

City of Arvada

Planning Commission Agenda

APRIL 19, 2022
CITY COUNCIL CHAMBERS
Regular Business

Commission Members:

T.O. Owens, Chairman
Michael P. Griffith, Vice Chairman
Patricia Connell, Secretary
Andrew Gay
Steve Hannan
Tim Knapp
Doug Magee

Staff Members Usually Present:

Ryan Stachelski, Dir. of Community and Economic Development
Emily Grogg, Senior Assistant City Attorney
Rob Smetana, Manager of City Planning and Development
Jenny Wolfschlag, Manager of Development Engineering
Josie Suk, Systems and Administrative Manager
Abigail Ogg, Administrative Specialist
Heidi Van Gieson, Administrative Specialist

Info: 720-898-7435

The meeting will include an open comment period where participants will have three minutes to provide comments to the Commission. Members of the public who wish to provide public comment on any agenda item or during general public comment should go to www.arvada.org/PLNCOMMISSION for information about how to participate. If any member of the public wishes to submit written comment regarding the item on the agenda, you may submit comments in writing via email to the Planning Department at cedboardsandcommission@arvada.org. Comments must be received no later than 5 p.m. the day before the meeting. All timely comments submitted will be presented to the Planning Commission. Please contact Josie Suk with any questions at 720-898-7627.

PLANNING COMMISSION MEETING – 6:15 PM

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. ROLL CALL OF MEMBERS
4. APPROVAL OF MINUTES
 - A. Approval of April 5, 2022 Meeting Minutes
5. GENERAL BUSINESS
6. REPORTS
7. PETITIONS & COMMUNICATIONS
8. PUBLIC HEARINGS
 - A. Annexation of certain land into the City of Arvada for 7850 Alkire Street, a 2.5-acre parcel of land approximately located at 7850 Alkire Street.
 - B. Zoning certain land in the City of Arvada for 7850 Alkire Street a 2.5-acre parcel of land from Jefferson County P-D (Planned Development) to City of Arvada RN-32.5 (Residential Neighborhood 32.5) and Amending the Official Zoning Maps of the City of Arvada, Colorado,

approximately located at 7850 Alkire Street.

9. OTHER ITEMS

10. ADJOURN



SUMMARY MINUTES OF PLANNING COMMISSION ACTION HELD
APRIL 5, 2022

Planning Commission meeting minutes are not an exact transcript and represent key points and the basis of discussion.

1. **CALLED MEETING TO ORDER– By T. O Owens at 6:17 P.M.**
2. **PLEDGE OF ALLEGIANCE**
3. **ROLL CALL OF MEMBERS**

THOSE PRESENT:

Michael P. Griffith, Tim Knapp, T.O Owens, Patricia Connell, Andrew Gay, Doug Magee, Steve Hannan

THOSE ABSENT

ALSO PRESENT: Ryan Stachelski, Director of Community and Economic Development; Rob Smetana, City Planning Manager; Emily Grogg, Sr. Ass't. City Attorney; Jacob Nitchals, Sr. Planner, Jake Sawaya, Civil Engineer; Jenny Wolfschlag, Manager of Development Engineering; Josie Suk, Development Systems and Administrative Systems Manager; Heidi Van Gieson, Recording Secretary.

4. **APPROVAL OF MINUTES**

March 8, 2022. The minutes stand approved as printed.

5. **GENERAL BUSINESS**

A Resolution by the Planning Commission for the City of Arvada, Colorado, Adopting the 2014 Arvada Comprehensive Plan as Arvada's Three Mile Plan Pursuant to Section 31-12-105(1)(E), C.R.S., as Amended.

MOTION:

It was moved by T.O. Owens to adopt Arvada's Three Mile Plan.

Those voting Yes: Hannan, Knapp, Magee, Griffith, Owens, Connell, Gay

Those voting No:

Those absent: None

The motion carried: 7-0

6. REPORTS

None

7. PUBLIC COMMENT

None

8. PUBLIC HEARINGS

Rezoning certain land in the City of Arvada for Howard Ranch, a 13.11-acre parcel of land from City of Arvada RA- Residential Agricultural District to City of Arvada R6- Residential 6 District and Amending the Official Zoning Maps of the City of Arvada, Colorado, generally located at 14760 W 64th Ave.

Mr. Owens opened the public hearing and asked staff if required documents were in order.

Mr. Nitchals entered into the record the staff report dated April 5, 2022, the publication, the affidavit of public notice, and the posting log. He also gave a brief overview of the project.

On behalf of Mr. Owens staff entered into the record the 67 public comments, 14 attachments and 1 video that was received prior to the Planning Commission meeting.

Andrew Baker, 112 N. Ruby Drive Suite 210, Golden, CO, presenting for Baseline Engineering. Mr. Baker explained the project, the surrounding area and the rezone request.

Mr. Owens opened the hearing for comments from the public.

PUBLIC COMMENT

IN FAVOR

Gavin Malcom, 4080 E. 115th Place

IN OPPOSITION

John Urbach, 15170 W. 72nd Way

Nancy Urbach, 15170 W. 72nd Way

Anne Schweitzer (SP?), 14615 W. 72nd Place

Barry and Janice Teeter, 15152 W. 72nd Way

Tracy Olson, 15034 W. 63rd Avenue

Kay Lee, 15013 W 63rd Ave, stated her concerns about increased traffic, the safety of the surrounding areas, and the two-story home layout.

Mike Schweitzer, 14615 W. 72nd Place, expressed his concerns about the risk of a single access road in case of an emergency and the increase of traffic.

Micah Braslawsky, 6239 Holman Court, stated his concerns about the single access road and the lack of fire protection and egress.

Robert Olson, 15034 W. 63rd Ave, stated his concerns about the removal of the trees, the applicant choosing not to purchase the water rights to the property and stated the area has dried up, and no credential inputs from Colorado Parks and Wildlife.

Heidi Burtoni, 6307 Holman Street, stated her concerns about the size of the lots, the aesthetics of the homes, and the density.

Lori Irish, 15033 W 63rd Ave, stated her concerns of the rezoning being consistent with the surrounding areas; the density and traffic. She also explained her concern for emergency vehicle access being restricted from getting into the neighborhood.

Perry Hackwell, 15033 W. 63rd Ave, stated his concerns about fire safety, increased traffic by the preschool. He also explained the unintended consequence to Broad Lake: dried up, smells, trees are dying and birds are leaving.

James Albersheim, 15193 W. 63rd Ave, agrees with the opposition to the compatibility of the area, the water issue to Broad Lake. He also stated his concerns of the ownership of the water rights at this property.

