



April 12, 2024

Jefferson County – Planning and Zoning
100 Jefferson County Parkway, Suite 3550
Golden, CO 80419
Attn: Dylan Monke, Planner

Re: Shadow Mountain Bike Park - Case No. Case No. 23-102980 RZ

Dear Mr. Monke,

We are in receipt of the Second Referral Response Letter from Jefferson County Planning and Zoning, dated January 30, 2024, as part of the second referral of the application for a special use for the Shadow Mountain Bike Park project (the "Application"). With this letter, we are providing the following responses to comments received.

I. General

Comment 1. *The submitted Official Development Plan (ODP) has some proposed uses that are redundant with the existing Agricultural Two (A-2) entitlements. Please review the ODP document and remove these occurrences where adjustments are not proposed. Staff is unclear the volume, size, and location of several items including: food vendors, retail area(s) and signage. Please see the attached ODP for complete redmarks. The applicant will be required to provide a number of additional details to refine compatibility, visual impacts, proposed use, noise, wildfire hazards, and site design.*

Response: Comments have been addressed and are included in the ODP and Written Restrictions provided with this submittal package.

Comment 2. *The First Referral found that the applicant's proposal would not meet with the Conifer/285 Corridor Area Plan recommended land use for this site. The Comprehensive Master Plan recommends this area for 1 dwelling unit per 10 acres. The applicant provided justification instead for the following three factors when assessing proposed uses that are not supported by the Plan:*

- a) how will the impacts associated with the proposed land use(s) be mitigated compared with the recommended Land Uses;*
- b) are the proposed land uses compatible with the surrounding Land Use Recommendations and community character; and*
- c) what change of circumstance has occurred in the local area since the Land Use Recommendation was adopted.*

Applicant responses were provided in detail, see Long Range Response for specific evaluations. A separate meeting on these items is encouraged if clarification is desired.

Response: We have discussed these matters with Long Range Planning and have addressed edits accordingly. See “Second Referral Response – Long Range Planning – SMBP” where these criteria are addressed in detail.

II. ODP Document

***Comment 1.** Setbacks - 50-foot are proposed for the Day Lodge and Accessory Building. These match the existing entitlements for other commercial permitted uses such as a Veterinary hospital or and Greenhouse/nursery. However, the proposed parking does not have any setbacks from property lines proposed in the ODP document. Staff would like to see these pushed back from property lines or otherwise screened from view with language to require hardscaping, screened behind primary building(s), landscaping requirement or other means to mitigate visual impact and compatibility with surrounding lots.*

Response: We have added clarifying setback language for parking in the updated ODP and Written Restrictions document. Additionally, in our Visual Analysis submitted with our First Referral Response package, we commit to planting vegetation along the edge of the parking lot to strategically screen the base area facility, lift terminal, and bike park activity from Shadow Mountain Drive. Additionally, our Vegetation Preservation Plan places priority on preserving and protecting existing vegetation along Shadow Mountain Drive frontage and within wetland and riparian areas, which would support screening of the parking lot area. The ODP document included in this resubmittal package has been updated to incorporate the Vegetation Preservation Plan recommendations as well, for clarity.

***Comment 2.** Parking Standards - The ODP proposes a maximum number of spaces, but no setbacks or minimum # of spaces. Most often these are proposed at a ratio of Gross Leasable Area (GLA) e.g. 1 parking space per 1,000 GLA required. Staff would prefer phrasing of a ratio proposed to match this style of enforceable language and a setback from the property line as described above.*

Response: As mentioned above, we have added parking setback language to the ODP document included in this resubmittal package. We also added a parking minimum of 1.0 space per 6 guests based on the County parking minimums table for a Recreation Center, Health Club (1.0 per 6 occupancy rating).

***Comment 3.** Sound - Staff encourage adding a note that outdoor amplification be prohibited except by Special Event Permit occurrences. Outdoor amplification is not a compatible use with surrounding residential and agricultural use(s).*

Response: We understand that outdoor amplification is not a compatible use with surrounding residential and agricultural uses. Additionally, we understand that the Jefferson County Open Space Recreation and Activity Management Guide for 2024-2025 prohibits amplified music, concerts, and other amplified noise in all parks. We are willing to restrict outdoor amplification at the bike park except for announcements and Special Event Permit occurrences and have included this language in the ODP.

