



City of Thornton  
Agenda for Regular Meeting of the  
**Planning Commission**  
Located in Council Chambers or Zoom Virtual Meeting  
August 20, 2024  
6:00 p.m.

1. CALL TO ORDER
2. ROLL CALL OF PLANNING COMMISSION
3. APPROVAL OF AGENDA
4. APPROVAL OF MINUTES – July 16, 2024
5. PUBLIC HEARINGS
  - A. 27J West Middle School:
    - i. **PLAX202301713:** A resolution concerning the Annexation of approximately 17.31 acres of property situated in the southeast quarter of Section 7 and the south half of the southwest quarter of Section 8, Township 1 South, Range 67 West of the sixth Principal Meridian, County of Adams, State of Colorado, generally located east of Holly Street and north of East 152<sup>nd</sup> Avenue and assigning the annexed property to Ward 3.
    - ii. **PLZ202301834:** A resolution concerning the Zoning of approximately 17.31 acres of property situated in the southeast quarter of Section 7 and the south half of the southwest quarter of Section 8, Township 1 South, Range 67 West of the sixth Principal Meridian, County of Adams, State of Colorado, generally located east of Holly Street and north of East 152<sup>nd</sup> Avenue and assigning the annexed property to Ward 3.
  - B. Driveway Regulations Code Amendment:
    - i. **SPCD 2022-008:** A resolution concerning a text amendment to Chapter 18 and other applicable sections of the Thornton City Code for the purpose of revising the regulations for residential driveways.

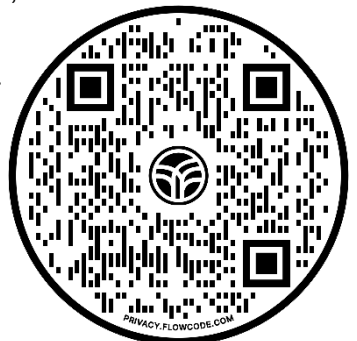
6. STAFF REPORTS/PRESENTATIONS – None
7. OTHER MATTERS
  - A. Introduction of new Planning Commissioner, Stephen Butler.
  - B. Upcoming meetings: There are currently no items currently scheduled for the upcoming September 3, 2024, meeting.
  - C. A Special Meeting is being requested for 6:00pm on October 16, 2024, and staff will be reaching out in a few weeks to confirm we have a quorum.
8. ADJOURNMENT

Agenda prepared by Desirae A. Lovato, City Development, for Warren Campbell, Current Planning Manager.

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To Attend Virtually:

- Call 1-719-359-4580 and enter Meeting ID Number: 886 1706 1986
- Click the [link here](https://thorntonco.zoom.us/j/88617061986) or type in the URL below into your internet browser: <https://thorntonco.zoom.us/j/88617061986>
- Scan the QR Code to the right to attend virtually



**City of Thornton**  
**Planning Commission Meeting**  
**Minutes**  
**July 16, 2024**

ROLL CALL: Those Present were Chair Anna Sparks; Vice-Chair Rahem Mulatu; and Commission Members Bruce Thomas; Nora Brandon, Andrew Bryant; Jacque Phillips, and Randall Stutz. Absent – Commissioner Jeff Tompkins

STAFF MEMBERS PRESENT - Jessica Whitney, Senior Assistant City Attorney; Warren Campbell Planning Manager; Collin Wahab, Principal Planner; Jay Ruchti, City Planner; Alexis Alarid and Monica Gutierrez, Recording Secretaries.

The meeting was called to order at **6:00 p.m.**

APPROVAL OF AGENDA:

**MOTION WAS MADE BY COMMISSIONER THOMAS AND SECONDED BY COMMISSIONER STUTZ TO APPROVE THE AGENDA. MOTION PASSED UNANIMOUSLY.**

**MOTION WAS MADE BY COMMISSIONER BRYANT AND SECONDED BY COMMISSIONER BRANDON TO APPROVE THE PREVIOUS MEETING MINUTES. MOTION PASSED UNANIMOUSLY.**

NEW BUSINESS – PUBLIC HEARINGS

The floor was opened at **6:01 p.m.**

At this time, individuals wishing to provide testimony during the public hearings were sworn in by the Recording Secretary.

Mr. Campbell introduced Mr. Wahab as the case presenter for PLCSP202302046 a resolution concerning a Conceptual Site Plan (CSP) for a commercial development on approximately 5.5 acres of land generally located south of East 136th Avenue and east of Grant Street at 13520 Grant Street (Rolling Hills Amended A5 Tract D2). Mr. Wahab entered into the record *City's Exhibit A, the Affidavit of Sign Posting, Exhibit B, a letter of opposition from a resident*, and presented a staff report and slides.

Ian McClure confirmed they had been sworn. Mr. McClure provided additional information regarding the project.

Chris McGran, 1889 York Street, confirmed they had been sworn. Mr. McGran provided additional information regarding the project.

Commissioner Bryant asked if any changes were made to the CSP after public

comment. Mr. McClure responded that there were changes made specifically to the exterior of the building. Commissioner Bryant asked if the height of the building decreased from the original submittal. Mr. McClure responded that the height did decrease.

Vice Chair Mulatu asked if the height was based on the code. The Vice Chair inquired if commissioners are approving of the CSP (Review). Mr. Wahab responded.

Commissioner Brandon inquired if the parking and remaining lots are also to be approved and asked what the residential impact on the current height proposed in terms of the views. Commissioner Brandon also inquired if patrons of the church would be able to easily move around the proposed site after construction. Mr. Wahab responded.

Chair Sparks inquired about having an additional access/entry port in the lot, and if there would be temporary access at a second point of access for safety purposes, and if a fire truck turning radius had been considered. Mr. Wahab confirmed there would be temporary access while the permanent second point of access is added, and the fire department has reviewed the CSP.

Elena Young, 591 East 134<sup>th</sup> Avenue, Ms. Young stated that the applicant did not mention that the hotel is an extended stay. Ms. Young stated they were concerned in terms of safety and potential attempted burglaries to existing neighborhoods if developed and asked what the city would be willing to offer in terms of additional safety protocols.

Jane Kneader, 632 East 132<sup>nd</sup> Avenue at Rolling Hills, Ms. Kneader voiced concerns in terms of the existing traffic and additional traffic issues. Per her research she has noticed that traffic has already increased due to the McDonalds. Ms. Kneader is also concerned in terms of the quality of life for the surrounding communities, view corridors and the soil fill that is used for building and how that will impact height restrictions and in turn increase the final height of the building.

John Morarie, 622 East 144<sup>th</sup> Avenue, Mr. Moraire mentioned that mailers received from City Development do not contain City of Thornton letterhead and it is difficult to know when they are receiving mail regarding upcoming Planning Commission meetings and proposals.

Mr. Wahab clarified that Neighborhood Meetings are provided by the applicant and hosted by the applicant and not the City of Thornton and that mailers are also provided by the applicant.

Vice Chair Mulatu inquired if neighborhood meeting mailers can have City of Thornton letterhead. Mr. Wahab responded.

Commissioner Phillips inquired about the safety concerns brought up by the public comment, specifically what can be done about lighting and additional police presence to address safety concerns. Mr. Wahab responded. Mr. McClure provided additional information regarding the current safety measures provided.

Matthew Cohen, 9500 Civic Center Drive, added additional information regarding the traffic impact study. Mr. Cohen mentioned that the peak hour traffic is below fifty-five vehicles per hour, the traffic impact is well within the minimum conformance indicated by the code which is one hundred.

Vice Chair Mulatu asked Mr. Cohen how the city validates the numbers provided by the applicant. Mr. Cohen responded that the applicant meets all current requirements based on federal standards.

Mr. McClure provided additional information regarding the façade and mentioned that the current façade was chosen to mirror the façade of the life church situated nearby. Mr. McClure mentioned that the façade is not flat, all along the bottom of the building and gray portions of the building are stone and the building also has wood elements included.

Mr. McClure clarified that there will be no additions to the grade fill; in fact, some of the grade fill was removed to ensure the entire building was balanced.

Commissioner Brandon inquired about individuals loitering within the golf course and if the current exterior seating areas, and how one can differentiate between individuals loitering and hotel guests.

Mr. McClure provided additional information regarding the exterior seating area and mentioned that employees are trained not to allow individuals outside of guests to use the outdoor seating areas.

Commissioner Brandon asked about the Planning Commission's role regarding their recommendation and how they would impact the approval of the proposed CSP.

Ms. Whitney responded and provided the CSP criteria that commissioners are evaluating regarding the CSP.

Vice Chair Mulatu made comment that we appreciate community input and involvement.

Commissioner Stutz asked if there is any known data for the crime statistics differentiation between an extended stay and a regular hotel, and traffic from other surrounding hotels in the area is also considered in the Traffic Impact Study (TIS) threshold. Mr. Koenig responded.

Mr. Koenig provided clarification on the TIS and staff procedures. Mr. Wahab provided additional information.

Commissioner Phillips asked for the CSP criteria to review. Ms. Whitney provided the information requested on the process for criteria for approval of the proposed CSP.

Commissioner Phillips asked if there are examples of similar areas and similar hotels and situations that have been handled in the past.

Mr. McClure mentioned that all staff receive safety training, and the hotel staff collaborates closely with police departments.

A five-minute break was taken and the meeting was back to order at 7:34 p.m.

Commissioner Bryant inquired about providing an approval/rejection that includes public commentary, and if it would apply to the applicant.

Ms. Whitney clarified that that Planning Commission could recommend approval with conditions. The applicant would have the choice if they would like to comply with conditions and City Council would have the final vote.

The floor closed to further testimony at 7:38 p.m.

**MOTION WAS MADE BY COMMISSIONER BRANDON AND SECONDED BY VICE CHAIR MULATU TO APPROVE THE RESOLUTION.**

**MOTION PASSED 7-0.**

**PLDP202400892**

**The floor was opened at 7:44 p.m.**

At this time, individuals wishing to provide testimony during the public hearings were sworn in by the Recording Secretary.

Mr. Campbell introduced Mr. Ruchti as the case presenter. Mr. Ruchti entered into the record City's Exhibit A, the Affidavit of Sign Posting, and presented a staff report and slides. and presented PLDP202400892: A public hearing regarding a resolution for a Specific Use Permit in the Single-Family Detached zone district to allow the construction of a fire station on a site generally located north of East 152nd Avenue and west of Monaco Street (Fire Station 8).

Gary Hobbs, 2300 Thornton Parkway, Mr. Hobbs provided additional information regarding the project.

Commissioner Brandon inquired about the code provisions regarding the building permits. Ms. Whitney provided clarification on the provisions.

John Clark, 10323 Monaco Street, stated concerns regarding the drainage around the firehouse and wanting a barrier on the southside of the property to prevent drainage issues and noise/light issues. Mr. Clark would like to request that a condition be placed for a fence that blocks noise and lights and is funded by the city.

Don Overholt, 6301 East 162<sup>nd</sup> Avenue, stated concerns on the grading on the project and the drainage ditch indicated, and how the drainage issues would affect his property and stated concerns on the current main road conditions and the fact that the road is quite narrow.

Mr. Hobbs indicated that lights will be addressed, mentioned that it may be more beneficial to put a barrier on the street as opposed to the property. Mr. Hobbs Provided further information that the ditch will be addressed on the civil construction plans.

Commissioner Phillips inquired if there will be community meetings regarding the fire station.

Mr. Hobbs indicated that the fire department has already hosted community meetings that have been well attended, and that many other concerns were brought up at community meetings not specific to the construction of the Fire Station.

Jennifer Cahill, 9500 Civic Center Drive, provided further clarification that an amendment that included additional survey points to ensure that the lights facing his home would not land at elevation on his home. The survey package has not yet been completed with those findings and information will be provided upon completion to the community.

Commissioner Bryant asked what the timeline for responses would look like to address concerns brought up by the community.

Mr. Ruchti responded that responses regarding the architecture of the project would be reviewed at the time that the construction drawings are completed and submitted.

Chair Sparks inquired if the fire department would be able to respond to calls submitted by residents of unincorporated Adams County.

Mr. Hobbs responded that the Fire Department has a closest unit response. Meaning that Fire Station 8 would provide coverage to the area regardless of being outside of the City of Thornton jurisdiction.

The floor closed to further testimony at **8:20 p.m.**

**MOTION WAS MADE BY COMMISSIONER THOMAS AND SECONDED BY C PHILLIPS TO APPROVE THE RESOLUTION.**

**MOTION PASSED 7-0.**

**PLAX202300204**

**The floor was opened at: 8:33 p.m.**

At this time, individuals wishing to provide testimony during the public hearings were sworn in by the Recording Secretary.

Mr. Campbell presented the case for a resolution concerning the Annexation of approximately 2.162 acres of property situated in the northwest quarter of Section 25, Township 2 South, Range 68 West of the sixth Principal Meridian, County of Adams, State of Colorado, generally located in the southern half of the East 88th Avenue Right-of-Way (ROW) between York Street and Welby Road/Steele Street (88th Avenue and York Street Annexation); and a resolution concerning a Zoning Amendment, with an associated annexation, of approximately 2.162 acres of property generally located in the southern half of the East 88th Avenue ROW between York Street and Welby Road/Steele Street (88th Avenue and York Street Zoning). Mr. Campbell entered into the record City's Exhibit A, the Affidavit of Sign Posting, a presented a staff report and slides.

Rachelle Plas, 12450 Washington Street, Ms. Plas provided additional information regarding the project.

Vice Chair Mulatu inquired if this process would cause a smell in the neighborhood. Ms. Plas clarified.

Commissioner Phillips asked if it can be confirmed that this sludge line is not connected to the sewer system or the Thornton mobile home estates community. Ms. Plas responded.

Jim Kaiser, 12450 Washington Street, provided further clarification regarding the project for the sanitary sewer which is entirely west of this annexation.

Commissioner Phillips asked if this would impact police jurisdiction. Mr. Kaiser confirmed that this would impact police jurisdiction, and no private property would be impacted.

Commissioner Phillips asked if there are any concerns regarding traffic during construction in the ROW specifically regarding the school.



Ms. Plas clarified that there will be time restrictions during construction.

Commissioner Bryant asked if Adams County had any objections regarding the annexation of the ROW. Mr. Campbell responded.

The floor closed to further testimony at 8:52 p.m.

**MOTION WAS MADE BY COMMISSIONER BRYANT AND SECONDED BY COMMISSIONER PHILLIPS TO APPROVE THE RESOLUTION.**

**MOTION WAS MADE BY COMMISSIONER BRYANT AND SECONDED BY COMMISSIONER PHILLIPS TO APPROVE THE RESOLUTION.**

**MOTIONS PASSED 7-0.**

OTHER MATTERS:

There are no scheduled items for the August 6, 2024 meeting due to National Night out. We have one item anticipated for the August 20, 2024, meeting for the 27J School Annexation.

**THE MEETING WAS ADJOURNED AT 8:57 P.M.**

PLANNING COMMISSION OF THE  
CITY OF THORNTON, COLORADO

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Anna Sparks, Chairperson Signature

ATTEST:

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Recording Secretary Signature

## PLANNING COMMISSION COMMUNICATION

<b>Meeting Date:</b> August 20, 2024	<b>Agenda Item:</b> 5) A. i	<b>Agenda Location:</b> PUBLIC HEARINGS	<b>Legal Review:</b> <div style="border: 1px solid black; padding: 2px; display: inline-block;">           DS   </div>
<b>Subject:</b> A public hearing concerning the Annexation of approximately 17.31 acres of property situated in the southeast quarter of Section 7 and the south half of the southwest quarter of Section 8, Township 1 South, Range 67 West of the sixth Principal Meridian, County of Adams, State of Colorado, generally located east of Holly Street and north of East 152 <sup>nd</sup> Avenue and assigning the annexed property to Ward 3 (West Middle School Annexation). PLAX202301713).			
<b>Recommended by:</b> Warren Campbell, Current Planning Manager <div style="float: right; text-align: right;">           Initial  <div style="border: 1px solid black; padding: 2px; display: inline-block;">  </div> </div>			
<b>Presenter(s):</b> Jay Ruchti, Senior Planner			

### **SYNOPSIS:**

The total amount of land to be annexed is approximately 17.31 acres consisting of a School District 27J parcel and a portion of adjacent Holly Street right-of-way (ROW). Zoning (PLZ202301713) for the property is proposed concurrently as a separate item on this agenda.

### **RECOMMENDATION:**

Staff recommends Alternative Number 1, approval of the resolution because the proposed Annexation satisfies the requirements of the Colorado Revised Statutes (C.R.S) Sections 31-12-101 to 123, known as the Municipal Annexation Act of 1965 (the State Statute), and complies with the annexation policies of the City.

### **BUDGET/STAFF IMPLICATIONS:**

None.

### **ALTERNATIVES:**

1. Approve the resolution as recommended.
2. Do not approve the resolution.

### **BACKGROUND (ANALYSIS/NEXT STEPS/HISTORY):** (includes previous City Council action)

The Planning Commission may consider the following criteria in evaluating an annexation application, pursuant to Section 18-40(g) of the Code:

# Planning Commission Communication

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### 1. *The annexation is in compliance with the Municipal Annexation Act.*

The property to be annexed meets the requirement in the State Statute for one-sixth (16.67 percent) contiguity with existing City limits.

Area proposed for annexation:	17.31 acres
Percent of contiguity:	39.59 percent
Percent of contiguity required by State law:	16.67 percent
Percent of landowners of the area proposed for annexation signing petition (exclusive of streets):	100 percent

The area proposed to be annexed includes a portion of the Holly Street ROW and will not extend the municipal boundary more than three miles.

C.R.S. § 31-12-115 requires that lands annexed into the City be zoned within 90 days of the date of annexation. The property is proposed to be zoned Single-Family Detached (SFD) immediately following approval of the annexation request. The proposed Annexation complies with the eligibility requirements of Sections 104 and 105 of the State Statute and the notice and procedural requirements of Section 108 of the State Statute.

Existing Land Use:	Vacant
Existing Zoning:	Agricultural (A-2), Unincorporated Adams County
Proposed Zoning:	SFD

### **Surrounding Zoning:**

North:	SFD, Vacant
East:	Agricultural (A-2), Unincorporated Adams County, Vacant
South:	Planned Development (PD), Vacant
West:	Agricultural (A-3), Unincorporated Adams County, Vacant

### 2. *The annexation is in accordance with the Comprehensive Plan, and the best interests of the city would be served by annexation of the subject property.*

Annexation is required in order to provide utility service to the subject site. There are already water and sewer lines adjacent to the site. Therefore, extending the municipal boundary to encompass this area is consistent with the following Comprehensive Plan policies:

- a. *Policy SG 1.2 - Fiscally-Responsible Growth. Encourage growth in areas where infrastructure and services exist and can be readily provided. Avoid permitting new growth that will create a fiscal burden to the city unless it achieves other major city goals.*

Planning Commission Communication  
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- b. Policy SG 1.5 - Adequate Public Facilities. Ensure that public facilities and infrastructure are provided in a timely, orderly, and efficient arrangement to support the existing and planned land use pattern of the city.*

Not only does the proposal support growth where existing infrastructure already exists, but it aligns with the Single-Family Neighborhoods (SFN) future land uses designation assigned to the site.

