

City of Arvada

Planning Commission Agenda

JUNE 7, 2022

CITY COUNCIL CHAMBERS

Regular Business

Commission Members:

Michael P. Griffith, Chair
Doug Magee, Vice Chair
Tim Knapp, Secretary
Tom Aljinovich
Brandon Figliolino
Andrew Gay
Steve Hannan

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 AM

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. ROLL CALL OF MEMBERS
4. APPROVAL OF MINUTES
 - A. Approval of May 17, 2022 Meeting Minutes
5. GENERAL BUSINESS
6. REPORTS
7. PETITIONS & COMMUNICATIONS
8. PUBLIC HEARINGS
 - A. A Major Modification from the Land Development Code subsection 4-5-3-6.C.2 to allow vehicle

stacking in the side setback when the LDC prohibits vehicle stacking in the front and side street setbacks, generally located at 7370 W. 52nd Avenue, in the City of Arvada, CO

- B. A Major Modification from the Land Development Code subsection 2-1-5-3.F to allow a 32.5% building facade located within the Frontage Zone when the LDC requires a 60% building facade to be located within the Frontage Zone, generally located at 7370 W. 52nd Avenue, in the City of Arvada, CO
- C. A Major Modification from the Land Development Code subsection 5-1-3-1 to allow a single usable floor on a Pedestrian Priority Street when the LDC requires two usable floors on a Pedestrian Priority Street, generally located at 7370 W. 52nd Avenue, in the City of Arvada, CO
- D. A Major Modification from the Land Development Code subsection 5-1-6-2.3.C to allow a drive-through lane not to be fully enclosed within the envelope of the building with one visible drive-through window on a public street when the LDC requires a drive-through lane to be fully enclosed within the envelope of the building with drive-through windows not visible to public streets, generally located at 7370 W. 52nd Avenue, in the City of Arvada, CO
- E. A Major Modification from the Land Development Code subsection 5-1-2-6-F requiring transparency for buildings located within a frontage zone, generally located at 7370 W. 52nd Avenue, in the City of Arvada, CO

9. WORKSHOP

- A. Land Development Code Update

10. OTHER ITEMS

11. ADJOURN



SUMMARY MINUTES OF PLANNING COMMISSION ACTION HELD
May 17, 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 Rob Smetana at 6:15 P.M.

2. PLEDGE OF ALLEGIANCE

3. Swearing In of new commissioners Tom Aljinovich and Brandon Figliolino by Ms. Van Gieson

4. ROLL CALL OF MEMBERS

Those present: Michael P. Griffith, Andrew Gay, Tim Knapp, Tom Aljinovich, Brandon Figliolino, Doug Magee, Steve Hannan

THOSE ABSENT

None

ALSO PRESENT: Ryan Stachelski, Director of Community and Economic Development; Rob Smetana, City Planning Manager; Emily Grogg, Sr. Ass't. City Attorney; Abigail Ogg, Administrative Specialist, Patty McCartney, Planner, Carol Ibanez, Sr. Planner, Jake Sawaya, Civil Engineer, Josie Suk, Manager of Developmental Systems and Administrative Services, Heidi Van Gieson, Recording Secretary.

5. MOTION

It was moved by Mr. Smetana to Suspend Bylaws until Elections are completed.

Those voting Yes: Griffith, Gay, Knapp, Alinovich, Figliolino, Magee, Hannan

Those voting No: 0

Those absent: None

The motion carried 7-0

6. Elections

Mr. Hannan nominated Michael Griffith as Chair, Mr. Knapp seconded that motion
No other nominations were presented

Those voting Yes: Griffith, Gay, Knapp, Alinovich, Figliolino, Magee, Hannan

Those voting No: 0

Those absent: None

The motion carried 7-0

Mr. Griffith nominated Doug Magee as Vice Chair, Mr. Knapp seconded that motion
No other nominations were presented

Those voting Yes: Griffith, Gay, Knapp, Alinovich, Figliolino, Magee, Hannan
Those voting No: 0
Those absent: None
The motion carried 7-0

Mr. Griffith nominated Tim Knapp as Secretary, Mr. Hannan seconded that motion
No other nominations were presented

Those voting Yes: Griffith, Gay, Knapp, Alinovich, Figliolino, Magee, Hannan
Those voting No: 0
Those absent: None
The motion carried 7-0

BREAK TO MOVE COMMISSIONERS SEATS AND ARRANGE NAMEPLATES

4. APPROVAL OF MINUTES

Mr. Griffith stated that those commissioners that were not present at the April meeting, will not be voting on it.

Mr. Griffith stated that the April 19, 2022 meeting minutes have had a revision presented by Mr. Knapp.

Mr. Knapp stated Language of Page 3 line 1 and 2 be struck and changed to “Mr. Knapp asked staff whether it was a city requirement for property to be within incorporated city limits in order for the property to receive city water and wastewater services?”

Those voting Yes: Griffith, Gay, Knapp, Magee, Hannan
Vote 5-0 approved

5. GENERAL BUSINESS

Adopting Bylaw Amendments

Ms. Grogg reviewed the changes that were made to said bylaws;
Section 2.D- The Planning Manager has to oversee the meeting until Officers are elected
Section 5.E.2- Expectation of 3 minutes for each Public Comment
Section 5.E.3 -Changes the language regarding evidence presented to the Commission
Section N- Make it clear that the commissioner that is making a motion to amend will be given the first chance to explain their motion to Amend. Ms. Grogg also stated that she combined Section N and O to be reflective of how City Council has it.

Mr. Knapp thanked Ms. Grogg for her work on the project.

Mr. Gay suggested that we adjust the language to Section 5.F

6. MOTION

It was moved by Mr. Magee that the Amendments to the Bylaws be adopted

Mr Griffith Stated that he really appreciates the work the staff put into this and keep this consistent how City Council meetings are run and keep things flowing.

Those voting Yes: Griffith, Gay, Knapp, Alinovich, Figliolino, Magee, Hannan

Those voting No: 0

Those absent: None

The motion carried 7-0

7. REPORTS

None

7. PUBLIC COMMENT

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

8. PUBLIC HEARINGS

CP2021-0004 Square Lake Subarea Plan Comprehensive Plan Amendment

Mr. Griffith did Swearing in of all in attendance that will be speaking

The public hearing was opened.

Ms. McCartney explained that there was a posting notice at City Hall and on the web and

Square Lake Subarea Plan Comprehensive Plan Amendment entered into the record the staff report CP2021-0004 dated May 17,2022, Square Lake Subarea Plan and the resolution for the Subarea plan

Ms. McCartney presented the report to the Commision which included these goals:

L-1: we have coordinated our planning internally with the adjacent jurisdiction; Adams County

L-4: it will promote Mixed-Use transit oriented development in the Gold Strike Station Area

ED-4: to redevelop and revitalize existing commercial and industrial areas

Ms. McCartney stated that the subarea planning process included community participation and input opportunities through stakeholder committees including Planning Commissioner Magee, along with community meetings and workshops.

Ms. McCartney stated that the Square Lake Subarea Plan is a collaborative project with Adams County that was initiated in 2020 in response to community and neighborhood concerns in the unincorporated areas, challenges with regional transportation and regional homelessness.

Ms. McCartney stated that Jenni Hall, Jenn Rutter and Layla Bajelan are in attendance tonight from Adams County Community and Economic Development if there are any questions.

Ms. McCartney stated that relevant City Plans to the project included the Comprehensive Plan, Arvada Transit Station Framework Plan, Imagine Arvada Parks Trails and Open Space Master Plan and the Clear Creek Corridor Plan.

Ms. McCartney stated that Community Engagement and Stakeholder Participation included: Technical Advisory Committee and Stakeholder Advisory Committee of which there were 5 meetings of each. Community Open House; 1 Virtual and 2 In-person as well as a Virtual Online Community Survey

Ms. McCartney stated The Square Lake Subarea Plan was approved by Adams County on February 1, 2022.

Ms. McCartney stated The Square Lake Subarea study area is partially located within the City of Arvada and unincorporated Adams County; It is bounded to the North by 60th Avenue, to the South by 52nd Avenue, to the West by Sheridan Boulevard and to the East by Tennyson Street.

The Study area is geographically generalized into three areas; the G-Line, Central and Southern Areas.

Ms. McCartney stated that the Square Lake Subarea Plan has four Recommendations:

- Preferred Future Land Use Scenario; north of the rail tracks include mixed use residential and mixed uses, south of the area are Industrial office and Industrial uses
- Complete Streets recommendations include safe access for pedestrians, bicyclists, motorists and transit riders of all ages and abilities.
- Parks and Open Space Connections- Improve connections including pedestrian intersection crossings, street and trail design improvement
- Environmental Mitigation

Ms. McCartney stated that these changes will improve access to the area

Clear Creek Trail improvements are also recommended

Recommendation are specific, yet flexible and ordered by priority

Staff recommends approval of the Square Lake Subarea Plan

Mr. Griffith opened the hearing for comments from the public.-NONE

PUBLIC COMMENT

NONE

Mr. Griffith closed public comment.

QUESTIONS FROM THE COMMISSION

Mr. Magee commented that he was the commissioner who assisted in the process. Question if the floodway will cause issues with the project.

Ms. McCartney stated that the floodway and floodplain do not allow for building in that area.

Mr. Figliolino questioned the language about the accessibility of the area.

Ms. McCartney stated that there is the opportunity for the accessibility to improve in the options that are given.

Mr. Hannan stated that this was very well done as a project. He did question the timeframe was pretty short.

Ms. McCartney stated that these items could be completed past that timeframe.

MOTION:

It was moved by Mr. Magee that CP2021-0004, a resolution to amend the 2014 Comprehensive Plan to incorporate the Square Lake Subarea Plan, be approved and ratified by City Council. This motion is based on the findings of fact and approved criteria on Page 3 & 4 of the staff report.

DISCUSSION OF MOTION

Mr. Griffith stated that this was a great project and a great job was done by those involved.

Those voting Yes:7

Those voting No: 0

Those absent: None

The motion carried: 7-0

Candelas Filing No. 1, Amendment No. 4 approximately located at 9367 McIntyre Street

1. A Resolution by the Planning Commission to Amend the 2014 Arvada Comprehensive Plan Land Use From Suburban Residential to Mixed-Use Residential Emphasis
2. PUD Development Plan
3. Preliminary Plat

The public hearing was opened.

Ms. Ibanez stated that all notification requirements were met.

Mr. Griffith asked if there were any additions or corrections to the Staff Report.

Ms. Ibanez stated yes, on page 6, Parking and loading last sentence paragraph 1: revise 243 spaces to 242 spaces.

Ms. Van Gieson stated that there were 4 additional comments that came in.

Candelas Filing No.1 Amendment No. 4 entered into the record the staff report (as amended) DA2021-0150 dated May 17, 2022, affidavit of mailing, and posting log, additional public comment, the initial public comments, PUD and Preliminary Plan Sets.

Ms. Ibanez presented the report to the Commission and that staff recommended approval of this project.

The Applicant with Tri Pointe Homes shared their presentation:

Dan Galasso
25615 E Otero Place
Aurora CO 80016

Marcus Pauchner, 1480 Humboldt St, Land Use and Community Outreach Consultant for the applicant, explained the community outreach with the most affected property owners first and worked through those challenges together. The next step was to meet with the community members (Metro District) and then the Regional partners and stakeholders.

Mr. Pauchner stated that there were 40 individual meetings and 6 group meetings held between 2020 to 2021 during COVID.

Mr. Pauchner stated that they heard from the neighborhood that the site should be developed for restaurants, retail and residential and not just residential units. He further stated that the TRI-Point is primarily a residential builder and is working with a retail developer to build the mix-use buildings. The mixed-use buildings will have retail on the first floor and residential units on the 2nd and 3rd floors, totaling 33 units.

Mr. Pauchner stated that they are changing the Comprehensive Plan Land-Use Map to MX designation to ensure that there will be a mix of residential and retail on this site.

Bonnie Niziolek of Norris Design, 1101 Bannock Street explained how they are proposing three story mixed use buildings including approximately 8,300 sq. ft. of ground floor commercial space with 33 multi-family units above them. The development is designed with an activated pedestrian environment that connects to the swim and fitness club to the north including urban plazas, inset parallel parking spaces with parking bump-outs, street furniture and landscape entries.

She further discussed that the maximum building height is 45 ft. for the mixed-use buildings and 35 ft. for Townhomes. The off-street parking provided for each Townhome unit is a two car garage and some will have an additional two spaces in their driveways. Guest parking is available on the street. A total of 242 spaces are provided, 2 spaces per townhome, 2 spaces per multifamily unit and 4 spaces per 1000 sq. ft of commercial space.

Ms. Niziolek stated that this area is part of the ODP which allows 1950 homes within Parcels 2 and 10. Seventy five units are proposed with this development, for an overall total of 1922 homes, less than the total allowed.

Ms. Niziolek stated parks are provided on a community-wide basis and exceed the required 52 acres with 70 acres provided. Open space is also provided on a community- wide basis and exceeds the required 53 acres. The overall total is 234 acres plus an additional 1.8 acres provided with this development.

Mr. Griffith asked for a short executive session to discuss an issue.

Ms. Grogg said that they can just make it part of the record and she can ask him some questions.

Ms. Grogg asked if Mr. Griffith worked for Kimley-Horn or if he knew of this project either personally or professionally.

Mr. Griffith stated he works for Kimley-Horn as of recently, but not in the area that will be involved in this project.

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

PUBLIC COMMENT

Paul Little 9340 Nile Court: Stated that Tri-Pointe has been working with him on issues they had with the initial plan. He is concerned about the stress on the streets, pool, and parks. He also was concerned about parking and that the units do not have basements and garages will be used for storage. Safety with the children running across the street in between cars parked on the street is also a concern and where would retail and restaurants staff park since there is no public transportation out to Candelas,

Laura Carpenter 9320 Nile Court: Representing herself and her significant other . She commended all parties involved that have come and talked to them about their concerns. She raised concerns about the drainage issue, western screening(fencing), type of fencing to be used, high winds and height of the new buildings.

Erin Bott 9364 Kilmer: She was happy that Tri Pointe addressed neighbors and parking concerns. However, she was concerned about kids crossing the road with cars parking on the street, and the amount of parking spots that are being provided. She asked that they remove a few of the townhome units to add additional parking spaces.

David Blake 9426 Loveland Way: States that they had looked at adding retail in previous years. He states that it seems that there is additional background information that what we're hearing tonight.

Mr Griffith closed public comment.

APPLICANT REBUTTAL

Mr. Pauchner stated it's important to have different types of housing and this area is a "Gathering Place" which means it will have more people.

Mr. Pauchner states how this project has 50 parking spaces above the required spaces. The site design will assist in slowing down the traffic. The building's front facade faces the streets with garages in the rear providing full length driveways to get more parking spaces to make it safer.

Mr. Pauchner stated that retail building is adjacent to McIntyre instead of within the neighborhood. Drainage will be addressed. Fencing will be secured and they believe that the structures will help with the wind issues. The height of the Townhomes and Retail building will meet the maximum heights.

Ms. Niziolek also said the heights of the buildings are within the ODP which was approved in 2008.

Ms. Niziolek stated that the CCR will require that garage spaces are used for parking and cannot be used for habitable space or storage. Townhomes are 25' wide versus most that are 20' wide providing additional space compared to other townhomes. The garages and driveways will have additional width and additional depth as well.

QUESTIONS FROM THE COMMISSION

Mr. Aljinovich asked the following: if there will only be a fence on the west side or will there be landscaping; if a Geotech survey will be done; why are standing water and sump pumps running all day long; and will your property run into that area.

Ms. Niziolek responded that the PDP landscape plan shows it will be a 6 ft. fence on the west side of the property. There will be landscaping, on the townhome property side, not on the private property to the west. Ms. Niziolek believes they will be 6 ft. trees that are planted. A Geotech survey was done on the project property and did not show high ground water, but they did not do a Geotech survey on the adjacent property.

Mr. Aljinovich asked if there were site line restrictions/height requirements out there?

Ms. Ibanez stated there was not.

Mr. Gay questioned the difference between the 2020 presentation to now. Two years, we talked about 57 units and no retail; now we are looking at 42 townhomes, 33 multi-family and retail requiring a change to the Comprehensive Plan to include a Mixed-Use parcel when we wouldn't have proposed that two years ago. Mr. Gay asked if the Comprehensive plan was changed twice.

Ms. Ibanez indicated that this is the second time it will be changed.

Mr. Gay asked if McKintyre was going to be widened?

Mr. Pauchner stated that it will be widened for the parking spaces. The travel lanes will stay the same. Ms. Niziolek agreed with this fact.

Mr. Knapp questioned what the screen would look like located on the western border.

Ms. Niziolek stated that it will be a 6 ft. cedar wood fence, evergreen trees and deciduous trees.

Mr. Knapp questioned if this will be enough screening.

Ms. Niziolek stated that they are noting that the trees will be 6 to 12 feet in height at installation.

Mr. Pauchner stated that there have been talks with the property owners on the west to give them trees to plant on their property.

Mr. Knapp questioned the lighting on the property and if it will be on timers.

Ms. Niziolek stated that there are no lights on the west side of the property towards the property border. She is not sure if there will be timers or not.

Mr. Knapp asked if W 93rd Ave will allow for parking on it.

Ms. Ibanez agreed that there will be parking on W 93rd Ave.

Mr. Knapp questioned the concerns for the retail parking, and doesn't feel like it was addressed in the rebuttal.

Ms. Niziolek stated that they went by the code and followed the 4 spots per 1,000 sq. ft. She also stated that the retail is meant to be neighborhood commercial, where residents in the area will be walking to these establishments.

Mr. Aljinovich asked what the CCR is?

Ms. Niziolek stated that it is the Covenants managed by the HOA. It is in the PDP document that the HOA will manage the use of the garages and what is allowed.

Mr. Magee asked about whether there will be traffic lights in the future.

Jake Sawaya, City of Arvada Civil Engineer, stated that within the traffic study they showed that in 2045 there will need to be a traffic light at Candelas and McIntyre.

Mr. Magee asked what the amount of units for the 2007 project was?

Ms. Niziolek stated that there were more units in the 2007 project.

Mr. Griffith would like an explanation of Traffic Calming by staff.

Ms. Ibanez, the intention of the streets was to slow the traffic down by having on street parking. Typically traffic calming is circular or road bump outs and road diets, the site will have additional parking and pedestrian walkways.

Mr. Griffith wants to know if narrow streets will aid in traffic calming.

Ms. Ibanez said that, yes it should slow the traffic.

Mr. Pauchner explained that the current speed is the issue with wide-open street intersections. Friction at the road is intended to slow and improve the traffic.

Mr. Griffith states that the intersection of McIntyre and 93rd has no pedestrian crossing.

Mr. Sawaya states that is something they would look at if this is approved?

Mr. Griffith, what are our parking requirements, are we higher or lower than surrounding cities?

Mr. Smetana, stated that we are about middle of the road with the standards.

Mr. Griffith asked where are the dumpsters going to go?

Ms. Niziolek stated that they are going to look into that.

Mr. Griffith is concerned about the amount of parking spots for retail units and whether the people that may be employed by the retail units be able to purchase the residential units.

Mr. Pauchner stated that the mix of “for sale” residential on “for rent” residential will allow for more options to make that a possibility.

Mr. Knapp questioned the change from Suburban Residential to Mixed Use Residential Emphasis, wanting to know where he can find that use in the code.

Mr. Smetana stated that designations in the Comp Plan are slightly different from the Zone Districts. The Comp Plan states that within the Mixed-Use Residential Emphasis, here are the zone districts that are appropriate.

Mr. Knapp asked as a guest, where do I park?

Ms. Niziolek stated that a guest can park in the driveway spaces or the surface spaces.

MOTION:

It was moved by Mr. Magee that a resolution by the Planning Commission for the City of Arvada Colorado to amend the 2014 Arvada Comprehensive Plan Land Use designation pertaining to Candelas Filing No. 1, Amendment No. 4 from Suburban Residential to Mixed Use Residential Emphasis approximately located at 9367 McIntyre Street be approved. This motion is based on the findings of fact and approval criteria on Page 7 of the staff report.

DISCUSSION OF MOTION

Mr. Griffith will be supporting it; but still has concerns about safety, dumpster and logistics of trash removal.

Mr. Hannan will be supporting it.

Mr. Gay will be supporting it.

Mr. Magee will be supporting it, they've done a good amount of outreach and the landscaping plan is exceptional. Believes that McIntyre and 93rd should have a four way stop.
Mr. Knapp will be supporting it, applauding the applicant for using creativity to get retail into the space.
Mr. Figliolino wanted to thank the applicant for listening to the community members.

Those voting Yes: 7
Those voting No: 0
Those absent: None
The motion carried 7-0

MOTION:

It was moved by Mr. Magee that a PUD Development Plan for Candelas Filing No. 1, Amendment No. 4 approximately located at 9367 McIntyre Street be recommended to City Council for approval. This motion is based on the findings of fact and approval criteria on Page 8 & 9 of the staff report.

DISCUSSION OF MOTION

Mr Hannan will be supporting it; concerned about reasonably feasible utility regarding safety
Mr Knapp will be supporting it , concerned about the properties to the west and the screening.
Mr. Knapp wants screening to be increased on the west side; I will be holding you accountable for what you have said you will do.

Those voting Yes: 7
Those voting No: 0
Those absent: None
The motion carried 7-0

MOTION:

It was moved by Mr. Magee that a Preliminary Plat for Candelas Filing No. 1, Amendment No. 4 approximately located at 9367 McIntyre Street be recommended to City Council for approval. This motion is based on the findings of fact and approval criteria on Page 9 & 10 of the staff report.

DISCUSSION OF MOTION

Mr Hannan will be supporting it; concerned about traffic in that area.

Those voting Yes: 7
Those voting No: 0
Those absent: None
The motion carried 7-0

8. **OTHER ITEMS**

Next meeting will be June 7, 2022

9. **ADJOURNED** at 9:03 P.M.

Michael P. Griffith, Chair

Tim Knapp, Secretary

Heidi Van Gieson, Recording Secretary



REPORT TO PLANNING COMMISSION

AGENDA ITEM
8.A.

TO: PLANNING COMMISSION

DATE: June 7, 2022

SUBJECT: A Major Modification from the Land Development Code subsection 4-5-3-6.C.2 to allow vehicle stacking in the side setback when the LDC prohibits vehicle stacking in the front and side street setbacks, generally located at 7370 W. 52nd Avenue, in the City of Arvada, CO

Report in Brief

MOTION:

MOVED BY: _____

That a Major Modification from the Land Development Code subsection 4-5-3-6.C.2 to allow vehicle stacking in the side setback when the LDC prohibits vehicle stacking in the front and side street setbacks, generally located at 7370 W. 52nd Avenue, in the City of Arvada, CO, be recommended to City Council for (approval subject to the condition stated in the Staff Report, Item ___, Page ___) (denial).

This motion is based on the findings of fact and approval criteria on Page(s) ___ 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:

Robert Smetana, Manager of City Planning and Development

5/31/2022

Josie Suk, Development Systems and Administrative Manager

6/1/2022

Emily Grogg, Senior Assistant City Attorney

6/1/2022

Ryan Stachelski, Director of Community and Economic Development

6/2/2022

Enclosure, exhibits & attachments required to support the report

SUBJECT: A Major Modification from the Land Development Code subsection 4-5-3-6.C.2 to allow vehicle stacking in the side setback when the LDC prohibits vehicle stacking in the front and side street setbacks, generally located at 7370 W. 52nd Avenue, in the City of Arvada, CO

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REPORT TO PLANNING COMMISSION

AGENDA ITEM
8.B.

TO: PLANNING COMMISSION

DATE: June 7, 2022

SUBJECT: A Major Modification from the Land Development Code subsection 2-1-5-3.F to allow a 32.5% building facade located within the Frontage Zone when the LDC requires a 60% building facade to be located within the Frontage Zone, generally located at 7370 W. 52nd Avenue, in the City of Arvada, CO

Report in Brief

MOTION:

MOVED BY: _____

That a Major Modification from the Land Development Code subsection 2-1-5-3.F to allow a 32.5% building facade located within the Frontage Zone when the LDC requires a 60% building facade to be located within the Frontage Zone, generally located at 7370 W. 52nd Avenue, in the City of Arvada, CO, be recommended to City Council for (approval subject to the condition stated in the Staff Report, Item ___, Page ___) (denial).

This motion is based on the findings of fact and approval criteria on Page(s) ___ 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:

Robert Smetana, Manager of City Planning and Development 5/31/2022

Josie Suk, Development Systems and Administrative Manager 6/1/2022

Emily Grogg, Senior Assistant City Attorney 6/1/2022

Ryan Stachelski, Director of Community and Economic Development 6/2/2022

Enclosure, exhibits & attachments required to support the report

SUBJECT: A Major Modification from the Land Development Code subsection 2-1-5-3.F to allow a 32.5% building facade located within the Frontage Zone when the LDC requires a 60% building facade to be located within the Frontage Zone, generally located at 7370 W. 52nd Avenue, in the City of Arvada, CO

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REPORT TO PLANNING COMMISSION

AGENDA ITEM
8.C.

TO: PLANNING COMMISSION

DATE: June 7, 2022

SUBJECT: A Major Modification from the Land Development Code subsection 5-1-3-1 to allow a single usable floor on a Pedestrian Priority Street when the LDC requires two usable floors on a Pedestrian Priority Street, generally located at 7370 W. 52nd Avenue, in the City of Arvada, CO

Report in Brief

MOTION:

MOVED BY: _____

That a Major Modification from the Land Development Code subsection 5-1-3-1 to allow a single usable floor on a Pedestrian Priority Street when the LDC requires two usable floors on a Pedestrian Priority Street, generally located at 7370 W. 52nd Avenue, in the City of Arvada, CO, be recommended to City Council for (approval subject to the condition stated in the Staff Report, Item ___, Page ___) (denial).

