

**Subject: Lone Tree Referral (ZR17-03) Is Ready For Review**

There is a referral for your review.

**Project Name:** Vacated, Undeveloped Yosemite Street ROW and Tract W-1 Rezoning

---

**Project File #:** ZR17-03

---

**Project Summary:** The City of Lone Tree acquired the 1.83-acre Tract W-1, Acres Green Filing No. 4 and the abutting 2.6-acre unused portion of vacated Yosemite Street Right-of-Way (ROW) from Douglas County on January 24, 2017. Per the vacation and the deed, Douglas County required the City to zone both properties as Parks and Open Space. Therefore, the City of Lone Tree is initiating an application to establish zoning on these 4.438 acres that are under concurrent consideration by the City Council for annexation. The application would rezone Tract W-1 Parks and Open Space (POS) from its current Suburban Residential (SR) Douglas County zoning and the vacated Yosemite Street right-of-way the same. Both the tract and the ROW are currently used as open space and are crossed by the Willow Creek Trail.

---

Please forward any comments to me by **February 24, 2017** via email, fax, or postal mail at the addresses below. You may use the Referral Request form attached if you prefer. If you would like a hard copy of the review materials, would like to request additional review time, or have any questions, please contact me.

Regards,

Hans Friedel  
Planner III  
City of Lone Tree Community Development Department  
9220 Kimmer Drive, Suite 100  
Lone Tree, CO 80124  
Phone: 303.708.1818  
Fax: 303.225.4949  
Hans.friedel@cityoflonetree.com



CITY OF LONE TREE

9222 Teddy Lane, Lone Tree, CO 80124  
303-662-8112

February 1, 2017

Hans Friedel  
Planner III  
Community Development  
City of Lone Tree  
9220 Kimmer Drive  
Suite 100  
Lone Tree, CO 80124

Re: Acres Green Filing No. 4 – Tract W-1 and Old Yosemite ROW Zoning

Dear Mr. Friedel,

The City of Lone Tree acquired Tract W-1, Acres Green Filing No. 4 and the recently vacated unused Yosemite Street Right-of-Way from Douglas County on January 24, 2017. Per the vacation and the deed, Douglas County required the City to zone both properties as parks and open space. Therefore, we have submitted a development application for the zoning of these two properties as Parks and Open Space.

Per Section 16-25-50, we have attached a completed land use application form, project summary and plan exhibit.

Please feel free to call me if you have any questions. Thank you in advance for your consideration in this matter.

Respectfully,

Lisa Albers, P.E.  
Capital Improvement Project Manager

Attachments:

1. Development Application
2. Project Summary
3. Annexation Map and Legal Description
4. Vicinity Map
5. Plan Exhibits



# Development Application

Planning Division

9220 Kimmer Drive, Lone Tree, Colorado 80124

CITY OF LONE TREE 303.708.1818 | [www.cityoflonetree.com](http://www.cityoflonetree.com)

<b>Project Description</b>	
----------------------------	--

Instructions	For Office Use Only	
<ul style="list-style-type: none"> <li>✓ All applications must be typed or legibly printed</li> <li>✓ All applicable sections must be completed</li> <li>✓ All required attachments must be included</li> <li>✓ This application does not cover Engineering, Building, and/or Public Works submittal requirements and fees</li> </ul>	Project Name  Job # <span style="float: right;">Date</span>  Planning Fee <span style="float: right;">Check #</span>	

Application Type	Location
<input type="checkbox"/> Preliminary Plan <input type="checkbox"/> Rezoning <input type="checkbox"/> Final Plat <input type="checkbox"/> Site Improvement Plan (SIP) <input type="checkbox"/> Re-Plat <input type="checkbox"/> SIP Amendment <input type="checkbox"/> Lot Line Adj. <input type="checkbox"/> Other	Address  Approximate Location  State Parcel ID <span style="float: right;">Acreage</span>

Zoning	Legal Description		
Current Zoning or PD Name	Subdivision Name		
Proposed Zoning if Rezoning	Filing #	Block #	Lot #

Utility Providers		
Fire District	Water	Electricity
Metro District	Sewer	Gas

Property Owner of Record	Applicant if Different than Owner	
Owner Name	Name	
Company	Company	
Address	Address	
Phone	Phone	
Email	Email	
Owner Signature <span style="float: right;">Date</span>	Applicant Signature	Date

## **Project Summary**

**For**

### **Vacated Yosemite Street, Acres Green Filing No. 4 ROW and Tract W-1, Acres Green Filing No. 4 First Amendment, Rezoning, Project ZR17-03**

**(1) General project concept.**

These properties were transferred to the City from Douglas County and need to be properly zoned within the City per the recorded deed.

**(2) The name and address of:**

**a. Landowner/applicant;**

City of Lone Tree  
9220 Kimmer Drive, Suite 100  
Lone Tree, Colorado 80124

**b. Representative, if applicable;**

Lisa Albers

**c. Mineral rights owner; and**

City of Lone Tree

**d. Water rights owner.**

City of Lone Tree

**(3) Purpose of the request.**

The purpose of the request is to properly zone the two recently acquired parcels to Parks and Open Space as directed by the deed from Douglas County. The property will be solely used for parks, open space, and utilities.

