

Exhibit 1

(cut +
paste due
to run-on
pgs.

Wendi Strom
Lakewood City Council, Ward 5
303-987-7767
Lakewood.org

480 S. Allison Parkway
Lakewood, CO 80226

Actual
date
delivered
10/28/23

From: Venetia Ruehle [REDACTED]
Sent: Saturday, October 28, 2023 5:28 PM
To: Wendi Strom <wendi@lakewood.org>
Subject: Re: Save Our 69 Trees

EXTERNAL – USE CAUTION

I am a Lakewood resident and voter. I'm writing this letter to encourage you to vote to pass the resolution proposed by Anita Springsteen that will protect our 69 trees at 777 Yarrow St.

Belmar Park is an oasis in the city for wildlife and people. We walk the park daily and see a multitude of people enjoying the park. There is a connection between Belmar Park and the surrounding area.

The proposed 412 Unit Apartment Building planned for the land next to and practically in Belmar Park would be a tragic mistake, making a mockery of Community Planning principles. Community Planning was central to the development of the Belmar area.

The impact of the planned apartment building on the environment, the park, and the community of Belmar in Lakewood is unacceptable.

Long term value is derived from high quality urban planning and design.

Vote to pass the resolution!

Thank you,
Venetia Ruehle

1a
Exhibit 1a

February 12, 2021

Kara Mueller
City of Lakewood Planning Department
470 South Allison Parkway Lakewood, CO 80226

Re: Kairoi Belmar Park -- Pre-Planning Project Summary Letter

Dear Ms. Mueller:

Thank you for accepting this Pre-Planning submittal letter for the proposed Kairoi Belmar Park multifamily development located at the physical address of 777 S. Yarrow Street. We are submitting this letter to the Lakewood Planning Department on behalf of our developer client, Kairoi Residential, in partnership with GFF Architects and Kimley-Horn as part of the pre-planning submittal requirements. The goal of the development team is to create a high-quality multi-family residential development within the West Alameda Corridor Reinvestment Authority Area.

The subject parcel is bound by S. Yarrow Street to the east, an existing park/amenities to the south, west, and north, including Belmar Park and Kountze Lake. Belmar Library is additionally located further north of the Site along Yarrow Street. The Site is currently home to existing commercial office space, inclusive of existing 2-story buildings. The parcel is zoned M-C-U, Mixed Use--Core--Urban, which provides for multi-family residential as a use by right. Kairoi aims to develop a high-quality community that will continue to enhance the Belmar and Belmar Park neighborhood while working to connect and integrate with the adjacent lake and park system.

Enclosed within this letter are two options for the Kairoi Belmar Site Plan (Site Plan 1A and 1B):

Site Plan 1A shows approximately 490,473 GSF in a 5-story wood-framed Type III-A construction building containing approximately 458 for-rent apartments and an estimated 4,000 GSF Amenity area. This residential building wraps and completely screens a 6-story concrete Type I-A construction parking garage that maintains a fire apparatus access lane with required minimum vertical clearance that connects to a fire lane on both the north and south sides of the project providing required fire protection and hose-lay distance. The roof of the structured parking garage also contains approximately 7,000 GSF of Amenity spaces for the residents.

Site Plan 1B shows approximately 449,319 GSF in a 5-story wood-framed Type III-A construction building containing approximately 419 for-rent apartments and an estimated 4,000 GSF Amenity area. This residential building wraps and completely screens a 6-story concrete Type I-A construction parking garage with an estimated 7,000 GSF of Amenity spaces for the residents located on the roof of the parking garage. A fire apparatus lane loops around the site providing required fire protection and hose-lay distance.

In addition to presenting the site plan options submitted, below is a list of questions which our team is looking to get answered as part of the pre-planning submittal process:

1. Can you please confirm that there are no known downstream sanitary capacity constraints that may require off-site improvements? If there is not known capacity for this proposed project, we request a follow-up meeting with the City of Lakewood Public Works Department and the City of Lakewood Department of Economic Development to discuss this regional issue.
2. Will street improvements be required along S. Yarrow Street as part of the development of this project? Are any other off-site improvements required as part of the development of this project?
3. Can you please confirm that platting will not be necessary for development of the 777 S. Yarrow Street site? Any needed easements would be dedicated by separate document to the City or specific agency.
4. Can you please rectify the difference noted between the attached ALTA and the City of Lakewood GIS (5.3 acres v 4.44 acres)?
5. What permits are required to be obtained as part of the development and construction of this site? Demolition, site plan, building permit, etc. A summary of the permits required, and their accompanying scope matters would be helpful.
6. As part of the Enhanced Development Menu requirements, what is the best method to work with the City team to work through various thoughts and ideas of how we can best connect and integrate into the Belmar Park network in efforts to further amplify the amenities and experience provided? Who administers this process? We'd like to have a "kick-off" meeting with the City agents involved in this in order to understand intent and align interests.
7. Are there any planning commission and/or city council approvals required as part of the development of this project?
8. What are our options for below grade water quality and detention facilities? Who is the team/contact at the City that can work through this with us?
9. What building codes is the City currently under? What amendments are currently in effect and what amendments/adoptions are being considered at this time?
10. What exterior/building signage standards will apply to this project?
11. Where can we find information regarding residential unit balcony standards and requirements for this project?
12. Where can we find information regarding trash and recycling standards and requirements for this project?
13. Can City of Lakewood Planning confirm that the Bulk Plane for Residential-zoned parcels does not apply to this site given the Public Use distinction of Belmar Park?
14. Where can we find information regarding bike parking requirements for this project?
15. As part of the open space calculations, where can we find information and standards on what constitutes an all-residential building vs. a non-all-residential use building?
16. What information can the City team provide us on the history of the site? The developer and the design team appreciate as much of this information as possible so they can work on honoring and/or incorporating elements of this history into the project.
17. Can you please confirm, as we understand, that the property is designated as "blighted" pursuant to the Urban Renewal Law and is included in the West Alameda Corridor Reinvestment Area established by the Lakewood Reinvestment Authority and adopted by City Council in 1998 (and further amended in 2000)? Based on such inclusion, can you also please confirm that the Residential Growth Limitation Ordinance does not apply to the property or project, does not limit the number of residential dwelling units that may be

11/10/23, 2:32 PM

AOL Mail - Re: Fw: Follow-up

Exhibit 2
2

Re: Fw: Follow-up

From: Regina Hopkins (advocateregina@gmail.com)

To: mark98027@aol.com

Date: Friday, November 10, 2023 at 11:50 AM MST

Great email Mark. You write well and I can learn much from your diplomatic voice of reason.

Regina

On Fri, Nov 10, 2023 at 10:03 AM mark98027@aol.com <mark98027@aol.com> wrote:

R, good morning; Please call me at your convenience.

Sent from the all new AOL app for IOS

Begin forwarded message:

On Friday, November 10, 2023, 10:01 AM, mark98027@aol.com <mark98027@aol.com> wrote:

Matt,

Thank you very much for your reply .. perhaps some error(s) with my email records (?).

Please allow me to share - It appears that you, and others (e.g. City Council) have been dealing with notable input from a variety of individuals, and groups regarding concerns about the Belmar West project - I expect that can be time burdensome to you and others. It points to the need to have projects of the size and magnitude of Belmar West, to go thru formal, systematic public hearings/review. I urge you, other staff, and officials to take this as a constructive and needed action for Lakewood to take for the benefit of all. In the case of Belmar West, we collectively welcome pending dialogue with Kairol staff, even if formal public hearing opportunities have passed. I note 'even if' as the Lakewood MSP Ordinance enables review authority by the Planning Commission under LMC 17.2.7.3(B). As a former City Planner, I know that review/decision bodies depend on staff for expertise, etc. - but it's expertise in public forums - with all the positives such forums, and associated decisions offer. I would like to sincerely ask if Mr. Parker will consider engaging Planning Commission review authority for the Belmar West project under the noted zoning code provision. I am not aware of exact review status with the Planning Department, but have grave concerns about a project approval that can backfire on Lakewood, and on what is right for this community.

Thank you again for your reply; for reading the above, and all your and consideration. I welcome meeting in person, and enjoy your days off.

Best,

Mark

Mark Smith
Save Belmar Park Committee Member

cc: Travis Parker
All recipients of the 11/9/23 letter from
Regina Hopkins and me.

Sent from the all new AOL app for IOS

Exhibit 3

- If the speaker becomes belligerent or disruptive, it is the responsibility of the presiding officer to focus the speaker and maintain the order and decorum of the meeting. It is never appropriate to belligerently challenge or belittle the speaker. No personal attacks of any kind, under any circumstance, will be tolerated. Be mindful of your body language in public meetings.
- The presiding officer shall be fair and equitable in allocating public speaking time to individual speakers.

Conduct in Public Meetings in General

At Other Public Meetings, City Council Members Shall:

-

The following is not the same document that I had previously seen from Atty. Duritik. There are not express limitations to Dept Head Contact

interruptions and private opinions
 encounters, s fact.
 e. Difficult of ideas and s does NOT allow, slanderous,
 their opinions. ers and to avoid at debate should

Conduct with Staff

When Interacting with City Staff, City Council Members Shall:

- Avoid discussing City business or raising questions with staff members, except while voicing general comments or questions at information-gathering meetings such as open house presentations.
- Be respectful and professional, and should not interfere or give direction to staff. Any concerns should be directed to City manager.
- Avoid public criticism of individual staff members.
- Not intentionally seek political support from any City employees.
- Address requests for information or questions about issues and/or community concerns to the relevant department head or other official contact person. Suggestions, policy issues, opinions and criticism should be kept between Council members and the City Manager and/or City Attorney.
- Not disrupt City staff from their jobs, in order to have their individual needs met, whether the staff person is in a meeting, on the phone or engrossed in performing their job functions.

P. 38-36 / Chapter 6

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Exhibit 4

, CO | Municode Library
reporting requirements for
and candidate to public office
Campaign Finance laws.

2.03.020 - Public trust; fiduciary duty.

The holding of public office is a public trust and imposes a fiduciary duty to protect the interests of the people of the City upon every City Councilmember. Each member of City Council or a Board shall carry out their duties for the benefit of the people of the City in accordance with this Code of Ethics.

(Ord. O-2022-9 § 1, 2022)

2.03.030 - Definitions.

As used in this chapter, the following terms shall have the meanings ascribed thereto, unless the context requires otherwise:

Board: Any board, committee, commission, authority or other body appointed by the City Council, whether standing, provisional or temporary.

Board Member: A member of any board, commission or committee appointed by the City Council, pursuant to the authority vested in the City Council through the Charter, any City ordinance, or state law, including both regular and alternate members. Board Member does not include or cover any compensated full-time or part-time City employee.

Business: Any corporation, limited liability company, partnership, sole proprietorship, trust or foundation, or other individual or organization providing a service, resource(s) or goods, whether or not operated for profit.

Charter: The City of Lakewood Home Rule Charter.