This motion is based on the findings of fact and approval criteria on Page(s) ___ 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:

Robert Smetana, Manager of City Planning and Development 5/31/2022

Josie Suk, Development Systems and Administrative Manager 6/1/2022

Emily Grogg, Senior Assistant City Attorney 6/1/2022

Ryan Stachelski, Director of Community and Economic Development 6/2/2022

Enclosure, exhibits & attachments required to support the report

SUBJECT: A Major Modification from the Land Development Code subsection 5-1-3-1 to allow a single usable floor on a Pedestrian Priority Street when the LDC requires two usable floors on a Pedestrian Priority Street, generally located at 7370 W. 52nd Avenue, in the City of Arvada, CO

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REPORT TO PLANNING COMMISSION

AGENDA ITEM
8.D.

TO: PLANNING COMMISSION

DATE: June 7, 2022

SUBJECT: A Major Modification from the Land Development Code subsection 5-1-6-2.3.C to allow a drive-through lane not to be fully enclosed within the envelope of the building with one visible drive-through through window on a public street when the LDC requires a drive-through lane to be fully enclosed within the envelope of the building with drive-through windows not visible to public streets, generally located at 7370 W. 52nd Avenue, in the City of Arvada, CO

Report in Brief

MOTION:

MOVED BY: _____

That a Major Modification from the Land Development Code subsection 5-1-6-2.3.C to allow a drive-through lane not to be fully enclosed within the envelope of the building with one visible drive-through through window on a public street when the LDC requires a drive-through lane to be fully enclosed within the envelope of the building with drive-through windows not visible to public streets, generally located at 7370 W. 52nd Avenue, in the City of Arvada, CO, be recommended to City Council for (approval subject to the condition stated in the Staff Report, Item ___, Page ___) (denial).

This motion is based on the findings of fact and approval criteria on Page(s) ___ 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:

Robert Smetana, Manager of City Planning and Development

5/31/2022

Josie Suk, Development Systems and Administrative Manager

6/1/2022

Emily Grogg, Senior Assistant City Attorney

6/1/2022

SUBJECT: A Major Modification from the Land Development Code subsection 5-1-6-2.3.C to allow a drive-through lane not to be fully enclosed within the envelope of the building with one visible drive-through through window on a public street when the LDC requires a drive-through lane to be fully enclosed within the envelope of the building with drive-through windows not visible to public streets, generally located at 7370 W. 52nd Avenue, in the City of Arvada, CO

PAGE: 2
ITEM: 8.D.

Ryan Stachelski, Director of Community and Economic Development 6/2/2022

Enclosure, exhibits & attachments required to support the report



REPORT TO PLANNING COMMISSION

AGENDA ITEM
8.E.

TO: PLANNING COMMISSION

DATE: June 7, 2022

SUBJECT: A Major Modification from the Land Development Code subsection 5-1-2-6-F requiring transparency for buildings located within a frontage zone, generally located at 7370 W. 52nd Avenue, in the City of Arvada, CO

Report in Brief

MOTION:

MOVED BY:

That a Major Modification from the Land Development Code subsection 5-1-2-6F requiring transparency for buildings located within a frontage zone, generally located at 7370 W. 52nd Avenue, in the City of Arvada, CO, be recommended to City Council for (approval subject to the condition stated in the Staff Report, Item ___, Page ___) (denial).

This motion is based on the findings of fact and approval criteria on Page(s) ___ 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:

Robert Smetana, Manager of City Planning and Development

5/31/2022

Josie Suk, Development Systems and Administrative Manager

6/1/2022

Emily Grogg, Senior Assistant City Attorney

6/1/2022

Ryan Stachelski, Director of Community and Economic Development

6/2/2022

Enclosure, exhibits & attachments required to support the report

SUBJECT: A Major Modification from the Land Development Code subsection 5-1-2-6-F requiring transparency for buildings located within a frontage zone, generally located at 7370 W. 52nd Avenue, in the City of Arvada, CO

PAGE: 2
ITEM: 8.E.

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

In-N-Out Burger
Major Modifications
DA2021-0116

NATURE OF REQUEST

In-N-Out Burger, represented by Galloway, is requesting approval of several Major Modifications to allow for the development of a drive-through restaurant within the Mixed-Use – Transit (MX-T) zoning district.

The project is proposed to include an approximately 3,900 square foot restaurant with an approximately 1,290 square foot covered outdoor dining area. Drive-through stacking lanes long enough to accommodate 30 vehicles are proposed. The overall site area is approximately 52,600 square feet.

MAJOR MODIFICATIONS REQUESTED

The Applicant is requesting modifications to the Arvada Land Development Code (LDC) standards as part of this project. Those modifications are from:

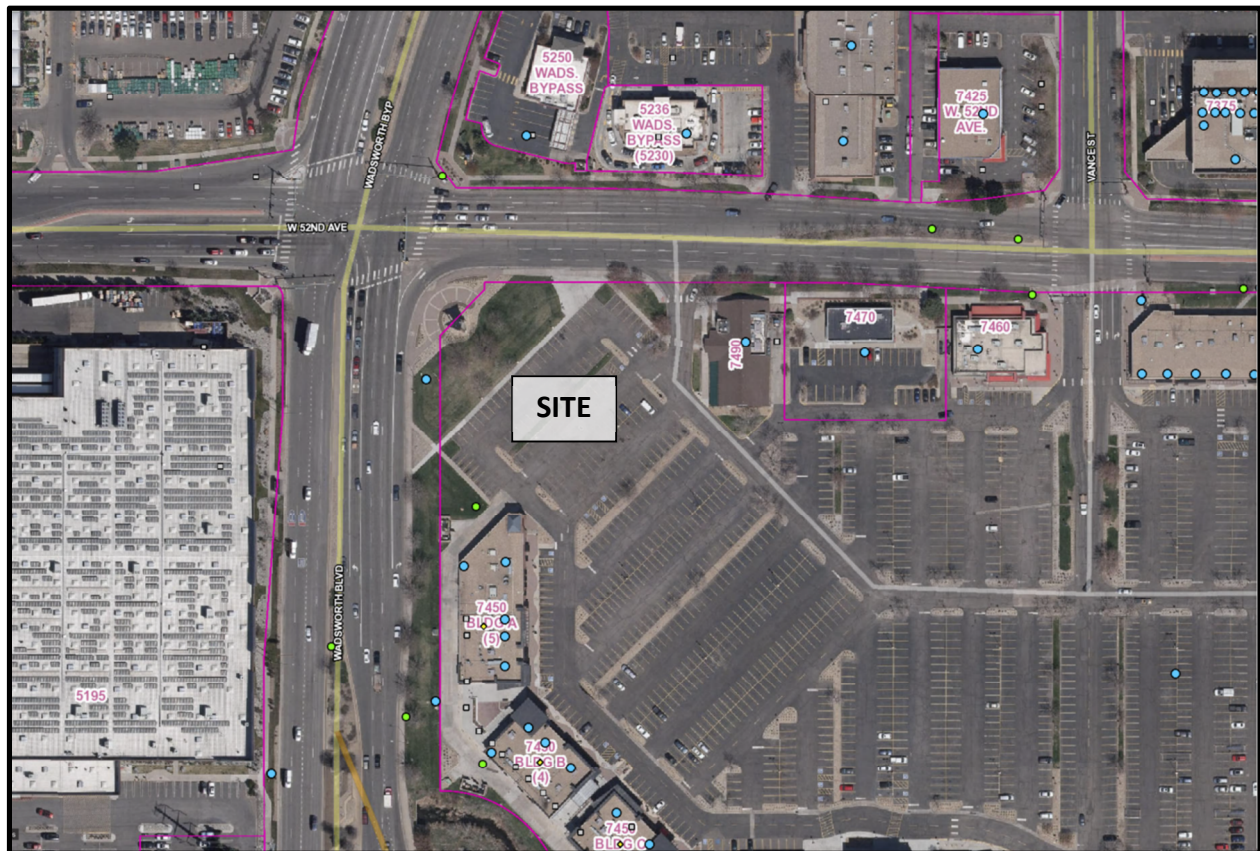
1. Table 2-1-4-4A, which requires that 60 percent of the frontage zone be occupied by a building.
2. Subsection 4-5-3-6C2, which prohibits drive through stacking lanes from being located within the front setback, which is 20 feet in the MX-T zoning district.
3. Subsection 5-1-2-6F, which requires street facing facades to have windows on at least 40 percent of the area between two and 10 feet above grade.
4. Subsection 5-1-3-1B2, which requires buildings adjacent to Pedestrian Priority Streets (52nd Avenue) to have a minimum of two usable floors and a minimum height of 25 feet.
5. Subsection 5-1-6-2B3c, which prohibits drive-through lanes from being located between the building and an adjacent street.

The applicant is proposing to mitigate the Major Modifications through a number of techniques that are described in more detail below. Given the proposed mitigation measures, the City team recommends approval of the five Major Modifications requested.

LOCATION AND HISTORY

The subject property is located at the southeast corner of Wadsworth Boulevard and 52nd Avenue and is currently occupied by surface parking and landscaping for the Arvada Marketplace shopping center.

The Arvada Marketplace was originally developed during the 1980's and has undergone several modifications, with the latest major changes occurring in 2016, with the redevelopment of the in-line retail portion adjacent to Wadsworth Boulevard.



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.

The required neighborhood meeting for this project took place on November 10, 2021. The applicant, staff, and six neighbors were in attendance.

The comments from the public focused on issues unrelated to the Major Modification requests, such as general traffic congestion in the area and the abundance of other drive-through restaurants in the area.

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 will provide an affidavit of mailing verifying this requirement has been met prior to the public hearing.

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.

DEVELOPMENT REVIEW TIMELINE

Review of the application began on September 27, 2021. Four review cycles were required, as the conceptual plan was significantly modified following the second review. Overall, the project required 32 weeks to complete.

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.

ZONING AND LAND USE

The subject property is currently zoned MX-T and is approximately 53,600 square feet in size.

Surrounding properties are zoned and utilized as follows:

Direction	Zoning	Actual Use
North	MX-T	Commercial/Retail
South	MX-T	Commercial/Retail
East	MX-T	Commercial/Retail
West	MX-T	Commercial/Retail

The MX-T zoning is intended to provide for “urban-scale, higher density residential and nonresidential uses, in vertically or horizontally mixed-development on a single parcel or in a master planned area...”

The proposed project would add to the mixed-use nature of the area through the addition of another restaurant option. However, it does not strictly reflect the specific design requirements of the LDC, therefore requiring the proposed Major Modifications.

PROJECT ANALYSIS

Compliance with the Comprehensive Plan

The proposed project addresses the following goals of the Comprehensive Plan:

- ED-4: Redevelop and revitalize existing commercial and industrial areas.
- ED-5: Improve the City's economic base and its financial strength.

The project site is located within an area designated as Mixed-Use on the Comprehensive Plan Future Land Use map. Appropriate uses in the Mixed-Use category include retail uses, such as restaurants. The highest intensity of uses should be located near arterial streets, such as Wadsworth Boulevard and 52nd Avenue.

Setbacks

The conceptual site plan submitted as part of the Major Modification request indicates that the building will be located within the setback range adjacent to Wadsworth Boulevard of 0 to 20 feet.

However, the proposed building does not meet the frontage zone requirements. The Major Modification request is to allow for approximately 32.5 percent of the frontage zone to be occupied by a building, rather than 60 percent as required by Table 2-1-4-4A of the LDC.

Staff supports the request for the modification. Evaluating the entire shopping center, rather than just this single building, produces a frontage zone compliance of greater than 60 percent, as most of the existing buildings adjacent to both Wadsworth Boulevard and 52nd Avenue meet the requirement.

Building Height

The conceptual site plan submitted as part of the Major Modification request shows a single story building, when Subsection 5-1-3-1B2 of the LDC requires a building of at least two stories along a Pedestrian Priority Street, as 52nd Avenue is designated in this area. However, the building does not have any frontage along 52nd Avenue.

The proposed modification will not change the street character from the existing condition, which is a surface parking area. However, as part of the conceptual site plan, the applicant has indicated at a screen wall and several street trees will be planted to block the view of the drive-through lane and parking area, which will help reduce the visual impact of the parking areas.

Additionally, the shopping center covenants restrict the heights of buildings to a single story. Although the City is not bound by this private restriction, it does preclude any development that meets the LDC requirement at this location.

Open Space

Per the conceptual site plan, the total amount of open space provided on the site will exceed 20 percent. The LDC requires a minimum of 10 percent.

Additionally, the applicant proposes to make improvements to the landscape/entry feature at the Wadsworth Boulevard and 52nd Avenue intersection so that it functions as the small urban park required by the LDC.

Landscaping, Buffering and Fencing

The landscaping proposed on the conceptual plan appears to meet the LDC requirements for the number of trees and shrubs. However, the specific plant and tree species are not indicated, but will be determined during the formal Site Plan review.

The existing landscape areas along the adjacent street frontages are proposed to be upgraded from the existing condition with additional tree and shrub plantings.

Masonry screen walls with a height of approximately four feet have been indicated on the conceptual site plan to screen the drive-through lanes that are located along the perimeter of the site. The walls are proposed to reflect the exterior materials planned for the building.



The conceptual plan indicates that 11 existing trees will be removed from the site. As part of the development, 34 new trees are proposed. At the Site Plan review, it will be determined if the tree replacement requirements are met, or if some cash-in-lieu fee will also be required.

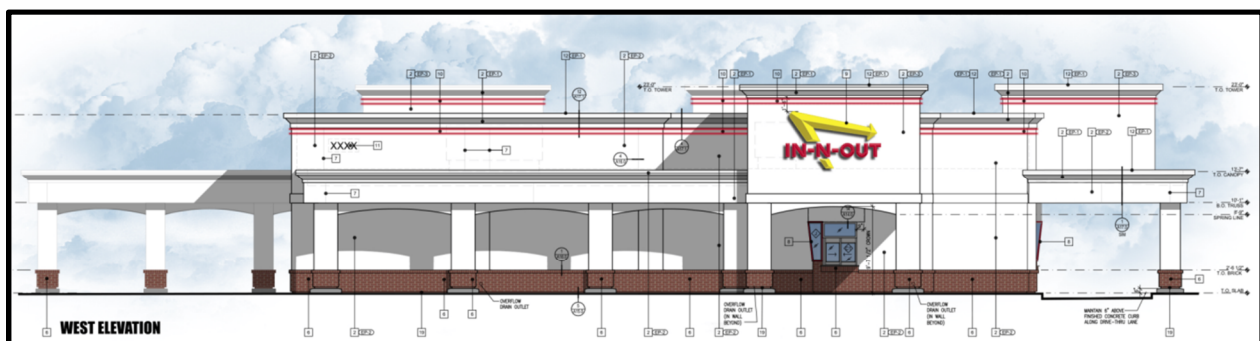
Building Design

Although the final building design and colors will be determined as part of the Site Plan review, the conceptual elevations show a blend of EIFS and brick for the exterior. The primary color of

the building is proposed to be white, with red and yellow accents. The brick is proposed to be reddish-brown, and will match the brick of the existing shopping center buildings.

The building is proposed to have a significant parapet to screen the rooftop mechanical equipment. Additionally, a large covered outdoor dining area is proposed on the north side of the building. The architecture of the canopy matches the primary building.

A large portion of the drive-through lane adjacent to the building will be covered and include a low wall on the exterior of the lane to reflect an exterior building façade in order to mitigate the modification request from Subsection 5-1-6-2B3c of the LDC. The large drive-through canopy also helps to mitigate the modification from Subsection 5-1-2-6F by providing visual interest along the street facing façade.



Although staff generally supports the proposed modifications affecting the façade, additional mitigation, such as murals and spandrel glass should be considered during the Site Plan review to further enhance the street facing elevations.

Circulation and Connectivity

The conceptual site plan shows the drive-through lane along the perimeter of the property on the north and west adjacent to 52nd Avenue and Wadsworth Boulevard, which requires a modification from Subsection 5-1-6-2B3c of the LDC.

In order to mitigate the impact of the drive-through lane on the adjacent streets, screen walls have been proposed along both street frontages. The walls are proposed to be four feet in height. The intent is to screen vehicles within the lane from view of passing vehicles and pedestrian.

Additionally, due to the large amount of area dedicated to landscaping within the Wadsworth Boulevard right-of-way, a modification has been requested from Subsection 4-5-3-6C2 of the LDC to allow the drive lane to be located within the front setback. The location of the drive lane is consistent with the existing service drive that is located behind the in-line retail buildings to the south of the site.

Grading and Drainage

Specific site grading and drainage will be determined at the time of Site Plan review. However, the conceptual plan indicates that proper drainage, including detention and water quality can occur on the site in a proposed underground system.

Parking and Loading

The conceptual plan shows a total of 53 parking spaces, included two accessible spaces. A total of 24 spaces are required by the LDC.

For drive-through uses, a total of nine stacking spaces are required by the LDC. The conceptual plan shows a total of 30 stacking spaces.

No loading spaces are required, based upon the square footage of the proposed building, and none are shown.

A conceptual trash truck turning analysis has been provided, which indicates that there is adequate space for a truck to maneuver without impacting parking or stacking lanes.

Utility Services

All utilities are currently in the vicinity of the site and should be readily available to the proposed drive-through restaurant.

Police and Fire Protection

Police protection will be provided by the Arvada Police Department. Fire protection will be provided by the Arvada Fire Protection District.

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. 8-3-11 Major Modification Approval Criteria	Finding	Rationale
1. The requested modification is consistent with the Comprehensive Plan and the stated purpose of the applicable zoning district.	Partially Complies	The requested modifications will help achieve the Comprehensive Plan goals identified. However, the proposed modifications are not completely consistent with the MX-T zoning district. However, design and landscape elements have been proposed to mitigate the non-complying modifications.
2. The requested modification addresses a unique situation or incorporates creative site design.	Complies	The requested modifications address a unique situation where the covenants governing the shopping center property restriction the height

		of the building. Additionally, the mitigation measures proposed incorporate creative site design to lessen any negative impacts of the proposed modifications.
3. The requested modification will not result in incompatible development.	Partially Complies	The proposed modifications will not result in a situation significantly different than the existing conditions within the shopping center. The center has a suburban design and the proposed modification will result in a project that also has suburban characteristics. However, the purpose of the zoning district is to create a more urban environment.
4. The requested modification will have no significant adverse impact on the health, safety or general welfare of surrounding property owners or the general public.	Complies	The proposed modifications will have no impact of the health, safety or welfare of the community or surrounding properties.
5. Any adverse impacts resulting from the modification will be mitigated to the extent reasonably feasible.	Complies	No adverse impacts should result from the proposed modifications.

STAFF RECOMMENDATION

Based upon project analysis and review of the Land Development Code approval criteria, staff recommends approval of the proposed Major Modifications.

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

1. Additional architectural elements, such as spandrel glass windows and/or a mural be provided on the Wadsworth Boulevard building elevation to increase the perceived transparency as required by Subsection 5-1-2-6F of the LDC. These enhancements shall be included with the formal Site Plan application.

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

Request for Major Modification (Revised)
In-N-Out at SEC of 52nd & Wadsworth – Arvada, CO

Project Overview

In-N-Out is proposing to redevelop a portion of the Arvada Marketplace Shopping Center located at the southeast corner of 52nd & Wadsworth in Arvada, Colorado. The proposed redevelopment would include the demolition of the existing parking field at the NW corner of the referenced shopping center and development into a 3,879 square foot In-N-Out Burger that would include both indoor and outdoor seating as well as a drive-through. Redevelopment is expected to include roughly 1.25 Acres.

Arvada Marketplace was recently zoned MX-T, Mixed-Use Transit as part of a comprehensive zoning update across the entire city. Restaurant, Fast Food as defined in the Arvada Land Development Code (LDC) is allowed in the MX-T Zone District as a “Limited Use” subject to administrative review for compliance with specific standards that pertain to the use, as well as the general requirements of this Code. The recent change in zoning to MX-T, Mixed-Use Transit is consistent with Figure 2-8 – Future Land Use Map of the 2014 Comprehensive Plan which designates the entirety of the Arvada Marketplace Shopping Center as Mixed Use.

At this time we are requesting a Major Modification(s) to deviate from Division 4-5-3-6.C.2 (buffer yard for vehicle stacking), Division 2-1-5-3.F (Build-to), Division 5-1-3-1 (Pedestrian Priority Streets), Division 5-1-6-2.3.c (Drive-Through in MX-T Zone District) and Division 5-1-2-6.F (Transparency) in order to redevelop the property per the attached Concept Site Plan.

Division 4-5-3-6.C.2 of the Arvada Land Development Code (LDC) requires that *“Stacking areas shall not be located in the front setback or side street setback unless there is a grade change of at least five feet between the centerline of the street and the stacking area or alternatively, a Bufferyard Option in Division 4-6-5-3 is installed between the stacking lane and the street”*. As currently drawn, the proposed site plan locates the drive-through stacking in the side setback immediately adjacent to the western property line/ROW for Wadsworth Avenue. This is the result of efforts to maximize vehicular stacking as well as maintaining adequate parking for both the proposed In-N-Out as well as the existing shopping center. In lieu of the proposed buffer we believe the existing 30’ landscaped area between the back of sidewalk and the existing property line provides more than adequate buffering between the Wadsworth and the drive-through lane which we understand to be the intent of the code. In addition to the 30’ buffer we are proposing to add landscaping within the existing buffer as well as add short screen walls between the drive-through land and property line. It should also be noted that the drive-through will sit approximately 1.5’ - 3’ below the grade of Wadsworth Blvd. which will require a retaining wall that will provide additional screening from the ROW to the drive-through lane.

Division 2-1-5-3.F. of the Arvada Land Development Code (LDC) requires that a certain percentage of the building façade must be located within Frontage Zone described in 2-1-5-3.E. In this case the Frontage Zone should include 60% of the building façade within 20 feet of the property line per Table 2-1-4-4A: Mixed-Use, Transit and Building Standards. As currently shown, the proposed site plan locates 16.1% of the building façade within the Frontage Zone. Although it should be noted that 2-1-5-3.F. does allow that a covered patio that does not affect the fundamental relationship of the building the street (even if

it is not located within the frontage zone) may also be included in the calculation. With the outdoor patio included in the calculation we are able reach 32.5% of the building façade located within the Frontage Zone.

Division 5-1-3-1 of the Arvada Land Development Code (LDC) states that certain streets in MX Zone Districts be designated “Pedestrian Priority Street” which in this case includes 52nd Avenue. Principal buildings fronting these pedestrian-oriented streets shall have building standards to encourage ground floor activation and commercial uses. Please note that while the proposed principal building does not front 52nd Avenue it does exhibit or address several requirements of buildings located along a Pedestrian Priority Street including the following:

- A minimum of 50% of the ground floor is designated for commercial use.
- Building is a minimum of 25’ in height.
- Minimum depth for retail use is greater than 40’
- Principle entrance to building is located at grade facing 52nd Avenue
- A pedestrian connection is provided to the site

We also understand that *“Buildings within the frontage zone required per Table 2-1-4-4A shall be a minimum of 25 feet in height and have at least two usable floors for allowable use.”* Please understand that existing operating documents (ECCRs) for the shopping center limit the height of all pad sites to 25’. It should also be noted that this height restriction of 25’ is also noted in lease documents for specific tenants such as Michaels. We understand these height restrictions were put in place in order to maintain certain amounts of visibility to the anchor tenants at the back of the property located away from both Wadsworth and 52nd Avenue. The building as currently proposed does meet the 25’ minimum height requirement, but the operational needs of In-N-Out would not allow for two floors within that 25’ shell. It is just not feasible for IN-N-Out or most likely most other commercial users to construct two usable floors with a height restriction of 25’.

Division 5-1-6-2.3.c of the Arvada Land Development Code (LDC) requires that drive-throughs in the MX-T zoning district shall be designed so that it is enclosed within the envelope of the building, the drive through windows are not visible from adjacent public streets and the drive-through lane shall not be located in the area between a building and a public street. Please note that while not fully enclosed within the envelope of the building the drive-through lane is located under a canopy which is considered part of the building envelope. Referenced canopy includes a colonnade as well as knee walls connecting the columns to further enhance the canopy as a fully integrated part of the building. While one of the two drive through windows is oriented towards Wadsworth it should be noted that this window is under the canopy and therefore not readily visible from the ROW. Lastly, since the drive-through is located under the canopy which is part of the building we do not believe the drive-through lane is located between the building and public street.

Division 5-1-2-6.F of the Arvada Land Development Code (LDC) requires the ground floor of buildings located within a required frontage zone that faces a public or private street shall provide transparency to increase pedestrian interest by incorporating window and door openings so that uses are visible from street. In this case the transparency requirement is 40%. Please note that while interior operations prevent the use of glazing or doors on the western elevation of the proposed building, the extensive drive-through canopy does provide a series of openings or colonnade along Wadsworth Blvd. By using

the openings between columns we calculate the transparency along Wadsworth Blvd at 63% (52' of the total building length of 83'). We understand the intent of this section to prevent large expanses of walls of adjacent to pedestrian areas and provide some level of visible interest to passersby. We believe the proposed canopy of resulting colonnade will provide this break in elevation and suitable level of interest given the existing context along Wadsworth.

