



Board of County Commissioners

Eva J. Henry - District #1
Charles "Chaz" Tedesco - District #2
Emma Pinter - District #3
Steve O'Dorisio - District #4
Mary Hodge - District #5

PUBLIC HEARING AGENDA

NOTICE TO READERS: The Board of County Commissioners' meeting packets are prepared several days prior to the meeting. This information is reviewed and studied by the Board members to gain a basic understanding, thus eliminating lengthy discussions. Timely action and short discussion on agenda items does not reflect a lack of thought or analysis on the Board's part. An informational packet is available for public inspection in the Board's Office one day prior to the meeting.

THIS AGENDA IS SUBJECT TO CHANGE

Tuesday
June 16, 2020
9:30 AM

Watch the virtual meeting through our You Tube Channel
<http://www.adcogov.org/events/bocc-public-hearing-9>

- 1. ROLL CALL**
- 2. PLEDGE OF ALLEGIANCE**
- 3. MOTION TO APPROVE AGENDA**
- 4. AWARDS AND PRESENTATIONS**
 - A.** Graffiti Removal Partnership
 - B.** Juneteenth
- 5. PUBLIC COMMENT**
 - A. Citizen Communication**

Public Comment Submitted for June 16, 2020

Members of the public may submit written comments on any matter within the Board's subject matter jurisdiction or request to speak at the meeting through our eComment system at <https://adcogov.legistar.com/Calendar.aspx>

Residents are encouraged to submit comments, prior to the meeting, through written comment using eComment; eComment is integrated with the published meeting agenda and individuals may review the agenda item details and indicate their position on each item. A request to speak at the meeting may also be submitted using the eComment feature. You will be prompted to set up a user profile to allow you to comment, which will become part of the official public record. The eComment period opens when the agenda is published and closes at 4:30 p.m. the Monday prior to the noticed meeting.

- A.** List of Expenditures Under the Dates of May 11-15, 2020
- B.** Minutes of the Commissioners' Proceedings from June 2, 2020
- C.** Resolution Approving Contract between Adams county and InnovAge to Provide Medicaid Application Processing Services
(File approved by ELT)
- D.** Resolution Appointing Cindy Bero and Pernell Olson to the Deferred Compensation Plan (457 (b) Plan) Advisory Committee
(File approved by ELT)
- E.** Resolution Approving Ambulance Service License for the Thornton Fire Department
(File approved by ELT)
- F.** Resolution Approving Ambulance Service License for the City of Westminster Fire Department
(File approved by ELT)
- G.** Resolution Approving Right-of-Way Agreement between Adams County and Rosalia Martinez for Property Necessary for the 2019 Miscellaneous Concrete and ADA Ramps Project
(File approved by ELT)
- H.** Resolution Approving Application in Case #PLT2020-00021 Shook Subdivision Filing Number 3 Final Plat
(File approved by ELT)
- I.** Resolution Approving Intergovernmental Agreement between the City of Westminster and Adams County Regarding the Small Business Stabilization Program for Response to Economic Impacts Associated with COVID-19
(File approved by ELT)
- J.** Resolution Approving Application in Case #PLT2020-00022 Shook Subdivision Filing Number 4 Final Plat
(File approved by ELT)
- K.** Resolution Approving Case #SIA2020-00007 Subdivision Improvements Agreement for Shook Subdivision, Filing 3
(File approved by ELT)
- L.** Resolution Approving Case #SIA2020-00009 Subdivision Improvements Agreement for Shook Subdivision, Filing 4
(File approved by ELT)
- M.** Resolution Approving Temporary Regulations to the Establishment of Additional Outdoor Commerce Areas for Businesses in Adams County Affected by the COVID19 Pandemic
(File approved by ELT)
- N.** Resolution Approving Agreement between Adams County and Adams County Regional Economic Partnership (ACREP) to Administer COVID-19 Mini Grant Program to Assist Businesses in Adams County Affected by the COVID-19 Pandemic
(File approved by ELT)
- O.** Resolution Approving Agreement between Adams County and the Arvada Chamber of Commerce to Administer COVID-19 Mini Grant Program to Assist Businesses in Adams County Affected by the COVID-19 Pandemic
(File approved by ELT)
- P.** Resolution Approving Agreement between Adams County and the Aurora Chamber of Commerce to Administer COVID-19 Mini Grant Program to Assist Businesses in Adams County Affected by the COVID-19 Pandemic
(File approved by ELT)

- Q.** Resolution Approving Agreement between Adams County and the Greater Brighton Chamber of Commerce to Administer COVID-19 Mini Grant Program to Assist Businesses in Adams County Affected by the COVID-19 Pandemic
(File approved by ELT)
- R.** Resolution Approving Agreement between Adams County and the Commerce City Chamber of Commerce to Administer COVID-19 Mini Grant Program to Assist Businesses in Adams County Affected by the COVID-19 Pandemic
(File approved by ELT)
- S.** Resolution Approving Agreement between Adams County and the Westminster Chamber of Commerce to Administer COVID-19 Mini Grant Program to Assist Businesses in Adams County Affected by the COVID-19 Pandemic
(File approved by ELT)

7. NEW BUSINESS

A. COUNTY MANAGER

- 1.** Resolution Approving an Agreement between Adams County and 3030 Tree for On-Call Services
(File approved by ELT)
- 2.** Resolution Approving an Agreement between Adams County and Mile High Youth Corp for On-Call Services
(File approved by ELT)
- 3.** Resolution Approving an Agreement between Adams County and Smith Environmental for On-Call Services
(File approved by ELT)
- 4.** Resolution Approving an Agreement between Adams County and Arbor Force On-Call Services
(File approved by ELT)
- 5.** Resolution Approving an Agreement between Adams County and ECI Site Construction for On-Call Services
(File approved by ELT)
- 6.** Resolution Approving an Agreement between Adams County and Tezak Heavy Equipment for On-Call Services
(File approved by ELT)
- 7.** Resolution Approving Amendment Three to the Agreement between Adams County and Maiker Housing Partners to Provide Housing Services
(File approved by ELT)
- 8.** Resolution Approving Amendment Two to the Agreement between Adams County and Access Housing Inc., to Provide Housing Services
(File approved by ELT)
- 9.** Resolution Approving Amendment Two to the Agreement between Adams County and Almost Home Inc., to Provide Housing Services
(File approved by ELT)
- 10.** Resolution Approving Amendment Two to the Agreement between Adams County and Growing Home to Provide Housing Services
(File approved by ELT)

11. Resolution Approving Amendment Two to the Agreement between Adams County and Family Tree, Inc., to Provide Housing Services (File approved by ELT)
12. Resolution Approving the Agreement between Adams County and Industrial Pipe Solutions, for the 2020 Video Inspection & Maintenance Project (File approved by ELT)
13. Resolution Approving an Agreement between Adams County and Symmetry Builders, Inc., for Modules A-E Cell Window Replacement at the Detention Facility (File approved by ELT)
14. Resolution Approving an Agreement between Adams County and Design Workshop for The Comprehensive Transportation, Parks and Open Space, and Trails Master Plan (File approved by ELT)

B. COUNTY ATTORNEY

1. First Reading Ordinance No. 15: Ordinance Regulating Marijuana Hospitality Business and Providing for Licenses for Such Businesses (File approved by ELT)

8. Motion to Adjourn into Executive Session Pursuant to C.R.S. 24-6-402(4)(b) and (e) Regarding Legal Advice and Negotiation Strategy for Litigation Regarding 62nd Parkway Remediation

9. LAND USE HEARINGS

A. Cases to be Heard

1. PRC2019-00013 McCarty and Heinz Acres (File approved by ELT)
2. PRC2020-00009 Colorado Rifle Club CUP Amendment 3 (File approved by ELT)

10. ADJOURNMENT

AND SUCH OTHER MATTERS OF PUBLIC BUSINESS WHICH MAY ARISE

From: Jamie Stowers <admin@marijuanaindustrygroup.org>
Sent: Thursday, June 11, 2020 2:46 PM
To: CommissionersMailbox; Erica Hannah
Cc: Truman Bradley
Subject: Fwd: Public Comment Re: Marijuana Hospitality & Delivery

Please be cautious: This email was sent from outside Adams County
Hello -

Please see MIG's Executive Directors comments below. We submitted them to the Commissioners in a variety of ways and I would like to confirm they have been received, if you could let me know that would be terrific.

Thank you,
Jamie

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

From: Jamie Stowers <admin@marijuanaindustrygroup.org>
Date: Wed, Jun 3, 2020 at 9:11 AM
Subject: Public Comment Re: Marijuana Hospitality & Delivery
To: <ehannah@adcogov.org>
CC: <commissioners@adcogov.org>

We previously emailed these comments but they were not mentioned in the Study Session yesterday, so I wanted to make sure that you received them. I have also tried to submit them via the ecomment system but it shows to not be enabled. Below please see comments from our Executive Director, Truman Bradely.

My name is Truman Bradley. I am the Executive Director of the Marijuana Industry Group, Colorado's oldest, largest, and most diverse cannabis trade association. I'm writing to submit public comment for the upcoming Marijuana Hospitality licenses that Adams County is considering. Are you the correct person to whom I should submit these? Thank you in advance. Truman

1. Social Equity

I am concerned that Adams County is not viewing these new license types through a social equity lens. For decades, people of color have been negatively impacted by the war on drugs. In creating these license types, Adams County has an opportunity to provide an economic opportunity for its residents of color by reserving at least 2 licenses for Social Equity Applicants who either have been negatively impacted directly in the past or are from a group of people who have historically been discriminated against. Adams county is over 40% non-white and this would help break down some of the barriers to licensure that will exist otherwise. Another option would be reduced fees for social equity applicants.

2. Opposing the 5-mile buffer zone.

A 5 mile buffer zone for hospitality licenses is vastly larger than any other buffer zone being contemplated in other Colorado municipalities. One of the benefits of marijuana hospitality venues is it can provide a legal option to consume cannabis. For residents and patients who don't have a place to consume (e.g. perhaps it violates their lease), this means that they may need to drive 10 or more miles to find a place to legally consume cannabis, much of which is consumed for medicine. Shrinking the buffer zone will likely reduce the number of people consuming in parks and other public places. MIG respectfully asks Adams County to consider a 2 mile radius instead.

Please let me know if you or the BoCC have questions. Thank you!
Truman

Truman Bradley
Executive Director
Cell: (303) 588-2297
Email: Truman@MarijuanaIndustryGroup.org

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Jamie Stowers
Membership Coordinator and Executive Assistant
Marijuana Industry Group
3001 Brighton Blvd. Suite 521
Denver, CO 80216
(720) 382-3009

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(720) 382-3009

From: John Bailey <johnbailey062@gmail.com>

Sent: Friday, June 12, 2020 11:04 AM

To: Erica Hannah; CommissionersMailbox

Subject: MESSAGE FROM JOHN BAILEY AND BLACK CANNABIS EQUITY INITIATIVE(BCEI)-8 YEARS & 8 BILLION DOLLARS LATER, DON'T MAKE THE SAME MISTAKE OVER AGAIN

Please be cautious: This email was sent from outside Adams County

Dear Adams County Commissioners,

My name is John Bailey. I am the Director of the Colorado Black Round Table, the largest and most influential African American organization in Colorado. In addition, I lead the Black Cannabis Equity Initiative. BCEI was created in 2019 to promote progressive, sustainable dialogue, community engagement and action around fairness and opportunity in the statewide cannabis landscape. Our vision is to be an equity focal point for authentic dialogue between the Black community and the Colorado cannabis industry as well as a bridge for community engagement, collaboration and partnerships around cannabis equity, diversity and inclusion opportunities. I am writing to urge you in the strongest possible way to consider social equity in your cannabis lottery for hospitality licenses in Adams County. For too long, people of color have not been able to participate in the legal cannabis industry. Adams County has an opportunity to help the communities most impacted by the war on drugs as well as most impacted by COVID. At a minimum, please consider reserving at least 40% of your licenses for people of color. This will ensure that the licensed businesses in Adams County reflect the demographics of the county. For more information on BCEI, visit our website at bcei-colorado.net or call John Bailey at 720-629-0964.

Thank you,

John Bailey Colorado Black RoundTable & Black Cannabis Equity Initiative
Rev . Thomas Mayes, Pastor, Living Water Christian Center & Black Cannabis
Equity Initiative



June 15, 2020

Adams County Board of Commissioners
Adams County Government Center
4430 South Adams County Parkway
Brighton, CO 80601

Re: Ordinance #15
Ordinance Regulating Marijuana Hospitality Businesses

Dear Commissioners Henry, Tedesco, Pinter, O'Dorisio and Hodge:

My name is Henny Lasley and I am one of the co-founders of an organization called Smart Colorado. Smart formed **after** the passage of Amendment 64 when the impacts to Colorado youth were ranked last among priorities for drafting regulations implementing commercialized marijuana. We are a citizen led, non-partisan non-profit organization with the sole mission of minimizing the negative impacts of marijuana commercialization on youth as this drug becomes more readily available.

We were opposed to HB19-1230 authorizing licensing of "marijuana hospitality" and we are respectfully requesting that you consider not opting in to this continued push by the marijuana industry to normalize the consumption of marijuana. I've attached materials from our campaign called "Skip It" for consideration when making this important policy decision.

Smart asks that you consider the following:

- More drugged drivers will endanger kids and communities
- Increased marijuana commercialization sends our youth the wrong message
- The authorized sales amounts of marijuana are dangerously high and do not equate to a single serving
- Outlet density of marijuana businesses will increase

While we sincerely hope that Adams County will not opt in, if you decide to do so, we would suggest that you consider our list of protections that I have attached to this letter titled, "Steps to Protect Kids from Marijuana Social Consumption."

Further, I've attached the 2017 Healthy Kids Colorado Survey that demonstrates a statistically significant increase in kids using edibles and dabbing highly-potent concentrated THC, the high-inducing ingredient in marijuana.

The research on negative consequences of THC on the developing brain is sound. Please consider further discussions with the school districts that will be most impacted. While we understand that no one under 21 years of age will be admitted, there is no restriction that prohibits a bookstore, laundry facility or yoga studio to apply for licensing. Kids are observant and influenced by advertisements and the normalization will continue.

The marijuana industry continues to voice that social consumption will take people out of the parks and public places. A fair question to industry is whether there is data behind this claim.

Thank you for your service and leadership as we consider impacts to youth. Please feel free to contact me or my colleague, Rachel O'Bryan at rachel@smartcolorado.org.

Very truly yours,

(e-signed)

Henny Lasley
Co-founder and Executive Director

February 17, 2020

Re: "Marijuana Hospitality Establishments" - Skip It!

Dear Community Member,

During the 2019 legislative session, the marijuana lobby successfully pushed for a bill, HB19-1230, allowing Colorado businesses to permit on-site public marijuana consumption.

But this new law will only be implemented in local communities that agree to participate. As of January 1, Colorado municipalities and counties can -- but don't have to -- opt into this expansion of marijuana commercialization in their community.

Considerable concerns and risks were identified during the deliberations of the bill, including:

- These businesses can be located in everyday establishments such as restaurants, laundromats, yoga studios and tour buses.
- THC potencies and quantities permitted in such businesses and locations are dangerously high.
- Products and THC potencies are not limited in state law, which are particularly worrisome when one considers the potential for edibles and other concentrates to cause delayed and unpredictable levels of impairment for drivers.

Challenges remain on how to test drivers for THC impairment and how to educate consumers on what leads to impairment - and that it's not OK to drive high.

Opting in will increase marijuana businesses in your communities, expand availability and exposure to marijuana, and further normalize marijuana use - three factors that research shows impact youth perceptions and increase use.

The U.S. Surgeon General recently warned that no amount of marijuana use is safe for the developing brain. For these reasons, allowing these on-site marijuana consumption businesses may cost your community in ways that far exceed any additional revenues from increased marijuana sales.

When it comes to on-site marijuana consumption we ask your community to skip it! Skipping on-site public marijuana consumption will benefit not only your youngest constituents, who watch and learn from the adults around them, but the overall well-being and safety of your entire community.

Thank you for your leadership on this critically important issue.

Please contact me at info@smartcolorado.org if I can answer any questions you may have about this new law and the implications on your community.

With great appreciation for your community service,

A handwritten signature in black ink, appearing to read "Henny Lasley". The signature is fluid and cursive, with a long, sweeping tail on the final letter.

Henny Lasley
Co-founder and Executive Director

P.S. We've enclosed handouts to illustrate the wide range of THC products and to explain the issue in more detail.

9 STEPS TO PROTECT KIDS FROM MARIJUANA SOCIAL CONSUMPTION¹

1. Marijuana-free zones²
 - a. 1,000 feet from schools, preschools, daycare centers and youth-serving facilities
 - b. 1,000 feet from public parks and recreation centers
 - c. 500 feet from residences, residential use
 - d. Main entrance signage
2. Local enforcement of regularly scheduled checks of age restrictions³
3. Prohibit⁴ the sale and social consumption of marijuana edibles⁵
4. Reduce sales limits⁶
5. Limit industry advertising⁷; no outdoor or billboard advertising

¹ See Colorado Department of Public Health & Environment “[Effective Policies & Programs to Restrict Youth Access & Exposure to Drugs/Alcohol](#)”

² See City and County of Denver Department of Excise and License “[Rules Governing Marijuana Designated Consumption Areas](#)”

³ <https://www.ncbi.nlm.nih.gov/pubmed/15733247>;
https://www.rand.org/pubs/technical_reports/TR403.html

⁴ C.R.S. 44-12-409(2)(b) permits local governments to establish “additional or more stringent requirements” than state law.

⁵ The psychoactive ingredient in marijuana edibles is absorbed much slower (up to 4 hours) than smoked or vaped marijuana, posing a significant risk in a public setting and on our roads.

https://drive.google.com/a/smartcolorado.org/file/d/159AnG2ij5EZjYvcs_XdAla4bHyAJsl_B/view?usp=drivesdk

⁶ State regulations set sales limits at 2 grams of bud and ½ gram of concentrate. Those sales limits are the equivalent of 392 mg of THC and 343 mg of THC, respectively (based on average potencies of 19.6% THC in bud and 68.6% THC in concentrates). Research studies have observed impairment at 1/10 that amount (approximately 35 mg of THC). <http://www.notthesamepot.org>

⁷ In 2019, the Colorado General Assembly weakened restrictions on marijuana advertising, allowing for the first time billboard advertising.

6. Limit outlet density⁸
7. Limit hours of operation⁹
8. Limit total number of licenses
9. Track adverse events through mandatory reporting by licensees

⁸ Young adults who live in neighborhoods with more marijuana dispensaries use marijuana more frequently than their peers and have a more positive view of the drug.

<https://www.rand.org/news/press/2019/06/17.html>

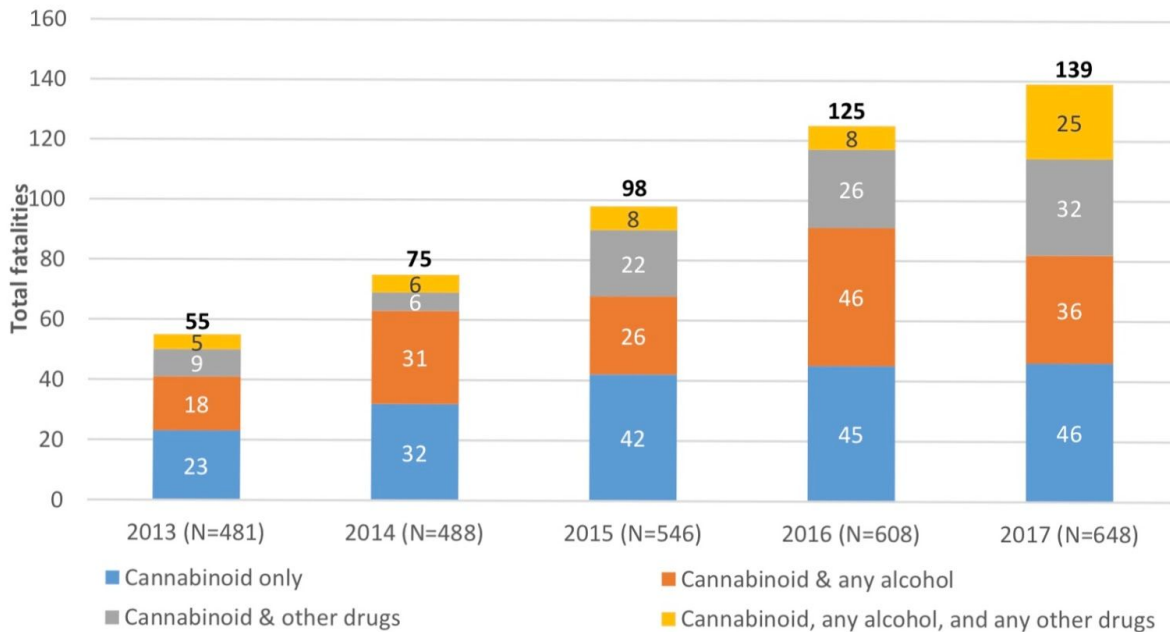
⁹ Policies restricting hours are effective in reducing alcohol-related harms.

<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3712516/>

SKIP IT!

REASONS TO REJECT ON-SITE PUBLIC MARIJUANA USE IN YOUR COMMUNITY

Colorado Fatalities Involving Drivers Testing Positive for Cannabinoids, 2013-2017



Source: Colorado Department of Transportation, Data Intelligence Group, Toxicology Data (2018).

