

BOARD OF COUNTY COMMISSIONERS FOR
ADAMS COUNTY, STATE OF COLORADO

RESOLUTION FOR LAND USE CASE DECISION - CASE #RCU2014-00001 TWIN CREEK
APARTMENTS

Resolution 2014-155

WHEREAS, on the 24th day of March, 2014, the Board of County Commissioners, held a public hearing on the application of Craig Nelson, Case #RCU2014-00001; and,

WHEREAS, this case involved an application for: Rezone 0.71-acre parcel from A-1, Agricultural to R-4, Residential on the following described property:

PARCEL NUMBER: 0171935200010

APPROXIMATE LOCATION: 7650-7660 Washington Street

LEGAL DESCRIPTION: SECT, TWN, RNG: 35-2-68 DESC: BEG 250 FT N AND 30 FT E OF W4 COR SEC 35 TH E 170 FT TH S 164/04 FT TO PT ON N BANK OF COLO AGRICANAL TH ALG SD N BANK AS FOLS S 70D 47M W 57/63 FT S 44D 02M W 166 FT TO PT 30 FT E OF W LN SD SEC TH N 302/10 FT TO POB EXC RD 0/71A

WHEREAS, substantial testimony was presented by members of the public and the applicant; and,

WHEREAS, the Adams County Planning Commission held a public hearing on the 27th day of February, 2014, and forwarded a recommendation of APPROVAL to the Board of County Commissioners based on the following:

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners, County of Adams, State of Colorado, that based upon the evidence presented at the hearing and the recommendations of the Department of Planning and Development and the Planning Commission, the application in this case be hereby **APPROVED** based upon the following findings of fact and subject to the fulfillment of the following conditions precedent and stipulations by the applicant:

1. The Zoning Map amendment is consistent with the Adams County Comprehensive Plan.
2. The Zoning Map amendment is consistent with the purposes of these standards and regulations.
3. The Zoning Map amendment will comply with the requirements of these standards and regulations.

4. The Zoning Map amendment is compatible with the surrounding area, harmonious with the character of the neighborhood, not detrimental to the immediate area, not detrimental to the future development of the area, and not detrimental to the health, safety, or welfare of the inhabitants of the area and the County.

NOTES TO THE APPLICANT

1. All applicable requirements of the Zoning, Health, Building, Engineering and Fire Codes shall be adhered to with this request.
2. The applicants shall submit a Change-In-Use permit for the contemplated residential use of the two buildings on the site.
3. The applicants shall update the site plan to meet the minimum requirements of the County's development standards and regulations, including parking, pavement, and landscaping.
4. The applicants shall enhance the façade of the apartment buildings, and shall provide visual examples of the appearance of the two refurbished buildings when applying for the Change-in-Use permit.
5. The applicants shall install an internal sprinkler system within the two existing buildings.

Upon motion duly made and seconded the foregoing resolution was adopted by the following vote:

Henry _____ Aye
Tedesco _____ Aye
Hansen _____ Aye
Commissioners

STATE OF COLORADO)
County of Adams)

I, Karen Long, County Clerk and ex-officio Clerk of the Board of County Commissioners in and for the County and State aforesaid do hereby certify that the annexed and foregoing Order is truly copied from the Records of the Proceedings of the Board of County Commissioners for said Adams County, now in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said County, at Brighton, Colorado this 24th day of March, A.D. 2014.

County Clerk and ex-officio Clerk of the Board of County Commissioners
Karen Long:



By:



Deputy

Twin Creek Apartments

Case Number:	RCU2014-00001
Planning Commission Hearing Date:	02/27/2014 at 6:00 p.m.
Board of County Commissioners Hearing Date:	03/24/2014 at 10:00 a.m.

