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## Lone Tree City Council Agenda

### Tuesday, August 18, 2015

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**Meeting Location:** City Council Meeting Room, Lone Tree Civic Center, 8527 Lone Tree Parkway.  
**Meeting Procedure:** The Lone Tree City Council and staff will meet in a public Study Session at 5:30pm. **(NOTE: later time)**. At 6:00pm and following the meeting, if necessary, the Council Meeting will adjourn and convene in Executive Session. If an Executive Session is not necessary, Council will recess for dinner. The Regular Session will be convened at 7:00pm. Study Sessions and Regular Sessions are open to the public, Executive Sessions are not. Comments from the public are welcome at these occasions: 1. Public Comment (brief comments on items not scheduled for a public hearing) 2. Public Hearings. Contact the City Clerk if special arrangements are needed to attend (at least 24 hours in advance).

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#### 5:30pm Study Session Agenda

1. Introduction of CU Vice Chancellor Lisa Douglas
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#### 6:00pm Executive Session Agenda

1. Roll Call
  2. Executive Session
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#### 7:00pm Regular Session Agenda

1. Opening of Regular Meeting/Pledge of Allegiance
  2. Amendments to the Agenda and Adoption of the Agenda
  3. Conflict of Interest Inquiry
  4. Public Comment
  5. Announcements
  6. Consent Agenda
    - a. Minutes of the August 4, 2015 Regular Meeting
    - b. Minutes of the August 4, 2015 Liquor License Authority Meeting
    - c. Claims for the Period of July 27 – August 10, 2015
    - d. Treasurer's Report for June 2015
  7. Community Development
    - a. **Public Hearing:** General Motors replat, rezone (First reading) and SIP amendment
      - i. Parkway Filing 1, Block 3, Lot 1 and Tract H Project SB15-51 (subdivision replat)
      - ii. Ordinance 15-02, APPROVING THE REZONING OF CERTAIN TERRITORY KNOWN AND DESIGNATED AS A PORTION OF TRACT H, PARKWAY SUBDIVISION FILING NO. 1, IN THE CITY OF LONE TREE, COLORADO (GENERAL MOTORS) (First Reading) Project ZR15-37
      - iii. Parkway Filing 1, Block 3, Lot 4, Project SP15-36 SIP amendment for added parking and related changes
  8. Public Works
  9. Administrative Matters
    - a. Ordinance 15-03, **AMENDING PROVISIONS OF THE SALES TAX AND BUSINESS LICENSING ORDINANCES** (First Reading)
    - b. **Public Hearing:** Emergency Ordinance 15-04, **ACCEPTING A PETITION FOR THE ORGANIZATION OF A BUSINESS IMPROVEMENT DISTRICT IN THE CITY OF LONE TREE AND ESTABLISHING, CREATING AND ORGANIZING THE LONE TREE BUSINESS IMPROVEMENT DISTRICT**
  10. Council Comments
  11. Adjournment
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### City of Lone Tree Upcoming Events

More info available at [www.cityoflonetree.com](http://www.cityoflonetree.com) and [www.lonetreeartscenter.org](http://www.lonetreeartscenter.org)

- Seedlings: Bug Safari, September 1, 2015, 9:30 and 11:00 am, LTAC Event Hall.
- 80's Night: Discover Lone Tree, Friday, September 4, 2015 at 6 pm, LTAC Terrace Theater.
- Open House, LTAC: Discover Lone Tree, Saturday, September 5, 2015 from 1 – 4:00 pm.
- Historic Tours at Schweiger Ranch: Discover Lone Tree, Sunday, September 6, 2015 from 1 – 3:00 pm.
- Summer Concert in Sweetwater Park: Discover Lone Tree, “White Water Ramble” Sunday September 6, 2015 from 6 – 9:00 pm.

**MINUTES OF A REGULAR MEETING  
OF THE COUNCIL OF THE  
CITY OF LONE TREE  
HELD  
August 4, 2015**

A regular meeting of the Council of the City of Lone Tree was held on Tuesday, August 4, 2015, at 7:00 p.m., at the Lone Tree City Council Chambers located at 8527 Lone Tree Parkway, Lone Tree, Colorado 80124.

Attendance

In attendance were:

James D. Gunning, Mayor  
Jacqueline Millet, Mayor Pro Tem  
Harold Anderson, Council Member  
Kim Monson, Council Member  
Susan Squyer, Council Member

Also in attendance were:

Seth Hoffman, City Manager  
Jennifer Pettinger, City Clerk  
Steve Hebert, Deputy City Manager  
Jeff Holwell, Economic Development Director  
Chief Jeffery Streeter, Lone Tree Police Department  
Kristin Baumgartner, Finance Director  
Kelly First, Community Development Director  
Lisa Rigby Peterson, Lone Tree Arts Center Director  
Neil Rutledge, City Attorney, White, Bear and Ankele, P.C.  
John Cotten, Public Works Director, TTG Corp.

Call to Order

Mayor Gunning called the meeting to order at 7:00 p.m., and observed that a quorum was present.

Pledge of Allegiance

Mayor Gunning led those assembled in reciting the Pledge of Allegiance.

Amendments to the Agenda

There were no amendments to the agenda.

Conflict of Interest

There was no conflict of interest.

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Public Comment

There was no public comment.

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Announcements

Kate Schaffer, Youth Commissioner, gave Council an update on the Youth Commission.

Mayor Gunning announced upcoming events.

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Consent Agenda

Mayor Gunning noted the following items on the Consent Agenda, which consisted of:

- *Minutes of the July 21, 2015 Regular Meeting*
- *Claims for the period of July 13 – 27, 2015*

Council Member Squyer moved, Council Member Anderson seconded, to approve the Consent Agenda. The motion passed with a vote of 5 to 0.

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Community Development

*Approval of RidgeGate Sec. 15, Filing No. 17, 1<sup>st</sup> Amendment, Lot 6a Site Improvement Plan (SIP) (Martin Fein Apartments) Project #SP15-29R*

Jennifer Drybread, Senior Planner, introduced the item. Darryl Jones, Coventry Development, and Sanford Steinberg, Project Architect, spoke about the project.

Mayor Pro Tem Millet moved, Council Member Squyer seconded, to approve the RidgeGate Sec. 15, Filing No. 17, 1<sup>st</sup> Amendment, Lot 6a Site Improvement Plan (SIP) (Martin Fein Apartments) Project #SP15-29R subject to the two conditions as noted in the staff report. The motion passed with a vote of 5 to 0.

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***Public Hearing: Resolution 15-09, ADOPTING A REVISED COMPREHENSIVE PLAN (Item continued from July 7)***

Mayor Gunning reopened the public hearing at 7:25 p.m. which had been continued from July 7, 2015.

Jennifer Drybread, Senior Planner, introduced the item and noted Council Member Squyer's suggested changes to pages 5, 27, 51, 53 and 73. Council Member Monson also suggested modifications to the section on regional

planning efforts as provided below.

“Regional Planning Efforts:

The City supports and participates in regional planning efforts through the Denver Regional Council of Governments (DRCOG). The City is a signatory to the Mile High Compact, an agreement that sets forth 13 stipulations for regional planning. ~~That agreement incorporates by reference DRCOG’s Metro Vision Plan, a long range regional growth strategy for the Denver Metropolitan Area.~~ The area slated for urban development on the City’s General Land Use Plan map is consistent with the DRCOG’s ~~Metro Vision Plan~~ Urban Growth Boundary/Area.”

Mayor Gunning opened the public hearing for comment at 7:58 p.m.

Martha Sippel, Planning Commission Chairperson, encouraged Council to approve the document and noted all the individuals who have worked on it.

Mayor Gunning closed the public hearing for comment at 7:59 p.m.

Council Member Anderson moved, Council Member Squyer seconded, to approve **Resolution 15-09, ADOPTING A REVISED COMPREHENSIVE PLAN** with the changes as amended (with Council Member Squyer’s and Monson’s suggestions) and with the provision that non-substantive edits and formatting on Exhibit A may be made administratively.

The motion passed with a vote of 5 to 0.

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Public Works

*Approval of PLM Asphalt and Concrete, Inc. Contract for the 2015 Asphalt Overlay Program*

John Cotten, Public Works Director, introduced the item.

Council Member Squyer moved, Mayor Pro Tem Millet seconded, to approve the contract with PLM Asphalt and Concrete, Inc. in the amount of \$861,940.60 for the City of Lone Tree 2015 Asphalt Overlay Program and authorize the Public Works Director to execute the contract documents. The motion passed with a vote of 5 to 0.

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Administrative Matters

*Approval of an Order of the City Council Fixing a Place and Time for a Hearing on a Petition to Dissolve the Existing Lone Tree Entertainment Business Improvement District*

Jeff Holwell, Economic Development Director, introduced the item.

Council Member Monson moved, Mayor Pro Tem Millet seconded, to approve the Order of the City Council Fixing a Place and Time for a Hearing on a Petition for Organization to Dissolve the Existing Lone Tree Entertainment Business Improvement District, to occur on September 1, 2015. The motion passed with a vote of 5 to 0.

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**Resolution 15-10, APPOINTING MEMBERS TO THE YOUTH COMMISSION**

Council Member Squyer, introduced the item.

Council Member Squyer moved, Council Member Monson seconded, to approve **Resolution 15-10, APPOINTING MEMBERS TO THE YOUTH COMMISSION** (Jason Fisher & Matthew Zimmerman). The motion passed with a vote of 5 to 0.

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Council Member Millet moved, Council Member Squyer seconded, to recess the meeting and convene as the City of Lone Tree Liquor License Authority New Licensing Division. The motion passed with a vote of 5 to 0. Mayor Gunning recessed the meeting at 8:05 p.m.

### **Liquor License Authority New Licensing Division**

The City Council convened the Local Liquor Licensing Authority, New License Division. Mayor Gunning called the meeting to order at 8:05 p.m., and observed that a quorum was present.

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*Public Hearing: Beer & Wine Liquor License Application for Coffee House Holdings, Inc. d/b/a Starbucks 10262 (9222 Park Meadows Drive)*

Chair Gunning opened the public hearing at 8:05 p.m.

Jennifer Pettinger, City Clerk, noted the Authority was in receipt of the application packet. She reviewed for the record, and the benefit of the public, the criteria to be considered in making a decision on whether to grant or deny a new liquor license. She noted that staff has reviewed all the documents and the public hearing had been duly noticed and posted. She directed the information be made a part of the record. She also noted the information and documents have been reviewed and staff believes all the criteria for issuance of the license have been met and approval is recommended.

Ms. Pettinger introduced Brian Proffitt, Applicant's Attorney. Mr. Proffitt and Jeff Wells, Starbuck's Regional Director, spoke on behalf of the application and answered questions from the Authority.

The public hearing was opened for comment at 8:13 p.m.

There was no public comment.

The public hearing was closed at 8:13 p.m.

Member Millet moved, Member Monson seconded, that the Local Liquor Licensing Authority, New License Division, having considered the evidence presented, 1) adopt the preliminary findings presented at this hearing; 2) find that all the criteria for issuance of the Liquor License have been met; 3) approve the application for a Beer and Wine Liquor License for Coffee House Holdings, Inc. d/b/a Starbucks 10262 at 9222 Park Meadows Drive, Lone Tree, Colorado; 4) direct the Liquor License Administrator to prepare the required written documentation and submit the approved application to the State Licensing Authority in accordance with the law; and 5) release of license conditional upon the applicant obtaining all necessary building permits and approvals. The motion passed with a vote of 5 to 0.

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*Public Hearing: Beer & Wine Liquor License Application for M Pizzeria, Inc. d/b/a Grimaldi's Pizzeria (8439 Park Meadows Center Drive, Suite I-550)*

Chair Gunning opened the public hearing at 8:15 p.m.

Jennifer Pettinger, City Clerk, noted the Authority was in receipt of the application packet. She reviewed for the record, and the benefit of the public, the criteria to be considered in making a decision on whether to grant or deny a new liquor license. She noted that staff has reviewed all the documents and the public hearing had been duly noticed and posted. She directed the information be made a part of the record. She also noted the information and documents have been reviewed and staff believes all the criteria for issuance of the license has been met and approval is recommended.

Ms. Pettinger introduced Brian Proffitt, Applicant's Attorney. Mr. Proffitt and Eric Greenwall, COO, spoke on behalf of the application and answered questions from the Authority.

The public hearing was opened at 8:22 p.m.

There was no public comment.

The public hearing was closed at 8:23 p.m.

Member Monson moved, Member Squyer seconded, that the Local Liquor Licensing Authority, New License Division, having considered the evidence presented, 1) adopt the preliminary findings presented at this hearing; 2) find that all the criteria for issuance of the Liquor License have been met; 3) approve the application for a Beer and Wine Liquor License for M Pizzeria, Inc. d/b/a Grimaldi's Pizzeria at 8439 Park Meadows Center Drive, Suite I-550, Lone Tree, Colorado; 4) direct the Liquor License Administrator to

prepare the required written documentation and submit the approved application to the State Licensing Authority in accordance with the law; and 5) release of license conditional upon the applicant submitting the manager's information and obtaining all necessary permits and approvals. The motion passed with a vote of 5 to 0.

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**Adjournment**

There being no further business the Chair Gunning adjourned the Authority 8:25 p.m.

Mayor Gunning reconvened the City Council meeting at 8:25 p.m.

Council Comments

Council shared their comments.

Adjournment

There being no further business, Mayor Gunning adjourned the meeting at 8:35 p.m.

Respectfully submitted,

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Jennifer Pettinger, CMC, City Clerk



**CITY OF LONE TREE**

**FINAL STAFF REPORT**

**To: Mayor Gunning and City Council**

**From: Kelly First, Director of Community Development  
Jennifer Drybread, Senior Planner**

**Date: August 5, 2015**

**Subject: RidgeGate Section 15, Filing 17, 1<sup>st</sup> Amdt., Lot 6A  
Site Improvement Plan (RidgeGate III)  
Project File #SP15-29R**

Owner:  
Coventry Development Corporation  
10270 Commonwealth St., Suite B.  
Lone Tree, CO 80124

Representative:  
Martin Fein Interests  
1400 Post Oak Blvd., #500  
Houston, Texas, 77056

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**Planning Commission Hearing Date: July 14, 2015**  
**City Council Hearing Date: August 4, 2015**

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The City Council unanimously approved the Site Improvement Plan subject to:

- Final City of Lone Tree Public Works approval.
- The local park dedication for the property in the form of cash-in-lieu of land, in the amount of \$36,000 shall be paid to the City by the applicant prior to building permit approval.

END



## CITY OF LONE TREE

### FINAL STAFF REPORT

**To:** Mayor Gunning and City Council

**From:** Kelly First, Director of Community Development  
Jennifer Drybread, Senior Planner

**Date:** August 5, 2015

**SUBJECT:** City of Lone Tree Comprehensive Plan Update  
Project File #MI14-07

Applicant:

City of Lone Tree Community Development Department  
Kelly First, Community Development Director  
Jennifer Drybread, Senior Planner

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**Planning Commission Hearing Date:** July 14, 2015  
**City Council Hearing Date:** August 4, 2015

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The City Council unanimously approved Resolution 15-09, ADOPTING A REVISED COMPREHENSIVE PLAN with the provision that non-substantive edits and formatting on Exhibit A may be made administratively and with the changes recommended by Council member Susan Squyer (attachment A) and the modifications to the section on regional planning efforts as provided below.

**“Regional Planning Efforts:**

The City supports and participates in regional planning efforts through the Denver Regional Council of Governments (DRCOG). The City is a signatory to the Mile High Compact, an agreement that sets forth 13 stipulations for regional planning. ~~That agreement incorporates by reference DRCOG’s Metro Vision Plan, a long-range regional growth strategy for the Denver Metropolitan Area.~~ The area slated for urban development on the City’s General Land Use Plan map is consistent with the DRCOG’s ~~Metro Vision Plan~~ Urban Growth Boundary/Area.”

Attachment A  
Susan Squyer Suggested Changes

**Vision: Lone Tree is a premier Colorado community connected by great neighborhoods, vibrant public spaces, a beautiful natural environment, and thriving businesses.**

This Comprehensive Plan is not a major departure from previous plans; it builds upon the City's planning legacy and the many achievements realized in its first two decades, ensuring the City continues to be a desirable place to live, work, and play for generations to come.

### **Purpose and Use of the Comprehensive Plan**

The Comprehensive Plan is an official public document adopted by the City Council that provides general direction for how the community should grow in the **next 20 years and beyond**. Colorado statutes charge City Councils and their appointed Planning Commissions with the duty to make and adopt a master plan or comprehensive plan for the physical development of their municipality, including areas outside its boundaries. There are three essential characteristics of a comprehensive plan:

1. It is comprehensive – It encompasses all geographic parts of a city and all functional elements that bear on physical development.
2. It is general in nature – It summarizes policies and proposals and does not indicate detailed, site-specific locations or detailed regulations.
3. It is long range – It looks beyond pressing current issues to gain a perspective on ~~problems~~ **challenges** and possibilities in the future.

~~This Plan looks to the year 2035 and beyond in establishing land use and development goals, objectives, and policies.~~ The Comprehensive Plan provides a policy framework for decisions that affect the physical, social, and economic environment of the City of Lone Tree. It provides vision, direction, and a defined and achievable image for the City's physical environment by establishing specific development **goals, objectives, and policies** for various land uses based upon sound planning principles. It is used as the foundation for the City's Zoning Code, Subdivision Regulations, and other regulatory ordinances; serves as the basis upon which land development and annexation

decisions are evaluated; acts as the guiding land-use framework for working with neighboring local and regional governments; and serves as the basis in planning for future infrastructure and other community needs. Page 5

4. Encourage efficient and safe access to and around TODs by pedestrians and cyclists by providing connections from outlying areas to transit stations, providing wide sidewalks (on both sides of the street) with differing materials at crosswalks, bike lanes, adequate signage, lighting, wayfinding, bike racks, and bike storage lockers.
5. Enhance the pedestrian experience by providing sheltered seating, public restrooms, trash and recycling receptacles, street lamps, planters, public art, and gathering spaces such as plazas and pocket parks.
6. Provide adequate access by automobiles, shuttles, buses, bicycles, and pedestrians, encouraging an interconnected street network around ~~blocks 200-400 feet long~~ **short block lengths**, and design streets to accommodate multimodal traffic. Encourage traffic-calming measures around TODs and other residential and mixed use areas.
7. Reduce minimum parking standards in TODs for nonresidential development, where deemed appropriate by the City. Encourage shared-use parking, on-street parking, and parking demand management systems, where appropriate. Parking should largely be accommodated below ground or in structures.
8. Require design standards that ensure quality and unify development, while at the same time affording variety in architectural styles, detail, and materials to add interest.

## **Lone Tree City Center**

The Lone Tree City Center will be located east of I-25 and south of Lincoln Avenue, and represents a destination, focal point, and identifiable location for Lone Tree and the region. It is envisioned as a “downtown” environment, characterized by compact, pedestrian-oriented development anchored by transit. It will include a mix of uses including retail, commercial, office, residential, civic, cultural, entertainment, and public spaces, adjacent to a large community park.

TOD planning principles that also apply to the future City Center are compact development, mix of uses, pedestrian orientation, connection to bicycle and walking trails, and public gathering spaces. The key differences are that the scale and level of development intensity and the nature and extent of civic uses will be greater in the City Center than at the other transit stops.

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In response to a previous lack of acute care facilities in the region, the Sky Ridge Medical Center opened its doors in 2003. The center provides a full array of hospital, emergency, and related medical-care services, including a Level III Emergency and Trauma Center. The hospital underwent a major expansion in 2014. The expansion included additional operating rooms; additional medical/surgical beds; a new women's center; and a medical office building. At 57 acres, Sky Ridge Medical Center still has room to expand.

The City of Lone Tree has become a regional health care hub in the south metro area, and can look forward to expanded services and related economic benefits of this important industry.

### **Objective**

Integrate quality health care and needed facilities for the community and surrounding area.

### **Policies**

1. Work collaboratively with Tri-County Health and other health services organizations.
2. Locate new medical offices and facilities where there is:
  - a. Adequate access
  - b. Sufficient parking
  - c. Compatibility with adjacent residential uses

## **Education**

The Douglas County School District (DCSD) provides public K-12 education that serves the City of Lone Tree. The DCSD is the third largest school district in Colorado and the 59th largest in the nation. DCSD has one of the highest graduation rates in the Denver metro area. ~~According to the Colorado Department of Education, graduation rates rose steadily from 81.9% in 2009 to 88.8% in 2013.~~ Within the City's Planning and Urban Growth Area, there are several elementary schools, including Eagle Ridge Elementary, Acres Green Elementary, and Lone Tree Elementary.

Additional schools are planned east of I-25 on lands committed for construction. DCSD primarily pays for the construction of new schools through bond elections held from time to time as the need arises. Higher education opportunities exist in the Lone Tree area through the University

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## **Parks and Recreational Facilities**

Great cities have great parks. Nearly 500 acres of existing and future park land are located within the City's Planning and Urban Growth Area. These include neighborhood, community, and regional parks owned and managed by South Suburban Parks and Recreation, Douglas County, and the Rampart Range Metropolitan District. A 64-acre central community park is planned east of I-25, adjacent to the future City Center. It is important that plans for this park will accommodate a variety of recreational uses, such as special events to ensure that this amenity meets the needs of the larger Lone Tree community. The Cook Creek Park and Pool, Sweetwater Park, Prairie Sky Park, Fairways at Lone Tree Park, Carriage Club Park, Centennial Ridge Park, and La Quinta Park are all local parks that provide residents places to recreate within or close to their neighborhoods. The provision of local parks east of I-25 will also be needed to ensure residents living in this area have convenient access to such amenities that are integral to a high quality of life.

The principal recreation facilities in Lone Tree include the Lone Tree Recreation Center, a 54,000 square-foot facility serving a wide range of recreational needs, and the Lone Tree Golf Club and Hotel that hosts golf, tennis, and many community and special events. These facilities are largely owned by, and entirely managed by, South Suburban Parks and Recreation District. Additional recreational facilities are planned in the future for the east side of I-25.

A network of local and regional trails exists within the Lone Tree Planning and Urban Growth Area and additional regional parks and trails are planned. These are owned

and managed by the three principal entities described above. The regional trails connect to trails linking Lone Tree to a network of trails in Douglas County and the Denver Metro area. As the community grows, the City will encourage and collaborate with these entities to provide additional parks, recreational facilities, and trails where and when needed (See the Parks, Trails, and Open Space Plan).

In 2015, City staff, school staff, and a team of committed Lone Tree residents planned, fundraised, and constructed the first community garden in Lone Tree. It was also the first community garden of its kind on the Douglas County School District property. Located at the Lone Tree Elementary School, the garden provides opportunity for recreation and healthy living to Lone Tree area residents. ~~Developed under the guidance of Denver Urban Gardens, this garden is a community asset and may become a model for future community gardens in Lone Tree.~~

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END

RECORD OF PROCEEDINGS

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**City of Lone Tree Liquor Licensing Authority**  
**New License Division**  
**Public Hearing**  
**August 4, 2015**  
**7:00 p.m.**

On Thursday, August 4, 2015 at or around 7:00 p.m. the New License Division held a public hearing for a Beer & Wine Liquor License Application for Coffee House Holdings, Inc. d/b/a Starbucks 10262 (9222 Park Meadows Drive) and for a Beer & Wine Liquor License Application for M Pizzeria, Inc. d/b/a Grimaldi's Pizzeria (8439 Park Meadows Center Drive, Suite I-550). Chair Gunning called the meeting to order at 8:05 p.m., and observed that a quorum was present.

*Public Hearing: Beer & Wine Liquor License Application for Coffee House Holdings, Inc. d/b/a Starbucks 10262 (9222 Park Meadows Drive)*

Chair Gunning opened the public hearing at 8:05 p.m.

Jennifer Pettinger, City Clerk, noted the Authority was in receipt of the application packet. She reviewed for the record, and the benefit of the public, the criteria to be considered in making a decision on whether to grant or deny a new liquor license. She noted that staff has reviewed all the documents and the public hearing had been duly noticed and posted. She directed the information be made a part of the record. She also noted the information and documents have been reviewed and staff believes all the criteria for issuance of the license has been met and approval is recommended.

Ms. Pettinger introduced Brian Proffitt, Applicant's Attorney. Mr. Proffitt and Jeff Wells, Starbucks's Regional Director, spoke on behalf of the application and answered questions from the Authority.

The public hearing was opened for comment at 8:13 p.m.

There was no public comment.

The public hearing was closed at 8:13 p.m.

Member Millet moved, Member Monson seconded, that the Local Liquor Licensing Authority, New License Division, having considered the evidence presented, 1) adopt the preliminary findings presented at this hearing; 2) find that all the criteria for issuance of the Liquor License have been met; 3) approve the application for a Beer and Wine Liquor License for Coffee House Holdings, Inc. d/b/a Starbucks 10262 at 9222 Park Meadows Drive, Lone Tree, Colorado; 4) direct the Liquor License Administrator to prepare the required written documentation and submit the approved application to the State Licensing Authority in accordance with the law; and 5) release of license conditional upon the applicant obtaining all necessary building permits and approvals. The motion passed with a vote of 5 to 0.

*Public Hearing: Beer & Wine Liquor License Application for M Pizzeria, Inc. d/b/a Grimaldi's Pizzeria (8439 Park Meadows Center Drive, Suite I-550)*

## RECORD OF PROCEEDINGS

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Chair Gunning opened the public hearing at 8:15 p.m.

Jennifer Pettinger, City Clerk, noted the Authority was in receipt of the application packet. She reviewed for the record, and the benefit of the public, the criteria to be considered in making a decision on whether to grant or deny a new liquor license. She noted that staff has reviewed all the documents and the public hearing had been duly noticed and posted. She directed the information be made a part of the record. She also noted the information and documents have been reviewed and staff believes all the criteria for issuance of the license has been met and approval is recommended.

Ms. Pettinger introduced Brian Proffitt, Applicant's Attorney. Mr. Proffitt and Eric Greenwall, COO, spoke on behalf of the application and answered questions from the Authority.

The public hearing was opened at 8:22 p.m.

There was no public comment.

The public hearing was closed at 8:23 p.m.

Member Monson moved, Member Squyer seconded, that the Local Liquor Licensing Authority, New License Division, having considered the evidence presented, 1) adopt the preliminary findings presented at this hearing; 2) find that all the criteria for issuance of the Liquor License have been met; 3) approve the application for a Beer and Wine Liquor License for M Pizzeria, Inc. d/b/a Grimaldi's Pizzeria at 8439 Park Meadows Center Drive, Suite I-550, Lone Tree, Colorado; 4) direct the Liquor License Administrator to prepare the required written documentation and submit the approved application to the State Licensing Authority in accordance with the law; and 5) release of license conditional upon the applicant submitting the manager's information and obtaining all necessary permits and approvals. The motion passed with a vote of 5 to 0.

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### **Adjournment**

There being no further business the Chair Gunning adjourned the Authority 8:25 p.m.

Respectfully Submitted,

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Jennifer Pettinger, CMC, City Clerk



CITY OF LONE TREE  
**Project Summary**

**Date:** August 18, 2015 City Council Meeting

**Project Name:** **Parkway Filing 1, a Replat of Block 3, Lot 1 and Tract H**  
(GM Replat)

**Location:** The site is located southeast of the intersection of County Line Road and Acres Green Drive (between County Line Road and Parkway Drive).

**Project Type / #:** Replat, Project SB15-51

**Staff Contacts:** Kelly First, Community Development Department Director  
Jennifer Drybread, Senior Planner

**Meeting Type:** Public Meeting

**Summary of Request:**

Replat allowing for the subdivision of 1 lot into 4 lots; the vacation of an unused roadway easement; and the reconfiguration of Lot 4 and Tract H to allow for the swap of land between Argonaut Holdings and the City of Lone Tree for an additional open space/trail area for the City of Lone Tree and an expanded parking area for General Motors.

**Planning Commission Recommendation:**

Not applicable.

**Suggested Action:**

Conditional approval (see section I of this staff report for recommended conditions).



CITY OF LONE TREE

**TO:** City of Lone Tree City Council

**FROM:** Kelly First, Community Development Director  
Jennifer Drybread, Senior Planner

**DATE:** August 12, 2015

**FOR:** August 18, 2015 City Council Meeting

**SUBJECT:** Parkway Filing 1, a Replat of Block 3, Lot 1 and Tract H  
Final Plat  
Project File #SB15-51

Owner:  
Argonaut Holdings, LLC  
300 Renaissance Center, 19<sup>th</sup> Floor  
Detroit, Michigan 48265

Representative:  
JR Engineering, Jim Fitzmorris  
7200 S. Alton Way, Suite C400  
Centennial, CO 80112

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**Planning Commission Meeting Date:**  
**City Council Meeting Date:**

**July 28, 2015**  
**August 18, 2015**

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**A. REQUEST:**

Replat allowing for the subdivision of 1 lot into 4 lots; the vacation of an unused roadway easement; and the reconfiguration of Lot 4 and Tract H to allow for the swap of land between Argonaut Holdings and the City of Lone Tree for an additional open space/trail area for the City of Lone Tree and an expanded parking area for General Motors.

**B. LOCATION:**

The site is located southeast of the intersection of County Line Road and Acres Green Drive (between County Line Road and Parkway Drive). It is the location of four existing car dealerships.

