



**ARAPAHOE COUNTY
PLANNING COMMISSION
January 2, 2007**

Members

Paul Rosenberg
Mark Brummel
Brian Weiss
Kim Herzfeldt
Arnold Hayutin

OTHERS PRESENT

Sue Conaway
Carol Kuhn
Stacey Thompson
Gail Stumpo

PLANNING MANAGER COMMENTS

Sue Conaway briefly discussed the two cases on the agenda this evening, the Preliminary Development Plan for the Arapahoe Associates and the Lima Ridge Center/Final Development Plan. She said the site plans are similar and fall within the Joint Planning Area with the City of Centennial. She said the Joint Planning Area Overlay District Development Standards were approved by the BOCC with some exemptions in the application. She said one exemption relates to projects submitted as complete development applications prior to adoption of the regulations, which became effective today. She said the development standards would not be applied to this application. She said the terms of the Joint Planning Sub Area Plan with the City of Centennial, which was continued to February 20th, is in the process of incorporating changes heard from the stakeholders and property owners in the area. She said an updated version would be presented to the Planning Commission on January 16th. She said revisions to the plan for the development of the Lowry Range based on public testimony and changes that were suggested by Dr. Martin has been continued to a meeting on February 22nd.

Paul Rosenberg asked about the areas that were excluded from approval by the State Land Board.

Ms. Conaway said the State Land Board did not approve a project, but selected a developer for the Lowry Range. She said Land Lease an Australian group was selected for the areas north of Quincy with \$10 million in escrow. She said the Arapahoe Grasslands Group was chosen for the conservation portion in the southern area and a portion on western edge with water issues is being reserved.

Mr. Rosenberg asked if the reserved portion would affect the Sub Area Plan.

Ms. Conaway said the Sub Area Plan could be affected and the State Land Board would be required to make application to amend the Sub Area Plan. She recommended proceeding with the Sub Area Plan. She said this is step one in the planning process and would be followed by 1041 Permits, rezoning of property, possible Comprehensive Plan amendment prior to rezoning, working with DRCOG for urban growth boundary and determining the water resources.

Mr. Rosenberg commented that the development would consist of 5,000 residents and 13,000 residents were noted in the newspaper.

Ms. Conaway said 5,000 dwelling units were discussed to determine traffic modeling for additional infrastructure, but the plan does not recommend a density level. She said before rezoning and approvals can take place the State Land Board and their development partner would address services for the number of units in the plan including the impact to the schools, water and the fire district issue.

APPROVAL OF MINUTES

There were no minutes to approve.

CONSENT AGENDA ITEMS

There were no consent agenda items.

REGULAR AGENDA ITEMS

Item 1 – Z06-009, Arapahoe Associates/Preliminary Development Plan and Item 2 – P06-023, Lima Ridge Center/Final Development Plan

Carol Kuhn, Planning Division asked the Planning Commission for direction to hear cases Z06-009, Arapahoe Associates/Preliminary Development Plan and P06-023, Lima Ridge Center/Final Development Plan separately or together. She said there would be two separate votes and motions. The PC agreed to hear the cases simultaneously.

Ms. Kuhn established jurisdiction for the Planning Commissions to hear both cases. She said the area has both industrial and commercial. She said the original PDP allowed for light industrial use, carefully controlled office/office uses, but did not allow for retail and restaurant. She said the PDP amendment for this case is located at the northeast corner of Easter and Lima in the JPA area and is not subject to the standards. She said the location is south of the newly constructed Fire Bowl Restaurant. She said the applicant has requested to amend the PDP upon making application for the FDP to include restaurant and retail uses, which previously had not been allowed. She explained that is the reason the two cases run together. She said the old case, Z75-021 allowed for 10% open space and the applicant is requesting 30% as a minimum. She said a building separation, retail, and restaurant uses are requested and the parking requirements would be in conformance with the Land Development Code. She said commercial uses allowed on the other portion of the PDP are entered as well. She said uses excluded in the moratorium are not requested.

