Community & Economic Development Department www.adcogov.org



4430 South Adams County Parkway 1st Floor, Suite W2000 Brighton, CO 80601-8204 PHONE 720.523.6800 FAX 720.523.6998

Re-submittal Form

Case Name/ Number: PRC2023-00010; 64th and Lowell						
Case Manager: Layla Bajelan						
Re-submitted Items:						
Development Plan/ Site Plan						
X Plat						
Parking/ Plan						
Engineering Documents						
Subdivision Improvements Agreement (<u>Microsoft Word version</u>)						
Other:						
* All re-submittals must have this cover sheet and a cover letter addressing review comments.						
Please note the re-submittal review period is 21 days.						
The cover letter must include the following information:						
 Restate each comment that requires a response Provide a response below the comment with a description of the revisions 						
Identify any additional changes made to the original document						
For County Use Only:						
Date Accepted:						
Staff (accepting intake):						
Resubmittal Active: Addressing, Building Safety, Neighborhood Services,						
Engineering, Environmental, Parks, Planner, ROW, SIA - Finance, SIA - Attorney						



November 21, 2023

Layla Bajelan Adams County 4430 South Adams County Parkway 1st Floor, Suite W2000B Brighton, CO 80601-8212

RE: Project Name: PRC2023- 00010 DevCo Arvada 64 Rezone and Minor Subdivision

Dear Layla,

Thank you for the comments on *October 3rd*, *2023*, for the above-mentioned project. In an effort to address your comments concisely and simplify your review of the Rezone and Minor Subdivision, we have summarized your comments and our responses below.

DEVELOPMENT TEAM REVIEW COMMENTS

ROW

David Dittmer

Status: Resubmittal Required

Note that the name of the subdivision has been changed to DEVCO ARVADA 64.

ROW1: The property owner is owned by two parties, as tenants in common. This ownership statements, signature blocks and acknowledgements must be correct as legally owned.

- -Laura Jean Drapeau
- -The Barbara A lacovetta Trust, dated June 27, 1995
- *Tenants in Common*

Response: The ownership statements, signature blocks and acknowledgements have been updated to note the two parties on the Cover Sheet of the Minor Subdivision as coordinated with David Dittmer.

ROW2: As a binding document no blanks will be accepted for ownership, recording or any other statement. Note 4 should provide for successor's, heirs and assigns.

Response: The Minor Subdivision has been revised to remove any blanks and Note 4 has been updated to provide for successors and/or assigns.

ROW3 (3): New legal has not been provided. This is to be provided by the surveyor certifying the legal description for the title commitment and the plat. Instead of "METES AND BOUNDS DESCRIPTION AS FOLLOWS":

Response: The Ownership and Dedication Certificate on the Cover Sheet of the Minor Subdivision has been updated certifying the new legal description as requested.

ROW3(14): PSCO easement cited in BK1900, Pg 5 has not been addressed in the reply comments, with note explanation. It may be for utilities along the western edge of the property, but must be stated on the plat if cited in the title commitment.



Response: The PSCO easement is not located on the property, but is located in the tract/ROW on the west side of Lowell Blvd. This easement is now shown and labeled on Sheets 2 and 3 of the Minor Subdivision.

ROW4: Remove "Name" and "Title" under Ms. Drapeau's signature line.

Response: These have been removed under Ms. Drapeau's signature line on the Cover Sheet of the Minor Subdivision.

ROW5: Revise the acknowledgement of the notary public to correctly identify the ownership, or provide separate acknowledgements.

Response: The acknowledgments of the notary public have been revised as coordinated with David Dittmer on the Cover Sheet of the Minor Subdivision.

ROW6: The notary affirmation is not formatted to a standard approved Colorado affirmation per Secretary of State's Office. If a California Jurat is required due to the location of the owners, provide this with the executed mylars once the review is complete. This information will be provided by the case manager.

Response: The notary affirmation has been revised as coordinated with David Dittmer on the Cover Sheet of the Minor Subdivision. A California Jurat is not required for these owners.

ROW7: Sheet 2 should reinforce the entitlements existing currently on the property, and the vacation of the existing parcels as described in the title commitment. Do not provide the dedications as contained on Sheet 3, or the easements to be dedicated by separate document.

Response: Sheet 2 of the Minor Subdivision has been revised to note the vacation of the lot lines between the two existing parcels and any proposed easement dedication has been removed from this sheet as requested.

