



# Staff Report

**Meeting Date:** October 8, 2018

**Presented by:** Carolyn Roan, Water Resource Manager

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## APPLICATION SUMMARY:

**Project Name:** Floodplain Use by Special Exception 6705 S. Santa Fe Drive

**Case Number:** ENG17-0007

**Application type:** Use by Special Exception

**Location:** 6705 S. Santa Fe Drive  
(northwest corner of Santa Fe Drive and Brewery Lane)

**Size of Property:** 3.7 acres

**Applicant:** Ted Fouts, Sunset Colorado LLC

**Applicant's Representative:** Mike Moore, Harris Kocher Smith

**Owner:** Sunset Colorado LLC

**Applicant Request:** The applicant is requesting a Floodplain Use by Special Exception for modification of the Rangeview Gulch Floodplain.

## PROCESS:

### Plat of Subdivision(s)

(to be processed in accordance with Title 11 of the Littleton Municipal Code)

- Floodplain Use by Special Exception  
(decision by Planning Commission)

*Future applications anticipated:* grading permit application

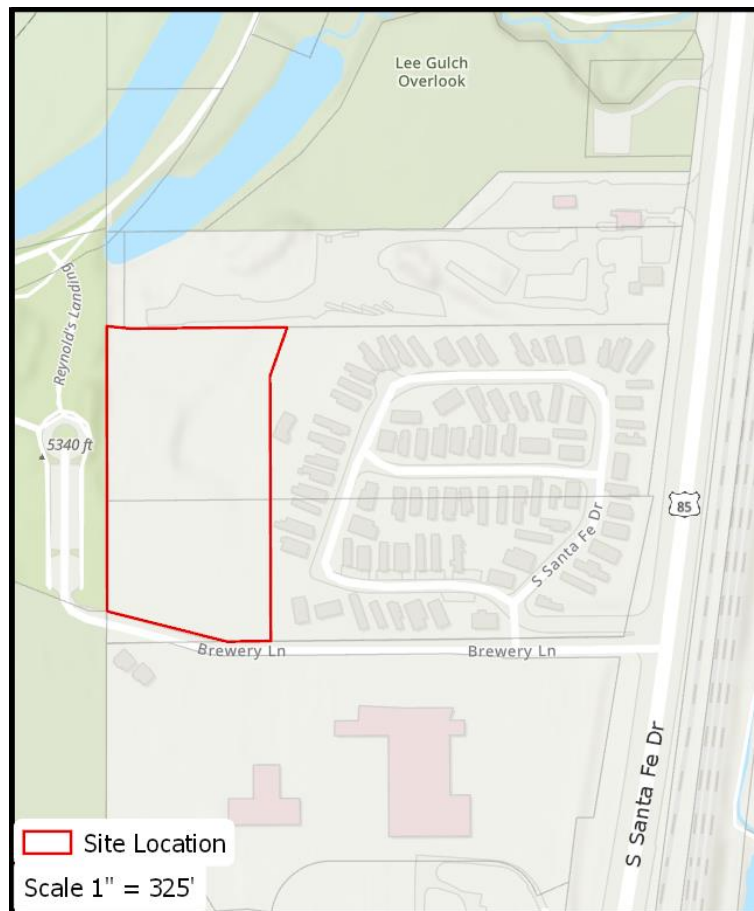
*Related case(s):* on October 2, 2018, council approved a final plat for the property subdividing the property into two lots and one tract.

A Use by Special Exception calls for a Regulatory decision. Regulatory decisions require that the planning commission must base its decision on its compliance with the Use by Special Exception regulations, specified in Littleton Municipal Code Title 10, Chapter 6 for development in a floodplain.

Approval of the Use by Special Exception will allow for modification of the floodplain. It does not grant zoning approval for construction of any specific development beyond the placement of fill on the subject property. Preliminary and final plats have been submitted and processed in accordance with Title 11 of the Littleton Municipal Code. All other site improvements will be reviewed and approved through the Site Development Plan process.

### **LOCATION:**

The site is located at 6705 S. Santa Fe Drive, which is generally located at the northwest corner of Santa Fe Drive and Brewery Lane, and is depicted in Figure 1 below.