Ms. Kuhn summarized the applicant is requesting to increase the minimum open space requirement from 10% to 30%, abandon the performance standards (noise, vibration, etc.) from the Z75-021 case and update the parking requirements to bring them into conformance with the current County standards and design guidelines.

Ms. Kuhn said the FDP puts the PDP in place with a mix of office and the possibility of all office, a 5,000 sq. ft. maximum of restaurant and a 10,000 sq. ft. maximum of retail. She said 31.2% of open space would be added, not including the detention area. She said the project would include three pods with four buildings in each pod and an outdoor seating area between the pod areas.

Mr. Hertzfeldt asked for clarification regarding the total amount of retail space.

Ms. Kuhn said the amount of retail space is 100,000 sq. ft.

Mr. Rosenberg asked for clarification regarding retail and restaurant uses recently constructed to the north and shown on the map as vacant property.

Ms. Kuhn explained that the area shown as vacant on the map is not owned by the property owner and would remain the same.

Mr. Rosenberg asked how the area is zoned.

Ms. Kuhn said the area is zoned under case Z75-021 and is not subject to this amendment.

Jan Davis, representing the applicant Ware Malcomb, said the existing PDP is being improved upon by bringing the requirements up to the current code, including parking, open space and lighting. She said the performance standards are being abandoned and would be rewritten as part of the CC&R's (Covenants, Conditions and Restrictions) and more in line with the development, but would not cover light industrial uses. She said retail, office and restaurant uses are proposed. She said restricted uses per the moratorium are not proposed for this site.

Ms. Kuhn said staff recommends approval subject to the conditions outlined in the staff report, including the concern of the burrowing owl with the Division of Wildlife and that there not be any site grading between March 1st and October 31st. She said the applicant agreed to note on the plans that all grading activities would cease during that time period until a Division of Wildlife approved owl study can be completed and permission is granted from the Division of Wildlife.

Mr. Hayutin asked about the Army Corps of Engineers.

Ms. Kuhn said the developer would be required to apply for a permit through the Army Corps of Engineers, but not as a condition of approval. She said a condition of approval would not allow drive through restaurants and would require a detail showing crusher fine trails to the outdoor seating area.

The motion was made by Mr. Hayutin in the case of Z06-009, Arapahoe Associates 1st Amended Preliminary Development Plan, 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 1 through 5 including all plans and attachments as set forth in the staff report dated December 20, 2006, and moves to recommend approval to the to the Board of County Commissioners of these cases, subject to the following conditions:

- a) Applicant to make all minor changes and corrections requested by the Planning Division and the Engineering Division prior to scheduling this item for consideration by the Board of County Commissioners.
- b) The applicant must address all of the outstanding items identified in the Engineering Staff report, dated December 19, 2006, prior to scheduling this item for consideration by the Board of County Commissioners.
- c) The applicant must include a note on the plans indicating that there will not be any site grading between March 1 and October 31 until a DOW-approved burrowing owl study can be completed and permission for this earthwork is granted from the Division of Wildlife.

Seconded by Mr. Brummel.

The motion passed 5-0, Gentry absent.

Item 2 – P06-023, Lima Ridge Center/Final Development Plan

Carol Kuhn, Planner said this request conforms to Case No. Z06-009, previously recommended for approval. She said the open space is increased to 31.6% and the building coverage decreased to 20.0%, which is lower than shown in the PDP. She said the parking space conforms to the County Land Development Code.

Mr. Rosenberg inquired about a letter from the West Arapahoe Conservation District regarding the soil.

Jeremy Gacnik, Project Engineer, Ware Malcomb addressed the letter saying a 10 ft. over-excavation below the building pads is proposed to account for the soil conditions.