City Councilmember or Councilmember: A member of the Governing Body of the City of Lakewood, Colorado, including both the Mayor and the elected representatives of the five wards of the City.

Code of Ethics: This chapter 2.03 of the Lakewood Municipal Code.

Compensation: Any money, thing of value, or economic benefit conferred on or received by any person in exchange for goods or services rendered, whether rendered by such individual or another.

Complainant: Any person who files a verified complaint with the City Clerk alleging that a City Councilmember or a Board Member has violated an applicable provision of this Code of Ethics.

Exhibit 5

MEMORANDUM

5 Exhibit 5

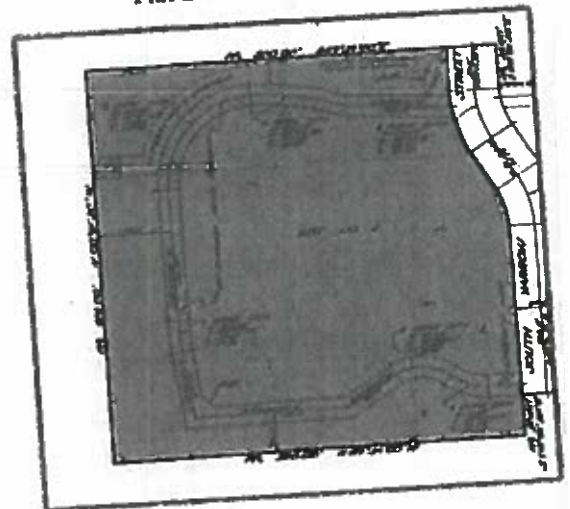
TO: Matt Post, Planning Department
FROM: Garrett Downs, Planning Department
DATE: 02/25/2021
SUBJECT: ZP-21-009, 777 S. Yarrow St Pre-planning

Addresses: 777 S. Yarrow St
Parcel: 49-142-03-001
Legal: Lot 2, IRONGATE EXECUTIVE PLAZA SUB
Owner: IRONGATE OFFICES LLC
Document: Warranty Deed R# F1925103

Assessor's Map 49-142



Plat Book 38 Page 61



Aerial



COMMENTS:

1. The project will require vacation of the City owned SEVA easement dedicated by plat. In addition, there is a 25' wide pedestrian easement shown on the plat with unspecified ownership. There is City right-of-way in the northeast corner of this site that needs to be vacated. The applicant will need to determine how to vacate the pedestrian easement- ie determine ownership and get the owner's permission documented.

2. Community Resources is requesting a fee simple dedication to the City for park purposes. The extent of this area will need

to be determined and the applicant's surveyor will need to provide a legal description and exhibit map at some point during the formal site plan case. Once received, Planning will prepare a Warranty Deed to be signed by the owner. The owner will return the signed deed along with a check made out to Jefferson County for the recording fee (to be calculated upon preparation of the deed).

3. There is a large easement R# 86020161 that was conveyed subsequent to the plat (so it isn't shown on the above plat). This is for Pedestrian Trails, landscaping, irrigation, & a boathouse facility. The proposed building footprint conflicts with this easement by a significant amount. See highlighted blue polygon below:

Exhibit 5a
5a

City Council Request for Legislative Modifications

Submitted on

October 11, 2023 at 11:30 AM

Receipt number

Related form version

Council member sponsor(s)

Anita Springsteen, Rich Olver

Enter email address to receive a copy of this submission:

aspringsteen@lakewood.org

Briefly describe the minor modification being requested:

Requirement of dedication of parkland and open space instead of fee in lieu on 777 S. Yarrow development, requirement developer work around 69 mature trees, requirement developer provide 2 parking spaces per unit, requirement to protect natural environment and seamlessly integrate with neighborhood.

Provide history / background information that supports the Request:

Whereas, the citizens of Lakewood are very concerned about the proposed development at 777 S. Yarrow with respect to safety (of citizens and first responders), about protecting and enhancing the natural environment and wildlife at one of the most unique and tranquil parks in the entire state (which is known nationally as a migratory stop for Double-Breasted Cormorants and other endangered species), about sustainability and habitat with regard to the tree canopy that is ancient for Colorado standards and cannot be replaced, about the requirement under the Comprehensive Plan that site plans seamlessly integrate with the neighborhood, and so much more.

The People of the City of Lakewood ask to make sure this development does not destroy everything that May Bonfils meant this land to be – a protected oasis in the city providing a connection to Colorado nature.

And please see attachment for full document and motion.

If it needs expedited handling, please provide an explanation Why:

As the site plan could be approved at any given moment, these protections must be put in place as soon as possible. We request to make the motion at the October 23, 2023 City Council meeting during General Business. The public has demanded this.

Attach file if needed

A pdf of the full Resolution and Motion is attached.

K KAIROI
RESIDENTIAL

Exhibit
6

October 18, 2023

City of Lakewood Mayor & City Council
480 S Allison Parkway
Lakewood, CO 80226

Via E-mail

Dear Mayor & Members of City Council,

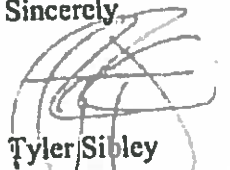
My name is Tyler Sibley and I am a Principal with Kairoi Residential, the owner of the property at 777 S. Yarrow Street. I am writing to let you know that we will be pausing on any future site plan submittals for two months to allow time for a discussion about this project with the Lakewood community.

This is an important step because of the concerns that have been expressed over the past few weeks about our project. We want to be a good neighbor and understand that while a neighborhood meeting wasn't required as part of the development process, we should have worked to have a community discussion because of the importance of the neighboring park.

We want to work with residents to listen to their concerns and explore opportunities for potential changes to the project. We have contacted City staff to schedule these discussions and to reach out to concerned residents about participating.

During the three years that we have been developing this project, we have come to understand how unique and special this location is and that this formal pause is an important step. We look forward to becoming part of the Lakewood community and want to be a partner in making sure that this project serves as an asset for the community.

Sincerely,


Tyler Sibley
Principal
Kairoi Residential

(No Subject)

From: mark98027@aol.com (mark98027@aol.com)

To: advocateregina@gmail.com

Date: Wednesday, November 8, 2023 at 08:00 PM MST

Exhibit 7
7

November 9, 2023

Tyler Sibley, Principal
Kairoi Residential
711 Navarro St., Suite 400
San Antonio, TX 78205

Via e-mail; sent thru Matt Post, Senior Planner/Project Manager for Belmar West Multi-Family [MF] Site Plan

Dear Mr. Sibley,

We represent 'Save Belmar Park', a group of growing-in size citizens concerned about the impact of Kairoi Residential's Belmar West MF project at 777 S Yarrow Street on Belmar Park. Thank you for your October 18th letter to Lakewood's Mayor and City Council regarding Kairoi's sincere interest in a project pause to listen to community concerns about impacts to Belmar Park; to be a 'good neighbor'; to consider and hopefully implement modifications to minimize project impacts, and to create lasting 'win-win' opportunities for Kairoi and the Lakewood community. Approximately eighty (80) persons were present, many speaking, at both the October 9th and October 23rd City Council public comment sessions; ~85 were present at a citizen initiated October 17th meeting. We believe in everyone's interest to have focused communication via a core group of persons, but we certainly don't want to close any communication opens.

As a starting point, we deem it critically important that you review the six hours or so of Lakewood citizen concern, expressed in the public comment portion at the 10/9 and 10/23/23 Council meetings. Those sessions are available at [\(2\) 10-09-23 City Council Meeting Video - YouTube](#) and [\(2\) 10-23-2023 City Council Meeting Video - YouTube](#). The near unanimous sentiment expressed at those meetings was and is passionate concern about protection of Belmar Park. A couple of comments were offered about the need for more housing options, including affordable housing, which is a statewide concern in Colorado and elsewhere. Given Kairoi's reputation as an elite multifamily project developer and manager, we have legitimate concerns about whether affordability concerns will be met. We understand that Kairoi has development rights, and we acknowledge Lakewood's interest in promoting higher-density housing in the greater Belmar area. However, such rights must be balanced with Lakewood city codes, planning documents, and, as you've expressed, community input and concerns, not to mention the precious assets of Belmar Park who have no voice but ours. We have significant concerns about the project as currently proposed, but feel, as noted, that 'win-win' situations can occur.

cont.

11/9/23, 2:13 PM

AOL Mail - No Subject

We understand that Matt Post, Senior Planner/Project Planner, is responsible for coordinating a meeting(s) between Kairoi and concerned citizens. We are informed that the HOA Chair from adjacent Belmar Commons residences will be solicited for a potential appointment(s); we commend such appointment(s). However, per your letter of October 18th, the 'community' of concerned Lakewood residents and citizens extends well beyond residents of Belmar Commons, and trust that staff will recognize the same. In approximate numbers, about eighty (80) persons were present and spoke at both the October 9th and October 23rd City Council.

One final note at present - we understand project has been under Site Plan review for some ~two years; we are not expert regarding current project status, but are getting informed and seek to be best informed. We understand and reiterate appreciation of your 60-day pause, however, given imminent pending holidays, are concerned about an unduly brief or artificially limited time-frame to foster constructive dialogue and 'win-win' opportunities.

We look forward to a constructive dialogue, and thank you again for your time and consideration.

Most Sincerely,

Regina Hopkins, Save Belmar Park Committee Chair, Lakewood Ward ___ Property Owner & Resident

advocateregina@gmail.com
720.209.0338

Mark Smith, Save Belmar Park Committee Member, Ward 3 Property Owner & Resident

Mark98027@aol.com
720.219.9832

- cc: Mayor-Elect Wendi Strom
- Rebekah Stewart, Ward 3 City Councilor
- Roger Low, Ward 3 City Councilor Elect
- Charley Able, Ward 1 City Councilor
- Fred Clifford, Ward 1 City Councilor Elect
- Sharon Vincent, Ward 2 City Councilor
- Isabel Cruz, Ward 2 City Councilor Elect
- Rich Olver, Ward 4 City Councilor
- Dave Rein, Ward 4 City Councilor Elect
- Jacob LaBure, Ward 4 City Councilor Elect
- Mary Janssen, Ward 5 City Councilor
- Travis Parker, Lakewood Director of Planning
- Matt Post, Senior Planner/Belmar West Project Manager
- Kit Newland, Lakewood Director of Community Resources
- Ross Williams, Facilities Planner, Dept. of Community Resources

also
 Kip Kolkmeier,
 Chair, PC
 Coffey Keutner PC
 Save Belmar Park
 Committee
 Interested
 Board on Regina's end
 Citizens



Exhibit 8

Planning Department

Civic Center North
470 South Allison Parkway
Lakewood, Colorado 80228-3127
303.987.7505
303.987.7057 TTY/TDD
Lakewood.org/Planning

April 2, 2021

Meaghan Turner
Kimley-Horn and Associates
1125 17th Street, Suite 1400
Denver, CO 80202

Re: Case # ZP-21-009 - Preplanning Application for a 458-unit multifamily residential building at 777 S. Yarrow St. in Lakewood, CO.