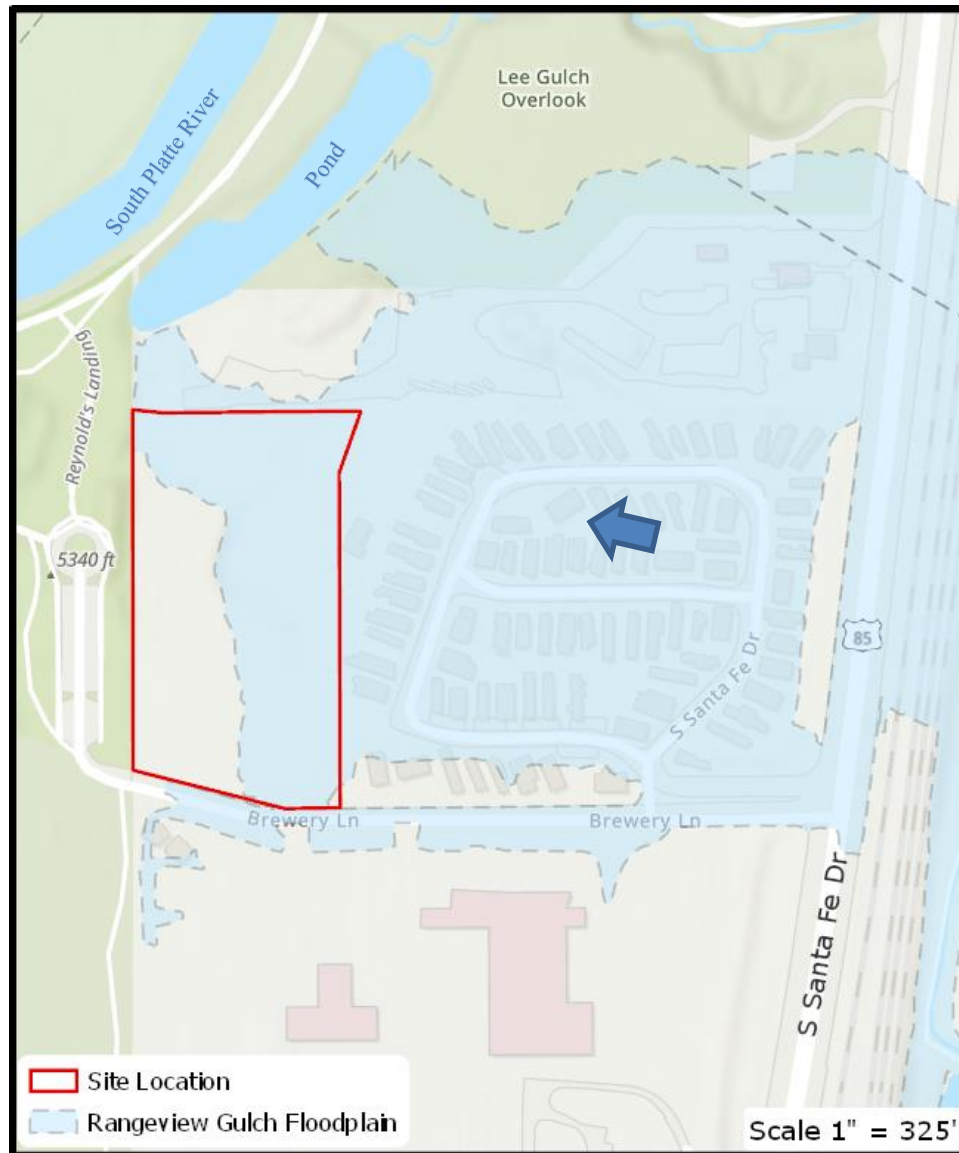


**Figure 1**

### **BACKGROUND:**

The subject property has historically been undeveloped, although is immediately adjacent to the Meadowood Mobile Home park and Reynolds Landing Park. Rangeview Gulch drains from the east

over Santa Fe Drive, within the streets of the mobile home park and partially in Brewery Lane, and ultimately to the South Platte River. The flow is wide and relatively shallow, without a defined drainage channel, nor drainage pipe. As a result, the existing floodplain is spread out across a large portion of the property, as can be seen in Figure 2 below. Reynolds Landing Park is located downstream side of the subject property.

