

COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT

CASE NO.: RCU2018-00002

CASE NAME: Dollar General

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Board of County Commissioners

CASE No.: **RCU2018-00002**

May 15, 2018

Owner's Name:	John and Rae Lynne Hicks
Applicant's Name:	Kelly Agnor with Vaquero Ventures
Applicant's Address:	2900 Wingate Street, Fort Worth, Texas 76133
Location of Request:	56951 East Colfax Avenue
Nature of Request:	Rezone from Agricultural-3 (A-3) to Commercial 4 (C-4)
Zone District:	Agriculture-3 (A-3)
Site Size:	1.6 acres
Proposed Uses:	Commercial Retail
Existing Use:	Residential
Hearing Date(s):	PC: April 26, 2018/ 6:00 pm
	BOCC: May 15, 2018/ 9:30 am
Report Date:	May 15, 2018
Case Manager:	Julie Wyatt
PC and Staff Recommend	dation: APPROVAL with 4 Findings-of-Fact
	6

CASE NAME: Dollar General

SUMMARY OF PREVIOUS APPLICATIONS

In April 2017, the applicant met with staff for a conceptual review meeting to discuss requirements to develop a retail use on the subject site.

SUMMARY OF APPLICATION

Background:

The applicant is requesting to rezone an approximately 1.6-acre property from Agriculture-3 (A-3) to Commercial 4 (C-4) to develop the site with a Commercial Retail use. Currently, the Agriculture 3 (A-3) zone district does not permit Commercial Retail uses. The site is developed with two structures.

Site Characteristics:

The site is rectangular in shape with 175 feet of frontage on East Colfax Avenue (Highway 36). According to the 2012 Adams County Master Transportation Plan, East Colfax Avenue is classified as a principal arterial road. A principal arterial is intended to accommodate more than 12,000 vehicles per day and provide inter-county and intra-county connections. At this time, no

direct vehicular access from the site to adjacent neighborhoods is contemplated. There is a 100year Floodway area located to the east of the site, including the northeast corner of the property. This floodway may potentially limit future development to the eastern section of the property.

Future Land Use Designation/Comprehensive Plan:

The subject property is designated Urban Residential in the County's Comprehensive Plan future land use map. Per Chapter 5 of the Comprehensive Plan, Urban Residential areas are intended to provide for a variety of residential housing types at a density greater than one acre. Complementary and supporting uses like neighborhood-serving retail, schools, and community facilities are also appropriate in Urban Residential, provided that those uses are compatible with residential neighborhoods. Rezoning the property to a C-4 district is consistent with the Comprehensive Plan, as it will allow the property to be developed with commercial uses to support the nearby growing community.

The property is also in the County's Strasburg area plan. This Plan establishes goals and policies to guide anticipated growth in the Strasburg area. Non-residential development is encouraged, provided that it is appropriate to the small-town atmosphere, enhances the existing business areas, and provides jobs and services for area residents. Additionally, commercial development should be located near the center of the community, as close as possible to East Colfax Avenue. The proposed rezoning to a C-4 district is consistent with the goals and policies of the Strasburg Plan. The property is located adjacent to existing commercial development on East Colfax Avenue, and, if approved, the C-4 district will permit necessary commercial uses to support the expanding residential base in the Strasburg area.

Development Standards and Regulations Requirements:

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.

The proposed rezoning is consistent with the purposes and requirements of the County's Development Standards and Regulations. The property is currently located within an A-3 zone district, which is intended for large rural parcels of at least 35 acres in size where farming and low-density residential uses are permitted. Due to the property's small size and location on a primary arterial roadway, it is unlikely to be developed with agricultural or residential uses. Alternatively, the proposed C-4 zone district is intended to provide retail and services for the general and traveling public. The site's location on East Colfax Avenue corresponds with the intent of the C-4 zone district, providing adequate access and visibility typically associated with commercial uses. Commercial 4 zone district does not include a minimum lot size, but requires a minimum lot width of 100 feet. The subject lot is 1.6 acres and approximately 175 feet wide, which conforms to the lot size requirements of the C-4 zone district.

The proposed rezoning request is consistent with the future land use designation of Urban Residential. In addition to a variety of residential uses, the Urban Residential future land use encourages compatible commercial and community uses to serve surrounding neighborhoods. The Urban Residential future land use encourages uses such as Nursing Homes, Day Care

Centers, Dry Cleaners, Banks, Miscellaneous Retail, and Restaurants, which are typically found on arterial roadways near residential areas. While the C-4 district includes some intense uses that could be incompatible in proximity to neighborhoods, these uses, such as Telecommunications towers, Pawn Shops, Outdoor Commercial Recreation, and Racing facilities, require public hearings and approval of a conditional use permit by the Board of County Commissioners.

The property is located on East Colfax Avenue, which has historically functioned as Strasburg's commercial main street. The zoning pattern corresponds to the existing commercial development, as properties abutting East Colfax Avenue are zoned Commercial 3, Commercial 4, and Commercial 5 districts. Rezoning the property to C-4 zone district is consistent with typical zoning designations along commercial corridors. The proposed C-4 designation will also be a continuation of the existing development along East Colfax Avenue.

Northwest	North	Northeast
A-3	A-3	A-1
Single-Family Residential	Single-Family Residential	Single-Family Residential
West	Subject Property	East
C-4	A-3	A-1
Automotive Repair	Residential	Single-Family Residential
R-1-C		
Single-Family Residential		
Southwest	South	Southeast
Arapahoe County	Arapahoe County	Arapahoe County
Automobile Service Station	Undeveloped	Undeveloped

Surrounding Zoning Designations and Existing Use Activity:

Compatibility with the Surrounding Area:

The property is situated on East Colfax Avenue. This road is designated as a principal arterial and intended to accommodate up to 12,000 vehicles per day. Residential uses are located north and east of the property and commercial development is located to the south and west. Per Section 3-22 of the County's Development Standards and Regulations, the purpose of the proposed C-4 district is to provide general retail and services for the general and travelling public. The Commercial 4 district permits an array of commercial, office, and institutional uses which will provide necessary retail and services for the surrounding community. While the district allows for some intense uses such as heavy retail, many of these uses require approval of a conditional use permit by the Board of County Commissioners through the public hearing process. The proposed C-4 zone district also aligns with the current development pattern and would encourage appropriate commercial development on an existing commercial corridor. Furthermore, the site's location on a principal arterial will provide adequate access and visibility associated with a commercial development.

Compatibility of potential development with nearby residential areas must also be considered. Commercial uses may create additional lighting, noise, and traffic which can be incompatible with neighborhoods. However, any development on the site shall be required to conform to the County's performance standards outlined in Chapter Four of the Development Standards and Regulations. These performance standards are required to ensure compatibility with the surrounding properties, which include building orientation, building materials, adequate parking, landscaping at the right-of-way, landscaping in the parking area, and drainage improvements. Furthermore, a six-foot high screening fence and a fifteen-foot buffer planted with two trees per eighty linear feet will be required on the north, northwest, and east property lines, if the property is developed with commercial uses. Installation of lighting must be designed to shield direct rays from adjoining properties, and access to the site will be taken from East Colfax Avenue. Dimensional requirements such as front, rear, and side setbacks will limit the scale of development, ensuring consistency with the surrounding commercial and residential areas.

Staff Recommendations:

Based upon the application, the criteria for approval for rezoning, and a recent site visit, staff recommends Approval of this request with 4 findings-of-fact.