**PUBLIC NOTICE AND RESPONSE:**

**Public Notification:**

A public notice of the hearing was posted on the City's official website on July 31, 2024, and at City Hall, the Margaret W. Carpenter Recreation Center, Thornton Active Adult Center, and Trail Winds Recreation Center on July 31, 2024, in accordance with Code requirements.

Notices were mailed to landowners within a 1,500-foot radius of the site on August 5, 2024. Signs were posted on the property for at least 10 days prior to August 20, 2024.

**Public Response:**

A neighborhood meeting occurred on December 4, 2023, at the Discovery Magnet School Campus (4949 East 147<sup>th</sup> Avenue). The meeting was hosted in a hybrid format. Approximately five (5) adjacent residents attended the meeting (two in person and three online).

At the conclusion of the presentation there were several questions and concerns raised. The topics were as follows.

- Concerns with the road improvements that are associated with the development of the school. Specifically, what improvements were planned for East 152<sup>nd</sup> Avenue.
- City staff indicated that improvements to the roadways adjacent to the site will be required with the development of the site.
- One of the on-line residents asked a question regarding the timing for the review.
- City staff explained the development process and indicated that the application requires public hearings before Planning Commission and Council and that additional notices will be sent out once the public hearing dates are scheduled.

**HISTORY:**

On July 23, 2024, City Council adopted a resolution acknowledging receipt of the petition for annexation and established September 10, 2024, as the date for consideration of the

Planning Commission Communication  
Page 4

proposed annexation.

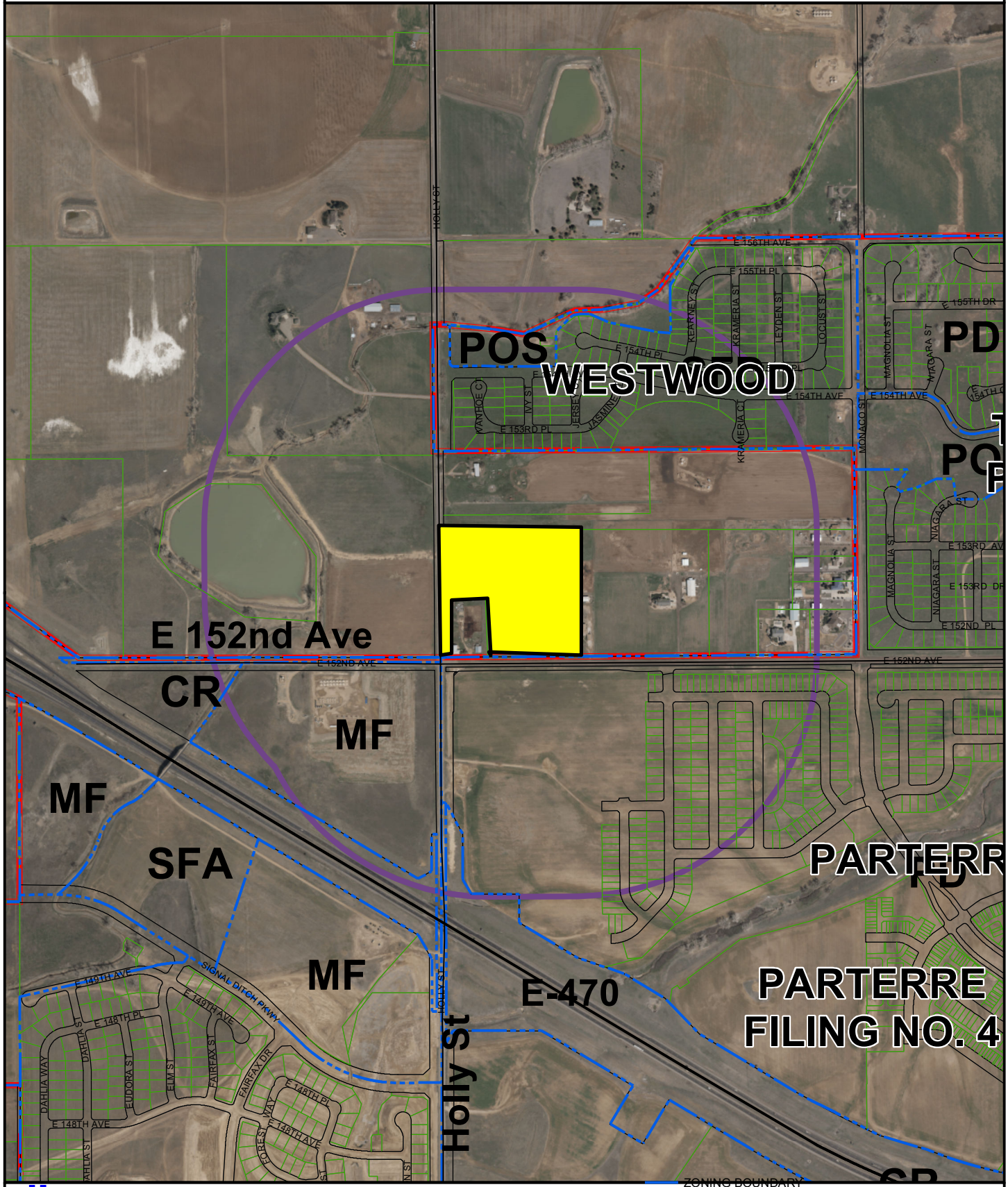
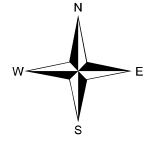
**ATTACHMENTS:**

Attachment 1: Vicinity Map

Attachment 2: Public Hearing Notices and  
Affidavits Attachment 3: Annexation Map

# School District 27J

PLZ202301834





AFFIDAVIT OF POSTING

LEGAL NOTICE OF PUBLIC HEARING

State of Colorado       )  
                                  ) ss.  
County of Adams        )


I, **Monica Gutierrez**, being first duly sworn upon oath depose and say that I did, on July 31, 2024 post the Public Notice of the Planning Commission in the City of Thornton, Colorado for the public hearing concerning a Zoning and an Annexation of a parcel of land approximately 17.31 acres in size. The applicant is proposing to zone the site to Single-Family Detached (SFD) to construct a School District 27J Middle School (West Middle School – Annexation).

The subject property is generally located at the northeast corner of East 152nd Avenue and Holly Street. This hearing will be held on August 20, 2024, at 6 p.m., at Thornton City Hall in the Council Chambers, 9500 Civic Center Drive, Thornton, Colorado. The meeting will also be available using zoom Meetings.

The legal notice was posted at the following location, pursuant to City Code Section 2-1:

1. Thornton's official website, www.thorntonCO.gov.

Signed:

  
Title: Administrative Specialist

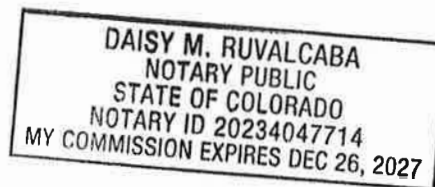
Date:

7/31/24

Subscribed and sworn to before me by Monica Gutierrez In the County of Adams, State of Colorado, This 31 day of July, 2024.

Notary Public





AFFIDAVIT OF POSTING

PUBLIC NOTICE

State of Colorado       )  
                                  ) ss.  
County of Adams        )

I, Lucia Higginbotham, being first duly sworn upon oath depose and say that I did, on July 31, 2024, post the PUBLIC NOTICE of the Planning Commission in City of Thornton, Colorado, for the Public Hearing regarding Zoning and an Annexation of a parcel of land approximately 17.31 acres in size. The applicant is proposing to zone the site to Single-Family Detached (SFD) in order to construct a School District 27J Middle School (West Middle School-Annexation). This Hearing will be held on August 20, 2024, 6p.m. at Thornton City Hall, 9500 Civic Center Drive, Thornton, Colorado and virtually at <https://thorntonco.zoom.us/j/886170661986> or by telephone at 1-719-359-4580 using meeting ID# 886 1706 1986, a copy of which posted Notice is attached hereto and posted at the following locations:

1. Thornton City Hall, 9500 Civic Center Dr.
2. Margaret W. Carpenter Recreation Center, 11151 Colorado Blvd.
3. Thornton Active Adult Center, 11181 Colorado Blvd.
4. Trail Winds Recreation Center, 13495 Holly St.

Signed:

*Lucia Higginbotham*  
Administrative Specialist

Date:

7/31/2024

Subscribed and sworn to before me by Lucia Higginbotham in the County of Adams, State of Colorado, this 31 day of July, 2024.

Notary Public

My Commission Expires

*Daisy M. Ruvalcaba*

Dec 26, 2027

DAISY M. RUVALCABA  
NOTARY PUBLIC  
STATE OF COLORADO  
NOTARY ID 20234047714  
MY COMMISSION EXPIRES DEC 26, 2027



**NOTICE OF PUBLIC HEARING  
PLZ202301834 & PLAX202301713**

The Planning Commission of the City of Thornton will conduct a public hearing regarding Zoning and an Annexation of a parcel of land approximately 17.31 acres in size. The applicant is proposing to zone the site to Single-Family Detached (SFD) in order to construct a School District 27J Middle School (West Middle School – Annexation).

The subject property is generally located at the northeast corner of East 152<sup>nd</sup> Avenue and Holly Street.

This hearing will be held on August 20, 2024, at 6 p.m., at Thornton City Hall in the Council Chambers, 9500 Civic Center Drive, Thornton, Colorado. The meeting will also be available using zoom Meetings. There are three ways to attend virtually:

1. Call **1-719-359-4580** and enter **Meeting ID Number: 886 1706 1986**
2. Type in URL below into your internet browser:  
**<https://thorntonco.zoom.us/j/88617061986>**
3. Scan the QR Code to the right to attend virtually.



The Planning Commission agenda is on the City of Thornton website at [www.ThorntonCO.gov](http://www.ThorntonCO.gov).

A copy of the Development Code (Chapter 18 of the Code of the City of Thornton) and the Zoning Map are available to be viewed on the website at [www.ThorntonCO.gov](http://www.ThorntonCO.gov).

All interested parties are invited to attend the public hearing or present their views by providing written comments in advance of the public hearing. Written comments sent via email must be received at [Jay.Ruchti@ThorntonCO.gov](mailto:Jay.Ruchti@ThorntonCO.gov) prior to 4:00 pm MDT/MST on the day of the public hearing. Written comments sent via mail to Thornton City Hall, City Development Department, 9500 Civic Center Drive, Thornton, CO 80229 must be received at City Hall prior to 5:00 pm MDT/MST on the Friday preceding the public hearing. If you have any questions concerning this matter, please contact the City Development Department at 303-538-7295.

Qualified individuals with a disability may contact Thornton's ADA Coordinator to request and arrange for accommodations. Requests for accommodation should be made as far in advance as possible, but preferably no less than five business days prior to the date needed. Please contact Thornton's ADA Coordinator via telephone 303-538-7334 or email [adacoordinator@thorntonCO.gov](mailto:adacoordinator@thorntonCO.gov).

If you have any questions regarding attending the Zoom Meeting, please email [CityDevelopment@ThorntonCO.gov](mailto:CityDevelopment@ThorntonCO.gov) prior to 4 p.m. on August 20, 2024.

PLANNING COMMISSION OF THE  
CITY OF THORNTON, COLORADO

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Anna Sparks, Chairperson

ATTEST: Kristen N. Rosenbaum, City Clerk  
APPROVED AS TO FORM: Tami Yellico, City Attorney



City Development Department | 9500 Civic Center Drive | Thornton, CO 80229-4326  
303-538-7295 | CityDevelopment@ThorntonCO.gov | www.ThorntonCO.gov

August 5, 2024

RE: NOTICE OF PUBLIC HEARING – PLZ202301834 & PLAX202301713

Property Owner:

The Thornton Planning Commission will conduct a public hearing concerning Zoning and an Annexation for a parcel of land approximately 17.31 acres in size. The applicant is proposing to annex the parcel into the city and zone the site Single-Family Detached (SFD) in order to develop a School District 27J Middle School (West Middle School - Annexation).

Per Thornton City Code, you are receiving this notice because you own property within 1,500 feet of the subject property, which is located at the northeast corner of East 152<sup>nd</sup> Avenue and Holly Street.

This hearing will be held on August 20, 2024, at 6 p.m., at Thornton City Hall in the Council Chambers, 9500 Civic Center Drive, Thornton, Colorado. The meeting will also be available using Zoom Meetings. There are three ways to attend virtually:

1. Call **1-719-359-4580** and enter **Meeting ID Number: 886 1706 1986**
2. Type in URL below into your internet browser:  
**<https://thorntonco.zoom.us/j/88617061986>**
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Sincerely,

Jay Ruchti  
Senior Planner





Departamento de Desarrollo Urbano | 9500 Civic Center Drive | Thornton, CO 80229-4326

303-538-7295 | CityDevelopment@ThorntonCO.gov | www.ThorntonCO.gov

5 de Agosto de 2024

ASUNTO: AVISO DE AUDIENCIA PÚBLICA - PLZ202301834 & PLAX202301713

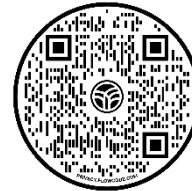
Propietario del inmueble:

La Comisión de Planificación de Thornton llevará a cabo una audiencia pública sobre la zonificación y la anexión de una parcela de terreno de aproximadamente 17.31 acres de tamaño. El solicitante propone anexar la parcela a la ciudad y zonificar el sitio como Unifamiliar Independiente (SFD por sus siglas en inglés) para desarrollar una escuela secundaria del Distrito Escolar 27J (West Middle School - Annexation).

De acuerdo con el Código de la ciudad de Thornton, usted recibe este aviso porque es dueño de una propiedad dentro de los 1,500 pies de la propiedad en cuestión, la cual está ubicada en la esquina noreste de East 152nd Avenue y Holly Street.

Esta audiencia pública se llevará a cabo el 20 de Agosto de 2024, a las 6 p.m., en el Ayuntamiento de Thornton en las Cámaras del Consejo, 9500 Civic Center Drive, Thornton, Colorado. La audiencia pública también estará disponible mediante Zoom Meetings. Hay tres formas de asistir virtualmente:

1. Llame al **1-719-359-4580** e ingrese el número de identificación de la audiencia pública: **886 1706 1986**
2. Escriba el URL a continuación en su navegador de Internet:  
**<https://thorntonco.zoom.us/j/88617061986>**
3. Escanee el código QR a la derecha para asistir virtualmente.



La orden del día de la reunión se encuentra en el sitio web de la Ciudad de Thornton ubicado en [www.ThorntonCO.gov](http://www.ThorntonCO.gov).

Cualquier persona puede presentarse a la audiencia pública o puede comunicar los asuntos de su interés por escrito a la Junta de Permisos y Apelaciones de Desarrollo. Los comentarios escritos y enviados por correo electrónico deben recibirse antes de las 4 p.m. del día de la audiencia pública. Los comentarios pueden enviarse a [Jay.Ruchti@ThorntonCO.gov](mailto:Jay.Ruchti@ThorntonCO.gov). Los comentarios escritos y enviados por correo regular se pueden mandar al Ayuntamiento de Thornton, Departamento de Desarrollo de la Ciudad, 9500 Civic Center Drive, Thornton, CO 80229 y deben recibirse antes de las 5 p.m. MDT/MST del viernes anterior a la audiencia pública.

Si tiene alguna pregunta con respecto este asunto, comuníquese con el Departamento de Desarrollo de la Ciudad por correo electrónico a [CityDevelopment@ThorntonCO.gov](mailto:CityDevelopment@ThorntonCO.gov) o deje un mensaje de voz al 303-538-7295.

Si tiene alguna pregunta con respecto sobre la asistencia a la reunión de Zoom, favor de enviar un correo electrónico a [CityDevelopment@ThorntonCO.gov](mailto:CityDevelopment@ThorntonCO.gov) antes de las 4 p.m. el 20 de Agosto de 2024.

Las personas con discapacidades pueden llamar al coordinador de ADA de Thornton para solicitar y organizar adaptaciones. Las solicitudes de adaptaciones deben hacerse con la mayor anticipación posible, y de preferencia por lo menos cinco días hábiles antes de la fecha en que se requieran. Llame al coordinador de ADA de Thornton al teléfono 303-538-7334 o envíe un correo electrónico a [adacoordinator@ThorntonCO.gov](mailto:adacoordinator@ThorntonCO.gov).

Atentamente,

Jay Ruchti  
Planificador Senior

**27J MIDDLE SCHOOL WEST ANNEXATION**  
**TO THE CITY OF THORNTON**  
**LOCATED IN SOUTHEAST 1/4 OF SECTION 7 AND THE SOUTH 1/2 OF THE SOUTHWEST 1/4**  
**OF SECTION 8, TOWNSHIP 1 SOUTH, RANGE 67 WEST OF THE 6TH P.M.**  
**COUNTY OF ADAMS, STATE OF COLORADO**  
**SHEET 1 OF 2**

CASE# PLAX202301713

**LEGAL DESCRIPTION:**

A PARCEL OF LAND LOCATED IN THE SOUTHEAST 1/4 OF SECTION 7 AND THE SOUTH 1/2 OF THE SOUTHWEST 1/4 OF SECTION 8, ALL IN TOWNSHIP 1 SOUTH, RANGE 67 WEST OF THE 6TH P.M., COUNTY OF ADAMS, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS: THE SOUTH LINE OF THE SOUTHWEST 1/4 OF SECTION 8, TOWNSHIP 1 SOUTH, RANGE 67 WEST OF THE 6TH P.M. BEING MONUMENTED BY A 2-1/2" ALUMINUM CAP STAMPED "LS 38304" AT THE WEST END AND A #6 REBAR AT THE EAST END, SAID LINE BEARING N89°38'15"E AS REFERENCED TO COLORADO STATE PLANE CENTRAL ZONE NAD(83).

