



**MINUTES OF THE REGULAR MEETING OF THE  
ARAPAHOE COUNTY PLANNING COMMISSION  
TUESDAY, AUGUST 19, 2025**

<b>ATTENDANCE</b>	<p>A regular meeting of the Arapahoe County Planning Commission (PC) was called and held in accordance with the statutes of the State of Colorado and the Arapahoe County Land Development Code.</p> <p>The following Planning Commission members were in attendance: Brooke Howe; Kathryn Latsis, Chair Pro Tem; Randall Miller; Dave Mohrhaus, Chair; Richard Sall; and Lynn Sauve.</p> <p>Also present were Matt Hader, Senior Assistant County Attorney; Jason Reynolds, Planning Division Manager; Ava Pecherzewski, Development Review Planning Manager (moderator); Joe Schiel, Engineering Program Manager; Molly Orkild-Larson, Principal Planner; Sue Liu, Engineer; and Kim Lynch, Planning Technician.</p>
<b>CALL TO ORDER</b>	<p>Mr. Mohrhaus called the meeting to order at 6:30 p.m. and the roll was called. The meeting was held in person and through the Granicus Live Manager platform with telephone call-in for staff members and the public.</p>
<b>GENERAL BUSINESS ITEMS:</b>	
<b>APPROVAL OF THE MINUTES</b>	<p><b>The motion was made by Ms. Sauve and duly seconded by Mr. Miller to approve the minutes from the August 5, 2025, Planning Commission meeting, as submitted:</b></p> <p><b>The vote was:</b></p> <p><b>Ms. Howe, Yes; Ms. Latsis, Abstain; Mr. Miller, Yes; Mr. Mohrhaus, Yes; Mr. Sall, Yes; Ms. Sauve, Yes.</b></p>
<b>PUBLIC HEARING ITEMS:</b>	
<b>ITEM 1</b>	<p><b>CASE NO. SDPZ23-001, DAYTON POINT / SPECIFIC DEVELOPMENT PLAN WITH ZONING (SDPZ) – MOLLY ORKILD-LARSON, PRINCIPAL PLANNER; SUE LIU, ENGINEER; PUBLIC WORKS AND DEVELOPMENT (PWD)</b></p> <p>Mr. Hader cited the Land Development Code Chapter 5 - Section 2 requirements and stated they had been met; therefore, the PC had jurisdiction to proceed.</p>



Ms. Orkild-Larson introduced the applicant and property owner, Alpert Multifamily Development LLC. She stated they sought approval of a Specific Development Plan which included the rezoning of a 1.974-acre parcel from R-PH to Planned Unit Development (PUD) to build a three-story 37-unit townhome development. She said the subject property had two existing residences, a garage, and many volunteer trees. She reported that the Board of County Commissioners (BOCC) had 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 in April 2015, but no Final Development Plan was ever submitted for that proposal. She noted that the BOCC had approved a final plat (P14-019) of the subject property that was recorded on June 3, 2015. She explained this application was being processed through the two-step Planned Unit Development review process since it met the eligibility criteria regarding project location, property size, land use, density, and height. She said Staff had conducted a site visit, reviewed the plans, supporting documentation, referral comments, and external agency input in response to this application and based upon a review of applicable policies and goals in the Comprehensive Plan, review of the development regulations, and analysis of referral comments, Staff recommended approval.

Mr. Brian Alpert described the property and explained the reason for this new zoning was because he proposed more density than the previous owners approved development. He said approval of this proposal would move the project to develop a site plan which proposed a 37 unit development similar to other Alpert Family companies' three story townhome developments with heights up to 35 ft. Mr. Granahan said the project proposed a right-in and right-out access that would generate 130 trips in each direction. He confirmed there was a median there on Mississippi that forced this right-in, right-out access configuration.

There was a discussion regarding how cash-in-lieu would be required at this time rather than when plat was recorded and how 4 Square Mile HOA had provided no feedback for this application.

Mr. Mohrhaus opened the hearing for public comments. There was one member of the public present who spoke, and there were no callers. The public hearing was closed.

Ms. Howe said she would be voting yes because this was a thoughtful and well-designed project.

