PLANNING AND DEVELOPMENT DEPARTMENT MEMORANDUM 13-32

DATE:

July 22nd, 2013

TO:

Honorable Mayor Joyce Downing and City Council Members

FROM:

David Willett, Acting City Manager

Brook Svoboda, Director of Planning and Development

SUBJECT:

CB-1805 - Rezoning for Certain Real Properties at 10525 Irma Drive -

TH Automotive Preliminary PUD Amendment (Ashley Manor)

BACKGROUND

Attached to this memo is a proposed ordinance, which if approved, would establish an amendment to the existing Planned Unit Development (PUD) zoning of the parcel located at 10525 Irma Drive Preliminary PUD. Staff presented the Preliminary and Final PUD application to the Planning Commission through a Public Hearing at the July 9th, 2013 Meeting. A copy of the Planning Commission Recommendation, Staff Report and PUD Application is included as Attachments 1-3.

PROCEDURE

The Planning Commission unanimously recommended approval, via Planning Commission Resolution 2013-10, the TH Automotive Preliminary PUD Amendment (Ashley Manor) based on five findings of fact:

- The proposed development is compatible with the surrounding area;
- The proposed development is not inconsistent with the City's Master Plan;
- The proposed development does not adversely affect the health, safety, and welfare of the inhabitants of the area and the City of Northglenn;
- Adequate circulation exists and traffic movement will not be impeded by the proposed development; and
- Additional municipal service costs will not be incurred.

Planning Commission Resolution 2013-10, also includes the following condition for final adoption by the Council, which has been reflected on the PUD documents provided in the packet:

1. The applicant will revise the note, with regards to Section 16-17-13(a)(2), on the cover page to reflect the updated language in the Northglenn Municipal Code. Section 16-17-13(a)(2) states the following:

Maintenance of all permanent BMPs shall be ensured through the creation of a stormwater facility maintenance agreement that must be approved by the City and recorded in the office of the Adams or Weld County Clerk and Recorder, as applicable, prior to the issuance of a Certificate of Occupancy or Completion. The agreement shall be binding on all subsequent owners of land served by the permanent BMP. As part of the agreement, a schedule shall be developed, detailing when and how often maintenance will occur to ensure proper function of the permanent BMPs. The agreement shall also include plans for periodic inspections to ensure proper performance of the facility between scheduled maintenance. The agreement shall provide for access to the facility at reasonable times for periodic inspection or any

proper working condition to meet design standards and any other provisions established by this article.

BUDGET/TIME IMPLICATIONS:

This ordinance amendment request has no budgetary impacts.

POTENTIAL OBJECTIONS:

No objections from the public were heard at the Planning Commission meeting

RECOMMENDATION

Staff recommends Council approve CB-1806

STAFF REFERENCE

Brook Svoboda, Director of Planning and Development <u>bsvoboda@northglenn.org</u> or 303.450.8937

ATTACHMENTS

ATTACHMENT 1 Planning Commission Resolution 2013-10

ATTACHMENT 2 Staff Report

ATTACHMENT 3 PUD Documents / Application

SPONSORED BY: MAYOR DOWNING

COUNCILMAN'S BILL		ORDINANCE NO.
No	CB-1805	
Series of 2013		Series of 2013

A BILL FOR A SPECIAL ORDINANCE REZONING FROM PLANNED UNIT DEVELOPMENT (PUD), TO PLANNED UNIT DEVELOPMENT CERTAIN REAL PROPERTY IN THE CITY OF NORTHGLENN COMMONLY KNOWN AS THE "ASHLEY MANOR" IN THE COUNTY OF ADAMS, STATE OF COLORADO, AND AMENDING THE ZONING MAP OF THE CITY OF NORTHGLENN

WHEREAS, all of the property described in **Exhibit A** is currently zoned PUD with a legal description as follows:

Lot 2, TH Automotive subdivision, in SE 1/4, Section 11, T 2 S, R 68 W of the 6th P.M., City of Northglenn, Adams County, Colorado.

WHEREAS, the City Council desires to rezone the property described in **Exhibit A** to PUD, pursuant to the Preliminary and Final PUD attached hereto as **Exhibit B**.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NORTHGLENN, COLORADO, THAT:

- Section 1. Findings of Fact. The City Council hereby makes the following findings of fact:
 - (a) The proposed development is compatible with the surrounding area;
 - (b) The proposed development is not inconsistent with the City's Master Plan;
 - (c) The proposed development does not adversely affect the health, safety, and welfare of the inhabitants of the area and the City of Northglenn;
 - (d) Adequate circulation exists and traffic movement will not be impeded by the proposed development; and
 - (e) Additional municipal service costs will not be incurred.

Section 2. Rezoning. Pursuant to the provisions of the Northglenn Zoning Ordinance, as amended, and upon the recommendation of the Northglenn Planning Commission (Case No. Z-3-13), a zoning change to Planned Unit Development (PUD) is hereby allowed and granted for the real property in the City of Northglenn, Colorado described in the attached **Exhibit A**, pursuant to the Preliminary and Final PUD attached as **Exhibit B**.

pursuant to the provisions of Section 11-3-1	. The official zoning map of the City of Northglenn, of the Municipal Code of the City of Northglenn, as an of the City of Northglenn shall be and hereby are ions of this Ordinance.
	olations of the provisions of this Ordinance shall be busand dollars (\$1,000.00), or by imprisonment for a such fine and imprisonment.
INTRODUCED, READ AND ORDE 2013.	ERED POSTED this day of,
	JOYCE DOWNING Mayor
ATTEST:	
JOHANNA SMALL, CMC City Clerk	
PASSED ON SECOND AND FINAL 2013.	L READING this day of,
	JOYCE DOWNING Mayor
ATTEST:	
JOHANNA SMALL, CMC City Clerk	
APPROVED AS TO FORM:	
COREY Y. HOFFMANN City Attorney	

EXHIBIT A

LEGAL DESCRIPTION

Lot 2, TH Automotive subdivision, in SE 1/4, Section 11, T 2 S, R 68 W of the 6th P.M., City of Northglenn, Adams County, Colorado.

STANDARD NOTES

1. THE CITY OF NORTHGLENN RESERVES THE RIGHT TO PERIODICALLY REVIEW THIS PUD FOR CONFORMANCE WITH ITS PROPOSED CONSTRUCTION SCHEDULE AND WHEN APPROPRIATE, REZONE THIS PROPERTY TO A DIFFERENT ZONING CLASSIFICATION.

2. ALL WATER AND SANITARY SEWER CONSTRUCTION SHALL CONFORM TO CITY OF NORTHGLENN UTILITY STANDARDS AND SPECIFICATIONS. 3. ALL UTILITY TAPS SHALL BE SUPERVISED AND INSPECTED BY CITY OF NORTHGLENN PESONNEL.

4. ALL CONSTRUCTION IN THE PUBLIC RIGHT-OF-WAY SHALL BE IN CONFORMANCE WITH CITY OF NORTHGLENN PUBLIC RIGHT-OF-WAY STANDARDS AND SPECIFICIATIONS (LATEST EDITION).

5. ALL CONSTRUCTION WITHIN THE PUBLIC RIGHT OF WAY SHALL MEET THE REQUIREMENTS OF THE AMERICANS WITH DISABILITIES ACT OF 1990. 6. PRIOR TO ISSUANCES OF A BUILDING PERMIT, THE CITY MUST REVIEW AND APPROVE THE FOLLOWING:

-GRADING AND DRAINAGE PLAN AND REPORT

-EROSION CONTROL PLAN

-WATER AND SANITARY SEWER UTILITY CONSTRUCTION PLANS

-LANDSCAPE PLAN

-COMPLETE CONSTRUCTION PLANS FOR ALL REQUIRED PUBLIC IMPROVEMENTS, GUTTER, SIDEWALK AND TRAIL ON AND ADJACENT TO THIS SITE SHALL BE REQUIRÉD AS NECESSARY AND BROUGHT TO CURRENT CITY STANDARDS.