John Lesko, 6259 Holman Court, agrees with the inconsistency with the surrounding community and the single point access road. He stated his concerns about the home values of the surrounding neighborhoods and the use of buzzwords like green homes and electric heat as it is not more efficient.

Kevin Hyland, 6269 Holman Court, stated his concerns about fire safety and the surrounding area.

George Dunne, 6188 Holman Court, stated his concerns about how the density poses a fire risk, the single entry/exit point and the traffic through existing neighborhoods.

Vernon Stellman, 15054 W 63rd Ave, stated that he agreed with all the previous comments and his concerns about the traffic flow, the environmental impact and cluster home subdivisions.

Marty Rodgers, 6189 Holman Court, expressed his concern about a higher number of car accidents with the increased traffic; he also agreed with the single access point opposition.

Martha Johns, 6179 Holman Court, agreed with all the previous opposition comments. She also stated her main concerns are the environmental impact and the increase in traffic.

Carrie Wernecke, 15064 W 63rd Ave, stated her concerns for parcels that have not been platted properly, the cluster homes subdivision, the single point access, and the increase of traffic. She also agreed with all previous opposition comments.

Ted Swenson, stated his concerns about water backing up into their property and if the easement will be put back as it was.

Steve Maly, 6316 Holman Street, agreed with all previous opposition comments and stated his direct interest in the proposed traffic pattern on 63rd Place.

Mike Rolic, representing Ralston Valley Coalition, stated his concerns about the native raptor species in the area, the landscaping proposal and the setbacks for a trail system. He also stated that he agrees with all of the previous opposition comments.

There being no one else wishing to speak. Public Comment was closed.

APPLICANT REBUTTAL

Adrew Baker, applicant, responded that they have worked with Arvada Fire Department on the fire safety concerns and Arvada Fire currently approves the proposal to have sprinklers in each home and one access point. He explained that Red T homes has worked closely with the Public Works department to address all concerns and comments in regards to increasing traffic flow. Mr. Baker stated that they have been working with the Colorado Parks and Wildlife as well as the Army Corp of Engineers to address current and future Environmental concerns. He also stated that they brought in a professional arborist on the landscaping proposal and have followed the City of Arvada's requirements on tree mitigation, only removing invasive or unsustainable species found in the area. He also explained that they worked closely with Frico Ditch to double the size of their drainage pond, designing almost a 500 year flood standard, along with using seepage mitigation within the walls of the drainage pond. Mr. Baker expressed that their development is compatible with the surrounding areas, while keeping the cost attainable.

Mr. Owens closed public comment.

QUESTIONS FROM THE COMMISSION

Mr. Owens asked staff if a homeowner decides to cut down trees, do they need to ask the City for permission?

Mr. Nitchals stated that as a private homeowner you don't have to mitigate unless you're re-developing the area within 6 months of cutting them.

Mr. Owens asked staff if the City can force someone to take water rights out of a canal.

Mr. Nitchals stated that the City cannot force an applicant to take water rights.

Mr. Hannan asked the staff what category of road 63rd Ave is.

Ms. Wolfschlag answered that it is built to collector standard.

Mr. Hannan asked about the on-street parking with cluster homes and it's something that should be expected.

Mr. Nitchals stated that cluster homes development type keeps cars separate from homes and most parking will be in the alleyway, which is a privately maintained road.

Mr. Hannan asked about the findings of the significant adverse impacts of the natural environment.

Mr. Nitchals stated that the findings concluded that there were no significant adverse impacts due to the developments already surrounding this area.

Mr. Hannan asked what the forester found on the trees that were on site already.

Mr. Nitchals stated that they were generally in rough shape and noxious weed trees. He also stated if the trees cannot be mitigated then a fee-in-lieu will be assessed and trees will be planted on an off-site property.

Mr. Hannan asked if all the mitigation measures happened in the site plan process and not the rezoning.

Mr. Nitchals agreed that it will go into more detail when a site plan is applied for.

Mr. Hannan asked if single point access happened often.

Mr. Sawaya stated that a single point of access is not ideal but is not uncommon.

Mr. Hannan asked for clarification on zoning compatibility with adjacent properties.

Mr. Nitchals stated that the zoning being requested would limit the density and there are single family homes being proposed and staff believes that would be compatible with the surrounding properties.

Mr. Owens asked the applicant about the average lot size.

Mr. Baker stated that the lots would average at 7,260 sq ft. He stated that the cluster homes will be about 5,000 sq ft.

Mr. Owens stated that he believed the rezoning request is not compatible with the surrounding properties.

Mr. Owens asked the applicant if the existing easement to the north would be left open for access to the north or improved as a trail.

Mr. Baker stated that the city has asked to leave that open for a future trail.

Mr. Nitchals clarified that the future trail access would be on the southwest side of the development. The easement across the adjacent property at the Lakes at Westwoods is only a utility easement and not an access easement.

Mr. Griffith asked the applicant about the model home product and wanted verification that there is no gas hookup and no solar panels.

Mr. Baker stated that the homes are powered entirely by electricity and there is a possibility for a homeowner to have solar panels.

Mr. Griffith asked the applicant about the mobility considerations for transit.

Mr. Baker stated that there is sidewalk access to the front door of every home, leading to public right of way and public transit options.

Mr. Griffith asked staff what the closest public transit stop is.

Mr. Nitchals stated the closest stop is 64th and Yank Way.

Mr. Griffith asked what attainable housing means.

Mr. Baker stated that attainable housing is a step below market rate housing but it is not section 8.

Mr. Griffith asked the applicant if they had a cost per square foot average of other Red T homes in the Arvada area.

Mr. Baker explained that they need to get the property entitled in order to understand what density they can build, which affects how big the houses can be and what they will cost.

Mr. Griffith asked staff if the tree mitigation was required to be in-kind or like-for-like and if it was a caliper inch dependent.

Mr. Nitchals stated that it is caliper inch dependent and explained that the state licensed forester would assess the health percent of the tree, determining what would need to be replaced.

Mr. Griffith asked staff about the snow mitigation plan with the single access point and if there was a possibility for a second access point.

Ms. Wolfschlag said it is classified as a local street so it will be cleared at 12 inches of snow by the public works department. She also stated that there really are no other public access points for this neighborhood, explaining that there are several other neighborhoods in Arvada with only one access point.

Mr. Griffith asked staff if there was anything in the City of Arvada Land Development Code restricting single access to any type of development.

Mr. Nitchals explained that the fire code is what drives the access point requirement, however the City of Arvada Land Development Code asks for two access points where possible.

