



What's Developing in Frederick

A Real Life Example of the Land Use Process | December 2018

Building on the development myths identified in the previous newsletter article, we'd like to take you through an actual non-residential land use application process for a recent project that currently has a building under construction. The Emerald Workshop project followed the site plan process which is able to be approved by Town staff without public hearings as is identified in the Land Use Code.

When a developer (this term is used generically and may mean business owner, individual, or investor) decides they'd like to build a building, there are a number of decisions they need to make. Where do they want to be located? What consultants will they need? What is their desired outcome? How quickly would they like to accomplish the project? These are just some of the questions they'll need to answer. When they have worked through this information at least preliminarily, their next step is to meet with Town representatives for a pre-application process.

The developer of Emerald Workshop chose the site at 3540 Hwy 52, at the southeast corner of Highway 52 and Glacier Way. They participated in a pre-application conference September 1, 2015 to discuss the project with Town representatives, the lead consultant on the project, and the property owner. The goal is to have Town representatives understand the proposed project and in return, provide the developer with the appropriate process to reach approval so the developer can move forward to construction of the building. This conversation includes discussion of the timeline of the land use process, the required application elements, and who will be reviewing the application. With the pre-application completed, the next step of the process for the developer is to hold a neighborhood meeting.

The neighborhood meeting is intended to help inform property owners in the project's vicinity understand what is being proposed. The developer held their meeting November 3, 2016 and was the primary communicator in the meeting. Town staff was also available to answer process questions.

After the neighborhood meeting is held, the developer is able to submit their land use application. On January 10, 2017, the applicant submitted their application which included the items identified at the pre-application conference meeting. Once the application has the required elements, it begins the review process by Town staff and outside agencies (such as the sanitation district, water district, fire district, Colorado Geologic Survey, United Power, Black Hills Energy, etc.). For the first submittal, the Land Use Code requires a 21-day review period. Additional submittals may have the review period reduced based on the number of outstanding comments, the significance of the outstanding comments, and the number of projects submitted during the review period.

Once the referral agencies have submitted their comments and Town staff has reviewed the project, a report is compiled which includes all comments received. The report is provided to the applicant and the applicant then uses comments in the report to revise their plans. Comments could be as simple as requesting a north arrow be added to the plans, to providing the proper fire access lanes, to providing calculations of how the detention pond volume was determined. The revised plans are then resubmitted for another review. As plans are reviewed and applicants consider how to address the



comments, it's possible for the plans to change significantly which can cause extended reviews. The Emerald Workshops submitted their project four times before the site plan was approved in November 2017.

With site plan approval, Emerald Workshops was able to receive a building permit from the Building Division. This involves the submission of proper documents for a building permit application. Some developers decide to submit their documents to the Building Division as soon as they are able. Others wait until the time is right to build their project. The applicant for Emerald Workshops received their building permit in March 2018.



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