Per Division 8-3-11-4 of the Arvada Land Development Code (LDC) Major Modifications are reviewed for compliance with the criteria found below. We have listed the criteria in *italics* with responses/justifications noted in **bold**;

1. The requested modification is consistent with the Comprehensive Plan and the stated purpose of the applicable zoning district;

Response: We believe the proposed In-N-Out is consistent with the 2014 Comprehensive Plan which defines the Arvada Marketplace Shopping Center as mixed use which is further supported by the recent zone change to MX-T, Mixed-Use Transit which does allow Restaurant, Fast Food as defined in the Arvada Land Development Code (LDC) in the MX-T Zone District as a "Limited Use" subject to administrative review for compliance with specific standards that pertain to the use, as well as the general requirements of this Code.

2. The requested modification addresses a unique situation or incorporates creative site design;

Response: Redevelopment of existing shopping centers always present unique situations that in many cases require creative site solutions. This is further enhanced with this proposed project due to recent changes in zoning as well as unique changes in customer behavior due to the global pandemic. These changes have required different approaches to the design of the drive-through to limit impact to adjacent users and ROW while we are simultaneously designing a drive-through to accommodate greater customer volume brought on by customer preferences.

3. The requested modification will not result in incompatible development;

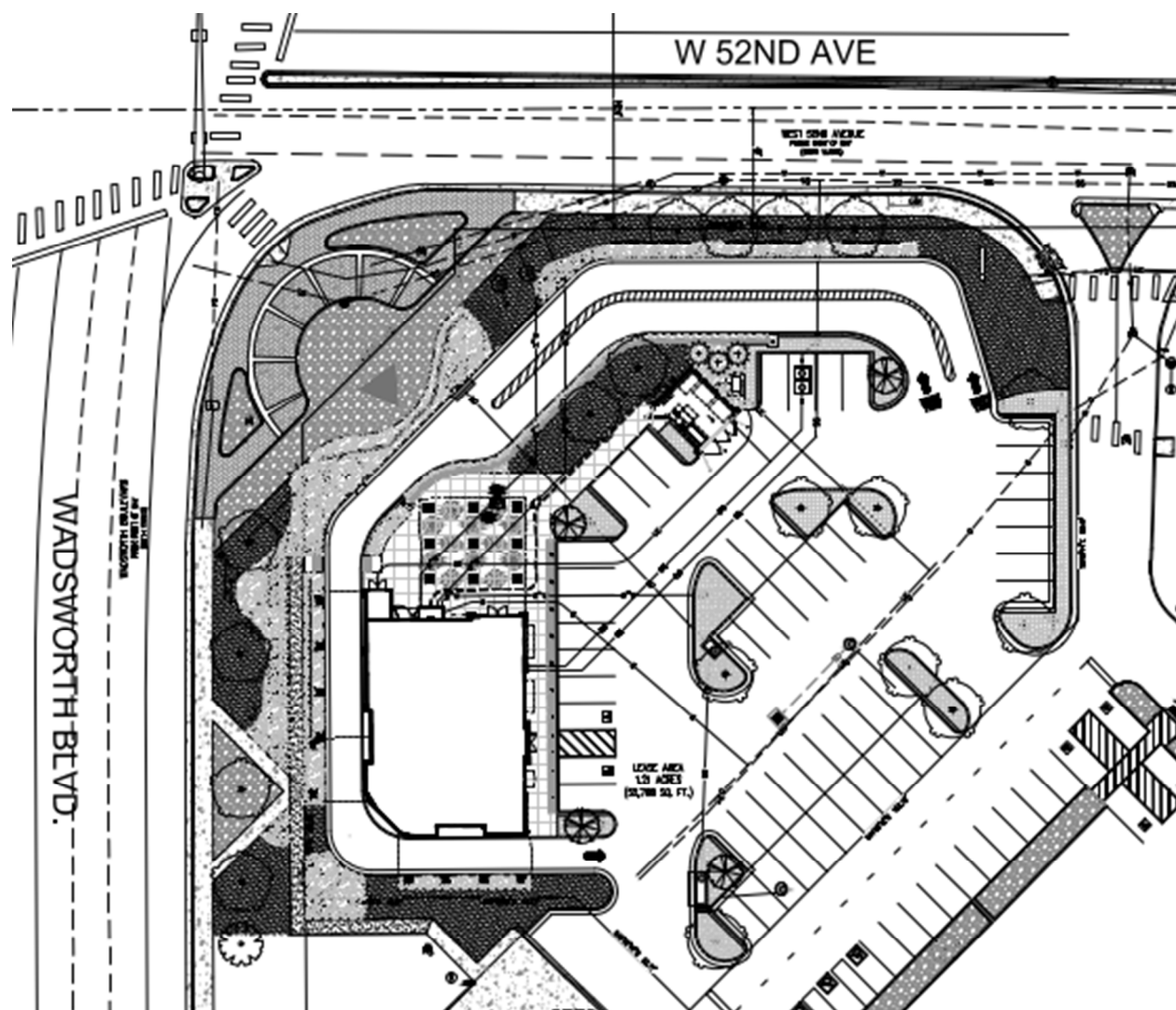
Response: Proposed In-N-Out and requested modifications will not be incompatible with existing development within the Arvada Marketplace Shopping Center or surrounding commercial development. The shopping center and surrounding development consists entirely of commercial development including fast food, large and junior retail users, and well as a variety of pad users.

4. The requested modification will have no significant adverse impact on the health, safety or general welfare of surrounding property owners or the general public; and

Response: The proposed In-N-Out and requested modifications will have no significant impact on the health, safety, and general welfare of surrounding property owners or general public due to the already highly commercial nature of the existing area. The proposed project is contained entirely within an existing shopping center more than capable of incorporating the proposed development into existing operations.

5. Any adverse impacts resulting from the modification will be mitigated to the extent reasonably feasible

Response: Any potential adverse impacts that may result from proposed In-N-Out and requested modifications can be mitigated on site in a reasonable manner.



IN-N-OUT BURGER
MAJOR MODIFICATION

A PORTION OF LOT 1-B, BLOCK 1, ARVADA MARKETPLACE FILING NO. 1 – SECOND AMENDMENT MINOR SUBDIVISION

SITUATED IN THE NW 1/4 OF THE SW 1/4 OF SECTION 14, TOWNSHIP 3 SOUTH, RANGE 69 WEST OF THE 6TH P.M.
CITY OF ARVADA, COUNTY OF JEFFERSON, STATE OF COLORADO

PROJECT CONTACTS

PROPERTY OWNER/ DEVELOPER

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ENTITLEMENTS

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CONTACT: ZELL CANTRELL, PE

CITY CONTACTS

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TRAFFIC

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STORM, WATER & SANITARY

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CONTACT: EMILY YOSHIMURA

FIRE PROTECTION

ARVADA FIRE RESCUE DISTRICT
7903 ALISON WAY
ARVADA, CO 80005
TEL: (303) 403-0477
CONTACT: KEVIN KIRBY

ENGINEERING ADMINISTRATION

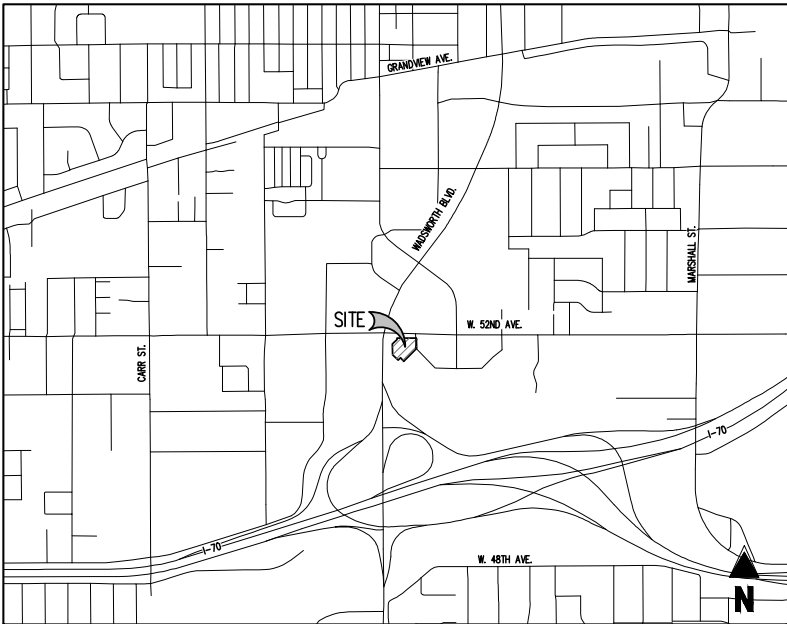
CITY OF ARVADA
8101 RALSTON ROAD
ARVADA, CO 80003
TEL: (720) 898-7612
CONTACT: DON MOPHERSON

PLANNING LANDSCAPE

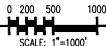
CITY OF ARVADA
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CONTACT: SHANE GREENBURG

LIST OF ABBREVIATIONS

SH1 – SHEET
Δ – DEFLECTION ANGLE
L – LENGTH
R – RADIUS
CB – CHORD BEARING
C – CHORD LENGTH
N – NORTH/NORTHING
W – WEST
E – EAST/EASTING
S – SOUTH
DET – DETAIL
EX – EXISTING
W/ – WITH
PC – POINT OF CURVATURE/PORTLAND CEMENT
WWF – WELDED WIRE FABRIC
VERT – VERTICAL
OC – ON CENTER
FDC – FIRE DEPARTMENT CONNECTION
CT – COURT
DR – DRIVE
TYP – TYPICAL
REC – RECEPTION NUMBER
Ø, DIA – DIAMETER
PT – POINT OF TANGENCY
MIN – MINIMUM
MAX – MAXIMUM
HDPE – HIGH DENSITY POLYETHYLENE



VICINITY MAP



SITE DATA TABLE			
SITE DEVELOPMENT INFORMATION			
ZONE DISTRICT	MX-T – MIXED-USE, TRANSIT		
TOTAL PROJECT AREA	52,581 SF		
DEVELOPMENT STANDARDS	SITE	STANDARD	% MODIFIED
LOT AREA (MIN)	52,581 SF	N/A	
LOT WIDTH (MIN)	158 FT	N/A	
LOT WIDTH, CORNER (MIN)	N/A	N/A	
LOT COVERAGE (MAX)	7.4%	35%	
BUILDING AND PARKING SITING STANDARDS			
FRONTAGE ZONE (MIN/MAX)	0' – 20'	0' – 20'	
FACADE IN FRONTAGE ZONE (MIN)	32.5%	60%	27.5%
FRONT SETBACK (MIN)	0 FT	0 FT	
FRONT PARKING SETBACK (MIN)	42 FT	20 FT	
SIDE SETBACK, STREET (MIN)	64 FT	0 FT	
SIDE SETBACK, INTERIOR (MIN)	2.5 FT	0 FT	
REAR SETBACK (MIN)	112 FT	0 FT	
BUILDING STANDARDS			
HEIGHT (FT/STORIES)	23 FT/ 1 STORY	45 FT MAX	
HEIGHT TRANSITION ZONE DEPTH (MIN)	N/A	N/A	
SITE STANDARDS			
LANDSCAPE SURFACE AREA (MIN)	22%	10%	
IMPERMEABLE SURFACE AREA (MAX)	78%	90%	
SMALL URBAN PARK	1495 SF (ONSITE) 5462 SF (PROVIDED OFFSITE)	3000 SF	50% (ONSITE)
PARKING STANDARDS			
STANDARD SPACES	51	23	
ACCESSIBLE SPACES	2	1	
TOTAL	53	24	
BICYCLE SPACES	5	3	
PROPOSED USE(S) WITH GROSS FLOOR AREA			
USE 1	RESTAURANT, FAST FOOD AND DRIVE-THRU	N/A	
BUILDING GFA	3,879 SF	N/A	

SHEET INDEX

SHEET NUMBER	SHEET TITLE
1	COVER SHEET
2	CONCEPTUAL SITE PLAN
3	SITE DETAILS
4	CONCEPTUAL LANDSCAPE PLAN
5	EXTERIOR ELEVATIONS
6	EXTERIOR ELEVATIONS
7	DUMPSTER ENCLOSURE
8	CONCEPTUAL GRADING PLAN

LEGAL DESCRIPTION

A PORTION OF LOT 1-B, BLOCK 1, ARVADA MARKETPLACE FILING NO. 1 – SECOND AMENDMENT MINOR SUBDIVISION SITUATED IN THE NW/4 OF THE SW/4 OF SECTION 14, TOWNSHIP 3 SOUTH, RANGE 69 WEST OF THE 6TH P.M.

BASIS OF BEARING

BASIS OF BEARINGS: ALL BEARINGS ARE GRID BEARINGS OF THE COLORADO STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE, NORTH AMERICA DATUM 1983. THE NORTH LINE OF THE SOUTHEAST QUARTER OF SECTION 14, TOWNSHIP 3 SOUTH, RANGE 69 WEST BEARS N89°00'16"E, MONUMENTED BY THE CENTER QUARTER CORNER OF SAID SECTION 14, BEING A 3-1/4" ALUMINUM CAP STAMPED "LS 23047" IN RANGE BOX, AS SHOWN HEREON.

BENCHMARK

ELEVATIONS ARE BASED ON ARVADA BENCHMARK 681, BEING CHISELED SQUARE IN SIDEWALK AT THE NORTHWEST CORNER OF THE INTERSECTION OF WADSWORTH BLVD. AND W. 52ND AVE.

ARVADA DATUM ELEVATION: 5308.28

NOTE: ARVADA BENCHMARKS ARE BASED ON A LOCALIZED DATUM AND ARE NOT NAVD88 OR NAVD29.

CAUTION – NOTICE TO CONTRACTOR

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- WHERE A PROPOSED UTILITY CROSSES AN EXISTING UTILITY, IT IS THE CONTRACTOR'S RESPONSIBILITY TO FIELD VERIFY THE HORIZONTAL AND VERTICAL LOCATION OF SUCH EXISTING UTILITY, EITHER THROUGH POT-HOLING OR ALTERNATIVE METHOD. REPORT INFORMATION TO THE ENGINEER PRIOR TO CONSTRUCTION.



GENERAL NOTES

- ANY PROPOSED FENCES, WALLS, SIGNS AND ACCESSORY STRUCTURES SHOWN ON THIS PLAN ARE ILLUSTRATIVE ONLY AND SUBJECT TO SEPARATE REVIEWS AND PERMITS.
- FIRE APPARATUS ACCESS ROADS SHALL BE PROVIDED WITH AN APPROVED ALL-WEATHER SURFACE (CONCRETE OR ASPHALT) AND SHALL BE CAPABLE OF SUPPORTING AN IMPOSED LOAD OF 85,000 POUNDS.
- THE APPROVED FIRE APPARATUS ACCESS ROADS SHALL BE PROVIDED DURING CONSTRUCTION UNLESS OTHERWISE APPROVED BY THE AFD. THE FIRE APPARATUS ACCESS ROADS SHALL CONSIST OF THE FIRST LIFT OF ASPHALT OR CONCRETE AND SHALL BE PROVIDED PRIOR TO COMMENCING VERTICAL CONSTRUCTION. ALTERNATIVE TEMPORARY FIRE APPARATUS ACCESS ROAD MATERIALS AND/OR DESIGNS SHALL BE APPROVED AND PERMITTED BY THE AFD. THE PRIVATE ROADS THROUGH THE SITE SHALL BE DEDICATED ON THE FINAL PLAT AS "FIRE APPARATUS ACCESS ROADS" OR OTHER SIMILAR LANGUAGE AS REQUIRED BY THE CITY OF ARVADA.
- A 3'-0" CLEAR SPACE SHALL BE MAINTAINED AROUND ALL FIRE HYDRANTS AND NOT OBSTRUCTED.
- FIRE HYDRANTS SHALL BE INSTALLED AND OPERATIONAL TO PROVIDE THE MINIMUM REQUIRED FIRE FLOW PRIOR TO COMMENCING VERTICAL CONSTRUCTION.
- DURING THE CONSTRUCTION AND UPON COMPLETION THERE SHALL BE BUILDING SIGNAGE PROVIDED, A MINIMUM OF 6'-4" HIGH WITH A 0.5" STROKE AND VISIBLE FROM THE STREET OR ROAD FRONTING THAT BUILDING.

NARRATIVE SUMMARY

THE LEASED AREA SHOWN WITHIN THE BOUNDARY OF THIS PROJECT IS CURRENTLY UTILIZED AS PARKING FOR THE SUBORDINATING COMMERCIAL DEVELOPMENT. IMPROVEMENTS TO THIS PORTION OF LOT 1-B PROPOSED IN THIS SITE PLAN INCLUDE THE DEMOLITION OF THE EXISTING PARKING LOT AND REDEVELOPMENT OF THE SITE TO CONSTRUCT A NEW IN-N-OUT RESTAURANT, DRIVE THRU LANE, TRASH ENCLOSURE, OUTDOOR PATIO DINING AREA, PARKING LOT AND SITE LANDSCAPING. MODIFICATIONS ARE PROPOSED TO THE EXISTING SITE DRAINAGE AND GRADING BUT SHALL FOLLOW SIMILAR HISTORICAL PATTERNS. AS PART OF THIS PROJECT, WATER QUALITY AND DETENTION SHALL BE PROVIDED VIA AN UNDERGROUND SYSTEM WITHIN THE PARKING AREA. UTILITY SERVICE ROUTING THROUGH THE SITE SHALL BE MODIFIED TO SERVICE THE NEW RESTAURANT, ALONG WITH NEW PROPOSED SITE LANDSCAPING AND PROPOSED ELEVATIONS FOR THE RESTAURANT WHICH ARE INCLUDED WITH THIS PLAN SET.

Galloway

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SITE PLAN
IN-N-OUT BURGER
A PORTION OF LOT 1-B, BLOCK 1, FILING NO. 1

WADSWORTH BOULEVARD & 52ND AVENUE
ARVADA, CO 80002

#	Date	Issue / Description	Init.
1	09/17/2021	1ST CONCEPT PLAN SUBMITTAL	PJD
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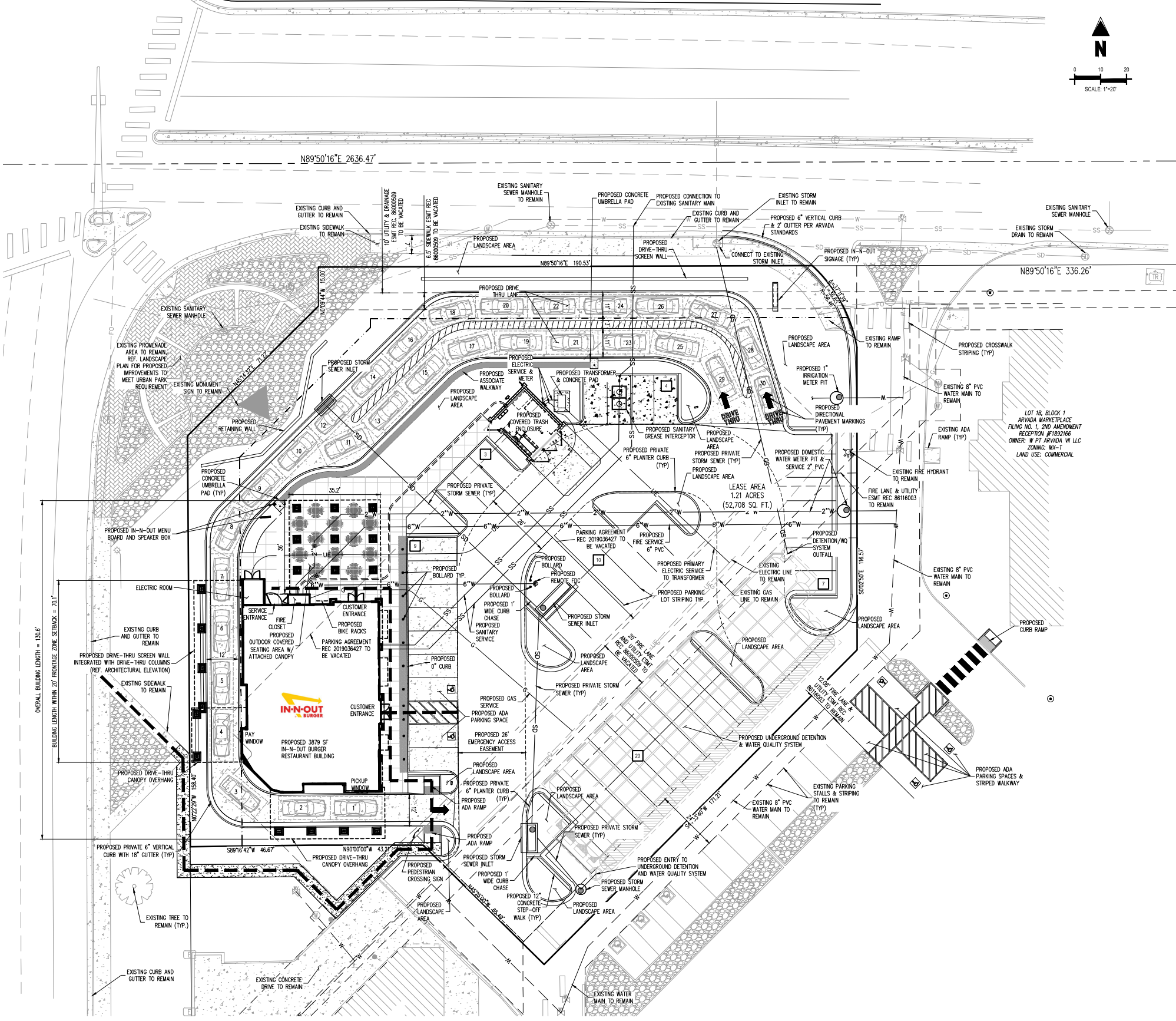
Project No:	INO000044.20
Drawn By:	CAC
Checked By:	PJD
Date:	04/25/2022

COVER SHEET

IN-N-OUT BURGER
MAJOR MODIFICATION

A PORTION OF LOT 1-B, BLOCK 1, ARVADA MARKETPLACE FILING NO. 1 – SECOND AMENDMENT MINOR SUBDIVISION

SITUATED IN THE NW 1/4 OF THE SW 1/4 OF SECTION 14, TOWNSHIP 3 SOUTH, RANGE 69 WEST OF THE 6TH P.M.
CITY OF ARVADA, COUNTY OF JEFFERSON, STATE OF COLORADO



LEGEND

- PROPERTY BOUNDARY LINE
- ADJACENT PROPERTY BOUNDARY LINE
- EXISTING EASEMENT
- PROPOSED EASEMENT
- EXISTING CURB & GUTTER
- PROPOSED CURB & GUTTER
- ACCESSIBLE PATH
- PROPOSED CURB & GUTTER
- 20' FRONTAGE ZONE SETBACK
- PARKING COUNT
- EXISTING ELECTRIC BOX
- EXISTING ELECTRIC CABINET
- EXISTING LIGHT POLE
- EXISTING ELECTRIC TRANSFORMER
- EXISTING ELECTRIC VAULT
- EXISTING GAS METER
- EXISTING IRRIGATION BOX
- EXISTING SANITARY SEWER MANHOLE
- EXISTING SANITARY SEWER CLEANOUT
- EXISTING STORM SEWER MANHOLE
- EXISTING TELECOM PEDESTAL
- EXISTING FIRE HYDRANT
- EXISTING WATER METER
- EXISTING WATER VAULT
- EXISTING VEGETATION
- EXISTING WATER VAULT
- PROPOSED MANHOLE
- PROPOSED STORM SEWER INLET
- PROPOSED SITE LIGHT
- PROPOSED OUTDOOR PATIO SEATING TABLE (4 SEATS, NO UMBRELLA)
- PROPOSED CANOPY COLUMN
- PROPOSED CONCRETE SIDEWALK
- PROPOSED CONCRETE PAVEMENT
- PROPOSED BLACK CONCRETE PAVEMENT
- PROPOSED ASPHALT PAVEMENT

- FIRE NOTES**
- THE MINIMUM REQUIRED FIRE-FLOW IS 1,750 GPM.
 - FIRE APPARATUS ACCESS ROADS SHALL BE PROVIDED WITH AN APPROVED ALL-WEATHER SURFACE (CONCRETE OR ASPHALT). ACCESS ROADS SHALL BE CAPABLE OF SUPPORTING AN IMPOSED LOAD OF 85,000 LBS (2018 IFC SECTION 502.2.3). THE PROPOSED HEAVY-DUTY ASPHALT AND CONCRETE SHALL BE PROVIDED TO BE ABLE TO SUPPORT THE REQUIRED LOAD, PROVIDE THE GEOTECHNICAL ENGINEERS REPORT.
 - PROVIDE A SIGNAGE PLAN INDICATING THE LOCATION OF FIRE LINE SIGNAGE. THE FIRE LINE SIGNAGE SHALL COMPLY WITH THE CITY OF ARVADA ENGINEERING STANDARDS AND SHALL BE PROVIDED ON THE CURB LINE (2018 IFC SECTION 503.3).
 - A FIRE HYDRANT SHALL BE PROVIDED WITHIN 150 FEET OF THE FIRE DEPARTMENT CONNECTION FOR BUILDINGS EQUIPPED WITH AN AUTOMATIC FIRE SPRINKLER SYSTEM.
 - A 3-FOOT CLEAR SPACE SHALL BE MAINTAINED AROUND ALL FIRE HYDRANTS. THE SPACE SHALL BE MEASURED FROM THE TOP CENTER OF THE HYDRANT AND THERE SHALL BE NO OBSTRUCTIONS DIRECTLY IN FRONT OF FIRE HYDRANTS (2018 IFC SECTION 507.5.5) ALL OF THE TREES WITHIN THIS DEVELOPMENT SHALL PROVIDE AN UNOBSTRUCTED VERTICAL CLEARANCE OF 13 FEET 6 INCHES FOR EMERGENCY VEHICLE ACCESS (2018 SECTION 503.2.1).
 - FIRE HYDRANTS SHALL BE INSTALLED AND/OR MADE OPERATIONAL TO PROVIDE THE MINIMUM REQUIRED FIRE-FLOW PRIOR TO COMMENCING CONSTRUCTION ABOVE GRADE. (2018 IFC SECTION 501.4).
 - APPROVED FIRE LAND & EMERGENCY ACCESS SHALL BE PROVIDED BEFORE COMBUSTIBLE MATERIALS ARE BROUGHT TO THE SITE, AND BEFORE VERTICAL CONSTRUCTION, UNLESS OTHERWISE APPROVED, THE EVA SHALL CONSIST OF THE FIRST LIFT OF ASPHALT OR CONCRETE.
 - DURING CONSTRUCTION AND UPON COMPLETION THERE SHALL BE BUILDING SIGNAGE PROVIDED, A MINIMUM OF 4-INCHES HIGH AND 0.5-INCH STROKE AND VISIBLE FROM THE STREET OR ROAD FRONTING THAT BUILDING (2018 IFC SECTION 505).
 - COMPLETE SPECIFICATIONS AND BUILDING CONSTRUCTION PLANS SHALL BE SUBMITTED DIRECTLY TO THE FIRE DISTRICT (AFPD) FOR REVIEW AND APPROVAL AT THE SAME TIME PLANS ARE SUBMITTED TO THE ARVADA BUILDING INSPECTION DIVISION AND PRIOR TO CONSTRUCTION OCCURRING. THE DEVELOPER IS ENCOURAGED TO CONTACT THE AFPD COMMUNITY RISK REDUCTION DIVISION TO VERIFY PLAN SUBMITTAL REQUIREMENTS AND FIRE DISTRICT PERMIT FEES PRIOR TO PLANS SUBMITTAL.

