

# STAFF REPORT

# Staff Report Summary

Case Number:  
**24-113723RZ**

## Summary of Process

- The Staff evaluation of an application will be presented at the required Planning Commission and Board of County Commissioners' Hearings.
- The Planning Commission will review the evidence and will make a recommendation to the Board of County Commissioners.
- The final decision on the request will be made by the Board of County Commissioners.

## Case Summary

A Rezoning from PD to a new PD to allow a residential above commercial mixed-use structure at 31033 American Parkway.

|  |                         |                        |                |                       |                |
|--|-------------------------|------------------------|----------------|-----------------------|----------------|
| Prospector at Evergreen ODP  |                         | Alex Fowlkes           |                | November 4th, 2024    |                |
| Case Name  |                         | Case Manager           |                | Formal Submittal Date |                |
| March 9, 2023  | Jun 13, 2024            | July 9, 2025           | August 6, 2025 | Site Development Plan |                |
| Pre-Application Date   |                         | Community Meeting Date |                | PC Hearing Date       |                |
| George Sanderson   |                         | Kim Haarberg           |                | Next Process          |                |
| Applicant/Representative, check if same as owner: <input type="checkbox"/> |                         | Owner                  |                |                       |                |
| 31033 American Parkway   | Evergreen               | 80439                  | 1.13 acres     | 32                    | 4 71           |
| Property Address   | City                    | Zip                    | Area ≈         | Section               | Township Range |
| 300434419  | Western Wah-Keeney Park |                        |                |                       |                |
| Pin  | General Location        |                        |                |                       |                |

## Land Use and Zoning

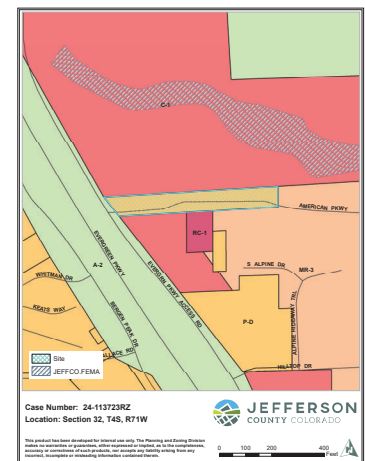
Vicinity



Detail



Surrounding Zoning



|                           |                  |  |                   |
|---------------------------|------------------|--|-------------------|
| Existing Land Use:        | Existing Zoning: | CMP Recommended Land Use:                    | Requested Zoning: |
| Vacant/Parking Lot        | PD               | Commercial                                   | PD                |
| Plan Area: Evergreen Area |                  | Number of citizens at Community Meetings: 13 |                   |
| PC Recommendations:       |                  | Level of Community Interest: Medium          |                   |
| Key Issues: None          |                  |  |                   |

## Criteria for Rezoning:

- The compatibility with existing and allowable land uses in the surrounding area.
- The degree of conformance with applicable land use plans.
- The ability to mitigate negative impacts upon the surrounding area.
- The availability of infrastructure and services.
- The effect upon the health, safety, and welfare of the residents and landowners in the surrounding area.

|                                     |                          |                          |
|-------------------------------------|--------------------------|--------------------------|
| ✓                                   | ○                        | ✗                        |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
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## 1. SUBJECT REQUEST

The owner of the property located at 31033 American Parkway is proposing a Rezoning to a Planned Development (PD) that would allow for a 4-story ground floor commercial with residential above mixed use structure. The existing Official Development Plan (ODP) Evergreen Office Building ODP Amendment One, also allows for a mixed use structure to be built but is more restrictive and contains several standards that are difficult to interpret or are in conflict with various Zoning Resolution (ZR) standards. The applicant's intent is to Rezone to a simpler ODP that will allow for the construction of the mixed use structure that largely follows the Zoning Resolution. The applicant's proposed ODP allows for 4,500 sq ft of office space on the ground floor, a maximum of 24 units on the upper floors, a maximum height of 48 ft, setbacks that limit development to the northwest corner of the lot, and alternative landscaping and architecture standards. Please note that unless specifically called out in the ODP, all other applicable standards of the ZR shall apply to the property.



Figure 1 Subject Property Boundaries (Approximate)

## 2. CONTEXT

The subject property consists of Parcel A of the Wah-Keeney Park – Second Filing Exemption Survey No. 2 (Parcel A, Wah-Keeney Park, Second Filing, Exemption Survey No. 2) and is approximately 1.13 acres. It is located north of Downtown Evergreen and at the northwest edge of Wah-Keeney Park, just along the Evergreen Parkway Access Rd. The property is also right between two commercially zoned areas to the north (Community Subclass) and south (Convenience Subclass). American Parkway also provides access for single family homes to the east.

### 3. SURROUNDING ZONING/LAND USE

|               | Adjacent Zoning   | Land Use                                    |
|---------------|---|---|
| <b>North:</b> | Commercial-One (C-1)  | Sports Center                               |
| <b>South:</b> | Commercial-One (C-1), Restricted Commercial-One (RC-1), Mountain Residential - Three (MR-3) | Brewery, Offices, Single Family Residential |
| <b>East:</b>  | Mountain Residential-Three (MR-3)   | Single Family Residential                   |
| <b>West:</b>  | Agricultural-Two (A-2)  | ROW   |

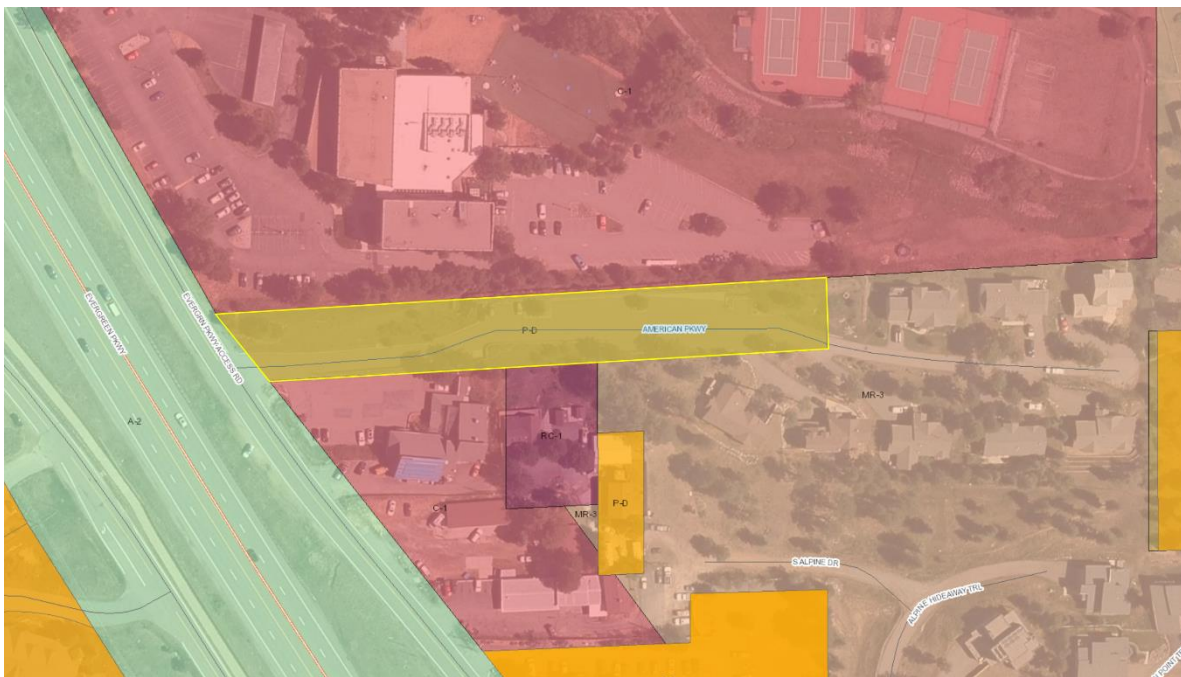


Figure 2 Surrounding Zonings

### 4. SUMMARY OF PROPOSED CHANGES

|                       | Current Zoning  | Proposed Zoning  |
|-----------------------|---|--|
| <b>Zone District</b>  | Planned Development (PD)  | Planned Development (PD)   |
| <b>Permitted Uses</b> | General Offices, Medical and Dental Offices, Financial Institutions, Stores for Retail Sales, Restaurants excluding fast food<br><br>Residential Above Commercial | First Floor Office – Office Space Excluding Medical or Dental Offices (4500 sq ft max GLA)<br>Residential Units Above commercial – Max of 24 units |
| <b>Max GFA</b>        | 18,200 sq ft  | None   |
| <b>Setbacks</b>       | West – 40 Ft  | West – 40 Ft   |

|                       |  |  |
|-----------------------|--|--|
|                       | North – 10 Ft<br>South – 25.5 ft<br>East – 420 ft  | North – 10 Ft<br>South – 25.5 ft<br>South- 20 ft (for below grade parking only)<br>East – 420 ft |
| <b>Maximum Height</b> | Maximum Height of the Structure shall not exceed 48 ft from grade at building at north elevation top of foundation wall below windows to top of roof | 48 ft from first level Finished Floor Elevation to top of roof                                   |

## 5. TRANSPORTATION

The proposed Rezoning would allow for increased allowable gross floor area (GFA), and therefore increased traffic onto the surrounding roadway network. The applicant was required to submit a Trip Generation Analysis comparing the potential traffic generated by the proposal to the current allowed uses.

The Trip Generation Analysis shows there would be 211 average weekday trips. During the weekday PM peak hour, the project will average 9 trips in and 10 trips out. Transportation & Engineering (T&E) and CDOT have no concerns with the trips generated by the proposed Rezoning, as the current roadway network can handle this increase in traffic.

## 6. CRITERIA FOR DECISIONS FOR REZONING APPLICATIONS

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Section 6 of the Zoning Resolution states, *In reviewing Rezoning and Special Use applications, the Planning Commission and the Board of County Commissioners may consider the following criteria:*

- ✓ a. *The compatibility with existing and allowable land uses in the surrounding area.*
  - ✓ b. *The degree of conformance with applicable land use plans.*
  - ✓ c. *The ability to mitigate negative impacts upon the surrounding area.*
  - ✓ d. *The availability of infrastructure and services.*
  - ✓ e. *The effect upon the health, safety, and welfare of the residents and landowners in the surrounding area.*
- 








### *a. The compatibility with existing and allowable land uses in the surrounding area.*

The subject property is bordered by commercial and residential land uses in the surrounding area, and staff finds the proposal compatible with these uses. Staff has no concerns over the project's compatibility with the commercial uses in the area as this mixed use structure can serve as a transition to the more intense commercial development to the north. As for the single family uses, the setbacks in the ODP require the mixed use structure to be built in the northwest corner of the property, which is a relatively large setback distance from the eastern property line where this property borders single family homes

(420 ft setback required to the east). This type of small-scale mixed-use zoning is generally compatible with residential structures, and staff finds the increase in density to be acceptable (6.9 du per acre in the MR-3 Zone district to the east compared to the 21.2 du per acre under this proposal). The current zoning allows a mixed-use development, and this proposal is a slight expansion to the existing zoning as the buildable area bounded by setbacks and building height are not changing, but there is no limit to the maximum GFA

*b. The degree of conformance with applicable land use plans.*

The Comprehensive Master Plan (CMP), an advisory document required by State statute, contains Goals and Policies that are used to guide land use decisions. The Area Plans section of the CMP contains supplementary policies and land use recommendations for evaluation.

|  | Summary  | Conforms with CMP?<br>   |
|--|--|---|
| <b>Land Use</b>                          | The CMP discusses the need for a variety of uses to create a vibrant, enduring community. The Plan encourages diverse communities in which to live, work, and enjoy outdoor recreation.  |   |
| <b>Physical Constraints</b>              | The CMP describes physical constraints as those physical features that due to safety concerns may potentially restrict where and how development occurs. Physical Constraints include geologic hazards and constraints, floodplains, wetlands, wildfire, radiation, landfills, abandoned mines, and wildlife habitat |    |
| <b>Community Resources</b>               | The CMP contains policies that relate to historic structures or sites, scenic corridors, natural features, air quality, light, odor and noise pollution, open space and trails.  |    |
| <b>Infrastructure Water and Services</b> | The CMP describes the importance of new developments having adequate Transportation, Water and Wastewater, and Services.   |    |

Staff concludes that the subject request is in general conformance with the applicable goals and policies of the Comprehensive Master Plan.

**Land Use:** This property is within the North Evergreen Activity Center of the Evergreen Area Plan of the Comprehensive Master Plan, for which the recommended land use is Commercial. The Evergreen Area Plan also recommends mixed use in all the Activity Centers of the Evergreen Area Plan. By allowing for Office development on the ground floor with residential units above, this mixed use proposal is meeting the land use recommendation.

**Physical Constraints:** There are no floodplains, geologic hazards, or wetlands present on the property. This property is in a wildfire risk area and a significant wildlife habitat area. For these reasons staff will be requiring compliance with Defensible Space requirements at the time of Site Development Plan (SDP) and Building Permits, and referrals will be sent to Colorado Parks and Wildlife at the time of SDP to determine if there is any wildlife habitat to be affected.

**Community Resources:** The proposal will not have major impacts to air, light, odor, or noise, and no trails or open space will be impacted by the proposal. Additionally, there are no historic resources identified in the project area.

**Infrastructure, Water and Services:** Existing infrastructure and services are available and adequate to support the proposed Rezoning. The subject property receives fire protection from Evergreen Fire Protection District and water/sewer services from the West Jefferson County Metro District. Will serve letters have been submitted from all these agencies. Additionally, the subject property receives law enforcement services from the Jefferson County Sheriff's office. Lastly, the applicant's Trip Generation Analysis concludes that the existing traffic network can support the development, and T&E has no concerns.

### *c. The ability to mitigate negative impacts upon the surrounding area.*

Staff's main concerns with this proposal were the visual and traffic impacts associated with this proposal. Regarding the visual impacts it might have, staff found that requiring the structure to be in the northwest corner of the property aids with this. Additionally, the applicant decided that they would default back to the Zoning Resolution for most architecture standards (the one exception being requiring a pitched roof), and staff finds this acceptable. By following the architecture requirements in the Zoning Resolution and ODP then staff's concerns over the visual impact will be mitigated. As for the concerns over traffic, both T&E and CDOT reviewed this case and ultimately have no concerns as the existing traffic network is able to support the amount of trips generated by this proposal. Staff finds that the proposed ODP has adequately mitigated impacts.

### *d. The availability of infrastructure and services.*

Staff's analysis found that infrastructure and services are available and adequate to support the proposed uses. As discussed above, the applicant has provided proof of water, sewer, fire, and emergency service sufficient to serve the proposed development. Additionally, the applicants Trip Generation Analysis was reviewed by T&E and CDOT, who had no concerns over the traffic system being able to absorb the traffic generated by this development. Any public improvements that may be required will be addressed during the subsequent Site Development Plan.

### *e. The effect upon health, safety, and welfare of the residents and landowners in the surrounding area.*

The standards set forth in the Zoning Resolution and the proposed ODP will not result in significant impacts to the health, safety, and welfare of the residents and landowners in the surrounding area.

## **7. COMMERCIAL MINERAL DEPOSITS**

No known commercial mineral deposits exist on the subject property.

## 8. COMMUNITY MEETING

A Community Meeting was held on June 13<sup>th</sup>, 2024. There were 13 individuals in attendance. The primary concerns raised by the public at this meeting included issues with parking, drainage impacts, and the challenging topography of the site.

## 9. COMMUNITY/REFERRAL RESPONSES

During the processing of this Rezoning application, Staff received several citizen comments. The public comments were primarily concerned with the following:

- Site Overdevelopment
- Traffic Impacts
- Emergency Evacuation
- Drainage Concerns
- Water Quality

T&E and CDOT have no concerns over the roadway network being able to absorb the trips associated with this proposal. Additionally, many of these concerns will be addressed at the time of Site Development Plan as things such as drainage, water quality, and other engineering subjects will need to meet County standards, or this SDP will not be approved.

## 10. AGENCY REFERRAL RESPONSES

This application was sent on two referrals to 10 Jefferson County Departments & Divisions and 13 external agencies. All referral agencies are satisfied with the applicant's proposal and the changes made to their materials, and **there are no known outstanding issues with the referral agencies.**

## 11. NOTIFICATION

Notification of the proposed development was provided in accordance with the Zoning Resolution. Postcards were mailed to all property owners within ¼ mile of the subject property, all registered associations within 2 miles were sent e-mail notifications, and signage was posted in locations deemed sufficient by staff.

## 12. POST HEARING REVIEW

If the Rezoning is approved, the post hearing review shall be in accordance with the Zoning Resolution as follows:

Planned Development: The applicant shall have 28 days after Board of County Commissioner's approval to submit a 'clean' copy of the approved red-marked ODP and pay the recordation fees. The Case Manager will have 7 days to review the submitted ODP. If the revisions have been made in accordance with the approval conditions, Staff will affirm and record the ODP documents as appropriate. If the submitted documents are not in conformance with the approved red-marked ODP, the red-marked ODP shall be recorded.

## 13. SUBSEQUENT PROCESSES

**Site Development Plan:** Should this Rezoning be approved, the applicant will need to apply for a Site Development Plan. The Site Development Plan process is an administrative process with a review of landscape, architecture, lighting, grading, erosion, and sediment control, and other relevant issues.

### SUMMARY OF STAFF ANALYSIS AND RECOMMENDATION

Staff's analysis concludes that the proposed Rezoning to PD district will be compatible with the existing and allowable commercial uses in the area and is compatible with the residential uses as the proposal is stepped back significantly from them. The proposal is in general conformance with the CMP because the subject property is within the North Evergreen Activity Center for which commercial and mixed use are recommended, and staff finds the mixed use nature of this proposal in line with this recommendation. As long as all ZR and ODP standards are followed, this will not result in significant impacts. Adequate infrastructure and services are in place or available to support the proposed use and will not result in unmitigated impacts to the health, safety, and welfare of residents and landowners in the surrounding area. For these reasons, staff recommends APPROVAL of the proposed Rezoning.

### FINDINGS:

Based on the analysis included in this report, staff concludes that the proposal addresses each of the criteria below which the Planning Commission may consider, as detailed in subsection 6 of this staff report.

