

Rezoning Staff Report

Date: March 26, 2025
To: Douglas County Planning Commission
From: Trevor Bedford, AICP, Senior Planner *TB*
Curtis J. Weitkumat, AICP, Long Range Planning Manager *CW*
Steven E. Koster, AICP, Assistant Director of Planning Services *SK*
Subject: **Struby Resurvey, Lots 7-11**
Project File: **ZR2024-008**

Planning Commission Hearing: April 7, 2024 @ 6:00 p.m.
Board of County Commissioners Hearing: April 22, 2024 @ 2:30 p.m.

I. EXECUTIVE SUMMARY

The request is for approval of rezoning approximately 4.45 acres from General Industrial (GI) to Light Industrial (LI) in the Highway 85 area. The property consists of five parcels used as a landscaping business. The proposed rezoning is intended to bring existing structures on site into compliance with the Douglas County Zoning Resolution (DCZR). The applicant is also processing a Site Improvement Plan (SIP) to bring the entire site into compliance.

II. APPLICATION INFORMATION

A. Applicant

Jim Lynch
13195 N Highland Circle
Littleton, CO 80125

B. Applicant's Representative

Joshua Stevens
Samuel Engineering
8450 E Crescent Parkway, Suite 200
Greenwood Village, CO 80111

C. Request

The applicant requests approval of a rezoning from GI to LI for approximately 4.45 acres.

D. Process

A rezoning application is processed pursuant to Section 2504 of the Douglas County Zoning Resolution (DCZR).

Per Section 2504.06, “The Planning Commission shall evaluate the rezoning request, staff report, referral agency comments, applicant responses, and public comment and testimony, and make a recommendation to the Board of County Commissioners to approve, approve with conditions, continue, table for further study, or deny the amendment request. The Planning Commission’s decision shall be based on the evidence presented, compliance with the adopted County standards, regulations, policies, and other guidelines.”

E. Location

The project area is located northwest of the intersection of Carder Court and Highland Circle and north of the High Line Canal. The attached vicinity map, zoning map, and aerial map highlight site location and existing conditions.

III. CONTEXT

A. Background

The subject property consists of five parcels and is currently used for a landscaping business. Several buildings were constructed within the required 25-foot setback for a GI zoned property that abuts an LI zoned property. There is no required side setback between LI zoned properties. This rezoning would bring the structures into compliance with the setback. The applicant submitted a Site Improvement Plan Revision (SIP Revision) to show the structures and bring the site into compliance.

B. Adjacent Land Uses and Zoning

The subject property is primarily surrounded by General Industrial or Light Industrial Zoning. Surrounding uses are primarily industrial or commercial. Two established residential uses are located to the west of the subject property. The property is bound to the south by the High Line Canal, which is zoned Agricultural One.

Zoning and Land Use

Direction	Zoning	Land Use
North	General Industrial	Industrial and Commercial
South	Agricultural One	High Line Canal
East	Light Industrial	Industrial
West	General Industrial	Industrial and Residential

IV. PHYSICAL SITE CHARACTERISTICS

A. Site Characteristics and Constraints

The site is a developed industrial property used as a landscaping business. The property is bounded to the south by the High Line Canal.

B. Access

The property currently has five access points from Highland Circle. Access will continue to be evaluated through the SIP Revision process.

D. Drainage and Erosion

Engineering reviewed the Phase III Drainage Report and had no comments. Drainage will continue to be evaluated through the SIP Revision process.

E. Floodplain

No mapped 100-year floodplain is present on the site.

V. PROVISION OF SERVICES

A. Schools

The non-residential rezoning does not impact schools.

B. Fire Protection

South Metro Fire Rescue (SMFR) provides fire and emergency services for the property. The applicant provided a letter from SMFR confirming that services are provided to the property. SMFR responded to the referral request with no objection.

C. Sheriff Services

The Douglas County Sheriff's Office (DCSO) provides police protection to the site. DCSO responded to the referral request with no comments or concerns. Responses were not received from the Office of Emergency Management or E911.

D. Water

The property and existing structures on site are currently served by Northern Douglas County Water and Sanitation District. The applicant provided a letter from the District confirming that they serve the property. There is an additional existing well on site that may not be used for commercial purposes. The State Division of Water Resources confirmed that the well may remain on site.

E. Sanitation

The property and existing structures on site are currently served by Northern Douglas County Water and Sanitation District. The applicant provided a letter from the District confirming that they serve the property.

F. Utilities

Area utility service providers were provided a referral on this application. Xcel Energy responded noting existing facilities along property lines. Xcel stated no objection to the rezoning contingent upon their ability to maintain all existing rights without hindering the ability for future expansion. The applicant responded to Xcel's comments stating that they do not seek to change any of Xcel's rights and will work with Xcel during the SIP Revision process if any modifications, additional easements or permitting become necessary. No other utility provider issued comments on the application.

VI. PUBLIC NOTICE AND INPUT

In accordance with Section 2508 of the DCZR, public notice is required to be published in the Douglas County News-Press, mailed to abutting property owners, and posted on the site by the applicant.

Notifications of an application in process were sent to all abutting property owners. One abutting property owner responded with concerns about the site's operations but noted he was pleased to know the site was working to be brought into compliance. The comments are attached to the report.

VII. STAFF ANALYSIS

The following criteria shall be considered by the Planning Commission in the review of all rezoning applications:

2502.01: The application is in compliance with the requirements of this Resolution and the Douglas County Comprehensive Master Plan.

Staff Comment: The subject property is located within the Primary Urban Area (PUA) as identified by the Comprehensive Master Plan Land Use Map. The proposed rezoning is consistent with the policies of Section 2, Urban Land Uses. Policy 2-1A.2 is to "Prioritize the build-out of existing urban areas over approval of new urban development." This rezoning will help to allow the existing industrial use to remain within the urban area. Policy 2-6E.1 is to "Locate nonresidential development in the PUA, SUAs, Chatfield Urban Area, and the municipalities. Concentrate this development in nodes, clusters, or centers. Strip or isolated development is inconsistent with this Plan." This rezoning maintains an existing use in the industrial cluster off of Carder Court.

2502.02: The application is in compliance with all applicable statutory provisions.

Staff Comment: The application complies with applicable provisions of the Colorado Revised Statutes.

2502.03: Whether there has been a substantial change in the character of the neighborhood, since the land was last zoned.

Staff Comment: The area near the property generally has lighter industrial uses such as landscaping businesses. The rezoning from GI to LI ensures that uses on the subject property remain consistent with the pattern of development in the area.

2502.04: Whether the application demonstrates public facilities and services necessary to accommodate the proposed development will be available concurrently with the impacts of such development.

Staff Comment: The rezoning will not adversely impact the provision of public facilities and services. The site is currently developed and served by utilities. South Metro Fire Rescue and Douglas County Sheriff's Office provide emergency services to the site. All service providers will review the proposed SIP Revision.

2502.05: Whether the roadway capacity necessary to maintain the adopted roadway level-of-service for the proposed development will be available concurrently with the impacts of such development.

Staff Comment: The applicant provided a traffic report that was reviewed by Engineering Services without any comments or concerns. There were no concerns related to maintaining the adopted level-of-service and traffic will continue to be evaluated during the proposed SIP Revision.

2502.06: Whether the application is in conformance with Section 18A, Water Supply – Overlay District, herein.

Staff Comment: DCZR Section 1803A establishes approval standards to be used in the evaluation of land use application reviewed under Section 18A.

1803A.01: The applicant has demonstrated that the water rights can be used for the proposed purposes.

Staff Comment: The applicant has provided a letter from Northern Douglas County Water and Sanitation District that states water is currently provided on site and will continue to be provided.

1803A.02: The reliability of a renewable right has been analyzed and is deemed sufficient by the County based on its priority date within the Colorado System of Water Rights Administration.

Staff Comment: No new renewable water rights are proposed for this development under this application.

1803A.03: The Water Plan is deemed adequate and feasible by the County to ensure that water supply shortage will not occur due to variations in the hydrologic cycle.

Staff Comment: The provided documentation is adequate to ensure that the proposed water supply can serve the uses.

1803A.04: The Water Plan is sufficient to meet the demand applicable to the project based on the minimum water demand standards in Section 1805A herein.

Staff Comment: The existing district water supply meets the water demand standards for the uses.

2502.07: Whether the proposed rezoning is compatible with the surrounding land uses.

Staff Comment: The proposed rezoning is compatible with the surrounding land uses. The property is primarily surrounded by industrial uses. The existing use of a landscaping business is compatible with the proposed LI zoning.

2502.08: Whether the subject land is suitable for the intended use.

Staff Comment: The land is currently used as a landscaping business and the applicant intends to maintain this use on site after rezoning. The applicant will be required to complete a SIP Revision to ensure all requirements of the DCZR are met.

VIII. STAFF ASSESSMENT

Staff has evaluated the rezoning request in accordance with the Douglas County Comprehensive Master Plan policies and Section 25 of the DCZR. Should the Planning Commission find that the approval criteria have been met, it may recommend approval of the rezoning to the Board of County Commissioners.

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LAND USE APPLICATION

Please fill in this application form completely. An incomplete application will not be processed.

Note: Neither the Planning Commission nor the Board of County Commissioners should be contacted regarding an open application.

<i>OFFICE USE ONLY</i>		PROJECT FILE #:
PROJECT NAME: _____	_____	
PROJECT TYPE: <u>JPL Rezoning</u>	PLANNING FEES: _____	
MARKETING NAME: _____	_____	
SITE ADDRESS: <u>13195 N Highland Cir Littleton, CO 80125</u>	ENGINEERING FEES: _____	
OWNER(S):	_____	
Name(s): <u>Jim Lynch</u>	TOTAL FEES: _____	
Address: <u>13195 N Highland Cir Littleton, CO 80125</u>	_____	
Phone: <u>303-434-4364</u>	RELATED PROJECTS: _____	
Email: <u>jim@jplcares.com</u>	_____	
AUTHORIZED REPRESENTATIVE <i>(requires notarized letter of authorization if other than owner)</i>	_____	
Name: <u>Ben Stone</u>	_____	
Address: <u>8450 E Crescent Pkwy Suite 200, Greenwood Village, CO 80111</u>	_____	
Phone: <u>303-567-7614</u>	_____	
Email: <u>bstone@samuelengineering.com</u>	_____	

LEGAL DESCRIPTION:

Subdivision Name: Struby Resurvey
 Filing #: _____ Lot #: 7-11 Block #: _____ Section #: 6 Township: 6S Range: 68W

STATE PARCEL NUMBER(S): 2229-060-01-001, 2229-060-01-002, 2229-060-01-003, 2229-060-01-004, 2229-060-01-005

ZONING:

Present Zoning: GI Proposed Zoning: LI Gross Acreage: 4.45
 Gross Site Density (DU per AC): _____ # of Lots or Units Proposed: 5

SERVICE PROVIDERS:

Fire District: South Metro Fire Metro District: _____ Gas: Xcel
 Water: Northern Douglas County Sewer: Northern Douglas County Electric: Xcel
 Roads: Public Private (please explain): _____

To the best of my knowledge, the information contained on this application is true and correct. ***I have received the County's information sheet regarding the Preble's Meadow Jumping Mouse.***

10-23-2023

Applicant Signature

Date

100 Third Street, Castle Rock, Colorado 80104 • 303.660.7460

PREBLE'S MEADOW JUMPING MOUSE

What is the Prebles' meadow jumping mouse?

The Preble's meadow jumping mouse is a rare mouse designated by the United States Fish and Wildlife Service as a "threatened species" under the Endangered Species Act. The federal threatened species designation prohibits the unlawful "take" of the Preble's meadow jumping mouse or its habitat.

Where does the mouse live?

The Preble's meadow jumping mouse lives primarily in heavily vegetated riparian habitats. In Douglas County, the mouse has been located in or near many drainages, including tributaries and the main stream reaches, of East and West Plum Creek. However, **any** stream reach or potential habitat within Douglas County may be subject to the requirements of the Endangered Species Act.

The mouse has also been found in Boulder, Elbert, El Paso, Jefferson and Larimer counties and in parts of Wyoming.

What activities may be considered a violation of the Endangered Species Act?

In its listing decision, the United States Fish and Wildlife Service identified activities that may result in violation of the Endangered Species Act to include:

1. Unauthorized or unpermitted collection, handling, harassing, or taking of the species;

ANY APPROVAL GIVEN BY DOUGLAS COUNTY DOES NOT OBVIATE THE NEED TO COMPLY WITH APPLICABLE FEDERAL, STATE, OR LOCAL LAWS AND/OR REGULATIONS.

2. Activities that directly or indirectly result in the actual death or injury death of the mouse, or that modify the known habitat of the species, thereby significantly modifying essential behavioral patterns (e.g., plowing, mowing, or cutting; conversion of wet meadow or riparian habitats to residential, commercial, industrial, recreational areas, or cropland; overgrazing; road and trail construction; water development or impoundment; mineral extraction or processing; off-highway vehicle use; and, hazardous material cleanup or bioremediation); and;
3. The application or discharge of agrichemicals, or other pollutants, and pesticides, onto plants, soil, ground water, or other surfaces in violation of label directions or any use following Service notification that such use, application or discharge is likely to harm the species; would be evidence of unauthorized use, application or discharge.

How to determine if a proposed activity would violate the Endangered Species Act.

Any questions regarding whether an activity will impact the Preble's meadow jumping mouse or its habitat should be directed to:

Liisa Niva
Fish and Wildlife Biologist
Ecological Services
Colorado Field Office
P.O.Box 25486, DFC (MS 65412)
Denver, CO 80225-0486
303-236-4773

Where to find more information on the Preble's meadow jumping mouse.

