

**REZONING AND FINAL DEVELOPMENT PLAN, FINAL PLAT APPROVAL
401 South Watson Lane Property, Carol Carson (Applicant)**

I. Purpose and Location

This is a request for Final Development Plan, and Final Plat approval for a 3-lot subdivision on a 3.875-acre site which is currently zoned - A (Agriculture). The property contains one parcel, one located at 401 South Watson Lane in Columbine Valley. This parcel is owned by Carol Carson the longtime owner of the property and is the applicant on the case. It is proposed to rezone the parcels to Residential Planned Development (RPD). Lot 1 will remain intact as is, Lots 2 & 3 are planned single family homes (architecture to be determined) that front South Watson Lane. The site is bounded on the north by the Brookhaven neighborhood, on the east by the Watson Lane Reserve in the City of Littleton, on the west by the Swenson and Ausfahl properties, and on the south by the Ausfahl property.

For this case, due to the minor nature of the proposal, the preliminary and final development plans and the preliminary and final plat have been combined into one submittal titled as the final development plan and the final plat. A minor subdivision is allowed in the Zoning Code and Land Use Regulations for 3 or fewer lots which this site meets, but the current zoning does not allow for lots smaller than 2 acre lots and will need to be changed. For this reason, a final development plan and final plat will be required that will change the zoning to RPD.

II. Plan and Plat Description

A. Final Development Plan (FDP) is attached and consists of two sheets

Sheet 1: Is a standard cover sheet and includes the title, legal description, standard and special notes, certifications and signature blocks, the applicant’s project team and a vicinity map. Development notes for each of the lots are also listed for a better narrative of each of the planning areas. Sheet 1 also includes the development stipulations chart which follows:

DEVELOPMENT STIPULATIONS CHART

<i>Land Use Tabulation</i>		<i>Lot 1</i>	<i>Lots 2 & 3</i>
Land Use:		Single Family Residential	Single Family Residential
Maximum Allowable Units:		1	2
Maximum Allowable Density:		0.5 DU/AC	1.38 DU/AC
Existing Zoning:		Agriculture (A)	Agriculture (A)
Proposed Zoning:		Residential Planned Development (RPD)	Residential Planned Development (RPD)
Area Tabulation			
Use	Area	% of Total	
Lotted Area	3.875 Acres	100.00%	
Total	3.875 Acres	100.00%	

Development Stipulations – Lot 1	
ACREAGE	2.43 acres
DENSITY	0.50 DU/AC
Building Height	35'-0"
Setbacks	
From Street ROW:	25'-0"
Front:	25'-0"
Side:	15'-0"
Rear:	15'-0"
Walls, Fences, Hedges	
Along Watson Lane	2 or 3 Rail Fence
Between Lot 1 & 2 (East and South Side of Lot 1)	Existing Fence/Relocated Existing Fence (White 3 Rail Fence)
Between Lot 1 & 3 (East side of Lot 1)	Existing Fence
South Side of Lot 1 (Bordering Ausfahl Property)	Existing Fence

Development Stipulations – Lot 2	
ACREAGE	1.445 acres
MINIMUM LOT SIZE	0.50 ACRES
DENSITY	1.38 DU/AC
Building Height	35'-0"
Setbacks	
From Street ROW:	25'-0"
Front:	25'-0"
Side:	35'-0"/15'-0"
Rear:	15'-0"
Minimum Distance Between Buildings:	30'-0"
Walls, Fences, Hedges	
Along Watson Lane	2 or 3 Rail Fence
Between Lot 1 & 2 (West and North Side of Lot 2)	Existing Fence/Relocated Existing Fence (White 3-Rail Fence)
Between Lot 1 & 3 (West side of Lot 3)	Existing Fence
South Side of Lot 3	Existing Fence

Sheet 2: Shows the site plan including perimeter boundaries, lot layout, access points, road alignment, street cross section, and easements throughout the site.

Also included with the submittal were an application form, letter of intent, list of abutting properties (and map), title work, Phase III Drainage Study, and will serve letters.

B. The Final Plat consists of two (2) Sheets

Sheet 1: Contains the title, vicinity map, legal description, boundary closure report, standard and special notes, and signature blocks and certifications. Sheet 1 also includes the Lot Summary Chart.

