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**CITY OF LITTLETON, COLORADO**

**PC Resolution No. 02-2018**

**Series, 2018**

**A RESOLUTION FOR A FLOODPLAIN USE BY SPECIAL EXCEPTION PERMIT FOR MODIFICATION OF THE DRAINAGEWAY D FLOODPLAIN AT WATSON LANE, LOCATED AT THE SOUTHWEST CORNER OF WEST BOWLES AVENUE AND WATSON LANE (CASE NUMBER ENG17-0004)**

**WHEREAS**, the planning commission of the City of Littleton, Colorado, held a public hearing at its regular meeting of February 26, 2018 to consider a proposal for a Floodplain Use by Special Exception for property located at 3200 and 3410 West Bowles Avenue and 5901 South Watson Lane, and more specifically described in Exhibit A, which is attached hereto and made a part hereof by this reference; and

**WHEREAS**, a Use by Special Exception application has been submitted and reviewed for conformance with section 10-6 of the city code; and

**WHEREAS**, portions of the Drainageway D floodplain are located on the subject property; and

**WHEREAS**, the Use by Special Exception will modify the limits of the Drainageway D floodplain; and

**WHEREAS**, the applicant has prepared a hydraulic analysis, which demonstrates that public and private losses are minimized; and

**WHEREAS**, the planning commission considered evidence and testimony concerning the proposed Use by Special Exception at said public hearing;

**NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF LITTLETON, COLORADO, THAT:**

**Section 1.** The planning commission finds that the Floodplain Use by Special Exception conforms to the development standards of the Use by Special Exception criteria as specified in section 10-6 of the city code.

**Section 2.** The planning commission does hereby approve Floodplain Use by Special Exception for property located at 3200, 3410 West Bowles Avenue and 5901 S Watson Lane with the following conditions:

- 47 1. Prior to construction of the floodplain improvements, the applicant shall obtain a grading  
48 permit which includes a final grading plan and erosion and sediment control plan.  
49
- 50 2. The Final Plat of Subdivision shall include the following notes: 1) The proposed floodplain  
51 as shown is subject to approval by City of Littleton Floodplain Use by Special Exception,  
52 and by Federal Emergency Management Agency (FEMA) via a Letter of Map Revision  
53 (LOMR). 2) Site grading and construction of any buildings with basements on parcels  
54 removed from the floodplain by LOMR, are subject to the conditions of the City's  
55 Floodplain Use by Special Exception. Such properties shall be certified by a professional  
56 engineer as "reasonably safe from flooding" pursuant to requirements of FEMA Technical  
57 Bulletin 10-01. 3) Parcels requiring that the LOMR be effective prior to issuing building  
58 permits are indicated by an asterisk (\*).  
59
- 60 3. Prior to the issuance of the first building permit, the applicant shall prepare and record the  
61 final plat, with demonstrates compliance with the approved Use by Special Exception and  
62 the floodplain contained in a tract.  
63
- 64 4. Prior to application of the first building permit, the applicant shall complete as-built survey  
65 of the grading, and a report with a Certificate of Compliance. Should the applicant opt to  
66 construct buildings with basements on land removed from the floodplain by LOMR, the  
67 Certificate of Compliance will include a Professional Engineer certification that the fill  
68 material has been placed pursuant to requirements of FEMA Technical Bulletin 10-01.  
69
- 70 5. Applicant shall submit a Letter of Map Revision application to FEMA and obtain approval.  
71 This LOMR must be effective prior to issuance of building permits for structures on any lot  
72 encumbered by existing floodplain.  
73
- 74 6. Any buildings with basements on such parcels will also be subject to construction  
75 requirements of FEMA Technical Bulletin 10-01, as part of Building Permit(s)  
76 requirements. As-built drawings with Professional Engineer certification that such buildings  
77 are "reasonably safe from flooding pursuant to FEMA Technical Bulletin 10-01" shall be  
78 required prior to Certificate of Occupancy.  
79
- 80 7.  
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84 INTRODUCED, READ AND ADOPTED at a regularly scheduled meeting of the  
85 Planning Commission of the City of Littleton, Colorado, on the 26<sup>th</sup> day of February, at 6:30  
86 p.m. at the Littleton Center, 2255 West Berry Avenue, Littleton, Colorado by the following vote:  
87 [VOTE].

88 ATTEST:

89

90

91 \_\_\_\_\_  
92 Denise Ciernia  
93 RECORDING SECRETARY

\_\_\_\_\_   
Mark Rudnicki  
CHAIR

93

94 APPROVED AS TO FORM:

95

96

97 \_\_\_\_\_  
98 Kenneth S. Fellman  
99 ACTING CITY ATTORNEY

100

101

Exhibit A

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PARCEL A:

A PARCEL OF LAND IN TRACT NUMBERED 12 OF WALTER A. BOWLES GARDENS, DESCRIBED AS FOLLOWS, TO-WIT:  
COMMENCING AT A POINT ON THE SOUTH LINE OF BOWLES AVENUE, WHENCE THE SOUTHWEST CORNER OF SECTION 17, TOWNSHIP 5 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN BEARS SOUTH 65 DEGREES 30 MINUTES WEST 1388 FEET, 6 INCHES, WHICH POINT IS THE NORTHWEST CORNER OF SAID TRACT NUMBERED 12; THENCE SOUTH 26 DEGREES 10 MINUTES EAST 125 FEET TO A POINT; THENCE SOUTH 63 DEGREES 50 MINUTES WEST 50 FEET TO A POINT ON THE WEST LINE OF SAID TRACT NUMBERED 12; THENCE SOUTH 26 DEGREES 10 MINUTES EAST ALONG THE WEST LINE OF SAID TRACT NUMBERED 12, 46 FEET 8 INCHES TO A POINT; THENCE NORTH 63 DEGREES 50 MINUTES EAST 290 FEET TO A POINT; THENCE NORTH 26 DEGREES 10 MINUTES WEST 171 FEET 8 INCHES TO A POINT ON THE NORTH LINE OF SAID TRACT NUMBERED 12; THENCE SOUTH 63 DEGREES 50 MINUTES WEST ALONG THE NORTH LINE OF SAID TRACT NUMBERED 12, 240 FEET TO A POINT OF BEGINNING, COUNTY OF ARAPAHOE, STATE OF COLORADO.

PARCEL B:

ALL OF TRACT 12, WALTER A. BOWLES GARDENS, EXCEPT THAT PORTION THEREOF AS DESCRIBED IN WARRANTY DEED RECORDED SEPTEMBER 29, 1941 IN BOOK 455 AT PAGE 530, ARAPAHOE COUNTY RECORDS, AND EXCEPT THAT PORTION CONVEYED TO THE STATE DEPARTMENT OF HIGHWAYS, DIVISION OF HIGHWAYS, STATE OF COLORADO, BY THE DEED RECORDED JULY 20, 1987 IN BOOK 5212 AT PAGE 248, COUNTY OF ARAPAHOE, STATE OF COLORADO.