ROW8: The citations for Book 2883, Page 346, and Book 2870, Page 538 include both locations shown on the eastern boundary abutting county property. Label them according to the parcel as conveyed in the cited deed (Parcel H, Parcel I) and within the legal description. Response: The Minor Subdivision has been revised to separately note Parcel H and I on Sheets 2 and 3 based on the two book and page numbers cited above.

ROW8: Do not label or state "PROPOSED" on any Lot or Tract. If approved by the Board of County Commissioners and recorded, nothing is proposed.

Response: Sheet 3 of the Minor Subdivision has been revised to not state or label "PROPOSED" on any lot, tract, or easement as requested.

ROW9: The dedication of the two abutting drainage easements along the eastern edge is confusing by the linework.

Response: Bearing and distance labels have been added to each of these two drainage easements to clarify the linework. FYI -we are showing two separate drainage easements that are next to each other because these drainage easements were requested for two different uses. Mile High Flood District requested the 20' easement on the east side of the property for their potential expansion of Hidden Lake Drainage. The other drainage easement to the west is for County access to the on-site water quality and detention facilities. Both of these drainage easements will be dedicated to the County, so MHFD will not be a signatory on the Minor Subdivision.



DEVELOPMENT ENGINEERING REVIEW

Laurie Clark

Status: Resubmittal Required

ENG1: EGR2023-00040 is currently in review.

Response: Comment noted. The second submittal of the Civil Construction Plans is being submitted on 11/21/2023, which will also include a copy of this Minor Subdivision for reference.

PLANNER REVIEW

Layla Bajelan

Status: Resubmittal Required

PLN01: A tract table that contains the square footage, ownership, and maintenance responsibilities of the Tract (s) is required.

Response: A tract table has been added to the Cover Sheet of the Minor Subdivision that shows the square footage, ownership, and maintenance for Tract A.

PLN02: Note #4 mentions a Special Maintenance District. Is this supposed to refer to a HOA. If a Metro or Special District is proposed, this would require a separate application for a Metro/Special District.

Response: Note #4 on the Cover Sheet of the Minor Subdivision has been updated to note the entity that will own and maintain Tract A. As discussed with Layla, since this is only one lot an HOA is not required and the future ownership entity as noted on the revised Minor Subdivision is acceptable.

We appreciate your review and approval of these plans. Please contact me at 720-636-8303 or Kevin.Barney@kimley-horn.com should you have any questions.

Sincerely,

KIMLEY-HORN AND ASSOCIATES, INC.

Lei P. Baney

Kevin P. Barney, PE

Associate

DEVCO ARVADA 64 SUBDIVISION

BEING SITUATED IN THE NORTHEAST QUARTER OF SECTION 7, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH P.M., COUNTY OF ADAMS, STATE OF COLORADO

SHEET 1 OF 3

PURPOSE STATEMENT: COMBINE TWO PARCELS INTO A SUBDIVISION TO COMPLY WITH STATE AND COUNTY REGULATIONS

OWNERSHIP AND DEDICATION CERTIFICATE

KNOW ALL PEOPLE BY THESE PRESENTS THAT LAURA JEAN DRAPEAU AND THE BARBARA A. IACOVETTA TRUST, DATED JUNE 27, 1995, BEING THE OWNERS OF THE FOLLOWING DESCRIBED TRACT OF LAND SITUATED IN THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 7, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF ADAMS. STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PARCEL A

THE NORTH 478.85 FEET OF THE E1/2 NE1/4 NE1/4 SECTION 7, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH P.M., ADAMS COUNTY, COLORADO. EXCEPT THE NORTH 30.0 FEET THEREOF AND EXCEPT THE EAST 30.0 FEET THEREOF AND EXCEPT THAT PARCEL DESCRIBED AS BEGINNING AT A POINT 30.0 FEET SOUTH AND 30.0 FEET WEST OF THE NE CORNER OF SECTION 7, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH P.M.; THENCE WEST PARALLEL TO AND 30.0 FEET SOUTH OF THE NORTH LINE OF SAID SECTION 7, A DISTANCE OF 160.0 FEET; THENCE SOUTH PARALLEL TO THE EAST LINE OF SAID SECTION 7, A DISTANCE OF 150.0 FEET; THENCE SOUTH PARALLEL TO THE NORTH LINE OF SAID SECTION 7, A DISTANCE OF 150.0 FEET; THENCE SOUTH PARALLEL TO THE EAST LINE OF SAID SECTION 7, A DISTANCE OF 150.0 FEET; THENCE EAST A DISTANCE OF 10.0 FEET TO A POINT 30.0 FEET WEST OF THE EAST LINE OF SAID SECTION 7; THENCE NORTH PARALLEL TO THE EAST LINE OF SAID SECTION 7, A DISTANCE OF 160.0 FEET TO THE POINT OF BEGINNING, AND EXCEPT THE PLATTED PORTION DESCRIBED AS THE PISTERZI COMMERCIAL TRACT.

