

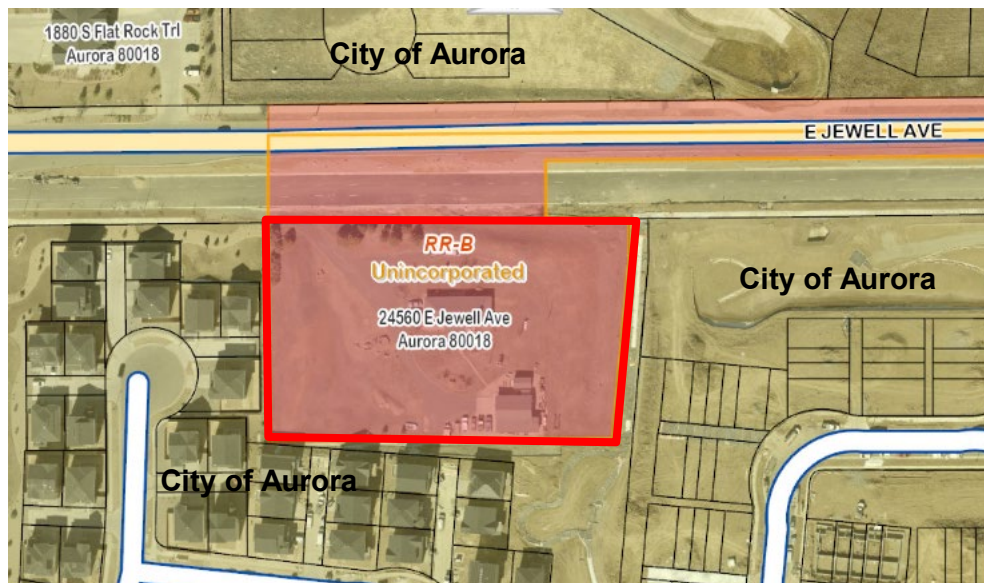
**ARAPAHOE COUNTY PLANNING COMMISSION
PUBLIC HEARING
May 19, 2026
6:30 P.M.**

SUBJECT: PM23-002 – RATTLE STITCH RANCH FILING NO. 1 / MINOR SUBDIVISION

MOLLY ORKILD-LARSON, PRINCIPAL PLANNER

LOCATION:

The subject property is located at 24560 E. Jewell Avenue and is in Commissioner District No. 3. The property is zoned RR-B.



Subject Property (show in red above)

ADJACENT SUBDIVISIONS, ZONING, AND LAND USES

- North - Murphy Creek Subdivision Filing No. 18 - City of Aurora, single-family residences.
- South - Murphy Creek East Subdivision Filing No. 1 - City of Aurora, single-family residences.
- East - Murphy Creek East Subdivision Filing No. 2 - City of Aurora, townhomes.
- West - Murphy Creek East Subdivision Filing No. 1 - City of Aurora, single-family residences.

PROPOSAL AND REQUEST

The applicant, Lennar Colorado LLC, on behalf of the property owners, David and Jessica Reed, is seeking approval of a Minor Subdivision Plat to create a 2.511-acre parcel. This parcel is adjacent to and obtains access from E. Jewell Avenue.

BACKGROUND

The parcel contains a single-family residence built in 1971 and a garage.

The existing property consists of two parcels; the western parcel is 1.97 acres, and the eastern parcel is 0.539 acres. Both parcels are zoned RR-B, which has a minimum lot size of 2.41 acres. Presently, neither parcel meets this zone district's standard and are considered non-conforming. To bring the property into conformance, the two parcels will need to be combined through the County's subdivision process to create one lot. The new lot will be 2.51 acres in size, which will satisfy the zone district's minimum lot size of 2.41 acres.

The property owner filed a complaint with the Arapahoe County District Court to acquire a portion of their property back from Murphy Creek Metropolitan District 1 (district). As per the court order (Recording No. B5176470), the district was to finalize with the City of Aurora the de-annexation of the eastern portion of the property (0.539 acres) and grant it back to the property owner, and for the property to be platted.

To adhere to the court order and create a lot that meets the minimum 2.41-acre lot requirement, the applicant is required to plat the property through the County's Minor Subdivision review process.

ANALYSIS OF THE MINOR SUBDIVISION APPLICATION

Staff review of this application included a comparison of the proposal to: 1) applicable policies and goals outlined in the Comprehensive Plan; 2) Minor Subdivision 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 private entrance), and multiplex units.

The Comp Plan's density range for Single-Family Detached is 1-8 du/ac. The subject property contains an existing single-family detached home, which complies with the Comp Plan designation, but does not comply with the 1-8 dwelling units per acre requirement. The proposed density of 0.4 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, staff will not object to the proposed subdivision.

The proposal also complies with the Comprehensive Plan as follows:

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

The property is served by an existing water well (Permit Number 41075). The location of the existing well was not correct on the permit, so the State Water Engineer requested that the property owner file a location amendment to correct the location on the permit. The property owner has complied with this request.

Policy PFS 4.3 - Require Adequate Wastewater Treatment

There is an existing On-site Wastewater Treatment System (OWTS) on the subject property.

The Arapahoe County Health Department (ACPH) indicated that this property is of significance to the Lowry Landfill Superfund Site (LLSF) as it is a drinking water monitoring location used to confirm the effectiveness of the remedies in place at the LLSF. As such, ACPH requests that a note be added to the plat stating:

Due to well water testing related to the Lowry Landfill Superfund Site and for public health protection purposes, if in the future the land sells or is rezoned, then notice must be provided to Arapahoe County Public Health, and specific abandonment well and septic procedures must be followed pursuant to Colorado statutes and regulations.