**(4) Proposed development staging and time frame.**

There is no associated development with these two properties. Xcel Energy has proposed to underground the electrical lines that currently exist overhead on the adjacent property.

**(5) Relation to the existing land uses and abutting land uses.**

These two parcels are located adjacent to the City of Lone Tree's parcel to the east, which is open space; to Public Storage to the north, which is commercial development; to Acres Green

to the west, which is single-family residential development; and to the park and multi-family complex to the south, which is park and multi-family residential development.

**(6) Impacts on City services.**

There are no impacts to City services. The property is maintained by South Suburban Parks and Recreation District (SSPRD).

**(7) Source of water and method of wastewater treatment.**

The property does not require a water source or wastewater treatment. However, Southgate Water and Sanitation District currently has both a water and sewer line through the properties.

**(8) Type or method of fire protection.**

The properties will be served by the South Metro Fire Rescue District, which abuts the property to the east.

**(9) Description of any natural or man-made hazards.**

Willow Creek runs through the southeastern portion of the property. Willow Creek contains an ephemeral creek as well as some steep banks.

**(10) Impacts on existing flora and fauna.**

There will be no impacts to existing flora and fauna.

**(11) Compliance with the following:**

**a. The Comprehensive Plan; and**

The project is in compliance.

**b. Denver Regional Council of Government's standards or policies for water quality, transportation, air quality, etc.**

The project is in compliance.

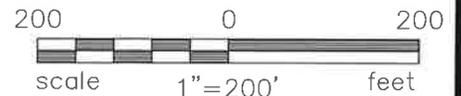
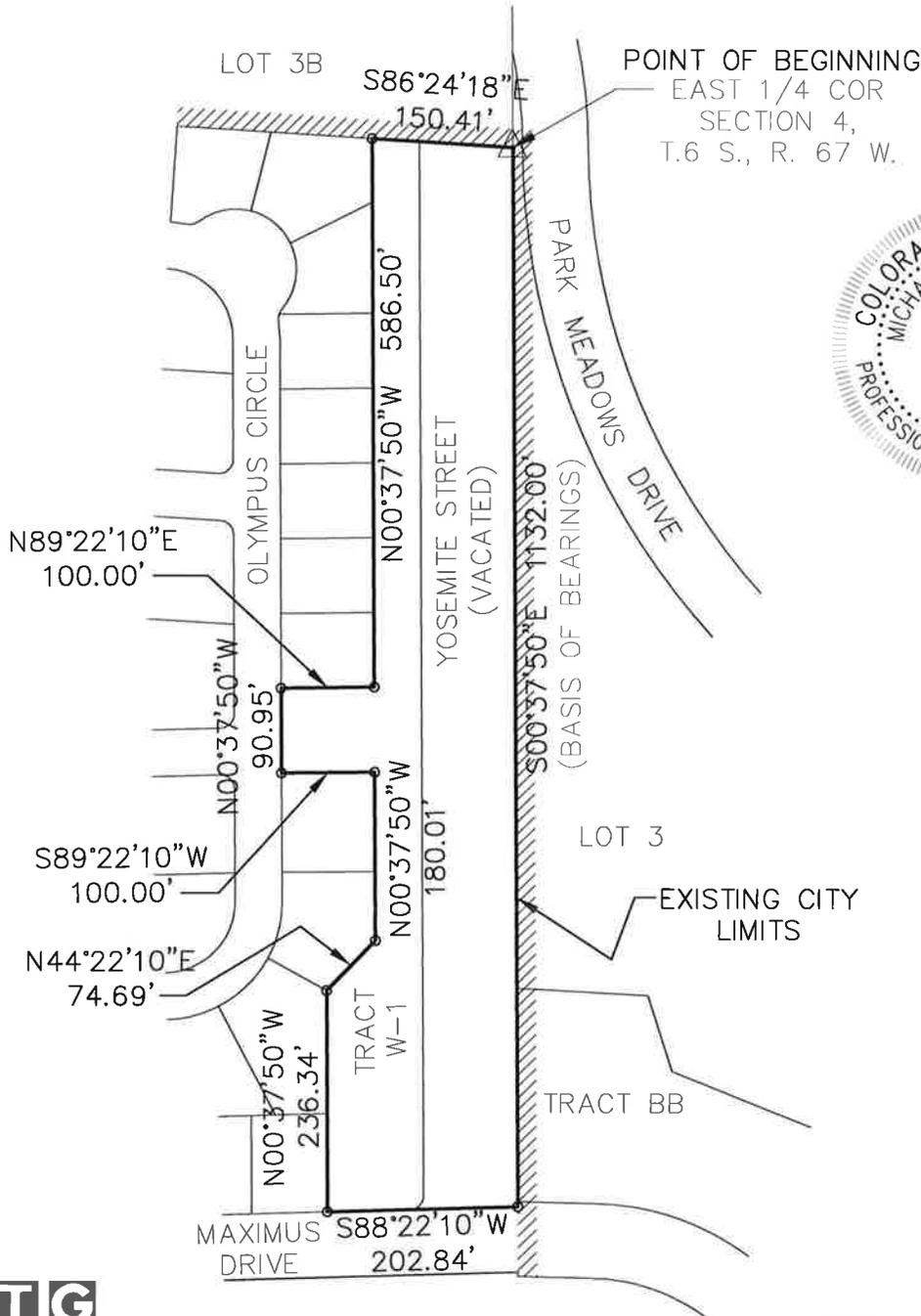
**(12) Changes in the character of the neighborhood, since the land was last zoned, to substantiate a rezoning.**

There will be no changes in the character of the neighborhood.

