



**ARAPAHOE COUNTY
PLANNING COMMISSION
TUESDAY, DECEMBER 15, 2009**

MEMBERS

Paul Rosenberg, Chair
Arnold Hayutin, Chair Pro Tem
Brian Weiss
Brett Larson
Kim Herzfeldt
Leah Martin
Mark Brummel

OTHERS PRESENT

Julio Iturreria
Sherman Feher
Sue Liu
Irene Valenzuela
Scott Wiggs
Stacey Thompson
Jan Yeckes
Ron Hovland
Carol Kuhn
Jennifer Newton
Tom McNish
Terri Maulik

ADOPTION OF MINUTES

The motion to adopt the minutes from the October 20, 2009 Planning Commission hearing was made by Mr. Hayutin, duly seconded by Mr. Larson.

The motion passed unanimously.

OPENING COMMENTS

There were no opening comments.

REGULAR AGENDA ITEMS

Item 1 – W09-003, REAP/I-70 Corridor Study Update

Julio Iturreria addressed the Board and displayed various I-70 Corridor maps to the Board. The existing features of the I-70 Regional Corridor Study were reviewed. He reported that Regional Economic Advancement Partnership (REAP) invited Arapahoe County to become involved in this project.

Lend Lease and their effect on the urban growth map was discussed. Mr. Iturreria said things have not yet been resolved with regards to Lend Lease. Ms. Yeckes explained that Lend Lease is not tied to the urban growth boundary.

Mr. Iturreria said the various municipalities involved in the project have shared their plans for future growth and development. He said there have been meetings held and the attendance has been favorable. He directed the Board's attention to the second map, I-70 Corridor Study (Proposed) Rev. 2. He pointed out proposed sites for storage and reservoirs. The proposed changes are contingent upon what the Colorado Department of Transportation (CDOT) is planning and the amount of money available to proceed. Mr. Iturreria said there will be a five month study/assessment completed which will generate more interest and identify the pros and cons.

Ms. Yeckes said the Planning Division will find a way to get the study paid for.

Mr. Iturreria explained that the project/study is opening doors and getting all participants involved. He hopes to talk to anyone who has an interest in the area, farmers, etc. He said the goal is to break down barriers that exist, due to past relations.

There was discussion about the railroad and light rail. There are plans to align tracks into the I-70 Regional Corridor area from the north. Growth in development in the southern section of the corridor was discussed. Mr. Iturreria expects a surge in growth and asked the Board to be prepared to see cases come before them in the future.

He recommended the Board attend a REAP meeting if possible. He said the meetings are very interesting.

Item 2 – L09-004, Wabash Trailhead/Location & Extent

Mr. Rosenberg introduced the members of the Planning Commission.

Sherman Feher stated the applicant has met public notice requirements thereby establishing jurisdiction. He reported the application was continued from November 17, 2009. He stated the Arapahoe County Open Space Division and the Transportation Division are requesting approval for a Location and Extent for the Wabash Trailhead. Mr. Feher said the trailhead is part of the Cherry Creek Trail, located near South Wabash Street and Cherry Creek, and provides access, parking, and restrooms for people who use the trail. He reported the trailhead is approximately 1.3 acres and includes a parking area with five (5) parking spaces. This project is part of the Yale/Wabash Bridge Transportation Project. The property is currently zoned A-2. Mr. Feher reported that this

case was continued by the Planning Commission due to issues with the public notice requirements.

Scott Wiggs addressed the Board regarding the proposed trailhead. He explained it is part of the Yale/Wabash Bridge Transportation project. He said the Board of County Commissioners (BOCC) has already approved the project and plan to go to bid very soon. He said the goal is to have this constructed as part of that project. Mr. Wiggs stated we receive quantity discounts and it fulfills our agreement obligation from the court order regarding the obtaining of lands from the City and County of Denver. He said the proposed trailhead will accommodate five (5) parking spaces, including one handicapped space. He further stated that through a separate agreement with the Denver Center for Jewish Education we will also be permitted an additional twelve (12) overflow spaces within the school parking lot. He said at this point they are considering minor redevelopments of their own to include fencing-off of their parking area. However, they intend to leave a minimum of twelve (12) spaces outside of the fence for overflow parking. Mr. Wiggs reported that the trailhead will also include a steel enclosure for a portable toilet. He said the main focus of the steel enclosure is to prohibit vandalism. He said they are proposing to light the parking lot with one single street light and it will be solar and will be the first of its kind to be utilized by the county. He said they're pushing to try green alternatives in some of their projects and this is a good opportunity to test out the functionality of these kinds of lights. Mr. Wiggs stated further that the parking lot will be paved with curb and gutter, allowing for proper drainage with increased water quality over that of a gravel parking lot in an urbanized area. He said, along with the trailhead and the bridge, there is also a water quality pond that is being constructed across the street, for drainage. He said they are meeting all South East Metro Stormwater Authority (SEMSWA) regulations and requirements. He said SEMSWA is participating at a 50% funding of the pond. Mr. Wiggs said as part of the development of the trailhead there will be landscaping, signage, and fencing to increase the aesthetic value of the area. He said the addition of the proposed trailhead the obligations of the court order from the City and County of Denver will be fulfilled. He asked the Commission to approve the case before them and offered to answer any questions they might have regarding the development of the Wabash Trailhead.