More information can be found at the US Fish and Wildlife Service website at:

<https://ecos.fws.gov/ecp/species/4090>

November 18, 2024

To: Department of Community Development
Attn: Rezoning
100 Third Street
Castle Rock, CO 80104
303-660-7460

PROJECT SUMMARY NARRATIVE

To Whom it may concern,

2506.01

The purpose of this request is to rezone Lots 7,8, 9, 10, and 11 of the Struby Resurvey subdivision from General Industrial to Light Industrial. It is a requisite step for our related Site Improvement Plan (SIP) which seeks to improve the site layout and bring the site into better compliance with storm water management. Additionally, the relate SIP includes permitting two existing buildings, identifying the location of future buildings, regrading the site, installing retaining walls, and installing two stormwater detention ponds.

2506.02

Lots 7-11 are owned by the following entities respectively; Lot 7, LLC, Lot 8, LLC, Lot Nine, LLC, Lot 10, LLC, and Lot 11 LLC. Each LLC maintains mineral rights to each property (See Title Work documents). Jim Lynch is an authorized member and representative of each LLC listed above. Jim is located at 13195 N Highland Cir, Littleton, CO 80125. Jim Lynch has also established Samuel Engineering, located at 8450 E Crescent Parkway Suite 200, Greenwood Village, CO 80111, as a representative for the applicant. Per the Colorado Department Water Resources, there is no current owner of the Water rights to the properties listed above. There however is a well permit for a constructed well in Lot 10 (Permit number 76858). Additionally, North Douglas County Water Supply and Sanitation District provides water and sanitation services to all existing structures in the above lots (See Will Serve Referral) and will continue to do so after rezoning and intended improvements identified in our related Site Improvement Plan.

2506.03-2506.04

The proposed development staging and time frame is dependent on the approval of the related SIP for this site. No immediate development will occur from the approval of this rezoning application alone. Furthermore, a subsequent Variance request will be made following the outcome of this Rezoning package. After approval of the Variance, the related SIP for this site will be resubmitted. Only after the SIP is approved will there be any significant development.

Following SIP approval, the site will be improved within 2 to 2 ½ years depending on the time it takes to attain required permits and construction delays. Generally, after attaining SIP approval, Storage containers from Lot 7 will be removed from the site within 3 months. Landscaping equipment and other landscaping material throughout Lots 8-11 will also be removed at this time. Following the removal of those items, Grading and Erosion and sediment controls will then be installed in accordance with a Grading, Erosion, and Sediment Control Plan (to be submitted with the SIP) in the following 30 days. After which, stock piling fill material will occur in the next 30 days. From there, with proper permitting, grading will take place over the next 60 days. After which, with proper permitting, the storm water detention ponds will be constructed over the next 180 days. After the construction of the ponds, the proposed buildings in lots 7 and 8 will be constructed with proper permits in the following 18 -21 months. During the timeframe outlined above, retroactive build permits will be pursued for the existing garage in Lot 10 and the existing cold storage building in Lot 9.

2506.05 – Existing Land Use

Rezoning Lots 7-11 from General Industrial to Light Industrial will have no ill effects as it relates to existing lands uses as well as abutting land uses. Lots 7-11 are used for general storage and equipment/material storage for the residing landscaping company, JPL Cares, specializing in commercial landscape maintenance. The principle uses of the existing lots are therefore more closely aligned with those of the Light Industrial. Specifically, the lot is used for as an Industrial operation which does not emit excessive amounts of dust, smoke, fumes, gas, noxious odors, or noise beyond the lot boundary. It contains a general office to facilitate the business of the landscaping company. The lots also contain a private parking lot for employees and customers. Lastly, the Lots contain product storage which does not contain hazardous material.

2506.05—Abutting Land uses

There are 5 different parcels of land that abut Lots 7-11. Immediately east of Lots 7-11 is state parcel 22290600023, owned by Wilkins II-A LLC, zoned for Light Industrial and contains the business of Green Valley Turf, a Sod Supplier. The rezoning of Lots 7-11 to Light Industrial would thus align with the property to the east as Green Valley Turf and JPLS Cares are closely related fields in the landscaping industry. Furthermore, it will have the benefit of vacating a 25' setback from the shared property line. North of Lot 7 are state parcels 222906001009 and 222906001010. Parcel 222906001009 is owned by Solsbury Hill Land Company LLC and contains DBC Irrigation Supply. Parcel 222906001010 is owned by 2976 NFP LLC & NFP 2021 LLC and contains the following businesses; Jims Gym, Extreme Piano moving, and Ascent Systems. While both of these properties to the north are zoned for General Industrial, the rezoning of Lots 7-11 will not cause any detriment as the land use of those parcels reflect the same land uses as those listed for Light Industrial. Furthermore, both of these parcels are on a different grade than Lots 7-11, are not accessible from Lot 7 due to the grade difference, and are physically separated via a fence that spans the property line. Furthermore, the land use of Lots 7-11 will not change from its historical use. West of lots 7-11 is North Highland Circle, state parcel 222906499002, owned

by Douglas County Board of County Commissioners, zoned for General Industrial, and contains the land use of a public road. For much the same reasons listed for above, rezoning should have no detrimental affect on this property. South of Lot 11 is High Line Canal, state parcel 222907000008, owned by the City of Denver, managed by Douglas County, zoned as Agricultural One, and has a recreational land use. Again, the land use of Lots 7-11 will not change as a result form the rezoning and thus there will not be and detrimental affect on this adjacent property.

2506.06

The site currently is being provided with sanitation and water service lines from the Northern Douglas County Water and Sanitation District and power and gas by Xcel Energy. These four utility services are all that is necessary for the site and its utility demands. The site is also serviced by the South Metro Fire District.

2506.07

The five lots (lots 7 through 11) that make up this project total 4.47 acres. The subject property has several buildings including office space, residential property, garages, shops, and storage buildings. Except for approach aprons to the shops and garages, the site is surfaced with gravel and road base. The property generally slopes uniformly from the southeast to the northwest at approximately 4%. There are no major or minor drainage ways on or adjacent to the property. There are no lakes or streams in the area of the site or the proposed development included in the related SIP for this site. The subject property is not located in a floodplain. While the High Line canal does abut the property to the south, the flow line for the canal is at a higher elevation than the property, therefore there is no risk of stormwater runoff from the site to infiltrate the canal. The site is also not in any Hazard areas as identified in Maps 8.1, "Class Three Hazards and Environmental Constraints," 8.2, "Steeply Dipping Bedrock," of the Douglas County Comprehensive Master plan. The only hazards the property presents, are those of contaminants from landscaping equipment and automobiles (such as oil) mixing with stormwater runoff as it flows away from the site. There are currently no measures on the site that mitigate this potential hazard. However, the stormwater detention ponds included in the related SIP for this site directly addresses and mitigates this potential hazard. This rezoning application contained herein thus enables that mitigation. The disapproval of this rezoning application will only ensure this potential hazard continues unmitigated.

2506.08

There are no anticipated impacts to the flora and fauna in and around the site due to the rezoning of the property. Because the land use of the site will not change as a result of this rezoning, there is no anticipated impacts to the flora and fauna in and around the site. However, provided this re-zoning application is approved, and the subsequent related SIP for this site is approved, a net benefit to the flora and fauna within and around the site is anticipated due to a significant improvement of the water quality of storm water run-off exiting the site. Additionally,

the landscaping requirements for SIP approval will also improve the conditions of flora and fauna throughout the site.

2506.09 –Conformance with Douglas County Comprehensive Master Plan

While the site location has an address that identifies the property in Littleton Colorado, it is outside of Littleton’s city limits and is thus part of Unincorporated Douglas County, In terms of the Douglas County Comprehensive Master Plan (CMP), it is included in the Primary Urban Area. Of the many goals of the Douglas County Comprehensive Master plan, development is encouraged in Primary Urban Area, there is an emphasis on improving and enhancing existing infrastructure (Goal 2-1), and there is an overall effort for improving environmental qualities (Section 8). Per Section 2 of the Douglas County CMP there is an overall goal of “Improve and Enhance the Existing Infrastructure; support healthy living; reduce vehicle miles travelled; maintain air quality standards; and conserve pen space.” Within that goal contains policy 2-1A.2 “Prioritize the build out of existing urban areas over approval of new urban development.” Allowing the approval of this rezone application would enable the related SIP for this site. The result of which conforms with the building out of existing urban areas and also conforms with improving and enhancing existing infrastructure, especially with the installation of two storm water detention ponds to significantly improve water quality. The installation of those two storm water detention ponds would also conform with Section 8 of the Dougals County CMP, specifically goal 8-5, “Maintain High Water Quality and Protect water resources” and policy 8-5B.1, “Require water quality monitoring and enhancement, where appropriate.” Within the related SIP for this site, is an agreement to grant an easement from the lot property owners to Douglas County to maintain and monitor the installed detention ponds. Thus the installation of the two stormwater detention ponds along with the granted easement would significantly conform with Section 8 of the Dougals County CMP.

2506.09 Conformance with Denver Regional Council of Government’s Metro Vision Plan

Douglas County is a member of the Denver Regional Council of Government (DRCOG). The Vision Plan produced by this Council has many themes and desired outcomes which encapsulate many of the goals, objectives, and policies included within the Douglas County CMP. As stated earlier, this rezoning application is a requisite step to the related SIP for this site. The approval of this rezoning package and subsequent approval of the related SIP will enable the resident company, JPL Cares, to better optimize the space in which it operates. The optimization, along with the construction of new buildings, will allow the company to increase its efficiency. An increase in efficiency will enable an increase to its capacity to provide services to additional clients in the commercial Landscape maintenance and management industry. The enabled growth will thus contribute to DRCOG Vision Plan’s theme of “A Vibrant Regional Economy.” Approval of this zoning package and subsequent related SIP will also conform with DRCOG Vision Plan’s overarching theme of “An efficient and predictable development pattern,” as it fits in with that themes subordinate objective of containing “urban development in locations designated for urban growth and services.” Additionally, provided approval of this Rezoning package and

related SIP, the installation of two stormwater detention ponds will conform with the DRCOG Vision Plan's overarching theme of "A safe and resilient natural and built environment" as there will be a direct increase in water quality of stormwater exiting the site thus supporting the outcome "The region has clean water and air, and lower greenhouse gas emission" through the pursued objective of improving "the efficient use and quality of the region's waters."

2506.09 Conformance with 1041 Regulations regarding New Communities

The rezoning of this site along with its related SIP is not applicable to the New Communities provisions within Douglas County 1041 Matters of State document. This site is not part of a planned new community. It is already contained within a developed subdivision that has water, sanitation, power, and fire suppression support provided.

2506.10

Please see the Phase III Drainage Report for the site as it pertains to our SIP submittal. Please take note that there are currently no stormwater best management practices in place on the site as it exists today. With the approval of this rezoning application, along with its related SIP, there will be significant improvements to the storm water management of the site.

2506.11

There are no recreational facilities, park sites, open space, or accessibility to such within the site, existing or proposed.

2506.12

The most significant recent change to the character of the neighborhood is the development of property to the site's east border, parcel 222906000023, currently owned by Wilkins II-A LLC, zoned for Light Industrial and contains the business of Green Valley Turf, a Sod Supplier. Between 2008 and 2010 this parcel was developed into the property that currently exists today. The resident business contained within of Lots 7-11 is JPL Cares, a commercial Landscape maintenance company. Rezoning Lots 7-11 into Light Industrial would match the developing character of the neighborhood as both JPL Cares and Green Valley Turf are active contributors to the landscaping industry.

2506.13

There is currently a related SIP for this project submitted under project number: SP2024-028. This application is requisite step needed prior to resubmitting plans and documents for that SIP. There will be a subsequent Variance request following this submission. This request has however not been started as it depends on the outcome of this rezoning request.

