



# Board Summary Report

**Date:** February 1, 2018

**To:** Board of County Commissioners

**Through:** Jan Yeckes, Planning Division Manager

**From:** Molly Orkild-Larson, Senior Planner

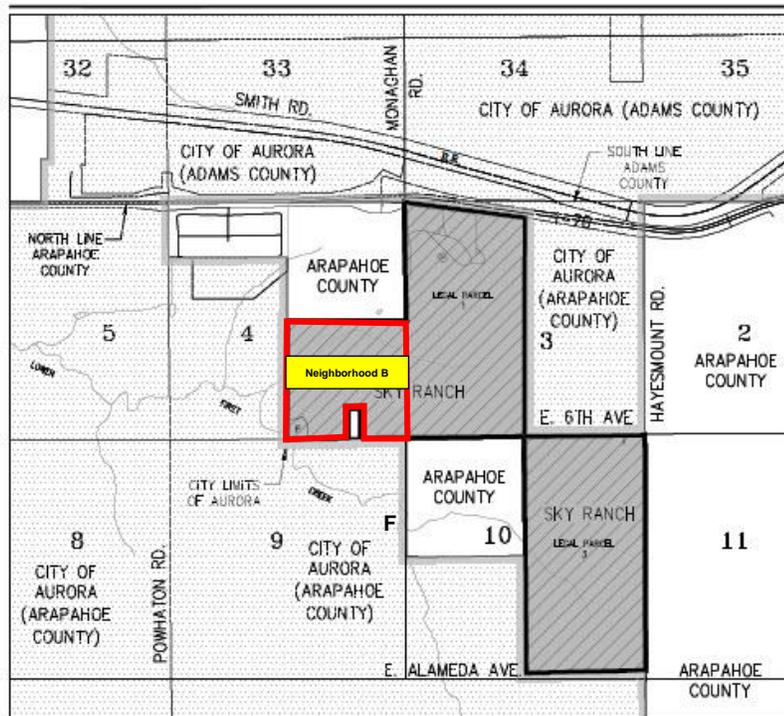
**Subject:** Sky Ranch Subdivision Filing 1 – Final Plat (P17-014)

### Request and Recommendation

The applicant, Pure Cycle Corporation, on behalf of PCY Holdings, LLC, property owner, is seeking approval of Case No. P17-014, Sky Ranch Subdivision Filing 1 – Final Plat (FP) for Neighborhood B of the Sky Ranch development. This FP, if approved, will create 506 single family residential lots and tracts for a wastewater treatment plant, parks, open space and detention facilities.

### Location & Vicinity Map

This application is located immediately south of I-70 and between Powhatan and Hayesmount Roads. It is also situated in Commissioner District No. 3.



**Adjacent Subdivisions, Zoning, and Land Use**

North	Arapahoe County zoned A-1 and MU, residential.
East	Sky Ranch development, zoned MU-PUD
South	Unplatted land, under the jurisdiction of the City of Aurora, vacant and A-1, vacant
West	Under the jurisdiction of the City of Aurora, vacant.

**Background**

Neighborhood B is the first phase of the Sky Ranch development.

**Discussion**

This application proposes to create a 151 acre residential development with amenities such as parks, open space and trails. The Sky Ranch wastewater treatment plant is also proposed to be located in Neighborhood B.

Accompanying this plat request is a Specific Development Plan for Neighborhood B and Vacation of Right-of-Way applications. The vacation application proposes to vacate a portion of an unnamed street in Montclair Gardens 2<sup>nd</sup> Filing.

Staff review of this application included a comparison of the proposal to: 1) applicable policies and goals outlined in the Comprehensive Plan; 2) Final Plat Regulations; and 3) analysis of referral comments.

Comprehensive Plan

The Arapahoe County Comprehensive Plan (Comp Plan) designates this site as “Urban Residential”. Urban Residential areas should contain mainly residential neighborhood development.

This application complies with the following Goals and Policies of the Comp Plan:

- Goal GM 4 – Promote Compact Growth in the Urban Service Area.

