

# 506 Hawthorne Appeal

CPC AP 20-00096

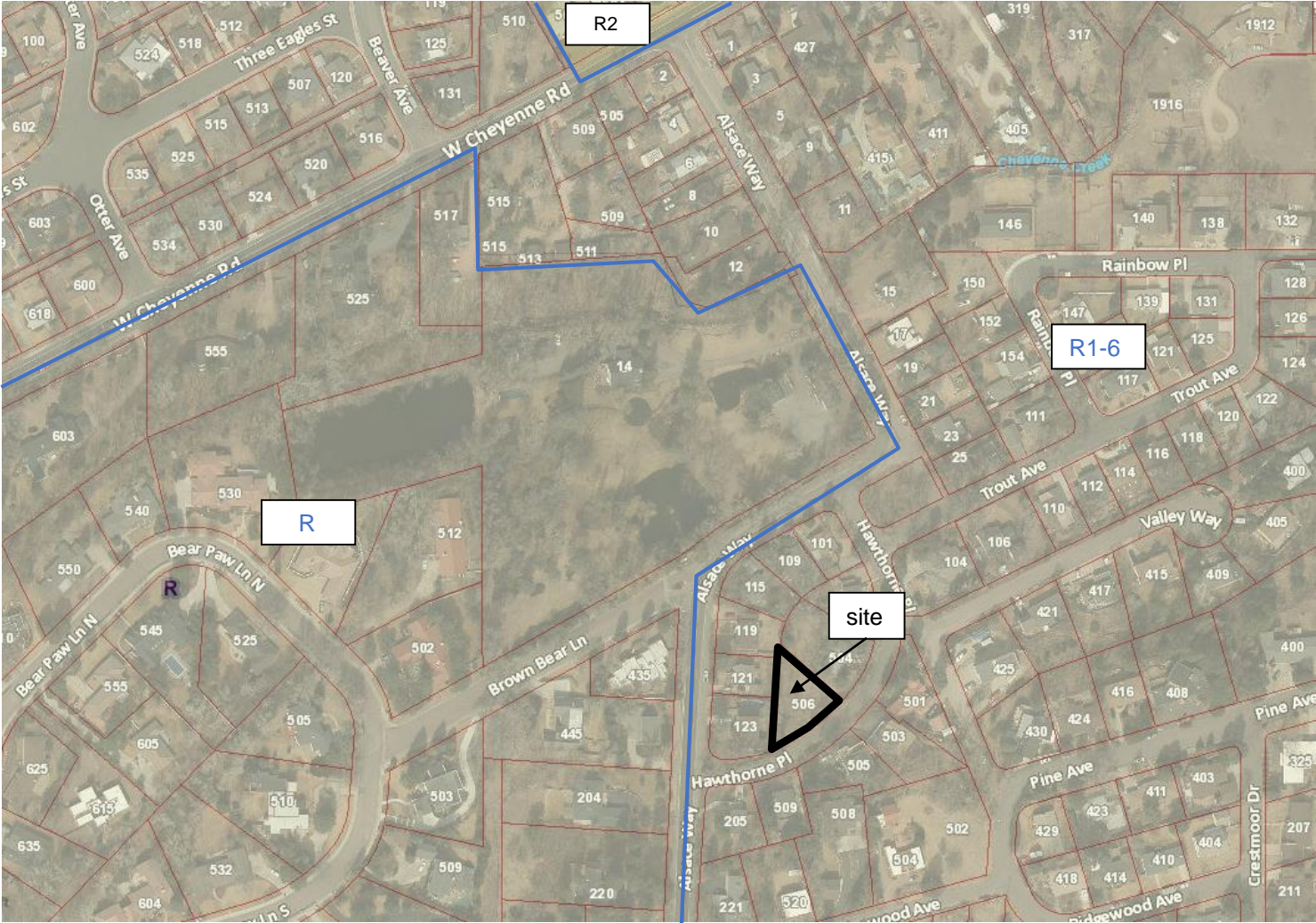
August 25, 2020

Lonna Thelen, Principal Planner

Land Use Review



# Vicinity Map



# 506 Hawthorne Appeal



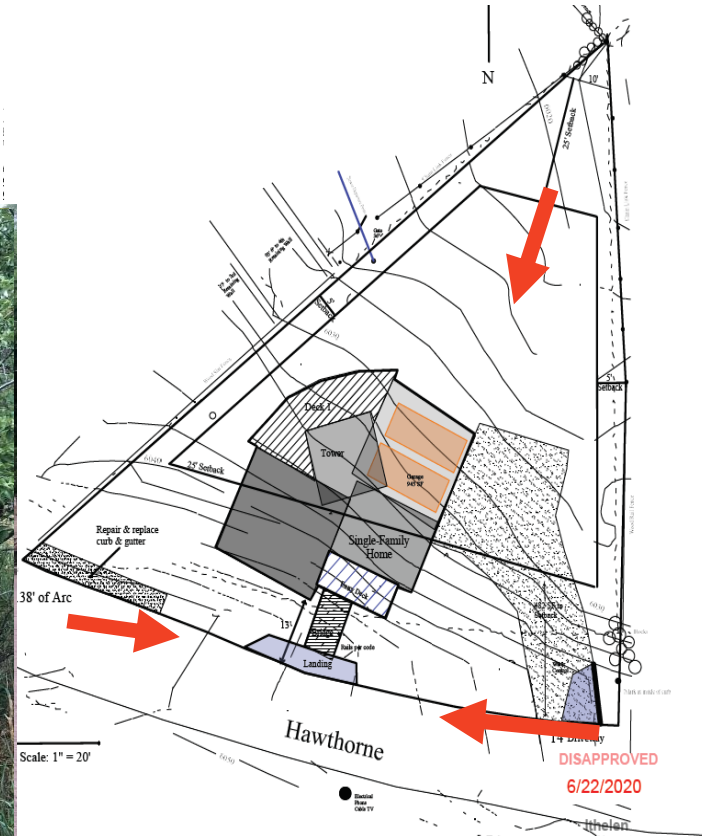
- Existing Property
  - Zoned R1-6
  - Currently a vacant property
- Application:
  - Appeal of a site plan denial. A geologic hazard report was not submitted with site plan submittal.



# Site Plan



- Single-family site plan submittal



# Geologic Hazard



- Geologic Hazard reports are required unless exempted per City Code 7.4.503.A.
  - This site is not exempted per 7.4.503.A.
- If a report is required, then the applicant has two options:
  1. Submit a geologic hazard report
  2. Submit a geologic hazard waiver
    - To qualify for a waiver the site must meet the following:
      - Master plans, development plans, or subdivision plats for which geologic hazard reports have been previously prepared and reviewed and which are still considered to be relevant.
      - Development proposals west of Interstate Highway 25 which exhibit none of the following characteristics:
        - Slopes (existing or proposed) exceeding thirty three percent (33%) or which are otherwise unstable or potentially unstable.
        - Underground mining or subsidence activity.
        - A history of a landfill or uncontrolled or undocumented fill activity.

# Geologic Hazard



General concerns raised by City Engineering and Colorado Geologic Survey:

- The site is underlain by Pierre Shale and has high swell potential.
- The site is in the Landslide Susceptibility Layer
- Slopes appear greater than 3:1
  - The first 10 feet appear to be a 1:1 slope
  - The remaining portions of the site appear to have a 3:1 or 4:1 slope
- Site erosion must be managed due to the bedrock and soils derived from it.
- A full geologic hazard report and slope stability analysis is required to identify geologic hazards that may include expansive soils, failure planes, slope creep and unstable slopes.
- The geologic hazard report will provide analysis and construction recommendations for the lot so that the construction does not destabilize the slope and cause structural damage or failure to the public street and proposed house.



# Applicant's appeal



The applicant provided three main issues in the appeal statement:

1. Not all homes in the landslide susceptibility zone exhibit conditions that require a geologic hazard report.
2. It is difficult to get a drilling sample from the site due to the steep terrain.
3. The cost to do a geologic hazard report is exorbitant and adds to the construction costs.