COMMENCING AT THE SOUTHWEST CORNER OF SECTION 8, TOWNSHIP 1 SOUTH, RANGE 67 WEST OF THE 6TH P.M.;

THENCE N45°17'34"W A DISTANCE OF 42.59 FEET, TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF HOLLY STREET AND THE POINT OF BEGINNING;

THENCE ON SAID WESTERLY RIGHT-OF-WAY LINE, SAID LINE BEING 30.00 FEET WESTERLY OF AND PARALLEL WITH THE WEST LINE OF THE SOUTH 1/2 OF THE SOUTHWEST 1/4 OF SAID SECTION 8, N00°30'51"W A DISTANCE OF 846.42 FEET, TO A POINT ON THE EXISTING BOUNDARY OF THE CITY OF THORNTON AS ANNEXED IN THORNTON FIRE STATION NO. 8 - ANNEXATION MAP;

THENCE ON SAID EXISTING CITY BOUNDARY, N89°33'50"E A DISTANCE OF 992.42 FEET, TO THE NORTHWESTERLY CORNER OF THAT PROPERTY RECORDED IN BOOK 5526 AT PAGE 42 IN THE RECORDS OF THE ADAMS COUNTY CLERK AND RECORDER;

THENCE ON THE WESTERLY LINE OF SAID PROPERTY, S00°33'01"E A DISTANCE OF 847.85 FEET, TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF EAST 152ND AVENUE;

THENCE ON SAID NORTHERLY RIGHT-OF-WAY LINE, SAID LINE BEING ON THE EXISTING BOUNDARY OF THE CITY OF THORNTON AS ANNEXED IN ORDINANCE 3057 RECORDED UNDER RECEPTION NO. 2008000065815, S89°38'15"W A DISTANCE OF 698.16 FEET, TO A POINT ON THE EASTERLY LINE OF THAT PROPERTY RECORDED IN BOOK 4666 AT PAGE 85;

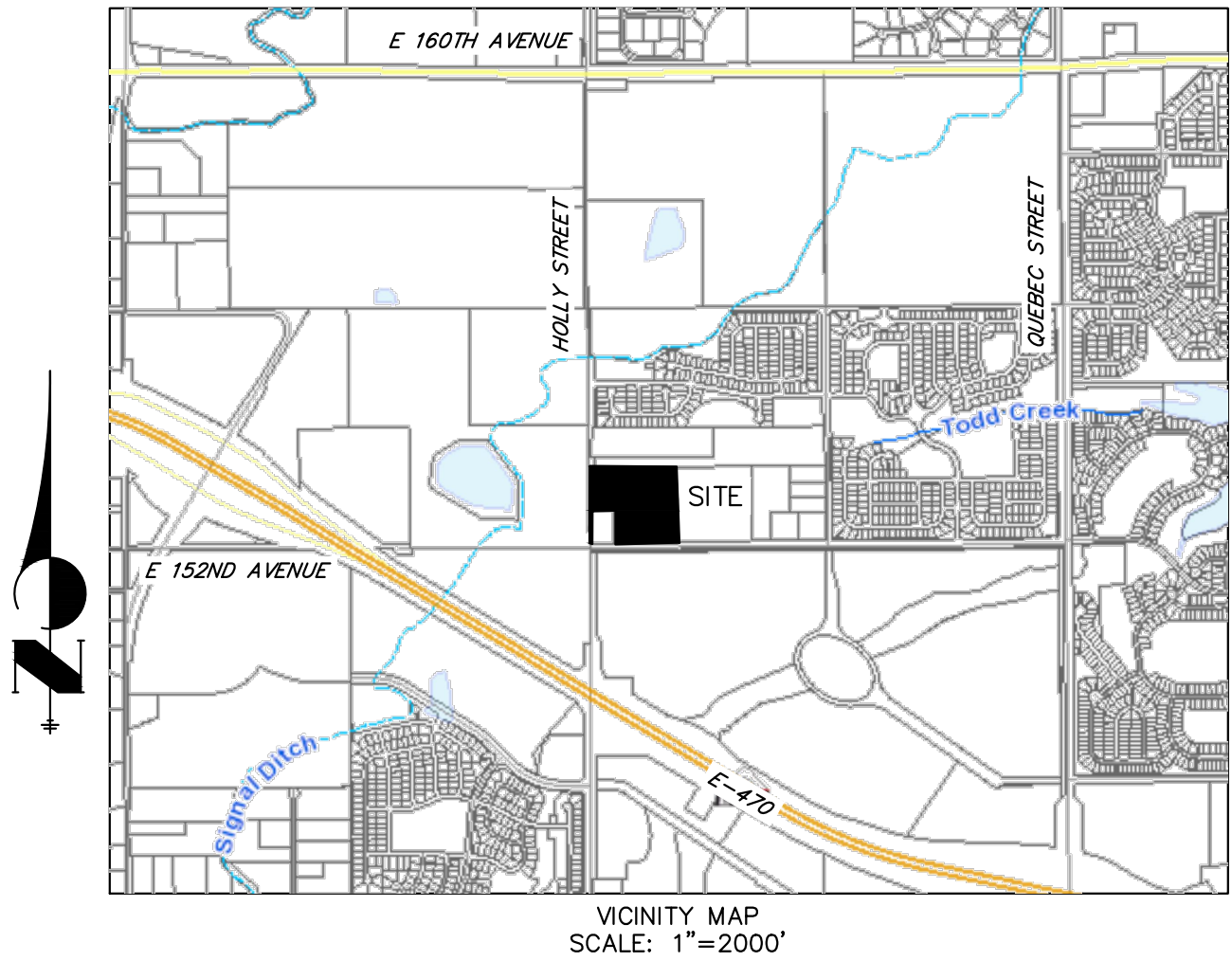
THENCE ON SAID EASTERLY LINE, N00°30'51"W A DISTANCE OF 371.00 FEET, TO THE NORTHEASTERLY CORNER OF SAID PROPERTY;

THENCE ON THE NORTHERLY LINE OF SAID PROPERTY, S89°38'15"W A DISTANCE OF 234.80 FEET, TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF HOLLY STREET;

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THENCE ON SAID EXISTING CITY BOUNDARY, S89°47'02"W A DISTANCE OF 60.00 FEET, TO THE POINT OF BEGINNING.

CONTAINING A CALCULATED AREA OF 753,901 SQUARE FEET OR 17.3072 ACRES.



**GENERAL NOTES:**

1. UNLESS OTHERWISE NOTED, ALL REFERENCES HEREON TO BOOKS, PAGES, MAPS AND RECEPTION NUMBERS ARE PUBLIC DOCUMENTS FILED IN THE RECORDS OF ADAMS COUNTY, COLORADO.
2. ALL LINEAL UNITS DEPICTED ON THIS ANNEXATION MAP ARE U.S. SURVEY FEET. ONE METER EQUALS 39.37/12 U.S. SURVEY FEET, EXACTLY ACCORDING TO THE NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY.
3. THIS ANNEXATION MAP DOES NOT REPRESENT A MONUMENTED LAND SURVEY NOR A LAND SURVEY PLAT.
4. NOTICE: PER C.R.S. 13-80-105, YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.

**SURVEYORS CERTIFICATE:**

I, JARROD ADAMS, A PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY STATE THAT THE MAP HEREIN IS A CORRECT DELINEATION OF THE DESCRIBED PARCEL OF LAND AND THAT IT IS CONTIGUOUS TO THE CITY OF THORNTON, COLORADO AND MEETS THE REQUIREMENTS SET FORTH IN COLORADO REVISED STATUTES 1973, 31-12-104-(1) (a) THAT ONE-SIXTH (1/6) OR MORE OF THE PERIMETER TO BE ANNEXED IS CONTIGUOUS WITH THE ANNEXING MUNICIPALITY. I FURTHER CERTIFY THAT THE INFORMATION CONTAINED HEREIN IS ACCURATE AND IN ACCORDANCE WITH APPLICABLE STANDARDS OF PRACTICE TO MY KNOWLEDGE, INFORMATION, AND BELIEF. THIS CERTIFICATION IS NOT A GUARANTY OR WARRANTY, EITHER EXPRESSED OR IMPLIED.

**CONTIGUITY STATEMENT:**

- TOTAL PERIMETER OF AREA CONSIDERED FOR ANNEXATION = 4421.65 FEET.
- ONE-SIXTH OF TOTAL PERIMETER OF AREA = 736.94 FEET.
- PERIMETER OF THE AREA CONTIGUOUS WITH EXISTING CITY LIMITS = 1750.58 FEET.

THE TOTAL CONTIGUOUS PERIMETER IS 39.59%, WHICH EXCEEDS THE ONE-SIXTH (1/6) AREA REQUIRED.

JARROD ADAMS, PROFESSIONAL LAND SURVEYOR  
COLORADO NO. 38252  
FOR AND ON BEHALF OF JR ENGINEERING, LLC  
7200 S. ALTON WAY SUITE C400  
CENTENNIAL CO, 80112

**CLERK AND RECORDER**

ACCEPTED FOR FILING IN THE OFFICE OF THE ADAMS COUNTY CLERK AND RECORDER IN THE STATE OF COLORADO AT \_\_\_\_\_ O'CLOCK \_\_\_\_\_ M. ON THE \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

CLERK AND RECORDER \_\_\_\_\_

DEPUTY \_\_\_\_\_

REC. NO. \_\_\_\_\_

ANNEXATION MAP  
JOB NO. 15975.02  
5/23/2024  
SHEET 1 OF 2



Centennial 303-740-9383 • Colorado Springs 719-593-2593  
Fort Collins 970-491-9888 • [www.jrengineering.com](http://www.jrengineering.com)



# 27J MIDDLE SCHOOL WEST ANNEXATION

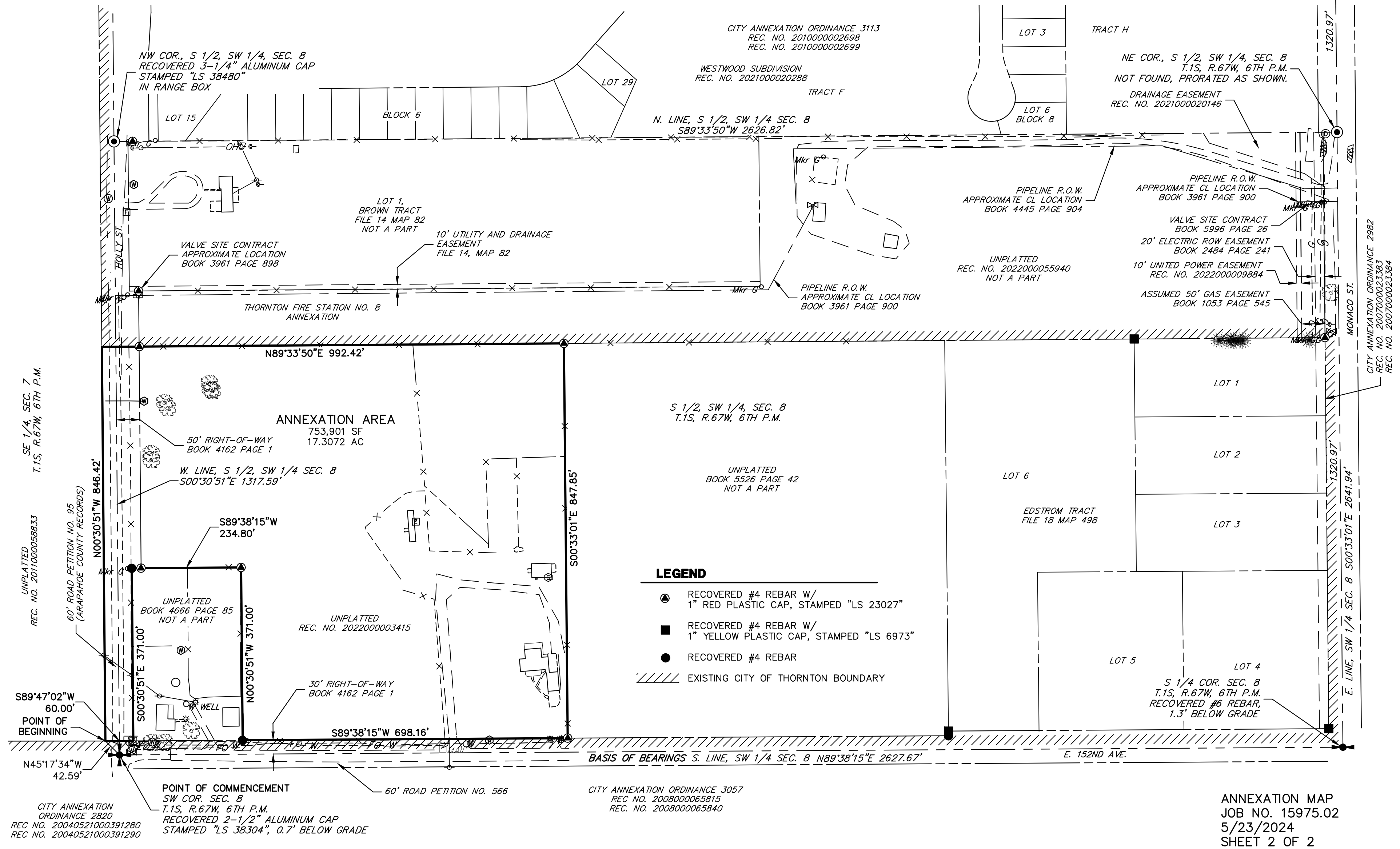
TO THE CITY OF THORNTON

LOCATED IN THE SOUTHEAST 1/4 OF SECTION 7 AND THE SOUTH 1/2 OF THE SOUTHWEST 1/4  
OF SECTION 8, TOWNSHIP 1 SOUTH, RANGE 67 WEST OF THE 6TH P.M.

COUNTY OF ADAMS, STATE OF COLORADO

SHEET 2 OF 2

CASE# PLAX202301713



## LEGEND

- RECOVERED #4 REBAR W/ 1" RED PLASTIC CAP, STAMPED "LS 23027"
- RECOVERED #4 REBAR W/ 1" YELLOW PLASTIC CAP, STAMPED "LS 6973"
- RECOVERED #4 REBAR
- /// EXISTING CITY OF THORNTON BOUNDARY

150 75 0 150  
ORIGINAL SCALE: 1" = 150'

**J-R ENGINEERING**  
A Westrian Company

Centennial 303-740-9383 • Colorado Springs 719-593-2593  
Fort Collins 970-491-9888 • [www.jrengineering.com](http://www.jrengineering.com)

ANNEXATION MAP  
JOB NO. 15975.02  
5/23/2024  
SHEET 2 OF 2

INTRODUCED BY: \_\_\_\_\_  
NO: PLAX202400315

## RESOLUTION

A RESOLUTION OF THE THORNTON PLANNING COMMISSION RECOMMENDING APPROVAL OF THE ANNEXATION OF APPROXIMATELY 17.31 ACRES OF LAND SITUATED IN THE SOUTHEAST QUARTER OF SECTION 7 AND THE SOUTH HALF OF THE SOUTHWEST QUARTER OF SECTION 8, TOWNSHIP 1 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO, GENERALLY LOCATED EAST OF HOLLY STREET AND NORTH OF EAST 152<sup>ND</sup> AVENUE AND ASSIGNING THE ANNEXED PROPERTY TO WARD 3 (WEST MIDDLE SCHOOL ANNEXATION).

WHEREAS, on July 23, 2024, City Council determined that the petition for annexation of a certain parcel of land, as described in Exhibit A, attached hereto, and incorporated herein by reference (Property), is in substantial compliance with Sections 31-12-101 through 105, C.R.S.; and

WHEREAS, on August 20, 2024, Planning Commission has, by resolution, determined that the requirements of Section 30 of Article II of the State Constitution and Sections 31-12-104 and 105, C.R.S. have been met, that an election is not required, and that no additional terms or conditions are to be imposed on the annexed area.

NOW, THEREFORE, BE IT ORDAINED BY THE PLANNING COMMISSION OF THE CITY OF THORNTON, COLORADO, AS FOLLOWS:

1. The Commission finds that annexation by and to the City of the Property meets all the requirements of the law.
2. The annexation of certain Property is hereby recommended to be made part of the City.

PASSED AND ADOPTED at a regular meeting of the Planning Commission of the City of Thornton, Colorado, this 20<sup>th</sup> day of August 2024.

PLANNING COMMISSION OF THE  
CITY OF THORNTON, COLORADO

\_\_\_\_\_  
Anna Sparks, Chairperson Signature

ATTEST:

\_\_\_\_\_  
Recording Secretary Signature

**PROPERTY DESCRIPTION**

A PARCEL OF LAND LOCATED IN THE SOUTHEAST 1/4 OF SECTION 7 AND THE SOUTH 1/2 OF THE SOUTHWEST 1/4 OF SECTION 8, ALL IN TOWNSHIP 1 SOUTH, RANGE 67 WEST OF THE 6TH P.M., COUNTY OF ADAMS, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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CONTAINING A CALCULATED AREA OF 753,901 SQUARE FEET OR 17.3072 ACRES.

## PLANNING COMMISSION COMMUNICATION

<b>Meeting Date:</b> August 20, 2024	<b>Agenda Item:</b> 5) A. ii	<b>Agenda Location:</b> PUBLIC HEARINGS	<b>Legal Review:</b> <div style="border: 1px solid blue; padding: 2px; display: inline-block;"> <small>DS</small>   </div>
<b>Subject:</b> A public hearing concerning a Zoning Amendment for approximately 17.79 acres of land located at the north of East 152 <sup>nd</sup> Avenue and east of Holly Street (West Middle School - Annexation – Case No. PLZ202301834).			
<b>Recommended by:</b> Warren Campbell, Current Planning Manager <div style="float: right; text-align: right;"> <small>Initial</small>   </div>			
<b>Presenter(s):</b> Jay Ruchti, Senior Planner			

### **SYNOPSIS:**

The requested zoning is brought in conformance with the Municipal Annexation Act of 1965, which requires land be zoned within 90 days of the effective date of the annexation ordinance. School District 27J is the owner and applicant for the subject property and is proposing to zone approximately 17.79 acres of land to Single-Family Detached (SFD) for the purpose of constructing a middle school on the property. School District 27J Middle School Annexation (PLAX202301713) for the property will be considered as a separate item on the agenda.

### **RECOMMENDATION:**

Staff recommends Alternative Number 1, for the Planning Commission to recommend approval of the Zoning to City Council (PLZ202400317).

### **BUDGET/STAFF IMPLICATIONS:**

A financial evaluation has been completed by the City's Finance Department to illustrate potential fiscal impacts the proposed development could have on the City and to compare these impacts to the City's Fiscal Impact Model. The financial evaluation estimates the development would generate a total of \$466K one-time revenues and concludes that at project build-out the City would experience a positive fiscal impact, which is not anticipated to materially change the City's financial position compared to the Model. The complete financial evaluation can be found in Attachment 1 of this communication.

### **ALTERNATIVES:**

1. Approve the resolution as recommended.
2. Do not approve the resolution.
3. Revise the resolution in response to specific direction.
4. Continue the public hearing.



