



Development Review Team Comments

Date: January 12, 2021

Project Number: PRC2020-00010

Project Name: Sherrelwood Village Filing No. 2

Commenting Division: Planning Review

Name of Reviewer: Alan Sielaff, Planner II

Email: ASielaff@adcogov.org / 720-523-6817

Review Status: Complete – Minor Revisions Requested

Review responses provided to comment number from previous review letter.

PLN01: No further revisions or information requested

#1: Confirming that only Rezone and PDP to be brought forward to public hearings at this time.

2: Response indicates an HOA or metro district will provide common area maintenance. An HOA seems more applicable to the scope of responsibilities, as generally a metro district is a public taxing district that would provide water and sewer utilities as well as maintenance and other development responsibilities. If a metro district is to be proposed, it will require a separate application and review process, ultimately requiring BoCC approval and coordination ahead of election deadlines.

3: Legal descriptions for 7996 and 8000 Pecos St. have been provided.

PLN02: Plat redline review still underway, but not required for Rezoning or PDP. No further revisions or information requested at this time.

#1: Plat Correction to be recorded in conjunction with Final Plat. Emergency access and drainage provided via separate easement.

#2: Redlines have been addressed and easements clarified. Will need to confirm review with new staff - David Dittmer, Right-of-Way Specialist, on plat review once completed but will not hold up Rezone and PDP.

PLN03: No further revisions or information requested

#1: Confirmed for Minor Subdivision process.

#2: Applicant provided further justification for conformance with criteria #9. With this now being approved under a Minor Subdivision – Final Plat, approval criteria found in Section 2-02-20-03-05. Criteria is mostly the same, but with a total of 11 criteria. This response will further support criteria # 11.

PLN04: No further revisions or information requested

#1: Applicant response provided. Final determination of support will be decided and communicated to applicant prior to finalizing public hearing dates.

PLN05: Minor revisions needed to PDP document. Can be accommodated if returned by Feb. 3.

#1: Updates made.

#2: Updates made on title page but legal description under main title block on sheets 2 and 3 do not match and appear to be old. Remaining sheets match sheet 1 correctly. Additionally, first line under Legal Description on sheet 1 states Elmwood North Overall Boundary. What is this? Previous subdivisions are not named Elmwood. This appears to be an error.

#3: Updates made.

#4: Updates made.

#5: Response noted.

#6: Updates made.

#7: Updates made.

#8: Updates made or confirmed.

#9: RTD has responded with initial approval stating “The RTD has no comments on this plan the relocated bus stop location works for RTD we just need to make sure that the bus stop meets the ADA guidelines.” This will be coordinated at time of final construction documentation.

#10: Response noted.

NEW – Certificate of Ownership listed 7840 Pecos Investments LLC. Is this leftover from previous PDP? Please update to match existing ownership – Delwest Development Corp.?

NEW – Clerk and Records Certificate on title page should be updated to state Preliminary Development Plan, not Final.

NEW – Sheet 4, Note H regarding public land dedication. This includes specific calculations that were determined at time of the previous final plat and FDP. Previous PDP did not include this. Please adjust to reference previously required dedication and note additional dedication or cash-in-lieu will be determined for additional filing 2 area at time of final plat and FDP.

External Agencies – EA1: No further revisions or information requested

#1 Outstanding Referrals from Review #2: Xcel, RTD, ACFR – all concerns addressed for this stage in review.

Public Comment – PC1: No further revisions or information requested

#1 Public: Since the last comment letter provided, 4 additional commentors have submitted and are attached here. 1 was only recently delivered to staff though postmarked in November, and discussed concerns with Sherrelwood Park being an historic landfill. I have reached out to Tri-County Health and CDPHE for review to help provide a response and will share once received.

From: [Carla Gutierrez](#)
To: [Alan Sielaff](#)
Subject: Re: Submittal #3 PRC2020-00010 Sherrelwood Village Flg. No.2
Date: Monday, December 28, 2020 12:37:26 PM

Please be cautious: This email was sent from outside Adams County

Good morning Alan,

The outstanding comments have been addressed.

Thank you!

Carla Gutierrez

Adams County Fire Rescue
7980 Elmwood Lane
Denver, CO 80221
O: 303-539-6862

From: [Clayton Woodruff](#)
To: [Alan Sielaff](#)
Subject: RE: Submittal #3 PRC2020-00010 Sherrelwood Village Flg. No.2
Date: Monday, January 4, 2021 4:44:40 PM

Please be cautious: This email was sent from outside Adams County

The RTD has no comments on this plan the relocated bus stop location works for RTD we just need to make sure that the bus stop meets the ADA guidelines.

