



**ARAPAHOE COUNTY  
PLANNING COMMISSION  
TUESDAY, AUGUST 18, 2009**

**MEMBERS**

Arnold Hayutin  
Brian Weiss  
Leah Martin  
Brett Larson  
Kim Herzfeldt – Absent and Excused  
Paul Rosenberg  
Mark Brummel

**OTHERS PRESENT**

Jan Yeckes  
Ron Hovland  
Tom McNish  
Sue Liu  
Bill Skinner  
Joleen Sanchez  
Terri Maulik

**ADOPTION OF MINUTES**

**The motion to adopt the minutes from the June 16, 2009 and the July 7, 2009 Planning Commission hearings was made by Mr. Hayutin, duly seconded by Mr. Weiss.**

**The motion passed unanimously.**

**OPENING COMMENTS**

Ron Hovland addressed the Commission to announce the resignation of Joleen Sanchez from her position as Assistant Clerk to the Board. Ms. Sanchez addressed the Board and relayed her gratitude for the years of service and the invaluable knowledge gained. Ms. Sanchez introduced her replacement, Terri Maulik.

Mr. Hovland addressed the Commission regarding the September, October, and November meetings. The November 3<sup>rd</sup> meeting will be cancelled due to the November 3, 2009 Election. Currently there are no business items scheduled for the September 1, 2009 meeting so it will likely be cancelled. There is at least one case, to date, for the

September 15, 2009 meeting. There may be one or more cases in October, but Mr. Hovland does not believe there will be a need to conduct two meetings in October.

Mr. Rosenberg introduced the members of the Planning Commission.

### **CONSENT AGENDA**

There were no Consent Agenda items.

### **REGULAR AGENDA ITEMS**

#### **Item 1 – P08-021, Saddle Rock Highlands/L6/B23/First Bank/Final Development Plan**

Bill Skinner established jurisdiction. He said that the applicant, Burkett Design on behalf of the owner, First Bank, is seeking approval of a revision of a Final Development Plan (FDP) previously seen by the Planning Commission. First Bank believes that a revision to the signage program will better suite the needs of the proposed bank.

Mr. Skinner explained that the applicant is now seeking a positive recommendation for the request to revise the signage program. No other changes to the site plan are requested at this time. Mr. Skinner verified that the Planning Division Staff recommends that the application be approved, subject to the findings and conditions of approval outlined in the FDP.

Mr. Skinner said that First Bank has reconsidered how the signage is going up on site. First Bank came through and received recommendation for approval. The owners of the property reconsidered how this signage is going up on site. The first time through there were three signs on the building and a double-sided monument sign out on the lawn along Quincy. Ms. Hendrik said that First Bank would like to know if the Planning Commission would accept and continue to offer their recommendation for approval if they were to take the monument sign off of the plan and move forward with four building-mounted signs.

Mr. Skinner stated that the Planning staff considered this request and determined that the plan is acceptable by the way the subdivision regulations work and has no problems with the request. Mr. Skinner believes that their decision is a subjective opinion based on staff experience. Further, Mr. Skinner stated that the staff likes the idea of de-cluttering the lawn along Quincy as much as possible; the four-sided signs on the building are a desirable choice. Mr. Skinner stressed to the Commission that no other changes have been made to the property.

Mr. Skinner introduced the applicant, Michelle Hendrik, Project Manager with Burkett Design, 950 17<sup>th</sup> Street, Suite 900, Denver, CO 80202, who presented on behalf of First Bank. Ms. Hendrik showed the Commission the original submitted plans which had three fascia signs design on the building and a single lawn area monument sign. First Bank reported that they coordinated with their signage vendor and further site studies were done to determine the effectiveness of the signage in relationship to the substantial site

drop. At the corner of Quincy and Piccadilly the site actually drops five (5) feet below grade. The drop in grade makes the monument sign no longer suitable. First Bank would like to request Commission approval for an additional building sign in lieu of the monument sign on the south elevation. Ms. Hendrik demonstrated the new signage plans to the Commission for review.

Further, Ms. Hendrik assured the Commission that First Bank is well aware of the allowable signage area and height restrictions, per the Arapahoe County Land Development Code. She explained that First Bank will be using less than the allowable total square footage, if they are permitted to put up four signs on the building. The total area of building signs in square feet would be 114. Further, there would be no lawn monument sign. Ms. Hendrik explained that the City of Aurora's building code allows for five building signs plus a monument sign. First Bank will not treat any sign on the building as if were 'back of house.' She said that First Bank has taken into account architectural elements and signage symmetry. Further, the new signage plan would allow First Bank to communicate with high speed vehicular traffic as well as the development and residential areas surrounding them. In conclusion, First Bank believes that, by providing signage on all four sides of the building, they will effectively communicate their services to the community.

