



## Board Summary Report

---

**File #:** 25-572

**Agenda Date:** 10/28/2025

**Agenda #:** 7.a.

---

**To:** Board of County Commissioners

**Through:** Bryan Weimer, Director, 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:**  
SDPZ23-001, Dayton Point - Specific Development Plan with Zoning

### **Purpose and Request:**

The applicant and property owner, Alpert Multifamily Development LLC, seeks approval of a Specific Development Plan (SDP) on a 1.974-acre property located at the southwest corner of E. Mississippi Avenue and S. Dayton Street. This SDP application also proposes to rezone the parcel from Residential PUD - High Density (R-PH) to Planned Unit Development (PUD) to build a three-story, 37-unit townhome development. The proposed density of this development is 18.74 dwelling units per acre (du/ac) which complies with the density requirements in the Four-Square Mile Sub-Area Plan of 13 to 25 du/ac.

**Alignment with Strategic Plan:** Good Governance - Understand and respond to community needs, interests, and values.

**Background and Discussion:** The subject property has two existing residences, a garage, and many volunteer trees on-site. In April 2015, the Board of County Commissioners approved a Preliminary Development Plan (Z14-007) to rezone the property from R-A to R-PH to allow single-family attached or multi-family residential with a maximum of 25 units. A Final Development Plan was never submitted for this proposal. The Board of County Commissioners approved a final plat (P14-019) of the subject property in April 2015, and the plat was recorded on June 3, 2015.

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.

A public hearing was held before the Planning Commission on August 19, 2025, and the Planning Commission recommended approval of the application with conditions by a 6-0 vote. One member of the public spoke and expressed concerns about tree removal and asked whether the project would be for sale or rental. The applicant responded that they would preserve the trees that they could, but most will be removed because they're old cottonwoods. The type of product would be determined by market conditions at the time of construction. Attached is the Staff Report with detailed explanations as to how the application meets the review criteria for approval of an SDPZ application.

**Alternatives:** The BOCC has the following alternatives:

1. Approve with conditions by staff and the Planning Commission or with alternative conditions;
2. Approve with no conditions.
3. Deny the rezoning application.
4. Continue to a date certain to obtain additional information.

**Fiscal Impact:** No fiscal impacts are anticipated at this time.

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

**Staff Recommendation:** Considering the findings and other information provided herein, staff recommends approval of Case No. SDPZ23-001, Dayton Point Specific Development Plan with Zoning, subject to the following conditions of approval:

1) Before the signature of the final copy of these plans, the applicant will address all Public Works and Development Staff comments.

2) Before the signature of the Specific Development Plan with Zoning, the applicant shall pay the total cash-in-lieu fee of \$70,800.99. This cash-in-lieu fee shall be distributed as follows: Cherry Creek School District: \$54,520.99; Public Parks: \$15,628.80; and Other Public Purposes: \$651.20.

**Concurrence:** The Planning Commission recommended approval with conditions of this Specific Development Plan with Zoning on a 6-0 vote at their August 19, 2025, public hearing.