BENCHMARK
ELEVATIONS ARE BASED ON ARVADA BENCHMARK 881, BEING CHISELED SQUARE IN SIDEWALK AT THE NORTHWEST CORNER OF THE INTERSECTION OF WADSWORTH BLVD. AND W. 52ND AVE.
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NOTE: CONTRACTOR MUST COORDINATE WORK WITH UTILITY COMPANY AND CITY PRIOR TO BEGINNING WORK AND IS RESPONSIBLE FOR ALL MATERIALS, LABOR, REPAIRS, ETC. TO COMPLETE WORK AND RESTORE AREA TO SAME STATE PRIOR TO STARTING WORK.

SURVEYOR TO OBTAIN AUTOCAD FILE FROM ENGINEER AND VERIFY ALL HORIZONTAL CONTROL DIMENSIONS PRIOR TO CONSTRUCTION STAKING. SURVEYOR MUST VERIFY ALL BENCHMARK, BASIS OF BEARING AND DATUM INFORMATION TO ENSURE IMPROVEMENTS WILL BE AT THE SAME HORIZONTAL AND VERTICAL LOCATIONS SHOWN ON THE DESIGN CONSTRUCTION DRAWINGS. PRIOR TO CONSTRUCTION STAKING ANY DISCREPANCY MUST BE REPORTED TO OWNER AND ENGINEER PRIOR TO CONTINUATION OF ANY FURTHER STAKING OR CONSTRUCTION WORK.

NOTE: CONTRACTOR SHALL PROTECT ALL EXISTING SURVEY MONUMENTATION. CONTRACTOR SHALL HAVE LICENSED SURVEYOR REPLACE ANY DAMAGED OR DISTURBED MONUMENTATION AT THEIR COST.

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SITE PLAN
IN-N-OUT BURGER
A PORTION OF LOT 1-B, BLOCK 1, FILING NO. 1
WADSWORTH BOULEVARD & 52ND AVENUE
ARVADA, CO 80002

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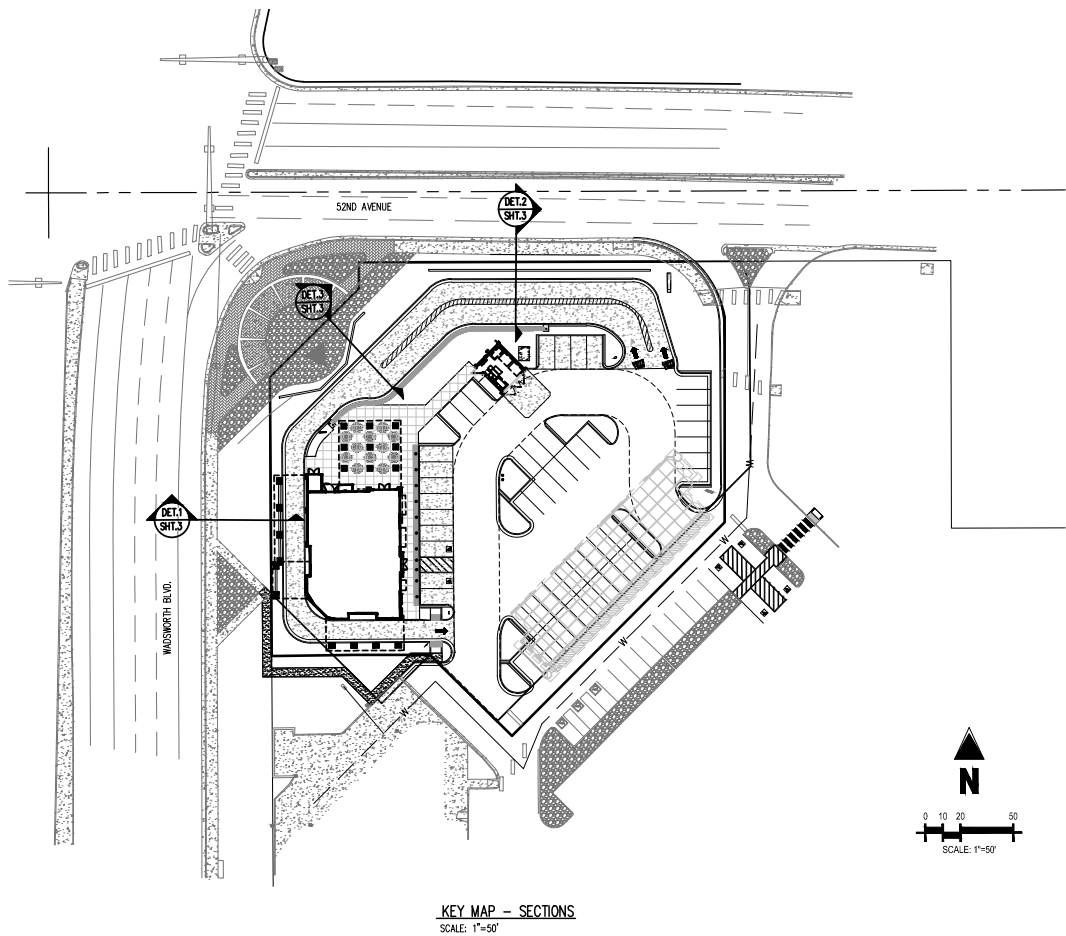
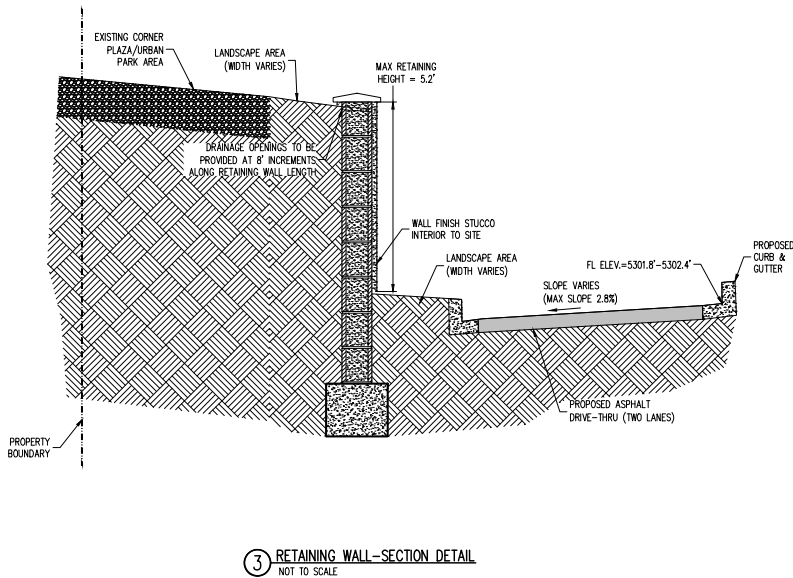
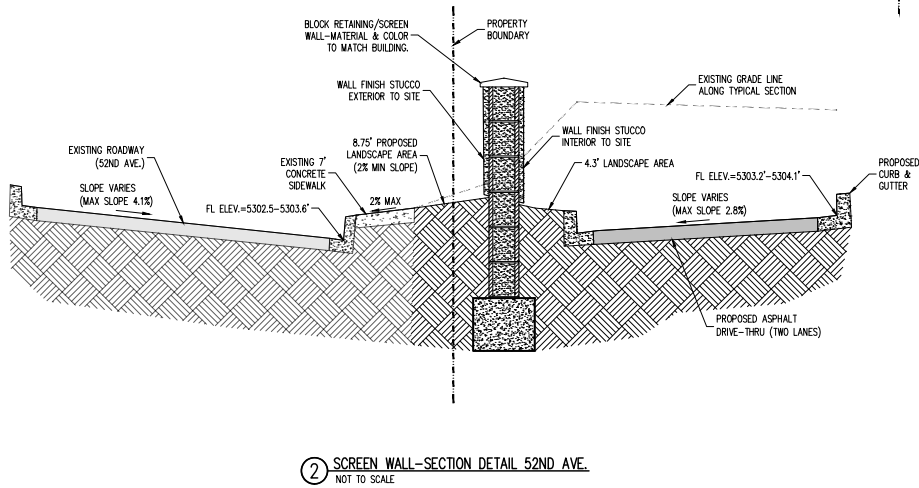
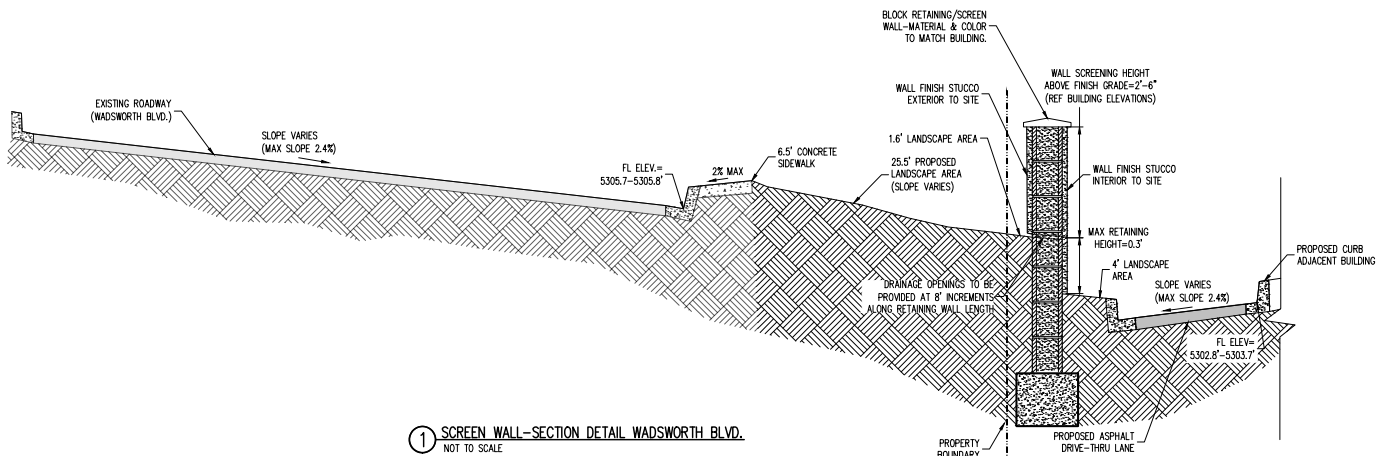
Project No: INO000044.20
Drawn By: CAC
Checked By: PJD
Date: 04/25/2022

CONCEPTUAL SITE PLAN

IN-N-OUT BURGER
MAJOR MODIFICATION

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SITUATED IN THE NW 1/4 OF THE SW 1/4 OF SECTION 14, TOWNSHIP 3 SOUTH, RANGE 69 WEST OF THE 6TH P.M.
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SITE PLAN
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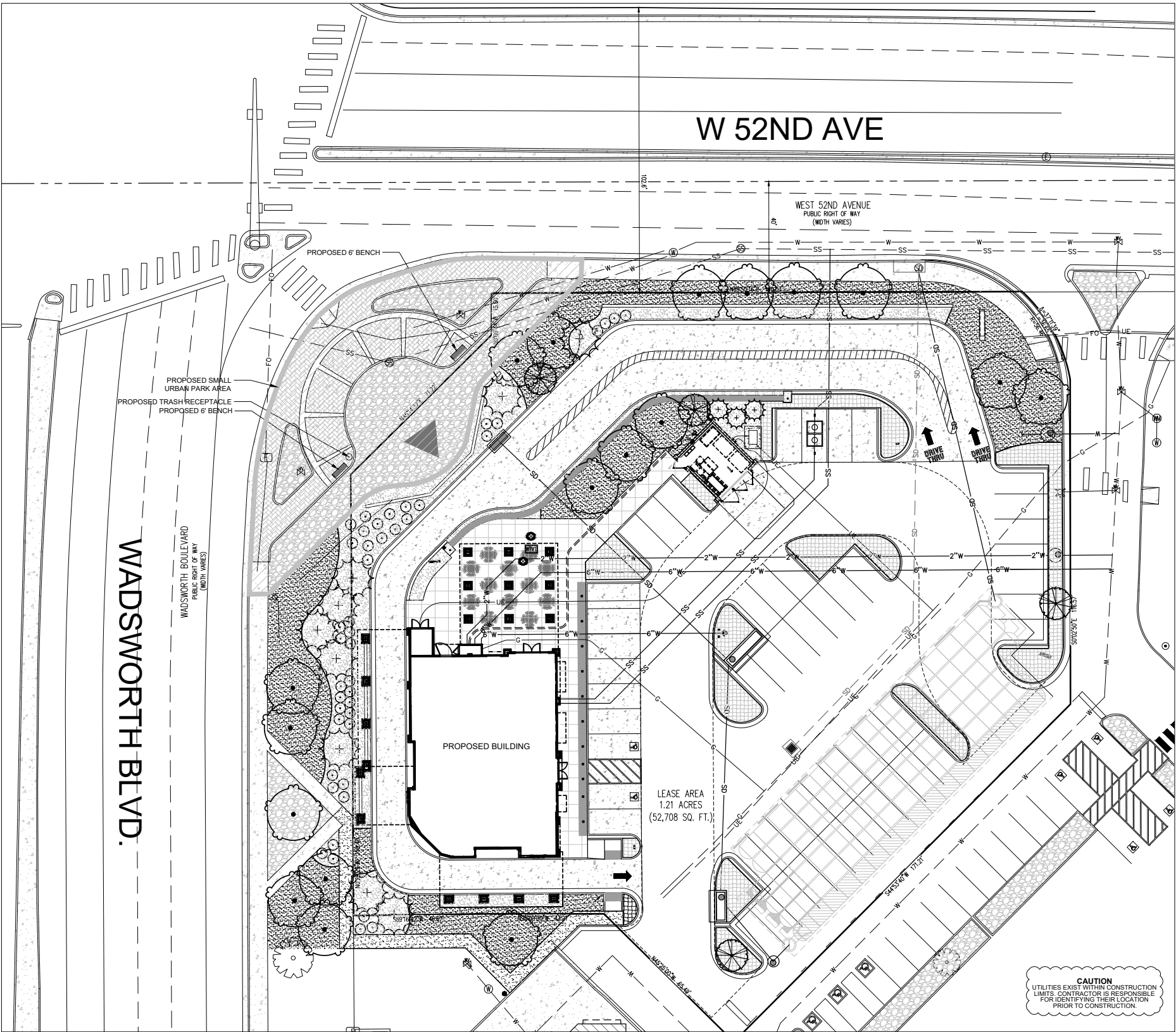
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SITE DETAILS

IN-N-OUT BURGER
MAJOR MODIFICATION

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Buffer				
LF	Req. 2 Trees/100LF	Provid. Trees	Req. 10 Shrubs/100LF	Provid. Shrubs
435	9	9	44	44

Parking Lot Req.			
Total PK Landscape Area	Req. 1 LG Tree/300SF	LG Tree Provid.*	SM Tree provid.*
2,954	10	8	4

* 2 Small trees may count as 1 LG tree / Many parking lot trees have been relocated to the perimeter due to utility conflicts

Internal Landscape Req.				
Total Internal Pervious (SF)*	Req. 1 LG tree / 2000sf	LG Tree Provid.	Req. 1 SM Tree / 1500sf	SM Tree Provid.
4,882	2	2	3	3

* Does not include buffer area or parking lot shrub beds

Street Trees			
Street	Street Length (LF)	Req. 1 Tree / 40LF	Provid. Trees
Wadsworth	158	4	4
W 52ND Ave	152	4	4

EXISTING TREES TO BE REMOVED				
Number & Species	Caliper Inches / Size	Quality	Remove / Protect	
1 - Gleditsia triacanthos	20" + Caliper	Poor	Remove	
2 - Gleditsia triacanthos	36" + Caliper	Moderate	Remove	
3 - Gleditsia triacanthos	24" + Caliper	Good	Remove	
4 - Fraxinus pennsylvanica	20" + Caliper	Good	Remove	
5 - Fraxinus pennsylvanica	16" + Caliper	Good	Remove	
6 - Unknown	N/A	Dead	Remove	
7 - Gleditsia triacanthos	20" + Caliper	Good	Remove	
8 - Pyrus calleryana	28" + Caliper	Good	Remove	
9 - Celtis occidentalis	30" + Caliper	Moderate	Remove	
10 - Pyrus calleryana	18" + Caliper	Good	Remove	
11 - Pyrus calleryana	22" + Caliper	Good	Remove	

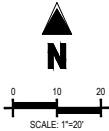
- DECIDUOUS TREES
- EVERGREEN TREES
- ORNAMENTAL TREES
- SHRUBS
- SHRUB AREAS
- MULCH
- SOD

- EXISTING FEATURES
- EXISTING PLAZA PAVERS
- EXISTING ROCK MULCH

Total Site Area	4% of Site	Park Area Req.*	Req. Seating	Provid. Seating	Req. Trash Can	Provid. Trash Can
52,581	2103	3,000	6	6**	1	1

* Park area is provided by the existing plaza on the Northwest corner.

** two 6' benches are provided



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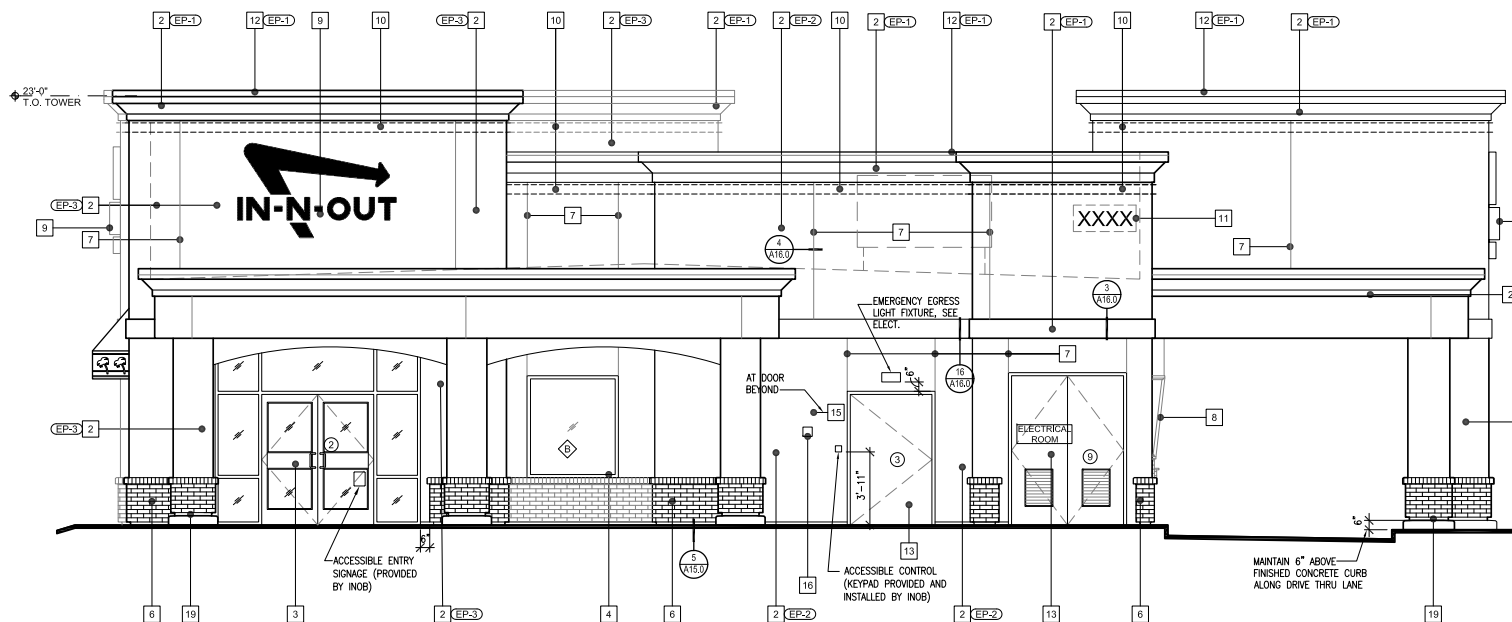
Project No: INO000044.20
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CONCEPTUAL LANDSCAPE
PLAN

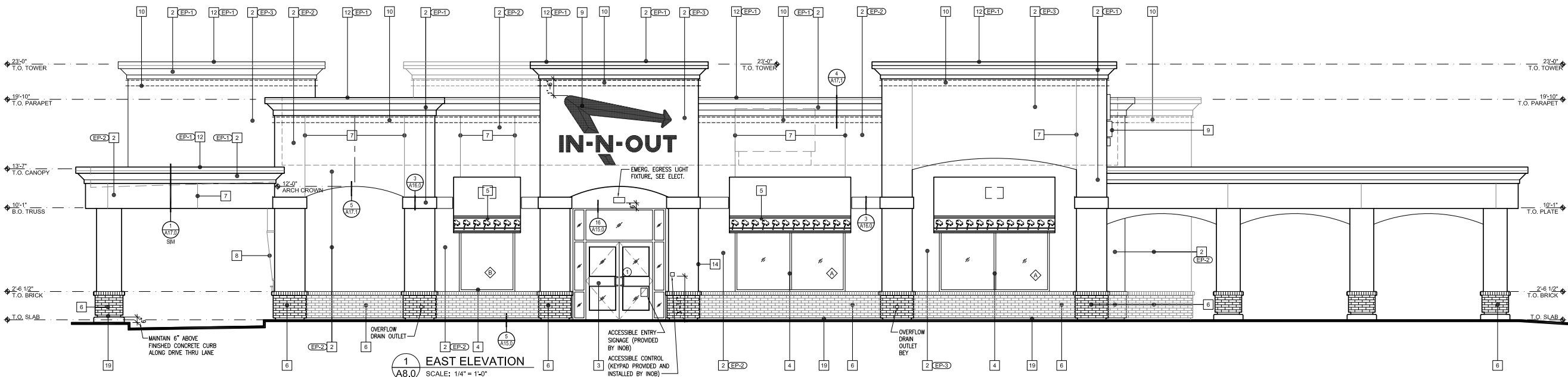
IN-N-OUT BURGER
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CITY OF ARVADA, COUNTY OF JEFFERSON, STATE OF COLORADO