SITE DATA

1) TOTAL SITE AREA: 1.12 ACRES (48,946 SF) PROPOSED LOT 1 0.92 ACRES (40,192 SF) PROPOSED LOT 2 0.35 ACRES (15,324 SF) PROPOSED LOT 3 2.39 ACRES (104,462 SF)

2) EXISTING AND PROPOSED STREETS IRMA DRIVE ON EAST LEROY DRIVE ON NORTH NO PROPOSED STREETS

3) 32 RESIDENTIAL UNITS

4) GROSS SQUARE FOOTAGE LOT 1 - 14,634 MAXIMUM NON-RESIDENTIAL LOT 2 - 11,456 MAXIMUM RESIDENTIAL

5) MIMIMUM BUILDING SETBACKS FRONT - 25' REAR - 20' SIDES - 10' BUILDINGS 20'

6) MAXIMUM BUILDING HEIGHTS COMMERCIAL - 30 RESIDENTIAL - 25'

7) POINTS OF ACCESS ONE ACCESS FROM LEROY DRIVE - LOT 1 ONE ACCESS FROM IRMA DRIVE - JOINT ACCESS LOTS 1 & 2

8) CONCEPTUAL LAND USE

LOT1 14,684SF 0.337AC 30.0% LANDSCAPING 7,342SF 0.168AC 15.0% DRIVEWAYS AND PARKING 26,740SF 0.614AC 55.0%

LOT 2

BUILDING 11,456 S.F. 0.263AC 28.5% LANDSCAPING 20,169SF 0..463AC 50.2% DRIVEWAYS AND PARKING 8,567SF 0.197AC 21.3%

LOT 3

DETENTION AREA 15,324SF 0.352AC 100%

9) PRELIMINARY LOT LINES SHOWN

10) PUBLIC IMPROVEMENTS NONE

11) PARKING

PARKING REQUIREMENTS SHALL BE PER SECTION 11-33-6 OF THE ZONING ORDINACE EXCEPT AS FOLLOWS: MOTOR VEHICLE REPAIR SHALL PROVIDE
ONE (1) SPACE PER TWO (2) EMPLOYEES ON
THE LARGEST SHIFT AND ONE (1) SPACE PER REPAIR BAY.

PARKING REQUIREMENTS SHALL BE PER SECTION 11-33-6 (d) CONVALESCENT HOMES: ONE(1) PARKING SPACE PER EACH FOUR (4) PATIENT BEDS, PLUS ONE (1) SPACE PER TWO (2)

PUBLIC LAND DEDICATIONS

CONSTRUCTION SCHEDULE LOT 1 - SUMMER 2013 LOT 2 - SUMMER 2013 LOT 3 - SUMMER 2013

14) ALLOWED USES LOT 1 — WILL BE USED FOR C5 COMMERCIAL USES. LOT 2 — WILL BE USED FOR THE RESIDENTIAL GROUP HOMES.

AND FINAL PUD AMENDMENT LOT 2, TH AUTOMOTIVESUBDIVISION, IN SE 1/4, SECTION 11, T 2 S, R 68 W OF THE 6TH P.M., CITY OF NORTHGLENN, ADAMS COUNTY, COLORADO

TH AUTOMOTIVE PRELIMINARY

THIS FINAL PUD IS CREATED IN CONTEXT WITH THE ORIGINAL TH AUTOMOTIVE PRELIMINARY AND FINAL PUD RECORDED WITH THE ADAMS COUNTY CLERK AND



SECTION 16-17-13(a)(2) MAINTENANCE REQUIREMENTS

REVISIONS

MISC 6-21-13

MISC 7-17-13

Maintenance of all permanent BMP's shall be ensured through the creation of a stormwater facility maintenance agreement that must be approved by the City and recorded in the office of the Adams or Weld County Clerk and Recorder, as applicable, prior to the issuance of a Certificate of Occupancy or Completion. The agreement shall be binding on all subsequent owners of land serves by the permanent BMP. As part of the agreement, a schedule shall be developed, detailing when and how often maintenance will occur to ensure proper function of the permanent BMP's. The agreement shall also include plans for periodic inspections to ensure proper performance of the facility between scheduled maintenance. The agreement shall provide for access to the facility at reasonable times for periodic inspection or any remedial maintenance by the City, or its contractor or agent, and for regular or special assessments of property owners to ensure that the facility is maintained in proper working condition to meet design standards and any other provisions established by this article.

PROJECT TEAM

DEVELOPER:

ASHLEY MANOR PROPERTIES, LLC 3749 N. CLOVERDALE ROAD BOISE, ID 83713 PH: 208-377-4929

ENGINEER:

KEVIN ARCHER, PE DAVID E. ARCHER AND ASSOCIATES 105 WILCOX STREET CASTLE ROCK, CO PH: 303-688-4642

SURVEYOR:

DAVID ARCHER, PLS DAVID E. ARCHER AND ASSOCIATES 105 WILCOX STREET CASTLE ROCK, CO PH: 303-688-4642

ARCHITECT:

JOEL STINLE W/ ENTROPY LIMITÉD 1900 WAZEE ST. #210 DENVER, CO 80202 PH: 303-297-1910

ENGINEER'S CERTIFICATE

I, KEVIN ARCHER, P.E., A REGISTERED PROFESSIONAL ENGINEER, DO HEREBY CERTIFY THAT THE PLANS FOR ASHLEY MANOR FINAL PUD WERE PREPARED BY ME OR UNDER MY DIRECT SUPERVISION.

KEVIN ARCHER	DATE
OWNER	

THAT I AM		OF	
OF THE PROPERTY DE	ESCRIBED HEREIN,	KNOWN AS ASHLE	Y MANOR
OWNER			DATE
- · · · · - · ·			

NOTARY PUBLIC DATE

SEAL

DATE

HEREBY AFFIRM

APPROVAL LIST

CITY CLERK

PLANNING COMMISSION CHAIRPERSON	DATE
DIRECTOR OF PLANNING AND DEVLOPEMENT	DATE
DIRECTOR OF PUBLIC WORKS AND UTILITIES	DATE
MAYOR	DATE

CERTIFICATE OF CLERK AND RECORDER

THIS PRELIMINA	ARY PUD WAS FILED	FOR RECODING	IN THE OFFICE OF THE
COUNTY CLERK	AND RECORDER IN	THE COUNTY OF	F ADAMS, STATE OF
	IS		
	, 2013, AND E	NTERED IN PLAT	BOOK

T PAGE, 2013, AND ENTERED IN FLAT BOOK T PAGE, ECEPTION NO,	
Y: EPUTY	
LERK CLERK AND RECORDER	

MY COMMISSION EXPIRES:_____ INSTRUMENT NO. ______

DAVID E. SCALE |"=30' DATE 4-04-13 & ASSOCIATES, INC.