Sincerely,

Joshua Stevens

Civil Engineer



Comprehensive Master Plan Land Use Reference Map

Comprehensive Master Plan Areas

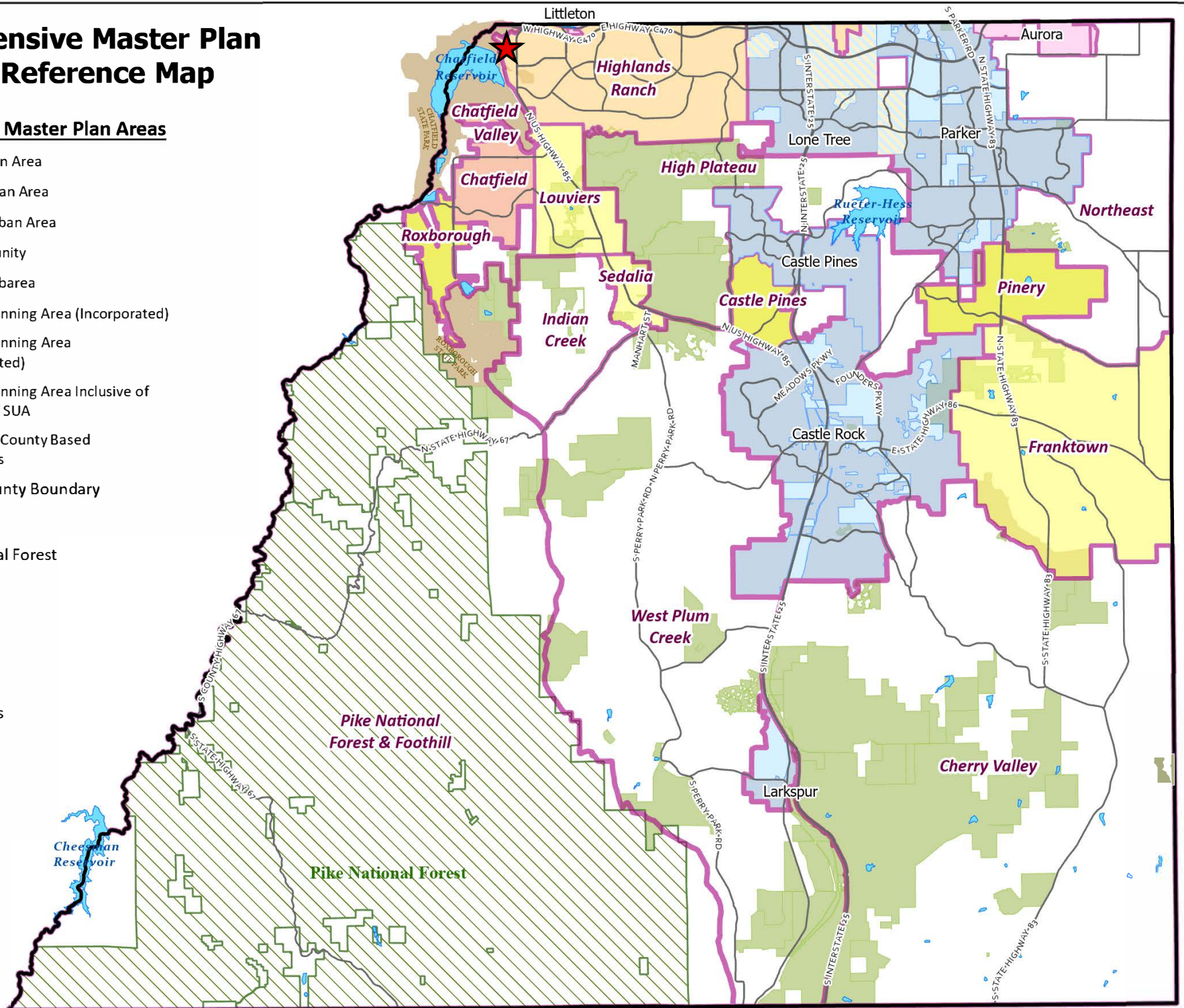
- Primary Urban Area
- Chatfield Urban Area
- Separated Urban Area
- Rural Community
- Nonurban Subarea
- Municipal Planning Area (Incorporated)
- Municipal Planning Area (Unincorporated)
- Municipal Planning Area Inclusive of County PUA / SUA
- Non-Douglas County Based Municipalities
- Douglas County Boundary

Parks

- Pike National Forest
- State Parks
- Open Space
- Lakes

Roadways

- Major Roads








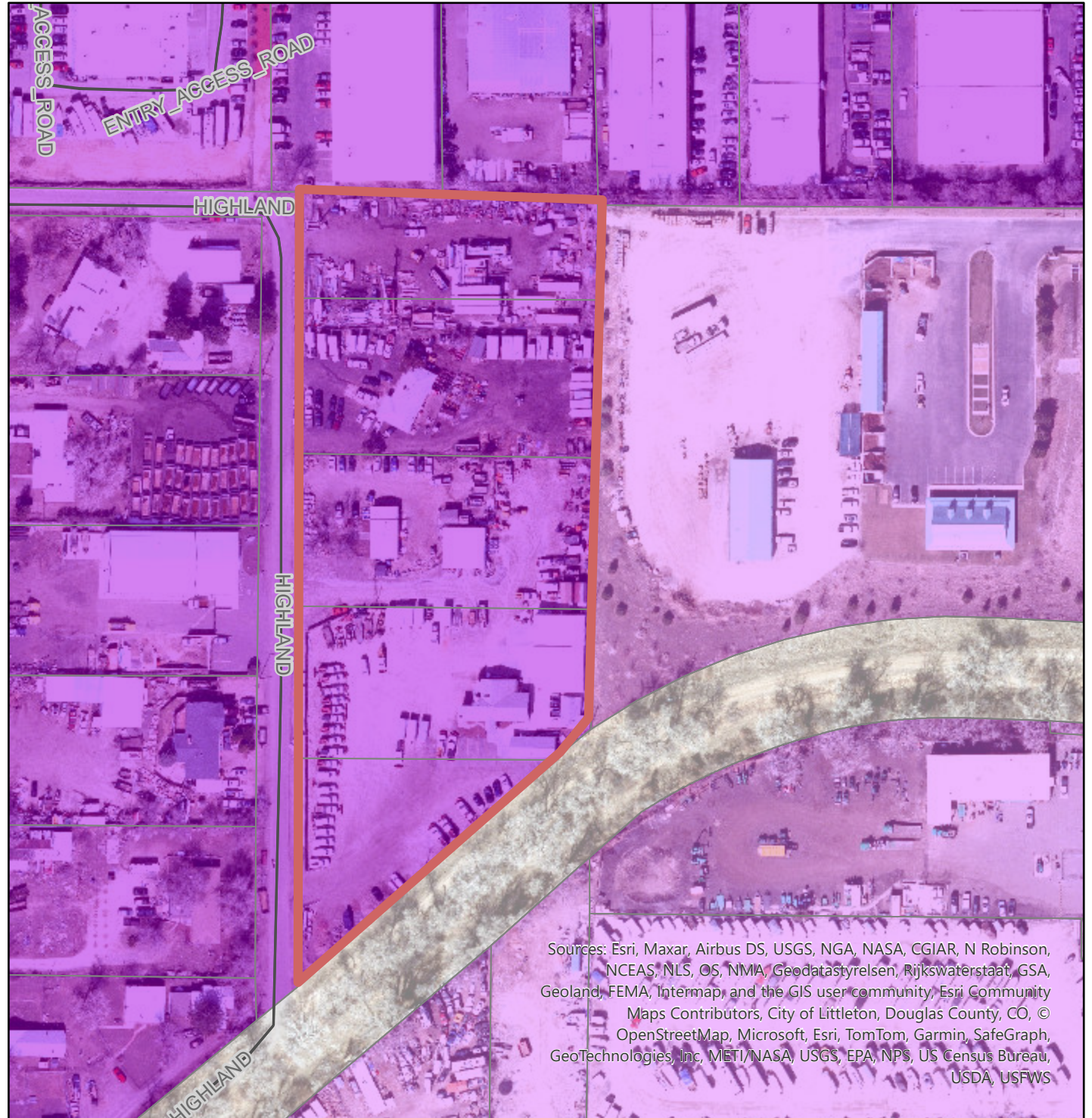
Struby Resurvey, Lots 7-11

ZR2024-008
Zoning Map



LEGEND

-  Roads
-  Major Roads
-  Parcels - PARCELS
-  A1 - AGRICULTURAL ONE
-  LI - LIGHT INDUSTRIAL
-  GI - GENERAL INDUSTRIAL



Sources: Esri, Maxar, Airbus DS, USGS, NGA, NASA, CGIAR, N Robinson, NCEAS, NLS, OS, NMA, Geodatastyrelsen, Rijkswaterstaat, GSA, Geoland, FEMA, Intermap, and the GIS user community, Esri Community Maps Contributors, City of Littleton, Douglas County, CO, © OpenStreetMap, Microsoft, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA, USFWS

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Source: <https://apps.douglas.co.us/gisportal/apps/webappviewer/index.html?id=9cd173c692b7436891bd0bd025cbcc2e>

Struby Resurvey, Lots 7-11

ZR2024-008
Aerial Map



LEGEND

- Roads
- Major Roads
- Parcels - PARCELS



Sources: Esri, Maxar, Airbus DS, USGS, NGA, NASA, CGIAR, N Robinson, NCEAS, NLS, OS, NMA, Geodatastyrelsen, Rijkswaterstaat, GSA, Geoland, FEMA, Intermap, and the GIS user community, Esri Community Maps Contributors, City of Littleton, Douglas County, CO, © OpenStreetMap, Microsoft, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA, USFWS

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Referral Agency Response Report**Project Name:** Struby Resurvey, Lots 7-11**Project File #:** ZR2024-008**Date Sent:** 01/06/2025**Date Due:** 01/28/2025

Agency	Date Received	Agency Response	Response Resolution
Addressing Analyst	01/08/2025	No Comment:	No response necessary
Arapahoe County Engineering Services Division		No Response Received:	No response necessary
Arapahoe County PWD/ Planning	01/09/2025	No Comment: Thank you for the opportunity to review and comment on this project. The Arapahoe County Planning Division has no comments; however, other departments and/or divisions may submit comments.	No response necessary
AT&T Long Distance - ROW		No Response Received:	No response necessary
Black Hills Energy		No Response Received:	No response necessary
Building Services	01/17/2025	No Comment:	No response necessary
CenturyLink		No Response Received:	No response necessary
Chatfield Community Association		No Response Received:	No response necessary
Colorado Division of Water Resources	01/17/2025	Received: See attached letter Summary: There is an existing well on site that is limited to residential uses.	The applicant confirmed with the Colorado Division of Water Resources that the existing well may remain on site as it is not used for commercial purposes.
Comcast		No Response Received:	No response necessary
CORE Electric Cooperative		No Response Received:	No response necessary
Douglas County Health Department	01/15/2025	No Comment: Thank you for the opportunity to review and comment on the Final Plat application. Douglas County Health Department (DCHD) staff have reviewed the application for compliance with applicable environmental and public health regulations. After Reviewing the application, DCHD has no comments. Please feel free to contact me at (720)907-4897 or smccain@douglas.co.us if you have any questions about our comments.	No response necessary
Douglas County Parks and Trails		No Response Received:	No response necessary
Douglas County School District RE 1		No Response Received:	No response necessary

Referral Agency Response Report

Project Name: Struby Resurvey, Lots 7-11

Project File #: ZR2024-008

Date Sent: 01/06/2025

Date Due: 01/28/2025

Agency	Date Received	Agency Response	Response Resolution
Engineering Services	01/28/2025	No Comment:	No response necessary
High Line Canal Conservancy		No Response Received:	No response necessary
Highlands Ranch Metro District	01/16/2025	<p>Received: Highlands Ranch Metro District must be made aware of any closures to portions of the Highline Canal trail that is adjacent to the property. Highlands Ranch Metro Districts maintains and patrols that section of the trail. Much appreciated.</p> <p>Ken Standen</p> <p>As the wholesale water provider to Northern Douglas County Water and Sanitation District, please be advised that approval from the Highlands Ranch Water Board of Directors is required for any additional water or sewer taps requested to serve these properties.</p> <p>Thanks, Jon Klassen</p>	Applicant acknowledged these requirements. Applicant does not expect any closures of the Highline Canal Trail and does not anticipate any increases in water or sewer needs.

Referral Agency Response Report

Project Name: Struby Resurvey, Lots 7-11

Project File #: ZR2024-008

Date Sent: 01/06/2025

Date Due: 01/28/2025

Agency	Date Received	Agency Response	Response Resolution
Highlands Ranch Water and Sanitation District	01/16/2025	<p>Received: Highlands Ranch Metro District must be made aware of any closures to portions of the Highline Canal trail that is adjacent to the property. Highlands Ranch Metro Districts maintains and patrols that section of the trail. Much appreciated.</p> <p>Ken Standen</p> <p>As the wholesale water provider to Northern Douglas County Water and Sanitation District, please be advised that approval from the Highlands Ranch Water Board of Directors is required for any additional water or sewer taps requested to serve these properties.</p> <p>Thanks, Jon Klassen</p>	Applicant acknowledged these requirements. Applicant does not expect any closures of the Highline Canal Trail and does not anticipate any increases in water or sewer needs.
Jefferson County Planning and Zoning		No Response Received:	No response necessary
Littleton	01/09/2025	No Comment:	No response necessary
Mile High Flood District		No Response Received:	No response necessary
Northern Douglas County Water & San District		No Response Received:	No response necessary
Office of Emergency Management		No Response Received:	No response necessary
Open Space and Natural Resources	01/09/2025	No Comment:	No response necessary
Rural Water Authority of Douglas County		No Response Received:	No response necessary
Sheriff's Office	01/28/2025	<p>Received: Deputy Jeff Pelle, with the Douglas County Sheriff's Office, reviewed this project. I have no comments or concerns about it at this time.</p>	No response necessary
Sheriff's Office E911		No Response Received:	No response necessary

Referral Agency Response Report

Project Name: Struby Resurvey, Lots 7-11

Project File #: ZR2024-008

Date Sent: 01/06/2025

Date Due: 01/28/2025

Agency	Date Received	Agency Response	Response Resolution
South Metro Fire Rescue	01/14/2025	Received: South Metro Fire Rescue (SMFR) has reviewed the provided documents and has no objection to the proposed rezoning.	No response necessary
Xcel Energy-Right of Way & Permits	01/22/2025	Received: Public Service Company of Colorado's (PSCo) Right of Way & Permits Referral Desk has reviewed the request for the Struby Resurvey Rezone. Please be advised that Public Service Company has existing natural gas and electric distribution facilities along east and west properties' lines. Public Service Company has no objection to this proposed rezone, contingent upon PSCo'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, and that our current use/enjoyment of the area would continue to be an accepted use on the property and that it be "grandfathered" into these changes. The property owner/developer/contractor must complete the application process for any new natural gas or electric service, or modification to existing facilities via xcelenergy.com/InstallAndConnect . 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 for new facilities. As a safety precaution, PSCo would like to remind the developer to contact Colorado 811 for utility locates prior to construction.	Applicant acknowledged Xcel's requirements. Applicant will work with Xcel as needed during the Site Improvement Plan Revision as needed if easements or new service is needed. The rezoning application does not have any effect on Xcel's existing or future rights on the property.



