

**MINUTES OF THE ARAPAHOE COUNTY
BOARD OF COUNTY COMMISSIONERS
JANUARY 25, 2005**

State of Colorado, County of Arapahoe. At a public hearing of the Board of County Commissioners for Arapahoe County, Colorado held at 5334 S Prince St. Littleton CO 80166 there were:

Lynn Myers, Chair	Present
Bernard L. Zimmer, Chair Pro Tem	Present
Susan Beckman, Commissioner	Present
Rodney Bockenfeld, Commissioner	Present
Frank Weddig, Commissioner	Present
Kathryn Schroeder, County Attorney	Present
Nancy A. Doty, Clerk to the Board	Absent & Excused
Jennifer Gayer, Deputy Clerk	Present

When the following proceedings, among others, were had and done, to wit:

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ADOPTION OF THE AGENDA

Deputy County Attorney Jack Bush said regarding Consent Agenda Item 10, Approval of the Commissioners assigning various committees, today's agenda packet includes draft resolutions for about 28 different committees. He said since the draft was prepared there are some typographical errors/minor corrections that need to be made. Her said for the record, regarding Commissioner appointee to the Aurora Mental Health Center Board, it should be Commissioner Frank Weddig; regarding the Homecare Management Inc. Advisory Board, the Board is no longer needed and should be deleted from the packet; and regarding certain NAECO Committee Assignments, Commissioner Weddig will serve as Arapahoe County's representative to the NAECO Committee involving Labor and Employment. He said with those three modifications to the Committee assignments, there are no other modifications to the Agenda.

The motion was made by Commissioner Beckman and duly seconded by Commissioner Weddig to adopt the Agenda with the following modifications to Consent Agenda Item 10, the approval of the various committee assignments:

1. Aurora Mental Health Center Board – Commissioner Frank Weddig
2. Homecare Management, Inc. Advisory Board – DELETE
3. NAECO Committee involving Labor and Employment – Commissioner Frank Weddig

The motion passed unanimously.

ADOPTION OF THE MINUTES

The motion was made by Commissioner Bockenfeld and duly seconded by Commissioner Weddig to adopt the minutes of the January 11, 2005 Public Hearing with minor corrections provided to the Clerk.

The motion passed unanimously.

CEREMONIES

Longevity Ceremony honoring Arapahoe County Employees with 10 years or more service to the County

Commissioner Myers invited everyone to attend the Longevity Ceremony for employees with 10 years or more service at 11:00 am.

CITIZEN COMMENTS

There were no citizen comments.

CONSENT AGENDA

The motion was made by Commissioner Zimmer and duly seconded by Commissioner Bockenfeld to approve the Consent Agenda with the following amendments to Consent Agenda Item 10 involving Committee Assignments:

1. Aurora Mental Health Center Board – Commissioner Frank Weddig
2. Homecare Management, Inc. Advisory Board – DELETE
3. NAECO Committee involving Labor and Employment – Commissioner Frank Weddig

The motion passed unanimously.

GENERAL BUSINESS AGENDA

Item A – Resolution No. 050030 – Public Hearing, Case No. W04-007, Land Development Code Revision, Grading Erosion Sediment Control Standards

Assistant County Attorney Tom McNish established jurisdiction for the Board to consider this Item.

Melissa Kendrick of the Planning Division said this application was heard by the Planning Commission of January 18, 2005 and was continued to February 1, 2005. She explained the Planning Commission had some concerns about the consistency between the zoning regulations and the manual. She said Staff is in the process of trying to

resolve those issues with the Planning Commission. She said she would like to continue this case from this morning to February 22, 2005.

There was no public comment.

Commissioner Weddig asked about the concerns of the Planning Commission.

Ms. Kendrick said one of the issues that the staff made clear to the Planning Commission is that NPDES Regulations do not apply to the County's rural area, but the County wants to be consistent between the urban and the rural area. She said the Planning Commissioners that are concerned are from the rural areas and felt the County has some regulations in place that are not enforceable or as pertinent as possible. She said for example, construction maintenance of private roads. She stated staff is in the process of looking at that and looking at how to tailor a little better to the rural area so the County has enforceable regulations and addresses the issues that the County would like to enforce and at the same time the County is not getting involved in issues that do not have a great benefit to the County.

Commissioner Weddig said this Code Revision has been around for a long time and he said he would like to see it adopted next month. He said if it is necessary the County could pull out the section that has issues.

Ms. Kendrick said that is the approach that the staff would like to take. She explained Staff is trying to fix the concerns of the Planning Commission and move forward, but Plan B is to pull out any outstanding sections in necessary.

The motion was made by Commissioner Zimmer to continue Case No. W04-007, Land Development Code Revision, Grading Erosion Sediment Control Standards to February 22, 2005 at 9:30 am.

Seconded by Commissioner Bockenfeld.

The motion passed unanimously.

Item B – Resolution No. 050031 and 050032 - General Business Item, Arapahoe Lima Center, Case No. P04-008, Final Development Plan and Case No. P04-017, Final Plat

Assistant County Attorney Tom McNish explained this item was continued from January 18, 2005 Public Hearing. He established jurisdiction for the Board to consider this item.

Sherman Feher of the Planning Division presented the staff report, a copy of which has been retained for the file. He said the applicant is requesting approval of a Final Development Plan where the permitted uses are small retail stores, restaurants and office. He said the FDP allows for a little less than 91,000 square feet of buildings on 8.44 acres with building coverage of 16% and open space of 34%.