Land Use Summary Chart					
LOT	AREA (SF)	AREA (AC)	USE	OWNER	MAINTENANCE
Lot 1	105,794	2.429	Single Family Residential	Jeffery Berg & Carol Carson	Jeffery Berg & Carol Carson
Lot 2	26,245	0.602	Single Family Residential	Jeffery Berg & Carol Carson	Jeffery Berg & Carol Carson
Lot 3	36,744	0.844	Single Family Residential	Jeffery Berg & Carol Carson	Jeffery Berg & Carol Carson
TOTAL LOT AREA	168,783	3.875			
TOTAL SITE AREA	168,783	3.875			

This subdivision plat contains 3 lots, 2 easements (one existing and one proposed) for access.

Sheet 2: Shows plat map and the perimeter boundary, lots and tracts with dimensions, easements with dimensions and purpose, and record information on adjacent property owners.

III. Character of Adjacent Property

The site is bordered on the north by the Brookhaven Neighborhood, on the east by single family residential (Watson Lane Reserve) and the Littleton Golf Club, on the south by the Agriculturally zoned Ausfahl Property and on the west by the agriculturally zoned Swenson property. The Watson Lane area is characterized by a mix of residential custom homes and agriculturally used land including barns and horse arenas.

IV. Comment of Referral Agencies

The Final Development Plan/Plat with relevant supporting documents were sent to the following agencies:

City of Littleton, South Metro Fire, Denver Water- Columbine Water and Sanitation District, South Suburban Parks and Recreation District, the Mile High Flood District, Xcel Energy and the HOA's for Columbine Valley Estates, Brookhaven Estates, and Villa Avignon.

Comments received to date are:

City of Littleton – Public Works/Planning

We offer the following comment regarding this final plan:

- 20' ROW Reservation on north edge of property should remain in place to preserve access to 3220 W Lake Avenue. If Lot 1 subdivides in the future the ROW reservation may be considered for vacation at that time.
- Manhole incorrectly labeled as Sanitary. This is a storm sewer manhole associated with Brown Ditch.

- Any future connections to City of Littleton sanitary sewer from Lots 2 & 3 will require a main extension.
- Remove notes regarding vacation of ROW reservation as there is no guarantee Lot 1 will subdivide, this vacation should wait until that time if/when it does happen. See note #1 above from the Plat review.
- Any properties with drainage outfalls to City of Littleton's MS4 are subject to review by the City of Littleton on future development.
- Planning staff did not have any comments pertaining to the proposed subdivision at 401 South Watson Lane.

Xcel Energy

- Public Service Company of Colorado's (PSCo) Right of Way & Permits Referral Desk has reviewed the subdivision plat for 401 South Watson Lane and requests that 8-foot-wide utility easements are added to the plat as noted for connectivity and looping.
- PSCo also requests that the following language or plat note is placed on the preliminary and final plats for the subdivision:

Utility easements are dedicated to the Town of Columbine Valley for the benefit of the applicable utility providers for the installation, maintenance, and replacement of electric, gas, television, cable, and telecommunications facilities (Dry Utilities). Utility easements shall also be granted within any access easements and private streets in the subdivision. Permanent structures, improvements, objects, buildings, wells, and other objects that may interfere with the utility facilities or use thereof (Interfering Objects) shall not be permitted within said utility easements and the utility providers, as grantees, may remove any Interfering Objects at no cost to such grantees, including, without limitation, vegetation. Public Service Company of Colorado (PSCo) and its successors reserve the right to require additional easements and to require the property owner to grant PSCo an easement on its standard form.

Mile High Flood District

We have reviewed the referral only as it relates to a major drainageway and for maintenance eligibility of storm drainage features, in this case:

- Drainageway D

MHFD staff has the following comments to offer:

- The proposed development area is located within an effective floodplain Zone A. Any construction activities within the mapped 100-year floodplain will likely require a floodplain development permit from the local government.
- Based on our review of the current application and supporting documentation, it does not appear there will be any proposed features that would be considered maintenance eligible. However, please note that if the project will add/modify an existing outfall, then MHFD will need to review those plans.

Columbine Water and Sanitation District (Summary)

Sewer and water service to the site was considered by both Columbine Water & Sanitation District (District) and the City of Littleton. Service by the District would cause the owner to annex into the District and extend the existing public sewer main to serve the property. Also, the elevation of the District's public sewer main would cause the development to pump sewage from site into the District public sewer main. The City of Littleton has an existing sewer main that has easier access to the

development, so The City of Littleton will be the water and sewer provider. The City of Littleton is planning to extend the service boundary to serve the site. The City of Littleton has a Total Service Contract with Denver Water and will include the Watson Lane development into the service area.

Villa Avignon HOA

The Villa Avignon HOA does not have any objections or concerns regarding the proposed South Watson Lane subdivision.