EXHIBIT

# ANNEXATION MAP TO THE CITY OF LONE TREE

VACATED YOSEMITE STREET, ACRES GREEN FILING NO. 4,  
TRACT W-1, ACRES GREEN FILING NO. 4 FIRST AMENDMENT,  
DOUGLAS COUNTY, COLORADO



TTG ENGINEERS, INC.

SHEET 1 OF 2

EXHIBIT

**ANNEXATION MAP TO THE CITY OF LONE TREE**

VACATED YOSEMITE STREET, ACRES GREEN FILING NO. 4,  
TRACT W-1, ACRES GREEN FILING NO. 4 FIRST AMENDMENT,  
DOUGLAS COUNTY, COLORADO

LEGAL DESCRIPTION

THE VACATED STREET RIGHT-OF-WAY OF YOSEMITE STREET, AS PLATTED IN ACRES GREEN FILING NO. 4, ACCORDING TO THE RECORDED PLAT THEREOF, AND TRACT W-1, ACRES GREEN FILING NO. 4 FIRST AMENDMENT, ACCORDING TO THE RECORDED PLAT THEREOF, DOUGLAS COUNTY, COLORADO, BEING DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID VACATED STREET RIGHT-OF-WAY OF YOSEMITE STREET, ALSO BEING THE EAST QUARTER CORNER OF SECTION 4, TOWNSHIP 6 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN, AND CONSIDERING THE ADJACENT EAST LINE OF SAID VACATED RIGHT-OF-WAY TO BEAR SOUTH 00°37'50"EAST, WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO; THENCE ALONG SAID EAST LINE, SOUTH 00°37'50"EAST, 1132.00 FEET TO THE NORTH RIGHT-OF-WAY LINE OF MAXIMUS DRIVE, AS PLATTED IN SAID ACRES GREEN FILING NO. 4; THENCE ALONG SAID NORTH RIGHT-OF-WAY LINE, SOUTH 88°22'10"WEST, 202.84 FEET TO THE SOUTHWEST CORNER OF SAID TRACT W-1; THENCE ALONG THE WESTERLY LIMITS OF SAID TRACT W-1, THE FOLLOWING SEVEN COURSES: 1) NORTH 00°37'50"WEST, 236.34 FEET; 2) NORTH 44°22'10"EAST, 74.69 FEET; 3) NORTH 00°37'50"WEST, 180.01 FEET; 4) SOUTH 89°22'10"WEST, 100.00 FEET; 5) NORTH 00°37'50"WEST, 90.95 FEET; 6) NORTH 89°22'10"EAST, 100.00 FEET; 7) NORTH 00°37'50"WEST, 586.50 FEET TO THE NORTHWEST CORNER OF SAID TRACT W-1; THENCE ALONG THE NORTH LINE OF SAID ACRES GREEN FINLING NO. 4, SOUTH 86°24'18"EAST, 150.41 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION, CONTAINING 193,770 SQUARE FEET (4.448 ACRES), MORE OR LESS.

SURVEYOR'S CERTIFICATE

I, MICHAEL C. CREGGER, A REGISTERED PROFESSIONAL LAND SURVEYOR, REGISTERED IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THIS EXHIBIT AND LEGAL DESCRIPTION WERE PREPARED BY ME OR UNDER MY DIRECT SUPERVISION. THIS EXHIBIT DOES NOT CONSTITUTE A LAND SURVEY ACCORDING TO COLORADO STATUTES.



DATE

PROFESSIONAL LAND SURVEYOR  
COLORADO REGISTRATION NO. 22564  
FOR AND ON BEHALF OF TTG ENGINEERS, INC.



TTG ENGINEERS, INC.

SHEET 2 OF 2

# Vicinity Map



DRCOG, DRAPP, Douglas County GIS Services, Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

