

Hello Taylor,

Thank you for your patience. I have provided a response to all your questions below. I will also upload your question and my responses to the BoCC agenda for this item, so the Commissioners have this before Tuesday's meeting. Please let me know if you have any additional questions for staff.

Morning, Kat

Thank you for returning my call. See below the questions I have about the "Planned Rezoning"

Many residents in the surrounding neighborhoods were unaware of this proposal because the notice sign is difficult to see from public roadways. We believe the County should ensure meaningful public notice before moving forward with a rezoning that could significantly increase density, traffic, and impacts to the South Platte Reservoir area. We request that this application be delayed until additional public outreach can occur and residents have an adequate opportunity to review the project and its impacts

Questions Regarding Public Notice and Transparency

1. The required rezoning notice sign is not visible from the roadway or surrounding neighborhoods. How does the County determine whether public notice is adequately visible to affected residents?

See the attached Form A with pictures of the two signs. This document states the sign must be legible and visible from the right-of-way. The Land Development Code (LDC) requires one sign be posted on the property and be legible from the nearest dedicated public right-of-way. The applicant will be required to send staff Form B, which is similar to the attached form A but also requires an affidavit indicating the sign was posted and in place for the required number of days. I reached out to the applicant last week asking they confirm the signs are posted and legible from the right-of-way and they provided confirmation via email.

2. How many residents were actually notified, and how many notices were returned as undeliverable?

The Land Development Code in Table 5-2.2.1 (Public Hearing Notice Requirements) requires written notice to "adjacent" property owners (i.e., properties that directly abut the subject property). Below is the radius map of the property owners who were sent mailed notice. The notices are sent to the property owners, which may

not be the people occupying the dwelling units. The mailing affidavit submitted by the applicant indicates 50 property owners were sent mailed notice. Mailed notice is the responsibility of the applicant, so I do not know if or how many notices were returned as undeliverable.



3. Has the County received complaints regarding the visibility or placement of the public notice sign?

No. I did ask the applicant to ensure the signs were visible and they confirmed last Friday that they were posted and visible from the nearest right-of-way.

4. If the goal is meaningful public participation, why was notice limited to the minimum legal requirement when many nearby residents were unaware of the proposal?

The LDC requires one sign posting on the property and mailed notice to only adjacent property owners. The applicant was directed to post two signs and increase the mailed notice radius to 500 feet.

5. Given the limited attendance at prior meetings, will the County consider additional public outreach before making a final decision?

The meeting next week will be a public hearing and members of the public are encouraged to attend and participate during the public hearing portion of this application at the BoCC meeting. There is also a call-in option, if you prefer to participate virtually. The meeting will be recorded and on the website live. If this application is approved, the next applications, the Preliminary Plat and Specific Development Plan (SDP) will require neighborhood outreach. The applicant has indicated they would like to go through one round of County and CDOT comments to make appropriate adjustments and then will be required to hold a neighborhood outreach meeting. The property will be posted with a sign and mailed notice of the meeting location, date and time will be sent to property owners within 500 feet.

Questions Regarding Traffic and Road Capacity

6. S. Platte Canyon Road is already heavily congested and generally operates as one lane in each direction. What traffic counts were used in the Transportation Impact Study?

Morning (AM) and afternoon (PM) peak hour traffic counts were collected at the S Platte Canyon Road intersections with Mineral Avenue, and W Canyon Trail, and S Depew Street. Average daily traffic (ADT) volumes were collected over a 24-hour period on S Platte Canyon Road. Counts were collected on Tuesday, September 9, 2025, with AM peak hour counts being collected during the period of 7:00 a.m. to 9:00 a.m. and PM peak hour counts being collected during the period of 4:00 p.m. to 6:00 p.m.

7. What is the projected increase in daily vehicle trips from this development?

The projected trip generation is 839 daily vehicle trips per day. I am waiting on clarification from the case engineer on the number of trips generated under the existing zoning.

8. What specific roadway improvements are planned to address increased traffic?

The TIS recommends that a southbound deceleration lane will be required because the left turn ingress volume exceeds 10 vehicles per hour. This requirement is found in the state highway access code section 3.10(7)(a).

9. Will additional turn lanes, signals, or road widening be required before construction begins?

S Platte Canyon Road is CDOT right-of-way and CDOT can determine which improvements will take place with the road network.

10. Has CDOT committed to any improvements on S. Platte Canyon Road, or are improvements only being "evaluated" at a future date? The staff report repeatedly states improvements will be considered later.

CDOT has not committed to any improvements yet as this is a re-zone and will not trigger improvements to the state highway. If this application is approved CDOT will continue to review plans and provide comments regarding required improvements.