More drugged drivers will endanger kids and communities. Traffic deaths involving drivers who tested positive for marijuana have already more than doubled even without legalized pot clubs.¹ According to the Colorado Department of Transportation, marijuana impairs the ability to drive, including slowed reaction time, difficulties in road tracking, decreased attention, and impaired route planning.² Marijuana edibles present an additional danger to our roads. According to the Colorado Department of Public Health & Environment, THC from edibles is absorbed much slower (up to four hours) than smoked or vaped marijuana.³ This delayed onset poses significant risk when the edibles are being consumed in a public setting and users then are on our roads.

¹ https://cdpsdocs.state.co.us/ors/docs/reports/2018-SB13-283_Rpt.pdf,
<https://rmhidta.org/files/D2DF/FINAL-Volume6.pdf>

² <https://www.codot.gov/safety/alcohol-and-impaired-driving/safety/alcohol-and-impaired-driving/druggeddriving>

³ <https://www.colorado.gov/pacific/marijuana/safety-edibles>

In Colorado, it is still culturally acceptable to drive high. Preliminary data from CDOT's 2018 Cannabis Conversation shows that 69% of cannabis consumers have driven under the influence of marijuana at least once in the past year—with 27% admitting they drive high almost daily.⁴ Forty percent of recreational users and 34% of medical users said they don't think being under the influence of marijuana affects their ability to drive safely. About 10% of all users think it makes them a better driver.

An increase in marijuana commercialization will send the wrong message to kids, suggesting to them that marijuana use is safe. With hundreds of store locations already across the state, this new marijuana license will increase sales density by creating “marijuana mini-marts” in pot clubs, tasting rooms and tour buses. This license type also allows for marijuana use in everyday establishments such as bookstores, coffee shops, yoga studios, laundromats, restaurants and hotels. Research out of California shows that young people aged 18-22 who live in neighborhoods with more marijuana commercialization use marijuana more frequently than their peers and have a more positive view of the drug.⁵ Colorado's state-sponsored survey already shows a statistically significant increase in youth use of edibles and ultra-potent concentrates.⁶ The U.S. Surgeon General recently said that no amount of marijuana use is safe for the developing brain of an adolescent.⁷

The authorized sales amounts of marijuana are dangerously high. These sales amounts are not the equivalent of a single serving.⁸ Non-edible Colorado products have unlimited THC, the psychoactive ingredient in marijuana, and -- unlike alcohol -- there is no standard serving, nor standard potency, for smoked, vaped or dabbed marijuana. These large quantities will encourage overconsumption and intoxication, limiting the ability of the budtender to monitor for impairment. Moreover, the products⁹ that could be sold are not proven safe.¹⁰ THC vaporizers are implicated in the national vaping crisis, accounting for over 80% of reported illnesses.¹¹

⁴ <https://www.codot.gov/news/2018/april/cdot-survey-reveals-new-insight-on-marijuana-and-driving>

⁵ <https://www.rand.org/news/press/2019/06/17.html>

⁶ <https://smartcolorado.org/wp-content/uploads/2019/08/CO-Canaries.pdf>

⁷

<https://www.hhs.gov/surgeongeneral/reports-and-publications/addiction-and-substance-misuse/advisory-on-marijuana-use-and-developing-brain/index.html>

⁸ State regulations set sales limits at 2 grams of flower and ½ gram of concentrate. Those sales limits are the equivalent of 392 mg of THC and 343 mg of THC, respectively (based on average potencies of 19.6% THC in flower and 68.6% THC in concentrates). Research studies have observed impairment at 1/10 that amount (approximately 35 mg of THC). <http://www.notthesamepot.org>

⁹ <http://thcphotos.org>

¹⁰ All marijuana products manufactured and sold in Colorado contain the following warning: “This product was produced without regulatory oversight of health, safety or efficacy.” 1 CCR 212-3, Rule 3-1010, Packaging and Labeling: General Requirements Prior to Transfer to a Patient or Customer, <https://www.colorado.gov/pacific/enforcement/med-rules>

¹¹ https://www.cdc.gov/tobacco/basic_information/e-cigarettes/severe-lung-disease.html

Smart Colorado Advisory Council

Doug Robinson – *Chairman, Smart Colorado–Managing Partner Dry Fly Capital*

Jill Anschutz - *Anschutz Foundation Board member; Community Leader, Denver*

Celeste Archer – *Executive Director, Colorado Student Leaders Institute*

Wil Armstrong – *Principal Three Tree Capital, Board of Trustees Colorado Christian University*

Linda Brown – *Board Member, 5280 High School; Community Leader, Denver*

Gina Carbone – *Co-founder, Smart Colorado*

Diane Carlson – *Co-founder, Smart Colorado; National Policy Director*

Wendi Chamberlain – *Community Leader, Registered Nurse, Golden*

Hailey Dennis – *CU Denver Student; Student Leader*

John Faught – *CEO and President, Kempe Foundation*

Dr. Ken Finn – *Physician and Owner, Springs Rehabilitation, PC*

Dr. Jeff Hanson – *Neonatologist, Pediatrix Medical Group*

Ted Harms – *Community Leader, Denver*

Henny Lasley – *Co-founder and Executive Director, Smart Colorado*

Dr. Melissa Larson – *Partner USAP; Board Certified General and Pediatric Anesthesiologist*

Paula McPheeters – *Community Leader, Pueblo*

Doug Morton – *Former CEO and Chairman Sports Authority*

Rachel O’Bryan, J.D – *Co-founder, author and policy advisor, Smart Colorado*

Dr. Lorrie Odom – *Retired Pediatric Hematologist-Oncologist, private practice*

Scott Pann – *Senior VP, RBC Wealth Management*

Sue Sharkey – *University of Colorado Board of Regents*

Ge'swan Swanson – *CU Denver Student; Student Leader*

Anna Weaver-Hayes – *Executive Director, Colorado Psychiatric Society*

Dr. Marie Whiteside – *Pediatrician and Community Leader, Denver*

TODAY'S MARIJUANA IT'S NOT JUST A PLANT



© THCPhotos.org
From Left: THC-infused candy, E-cigarette with THC, **22% THC** Leaf, THC-infused drink, THC-infused baked good, **74% THC** hash oil syringe, **73% THC** shatter for dabbing, THC-infused breath mints.

A rapidly evolving range of commercialized marijuana products contain unprecedented levels of THC, the drug's psychoactive ingredient.

THC potency levels have increased dramatically in recent decades. The 1960s "Woodstock weed" typically had less than 2% THC. Even into the 1990s, marijuana potency averaged 3.8% THC, according to the National Institute on Drug Abuse.

Some of today's ultra high-potency products are nearly 100% THC.

Go to NotTheSamePot.org to learn more about high potency marijuana products and the impact on the developing teenage brain.



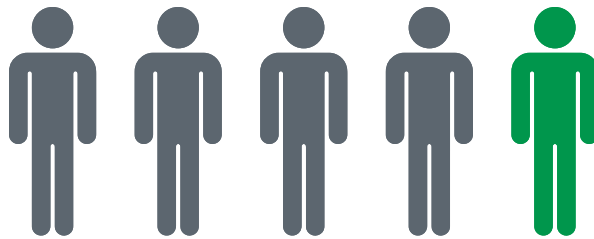
The Healthy Kids Colorado Survey is the state's only comprehensive survey on the health and well-being of young people. In 2017, the survey sampled approximately 56,000 youth from 190 randomly selected middle and high schools statewide. The voluntary, biennial survey collects a wide range of health and behavioral information that

helps public, private and community organizations better understand the youth they serve and support them in making healthy choices. The data below represents high school youth.

MARIJUANA USE

4 out of 5

81% of Colorado youth **DO NOT** use marijuana.

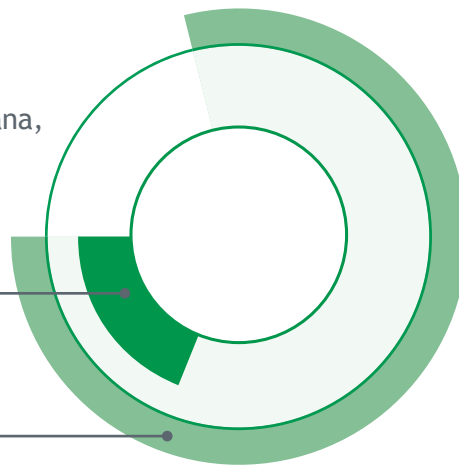


YOUTH PERCEPTION

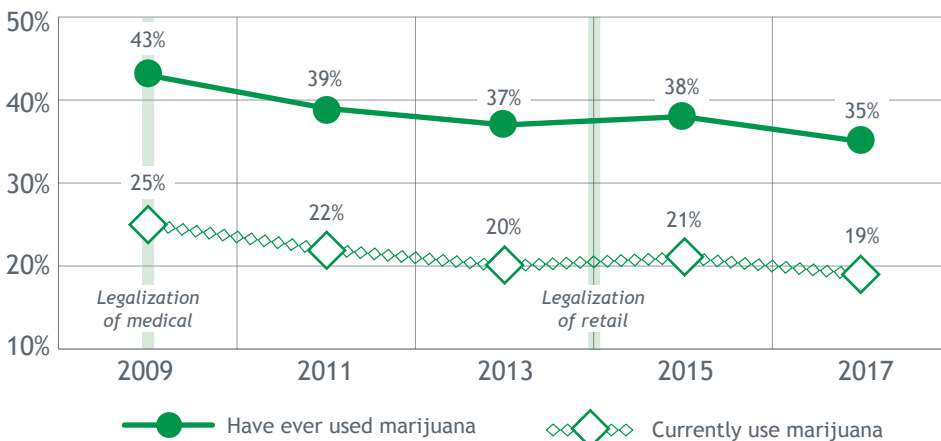
Youth need to know that **MOST** of their peers are **NOT** using marijuana, despite what they may think.

Percent of youth who use marijuana
19%

Percent who **THINK** their peers use marijuana
79%

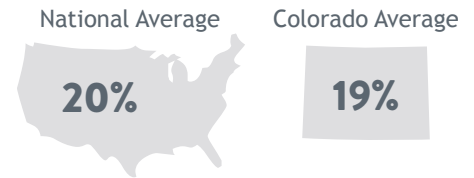


YOUTH MARIJUANA USE REMAINS RELATIVELY UNCHANGED SINCE LEGALIZATION



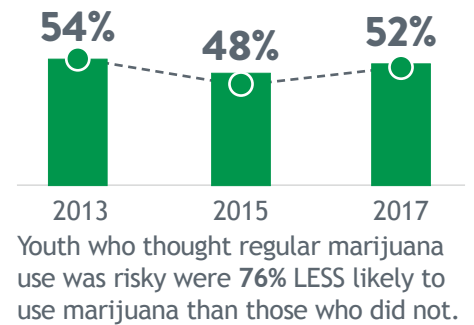
CURRENT USE

Colorado compared to the national average

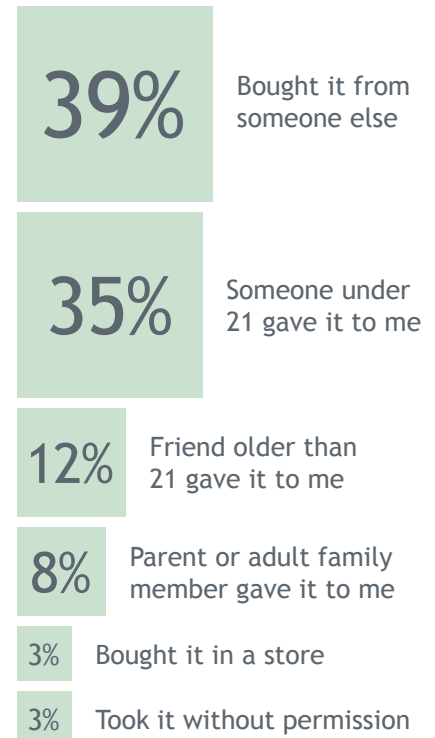


PERCEPTION OF RISK REMAINS THE SAME

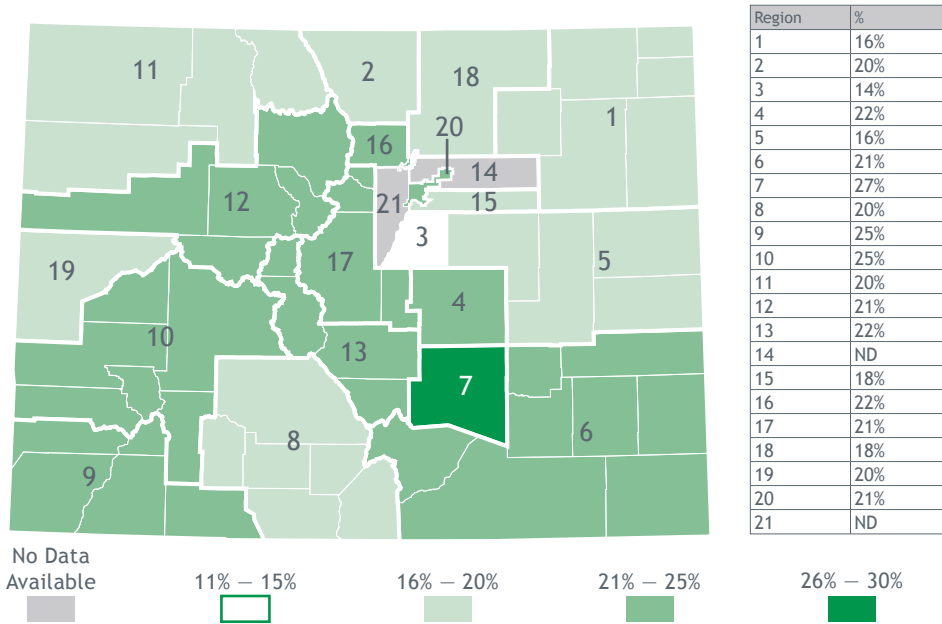
IS MARIJUANA USE RISKY?



HOW YOUTH GET MARIJUANA

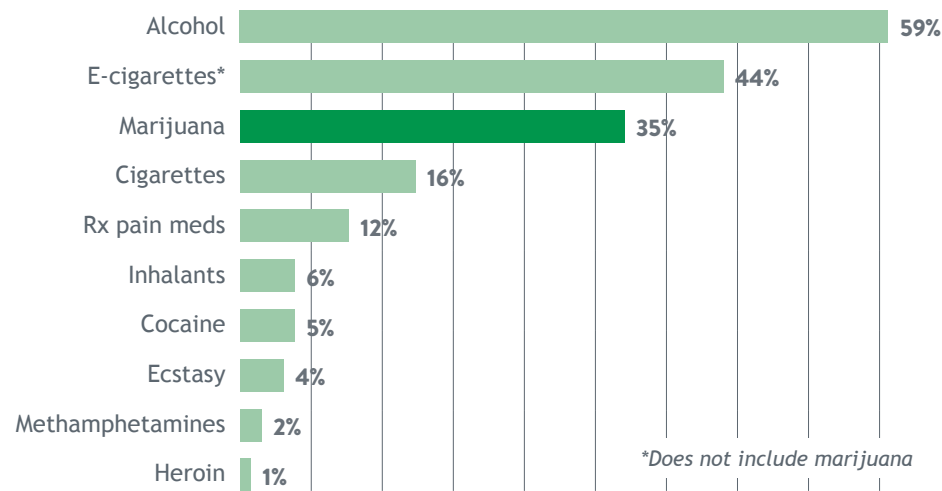


REGIONAL BREAKDOWN Youth who use marijuana



YOUTH ARE TRYING ALCOHOL AND E-CIGARETTES MORE OFTEN THAN MARIJUANA

Youth who have tried these substances



ADULTS CAN HELP PREVENT YOUTH MARIJUANA USE

PARENTS' OPINION
 Youth who know their parents think underage use is wrong are 72% LESS likely to use.

TRUSTED ADULTS
 Youth who have an adult to go to for help with a problem are 30% LESS likely to use.

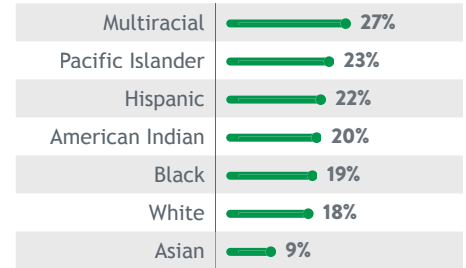
SUPPORTIVE TEACHERS
 Youth who think their teachers notice they are doing a good job are 28% LESS likely to use.

GO TO responsibilitygrows.com/talking-with-youth to learn more about how to talk with youth.

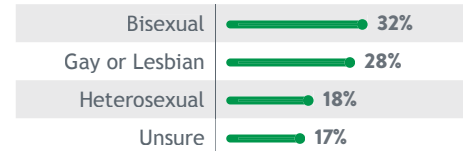
HEALTH DISPARITIES

Demographic breakdown of youth who use marijuana

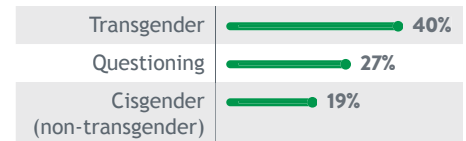
BY RACE / ETHNICITY



BY SEXUAL ORIENTATION



BY GENDER IDENTITY



CDPHE acknowledges that social, economic, and environmental inequities result in adverse health outcomes and have a greater impact than individual choices. Reducing health disparities through systems change can help improve opportunities for all Coloradans.

HOW YOUTH USUALLY USE MARIJUANA

Among youth who currently use, usual method of use



*Statistically significant Increase since 2015.

County of Adams
Net Warrant by Fund Summary

Fund Number	Fund Description	Amount
1	General Fund	564,094.69
4	Capital Facilities Fund	825,206.56
5	Golf Course Enterprise Fund	14,066.04
6	Equipment Service Fund	18,741.36
7	Stormwater Utility Fund	5,919.12
13	Road & Bridge Fund	174,221.62
19	Insurance Fund	282,011.88
25	Waste Management Fund	4,640.22
27	Open Space Projects Fund	100,000.00
28	Open Space Sales Tax Fund	1,785,661.01
31	Head Start Fund	10,793.88
34	Comm Services Blk Grant Fund	18,330.59
35	Workforce & Business Center	11,829.41
43	Colorado Air & Space Port	35,341.71
94	Sheriff Payables	6,595.00
		<u>3,857,453.09</u>

Net Warrants by Fund Detail

1 General Fund

<u>Warrant</u>	<u>Supplier No</u>	<u>Supplier Name</u>	<u>Warrant Date</u>	<u>Amount</u>
00006103	1012245	CRESTLINE MEDICAL SUPPLY	5/13/2020	22,500.00
00006104	373974	DAWN B HOLMES INC	5/13/2020	6,100.00
00006105	519505	DENOVO VENTURES LLC	5/13/2020	2,530.00
00006109	1013217	ARCLOTHMASKS	5/13/2020	7,075.00
00006113	374481	THE MASTERS TOUCH LLC	5/15/2020	33,768.01
00006115	962875	SPIEGEL INDUSTRIAL LLC	5/15/2020	23,322.04
00748864	35974	ADAMS COUNTY TREASURER	5/11/2020	1,488.63
00748865	977209	ADT COMMERCIAL LLC	5/11/2020	1,380.00
00748866	630412	ADVANCED LAUNDRY SYSTEMS	5/11/2020	602.39
00748869	383698	ALLIED UNIVERSAL SECURITY SERV	5/11/2020	9,222.44
00748872	12012	ALSCO AMERICAN INDUSTRIAL	5/11/2020	189.72
00748874	714456	ALTA LANGUAGE SERVICES INC	5/11/2020	363.00
00748875	31359	ARAPAHOE COUNTY SHERIFF CIVIL	5/11/2020	9.30
00748876	342201	AURORA MEDIA GROUP	5/11/2020	62.20
00748879	868769	BEBO DANIEL JASON	5/11/2020	65.00
00748882	726898	CA SHORT COMPANY	5/11/2020	6,833.70
00748883	1017848	CASTILLO ERIKA	5/11/2020	100.00
00748884	1017850	CATANO MANUEL	5/11/2020	3,461.00
00748886	37266	CENTURY LINK	5/11/2020	10.22
00748891	1014224	CLEARPOINT STRATEGY	5/11/2020	16,640.00
00748892	852482	CLEARWAY ENERGY GROUP LLC	5/11/2020	1,324.01
00748897	647801	CML SECURITY LLC	5/11/2020	13,902.50
00748898	6331	COLO ASSESSORS ASSN	5/11/2020	135.00
00748907	99357	COLO MEDICAL WASTE INC	5/11/2020	1,948.00
00748908	209334	COLO NATURAL GAS INC	5/11/2020	118.48
00748909	48089	COMCAST BUSINESS	5/11/2020	2,100.00
00748910	612089	COMMERCIAL CLEANING SYSTEMS	5/11/2020	21,173.38
00748911	274030	COMMUNICATION CONSTRUCTION & E	5/11/2020	2,500.00
00748914	255001	COPYCO QUALITY PRINTING INC	5/11/2020	498.00
00748915	40374	COSTAR REALTY INFORMATION INC	5/11/2020	4,161.16
00748917	1017845	DEBRUYNE BETTY	5/11/2020	100.00
00748921	35867	ELDORADO ARTESIAN SPRINGS INC	5/11/2020	49.95
00748922	650729	ELEMENTS	5/11/2020	9,616.37
00748925	47723	FEDEX	5/11/2020	274.82
00748927	197938	FIRST CALL OF COLO	5/11/2020	6,150.00
00748928	603082	FOUNDATION LEARNING	5/11/2020	900.00