Comment 4. Site Mitigation - *The Wildfire Risk Assessment has removed the 300-foot buffer area without explanation. More information should be provided as to why this recommendation was removed between referrals. The Assessment also calls for mitigation of Shadow Mountain Drive for a portion significantly off-site to the east. It is unclear how this will be met without County approval or adjacent property owner easement(s). See Management Area H, subset 2 for the eastern section. It is also unclear how overall property treatment will be managed between identified management areas, please provide more information.*

Response: We considered the implementation of a 300-foot setback for wildfire risk. This setback was recommended in order to create a safety zone on the Property in event of a wildfire. As indicated in the Wildfire Hazard Mitigation Plan included with the first referral resubmittal package (and updated in this second referral resubmittal package), mitigation along Shadow Mountain Drive is recommended instead to provide a safe evacuation corridor in event of a wildfire. In other words, the plan in the event of a wildfire has changed from creating a safety zone on the property to shelter in place to opting for evacuation. This was due to a number of factors, including the feasibility of creating the safety zone on the property (and the scenic/environmental impacts that would have come with it), the other mitigation measures proposed through the Wildfire Hazard Mitigation Plan, and discussions with both the Elk Creek Fire Protection District (correspondence 8/25/2023) and Road & Bridge (correspondence 9/14/2023) which indicated that both agencies were willing to consider this approach. This recommendation would also provide benefits to other residents in the vicinity who would travel along Shadow Mountain Drive in case of an evacuation event.

Regarding Management Area H and mitigation along Shadow Mountain Drive, we cannot commit to mitigation techniques offsite but have discussed this recommendation with our Case Manager and with Jefferson County's Road & Bridge department, and they are willing to work with us to consider mitigation within the ROW. We also believe that mitigation along Shadow Mountain Drive is in the best interests of adjacent private property owners due to its benefits to forest health and the safety of the entire Shadow Mountain community in the event of a fire, and therefore are optimistic that adjacent landowners will be willing to collaborate with us particularly because we plan to oversee implementation of the mitigation efforts including through financial contributions.

Lastly, the Wildfire Hazard Mitigation Plan has been updated to describe the recommended property treatments between management areas; please see the updated Plan included in this resubmittal package.

Comment 5. Seasonal Closure - *Colorado Parks and Wildlife call for "limit disturbance" during period of January – July 1. Its unclear what extent "limit" is intended by this language. The applicant is strongly encouraged to coordinate with CPW to understand these comments.*

Response: We have followed up with Colorado Parks and Wildlife on their recommendations and have prepared a response letter included with this resubmittal package. See "Second Referral Response – CPW – SMBP" where this comment is addressed in detail.

Comment 6. *Landscaping - The property is not expected to meet wildfire mitigation and the County Landscape standards outside of the Parking Lot Area. See redmarks for suggested language.*

Response: Noted; this language has been updated in the ODP document included in this resubmittal package.

Comment 7. *Please review the attached ODP document with red marks related to formatting and content.*

Response: Noted.

III. Plan Recommendation

Comment 1. *The Comprehensive Master Plan recommends this area for 1 dwelling unit per 10 acres.*

Response: Noted.

IV. Wildfire Hazard Mitigation Plan

Comment 1. *Please describe the overall site treatments recommended between identified Unit Management Areas.*

Response: Please see the updated Wildfire Hazard Mitigation Plan included in this resubmittal package for a description of the overall site treatments between management areas.

V. Traffic & Engineering

Comment 1. *Shadow Mountain Drive has been identified to be upgraded to a Major Collector Classification based on current traffic counts. Westbound left turn land will be required at site access. While physical improvement would not be required at time of Special Use review, the applicant should be aware that proposed setbacks will be taken from edge of roadway alignment after this treatment is completed.*

Response: The Traffic Assessment has been updated to incorporate this comment and additional correspondence with our case manager and the County Planning Engineer.

Comment 2. *Phase I Drainage Report comments remain unaddressed, see redmarks.*

Response: Please see the updated Phase I Drainage Report included in this resubmittal package.

Comment 3. *Traffic analysis states 1,000 vehicle trip maximums whereas ODP notes 1,200. More information is needed on supporting these assumptions.*

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Response: Please see the updated Traffic Assessment included in this resubmittal package, where this is described in more detail.

VI. Documents required for second submittal.

1. Revised ODP and Written Restrictions – *See ODP Written Restrictions*
2. Revised Transportation Information – *See Transportation*
3. Revise Wildfire Mitigation Plan – *See Wildfire Hazard Mitigation Plan*

Sincerely,



Phil Bouchard
Shadow Mountain Bike Park



Jason Evans
Shadow Mountain Bike Park