



**COMMUNITY AND ECONOMIC DEVELOPMENT  
DEPARTMENT**

**CASE NO.: PRC2017-00008**

**CASE NAME: TELLURIDE BAR & GRILL**

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**Board of County Commissioners****May 1, 2018**

CASE No.: <b>PRC2017-00008</b>	CASE NAME: <b>Telluride Bar &amp; Grill</b>
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Owner's Name:	Vinh M. Dam
Applicant's Name:	Vinh M. Dam
Applicant's Address:	12063 Monaco Court
Location of Request:	14000 Telluride Street
Nature of Request:	(1) A Comprehensive Plan Amendment to change the future land use designation from Parks & Open Space to Commercial to operate a restaurant on the site and; (2) Rezone from Agricultural-2 (A-2) to Commercial (C-2)
Zone District:	Agriculture-2 (A-2)
Site Size:	0.7723 acre
Proposed Uses:	Restaurant
Existing Use:	Vacant
Hearing Date(s):	<b>PC: April 12, 2018/ 6:00 pm</b>
	<b>BOCC: May 1, 2018/ 9:30 am</b>
Report Date:	April 12, 2018
Case Manager:	Julie Wyatt
PC Action/Recommendation:	APPROVAL of a Comprehensive Plan Amendment with 3 Findings-of-Fact and recommendation of APPROVAL of the rezoning with 4 Findings-of-Fact
Staff Recommendation:	APPROVAL with 7 Findings-of-Fact

**SUMMARY OF PREVIOUS APPLICATIONS**

In February 2017, the applicant met with staff for a conceptual review meeting to discuss requirements to operate a restaurant on the subject site.

**SUMMARY OF APPLICATION****Background:**

Applicant and owner Vinh Dam purchased the property on Telluride Street, south of Interstate 76, with the intention of operating a restaurant. The existing building located on the site was previously used as a restaurant, but has been vacant since 2010.

Per section 4-02-01 of the County's Development Standards and Regulations, if active and continuous operations of a particular use are not carried on in a building or property during a continuous period of six months, any proposed change shall be required to comply with current regulations. The property is currently zoned Agriculture 2 (A-2) District, which does not permit restaurants. In order to resume the use of the property as a restaurant, the applicant is requesting a Comprehensive Plan amendment to change the current future land use designation from Parks & Open Space to Commercial, and also rezone the property from Agriculture-2 (A-2) to Commercial-2 (C-2).

**Site Characteristics:**

The site is approximately 0.7723 acre of land and currently developed with a 1,550 square foot structure built as a tavern. The site has access on Telluride Street, and while the property is located in proximity to Interstate 76, highway access is not permitted. The property is composed of four parcels and a small portion of right-of-way that was once designated as Colorado Department of Transportation's right-of-way for Interstate 76. If the proposed zoning is approved to allow a restaurant, the applicant will be required to apply for a minor subdivision to combine all four lots into one and vacate the existing right-of-way. The applicant intends to update the existing building and add required landscaping and parking in compliance with Adams County regulations.

**Future Land Use Designation/Comprehensive Plan:**

The subject property is designated as Parks & Open Space in the County's Comprehensive Plan future land use map. Per Chapter 5 of the Comprehensive Plan, Parks & Open Space areas are intended to provide land for recreation and enjoyment, provide areas for wildlife, and preserve sensitive, beautiful, or historic areas. This property received a future land use designation of Parks & Open space because of its proximity to Barr Lake.

Since the proposed rezoning from A-2 zone district is not consistent with the future land use designation, as part of this request, the applicant is seeking a Comprehensive Plan Amendment to change the future land use from Parks & Open Space to Commercial.

**Development Standards and Regulations Requirements:**

In order to develop the site with a commercial use, the applicant is requesting a Comprehensive Plan amendment and a rezoning.

Comprehensive Plan amendments are analyzed based upon the criteria for approval outlined in Section 2-02-13-06-03 of the Development Standards and Regulations. These include consistency with the goals and policies of the Adams County Comprehensive Plan, compatibility with the plan's land use, transportation, and open space maps, and advancement of the health, safety, and welfare of Adams County citizens and property owners.

Rezoning requests are analyzed based upon the criteria for approval outlined in Section 2-02-13-06-02 of the County's Development Standards and Regulations. These include compliance with the requirements and purposes of the Development Standards and Regulations, consistency with the Comprehensive Plan, and compatibility with the surrounding area.

**Comprehensive Plan Amendment:**

As part of the rezoning request, the applicant is proposing to amend the future land use designation from Parks & Open Space to Commercial. The purpose of the Commercial future land use designation is to serve neighborhood or regional needs and is comprised of retail stores, restaurants, and other services. While the preservation of open space is an important component of future development of Adams County, the site's adjacency to Interstate 76, small land area, and no direct connectivity to Barr Lake reduces the likelihood that a park will be developed on the property. Furthermore, Adams County Parks & Open Space reviewed the request and noted the property is not part of any current or future plans for the Department and expressed no concerns with the proposed modification to the future land use.

The proposed amendment to the Comprehensive Plan to allow a future land use designation of Commercial is compatible with the current and future commercial land uses across Interstate 76 in Brighton and the property's proximity to a major transportation thoroughfare in the County. Additionally, the neighborhood, during the referral review, commented that a business in the area would meet the needs of the nearby residential properties.

**Rezoning Request:**

The rezoning must be consistent with the purposes and comply with the regulations of the County's Development Standards and Regulations. The property is currently located within an A-2 zone district, which is intended to provide for rural subdivisions of at least 10 acres in size where farming uses are permitted. Since it is less than an acre in size, the property does not conform to the minimum lot dimensions, and, therefore, could not be platted under the current zoning. Additionally, using the property for farming purposes would be unlikely due to its small size. Conversely, the subject site conforms to the minimum lot size and width requirements of the proposed C-2 zone district. Per Section 3-20-07 of the Adams County Development Standards and Regulations, there is no minimum lot size for properties in the C-2 zone district, and the minimum lot width is seventy-five (75) feet. The property is 0.7723 acres and has a width of 300 feet.

While the proposed rezoning is not consistent with the current future land use designation of Parks & Open Space, the applicant has requested an amendment to the future land use to Commercial. If the Comprehensive Plan amendment is approved, the proposed C-2 will conform to the future land use, as areas designated as Commercial are intended to encourage retail and office uses which are compatible with the surrounding development. Commercial 2 zone district permits necessary day-to-day commercial uses, but with a maximum building height limit of 35 feet, a maximum floor area for commercial uses of 10,000 square feet, and a limitation on hours of operation. These requirements, combined with the minimum setbacks, serve to reduce the potential for impacts of commercial development on nearby residential areas. Furthermore, performance standards such as landscaping and parking help to ensure that any new development is compatible with the surrounding area.

The property is situated between Interstate 76 and an existing residential neighborhood. The area northwest of the site and across Interstate 76 is developed as a commercial center within the City of Brighton, including regional retail and restaurant uses. The proposed C-2 zone district would

provide a transition area between the large-scale commercial development to the northwest and the residential uses located southeast of the site. As a transition, C-2 zone district is compatible with both the commercial development and the residential development, allowing the scale to gradually step down from regional commercial uses to neighborhood-serving uses. Additionally, physical constraints on the site, such as lot size, required setbacks, and proximity to residential properties, inhibit the ability to develop the property for potentially incompatible uses such as indoor recreation facilities and car dealerships. Such uses would not conform to required performance standards.