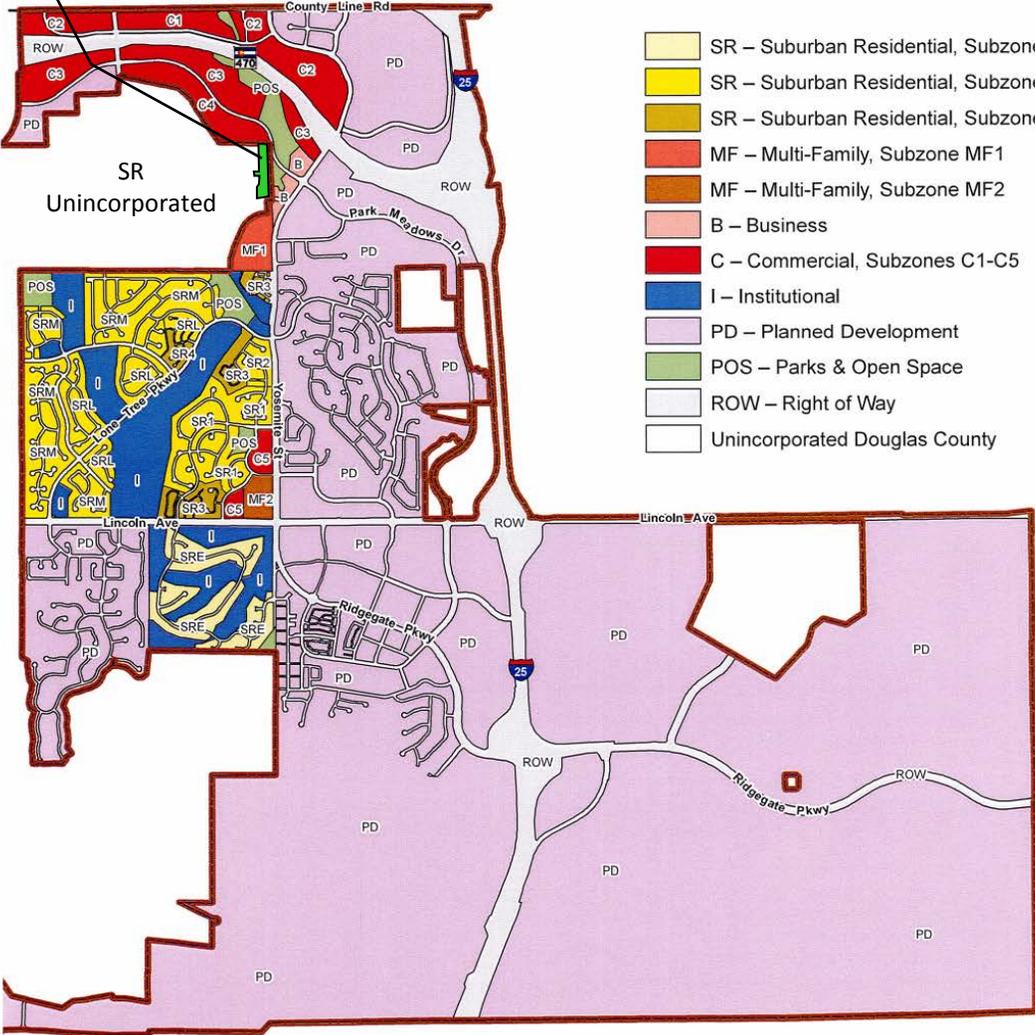
**DISCLAIMER:**

All data and information ("Products") contained herein are for informational purposes only. Although such Products are believed to be accurate at the time of printing, Douglas County does not warrant that such Products are error free. Douglas County provides these Products on an "as is" basis without warranties of any kind, either express or implied, including, but not limited to, warranties of title or implied warranties of merchantability or fitness for a particular purpose. Douglas County shall not be liable for any direct, indirect, incidental, special or consequential damages arising out of the use of such Products, or the inability to use such Products or out of any breach of any warranty. The user acknowledges and agrees that the use of such Products is at the sole risk of the user. General questions about this or any other Douglas County GIS products, including errors, omissions, corrections and/or updates should be directed to the Douglas County GIS Division at (303) 660-7416.

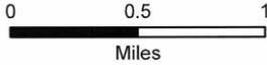
Douglas County GIS Division  
Philip S. Miller Bldg., 100 Third St.  
Castle Rock, Colorado 80104

Land to be rezoned POS

# City of Lone Tree Zoning Map



- SR – Suburban Residential, Subzone SRE
- SR – Suburban Residential, Subzones SR1, SR2, SRL & SRM
- SR – Suburban Residential, Subzones SR3 & SR4
- MF – Multi-Family, Subzone MF1
- MF – Multi-Family, Subzone MF2
- B – Business
- C – Commercial, Subzones C1-C5
- I – Institutional
- PD – Planned Development
- POS – Parks & Open Space
- ROW – Right of Way
- Unincorporated Douglas County



I hereby certify that this is the Official Zoning Map of the City of Lone Tree, Colorado, duly adopted by Ordinance 09-09 on December 15, 2009 and by Resolution 14-25 on December 16, 2014.