2 NORTH ELEVATION
SCALE: 1/4" = 1'-0"



1 EAST ELEVATION
SCALE: 1/4" = 1'-0"

KEY NOTES						
1	NOT USED					
2	2" EXPANDED POLYSTYRENE EPS SYSTEM PER SPECS. MATCH 1MM AGGREGATE STUCCO FINISH. PAINT AS SHOWN.					
3	ALUMINUM STOREFRONT DOORS: CLEAR ANODIZED ALUMINUM.					
4	ALUMINUM WINDOWS: CLEAR ANODIZED ALUMINUM.					
5	AWNINGS: PVC COATED HIGH-RESISTANT ERADICABLE POLYESTER AWNINGS WITH CUSTOM PALM TREE ERADICATED TO WHITE COLOR BY COOLEY WHITE CUSTOM RED 754.1124A. FLAME RETARDANT PER UL-48, UL-94, NFPA 701. PROVIDE FLOURESCENT BACKLIGHTING. SEE: 50A16.0 & 50A16.0.					
6	THIN BRICK VENEER. APPLY PER MFR RECOMMENDATIONS. SUMMIT BRICK/PUEBLO COLOR #05 "MCA". COLOR CLASSIFICATION: MAROON. TEXTURE: AVAILABLE. GRAIN: PROVIDE MATCHING ROWLOCK.					
7	EPS REVEAL: SEE DETAIL 40A16.0					
8	SLOPED ALUMINUM WINDOWS: U.S. ALUMINUM S-410. GLASS JOINTS TO HAVE POLISHED EDGES WITH SILICONE JOINTS. REDWOOD FRAMES TO BE PRIMED WITH AXALTA IRON IND 9P01-PRIMER CAN BE TINTED GRAY. FINISH COAT TO BE AXALTA IRON IND 9T01 TINTED CUSTOM COLOR EP-4.					
9	IN-N-OUT BURGER ILLUMINATED LOGO SIGN: UNDER SEPARATE PERMIT.					
10	L.E.D. DOUBLE BAND LIGHTING: UNDER SEPARATE PERMIT.					
11	INTERNALLY ILLUMINATED BUILDING ADDRESS NUMBERS TO BE 12" HIGH, 6" MIN. W/ MIN. STROKE WIDTH OF 0.5 INCH PER FIRE DEPARTMENT AND CITY JURISDICTION ADDRESS DISPLAY REQUIREMENTS.					
12	1. ADDRESS SHALL BE DISPLAYED & VISIBLE FROM BOTH STREET DIRECTIONS OF APPROACHING VEHICLES.					
13	2. PERMANENT NUMBERS AND LETTERS SHALL BE MADE OF DURABLE AND CLEARLY VISIBLE MATERIAL SUCH AS WOOD, METAL, CERAMIC, PLASTIC AND VINYL. (PAINTED OR GLED ON NUMBERS ARE NOT ACCEPTABLE MATERIALS).					
14	3. NUMBERS SHALL BE OF COLORS CONTRASTING WITH BACKGROUND TO WHICH THEY ARE ATTACHED.					
15	4. NUMBERS SHALL BE A MINIMUM PROPORTION RATIO OF 6:1 (HEIGHT TO WIDTH).					
16	5. NUMBERS CANNOT BE SPOILED.					
17	GALVANIZED METAL CAP: COLOR TO MATCH WALL.					
18	HOLLOW METAL DOOR: SEE SHEET A11.0. HM DOORS AND JAMBS SHALL HAVE POWDER COAT FINISH AS FOLLOWS: INTERIOR DOORS- TIGER DRYLAC- SMOOTH. HIGH GLOSS FINISH. "BENGAL WHITE". EXTERIOR DOORS- CARDINAL- GLOSS. SMOOTH FINISH. "BONE CHINA" OR TO MATCH EXTERIOR EPS PAINT COLOR- (VENERY ELEVATIONS- EP-1). WHERE FIELD PAINTING DOORS AND JAMBS IS NECESSARY-NOT RECOMMENDED. THE ALTERNATE WOULD BE TO USE AXALTA IRON IND 9P01 WHITE PRIMER. FINISH COAT TO BE AXALTA IRON IND 9T01 GLOSS WHITE. EXTERIOR HM DOORS & JAMBS-USE SAME PRODUCT TINTED TO MATCH EXTERIOR BUILDING PAINT COLOR EP-1. NOTE- TRASH ENCLOSURE METAL DOORS AND POSTS TO BE FIELD PAINTED USING AXALTA IRON AS DESCRIBED ABOVE.					
19	5'-0" HIGH STUB OUT FOR GAS LINE. MOUNT ON ADJACENT SIDE WALL.					
20	4" MIN. HIGH WHITE LETTERING "RISER ROOM" ON RED BACKGROUND SIGN. MOUNT ON RISER ROOM DOOR.					
21	RECESSED KNOX BOX AT 5'-0" HIGH TO THE RIGHT OF FIRE RISER ROOM. SEE DETAIL 10A17.0					
22	NOT USED					
23	NOT USED					
24	TEXTURE EXPOSED FOUNDATION WALL BELOW STONE WEEP SCREED AND PAINT TO MATCH STONE.					
EXTERIOR PAINT SCHEDULE						
NO.	MFR.	MODEL	COLOR #	COLOR NAME	FRESH	REMARKS
EP-1	SHERWIN WILLIAMS	SUPER PAINT LATEX	SW 6148	WOOL SKEN	HIGH GLOSS	EP-1: PRIME W/ LOXON CONCRETE & EXT LATEX PRIMER WHITE- A54W0300. GALV METAL: PRIME W/ GALVITE HS ACRYLIC COATING- B50W2030. OFF WHITE
EP-2	SHERWIN WILLIAMS	SUPER PAINT LATEX	SW 6148	WOOL SKEN	HIGH GLOSS	EP-2: PRIME W/ LOXON CONCRETE & EXT LATEX PRIMER WHITE- A54W0300. GALV METAL: PRIME W/ GALVITE HS ACRYLIC COATING- B50W2030. OFF WHITE
EP-3	SHERWIN WILLIAMS	SUPER PAINT LATEX	SW 6148	WOOL SKEN	HIGH GLOSS	EP-3: PRIME W/ LOXON CONCRETE & EXT LATEX PRIMER WHITE- A54W0300. GALV METAL: PRIME W/ GALVITE HS ACRYLIC COATING- B50W2030. OFF WHITE
EP-4	DUNN EDWARDS	ARISTOCHELD 70	ASHL70	IND RED	HIGH GLOSS	EP-4: PRIME W/ LOXON CONCRETE & EXT LATEX PRIMER WHITE- A54W0300. GALV METAL: PRIME W/ GALVITE HS ACRYLIC COATING- B50W2030. OFF WHITE
NO ALTERNATE ALLOWED FOR COLOR EP-4.						

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SITE PLAN
IN-N-OUT BURGER
A PORTION OF LOT 1-B, BLOCK 1, FILING NO. 1

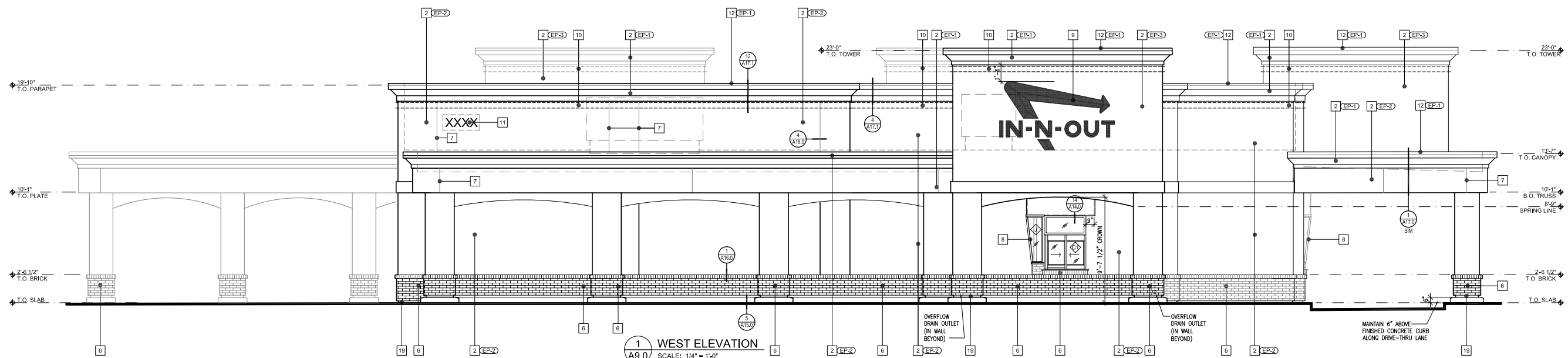
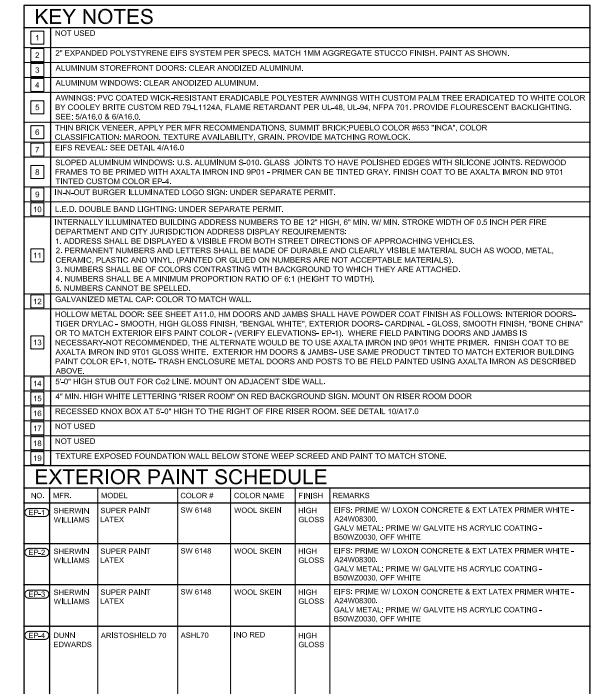
WADSWORTH BOULEVARD & 52ND AVENUE
ARVADA, CO 80002

#	Date	Issue / Description	Int.
1	08/17/2021	1ST CONCEPT PLAN SUBMITTAL	PJD
2	02/17/2022	2ND CONCEPT PLAN SUBMITTAL	PJD
3	04/25/2022	3RD CONCEPT PLAN SUBMITTAL	PJD
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Project No: INC000044.20
Drawn By:
Checked By:
Date: 04/26/2022

EXTERIOR ELEVATIONS

A PORTION OF LOT 1-B, BLOCK 1, ARVADA MARKETPLACE FILING NO. 1 – SECOND AMENDMENT MINOR SUBDIVISION
SITUATED IN THE NW 1/4 OF THE SW 1/4 OF SECTION 14, TOWNSHIP 3 SOUTH, RANGE 69 WEST OF THE 6TH P.M.
CITY OF ARVADA, COUNTY OF JEFFERSON, STATE OF COLORADO



IN-N-OUT BURGER

MAJOR MODIFICATION

A PORTION OF LOT 1-B, BLOCK 1, ARVADA MARKETPLACE FILING NO. 1 – SECOND AMENDMENT MINOR SUBDIVISION

SITUATED IN THE NW 1/4 OF THE SW 1/4 OF SECTION 14, TOWNSHIP 3 SOUTH, RANGE 69 WEST OF THE 6TH P.M.
CITY OF ARVADA, COUNTY OF JEFFERSON, STATE OF COLORADO

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SITE PLAN
IN-N-OUT BURGER
A PORTION OF LOT 1-B, BLOCK 1, FILING NO. 1

WADSWORTH BOULEVARD & 52ND AVENUE
ARVADA, CO 80002

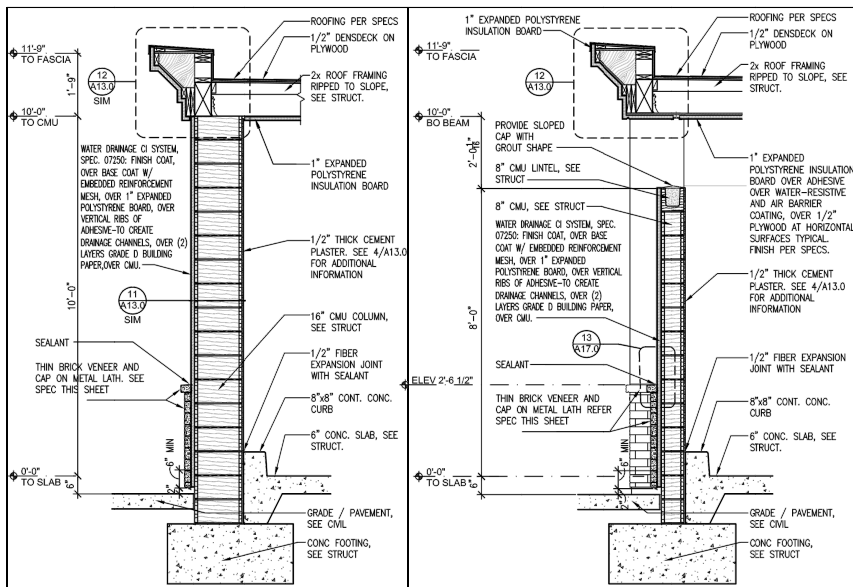
#	Date	Issue / Description	Int.
1	08/17/2021	1ST CONCEPT PLAN SUBMITTAL	PJD
2	02/17/2022	2ND CONCEPT PLAN SUBMITTAL	PJD
3	04/25/2022	3RD CONCEPT PLAN SUBMITTAL	PJD
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Project No: IN000044.20
Drawn By:
Checked By:
Date: 04/25/2022

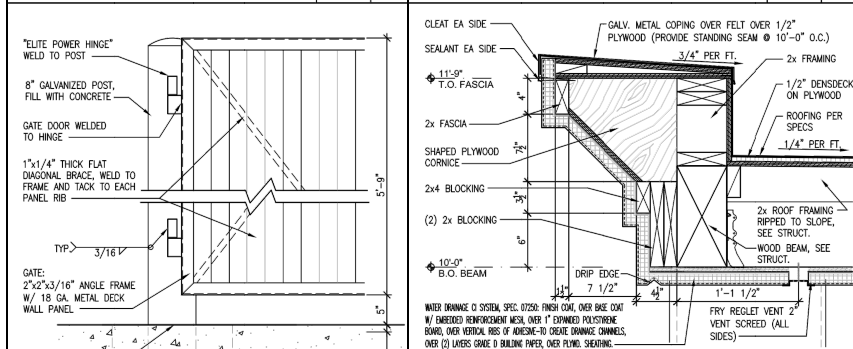
TRASH ENCLOSURE

7

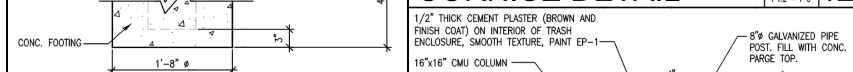
OF 8



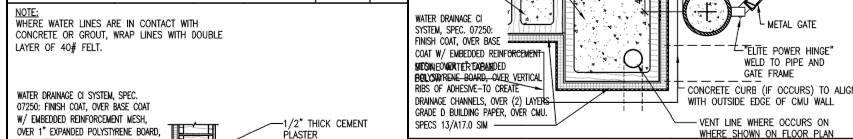
WALL SECTION 16 SCALE 1/2" = 1'-0"



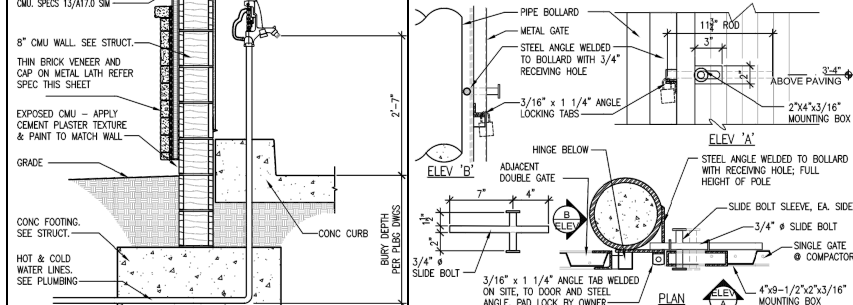
WALL SECTION 13 SCALE 1/2" = 1'-0"



GATE HINGE DETAIL 15 SCALE 1" = 1'-0"

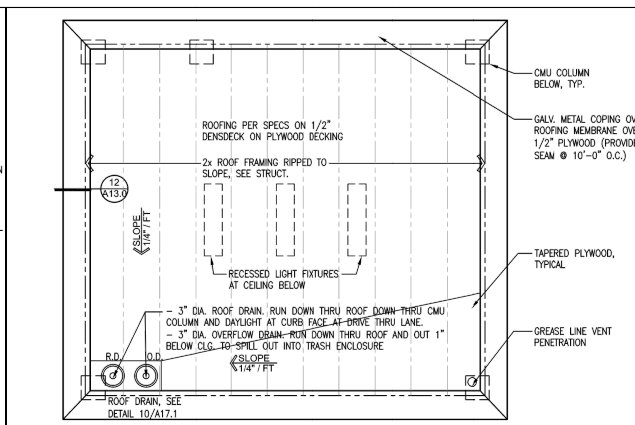


COL/GATE HINGE DTL. 11 SCALE 1" = 1'-0"

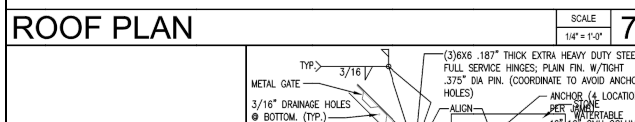


HOSE BIB DETAIL 14 SCALE 3/4" = 1'-0"

COMPACTOR GATE - LOCK 10 SCALE 1/2" = 1'-0"



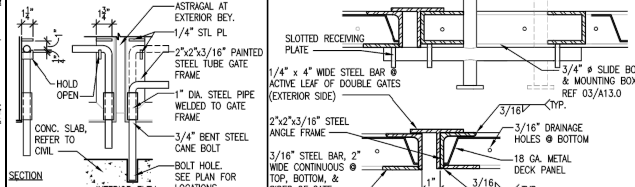
ROOF PLAN 7 SCALE 1/4" = 1'-0"



GATE-HINGE JAMB 9 SCALE 1/2" = 1'-0"



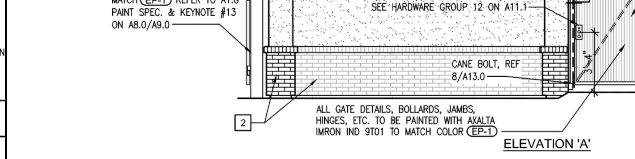
DOUBLE GATE DETS 6 SCALE 1" = 1'-0"



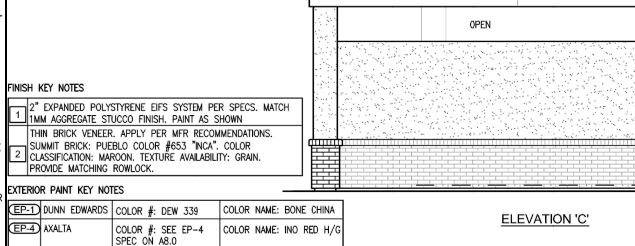
CANE BOLT 8 SCALE 1/2" = 1'-0"



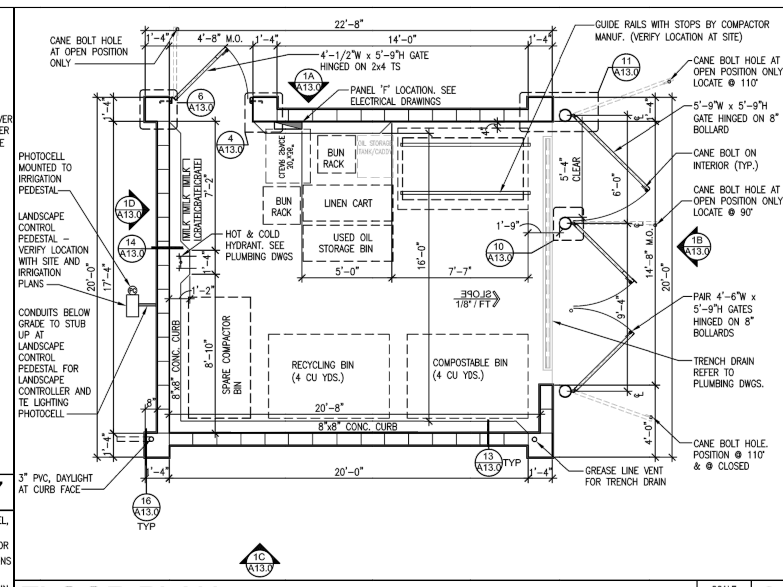
MAN GATE DTLS 5 SCALE 3" = 1'-0"



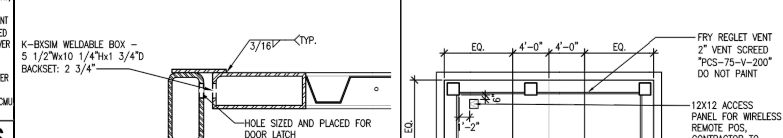
R.C.P. 4 SCALE 1/8" = 1'-0"



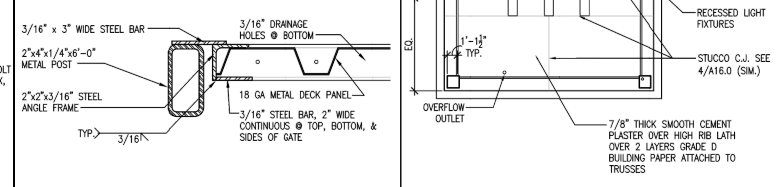
ELEVATIONS 1 SCALE 1/4" = 1'-0"



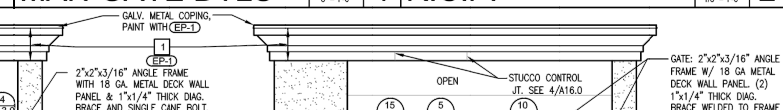
FLOOR PLAN 3 SCALE 1/4" = 1'-0"



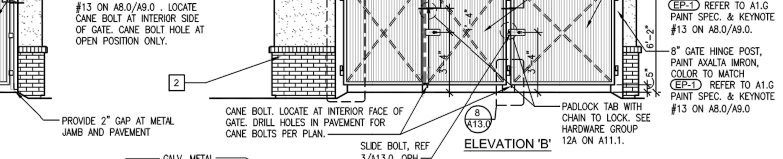
FLOOR PLAN 3 SCALE 1/4" = 1'-0"



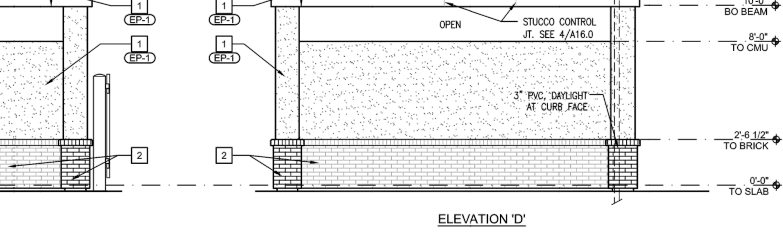
FLOOR PLAN 3 SCALE 1/4" = 1'-0"



FLOOR PLAN 3 SCALE 1/4" = 1'-0"



FLOOR PLAN 3 SCALE 1/4" = 1'-0"



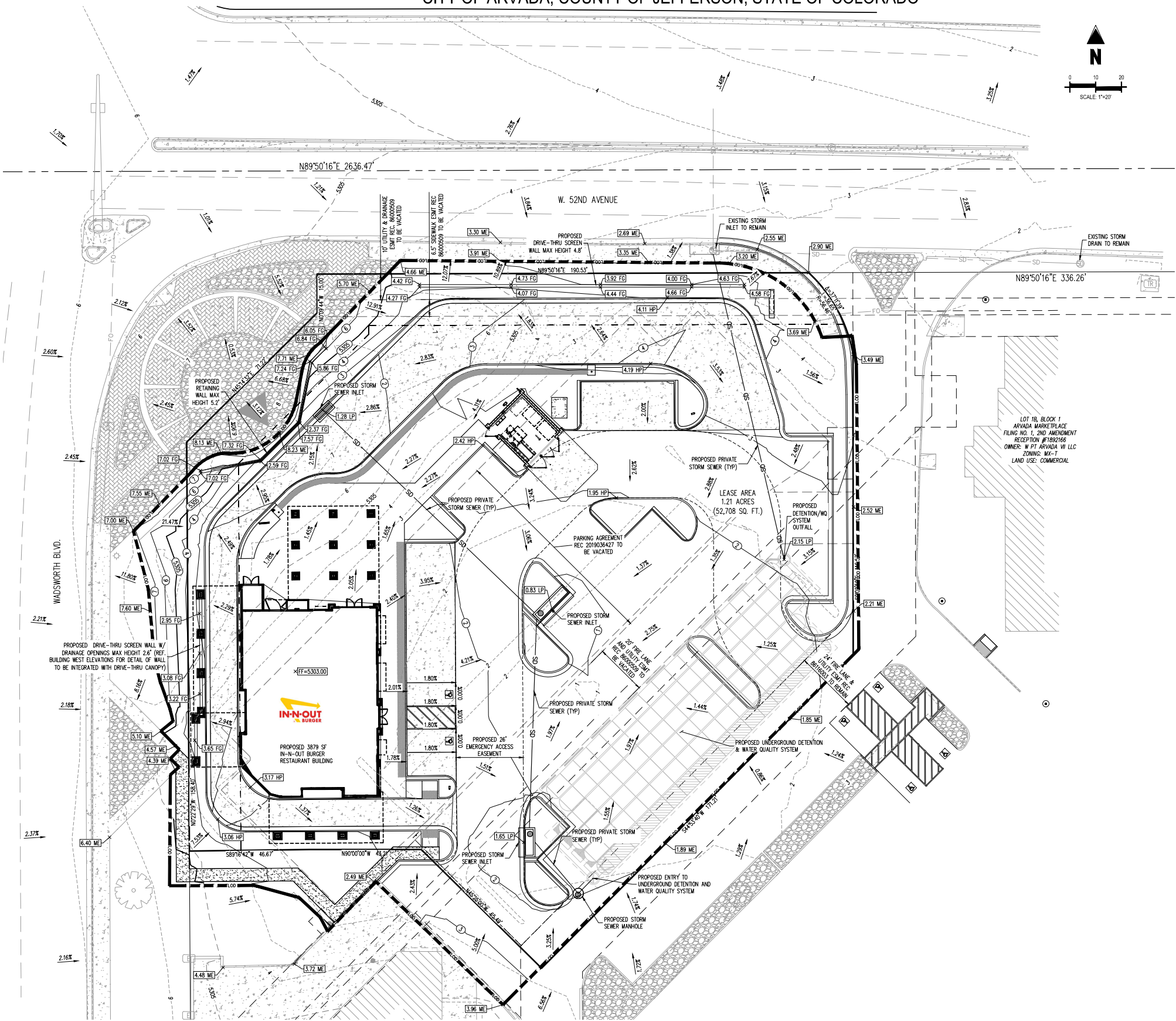
FLOOR PLAN 3 SCALE 1/4" = 1'-0"

IN-N-OUT BURGER

MAJOR MODIFICATION

A PORTION OF LOT 1-B, BLOCK 1, ARVADA MARKETPLACE FILING NO. 1 – SECOND AMENDMENT MINOR SUBDIVISION

SITUATED IN THE NW 1/4 OF THE SW 1/4 OF SECTION 14, TOWNSHIP 3 SOUTH, RANGE 69 WEST OF THE 6TH P.M.
CITY OF ARVADA, COUNTY OF JEFFERSON, STATE OF COLORADO



SITE LEGEND

---	PROPERTY BOUNDARY LINE
---	ADJACENT PROPERTY BOUNDARY LINE
---	RIGHT OF WAY BOUNDARY LINE
---	EXISTING EASEMENT LINE
---	PROPOSED EASEMENT LINE
---	EXISTING TO REMAIN
---	PROPOSED NEW
---	PROPOSED SAWCUT LINE
---	EXISTING SIGN
---	PROPOSED SIGN
---	ADA PARKING SYMBOL
---	EXISTING ELECTRICAL PULL BOX
---	EXISTING PAD MOUNTED TRANSFORMER
---	EXISTING LIGHT POLE
---	PROPOSED SITE LIGHTING
---	EXISTING SANITARY SEWER MANHOLE
---	EXISTING STORM SEWER MANHOLE
---	EXISTING WATER METER
---	EXISTING WATER VALVE
---	EXISTING FIRE HYDRANT
---	PROPOSED STORM INLET
---	PROPOSED STORM MANHOLE
---	PROPOSED CURB AND GUTTER
---	EXISTING CURB AND GUTTER
---	EXISTING MAJOR CONTOUR
---	EXISTING MINOR CONTOUR
---	PROPOSED MAJOR CONTOUR
---	PROPOSED MINOR CONTOUR
---	EXISTING STORM SEWER
---	PROPOSED STORM SEWER
---	LIMIT OF DISTURBANCE
---	FINISHED FLOOR
---	FINISHED GRADE
---	LOW POINT
---	MATCH EXISTING
---	HIGH POINT

BENCHMARK

ELEVATIONS ARE BASED ON ARVADA BENCHMARK 681, BEING CHISELED SQUARE IN SIDEWALK AT THE NORTHWEST CORNER OF THE INTERSECTION OF WADSWORTH BLVD. AND W. 52ND AVE.