AND FURTHER EXCEPTING THEREFROM THAT PORTION TAKEN IN RULE, ORDER, JUDGMENT AND DECREE RECORDED JANUARY 25, 1984 IN BOOK 2833 AT PAGE 346.

PARCEL B

PISTERZI COMMERCIAL TRACT, ACCORDING TO THE PLAT THEREOF RECORDED MARCH 11, 1970 AT RECEPTION NO. 886211, COUNTY OF ADAMS, STATE OF COLORADO.

EXCEPT THAT PORTION TAKEN IN RULE, ORDER, JUDGMENT AND DECREE RECORDED JANUARY 25, 1984 IN BOOK 2833 AT PAGE 346.

NOW BEING DESCRIBED AS:

COMMENCING AT THE NORTHEAST CORNER OF SECTION 7, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, AS MONUMENTED BY A FOUND 3-1/4" ALUMINUM CAP STAMPED "COLORADO - ILC T3S R68W S6|S5 S7|S8 2021 PLS 36070", 1' BELOW GRADE, IN RANGE BOX, FROM WHENCE THE EAST QUARTER CORNER OF SAID SECTION 7, AS MONUMENTED BY A FOUND 2" ALUMINUM CAP STAMPED "AZTEC T3S R68W 1/4 S7|S8 2018 PLS 38158", 1' BELOW GRADE, IN RANGE BOX, BEARS S00°10'18"E FOR A DISTANCE OF 2633.02 FEET, SAID LINE FORMING THE BASIS OF BEARINGS FOR THIS DESCRIPTION; THENCE ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 7 S89°35'26"W, A

DISTANCE OF 240.13 FEET;
THENCE DEPARTING SAID NORTH LINE, S00°24'34"E, A DISTANCE OF 30.00 FEET TO THE SOUTH

RIGHT-OF-WAY LINE OF WEST 64TH AVENUE, SAID POINT BEING THE <u>POINT OF BEGINNING</u>;
THENCE ALONG SAID SOUTH RIGHT-OF-WAY LINE S00°10'18"E, A DISTANCE OF 10.00 FEET;

THENCE CONTINUING ALONG SAID SOUTH RIGHT-OF-WAY LINE N89°35'26"E, A DISTANCE OF 150.00 FEET; THENCE DEPARTING SAID SOUTH RIGHT-OF-WAY LINE AND ALONG THE WEST LINE OF PARCEL H AND PARCEL I AS DESCRIBED IN THE RULE, ORDER, JUDGEMENT AND DECREE AS RECORDED IN BOOK 2833,

PAGE 346, S00°10'18"E, A DISTANCE OF 438.40 FEET;
THENCE DEPARTING SAID WEST LINE OF PARCEL H, S89°35'26"W, A DISTANCE OF 570.05 FEET TO A POINT ON THE WEST LINE OF THE EAST HALF OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 7, AND THE EAST LINE OF ARLINGTON MEADOWS III SUBDIVISION AS RECORDED AT RECEPTION NO. 1987020716555;

THENCE ALONG SAID WEST LINE N00°10'27"W, A DISTANCE OF 448.40 FEET TO A POINT ON SAID SOUTH RIGHT-OF-WAY LINE;

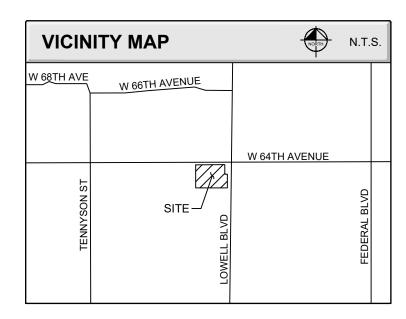
THENCE DEPARTING SAID WEST LINE AND ALONG SAID SOUTH RIGHT-OF-WAY LINE N89°35'26"E, A DISTANCE OF 420.07 FEET TO THE POINT OF BEGINNING.

