



Arapahoe County

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Board Summary Report

File #: 24-224

Agenda Date: 4/23/2024

Agenda #: 8.b.

To: Board of County Commissioners

Through: Bryan Weimer, Director, Public Works and Development

Prepared By: Kat Hammer, Senior Planner, Public Works and Development

Presenter: Kat Hammer, Senior Planner, Public Works and Development

Subject:
Planning Case No. CZ23-001 - Greenland Estate Acres Rezoning (District 3)

Purpose and Request:

The applicant, Beacon Real Estate Services, on behalf of the property owner, Greenland Investments, LLC, seeks approval of a rezoning application. The subject property is 160.7 acres and located southwest of the intersection of County Road 129 and County Road 6 near Bennett (west of Brick Center Road and south of 6th Avenue/Mitchell Road). The property is currently zoned A-1, Agricultural, where a 19-acre minimum lot size is required. This application proposes rezoning to RR-B, Rural Residential B, where a 2.41-acre minimum lot size is required. If approved, the proposed rezoning would permit an increase in allowable residential density from eight units to 67 residential units.

If this application is approved by the Board of County Commissioners, the applicant will be required to submit applications and receive approval of a preliminary plat and final plat prior to obtaining any building permits for new home construction.

Background and Discussion:

The property is currently zoned A-1, Agricultural, and was established with the initial zoning of Arapahoe County in 1961. The subject parcel is designated as Tier 1 Rural Area in the Arapahoe County Comprehensive Plan and is south of the Urban Reserve Boundary. The subject property does not have access from a public right-of-way and is accessed from a private access easement.

Agricultural and low-density land uses are intended in the Tier 1 land use designation. Although the Comprehensive Plan acknowledges Tier 1 contains several square miles that have been subdivided into 2.5-acre and larger parcels with single-family homes, this land use pattern presents several challenges in accommodating urban density growth, including compatibility with existing land uses and establishing a road network to serve traffic generated by urban densities. The Comprehensive Plan does envision subdivision of parcels 55 acres or greater into urban and suburban scale lots within Rural Town Center Planning Areas, subject to the availability of adequate infrastructure. However, the subject property is not located within a Rural Town Center Planning Area. This application does not comply with the Arapahoe County Comprehensive Plan policies and goals. Additional information on the specific policies and goals of the Comprehensive Plan can be found beginning on page two of the Planning Commission staff report.

Per Section 5-3.2.B of the Land Development Code, the Board of County Commissioners may approve a rezoning application if the application meets all ten criteria in the Land Development Code. This application does not meet four of the ten approval criteria, specifically:

- 2. Assure compatibility between the proposed development, surrounding land uses, and the natural environment.*
- 3. Allow for the efficient and adequate provision of public services. Applicable public services include, but are not limited to, police, fire, school, park, and libraries.*
- 4. Enhance convenience for the present and future residents of Arapahoe County by ensuring that appropriate supporting activities, such as employment, housing, leisure-time, and retail centers are in close proximity to one another.*
- 10. Ensure the application complies with the requirements of this Resolution and is in general conformance with the Arapahoe County Comprehensive Plan.*

A complete explanation of the ten approval criteria as they relate to this application can be found in the Planning Commission staff report beginning on page four.

At the March 12, 2024, public hearing, the Planning Commission voted 6-0, with one commissioner abstaining, to deny this application. There were 12 members of the public present, eight of whom wished to speak in opposition of the application. There were five callers, all of whom spoke in opposition. One caller was a representative of the Bennett School District who confirmed they would not have sufficient school resources to support the increase in students from proposed development. The concerns voiced are summarized here:

- Strain of additional wells to existing well resources.
- School overcrowding.
- Access roads backing up to property lines.
- Impacts to antelope migration route and prairie dogs moving onto established resident properties when development began.
- Traffic increase to existing and proposed roads not acceptable.
- Not a solution to Bennet housing shortage.
- Not enough public services as it was for current residents.
- Not the highest and best use of this type of property.
- Cost of proposed property, new wells, roads, and maintenance well over two million therefore not affordable or attainable.

The Planning Commission meeting minutes are attached to this report.

Fiscal Impact: None.

Alternatives:

1. Deny the proposed Rezoning.
2. Approve the proposed Rezoning with conditions of approval.
3. Continue to a date certain for more information.

Alignment with Strategic Plan:

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

Staff Recommendation: Staff and the Planning Commission recommend denial of this application.

Concurrence: The Public Works and Development Planning and Engineering Services Divisions have reviewed the application, and the Arapahoe County Public Works Department is recommending denial of this case.

Suggestion Motion(s): Attached.

Resolution: Attached.