Planning Commission (PC) Update:

The Planning Commission considered the proposed rezoning during a public hearing on April 26, 2018. At the hearing, the Planning Commission asked staff and the applicant to confirm if there is adequate public infrastructure such as water, sewer, and gas to support the intended development of the site. The applicant informed the PC that there are water, sewer and gas lines in proximity to the site that will be extended to the site. The PC also inquired if there are potential intense uses that could be allowed with the proposed rezoning, staff informed the PC that the intense uses in the proposed C-4 district requires a conditional use permit which will be reviewed through a public hearing by the PC and the BoCC.

The Planning Commission voted unanimously (6-0) to recommend 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.

CITIZEN COMMENTS

Notifications Sent	Comments Received
62	0

Property owners within eight hundred (800) 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.

The applicant also held a neighborhood meeting on December 12, 2017. Seven citizens attended the meeting; however, two were the current property owners. According to the applicant, the attendees did not express opposition to the proposed rezoning. However, attendees were interested in discussing the intended commercial retail development and specific site improvements.

COUNTY AGENCY COMMENTS

Staff reviewed the request and had no concerns with the proposed rezoning. 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

<u>Responding with Concerns:</u> Intermountain Rural Electric Association

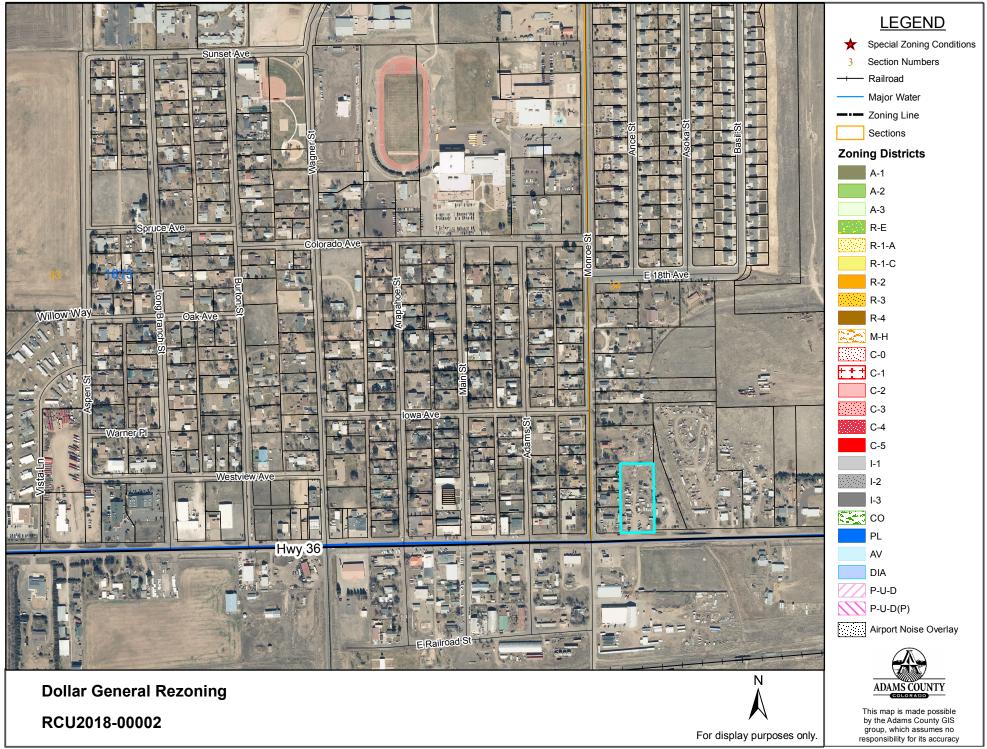
Responding without Concerns:

Colorado Department of Transportation Strasburg Fire Protection District Tri County Health Department Xcel Energy

Notified but not Responding / Considered a Favorable Response:

Century Link High Five Plains Foundation Strasburg Parks and Recreation District Strasburg School District 31J Strasburg Water and Sanitation Comcast

Exhibit 2.1 Aerial Map



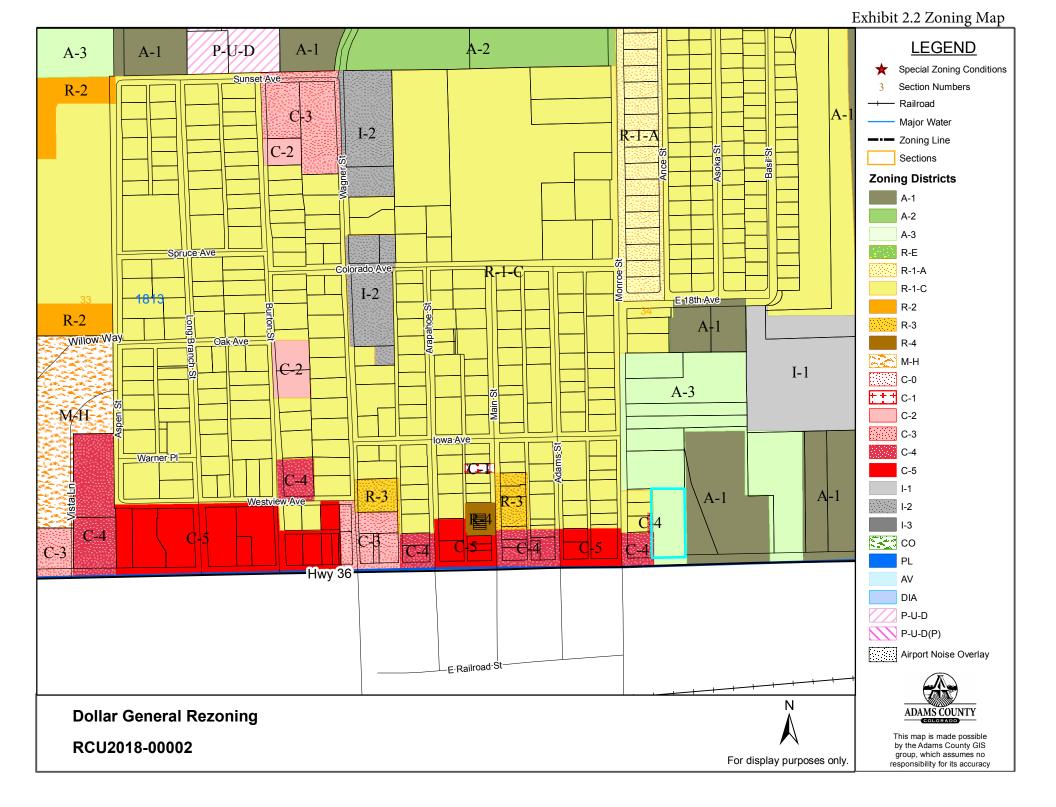
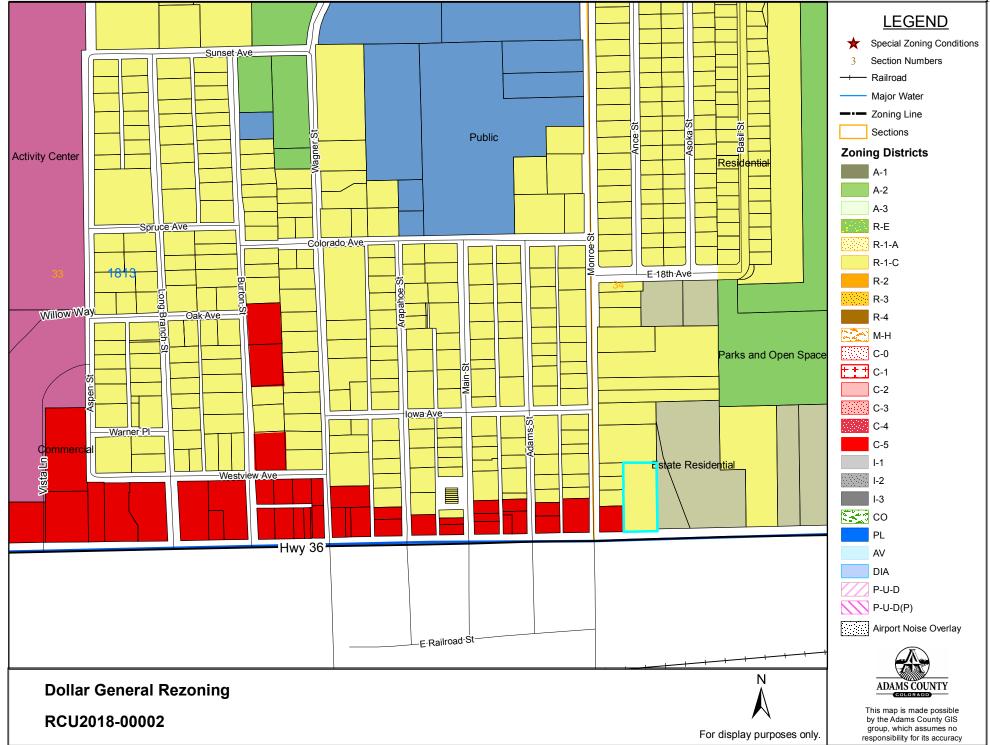