Dear Ms. Turner:

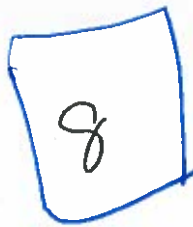
Thank you for submitting a Preplanning Application with the City of Lakewood. The purpose of the preplanning process is to allow City staff the opportunity to provide preliminary feedback regarding the development proposal at an early stage in the design process. City staff has reviewed the materials that were submitted with your application and this comment letter is provided to identify the items that must be addressed prior to any formal application.

Your preliminary proposal is to construct a 490,473 GSF multifamily residential building consisting of 458 for-rent units or; a 449,319 GSF multifamily residential building consisting of 419 for-rent units. The property is zoned Mixed Use – Core – Urban (M-C-U) and allows multifamily as a permitted use pursuant to Article 4 of the ~~City of Lakewood Code~~. Additional zoning information can be found at <http://www.lakewood.org>.

While it is your responsibility to understand the zoning standards that apply to this project, staff is available to answer any questions you may have. A summary of the major planning and engineering related issues that may impact this project are provided below.

General Comments

1. **Overview:** Staff is generally supportive of the proposed use and site layout if all zoning and development standards are satisfied.
2. **Residential Growth Ordinance:** On July 2, 2019, City of Lakewood residents voted to adopt a Residential Growth Limitation Ordinance (RGLO). The ordinance creates an annual cap on the number of residential building permits that the City may issue in a calendar year, unless otherwise exempted by the ordinance. Pursuant to Section 14.27.020 of the Lakewood Municipal Code, residential allocations must be secured for any newly proposed dwelling unit prior to the issuance of building permits. The subject property is located in the West Alameda Corridor Reinvestment Area and as such, is exempt from the requirements of the ordinance. Residential allocations will not be required as part of this proposal.
3. **Process:** A Major Site Plan is required to develop a multifamily residential building on the subject site. The Major Site Plan will include site layout, landscaping, site details, building elevations and a photometric plan. Additionally, a Subdivision application is required for vacation of right-of-way (see comment #29). Requirements and further information on the submittal process are provided in the Next Steps section below.



4. **Review Standards:** The Major Site Plan will be reviewed against applicable standards in the Lakewood Zoning Ordinance. Articles 4, 5, 6, 7, & 8 will be the primary Sections utilized by planning staff for the review. If the development is single-use residential, Article 6 standards will apply; a mixed-use proposal will utilize the standards listed in Article 7. The Zoning Ordinance is available ~~here~~. Please find attached the Major Site Plan Guidelines Checklist for guidance while preparing your formal submittal.

The construction plans and associated documentation will be reviewed for compliance with the latest revision of the City of Lakewood Engineering Design Regulations, Construction Specifications and Design Standards, including the Transportation Engineering Standards and the Storm Drainage Criteria Manual. Copies of these documents are available on our website at ~~http://www.lakewood.org/engstandards~~.

5. **Outside Agency Standards:** Please contact all outside agencies and service providers including: West Metro Fire Protection District, Consolidated Mutual Water Company, Bancroft-Clover Water and Sanitation District, Xcel Energy, Century Link, and Comcast Cable to ensure your project can meet the standards that are applicable to the proposed development prior to submitting formal applications.

6. **Park Land Dedication:** In accordance with Section 14.6.040 of the Lakewood Municipal Code, parkland dedication is required for all new residential developments in the City of Lakewood.

- The City will utilize the above-mentioned provision and request land dedication at this location.
 - Option 1A: 458 units x 1.5 persons per unit x 5.5 acres of parkland per 1000 persons = 3.78 acres of required parkland dedication.
 - Option 1B: 419 units x 1.5 persons per unit x 5.5 acres of parkland per 1000 persons = 3.46 acres of required parkland dedication.
- Staff recognizes that this dedication request encompasses the majority of the site. The listed formula will be utilized to calculate the parkland dedication requirements if an alternate number of units is proposed.
- Community Resources may offset a portion of the land dedication request with other improvements or mitigation measures. Please contact Ross Williams at ~~rossw@lakewood.org~~ or 303-987-7814 to discuss.
- An existing easement present in the southwest portion of the site (REC #86020161) includes a public path, landscaping, and pumphouse. Please acknowledge and ensure that development proposals do not conflict with existing assets. The existing concepts show that the building footprint conflicts with this easement.
- The site is home to many elements of the Historic Belmar Mansion including the fountain base, iron gates, boathouse/pumphouse, pool and mechanical room. The elements should be preserved and/or documented to the greatest extent possible. See additional comments below.
- The area dedicated for parkland, when determined, will need to be surveyed and a legal description and exhibit map submitted at some point during the formal site plan process. Once received, a warranty deed will be prepared by the planning department and signed by the owner, which will then be recorded by Jefferson County.

~~Design should incorporate indigenous and low water plants and employ water-conserving irrigation techniques and systems.~~

22. **Existing Tree Preservation:** Per Section 17.6.5.8 or 17.7.7.7, a site inventory will need to be prepared consisting of existing trees that are greater than 8 inches in diameter as measured 1-foot above grade that will need to be preserved on the site. Removal of any protected trees will need to be approved by the Director. Please set up a meeting with me to walk the site and determine whether any protected trees are present.

23. **Tree Replacement:** Trees that are determined to not meet the preservation requirement may be removed in accordance with Section 17.6.5.8.C or 17.7.7.C, though all removed trees must be replaced at a rate of 100 percent of the total caliper (diameter) of trees removed from the site (17.6.5.9 or 17.7.7.8).

24. **Exterior Lighting:** A photometric plan is required. Please include a cut sheet providing light fixture specifications and ensure compliance with Section 17.7.9.

25. **Enhanced Development Menu (EDM):** Proposed developments with a gross floor area greater than 50,000 square feet must earn a minimum of 50 points from the EDM found in Article 13. See comment #35 and refer to [City of Lakewood Website](#). See comment #34.

26. **Required Public Improvements:** At a minimum, the development will be required to construct the following public improvements along the full extents of the project:

- South Yarrow Street - This project will be required to construct curb, gutter and an 8-foot wide detached sidewalk adjacent to the site in accordance with City of Lakewood Engineering Regulations and Design Standards. The existing access point at the center of the site will need to be removed and replaced with curb, gutter and 8-foot a wide detached walk. A slight meander to the walk will be acceptable if needed to avoid the existing trees and preserve historic assets.
- Off-site improvements may be required due to increased traffic from the site. A traffic study is required and the should be completed and submitted as soon as possible. This will ensure that staff can determine whether any additional improvements will be required prior to the formal submittal.
- The extent of required asphalt improvements will be based on the existing conditions of the roadway. The project engineer will need to contact the City's review engineer, Ken Hargrave at kenhar@lakewood.org, for detailed information on required improvements.

27. **Site Access:** The southern-most site access point is acceptable as shown. The northern-most site access point shall be required to align with the opposing access to the east. All accesses must be a minimum of 24 feet wide.

28. **Sight Triangles:** The sight triangles must be depicted on the Major Site Plan and construction plans. Sight triangles shall be depicted on both sides of both access points regardless of traffic direction or presence of a median. The sight triangles from the site access points to South Yarrow Street shall be 25 feet. Additionally, a 10-foot pedestrian sight triangle is required at the intersection of all detached sidewalks or paths.

29. **Required Right-of-Way/Easement Dedications/Vacations:** If the required improvements do not align with the existing right-of-way width and/or easements, right-of-way shall be dedicated to the back of proposed curb and gutter. Additionally, a pedestrian, utility, traffic control devices (PUTCD) easement shall be dedicated to a minimum distance of two feet beyond the back of the proposed

A list of the current building codes and amendments can be found on the City of Lakewood website <https://www.lakewood.org/Government/Departments/Public-Works>

10. What exterior/building signage standards will apply to this project?

See Article 9 of the Zoning Ordinance and refer to the M-C zone district standards.

11. Where can we find information regarding residential unit balcony standards and requirements for this project?

Please refer to Article 5 and Article 6 or 7 of the Zoning Ordinance for design guidelines and encroachment allowances.

12. Where can we find information regarding trash and recycling standards and requirements for this project?

See comments #17 and #18.

13. Can City of Lakewood Planning confirm that the Bulk Plane for Residential-zoned parcels does not apply to this site given the Public Use distinction of Belmar Park?

The referenced provision applies when a multifamily building is constructed adjacent to residential districts where a single-family or duplex structure exists. Due to no single-family or duplex use on the adjacent properties, this is not a requirement.

14. Where can we find information regarding bike parking requirements for this project?

See Article 8, Sec. 17.8.4 of the Zoning Ordinance.

15. As part of the open space calculations, where can we find information and standards on what constitutes an all-residential building vs. a non-all-residential use building?

See comment #13.

16. What information can the City team provide us on the history of the site? The developer and the design team appreciate as much of this information as possible, so they can work on honoring and/or incorporating elements of this history into the project.

See comment #35.

17. Can you please confirm, as we understand, that the property is designated as "blighted" pursuant to the Urban Renewal Law and is included in the West Alameda Corridor Reinvestment Area established by the Lakewood Reinvestment Authority and adopted by City Council in 1998 (and further amended in 2000)? Based on such inclusion, can you also please confirm that the Residential Growth Limitation Ordinance does not apply to the property or project, does not limit the number of residential dwelling units that may be constructed as part of the project and does not require the project to apply for or secure allocations?



ZP-21-009 777 S Yarrow St.pdf

Exhibit 9

From: Ross Williams
 To: Matthew Post
 Cc: Amber Thill; Ross Williams
 Subject: ZP-21-009 777 S Yarrow St
 Date: Monday, March 1, 2021 5:04:07 PM
 Attachments: [image001.png]

The Department of Community Resources has reviewed the proposed apartment development (Ka'roi Belmar Park) and has the following comments:

1. The site plan will trigger the City Parkland dedication requirements of O-2018-4.
2. The City does desire land in this location (A majority on the West side, with some on the North and South Sides). Land dedication will be required prior to or at the time of building permit.
 458 new units x 1.5 persons per unit x 5.5 acres of parkland per 1000 persons = 3.78 acres of parkland to be dedicated
 419 new units x 1.5 persons per unit x 5.5 acres of parkland per 1000 persons = 3.46 acres of parkland to be dedicated
 Knowing this equates to a majority of the property, the number of units will dictate the dedication requirements.
3. The site houses many artifacts from the Historic Belmar Mansion that should be preserved or documented (fountain base, Iron Gates, Boathouse/pump house, pool and mechanical room. Iron gates and Boat House should be kept in their original location.
4. The development needs to respect the existing easement to protect the pump house and park trail in the SW corner of the site (Easement Rec#86020161).
5. Note on site plans needs to designate how Park Dedication requirements will be satisfied.