January 16, 2025

Trevor Bedford

Douglas County Planning Services

Transmission via email: tbedford@douglas.co.us

**Re: Case Number: ZR2024-008, Struby Resurvey Subdivision Lots 7-11
Update to the Site Improvement Plan and Rezoning**

Part of the W ½ of the SE ¼ of the SE ¼ of Section 6, Twp. 6S, Rng. 68W, 6th
P.M.

Water Division 1, Water District 8

Dear Trevor Bedford,

We have received your January 6, 2025 submittal concerning the Update to the Site Improvement Plan and Rezoning to accommodate changes to the site layout and a rezone from General Industrial to Light Industrial on 5 parcels located in the W ½ of the SE ¼ of the SE ¼ of Section 6, Twp. 6S, Rng. 68W, 6th P.M., Douglas County.

This referral does not appear to qualify as a “subdivision” as defined in section 30-28-101(10)(a), C.R.S. Therefore, pursuant to the State Engineer’s March 4, 2005 and March 11, 2011 memorandums to county planning directors, this office will only perform a cursory review of the referral information and provide informal comments. The comments do not address the adequacy of the water supply plan for this project or the ability of the water supply plan to satisfy any County regulations or requirements. In addition, the comments provided herein cannot be used to



guarantee a viable water supply plan or infrastructure, the issuance of a well permit, or physical availability of water.

According to the application documents, water demand will not increase as a result of the proposed improvements and rezoning. The proposed water supplier is Northern Douglas County Water and Sanitation District (“District”). A letter from the District was included in the application documents, confirming that the parcels are located inside the District boundaries. Requirements for continued service from the District were outlined in the letter, including a requirement for the submittal of final construction plans for review.

A review of our records indicates well permit no. 76858 is located on Lot 10 of Struby Resurvey Subdivision. Well permit no. 76858 was decreed in Division 1 Water Court case no. W-4813 on January 17, 1975 as Black Well No. 1-Unregistered for domestic uses with a date of appropriation of October 6, 1952 and a flow rate of 0.033 CFS. **The use of this well is limited to those domestic uses in existence before May 8, 1972, and those same historical uses that have continued since that time [provided such uses are no greater than those uses allowed for a well permit pursuant to C.R.S. §37-92-602 (1) (which are: fire protection, ordinary household purposes inside not more than three single-family dwellings, the watering of poultry, domestic animals and livestock on a farm or ranch and the irrigation of not more than one acre of home gardens and lawns)].**

The application materials indicate that a stormwater detention structure may be a part of this project. The applicant should be aware that unless the structure can meet the requirements of a “storm water detention and infiltration facility” as defined in section 37-92-602(8), C.R.S., the structure may be subject to administration by this office. The applicant should review DWR’s [Administrative Statement Regarding the Management of Storm Water Detention Facilities and Post-Wildland Fire Facilities in Colorado](#) to ensure that the notification, construction and

operation of the proposed structure meets statutory and administrative requirements. The Applicant is encouraged to use the [Colorado Stormwater Detention and Infiltration Facility Notification Portal](#) to meet the notification requirements.

Our office has no additional comments on the proposed project and rezoning application.

Please contact Mike Matz at 303-866-3581 x8241 or at michael.matz@state.co.us with any questions.

Sincerely,



Ioana Comaniciu, P.E.

Water Resources Engineer

Ec: Referral no. 32638
Well Permit No. 76858

DOUGLAS COUNTY PLANNING REFERRALS

REFERRAL NUMBER: ZR2024-008

DATE RECEIVED: 1/6/2025

PROJECT NAME: Rezone JPL Lots Carder Ct.

PLANNER:

DUE DATE: Jan 27, 2025

Parks & Parkways Manager

Dirk Ambrose

Natural Resource Manager

Nick Adamson

Director of Operations & Maintenance

Ken Standen

Highlands Ranch Metro District must be made aware of any closures to portions of the Highline Canal trail that is adjacent to the property. Highlands Ranch Metro Districts maintains and patrols that section of the trail. Much appreciated.

Ken Standen

Director of Parks, Recreation & Open Space

Neil Alderson

Construction and Facilities Maintenance Manager

Tyler Ensign

Highlands Ranch Metropolitan District Highlands Ranch Water & Sanitation District
62 Plaza Drive Highlands Ranch CO 80129

Public Works Manager of Development Engineering
Forrest Dykstra

Director of Engineering & Public Works
Ryan Edwards

Public Works HR Water Project Engineer
Austin Long

No comment

Public Works HR Water Project Coordinator
Jon Klassen

As the wholesale water provider to Northern Douglas County Water and Sanitation District, please be advised that approval from the Highlands Ranch Water Board of Directors is required for any additional water or sewer taps requested to serve these properties.

Thanks,

Jon Klassen
Project Manager

Finance Department

Highlands Ranch Metropolitan District Highlands Ranch Water & Sanitation District
62 Plaza Drive Highlands Ranch CO 80129

Highlands Ranch Metropolitan District Highlands Ranch Water & Sanitation District
62 Plaza Drive Highlands Ranch CO 80129



Right of Way & Permits

1123 West 3rd Avenue
Denver, Colorado 80223
Telephone: 303.285.6612
violeta.ciocanu@xcelenergy.com

January 22, 2025

Douglas County Planning Services
100 Third Street
Castle Rock, CO 80104

Attn: Trevor Bedford

Re: Struby Resurvey, Lots 7-11, Case # ZR2024-008

Public Service Company of Colorado's (PSCo) Right of Way & Permits Referral Desk has reviewed the request for the **Struby Resurvey Rezone**.

Please be advised that Public Service Company has *existing natural gas and electric distribution facilities along east and west properties' lines*. Public Service Company has no objection to this proposed rezone, contingent upon PSCo'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, and that our current use/enjoyment of the area would continue to be an accepted use on the property and that it be "grandfathered" into these changes.

The property owner/developer/contractor must complete the application process for any new natural gas or electric service, or modification to existing facilities via xcelenergy.com/InstallAndConnect. 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 for new facilities.

As a safety precaution, PSCo would like to remind the developer to contact Colorado 811 for utility locates prior to construction.

Violeta Ciocanu (Chokanu)
Right of Way and Permits
Public Service Company of Colorado dba Xcel Energy
Office: 303-285-6612 – Email: violeta.ciocanu@xcelenergy.com

January 15, 2025

Trevor Bedford
100 Third St.
Castle Rock, CO 80104

RE: ZR2024-008

Dear Mr. Bedford,

Thank you for the opportunity to review and comment on the Rezoning amendment application. Douglas County Health Department (DCHD) staff have reviewed the application for compliance with pertinent environmental and public health regulations. After reviewing the application, DCHD has no additional comments.

Please feel free to contact me at 720-907-4888 or bfreyer@douglas.co.us if you have any questions about our comments.

Sincerely,



Brent Freyer
Environmental Health Specialist II
Douglas County Health Department

DV 24-146



www.douglas.co.us

Department of Community Development
Planning Services

REFERRAL RESPONSE REQUEST

Date Sent: January 6, 2025


Comments due by: **January 28, 2025**

Project Name: Struby Resurvey, Lots 7-11

Project File #: ZR2024-008

Project Summary: The applicant is proposing to rezone approximately 4.45 acres from General Industrial to Light Industrial.

Information on the identified development proposal located in Douglas County is enclosed. Please review and comment in the space provided.

<input checked="" type="checkbox"/> No Comment	
<input type="checkbox"/> Please be advised of the following concerns: _____	
<input type="checkbox"/> See letter attached for detail.	
Agency: <u>ENGINEERING</u>	Phone #: <u>4318</u>
Your Name: <u>AL PETERSON</u> <i>(please print)</i>	Your Signature: 
	Date: <u>1/28/25</u>

Agencies should be advised that failure to submit written comments prior to the due date, or to obtain the applicant's written approval of an extension, will result in written comments being accepted for informational purposes only.

Sincerely,

Trevor Bedford, AICP, Project Planner

Enclosure

SOUTH METRO FIRE RESCUE FIRE MARSHAL'S OFFICE



Trevor Bedford, AICP, Project Planner
Douglas County Department of Community Development, Planning Services
100 Third St
Castle Rock Co 80104
303.660.7460
303.660.9550 Fax

Project Name: Struby resurvey, Lots 7-11
Project File #: **ZR2024-008**
S Metro Review # REFGRP25-00003

Review date: January 14, 2025

Plan reviewer: Aaron Miller
720.989.2246
aaron.miller@southmetro.org

Project Summary: The applicant is proposing to rezone approximately 4.45 acres from General Industrial to Light Industrial.

Code Reference: Douglas County Fire Code, 2018 International Fire Code, and 2021 International Building Code with amendments as adopted by Douglas County.

South Metro Fire Rescue (SMFR) has reviewed the provided documents and has no objection to the proposed rezoning.



8450 East Crescent Parkway, Suite 200
Greenwood Village, CO 80111

Phone: 303.714.4840
FAX: 303.714.4800

February 18, 2025

Trevor Bedford, Senior Planner
Douglas County Department of Community Development
Planning Services Division
100 Third St., Castle Rock, CO 80104

RE: Struby Resurvey, Lots 7-11, Project Number ZR2024-008 Response

Dear Trevor,

Samuel Engineering, hereafter referred to as “Samuel”, has reviewed the Review Referral Letter regarding project ZR2024-008, dated January 31, 2025. The following summarizes Samuel’s response to the comments:

COMMENTS:

Douglas County Senior Planner:

Please note that the Colorado Division of Water Resources indicates that there is an active well on this site with limited allowed uses. This may be a conflict with services provided by Northern Douglas County Water and Sanitation District. Please clarify if there is an existing well on site and if so, whether it will be abandoned.

Response:

- *There is in indeed an active well on the site and is operated as permitted. Neither this rezoning application nor our related Site Improvement Plan (SIP), SP2024-028, call for increases in water or sanitation services from the Northern Douglas County Water and Sanitation District, therefore we do not anticipate a conflict. Please refer to the attached “Will Serve” Referral Letter sent from the Northern Douglas County Water and Sanitation District. We further acknowledge further coordination will be required on our related SP2024-028 SIP.*

Arapahoe County PWD/ Planning:

Thank you for the opportunity to review and comment on this project. The Arapahoe County Planning Division has no comments; however, other departments and/or divisions may submit comments.

Response:

- *Acknowledged.*

Arapahoe County Director of Operations and Maintenance:

Highlands Ranch Metro District must be made aware of any closures to portions of the Highline Canal trail that is adjacent to the property. Highlands Ranch Metro Districts maintains and patrols that section of the trail.

Response:

- *Acknowledged. A closure of the Highline Canal trail is not anticipated for this rezoning application.*

Arapahoe Public Works HR Water Project Coordinator:

As the wholesale water provider to Northern Douglas County Water and Sanitation District, please be advised that approval from the Highlands Ranch Water Board of Directors is required for any additional water or sewer taps requested to serve these properties.

Response:

- *Acknowledged. There is no anticipated increase of water or sewer taps for this rezoning application.*

Highlands Ranch Water and Sanitation District:

Highlands Ranch Metro District must be made aware of any closures to portions of the Highline Canal trail that is adjacent to the property. Highlands Ranch Metro Districts maintains and patrols that section of the trail.

Response:

- *Acknowledged. A closure of the Highline Canal trail is not anticipated for this rezoning application.*

As the wholesale water provider to Northern Douglas County Water and Sanitation District, please be advised that approval from the Highlands Ranch Water Board of Directors is required for any additional water or sewer taps requested to serve these properties.

Response:

- *Acknowledged. There is no anticipated increase of water or sewer taps for this rezoning application.*

Sheriff's Office:

Deputy Jeff Pelle, with the Douglas County Sheriff's Office, reviewed this project. I have no comments or concerns about it at this time.

Response:

- *Acknowledged.*

South Metro Fire Rescue:

South Metro Fire Rescue (SMFR) has reviewed the provided documents and has no objection to the proposed rezoning

Response:

- *Acknowledged.*

Xcel Energy-Right of Way & Permits:

Public Service Company of Colorado's (PSCo) Right of Way & Permits Referral Desk has reviewed the request for the Struby Resurvey Rezone. Please be advised that Public Service Company has existing natural gas and electric distribution facilities along east and west properties' lines. Public Service Company has no objection to this proposed rezone, contingent upon PSCo'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, and that our current use/enjoyment of the area would continue to be an accepted use on the property and that it be "grandfathered" into these changes. The property owner/developer/contractor must complete the application process for any new natural gas or electric service, or modification to existing facilities via xcelenergy.com/InstallAndConnect. 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 for new facilities. As a safety precaution, PSCo would like to remind the developer to contact Colorado 811 for utility locates prior to construction.

Response:

- *Acknowledged. All Lot Owners do not object to or seek to change any existing rights that Xcel Energy currently has on the lots included in this rezoning application. This Rezoning application does not include requests for new service lines or modifications to existing service lines. For the related SIP, Samuel acknowledges and agrees to follow the required steps for any new gas or electric services or modifications to existing facilities through Xcel's portal and acknowledges new easements may need to be acquired with those requests. With that, Samuel acknowledges there is no objection to this rezoning application.*

Additionally, please see our comments contained within the Response Resolution Matrix column of the consolidated responses you provided in your referral letter.

