



Built On What Matters

Town of Frederick Planning Commission Agenda

Frederick Town Hall

401 Locust Street

Thursday, April 17, 2025

6:30 PM

Call to Order – Roll Call

Pledge of Allegiance

Approval of Agenda

Public Comment

This portion of the agenda is provided to allow members of the audience to provide comments to the Planning Commission. Please sign in and you will be called. If your comments or concerns require an action, that item(s) will need to be placed on a later Agenda. Please limit the time of your comments to three (3) minutes.

Consent Agenda

Consent Agenda items are considered to be routine and will be enacted by one motion and vote. There will be no separate discussion of Consent Agenda Items unless a Board member so requests, in which case the item may be removed from the Consent Agenda and considered at the end of the Consent Agenda.

- A. Approval of Minutes

Action Agenda

- B. 25-PCR-02 - A Resolution of the Planning Commission Recommending Approval of the Lot 1, Maplewood Subdivision Filing No. Two Amendment A Rezoning from P (Public) with PUD overlay (Planned Unit Development) to R-2 (Medium Density Residential) with PUD overlay (Planned Unit Development)

-

Audem Gonzales, Senior Planner

Other Business

Upcoming meeting- May 15th, 2025

Adjournment

[MEET_FOOT]



Town of Frederick Planning Commission

Meeting Minutes
March 20, 2025

Meeting Information :

Meeting will be held in person and on Microsoft Teams

Microsoft Teams meeting

Join on your computer, mobile app or room device

[Click here to join the meeting](#)

Meeting ID: 229 286 565 79

Passcode: GXuhzM

[Download Teams](#) | [Join on the web](#)

[Learn More](#) | [Meeting options](#)

:

Call to Order – Roll Call: At 6:30 pm Chairperson Moe called the meeting to order. Present were Planning Commissioner Moe, Planning Commissioner Conroy, Planning Commissioner Scott, Planning Commissioner Kelley. Also present Youth Commissioner Annie, Planning Manager Ali van Deutekom, Deputy Town Attorney Christine Francenscani, Britt Palmberg and Deputy Town Clerk Emily Nitcher.

Pledge of Allegiance:

Approval of Agenda:

Public Comment: Chairperson Moe read the script for the Public Comment Section.
Public Commenters:

1. John Brock Swetnam
320 Maple Street
2. Carrie Adsmundstod
320 Maple Street
5. Rocky Figurelly
320 Maple Street
6. Rudy Birdardt
320 Maple Street
- 7 Hailey - Husband spoke for both
8. Mark Novack
320 Maple Street
- 10 Carl Randolph
320 Maple Street
11. Ron Javagenski
320 Maple Street

Public comment concluded at 6:57 pm.

Consent Agenda: Motion by Commissioner Scott and seconded by Commissioner Kelley None to approve Consent Agenda.

Upon Roll Call Vote, Motion Passed Unanimously.

Approval of Minutes:

Discussion Items:

Downtown Plan Update- Britt Palmberg: Britt Palmberg Presented.

Overall, the Planning Commission was supportive of the Downtown Plan Presented.

Other Business:

Next Meeting- April 17th:

Adjournment: There being no further business of the Planning Commission, Chairperson Moe adjourned the meeting at 8:02 pm.



Built On What Matters

Kristie Conroy, Vice
Chairperson

TOWN OF FREDERICK

Planning Commission

Staff Report

Tracy Moe, Chairperson

Nathan Scott,
Commissioner
Roger Kelley,
Commissioner

25-PCR-02 - A Resolution of the Planning Commission Recommending Approval of the Lot 1, Maplewood Subdivision Filing No. Two Amendment A Rezoning from P (Public) with PUD overlay (Planned Unit Development) to R-2 (Medium Density Residential) with PUD overlay (Planned Unit Development)

Agenda Date: Planning Commission April 17, 2025

Attachments:

1. Planning Commission Resolution 25-PCR-02
2. Application and Letter of Intent
3. Zoning Map Amendment
4. Vicinity Map
5. Comprehensive Plan Future Land Use Plan
6. Zoning Map
7. Neighborhood Meeting Minutes
8. Public Comment
9. Open Space Determination Memo

Reviewed By: Tricia David, Town Clerk

Action Type

3) Quasi-Judicial: Actions of a specific nature or impact to a property interest that require an evidentiary hearing; such as land use applications; may be approved by ordinance or resolution as applicable.

Strategic Plan Alignment:

This request aligns with the following Town of Frederick Strategic Plan focus area:



DYNAMIC, INCLUSIVE & CONNECTED COMMUNITY– Frederick is represented by diverse nonprofit, cultural, business, and geographic participation. Residents actively engage in activities and initiatives; they are encouraged and supported to address important community needs and issues.

3.1 Implement new ways to increase accessibility for public engagement including both traditional and non-traditional means.

3.2 Foster and improve the quality of our relationships with all regional partners seeking ways to collaborate and leverage resources.

Summary Statement:

JJ Investments Inc. is requesting a rezone of 320 Maple Street (Lot 1, Maplewood Subdivision Filing No. Two Amendment A). The property is currently zoned P (Public) with PUD overlay (Planned Unit Development). The applicant is requesting a rezone to R-2 (Medium Density Residential) with PUD overlay (Planned Unit Development).

Detail of Issue/Request:

Applicant/Owner: JJ Investments Inc. / JJ Investments Inc.

Location and Zoning: The property is generally located at the southeast intersection of Maple Street and 3rd Street. The property is zoned P (Public) with PUD overlay (Planned Unit Development). The project area is ~1.2 acres in size and the lot is currently vacant and undeveloped. *See attachments 4 and 6.*

Surrounding Land Uses and Zoning:

North: Land use: Single-family homes

Zoning: R-1 (Residential Low Density) with PUD overlay (Planned Unit Development)

South: Land use: Former private school/daycare facility

Zoning: P (Public) with PUD overlay (Planned Unit Development)

West: Land use: Single-family homes

Zoning: R-1 (Residential Low Density) and DN-B (Downtown B)

East: Land use: Single-family homes

Zoning: R-1 (Residential Low Density) with PUD overlay (Planned Unit Development)

Historic Background Information:

Platting Process

- Maplewood Subdivision Filing No. One was platted in 1987 with the subject property being part of original Lot 1, Block 4. The 1987 plat contains Certificate

of Ownership language and street dedications, but does not contain a “public” or “parks and open space” dedication or designation.

- In 1987, the Town and Grant Brothers entered into a subdivision agreement to govern the development of the subdivision. The agreement makes reference to a dedication of land owned by Carbon Valley Parks and Recreation District for public use, but the District did not own the property at that time, and no dedication was made on the plat for parks or open space.
- Maplewood Subdivision Filing No. Two was platted in 1993. The project replatted Lot 1, Block 4 into a smaller lot labeled Lot 1, Block 8, Maplewood Subdivision Filing No. Two. The replat added additional right-of-way (Linden Street) and created seven additional residential lots from the original Lot 1, Block 4 property.
- The 1993 plat contains the same Certificate of Ownership language regarding parks and open space, but contains no additional dedication or designation.
- In 1993 a new subdivision agreement was approved with a provision stating “No dedication of land for public sites or open space ... is required for this filing of the Maplewood Subdivision,” indicating that the land impacted by the replat, including the subject property, was not subject to a public or open space dedication requirement.
- In 2024, Maplewood Subdivision No. Two Amendment A was approved, which subdivided Lot 1, Block 8 into two separate lots. The separate lots are addressed as 340 Maple Street and 320 Maple Street. 320 Maple Street is the subject property undergoing a rezone request.

Request:

JJ Investments Inc. has applied for a rezoning of 320 Maple Street from P (Public) with PUD overlay (Planned Unit Development) to R-2 (Medium Density Residential) with PUD overlay (Planned Unit Development). The subject property is currently vacant and undeveloped.

Comprehensive Plan:

The Town of Frederick Comprehensive Plan designates this property as "Adaptable Neighborhood," *see attachment 5*. This designation is designed to provide a diversity of housing to accommodate a wide range of households in Frederick. These areas may include various types of employee, workforce, and attainable housing. Housing types permitted in this land use designation are single-family detached homes, townhomes, duplexes, and multifamily.

The Comprehensive Plan was updated in 2024. The previous land use designation for this property was “Public/Semi Public.” Changing community needs and desires have prompted the changes found within the updated Comprehensive Plan’s Future Land Use Plan. Several goals within the Comprehensive Plan promote development beyond single-family detached homes. Three community surveys were conducted throughout the creation of the Plan update. Results from these surveys have all indicated a strong community desire for attainable housing, employee housing, and more affordable housing options.

Zoning Districts:

The Public zone district is intended to identify and perpetuate the existence of public parks, playgrounds, recreation facilities and public and quasi-public buildings, whether publicly owned or leased. Various uses are permitted by right or conditional use within this zoning district. Uses permitted by right include golf courses, parks, places of assembly, schools, etc. Uses permitted by Conditional Use Review or Limited Review include zoos, daycares, hospitals, jails, structured parking, libraries, wireless communication facilities, etc.

The R-2 zone district is intended to preserve the traditional building pattern of mixed residential development. Various uses are permitted by right or conditional use within this zoning district. Uses permitted by right include single-family detached homes, duplex homes, townhomes, multiplex homes, parks, and schools. Uses permitted by Conditional Use Review or Limited Review include multifamily homes, assisted living or congregate care facilities, nursing homes, golf courses, daycares, places of assembly, and wireless communication facilities.

Permitted Density:

The Public zone district does not permit residential uses; therefore, there are no density requirements associated with this district. Any permitted development would have to follow the lot setbacks, height limits, parking requirements, landscape requirements, etc.

The R-2 zone district permits various residential uses with a maximum density of 10 units per acre. The subject property is 1.20 acres in size, which would equate to 12 units maximum. Any permitted development would have to follow the lot setbacks, height limits, parking requirements, landscape requirements, etc.

Review Criteria:

Section 4.7.2.d of the Town of Frederick Land Use Code sets forth the following review criteria for the proposed rezone application. For the purpose of establishing and maintaining sound, stable and desirable development within the Town, the official zoning map shall not be amended except:

- (1) To correct a manifest error in an ordinance establishing the zoning for a specific property;

Staff response: This rezoning request is not the result of a manifest error in an ordinance establishing the zoning for a specific property.

- (2) To rezone an area or extend the boundary of an existing district because of changed or changing conditions in a particular area or in the Town generally;

Staff response: The Community Vision within the Town of Frederick Comprehensive Plan contains a section on "Quality Neighborhoods with Diverse Housing Options." This section of the Comprehensive Plan lays out a vision for strong neighborhoods with a

variety of housing options to support existing and future residents. The R-2 zone district allows for a variety of residential uses such as single-family detached homes, duplex homes and townhomes. These uses are permitted by right, while multifamily is permitted by Conditional Use Review.

The subject property is located within a mixed neighborhood that includes single-family homes, downtown and public zoning and some multifamily development. 320 Maple Street has the potential to provide a bridge between contrasting zone districts and development. The R-2 zoning would permit housing options that could fit the pattern of the existing neighborhood and not fall out of context with surrounding uses.

(3) To bring the official zoning map into conformity with the policies and goals of the Comprehensive Plan; provided, that if a Comprehensive Plan update has not occurred in the five (5) years preceding the application date, the Board specifically finds that the public health, safety, and welfare will be advanced by amending the official zoning map to conform to the Comprehensive Plan;

Staff response: The Comprehensive Plan was updated in 2024 through a great deal of public outreach, engagement, and feedback, and included an update to the Future Land Use Map of Frederick. Several areas within the Town have undergone a land use designation change due to changing community needs and goals. The Plan introduced a new land use designation called "Adaptable Neighborhood." The subject property was shown on the Future Land Use plan as Public/Semi Public before the update and now is designated as Adaptable Neighborhood.

Adaptable neighborhoods are designed to provide a diversity of housing to accommodate a wide range of households in Frederick. Single-family homes, duplexes, and townhomes are the main housing options found within this designation. A main goal of Adaptable Neighborhoods is to allow for easy access to amenities to satisfy daily resident needs. The subject property is located in an ideal location to support the goals of the Adaptable Neighborhood designation. Staff finds that the R-2 zoning would allow for a housing product that blends in with the existing neighborhood and the location is ideal for walking and biking to local amenities such as parks, commercial shops, and civic spaces.

(4) To provide land for a community-related use that was not anticipated at the time of the adoption of the Comprehensive Plan, and which specifically advances public health, safety, or welfare by optimizing the delivery of necessary services or amenities that the Town Board determines are a high priority;

Staff response: The subject property remains vacant and undeveloped. This location is not ideal for a large public use such as a library, recreational facility, structured parking, etc. The property remains in private ownership and does not belong to a public agency or organization. The Comprehensive Plan has noted that Frederick is made up of 90% single-family homes. The entire Front Range is heavily developing this product type and generally not addressing the need for additional housing options. Frederick has identified a need to diversify the housing stock. This changing condition or goal has prompted the need to create the Adaptable Neighborhood land use designation within the Comprehensive Plan. Staff finds a rezoning of this property to R-2 advances the

goal of the community and addresses a desire or need not anticipated during the original zoning of this property.