Ross Williams
 FACILITIES PLANNER
 PLANNING AND CONSTRUCTION





Lakewood
Colorado

Exhibit 10
10

Planning Department

Civic Center North
470 South Allison Parkway
Lakewood, Colorado 80226-3127
303.987.7505
303.987.7057 TTY/TDD
Lakewood.org/Planning

April 2, 2021 REVISED – June 11, 2021

Meaghan Turner
Kimley-Horn and Associates
1125 17th Street, Suite 1400
Denver, CO 80202

Re: Case # ZP-21-009 - Preplanning Application for a 458-unit multifamily residential building at 777 S. Yarrow St. in Lakewood, CO. See revised comment #6

Dear Ms. Turner:

Thank you for submitting a Preplanning Application with the City of Lakewood. The purpose of the preplanning process is to allow City staff the opportunity to provide preliminary feedback regarding the development proposal at an early stage in the design process. City staff has reviewed the materials that were submitted with your application and this comment letter is provided to identify the items that must be addressed prior to any formal application.

Your preliminary proposal is to construct a 490,473 GSF multifamily residential building consisting of 458 for-rent units or; a 449,319 GSF multifamily residential building consisting of 419 for-rent units. The property is zoned Mixed Use – Core – Urban (M-C-U) and allows multifamily as a permitted use pursuant to Article 4 of the Lakewood Zoning Ordinance. Additional zoning information can be found at www.lakewood.org/zoning.

While it is your responsibility to understand the zoning standards that apply to this project, staff is available to answer any questions you may have. A summary of the major planning and engineering related issues that may impact this project are provided below.

General Comments

1. **Overview:** Staff is generally supportive of the proposed use and site layout if all zoning and development standards are satisfied.
2. **Residential Growth Ordinance:** On July 2, 2019, City of Lakewood residents voted to adopt a Residential Growth Limitation Ordinance (RGLO). The ordinance creates an annual cap on the number of residential building permits that the City may issue in a calendar year, unless otherwise exempted by the ordinance. Pursuant to Section 14.27.020 of the Lakewood Municipal Code, residential allocations must be secured for any newly proposed dwelling unit prior to the issuance of building permits. The subject property is located in the West Alameda Corridor Reinvestment Area and as such, is exempt from the requirements of the ordinance. Residential allocations will not be required as part of this proposal.
3. **Process:** A Major Site Plan is required to develop a multifamily residential building on the subject site. The Major Site Plan will include site layout, landscaping, site details, building elevations and a photometric plan. Additionally, a Subdivision application is required for vacation of right-of-way (see comment #29). Requirements and further information on the submittal process are provided in the Next Steps section below.

10

4. **Review Standards:** The Major Site Plan will be reviewed against applicable standards in the Lakewood Zoning Ordinance. Articles 4, 5, 6, 7, & 8 will be the primary Sections utilized by planning staff for the review. If the development is single-use residential, Article 6 standards will apply; a mixed-use proposal will utilize the standards listed in Article 7. The Zoning Ordinance is available here. Please find attached the Major Site Plan Guidelines Checklist for guidance while preparing your formal submittal.

The construction plans and associated documentation will be reviewed for compliance with the latest revision of the City of Lakewood Engineering Design Regulations, Construction Specifications and Design Standards, including the Transportation Engineering Standards and the Storm Drainage Criteria Manual. Copies of these documents are available on our website at www.lakewood.org/engineering_standards.

5. **Outside Agency Standards:** Please contact all outside agencies and service providers including: West Metro Fire Protection District, Consolidated Mutual Water Company, Bancroft-Clover Water and Sanitation District, Xcel Energy, Century Link, and Comcast Cable to ensure your project can meet the standards that are applicable to the proposed development prior to submitting formal applications

6. **REVISED COMMENT – In place of the original parkland dedication request, staff will accept "improvements in-lieu" equal to the required fee in-lieu calculation. As such, this project will not be required to dedicate land assuming that said and yet to be determined improvements are agreed upon and completed. A fee in-lieu calculation will be provided when a final unit count is determined.** Park Land Dedication: In accordance with Section 14.6.040 of the Lakewood Municipal Code, parkland dedication is required for all new residential developments in the City of Lakewood.

- The City will utilize the above-mentioned provision and request land dedication at this location.
 - Option 1A: 458 units x 1.5 persons per unit x 5.5 acres of parkland per 1000 persons = 3.78 acres of required parkland dedication.
 - Option 1B: 419 units x 1.5 persons per unit x 5.5 acres of parkland per 1000 persons = 3.46 acres of required parkland dedication.
- Staff recognizes that this dedication request encompasses the majority of the site. The listed formula will be utilized to calculate the parkland dedication requirements if an alternate number of units is proposed.
- Community Resources may offset a portion of the land dedication request with other improvements or mitigation measures. Please contact Ross Williams at roswil@lakewood.org or 303-987-7814 to discuss.
- An existing easement present in the southwest portion of the site (REC #86020161) includes a public path, landscaping, and pumphouse. Please acknowledge and ensure that development proposals do not conflict with existing assets. The existing concepts show that the building footprint conflicts with this easement.
- The site is home to many elements of the Historic Belmar Mansion including the fountain base, iron gates, boathouse/pumphouse, pool and mechanical room. The elements should be preserved and/or documented to the greatest extent possible. See additional comments below.





- The area dedicated for parkland, when determined, will need to be surveyed and a legal description and exhibit map submitted at some point during the formal site plan process. Once received, a warranty deed will be prepared by the planning department and signed by the owner, which will then be recorded by Jefferson County.

7. ~~School Land Dedication: In lieu of dedicating land for school purposes, fees are due with the~~ creation of new residential units. The school land fees for the units shall be paid prior to the building permit issuance. The school land dedication fee is \$366,400 for 458 new multifamily units, or \$335,200 for 419 new multifamily units (\$800/unit). Please note that fees are subject to change.

Major Site Plan Comments

8. **Setbacks:** The M-C-U zone district is subject to a front setback of 0-20 feet as measured from the existing or required public improvements or easements. The front setback will be measured from the PUTCD easement that will be 2 feet off the back of the public sidewalk along the Yarrow Street frontage. The side and rear setbacks are 0 or 5 feet as measured from the property line. Buildings not located at the 0-foot setback must meet a minimum 5-foot setback.
9. **Build-to-Zone:** The M-C-U zone district requires that 70% of the lot frontage include building area or plaza space within the 0-20 front setback area. Both concepts appear to meet this standard. Please also be aware that Section 17.5.3.2 (Minimum Building Story Requirement) applies, and any portion of the structure located in the required Build-to-Zone shall be a minimum of two (2) stories in height.
10. **Building Height:** In the M-C-U zone district, the minimum building height is 30 feet and the maximum building height is 120 feet. Please provide spot elevations at the corners of the building to determine overall height in accordance with Section 17.5.1.5 (Height Measurements).
11. **Facade Stepback:** In all zone districts, buildings taller than 45 feet in height shall be subject to an upper level stepback. All portions of the building taller than 45 feet and facing the primary front lot line (South Yarrow) shall be stepped back 10 feet as measured from the outer edge of the first story. An additional 10 feet of stepback is required for each additional 30 feet of building height.
12. **Plaza:** Plaza space shall be required when a multifamily residential development or redevelopment involves a gross site area greater than 2 acres. In the urban context, the plaza shall contribute to 45% of the required open space.
13. **Open space:** The minimum amount of open space required in the M-C-U zone district is 15 percent. However, all single-use multifamily developments shall provide a minimum of 30 percent open space. Based on the provided concepts, it appears that both proposals are single-use multifamily projects. As such, the 30 percent open space standards will apply. Please see Article 14 for definition of open space. Any proposed roof deck and porches may be counted towards a portion (20%) of the open space requirement; the remaining portion will need to be satisfied at-grade. Show the open space calculation on the Major Site Plan. It is also important to note that the fire access drives and drive aisles do not contribute to the open space requirement.

Staff will make a reasonable judgement as to what is considered a true mixed-use proposal regarding the open space requirement. Elements of evaluation will include:

- Retail/commercial on the primary street-facing ground floor level.
- Minimum depth of 40 feet.
- Minimum floor to ceiling height of ground floor space of 14 feet.
- Space shall meet building code requirements for retail or office occupancy.

Exhibit 11

From: Ross Williams
To: Matthew Post
Cc: Amber Thill; Ross Williams; Bradley Chronowski
Subject: LA22-0002 & SP22-0010 777 S Yarrow St
Date: Monday, May 9, 2022 2:38:48 PM
Attachments: image001.png

The Department of Community Resources is reviewing the proposed apartment development (Kairoi Belmar Park) and has the following initial comments:

1. The site plan will trigger the City Parkland dedication requirements of O-2018-4.
2. The City desires to have improvements completed in lieu of parkland dedications or fees in lieu. The improvements in lieu must exceed the value of the required dedication fee (412 new units x 1.5 persons per unit x 5.5 acres of parkland per 1000 persons x \$254,545 land value = \$865,200.
3. New parking lots in Belmar Park is the desired improvement in lieu. The lots should meet or exceed the minimum required parking lot standards of the zoning code. Landscape buffering and parking lot landscaping on Belmar Park shall xeric and may be irrigated from the non-potable system in the park.
4. The development needs to respect the existing easement to protect the pump house and park trail in the SW corner of the site (Easement Rec#86020161). Some consideration may be given to reduce the size of the easement. Any new easement must include boat house and public walkway.
5. Note on site plans and or the lot line adjustment plat needs to designate how Park Dedication requirements will be satisfied.
6. Additional comments on the Site Plan and Civil drawing set will be forthcoming.

Ross Williams
FACILITIES PLANNER
PLANNING AND CONSTRUCTION



Lakewood
Community Resources

Exhibit 12

Please read this via email to ensure a quick response.

From: Greg Buchanan
Sent: Tuesday, November 21, 2023 3:33 PM
To: mark98027@aol.com
Subject: RE: Touching Base

Mark,

You have received all records that the City possesses in its email system responsive to your request. The retention period for email is 2 years. Emails older than 2 years are automatically deleted on a rolling basis daily. Correspondence delivered via email that is determined by the sender or recipient

at the City to contain enduring long-term value should be retained, in this case, within the project/case files. Accordingly, you have requested and received the site plan case file SP-22-0010 and preplanning case files ZP-19-047 and ZP-21-009 which contain correspondence related to those cases. I am unaware if there are other case files associated to this project, but you can certainly request any additional records excluding what you already received, noted above, in writing and/or through this form.

Respectfully,
Greg

Greg Buchanan, CDM

Exhibit 13



City of Lakewood
Department of Community Resources

Park Land Dedication Ordinance and Policy
June 16, 2018

On March 26, 2018, the Lakewood City Council approved Ordinance O-2018-4 which revised the City's park land dedication requirement as originally stated in O-1983-137. The ordinance requires that subdividers of new residential lots and developers of new residential units submitted for formal approval after June 16, 2018 to the City of Lakewood, shall dedicate land for parks and open space or pay a cash-in-lieu fee.