Mr. Griffith asked why there isn't a 90 degree angle at the entry point off of 63rd ave and if there was some sort of consideration for intersection proximity for arterial streets.

Ms. Wolfschlag explained that this is a limited site to work with and for safety reasons there shouldn't be sharp curves right after an intersection. She also stated the intersection spacing requirements are 50 feet and that will be evaluated more in the site plan process.

Mr. Griffith asked about the possibility of stacking at 63rd Ave. and what is done to model traffic considerations

Mr. Sawaya stated that about 60% of the traffic will be going right on 63rd place at the intersection and that synchro analysis is used for traffic studies.

Mr. Magee asked staff about the pinch point to the south of the entrance to the development going over the Croke Canal and the impact it would have and how it is being handled.

Mr. Sawaya said there is a reduction of the width of the road, however there are two travel lanes and the pinch point is just the canal.

Mr. Magee asked staff if the review process would be administratively handled if the rezoning request were to be granted.

Mr. Nitchals stated that it would be administratively handled unless the applicant were to ask for anything else that would trigger a public hearing.

Mr. Magee asked the applicant if the arborist looks for native species nesting in the area or just the trees. He also asked if this would be the final tree mitigation report done on the property prior to construction.

Mr. Baker stated the arborist only looks at trees, however Colorado Parks and Wildlife were a referral on this project and they provided no comments. He also stated that once a site plan is drawn up and applied for, they would follow all the environmental documents required by the city.

Mr. Knapp asked staff where the closest grocery and department store are located and how the residents of the development would access these stores by vehicle.

Mr. Nitchals stated the closest shopping center would be Sprouts just west of the development at Joyce and 64th Ave., along with the closest department store at 64th and McIntyre. He stated that the residents would have to use the intersection traffic light at 64th and Gardenia.

Mr. Knapp asked staff what the distance was between the intersection of the subdivision on 63rd Ave. and the intersection at 64th and Gardenia. He also asked if the intersection at 64th and Gardenia was a controlled intersection.

Ms. Wolfshlag stated it was a quarter of a mile and the intersection is a controlled intersection.

Mr. Knapp asked the applicant where the 29 single family lots and the duplexes were located within the site plan.

Mr. Baker explained the outline of where the duplexes and single family lots were located.

Mr. Knapp asked how many lots are being proposed in this development compared to the Lakes at West Woods development.

Mr. Nitchals stated it was about one and a half lots to every one lot.

Mr. Knapp asked to locate Tract D. He also asked to verify which tracts are going to be dedicated to open space and if there will be on-site playgrounds.

Mr. Nitchals stated that Tract D is west of the cottage homes. He stated that Tracts A, C and D are dedicated to open space and yes there will be amenities provided.

Mr. Gay asked the applicant if the Colorado Parks and Wildlife report regarding raptors is public.

Mr. Baker stated they have not received a comment letter from the state stating the sensitive habitats in the area. He also stated they can give the contact information of the state reviewer.

Mr. Nitchals stated that Colorado Parks and Wildlife was not a referral to this project; however, it can be conditioned upon approval in the site plan process.

Mr. Gay asked for explanation of the traffic study has been done.

Ms. Wolfschlag stated the traffic study evaluated the new intersection and the two remaining intersections and they all operate at standard road levels, which is not adversely affecting the intersection. She also stated that 63rd Ave. was originally built as a collector street in anticipation of more traffic.

Ms. Connell how this development will affect the school system.

Mr. Nitchals stated that the school would be a referral agency, allowing them to make comments on the site plan process.

MOTION:

It was moved by Mr. Griffith, Rezoning certain land in the City of Arvada for Howard Ranch, a 13.11-acre parcel of land from City of Arvada RA- Residential Agricultural District to City of Arvada R6- Residential 6 District and Amending the Official Zoning Maps of the City of Arvada, Colorado, generally located at 14760 W 64th Ave., be recommended to City Council for approval subject to the condition stated in the staff report, Items 1 Page 10. This motion is based on the findings of fact and approval criteria on Page 9 and 10 of the staff report.

DISCUSSION OF MOTION

Mr. Owens stated he disagreed with approval because criteria 3 and 5 of the staff report and will not be supporting the motion.

Mr. Hannan stated he agreed with the rezoning approval, however he did not agree with the concept site plan.

Mr. Griffith stated he disagreed with approval criteria 3 and 5 of the staff report and will not be supporting the motion.

Mr. Magee stated he disagreed with approval criteria 3, 4 and 5 of the staff report and would not be supporting the motion.

Mr. Knapp stated he disagreed with the cluster subdivision and traffic inflation and will not be supporting the motion.

Mr. Gay stated he disagreed with approval criteria 3 and will not be supporting the motion.

Those voting Yes: Hannan

Those voting No: Knapp, Magee, Griffith, Owens, Connell, Gay

Those absent: None

The motion did not carry: 6-1

8. **OTHER ITEMS**

Next meeting will be April 19, 2022 with one item scheduled for Public Hearing, Annexation and Rezoning of certain land in the City of Arvada for 7850 Alkire Street.

T.O. Owens, chair, called for a Special Meeting for BOA/PC Training for May 10, 2022.

Mr. Owens moved to cancel the meeting of May 3rd, 2022.

Those voting Yes: Hannan, Knapp, Magee, Griffith, Owens, Connell, Gay

Those voting No: None

Those absent: None

The motion carried: 7-0

9. **ADJOURNED** at 8:45 P.M.

T.O. Owens, Chair

Patricia Connell, Secretary

Heidi Van Gieson, Recording Secretary



REPORT TO PLANNING COMMISSION

AGENDA ITEM
8.A.

TO: PLANNING COMMISSION

DATE: April 19, 2022

SUBJECT: Annexation of certain land into the City of Arvada for 7850 Alkire Street, a 2.5-acre parcel of land approximately located at 7850 Alkire Street.

Report in Brief

MOTION:

MOVED BY: _____

I move that an annexation of certain land into the City of Arvada for 7850 Alkire Street, a 2.5-acre parcel of land approximately located at 7850 Alkire Street., be recommended to City Council for (approval subject to the condition stated in the Staff Report, Item 1, Page 5 (denial).

This motion is based on the findings of fact and approval criteria on Page(s) 4 of the Staff Report.

This motion is based on the following findings of fact for denial: (Recite approval criteria you believe the evidence fails to satisfy and your reasons).