### **Public Comments**

Peter Sadza, 21035 East Princeton Place, Aurora, Colorado 80013, stated that he likes the idea of the signage change for First Bank. However, he is concerned about the posting of additional window signs and wants to know if First Bank is permitted to do so and to what extent. Mr. Sadza likes the clean look of the building and believes temporary signage in the windows could distract from the building's pleasing aesthetics.

Mr. Skinner explained that there are no prohibitions against window mounted posters inside the glass and does not know the bank's plans with regards to this type of signage.

**The public hearing was closed.**

**The motion was made by Mr. Larson in Case No. P08-021, Tallgrass Commercial Center, First Bank Final Development Plan, we have read the staff report and received testimony at the public hearing. We find ourselves in agreement with staff findings 1 through 4 including all plans and attachments as set forth in the staff report dated August 3, 2009 and recommend this case favorably to the Board of County Commissioners subject to the following (2) conditions of approval:**

- 1) Prior to signature of the final mylar copy of these plans, all minor modifications shall be made as required by the Arapahoe County Public Works & Development Department.**
- 2) Prior to signature of the final mylar copy of these plans, the applicant agrees to address the Division of Engineering's comments and concerns as identified within the Engineering Staff Report.**

**Seconded by Mr. Hayutin.**

**The motion passed unanimously.**

**Item 2 – P09-003, Saddle Rock Highlands/L8/B1/Primrose School of Tallgrass/Final Development Plan**

Bill Skinner established jurisdiction. The applicant, Jansen Strawn on behalf of the owner, Primrose School Franchising Company (Primrose) is proposing the construction of a building and supporting infrastructure to house a Primrose daycare/pre-elementary school. He said the school is to be constructed on Lot 8 of the Tallgrass Commercial Center; this lot was established by the Saddle Rock Highlands Filing No. 2 subdivision, and consists of the following:

- Lot 8 is represented as a 74,437 s.f. (1.7 acres) lot
- Plans for a 11, 600 s.f. daycare/pre-elementary school building with fenced playgrounds
- The parking and driveways required for the schools' operational needs
- The landscape required to fulfill the requirements for Lot 8

Mr. Skinner reported that the proposal does not pertain to any lots within the Saddle Rock Highlands Filing No. 2 subdivision other than Lot 8.

Mr. Skinner further reported that the school's current proposal shows about two-thirds of what the County typically requires for parking. The County's first reaction was negative. However, after working with the applicant staff determined that further research was warranted. Staff took a careful look at the parking and traffic patterns at the Goddard Day Care Center just across the street from where the proposed Primrose school is to be constructed. Further, Mr. Skinner went to an existing Primrose school and spent some time in their parking lot, during peak operation hours in the morning and the evening, to see how the parking lots functioned. In Mr. Skinner's opinion, the parking lots functioned acceptably. Primrose never used full capacity and, in fact, was well under capacity during his observation.

Mr. Skinner explained that staff consulted the 2004 International Traffic Engineer's (ITE) manual to research their peak load parking recommendations. ITE studied 27 sites and made recommendations that are lower than what is being proposed by Primrose. Mr. Skinner reported that by the time staff had completed research, observations, and learning of ITE's recommendations it appeared that other jurisdiction regulations were of one opinion while the County's recommendations were singled-out with a differing opinion.

Mr. Skinner advised the Planning Commission that even though Primrose's proposal is for two-thirds of the required parking per the Arapahoe County Land Development Code, as part of the subdivision process with a Preliminary Development Plan (PDP) and a Final Development Plan (FDP) the Commission may step outside those regulations to some extent. He said that staff recommends approval of the application even though Primrose is somewhat outside the regulations. Mr. Skinner feels there is a need to revisit

the County's parking regulations and consider a revision of those regulations to what appears to be a more realistic requirement.

The applicant, Jansen Strawn of Consulting Engineers, 1165 South Pennsylvania Street, Suite 120, Denver, Colorado 80210, thanked the Commission for considering their case. He gave a PowerPoint presentation, a copy of which has been retained for the file, and the development team was listed.