**Surrounding Zoning Designations and Existing Use Activity:**

<b>Northwest Interstate-76</b>	<b>North Interstate-76</b>	<b>Northeast Interstate-76</b>
<b>West C-2 Vacant</b>	<b>Subject Property C-2 Restaurant</b>	<b>East A-2 Single Family Residential</b>
<b>Southwest R-1-C Single Family Residential</b>	<b>South A-2 Single Family Residential</b>	<b>Southeast A-2 Single Family Residential</b>

**Compatibility with the Surrounding Area:**

The property is surrounded to the south and east by single-family homes. Interstate 76 is located directly north of the site, and commercial uses make up the area north of the Interstate 76. Since the existing building was constructed as a tavern in 1940, the site development does not conform to current standards. Therefore, updates to the site would be required, which may include landscaping at the right-of-way and an improved parking area. The update will be reviewed with a building permit review, which is required to remodel the existing structure. Additionally, the subject site will serve as a noise and visual buffer between the residential properties and Interstate 76.

Per Section 3-20-01 of the County's Development Standards and Regulations, the purpose of the proposed C-2 zone district is to provide neighborhood-oriented retail, office, and service uses. These types of uses are compatible with the surrounding zoning and development patterns. While the district allows for some intense uses such as heavy retail and selected industrial, these require approval of a conditional use permit by the Board of County Commissioners through the public hearing process. Furthermore, the site's size and location restricts uses to those which will serve, and be compatible with, the neighborhood. Any new development on the property would be required to conform to dimensional standards such as setbacks, proximity to residential properties, and lot size. This is to ensure the development of uses which are suitable for the site and compatible with the surrounding area.

Using the property as a restaurant is compatible with the surrounding neighborhood. In addition, the property has previously operated as a restaurant and neighboring property owners expressed support for redevelopment of the property for a business or restaurant.

The applicant held a neighborhood meeting prior to submitting the rezoning application. According to the applicant, one nearby property owner attended the meeting, and he expressed support in order to see the property open, as more businesses are needed for the number of people in the area. The intent to use the property as restaurant is consistent with the goals of the C-2 zoning designation, as it would provide a service to neighboring property owners.

**Staff Recommendations:**

Based upon the application, the criteria for approval for a Comprehensive Plan amendment and rezoning, and a recent site visit, staff recommends Approval of this request with 7 findings-of-fact.

**Planning Commission (PC) Update:**

The Planning Commission considered the proposed rezoning and Comprehensive Plan amendment during a public hearing on April 12, 2018. The PC expressed no concerns with the request and no members of the public spoke in support or against the project

The Planning Commission voted unanimously (7-0) to approve the Comprehensive Plan Amendment for further ratification by the Board of County Commissioners, as well as unanimously recommended approval of the rezoning to the Board of County Commissioners.

**RECOMMENDED FINDINGS OF FACT REZONING**

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

**RECOMMENDED FINDINGS OF FACT COMPREHENSIVE PLAN AMENDMENT**

1. The Comprehensive Plan amendment is consistent with the goals and policies of the Adams County Comprehensive Plan.
2. The Comprehensive Plan amendment is consistent and/or compatible with the land use, transportation, and open space maps in the Adams County Comprehensive Plan.
3. The Comprehensive Plan amendment advances the health, safety, and welfare of the citizens and property owners of Adams County.

## CITIZEN COMMENTS

Notifications Sent	Comments Received
12	0

Property owners within six-hundred (750) feet of the property were notified of the subject request. As of writing this report, staff has not received any comments in regards to this application.

## COUNTY AGENCY COMMENTS

Staff reviewed the request and had no concerns with the proposed rezoning and future land use designation. Staff noted that if the request is approved, the applicant shall be required to apply for a minor subdivision and construction plan review, including a traffic impact study and drainage analysis.

## REFERRAL AGENCY COMMENTS

### **Responding with Concerns:**

None

### **Responding without Concerns:**

City of Brighton  
Brighton Fire Department  
Colorado Department of Transportation  
Tri County Health Department  
Xcel Energy

































### **Notified but not Responding / Considered a Favorable Response:**

Century Link  
Colorado Department of Public Health and Environment –Air Quality  
Colorado Department of Public Health and Environment –Solid Waste  
Colorado Department of Public Health and Environment –Water Quality  
Colorado Division of Water Resources  
Comcast  
United Power





## LEGEND

-  Special Zoning Conditions
-  Section Numbers
-  Railroad
-  Major Water
-  Zoning Line
-  Sections
- Zoning Districts**
  -  A-1
  -  A-2
  -  A-3
  -  R-E
  -  R-1-A
  -  R-1-C
  -  R-2
  -  R-3
  -  R-4
  -  M-H
  -  C-0
  -  C-1
  -  C-2
  -  C-3
  -  C-4
  -  C-5
  -  I-1
  -  I-2
  -  I-3
  -  CO
  -  PL
  -  AV
  -  DIA
  -  P-U-D
  -  P-U-D(P)
  -  Airport Noise Overlay

Telluride Bar & Grill

PRC2017-00008



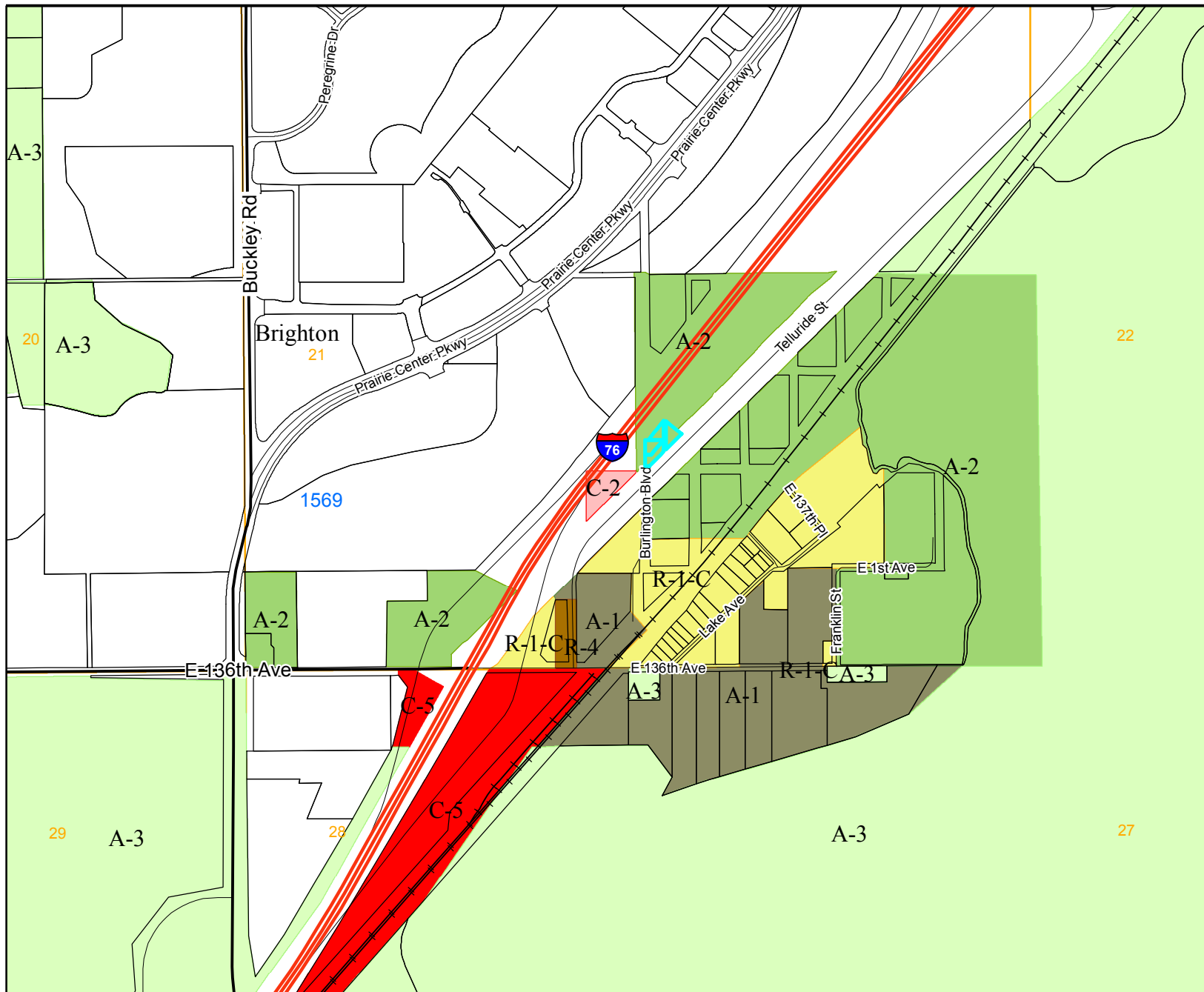
For display purposes only.