YES _____ NO _____ ABSENT _____

Prepared by:

Abigail Ogg, Administrative Specialist

Reviewed by:

Approved by:

Linda Hoover, Senior Planner	4/11/2022
Josie Suk, Development Systems and Administrative Manager	4/11/2022
Robert Smetana, Manager of City Planning and Development	4/12/2022
Emily Grogg, Senior Assistant City Attorney	4/13/2022
Ryan Stachelski, Director of Community and Economic Development	4/13/2022

Enclosure, exhibits & attachments required to support the report

City of Arvada
Community and Economic Development Department
PUBLIC HEARING STAFF REPORT

7850 Alkire Annexation
Annexation and Rezoning
DA2020-0106

NATURE OF REQUEST

The Vasquez family is seeking to annex their property located at 7850 Alkire Street into Arvada for the purpose of obtaining water and sewer service from the City. The property is currently in unincorporated Jefferson County with P-D (Planned Development) zoning. The proposed zoning designation is RN-32.5 (Residential Neighborhood 32.5).

LOCATION AND HISTORY

The 2.5 acre parcel is located east of Alkire Street, between the Croke Canal and the Double E Ranch subdivision. One single family home is located on this triangular-shaped property. The site is sandwiched between the Croke Canal on the north and the Double E Ranch subdivision to the south. Access to the property is from Alkire Street to the west via the Croke Canal maintenance road or from W. 77th Drive to the south up a steep grade through an open space Tract in the Double E Ranch subdivision. When Double E Ranch was developed a number of years ago, the Finley family were the owners of this annexation parcel and plans were made to allow for water and sewer connections across the Double E open space tract. Water and sewer service is currently provided by well and septic. However, due to concerns about the long term availability of these services, the Vasquez family is seeking to connect to City water and sewer lines in W. 77th Drive. The construction plans for these improvements are currently being reviewed through the administrative development review process. No additional development is proposed at this time.

NEIGHBORHOOD MEETING

Division 8-2-2 of the Land Development Code requires that at least one neighborhood meeting be held for projects that require public hearings before the Planning Commission and City Council.

A neighborhood meeting was held on October 16, 2019 and attended by one representative from the Double E Ranch subdivision to the south. The applicants and City team members have worked with the homeowners association (HOA) to coordinate construction improvements for the water and sewer connections and site restoration. No outstanding HOA concerns remain regarding this annexation request.

PUBLIC NOTIFICATION

Division 8-2-4 of the Land Development Code requires public notification for all public hearings as follows:

Written Notice: At least 15 days prior to all public hearings, written notice must be mailed to all property owners within 500 feet of the subject property and to all homeowners associations and neighborhood associations with a known interest in the subject property. The applicant has provided an affidavit of mailing verifying that this requirement has been met.

Posted Notice: At least 15 days prior to all public hearings, signs notifying the public of the hearing must be posted on the subject property. The applicant will provide a posting log verifying that this requirement has been met prior to the public hearing.

Published Notice: At least 15 days prior to all public hearings, notice of the hearing must be published in a newspaper of general circulation in the City. The required notice has been published.

SEVERED MINERAL RIGHTS

At least 30 days prior to the public hearing, written notice of the application must be mailed to any owner of mineral rights associated with the subject property. The applicant has provided the required Certification of Notice stating that records show no mineral; right owners are associated with this property pursuant to Colorado Revised Statute 24-65.5-103.

DEVELOPMENT REVIEW TIMELINE

This annexation and rezoning request was first submitted on October 9, 2020 and has been through six rounds of review. A number of design issues related to the construction plans for the water and sewer lines required the additional reviews.

ALIGNMENT WITH CITY COUNCIL STRATEGIC PLAN

The project is consistent with the City Council Strategic Plan principles for the Community and Economic Development work system. This annexation request is in alignment with the Community and Economic Development principles of the City Council Strategic Plan by using the Arvada Comprehensive Plan to guide development and land use decisions for livable communities.

ZONING AND LAND USE

The subject property is currently zoned P-D (Planned Development) in Jefferson County and is approximately 2.5 acres in size.

Surrounding properties are zoned and utilized as follows:

Direction	Zoning	Actual Use
North & West	A-2 (Agriculture Two) in Jefferson County	The Croke and Farmers Canals and large lot residential properties
East & South	PUD	The Ridge at Harvest Lane and Double E Ranch single family subdivisions

PROJECT ANALYSIS

Annexation

Annexations require one-sixth contiguity. This property is bordered by the City of Arvada on the south and the east with the Double E Ranch and Ridge at Harvest Lane subdivisions. As such, the contiguity requirement has been met. As noted above, the purpose of this annexation request is to obtain City of Arvada water and sewer services.

Compliance with the Comprehensive Plan

The Arvada Comprehensive Plan designates this site as LDR (Low-Density Residential) and the proposed RN zoning is in compliance with that designation.

Setbacks

The site has one existing single family home that is located over 90 feet from the front lot line while the Land Development Code (LDC) requires a minimum front setback of 30 feet. The property survey also shows that the home is 17 feet from the rear lot line and 14.46 feet from the side lot line where the LDC requires a minimum of 15 feet from both. While the side setback (adjacent to the Croke Canal) is slightly less than the minimum required by the LDC, the property will be considered legal non-conforming.

Building Height

The proposed RN32.5 zoning designation has a maximum building height of 35 feet. The existing home is a two story structure and that complies with this maximum height limit.

Parks and Schools

The existing home was already in the Jefferson County R-1 School District and since no new units are proposed, no school dedication will be required. However, since this home was not in the City, park dedication has not been previously provided. As such, cash-in-lieu will be required to satisfy the park dedication requirements for this property. These fees must be paid prior to approval of the administrative construction plans associated with this project as noted in the recommended condition of approval.

Grading and Drainage

The property drops in grade from north to south and the only grading intended at this time will be that associated with the construction of the water and sewer lines. The 2.5 acre property has one single family home and is covered with native vegetation. Due to the existing structure and the limited nature of the proposed improvements, no detention will be required.

Utility Services

Water and sewer service will be provided to this site by the City of Arvada. Service lines will need to connect south to main lines in W. 77th Drive. Access to W. 77th Drive will be across an open space tract within the Double E Ranch subdivision. Agreements were put in place for this connection by the previous property owners when the Double E Ranch subdivision was first developed. In addition, the applicant and the Arvada team have been working with the Double E HOA to ensure that the open space tract is restored following the planned utility improvements.

Police and Fire Protection

Arvada Fire Protection District currently provides fire protection services for this property which will remain as such. Police protection will be provided by City of Arvada. No outstanding concerns exist regarding these services.

LAND DEVELOPMENT CODE APPROVAL CRITERIA

It is the responsibility of the applicant to justify the requested land use application. The Planning Commission should make a recommendation to the City Council based on its findings regarding the approval criteria shown in the table(s) below and upon testimony heard during the public hearing as it applied to the criteria.