(5) To encourage development or redevelopment of an area that has changed or is changing to such a degree that it is in the public interest to encourage development or redevelopment in accordance with an amended official zoning map.

Staff response: The Town of Frederick is experiencing a large amount of development pressure across the entire municipal boundary. Town staff has identified a trend with developers wanting to provide new housing stock within Frederick, such as duplex and townhome developments. Staff attributes this to the lack of housing products outside single-family detached dwellings. Currently, 90% of the housing stock in Frederick is single-family detached homes. The Comprehensive Plan lists several key goals of the community, with balancing the housing supply for local residents and workers at all income levels and unit types and size as the main goal with regard to "housing".

In order to qualify for a rezoning, an application must meet at least one of the criteria listed above. Staff finds the applicant meets criteria 2, 3, 4; and 5; therefore, the rezoning application is eligible for the requested zone district change.

Public Notice:

This project has been required to provide several public notices per Section 4.5. See the list of requirements below:

1. Neighborhood meeting - mailed notice with a 1,000 ft. buffer
2. Application initial submittal - posted and mailed notice with a 1,000 ft. buffer
3. Public hearing - posted and mailed notice with a 1,000 ft. buffer

Attached to this staff report is a summary of the neighborhood meeting held on January 6th, 2025, see *attachment 7*. The attendees asked many questions and brought up concerns regarding traffic, density, housing types, parks and open space, and many other development-related topics.

Town staff has received a large amount of public comment and inquiries about the public notice requirements. All public comments addressed to the Planning Commission or Town Board have been included as an attachment to this staff report, see *attachment 8*. Any additional public comments received after the completion of this staff report packet will be given to the Planning Commission during the public hearing.

There are two items of importance to note to the Planning Commission with regard to public notice:

1. The required posted signs were placed on the subject property but have been removed several times leading up to the Planning Commission public hearing date. The applicant has stated they did not remove the signs, and that someone not part of the applicant's team has done so. The applicant has reposted the signs several times in an attempt to meet the posted sign requirement. Staff

finds the applicant has sufficiently met this requirement.

2. The applicant sent all required written notices through standard mail vs. First Class mail as required by the Land Use Code. However, staff typically does not instruct applicants to send First Class mail to meet the mailed notice requirement, and instructions provided to the applicant did not include this direction. Mailed notice for this project was provided at least 18 calendar days before the public hearing date. Staff finds the mailed notice requirement to be sufficiently satisfied for this application. It will be the Planning Commission's determination on whether or not the mailed notice requirement is found to be sufficiently met for this application.

Legal Comments:

The Town of Frederick Land Use Attorney's office provided a determination memo on September 5, 2024 regarding the status of the subject property and question of public/open space dedication. *See attachment 9.* The determination states that no such dedication was made via the 1987 or 1993 plats as they both lacked dedication or designation labels and statements on the plat for the particular property, which is required by law to effectuate a dedication. Additionally, Town staff have reviewed the title commitment provided in the application materials and are not aware of any relevant deed restrictions placed on the property. In the event such restrictions do exist, they are not enforceable by the Town.

Alternatives/Options

Approval:

I move to approve 25-PCR-02, which recommends approval of the Lot 1, Maplewood Subdivision Filing No. Two Amendment A rezoning to the Board of Trustees.

Approval with Conditions:

I move to approve 25-PCR-02, which recommends approval of the Lot 1, Maplewood Subdivision Filing No. Two Amendment A to the Board of Trustees with the following conditions: (list conditions)

Denial:

I move to approve 25-PCR-02, which recommends denial of the Lot 1, Maplewood Subdivision Filing No. Two Amendment A to the Board of Trustees.

Financial Considerations

Not Applicable

Staff Recommendation

Staff recommends the Planning Commission recommend approval of the Lot 1, Maplewood Subdivision Filing No. Two Amendment A rezoning application to the Board of Trustees with no conditions of approval.

Community Impact

25-PCR-02

A Resolution of the Planning Commission Recommending Approval of the Lot 1, Maplewood Subdivision Filing No. Two Amendment A Rezoning from P (Public) with PUD overlay (Planned Unit Development) to R-2 (Medium Density Residential) with PUD overlay (Planned Unit Development)

Be it resolved by the Planning Commission of the Town of Frederick, Colorado:

Section 1. The Frederick Planning Commission finds that:

- 1.1 An application for the Lot 1, Maplewood Subdivision Filing No Two Amendment A Rezoning has been submitted.
- 1.2 Said application was found to be complete through the review process.
- 1.3 Said applicant was found to be generally consistent with the Comprehensive Plan.
- 1.4 Said application was considered during a public meeting held April 17th, 2025 at which time the public was able to provide testimony.
- 1.5 Sufficient notice was given according to Section 4.5 of the Frederick Land Use Code.
- 1.6 Said application conforms with the applicable requirements of Section 4.7.2.d of the Frederick Land Use Code, namely;
 - (2) To rezone an area or extend the boundary of an existing district because of changed or changing conditions in a particular area or in the Town generally;
 - (3) To bring the official zoning map into conformity with the policies and goals of the Comprehensive Plan; provided, that if a Comprehensive Plan update has not occurred in the five (5) years preceding the application date, the Board specifically finds that the public health, safety, and welfare will be advanced by amending the official zoning map to conform to the Comprehensive Plan;
 - (4) To provide land for a community-related use that was not anticipated at the time of the adoption of the Comprehensive Plan, and which specifically advances public health, safety, or welfare by optimizing the delivery of necessary services or amenities that the Town Board determines are a high priority;
 - (5) To encourage development or redevelopment of an area that has changed or is changing to such a degree that it is in the public interest to encourage development or redevelopment in accordance with an amended official zoning map.

Section 2.

- 2.1 The Planning Commission recommendation is based on competent, substantial evidence in the written record and the testimony provided at the public hearing.

Section 3.

On the basis of the above, the Town of Frederick Planning Commission recommends that the Board of Trustees approve the application with no conditions:

This resolution approved this 17th day of April, 2025 by a vote of ____ to ____.

Tracy Moe, Chairperson, Planning Commission



Built On What Matters

TOWN OF FREDERICK

PLANNING DEPARTMENT

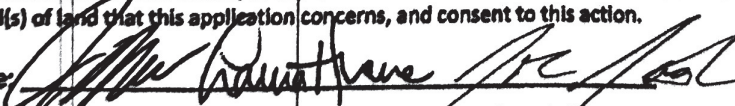
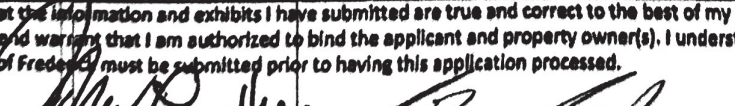
401 LOCUST STREET • P.O. BOX 435 • FREDERICK, CO 80530-0435

PHONE: (720) 382-5500 • FAX: (720) 382-5520

www.frederickco.gov

LAND USE APPLICATION FORM

PROJECT NAME:		
DATE SUBMITTED:		APPLICATION FEE:
TYPE OF APPLICATION:		
☐ Annexation, Zoning and Concept Plan (\$1,000 fee plus \$10 per acre) ☐ Annexation Agreement Amendment (\$500 fee for the first section; \$100 for every additional section) ☐ Appeal of Administrative Decision (\$500 fee) ☐ Code Text Amendment (\$1,500 fee) ☐ Comprehensive Plan/Planning Area Amendment (\$3,000 fee) ☐ Conditional Use (\$1,000 fee) ☐ Construction Plan Review (\$1,000 fee) ☐ Final Development Plan (\$2,500 fee plus \$5 per lot) ☐ Final Plat (\$2,500 fee plus \$5 per lot) ☐ Maps (Small - \$2.50; Large - \$7.00; Street Map - \$10.00)	☐ Metropolitan District (\$5,500 fee) ☐ Minor Modification (\$350 fee) ☐ Minor Subdivision (\$1,500 fee) ☐ MOAPI (\$500 fee for the first section; \$100 for each additional section) ☐ Preliminary Plat (\$2,500 fee plus \$10 per lot) ☐ Preliminary Development Plan (\$2,500 fee plus \$10 per lot) ☐ Sign Design Program (\$500 fee) ☐ Site Plan (\$2,000 fee for up to 25,000 sf; otherwise, \$2,500 fee) ☐ Site Plan Amendment (\$500 fee for up to 1,000 sf; otherwise, \$750 fee) ☐ Sketch Plan (\$2,000 fee)	☐ Special Use Oil and Gas Drilling and Production (\$5,000 fee per well) ☐ Street Name Change (\$750 fee) ☐ Subdivision Amendment (\$1,000 fee) ☐ Vacation of ROW or Easement (\$500 fee for one easement or right-of-way; \$100 for every additional) ☐ Variance (\$750 fee for residential; \$1,000 for non-residential) ☐ Vesting of Property Rights (\$1,000 fee) ☐ Water Dedication Analysis (\$250 fee) ☐ Waiver (\$1,000 fee for residential; \$1,500 fee for non-residential) ☒ Zoning (\$2,500 fee for one district; \$500 for each additional district) ☐ Zoning Compliance Letter (\$75 fee)
PROJECT INFORMATION:		
Legal Description of Property (location within township, section, and range or Subdivision, Block and Lot): 320 Maple Street		
Applicant's Name (This will be the primary contact): Joshua Huene (JJ Investments)		Phone/Fax: 3037251530
Address: 7973 Stroh Rd, Parker CO 80134		Relation to Property Owner: Co Owner
E-mail Address: joshua.huene@gmail.com		
ADDITIONAL CONTACTS:		
Property Owner: JJ Investments Joshua and Laura Huene John and Jennifer Jaquish		Consultant Business Name: JJ Investments Consultant Personal Contact: Joshua Huene
Address: Jaquish 9350 County Road 13. Longmont CO		Address: Huene 7973 Stroh Road, Parker CO 80134
Phone/Fax: 7202962710		Phone/Fax: 3037251530
E-mail Address: tinytikes.john@gmail.com		E-mail Address: joshua.huene@gmail.com

LAND USE APPLICATION FORM (CONTINUED)			
Property Owner: JJ Investments Joshua and Laura Huene John and Jennifer Jaquish		Consultant Business Name: JJ Investments Consultant Personal Contact: Joshua Huene	
Address:		Address:	
Phone/Fax:		Phone/Fax:	
E-mail Address:		E-mail Address:	
TOTAL ACREAGE OF PROPERTY UNDER CONSIDERATION:			
Is site within Frederick Planning Area?		☒ Yes ☐ No	
Project Address (if applicable):			
Existing Use: Public		Existing Zoning: Public	
Proposed Use: TBD		Proposed Zoning: R2	
Number of Existing Residential Lots: NA		Number of Proposed Residential Lots: TBD	
Number of Existing Commercial Lots: NA		Number of Proposed Commercial Lots: TBD	
Number of Existing Industrial Lots: NA		Number of Proposed Industrial Lots: NA	
Is there an existing MOAPI in place? ☐ Yes ☐ No If yes, please provide reception date and number.			
COMPREHENSIVE PLAN MAP DESIGNATIONS:			
LAND USE & PUBLIC FACILITIES Land Use Designation(s): Public Facilities:		UTILITY AND SPECIAL DISTRICTS Water: Sewer: Fire Protection: Other:	
TRANSPORTATION Street Connections:		ENVIRONMENTAL ISSUES Property in Floodplain: ☐ Yes ☐ No Sensitive Wildlife habitat area: ☐ Yes ☐ No	
PARKS, OPEN SPACE AND RECREATION Proposed Park and/or trail:		SUBSIDENCE AND OIL AND GAS Subsidence area: ☐ Yes ☐ No Oil and/or gas wells: ☐ Yes ☐ No	
CERTIFICATION: I certify that I am the lawful owner, or represent and warrant that I am authorized to bind the entity that is the lawful owner, of the parcel(s) of land that this application concerns, and consent to this action.			
Signature: 		Date: 1/2/25	
Print Name: Joshua/Laura Huene, John/Jennifer Jaquish			
I certify that the information and exhibits I have submitted are true and correct to the best of my knowledge. In filling this application, I represent and warrant that I am authorized to bind the applicant and property owner(s). I understand that all materials and fees required by the Town of Frederick must be submitted prior to having this application processed.			
Signature: 		Date: 1/2/25	
Print Name: Joshua/Laura Huene, John/Jennifer Jaquish			

JJ Investments

Joshua Huene- Co Owner

John Jaquish- Co Owner

March 1, 2025

To the Town of Frederick,

This is a written statement to request a rezone of the newly created 320 Maple Street lot. We are requesting a R2, Residential Medium Density assignment for future development.

(1) Need for the proposed rezoning:

We would like to request rezoning this lot (320 Maple St) from Public to R2 zoning for development of more housing options in a strategic location near downtown for residents of Frederick.