**C. SITE CHARACTERISTICS:**

The area proposed for a 4 lot subdivision is generally flat, and is fully developed with car dealership buildings, parking and landscaping. The area proposed for a swap that is held by Argonaut Holdings is narrow and slopes down to the south and has both a concrete and crusher fines trail at the surface. The area proposed for a swap that is held by the City slopes down to the creek from west to east and consists of native grasses, and coniferous and deciduous trees.

**D. SERVICE PROVIDERS:**

Water: Southgate Water District  
Sanitation: Southgate Sanitation District  
Police: Lone Tree Police  
Fire: South Metro Fire Rescue Authority

**E. BACKGROUND:**

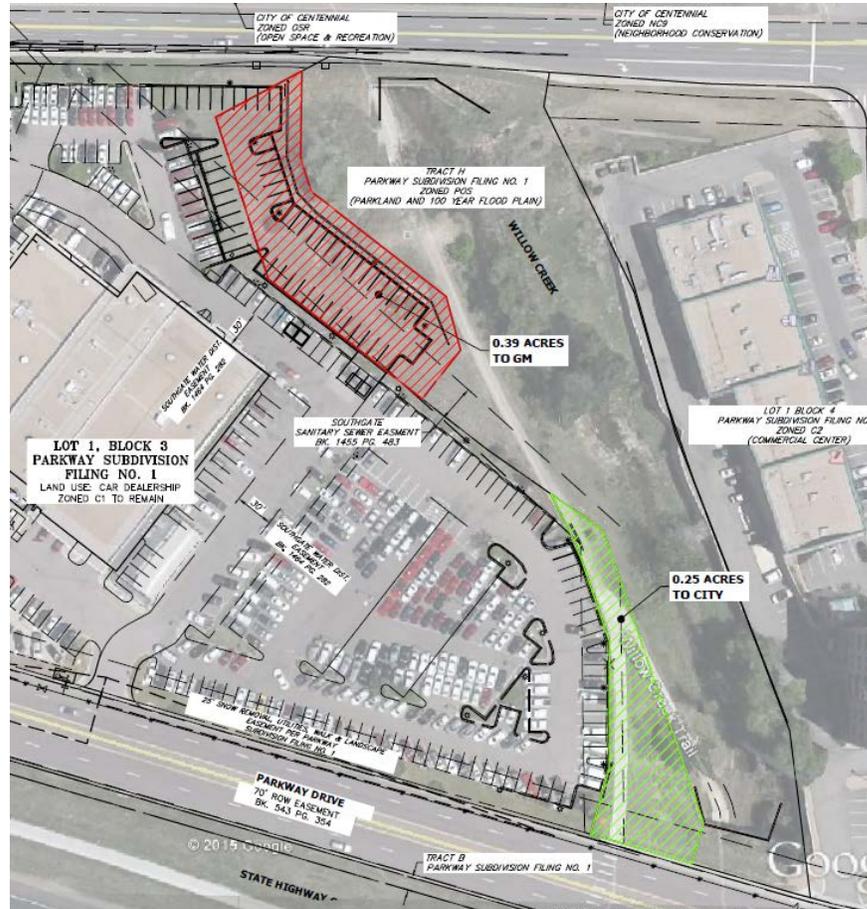
The applicant is re-submitting the replat application that was previously approved by the City Council on July 16, 2013 but that was never recorded (Project SB13-23). That application allowed for the subdivision of 1 lot to 4 lots and a road easement vacation. It was discovered after Council approval that a portion of the property being used and maintained for trail purposes by South Suburban Parks and Recreation was owned by Argonaut Holdings, and South Suburban did not have legal right to use the land. Ed Bozarth Chevrolet, who leases the property from Argonaut Holdings, desired to expand their parking lot to accommodate additional sales inventory. Therefore a swap of land was suggested to accommodate benefits mutual to each party.

**F. DESCRIPTION:**

The replat application is being heard concurrently with a rezoning and site improvement plan application. The replat application that will be acted on by City Council provides for the:

- Division of the property into 4 lots for the potential future sale of the lots; for property tax simplification; and to simplify cross-lot access and maintenance agreements.
- Vacation of a roadway easement originally granted by the former property owner to Douglas County in anticipation of a future road. The roadway was never built and the easement is no longer needed. Douglas County subsequently deeded its interest over to the City of Lone Tree for formal vacation of the easement.

- Replat of the east property line to allow for a land swap between the City and Argonaut Holdings for an additional parking area and a new open space area for trail purposes.



The accompanying rezoning and site improvement plan amendment applications cover only that additional land being transferred from the City to the applicant for the construction of additional parking. The property being deeded by the City to the applicant for parking and landscape improvements is 0.3973 acres; the property being deeded by Argonaut Holdings to the City for open space and trail purposes is 0.25 acres. The land swap will allow South Suburban Parks and Recreation the ability to legally maintain their existing trail segment on this property.

A Quit Claim Deed is being prepared for signature by the City Manager, pending approval of the replat, rezoning and site improvement plan applications. Approval of the Quit Claim Deed is contingent on the approval of the replat, rezoning and site improvement plan applications for the property, as proposed with condition of approval number 2.

## **G. PLANNING COMMISSION RECOMMENDATION**

Per the Lone Tree Subdivision Code, the Planning Commission does not make recommendations on replats (they are considered and approved by City Council or City Manager, as applicable). However, the replat was presented to the Planning Commission for informational purposes and to assist in their understanding of the rezoning and site improvement plan applications.

## **H. REFERRALS:**

This application was sent to all standard referral agencies and homeowner associations who subscribe to the City's e-referral list.

A response was received by South Suburban Parks and Recreation is supportive of the application as it, "... secures the land rights for the Willow Creek Trail to continue to operate as a public trail and allows for future trail improvements."

Xcel Energy has asked for the addition of an easement that will cover electric lines and a transformer on the property. Ensuring the replat includes the necessary utility easement is a recommended condition of approval.

Lone Tree Public Works had minor comments related to the plat exhibit. Correcting these are a recommended condition of approval.

## **I. STAFF FINDINGS AND RECOMMENDATION:**

Staff finds the application is in compliance with the Lone Tree Comprehensive Plan, and Zoning and Subdivision Codes.

Staff recommends City Council approve the replat application with 3 conditions:

1. Xcel energy is in agreement with the addition of the nature and form of the utility easement that has been added based on their comments.
2. Approval of the Quit Claim Deeds for the property held by the City of Lone Tree and Argonaut Holdings.
3. Final approval by Lone Tree Public Works Department.

## **J. ATTACHMENTS**

- Development Application
- Letter of Authorization
- Narrative
- Referral Responses
- Replat exhibit

**END**

5

**City of Lone Tree**

Department of Community Development  
9220 Kimmer Drive Suite 100  
Lone Tree, CO 80124  
Ph: 303-708-1818 Fax 303-225-4949

**DEVELOPMENT APPLICATION FORM**

◆ OFFICE USE ONLY ◆

PROJECT NAME: Parkway, Fil 1, Blk 3, Lot 1 & Tract 4, Parkway Fil 1  
REQUEST: Replat (6m)

PROJECT FILE # SB15-51

SITE LOCATION: 8351 Parkway Drive Lone Tree, CO

(Nearest Intersections) Willow Street And Parkway Drive

DATE SUBMITTED: 6/4/15

OWNER:

Name: Argonaut Holdings, LLC

Address: 300 Renaissance Center, 19<sup>th</sup> Floor  
Detroit Michigan 48265

Phone: 313-667-2750

FAX: 313-665-6745

FEES: \$1,000 # 508069

(Engineering fees are not included)

AUTHORIZED REPRESENTATIVE:

Name: J R Engineering c/o Jim Fitzmorris

Fax:

Address: 7200 S. Alton Way, Suite C400  
Centennial, CO 80112

Email: jfitzmorris@jrengineering.com

Phone: 303-267-6185

Business/Project  
Name: Lone Tree General  
Motors Auto Mall

LEGAL DESCRIPTION (site address): 8351 Parkway Drive, Lone Tree, CO 80124

PROJECT INFORMATION:

Subdivision Name: Parkway Subdivision Filing #: 1 Lot # (if appropriate): 1 Block #: 3  
Planning Area # (if PD)

PRESENT ZONING: Open Space (When rezoning) – Commercial

GROSS ACREAGE: 6.094 acres # of units (residential) 0

Unit type:

FIRE DISTRICT: South Metro METRO DIST: None

WATER: Southgate ELEC: XCEL

SEWER: Southgate GAS: XCEL

Further submissions pursuant to this application may include any and all development proposals, submissions, applications and procedures that may be made or initiated under the City of Lone Tree Charter, ordinances, rules, regulations, guidelines or policies including, without limitation, those for any of the following: (i) annexation; (ii) zoning or re-zoning, including any development plan for zoning within the Planned Development (PD) District; (iii) preliminary PD or PUD site plan or related design guidelines or development standards; (iv) final PD or PUD site plan; (v) Site Improvement Plan; (vi) any master or general development plan, subdivision area plan, site plan or similar development plan, however denominated, which may be provided for under any PD development plan or any other zoning; (vii) Sketch Plan, Preliminary Plat or Final Plat; or (viii) any amendment made to any of the foregoing, as applied for or as approved. To the best of my knowledge, the information contained on this application is true and accurate.

APPLICANT SIGNATURE: Mark R. Sloan

Date: 5-19-15

APPLICANT'S NAME (PRINTED): Mark R. Sloan, President, Argonaut Holdings LLC

Execution of this document is void unless countersigned by the City Engineer.  
By: [Signature] 05-18-15

# Letter of Authorization

Regarding Development Applications for Land Use Entitlements  
(Form must be Filled Out if the Applicant is not the Property Owner)

City of Lone Tree  
9220 Kimmer Drive #100  
Lone Tree, CO 80124

RE: Property Address: 8351 Parkway Drive, Lone Tree CO 80124

Assessor's Parcel Number (SPN): 2231-041-07-001

To Whom It May Concern:

I/We, the owner(s) of the above described real property, authorize Jim Fitzmorris of J R Engineering to act as an agent on my/our behalf for the purpose of creating, filing and/or managing an application for the Re-Zoning and Final Plat for 8351 Parkway Drive (type of development or permit application).

The undersigned hereby certifies to being the fee owner(s) or legally authorized representative of the fee owner(s) of the real property described above.

ARGONAUT HOLDING LLC\_  
(Print Name of Owner)

Mark R. Sloan

Mark R. Sloan  
(Signature of Owner or Authorized Representative)

Execution Recommended  
Real Estate Services  
By: [Signature]

3.25.15

State of Michigan  
County of Wayne

The foregoing instrument was acknowledged before me this 30th day of March, 2015  
by Mark R. Sloan

Kathleen M. Rentenbach  
(Notary's official signature)

NOTARY SEAL

\_\_\_\_\_  
(Commission expiration date)

KATHLEEN M. RENTENBACH  
NOTARY PUBLIC, STATE OF MI  
COUNTY OF WAYNE  
COMMISSION EXPIRES Sep 22, 2016  
COUNTY OF Wayne

July 21, 2015

Jennifer Drybread  
Senior Planner  
City of Lone Tree  
9220 Kimmer Drive, Suite 100  
Lone Tree, CO 80124



**RE: General Motors Subdivision –Final Plat**

Dear Ms. Drybread:

JR Engineering is re-submitting this Final Plat application on behalf of the owners Argonaut Holding. This final plat was previously approved by the City Council on July 16, 2013 but it was never recorded. The previous city case number was (SB13-23). This plat is proposing to divide one (1) lot into four (4) lots, to approve vacation of a roadway easement and also a land swap between the City and Argonaut Holdings for an additional parking area and new open space area. The land swap is identified as part of Tract H-1 on the final plat. The property being deeded by Argonaut Holdings to the City for open space is 0.25 acres. The property being deeded by the City to Argonaut Holdings for parking and landscape improvements is 0.39 acres.

Please contact me should you have any questions or concerns regarding this request at 303-740-9393.

Sincerely,

JR ENGINEERING, LLC

A handwritten signature in black ink, appearing to read "James P. Fitzmorris".

James P. Fitzmorris P.E.  
Vice President

## Jennifer Drybread

---

**From:** Jennifer Drybread  
**Sent:** Monday, June 08, 2015 12:51 PM  
**To:** 'AT & T-Thomas Jakse (tjakse@clearwaterconsulting.net)'; 'AT & T-Van DeCastro'; 'Comcast-Scott Moore'; 'Southgate Water and San - Dave Irish'; 'South Suburban Parks and Rec - Brett Collins'; 'South Metro Fire Protection District- Criss Dickhausen'; 'Qwest-Charles Place (Charles.Place@qwest.com)'; 'Urban Drainage & Flood Control District (bdegroot@udfcd.org)'; 'Xcel Energy - Donna George'  
**Subject:** Lone Tree eReferrals Ready for Review

Greetings,

There are **three** associated eReferrals for your review. We are sending these out together as they affect the same property, located between County Line Road and Parkway Drive in Lone Tree.

1. **Replat** – this application allows for the transfer of .36 acres currently owned by the City of Lone Tree in exchange for .25 acres of adjoining land currently owned by General Motors (GM). This exchange will allow for the expansion of the parking lot owned by GM for vehicle sales purposes, in exchange for land owned by GM currently used for trail purposes (the existing South Suburban Parks and Recreation trail does not have legal access; this process would enable the City to take ownership of the property and grant South Suburban legal access to the trail). This replat also subdivides what is now 1 lot into 4 separate lots for each of the dealerships and allows for the vacation of an unused access easement.

<b>Project Name:</b>	Replat of Parkway Filing 1, Block 3, Lot 1 and Tract H (proposed Tract A)
<b>Project File #:</b>	SB15-51

2. **Rezoning** – this application allows for the rezoning of .36 acres currently zoned as Parks and Open Space (POS) as part of Tract A (previously Tract H), Parkway Filing 1, to be rezoned to Commercial 1 (C1) to allow for the expansion of a parking lot owned by GM.

<b>Project Name:</b>	Parkway Filing 1, Block 3, Lot 4
<b>Project File #:</b>	SB15-37

3. **Site Improvement Plan** - this application provides the layout of parking, landscaping, lighting and retaining walls, allowed by the additional acreage (as a result of the ownership exchange and the rezoning of the .36 acres to C1 zoning).

<b>Project Name:</b>	Parkway Filing 1, Block 3, Lot 4
<b>Project File #:</b>	SB15-36

[Please click on the link below to review these referrals](#)

<http://www.cityoflonetree.com/DocumentCenter/View/6449>

Please forward any comments to me by **June 29, 2015** via email, fax or postal mail at the addresses below. You may use the Referral Request form included if you prefer. If you would like a hard copy of the review materials or if you would like to request additional review time, please contact me.

Thank you for your time and please feel free to contact me with any questions.

*Jennifer Drybread*

Lone Tree Community Development Department

9220 Kimmer Drive, #100

Lone Tree, CO 80124

Phone: 303.708.1818

Fax: 303.225.4949

[jennifer.drybread@cityoflonetree.com](mailto:jennifer.drybread@cityoflonetree.com)



**South Suburban  
PARKS AND RECREATION**

June 29, 2015

Jennifer Drybread, Senior Planner  
City of Lone Tree  
9220 Kimmer Drive  
Lone Tree, CO 80124

RE: General Motors Subdivision Replat Project SB15-51

Dear Ms. Drybread:

South Suburban Park and Recreation District supports the proposed land swap identified as part of Tract A of the General Motors Subdivision Final Plat. Approximately 80 linear feet of the existing Willow Creek Trail is located on this property currently owned by Argonaut Holdings. The 0.25 acres of land to be deeded to the City of Lone Tree secures the land rights for the Willow Creek Trail to continue to operate as a public trail and allows for future trail improvements.

Sincerely,



Melissa Reese-Thacker  
Senior Park Planner

Administrative Office  
6631 S. University Blvd.  
Centennial, CO 80121-2913

phone 303.798.5131  
fax 303.798.3030  
www.sspr.org

**Board of Directors**  
John K. Ostermiller, Chair

Susan M. Rosser  
Pamela M. Eller

Michael T. Anderson  
Scott A. LaBrash

**Deputy Executive Director**  
Deanna R. Heyn



# CITY OF LONE TREE

## Public Works Department

9222 Teddy Lane  
Lone Tree, CO 80124  
(303) 662-8112 Fax: (303) 792-9489

June 29, 2015

Jennifer Drybread  
City of Lone Tree Community Development Dept.  
9220 Kimmer Drive, Suite 100  
Lone Tree, CO 80124

Via: e-mail

Re: General Motors Subdivision (SB15-51)  
TST Proj. No. 061-351

Dear Ms. Drybread,

On behalf of the City of Lone Tree, we have reviewed the resubmittal of the Subdivision Replat referenced above and have the following comments for the applicant. (Note: any references to Articles and Sections refer to the City of Lone Tree Subdivision Regulations):

### General

1) No title commitment was provided with this resubmittal. The plat refers to a commitment from October 2013. An updated commitment is required to be submitted. [Article V, Section 17-5-50(3) ]

### Sheet 1

- 2) In the subtitle, please remove the verbiage: "Of A Portion Of" since all of Lot 1 is being replatted. (On all three sheets)
- 3) In the second line of the Dedication Statement, please remove the word: "Street" since no streets are being platted. In the seventh line please replace: "The Easements Shown Hereon Are" with Tract H-1 Is" [Article VIII, Section 17-8-40 ]
- 4) In the Notary Public statement for the City of Lone Tree, please separate: "LONETREE".
- 5) The title commitment referenced in the Title Commitment Note and in the Title Verification statement, will have to be updated per the request for an updated commitment above.
- 6) In the first line of the Surveyor's Statement, please replace the word: "And" with: "That". [Article VIII, Section 17-8-50 ]

7) In the second line of the first paragraph of the Council Approval block, please insert: "And Tract H-1" after the word: "Easements". In the first line of the second paragraph, please insert: "And Tract H" after: "Block 3" and revise the word: "Is" to: "Are".

**Sheet 2**

8) The label of the curve information at the Southwest corner of the boundary is missing at the intersection of Acres Green Drive and Parkway Drive, please add. [Article V, Section 17-5-60 (9) ]

**Sheet 3**

9) Please relabel: "Tract A" as: "Tract H-1".

10) Please add the original common Lot/Tract line between Lot 4 and Tract H-1 and label as: "Lot Line Hereby Vacated".

11) Please add: "By This Plat" in the labeling of the "25' City of Lone Tree Drainage Easement" to the left of the Lot 4 designation.

12) Please add: "25' Drainage Easement #6 By This Plat" to the easement in Detail D.

13) Please add all of the existing easements in Tract H-1. [Article V, Section 17-5-60 (11) ]

14) Please add some "tic-marks" at the angle points along the new line between Lot 4 and Tract H-1.

Please forward a copy of this letter to the applicant to address the above comments and we request they submit a full size print reflecting the revisions to my attention at the address on page 1. Feel free to call me with any questions or comments at 303-662-8112.

Respectfully,



Michael C. Cregger, P.L.S.  
TTG Engineers, Inc.

cc: Greg Weeks, P.E. – Engineering Dept.



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

June 26, 2015

City of Lone Tree Community Development Department  
9220 Kimmer Drive, #100  
Lone Tree, CO 80124

Attn: Jennifer Drybread

**Re: Parkway Filing No. 1, Block 3, Lot 1 and 4 and Tract H – General Motors Subdivision  
Case #s SB15-51 / SB15-37 / SB15-36**

Public Service Company of Colorado (PSCo) has reviewed the replat, site improvement plans, and zoning proposal for the above captioned project. Please be aware PSCo owns and operates existing natural gas and electric distribution facilities within the subject property, including a pair of electric lines and a transformer that do not appear to be covered by an easement. These underground electric facilities run from the access road to 8301 Parkway Drive, and PSCo requests an easement measured 4-feet on either side of the centerline of the electric lines, plus 15-foot-by-15-foot for the transformer.

The property owner/developer/contractor must contact the **Builder's Call Line at 1-800-628-2121** and complete the application process for any new gas or electric service, or modification to existing facilities. 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.

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.

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.

Should you have any questions with this referral response, please contact me at 303-571-3306.

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

## Jennifer Drybread

---

**From:** Linda Langewisch <llangewisch@msiho.com>  
**Sent:** Tuesday, June 16, 2015 1:08 PM  
**To:** Jennifer Drybread  
**Subject:** RE: Lone Tree Referral Request

Good Afternoon:  
The RidgeGate West Village HOA has no comments to this proposal.

Thank you,

**Linda Langewisch, CMCA**  
Community Manager  
MSI, LLC  
6892 So. Yosemite Court Suite 2.101  
Centennial, Co 80112  
720.974.4273  
Fax 303.751.7396  
[LLangewisch@msiho.com](mailto:LLangewisch@msiho.com)



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 Please consider the environment before printing this email.

**From:** City of Lone Tree - HOA Referral List [mailto:listserv@civicplus.com]  
**Sent:** Monday, June 08, 2015 3:20 PM  
**To:** Linda Langewisch  
**Subject:** Lone Tree Referral Request

[View this in your browser](#)

Your Homeowners Association is invited to review and comment on three applications that generally affect the same property. These applications include a replat, rezoning and site improvement plan.

<http://www.cityoflonetree.com/DocumentCenter/View/6449>

Please email any comments or questions to [Jennifer.drybread@cityoflonetree.com](mailto:Jennifer.drybread@cityoflonetree.com) no later than **June 29, 2015**. If you need additional time to review, or would like paper copies of the plans, please contact me.

This complimentary message is being sent to opt-in subscribers who might be interested in its content. If you do not wish to continue receiving these messages, please accept our apologies, and unsubscribe by visiting our website at: <http://cityoflonetree.com/list.asp?mode=del>

Please note, we will not sell or give your e-mail address to any organization without your explicit permission.

## Jennifer Drybread

---

**From:** David E. Brown  
**Sent:** Monday, June 08, 2015 1:08 PM  
**To:** Jennifer Drybread  
**Cc:** Jeff Streeter; Ron Pinson  
**Subject:** RE: Lone Tree eReferrals Ready for Review

Jennifer,  
Thanks for forwarding the information. The police department has no issues or concerns at this time.

Thanks again and have a great afternoon.

Commander David E. Brown  
Lone Tree Police Department  
9220 Kimmer Dr.  
Suite 120  
Lone Tree Co. 80124  
Ph# 303-339-8150  
Fax# 303-339-8179  
[David.Brown@cityoflonetree.com](mailto:David.Brown@cityoflonetree.com)

**CONFIDENTIALITY NOTICE:** The information contained in this e-mail is privileged and confidential, and is intended only for the use of the individual or entity named above. If you are not the intended recipient, you are notified that any disclosure, copying, distribution, electronic storage or use of this communication is prohibited. If you received this communication in error, please notify us immediately by e-mail, attaching the original message, and deleting the original message from your computer and any network to which your computer is connected.

**From:** Jennifer Drybread  
**Sent:** Monday, June 08, 2015 12:59 PM  
**To:** Matt Archer; David E. Brown; Ron Pinson  
**Subject:** Lone Tree eReferrals Ready for Review

**Greetings,**

There are **three** associated eReferrals for your review. We are sending these out together as they affect the same property, located between County Line Road and Parkway Drive in Lone Tree.

1. **Replat** – this application allows for the transfer of .36 acres currently owned by the City of Lone Tree in exchange for .25 acres of adjoining land currently owned by General Motors (GM). This exchange will allow for the expansion of the parking lot owned by GM for vehicle sales purposes, in exchange for land owned by GM currently used for trail purposes (the existing South Suburban Parks and Recreation trail does not have legal access; this process would enable the City to take ownership of the property and grant South Suburban legal access to the trail). This replat also subdivides what is now 1 lot into 4 separate lots for each of the dealerships and allows for the vacation of an unused access easement.

**Project Name:** Replat of Parkway Filing 1, Block 3, Lot 1 and Tract H (proposed Tract A)

## Jennifer Drybread

---

**From:** Matt Archer  
**Sent:** Monday, June 08, 2015 2:50 PM  
**To:** Jennifer Drybread  
**Subject:** RE: Lone Tree eReferrals Ready for Review

Jennifer

Building Div has no comments for any of the 3 processes for GM

Thanks

**Matt Archer**  
Chief Building Official  
9220 Kimmer Dr, Suite 100  
Lone Tree, CO 80124  
office – 303.708.1818  
[www.cityoflonetree.com](http://www.cityoflonetree.com)

**From:** Jennifer Drybread  
**Sent:** Monday, June 08, 2015 12:59 PM  
**To:** Matt Archer; David E. Brown; Ron Pinson  
**Subject:** Lone Tree eReferrals Ready for Review

**Greetings,**

There are **three** associated eReferrals for your review. We are sending these out together as they affect the same property, located between County Line Road and Parkway Drive in Lone Tree.

1. **Replat** – this application allows for the transfer of .36 acres currently owned by the City of Lone Tree in exchange for .25 acres of adjoining land currently owned by General Motors (GM). This exchange will allow for the expansion of the parking lot owned by GM for vehicle sales purposes, in exchange for land owned by GM currently used for trail purposes (the existing South Suburban Parks and Recreation trail does not have legal access; this process would enable the City to take ownership of the property and grant South Suburban legal access to the trail). This replat also subdivides what is now 1 lot into 4 separate lots for each of the dealerships and allows for the vacation of an unused access easement.

<b>Project Name:</b>	Replat of Parkway Filing 1, Block 3, Lot 1 and Tract H (proposed Tract A)
<b>Project File #:</b>	SB15-51

2. **Rezoning** – this application allows for the rezoning of .36 acres currently zoned as Parks and Open Space (POS) as part of Tract A (previously Tract H), Parkway Filing 1, to be rezoned to Commercial 1 (C1) to allow for the expansion of a parking lot owned by GM.

<b>Project Name:</b>	Parkway Filing 1, Block 3, Lot 4
<b>Project File #:</b>	SB15-37

# GENERAL MOTORS SUBDIVISION

BEING A REPLAT OF LOT 1, BLOCK 3 AND TRACT H, PARKWAY SUBDIVISION FILING NO. 1  
 A PART OF THE NORTH ONE-HALF OF SECTION 4, TOWNSHIP 6 SOUTH, RANGE 67 WEST OF THE 6TH P.M.  
 CITY OF LONE TREE, COUNTY OF DOUGLAS, STATE OF COLORADO

22.1041 ACRES, 4 LOTS & 1 TRACT  
 SB15-51

**LEGAL DESCRIPTION:**

LOT 1, BLOCK 3 AND TRACT H, PARKWAY SUBDIVISION FILING NO. 1, COUNTY OF DOUGLAS, STATE OF COLORADO

**DEDICATION STATEMENT:**

THE UNDERSIGNED, BEING ALL THE OWNERS, MORTGAGEES, BENEFICIARIES OF DEEDS OF TRUST AND HOLDERS OF OTHER INTERESTS IN THE LAND DESCRIBED HEREIN, HAVE LAID OUT, SUBDIVIDED AND PLATTED SAID LANDS INTO LOTS, TRACTS, BLOCKS AND EASEMENTS AS SHOWN HEREON UNDER THE NAME AND SUBDIVISION OF "GENERAL MOTORS SUBDIVISION". THE UTILITY EASEMENTS SHOWN HEREON ARE HEREBY DEDICATED FOR PUBLIC UTILITIES AND CABLE COMMUNICATION SYSTEMS, AND OTHER EASEMENTS ARE HEREBY DEDICATED FOR THE PURPOSES AS SHOWN HEREON. THE ENTITIES RESPONSIBLE FOR PROVIDING THE SERVICES FOR WHICH THE EASEMENTS ARE ESTABLISHED ARE HEREBY GRANTED THE PERPETUAL RIGHT OF INGRESS AND EGRESS FROM AND TO ADJACENT PROPERTIES FOR INSTALLATION, MAINTENANCE AND REPLACEMENT OF UTILITY LINES AND RELATED FACILITIES. TRACT H-1 IS DEDICATED AND CONVEYED TO THE CITY OF LONE TREE, COLORADO, IN FEE SIMPLE ABSOLUTE, WITH MARKETABLE TITLE, FOR PUBLIC USES AND PURPOSES. THE SIGNATURE OF ANY REPRESENTATIVE OF ANY PARTNERSHIP OR CORPORATE ENTITY INDICATES THAT ALL REQUIRED PARTNERSHIP OR CORPORATE APPROVALS HAVE BEEN OBTAINED.

OWNER:  
 ARGONAUT HOLDINGS LLC

BY: MARK SLOAN, PRESIDENT

ATTEST: \_\_\_\_\_  
 TITLE \_\_\_\_\_  
 STATE OF \_\_\_\_\_ )  
 COUNTY OF \_\_\_\_\_ ) S.S.

SUBSCRIBED AND SWORN TO BEFORE ME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2015.

BY MARK SLOAN, AS PRESIDENT AND \_\_\_\_\_, AS \_\_\_\_\_, OF ARGONAUT HOLDINGS LLC, A DELAWARE LIMITED LIABILITY COMPANY.

WITNESS MY HAND AND OFFICIAL SEAL.  
 \_\_\_\_\_ NOTARY PUBLIC MY COMMISSION EXPIRES: \_\_\_\_\_

OWNER:  
 CITY OF LONE TREE

BY: NAME, TITLE

ATTEST: \_\_\_\_\_  
 TITLE \_\_\_\_\_  
 STATE OF \_\_\_\_\_ )  
 COUNTY OF \_\_\_\_\_ ) S.S.

SUBSCRIBED AND SWORN TO BEFORE ME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2015.

BY \_\_\_\_\_, AS \_\_\_\_\_ AND \_\_\_\_\_, AS \_\_\_\_\_, OF CITY OF LONE TREE.