11. If the Transportation Impact Study shows no issues, can that study be made available to the public?

The latest TIS is attached. Please note the TIS has not yet been approved by Engineering and thus may be changed before a final version is approved.

Questions Regarding Density and Development Size

12. Residents have been told this is a small development. If that is true, why is the applicant requesting approval for densities up to 16 dwelling units per acre and attached housing products?

The applicant is requesting a rezone of the property from Mixed Use, Residential 1-A, and Open Space to Planned Unit Development (PUD) to allow single-family attached and townhome products at a density of up to 16 dwelling units per acre. The applicant has indicated that they plan to develop at a density of 4 to 6 dwellings per acres, but they are seeking higher density to allow flexibility in the future. Both proposed housing types and density are supported by the Comprehensive Plan. See the bottom of page three of the attached Planning Commission staff report. If this application is approved the developer will need to decide what type of housing and the density with the next application, the Specific Development Plan. The applicant has submitted a presubmittal application for the next step of the Planned Unit Development process, the SDP. Of course, the SDP application would not be submitted this application unless this GDP application is approved. The SDP presubmittal application indicates the developer intends to build "approximately 30 to 35 front-loaded single-family detached homes."

13. What is the maximum number of units that could legally be built under the requested zoning?

The property is 10.7 acres and with the proposed density of 4 du/acre up to 16 du/acre the number of units ranges from 42-171. However, that is just doing the math, the applicant will be required to provide infrastructure, including streets and detention and water quality, required open space, meet all required setbacks and landscape buffers, so it is not likely 171 units will be feasible. The GDP plan set indicates approximately 7.6 areas of the properties would be developed as residential use, which would allow for 30 (4 du/acre) through 121 homes (16 du/acre).

14. If the developer only intends to build 8-12 homes, will they agree to a condition limiting the project to that number?

I cannot answer this question as the current proposal is not to build 8-12 homes. The proposed zoning would allow up to six homes. The GDP plan set indicates approximately 7.6 areas of the properties would be developed as residential use, which would allow for 30 (4 du/acre) through 121 homes (16 du/acre). The applicant has submitted a presubmittal application for the next step of the Planned Unit Development process, the SDP. Of course, the SDP application would not be submitted this application unless this GDP application is approved. The SDP presubmittal application indicates the developer intends to build “approximately 30 to 35 front-loaded single-family detached homes.”

15. Why should the County approve a zoning request that allows substantially greater density than what is currently being discussed with residents?

All rezoning applications are required to meet criteria stated in the LDC. The first criteria requires the proposed rezoning is generally consistent with the Arapahoe County Comprehensive Plan. The LDC criteria can be found on page 7 of the PC staff report. The neighborhood outreach letter the applicant sent to property owners prior to the neighborhood outreach meeting states “The proposed number of units for the site are 38 paired homes (19 lots) and 40 townhomes.”

Questions Regarding the Emergency Access Road

16. The plan includes a second access point designated for emergency vehicles only. Why is a second access necessary if the development is relatively small?

CDOT proposed that the second access be for emergency purposes. Generally, CDOT tries to limit the number of intersections along state highways. Their design standards may discourage or prohibit a full public access at that location. The response from South Metro Fire and Rescue does not specifically request a secondary emergency access. SMFR did indicate “Emergency Vehicle Access to the north shall be permitted as a vehicle access gate with SMFR” but did not object to the proposed access points and restrictions.

17. Was South Metro Fire Rescue the agency that requested the emergency-only access?

CDOT proposed that the second access be for emergency purposes. The applicant submitted their proposal with the two access points and SMFR reviewed it during the referral process. See above.

18. If emergency access is necessary for safety reasons, does that indicate concerns about the adequacy of the primary access road?

I cannot answer this question. If this application is approved, the applicant will continue to work with CDOT, the County, SMFR, and the County Sheriff's Office, including the Office of Emergency Management, on any additional applications to ensure safe access to the site.

19. Could the emergency access eventually be converted into a full-access road in the future?

The county cannot determine that situation at this time as factors like safety and level of service must be determined. CDOT proposed that the second access be for emergency purposes. CDOT controls access points along state highways such as S Platte Canyon Road.

Questions Regarding Wildlife, Environmental Impacts, and the Reservoir

20. The site borders the South Platte Reservoir. What environmental studies have been completed to evaluate impacts on water quality?

The Development Application Manual does not require an environmental study for this type of application. The applicant will be required to meet all standards and regulations of the Arapahoe County Stormwater Manual; the standards in that manual protect water quality.