Thank you



C. Scott Woodruff
Engineer III
Regional Transportation District
1560 Broadway, Suite 700, FAS-73 | Denver, CO 80202
o 303.299.2943 | m 303-720-2025
clayton.woodruff@rtd-denver.com



Right of Way & Permits

1123 West 3rd Avenue
Denver, Colorado 80223
Telephone: **303.571.3306**
Facsimile: 303. 571. 3284
donna.l.george@xcelenergy.com

January 8, 2021

Adams County Community and Economic Development Department
4430 South Adams County Parkway, 3rd Floor, Suite W3000
Brighton, CO 80601

Attn: Alan Sielaff

Re: Sherrelwood Village Filing No. 2 – 3rd referral, Case # PRC2020-00010

Public Service Company of Colorado's Right of Way & Permits Referral Desk has no additional comments or concerns to what has previously been conveyed for **Sherrelwood Village F2**.

Donna George
Right of Way and Permits
Public Service Company of Colorado dba Xcel Energy
Office: 303-571-3306 – Email: donna.l.george@xcelenergy.com

From: [Debra Green](#)
To: [Alan Sielaff](#)
Cc: dougdebgreen@aol.com
Subject: Rezoning
Date: Sunday, November 22, 2020 10:18:30 PM

Please be cautious: This email was sent from outside Adams County

You really need to listen to us there is so much traffic it is 15 minutes just to make a left off of Pecos Way. These Delnort people will say anything they want just to get a reaction for you .Please reconsider putting in those ugly town homes single family look great Please do not let them do this

From: [Debra Green](#)
To: [Alan Sielaff](#)
Cc: dougdebgreen@aol.com
Subject: Town homes on 78th and Pecos
Date: Wednesday, November 25, 2020 2:08:47 PM

Please be cautious: This email was sent from outside Adams County

Please don't let them destroy our neighborhood can you just drive pass what would be town homes ! How awful they would look You have a park large beautiful homes and old beautiful Sherrelwood. We are asking please no town homes I have even heard RV and Truck parking Please think of us Thank you Debra Green 1680 Pecos Way

From: [Debra Green](#)
To: [Alan Sielaff](#)
Cc: dougdebgreen@aol.com
Subject: Delwest
Date: Monday, December 7, 2020 2:04:17 PM

Please be cautious: This email was sent from outside Adams County

MrSielaff I am writing to you in regarding Delwest townhomes I am opposing these townhomes. Now that I know a school was to go in there. It makes me even more angry at Delwests greed. Please don't allow them to build there It is stupid that we have half million dollars homes on one side and beautiful Sherrelwood. We are hardworking people deserving a beautiful neighborhood. Hoping you are a good man. Thankyou Debra Green 1680 Pecos Way

From: [Debra Green](#)
To: [Alan Sielaff](#)
Cc: dougdebgreen@aol.com
Subject: 8000 Pecos Denver CO
Date: Monday, December 7, 2020 2:14:31 PM

Please be cautious: This email was sent from outside Adams County

Dear Mr Sielaff I am writing to you to oppose Delwest moving in to make Townhomes in the middle of our wonderful neighborhood. It seems these people are so greedy they only want to make another dime off of our backs Sherrelwood is a hard working people loving our homes I would like the school to go in. And let them take their greed somewhere else Thankyou for your time Debra Green 1680 Pecos Way

From: [Kathy Swift](#)
To: [Alan Sielaff](#)
Subject: 8000 N Pecos
Date: Sunday, December 6, 2020 11:51:54 PM

Please be cautious: This email was sent from outside Adams County

I wrote to you previously regarding this property and my thoughts on the proposed "townhouses/apartments".

My thoughts and position has NOT changed.

We have more "homeless people" coming into the neighborhood daily. Due to the crappy year we have had because of the Covid virus, we are losing business's left and right.

The traffic/gunshots/deaths by homicide are rising weekly. If you read the "Nextdoor" column you can tell this area is spiraling downward.

We don't want/need more population. The builder has a reputation for not keeping promises or finishing what they start. They are in it for the money - NOT a committment to the neighborhood or community.