Exhibit 2.3 Future Land Use Map



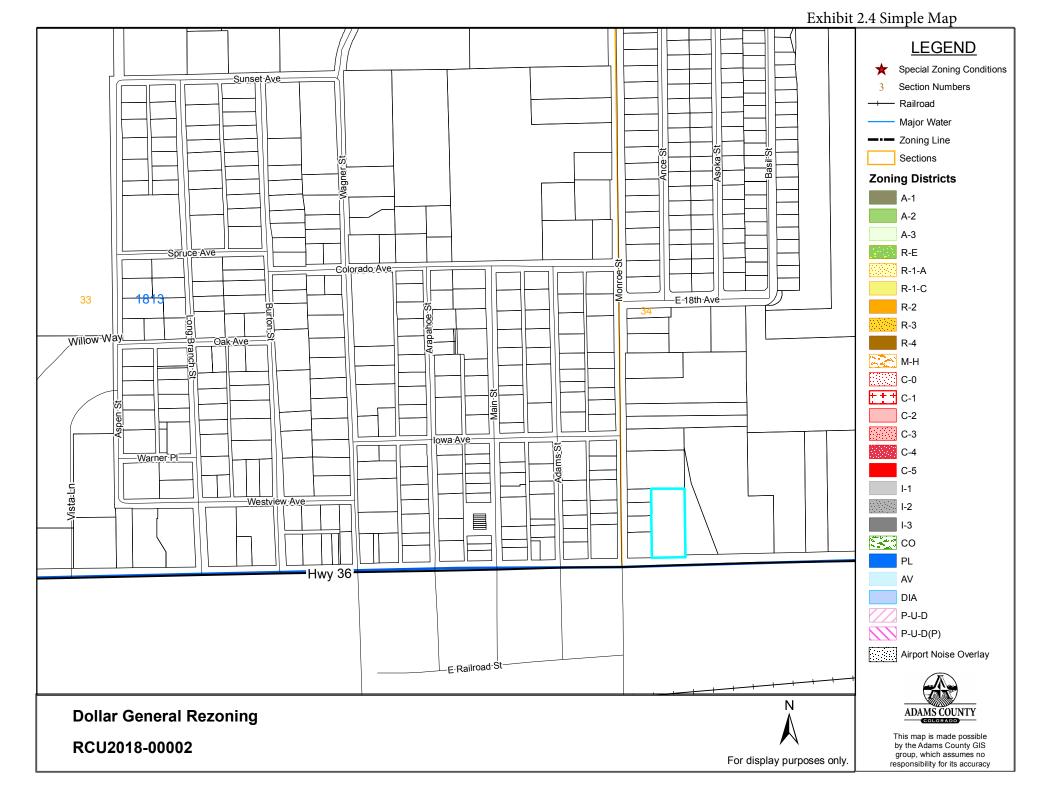
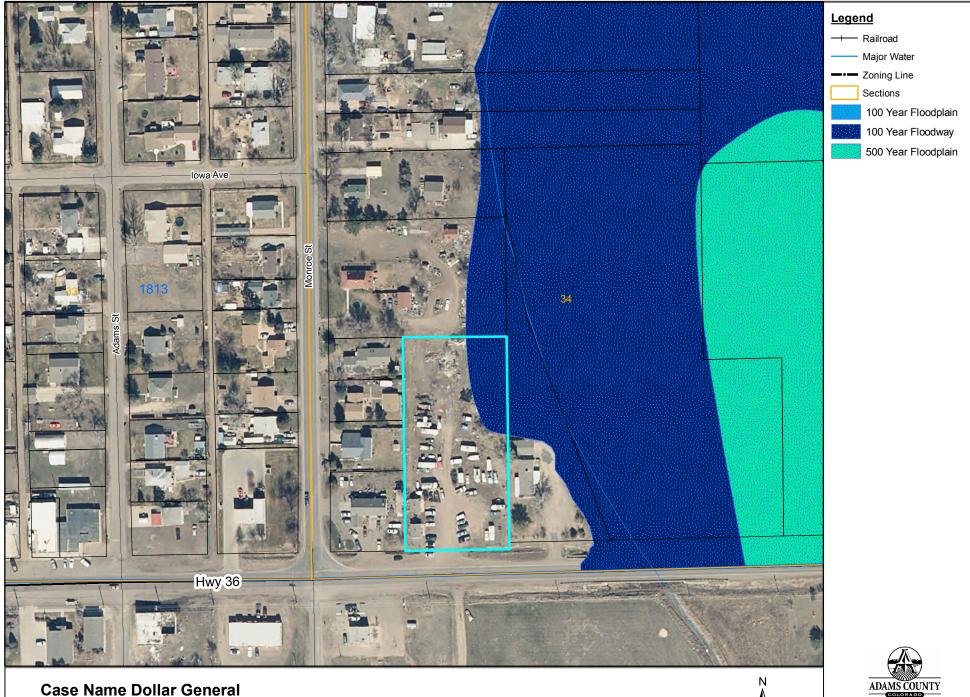