ADAMS COUNTY  
COLORADO

This map is made possible  
by the Adams County GIS  
group, which assumes no  
responsibility for its accuracy





# LEGEND

- ★ Special Zoning Conditions
- 3 Section Numbers
- Railroad
- Major Water
- Zoning Line
- Sections
- Zoning Districts**
  - A-1
  - A-2
  - A-3
  - R-E
  - R-1-A
  - R-1-C
  - R-2
  - R-3
  - R-4
  - M-H
  - C-0
  - C-1
  - C-2
  - C-3
  - C-4
  - C-5
  - I-1
  - I-2
  - I-3
  - CO
  - PL
  - AV
  - DIA
  - P-U-D
  - P-U-D(P)
  - Airport Noise Overlay

Telluride Bar & Grill

PRC2017-00008

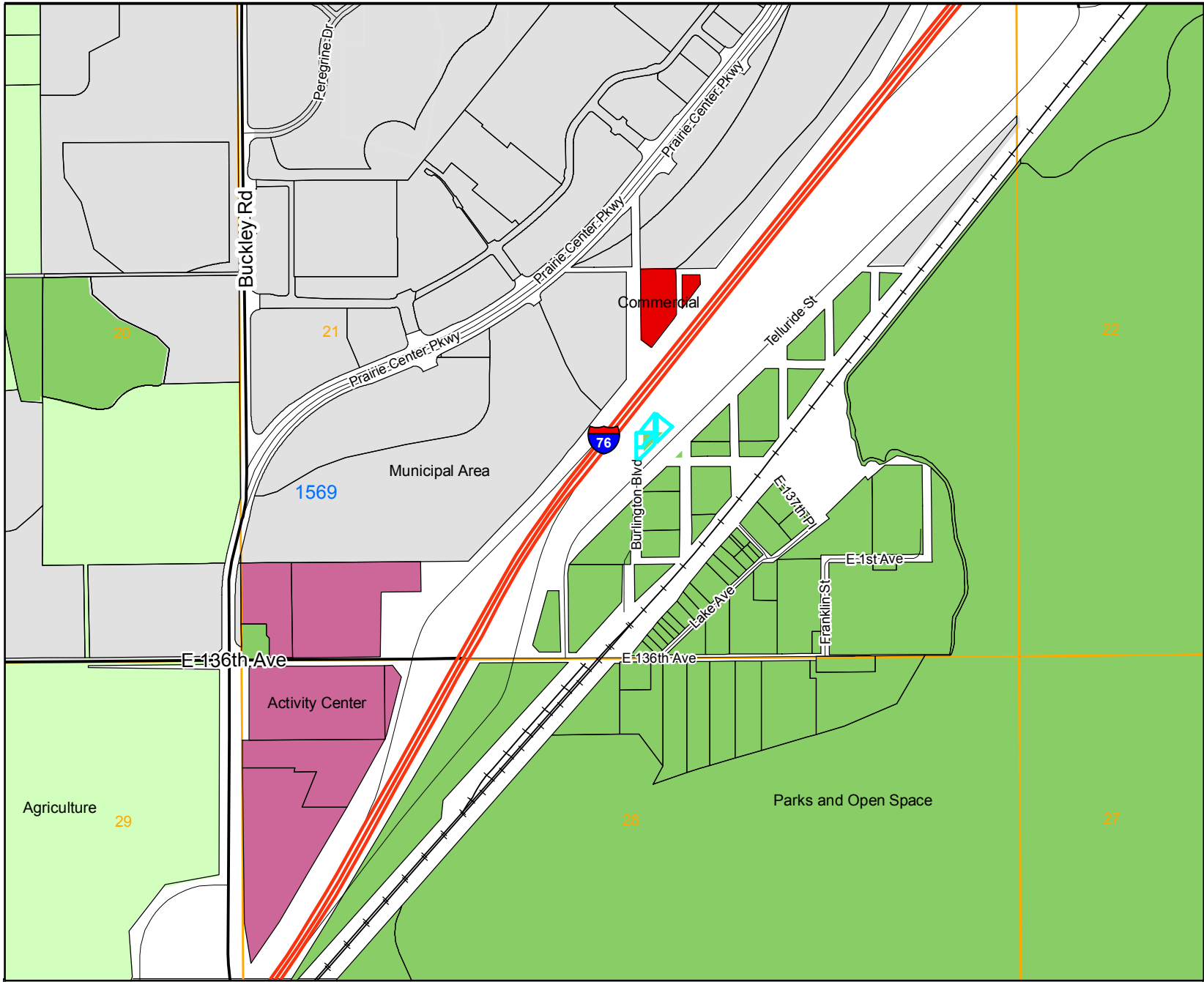


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ADAMS COUNTY  
COLORADO

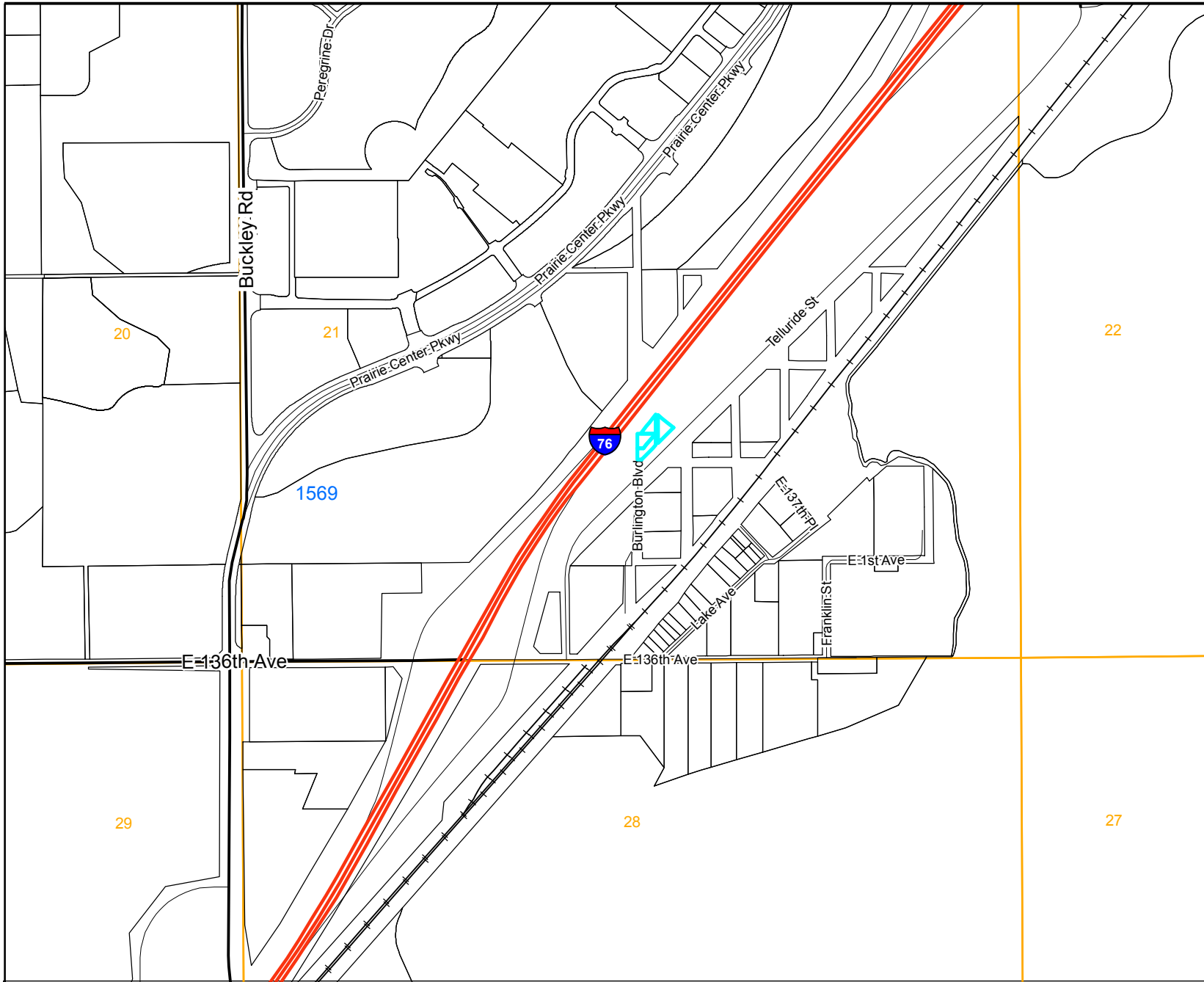
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Telluride Bar & Grill

PRC2017-00008



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  - C-0
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  - C-3
  - C-4
  - C-5
  - I-1
  - I-2
  - I-3
  - CO
  - PL
  - AV
  - DIA