It is a lose - lose proposition and my husband and I are totally against it.

Kathy Swift
900 Cuchara St.
Denver, Co 80221

From: [Blea, Leslie](#)
To: [Alan Sielaff](#)
Subject: 7800 Pecos headstart building
Date: Friday, December 11, 2020 4:05:57 PM

Please be cautious: This email was sent from outside Adams County

I went to this head start as a kid. I was very sad that I was not able to send my own kids there when started school a year ago. Its an amazing building look for the area and townhouses would ruin it. The historic building should stay please. Thank you for listening

From: [Blea, Leslie](#)
To: [Alan Sielaff](#)
Subject: 8000 n pecos
Date: Friday, December 11, 2020 4:11:39 PM

Please be cautious: This email was sent from outside Adams County

I attended this school as a kid. I was hoping to send my kids there when they were big enough but it was already closed. Its been closed for years always wondered why. I drive by it everyday and enjoy the sunrise over the historic building and the sun shining on the lake behind it makes it a very beautiful view. I was told townhouses will go up. All the townhouses I've seen go up in this state reminds me of low income housing they use to build in the 90's that packs everyone in like sardines only fancier looking less costing material. I believe tearing the building down for townhouses would be a fishy solution to that area and make it busy which it already is. North Pecos is always packed u get some room around on the road when u hit the school light. Townhouse will take that away making it like downtown when its a suburb not meant to look like the city

3000
1001 STREET
ELWOOD, CO. 80221



1023



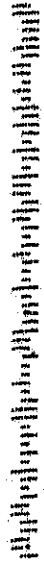
80601

U.S. POSTAGE PAID
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ADAMS COUNTY
COMMUNITY & ECONOMIC DEVELOPMENT
DEPARTMENT, c/o ALAN SIELAFF
4434 SOUTH ADAMS COUNTY PKWY
SUITE W2000A
BLIGHTON, CO. 80601-82160

80601-821601



November 3rd, 2020

In regard to: Sherrelwood Village Filing Number 2 (PRC2020-00010 & PLT2020-00015)

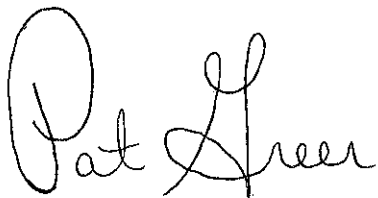
To whom it may concern,

I have been a Sherrelwood resident for over 50 years. I live with my two grandsons down the street from 8000 north Pecos. My husband and I bought an original brick house on Zuni Street when we first got married. Our real estate agent had to make sure we were legally informed that there was a hazardous waste dumping ground underneath Sherrelwood park as part of the BFI landfill that used to operate nearby and had to accept the health risks of living within the proximity. Before there were housing units surrounding Sherrelwood park, you could see the distortion in the air from the gasses and fumes coming out of the ground when the sun was just right. I suppose that's why our soil is of such a poor quality and our neighborhood has a particular odor sometimes still to this day. The park and the round building were installed there for a purpose. They're meant to serve as a protective measure from anyone unearthing extremely toxic materials just below it's surface. It could present a very serious environmental issue if not properly disposed of using extreme caution. What is the plan to mitigate the health risk to the surrounding neighborhood? Due to my age, I'm considered an at-risk resident as are both of my severely asthmatic grandchildren.

I appreciate the opportunity to speak on the public commentary. Please consider the health of all of your residents when making decisions on this case filing; there are many other elderly homeowners within the vicinity of this intended project.

Sincerely,

an otherwise happy neighbor,

A handwritten signature in cursive script that reads "Pat Greer". The signature is written in black ink and is positioned above the printed name.

Pat Greer



Old Landfill Sites

Many properties used historically for solid waste disposal were not well documented. As a result, each year redevelopment and construction projects across Colorado unexpectedly encounter landfill waste. What should project managers do when this happens?

Applicability

In this context, "landfilled waste" does not mean scattered surface litter like that found on any vacant lot, but instead refers to pockets or larger masses of debris or waste fill, with or without surface expression, that can indicate the area was used historically for landfilling. Although this guidance focuses on considerations that come into play when disturbing undocumented historic landfills, it's important for the sake of completeness to point out that similar requirements apply to disturbing landfill waste at permitted or recently closed landfills.