Staff performed an analysis of the proposal, based on the approval criteria listed in Chapter 8 of the Land Development Code, and presents the following findings:

Div. 8-3-3 Annexation and Disconnection Approval Criteria	Finding	Rationale
1. The annexation is in accord with the Comprehensive Plan and the best interests of the City would be served by annexation of such property.	Complies	The LDR designation is intended for larger lot rural residential uses such as this.
2. The property is capable of being integrated into the City and developed in compliance with all applicable provisions of this Code and the Arvada City Code.	Complies	Proposed improvements are very limited for this site. The planned utility connections will be in conformance with applicable code provisions.
3. At the time any development of the area proposed to be annexed is completed, there will be capacity to adequately serve residents of such area with all necessary utilities, facilities and public services.	Complies	Existing City infrastructure has the capacity to serve this single family home.

Div. 8-3-4 Zoning and Rezoning Approval Criteria	Finding	Rationale
1. The rezoning is consistent with the Arvada Comprehensive Plan, or an adopted sub-area plan, corridor plan, or urban renewal	Complies	As noted above, this rezoning request is in conformance with the LDR designation of the

plan, or reflects conditions that have changed since the adoption of the Comprehensive Plan.		Comprehensive Plan.
2. The intended land use is consistent with the stated intent of the proposed zoning district.	Complies	The RN32.5 zone district is intended for larger single family residential properties at least 32,500 square feet in size.
3. Facilities and services (including sewage and waste disposal, water, gas, electricity, police and fire protection, and roads and transportation, as applicable) will, prior to development, be available to serve the subject property while maintaining adequate levels of service to existing development.	Complies	Fire service will continue as currently provided. Extension of the utility service lines for this home will allow for water and sewer services to be provided.
4. The intended land use for which the rezoning is sought will not result in significant adverse impacts upon the natural environment, including air, water, noise, stormwater management, wildlife, and vegetation, or such impacts will be substantially mitigated.	Complies	The existing single family home will have no adverse impacts to the surrounding area.
5. The rezoning is consistent with the character of existing or planned development on adjacent properties and in the surrounding area or neighborhood, or measures will be taken to substantially buffer or otherwise substantially mitigate any negative impacts.	Complies	The existing single family home is consistent with the adjacent suburban single family homes in the Double E Ranch and Ridge at Harvest Lane Subdivisions as well as the larger rural residential lots in Jefferson County to the north.

STAFF RECOMMENDATION

Based upon project analysis and review of the Land Development Code approval criteria, staff recommends approval of this annexation and rezoning request.

If the Planning Commission finds that a recommendation to approve the 7850 Alkire Annexation is supported by the approval criteria, then staff recommends that the following conditions be made part of the approval:

1. Prior to approval of the administrative construction plans associated with this project, the fees-in-lieu for park dedication must be paid.

The Planning Commission may recommend denial of the request(s) if it cannot make affirmative findings of the approval criteria stated above.

Minutes for Neighborhood Meeting

Project Name: Vasquez Annexation

Property Location: 7850 Alkire Street

Application Summary: The property owner of 7850 Alkire Street is wanting to annex into the City of Arvada for the purpose of obtaining water and sewer services from the City. This property is located north of the Double E subdivision, east of Alkire Street and south of Croke Canal.

Meeting Date: October 16, 2019

Location: Standley Lake Library

Time: 5:00 PM

Project Representative: Perry & Ilsa Vasquez

Arvada Staff Contact: Linda Hoover

Minutes

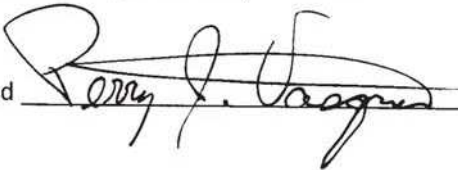
The meeting was attended by Perry & Ilsa Vasquez, Linda Hoover and a representative from the Double E Development Homeowners Association.

All attendees introduced themselves and the purpose of the meeting was explained

The HOA representative asked about the process, which was explained by Linda Hoover, the Arvada representative.

After the explanation was given no other questions were asked.

Perry & Ilsa provided some information about the history of the property and the meeting was adjourned at approximately 5:50 PM.

Signed  Perry J. Vasquez Dated 10/17/2019

LEGAL DESCRIPTION:

THAT PART OF THE NORTHWEST 1/4, SECTION 32, TOWNSHIP 2 SOUTH, RANGE 69 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF JEFFERSON, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE WEST 1/4 CORNER OF SAID SECTION 32 (MARKED BY A 2.5" ALUMINUM CAP IN A RANGE BOX STAMPED LS 5112), FROM WHENCE THE CENTER 1/4 CORNER OF SAID SECTION 32 (MARKED BY A 3.25" ALUMINUM CAP STAMPED MERRICK/PLS 13155/1989) BEARS N89°50'16"E A DISTANCE OF 2631.18 FEET (USED AS A BASIS OF BEARING FOR ALL SUBSEQUENT BEARINGS); THENCE NORTH 60°36'00" EAST, A DISTANCE OF 2360.04 FEET TO A POINT ON THE NORTH LINE OF DOUBLE E RANCH (ANNEXATION NO. 3587 TO THE CITY OF ARVADA, RECEPTION NO. F1012404) AND THE POINT OF BEGINNING; THENCE SOUTH 00°52'51" EAST, ALONG THE EAST LINE OF SAID DOUBLE E RANCH A DISTANCE OF 47.92 FEET; THENCE NORTH 89°50'56" EAST, ALONG THE NORTH LINE OF SAID DOUBLE E RANCH A DISTANCE OF 557.56 FEET TO A POINT ON THE NORTH-SOUTH CENTERLINE OF SAID SECTION 32 AND A POINT ON THE WEST LINE OF THE RIDGE AT HARVEST LANE FILING NO. 2 (ANNEXATION NO. 2893 TO THE CITY OF ARVADA, RECEPTION NO. 92046470); THENCE NORTH 00°52'12" WEST ALONG SAID CENTERLINE, AND ALONG THE WEST LINE OF SAID THE RIDGE AT HARVEST LANE FILING NO. 2, A DISTANCE OF 304.44 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY OF THE CROKE CANAL; THENCE DEPARTING WEST LINE OF SAID THE RIDGE AT HARVEST LANE FILING NO. 2, NORTH 49°01'17" WEST ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 50.37 FEET TO THE BEGINNING OF A CURVE TO THE LEFT, THE DELTA OF SAID CURVE IS 22°40'04", THE RADIUS OF SAID CURVE IS 58.83 FEET, THE CHORD OF SAID CURVE BEARS NORTH 60°22'35" WEST 23.12 FEET; THENCE ALONG THE ARC OF SAID CURVE AND ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 23.27 FEET TO THE END OF SAID CURVE; THENCE NORTH 72°40'09" WEST ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 68.02 FEET; THENCE SOUTH 20°13'43" WEST ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 94.80 FEET; THENCE NORTH 69°48'17" WEST ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 40.00 FEET TO A POINT ON A CURVE TO THE RIGHT, THE DELTA OF SAID CURVE IS 28°34'11", THE RADIUS OF SAID CURVE IS 363.78 FEET, THE CHORD OF SAID CURVE BEARS SOUTH 34°37'31" WEST 179.52 FEET; THENCE ALONG THE ARC OF SAID CURVE AND ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 181.39 FEET TO A POINT; THENCE NORTH 83°18'29" WEST DEPARTING FROM SAID RIGHT-OF-WAY LINE, A DISTANCE OF 66.08 FEET; THENCE SOUTH 06°44'33" WEST, A DISTANCE OF 57.88 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF THE CROKE CANAL, SAID POINT BEING ON A CURVE TO THE RIGHT, THE DELTA OF SAID CURVE IS 16°43'33", THE RADIUS OF SAID CURVE IS 363.78 FEET, THE CHORD OF SAID CURVE BEARS SOUTH 70°42'53" WEST, 105.82 FEET; THENCE ALONG THE ARC OF SAID CURVE AND ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 106.19 FEET TO THE END OF SAID CURVE; THENCE SOUTH 80°02'09" WEST ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 87.30 FEET TO THE POINT OF BEGINNING, TOGETHER WITH A NON-EXCLUSIVE ACCESS EASEMENT AS GRANTED IN QUIT CLAIM DEED RECORDED OCTOBER 21, 1980 AT RECEPTION NO. 80079489, COUNTY OF JEFFERSON, STATE OF COLORADO.