South Suburban Parks and Recreation District

South Suburban staff reviewed the referral for the 401 South Watson Lane development, and have no comments. Thank you for the opportunity to comment on this project.

South Metro Fire Rescue

There have been no formal comments from South Metro Fire Rescue on the proposed Final Development Plan and Final Plat.

Brookhaven HOA

There have been no formal comments from the Brookhaven HOA on the proposed Final Development Plan and Final Plat.

Columbine Valley Estates HOA

There have been no formal comments from the Columbine Valley Estates HOA on the proposed Final Development Plan and Final Plat.

No comments have been received at this time from any residents that were notified about the subdivision per our regulations.

VI. Traffic Impact

A traffic impact report was not thought to be needed by the Town's Traffic Engineer and as it is considered a minor subdivision, this was not a requirement for the application. For larger projects, this is a consideration that will need to be met to address any on-site or off-site improvements that may be warranted because of the impact of the development.

VII. Variances

The only variance from the regulations that the applicant has requested is that Lot 1 not be included in the HOA that is to be formed with the subdivision for Lots 2 & 3.

VIII. Report of the Town Engineer

ICON has reviewed the Submittal for the Watson Lane Subdivision. Materials included in this review include drainage report, plat document, 1st submittal comment response, will serve letters, abutting property owner map, and title report.

The following comments should be addressed before final approval:

1. Existing pond. There is an existing retention / water quality pond that was approved when the barn structure was constructed. The barn's water quality pond is located on Lot 3. (Shallow graded pond between 5327 contour and 5325 contour.) As Lot 3 develops, constructing its own stormwater control features, Lot 1 will be required to recreate the pond feature. This can be done with above ground cistern, or other

- modernized stormwater controls. It does not have to replicate the exact in-ground pond that was approved previously.
2. Address any mentioned comments per the 1st submittal review and subsequent 2nd submittal review.
 3. Provide construction documents prior to any construction occurring on any of the lots that will show grading, drainage infrastructure, and utility information.

IX. Findings

Town Staff have reviewed the final development plan and plat, the supporting documents and have conducted site visits. Based on these reviews and site visits the following findings are presented.

A. Zoning Code and Land Use Regulations

The zoning code and land use regulations regard minor subdivisions (Article XII, Section 12) are allowed if certain intentions are met and meet the following criteria:

1. There are three or fewer lots in the proposed subdivision.
2. The proposed subdivision contains all the contiguous property owned or under control of the applicant. Minor Subdivisions are not to be the first stage of a larger subdivision.
3. There are no major public improvements required or the public improvements would be minimal such as short extensions of water and sewer lines, utility hookups, provision of a short cul-de-sac, etc.

Having met this criterion, it is also up to the Town Planner and Town attorney to decide how the case will be presented. Since the plans call for creation of lots 2 and 3 that do not meet the size requirements to meet the current agriculture zoning (A), it was determined that a modified process could be implemented. This modification skips the preliminary plan/plat portion and went straight to final plan/plat. Part of this modification was to give staff more time to review, make comments to the applicant and have the corrections made prior to presenting the plan to the planning and zoning commission for hearing. Having done this, town staff feels comfortable bringing the plan to the planning and zoning commission for review.

The planned development zoning allows the applicant to choose the setbacks, uses, and other rules they deem as necessary for the site. The applicant is proposing leaving one as a modified Agriculture Zoning (A) and the other two as a modified Residential Zoning (R) as outlined in the Zoning Code and Land Use Regulations and as noted on their final development plan.

B. Master Plan Consistency

The Master Plan density designation for this site is Low-Medium with densities from 1 to 2.4 dwelling units per acre. The applicant is proposing rezoning to RPD for all the lots associated with the plan. The two smaller lots meet the criteria in the master plan as 1.38 DU/Acre with the larger lot as 0.5 DU/Acre. Taken as an aggregate, the density for all three lots is 0.77 DU/Acre (3 dwelling units on 3.875 acres).

The planned development zoning in the Town of Columbine Zoning Code allows the applicant to choose the setbacks, uses, and other rules they deem as necessary for the site. The proposed use of Lots 1 and 2 as single family residential and the proposed density is consistent with the Master Plan designation.

Lot 1 does not conform as planned to the master plan, but staff does not see an issue with this as it is intended to be further subdivided at a later date. Since it is to remain used as it is currently and the lot meets the necessary limitations for the zoning of Agriculture for size, the existing use as single family and lower density is not a concern for Town Staff at this time. That being said, if the Swenson property were to be subdivided, prior to Lot 1 being subdivided, the access currently shown as easements will need to be worked out with the applicant and the Swenson property applicant.