The land dedication or fee-in-lieu is assessed at the time the property is subdivided, or if subdivision is not required at the time of site plan approval. Land dedications should be completed with the plat, however, in certain cases they may be done by a separate instrument. Fees assessed on plats are due when the plat is recorded. Fees assessed on site plans will be due at the time of building permit issuance. Park improvements may be substituted for fees at the discretion of the Director of Community Resources.

Park Land Dedication

The amount of land for park land dedication is calculated based on a standard of 5.5 acres for every 1000 additional population generated by the new residential development. For all developments greater than 15 acres, land shall be dedicated. The following per-unit density factors are used to determine the number of people generated by different housing unit types:

Dwelling Unit Type	Persons per Dwelling Unit	Land Dedication Required per Unit
Single Family Detached	3.00	.0165 acres
Single Family or Multi-family attached	1.50	.00825 acres
Senior Housing	1.25	.006875 acres

Fee-In Lieu of land dedication

The Director for the purpose of this ordinance, has determined that the fair market value of land to satisfy the park land requirements in this ordinance for the time period of June 16, 2018 to December 31, 2019 to be approximately \$254,545 per acre.

Dwelling Unit Type	Per Unit Fee-In-Lieu of land dedication
Single Family Detached	\$4,200
Single Family or Multi-family attached	\$2,100
Senior Housing	\$1,750

Any interpretations or questions of the Ordinance and policy should be directed to Ross Williams, Facility Planner at 303-987-7814 or roswil@lakewood.org.

Approved by Kit Newland,
Director of Community Resources

7/3/18
Date

Alternative formats of this document available upon request.

Void!

Property Information

Home / PIN/Schedule Number / Property Information

Exhibit 14

Property Information

Sales

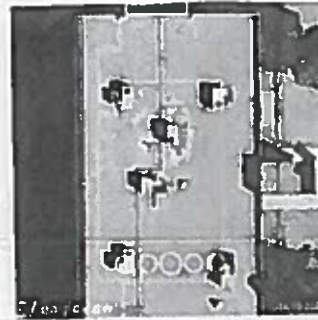
History

PIN/Schedule
30069505
Owners
BELMAR OWNER LLC

AIN/Parcel ID
49-142-03-001
Property Address
777 S YARROW ST
LAKEWOOD, CO 80226

Property Class
2220 Offices
Mailing Address
711 NAVARRO ST 400
SAN ANTONIO, TX 78205

Address and Political
Address Information



Legal Description

Subdivision
380000 IRONGATE EXECUTIVE PLAZA SUB
Parcel Maps
View Parcel Maps

Interactive Map
Asph
Interactive Map
JMap

Block	Lot	Tract/Key	Section	Township	Range	Section	Land SQFT	Land Acres
	0002		14	04	69	NW 4	193,406	4.44
Total							193,406	4.44

CAUTION: The above legal description is incomplete and for internal purposes only. DO NOT USE THE ABOVE LEGAL DESCRIPTION FOR DEEDS and other legal conveyances.

Sale History

Sale Date	Sale Amount	Deed Type	Doc/Instr#
11/22/1985	\$0	Other	B5119270
6/17/1988	\$0	Public Trustees Deed	B8059179
11/5/1992	\$2,800,000	Special Warranty Deed	92148395
11/5/1992	\$2,800,000	Merger	9214839M
6/1/1998	\$2,710,000	Special Warranty Deed	F0628179
12/1/1998	\$3,000,000	Special Warranty Deed	F0754216
12/8/1998	\$0	Quit Claim Deed	F0757571
12/8/1998	\$0	Quit Claim Deed	F0755525
6/14/2002	\$0	Quit Claim Deed	F1509496

14

Assessor Property Records Search - Property Details

Sale Date	Sale Amount	Deed Type	Doc/Instr#
6/14/2002	\$0	Quit Claim Deed	F1509497
12/11/2003	\$5,452,500	Warranty Deed	F1925103
6/18/2021	\$6,000,000	Special Warranty Deed	2021093572

Property Valuation

Kairo purchase

S FIND COMPARABLE SALES
Mass Appraisal Valuation Explanation

Tax Year	Actual Land Value	Actual Imp Value	Actual Total Value	Assessed Land Value	Assessed Imp Value	Assessed Total Value	Notice of Valuation
2023 payable 2024	\$2,417,575	\$3,170,025	\$5,587,600	\$674,503	\$884,437	\$1,558,940	View Notice
2022 payable 2023	\$2,079,115	\$244,485	\$2,323,600	\$602,943	\$70,901	\$673,844	

Mill Levy Information

Treasurer Tax Information

Tax Year	TAG	Authority	Mill Levy
2023 payable 2024	7099	BANCROFT-CLOVER WATER&SAN DIST	TBD
		COUNTY	TBD
		LAKEWOOD	TBD
		REGIONAL TRANSPORTATION DIST	TBD
		SCHOOL	TBD
		URBAN DRAINAGE&FLOOD C 50 PLAT	TBD
		URBAN DRAINAGE&FLOOD CDNT DIST	TBD
		W ALAMEDA AVE CORR URB R1 2023	TBD
		WEST METRO FIRE PROTECTION - G	TBD
		WEST METRO FIRE PROTECTION SUB	TBD
		Total Mill Levy	TBD
2022 payable 2023	7099	BANCROFT-CLOVER WATER&SAN DIST	1.2380
		COUNTY	26.9780
		LAKEWOOD	4.7110
		REGIONAL TRANSPORTATION DIST	0.0000
		SCHOOL	46.1330
		URBAN DRAINAGE&FLOOD C 50 PLAT	0.1000
		URBAN DRAINAGE&FLOOD CDNT DIST	0.9000
		W ALAMEDA AVE CORR URB R1 2023	0.0000
		WEST METRO FIRE PROTECTION - G	12.7530
		WEST METRO FIRE PROTECTION SUB	0.6780
		Total Mill Levy	93.4910

Property Inventory

Neighborhood
520 OFFCE

Market Area
30 CommrMA, East Jeffco

Land Use	State Tax Class	Size	Unit Type	Land Contributor	Contributor Category
Comm Model 2 Primary	2120	193,406	Square Foot	All public available Level to slight slope Neighborhood Urban area Principal Arterial frontage: 40/45 mph min.	Utilities Topography Location Traffic

Exhibit 15

2023 BOE EXHIBIT

provided to the
Jefferson County Board of Equalization
by the Jefferson County Assessor's Office

PROPERTY TYPE: Offices
PROPERTY ADDRESS: 777 S YARROW ST
LAKEWOOD, CO 80226
OWNER: BELMAR OWNER LLC
(per Assessor Records)
FOR THE TAX YEAR: 2023
TAX ID/PIN #: 300069505
RESPONDENT: Jefferson County Board of Equalization

Assessment date: January 1, 2023
Effective Date of Value: June 30, 2022
Hearing Date: September 14, 2023
Report Date: September 13, 2023

u

EXHIBIT
A

GENERAL SUMMARY

Exhibit 15
15

Tax ID/PIN # 300069505
Parcel ID: 49-142-03-001

Owner: BELMAR OWNER LLC

Address: 777 S YARROW ST
LAKEWOOD, Jefferson County, CO 80226

Legal Description: Section 14 Township 04 Range 69 Qtr NWSubdivisionCd 380000 SubdivisionName IRONGATE EXECUTIVE PLAZA SUB Block Lot 0002 Size: 193406 Tract Value: 4.440

Sales History: The subject property sold most recently for \$6,000,000, on June 18, 2021 with IRONGATE OFFICES LLC as grantor to BELMAR OWNER LLC as grantee. This sale was verified by TD1000 Declaration.

Previous to this sale the subject property sold for \$5,452,500, on December 11, 2003 with 777 IRONGATE LLC as grantor to IRONGATE OFFICES LLC as grantee. This sale was verified by Owner/Buyer.

Farther back in time the assessor's records show the subject property selling for \$3,000,000, on December 1, 1998 with LUTHERAN MEDICAL CENTER FOUNDATION as grantor to 3975 LIMITED LIABILITY COMPANY; IRONGATE LLC as grantee. This sale was verified by Owner/Buyer.

Sales Comments:

ASSESSMENT				
Tax ID/PIN	Assessment Year	Land	Improvements	Total
300069505	2023	\$2,417,575	\$3,170,025	\$5,587,600