Staff has made this a condition of approval.

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

The proposal is presently served by Xcel Energy.

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

The Arapahoe County Sheriff's Office and Sable Altura Fire District will serve this development and have no concerns.

2. Land Development Code Review

Section 5-6.6 of the Land Development Code states a Minor Subdivision is any subdivision that:

A. *Creates no more than four parcels.*

This application is proposing one lot.

B. *Does not require the extension of municipal/public facilities or the creation of significant public improvements as determined by the PWD Department.*

This development does not propose the extension of public facilities or the creation of significant public improvements.

C. Fronts an existing street and does not involve any new streets.

The subject property fronts E. Jewell Avenue and does not involve any new streets.

D. Does not adversely affect the remainder of the parcel or adjoining property.

This subdivision does not adversely affect the remainder of the parcel or adjoining property.

E. Is not in conflict with any provisions of the Arapahoe County Comprehensive Plan, Zoning Resolution, or these regulations.

This application is generally consistent with the Arapahoe County Comprehensive Plan, as stated earlier in this report.

A Minor Subdivision follows the Final Plat process, as outlined in Section 5-6.3 of the Land Development Code. A Minor Subdivision may be approved upon the finding by the Board that the application meets 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 property is served by an existing water well (Permit Number 41075).

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.].

The property is served by an existing OWTS.

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 property does not have any soil or topographic conditions on-site that will create a hazard.

Due to the development of the land surrounding the subject parcel, drainage onto this parcel has increased. The applicant and the City of Aurora have been working with the property owner, and these issues have been resolved.

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

The proposed application complies with the zoning regulations. The minimum lot size is met.

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

The subject parcel is not located within a mineral resource area as per the Mineral Resource Map (Map B-8).

- 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.*

This property has an existing house, and this plat does not add any residential lots that would generate increased demands or drive the need for public land dedication. Therefore, no cash-in-lieu is required for this application.

The school district also indicated that since this application does not propose any additional residential units other than what already exist, they do not anticipate any enrollment impact from the project and are not requesting any cash-in-lieu of land for the application.

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. No public comments were received for this application.

STAFF FINDINGS

Staff have visited the site and 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 Comp Plan, review of the subdivision regulations, and analysis of referral comments, our findings include:

1. The proposed Minor Subdivision generally complies with the Arapahoe County Comprehensive Plan.

2. The proposed Minor Subdivision complies with the Approval Standards contained in Section 5-6.3, enumerated in the Arapahoe County Land Development Code.
3. The proposed Minor Subdivision complies with the Intent Requirements contained in Section 5-6.6, enumerated in the Arapahoe County Land Development Code.

STAFF RECOMMENDATION

Considering the findings and other information provided herein, staff recommends approval of Case No. PM23-002, Rattle Stitch Ranch Filing No. 1 / Minor Subdivision, with the following condition of approval:

1. Prior to the signature of the final copy of this plat, a note shall be placed on the plat stating that “Due to well water quality considerations associated with the Lowry Landfill Superfund Site and for public health protection purposes, any future change in land use, redevelopment, or connection to a public water or wastewater system shall require notification to Arapahoe County Public Health. At that time, existing water well and on-site wastewater treatment system components may be required to be properly abandoned in accordance with applicable Colorado statutes and regulations. Nothing in this note is intended to preclude the continued use, maintenance, or transfer of the property under its existing use, provided that the water well and on-site wastewater treatment system remain in compliance with applicable regulations.”

CONCURRENCE

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

PLANNING COMMISSION DRAFT MOTIONS

Conditional Recommendation to Approve

In the case of PM23-002, Rattle Stitch Ranch Filing No. 1 / Minor Subdivision, I have reviewed the staff report, including all exhibits and attachments, and have listened to the applicant’s presentation and the public comment as presented at the hearing, and hereby move to recommend approval of this application based on the findings in the staff report, subject to the following condition:

1. Prior to the signature of the final copy of this plat, a note shall be placed on the plat stating that “Due to well water quality considerations associated with the Lowry Landfill Superfund Site and for public health protection purposes, any future change in land use, redevelopment, or connection to a public water or wastewater system shall require notification to Arapahoe County Public Health. At that time, existing water well and on-site wastewater treatment system components may be required to be properly abandoned in accordance with applicable Colorado statutes and regulations. Nothing in this note is intended to preclude the continued use, maintenance, or transfer of the property under its existing use, provided that the water

well and on-site wastewater treatment system remain in compliance with applicable regulations.”

Recommendation to Deny

In the case of PM23-002, Rattle Stitch Ranch Filing No. 1 / Minor Subdivision, I have reviewed the staff report, including all exhibits and attachments, and have listened to the applicant’s presentation and the public comment as presented at the hearing, and hereby move to recommend denial of this application based on the following findings:

1. *State new findings in support of denial as part of the motion.*

Continue to Date Certain:

In the case of PM23-002, Rattle Stitch Ranch Filing No. 1 / Minor Subdivision, I move to continue the hearing to [*date certain*], 6:30 p.m., to obtain additional information and to further consider the information presented.

Engineering Staff Report
Application Materials
Referral Comments/Applicant's Responses
Minor Subdivision Plat