Case Manager: Michael Weaver
Case Technician: Genevieve Pizinger

Applicant: CRAIG NELSEN 720-934-5188
7601 LAFAYETTE STREET
DENVER, CO 80229

Owner: RONNIE NELSEN 7209345184
7601 LAFAYETTE STREET
DENVER, CO 80229

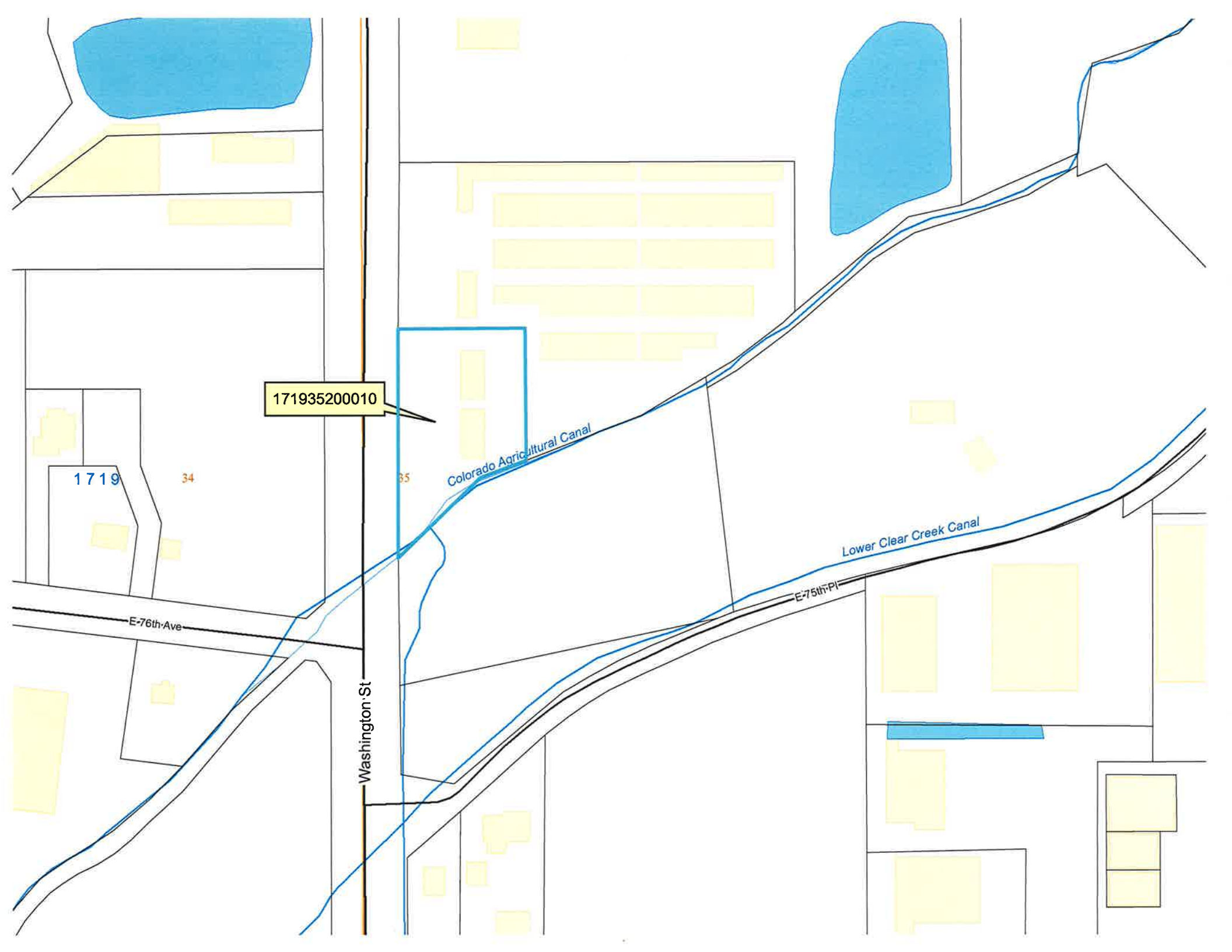
Representative:

Location: 7650 Washington ST
Parcel Number: 0171935200010
Size of Property: undetermined parcel size
Proposed Use:

Request: Request to rezone 0.71-acre parcel from A-1, Agricultural to R-4, Residential.

HEARINGS

Planning Commission		Board of County Commissioners	
Date:	02/27/2014	Date:	03/24/2014
Action:		Action:	
Date:		Date:	
Action:		Action:	
Review for Tracking:		Date:	
Map Updated by:		Date:	
Approved By:		Date:	



171935200010

Colorado Agricultural Canal

Lower Clear Creek Canal

1719

34

35

E-76th Ave

Washington St

E-75th Pl

C-4

Washington St

C-5

171935200010

1719 R-1-C

34

A-1

E-76th Ave



Washington St

171935200010

1719

E 76th Ave



**PLANNING AND DEVELOPMENT DEPARTMENT
STAFF REPORT**

Board of County Commissioners

March 24, 2014

CASE NO.: RCU2014-00001 CASE NAME: Twin Creek Apartments

Owner's Name:	Ronnie Nelsen
Applicant's Name	Craig Nelsen
Applicant's Address:	7601 Lafayette Street
Location of Request:	7650 – 7660 Washington Street
Nature of Request:	Rezone 0.71-acre parcel from A-1, Agricultural to R-4, Residential.
Site Size:	+/- 0.71 acre
Zone District:	A-1, Agricultural
Proposed Use:	Residential
Existing Use:	Vacant Buildings
Hearing Date(s):	PC: February 27, 2014 / 6:00pm BOCC: March 24, 2014 / 10:00am
Report Date:	March 5, 2014
Case Manager:	Michael Weaver <i>MW Am,</i>
Staff Recommendation:	APPROVAL with 4 Findings of Fact and 5 Notes
PC Recommendation:	APPROVAL with 4 Findings of Fact and 5 Notes

SUMMARY OF APPLICATION

The applicants are requesting to rezone their 0.71-acre parcel from A-1, Agricultural to R-4, Residential. On December 5, 2013, the Board of Adjustment granted the applicants a variance of 1.29 acres from the required 2.0-acre minimum lot size requirement to allow their 0.71-acre parcel to be considered for rezoning from A-1, Agricultural to R-4, Residential, pursuant to Section 3-15-15-01, which states that the minimum lot size in the R-4 zone district shall be two acres.

Nearby parcels are zoned a mix of A-1, Agricultural, C-5, Commercial, C-4, Commercial, R-1-C, Residential, and I-1, Industrial. The purpose of the R-4, Residential zone district is to provide a high-density district that allows three or more single-family attached residences on a single lot.

The Future Land Use map designates this site as Mixed Use Employment. In general, Mixed Use Employment areas allow for a mixture of employment uses, including offices, retail, indoor manufacturing, and distribution and warehousing. The Comprehensive Plan indicates that in the Welby area, additional residential uses may be appropriate in the Mixed Use Employment area. The property will be provided water and sewer service by the North Washington Street Water and Sanitation District.