WITNESS MY HAND AND OFFICIAL SEAL.  
 \_\_\_\_\_ NOTARY PUBLIC MY COMMISSION EXPIRES: \_\_\_\_\_

**NOTICE:**

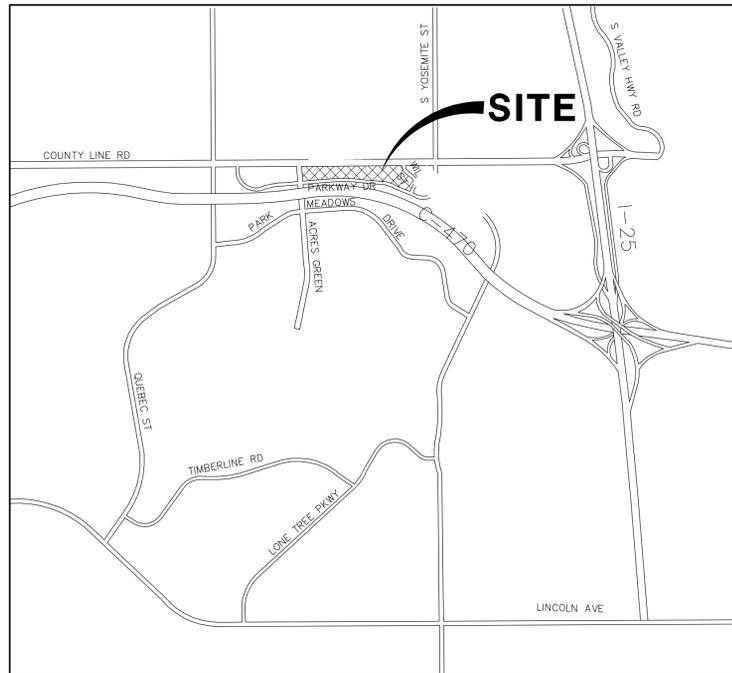
ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS AFTER THE DATE OF THE CERTIFICATION SHOWN HEREON.

**TITLE COMMITMENT NOTE:**

THIS LAND SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY JR ENGINEERING, LLC. TO DETERMINE OWNERSHIP OF THIS TRACT, VERIFY THE DESCRIPTION SHOWN, VERIFY THE COMPATIBILITY OF THIS DESCRIPTION WITH THAT OF ADJACENT TRACTS, OR VERIFY EASEMENTS OF RECORD. FOR ALL INFORMATION REGARDING EASEMENTS, RIGHT-OF-WAY OR TITLE OF RECORD, JR ENGINEERING, LLC. RELIED UPON TITLE FILE NO. 56358832, PREPARED BY CHICAGO TITLE INSURANCE COMPANY, DATED MAY 19, 2015 AT 7:00 A.M.

**BASIS OF BEARINGS:**

THE NORTH LINE OF LOT 1, BLOCK 3 PARKWAY SUBDIVISION FILING NO. 1, RECORDED AT RECEPTION NO. 342828 IN THE DOUGLAS COUNTY CLERK AND RECORDERS OFFICE, SAID LINE BEING MONUMENTED AT BOTH ENDS BY A REBAR WITH A 1-1/4" YELLOW PLASTIC CAP MARKED "LS 25358" AND IS ASSUMED TO BEAR S89°18'47"E, WITH A DISTANCE OF 1604.43 FEET BETWEEN SAID MONUMENTS.



VICINITY MAP  
 SCALE 1" = 2000'

**NOTES:**

- DEFINITION: CERTIFY, CERTIFICATION – A PROFESSIONAL'S OPINION BASED ON HIS OR HER OBSERVATION OF CONDITIONS, KNOWLEDGE, INFORMATION AND BELIEFS. IT IS EXPRESSLY UNDERSTOOD THAT THE PROFESSIONAL'S CERTIFICATION OF A CONDITION'S EXISTENCE RELIEVES NO OTHER PARTY OF ANY RESPONSIBILITY OR OBLIGATION HE OR SHE HAS ACCEPTED BY CONTRACT OR CUSTOM.
- PER C.R.S. 18-04-508, ANY PERSON WHO KNOWINGLY REMOVES, ALTERS OR DEFACES ANY PUBLIC LAND SURVEY MONUMENT OR LAND MONUMENT OR ACCESSORY, COMMITS A CLASS TWO (2) MISDEMEANOR.
- ALL REFERENCES HEREON TO BOOKS, PAGES, MAPS AND RECEPTION NUMBERS ARE PUBLIC DOCUMENTS FILED IN THE RECORDS OF DOUGLAS COUNTY, COLORADO.
- PER C.R.S. 38-51-106, "ALL LINEAL UNITS DEPICTED ON THIS LAND SURVEY PLAT ARE U.S. SURVEY FEET. ONE METER EQUALS 39.37/12 U.S. SURVEY FEET, EXACTLY ACCORDING TO THE NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY."
- DATE OF SURVEY FIELD WORK: JUNE 03, 2014.
- PRIVATE EASEMENTS FOR DRAINAGE PURPOSES ARE HEREBY DEDICATED OVER AND ACROSS EACH OF THE LOTS SHOWN HEREON FOR THE PURPOSES OF ACCOMMODATING SURFACE WATER RUNOFF. THESE EASEMENTS SHALL EXIST FOR THE MUTUAL BENEFIT OF THE LOTS WITHIN THIS SUBDIVISION AND SHALL RUN WITH THE LAND.
- PRIVATE DRAINAGE EASEMENTS 1 THROUGH 5 EXIST FOR THE MUTUAL BENEFIT OF THE LOTS WITHIN THIS SUBDIVISION AND SHALL RUN WITH THE LAND. MAINTENANCE OF THE DRAINAGE FACILITIES WITHIN THE EASEMENTS SHALL BE THE RESPONSIBILITY OF THE OWNER OF THE LOT ON WHICH THEY ARE LOCATED, UNLESS OTHER ARRANGEMENTS ARE MADE IN A MAINTENANCE AGREEMENT BETWEEN THE LOT OWNERS, A COPY OF WHICH SHALL BE PROVIDED TO THE CITY OF LONE TREE.
- LOTS AND TRACTS AS PLATTED HEREIN MAY BE REQUIRED TO CONVEY SURFACE DRAINAGE FROM OTHER LOTS AND TRACTS IN THIS FILING, IN ACCORDANCE WITH CITY OF LONE TREE REQUIREMENTS AND THE APPROVED DRAINAGE PLAN FOR THIS FILING. NO ALTERATIONS TO THE GRADING OF THE LOTS AND TRACTS MAY BE MADE THAT WOULD DISRUPT THE APPROVED DRAINAGE PLAN, WITHOUT PRIOR APPROVAL FROM THE CITY OF LONE TREE. ALL NATURAL AND IMPROVED DRAINAGE WAYS OR DRAINAGE SYSTEMS IN SAID LOTS AND TRACTS SHALL BE MAINTAINED BY THE LOT OR TRACT OWNER IN ACCORDANCE WITH CITY OF LONE TREE CRITERIA. SHOULD THE OWNER FAIL TO ADEQUATELY MAINTAIN SAID FACILITIES, THE CITY OF LONE TREE, AFTER WRITTEN NOTIFICATION TO THE OWNER, SHALL HAVE THE RIGHT TO ENTER SAID LAND FOR THE PURPOSES OF OPERATIONS AND MAINTENANCE OF THE DRAINAGE WAYS OR DRAINAGE SYSTEMS. ALL SUCH MAINTENANCE COSTS WILL BE ASSESSED TO THE RESPECTIVE PROPERTY OWNERS OF THE PROPERTY ON WHICH THE MAINTAINED FACILITIES ARE LOCATED, UNLESS OTHER ARRANGEMENTS ARE MADE IN A MAINTENANCE AGREEMENT BETWEEN THE PROPERTY OWNERS, A COPY OF WHICH SHALL BE PROVIDED TO THE CITY OF LONE TREE.
- THE CITY OF LONE TREE REQUIRES THAT MAINTENANCE ACCESS BE PROVIDED TO ALL STORM DRAINAGE FACILITIES TO ASSURE CONTINUOUS OPERATIONAL CAPABILITY OF THE SYSTEM. THE MAINTENANCE OF ALL DRAINAGE FACILITIES INCLUDING INLETS, PIPES, CULVERTS, CHANNELS, DITCHES, HYDRAULIC STRUCTURES AND DETENTION BASINS SHALL BE THE RESPONSIBILITY OF THE RESPECTIVE PROPERTY OWNERS OF THE PROPERTY ON WHICH SUCH FACILITIES ARE LOCATED, UNLESS OTHER ARRANGEMENTS ARE MADE IN A MAINTENANCE AGREEMENT BETWEEN THE PROPERTY OWNERS, A COPY OF WHICH SHALL BE PROVIDED TO THE CITY OF LONE TREE. SHOULD THE OWNER FAIL TO ADEQUATELY MAINTAIN SAID FACILITIES, THE CITY OF LONE TREE, AFTER WRITTEN NOTIFICATION TO THE OWNER, SHALL HAVE THE RIGHT TO ENTER SAID LAND FOR THE PURPOSES OF OPERATIONS AND MAINTENANCE OF THE DRAINAGE WAYS OR DRAINAGE SYSTEMS. ALL SUCH MAINTENANCE COSTS WILL BE ASSESSED TO THE PROPERTY OWNERS.
- PUBLIC ACCESS EASEMENTS 1 AND 2 EXIST FOR THE MUTUAL BENEFIT OF THE ADJOINING LOTS TO EACH EASEMENT AND SHALL RUN WITH THE LAND. MAINTENANCE OF THE ROADWAYS WITHIN THE EASEMENTS SHALL BE THE MUTUAL RESPONSIBILITY OF THE ADJOINING LOT OWNERS ON WHICH THEY ARE LOCATED, UNLESS OTHER ARRANGEMENTS ARE MADE IN A MAINTENANCE AGREEMENT BETWEEN THE LOT OWNERS, A COPY OF WHICH SHALL BE PROVIDED TO THE CITY OF LONE TREE.

**TITLE VERIFICATION:**

I, \_\_\_\_\_, A TITLE OFFICER OF CHICAGO TITLE INSURANCE COMPANY, DO HEREBY CERTIFY THAT I HAVE EXAMINED THE TITLE OF ALL LAND PLATTED HEREON AND THAT TITLE TO SUCH LAND IS IN THE DEDICATOR(S) FREE AND CLEAR OF LIENS, TAXES AND ENCUMBRANCES, SUBJECT TO THE CHICAGO TITLE INSURANCE COMPANY COMMITMENT NUMBER 1504905.

CHICAGO TITLE INSURANCE COMPANY

TITLE OFFICER, CHICAGO TITLE INSURANCE COMPANY DATE \_\_\_\_\_

STATE OF \_\_\_\_\_ )  
 COUNTY OF \_\_\_\_\_ ) S.S.

SUBSCRIBED AND SWORN TO BEFORE ME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2015, BY \_\_\_\_\_, OF CHICAGO TITLE INSURANCE COMPANY.

WITNESS MY HAND AND OFFICIAL SEAL.  
 \_\_\_\_\_ NOTARY PUBLIC MY COMMISSION EXPIRES: \_\_\_\_\_

**SURVEYOR'S STATEMENT:**

I, JARROD ADAMS, A LICENSED PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THIS PLAT TRULY AND CORRECTLY REPRESENTS THE RESULTS OF A SURVEY MADE IN JULY 2014, BY ME OR UNDER MY DIRECT SUPERVISION AND THAT ALL MONUMENTS EXIST AS SHOWN HEREON; THAT MATHEMATICAL CLOSURE ERRORS ARE LESS THAN 1:50,000 (SECOND ORDER); AND THAT SAID PLAT HAS BEEN PREPARED IN FULL COMPLIANCE WITH ALL APPLICABLE LAWS OF THE STATE OF COLORADO DEALING WITH MONUMENTS, SUBDIVISIONS OR SURVEYING OF LAND AND ALL APPLICABLE PROVISIONS OF THE CITY SUBDIVISION REGULATIONS. I ATTEST THE ABOVE ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2015.



JARROD ADAMS  
 COLORADO PLS NO. 38252  
 FOR AND ON BEHALF OF JR ENGINEERING, LLC.

**COUNCIL APPROVAL:**

THIS PLAT WAS APPROVED FOR FILING BY THE CITY COUNCIL OF LONE TREE, COLORADO, ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2015, SUBJECT TO ANY CONDITIONS SPECIFIED HEREON. THE DEDICATIONS OF EASEMENTS AND TRACT H-1 ARE ACCEPTED.

LOT 1, BLOCK 3 AND TRACT H, PARKWAY SUBDIVISION FILING NO. 1 ARE AMENDED BY THIS PLAT SUBJECT TO ALL COVENANTS, CONDITIONS, AND RESTRICTIONS RECORDED AGAINST AND APPURTENANT TO THE ORIGINAL PLAT RECORDED IN THE OFFICE OF THE CLERK AND RECORDER, RECEPTION NO. 342828.

ALL EXPENSES INCURRED WITH RESPECT TO IMPROVEMENTS FOR ALL UTILITY SERVICES, PAVING, GRADING, LANDSCAPING, CURBS, GUTTERS, SIDEWALKS, ROAD LIGHTING, ROAD SIGNS, FLOOD PROTECTION DEVICES, DRAINAGE STRUCTURES, AND ALL OTHER IMPROVEMENTS THAT MAY BE REQUIRED SHALL BE THE RESPONSIBILITY OF THE SUBDIVIDER AND NOT THE CITY.

THIS ACCEPTANCE DOES NOT GUARANTEE THAT THE SOIL CONDITIONS, SUBSURFACE GEOLOGY, GROUNDWATER CONDITIONS OR FLOODING CONDITIONS OF ANY LOT SHOWN HEREON ARE SUCH THAT A BUILDING PERMIT, WELL PERMIT, OR SEWAGE DISPOSAL PERMIT CAN OR WILL BE ISSUED.

MAYOR, CITY OF LONE TREE

**COUNTY CLERK AND RECORDER:**

STATE OF COLORADO )  
 COUNTY OF DOUGLAS ) S.S.

I HEREBY CERTIFY THAT THIS PLAT WAS FILED IN MY OFFICE ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2015 A.D., AT \_\_\_\_\_ M. AND WAS RECORDED AT RECEPTION NUMBER \_\_\_\_\_.

CLERK AND RECORDER

APPLICANT / DEVELOPER  
 ARGONAUT HOLDINGS, LLC  
 RETAIL REAL ESTATE  
 300 RENAISSANCE CENTER  
 MAIL CODE 482-C19-GRE  
 DETROIT, MICHIGAN 48265  
 ATTENTION: SENIOR MANAGER

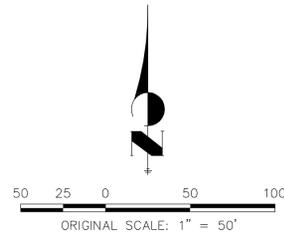
FINAL PLAT  
 GENERAL MOTORS SUBDIVISION  
 JOB NO. 15550.00  
 JULY 31, 2015  
 SHEET 1 OF 3



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# GENERAL MOTORS SUBDIVISION

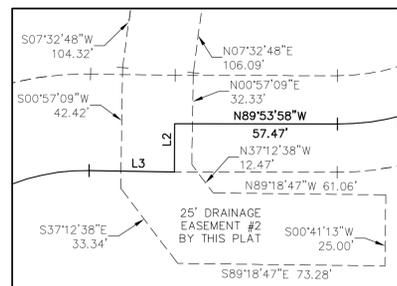
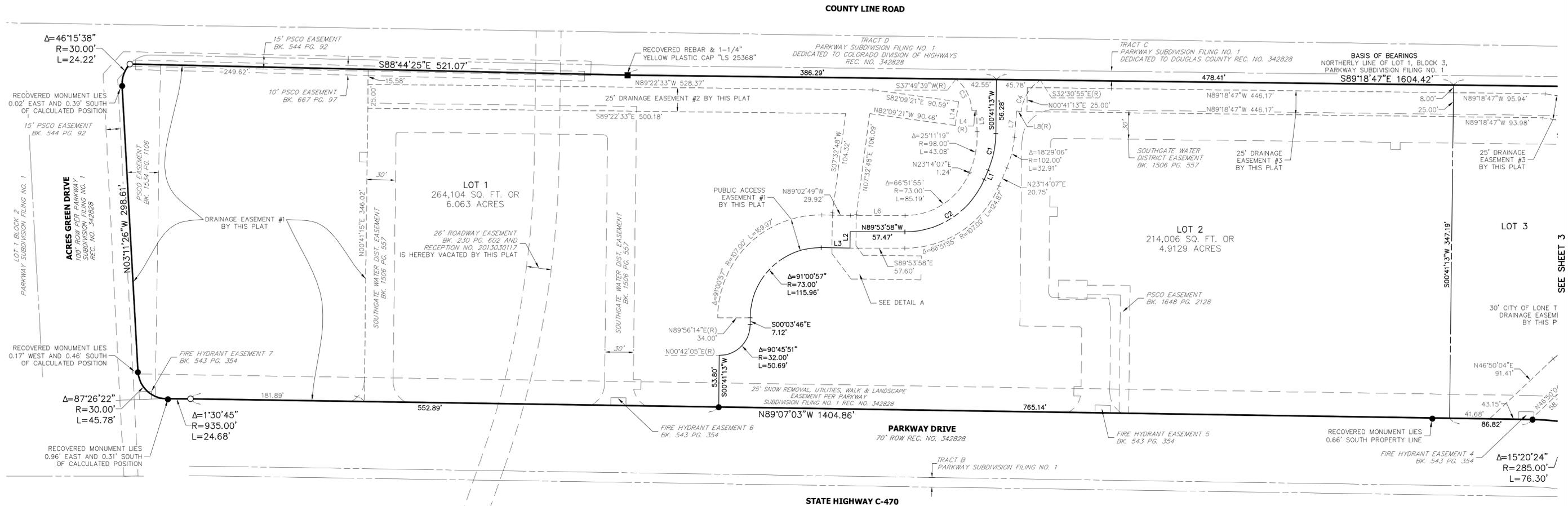
BEING A REPLAT OF LOT 1, BLOCK 3 AND TRACT H, PARKWAY SUBDIVISION FILING NO. 1  
A PART OF THE NORTH ONE-HALF OF SECTION 4, TOWNSHIP 6 SOUTH, RANGE 67 WEST OF THE 6TH P.M.  
CITY OF LONE TREE, COUNTY OF DOUGLAS, STATE OF COLORADO  
22.1041 ACRES, 4 LOTS & 1 TRACT  
SB15-51



**LEGEND**

- SET NO. 5 REBAR WITH 1-1/4" PINK PLASTIC CAP MARKED "JR ENG. PLS 38252"
- RECOVERED REBAR WITH 1-1/2" ALUM. CAP MARKED "LS 25369"
- RECOVERED MONUMENT AS NOTED

LINE TABLE			CURVE TABLE			
LINE	BEARING	DISTANCE	CURVE	DELTA	RADIUS	LENGTH
L1	N23°14'07"E	10.53'	C1	22°32'54"	100.00'	39.35'
L2	S00°31'37"W	17.00'	C2	66°51'55"	90.00'	105.03'
L3	N89°02'49"W	30.18'	C3	50°13'09"	43.00'	37.69'
L4	S88°02'48"W	5.00'	C4	52°44'04"	43.00'	39.58'
L5	S01°57'12"E	22.55'				
L6	N89°53'58"W	57.34'				
L7	N04°45'01"E	27.31'				
L8	S85°14'59"E	5.00'				
L14	S07°50'39"W	25.00'				



**DETAIL A**  
SCALE: 1" = 30'

FINAL PLAT  
GENERAL MOTORS SUBDIVISION  
JOB NO. 15550.00  
JULY 31, 2015  
SHEET 2 OF 3

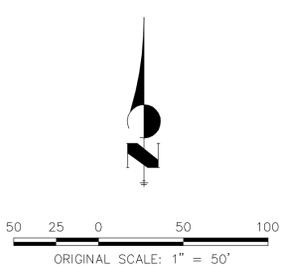
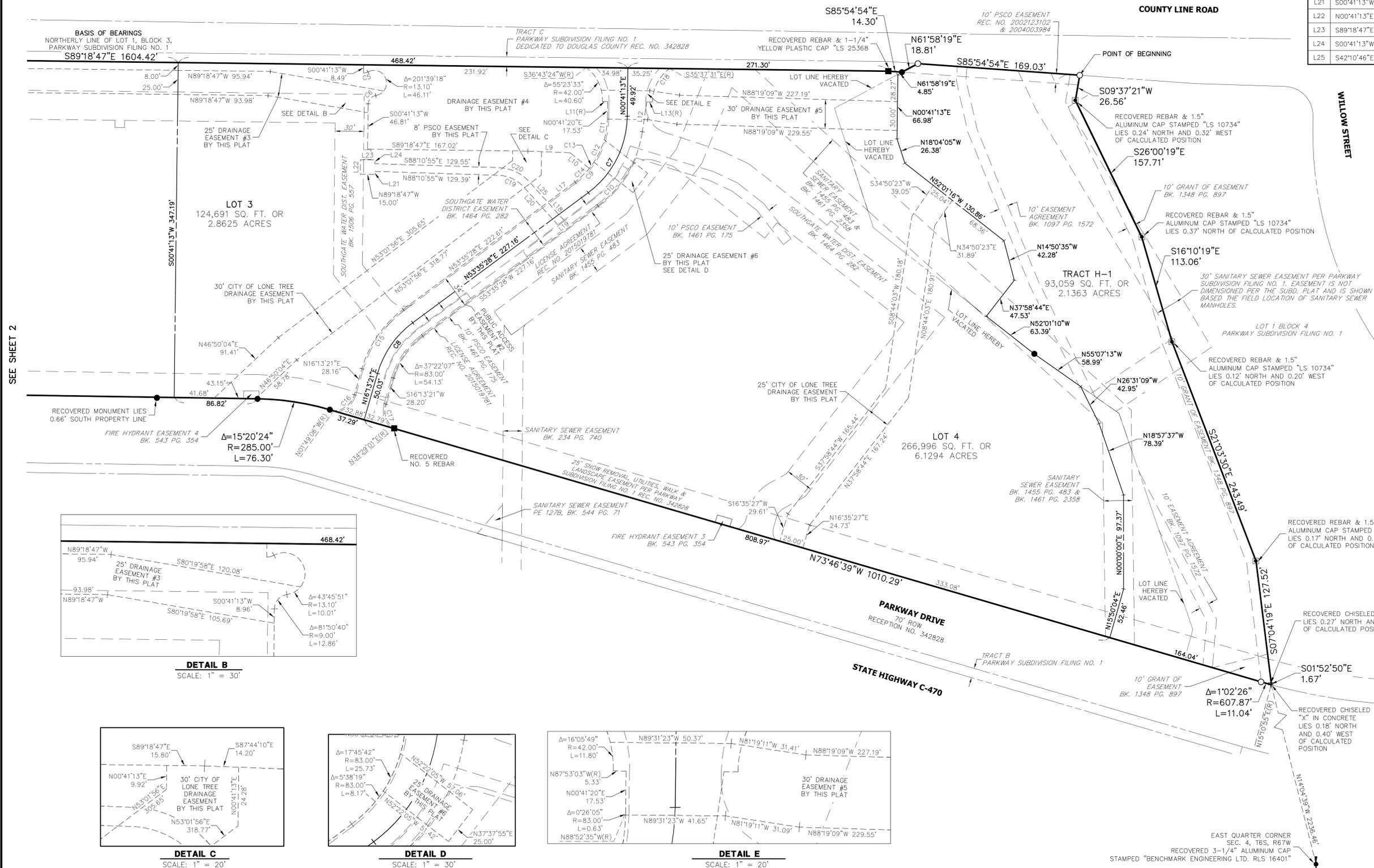


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# GENERAL MOTORS SUBDIVISION

**BEING A REPLAT OF LOT 1, BLOCK 3 AND TRACT H, PARKWAY SUBDIVISION FILING NO. 1**  
**A PART OF THE NORTH ONE-HALF OF SECTION 4, TOWNSHIP 6 SOUTH, RANGE 67 WEST OF THE 6TH P.M.**  
**CITY OF LONE TREE, COUNTY OF DOUGLAS, STATE OF COLORADO**  
**22.1041 ACRES, 4 LOTS & 1 TRACT**  
**SB15-51**

LINE TABLE			CURVE TABLE			
LINE	BEARING	DISTANCE	CURVE	DELTA	RADIUS	LENGTH
L9	S87°44'10"E	44.11'	C5	29°48'39"	9.00'	4.68'
L10	S50°33'04"E	25.67'	C6	81°50'40"	9.00'	12.86'
L11	N87°53'03"W	5.33'	C7	52°54'15"	100.00'	92.34'
L12	S08°30'51"W	31.26'	C8	37°22'07"	100.00'	65.22'
L13	S89°35'21"E	5.83'	C9	52°54'08"	83.00'	76.64'
L17	N53°35'28"E	35.30'	C10	45°04'37"	117.00'	92.05'
L18	S42°10'46"E	25.13'	C11	15°21'38"	83.00'	22.25'
L19	S53°35'28"W	8.04'	C12	17°45'42"	83.00'	25.73'
L20	N42°10'46"W	53.32'	C13	5°38'19"	83.00'	8.17'
L21	S00°41'13"W	3.03'	C14	14°08'28"	83.00'	20.49'
L22	N00°41'13"E	15.00'	C15	37°22'07"	117.00'	76.31'
L23	S89°18'47"E	15.00'	C16	71°57'33"	23.00'	28.89'
L24	S00°41'13"W	3.96'	C17	71°44'22"	23.00'	28.80'
L25	S42°10'46"E	29.00'	C18	53°57'50"	43.00'	40.50'
			C19	46°00'09"	36.00'	28.90'
			C20	46°00'09"	44.00'	35.33'



- LEGEND**
- SET NO. 5 REBAR WITH 1-1/4" PINK PLASTIC CAP MARKED "JR ENG. PLS 38252"
  - RECOVERED REBAR WITH 1-1/2" ALUM. CAP MARKED "LS 25369"
  - RECOVERED MONUMENT AS NOTED

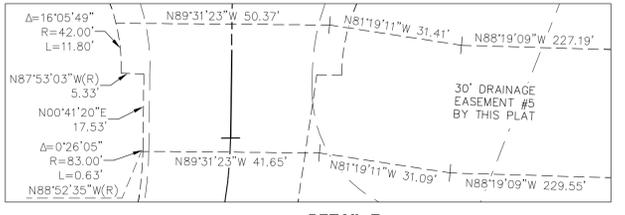
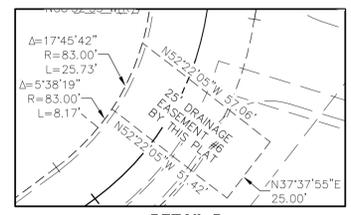
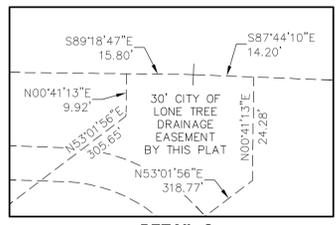
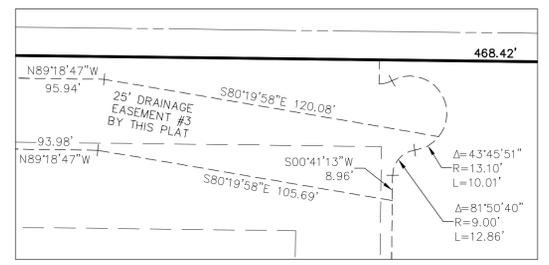
FINAL PLAT  
 GENERAL MOTORS SUBDIVISION  
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 JULY 31, 2015  
 SHEET 3 OF 3



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**BASIS OF BEARINGS**  
 NORTHERLY LINE OF LOT 1, BLOCK 3,  
 PARKWAY SUBDIVISION FILING NO. 1  
 S89°18'47"E 1604.42'

SEE SHEET 2





CITY OF LONE TREE  
**Project Summary**

**Date:** August 18, 2015 City Council Hearing

**Project Name:** Parkway Filing 1  
Rezoning from POS to C1

**Location:** The property is located west of Willow Creek and between County Line Road and Parkway Drive, adjacent to the Ed Bozarth Chevrolet dealership.

**Project Type / #:** Rezoning, Project ZR15-37

**Staff Contacts:** Kelly First, Community Development Department Director  
Jennifer Drybread, Senior Planner

**Meeting Type:** Public Hearing

**Summary of Request:**

Approval to rezone 0.3973 acres of land from Parks and Open Space (POS) to Commercial 1 (C-1). The property is currently owned by the City of Lone Tree but is proposed to be conveyed to the applicant as part of a "land swap" as further described in this report.

**Planning Commission Recommendation:**

Approval with no conditions

**Suggested Action:**

Staff recommends the City Council adopt Ordinance 15-02 on first reading, approving the rezoning from POS to C-1 of certain territory known and designated as a portion of Tract H, Parkway Subdivision Filing No. 1, with the condition that the associated replat is approved by City Council.