Exhibit 2.5 Floodway Map



Case Number RCU2018-00002



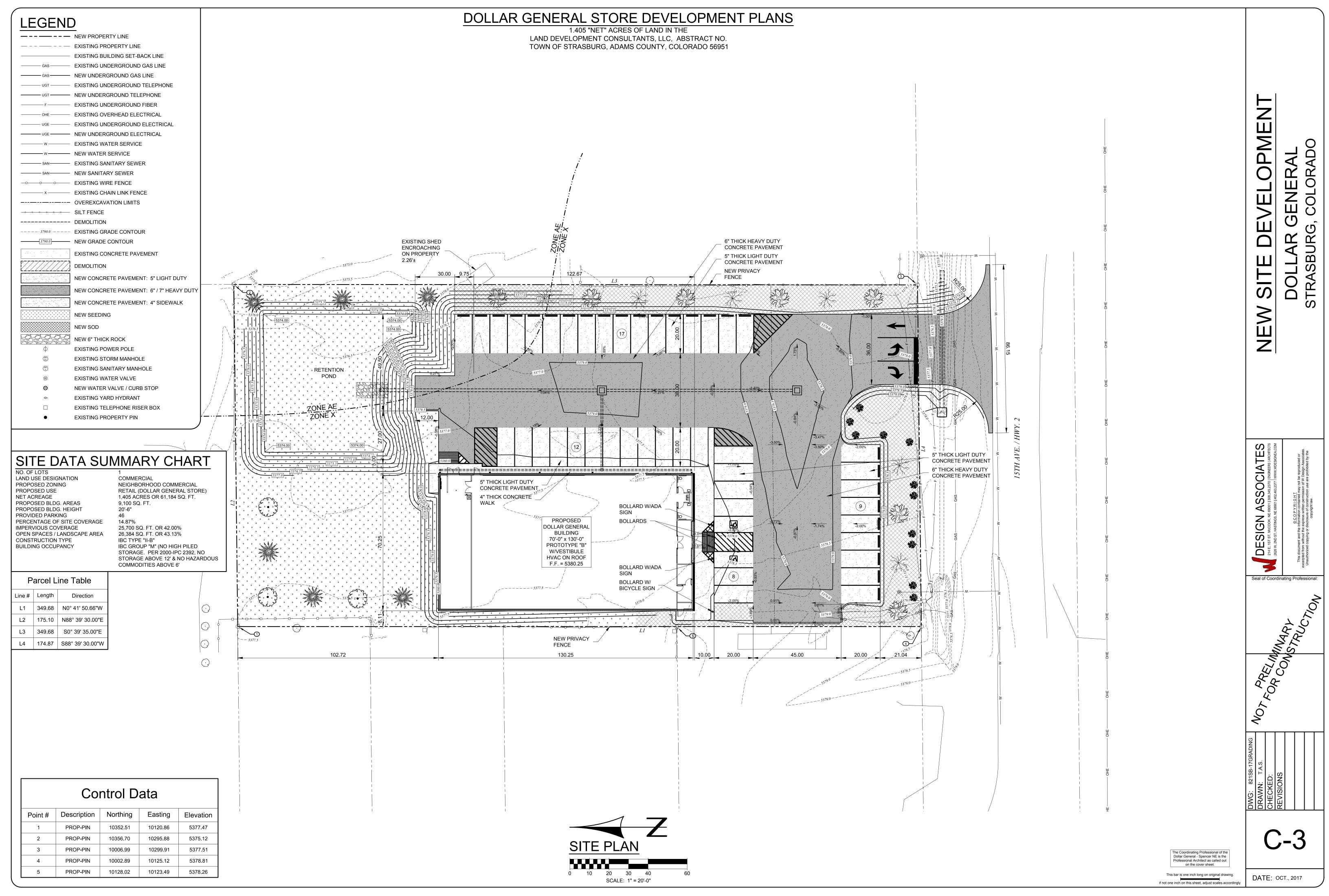


This map is made possible by the Adams County GIS group, which assumes no responsibility for its accuracy

Dollar General Strasburg, Colorado Written Explanation

Vaquero Strasburg Partners, LP would like to propose a Dollar General site on 1.4046 acres at 56951 E. Colfax Avenue, Strasburg, Colorado. The current site consists of two vacated homes and is currently zone Agricultural-3 District (A-3). The site is surrounded by the following uses starting from the southwest corner going clockwise; C-4 (Car Shop), R-1-C (Residential Home), R-1-C (Residential Home), R-2 (Farm), A-1 (Vacant). The site will need to be rezoned for the use proposed.

The proposed freestanding Dollar General store will be a 9,100-square foot metal building with 39 parking spaces and one access point off Colfax Avenue. This site will be serviced by Intermountain Rural Electric for electrical service and Strasburg Sanitation and Water District for water and sewer services. Storm water will be routed to a detention pond on the rear side of the property. The building will have a dry sprinkler system and a fire alarm system. Hours of operation for Dollar General are 8AM- 10PM Sunday through Saturday (seven days a week), deliveries are made once a week during business hours. Architectural features of the building will include masonry on all four sides in a neutral color scheme. Dumpster will be enclosed in a 6' high wooden enclosure with a wooden gate.



From:	Patrick Conroy
То:	Gerri Ventura; Libbie Adams
Cc:	Frank Fields
Subject:	Re: Request for Comments - Dollar General Rezoning (RCU2018-00002)
Date:	Friday, January 19, 2018 4:38:46 PM
Attachments:	image.png
	image.png
	<u>image.png</u>
	<u>image.png</u>

With respect to the Request for Comments on the Dollar General Rezoning Project (RCU2018-002) the Strasburg Fire Protection District has nothing to add at this time. Thank you.

Patrick Conroy ICC Certified Building Official ICC Certified Fire Marshal Colorado Fire Plans Examiner Fire Marshal Strasburg Fire Protection District Station: 303-622-4444 @ Cell: 720-775-8515 @

On Thu, Jan 18, 2018 at 12:54 PM, Gerri Ventura <<u>gventura@svfd8.org</u>> wrote: Hard copy is in the District office if needed. ------- Forwarded message ------From: Libbie Adams <<u>LAdams@adcogov.org</u>> Date: Thu, Jan 18, 2018 at 12:42 PM Subject: Request for Comments - Dollar General Rezoning (RCU2018-00002) To: Libbie Adams <<u>LAdams@adcogov.org</u>>

Good afternoon,

Please find the attached Request for Comments for the Dollar General Rezoning at 56951 E Colfax Avenue. The applicant is requesting to rezone from Agriculture-3 to commercial. Forward any comments you may have on to me by **Monday, February 12, 2018**. Let me know if you have any questions regarding this case. Hope you're having a wonderful week so far!

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

0: 720.523.6855 | ladams@adcogov.org

www.adcogov.org

Gerri Ventura District Clerk, Strasburg Fire Protection District #8 P.O. Box 911 56281 E. Colfax Avenue Strasburg, CO 80136-0911 <u>303-622-4444</u> option 1 gventura@svfd8.org

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Brooks Kaufman Lands and Rights of Way Director Exhibit 4.2 Referral Comments (Intermountain Rural Electric Association)

February 9, 2018

Libbie Adams Adams County Department of Planning & Development 4430 South Adams County Pkwy 1st Floor Suite W200A Brighton, CO 80601-8216