CONTAINING A CALCULATED AREA OF 254,113 SQ. FT. OR 5.834 ACRES, MORE OR LESS.

HAVE BY THESE PRESENTS LAID OUT, PLATTED AND SUBDIVIDED THE SAME INTO A LOT, BLOCK, TRACT AND EASEMENTS AS SHOWN ON THIS PLAT UNDER THE NAME AND STYLE OF DEVCO ARVADA 64 SUBDIVISION.

THE UNDERSIGNED DOES HEREBY DEDICATE, GRANT AND CONVEY TO ADAMS COUNTY THOSE PUBLIC EASEMENTS (AND TRACTS) AS SHOWN ON THE PLAT; AND FURTHER RESTRICTS THE USE OF ALL PUBLIC EASEMENT TO ADAMS COUNTY AND/OR ITS ASSIGNS, PROVIDED HOWEVER, THAT THE SOLE RIGHT AND AUTHORITY TO RELEASE OR QUITCLAIM ALL OR ANY SUCH PUBLIC EASEMENTS SHALL REMAIN EXCLUSIVELY VESTED IN ADAMS COUNTY.

EXECUTED THIS	DAY OF	,	202	A.D.



OWNER: LAURA JEAN DRAPEAU AND BARBARA A IACOVETTA TRUST DATED JUNE 27, 1995, TENANTS IN COMMON

BARBARA A IACOVETTA, TRUSTEE	
LAURA JEAN DRAPEAU	
ACKNOWLEDGEMENT: STATE OF)
COUNTY OF) SS)

THE FOREGOING OWNERSHIP AND DEDICATION CERTIFICATE WAS ACKNOWLEDGED BEFORE ME THIS ____ DAY OF ____ , 202__ BY LAURA JEAN DRAPEAU, INDIVIDUALLY, AND BARBARA A. IACOVETTA TRUSTEE OF THE BARBARA A. IACOVETTA TRUST DATED JUNE 27, 1995

WITHLOO WIT TIVING YING GENE	
NOTARY PUBLIC	
MY COMMISSION EXPIRES:	
ADDRESS:	
CITY, STATE AND ZIP CODE:	

RECORDATION CERTIFICATE:

CLERK AND RECORDER

WITNESS MY HAND AND SEAL

STATE OF COLORADO)			
COUNTY OF ADAMS) SS)			
	RUMENT WAS FILED OF RECORD AT MY OFFICE AT I., THIS, 20			
RECEPTION NO	, FILE, MAP			
BY:				

NOTES

- 1. ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.
- 2. BEARINGS ARE BASED ON THE EAST LINE OF THE NORTHEAST QUARTER OF SECTION 7, BEARING S 00°10'18" E, A DISTANCE OF 2633.02 FEET, AS MONUMENTED AT THE NORTHEAST CORNER OF SAID SECTION 7 BY A FOUND 3-1/4" ALUMINUM CAP, STAMPED "COLORADO ILC T3S R68W S6|S5 S7|S8 2021 PLS 36070", IN RANGE BOX 1' BELOW GRADE AND AT THE EAST QUARTER CORNER OF SAID SECTION 7 BY A FOUND 2" ALUMINUM CAP, STAMPED "AZTEC T3S R68W 1/4 S7|S8 2018 PLS 38158", IN RANGE BOX 1' BELOW GRADE.
- 3. THE POLICY OF THE COUNTY REQUIRES THAT MAINTENANCE ACCESS SHALL BE PROVIDED TO ALL STORM DRAINAGE FACILITIES TO ASSURE CONTINUOUS OPERATIONAL CAPABILITY OF THE SYSTEM. THE PROPERTY OWNERS SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF ALL DRAINAGE FACILITIES INCLUDING INLETS, PIPES, CULVERTS, CHANNELS, DITCHES, HYDRAULIC STRUCTURES, AND DETENTION BASINS LOCATED ON THEIR LAND UNLESS MODIFIED BY THE SUBDIVISION DEVELOPMENT AGREEMENT. SHOULD THE OWNER FAIL TO MAINTAIN SAID FACILITIES, THE COUNTY SHALL HAVE THE RIGHT TO ENTER SAID LAND FOR THE SOLE PURPOSE OF OPERATIONS AND MAINTENANCE. ALL SUCH MAINTENANCE COST WILL BE ASSESSED TO THE PROPERTY OWNERS.
- 4. TRACT A IS FOR LANDSCAPING AND WILL BE OWNED AND MAINTAINED BY W 64TH AVE APARTMENTS, LLC, IT'S SUCCESSORS AND/OR ASSIGNS.
- 5. THIS PROPERTY IS LOCATED WITHIN ZONE X, OTHER AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN, AS SHOWN ON THE FLOOD INSURANCE RATE MAP FOR COUNTY OF ADAMS, COMMUNITY PANEL NUMBER 08001C0591H, MAP EFFECTIVE DATE MARCH 05, 2007. THE ACCURACY OF ANY FLOOD HAZARD DATA SHOWN ON THIS SURVEY IS SUBJECT TO MAP SCALE UNCERTAINTY AND TO ANY OTHER UNCERTAINTY IN LOCATION OR ELEVATION ON THE REFERENCED FLOOD INSURANCE RATE MAPS.
- 6. THE LINEAL UNIT USED IN THE PREPARATION OF THIS SURVEY IS THE U.S. SURVEY FOOT. PURSUANT TO C.R.S. 38-52-103(2) METRIC CONVERSION IS: ONE METER EQUALS 3937 / 1200 FEET.
- 7. THE PLAT WAS PREPARED USING THE TITLE COMMITMENT FOR TITLE INSURANCE ISSUED BY FIRST AMERICAN TITLE INSURANCE COMPANY NATIONAL COMMERCIAL SERVICES, FILE NO. NCS-1158562-WA1, EFFECTIVE DATE DECEMBER 9, 2022 AT 5:00 P.M., WHICH PROVIDED CONFIRMATION OF OWNERSHIP AND EASEMENTS AFFECTING THE SUBJECT PROPERTY.