Net Warrants by Fund Detail

1 General Fund

<u>Warrant</u>	<u>Supplier No</u>	<u>Supplier Name</u>	<u>Warrant Date</u>	<u>Amount</u>
00748929	12689	GALLS LLC	5/11/2020	6,067.21
00748930	620384	GLEIM ELAINE	5/11/2020	100.00
00748931	438625	GOVERNOR'S OFFICE OF IT	5/11/2020	2,237.22
00748932	742456	GRAY QUARTER INC	5/11/2020	4,995.00
00748933	808845	GRONQUIST CHRIS	5/11/2020	65.00
00748935	857854	GROWLING BEAR CO INC	5/11/2020	19,252.00
00748936	809485	HAGGERTY BRIAN	5/11/2020	65.00
00748938	32276	INSIGHT PUBLIC SECTOR	5/11/2020	37,093.04
00748939	13565	INTERMOUNTAIN REA	5/11/2020	29.41
00748941	77611	KD SERVICE GROUP	5/11/2020	1,960.00
00748942	1017847	KEY SHEILA	5/11/2020	100.00
00748943	40395	KUMAR & ASSOCIATES INC	5/11/2020	4,783.00
00748946	40843	LANGUAGE LINE SERVICES	5/11/2020	38.54
00748947	36861	LEXIS NEXIS MATTHEW BENDER	5/11/2020	190.10
00748949	488944	MAIL MASTERS OF COLORADO	5/11/2020	1,690.00
00748950	797973	MARKET STREET MANAGEMENT LLC	5/11/2020	19,499.00
00748951	637831	MCCREARY RAPHAEL	5/11/2020	65.00
00748952	871154	MEI TOTAL ELEVATOR SOLUTIONS	5/11/2020	981.00
00748959	708039	OPENGOV INC	5/11/2020	39,750.00
00748960	1017692	OSTROM CAROL	5/11/2020	1,675.00
00748961	418630	PETERS ALICIA	5/11/2020	100.00
00748962	48924	PRO TECH COMPUTER SYSTEMS INC	5/11/2020	114,875.75
00748963	624925	PRODUCTION SERVICES INTERNATIO	5/11/2020	2,050.00
00748964	628141	PROFESSIONAL PIPE SERVICES	5/11/2020	9,469.16
00748966	1017844	QUADE JOHN	5/11/2020	300.00
00748968	709581	ROCKY MOUNTAIN SIBERIAN HUSKY	5/11/2020	745.00
00748971	987225	SCHLISNER FLOORING	5/11/2020	1,992.00
00748972	13538	SHRED IT USA LLC	5/11/2020	150.30
00748973	1017843	SITE WISE	5/11/2020	750.00
00748974	13932	SOUTH ADAMS WATER & SANITATION	5/11/2020	463.11
00748975	13932	SOUTH ADAMS WATER & SANITATION	5/11/2020	128.44
00748976	51001	SOUTHLAND MEDICAL LLC	5/11/2020	961.71
00748978	882335	STRATEGY WITH ROX	5/11/2020	500.00
00748979	13951	TDS TELECOM	5/11/2020	864.22
00748981	498722	THERMAL & MOISTURE PROTECTION	5/11/2020	1,810.00
00748983	319978	TONSAGER DENNIS	5/11/2020	65.00

Net Warrants by Fund Detail

1 General Fund

<u>Warrant</u>	<u>Supplier No</u>	<u>Supplier Name</u>	<u>Warrant Date</u>	<u>Amount</u>
00748984	810316	TRELOAR TARA A	5/11/2020	65.00
00748985	122941	TRI-COUNTY HEALTH DEPT	5/11/2020	629.16
00748987	1007	UNITED POWER (UNION REA)	5/11/2020	185.52
00748988	1007	UNITED POWER (UNION REA)	5/11/2020	249.98
00748989	1007	UNITED POWER (UNION REA)	5/11/2020	156.57
00748990	1007	UNITED POWER (UNION REA)	5/11/2020	154.18
00748991	20730	UNITED STATES POSTAL SERVICE	5/11/2020	1,310.00
00748992	124337	US POSTMASTER	5/11/2020	43,000.00
00748994	1017849	VARELA BETTY JO	5/11/2020	100.00
00748995	28566	VERIZON WIRELESS	5/11/2020	40.01
00748996	28574	VERIZON WIRELESS	5/11/2020	302.46
00748999	790609	VOICE PRODUCTS SERVICE LLC	5/11/2020	5,916.00
00749000	7162	WAGNER GEORGIA C	5/11/2020	33.00
00749001	46796	WESTMINSTER CITY OF	5/11/2020	3,702.13
00749003	18645	WILBUR-ELLIS COMPANY LLC	5/11/2020	3,872.50
00749004	40340	WINDSTREAM COMMUNICATIONS	5/11/2020	1,638.62
00749005	737980	WOLD ARCHITECTS AND ENGINEERS	5/11/2020	2,514.80
00749007	702804	WOLFE SANDRA KAY	5/11/2020	65.00
00749008	13822	XCEL ENERGY	5/11/2020	267.56
00749009	13822	XCEL ENERGY	5/11/2020	611.67
00749010	13822	XCEL ENERGY	5/11/2020	44.99
00749011	13822	XCEL ENERGY	5/11/2020	816.42
00749012	13822	XCEL ENERGY	5/11/2020	132.84
00749013	13822	XCEL ENERGY	5/11/2020	2,533.21
00749014	13822	XCEL ENERGY	5/11/2020	9,071.91
00749015	13822	XCEL ENERGY	5/11/2020	2,509.11
00749016	13822	XCEL ENERGY	5/11/2020	169.87
00749017	13822	XCEL ENERGY	5/11/2020	258.61
00749018	13822	XCEL ENERGY	5/11/2020	203.73
00749019	13822	XCEL ENERGY	5/11/2020	155.09
00749020	13822	XCEL ENERGY	5/11/2020	200.82
00749021	13822	XCEL ENERGY	5/11/2020	311.28
00749022	13822	XCEL ENERGY	5/11/2020	511.61
00749023	13822	XCEL ENERGY	5/11/2020	490.73
00749024	13822	XCEL ENERGY	5/11/2020	205.70
00749025	13822	XCEL ENERGY	5/11/2020	79.36

Net Warrants by Fund Detail

1General Fund

<u>Warrant</u>	<u>Supplier No</u>	<u>Supplier Name</u>	<u>Warrant Date</u>	<u>Amount</u>
00749026	13822	XCEL ENERGY	5/11/2020	227.83
00749027	13822	XCEL ENERGY	5/11/2020	755.39
00749030	726101	YAGOW JASON	5/11/2020	100.00
00749031	1017841	YEVDOKIMOV EUGENE	5/11/2020	1,400.00
00749032	473336	ZAYO GROUP HOLDINGS INC	5/11/2020	2,567.50
			Fund Total	564,094.69

Net Warrants by Fund Detail

4 **Capital Facilities Fund**

<u>Warrant</u>	<u>Supplier No</u>	<u>Supplier Name</u>	<u>Warrant Date</u>	<u>Amount</u>
00006106	346412	JPMORGAN CHASE BANK	5/13/2020	42,228.00
00006110	104910	SAUNDERS CONSTRUCTION INC	5/13/2020	447,895.44
00006116	908009	TAYLOR KOHRS LLC	5/15/2020	304,189.76
00748916	798606	D2C ARCHITECTS INC	5/11/2020	14,785.82
00748944	40395	KUMAR & ASSOCIATES INC	5/11/2020	187.00
00748953	986500	MW GOLDEN CONSTRUCTORS	5/11/2020	4,200.00
00748982	498722	THERMAL & MOISTURE PROTECTION	5/11/2020	5,985.00
00749006	737980	WOLD ARCHITECTS AND ENGINEERS	5/11/2020	4,980.16
00749028	13822	XCEL ENERGY	5/11/2020	755.38
			Fund Total	825,206.56

Net Warrants by Fund Detail

5Golf Course Enterprise Fund

<u>Warrant</u>	<u>Supplier No</u>	<u>Supplier Name</u>	<u>Warrant Date</u>	<u>Amount</u>
00748867	8579	AGFINITY INC	5/11/2020	1,760.97
00748871	544497	ALPINE ARBORISTS PRO TREE CARE	5/11/2020	8,600.00
00748873	12012	ALSCO AMERICAN INDUSTRIAL	5/11/2020	104.68
00748880	599778	BUFFALO BRAND SEED LLC	5/11/2020	1,490.00
00748881	13206	C P S DISTRIBUTORS INC	5/11/2020	751.78
00748885	25288	CEM LAKE MGMT	5/11/2020	494.00
00748918	128225	DXP ENTERPRISES INC	5/11/2020	112.40
00748969	433906	ROCKY MTN PUMP & CONTROLS LLC	5/11/2020	220.00
00749029	13822	XCEL ENERGY	5/11/2020	532.21
			Fund Total	14,066.04

Net Warrants by Fund Detail

6Equipment Service Fund

<u>Warrant</u>	<u>Supplier No</u>	<u>Supplier Name</u>	<u>Warrant Date</u>	<u>Amount</u>
00748924	346750	FACTORY MOTOR PARTS	5/11/2020	8,062.04
00748937	682207	INSIGHT AUTO GLASS LLC	5/11/2020	1,135.44
00748970	16237	SAM HILL OIL INC	5/11/2020	7,559.48
00748980	790907	THE GOODYEAR TIRE AND RUBBER C	5/11/2020	1,308.75
00749002	350373	WEX BANK	5/11/2020	675.65
			Fund Total	18,741.36

Net Warrants by Fund Detail

7

Stormwater Utility Fund

<u>Warrant</u>	<u>Supplier No</u>	<u>Supplier Name</u>	<u>Warrant Date</u>	<u>Amount</u>
00748878	374417	BARR LAKE & MILTON RESERVOIR W	5/11/2020	4,000.00
00748993	158184	UTILITY NOTIFICATION CENTER OF	5/11/2020	1,919.12
Fund Total				5,919.12

Net Warrants by Fund Detail

13Road & Bridge Fund

<u>Warrant</u>	<u>Supplier No</u>	<u>Supplier Name</u>	<u>Warrant Date</u>	<u>Amount</u>
00748868	9507	ALLIED RECYCLED AGGREGATES	5/11/2020	11,107.08
00748923	534975	EP&A ENVIROTAC INC	5/11/2020	49,710.54
00748926	115487	FIDELITY NATL TITLE INS CO	5/11/2020	2,750.00
00748934	12812	GROUND ENGINEERING CONSULTANTS	5/11/2020	1,377.00
00748967	147080	ROCKSOL CONSULTING GROUP INC	5/11/2020	22,075.22
00748977	173676	STANTEC CONSULTING CORPORATION	5/11/2020	45,846.43
00748986	595135	ULTEIG ENGINEERS INC	5/11/2020	41,355.35
Fund Total				174,221.62

Net Warrants by Fund Detail

19Insurance Fund

<u>Warrant</u>	<u>Supplier No</u>	<u>Supplier Name</u>	<u>Warrant Date</u>	<u>Amount</u>
00006107	523053	TRISTAR RISK MANAGEMENT	5/13/2020	61,201.92
00006108	37223	UNITED HEALTH CARE INSURANCE C	5/13/2020	209,514.56
00748903	17565	COLO FRAME & SUSPENSION	5/11/2020	1,295.40
00748948	855793	LOCKTON COMPANIES	5/11/2020	10,000.00
			Fund Total	282,011.88

County of Adams
Net Warrants by Fund Detail

25

Waste Management Fund

<u>Warrant</u>	<u>Supplier No</u>	<u>Supplier Name</u>	<u>Warrant Date</u>	<u>Amount</u>
00748877	535096	B & B ENVIRONMENTAL SAFETY INC	5/11/2020	4,640.22
Fund Total				4,640.22

County of Adams
Net Warrants by Fund Detail

27

Open Space Projects Fund

<u>Warrant</u>	<u>Supplier No</u>	<u>Supplier Name</u>	<u>Warrant Date</u>	<u>Amount</u>
00006112	1021191	FIRST AMERICAN TITLE INSURANCE	5/15/2020	100,000.00
Fund Total				100,000.00

Net Warrants by Fund Detail

28

Open Space Sales Tax Fund

<u>Warrant</u>	<u>Supplier No</u>	<u>Supplier Name</u>	<u>Warrant Date</u>	<u>Amount</u>
00006114	43150	THORNTON CITY OF	5/15/2020	1,774,371.47
00748956	43149	NORTHGLENN CITY OF	5/11/2020	11,289.54
Fund Total				1,785,661.01

Net Warrants by Fund Detail

31Head Start Fund

<u>Warrant</u>	<u>Supplier No</u>	<u>Supplier Name</u>	<u>Warrant Date</u>	<u>Amount</u>
00748887	37266	CENTURY LINK	5/11/2020	106.10
00748888	37266	CENTURY LINK	5/11/2020	407.33
00748889	37266	CENTURY LINK	5/11/2020	372.19
00748890	152461	CENTURYLINK	5/11/2020	10.77
00748899	54679	COLO DEPT OF HUMAN SERVICES	5/11/2020	370.00
00748912	248029	COMMUNITY REACH CENTER FOUNDAT	5/11/2020	6,515.84
00748945	40323	L & N SUPPLY COMPANY INC	5/11/2020	1,505.65
00748954	166732	NETWORK	5/11/2020	711.00
00748958	55021	NULINX INTERNATIONAL	5/11/2020	795.00
Fund Total				10,793.88

Net Warrants by Fund Detail

34Comm Services Blk Grant Fund

<u>Warrant</u>	<u>Supplier No</u>	<u>Supplier Name</u>	<u>Warrant Date</u>	<u>Amount</u>
00748870	5991	ALMOST HOME INC	5/11/2020	7,066.69
00748920	190240	ECPAC	5/11/2020	1,286.79
00748955	689895	NEW LEGACY CHARTER	5/11/2020	4,094.87
00748965	189016	PROJECT ANGEL HEART	5/11/2020	5,882.24
Fund Total				18,330.59

Net Warrants by Fund Detail

35Workforce & Business Center

<u>Warrant</u>	<u>Supplier No</u>	<u>Supplier Name</u>	<u>Warrant Date</u>	<u>Amount</u>
00748913	1483	COMPUTER SYSTEMS DESIGN	5/11/2020	4,800.00
00748957	1017693	NUAGE PARAMEDICAL ESTHETICS	5/11/2020	5,000.00
00748997	8076	VERIZON WIRELESS	5/11/2020	516.02
00748998	8076	VERIZON WIRELESS	5/11/2020	1,513.39
Fund Total				11,829.41

Net Warrants by Fund Detail

43Colorado Air & Space Port

<u>Warrant</u>	<u>Supplier No</u>	<u>Supplier Name</u>	<u>Warrant Date</u>	<u>Amount</u>
00006102	709816	CITY SERVICEVALCON LLC	5/13/2020	7,974.77
00006111	709816	CITY SERVICEVALCON LLC	5/15/2020	19,472.45
00748893	852482	CLEARWAY ENERGY GROUP LLC	5/11/2020	2,766.39
00748919	13410	EASTERN SLOPE RURAL TELEPHONE	5/11/2020	128.10
00748940	874060	JAPAN AMERICAN SOCIETY OF COLO	5/11/2020	5,000.00
Fund Total				35,341.71

Net Warrants by Fund Detail

94Sheriff Payables

<u>Warrant</u>	<u>Supplier No</u>	<u>Supplier Name</u>	<u>Warrant Date</u>	<u>Amount</u>
00748894	95935	CLERK OF THE COUNTY COURT	5/11/2020	1,080.00
00748895	95935	CLERK OF THE COUNTY COURT	5/11/2020	1,040.00
00748896	95935	CLERK OF THE COUNTY COURT	5/11/2020	1,190.00
00748900	92474	COLO DEPT OF HUMAN SERVICES	5/11/2020	1,035.00
00748901	92474	COLO DEPT OF HUMAN SERVICES	5/11/2020	750.00
00748902	92474	COLO DEPT OF HUMAN SERVICES	5/11/2020	1,170.00
00748904	44915	COLO JUDICIAL DEPT	5/11/2020	111.00
00748905	44915	COLO JUDICIAL DEPT	5/11/2020	104.00
00748906	44915	COLO JUDICIAL DEPT	5/11/2020	115.00
Fund Total				6,595.00

County of Adams
Net Warrants by Fund Detail

Grand Total 3,857,453.09

County of Adams
Vendor Payment Report

<u>3161</u>	<u>Animal Shelter Construction</u>	<u>Fund</u>	<u>Voucher</u>	<u>Batch No</u>	<u>GL Date</u>	<u>Amount</u>
	Buildings					
	XCEL ENERGY	00004	974791	364109	5/8/2020	<u>755.38</u>
					Account Total	<u>755.38</u>
					Department Total	<u><u>755.38</u></u>

County of Adams
Vendor Payment Report

<u>4</u>	<u>Capital Facilities Fund</u>	<u>Fund</u>	<u>Voucher</u>	<u>Batch No</u>	<u>GL Date</u>	<u>Amount</u>
	Cash With Trustee					
	JPMORGAN CHASE BANK	00004	974921	364170	5/11/2020	42,228.00
					Account Total	42,228.00
	Received not Vouchered Clrg					
	D2C ARCHITECTS INC	00004	974895	364159	5/11/2020	6,150.76
	D2C ARCHITECTS INC	00004	974895	364159	5/11/2020	8,635.06
	KUMAR & ASSOCIATES INC	00004	974826	364159	5/11/2020	187.00
	MW GOLDEN CONSTRUCTORS	00004	974866	364159	5/11/2020	4,200.00
	SAUNDERS CONSTRUCTION INC	00004	974988	364326	5/13/2020	471,468.88
	TAYLOR KOHRS LLC	00004	975122	364521	5/15/2020	320,199.75
	THERMAL & MOISTURE PROTECTION	00004	974828	364159	5/11/2020	5,985.00
	WOLD ARCHITECTS AND ENGINEERS	00004	974824	364159	5/11/2020	4,980.16
					Account Total	821,806.61
	Retainages Payable					
	SAUNDERS CONSTRUCTION INC	00004	974988	364326	5/13/2020	23,573.44-
	TAYLOR KOHRS LLC	00004	975122	364521	5/15/2020	16,009.99-
					Account Total	39,583.43-
					Department Total	824,451.18

County of Adams
Vendor Payment Report

<u>4304</u>	<u>CASP Operations/Maintenance</u>	<u>Fund</u>	<u>Voucher</u>	<u>Batch No</u>	<u>GL Date</u>	<u>Amount</u>
	Gas & Electricity					
	CLEARWAY ENERGY GROUP LLC	00043	974716	363850	5/6/2020	1,091.66
	CLEARWAY ENERGY GROUP LLC	00043	974717	363850	5/6/2020	681.49
	CLEARWAY ENERGY GROUP LLC	00043	974718	363850	5/6/2020	499.20
	CLEARWAY ENERGY GROUP LLC	00043	974719	363850	5/6/2020	494.04
					Account Total	2,766.39
	Telephone					
	EASTERN SLOPE RURAL TELEPHONE	00043	974657	363753	5/5/2020	128.10
					Account Total	128.10
					Department Total	2,894.49

County of Adams
Vendor Payment Report

<u>1022</u>	<u>CLK Elections</u>	<u>Fund</u>	<u>Voucher</u>	<u>Batch No</u>	<u>GL Date</u>	<u>Amount</u>
	Postage & Freight					
	US POSTMASTER	00001	974627	363685	5/4/2020	43,000.00
					Account Total	<u>43,000.00</u>
					Department Total	<u><u>43,000.00</u></u>

County of Adams
Vendor Payment Report

<u>1023</u>	<u>CLK Motor Vehicle</u>	<u>Fund</u>	<u>Voucher</u>	<u>Batch No</u>	<u>GL Date</u>	<u>Amount</u>
	Destruction of Records					
	SHRED IT USA LLC	00001	974625	363685	5/4/2020	90.30
	SHRED IT USA LLC	00001	974626	363685	5/4/2020	60.00
					Account Total	150.30
	Security Service					
	ALLIED UNIVERSAL SECURITY SERV	00001	974649	363736	5/5/2020	1,507.57
					Account Total	1,507.57
					Department Total	1,657.87

County of Adams
Vendor Payment Report

<u>1021</u>	<u>CLK Recording</u>	<u>Fund</u>	<u>Voucher</u>	<u>Batch No</u>	<u>GL Date</u>	<u>Amount</u>
	Printing External					
	COPYCO QUALITY PRINTING INC	00001	974624	363685	5/4/2020	498.00
					Account Total	<u>498.00</u>
					Department Total	<u><u>498.00</u></u>

County of Adams
Vendor Payment Report

<u>43</u>	<u>Colorado Air & Space Port</u>	<u>Fund</u>	<u>Voucher</u>	<u>Batch No</u>	<u>GL Date</u>	<u>Amount</u>
	Received not Vouchered Clrg					
	CITY SERVICEVALCON LLC	00043	975095	364458	5/14/2020	19,472.45
	CITY SERVICEVALCON LLC	00043	974974	364318	5/13/2020	7,974.77
					Account Total	<u>27,447.22</u>
					Department Total	<u><u>27,447.22</u></u>

County of Adams
Vendor Payment Report

<u>1041</u>	<u>County Assessor</u>	<u>Fund</u>	<u>Voucher</u>	<u>Batch No</u>	<u>GL Date</u>	<u>Amount</u>
	Education & Training					
	COLO ASSESSORS ASSN	00001	974725	363959	5/7/2020	115.00
	COLO ASSESSORS ASSN	00001	974726	363959	5/7/2020	10.00
	COLO ASSESSORS ASSN	00001	974727	363959	5/7/2020	10.00
					Account Total	135.00
	Other Professional Serv					
	ADAMS COUNTY TREASURER	00001	974735	363984	5/7/2020	1,488.63
					Account Total	1,488.63
	Postage & Freight					
	MAIL MASTERS OF COLORADO	00001	974723	363878	5/6/2020	1,690.00
					Account Total	1,690.00
	Software and Licensing					
	COSTAR REALTY INFORMATION INC	00001	974666	363762	5/5/2020	4,161.16
					Account Total	4,161.16
	Subscrip/Publications					
	AURORA MEDIA GROUP	00001	974667	363762	5/5/2020	62.20
					Account Total	62.20
					Department Total	7,536.99