> LAND DEVELOPMENT CONSULTING SURVEYING & ENGINEERING

PHONE (303) 688-4642 105 WILCOX ST. CASTLE ROCK,COLORADO 80104

COVER SHEET LOT 2, TH AUTOMOTIVE SUBDIVISION CITY OF NORTHGLENN **ADAMS COUNTY, COLORADO**

R'N. CKD. DMH **ASHLEY MANOR PROPERTIES, LLC** JOB NUMBER 10-0483 of 6

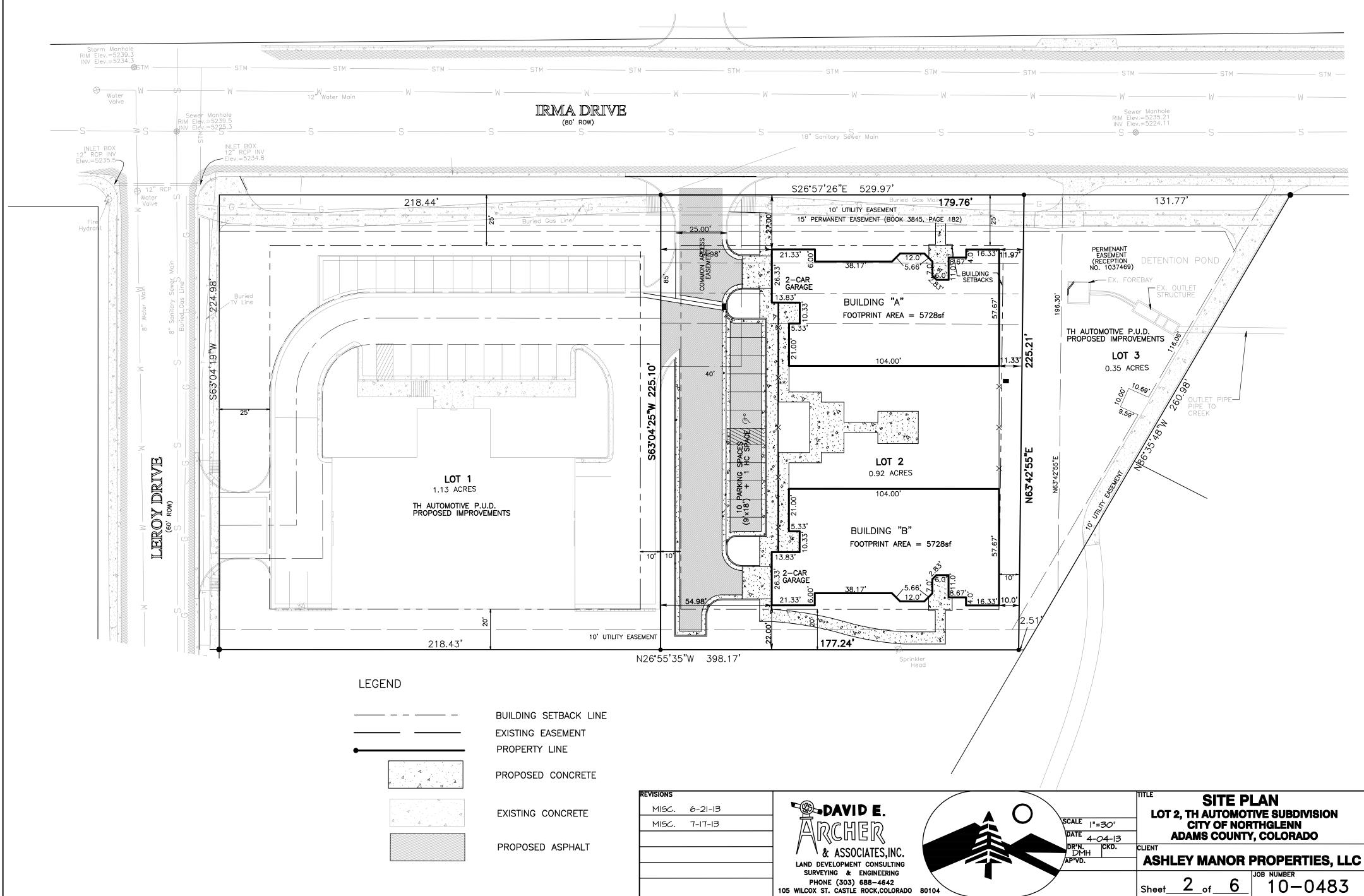
SHEET INDEX

COVER SHEET 1 of 6 SITE PLAN 2 of 6 3 of 6 UTILITY PLAN 4 of 6 LANDSCAPE PLAN 5 of 6 of 6

FINAL GRADING PLAN BUILDING ELEVATIONS

TH AUTOMOTIVE PRELIMINARY AND FINAL PUD AMENDMENT

LOT 2, TH AUTOMOTIVESUBDIVISION, IN SE 1/4, SECTION 11, T 2 S, R 68 W OF THE 6TH P.M., CITY OF NORTHGLENN, ADAMS COUNTY, COLORADO



10-0483

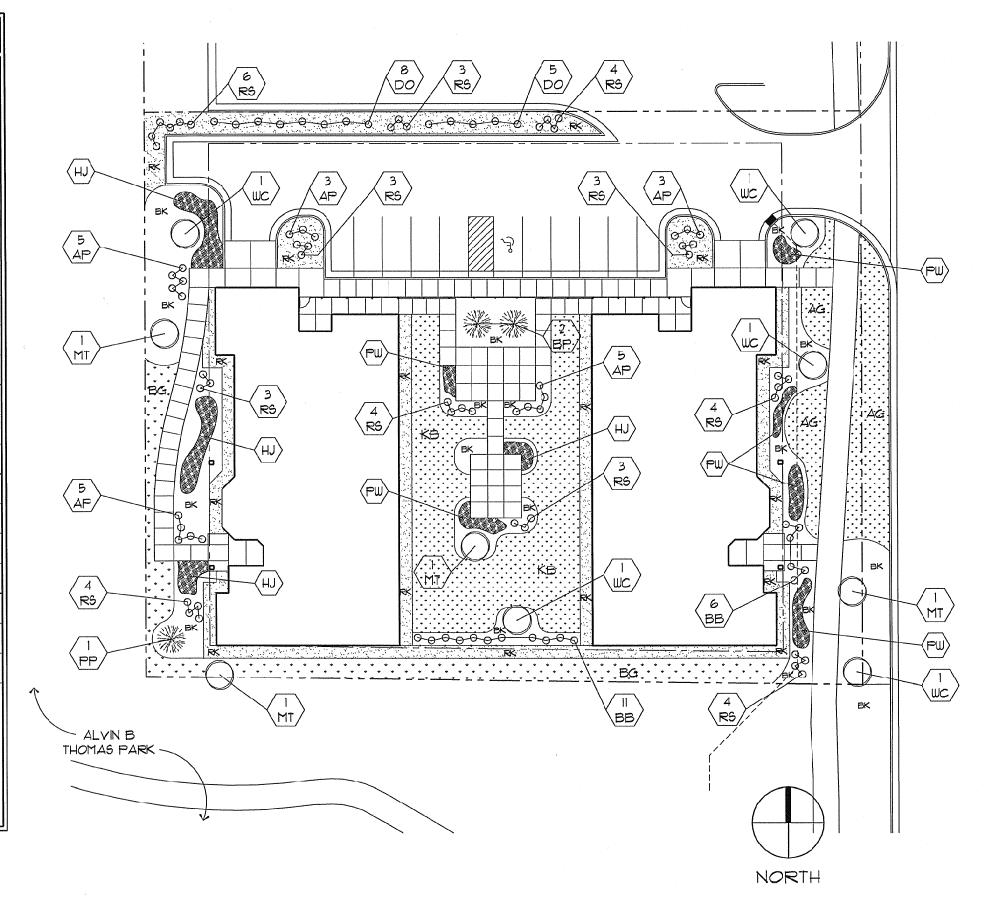
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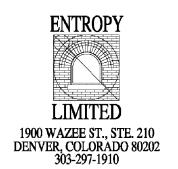
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TH AUTOMOTIVE PRELIMINARY AND FINAL PUD AMENDMENT

LOT 2, TH AUTOMOTIVESUBDIVISION, IN SE 1/4, SECTION 11, T 2 S, R 68 W OF THE 6TH P.M., CITY OF NORTHGLENN, ADAMS COUNTY, COLORADO

LANDSCAPE MATERIALS					
TREES AN	D SHRUBS				
SYMBOL	QTY.	BOTANNICAL NAME	COMMON NAME	MIN. SIZ	
PP	1	PINUS PONDEROSA	PONDEROSA PINE	6 FT.	
ВР	2	PINUS ARISTATA	BRISTLECONE PINE	6 FT.	
WS	5	CATALPA SPECIOSA	WESTERN CATALPA	2 IN.	
MT	4	PRUNUS PADUS CAMUTATA	MAYDAY TREE	2 IN.	
₹ 5	41	PEROVSKIA ATRIPLICIFOLIA	RUSSIAN SAGE	I GAL.	
DO	13	FORESTIERA NEOMEXICANA	DESERT OLIVE	I GAL	
AP	21	FALLUGIA PARADOXA	APACHE PLUME	IGAL	
BB		EUNONYMUS ELATUS COMPACTUS	BURNING BUSH	I GAL	
GROUND (COVERS (Armania and Armani	
PW	6 AREAS	EUNONYMUS FORTUNEI COLORATUS	PURPLE LEAF WINTERCREEPER	I GAL. / 4	
НЈ	4 AREAS	PERSICARIA AFFNIS	HIMALAYAN BORDER JEWEL	1 GAL. / 4	
SOD AND	GRASSES				
AG	-	PUCCINELLIA DISTANS	ALKALI GRASS	SEEDED 3 * /AC	
BG	-	BOUTELOUA GRACILIS	BLUE GRAMA	SEEDED 3 * /AC	
KB	•	POA PRATENSIS	KENTUCKY BLUEGRASS	50D	
MULCHE5					
SYMBOL		DESCRIPTION	LEGEND		
RK	-	3" RIVER ROCK			
ВK	-	WOOD MULCH			
	A SACRET REPORT OF THE PROPERTY OF THE PROPERT				
	1				





REVISIONS			
MISC. 6-21-13	DAVID E.		\sim
MISC. 7-17-13			SCALE "=30"
			DATE 4-04-13
	√ \ & ASSOCIATES,INC.		DR'N. CKD.
	LAND DEVELOPMENT CONSULTING		AP'VD.
	SURVEYING & ENGINEERING		
	PHONE (303) 688-4642 105 WILCOX ST. CASTLE ROCK,COLORADO	80104	