Mr. Strawn said the Primrose site is located at the southwest corner of Oxford and Piccadilly. The parking required, pursuant to the Arapahoe County Land Development Code, is 66 spaces and Primrose proposes to provide 46 spaces. He said that Primrose is asking for the Commission to approve a reduction in parking. Further, Mr. Strawn reported that Primrose has determined that based on a number of variables (employees, attendees, 7 minute loading time, peak vs. non-peak drop off and pick up, etc.) the total required spaces needed would be 44. However, Mr. Strawn said that Primrose proposes to provide 46 spaces. Further, an overflow parking agreement for special events is being considered by and between Primrose and First Bank.

Ms. Prast, owner of Primrose, addressed the Planning Commission to provide information about the parking pattern, as requested by the Commission. Ms. Prast reported that the student drop-off is at peak between 6:30 a.m. and 9:30 a.m., although parents arrive to drop off their children as late as the lunch hour; student pick-ups begin around 3:30 p.m. and end at 6:30 p.m. Ms. Prast reported that the most vehicles in the parking lot, at any specific time of the day, were twenty (20). During a special event (Back to School Night), which would typically occur during the evening or weekends, the parking lot could completely fill up. Ms. Prast reported that in her experience it is rare for a Primrose parking lot to be completely full.

Mr. Weiss inquired as to why a 6-foot fence was chosen for the site.

Jennifer Darlington, Regional Project Manager for Children's Design Group, 1114 Eagles Creek Way, Acworth, Georgia 30101, reported that the 6-foot fence was chosen for safety reasons. She explained that Snatch-N-Grab has become a national problem and although Primrose has never experience a Snatch-N-Grab, they wish to take preventive measures to avoid it in the future.

Mr. Weiss asked if the developer considered installing pillars or guard rails at the northeast corner intersection to prevent vehicles from jumping the curb and crashing into the play yard.

Ms. Darlington feels that the fence line is far enough back from the road so as not to be a risk.

### **Public Comments**

Peter Sadza, 21035 East Princeton Place, Aurora, Colorado 80013, commented on the lack of pedestrian access. He said that the walk-ability of the development requires going

through parking lots. He is concerned about the safety of parents and children who are trying to get to or from the school from their nearby homes.

Mr. Strawn explained that the current building access is in place as a security measure. There is one access in and one Americans with Disabilities Act (ADA) route to get to and from the building.

Ms. Darlington addressed the Commissioners further regarding the accessibility. She reported that Primrose's goal is not to prevent people from coming to the school but to minimize the number of people who can freely 'walk by' the school. She explained that the current plan was designed with the safety of the children in mind. Primrose chose the route in from Piccadilly for this reason and did not connect into Oxford for the same reason.

Mr. Skinner reported that staff finds that the Primrose FDP complies with the underlying PDP. He feels that Primrose appears to be compatible with the neighborhood and staff believes it is a benefit to the surrounding neighborhood. Mr. Skinner further commented on the pedestrian access concerns raised by Mr. Sadza. Mr. Skinner believes that pedestrians would be more likely to use the crosswalk at the corner of Oxford and Piccadilly with the current plan than if they were allowed access from the west side of the building, where people may want to attempt a mid-block crossing. He said that staff will continue to work with the developer and try to discover ways to modify pedestrian access to flow through the development. Mr. Skinner reported that this issue has been a concern for staff all along and they support Mr. Sadza's concerns. With the exception of pedestrian access, staff supports Primrose.

**The public hearing was closed.**

**The motion was made by Mr. Hayutin in Case No. P09-003, Tallgrass Commercial Center, Primrose Final Development Plan, we have read the staff report and received testimony at the public hearing. We find ourselves in agreement with staff findings 1 through 3 including all plans and attachments as set for tin the staff report dated August 3, 2009 and recommend this case favorably to the Board of County Commissioners subject to the following two (2) conditions of approval:**

**Mr. Weiss commented that he would like to see the over flow parking agreement as a condition of approval and as part of the motion.**

- 1) Prior to signature of the final mylar copy of these plans, all minor modifications shall be made as required by the Arapahoe County Public Works & Development Department.**
- 2) Prior to signature of the final mylar copy of these plans, the applicant agrees to address the Division of Engineering's comments and concerns as identified within the Engineering Staff Report.**
- 3) The overflow parking agreement will be in place.**

**Seconded by Mr. Larson.**

**The motion passed unanimously.**

**The meeting was adjourned at 7:16 p.m.**

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**Paul Rosenberg, Chair**

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**Joleen Sanchez  
Assistant Clerk to the Board**