21. Have wildlife surveys been conducted, particularly for nesting bald eagles and other protected species?

A referral request was sent to Colorado Parks and Wildlife who provides guidance to the applicant and the county for wildlife surveys. No response was received from CPW. The county has not adopted standards relating to wildlife considerations, so staff relies on CPW to provide direction on wildlife considerations. CPW generally does not require wildlife studies for a rezone; if the rezone is approved, the applicant will be required to submit a Specific Development plan application and a wildlife study may be required at that time.

22. What protections are being proposed for nesting eagles, migratory birds, and wildlife that currently use the reservoir area?

See above. CPW will receive additional referral requests if this application is approved.

23. What assurances exist that increased runoff, construction activity, or future residents will not negatively impact the reservoir?

There is a proposed on-site extended detention pond for the proposed project to detain runoff and discharge via historic drainage patterns.

24. Jefferson County requested mitigation for impacts to the reservoir. What specific mitigation measures are currently proposed?

Douglas County acknowledged the project location is adjacent to the South Platte Reservoir, which is drinking water supply for Highlands Ranch and requested the applicant work with Highlands Ranch Water to ensure that the surface water supply is protected from the impacts of future development. The applicant acknowledged Douglas County's comments and indicated they will work with Highlands Ranch Water to mitigate any impacts to the South Platte Reservoir. Additionally, Highlands Ranch Water was sent a referral and replied "The District appreciates the opportunity to review and comment on the proposed project. District staff have reviewed the proposed applications for its impacts on our facilities and has no comments."

25. Why are environmental details being deferred to future phases rather than being resolved before rezoning approval?

This the first step of the three-step Planned Unit Development and is high level. Referral requests were sent to CPW, Arapahoe County Public Health and other agencies, no agency specifically request environmental reports.

Questions Regarding Existing Businesses and Current Uses

26. The current zoning allows office and self-storage uses. What happens to the existing office building, boat storage, and any commercial uses currently operating on the site?

County records show single-family homes on the north end and the other parcels are vacant. The parcel zoned MU does allow for residential, office and self-storage. If the rezoning is approved, the existing single-family homes would be legal non-conforming. They could remain operating but would not be permitted to expand

unless they conformed to the GDP regulations, like density, building height, setback, etc.

27. Will these businesses be removed, relocated, or grandfathered in?

This is not a criterion in the LDC for this type of application. As mentioned above, the records indicate only single-family residences and the MU parcel does allow for self-storage and office but it does not appear to be developed that way. During the Planning Commission public hearing the engineering representative for the applicant stated “the existing four homes would likely be demolished and redeveloped, depending on which product was chosen for development.”

28. What is the timeline for closure or redevelopment of those properties?

If this application is approved, the applicant will be required to submit and receive approval of four more applications. The SDP will likely be accompanied by a Preliminary Plat. If those two applications are approved, the applicant will need to submit and receive approval of an Administrative Site Plan and Final Plat. The TIS indicates it is anticipated that development construction would be completed by end of Year 2027. If this application is approved the applicant will need to submit an additional TIS with each application.

Questions Regarding Existing Residents

29. The staff report notes there are currently four existing single-family homes on the property. What happens to those homeowners?

I cannot answer this question. If this application is approved, all property owners will be required to sign the GDP, before county approval of final documents.