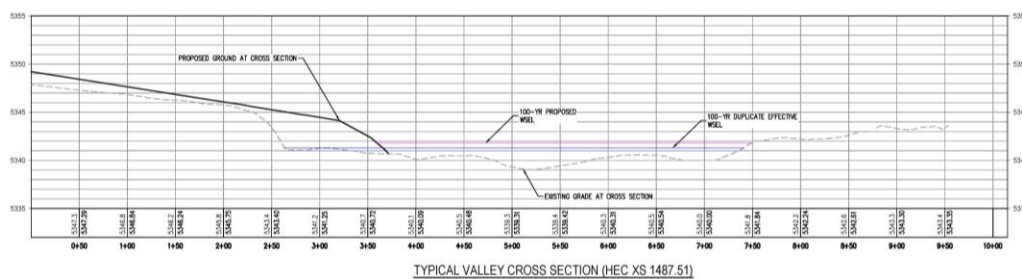
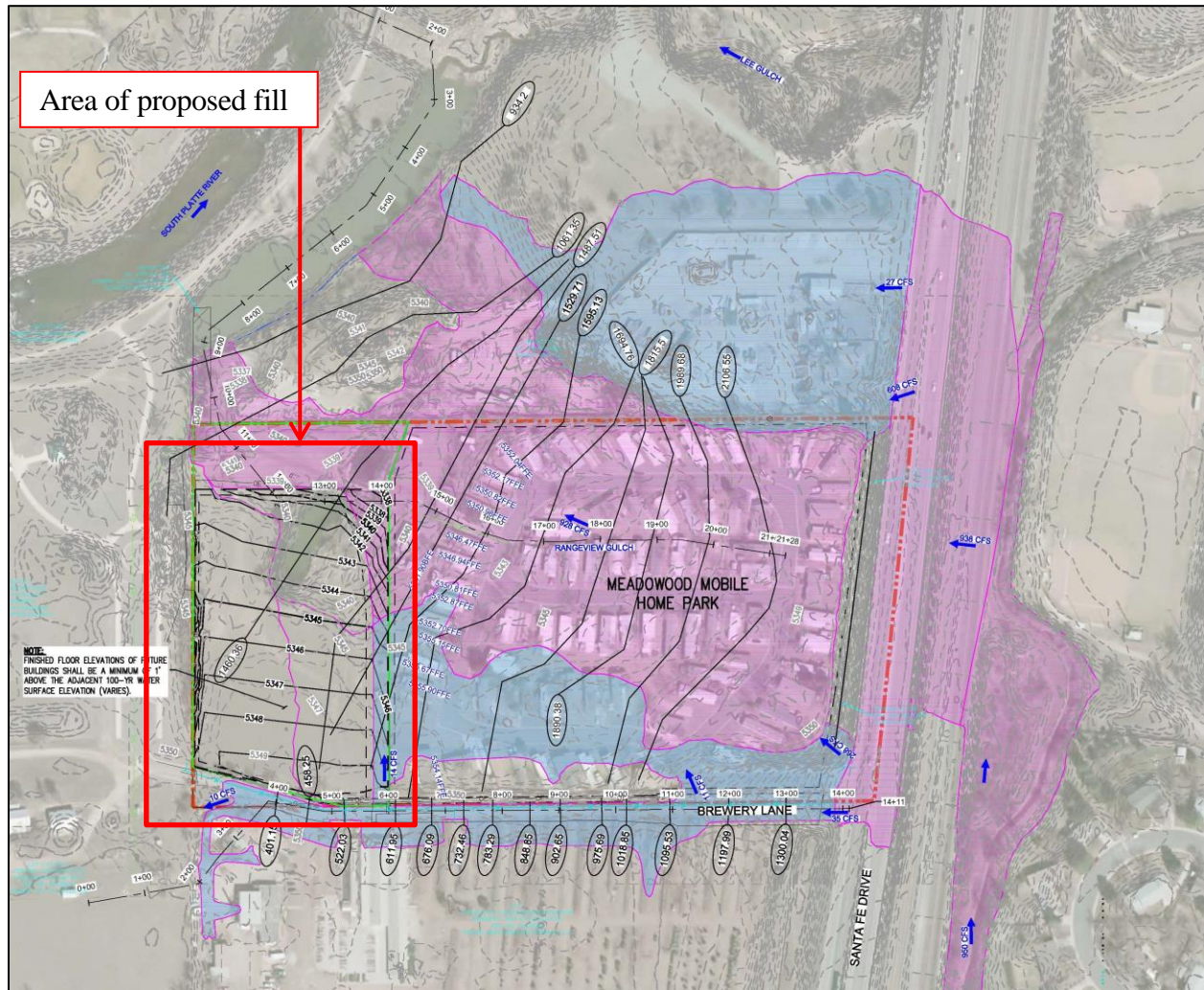