*The proposed lot is located within an area that will be served by existing and proposed public facilities.*

- Goal PFS1 – Plan for Adequate Public Facilities and Services in Growth Areas.

*The proposed lot will be served by existing and proposed public facilities.*

Land Development Code (LDC) Review Subdivision Process:

The Final Plat, as outlined in Section 14-300 of the Land Development Code which states that, “A Final Plat may be approved upon the finding by the Board that the application will:

- Provide for a public water supply.  
*Rangeview Metropolitan District, along with its service provider Pure Cycle Corporation, will provide water and wastewater service to the Sky Ranch development including Neighborhood B.*

- b. Provide for a public sewage disposal system.  
*See comment above.*
- c. Provide evidence to show that all areas of the proposed subdivision which may involve soil or topographical conditions presenting hazards or requiring special precautions have been identified by the subdivider, and that the proposed uses of these areas are compatible with such conditions.  
*There is no indication that there is any soil or topographical conditions on this property.*
- d. Comply with all applicable zoning regulations governing the property as adopted by the Board of County Commissioners.  
*The proposed plat is zoned MU and F. The proposed lots meet the minimum width and area requirements for each of SF Zone districts as specified in the Preliminary Development Plan Amendment No. 3 (Z17-006).*
- e. Comply with the Mineral Resource Areas in the Regulation for Areas of Special Interest as adopted in the Arapahoe County Zoning Regulations.  
*Minerals do not appear to be economically recoverable at this location.*

Referral Comments

Comments received during the referral process are as follows:

Referral Agency	Comments
Arapahoe County Engineering Services Division	Staff is working with the applicant to address all Engineering comments.
Arapahoe County Mapping	Staff is working with the applicant to address all Mapping comments.
Arapahoe County Zoning	No comments.
Arapahoe County Weed Control	No comments received.
Arapahoe County Open Spaces	No comments received.
Arapahoe County Sheriff	This development will increase the demand for public safety and law enforcement which will require additional staffing and equipment. <i>This agency has indicated that this will occur in the future as Sky Ranch develops out.</i>
Arapahoe County Assessor	No comments received.
Arapahoe County Library District	No comments received.
City of Aurora	No comments received.
Adams County	No comments received.

Colorado Geological Survey	This agency has no objections.
Bennett Fire Protection District	This district has no objections to the project but requests that the applicant adhere to their comments and conditions. <i>Staff has set a condition to address their comments under the SDP.</i>
Sky Ranch District #1	No comments received.
Post Office Growth Coordinator	No comments received.
REAP I-70	No comments received.
Aurora School District	Requests cash-in-lieu of the school land dedication, based on the fair market value of the land. <i>Staff has set a condition of approval to address cash-in-lieu.</i>
Tri-County Health Department	The community should be designed to support walking and bicycling. <i>The development provides sidewalks and trails.</i> Recommends that the wastewater and water plants obtain the necessary CDPHE approvals prior to Arapahoe County approving the Specific Development Plan and Final Plat. <i>After speaking with this agency on the above comment, this agency requests that the wastewater treatment plant design be submitted to them for review to ensure adequate odor control measures are incorporated into the design. Staff is setting a condition to address this request.</i>
West Arapahoe Conservation District	No comments received.
Colorado Parks and Wildlife	No comments received.
CDOT	No comments received.
RTD	No comments received.
Denver International Airport	No comments received.
Centurylink	No comments.
Xcel Energy	Will need to contact this agency for electrical service in the future.
Rangeview Water and Sanitation District	No comments received.
US Corp of Engineers	No comments received.
Division of Water Resources	Proposed water supply is adequate and can be provided without causing injury to decreed water rights.
Southeast Metro Stormwater	See engineering comments.

Authority (SEMSWA)	
Urban Drainage	This agency is working with the applicant to address all their comments.
East End Advisory	No comment.
Colorado Department of Public Health and Environment (CDPHE)	No comment.