*James D. Gunning*  
James D. Gunning, Mayor

Attest:  
*Jennifer Patterson*

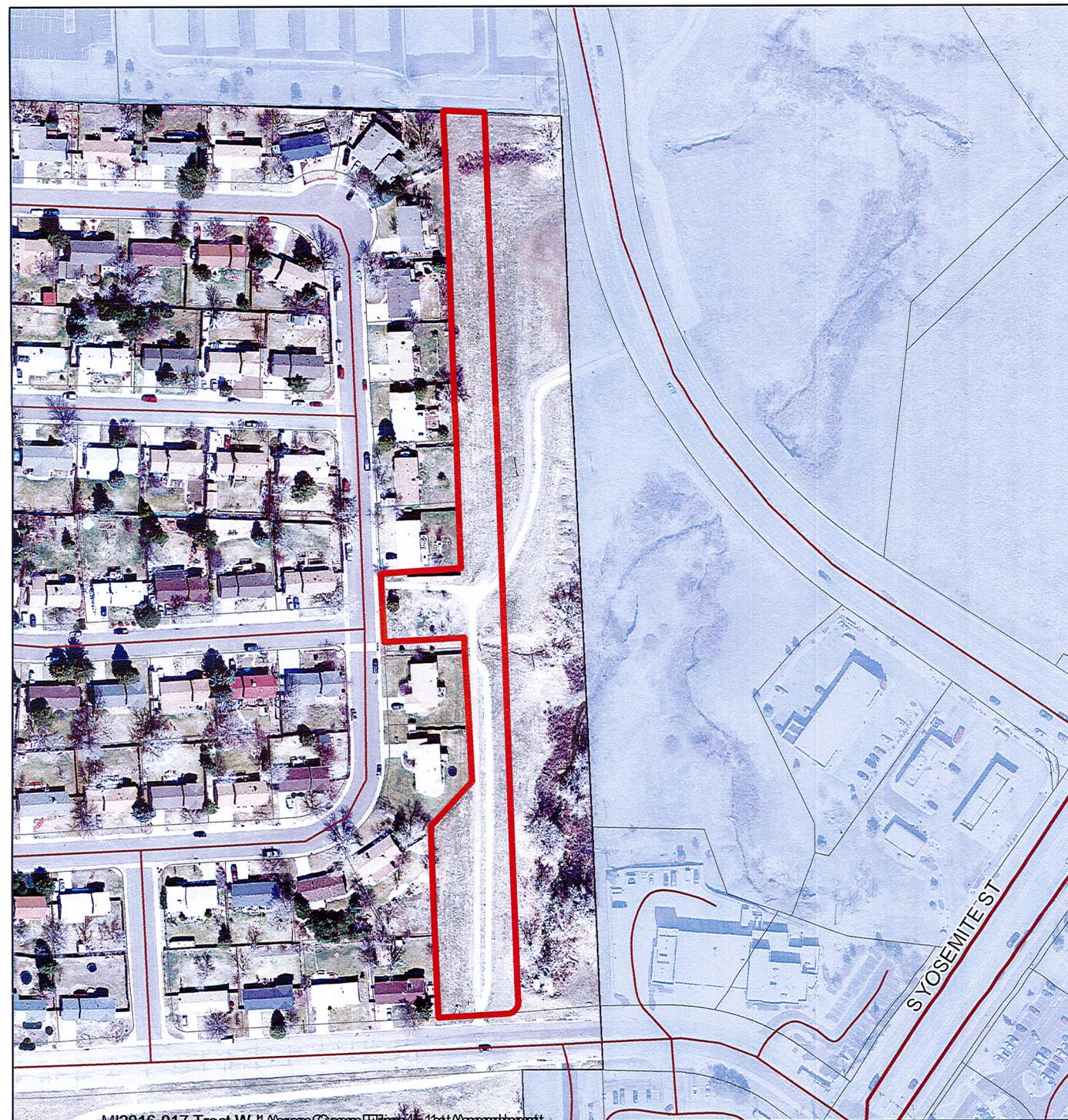
The City has numerous Planned Development (PD) zoning districts. Specific PDs are noted on the City's website ([www.cityoflone-tree.com](http://www.cityoflone-tree.com)) or contact the Community Development Department for more information at 303-708-1818.