1. The proposed Rezoning from Planned Development (PD) to a new Planned Development (PD) zone district, which allows for commercial and residential land uses in a mixed-use structure is compatible with the existing and allowable commercial and residential land uses in the surrounding area.
2. The proposal is in general conformance with the Comprehensive Master Plan (CMP). The subject property is within North Evergreen Activity Center of the Evergreen Area Plan, for which commercial uses are recommended, and mixed use is recommended in all Activity Centers of the Evergreen Area Plan. The proposal generally conforms with all other applicable sections of the CMP goals and policies.
3. The ability to mitigate the negative impacts of the proposed land uses upon the surrounding area has been considered and addressed by the written requirements in the Official Development Plan and Zoning Resolution (ZR) standards. Potential visual impacts are mitigated by requiring the mixed-use structure to be located in the northwest corner of the site and by requiring the design of the structure to comply with the architectural standards in the ZR.
4. The subject property is served by the Evergreen Fire Protection District, the West Jefferson County Metropolitan District, provides water and sanitation services, and the Jefferson County Sheriff's Office. The existing infrastructure and services are adequate and available to serve the proposed uses.

5. The proposed Rezoning will not result in significant impacts to the health, safety, and welfare of the residents and landowners in the surrounding area.

## PLANNING COMMISSION ACTION:

The Planning Commission is charged with reviewing the request, staff report, and staff recommendation, receiving testimony and evidence on the application, and recommending approval or denial of the request to the Board of County Commissioners.

COMMENTS PREPARED BY:

*Alexander Fowlkes*

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Alexander Fowlkes

Planner

June 16, 2025

# PROPOSED ZONING

## **Prospector at Evergreen Official Development Plan**

### **A. Intent**

The purpose of this Rezoning is to allow for the construction of a mixed-use structure on the property.

### **B. Written Restrictions**

All the standards of the Zoning Resolution apply to the property as shown on the attached Exhibit A and the legal description attached hereto as Exhibit B with the following modifications:

#### **1. Permitted Uses**

##### **a. Office on Level 1**

- i. Office: Government Office, Business, or Professional Office
- ii. No Medical or Dental Office
- iii. Maximum GLA on Level 1: 4500sf

##### **b. Residential on Levels 2, 3, and 4**

- i. Maximum number of residential units: 24

#### **2. Accessory Uses**

##### **a. Parking & Below Ground Parking**

#### **3. Lot and Building Standards**

##### **a. Minimum Building Setbacks**

- i. Front (west) 40' from property line
- ii. Side (north) 10' from property line
- iii. Side (south) 25'-6" from property line at finished grade
- iv. Side (south) 20'-0" from property line below finished grade for underground parking
- v. Rear (east) 420' from property line

##### **b. Maximum Height of structure shall not exceed 48 ft from First Level Finished Floor Elevation to top of roof**

#### **4. Landscape Requirements**

- a. Two large shrubs may be substituted for one tree in areas adjacent to retaining walls where survival of trees would be in danger or where tree roots would damage retaining walls.

#### **5. Architecture**

- a. The building shall have pitched roof of no less than 3:12 pitch

**APPROVED FOR RECORDING:**

This Official Development Plan, titled Prospector at Evergreen Official Development Plan, was approved the \_\_\_\_\_ day of \_\_\_\_\_ 2025, by the Board of County Commissioners, of the County of Jefferson, State of Colorado and is approved for recording.

The owner of the property, at the time of approval was: \_\_\_\_\_

By: Jefferson County Planning and Zoning Director

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

# MAPS



**Case Number: 24-113723RZ**  
**Location: Section 32, T4S, R71W**

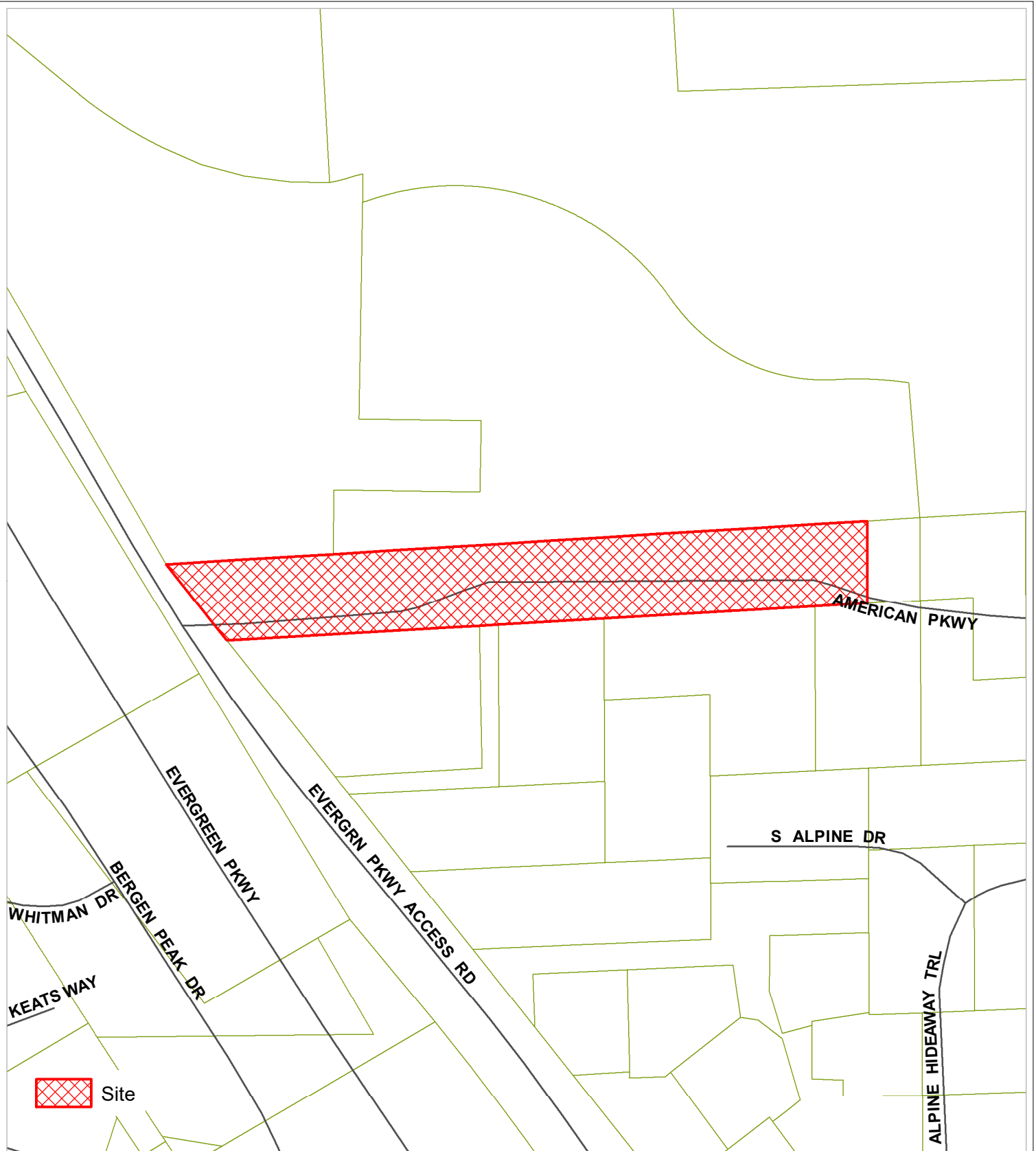


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0 75 150 300 Feet





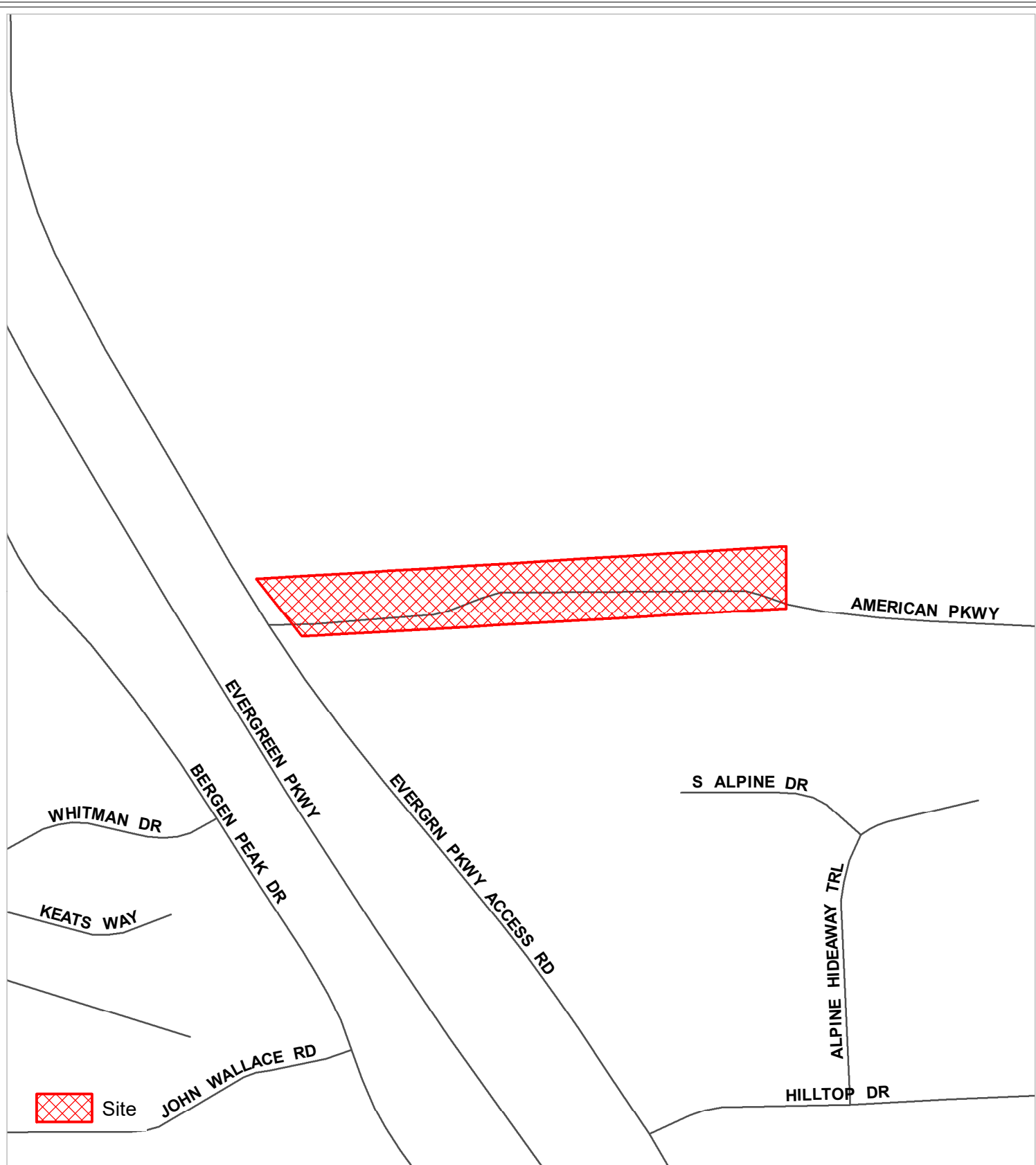
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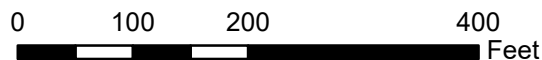


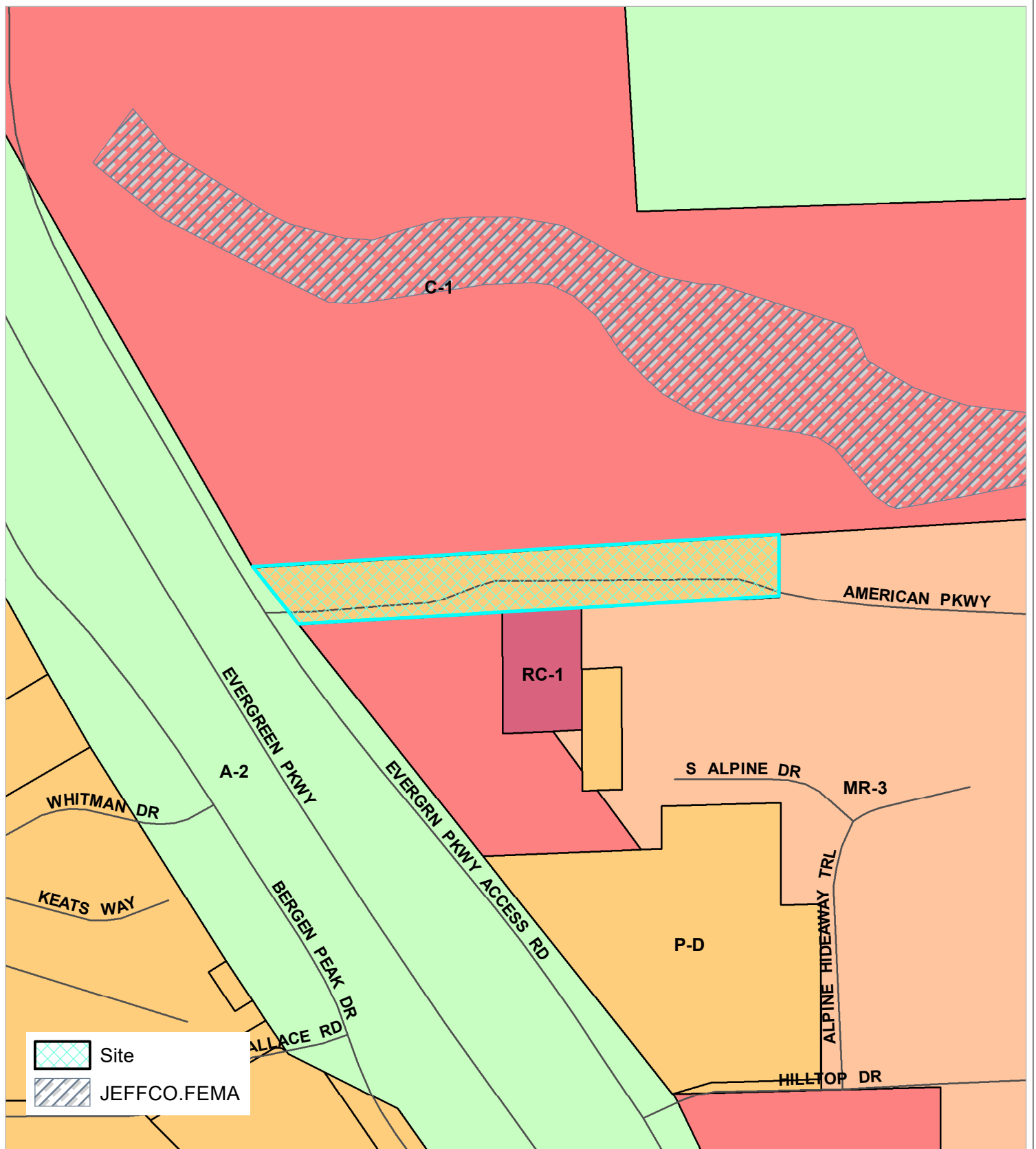
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**Case Number: 24-113723RZ**  
**Location: Section 32, T4S, R71W**



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0 100 200 400 Feet



Case No. 24-113723RZ

Legal Description

Street Location of Property: 31033 American Parkway

Is there an existing structure at this address?

Yes       

No   X  

Type the legal description and address below.

Parcel A, Wah-Keeney Park, Second Filing, Exemption Survey No. 2, County of Jefferson, State of Colorado

Section 32 Township 4 S. Range 71 W.

Calculated Acreage 1.13 Acres Checked by: Kendell Court

Address Assigned (or verified): 31033 American Parkway

# COMMUNITY MEETING SUMMARY

## COMMUNITY MEETING SUMMARY

Case Number

24-113963RZ

Meeting Date

06/13/24

Approx. # of Citizens

13

# Signed in

13

Meeting Location

Virtual

Subject Property

31033 American Parkway

Property Owner

Applicant/Representative

Sanderson Architects

### Summary of the Applicant's Presentation

22 Years of History on This property

The current rezoning is to bring the site up to current regulations, and will highly rely on the zoning resolution standards.

Stated this structure will be minimal in nature, and has been designed with impacts and ZR Standards in mind

### Information Presented/Format of the Meeting

Staff Presented Process

Applicant told of the history of the project, showed the proposed ODP, and a rendering of the proposal

Q&A Session

### Overall Impression/Tone of Meeting

Overall it was respectful, but community had concerns. Applicant was open to addressing those concerns

### Main Points/Issues Raised by Citizens/Applicant's Response

This is a challenging site with the topography and buildable area, applicant agrees but showed their plan to address these challenges

Drainage into Bergen Creek is a concern, applicant stated all drainage will go into the drainage pond at the east of the site

Parking is a concern, applicant demonstrated they are providing underground parking spaces and was open to public concerns

# REFERRAL COMMENTS

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## ADDRESSING

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# MEMO

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To: Alexander Fowlkes  
FROM: Christine Derby  
SUBJECT: 24-113723RZ 31033 American Parkway  
DATE: November 25, 2024

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Addressing offers the following comments on this proposal:

1. The purpose of this Rezoning is to Rezone to allow a residential above commercial mixed-use structure at 31033 American Parkway.
2. Access is off American Parkway.
3. There is a valid existing address, 31033 American Parkway, in the addressing database. This address will not change with this Rezoning but may change with future development.

Please let me know if you have any questions.

# *EVERGREEN METROPOLITAN DISTRICT*

**Water and Wastewater**  
30920 Stagecoach Blvd.  
Evergreen, Colorado 80439  
303-674-4112

November 4th, 2024

Jefferson County Planning and Zoning Department  
100 Jefferson County Parkway  
Suite 3550  
Golden, CO 80419  
Attn: Alexander Fowlkes, Case Manager

Re: Case Number: 24-113723RZ. Rezoning Application.

Dear Mr. Fowlkes,

This property is located within the West Jefferson County Metropolitan District (WJCMD). Contrary to the cover letter, this property, known as 31033 American Parkway, does not have commercial water or sewer service and neither WJCMD nor Evergreen Metropolitan District (EMD) have filled out a Form 1001. This property does have an active account (00229004-02) with an irrigation only tap.