Re: DOLLAR GENERAL REZONING Case No.: RCU2018-00002

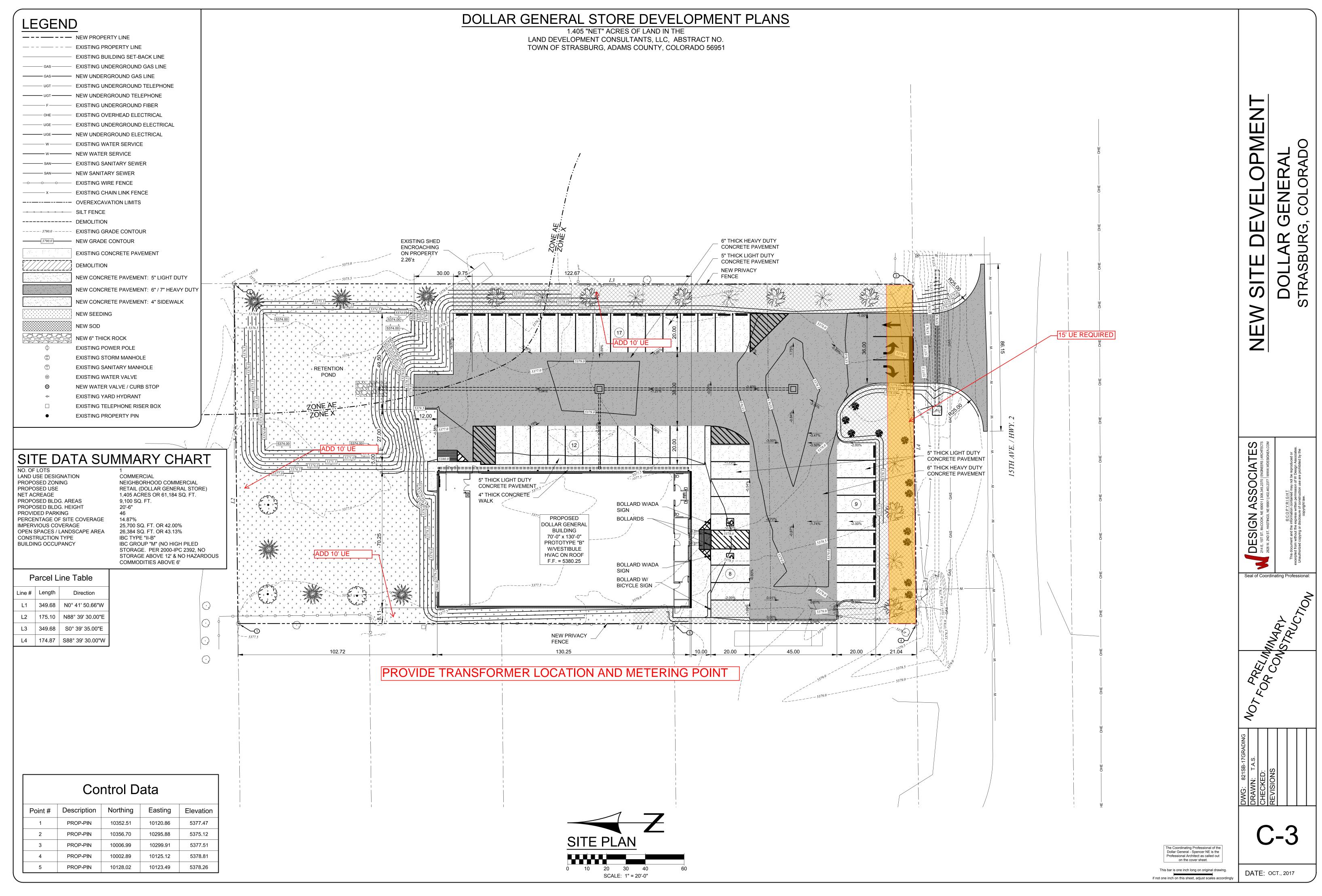
Dear Ms. Adams

The Association has reviewed the contents in the above-referenced referral response packet. We reviewed the project for maintaining our existing facilities, utility easements, electric loading, and service requirements. We are advising you of the following concerns and comments:

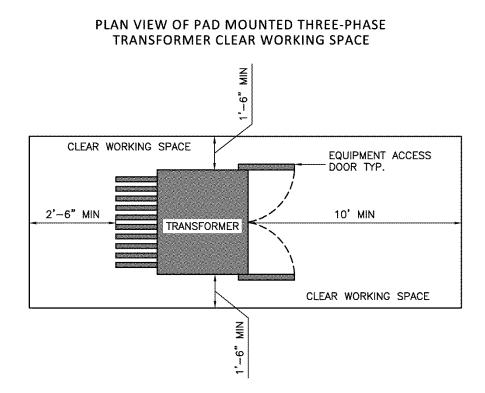
The Association approves of the rezoning. To assist the applicant prior to site approval, the Association will require the following comments to be addressed as shown on the markup of the proposed Site Development Plan and transformer clearances.

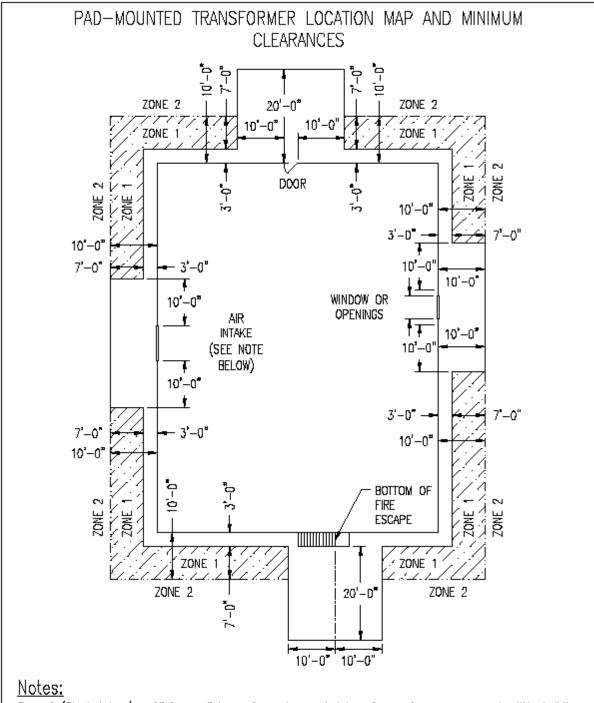
- 1. Fifteen-foot (15') utility easement along the frontage to Colfax Ave.
- 2. Ten-foot (10') utility easement along the remaining boundaries of the parcel.
- 3. The Association has strong concern in regards to a potential screening of the electrical equipment; we ask that the underground transformer location be shown and use the provided clearance requirements.

Sincerely, Brooks Kaufman Lands and Rights-of-Way Director



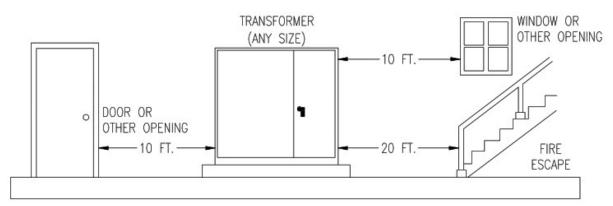
• Three-phase pad mount equipment with cooling fins shall have a clear working space minimum of one foot-6 inches (1'-6") on the sides and 2 feet-6 inches (2'-6") on the rear of the equipment, and 10 feet (10'-0") in front of the equipment.

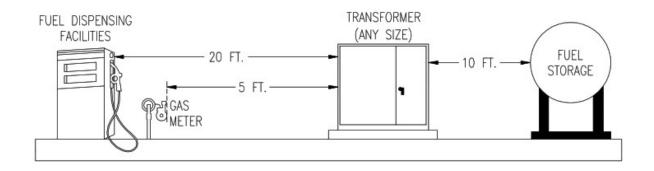


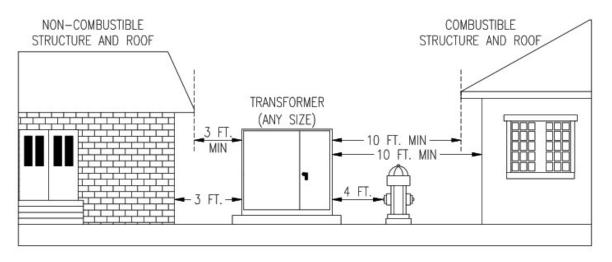


Zone 1 (Shaded Area) = Minimum distance for pad-mounted transformer from a non-combustible building. Zone 2 = Minimum distance for pad-mounted transformers from a combustible building. Air intake clearance must be a minimum of 25 feet diagonal from transformer (not shown) additional clearances on page 67.