**Figure 3**

**PROPOSED PROJECT DETAILS:**

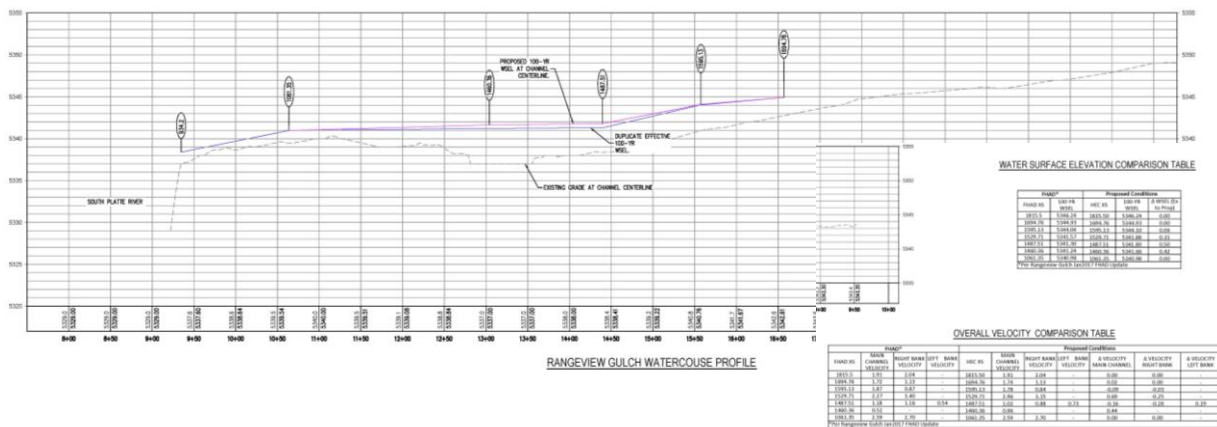
The request is to modify the site by placing fill material in the southwest portion of the floodplain. This fill will elevate this portion of the property above the floodplain elevation. Figure 3 shows the site plan with the proposed fill. The Floodplain Use by Special Exception requires detailed hydraulic analysis to determine the feasibility of modifying the existing floodplain. If approved, the applicant will continue with final civil engineering construction drawings to be reviewed by staff

and the Urban Drainage Flood Control District prior to any construction commencing within the existing floodplain limits. Additional details and analysis of these conditions are further addressed below.



### Figure 3





**Figure 3 (continued)**

### CRITERIA & STAFF ANALYSIS:

Criteria for a floodplain use by special exception is contained within Littleton Municipal Code Title 10, Chapter 6. Section 10-6-1 (A) describes the need for floodplain regulations. Section 10-6-1 (B) states the purpose, being to promote public health, safety and general welfare and minimize public and private losses due to flooding. The application as presented has no increase to risk in any of these categories.

Section 10-6-3(A-F) describes applicability and basis. The proposal is located within the 100-year floodplain of Rangeview Gulch. This is a local floodplain, as delineated by the Urban Drainage and Flood Control District (UDFCD) in the 1990 *Flood Hazard Area Delineation Study (FHAD) for Lower Dad Clark Gulch and DFA* [defined flood area] 0068, and later modified by a FHAD Update in January 2017. This is not currently a floodplain mapped by the Federal Emergency Management Agency (FEMA) because the drainage basin (area it drains) is less than one square mile in size, which is FEMA's mapping threshold.

Section 10-6-4 describes the duties of the floodplain administrator in review of all floodplain development applications. With this application, the watercourse is to be altered. For this application, no federal, state or local permits are required at this time. Future grading permit applications will require review by the U.S. Army Corps of Engineers for potential impact to wetlands. Notification to FEMA is not required because this project is not located within a FEMA floodplain as noted above.

Since Rangeview Gulch does not have a delineated floodway (it is not uncommon to have a floodplain but not a studied and delineated floodway), only subsection (D)(4) of Section 10-6-6 applies. This provision limits the encroachment that can occur in the floodplain, similar to that with a designated floodway. The maximum increase in 100-year water surface elevation is restricted to +0.5'. This application has changes in water surface elevation with a maximum of +0.5'.

Section 10-6-7 describes the development allowable uses and restrictions within a floodplain. Subsection (A) references to the detailed development requirements of 10-6-8(B). Limiting uses within the floodplain are listed in Subsection (B), which do not apply to this application. Subsection (C) describes requirements for critical facilities. However, no critical facilities are proposed by this

application.

Section 10-6-8 outlines the procedure and application contents for a use by special exception. Since the eventual use of the subject property is for development requiring building permits, any potential development within the floodplain must be approved by the planning commission. The site plan requirements outlined in Subsection (A), generally consist of a plan view drawing, profile of the proposed channel and section view of the proposed channel. The application has included these elements.

Subsection(A)(1) (e) requires review by affected agencies. The application has been sent to multiple jurisdictions (see attached referral matrix), but no comments from these agencies impacted the current application.

- The UDFC reviews the project in context of eligibility for their future maintenance, which is strongly encouraged by the city. This project does not include a defined channel which would be subject to maintenance, and therefore UDFCD had no comments.
- The South Suburban Parks and Recreation District had concerns about how stormwater would be handled by future development and potential impacts to adjacent Reynolds Landing and Lee Gulch trailhead parks. However, these issues will be addressed with future grading permit applications and potential development plans for the property.