The site is located along the east side of Washington Street, north of 75th Avenue and south of 78th Avenue, in Welby. This is about ½ mile NE of the junction of I-25 and I-270. The Colorado Agriculture Canal runs along the southern boundary of the property. The site will have two access points off of Washington Street.

Currently on the site are two vacant buildings, both built in 1974. In 2012, the BOCC denied a Conditional Use Permit request for a halfway house on the property. During the 1980s, 1990s, and 2000s, the site served as an adult correction facility and was a place where services could be provided to people suffering from mental health issues. During the 1970s, the site served as a community boarding house.

The applicants, who purchased the property in March 2013, are proposing to renovate the existing vacant buildings and to convert the space into apartments. Each of the two-story brick buildings will feature six residential units (two per floor, including the walk-out basement), for a total of 12 residential units on the site. The applicants are proposing ten two-bedroom units approximately 900 square feet in size each, one three-bedroom unit approximately 1,088 square feet in size, and one one-bedroom unit approximately 767 square feet in size. All of the proposed units exceed the minimum unit size as required in Section 4-07-02-04-01. Parking and landscaping would be provided on the site.

The R-4, Residential zone district establishes a minimum density of 14 dwelling units per acre (per Section 3-15-15-02) and a maximum density of 35 dwelling units per acre (per Section 3-15-15-03). The applicants' proposal of 12 dwelling units on 0.71 acre amounts to a density of 16.9 dwelling units per acre. After rezoning the property, the applicants will need to obtain a Change-In-Use Permit for the buildings.

In order to obtain a future Change-In-Use permit, the applicants will need to submit updated site and landscaping plans indicating that at least 10 percent of the site is devoted to landscaping, and that at least 50 percent of the required landscaped area abuts adjoining public rights-of-way per Section 4-16, Landscaping. A 15-foot wide bufferyard with two trees per 80 linear feet will need to be provided along the northern and eastern boundaries of the site, which abuts land zoned C-5, Commercial; also, one tree will need to be provided for every 10 parking stalls, and car parks with 26 to 50 parking stalls require 18 square feet of landscaping per stall, to be located in and around the parking area.

In addition, specific residential use performance standards apply to multi-family dwellings, per Section 4-07-02-04. In terms of site coverage, principal and accessory structures are allowed to cover a maximum of 40 percent of the site; the current site plan indicates that the structures would cover approximately 13 percent of the site, thus satisfying this requirement. Paved areas are allowed to cover a maximum of 30 percent of the site; the applicants indicate that the paved area will cover about 34.9 percent of the site and will therefore need to alter the site plan to conform to this development standard. In order to meet this performance standard, the applicants could potentially eliminate a few of the parking spaces (they exceed the minimum requirement).

A minimum of 30 percent of the site must be dedicated to landscaping and open space; the applicants indicate that approximately 55.5 percent is devoted to landscaping and open space. A minimum of one large tree and two shrubs, or two ornamental trees and two shrubs, shall be required for each increment of 1,500 square feet. The selection of trees shall be a mix of large deciduous (10 percent to 50 percent) and ornamental (10 percent to 50 percent). Evergreens shall be considered ornamental. In addition, a fully automatic irrigation system is required. Bicycle parking shall be provided for all multi-family developments; the bicycle parking areas shall be located near structure entries, but shall not encroach into pedestrian walkways.

The applicants are proposing a total of 12 dwelling units on the property. The County requires a minimum of two parking spaces be provided on-site per unit. In addition, the County may require an additional parking space be provided for every two units for visitor parking. Therefore, the site will need between 24 and 30 parking spaces. The applicants are proposing 30 parking spaces, two of which will be accessible (handicap) spaces, thus satisfying the development standards. The applicants will need to identify the location of the two handicap parking spaces on the updated site plan. Parking space dimensions and drive aisle dimensions conform to the regulations. The applicants further note that they will install outdoor lighting on the structures, at each peak of the stairwell, and between the two buildings, and currently have no plans for signage.

REFERRAL AGENCY COMMENTS

The Adams County Building Safety Division notes that the apartments should have internal sprinklers for fire protection.

The Adams County Code Compliance Division notes the absence of any apparent zoning violations on the site.

The Adams County Transportation Department notes that at this time, a drainage analysis of the site is not required. The site is not located within a designated flood hazard zone. Additional right-of-way is not requested with this application. Any new access points are subject to review and approval by the Transportation Department. In the event that the driveways are modified in a manner that requires changes to the existing sidewalk or curb cuts, construction plans will need to be submitted to the Transportation Department.

Xcel Energy notes that Public Service Company of Colorado has overhead electric distribution facilities within the areas indicated in the proposed rezoning. As the project progresses, the property owner / developer / contractor must contact the Builder's Call Line and complete the application process for any new natural gas or electric service, or modification to existing facilities. Additional easements may need to be acquired by separate document.

CITIZEN COMMENTS

Linette Saccomano Brozovich
linettemae@aol.com

Linette Saccomano Brozovich supports the proposed rezoning.

PLANNING COMMISSION UPDATE

This case was heard on February 27, 2014 by the Planning Commission, which recommended approval in a unanimous decision (7-0). No public testimony was presented at the hearing. The Planning Commission did not have any concerns with the applicants' request, and wished the applicants well in their proposed project.