MINIMUM DISTANCES FOR PAD-MOUNT TRANSFORMERS







NOTE: THE MINIMUM SEPARATION DISTANCES SHOWN MAY NOT MEET INSURANCE PROPERTY LOSS PREVENTION REQUIREMENTS. BUILDER/DEVELOPER IS RESPONSIBLE FOR CONFIRMING THESE MINIMUM SEPARATION DISTANCES AND INFORMING IREA ENGINEERING PRIOR TO CONSTRUCTION IF ADDITIONAL CLEARANCES ARE NEEDED.

Libbie,

We have reviewed the referral named above requesting a rezoning of property located at 56951 E. Colfax. Ave. from Agriculture-3 to Commercial and have no objections. We do have additional comments applicable to the development:

- A new State Highway Access permit will be needed for access to State Highway 36. The site plan incorrectly shows this as Highway 2. Contact for this permit is Steve Loeffler who can be reached at <u>steven.loeffler@state.co.us</u> or 303-757-9891. We will want to review a traffic letter with the permit request.
- Any work in the Right-of-Way will require a permit from our office. This includes, but is not limited to survey, utility, or landscaping work. Contact for this type of permit is Robert Williams who can be reached at <u>robert.williams@state.co.us</u> or 303-916-3542
- We will want to review the drainage report to ensure there will be no negative impact to State Highway 36.
- Any signing on this property that will be visible to State highway 36 must be onpremise in nature and only advertise goods or services that are available on that property and must comply with any other applicable rules governing outdoor advertising in Colorado per 2 CCR 601-3

Thank you for the opportunity to review this referral.

Steve Loeffler

Permits Unit

?

P 303.757.9891 | F 303.757.9886 2000 S Holly Street, Denver, CO 80222 <u>steven.loeffler@state.co.us</u> | <u>www.codot.gov</u> | <u>www.cotrip.org</u>

As of April 20, 2018 I will be moving to a new office located at 2829 W. Howard Pl., Denver, CO 80204

From:	<u> Cross - CDOT, Marilyn</u>
To:	Libbie Adams
Cc:	Loeffler - CDOT, Steven
Subject:	Re: RCU2018-00002, Dollar General Rezoning
Date:	Wednesday, February 14, 2018 9:04:24 AM

Thank you for the drainage report. I have referred out the report to our hydraulics engineers. We do have the access permit application for this project and we are processing it.

Marilyn Cross, AICP Access Manager Permits Unit

P 303.512.4266 | C 303-514-5992 | F 303.757.9886 2000 S Holly, Denver, CO 80222 <u>marilyn.cross@state.co.us</u> | <u>Link to Access Permits</u> | <u>www.codot.gov</u>

On Wed, Feb 14, 2018 at 8:13 AM, Libbie Adams <<u>LAdams@adcogov.org</u>> wrote:

Hi Steve, In regards to your comment, I wanted to email you a copy of their drainage study submitted with the rezoning application. Let me know if you have any comments on the report. Thanks, Libbie From: Loeffler - CDOT, Steven [mailto:steven.loeffler@state.co.us] Sent: Tuesday, February 13, 2018 8:56 AM To: Libbie Adams Cc: Marilyn Cross Subject: RCU2018-00002, Dollar General Rezoning

Exhibit 4.4 Referral Comments (Tri County)



February 9, 2018

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

RE: RCU2018-00002, Dollar General Rezoning TCHD Case No. 4761

Dear Ms. Adams,

Thank you for the opportunity to review and comment on the Rezoning request from Agricultural-3 to Commercial for the Dollar General located at 56951 E Colfax Ave. 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.

Fugitive Dust – Building Demolition

Exposure to air pollution is associated with a number of health problems including asthma, lung cancer, and heart disease. The Colorado Department of Public Health and Environment Air Pollution Control Division (APCD) regulates air emissions. The application indicates that the existing building on the site will be demolished. State air quality regulations require that precautions be taken prior to demolition of buildings to evaluate the presence of asbestos fibers that may present a health risk. If asbestos is present, actions must be taken to prevent their release into the environment. State regulations also address control of ozone depleting compounds (chlorofluorocarbons) that may be contained in air conditioning or refrigerating equipment. The applicant shall contact the APCD at (303) 692-3100 for more information. Additional information is available at http://www.cdphe.state.co.us/ap/asbestos.

Vector Control – Building Demolition

Rodents such as mice and rats carry diseases which can be spread to humans through contact with rodents, rodent feces, urine, saliva, or through rodent bites. For example, Hantavirus Pulmonary Syndrome (HPS), a rare but potentially lethal viral infection, can be found in the droppings and urine of rodents commonly found in southwestern United States. When buildings are demolished, rodents can spread to surrounding properties and increase the risk of vector exposure to humans. The applicant should plan for vectors and eliminate any known infestations prior to demolition. Information on rodent control can be found at http://www.tchd.org/400/Rodent-Control.

Mosquito Control - Stormwater Facilities

The site plan indicates that a retention pond is proposed. Retention ponds can become

Dollar General Rezoning February 9, 2018 Page 2 of 4

sites for mosquito breeding. To reduce the potential for human exposures to West Nile and other mosquito-borne viruses, TCHD recommends that the applicant prepare a mosquito control plan. Elements of the plan should include proper design, construction and regular inspection and maintenance of stormwater quality facilities, and mosquito larvaciding if the insects become a problem. The applicant may submit the mosquito control plan to TCHD for review. More information is available here http://www.tchd.org/276/Mosquitoes-West-Nile-Virus. A guidance document is attached.

Please feel free to contact me at 720-200-1585 or aheinrich@tchd.org if you have any questions on TCHD's comments.

Sincerely,

amemoricleur

Annemarie Heinrich, MPH/MURP Land Use and Built Environment Specialist

cc: Sheila Lynch, Steve Chevalier, TCHD

Dollar General Rezoning February 9, 2018 Page 3 of 4

Tri-County Health Department Guidance for Preparation of Mosquito Control Plan

A Mosquito Control Plan should contain the following elements:

1. Designation of a management entity

This is the entity with authority/responsibility for implementing the plan. Typically, this will be a Special District or a Homeowners Association. If this is the case, the applicant shall submit a copy of the organizational Service Plan, by-laws or other legal document providing the authority for mosquito control. If the entity is the developer, this should be noted.

2. Funding mechanism

A method needs to be put in place to finance the program. This could be a commitment for the Service District, HOA or developer to include adequate funds for the activities as part of its annual budgeting process, or a plan by the District or HOA to assess an annual fee on residents in the subject service area, or to fund the program in some other way, per its legal authority as noted in #1.

3. Activities that will be undertaken to prevent mosquito breeding conditions

This section places emphasis on the proper design, construction, operation and maintenance of stormwater facilities to prevent mosquitoes from breeding. In most instances, it is nothing different than is already required by the County and Volume 3 of the Urban Drainage and Flood Control District's (UDFCD) Urban Storm Drainage Criteria Manual for flood control and stormwater quality. The literature on this subject, supported by local field experience, suggests that if stormwater facilities are well-designed, built to specification, and regularly inspected and maintained to meet operating standards, stormwater facilities that are designed to completely drain in 72 hours or less are likely to do so and to prevent mosquito breeding conditions.