Joshua Stevens, Civil Engineer
Samuel Engineering, Inc.

Attachments:

1. Referral Agency Response Report, with Samuel Comments
2. "Will Serve" Referral Letter, Northern Douglas County Water and Sanitation District
3. Referral Review Letter, Douglas County Department of Community Development

Referral Agency Response Report

Project Name: Struby Resurvey, Lots 7-11

Project File #: ZR2024-008

Date Sent: 01/06/2025

Date Due: 01/28/2025

Agency	Date Received	Agency Response	Response Resolution
Addressing Analyst	01/08/2025	No Comment:	
Arapahoe County Engineering Services Division		No Response Received:	
Arapahoe County PWD/ Planning	01/09/2025	No Comment: Thank you for the opportunity to review and comment on this project. The Arapahoe County Planning Division has no comments; however, other departments and/or divisions may submit comments.	Comment addressed in narrative above
AT&T Long Distance - ROW		No Response Received:	
Black Hills Energy		No Response Received:	
Building Services	01/17/2025	No Comment:	
CenturyLink		No Response Received:	
Chatfield Community Association		No Response Received:	
Colorado Division of Water Resources	01/17/2025	Received: See attached letter	Addressed in Narrative above
Comcast		No Response Received:	
CORE Electric Cooperative		No Response Received:	
Douglas County Health Department	01/15/2025	Received: See attached letter	No Comment to address
Douglas County Parks and Trails		No Response Received:	
Douglas County School District RE 1		No Response Received:	
Engineering Services	01/28/2025	No Comment:	
High Line Canal Conservancy		No Response Received:	

Referral Agency Response Report

Project Name: Struby Resurvey, Lots 7-11

Project File #: ZR2024-008

Date Sent: 01/06/2025

Date Due: 01/28/2025

Agency	Date Received	Agency Response	Response Resolution
Highlands Ranch Metro District	01/16/2025	<p>Received: Highlands Ranch Metro District must be made aware of any closures to portions of the Highline Canal trail that is adjacent to the property. Highlands Ranch Metro Districts maintains and patrols that section of the trail. Much appreciated.</p> <p>Ken Standen</p> <p>As the wholesale water provider to Northern Douglas County Water and Sanitation District, please be advised that approval from the Highlands Ranch Water Board of Directors is required for any additional water or sewer taps requested to serve these properties.</p> <p>Thanks, Jon Klassen</p>	<p>Comment addressed in narrative above</p> <p>Comment addressed in Narrative Above.</p>
Highlands Ranch Water and Sanitation District	01/16/2025	<p>Received: Highlands Ranch Metro District must be made aware of any closures to portions of the Highline Canal trail that is adjacent to the property. Highlands Ranch Metro Districts maintains and patrols that section of the trail. Much appreciated.</p> <p>Ken Standen</p> <p>As the wholesale water provider to Northern Douglas County Water and Sanitation District, please be advised that approval from the Highlands Ranch Water Board of Directors is required for any additional water or sewer taps requested to serve these properties.</p> <p>Thanks, Jon Klassen</p>	<p>Comment addressed in narrative above</p> <p>Comment addressed in narrative above</p>

Referral Agency Response Report

Project Name: Struby Resurvey, Lots 7-11

Project File #: ZR2024-008

Date Sent: 01/06/2025

Date Due: 01/28/2025

Agency	Date Received	Agency Response	Response Resolution
Jefferson County Planning and Zoning		No Response Received:	
Littleton	01/09/2025	No Comment:	
Mile High Flood District		No Response Received:	
Northern Douglas County Water & San District		No Response Received:	
Office of Emergency Management		No Response Received:	
Open Space and Natural Resources	01/09/2025	No Comment:	
Rural Water Authority of Douglas County		No Response Received:	
Sheriff's Office	01/28/2025	Received: Deputy Jeff Pelle, with the Douglas County Sheriff's Office, reviewed this project. I have no comments or concerns about it at this time.	Comment addressed in narrative above
Sheriff's Office E911		No Response Received:	
South Metro Fire Rescue	01/14/2025	Received: South Metro Fire Rescue (SMFR) has reviewed the provided documents and has no objection to the proposed rezoning.	Comment addressed in narrative above

Referral Agency Response Report

Project Name: Struby Resurvey, Lots 7-11

Project File #: ZR2024-008

Date Sent: 01/06/2025

Date Due: 01/28/2025

Agency	Date Received	Agency Response	Response Resolution
Xcel Energy-Right of Way & Permits	01/22/2025	<p>Received: Public Service Company of Colorado’s (PSCo) Right of Way & Permits Referral Desk has reviewed the request for the Struby Resurvey Rezone. Please be advised that Public Service Company has existing natural gas and electric distribution facilities along east and west properties’ lines. Public Service Company has no objection to this proposed rezone, contingent upon PSCo’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, and that our current use/enjoyment of the area would continue to be an accepted use on the property and that it be “grandfathered” into these changes. The property owner/developer/contractor must complete the application process for any new natural gas or electric service, or modification to existing facilities via xcelenergy.com/InstallAndConnect. 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 for new facilities. As a safety precaution, PSCo would like to remind the developer to contact Colorado 811 for utility locates prior to construction.</p>	<p>Comment addressed in narrative above</p>

October 13, 2023

Eric Pavlinek, epavlinek@douglas.co.us
Douglas County
Planning Services Division
100 Third Street, 2nd Floor
Castle Rock, Co 80104

RE: **JLP Site Improvement Plans for
13195 North Highland Circle**
Northern Douglas County Water and Sanitation District
Job No. 2346014*00

Eric:

On behalf of the Northern Douglas County Water and Sanitation District (NDC), we have reviewed the Site Plan referral for the referenced project. Our review of the referral documents is relevant only to water and sanitary sewer service and our comments are general in nature. The Site is located within the NDC boundaries, and NDC already provides water and sewer service to the existing buildings related to this address.

Final Construction Plans will need to be submitted to NDC by the engineer, Samuel Engineering, for the District's review. Any specific comments relative to the water and sanitary sewer main will be provided directly to the engineer. The project involves two new buildings, retaining walls, regrading, two detention ponds, outdoor storage, and re-zoning the property from general industrial to light industrial use. It is my understanding that there are no plans for additional water or wastewater needs for the improvements. We will review plans until all of NDC's comments are satisfactorily addressed during the submittal process, after which the plans will be approved for construction.

Please let me know if you have any questions.

Sincerely,

KENNEDY/JENKS CONSULTANTS



Aimée Chalus, P.E.
Project Manager

cc: Nic Carlson- NDC Manager
Ben Stone- Samuel Engineering

January 31, 2025

Joshua Stevens

jstevens@samuelengineering.com

RE: Struby Resurvey, Lots 7-11, Project Number ZR2024-008

Joshua,

Thank you for the submittal of the rezoning request for a proposed rezoning of Struby Resurvey, Lots 7-11 from General Industrial (GI) to Light Industrial (LI) Project Number ZR2024-008. The referral period has ended and letters and correspondence from referral agencies are attached to this letter. Depending on the response, it may be necessary to reach out to individual agencies to address their concerns.

1. Please note that the Colorado Division of Water Resources indicates that there is an active well on this site with limited allowed uses. This may be a conflict with services provided by Northern Douglas County Water and Sanitation District. Please clarify if there is an existing well on site and if so, whether it will be abandoned.

As part of your resubmittal, please also submit a response letter to my attention indicating how each comment has been addressed. If it was not necessary to address a comment, please provide an explanation to clarify.

Because design review is a cumulative process, Douglas County Planning Services reserves the right to provide further comments based upon your resubmittal. Feel free to contact me with any questions or concerns as they arise.

Sincerely,

Trevor Bedford, AICP | Senior Planner
Douglas County Department of Community Development
Planning Services Division
Address | 100 Third St., Castle Rock, CO 80104
Direct | 303.814.4372 **Main** | 303.660.7460
Email tbedford@douglas.co.us

Referral Agency Response Report**Project Name:** Struby Resurvey, Lots 7-11**Project File #:** ZR2024-008**Date Sent:** 01/06/2025**Date Due:** 01/28/2025

Agency	Date Received	Agency Response	Response Resolution
Addressing Analyst	01/08/2025	No Comment:	
Arapahoe County Engineering Services Division		No Response Received:	
Arapahoe County PWD/ Planning	01/09/2025	No Comment: Thank you for the opportunity to review and comment on this project. The Arapahoe County Planning Division has no comments; however, other departments and/or divisions may submit comments.	
AT&T Long Distance - ROW		No Response Received:	
Black Hills Energy		No Response Received:	
Building Services	01/17/2025	No Comment:	
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Chatfield Community Association		No Response Received:	
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Comcast		No Response Received:	
CORE Electric Cooperative		No Response Received:	
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Douglas County School District RE 1		No Response Received:	
Engineering Services	01/28/2025	No Comment:	
High Line Canal Conservancy		No Response Received:	

Referral Agency Response Report

Project Name: Struby Resurvey, Lots 7-11

Project File #: ZR2024-008

Date Sent: 01/06/2025

Date Due: 01/28/2025

Agency	Date Received	Agency Response	Response Resolution
Highlands Ranch Metro District	01/16/2025	<p>Received: Highlands Ranch Metro District must be made aware of any closures to portions of the Highline Canal trail that is adjacent to the property. Highlands Ranch Metro Districts maintains and patrols that section of the trail. Much appreciated.</p> <p>Ken Standen</p> <p>As the wholesale water provider to Northern Douglas County Water and Sanitation District, please be advised that approval from the Highlands Ranch Water Board of Directors is required for any additional water or sewer taps requested to serve these properties.</p> <p>Thanks, Jon Klassen</p>	
Highlands Ranch Water and Sanitation District	01/16/2025	<p>Received: Highlands Ranch Metro District must be made aware of any closures to portions of the Highline Canal trail that is adjacent to the property. Highlands Ranch Metro Districts maintains and patrols that section of the trail. Much appreciated.</p> <p>Ken Standen</p> <p>As the wholesale water provider to Northern Douglas County Water and Sanitation District, please be advised that approval from the Highlands Ranch Water Board of Directors is required for any additional water or sewer taps requested to serve these properties.</p> <p>Thanks, Jon Klassen</p>	

Referral Agency Response Report**Project Name:** Struby Resurvey, Lots 7-11**Project File #:** ZR2024-008**Date Sent:** 01/06/2025**Date Due:** 01/28/2025

Agency	Date Received	Agency Response	Response Resolution
Jefferson County Planning and Zoning		No Response Received:	
Littleton	01/09/2025	No Comment:	
Mile High Flood District		No Response Received:	
Northern Douglas County Water & San District		No Response Received:	
Office of Emergency Management		No Response Received:	
Open Space and Natural Resources	01/09/2025	No Comment:	
Rural Water Authority of Douglas County		No Response Received:	
Sheriff's Office	01/28/2025	Received: Deputy Jeff Pelle, with the Douglas County Sheriff's Office, reviewed this project. I have no comments or concerns about it at this time.	
Sheriff's Office E911		No Response Received:	
South Metro Fire Rescue	01/14/2025	Received: South Metro Fire Rescue (SMFR) has reviewed the provided documents and has no objection to the proposed rezoning.	

Referral Agency Response Report

Project Name: Struby Resurvey, Lots 7-11

Project File #: ZR2024-008

Date Sent: 01/06/2025

Date Due: 01/28/2025

Agency	Date Received	Agency Response	Response Resolution
Xcel Energy-Right of Way & Permits	01/22/2025	<p>Received: Public Service Company of Colorado's (PSCo) Right of Way & Permits Referral Desk has reviewed the request for the Struby Resurvey Rezone. Please be advised that Public Service Company has existing natural gas and electric distribution facilities along east and west properties' lines. Public Service Company has no objection to this proposed rezone, contingent upon PSCo'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, and that our current use/enjoyment of the area would continue to be an accepted use on the property and that it be "grandfathered" into these changes. The property owner/developer/contractor must complete the application process for any new natural gas or electric service, or modification to existing facilities via xcelenergy.com/InstallAndConnect. 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 for new facilities. As a safety precaution, PSCo would like to remind the developer to contact Colorado 811 for utility locates prior to construction.</p>	



January 16, 2025

Trevor Bedford

Douglas County Planning Services

Transmission via email: tbedford@douglas.co.us

**Re: Case Number: ZR2024-008, Struby Resurvey Subdivision Lots 7-11
Update to the Site Improvement Plan and Rezoning**

Part of the W ½ of the SE ¼ of the SE ¼ of Section 6, Twp. 6S, Rng. 68W, 6th
P.M.

Water Division 1, Water District 8

Dear Trevor Bedford,

We have received your January 6, 2025 submittal concerning the Update to the Site Improvement Plan and Rezoning to accommodate changes to the site layout and a rezone from General Industrial to Light Industrial on 5 parcels located in the W ½ of the SE ¼ of the SE ¼ of Section 6, Twp. 6S, Rng. 68W, 6th P.M., Douglas County.

This referral does not appear to qualify as a “subdivision” as defined in section 30-28-101(10)(a), C.R.S. Therefore, pursuant to the State Engineer’s March 4, 2005 and March 11, 2011 memorandums to county planning directors, this office will only perform a cursory review of the referral information and provide informal comments. The comments do not address the adequacy of the water supply plan for this project or the ability of the water supply plan to satisfy any County regulations or requirements. In addition, the comments provided herein cannot be used to



guarantee a viable water supply plan or infrastructure, the issuance of a well permit, or physical availability of water.