New development within the District is subject to the System Development Engineering Analysis. The Owner will need to contact the Evergreen Metropolitan District to enter into an agreement and provide the required deposit. EMD will contract with our consulting engineer to review all utility plans and reports to determine if there is adequate infrastructure to serve this development. Should the infrastructure not be adequate, the Owner will be responsible for all infrastructure improvements according to the District's Rules and Regulations. Once approved, the Owner will need to apply for taps and pay all applicable fees before service will be provided.

If you have any questions, please call me at 720-772-0199.

Sincerely,

Thomas Riggle  
Water Resources Manager  
Evergreen Metropolitan District

**PLANNING ENGINEERING MEMORANDUM**

**TO:** Alex Fowlkes, Case Manager  
**FROM:** Lauren Caruso, Planning Engineering  
**DATE:** December 17, 2024

**RE:** 24-113723RZ; Rezoning to allow for residential above commercial mixed-use structure at 31033 American Parkway

I have reviewed the application documents and provided the comments below. These comments are based upon the requirements of the Jefferson County Zoning Resolution (ZR), the Transportation Design and Construction Manual (TD&CM), the Land Development Regulation (LDR), and the Storm Drainage Design and Technical Criteria (SDD&TC).

**PLANNED DEVELOPMENT ZONE DISTRICT:**

**TRANSPORTATION**

1. Traffic information:

The applicant did not provide adequate information on the highest potential traffic that can be generated under the proposed use(s). Please update the traffic information to include the most intense possible use proposed with the rezoning to demonstrate maximum trip generation (not only demonstrating the intended use traffic generated).

The trip generation memorandum needs to show the number of trips generated by the most intense possible use under the ODP (Likely fast food or retail; applicant will need to verify). This should be compared to the existing use/zoning.

**FUTURE REQUIREMENTS**

1. A Site Development Plan is being reviewed concurrently with this rezoning application through case number: 24-127802SD

If you wish to set up a meeting to discuss the above comments, or if you have any questions regarding these comments, please contact me at lcaruso@jeffco.us or 303-271-8752.

Sincerely,

Lauren Caruso,  
Civil Planning Engineer

Attachment:

c: Owner/Applicant  
File

# Memorandum

**To:** Alex Fowlkes  
Planner

**From:** Patrick O'Connell  
Engineering Geologist

**Date:** November 20, 2024

**Re:** 31033 American Parkway, Case No. 24-113723RZ

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The intent of the application is to rezone the property. I have the following comment.

1. The site is not within a zoned or unzoned geologic hazard area and reports are not required with the rezoning process.
2. The property is located within the Mountain Ground Water Overlay District. However, this property will be served by EMD.

**MEMO**

**TO:** Alexander Fowlkes  
Jefferson County Planning and Zoning Division

**FROM:** Tracy Volkman  
Jefferson County Environmental Health Services Division

**DATE:** November 6, 2024

**SUBJECT:** Case #24-113723 RZ  
Sanderson Architects, Llc  
31033 American Pkwy

The applicant has met the public health requirements for the proposed rezoning of this property.

**PROPOSAL SUMMARY**

PD Lite Application for 31033 American Parkway

**COMMENTS**

Jefferson County Public Health (JCPH) provided comments in 2015 and 2023 regarding previous planning cases for this property. We reviewed the documents submitted by the applicant for this rezoning process and have the following comments:

The applicant must submit the following documents or take the following actions prior to a ruling on the proposed rezoning for this property. NOTE: Items marked with a “✓” indicate that the document has been submitted or action has been taken. **Please read entire document for requirements and information. Please note additional documentation may be required.**

**REZONING REQUIREMENTS (Public Water & Public Sewer Systems)**

| ✓ | Date Reviewed | Required Documentation/Actions  | Refer to Sections             |
|---|---------------|---|-------------------------------|
| ✓ | 11/05/2024    | Submit a will serve service letter from the Water and Sanitation District indicating public water and sewer can be provided to the proposed development in accordance with the Land Development Regulation (LDR) 21 and 22. | Water/Wastewater              |
| ✓ | 11/05/2024    | Submit a notarized Environmental Questionnaire and Disclosure Statement packet, in accordance with the LDR Section 30.  | Environmental Site Assessment |

### **WATER AND SANITATION (LDR 21 & 22)**

The applicant provided a certificate of water/sewer availability signed by the Evergreen Metropolitan District for public water services and the West Jefferson County Metro District for public sewer services dated January 17, 2023, stating that public water and sewer services are available to the proposed development.

### **ENVIRONMENTAL ASSESSMENT (LDR 30)**

JCPH has reviewed the Environmental Questionnaire and Disclosure Statement. The applicant checked "No" on all categories of environmental concern on the cover sheet. From this information, it does not appear that any recognized environmental conditions exist which would negatively impact the property.

Should stained or discolored soil or contaminated groundwater be encountered during construction and excavation of this area, the contractor must cease operations and contact a professional engineer licensed in Colorado or equivalent expert to further evaluate the soil and/or groundwater conditions, the nature and extent of the contamination, and determine the proper remediation and disposal of the contaminated material. The contractor must contact the CDPHE, Hazardous Materials and Waste Management Division at 303.692.3320

### **ACTIVE LIVING**

JCPH is in support of the mixed-use development where residents can live, work and recreate within the community as it encourages physical activity, such as walking or biking, and reduces automobile travel which decreases air pollution.

The proposed mixed-use zoning provides an excellent opportunity to develop an area where people can live, work and recreate in one place. Multiple modes of transportation, such as walking, bicycling, and use of public transit, can be accommodated if forethought is put into the project. This Department supports mixed use developments as they can promote physical exercise, improve air quality and foster a strong sense of community. It is strongly recommended that at the time of site development, the applicant considers the following:

- Provide bicycle parking or bike corrals.
- Provide wide enough sidewalks (minimum of 5-6 feet) to allow for two people to walk comfortably abreast.
- Provide safe routes for pedestrians to access all the buildings within this development; Provide for safe pedestrian crossings, such as sidewalk flares and raised crossings, at all roadway intersections.
- Ensure that new buildings are oriented adjacent to the street/pathway to improve pedestrian access/circulation.
- Provide parking to the side or to the rear of the buildings; and,
- Provide pedestrian-friendly streetscapes.

To encourage more physical activity, such as, walking and bicycling, and reduced automobile travel, JCPH is in support of mixed-use developments.

### **AIR**

Land development activities that are less than 25 contiguous acres and less than 6 months in duration are exempt from permitting and do not need to report air emissions to the Air Pollution Control Division. However, the developer must use sufficient control measures and have a dust

control plan in place to minimize any dust emissions during demolition, land clearing and construction activities. This department will investigate any reports of fugitive dust emissions from the project site. If confirmed, a notice of violation will be issued with appropriate enforcement action taken by the State.

Please be advised that a vehicle tracking pad or equivalent should be placed at egress points to prevent off property transport of materials during construction.

### **APENS**

Any business in Colorado that emits air pollutants may be required to report its emissions and/or apply for a permit. Submitting an Air Pollutant Emissions Notice (APEN) may be required to report emissions or apply for a permit. The Colorado Department of Public Health and Environment, Air Pollution Control Division (APCD) will determine if the above permits are required. Contact the APCD at 303.692.3100 for more information.

### **RADON**

JCPH strongly advises and encourages the developer to install a radon mitigation system in the proposed development to address the health hazard associated with radiation from radon gas. Jefferson County is considered a Zone Red which is the highest risk of radon exposure according to the Environmental Protection Agency (EPA). According to our statistics from our radon grants, more than half of the homes in Jefferson County have radon levels at or above of 4 picoCuries per Liter (piCu/L). EPA advises that dwellings that test at or above 4 piCu/L should have a radon mitigation system installed. It is extremely difficult to install radon mitigation systems in multi-home developments after the development is built. As such, it is more cost effective and the reasonable and prudent choice to install a radon system as part of the development to protect future residents.

### **LANDSCAPING**

Landscaping plans should include appropriate water conservation measures. The use of native plant species and/or xeriscaping is strongly encouraged to minimize water quality impacts in the area.

### **NOISE**

Since this facility will have residential properties above the businesses, noise levels emitted from this property are more stringent and must comply with the Colorado Revised Statutes (Sections 25-12-101 through 108) which stipulates that the maximum residential noise levels must comply with the following 25 feet from the property line:

- 55dB(A) between 7:00 a.m. and 7:00 p.m.
- 50dB(A) at all other times.

Colorado Revised Statute 25-12-103 classifies noise that exceeds the maximum permissible noise level as a public nuisance which is a civil matter between the property owner and the complainant. Please note: JCPH and the Colorado Department of Public Health and Environment does not enforce noise complaint nuisances.

### **ODORS**

Odors that are detectable off property that are impacting neighbors may be in violation of state regulations. This Department responds to complaints regarding detectable odors and uses the Colorado Air Quality Control Commission Odor Emission Regulation Number Two for any enforcement action necessary.

## **REGULATED FACILITIES**

Certain commercial uses may be subject to plan reviews, inspections, licensing and/or permitting by this Department, or referred to State agencies. Regulated uses include but are not limited to the following: Child Care Centers/Schools, Food Service Establishments/Grocery Stores, Dry Cleaners, Body Art

### **RETAIL FOOD**

Proposed retail food service establishments will be subject to a plan review, yearly licensing, and routine inspections by this Department. Please email [health\\_eh\\_rf\\_plan\\_review@jeffco.us](mailto:health_eh_rf_plan_review@jeffco.us) for specific requirements. "Retail food establishment" means a retail operation that stores, prepares, or packages food for human consumption or serves or otherwise provides food for human consumption to consumers directly or indirectly through a delivery service, whether such food is consumed on or off the premises or whether there is a charge for such food. Colorado Revised Statutes 25-4-1602(14).

### **CHILDCARE CENTERS**

Proposed childcare centers will be subject to a plan review, yearly inspection fee and routine inspections by this Department. Please contact Urszula Tyl, Plan Review Coordinator (303.271.5714 or [urstyl@jeffco.us](mailto:urstyl@jeffco.us)) for specific requirements.

All new Child Care Centers require Radon testing from a licensed professional radon contractor within 6 months of occupancy per the Rules and Regulations Governing the Health and Sanitation of Child Care Facilities in the State of Colorado 7.14.2 (H).

### **BODY ART**

Proposed Body Art establishments will be subject to a plan review, yearly licensing and routine inspections in accordance with the Jefferson County Public Health Rules and Regulations Governing Body Art Establishments in Jefferson County Colorado. Please contact Plan Review Coordinator Kelly McGregor, 303.271.5766, for specific requirements.

**NOTE: These case comments are based solely upon the submitted application package. They are intended to make the applicant aware of regulatory requirements. Failure by Jefferson County Public Health to note any specific item does not relieve the applicant from conforming to all County regulations. Jefferson County Public Health reserves the right to modify these comments, request additional documentation, and or add appropriate additional comments.**

# **NOTIFICATION SUMMARY**

**+**

# **PUBLIC / HOA COMMENTS**

Case Number 24-113723RZ

As a requirement of the Jefferson County Zoning Resolution, the following Level 1 notification was provided for this proposal.

1. Notification of this proposed development was mailed to property owners within a 1/4 mile radius of the site and Registered Associations located within a two mile radius of the site.

These radii are shown on the maps below. The initial notification was mailed at the time of the first referral. Additional notification was mailed 14 days prior to the Planning Commission Hearing identifying the scheduled hearings dates for both the Planning Commission and the Board of County Commissioners.

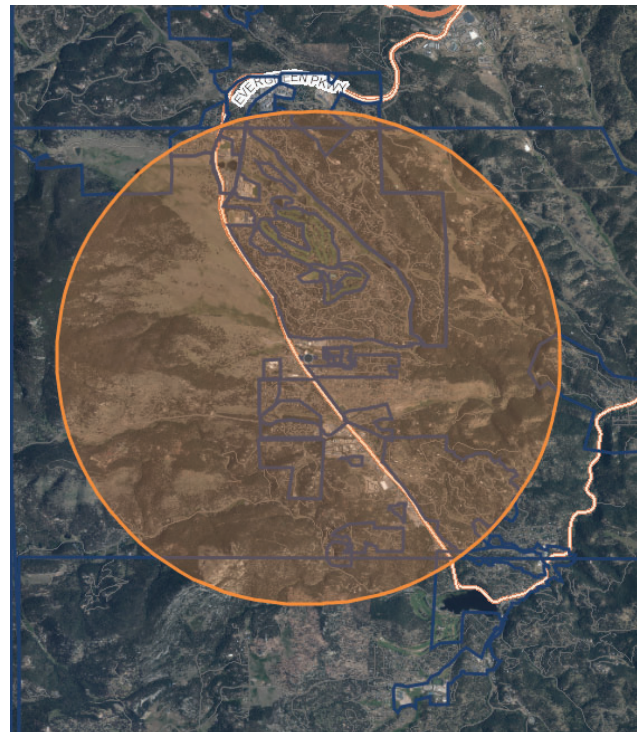
2. Sign(s), identifying the dates of the hearings before both the Planning Commission and the Board of County Commissioners, were provided to the applicant for posting on the site. The sign(s) were provided to the applicant with instructions that the site be posted 14 days prior to the Planning Commission Hearing.
3. Notification of the hearings before the Planning Commission and the Board of County Commissioners was published in the West Jeffco Hub.

Lists of the specific property owners and registered associations that received notification are attached to this summary.

## Property Owners



## Registered Associations



## Alexander Fowlkes

---

**From:** Lori Tieszen <lori.tieszen@gmail.com>  
**Sent:** Wednesday, July 2, 2025 5:41 PM  
**To:** Alexander Fowlkes  
**Cc:** Tom G.; Shelley Fiedler  
**Subject:** --{EXTERNAL}-- Rezoning Case: 24-113723RZ

**Categories:** Public Comment

### This Message Is From a New Sender

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Dear Alex,

My name is Lori Tieszen and we, my husband Tom Gilhooly and I, have owned 30974 American Parkway in Evergreen since 2017.

**We have reviewed the key documents for the rezoning case and have a few comments/concerns, including:**

1. **Width of American Parkway:** We know the current standards require 25 ft of space for the road and I don't believe that space is available on the west end of American Parkway, next to the retaining wall separating the road from the parking lot at Boone's Mt Sports. On the parking matrix they actually say the width is 21' 10". The east side of American Parkway is much wider, but with the proposed parking spaces it will reduce the space for two-way traffic again to 21' 10" as noted on the parking matrix. I know from experience that to have two cars cross in less than 22" is fine for light traffic, but we worry about heavier traffic listed in scenario I & II, where the daily trips are expected to be 211-298 vehicles. We also have a concern that there must be sufficient room for Fire, police and ambulance usage.
2. **Egress:** In the ODP Rezoning PDF it mentions the minimum building setbacks listing the Front as the west side, facing the Hwy 74 Frontage Road, but both the address and the preliminary designs show American Parkway, the south side of the building, as the perceived "front". I am not well versed on site plans and developments, but this labeling of the front, Evergreen Parkway (Hwy 74) frontage road looks misleading. Obviously it is the only exposure where there is the minimum 40' building setback so it has been labeled the front.
3. **Greater wear and tear to the eastern portion of American Parkway:** Although a truck turnaround is highlighted on the parking matrix, we worry that there will be much more traffic on our private road, with cars turning around etc., causing additional wear and tear on our small private road. Our private driveway is across from the proposed truck turnaround and we are hoping we don't become an additional turnaround space. Not sure how this can be addressed, but it is a concern
4. **Wildlife Corridor for the Elk & Deer:** We frequently, almost daily, get elk and deer on our road and grazing on our lawns. This Hwy 74 / Elk Meadow corridor is highly traveled as elk and deer cross to Bear Creek drainage. It isn't mentioned in this rezoning documents, but it is something to

be considered as the development proceeds. We value our wildlife in Evergreen and all development needs to be conscious of their migration patterns.

5. **Drainage:** This has been an issue in the past in our area and is critical to the Bear Creek Drainage system. This was an issue when the proposed development of the tennis courts was explored. Obviously this will be detailed in future plans, but it is a concern.
6. **Mountain Design:** We realize the site drawings are preliminary, but we want to make sure this development blends in with our mountain community.

We realize this meeting is just to address the rezoning, which hasn't been updated since 2015, but we wanted to list our initial concerns. Our neighbor, Shelley Fiedler, copied here, said she spoke to you the other day and that you were sending in report soon. Would you please send us a copy of your report?

We are planning to attend this rezoning meeting remotely and will be engaged throughout the development process.

Thank you for your time and we wish you a good 4th of July holiday. If you have any questions of us please feel free to contact us directly via email or via the cell number listed below in my signature.

Sincerely

Lori Tieszen & Tom Gilhooly  
Home Owners  
30974 American Parkway - Evergreen, CO 80439

lori.tieszen@gmail.com  
cell: 212-810-6883

## Alexander Fowlkes

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**From:** shelly fiedler <shellyfiedler@gmail.com>  
**Sent:** Wednesday, July 2, 2025 5:19 PM  
**To:** Alexander Fowlkes  
**Subject:** --{EXTERNAL}-- 24-113723RZ

**Categories:** Public Comment

### This Message Is From a New Sender

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Jefferson County Commissioners  
Alex Fowlkes

### Comments Regarding the Rezoning hearing 24-113723RZ

As a resident of American Parkway, I have the following concerns with the rezoning and development of this property:

This is a high density development. There is literally NO infrastructure to support this type of use. There is no public transportation, there are NO sidewalks, NO bike lanes, and the frontage road is already covered with no parking signs because of the unsafe visual conditions along this road.

There is a safety issue with egress for emergency and fire vehicles. The site development plan details a 20 ft passageway between parking areas. The ICC standards require a minimum of 26 feet for fire access as well as a turnaround and additional access for buildings taller than 3 stories.

There are several issues with the drainage into Bergen Creek from this property. The existing detention pond appears to not be owned by the current developers, is there a recorded easement for this detention pond to be utilized?

Is the applicant meeting all set back requirements or will they be requesting variances for set backs on the building envelope?

The homes to the east of the development on American Parkway are on a privately maintained road, the developer shows no plan for controlling traffic that will inevitably end up using this road for a turn around or more parking.

--

*Shelley Fiedler*

907-382-1212 cell/text

## Alexander Fowlkes

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**From:** Judi Kraszewski <judi.kraszewski7@gmail.com>  
**Sent:** Saturday, June 28, 2025 2:01 PM  
**To:** Alexander Fowlkes  
**Subject:** --{EXTERNAL}-- Re: 31033 American Parkway

**Categories:** Public Comment

### This Message Is From a New Sender

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Hello Alex - Here we go again. Is this a new developer trying to do the same thing as last year? Please use my same comments as last year (see above). And add one more thing: The elk and deer from Elk Meadow use this area for grazing and water. Another reason to say no no no no no. Thank you.