Tim Leonard of the Deepwater Point Company of 27905 Meadow Drive, Suite 11, thanked the Board for the opportunity to show a little bit of this project and have the approval of the Board on the plan. He thanked Sherman Feher, who has worked very hard on this plan, and Stacey Thompson and Chuck Haskins. He said the site is small and is relatively complicated. He said there has been a lot of time spent on landscape, slope and more. He said the development philosophy comes from the owner, HKS Associates, LLLP, who is present today, represented by Mr. Hamilton. He explained Mr. Hamilton has instilled a standard that had to be achieved. He said this is really an excellent project that Mr. Hamilton and his family and partnership could be proud of. He said Mr. Hamilton, his brother and his father, built Bennets BBQ restaurant that exists on this site now. He said Mr. Hamilton has demanded that three big items were achieved: site planning excellence, architectural excellence and materials. He

said there is good use of slopes, views, traffic patterns, and more in order to make an extraordinary experience for the customer. He said the project makes an artistic statement for the people passing by and the patrons of the center as well. He said there are quality materials so that there is a sense of pride. He introduced the professional team present today: SEM Architects, Merrick Engineers, Meuran Design Group, and Felsberg, Holt and Ulevig. He introduced Gary Ellerman.

Gary Ellerman of SEM Architects, Inc., said this site was a little bit complicated because it is encumbered by a lot of restrictions due to grading and in dealing with multiple jurisdictions. He said it has taken more time to get to this point than anticipated. He said the biggest item was access. He explained there is an existing access that is being vacated and a new access is being put in on the south side of the site. He said the applicant had to get reservations and dedications on all three roadways surrounding the site. He said the site is slightly elevated and allows for a platform to place the buildings. He said there are retaining walls along the west edge, along Lima Street. He said extra precaution has been taken to set back a little further and add more landscaping. He said the site plan is very simple. He said the proposal has two phases. He said today buildings A and B are being presented. He said buildings C & D are future phases and their architecture would be done in a similar fashion, but would be pulled back until there is an understanding of what the market uses will be to try to size and height those buildings. He said the application does allow for three story buildings. He said the site was designed with all four buildings combined together and are connected with an east – west pedestrian connection through the site. He said because the site is mostly "hardscaped" in the internal portion of the site, the applicant took precautions to ensure there are very nice walking environment around the buildings. He said the site is very simple and very organized. He said there is more parking than is necessary by code because the users might be slightly higher end users like restaurants. He suggested that even County employees might be walking to the site. He said the owner charged the architect with being creative to develop a design that is eye catching and comfortable to be around. He displayed the elevations of the buildings along the west edge. He said the west side is seen when approaching from Arapahoe Road and is elevated above the retaining walls. He said softer earth tones materials are being used but being accentuated with very light weight aluminum screening material that is semi-transparent. He said panels would be hung and give a high tech feel and provides architectural shadows. He said the other side of the building is smaller in scale and more pedestrian oriented. He displayed a materials board and said it is diverse, and warm toe in nature, with the exception of the glass, which is a clear/light green tint with the aluminum. He said the applicant is very pleased with the design and the renderings do not do the justice that the design conveys. He said the applicant is looking forward to the Board's consideration and moving forward.

Commissioner Weddig asked about the water service. He wondered if the landscaping was handled by the same drinking water service – Arapahoe Water District.

Mr. Ellerman said all of the water service would be provided from the same district. He said there would be domestic water piped to the building and the irrigation water is it's own separate system coming off that tap. He said the same district accommodates both.

Commissioner Weddig confirmed it is all potable water and there is no dual system with potable and non-potable water.

Mr. Ellerman said the application has all potable water. He qualified that the District is looking to expand to non-potable water line in the near future and the system would be able to accommodate that.

Commissioner Myers commented that the colors are very attractive.

Mr. Feher said Planning Staff and Planning Commission are recommending approval subject to the findings and conditions in the staff report.

There was no public comment.

The motion was made by Commissioner Beckman to approve Case No. P04-008, Arapahoe Lima Center Final Development Plan and Case No., P04-017, Arapahoe Lima Center Final Plat subject to the following conditions:

1. The applicant makes any minor modifications to the plan as requested by the Public Works and Development Department.
2. The applicant agrees to address Division of Engineering comments and concerns in the Engineering Staff Report, dated October 28, 2004 and December 23, 2004.
3. The applicant will enter into a Subdivision Improvement Agreement with Arapahoe County.
4. The applicant will execute a Uniform Easement Deed and Storm Drainage License Agreement.
5. The applicant will provide 14' of right-of-way reservation (or dedication) for the future widening on East Arapahoe Road on the Final Plat.

Seconded by Commissioner Zimmer.

The motion passed unanimously.

COMMISSIONER COMMENTS

Commissioner Bockenfeld said this past weekend the town of Bennett celebrated its' 75th Anniversary of Incorporation. He said while attending this event, he was given commemorative lapel pins honoring the event and the mayor and town council requested that he provide each of the County Commissioners with one of the lapel pins. He distributed the lapel pins. He made a motion that the Arapahoe County Board of County Commissioners prepare a letter to the Town of Bennett, which is to be signed individually by each Commissioner, recognizing the Town's achievement of 75 years of successful incorporation.

Seconded by Commissioner Zimmer.

The motion passed unanimously.

Commissioner Beckman suggested that the Board remove the Storm Water back up material from today's agenda packet to be used when the Board hears the item in the future.

Commissioner Myers again invited the audience to return at 11:00 am to attend the County's Longevity Ceremony.

There being no other business before the Board, the Chair adjourned the hearing at 9:53 AM.

ARAPAHOE COUNTY BOARD OF COUNTY COMMISSIONERS

LYNN MYERS, CHAIR

BERNARD L. ZIMMER, CHAIR PRO TEM

SUSAN BECKMAN, COMMISSIONER

RODNEY BOCKENFELD, COMMISSIONER

FRANK WEDDIG, COMMISSIONER

**NANCY A. DOTY, CLERK TO THE BOARD
BY JENNIFER GAYER, DEPUTY**