  - P-U-D
  - P-U-D(P)
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Telluride Bar & Grill

PRC2017-00008



For display purposes only.



ADAMS COUNTY  
COLORADO

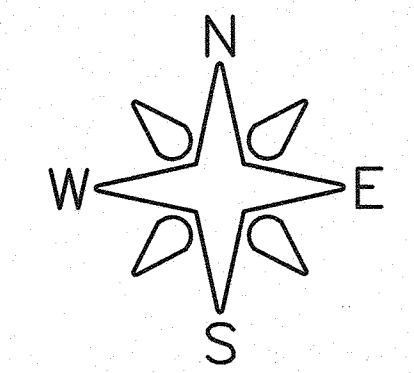
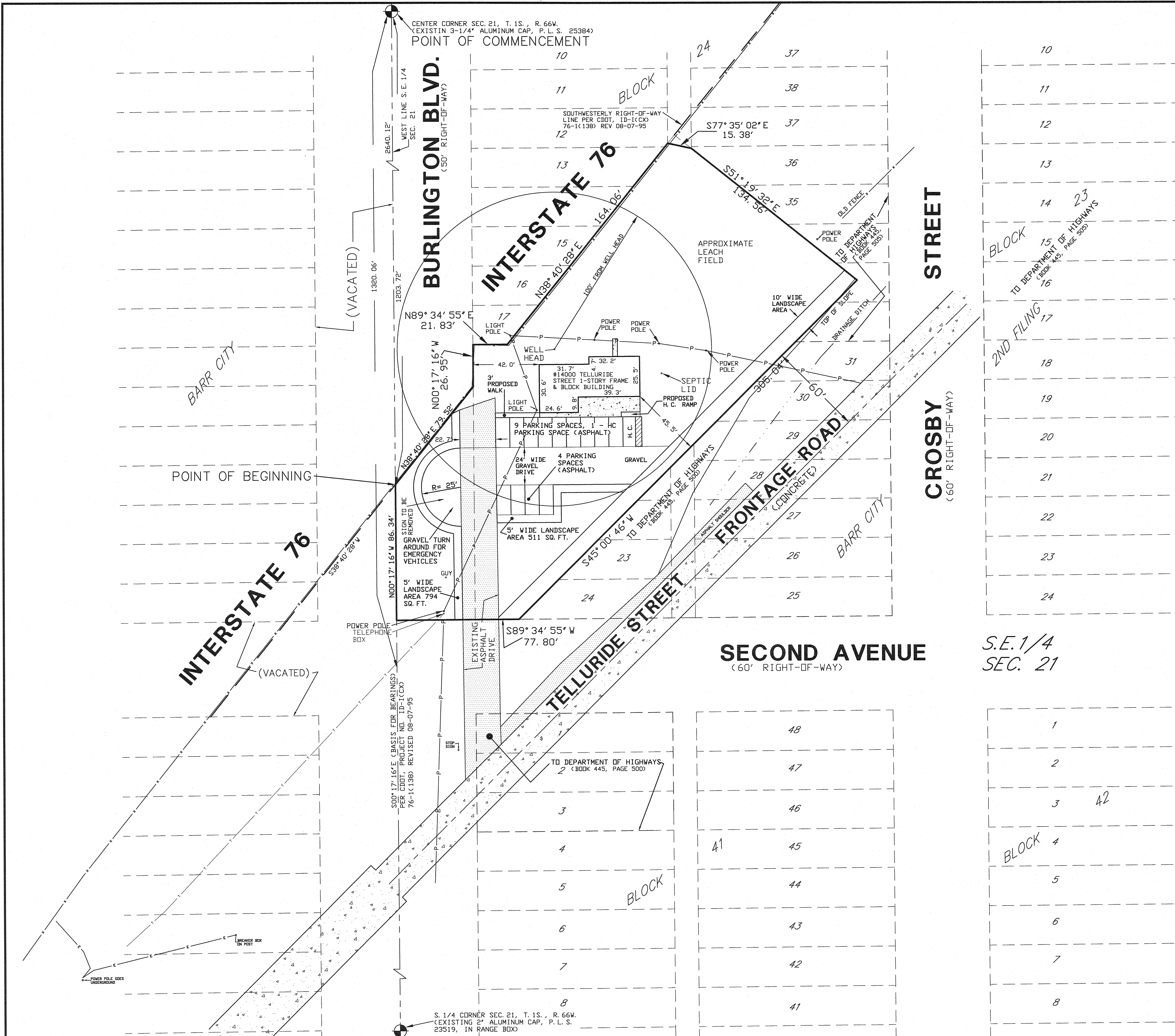
This map is made possible  
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responsibility for its accuracy

### 3. Written Explanation of the Project - 14000 Telluride St.

The purpose of this application is to request approval of a zoning change and Comprehensive Plan amendment from Agricultural (A-2) to Commercial (C-4). The property was previously operated as a restaurant and the current owner wishes to reopen the restaurant after acquiring and correcting parcels, vacation of outdated right-of-way with CDOT, and development of appropriate landscaping and parking lot areas as required for a commercial zoned property in Adams County. Please also see the detailed Site Plan for further details on the plan for this property.