On Fri, Nov 15, 2024 at 5:35 PM Judi Kraszewski <[judi.kraszewski7@gmail.com](mailto:judi.kraszewski7@gmail.com)> wrote:

No, no. no. I am totally against this rezoning proposal. Once again, this would create more traffic hazards for Hiwan residents, Sun Creek residents, Hilltop residents and other communities were a fire to develop. We do not need any more cars/people in this area. It is already totally developed. Do not allow this to happen. We already have enough cars/people in this area and do not need any more. Were a fire to exist it would be a traffic disaster trying to escape from these communities.

Please recommend no to the county commissioners. Thank you.

-Judi Kraszewski

## Alexander Fowlkes

---

**From:** Judi Kraszewski <judi.kraszewski7@gmail.com>  
**Sent:** Friday, November 15, 2024 5:35 PM  
**To:** Alexander Fowlkes  
**Subject:** --{EXTERNAL}-- 31033 American Parkway

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

**Categories:** Public Comment

### This Message Is From a New Sender

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No, no. no. I am totally against this rezoning proposal. Once again, this would create more traffic hazards for Hiwan residents, Sun Creek residents, Hilltop residents and other communities were a fire to develop. We do not need any more cars/people in this area. It is already totally developed. Do not allow this to happen. We already have enough cars/people in this area and do not need any more. Were a fire to exist it would be a traffic disaster trying to escape from these communities.

Please recommend no to the county commissioners. Thank you.

-Judi Kraszewski

## Alexander Fowlkes

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**From:** Megan Boone <megan@boonemountainsports.com>  
**Sent:** Thursday, February 27, 2025 2:21 PM  
**To:** Alexander Fowlkes  
**Cc:** Jennifer Boone; Logan Boone; Casey Boone; Riley Boone; John Witucki  
**Subject:** Re: --{EXTERNAL}-- Follow-Up on Public Meeting Regarding 31033 American Parkway Development  
**Attachments:** PBJC letter of concern for neighboring property.pdf; BMS Public comment letter on neighboring development.pdf; Evergreen Brewery letter of concern on neighboring development (2).pdf  
**Follow Up Flag:** Follow up  
**Flag Status:** Completed  
**Categories:** Public Comment

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Dear Mr. Fowlkes,

I hope you are doing well.

I am submitting public comments on behalf of three business entities regarding the proposed development at **31033 American Parkway** case #24-113723:

- **Boone Mountain Sports**
- **Evergreen Brewery**
- **PBJC Booking (Property Owners of the Adjacent Commercial Building)**

Each entity has significant concerns about the potential impacts of this development, including property devaluation, traffic congestion, pedestrian safety, environmental risks, and business viability. Please find the attached letters outlining these concerns in detail.

I appreciate your time and consideration of these comments as part of the referral process. Please confirm receipt of this email, and let me know if any further information is needed.

Thank you for your attention to this matter.

Best regards,  
**Megan Boone Witucki**  
Boone Mountain Sports

On Thu, Nov 7, 2024 at 9:24 AM Alexander Fowlkes <[afowlkes@co.jefferson.co.us](mailto:afowlkes@co.jefferson.co.us)> wrote:

Jennifer,

This case is actually on referral! They intend to do a concurrent Site Development Plan (SDP) and Rezoning (RZ), but at this point only the RZ is out on referral. You can view case docs using our [active case search](#) , the case # is 24-113723. You should see some new signs go up and postcards go out soon. It is at this point in time you can now submit public comments to me, so please feel free to do so. This case will be on referral for a bit until we schedule for hearing, and at that time we will send out new notification.

Hopefully this helps!

**Alex Fowlkes**

Jefferson County Planning and Zoning

Planner

303-271-8719

[afowlkes@jeffco.us](mailto:afowlkes@jeffco.us) | [planning.jeffco.us](http://planning.jeffco.us)

## TOGETHER JEFFCO 2023

County Plans and Regulations Update

*Help us shape the future of Jefferson County by visiting the Together Jeffco website and taking the online questionnaire! Click this image to visit our website: <https://togetherjeffco.com>. From there, you will find our Questionnaire on the main page!*

[\[togetherjeffco.com\]](https://togetherjeffco.com)



We encourage scheduling an appointment to see staff during our office hours Monday - Thursday. Please schedule [appointments](#) [\[jeffco-planning-and-zoning-hqorx.appointlet.com\]](http://jeffco-planning-and-zoning-hqorx.appointlet.com) and submit [applications](#) online. Go to [planning.jeffco.us](http://planning.jeffco.us) for more information.

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**From:** Megan Boone <[megan@boonemountainsports.com](mailto:megan@boonemountainsports.com)>

**Sent:** Wednesday, November 6, 2024 9:40 AM

**To:** Alexander Fowlkes <[afowlkes@co.jefferson.co.us](mailto:afowlkes@co.jefferson.co.us)>

**Cc:** Jennifer Boone <[jennifer@boonemountainsports.com](mailto:jennifer@boonemountainsports.com)>; Logan Boone <[logan@boonemountainsports.com](mailto:logan@boonemountainsports.com)>; Casey Boone <[casey@boonemountainsports.com](mailto:casey@boonemountainsports.com)>; Riley Boone <[riley@boonemountainsports.com](mailto:riley@boonemountainsports.com)>; John Witucki <[john@boonemountainsports.com](mailto:john@boonemountainsports.com)>

**Subject:** Re: --{EXTERNAL}-- Follow-Up on Public Meeting Regarding 31033 American Parkway Development

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Hi Alex,

I hope this message finds you well. I wanted to follow up regarding the proposed development adjacent to our commercial property. We are monitoring this project closely as it moves through the approval process with the county, and I'd appreciate any updates you might be able to share on the case's current status or next steps.

Thank you again for the PowerPoint presentation from the recent community meeting—it's been very helpful. If there are additional materials or timelines I should be aware of, please don't hesitate to let me know.

Best regards,  
Jennifer

On Tue, Jun 25, 2024 at 9:40 AM Alexander Fowlkes <[afowlkes@co.jefferson.co.us](mailto:afowlkes@co.jefferson.co.us)> wrote:

Hi Megan,

My apologies for the delay in my response, I've been out of office for the past week and am working on getting caught back up.

Attached is my PowerPoint I presented at the community meeting, and as for the notification you should have received a postcard in the mail. This postcard goes to the property owner's mailing address, which according to my file is 2445 HOYT ST LAKEWOOD CO 80215. To have this updated, please contact the assessor's office.

Beyond that, we notify all HOA's or other associations registered in the county in a 2 mile radius, and we require the applicant to post a sign on the property. But you are always welcome to reach out to me for more information or an update on the case!

**Alex Fowlkes**

Jefferson County Planning and Zoning

Planner

303-271-8719

[afowlkes@jeffco.us](mailto:afowlkes@jeffco.us) | [planning.jeffco.us](http://planning.jeffco.us)

## TOGETHER JEFFCO 2023

County Plans and Regulations Update

*Help us shape the future of Jefferson County by visiting the Together Jeffco website and taking the online questionnaire! Click this image to visit our website: <https://togetherjeffco.com>. From there, you will find our Questionnaire on the main page!*

[\[togetherjeffco.com\]](https://togetherjeffco.com)



We encourage scheduling an appointment to see staff during our office hours Monday - Thursday. Please schedule [appointments \[jeffco-planning-and-zoning-hqorx.appointlet.com\]](http://jeffco-planning-and-zoning-hqorx.appointlet.com) and submit [applications](http://planning.jeffco.us) online. Go to [planning.jeffco.us](http://planning.jeffco.us) for more information.

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**From:** Megan Boone <[megan@boonemountainsports.com](mailto:megan@boonemountainsports.com)>  
**Sent:** Monday, June 17, 2024 7:19 AM  
**To:** Alexander Fowlkes <[afowlkes@co.jefferson.co.us](mailto:afowlkes@co.jefferson.co.us)>  
**Cc:** Jennifer Boone <[jennifer@boonemountainsports.com](mailto:jennifer@boonemountainsports.com)>; Logan Boone <[logan@boonemountainsports.com](mailto:logan@boonemountainsports.com)>; Casey Boone <[casey@boonemountainsports.com](mailto:casey@boonemountainsports.com)>; Riley Boone <[riley@boonemountainsports.com](mailto:riley@boonemountainsports.com)>; John Witucki <[john@boonemountainsports.com](mailto:john@boonemountainsports.com)>  
**Subject:** --{EXTERNAL}-- Follow-Up on Public Meeting Regarding 31033 American Parkway Development

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Dear Mr. Folwkes,

I hope this email finds you well.

I am writing to extend my gratitude for moderating the public meeting last week regarding the proposed development at 31033 American Parkway. The discussions were extremely eye-opening and will have significant impacts on our property at 2962 Evergreen Parkway, which we have owned for almost 40 years.

We were only made aware of this meeting through a neighbor and felt taken aback at how much our property was mentioned. Additionally, the artist's rendering seemed to flatten our property and display our parking lot as part of the proposed development. We realize this project is still in the early stages of planning, but we understand the major implications of such a large development being introduced into an already overtaxed area, especially concerning our building, business, drainage, and wildlife.

Given the potential impacts, we would like to be kept informed of all upcoming meetings and proposed timelines related to this development. Could you please email us the relevant information or add us to an email invitation list, as we seemed to have been left off the previous one?

Also, could you please forward your introduction slide deck, which outlines the application process and timelines?

Thank you for all you do in your role at Jeffco.

Best regards,

Megan Boone Witucki

--

Megan Boone Witucki

Boone Mountain Sports

2962 Evergreen Parkway

Evergreen, CO 80439

Office: 303.670.0039

Cell: 303-870-1741

**PBJC**

2962 Evergreen Parkway  
Evergreen, CO 80439  
jennmboone@gmail.com  
(303) 981-5478

2/12/2025

Alex Fowlkes  
Jefferson County Planning and Zoning Department  
100 Jefferson County Parkway  
Golden, CO 80419

**Subject: Public Comment on Proposed Development at 31033 American Parkway**

Dear Mr. Fowlkes,

I am writing on behalf of PBJC, the commercial property owners of the building directly adjacent to the proposed development at 31033 American Parkway. We have owned and maintained this property for decades, providing essential space for local businesses that contribute to the economic vitality of Evergreen. After reviewing the proposed project and its potential impacts, we have significant concerns regarding the effect it will have on our property, our tenants, and the broader community.

First and foremost, this development will result in a direct and measurable decrease in our property value. One of the primary assets of our building is the visibility and accessibility it provides for our tenants. The proposed structure will obstruct views, diminish sightlines, and significantly reduce the exposure that our tenants rely upon to attract customers. A loss of visibility translates to a loss of business, which in turn affects lease values and the long-term viability of our commercial tenants.

Additionally, we are deeply concerned about the lack of consideration given to our property in the early stages of this development. In the designer's artist renderings, our building and land were completely ignored and unaccounted for, giving the misleading impression that our property was part of the proposed development. This raises serious concerns about the level of oversight and transparency that will be exercised as this project moves forward. If our established property has already been disregarded in the planning and presentation process, how can we be assured that our interests—and those of other surrounding businesses—will be considered during development?

Beyond our immediate property concerns, we echo the broader issues raised by the community:

- **Overdevelopment of an Inadequate Site** – The narrow strip of land proposed for this project is wholly insufficient for such a large-scale commercial and multi-family development. Attempting to fit a high-density project into this space is unrealistic and will

result in severe overcrowding, increased traffic congestion, and an overall strain on an already overburdened infrastructure.

- **Environmental Impact** – This site is located on a drainage corridor that feeds into local water reserves and serves as a vital migration route for wildlife. Disrupting this natural water flow and habitat could have long-term consequences. The potential inclusion of a dry-cleaning facility is particularly alarming, as chemicals used in such businesses pose significant risks of groundwater contamination, impacting both human residents and the surrounding ecosystem.
- **Traffic and Infrastructure Strain** – The Evergreen Parkway area is already overburdened with traffic congestion. Adding a development of this scale will further strain an infrastructure that is ill-equipped to handle increased density, creating safety hazards and reducing accessibility for existing businesses and residents.
- **Pedestrian Safety Concerns** – The current development plans fail to account for a **sidewalk or designated pedestrian area**, despite the fact that the driveway in question is an **active school bus stop** where children walk in both the morning and afternoon. Many parents rely on our parking lot to safely pick up their children, as there is no proper turn-around area nearby. The absence of a sidewalk or pedestrian space will create a dangerous situation for children and families navigating an already congested area. Increased traffic from construction and future residents will only exacerbate the risk, making this oversight an urgent safety concern.
- **Lack of Property Setback and Pedestrian Space** – The design plans **imply that the road itself will act as the property setback for the new development**, leaving no allowance for pedestrian movement or safety buffers. This raises serious concerns about how foot traffic will be accommodated in an area already used by school children and local businesses. Without proper setbacks, pedestrians will be forced into the road or onto neighboring properties, creating unsafe conditions and further congesting the area.

Given these concerns, we strongly urge the county to reconsider the feasibility of this development. The scale of the proposed project far exceeds the site's capacity, and its approval would impose undue hardship on local businesses, disrupt critical environmental features, and introduce **serious pedestrian safety risks** that have yet to be addressed. We respectfully request that our concerns be considered as part of the referral process and that we are kept informed of all upcoming hearings and opportunities for public input.

Please confirm receipt of this letter, and do not hesitate to reach out should you require any further information.

Sincerely,

**Jennifer and Casey Boone**  
PBJC Property Owners

**Boone Mountain Sports**

2962 Evergreen Parkway  
Evergreen, CO 80439  
megan@boonemountainsports.com  
(303) 870-1741

2/12/2025

Alex Fowlkes  
Jefferson County Planning and Zoning Department  
100 Jefferson County Parkway  
Golden, CO 80419

**Subject: Public Comment on Proposed Development at 31033 American Parkway**

Dear Mr. Fowlkes,

On behalf of Boone Mountain Sports, a local business that has operated at 2962 Evergreen Parkway for over 35 years, I am writing to formally submit our concerns regarding the proposed development at 31033 American Parkway. Our business has long been a part of the Evergreen community, and we have serious reservations about the potential negative impacts this project will have on local commerce, environmental resources, and infrastructure.

First and foremost, the proposed development is not suited to the physical constraints of the site. The strip of land designated for this project is exceedingly narrow—barely wider than a sidewalk—yet the proposal seeks to accommodate a high-density, mixed-use development with commercial and multi-family components. Such a project is disproportionate to the available space and will result in severe overcrowding, increased traffic congestion, and an overall strain on an already burdened infrastructure.

Additionally, this development poses significant risks to the natural ecosystem. The location sits on a crucial drainage area that feeds into local water reserves and serves as a migration corridor for wildlife. Any disruption to this natural flow could have long-term environmental consequences. Particularly concerning is the mention of a dry-cleaning facility within the proposed commercial development. As you are aware, dry-cleaning chemicals, particularly perchloroethylene (PERC), are known to pose severe risks to groundwater contamination. The introduction of such hazardous substances into a site that directly influences local water reserves would be not only irresponsible but potentially catastrophic for both human and animal populations.

Furthermore, this development will directly impact Boone Mountain Sports' visibility and accessibility. The proposed construction will obstruct sightlines to our business, making it more difficult for customers to locate us, ultimately threatening our viability. Additionally, increased congestion on Evergreen Parkway will further deter potential patrons, exacerbating the challenges faced by local businesses that are already operating in a heavily trafficked area.

We urge the county to seriously reconsider the feasibility of this development. The scope of this project far exceeds the site's capacity, and its approval would impose undue hardship on local businesses, disrupt critical environmental features, and worsen congestion issues within the community. We respectfully request that our concerns be considered as part of the referral process and that we are kept informed of all upcoming hearings and opportunities for public input.

Thank you for your time and consideration. Please confirm receipt of this letter, and do not hesitate to reach out should you require any further information.

Sincerely,

**Megan Boone Witucki**  
Chief Operations Officer  
Boone Mountain Sports

**Evergreen Brewery**

2962 Evergreen Parkway  
Evergreen, CO 80439  
logan@boonemountainsports.com  
(303) 981-6293

2/12/2025

Alex Fowlkes  
Jefferson County Planning and Zoning Department  
100 Jefferson County Parkway  
Golden, CO 80419

**Subject: Public Comment on Proposed Development at 31033 American Parkway**

Dear Mr. Fowlkes,

I am writing on behalf of Evergreen Brewery, a locally owned and operated business that has been serving the Evergreen community from our current location for the past 10 years. Our brewery is not only a gathering place for residents and visitors but also a fully operational brewing facility that relies on clean, uncontaminated water to produce our craft beer. The proposed development at 31033 American Parkway presents significant concerns for our business, our patrons, and the environmental integrity of the area.

One of our primary concerns is the **risk of water contamination**. As a brewery, our production depends entirely on the quality and purity of our water supply. The proposed inclusion of a dry-cleaning facility within this development raises serious environmental and health concerns. Dry-cleaning chemicals, particularly perchloroethylene (PERC), are well-documented contaminants that can have devastating effects on groundwater and drinking water sources. Any compromise to our water quality would not only jeopardize our ability to operate but also pose risks to public health and the local ecosystem.

Additionally, **Evergreen Brewery's unique appeal lies in our location and atmosphere**. Our patrons come to enjoy craft beer on our balcony with an **unobstructed view of Elk Meadow**—a cherished feature of our business that would be entirely obstructed by this large-scale development. The introduction of a dense commercial and residential structure in such a confined space will degrade the natural beauty of the area, impacting our customer experience and, ultimately, our business viability.

**Parking congestion is already a serious issue in this area**, with existing businesses struggling to accommodate patrons due to the limited availability of spaces. Overflow parking routinely spills into surrounding areas, including our own lot. The addition of a high-density development with **no clear solution for increased parking demand** will only exacerbate an already problematic situation. Customers and employees of both new and existing businesses

will be forced to compete for inadequate parking, leading to frustration, potential safety hazards, and diminished accessibility for local businesses.