ARVADA DATUM ELEVATION: 5308.28

NOTE: ARVADA BENCHMARKS ARE BASED ON A LOCALIZED DATUM AND ARE NOT NAVD88 OR NAVD22.

CAUTION - NOTICE TO CONTRACTOR

- ALL UTILITY LOCATIONS SHOWN ARE BASED ON MAPS PROVIDED BY THE APPROPRIATE UTILITY COMPANY AND FIELD SURFACE EVIDENCE AT THE TIME OF SURVEY AND IS TO BE CONSIDERED AN APPROXIMATE LOCATION ONLY. IT IS THE CONTRACTOR'S RESPONSIBILITY TO FIELD VERIFY THE LOCATION OF ALL UTILITIES, PUBLIC OR PRIVATE, WHETHER SHOWN ON THE PLANS OR NOT, PRIOR TO CONSTRUCTION. REPORT ANY DISCREPANCIES TO THE ENGINEER PRIOR TO CONSTRUCTION.
- WHERE A PROPOSED UTILITY CROSSES AN EXISTING UTILITY, IT IS THE CONTRACTOR'S RESPONSIBILITY TO FIELD VERIFY THE HORIZONTAL AND VERTICAL LOCATION OF SUCH EXISTING UTILITY, EITHER THROUGH POT-HOLING OR ALTERNATIVE METHOD. REPORT INFORMATION TO THE ENGINEER PRIOR TO CONSTRUCTION.



Call before you dig.

ALL WEATHER DRIVING SURFACE CAPABLE OF SUPPORTING FIRE APPARATUS MUST BE INSTALLED TO THE BUILDING FROM THE MAIN ACCESS AND SURROUNDING ALL SIDES OF THE BUILDING WITHIN 150 FEET OF ALL POINTS ALONG BUILDING EXTERIOR PRIOR TO BRINGING COMBUSTIBLES ON SITE. (ROAD TO BE 20 FOOT MINIMUM INTERIOR TURNING RADIUS AND ABLE TO SUPPORT THE WEIGHT OF FIRE APPARATUS H-20 LOADING SUPPORTING A GROSS VEHICLE WEIGHT OF 80,000 POUNDS) ON-SITE HYDRANTS MUST ALSO BE INSTALLED AND OPERATIONAL (UNLESS WAIVED BY FIRE DEPARTMENT).

NOTE: CONTRACTOR MUST COORDINATE WORK WITH UTILITY COMPANY AND CITY PRIOR TO BEGINNING WORK AND IS RESPONSIBLE FOR ALL MATERIALS, LABOR, REPAIRS, ETC. TO COMPLETE WORK AND RESTORE AREA TO SAME STATE PRIOR TO STARTING WORK.

SURVEYOR TO OBTAIN AUTOCAD FILE FROM ENGINEER AND VERIFY ALL HORIZONTAL CONTROL DIMENSIONS PRIOR TO CONSTRUCTION STAKING. SURVEYOR MUST VERIFY ALL BENCHMARK, BASIS OF BEARING AND DATUM INFORMATION TO ENSURE IMPROVEMENTS WILL BE AT THE SAME HORIZONTAL AND VERTICAL LOCATIONS SHOWN ON THE DESIGN CONSTRUCTION DRAWINGS. PRIOR TO CONSTRUCTION STAKING ANY DISCREPANCY MUST BE REPORTED TO OWNER AND ENGINEER PRIOR TO CONTINUATION OF ANY FURTHER STAKING OR CONSTRUCTION WORK.

NOTE: CONTRACTOR SHALL PROTECT ALL EXISTING SURVEY MONUMENTATION. CONTRACTOR SHALL HAVE LICENSED SURVEYOR REPLACE ANY DAMAGED OR DISTURBED MONUMENTATION AT THEIR COST.

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SITE PLAN
IN-N-OUT BURGER
A PORTION OF LOT 1-B, BLOCK 1, FILING NO. 1

WADSWORTH BOULEVARD & 52ND AVENUE
ARVADA, CO 80002

#	Date	Issue / Description	Init.
1	09/17/2021	1ST CONCEPT PLAN SUBMITTAL	PJD
2	02/17/2022	2ND CONCEPT PLAN SUBMITTAL	PJD
3	04/25/2022	3RD CONCEPT PLAN SUBMITTAL	PJD

Project No: INO000044-20
Drawn By: CAC
Checked By: PJD
Date: 04/25/2022

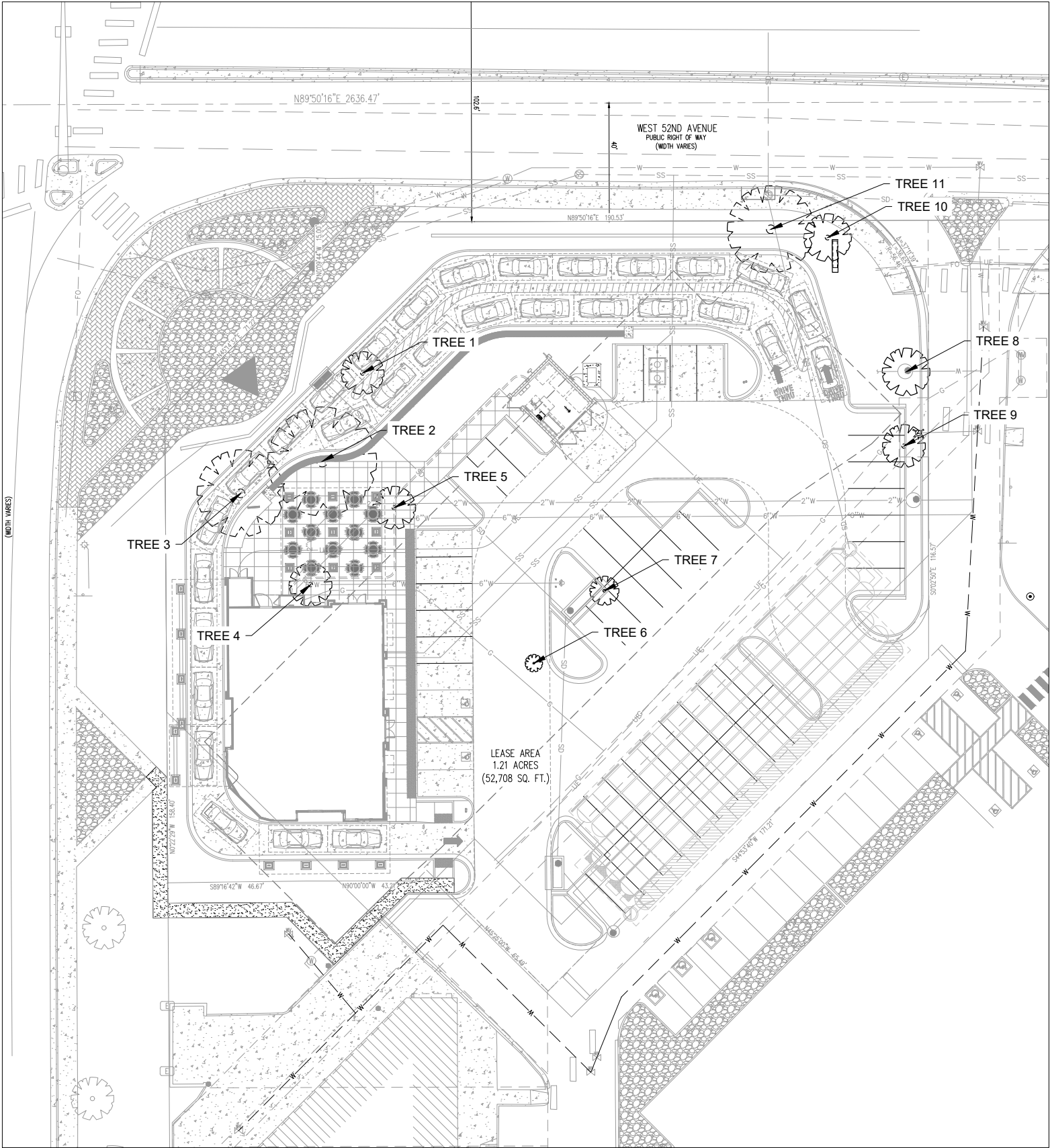
CONCEPTUAL GRADING
PLAN

SITE PLAN

A PORTION OF LOT 1-B, BLOCK 1, ARVADA MARKETPLACE FILING NO. 1 – SECOND AMENDMENT MINOR SUBDIVISION
IN-N-OUT BURGER

SITUATED IN THE NW 1/4 OF THE SW 1/4 OF SECTION 14, TOWNSHIP 3 SOUTH, RANGE 69 WEST OF THE 6TH P.M.
CITY OF ARVADA, COUNTY OF JEFFERSON, STATE OF COLORADO

CAUTION
UTILITIES EXIST WITHIN CONSTRUCTION
LIMITS. CONTRACTOR IS RESPONSIBLE
FOR IDENTIFYING THEIR LOCATION
PRIOR TO CONSTRUCTION.



Number & Species	Caliper Inches / Size	Quality	Remove / Protect
1 - Gleditsia triacanthos	20"+ Caliper	Poor	Remove
2 - Gleditsia triacanthos	36"+ Caliper	Moderate	Remove
3 - Gleditsia triacanthos	24"+ Caliper	Good	Remove
4 - Fraxinus pennsylvanica	20"+ Caliper	Good	Remove
5 - Fraxinus pennsylvanica	16"+ Caliper	Good	Remove
6 - Unknown	N/A	Dead	Remove
7 - Gleditsia triacanthos	20"+ Caliper	Good	Remove
8 - Pyrus calleryana	28"+ Caliper	Good	Remove
9 - Celtis occidentalis	30"+ Caliper	Moderate	Remove
10 - Pyrus calleryana	18"+ Caliper	Good	Remove
11 - Pyrus calleryana	22"+ Caliper	Good	Remove

ARVADA TREE PROTECTION NOTES

- PRIOR TO AND DURING CONSTRUCTION, BARRIERS SHALL BE ERECTED AROUND ALL PROTECTED EXISTING TREES WITH SUCH BARRIERS TO BE OF ORANGE FENCING A MINIMUM OF FOUR FEET IN HEIGHT, SECURED WITH METAL T-POSTS, NO CLOSER THAN SIX FEET FROM THE TRUNK OR ONE FOOT FOR EVERY INCH OF DIAMETER WHICHEVER IS GREATER (FOR EXAMPLE, A TEN-INCH DIAMETER TREE WILL HAVE A FENCE NO CLOSER THAN TEN FEET FROM THE TRUNK). THERE SHALL BE NO STORAGE OR MOVEMENT OF EQUIPMENT, MATERIAL, DEBRIS OR FILL WITHIN THE FENCED TREE PROTECTION ZONE UNLESS PREVIOUSLY APPROVED BY THE DIRECTOR.
- DURING THE CONSTRUCTION STAGE OF DEVELOPMENT, THE APPLICANT SHALL PREVENT THE CLEANING OF EQUIPMENT OR MATERIAL OR THE STORAGE AND DISPOSAL OF WASTE MATERIAL SUCH AS PAINTS, OILS, SOLVENTS, ASPHALT, CONCRETE, MOTOR OIL OR ANY OTHER MATERIAL HARMFUL TO THE LIFE OF A TREE WITHIN THE FENCED TREE PROTECTION ZONE.
- NO DAMAGING ATTACHMENT, WIRES, SIGNS OR PERMITS MAY BE FASTENED TO ANY PROTECTED TREE.
- LARGE PROPERTY AREAS CONTAINING PROTECTED TREES AND SEPARATED FROM CONSTRUCTION OR LAND CLEARING AREAS, ROAD RIGHTS-OF-WAY AND UTILITY EASEMENTS MAY BE "RIBBONED OFF," RATHER THAN ERECTING PROTECTIVE FENCING AROUND EACH TREE. THIS MAY BE ACCOMPLISHED BY PLACING METAL T-POST STAKES A MAXIMUM OF 50 FEET APART AND TYING RIBBON OR ROPE FROM STAKE-TO-STAKE ALONG THE OUTSIDE PERIMETERS OF SUCH AREAS BEING CLEARED.
- THE INSTALLATION OF UTILITIES, IRRIGATION LINES OR ANY UNDERGROUND FIXTURE WITHIN THE FENCE TREE PROTECTION ZONE SHALL BE ACCOMPLISHED BY BORING UNDER THE ROOT SYSTEM OF PROTECTED EXISTING TREES AT A MINIMUM DEPTH OF 24 INCHES.

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SITE PLAN
IN-N-OUT BURGER
A PORTION OF LOT 1-B, BLOCK 1, FILING NO. 1
WADSWORTH BOULEVARD & 52ND AVENUE
ARVADA, CO 80002

#	Date	Issue / Description	Init.
1	07/27/21	1ST SITE PLAN SUBMITTAL	PJD
2	04/25/2022	2ND CONCEPT PLAN SUBMITTAL	
3			
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Project No: INO000044.20
Drawn By: AS
Checked By: DTT
Date: 07/27/2021
LANDSCAPE TREE SURVEY

L1.0

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SITE PLAN
IN-N-OUT BURGER
A PORTION OF LOT 1-B, BLOCK 1, FILING NO. 1

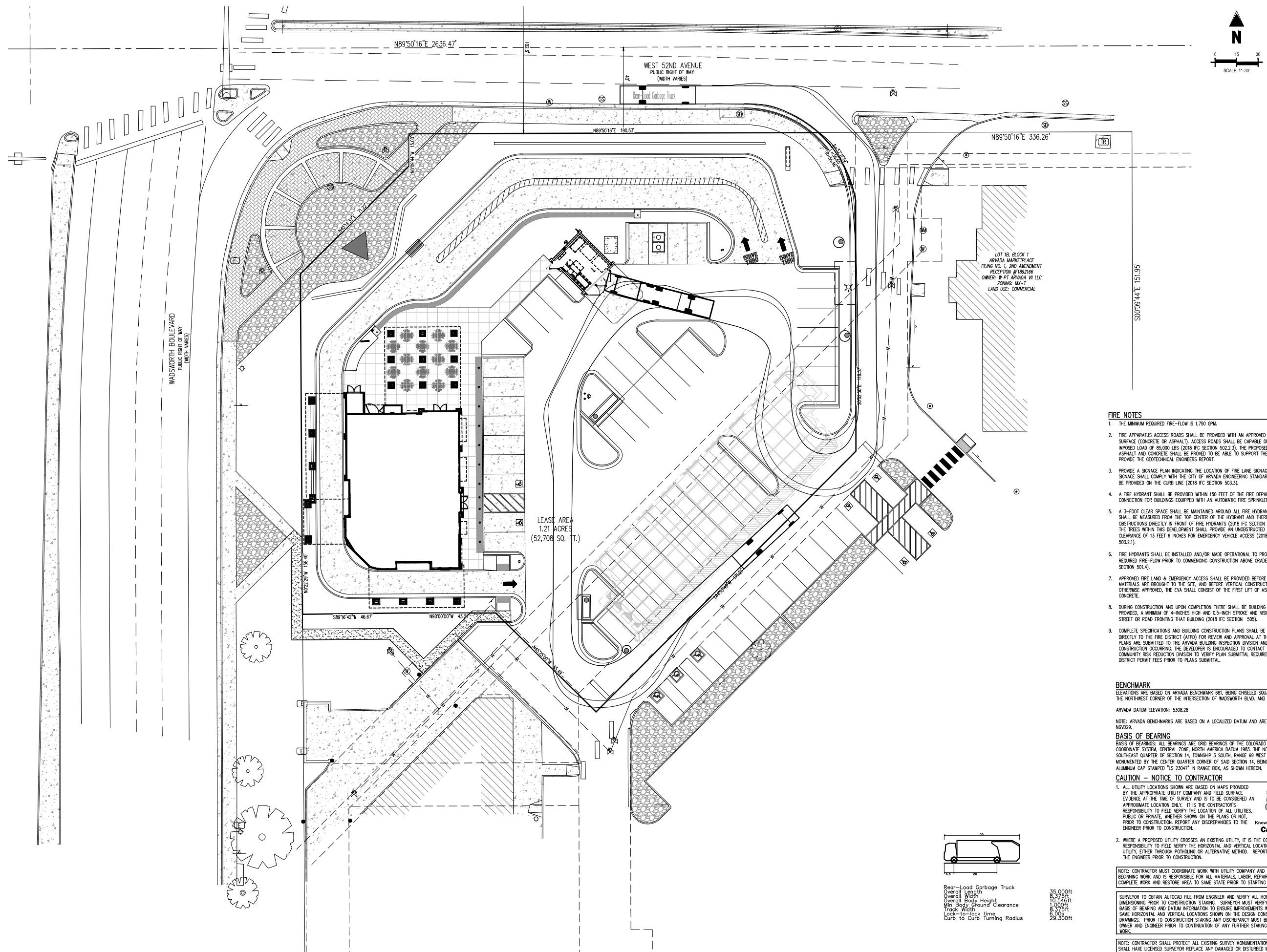
WADSWORTH BOULEVARD & 52ND AVENUE
ARVADA, CO 80002

[illegible]

Project No:	INO000044
Drawn By:	CAC
Checked By:	PJD
Date:	04/15/22

TRUCK TURN EXHIBIT -
GARBAGE TRUCK

1



2. THE MINIMUM REQUIRED FLOW-RATE IS 1.75 GPM GPM.
3. FIRE APPARATUS ACCESS ROADS SHALL BE PROVIDED WITH AN APPROVED ALL-WEATHER SURFACE (CONCRETE OR ASPHALT). ACCESS ROADS SHALL BE CAPABLE OF SUPPORTING AN IMPOSED LOAD OF 85,000 LBS (2018 IFC SECTION 502.2.3). THE PROPOSED HEAVY-DUTY ASPHALT AND CONCRETE SHALL BE PROVED TO BE ABLE TO SUPPORT THE REQUIRED LOAD, PROVIDE THE GEOTECHNICAL ENGINEERS REPORT.
4. PROVIDE A SIGNAGE PLAN INDICATING THE LOCATION OF FIRE LANE SIGNAGE. THE FIRE LANE SIGNAGE SHALL COMPLY WITH THE CITY OF ARVADA ENGINEERING STANDARDS AND SHALL BE PROVIDED ON THE CURB LINE (2018 IFC SECTION 503.3).
5. A FIRE HYDRANT SHALL BE PROVIDED WITHIN 150 FEET OF THE FIRE DEPARTMENT CONNECTION FOR BUILDINGS EQUIPPED WITH AN AUTOMATIC FIRE SPRINKLER SYSTEM.
6. A 3'-0" FOOT CLEAR SPACE SHALL BE MAINTAINED AROUND ALL FIRE HYDRANTS. THE SPACE SHALL BE MEASURED FROM THE TOP CENTER OF THE HYDRANT AND THERE SHALL BE NO OBSTACLES DIRECTLY IN FRONT OF THE HYDRANTS (2018 IFC SECTION 507.5.5). ALL OF THE TREES WITHIN THIS DEVELOPMENT SHALL PROVIDE AN UNOBSTRUCTED VERTICAL CLEARANCE OF 13 FEET 6 INCHES FOR EMERGENCY VEHICLE ACCESS (2018 SECTION 503.2.1).
7. FIRE HYDRANTS SHALL BE INSTALLED AND/OR MADE OPERATIONAL TO PROVIDE THE MINIMUM REQUIRED FIRE-FLOW PRIOR TO COMMENCING CONSTRUCTION ABOVE GRADE. (2018 IFC SECTION 501.4).
8. APPROVED FIRE LANE & EMERGENCY ACCESS SHALL BE PROVIDED BEFORE COMBUSTIBLE MATERIALS ARE BROUGHT TO THE SITE, AND BEFORE VERTICAL CONSTRUCTION, UNLESS OTHERWISE APPROVED, THE EVA SHALL CONSIST OF THE FIRST LIFT OF ASPHALT OR CONCRETE.
9. DURING CONSTRUCTION AND UPON COMPLETION THERE SHALL BE BUILDING SIGNAGE PROVIDED, A MINIMUM OF 4'-0" HIGHER THAN THE FINISH STROKE AND VISIBLE FROM THE STREET OR ROAD FRONTING THAT BUILDING (2018 IFC SECTION 505).
10. COMPLETE SPECIFICATIONS AND BUILDING CONSTRUCTION PLANS SHALL BE SUBMITTED DIRECTLY TO THE FIRE DISTRICT (AFPD) FOR REVIEW AND APPROVAL. AT THE SAME TIME PLANS ARE SUBMITTED TO THE ARVADA BUILDING INSPECTION DIVISION AND PRIOR TO CONSTRUCTION. HOWEVER, THE DEVELOPER IS ENCOURAGED TO CONTACT THE AFPO COMMUNITY RISK REDUCTION DIVISION TO VERIFY PLAN SUBMITTAL REQUIREMENTS AND FIRE DISTRICT PERMIT FEES PRIOR TO PLANS SUBMITTAL.

ELEVATIONS ARE BASED ON ARVADA BENCHMARK 681, BEING CHISELED SQUARE IN SIDEWALK AT THE NORTHWEST CORNER OF THE INTERSECTION OF WADSWORTH BLVD. AND W. 52ND AVE.

ARVADA DATUM ELEVATION: 5308.28

NOTE: ARVADA BENCHMARKS ARE BASED ON A LOCALIZED DATUM AND ARE NOT NAVD88 OR NGVD29.

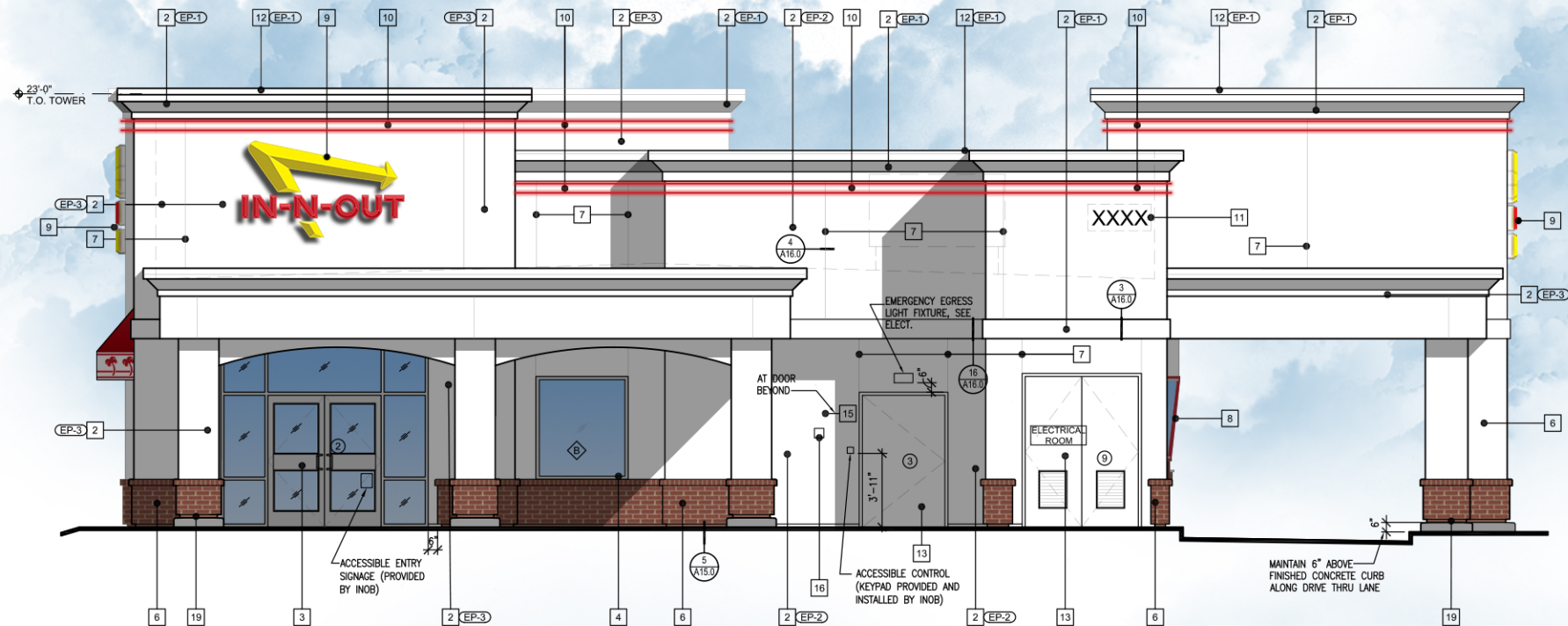
BASIS OF BEARINGS: ALL BEARINGS ARE GRID BEARINGS OF THE COLORADO STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE, NORTH AMERICA DATUM 1983. THE NORTH LINE OF THE SOUTHEAST QUARTER OF SECTION 14, TOWNSHIP 3 SOUTH, RANGE 69 WEST BEARS N89°50'16"E, MONUMENTED BY THE CENTER QUARTER CORNER OF SAID SECTION 14, BEING A 3-1/4" ALUMINUM CAP STAMPED "LS 23047" IN RANGE BOX, AS SHOWN HEREON.