LANDSCAPE PLAN
LOT 2, TH AUTOMOTIVE SUBDIVISION
CITY OF NORTHGLENN
ADAMS COUNTY, COLORADO

ASHLEY MANOR PROPERTIES, LLC

5 of 6 10-0483

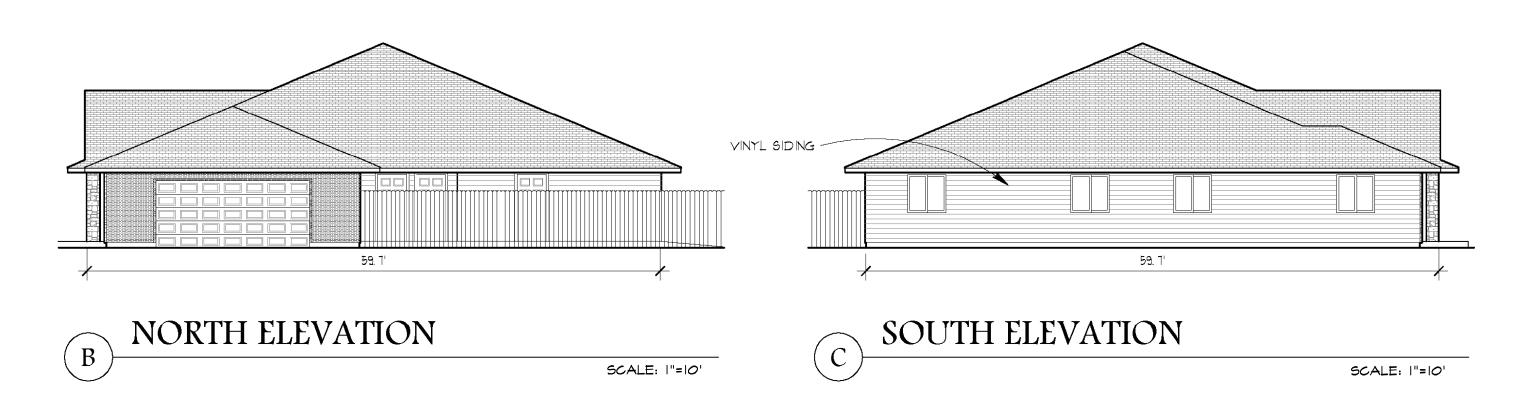
TH AUTOMOTIVE PRELIMINARY AND FINAL PUD AMENDMENT

LOT 2, TH AUTOMOTIVESUBDIVISION, IN SE 1/4, SECTION 11, T 2 S, R 68 W OF THE 6TH P.M., CITY OF NORTHGLENN, ADAMS COUNTY, COLORADO



IRMA STREET ELEVATION

SCALE: |"=10"



ENTROPY LIMITED 1900 WAZEE ST., STE. 210 DENVER, COLORADO 80202 303-297-1910

DAVID E. MISC. 6-21-13 MISC. 7-17-13 DATE 4-04-13
DR'N. CKD.
DMH
AP'VD. LAND DEVELOPMENT CONSULTING SURVEYING & ENGINEERING PHONE (303) 688-4642 105 WILCOX ST. CASTLE ROCK, COLORADO 80104

BUILDING ELEVATIONS LOT 2, TH AUTOMOTIVE SUBDIVISION CITY OF NORTHGLENN ADAMS COUNTY, COLORADO

ATTACHMENT 1

RESOLUTION 2013-10 NORTHGLENN PLANNING COMMISSION

A RESOLUTION PROVIDING A FAVORABLE RECOMMENDATION TO THE CITY COUNCIL FOR APPROVAL TO THE TH AUTOMOTIVE PRELIMINARY PLANNED UNIT DEVELOPMENT (PUD) AMENDMENT AND APPROVAL OF THE FINAL PLANNED UNIT DEVELOPMENT

WHEREAS, Northglenn Ordinance 11-37-2 requires that the Northglenn Planning Commission review and make recommendation to Council any application for rezoning; and

WHEREAS, the Northglenn Planning Commission therefore desires to make its recommendations to the City Council as required by law.

WHEREAS, the Planning Commission has found that the application satisfies the applicable criteria for rezoning and PUD criteria under 11-37-2 & 11-16-2 for purposes of approving the Final Planned Unit Development respectively;

BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF NORTHGLENN, COLORADO, THAT:

- <u>Section 1.</u> The City of Northglenn Planning Commission hereby provides a favorable recommendation to the City Council for approval of the TH Automotive Preliminary PUD Amendment in accordance with the proposed Ordinance for adoption.
- Section 2. The City of Northglenn Planning Commission hereby recommends that the following conditions shall be met prior to recordation of the PUD with the Adams County Clerk and Recorder, as required by law.
 - 1. The applicant will revise the note, with regards to Section 16-17-13(a)(2), on the cover page to reflect the updated language in the Northglenn Municipal Code. Section 16-17-13(a)(2) states the following:

Maintenance of all permanent BMPs shall be ensured through the creation of a stormwater facility maintenance agreement that must be approved by the City and recorded in the office of the Adams or Weld County Clerk and Recorder, as applicable, prior to the issuance of a Certificate of Occupancy or Completion. The agreement shall be binding on all subsequent owners of land served by the permanent BMP. As part of the agreement, a schedule shall be developed, detailing when and how often maintenance will occur to ensure proper function of the permanent BMPs. The agreement shall also include plans for periodic inspections to ensure proper performance of the facility between scheduled maintenance. The agreement shall provide for access to the facility at reasonable times for periodic inspection or any remedial maintenance by

the City, or its contractor or agent, and for regular or special assessments of property owners to ensure that the facility is maintained in proper working condition to meet design standards and any other provisions established by this article.

DATED this	day of	, 2013
		Sonia Di Carlo
		Planning Commission Chair
ATTEST:		
Travis Reynolds		
Secretary		

ATTACHMENT 2

Case No. Z-3-13 Applicant: Ashley Manor Properties

Location: 10525 Irma Drive Ordinance: 11-16 and 11-37-2

TH AUTOMOTIVE PRELIMINARY AND FINAL PLANNED UNIT DEVELOPMENT (PUD) AMENDMENT STAFF REPORT AND RECOMMENDATION

REQUEST:

The applicant, Ashley Manor Properties (owner), requests the Planning Commission hear and recommend, to the City Council, an amendment to the Preliminary and Final Planned Unit Development (PUD) located at the Southwest corner of Irma Drive and Leroy Drive (Exhibit A) to allow the use of residential group homes in addition to the C-5 commercial uses that were previously approved.

REASON FOR REQUEST:

The application is requesting that the allowed uses under the existing PUD inlcude residential group homes in addition to the C-5 commercial uses that were previously approved. The purpose for adding the use is to allow for the development of a group home for thirty-two (32) elderly persons.

BACKGROUND:

The site was originally zoned O-1 Open Space since the original adoption of zoning for the City in 1973. In September of 2010, the landowner applied for a Comprehensive Plan Amendment to change the future land use designation in the newly adopted Comprehensive Plan from Open Space to Light Industrial. The change was adopted by a majority vote of the Planning Commission in October 2010 and was ratified later that month by the City Council in accordance with the adopted procedure. The Planning Commission then heard the first phase of this case (Preliminary Planned Unit Development) in April of 2011. At that time, the Commission forwarded a recommendation, to allow C-5 uses on the property, to the City Council for their action on the rezoning portion of the case via ordinance. On May 26th, 2011, the City Council voted unanimously in favor of Council Bill 1750, formalizing the rezoning of the property to Preliminary PUD allowing for the C-5 uses. The Final PUD was the last phase of the rezoning process and was endorsed by the Planning Commission on September 20, 2011. At the time of final plan approval, only one of the two Lots was approved with the understanding that the site would require a PUD amendment prior to the construction of the second phase (Lot 2).

The applicant has requested that the Planning Commission hear and make recommendation on an Amendment to the Preliminary and Final PUD to allow residential group homes in addition to C-5 commercial uses. The intent is to allow for the development of two buildings for a residential group home, licensed by the State of Colorado, for not more than thirty-two (32) elderly persons. The additional use requires Preliminary PUD review by the Planning Commission with a recommendation to City Council. The Final PUD is endorsed solely by the Planning Commission.

The Planning Commission must consider approval of the Amendment to the PUD based on the criteria from Sections 11-16-2 and 11-16-8 of the Northglenn Zoning Ordinance, outlined in the Approval Criteria Section later in this report.

SURROUNDING LAND USES:

North: I-2 Industrial

South: I-2 Industrial (Parking Lot)

West: O-1 Open Space (Al Thomas Park)

East: O-1 Open Space (Jaycee Park – across Irma)

CASE ANALYSIS:

The analysis of the case was completed with the review of submitted materials for the Amendment to the Preliminary and Final PUD.

The new property owners, Ashley Manor Properties, propose to add the use of residential group homes as an allowed use on the property. The expanded use will allow for the development of two building that will serve as a group home for elderly persons suffering from dementia.

Allowed Uses for Amended PUD

The following are the allowed uses under the proposed amendment to the PUD:

Allowed Uses include: As Amended:

- All allowed uses for C-5 Commercial
- Residential Group Homes

The uses-by-right under C-5 commercial includes all uses allowed under C-1, C-3 and C-4 zones. Uses permitted under C-5 zoning range from processing goods or products and commercial retail to general offices and service oriented businesses.