## PLANNING COMMISSION COMMUNICATION

### PAGE 2

#### **BACKGROUND (ANALYSIS/NEXT STEPS/HISTORY):**

Zoning Amendments need to meet the criteria for a change in a zoning district classification as outlined in Section 18-41(c)(5)(b) of the Code:

1. *Growth and other development factors in the community support changing the zoning.*

The request to annex the subject site requires establishing a zoning designation on the property. The proposed zoning aligns with the current Comprehensive Plan designation of Single-Family Neighborhoods (SFN) and will support further growth of the city by providing an educational facility for a growing community.

2. *The change in zoning represents orderly development of the City and there are, or are planned to be, adequate services and infrastructure to support the proposed zoning change and existing uses in the area.*

As noted in the impact statements attached to this communication, adequate facilities and services exist or are planned to serve the project.

3. *The change in zoning provides for an appropriate land use of the property.*

Zoning the property to SFD conforms to the City's vision of a well-planned community and provides flexibility in the provision of emergency services and infrastructure. The development with a middle school or other uses allowable under the proposed zoning category will be an orderly and efficient use of land.

4. *The change in zoning is in substantial conformance with the goals and policies of the Comprehensive Plan and other adopted plans and policies of the City.*

The proposed SFD zoning is consistent with the Future Land Use designation of SFN, as the intent of this categorization is to provide locations for city-related uses. Primary uses are meant to include government, educational and public safety facilities, such as the middle school that is being proposed on the subject site. The proposed SFD zone district also aligns with the following Comprehensive Plan goals and policies:

- a. *Goal RR 4 – Build and strengthen relationships with educational and other organizations that provide services to the community.*
- b. *Policy GSA 4.1 - City Services and Facility Needs. Employ best practices and data-driven decision making to monitor city services and facility needs.*
- c. *Goal SG 1. Support a fiscally-responsible growth pattern and annexation policy to maintain and improve existing levels of service for current and future residents.*

## PLANNING COMMISSION COMMUNICATION

### PAGE 3

- d. *Policy SG 1.5 - Adequate Public Facilities. Ensure that public facilities and infrastructure are provided in a timely, orderly, and efficient arrangement to support the existing and planned land use pattern of the city.*

Because of these attributes and, most importantly, since the middle school delivers a vital service to the community, this use is considered compatible with the Single-Family Detached land use category.

5. *The proposed zoning is sensitive to and compatible with the existing and planned use and development of adjacent properties.*

The proposed zoning is consistent with the adjacent surrounding zoning and land uses.

### **Zoning:**

The proposed project will zone approximately 17.79 acres of property in conformance with State Law, which requires that lands annexed into the City be zoned within 90 days of the effective date of the annexation ordinance. The City is proposing SFD zoning for the property.

### **Zoning and Land Use:**

The proposed zoning meets or exceeds all standards specified in Chapter 18 of the Thornton City Code. This proposal provides an effective complement to the existing zoning and land uses in the area.

### **Drainage:**

A preliminary drainage report was submitted to the City and is currently under review by Development Engineering with the Civil Construction drawings for the site. The historic drainage for the site generally flows from the west to the east and will continue to discharge generally to the east following development of the site. The report indicates that the majority of the runoff will be directed to a detention area in the northeast corner of the site and then release at a controlled rate into a storm sewer system.

### **Water and Sewer:**

The City has conducted a Water and Sewer Impact Statement to help determine the potential impact to City services. This statement can be found in Attachment 2 of this communication. The increase in peak summer treated water demand is anticipated to be 47,000 gallons per day (gpd). The average daily increase in sanitary sewer flows is anticipated to be 1400 gallons per day with a peak hourly flow of 5,000 gallons per day for the entire development. No capital improvements, other than those proposed by the developer, are required to handle this increased demand.

## PLANNING COMMISSION COMMUNICATION

### PAGE 4

#### **Traffic and Mobility:**

A Traffic Development Impact Statement, which evaluates the potential impact to City services, can be found in Attachment 3 of this communication. A traffic study was completed for the proposed development and the results indicate Improvements to be completed with the development including the installation of a traffic signal at the intersection of Holly Street and East 152<sup>nd</sup> Avenue. The developer is providing auxiliary turn lanes at access intersections into the site and will dedicate right-of-way for Holly Street expansion. The existing transportation system combined with the roadway and traffic signal improvements to be constructed with the project can support the proposed development. Challenges to the greater public transportation infrastructure are not anticipated with the proposed development.

#### **Police Services:**

A Police Services Impact Statement, which evaluates the potential impact on city services, can be found in Attachment 4 of this communication. The annexation and zoning would likely have a negligible effect on police services, the development of a middle school on the western side of this site would have a much higher impact. Rocky Top Middle School, located at 14150 York St, was selected for comparison as it is currently the closest middle school to the proposed site. During the review period for Rocky Top Middle School, we received 63 citizen-generated calls for service (an average of 1.2 calls per week), from which 11 incident reports were generated. Based on this analysis it was determined that the proposed development would have a moderate impact on police services.

#### **Fire Services:**

A Fire Services Impact Statement, which evaluates the potential impact to City services, can be found in Attachment 5 of this communication. It is projected that the proposed development would result in twenty-one additional annual calls for service and the unit utilization rate would remain acceptable.

### **PUBLIC NOTICE AND RESPONSE:**

#### **Public Notification:**

A public notice of the hearing was posted on the city's official website on July 31, 2024, and at City Hall, the Margaret W. Carpenter Recreation Center, Thornton Active Adult Center, and Trail Winds Recreation Center on July 31, 2024, in accordance with Code requirements.

Notices were mailed to landowners within a 1,500-foot radius of the site on August 5, 2024. Signs were posted on the property for at least 10 days prior to August 20, 2024.

## PLANNING COMMISSION COMMUNICATION

### PAGE 5

#### **Public Response:**

A neighborhood meeting occurred on December 4, 2023, at the Discovery Magnet School Campus (4949 East 147<sup>th</sup> Avenue). The meeting was hosted in a hybrid format. Approximately five (5) adjacent residents attended the meeting (two in person and three online).

At the conclusion of the presentation there were several questions and concerns raised. The topics were as follows.

- Concerns with the road improvements that are associated with the development of the school. Specifically, what improvements were planned for East 152<sup>nd</sup> Avenue.
- City staff indicated that improvements to the roadways adjacent to the site will be required with the development of the site.
- One of the on-line residents asked a question regarding the timing for the review.
- City staff explained the development process and indicated that the application requires public hearings before Planning Commission and Council and that additional notices will be sent out once the public hearing dates are scheduled.

#### **HISTORY:**

On July 23, 2024, City Council adopted a resolution acknowledging receipt of the petition for annexation.

#### **ATTACHMENTS:**

Attachment 1: Financial Evaluation  
Attachment 2: Water and Sewer Impact Statement  
Attachment 3: Traffic Impact Statement  
Attachment 4: Police Services Impact Statement  
Attachment 5: Fire Service Impact Statement  
Attachment 6: Vicinity Map  
Attachment 7: Zoning Map  
Attachment 8: Public Hearing Notices and Affidavits

## **Attachment 1**

### **Finance Department – Development Impact Statement**

**Development name:** 27J Middle School  
**Public Hearing Date:** September 10, 2024  
**Subject:** Annexation and Zoning

**Context/Background:** The City utilizes the Fiscal Impact Model (the Model) as a tool to understand the long-term financial impact of different types of development. The Model incorporates revenues generated by, and expenses incurred from, providing services to the various types of development. The City may utilize the Model to evaluate future buildout scenarios and implications on the financial sustainability of the City. The Model focuses on two main drivers of property development that dictate the financial impact on the City. The first such driver is density. The second driver is geographic location especially as it pertains to supportive infrastructure.

The Model does have limitations due to assumptions and data available to perform the analysis. Actual results will vary, and the differences could be material. Some of the limitations are as follows:

- The Model was based on 2016 fiscal data and land use patterns. As the City grows, the land use patterns and fiscal results will change over time.
- Revenue estimates include activity generated through the General Fund and may include income from taxes, charges for services, fees, and other government funding.
- Expense estimates include activity spent by the General Fund and may include costs from fire and ambulance, police, general government function, and infrastructure maintenance services.

**Assumptions of Proposal:** The proposed Annexation and Zoning application is for development of approximately 17.31 acres located just north of East 152nd Avenue and east of Holly Street. The development area is currently outside of City limits and is included in the City's Comprehensive Master Plan and Future Land Use Map as Single-Family Neighborhood. The proposed Zoning would be designated as Single-Family Detached. The proposed development project includes a middle school on a total of 27.31 acres of which the remaining 10 acres will be purchased from the City of Thornton.

**Estimated Fiscal Impact of Proposal:** The City's Finance Department analyzed the proposed Annexation and Zoning utilizing the Model and assumptions of proposal at full build-out. The proposal does not create a material change from the current model.

**Estimated One-Time Revenues:** As the City grows so does the need for services and infrastructure to support this growth. Each development contributes to the long-term ultimate buildout of the City and is laid out in the City's Comprehensive Master Plan. One-time revenues include building use tax, permit fees, and utility connection fees. Based on the assumptions above, it is estimated the General Governmental will receive minimal one-time revenues as this project would be exempt from certain fees and sales or use tax. Enterprise Funds are estimated at \$466K.

**Conclusion:** Using the Comprehensive Master Plan, ultimate buildout according to land use results in fiscal sustainability. Future City choices regarding particular land use and corresponding types of development will have a direct impact on the fiscal position of the City and will dictate whether the City is financially sustainable at full buildout.

The proposed development plan is not anticipated to materially change the City's ongoing financial position compared to the current model.

Attachment 2  
West Middle School  
New Development Impact Statement  
Sewer and Water

**Estimated Sewer Loading:**

The average daily increase in sanitary sewer flows is anticipated to be 1,400 gallons per day with a peak hourly flow of 5,000 gallons per day for the entire development.

**Sewer Collection System Impacts:**

No capital improvements will be required to handle the increase in loading from the proposed development.

**Estimated Water Demand:**

The increase in peak summer treated water demand is anticipated to be 47,600 gallons per day (gpd) for the entire development based on the water demands provided by the school district. The fire flow demand requirement is anticipated to be at least 2,500 gallons per minute.

**Water Distribution System Evaluation Recommendations:**

Other than the proposed water distribution improvements by the developer, no capital improvements will be required to handle the increase in demand from the proposed development.

Submitted: July 22, 2024

Jason Pierce – Infrastructure Engineering Director

## **Attachment 3 Traffic Engineering Development Impact Statement**

### **27J Middle School #6**

#### **Roadway Level-of-Service**

The site for the proposed 27J Middle School #6 development is generally located on the northeast corner of the 152<sup>nd</sup> Avenue & Holly Street intersection. The development is a middle school with a capacity of 825 students residing on approximately 25.31 acres. A traffic impact study was done to analyze the impact of the development on the adjacent transportation system in the short-term and long-term horizons of 2025 and 2043, respectively. The traffic impact study has been reviewed and provides accurate information. The traffic impact study took into account projected growth in background traffic, projected traffic from nearby future developments, and traffic from the 27J Middle School development itself. For reference, intersection level-of-service is a method of quantifying intersection delay and is categorized A-F. A represents very little delay and F represents excessive delay and it takes more than one cycle to service traffic at a signalized intersection. Level-of-service D is acceptable based on perception by drivers and is the city's minimum target level-of-service for intersection performance for both short-term and long-term horizons.

The results of the study indicate that all intersections adjacent to the development will operate at acceptable levels-of-service in the short-term and long-term, with the exception of the 152<sup>nd</sup> Avenue & Holly Street intersection and the accesses for the development on Holly Street and on 152<sup>nd</sup> Avenue. In the short-term, the 152<sup>nd</sup> Avenue & Holly Street intersection will operate at level-of-service F during the arrival and dismissal periods for the school. In the long-term it will operate at level-of-service E during the arrival period for the school. In both the short-term and long-term, the intersection will operate at level-of-service B or better at all other times of the day. The planned development's access on Holly Street will operate at level-of-service F in the long-term during the dismissal period for the school. This access will be limited to school buses only and the associated level-of-service is not uncommon at smaller low volume arterial accesses. The planned development's access on 152<sup>nd</sup> Avenue will operate at level-of-service F in the short-term during the arrival and dismissal period for the school. This is due to delays for the southbound to eastbound left turn movement leaving the site and can be expected due to the large volume of school traffic exiting in a short time period. A traffic signal may be needed in the future.

Roadway improvements that will be completed with the development consist of widening 152<sup>nd</sup> Avenue and Holly Street along the development's frontage to the ultimate cross section, addition of left and right turn bays at the two site access points, and construction of a traffic signal at the 152<sup>nd</sup> Avenue and Holly Street intersection.


#### **Pedestrian and Bicycle Facilities**



With the project, detached sidewalks will be constructed on 152<sup>nd</sup> Avenue and Holly Street along the site's frontage. The sidewalks satisfy the city's complete streets policy and are in compliance with the city's Parks and Open Space Master Plan.

### **Traffic Concerns**

Challenges to the greater public transportation infrastructure are not anticipated with the proposed development. As previously mentioned, all intersections and accesses at and adjacent to the proposed development are projected to operate at acceptable levels-of-service outside of arrival and dismissal periods for the 27J Middle School.

 <p><b>THORNTON POLICE DEPARTMENT</b></p>	<p><b>Crime Analysis Data Request</b></p> <p>May 9, 2024</p> <p>Prepared by CAU Analyst Melanie Petty</p>
<p><b>Crime Analysis Unit</b></p>	<p><b>Topic:</b> West Middle School Annexation &amp; Zoning (PLAX202301713 &amp; PLZ202301834)</p>
<p><b>EXECUTIVE SUMMARY</b></p>	

The CAU received a request for review and written comments regarding the annexation and zoning for the proposed development of a new middle school and fire station. The development would be constructed on property owned by the city, generally located north of E 152<sup>nd</sup> Ave and west of Monaco St, and the western 10 acres of land would be sold to School District 27J to be included in a future middle school (West Middle School).

Although the annexation and zoning would likely have a negligible effect on police services, the development of a middle school on the western side of this site would have a much higher impact. Firstly, a School Resource Officer (SRO) would need to be appointed. As there are currently no “extra” SROs, that would mean that either an officer would need to be pulled away from another school (for at least 50% of his work week) or from another job detail (ex: repurposing a traffic officer, etc.), or this would need to be taken into consideration and new officer vacancies would need to be posted and filled well before the 2026 opening. Secondly, aside from responding to and investigating citizen-generated calls for service, any appointed SRO would be kept very busy with the routine daily/weekly/monthly commitments expected of them while working in a city school. For these reasons, it is believed that the proposed development would have a moderate impact on police services in the area.

## DETAILED SUMMARY

The proposed development is located on the western 10 acres of a 26.589-acre land parcel located east of Holly St, north of E 152<sup>nd</sup> Ave, west of Monaco St, and south of E 153<sup>rd</sup> Pl. Rocky Top Middle School, located at 14150 York St, was selected for comparison as it is currently the closest middle school to the proposed site (approximately 4 miles away, also located in north Thornton).

During the aforementioned time period, Rocky Top Middle School received 63 citizen-generated calls for service (an average of 1.2 calls per week), from which 11 incident reports were generated (an average of 0.9 per month) (*see “All Citizen-Generated Calls for Service” and “All Incident Reports” tables for Rocky Top Middle School*). However, data not reflected in these tables has been described at length by current TPD School Resource Officers, each of whom explained that aside from dealing with citizen calls and incidents at school, SROs are frequently involved in writing reports, issuing misdemeanor and traffic summons, confiscating weapons, conducting investigations, attending student/parent/admin meetings, counseling students, participating in school activities and classroom presentations, conducting home visits/threat assessments, and responding to security alerts. Although TPD’s Records Management System has no way of enumerating these particular totals during this time period, the time and resources devoted to these activities has been described as “significant.”

## FACTS & FIGURES

### All Citizen-Generated Calls for Service

Rocky Top Middle School, 4/1/23 - 3/31/24

CFS Code Type	Total Count
Harassment	14
Incident Report	10
Juvenile Problem	6
Assault	5
Narcotic/Drug Violation	5
Threats	4
Check Well Being	3
Information	3
Child Issue	2
Suspicious Activity	2
Animal Call	1
Domestic Violence	1
Fire Works Complaint	1
Lost Child	1
Lost Property	1
Property Damage Accident	1
Threatening Suicide	1
Traffic Complaint	1
Trespassing	1
<b>Grand Total</b>	<b>63</b>

### All Incident Reports

Rocky Top Middle School, 4/1/23 - 3/31/24

Incident Type	Total Count
Drug Violation	4
Assault	3
Disorderly Conduct	1
Harassment	1
Sex Offense	1
Underage Possession of Alcohol	1
<b>Grand Total</b>	<b>11</b>

## DATA SUMMARY

**Data Source:** HxGN OnCall Records Management System – Incident & CFS modules

Attachment 5

Thornton Fire Department - New Development Impact Statement

**Development name: 27J Middle School Project**

Location: 5870 E 152<sup>nd</sup> Ave Thornton, CO 80602

Project description: Middle School Project

Primary response assigned to fire district: #5 future fire district #8

Fire department Emergency Services Zone(s) (ESZ): Property is not in the City similar ESZ 50902

Current calls in the ESZ: 21

Current 90<sup>th</sup> percentile travel time first unit: (Fire District #2) 6:43

Current 90<sup>th</sup> percentile total response time first unit: 8:43

Distance from closest fire station: Fire Station #5 - 2.5 miles future Fire Station #8 – 0.6 miles

Development impact to fire district #5 to move to fire station 8

Additional annual calls for service in this

**ESZ:Total 21 annual calls similar to the call volume for ESZ 50902**

Note: Fire Station 2 and Fire Station 1 are with the same distance to this location. The effects on calls will for station or apparatus will spread within the two stations.