STAFF RECOMMENDATION

The property has suffered from disrepair and disinvestment in recent years. With new ownership comes an opportunity to revitalize a neglected parcel in Welby. A higher density residential use is appropriate at this location as indicated in the Adams County Comprehensive Plan. This rezoning request is in harmony with the general purpose and intent of these standards and regulations, is consistent with the area, and is in harmony with the Comprehensive Plan. Staff recommends approval based on 4 Findings of Fact and 5 Notes.

RECOMMENDED FINDINGS OF FACT

1. The Zoning Map amendment is consistent with the Adams County Comprehensive Plan.
2. The Zoning Map amendment is consistent with the purposes of these standards and regulations.
3. The Zoning Map amendment will comply with the requirements of these standards and regulations.
4. The Zoning Map amendment is compatible with the surrounding area, harmonious with the character of the neighborhood, not detrimental to the immediate area, not detrimental to the future development of the area, and not detrimental to the health, safety, or welfare of the inhabitants of the area and the County.

RECOMMENDED NOTES TO THE APPLICANT

1. All applicable requirements of the Zoning, Health, Building, Engineering and Fire Codes shall be adhered to with this request.
2. The applicants shall submit a Change-In-Use permit for the contemplated residential use of the two buildings on the site.
3. The applicants shall update the site plan to meet the minimum requirements of the County’s development standards and regulations, including parking, pavement, and landscaping.
4. The applicants shall enhance the façade of the apartment buildings, and shall provide visual examples of the appearance of the two refurbished buildings when applying for the Change-in-Use permit.
5. The applicants shall install an internal sprinkler system within the two existing buildings.

Staff Recommendation: APPROVAL, with 4 Findings of Fact and 5 Notes.
PC Recommendation: APPROVAL, with 4 Findings of Fact and 5 Notes.



Planning and Development Department
4430 South Adams County Parkway, 1st Floor, Suite W2000A
Brighton, CO 80601-8216
PHONE 720.523.6800 FAX 720.523.6998

MEMORANDUM

To: Board of County Commissioners
From: Michael Weaver, Planner II – Economic Development
Subject: Twin Creek Apartments Rezoning / Case #RCU2014-00001
Date: March 24, 2014

If the Board of County Commissioners does not concur with the Planning Commission and Staff recommendation of Approval, the following findings may be adopted as part of a decision of Denial:

ALTERNATIVE RECOMMENDED FINDINGS

1. The Zoning Map amendment is not consistent with the Adams County Comprehensive Plan.
2. The Zoning Map amendment is not consistent with the purposes of these standards and regulations.
3. The Zoning Map amendment will not comply with the requirements of these standards and regulations.
4. The Zoning Map amendment is not compatible with the surrounding area, is not harmonious with the character of the neighborhood, is detrimental to the immediate area, is detrimental to the future development of the area, and is detrimental to the health, safety, or welfare of the inhabitants of the area and the County.

Twin Creek Apartments

Case Number:	RCU2014-00001
Planning Commission Hearing Date:	02/27/2014 at 6:00 p.m.
Board of County Commissioners Hearing Date:	03/24/2014 at 10:00 a.m.

Case Manager: Michael Weaver
Case Technician: Genevieve Pizinger

Applicant: CRAIG NELSEN 720-934-5188
7601 LAFAYETTE STREET
DENVER, CO 80229

Owner: RONNIE NELSEN 7209345184
7601 LAFAYETTE STREET
DENVER, CO 80229

Representative:

Location: 7650 Washington ST
Parcel Number: 0171935200010
Size of Property: undetermined parcel size
Proposed Use:

Request: Request to rezone 0.71-acre parcel from A-1, Agricultural to R-4, Residential.

HEARINGS

<u>Planning Commission</u>		<u>Board of County Commissioners</u>	
Date:	02/27/2014	Date:	03/24/2014
Action:		Action:	
Date:		Date:	
Action:		Action:	
Review for Tracking:		Date:	
Map Updated by:		Date:	
Approved By:		Date:	



**PLANNING AND DEVELOPMENT DEPARTMENT
STAFF REPORT**

Planning Commission

February 27, 2014

CASE NO.: RCU2014-00001 CASE NAME: Twin Creek Apartments

Owner's Name:	Ronnie Nelsen
Applicant's Name	Craig Nelsen
Applicant's Address:	7601 Lafayette Street
Location of Request:	7650 – 7660 Washington Street
Nature of Request:	Request to rezone 0.71-acre parcel from A-1, Agricultural to R-4, Residential.
Site Size:	+/- 0.71 acre
Zone District:	A-1, Agricultural
Proposed Use:	Residential
Existing Use:	Vacant Buildings
Hearing Date(s):	PC: February 27, 2014 / 6:00pm BOCC: March 24, 2014 / 10:00am
Report Date:	February 7, 2014
Case Manager:	Michael Weaver <i>MW</i> <i>MW</i>
Staff Recommendation:	APPROVAL with 4 Findings of Fact and 5 Notes

SUMMARY OF PREVIOUS APPLICATIONS

- **2013:** Case # VSP2013-00024. Variance of 1.29 acres from the required 2.0-acre minimum lot size to allow a 0.71-acre parcel to be considered for rezoning from A-1, Agricultural to R-4, Residential, pursuant to Section 3-15-15-01. Approved by BOA 12/5/13.
- **2011-2012:** Case # *PRC2011-00003*: 1) Rezoning from A-1 to C-5; and 2) Conditional Use Permit to allow a Halfway House for up to 84 beds in the C-5 Zone District. Denied by BOCC on May 1, 2012.
- **1995:** Case # *1995-014-C-A*: Amend Conditional Use to increase occupancy by 27. Denied by BOCC on March 29, 1995.