(2) Present and future impacts on the existing adjacent zone districts, uses, and physical character of the surrounding area:

Once R2 designation is approved, we are looking to partner with a developer to design and develop a project be in accordance to the purposes of R2, Residential Medium Density development. Our current thinking is to consider a plan to include up to (6) duplex buildings with 2 units per dwelling. We would also like to create a landscaping or land buffer between these units and the current structure on 340 Maple street.

(3) Impact of the proposed zone on area accesses and traffic patterns:

The proposed R2 rezoning is set to create a more diverse range of housing options, which could greatly benefit the neighborhood and its residents. The rezoning is likely to attract a broader demographic, including young professionals and families seeking affordable housing. This increased density can enhance access to downtown Frederick, making it easier for residents to enjoy local shops, restaurants, and cultural amenities without relying solely on vehicles. Overall, the R2 rezoning has the potential to foster a vibrant community that prioritizes connectivity and accessibility, providing more affordable housing options while balancing the increased traffic burdens.

(4) Availability of utilities for any potential development.

The lot has a gas line thru the property, (4) water shares assigned, (1) water tap and (1) sewer tap currently on the lot. We believe electricity is on the perimeter of the property.

(5) Present and future impacts on public facilities and services, including but not limited to fire, police, water, sanitation, roadways, parks, schools and transit.

Under our current thinking of up to (6) duplex buildings, or up (12) total units; we would anticipate an estimated additional 36 more residents assuming (3.0) persons per unit. Future impact to water and sewer would be in accordance to the existing (5) water taps already in place. Safety services could see an increase in demand based on the increased dwellings and residents. Schools could also see increase enrollment with additional family capacity.

(6) The relationship between the proposal and the Comprehensive Plan.

Our planned development will align with the newly updated Frederick comprehensive plan 2050 that allows for 320 Maple St to be considered for R2 zoning . The Frederick Comprehensive Plan emphasizes the development of a wider range of housing types in the community, to serve the full range of households living in Frederick or desiring to live here.

(7) Public benefits arising from the proposal.

Many of the existing neighborhoods around Frederick remain spread out across the landscape. Input from community members throughout the Frederick Forward process noted that residents currently drive to most of their daily destinations, including stores, places to eat and drink, and major local parks. While the community may address some of these concerns over time by adding more restaurants and places of business around Frederick, the Future Land Use Plan anticipates creating a framework where residents will have access to their daily needs within an accessible, 15-minute walk from their place of residence. Places developed as “15-Minute Neighborhoods” provide access within a short walk or bike ride to a café or eatery, a grocery store or similar store with everyday needs, a park, a library, and a community gathering place. The development of these types of neighborhoods encourages residents to conduct much of their daily activities by foot or by bike and thus avoid using vehicles to complete regular errands. By encouraging more walking and biking, these neighborhoods help foster greater interactions between residents and visitors, create greater levels of activity and vitality in neighborhoods, and better tie primarily residential areas with nearby employment centers and local businesses

d. Review criteria. For the purpose of establishing and maintaining sound, stable and desirable development within the Town, the official zoning map shall not be amended except:

(1) To correct a manifest error in an ordinance establishing the zoning for a specific property.

We are not looking to correct an error on the proposed rezone request.

(2) To rezone an area or extend the boundary of an existing district because of changed or changing conditions in a particular area or in the Town generally.

We are requesting a rezone from Public to R2 to develop a wider range of housing types in the community, to serve the full range of households living in Frederick or desiring to live here.

(3) To bring the official zoning map into conformity with the policies and goals of the Comprehensive Plan; provided, that if a Comprehensive Plan update has not occurred in the five (5) years preceding the application date, the Board specifically finds that the public health, safety, and welfare will be advanced by amending the official zoning map to conform to the Comprehensive Plan.

Frederick has steadily grown over the last 40 years, from a population under 1,000 in 1990 to around 16,000 in 2023. The Town anticipates growth to a population of over 17,000 residents by 2028. Future population growth will depend on several factors, including economic cycles, water availability, and the desires of individual property owners. Given the growth of the I-25 corridor over the next 20 years, Frederick could grow to 40,000 to 60,000 residents within the next 25 years. The ability to use 340 Maple St to provide more housing options will help support this growth.

(4) To provide land for a community-related use that was not anticipated at the time of the adoption of the Comprehensive Plan, and which specifically advances public health, safety, or welfare by optimizing the delivery of necessary services or amenities that the Town Board determines are a high priority.

As of 2023, single family detached housing represented around 95 percent of all housing units in Frederick. In contrast, most communities around metro areas nationwide include a much wider range of housing, including single family attached units, apartments, and senior housing units. The lack of housing diversity in Frederick limits the options for places to live for younger people and for older populations. It also limits options for single person households and individuals who work in Frederick but are unable to find adequate housing. At the same time, rising costs of rent and home ownership have created significant challenges for current and prospective residents, at nearly all price points. Housing has emerged as a significant crisis facing communities in Colorado and the issue remains a top concern in Frederick.

(5) To encourage development or redevelopment of an area that has changed or is changing to such a degree that it is in the public interest to encourage development or redevelopment in accordance with an amended official zoning map.

Per the current Comprehensive Plan 2050 for the Town of Frederick, we also want to support the town in helping this community improve the quality of life and to help establish effective development for a community's resources, initiatives, and programs in a strategic location walkable to the downtown HUB.

Please process our application with the attached items. Let us know if you need further information.

Sincerely,

Joshua Huene

Vicinity Map

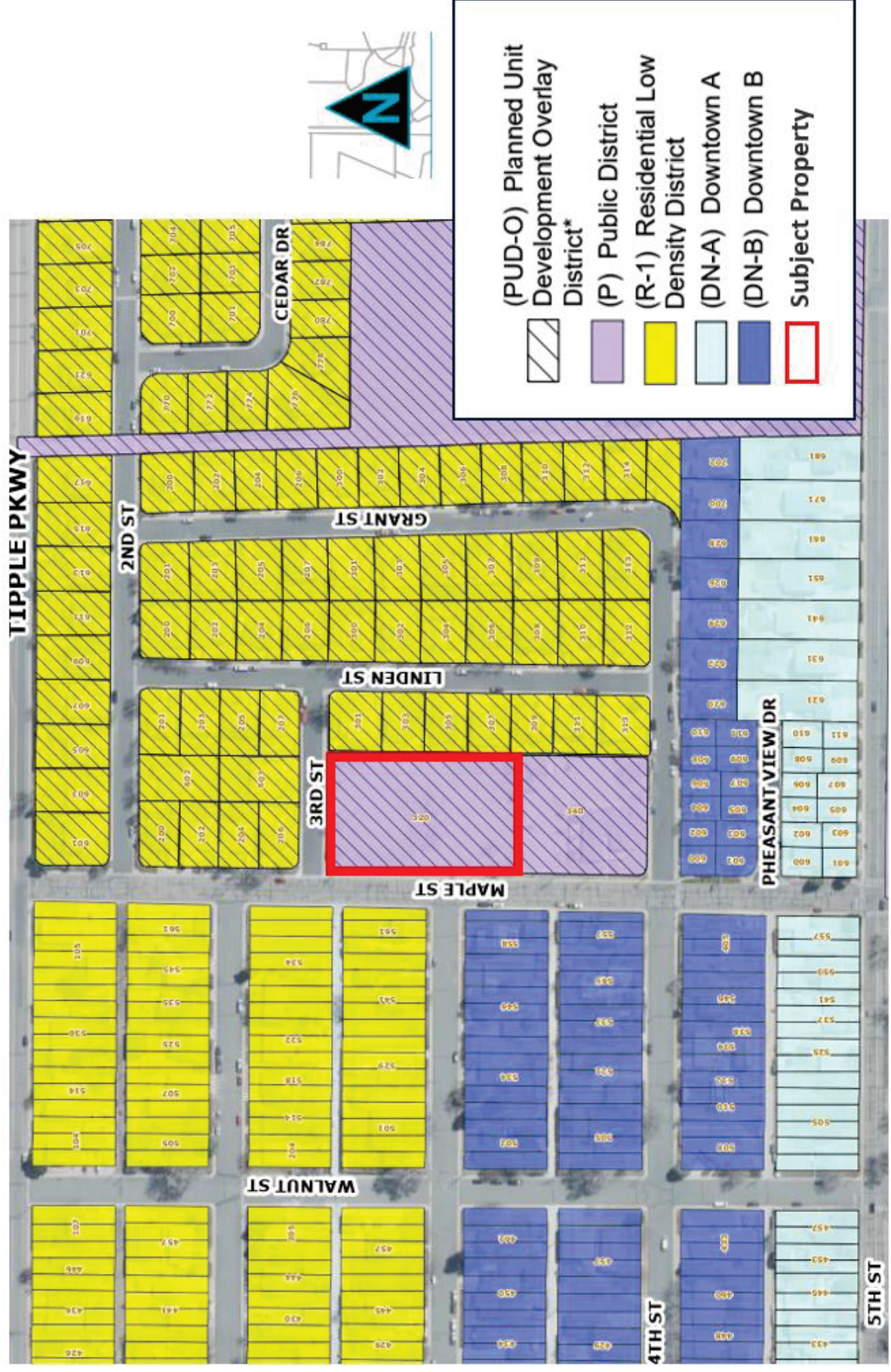


Subject Property





Zoning Map



ATTACHMENT 7

Neighborhood Meeting Minutes

Rezone request- 320 Maple St, Frederick, CO

Meeting Date: January 6, 5pm Teams Video call

Meeting Attendees:

Town Staff: Audem Gonzales

Applicant Team: Joshua Huene, JJ Investments

Neighborhood Attendees: Patrick Berrand, Ron and Heather Jagodinski, Bill Bridges, Paul Osmanstrand, Terry Plummer, Linden Anon, Savannah Bingamon, Tanya (Last Name unknown), Cassandra Kroger.

5:05 pm- Audem opened the call and explained the purpose of the meeting.

Joshua Huene introduced himself explaining the request to rezone this to a R2 designation for future development consideration and opened the floor for questions. Requesting further development in the future. At this point, not looking to start a project right away, but want to get it zoned appropriately.

Question from Patrick Berrand: Lived in Frederick for 22 years. Question for the city, why was the comprehensive plan not asked for public input? This project was zoned public, why are we noticed for this?

Audem responded: A comprehensive plan is the 20 year vision plan for the town of Frederick. That plan includes a large map showing potential land development. This property was shown as public before and then when plan changed, it changed to adaptive neighborhood. A vast array of neighborhood uses. There were multiple public meetings over a long period of time. There were notices that went out via email, discussing changing designations around town. Hundreds of properties changed designations, this property we are discussing now was changed.

Looking to expand downtown, this adaptive change is a good buffer between single family homes and traditional downtown.

The town board is keen on expanding downtown and adding more housing options to Frederick. The applicant did talk about permitted uses in this proposed district, single family homes, townhomes. There are limits as to how many units can go in. Adaptive is the best way to go forward, went to the town board for the final decision on that.

Question from Patrick Berrand:

Explain the limitation of density of R2. What is the maximum density that will be allowed?

Audem: R2 does permit up to 10 units per acre. Highly unlikely properties are able to have that many units per acre.

Question from Ron Jagodinski: Giving example of something that happened in development of Huntington Beach. First Responder response times were longer than what was acceptable, in Huntington Beach. I would like to address this before we change the zoning.

Bill Bridges: When is applicant going to have a comprehensive plan on the development of the property?

Joshua responded: We can initiate that process when we receive appropriate zoning designation.

Joshua Huene responded: We need to have the approval from the Town of Frederick to have R2 approval and our desire is to look at future development. I don't know when that will be, but we are looking into all of the options I listed at the beginning of the meeting.

Ron Jagodinski: I sent an email to Joshua and Audem and one other person in the city. I am suggesting environmental mitigation as possible land use solution to our problem here. This involves corporations giving money to offset capital projects for the land. In my history, we were able to rebuild wetlands.

Question from Paul Osmanstrand: Why did the 1987 Open Space designation change by the city?

Audem responded: Original plan, laid out lots and streets, dedicated open space in this area. We then determined that no open space was dedicated, it wasn't adequately dedicated at open space. There was a development agreement, stated that there was no open space dedicated in this subdivision. The legal team stated this in a memo.

Broc Swetnam: If someone before 1997 purchased property breaking a promise for 30+ years.

Audem: There is nothing I can do about this tonight.

Broc Swetnam: Absent any specific plan to develop, how can the town or the residents determine if a rezoning to R2 is desirable? Feels like we are putting private interest over public interest.

Audem: This is a public hearing process, applicant takes your questions and concerns into consideration. If this project moves forward, this will be a topic of discussion before our elected officials.

Question from Paul:

How do we get compensated for taking away the park and our view of the mountains?

Answer Joshua Huene:

We purchased this property about 1 year ago and it was not open space or a park. It was private land that our desire was to develop with the changes to the comprehensive plan for the city. We want to develop it according to the city plan that is now.

Audem: Zoned public now.

Paul: Failure to understand this process isn't the fault of the residents.

Patrick: This process has a long checkered history, these comments are directed towards the town. All developers who built subdivisions in that area were required to dedicate open space. Where is the open space?