Furthermore, **the strain this development will place on the surrounding infrastructure cannot be ignored**. Evergreen Parkway is already a heavily congested thoroughfare, and adding high-density residential and commercial traffic will only worsen the existing challenges. The mountainside location is not suited for such an intensive buildout, and the environmental impact on local drainage and wildlife migration corridors must be carefully considered before proceeding with this proposal.

As a long-standing business owner in this community, I strongly urge the county to reconsider the appropriateness of this development. The risks it poses to local businesses, environmental sustainability, and community infrastructure—including **the critical lack of parking and increased traffic congestion**—far outweigh any potential benefits. I request that Evergreen Brewery be kept informed of all upcoming hearings and opportunities for public input on this matter.

Please confirm receipt of this letter, and do not hesitate to reach out if additional information is needed.

Sincerely,

**Logan Boone**  
Owner  
Evergreen Brewery

# CURRENT ZONING



R \$21.00  
D \$0.00

2015129943

12/08/2015 10:21:39 AM 3 Page(s)

JEFFERSON COUNTY, Colorado

**Evergreen Office Building  
2960 American Parkway Official Development Plan, Amendment One  
Case # 15-117747RZ**

- A. Intent – The purpose of this Rezoning is to allow residential units above ground floor commercial.
- B. The Board of County Commissioners' resolution authorizing this rezoning subject to conditions is recorded at Reception # 2015123474 in the Jefferson County, Colorado real property records.
- C. All of the standards of the Evergreen Office Building 2960 Evergreen Parkway Official Development Plan, recorded at Reception Number F1005540 or other applicable section of the zoning resolution, shall apply to the property as shown on the graphic attached hereto as Exhibit A and the legal description attached hereto as Exhibit B with the following exceptions:

1. Allowed Uses
  - a. Residential units are allowed above ground floor commercial.

As owner(s) of the affected land, I accept and approve all conditions set forth herein this 17<sup>th</sup> day of November, 2015

Brett A. Champine

Beckie L. Champine

Sign Brett A Champine

Sign Beckie L Champine

Print Brett A Champine

Print Beckie L Champine

County of )

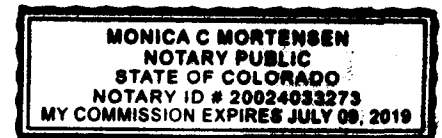
)SS

State of )

The foregoing instrument was acknowledged before me this 17<sup>th</sup> day of November 2015, by

WITNESS my hand and official seal

Monica C Mortensen  
Notary Public  
My commission expires: July 09 2019



**COUNTY COMMISSIONER'S CERTIFICATE:**

This Official Development Plan, titled 31033 American Parkway Office Building Official Development Plan, was approved the 17 day of Nov 2015, and is accepted by the Board of County Commissioners this 24 day of Nov 2015.

BOARD OF COUNTY COMMISSIONERS:

Casey  
Chairman

[Signature]  
Clerk



Unofficial

2100

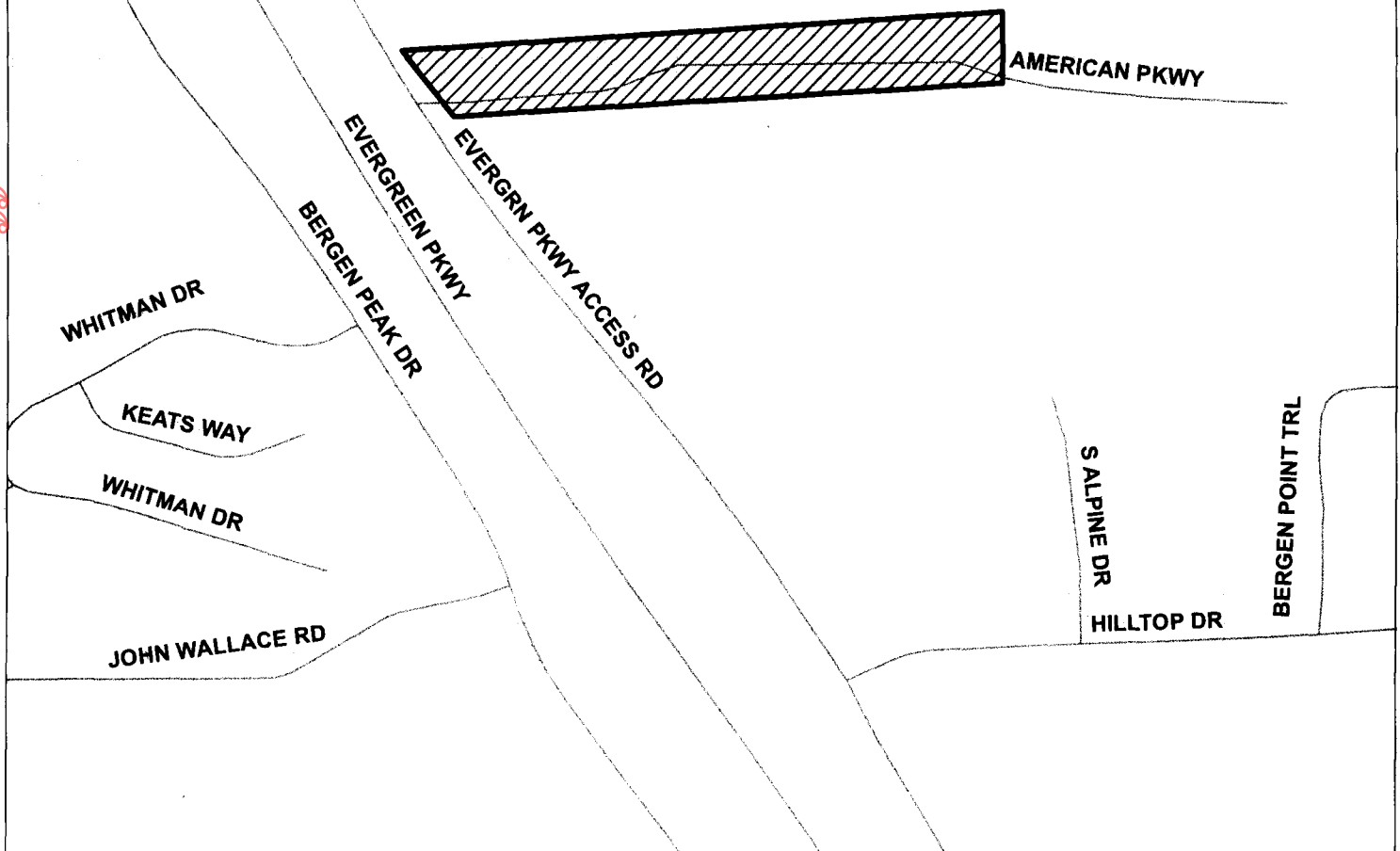
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LEWIS RIDGE RD

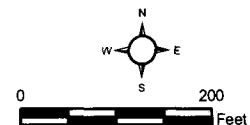
Exhibit A

2



Case Number: 15-117747RZ

Location: Sec. 32, T4S, R71W



This product has been developed for internal use only. The Planning and Zoning Department makes no warranties or guarantees, either expressed or implied, as to the completeness, accuracy or correctness of such products, nor accepts any liability arising from any incorrect, incomplete or misleading information contained therein.

Vicinity

1:2,400

Plot: 2015-08-24

Orthos: 211

Case No. 15-117747RZLegal DescriptionStreet Location of Property 31033 American Parkway

Is there an existing structure at this address?

Yes ☐No ☒

Type the legal description and address below.

**LOTS 1 THROUGH 13, INCLUSIVE****BLOCK 20****WAH KEENEY PARK SECOND FILING, PLAT BOOK 3, PAGES 69 & 70,****RECEPTION NUMBER 21130378****LOCATED IN THE NE ¼ SECTION 32, T4S, R71W OF THE 6<sup>TH</sup> P.M.****COUNTY OF JEFFERSON, STATE OF COLORADO**Advise of Ortho Map No. 211 Section 32 Township 4 S. Range 71 W.Calculated Acreage 1.087 Acres Checked by: Ed WielandAddress Assigned (or verified) 31033 American Parkway

Unofficial

EVERGREEN OFFICE BUILDING  
2960 Evergreen Parkway  
Evergreen, Colorado

MAP NO. 211  
CASE NO. 98015102RZP1

Signature Block

COUNTY COMMISSIONER'S CERTIFICATE:

This Official Development Plan, titled Evergreen Office Building, 2960 Evergreen Parkway, was approved the 18th day of January, 1999, and is accepted by the Board of County Commissioners the 22nd day of December, 1998.

Board of County Commissioners:  
33.33.33  
Chairman: *Patricia D. Hallway*  
Clerk: *Nellie D. Quinn*

CLERK AND RECORDER'S CERTIFICATE:

Accepted for filing in the Office of the County Clerk and Recorder of Jefferson County, Golden, Colorado on the 18th day of January, 1999, at 15:44:54 o'clock P.M.

By: *Sage Griffin* Jefferson County Clerk and Recorder  
By: *Kerry A. Baker* Deputy Clerk

STANDARD FLEXIBILITY STATEMENT:

The graphic drawings contained within this Official Development Plan are intended to depict general locations and illustrate concepts of the textual provisions of this Official Development Plan. In granting plat approval, the Board of County Commissioners may allow minor variations for the purpose of establishing:

- a. Final road alignments
- b. Final configuration of lot and tract sizes and shapes
- c. Final building envelopes
- d. Final access and parking locations
- e. Landscaping adjustments

APPLICABILITY STATEMENT:

Except as expressly provided otherwise in this Official Development Plan, development of this property shall conform to the Jefferson County Zoning Regulation in effect at the time of platting and building permit application.

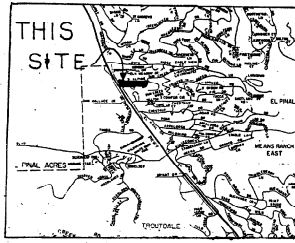
3B's and 3C's, LLC, a Limited Liability Corporation, as owner of the land affected by this Planned Development, accepts and approves all conditions set forth herein.

*Brett A. Champine* as acting manager of 3B's and 3C's, LLC  
Brett A. Champine Date: *March 29, 1999*

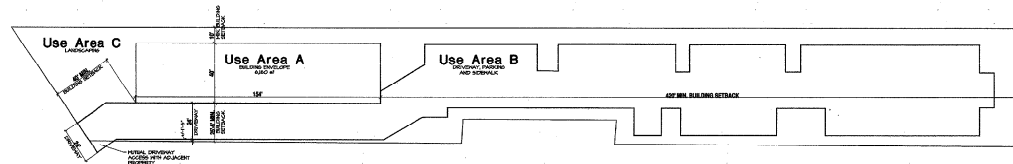
January 19, 1999 - Revision 1  
October 28, 1998

SANDERSON ARCHITECTS  
ARCHITECTS • PLANNERS • ENGINEERS  
2900 Evergreen Drive, Suite 100  
Boulder, Colorado 80504  
PH: (303) 440-9000 FAX: (303) 440-9001

Location Map

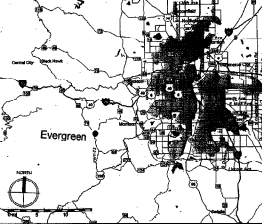


Official Development Plan  
Sheet 1 of 2



Site Plan Graphic  
SCALE: 1" = 30'

Vicinity Map



Land Use Summary

| LAND USE AREA | LAND USE TYPE  | GROSS FLOOR AREA   | APPROXIMATE COVERAGE         | % OF TOTAL COVERAGE |
|---------------|--|--|------------------------------|---------------------|
| A             | OFFICE AND COMMERCIAL BUILDING                                     | 18,200 sf GFA, 6,180 sf BUILDING ENVELOPE                | 0.142 ACRES (BLDG. ENVELOPE) | 13.0 %              |
| B             | DRIVEWAY, PARKING, SIDEWALK  | DRIVEWAY, PARKING AND SIDEWALK SHALL NOT EXCEED 34.7% of | 0.555 ACRES                  | 51.1 %              |
| C             | LANDSCAPING (INCLUDES STORM WATER DETENTION & SLOPE STABILIZATION) |  | 0.390 ACRES                  | 35.9 %              |
| TOTAL         |  | 18,200 sf GFA  | 1.087 ACRES                  | 100.0 %             |

Legal Description

LOTS 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, AND 13  
BLOCK 20  
WAH KEENEY PARK, FILING NO. 2,  
IN THE NORTHWEST 1/4 OF SECTION 33,  
T. 4 S., R. 71 W. OF THE 6th P.M.  
COUNTY OF JEFFERSON, STATE OF COLORADO

EVERGREEN OFFICE BUILDING  
2960 Evergreen Parkway  
Evergreen, Colorado

MAP NO. 211  
CASE NO. 98015102RZP1

Official Development Plan  
Sheet 2 of 2

Written Restrictions

A. STATEMENT OF INTENT

The purpose of the Official Development Plan is to remove the property from its current designations of C-1 (Commercial-Center) and M-10 (Medium-Density Residential) to PD (Planned Development) to allow for an office/retail facility.

Except as expressly provided otherwise in the Official Development Plan, development of the property shall conform to the Jefferson County Zoning Regulations, Land Development Regulation, Evergreen Area Community Plan (Plan), Building Code, Engineering Specifications, and other applicable County requirements that are in effect at the time of filing or during permit application.

B. PERMITTED USES

1. Use Area A shall permit the following uses:

- a. General Offices
- b. Medical and Dental Offices
- c. Financial Institutions
- d. Stores for retail sales
- e. Restaurants, excluding Fast Food

2. Use Area B shall permit the following uses:

- a. Parking and Driveways not to exceed 25,000 sq. ft.

3. Use Area C shall permit the following uses:

- a. Landscaping
- b. Snow storage and storm water detention

C. LOT AND BUILDING STANDARDS

1. Minimum building setbacks:

- a. Front (least) 40' from property line
- b. Side (least) 10' from property line
- c. Side (least) 25'-0" from property line
- d. Rear (least) 40' from property line

2. Visual clearance statement:

No fence, wall, hedge, shrub, structure, or other obstruction to view which is over 42" in height shall be erected, placed, or maintained within a triangle formed by the point of intersection of lot lines abutting a street and/or railroad right-of-way and the points located along the lot lines 50 feet from the point of intersection.

3. Minimum amount of landscaped area shall be 20% of this site.

4. Maximum height of structures shall not exceed 48 feet from grade at building at North elevation top of foundation wall below windows to top of roof.

5. Maximum Gross Floor Area (GFA) shall not exceed 10,000 sq. ft.

D. PARKING STANDARDS

The minimum number of required parking spaces shall be:

- 1. Office and financial - 10 spaces/1000 square feet (R.A.)
- 2. Retail sales - 50 spaces/1000 square feet (G.A.)
- 3. Restaurants (no Fast Food) - 100 spaces/1000 square feet (G.A.)

E. FENCES AND RETAINING WALLS

1. Fences

- a. The maximum height of fences shall be 42" within the required front setback, 5 feet in all other areas.
- b. The maximum length of any fence shall not exceed 150 linear feet without:
  - i. Varying the alignment by a change in direction of at least 30 degrees for at least 4 linear feet; or
  - ii. Changing the surface materials to a complementary material for a minimum of 2 linear feet.
- c. No chain link or barbed wire fences are permitted.
- d. All fences adjacent to residential uses will be erected to fences constructed of wood, masonry, or stucco.
- e. Permits are required prior to the construction of any fence over 42" in height.

2. Retaining walls

- a. The maximum height of any single retaining wall shall not exceed 8 feet.
- b. A minimum of 4 foot wide planting area must be provided between multiple, stair-stepped retaining walls and landscaped with a minimum of 4 shrubs and one tree per 30 linear feet of wall. No single trees may be planted near retaining walls along the north and east boundary lines.
- c. All retaining walls shall be faced with stone or constructed with textured, earth-colored materials.
- d. All retaining walls shall be designed by a professional engineer experienced in retaining wall design.
- e. Retaining walls shall be no less than 12" from the north property line, 12" from the first 200' moving west to east along the southern boundary, no less than 4' from the west property line. No retaining walls are indicated along the west property line.

F. LIGHTING

- 1. Lighting shall not cast glare on adjacent properties or streets.
- 2. Pole lights shall be downcast out-of-type not to exceed 20 feet in height.
- 3. Building mounted light must be directed downward or toward the building.

G. SIGNS

1. Project entry signs:

- a. One double-faced internally illuminated sign shall be allowed to be shared by this property and the commercial property to the south.
- b. Maximum size of lighted sign face: 32 sq. ft. per face.
- c. Maximum height: 8 feet from grade. If placed on a barn, the barn height shall be included in the measurement.
- d. Minimum setback: 8 feet from property line.
- e. Sign type: Monument type. No pole signs permitted.
- f. Location: Within 50 feet of either side of the project entrance.

2. Directional/parking signs:

- a. Traffic signs are permitted as needed to ensure safe access throughout the site.

3. Tenant Wall Signs:

- a. Number allowed: 2 total signs per building face. A maximum number of 2 signs per tenant is allowed.
- b. Maximum size: 40 square feet per sign.

4. Window signs for Retail Tenants Not permitted.

5. Temporary Signs:

- a. Number allowed: 1 sign, double faced.
- b. Maximum size: 32 square feet per face.
- c. Maximum height: 8 feet from grade, including the height of beams.
- d. Minimum setback: 8 feet from any property line.
- e. Lighting: No illumination is permitted.
- f. Time limit: The removal of all temporary signs associated with the construction of the project shall occur within 30 days of the issuance of a Certificate of Occupancy for the building.

6. General:

- a. No sign shall rotate or have moving pieces. No blinking of flashing lights are permitted for any sign.
- b. Where lighting is permitted, illumination shall be from a concealed light source only.
- c. Permits shall be required prior to the construction of any sign.
- d. No exterior temporary banners, streamers, balloons, sandwich boards or other such advertising devices are permitted.

H. LANDSCAPE REQUIREMENTS

1. Streetcrops

Along all streets adjacent to the Planned Development, within a 20 foot wide area along the street, a minimum average of 1 tree for every 30 linear feet of street frontage will be required. No more than 5% of the ground surface shall be covered by grass or lawn. No landscape planting shall occur within 10' of any building.

2. The following minimum sizes apply wherever landscaping is required:

- Deciduous shade trees: 2 1/2" caliper
- Evergreen trees: 6" height
- Ornamental trees: 1 1/2" caliper
- Shrubs: 5 gallon container

Two ornamental trees may be substituted for 1 required tree.