CONTAINING 109,014 SQUARE FEET (2.503 ACRES), MORE OR LESS.

LEGEND:

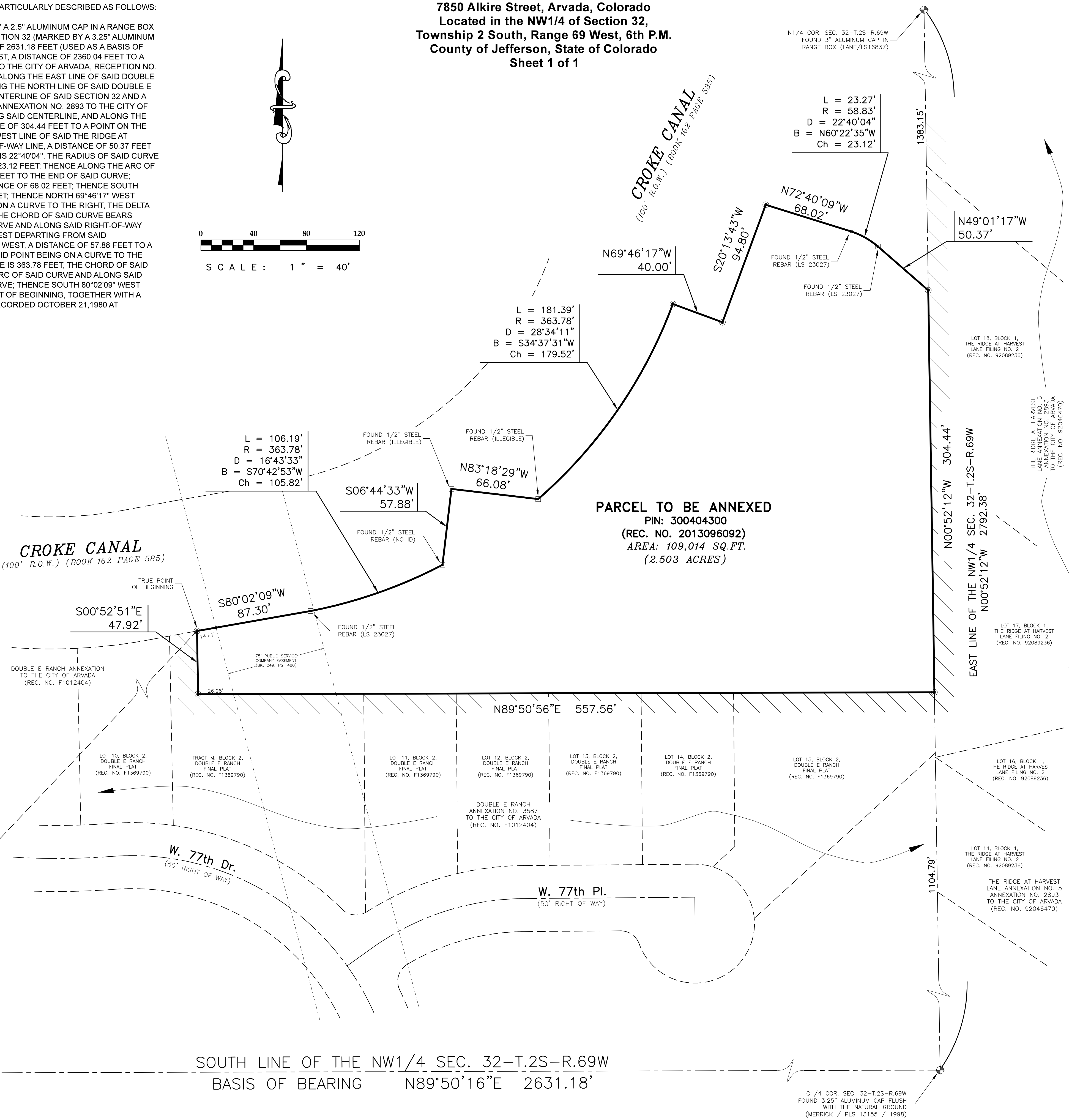
- SET 5/8" REBAR AND CAP (HUFFMAN/PLS 38183)
- FOUND MONUMENT AS NOTED
- FOUND SECTION CORNER MONUMENT AS NOTED
- L = ARC LENGTH
- R = RADIUS
- D = DELTA ANGLE
- B = CHORD BEARING
- Ch = CHORD LENGTH
- RIGHT OF WAY / PROPERTY BOUNDARY
- ROAD CENTERLINE
- ADJACENT LINES
- EASEMENT
- CURRENT CITY OF ARVADA LIMITS