Ron: I was supposed to be able to walk to this open space. This isn't good to swap open space. Need to look into environmental mitigation

Patrick: The town owes the residents more due diligence and a formal legal opinion as to how that property was given to the Weld County Library District and how the land was able to be sold.

(Next question that is unable to be understood due to poor audio)

Question from Terry Plummer: Why was a private park designated for this 340 Maple St lot?

Audem responded: This property is private and not open to the public. This has nothing to do with zoning. The property is not dedicated for public use, it's private property.

Question from Linden Anon- Voiced concern over Comprehensive Plan redesign. Discussed previous questionnaires from the City to residents. Reviewed the answers from questionnaires.

Question from Savannah Bingamon: Asked if a rezone of this lot would affect depletion of natural resources, water, the wildlife, and the towns ability to service the entire neighborhood.

Josh Huene responded: The tree in the park, could break and hurt someone, that was a concern and why we took care of the tree. There are utilities under this land, the infrascrutre was there for future development. This is part of the process.

Unknown name: How large is the parcel?

Josh: 2 acres is the daycare, the parcel to sell is 1.2-1.5 acres. I am seeking a rezoning of 320 Maple.

Question from Paul Osmanstrand: What is the plan to develop this lot?

Josh Huene responded: Plans yet to be developed. 3-4 units, town homes. Not discussing multiplex or multifamily. Per the R2 designation description.

Follow up question about why a fence was placed on the lot?

Joshua answered: due to insurance risk.

Patrick B: Followed up with question on open space requirement if the lot gets developed.

Audem responded: Is there a proposal to develop?

Josh: Acquire R2 designation, pursue single family, duplex or town homes. We are not spending the money to develop until it's rezoned.

Patrick B: What will the open space requirement be if there are 10 homes on this property?

Audem: 20% open space will be required or fee in lieu

1.3 acre site approx 10k feet of open space

Audem: open space could be given to the town or private open space.

Patrick: Why is this optional?

Audem: We have minimum requirements for open space. This property won't qualify for that. Private open space means it's open to the public, but maintained by the owner. 20% of the space will have to be open space, a pocket park is an option. But, I am unsure of the numbers.

Heather: How much is Frederick property and how many of these homes belong to Maplewood.

Joshua: Not sure if all of those homes belong to Maplewood or not.

Question from Heather Jagodinski: Please explain the mailing list area.

Josh responded: The boundary lines is where we mailed the invitation to, according to the service we used.

Question from Tanya McCue: Concern about electricity and water issues. Will utilities capacity be affected by development and will neighboring property values be affected?

Audem responded: We require applicants to send out mailers to the people that will be affected by the redevelopment. Once the application is submitted, they have to make a posting on the property. Plans are reviewed, taken to the planning commission, this is a public process. Mailers go out to the residents in the area. All meetings are posted on our website and you have opportunities to speak and get involved. It's up to the Board of Trustees to make the decision.

There are reviews within the Department of Wildlife, reviews with Fire Department, Utilities, water. Engineers review everything water, electricity is reviewed. This is just the first step in a very long process. There will be time and space for you to get involved in this process. We encourage residents to come into The Town Hall and set up a meeting and look at the plats.

Patrick: These meetings are better when held in person with the documents and the applicant present.

Question from Linden Anon: Is JJ investment or Tiny Tikes a non-profit or a for profit facility?

Joshua: JJ Investments leases the building to Tiny Tikes. We are an LLC.

Follow up question: How is your use of this land fitting into the requirements of this parcel zoning?

Joshua: I am a member of the investment company, and the previous owner was doing the same thing we were.

Question from Cassandra Kroger: Will the R2 designation preserve the architecture character of Frederick? She does not want 2 story homes in this area.

Audem responded: The city will be hearing this application. It will go before the Board of Trustees. This is currently zoned public, the desire is to be R2, conditional use. Single family homes, duplex, multi family homes. Premature to talk about this development, we will be reviewing this entire process. With this project, we will be looking at height, architecture, set backs.

Question from Ron Jagodinski:Wants to be able to walk from his home to a public space or park.

Patrick: How could a daycare or private school be placed on a Public lot?

Audem responded: I don't know the history of this project you are talking about.

Paul: To designate a property R2, keep the zoning consistent.

Josh: We are looking to a few units in this space. Your concern is very important to us.

Audem discussed people can be looking for signs to get info about the next meeting. Planning website lists all of the meetings and anyone is welcome to the meetings. If you are in the map boundaries, you will receive a mailer.

Ron: Concerned not to have a park to be able to walk to

Savannah: The building itself is zoned as a private school?

Auden: The building can be used as a private school

Savannah: How does that fit in with being designated as a private school or a daycare? Received grant funding for daycare, and now we are talking about it as a private school.

Auden: Uses aren't always what the title is. Private school probably includes a daycare. I can research this information for you. It can be several different things, the use went in as a private school for the land use.

Cassandra: Wants the information from the meeting

Auden: Need to request from public records. There is a recording that will be available.

The next steps, applicants need to make the decision to rezone, more mailers will go out and move forward with planning commission and town board. You are able to request minutes. Meeting is now complete 623pm

From: [Mark Novak](#)
To: [Audem Gonzales](#)
Cc: [Bryan Ostler](#)
Subject: Addressing point made by JJ Investment regarding 320 Maple
Date: Friday, April 11, 2025 9:57:10 AM

Caution! This message was sent from outside your organization.

[Allow sender](#) | [Block sender](#)

Addressing point made by JJ Investment regarding 320 Maple. Please put into the public record

“create a more diverse range of housing options, which could greatly benefit the neighborhood and its residents.”

There is no basis for this statement. Adding their proposed 6 unit duplexes and their low estimate of 36 people on this small plot of land is NOT going to benefit the neighborhood. It will add noise, traffic and a potential danger for the many children going to and from school on Maple street. If R-2 is approved JJ Investments has no obligation to do this proposal. They can change to an apartment building that is in line with R2 guidelines.

“the Future Land Use Plan anticipates creating a framework where residents will have access to their daily needs within an accessible, 15-minute walk from their place of residence. Places developed as “15-Minute Neighborhoods” provide access within a short walk or bike ride to a café or eatery, a grocery store or similar store with everyday needs”

There are very few businesses within 15 minute walking distance of 320 Maple Street. There are no grocery stores, doctors, pharmacies, hardware stores, libraries or even a bank within walking distance of this neighborhood. This statement is not based on reality and is completely without merit.

(3) *‘The Town anticipates growth to a population of over 17,000 residents by 2028. Future population growth will depend on several factors, including economic cycles, water availability, and the desires of individual property owners’.*

Where is the concern for the individual property owners that already live in this neighborhood? Nothing in this proposal benefits this neighborhood’s residents. Frederick’s slogan **“built on what matters”** is not served by the development of this small parcel of land .

To provide land for a community-related use that was not anticipated at the time of the adoption of the [Comprehensive Plan](#), and which specifically advances public health, safety, or welfare by optimizing the delivery of necessary services or amenities that the [Town](#) Board determines are a high priority.

There is nothing in this statement that is reality. What land are they providing for “community related use” ? How will 12 residences on this small plot of land “ advances public health, safety, or welfare” ?

“As of 2023, single family detached housing represented around 95 percent of all housing units

in Frederick”.

That is one of the reasons people live here.

“Housing has emerged as a significant crisis facing communities in Colorado and the issue remains a top concern in Frederick”

Housing costs are high for a variety of reasons. It should not be Frederick’s mission to solve this. Developing this small plot of land, according to their plan, will destroy the character of this neighborhood and set a dangerous precedent for other neighborhoods. They claim it is *“in the public interest to encourage [development](#) or redevelopment”*. **No, it is in the developers interest only.**

The Comprehensive Plan continually talks about “quality places to live, and neighborhoods and districts with distinct character”, “parks and open space system serving the Frederick area”, “

The Comprehensive Plan states “ the community wants to avoid cookie-cutter suburban development”. That is already happening with the eastern neighborhoods, Brigit's Village and Silverstone. This is more than enough growth for Frederick with out developing 320 Maple Frederick needs to consider buying this for open space or turn it into a Pocket Park as mentioned in Comprehensive Plan 2050. This would finally resolve the issue of this property and be in line with what the Comprehensive Plan says is one of their goals

As Charles Dickens has said - *The needs of the many outweigh the needs of the few.*

Catering to the development of this property under the R-2 zoning regulation only serves the needs of the few.

From: [Carl Randolph](#)
To: agonzales@frederickco.gov
Subject: 320 Maple Rezone
Date: Friday, March 28, 2025 4:52:04 PM

Caution! This message was sent from outside your organization.

[Allow sender](#) | [Block sender](#)

Hello Audem,

Writing you so you can add this to public record regarding the R2 REZONE of 320 Maple St.

I attended a planning commission meeting last week and was extremely disheartened at how the meeting started. Opening statements let the community members present know that anything that was shared would not be entered into public record. The only reason we all showed up is to make our stance on this rezoning part of the public record. I'm sure it's standard practice but as this was my first town meeting, I was taken off guard with that. Simply put, we are the public record, and anything shared should be part of the record. If it's not, then all concerns brought up by the community are in jeopardy of being completely disregarded.

If Frederick is "BUILT ON WHAT MATTERS" then let's think about what that means. What matters the MOST in this situation is how it effects the community that lives in area of the lot in question. With signs popping up daily in every yard nearby in think it should be clear to the town that nobody's wants. R2 is not a solution, but a square peg in a round hole. This will be a concern for safety and resources. The school nearby is a massive concern with safety and adding duplexes on a small lot will add traffic to a place in which kids are.

My biggest concern is that if R2 passes then whoever decides to build does not have to stick with the proposed duplexes. If it gets zoned for R2 then there's a myriad of terrible options that could go in there that fit within R2. This is a single-family home neighborhood and that's why my family has invested in Frederick and specifically this neighborhood when we purchased our home on Linden St roughly 3 years ago.

I sincerely hope the town does the right thing.

-Carl Randolph-

Get [Outlook for iOS](#)

From: [Mark Novak](#)
To: [Ali van Deutekom](#); [Audem Gonzales](#); [Bailey Arvizu](#); [Bryan Ostler](#); [Jason Meyers](#); [Tracie Crites](#); [Kevin R. Brown](#); [Mark Lamach](#); [Adam Mahan](#); [Dan March](#); [Windi Padia](#); [Chad TeVelde](#)
Subject: Concerns about the rezone at 320 Maple
Date: Tuesday, March 11, 2025 10:25:36 AM

Caution! This message was sent from outside your organization.

[Allow sender](#) | [Block sender](#)

After looking at the Jan 6th meeting and some of the documents associate with this rezone proposal, there are many concerning points. Seems this developer has no real plans that he is willing to share. The application is vague with many answers given as TBD. His approach to rezone first then we will tell you our plans is backwards and dangerous to our community.

Developers are in it to make the most amount of money they can, so that would be a 10 or 12 unit apartment building which, as you know, would be within the rezone designation currently being sought. If you approve this, the Planning Commission and the Town of Frederick will have limited control over the type of developments that could happen.

The Comprehensive Plan states *"A distinct character, avoiding the cookie-cutter nature of most communities along the Front Range"*. If you approve this rezone, that is exactly what you are doing. It also states, *"setting regulations that maintain the desired character of neighborhoods."* An apartment building or 10 homes or condos on this small lot is not the desired characteristic of the Maplewood neighborhood.

My question is - Does Frederick believe what they say in the Comprehensive Plan, along with "Built on What Matters" slogan, or is this just rhetoric?

Since the town approved the possibility of 1800 houses in Silverstone and approved Brigit's Village, adding 40 units in a three story complex, there should be no need to build more housing in the Maplewood neighborhood. If you are compelled to change the character of Frederick with apartment buildings, then build more next to Brigit's Village and make that area Frederick's apartment row since the unfortunate change to that neighborhood has already begun. The Silverstone development alone will drastically change the small town atmosphere of Frederick that most people desire, and I imagine it will be a "cookie cutter" development..

Thank you for your attention to this important matter. I hope that you will take a thoughtful approach and reject the rezoning of this public space at 320 Maple Street to R-2.

Mark Novak, 22 year resident and homeowner in the Maplewood neighborhood

From: [Ronald Jagodinski](#)
To: [Audem Gonzales](#)
Subject: Environmental Mitigation Projects Could Be Suitable For Frederick's Open Space Long Term Objectives
Date: Saturday, January 4, 2025 1:48:15 PM

Caution! This message was sent from outside your organization.

[Allow sender](#) | [Block sender](#)

January 4th, 2025

Mr. Audem Gonzales

Town Planning Office, Frederick, Colorado

Subject: Environmental Mitigation Projects Could Be Suitable For Frederick's Open Space Long Term Objectives

Hello; we are the Jagodinski's. Ron Jagodinski had a pleasant telephone conversation with you just a day or so ago. We live at 301 Linden Street which is adjacent to the Applicant's Proposal of open-space development on 320 Maple Street; titled: "Rezone vacant parcel from Public [P] to Residential Medium Density [R-2]."