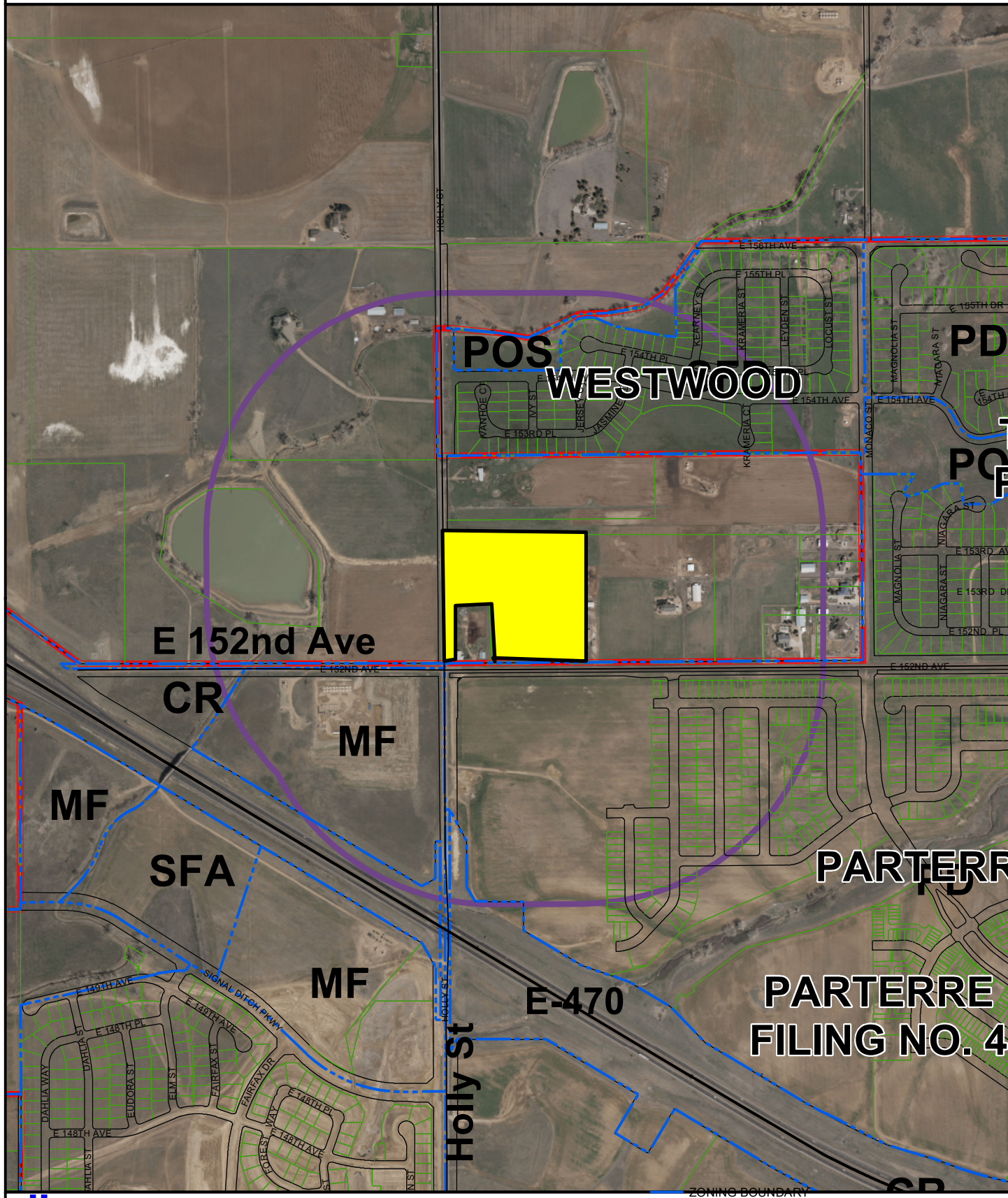
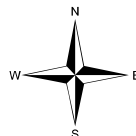
Increase in unit utilization rate:	Fire engine 75:	5.31%	→ 5.61%	<b>acceptable</b>
	Medic 75:	14.30%	→ 14.75%	<b>acceptable</b>

\*\*\*\*\*  
\*\*\*\*\*

**Stephanie Harpring, Fire Marshal    July 17, 2024**

# School District 27J

PLZ202301834





27J MIDDLE SCHOOL WEST

LOCATED IN THE SOUTHEAST 1/4 OF SECTION 7 AND THE SOUTH 1/2 OF THE SOUTHWEST 1/4  
OF SECTION 8, TOWNSHIP 1 SOUTH, RANGE 67 WEST OF THE 6TH P.M.  
COUNTY OF ADAMS, STATE OF COLORADO

SHEET 1 OF 2

ZONING MAP

CASE NO: PLZ202301834

LEGAL DESCRIPTION:

A PARCEL OF LAND LOCATED IN THE SOUTHEAST 1/4 OF SECTION 7, AND THE SOUTH 1/2 OF THE SOUTHWEST 1/4 OF SECTION 8, ALL IN TOWNSHIP 1 SOUTH, RANGE 67 WEST OF THE 6TH P.M., COUNTY OF ADAMS, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS: THE SOUTH LINE OF THE SOUTHWEST 1/4 OF SECTION 8, TOWNSHIP 1 SOUTH, RANGE 67 WEST OF THE 6TH P.M. BEING MONUMENTED BY A 2-1/2" ALUMINUM CAP STAMPED "LS 38304" AT THE WEST END AND A #6 REBAR AT THE EAST END, SAID LINE BEARING N89°38'15"E AS REFERENCED TO COLORADO STATE PLANE CENTRAL ZONE NAD(83).

COMMENCING AT THE SOUTHWEST CORNER OF SECTION 8, TOWNSHIP 1 SOUTH, RANGE 67 WEST OF THE 6TH P.M.;

THENCE N45°17'34"W A DISTANCE OF 42.59 FEET, TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF HOLLY STREET AND THE POINT OF BEGINNING;

THENCE ON SAID WESTERLY RIGHT-OF-WAY LINE, SAID LINE BEING 30.00 FEET WESTERLY OF AND PARALLEL WITH THE WEST LINE OF THE SOUTH 1/2 OF THE SOUTHWEST 1/4 OF SAID SECTION 8, N00°30'51"W A DISTANCE OF 846.42 FEET

THENCE ON THE NORTHERLY LINE OF THE PROPERTY RECORDED UNDER RECEPTION NO. 2022000003415 IN THE RECORDS OF THE ADAMS COUNTY CLERK AND RECORDER AND ITS EXTENSION, N89°33'50"E A DISTANCE OF 992.42 FEET, TO THE NORTHWESTERLY CORNER OF THAT PROPERTY RECORDED IN BOOK 5526 AT PAGE 42;

THENCE ON THE WESTERLY LINE OF SAID PROPERTY AND ITS EXTENSION, S00°33'01"E A DISTANCE OF 877.85 FEET, TO A POINT ON THE SOUTH LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 8;

THENCE ON SAID SOUTH LINE, S89°38'15"W A DISTANCE OF 698.18 FEET;

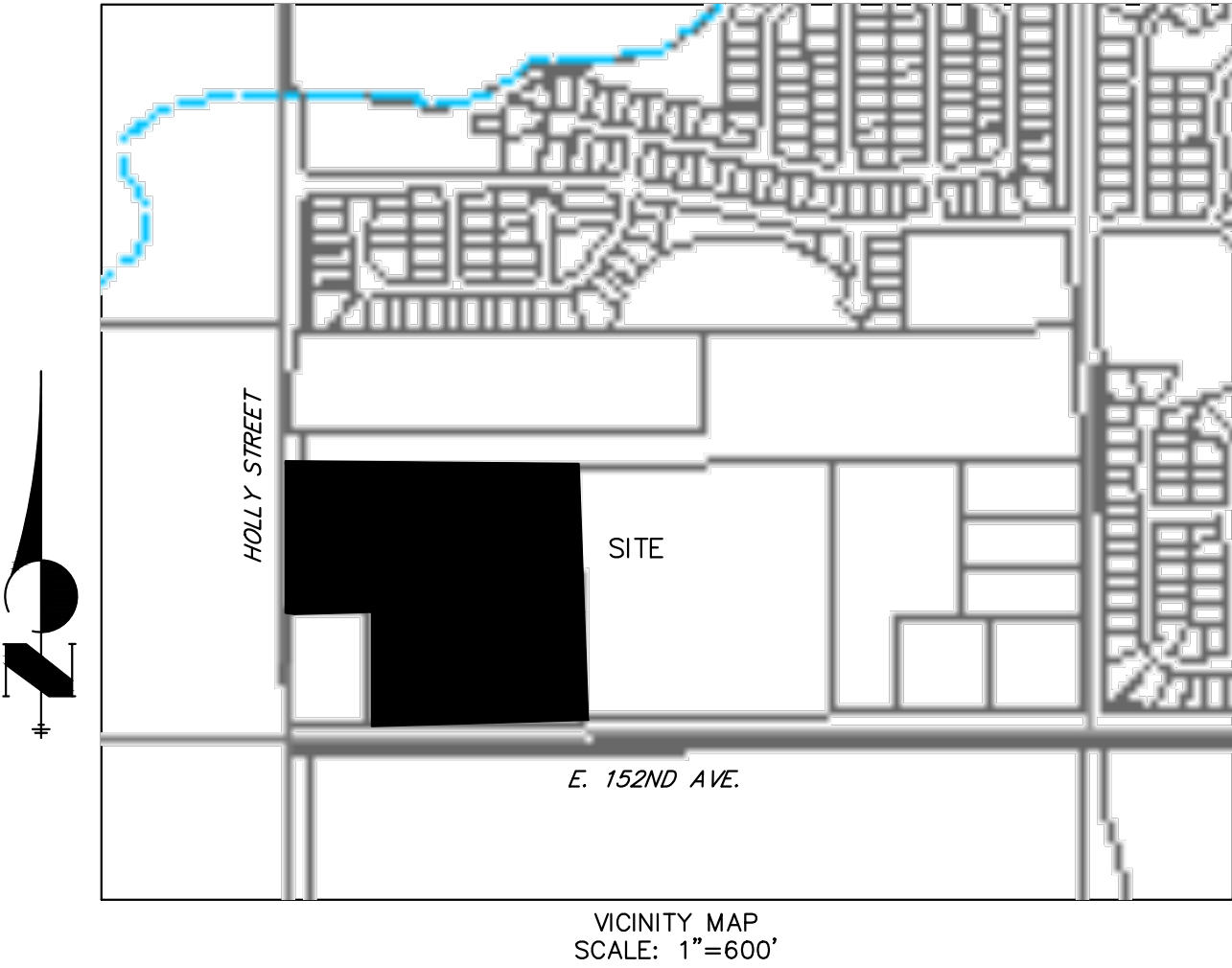
THENCE ON THE EASTERLY LINE OF THAT PROPERTY RECORDED IN BOOK 4666 AT PAGE 85 AND ITS EXTENSION, N00°30'51"W A DISTANCE OF 401.00 FEET, TO THE NORTHEASTERLY CORNER OF SAID PROPERTY;

THENCE ON THE NORTHERLY LINE OF SAID PROPERTY, S89°38'15"W A DISTANCE OF 234.80 FEET, TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF HOLLY STREET;

THENCE ON SAID EASTERLY RIGHT-OF-WAY LINE, SAID LINE BEING 30.00 FEET EASTERLY OF AND PARALLEL WITH THE WEST LINE OF THE SOUTH 1/2 OF THE SOUTHWEST 1/4 OF SAID SECTION 8, S00°30'51"E A DISTANCE OF 371.00 FEET;

THENCE S89°47'02"W A DISTANCE OF 60.00 FEET, TO THE POINT OF BEGINNING.

CONTAINING A CALCULATED AREA OF 774,846 SQUARE FEET OR 17.7880 ACRES.



GENERAL NOTES:

- ALL REFERENCES HEREON TO BOOKS, PAGES, MAPS AND RECEPTION NUMBERS ARE PUBLIC DOCUMENTS FILED IN THE RECORDS OF ADAMS COUNTY, COLORADO.
- ALL LINEAL UNITS DEPICTED ON THIS ZONING MAP ARE U.S. SURVEY FEET. ONE METER EQUALS 39.37/12 U.S. SURVEY FEET, EXACTLY ACCORDING TO THE NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY.
- THIS ZONING MAP DOES NOT REPRESENT A MONUMENTED LAND SURVEY NOR A LAND SURVEY PLAT.
- NOTICE: PER C.R.S. 13-80-105, YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.

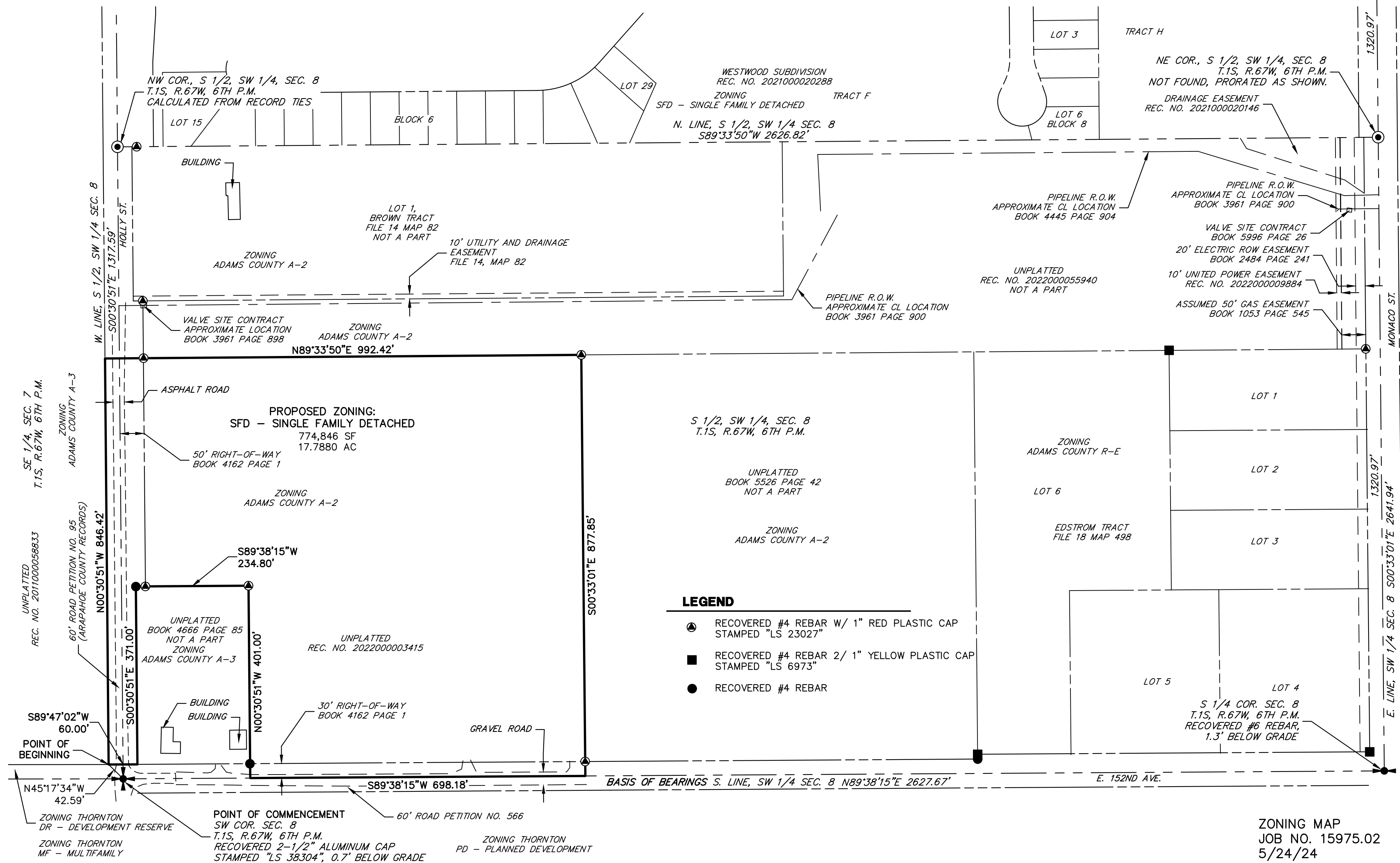
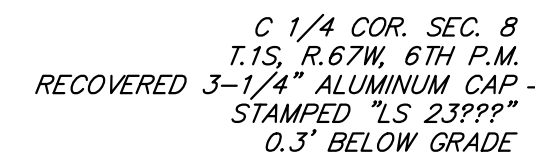
ZONING MAP  
JOB NO. 15975.02  
5/24/24  
SHEET 1 OF 2



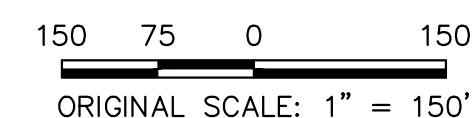
Centennial 303-740-9393 • Colorado Springs 719-593-2593  
Fort Collins 970-491-9888 • [www.jrengineering.com](http://www.jrengineering.com)

CASE NO: PLZ202301834

**SHEET 2 OF 2**  
**ZONING MAP**



ZONING MAP  
JOB NO. 15975.02  
5/24/24  
SHEET 2 OF 2



Centennial 303-740-9393 • Colorado Springs 719-593-2593  
Fort Collins 970-491-9888 • [www.jrengineering.com](http://www.jrengineering.com)

AFFIDAVIT OF POSTING

LEGAL NOTICE OF PUBLIC HEARING

State of Colorado       )  
                                  ) ss.  
County of Adams        )


I, **Monica Gutierrez**, being first duly sworn upon oath depose and say that I did, on July 31, 2024 post the Public Notice of the Planning Commission in the City of Thornton, Colorado for the public hearing concerning a Zoning and an Annexation of a parcel of land approximately 17.31 acres in size. The applicant is proposing to zone the site to Single-Family Detached (SFD) to construct a School District 27J Middle School (West Middle School – Annexation).

The subject property is generally located at the northeast corner of East 152nd Avenue and Holly Street. This hearing will be held on August 20, 2024, at 6 p.m., at Thornton City Hall in the Council Chambers, 9500 Civic Center Drive, Thornton, Colorado. The meeting will also be available using zoom Meetings.

The legal notice was posted at the following location, pursuant to City Code Section 2-1:

1. Thornton's official website, [www.thorntonCO.gov](http://www.thorntonCO.gov).

Signed:

  
Title: Administrative Specialist

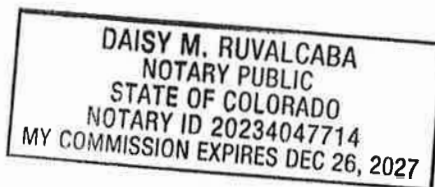
Date:

7/31/24

Subscribed and sworn to before me by Monica Gutierrez In the County of Adams, State of Colorado, This 31 day of July, 2024.

Notary Public







AFFIDAVIT OF POSTING

PUBLIC NOTICE

State of Colorado       )  
                                  ) ss.  
County of Adams       )

I, Lucia Higginbotham, being first duly sworn upon oath depose and say that I did, on July 31, 2024, post the PUBLIC NOTICE of the Planning Commission in City of Thornton, Colorado, for the Public Hearing regarding Zoning and an Annexation of a parcel of land approximately 17.31 acres in size. The applicant is proposing to zone the site to Single-Family Detached (SFD) in order to construct a School District 27J Middle School (West Middle School-Annexation). This Hearing will be held on August 20, 2024, 6p.m. at Thornton City Hall, 9500 Civic Center Drive, Thornton, Colorado and virtually at <https://thorntonco.zoom.us/j/886170661986> or by telephone at 1-719-359-4580 using meeting ID# 886 1706 1986, a copy of which posted Notice is attached hereto and posted at the following locations:

1. Thornton City Hall, 9500 Civic Center Dr.
2. Margaret W. Carpenter Recreation Center, 11151 Colorado Blvd.
3. Thornton Active Adult Center, 11181 Colorado Blvd.
4. Trail Winds Recreation Center, 13495 Holly St.