Section 10-6-8(B) outlines specific requirements for development within floodplains. No buildings are proposed with the current application, but the applicant has committed to compliance with stated regulations at a future time with subsequent building permit applications and FHAD update. The proposed grading plan demonstrates compliance with subsection (B)(2)(a) by indicating proposed building footprint elevations will be 1.0' above the proposed adjacent 100-year water surface elevations. Elevations will be verified with future updates to design and analysis. Subsection B(2)(d) also applies to this application, because fill material is being placed within the existing floodplain to elevate the ground. The fill placement does not adversely affect efficiency of the watercourse (1). The placement is the minimum required to flood-proof future structures adjacent to the floodplain (2). Because there is no floodway, item (3) does not apply. The fill materials will be adequately protected from erosion by grass cover or riprap, or an equivalent as determined by engineering analysis in final design (4), and the Use by Special Exception will not result in increased flood heights or threats to public safety, public expense, create nuisances, nor conflict with other laws or ordinances (5). The increased flood heights are negligible and are located below the floor elevations of mobile homes. Increased flow velocities are also negligible. Flood risk is often evaluated based on a depth-velocity product, where if the product exceeds nine feet per second, there is risk to an adult standing in that flood water. All increases in velocity and/or depth have depth-velocity products well below nine feet per second. (*Source: Urban Flooding: Flood Safety Guidelines for Depth and Velocity. [www.overlandflood.com](http://www.overlandflood.com)*). The Dam Safety Program of the Colorado Division of Water Resources uses a criteria of  $d*v=7$  as a threshold when assessing risk associated with flood waters. This project also has depth-velocity products less than seven.

Section 10-6-9 describes the procedures for variances from the floodplain regulations. No variances are proposed.

Section 10-6-10 addresses existing non-conforming buildings. This is not applicable to this project because the fill is not proposed in an area where there are existing buildings. There are adjacent buildings (mobile homes and accessory buildings) but they are not subject to the project.

Section 10-6-11 describes requirement for the certificate of compliance to be obtained after construction, to verify that the grading has been constructed in compliance with the floodplain regulations. This application will require a certificate of compliance after final grading is complete.

**PUBLIC NOTICE:**

Public notice of the proposed use by special exception has been mailed to all property owners within 700 feet of the site and signs were also posted on the site.

**OUTSIDE REFERRAL AGENCIES:**

Comment was received from various agencies including the South Suburban Parks and Recreation District and the Urban Drainage and Flood Control District as described previously. All comments have been adequately addressed with the application. See attached outside referral agency matrix.

**STAFF RECOMMENDATION:**

Staff finds that in compliance with Title 10, Chapter 6 of the City Code, the proposed floodplain use by special exception for modification of the Rangeview Gulch floodplain at 6705 S. Santa Fe Drive meets the criteria for approval, with the stated conditions listed under the proposed motion to approve.

**MOTION TO APPROVE**

I move to approve PC Resolution 28-2018, concerning the floodplain use by special exception for Modification of the Rangeview Gulch Floodplain at 6705 Santa Fe Drive (Case Number ENG17-0007) with the following conditions:

*The Planning Commission may add any conditions of approval, if desired:*

1. Prior to construction of the fill, the applicant shall obtain a grading permit which includes final construction plans;
2. Prior to issuance of a grading permit, the applicant shall prepare and record the final plat, which demonstrates compliance with the approved use by special exception and the floodplain contained in a tract, and notations regarding future buildings located within the existing floodplain;
3. The applicant shall conduct an as-built survey and a certificate of compliance will be completed following construction of the fill; and
4. No building permits shall be issued for any lot encumbered by existing floodplain prior to completion of the flood hazard area delineation update by the Urban Drainage and Flood Control District.

**MOTION TO CONTINUE TO A DATE CERTAIN**

I move to continue the public hearing on PC Resolution 28-2018, concerning the floodplain use by special exception for modifications of the Rangeview Gulch Floodplain at 6705 S Santa Fe Drive to

\_\_\_\_\_ (insert date) in order to \_\_\_\_\_.

***MOTION TO DENY***

I move to deny PC Resolution 28-2018, concerning the concerning the floodplain use by special exception for modification of the Rangeview Gulch Floodplain at 6705 S Santa Fe Drive. The foregoing denial is based on the findings that the proposed work:

*Note: Identify criterion or criteria not met and adjust motion accordingly:*

- 1.
- 2.