In that same conversation regarding the Applicant, the subject of *environmental mitigation* came up. Ron stated that he had worked for a couple of energy companies where capital investment project efforts would often be "offset" via providing communities assistance or outright management of needed projects; thus "mitigating" the long-term effects of those same capital investments.

A real-life example would be Edison international's [EIX] environmental mitigation project(s) relating to its costal nuclear power station at San Onofre involving communities as far away as Del Mar on the Pacific Coast. A long-needed wetlands restoration project was embarked upon amounting to tens of millions of dollars in total scope. Another example would be one of the West Coast refineries/petro/chem plants' investors providing needed support for local parks or other long-term projects for nearby communities.

Although we have only been living here for eight months; one can notice in many ways that our new home in Colorado is an energy State. There are energy & extraction capital investment opportunities of the many in our State; and, it is therefore our question at this time if the Town of Frederick has explored the subject of *environmental mitigation* efforts currently underway in the State of Colorado in our neighboring communities. Such queries could yield a greater field of open-space solutions and possible partners acting in cooperation with the long-term objectives of the Town.

The subject of environmental mitigation being used as aid in the upcoming review of the Applicant's 320 Maple Street, Frederick, Colorado change of zoning proposal was addressed with another member of your staff, Jessica Hill; just before the Holidays.

See you at the on-air meeting on Monday night.

The best of everything;

Ronald H. Jagodinski
Heather M. Jagodinski
301 Linden Street
Frederick, Colorado 80530
(303) 284-4618

From: [Rhonda Swetnam](#)
To: [Audem Gonzales](#)
Subject: Fwd: 340 Maple Street - Project Proposal - Notice of Application
Date: Monday, April 7, 2025 6:20:21 PM
Attachments: [Maplewood Subdivision Filing No. One.pdf](#)
[Maplewood Subdivision Filing No. Two.pdf](#)
[340 Maple Street Document History.pdf](#)

Caution! This message was sent from outside your organization.

[Allow sender](#) | [Block sender](#)

Dear Mr. Gonzales,

This is a copy of an email that I sent to you and to all of the Board of Trustees of the town of Frederick in August of 2024.

I respectfully request that this email become a part of the public record.

Regards,

Rhonda Swetnam

----- Forwarded message -----

From: Rhonda Swetnam <rlswetnam57@gmail.com>
Date: Fri, Aug 16, 2024, 5:45 PM
Subject: Re: 340 Maple Street - Project Proposal - Notice of Application
To: <agonzales@frederickco.gov>
Cc: <tcrites@frederickco.gov>, <krbrown@frederickco.gov>, <MLamach@frederickco.gov>, <AMahan@frederickco.gov>, <dmarch@frederickco.gov>, <CteVelde@frederickco.gov>, <WPadia@frederickco.gov>

Dear Mr. Gonzales,

As previously discussed in the neighborhood meeting held previously regarding this matter, I, my husband, Jon (Broc), as well as most of the homeowners in the Maplewood Subdivision, are not in agreement with this proposal. The reasoning for this has little to do with the TinyTykes Daycare, but has to do with the Town of Frederick and/or the County of Weld. If JJ Investments, Inc. wants to sell the open space, fine, but either the Town of Frederick and/or Weld County needs to purchase it and give it back to the Maplewood Subdivision as it was originally intended. The “falling through the cracks” of this open space, as stated during the neighborhood Zoom meeting and that no one knows

what happened with this parcel is not the problem of the homeowners within Maplewood Subdivision; it is the problem of the Town of Frederick/Weld County. The only right, honorable and ethical thing to do is to correct this problem.

Please refer to the attached document, Maplewood Subdivision Filing No. One, as well as the document on another page with the "Certificate of Ownership" clause enlarged and highlighted. It is clearly stated within the context of this document that "...Have by these presents laid out, and surveyed as Maplewood Subdivision Filing No. One, and do hereby dedicate and convey to the town for **Public use forever hereafter** the street, alleys, public walkways, **parks and open spaces** as are laid out and designated on this Plat, and do also reserve perpetual easements for the installation and maintenance of utilities and for irrigation and drainage facilities are as laid out and designated on this Plat..."

Please also see attached two (2) documents for Maplewood Subdivision Filing No. two which pretty much state the same thing.

My family and I purchased our home on Linden St. in 1995, at which time we were assured by the developers of Maplewood Subdivision, as well as Black Fox Real Estate, that the open space on Maple St. between 3rd and 4th Streets, would remain as open space for this subdivision forever. It is part of this subdivision, meant for this subdivision. That was part of the attraction for us in purchasing our home. We are not alone in this. Many of our neighbors also purchased their homes in Maplewood for the same reason...the open space, the small community, the local wildlife and the view. In particular, the folks that own homes on the west side of Linden Street whose homes

border that open space. Several of those homes have gates that lead from their backyards to the open space. That is because that space was meant to be utilized by the people and their families who live in the Maplewood Subdivision.

In 1995, the current TinyTykes Daycare facility was the Carbon Valley Library, and then it was Head Start. The open space to the north was ours to utilize for our neighborhood. It is the only open space that we had and is the open space for this subdivision. From 1995 until March of 2023 we were all able to use this open space freely. Our kids played there, people played with their dogs there, had picnics and family get-togethers there, etc. That is what this open space was intended to be used for, the neighborhood families!

According to the “Document History”, the “Subdivision” granted this land at 340 Maple St. to “Maplewood Sub. FG#2”. In 2019, it appears, according to record, that Weld County deeded this property to the Carbon Valley Recreation District for 0\$. Even then, the open space could still be utilized by the community. Shortly thereafter, it appears, according to record , that the Carbon Valley Recreation District sold this property to Ohana Montessori, LLC for \$620,000. This was the first time in the “Document History” that there had been an exchange of money on this property. It is interesting how we in Maplewood had no idea that this “*sale*” had occurred and that *our* open space had literally been stolen from us. Once again, this did not change the ability for the community to utilize this open space. Then, in March of 2023, Ohana Montessori, LLC sold this property to JJ Investments, Inc. for \$1,150,000 and the open space was immediately fenced off and we were locked out of the open space that we had been able to freely utilize for nearly 30 years.

Now, since this property was granted to the Maplewood Sub. FG#2, that tells me that this property was in fact granted to this Maplewood Subdivision. For some unknown reason, Weld County/Carbon Valley Parks and Recreation felt that they had the right to sell it in 2019 to Ohana Montessori, LLC. This property was not theirs to sell. It belongs to Maplewood Subdivision. So, this parcel did not “fall through the cracks”. It was taken from us without us even knowing about it. We had no idea of these sales. We thought that only the building and parking lot had been either leased or sold. NOT the open space.

I personally do not care about the existing buildings and parking lot on this property, what I do care about is the open space, and I am certain that many, if not all of the homeowners in Maplewood feel the same way. That open space should have never been sold to anyone. It belongs to Maplewood Subdivision.

In the neighborhood meeting that was previously held online, it was stated in the meeting record at 5:15, “It was kind of like an oops, it slipped through the crack” *This is not an oops*. This is theft from our community. At 5:18, “I believe Brock is correct in that when Maplewood was planned, that was the required percentage of open space, **which is why it was dedicated**, which is why it was zoned public” 5:45, “But we’ve had this come through the pipeline periodically throughout history where nobody can correct damage that was done by having a public zoned property with this big unknown.”

So, it looks to me that the County of Weld is at fault for this mess. Therefore, it is my opinion that the County of Weld and the Town of Frederick need to figure out how to reclaim this open space and give it back to the rightful owners, the homeowners within the Maplewood Subdivision! Again, I personally do not care

about the current buildings and the parking lot, just the open space.

One more concerning item...there is a pair of what I believe are Red Tailed Hawks that return *every year* and nest and raise their young in the Cottonwood trees in the center of that open space. There are also owls that nest there. They have been doing so for at least the past 5 years. These are protected birds of prey and their habitat should not be disturbed. Our community thoroughly enjoys these beautiful Birds of Prey and would hate to see them disturbed in any way.

When we moved here in 1995, we did so because Frederick was a charming small, peaceful town. Lots of open space, lots of wildlife in the neighborhoods, lovely place to live. Now it appears that the Town is trying to turn Frederick into another Denver. Development everywhere. People everywhere. All of our open space is going away. Most of the wildlife has disappeared. Charming small town, gone...Pretty darned sad state of affairs. If you allow this open space to be sold, and rezoned for development, you will also devastate our home values. Is the Town of Frederick going to compensate us for devaluing our homes? Any building would cause the loss of our view of the mountains, the loss of our open space, reduction of our home values, reduction of desirability for a potential home buyer, Open space and mountain views are both attractive features to a home buyer. No one wants duplexes, apartments, businesses, condos, etc. in their backyard!

30 years ago I would have highly recommended to a friend or family member to move to Frederick. Today, I don't think that I could do that.

Respectfully,

Rhonda L Swetnam

2/14/2025

Associate Professor Mark Uchanski
Department of Horticulture and Landscape Architecture
Land Growth Facilities
200 W. Lake ST. 3030 Campus Delivery
Ft. Collins, CO 80523
Sent by e-mail to Mark.Uchanski@colostate.edu

1. money, money, money, MONEY!!!

As a longstanding member of a Value Creating Society, I see an advertisement almost every day from the largest oil company in Colorado emphasizing their efforts to minimize pollution, maximize production and calling to our attention the fact that they put aside \$\$\$\$ for Parks and Recreation called ENVIRONMENTAL MITIGATION.

2. Lamenting The Way It Was

At the same time my community is feeling cheated out of the vision of having an "open Space within walking distance" that sold the original buyers on the Maplewood Development in the 1st place. The 1st buyers of record remember the phrase "hereafter and FOREVER" in their contracts.

3. Oops, Their Bad.

Since the Developer opted to pay to get out of that deal, which they can do, leaving the responsibility to the Town of Frederick I can see why they need relief with the rising cost of watering and grooming an empty lot. Special exceptions were made allowing the Montessori school to purchase part of the property.

4. Coming Up Oops #2?

Now they want to make another exception by Rezoning to allow the current private business owner of the Day Care (not public or a school as stipulated in the 1st exception) to sell the originally promised “open space” for the financial benefit of said owner while opening that space for a future purchaser to develop more dense housing up to a convoluted description of R2 going all the way to Commercial to entice the highest price with a greater tax base for our Town coffers.

Wow! What a “Kerfuffle” or “What a complicated web we weave.”

5. *Education to the Rescue* Read All About It.

Meanwhile, our most prestigious University Agriculture Department has released a video with their latest recommendation about combining green energy producing solar fields with farming because plants and animals **NEED** more **shade** to cope with global warming and drought. They could be interested in putting it on demonstration here in our community with funding from environmental mitigation and student work projects. The solar field they build could pay for the water and maybe more. The shade created will make crops grow faster. The water could clean the solar panels nightly for top efficiency before reaching the plants below and the solar panels would not reach near the height of more than a single story building. (See your local Toyota dealership for an example) I believe this would “put us on the map” so to speak, as an updated community.

6. Is an Oligarchy approaching?

The current National Administration is trying to deregulate everything profitable and I can't see the oil Companies standing behind their current advertising forever in this political climate.

7. Tick Tock. Timing could be everything.

If I'm right and money is all that the parties in our web of issues need then what are we waiting for. Time is of the essence here.

8. Forward or Back???

Do we have forward looking stewards of our community and our Township? Do we take fiduciary responsibility for each others interests? A truly reciprocal responsibility from both citizenry and government. Or are we just waiting for non democratic means to solve our problems? If so we can look back and wonder why we didn't go for a community garden to educate our future farmers. They are in our day cares, our elementary and secondary schools, and Universities too. They could use a space to design landscapes for optimum productivity, to innovate new techniques, to create new hybrid crops, and give students on the job training, collectively sharing their discoveries for the benefit of us all.

9. A consortium of sorts

with a multiple use zoning of public and private with educational restrictions can create great value. By changing our focus from feeling singled out to creating an example for the rest of our neighborhoods open spaces, much progress can be made.

If you are a homeowner not looking for an opportunity to dig in some dirt but just want a place to walk your dog responsibly you

might dedicate your 1/80th interest to a student program. And if you want to do some gardening of your own you can partner your efforts with University students, sharing your outlook, insight and produce.

10. Power connection

My husband who worked at Ft. Saint Vrain when it was nuclear has contacted some of his former power companies and will advise of his progress asap.

Sincerely,

Heather Jagodinski

(303)284-4618

jagraftx@att.net

*P.S. I'm using my Son's email to send this letter
as mine is having trouble at this time.*

*My mailing address is 301 Linden St., Frederick,
CO 80530.*

From: [Keri Aasmundstad](#)
To: [Audem Gonzales](#); [Ali van Deutekom](#); [Ali van Deutekom](#); [Board of Trustees](#); [Kevin R. Brown](#); [Mark Lamach](#); [Mark Lamach](#); [Adam Mahan](#); [Adam Mahan](#); [Dan March](#); [Chad TeVelde](#); [Chad TeVelde](#); [Windi Padia](#); [Windi Padia](#); [Bryan Ostler](#); [Bryan Ostler](#); [Jason Meyers](#); [Jason Meyers](#)
Subject: Incomplete Minutes and Error in Pre-Application Form for 320 Maple Street
Date: Monday, February 17, 2025 4:18:58 PM
Attachments: [Errant Email Address in Pre-Application.pdf](#)

Caution! This message was sent from outside your organization.