- **1992:** Case # *1992-013-C-A*: Amendment to a Conditional Use to allow a facility to provide vocational training for mentally ill adults, office support, and other day training. Approved by BOCC on June 1, 1992.
- **1981:** Case # *HST2010-01864*: Request Conditional Use in A-1 for Adult Correction Facility. Approved by BOCC on August 24, 1981.
- **1977:** Case # *HST2010-00306*: Request Special Use Permit to use a mobile home for office space. Approved by BOA on April 7, 1977.
- **1971:** Case # *Z-61-71*: Community boarding house. Approved by BOCC on September 13, 1971.

SUMMARY OF APPLICATION

The applicants are requesting to rezone their 0.71-acre parcel from A-1, Agricultural to R-4, Residential. On December 5, 2013, the Board of Adjustment granted the applicants a variance of 1.29 acres from the required 2.0-acre minimum lot size requirement to allow their 0.71-acre parcel to be considered for rezoning from A-1, Agricultural to R-4, Residential, pursuant to Section 3-15-15-01, which states that the minimum lot size in the R-4 zone district shall be two acres.

Nearby parcels are zoned a mix of A-1, Agricultural, C-5, Commercial, C-4, Commercial, R-1-C, Residential, and I-1, Industrial. The purpose of the R-4, Residential zone district is to provide a high-density district that allows three or more single-family attached residences on a single lot.

The Future Land Use map designates this site as Mixed Use Employment. In general, Mixed Use Employment areas allow for a mixture of employment uses, including offices, retail, indoor manufacturing, and distribution and warehousing. The Comprehensive Plan indicates that in the Welby area, additional residential uses may be appropriate in the Mixed Use Employment area. The property will be provided water and sewer service by the North Washington Street Water and Sanitation District.

The site is located along the east side of Washington Street, north of 75th Avenue and south of 78th Avenue, in Welby. This is about ½ mile NE of the junction of I-25 and I-270. The Colorado Agriculture Canal runs along the southern boundary of the property. The site will have two access points off of Washington Street.

Currently on the site are two vacant buildings, both built in 1974. In 2012, the BOCC denied a Conditional Use Permit request for a halfway house on the property. During the 1980s, 1990s, and 2000s, the site served as an adult correction facility and was a place where services could be provided to people suffering from mental health issues. During the 1970s, the site served as a community boarding house.

The applicants, who purchased the property in March 2013, are proposing to renovate the existing vacant buildings and to convert the space into apartments. Each of the two-story brick buildings will feature six residential units (two per floor, including the walk-out basement), for a

total of 12 residential units on the site. The applicants are proposing ten two-bedroom units approximately 900 square feet in size each, one three-bedroom unit approximately 1,088 square feet in size, and one one-bedroom unit approximately 767 square feet in size. All of the proposed units exceed the minimum unit size as required in Section 4-07-02-04-01. Parking and landscaping would be provided on the site.

The R-4, Residential zone district establishes a minimum density of 14 dwelling units per acre (per Section 3-15-15-02) and a maximum density of 35 dwelling units per acre (per Section 3-15-15-03). The applicants' proposal of 12 dwelling units on 0.71 acre amounts to a density of 16.9 dwelling units per acre. After rezoning the property, the applicants will need to obtain a Change-In-Use Permit for the buildings.

In order to obtain a future Change-In-Use permit, the applicants will need to submit updated site and landscaping plans indicating that at least 10 percent of the site is devoted to landscaping, and that at least 50 percent of the required landscaped area abuts adjoining public rights-of-way per Section 4-16, Landscaping. A 15-foot wide bufferyard with two trees per 80 linear feet will need to be provided along the northern and eastern boundaries of the site, which abuts land zoned C-5, Commercial; also, one tree will need to be provided for every 10 parking stalls, and car parks with 26 to 50 parking stalls require 18 square feet of landscaping per stall, to be located in and around the parking area.

In addition, specific residential use performance standards apply to multi-family dwellings, per Section 4-07-02-04. In terms of site coverage, principal and accessory structures are allowed to cover a maximum of 40 percent of the site; the current site plan indicates that the structures would cover approximately 13 percent of the site, thus satisfying this requirement. Paved areas are allowed to cover a maximum of 30 percent of the site; the applicants indicate that the paved area will cover about 34.9 percent of the site and will therefore need to alter the site plan to conform to this development standard. In order to meet this performance standard, the applicants could potentially eliminate a few of the parking spaces (they exceed the minimum requirement).

A minimum of 30 percent of the site must be dedicated to landscaping and open space; the applicants indicate that approximately 55.5 percent is devoted to landscaping and open space. A minimum of one large tree and two shrubs, or two ornamental trees and two shrubs, shall be required for each increment of 1,500 square feet. The selection of trees shall be a mix of large deciduous (10 percent to 50 percent) and ornamental (10 percent to 50 percent). Evergreens shall be considered ornamental. In addition, a fully automatic irrigation system is required. Bicycle parking shall be provided for all multi-family developments; the bicycle parking areas shall be located near structure entries, but shall not encroach into pedestrian walkways.