County of Adams
Vendor Payment Report

<u>2031</u>	<u>County Coroner</u>	<u>Fund</u>	<u>Voucher</u>	<u>Batch No</u>	<u>GL Date</u>	<u>Amount</u>
	Medical Services					
	DAWN B HOLMES INC	00001	974798	364120	5/8/2020	6,100.00
					Account Total	6,100.00
	Operating Supplies					
	ELDORADO ARTESIAN SPRINGS INC	00001	974729	363978	5/7/2020	11.00
	ELDORADO ARTESIAN SPRINGS INC	00001	974730	363978	5/7/2020	38.95
	SOUTHLAND MEDICAL LLC	00001	974662	363754	5/5/2020	660.42
	SOUTHLAND MEDICAL LLC	00001	974663	363754	5/5/2020	135.99
	SOUTHLAND MEDICAL LLC	00001	974664	363754	5/5/2020	165.30
					Account Total	1,011.66
	Other Professional Serv					
	COLO MEDICAL WASTE INC	00001	974658	363754	5/5/2020	1,948.00
	FEDEX	00001	974660	363754	5/5/2020	274.82
	FIRST CALL OF COLO	00001	974661	363754	5/5/2020	6,150.00
	LANGUAGE LINE SERVICES	00001	974731	363978	5/7/2020	38.54
	LEXIS NEXIS MATTHEW BENDER	00001	974659	363754	5/5/2020	190.10
					Account Total	8,601.46
					Department Total	15,713.12

County of Adams
Vendor Payment Report

<u>1031</u>	<u>County Treasurer</u>	<u>Fund</u>	<u>Voucher</u>	<u>Batch No</u>	<u>GL Date</u>	<u>Amount</u>
	Postage & Freight					
	THE MASTERS TOUCH LLC	00001	974995	364333	5/13/2020	33,768.01
					Account Total	<u>33,768.01</u>
					Department Total	<u><u>33,768.01</u></u>

County of Adams
Vendor Payment Report

<u>951016</u>	<u>CSBG</u>	<u>Fund</u>	<u>Voucher</u>	<u>Batch No</u>	<u>GL Date</u>	<u>Amount</u>
	Grants to Other Instit					
	ALMOST HOME INC	00034	974595	363664	5/4/2020	7,066.69
	ECPAC	00034	974596	363664	5/4/2020	1,286.79
	NEW LEGACY CHARTER	00034	974594	363664	5/4/2020	4,094.87
	PROJECT ANGEL HEART	00034	974597	363664	5/4/2020	5,882.24
					Account Total	<u>18,330.59</u>
					Department Total	<u><u>18,330.59</u></u>

County of Adams
Vendor Payment Report

<u>1051</u>	<u>District Attorney</u>	<u>Fund</u>	<u>Voucher</u>	<u>Batch No</u>	<u>GL Date</u>	<u>Amount</u>
	Court Reporting Transcripts					
	WAGNER GEORGIA C	00001	974788	364099	5/8/2020	33.00
					Account Total	33.00
	Other Professional Serv					
	ARAPAHOE COUNTY SHERIFF CIVIL	00001	974787	364099	5/8/2020	9.30
					Account Total	9.30
					Department Total	42.30

County of Adams
Vendor Payment Report

<u>6</u>	<u>Equipment Service Fund</u>	<u>Fund</u>	<u>Voucher</u>	<u>Batch No</u>	<u>GL Date</u>	<u>Amount</u>
	Received not Vouchered Clrg					
	FACTORY MOTOR PARTS	00006	974885	364159	5/11/2020	8,062.04
	INSIGHT AUTO GLASS LLC	00006	974880	364159	5/11/2020	508.00
	INSIGHT AUTO GLASS LLC	00006	974881	364159	5/11/2020	40.00
	INSIGHT AUTO GLASS LLC	00006	974882	364159	5/11/2020	386.20
	INSIGHT AUTO GLASS LLC	00006	974883	364159	5/11/2020	40.00
	INSIGHT AUTO GLASS LLC	00006	974884	364159	5/11/2020	161.24
	SAM HILL OIL INC	00006	974877	364159	5/11/2020	2,277.17
	SAM HILL OIL INC	00006	974878	364159	5/11/2020	1,244.34
	SAM HILL OIL INC	00006	974879	364159	5/11/2020	4,037.97
	THE GOODYEAR TIRE AND RUBBER C	00006	974874	364159	5/11/2020	115.50
	THE GOODYEAR TIRE AND RUBBER C	00006	974875	364159	5/11/2020	234.50
	THE GOODYEAR TIRE AND RUBBER C	00006	974876	364159	5/11/2020	958.75
	WEX BANK	00006	974870	364159	5/11/2020	675.65
					Account Total	18,741.36
					Department Total	18,741.36

County of Adams
Vendor Payment Report

<u>9243</u>	<u>Extension - Family & Consumer</u>	<u>Fund</u>	<u>Voucher</u>	<u>Batch No</u>	<u>GL Date</u>	<u>Amount</u>
	Other Communications					
	VERIZON WIRELESS	00001	974656	363752	5/5/2020	41.15
					Account Total	41.15
					Department Total	41.15

County of Adams
Vendor Payment Report

<u>9244</u>	<u>Extension- 4-H/Youth</u>	<u>Fund</u>	<u>Voucher</u>	<u>Batch No</u>	<u>GL Date</u>	<u>Amount</u>
	Other Communications					
	VERIZON WIRELESS	00001	974656	363752	5/5/2020	41.15
	VERIZON WIRELESS	00001	974656	363752	5/5/2020	41.15
	VERIZON WIRELESS	00001	974656	363752	5/5/2020	41.15
	VERIZON WIRELESS	00001	974656	363752	5/5/2020	41.15
					Account Total	164.60
					Department Total	164.60

County of Adams
Vendor Payment Report

<u>9241</u>	<u>Extension- Administration</u>	<u>Fund</u>	<u>Voucher</u>	<u>Batch No</u>	<u>GL Date</u>	<u>Amount</u>
	Other Communications					
	VERIZON WIRELESS	00001	974656	363752	5/5/2020	96.71
					Account Total	96.71
					Department Total	96.71

County of Adams
Vendor Payment Report

<u>1076</u>	<u>FO - Adams County Svc Center</u>	<u>Fund</u>	<u>Voucher</u>	<u>Batch No</u>	<u>GL Date</u>	<u>Amount</u>
	Building Repair & Maint					
	SCHLISNER FLOORING	00001	974757	364007	5/7/2020	1,992.00
					Account Total	1,992.00
	Gas & Electricity					
	Energy Cap Bill ID=10637	00001	974771	364084	4/23/2020	9,071.91
					Account Total	9,071.91
					Department Total	<u>11,063.91</u>

County of Adams
Vendor Payment Report

<u>1091</u>	<u>FO - Administration</u>	<u>Fund</u>	<u>Voucher</u>	<u>Batch No</u>	<u>GL Date</u>	<u>Amount</u>
	Gas & Electricity					
	CLEARWAY ENERGY GROUP LLC	00001	974763	364007	5/7/2020	49.29
	CLEARWAY ENERGY GROUP LLC	00001	974764	364007	5/7/2020	43.51
	CLEARWAY ENERGY GROUP LLC	00001	974765	364007	5/7/2020	40.11
	CLEARWAY ENERGY GROUP LLC	00001	974758	364007	5/7/2020	283.74
	CLEARWAY ENERGY GROUP LLC	00001	974759	364007	5/7/2020	250.48
	CLEARWAY ENERGY GROUP LLC	00001	974760	364007	5/7/2020	230.92
	Energy Cap Bill ID=10625	00001	974636	363693	4/20/2020	118.48
	Energy Cap Bill ID=10629	00001	974637	363693	4/20/2020	267.56
	Energy Cap Bill ID=10631	00001	974638	363693	4/21/2020	611.67
	Energy Cap Bill ID=10638	00001	974773	364084	4/22/2020	169.87
	UNITED POWER (UNION REA)	00001	974796	364115	5/8/2020	156.57
	UNITED POWER (UNION REA)	00001	974797	364115	5/8/2020	154.18
					Account Total	2,376.38
					Department Total	2,376.38

County of Adams
Vendor Payment Report

<u>1060</u>	<u>FO - Community Corrections</u>	<u>Fund</u>	<u>Voucher</u>	<u>Batch No</u>	<u>GL Date</u>	<u>Amount</u>
	Water/Sewer/Sanitation					
	Energy Cap Bill ID=10628	00001	974629	363693	4/13/2020	463.11
					Account Total	463.11
					Department Total	463.11

County of Adams
Vendor Payment Report

<u>1114</u>	<u>FO - District Attorney Bldg.</u>	<u>Fund</u>	<u>Voucher</u>	<u>Batch No</u>	<u>GL Date</u>	<u>Amount</u>
	Gas & Electricity					
	Energy Cap Bill ID=10636	00001	974780	364084	4/24/2020	<u>490.73</u>
					Account Total	<u>490.73</u>
					Department Total	<u><u>490.73</u></u>

County of Adams
Vendor Payment Report

<u>2090</u>	<u>FO - Flatrock Facility</u>	<u>Fund</u>	<u>Voucher</u>	<u>Batch No</u>	<u>GL Date</u>	<u>Amount</u>
	Gas & Electricity					
	Energy Cap Bill ID=10634	00050	974782	364084	4/23/2020	79.36
	Energy Cap Bill ID=10645	00050	974783	364084	4/23/2020	227.83
					Account Total	<u>307.19</u>
					Department Total	<u><u>307.19</u></u>

County of Adams
Vendor Payment Report

<u>1077</u>	<u>FO - Government Center</u>	<u>Fund</u>	<u>Voucher</u>	<u>Batch No</u>	<u>GL Date</u>	<u>Amount</u>
	Gas & Electricity					
	Energy Cap Bill ID=10646	00001	974772	364084	4/23/2020	<u>2,509.11</u>
					Account Total	<u>2,509.11</u>
					Department Total	<u><u>2,509.11</u></u>

County of Adams
Vendor Payment Report

<u>1070</u>	<u>FO - Honnen/Plan&Devel/MV Ware</u>	<u>Fund</u>	<u>Voucher</u>	<u>Batch No</u>	<u>GL Date</u>	<u>Amount</u>
	Gas & Electricity					
	CLEARWAY ENERGY GROUP LLC	00001	974761	364007	5/7/2020	221.63
	CLEARWAY ENERGY GROUP LLC	00001	974762	364007	5/7/2020	204.33
	Energy Cap Bill ID=10635	00001	974768	364084	4/23/2020	816.42
	Energy Cap Bill ID=10639	00001	974769	364084	4/23/2020	132.84
	Energy Cap Bill ID=10640	00001	974770	364084	4/23/2020	2,533.21
					Account Total	3,908.43
	Water/Sewer/Sanitation					
	Energy Cap Bill ID=10623	00001	974630	363693	4/20/2020	128.44
					Account Total	128.44
					Department Total	4,036.87

County of Adams
Vendor Payment Report

<u>1079</u>	<u>FO - Human Services Center</u>	<u>Fund</u>	<u>Voucher</u>	<u>Batch No</u>	<u>GL Date</u>	<u>Amount</u>
	Water/Sewer/Sanitation					
	Energy Cap Bill ID=10626	00001	974635	363693	4/20/2020	<u>2,855.24</u>
					Account Total	<u>2,855.24</u>
					Department Total	<u><u>2,855.24</u></u>

County of Adams
Vendor Payment Report

<u>1019</u>	<u>FO - Mailroom & Dock</u>	<u>Fund</u>	<u>Voucher</u>	<u>Batch No</u>	<u>GL Date</u>	<u>Amount</u>
	Postage & Freight					
	UNITED STATES POSTAL SERVICE	00001	974736	363991	5/7/2020	<u>1,310.00</u>
					Account Total	<u>1,310.00</u>
					Department Total	<u><u>1,310.00</u></u>

County of Adams
Vendor Payment Report

<u>1067</u>	<u>FO - Old Human Service Bldg</u>	<u>Fund</u>	<u>Voucher</u>	<u>Batch No</u>	<u>GL Date</u>	<u>Amount</u>
	Other Repair & Maint					
	MARKET STREET MANAGEMENT LLC	00001	974720	363868	5/6/2020	<u>19,499.00</u>
					Account Total	<u>19,499.00</u>
					Department Total	<u><u>19,499.00</u></u>

County of Adams
Vendor Payment Report

<u>1111</u>	<u>FO - Parks Facilities</u>	<u>Fund</u>	<u>Voucher</u>	<u>Batch No</u>	<u>GL Date</u>	<u>Amount</u>
	Buildings					
	THERMAL & MOISTURE PROTECTION	00001	974752	364007	5/7/2020	985.00
	XCEL ENERGY	00001	974790	364109	5/8/2020	755.39
					Account Total	1,740.39
	Gas & Electricity					
	Energy Cap Bill ID=10605	00001	974639	363693	4/3/2020	249.98
	Energy Cap Bill ID=10630	00001	974640	363693	4/23/2020	44.99
	Energy Cap Bill ID=10632	00001	974774	364084	4/23/2020	258.61
	Energy Cap Bill ID=10633	00001	974775	364084	4/23/2020	203.73
	Energy Cap Bill ID=10643	00001	974776	364084	4/23/2020	155.09
	Energy Cap Bill ID=10644	00001	974777	364084	4/23/2020	200.82
	Energy Cap Bill ID=10647	00001	974778	364084	4/23/2020	311.28
					Account Total	1,424.50
	Other Professional Serv					
	THERMAL & MOISTURE PROTECTION	00001	974754	364007	5/7/2020	225.00
	THERMAL & MOISTURE PROTECTION	00001	974755	364007	5/7/2020	225.00
					Account Total	450.00
					Department Total	3,614.89

County of Adams
Vendor Payment Report

<u>1112</u>	<u>FO - Sheriff HQ/Coroner Bldg</u>	<u>Fund</u>	<u>Voucher</u>	<u>Batch No</u>	<u>GL Date</u>	<u>Amount</u>
	Gas & Electricity					
	Energy Cap Bill ID=10642	00001	974779	364084	4/23/2020	511.61
					Account Total	511.61
					Department Total	511.61

County of Adams
Vendor Payment Report

<u>2009</u>	<u>FO - Sheriff Maintenance</u>	<u>Fund</u>	<u>Voucher</u>	<u>Batch No</u>	<u>GL Date</u>	<u>Amount</u>
	Building Repair & Maint					
	THERMAL & MOISTURE PROTECTION	00001	974753	364007	5/7/2020	375.00
					Account Total	375.00
	Gas & Electricity					
	Energy Cap Bill ID=10641	00001	974781	364084	4/23/2020	205.70
					Account Total	205.70
					Department Total	<u>580.70</u>

County of Adams
Vendor Payment Report

<u>1075</u>	<u>FO - Strasburg/Whittier</u>	<u>Fund</u>	<u>Voucher</u>	<u>Batch No</u>	<u>GL Date</u>	<u>Amount</u>
	Gas & Electricity					
	Energy Cap Bill ID=10621	00001	974633	363693	4/13/2020	185.52
	Energy Cap Bill ID=10627	00001	974634	363693	4/20/2020	29.41
					Account Total	<u>214.93</u>
					Department Total	<u><u>214.93</u></u>

County of Adams
Vendor Payment Report

<u>1072</u>	<u>FO - West Services Center</u>	<u>Fund</u>	<u>Voucher</u>	<u>Batch No</u>	<u>GL Date</u>	<u>Amount</u>
	Building Repair & Maint					
	MEI TOTAL ELEVATOR SOLUTIONS	00001	974756	364007	5/7/2020	981.00
					Account Total	<u>981.00</u>
	Water/Sewer/Sanitation					
	Energy Cap Bill ID=10622	00001	974631	363693	4/20/2020	65.26
	Energy Cap Bill ID=10624	00001	974632	363693	4/20/2020	781.63
					Account Total	<u>846.89</u>
					Department Total	<u><u>1,827.89</u></u>

County of Adams
Vendor Payment Report

<u>1</u>	<u>General Fund</u>	<u>Fund</u>	<u>Voucher</u>	<u>Batch No</u>	<u>GL Date</u>	<u>Amount</u>
	Received not Vouchered Clrg					
	ADT COMMERCIAL LLC	00001	974808	364159	5/11/2020	150.00
	ADT COMMERCIAL LLC	00001	974809	364159	5/11/2020	150.00
	ADT COMMERCIAL LLC	00001	974810	364159	5/11/2020	180.00
	ADT COMMERCIAL LLC	00001	974811	364159	5/11/2020	150.00
	ADT COMMERCIAL LLC	00001	974812	364159	5/11/2020	150.00
	ADT COMMERCIAL LLC	00001	974813	364159	5/11/2020	150.00
	ADT COMMERCIAL LLC	00001	974814	364159	5/11/2020	150.00
	ADT COMMERCIAL LLC	00001	974815	364159	5/11/2020	150.00
	ADT COMMERCIAL LLC	00001	974816	364159	5/11/2020	150.00
	ADVANCED LAUNDRY SYSTEMS	00001	974807	364159	5/11/2020	602.39
	ALLIED UNIVERSAL SECURITY SERV	00001	974829	364159	5/11/2020	1,137.20
	ALLIED UNIVERSAL SECURITY SERV	00001	974829	364159	5/11/2020	2,714.87
	ALLIED UNIVERSAL SECURITY SERV	00001	974830	364159	5/11/2020	3,862.80
	ALSCO AMERICAN INDUSTRIAL	00001	974806	364159	5/11/2020	189.72
	ALTA LANGUAGE SERVICES INC	00001	974900	364159	5/11/2020	363.00
	ARCLOTHMASKS	00001	974985	364326	5/13/2020	6,925.00
	ARCLOTHMASKS	00001	974985	364326	5/13/2020	150.00
	CA SHORT COMPANY	00001	974905	364159	5/11/2020	3,000.00
	CA SHORT COMPANY	00001	974906	364159	5/11/2020	3,325.00
	CA SHORT COMPANY	00001	974907	364159	5/11/2020	508.70
	CLEARPOINT STRATEGY	00001	974851	364159	5/11/2020	16,640.00
	CML SECURITY LLC	00001	974849	364159	5/11/2020	13,902.50
	COMCAST BUSINESS	00001	974871	364159	5/11/2020	2,100.00
	COMMERCIAL CLEANING SYSTEMS	00001	974820	364159	5/11/2020	1,130.00
	COMMERCIAL CLEANING SYSTEMS	00001	974820	364159	5/11/2020	9,690.00
	COMMERCIAL CLEANING SYSTEMS	00001	974821	364159	5/11/2020	1,130.00
	COMMERCIAL CLEANING SYSTEMS	00001	974821	364159	5/11/2020	7,487.73
	COMMERCIAL CLEANING SYSTEMS	00001	974822	364159	5/11/2020	1,375.65
	COMMERCIAL CLEANING SYSTEMS	00001	974823	364159	5/11/2020	360.00
	CRESTLINE MEDICAL SUPPLY	00001	974977	364318	5/13/2020	15,000.00
	CRESTLINE MEDICAL SUPPLY	00001	974977	364318	5/13/2020	7,500.00
	DENOVO VENTURES LLC	00001	974973	364318	5/13/2020	2,530.00
	ELEMENTS	00001	974869	364159	5/11/2020	9,616.37
	GALLS LLC	00001	974831	364159	5/11/2020	251.09
	GALLS LLC	00001	974832	364159	5/11/2020	375.34

County of Adams
Vendor Payment Report

<u>1</u>	<u>General Fund</u>	<u>Fund</u>	<u>Voucher</u>	<u>Batch No</u>	<u>GL Date</u>	<u>Amount</u>
	GALLS LLC	00001	974833	364159	5/11/2020	388.95
	GALLS LLC	00001	974834	364159	5/11/2020	1,609.50
	GALLS LLC	00001	974835	364159	5/11/2020	168.50
	GALLS LLC	00001	974836	364159	5/11/2020	781.50
	GALLS LLC	00001	974837	364159	5/11/2020	1,112.91
	GALLS LLC	00001	974838	364159	5/11/2020	393.87
	GALLS LLC	00001	974839	364159	5/11/2020	13.49
	GALLS LLC	00001	974840	364159	5/11/2020	58.17
	GALLS LLC	00001	974841	364159	5/11/2020	132.30
	GALLS LLC	00001	974842	364159	5/11/2020	131.29
	GALLS LLC	00001	974843	364159	5/11/2020	244.00
	GALLS LLC	00001	974844	364159	5/11/2020	19.50
	GALLS LLC	00001	974845	364159	5/11/2020	65.99
	GALLS LLC	00001	974846	364159	5/11/2020	258.41
	GALLS LLC	00001	974847	364159	5/11/2020	62.40
	GOVERNOR'S OFFICE OF IT	00001	974817	364159	5/11/2020	2,237.22
	GRAY QUARTER INC	00001	974886	364159	5/11/2020	4,995.00
	GROWLING BEAR CO INC	00001	974827	364159	5/11/2020	9,831.58
	GROWLING BEAR CO INC	00001	974827	364159	5/11/2020	9,420.42
	INSIGHT PUBLIC SECTOR	00001	974850	364159	5/11/2020	31,432.50
	INSIGHT PUBLIC SECTOR	00001	974864	364159	5/11/2020	2,830.27
	INSIGHT PUBLIC SECTOR	00001	974864	364159	5/11/2020	2,830.27
	KD SERVICE GROUP	00001	974848	364159	5/11/2020	1,960.00
	KUMAR & ASSOCIATES INC	00001	974825	364159	5/11/2020	4,783.00
	OPENGOV INC	00001	974867	364159	5/11/2020	39,750.00
	PRO TECH COMPUTER SYSTEMS INC	00001	974868	364159	5/11/2020	114,875.75
	PROFESSIONAL PIPE SERVICES	00001	974887	364159	5/11/2020	9,469.16
	SPIEGEL INDUSTRIAL LLC	00001	975120	364521	5/15/2020	23,322.04
	STRATEGY WITH ROX	00001	974891	364159	5/11/2020	500.00
	VOICE PRODUCTS SERVICE LLC	00001	974856	364159	5/11/2020	4,740.00
	VOICE PRODUCTS SERVICE LLC	00001	974857	364159	5/11/2020	1,176.00
	WILBUR-ELLIS COMPANY LLC	00001	974865	364159	5/11/2020	3,872.50
	WOLD ARCHITECTS AND ENGINEERS	00001	974852	364159	5/11/2020	2,514.80
	ZAYO GROUP HOLDINGS INC	00001	974873	364159	5/11/2020	2,567.50
					Account Total	391,796.15
					Department Total	391,796.15