**Cash-in-Lieu of Land Dedication:**

County regulations require dedication of land for schools and public facilities, or the payment of cash in lieu of land dedications for all properties adding residential density to the County. The applicant is proposing land dedication for parks which has been taken into consideration when calculating the cash-in lieu fees. Cash in lieu of dedicated land values have been calculated based on the assumption that the additional lot created will increase the County’s population by one single-family residential household, located in the urban area.

The total cash in lieu of dedicated land contribution required is calculated as follows:

- Public Schools \$480,002.58 payable to the school district (submit to County)
- Public Parks \$213,430.94 payable to Arapahoe County
- Other Public Uses \$17,627.89 payable to Arapahoe County
- TOTAL \$ 711,061.41

Cash in lieu payments are required prior to recording of the approved plat.

**Staff Findings**

Staff has visited the site and reviewed the plans, supporting documentation, referral comments in response to this application. Based on the review of applicable policies and goals, as set forth in the Comprehensive Plan, review of the development regulations and analysis of referral comments, our findings include:

1. The proposed Final Plat complies with the General Submittal Requirements contained in Section 14-304 enumerated in the Arapahoe County Land Development Code.
2. The proposed Final Plat complies with the Approval Standards contained in Section 14-300 enumerated in the Arapahoe County Land Development Code.

**Recommendation**

Planning Commission: The Planning Commission does not hear final plat or vacation of road right-of-way applications. No Planning Commission recommendation is available.

Staff: Staff recommends approval of this Plat with conditions of approval.

Considering the findings and other information provided herein, staff recommends approval of Case No. P17-014, Sky Ranch Subdivision, Filing 1 - Final Plat subject to the following conditions of approval:

1. Prior to signature of the final copy of these plans, the applicant must address Public Works Staff comments and concerns.
2. The approval of the Sky Ranch Subdivision, Filing 1 - Final Plat is contingent upon the approval of the Montclair Gardens 2<sup>nd</sup> Filing – Vacation of Road Right-of-Way (V17-006).
3. Prior to signature of the final copy of these plans, the applicant shall provide Tri-County Health Department a copy of the Sky Ranch Wastewater Treatment Plant Design for their review and address Tri County comments resulting from review.
4. Prior to signature of the final copy of these plans, the applicant shall provide evidence that the Mountain States Telephone and Telegraph Company easement has been lawfully vacated or released.
5. The applicant will pay a total amount of cash-in-lieu of \$711,061.41 to be distributed, as follows, prior to recording of the plat: Schools: \$480,002.58; Public Parks: \$213,430.94; and Other Public Purposes: \$17,627.89.
6. Prior to signature of the final copy of these plans, a Location and Extent for the Wastewater Treatment Facility shall be submitted for review and shall be approved in accordance with the Land Development Code and state law, and the applicant shall provide evidence that an appropriate agreement or agreements, acceptable to the County, have been obtained and are in place to provide for and guarantee the construction of all on-site and off-site site public improvements required for this Filing 1 - Final Plat.

**Align Arapahoe**

If the proposed Final Plat is approved, it may “improve the County’s economic environment” by generating jobs to build housing and provide a variety housing types for the public.

**Alternatives**

The Board of County Commissioners has 3 alternatives:

1. Approve the Replat with Conditions of Approval
2. Continue to a date certain for more information
3. Deny the Replat

**Fiscal Impact**

If additional structures are added to the property, the County would benefit from increased property tax revenue.

**Concurrence**

The Planning and Engineering Services Divisions have reviewed the application, and the Arapahoe County Public Works Department is recommending approval of this case.

