

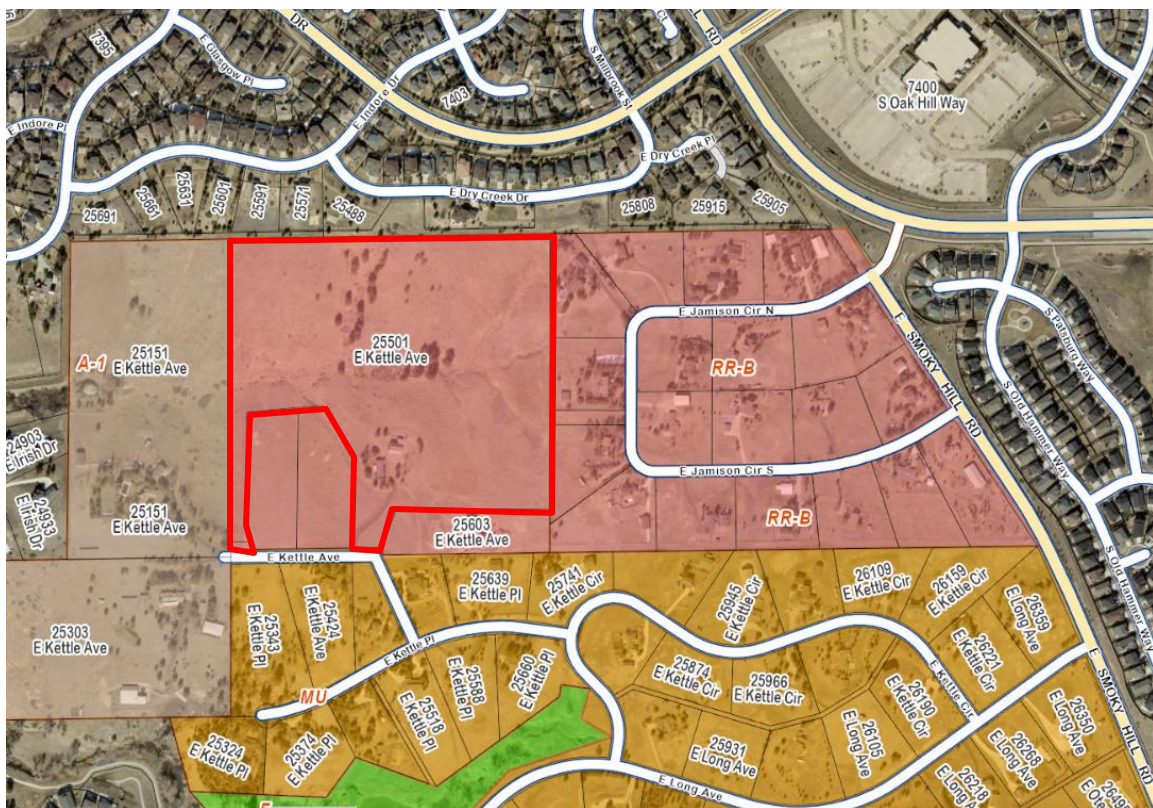
**ARAPAHOE COUNTY BOARD OF COUNTY COMMISSIONERS
PUBLIC HEARING
APRIL 28, 2026
9:30 A.M.**

SUBJECT: PF25-004 – FOREST RIM ESTATES SUBDIVISION FILING NO. 2 - FINAL PLAT

MOLLY ORKILD-LARSON, PRINCIPAL PLANNER

LOCATION:

The proposed subdivision is located on a 31.21-acre parcel, west and adjacent to the Allred Subdivision. The 31.21-acre parcel is in Commissioner District No. 3 and zoned Rural Residential-B (RR-B).



Vicinity and Zoning Map

ADJACENT SUBDIVISIONS, ZONING, AND LAND USES:

- North: City of Aurora – single-family residential
- South: Country Village Subdivision – Single-family residential, zoned MU
- East: Allred Subdivision – single-family residential, zoned RR-B
- West: Single-family residential – zoned A-1

PROPOSAL:

The applicant and property owner, The Roderic N. and Jane E. Gilford Revocable Trust, is seeking approval to subdivide a 31.21-acre parcel into ten lots and two tracts. Lots 1 through 10 will 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. Access to the subject property is through a 60-foot-wide parcel (Reception Number D5108755) owned by the applicant and located in the Allred Subdivision. This parcel connects the proposed development to E. Jamison Circle and is documented by this plat by its reception number.

Of this 60-foot-wide parcel, only a 50-foot width is needed for the access road, which matches the proposed on-site private access roadway easement width. Two five-foot easements on each side of the road have been granted to the owners of Tracts 5 and 6 of the Allred Subdivision for non-right-of-way uses. For the 50-foot road, two 30' x 30' sight triangles at the entrance to E. Jamison Drive have been dedicated by the owners of Tracts 5 and 6. Sight triangles are areas with no obstructions over three feet located at road intersections. The purpose of the sight triangles is to ensure that oncoming traffic can be seen.