County of Adams
Vendor Payment Report

<u>5026</u>	<u>Golf Course- Maintenance</u>	<u>Fund</u>	<u>Voucher</u>	<u>Batch No</u>	<u>GL Date</u>	<u>Amount</u>
	Fuel, Gas & Oil					
	AGFINITY INC	00005	974601	363668	5/4/2020	301.67
	AGFINITY INC	00005	974602	363668	5/4/2020	735.80
					Account Total	1,037.47
	Gas & Electricity					
	XCEL ENERGY	00005	974613	363668	5/4/2020	532.21
					Account Total	532.21
	Grounds Maintenance					
	AGFINITY INC	00005	974599	363668	5/4/2020	273.50
	AGFINITY INC	00005	974600	363668	5/4/2020	450.00
	ALPINE ARBORISTS PRO TREE CARE	00005	974603	363668	5/4/2020	8,600.00
	BUFFALO BRAND SEED LLC	00005	974606	363668	5/4/2020	1,490.00
	C P S DISTRIBUTORS INC	00005	974608	363668	5/4/2020	561.89
	C P S DISTRIBUTORS INC	00005	974609	363668	5/4/2020	129.21
	C P S DISTRIBUTORS INC	00005	974610	363668	5/4/2020	60.68
	CEM LAKE MGMT	00005	974607	363668	5/4/2020	494.00
	ROCKY MTN PUMP & CONTROLS LLC	00005	974612	363668	5/4/2020	220.00
					Account Total	12,279.28
	Repair & Maint Supplies					
	ALSCO AMERICAN INDUSTRIAL	00005	974604	363668	5/4/2020	52.34
	ALSCO AMERICAN INDUSTRIAL	00005	974605	363668	5/4/2020	52.34
					Account Total	104.68
	Vehicle Parts & Supplies					
	DXP ENTERPRISES INC	00005	974611	363668	5/4/2020	112.40
					Account Total	112.40
					Department Total	14,066.04

County of Adams
Vendor Payment Report

<u>935120</u>	<u>HHS Grant</u>	<u>Fund</u>	<u>Voucher</u>	<u>Batch No</u>	<u>GL Date</u>	<u>Amount</u>
	Building Rental					
	COMMUNITY REACH CENTER FOUNDAT	00031	974614	363652	5/4/2020	6,515.84
					Account Total	6,515.84
	Education & Training					
	NETWORK	00031	974469	363652	5/4/2020	711.00
					Account Total	711.00
	Licenses and Fees					
	COLO DEPT OF HUMAN SERVICES	00031	974598	363652	5/4/2020	370.00
					Account Total	370.00
	Operating Supplies					
	L & N SUPPLY COMPANY INC	00031	974471	363652	5/4/2020	1,505.65
					Account Total	1,505.65
	Subscrip/Publications					
	NULINX INTERNATIONAL	00031	974474	363652	5/4/2020	795.00
					Account Total	795.00
	Telephone					
	CENTURY LINK	00031	974617	363652	5/4/2020	106.10
	CENTURY LINK	00031	974618	363652	5/4/2020	407.33
	CENTURY LINK	00031	974619	363652	5/4/2020	372.19
	CENTURYLINK	00031	974620	363652	5/4/2020	10.77
					Account Total	896.39
					Department Total	<u>10,793.88</u>

County of Adams
Vendor Payment Report

<u>8613</u>	<u>Insurance - UHC EPO Medical</u>	<u>Fund</u>	<u>Voucher</u>	<u>Batch No</u>	<u>GL Date</u>	<u>Amount</u>
	Claims					
	UNITED HEALTH CARE INSURANCE C	00019	974935	364181	5/11/2020	209,514.56
					Account Total	<u>209,514.56</u>
					Department Total	<u><u>209,514.56</u></u>

County of Adams
Vendor Payment Report

<u>19</u>	<u>Insurance Fund</u>	<u>Fund</u>	<u>Voucher</u>	<u>Batch No</u>	<u>GL Date</u>	<u>Amount</u>
	Received not Vouchered Clrg					
	COLO FRAME & SUSPENSION	00019	974902	364159	5/11/2020	1,295.40
	LOCKTON COMPANIES	00019	974897	364159	5/11/2020	10,000.00
					Account Total	11,295.40
					Department Total	11,295.40

County of Adams
Vendor Payment Report

<u>8617</u>	<u>Insurance- Workers Comp</u>	<u>Fund</u>	<u>Voucher</u>	<u>Batch No</u>	<u>GL Date</u>	<u>Amount</u>
	Workers Compensation					
	TRISTAR RISK MANAGEMENT	00019	974908	364164	5/11/2020	<u>61,201.92</u>
					Account Total	<u>61,201.92</u>
					Department Total	<u><u>61,201.92</u></u>

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Vendor Payment Report

<u>1058</u>	<u>IT Network/Telecom</u>	<u>Fund</u>	<u>Voucher</u>	<u>Batch No</u>	<u>GL Date</u>	<u>Amount</u>
	Other Professional Serv					
	COMMUNICATION CONSTRUCTION & E	00001	974721	363873	5/6/2020	2,500.00
					Account Total	2,500.00
	Telephone					
	CENTURY LINK	00001	974622	363682	5/4/2020	10.22
	TDS TELECOM	00001	974623	363682	5/4/2020	864.22
	WINDSTREAM COMMUNICATIONS	00001	974621	363682	5/4/2020	1,638.62
					Account Total	2,513.06
					Department Total	5,013.06

County of Adams
Vendor Payment Report

<u>6107</u>	<u>Open Space Projects</u>	<u>Fund</u>	<u>Voucher</u>	<u>Batch No</u>	<u>GL Date</u>	<u>Amount</u>
	Land					
	FIRST AMERICAN TITLE INSURANCE	00027	975109	364503	5/15/2020	100,000.00
					Account Total	<u>100,000.00</u>
					Department Total	<u><u>100,000.00</u></u>

County of Adams
Vendor Payment Report

<u>6202</u>	<u>Open Space Tax- Grants</u>	<u>Fund</u>	<u>Voucher</u>	<u>Batch No</u>	<u>GL Date</u>	<u>Amount</u>
	Grants to Other Instit					
	NORTHGLENN CITY OF	00028	974513	363656	5/4/2020	8,450.04
	NORTHGLENN CITY OF	00028	974655	363745	5/5/2020	2,839.50
	THORNTON CITY OF	00028	974967	364307	5/13/2020	1,774,371.47
					Account Total	<u>1,785,661.01</u>
					Department Total	<u><u>1,785,661.01</u></u>

County of Adams
Vendor Payment Report

<u>2061</u>	<u>PKS - Weed & Pest</u>	<u>Fund</u>	<u>Voucher</u>	<u>Batch No</u>	<u>GL Date</u>	<u>Amount</u>
	Other Communications					
	VERIZON WIRELESS	00001	974465	363650	5/4/2020	40.01
					Account Total	40.01
					Department Total	40.01

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Vendor Payment Report

<u>5010</u>	<u>PKS- Fair</u>	<u>Fund</u>	<u>Voucher</u>	<u>Batch No</u>	<u>GL Date</u>	<u>Amount</u>
	Operating Supplies					
	PRODUCTION SERVICES INTERNATIO	00001	974650	363737	5/5/2020	2,050.00
					Account Total	2,050.00
	Regional Park Concessions					
	CATANO MANUEL	00001	974488	363655	5/4/2020	750.00
					Account Total	750.00
	Regional Park Rentals					
	CASTILLO ERIKA	00001	974490	363655	5/4/2020	100.00
	CATANO MANUEL	00001	974487	363655	5/4/2020	1,865.00
	DEBRUYNE BETTY	00001	974491	363655	5/4/2020	100.00
	FOUNDATION LEARNING	00001	974492	363655	5/4/2020	900.00
	GLEIM ELAINE	00001	974919	364167	5/11/2020	100.00
	KEY SHEILA	00001	974494	363655	5/4/2020	100.00
	OSTROM CAROL	00001	974495	363655	5/4/2020	1,675.00
	PETERS ALICIA	00001	974496	363655	5/4/2020	100.00
	QUADE JOHN	00001	974499	363655	5/4/2020	300.00
	ROCKY MOUNTAIN SIBERIAN HUSKY	00001	974497	363655	5/4/2020	745.00
	SITE WISE	00001	974498	363655	5/4/2020	750.00
	VARELA BETTY JO	00001	974500	363655	5/4/2020	100.00
	YAGOW JASON	00001	974501	363655	5/4/2020	100.00
	YEVDOKIMOV EUGENE	00001	974502	363655	5/4/2020	1,400.00
					Account Total	8,335.00
	Sheriff Park Security Fees					
	CATANO MANUEL	00001	974489	363655	5/4/2020	846.00
					Account Total	846.00
					Department Total	<u>11,981.00</u>

County of Adams
Vendor Payment Report

<u>1089</u>	<u>PLN- Boards & Commissions</u>	<u>Fund</u>	<u>Voucher</u>	<u>Batch No</u>	<u>GL Date</u>	<u>Amount</u>
	Other Professional Serv					
	BEBO DANIEL JASON	00001	974745	363996	5/7/2020	65.00
	GRONQUIST CHRIS	00001	974746	363996	5/7/2020	65.00
	HAGGERTY BRIAN	00001	974743	363996	5/7/2020	65.00
	MCCREARY RAPHAEL	00001	974740	363996	5/7/2020	65.00
	TONSAGER DENNIS	00001	974742	363996	5/7/2020	65.00
	TRELOAR TARA A	00001	974744	363996	5/7/2020	65.00
	WOLFE SANDRA KAY	00001	974741	363996	5/7/2020	65.00
					Account Total	455.00
					Department Total	455.00

County of Adams
Vendor Payment Report

<u>13</u>	<u>Road & Bridge Fund</u>	<u>Fund</u>	<u>Voucher</u>	<u>Batch No</u>	<u>GL Date</u>	<u>Amount</u>
	Received not Vouchered Clrg					
	ALLIED RECYCLED AGGREGATES	00013	974863	364159	5/11/2020	11,107.08
	EP&A ENVIROTAC INC	00013	974853	364159	5/11/2020	16,570.18
	EP&A ENVIROTAC INC	00013	974854	364159	5/11/2020	16,570.18
	EP&A ENVIROTAC INC	00013	974855	364159	5/11/2020	16,570.18
	FIDELITY NATL TITLE INS CO	00013	974858	364159	5/11/2020	550.00
	FIDELITY NATL TITLE INS CO	00013	974859	364159	5/11/2020	550.00
	FIDELITY NATL TITLE INS CO	00013	974860	364159	5/11/2020	550.00
	FIDELITY NATL TITLE INS CO	00013	974861	364159	5/11/2020	550.00
	FIDELITY NATL TITLE INS CO	00013	974862	364159	5/11/2020	550.00
	GROUND ENGINEERING CONSULTANTS	00013	974920	364159	5/11/2020	1,377.00
	ROCKSOL CONSULTING GROUP INC	00013	974909	364159	5/11/2020	20,801.37
	ROCKSOL CONSULTING GROUP INC	00013	974872	364159	5/11/2020	1,273.85
	STANTEC CONSULTING CORPORATION	00013	974888	364159	5/11/2020	9,616.50
	STANTEC CONSULTING CORPORATION	00013	974889	364159	5/11/2020	12,121.00
	STANTEC CONSULTING CORPORATION	00013	974890	364159	5/11/2020	24,108.93
	ULTEIG ENGINEERS INC	00013	974910	364159	5/11/2020	7,594.87
	ULTEIG ENGINEERS INC	00013	974911	364159	5/11/2020	10,635.85
	ULTEIG ENGINEERS INC	00013	974912	364159	5/11/2020	6,506.19
	ULTEIG ENGINEERS INC	00013	974912	364159	5/11/2020	6,302.31
	ULTEIG ENGINEERS INC	00013	974913	364159	5/11/2020	10,316.13
					Account Total	174,221.62
					Department Total	174,221.62

County of Adams
Vendor Payment Report

<u>94</u>	<u>Sheriff Payables</u>	<u>Fund</u>	<u>Voucher</u>	<u>Batch No</u>	<u>GL Date</u>	<u>Amount</u>
	Brain Trust					
	COLO DEPT OF HUMAN SERVICES	00094	974628	363692	5/4/2020	1,035.00
	COLO DEPT OF HUMAN SERVICES	00094	974641	363692	5/4/2020	750.00
	COLO DEPT OF HUMAN SERVICES	00094	974642	363692	5/4/2020	1,170.00
					Account Total	2,955.00
	Family Friendly Fee					
	COLO JUDICIAL DEPT	00094	974646	363692	5/4/2020	111.00
	COLO JUDICIAL DEPT	00094	974647	363692	5/4/2020	104.00
	COLO JUDICIAL DEPT	00094	974648	363692	5/4/2020	115.00
					Account Total	330.00
	State Surcharge					
	CLERK OF THE COUNTY COURT	00094	974643	363692	5/4/2020	1,080.00
	CLERK OF THE COUNTY COURT	00094	974644	363692	5/4/2020	1,040.00
	CLERK OF THE COUNTY COURT	00094	974645	363692	5/4/2020	1,190.00
					Account Total	3,310.00
					Department Total	6,595.00

County of Adams
Vendor Payment Report

<u>4315</u>	<u>Space Port</u>	<u>Fund</u>	<u>Voucher</u>	<u>Batch No</u>	<u>GL Date</u>	<u>Amount</u>
	Membership Dues					
	JAPAN AMERICAN SOCIETY OF COLO	00043	974665	363753	5/20/2020	<u>5,000.00</u>
					Account Total	<u>5,000.00</u>
					Department Total	<u><u>5,000.00</u></u>

County of Adams
Vendor Payment Report

<u>3701</u>	<u>Stormwater Administration</u>	<u>Fund</u>	<u>Voucher</u>	<u>Batch No</u>	<u>GL Date</u>	<u>Amount</u>
	Membership Dues					
	BARR LAKE & MILTON RESERVOIR W	00007	974792	364028	5/8/2020	4,000.00
					Account Total	4,000.00
	Other Professional Serv					
	UTILITY NOTIFICATION CENTER OF	00007	974767	364028	5/7/2020	1,919.12
					Account Total	1,919.12
					Department Total	5,919.12

County of Adams
Vendor Payment Report

<u>4011</u>	<u>Tri County Health</u>	<u>Fund</u>	<u>Voucher</u>	<u>Batch No</u>	<u>GL Date</u>	<u>Amount</u>
	Grants to Other Instit					
	TRI-COUNTY HEALTH DEPT	00001	974766	364017	5/7/2020	629.16
					Account Total	<u>629.16</u>
					Department Total	<u><u>629.16</u></u>

County of Adams
Vendor Payment Report

<u>97800</u>	<u>Wagner-Peyser</u>	<u>Fund</u>	<u>Voucher</u>	<u>Batch No</u>	<u>GL Date</u>	<u>Amount</u>
	Other Communications					
	VERIZON WIRELESS	00035	974652	363739	5/5/2020	40.01
	VERIZON WIRELESS	00035	974653	363739	5/5/2020	40.01
					Account Total	80.02
					Department Total	80.02

County of Adams
Vendor Payment Report

<u>97803</u>	<u>Wagner-Peyser Migrant Seasonal</u>	<u>Fund</u>	<u>Voucher</u>	<u>Batch No</u>	<u>GL Date</u>	<u>Amount</u>
	Other Communications					
	VERIZON WIRELESS	00035	974652	363739	5/5/2020	52.89
	VERIZON WIRELESS	00035	974653	363739	5/5/2020	320.82
					Account Total	<u>373.71</u>
					Department Total	<u><u>373.71</u></u>

County of Adams
Vendor Payment Report

<u>25</u>	<u>Waste Management Fund</u>	<u>Fund</u>	<u>Voucher</u>	<u>Batch No</u>	<u>GL Date</u>	<u>Amount</u>
	Received not Vouchered Clrg					
	B & B ENVIRONMENTAL SAFETY INC	00025	974914	364159	5/11/2020	<u>4,640.22</u>
					Account Total	<u>4,640.22</u>
					Department Total	<u><u>4,640.22</u></u>

County of Adams
Vendor Payment Report

<u>99600</u>	<u>WBC Admin Pool</u>	<u>Fund</u>	<u>Voucher</u>	<u>Batch No</u>	<u>GL Date</u>	<u>Amount</u>
	Other Communications					
	VERIZON WIRELESS	00035	974653	363739	5/5/2020	317.78
	VERIZON WIRELESS	00035	974652	363739	5/5/2020	52.89
					Account Total	370.67
					Department Total	370.67

County of Adams
Vendor Payment Report

<u>99806</u>	<u>WIOA & Wag/Pey Shared Prog Cst</u>	<u>Fund</u>	<u>Voucher</u>	<u>Batch No</u>	<u>GL Date</u>	<u>Amount</u>
	Other Communications					
	VERIZON WIRELESS	00035	974652	363739	5/5/2020	52.89
	VERIZON WIRELESS	00035	974653	363739	5/5/2020	52.74
					Account Total	105.63
					Department Total	105.63

County of Adams
Vendor Payment Report

<u>97200</u>	<u>WIOA ADULT PROGRAM</u>	<u>Fund</u>	<u>Voucher</u>	<u>Batch No</u>	<u>GL Date</u>	<u>Amount</u>
	Clnt Trng-Tuition					
	NUAGE PARAMEDICAL ESTHETICS	00035	974654	363739	5/5/2020	<u>5,000.00</u>
					Account Total	<u>5,000.00</u>
					Department Total	<u><u>5,000.00</u></u>

County of Adams
Vendor Payment Report

<u>35</u>	<u>Workforce & Business Center</u>	<u>Fund</u>	<u>Voucher</u>	<u>Batch No</u>	<u>GL Date</u>	<u>Amount</u>
	Received not Vouchered Clrg					
	COMPUTER SYSTEMS DESIGN	00035	974818	364159	5/11/2020	4,800.00
					Account Total	<u>4,800.00</u>
					Department Total	<u><u>4,800.00</u></u>

County of Adams
Vendor Payment Report

<u>99807</u>	<u>Youth Shared Prgrm Direct Cost</u>	<u>Fund</u>	<u>Voucher</u>	<u>Batch No</u>	<u>GL Date</u>	<u>Amount</u>
	Other Communications					
	VERIZON WIRELESS	00035	974653	363739	5/5/2020	782.04
	VERIZON WIRELESS	00035	974652	363739	5/5/2020	317.34
					Account Total	<u>1,099.38</u>
					Department Total	<u><u>1,099.38</u></u>

County of Adams
Vendor Payment Report

Grand Total 3,857,453.09



**Board of County Commissioners
Minutes of Commissioners' Proceedings**

**Eva J. Henry - District #1
Charles "Chaz" Tedesco - District #2
Emma Pinter - District #3
Steve O'Dorisio - District #4
Mary Hodge - District #5**

**Tuesday
June 02, 2020
9:30 AM**

1. ROLL CALL

Present: 5 - Commissioner Henry, Commissioner Tedesco, Commissioner Pinter, Commissioner O'Dorisio, and Commissioner Hodge

2. PLEDGE OF ALLEGIANCE

3. MOTION TO APPROVE AGENDA

A motion was made by Commissioner Tedesco, seconded by Commissioner O'Dorisio, that this Agenda be approved. The motion carried by the following vote:

Aye: 5 - Commissioner Henry, Commissioner Tedesco, Commissioner Pinter, Commissioner O'Dorisio, and Commissioner Hodge

4. AWARDS AND PRESENTATIONS

5. PUBLIC COMMENT

A. Citizen Communication

B. Elected Officials' Communication

6. CONSENT CALENDAR

A motion was made by Commissioner Hodge, seconded by Commissioner Tedesco, that this Consent Calendar be approved. The motion carried by the following vote:

Aye: 5 - Commissioner Henry, Commissioner Tedesco, Commissioner Pinter, Commissioner O'Dorisio, and Commissioner Hodge