LAND SALES

15

LAND AREA- 193,406 SF X \$31.02 = \$6,000,000

9.93
Acres

not projected
S. ~~as~~ S
required for
current
configuration

LAND SALES

Sale #	Account	Address	City	Sale Date	Sale Price	Land Size AC	Land Size SF	SF/SF	Zoning	Utilities	Notes
1	30046565	85 S. Union Blvd.	Lakewood	4/22/2015	\$3,900,000	4.43	191,049	\$20.20		E-W-5-G	Vacant retail bld.-sf. incl. in sale
2	30021579	9881 W. 58th Ave.	Arvada	7/31/2015	\$5,900,000	8.41	366,427	\$16.10		E-W-5-G	Vacant retail bld.-105,000sf incl. in sale
3	30046292	140 S. Union Blvd.	Lakewood	2/5/2016	\$3,300,000	2.76	120,226	\$25.78		E-W-5-G	Vacant industrial bld. incl. in sale
4	30021699	W. 32nd Ave.	Golden	7/26/2017	\$4,800,000	6.13	267,240	\$10.48		E-W-5-G	Rolling Hills -16 lot SFR subv. Deduct \$800,000 for SFR. \$2,000,000/15 lots = \$133,333/lot.
5	30044076	66 S. Van Gordon St.	Lakewood	6/15/2018	\$5,400,000	3.75	162,212	\$33.09		E-W-5-G	Vacant office bld.-60,700sf incl. in sale
6	30042636	1767 Denver West Marriott Blvd.	Golden	6/21/2018	\$4,000,000	7.22	314,710	\$12.71		E-W-5-G	Vacant office bld.-35,543sf incl. in sale
7	30041123	9560 Wadsworth Pkwy.	Westminster	10/11/2018	\$4,000,000	10.14	441,898	\$18.19		E-W-5-G	Vacant retail bld.-315,547sf incl. in sale
8	30051264	311 10th St.	Golden	10/15/2019	\$12,250,999	6.23	271,161	\$45.21		E-W-5-G	Vacant office bld.-191,638sf incl. in sale
9	30051083	801 Wadsworth Blvd.	Lakewood	7/30/2020	\$251,000	1.16	50,555	\$10.38		E-W-5-G	Vacant fast food bld.-4,106sf incl. in sale
10	30020757	1347 Lamar St.	Lakewood	10/15/2020	\$1,325,000	0.48	20,865	\$63.50		E-W-5-G	
11	30051678	11901 Ridge Rd.	Wheat Ridge	10/15/2020	\$4,250,000	2.83	123,120	\$94.52		E-W-5-G	Vacant land.
12	30021602	16500 S. Golden Rd.	Golden	10/16/2020	\$1,800,000	2.08	90,485	\$19.89		E-W-5-G	No water/sewer paid
13	30019075	7329 S. Alhre St.	Littleton	11/20/2020	\$2,575,000	8.19	356,756	\$7.22		E-W-5-G	
14	30059240	1180 Hewstar Wy.	Golden	3/17/2021	\$3,250,000	5.06	220,414	\$14.74		E-W-5-G	Residential bld. 2,665sf incl. in sale
15	30051612	8765 Halston Rd.	Arvada	4/9/2021	\$1,900,000	1.79	77,929	\$19.25		E-W-5-G	Vacant 4,415sf church bld.-incl. in sale
16	30016869	8591 Halston Rd.	Arvada	9/14/2021	\$880,000	1.02	44,431	\$19.81		E-W-5-G	2-Residential bld. incl. in sale
17	30076526	1350 Lamar St.	Lakewood	9/17/2021	\$4,000,000	1.87	81,400	\$48.14		E-W-5-G	Vacant retail bld.-105,000sf incl. in sale
18	30008874	9881 W. 58th Ave.	Arvada	11/29/2021	\$9,456,129	8.41	366,427	\$25.75		E-W-5-G	Vacant 5,588sf retail bld. incl. in sale
19	30054177	11601 W. 64th Ave.	Arvada	11/23/2021	\$1,680,000	0.73	31,717	\$53.28		E-W-5-G	Vacant 3,164 auto service & 827sf & 911sf SFR incl. in sale
20	30011041	5211 W. Mississippi Ave.	Lakewood	12/10/2021	\$1,275,000	1.83	45,000	\$28.33		E-W-5-G	Vacant SFR-1,874sf incl. in sale
21	30056577	1354 Marshall St.	Lakewood	12/14/2021	\$1,425,000	0.29	12,500	\$114.00		E-W-5-G	
22	30052013	111715 W. 112th Ave.	Westminster	12/15/2021	\$4,251,235	19.52	850,247	\$5.00		E-W-5-G	Vacant 3,777sf retail, 3,353sf warehouse, 1,743sf SFR, & 2,455sf restaurant incl. in sale
23	30016041	5201 W. Mississippi Ave.	Lakewood	2/1/2022	\$2,700,000	1.16	50,567	\$53.39		E-W-5-G	Vacant restaurant bld.-10,432sf incl. in sale
24	30021574	9150 W. Cross Dr.	Littleton	2/23/2022	\$5,250,000	4.07	177,372	\$29.60		E-W-5-G	
25	30002900	5807 W. 38th Ave.	Lakewood	3/23/2022	\$1,120,000	1.34	58,573	\$19.12		E-W-5-G	
26	30002230		Lakewood								
27	30040674	6801 W. Colfax Ave.	Lakewood	5/3/2022	\$2,050,000	1.33	57,955	\$35.38		E-W-5-G	Vacant fastfood bld.-1,587sf & 6,500sf retail bld. incl. in sale
28	30040673	6851 W. Colfax Ave.	Lakewood	6/9/2022	\$1,700,000	0.62	27,007	\$62.95		E-W-5-G	Vacant 18,200sf retail bld. incl. in sale
29	30043165	16532 W. Teller Dr.	Littleton	6/20/2022	\$4,306,600	20.68	900,997	\$7.00		E-W-5-G	
30	30052102	7525 W. 44th Ave.	Wheat Ridge	6/27/2022	\$3,200,000	2.46	106,986	\$29.91		E-W-5-G	Vacant Pep Boys retail bld. incl. in sale.

RECOMMENDATIONS

15

ACTUAL VALUE	TAX PERIOD: 2023
Land	\$2,417,575
Improvements	\$3,170,025
Total	\$5,587,600

RECOMMENDED ACTUAL VALUE	TAX PERIOD: 2023
Land	\$2,417,575
Improvements	\$3,582,425
Total	\$6,000,000

Protest_300069505 PDF

← 6 of 6 →



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File Edit View Help

Page 1 of 1

100%

Exhibit 16



DOWNEY & ASSOCIATES, PC
A PROFESSIONAL CORPORATION

d 500

Thomas E. Downey, Jr.
tom@downeylawpc.com

June 8, 2023

RECEIVED

JUN 08 2023

JEFFERSON COUNTY ASSESSOR

Via USPS Priority Mail

Scot Kersgaard
Jefferson County Assessor
100 Jefferson County Pkwy - #2500
Golden, CO 80419

Re: 777 S. Yarrow, Lakewood #300069505
Schedule Number: 49-142-03-001

Dear Assessor:

We represent, BELMAR OWNER LLC, the Owner of the above-captioned property, and are tendering this correspondence on its behalf. This letter shall serve as a formal written protest of the real property notice of valuation for the above-captioned property for the 2023 tax year.

We believe the current year actual value assigned to the above-captioned schedule numbers is excessive and should be reduced for the following reasons:

The value of \$5,587,600/\$129sf is allocated \$3,170,025 to improvements and \$ 2,417,575 to land. The property was acquired in June 2021 for redevelopment as a multifamily. The office building on the site was vacant as of the assessment and the improvements were worthless waiting to be demolished. Demolition was scheduled to begin in May 2023. Petitioner respectfully requests the Assessor recognize that the improvements had little or no value as of the assessment date. Petitioner respectfully requests that the improvements be reduced to \$1,000 for the 2023 tax year.

Pursuant to C.R.S. § 39-5-121.5, the taxpayer respectfully requests that the Assessor provide its undersigned legal representative with the data utilized by the Assessor to establish the 2023 value for the Subject Property within seven working days after receipt of this request.

I would appreciate meeting with you in June to discuss this matter. Please contact me if you have any questions concerning this Protest. Thank you for your consideration.

Very truly yours,

Thomas E. Downey, Jr.

cc: K. Conrad

7293 South Yampa Street - Suite 100
Ft. Collins, Colorado 80516
Tel: 303-813-1111 Fax: 303-813-1122
www.downeylawpc.com www.coloradopropertytaxattorney.com

TRK # 9405 5118 9956 2241 7941 13

EXHIBIT 17

PURPOSE AND ADMINISTRATION

V.Z. Code

17.1.1: Title

Title 17 shall be known and cited as the Zoning Ordinance or the Zoning Ordinance of the City of Lakewood, Colorado.

17.1.2: Purpose and Intent

Pursuant to statutory authority, this Zoning Ordinance is enacted for the following purposes:

- A. To promote the public health, safety and welfare of the citizens of the City of Lakewood.
- B. To implement the vision, goals, and recommendations of the City of Lakewood Comprehensive Plan.
- C. To protect and enhance the natural environment including the conservation of natural features, land and energy.
- D. To provide for a range of housing types and costs to meet the current and future needs of the citizens of the City.
- E. To promote the orderly development and redevelopment of land within the City of Lakewood.
- F. To ensure the effective integration of development and redevelopment with surrounding land uses.
- G. To respect the unique characteristics and attributes of individual neighborhoods.
- H. To promote multi-modal transportation options within the City including safe, efficient and attractive pedestrian and bicycle connections.
- I. To enhance the appearance of the City of Lakewood through quality site and building design.
- J. To ensure the economic vitality of the City of Lakewood
- K. ~~To promote mixes of commercial and residential uses within mixed-use zones.~~

17.1.3: Relationship to Comprehensive Plan

The Lakewood Comprehensive Plan establishes the goals and policies that serve as the foundation for this Zoning Ordinance. All land use decisions shall be consistent with the goals and policies of the Comprehensive Plan and with the Purpose and Intent of this Zoning Ordinance.

U.S. Federal and State Cases, Codes, and Articles

Select a tab to search United States Cases, Codes, or Articles

Cases	Codes	Articles
-------	-------	----------

Search by keyword or citation
 * Indicates required field

Keyword or Citation *

Enter Keyword or Citation

[View results >](#)

Handwritten notes: "Exhibit 18" and a circled "18" with a dollar sign.

[FINDLAW \(HTTPS://WWW.FINDLAW.COM/\)](https://www.findlaw.com/) / [CODES \(HTTPS://CODES.FINDLAW.COM/\)](https://codes.findlaw.com/) / [COLORADO \(HTTPS://CODES.FINDLAW.COM/CO/\)](https://codes.findlaw.com/co/) / [TITLE 31. GOVERNMENT MUNICIPAL \(HTTPS://CODES.FINDLAW.COM/CO/TITLE-31-GOVERNMENT-MUNICIPAL/\)](https://codes.findlaw.com/co/title-31-government-municipal/) / § 31-23-206

Colorado Revised Statutes Title 31. Government Municipal § 31-23-206. Master plan

Current as of January 01, 2022 | Updated by FindLaw Staff [\(https://www.findlaw.com/company/our-team.html\)](https://www.findlaw.com/company/our-team.html)

(1) It is the duty of the commission to make and adopt a master plan for the physical development of the municipality, including any areas outside its boundaries, subject to the approval of the governmental body having jurisdiction thereof, that in the commission's judgment bear relation to the planning of the municipality. The master plan of a municipality is an advisory document to guide land development decisions; however, the plan or any part thereof may be made binding by inclusion in the municipality's adopted subdivision, zoning, platting, planned unit development, or other similar land development regulations after satisfying notice, due process, and hearing requirements for legislative or quasi-judicial processes as appropriate. When a commission decides to adopt a master plan, the commission shall conduct public hearings, after notice of such public hearings has been published in a newspaper of general circulation in the municipality in a manner sufficient to notify the public of the time, place, and nature of the public hearing, prior to final adoption of a master plan in order to encourage public participation in and awareness of the development of such plan and shall accept and consider oral and written public comments throughout the process of developing the plan. The plan, with the accompanying maps, plats, charts, and descriptive matter, must, after consideration of each of the following, where applicable or appropriate, show the commission's recommendations for the development of the municipality and outlying areas, including:

- (a) The general location, character, and extent of existing, proposed, or projected streets, roads, rights-of-way, bridges, waterways, waterfronts, parkways, highways, mass transit routes and corridors, and any transportation plan prepared by any metropolitan planning organization that covers all or a portion of the municipality and that the municipality has received notification of or, if the municipality is not located in an area covered by a metropolitan planning organization, any transportation plan prepared by the department of transportation that the municipality has received notification of and that covers all or a portion of the municipality;
- (b) The general location of public places or facilities, including public schools, cultural, historically, or archaeologically significant buildings, sites, and objects, playgrounds, squares, parks, airports, aviation fields, military installations, and other public ways, grounds, open spaces, trails, and designated federal, state, and local wildlife areas. For purposes of this section, "military installation" shall have the same meaning as specified in [section 29-20-105.6\(2\)\(b\), C.R.S.](https://next.westlaw.com/Link/Document/FullText?findType=1&originatingContext=document&transitionType=DocumentItem&pubNum=1000517&refType=SP&originatingDoc=184a2a49077711ec8ec1d6a8e9361-105.6) [\(https://next.westlaw.com/Link/Document/FullText?findType=1&originatingContext=document&transitionType=DocumentItem&pubNum=1000517&refType=SP&originatingDoc=184a2a49077711ec8ec1d6a8e9361-105.6\)](https://next.westlaw.com/Link/Document/FullText?findType=1&originatingContext=document&transitionType=DocumentItem&pubNum=1000517&refType=SP&originatingDoc=184a2a49077711ec8ec1d6a8e9361-105.6)

(c) The general location and extent of public utilities terminals, capital facilities, and transfer facilities, whether publicly or privately owned or operated, for water, light, sanitation, transportation, communication, power, and other purposes, and any proposed or projected needs for capital facilities and utilities, including the priorities, anticipated costs, and funding proposals for such facilities and utilities;

Home (<https://www.lakewood.org/Home>) / Government (<https://www.lakewood.org/Government>) / Departments (<https://www.lakewood.org/Government/Departments>) / Planning (<https://www.lakewood.org/Government/Departments/Planning>) / Comprehensive Planning (<https://www.lakewood.org/Government/Departments/Planning/Comprehensive-Planning-Main>) / Community Plans

Community Plans

Overview

Exhibit 19
19

The City's Comprehensive Plan, implementation plans and citywide plans provide goals and action steps to enhance Lakewood's livability and to guide land-use decisions, sustainability and quality development in the city.