The likelihood or extent of mosquito breeding can also be reduced through the proper design, construction and inspection/maintenance of retention ponds or constructed wetlands that are intended to hold permanent water pools.

We have found that at the time of construction of stormwater facilities, there is often little thought given to continuity of maintenance. Requiring the applicant to think through the tasks that need to be accomplished from design through operation, who will be responsible for tasks in each phase, and a schedule for their accomplishment increases the probability that these tasks will be completed.

Ideally, before getting to this point, the applicant will have considered stormwater facility options that do not rely on extended retention or detention of stormwater without flushing over a period of 2-3 days; e.g. grass swales, porous pavements, landscape detention, reducing directly connecting impervious areas to increase infiltration. This would be coordinated through and in compliance with the requirements of the County's Engineering and/or Stormwater sections.

Dollar General Rezoning February 9, 2018 Page 4 of 4

Suggested elements in this section include the following:

- Design review Qualified personnel review construction plans and conduct field investigation to ensure construction per specifications of UDFCD Volume 3 and County criteria.
- Operation and maintenance activities: This should identify who will conduct these activities (e.g., staff or contractor), and a schedule or trigger point for doing each task. Again, the UDFCD's Vol. 3 contains minimum operation and maintenance activities. If staff are to be used, this section should note if they will need training and how they will receive it.
- Regular inspections:

Facilities that are found to retain water should be inspected regularly to ensure that no mosquito larvae are present. Facilities should be inspected once a week beginning in April and continuing through September.

• Larvacide program:

Even if inspections do not reveal larvae, a larvaciding program should be established as a preventive measure at the same time that the inspection program begins (generally May) and continue through September. Some mosquitoes lay their eggs in mud, and when rain falls later, they can hatch and present a problem. Larvacide should be applied at the recommended rate and frequency specified by the product manufacturer. Mosquito control products can be found by doing a search on the internet.

Natural control of mosquito larva can be very effective is done properly. Consult the Colorado Department of Wildlife, Fisheries Division, for consultation on proper stocking of ponds with fish that will effectively control mosquito larvae.

<u>For Technical Assistance</u> - Contact Monte Deatrich, Tri-County Health Department's mosquito control specialist, if you have any questions about any elements of the mosquito control program. Mr. Deatrich is in Tri-County's Commerce City office; he can be reached by phone at (303) 439-5902, or by e-mail at <u>mdeatric@tchd.org</u>.

Exhibit 4.5 Referral Comments (Xcel Energy)



Right of Way & Permits 1123 West 3rd Avenue Denver, Colorado 80223 Telephone: **303.571.3306** Facsimile: 303. 571.3284 donna.l.george@xcelenergy.com

January 31, 2018

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

Attn: Libbie Adams

Re: Dollar General Rezoning, Case # RCU2018-00002

Public Service Company of Colorado's Right of Way & Permits Referral Desk has reviewed the documentation for **Dollar General Rezoning** and has **no apparent conflict**.

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

Exhibit 6.1 Request for Comments

Community & Economic Development Department www.adcogov.org



4430 South Adams County Parkway 1st Floor, Suite W2000 Brighton, CO 80601-8204 рноме 720.523.6800 гах 720.523.6998

Request for Comments

Case Name: Project Number: Dollar General Rezoning RCU2018-00002

January 22, 2018

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

Rezoning from Agriculture-3 to Commerical.

This request is located at **56951 E Colfax Ave** The Assessor's Parcel Number is **0181334300009** Legal Description is **SECT, TWN, RNG: 34-3-62 DESC: COM AT A PT 155 FT E OF SW COR SEC 34 TH E 175 FT TH N 379/5 FT TH W 175 FT TH S 379/5 FT TO BEG 1/40A**

You were notified with this request because your property is within 800 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 or by phone at 720.523.6855 by **Monday, February 12, 2018** so that your comments may be taken into consideration in the review of this case. If you would like your comments included verbatim, please send your response by way of email to LAdams@adcogov.org.

Once comments have been received and the staff report written, the staff report and notice of publig hearing dates will be forwarded to your for your information. This referral can also be found online at https://www.adcogov.org/planning/currentcases.

Thank you for your review of this case.

This Car

Libbie Adams Case Manager

BOARD OF COUNTY COMMISSIONERS

Charles "Chaz" Tedesco DISTRICT 2

Erik Hansen DISTRICT 3 Community & Economic Development Department

www.adcogov.org



Exhibit 6.2 Public Hearing Notice

4430 South Adams County Parkway 1st Floor, Suite W2000 Brighton, CO 80601-8204 рноме 720.523.6800 гах 720.523.6998

Public Hearing Notice

Case Name: Project Number: Planning Commission Hearing Date: Board of County Commissioners Hearing Date: Dollar General/Vaquero Strasburg Partners, LP RCU2018-00002 Thursday, April 26, 2018 at 6:00 pm Tuesday, May 15, 2018 at 9:30 am

March 29, 2018

A public hearing has been set by the Adams County Planning Commission and the Board of County Commissioners to consider the following request: rezone an approximately 1.6 acre tract from Agricultural 3 (A-3) zone district to Commercial 4 (C-4) zone district.

This request is located at 56951 East Colfax Avenue

The Assessor's Parcel Number is 0181334300009

Legal Description: A tract in the Southwest Quarter of Section 34, Township 3 South, Range 62 West, described as: Commencing at a point 155 feet East of the Southwest corner of said Section; Thence East 175 feet, Thence North 379.5 feet, Thence West 175 feet; Thence South 379.5 feet to the Point of Beginning, EXCEPT any portion thereof lying within existing County Roads, County of Adams, State of Colorado.

Owner Information:

John and Rae Lynne Hicks PO Box 799 Strasburg, CO 80136

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.

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

PUBLICATION REQUEST

Dollar General/Vaquero Strasburg Partners, LP Rezoning

Case Number:	RCU2018-00002
Planning Commission Hearing Date:	April 26, 2018 at 6:00 pm
Board of County Commissioners Hearing Date:	May 15, 2018 at 9:30 am

Request: To rezone an approximately 1.6 acre tract from Agricultural 3 (A-3) zone district to Commercial 4 (C-4) zone district.

Location:	56951 East Colfax Avenue
Parcel Number(s):	0181334300009
Case Manager:	Julie Wyatt
Applicant:	Kelly Agnor with Vaquero Ventures
Owner:	John and Rae Lynne Hicks PO Box 799 Strasburg, CO 80136

Legal Description: A tract in the Southwest Quarter of Section 34, Township 3 South, Range 62 West, described as: Commencing at a point 155 feet East of the Southwest corner of said Section; Thence East 175 feet, Thence North 379.5 feet, Thence West 175 feet; Thence South 379.5 feet to the Point of Beginning, EXCEPT any portion thereof lying within existing County Roads, County of Adams, State of Colorado. Adams County Development Services - Building Attn: Justin Blair 4430 S Adams County Pkwy Brighton CO 80601

Arapahoe County 5334 S. Prince Street Littleton, CO 80120

City of Aurora 15151 E. Alameda Parkway Aurora, CO 80012

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

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

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

COUNTY ATTORNEY- Email Attn: Christine Francescani CFrancescani@adcogov.org

Engineering Department - ROW Attn: Transportation Department PWE - ROW

Engineering Division Attn: Transportation Department PWE

Exhibit 6.4 Referral Agency Labels

ENVIRONMENTAL ANALYST Attn: Jen Rutter PLN

HIGH FIVE PLAINS FOUNDATION Attn: FRANK DOYLE - PRESIDENT 155 NCR 157 STRASBURG CO 80136

Intermountain Rural Electric Asso - IREA Attn: Brooks Kaufman PO Box Drawer A 5496 North US Hwy 85 Sedalia CO 80135