[Allow sender](#) | [Block sender](#)

February 17, 2025

Planning Commission, Board of Trustees, City Manager, City Attorney
Town of Frederick

Re: Inquiry Regarding Errors and Vagueness on Pre-Application Form and Incomplete Neighborhood Meeting Minutes

Dear Planning Commission Members,

I am writing to formally address three concerns related to the rezone application for 320 Maple Street as part of the ongoing review process. The pre-application form and its supporting documentation present several issues that I believe need to be addressed before any further action is taken.

First, I notice an inconsistency regarding the applicant's contact information. Specifically, the email address listed on the pre-application form for John Jaquish does not match the one (in two different places on the pre-application form) provided in the community notification regarding the rezone application (please see photos referenced below). Given the fact that Mr. Jaquish then signed this document multiple times verifying all information was "accurate and true to the best of his knowledge", I would appreciate clarification as to whether this error has any implications for the process, particularly in terms of notification or public outreach requirements, as well as to the validity of the other information in this document. Could this discrepancy affect the validity or timeline of the process in any way?

Secondly, I wish to express concern regarding the meeting minutes from the Neighborhood Meeting held on January 6, 2025 at 5:00 pm. After reviewing the minutes, I found them to be incomplete and not fully reflective of the comments and concerns shared by the attendees, including myself. Specifically, there were significant discussions about the Comprehensive Plan and survey results that appear to have been omitted or misrepresented. In particular, my own comments about the alignment of the proposed rezone with the goals of the Comprehensive Plan, as well as my references to the survey results, were not captured at all, nor was my attendance noted in the list of attendees. These elements are crucial, as they underscore the contradictions between the proposed rezoning of this public use space to R2 and the established objectives for land use and community development in the area. These omissions also make it difficult to gauge the

scope of the discussion and the perspectives of all of those involved. The minutes do not include sufficient details regarding the responses provided by the applicants, leaving the record incomplete and unclear. This lack of transparency is concerning and undermines public trust in the process.

Finally, both the minutes and the original application for rezoning are vague, lacking in detail, and not fully reliable as sources of information. Phrases like "TBD" (to be determined) appear frequently, indicating that the town is being asked to approve a zoning change without a clear impact assessment or design plan. This is a troubling omission, as it leaves important questions about the potential effects of the rezoning unanswered, such as environmental impact, traffic patterns, and infrastructure needs. The original application also asserts that the proposed zoning change aligns with the goals of the town's new Comprehensive Plan, as referenced in points (6) and (7) of the pre-application form dated January 2, 2025. However, this assertion is misleading and incomplete. Since there is no specific project outlined in the application, it is just as likely that the goals of the Comprehensive Plan can be met with an R1 (single-family residential) designation for this site or could preserve the land for public use space, which is the current designation for the site.

Given that these issues could affect the broader understanding of community concerns and the transparency of the decision-making process, I respectfully request that the Planning Commission review the completeness and accuracy of the meeting minutes and provide clarification on how such errors might influence the project review moving forward. I also urge the Planning Commission to reconsider the rezoning request in light of these concerns. It is essential that a comprehensive, detailed analysis be conducted before any changes are made, including a full impact assessment, a clear development plan, and detailed public records of all discussions and responses. Without these important steps, the process lacks the clarity and transparency that residents and stakeholders expect.

Thank you for considering these concerns. I look forward to your response and a more thorough examination of the matter.

Sincerely,

Keri Aasmundstad

305 Linden Street

352-396-9556

Audem Gonzales

From: Audem Gonzales
Sent: Friday, April 11, 2025 10:13 AM
To: Audem Gonzales
Subject: FW: 320 Maple Street Rezone Notice NOT Legibly Posted to Public

Caution! This message was sent from outside your organization.

[Allow sender](#) | [Block sender](#)

February 9, 2025

Town Planning Commission
Frederick, Colorado

Dear Members of the Town Planning Commission,

I am writing to express my concern regarding the recent rezoning application for the property located at 320 Maple Street. It has come to my attention that the public notice, as required by the **Frederick Land Code, Article 4, Subdivision Regulations, Section 4.5, General Procedures**, has not been properly posted.

According to **Section 4.5(7)(a)** of the Frederick Land Code, when notice is required, the applicant must:

1. Post the notice on weatherproof signs that have been approved by the Town.
2. Place the signs on the property subject to the application.
3. **Ensure that the signs remain in place and legible during the period leading up to the public hearing** or, in the case of minor applications, during the period leading up to the Decision-Making Body's final action.

However, it appears that these procedures have not been followed, as there is no legible notice posted on the subject property, as evidenced in the photos below. This oversight has prevented the public from being properly notified about the proposed rezoning and has limited opportunities for community input, which is a critical aspect of maintaining transparency in the planning process.

In light of this, I respectfully request that the Planning Commission review this matter and ensures that the applicant follows the necessary notification procedures, as outlined in the Frederick Land Code, to allow for full public participation.

Thank you for your attention to this important issue. I trust that the Commission will take the necessary steps to address this concern and ensure compliance with the regulations.

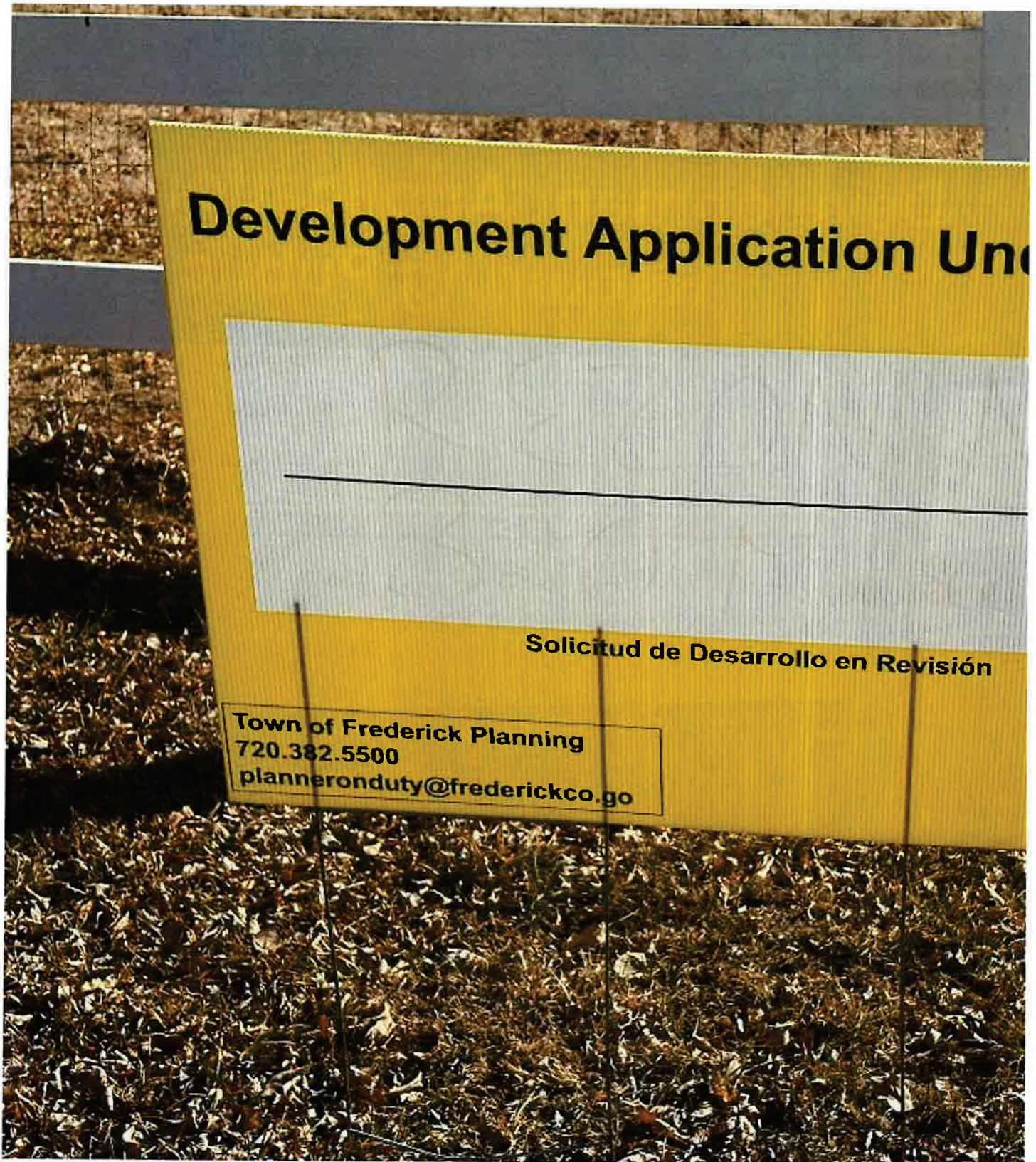
Sincerely,

Keri Aasmundstad
305 Linden Street
352-396-9556

Development Application Under Requiring Public Hearing

Solicitud de Desarrollo en Revisión Requiriendo Audiencia

Town of Frederick Planning
720.382.5500
planneronduty@frederickco.go



Photos taken on Saturday, February 8th, at 2:29 pm of signs posted on corner of 320 Maple Street adjacent to parking lot of 340 Maple Street and on corner of Maple Avenue and Fourth Street.

March 10, 2025

Town of Frederick
401 Locust Street
Frederick, CO 80530

Subject: **Third Formal Complaint Regarding the Rezoning of 320 Maple Street**

Dear Members of the Planning Commission, Board of Trustees, Town Manager, and Deputy Town Attorney:

I strongly oppose the proposed rezoning of 320 Maple Street from Public to R-2, as it disregards community priorities, contradicts the vision and priorities set forth in Frederick's Comprehensive Plan, and diminishes vital open space that residents overwhelmingly value.

Survey data clearly demonstrates that the community highly values open spaces, nature preservation, and outdoor gathering areas. Specifically:

- **Survey 1, Question 8:** 45.4% of respondents indicated that natural lands and open space were among the most important park amenities, ranking third overall behind only walking and bike paths and a recreation center.
- **Survey 1, Question 9:** 35.6% of residents identified nature preservation and viewing areas as a top priority for improvement and expansion—again, ranking third only to walking and bike paths and splash pads/swimming pools.
- **Survey 2, Question 12:** 40.4% of residents ranked "residential developments need to include outdoor gathering areas" as the most important factor in planning and development decisions.
- **Survey 3, Question 1:** A significant 61.3% of residents indicated they either disliked the proposed Comprehensive Plan or would support it only with modifications, demonstrating widespread dissatisfaction but without opportunity for further input.
- **Survey 3, Question 14:** When ranking "Big Action Plans," the highest-ranked priorities (with a 6 or 7 rating) included parks, community open spaces, and outdoor living, as well as directing development to the south and west, away from historic downtown Frederick. While affordable housing was rated the lowest priority (a ranking of 3), residents indicated there is a need for more affordable housing in Frederick but, again, that these developments should be south and west of downtown.

It is evident from these responses that residents overwhelmingly prioritize maintaining open spaces and nature preservation over additional residential development—especially in areas near the historic downtown core. The proposed rezoning directly contradicts these expressed preferences and does not represent the vision set forth by the Comprehensive Plan.

Additionally, there are concerns regarding the methodology used in these surveys. Were they conducted in a manner that ensured a truly random and representative sample of Frederick's population? Were all citizens adequately informed and given an opportunity to participate? It is critical to address these questions to ensure that rezoning decisions genuinely reflect the will of

the community. Frederick residents deserve transparent, participatory decision-making that respects their priorities.

The lack of site-specific public engagement in the Comprehensive Plan as it affects potential rezoning is unacceptable. Mass reclassification of parcels to "Adaptive Neighborhoods" in the Comprehensive Plan were undertaken without site-specific public input. This sweeping approach does not consider the unique characteristics of individual locations, nor does it respect the intent of previous zoning designations that served specific community needs.

There are better ways to fulfill the vision of the Comprehensive Plan that align with the values and priorities of Frederick residents. Rezoning this parcel eliminates a rare and valuable public space in Frederick, replacing it with private residential development that serves a narrow private interest while failing to serve the broader community.

I urge all decision-makers to reject this rezoning proposal outright. This decision must reflect the clear, data-backed preferences of Frederick residents, who have repeatedly voiced their opposition to such changes.

Thank you for your time and consideration.

Sincerely,
Keri Aasmundstad

Good evening Members of the Planning Commission,

My name is Keri Aasmundstad. Thank you for the opportunity to address you this evening. I am here to speak in opposition to the proposed rezoning of 320 Maple Street from its current "Public" to "R2 Residential." As a resident of this community, I bought my home nearly 10 years ago with the understanding that the land behind it—currently designated for public use—would remain as such. The proposed change raises several concerns that I believe deserve serious consideration.