- A.** List of Expenditures Under the Dates of May 4-8, 2020
- B.** Minutes of the Commissioners' Proceedings from May 19, 2020
- C.** Resolution Accepting a Warranty Deed Conveying Property from Wayne P. Grosz and Debra M. Grosz to Adams County for Right-of-Way Purposes
(File approved by ELT)
- D.** Resolution Accepting a Warranty Deed Conveying Property from Kenneth H. Gantenbein to Adams County for Right-of-Way Purposes
(File approved by ELT)
- E.** Resolution Accepting a Warranty Deed Conveying Property from Roxanne Di Giacomo and Sylvester Di Giacomo to Adams County for Right-of-Way for Columbine Street
(File approved by ELT)
- F.** Resolution Accepting a Warranty Deed Conveying Property from New Concepts Realty Inc. to Adams County for Right-of-Way Purposes
(File approved by ELT)
- G.** Resolution Accepting a Warranty Deed Conveying Property from Steven J. Streeter and Sandra A. Streeter to Adams County for Right-of-Way Purposes
(File approved by ELT)
- H.** Resolution Accepting a Warranty Deed Conveying Property from Blanche I Meyer to Adams County for Right-of-Way Purposes
(File approved by ELT)
- I.** Resolution Accepting a Warranty Deed Conveying Property from Joe R. Freyta and Orinda M. Freyta to Adams County for Right-of-Way Purposes
(File approved by ELT)
- J.** Resolution Accepting a Warranty Deed Conveying Property from Frank P. Spratlen III, Individual and Sprat-Platte Ranch Co., a Colorado Limited Partnership to Adams County for Right-of-Way Purposes
(File approved by ELT)
- K.** Resolution Accepting a Warranty Deed Conveying Property from Dennis D. Cuypers and Connie M. Opperman to Adams County for Right-of-Way Purposes
(File approved by ELT)
- L.** Resolution Ratifying Right-of-Way Agreement between Adams County and Rafael Ortiz and Estela Zubia, for Property Necessary for the East 58th Avenue Improvements Project – East 58th Avenue from Clarkson Street to York Street
(File approved by ELT)

- M.** Resolution for Final Acceptance of the Public Improvements Constructed at the Park Central Development, (Case No's. PLN2018-00002, EGR2017-00037, EGR2017-00048, INF2018-00024, INF2018-00034, INF2018-00035, CSI2017-00011, CSI2018-00013)
(File approved by ELT)
- N.** Resolution for Final Acceptance of the Public Improvements Constructed at the Cavanaugh Hills Subdivision, Phase III, (Case No's. PRJ2003-00036, PRJ2004-00026, RCU2003-00039, PLT2003-00029, PUD2003-00024, PLT2018-00006, PLN2018-00009, EGR2017-00026, INF2018-00020, SUB2018-00006, SIA2019-00006)
(File approved by ELT)
- O.** Resolution Approving Quit Claim Deed from Adams County to the City of Aurora for Right-of-Way Purposes
(File approved by ELT)
- P.** Resolution Approving Contract Cost Amendment between Adams County and Adams 12 Five Start Schools to Provide Medicaid Application Processing Services
(File approved by ELT)
- Q.** Resolution Approving Contract Cost Amendment between Adams County and Aurora Public Schools to Provide Medicaid Application Processing Services
(File approved by ELT)
- R.** Resolution Approving Contract Cost Amendment between Adams County and North Metro Community Services, Inc. for Long Term Care and Medicaid Application Processing Services
(File approved by ELT)
- S.** Resolution Approving Contract Cost Amendment between Adams County and Stride Community Health Center to Provide Medicaid Application Processing Services
(File approved by ELT)
- T.** Resolution Approving Contract Cost Amendment between Adams County and Tri-County Health Department to Provide Medicaid Application Processing Services
(File approved by ELT)
- U.** Resolution Approving Contract Cost Amendment between Adams County and University of Colorado Hospital Authority to Provide Medicaid Application Processing Services
(File approved by ELT)

- V.** Resolution Approving Contract Cost Amendment between Adams County and Clinica Family Health to Provide Medicaid Application Processing Services
(File approved by ELT)

- W.** Resolution Approving Abatement Petitions and Authorizing the Refund of Taxes for Account Numbers R0104720, R0077751, R0046512, R0182594, O0000488, R0061065, R0041606, R0008549, R0041606, R0164303, R0001906, R0048736, R0124505, P0037498, R0024498, R0180881, R0137098, R0100819, P0037368, P0037367, and R0197184
(File approved by ELT)

- X.** Resolution Approving Precinct Changes - 2020
(File approved by ELT)

- Y.** Resolution Approving the Professional Service Agreement for Agricultural Services on the Flatrock Property with William D Packard
(File approved by ELT)

- Z.** Resolution Approving Criminal and Social Justice Manager Authority to Administer COVID-19 Supplemental Funds as Allocated by the State for Community Corrections
(File approved by ELT)

- AA.** Resolution Approving Right-of-Way Agreement between Adams County and Franklin Industrial Group, Ltd., for Property Necessary for the East 58th Avenue Improvements Project – East 58th Avenue from Clarkson Street to York Street
(File approved by ELT)

- AB.** Resolution Approving Intergovernmental Agreement between Adams County and the City/Town of Brighton Regarding Disbursement of Funds Pursuant to the Coronavirus Aid, Relief, and Economic Security Act
(File approved by ELT)

- AC.** Resolution Approving Intergovernmental Agreement between Adams County and the City/Town of Arvada Regarding Disbursement of Funds Pursuant to the Coronavirus Aid, Relief, and Economic Security Act
(File approved by ELT)

- AD.** Resolution Approving the Intergovernmental Agreement between Adams County and the City/Town of Commerce City Regarding Disbursement of Funds to the Coronavirus Aid, Relief, and Economic Security Act
(File approved by ELT)

- AE.** Resolution Approving the Intergovernmental Agreement between Adams County and the City/Town of Federal Heights Regarding Disbursement of Funds to the Coronavirus Aid, Relief, and Economic Security Act
(File approved by ELT)
- AF.** Resolution Approving the Intergovernmental Agreement between Adams County and the City/Town of Northglenn Regarding Disbursement of Funds to the Coronavirus Aid, Relief, and Economic Security Act
(File approved by ELT)
- AG.** Resolution Approving Right-of-Way Agreement between Adams County and Clark A. Ltd., for Property Necessary for the East 58th Avenue Improvements Project – East 58th Avenue from Clarkson Street to York Street
(File approved by ELT)
- AH.** Resolution Approving an Intergovernmental Agreement for the Provision of Law Enforcement and Administrative Records Support Services between Adams County and Brighton, Colorado
(File approved by ELT)
- AI.** Resolution Approving an Intergovernmental Agreement for the Provision of Law Enforcement and Administrative Records Support Services between Adams County and Commerce City Colorado
(File approved by ELT)
- AJ.** Resolution Approving an Intergovernmental Agreement for the Provision of Law Enforcement and Administrative Records Support Services between Adams County and Northglenn, Colorado
(File approved by ELT)

7. NEW BUSINESS

A. COUNTY MANAGER

- 1.** Resolution Authorizing Third Supplemental Appropriations to the 2020 Adams County Government Budget
(File approved by ELT)
A motion was made by Commissioner O'Dorisio, seconded by Commissioner Hodge, that this New Business be approved. The motion carried by the following vote:

Aye: 5 - Commissioner Henry, Commissioner Tedesco, Commissioner Pinter, Commissioner O'Dorisio, and Commissioner Hodge

2. Resolution Approving Amendment One to the Agreement between Adams County and CBRE Inc., for Commercial Brokerage Services
(File approved by ELT)
A motion was made by Commissioner O'Doriso, seconded by Commissioner Hodge, that this New Business be approved. The motion carried by the following vote:
Aye: 5 - Commissioner Henry, Commissioner Tedesco, Commissioner Pinter, Commissioner O'Doriso, and Commissioner Hodge
3. Resolution Approving Amendment One to the Agreement between Adams County and Bear Communications, Inc., dba BearCom for the Acquisition and Installation of Equipment for County Emergency Vehicles
(File approved by ELT)
A motion was made by Commissioner Tedesco, seconded by Commissioner O'Doriso, that this New Business be approved. The motion carried by the following vote:
Aye: 5 - Commissioner Henry, Commissioner Tedesco, Commissioner Pinter, Commissioner O'Doriso, and Commissioner Hodge
4. Resolution Approving Change Order Four for the Agreement between Adams County and Drexel, Barrell & Company
(File approved by ELT)
A motion was made by Commissioner Tedesco, seconded by Commissioner O'Doriso, that this New Business be approved. The motion carried by the following vote:
Aye: 5 - Commissioner Henry, Commissioner Tedesco, Commissioner Pinter, Commissioner O'Doriso, and Commissioner Hodge
5. Resolution Approving Change Order Four to the Agreement between Adams County and Taylor Kohrs, LLC, for the Leader Blade Station
(File approved by ELT)
A motion was made by Commissioner O'Doriso, seconded by Commissioner Hodge, that this New Business be approved. The motion carried by the following vote:
Aye: 5 - Commissioner Henry, Commissioner Tedesco, Commissioner Pinter, Commissioner O'Doriso, and Commissioner Hodge
6. Resolution Accepting a Proposal and Awarding an Agreement to Maple Star for Removal Prevention Services
(File approved by ELT)
A motion was made by Commissioner Henry, seconded by Commissioner Tedesco, that this New Business be approved. The motion carried by the following vote:

Aye: 5 - Commissioner Henry, Commissioner Tedesco, Commissioner Pinter, Commissioner O'Dorisio, and Commissioner Hodge

7. Resolution Approving an Agreement with YouthConnect d/b/a Colorado Boys Ranch (CBR) for Homebased Intervention Services

(File approved by ELT)

A motion was made by Commissioner O'Dorisio, seconded by Commissioner Hodge, that this New Business be approved. The motion carried by the following vote:

Aye: 5 - Commissioner Henry, Commissioner Tedesco, Commissioner Pinter, Commissioner O'Dorisio, and Commissioner Hodge

8. Resolution Approving an Agreement with Tri-County Health for Pregnancy Prevention Services

(File approved by ELT)

A motion was made by Commissioner O'Dorisio, seconded by Commissioner Tedesco, that this New Business be approved. The motion carried by the following vote:

Aye: 5 - Commissioner Henry, Commissioner Tedesco, Commissioner Pinter, Commissioner O'Dorisio, and Commissioner Hodge

9. Resolution Approving an Agreement between Adams County and Life Technologies Corporation to Provide Deoxyribonucleic Acid (DNA) Equipment and Validation System

(File approved by ELT)

A motion was made by Commissioner Tedesco, seconded by Commissioner Hodge, that this New Business be approved. The motion carried by the following vote:

Aye: 5 - Commissioner Henry, Commissioner Tedesco, Commissioner Pinter, Commissioner O'Dorisio, and Commissioner Hodge

10. Resolution Approving an Agreement between Adams County and Martin/Martin, Inc. for Professional Engineering Services for East 73rd Avenue: Race to Washington Street Improvement Project

(File approved by ELT)

A motion was made by Commissioner Hodge, seconded by Commissioner O'Dorisio, that this New Business be approved. The motion carried by the following vote:

Aye: 5 - Commissioner Henry, Commissioner Tedesco, Commissioner Pinter, Commissioner O'Dorisio, and Commissioner Hodge

B. COUNTY ATTORNEY

8. ADJOURNMENT

AND SUCH OTHER MATTERS OF PUBLIC BUSINESS WHICH MAY ARISE



PUBLIC HEARING AGENDA ITEM

DATE OF PUBLIC HEARING: 6/16/2020
SUBJECT: New Contract with InnovAge for Community Support Specialist
FROM: Katie Griego, Director
AGENCY/DEPARTMENT: Human Services Department
HEARD AT STUDY SESSION ON
AUTHORIZATION TO MOVE FORWARD: <input type="checkbox"/> YES <input type="checkbox"/> NO
RECOMMENDED ACTION: Approval from the Board of County Commissioners for the contract between the County of Adams, Colorado and InnovAge for a community support specialist.

BACKGROUND:

Adams County Human Services Department contracts with various medical providers to process medical assistance and Long Term Care applications on behalf of their clients. Adams County hires community support specialists (CSS) that can quickly process medical assistance and Long Term Care applications submitted by clients at these organizations.

Funding to pay for the salaries and benefits of the Adams County CSS who work on each of these contracts is as follows:

InnovAge will fund 13 percent (13%) of the salary and benefits for the Adams County CSS. The remaining eighty seven percent (87%) will be reimbursed with federal Medicaid and State funds. The supervisory costs are included in the cost of the agreement.

Adams County Human Services Department's recommendation is to approve this contract to enable timely processing of Adult Medicaid and Long Term Care applications. This contract will enhance the delivery of medical services to needy families in Adams County.

AGENCIES, DEPARTMENTS OR OTHER OFFICES INVOLVED:

Adams County Human Services Department

ATTACHED DOCUMENTS:

Resolution
 Contract between the Adams County Human Services Department and InnovAge

FISCAL IMPACT:

Please check if there is no fiscal impact . If there is fiscal impact, please fully complete the section below.

Fund: 15
Cost Center: 99915

	Object Account	Subledger	Amount
Current Budgeted Revenue:	99915.5755		\$50,239,790
Additional Revenue not included in Current Budget:			
Total Revenues:			<u>\$50,239,790</u>

Current Budgeted Operating Expenditure:	Various.7645		\$6,078,100
Add'l Operating Expenditure not included in Current Budget:			
Current Budgeted Capital Expenditure:			
Add'l Capital Expenditure not included in Current Budget:			
Total Expenditures:			<u>\$6,078,10</u>

New FTEs requested: **YES** **NO**

Future Amendment Needed: **YES** **NO**

Additional Note: An existing position within Community Support Services will be utilized to fill this position.

BOARD OF COUNTY COMMISSIONERS FOR
ADAMS COUNTY, STATE OF COLORADO

RESOLUTION APPROVING CONTRACT BETWEEN ADAMS COUNTY AND
INNOVAGE TO PROVIDE MEDICAID APPLICATION PROCESSING SERVICES

WHEREAS, InnovAge has requested to reimburse the Adams County Human Services Department (ACHSD) to employ one Community Support Specialist to process Adult Medicaid and Long Term Care applications; and,

WHEREAS, current satellite Community Support Specialist deployments have resulted in reducing the typical Adult Medicaid and Long Term Care application processing time frame from 45-60 days to 7-20 days, significantly improving client services, and facilitating cost savings; and,

WHEREAS, without a Community Support Specialist, InnovAge would have to send application forms to the Human Services Center in Westminster, which would delay Adult Medicaid and Long Term Care eligibility determination, provision of medical services to needy families, and timely payment for those services;

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners, County of Adams, State of Colorado, that the contract between Adams County and InnovAge to provide a community support specialist to process Adult Medicaid and Long Term Care applications at the InnovAge facility is approved.

BE IT FURTHER RESOLVED, that the Chair is authorized to execute said contract on behalf of Adams County.

**AGREEMENT BETWEEN THE COUNTY OF ADAMS, COLORADO AND
TOTAL COMMUNITY OPTIONS, INC. DBA INNOVAGE TO PROVIDE LONG
TERM CARE AND MEDICAID APPLICATION PROCESSING
AT TOTAL COMMUNITY OPTIONS, INC. DBA INNOVAGE FACILITY**

THIS AGREEMENT is made and entered into between the Adams County Human Services Department, hereinafter referred to as “ACHSD”, and **TOTAL COMMUNITY OPTIONS, INC. DBA INNOVAGE**, for itself and on behalf of its affiliated Colorado entities, collectively hereinafter referred to as “**INNOVAGE**”.

WITNESSETH:

WHEREAS, INNOVAGE accepts Adult Medicaid and Long Term Care applications each month from Adams County residents; and,

WHEREAS, currently **INNOVAGE** must transmit said applications to the respective county social/human services locations for processing; and,

WHEREAS, the need to convey application forms to county social/human services offices delays Medicaid and Long Term Care eligibility determination, provision of medical services to needy individuals and families, and timely payment for those services to **INNOVAGE**; and,

WHEREAS, INNOVAGE sometimes provides medical services to indigent patients prior to Medicaid eligibility determination, thus risking non-payment for those services if treated patients are later deemed ineligible; and,

WHEREAS, INNOVAGE is willing to pay Adams County’s costs of approximately thirteen percent (13%) of the salary and benefits including coverage and provide a working space, if applicable, and appropriate office equipment for a Community Support Specialist; and,

WHEREAS, Adams County has agreed to allow one Community Support Specialist, employed by Adams County, to process **INNOVAGE** Adult Medicaid and Long Term Care applications for **Adams County**.

NOW THEREFORE, FOR AND IN CONSIDERATION of the covenants and agreements below appearing, the parties agree as follows:

- A. Scope of Services. One full time Community Support Specialist employed by Adams County shall be assigned to work at the **INNOVAGE location** (if applicable). The Community Support Specialist shall be responsible for determining eligibility for Adult Medicaid and Long Term Care applicants, and for entering eligibility data into the Colorado Benefits Management System to complete the eligibility determination process. The Community

Support Specialist will process up to 40 applications per month, will also be responsible for assisting **INNOVAGE** staff with Medicaid eligibility issues as related to this agreement, including billing back dates as time allows. The Community Support Specialist for **INNOVAGE** will transfer completed processed cases to the respective county departments.

- B. ACHSD Responsibilities and Accountability. ACHSD shall be responsible for training and supervising the Community Support Specialist. ACHSD will oversee the specialist's work to ensure compliance with pertinent federal and state laws and regulations. ACHSD will conduct periodic case reviews to assess the timeliness and accuracy of Medicaid applications processed by the **INNOVAGE** Community Support Specialist. Further, ACHSD staff will facilitate any audits conducted of the specialist's work.

- C. Employment. The Community Support Specialist shall be an employee of ACHSD. The specialist shall be employed full-time (40 hours per week) by ACHSD. As such, the specialist will be subject to the policies, procedures, rules, regulations, directives, and orders of ACHSD. The Community Support Specialist shall comply with the policies **INNOVAGE** to the extent that such policies and regulations are not in conflict with those of the ACHSD or are not in conflict with agreements herein contained. If such conflict arises and the policy is material to the role of the Community Support Specialist, the parties shall meet to discuss and determine which policy shall govern. The Community Support Specialist shall be subject to the supervision of ACHSD, accountable to ACHSD, shall work between the hours of 7:00 a.m. and 5:30 p.m. Monday through Friday, and shall observe the same holidays as Adams County employees.

- D. INNOVAGE Financial Responsibility. Adams County's costs of approximately thirteen percent^[1] (13%) of the average salary costs, employer taxes, retirement contribution, health insurance, and other applicable benefits for the Community Support Specialist along with the supervisory and support functions in accordance with rates specified by ACHSD, shall be paid to ACHSD effective upon the start date of the Community Support Specialist. In addition, a proportionate share of the salary costs, health insurance, and other applicable benefits for the supervisory and support functions of the Community Support Specialist, shall be paid to ACHSD, effective the Community Support Specialist's start date and adjusted annually thereafter.

^[1] CMS has approved a waiver allowing ACHSD to charge ninety percent (90%) of these costs to Medicaid and the State of Colorado, for Medicaid eligibility processing with the remaining ten percent (10%) chargeable to the contracting entity. For activities which are not related to eligibility processing, only eighty percent (80%) of the costs can be charged to Medicaid and the State of Colorado with the remaining twenty percent (20%) chargeable to the contracting entity. The current average percentage that will be charged to the contracting entity was calculated at thirteen percent (13%) ACHSD. The monthly financial responsibility for the year 2020 is \$821.86 for the Community Support Specialist cost and \$138.68 for proportionate supervisory, coverage, and operational costs for a total of \$960.54. A cost amendment stating the new average cost of a Community Support Specialist and new average cost of the supervisory

salary and benefits and support functions will be sent to **INNOVAGE** within the 1st quarter of each year.

Notwithstanding the Term (Section J) of this Agreement, financial responsibility for payments owed by **INNOVAGE** for salary and related expenses shall not commence until the Community Support Specialist has been hired and has started work as an ACHSD employee. In the unlikely event that the Colorado Medicaid program ceases financial support for the Medicaid eligibility function, and if mutually agreed to, the full cost of the Community Support Specialist will be borne by **INNOVAGE** plus a proportionate share of the supervisor's salary and benefits.

ACHSD shall be responsible for the worker's compensation coverage for the Community Support Specialist and the Supervisor.

Payments will be made in monthly installments, for the total amount invoiced by ACDHS for all salary, benefits, supervisory, and additional costs, payable within forty-five (45) days of receipt of the invoice, hereunder beginning the first month the Community Support Specialist has started work at **INNOVAGE** facility. To ensure timely payment by **INNOVAGE**, ACHSD shall strive to submit all invoices to **INNOVAGE** within the first five (5) business days of the month.

INNOVAGE will be responsible for all costs associated with the Community Support Specialist's and Supervisor's parking at the **INNOVAGE** site (if applicable).

- E. Coverage for Long-Term Absences. ACHSD shall attempt to provide an on-site replacement staff for the **INNOVAGE** Community Support Specialist whenever the incumbent is absent for more than ten consecutive work days. In the event the Community Support Specialist will be absent for more than ten consecutive work days, **INNOVAGE** shall be notified as soon as possible in writing of the extended absence as well as receive a written plan for coverage, including identification of a replacement person, to ensure timely application processing until the Community Support Specialist returns.

For periods of absence less than ten consecutive work days, ACHSD shall assume responsibility for timely processing until the incumbent returns. Additionally, ACHSD shall provide a single point of contact in these instances.