According to the application documents, water demand will not increase as a result of the proposed improvements and rezoning. The proposed water supplier is Northern Douglas County Water and Sanitation District (“District”). A letter from the District was included in the application documents, confirming that the parcels are located inside the District boundaries. Requirements for continued service from the District were outlined in the letter, including a requirement for the submittal of final construction plans for review.

A review of our records indicates well permit no. 76858 is located on Lot 10 of Struby Resurvey Subdivision. Well permit no. 76858 was decreed in Division 1 Water Court case no. W-4813 on January 17, 1975 as Black Well No. 1-Unregistered for domestic uses with a date of appropriation of October 6, 1952 and a flow rate of 0.033 CFS. **The use of this well is limited to those domestic uses in existence before May 8, 1972, and those same historical uses that have continued since that time [provided such uses are no greater than those uses allowed for a well permit pursuant to C.R.S. §37-92-602 (1) (which are: fire protection, ordinary household purposes inside not more than three single-family dwellings, the watering of poultry, domestic animals and livestock on a farm or ranch and the irrigation of not more than one acre of home gardens and lawns)].**

The application materials indicate that a stormwater detention structure may be a part of this project. The applicant should be aware that unless the structure can meet the requirements of a “storm water detention and infiltration facility” as defined in section 37-92-602(8), C.R.S., the structure may be subject to administration by this office. The applicant should review DWR’s [Administrative Statement Regarding the Management of Storm Water Detention Facilities and Post-Wildland Fire Facilities in Colorado](#) to ensure that the notification, construction and

operation of the proposed structure meets statutory and administrative requirements. The Applicant is encouraged to use the [Colorado Stormwater Detention and Infiltration Facility Notification Portal](#) to meet the notification requirements.

Our office has no additional comments on the proposed project and rezoning application.

Please contact Mike Matz at 303-866-3581 x8241 or at michael.matz@state.co.us with any questions.

Sincerely,



Ioana Comaniciu, P.E.

Water Resources Engineer

Ec: Referral no. 32638
Well Permit No. 76858

DOUGLAS COUNTY PLANNING REFERRALS

REFERRAL NUMBER: ZR2024-008

DATE RECEIVED: 1/6/2025

PROJECT NAME: Rezone JPL Lots Carder Ct.

PLANNER:

DUE DATE: Jan 27, 2025

Parks & Parkways Manager

Dirk Ambrose

Natural Resource Manager

Nick Adamson

Director of Operations & Maintenance

Ken Standen

Highlands Ranch Metro District must be made aware of any closures to portions of the Highline Canal trail that is adjacent to the property. Highlands Ranch Metro Districts maintains and patrols that section of the trail. Much appreciated.

Ken Standen

Director of Parks, Recreation & Open Space

Neil Alderson

Construction and Facilities Maintenance Manager

Tyler Ensign

Highlands Ranch Metropolitan District Highlands Ranch Water & Sanitation District
62 Plaza Drive Highlands Ranch CO 80129

Public Works Manager of Development Engineering
Forrest Dykstra

Director of Engineering & Public Works
Ryan Edwards

Public Works HR Water Project Engineer
Austin Long

No comment

Public Works HR Water Project Coordinator
Jon Klassen

As the wholesale water provider to Northern Douglas County Water and Sanitation District, please be advised that approval from the Highlands Ranch Water Board of Directors is required for any additional water or sewer taps requested to serve these properties.

Thanks,

Jon Klassen
Project Manager

Finance Department

Highlands Ranch Metropolitan District Highlands Ranch Water & Sanitation District
62 Plaza Drive Highlands Ranch CO 80129

Highlands Ranch Metropolitan District Highlands Ranch Water & Sanitation District
62 Plaza Drive Highlands Ranch CO 80129



Right of Way & Permits

1123 West 3rd Avenue
Denver, Colorado 80223
Telephone: 303.285.6612
violeta.ciocanu@xcelenergy.com

January 22, 2025

Douglas County Planning Services
100 Third Street
Castle Rock, CO 80104

Attn: Trevor Bedford

Re: Struby Resurvey, Lots 7-11, Case # ZR2024-008

Public Service Company of Colorado's (PSCo) Right of Way & Permits Referral Desk has reviewed the request for the **Struby Resurvey Rezone**.

Please be advised that Public Service Company has *existing natural gas and electric distribution facilities along east and west properties' lines*. Public Service Company has no objection to this proposed rezone, contingent upon PSCo'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, and that our current use/enjoyment of the area would continue to be an accepted use on the property and that it be "grandfathered" into these changes.

The property owner/developer/contractor must complete the application process for any new natural gas or electric service, or modification to existing facilities via xcelenergy.com/InstallAndConnect. 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 for new facilities.

As a safety precaution, PSCo would like to remind the developer to contact Colorado 811 for utility locates prior to construction.

Violeta Ciocanu (Chokanu)
Right of Way and Permits
Public Service Company of Colorado dba Xcel Energy
Office: 303-285-6612 – Email: violeta.ciocanu@xcelenergy.com

January 15, 2025

Trevor Bedford
100 Third St.
Castle Rock, CO 80104

RE: ZR2024-008

Dear Mr. Bedford,

Thank you for the opportunity to review and comment on the Rezoning amendment application. Douglas County Health Department (DCHD) staff have reviewed the application for compliance with pertinent environmental and public health regulations. After reviewing the application, DCHD has no additional comments.

Please feel free to contact me at 720-907-4888 or bfreyer@douglas.co.us if you have any questions about our comments.

Sincerely,



Brent Freyer
Environmental Health Specialist II
Douglas County Health Department

DV 24-146



www.douglas.co.us

Department of Community Development
Planning Services

REFERRAL RESPONSE REQUEST

Date Sent: January 6, 2025

Comments due by: **January 28, 2025**

Project Name: Struby Resurvey, Lots 7-11

Project File #: ZR2024-008

Project Summary: The applicant is proposing to rezone approximately 4.45 acres from General Industrial to Light Industrial.

Information on the identified development proposal located in Douglas County is enclosed. Please review and comment in the space provided.

<input checked="" type="checkbox"/> No Comment	
<input type="checkbox"/> Please be advised of the following concerns:	
<hr style="border: 0; border-top: 1px solid black;"/> <hr style="border: 0; border-top: 1px solid black;"/>	
<input type="checkbox"/> See letter attached for detail.	
Agency: <u>ENGINEERING</u>	Phone #: <u>4318</u>
Your Name: <u>AL PETERSON</u> <i>(please print)</i>	Your Signature:
	Date: <u>1/28/25</u>

Agencies should be advised that failure to submit written comments prior to the due date, or to obtain the applicant's written approval of an extension, will result in written comments being accepted for informational purposes only.

Sincerely,

Trevor Bedford, AICP, Project Planner

Enclosure

SOUTH METRO FIRE RESCUE FIRE MARSHAL'S OFFICE



Trevor Bedford, AICP, Project Planner
Douglas County Department of Community Development, Planning Services
100 Third St
Castle Rock Co 80104
303.660.7460
303.660.9550 Fax

Project Name: Struby resurvey, Lots 7-11
Project File #: **ZR2024-008**
S Metro Review # REFGRP25-00003

Review date: January 14, 2025

Plan reviewer: Aaron Miller
720.989.2246
aaron.miller@southmetro.org

Project Summary: The applicant is proposing to rezone approximately 4.45 acres from General Industrial to Light Industrial.

Code Reference: Douglas County Fire Code, 2018 International Fire Code, and 2021 International Building Code with amendments as adopted by Douglas County.

South Metro Fire Rescue (SMFR) has reviewed the provided documents and has no objection to the proposed rezoning.



8450 East Crescent Parkway, Suite 200
Greenwood Village, CO 80111

Phone: 303.714.4840
FAX: 303.714.4800

March 3, 2025

Mike Matz
Colorado Division of Water Resources
1313 Sherman Street, Room 821
Denver, CO 802032

RE: Case Number: ZR2024-008: Struby Resurvey, Lots 7-11

Dear Mike,

Samuel Engineering, hereafter referred to as “Samuel”, has reviewed prepared comments sent to Trevor Bedford regarding project ZR2024-008, dated January 16, 2025. Trevor, of Douglas County, has advised Samuel to reach out to this office to determine if the well operated under Permit number 76858 may still be used, if it requires to be re-permitted, or abandoned. We therefore request your office to provide resolution to this matter so that Douglas County can continue with our rezoning application.

Overall, it is Samuel’s understanding that although an active well, permitted for domestic use, exists on site which is zoned for industrial use, the well and associated permit can continue to exist as long as water from the well is not used, drawn, or consumed for any of the commercial activities that occur on site. Below is more detail that formed our understanding. If your office can provide written confirmation of our understanding, we would greatly appreciate it. If our understanding of the matter is incorrect, please provide comments so that an eventual resolution to this matter can be achieved allowing our Rezoning application to continue with Douglas County.

Samuel:

- *The well operated under permit number 76858 is limited to domestic uses, pursuant to C.R.S. §37-92-602 (1). The domestic uses are further listed in the 16 Jan 2025 letter as “fire protection, ordinary household purposes inside not more than three single-family dwellings, the watering of poultry, domestic animals and livestock on a farm or ranch and the irrigation of not more than one acre of home gardens and lawns.” As such, it is Samuel’s understanding that the well on the property is considered an exempt well for domestic use. With that classification, it is Samuel’s understanding that Guideline 2023-1 USES OF WATER FROM EXEMPT AND SMALL CAPACITY WELLS, as found on [Guidance Documents | Division of Water Resources](#), is applicable to this well. On page 5 of 17, section 2.1: Water use on property served by exempt and small capacity wells for which the permits do not list commercial use: the guidance states “Water from a well permitted for those non-commercial uses may be used at a property where commercial activity occurs, so long as no additional water will be diverted or consumed as a result of the business being conducted on the property. Specifically, employees (other than a party living in a single-family residence on the property) and customers cannot use water from the well, and the business cannot use water from the well for conducting business or to produce a product”*

It is already established that the water supplier for these lots is the Northern Douglas County



Water and Sanitation District and they currently provide water and sewer services to the existing buildings on the site. It is also established that there are no plans for additional water or waste water needs for the improvements for this site or the rezoning of this site. It is therefore Samuels understanding that well permit 76858 may continue to exist in its current status, and the well does not need to be abandoned. With that, may the Water Resources office confirm that there is no need for the well to be re-permitted or abandoned given the commercial needs of the buildings on site, both existing and proposed, are served by the Northern Dougals County Water and Sanitation District.

We appreciate your time and consideration on this matter and look forward to your response.

Joshua Stevens, Civil Engineer
Samuel Engineering, Inc.

Attachments:

1. Page 5 of “Guideline 2023-1” Colorado Division of Water Resources
2. Email requiring resolution, Douglas County Department of Community Development
3. “Will Serve” Referral Letter, Northern Douglas County Water and Sanitation District
4. Response Letter to Douglas County, Case Number: ZR2024-008, Colorado Division of Water Resources

2.1 Water use on property served by exempt and small capacity wells for which the permits do not list commercial use

The following uses have no inherent commercial purpose inasmuch as they support activities and needs of the home: ordinary household purposes, watering poultry, watering domestic animals, and the irrigation of home gardens and lawns. Water from a well permitted for those non-commercial uses may be used at a property where commercial activity occurs, so long as no additional water will be diverted or consumed as a result of the business being conducted on the property. Specifically, employees (other than a party living in a single-family residence on the property) and customers cannot use water from the well, and the business cannot use water from the well for conducting business or to produce a product.⁶

Items 3 through 6 discuss individual types of exempt and small capacity well uses other than commercial. Where appropriate, additional clarification about commercial activity related to that type of use is provided.

3. Water for ordinary household purposes or normal operations associated with a single-family dwelling

The following applies to water use within a dwelling structure intended for occupation by not more than one family. A dwelling includes permanent provisions for living, sleeping, eating, cooking, and sanitation. The following occupancy situations all qualify as water use for ordinary household purposes inside one single-family dwelling:

- All or a part of the dwelling is occupied by owners, short- or long-term renters, or unrelated people with use equivalent to that of a single family. When a part of the dwelling is rented, such as only a bedroom and bathroom, and the renter is not allowed shared use of other parts of the home, such as the kitchen or living room, the dwelling use is not equivalent to that of a single family.
- Water may be used to supply a group home occupying a dwelling where the residents are children and/or adults and where caretakers or staff either live at the property or work at the property in shifts.
- Water may be used by nannies, health care workers, or other employees who provide services to residents of a dwelling and who may live in the dwelling or work there in shifts.⁷

When the well provides water to an auxiliary living space such as an accessory dwelling unit (ADU), refer to [Guideline 2016-1](#) to determine if the auxiliary living space is considered a second single-family dwelling regardless of who is using the space. Generally, an auxiliary living space with a separate entry and kitchen facilities is considered a second single-family dwelling. Auxiliary living spaces rented on a short-term basis may qualify for small capacity or exempt

⁶ Employees such as caretakers and nannies who function as part of the single-family dwelling, as specifically described in Section 3, may use water from the well.

