



Board Summary Report

File #: 26-227

Agenda Date: 4/28/2026

Agenda #: 8.e.

To: Board of County Commissioners

Through: Ceila Rethamel, Acting Director, Public Works & Development

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

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

Subject:
PM26-001- Mountain View Gardens T12 - Minor Subdivision

Purpose and Request:

The applicant, Latsis Custom Homes, LLC, on behalf of the property owners, Latsis Custom Homes, LLC and The Tree Farm, LLC, is requesting approval from the Board of County Commissioners (BOCC) for a Minor Subdivision to allow for the development of four lots for four single-family residences. The subject 2.38-acre property is located on S. Unita Way, west of S. Parker Road and east of the Highline Canal in the Four Square Mile neighborhood. A vicinity map is within the attached Planning Commission staff report.

Alignment with Strategic Plan: Workforce and Community Prosperity - Promote and pursue a full continuum of housing options to support long-term economic stability.

Background and Discussion: The property is part of Tract 12 of Mountain View Gardens Subdivision, which was platted in 1924. No portion of Tract 12 was ever subdivided; the entirety of Tract 12 was partitioned by six separate deeds. The subject parcel is the remnant of Tract 12 after the surrounding properties were created. The 2.38-acre property previously functioned as a tree farm and horse pasture and is currently undeveloped and vacant.

On March 31, 2026, the BOCC approved a Conventional Rezone application, rezoning the property to R-1-C zoning, Case No. CZ25-002. The minimum lot size in R-1-C is 12,500 square feet. The applicant is proposing lot sizes ranging from 18,055 to 22,254 square feet; this is consistent with the Four Square Mile Subarea Plan and the properties northwest of the site, which range from 15,246 to 27,007 square feet.

At the April 7, 2026, Planning Commission meeting, the Planning Commission voted 5-0, recommending conditional approval of this application. Four conditions of approval were included; one condition addresses cash-in-lieu of land dedication for schools, public parks and other public purposes. The other three conditions of approval relate to Engineering requirements for the access road maintenance and drainage. Since the Planning Commission meeting, the applicant satisfied two of the three Engineering conditions of approval, so they have been removed from the draft resolution. A copy of the Planning Commission staff report is attached; the staff report discusses how the

application meets the minor subdivision review and approval criteria.

No members of the public spoke during public comment. The Planning Commission discussed the Colorado Geological Survey (CGS) comments and the applicant's response to the geotechnical report and on-site soils. CGS provides referral comments on applications based on regional, not site-specific, data. The applicant hired Complete Engineering Services, Inc. (CES) to conduct a site analysis. The CES letter dated February 7, 2026 (Attachment A) indicates that CES concludes this site is suitable for the proposed development. The Engineering Services Division supports CES's professional opinion and is not recommending a condition of approval. The Planning Commission also discussed whether there would be a Homeowners' Association (HOA) and improvements to the existing access drive. The applicant indicated that an HOA is not proposed for four single-family homes. The applicant will be responsible for extending the storm sewer and water service from S. Uinta Way to the property and has indicated that existing drainage issues would be improved as part of this development.

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

1. Approve the proposed Minor Subdivision with conditions as recommended by staff or with changes.
2. Continue to a date certain with more information.
3. Deny the Minor Subdivision.

Fiscal Impact: This application does not appear to fiscally impact the County.

Alignment with Strategic Implementation Strategies: This proposal is a quasi-judicial application and is evaluated against criteria in the Land Development Code.

Staff Recommendation:

Considering the information contained in the attached Planning Commission staff report and other information provided herein, Staff recommends conditional approval of Case No. PM26-001, Mountain View Gardens T12 - Minor Subdivision, with the following conditions:

1. Prior to recording the Minor Subdivision plat, the applicant shall pay a total cash-in-lieu fee of \$44,215.60. This cash-in-lieu fee shall be distributed as follows: Cherry Creek School District: \$23,051.60; Public Parks: \$20,317.44; and Other Public Purposes: \$846.56.
2. Prior to recording the Minor Subdivision plat, the applicant shall complete execution and recordation of the following items: Subdivision Improvement Agreements, SOP for Vegetative Infiltration Basin and Access Easements.

Concurrence: This application was before the Planning Commission on April 7, 2026. The Planning Commission recommended approval of the proposed Minor Subdivision application in a 5-0 vote.