Jan Davis, Ware Malcomb said the site is located in the northeast corner of E. Easter Avenue and S. Lima Street. She said access would be located on S. Lima Street and E. Easter Avenue. She said ten professional office buildings ranging from 10,000 sq. ft. to 16,000 sq. ft. are proposed. She said the buildings are grouped in pods of four to create a common seating area. The elevations of the buildings provide a 360-degree architecture that carries the articulation completely around the buildings through design, form, texture, color and change of materials. She said each building has stone, articulated concrete, a four-color paint scheme and each pod has an individual color pallet. She said the site meets the landscape requirements, which are increased within common areas.

Mr. Rosenberg inquired about a letter from CenCON regarding porkchop traffic control along Easter Avenue to insure drivers do not attempt movements other than expected.

Mr. Gacnik said Easter Avenue has an existing median across the intersection and would not require porkchop traffic control.

Mr. Rosenberg asked if this proposal varies from what has been approved in the JPA.

Ms. Kuhn said the JPA requires that 70% of the parking is located behind the buildings and off street parking would not comply. The pods, office and common area require that the parking be located on the perimeter and the concept would not work with the JPA standards. She said the project does not comply with the parking base separation. She said the JPA requires a 12 ft. landscape buffer between head to head parking and this plan has an 8 ft. buffer. She said the project does not comply with the perimeter landscape requirements. She said the JPA requires berming hedge or decorative masonry wall, which were not anticipated at the time the project was submitted on September 12, 2006. She said the JPA requires 10% of the parking lot area be landscaped and the project does not meet that requirement. She said the parking lot area is 316,512 sq. ft., which would require 31,651.2 sq. ft. to be landscaped. She said 11,365 sq. ft. is landscaped, which is a 20,000 sq. ft. deficit that was not anticipated at the time the project was submitted. She said the project conforms with building design and the four sided architecture design requirements, horizontal articulation, vertical articulation, building entrance requirements, such as canopies and recessed entry ways, pedestrian amenities, such as perimeter sidewalk with the addition of the crusher fines trails, screening requirements for trash enclosures and mechanical equipment and building foundation landscaping.

The motion was made by Mr. Hayutin in Case No. P06-023 – Lima Ridge Professional Center Final Development, 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 1 through 5 including all plans and attachments as set forth in the staff report dated December 20, 2006, and recommend approval of this case, subject to the following conditions:

1. The applicant must make all minor changes and corrections requested by the Planning Division and the Engineering Division prior to scheduling this item for consideration by the Board of County Commissioners.
2. The applicant must address all of the outstanding items identified in the Engineering Staff Report, dated December 19, 2006, prior to scheduling this item for consideration by the Board of County Commissioners.
3. The applicant must address all of the outstanding items identified by the Planning Division, including but not limited to – clarifications to the Site Development Criteria table to provide consistency between the PDP Amendment and the FDP as well as consistency between sheets on the FDP. Revised plans must be received at least two weeks prior to taking this item for consideration before the Board of County Commissioners.
4. The applicant must clarify that a drive-thru restaurant use is not permitted and revised plans containing this note must be submitted at least two weeks prior to taking this item before the Board of County Commissioners for consideration.
5. The applicant must provide revised plans that show the location of the crusher-fines trails and the type of outdoor seating, for illustrative purposes, that will be included with this development and provide access to this outdoor seating area from all of the office buildings within each pod (cluster of 4 office buildings). The applicant must provide these revised plans at least two weeks prior to taking this item before the Board of County Commissioners for consideration.
6. The applicant must include a note on the plans indicating that there will not be any site grading between March 1 and October 31 until a DOW-approved burrowing owl study can be completed and permission for this earthwork is granted from the Division of Wild

Seconded by Mr. Brummel.

Vote:

For: Brummel, Herzfeldt, Weiss, Hayutin, Rosenberg

Against: none

The motion passed 5-0, Gentry absent.

Mr. Rosenberg commented that the Planning Commission did not agree totally with the BOCC on the JPA regulations, which were approved by the City of Centennial and the BOCC. He encouraged the applicant to consider additional features to the proposal before meeting with the BOCC.

Adjourned at 7:15 PM.

Paul Rosenberg, Chairman

Gail Stumpo, Recording Secretary