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY I WAS IN RESPONSIBLE CHARGE OF THE SURVEY WORK USED IN THE PREPARATION OF THIS PLAT, IT IS ACCURATE TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF, IS IN ACCORDANCE WITH APPLICABLE STANDARDS OF PRACTICE, AND IS NOT A GUARANTY OR WARRANTY, EITHER EXPRESSED OR IMPLIED.

THIS DOCUMENT SHALL
NOT BE RECORDED FOR
ANY PURPOSE AND
SHALL NOT BE USED OR
VIEWED OR RELIED
UPON AS A FINAL
SURVEY DOCUMENT

DARREN R. WOLTERSTORFF, PLS 38281 FOR AND ON BEHALF OF KIMLEY-HORN AND ASSOCIATES, INC. DARREN.WOLTERSTORFF@KIMLEY-HORN.COM

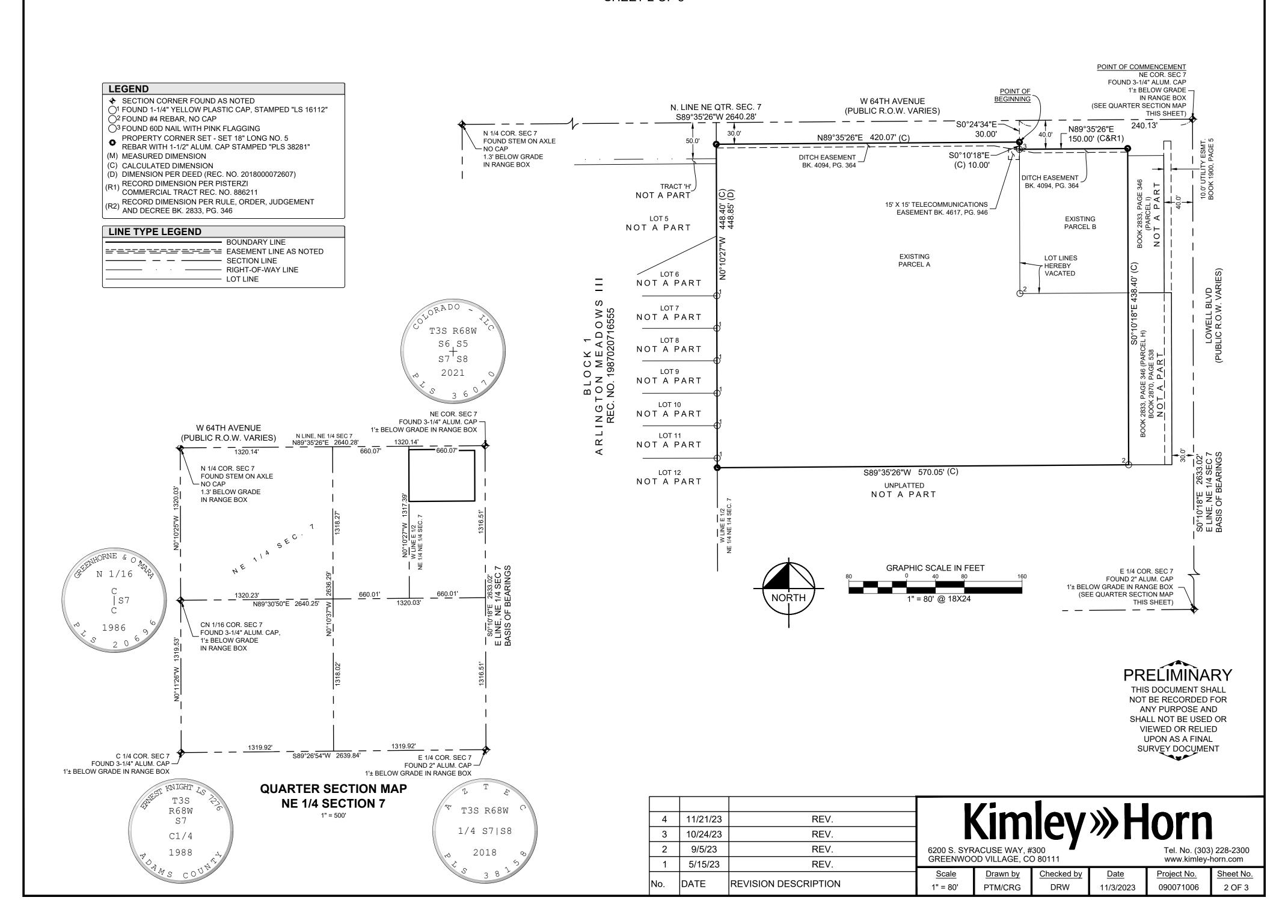
PLANNING COMMISSION APPROVAL RECOMMENDED FOR APPROVAL BY THE ADAMS COUNTY PLANNING COMMISSION THIS A.D. 202_	_ DAY OF
CHAIR	
BOARD OF COUNTY COMMISSIONERS' APPROVAL APPROVED BY THE ADAMS COUNTY BOARD OF COUNTY COMMISSIONERS THIS	DAY OF
CHAIR	
ADAMS COUNTY ATTORNEY'S OFFICE	
APPROVED AS TO FORM	

		TF	RACT TABLE	
	TRACT	SIZE	USE	OWNERSHIP & MAINTENANCE
	TRACT A	2,900 SQ. FT. OR 0.067 AC. ±	LANDSCAPING	W 64TH AVE APARTMENTS, LLC
_				