The Public Hearing was opened.

Mark Lampert, 9022 E .Colorado Dr, appearing on behalf of the 4 Square Mile Neighborhood, addressed the Board. He reported that the Board should have a letter dated October 14, 2009 in their packets. He said it was one of the shortest letters he had to write on a case because this is, without a doubt, an easy discussion. He said they are in full support of everything the county has done on this project and urges the Commission to approve this item. He said this project is desperately needed and is one of the true benefits of the bridge. He stated the bridge, itself, will be a benefit; however, the true access point for the 4 Square Mile Neighborhood in the Wabash area is going to be a safer way for them to access the Cherry Creek bike trail. He said the neighborhood met to discuss this project and viewed the plans. They agreed that the benefits far outnumbered the comments before. With the enclosure, lighting, and additional parking they believe, overall, everyone will benefit. He urged the Commission to approve the Wabash Trailhead Location and Extent.

The Public Hearing was closed.

Mr. Feher said planning staff recommends approval with conditions based on the findings contained in the staff report.

The motion was made by Mr. Hayutin in Case No. L09-004, Wabash Trailhead Location and Extent, that the Planning Commission has read the staff report and received testimony at the public hearing. The Planning Commission finds itself in agreement with staff findings including all plans and attachments as set forth in the staff report dated November 24, 2009, and moves to approve this case, subject to the following conditions:

- 1. The applicant makes any minor modifications to plans, as requested by the Public Works and Development Department.**
- 2. The applicant agrees to address all Division of Engineering comments and concerns as identified within the various Engineering reports.**

Seconded by Mr. Weiss.

The motion passed unanimously.

Item 3 – L09-005, Cherry Creek School District/Instructional Support Facility / Location & Extent

Mr. Feher said the applicant has met public notice requirements thereby establishing jurisdiction. He stated the applicant is Cherry Creek School District and they are seeking approval of a Location & Extent for an instructional facility. He stated the building is two stories and 60,000 square feet of building area and is located on 8.24 acres. It is located near the intersection of South Piccadilly Street and South Riviera Way. Mr. Feher distributed additional referral comments that were received since the packets were distributed to the Board, copies of which were retained for the record. He said both of the referrals are generally supportive and do not have any negative comments.

Timothy McKay, Klipp Architects, 201 Broadway, Denver, CO, addressed the Board. He said the site is adjacent to Thunder Ridge and Eagle Crest Middle Schools and is currently vacant. He said it is conjoined with the outback facility. Mr. McKay said the District is proposing a 60,000 square foot office building. He stated the building would not be used for instruction, although it has jurisdiction with the state in terms of the building department. Various drawings of the proposed site were shown to the Board. Mr. McKay said there is access off of Riviera Way. The building will be a brick exterior with tan and beige brick, complimenting the brick facades of both Eagle Crest and Thunder Ridge Middle Schools. He said it is kept low, within the maximum height restrictions of the PUD for the site. Parking is provided per the existing PUD. Mr. McKay said, in overview, the tenants in the facility will be student achievement services, admissions, conference center, district athletic director, information services, data processing, and a computer center. He asked if the Board had questions or concerns and noted there were representatives from the District present.

Mr. Rosenberg asked if some of the facilities are being moved from the building off of Arapahoe.

Mr. McKay said they are moving people from all over the district and consolidating them into one location. It is a District building.

Mr. Weiss asked for an explanation of the activities that will be occurring in the conference center.