Comprehensive Plan

Lakewood 2025: Moving Forward Together (PDF, 243MB)

/files/assets/public/v/1/planning/comprehensive-planning/pdfs/community-plans/comprehensive-plan/lakewood-2025_moving-forward-together_lakewood-comp-plan_2015.pdf

The Lakewood Comprehensive Plan is an advisory document that guides the development and redevelopment of the city of Lakewood. The Plan contains a set of goals and action steps that provides guidance to the Planning Commission and City Council when making decisions. It is intended to improve and enhance the city's livability, economic viability, transportation and sustainability.

Comprehensive Plan Chapters:

Acknowledgments (PDF, 97KB)

</files/assets/public/v/1/planning/comprehensive-planning/pdfs/community-plans/comprehensive-plan/>





ZP-21-009 777 S Yarrow St 1.pdf

Exhibit 9a
19a

From: Caitlin Hasenbalg Long
To: Matthew Post
Subject: ZP-21-009 777 S Yarrow St
Date: Thursday, March 18, 2021 8:45:15 PM
Attachments: image001.png

Hi Matt,

Here are Sustainability's comments for case ZP-21-009 for the Belmar Park multi-family project at 777 S Yarrow St:

- The Intent of the Enhanced Development Menu (EDM) is to ensure large-scale developments are good stewards and investments in the community by minimizing the impact on resources and providing public amenities. We appreciate the applicant's desire to be sensitive to the context of the surrounding Belmar Park, and would be happy to coordinate with the applicant as requested in the written description.
- Proposed developments with a Gross Floor Area greater than 50,000 square feet must earn a minimum of 50 points from the EDM found in Article 13 of the Lakewood Zoning Ordinance. Please see the Applicant Resource Guide for reference.
- Given the size and context of this project, we suggest pursuing LEED Gold certification, which will satisfy all required points in the EDM (item 18).
 - o Some alternative EDM options that may be good fits include Urban Heat Island reduction (item 3), on-site or off-site renewable energy (items 4-5), recycling and compost enclosures and service contracts (items 8-9), social connection amenities (item 15), and on-site food production for residents (item 17).
 - o Depending on the details, we may also consider the Open Option (item 19) for site-specific improvements such as preservation of the historic structures and integration with the surrounding park facilities.
- I would also like to bring the applicants' attention to the Lakewood amendments to the building code, which include requirements for construction and demolition waste recycling, solar ready rooftops, and EV-ready parking, among other provisions. Although these will not fully reviewed until the building permit is submitted, please include the location and dimensions of solar-ready zones and identify EV-capable parking in the Site Plan submittal.
- Please contact me at cailon@lakewood.org with questions regarding the EDM and building code sections referenced above.

Let me know if you have questions or need anything else!

Caitlin Hasenbalg Long, AICP
Senior Sustainability Planner

303-987-7686
Civic Center North
470 South Allison Parkway
Lakewood Colorado 80226

www.lakewood.org/sustainability





Lakewood
Colorado

Exhibit 20
20

Planning Department

Civic Center North
470 South Allison Parkway
Lakewood, Colorado 80226-3127
303.987.7505
303.987.7057 TTY/TDD
Lakewood.org/Planning

September 29, 2022

Tyler Sibley
Kairol Residential
711 Navarro Street
San Antonio, TX 78205

RE: Case # SP22-0010 – 777 South Yarrow Street - Major Site Plan for a multifamily development

Dear Mr. Sibley:

Staff has completed the review of the first submittal of the Formal Land Development Application to consider a Major Site Plan for a multifamily project at 777 South Yarrow Street. All comments below were made in accordance with the Lakewood Zoning Ordinance.

General Comments

1. Engineering comments will be provided separately via eTRAKIT. If you have specific questions regarding the engineering plan review comments, please contact Ken Hargrave, City Review Engineer, at 303-987-7906 or kenhar@lakewood.org.
2. Enclosed are response letters from West Metro Fire Protection District, Mile High Flood District, Bancroft-Clover Water and Sanitation District, Consolidated Mutual Water Company, Colorado Geological Survey, Xcel Energy, and RTD. If other agencies provide a response, I will forward that information to you at that time. Please work with each agency directly as needed to address their comments and provide a brief written update in your response letter to the City of Lakewood regarding the outside agency comments.
3. Any physical changes made to the engineering plans must be reflected on the site plan set and those changes made to the site plan set must be reflected in the engineering plans.

Site Plan Comments

4. **Redlines:** Most all comments are contained in the attached redlines. Please review carefully and provide appropriate comments responses.
5. **School Dedication:** In lieu of dedicating land for schools, Jefferson County Schools has asked for fees in-lieu. Currently, the fees are \$800 per multifamily residential unit. With 412 proposed units, the total will be \$329,600. School land fees shall be paid prior to issue of any building permits
6. **Tree Protection & Mitigation:** Based on the provided tree survey, a total of 1,282 caliper inches worth of protected trees are to be removed. Each of the 1,282 caliper inches of removed protected trees shall be either replaced with 2-inch caliper trees ($1,282 / 2 = 641$ trees), or a \$1,200 fee paid for each required 2-inch replacement tree ($\$1,200 \times 641 = \$769,200$), or a combination thereof. The referenced tree and shrub equivalent does not satisfy the tree protection and replacement standards as presented in Section 17.6.5.9. Please see the redlines provided in the MSP package and revise the landscape plan accordingly.

Trees should be added to west side of the site between the property boundary and the sidewalk. If the raingardens around the perimeter of the site remain, they should be designed to accommodate trees. Staff will also allow the tree mitigation requirement to be satisfied in the

north and south parking lots as well. Any tree that can not be physically mitigated shall be mitigated with the referenced \$1,200 fee applied to each required 2-inch replacement tree.

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- Activity areas including but not limited to outdoor cafes, retail spaces, and/or programmed spaces that accommodate entertainment, meetings, educational activities, and play areas
 - Pedestrian-scale information kiosk
11. **On-Site Circulation Standards:** In accordance with Section 17.6.4.1.A.4, Site circulation shall be provided on site, and direct access and pedestrian connections shall be provided to existing public sidewalks, multi-use trails, parks and greenways. It appears that only one access point is proposed from the site to the park. Please add another access on the north side of the site adjacent to the park. Further, please provide evidence that pedestrian paths proposed to cross access roads will be properly marked and signed, including across parking garage entrances. Ramps should also be provided where necessary to facilitate safe and appropriate crossings.
12. **Materials Board:** Provide a materials board with color elevations showing the building materials and design.
13. **Electric Vehicle Charging Stations (EVCS):** Based on the parking garage plan, 6 of 11 required EVCS are concurrent with ADA spaces. This restricts the large majority of residents who may intend on utilizing the EVCS from being able to use them. Please distribute the EVCS more equitably. The same 2% distribution requirement should apply to both ADA and non-ADA spaces.
- Also, please provide a detail of the proposed EVCS.
14. **Enhanced Development Menu (EDM):** Please see attached EDM review memo and associated redlines.
15. **Materials Board:** Provide a materials board with color elevations showing the building materials and design.
16. **Renderings:** As previously indicated, please provide renderings of the proposed building on the next submittal. We will not accept the next submittal without an appropriate renderings package.
17. **Roof Drains:** ~~The proposed roof drains daylight~~ over the fire access road. In the winter, these areas will become icy, dangerous, and very difficult to manage, particularly on the north side of the site. Please consider an alternate drainage pattern in these locations.
18. **Community Resources Easement:** The existing Community Resources Easement on the southwest side of the site show a significant reduction in size. Staff will not support the full reduction as proposed. All portions of the sidewalk and plaza improvements should be included in the easement.
19. **Fire Protection:** A fire protection sheet was not submitted with this proposal. Please include a fire protection sheet for review with the next submittal. See also enclosed comments from WMFPD. Though they did not indicate in their comment, WMFPD will need an engineered drawing that shows the proposed detention on the west side of the site underneath the fire access road accommodate a full-size fire engine. Please work directly with WMFPD.
20. **Service and Emergency Vehicle Access (SEVA) Easement:** A SEVA easement is required for on-site aerial access. The SEVA will be recorded with the Lot Line Adjustment following confirmation of location from WMFPD and staff.
21. **Sheets:** A large number of sheets are included in the MSP set that are unnecessary for review. Please see "X" sheets and remove. Further, there a number of surface parking lot sheets in the civil plan that should be included in the MSP. Please revise accordingly.
22. **Parking Lots:** See attached redlines. Staff would like to have further conversations regarding these proposals.

AOL Mail.

Search your mail or the web

Handwritten signature

Exhibit 21

Home

Compose

← Back ← ← → Keep as New → Move → Delete → Spam ... More ▲ ▼ × [Icons]

Re: Tree Protection Memo from City of Lakewood

AOL/Old Mail ☆

Today on AOL

- New Mail 62
- Old Mail
- Starred
- Drafts 62
- Sent
- Spam
- Recently Deleted
- Less
- Views Hide
- Contacts
- Photos
- Documents
- Subscriptions
- Travel
- Folders Hide
- + New Folder
- Saved Mail
- always sign out dum...
- Archive
- gay boy
- Recovered Mail 5.7K
- Recovered Sent ... 40
- Saved!Ms

P Paula Nystrom Tue, Dec 5 at 1:50 PM ☆
 From: paulacnystrom@gmail.com
 To: mark98027@aol.com
 Cc: Regina Hopkins, carlo.hopkins@gmail.com, Cathy Kentner, cidney5@hotmail.com, joanminkel@comcast.net and 34 more...

21

—If replying by email, enter your reply above this line—

Thank you for taking the time to share your questions and concerns. Your request # 55377 has been responded to: Except in very unique circumstances, it is not against any city ordinance to cut down mature trees. Any property owner can remove trees from their property at any time. The city code does require the replacement of trees that are taken down as part of new development. The development at 777 S Yarrow will preserve some existing trees and replace others.