Attached is a zone map (Attachment A) that shows the property in relation to the surrounding parcels. The requested rezoning would be a minimum change on the Zone map.





SCALE: 1"=30'

LEGEND

- DENOTES: FOUND NAIL & BRASS TAG
- DENOTES: FOUND HOLE IN CONCRETE
- x — x — DENOTES: FENCE LINE
- DENOTES: CONCRETE
- P — P — DENOTES: OVERHEAD POWER LINE
- G — G — DENOTES: BURIED GAS LINE

PROPOSED LEGAL DESCRIPTION:

THAT OF PARCELS OF LAND AS DESCRIBED IN RECEPTION NO.'S 2013000010759 AND 2016000020116, ADAMS COUNTY RECORDS AND THE VACATED PORTIONS OF BRIGHTON BOULEVARD AND THE ALLEY IN BLOCK 24, BARR CITY 2ND FILING, ALL IN THE SOUTHEAST ONE-QUARTER OF SECTION 21, TOWNSHIP 1 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO, TOGETHER BEING DESCRIBED AS FOLLOWS:

COMMENCING AT NORTHWEST CORNER OF THE SOUTHEAST ONE-QUARTER OF SAID SECTION 21; THENCE SOUTH 00°17'16" EAST ALONG THE WEST LINE OF SAID SOUTHEAST ONE-QUARTER, A DISTANCE OF 1,203.72 FEET TO THE SOUTHEASTLY RIGHT-OF-WAY LINE OF INTERSTATE 76 AS SHOWN ON THE COLORADO DEPARTMENT OF HIGHWAYS, HIGHWAY MAPPING FOR PROJECT ID-1(CX) 76-1(138) REV 08-07-95, ALSO BEING THE POINT OF BEGINNING; THENCE ALONG SAID SOUTHEASTLY RIGHT-OF-WAY LINE THE FOLLOWING FOUR (4) COURSES AND DISTANCES: THENCE 1) NORTH 38°40'28" EAST A DISTANCE OF 79.52 FEET; THENCE 2) NORTH 00°17'16" WEST A DISTANCE OF 26.95 FEET; THENCE 3) NORTH 89°34'55" EAST A DISTANCE OF 21.84 FEET; THENCE 4) NORTH 38°40'28" EAST A DISTANCE OF 164.06 FEET TO THE NORTHEAST CORNER OF A PARCEL OF LAND DESCRIBED IN AREA 1, RECEPTION NO. 20016000020116, ADAMS COUNTY RECORDS; THENCE SOUTH 77°35'02" EAST A DISTANCE OF 15.38 FEET TO THE NORTHWEST CORNER OF A PARCEL OF LAND DESCRIBED IN AREA 2, RECEPTION NO. 20016000020116, ADAMS COUNTY RECORDS; THENCE SOUTH 51°19'32" EAST A DISTANCE OF 134.56 FEET TO THE NORTHEAST CORNER OF SAID PARCEL OF LAND DESCRIBED IN AREA 2, RECEPTION NO. 20016000020116, ADAMS COUNTY RECORDS; THENCE SOUTH 45°00'48" WEST ALONG THE NORTHWESTLY RIGHT-OF-WAY LINE OF TELLURIDE STREET (FRONTAGE ROAD), A DISTANCE OF 305.04 FEET TO THE SOUTHEAST CORNER OF A PARCEL OF LAND DESCRIBED IN AREA 3, RECEPTION NO. 20016000020116, ADAMS COUNTY RECORDS; THENCE SOUTH 89°34'55" WEST ALONG THE SOUTH LINE OF SAID PARCEL OF LAND IN AREA 3 AND ALONG THE NORTH LINE OF SECOND AVENUE, A DISTANCE OF 77.80 FEET TO THE CENTERLINE OF SAID BURLINGTON BOULEVARD NOW VACATED BY THIS PLAT; THENCE NORTH 00°17'16" WEST ALONG SAID CENTERLINE, A DISTANCE OF 86.34 FEET TO THE POINT OF BEGINNING. CONTAINS 42,441 SQUARE FEET OR 0.974 ACRES MORE OR LESS.

BASIS FOR BEARINGS:

THE WEST LINE OF THE SOUTHEAST ONE-QUARTER (THE S. 1/4 CORNER IS A 2" ALUMINUM CAP P.L.S. 23519, IN A RANGE BOX AND THE CENTER IS 3-1/4" ALUMINUM CAP, P.L.S. 25384) OF SECTION 21, TOWNSHIP 1 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO, BEARS SOUTH 00°17'16" EAST, TAKEN FROM THE COLORADO DEPARTMENT OF HIGHWAYS, HIGHWAY MAPPING FOR PROJECT NO. ID-1(CX) 76-1(138) REVISED 08-07-95.

NOTE: THE SITE SHOWN HEREON IS SHOWN AS ONE PARCEL AS THOUGH THE PROPOSED SUBDIVISION PLAT HAD BEEN APPROVED AND RECORDED.

PROPOSED ADDITIONS:

13 PARKING SPACES 9'x19' = 2,223 SQ. FT. (ASPHALT)  
1 HANDICAP PARKING SPACE 13'x19' = 247 SQ. FT. (ASPHALT)  
1 HANDICAP RAMP 3'x12' = 36 SQ. FT. (ASPHALT)  
28.1'X3' WIDE WALK EXTENSION = 85 SQ. FT. (CONCRETE)  
TOTAL = 2,591 SQ. FT.

MINOR GRADING OF PARKING AREAS AND GRAVEL DRIVE TO FLOW AWAY FROM EXISTING STRUCTURE

10' LANDSCAPE AREA ADJOINING FRONTAGE ROAD - 3,098 SQ. FT. (MULCH AND ROCK GROUND COVER, TWO TREES AND 5 SHRUBS PER 40 LINEAR FEET = 16 TREES AND 38 SHRUBS - REQUIRED)

5' LANDSCAPE AREA ADJOINING PARKING - #1 511 SQ. FT. & ADJOINING DRIVE #2 794 SQ. FT. (MULCH AND ROCK LANDSCAPING)

TOTAL ADDITIONAL LANDSCAPE AREA = 4,403 SQ. FT.