The applicants are proposing a total of 12 dwelling units on the property. The County requires a minimum of two parking spaces be provided on-site per unit. In addition, the County may require an additional parking space be provided for every two units for visitor parking. Therefore, the site will need between 24 and 30 parking spaces. The applicants are proposing 30 parking spaces, two of which will be accessible (handicap) spaces, thus satisfying the development standards. The applicants will need to identify the location of the two handicap parking spaces on the

updated site plan. Parking space dimensions and drive aisle dimensions conform to the regulations. The applicants further note that they will install outdoor lighting on the structures, at each peak of the stairwell, and between the two buildings, and currently have no plans for signage.

REFERRAL AGENCY COMMENTS

The Adams County Building Safety Division notes that the apartments should have internal sprinklers for fire protection.

The Adams County Code Compliance Division notes the absence of any apparent zoning violations on the site.

The Adams County Transportation Department notes that at this time, a drainage analysis of the site is not required. The site is not located within a designated flood hazard zone. Additional right-of-way is not requested with this application. Any new access points are subject to review and approval by the Transportation Department. In the event that the driveways are modified in a manner that requires changes to the existing sidewalk or curb cuts, construction plans will need to be submitted to the Transportation Department.

Xcel Energy notes that Public Service Company of Colorado has overhead electric distribution facilities within the areas indicated in the proposed rezoning. As the project progresses, the property owner / developer / contractor must contact the Builder's Call Line and complete the application process for any new natural gas or electric service, or modification to existing facilities. Additional easements may need to be acquired by separate document.

STAFF RECOMMENDATION

The property has suffered from disrepair and disinvestment in recent years. With new ownership comes an opportunity to revitalize a neglected parcel in Welby. A higher density residential use is appropriate at this location as indicated in the Adams County Comprehensive Plan. This rezoning request is in harmony with the general purpose and intent of these standards and regulations, is consistent with the area, and is in harmony with the Comprehensive Plan. Staff recommends approval based on 4 Findings of Fact and 5 Notes.

RECOMMENDED FINDINGS OF FACT

1. The Zoning Map amendment is consistent with the Adams County Comprehensive Plan.
2. The Zoning Map amendment is consistent with the purposes of these standards and regulations.
3. The Zoning Map amendment will comply with the requirements of these standards and regulations.
4. The Zoning Map amendment is compatible with the surrounding area, harmonious with the character of the neighborhood, not detrimental to the immediate area, not detrimental to the future development of the area, and not detrimental to the health, safety, or welfare of the inhabitants of the area and the County.

RECOMMENDED NOTES TO THE APPLICANT

1. All applicable requirements of the Zoning, Health, Building, Engineering and Fire Codes shall be adhered to with this request.
2. The applicants shall submit a Change-In-Use permit for the contemplated residential use of the two buildings on the site.
3. The applicants shall update the site plan to meet the minimum requirements of the County's development standards and regulations, including parking, pavement, and landscaping.
4. The applicants shall enhance the façade of the apartment buildings, and shall provide visual examples of the appearance of the two refurbished buildings when applying for the Change-in-Use permit.
5. The applicants shall install an internal sprinkler system within the two existing buildings.

Staff Recommendation: APPROVAL, with 4 Findings of Fact and 5 Notes.
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CASE ANALYSIS

Rezoning

1. The Zoning Map amendment is consistent with the Adams County Comprehensive Plan. Yes.
2. The Zoning Map amendment is consistent with the purposes of these standards and regulations. Yes.
3. The Zoning Map amendment will comply with the requirements of these standards and regulations. Yes.
4. The Zoning Map amendment is compatible with the surrounding area, harmonious with the character of the neighborhood, not detrimental to the immediate area, not detrimental to the future development of the area, and not detrimental to the health, safety, or welfare of the inhabitants of the area and the County. Yes.

CITIZEN COMMENTS

None

COUNTY AGENCY COMMENTS

Adams County Building Safety Division:

None

Adams County Code Compliance Division:

No apparent zoning violations on the site.

Adams County Parks and Community Resources Department:

None

Adams County Sheriff's Office:

None

Adams County Transportation Department:

Regional Drainage

Flood Insurance Rate Map – FIRM Panel #08001C0603, Federal Emergency Management Agency, March 5, 2007.

Outfall Systems Planning Western Hills Area, Prepared for the Urban Drainage and Flood Control District, and Adams County. Prepared by WRC Engineering, Inc. December 1992. Sheet 10 – 4-ft x 5-ft reinforced concrete box culvert at the southern portion of the property.

According to the above references, a portion of the site is not located within a designated flood hazard zone.

Right-of-Way

<u>Road</u>	<u>Type</u>	<u>Right of Way*</u>		
		<u>existing</u>	<u>proposed</u>	<u>requested</u>
Washington Street	arterial	50-ft	50-ft	0-ft

* Right-of-Way is measured from either section line or street center line.

- A. Additional right-of-way is not requested for this application.
- B. Show all existing easements on site plans.

Access

The site has access to Washington Street. Any new access points are subject to review and approval by the Adams County Transportation Department.

Construction Issues

In the event that the driveways are modified in a manner that requires changes to the existing sidewalk or curb cuts, construction plans will need to be submitted to the Adams County Transportation Department.