A water cistern located on Lot 1 will provide water for fire district use in emergencies.

BACKGROUND

The Planning Commission recommended approval of the preliminary plat to the Board of County Commissioners (BOCC) in August 2024, and it was approved by the BOCC in October 2024.

The parcel is zoned RR-B and is presently vacant and contains a native landscape. The proposed lots meet the RR-B zone district minimum lot size of 2.41 acres.

DISCUSSION

Staff review of this application included a comparison of the proposal to 1) applicable policies and goals outlined in the Comprehensive Plan; 2) Final Plat Regulations; and 3) analysis of referral comments.

1. The Comprehensive Plan

Comprehensive Plan (Comp Plan): The subject parcel is located in the land use category of Urban Residential/Single-Family Detached and Attached. This category supports residential development with a variety of housing types combined with non-residential secondary land uses that are complementary and supportive. Primary uses are single-family detached, single-family attached (duplexes, triplexes, fourplexes, townhomes, each with a private entrance), and multiplex units.

The Comp Plan's density range for single-family detached is 1-8 du/ac. This application proposes single-family detached homes which comply with the Comp Plan designation, but doesn't comply with the 1-8 dwelling units per acre requirement. The

County's Long-Range Planner recognizes that the proposed density of 0.32 du/ac is less than the minimum identified in the Urban Residential/Single Family Detached and Attached land use category, but since the zoning is already in place, Long-Range Planning does not object to the proposed lower density subdivision.

This proposal complies with the Comp plan as follows:

GOAL PSF 1 – Ensure an Adequate Water Supply in Terms of Quantity and Quality for Existing and Future Development

The ten residential lots depicted on the proposed plat will be served by individual wells. The Colorado Division of Water Resources has determined that the proposed water supply is expected to be adequate and can be provided without causing material injury to existing water rights.

The northern lots border the Aurora Water and wastewater service area. However, the City of Aurora provided staff with a letter stating these lots do not need to connect to their water and sewer.

Policy PFS 4.3 - Require Adequate Wastewater Treatment

The proposed plat has been reviewed by the Arapahoe County Public Health Department, and this agency has no objection to using On-site Wastewater Treatment Systems (OWS) for the development.

The northern lots border the Aurora Water and wastewater service area. However, the City of Aurora provided staff with a letter stating these lots don't need to connect to their water and sewer.

GOAL PFS 6 – Ensure the Adequacy of Electric, Natural Gas, Telephone, Cable, and Internet in Existing and New Development

The development can be served by utility providers.

GOAL PFS 7 – Ensure Existing and New Development have Adequate Police and Fire Protection Utilities in Existing and New Development

South Metro Fire Rescue does not object to the project. The fire district has two requirements: 1) the water distribution cistern shall be submitted to South Metro Fire Rescue by separate application; and 2) all Individual Residences shall have automatic fire sprinklers installed to the NFPA 13D standard. These requirements can be addressed at the time of the building permit.

The sheriff's department had a concern about the development having limited ingress/egress evacuation options. However, this concern was withdrawn after

speaking with the fire district, who is requiring the homes within this development to contain fire sprinklers and the installation of a fire-specific cistern on Lot 1.

GOAL PFS 9 – Ensure that the Educational Needs of Existing and New Developments Are Met

The site will be served by Cherry Creek School District. The school district reviewed the preliminary plat application and is requesting cash-in-lieu fees of \$31,837.00 for schools. Staff has made this a condition of approval.

2. Land Development Code – Subdivision Regulations

Section 5-6.3.B of the Land Development Code allows a Final Plat to be approved if the proposal meets all of the following criteria:

A. The Applicant has provided evidence that provision has been made for a public water supply system, and if other methods of water supply are proposed, adequate evidence that a water supply is sufficient in terms of quantity, quality, and dependability for the type of subdivision proposed [Section 30-28-133(6)(a) C.R.S.].

The Colorado Division of Water Resources has determined that the water supply is adequate and can be provided without causing injury.

B. The Applicant has provided evidence that provision has been made for a public sewage disposal system, and, if other methods of sewage disposal are proposed, adequate evidence that such system shall comply with State and local laws and regulations [Section 30-28-133(6)(b) C.R.S.].

ACPH has no concerns about the use of the OWTS for the proposed lots.

C. The Applicant has provided evidence to show that all areas of the proposed subdivision, which may involve soil or topographical conditions presenting hazards or requiring special precautions, have been identified by the subdivider and that the proposed uses of these areas are compatible with such conditions. [Section 30-28-133 (6) (c) C.R.S.].

The Colorado Geological Survey (CGS) indicates that the subject site has no unusual geologic hazards or geotechnical constraints. There are several drainageways within the property, and CGS recommends a 20-foot setback of the building envelopes from these drainageways to prevent wet basements, slope instability, and erosion.