**The motion was made by Ms. Latsis and duly seconded by Ms. Howe, in the case SDPZ23-001, Dayton Point Specific Development Plan with Zoning, 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**



	<p><b>recommend approval of this application based on the findings in the staff report, subject to the following conditions:</b></p> <ol style="list-style-type: none"><li><b>1. Before the signature of the final copy of these plans, the applicant will address all Public Works and Development Staff comments.</b></li><li><b>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.</b></li></ol> <p><b>The vote was:</b></p> <p><b>Ms. Howe, Yes; Ms. Latsis, Yes; Mr. Miller, Yes; Mr. Mohrhaus, Yes; Mr. Sall, Yes; Ms. Sauve, Yes.</b></p>
<b>ITEM 2</b>	<p><b>CASE NO. PP23-002, THE RANCH AT WATKINS FARM #01 / PRELIMINARY PLAT (PP) – MOLLY ORKILD-LARSON, PRINCIPAL PLANNER; SUE LIU, ENGINEER; PUBLIC WORKS AND DEVELOPMENT (PWD)</b></p> <p>Mr. Hader cited the Land Development Code Chapter 5 - Section 2 requirements and stated they had been met; therefore, the PC had jurisdiction to proceed.</p> <p>Ms. Orkild-Larson stated the applicant, Strategic Land Services Inc., was seeking approval to subdivide a 36.74-acre parcel into 11 lots and one tract. She explained Lots 1 through 11 would be developed for single-family residential, and Tract A for a detention pond. She said the residential lot size ranged from 2.41 to 4.5 acres, which adhered to the minimum 2.41-acre lot size in the RR-B zone. She described access to the subject property from the E. Colfax Service Road.</p> <p>She reported on comments received at the neighborhood meeting held in September of 2023. She concluded that staff had visited the site and reviewed the plans, supporting documentation, and referral comments in response to this application and 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, Staff was recommending approval of this application</p> <p>Mr. Robert Palmer, Engineer for Strategic Land Services, described the 11 buildable lots and discussed the two adjacent to Cardboard Gulch which were mentioned as concerns during neighborhood outreach. He stated the project would be recording a floodplain easement on the final plat which would be 2 feet above that which was called out in floodplain requirements. He said all lots were house buildable, with septic and wells thoughtfully placed. He reported the existing road improvements along with access roads would be</p>



paved per county standards and would generate 5 trips in and 6 out during peak travel times. He affirmed that water rights would be assigned and managed by the Homeowners Association that would be formed and rights would be divided among the proposed 11 units.

There was discussion about the State Engineer determination indicating no impact to neighboring wells. Mr. Hader said there was no letter stating there was material injury to others, therefore, the county would have been advised by the State Water Engineer if this proposed development impacted neighboring water rights. He added if injury did occur, the owner would have private legal rights to protect that interest and the County would not be involved. Ms. Latsis requested some clarification of the State Water Board determination process. Ms. Liu explained the proposed access roads must be built, inspected, and after 1 year the County would maintain that road. She described the County standards that included drainage, two lanes each way and a ditch wall. She affirmed that according to Condition 3 of this application, the applicant shall pave roadways therefore this would be the responsibility of the developer. She attested that maintenance of existing roadway would remain that of CDOT with County responsibility for building the new and maintaining 100 year flood sufficient culverts. She stated this would afford a huge safety factor built into the development design to protect from flooding. Staff concluded the County was not widening or exceeding what was currently there and that Prosper Farms could extend that road as this road was designed originally with that in mind.

Mr. Mohrhaus opened the hearing for public comments. There were 20 members of the public present, 12 of whom spoke, and there were no callers who wished to speak. They raised concerns about strain to neighboring community wells, road flooding, current poor condition and maintenance of the existing roadway, additional traffic and wildlife impacts. The public hearing was closed.