PROPERTY IS CURRENTLY ZONED: A-2

PROPOSED ZONING TO: C-4

**From:** [Bradford, Jason](#)  
**To:** [Libbie Adams](#)  
**Subject:** RE: Request for Comments Telluride Bar & Grill (PRC2017-00008)  
**Date:** Wednesday, November 08, 2017 9:46:24 AM  
**Attachments:** [image003.png](#)

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Ms. Adams,

Thank you for the opportunity to comment on this application. The City of Brighton is supportive of this use and requests the following issues be taken into consideration:

- Please require that the parking lot be paved and striped in accordance with Adams County standards.
- Please limit the access point on the frontage road to a maximum width in accordance with Adams County standards. (The City of Brighton has a 36' wide access point max. width.)
- Please ensure all site lighting is cut-off style fixtures. Please ensure lighting does not bleed off-site, especially ensuring no glare on roadways.
- Please require that all mechanical equipment (HVAC, electrical equipment, etc.) is screened, especially from the views from the frontage road and I-76.
- Please require a trash enclosure that screens the dumpster and matches the architecture of the building.
- Please require a landscape plan (and irrigation plan) that will provide landscaping on the site, especially to screen mechanical equipment, and soften the hard edges of the parking lot, and help to define the access point.
- Please ensure the signage is only located on site and meets all Adams County regulations.

The City of Brighton appreciates the opportunity to comment on this application. Thank you for taking the City's comments under consideration. Please feel free to contact me with any questions or concerns.

Cordially,  
Jason Bradford, AICP  
Planning Manager  
Community Development  
City of Brighton  
500 South 4th Avenue  
Brighton, CO 80601  
303-655-2024



*Integrity + Vision + Stewardship = A Progressive Community*  
*Think green ...reduce, reuse, recycle.*

---

**From:** Libbie Adams [mailto:[LAdams@adcogov.org](mailto:LAdams@adcogov.org)]  
**Sent:** Wednesday, November 1, 2017 10:00 AM  
**To:** Libbie Adams <[LAdams@adcogov.org](mailto:LAdams@adcogov.org)>



**Subject:** Request for Comments Telluride Bar & Grill (PRC2017-00008)

Good morning,

Attached is the request for comments for the Telluride Bar & Grill (case #PRC2017-00008). The applicant is requesting to rezone the subject site from Agriculture-2 to Commercial-4. The applicant is also requesting a comprehensive plan amendment to change the future land use designation from parks and open space to commercial. The site is located at 14000 Telluride Street. Please forward any comments you may have to me by **Thursday, November 23**. Thanks in advance for your review of this case.

Sincerely,  
Libbie Adams

**Libbie Adams, AICP**

Planner I, *Community and Economic Development*

ADAMS COUNTY, COLORADO

4430 South Adams County Pkwy, Suite W2000A

Brighton, CO 80601

o: 720.523.6855 | [ladams@adcogov.org](mailto:ladams@adcogov.org)

[www.adcogov.org](http://www.adcogov.org)

**From:** [Even, Whitney](#)  
**To:** [Libbie Adams](#)  
**Subject:** RE: Request for Comments Telluride Bar & Grill (PRC2017-00008)  
**Date:** Tuesday, November 21, 2017 6:14:09 PM

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Hi Libbie,

We have no comments on this rezoning case. Thank you! Happy Holidays!

Please be aware that my email address has changed to [weven@brightonfire.org](mailto:weven@brightonfire.org) and my old email address ([wmeans@brightonfire.org](mailto:wmeans@brightonfire.org)) will no longer be in use.

*Whitney Even*

Deputy Fire Marshal  
Brighton Fire Rescue District  
500 S. 4<sup>th</sup> Ave. 3<sup>rd</sup> Floor  
Brighton, CO 80601  
303-654-8040  
[www.brightonfire.org](http://www.brightonfire.org)

---

**From:** Libbie Adams [mailto:LAdams@adcogov.org]  
**Sent:** Wednesday, November 1, 2017 10:00 AM  
**To:** Libbie Adams <LAdams@adcogov.org>  
**Subject:** Request for Comments Telluride Bar & Grill (PRC2017-00008)

Good morning,

Attached is the request for comments for the Telluride Bar & Grill (case #PRC2017-00008). The applicant is requesting to rezone the subject site from Agriculture-2 to Commercial-4. The applicant is also requesting a comprehensive plan amendment to change the future land use designation from parks and open space to commercial. The site is located at 14000 Telluride Street. Please forward any comments you may have to me by **Thursday, November 23**. Thanks in advance for your review of this case.

Sincerely,  
Libbie Adams

**Libbie Adams, AICP**

Planner I, *Community and Economic Development*  
ADAMS COUNTY, COLORADO  
4430 South Adams County Pkwy, Suite W2000A  
Brighton, CO 80601  
o: 720.523.6855 | [ladams@adcogov.org](mailto:ladams@adcogov.org)  
[www.adcogov.org](http://www.adcogov.org)



**From:** [Loeffler - CDOT, Steven](#)  
**To:** [Libbie Adams](#)  
**Subject:** PRC2017-00008, Telluride Bar & Grill Rezoning  
**Date:** Monday, November 06, 2017 2:38:36 PM

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Libbie,

I have reviewed the referral named above for a request to rezone and request for a comp plan amendment for property located at 140000 Telluride Street and have the following comments:

- If any work is proposed to take place in the Interstate 76 Right-of-Way, a permit from CDOT will be required. Contact for that permit is Robert Williams who can be reached at [Robert.Williams@state.co.us](mailto:Robert.Williams@state.co.us) or 303-916-3542
- Any signing on this property that will be visible to Interstate 76 must be on-premise in nature and only advertise goods and/or services that are available on that property and must comply with any other applicable rules governing outdoor advertising in Colorado per **2CCR 601-3**
- If grading will be done or any work that will change drainage, CDOT will want to review the drainage report to insure that there is no negative impact to Interstate 76 Right-of-Way.

Thank you for the opportunity to review this referral.

**Steve Loeffler**  
Permits Unit



P [303.757.9891](tel:303.757.9891) | F [303.757.9886](tel:303.757.9886)  
2000 S Holly Street, Denver, CO 80222  
[steven.loeffler@state.co.us](mailto:steven.loeffler@state.co.us) | [www.codot.gov](http://www.codot.gov) | [www.cotrip.org](http://www.cotrip.org)



November 21, 2017

Libbie Adams  
Adams County Community and Economic Development  
4430 South Adams County Parkway, Suite W2000A  
Brighton, CO 80601

RE: Telluride Bar and Grill, PRC2017-00008  
TCHD Case No. 4660

Dear Ms. Adams,

Thank you for the opportunity to review and comment on the rezone and comprehensive plan amendment for a restaurant located at 14000 Telluride Street. Tri-County Health Department (TCHD) staff has reviewed the application for compliance with applicable environmental and public health regulations and principles of healthy community design. After reviewing the application, TCHD has the following comments.

**On-Site Wastewater Treatment System (OWTS) – Use Permit**

Proper wastewater management promotes effective and responsible water use, protects potable water from contaminants, and provides appropriate collection, treatment, and disposal of waste, which protects public health and the environment. According to TCHD records, a new OWTS for a retail food establishment was installed under permit, in May, 2013.

Tri-County Health Department Regulation Number O-17, Section 4.2 requires a Use Permit be obtained when a property is sold. The application did not indicate whether the property is for sale, has recently been sold, or if the property owner will be the operator of the retail food establishment. If the property is for sale or has been sold, the applicant shall contact the TCHD Commerce City Office, 4201 E 72<sup>nd</sup> Avenue, (303) 288-6816. More information is available at <http://www.tchd.org/269/Septic-Systems> under the Use Permit tab.