One existing tree that is 6" caliper or greater and retained on the site may be substituted for 2 required trees.

3. To encourage better survival in areas above 6500 foot elevation, sizes may be reduced as follows. If the overall plant quantity is increased in number of at least 25%.

- Deciduous shade trees: 1 1/2" caliper

4. Maximum amount of high water consumption and (i.e. bluegrass) shall be 20% of landscaped areas.

5. The owner, their successors, heirs, or assigns shall install landscaping appropriate to the site. To the maximum extent possible, the existing trees shall be retained. A minimum of twenty five (25) trees shall replace the fifteen trees targeted for removal by excavation and grading.

6. The owner, their successors, heirs, or assigns shall be responsible for the proper installation and maintenance of all landscaped areas within the property, subject to an approved landscape plan. Such areas shall include the adjacent property and that portion of any adjacent public street right-of-way from the property line to the back of the adjacent curb. Landscaped areas shared with adjacent property owner to the south shall be maintained pursuant to a mutual maintenance agreement.

7. Landscaping shall be continuously maintained with appropriate watering, weeding, pruning, pest control, and replacement of dead and diseased plant materials. Replacement of plant material shall be the same or similar type set form in the approved landscape plan. Substitutions with other types of plants may be made only with County approval. All replacements shall occur within one growing season.

8. Grounds shall be maintained in a safe, clean, and neat condition with no rubbish or weeds, internal roads, parking areas, and pavement shall be maintained in good repair with true line and grade.

9. Maximum number of continuous parking spaces in a row shall not exceed 15 without the addition of a landscape island that is at least 10'x20'.

10. Within the minimum 6' wide strip on the north and south of the parking lot, solid planting of shrubs (maximum spacing of 5 feet on center) with a minimum of 1 tree every 30 linear feet for the length of the planting shall be provided. No large trees may be planted adjacent to north retaining walls, where large shrubs will be substituted for required trees. There must be at least one tree or large shrub in each planting area. Within 10 feet of any automobile driving lane interior to the project, shrubs shall not exceed 3 feet tall.

11. All landscaping shall be designed, installed, and maintained to emulate the natural surrounding landscape.

I. OUTDOOR STORAGE

- 1. All outdoor dumpsters and trash cans shall be screened from public view with a fence or wall and landscaping. The point of access must be screened by an opaque gate, but no landscaping is required along the site.
- 2. Screening fences and walls shall be made from the same trash materials as the building to which they are attached or to which they are an accessory.
- 3. All screening fences and walls must be 6' tall and the perimeter must be landscaped as follows:

Within a minimum of 5' wide planting strip adjacent to the fence, provide a continuous row of shrubs planted at a minimum spacing of 6' on center for the length of the fence or wall.

4. Trash containers are prohibited within the required front setback.

J. ARCHITECTURAL STANDARDS

- 1. No portion of the building shall exceed 37' in length unless articulated with a change in surface material or surface plane. The surface plane or material must be varied by a minimum of 5'. All facades shall be articulated by vertical window bay elements and corner roofs, spaced no less than 25' on center.
- 2. At all sides of the building shall have fields materials which result in the materials used on the front (south) facade of the building. South facade shall have a base course (second floor) from material of cultured stone veneer with stone window sill and lintel elements. Upper floor finish materials shall be UTS (exterior finish system synthetic stucco over rigid insulation).
- 3. The building shall have pitched roof of no less than 4:12 pitch.
- 4. All building facades shall have an exterior finish material of brick, stone, wood, UTS, exterior insulation finish system, non-reflective glass, or textured concrete.
- 5. All roof mechanical equipment shall be screened on all sides by the architectural elements of the building such as parapet walls or mechanical penthouse rooms that are designed as an integral part of the building. Mechanical penthouse rooms shall not exceed 8' in height above the finished wall height of the building.
- 6. All ground-mounted mechanical equipment shall be screened with walls, fences, or landscaping.
- 7. Pitched roofs shall be fire-retardant cedar shakes or thick, fire retardant textured shingles or tile.
- 8. Exterior building colors shall be subdued earthtones, including natural stone colors for the stone veneer, and buff/tan ranges for the UTS.
- 9. No continuous pitched roof surface or rooftop shall exceed 90 linear feet.

K. GENERAL

- 1. Every use shall be operated so that it does not emit an obnoxious or dangerous degree of heat, glare, vibration, radiation, dust, smoke, or fumes beyond the property line.
- 2. Owner of the property to the south and owner of the property shall grant mutual access easements for shared driveway, private road, and parking use. Landscape installation and maintenance costs shall be shared as mutually agreed to in writing.

Revised: February 23, 1999, based on  
Ordination of Approval, January 18, 1999  
Revised: November 24, 1998  
October 28, 1998



# ADDITIONAL CASE DOCUMENTS

# Development Permit Application

## JEFFERSON COUNTY COLORADO Planning and Zoning

100 Jefferson County Parkway  
Suite 3550  
Golden CO, 80419  
303-271-8700  
planning@jeffco.us  
pzpermits@jeffco.us

Case Number (for Jeffco employee use only): \_\_\_\_\_

### Please select your application request below:

Rezoning from **PD** to **PD**

Special Use Item No. \_\_\_\_\_ of the \_\_\_\_\_ Zone District  
to permit \_\_\_\_\_

Exemption from Platting  
Minor Modification or Revision  
Location and Extent  
Superlot

Legalization of Property Division  
✓ Rezoning/Special Use  
✓ Site Development Plan Approval  
Superlot Process

Minor Division of Land  
Rural Cluster  
Subdivision Platting  
Vested Rights

### Explanation of Application Request

Proposed 4 story Mixed Use building on pad site.

### Documents Submitted

- |                            |   |                       |   |
|----------------------------|---|-----------------------|---|
| ✓ Architectural Elevations | Historical, Archaeological & Paleontological Report | ✓ Proof of Ownership  | Wastewater Report                         |
| Drainage Report            |   | Radiation Report      | Water Supply Report                       |
| Exemption Survey           | ✓ Landscape Plan                                    | Reduction of the Plat | Wildlife, Vegetation & Landscaping Report |
| ✓ Fire Protection Report   | Lighting Plan                                       | Sensory Impact Report |   |
| ✓ Geologic Report          | ✓ Parking Plan                                      | ✓ Soils Report        | ✓ Other:                                  |
|                            | Proof of Access                                     | Utility Report        | Access Easements, Traffic Study           |

### Instructions for Submittal

1. Rezoning and Site Development Plan applications and supporting documents must be submitted electronically to our [online portal](https://www.jeffco.us/4445) [https://www.jeffco.us/4445]. All other applications and documents on this form should be emailed to [pzpermits@jeffco.us](mailto:pzpermits@jeffco.us).
2. Incomplete applications will not be accepted and will delay processing.
3. A Pre-Application is encouraged prior to the formal submittal of a Development Permit Application.

### Special Districts

|                        |             |                           |
|------------------------|-------------|---------------------------|
| Evergreen Metropolitan |             | Xcel Energy               |
| Water                  | Post Office | Electricity               |
| Evergreen Metropolitan |             | Evergreen Fire Protection |
| Sewage                 | Parks & Rec | Fire                      |

### Jefferson County Staff Use Only

|                |                |                |                    |
|----------------|----------------|----------------|--------------------|
| Case Number    | Date Filed     | Current Zoning | Proposed Zoning/SU |
| Planner        | Street Address | Acres          | Map Sheet          |
| Previous Cases |                | Community Plan |                    |

# Development Permit Application

Case Number: \_\_\_\_\_

## Project Team Contact Information

|                                   |                              |                     |
|-----------------------------------|------------------------------|---------------------|
| BDM Capital Time Investments, LLC | mike@thorconus.com           | 3039819063          |
| <b>Property Owner 1</b>           | <b>Email (required)</b>      | <b>Phone Number</b> |
| 10900 Chatfield Lake Road         | Littleton                    | 80125               |
| <b>Address</b>                    | <b>City</b>                  | <b>Zip</b>          |
| <b>Property Owner 2</b>           | <b>Email (required)</b>      | <b>Phone Number</b> |
| <b>Address</b>                    | <b>City</b>                  | <b>Zip</b>          |
| <b>Developer / Subdivider</b>     | <b>Email (required)</b>      | <b>Phone Number</b> |
| <b>Address</b>                    | <b>City</b>                  | <b>Zip</b>          |
| Sanderson Architects, LLC         | sara@sandersonarchitects.com | 3039311037          |
| <b>Authorized Representative</b>  | <b>Email (required)</b>      | <b>Phone Number</b> |
| 2232 Pearl Street, Suite 100      | Boulder                      | 80302               |
| <b>Address</b>                    | <b>City</b>                  | <b>Zip</b>          |
| Proficient Engineering, LLC       |                              |                     |
| <b>Engineer</b>                   | <b>Email (required)</b>      | <b>Phone Number</b> |
| <b>Address</b>                    | <b>City</b>                  | <b>Zip</b>          |

## Property Description

|  |                |                  |
|--|----------------|------------------|
| 31033 American Parkway                                     | Evergreen      | 80439            |
| <b>Address of Subject Property and/or Parcel ID Number</b> | <b>City</b>    | <b>Zip</b>       |
| Frontage Road  | 1.128 acres    | Frontage Road    |
| <b>Access Via</b>  | <b>Acreage</b> | <b>Map Sheet</b> |

### Legal Description:

Lots 1,2,3,4,5,6,7,8,9,10,11,12,&13, Block 20  
Wah-Keeny Park, Filing No.2  
In the Northwest 1/4 of Section 32,  
T. 4 S., R. 71 W. of the 6th P.M.  
County of Jefferson, State of Colorado



**Additional Information (to support or clarify this application):**

# Development Permit Application

Case Number: \_\_\_\_\_

## Disclosure of Property Ownership

Owner is an individual. Indicate name exactly as it appears on the deed.

- ✓ Owner is a corporation, partnership, limited partnership, or other business entity. Name principals and/or managers on a separate page. Include the articles of organization, partnership agreement, resolution of managers, etc., as applicable to establish legal signatures.

*Please provide the name(s), mailing address(es), street address(es), and phone number(s) for all owners.*

## Property Owner Affidavit

I/We BDM Capital Time Investments, LLC., being first duly sworn, depose and state under penalties of perjury that I am (we are) the owner(s) of the property described herein and which is the subject of the application and proposed hearings; that all answers provided to the questions in this application, and all sketches, data, and all other supplementary matter attached hereto and made part of this application, are honest and true to the best of my (our) knowledge and belief. I (we) understand that this application must be complete and accurate prior to a hearing being scheduled. I (we) authorize County staff to visit the site as necessary for proper review of this application.

*If there are any special conditions such as guard dogs, locked gates, restricted hours, etc., please give the name and phone number of the person(s) who can provide access to the site.*

Michael Klemp, Owner

Name

10900 Chatfield Lake Road, Littleton, Co 80125

Address

3039819063

Phone

mike@thorconus.com

Email

Signature

Name

Address

Phone

Email

Signature

County of Jefferson ]  
State of Colorado ] SS

Sworn to and subscribed before me this 3 day of October, 2024  
(day) (month) (year)

By Brooke Severyn  
(name printed)

Witness my hand and official seal.

Notary Public

My Commission expires

(date)

BROOKE SEVERYN  
NOTARY PUBLIC  
STATE OF COLORADO  
NOTARY ID 20034036445  
MY COMMISSION EXPIRES 03/23/2025

# Development Permit Application

Case Number: \_\_\_\_\_

## Authorized Representative

I/We further permit Sanderson Architects, LLC to act as my/our representative in any manner regarding this application, to answer questions and to represent me/us at any meeting and public hearing(s) which may be held on this application.

*Note: All correspondence will be sent to the authorized representative. It will be the representative's responsibility to keep the owner(s) adequately informed as to the status of the application.*

Sanderson Architects, LLC

**Representative Name**

2232 Pearl Street, Suite 100 Boulder, Co 80302

**Address**

3034438060

**Phone**

george@sandersonarchitects.com

**Email**

  
**Owner's Signature**

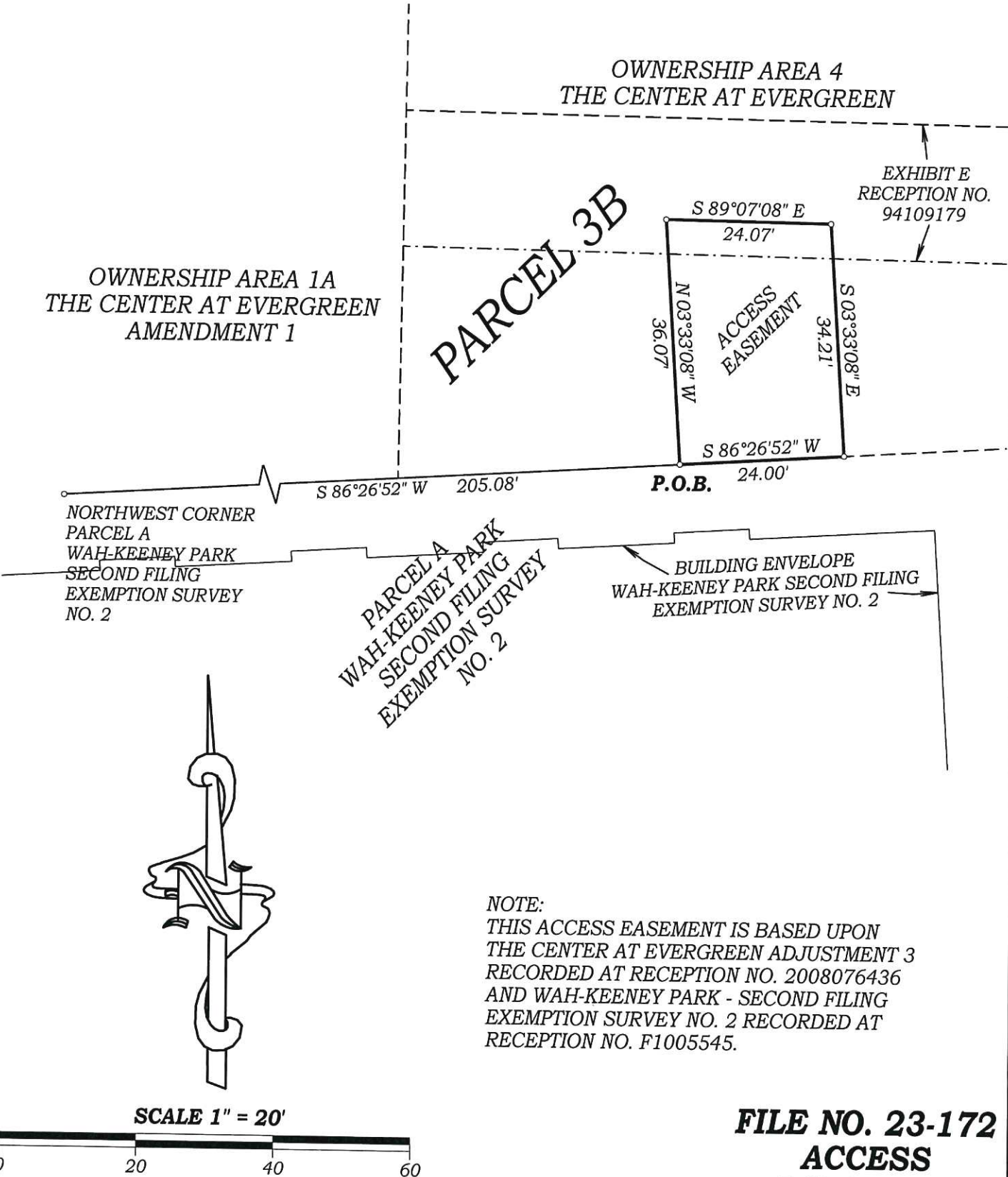
10-03-2024  
**Date**

FILE NO. 23-172  
ACCESS  
PARCEL 3B  
12 MAY, 2023

AMERICAN SURVEYS, LLC  
PROFESSIONAL LAND SURVEYORS  
26689 Pleasant Park Road  
Conifer, Colorado 80433  
PH (303) 674-6018 / EMAIL PKSURV@AOL.COM

LEGAL DESCRIPTION - 24' ACCESS EASEMENT

A 24' WIDE EASEMENT FOR INGRESS AND EGRESS OVER, ACROSS AND ON A PORTION OF PARCEL 3B, THE CENTER AT EVERGREEN ADJUSTMENT 3 (RECEPTION NO. 2008076436), COUNTY OF JEFFERSON, STATE OF COLORADO, SAID EASEMENT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE SOUTH LINE OF SAID PARCEL 3B, THE CENTER AT EVERGREEN ADJUSTMENT 3, WHENCE THE NORTHWEST CORNER OF PARCEL A, WAH-KEENEY PARK - SECOND FILING EXEMPTION SURVEY NO. 2 (RECEPTION NO. F1005545) BEARS SOUTH 86°26'52" WEST (WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO), A DISTANCE OF 205.08 FEET; THENCE NORTH 03°33'08" WEST, A DISTANCE OF 36.07 FEET, MORE OR LESS, TO AN EXISTING ACCESS ROAD; THENCE SOUTH 89°07'08" EAST, WITH SAID EXISTING ACCESS ROAD, A DISTANCE OF 24.07 FEET; THENCE SOUTH 03°33'08" EAST, A DISTANCE OF 34.21 FEET, MORE OR LESS, TO A POINT ON THE SOUTH LINE OF SAID PARCEL 3B; THENCE SOUTH 86°26'52" WEST, WITH SAID SOUTH LINE, A DISTANCE OF 24.00 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.



NOTE:  
THIS ACCESS EASEMENT IS BASED UPON  
THE CENTER AT EVERGREEN ADJUSTMENT 3  
RECORDED AT RECEPTION NO. 2008076436  
AND WAH-KEENEY PARK - SECOND FILING  
EXEMPTION SURVEY NO. 2 RECORDED AT  
RECEPTION NO. F1005545.