**CITY OF LONE TREE  
STAFF REPORT**

**TO:** City of Lone Tree City Council

**FROM:** Kelly First, Community Development Director  
Jennifer Drybread, Senior Planner

**DATE:** August 13, 2015

**FOR:** August 18, 2015 Planning Commission Hearing

**SUBJECT:** Parkway Filing 1  
Rezoning from POS to C1  
Project File #ZR15-37

Owner:  
Argonaut Holdings, LLC  
300 Renaissance Center, 19<sup>th</sup> Floor  
Detroit, Michigan 48265

Representative:  
JR Engineering, Jim Fitzmorris  
7200 S. Alton Way, Suite C400  
Centennial, CO 80112

---

**Planning Commission Hearing Date:**  
**City Council Hearing Date:**

**July 28, 2015**  
**August 18, 2015**

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**A. REQUEST:**

Approval to rezone 0.39 acres of land from Parks and Open Space (POS) to Commercial 1 (C-1). The property is currently owned by the City of Lone Tree but will be conveyed to the applicant as part of a "land swap" as further described in this report.

This is a public hearing and has been noticed in accordance with Zoning Code requirements. Approval of the rezoning is accomplished through approval of an ordinance (see attached).

**B. LOCATION:**

The property is located west of Willow Creek and between County Line Road and Parkway Drive, adjacent to the Ed Bozarth Chevrolet dealership.

**C. BACKGROUND:**

The property in question will be added to the Ed Bozarth Chevrolet site and used for additional parking. The current zoning (POS) does not permit parking as an allowable use. Therefore, the property will be rezoned to C-1 – the same classification as the rest of the dealership property. In turn, the City will receive (0.25 acres) that will continue to be used for trail and open space purposes. These uses are permitted in the current C-1 zoning classification for the property.

The respective properties will be replatted as part of a replat application (Project SB15-51) being processed concurrently with this rezoning application. The change of ownership will take place separately through deeds.

A site improvement plan amendment request is also being processed concurrently with the replat and rezoning. The SIP amendment depicts the details of the improvements proposed by the applicant (i.e., parking, landscaping, and drainage).

**D. APPROVAL CRITERIA:**

The following criteria shall, where applicable, be considered by the Planning Commission and City Council in the review of rezoning applications:

- (1) Whether the application is in compliance with the requirements of the Lone Tree Zoning Code and Comprehensive Plan:

Staff comment:

The application is in compliance with the requirements of the Lone Tree Zoning Code as discussed in the approval criteria to follow.

The application is consistent with the City's Comprehensive Plan. The property is located within the City's Planning and Urban Growth Area. The rezoning supports the City's Comprehensive Plan goal for creating a "vibrant and sustainable economy for the Lone Tree community" and in retaining businesses that "contribute to local economic base diversification."

While the property being rezoned is designated on the City's Comprehensive Plan for Parks and Open Space, the land trade being heard concurrent with this application (Project SB15-51), will allow South

Suburban Parks and Recreation the ability to legally maintain their existing trail segment on this property, furthering the Comprehensive Plan goal of “providing quality community facilities and services for the Lone Tree community in an efficient and cost-effective manner” and by “support[ing] healthy lifestyles and meet[ing] the evolving recreational needs of the community be ensuring that adequate parks, trails, and recreational facilities are provided in a timely manner.”

- (2) Whether the application is compliant with all applicable statutory provisions:

Staff comment:

This application is compliant with all applicable statutory provisions. Colorado Revised Statutes provides municipalities the power to rezone properties for specific land uses in furtherance of the public health, safety and welfare.

- (3) Whether there has been substantial change in the character or economic condition of the neighborhood:

Staff comment:

The four dealerships on the larger property have been in the City nearly since its incorporation nearly 20 years ago. The character of the neighborhood has evolved in a manner consistent with the City's Comprehensive Plan, providing for diverse commercial uses in the City's Urban Growth Area.

- (4) Whether the general impact of the zoning would adversely impact the provisions of public facilities and services:

Staff comment:

Public facilities and services, including those provided by Special Districts such as fire protection and City services such as police protection, and the adequate provision for drainage facilities and maintenance are not expected to be adversely impacted by the rezoning to allow for additional parking. The location and nature of the rezoning is consistent with the City Comprehensive Plan, which anticipates provision of services commensurate with growth.

- (5) Whether the proposed zoning is compatible with the surrounding land uses:

Staff comment:

The zoning is compatible with surrounding land uses including:

West: Auto dealerships

North: County Line Road

East: Willow Creek drainage and trail and commercial development

South: Parkway Drive and C-470

- (6) Whether the subject land is suitable for the intended use and is compatible with the natural environment:

Staff comment:

The land use can be made suitable for the expansion of parking, with the addition of a retaining wall and landscaping for screening of parked cars. Though the addition of parking will affect the 100-Year Flood Plain/Floodway, the applicant is working with Lone Tree Public Works staff, and they are comfortable that they can issue a Flood Plain Development Permit at the appropriate time.

- (7) Whether the intended land use would create traffic congestion or burden the existing road network.

Staff comment:

There will be no appreciable impact on traffic congestion or burden on the existing road network with this rezoning.

**E. SERVICE PROVIDERS:**

Water: Southgate Water District  
Sanitation: Southgate Sanitation District  
Police: Lone Tree Police  
Fire: South Metro Fire Rescue Authority

**F. PLANNING COMMISSION:**

On July 28, 2015, this application for rezoning was heard by the Planning Commission concurrently with a replat and site improvement plan for the subject property. The Planning Commission had no comments or questions on the rezoning, and made the following motion for approval:

Commissioner Dodgen moved to approve Parkway Filing 1, Tract H, Project ZR15-37, rezoning 0.39 acres of land zoned Parks and Open Space (POS) to Commercial 1 (C1) zoning, for the purpose of constructing additional parking for automotive sales purposes. Commissioner Steele seconded and the motion passed unanimously.

**G. REFERRALS:**

The project was referred to utility providers, South Suburban Parks and Recreation, South Metro Fire Rescue, Urban Drainage and Flood Control District, and Public Works and homeowner associations who subscribe to the City's e-notice. No concerns have been expressed by these referral entities.

**H. STAFF FINDINGS AND RECOMMENDATION:**

Staff finds that the application is in compliance with the City of Lone Tree Comprehensive Plan, Zoning Code and Subdivision Code.

Staff recommends the City Council adopt Ordinance 15-XX on first reading, approving the rezoning from POS to C-1 of certain territory known and designated as a portion of Tract H, Parkway Subdivision Filing No. 1 (see attached), with the condition that the associated replat is approved by City Council.

**I. ATTACHMENTS**

- Development Application
- Narrative
- Referral Responses
- Legal Notices
- Rezoning Exhibit

END

**City of Lone Tree**

Department of Community Development  
9220 Kimmer Drive Suite 100  
Lone Tree, CO 80124  
Ph: 303-708-1818 Fax 303-225-4949

**DEVELOPMENT APPLICATION FORM**

◆ OFFICE USE ONLY ◆

PROJECT NAME: Parkway, Fil 1, Tract H

PROJECT FILE # ZR15-37

REQUEST: Rezoning to C-1 (6M)

SITE LOCATION: 8351 Parkway Drive Lone Tree, CO

DATE SUBMITTED: 4/27/15

(Nearest Intersections) Willow Street And Parkway Drive

OWNER:

Name: Argonaut Holdings, LLC

Address: 300 Renaissance Center, 19<sup>th</sup> Floor  
Detroit Michigan 48265

Phone: 313-667-2750

FAX: 313-665-6745

FEES: \$1,500 # 516 2831

(Engineering fees are not included)

AUTHORIZED REPRESENTATIVE:

Name: J R Engineering c/o Jim Fitzmorris

Fax:

Address: 7200 S. Alton Way, Suite C400  
Centennial, CO 80112

Email: jfitzmorris@jrengineering.com

Phone: 303-267-6185

Business/Project  
Name: Lone Tree General  
Motors Auto Mall

LEGAL DESCRIPTION (site address): 8351 Parkway Drive, Lone Tree, CO 80124

PROJECT INFORMATION:

Subdivision Name: Parkway Subdivision Filing #: 1 Lot # (if appropriate): 1 Block #: 3  
Planning Area # (if PD)

PRESENT ZONING: Open Space (When rezoning) - Commercial

GROSS ACREAGE: 6.094 acres # of units (residential) 0

Unit type:

FIRE DISTRICT: South Metro

METRO DIST: None

WATER: Southgate

ELEC: XCEL

SEWER: Southgate

GAS: XCEL

Further submissions pursuant to this application may include any and all development proposals, submissions, applications and procedures that may be made or initiated under the City of Lone Tree Charter, ordinances, rules, regulations, guidelines or policies including, without limitation, those for any of the following: (i) annexation; (ii) zoning or re-zoning, including any development plan for zoning within the Planned Development (PD) District; (iii) preliminary PD or PUD site plan or related design guidelines or development standards; (iv) final PD or PUD site plan; (v) Site Improvement Plan; (vi) any master or general development plan, subdivision area plan, site plan or similar development plan, however denominated, which may be provided for under any PD development plan or any other zoning; (vii) Sketch Plan, Preliminary Plat or Final Plat; or (viii) any amendment made to any of the foregoing, as applied for or as approved. To the best of my knowledge, the information contained on this application is true and accurate.

APPLICANT SIGNATURE: [Signature]

Date: 5-19-15

APPLICANT'S NAME (PRINTED): Mark R. Sloan, President, Argonaut Holdings LLC

Excluded From Public Access  
By: [Signature] 05-18-15

July 21, 2015



Jennifer Drybread  
Senior Planner  
City of Lone Tree  
9220 Kimmer Drive, Suite 100  
Lone Tree, CO 80124

**RE: General Motors Subdivision –Project Summary- Rezoning**

Dear Ms. Drybread:

This project consists of the expansion of an existing parking lot. Construction will include curb, gutter, asphalt, retaining wall, parking lot lights and landscaping.

The project owner is Argonaut Holdings, LLC; 545 East John Carpenter Freeway, Suite 400; Irving, Texas, 75062. The engineer of record and authorized representative is James P. Fitzmorris; JR Engineering, LLC; 7200 South Alton Way, Suite C400; Centennial, Colorado, 80112.

This project is proposing a land swap with the city which is depicted on the final plat and shown as part of Lot 4 and Tract H. The northern portion of the swap is being re-zoned to C-1 to allow for the parking lot expansion.

The proposed parking expansion will be completed in one phase and is anticipated to be completed within 60 days from start of construction which will be determined at a later date.

The proposed project will be consistent with the existing land uses. There will be no impacts to any city services. There is an existing water line adjacent to the site that is operated by the Southgate Water District. Southgate Sanitation District provides sanitary sewer service to the site, but no new connections are proposed.

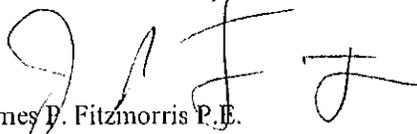
South Metro Fire Department provides fire protection for this property. There are no natural or man-made hazards on this site.

There will be no negative impacts to the existing flora or fauna.

The project is in compliance with the Comprehensive plan and adheres to the Denver Regional Council of Government policies for water quality, transportation and air quality to the best of our knowledge.

Sincerely,

**JR ENGINEERING, LLC**

  
James P. Fitzmorris P.E.  
Vice President

7200 South Alton Way, Suite C400, Centennial, CO 80112  
303-740-9393 • Fax: 303-721-9019 • www.jrengineering.com

## Jennifer Drybread

---

**From:** Jennifer Drybread  
**Sent:** Monday, June 08, 2015 12:51 PM  
**To:** 'AT & T-Thomas Jakse (tjakse@clearwaterconsulting.net)'; 'AT & T-Van DeCastro'; 'Comcast-Scott Moore'; 'Southgate Water and San - Dave Irish'; 'South Suburban Parks and Rec - Brett Collins'; 'South Metro Fire Protection District- Criss Dickhausen'; 'Qwest-Charles Place (Charles.Place@qwest.com)'; 'Urban Drainage & Flood Control District (bdegroot@udfcd.org)'; 'Xcel Energy - Donna George'  
**Subject:** Lone Tree eReferrals Ready for Review

Greetings,

There are **three** associated eReferrals for your review. We are sending these out together as they affect the same property, located between County Line Road and Parkway Drive in Lone Tree.

1. **Replat** – this application allows for the transfer of .36 acres currently owned by the City of Lone Tree in exchange for .25 acres of adjoining land currently owned by General Motors (GM). This exchange will allow for the expansion of the parking lot owned by GM for vehicle sales purposes, in exchange for land owned by GM currently used for trail purposes (the existing South Suburban Parks and Recreation trail does not have legal access; this process would enable the City to take ownership of the property and grant South Suburban legal access to the trail). This replat also subdivides what is now 1 lot into 4 separate lots for each of the dealerships and allows for the vacation of an unused access easement.

<b>Project Name:</b>	Replat of Parkway Filing 1, Block 3, Lot 1 and Tract H (proposed Tract A)
<b>Project File #:</b>	SB15-51

2. **Rezoning** – this application allows for the rezoning of .36 acres currently zoned as Parks and Open Space (POS) as part of Tract A (previously Tract H), Parkway Filing 1, to be rezoned to Commercial 1 (C1) to allow for the expansion of a parking lot owned by GM.

<b>Project Name:</b>	Parkway Filing 1, Block 3, Lot 4
<b>Project File #:</b>	SB15-37

3. **Site Improvement Plan** - this application provides the layout of parking, landscaping, lighting and retaining walls, allowed by the additional acreage (as a result of the ownership exchange and the rezoning of the .36 acres to C1 zoning).

<b>Project Name:</b>	Parkway Filing 1, Block 3, Lot 4
<b>Project File #:</b>	SB15-36

Please click on the link below to review these referrals:

<http://www.cityoflonetree.com/DocumentCenter/View/6449>

Please forward any comments to me by **June 29, 2015** via email, fax or postal mail at the addresses below. You may use the Referral Request form included if you prefer. If you would like a hard copy of the review materials or if you would like to request additional review time, please contact me.

Thank you for your time and please feel free to contact me with any questions.

*Jennifer Drybread*

Lone Tree Community Development Department

9220 Kimmer Drive, #100

Lone Tree, CO 80124

Phone: 303.708.1818

Fax: 303.225.4949

[jennifer.drybread@cityoflonetree.com](mailto:jennifer.drybread@cityoflonetree.com)



CITY OF LONE TREE  
Community Development Department

# REFERRAL REQUEST

Today's date: June 8, 2015

<b>Project Name and File Number:</b> Parkway Fil 1, Tract H Project #ZR15-37	GM REZONING
<b>Project Type:</b> Rezoning open space area to zone district C-1 for the purpose of extending a parking lot in exchange for trail corridor	
<b>Comments Due By: June 29, 2015</b> If you are unable to respond by the due date, please contact the project planner	

Dear Referral Organization:

Information on the above referenced proposal in the City of Lone Tree is provided for your review and comment. Please submit your response no later than the due date to ensure adequate time to consider comments and enter them into the public record.

If you have difficulty viewing or understanding any of the information or have questions, please contact me at 303-708-1818. Printed materials and extra sets of materials are available upon request. Plans may also be viewed at the City offices from 8am-5pm.

We have no comments regarding this proposal

Please note the following concerns this organization has:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

See attached letter for comments regarding this proposal

Organization Name: **SOUTH SUBURBAN PARK & RECREATION DISTRICT**

Your name: **MEISSA REESE-THACKER**

Your signature: *[Handwritten Signature]* Date: **6.29.15**

This project may be subject to public meetings. Please check the City's web site ([www.cityoflonetree.com](http://www.cityoflonetree.com)) for posted agendas or contact this office. Thank you for your consideration.

Jennifer Drybread  
Senior Planner

**PLEASE RETURN THIS PAGE AND ANY COMMENTS TO:**  
City of Lone Tree Community Development Dept.  
9220 Kimmer Drive Suite 100  
Lone Tree, CO 80124  
Ph: 303-708-1818  
Fx: 303-225-4949  
[jennifer.drybread@cityoflonetree.com](mailto:jennifer.drybread@cityoflonetree.com)

## Jennifer Drybread

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**From:** Linda Langewisch <llangewisch@msiho.com>  
**Sent:** Tuesday, June 16, 2015 1:08 PM  
**To:** Jennifer Drybread  
**Subject:** RE: Lone Tree Referral Request

Good Afternoon:  
The RidgeGate West Village HOA has no comments to this proposal.

Thank you,

**Linda Langewisch, CMCA**  
Community Manager  
MSI, LLC  
6892 So. Yosemite Court Suite 2.101  
Centennial, Co 80112  
720.974.4273  
Fax 303.751.7396  
[LLangewisch@msiho.com](mailto:LLangewisch@msiho.com)



This email and any files transmitted with it are confidential and intended solely for the use of the individual or entity to which they are addressed. If you have received this email in error please notify the system manager. Although the company has taken reasonable precautions to ensure no viruses are present in this email, the company cannot accept responsibility for any loss or damage arising from the use of this email or attachments.

 Please consider the environment before printing this email.

**From:** City of Lone Tree - HOA Referral List [mailto:listserv@civicplus.com]  
**Sent:** Monday, June 08, 2015 3:20 PM  
**To:** Linda Langewisch  
**Subject:** Lone Tree Referral Request

[View this in your browser](#)

Your Homeowners Association is invited to review and comment on three applications that generally affect the same property. These applications include a replat, rezoning and site improvement plan.

<http://www.cityoflonetree.com/DocumentCenter/View/6449>

Please email any comments or questions to [jennifer.drybread@cityoflonetree.com](mailto:jennifer.drybread@cityoflonetree.com) no later than **June 29, 2015**. If you need additional time to review, or would like paper copies of the plans, please contact me.

This complimentary message is being sent to opt-in subscribers who might be interested in its content. If you do not wish to continue receiving these messages, please accept our apologies, and unsubscribe by visiting our website at: <http://cityoflonetree.com/list.asp?mode=del>

Please note, we will not sell or give your e-mail address to any organization without your explicit permission.

NOTICE OF PUBLIC HEARING  
BEFORE THE PLANNING COMMISSION  
AND CITY COUNCIL  
OF THE CITY OF LONE TREE

# AFFIDAVIT OF PUBLICATION

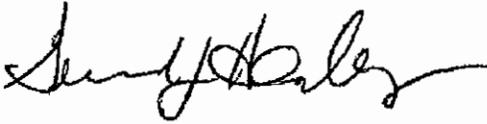
State of Colorado )  
County of Douglas )ss

A public hearing will be held before the Planning Commission on Tuesday, July 28, 2015 at 6:30 p.m. or soon thereafter and before the City Council on Tuesday, August 18, 2015 at 7:00 p.m. or soon thereafter, in the City Council Hearing Room, 8527 Lone Tree Pkwy., City of Lone Tree, CO 80124, for a change in zoning from Parks and Open Space (POS) to Commercial -1 (C-1). The subject property is located approximately 450 feet from the intersection of Willow Street and County Line Road. For more information, call the Community Development Department, 303-708-1818.

This Affidavit of Publication for the Douglas County News Press, a weekly newspaper, printed and published for the County of Douglas, State of Colorado, hereby certifies that the attached legal notice was published in said newspaper once in each week, for 1 successive week(s), the last of which publication was made the 25th day of June A.D., 2015, and that copies of each number of said paper in which said Public Notice was published were delivered by carriers or transmitted by mail to each of the subscribers of said paper, according to their accustomed mode of business in this office.

File Name and Number:  
GM Rezoning, Project ZR15-37  
Legal Description: The property subject to rezoning is located in the north half of Section 4, Township 6 south, Range 67 west of the 6th Principal Meridian  
Application Date: April 27, 2015

Legal Notice No.: 927360  
First Publication: June 25, 2015  
Last Publication: June 25, 2015  
Publisher: Douglas County News-Press



\_\_\_\_\_  
for the Douglas County News Press  
State of Colorado )  
County of Douglas )ss

The above Affidavit and Certificate of Publication was subscribed and sworn to before me by the above named Gerard Healey, publisher of said newspaper, who is personally known to me to be the identical person in the above certificate on this 25th day of June A.D., 2015.



My Commission Expires 10/12/16

Notary Public,





Photo at the southeast corner of the property near the Willow Creek Trail near Parkway Drive.



Photo at the northeast corner of the property along County Line Road.

**AFFIDAVIT OF MAILING-**  
**PLANNING COMMISSION HEARING**  
**CITY COUNCIL HEARING**

STATE OF COLORADO        )  
  )    ss  
COUNTY OF DOUGLAS     )

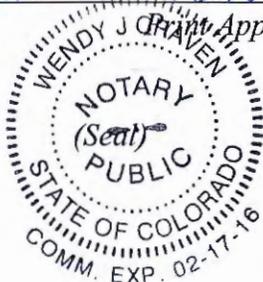
The undersigned, being first duly sworn on oath deposes and says:

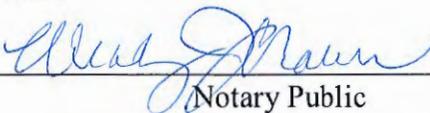
1. That attached hereto is a correct list of the names and addresses of property owners of record of all real property and homeowner's associations within the notification area.

2. That at least fifteen (15) days prior to the date scheduled for a Planning Commission/City Council meeting on said application, I mailed to said property owners by first class US mail a complete copy of the application, notice of hearing letter, site plan, elevations and other applicable information.

  
\_\_\_\_\_  
*Applicant's Signature*  
James P. Fitzmorris  
\_\_\_\_\_  
*Applicant's Printed Name*

Subscribed and sworn before me this 13<sup>th</sup> day of July, 2015  
by James P. Fitzmorris  
\_\_\_\_\_  
*Applicant's Name*



  
\_\_\_\_\_  
*Notary Public*

My commission expires: 2/17/16

Furniture Row Colo LLC  
5603 North Broadway  
Denver, CO 80216

Meadows Marketplace Inc DBA Colorado Meadows  
Marketplace INC  
8390 East Crescent Parkway, Suite 300  
Greenwood Village, CO 80111

Meadows Shopping Center 05 A LLC ETAL  
12411 Ventura Boulevard  
Studio City, CA 91604

Willow Creek Homeowners Association No. 2  
14062 Denver West Parkway, Suite 250  
Lakewood, CO 80401

Willow Creek Homeowners Association No. 3  
9250 East Costilla Avenue, Suite 460  
Greenwood Village, CO 80112



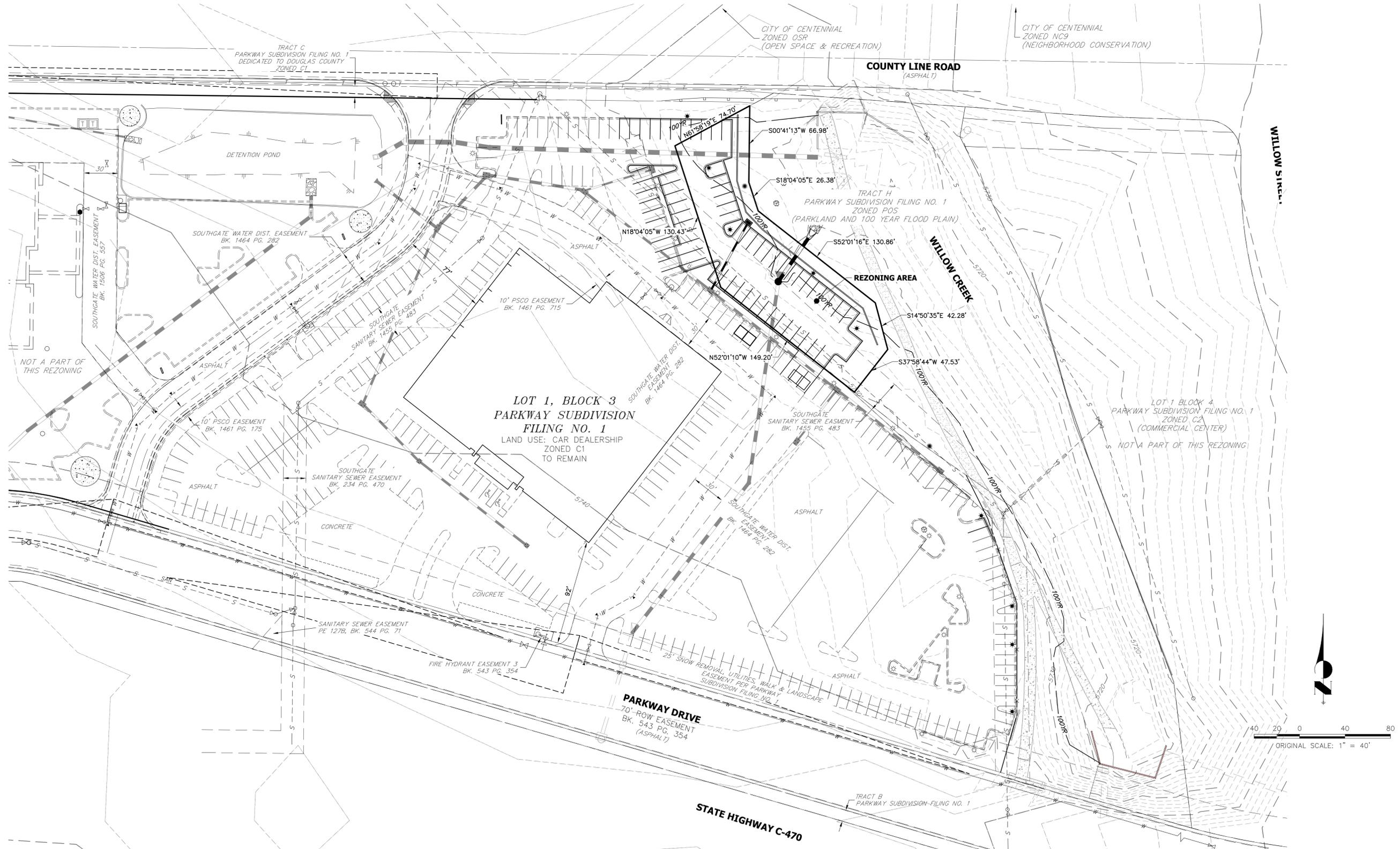


# GENERAL MOTORS SUBDIVISION

PRIVATE IMPROVEMENTS LOCATED IN THE NORTH HALF OF SECTION 4, TOWNSHIP 6 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN  
CITY OF LONE TREE, COUNTY OF DOUGLAS, STATE OF COLORADO

## REZONING FOR PARKING LOT EXPANSION

ZR15-37



UNTIL SUCH TIME AS THESE DRAWINGS ARE APPROVED BY THE APPROPRIATE REVIEWING AGENCIES, OR ENGINEERING APPROVES THEIR USE, THESE DRAWINGS ARE DESIGNATED BY WRITTEN AUTHORIZATION.

PREPARED FOR  
**ARGONAUT HOLDINGS, INC.**  
545 E JOHN CARPENTER FREEWAY  
SUITE 400  
IRVING, TX 75062  
ATTN: DON LAUX

**J.R. ENGINEERING**  
A Westman Company  
Central 303-740-9888 • Colorado Springs 719-583-2583  
Fort Collins 970-491-9888 • www.jrengineering.com

No.	REVISION	BY	DATE

H-SCALE	V-SCALE	DATE	DESIGNED BY	DRAWN BY	CHECKED BY
1"=40'	N/A	7/13/15	MJJ	MJJ	

GENERAL MOTORS  
SUBDIVISION  
REZONING PLAN

**ORDINANCE OF THE  
CITY OF LONE TREE**

**Series of 2015**

**Ordinance No. 15-02**

**AN ORDINANCE APPROVING THE REZONING OF CERTAIN TERRITORY  
KNOWN AND DESIGNATED AS A PORTION OF TRACT H, PARKWAY  
SUBDIVISION FILING NO. 1,  
IN THE CITY OF LONE TREE, COLORADO  
(GENERAL MOTORS)**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LONE TREE,  
COLORADO:**

**ARTICLE 1 - AUTHORITY**

Chapter 16, Article XXV of the Lone Tree Municipal Code, as amended, (the “Code”) governs the process for approving Rezoning.

**ARTICLE 2 – REZONING APPLICATION FILED**

A petition for rezoning (the “Petition”) was filed with the City of Lone Tree (the “City”) requesting that the City approve the rezoning of 0.3973 acres of Petitioner’s land, hereinafter described in Exhibit A, attached hereto and incorporated herein by this reference (the “Property”), the result of a land swap in the the replat application, from Parks and Open Space (POS) to Commercial 1 (C1). This Property is proposed as parking for commercial purposes, a use not allowed in the current POS zone district.

**ARTICLE 3 – REZONING**

A. Findings of Fact on Rezoning.

1. Public notice in the form required by the Code and applicable Colorado statutes has been given of the rezoning application and the public hearing on this Ordinance by one publication in a newspaper of general circulation within the City at least fifteen (15) days before the public hearing on such rezoning, and evidence thereof has been provided to the City as required.

2. Written notice of the rezoning request and the public hearings before the Planning Commission and City Council was sent by first class mail to all adjoining landowners, to homeowner associations that have authority over property

located within 200 feet of the land proposed for rezoning, to mineral rights owners, and to lessees and easement holders in the form and manner required by the Code at least fifteen (15) days prior to the public hearings, and evidence thereof has been provided to the City as required.

3. Notice of the rezoning request and the public hearings before the Planning Commission and the City Council in the form required by the Code was posted on the property for fifteen (15) consecutive days prior to said hearings, and evidence thereof has been provided to the City as required.

4. The Planning Commission and the City Council have held the public hearings as required by the Code and applicable Colorado statutes and have considered all relevant evidence presented in such hearings. The Planning Commission recommended approval of the rezoning request.