Adams County Treasurer's Office

None

REFERRAL AGENCY COMMENTS

Responding with concerns:

Xcel Energy

Responding without concerns:

None

Notified but not responding / Considered a Favorable Response:

- Colorado Department of Public Health and Environment
- Colorado Department of Transportation
- Colorado Division of Wildlife
- Comcast
- Mapleton School District #1
- Metro Wastewater Reclamation
- North Washington Fire District
- Qwest Communications
- Welby Heritage Foundation



Planning and Development Department
4430 South Adams County Parkway, 1st Floor, Suite W2000A
Brighton, CO 80601-8216
PHONE 720.523.6800 FAX 720.523.6998

MEMORANDUM

To: Planning Commission

From: Michael Weaver, Planner II – Economic Development

Subject: Twin Creek Apartments Rezoning / Case #RCU2014-00001

Date: February 27, 2014

If the Planning Commission does not concur with the staff recommendation of Approval, the following findings may be adopted as part of a decision of Denial:

ALTERNATIVE RECOMMENDED FINDINGS

1. The Zoning Map amendment is not consistent with the Adams County Comprehensive Plan.
2. The Zoning Map amendment is not consistent with the purposes of these standards and regulations.
3. The Zoning Map amendment will not comply with the requirements of these standards and regulations.
4. The Zoning Map amendment is not compatible with the surrounding area, is not harmonious with the character of the neighborhood, is detrimental to the immediate area, is detrimental to the future development of the area, and is detrimental to the health, safety, or welfare of the inhabitants of the area and the County.

CERTIFICATE OF POSTING



I, Michael Weaver, do hereby certify that I posted the property at

7650 – 7660 Washington Street

on February 7, 2014

in accordance with the requirements of the Adams County Zoning Regulations

Michael Weaver

TWIN CREEK APARTMENTS LLC

December 26, 2013
Adams County
Planning & Development Department
4439 South Adams County Parkway
1st Floor, Suite W200A
Brighton, CO 80601

Dear Planning & Development Committee,

Twin Creek Apartments LLC is writing you today to discuss our proposed plan to rezone the properties located at 7650 and 7660 Washington St.. As many of you are aware the property currently holds two 3,600 sqft multi-story apartment buildings.

In the past these buildings have served as half-way housing for convicted criminals, bringing less than desirable neighbors into the wonderful Welby community. Presently the property is zoned A-1 making it difficult to develop the property into anything more than than is has been in the past. However, Twin Creek Apartments LLC has a plan that can change the face of the community.

Twin Creek Apartments LLC is requesting a zoning change to R4 allowing for quality development of the property. With an R4 zoning Twin Creek Apartments LLC will be able to provide quality development of the properties eliminating the eyesore and negative impact on the Welby community development area. To complete this mission we are faced with a few challenges in which we seek your assistance. Twin Creek Apartments LLC has already applied for and been granted a variance bringing this project one step closet to reality. However, we are still in need of a zoning change to be able to comply with the county zoning restrictions. The rezoning and variance will allow Twin Creek Apartments LLC to develop the property into high-end residential living. The plan calls for a complete refurbishment of the buildings and grounds, leading to a fresh modern look for the community.

Rezoning Criteria

1. The Adams County Comprehensive Plan calls for residential development where there is adequate facilities and resources. The plan advocates for sensible development that makes good use of the existing infrastructure. The proposed development meets both of these guidelines through revitalizing a property that already possesses committed resources and infrastructure. Additionally, the county plan stresses the importance of diversity to achieve economic sustainability. Residential development along the Washington St. corridor of the Welby area promotes needed some diversity in a largely commercially developed area.
2. Development of the area in question has been progressive. Many new construction projects and remodels have been completed over the last several years. However, to date the property in question has been overlooked secondary to the limitations of the zoning.

Strategy 10.2.a of the Comprehensive Plan calls for flexibility of reclassifying agricultural properties that are not “High quality to other appropriate uses” (Adams County Comprehensive Plan, 2012), Twin Creek Apartments LLC believes the properties in question would qualify for such a rezoning classifications.

The properties already contain the buildings, Twin Creek Apartments is simply asking for opportunity to be able to develop the property into a financially solvent business venture. The buildings and property cater best to splitting each floor into two residential 900 sqft apartments for a total of 6 per building.

3. Granting the zoning change will allow for quality development of a property that has long been an eyesore on the community. Since Twin Creek Apartments LLC has taken ownership of the property we have been challenged with vandalism and theft on a weekly basis. This has been a frustrating reality to say the least, however, it is understandable secondary to the condition of the buildings. Allowing this zoning change will be not only be inline with the community development

plan, but it will undoubtedly be good for the public and community through reducing blight and crime in the area.

4. Many properties in this area have been developed to meet the needs of the community. The zoning change will propagate use that is inline with the intended development plan. In fact, residential developments has been on the rise in the Welby area as the Washington St. corridor already houses many commercial properties. The rezoning of the property to allow residential use that makes sense for the community.

In conclusion, allowing a zoning for the above mentioned property will be in harmony with the general purpose and intent of the county development plan. Currently the property has little to no value to the community in its present condition. In recent years the property has been the target of vandalism and theft encouraging crime in the area. However, if the zoning change is granted it will provide opportunity to change all of that. Again the zoning change and variance will allow Twin Creek Apartments LLC develop the properties in to high-end residential apartments where we can change the face of the property and surrounding community, while providing for a more fiscally responsible future.