NOTES:

- THE BASIS OF BEARING SHOWN HEREON AND INCLUDED IN THE LEGAL DESCRIPTION WAS LOCALLY OBTAINED USING A NETWORK GPS AND IS ASSUMED AS THE SOUTH LINE OF THE NORTHWEST 1/4 OF SECTION 32, TOWNSHIP 2 SOUTH, RANGE 69 WEST, BEING N89°50'16"E, AS MEASURED BETWEEN THE MONUMENTS SHOWN. THE WEST 1/4 CORNER MONUMENT IS A 2.5" ALUMINUM CAP (LS 5112) IN A RANGE BOX. THE CENTER 1/4 CORNER MONUMENT IS A 3.25" ALUMINUM CAP (MERRICK/LS 13155/1998).
- ALL DISTANCES AND LENGTHS SHOWN HEREON ARE MEASURED IN DECIMAL U.S. SURVEY FEET, UNLESS OTHERWISE NOTED. ALL ANGLES, BEARINGS AND DIRECTIONAL COURSES ARE MEASURED IN DEGREES, MINUTES AND SECONDS AS DETERMINED FROM THE NEAREST CARDINAL DIRECTION, UNLESS OTHERWISE NOTED.
- THE LEGAL DESCRIPTION SHOWN HEREON WAS WRITTEN BY THE SURVEYOR AND BASED ON A RECENT SURVEY, THE PREVIOUS LEGAL DESCRIPTION WAS RECORDED AT RECEPTION NO. 2013096092.
- THE NON-EXCLUSIVE ACCESS EASEMENT OVER AND ACROSS THE SOUTHERN BOUNDARY OF THE RIGHT-OF-WAY OF THE CROKE CANAL, RECORDED ON OCTOBER 21, 1980, AT RECEPTION NO. 80079489 AND BENEFITTING THE SUBJECT PROPERTY, IS NOT INCLUDED IN THIS ANNEXATION AND IS SHOWN HEREON FOR INFORMATIONAL PURPOSES ONLY.
- ACCORDING TO COLORADO LAW, ANY LEGAL ACTION AGAINST THE SURVEYOR MUST BE COMMENCED WITHIN THREE YEARS OF INITIAL DISCOVERY.

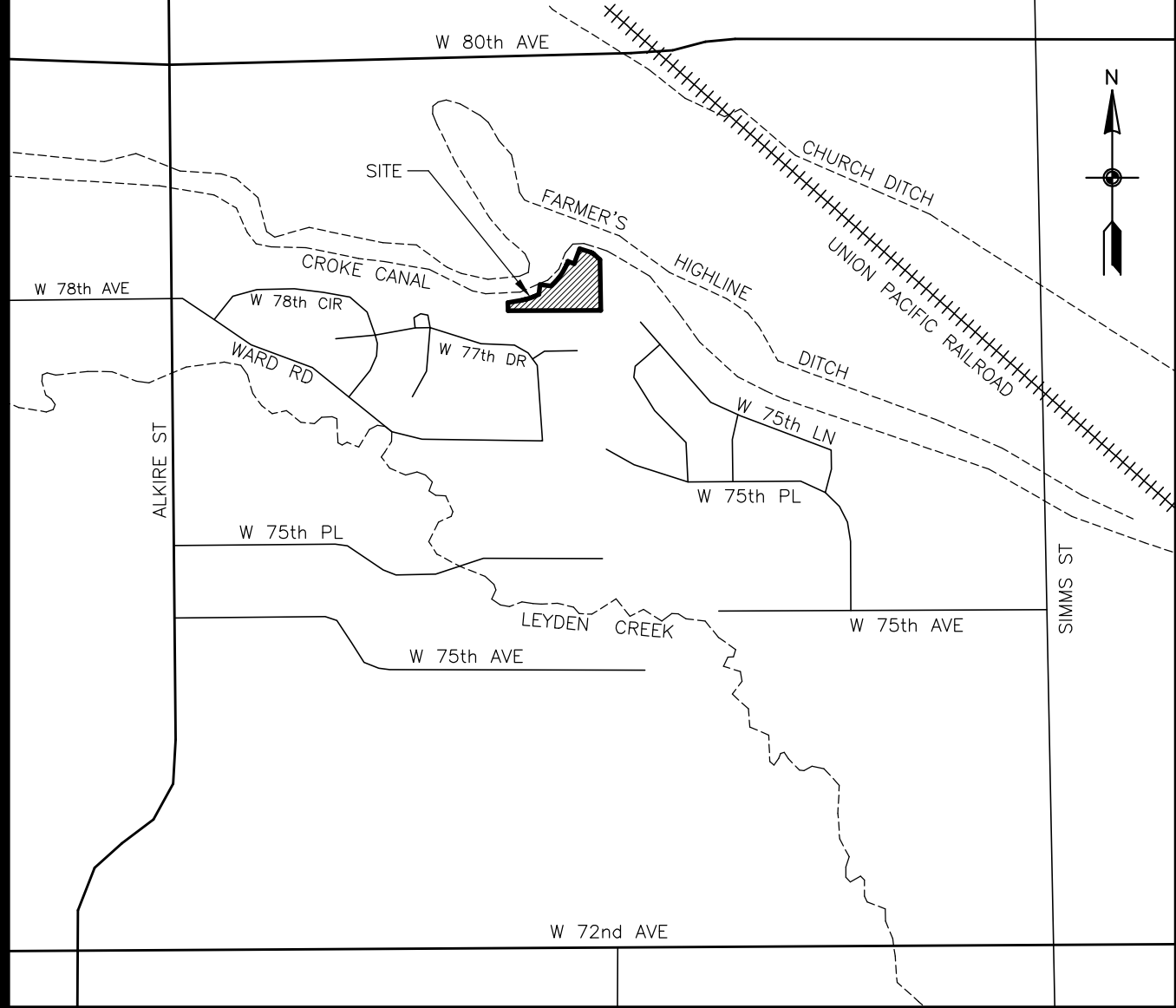
7850 ALKIRE STREET ANNEXATION MAP

7850 Alkire Street, Arvada, Colorado
Located in the NW1/4 of Section 32,
Township 2 South, Range 69 West, 6th P.M.
County of Jefferson, State of Colorado
Sheet 1 of 1