5. The City Council has considered the standards for approval of rezoning as set forth in Chapter 16, Article XXV of the Code, and based upon the evidence, testimony, and staff report, finds that the standards of approval of said Chapter have been satisfied.

6. The City Council finds that the proposed rezoning is in conformity with the Lone Tree Comprehensive Plan.

7. A need exists for the designation of City rezoning of the property to "C1 – Commercial 1", to ensure beneficial use and conformity with adjoining property and for determining proper taxes that are due and payable upon the real and personal property within the area being annexed in connection with this rezoning.

8. The City Council hereby determines that the proposed rezoning of real property should be approved subject to the terms and conditions set forth in the staff report submitted to City Council.

#### **ARTICLE 4 – APPROVAL OF REZONING REQUEST**

The Petition for Rezoning requested that rezoning be granted by the City Council. The City Council finds full compliance with all the requirements established by the Zoning Ordinance, the Planning Commission and the City Council. The Property is hereby rezoned "C1 – Commercial 1" under the Lone Tree Zoning Ordinance and Zoning Map.

#### **ARTICLE 5- AMENDMENT OF MAP**

The Zoning Map of the City is hereby amended to reflect the rezoning of the Property.

**ARTICLE 6 – EFFECTIVE DATE**

This Ordinance shall take effect thirty (30) days following publication and second reading if no changes are made on second reading, or thirty (30) days after publication following second reading if changes are made upon second reading.

**ARTICLE 7 – SEVERABILITY**

If any part or provision of this Ordinance, or its application to any person or circumstance is adjudged to be invalid or unenforceable, the invalidity or unenforceability of such part, provision, or application shall not affect any of the remaining parts, provisions or applications of this Ordinance that can be given the effect without the invalid provision, part or application, and to this end the provisions and parts of this Ordinance are declared to be severable.

**INTRODUCED, READ, AND ORDERED PUBLISHED ON AUGUST 18TH, 2015.**

**CITY OF LONE TREE**

\_\_\_\_\_  
James D. Gunning, Mayor

**ATTEST:**

\_\_\_\_\_  
Jennifer Pettinger, CMC, City Clerk

**EXHIBIT A**  
Legal Description of Property

(Attached)

**PROPERTY DESCRIPTION**

A PARCEL OF LAND BEING A PORTION OF TRACT H, PARKWAY SUBDIVISION FILING NO. 1, RECORDED UNDER RECEPTION NO. 342828 IN THE OFFICES OF THE DOUGLAS COUNTY CLERK AND RECORDER, LOCATED IN THE NORTH ONE-HALF OF SECTION 4, TOWNSHIP 6 SOUTH, RANGE 67 WEST OF THE 6<sup>TH</sup> PRINCIPAL MERIDIAN, CITY OF LONE TREE, COUNTY OF DOUGLAS, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS: THE WESTERLY LINE OF TRACT H, PARKWAY SUBDIVISION FILING NO. 1, MONUMENT AS SHOWN HEREON, BEARING N18°04'05"W A DISTANCE OF 130.43 FEET AS SHOWN ON SAID SUBDIVISION.

COMMENCING AT THE NORTHEASTERLY CORNER OF LOT 1, BLOCK 3, PARKWAY SUBDIVISION FILING NO. 1, RECORDED UNDER RECEPTION NO. 342828 IN THE OFFICES OF THE DOUGLAS COUNTY CLERK AND RECORDER;

THENCE ON THE WESTERLY LINE OF TRACT H, PARKWAY SUBDIVISION FILING NO. 1, S61°58'19"W A DISTANCE OF 4.85 FEET TO THE POINT OF BEGINNING;

THENCE DEPARTING SAID WESTERLY LINE, THE FOLLOWING FIVE (5) COURSES:

1. S00°41'13"W A DISTANCE OF 66.98 FEET;
2. S18°04'05"E A DISTANCE OF 26.38 FEET;
3. S52°01'16"E A DISTANCE OF 130.86 FEET;
4. S14°50'35"E A DISTANCE OF 42.28 FEET;
5. S37°58'44"W A DISTANCE OF 47.53 FEET, TO A POINT ON THE WESTERLY LINE OF SAID TRACT H;

THENCE ON SAID WESTERLY LINE, THE FOLLOWING THREE (3) COURSES:

1. N52°01'10"W A DISTANCE OF 149.20 FEET;
2. N18°04'05"W A DISTANCE OF 130.43 FEET;
3. N61°58'19"E A DISTANCE OF 74.70 FEET, TO THE POINT OF BEGINNING.

CONTAINING A CALCULATED AREA OF 17,307 SQUARE FEET OR 0.3973 ACRES.

**PROPERTY DESCRIPTION STATEMENT**

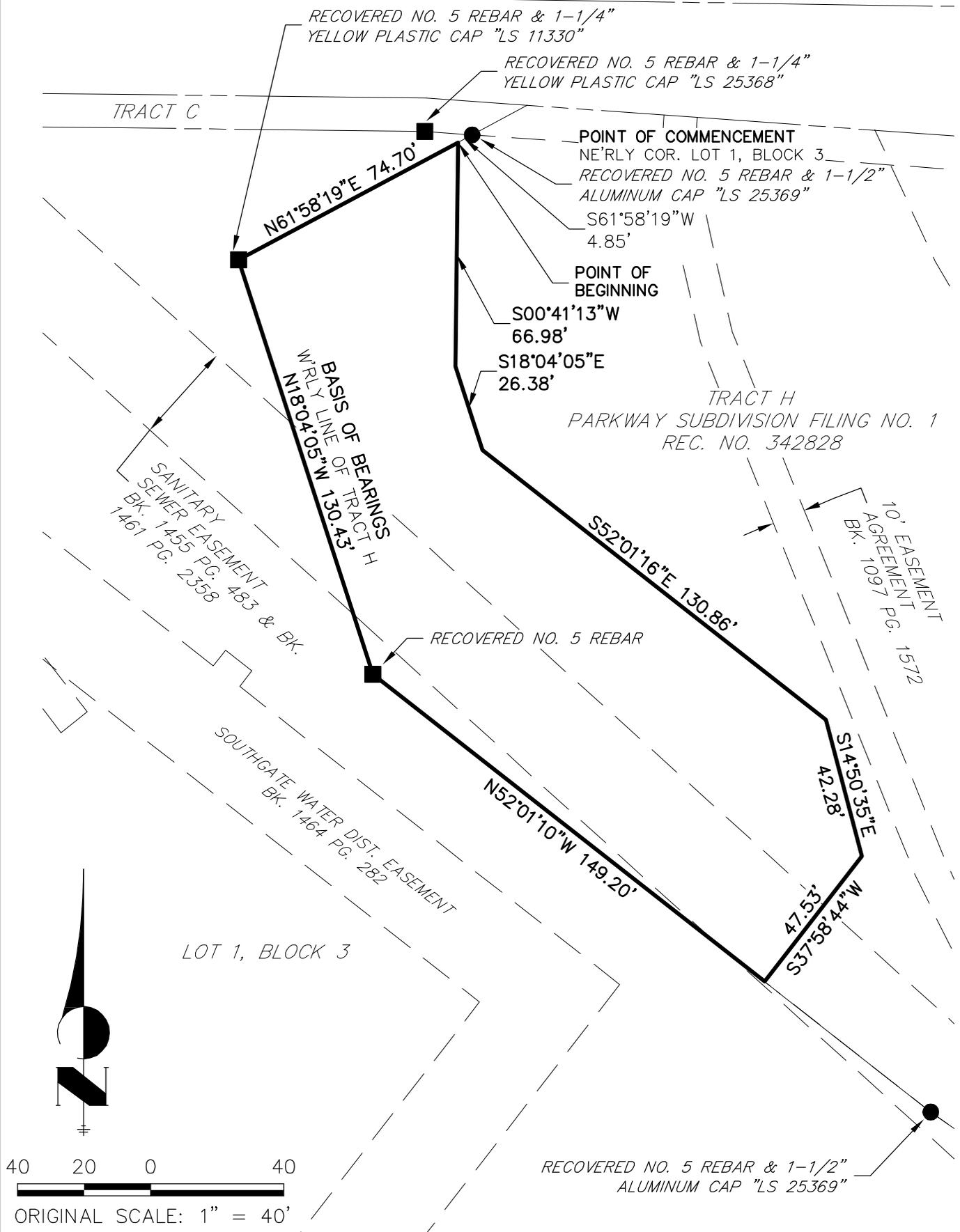
I, JARROD ADAMS, A PROFESSIONAL LAND SURVEYOR LICENSED IN THE STATE OF COLORADO, DO HEREBY STATE THAT THE ABOVE PROPERTY DESCRIPTION AND ATTACHED EXHIBIT WERE PREPARED UNDER MY RESPONSIBLE CHARGE, AND ON THE BASIS OF MY KNOWLEDGE, INFORMATION AND BELIEF, ARE CORRECT.

JARROD ADAMS, PROFESSIONAL LAND SURVEYOR  
COLORADO NO. 38252  
FOR AND ON BEHALF OF JR ENGINEERING, LLC



# EXHIBIT

## COUNTY LINE ROAD



NOTE: THIS EXHIBIT DOES NOT REPRESENT A MONUMENTED SURVEY. IT IS INTENDED ONLY TO DEPICT THE ATTACHED PROPERTY DESCRIPTION.

ZONING EXHIBIT  
GM PLAT  
PROJECT NO.: 15637.00  
DATE: 07/09/15

SHEET: 2 OF 2  
City Council Packet



**J-R ENGINEERING**  
A Westrian Company

Centennial 303-740-9393 • Colorado Springs 719-593-2593  
Fort Collins 970-491-9888 • www.jrengineering.com



CITY OF LONE TREE  
**Project Summary**

**Date:** August 18, 2015 City Council Meeting

**Project Name:** Parkway Filing 1, Block 3, Lot 4  
Site Improvement Plan (SIP) Amendment

**Location:** The property is located west of Willow Creek and between County Line Road and Parkway Drive.

**Project Type / #:** Rezoning, Project SP15-36

**Staff Contacts:** Kelly First, Community Development Department Director  
Jennifer Drybread, Senior Planner

**Meeting Type:** Public Meeting

**Summary of Request:**

Approval of an SIP amendment to construct 62 additional parking spaces on 6.094 acres at Ed Bozarth Chevrolet dealership.

**Planning Commission Recommendation:**

Approval with conditions

**Suggested Action:**

Approval with 4 conditions



**CITY OF LONE TREE  
STAFF REPORT**

**TO:** City of Lone Tree City Council

**FROM:** Kelly First, Community Development Director  
Jennifer Drybread, Senior Planner

**DATE:** August 11, 2015

**FOR:** August 18, 2015 City Council Meeting

**SUBJECT:** Parkway Filing 1, Block 3, Lot 4  
Site Improvement Plan Amendment  
Project File #SP15-36

Owner:  
Argonaut Holdings, LLC  
300 Renaissance Center, 19<sup>th</sup> Floor  
Detroit, Michigan 48265

Representative:  
JR Engineering, Jim Fitzmorris  
7200 S. Alton Way, Suite C400  
Centennial, CO 80112

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**Planning Commission Meeting Date:**  
**City Council Meeting Date:**

**July 28, 2015**  
**August 18, 2015**

---

**A. REQUEST:**

Approval of a Site Improvement Plan (SIP) amendment to construct 62 additional parking spaces on 6.094 acres at the Ed Bozarth Chevrolet dealership.

**B. LOCATION:**

The property is located west of Willow Creek and between County Line Road and Parkway Drive.

Direction	Zoning	Land Use
North		County Line Road
South	ROW	C-470
East	Open Space	Willow Creek open space and trail
West	C-1	GM dealerships

**C. SITE CHARACTERISTICS:**

The site currently slopes down to the creek from west to east and consists of native grasses, and coniferous and deciduous trees.

**D. SERVICE PROVIDERS:**

Water: Southgate Water District  
 Sanitation: Southgate Sanitation District  
 Police: Lone Tree Police  
 Fire: South Metro Fire Rescue Authority

**E. BACKGROUND:**

The application is processed in tandem with a replat request (Project SB15-51) and a rezoning request (Project ZR15-37). The replat allows for a land swap of open space and trail property for land that can be constructed for additional parking for the Ed Bozarth Chevrolet dealership. The rezoning allows for the subject property to be used for additional parking for commercial uses (as commercial parking is not allowed in the C-1 zone district). The SIP provides specifics related to the layout of the parking stalls, the construction of a retaining wall, landscaping, snow storage, drainage, lighting, fencing, etc.

**F. DESCRIPTION:**

**Zoning.** The land is currently zoned Parks and Open Space (POS). The land proposed for parking is the subject of a request being heard with this Site Improvement Plan application, to rezone the land from POS to Commercial 1 (C1).

**Access.** Access to the additional parking is provided via a service drive from County Line Road and also from Parkway Drive.

**Parking.** The addition of 62 parking spaces is proposed with this application. There is no required parking ratio for car dealerships in the

City's zoning code, as it is more a function of vehicle inventory space than parking demanded by shoppers.

**Landscaping.** The landscaped area comprises 15 percent of the project site (the minimum requirement by the City Code is 15 percent), and includes a combination of landscaping to help screen the parked cars (primarily Feather Reed Grasses and upright evergreen shrubs), trees in the parking lot as required by code, the replanting of native grasses, and the construction of a retaining wall. Eight trees will be removed with this proposal, and eight trees added.

**Lighting.** Lights are consistent with City standards and parking lot light fixtures are shielded in keeping with the City's regulations that promote dark skies. Some existing parking lot lighting is proposed to be moved at the request of South Suburban Parks and Recreation.

**Snow Storage.** A snow storage area is depicted on the plan on the north side of the new parking area, and appears adequate for the additional parking.

**G. PLANNING COMMISSION:**

*The following has been taken directly from the minutes of the Planning Commission meeting held on July 28, 2015:*

Ms. Drybread described the SIP amendment application and stated findings that the application is in conformance with the City Comprehensive Plan, Zoning Code, Subdivision Code and City Design Guidelines.

Ms. Drybread introduced Jim Fitzmorris, of JR Engineering, representing the applicant. Also present was Don Laux, of Argonaut Holdings, representing General Motors. Mr. Fitzmorris thanked the Commission and said he was available for questions.

Commissioner Dodgen asked for clarification about the acreage of the City-owned property to be swapped to GM. Mr. Fitzmorris indicated that the size of the property evolved from .36 acres to .39 acres as a result of adding more landscaped buffer area to meet the City's minimum landscape requirements. Commissioner Dodgen asked about the height of the retaining wall. Mr. Fitzmorris indicated it was between 4 and 6 feet high. At the south end there would be a low wall with a split rail fence to provide clear separation between parked vehicles and the trail.

Commissioner Steele said it was great to see expansion of the dealership. He inquired about grading and drainage issues, to which the applicant responded by saying the new parking area would be at the same level as the existing parking lot, with storm sewer piped below. Runoff would drain toward the existing on-site pond. Commissioner Steele asked how high the parking lot would be relative to the trail. Mr. Fitzmorris responded it would be about 8 to 10 feet higher, with a 4 to 6-foot tall retaining wall. Commissioner Steele asked for clarification about the fence location. The applicant responded that there would be about 7 feet of separation between the fence and the trail.

Commissioner Carlson asked about the material of the 4'-6' retaining wall. The applicant indicated it would be a keystone block wall in a tan color. He added that it has an enhanced "tri-plane" surface that is consistent with the walls in the area. Commissioner Carlson asked whether an equivalent number of trees would be planted relative to the number of trees being removed, and whether any evergreen trees would be replaced. The applicant noted that six deciduous trees would be added throughout the parking area, replacing seven trees that exist, along with evergreen shrubs. He also noted there are existing trees in the open space area.

Vice-Chair Kirchner asked for clarification on the location of the trees. The applicant stated they are removing seven trees with construction (staff note: the total number of trees proposed for removal is actually eight) and three of the new trees will be toward the trail side of the property. Vice-Chair Kirchner said he would recommend that the applicant work with South Suburban to see if additional trees could be donated by the applicant to be planted in the open space area.

Vice-Chair Kirchner then opened up the public hearing [for the rezoning application] and invited public comment. Melissa Reese-Thacker, Senior Park Planner for South Suburban, stated that she appreciated the work that staff had done and the applicant's cooperation in addressing their comments.

Commissioner Dodgen asked Ms. Reese-Thacker if there were any plans by South Suburban to groom the trees in the trail corridor. He said he understands it should look natural, but that the area looked like it needed some attention. Ms. Reese-Thacker responded that the area is mowed every 6 weeks and the trail is maintained year-round. She said there is a large, dead tree in the corridor that has intentionally been left there as a habitat tree. She responded to another question regarding the trail by saying there is about 80 feet of the trail that is currently unpaved and that there is a request in the budget to pave that gap in 2016. She indicated that she could look into the tree donation suggestion but would be unable

to commit to anything at this point. She noted that irrigation would need to be addressed.

Vice-Chair Kirchner then invited a motion on the SIP amendment application. Commissioner Dodgen moved to approve Parkway Filing 1, Block 3, Lot 4, Project SP15-36, subject to two conditions: Final approval by the City of Lone Tree Public Works Department and resolution of concerns expressed by South Suburban Parks and Recreation, prior to final City Council approval. Commissioner Carlson seconded and the motion passed unanimously.

#### **H. REFERRALS:**

The project was referred to utility providers, South Suburban Parks and Recreation, South Metro Fire Rescue, Urban Drainage and Flood Control District, Public Works and HOAs that subscribe to the City's e-notice.

South Suburban Parks and Recreation responded with concerns related to lighting, fencing, and the extension of a drainage pipe. These concerns have or will be addressed prior to final City Council approval.

The City Public Works Department responded that the plan appears acceptable, and that their specific comments will need to be addressed prior to final City Council approval.

#### **I. STAFF FINDINGS AND RECOMMENDATION:**

Staff finds that the application is in conformance with the SIP requirements of the Lone Tree Zoning Code, and is consistent with the Subdivision Code, and the Comprehensive Plan.

Staff recommends the Cit Council approve the SIP amendment, subject to the following conditions:

1. Final approval of the Site Improvement Plan is subject to City of Lone Tree Public Works approval.
2. The concerns expressed by South Suburban Parks and Recreation be addressed prior to final City Council approval.
3. City Council approval of the associated replat and rezoning.
4. Approval of the associated quit claim deeds affecting property ownership transfer.

**J. ATTACHMENTS**

- Development Application
- Letter of Authorization
- Narrative
- Referral Responses
- SIP

**END**

**City of Lone Tree**

Department of Community Development  
9220 Kimmer Drive Suite 100  
Lone Tree, CO 80124  
Ph: 303-708-1818 Fax 303-225-4949

**DEVELOPMENT APPLICATION FORM**

◆ OFFICE USE ONLY ◆

PROJECT NAME: Parkway Fill, Block 3, Lot 4 PROJECT FILE # SP15-36  
REQUEST: SIP Amendment (GM Parking Lot)

SITE LOCATION: 8351 Parkway Drive Lone Tree, CO

(Nearest Intersections) Willow Street And Parkway Drive

OWNER:

Name: Argonaut Holdings, LLC  
Address: 300 Renaissance Center, 19<sup>th</sup> Floor  
Detroit Michigan 48265  
Phone: 313-667-2750 FAX: 313-665-6745

DATE SUBMITTED: April 27, 2015

FEES: \$500 # 5162831

(Engineering fees are not included)

AUTHORIZED REPRESENTATIVE:

Name: J R Engineering c/o Jim Fitzmorris Fax:  
Address: 7200 S. Alton Way, Suite C400 Email: jfitzmorris@jrengineering.com  
Centennial, CO 80112  
Phone: 303-267-6185 Business/Project Name: Lone Tree General Motors Auto Mall

LEGAL DESCRIPTION (site address): 8351 Parkway Drive, Lone Tree, CO 80124

PROJECT INFORMATION:

Subdivision Name: Parkway Subdivision Filing #: 1 Lot # (if appropriate): 1 Block #: 3  
Planning Area # (if PD)  
PRESENT ZONING: Open Space (When rezoning) – Commercial  
GROSS ACREAGE: 6.094 acres # of units (residential) 0  
Unit type:  
FIRE DISTRICT: South Metro METRO DIST: None  
WATER: Southgate ELEC: XCEL  
SEWER: Southgate GAS: XCEL

Further submissions pursuant to this application may include any and all development proposals, submissions, applications and procedures that may be made or initiated under the City of Lone Tree Charter, ordinances, rules, regulations, guidelines or policies including, without limitation, those for any of the following: (i) annexation; (ii) zoning or re-zoning, including any development plan for zoning within the Planned Development (PD) District; (iii) preliminary PD or PUD site plan or related design guidelines or development standards; (iv) final PD or PUD site plan; (v) Site Improvement Plan; (vi) any master or general development plan, subdivision area plan, site plan or similar development plan, however denominated, which may be provided for under any PD development plan or any other zoning; (vii) Sketch Plan, Preliminary Plat or Final Plat; or (viii) any amendment made to any of the foregoing, as applied for or as approved. To the best of my knowledge, the information contained on this application is true and accurate.

APPLICANT SIGNATURE: Mark R. Sloan

Date: 5-19-15

APPLICANT'S NAME (PRINTED): Mark R. Sloan, President, Argonaut Holdings LLC

Execution of documents filed  
Real Estate Commission  
By: [Signature] 05-18-15

# Letter of Authorization

Regarding Development Applications for Land Use Entitlements  
(Form must be Filled Out if the Applicant is not the Property Owner)

City of Lone Tree  
9220 Kimmer Drive #100  
Lone Tree, CO 80124

RE: Property Address: 8351 Parkway Drive, Lone Tree CO 80124

Assessor's Parcel Number (SPN): 2231-041-07-001

To Whom It May Concern:

I/We, the owner(s) of the above described real property, authorize Jim Fitzmorris     of J R Engineering     to act as an agent on my/our behalf for the purpose of creating, filing and/or managing an application for the Re-Zoning and Final Plat for 8351 Parkway Drive (type of development or permit application).

The undersigned hereby certifies to being the fee owner(s) or legally authorized representative of the fee owner(s) of the real property described above.

ARGONAUT HOLDING LLC      
(Print Name of Owner)

*Mark R. Sloan*

Mark R. Sloan  
(Signature of Owner or Authorized Representative)

Execution Recommended  
Real Estate Services  
By:    

*3.25.15*

State of Michigan  
County of Wayne

The foregoing instrument was acknowledged before me this 30<sup>th</sup> day of March, 2015  
by Mark R. Sloan

*Kathleen M. Rentenbach*

(Notary's official signature)

NOTARY SEAL

     
(Commission expiration date)

KATHLEEN M. RENTENBACH  
NOTARY PUBLIC, STATE OF MI  
COUNTY OF WAYNE  
COMMISSION EXPIRES Sep 22, 2016  
COUNTY OF Wayne

July 21, 2015

Jennifer Drybread  
**Senior Planner**  
**City of Lone Tree**  
9220 Kimmer Drive, Suite 100  
Lone Tree, CO 80124



**RE: General Motors Subdivision –Project Narrative- SIP**

Dear Ms. Drybread:

This project is located on Lot 4 of the proposed General Motors Subdivision, which is situated in the north one-half of Section 4, Township 6 South, Range 67 West of the sixth principal meridian in Lone Tree Colorado. The project owner is Argonaut Holding, LLC; 545 East John Carpenter Freeway, Suite 400; Irving, Texas, 75062. The engineer of record and authorized representative is James P. Fitzmorris; JR Engineering, LLC; 7200 South Alton Way, Suite C400; Centennial, Colorado, 80112.

The zoning of the property is C-1 and is an existing car dealership. The lot to the west is also zoned C-1 and is a car dealership. There is an open space tract that is owned by the City of Lone Tree which is adjacent to the site on the east. To the north and south, the site abuts existing road right-of-ways.

There will be no known negative impacts associated with the proposed parking lot expansion. The site plan is in accordance with the city's zoning section 16-27-10:Intent and is also in accordance with the city's zoning section 16-27-90a:Approval provisions.

The proposed parking expansion will be completed in one phase and is anticipated to be completed within 60 days from start of construction which will be determined at a later date.

The existing building on site is approximately 36,945 square foot in size. The lot area is 6.1294 acres which includes the land swap that is proposed between the City and Argonaut. The building is currently open and no closure is anticipated with the parking lot expansion.

The project is applying for a floodplain development permit in consultation with the City engineer. The grading in the floodplain is minimal and causes no rise in the 100 year floodplain elevation (see the Final Drainage Report for this project for more details).

The site is just west of the Willow Creek Trail that runs in a north/south direction. The site is accessible from Parkway Drive on the south. There is an RTD bus stop near the intersection of Willow Street and County Line Road. The site is in the general vicinity of several restaurants and retail stores that are accessible by foot or on bicycle.

Sincerely,  
**JR ENGINEERING, LLC**

A handwritten signature in black ink, appearing to read "J P Fitz 15".

James P. Fitzmorris P.E.  
Vice President

7200 South Alton Way, Suite C400, Centennial, CO 80112  
303-740-9393 • Fax: 303-721-9019 • www.jrengineering.com

## Jennifer Drybread

---

**From:** Jennifer Drybread  
**Sent:** Monday, June 08, 2015 12:51 PM  
**To:** 'AT & T-Thomas Jakse (tjakse@clearwaterconsulting.net)'; 'AT & T-Van DeCastro'; 'Comcast-Scott Moore'; 'Southgate Water and San - Dave Irish'; 'South Suburban Parks and Rec - Brett Collins'; 'South Metro Fire Protection District- Criss Dickhausen'; 'Qwest-Charles Place (Charles.Place@qwest.com)'; 'Urban Drainage & Flood Control District (bdegroot@udfcd.org)'; 'Xcel Energy - Donna George'  
**Subject:** Lone Tree eReferrals Ready for Review

Greetings,

There are **three** associated eReferrals for your review. We are sending these out together as they affect the same property, located between County Line Road and Parkway Drive in Lone Tree.

1. **Replat** – this application allows for the transfer of .36 acres currently owned by the City of Lone Tree in exchange for .25 acres of adjoining land currently owned by General Motors (GM). This exchange will allow for the expansion of the parking lot owned by GM for vehicle sales purposes, in exchange for land owned by GM currently used for trail purposes (the existing South Suburban Parks and Recreation trail does not have legal access; this process would enable the City to take ownership of the property and grant South Suburban legal access to the trail). This replat also subdivides what is now 1 lot into 4 separate lots for each of the dealerships and allows for the vacation of an unused access easement.

<b>Project Name:</b>	Replat of Parkway Filing 1, Block 3, Lot 1 and Tract H (proposed Tract A)
<b>Project File #:</b>	SB15-51

2. **Rezoning** – this application allows for the rezoning of .36 acres currently zoned as Parks and Open Space (POS) as part of Tract A (previously Tract H), Parkway Filing 1, to be rezoned to Commercial 1 (C1) to allow for the expansion of a parking lot owned by GM.

<b>Project Name:</b>	Parkway Filing 1, Block 3, Lot 4
<b>Project File #:</b>	SB15-37

3. **Site Improvement Plan** - this application provides the layout of parking, landscaping, lighting and retaining walls, allowed by the additional acreage (as a result of the ownership exchange and the rezoning of the .36 acres to C1 zoning).

<b>Project Name:</b>	Parkway Filing 1, Block 3, Lot 4
<b>Project File #:</b>	SB15-36

~~Please click on the link below to review these referrals:~~

<http://www.cityoflonetree.com/DocumentCenter/View/6449>

Please forward any comments to me by **June 29, 2015** via email, fax or postal mail at the addresses below. You may use the Referral Request form included if you prefer. If you would like a hard copy of the review materials or if you would like to request additional review time, please contact me.

Thank you for your time and please feel free to contact me with any questions.

*Jennifer Drybread*

Lone Tree Community Development Department

9220 Kimmer Drive, #100

Lone Tree, CO 80124

Phone: 303.708.1818

Fax: 303.225.4949

[jennifer.drybread@cityoflonetree.com](mailto:jennifer.drybread@cityoflonetree.com)



Administrative Office  
6631 S. University Blvd.  
Centennial, CO 80121-2913

phone 303.798.5131  
fax 303.798.3030  
www.sspr.org

**Board of Directors**  
John K. Osterniller, Chair  
Susan M. Rosser  
Pamela M. Eller  
Michael T. Andersson  
Scott A. LaBrash

**Deputy Executive Director**  
Deanna R. Heyn

June 29, 2015

Jennifer Drybread, Senior Planner  
City of Lone Tree  
9220 Kimmer Drive  
Lone Tree, CO 80124

RE: General Motors Subdivision SIP Project #SP15-36

Dear Ms. Drybread:

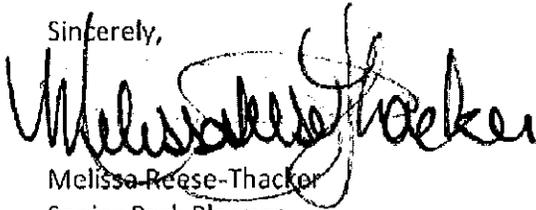
South Suburban Park and Recreation District offers the following comments on the proposed General Motors Site Improvement Plan.