4	11/21/23	REV.		K IMIQV/)) F			inrn		
3	10/24/23	REV.	1 .			///			
2	9/5/23	REV.		6200 S. SYRACUSE WAY, #300			Tel. No. (303) 228-2300		
1	5/15/23	REV.	GREENWOOD VILLAGE, CO 80111 www.kiml			www.kimley-	horn.com		
			<u>Scale</u>	<u>Drawn by</u>	Checked by	<u>Date</u>	Project No.	Sheet No	
No.	DATE	REVISION DESCRIPTION	N/A	PTM/CRG	DRW	11/3/2023	090071006	1 OF 3	

DEVCO ARVADA 64 SUBDIVISION

BEING SITUATED IN THE NORTHEAST QUARTER OF SECTION 7, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH P.M., COUNTY OF ADAMS, STATE OF COLORADO SHEET 2 OF 3



3

2

10/24/23

9/5/23

5/15/23

DATE

REV.

REV.

REV.

REVISION DESCRIPTION

GREENWOOD VILLAGE, CO 80111

1" = 40'

Drawn by

PTM/CRG

Checked by

DRW

11/3/2023

www.kimley-horn.com

090071006

Sheet No.

3 OF 3

LINE TYPE LEGEND

BOUNDARY LINE

----- RIGHT-OF-WAY LINE

LOT LINE

— — SECTION LINE

(C) CALCULATED DIMENSION

(D) DIMENSION PER DEED (REC. NO. 2018000072607)

RECORD DIMENSION PER RULE, ORDER, JUDGEMENT

(R1) RECORD DIMENSION PER PISTERZI COMMERCIAL TRACT REC. NO. 886211

(R2) AND DECREE BK. 2833, PG. 346