⁷ The Colorado Supreme Court and statute support that use of a single-family dwelling by such groups, where residents make their home, although staff may be paid to supervise and assist the residents, is a residential use. See *Double D Manor v. Evergreen Meadows*, 30-28-115(2)(b.5), 31-23-303(2)(b.5)

Joshua Stevens

From: Trevor Bedford <tbedford@douglas.co.us>
Sent: Wednesday, February 26, 2025 3:57 PM
To: Joshua Stevens; Sara Rabon
Cc: Mark Skelskey; Matt Bolling; skelskeym@gmail.com; Andrew Billings
Subject: RE: Samuel Engineering - JPL Cares Rezoning Package
Attachments: ZR2024-008 (Douglas).pdf

Good Afternoon Josh,

We do still need some more resolution on the well situation. Based on the State Engineer's comments, it looks like the well can only be used for three single family residences established before 1972. I'm not sure there is a use on site that aligns with that as we would consider anything on the site a commercial use. So you will need to reach out to the state engineer's office to determine if the well can still be used, if it has to be repermited, or abandoned. I have their full comments attached, which has some contact information in it.

Thank you,

Trevor Bedford, AICP | Senior Planner
**Douglas County Department of Community Development
Planning Services Division**
Address | 100 Third St., Castle Rock, CO 80104
Direct | 303.814.4372 **Main** | 303.660.7460
Email tbedford@douglas.co.us

From: Joshua Stevens <jstevens@samuelengineering.com>
Sent: Wednesday, February 19, 2025 7:24 AM
To: Trevor Bedford <tbedford@douglas.co.us>; Sara Rabon <srabon@samuelengineering.com>
Cc: Mark Skelskey <mskelskey@samuelengineering.com>; Matt Bolling <mbolling@samuelengineering.com>; skelskeym@gmail.com; Andrew Billings <abillings@samuelengineering.com>
Subject: RE: Samuel Engineering - JPL Cares Rezoning Package

Hi Trevor,
Please see our response to the Referral review letter you provided on 31 Jan 2025.

Please let us know if anything requires further resolution in order to proceed with the Rezoning process.

Thank you,

Josh Stevens

Civil Engineer
Direct: (303) 567-7599
Main: (303) 714-4840 | **Fax:** (303) 714-4800
Email: jstevens@samuelengineering.com
Web: www.samuelengineering.com

October 13, 2023

Eric Pavlinek, epavlinek@douglas.co.us
Douglas County
Planning Services Division
100 Third Street, 2nd Floor
Castle Rock, Co 80104

RE: **JLP Site Improvement Plans for
13195 North Highland Circle**
Northern Douglas County Water and Sanitation District
Job No. 2346014*00

Eric:

On behalf of the Northern Douglas County Water and Sanitation District (NDC), we have reviewed the Site Plan referral for the referenced project. Our review of the referral documents is relevant only to water and sanitary sewer service and our comments are general in nature. The Site is located within the NDC boundaries, and NDC already provides water and sewer service to the existing buildings related to this address.

Final Construction Plans will need to be submitted to NDC by the engineer, Samuel Engineering, for the District's review. Any specific comments relative to the water and sanitary sewer main will be provided directly to the engineer. The project involves two new buildings, retaining walls, regrading, two detention ponds, outdoor storage, and re-zoning the property from general industrial to light industrial use. It is my understanding that there are no plans for additional water or wastewater needs for the improvements. We will review plans until all of NDC's comments are satisfactorily addressed during the submittal process, after which the plans will be approved for construction.

Please let me know if you have any questions.

Sincerely,

KENNEDY/JENKS CONSULTANTS



Aimée Chalus, P.E.
Project Manager

cc: Nic Carlson- NDC Manager
Ben Stone- Samuel Engineering



January 16, 2025

Trevor Bedford

Douglas County Planning Services

Transmission via email: tbedford@douglas.co.us

**Re: Case Number: ZR2024-008, Struby Resurvey Subdivision Lots 7-11
Update to the Site Improvement Plan and Rezoning**

Part of the W ½ of the SE ¼ of the SE ¼ of Section 6, Twp. 6S, Rng. 68W, 6th
P.M.

Water Division 1, Water District 8

Dear Trevor Bedford,

We have received your January 6, 2025 submittal concerning the Update to the Site Improvement Plan and Rezoning to accommodate changes to the site layout and a rezone from General Industrial to Light Industrial on 5 parcels located in the W ½ of the SE ¼ of the SE ¼ of Section 6, Twp. 6S, Rng. 68W, 6th P.M., Douglas County.

This referral does not appear to qualify as a “subdivision” as defined in section 30-28-101(10)(a), C.R.S. Therefore, pursuant to the State Engineer’s March 4, 2005 and March 11, 2011 memorandums to county planning directors, this office will only perform a cursory review of the referral information and provide informal comments. The comments do not address the adequacy of the water supply plan for this project or the ability of the water supply plan to satisfy any County regulations or requirements. In addition, the comments provided herein cannot be used to



guarantee a viable water supply plan or infrastructure, the issuance of a well permit, or physical availability of water.

According to the application documents, water demand will not increase as a result of the proposed improvements and rezoning. The proposed water supplier is Northern Douglas County Water and Sanitation District (“District”). A letter from the District was included in the application documents, confirming that the parcels are located inside the District boundaries. Requirements for continued service from the District were outlined in the letter, including a requirement for the submittal of final construction plans for review.

A review of our records indicates well permit no. 76858 is located on Lot 10 of Struby Resurvey Subdivision. Well permit no. 76858 was decreed in Division 1 Water Court case no. W-4813 on January 17, 1975 as Black Well No. 1-Unregistered for domestic uses with a date of appropriation of October 6, 1952 and a flow rate of 0.033 CFS. **The use of this well is limited to those domestic uses in existence before May 8, 1972, and those same historical uses that have continued since that time [provided such uses are no greater than those uses allowed for a well permit pursuant to C.R.S. §37-92-602 (1) (which are: fire protection, ordinary household purposes inside not more than three single-family dwellings, the watering of poultry, domestic animals and livestock on a farm or ranch and the irrigation of not more than one acre of home gardens and lawns)].**

The application materials indicate that a stormwater detention structure may be a part of this project. The applicant should be aware that unless the structure can meet the requirements of a “storm water detention and infiltration facility” as defined in section 37-92-602(8), C.R.S., the structure may be subject to administration by this office. The applicant should review DWR’s [Administrative Statement Regarding the Management of Storm Water Detention Facilities and Post-Wildland Fire Facilities in Colorado](#) to ensure that the notification, construction and

operation of the proposed structure meets statutory and administrative requirements. The Applicant is encouraged to use the [Colorado Stormwater Detention and Infiltration Facility Notification Portal](#) to meet the notification requirements.

Our office has no additional comments on the proposed project and rezoning application.

Please contact Mike Matz at 303-866-3581 x8241 or at michael.matz@state.co.us with any questions.

Sincerely,



Ioana Comaniciu, P.E.

Water Resources Engineer

Ec: Referral no. 32638
Well Permit No. 76858

Joshua Stevens

From: Matz - DNR, Michael <michael.matz@state.co.us>
Sent: Tuesday, March 4, 2025 4:15 PM
To: Joshua Stevens
Cc: Matt Bolling; Andrew Billings
Subject: Re: ZR2024-008-Resolution of existing well permit 76858

Good Afternoon Josh,

You are correct that domestic well permit no. 76858 may remain in-place without needing to be plugged & abandoned or re-permitted, despite it being located on a rezoned industrial lot.

A requirement for the well to be plugged and abandoned or re-permitted would only be required in other limited circumstances, such as the parcel being further subdivided and/or if the well was needed to serve the industrial lots for commercial or industrial uses. As you mentioned in your attached letter, the proposed water source for the site is Northern Douglas County Water and Sanitation District. As long as the well isn't used for purposes that exceed the allowable uses granted under the existing permit, the well can remain in place without any further action. We have no additional comments regarding the rezoning effort.

Please let me know if you have any follow up questions.

Best,

Mike Matz
Water Resources Engineer



COLORADO
Division of Water Resources
Department of Natural Resources

P 303.866.3581 x 8241
1313 Sherman Street, Room 821, Denver, CO 80203
michael.matz@state.co.us | www.colorado.gov/water

On Tue, Mar 4, 2025 at 1:47 PM Joshua Stevens <jstevens@samuelengineering.com> wrote:

Hello Mike,

My name is Josh Stevens, a Civil Engineer assigned to help rezone the Struby Resurvey Subdivision Lots 7-11.

I received your contact information through the rezoning process via Douglas County.

Douglas County has instructed our firm to acquire resolution with your office for the well on site.

It is Samuel's understanding that the permit and well on site can continue to exist as long as water from the well is not used for commercial uses on site.

We are looking for written confirmation from your office to affirm that so we can continue our rezoning request.

Attached is a letter with our request.

Please let us know what is required for resolution on this matter.

Josh Stevens

Civil Engineer

Direct: (303) 567-7599

Main: (303) 714-4840 | **Fax:** (303) 714-4800

Email: jstevens@samuelengineering.com

Web: www.samuelengineering.com



Trevor Bedford

From: TJ McKune <tj@pbmexcavating.com>
Sent: Tuesday, January 28, 2025 7:57 AM
To: Trevor Bedford
Subject: reply RE: Project File: ZR2024-008 comments as Landowner

Trevor-

Thank you so much for your follow up and detailed information. It is much more understood now. I am pleased to know that zoning and engineering is aware of this property, and that efforts are being made to bring some of it in compliance.

TJ MCKUNE
PBM Holdings LLC

From: Trevor Bedford <tbedford@douglas.co.us>
Sent: Monday, January 27, 2025 3:34 PM
To: TJ McKune <tj@pbmexcavating.com>
Subject: RE: Project File: ZR2024-008 comments as Landowner

Good Afternoon,

Thank you for expressing your concerns about the property. I forwarded your email to our zoning enforcement team so that they are aware.

The property is in the process of a rezoning and a site improvement plan to rectify some of the zoning issues on the site including some structures built without a site improvement plan. As a part of the site improvement plan process, they are required to show calculations that they have sufficient parking for employees and company vehicles on site. This is something they are working on at the moment. Additionally, our engineering department will review a traffic study the applicant submitted.

The rezoning itself does not change uses or any of the structures on site, but is the first step they are taking towards the site plan approval.

Any new buildings or uses, or those that were placed on the property without approvals, will have to meet current zoning regulations. Any new building will have to meet current building code requirements. I am not certain how existing, unpermitted structures are dealt with by the building code. You could reach out to our building services department if you have any questions regarding that, or any questions about current adopted codes. They can be reached at dcbuilding@douglas.co.us or 303-660-7497.

I hope this answers your questions. Feel free to reach out if you have any further questions.

Thank you,

Trevor Bedford, AICP | Senior Planner
**Douglas County Department of Community Development
Planning Services Division**
Address | 100 Third St., Castle Rock, CO 80104
Direct | 303.814.4372 **Main** | 303.660.7460
Email tbedford@douglas.co.us

From: TJ McKune <tj@pbmexcavating.com>
Sent: Monday, January 27, 2025 9:29 AM
To: Trevor Bedford <tbedford@douglas.co.us>
Subject: Project File: ZR2024-008 comments as Landowner

Good Morning Trevor-

PBM Holdings LLC owns the new building located at 13188 N Highland Cir, directly across from this proposed redevelopment project. Our Certificate of Occupancy was acquired in 2019.

This area has been very frustrating because there is varying non-conforming, and non-permitted activity, that surrounds us. There has been no enforcement by Douglas County Zoning, on some of these properties, which makes it hard to operate our own business at times.

At this time, one of the most difficult issues is the parking shortage, and excess traffic on the road, during the morning and evening hours. There is unbelievable truck and trailer, and vehicle activity, during the landscape season.

The traffic and parking in the ROW, in front of our property and behind our property, has definitely impacted our ability to access our business, at times. The employee parking is not adequate on the majority of properties on Highland Circle.

During the summer, there are many times our trucks can not gain access to our own entrance gates, because the sides of the road are filled with cars, used as employee parking. I have to literally "police" our own property's parking spots, due to neighboring landscape businesses overflow of cars, during the busy season.

I would like to know what will be required, due to all the added traffic and parking shortages, with this zoning change and/or any future building projects.

In addition, we would like confirmation that any new building, or new business, will need to adhere to 2025 Douglas County Building Code requirements, as well as current zoning restrictions.

Thank you for your consideration. I look forward to any follow up information, you would have regarding these matters, and this rezoning.

Tranga J. "TJ" McKune
PBM Holdings LLC
PBM Excavating Co

October 13, 2023

Eric Pavlinek, epavlinek@douglas.co.us
Douglas County
Planning Services Division
100 Third Street, 2nd Floor
Castle Rock, Co 80104

RE: **JLP Site Improvement Plans for
13195 North Highland Circle**
Northern Douglas County Water and Sanitation District
Job No. 2346014*00

Eric:

On behalf of the Northern Douglas County Water and Sanitation District (NDC), we have reviewed the Site Plan referral for the referenced project. Our review of the referral documents is relevant only to water and sanitary sewer service and our comments are general in nature. The Site is located within the NDC boundaries, and NDC already provides water and sewer service to the existing buildings related to this address.

Final Construction Plans will need to be submitted to NDC by the engineer, Samuel Engineering, for the District's review. Any specific comments relative to the water and sanitary sewer main will be provided directly to the engineer. The project involves two new buildings, retaining walls, regrading, two detention ponds, outdoor storage, and re-zoning the property from general industrial to light industrial use. It is my understanding that there are no plans for additional water or wastewater needs for the improvements. We will review plans until all of NDC's comments are satisfactorily addressed during the submittal process, after which the plans will be approved for construction.

Please let me know if you have any questions.