1. ALL UTILITY LOCATIONS SHOWN ARE BASED ON MAPS PROVIDED BY THE APPROPRIATE UTILITY COMPANY AND FIELD SURFACE EVIDENCE AT THE TIME OF SURVEY AND IS TO BE CONSIDERED AN APPROXIMATE LOCATION ONLY. IT IS THE CONTRACTOR'S RESPONSIBILITY TO FIELD VERIFY THE LOCATION OF ALL UTILITIES, PUBLIC OR PRIVATE, WHETHER SHOWN ON THE PLANS OR NOT, PRIOR TO CONSTRUCTION. REPORT ANY DISCREPANCIES TO THE ENGINEER PRIOR TO CONSTRUCTION.

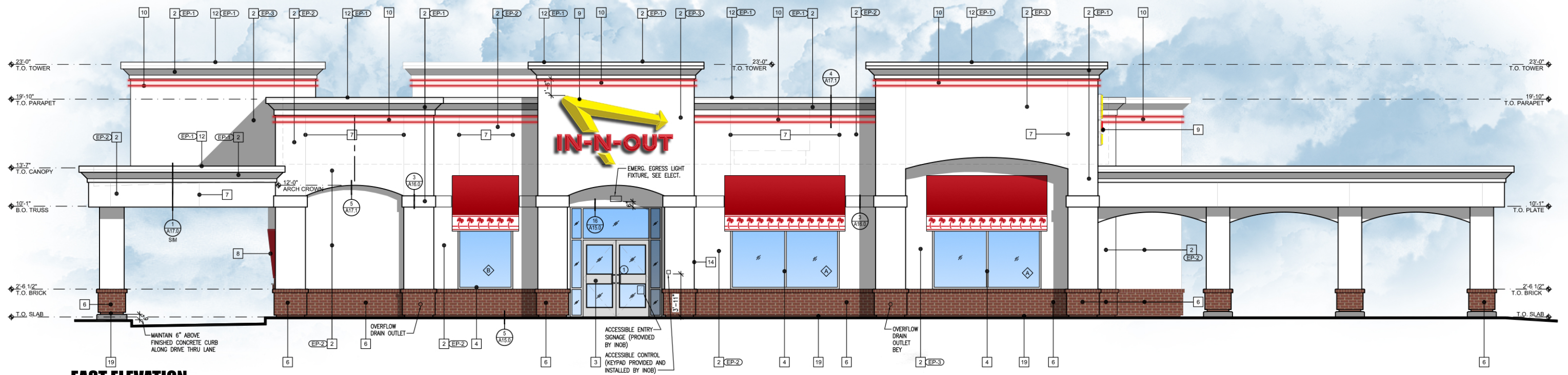
NOTE: CONTRACTOR MUST COORDINATE WORK WITH UTILITY COMPANY AND CITY PRIOR TO BEGINNING WORK AND IS RESPONSIBLE FOR ALL MATERIALS, LABOR, REPAIRS, ETC. TO COMPLETE WORK AND RESTORE AREA TO SAME STATE PRIOR TO STARTING WORK.

SURVEYOR TO OBTAIN AUTOCAD FILE FROM ENGINEER AND VERIFY ALL HORIZONTAL CONTROL DIMENSIONING PRIOR TO CONSTRUCTION STAKING. SURVEYOR MUST VERIFY ALL BENCHMARK, BASIS OF BEARING AND DATUM INFORMATION TO ENSURE IMPROVEMENTS WILL BE AT THE SAME HORIZONTAL AND VERTICAL LOCATIONS SHOWN ON THE DESIGN CONSTRUCTION DRAWINGS. PRIOR TO CONSTRUCTION STAKING ANY DISCREPANCY MUST BE REPORTED TO OWNER AND ENGINEER PRIOR TO CONTINUATION OF ANY FURTHER STAKING OR CONSTRUCTION WORK.

NOTE: CONTRACTOR SHALL PROTECT ALL EXISTING SURVEY MONUMENTATION. CONTRACTOR SHALL HAVE LICENSED SURVEYOR REPLACE ANY DAMAGED OR DISTURBED MONUMENTATION AT THEIR COST.



NORTH ELEVATION



EAST ELEVATION

KEY NOTES						
1	NOT USED					
2	2" EXPANDED POLYSTYRENE EIFS SYSTEM PER SPECS. MATCH 1MM AGGREGATE STUCCO FINISH. PAINT AS SHOWN.					
3	ALUMINUM STOREFRONT DOORS: CLEAR ANODIZED ALUMINUM.					
4	ALUMINUM WINDOWS: CLEAR ANODIZED ALUMINUM.					
5	AWNINGS: PVC COATED WICK-RESISTANT ERADICABLE POLYESTER AWNINGS WITH CUSTOM PALM TREE ERADICATED TO WHITE COLOR BY COOLEY BRITE CUSTOM RED 79-L1124A, FLAME RETARDANT PER UL-48, UL-94, NFPA 701. PROVIDE FLOURESCENT BACKLIGHTING. SEE: 5/A16.0 & 6/A16.0.					
6	THIN BRICK VENEER: APPLY PER MFR RECOMMENDATIONS. SUMMIT BRICK-PUEBLO COLOR #653 "INC", COLOR CLASSIFICATION: MAROON. TEXTURE AVAILABILITY, GRAIN. PROVIDE MATCHING ROWLOCK.					
7	EIFS REVEAL: SEE DETAIL 4/A16.0					
8	SLOPED ALUMINUM WINDOWS: U.S. ALUMINUM S-010. GLASS JOINTS TO HAVE POLISHED EDGES WITH SILICONE JOINTS. REDWOOD FRAMES TO BE PRIMED WITH AXALTA IMRON IND 9P01 - PRIMER CAN BE TINTED GRAY. FINISH COAT TO BE AXALTA IMRON IND 9T01 TINTED CUSTOM COLOR EP-4.					
9	IN-N-OUT BURGER ILLUMINATED LOGO SIGN: UNDER SEPARATE PERMIT.					
10	L.E.D. DOUBLE BAND LIGHTING: UNDER SEPARATE PERMIT.					
11	INTERNALLY ILLUMINATED BUILDING ADDRESS NUMBERS TO BE 12" HIGH, 6" MIN. W/ MIN. STROKE WIDTH OF 0.5 INCH PER FIRE DEPARTMENT AND CITY JURISDICTION ADDRESS DISPLAY REQUIREMENTS: 1. ADDRESS SHALL BE DISPLAYED & VISIBLE FROM BOTH STREET DIRECTIONS OF APPROACHING VEHICLES. 2. PERMANENT NUMBERS AND LETTERS SHALL BE MADE OF DURABLE AND CLEARLY VISIBLE MATERIAL SUCH AS WOOD, METAL, CERAMIC, PLASTIC AND VINYL. (PAINTED OR GLUED ON NUMBERS ARE NOT ACCEPTABLE MATERIALS). 3. NUMBERS SHALL BE OF COLORS CONTRASTING WITH BACKGROUND TO WHICH THEY ARE ATTACHED. 4. NUMBERS SHALL BE A MINIMUM PROPORTION RATIO OF 6:1 (HEIGHT TO WIDTH). 5. NUMBERS CANNOT BE SPELLED.					
12	GALVANIZED METAL CAP: COLOR TO MATCH WALL.					
13	HOLLOW METAL DOOR: SEE SHEET A11.0, HM DOORS AND JAMBS SHALL HAVE POWDER COAT FINISH AS FOLLOWS: INTERIOR DOORS- TIGER DRYLAC - SMOOTH, HIGH GLOSS FINISH, "BENGAL WHITE". EXTERIOR DOORS- CARDINAL - GLOSS, SMOOTH FINISH, "BONE CHINA" OR TO MATCH EXTERIOR EIFS PAINT COLOR. (VERIFY ELEVATIONS: EP-1). WHERE FIELD PAINTING DOORS AND JAMBS IS NECESSARY-NOT RECOMMENDED, THE ALTERNATE WOULD BE TO USE AXALTA IMRON IND 9P01 WHITE PRIMER. FINISH COAT TO BE AXALTA IMRON IND 9T01 GLOSS WHITE. EXTERIOR HM DOORS & JAMBS- USE SAME PRODUCT TINTED TO MATCH EXTERIOR BUILDING PAINT COLOR EP-1. NOTE: TRASH ENCLOSURE METAL DOORS AND POSTS TO BE FIELD PAINTED USING AXALTA IMRON AS DESCRIBED ABOVE.					
14	5'-0" HIGH STUB OUT FOR C02 LINE. MOUNT ON ADJACENT SIDE WALL.					
15	4" MIN. HIGH WHITE LETTERING "RISER ROOM" ON RED BACKGROUND SIGN. MOUNT ON RISER ROOM DOOR					
16	RECESSED KNOX BOX AT 5'-0" HIGH TO THE RIGHT OF FIRE RISER ROOM. SEE DETAIL 10/A17.0					
17	NOT USED					
18	NOT USED					
19	TEXTURE EXPOSED FOUNDATION WALL BELOW STONE WEEP SCREED AND PAINT TO MATCH STONE.					
EXTERIOR PAINT SCHEDULE						
NO.	MFR.	MODEL	COLOR #	COLOR NAME	FINISH	REMARKS
EP-1	SHERWIN WILLIAMS	SUPER PAINT LATEX	SW 6148	WOOL SKEIN	HIGH GLOSS	EIFS: PRIME W/ LOXON CONCRETE & EXT LATEX PRIMER WHITE - A24W08300. GALV METAL: PRIME W/ GALVITE HS ACRYLIC COATING - B50WZ0030, OFF WHITE
EP-2	SHERWIN WILLIAMS	SUPER PAINT LATEX	SW 6148	WOOL SKEIN	HIGH GLOSS	EIFS: PRIME W/ LOXON CONCRETE & EXT LATEX PRIMER WHITE - A24W08300. GALV METAL: PRIME W/ GALVITE HS ACRYLIC COATING - B50WZ0030, OFF WHITE
EP-3	SHERWIN WILLIAMS	SUPER PAINT LATEX	SW 6148	WOOL SKEIN	HIGH GLOSS	EIFS: PRIME W/ LOXON CONCRETE & EXT LATEX PRIMER WHITE - A24W08300. GALV METAL: PRIME W/ GALVITE HS ACRYLIC COATING - B50WZ0030, OFF WHITE
EP-4	DUNN EDWARDS	ARISTOSHIELD 70	ASHL70	INO RED	HIGH GLOSS	

NO ALTERNATE ALLOWED FOR COLOR EP-4.



Colored Elevations

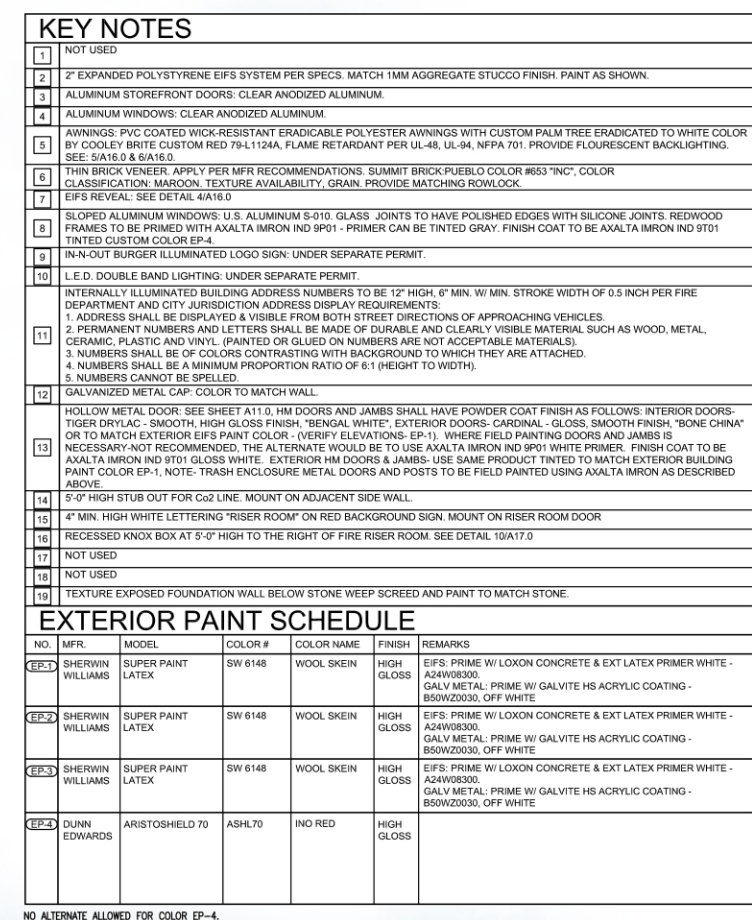
IN-N-OUT BURGER
Arvada, CO

DATE: 04-26-22
SCALE: NTS

GHA Architecture / Development

14901 Quorum Drive, Suite 300
Dallas, Texas 75254 972.239.8884





GHA Architecture / Development
14901 Quorum Drive, Suite 300
Dallas, Texas 75254 972.239.8884





13502 HAMBURGER LANE
BALDWIN PARK, CA 91706



INO Red



INO Yellow



WALLS & TRIM
DEW339 Bone China



BRICK

ARVADA, CO

04/26/22



13502 HAMBURGER LANE
BALDWIN PARK, CA 91706



INO Red



INO Yellow



WALLS & TRIM
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BRICK

ARVADA, CO

04/26/22



REPORT TO PLANNING COMMISSION

AGENDA ITEM
9.A.

TO: PLANNING COMMISSION

DATE: June 7, 2022

SUBJECT: Land Development Code Update

Report in Brief

The latest version of the Land Development Code was adopted in May of 2020 and most recently updated in March of 2022.

Additional discussion on the following items was requested by the City Council during the December 13, 2021 workshop. The final proposed changes were discussed with the City Council on April 11th.

The changes/additions proposed at this time include:

- Short Term Rental updates
- Changes to notification distances
- Additional Site Plan approval criteria for residential projects granted Conditional Use approval
- Definition of Fleet Vehicles and limitations
- Definition of Heavy Truck and limitations
- Addition of a Call Up procedure

A Planning Commission public hearing on these items has been scheduled for June 21, 2022.

Prepared by:
Abigail Ogg, Administrative Specialist

Reviewed by:

Approved by:

Robert Smetana, Manager of City Planning and Development	5/26/2022
Josie Suk, Development Systems and Administrative Manager	6/1/2022
Emily Grogg, Senior Assistant City Attorney	6/1/2022
Ryan Stachelski, Director of Community and Economic Development	6/2/2022

Enclosure, exhibits & attachments required to support the report

DRAFT

3-1-5-3 Short-Term Rentals

- A. **License Required.** Short Term Rental is prohibited within the City unless a license has been duly issued therefore pursuant to this Section 3-1-5-3 and in compliance with the Code, including without limitation, Chapter 98, Article V, Division 2, Lodging License.
- B. **Application.**
1. **Requirements.** An application for a license shall be submitted to the Director and shall be signed by the fee owner of record of the property to be licensed or an individual authorized in writing by the fee owner of record. All license applications shall be submitted on a form supplied by the Director, which shall include such information as is reasonably necessary for the Director to act on such application, together with an application fee as authorized under Section 74-31 of the Code. The applicant must specify which portions of the Dwelling Unit, Dwelling Unit or Accessory Dwelling Unit, Residential ("ADUR") will constitute the licensed premises available for use by renters. A license is not valid until the application fee is paid and accepted by the City.
 2. **Certification.** The applicant shall self-certify that the information on the application is accurate and truthful under penalty of perjury under the laws of the State of Colorado. Applicants shall inform the Director in writing of any material change to the information submitted on an application for a license within thirty (30) calendar days of such change.
- C. **Term of License and Renewal.** ~~An application fee shall be received by the City prior to issuance of a license.~~ Licenses issued pursuant to this Section shall be valid for a period of one (1) calendar year from the date of issuance. Licenses must be renewed annually. Applications for renewals of a Short Term Rental license are subject to all application, fees, licensing and operation requirements set forth in this Section that apply to new licenses. In the Financial Officer's discretion, after consultation with the Director, the Financial Officer may impose conditions upon a license at the time of renewal to address non-compliance with the terms of the license, the provisions of this Section, or any other applicable provision of federal, state, or local law. Failure to comply with such conditions may result in suspension, revocation, or non-renewal of the license.
- D. **License Regulations.**
1. **Compliance.** The licensee shall comply with all applicable Code provisions and state and federal law including, but not limited to, Chapter 18, Buildings and Building Regulations, ~~and~~ Chapter 38, Article III, Nuisances, and Chapter 98, Taxation.
 2. **Restrictions.** The licensee shall ensure that renters of a Short Term Rental Unit shall only be allowed access to the portions of the Dwelling, Dwelling Unit or ADUR identified in the license.
 3. **Local Contact.** The licensee must designate on the application a local contact who shall be available to respond within one hour of being notified by the City of a complaint about the condition of the property or conduct of short term tenants. The local contact must be available to respond as set forth herein 24 hour per day, seven days per week during any term the Short Term Rental Unit is occupied by or rented to a short term tenant, must be able to provide access to the licensed premises, and must be authorized to make decisions about the licensed premises. The local contact may be an individual or an organization or company that specializes in such services and otherwise meets the requirements of this Section. Should the local contact change, the licensee must, within seven days of the change, update the license on file with the City.~~During the term that a Short Term Rental~~

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~~Unit is occupied by a short term tenant, the owner and/or the local contact person designated by the owner shall be available twenty four (24) hours per day, seven (7) days per week, for the purpose of responding within one (1) hour to complaints regarding the condition or operation of the Short Term Rental Unit or the conduct of short term tenants. If the local contact person designated by the owner changes, then the owner shall update the license on file within five (5) business days. For the purposes of this section, "local contact person" means an individual located within thirty (30) miles of the Short Term Rental Unit, during the entire length of the Short Term Rental period, who has access to the licensed premises and is authorized to make decisions regarding the licensed premises.~~

4. Brochures. Each Short Term Rental Unit shall provide two brochures to its guests:
 - a. The first brochure shall include the licensee's contact information, the local contact party's contact information, and any necessary emergency contact information. The brochure shall also provide information pertinent to the neighborhood where the Short Term Rental Unit is located including, but not limited to, parking restrictions, trash collection schedule, relevant water restrictions, fire evacuation routes, and any other information, as required by the Director, applicable to the Short Term Rental Unit and the surrounding neighborhood.
 - b. The second brochure will be provided by the city and include relevant local ordinances, rules, and regulations that apply to all residences in the city. The licensee must display the city's brochure in each Short Term Rental Unit as it is made available and updated by the city.

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E. Licensing Requirements.

1. *Number of Short Term Rentals Units per lot.* Licensees are limited to one Short Term Rental per property. If a ~~lot~~property contains more than one legal Dwelling, Dwelling Unit or ADUR, only one Dwelling, Dwelling Unit or ADUR on such lot is eligible for licensure as a Short Term Rental Unit.
2. *Permitted structures.* Short Term Rental Units are allowed in primary and accessory structures with finished living space. All structures shall comply with the regulations for primary and accessory structures, including maximum size, height, lot coverage, and setbacks, for the property's zoning district. In the case of a multifamily property, the property owner licensee is allowed one ~~(1)~~ Short Term Rental Unit. In the case of condominiums or buildings held in similar common ownership, each owner licensee shall be limited to one ~~(1)~~ Short Term Rental Unit per property.
3. *Reservations.* Only one Short Term Rental reservation to one party at a time is allowed.
4. *Parking requirements.* One additional on-site parking space shall be required if a portion of a primary structure is used for Short Term Rental.
5. *Safety requirements.* Each Short Term Rental Unit shall be equipped with an operational smoke detector, carbon monoxide detector, and fire extinguisher on the licensed premises. The Director or his or her designee may inspect the Dwelling, Dwelling Unit or ADUR prior to issuance of a license and during the term of any license issued to verify compliance with such requirements, Code provisions and state and federal law. Refusal by the applicant to allow such inspection shall be grounds for denial, non-renewal or revocation of a license.
6. *Occupancy.* The occupancy of a Short Term Rental Unit shall not exceed the total number of unrelated persons that are otherwise permitted to occupy property in the City.

7. *Prohibited uses.* Use of the Short Term Rental Unit for any commercial or large social events or gatherings, such as weddings, is prohibited.
 8. *Trash collection.* The ~~owner~~licensee shall maintain weekly residential trash collection services for the Short Term Rental Unit.
 9. *Number of days in use.* ~~No Short Term Rental may be occupied by guests for more than 240 days in any 365 day period. The maximum number of days per calendar year that a Short Term Rental may be occupied by guests is 240. By December 31st of each calendar year, Upon renewal of the license,~~ the ~~Owner~~licensee shall provide to the City the number of days that the Short Term Rental was occupied by guests during the previous 365 days. The Owner shall certify that the number reported is accurate.
 10. *Number of Short Term Rentals per ~~Owner~~Licensee.* No applicant may operate more than three individual properties as short term rentals within the City at any one time. Licensee shall certify compliance with the requirement on each application submitted to the City. By December 31st of each calendar year, the Owner shall certify that the number operated is in accordance with this regulation.
- F. **Refusal to Grant, Suspension, Revocation, Nonrenewal of License.** The Director may refuse to grant an initial license, or suspend, revoke, or not renew any license requested or issued pursuant to this Section if the Director determines that any of the following have occurred: (i) fraud, material misrepresentation or false statement in the initial application for the license or any renewal application; or (ii) failure to comply with the terms or conditions of the license, the provisions of this Section, or any other application provision of federal, state, or local law including, but not limited to, the Arvada City Code.
- ~~1. *Authority.* If In addition,~~ the Director may issue any order reasonably calculated to ensure compliance with this Section. ~~finds that a violation of any provision of this Section exists, the Director, after notice to the licensee, may take any one or more of the following actions to remedy the violation:~~
 - a. ~~Impose a civil penalty according to the following schedule:~~
 - ~~(i) For the first violation of the provision, \$150;~~
 - ~~(ii) For the second violation of the same provision, \$300; and~~
 - ~~(iii) For the third violation of the same provision, \$1,000.~~
 - b. ~~Revoke the license;~~
 - c. ~~1. Issue any order reasonably calculated to ensure compliance with this Section.~~
 2. *Remedies.* The Director's authority under this Section is in addition to any other authority the Director has to enforce this Section, and election of one remedy by the Director shall not preclude resorting to any other remedy as well.
 - a. The Director shall not accept a new application from the same licensee for the same Dwelling, Dwelling Unit or ADUR after revocation of a license:
 - (i) For at least one year following the revocation; and
 - (ii) Unless the applicant demonstrates compliance with all applicable laws and licensing requirements.
 - ~~3. All licensed premises shall be subject to inspection by the Director or his or her designee for the purpose of investigating and determining compliance with the requirements for any license issued under this Section. Where any part of the licensed premises consists of a locked area, such area shall be made available for inspection as provided hereunder,~~

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~~without delay, upon request. Refusal to allow an inspection may result in the license being revoked subject to the following Subsection 5.~~

4.3. **Appeal.** An applicant or licensee may appeal any decision to ~~refuse to~~ grant, not renew, or suspend his or her ~~application or~~ license to the City Manager within 14 ~~consecutive calendar~~ days from the city providing notice of the decision. The City Manager's decision shall be final.

5.4. **Administrative Hearing.** ~~An applicant licensee~~ may appeal any decision to revoke his or her license through the city's Administrative Hearing procedure as provided in Chapter 2, Article V, Division 3 of the Arvada City Code. ~~The Appeals~~ must be received within 14 ~~consecutive calendar~~ days from the city providing notice of the revocation.