Immediate Steps

The most important thing to remember is to stop project work upon discovery of landfilled waste and re-evaluate how to move forward. Digging through landfilled material involves increased risks to human health and the environment above and beyond what is involved with a normal dirt work project. Unless planning to account for the presence of these materials was done up front, there are likely to be risks for which project personnel are not prepared. Employing the services of an environmental professional is recommended and may be required. At a minimum, whenever landfilled material is encountered, the regulatory requirements listed below must be implemented.

Conversely, if the project included a thorough site assessment during the planning stages, it is possible that a materials management plan was developed prior to beginning the project, including procedures for handling landfill waste if encountered. Contact your company's environmental compliance officer and/or safety manager immediately. You may be required to notify us or develop plans and procedures that we need to approve prior to proceeding with work.

Regulatory Requirements

Asbestos: Section 5.5 of the *Regulations Pertaining to Solid Waste Sites and Facilities* (6 CCR 1007-2 Part 1, the regulations), lists certain actions required of any person who disturbs buried debris. First, you must characterize the debris to determine if it contains regulated asbestos contaminated soil (RACS). Visual inspection to make this determination can be done by a qualified project monitor or a certified asbestos building inspector (CABI), depending on the materials present. Sampling for definitive confirmation of asbestos materials can only be performed by a certified asbestos building inspector. If regulated asbestos contaminated soil is found to be present, we must be notified and you will have to use engineering controls during the disturbance activities to protect human health and the environment, either under a site-specific plan or an off-the-shelf plan available in Section 5.5.7.

Other Solid Waste: For the most part, the regulations do not apply to waste generators as long as the newly generated waste is properly disposed of at a permitted landfill. On the

other hand, improper disposal (e.g., at an unpermitted solid waste disposal site and facility) would trigger all of the present day regulatory requirements. Ensuring proper disposal requires you to characterize the waste to make sure it is not hazardous or subject to other waste disposal prohibitions that would limit which disposal facilities are able to accept the waste. Examples include batteries, electronic waste, auto bodies, tires, medical waste, buried drums, pesticide containers, and impacted soil associated with the above. You should check with potential receiving landfills to make sure that you meet their waste acceptance requirements before deciding which landfill you will use.

Impact to Engineered Features: Section 3.6 of the regulations requires the owner or operator (which can be the same as, or different than, the entity conducting the disturbance) to seek the approval of our Solid Waste Permitting Unit prior to disturbing the cover of a closed landfill. In order to approve the disturbance, we will be looking for: 1) a materials management plan with procedures to cover regulated asbestos contaminated soil and other solid waste; 2) a plan for rebuilding the landfill cover if waste will remain in place (how extensive the plan needs to be depends on the extent of disturbance and the specifications in the original landfill cover design); and 3) financial assurance to cover the cost of rebuilding the landfill and conducting some limited post closure care to ensure the rebuilt and revegetated cover is stable.

Other Considerations

Worker Health and Safety: Although regulated by the Occupational Safety and Health Administration (OSHA), not us, it is important to recognize that there are hazards associated with historic landfills which pose risks to workers, including the previously mentioned asbestos, other special wastes and methane. These worker risks would be addressed separately in your Health and Safety Plan.

Future Land Use: Construction on or near buried waste requires attention to methane mitigation, geotechnical stability and potential indoor air issues associated with groundwater contamination. Most of these sites, even if they closed under a regulatory framework appropriate for the time when closure occurred, were not evaluated for potential indoor air issues. You should work with us to develop plans for safely addressing these issues.

Contacts

Solid Waste Permitting Unit: We divide responsibility among staff members according to county assignments. To obtain the phone number of the solid waste permitter having responsibility for your area, please refer to our website at www.colorado.gov/cdphe/swpermitting.

Section 5.5 involving regulated asbestos contaminated soil (RACS) management: Please contact Brian Long at 303-691-4033 or briant.long@state.co.us.

Voluntary Cleanup Program: For sites that predated the Solid Waste Act (1967) and adoption of its implementing regulations (1968), you may choose to work with the Voluntary Cleanup and Redevelopment Program. Their contact information can be obtained on our website at www.colorado.gov/cdphe/voluntary-cleanup-contacts.

For more information

Colorado Department of Public Health and Environment
Hazardous Materials and Waste Management Division
4300 Cherry Creek Drive South
Denver, Colorado 80246-1530

Customer Technical Assistance
303-692-3320
www.colorado.gov/cdphe/hm
comments.hmwmnd@state.co.us