1. Remove the 3 existing privately owned light poles from 0.25 acres of property proposed to be transferred to the City of Lone Tree, and relocate these items on the applicant's property. As currently shown on the SIP, the existing light poles will impede mowing and other maintenance operations required for the proposed open space. Assuming South Suburban Park and Recreation District will be responsible for maintenance of this public parcel, South Suburban will not be responsible for damage or loss to privately owned property as the result of maintenance operations.
2. Require the applicant to provide a fence or guardrail with 50% or greater openness to prevent vehicles from overhanging the existing parking lot curb. The proposed property line between the private and public parcel is at the eastern edge of the existing parking lot curb. Currently vehicles overhang the curb line by a distance up to ±3 feet. This limits the sightline of trail users approaching Parkway Drive, and poses a potential safety concern. As the result of maintenance operations, South Suburban will not be responsible for privately owned property impeding public property.
3. Extend the proposed 36" RCP pipe on the property proposed to be transferred to Argonaut Holdings, Inc. so that it daylight in a closer proximity to the existing 36" CMP culvert under the Willow Creek Trail, and provide a riprap reinforced basin to allow transfer of flows from one pipe to the other. As shown on the SIP, water from the applicant's pipe will discharge and flow across the Willow Creek Trail

potentially causing the buildup of ice, silt, or debris on the trail. This could result in unsafe conditions for trail users.

Attached are drawings and photos to support South Suburban's comments. Should you or the applicant have questions concerning our remarks, please feel free to contact me at melissar@sspr.org or 303-483-7023.

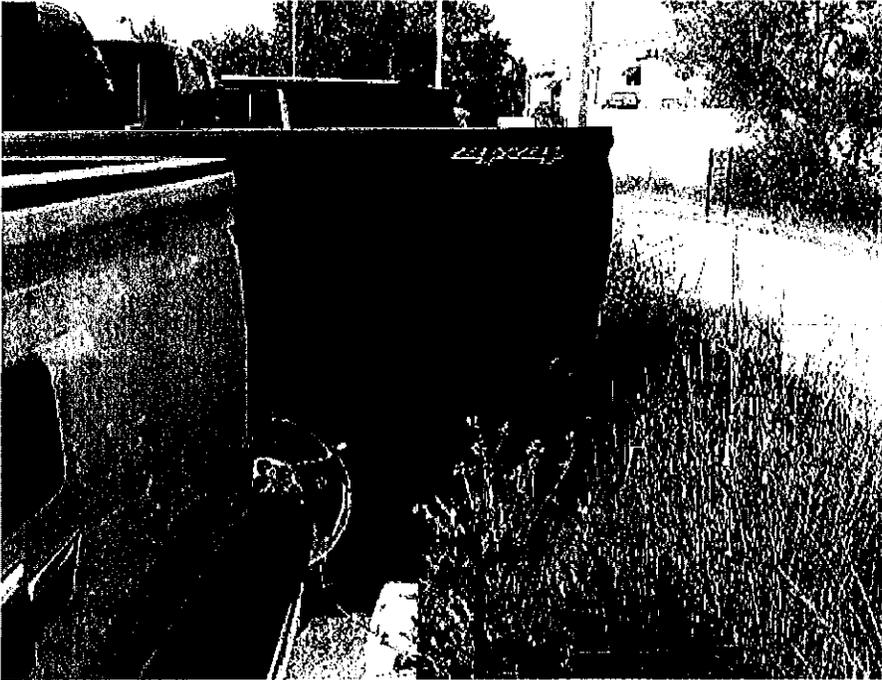
Sincerely,



Melissa Reese-Thacker  
Senior Park Planner

Attached: SIP Sheet 2 of 9 with Comments, June 29, 2015  
Photos of Existing Conditions, 2 pages, June 29, 2015

General Motors Subdivision SIP Project #SP15-36  
Comments from South Suburban Park and Recreation District  
June 29, 2015



Example 1 of Vehicle  
Overhang  
(photo taken 6/23/15)

Example 2 of Vehicle  
Overhang  
(photo taken 6/23/15)



**General Motors Subdivision SIP Project #SP15-36  
Comments from South Suburban Park and Recreation District  
June 29, 2015**



**Example of Limited Sightline Approaching Parkway Drive  
(photo taken 6/23/15)**



9222 Teddy Lane  
Lone Tree, Colorado 80124



Ph: 303-662-8112  
Fax: 303-792-9489  
www.cityoflonetree.com

# CITY OF LONE TREE

Department of Public Works

June 26, 2015

City of Lone Tree  
Jennifer Drybread  
9220 Kimmer, Suite 100  
Lone Tree, CO 80124

Re: SP15-36 – Bozarth Parking Lot Expansion SIP  
Parkway Fil 1, Block 3, Lot 4  
Project No. 061-351

Dear Jennifer:

I have reviewed the SIP referral for the above referenced Project.

The SIP package submitted and reviewed consists of the following documents:

- Site Improvement Plan (9 sheets), dated 5/28/15, by JR Engineering.
- Narrative letter (1 page), dated 5/27/15, by JR Engineering.

As a separate action, either concurrent with, or following SIP consideration, the following engineering documents will be required and/or have been submitted for our review. We will work directly with the applicant's civil engineer, JR Engineering, on achieving final engineering approval(s) on those documents.

- Civil Construction Plans (CD's), including GESC Plans.
- Grading, Erosion and Sedimentation Control (GESC) Report.
- Drainage Conformance Letter / Phase III Drainage Report.
- Flood Plain Development Permit (see comments below).

Related, but as a separate referral, is the GM Replat (SB15-51). Mike Cregger of our office will be responding to this Replat Referral.

My comments related to the SIP Referral are provided below:

### General Comments

1. The Public Works/Engineering SIP Review fees for this Project have been paid.
2. A Site Improvement Plan Improvements Agreement (SIPIA) will not be required for the proposed parking lot expansion project.
3. A Grading, Erosion and Sedimentation Control (GESC) Permit will be required for this Project. No site work may begin prior to issuance of the GESC Permit.

M:\COLT\061-351 GMC SUBDIVISION\DOCS\SP15-36 - SIP PARKING LOT - REVIEW 1 DOC

4. Only those sheets within the SIP set for which we have specifically identified comments are listed below. Comments provided also may apply to other sheets/locations in the Project documents. The applicant's professional should verify that the item(s) are addressed throughout the related Project documents consistently, as applicable.
5. The Project will impact the existing adjacent 100-Year Flood Plain/Floodway, resulting in the need for the Project to obtain a Flood Plain Development Permit through the City. The City's adopted Floodplain Ordinances address conditions precedent to being able to obtain this Permit, including documentation that the Project will not result in an increase of the water surface elevation above that in the "pre-project" condition for the 100-year event within the floodway (e.g. a "No Rise Certification"). JR Engineering has provided that documentation to our office (December 16, 2014 Preliminary Floodplain Assessment letter report). Accordingly, we will be able to issue the required Flood Plain Development Permit for this Project at the appropriate time (after other approvals, before construction begins).
6. This SIP is part of an overall coordinated set of related actions associated with this area. Included are:
  - a. GM Replat (SB15-51), and concurrent property transfers between the City and GM.
  - b. Rezoning, of the property transferred from the City to GM (to allow for the parking to occur).
  - c. SIP review/approval.
  - d. Civil Plans and Documentation.
  - e. Flood Plain Development Permit.

Public Works/Engineering has been involved in various discussions and meeting with Planning Staff, GM and JR Engineers leading up to the current concept and submittals. We believe the Engineering/Public Works related concerns and issues have been addressed/are being addressed by the overall plan and approach through these coordinated actions (e.g. Property Transfers & Replat, Rezoning, SIP, Construction Plans, and Flood Plain Development Permitting).

### **Specific SIP Comments**

#### **Sheet 1 – Cover Sheet:**

1. The "Benchmark" provided ("ink X on sidewalk") is not considered an acceptable benchmark for this Project. A more appropriate "permanent" benchmark should be identified. We have discussed this with JR Engineering, and understand that they are in the process of addressing this issue.

#### **Sheet 2 – Site Improvements Plan:**

2. There is an existing parking lot retaining wall adjacent to the crusher fine trail (re: "Remove Existing Wall" note at east end of parking lot) that is proposed to be eliminated/relocated to move the parking lot (and wall) a minimum of 7 feet off of the edge of the trail (for safety considerations). We recommend a NOTE be added to this area that the Trail is to be protected and kept open during the construction project.
3. Along the north east side of the proposed new parking, there is a row of five (5) 8.5' wide parking spaces shown with approximately a ½ space remaining north of the last full sized space and the adjacent landscape island. This parking/landscape island area should be reviewed and modified appropriately to eliminate this apparent ½ space.

Sheet 6 –Irrigation Plan:

4. The irrigation patterns shown at the east side of the parking lot (near the Trail) indicates the irrigation would overlap the trail. The irrigation pattern in this are needs to be modified (and appropriate note or notes added) to clarify that the irrigation should NOT overlap the Trail.

**CONCLUSION**

The general concept of the proposed Project (re: SIP SP15-36) appears acceptable to Engineering/Public Works. Upon appropriate resolution of the issues noted, we have no objection to recommendation of SIP approval contingent upon concurrent City approvals of the Replat, Rezoning, and associated property transfers, and upon final Engineering/Public Works approval of the various engineering documents/plans.

Please feel free to call me with any questions or comments at 303-662-8112.

Sincerely,



Gregory A. Weeks, PE, LEED ® AP  
City Engineer

cc: Jim Fitzmorris, JR Engineering



CITY OF LONE TREE  
Community Development Department

# REFERRAL REQUEST

Today's date: June 8, 2015

<b>Project Name and File Number:</b> Parkway Fil 1, Block 3, Lot 4 Project #SP15-36	<b>GM SIP</b>
<b>Project Type:</b> Site Improvement Plan Amendment (parking lot)	
<b>Comments Due By: June 29, 2015</b>	
If you are unable to respond by the due date, please contact the project planner	

Dear Referral Organization:

Information on the above referenced proposal in the City of Lone Tree is provided for your review and comment. Please submit your response no later than the due date to ensure adequate time to consider comments and enter them into the public record.

If you have difficulty viewing or understanding any of the information or have questions, please contact me at 303-708-1818. Printed materials and extra sets of materials are available upon request. Plans may also be viewed at the City offices from 8am-5pm.

**We have no comments regarding this proposal**

**Please note the following concerns this organization has:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**See attached letter for comments regarding this proposal**

Organization Name: SMFA

Your name: CHIP KENKHAVE

Your signature: [Signature] Date: 6/20/15

This project may be subject to public meetings. Please check the City's web site ([www.cityoflonetree.com](http://www.cityoflonetree.com)) for posted agendas or contact this office. Thank you for your consideration.

Jennifer Drybread  
  
Senior Planner

**PLEASE RETURN THIS PAGE AND ANY COMMENTS TO:**  
City of Lone Tree Community Development Dept.  
9220 Kimmer Drive Suite 100  
Lone Tree, CO 80124  
Ph: 303-708-1818  
Fx: 303-225-4949  
[jennifer.drybread@cityoflonetree.com](mailto:jennifer.drybread@cityoflonetree.com)

## Jennifer Drybread

---

**From:** Linda Langewisch <llangewisch@msiho.com>  
**Sent:** Tuesday, June 16, 2015 1:08 PM  
**To:** Jennifer Drybread  
**Subject:** RE: Lone Tree Referral Request

Good Afternoon:  
The RidgeGate West Village HOA has no comments to this proposal.

Thank you,

**Linda Langewisch, CMCA**  
Community Manager  
MSI, LLC  
6892 So. Yosemite Court Suite 2.101  
Centennial, Co 80112  
720.974.4273  
Fax 303.751.7396  
[LLangewisch@msiho.com](mailto:LLangewisch@msiho.com)



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 Please consider the environment before printing this email.

**From:** City of Lone Tree - HOA Referral List [mailto:listserv@civicplus.com]  
**Sent:** Monday, June 08, 2015 3:20 PM  
**To:** Linda Langewisch  
**Subject:** Lone Tree Referral Request

[View this in your browser](#)

Your Homeowners Association is invited to review and comment on three applications that generally affect the same property. These applications include a replat, rezoning and site improvement plan.

<http://www.cityoflonetree.com/DocumentCenter/View/6449>

Please email any comments or questions to [Jennifer.drybread@cityoflonetree.com](mailto:Jennifer.drybread@cityoflonetree.com) no later than **June 29, 2015**. If you need additional time to review, or would like paper copies of the plans, please contact me.

This complimentary message is being sent to opt-in subscribers who might be interested in its content. If you do not wish to continue receiving these messages, please accept our apologies, and unsubscribe by visiting our website at: <http://cityoflonetree.com/list.asp?mode=del>

Please note, we will not sell or give your e-mail address to any organization without your explicit permission.

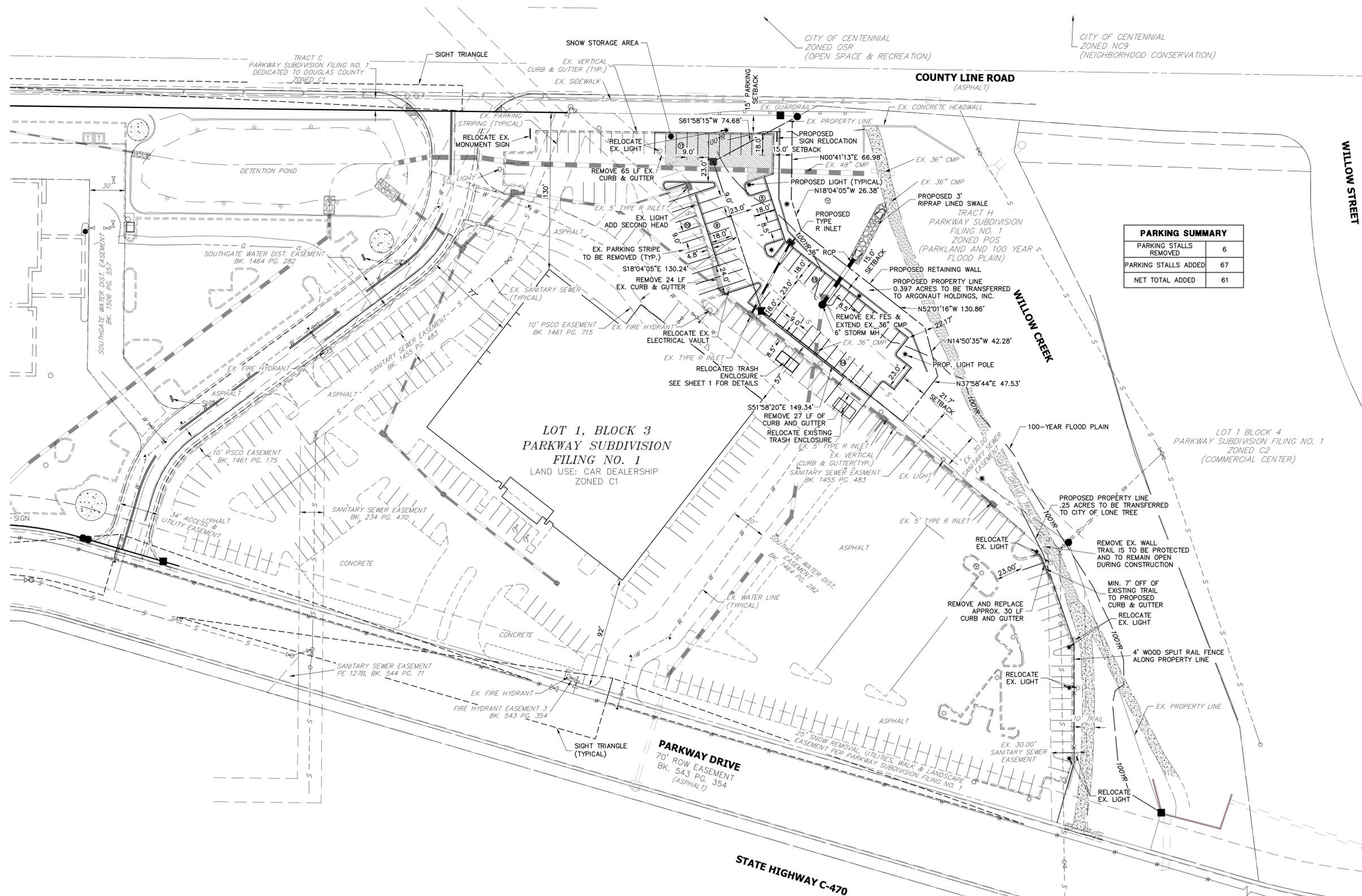


# PARKWAY FILING 1, LOT 4, BLOCK 3

AMENDING #SP12-53

6.129 ACRES

## SITE IMPROVEMENT PLAN, #SP15-36



PARKING SUMMARY	
PARKING STALLS REMOVED	6
PARKING STALLS ADDED	67
NET TOTAL ADDED	61



UNTIL SUCH TIME AS THESE DRAWINGS ARE APPROVED BY THE APPROPRIATE REVIEWING AGENCIES, OR ENGINEERING APPROVES THEIR USE, THESE DRAWINGS ARE DESIGNATED BY WRITTEN AUTHORIZATION.

PREPARED FOR  
**ARGONAUT HOLDINGS, INC.**  
 545 E JOHN CARPENTER FREEWAY  
 SUITE 400  
 IRVING, TX 75062  
 A TTN: DON LAUX

**J.R. ENGINEERING**  
 A Westman Company

Central 303-740-9888 • Colorado Springs 719-588-2593  
 Fort Collins 970-491-9888 • www.jrengineering.com

No.	REVISION	BY	DATE

H-SCALE	V-SCALE	DATE	DESIGNED BY	DRAWN BY	CHECKED BY
1"=40'	N/A	8/7/15	MJJ	MJJ	

**PARKWAY FILING 1,  
 LOT 4, BLOCK 3  
 SITE IMPROVEMENT PLAN**

SHEET 2 OF 9

JOB NO. 15637.00

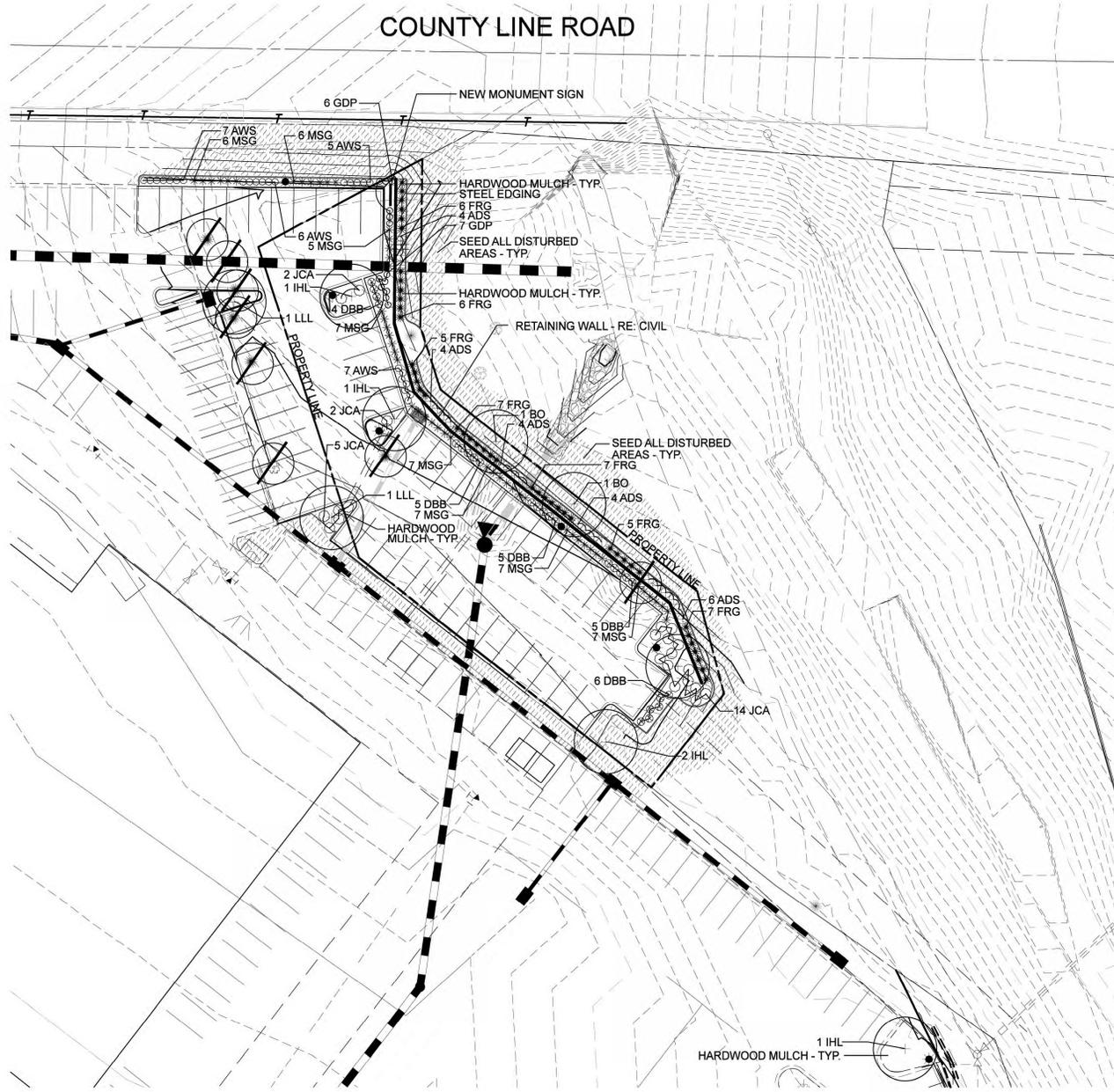


# PARKWAY FILING 1, BLOCK 3, LOT 4

AMENDING #SP12-53  
6.094 ACRES

## SITE IMPROVEMENT PLAN #SP15-36

### PLANT MATERIAL SCHEDULE



LANDSCAPE PLAN

SCALE 1" = 30' - 0"



QUAN.	SYM.	COMMON/BOTANICAL NAME	INSTALLED SIZE	CONDITION
<b>CANOPY TREES</b>				
2	LLL	LITTLE LEAF LINDEN <i>Tilia Cordata</i>	2" CAL. SINGLE TRUNK	FULL CROWN, B&B, STAKED SPECIMEN QUALITY
4	IHL	IMPERIAL HONEYLOCUST <i>Gleditsia tria. inermis 'Imperial'</i>	2" CAL. SINGLE TRUNK	FULL CROWN, B&B, STAKED SPECIMEN QUALITY
2	BO	BUR OAK <i>Quercus macrocarpa</i>	2" CAL. SINGLE TRUNK	FULL CROWN, B&B, STAKED SPECIMEN QUALITY

<b>8 Total</b>				
<b>EVERGREEN &amp; BROADLEAF SHRUBS</b>				
23	JCA	ARMSTRONG JUNIPER <i>Juniperus Chinensis 'Armstrongii'</i>	5 GAL. 18"-24" HT.	CONTAINER
22	ADS	ARBORVITAE DEGROOTS SPIRE <i>Thuja occidentalis 'Degroot's Spire'</i>	5 GAL.	CONTAINER

<b>45 Total</b>				
<b>DECIDUOUS SHRUBS</b>				
25	DBB	DWARF BURNING BUSH <i>Euonymus alatus 'Compactum'</i>	5 GAL.	CONTAINER
27	AWS	SPIREA, ANTHONY WATERER 'RED' <i>Spirea Japonica 'Anthony Waterer'</i>	5 GAL.	CONTAINER
13	GDP	GOLD DROP POTENTILLA <i>Potentilla fruticosa 'Gold Drop'</i>	5 GAL.	CONTAINER

<b>65 Total</b>				
<b>ORNAMENTAL GRASS</b>				
52	MSG	DWARF MAIDEN GRASS 'GRACILLIMUS' <i>Miscanthus Sinensis 'Gracillimus'</i>	5 GAL.	CONTAINER
43	FRG	FEATHER REED GRASS <i>Calamagrostis acutiflora 'Karl Foerster'</i>	5 GAL.	CONTAINER

<b>95 Total</b>				
<b>GROUND COVER</b>				
NATIVE SEED LOW GROW MIX MIX RATIO: 30% EPHRAIM CRESTED WHEATGRASS 25% SHEEP FESCUE 20% PERENNIAL RYE 15% CHEWINGS FESCUE 10% CANADA BLUEGRASS			SEEDING RATE: 40 lbs/acre	

<b>EXISTING PLANT MATERIAL</b>				
	EXISTING TREES TO BE PROTECTED AND TO REMAIN			
	EXISTING TREES TO BE REMOVED			

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ARGONAUT HOLDINGS, INC.  
545 E JOHN CARPENTER FREEWAY  
SUITE 400  
IRVING, TX 75062  
ATTN: DON LAUX

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REVISION	DATE	BY
No.		

H-SCALE	1" = 30'	No.	DESIGNED BY	DRAWN BY	CHECKED BY
V-SCALE	N/A		SDW	SDW	JAH
DATE	8/7/15				

PARKWAY FILING 1  
BLOCK 3, LOT 4  
LANDSCAPE PLAN



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phone. 303.808.4523

SHEET 4 OF 9  
JOB NO. 15637.00

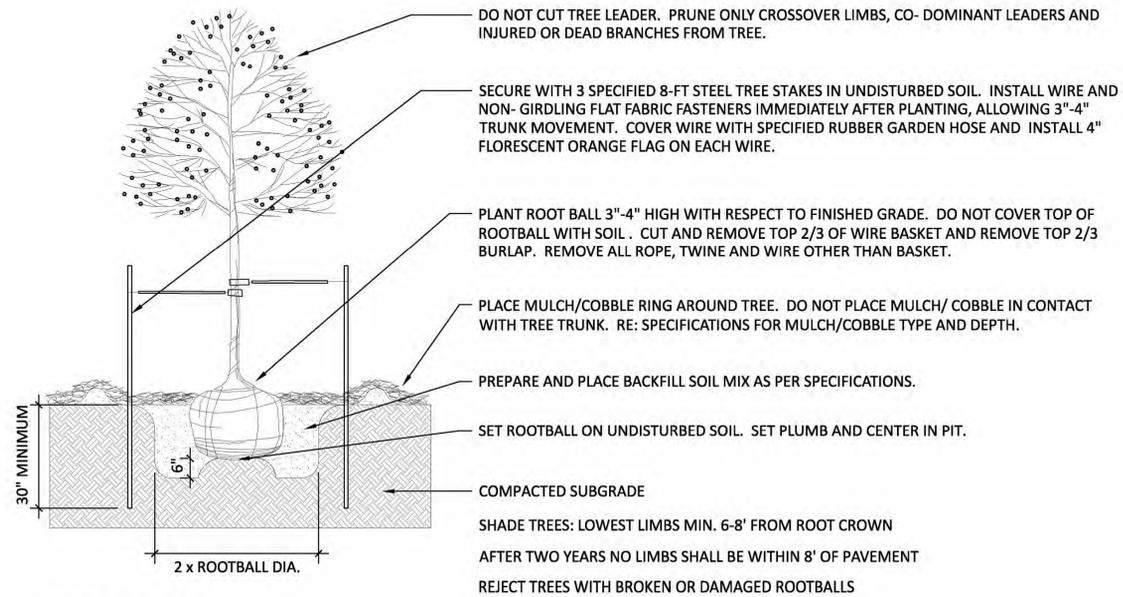
# PARKWAY FILING 1, BLOCK 3, LOT 4

AMENDING #SP12-53  
6.094 ACRES

## SITE IMPROVEMENT PLAN #SP15-36

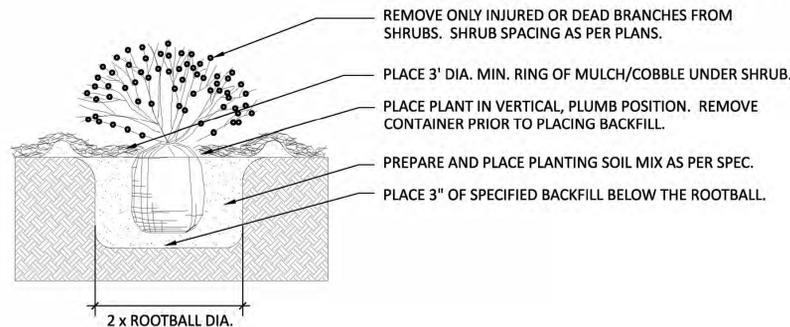
### GENERAL PLANTING NOTES:

1. PRIOR TO BEGINNING ANY WORK ON THE SITE THE LANDSCAPE CONTRACTOR SHALL CONTACT THE OFFICE OF THE GENERAL CONTRACTOR AND/OR LANDSCAPE ARCHITECT FOR SPECIFIC INSTRUCTIONS RELEVANT TO THE SEQUENCING OF WORK.
2. LANDSCAPE CONTRACTOR SHALL PROVIDE ALL LABOR, MATERIALS AND SERVICE NECESSARY TO FURNISH AND INSTALL PLANTINGS AND MATERIALS AS SPECIFIED HEREIN AND AS SHOWN ON PLANS.
3. NO MATERIAL SUBSTITUTIONS SHALL BE MADE WITHOUT THE LANDSCAPE ARCHITECTS APPROVAL IN WRITING. ALTERNATE MATERIALS OF SIMILAR SIZE AND CHARACTER MAY BE CONSIDERED IF SPECIFIED PLANT MATERIALS CANNOT BE OBTAINED.
4. LANDSCAPE ARCHITECT RESERVES THE RIGHT TO REVISE PLANT MATERIAL LIST AS DEEMED NECESSARY.
5. ALL PLANT LOCATIONS ARE APPROXIMATE. ADJUST AS NECESSARY TO AVOID CONFLICTS.
6. QUANTITIES OF MATERIALS SHOWN ON THE PLANTING PLAN TAKE PRECEDENCE OVER QUANTITIES SHOWN ON THE PLANT MATERIAL SCHEDULE. THE LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFY ALL QUANTITIES ON THE PLANTING PLAN(S).
7. LANDSCAPE CONTRACTOR SHALL LOCATE ALL UTILITIES BEFORE COMMENCEMENT OF WORK. VERIFY EXACT LOCATION OF ALL UTILITIES BY CONTACTING APPROPRIATE UTILITY COMPANIES. LANDSCAPE CONTRACTOR IS RESPONSIBLE FOR THE REPAIR / REPLACEMENT FOR HE DAMAGE CAUSED TO UTILITIES.
8. FINISH GRADE SHALL BE ADJUSTED FOR TURF THICKNESS.
9. ALL PLANT MATERIALS SHALL HAVE BACKFILL, CAREFULLY PLACED AROUND BASE AND IDES OF BALL TO TWO-THIRDS (2/3) DEPTH OF BALL THEN THOROUGHLY SOAKED WITH WATER TO ALLOW SETTLEMENT. ALL WIRE, BURLAP FASTENERS, TOP ONE-THIRD (1/3) OF BURLAP AND LOOSE BURLAP SHALL BE REMOVED AT THIS TIME THE REMAINDER OF HE PIT SHALL THEN BE BACKFILLED, ALLOWING FOR THE DEPTH OF THE MULCH SAUCER AND SETTLEMENT OF BACKFILL. BACKFILL SHALL THEN BE THOROUGHLY WATERED ONCE AGAIN.
10. AFTER PLANTING IS COMPLETED REPAIR INJURIES TO ALL PLANTS AS REQUIRED. LIMIT AMOUNT OF PRUNING TO A MINIMUM NECESSARY TO REMOVE DEAD OR INJURED TWIGS AND BRANCHES. PRUNE IN SUCH A MANNER AS NOT TO CHANGE THE NATURAL GROWING HABIT OR SHAPE OF THE PLANT. MAKE ALL CUTS FLUSH, LEAVING NO STUBS. CENTRAL LEADERS SHALL NOT BE REMOVED. IF THE CENTRAL LEADER OF A PLANT IS DEAD THE PLANT SHALL BE REPLACED.
11. PLANT SPECIFIED GROUND COVERS WITHIN ONE FOOT OF TRUCK OF TREES AND SHRUBS PLANTED WITHIN THE AREA. PLANTING ARRANGEMENTS SHALL BE TRIANGULAR WITH PROPER SPACING BETWEEN PLANTS.
12. COMMERCIAL GRADE 3/16 INCH BY 4" POWDER COATED STEEL EDGING SHALL BE USED TO SEPARATE ALL TURF AREAS FROM PLANTING BEDS. PLACE EDGING FLUSH WITH GRADE AND STAKE TO GROUND PER MANUFACTURES RECOMMENDATIONS.
13. LANDSCAPE CONTRACTOR TO PROVIDE THE LANDSCAPE CONTRACTOR A SAMPLE OF PROPOSED STEEL EDGING FOR REVIEW AND APPROVAL PRIOR TO INSTALLATION.
14. USE SHREDDED CEDAR MULCH IN ALL PLANTING BEDS AND TREE SAUCERS. LANDSCAPE CONTRACTOR SHALL PROVIDE A 1 CUBIC FOOT SAMPLE OF PROPOSED MULCH TO LANDSCAPE ARCHITECT FOR REVIEW AND APPROVAL.
15. PLACE FOUR INCHES OF MULCH IN ALL SHRUB BEDS, PLACE FOUR INCHES OF MULCH IN ALL GROUND COVER, PERENNIAL BEDS AND PLACE 4 INCHES OF MULCH AT ALL TREE SAUCERS.
16. PLANTING BEDS RECEIVING MULCH MULCH ARE TO BE FREE OF WEEDS AND GRASS. TREAT BEDS WITH A PRE-EMMERGENT HERBICIDE PRIOR TO PLANTING AND MULCH PLACEMENT. DO NOT APPLY HERBICIDE IN PERENNIAL OR ANNUAL BEDS.
17. LANDSCAPE CONTRACTOR TO REMOVE TREE STAKES AND ALL DEAD WOOD ON TREES AND SHRUBS ONE YEAR AFTER SUBSTANTIAL COMPLETION IS GRANTED ON THE COMPLETE PROJECT.
18. REPORT ANY DISCREPANCIES IN THE PLANTING PLAN TO THE LANDSCAPE ARCHITECT PRIOR TO STARTING CONSTRUCTION.