# TRACT W-1 ACRES GREEN FILING 4 1ST AMENDMENT

AERIAL MAP

## LEGEND

-  PROJECT SITE
-  MAJOR ROADS
-  OTHER ROADS
-  INCORPORATED AREAS

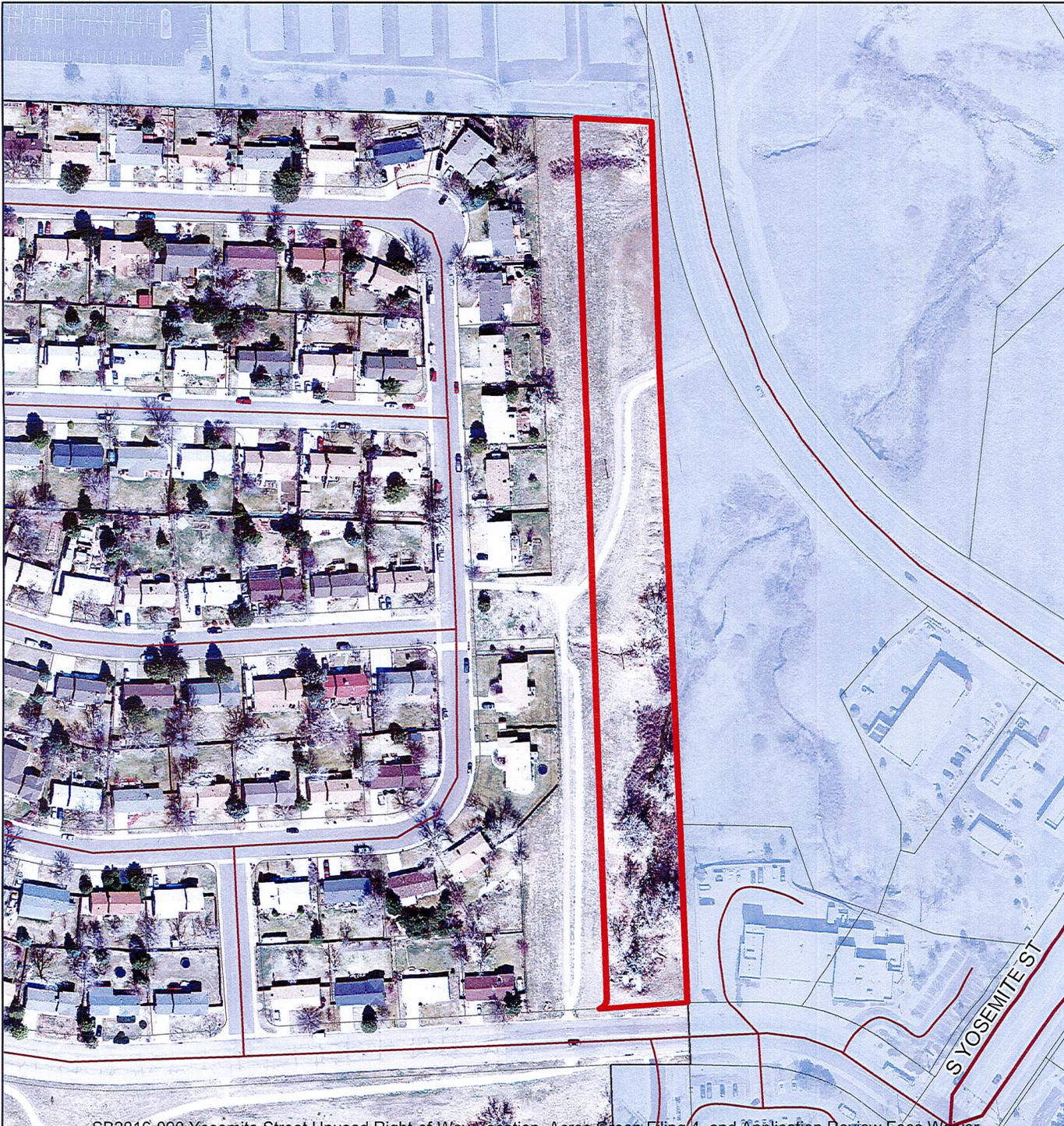


# ACRES GREEN FILING 4 TRACT PLATTED AS YOSEMITE STREET

AERIAL MAP

## LEGEND

-  PROJECT SITE
-  MAJOR ROADS
-  OTHER ROADS
-  INCORPORATED AREAS



**QUITCLAIM DEED**

(Douglas County – City of Lone Tree, Colorado)

THIS QUITCLAIM DEED is made this 24<sup>th</sup> day of January, 2017, between the **BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF DOUGLAS, STATE OF COLORADO**, whose address is 100 Third Street, Castle Rock, Colorado 80104 (“**Grantor**”) and **THE CITY OF LONE TREE, COLORADO**, with an address of 9222 Teddy Lane, Lone Tree, CO 80124 (“**Grantee**”) with respect to the property described below.

WITNESSETH, that Grantor, for and in consideration of the sum of Ten Dollars (\$10.00), and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, has remised, released, sold and QUITCLAIMED, and by these presents does grant, bargain, sell, convey and confirm unto the Grantee, it successors and assigns forever, all of the real property, together with improvements, if any, situate, lying and being in the County of Douglas, State of Colorado, described as follows:

**TRACT W-1,  
ACRES GREEN FILING 4, 1<sup>ST</sup> AMENDMENT,  
COUNTY OF DOUGLAS, STATE OF COLORADO**

So long as the property conveyed herein is maintained for parks, open space, and utility related purposes.

IN WITNESS WHEREOF, Grantor has executed this QuitClaim Deed on the date set forth above.

BOARD OF COUNTY COMMISSIONERS OF THE  
COUNTY OF DOUGLAS, STATE OF COLORADO

By: *Roger Partridge*  
Roger Partridge, Chair

ATTEST:

By: *Meghan McCann*  
Meghan McCann, Deputy Clerk



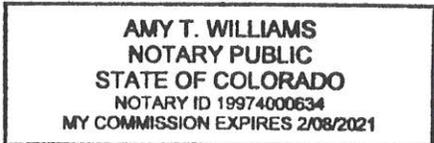
STATE OF COLORADO )  
 )ss  
COUNTY OF DOUGLAS )

The foregoing instrument was acknowledged before me this 24<sup>th</sup> day of January, 2017, by Roger Partridge, as Chair of the Board of County Commissioners of the County of Douglas, State of Colorado.

Witness my hand and official seal.