To obtain a Use Permit, the OWTS will need to be inspected by a National Association of Wastewater Technicians (NAWT) Certified Use Permit Inspector. A list of Certified Inspectors is available here <http://www.nawt.org/search.html>. If it is determined by the inspector that the system has deficiencies that require repair, these repairs must be completed prior to TCHD issuing a Use Permit.

**Public Water System for Retail Food Establishment**

Systems serving 25 or more persons on average, a minimum of 60 days per year are subject to regulation by the Colorado Department of Public Health and Environment (CDPHE) as a non-community drinking water system. The applicant shall contact the

Telluride Bar and Grill  
November 21, 2017  
Page 2 of 2

CDPHE Drinking Water Section at (303) 692-3500 or <https://www.colorado.gov/pacific/cdphe/drinking-water> to determine requirements for the drinking water system.

### **Food Service Plan Review**

TCHD reviews plans for new and remodeled retail food establishments to reduce the risk of food borne illnesses. Plans for all new and remodeled retail food establishments must be reviewed by TCHD for compliance with Colorado Retail Food Establishment Rules and Regulations and approved by the Department before the start of construction. If a remodel of the facility is planned, then the applicant shall submit plans for the proposed changes to our Administration Office at 6162 S Willow Drive, Suite 100, Greenwood Village, along with the Plan Review Specification Packet found at <http://www.tchd.org/DocumentCenter/View/2094>. More information can be found at <http://www.tchd.org/246/Restaurants-Grocery>. We recommend a review of the plans by TCHD be completed before the County issues a building permit for the construction.

The applicant may call TCHD's Plan Review Hotline, at our Administrative Office at (303) 846-6230, regarding requirements for, and scheduling a plan review. Instructions for opening a retail food establishment can be found on line at TCHD's web site at <http://www.tchd.org/DocumentCenter/View/315>.

If no changes to the equipment or finishes are proposed, then the applicant shall contact the TCHD Commerce City office, 4201 E 72<sup>nd</sup> Avenue, (303) 288-6816, and request a Change of Ownership Inspection.

Please feel free to contact me at 720-200-1575 or [kboyer@tchd.org](mailto:kboyer@tchd.org) if you have any questions on TCHD's comments.

Sincerely,



Kathy Boyer, REHS  
Environmental Health Specialist III

cc: Sheila Lynch, Monte Deatrich, Jeff McCarron, TCHD





**Right of Way & Permits**

1123 West 3<sup>rd</sup> Avenue  
Denver, Colorado 80223  
Telephone: **303.571.3306**  
Facsimile: 303. 571.3284  
donna.l.george@xcelenergy.com

November 3, 2017

Adams County Community and Economic Development Department  
4430 South Adams County Parkway, 3<sup>rd</sup> Floor, Suite W3000  
Brighton, CO 80601

Attn: Libbie Adams

**Re: Telluride Bar and Grill Rezone and Comprehensive Plan Amendment  
Case # PRC2017-00008**

Public Service Company of Colorado's (PSCo) Right of Way & Permits Referral Desk has reviewed the request for the **Telluride Bar and Grill Rezone and Comprehensive Plan Amendment**. Public Service Company has no objection to this proposed rezone, contingent upon Public Service Company of Colorado's ability to maintain all existing rights and this amendment should not hinder our ability for future expansion, including all present and any future accommodations for natural gas transmission and electric transmission related facilities.

The property owner/developer/contractor must complete the **application process** for any new gas service via FastApp-Fax-Email-USPS (go to: [https://www.xcelenergy.com/start\\_stop\\_transfer/new\\_construction\\_service\\_activation\\_for\\_builders](https://www.xcelenergy.com/start_stop_transfer/new_construction_service_activation_for_builders)). 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 call the **Utility Notification Center** at 1-800-922-1987 to have all utilities located prior to any construction.

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

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



## Request for Comments

Case Name: Telluride Bar & Grill Rezoning  
Project Number: PRC2017-00008

November 1, 2017

Adams County Community and Economic Development Department is requesting comments on the following request:

**1) Request to rezone the subject site from Agriculture-2 (A-2) to Commercial-4 (C-4) to operate a restaurant and 2) request comprehensive plan amendment to change future land use designation from parks and open space to commercial.**

This request is located at **14000 Telluride Street**

The Assessor's Parcel Number is: **0156921007004, 0156921405001, 0156921405002, 0156921405003**

Legal Description: **Barr City 2<sup>nd</sup> Filing Blk: 24. Lots 18 to 31 exc Hiway desc as those portions of Lots 18 to 21 inclusive S and E of a line extending from the NE corner of Lot 18 to a pt on the S Ln of Lot 21 40 ft E of the SW cor of Lot 21 all of Lots 22 to 31 inclusive BLCK 24 2<sup>nd</sup> Filing.**

You were notified with this request because your property is within 750 feet of the site listed above.

Please forward any written comments on this application to the Department of Community and Economic Development at 4430 South Adams County Parkway, Suite W2000A Brighton, CO 80601-8216 by **Thursday, November 23, 2017** so that your comments may be taken into consideration in the review of this case. Please send your response by way of e-mail to [LAdams@adcogov.org](mailto:LAdams@adcogov.org), or you may call with comments at 720.523.6855. This referral can also be found online at <https://www.adcogov.org/planning/currentcases>.

Thank you for your review of this case.

Libbie Adams  
Case Manager

BOARD OF COUNTY COMMISSIONERS

Eva J. Henry  
DISTRICT 1

Charles "Chaz" Tedesco  
DISTRICT 2

Erik Hansen  
DISTRICT 3

Steve O'Dorisio  
DISTRICT 4

Jan Pawlowski  
DISTRICT 5



## Revised Request for Comments / Public Hearing Notice

Case Name: Telluride Bar & Grill Rezoning  
Project Number: PRC2017-00008  
Planning Commission Hearing Date: Thursday, April 12, 2018 at 6:00 pm  
Board of County Commissioners Hearing Date: Tuesday, May 01, 2018 at 9:30 am

March 20, 2018

A public hearing has been set by the Adams County Planning Commission and the Board of County Commissioners to consider the following request:

- 1) Request to rezone the subject site from Agriculture-2 (A-2) to Commercial-2 (C-2) and 2) request a comprehensive plan amendment to change the future land use designation from Parks & Open Space to Commercial to operate a restaurant.**

This request is located at **14000 Telluride Street**

The Assessor's Parcel Number is **0156921007004, 0156921405001, 0156921405002, 0156921405003**

Legal Description: **Barr City 2<sup>nd</sup> Filing Blk: 24. Lots 18 to 31 exc Hiway desc as those portions of Lots 18 to 21 inclusive S and E of a line extending from the NE corner of Lot 18 to a pt on the S Ln of Lot 21 40 ft E of the SW cor of Lot 21 all of Lots 22 to 31 inclusive BLCK 24 2<sup>nd</sup> Filing**

Owner Information: The Dam Anthony Trust  
12063 Monaco Ct  
Brighton, CO 80602

The hearing will be held in the Public Hearing Room located at the Adams County Government Center 4430 South Adams County Parkway, Brighton, CO 80601-8216. This will be a public hearing and any interested parties may attend and be heard. The Applicant and Representative's presence at this hearing is requested. If you require any special accommodations (e.g., wheelchair accessibility, an interpreter for the hearing impaired, etc.) please contact the Adams County Community and Economic Development Department at 720-523-6800 (or if this is a long distance call, please use the County's toll free telephone number at 1-800-824-7842) prior to the meeting date. If you should have any comments on this case, please feel free to contact me at 720.523.6858. The full text of the proposed request and additional colored maps can be obtained by contacting this office or by accessing the Adams County web site at [www.adcogov.org/planning/currentcases](http://www.adcogov.org/planning/currentcases).