Building Footprint / Site Plan

Information submitted for the Final PUD depicts three (3) buildings on the site. The building on Lot 1 was approved with the original Final PUD in 2011. Lot 3 will remain as site detention for both Lots 1 and 2 and was approved in this location in the original PUD approval. There have been some minor revisions to the detention so that it works with the proposal on Lot 2. The Final PUD approval for this application will be focused on the proposed development of Lot 2. Lot 2 shows two identical buildings that are 5,728 square feet each. The total building square footage on Lot 2 is 11,456 square feet. The buildings meet the setbacks prescribed in the PUD.

Parking

The parking area for Lot 2 is depicting 8,567 square feet of pavement. The parking for the development shows that fifteen (15) spaces will be provided. Section 11-33-6 of the Zoning Ordinance has minimum off street parking requirements, but does not specifically address residential group homes. The closest classification is item d. *Nursing homes and convalescent homes: one (1) parking space for each four (4) patient beds plus one (1) space per doctor, plus one (1) space per two (2) employees.* The facility will serve thirty-two (32) residents and have a maximum of four (4) employees on a shift. Pursuant to this section cited, the development would be required only ten (10) parking spaces. In addition, the residents of the home will not be allowed to have cars, thus the provided spaces will be for employees and visitor utilization.

<u>Drainage</u>

Final details and configuration for the detention of stormwater for both Lots 1 and 2 are provided on Lot 3 with this PUD. Additionally, the applicant provided a complete drainage study for review and endorsement. The City's Engineering Department has reviewed the plans and endorsed the configuration to meet the City's ordinance and standards.

Landscaping

Total landscape area of Lot 2 equates to 50.2% of the site. This exceeds the City's standard of 12% required on-site landscaping. On-site tree count and size exceeds the required standard established for Commercial/Industrial site development. No prohibited species are proposed.

Elevations

Elevations are included with the Final PUD. Architectural standards and requirements in the ordinance are limited. The buildings are residential in nature; therefore, staff applied the

architectural standards for multi-family residential. The following architectural standards dealing with mass and materials apply to apartments and condominiums.

- (1) Building Mass. Exterior walls shall be broken by variations in height, offsets in wall plans, recessed or projected entryways, recessed windows, use of more than on finish material, use of more than one color, use of architectural details, or such other technique or combinations of techniques so as to prevent the appearance of massive and featureless walls.
- (4) Exterior finish materials. A variety of exterior finish materials are preferred. No material designed or manufactured as an exterior wall surface is prohibited. Brick, stone or other masonry, not including concrete block, should be used on at least 30 percent of all exterior wall surfaces. Concrete block, concrete panels, and metal siding are discouraged.

The elevations, as submitted, adhere to the architectural standards outlined above.

<u>Administration</u>

In accordance with 11-16-6 Approval Criteria, staff has found that the proposal for the Preliminary and Final PUD is in conformity with the Northglenn Zoning Ordinance and Comprehensive Plan. Any civil infrastructure impacts have been properly mitigated.

The North Metro Fire Rescue District has reviewed the submitted plans and has no objections to the proposal. At time of construction the applicant will be required to meet all code requirements of the North Metro Fire Rescue District and the City of Northglenn's Chief Building Official.

Property owners surrounding the proposed facility were notified via mail of the proposal, as required by Section 11-41-3(a) of the City's Zoning Ordinance. In addition, the property in question was posted as required by Section 11-41-3(b).

APPROVAL CRITERIA:

Section 11-16-6-Approval Criteria:

(a) Prior to granting approval for any preliminary or final planned unit development plan, the Planning Commission and City Council shall give consideration to the purpose and intent of this Article 16 as listed in Section 11-16-2, above, and those criteria for any rezoning request as listed in Section 11-37-2(h) of this Chapter 11 of the Municipal Code. In addition, prior to approval of any final planned unit development plans, the Planning Commission shall find them to be in conformity with the approved preliminary planned unit development plans.

Section 11-16-2 reads as follows:

"Section 11-16-2. Purpose and Intent.

- (a) The purpose and intent of this Article is to create a Planned Unit Development regulation which will maximize the land resources available within the City of Northglenn. More specifically, the purposes are as follows:
 - (1) To ensure that zoning decisions are directed toward achievement of community goals and objectives, as embodied in the adopted Master Development Plan, rather than satisfying arbitrary minimum standards.
 - (2) To recognize the unique nature of each parcel of land and allow flexibility in the planning and design response.
 - (3) To encourage and promote innovation in land development by allowing more variety in type, design, layout, and architectural design of buildings and site amenities.
 - (4) To ensure that proposed rezonings and specific proposals presented to staff and the Planning Commission are constructed as presented and not used merely as a tool to facilitate property sale or some other transfer of real estate to make it more marketable.
 - (5) To encourage economic development to expand the City's tax base and provide employment opportunities.
 - (6) To create a PUD ordinance that streamlines, consolidates and simplifies zoning and subdivision, an ordinance that expedites rather than hinders the development process.
 - (7) To allow for the preservation of natural site amenities such as mature trees, water bodies and channels, exceptional views, etc.
 - (8) To promote the judicious use of open space and landscaped areas with regard to utility and visual impact.
 - (9) To encourage a harmonious and integrated mix of land uses and require compatibility between new and existing development.
 - (10) To provide for the efficient and safe movement of vehicular and pedestrian traffic on both public and private roadways. "

Additionally;

Section 11-37-2-Zone Changes

- (h) Basis for Approval. The Commission and Council shall give consideration to and satisfy themselves to the following:
 - (1) That a need exists for the proposal;
 - (2) That this particular parcel of ground is indeed the correct site for the proposed development;
 - (3) That there has been an error in the original zoning; or
 - (4) That there have been significant changes in the area to warrant a zone change;
 - (5) That adequate circulation exists and traffic movement would not be impeded by development; and
 - (6) That additional municipal service costs will not be incurred which the City is not prepared to meet.

APPROVAL CRITERIA ANALYSIS

- (1) That a need exists for the proposal;
 - Staff finds that a need exists for this use exists, as there are few facilities that work with specifically with elderly persons with dementia in the North Metro Area. This development will give residents of Northglenn and the North Metro Area a place they or their family can go if they suffer from dementia that is near their home.
- (2) That this particular parcel of ground is indeed the correct site for the proposed development;
 - Staff finds the proposed development is appropriate for this site because it is adjacent to open space. In addition, the residents will rarely, if at all be leaving the facility so the surrounding uses are of little consequence.
- (3) That there has been an error in the original zoning; or

 The City Council reviewed and approved this site for a zoning change in 2010 from O1 Open Space to C-5 Commercial. The addition of residential group homes to the site is less intensive than C-5 uses and is therefore appropriate.
- (4) That there have been significant changes in the area to warrant a zone change;

The Planning Commission and City Council reviewed and approved the site for a change in zoning from O-1 Open Space to C-5 Commercial thereby determining the site was ripe for development.

- (5) That adequate circulation exists and traffic movement would not be impeded by development; and
 - The use as a residential group home will have minimal if any traffic impacts.
- (6) That additional municipal service costs will not be incurred which the City is not prepared to meet.
 - Staff finds that there will be no additional municipal service costs incurred.

COMMISSION OPTIONS:

The Planning Commission is making a recommendation for Preliminary PUD to the City Council and a final approval decision regarding the Final PUD. The Commissions options are as follows:

- 1) Recommend approval of the request, with or without conditions or stipulations;
- 2) Deny the request for reasons stated; or
- 3) Table the request for further consideration.

STAFF RECOMMENDATION:

Staff recommends a recommendation of the Preliminary PUD to the City Council and approval of the Final PUD with the following condition and based on six recommended Findings of Fact per the criteria of Section 11-37-2 of the Northglenn Zoning Ordinance as outlined in Planning Commission Resolution 13-10.

RECOMMENDED CONDITIONS OF APPROVAL:

The applicant will revise the note, with regards to Section 16-17-13(a)(2), on the cover page to reflect the updated language in the Northglenn Municipal Code. Section 16-17-13(a)(2) states the following:

Maintenance of all permanent BMPs shall be ensured through the creation of a stormwater facility maintenance agreement that must be approved by the City and recorded in the office of the Adams or Weld County Clerk and Recorder, as applicable, prior to the issuance of a Certificate of Occupancy or Completion. The agreement shall be binding on all subsequent owners of land served by the permanent BMP. As part of the agreement, a schedule shall be developed, detailing when and how often maintenance will occur to ensure proper function of the permanent BMPs. The agreement shall also include plans for periodic inspections to ensure proper performance of the facility between scheduled maintenance. The agreement shall provide for access to the facility at reasonable times for periodic inspection or any

remedial maintenance by the City, or its contractor or agent, and for regular or special assessments of property owners to ensure that the facility is maintained in proper working condition to meet design standards and any other provisions established by this article.