FILE NO. 23-172  
ACCESS  
PARCEL 3B

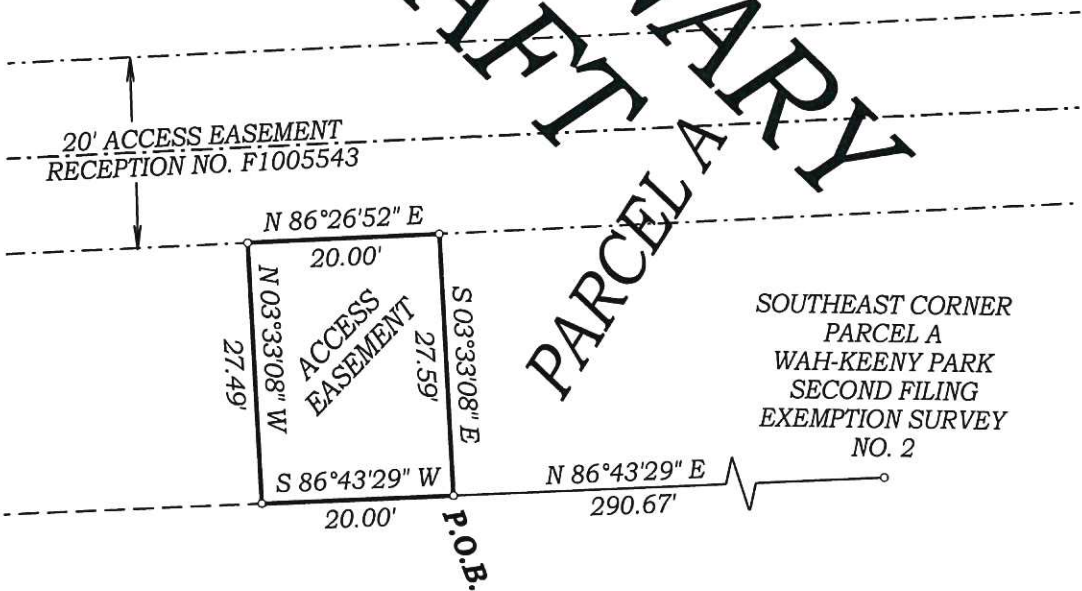
FILE NO. 23-172  
ACCESS PARCEL A  
29 APRIL, 2023

AMERICAN SURVEYS, LLC  
PROFESSIONAL LAND SURVEYORS  
26689 Pleasant Park Road  
Conifer, Colorado 80433  
PH (303) 674-6018 / EMAIL PKSURV@AOL.COM

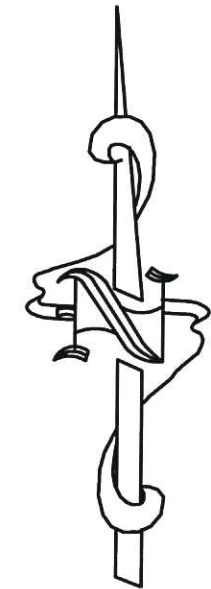
LEGAL DESCRIPTION - 20' ACCESS EASEMENT

A 20' WIDE EASEMENT FOR INGRESS AND EGRESS OVER, ACROSS AND ON A PORTION OF PARCEL A, WAH-KEENEY PARK - SECOND FILING EXEMPTION SURVEY NO. 2 (RECEPTION NO. F1005545), COUNTY OF JEFFERSON, STATE OF COLORADO, SAID EASEMENT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE SOUTH LINE OF SAID PARCEL A, WAH-KEENEY PARK - SECOND FILING EXEMPTION SURVEY NO. 2, WHENCE THE SOUTHEAST CORNER OF SAID PARCEL A BEARS NORTH 86°43'29" EAST (WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO), A DISTANCE OF 290.67 FEET;

THENCE SOUTH 86°43'29" WEST, WITH THE SOUTH LINE OF SAID PARCEL A, A DISTANCE OF 20.00 FEET;  
THENCE NORTH 03°33'08" WEST, A DISTANCE OF 27.49 FEET, MORE OR LESS, TO A POINT ON THE SOUTH LINE OF AN EXISTING 20' WIDE ACCESS EASEMENT RECORDED AT RECEPTION NO. F1005543;  
THENCE NORTH 86°26'52" EAST, WITH SAID SOUTH LINE, A DISTANCE OF 20.00 FEET;  
THENCE SOUTH 03°33'08" EAST, A DISTANCE OF 27.59 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.



NOTE:  
THIS ACCESS EASEMENT IS BASED UPON  
WAH-KEENEY PARK - SECOND FILING  
EXEMPTION SURVEY NO. 2 RECORDED  
AT RECEPTION NO. F1005545



SCALE 1" = 20'



FILE NO. 23-172  
ACCESS  
PARCEL A

**SPECIAL WARRANTY DEED**

**THIS DEED**, Made this 25th day of July, 2022, between

Champine Agency Inc., a Colorado corporation

of the JEFFERSON COUNTY and State of COLORADO, grantor(s), and

BDM Capital Time Investments LLC, a Colorado limited liability company

whose legal address is 31033 American Parkway, Evergreen, CO 80439

of the JEFFERSON COUNTY and State of COLORADO, grantee(s):

**WITNESS**, That the grantor(s), for and in consideration of the sum of \$750,000.00, the receipt and sufficiency of which is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell, convey and confirm, unto the grantee(s), his heirs and assigns forever, all the real property together with improvements, if any, situate, lying and being in the County of Jefferson, State of Colorado, described as follows:

Parcel A, Wah-Keeney Park, Second Filing, Exemption Survey No. 2,  
County of Jefferson, State of Colorado.

Also known by street and number as: 31033 American Parkway, Evergreen, CO 80439

**TOGETHER** with all and singular the hereditaments and appurtenances thereunto belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all the estate, right, title, interest, claim and demand whatsoever of the grantor(s), either in law or equity, of, in and to the above bargained premises, with the hereditaments and appurtenances.

**TO HAVE AND TO HOLD** the said premises above bargained and described, with the appurtenances, unto the grantee(s), his heirs, and assigns forever. The grantor(s), for himself, his heirs and personal representatives or successors, does covenant and agree that he shall and will **WARRANT AND FOREVER DEFEND** the above-bargained premises in the quiet and peaceable possession of the grantee(s), his heirs and assigns, against all and every person or persons claiming the whole or any part thereof, by, through or under the grantor(s), subject to statutory exceptions.

The singular number shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

**IN WITNESS WHEREOF**, the grantor(s) has executed this deed on the date set forth above.

**SELLER:**

Champine Agency Inc., a Colorado corporation

BY: Brett Champine  
Brett Champine, President

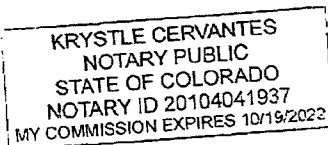
STATE OF COLORADO

COUNTY OF Denver

The foregoing instrument was acknowledged before me this 25th day of July, 2022, by Brett Champine as President for Champine Agency Inc., a Colorado corporation

[Signature]  
Notary Public

Witness my hand and official seal.  
My Commission Expires:



FITCO 103-2222078-S

Joe Fee  
15.00

SPECIAL WARRANTY DEED

THIS DEED, Made this 25th day of July, 2022, between

Champine Agency Inc., a Colorado corporation

of the JEFFERSON COUNTY and State of COLORADO, grantor(s), and

BDM Capital Time Investments LLC, a Colorado limited liability company

whose legal address is 31033 American Parkway, Evergreen, CO 80439

of the JEFFERSON COUNTY and State of COLORADO, grantee(s):

doc fee  
75.00

WITNESS, That the grantor(s), for and in consideration of the sum of \$750,000.00, the receipt and sufficiency of which is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell, convey and confirm, unto the grantee(s), his heirs and assigns forever, all the real property together with improvements, if any, situate, lying and being in the County of Jefferson, State of Colorado, described as follows:

Parcel A, Wah-Keeney Park, Second Filing, Exemption Survey No. 2,  
County of Jefferson, State of Colorado.

Also known by street and number as: 31033 American Parkway, Evergreen, CO 80439

TOGETHER with all and singular the hereditaments and appurtenances thereunto belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all the estate, right, title, interest, claim and demand whatsoever of the grantor(s), either in law or equity, of, in and to the above bargained premises, with the hereditaments and appurtenances.

TO HAVE AND TO HOLD the said premises above bargained and described, with the appurtenances, unto the grantee(s), his heirs, and assigns forever. The grantor(s), for himself, his heirs and personal representatives or successors, does covenant and agree that he shall and will WARRANT AND FOREVER DEFEND the above-bargained premises in the quiet and peaceable possession of the grantee(s), his heirs and assigns, against all and every person or persons claiming the whole or any part thereof, by, through or under the grantor(s), subject to statutory exceptions.

The singular number shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

IN WITNESS WHEREOF, the grantor(s) has executed this deed on the date set forth above.

SELLER:

Champine Agency Inc., a Colorado corporation

BY: Brett Champine  
Brett Champine, President

STATE OF COLORADO

COUNTY OF Denver

The foregoing instrument was acknowledged before me this 25th day of July, 2022, by Brett Champine as President for Champine Agency Inc., a Colorado corporation

[Signature]  
Notary Public

Witness my hand and official seal.  
My Commission Expires:

KRYSTLE CERVANTES  
NOTARY PUBLIC  
STATE OF COLORADO  
NOTARY ID 20104041937  
MY COMMISSION EXPIRES 10/19/2022

TD-1000  
Confidential Document

Escrow No. 103-2222078-S

This form provides essential market information to the county assessor to ensure accurate, fair and uniform assessments for all property. **This document is not recorded, is kept confidential, and is not available for public inspection.**

**This declaration must be completed and signed by either the grantor (seller) or grantee (buyer).** Questions 1, 2, 3, and 4 may be completed (prefilled) by a third party, such as a title company or closing agent, familiar with details of the transaction. The signatory should confirm accuracy before signing.

This form is required when conveyance documents are presented for recording. If this form is not completed and submitted, the county assessor may send notice. If the completed and signed form is not returned to the assessor within 30 days of notice, the assessor may impose a penalty of \$25.00 or 0.025% (0.00025) of the sale price, whichever is greater.

Additional information as to the purpose, requirements, and level of confidentiality regarding this form are outlined in Colorado Revised Statutes, sections 39-14-102, 39-5-121.5, and 39-13-102.

1. Physical Address and/or legal description of the real property sold: Please do not use P.O. Box numbers.  
31033 American Parkway, Evergreen, CO 80439

2. Type of property purchased: ☐ Single Family Residential ☐ Townhome ☐ Condominium ☐ Multi-Unit Residential  
☐ Commercial ☐ Industrial ☐ Agricultural ☐ Mixed Use ☒ Vacant Land ☐ Other: \_\_\_\_\_

3. 

07/25/2022  
Date of closing: mm/dd/yyyy

06/26/2022  
Date of contract: mm/dd/yyyy

4. 

\$750,000.00  
Total Sale Price: include all real and personal property

\$  
Contracted price (if different from final sale price)

5. List any personal property included in the transaction that materially impacts the total sale price. Personal property may include, but is not limited to: machinery or equipment, vehicles, exceptional appliances, electronic devices, furniture, or anything that would not typically transfer with the real property (attach additional pages if necessary).

| Description | Approximate Value |
|-------------|-------------------|
| _____       | \$ _____          |
| _____       | \$ _____          |
| _____       | \$ _____          |

Personal Property Total: \$ \_\_\_\_\_

If no personal property is listed, the entire purchase price will be assumed to be for the real property.

6. Did the total sale price include a trade or exchange of additional real or personal property?  
If Yes, approximate value of the goods or services as of the date of closing: \$ \_\_\_\_\_  
If Yes, does this transaction involve a trade under IRS Code Section 1031? \_\_\_\_\_

7. Was 100% interest in the real property purchased?  
Mark "No" if only a partial interest is being purchased. If No, interest purchased \_\_\_\_\_%

8. Is this a transaction between related parties or acquaintances? This includes persons connected by blood or marriage, or business affiliates, or those acquainted prior to the transaction.

9. Please mark type of sale: ☐ Builder (new construction) ☐ Public (MLS or Broker Representation)  
☒ Private (For Sale By Owner) ☐ Other (describe) \_\_\_\_\_

10. Mark any of the following that apply to the condition of the improvements at the time of purchase.

☐ New   ☐ Excellent   ☐ Good   ☐ Average   ☐ Fair   ☐ Poor   ☐ Salvage

11. Type of financing: (mark all that apply)

- ☒ None (all cash or cash equivalent)  
☐ New/Mortgage Lender (government-backed or conventional bank loan)  
☐ New/Private Third Party (nonconventional lender, e.g. relative, friend, or acquaintance)  
☒ Seller (buyer obtained a mortgage directly from the seller)  
☐ Assumed (buyer assumed an existing mortgage)  
☐ Combination or Other: Please explain: \_\_\_\_\_

12. Total amount financed: \$ \_\_\_\_\_

13. Terms:

☐ Variable; Starting interest rate: \_\_\_\_\_ %   ☒ Fixed; Interest rate: \_\_\_\_\_ 0.000%  
Length of time: \_\_\_\_\_ Thirty (30) \_\_\_\_\_ years  
Balloon payment? ☒ No   ☐ Yes   If yes, amount \$ \_\_\_\_\_ Due Date: \_\_\_\_\_

14. Mark any that apply: ☐ Seller assisted down payments   ☐ Seller concessions   ☐ Special terms or financing  
If marked, please specify terms: \_\_\_\_\_

15. Was an independent appraisal obtained in conjunction with this transaction?   ☐ No   ☐ Yes

For properties **OTHER THAN Residential** (Residential is defined as: single family detached, townhomes, apartments and condominiums), please complete questions 16-18, if applicable.

16. Did the purchase price include a franchise or license fee?   ☒ No   ☐ Yes  
If yes, franchise or license fee value \$ \_\_\_\_\_

17. Did the purchase price involve an installment land contract?   ☒ No   ☐ Yes  
If yes, date of contract: \_\_\_\_\_

18. If this is vacant land, was an on-site inspection conducted by the buyer prior to the closing?   ☒ No   ☐ Yes

Please include any additional information concerning the transaction and price paid that you feel is important:

\_\_\_\_\_

|                              |                            |                         |
|------------------------------|----------------------------|-------------------------|
| <i>Michael Klemp</i>         | 7/25/2022   1:44:45 PM MDT | Michael Klemp           |
| Signature of Grantee (Buyer) | Date: mm/dd/yyyy           | Printed name of Grantee |

|  |           |          |          |
|--|-----------|----------|----------|
| Buyer Mailing Address: Future correspondence (tax bills, property valuations, etc.) regarding this property should be mailed to: |           |          |          |
| 31033 American Parkway   | Evergreen | Colorado | 80439    |
| Address (mailing)  | City      | State    | Zip Code |

|               |               |
|---------------|---------------|
| Daytime Phone | Email Address |
|---------------|---------------|

Contact information is kept confidential, for County Assessor and Treasurer use only, to contact buyer with questions regarding this form, property valuation, or property tax information.



## DEFENSIBLE SPACE PLAN GUIDELINES

The directions and property markings have been prepared by Joshua Reeves with Splintered Forest to aid in the reduction of wildfire hazards. To pass the final inspection and receive the final documentation all the work outlined below must be completed. All of the following work is required to be done within the orange taped boundary (100 feet or the property boundary, whichever is less):

- All trees marked with blue paint or blue flagging tape in Zone 1 and Zone 2 must be completely removed from the property (including all slash and limbs). All slash needs to be hauled, chipped, buried or burned.
- If chipped debris is broadcast back onsite it must be spread out (not left in piles) at a depth of <4".
- Any stumps remaining on the property must be cut flush with ground or as close to the ground as possible (not to exceed 9 inches).
- Remove any downed trees or flammable vegetation (i.e. juniper bushes) within Zone 2.
- Any trees not removed within Zone 1 and Zone 2 must have ladder fuels removed up to a height of 10 feet (from the lowest hanging point of the branch) or 1/3 the height of the tree, whichever is less.
- Any tree permitted to stay that has branches overhanging a house or structure must be trimmed up 10' from the roofline (from the lowest hanging point of the branch).
- Prune and limb the Dwarf Mistletoe from remaining trees (where practical).
- Any trees infested with Ips or Mountain Pine Beetle should be removed from the property or cut into 6 to 8 foot sections and covered in a heavy, clear piece of plastic.
- If you wish to keep firewood on the property, no more than two cords are allowed at any given time. Wood piles must be at least 30 feet away from the structure on the uphill side.

If you wish to receive an estimate for all or any portions of the work to be completed by Splintered Forest please call the office direct at 303-819-9840 ext. 1.

Thank You,

Joshua Reeves  
Jefferson County Approved Forester

### Splintered Forest, LLC

59 West Floyd Avenue #208 • Englewood, Colorado 80110  
(303) 819-9840 • Sales@SplinteredForest.com • www.splinteredforest.com

# ENVIRONMENTAL QUESTIONNAIRE AND DISCLOSURE STATEMENT

Page  
1 of 5  
FORM 6000

NAME OF PROJECT: PROSPECTOR AT EVERGREEN  
 CONTACT PERSON: GEORGE SANDERSON PH 303-443-8060  
 PROPERTY LOCATION: 31033 AMERICAN PARKWAY EVERGREEN, CO. 80439

On this property, do any of the following conditions exist, or have any of the following conditions existed at any time in the past?

| SECTION  | CONDITION  | NO                                  | YES                      |
|----------|--|-------------------------------------|--------------------------|
| <b>A</b> | Placement of earthen fill from an outside source, operation of a solid waste disposal site or landfill, whether private or commercial, legal or illegal                          | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| <b>B</b> | Asbestos or asbestos-containing materials used or stored within any existing buildings or anywhere else onsite   | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| <b>C</b> | Storage or use of electrical equipment such as transformers or capacitors, other than in the provision of normal electrical service  | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| <b>D</b> | Above or underground storage tanks containing gasoline, diesel, fuel oil, waste oil or any other liquid chemical storage   | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| <b>E</b> | Storage or use of pesticides and herbicides or any other agricultural chemicals, other than for typical household or garden use  | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| <b>F</b> | Hazardous or dangerous chemicals stored, released or otherwise emitted anywhere on the property  | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| <b>G</b> | Storage or use of explosives, including dynamite, blasting caps, or unexploded ordinance such as bullets and bombs   | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| <b>H</b> | Radiation hazards such as radiation from uranium mine and mill tailings, nuclear reactors, and/or the processing, handling, disposal and/or deposition of radioactive materials. | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

If you answered "NO" to ALL of the above, please sign below in the presence of a NOTARY PUBLIC and return this page only to the Department.