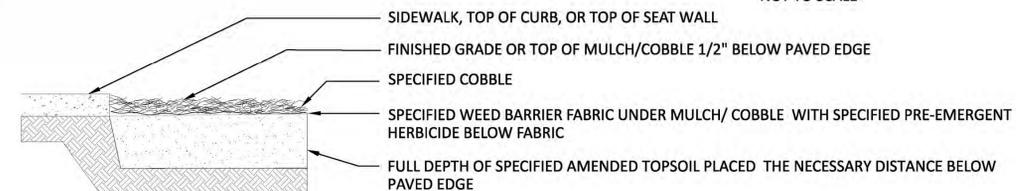
### 1 DECIDUOUS TREE

NOT TO SCALE

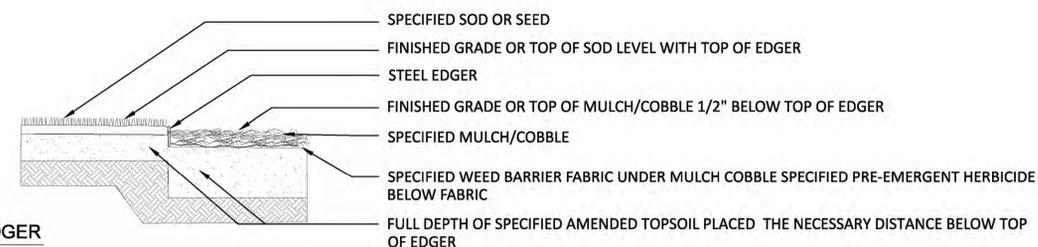


### 2 SHRUB PLANTING

NOT TO SCALE



#### MULCH ADJACENT TO WALKS AND CURBS



### 3 EDGE TREATMENT

NOT TO SCALE



#### RETAINING WALL TYPE

Keystone - Standard Tri-Plane Unit; Color Tan



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No.	REVISION	BY	DATE
N/A	N/A		
N/A	N/A		
8/7/15			
SDW			
SDW			
JAH			

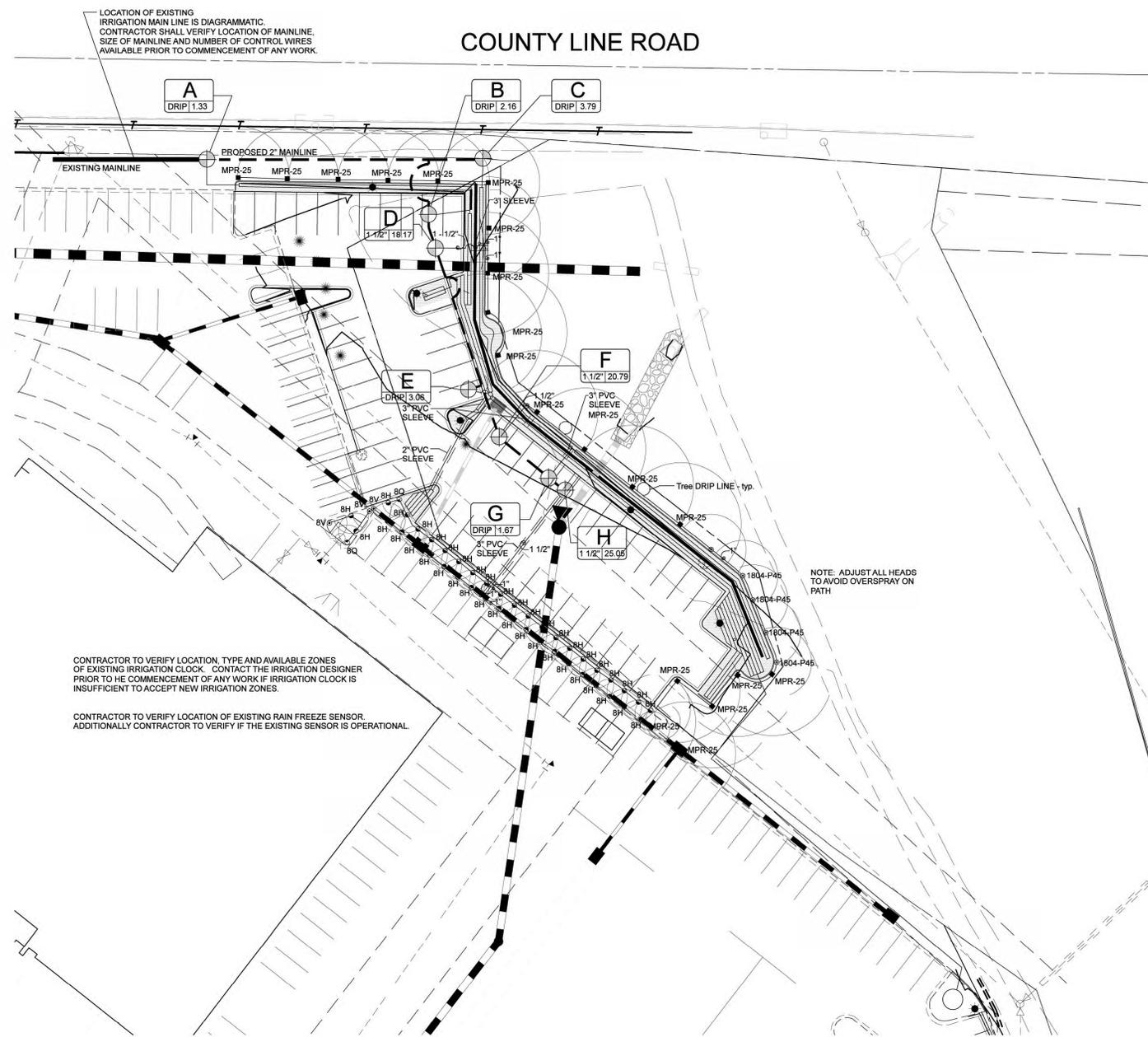
PARKWAY FILING 1  
BLOCK 3, LOT 4  
LANDSCAPE DETAILS AND NOTES

SHEET 5 OF 9  
JOB NO. 15637.00

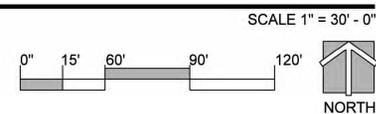
# PARKWAY FILING 1, BLOCK 3, LOT 4

AMENDING #SP12-53  
6.094 ACRES

## SITE IMPROVEMENT PLAN #SP15-36



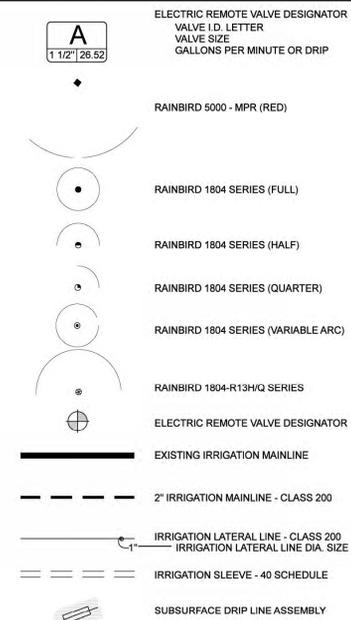
### IRRIGATION PLAN



### IRRIGATION GENERAL NOTES

- THE DESIRED WATER COVERAGE FOR INSTALLATION OF PROPOSED PLANT MATERIAL IS SHOWN ON THE DRAWING. THE CONTRACTOR IS TO COMPLETE THE SYSTEM BY PLACING VALVES, PIPING, AND ACCESSORIES NECESSARY TO MAKE THE SYSTEM OPERABLE IN COMPLIANCE WITH THE SPECIFICATIONS, LOCAL CODES AND REGULATIONS.
- ALL APPLICABLE PERMITS FOR IRRIGATION SYSTEM ON PRIVATE PROPERTY AND/OR IN THE RIGHT OF WAY SHALL BE SECURED BY THE CONTRACTOR.
- CONTRACTOR SHALL LOCATE ALL UTILITIES BEFORE COMMENCEMENT OF ANY WORK. LOCATE EXACT UTILITY LOCATIONS BY CONTACTING UTILITY OWNERS. CONTRACTOR IS RESPONSIBLE FOR ANY DAMAGE HE MAY CAUSE TO UTILITIES.
- CONTRACTOR SHALL NOTIFY THE IRRIGATION DESIGNER OF ANY DISCREPANCIES IN THE PLANS OR SPECIFICATIONS PRIOR TO COMMENCEMENT OF ANY WORK.
- THE CONTRACTOR SHALL NOT MAKE ANY MATERIAL SUBSTITUTIONS WITHOUT PRIOR WRITTEN APPROVAL FROM THE IRRIGATION DESIGNER.
- CONTRACTOR SHALL VERIFY LOCATION OF THE EXISTING IRRIGATION MAINLINE (MAINLINE POINT OF CONNECTION SHOWN ON PLAN IS DIAGRAMMATIC) AND VOLUME OF SITE WATER SUPPLY. EACH ZONE OF THE PROPOSED IRRIGATION SYSTEM IS DESIGNED WITH A MAXIMUM FLOW OF 40 GALLONS PER MINUTE AT A MINIMUM PRESSURE OF 45 PSI.
- THE IRRIGATION CONTRACTOR SHALL SUBMIT PRESSURE LOSS CALCULATIONS TO THE IRRIGATION DESIGNER PRIOR TO THE COMMENCEMENT OF ANY WORK. PRESSURE LOSS CALCULATIONS SHALL BE FROM THE SITE'S WATER SUPPLY TO THE FURTHEST HEAD OF THE LARGEST ZONE AND THE FURTHEST HEAD FROM THE SITE WATER SUPPLY.
- IRRIGATION PLAN IS A SCHEMATIC DRAWING TO REPRESENT DESIRED WATER COVERAGE. FIELD ADJUSTMENTS MAY BE NECESSARY TO AVOID UNFORESEEN OBSTACLES AND CONFLICTS.
- IRRIGATION WATER METER, BACKFLOW PREVENTER ASSEMBLY, IRRIGATION CLOCK, RAIN FREEZE SENSOR ARE EXISTING. IRRIGATION CONTRACTOR SHALL VERIFY EACH COMPONENTS LOCATION, FUNCTIONALITY AND COMPATIBILITY WITH THE PROPOSED IRRIGATION DESIGN. CONFLICTS ARISING FROM THE ADDITION OF THE NEW IRRIGATION SYSTEM SHALL BE BROUGHT TO THE IRRIGATION DESIGNERS ATTENTION PRIOR TO THE COMMENCEMENT OF ANY WORK.
- NEW IRRIGATION SYSTEM IS TO CONSIST OF SEPARATE DRIP ZONES, SPRAY HEAD ZONES AND ROTOR ZONES. EACH WITH A SEPARATE VALVE AND STATION ON THE CONTROLLER.
- CONTRACTOR SHALL VERIFY IF THE EXISTING CONTROLLER HAS THE CAPACITY TO INCLUDE THE NEW IRRIGATION ZONES. ADDITIONALLY CONTRACTOR TO VERIFY IF THE EXISTING CONTROL WIRE HAS THE CAPACITY TO INCLUDE THE NEW ZONES. NOTIFY THE IRRIGATION DESIGNER IF EITHER COMPONENT HAS THE CAPACITY TO ACCEPT THE NEW IRRIGATION ZONES.
- NEW MANUAL DRAIN VALVES ARE TO BE LOCATED AT THE ENDS AND LOW POINTS OF THE NEW IRRIGATION MAINLINE. PLACE MANUAL VALVES IN A LATCHABLE VALVE BOX FOR EASY ACCESS. PLACE ONE CUBIC FOOT OF GRAVEL BELOW VALVE.
- AUTOMATIC DRAIN VALVES ARE TO BE LOCATED AT ALL LOW POINTS OF THE NEW IRRIGATION LATERAL LINES. WHERE LOW POINT IS AT THE END OF THE LINE LOCATE VALVE A MINIMUM OF 12" FROM END SPRINKLER HEAD. PLACE VALVES ON TOP OF ONE CUBIC FOOT OF GRAVEL.
- PROVIDE PVC SLEEVES FOR IRRIGATION PIPES AND WIRING THAT CROSSING WALKS, STREETS AND CONCRETE PADS. COMBINE PIPING WHENEVER POSSIBLE TO REDUCE QUANTITY OF SLEEVING MATERIAL.
- INSTALLATION OF IRRIGATION SLEEVES ARE TO BE COORDINATED WITH THE GENERAL CONTRACTOR AND INSTALLED PRIOR TO THE INSTALLATION OF PAVEMENT.
- UPON COMPLETION OF INSTALLATION CONTRACTOR SHALL PROVIDE:
  - ACCURATE AND COMPLETE AS-BUILT PLAN OF THE NEW IRRIGATION SYSTEM.
  - ONE HOUR TRAINING TO THE OWNER'S REPRESENTATIVE ON THE OPERATION AND WINTERIZATION OF THE IRRIGATION SYSTEM.
- ADJUST ALL IRRIGATION EQUIPMENT SO SIDEWALKS, PAVING AND BUILDINGS REMAIN DRY OF DIRECT SPRAY OR EXCESS WATER RUNOFF.
- WHEN INSTALLING IRRIGATION PIPE ALONG CURBS OR IN ISLANDS, PLACE PIPE AS CLOSE TO CURB AS POSSIBLE TO ALLOW FOR PLANTING TREES, SHRUBS AND GROUND COVER.

### IRRIGATION LEGEND:



### IRRIGATION ZONE CHART

STATION LETTER	STATION NUMBER	VALVE SIZE	GPM	ZONE TYPE
A	1	1"	1.33	SUBSURFACE DRIP
B	2	1"	2.16	SUBSURFACE DRIP
C	3	1"	3.79	SUBSURFACE DRIP
D	6	1 1/2"	18.17	ROTOR
E	4	1"	3.06	SUBSURFACE DRIP
F	7	1 1/2"	20.79	ROTOR
G	5	1"	1.67	SUBSURFACE DRIP
H	8	1 1/2"	25.05	POP-UP SPRAY



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V-SCALE		
DATE	8/7/15	
DESIGNED BY	SDW	
DRAWN BY	SDW	
CHECKED BY	JAH	

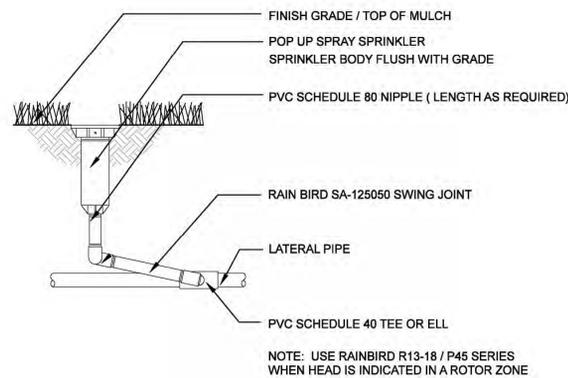
PARKWAY FILING 1  
BLOCK 3, LOT 4  
IRRIGATION PLAN

SHEET 6 OF 9  
JOB NO. 15637.00

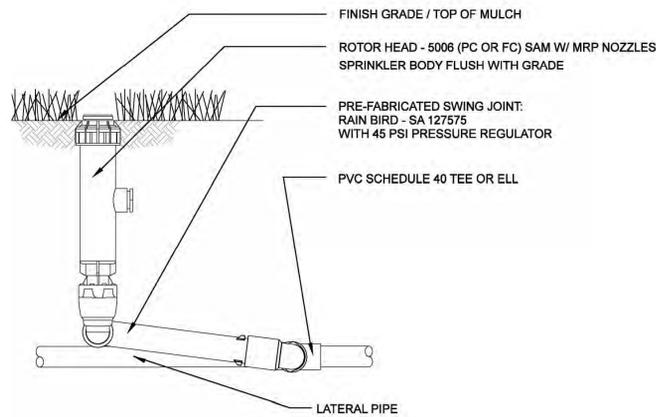
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AMENDING #SP12-53  
6.094 ACRES

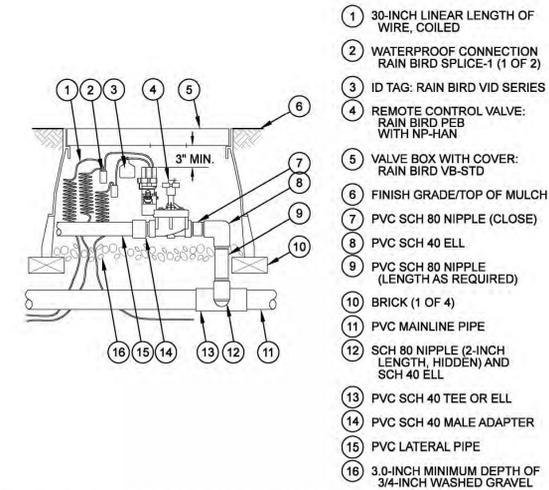
## SITE IMPROVEMENT PLAN #SP15-36



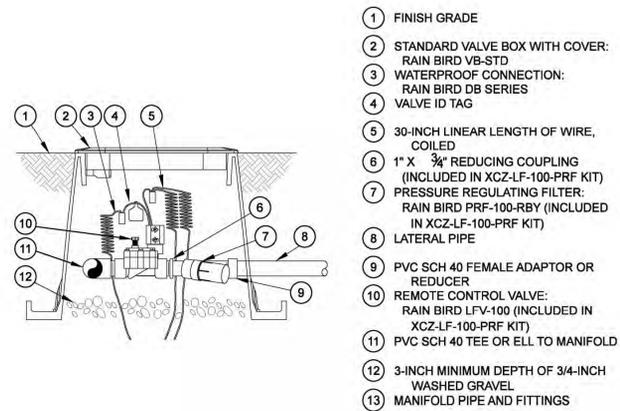
**1** 1804 POP-UP SPRAY HEAD  
U-SERIES AND/OR VAN NOZZLE SERIES N.T.S.



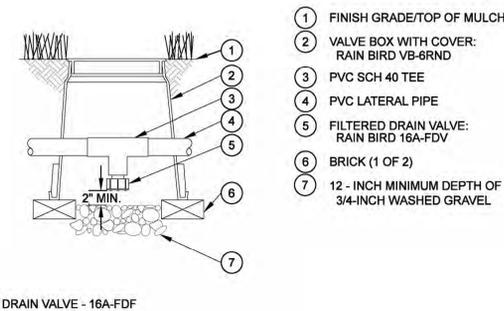
**2** 5006 ROTOR HEAD  
MPR - 25 (RED) N.T.S.



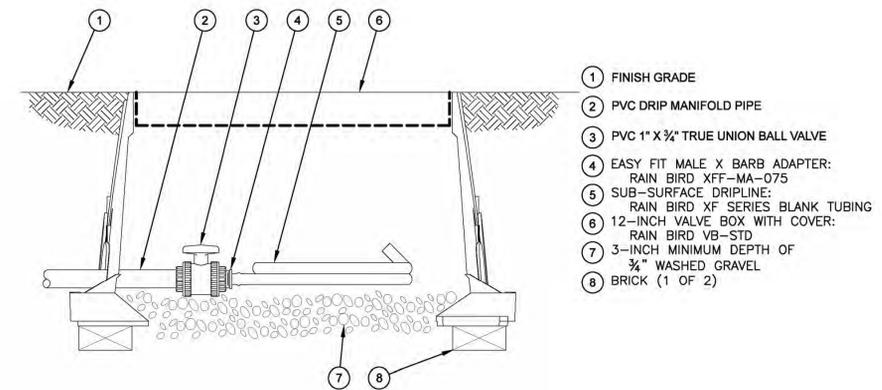
**3** SPRAY AND ROTOR ZONE VALVE ASSEMBLY  
PEB 150 SERIES - SPRAY AND ROTOR ZONES N.T.S.



**4** DRIP ZONE VALVE ASSEMBLY  
RAIN BIRD - XCZ-LF-100 N.T.S.



**5** DRAIN VALVE ASSEMBLY N.T.S.



**6** SUBSURFACE FLUSH POINT VALVE N.T.S.

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DATE	BY	REVISION	No.	N/A	N/A	DATE	DESIGNED BY	DRAWN BY	CHECKED BY
						8/7/15	SDW	SDW	JAH

PARKWAY FILING 1 BLOCK 3, LOT 4 IRRIGATION DETAILS	H-SCALE	N/A	V-SCALE	N/A	DESIGNED BY	SDW	DRAWN BY	SDW	CHECKED BY	JAH
	SHEET	7	OF	9	JOB NO.	15637.00				

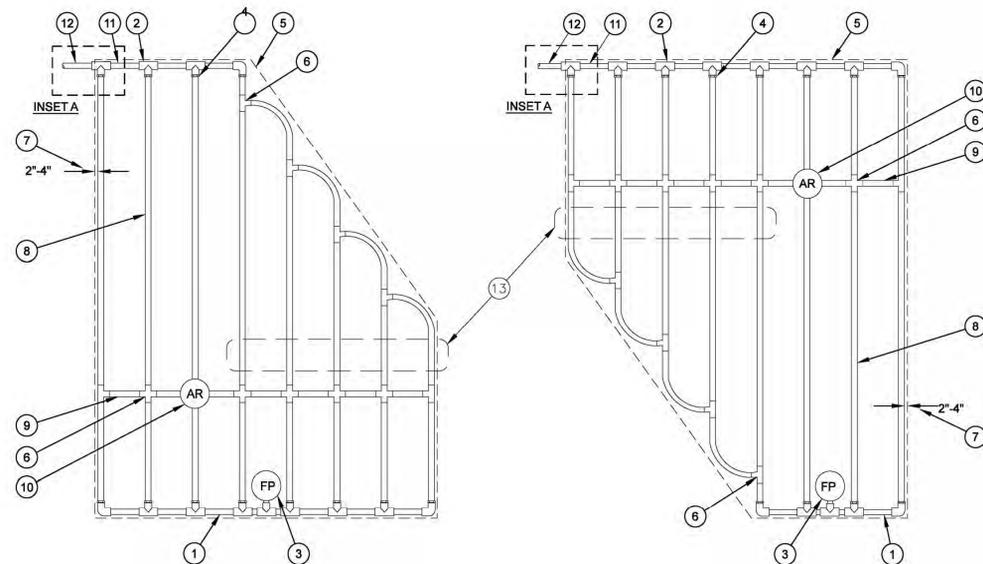


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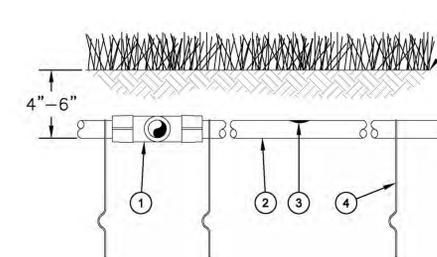
## SITE IMPROVEMENT PLAN #SP15-36



- NOTES:
- 18" DISTANCE BETWEEN LATERAL ROWS AND EMITTER SPACING
  - LENGTH OF LONGEST DRIPLINE LATERAL SHOULD NOT EXCEED THE MAXIMUM LENGTH SHOWN IN THE ACCOMPANYING TABLE.
  - AIR RELIEF VALVE TO BE INSTALLED AT HIGH POINT OF AREA.
  - WHEN USING 17MM INSERT FITTINGS WITH DESIGN PRESSURE OVER 50PSI, IT IS RECOMMENDED THAT STAINLESS STEEL CLAMPS BE INSTALLED ON EACH FITTING.