First, it's important to acknowledge that this land was originally dedicated as open space under Colorado law with the legal restriction that it be used "for public use forever hereafter." This deed restriction, formalized in 1993, still holds. No evidence has been presented showing that this legal commitment can be disregarded. If this rezoning is approved, it could set a dangerous precedent where dedicated public land can easily be altered for private development. This undermines the integrity of our town's zoning system and erodes the trust of residents who rely on the protection of public spaces.

Second, while I understand that the owner has the right to develop their property, it's crucial to respect the zoning codes and the public space commitment in place. Changing this land from "Public" to "R2 Residential" will have significant long-term consequences, not just for this specific property but for the future of public land across Frederick. The change could open the door for higher-density housing that doesn't align with the surrounding neighborhood's character, potentially introducing multi-family units or townhomes into an area that has long been established as low-density residential. This shift will strain infrastructure, such as water, parking, and traffic, and will change the entire dynamic of the neighborhood.

Additionally, the process that led to this proposed rezoning is concerning. The change from public to "Adaptive Neighborhood" in the Comprehensive Plan was made with minimal neighborhood input. The lack of transparency and community engagement in this decision-making process is troubling. Rezoning should not happen in isolation or without full public involvement, especially when it involves land that has been set aside for the collective benefit of the community.

I urge the commission to consider the broader impact of this decision. Once a property is rezoned, we let the genie out of the bottle and the town has limited control over the type of development that follows. Without clear conditions or limitations, the potential for inappropriate developments, such as multi-family complexes or other high-density projects is a real possibility. This will forever alter the fabric of our community in a way that is not in the best interest of residents.

Finally, I respectfully ask that the Planning Commission uphold the current zoning designation of "Public" for this property. The land was dedicated for public use, and that commitment must be honored. I also urge you to reject the rezoning proposal and conduct a thorough review of the

process that led to this decision, ensuring that all legal requirements are met and that community concerns are properly addressed.

Thank you for your time and consideration. I trust that you will prioritize the interests of the community, preserving the character of Frederick and protecting our valuable public spaces.

April 1, 2025

Town of Frederick
401 Locust St.
Frederick, CO 80530

Subject: Fourth Formal Complaint Regarding the Rezoning of 320 Maple Street

Dear Members of the Planning Commission, Board of Trustees, Town Manager, and Town Attorney,

I am writing to formally oppose the rezoning request for 320 Maple Street from Public to R2, as proposed by JJ Investments more specifically in their second submission of the pre-application. While the applicants claim that their primary reason for seeking the rezone is to develop more housing options given Frederick's growth, the proposed changes will have significant negative impacts on the surrounding community, and the rezoning request fails to adequately address these concerns. Below outline the key points in opposition to the proposed rezoning:

1. Need for Rezoning:

While the applicants claim that there is a need for more housing near downtown Frederick, the specific area of 320 Maple Street is currently zoned Public for a reason, and its conversion to R2 zoning will drastically alter the character of the surrounding area. The existing public zoning serves important civic and community functions that are integral to the fabric of Frederick. Rezoning the lot will disrupt the balance of land use in this area, and the claimed "need" for more housing does not outweigh the loss of valuable public space. Additionally, with other residential developments underway or planned in the area, there are better ways to meet this objective, and this argument does not justify the rezoning.

2. Impacts on the Surrounding Area:

The proposed development of up to six duplex buildings (12 units total) will significantly increase the density of this area, which is primarily characterized by single-family residences. While the developers mention plans for landscaping and land buffers, this is unlikely to sufficiently mitigate the visual, noise, and privacy concerns that will arise from this increased density. The character of the neighborhood, which includes lower-density homes, will fundamentally be altered by this development. This type of high-density residential development does not align with the existing residential feel of the neighborhood, nor does it affiliate with the character of Frederick around and near downtown.

3. Traffic and Access Concerns:

The claim that the rezoning will improve connectivity and accessibility to downtown Frederick is overly optimistic. The additional traffic generated by 12 new units will significantly impact local roads, particularly given the already-congested traffic patterns near Maple Street with only a few thru-roads and the school traffic. The proposal fails to address the increased demand for parking, traffic congestion, and the potential strain on existing infrastructure. Furthermore, there has been no mention of traffic studies or plans to mitigate the increased traffic burden. This oversight raises concerns about the long-term sustainability of this proposed development in terms of traffic flow and accessibility.

4. Availability of Utilities:

While the applicants note the presence of utility infrastructure, including water, sewer, and gas, the fact that these services are already in place does not negate the fact that increased demand on these utilities will strain the system. The development of 12 new units will add substantial demand to the existing water and sewer systems, and it remains unclear whether these systems can accommodate the increase without requiring costly upgrades. Moreover, the availability of electricity on the perimeter of the property does not guarantee that the infrastructure can handle the new development's energy needs, which may require additional investments.

5. Impacts on Public Services:

The projected increase of 36 new residents is conservative at best, and could more accurately reflect 50-72 new residents in this area. This will place additional strain on public services, such as schools, parks, emergency services, and sanitation. While the developers acknowledge the potential for increased demand on safety services, they do not provide any concrete plans to address the impacts of this added strain. As a result, there is a significant concern that the town's existing public services will be overburdened, leading to a decrease in service quality for current residents.

6. Discrepancy with the Comprehensive Plan:

The Comprehensive Plan 2050 emphasizes growth but also stresses the importance of maintaining community character and ensuring that developments align with the needs of the town. Rezoning 320 Maple Street to R2 will not adequately meet these goals, particularly given the negative impacts on the surrounding area. The development is more of an opportunistic request rather than one rooted in the long-term planning and careful consideration of the community's needs.

7. Public Benefits and Community Fit:

The applicants' suggestion that this development will lead to a "15-minute neighborhood" is a highly idealistic claim. The reality is that the proposed location of the development is not well-positioned to support a truly walkable neighborhood as defined here outside of the amenities in downtown Frederick, which is a benefit residents of this neighborhood all presently enjoy and a huge reason we chose to purchase homes and live where we

do. There is nothing novel that the rezone brings to back up this argument. Furthermore, the density of the proposed development will disrupt the small-town character that makes Frederick so desirable to current residents, and the increased density will not foster the sense of community that the developers envision, but rather lead to overcrowding and further strain on existing resources.

8. Zoning Criteria:

The rezoning request does not meet the criteria established by the Town of Frederick for amendments to the zoning map. The proposal does not address a manifest error, nor does it reflect changing conditions in the area that necessitate such a drastic change. Twelve housing units dropped into the middle of a low-density zoned area is not supported by public interest and will diminish the quality of life that is currently enjoyed by residents in this neighborhood. In no way does this small platt of land make sense in addressing the broader scope that is additional and more affordable housing. There are other and more appropriate areas designated for housing to support future growth within the Comp Plan west of Colorado Boulevard and south to Highway 52. The rezoning also contradicts the goal of maintaining a balance between residential and public spaces, which will be disrupted by this development.

The proposed rezoning to R-2 is not supported by the applicants' claims. The negative impacts of this rezoning are significant; the increased density, traffic concerns, impact on public services, and disruption to the community character make this rezoning inappropriate for the area. I respectfully urge the Town of Frederick to reject the rezoning request for 320 Maple Street.

Thank you for your consideration.

Regards,
Keri Aasmundstad

April 6, 2025

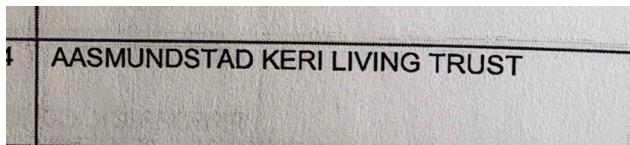
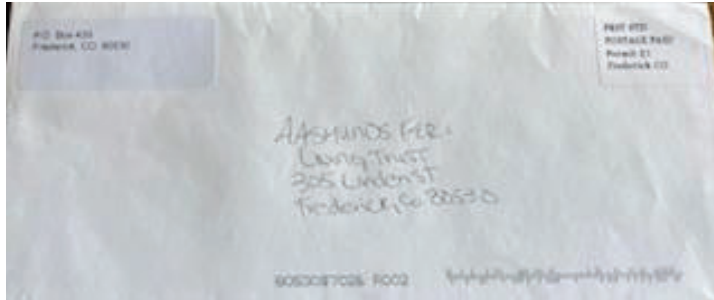
Town of Frederick
401 Locust Street
Frederick, CO 80530

Dear Members of the Planning Commission, Board of Trustees, Town Manager, and Town Attorney,

I am writing to formally raise concerns regarding potential violations of the Frederick Land Use Code in relation to the rezone application currently under review for 320 Maple Street. Specifically, I want to highlight the issues surrounding notification requirements outlined in **Article 4, Subdivision Regulations, Section 4.5** of the Frederick Land Use Code, which I believe have not been fully adhered to in this case.

Violation of Written Notice Requirements (Section 4.5(6) (b1) and (d1))

According to **Section 4.5(6)(b1)**, written notices must be mailed to all property owners within 1000 feet of the property under review for rezone. Additionally, the notices must be sent by U.S.P.S. First Class mail per **Section 4.5(6)(d1)**. I have included a photo of my address on the mailing list the applicant used when mailing notices of the January 6th Neighborhood Meeting, as well as a picture of the envelope I received. First, my name is incomplete, which is highly unprofessional, and it was sent Presort Standard, which violates the Land Use Code written notice requirement. My notice looked like junk mail and easily could have been tossed in the trash. Many residents within the 1000 feet requirement report not having received any notification via mail. Unfortunately, because these were sent standard mail as opposed to the required first class, there were no forwarding or return services. It is unclear whether the letters were actually sent or if other citizens' envelopes looked like mine, it is conceivable that they did think it junk mail and just tossed it. The applicant needs to be held accountable for this misstep in the application process. The Land Use Code is very clear in its written notice requirements and it is critical that ALL property owners and stakeholders are informed in a timely manner and in accordance with the Code. As a result of this violation, there are many citizens who were unaware of the Neighborhood Meeting and did not attend. **I would argue that this misstep alone warrants that the rezone application process should begin anew with ALL residents within 1000 feet of the property properly notified and given opportunity to attend and have their comments and concerns recorded in the official meeting minutes.**



This same violation was repeated with the most recent written notice of the Public Hearing on April 17th. Again, I have included a photo of the envelope I received. While the address is much more nicely done, it was still sent standard mail.



Violation of Posted Notification Requirements (Section 4.5(7))

Section 4.5(7)(a) requires that notices be posted on weatherproof signs at the proposed rezone property and remain legible throughout the notification period. I emailed Audem Gonzales on February 9th and included these two photos where the applicant was in violation of this code:



Audem reached out to the applicants and the signs were fixed on February 10th. However, this was not the last violation. Strong wind blew the white and black sign off its metal holder and instead of putting it back on the metal holder, the applicants placed the sign on the front porch of their adjacent property at 340 Maple Street where it was tucked away behind a couch for nearly two weeks. This situation was not rectified until, once again, a citizen emailed Audem Gonzales. Where is the level of accountability for town staff to monitor the application process to ensure adherence by applicants to the Land Use Code? Why did it require private citizens to report non-compliance with the Code when this is the job of staff overseeing the pre-application process? Again, this violation warrants a restart to the application process where it is conducted correctly and in adherence with the Frederick Land Use Code.

Furthermore, all notices of a public hearing should be posted no later than 15 days before the hearing. Currently, the public hearing is scheduled for April 17th, 12 days from today. I have not observed any signs posted to this effect on the property of 320 Maple Street. Once again, this failure to post these critical notices as mandated undermines public awareness and participation in the process. Additionally, the applicant is required to certify in writing that the notice was posted correctly. It is my concern that such certification has either not been provided, was accepted but not monitored or enforced by town staff, or was not submitted in accordance with the timeline set forth in the code. This failure to post the notices as required calls into question the transparency of the process and undermines the role that private citizens are supposed to play in it. **Once again, I would argue that this misstep warrants a complete restart to the rezone application process. At the very least, there should not be a public hearing on April 17th as adequate notice to citizens of Frederick has not been given.**

In light of the above concerns, I respectfully request that the Planning Commission thoroughly review the requirements outlined in **Article 4, Sections 4.5.6, and 4.5.7** of the Land Use Code as they pertain to the specifics in this letter. I urge the Commission to take the necessary steps to ensure full compliance with the Land Use Code, including requiring the applicant to restart the application process and/or reschedule the public hearing to provide adequate notice and opportunity for community input.

Thank you for your attention to this matter. I look forward to your action response to ensure that the public is properly notified and given a fair opportunity to participate in the process.

Sincerely,
Keri Aasmundstad

305 Linden Street

From: [Keri Aasmundstad](#)
To: [Audem Gonzales](#)
Subject: Letter to Carbon Valley Consumer Report Regarding 320 Maple Street Rezone Concerns
Date: Wednesday, March 12, 2025 8:36:59 PM

Caution! This message was sent from outside your organization.

[Allow sender](#) | [Block sender](#)

Please make note in the public record. My concerns reflect those that should be considered by all decision-makers about how this proposed rezone would detrimentally impact our neighborhood.

