

DOUGLAS COUNTY

Panel approves Roxborough metro district

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In the face of intense neighborhood opposition on Tuesday, Douglas County Commissioners voted unanimously to approve the first element of a controversial spa development in Roxborough Park.

“I wish I had a reason to have a different conclusion, quite frankly, because, guys, you’re a great neighborhood,” Commissioner George Teal said at the end of the meeting.

The county commission voted 3-0 to approve a metro district for a 35-acre site largely surrounded by Arrowhead Golf Course. The land, which features jagged red rock formations, is owned by Calgary-based Pomeroy Lodging, a resort and hotel developer.

The district would help the firm raise roughly \$4 million to provide infrastructure to the site which currently has no roads, water or sewer service there. The developer would front the money, which would be repaid by site users in the future over time.

In the meeting, public testimony was largely dominated by nearby residents who spoke against the metro district, in large part because they oppose any development on land they see worthy of preservation.

“Roxborough deserves the commissioners’ special consideration and sensitivity to the aggressive developer attempts to completely change the character of the area, purely for financial gain,” resident Pete Dalla Betta said at the meeting.

Pomeroy bought the land in February for \$3.5 million. In documents submitted to the county, the company has said its proposed “Nordic spa” on the site would consist “of a collection of pools, saunas, steam rooms and indoor and outdoor relaxation spaces,” with massage treatments and food and beverage options on hand. Unlike hot springs, it would not use naturally heated water.

The land is zoned residential, a similar designation to the over 1,000 homes which surround it. In order to build the spa, Pomeroy must rezone the land through a separate process that has yet to kick off.

In a coordinated effort at the Tuesday meeting, residents of the neighborhood attempted to poke holes in Pomeroy’s application. Some argued the financial math of the metro district was shoddy. Others raised concerns about a metro district for such a small project. Some argued that eminent domain, a power metro districts can employ, would be used by Pomeroy to circumvent an ongoing legal battle in court over access to the site.

“The applicant’s service plan is deficient. A metro district for a 35-acre parcel in the middle of a golf course deep in the heart of a private residential community doesn’t make sense. There is no public benefit. It is not clear what their development plan is, either a commercial spa or a conflicting number of residential units,” said Brain Lence, president of the Roxborough Park Foundation, which is essentially an HOA for the neighborhood.

Lence was referring to Pomeroy’s plan to develop 31 residential units on the site if the company’s eventual rezoning bid is denied.

Pomeroy, for its part, argued that many comments of opposition were not about the matter at hand — the merits of a metro district — but rather about the proposed final use of the property.

“So many of the comments were about the Nordic spa ... that is not what is before you today,” said Marcus Pachner, a consultant for Pomeroy.

County commissioners agreed.

“A lot of you talked about something that will be considered, probably at another hearing. This is about the metro district, and I believe that all nine of those criteria have been met,” Commissioner Lora L. Thomas said.

As the commission debated how to vote, some members attempted to balance their personal love of the neighborhood with the professional task at hand.

“My late father bought his dream home in Roxborough,” Commissioner Abe Laydon said. “I’m a fifth-generation Coloradan ... and I will tell you, on a personal level, I deeply care about this community, about this neighborhood, the historic nature of everything that’s surrounding.”

Ultimately, though, the commissioners concluded that Pomeroy’s property rights include the ability to form a metro district.

“The reality is: We do have a landowner that does have a right, the metro district service plan here is the mechanism for them to exert their property rights,” Commissioner Teal said.

The decision comes a month after the county’s Planning Commission, which weighs in on land-use matters before county commissioners make the final decision, echoed neighbor concerns and voted 5-1 against recommending approval of the metro district.

With the metro district secured, Pomeroy’s next challenge will be to rezone the property. The deadline for that request to be made is Jan. 6, public records show.

“I don’t know where that’s going to end up. They’ve got some very high hurdles to overcome to get there,” Laydon said of that process, with Pomeroy consultant Pachner nodding at the line.