- F. Workplace and Personal Computer Access **INNOVAGE** shall provide working space such as an office or cubicle (if applicable), office equipment and supplies, a desktop computer (if applicable), and a locking file cabinet for the Community Support Specialist. ACHSD, with the cooperation of the information technology staff of **INNOVAGE**, will establish and maintain connectivity to the Colorado Benefits Management System and other automated systems required by the Community Support Specialist.
- G. Community Support Specialist Qualifications and Selection. The **INNOVAGE** Community Support Specialist shall be selected by ACHSD in accordance with ACHSD Human Resources specified qualifications for this position.
- H. Liability Coverage. Pursuant to the Colorado Governmental Immunity Act, ACHSD agrees to be responsible for injuries or damages caused by or incurred by its respective public employees or agents arising from the performance of their duties and obligations under this Agreement, unless the act is willful and wanton or where sovereign immunity bars the action against the Parties. Nothing in this Agreement is intended to waive the provisions of the Colorado Governmental Immunity Act as it applies to ACHSD and its public employees. **INNOVAGE** agrees to be responsible for injuries caused by or incurred by the respective public employees or agents, or damages sustained from any act or omission of its employees or agents arising from the performance of their duties and obligations under this Agreement, unless the act of the public employee or agent is reckless, willful or wanton.
- I. Insurance. ACHSD and **INNOVAGE** shall exchange evidence of insurance showing general liability coverage for **INNOVAGE**, and general liability coverage of ACHSD in the minimum amount of the Colorado Governmental Immunity Act for protection from claims for bodily injury, death, property damage, or personal injury which may arise through the execution of this contract. Recipients of such evidence shall be the Adams County Risk Manager and **INNOVAGE** Vice President of Finance. Such evidence shall be approved by each recipient prior to commencement of this contract.
- J. Term. This agreement shall commence on May 1, 2020 for a term of eight (8) months ending on December, 31, 2020. The agreement shall be automatically renewed for successive one-year terms, unless either party gives sixty (60) days' prior written notice of termination. Additionally, this agreement may be terminated without cause by either ACHSD or **INNOVAGE** upon thirty (30) days written advance notice, and in the event of such termination, **INNOVAGE**'s monthly financial obligation shall cease for all subsequent months.
- K. Confidentiality. The Community Support Specialist shall comply with **INNOVAGE** confidentiality policies as well as all federal, state, and county

administrative rules, laws and regulations governing client confidentiality, subject only to statutory exceptions applicable to criminal investigations and proceedings. Nothing in this agreement shall constitute ACHSD becoming a HIPAA business associate with **INNOVAGE**.

- L. Evaluation Plan. ACHSD and **INNOVAGE** will evaluate the project on an annual basis. This will include goals and objectives, workload, performance measures, timelines, milestones, data collection procedures, and other elements agreed to by ACHSD and **INNOVAGE** for this ongoing evaluation. ACHSD will continue to compile monthly reports and statistics which are presented at Liaison and Stakeholder meetings or whenever requested by **INNOVAGE**.
- M. Contract Amendment. Amendment of this contract may be made only by written agreement and signed by all parties hereto.
- N. Electronic Disposition of Document (Scanning and Photocopies). The Parties hereto agree and stipulate that the original of this document, including the signature page, may be scanned and stored in a computer database or similar device, and that any printout or other output readable by sight, the reproduction of which is shown to accurately reproduce the original of this document, may be used for any purpose just as if it were the original, including proof of the content of the original writing.
- O. Immediate Termination for Cause. Should **INNOVAGE** become aware of any serious misconduct by the ACHSD employee such as policy violations or any act or omission that has an adverse impact on or causes damage to patients, staff, **INNOVAGE** reputation, property, **INNOVAGE** operations, **INNOVAGE** must immediately report such information to an ACHSD Superior and/or Management. ACHSD will investigate such allegations and take appropriate disciplinary action according to its policies and procedures, including terminating the employee if appropriate.
- P. Access to Records. ACHSD, for itself and for its agents and employees, agrees to provide to the Controller General of the United States or the Department of Health and Human Services (“HHS”), and their duly authorized representatives, upon written request, reasonable access to this Agreement, books, documents and records until the expiration of four (4) years after the Services are furnished under the Agreement for the purpose of evaluating the nature and extent or the costs and Services provided. ACHSD also agrees that if ACHSD subcontracts for any of the duties under this Agreement at a value or cost of Ten Thousand Dollars (\$10,000) or more over a twelve (12) month period, with a related organization, the subcontract shall contain a clause to the effect that the related organization must make available, upon written request, to HHS, the Controller General, or their duly authorized representatives, the subcontract, and the books, documents, and

records of the related organization that are necessary to verify the nature and extent of the costs until the expiration of four (4) years after the Services are furnished under the subcontract.

IN WITNESS WHEREOF, the parties hereto have caused their names to be affixed hereto.

BOARD OF COUNTY COMMISSIONERS
ADAMS COUNTY, COLORADO

Chair

Date

ATTEST:
STAN MARTIN
CLERK AND RECORDER

APPROVED AS TO FORM:

Adams County Attorney's
Office

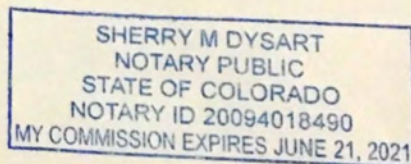
Deputy Clerk

CONTRACTOR:

Barbara K. Gutierrez
Name: Barbara Gutierrez
Title: Chief Financial Officer

Subscribed and sworn to before me this 29th day of April 2020, by
Barbara Gutierrez

Sherry M. Dysart
Notary Public



My commission expires: June 21, 2021



PUBLIC HEARING AGENDA ITEM

DATE OF PUBLIC HEARING: June 16, 2020
SUBJECT: Appointment of two members to the Deferred Compensation Plan (457 Plan) Advisory Committee
FROM: Alisha Reis, Deputy County Manager
AGENCY/DEPARTMENT: County Manager's Office
HEARD AT STUDY SESSION ON: N/A
AUTHORIZATION TO MOVE FORWARD: <input type="checkbox"/> YES <input type="checkbox"/> NO
RECOMMENDED ACTION: Board of County Commissioners approve the appointments.

BACKGROUND:

The Board of County Commissioners approved new Bylaws on Sept. 17, 2019, governing the Deferred Compensation Plan (also known as the 457 (b) Plan) Advisory Committee. The amended bylaws allowed for two additional members, in addition to three already serving (a designee of the County Manager, the Director of the People & Total Rewards Excellence Department and the Director of the Finance Department).

The Deferred Compensation Plan Advisory Committee voted to recommend for appointment, and County Manager Raymond Gonzales confirmed his support, for the following employees:

- Cindy Bero, Benefits Manager
- Pernell Olson, Senior Budget Analyst

Committee Bylaws require appointment by the Board of County Commissioners, on the recommendation of the County Manager.

AGENCIES, DEPARTMENTS OR OTHER OFFICES INVOLVED:

County Manager's Office
People & Total Rewards Excellence Department
Finance Department

ATTACHED DOCUMENTS:

Resolution

Revised 06/2016

FISCAL IMPACT:

Please check if there is no fiscal impact . If there is fiscal impact, please fully complete the section below.

Fund:
Cost Center:

	Object Account	Subledger	Amount
Current Budgeted Revenue:			
Additional Revenue not included in Current Budget:			
Total Revenues:			<hr/>

	Object Account	Subledger	Amount
Current Budgeted Operating Expenditure:			
Add'l Operating Expenditure not included in Current Budget:			
Current Budgeted Capital Expenditure:			
Add'l Capital Expenditure not included in Current Budget:			
Total Expenditures:			<hr/>

New FTEs requested: YES NO

Future Amendment Needed: YES NO

Additional Note:

**BOARD OF COUNTY COMMISSIONERS FOR
ADAMS COUNTY, STATE OF COLORADO**

**RESOLUTION APPOINTING CINDY BERO AND PERNELL OLSON TO THE
DEFERRED COMPENSATION PLAN (457 (b) PLAN) ADVISORY COMMITTEE**

WHEREAS, Adams County sponsors a deferred compensation plan, also known as a 457 (b) plan, for employees who choose to participate in it; and,

WHEREAS, in accordance with the adopted Deferred Compensation Plan Advisory Committee Bylaws (September 17, 2019), the Board wishes to appoint two additional members,

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners, County of Adams, State of Colorado, that Cindy Bero and Pernell Olson are hereby appointed to the Deferred Compensation Plan Advisory Committee.



PUBLIC HEARING AGENDA ITEM

DATE OF PUBLIC HEARING: 6-16-20
SUBJECT: Ambulance License Renewal
FROM: Brandan Slattery – License Administrator
AGENCY/DEPARTMENT: Community and Economic Development
HEARD AT STUDY SESSION ON: N/A
AUTHORIZATION TO MOVE FORWARD: <input type="checkbox"/> YES <input type="checkbox"/> NO
RECOMMENDED ACTION: That the Board of County Commissioners approves an ambulance license renewal for Thornton Fire Department.

BACKGROUND:

Through a Multi-County Ambulance Committee Intergovernmental Agreement, the Community and Economic Development Department is responsible for the licensing of all private ambulances in the county. The ambulance license for Thornton Fire Department is due for renewal. The application packet has been received and is deemed complete.

AGENCIES, DEPARTMENTS OR OTHER OFFICES INVOLVED:

Community and Economic Development

ATTACHED DOCUMENTS:

Please reference the attached Resolution and License for this ambulance agency.

FISCAL IMPACT:

Please check if there is no fiscal impact . If there is fiscal impact, please fully complete the section below.

Fund: 0001
Cost Center: 1190.5125

	Object Account	Subledger	Amount
Current Budgeted Revenue:	5125		\$6000
Additional Revenue not included in Current Budget:			
Total Revenues:	5125		<u>\$6000</u>

	Object Account	Subledger	Amount
Current Budgeted Operating Expenditure:			
Add'l Operating Expenditure not included in Current Budget:			
Current Budgeted Capital Expenditure:			
Add'l Capital Expenditure not included in Current Budget:			
Total Expenditures:			<u> </u>

New FTEs requested: YES NO

Future Amendment Needed: YES NO

Additional Note:

BOARD OF COUNTY COMMISSIONERS FOR
ADAMS COUNTY, STATE OF COLORADO

RESOLUTION APPROVING AMBULANCE SERVICE LICENSE FOR THORNTON
FIRE DEPARTMENT

WHEREAS, the General Assembly of the State of Colorado has enacted the Colorado Medical and Trauma Services Act, Section 25-3.5-101 et seq. C.R.S. (“Act”); and,

WHEREAS, the Act requires the Board of County Commissioners for each County to administer licensure of ambulance services; and,

WHEREAS, under the provisions of the Act, each ambulance operated by a licensed ambulance service in the State of Colorado must be issued a license and permit evidencing that the ambulance and its equipment meets applicable state requirements; and,

WHEREAS, Adams County has entered into an intergovernmental agreement with the City and County of Broomfield and the Counties of Arapahoe, Boulder, Douglas, Elbert, and Jefferson to establish a licensing program that provides for reciprocal inspection, licensing, and permitting that may be used by all parties, creating efficiency and cost saving to the parties and to the ambulance service providers; and,

WHEREAS, Thornton Fire Department, 9500 Civic Center Dr., Thornton, CO 80229, has applied for an Ambulance Service License through Adams County; and,

WHEREAS, Adams County has reviewed the inspection performed through the intergovernmental agreement and the application of Thornton Fire Department, and has found that the ambulances meet the standards set forth in the March 2011 Adams County Ambulance Services Regulations; and,

WHEREAS, Thornton Fire Department, has complied with all regulations set forth in the March 2011 Adams County Ambulance Services Regulations.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners, County of Adams, State of Colorado, that the Ambulance Service License for Thornton Fire Department, is hereby approved to provide ambulance services in the County of Adams.

BE IT FURTHER RESOLVED, that the Chair is authorized to sign said license on behalf of Adams County.

County of Adams, State of Colorado

No. ADCO 5/20

Licensing Fee: \$750

Ambulance Service License

This is to Certify, that **Thornton Fire Department, 9500 Civic Center Drive, Thornton, CO 80229**, having applied for a license to provide **Advanced Life Support** ambulance services, and having paid to the Treasurer of Adams County the required fees therefore, the above named applicant is hereby licensed to provide ambulance services within and without the County of Adams, State of Colorado, for one year from the **31ST of May 2020**, unless this license be sooner revoked or suspended as provided by law.

This license is subject to the laws of the State of Colorado, and the Resolutions of the Board of County Commissioners of the County of Adams, passed pursuant thereto.

In Testimony Whereof, the Board of County Commissioners of the County of Adams has hereunto subscribed its name by its officers duly authorized, this _____ day of _____, _____.

Board of County Commissioners of the County of Adams,
State of Colorado

Attest:

Chair

Clerk



PUBLIC HEARING AGENDA ITEM

DATE OF PUBLIC HEARING: 6-16-19
SUBJECT: Ambulance License Renewal
FROM: Brandan Slattery – License Administrator
AGENCY/DEPARTMENT: Community and Economic Development
HEARD AT STUDY SESSION ON: N/A
AUTHORIZATION TO MOVE FORWARD: <input type="checkbox"/> YES <input type="checkbox"/> NO
RECOMMENDED ACTION: That the Board of County Commissioners approves an ambulance license renewal for City of Westminster Fire Department.

BACKGROUND:

Through a Multi-County Ambulance Committee Intergovernmental Agreement, the Community and Economic Development Department is responsible for the licensing of all private ambulances in the county. The ambulance license for City of Westminster Fire Department is due for renewal. The application packet has been received and is deemed complete.

AGENCIES, DEPARTMENTS OR OTHER OFFICES INVOLVED:

Community and Economic Development

ATTACHED DOCUMENTS:

Please reference the attached Resolution and License for this ambulance agency.

FISCAL IMPACT:

Please check if there is no fiscal impact . If there is fiscal impact, please fully complete the section below.

Fund: 0001

Cost Center: 1190.5125

	Object Account	Subledger	Amount
Current Budgeted Revenue:	5125		\$6000
Additional Revenue not included in Current Budget:			
Total Revenues:	5125		<u>\$6000</u>

	Object Account	Subledger	Amount
Current Budgeted Operating Expenditure:			
Add'l Operating Expenditure not included in Current Budget:			
Current Budgeted Capital Expenditure:			
Add'l Capital Expenditure not included in Current Budget:			
Total Expenditures:			<u> </u>

New FTEs requested: YES NO

Future Amendment Needed: YES NO

Additional Note:

BOARD OF COUNTY COMMISSIONERS FOR
ADAMS COUNTY, STATE OF COLORADO

RESOLUTION APPROVING AMBULANCE SERVICE LICENSE FOR THE CITY
OF WESTMINSTER FIRE DEPARTMENT

WHEREAS, the General Assembly of the State of Colorado has enacted the Colorado Medical and Trauma Services Act, Section 25-3.5-101 et seq. C.R.S. (“Act”); and,

WHEREAS, the Act requires the Board of County Commissioners for each County to administer licensure of ambulance services; and,

WHEREAS, under the provisions of the Act, each ambulance operated by a licensed ambulance service in the State of Colorado must be issued a license and permit evidencing that the ambulance and its equipment meets applicable state requirements; and,

WHEREAS, Adams County has entered into an intergovernmental agreement with the City and County of Broomfield and the Counties of Arapahoe, Boulder, Douglas, Elbert, and Jefferson to establish a licensing program that provides for reciprocal inspection, licensing, and permitting that may be used by all parties, creating efficiency and cost saving to the parties and to the ambulance service providers; and,

WHEREAS, the City of Westminster Fire Department, 9110 Yates Street, Westminster, CO 80031, has applied for an Ambulance Service License through Adams County; and,

WHEREAS, Adams County has reviewed the inspection performed through the intergovernmental agreement and the application of the City of Westminster Fire Department, and has found that the ambulances meet the standards set forth in the March 2011 Adams County Ambulance Services Regulations; and,

WHEREAS, the City of Westminster Fire Department, has complied with all regulations set forth in the March 2011 Adams County Ambulance Services Regulations.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners, County of Adams, State of Colorado, that the Ambulance Service License for the City of Westminster Fire Department, is hereby approved to provide ambulance services in the County of Adams.

BE IT FURTHER RESOLVED, that the Chair is authorized to sign said license on behalf of Adams County.

County of Adams, State of Colorado

No. ADCO 06/20

Licensing Fee: \$1000

Ambulance Service License

This is to Certify, that **The City of Westminster Fire Department, 9110 Yates Street, Westminster, CO 80031,** having applied for a license to provide **Advanced Life Support** ambulance services, and having paid to the Treasurer of Adams County the required fees therefore, the above named applicant is hereby licensed to provide ambulance services within and without the County of Adams, State of Colorado, for one year from the **30th of June 2020**, unless this license be sooner revoked or suspended as provided by law.

This license is subject to the laws of the State of Colorado, and the Resolutions of the Board of County Commissioners of the County of Adams, passed pursuant thereto.

In Testimony Whereof, the Board of County Commissioners of the County of Adams has hereunto subscribed its name by its officers duly authorized, this _____ day of _____, _____.

**Board of County Commissioners of the County of Adams,
State of Colorado**

Attest:

Chair

Clerk



PUBLIC HEARING AGENDA ITEM

DATE OF PUBLIC HEARING: June 16, 2020
SUBJECT: Resolution approving right-of-way agreement between Adams County and Rosalia Martinez for property necessary for the 2019 Miscellaneous Concrete and ADA Ramps Project
FROM: Kristin Sullivan, AICP, Director of Public Works Brian Staley, P.E., PTOE, Deputy Director of Public Works
AGENCY/DEPARTMENT: Public Works
HEARD AT STUDY SESSION ON: N/A
AUTHORIZATION TO MOVE FORWARD: <input type="checkbox"/> YES <input type="checkbox"/> NO
RECOMMENDED ACTION: That the Board of County Commissioners approves the right-of-way agreement for acquisition of property needed for road right-of-way.

BACKGROUND:

Adams County is in the process of acquiring right-of-way along the Broadway Street-Conifer Road corridor from U.S. Highway 36 to 84th Avenue for the 2019 Miscellaneous Concrete and ADA Ramps Project. The intention of this Project is to identify and improve the overall mobility and accessibility of maturing neighborhoods with ADA accessibility connectivity including ADA-compliant sidewalks and the addition of ADA pedestrian ramps. Attached is a copy of the right-of-way agreement between Adams County and Rosalia Martinez for acquisition of road right-of-way for \$650.00. The attached resolution allows the County to acquire ownership of the needed property for the use of the public and provide the necessary documents to close on the property.

AGENCIES, DEPARTMENTS OR OTHER OFFICES INVOLVED:

Adams County Public Works, Office of the County Attorney and Adams County Board of County Commissioners.

ATTACHED DOCUMENTS:

Draft resolution
Right-of-way agreement

FISCAL IMPACT:

Please check if there is no fiscal impact . If there is fiscal impact, please fully complete the section below.

Fund: 13
Cost Center: 3058

	Object Account	Subledger	Amount
Current Budgeted Revenue:			
Additional Revenue not included in Current Budget:			
Total Revenues:			<u> </u>

	Object Account	Subledger	Amount
Current Budgeted Operating Expenditure:	7820		\$1,000,000
Add'l Operating Expenditure not included in Current Budget:			
Current Budgeted Capital Expenditure:			
Add'l Capital Expenditure not included in Current Budget:			
Total Expenditures:			<u>\$1,000,000</u>

New FTEs requested: YES NO

Future Amendment Needed: YES NO

Additional Note:

BOARD OF COUNTY COMMISSIONERS FOR
ADAMS COUNTY, STATE OF COLORADO

RESOLUTION APPROVING RIGHT-OF-WAY AGREEMENT
BETWEEN ADAMS COUNTY AND ROSALIA MARTINEZ
FOR PROPERTY NECESSARY FOR
THE 2019 MISCELLANEOUS CONCRETE AND ADA RAMPS PROJECT

WHEREAS, Adams County is in the process of acquiring right-of-way along Broadway Street-Conifer Road corridor from U.S. Highway 36 to 84th Avenue for the 2019 Miscellaneous Concrete and ADA Ramps Project (“Project”); and,

WHEREAS, the intention of this Project is to identify and improve the overall mobility and accessibility of maturing neighborhoods with ADA accessibility connectivity including ADA-compliant sidewalks and the addition of ADA pedestrian ramps where absent; and,

WHEREAS, this right-of-way acquisition is a portion of 381 West 83rd Avenue located in the Southwest Quarter of Section 27, Township 2 South, Range 68 West of the 6th Principal Meridian, County of Adams, State of Colorado, and owned by Rosalia Martinez (“Parcel 2”); and,

WHEREAS, Adams County requires ownership of Parcel 2 for construction of the Improvements; and,

WHEREAS, Rosalia Martinez is willing to sell Parcel 2 to Adams County under the terms and conditions of the attached Right-of-Way Agreement.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners, County of Adams, State of Colorado, that the attached Right-of-Way Agreement between Adams County and Rosalia Martinez, a copy of which is attached hereto and incorporated herein by this reference, be and hereby is approved.

BE IT FURTHER RESOLVED that the Chair of the Board of County Commissioners is hereby authorized to execute said Right-of-Way Agreement on behalf of Adams County.

Right-of-Way Agreement

This Agreement is made and entered into by and between **Rosalia Martinez** whose address is **381 West 83rd Avenue, Denver, CO 80221** (“Owner”), and the County of Adams, State of Colorado, a body politic, who address is 4430 South Adams County Parkway, Brighton, Colorado, 80601 (“County”) for the conveyance of rights-of-way on property located at **381 West 83rd Avenue, Denver, CO 80221** hereinafter (the “Property”) for the 2019 Miscellaneous Concrete and ADA Ramps Project (the “Project”). The legal description and conveyance documents for the interests on said Property are set forth in Exhibit A attached hereto and incorporated herein by this reference.

The compensation agreed to by the Owner and the County for the acquisition of the Property interests described herein is **SIX HUNDRED FIFTY AND NO/100 DOLLARS (\$650.00)**, including the performance of the terms of this Agreement, the sufficiency of which is hereby acknowledged. The parties further agree that the consideration shall consist of \$600.00 for the acquisition of road right-of-way, and \$50.00 for landscaping rock. This consideration has been agreed upon and between the parties as the total just compensation due to the Owner and the consideration shall be given and accepted in full satisfaction of this Agreement.