My commission expires: *n/a*

*Amy Williams*  
Notary Public



RESOLUTION NO. R-017-DLL

THE BOARD OF COUNTY COMMISSIONERS  
OF THE COUNTY OF DOUGLAS, COLORADO  
A RESOLUTION VACATING A SEGMENT OF RIGHT-OF-WAY PLATTED AS  
YOSEMITE STREET, ACRES GREEN FILING 4, LOCATED IN THE  
SE1/4 OF SECTION 4, TOWNSHIP 6 SOUTH, RANGE 67 WEST OF  
THE 6TH P.M. DOUGLAS COUNTY, COLORADO

**WHEREAS**, the Board of County Commissioners desires to vacate a platted, but never used segment of Yosemite Street right-of-way, which was platted within Acres Green Filing 4 (recorded at Reception No. 158937) and more specifically described on Exhibit A attached hereto and incorporated herein ("Yosemite Street right-of-way"); and

**WHEREAS**, Section 43-2-303, C.R.S., authorizes the Board of County Commissioners to vacate roadways, easements, rights-of-way, and other public ways located within the unincorporated area of the County; and

**WHEREAS**, the Board of County Commissioners held a public hearing concerning the road vacation on January 24, 2017; and

**WHEREAS**, notice of said public hearing was published in the *Douglas County News-Press* on December 29, 2016; and

**WHEREAS**, notice of said public hearing was posted on January 6, 2017; and

**WHEREAS**, written notice of said hearing was sent by first class mail to all abutting landowners on December 30, 2016; and

**WHEREAS**, all required notices of said hearing were given as required by section 710B of the Douglas County Subdivision Resolution; and

**WHEREAS**, the unused segment of Yosemite Street right-of-way is located entirely within the unincorporated area of Douglas County; and

**WHEREAS**, the unused segment of Yosemite Street right-of-way does not constitute the boundary line between two counties; and

**WHEREAS**, the unused segment of Yosemite Street right-of-way does not constitute the boundary of a city or town; and

**WHEREAS**, the unused segment Yosemite Street right-of-way will be annexed into the City of Lone Tree following the right-of-way vacation; and

**WHEREAS**, the vacation of the unused segment of Yosemite Street right-of-way will not leave any land adjoining the right-of-way without an established public road or private access easement connecting said land with another established public road; and

**WHEREAS**, the vacation of the unused segment of Yosemite Street right-of-way is in keeping with the spirit and intent of the Douglas County Subdivision Resolution and the Douglas County Master Plan and Transportation Plan; and

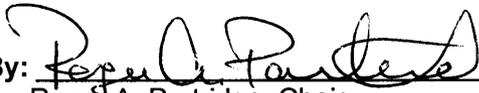
**WHEREAS**, the vacation of the unused segment Yosemite Street right-of-way will not adversely affect the public health, safety, and welfare; now, therefore,

**BE IT RESOLVED**, by the Board of County Commissioners of the County of Douglas, Colorado, that:

1. The unused segment of Yosemite Street right-of-way, platted within Acres Green Filing 4, recorded at Reception No. 158937, more particularly described on Exhibit A attached hereto and incorporated herein, is hereby vacated. Utility easements are reserved; and
2. Pursuant to Section 43-2-302(1)(f), ownership of the unused segment of Yosemite Street right-of-way shall fully vest in the City of Lone Tree upon vacation.

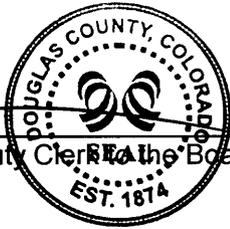
**PASSED AND ADOPTED** this 24<sup>th</sup> day of January, 2017, in Castle Rock, Douglas County, Colorado.

**THE BOARD OF COUNTY COMMISSIONERS  
OF THE COUNTY OF DOUGLAS, COLORADO**

By:   
\_\_\_\_\_  
Roger A. Partridge, Chair

ATTEST:

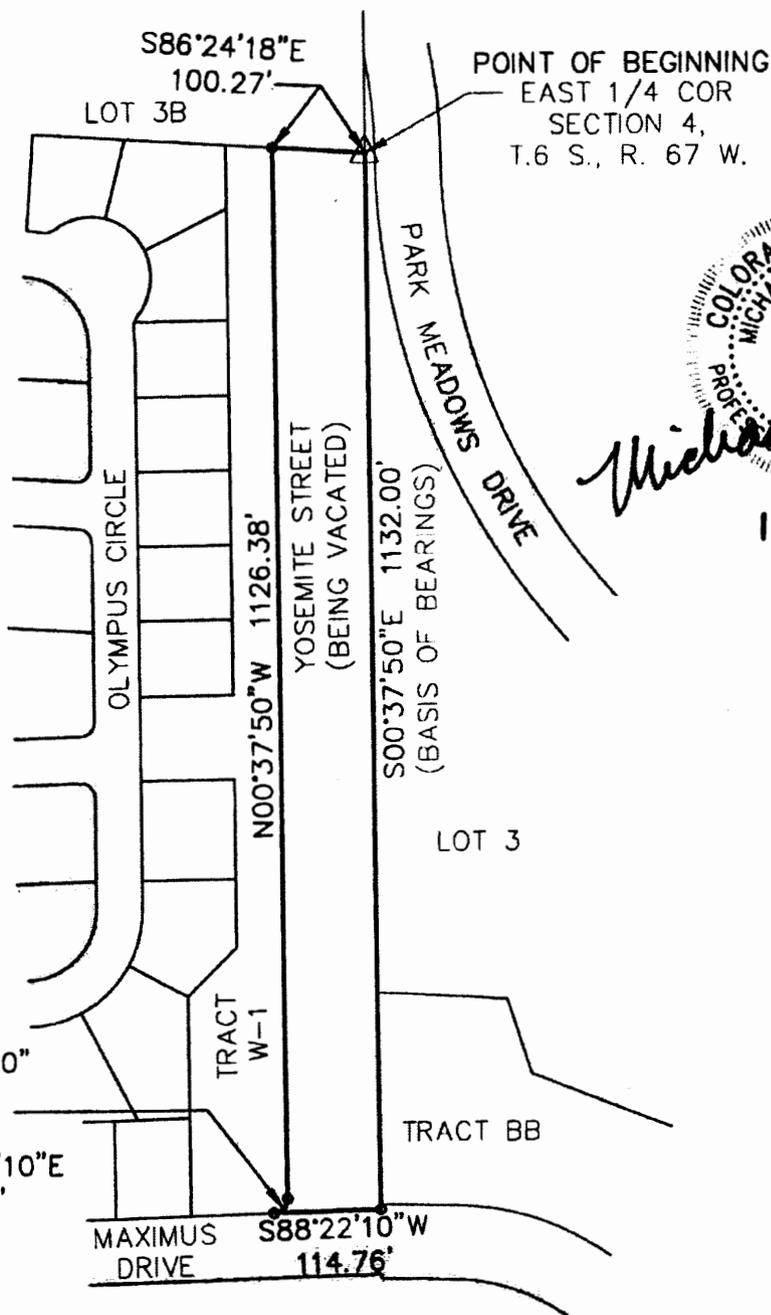
By:   
\_\_\_\_\_  
Meghan McCann, Deputy Clerk to the Board