Sincerely,

KENNEDY/JENKS CONSULTANTS



Aimée Chalus, P.E.
Project Manager

cc: Nic Carlson- NDC Manager
Ben Stone- Samuel Engineering

JPL REZONING ZONING PLAN

LOTS 7 THROUGH 11, STRUBY RESURVEY

4.45 ACRES

ZR2024-008

DEVELOPER/OWNER

JPL CARES LANDSCAPING
 Lot 7, LLC
 Lot 8, LLC
 Lot Nine, LLC
 Lot 10, LLC
 Lot 11, LLC
 13195 NORTH HIGHLAND CIRCLE
 LITTLETON, COLORADO

STRUCTURAL ENGINEER

SAMUEL ENGINEERING
 8450 E. CRESCENT PKWY, STE 200
 GREENWOOD VILLAGE, CO 80111
 (303)714-4840
 CONTACT: MATT BOLLING, P.E.

ELECTRICAL ENGINEER

SAMUEL ENGINEERING
 8450 E. CRESCENT PKWY, STE 200
 GREENWOOD VILLAGE, CO 80111
 (303)714-4840
 CONTACT: RICHARD MORRIS, P.E.

CIVIL ENGINEER

SAMUEL ENGINEERING
 8450 E. CRESCENT PKWY, STE 200
 GREENWOOD VILLAGE, CO 80111
 (303) 714-4840
 CONTACT: MARK A. SKELSKY, P.E.

ARCHITECT

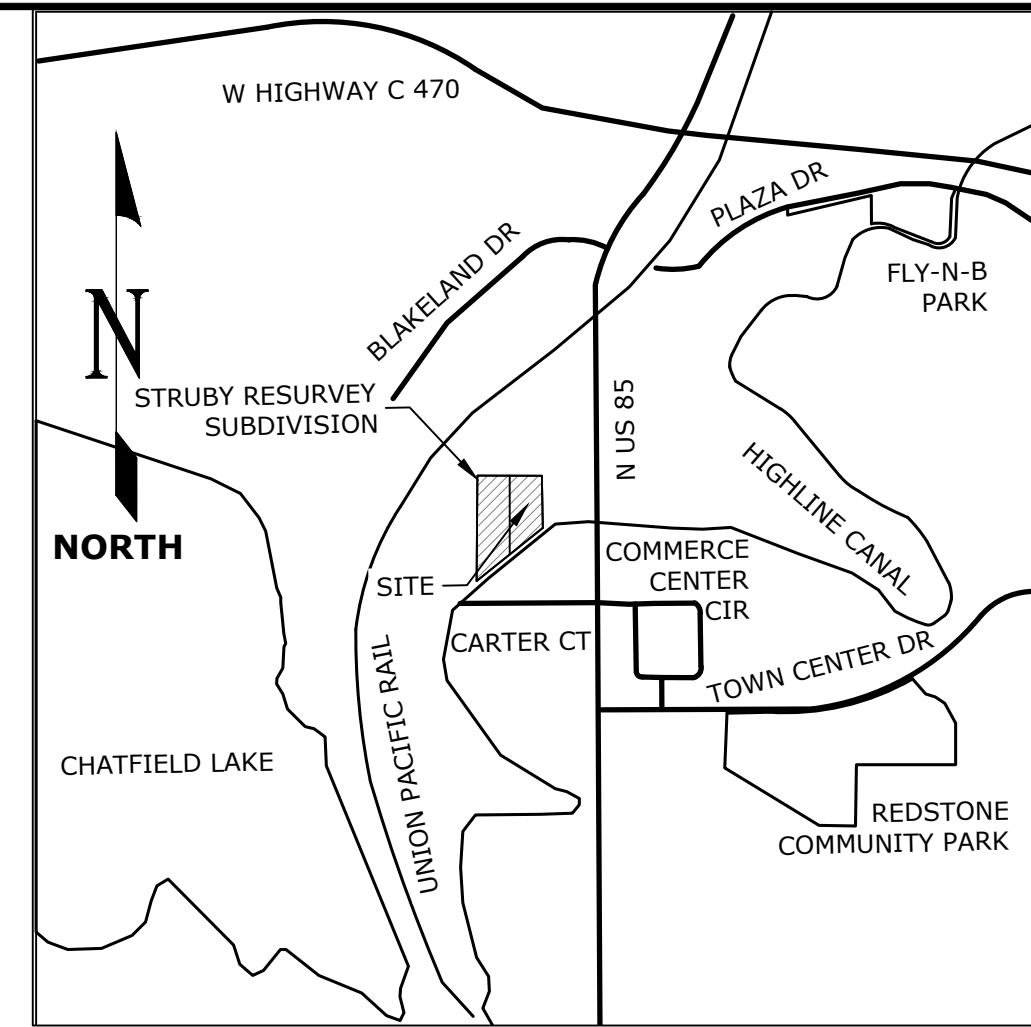
SAMUEL ENGINEERING
 8450 E. CRESCENT PKWY, STE 200
 GREENWOOD VILLAGE, CO 80111
 (303)714-4840
 CONTACT: ANDREW BILLINGS

SURVEYOR

PRECISION SURVEY & MAPPING, INC. 9145 E. KENYON AVE. SUITE 101, DENVER, CO., DATED 06/09/16. HORIZONTAL CONTROL BASED ON AN ASSUMED DATUM CARRIED FORWARD FROM THE PREVIOUS IMPROVEMENT SURVEY PLAT PREPARED BY PRECISION SURVEY & MAPPING, INC. IN 2014. VERTICAL CONTROL IS BASED ON NAVD 88 (GEOID 12A). DRAWING COORDINATES ARE MODIFIED TO GROUND.

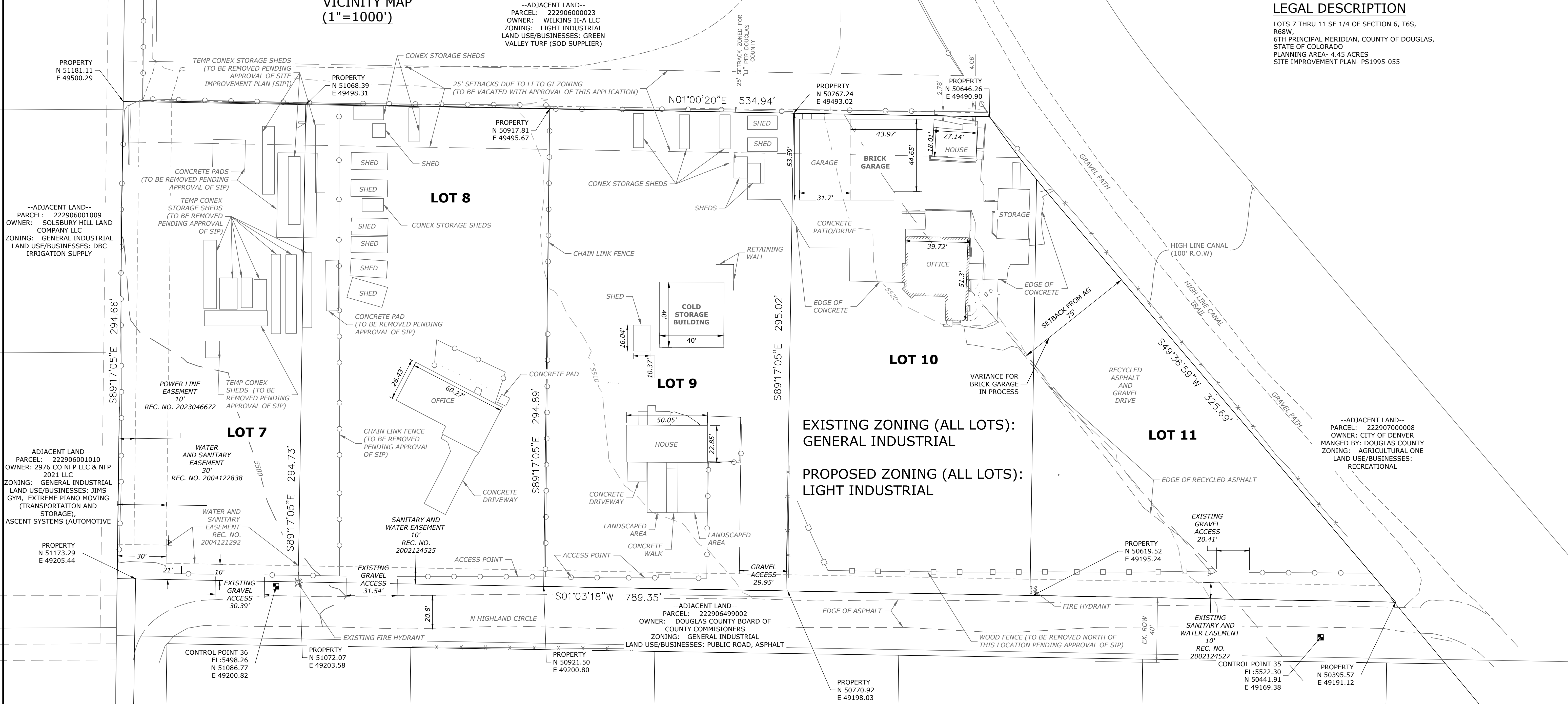
LEGAL DESCRIPTION

LOTS 7 THRU 11 SE 1/4 OF SECTION 6, T6S, R68W, 6TH PRINCIPAL MERIDIAN, COUNTY OF DOUGLAS, STATE OF COLORADO
 PLANNING AREA- 4.45 ACRES
 SITE IMPROVEMENT PLAN- P51995-055



VICINITY MAP
 (1"=1000')

--ADJACENT LAND--
 PARCEL: 22290600023
 OWNER: WILKINS II-A LLC
 ZONING: LIGHT INDUSTRIAL
 LAND USE/BUSINESSES: GREEN VALLEY TURF (SOD SUPPLIER)



--ADJACENT LAND--
 PARCEL: 22290600109
 OWNER: SOLSBURY HILL LAND COMPANY LLC
 ZONING: GENERAL INDUSTRIAL
 LAND USE/BUSINESSES: DBC IRRIGATION SUPPLY

--ADJACENT LAND--
 PARCEL: 222906001010
 OWNER: 2976 CO NFP LLC & NFP 2021 LLC
 ZONING: GENERAL INDUSTRIAL
 LAND USE/BUSINESSES: JIMS GYM, EXTREME PIANO MOVING (TRANSPORTATION AND STORAGE), ASCENT SYSTEMS (AUTOMOTIVE)

--ADJACENT LAND--
 PARCEL: 222907000008
 OWNER: CITY OF DENVER
 MANGED BY: DOUGLAS COUNTY
 ZONING: AGRICULTURAL ONE
 LAND USE/BUSINESSES: RECREATIONAL

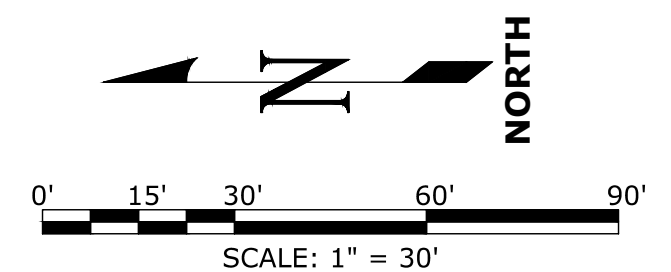
--ADJACENT LAND--
 PARCEL: 222906499002
 OWNER: DOUGLAS COUNTY BOARD OF COUNTY COMMISSIONERS
 ZONING: GENERAL INDUSTRIAL
 LAND USE/BUSINESSES: PUBLIC ROAD, ASPHALT

LEGEND

- PROPERTY LINE
- EASEMENT LINE
- CHAIN LINK FENCE
- SETBACK
- WIRE FENCE
- WOODEN FENCE
- EDGE OF GRAVEL
- CONTROL POINT, HYDRANT
- MINOR EX CONTOUR
- MAJOR EX CONTOUR

NOTES

- ALL STRUCTURES INCLUDED IN THIS DRAWING ARE INTENDED TO REMAIN UNLESS OTHERWISE NOTED.
- COLD STORAGE BUILDING IS USED TO STORE EQUIPMENT DURING WINTER MONTHS WHEN OUTSIDE AIR TEMPERATURES ARE TOO COLD FOR THAT EQUIPMENT.
- ALL SHEDS AND CONEX STORAGE UNITS ARE USED TO STORE VARIOUS EQUIPMENT AND LANDSCAPING MATERIALS.
- THE HOUSE IN LOT 9 AND THE OFFICE IN LOT 8 ARE LEASED TO OTHER ENTITIES IN THE LANDSCAPING INDUSTRY. ALL OTHER STRUCTURES NOT INDICATED AS A SHED OR CONEX STORAGE UNIT ARE USED FOR OFFICES FOR JPL CARES.
- EASEMENTS AND CONEX STORAGE CONTAINERS WERE DRAWN ONTO THIS EXHIBIT USING PUBLICLY AVAILABLE INFORMATION AND HAVE NOT BEEN VERIFIED WITH A SURVEYOR.



8450 E. Crescent Parkway, Suite 200
 Greenwood Village, CO 80111
 Phone: 303.714.4840
 Fax: 303.714.4800
 Web: samuelengineering.com

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Lot 7, LLC
 Lot 8, LLC
 Lot Nine, LLC
 Lot 10, LLC
 Lot 11, LLC

JPL
SITE IMPROVEMENTS
 13195 HIGHLANDS CIRCLE
 LITTLETON, CO 80125

REV	DATE	ISSUED FOR
B	08 NOV 24	APPROVAL

CIVIL REZONING EXHIBIT

PROJECT NUMBER	DATE
23094	18 NOV 2024

100-CE-100

DESIGNED	DRAWN	APPROVED
BS	JS	MAS