RECOMMENDED FINDINGS OF FACT:

The application is in compliance with the criteria outlined in section 11-37-2.

RESPECTFULLY SUBMITTED:			
 Rebecca Smith			
City Planner			

WHAT'S NEXT: The City Council will next hear the case for final approval.

FUTURE APPLICATIONS:

1. Preliminary PUD approved by City Council

2. Building Permits approved administratively by staff



2. ALL WATER AND SANITARY SEWER CONSTRUCTION SHALL CONFORM TO CITY OF NORTHGLENN UTILITY STANDARDS AND SPECIFICATIONS. 3. ALL UTILITY TAPS SHALL BE SUPERVISED AND INSPECTED BY CITY OF NORTHGLENN PESONNEL.

4. ALL CONSTRUCTION IN THE PUBLIC RIGHT-OF-WAY SHALL BE IN CONFORMANCE WITH CITY OF NORTHGLENN PUBLIC RIGHT-OF-WAY STANDARDS AND SPECIFICIATIONS (LATEST EDITION).

5. ALL CONSTRUCTION WITHIN THE PUBLIC RIGHT OF WAY SHALL MEET THE REQUIREMENTS OF THE AMERICANS WITH DISABILITIES ACT OF 1990. 6. PRIOR TO ISSUANCES OF A BUILDING PERMIT, THE CITY MUST REVIEW AND APPROVE THE FOLLOWING:

-GRADING AND DRAINAGE PLAN AND REPORT

-EROSION CONTROL PLAN -WATER AND SANITARY SEWER UTILITY CONSTRUCTION PLANS

-LANDSCAPE PLAN -COMPLETE CONSTRUCTION PLANS FOR ALL REQUIRED PUBLIC IMPROVEMENTS, GUTTER, SIDEWALK AND TRAIL ON AND ADJACENT TO THIS SITE SHALL BE REQUIRÉD AS NECESSARY AND BROUGHT TO CURRENT CITY STANDARDS.

SITE DATA

1) TOTAL SITE AREA: 1.12 ACRES (48,946 SF) PROPOSED LOT 1 0.92 ACRES (40,192 SF) PROPOSED LOT 2 0.35 ACRES (15,324 SF) PROPOSED LOT 3 2.39 ACRES (104,462 SF)

2) EXISTING AND PROPOSED STREETS IRMA DRIVE ON EAST LEROY DRIVE ON NORTH NO PROPOSED STREETS

3) 32 RESIDENTIAL UNITS

4) GROSS SQUARE FOOTAGE LOT 1 - 14,634 MAXIMUM NON-RESIDENTIAL LOT 2 - 11,456 MAXIMUM RESIDENTIAL

5) MIMIMUM BUILDING SETBACKS FRONT - 25' REAR - 20' SIDES - 10' BUILDINGS 20'

6) MAXIMUM BUILDING HEIGHTS COMMERCIAL - 30 RESIDENTIAL - 25'

7) POINTS OF ACCESS ONE ACCESS FROM LEROY DRIVE - LOT 1 ONE ACCESS FROM IRMA DRIVE - JOINT ACCESS LOTS 1 & 2

8) CONCEPTUAL LAND USE

LOT1 14,684SF 0.337AC 30.0% LANDSCAPING 7,342SF 0.168AC 15.0% DRIVEWAYS AND PARKING 26,740SF 0.614AC 55.0%

LOT 2

BUILDING 11,456 S.F. 0.263AC 28.5% LANDSCAPING 20,169SF 0..463AC 50.2% DRIVEWAYS AND PARKING 8,567SF 0.197AC 21.3%

LOT 3

DETENTION AREA 15,324SF 0.352AC 100%

9) PRELIMINARY LOT LINES SHOWN

10) PUBLIC IMPROVEMENTS NONE

11) PARKING

PARKING REQUIREMENTS SHALL BE PER SECTION 11-33-6 OF THE ZONING ORDINACE **EXCEPT AS FOLLOWS:** MOTOR VEHICLE REPAIR SHALL PROVIDE ONE (1) SPACE PER TWO (2) EMPLOYEES ON THE LARGEST SHIFT AND ONE (1) SPACE PER REPAIR BAY.

PARKING REQUIREMENTS SHALL BE PER SECTION 11-33-6 (d) CONVALESCENT HOMES: ONE(1) PARKING SPACE PER EACH FOUR (4) PATIENT BEDS, PLUS ONE (1) SPACE PER TWO (2) EMPLOYEES.

PUBLIC LAND DEDICATIONS NONE

CONSTRUCTION SCHEDULE LOT 1 - SUMMER 2013 LOT 2 - SUMMER 2013 LOT 3 - SUMMER 2013

14) ALLOWED USES LOT 1 — WILL BE USED FOR C5 COMMERCIAL USES. LOT 2 — WILL BE USED FOR THE RESIDENTIAL GROUP HOMES. TH AUTOMOTIVE PRELIMINARY AND FINAL PUD AMENDMENT

LOT 2, TH AUTOMOTIVESUBDIVISION, IN SE 1/4, SECTION 11, T 2 S, R 68 W OF THE 6TH P.M., CITY OF NORTHGLENN, ADAMS COUNTY, COLORADO

THIS FINAL PUD IS CREATED IN CONTEXT WITH THE ORIGINAL TH AUTOMOTIVE PRELIMINARY AND FINAL PUD RECORDED WITH THE ADAMS COUNTY CLERK AND RECORDERS OFFICE ON 12/19/2011, INSTRUMENT NO. 2011000083682.



SECTION 16-17-13(a)(2) MAINTENANCE REQUIREMENTS

PERSONS CARRYING OUT SOIL EROSION AND SEDIMENT CONTROL MEASURES UNDER THIS ARTICLE, AND ALL SUBSEQUENT OWNERS OF PROPERTY CONCERNING WHICH SUCH MEASURES HAVE BEEN TAKEN, SHALL MAINTAIN ALL PERMENANT EROSION CONTROL FACILITIES, DETENTION PONDS, RETAINING WALLS, STRUCTURES, PLANTINGS AND OTHER PROTECTIVE DEVICES. SHOULD THE APPLICANT OR ANY SUBSEQUENT PROPERTY OWNERS FAIL TO ADEQUATELY MAINTAIN THE PERMENANT EROSION CONTROL FACILITIES, DETENTION PONDS, RETAINING WALLS, STRUCTURES, PLANTINGS, AND OTHER PROTECTIVE DEVICES, THE CITY RESERVES THE AUTHORITY, AFTER PROPERLY NOTIFYING THE OWNER OF NEEDED MAINTENANCE AND THE OWNER FAILING TO RESPOND TO THE CITY'S DEMAND FOR SUCH MAINTENANCE WITHIN TEN (10) CALENDAR DAYS, TO ENTER AFFECTED PROPERTY, PROVIDE NEEDED MAINTENANCE AND TO CHARGE THE OWNER FOR THE WORK PERFORMED BY THE CITY OR ITS CONTRACTORS, SUCH ASSESSMENT, PLUS A 15% ADMINISTRATIVE FEE FOR THE CITY'S ADMINISTRATIVE AND/OR LEGAL COSTS, SHALL BECOME A LIEN AGAINST THE PROPERTY, RECORDED AND COLLECTED IN ACCORDANCE WITH APPLICABLE LAW.

PROJECT TEAM

DEVELOPER:

ASHLEY MANOR PROPERTIES, LLC 3749 N. CLOVERDALE ROAD BOISE, ID 83713 PH: 208-377-4929

ENGINEER:

KEVIN ARCHER, PE DAVID E. ARCHER AND ASSOCIATES 105 WILCOX STREET CASTLE ROCK, CO PH: 303-688-4642

SURVEYOR:

DAVID ARCHER, PLS DAVID E. ARCHER AND ASSOCIATES 105 WILCOX STREET CASTLE ROCK, CO PH: 303-688-4642

ARCHITECT:

JOEL STINLE W/ ENTROPY LIMITÉD 1900 WAZEE ST. #210 DENVER, CO 80202 PH: 303-297-1910

ENGINEER'S CERTIFICATE

I, KEVIN ARCHER, P.E., A REGISTERED PROFESSIONAL ENGINEER, DO HEREBY CERTIFY THAT THE PLANS FOR ASHLEY MANOR FINAL PUD WERE PREPARED BY ME OR UNDER MY DIRECT SUPERVISION.