**The motion was made by Ms. Latsis and duly seconded by Ms. Howe, in the case of PP23-002 The Ranch at Watkins Farm Filing No. 1 Preliminary Plat, 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 conditions:**

- 1. Prior to the signature of the final copy of these plans, the applicant shall address all Public Works and Development Staff comments.**
- 2. A note shall be placed on the plat stating that "All lots within the development shall meet the minimum Arapahoe County Health Department setbacks. These setbacks are as follows:**
  - Water well from OWTS: 100 feet.**



	<ul style="list-style-type: none"><li>• <b>OWTS from property line: 10 feet. OWTS from floodplain boundary: 50 feet.</b></li><li>• <b>Setbacks between wells and OWTS on individual lots and to adjacent lots' wells and OWTS shall be considered."</b></li></ul> <p><b>3. The applicant shall pave E. Colfax Service Road from the development site to the existing pavement at the intersection of Eclipse Street and E. Colfax Avenue Service Road at the time of the final plat.</b></p> <p><b>4. The applicant shall create a Property Owners Association prior to the signing of the final plat.</b></p> <p><b>5. The applicant shall comply with the Bennett-Watkins Fire Rescue requirements, including:</b></p> <ul style="list-style-type: none"><li><b>a. The road shall be designed and constructed as per the Arapahoe County Public Roadway Standards. The roadway shall be within the dedicated right-of-way for County-Maintained Roadways.</b></li><li><b>b. Any structure built on the 11 single-family lots will need to comply with all current Arapahoe County adopted codes and standards, as well as the 2018 International Fire Code as adopted by Bennett-Watkins Fire Rescue (subject to change before future development phases if a newer edition is adopted).</b></li><li><b>c. Access serving individual lots (driveways) within the development area shall meet the minimum requirements outlined in Arapahoe County Rural Roadway Standards, Appendix R.</b></li><li><b>d. When development occurs on each lot, applicants will need to submit for plan review directly to the fire department as part of the building permit process. Applicable fees will apply at the time of submission.</b></li></ul> <p><b>6. The applicant shall add a note to the plat that reads: "A geotechnical investigation is recommended to be done on the lots in the development to determine the depth of bedrock and seasonal groundwater to minimize on-site structural damage."</b></p> <p><b>7. Prairie dogs are present within the subject property. A Burrowing Owl Survey shall be conducted if any earthmoving occurs between March 15 and August 31. This survey shall be submitted to the County Planning Division and Colorado Parks and Wildlife for review and approval, and no construction/grading shall be permitted during those dates without prior CPW's authorization.</b></p> <p><b>8. If the start of construction occurs during the raptor nesting season (between February 15 and August 31), a nesting raptor survey shall be conducted before the start of construction to identify active nests within 0.25 miles of the project workspace. This survey shall be submitted to the County Planning Division and the Colorado Parks</b></p>
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	<p><b>and Wildlife for review and approval. If nesting raptors are present, no construction/grading is permitted during those dates without prior CPW authorization.</b></p> <p><b>The vote was:</b></p> <p><b>Ms. Howe, No; Ms. Latsis, Yes; Mr. Miller, No; Mr. Mohrhaus, No; Mr. Sall, No; Ms. Sauve, Yes.</b></p> <p>Commissioners were invited to give reasons for their votes on this motion. Mr. Miller said he voted no based on water, not the development. Ms. Sauve stated she was empathetic to resident concerns, but official testimony moved her to vote yes. Ms. Latsis recommended a water expert be present for BOCC hearing to speak regarding how water rights played out and that she would have preferred to continue this hearing. Mr. Mohrhaus said he was in favor due to water rights issues with respect to existing residents but also the rights of the developer. He stated however, he would like more information on how floodplain building requirements were reviewed and would also like to see continuance. Mr. Reynolds requested in the event of a continuance motion the Commission be exact about what form and who could provide better information. He reiterated the Planning Division relied on the State Engineer to adjudicate water rights.</p> <p><b>The motion failed on a vote of 2 Ayes to 4 Nays.</b></p> <p><b>A second motion was made by Ms. Latsis and duly seconded by Mr. Sall, in the case PP23-002, The Ranch at Watkins Farm Filing No. 1 Preliminary Plat, I move to continue this hearing on a date certain of September 16, 2025.</b></p> <p><b>The vote was:</b></p> <p><b>Ms. Howe, Yes; Ms. Latsis, Yes; Mr. Miller, Yes; Mr. Mohrhaus, Yes; Mr. Sall, Yes; Ms. Sauve, Yes.</b></p>
<b>ANNOUNCEMENTS</b>	There were none.
<b>ADJOURNMENT</b>	The meeting was adjourned.