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

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

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

STRASBURG FIRE PROTECTION DIST #8 Attn: GERRI VENTURA PO BOX 911 STRASBURG CO 80136

STRASBURG PARKS AND REC DIST. Attn: Angie Graf P.O. BOX 118 STRASBURG CO 80136

STRASBURG SCHOOL DISTRICT 31J Attn: Monica Johnson 56729 E Colorado Ave STRASBURG CO 80136

Strasburg Water & Sanitation Dist Attn: Tracy Griffin PO Box 596 Strasburg CO 80136 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

Xcel Energy Attn: Donna George 1123 W 3rd Ave DENVER CO 80223 ADAMS RITA AND ADAMS JAMES R 1933 HARMONY DRIVE FORT COLLINS CO 80525

ALLEN JORDAN M 1645 ADAMS ST STRASBURG CO 80136-7544

ARMBRUST DUSTIN L 1624 ADAMS ST STRASBURG CO 80136

BAKER CATHY M 57030 E 18TH AVE STRASBURG CO 80136-7805

BARKMAN BERNDT SARAH 210 MCKINLEY DR BENNETT CO 80102-8609

BARNETT WANDA L AND BARNETT DIANE M 1597 MONROE ST STRASBURG CO 80136-7502

BEAVERS ROBERT DEAN 14802 RIVERVIEW CT FORT MYERS FL 33905-4726

BECKER MARVIN G AND BECKER JANICE N 44109 CR 109 DEER TRAIL CO 80105

BENESCH CATHERINE R 1612 MONROE ST STRASBURG CO 80136-7512

BENESCH JONATHAN P 1573 MONROE ST STRASBURG CO 80136 BONDS JOHN G/ALICE J AND BONDS CORY W 1575 ADAMS ST STRASBURG CO 80136-7509

BONDS TOMMY G AND BONDS CARRIE G 1562 MONROE ST STRASBURG CO 80136

BONGARD KELLE R 1552 MONROE ST STRASBURG CO 80136-7511

BOON JOEL ANDREW PO BOX 64 STRASBURG CO 80136

BOSTER REBECCA JC AND BOSTER MATTHEW D 55331 E APACHE PL STRASBURG CO 80136

BOWERS SCOTT AND BOWERS VIBIANA 1606 MAIN ST STRASBURG CO 80136

BROYARD CAROL F 1545 MONROE ST STRASBURG CO 80136-7502

BYRNE HOPE C 13672 COLORADO BLVD 124-162 THORNTON CO 80602-6911

CHAMPLAIN KEVIN AND CHAMPLAIN DARLA R 57181 E COLFAX AVE STRASBURG CO 80136-8115

CHAVARRIA LORENZO A AND CHAVARRIA DONNA L 1565 ADAMS STREET STRASBURG CO 80136 CHOWNING ERIC J 1664 ADAMS ST STRASBURG CO 80136-7504

CLAUSSEN DOUGLAS PO BOX 829 STRASBURG CO 80136

COBURN FRANK E AND COBURN BERTHA A 1632 MONROE ST/BOX 625 STRASBURG CO 80136-7512

COYOTE CREEK PROPERTY LLC 2775 RIO OSA STREET BYERS CO 80103

CRANDALL HOWARD J JR PO BOX 357 STRASBURG CO 80136-0357

CREGO ADAM PO BOX 122 STRASBURG CO 80136-0122

DAVIS SCOTT W 431 S COUNTY ROAD 173 BYERS CO 80103-9704

DITTMER DEAN C 49215 E 88TH AVE BENNETT CO 80102-9330

DOBYNS RANDAL L AND DOBYNS MARY C 1684 ADAMS ST STRASBURG CO 80136-7543

DONAHUE WILLIAM J 690 E COLFAX AVE BENNETT CO 80102-8812 DOUGLAS BOBBY D/RICKI L REVOCABLE TRUST THE PO BOX 43 STRASBURG CO 80136-0043

ELLIS MARY E M 1562 MAIN ST STRASBURG CO 80136

EXTREME CLEAN CAR WASH LLC 12095 ELM WAY DENVER CO 80241-3231

GARCIA ANTHONY AND SUAREZ NERCI 1599 ADAMS ST STRASBURG CO 80136-7509

HART ERIC L 56990 E 18TH AVE STRASBURG CO 80136-7850

HICKS JOHN E AND HICKS RAE LYNNE PO BOX 799 STRASBURG CO 80136

HOLCOMB ALLEN F AND HOLCOMB DONNA JEAN PO BOX 208 STRASBURG CO 80136-0208

HOY MARCIA M 1722 MONROE ST STRASBURG CO 80136-7516

HUNT GARY L 1516 MAIN ST STRASBURG CO 80136-7507

JARAGOSKE DAUNINE 2974 S PONTIAC ST DENVER CO 80224-2710 JARAGOSKE DAUNINE R 2974 S PONTIAC ST DENVER CO 80224-2710

K & S FAMILY INDUSTRIES LLC PO BOX 909 STRASBURG CO 80136-0909

KAMP LLC PO BOX 208 STRASBURG CO 80136-0208

KAMP LLC PO BOX 208 STRASBURG CO 80136

KLEIN PATRICK THOMAS PO BOX 281/1553 MONROE ST STRASBURG CO 80136

L S STRASBURG LLC PO BOX 1059 LIMON CO 80828-1059

LOWRY JENNY L AND LOWRY WILLIAM R 11273 W 67TH AVE ARVADA CO 80004-2555

MATTHAEI MICHAEL AND MATTHAEI ROBYN 704 ADAMS STREET STRASBURG CO 80136

NEIRA SHARON A 56775 IOWA AVE STRASBURG CO 80136-7515

PATTERSON JAMES AND SPENCER ELIZA 1544 ADAMS ST STRASBURG CO 80136-7508 PEACHER MARILYN J 1644 ADAMS ST STRASBURG CO 80136-7543

POSTON ESTHER PO BOX 203 STRASBURG CO 80136

POWELL MICHELE M 56845 IOWA AVE STRASBURG CO 80136-7515

RINCK BRIAN EUGENE 1587 MONROE ST STRASBURG CO 80136-7502

SARON LUTHERAN CHURCH OF STRASBURG PO BOX 964 STRASBURG CO 80136

SCHWARTZKOPF RONALD D AND SCHWARTZKOPF CONNIE J 1633 MONROE ST STRASBURG CO 80136-7501

SHERMAN CHARLIE AND SHERMAN PAULINE 1683 MONROE ST STRASBURG CO 80136

SMEAD BENJAMIN THOMAS AND SMEAD CHARLA MELINDA 1723 MONROE ST STRASBURG CO 80136-7500

SMITH GARY L 1596 MAIN ST STRASBURG CO 80136

TUEPKER MICHAEL J 1555 ADAMS STREET STRASBURG CO 80136-7509 WAHRMAN DANIEL E PO BOX 291 STRASBURG CO 80136

WELCH RICKY A AND HALL GAIL S 1534 ADAMS ST STRASBURG CO 80136-7508

CERTIFICATE OF POSTING



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

56951 East Colfax Avenue

on _____ April 17, 2018

in accordance with the requirements of the Adams County Zoning Regulations

Julie Wyatt

Julie Wyatt