G. **Administration.** The Financial Officer and Director shall administer the provisions of this Article and are authorized to jointly promulgate rules and regulations for its administration and implementation. ▲

1. **Authority to Inspect.** ~~The Director may inspect the property, dwelling, dwelling unit, or ADUR prior to the issuance of a license or a license renewal to ensure compliance with the provisions of this Section or with any other applicable local, state, or federal laws. The Director may inspect the licensed premises for the purpose of investigating and determining compliance with the requirements for a license issued under this Section, the provisions of this Section, or with any other applicable local, state, or federal law. Where any part of the property, dwelling, dwelling unit, ADUR, or licensed premises consists of a locked area, such area shall be made available for inspection as provided hereunder, without delay, upon request. Refusal to allow an inspection may result in the non-issuance of a license, or in the suspension, revocation, or non-renewal of the license for that licensed premises.~~ ▲

a. **Right of Entry.** ~~Where it is necessary to make an inspection to enforce the provisions of this code during a license period, or where the Director has reasonable cause to believe that there exists in a property, dwelling, dwelling unit, or ADUR that is contrary to Arvada City Code that makes the dwelling or property unsafe, dangerous, or hazardous, the Director is authorized to enter the property, dwelling, dwelling unit, or ADUR at reasonable times to inspect, provided that if such property, dwelling, dwelling unit, or ADUR be occupied that credentials be presented to the occupant and entry requested. If such property, dwelling, dwelling unit, or ADUR is unoccupied, the Director shall first make a reasonable effort to locate the owner or local contact person and request entry. If entry is refused, the Director shall have recourse to the remedies provided by law to secure entry.~~ ▲

G-2. **Violations and Penalty.** ~~It shall be unlawful for any person to violate a provision of this section. Violators shall be subject to the penalties as contained in section 1-5 of the Arvada City Code and may also be subject to civil remedies. A separate offense shall be deemed committed upon each day such person is in violation of this chapter unless otherwise provided in this chapter.~~

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Division 3-1-6 Oil and Gas Operations.

Reserved.

4-5-2-8 Bicycle Parking

- A. **Generally.** Bicycle parking shall be provided as set out in this Section, and designed according to the requirements of Section 4-5-3-8, Bicycle Parking Design.
- B. **Exceptions.** Bicycle parking is not required for the following uses:
 - 1. The land uses that are set out in Section 3-1-2-10 Agriculture Land Use by Zoning District;
 - 2. The land uses that are set out in Section 3-1-2-9, Utility and Communications Land Use by Zoning District;
 - 3. Waste transfer station;
 - 4. Salvage yard;
 - 5. Heavy industry;
 - 6. Heavy logistics center;
 - 7. Waste Removal Fleet Storage and Administration;
 - 8. The land uses that are set out in Section 3-1-2-3 Additional Residential Land Use by Zoning District
 - 9. Single-family detached, duplex, townhome, or multiplex dwelling units.
- C. **Minimum Number of Bicycle Parking Spaces.** Except as provided in Subsection B., above, bicycle parking shall be provided as follows:
 - 1. **Multifamily.** One space for every four dwelling units. Twenty percent shall be for long-term.
 - 2. **Elementary School.** One space for every five students. Twenty five percent shall be long-term.
 - 3. **Middle School.** One space for every five students. Twenty five percent shall be long-term.
 - 4. **High School.** One space for every ten students. Twenty five percent shall be long-term.
 - 5. **College or University.** One space for every ten students. Twenty five percent shall be long-term. **Personal Services.** Personal services, if related to personal fitness (e.g., boxing or kickboxing instruction; fitness centers; martial arts instruction; swim instruction; or yoga instruction). One space for every ten required motor vehicle spaces. Ten percent shall be for long-term
 - 6. **All Other Uses.**
 - a. **Generally.** One space for every 20 required motor vehicle parking spaces. Ten percent shall be long-term.
 - b. **MX-T Zoning District.** One space for every ten required motor vehicle parking spaces.
 - c. **Olde Town District.** One space for every five required motor vehicle parking spaces. For historic buildings that are not required to provide off-street parking, five spaces per building.
 - d. **MX-S, MX-U and CG Zoning Districts.** One space for every 15 required motor vehicle parking spaces.

4-5-2-9 Fleet Vehicle Parking

- A. **Generally.** The maximum number of parking spaces allowed for fleet vehicles shall be as set out in this Section. Spaces used for fleet vehicles are in addition to the minimum parking requirements. Uses requiring fewer than 25 fleet parking spaces shall be exempt.

B. Maximum Number of Fleet Vehicle Parking Spaces. The calculation to determine the maximum number of fleet vehicle parking spaces in the allowed zoning districts is as follows:

1. In the CG zoning district, the maximum number shall be no more than 50 percent of the minimum required parking spaces, as identified in Section 4-5-2-1, Calculation of Required Parking Spaces.
2. In the IL zoning district, the maximum number shall be no more than 100 percent of the minimum required parking spaces, as identified in Section 4-5-2-1, Calculation of Required Parking Spaces.
3. In the IG zoning district, the maximum number shall be no more than 200 percent of the minimum required parking spaces, as identified in Section 4-5-2-1, Calculation of Required Parking Spaces.

Division 4-5-3 Parking and Loading Design

4-5-3-1 General Design Principles

- A. **Generally.** Circulation systems within a subject property shall provide for continuous traffic flow with efficient, non-conflicting movement throughout the site.
- B. **Vehicular-Pedestrian Conflicts.**
 1. Conflicts between areas of significant pedestrian movement and vehicular circulation shall be minimized.
 2. Required drive-through stacking areas shall not intersect with pedestrian access to a public entrance of a building.
- C. **Configuration of Parking Lots.** If differentiated, short-term and long-term parking shall be clearly signed, and short-term parking areas shall generally be located closer to the primary public entrances of principal buildings.
 1. Parking lots and loading areas shall have access from a clearly defined drive aisle not less than 18 feet in width for one-way traffic and 24 feet in width for two-way traffic.
 2. Parking spaces shall be marked on the pavement surface with striping, or change of color or material.
- D. **Parking in the Front Setbacks.** Parking shall not be permitted within the front setback or frontage zone on any lot, except for single-family detached and duplex lots and multiplex sites with parking on paved driveways.
- E. **Parking Areas Surface.** All off-street parking spaces and areas required by Division 4-5-2-2, Parking Requirements Tables, vehicular access and drive aisles, and stacking areas shall be surfaced with asphalt, concrete or other approved equivalent surface. Recycled asphalt, gravel, or similar compacted materials are not an acceptable parking surface.
 1. The surfacing requirements above shall not apply to access drives on lots or tracts within the RA zoning district when the access drive is more than 100 feet in length or utilized for an accessory agricultural use.
 2. Any area used to park vehicles on a single-family or duplex lot, which is not an off-street parking space required by Table 4-5-2-2A, Residential Land Use Parking Standards, shall be clearly delineated, improved with concrete, asphalt, stone pavers, gravel or rock (provided the installation is sufficient to support vehicles), maintained free of weeds and display no

Review Advisory Committee agenda. The Design Review Advisory Committee shall consider and decide the application within 45 days after the referral.

3. The Building Official shall process building permit applications that are required to erect or install signs simultaneously with the Director or Design Review Advisory Committee, as applicable.

3.J. Call Ups

- 4.1. Prior to the effective date of any decision by the Director on a Track 1 application, any member of the City Council may move to call up the development application for consideration within seventeen days of the Director's decision.
2. If the motion passes, the application shall be brought before the City Council as a public hearing as soon as practicable following the date on which the decision was made for review and consideration in accordance with the criteria provided in this LDC.
3. The City Council shall have the authority to approve, approve with conditions, modify, or reverse the decision of the Planning Director. The City Council may also remand the application back to the Director with direction for further consideration.

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8-2-3-12 Public Hearing Notice and Schedule

- A. **Generally.** For applications that require public hearings, Track 2 through Track 8, when administrative review pursuant to Section 8-2-3-11, Review by Director, is complete, the Director shall coordinate with the Applicant to cause notice to be issued according to the requirements of Division 8-2-4, Required Notices, and set the application on the agenda of the next body that will consider the application, consistent with the legal requirements for public notice.
- B. **Special Provisions for Signs, Wireless Communications Facilities, and Small Cell Facilities.**
 1. Applications for Alternative Sign Programs shall be set for hearing within 45 days after the determination of completeness (see Section 8-2-3-7, Completeness Review).
 2. Applications for Wireless Communications Facilities Freestanding Towers shall be processed as required by the applicable "shot clocks" set out in Division 8-3-6, Wireless Communications Facilities.
- C. **Notice to Applicant.** The Director shall notify the Applicant regarding the time and place of public hearings.

8-2-3-13 Hearing Procedures

- A. **Generally.** All applications that are subject to Track 2, Track 3, Track 4, and Track 5, Track 6, Track 7 and Track 8 development review procedures are subject to the requirements of this Section and the applicable rules of the body conducting the hearing.
- B. **Hearing Procedures.**
 1. The Planning Commission, Board of Adjustment, and City Council shall adopt rules of procedure for the conduct of public hearings.
- C. **Continuances.** Requests for continuance may be granted at the discretion of the body holding the public hearing.
- D. **Decision or Recommendation.**
 1. If the hearing is before the Planning Commission, the Planning Commission shall:
 - a. Apply the approval criteria for review and approval as stated in the LDC when considering an application.

A. Mailed Notice.

1. *Mailing List.* The Applicant shall submit a mailing list to the Director, including the names and addresses of all property owners of record of all properties within the Area of Notification described below. If there are homeowners associations and/or neighborhood organization registered with the City within the Notice Area, the Applicant shall also notify them. The list shall be compiled from the names and addresses that appear in the records of the applicable County Assessor not more than 30 days before the date the list is submitted to the Director.
2. *Method of Mailing.* Mailed notice shall be mailed first-class, postage pre-paid by the Applicant, at the Applicant's expense, to all property owners on the mailing list.
3. *Affidavit of Compliance.* An affidavit of the Applicant's compliance with the mailing notice requirements shall be provided to the Director prior to the decision or public hearing to which the notice relates.
4. *Preparation/Timing of Notice.* When the provisions of this Code require that written or mailed notice be provided, the Applicant shall be responsible for preparing the written notice, and for mailing the notice at the Applicant's expense. All written notice shall be mailed at least fifteen days prior to the public hearing. Notices shall be prepared pursuant to a written notice form provided by the City.
5. *Deadlines.* For decision-making Tracks 2 through 5 and Track 8, mailed notices shall be postmarked no later than 15 days before a neighborhood meeting, a public hearing, or an appeal hearing. For decision-making Tracks 1, 6, or 7, mailed notice of administrative application shall be postmarked no later than five days after acceptance of an application. For a notice of administrative decision, mailed notice shall be postmarked no later than ten days prior to the decision date.
6. *Notice Area.*
 - a. For purposes of public hearings before the City Council or the Planning Commission, ~~and~~ Notice of Administrative Application and Administrative Decision (if required), notice shall be mailed to all property owners that are within ~~500~~1,000 feet of the boundary of the property that is the subject of the application if the property is less than five acres in size, or 1,500 feet of the boundary of the property that is the subject of the application if it is five acres or greater in size, except as otherwise provided herein. Ownership information shall be obtained from the applicable County Assessor's Office(s). Where an adjacent property is owned by a subdivision or condominium association, notification shall be to the board of directors of such association, and in addition, to the owners of all units immediately adjacent to the subject property. For street and alley right-of-way and public vehicular access easement vacations, mailed (written) notice shall be sent to all owners of property abutting the right-of-way or access easement to be vacated. Written notice shall also be mailed to any homeowners associations and other neighborhood organization with a known interest in the subject area, or to others who have filed a timely request to receive written notice. The Director shall have the ability to reduce the notice distance by up to 500 feet for applications determined to have a minimal impact on surrounding properties.
 - b. *Notices for Board of Adjustment.* For purposes of public hearings before the Board of Adjustment, notice shall be mailed to all property owners that are adjacent to the property that is the subject of the application. Ownership information shall be obtained from the applicable County Assessor's Office(s). Where an adjacent property is owned

- B. **Site Plans.** All applicable provisions of this Division apply unless specifically listed. A Site Plan is required before a building permit may be issued for all development in the City except those listed below:
1. Single family detached homes or duplex units in a subdivision of nine or fewer lots within a residential zoning district and that are not part of land for which a Master Development Plan has been approved;
 2. Permitted additions to existing single-family detached dwellings or duplex units; and
 3. Interior improvements and tenant finish.
- C. **Approval Criteria.** A Site Plan or Site Plan Amendment shall be reviewed for compliance with the following criteria:
1. The application complies with the applicable standards of this LDC, other adopted City regulations, any approved Master Plan that includes the property, and any conditions specifically applied to development of the property by the Planning Commission or City Council in a prior decision affecting the property;
 2. The application is consistent with the Comprehensive Plan;
 3. The City's existing infrastructure and public improvements, including but not limited to its water, wastewater, street, trail, and sidewalks systems, have adequate capacity to serve the proposed development, and any burdens on those systems have been mitigated to the degree practicable;
 4. The application will preserve and protect natural areas, ridgelines, swales, natural landforms, water quality and wildlife habitat of riparian corridors, wetlands and floodplains affected by the proposed development and integrates those areas into site design where practicable;
 5. The application will improve or expand multi-modal connections with adjacent sites, neighborhoods, and urban centers;
 6. The application is similar to surrounding uses in terms of size, scale and building façade materials;
 7. The application mitigates any adverse impacts on the surrounding area to the degree practicable; ~~and~~
 8. Within the MX, R6, R13 and R24 zoning districts, townhome and multifamily residential uses shall provide appropriate amenities, including recreational facilities, pedestrian facilities, unique aesthetic features and quality design-; and
 9. If the application includes residential uses and was granted Conditional Use approval:
 - a. The number of residential units proposed is within five percent of the number of units presented during the Conditional Use review; and
 - b. The project shall be substantially similar in design to the conceptual plan presented during the Conditional Use review in terms of the following:
 - i. Building height(s) and location(s).
 - ii. Parking location and number of spaces.
 - iii. Landscape areas and bufferyards, and
 - 8-iv. Small urban park location(s) (if applicable).

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8-3-5-4 Certificate of Compliance with Design Guidelines

Family

Any of the following individuals or groups:

1. One or more persons related by blood, marriage, or adoption, living together as a single housekeeping unit;
2. A group of not more than five persons not related by blood, marriage, or adoption, living together as a single housekeeping unit; or
3. A family foster home, licensed by the State of Colorado, or certified by the Jefferson County Department of Human Services or Adams County Department of Social Services, or a state-licensed child placement agency having no more than four foster children.

The term “family” does not include more than one person who is required to register as a sex offender pursuant to C.R.S. § 18-3-412.5, as amended, unless related to all other members of the same housekeeping unit by blood, marriage, or adoption.

Farmers’ Market

An occasional or periodic market where items such as fresh produce, seasonal fruits, and fresh flowers are offered for sale directly to the consumer. A farmers’ market may also include accessory sales of value-added food products such as jams, jellies, pickles, sauces, or baked goods, arts and craft items, and prepared food and beverages. The phrase “farmers’ market” does not include the sale of second-hand goods or commercially produced or packaged goods.

Federal Register

The official daily publication for rules, proposed rules, and notices of federal agencies and organizations, as well as executive orders and other presidential documents.

Fenestration

The placement and proportion of windows, doors and other exterior openings of a building’s façade.

Fleet Vehicles

A group of motor vehicles, such as cars, vans, and/or trucks, excluding semi-trailer trucks, owned or leased by a business, government agency or other organization rather than by an individual or family. Examples are vehicles operated by public utilities, governmental entities and businesses that utilize vehicles to deliver goods to customers, provide off-site services or for sales representatives to travel to clients.

Flood or Flooding

Any of the following:

1. A general and temporary condition of partial or complete inundation of normally dry land areas from:
 - a. The overflow of inland or tidal waters; or
 - b. The unusual and rapid accumulation or runoff of surface waters from any source.
2. Mudslides (*i.e.*, mudflows) that are proximately caused by flooding as defined in 1, above and are akin to a river of liquid and flowing mud on the surfaces of normally dry land areas, as when earth is carried by a current of water and deposited along the path of the current.
3. The collapse or subsidence of land along the shore of a lake or other body of water as a result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature, such as flash flood or an

A state-licensed group home serving not more than eight persons exclusively for the care of persons with mental illness, as defined and regulated by the Colorado Department of Public Health and Environment.

Guest House

An accessory dwelling attached to, or detached from, a principal dwelling used to house guests of the occupant of the principal dwelling, and which shall not be rented or leased, or held in ownership by other than the owner of the principal dwelling.

H

Heavy Industry

Industrial uses that are not specifically defined elsewhere in this Code, which can be described in one of the following three ways:

1. Primary processing, manufacturing, assembly or repair operations not specifically defined elsewhere in this Code or this definition, which involve any of the following:
 - a. A material risk of significant environmental contamination, explosion, or fire;
 - b. Perceptible ground vibration at the property line;
 - c. Excessive noise or dust emissions at the property line and downwind;
 - d. Large-scale outdoor storage of inputs or products;
 - e. Significant outdoor installations of processing equipment;
 - f. Outside emission of objectionable odors;
 - g. More than ~~3060~~ trips by ~~semi-trailer~~ heavy trucks per day; or
2. Processing of minerals (except precious and semi-precious stone cutting for jewelry or precision instruments such as lasers or watches), ores, logs, pulpwood, or fossil fuels; or
3. Activities that are required to undergo New Source Review under the federal Clean Air Act, or are subject to construction or operation permits pursuant to the Colorado Stationary Sources Program or Title V of the federal Clean Air Act.

Heavy Logistics Center

A wholesaling, warehousing, and / or distribution use that provides a central location for receiving, storing and distributing raw materials, semi-finished goods, or finished goods. Heavy logistics centers may be warehouses in which goods are stored (a.k.a. "product warehouses"), or truck terminals in which goods are transferred between trucks or between trucks and trains or other transportation modes (a.k.a. "truck terminals" or "logistics centers"), or moving warehouses (including indoor storage of portable on-demand storage containers), or wholesaling operations (but not wholesale membership clubs in which memberships are available to the general public). Heavy logistics centers are expected to generate at least ~~5076~~ heavy truck trips per day. Warehousing and distribution uses that involve fewer than ~~7650~~ heavy truck trips per day are classified as Light Industry.

Heavy Truck

A truck with a gross vehicle weight rating of greater than 16,000 pounds.

Heavy Truck Trip

A heavy truck trip involves the inbound or outbound movement of the truck on a site, with each movement being considered a single trip.

Historic Structure Any structure that is:

Letter of Map Revision Based on Fill ("LOMR-F")

The Federal Emergency Management Agency's ("FEMA's") amendment, by letter, to an effective Flood Insurance Rate Map ("FIRM") where fill was brought in or used to elevate a property, portion of property, or structure above the Base Flood Elevation ("BFE").

Levee

A man-made embankment, usually earthen, designed and constructed in accordance with sound engineering practices to contain, control, or divert the flow of water so as to provide protection from temporary flooding. For a levee structure to be reflected on the FEMA FIRMs as providing flood protection, the levee structure must meet the requirements set forth in 44 CFR 65.10.

Little Free Library

A free book exchange for anyone to take and usually the size of a large mailbox.

Light Industry

Uses that involve research and development, assembly, remanufacturing, compounding, packaging, testing, or treatment of products, generally from previously prepared materials or components, with limited outside storage and limited external impacts or risks such that the use is not defined as heavy industry or heavy logistics center. Light industry also includes wholesaling, warehousing, and distribution uses that involve fewer than ~~5076~~ heavy truck trips per day. For illustrative purposes, light industrial uses include:

1. Assembly, testing, repair, or refurbishing of products, instruments, electronics, office and computing machines, and fixtures using pre-manufactured components;
2. Offices of general contractors; specialty subcontractors; tradesmen; or telecommunications providers which include:
 - a. Overhead door access to indoor storage of tools, parts, and materials;
 - b. Parking of commercial vehicles or a fleet of cars, vans, or light trucks that are used in the business; or
 - c. Limited outdoor storage areas;
3. Food production (e.g., commercial kitchen or bakery) and packaging, but not:
 - a. Meat processing involving butchering of large animal carcasses;
 - b. Medical marijuana-infused products manufacture; and
 - c. Restaurants;
4. Beverage production (non-alcoholic) and bottling;
5. Furniture making or refinishing;
6. Manufacture of textiles or apparel;
7. Screen printing of apparel (except low volume screen printing at a retail store);
8. Printing and publishing, except copy centers, and except printing presses that require a Stationary Source permit or Title V of the Clean Air Act permit for air emissions;
9. Research, development, and testing laboratories (e.g., for development of products, equipment, or materials), if not classified as office, general or professional, or heavy industry;
10. Disassembly of consumer electronics and / or appliances into component parts, where all operations and storage are within an enclosed building;
11. Manufacture of glass products (e.g., window panes, bottles and jars), including hand-blown products;
12. Fabrication of building materials such as countertops, drywall, and cut stone (if not classified as heavy industry);

Land Development Code Additional Proposed Amendments Planning Commission Workshop

June 7, 2022



We Dream Big and
Deliver

WHY THE AMENDMENTS?

Fine-tuning of the Land Development Code was anticipated following adoption in 2020, as new concepts and processes were introduced with the LDC. The bulk of the changes necessary were approved by City Council on March 21st.

Additional discussion on the following items was requested by City Council during the December 13, 2021 workshop. The final proposed changes were discussed with City Council on April 11th.

TOPICS FOR ADDITIONAL DISCUSSION

Radius of Notifications:

- Based on City Council feedback the City team is increasing the notice distance requirement from 500 feet to 1,000 feet for administrative cases, administrative decisions and public hearing cases less than five acres in size and 1,500 feet for cases five acres or more. The City team is also adding a provision in code that would allow the Director to have the ability to reduce the notice requirement for administrative projects that he/she deems to be small, or of limited impact to 500 feet.

TOPICS FOR ADDITIONAL DISCUSSION

Additional Site Plan Criteria for Residential Projects Granted Conditional Use Approval:

- If the application includes residential uses and was granted Conditional Use approval:
 - The number of residential units proposed is within five percent of the number of units presented during the Conditional Use review; and
 - The project shall be substantially similar in design to the conceptual plan presented during the Conditional Use review in terms of the following:
 - Building height(s) and location(s); parking location and number of spaces; landscape areas and bufferyards; and small urban park location(s) (if applicable).

TOPICS FOR ADDITIONAL DISCUSSION

Definition of Fleet Vehicle:

- A group of motor vehicles, such as cars, vans, and/or trucks, excluding semi-trailer trucks, owned or leased by a business, government agency or other organization rather than by an individual or family. Examples are vehicles operated by public utilities, governmental entities and businesses that utilize vehicles to deliver goods to customers, provide off-site services or for sales representatives to travel to clients.
- Limitations:
 - limiting the fleet size to 50% of the minimum parking spaces in the CG zone district, 100% of the minimum parking spaces in the IL zone district, and 200% of the minimum parking spaces in the IG zone district.
 - Fleets with fewer than 25 total vehicles would be exempt.

TOPICS FOR ADDITIONAL DISCUSSION

Heavy Truck Trip:

- Definition: “A heavy truck trip involves the inbound or outbound movement of the truck on a site, with each movement being considered a single trip.”

Company	Average Daily Trips	Peak Daily Trips
Wanco	14	22
Liva Nova	22	34
Prescient	6	10
Sundyne	50	64
Sartorius	15	20
Easter Owens	6	12

TOPICS FOR ADDITIONAL DISCUSSION

Heavy Truck Trip:

- The threshold between Light Industry and Heavy Logistics Center is proposed to be reduced from 100 one way trips to 76 trips. This number of trips will keep all existing businesses conforming under the LDC. Under the current code definition 50 round trips = 100 one way trips.

Appeals Process:

- No changes are proposed, except for the increase in the notice area requirement to 1,000 or 1,500 feet.

TOPICS FOR ADDITIONAL DISCUSSION

Call Up by City Council:

- Following an Administrative Decision by the Director, City Council would be notified of the action in the Weekly Memo.
- Within 17 days, any Councilmember could request review of a case. A majority of the City Council present at a business meeting would need to agree to hear the case.
- Should the City Council agree to hear the case, a public hearing date would be set and notice provided.
- The public hearing would be treated as a new item, with testimony from the public and the applicant allowed.
- City Council could approve, approve with conditions, or deny the application.

TOPICS FOR ADDITIONAL DISCUSSION

Call Up by City Council:

- If an Administrative Decision is not called up at the next City Council business meeting, it shall be deemed approved/denied as determined by the Director.

Reviews Since Adoption of the LDC:

Case Type	Number of Cases Approved	Cases Appealed
Administrative (Site Plan, Master Development Plan, Minor Modification, Plat, Certificate of Compliance)	143	1 (Grandview Station)
Public Hearing (Major Modification, Conditional Use, PUD)	29	0

TOPICS FOR ADDITIONAL DISCUSSION

Short Term Rentals:

- Planning Commission was concerned that “local contact person” was limited to an individual when requiring a response to an issue with the short term rental. The City team recommends adding “management company” to the section describing the contact to clarify who can be responsible for responding.
- Planning Commission also asked for the regulations to delineate between immediate right of entry to inspect for life and safety issues and authority to inspect for compliance prior to issuance of a license. The team recommends that during the license term, the licensee must make the property available for inspection at the request of the Director and refusal to do so could result in the revocation of the license.

TOPICS FOR ADDITIONAL DISCUSSION

Add or revise definitions:

- Heavy Logistics Center (to indicate more than 76 heavy truck trips)
- Light Industry (to indicate up to 76 heavy truck trips)
- Heavy Truck Trip (as defined earlier)

PUBLIC HEARING

Planning Commission public hearing scheduled for June 21st.

Additional Questions?



PLANNING COMMISSION MEETING
June 7, 2022

Public Comment Sign Up Sheet

NAME: HALI FIELDMAN
(Please Print Your Name)

ADDRESS: 5360 NEWLAND ST

AGENDA ITEMS SPEAKING ON: IN-N-OUT BURGER

1. I wish to give public comment:

In Favor

In Opposition

X

I will be representing a group:

Group Name

I do not wish to give public comment but wish to be placed in the record as:

In Favor

In Opposition

