



Board Summary Report

File #: 24-414

Agenda Date: 8/6/2024

Agenda #: 6.a.

To: Board of County Commissioners

Through: Bryan Weimer, Director of Public Works and Development

Prepared By: Molly Orkild-Larson, Principal Planner, Public Works and Development

Presenter: Molly Orkild-Larson, Principal Planner, Public Works and Development

Subject: SDPZ21-006, Trailside Townhomes Specific Development Plan - Zoning

**Purpose and Request:**

The applicant seeks approval to rezone four parcels from RR-A to Planned Unit Development (PUD) to build a three-story townhome development.

**Background and Discussion:** Two of the four existing parcels contain single-family residences with garages. These properties were originally zoned A-2, Agricultural-2 in 1961, with single-family residential with agricultural activities as their primary uses. In 2018, this zone district’s name changed to RR-A, Rural Residential A as part of the code’s update. Under the existing code, this zone district’s primary use is single-family detached residential along with limited non-commercial agricultural uses (including small agricultural animals or fowl for the private use of the residents only), with a minimum lot size of nine acres. In 2005, the Four-Square Mile Sub-Area Plan was created and identified the land use category for these properties as Multi-Family, shifting the use of these properties in the Comprehensive Plan from rural residential housing to higher-density residential. This application is being processed through the two-step Planned Unit Development review process since it meets the eligibility criteria regarding project location, property size, land use, density, and height.

No public comment was received on this application. Two neighborhood meetings occurred for this project on September 13, 2021 (surrounding neighbors) and October 7, 2021 (Four-Square Mile Neighborhood Group). The comments they received from these meetings included crime in the area, lighting, fencing, trash and snow removal of the subject property, and compatibility of the townhomes with the surrounding area.

This application was before the Planning Commission on June 18, 2024, and they voted 5-0 to recommend approval to the Board of County Commissioners. Several neighbors attended the hearing to express their concerns about cars being repaired in the road rights-of-way and the safety of this action, illegal parking, and speeding in the area, but no specific objections were raised to this rezoning request.

**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 Specific Development Plan - Zoning with Conditions of Approval as recommended by staff or with changes.
2. Continue to a date certain for more information.
3. Deny the Specific Development Plan - Zoning.

**Alignment with Strategic Plan:**

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

**Staff Recommendation:** Considering the findings and other information provided herein, staff recommends approval of Case No. SDPZ21-006, Trailside Townhomes Specific Development Plan - Zoning subject to the following conditions of approval:

1. Prior to the signature of the final copy of these plans, the applicant will address all Public Works and Development Staff comments.
2. Prior to the signing of the Administrative Site Plan, the existing water well on-site shall be either covered by a court-approved augmentation plan or plugged and abandoned.
3. Prior to the signing of the Administrative Site Plan, all existing septic systems shall be abandoned and removed from the subject property.
4. If, in order to construct the east retaining wall spread footer, it is necessary to impact and encroach onto the High Line Canal property, the developer shall pay the County \$250.00 per linear foot for such access rights and encroachment impacts to County property. The developer shall repair any damage caused to the High Line Canal property. Payment shall be made before any Building Permits are issued.

**Concurrence:** Arapahoe County staff recommend approval of this case. On June 18, 2024, Planning Commission voted 5-0 to recommend approval of the Specific development Plan - Zoning to the Board of County Commissioners.

**Suggestion Motion(s):** Attached.

**Resolution:** Attached.