KEVIN ARCHER	DATE

OWNER

OWNER

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ЭF	THE		DESCRIBED						

NOTARY	PUBLIC	DATE

SEAL

DATE

DATE

APPROVAL LIST

PLANNING COMMISSION CHAIRPERSON	DATE
DIRECTOR OF PLANNING AND DEVLOPEMENT	DATE
DIRECTOR OF PUBLIC WORKS AND UTILITIES	DATE
MAYOR	DATE

CERTIFICATE OF CLERK AND RECORDER

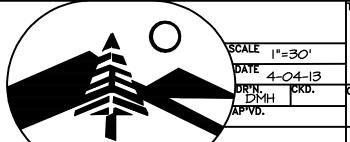
THIS PRELIMINARY PUD WAS FILED FOR RECODING IN THE OFFICE OF THE
COUNTY CLERK AND RECORDER IN THE COUNTY OF ADAMS, STATE OF
COLORADO, THISDAY OF
2013 AND ENTERED IN PLAT BOOK

, 2010, AND ENTERED IN TEAT BOOK
RECEPTION NO,
BY: DEPUTY
CLERK CLERK AND RECORDER

MY COMMISSION EXPIRES:_____

INSTRUMENT NO. ______

CITY CLERK



COVER SHEET LOT 2, TH AUTOMOTIVE SUBDIVISION CITY OF NORTHGLENN ADAMS COUNTY, COLORADO

ASHLEY MANOR PROPERTIES, LLC

JOB NUMBER 10-0483 6

SHEET INDEX of 6

2 of 6

3 of 6

4 of 6

5 of 6

of 6

COVER SHEET SITE PLAN FINAL GRADING PLAN UTILITY PLAN LANDSCAPE PLAN

MISC 6-21-13 BUILDING ELEVATIONS

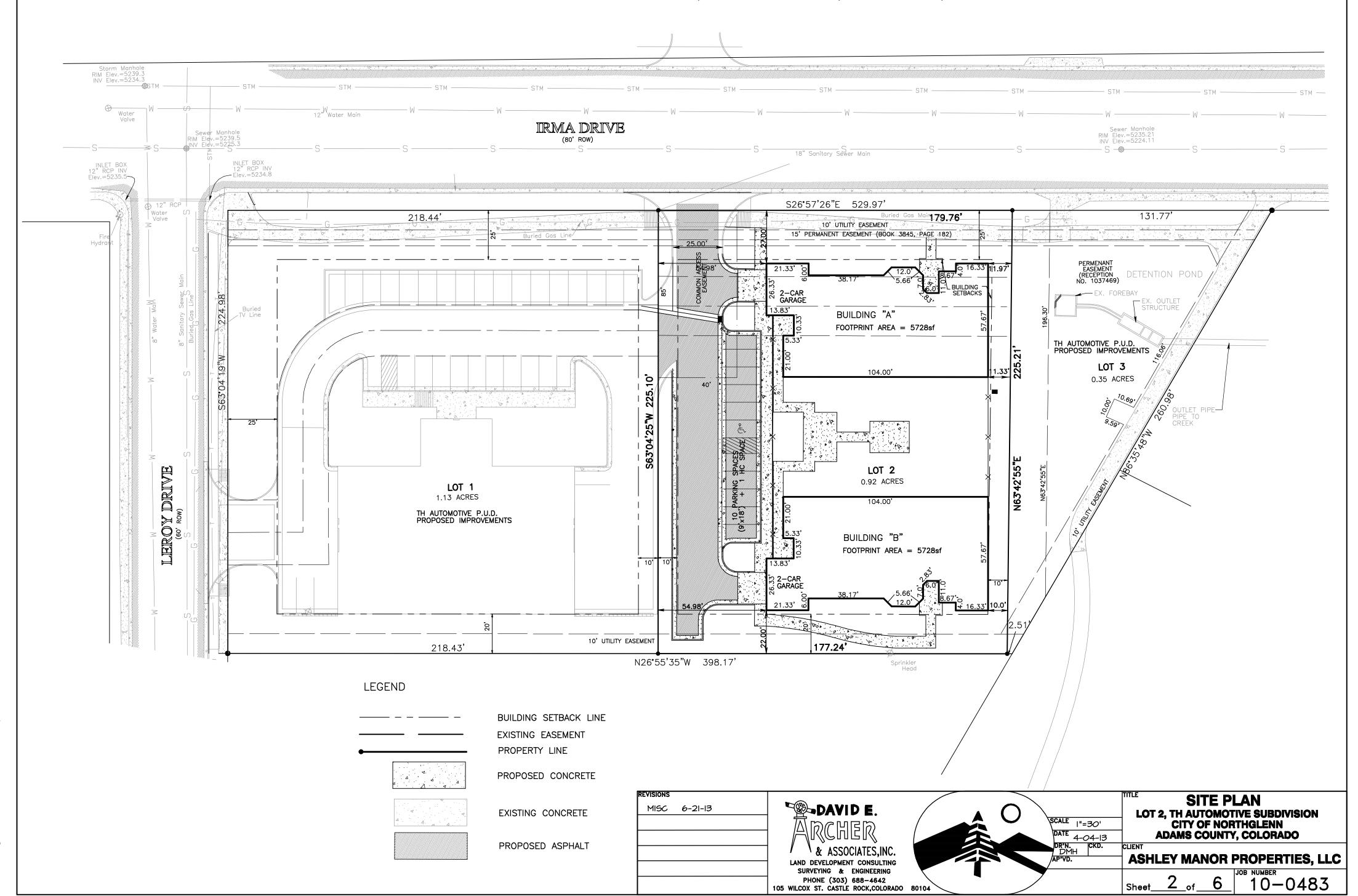
REVISIONS

DAVID E.

& ASSOCIATES, INC. LAND DEVELOPMENT CONSULTING SURVEYING & ENGINEERING PHONE (303) 688-4642 105 WILCOX ST. CASTLE ROCK,COLORADO 80104

ASHLEY MANOR FINAL PUD

LOT 2, TH AUTOMOTIVE SUBDIVISION, IN THE SE 1/4, SECTION 11, TOWNSHIP 2 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERDIAN, CITY OF NORTHGLENN, ADAMS COUNTY, COLORADO



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ASHLEY MANOR FINAL PUD LOT 2, TH AUTOMOTIVE SUBDIVISION, IN THE SE 1/4, SECTION 11, TOWNSHIP 2 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERDIAN, CITY OF NORTHGLENN, ADAMS COUNTY, COLORADO 218.44 (RECEPTION NDETENTARION BULDING "A" FINISH FLOOR ELEV = 5239.50 FINISH FLOOR ELEV = 5243.00BULDING "B" FINISH FLOOR ELEV = 5243.00 10' UTILITY EASEMENT 218.43 N26°55'35"W 398.17' LEGENDS FLOW DIRECTION EX CONTOURS (2' INTERVAL) PROPOSED CONTOURS (1' INTERVAL) GRAPHIC SCALE 1"=30' EXISTING EASEMENT 30 FINAL GRADING PLAN LOT 2, TH AUTOMOTIVE SUBDIVISION CITY OF NORTHGLENN ADAMS COUNTY, COLORADO PROPERTY LINE DAVID E. MISC. 6-21-13 SCALE |"=30" DATE 4-04-13 DR'N. CKD. DMH CKD. PROPOSED CONCRETE & ASSOCIATES,INC. **ASHLEY MANOR PROPERTIES, LLC** LAND DEVELOPMENT CONSULTING SURVEYING & ENGINEERING EXISTING CONCRETE