Reviewed By:

Molly Orkild-Larson

Jason Reynolds

Jan Yeckes

Dave Schmit

Todd Weaver

Bob Hill



ARAPAHOE COUNTY  
COLORADO'S FIRST

## Public Works and Development

6924 South Lima Street  
Centennial, Colorado 80112-3853  
Phone: 720-874-6500  
Fax: 720-874-6611  
TDD: 720-874-6574  
www.arapahoegov.com  
publicworks@arapahoegov.com

DAVID M. SCHMIT, P.E.  
Director

# Board of County Commissioner's Summary Report

**Date:** February 1, 2018

**To:** Arapahoe County Board of County Commissioners

**Through:** Molly Orkild-Larson, Planning Division

**Through:** Chuck Haskins, PE  
Engineering Services Division, Manager

**From:** Sue Liu, PE  
Engineering Services Division

**Case name:** P17-014 Sky Ranch FP

### **Purpose and Recommendation**

The purpose of this report is to communicate the Engineering Services Staff findings, comments, and recommendations regarding the land use application(s) identified above.

### **Scope/Location:**

The applicant, Pure Cycle Corporation, is requesting approval of a Final Plat which addresses the Neighborhood B Portion of the overall Sky Ranch Developments. Neighborhood B is anticipated to be the first phase of development, including 506 single-family units.

Two collector access points are planned off of Monaghan Road; one collector access point is planned off of East 6th Avenue. Interior roadways are planned adhering to the local 50 foot right-of-way cross-section.

The site is located within the First Creek Drainage Basin. A floodplain modification study for the First Creek Tributary (T-9) that crosses the Development – Neighborhood B is required and will need to be approved by both Arapahoe County and Urban Drainage Flood Control District. In this study, the 100-year floodplain limits for the T-9 tributary will be defined, and regional detention facilities are also proposed within this application.

#### MISSION

Enhancing your quality of life through exceptional delivery of services and efficient use of public funds.

**Engineering Services Staff has reviewed the land use application(s) and has the following findings and comments:**

1. The Sky Ranch Development is partially within the Aurora Airpark Civilian Airport influence area.
2. The site lies within the First Creek basin and its tributary.
3. This site lies within the Southeast Metro Stormwater Authority (SEMSWA) service area.
4. This project is in the boundaries of the Urban Drainage and Flood Control District (UDFCD).
5. This development will require a Subdivision Improvement Agreement (SIA) or an Intergovernmental Agreement (IGA) to guarantee on-site and off-site public improvements within the final plat.
6. Construction activities that disturb one or more acres are required by the Environment Protection Agency (EPA) to obtain a Construction Stormwater Permit.
7. The applicant is required to provide a Floodplain Modification Study for the First Creek tributary, T-9.
8. A Floodplain Development Permit (FDP) will be required for all activities within a County designated floodplain.

**Engineering Services Staff is recommending the land use application(s) favorably subject to the following conditions:**

1. The Applicant provides modifications to the plan and support documentation as identified in the Engineering Staff Report.
2. The Applicant provides modification to the plan and support documentation as identified in the SEMSWA Staff Report.
3. The Applicant addresses UDFCD's comments and concerns.
4. The Applicant addresses CDOT's comments and concerns.
5. The Applicant enters the SIA or IGA.
6. The Applicant agrees to dedicate the necessary right-of-way as required by the County.

**P17-014 DRAFT MOTIONS:** Staff has prepared the following motions to assist the Board.

**DRAFT MOTIONS:**

**APPROVE WITH CONDITIONS:** *This action would be consistent with the staff recommendation.* In the case of P17-014, Sky Ranch Subdivision Filing 1 – Final Plat, the County Commissioners have reviewed the staff report, including all exhibits and attachments, and have listened to the applicant’s presentation and the public comment as presented at the public hearing. I hereby move to APPROVE this application based on the findings in the staff report, subject to the following conditions:

1. Prior to signature of the final copy of these plans, the applicant must address Public Works Staff comments and concerns.
2. The approval of the Sky Ranch Subdivision, Filing 1 - Final Plat is contingent upon the approval of the Montclair Gardens 2<sup>nd</sup> Filing – Vacation of Road Right-of-Way (V17-006).
3. Prior to signature of the final copy of these plans, the applicant shall provide Tri-County Health Department a copy of the Sky Ranch Wastewater Treatment Plant Design for their review and address Tri County comments resulting from review.
4. Prior to signature of the final copy of these plans, the applicant shall provide evidence that the Mountain States Telephone and Telegraph Company easement has been lawfully vacated or released.
5. The applicant will pay a total amount of cash-in-lieu of \$711,061.41 to be distributed, as follows, prior to recording of the plat: Schools: \$480,002.58; Public Parks: \$213,430.94; and Other Public Purposes: \$17,627.89.
6. Prior to signature of the final copy of these plans, a Location and Extent for the Wastewater Treatment Facility shall be submitted for review and shall be approved in accordance with the Land Development Code and state law, and the applicant shall provide evidence that an appropriate agreement or agreements, acceptable to the County, have been obtained and are in place to provide for and guarantee the construction of all on-site and off-site site public improvements required for this Filing 1 - Final Plat.

**Alternative Motions** – The following motions are provided as alternatives to the recommended motion for Conditional Approval:

**DENY:** In the case of P17-014, Sky Ranch Subdivision Filing 1 – Final Plat, the County Commissioners have reviewed the staff report, including all exhibits and attachments, and have listened to the applicant’s presentation and the public comment as presented at the public hearing. I hereby move to DENY this application based on the findings:

- a. *State new, or amended findings in support of denial as part of the motion.*

b. ...

**CONTINUE TO DATE CERTAIN:** In the case of P17-014, Sky Ranch Subdivision Filing 1 – Final Plat, I move to continue the hearing to [*date*], 9:30 a.m., at this same location, to obtain additional information and to further consider the information presented.

**RESOLUTION NO.** \_\_\_\_\_ It was moved by Commissioner \_\_\_\_\_ and duly seconded by Commissioner \_\_\_\_\_ to approve the Final Plat for Sky Ranch Subdivision Filing 1, P17-014. Said approval is subject to and conditioned upon applicant agreeing to adhere to any and all Arapahoe County staff recommendations and/or conditions of approval as set forth within the record and/or as determined by the Board on this date, including the following conditions of approval:

1. Prior to signature of the final copy of these plans, the applicant must address Public Works Staff comments and concerns.
2. The approval of the Sky Ranch Subdivision, Filing 1 - Final Plat is contingent upon the approval of the Montclair Gardens 2<sup>nd</sup> Filing – Vacation of Road Right-of-Way (V17-006).
3. Prior to signature of the final copy of these plans, the applicant shall provide Tri-County Health Department a copy of the Sky Ranch Wastewater Treatment Plant Design for their review and address Tri County comments resulting from review.
4. Prior to signature of the final copy of these plans, the applicant shall provide evidence that the Mountain States Telephone and Telegraph Company easement has been lawfully vacated or released.
5. The applicant will pay a total amount of cash-in-lieu of \$711,061.41 to be distributed, as follows, prior to recording of the plat: Schools: \$480,002.58; Public Parks: \$213,430.94; and Other Public Purposes: \$17,627.89.
6. Prior to signature of the final copy of these plans, a Location and Extent for the Wastewater Treatment Facility shall be submitted for review and shall be approved in accordance with the Land Development Code and state law, and the applicant shall provide evidence that an appropriate agreement or agreements, acceptable to the County, have been obtained and are in place to provide for and guarantee the construction of all on-site and off-site site public improvements required for this Filing 1 - Final Plat.

Subject to review and approval of the Final Plat mylar by the Arapahoe County Public Works and Development Department, including the Planning, Mapping, and Engineering Services Divisions, and the County Attorney's Office, the Chair of the Board of County Commissioners is hereby authorized to sign said mylar, pursuant to the terms contained therein.

The vote was:

Commissioner Baker, \_\_\_\_; Commissioner Conti, \_\_\_\_; Commissioner Holen, \_\_\_\_; Commissioner Jackson, \_\_\_\_; Commissioner Sharpe, \_\_\_\_.

The Chair declared the motion carried and so ordered.