Signed:

*L. Higginbotham*  
Administrative Specialist

Date:

7/31/2024

Subscribed and sworn to before me by *Lucia Higginbotham* in the County of Adams, State of Colorado, this 31 day of July, 2024.

Notary Public

My Commission Expires

*Daisy M. Ruvalcaba*

Dec 26, 2027

DAISY M. RUVALCABA  
NOTARY PUBLIC  
STATE OF COLORADO  
NOTARY ID 20234047714  
MY COMMISSION EXPIRES DEC 26, 2027

**NOTICE OF PUBLIC HEARING  
PLZ202301834 & PLAX202301713**

The Planning Commission of the City of Thornton will conduct a public hearing regarding Zoning and an Annexation of a parcel of land approximately 17.31 acres in size. The applicant is proposing to zone the site to Single-Family Detached (SFD) in order to construct a School District 27J Middle School (West Middle School – Annexation).

The subject property is generally located at the northeast corner of East 152<sup>nd</sup> Avenue and Holly Street.

This hearing will be held on August 20, 2024, at 6 p.m., at Thornton City Hall in the Council Chambers, 9500 Civic Center Drive, Thornton, Colorado. The meeting will also be available using zoom Meetings. There are three ways to attend virtually:

1. Call **1-719-359-4580** and enter **Meeting ID Number: 886 1706 1986**
2. Type in URL below into your internet browser:  
**<https://thorntonco.zoom.us/j/88617061986>**
3. Scan the QR Code to the right to attend virtually.



The Planning Commission agenda is on the City of Thornton website at [www.ThorntonCO.gov](http://www.ThorntonCO.gov).

A copy of the Development Code (Chapter 18 of the Code of the City of Thornton) and the Zoning Map are available to be viewed on the website at [www.ThorntonCO.gov](http://www.ThorntonCO.gov).

All interested parties are invited to attend the public hearing or present their views by providing written comments in advance of the public hearing. Written comments sent via email must be received at [Jay.Ruchti@ThorntonCO.gov](mailto:Jay.Ruchti@ThorntonCO.gov) prior to 4:00 pm MDT/MST on the day of the public hearing. Written comments sent via mail to Thornton City Hall, City Development Department, 9500 Civic Center Drive, Thornton, CO 80229 must be received at City Hall prior to 5:00 pm MDT/MST on the Friday preceding the public hearing. If you have any questions concerning this matter, please contact the City Development Department at 303-538-7295.

Qualified individuals with a disability may contact Thornton's ADA Coordinator to request and arrange for accommodations. Requests for accommodation should be made as far in advance as possible, but preferably no less than five business days prior to the date needed. Please contact Thornton's ADA Coordinator via telephone 303-538-7334 or email [adacoordinator@thorntonCO.gov](mailto:adacoordinator@thorntonCO.gov).

If you have any questions regarding attending the Zoom Meeting, please email [CityDevelopment@ThorntonCO.gov](mailto:CityDevelopment@ThorntonCO.gov) prior to 4 p.m. on August 20, 2024.

PLANNING COMMISSION OF THE  
CITY OF THORNTON, COLORADO

---

Anna Sparks, Chairperson

ATTEST: Kristen N. Rosenbaum, City Clerk  
APPROVED AS TO FORM: Tami Yellico, City Attorney



City Development Department | 9500 Civic Center Drive | Thornton, CO 80229-4326  
303-538-7295 | CityDevelopment@ThorntonCO.gov | www.ThorntonCO.gov

August 5, 2024

RE: NOTICE OF PUBLIC HEARING – PLZ202301834 & PLAX202301713

Property Owner:

The Thornton Planning Commission will conduct a public hearing concerning Zoning and an Annexation for a parcel of land approximately 17.31 acres in size. The applicant is proposing to annex the parcel into the city and zone the site Single-Family Detached (SFD) in order to develop a School District 27J Middle School (West Middle School - Annexation).

Per Thornton City Code, you are receiving this notice because you own property within 1,500 feet of the subject property, which is located at the northeast corner of East 152<sup>nd</sup> Avenue and Holly Street.

This hearing will be held on August 20, 2024, at 6 p.m., at Thornton City Hall in the Council Chambers, 9500 Civic Center Drive, Thornton, Colorado. The meeting will also be available using Zoom Meetings. There are three ways to attend virtually:

1. Call **1-719-359-4580** and enter **Meeting ID Number: 886 1706 1986**
2. Type in URL below into your internet browser:  
**<https://thorntonco.zoom.us/j/88617061986>**
3. Scan the QR Code to the right to attend virtually.



The Planning Commission agenda is on the city of Thornton website at [www.ThorntonCO.gov](http://www.ThorntonCO.gov).

All interested parties are invited to attend the public hearing or present their views by providing written comments in advance of the public hearing. Written comments sent via email must be received at [Jay.Ruchti@ThorntonCO.gov](mailto:Jay.Ruchti@ThorntonCO.gov) prior to 4 p.m. MDT/MST on the day of the public hearing. Written comments sent via mail to Thornton City Hall, City Development Department, 9500 Civic Center Drive, Thornton, CO 80229 must be received prior to 5 p.m. MDT/MST on the Friday preceding the public hearing.

If you have any questions concerning this matter, please contact the City Development Department at [CityDevelopment@ThorntonCO.gov](mailto:CityDevelopment@ThorntonCO.gov) or leave a voicemail at 303-538-7295.

If you have any questions regarding attending the Zoom Meeting, please email [CityDevelopment@ThorntonCO.gov](mailto:CityDevelopment@ThorntonCO.gov) prior to 4 p.m. on August 20, 2024.

Qualified individuals with a disability may contact Thornton's ADA Coordinator to request and arrange for accommodations. Requests for accommodation should be made as far in advance as possible, but preferably no less than five business days prior to the date needed. Please contact Thornton's ADA Coordinator via telephone 303-538-7334 or email [adacoordinator@ThorntonCO.gov](mailto:adacoordinator@ThorntonCO.gov).

Sincerely,

Jay Ruchti  
Senior Planner





Departamento de Desarrollo Urbano | 9500 Civic Center Drive | Thornton, CO 80229-4326

303-538-7295 | CityDevelopment@ThorntonCO.gov | www.ThorntonCO.gov

5 de Agosto de 2024

ASUNTO: AVISO DE AUDIENCIA PÚBLICA - PLZ202301834 & PLAX202301713

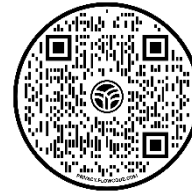
Propietario del inmueble:

La Comisión de Planificación de Thornton llevará a cabo una audiencia pública sobre la zonificación y la anexión de una parcela de terreno de aproximadamente 17.31 acres de tamaño. El solicitante propone anexar la parcela a la ciudad y zonificar el sitio como Unifamiliar Independiente (SFD por sus siglas en inglés) para desarrollar una escuela secundaria del Distrito Escolar 27J (West Middle School - Annexation).

De acuerdo con el Código de la ciudad de Thornton, usted recibe este aviso porque es dueño de una propiedad dentro de los 1,500 pies de la propiedad en cuestión, la cual está ubicada en la esquina noreste de East 152nd Avenue y Holly Street.

Esta audiencia pública se llevará a cabo el 20 de Agosto de 2024, a las 6 p.m., en el Ayuntamiento de Thornton en las Cámaras del Consejo, 9500 Civic Center Drive, Thornton, Colorado. La audiencia pública también estará disponible mediante Zoom Meetings. Hay tres formas de asistir virtualmente:

1. Llame al **1-719-359-4580** e ingrese el número de identificación de la audiencia pública: **886 1706 1986**
2. Escriba el URL a continuación en su navegador de Internet:  
**<https://thorntonco.zoom.us/j/88617061986>**
3. Escanee el código QR a la derecha para asistir virtualmente.



La orden del día de la reunión se encuentra en el sitio web de la Ciudad de Thornton ubicado en [www.ThorntonCO.gov](http://www.ThorntonCO.gov).

Cualquier persona puede presentarse a la audiencia pública o puede comunicar los asuntos de su interés por escrito a la Junta de Permisos y Apelaciones de Desarrollo. Los comentarios escritos y enviados por correo electrónico deben recibirse antes de las 4 p.m. del día de la audiencia pública. Los comentarios pueden enviarse a [Jay.Ruchti@ThorntonCO.gov](mailto:Jay.Ruchti@ThorntonCO.gov). Los comentarios escritos y enviados por correo regular se pueden mandar al Ayuntamiento de Thornton, Departamento de Desarrollo de la Ciudad, 9500 Civic Center Drive, Thornton, CO 80229 y deben recibirse antes de las 5 p.m. MDT/MST del viernes anterior a la audiencia pública.

Si tiene alguna pregunta con respecto este asunto, comuníquese con el Departamento de Desarrollo de la Ciudad por correo electrónico a [CityDevelopment@ThorntonCO.gov](mailto:CityDevelopment@ThorntonCO.gov) o deje un mensaje de voz al 303-538-7295.

Si tiene alguna pregunta con respecto sobre la asistencia a la reunión de Zoom, favor de enviar un correo electrónico a [CityDevelopment@ThorntonCO.gov](mailto:CityDevelopment@ThorntonCO.gov) antes de las 4 p.m. el 20 de Agosto de 2024.

Las personas con discapacidades pueden llamar al coordinador de ADA de Thornton para solicitar y organizar adaptaciones. Las solicitudes de adaptaciones deben hacerse con la mayor anticipación posible, y de preferencia por lo menos cinco días hábiles antes de la fecha en que se requieran. Llame al coordinador de ADA de Thornton al teléfono 303-538-7334 o envíe un correo electrónico a [adacoordinator@ThorntonCO.gov](mailto:adacoordinator@ThorntonCO.gov).

Atentamente,

Jay Ruchti  
Planificador Senior

INTRODUCED BY: \_\_\_\_\_  
NO: PLZ202301834

## **RESOLUTION**

A RESOLUTION OF THE THORNTON PLANNING COMMISSION RECOMMENDING APPROVAL TO THE CITY COUNCIL OF A ZONING AMENDMENT FOR APPROXIMATELY 17.79 ACRES OF LAND GENERALLY LOCATED EAST OF HOLLY STREET AND NORTH OF EAST 152<sup>ND</sup> AVENUE PURSUANT TO CHAPTER 18 OF THE THORNTON CITY CODE (WEST MIDDLE SCHOOL ANNEXATION).

WHEREAS, the School District 27J is the owner and developer ("Owner") of certain real property ("Property") within the City of Thornton ("City"), described in Exhibit A attached hereto and incorporated herein by reference; and

WHEREAS, the Owner has submitted to the City an application ("Application") for consideration of a Zoning Amendment pursuant to Section 18-41 of the Thornton City Code ("Code"); and

WHEREAS, the Application is consistent with the goals and desires of the City, provides for orderly growth within the City, and provides for a beneficial and efficient use of the Property; and

WHEREAS, the aforesaid request and all supporting documents are hereby incorporated as if fully set forth herein; and

WHEREAS, the Application is a matter of public record in the custody of the City Development Department and is available for public inspection during business hours of the City; and

WHEREAS, on August 20, 2024, a public hearing was conducted before the Planning Commission on the Application, pursuant to the procedural and notice requirements of the City Charter and Chapter 18 of the Code. The Planning Commission, having considered the evidence presented in support of and in opposition to the application, and so having considered the record and having given appropriate weight to the evidence, takes the following action.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF THORNTON, COLORADO, AS FOLLOWS:

1. That the Owner and the City have complied with the provisions of Section 18-41 of the Code pertaining to Zoning applications as follows:
  - a. The Applicant has held all required neighborhood meetings, and all required public notices have been provided.

- b. Growth and other development factors in the community support changing the zoning of the Property.
  - c. The zoning represents orderly development of the city and there are, or are planned to be, adequate services and infrastructure to support the proposed zoning change and existing uses in the area.
  - c. The change in zoning provides for an appropriate use of the Property.
  - d. The change in zoning is in substantial conformance with the goals and policies of the Comprehensive Plan and other adopted plans and policies of the City.
  - e. The proposed zoning is sensitive to and compatible with the existing and planned use and development of adjacent properties.
- 2. That the Planning Commission does recommend approval of Case No. PLZ202301834 to the Thornton City Council.
  - 3. Applicant and/or Owner are bound by all statements and representations made by either on the record at the Public Hearing.

PASSED AND ADOPTED at a regular meeting of the Planning Commission of the City of Thornton, Colorado, this 20<sup>th</sup> day of August 2024.

PLANNING COMMISSION OF THE  
CITY OF THORNTON, COLORADO

---

Anna Sparks, Chairperson Signature

ATTEST:

---

Recording Secretary Signature

## EXHIBIT A



### **PROPERTY DESCRIPTION**

A PARCEL OF LAND LOCATED IN THE SOUTH 1/2 OF THE SOUTHWEST 1/4 OF SECTION 8, TOWNSHIP 1 SOUTH, RANGE 67 WEST OF THE 6TH P.M., COUNTY OF ADAMS, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS: THE SOUTH LINE OF THE SOUTHWEST 1/4 OF SECTION 8, TOWNSHIP 1 SOUTH, RANGE 67 WEST OF THE 6TH P.M. BEING MONUMENTED BY A 2-1/2" ALUMINUM CAP STAMPED "LS 38304" AT THE WEST END AND A #6 REBAR AT THE EAST END, SAID LINE BEARING N89°38'15"E AS REFERENCED TO COLORADO STATE PLANE CENTRAL ZONE NAD(83).

COMMENCING AT THE SOUTHWEST CORNER OF SECTION 8, TOWNSHIP 1 SOUTH, RANGE 67 WEST OF THE 6TH P.M.;

THENCE ON THE SOUTH LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 8, N89°38'15"E A DISTANCE OF 264.80 FEET;

THENCE N00°30'51"W A DISTANCE OF 30.00 FEET TO THE SOUTHEASTERLY CORNER OF THAT PROPERTY RECORDED IN BOOK 4666 AT PAGE 85 IN THE RECORDS OF THE ADAMS COUNTY CLERK AND RECORDER, AND THE POINT OF BEGINNING;

THENCE ON THE EASTERLY AND NORTHERLY LINES OF SAID PROPERTY, THE FOLLOWING TWO (2) COURSES:

1. N00°30'51"W A DISTANCE OF 371.00 FEET;
2. S89°38'15"W A DISTANCE OF 214.80 FEET, TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF HOLLY STREET AS RECORDED IN BOOK 4162 AT PAGE 1;

THENCE ON SAID EASTERLY RIGHT-OF-WAY LINE, N00°30'51"W A DISTANCE OF 475.68 FEET, TO THE NORTHWESTERLY CORNER OF THAT PROPERTY RECORDED UNDER RECEPTION NO. 2022000003415;

THENCE ON THE NORTHERLY LINE OF SAID PROPERTY, N89°33'50"E A DISTANCE OF 912.42 FEET TO THE NORTHWESTERLY CORNER OF THAT PROPERTY RECORDED IN BOOK 5526 AT PAGE 42;

THENCE ON THE EASTERLY LINE OF SAID PROPERTY, S00°33'01"E A DISTANCE OF 847.85 FEET, TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF EAST 152ND AVENUE, RECORDED IN BOOK 4162 AT PAGE 1;



THENCE ON SAID NORTHERLY RIGHT-OF-WAY LINE, S89°38'15"W A DISTANCE OF 698.16 FEET, TO THE POINT OF BEGINNING.

CONTAINING A CALCULATED AREA OF 693,596 SQUARE FEET OR 15.9228 ACRES





## PLANNING COMMISSION COMMUNICATION

<b>Meeting Date:</b> August 20, 2024	<b>Agenda Item:</b> 5) B i.	<b>Agenda Location:</b> PUBLIC HEARINGS	<b>Legal Review:</b> 
<b>Subject:</b> A public hearing concerning a text amendment to Chapter 18 and other applicable sections of the Thornton City Code for the purpose of revising the regulations for residential driveways (SPCD 2022-008).			
<b>Recommended by:</b> Warren Campbell, Current Planning Manager 			
<b>Presenter(s):</b> Kira Stoller, Senior Planner			

### **SYNOPSIS:**

The proposed code amendment repeals existing regulations and enacts updated requirements in Chapter 18 for residential driveways. Chapter 10 will also be amended to exempt expansion or replacement of a driveway from the requirement to obtain a building permit.

### **RECOMMENDATION:**

Staff recommends Alternative Number 1, approval of the resolution as drafted.

### **BUDGET/STAFF IMPLICATIONS:**

None.

### **ALTERNATIVES:**

1. Approve the resolution as recommended.
2. Do not approve the resolution.
3. Revise the resolution in response to specific direction.
4. Continue the public hearing.

### **BACKGROUND (ANALYSIS/NEXT STEPS/HISTORY):**

Starting in approximately November 2021, Code Compliance paused enforcement on certain unpermitted residential driveway installations, as staff was asked to evaluate potential amendments to the corresponding code regulations. City Council discussed the topic at a Council Update on September 27, 2022, and Planning Sessions on February 7, 2023, May 7, 2024, and July 16, 2024. Following these discussions, City Council directed staff to bring forward an ordinance to:

- Revise the maximum width for all primary residential driveways;
- Allow an adjacent three-foot walkway to extend in front of the dwelling;
- Remove the minimum driveway setback requirements for lots with only a one car or no garage, except for corner lots, which would retain the existing requirement;



## Planning Commission Communication

## Page 2

- Reduce the driveway setback requirement from one foot to zero behind the front plane of the home for lots with a two car or more garage; and
- Maintain the permitting requirement, but transition from Building Inspection to a Planning review and inspection.

**Current City Code**

The expansion or replacement of a primary residential driveway, as well as the installation of a secondary access currently requires a building permit. The standards for residential driveways are scattered throughout Chapter 18, which has led to confusion in the past. Sections 18-450, 18-586, 18-597 and 18-677 all include regulations pertaining to driveways. In order to consolidate the applicable standards, a new code section is proposed to be enacted which would include all the requirements for single-family driveways that are installed or expanded after the initial development of a property.

**Proposed Code Changes**

The regulations for primary residential driveways are proposed to be amended as described below. Attachment 1 highlights the proposed changes on a sample site plan.