PHONE (303) 688-4642 105 WILCOX ST. CASTLE ROCK, COLORADO 80104

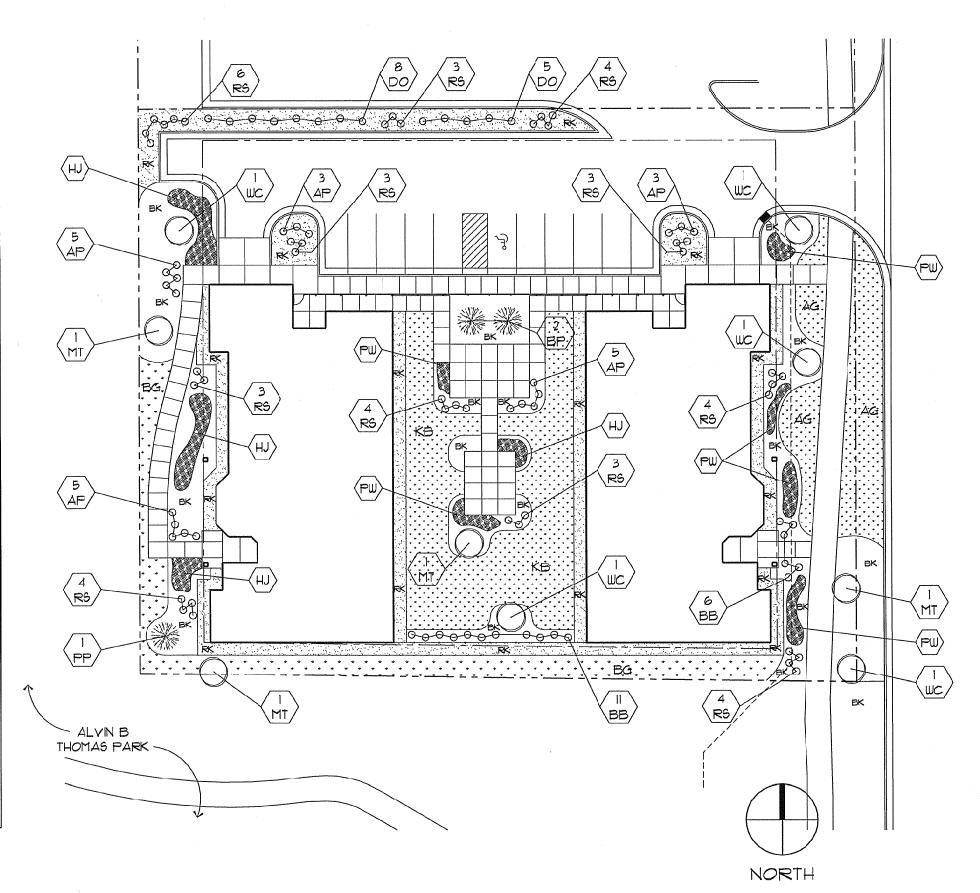
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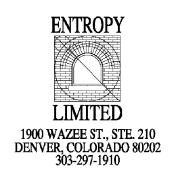
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ASHLEY MANOR FINAL PUD

LOT 2, TH AUTOMOTIVE SUBDIVISION, IN THE SE 1/4, SECTION 11, TOWNSHIP 2 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERDIAN, CITY OF NORTHGLENN, ADAMS COUNTY, COLORADO

LANDSCAPE MATERIALS								
TREES AND SHRUBS								
SYMBOL	QTY.	BOTANNICAL NAME	COMMON NAME	MIN. SIZE				
PP	İ	PINUS PONDEROSA	PONDEROSA PINE	6 FT.				
BP	2	PINUS ARISTATA	BRISTLECONE PINE	6 FT.				
WS	5	CATALPA SPECIOSA	WESTERN CATALPA	2 IN.				
МТ	4	PRUNUS PADUS CAMUTATA	MAYDAY TREE	2 IN.				
₹S	41	PEROVSKIA ATRIPLICIFOLIA	RUSSIAN SAGE	I GAL.				
DO	13	FORESTIERA NEOMEXICANA	DESERT OLIVE	I GAL.				
AP	21	FALLUGIA PARADOXA	APACHE PLUME	I GAL.				
BB	1.07	BURNING BUSH	I GAL.					
GROUND C	COVERS (
₽W	6 AREAS	EUNONYMUS FORTUNEI COLORATUS	PURPLE LEAF WINTERCREEPER	I GAL. / 4 5				
HJ	4 AREAS	PERSICARIA AFFNIS	HIMALAYAN BORDER JEWEL	I GAL. / 4 5.				
SOD AND GRASSES								
AG		PUCCINELLIA DISTANS	ALKALI GRASS	SEEDED A 3 * /AC.				
BG		BOUTELOUA GRACILIS	BLUE GRAMA	SEEDED A 3 * /AC.				
KB -		POA PRATENSIS	KENTUCKY BLUEGRASS	50D				
MULCHES								
SYMBOL	programme and the second secon	DESCRIPTION	LEGEND					
RK	•	3" RIVER ROCK						
ВK	-	WOOD MULCH						





C. 6-2I-I3	DAVID E.		A O	ТІТ
	ARCHER & ASSOCIATES,INC.		DR'N. DMH	30' 4-13 CKD. CLI
	LAND DEVELOPMENT CONSULTING SURVEYING & ENGINEERING PHONE (303) 688-4642 105 WILCOX ST. CASTLE ROCK, COLORADO	80104	AP°VD.	S

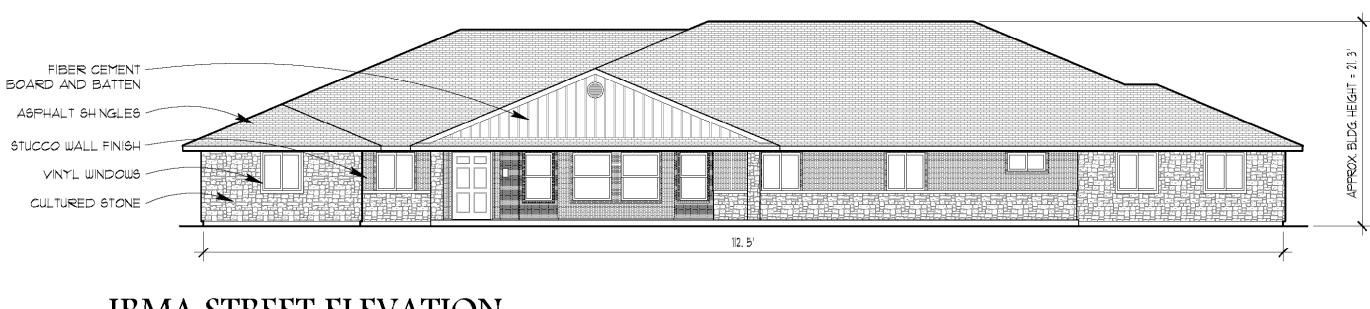
LANDSCAPE PLAN
LOT 2, TH AUTOMOTIVE SUBDIVISION
CITY OF NORTHGLENN
ADAMS COUNTY, COLORADO

ASHLEY MANOR PROPERTIES, LLC

5_{of} 6 10-0483

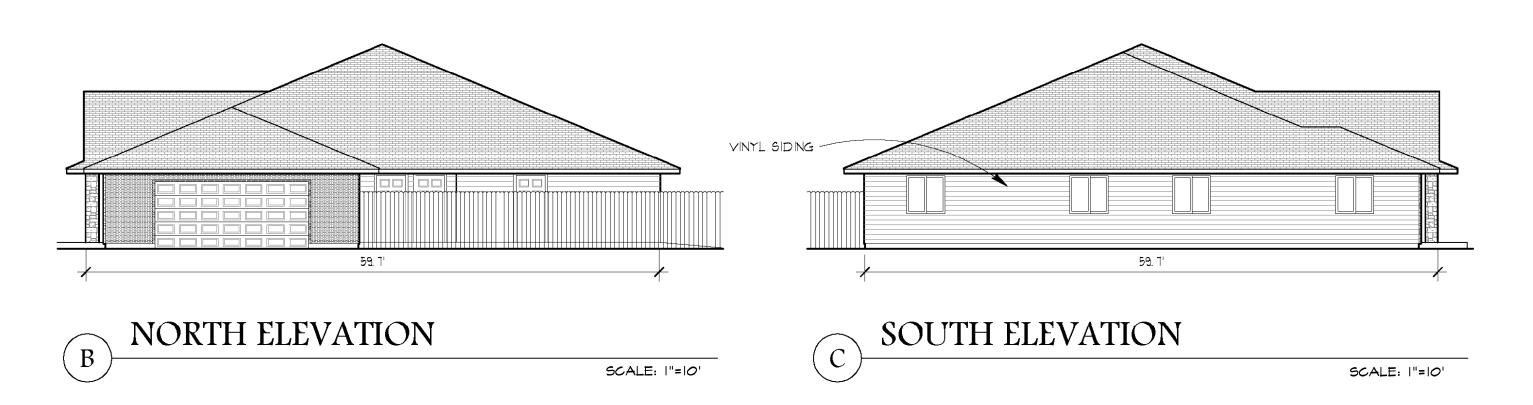
ASHLEY MANOR FINAL PUD

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IRMA STREET ELEVATION

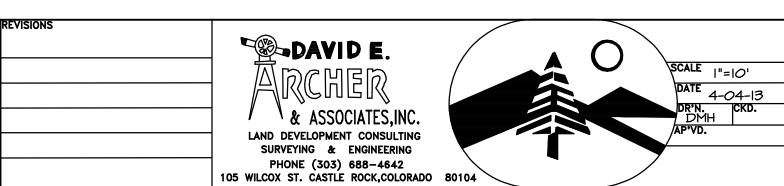
SCALE: I"=10'



ENTROPY

LIMITED

1900 WAZEE ST., STE. 210
DENVER, COLORADO 80202
303-297-1910



LOT 2, TH AUTOMOTIVE SUBDIVISION CITY OF NORTHGLENN ADAMS COUNTY, COLORADO

ASHLEY MANOR PROPERTIES, LLC

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