30. Are property owners being pressured to sell in order for the project to proceed?

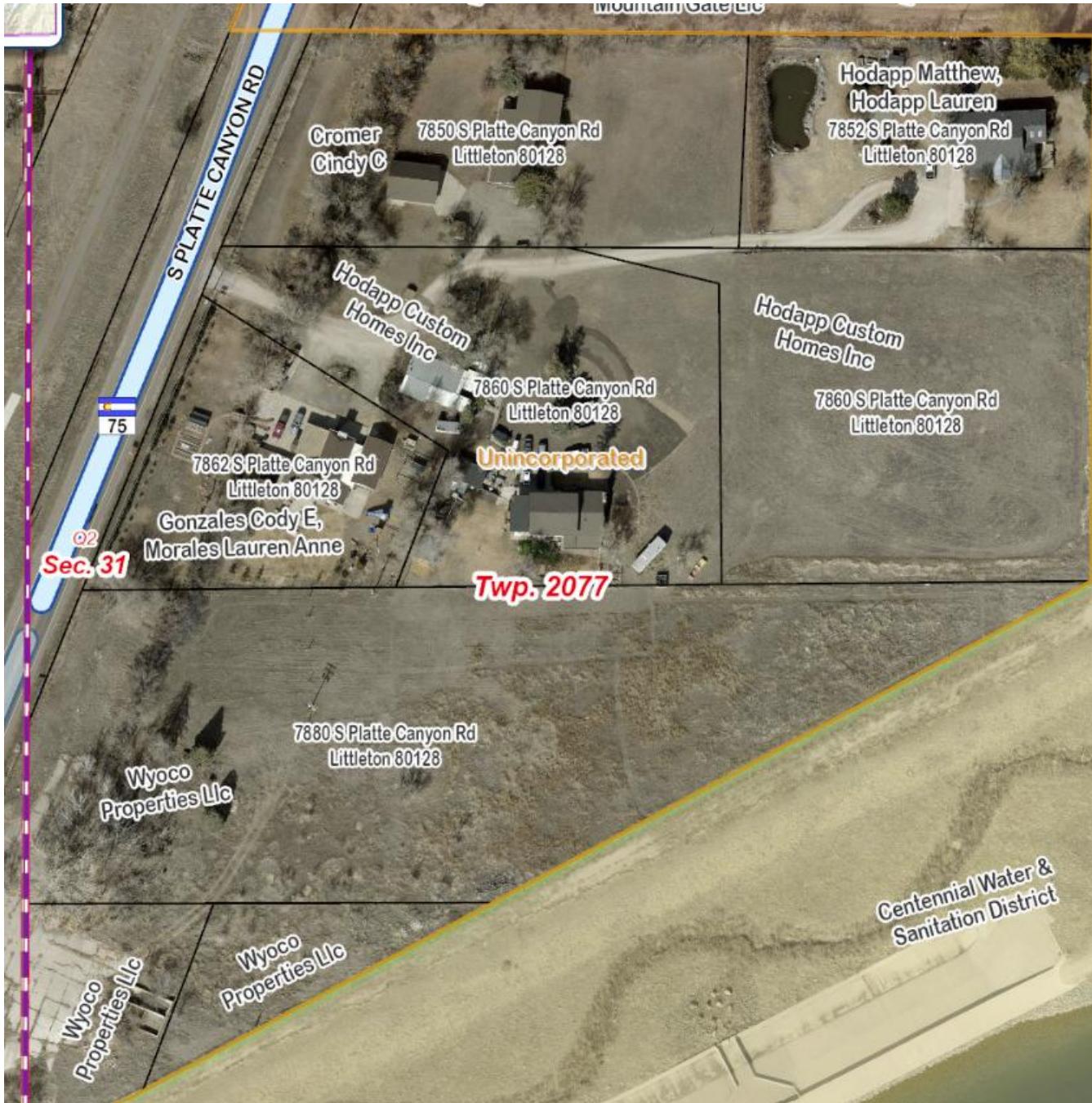
This is a civil matter between the applicant and the property owners. I cannot answer this question.

31. If one or more property owners refuse to sell, can the development still move forward?

The proposed development is for eight parcels owned by five property owners. If a parcel is not included in the development, the site plan would change, and an amendment to the GDP would be required for County review and approval.

32. Does the applicant currently control all parcels needed for the project?

County records indicate there are five property owners (see below), none of whom is the applicant. Highland Development Company.



Questions Regarding Future Public Input

33. After this rezoning request, what additional approvals will still be required before construction can begin? The report states additional approvals are still needed.

As stated above, the entitlement process will include a Specific Development Plan, Preliminary Plat, Administrative Site Plan, and Final Plat. Additionally, the applicant will be required to submit engineering permits for improvements and building permits.

34. At which future hearings will residents be able to provide public comment?

The SDP requires a public hearing and decision by the Planning Commission. The Preliminary Plat requires a public hearing at the Planning Commission and the Board of County Commissioners (BoCC). The Final Plat requires a public hearing and decision by the BoCC. All public hearings provide an opportunity for public comment.

35. Will there be another neighborhood meeting before final development approvals?

If this GDP application is approved, the applicant has indicated they plan to hold another neighborhood outreach meeting after the applicant receives the first round of comments from the County and outside agencies for the SDP. The Planning Commission included a condition of approval requiring a neighborhood outreach meeting with the SDP application.

Referendum / Community Vote

36. Does Arapahoe County provide any process that would allow residents to petition for a referendum or ballot measure on this rezoning decision?

While free to consult an attorney, our understanding is that the Colorado Constitution and statutes do not extend initiative and referendum powers within statutory counties such as Arapahoe County. As such, we can only address County processes and authority.

37. If not, what legal options exist for residents who oppose the rezoning after County approval?

See above.

38. What percentage of nearby residents support versus oppose the proposal?

I cannot answer this question as I do not have this information. The PC staff report includes information on the neighborhood outreach meeting conducted by the applicant. Additionally, staff received two letters of opposition from the public, and two members of the public raised concerns about increased traffic, the trail connection, and the safety of crossing S Platte Canyon Road during the Planning Commission public hearing.

I would like a copy of the Transportation Impact Study and any wildlife/environmental studies.