Sincerely yours,

Craig and Ronnie Nelsen
Twin Creek Apartments LLC



rick graeff
 ARCHITECTURE L.L.C.
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 rickgraeff@comcast.net

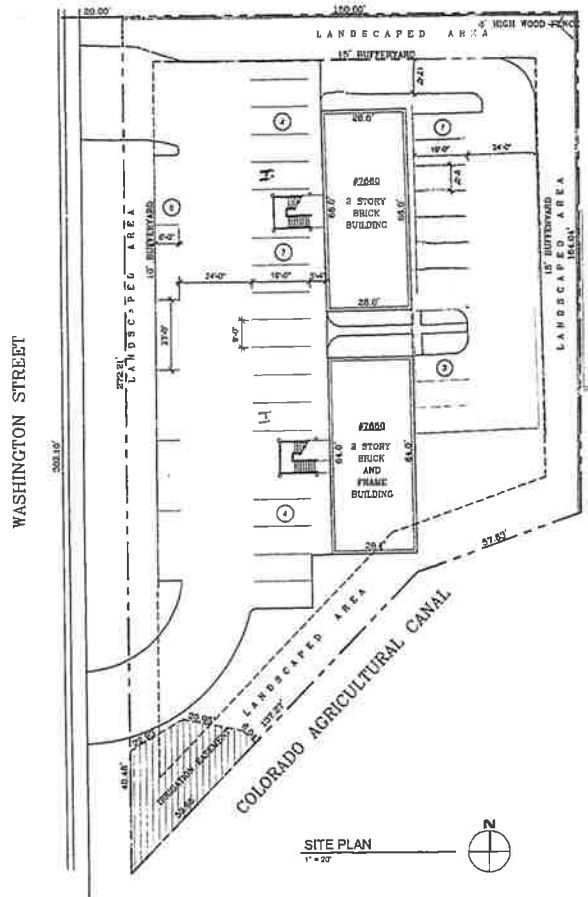
**Twin Creek
 APARTMENT BUILDINGS**
 7650 and 7660 Washington Street
 Adams County, Colorado

ISSUE	DATE
PLANNING	09/02/13

PROJECT NO:	
DRAWN BY:	RG
REVIEWED BY:	RG
APPROVED BY:	RG

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 Architecture L.L.C. 2013

A1



SITE PLAN
 1" = 20'

BUILDING INFORMATION

NORTH BUILDING FLOOR AREA - EXISTING:	= 1,848.25 S.F.
NEW EXTERIOR STAIRS:	= 177 S.F.
TOTAL:	= 2,025.25 S.F.
THREE FLOORS - 2 UNITS PER FLOOR:	SIX UNITS TOTAL
SOUTH BUILDING FLOOR AREA - EXISTING:	= 1,901 S.F.
NEW EXTERIOR STAIRS:	= 177 S.F.
TOTAL:	= 2,078 S.F.
THREE FLOORS - 2 UNITS PER FLOOR:	SIX UNITS TOTAL



Right of Way & Permits

1123 West 3rd Avenue
Denver, Colorado 80223
Telephone: 303.571.3306
Facsimile: 303. 571.3660
donna.l.george@xcelenergy.com

February 9, 2014

Adams County
Department of Planning and Development
12200 North Pecos Street
Westminster, CO 80234

Attn: Michael Weaver

Re: Twin Creek Apartments Rezone, Case # RCU2014-00001

Public Service Company of Colorado (PSCo) has reviewed the request for the **Twin Creek Apartments Rezone**. Please be advised that PSCo has overhead electric distribution facilities within the areas indicated in this proposed rezone. Public Service Company has no objection to this proposed rezone, contingent upon Public Service Company of Colorado's ability to maintain all existing rights and this amendment should not hinder our ability for future expansion, including all present and any future accommodations for natural gas transmission and electric transmission related facilities.

As the project progresses, the property owner/developer/contractor must contact the **Builder's Call Line at 1-800-628-2121** and complete the application process for any new natural gas or electric service, or modification to existing facilities. It is then the responsibility of the developer to contact the Designer assigned to the project for approval of design details. Additional easements may need to be acquired by separate document.

If you have any questions about this referral response, please contact me at (303) 571-3306.

Sincerely,

Donna George
Contract Right of Way Referral Processor
Public Service Company of Colorado

Michael Weaver

From: Andy San Nicolas
Sent: Thursday, January 23, 2014 8:11 AM
To: Genevieve Pizinger
Cc: Jim Williamette; Justin Blair; Cindy Hagerman; Michael Weaver; Mark Moskowitz
Subject: RE: Case #RCU2014-00001 Twin Creek Apartments Request for Comments

All,

There were no apparent zoning violations on 012214.

Thank you,

Andy

From: Genevieve Pizinger
Sent: Wednesday, January 15, 2014 12:36 PM
To: Jim Williamette; Justin Blair; Tonia Fuller; Scott Miller; Angela Hall; Cindy Hagerman; Andy San Nicolas
Cc: Michael Weaver; Mark Moskowitz
Subject: Case #RCU2014-00001 Twin Creek Apartments Request for Comments

All,

Please see the attached request for comments for Case #RCU2014-00001 Twin Creek Apartments. The deadline for referral comments is 02/07/14.

If you have any questions please feel free to contact Case Manager Michael Weaver at 720.523.6853.

Thank you,

Genevieve Pizinger

Adams County Planning and Development Department
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gpizinger@adcogov.org