Driveway Width:

The proposed changes to the width of a residential driveway are summarized in the following table. The standards for secondary accesses are not proposed to change.

<b>Current Standard</b>	<b>Proposed Standard</b>
<i>Primary access</i>	<i>Primary access</i>
Limited to 30 feet wide as measured at front property line or 24 feet for lots on bulb of a cul-de-sac	Driveway width is restricted to the following outer limitations, three feet in front of the livable portion of the home (for walkway) and distance from side property line is dictated by setback requirements (outlined in next table)
<i>Secondary access</i>	<i>Secondary access</i>
Maximum width of 12 feet	Maximum width of 12 feet

Setback Requirements:

The proposed changes to the setbacks for a residential driveway are summarized in the following table. Residential lots are separated into two different categories based on whether the existing off-street parking meets the current code requirement of four spaces.

<b>Current Standard</b>	<b>Proposed Standard</b>
<i>In front of house</i>	<i>In front of house</i>
<ul style="list-style-type: none"> <li>• Three feet from side property line</li> <li>• Corner lots require 20 feet from edge of driveway to right-of-way of an intersecting local street or 30 feet for a collector street</li> </ul>	<ul style="list-style-type: none"> <li>• Maintain the three-foot setback for lots with at least a two-car garage and for all secondary accesses</li> <li>• No minimum setback for lots with only a one car or no garage</li> <li>• Corner lot setbacks still apply in all cases</li> </ul>

## Planning Commission Communication

## Page 3

<i>Behind front plane of house</i>	<i>Behind front plane of house</i>
One foot from side property line	No minimum setback for all lots

Walkways Adjacent to Driveway:

The proposed code change would allow for the installation of a three-foot-wide walkway adjacent to the driveway, which could extend in front of the dwelling. This would accommodate a frequent request from residents to install additional flatwork adjacent to their driveway not for the purpose of fitting another vehicle, but so that there is space to walk to the front door from the driveway or public sidewalk.

Circular Driveways:

Circular driveways have not been clearly regulated in the past. This code amendment would clarify that circular driveways are not permissible, unless specifically allowed for as part of the Planned Development (PD) standards for a property. The basis for this is that the design of circular driveways typically results in a portion of the driveway being situated in front of the livable portion of the home, which is something the city wishes to avoid.

Construction & Materials:

Residential driveways would continue to have to be constructed of an all-weather and drainable material such as: 1) concrete paving, 2) hot mix asphalt paving which consists of a binder and surface course, 3) three-quarter-inch or larger rock a minimum of three inches in depth, or 4) a material which has equivalent characteristics of the aforementioned substances.

Additionally, the proposed code amendment would highlight that residential driveway installations shall not create or increase erosion or drainage issues on the subject site or adjacent properties. This is already required per Section 18-657, but is proposed to be reiterated specifically for driveways due to issues that have been reported in the past. To address this any driveway proposed to be situated less than three feet from a side property line would be required to include a six inch curb. Furthermore, the code amendment proposes to emphasize that residential driveways shall not cover, obscure, or prevent easy access to a fire hydrant or water meter. This requirement is currently stipulated in Section 74-106 of the City Code, but has sometimes been overlooked for driveway installations.

Permits for Flatwork:

While there are very few items for staff to inspect in terms of driveway construction, a permit is required so that staff can review a site plan to ensure that the location of a proposed driveway meets the Code standards. Maintaining the permit requirement should help to catch potential code violations prior to installation, rather than after the fact. However, the permit is to transition from a Building permit and inspection to a Planning review and inspection and the Building Code (Chapter 10) would be amended to reflect this.

Planned Development (PD) Zone Districts:

There are at least six residential subdivisions that are zoned PD and have unique driveway standards pertaining to width and/or setback requirements. Two of the PDs (City Creek and Parterre) have not yet been developed, while the other four PDs (Glenagle

## Planning Commission Communication

### Page 4

Estates, Farmington, Holly Hills Estates and Lewis Pointe) total over a thousand lots combined. Any property located within one of these areas would still have to abide by the established PD regulations. While the corresponding developments could apply for a PD amendment if they wish to align with the new base code standards, this would be difficult to achieve as PDs generally require a majority of all property owners within the development to sign off on the application.

#### Administrative Relief:

Recognizing that there are certain circumstances in which removal of an unpermitted driveway may constitute an undue hardship for a property owner, which is not self-imposed, Council requested that staff create an avenue for administrative relief. While the Development Code already contains a set of variance criteria, most unpermitted driveway installations would be unable to meet all of the conditions that are required to grant a variance. Rather than taking numerous variance applications before the Board of Adjustment, which may be denied based on the corresponding code criteria, the option for administrative relief would be made available to previously installed unpermitted driveway in instances where all of the conditions outlined below are met.

In order to grant administrative relief for an existing unpermitted driveway, the Planning Director shall find that all the following have been satisfied:

- A demonstrated hardship exists which is not based exclusively on findings of personal or financial hardship;
- The hardship is not self-imposed;
- Keeping the driveway will not adversely affect the proposed development or use of adjacent property or the neighborhood;
- Keeping the driveway will not change the character of the zoning district in which the property is located; and
- Keeping the driveway will not adversely affect the health, safety or welfare of the citizens of the city.

The aforementioned criteria would generally provide relief to individuals who purchased a home with an unpermitted driveway but were not responsible for its installation. While property owners who installed a driveway without a permit which does not align with the amended code standards since the code enforcement pause began in November 2021, would not automatically be eligible to keep their driveway as is. The administrative relief process would solely apply to unpermitted driveways, but utilize the same general submittal requirements that are currently required for variance applications.

#### **Analysis**

Text amendments to the Development Code need to meet the criteria outlined in Section 18-41(c)(5)a.

1. *The impact of the amendment on the character of the community.*

Recognizing that different parts of Thornton have their own character or appearance, the proposed code amendment has been structured accordingly.

## Planning Commission Communication

## Page 5

Namely, residential lots have been separated into two different categories based on whether or not they contain at least a two car garage. Homes that do not have an existing two car garage generally fall short of the current minimum parking requirement of four off-street spaces for single-family dwellings. Therefore, such lots have the basis to argue that greater flexibility is needed for on-site parking. In contrast, properties with an established two car garage already have adequate parking to accommodate at least four vehicles (two in the garage and two in the driveway).

Limiting the minimum side setbacks for lots with at least a two car garage results in a separation of six feet between neighboring driveways. This not only provides an improved visual aesthetic but also maintains some space for drainage between adjacent lots. Smaller lots without at least a two car garage have less space to install large areas of pavement, as they generally have smaller existing setbacks between the house and side property line, and restricting driveways from extending in front of the living area of a dwelling further constrains where on-site parking can be located. The proposed code amendment would give such lots approximately three to six additional feet of width for a driveway, which should not amount to a substantial change in the character of the community.

2. *The effect of the amendment on the orderly development of the community.*

The proposed code amendment is most applicable to existing residential developments, as driveway expansions are generally requested by established property owners. Additionally, newer residential developments are required to provide four off-street parking spaces and would not be eligible to extend their driveways all the way to a side property line. Therefore, although an adjustment to the maximum width of primary residential driveways would be allowed for both old and new developments, the existing minimum side setback requirement is proposed to be maintained for future residential developments. This should help to ensure that orderly construction of new residential development continues to occur moving forward.

3. *The consistency between the proposed amendment and the Comprehensive Plan.*

The code requirements and enforcement practices for residential driveways have changed multiple times in the past and resulted in numerous neighborhoods containing a variety of driveway layouts. Consideration of potential changes to the current code regulations for driveways came about due to citizen complaints regarding today's standards. In an effort to reduce what some view as an inequity between the older and newer areas of Thornton in terms of parking availability, the proposed code amendment separates residential lots into two categories based on whether they meet the existing off-street parking requirement of four spaces. This approach to the proposed code amendment aligns with the following Comprehensive Plan policy:

## Planning Commission Communication

### Page 6

*Policy QDN 2.4 - Code Compliance. Work with property owners to address code violations, blighted properties, and other maintenance-related issues. Place the highest priority on properties with multiple violations or a history of repeat complaints.*

Additionally, establishing an avenue for administrative relief for previously installed unpermitted driveways would help to avoid undue hardships for property owners in certain circumstances.

4. *The proposed amendment's consistency with the purposes of the Code as outlined in Section 18-3.*

The proposed amendment is consistent with the Development Code purpose of promoting the health, safety, and general welfare of the city. The following provision is particularly relevant: *Lessen congestion on streets, roads and highways.*

While allowing residential driveways to be expanded to a greater extent is unlikely to have an impact on traffic congestion, in certain neighborhoods it may reduce parking congestion on local roads. This is because some on-street parking would shift to being provided on individual residential lots. While this would not automatically result in more on-street parking becoming available, as expanding driveways often reduces the space available for street parking, it could lead to fewer cars being parked on the street.

5. *Other information as deemed relevant.*

The regulations outlined in the proposed code amendment are the direct result of multiple conversations with the City Council. Amending the Code as outlined would provide residential property owners with some increased flexibility for the size and placement of driveway installations, while also instituting standards that aim to prevent negative impacts to adjacent lots. Additionally, the proposed amendment aligns with requirements in the Model Traffic Code and reiterates regulations that currently exist in other sections of the overall City Code pertaining to drainage impacts and the need to maintain access to water meters and hydrants.

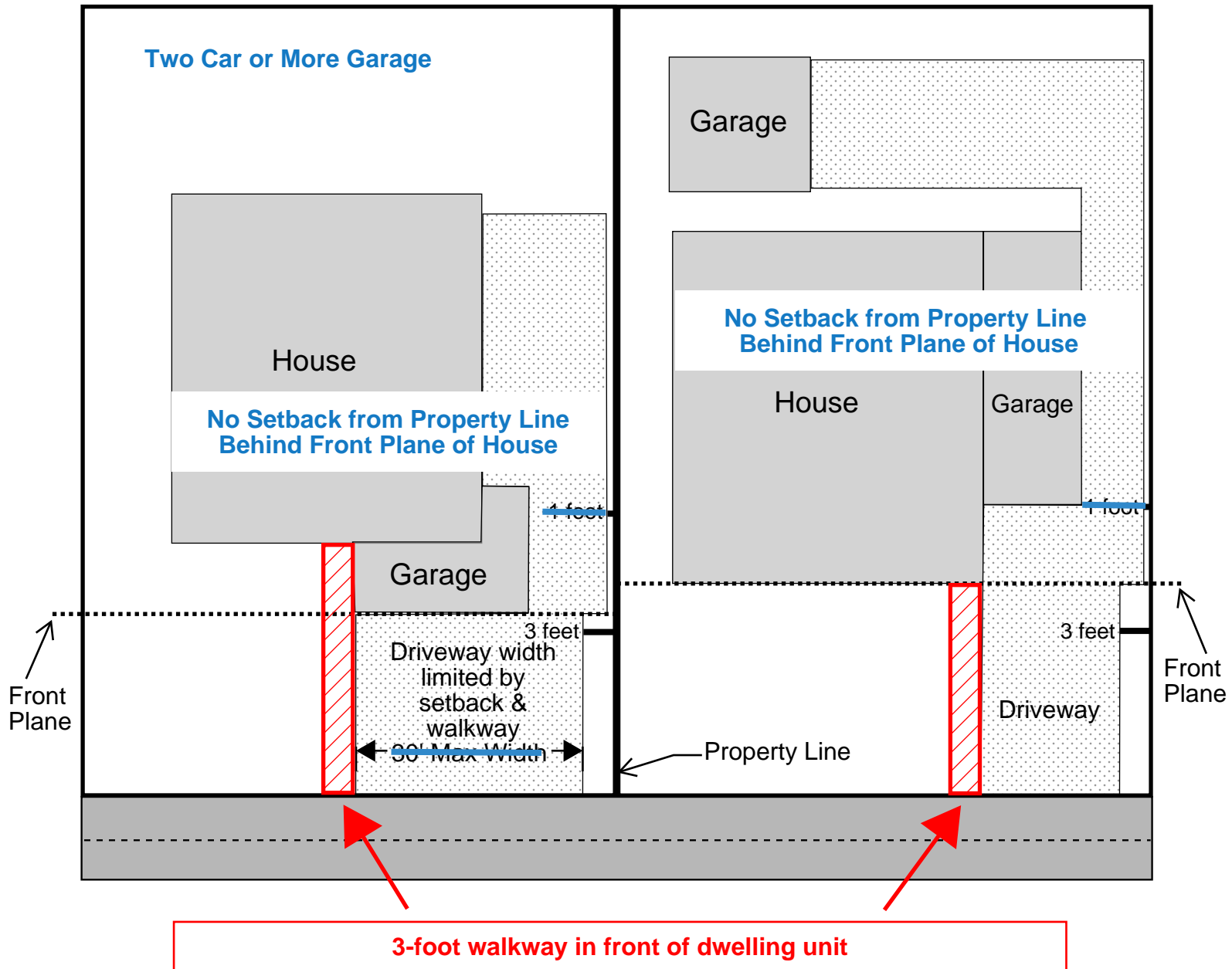
### **Public Hearing Notice**

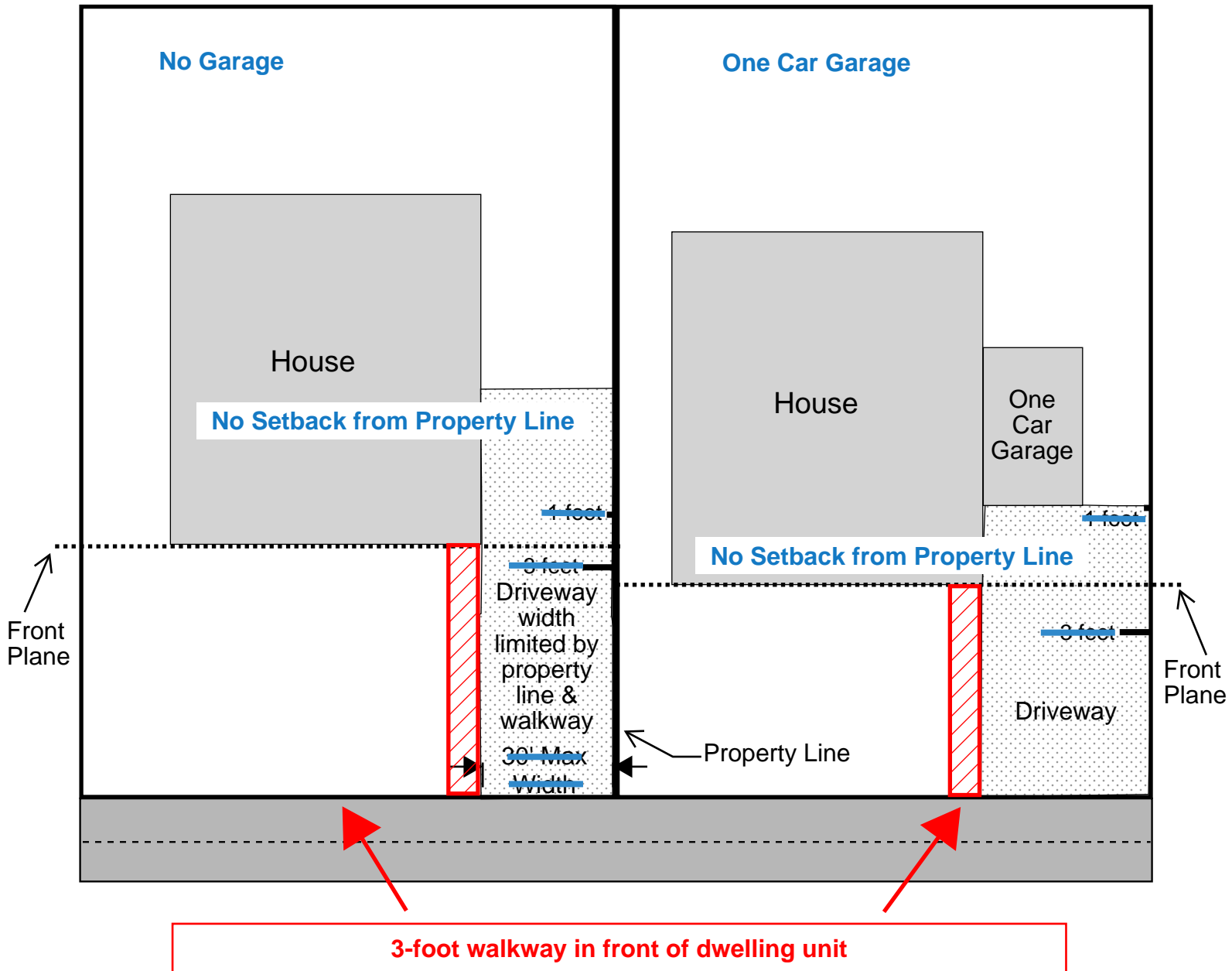
Notice of the Public Hearing was published on the City's official website and at City Hall, Margaret W. Carpenter Recreation Center, Thornton Active Adult Center, and Trail Winds Recreation Center on July 31, 2024.

### **ATTACHMENTS:**

Attachment 1: Driveway Exhibit

Attachment 2: Public Hearing Notices and Affidavits





AFFIDAVIT OF POSTING

PUBLIC NOTICE

State of Colorado       )  
                                  ) ss.  
County of Adams       )

I, Lucia Higginbotham, being first duly sworn upon oath depose and say that I did, on July 31, 2024, post the PUBLIC NOTICE of the Planning Commission in City of Thornton, Colorado, for the Public Hearing concerning an ordinance amending Chapter 18 and other applicable sections of the Thornton City Code for the purpose of revising the regulations for residential driveways. This Hearing will be held on August 20, 2024 at 6p.m. at Thornton City Hall, 9500 Civic Center Drive, Thornton, Colorado and virtually at

<https://thorntonco.zoom.us/j/886170661986>

or by telephone at **1-719-359-4580** using meeting ID# **886 1706 1986**, a copy of which posted Notice is attached hereto and posted at the following locations:

1. Thornton City Hall, 9500 Civic Center Dr.
2. Margaret W. Carpenter Recreation Center, 11151 Colorado Blvd.
3. Thornton Active Adult Center, 11181 Colorado Blvd.
4. Trail Winds Recreation Center, 13495 Holly St.

Signed:

  
Administrative Specialist

Date:

7/31/2024

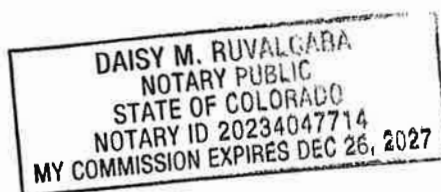
Subscribed and sworn to before me by Lucia Higginbotham in the County of Adams, State of Colorado, this 31 day of July, 2024.