Staff discussed CGS concerns with the applicant, and it was indicated that the specific building location, lot grading, and erosion control plan are determined after the final plat and during the building permit process. These engineered plans will

ensure that the house location, drainage, and site grading are strategically positioned to avoid future issues. Furthermore, the final design of the lots and the buildings will incorporate appropriate mitigation measures such as proper surface drainage management and, if necessary, subdrain systems to prevent damage to the structure.

The driveways that cross the drainage ditch along the private road within the development will have a culvert installed at each driveway. This will ensure the flow of stormwater within the ditch.

D. The application is in compliance with all applicable zoning regulations governing the property as adopted by the Board of County Commissioners.

The proposed property is zoned RR-B, and the minimum lot size for this district is 2.41 acres. The proposed lots are greater than the required acreage, therefore meeting the minimum lot size for this zone district.

E. The application is in compliance with the Mineral Resource Areas in the Regulations for Areas of Special Interest as adopted in the Arapahoe County Zoning Regulations.

The Mineral Resource Map B-8 doesn't indicate any mineral resources on the subject property.

F. For property zoned for residential uses, written evidence must be presented to show that the applicable school district can adequately serve the student population expected to be generated from the development. The Board may deny a subdivision request for which the evidence shows that the applicable school district cannot adequately serve the student population generated by the development.

The school district is requesting a \$31,837.00 cash-in-lieu fee for the schools. Staff has made it a condition of approval

3. Referral Comments

Comments received during the referral process are summarized in the chart attached to this report. Any late responses will be conveyed verbally at the public hearing.

4. Public Comment

No comments from the public were received.

5. Cash in Lieu of Land Dedication

Section 5-3.2.B.3. requires that the applicant, "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." In this matter, the projected burdens placed on the Cherry Creek School District have caused it to request cash-in-lieu of land

dedication in the amount of \$31,837.00 to address those impacts of the development. The school district requests cash-in-lieu of land dedication based on the 2025 assessed value; the per-acre valuation applied is \$158,000. As set forth in the record, the school district is requesting cash-in-lieu of land dedication because the parcel's size and location do not meet the district's standards for a new school or facility site. Cash-in-lieu provides the district with the flexibility to address the projected impacts of this development without otherwise shifting resources intended to serve the school district's student population at other locations.

The Land Development Code requires land dedication for public schools, public parks, and other public purposes, or cash-in-lieu instead of land dedication, with any subdivision. The cash-in-lieu amounts for parks and other public purposes are based on the assumed land value of school districts, which is \$158,000 per acre of land. Based on those values, total cash-in-lieu of land dedication will be:

Cherry Creek School District: \$31,837.00

Public Parks: \$28,060.80

Other Public Purposes: \$1,169.20

Total cash-in-lieu: \$61,067.00

STAFF FINDINGS:

Staff have reviewed the plans, supporting documentation, and referral comments in response to this application. Based on the review of applicable policies and goals, as set forth in the Comprehensive Plan, review of the subdivision regulations, and analysis of referral comments, our findings include:

1. The proposed PF25-004, Forest Rim Estates Subdivision Filing No. 2 - Final Plat, generally conforms to the Arapahoe County Comprehensive Plan.
2. The proposed PF25-004, Forest Rim Estates Subdivision Filing No. 2 - Final Plat, complies with the General Submittal Requirements contained in Section 2-16, as enumerated in the Arapahoe County Development Application Manual.
3. The proposed PF25-004, Forest Rim Estates Subdivision Filing No. 2 - Final Plat, meets the Arapahoe County Land Development Code and procedures, including those stated in Section 5-6.3.B.

STAFF RECOMMENDATION:

Considering the findings and other information provided herein, the staff recommends approval of Case No. PF25-004, Forest Rim Estates Subdivision Filing No. 2 - Final Plat, with the following conditions of approval:

1. Prior to the signature of the final copy of these plans, the applicant will revise the Final Plat, Engineer's Cost Estimate, SIA, and Operation and Maintenance Agreement in accordance with the Engineering, Planning, and Mapping redlines.
2. Prior to recording the final plat, the applicant shall pay a total cash-in-lieu fee of \$61,067.00. This cash-in-lieu fee shall be distributed as follows: Cherry Creek School District: \$31,837.00; Public Parks: \$28,060.80; and Other Public Purposes: \$1,169.20.
3. Tract A and Tract B are Common Areas to be owned and maintained by the HOA. Prior to final execution of the mylar, the Developer shall update the Final Plat to clearly indicate that said tracts are common elements to be dedicated to the HOA once established.

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

1. Approve the proposed Final Plat.
2. Continue to a date certain for more information.
3. Deny the proposed Final Plat.

CONCURRENCE:

The Public Works and Development Planning and Engineering Services Division has reviewed the application, and the Arapahoe County Public Works and Development Department is recommending approval of this case.

Attachments:

Engineering Staff Report

Referral Comments/Applicant's Response

Final Plat