B. Compatibility with Adjacent Residential Development

There are multiple residential neighborhoods in close proximity to the proposed development. The proposed development is comparable to the surrounding areas as it pertains to density and lot size. The neighboring residential subdivisions statistics are listed below:

Density and Lot Size:

As proposed the subdivision at 401 South Watson Lane would have a density of .77 DU's per acre with lot sizes of 26,245 square feet (SF), 36,744 SF, and 105,794 SF.

Watson Lane Reserve in Littleton, directly across Watson Lane and east of the proposed subdivision has 11 homes on 6.56 acres or 1.67 DU/Acre. Lot sizes in the Watson Lane Reserve Neighborhood average around 26,000 SF. Brookhaven Neighborhood directly north and west of the site has 29 homes on 27.40 acres or 1.06 DU/Acre. The average lot size in Brookhaven is 23,509 SF. Columbine Valley Estates directly to the south of the site, has 7 homes on 13.36 acres or 0.52 DU/Acre. The average lot size in Columbine Valley Estates is 76,141 SF.

Architectural Style:

Architectural exhibits are not included in the package as they are not required for a minor subdivision. Prior to construction permits being issued architectural exhibits will be required with any submittal and will be reviewed by staff at that time. This information will also be presented to the architectural review committee of the planning and zoning commission through administrative review.

C. Landscaping and Screening

A landscape plan will be required with any submittal for construction permits and will be reviewed by staff at that time. This information will also be presented to the architectural review committee of the planning and zoning commission through administrative review.

D. Access and Streets

The Plans call for access easements to be granted as shown for future connection as needed to the Swenson Property to the west. The applicant (Lot 1) and subsequent owners of Lots 2 & 3 should be aware that if the Swenson Property were to subdivide, this access is to be granted. Access through Lot 1 by way of Lots 2 & 3, is also to be granted but negotiated between the two parties prior to submitting an application to the Town for subdivision as the easements through lot 1 for this access are not proposed at this time.

The applicant's current plan is to vacate the existing access on the North side of Lot 1 if the Swenson Property were to subdivide and to use the access easements on Lots 2 & 3 to make this

connection. Construction, the costs associated, and subsequent maintenance of this new road are to be negotiated by the two property owners and then brought to the Town for approval.

E. Other

1. As the applicant moves forward with selling of the two lots (Lots 2 & 3) construction documents will be reviewed by Town Staff and the architectural review committee of the planning and zoning commission through administrative review prior to approval of the proposed structures. There are many details that will need to be worked out by the new owners prior to construction beginning for the two new single-family residences.
2. Per the Zoning Code and Land Use Regulations, an HOA is required to be formed as a part of any new subdivision. Staff would like to see one larger HOA created for all of Watson Lane instead of many new small HOAs. The applicant has stated their willingness to create an HOA for Lots 2 and 3 (not including lot 1 at this time) in which other new subdivisions can annex into if or when the Lot 1 further subdivides, or the Swenson/Ausfahl properties subdivide.
3. Town staff has found some minor errors and omissions and items that need clarification. These are not items that have a substantial effect and are easily corrected. They are spelled out in our most recent redlines to the applicant.

X. Recommendations

Based on the finding that the request meets all the criteria for a Minor Subdivision and rezoning, staff **recommends approval** of the Final Plan and Final Plat for the 401 South Watson Lane Subdivision with the following conditions:

A. Staff Recommendations:

1. Revise the final plat and plan to eliminate the errors and omissions either prior to the Board of Trustees meeting or prior to recording, as appropriate.
2. Prior to the recording of mylars, the applicant shall provide a note on the final plat and plan that states intention of the proposed access and future access to the Swenson Property. The applicant shall provide this plat note for Town Staff to review prior to recording.
3. The HOA shall annex Lot 1 if the lot is to be sold by the current owners (Carol Carson & Jeffery Berg or heirs) without further subdivision.
4. At the time Lot 1 is further subdivided, the subsequent lots shall be annexed into the Watson Lane HOA.
5. Address the Town Engineers requirement to provide a plan for the relocation of the existing shallow retention/water quality pond that was installed for the existing and to remain barn on Lot 1.
6. Construction documents are to be submitted and approved by the architectural review committee of the planning and zoning commission through administrative review prior to approval of the proposed structures prior to the approval of building permits for the site.