- PVC EXHAUST HEADER
- PVC SCH 40 TEE OR EL (TYPICAL)
- FLUSH POINT (TYPICAL)  
SEE RAIN BIRD DETAIL "XFS FLUSH POINT" OR "XFS FLUSH POINT WITH BALL VALVE"
- BARB X MALE FITTING:  
RAIN BIRD XFF-MA FITTING (TYPICAL)
- PERIMETER OF AREA
- BARB X BARB INSERT TEE OR CROSS:  
RAIN BIRD XFF-TEE OR  
RAIN BIRD XFD-CROSS (TYPICAL)
- PERIMETER DRIPLINE PIPE TO BE INSTALLED 2"-4"  
FROM PERIMETER OF AREA
- SUB-SURFACE DRIPLINE:  
RAIN BIRD XF SERIES DRIPLINE (TYPICAL)  
POTABLE: XFS DRIPLINE  
NON-POTABLE: XFSP DRIPLINE
- RAIN BIRD XF SERIES BLANK TUBING
- 1/2" AIR RELIEF VALVE: RAIN BIRD MODEL: ARV050  
SEE RAIN BIRD XFS DETAILS FOR AIR RELIEF  
INSTALLATION
- PVC SUPPLY MANIFOLD
- PVC SUPPLY PIPE FROM RAIN BIRD CONTROL ZONE  
KIT (SIZED TO MEET LATERAL FLOW DEMAND)
- TOTAL LENGTH OF SELECTED DRIPLINE SHOULD NOT  
EXCEED LENGTH SHOWN IN TABLE
- PVC SCH 40 RISER PIPE

Inlet Pressure psi	12" Spacing		18" Spacing		24" Spacing	
	Nominal Flow (gph)					
15	0.6	0.9	0.6	0.9	0.6	0.9
20	273	155	314	250	424	322
30	318	169	353	294	508	368
40	360	230	413	350	586	414
50	395	255	465	402	652	474
60	417	285	528	420	720	488
60	460	290	596	455	780	514



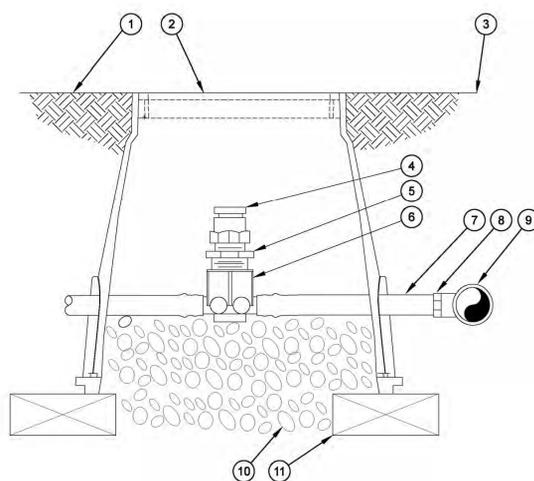
- EASY FIT COMPRESSION TEE:  
RAIN BIRD MDCFTTE
- SUB-SURFACE DRIPLINE:  
RAIN BIRD XF SERIES DRIPLINE  
POTABLE: XFS DRIPLINE  
NON-POTABLE: XFSP DRIPLINE
- INLINE DRIP EMITTER
- TIE DOWN STAKE: RAIN BIRD TDS-050  
WITH BEND (TYPICAL)
- TURF/FINISH GRADE OR SHRUB BED  
WITH MULCH

- NOTES:
- PLACE TIE DOWN STAKES EVERY THREE FEET IN SAND, FOUR FEET IN LOAM, AND FIVE FEET IN CLAY.
  - AT FITTINGS WHERE THERE IS A CHANGE OF DIRECTION SUCH AS TEES OR ELBOWS, USE TIE-DOWN STAKES ON EACH LEG OF THE CHANGE OF DIRECTION.
  - INSERTION FLOW AND TRENCHED INSTALLATIONS DO NOT REQUIRE TIE DOWN STAKES.

2 DRIPLINE BURIAL DETAIL

N.T.S.

1 XFS - SUBSURFACE DRIP LAYOUT

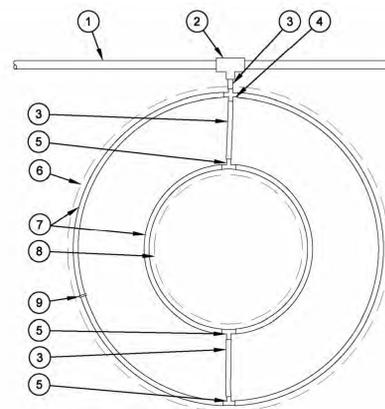


- FINISH GRADE
- SUBTERRANEAN EMITTER BOX:  
RAIN BIRD SEB 7XB
- FINISH GRADE
- 1/2" AIR RELIEF VALVE:  
RAIN BIRD ARV050
- IN DRIP ZONE
- 1/2" x 3/8" PVC REDUCER BUSHING
- TO BE INSTALLED AT HIGH POINTS  
RAIN BIRD XFD-TFA FITTING
- 1/2" BLANK DRIPLINE TUBING:  
RAIN BIRD XF SERIES  
BARB X FEMALE THREAD CONNECTOR:
- RAIN BIRD XFF-MA FITTING
- PVC TEE CONNECTED TO PVC  
HEADER PIPE  
BARB X MALE THREAD CONNECTOR:
- 3" MINIMUM DEPTH OF  
3/4" WASHED GRAVEL
- BRICK (1 OF 2)

3 SUBSURFACE AIR RELIEF VALVE

N.T.S.

N.T.S.



- PVC DRIP MANIFOLD PIPE
- PVC SCH 40 TEE OR EL
- RAIN BIRD XF SERIES BLANK TUBING
- BARB CROSS INSERT FITTING:  
RAIN BIRD XFD-CROSS
- BARB TEE INSERT FITTING:  
RAIN BIRD XFF-TEE
- PROJECTED CANOPY LINE OF TREE
- SUB-SURFACE DRIPLINE:  
RAIN BIRD XF SERIES DRIPLINE  
POTABLE: XFS DRIPLINE  
PLACE AS SHOWN (LENGTH AS  
REQUIRED)
- ROOT BALL
- TIE DOWN STAKE:  
RAIN BIRD TDS-050 WITH BEND  
(QUANTITIES AS REQUIRED,  
SEE NOTES 2-3 BELOW)

- NOTES:
- DISTANCE BETWEEN LATERAL RINGS AND EMITTER SPACING TO BE BASED ON SOIL TYPE, AND TREE CANOPY. SEE RAIN BIRD XF-SDI DRIPLINE INSTALLATION GUIDE FOR SUGGESTED SPACINGS.
  - PLACE TIE DOWN STAKES EVERY THREE FEET IN SAND, FOUR FEET IN LOAM, AND FIVE FEET IN CLAY.
  - AT FITTINGS WHERE THERE IS A CHANGE OF DIRECTION SUCH AS TEES OR ELBOWS, USE TIE-DOWN STAKES ON EACH LEG OF THE CHANGE OF DIRECTION.

4 XFS - SUBSURFACE TREE DRIPLINE LAYOUT

N.T.S.



5639 SOUTH CURTICE STREET  
LITTLETON, COLORADO 80120  
phone. 303.808.4523

UNTIL SUCH TIME AS THESE DRAWINGS ARE APPROVED BY THE APPROPRIATE REVIEWING AGENCIES, JR ENGINEERING APPROVES THEIR USE ONLY FOR THE PURPOSES DESIGNATED BY WRITTEN AUTHORIZATION.

PREPARED FOR  
ARGONAUT HOLDINGS, INC.  
545 E JOHN CARPENTER FREEWAY  
SUITE 400  
IRVING, TX 75062  
ATTN: DON LAUX

JR ENGINEERING  
A Western Company  
Centennial 303-740-9393 Colorado Springs  
719-593-2593 Fort Collins 970-491-9888  
www.jrengineering.com

DATE	BY	REVISION	No.	N/A	N/A	DATE	DESIGNED BY	DRAWN BY	CHECKED BY
						8/7/15	SDW	SDW	JAH

PARKWAY FILING 1  
BLOCK 3, LOT 4  
IRRIGATION DETAILS

SHEET 8 OF 9  
JOB NO. 15637.00





CITY OF LONE TREE  
STAFF REPORT

**TO: Mayor Gunning and City Council**

**FROM: Kristin Baumgartner, Finance Director**

**DATE: August 12, 2015**

**FOR: August 18, 2015, City Council Meeting**

**SUBJECT: Ordinance 15-03, AMENDING PROVISIONS OF THE SALES TAX AND BUSINESS LICENSING ORDINANCES**

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Summary

In an effort to continue to help promote a business friendly environment in the City, staff is recommending City Council extend the sales tax licensing period from one year to two years to promote efficiency and align the City's procedures with those of the State of Colorado.

The new ordinance will change the sales tax license to a biennial license with a fee of \$15 due on or before the first day of business or the first day of January of each even numbered calendar year. For example, business licenses issued at the end of 2015 will be for the January 2016- December 2017 period.

Additionally, clarification was made to the ordinance that for business licenses, a one-time \$10 fee is required with the initial application and the business license does not have an expiration date.

Cost

N/A

Suggested Motion or Recommended Action

I move to approve **Ordinance 15-03, AMENDING PROVISIONS OF THE SALES TAX AND BUSINESS LICENSING ORDINANCES** on first reading.

Background

All businesses in Lone Tree are required to get a business license and register with the City. This allows the City to know who is doing business in the City and track the number, type, location, size, contact information, etc., of all City businesses. Currently the City issues two types of business licenses, a general business license and a retail sales tax license. A general business license is a one-time fee of \$10 and does not expire. With this ordinance change, the City is

recommending changing the retail sales tax license to a biennial license with a \$15 fee (previously there was a \$10 annual fee). City staff feels with the reduced administrative time involved with processing fees annually as well as the implementation of the online process, the City is able to reduce the fee at this time as well as decrease the administrative burden of processing renewals annually.

**ORDINANCE OF THE  
CITY OF LONE TREE**

Series of 2015

Ordinance No. 15-03

**AN ORDINANCE AMENDING PROVISIONS  
OF THE SALES TAX AND BUSINESS LICENSING ORDINANCES**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LONE TREE,  
COLORADO:**

**ARTICLE 1 – AUTHORITY**

The City of Lone Tree (the "City") is a home rule municipality operating under the Lone Tree Home Rule Charter (the "Charter") adopted on May 5, 1998 and a Municipal Code (the "Code"), codified and adopted on December 7, 2004. Pursuant to the Charter, the Municipal Code and the authority given home rule cities, the City may adopt and amend Ordinances.

**ARTICLE 2 – DECLARATIONS OF POLICY**

- A. The City Council periodically reviews its sales tax licensing policies and procedures to help promote a business friendly environment in the City.
- B. The City Council recognizes the advantages of extending the sales tax licensing period from one year to two years to promote efficiency and align the City's procedures with those of the state licensing authority.
- C. The City Council also desires that the duration of a business license be extended so that it has no expiration date, thereby eliminating the need for businesses to renew or pay additional licensing fees.
- D. The City Council believes these amendments will simplify, clarify and strengthen the City's sales tax licensing and business licensing procedures and reduce fees to those doing business in the City.

**ARTICLE 3 – SAFETY CLAUSE**

The City Council hereby finds, determines, and declares that this Ordinance is promulgated under the general police power of the City, that it is promulgated for the health, safety, and welfare of the public, and that this Ordinance is necessary for the preservation of health and safety and for the protection of public convenience and welfare.

## **ARTICLE 4 – ADOPTION**

A. Section 4-3-310 of the Code is repealed and replaced by the following:

### **Sec. 4-3-310. Biennial sales tax license required.**

(a) No person shall engage in business within the City, including transactions or the exercise of privileges subject to sales or use tax, whether said business is in a fixed location or conducted door-to-door, from movable carts, wagons, vehicles or other mobile devices, or from locations used from time to time on street curbs, medians, sidewalks or otherwise, without having first obtained a biennial retail sales tax license and paid a biennial sales tax licensing fee to the City in the amount of fifteen dollars (\$15.00) on or before the first day of business or the first day of January of each even numbered calendar year.

(b) Failure of a person to pay the stated sum by February 28 of each even numbered calendar year shall result in the loss of that person's privilege to operate a business within the City, including suspension or revocation of existing licensing. For those engaged in business who fail to comply with licensing requirements, the City Manager may issue an order to cease and desist business operations, to be enforced in accordance with the law in such case made and provided.

(c) In instances in which the business of selling at retail is conducted or transacted at two (2) or more separate locations by one (1) person, separate licenses for each location of such business shall be required.

B. Section 4-3-510 of the Code is repealed and replaced by the following:

### **Sec. 4-3-510. Licensing violations.**

It shall be a violation of this Article for a retailer to engage in business within the City from a location within the City without having first obtained from the City Manager by January 1 of each even numbered calendar year or the first day of operations, a biennial retail sales tax license and a biennial renewal thereof by January 1 of each even numbered calendar year. For each violation, a penalty of one hundred dollars (\$100.00) shall be imposed. This penalty shall be in addition to any other applicable penalties and interest imposed under the taxing power for tax deficiencies. Operating without a license for each twenty-four-hour period shall be considered a separate and distinct violation. The penalty shall not be imposed for renewals of the license if the biennial fee is paid on or before February 28 of each even numbered calendar year.

C. Section 6-3-60 of the Code is repealed and replaced by the following:

**Sec. 6-3-60. Fees and term of business license.**

Each application for a business license shall be accompanied by payment of a one-time fee in the amount of ten dollars (\$10.00). A business license does not have an expiration date. A business license remains active until cancelled by the license holder, suspended or revoked by the City. This fee is subject to adjustment by the City Manager based upon actual administrative costs and expenses.

**ARTICLE 5 - SEVERABILITY**

If any part or provision of this Ordinance, or its application to any person or circumstance is adjudged to be invalid or unenforceable, the invalidity or unenforceability of such part, provision or application shall not affect any of the remaining parts, provisions or applications of this Ordinance which can be given the effect without the invalid provision, part or application, and to this end the provisions and parts of this Ordinance are declared to be severable.

**ARTICLE 6 – CAUSES OF ACTION RETAINED**

Nothing in this Ordinance hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this Ordinance.

**ARTICLE 7 - EFFECTIVE DATE**

This Ordinance shall take effect thirty (30) days following publication after the first reading if no changes are made on second reading, or twenty (20) days after publication following second reading if changes are made upon second reading.

**INTRODUCED READ AND ORDERED PUBLISHED ON AUGUST 18, 2015.**

**CITY OF LONE TREE:**

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James D. Gunning, Mayor

**ATTEST:**

(SEAL)

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Jennifer Pettinger, CMC, City Clerk

- **Sec. 4-3-310. ~~–Sales–~~ Biennial sales tax license required.**

(a)

No person shall engage in business within the City, including transactions or the exercise of privileges subject to sales or use tax, whether said business is in a fixed location or conducted door-to-door, from movable carts, wagons, vehicles or other mobile devices, or from locations used from time to time on street curbs, medians, sidewalks or otherwise, without having first obtained a biennial retail sales tax license and paid ~~an annual~~ a biennial sales tax licensing fee to the City in the amount of ~~ten~~ fifteen dollars (\$~~10~~ 15.00) on or before the first day of business or the first day of January of each even numbered calendar year.

(b)

Failure of a person to pay the stated sum by February 28 of each even numbered calendar year shall result in the loss of that person's privilege to operate a business within the City, including suspension or revocation of existing licensing. For those engaged in business who fail to comply with licensing requirements, the City Manager may issue an order to cease and desist business operations, to be enforced in accordance with the law in such case made and provided.

(c)

In instances in which the business of selling at retail is conducted or transacted at two (2) or more separate locations by one (1) person, separate licenses for each location of such business shall be required.

- **Sec. 4-3-510. - Licensing violations.**

It shall be a violation of this Article for a retailer to engage in business within the City from a location within the City without having first obtained from the City Manager by January 1 of each even numbered calendar year or the first day of operations, a biennial retail sales tax license and a biennial renewal thereof by January 1 of each ~~succeeding~~ even numbered calendar year. For each violation, a penalty of one hundred dollars (\$100.00) shall be imposed. This penalty shall be in addition to any other applicable penalties and interest imposed under the taxing power for tax deficiencies. Operating without a license for each twenty-four-hour period shall be considered a separate and distinct violation. The penalty shall not be imposed for renewals of the license if the ~~annual~~ biennial fee is paid on or before February 28 of each even numbered calendar year.

- **Sec. 6-3-60. - Fees and term of business license.**

Each application for a business license shall be accompanied by payment of a one-time fee in the amount of ten dollars (\$10.00). A business license does not have an expiration date. A business license remains active until cancelled by the license holder, suspended or revoked by the City. This fee is subject to adjustment by the City Manager based upon actual administrative costs and expenses.



**CITY OF LONE TREE  
STAFF REPORT**

**TO: Mayor Gunning and City Council**

**FROM: Seth Hoffman, City Manager**  
**Jeff Holwell, Economic Development Director**

**DATE: August 12, 2015**

**FOR: August 18, 2015 City Council Meeting**

**SUBJECT: Approval of Emergency Ordinance 15-04, ACCEPTING A PETITION FOR THE ORGANIZATION OF A BUSINESS IMPROVEMENT DISTRICT IN THE CITY OF LONE TREE AND ESTABLISHING, CREATING AND ORGANIZING THE LONE TREE BUSINESS IMPROVEMENT DISTRICT SUMMARY**

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The City of Lone Tree has received a petition for the creation of the Lone Tree Business Improvement District, located north of Park Meadows Drive, east of Yosemite, and south of C-470 in the Entertainment District. The property owners/petitioners request that the Lone Tree City Council establish the District via ordinance and submit questions to its electors that would authorize a 20 mill property tax to financially support the BID and to authorize the issuance of bonds for potential infrastructure enhancements within its boundaries.

This is the first of two public hearings regarding the BID ordinance and referendum. The second will occur on September 1<sup>st</sup>, and if accepted the BID would be created and ballot questions would appear before the property owners of the district (electors) for the November 3<sup>rd</sup> election.

**Background**

The proposed Lone Tree Business Improvement District consists of 28.74 acres, 12 lots (i.e. real property owners), 23 personal property owners, and \$11,026,250 in assessed value. Petitioners include the Park Meadows Business Trust (UA Movie Theatre Property), Pat and Mike Lone Tree LLC (Rio Grande), Herzman Niece's Exempt Trust (Sweet Tomatoes Property), Park Meadows and Merchants LLC (India's Clay Oven Property), and TCF National Bank Colorado. These

petitioners represent 17.539 acres and \$5,534,070 in assessed value, greater than the 50% acreage and greater than the 50% real and personal property threshold required for a valid petition.

In the petition, activities the BID has proposed includes 1) parking lot and landscape improvements and common area maintenance, 2) marketing and directional signage, and 3) larger infrastructure improvements potentially including, but not limited to, those suggested in the 2013 “Lone Tree Plaza Vision Book.” In addition, the BID Board of Directors would be, de facto, the Lone Tree City Council. Although the BID Board would ultimately be responsible for revenue and expenditure decisions, it is suggested that 50% of the budget be dedicated to parking lot and landscape common area maintenance and the remaining 50% be dedicated to marketing, signage, and enhancements. All of these activities are consistent the BID statute and other BID’s across Colorado.

#### Cost and Budget

City organizational costs in 2015 have been supported, as budgeted, through the economic development appropriation. In addition, staff has and intends to dedicate significant effort to the program, which is consistent with other BID/economic development entities in Metro Denver.

Once the BID is operational, and assuming the 20 mill property tax is approved, it will generate \$220,526 annually under current assessed values. As the City is considering a \$75,000 annual contribution to the BID, the proposed BID budget will be \$295,525/year. This budget, however, will not be realized until 2017 as property taxes are paid in arrears. That said, 2016 could include some activities (such as a marketing program via the City’s \$75,000 contribution), but the BID will not become fully operational as petitioned until 2017.

Landscape and snow plow services have been quoted at \$152,354. This would suggest that \$143,171 is remaining annually for marketing and enhancements. It is anticipated that the BID will look for other revenue sources and members, become the beneficiary of other city investments (such as the Kimmer intersection and the Kimmer park), and attract private investment to fully realize the Lone Tree Entertainment District vision. The Lone Tree BID is a first step in this redevelopment effort.

#### Suggested Motion or Recommended Action

I move to adopt Ordinance 15-04, an Emergency Ordinance Accepting a Petition for the Organization of a Business Improvement District in the City of Lone Tree and Establishing, Creating and Organizing the Lone Tree Business Improvement District.

**ORDINANCE OF THE  
CITY OF LONE TREE**

**Series of 2015**

**Ordinance No. 15-04**

**AN EMERGENCY ORDINANCE ACCEPTING A PETITION FOR THE  
ORGANIZATION OF A BUSINESS IMPROVEMENT DISTRICT IN THE CITY OF  
LONE TREE AND ESTABLISHING, CREATING AND ORGANIZING  
THE LONE TREE BUSINESS IMPROVEMENT DISTRICT**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LONE TREE,  
COLORADO:**

**ARTICLE 1 – AUTHORITY**

The City of Lone Tree (the "City") is a home rule municipality operating under the Lone Tree Home Rule Charter (the "Charter") adopted on May 5, 1998 and a Municipal Code (the "Code"), codified and adopted on December 7, 2004. Pursuant to the Charter, the Municipal Code and the authority given home rule cities, the City may adopt and amend Ordinances.

**ARTICLE 2 – SAFETY CLAUSE**

The City Council hereby finds, determines, and declares that this Ordinance is promulgated under the general police power of the City, that it is promulgated for the health, safety, and welfare of the public, and that this Ordinance is necessary for the preservation of health and safety and for the protection of public convenience and welfare.

**ARTICLE 3 – EMERGENCY ORDINANCE**

This Ordinance is being adopted pursuant to the provisions of Article V, Section 8 of the City Charter, adopted May 5, 1998. The City Council finds that there exists an immediate threat to the preservation of public health, welfare, peace, safety and property and that this Ordinance is necessary for the protection of public convenience, welfare and property. The urgency and need for passing this Ordinance is that the Lone Tree Business Improvement District must be created and organized no later than September 4, 2015, for a timely ballot certification and subsequent election to occur to authorize various powers that are integral to the District's purpose and functionality.

**ARTICLE 4 – PETITION FOR ORGANIZATION OF A BUSINESS IMPROVEMENT DISTRICT**

A. Petition for the Organization of a Business Improvement District in the City (the "Petition") has been filed in the office of the City Clerk of the City of Lone Tree.

B. The Petition for the proposed district, named the Lone Tree Business Improvement District (the "District"), has been reviewed by the City Clerk.

C. The Petition was accompanied by a cash deposit in an amount which has been determined by the City to be sufficient to cover all expenses connected with the proceedings in case the organization of the District is not effected in accordance with law.

D. Pursuant to its authority to organize Business Improvement Districts under the Business Improvement District Act, Section 31-25-1201, *et seq.* C.R.S. (the "Act"), the City Council of the City of Lone Tree (the "City Council") desires to accept the Petition and organize the District described in the Petition within the City, contingent upon dissolution of the existing Lone Tree Entertainment Business Improvement District.

**ARTICLE 5 – FINDINGS OF FACT**

A. The City Council may, pursuant to its authority to organize Business Improvement Districts, Section 31-25-1207(5), in its sole discretion, declare the District organized, describe the boundaries and service area of the district, and give it the corporate name specified in the petition.

B. Based on the tax rolls of Douglas County, the total valuation for the assessment of the taxable real and personal property in the service area of the District, and the classification of taxable property is as follows:

<u>Classification</u>	<u>Assessed Valuation</u>
Commercial Real Property	\$10,102,900.00
Personal Property	\$ 923,350.00
<b><u>Total:</u></b>	<b><u>\$11,026,250.00</u></b>

C. The signatures on the Petition are genuine, and the Petition has been signed by persons who own real or personal property in the service area of the District, having a valuation for assessment of not less than fifty percent of the valuation for assessment of all real and personal property in the service area of the District, and who own at least fifty percent (50%) of the acreage in the District.

D. The Petition is duly signed and presented in conformity with the requirements of the Business Improvement District Act; the allegations of the Petition are true; and the types of services or improvements to be provided by the District are those services or improvements which best satisfy the purposes set forth in the Act.

E. The organization of the District will serve a public use and will promote the health, security and general welfare of the inhabitants of the City and the property owners of the District.

F. Organization of the District in compliance with Section 32-1-107(2), C.R.S. is contingent upon dissolution of the Lone Tree Entertainment Business Improvement District.

G. The District is located entirely within the boundaries of the City; no property is included within its boundaries which is residential or agricultural property or which is not commercial property; upon dissolution of the Lone Tree Entertainment Business Improvement District no part of such property is within an existing business improvement district; and the District does not include any personal property which is situated upon real estate not included in the boundaries of the District.

## **ARTICLE 6 – ADOPTION**

A. Based upon the findings and determinations set forth herein, the City Council, by this ordinance, hereby adjudicates all questions of jurisdiction to find that it has full jurisdiction under the law to adopt this Ordinance, that the District for which the Petition has been filed is hereby declared organized contingent upon dissolution of the existing Lone Tree Entertainment Business Improvement District, and that the District shall be known as the Lone Tree Business Improvement District, by which, in all subsequent proceedings, it shall hereafter be known. The District shall be a quasi-municipal corporation and political subdivision of the State of Colorado with all of the powers and responsibilities thereof.

B. The City Council shall hereby constitute ex officio the board of directors of the District (the “Board”). The presiding officer of the City Council shall be ex officio the presiding officer of the Board, the clerk of the City shall be ex officio the secretary of the Board, and the Finance Director of the City shall be ex officio the treasurer of the Board.

## **ARTICLE 7 – BOUNDARIES AND SERVICE AREA OF THE PROPOSED DISTRICT**

A. Pursuant to Section 31-25-1205(2)(b), C.R.S., a general description of the boundaries of the District or the territory to be included therein is as follows: Park Meadows Drive to the south, South Yosemite Street to the west, C-470 to the north and the western boundary of 9985 Park Meadows Drive to the east. A detailed legal description (**Exhibit A**) and map (**Exhibit B**) of the District are attached hereto and incorporated herein by this reference.

B. The service area of the proposed District is identical to the boundaries of the proposed District.

**ARTICLE 8 – SERVICES AND IMPROVEMENTS TO BE PROVIDED**

Pursuant to Section 31-25-1205(2)(c), C.R.S., a general description of the improvements to be acquired, constructed, installed, operated, or maintained or the services to be provided within and for the District include 1) parking lot and landscaping improvements and common area maintenance; 2) marketing and directional signage and 3) larger infrastructure improvements potentially including, but not limited to, those suggested in the 2013 “Lone Tree Plaza Vision Book”.

**ARTICLE 9 – SERVICE AREA DESIGNATION**

The City Council hereby designates the property within the service area and boundaries of the District as a location for business and commercial development.

**ARTICLE 10 – RATIFICATION AND APPROVAL OF PRIOR ACTION**

All actions heretofore taken by the officers of the City and the members of the City Council consistent with the provisions of this Ordinance and relating to the formation of the District are hereby ratified, approved, and confirmed.

**ARTICLE 11 – SEVERABILITY**

If any part or provision of this Ordinance, or its application to any person or circumstance, is adjudged to be invalid or unenforceable, the invalidity or unenforceability of such part, provision, or application shall not affect any of the remaining parts, provisions or applications of this Ordinance that can be given effect without the invalid provision, part or application, and to this end the provisions and parts of this Ordinance are declared to be severable.

**ARTICLE 12 – REPEALER**

All orders, resolutions, bylaws, ordinances or regulations of the City, or parts thereof, inconsistent with this Ordinance are hereby repealed to the extent only of such inconsistency.

**ARTICLE 13 – ORDINANCE CONCLUSIVE**

This Ordinance shall finally and conclusively establish the regular organization of the District against all persons unless an action attacking the validity of the organization is commenced in a court of competent jurisdiction within thirty days after the adoption of this Ordinance. Thereafter, any such action shall be perpetually barred.

**ARTICLE 14 – RECORDING AND AUTHENTICATION**

Immediately on its passage this Ordinance shall be kept and maintained by the City Clerk or City Manager in such form as is sufficient to assure reasonable access to the public. It shall be the duty of the Mayor and City Clerk to authenticate such records by their official signatures thereon, but the failure to so record and authenticate this Ordinance shall not invalidate it or suspend its operation.

**ARTICLE 15 – PROVISIONS BECOME EFFECTIVE**

The provisions of this Ordinance shall become effective immediately upon the dissolution of the Lone Tree Entertainment Business Improvement District.

**ARTICLE 16 – EFFECTIVE DATE OF ORDINANCE**

This Ordinance shall take effect upon adoption on first reading and shall be published in full immediately after adoption. This Ordinance shall not be in effect longer than ninety (90) days after adoption unless the City Council shall affirm the same by re-adoption of said Ordinance on second reading and publication on a non-emergency basis within said ninety (90) day period.

**INTRODUCED, READ AND ORDERED PUBLISHED ON AUGUST 18, 2015.**

**CITY OF LONE TREE**

\_\_\_\_\_  
James D. Gunning, Mayor

**ATTEST:**

\_\_\_\_\_  
Jennifer Pettinger, CMC, City Clerk

(SEAL)

**EXHIBIT A**  
**Legal Description**

**LEGAL DESCRIPTION**  
**LONE TREE BUSINESS IMPROVEMENT DISTRICT**

LOTS 1, 2 AND 3, APPLEBEES AT LONE TREE SUBDIVISION FILING NO. 1,  
ACCORDING TO THE RECORDED PLAT THEREOF, DOUGLAS COUNTY, COLORADO

LOT 1, PARK MEADOWS - FILING NO. 2, ACCORDING TO THE RECORDED PLAT  
THEREOF, DOUGLAS COUNTY, COLORADO, EXCEPTING THEREFROM THE  
PORTION CONVEYED IN THE DEED RECORDED AT RECEPTION NO. 2001023338

LOTS 4, 5, 7 AND 8, PARK MEADOWS - FILING NO. 2, ACCORDING TO THE  
RECORDED PLAT THEREOF, DOUGLAS COUNTY, COLORADO

LOTS 6 AND 6A, PARK MEADOWS - FILING NO. 2 – 1ST AMENDMENT, ACCORDING  
TO THE RECORDED PLAT THEREOF, DOUGLAS COUNTY, COLORADO

LOTS 2A AND 3A, PARK MEADOWS - FILING NO. 2 – 14TH AMENDMENT,  
ACCORDING TO THE RECORDED PLAT THEREOF, DOUGLAS COUNTY, COLORADO

ALL TOGETHER CONTAINING 28.74 ACRES, MORE OR LESS

THIS LEGAL DESCRIPTION WAS PREPARED BY, OR UNDER THE DIRECT  
SUPERVISION OF, MICHAEL C. CREGGER, PROFESSIONAL LAND SURVEYOR,  
COLORADO REGISTRATION NO. 22564 FOR AND ON BEHALF OF TTG ENGINEERS,  
INC. ON AUGUST 5, 2015.

**EXHIBIT B**  
**Map**

# Proposed Business Improvement District

