
2. Continue to a date certain for more information.
3. Deny the proposed Use by Special Review.

Alignment with Strategic Plan:

- Be fiscally sustainable
- Provide essential and mandated service
- Be community focused

Staff Recommendation:

Considering the findings and other information provided in the attached staff report, staff recommends approval of Case No USR23-002, Little Sunshine's Playhouse and Preschool - Use by Special Review, subject to the following conditions of approval:

1. Before the signature of the final copy of these plans, the applicant must address Public Works and Development staff comments and concerns.
2. The applicant must meet all Arapahoe County Health Department requirements and receive licensing from Colorado Department of Early Childhood prior to opening for the public.

Concurrence: The Planning Commission does not review Use by Special Review applications.

Resolution: A draft resolution is attached.