# Landslide Susceptibility Zone



- This site is in the landslide susceptibility zone.
- A geologic hazard waiver or report is required for areas west of 1-25.
- A quote from a geotechnical firm confirmed that they would not support a waiver and backed the recommendations of City Engineering and CGS for a full geologic hazard report.

The cost of the geohazard report as quoted to the Appellant by leading geotechnical engineering firm is:

Subsurface Soil Investigation	\$1,465
Geologic Hazard Study	\$2,960
Slope Stability Analysis	\$2,530
Consultation and Professional Engineering/Geologist Services	\$650-\$1,250

Total \$7,206, doesn't include additional consulting for the foundation design.

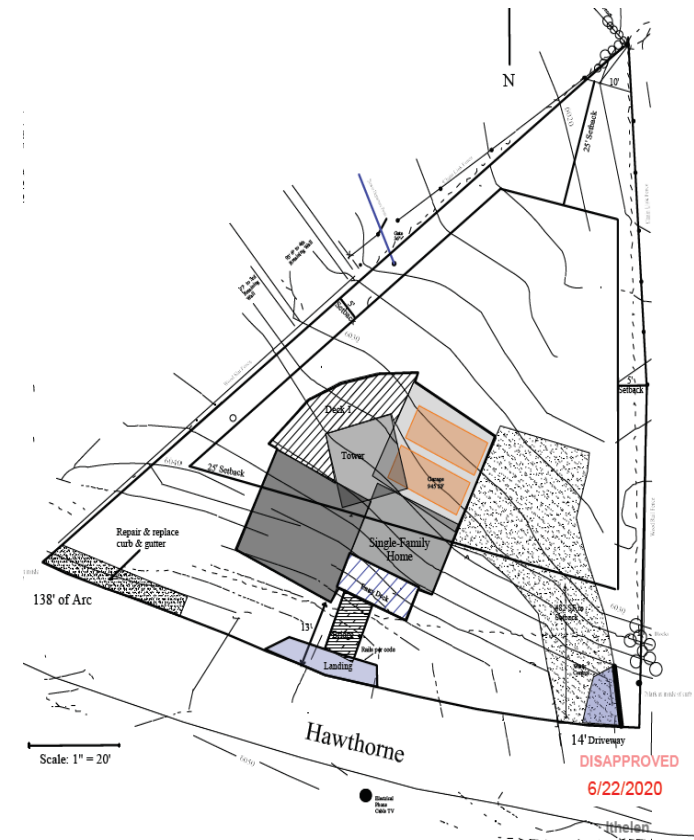




# Steep site



- A drilling rig would be required to gain samples for the geologic hazard report.
- The applicant does not want to construct a driveway to get to the site. This driveway is also shown as part of the site plan and would need to be constructed.



# Development Costs



- The applicant notes the following costs for development:
  - \$7,500 geologic hazard report
  - \$12,000 driveway
  - \$25,000 infrastructure
  - Total – \$44,500
- The infrastructure and driveway costs are part of development. The additional costs is \$7,500.
- The site clearly exhibits potential geologic hazard issues. In order to safely develop a geologic hazard report is needed to analyze the site.

# Appeal Criteria



*7.5.906.A.4 - Show that the administrative decision is incorrect because of one or more of the following:*

- (1) It was against the express language of this zoning ordinance, or*
- (2) It was against the express intent of this zoning ordinance, or*
- (3) It is unreasonable, or*
- (4) It is erroneous, or*
- (5) It is clearly contrary to law.*



# Recommendation



## **CPC AP 20-00096 – Site Plan Appeal**

Deny the appeal, thus upholding the administrative denial of the site plan for 506 Hawthorne Place, based upon the findings that the appeal does not meet the appeal criteria set forth in City Code Section 7.5.906.A.4 and the geologic hazard code requirements set forth in City Code Section 7.4.502.