Notary Public

My Commission Expires



Dec 26, 2027





AFFIDAVIT OF POSTING

LEGAL NOTICE OF PUBLIC HEARING

State of Colorado       )  
                                      ) ss.  
County of Adams        )

I, **Monica Gutierrez**, being first duly sworn upon oath depose and say that I did, on July 31, 2024, post the Public Notice of the Planning Commission in the City of Thornton, Colorado for the public hearing an ordinance amending Chapter 18 and other applicable sections of the Thornton City Code for the purpose of revising the regulations for residential driveways.

This hearing will be held on August 20, 2024, at 6 p.m., at Thornton City Hall in the Council Chambers, 9500 Civic Center Drive, Thornton, Colorado. The meeting will also be available using zoom Meetings

The legal notice was posted at the following location, pursuant to City Code Section 2-1:

1. Thornton's official website, [www.thorntonCO.gov](http://www.thorntonCO.gov).

Signed:

  
Title: Administrative Specialist

Date:

7/31/24

Subscribed and sworn to before me by Monica Gutierrez In the County of Adams, State of Colorado, This 31 day of July, 2024.

Notary Public



DAISY M. RUVALCABA  
NOTARY PUBLIC  
STATE OF COLORADO  
NOTARY ID 20234047714  
MY COMMISSION EXPIRES DEC 26, 2027

**NOTICE OF PUBLIC HEARING  
SPCD 2022-008**

The Planning Commission of the City of Thornton will conduct a public hearing concerning an ordinance amending Chapter 18 and other applicable sections of the Thornton City Code for the purpose of revising the regulations for residential driveways.

This hearing will be held on August 20, 2024, at 6 p.m., at Thornton City Hall in the Council Chambers, 9500 Civic Center Drive, Thornton, Colorado. The meeting will also be available using zoom Meetings. There are three ways to attend virtually:

1. Call **1-719-359-4580** and enter **Meeting ID Number: 886 1706 1986**
2. Type in URL below into your internet browser:  
**<https://thorntonco.zoom.us/j/88617061986>**
3. Scan the QR Code to the right to attend virtually.



The Planning Commission agenda is on the City of Thornton website at [www.ThorntonCO.gov](http://www.ThorntonCO.gov).

A copy of the Development Code (Chapter 18 of the Code of the City of Thornton) and the Zoning Map are available to be viewed on the website at [www.ThorntonCO.gov](http://www.ThorntonCO.gov).

All interested parties are invited to attend the public hearing or present their views by providing written comments in advance of the public hearing. Written comments sent via email must be received at [Kira.Stoller@ThorntonCO.gov](mailto:Kira.Stoller@ThorntonCO.gov) prior to 4:00 pm MDT/MST on the day of the public hearing. Written comments sent via mail to Thornton City Hall, City Development Department, 9500 Civic Center Drive, Thornton, CO 80229 must be received at City Hall prior to 5:00 pm MDT/MST on the Friday preceding the public hearing. If you have any questions concerning this matter, please contact the City Development Department at 303-538-7295.

Qualified individuals with a disability may contact Thornton's ADA Coordinator to request and arrange for accommodations. Requests for accommodation should be made as far in advance as possible, but preferably no less than five business days prior to the date needed. Please contact Thornton's ADA Coordinator via telephone 303-538-7334 or email [adacoordinator@thorntonCO.gov](mailto:adacoordinator@thorntonCO.gov).

If you have any questions regarding attending the Zoom Meeting, please email [CityDevelopment@ThorntonCO.gov](mailto:CityDevelopment@ThorntonCO.gov) prior to 4 p.m. on August 20, 2024.

PLANNING COMMISSION OF THE  
CITY OF THORNTON, COLORADO

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Anna Sparks, Chairperson

ATTEST: Kristen N. Rosenbaum, City Clerk  
APPROVED AS TO FORM: Tami Yellico, City Attorney

INTRODUCED BY: \_\_\_\_\_  
NO: SPCD 2022-008

A RESOLUTION OF THE THORNTON PLANNING COMMISSION RECOMMENDING APPROVAL TO THE CITY COUNCIL OF A TEXT AMENDMENT TO CHAPTER 18 AND OTHER APPLICABLE SECTIONS OF THE THORNTON CITY CODE FOR THE PURPOSE OF REVISING THE REGULATIONS FOR RESIDENTIAL DRIVEWAYS.

WHEREAS, the City of Thornton ("City") regulates residential driveways in Chapter 18 of the Thornton City Code ("Code"); and

WHEREAS, City Council has expressed a desire to increase the allowances for primary residential driveways and establish an avenue for administrative relief for unpermitted driveways in certain instances; and

WHEREAS, the current residential driveway regulations exist in various sections of Chapter 18 of the Code; and

WHEREAS, the establishment of one central location for residential driveway extensions (Section 18-572) and provisions for the appeal of unpermitted installations (Section 18-36) will provide for greater clarity; and

WHEREAS, these amendments are necessary to promote the public health, safety, and welfare.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF THORNTON, COLORADO, AS FOLLOWS:

1. An amendment to the text of Chapter 18 is appropriate as the request meets the criteria found in Section 18-41(c)(5)a. of the Code as follows:
  - a. The proposed regulations will not result in a substantial change to the character of the community.
  - b. Orderly development of the community will be maintained.
  - c. The establishment of an appeal process for previously installed unpermitted driveways aligns with the Comprehensive Plan policy of working with property owners to address code violations.
  - d. The amendment is consistent with the Development Code purpose of promoting the health, safety, and general welfare of the city.
  - e. Other relevant regulations were factored into the new standards.
2. A new Section 18-36 of the Code is hereby enacted to read as follows:

**Section 18-36. Appeals of unpermitted residential driveway installations.**

- (a) Appeals can be made to the Planning Director to keep previously installed unpermitted driveways for existing single-family attached or detached dwellings.
- (b) In order to grant administrative relief for an existing unpermitted driveway, the Planning Director shall find that all of the following have been satisfied:
  - (1) A demonstrated hardship exists which is not based exclusively on findings of personal or financial hardship;
  - (2) The hardship is not self-imposed;
  - (3) Keeping the driveway will not adversely affect the proposed development or use of adjacent property or the neighborhood;
  - (4) Keeping the driveway will not change the character of the zoning district in which the property is located; and
  - (5) Keeping the driveway will not adversely affect the health, safety or welfare of the citizens of the city.
- 3. A new Section 18-572 of the Code is hereby enacted to read as follows:

**Section 18-572. Addition or modification of driveways for existing single-family dwellings.**

- (a) Intent. To provide standardized requirements for the installation or expansion of driveways for existing single-family attached or detached dwellings.
- (b) Applicability. These requirements apply to all primary and secondary driveways that provide access from a public or private street to a single-family use and are installed or expanded after the initial development of the property.
- (c) Definitions. For purposes of this section:
  - (1) Primary driveway means:
    - a. The driveway installed at the time of initial development of the property; or
    - b. If no driveway was installed at the time of initial development, then the first driveway constructed on the single-family lot; or
    - c. A driveway leading to newly constructed enclosed parking spaces when the number of new enclosed parking spaces exceeds the number of existing enclosed parking spaces.
  - (2) Secondary driveway means a driveway other than the primary driveway.
- (d) Permit Required.

- (1) All primary and secondary driveways for a single-family attached or detached dwelling that are installed or expanded after the initial development of a property require a permit from the Planning Division. This includes both new and replacement driveways.
- (e) Width.
- (1) The maximum width for primary driveways providing access to a single-family residential lot is restricted to the following outer limits, no more than three feet in front of the livable portion of the home is allowed for a walkway, and the minimum distance from the side property line is dictated by the setback requirements in subsection (f) below.
  - (2) The maximum width for a secondary driveway accessing a single-family residential lot is 12 feet, as measured at the front property line and at all points along the driveway surface.
- (f) Location.
- (1) A driveway to a single-family residential lot shall lead to a garage, carport, or parking pad, and maintain the following setbacks from a side property line:
    - a. In front of the house, except for corner lots:
      - i. No minimum side setback is required for lots with only a one car or no garage.
      - ii. Lots with at least a two-car garage and all secondary accesses must keep a minimum of three feet between the edge of the driveway and a side property line.
    - b. Behind the front plane of the house no minimum side setback is required for all lots.
  - (2) Circular driveways are not permissible, unless specifically allowed for as part of the Planned Development (PD) Standards for a property.
  - (3) All residential driveways shall also comply with the requirements of Section 18-597, as amended.
  - (4) Primary access driveways shall also comply with the requirements of Section 18-677(g)(10) , as amended, pertaining to street access.
  - (5) Secondary driveways shall also comply with the requirements of Section 18-677(h) , as amended, pertaining to access requirements. Only one secondary driveway is permitted per single-family lot.
- (g) Construction.
- (1) Driveways shall be constructed and maintained in accordance with the standards set forth in Section 18-601.

- (2) Any driveway situated less than three feet from a side property line shall include a six inch curb.
- (3) Driveways shall not:
  - a. Create or increase erosion or drainage issues on the subject lot or any adjacent lot in alignment with Section 18-657;
  - b. Endanger or impede the existing or projected traffic on the street;
  - c. Directly access an arterial or major collector street;
  - d. Alter the profile or cross section of the street;
  - e. Cover, obscure, or prevent easy access to a fire hydrant or a utility device, such as a water meter per Section 74-106; or
  - f. Traverse sewage disposal leach fields.
4. Section 18-450 is hereby amended by the deletion of the words stricken to read as follows:

**Section 18-450. – Development standards by zoning district chart.**

DEVELOPMENT STANDARDS BY ZONING DISTRICT	
Standard	Requirement for Zoning District
	SINGLE-FAMILY DETACHED
Minimum Lot Size	a) 6,000 square feet
	b) Use of the minimum lot area requires additional common open space to stay within the maximum dwelling unit density of five units per acre. The additional common open space may not be credited in a future resubdivision to increase the dwelling unit density within the original subdivision.
	c) A lot size larger than these minimums may be required as a condition of approval of a subdivision plat for lots within 300 feet of existing residential development, if:
	1. A larger lot size is necessary to ensure the compatibility between the proposed development and existing residential development; and
	2. Use of a larger lot size would not adversely affect the use of property in the proposed development, neighboring properties, or adjacent thoroughfares.
Minimum Lot Frontage	a) 60 feet at front property line;
	b) 40 feet cul-de-sac at front property line.
<i>Building Setbacks:</i> Performance criteria contained in Sections <a href="#">18-444</a> , <a href="#">18-446</a> , and <a href="#">18-447</a> shall be used to determine the actual front, side, and rear yard requirements for each project during the development permit review process. Different requirements may be established on the same lot for different types of	

structures. This chart shows the minimum front, side and rear yards permitted and the maximum front, side, and rear yards that may be required:		
	Minimum Permitted	Maximum Required
Front	a) 15 feet to a porch with no living space above it; and	None.
	b) 20 feet in all other circumstances	
Side	a) 10 feet;	None.
	b) Cantilevers, including structural elements, may encroach no more than 2 feet.	
Rear	a) 20 feet;	None.
	b) Open unenclosed covered patios and decks between 30 inches and 8 feet in height may encroach into the required rear setback up to ten feet from the rear property line, provided they do not encroach into any easement.	
Maximum Lot Coverage	a) 60% for all residential structures;	
	b) 25% for all nonresidential structures;	
	c) 75% for all structures combined.	
Maximum Dwelling Unit Density	a) 5.0 units per acre; and	
	b) 1 unit per lot.	
Floor Area	a) No maximum floor area ratio;	
	b) Minimum floor area for a residential structure on a lot is 1,000 square feet.	
	c) Basements, garages, and carports do not count in calculating floor area for the purposes of this provision.	
Maximum Building Height	a) 35 feet for main buildings;	
	b) 16 feet for other permitted structures.	
Additional Requirements	a) A minimum of four legal parking spaces on the street for lots fronting on the bulb of a cul-de-sac.	
	b) A parking plan shall be submitted with the conceptual site plan displaying the four parking spaces.	
	<del>c) The maximum width of a driveway for lots located on the bulb of a cul-de-sac measured at the front property line shall be 24 feet.</del>	
	(Code 1975, § 58-2.113; Ord. No. 2183, § 1, 8-10-92; Ord. No. 2279, §§ 13—15, 8-9-93; Ord. No. 2399, §§ 1, 2, 5, 1-8-96; Ord. No. 2574, § 1, 10-25-99; Ord. No. 2687, § 6, 10-22-01; Ord. No. 3164, § 1, 3-22-11; Ord. No. 3165, § 1, 4-12-11)	

5. Section 18-677 is hereby amended by the deletion of the words stricken and the addition of the words double underlined to read as follows:



## **Section 18-677. - Street requirements.**

### **(g) *Street intersections.***

(10) In reviewing and approving private access to streets, the city traffic engineer shall use the following general guidelines.

#### **a. *Single-family primary access.***

1. Access from a single-family lot to a local street should not be located closer than 20 feet to the right-of-way of the nearest intersecting local street or closer than 30 feet to the nearest intersecting collector street;

~~2. Access to a single-family lot shall not be wider than 30 feet as measured at the front property line. The maximum width of a driveway for lots located on the bulb of a cul-de-sac measured at the front property line shall be 24 feet.~~

~~3. Access to a single-family lot shall be at least three feet from the side property line from the primary front wall plane of the house to the front property line, and at least one foot from the side property line behind the primary front wall plane of the house.~~

~~4.~~ 2. A single-family lot shall not have access to an arterial street unless approved in writing by the city traffic engineer.

~~5.~~ 3. Access to a single-family lot shall not be in front of a dwelling, except for access leading to a required enclosed parking space.

#### **b. *Non-single-family access.***

1. Access to a local street from a lot used for other than a single-family use should be located using guidelines in subsection (g)(9)c of this section pertaining to locals;

2. Access to a collector street from a lot used for other than single-family use should be located using guidelines in subsection (g)(9)b of this section pertaining to collectors; and

3. Access to an arterial street shall be subject to the review and approval of the city traffic engineer.

### **(h) *Provisions applicable to secondary vehicular access to single-family residential lots, excluding multifamily developments.***

(1) Subject to the restrictions stated below, "owner(s)" of a single-family residential lot may establish secondary access points or gates to a street from single-family residential lots.

a. Use by motor vehicles of a secondary access shall be done in a safe and prudent manner and otherwise in strict compliance with the city traffic code, Section 38-521 et

seq., as amended, including any required permits for street or lane closures.

- b. No secondary access shall be permitted to a roadway as classified by the city in the city's Standards and Specifications as a:
  - 1. Regional arterial;
  - 2. Major arterial; or
  - 3. Minor arterial.
- c. Secondary access shall meet the sight distance guidelines contained in Section 18-567.
- d. All secondary accesses from the property line to the street shall be either concrete, asphalt, or approved dust-free surface as required by Section 18-601(c).
- e. If the access is into a fenced area, the gates for the fence shall not open into the city's right-of-way. The gate must either open into the private lot, roll, or slide parallel with the fence.
- f. No secondary access shall be permitted if the secondary access will cause damage to any improved streetscape within the city's rights-of-way or public trail adjacent to the secondary access, including sidewalks and landscaping.
- ~~g. The maximum width of a secondary access to a single-family residential lot is 12 feet.~~

- 6. Section 10-61 is hereby amended by the addition of the words double underlined to read as follows:

**Section 10-61. - Required.**

- (c) *Work exempt from building permit.* Exemptions from building permit requirements of the Building Code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of the Building Code or any other laws or ordinances of the city. Building permits shall not be required for the following:

- (1) *Buildings/structures:*

- a. One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed 120 square feet (11 m<sup>2</sup>).
- b. Fences not over 30 inches (762 mm) high.

- c. Oil derricks.
- d. Retaining walls that are not over four feet (1,219 mm) in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge or impounding Class I, II or IIIA liquids.
- e. Water tanks supported directly on grade if the capacity does not exceed 5,000 gallons (18 925 L) and the ratio of height to diameter or width does not exceed 2:1.
- f. Sidewalks not more than 30 inches (762 mm) measured vertically to the floor or grade below at all points within 36 inches horizontally to the edge of the open side, and not over any basement or story below and not part of an accessible route.
- g. Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.
- h. Temporary motion picture, television and theater stage sets and scenery.
- i. Prefabricated swimming pools accessory to a Group R-3 occupancy or one- and two-family dwelling, that are less than 24 inches (610 mm) deep, are not greater than 5,000 gallons (18925 L) and are installed entirely above ground.
- j. Shade cloth structures constructed for nursery or agricultural purposes, not including service systems.
- k. Swings and other playground equipment accessory to detached one- and two-family dwellings.
- l. Window awnings in Group R-3 and U occupancies and in one- and-two family dwellings supported by an exterior wall which do not project more than 54 inches (1,372 mm) from the exterior wall and do not require additional support.
- m. Stationary and movable fixtures, cases, racks, counters and partitions not over five feet nine inches (1,753 mm) in height.
- n. Freestanding shade structures meeting all of the following requirements: Less than 120 square feet in area, limited to 12 feet in height, openings in the roof structure spaced greater than six inches, floor height less than 12 inches above grade, not attached to any structure, and not serving an exit door.

- o. Replacement of asphalt shingle when, over the aggregate roof area, there is less than one square (100 square feet) that will be replaced.
  - p. Replacement of doors and windows in single-family dwellings, two-family dwellings, and townhouses where the size of the opening does not change.
  - q. Driveways serving single-family dwellings.
- 7. If any portion of this ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the constitutionality or validity of the remaining portions of this ordinance. City Council hereby declares that it would have passed this ordinance and each part hereof irrespective of the fact that any one part be declared unconstitutional or invalid.
  - 8. All other ordinances or portions thereof inconsistent or conflicting with this ordinance or any portion hereof are hereby repealed to the extent of such inconsistency or conflict.
  - 9. The repeal or amendment of any provision of the Code by this ordinance shall not release, extinguish, alter, modify, or change in whole or in part any penalty, forfeiture, or liability, either civil or criminal, which shall have been incurred under such provision, and each provision shall be treated and held as still remaining in force for the purpose of sustaining any and all proper actions, suits, proceedings, and prosecutions for the enforcement of the penalty, forfeiture, or liability, as well as for the purpose of sustaining any judgment, decree, or order which can or may be rendered, entered, or made in such actions, suits, proceedings, or prosecutions.

PASSED AND ADOPTED at a regular meeting of the Planning Commission of the City of Thornton, Colorado, this 20<sup>th</sup> day of August 2024.

PLANNING COMMISSION OF THE  
CITY OF THORNTON, COLORADO

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Anna Sparks, Chairperson Signature

ATTEST:

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Recording Secretary Signature