# EXHIBIT

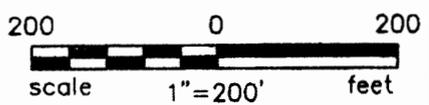
## RIGHT-OF-WAY VACATION MAP

### YOSEMITE STREET, ACRES GREEN FILING NO. 4, DOUGLAS COUNTY, COLORADO



COLORADO REGISTERED  
 MICHAEL G. CREGER  
 22564  
 PROFESSIONAL LAND SURVEYOR  
*Michael G. Creger*  
 12/11/16

D=89°00'00"  
 R=15.00'  
 L=23.30'  
 C=N43°52'10"E  
 21.03'



**TTG ENGINEERS, INC.**

SHEET 1 OF 2

EXHIBIT  
**RIGHT-OF-WAY VACATION MAP**  
**YOSEMITE STREET, ACRES GREEN FILING NO. 4,**  
**DOUGLAS COUNTY, COLORADO**

LEGAL DESCRIPTION

THE STREET RIGHT-OF-WAY OF YOSEMITE STREET, AS PLATTED IN ACRES GREEN FILING NO. 4, ACCORDING TO THE RECORDED PLAT THEREOF, DOUGLAS COUNTY, COLORADO, BEING DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID STREET RIGHT-OF-WAY OF YOSEMITE STREET, ALSO BEING THE EAST QUARTER CORNER OF SECTION 4, TOWNSHIP 6 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN, AND CONSIDERING THE ADJACENT EAST LINE OF SAID RIGHT-OF-WAY TO BEAR SOUTH 00°37'50"EAST, WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO; THENCE ALONG SAID EAST LINE, SOUTH 00°37'50"EAST, 1132.00 FEET TO THE NORTH RIGHT-OF-WAY LINE OF MAXIMUS DRIVE, AS PLATTED IN SAID ACRES GREEN FILING NO. 4; THENCE ALONG SAID NORTH RIGHT-OF-WAY LINE, SOUTH 88°22'10"WEST, 114.76 FEET TO THE WEST RIGHT-OF-WAY LINE OF SAID YOSEMITE STREET; THENCE ALONG SAID WEST RIGHT-OF-WAY LINE THE FOLLOWING TWO COURSES: 1) ALONG A CURVE TO THE LEFT HAVING A DELTA OF 89°00'00", A RADIUS OF 15.00 FEET, AN ARC OF 23.30 FEET AND A CHORD WHICH BEARS NORTH 43°52'10"E, 21.03 FEET; 2) NORTH 00°37'50"WEST, 1126.68 FEET TO THE NORTHWEST CORNER OF SAID YOSEMITE STREET RIGHT-OF-WAY; THENCE ALONG THE NORTH LINE OF SAID YOSEMITE STREET RIGHT-OF-WAY, SOUTH 86°24'18"EAST, 100.27 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION, CONTAINING 113,701 SQUARE FEET (2.610 ACRES), MORE OR LESS.

SURVEYOR'S CERTIFICATE

I, MICHAEL C. CREGGER, A REGISTERED PROFESSIONAL LAND SURVEYOR, REGISTERED IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THIS EXHIBIT AND LEGAL DESCRIPTION WERE PREPARED BY ME OR UNDER MY DIRECT SUPERVISION. THIS EXHIBIT DOES NOT CONSTITUTE A LAND SURVEY ACCORDING TO COLORADO STATUTES.

12/11/2016  
DATE

Michael C. Cregger  
PROFESSIONAL LAND SURVEYOR  
COLORADO REGISTRATION NO. 22564  
FOR AND ON BEHALF OF TTG ENGINEERS, INC.



TTG ENGINEERS, INC.

SHEET 2 OF 2