Mr. McKay said the conference center will be used for in-district teacher training, administrator meetings, and similar things to that nature. He said it is similar to the SARC (Student Achievement Resource Center) facility of the Cherry Creek School District.

Mr. Larson asked if it will be the main data center for the entire District.

Mr. McKay said there will be a secondary data center at the current facility, but a majority of the District's computer services will be moved to this new facility.

Mr. Larson asked about the fiber optic lines.

Mr. McKay said eventually there will be a virtual network. He said in ten (10) years time there will no longer be computer boxes at each desk. It will all be served out of the new facility.

The Public Hearing was opened.

There were no public comments.

The Public Hearing was closed.

Mr. Feher reported that staff recommends approval with conditions based on findings contained in the staff report.

Mr. McKay said he had some concerns about the conditions based on the Engineering reports. He said he'd like any issues with compliance to be addressed at this time, particularly as they relate to easements and South East Metro Stormwater Authority (SEMSWA) comments.

Irene Valenzuela, Engineering Services Division, said the submittal was made on December 2, 2009 and the Planning Commission reports were sent to the Planning Commission on December 4, 2009. She stated that at that time the submittal was transmitted to SEMSWA where, according to standards of operating procedures, they had three weeks to review. She said she has discussed this project with SEMSWA and we are okay with the proposed easement and that will be reflected in comments. She said, aside from any minor comments that may be added to the Location & Extent, she does not predict any major issues that would affect the site plan at this time.

The motion was made by Mr. Martin in Case No. L09-005, Cherry Creek School District Instructional Facility Location and Extent, that the Planning Commission has read the staff report and received testimony at the public hearing. The Planning Commission finds itself in agreement with staff findings including all plans and attachments as set forth in the staff report dated December 4, 2009, and moves to approve this case, subject to the following conditions:

- 1. The applicant makes any minor modifications to plans, as requested by the Public Works and Development Department.**
- 2. The applicant agrees to address all Division of Engineering comments and concerns as identified within the various Engineering reports.**

Seconded by Mr. Hayutin.

The motion passed unanimously.

CLOSING COMMENTS:

Mr. Hovland updated the Board on the BOCC actions taken today at the Public Hearing. He said the BOCC approved everything the Planning Commission referred. There was one case regarding areas to be landscaped that was remanded back to the Planning Commission with instruction from the BOCC for staff to make additional changes and to bring back in the future. He stated that Engineering Services and Planning are working to resolve some of the issues and plan to bring a revision to the Commission early in the New Year with revised standards that will address most of the issues and give greater clarity. Mr. Hovland reported that the BOCC has put a moratorium on medical marijuana until January 5, 2010. He reported that he suspects the BOCC is looking to see what the state legislature plans to do with regards to regulations. He surmises that the County will adopt regulations of their own and it will include zoning and land use. He reported that the Board can expect to see this subject matter on a future agenda.

There was discussion regarding medical marijuana dispensaries in the county and the effects of these businesses. Numerous inquiry calls have come into the Zoning Administrator, Tammy King. Current county policy was considered and the Commission discussed a current house fire mentioned on the news. There is a concern for safety as regards the dispensaries.

Jan Yeckes said Tammy King plans on attending the 2nd meeting in January to give the Board an update on medical marijuana. She explained that the county has been allowed to follow state regulations to date. She said this moratorium will give the county a chance to catch their breath and evaluate what the state is doing. She stated that all inquiries are being referred to Tammy King. Ms. King will stay in touch with the Attorney's Office and the Sheriff's Office.

Mr. Weiss asked about the January Planning Commission meetings.

Mr. Hovland reported that there will be a meeting on 19th but there is no business currently scheduled for the 5th.

Ms. Yeckes said there was a community meeting last night. She reported the focus of the meeting was on updates for the Byers/Strasberg subarea plans and introducing that to the public. She said these plans will come to the Commission for adoption. She reported that there is a lot going on such as the I-70 Corridor Study, the Transportation Master Plan Update for the County, the Open Space Master Plan process, the 2010 Census, and survey results. She spoke about a community meeting and those in attendance. She believes the meeting was a success and reported that May Farms gave the department use of its facility at no charge and provided a buffet dinner at little cost. She stated that the Byers General Store donated some food, as well and that it was a very good venue for the meeting.

The meeting adjourned at 7:52 p.m.

Paul Rosenberg, Chair

**Terri L. Maulik
Assistant Clerk to the Board**