This is in reference to the Problem you submitted on Council & Candidate Direct Response.

Date/Time: 11/21/2023 12:03 PM

Location: 777 S YARROW ST

Description: Council member asks city staff to respond to resident regarding the 777 S. Yarrow development. Is it against city ordinance to cut down mature trees?

On Tue, Dec 5, 2023 at 10:38 AM mark98027@aol.com <mark98027@aol.com> wrote:

Hey Gang,

I have an important, but simple, ask.

I came across an email not long ago. It was a 'canned' response from the City of Lakewood about trees - it was brief. .basically said "any property owner can take down any tree with extremely minor exceptions". Its an important text/email that I want to reference in my soon-outgoing letter to Mayor & Council.

I've lost track of it. .if anyone has it, please forward it to me ASAP at Mark98027@aol.com. Greatly appreciated; thank you very much.

-Mark

I am planning on going to this anyway. There will be 2 of us, but we also plan on enjoying the event as vegans!

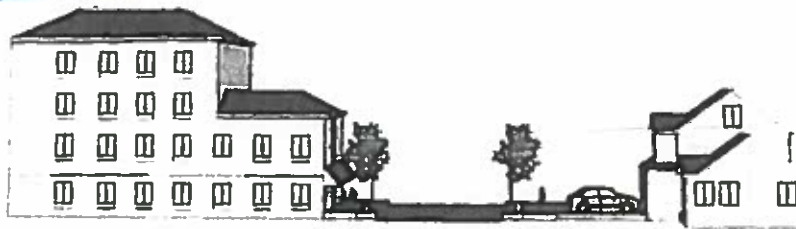
I went to Green Mountain Brewery tonight and had a great time! I also met a

EXHIBIT 22

17.5.3.4: Height Transition to Adjacent Residential Districts

Where a multifamily or non-residential building is constructed adjacent to an R zone district where a single-family or duplex structure exists, the buildings design shall be dictated by the following criteria:

- A. A building located in the M zone district and within 125 feet of the zone district boundary shall be required to demonstrate compatibility with any adjacent residential property through an analysis of building bulk and plane, potential buffering through the use of landscaping or decorative walls, building and parking orientation, and other similar site specific conditions.
- A. No portion of a building shall extend beyond a 45-degree bulk plane from the adjacent single or two-family zone residential lot. Where a front or side lot line separates the zone districts, the first two floors of the building shall be permitted to encroach into the 45-degree bulk plane. (See Illustrative Figure 17.5.7)



Illustrative Figure 17.5.7: Bulk Plane Height Transition

17.5.3.5: Additional Building Setback Regulations

Within any Suburban or Urban context, buildings located interior to a site shall not be required to meet the front setback requirements or, where applicable, the minimum height as required by Table 17.5.2, provided that liner buildings meeting the requirements of Table 17.5.2 are provided. The liner buildings shall have a minimum depth of 60 feet. Within the Urban context, the liner buildings shall be designed as multi-tenant structures.

17.5.3.6: Requirements for Specific Mixed-Use Zone District Contexts

The following mixed-use development requirements apply to all projects within the districts indicated:

- A. The following shall apply to all M-C-T zones:
 - 1. A vertical mix of residential, commercial and/or public/civic/institutional uses as allowed in M-C-T zone district shall be required for all buildings adjacent to arterial or collector streets.
 - 2. All buildings adjacent to arterial or collector streets shall include ground floor space designed for retail occupancy fronting on the street(s) and meet the following requirements:
 - a. The ground floor space shall have a minimum depth of 40 feet.
 - b. The minimum floor to ceiling height of the ground floor space shall be 14 feet.

Home (<https://www.lakewood.org/Home>) / Government (<https://www.lakewood.org/Government>) /

Departments (<https://www.lakewood.org/Government/Departments>) / Planning

(<https://www.lakewood.org/Government/Departments/Planning>) / Proposed Private Development: 777 S. Yarrow St.

Handwritten signature and "23"

Exhibit 23

Proposed Private Development: 777 S. Yarrow St.

Overview

The four acres at 777 S. Yarrow St. is privately owned land that has an older dilapidated and abandoned two-story office building surrounded by a parking lot. The office building has been there since the 1970s, and it is adjacent to Belmar Park. The office building's parking lot abuts the park, and visitors to Belmar Park have improperly used the office building's parking lot as the parking location to access the park for decades.

The proposed development of this property does not involve or include any parkland, and this property was never part of Belmar Park and has always been private property. The owners of the office building and the surrounding parking lot recently sold to another private owner. Any statement that parkland has been sold is incorrect. The zoning on the property has remained the same with the sale of the property, and it allows multistory buildings such as this proposed development as part of downtown Lakewood.

Due to the development's proximity to an existing multifamily residential complex and the park, community members have voiced concerns about the possible impacts of this project.

Updates

This section will be updated periodically as new information is available.

- Nov. 27, 2023: Kairoi Residential, the owner and developer of this private property, will begin a facilitated discussion during the first week of December with neighbors of 777 S. Yarrow St. Please see the facilitated discussion section for more information. The members of the discussion group will decide what their meeting schedule will be. During this process, the developer has paused the proposed development, as was announced in an Oct. 18 [a letter to City Council](#) ^(PDF, 113KB) ([/files/assets/public/v/1/planning/kairoi-residential-777-s-yarrow-st-city-council-letter-to-col-10.18.23-002.pdf](https://www.lakewood.org/files/assets/public/v/1/planning/kairoi-residential-777-s-yarrow-st-city-council-letter-to-col-10.18.23-002.pdf)).

Private property rights information

Exhibit 23

As with any homeowner in Lakewood, this privately owned property has property rights. In this case, those property rights include allowing the owner to develop a multistory building for residential use in Lakewood's downtown. The right to develop the multistory building is known as a "use by right," meaning this use is tied to the property as an inherent property right and requires no rezoning or review by City Council to develop it with that use.

Also similar to homeowners in Lakewood who have a "use by right" on their properties, there is not a process where adjacent neighbors have a say in how a property owner develops the property under this "use by right." These are the same property rights that you as a homeowner in Lakewood have on your property.

Because development is occurring under the existing property rights, the proposed development will occur solely through the administrative process managed by the Planning Department. That means the Planning Department will review the development to ensure it is meeting the city's regulations for setbacks of the building, heights, green space requirements, landscaping, etc. This administrative review process typically takes numerous rounds, and in this case is expected to continue for several months. Kairoi Residential has agreed to pause the submittal and review process for two months.

Please see the answers to frequently asked questions for additional information.

Frequently Asked Questions

Who owns the property?

The property is privately owned and is not part of Belmar Park. No portion of Belmar Park will be used in the development of this property, except to allow for tree, shrub, and native grass plantings adjacent to the site.

What is the zoning at 777 S. Yarrow St.?

Multifamily residential development is a permitted use, or use-by-right in the Mixed-Use Core Urban District (PDF, 423KB) ([//files/assets/public/v/1/planning/m-c-u.pdf](https://files/assets/public/v/1/planning/m-c-u.pdf)), subject to administrative review. No public hearings are required. This private property has had the multistory uses available to it for several decades.

What type of development is proposed and is parking on-site?

The proposed development is 412 residential units with 542 parking spaces internal to the building. The developer is planning market-rate units.

What is the City of Lakewood doing to minimize the impact on Belmar Park?

Community Resources staff members are exploring opportunities to enhance and protect wildlife habitat in the park, which may include elements like additional signage, outdoor education opportunities, facility upgrades, and additional plantings.

Belmar Park has a bird nesting area on an island in Kountze Lake, which is a human-created lake. Parks crews recently replaced some of the cottonwood trees that were old enough that they had fallen and no longer supported nesting. The replacements were human-made structures that support nesting. The park, however, doesn't have any official designation as a bird sanctuary.

Have the traffic impacts from this development been studied?

A traffic impact study was reviewed and approved by Lakewood's Transportation Engineering team as part of the formal application for development. It was determined that the existing street design and transportation infrastructure can accommodate the vehicular traffic from the proposed development with no significant public improvements required.

Are housing allocations required for this proposed development?

The proposed development is exempt from the Residential Growth Limitations Ordinance because it is located in the West Alameda Corridor Redevelopment Area. No allocations are required.

What will happen to the trees on the property?

The property has been surveyed for existing tree species, diameters, and conditions. The current iteration of the proposal will result in the removal of 69 trees on the private property; however, staff members are working with the applicant to preserve additional mature trees on-site of the development. No trees will be removed or affected in the adjacent Belmar Park.

The City of Lakewood's currently applied method in the review process includes an inch-per-inch replacement for trees removed from the private property at 777 S. Yarrow St., with a minimum 2-inch tree. For example, if a 20-inch tree (as measured one-foot above grade) is removed, then it must be replaced with 10, 2-inch deciduous trees or 10, 6-foot evergreen trees, or a combination thereof.

The city requires tree replacement on or near the project site, or a fee in-lieu of planting trees when it is not reasonable to plant the replacement trees on or near the site. The collected fee would go toward planting new trees in the park, Belmar Trailhead, or in Ward 3.

23

For this project, which is still under review, 204 new trees are proposed in and around the private property, which do not include an additional 25 or more trees just north of the site at Belmar Trailhead. The city is considering the following strategy to restore lost canopy and habitat:

- Accept tree plantings in Belmar Park, immediately adjacent to the development, to help buffer the park and proposed Belmar Trailhead (<https://www.lakewood.org/Government/Departments/Community-Resources/Projects/Belmar-Trailhead-Development>).
- Plant trees and shrubs in Belmar Park to support wildlife habitat and park use where appropriate.
- Accept a fee for the remaining replacement trees to be used in Ward 3.

Trees planted in the park will only be accepted if they can be properly maintained and where site conditions are favorable for thriving.

What other sustainable design elements are proposed for the project?

The project will include design features and elements that will reduce the site's urban heat island impact. Roof coatings, exterior materials, and anticipated tree canopy all contribute to the reduction.

The project will include comprehensive plantings and pollinator gardens consisting of indigenous, low-water plants to support at-risk pollinators and provide additional forage and habitat opportunities for birds.

What will the city require for parkland dedication?

The fee-in-lieu of parkland dedication law is being followed, and information indicating anything to contrary is not correct. As the name indicates, there is the option for developers to provide a payment rather than dedicating acres from within their privately owned property for parkland. This is particularly allowed for developments that are less than 15 acres. The city has agreed to accept parkland dedication fee-in-lieu of dedicated parkland to construct a parking lot to support attendance for city-sponsored events and develop a new trailhead with improved access to Belmar Park (<https://www.lakewood.org/Government/Departments/Community-Resources/Projects/Belmar-Trailhead-Development>).

What happened to the historic iron gates that were on the property? Will the pumphouse be preserved?

The city worked with the developer to preserve the iron gates formerly located on the property. The gates were carefully removed and are in storage for future placement in Belmar Park. The developer will also restore the exterior of the historic pumphouse as a part of its fee-in-lieu of parkland dedication. The