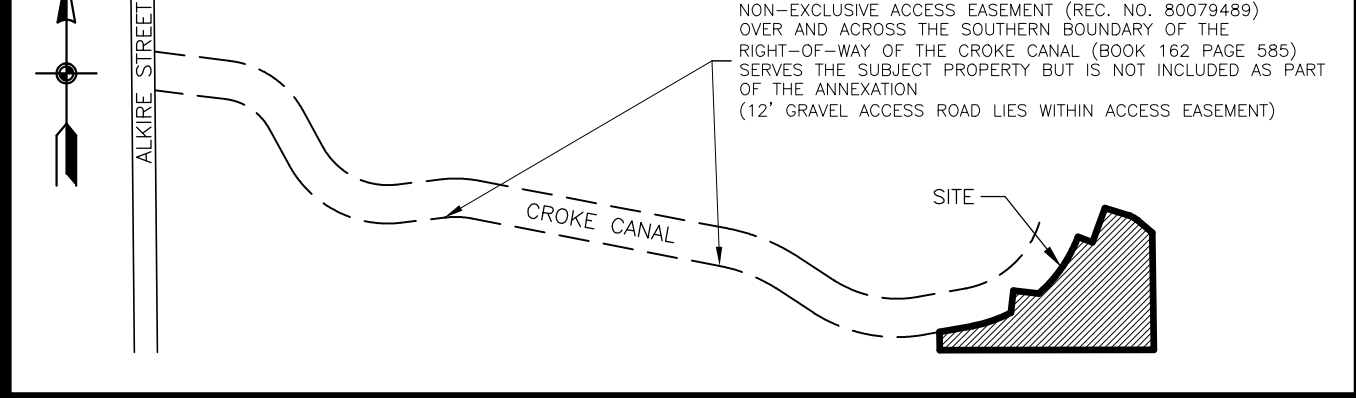
VICINITY MAP

SCALE: 1" = 1000'



ACCESS EASEMENT

SCALE: 1" = 500'



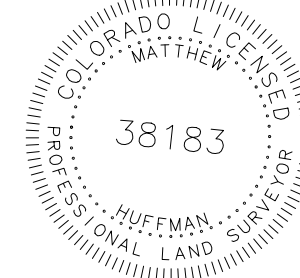
CONTIGUITY STATEMENT

TOTAL PERIMETER OF AREA CONSIDERED FOR ANNEXATION = 1,685.22 L.F.
ONE-SIXTH OF TOTAL PERIMETER = 281 L.F.
PERIMETER OF THE AREA CONTIGUOUS WITH EXISTING CITY LIMITS = 909.92 L.F.
THE TOTAL CONTIGUOUS PERIMETER IS 54%, WHICH EXCEEDS THE ONE-SIXTH AREA REQUIRED.

SURVEYOR'S CERTIFICATE

I, MATTHEW L. HUFFMAN, A PROFESSIONAL LAND SURVEYOR LICENSED TO PRACTICE LAND SURVEYING IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THIS 7850 ALKIRE STREET ANNEXATION MAP WAS MADE BY ME OR DIRECTLY UNDER MY SUPERVISION, AND THAT IT IS A TRUE AND CORRECT REPRESENTATION OF THE AREA TO BE ANNEXED TO THE CITY OF ARVADA, COLORADO. THE ABOVE DESCRIBED LAND IS CONTIGUOUS TO THE CITY OF ARVADA AND MEETS THE REQUIREMENTS SET FORTH IN COLORADO REVISED STATUTES 1973, 31-12-104(1)(A) THAT ONE-SIXTH OR MORE OF THE PERIMETER TO BE ANNEXED IS CONTIGUOUS WITH THE ANNEXING MUNICIPALITY. THE SURVEY IS NOT A GUARANTY OR WARRANTY, EITHER EXPRESSED OR IMPLIED.

MATTHEW L. HUFFMAN, P.L.S. 38183
LICENSED COLORADO LAND SURVEYOR



APPROVAL CERTIFICATE

APPROVED FOR FILING BY THE CITY OF ARVADA THIS ____ DAY OF ____ 2022.

MAYOR _____ ATTEST: _____ CITY CLERK

ORDINANCE NUMBER _____

CLERK AND RECORDER

RECEPTION NUMBER _____

ACCEPTED FOR FILING IN THE OFFICE OF THE CLERK AND RECORDER OF JEFFERSON COUNTY, AT GOLDEN, COLORADO, ON THIS ____ DAY OF ____ 2022, AT ____ A.M. / P.M.

JEFFERSON COUNTY CLERK AND RECORDER

BY: DEPUTY CLERK

PROJECT NUMBER: 3220162007

HUFFMAN SURVEYING
PO BOX 12293
DENVER, CO 80212
(303) 421-5263
www.huffmansurveying.com



REPORT TO PLANNING COMMISSION

AGENDA ITEM
8.B.

TO: PLANNING COMMISSION

DATE: April 19, 2022

SUBJECT: Zoning certain land in the City of Arvada for 7850 Alkire Street a 2.5-acre parcel of land from Jefferson County P-D (Planned Development) to City of Arvada RN-32.5 (Residential Neighborhood 32.5) and Amending the Official Zoning Maps of the City of Arvada, Colorado, approximately located at 7850 Alkire Street.

Report in Brief

MOTION:

MOVED BY: _____

I move that the zoning of certain land in the City of Arvada for 7850 Alkire Street a 2.5-acre parcel of land from Jefferson County P-D (Planned Development) to City of Arvada RN-32.5 (Residential Neighborhood 32.5) and Amending the Official Zoning Maps of the City of Arvada, Colorado, approximately located at 7850 Alkire Street., be recommended to City Council for (approval subject to the condition stated in the Staff Report, Item 1, Page 5) (denial).

This motion is based on the findings of fact and approval criteria on Page(s) 4 and 5 of the Staff Report.

This motion is based on the following findings of fact for denial: (Recite approval criteria you believe the evidence fails to satisfy and your reasons).

YES _____ NO _____ ABSENT _____

Prepared by:

Abigail Ogg, Administrative Specialist

Reviewed by:

Approved by:

Linda Hoover, Senior Planner	4/11/2022
Josie Suk, Development Systems and Administrative Manager	4/11/2022
Robert Smetana, Manager of City Planning and Development	4/12/2022
Emily Grogg, Senior Assistant City Attorney	4/13/2022
Ryan Stachelski, Director of Community and Economic Development	4/13/2022

SUBJECT: Zoning certain land in the City of Arvada for 7850 Alkire Street a 2.5-acre parcel of land from Jefferson County P-D (Planned Development) to City of Arvada RN-32.5 (Residential Neighborhood 32.5) and Amending the Official Zoning Maps of the City of Arvada, Colorado, approximately located at 7850 Alkire Street.

PAGE: 2
ITEM: 8.B.

Enclosure, exhibits & attachments required to support the report