If you answered "YES" to ANY of the above, please complete Parts I and II on page 2 AND complete any SECTION on pages 3-5 to which you responded "YES" above. Then sign below in the presence of a NOTARY PUBLIC and return the entire packet (pages 1-5) to the Department.

As the present owner of the Property or as an officer or a general partner of the present owner of the Property (or duly authorized representative of such owner), I am familiar with all of the operations presently conducted on the Property. I have made a diligent inquiry into the former uses of the property; and hereby certify to and for the benefit of Jefferson County that to the best of my knowledge and belief the information disclosed on or attached to this form is true and correct.

NAME: George Sanderson DATE: 8/11/23  
SANDERSON ARCHITECTS LLC MEMBER/MANAGER  
 State of Colorado )  
 ) ss. OWNER'S REPRESENTATIVE  
 County of Boulder )

The above and foregoing Environmental Questionnaire and Disclosure Statement was acknowledged

before me this 11 day of August, 2023, by George Sanderson

WITNESS my hand and official seal.

Noemi Burgos  
 NOTARY PUBLIC

MY COMMISSION EXPIRES: 07/07/2027

**NOEMI BURGOS SOTO**  
 NOTARY PUBLIC  
 STATE OF COLORADO  
 NOTARY ID 20194018762  
 MY COMMISSION EXPIRES 07/07/2027



## **DEFENSIBLE SPACE PLAN IN JEFFERSON COUNTY, CO**

**To:** Jefferson County Planning Department

**Date of Initial Inspection:** August 27, 2024

**From:** Joshua Reeves

**Subject:** Wildfire Hazard Mitigation, Defensible Space

### **INITIAL INSPECTION ONLY, NOT A FINAL APPROVAL**

**Property Address:** 31033 American Parkway in Evergreen, CO 80439

**DS #:** TBD

**Contact:** Sara Sanderson, 303-443-8060

The directions in this plan have been prepared by Joshua Reeves with Splintered Forest to aid in the reduction of wildfire hazards at the address listed above. To receive a Certificate of Occupancy, all the work outlined must be completed and a re-inspection must be done for final approval. All work is required to be done within the orange taped boundary (100 feet or the property boundary, whichever is less).

If you have any further questions please don't hesitate to call the office direct at 303-819-9840 ext. 3.

Thank You,

Joshua Reeves

Jefferson County Approved Forester

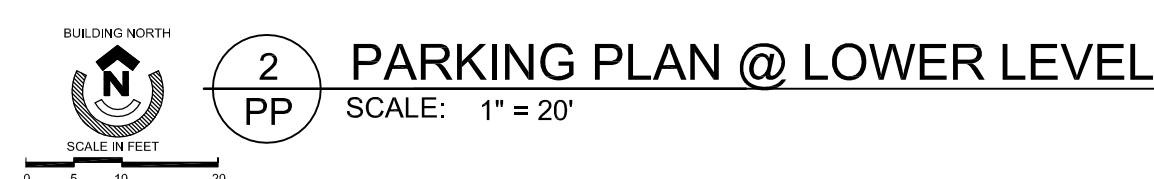
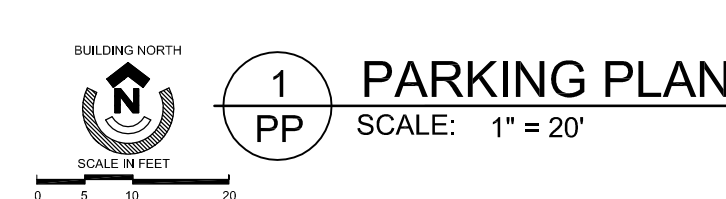
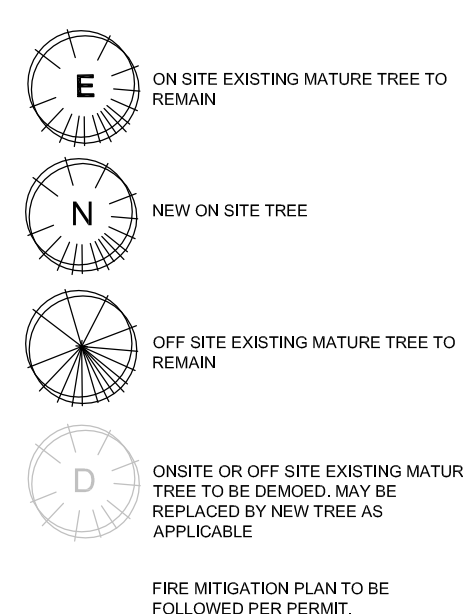
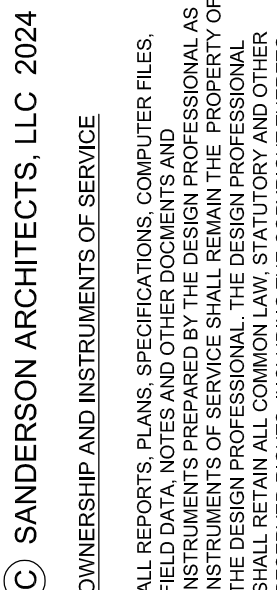
**Splintered Forest, LLC**

59 West Floyd Avenue #208 • Englewood, Colorado 80110

(303) 819-9840 • Sales@SplinteredForest.com • www.splinteredforest.com

**SANDERSON**  
ARCHITECTURE • PLANNING • INTERIORS • ART  
2232 Pearl Street, Suite 100  
Boulder, Colorado 80302  
ph. (303) 443-8060  
[www.sanderSONarchitects.com](http://www.sanderSONarchitects.com)

© SANDERSON ARCHITECTS, LLC 2024



October 1, 2024

Prospector at Evergreen – mixed-use development  
31033 American Parkway  
Evergreen, Jefferson County, Colorado

PARKING MATRIX – Full Use

| USE           | Spaces Required | Spaces Provided |
|---------------|-----------------|-----------------|
| COMMERCIAL*   | 23              | 27              |
| RESIDENTIAL** | 39              | 40              |
| <b>TOTAL</b>  | <b>62 60***</b> | <b>67</b>       |

23\* COMMERCIAL SPACES 4,500 GLA Total  
 4/1000 x 4,500 GLA¹ = 18  
 Government Office, Business or Professional Office  
 General Retail  
 Wholesale  
 Banks  
 Service Establishment – Barber, Beauty Salon, Dry Cleaners

- OR -

5/1000 x 4 500 GLA<sup>1</sup> = 22.5 use 23\*  
Medical/Dental Clinics

GLA<sup>1</sup> = Maximum GLA allowed for each use

39\*\* RESIDENTIAL SPACES = 25 for 20 One BR Units + 8 for 4 Two BR Units + 6 Guest  
20 One BR Units x 1.25 sp. per unit = 25  
4 Two BR Units x 2.00 sp. per unit = 8  
Guest 24 Units x .25 = 6

60\*\*\* 10 Bicycle Parking Spaces provided, therefore Spaces Required for vehicles may be reduced by 2, to a final Spaces Required for vehicles to 60.

Parking Matrix  
Prospector at Evergreen

**SANDERSON**  
ARCHITECTURE • PLANNING • INTERIORS • ART  
2232 70th Street, Suite 100  
Boulder, Colorado 80502  
ph. (303) 443-8866  
[www.sandersonarchitect.com](http://www.sandersonarchitect.com)

October 1, 2024

**Prospector at Evergreen**  
Mixed-Use Building  
311033 American Parkway  
Evergreen, Colorado 80439

— 111 —

ev \_\_\_\_\_

-/-

ev \_\_\_\_\_

ate October 1, 2024

scale \_\_\_\_\_ AS NOTED

rawn \_\_\_\_\_ 37

December 2023

Prospector\_SDP\_Submittal\_Oct1\_2024.docx

PARKING PLAN

---

PP



# Evergreen Fire/Rescue

1802 Bergen Parkway • Evergreen, Colorado 80439

Phone: 303-674-3145 • Fax: 303-674-8701

February 2<sup>nd</sup>, 2023

Jefferson County Planning and Zoning  
100 Jefferson County Parkway  
Golden, Colorado 80401

This is to confirm that the property located at the proposed address of 31033 American Parkway, Evergreen, Colorado is within the boundaries of Evergreen Fire Protection District. Evergreen Fire/Rescue (EFR) will provide emergency services to this area.

This property is served by EFR Fire Station 2 located at 1802 Bergen Parkway (1.9 miles). The closest water supply is an Evergreen Metro District Hydrant near the property line. Fire department operations will be supplemented with a tender water shuttle. This is an ISO 3 location. Evergreen Fire/Rescue is a volunteer fire department; there may be extended response times to this location.

## **Site Access**

On and off-site access must comply with the Jefferson County Transportation Design and Construction Manual and the International Fire Code.

## **Fire Protection Requirements**

The proposed commercial and multi-family residential construction will be required to be protected by an automatic fire suppression system and automatic fire alarm system. Hydrants may have to be relocated to provide adequate access.

Please contact me if you have any questions in regard to this information.

Respectfully,

*Rachel Rush*

Rachel Rush  
Fire Marshal  
Evergreen Fire/Rescue



October 1, 2024

Michael Klemp - Owner  
BDM Capital Time Investments, LLC  
10900 Chatfield Lake Road  
Littleton, Colorado 80125  
(303) 802-8640  
[mike@thorconus.com](mailto:mike@thorconus.com)

TO: Jefferson County Planning and Zoning  
ATTN: Mr. Alexander Fowlkes, Planner  
100 Jefferson County Parkway Suite 3550  
Golden, Colorado 80419

RE: Application for Site Development Plan  
Approval and Rezoning  
The Prospector at Evergreen  
31033 American Parkway  
Evergreen, Colorado 80439

LEGAL DESCRIPTION  
LOT 1,2,3,4,5,6,7,8,9,10,11,12, and 13, BLOCK 20  
WAH - KEENEY PARK, FILING NO. 2  
IN THE NORTHWEST 1/4 OF SECTION 32,  
T.4 S., R 71 W. OF THE 6<sup>TH</sup> P.M.  
COUNTY OF JEFFERSON, STATE OF COLORADO  
1.128 ACRES

Dear Mr. Fowlkes,

The purpose of this correspondence is to provide you and all other recipients with the following documents for a Site Development Plan approval and Rezoning Approval for 31033 American Parkway, Evergreen, CO 80439. These approvals are to allow for the construction of a mixed-use building in use area A located on the site which includes existing infrastructure in compliance with the approved ODP. The proposed mixed-use building is in accordance with Jefferson County Zoning Resolution (ZR) and Land Development Regulation (LDR) updated standards. Required documents for this application have been submitted to the Jefferson County Planning and Zoning Portal.

Thank You,

A handwritten signature in black ink, appearing to read "Michael Klemp", written over a horizontal line.

Michael Klemp – Chief Executive Officer  
BDM Capital Time Investments, LLC



LSC TRANSPORTATION CONSULTANTS, INC.

1889 York Street  
Denver, CO 80206  
(303) 333-1105  
FAX (303) 333-1107  
E-mail: [lsc@lscdenver.com](mailto:lsc@lscdenver.com)

August 23, 2024

Mr. George F. Sanderson  
Sanderson Architects, LLC  
2232 Pearl Street, Suite 100  
Boulder, CO 80302

Re: 31033 American Parkway  
Jefferson County, CO  
LSC #240550

Dear Mr. Sanderson:

Per your request, we have completed this trip generation and CDOT access permit compliance letter for the proposed 31033 American Parkway redevelopment in Jefferson County, Colorado.

## **INTRODUCTION**

The purpose of this letter is to estimate the trip generation potential for the currently proposed land use. This will be the supporting document to show that the currently proposed development is in compliance with the existing CDOT access permit (#105071).

## **LAND USE AND ACCESS**

Two land use scenarios were evaluated: Scenario 1 includes 24 multi-family dwelling units and about 4,500 square feet of office space. Scenario 2 includes 24 multi-family dwelling units, about 2,500 square feet of office space, and about 2,000 square feet of retail space.

## **TRIP GENERATION**

Table 1 shows the estimated average weekday, morning peak-hour, and afternoon peak-hour trip generation for the currently proposed land use based on the rates from Trip Generation, 11<sup>th</sup> Edition, 2021 by the Institute of Transportation Engineers (ITE).

Scenario 1 is projected to generate about 211 vehicle-trips on the average weekday, with about half entering and half exiting the site during a 24-hour period. During the morning peak-hour, which generally occurs for one hour between 6:30 and 8:30 a.m., about 8 vehicles would enter and about 8 vehicles would exit the site. During the afternoon peak-hour, which generally occurs for one hour between 4:00 and 6:00 p.m., about 9 vehicles would enter and about 10 vehicles would exit the site.

Scenario 2 is projected to generate about 298 vehicle-trips on the average weekday, with about half entering and half exiting the site during a 24-hour period. During the morning peak-hour, which generally occurs for one hour between 6:30 and 8:30 a.m., about 8 vehicles would enter and about 9 vehicles would exit the site. During the afternoon peak-hour, which generally

occurs for one hour between 4:00 and 6:00 p.m., about 16 vehicles would enter and about 15 vehicles would exit the site.

### **ACCESS PERMIT**

Existing Access Permit #105071 has a limit of 250 trips per day so the project will be in compliance if the projected trip generation is within 20 percent of the 250 trip limit which is 300 trips per day. Table 1 shows the trip generation potential of either scenario is in compliance with the existing access permit.

### **CONCLUSION**

The daily trip generation potential of the proposed 31033 American Parkway redevelopment is in compliance with existing CDOT Access Permit #105071.

\* \* \*

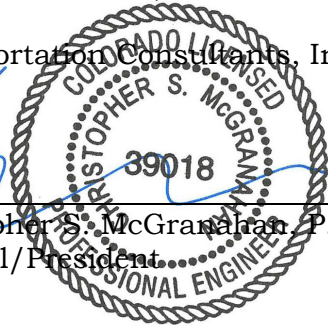
We trust this information will assist you in planning for the proposed land use at 31033 American Parkway.

Respectfully submitted,

LSC Transportation Consultants, Inc.

By: \_\_\_\_\_

Christopher S. McGranahan, P.E.  
Principal/President



CSM/wc

8-23-24

Enclosures: Table 1

**Table 1**  
**ESTIMATED TRAFFIC GENERATION**  
**31033 American Parkway**  
**Jefferson County, CO**  
**LSC #240550; August, 2024**

| Trip Generating Category            | Quantity               | Trip Generation Rates <sup>(1)</sup> |              |       |              |       | Vehicle-Trips Generated |              |          |              |           |
|-------------------------------------|------------------------|--------------------------------------|--------------|-------|--------------|-------|-------------------------|--------------|----------|--------------|-----------|
|                                     |                        | Average Weekday                      | AM Peak-Hour |       | PM Peak-Hour |       | Average Weekday         | AM Peak-Hour |          | PM Peak-Hour |           |
|                                     |                        |                                      | In           | Out   | In           | Out   |                         | In           | Out      | In           | Out       |
| <b>SCENARIO 1</b>                   |                        |                                      |              |       |              |       |                         |              |          |              |           |
| Multi-Family Housing <sup>(2)</sup> | 24 DU <sup>(3)</sup>   | 6.74                                 | 0.096        | 0.304 | 0.321        | 0.189 | 162                     | 2            | 7        | 8            | 5         |
| Office Space <sup>(4)</sup>         | 4.5 KSF <sup>(5)</sup> | 10.84                                | 1.338        | 0.182 | 0.245        | 1.195 | 49                      | 6            | 1        | 1            | 5         |
| <b>Scenario 1 Total =</b>           |                        |                                      |              |       |              |       | <b>211</b>              | <b>8</b>     | <b>8</b> | <b>9</b>     | <b>10</b> |
| <b>SCENARIO 2</b>                   |                        |                                      |              |       |              |       |                         |              |          |              |           |
| Multi-Family Housing <sup>(2)</sup> | 24 DU <sup>(3)</sup>   | 6.74                                 | 0.096        | 0.304 | 0.321        | 0.189 | 162                     | 2            | 7        | 8            | 5         |
| Office Space <sup>(4)</sup>         | 2.5 KSF <sup>(5)</sup> | 10.84                                | 1.338        | 0.182 | 0.245        | 1.195 | 27                      | 3            | 0        | 1            | 3         |
| Retail <sup>(6)</sup>               | 2.0 KSF <sup>(5)</sup> | 54.45                                | 1.416        | 0.944 | 3.295        | 3.295 | 109                     | 3            | 2        | 7            | 7         |
| <b>Scenario 2 Total =</b>           |                        |                                      |              |       |              |       | <b>298</b>              | <b>8</b>     | <b>9</b> | <b>16</b>    | <b>15</b> |

Notes:

- (1) Source: *Trip Generation*, Institute of Transportation Engineers, 11th Edition, 2021
- (2) ITE Land Use No. 220 - Multi-Family Housing (Low-Rise)
- (3) DU = dwelling units
- (4) ITE Land Use No. 710 - General Office Building
- (5) KSF = 1,000 square feet
- (6) ITE Land Use No. 822 - Strip Retail Plaza (<40k)

## CERTIFICATE OF WATER AND SEWER AVAILABILITY

This Certificate of Water and Sewer Availability must be signed by a representative of the health department and, if applicable, also by a representative of the water and sanitation district or agency supplying service. The certificate expires after one year, when the building permits are applied for, or if an expiration date is specified whichever comes first. There is NO FEE for this certificate.

31033 American Parkway Evergreen CO 86439 11/17/23  
JOB ADDRESS DATE

### LEGAL DESCRIPTION

BDM Capital Time Investments 10900 Chaffield Lake Rd. Littleton CO 80125  
OWNER ADDRESS CITY/ZIP PHONE  
USE OF BUILDING Mixed use Commercial / Residential

### SEWER SERVICE AVAILABILITY

( ) Onsite wastewater treatment system permit No: \_\_\_\_\_ for \_\_\_\_\_

\_\_\_\_\_ bedroom single family dwelling, or \_\_\_\_\_

Bundy Cahn 1-17-2023  
Jefferson County Public Health Date

OR

(X) Public Sewer (District Name) West Jefferson County Metro District

Sewer Agency Representative

Date

### WATER SERVICE AVAILABILITY

(X) WATER SERVICE AVAILABLE Name of District Evergreen Metropolitan District

Bundy Cahn 1-17-2023  
Water District Representative or Authorized Agent Date