Thank you for your review of this case.  
Julie Wyatt  
Case Manager

## **PUBLICATION REQUEST**

### **Telluride Bar and Grill Rezoning**

Case Number: PRC2017-00008

Planning Commission Hearing Date: April 12, 2018 at 6:00 pm

Board of County Commissioners Hearing Date: May 1, 2018 at 9:30 am

Request: 1) Rezone the subject site from Agriculture-2 (A-2) to Commercial-2 (C-2) and 2) a comprehensive plan amendment to change the future land use designation from Parks & Open Space to Commercial to operate a restaurant.

Location: 14000 Telluride Street

Parcel Number(s): **0156921007004, 0156921405001, 0156921405002, 0156921405003**

Case Manager: Julie Wyatt

Applicant: Vinh Dam

Owner: The Dam Anthony Trust  
12063 Monaco Ct  
Brighton, CO 80602

Legal Description: Barr City 2nd Filing Blk: 24. Lots 18 to 31 exc Hiway desc as those portions of Lots 18 to 21 inclusive S and E of a line extending from the NE corner of Lot 18 to a pt on the S Ln of Lot 21 40 ft E of the SW cor of Lot 21 all of Lots 22 to 31 inclusive BLCK 24 2nd Filing

Adams County Development Services - Building  
Attn: Justin Blair  
4430 S Adams County Pkwy  
Brighton CO 80601

COMCAST  
Attn: JOE LOWE  
8490 N UMITILLA ST  
FEDERAL HEIGHTS CO 80260

BRIGHTON FIRE DISTRICT  
Attn: WHITNEY EVEN  
500 South 4th Avenue  
3rd Floor  
BRIGHTON CO 80601

Engineering Department - ROW  
Attn: Transportation Department  
PWE - ROW

CDPHE - AIR QUALITY  
Attn: Richard Coffin  
4300 CHERRY CREEK DRIVE SOUTH  
DENVER CO 80246-1530

Engineering Division  
Attn: Transportation Department  
PWE

CDPHE - WATER QUALITY PROTECTION SECT  
Attn: Patrick Pfaltzgraff  
4300 CHERRY CREEK DRIVE SOUTH  
WQCD-B2  
DENVER CO 80246-1530

ENVIRONMENTAL ANALYST  
Attn: Jen Rutter  
PLN

CDPHE SOLID WASTE UNIT  
Attn: Andy Todd  
4300 CHERRY CREEK DR SOUTH  
HMWMD-CP-B2  
DENVER CO 80246-1530

METRO WASTEWATER RECLAMATION  
Attn: CRAIG SIMMONDS  
6450 YORK ST.  
DENVER CO 80229

Century Link, Inc  
Attn: Brandyn Wiedreich  
5325 Zuni St, Rm 728  
Denver CO 80221

NS - Code Compliance  
Attn: Augusta Allen

CITY OF BRIGHTON - Planning  
Attn: Jason Bradford  
500 S 4th Ave  
BRIGHTON CO 80601

Parks and Open Space Department  
Attn: Nathan Mosley  
mpedrussi@adcogov.org  
aclark@adcogov.org

CITY OF BRIGHTON - WATER & SANATATION DEPT.  
Attn: ED BURKE  
500 S. 4th Ave, 4th Floor  
BRIGHTON CO 80601

PRAIRIE CENTER METRO NO. #1  
Attn: MCGEADY SISNEROS, P.C.  
141 Union Boulevard, Suite 150  
Lakewood CO 80228

Code Compliance Supervisor  
Attn: Eric Guenther  
eguenther@adcogov.org

SHERIFF'S OFFICE: SO-HQ  
Attn: MICHAEL McINTOSH  
nblair@adcogov.org, aoverton@adcogov.org; mkaiser@adcog  
snielson@adcogov.org

COLORADO DEPT OF TRANSPORTATION  
Attn: Steve Loeffler  
2000 S. Holly St.  
Region 1  
Denver CO 80222

Sheriff's Office: SO-SUB  
Attn: SCOTT MILLER  
TFuller@adcogov.org, smiller@adcogov.org  
aoverton@adcogov.org; mkaiser@adcogov.org

TRI-COUNTY HEALTH DEPARTMENT  
Attn: MONTE DEATRICH  
4201 E. 72ND AVENUE SUITE D  
COMMERCE CITY CO 80022

TRI-COUNTY HEALTH DEPARTMENT  
Attn: Sheila Lynch  
6162 S WILLOW DR, SUITE 100  
GREENWOOD VILLAGE CO 80111

Tri-County Health: Mail CHECK to Sheila Lynch  
Attn: Tri-County Health  
[landuse@tchd.org](mailto:landuse@tchd.org)

United Power, Inc  
Attn: Marisa Dale  
PO Box 929  
500 Cooperative Way  
Brighton CO 80601

Xcel Energy  
Attn: Donna George  
1123 W 3rd Ave  
DENVER CO 80223



BARR LAKE INVESTMENTS LLC  
9840 E POWERS AVE  
GREENWOOD VILLAGE CO 80111

THF PRAIRIE CENTER DEVELOPMENT LLC  
C/O THF REALTY INC  
211 N STADIUM BLVD STE 201  
COLUMBIA MO 65203-1161

COFFEY JOHN J  
13770 HIWAY 76  
BRIGHTON CO 80603

WALSH KEVIN A AND  
WALSH SONDR A J  
18101 E 138TH AVE  
BRIGHTON CO 80603-4412

DAM ANTHONY TRUST THE  
12063 MONACO CT  
BRIGHTON CO 80602-4623

FUSHIMI GLEN S AND  
FUSHIMI DEBORA D  
13802 BURLINGTON BLVD  
BRIGHTON CO 80603

GOMEZ STAN AND GOMEZ KARI  
13750 BURLINGTON BLVD  
BRIGHTON CO 80603

GOODWIN REX A AND  
RODRIGUEZ CAROLYN A  
13741 BURLINGTON BLVD  
BRIGHTON CO 80603

HERRERA PEDRO  
HERRERA MARIA  
13920 HWY 76  
BRIGHTON CO 80603

ORDONEZ JESUS M  
13690 BURLINGTON BLVD  
BRIGHTON CO 80601

SHAUFLETER TERRY  
13609 BURLINGTON BLVD  
BRIGHTON CO 80603-4407

SIMON CARLENE L AND  
HERBERT ROBERTA E  
3515 IVANHOE ST  
DENVER CO 80207-1239

# CERTIFICATE OF POSTING



I, Julie Wyatt do hereby certify that I posted the property at

14000 Telluride Street

on March 30, 2018

in accordance with the requirements of the Adams County Zoning Regulations

A handwritten signature in cursive script that reads 'Julie Wyatt'.

Julie Wyatt