March 12, 2025

Kelly Martindale
Owner & Publisher
Carbon Valley Consumer Report

Dear Ms. Martindale,

I am writing to you on behalf of the citizens of Frederick to express our deep concerns regarding the proposed rezoning of 320 Maple Street from Public to R-2. We believe this rezoning would have a detrimental impact on our neighborhood and the character of our town, and we would like to respectfully ask for print time and space in the *Carbon Valley Consumer Report* to voice our concerns and present specific arguments against this rezoning.

The area surrounding 320 Maple Street is zoned R-1, and this proposed change to R-2 would conflict with the character and integrity of the neighborhood. The R-2 zoning would allow for higher-density development, which is inconsistent with the existing homes. This change would dramatically alter the community's landscape and feel, further straining resources to include water, parking, traffic, space and diminish the neighborhood's character by encouraging new residential buildings that may not align with the established architectural style or scale of the area. This change could impact the neighborhood's overall aesthetic and atmosphere, potentially affecting the harmony between modern development and the historic downtown district.

Moreover, we are deeply concerned about how this rezoning aligns with Frederick's Comprehensive Plan. Public surveys have consistently shown that our community overwhelmingly favors public spaces, parks, and open areas. The current zoning of 320 Maple Street as Public was intended to reflect this desire for communal space. Changing the zoning to R-2 would go against the very values expressed by the public and could set a dangerous precedent for future decisions that prioritize short-term development over long-term community welfare.

Additionally, this rezoning could have long-lasting consequences that cannot be undone.

"You can't put the genie back in the bottle"; once the R-2 zoning is established, it would open the door for similar rezonings throughout the town, potentially undermining the quality of life and historic character of Frederick.

The en masse reclassification of plats throughout the town to "Adaptive Neighborhoods" has been non-specific, failing to take into account the concerns of the community and the potential impact on surrounding neighborhoods. The lack of consideration for public input in this process is alarming, as it appears that the potential consequences of such broad classifications have not been fully evaluated.

For these reasons, we are asking the *Carbon Valley Consumer Report* to provide us with an opportunity to present our concerns in print, ensuring that the voices of the residents who oppose this rezoning are heard and considered.

Thank you for your consideration of this matter. We would appreciate the opportunity to work with you to share our perspectives with the greater community.

Sincerely,

Keri Aasmundstad

kaasmundstad@yahoo.com

352-396-9556

From: [Mark Novak](#)
To: [Ali van Deutekom](#); [Audem Gonzales](#); [Bryan Ostler](#); [Bailey Arvizu](#); [Tracie Crites](#)
Subject: Maplewood rezone
Date: Monday, February 17, 2025 11:08:58 AM

Caution! This message was sent from outside your organization.

[Allow sender](#) | [Block sender](#)

As a 22 year resident and home owner in the Maplewood area I am concerned about the rezoning being considered. Regarding the teleconference meeting on January 6th, which I could not attend, why was there not a summation of the answers given to the questions posed by the citizens? Where can I view these answers? Without answers this meeting only raised valid questions

Going forward, I hope real face to face meetings are held. Some people may not have the knowledge to attend these virtual meetings. Transparency is crucial when this proposal will be a major impact to the Maplewood neighborhood and the town in general.

Thank you
Mark Novak

Good evening

I am Mark Novak and have owned and lived in my house in the Maplewood neighborhood for 22 years.

The proposed rezone and development would negatively impact this area and damage the character of the surrounding neighborhoods that, according to Comprehensive Plan 2050, Frederick wants to :

Preserve and enhance Frederick's small town character.

The proposed development by JJ Investments under the R-2 rezone, would include 6 duplexes and a conservative estimate of 36 more people on this small plot of land. In context of the surrounding neighborhoods this is not medium density, it is high density. In their statement they say that developing this small piece of land will "greatly benefit the neighborhood and its residents". I can not agree with that statement.

You will have no control over what is built there as long as it is within the R-2 designation. JJ Investments could easily decide that it would be more profitable to build a 3 story apartment building and there would be nothing to stop them.

Since this plot was designated as open space "for public use forever" under Colorado law, in 1993, this needs to be honored. Perhaps Frederick could actually buy this for open space or turn it into a Pocket Park as mentioned in Comprehensive Plan 2050. This would finally resolve the issue of this property

The overall character of Frederick will be drastically changed with the proposed 1800 homes in the Silverstone development and the out of place Brigit's Village. This should be more than adequate growth for quite sometime, without developing the small plot at 320 Maple.

Frederick residents rely on you to do what is right for the existing communities. So please make that your priority, not the interests of developers.

Thank you

From: [Mark Novak](#)
To: [Audem Gonzales](#)
Subject: 320 Maple rezone
Date: Monday, April 7, 2025 12:07:25 PM

Caution! This message was sent from outside your organization.

[Allow sender](#) | [Block sender](#)

Hi Audem, The proposed rezone and development of 320 Maple would negatively impact this area and damage the character of the surrounding neighborhoods that, according to the Comprehensive Plan 2050, Frederick wants to :

“Preserve and enhance Frederick’s small town character.”

Provide “ neighborhoods and districts with distinct character”, and have a “parks and open space system serving the Frederick area”.

None of these stated goals will be served by developing the small plot at 320 Maple. As you know the proposed development by JJ Investments under the R-2 rezone, would include 6 duplexes and a conservative estimate of 36 more people on this small plot of land. In the context of the surrounding neighborhoods, this is not medium density, it is high density.

This is a proposal, and JJ investments is not obligated to do this. They could easily decide a 3 story apartment building would make them more money and there is nothing to stop them if this is rezoned to R-2

I am wondering if you can shed some light as to the inconsistencies between Frederick’s statements and the proposal of JJ investments.

In their statement, JJ Investments say that developing this small piece of land will **“greatly benefit the neighborhood and its residents”**. Can you explain how this statement has any validity? It will only add traffic, noise, strain on infrastructure and increase the danger to all the children walking past this property on their way to and from school, not to mention the destruction of the character of the neighborhood.

The Comprehensive plan states Frederick wants to keep **“A distinct character, avoiding the cookie-cutter nature of most communities along the Front Range”**

The overall character of Frederick will be drastically changed with the proposed 1800 homes in the Silverstone development and the out of place Brigit’s Village. I drove by Berthoud on 287 and it is surrounded by cookie cutter developments that have destroyed the small town character of Berthoud and I am concerned that Frederick is headed in the same direction.

There is more than adequate growth for Frederick, without developing the small plot at 320 Maple.

Do you know if Frederick would consider buying this for open space or turn it into a Pocket Park as mentioned in Comprehensive Plan 2050? This would finally resolve the issue of this property.

Please make this part of the public record.

Thanks, Mark Novak

From: [Keri Aasmundstad](#)
To: [Audem Gonzales](#); [Ali van Deutekom](#); [Board of Trustees](#); [Kevin R. Brown](#); [Mark Lamach](#); [Adam Mahan](#); [Dan March](#); [Chad TeVelde](#); [Windi Padia](#); [Bryan Ostler](#); [Jason Meyers](#)
Subject: Second Formal Complaint Regarding Rezoning Application 320 Maple Street
Date: Sunday, February 23, 2025 7:52:53 AM

Caution! This message was sent from outside your organization.

[Allow sender](#) | [Block sender](#)

February 23, 2025

Town of Frederick

401 Locust St.
Frederick, CO 80530

Subject: Second Formal Complaint Regarding the Rezoning of 320 Maple Street

Dear Members of the Planning Commission, Board of Trustees, Town Manager, and Town Attorney,

I am writing to express my opposition to the proposed rezoning of 320 Maple Street from public space to R-2 in the middle of this section of Frederick. While the goal of fostering an Adaptive Neighborhood, as outlined in the Comprehensive Plan, is commendable, rezoning on a micro-targeted, arbitrary basis is not the right approach. There are more thoughtful, effective, and sustainable ways to achieve this vision.

The decision to rezone a single parcel to R-2, especially in such a specific and isolated context, is an activist and arbitrary move, rather than an adaptive one. It extends the downtown core too far and begins encroaching on the single-family residential character that has been the backbone of the surrounding area. This is not a progressive or thoughtful adaptation, but rather a disruptive one that risks damaging the established fabric of the neighborhood.

One of the primary concerns with rezoning, particularly without clear conditions, is that once the genie is out of the bottle, it cannot be put back. Once a property is rezoned, the Planning Commission and the Town of Frederick have limited control over the type of developments that can occur on that parcel. Without conditions, the potential for unwanted or incompatible projects to include a dozen or more townhomes, a multi-family apartment complex or even a halfway house or other forms of group living becomes a real possibility. These types of developments will introduce higher densities of people and traffic, which in turn will place additional strain on an already taxed infrastructure and the surrounding community. Depending on the project, these examples may be permitted or might require conditional approval under the current zoning code, but they are still significant concerns to consider.

The Comprehensive Plan, particularly in its discussion of Single Family Oriented Residential land use categories (see p.25 of the Frederick Forward Comprehensive Plan 2050), acknowledges that there are many types of development that would better fit the

neighborhood without compromising its character. These projects should be more conservatively constructed under R1 use cases, maintaining the integrity of the community while still allowing for responsible development.

Rezoning public or R-1 space to R-2 could have drastic and irreversible effects on the long-term character of the neighborhood. If rezoning ultimately leads to higher property values for those selling or buying properties for speculative purposes, it may encourage development that prioritizes profit over preserving the unique character of our town. This could result in the erosion of our community, rather than its thoughtful, intentional growth.

There are numerous examples from other cities across the country that illustrate the unintended consequences of rezoning in the wrong places. Towns like Lakewood, Colorado, Issaquah, Washington, Bozeman, Montana, Nampa, Idaho, and Bastrop, Texas, have experienced significant issues with increasing density and mixed-use developments in areas ill-suited for such changes. The backlash in Lakewood, in particular, is an ongoing situation we would be wise to avoid in Frederick.

Rather than taking a risky, potentially destructive step by rezoning parcels in the heart of Frederick, we should adopt a more conservative approach. We must prioritize the preservation of public space and carefully consider whether a permanent change in land designation is truly in the best interest of the community. This careful approach will allow us to plan for a more thoughtful, sustainable future.

There are certainly better locations for R-2 projects that would not disrupt the heart of our city. We can still grow our tax base and community, but this can be better achieved by placing multi-family and mixed R-1/R-2 developments in areas specifically designated for new development. This allows the city to tailor infrastructure investments and mitigate risks.

I urge the city to work with developers to explore alternative locations that would be more appropriate for such projects. This would not only allow for more effective and less disruptive development, but also allow the city to scale investment and benefit in ways that are more fitting for the community.

Thank you for your consideration in this important matter. I hope that you will take a thoughtful approach and reject the rezoning of this public space at 320 Maple Street to R-2.

Sincerely,

Keri Aasmundstad
305 Linden Street
352-396-9556



Town of Frederick

Memorandum

TO: Town of Frederick Planning Department

FROM: Christine Francescani, Deputy Town Attorney

RE: Memorandum to File Regarding 340 Maple Street Parcel

DATE: September 5, 2024

This memorandum is intended to memorialize the status of the property located at 340 Maple Street in the Town's Maplewood Subdivision.

The property located at 340 Maple Street ("Property"), which is zoned "Public," was first subdivided in 1987 when the Town approved the Maplewood Subdivision plat ("1987 Plat"). The "Public" zone district is distinct from the dedication of property for public use. The Certificate of Ownership in the 1987 Plat contains standard language referencing dedication "for public use forever hereafter the street, alleys, public walkways, parks and open space as are laid out and designated on this plat." To make dedications, the designation of a dedication must be explicitly called out in a plat on the area being dedicated. The 1987 Plat contains street dedications, but the Maplewood Plat does not contain a "public" or "parks and open space" dedication or designation.

Also in 1987, the Town and Grant Brothers entered into a subdivision agreement ("Agreement") to govern the development of the Property. The Agreement makes reference to a dedication of land owned by Carbon Valley Parks and Recreation District ("District") for "public use." The District did not own the Property at that time, and this does not appear as a dedication on the plat.

In 1993, the Town approved subdivision plat filing 2, which replatted the Property and moved Linden Street to the east allowing for a number of platted lots immediately to the east of the Property ("1993 Plat"). The 1993 Plat contains the same Certificate of Ownership language regarding parks and open space, but contains no additional dedication or designation regarding the Property. At that time, a new Subdivision Improvement Agreement ("2nd Agreement") noted that "No dedication of land for public sites or open space . . . is required for this filing of the Maplewood Subdivision," indicating that the land

impacted by the replat, including the Property, was not subject to a public or open space dedication requirement.

A review of the record evidences that at no time was the Property owned by the subdivision itself or a homeowners association, and that in 2019 the Recreation District conveyed the Property to a private entity. The Town cannot speak to the nature of the conveyance, and the Property has since then been conveyed to JJ Investments Inc., which is seeking the Tiny Tykes use. The proposed Tiny Tykes use is within the uses allowed on the Property through its Public zoning, which allows for uses such as parks, golf courses, and schools. At this time, the Town does not intend to purchase open/park space in this area.