In consideration of the above premises and the mutual promise and covenants below, the Owner and the County agree to the following:

1. The Owner hereby warrants that the Owner is the sole Owner of the Property, that the Owner owns the Property in fee simple subject only to matters of record and that the Owner has the power to enter into this Agreement.
2. The Owner agrees to execute and deliver to the County the attached conveyance documents on the property upon tender by the County of a warrant (check) for the compensation agreed upon as soon as possible following the execution of this agreement.
3. Owner hereby irrevocably grants to the County possession and use of the property interests on the Property upon execution of this Agreement by the Owner and the County. This grant of possession shall remain in effect with respect to the Property until such time as the County obtains from the Owner the attached conveyance documents.
4. The County through its contractor shall assure that reasonable access shall be maintained to the Owner’s property at all times for ingress and egress. If necessary, any full closure of access shall be coordinated between the contractor and the Owner and/or its agent.
5. The County will remove approximately 50 square feet landscaping rock. But the County has agreed to reimburse the owner the expense of the lost lawn/sod, and landscaping rock and made a part of this Agreement.

6. The Owner has entered into this Agreement acknowledging that the County has the power of eminent domain and required the Property for a public purpose.
7. If the Owner fails to consummate this agreement for any reason, except the County's default, the County may at its option, enforce this agreement by bringing an action against the Owner for specific performance.
8. This Agreement contains all agreements, understandings and promises between the Owner and the County, relating to the Project and shall be deemed a contract binding upon the Owner and County and extending to the successors, heirs and assigns.
9. Owner shall be responsible for reporting proceeds of the sale to taxing authorities, including the submittal of Form 1099-S with the Internal Revenue Service, if applicable.
10. This Agreement has been entered into in the State of Colorado and shall be governed according to the laws thereof.

Owner:

By:


Rosalia Martinez

Date:

March - 9 - 2020

Approved:

BOARD OF COUNTY COMMISSIONERS-COUNTY OF ADAMS, STATE OF COLORADO

Chair

Date

Approved as to Form:

County Attorney

QUITCLAIM DEED

THIS DEED, made this ____ day of _____, 2020, between **ROSALIA MARTINEZ**, whose legal address is 381 West 83rd Avenue, Denver, CO 80221 grantor, and the **County of Adams, State of Colorado**, grantee, whose legal address is 4430 South Adams County Parkway, Brighton, Colorado 80601.

WITNESS, that the grantor, for and in consideration of the sum of **SIX HUNDRED FIFTY AND NO/100 DOLLARS (\$650.00)**, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, has remised, released, sold and QUITCLAIMED, and by these presents does remise, release, sell and QUITCLAIM unto the grantee, its successors and assigns forever, all the right, title, interest, claim and demand which the grantor has in and to the real property, together with improvements, if any, situate, lying and being in the said County of Adams and State of Colorado, described as follows:

Legal description as set forth is Exhibit "A" attached hereto and incorporated herein by this reference.

Also known by street and number as: 381 West 83rd Avenue
Assessor's schedule or parcel numbers: part of **0171927303005**

TOGETHER with all and singular the hereditaments and appurtenances thereto belonging, or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all the estate, right, title, interest, claim and demand whatsoever of the grantor(s), either in law or equity, of, in and to the above bargained premises, with the hereditaments and appurtenances;

TO HAVE AND TO HOLD the same, together with all and singular the appurtenances and privileges thereunto belonging, or in anywise thereunto appertaining, and all the estate, right, title, interest and claim whatsoever of the grantor, either in law or equity, to the only proper use, benefit and behoove of the grantee, its successors and assigns forever.

The singular number shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

IN WITNESS WHEREOF, the grantor has executed this deed on the date set forth above.

BY: _____
Rosalia Martinez

STATE OF COLORADO)
) §
County of Adams)

The foregoing instrument was acknowledged before me this ____ day of _____, 2020, by Rosalia Martinez.

Witness my hand and official seal.

My commission expires:

Notary Public

EXHIBIT "A"

**DEED FROM ROSALIA MARTINEZ
TO
THE COUNTY OF ADAMS, STATE OF COLORADO**

Legal Description

A parcel of land being a portion of Lot 5 Block 4 of the SHERRELWOOD ESTATES FILING NO. 7, a Subdivision recorded on February 24, 1960 in File No. 10 Map 352 Reception No. 602722 in the Office of the Clerk and Recorder of Adams County, Colorado, located in the Southwest Quarter of Section 27, Township 2 South, Range 68 West of the 6th Principal Meridian, being more particularly described as follows:

Beginning at the Southwesterly Corner of said Lot 5, thence North 00°18'16" West, along the Westerly line of said Lot 5, a distance of 10.00 feet;

Thence leaving said Westerly line, South 45°18'16" East, a distance of 14.14 feet to a point on the Southerly line of said Lot 5;

Thence South 89°41'44" West, along the Southerly line of said Lot 5, a distance of 10.00 feet to the Point of Beginning.

Containing: 50 square feet, more or less.

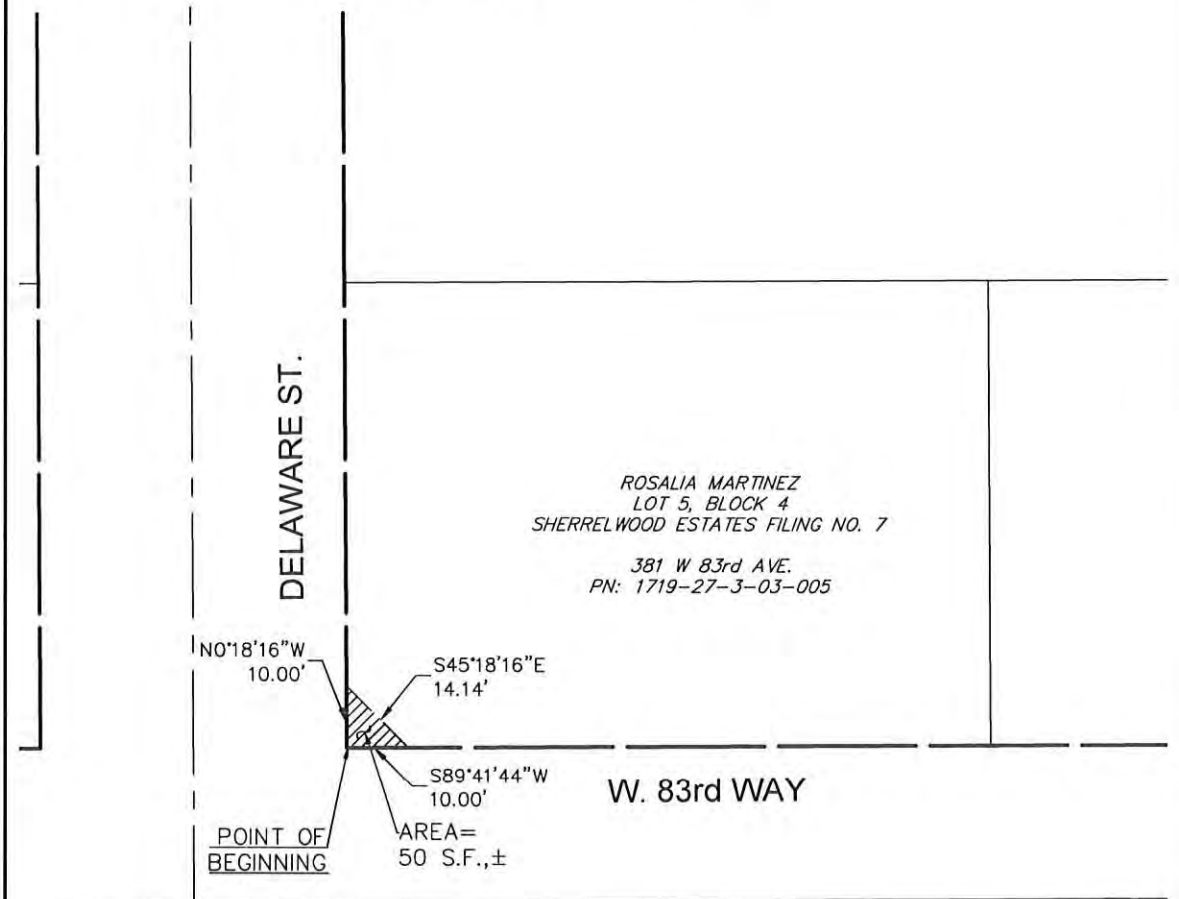
Legal description prepared by:

Ian Cortez, PLS
Colorado Professional
Land Surveyor No. 32822
For and on behalf of:
Adams County, Colorado

Exhibit "B" attached and hereby made a part thereof.



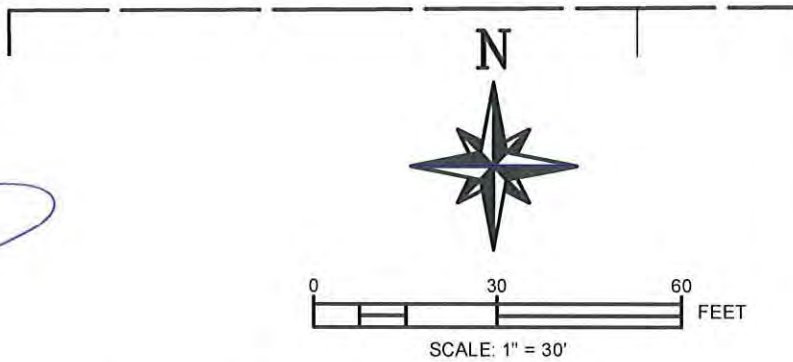
EXHIBIT "B"



Ian Cortez



ADAMS COUNTY
COLORADO



THIS EXHIBIT IS NOT A BOUNDARY SURVEY AND SHOULD NOT BE USED AS SUCH. IT IS INTENDED ONLY TO DEPICT THE ATTACHED LEGAL DESCRIPTION.



PUBLIC HEARING AGENDA ITEM

DATE OF PUBLIC HEARING: June 16, 2020
SUBJECT: Major Subdivision, Final Plat for Shook Filing No. 3
FROM: Jill Jennings Golich, Community and Economic Development Director
AGENCY/DEPARTMENT: Community & Economic Development Department
HEARD AT STUDY SESSION ON: N/A
AUTHORIZATION TO MOVE FORWARD: <input type="checkbox"/> YES <input type="checkbox"/> NO
RECOMMENDED ACTION: That the Board of County Commissioners approves the Shook Subdivision, Filing No. 3 final plat with 7 findings-of-fact and 1 note.

Background

The subject request is to create a Final Plat for Filing 3 to create 13 lots on 22.37 acres. The Final Development Plan (FDP) Amendment, approved on December 4, 2018, added acreage to the Shook FDP and identified a maximum of 32 residential lots on 46.5 acres. On February 4, 2020, the BoCC heard the Preliminary Plat requests and voted to approve the requests with three conditions and two notes. The two Final Plats proposed with this application are the final step to culminating the Shook Filings 3 and 4 and the FDP Amendment. The Shook FDP requires each lot to be a minimum of one (1) acre and defaulting to the requirements of a Residential Estate (R-E) zone district if items are not explicit in the FDP.

AGENCIES, DEPARTMENTS OR OTHER OFFICES INVOLVED:

None

ATTACHED DOCUMENTS:

- BOCC staff report and packet
- Resolution approving application in case PLT2020-00021

FISCAL IMPACT:

Please check if there is no fiscal impact . If there is fiscal impact, please fully complete the section below.

Fund:
Cost Center:

	Object Account	Subledger	Amount
Current Budgeted Revenue:			
Additional Revenue not included in Current Budget:			
Total Revenues:			

	Object Account	Subledger	Amount
Current Budgeted Operating Expenditure:			
Add'l Operating Expenditure not included in Current Budget:			
Current Budgeted Capital Expenditure:			
Add'l Capital Expenditure not included in Current Budget:			
Total Expenditures:			

New FTEs requested: YES NO

Future Amendment Needed: YES NO

Additional Note:

**RESOLUTION APPROVING APPLICATION IN CASE #PLT2020-00021 SHOOK
SUBDIVISION FILING NUMBER 3 FINAL PLAT**

WHEREAS, this case involved a Request for Final Plat to create 13 lots on 22.37 acres on the following described property:

APPROXIMATE LOCATION: Parcel # 0157103400001

LEGAL DESCRIPTION:

LOCATED IN THE SOUTHEAST ¼ OF SECTION 3, TOWNSHIP 1 SOUTH, RANGE 67 WEST OF THE 6TH P.M, COUNTY OF ADAMS, STATE OF COLORADO

SECT,TWN,RNG:3-1-67 DESC: PARC A-1 PT OF THE N2 OF THE SE4 OF SEC 3 DESC AS FOLS BEG AT THE NW COR OF THE NE4 OF SD SEC 3 TH N 89D 34M 25S E 422/14 FT TH S 00D 30M 59S E 2384/12 FT TH N 89D 39M 59S E 100 FT TO THE TRUE POB TH S 82D 54M 03S E 610/38 FT TH S 79D 10M 19S E 701/23 FT TH S 75D 13M 06S E 171/08 FT TH S 00D 40M 10S E 1082/69 FT TH S 89D 35M 44S W 1985/04 FT TH N 00D 30M 59S W 200/52 FT TH S 77D 05M 57S E 220/03 FT TH S 86D 03M 09S E 256/87 FT TH N 86D 11M 56S E 133/20 FT TH N 12D 00M 10S W 318/38 FT TH N 73D 44M 55S W 500/99 FT TH N 00D 30M 59S W 440/47 FT TH N 89D 29M 01S E 462/14 FT TH N 00D 30M 59S W 287/50 FT TO THE TRUE POB 48/03A

WHEREAS, the Board of County Commissioners held a public hearing on the application on the 16th day of June, 2020; and,

WHEREAS, substantial testimony was presented by members of the public and the applicant.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners, County of Adams, State of Colorado, that based upon the evidence presented at the hearing, the application in this case is hereby APPROVED based upon the following findings-of-fact and one note:

Findings-Of-Fact

1. The final plat is consistent and conforms to the approved preliminary plat.
2. The final plat is in conformance with the subdivision design standards.
3. The applicant has provided evidence that a sufficient water supply has been acquired in terms of quantity, quality, and dependability for the type of subdivision proposed, as determined in accordance with the standards set forth in the water supply standards.
4. The applicant has provided evidence that a public sewage disposal system has been established and, if other methods of sewage disposal are proposed, adequate evidence indicating that the system complies with state and local laws and regulations.
5. The applicant has provided evidence to show all areas of the proposed subdivision, which may involve soil or topographical conditions presenting hazards or requiring special precautions, have been identified by the applicant and the proposed uses of these areas are compatible with such conditions.
6. The proposed or constructed drainage improvements are adequate and comply with these standards and regulations.

7. Adequate public facilities or infrastructure, or cash-in-lieu, for impacts reasonably related to the proposed subdivision have been constructed or financially guaranteed through cash-in-lieu or a subdivision improvements agreement so the proposed subdivision will not negatively impact the levels of service of the County.

Note to the Applicant:

1. The applicant shall adhere to all fire, animal, health, zoning and building codes.



**COMMUNITY AND ECONOMIC DEVELOPMENT
DEPARTMENT**

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CASE NAME: Shook 3 & 4 Final Plats and SIAs

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- 3.1 Applicant Written Explanation
- 3.2 Filing 3 Final Plat
- 3.3 Filing 4 Final Plat
- 3.4 Subdivision Improvements Agreement Filing 3
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- 4.2 Brighton Fire
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- 6.1 Request for Comments
- 6.2 Property Owner and Occupant Labels
- 6.3 Referral Labels

Board of County Commissioners

June 16, 2020

CASE No.: PRC2020-00007	CASE NAME: Shook 3 and 4 Final Plats and SIAs
Owner's Information:	Sec. 2-3 Phoenix LLC
Applicant's Name:	JR Osborne c/o C3 Construction
Applicant's Address:	9200 East Mineral Avenue, #365, Centennial, CO 80112
Location of Request:	Parcel # 0157103400001
Nature of Request:	1) Final Plat for Filing 3 to create 13 lots on 22.37 acres; 2) Final Plat for Filing 4 to create 11 lots on 23.16 acres and 3) SIAs associated with each Filing
Zone District:	Planned Unit Development (PUD)
Site Size:	46.5 acres
Proposed Uses:	Residential
Existing Use:	Vacant
Hearing Date(s):	BOCC: June 16, 2020
Report Date:	May 26, 2020
Case Manager:	Libby Tart
Staff Recommendation:	APPROVAL with 7 Findings-of-Fact and One Note per each Final Plat

SUMMARY OF PREVIOUS APPLICATIONS

On March 6, 2002, the Board of County Commissioners (BoCC) approved a Preliminary Development Plan (PDP) for the Todd Creek Village Development. This PDP allowed for a mixed-use development with a maximum of 3,255 dwelling units including residential estate, single-family detached, and single-family attached units, neighborhood commercial uses, and associated open space.

On May 9, 2005, the BoCC approved a preliminary plat to create 32 residential estate lots on approximately 53 acres (Todd Creek Village Shook). The final plat was approved on February 27, 2006.

On March 13, 2006, the BoCC approved a final development plan for the Todd Creek Shook Development including a minimum one-acre lot size requirement for residential development and 13.5 acres of open space.

On December 4, 2018, the BoCC approved a major amendment to the Shook Final Development Plan (FDP) to add 46.5 acres to the development boundaries, add 32 residential lots, and replat two existing subdivision filings (Shook 1 and 2) to realign roadways to connect to the future filings.

Two Subdivision Improvement Agreements (SIAs) for Filings 1 and 2 were also approved in the public hearing by the BoCC.

On February 4, 2020, The BoCC approved a request for the Shook Filings 3 and 4 Preliminary Plats. Three conditions and two notes were approved and stated the following:

- Condition 1: The applicant shall provide proof of irrigation water supply and services in compliance with Section 5-04-05-06-04 of the Adams County Development Standards and Regulations prior to the Board of County Commissioners hearing on the Final Plat.
- Condition 2: A Subdivision Improvements Agreement (SIA) shall be submitted with the final plat application.
- Condition 3: A public land dedication fee for parks and schools shall be paid to Adams County prior to or with the final plat submittal. This fee shall be determined by the current fee structure specified in Section 5-05 of the Adams County Development Standards and Regulations.
- Note 1: The applicant shall adhere to all fire, animal, health, zoning, and building codes.
- Note 2: The Signal Ditch has been vacated and the vacation shall be shown on the final plat.

The applicant has satisfied all the conditions and notes prior to this Final Plat and SIA hearing.

SUMMARY OF APPLICATION

Background

The subject request is to create two Final Plats – one for Filing 3 to create 13 lots on 22.37 acres and one for Filing 4 to create 11 lots on 23.16 acres. The Final Development Plan (FDP) Amendment, approved on December 4, 2018, added acreage to the Shook FDP and identified a maximum of 32 residential lots on 46.5 acres. On February 4, 2020, the BoCC heard the Preliminary Plat requests and voted to approve the requests with three conditions and two notes. The two Final Plats proposed with this application are the final step to culminating the Shook Filings 3 and 4 and the FDP Amendment. The Shook FDP requires each lot to be a minimum of one (1) acre and defaulting to the requirements of a Residential Estate (R-E) zone district if items are not explicit in the FDP.

Development Standards and Regulations:

Major Subdivision (Final Plat):

Per Section 2-02-17-04 of the County's Development Standards and Regulations, the applicant is requesting two Major Subdivisions (Final Plats) for the proposed single-family detached development. Currently, the site consists of 46.5 acres and is vacant. The applicant's proposal will create 24 lots and four (4) outlots (one outlot for Filing 3, three outlots for Filing 4). The outlots are reserved for landscaping, open space, and one existing oil and gas lot (Outlot B in Filing 4). Streets, rights-of-way, and easements are also proposed throughout the Final Plats and connect into the existing Shook Filings 1 and 2 to the south and west of this application. All proposed lots conform to the minimum lot size requirement of one acre for the PUD.

It is staff's determination the Final Subdivision Plats conform to the Development Standards and Regulations outlined in Section 2-02-19-04-05 of the County's Development Standards and the goals of the Comprehensive Plan.

Following the Preliminary Plat hearings, the applicant submitted their potable (residential needs) and non-potable (irrigation needs) water plan to the Division of Water Resources (DWR). The DWR provided a response on March 31, 2020 (See Exhibit 3.6), indicating that the Todd Creek Metro District's supply of municipal surface rights combined with the District's Denver Basin water "is sufficient to meet the potable resident and commercial demands of the existing District's commitments, including the Shook Subdivision Filings 3 and 4. They also state, "the applicant has adequate junior water to meet its annual irrigation (non-potable) demand, as long as the junior water rights continue to be available in-priority consistent with the Applicant's historical availability analysis". The State Engineer's Office Opinion is that the proposed water supply for residential, commercial and irrigation uses is adequate.

Sewer facilities will be provided in the form of septic systems on each lot. In addition, the overall density of development conforms to the zone district density allowances, as specified in the FDP. Finally, the proposed subdivision is compatible with the surrounding area, harmonious with the character of the neighborhood, not detrimental to the immediate area, not detrimental to the future development of the area, and not detrimental to the health, safety, or welfare of the inhabitants of the area and the County.

All proposed drainage facilities have been reviewed and approved by the County's Development Services Engineering staff. Per the request of the BoCC from February 4, 2020, a drainage swale was inspected by a third party, Mile High Flood Control (District), to ensure it was designed and built correctly. Mile High indicated that the swale was designed correctly and flows to the north based on the design. The Stormwater Division at Adams County investigated the discharge from this swale the previous year and concluded that it was due to an improperly installed silt fence while a home was under construction from the previous Shook Filing No. 1. The builder fixed the fence and no further issues have been noted.

Comprehensive Plan:

The subject property is designated as Estate Residential in the County's future land use map. Per Chapter 5 of the County's Comprehensive Plan, the goals of the Estate Residential future land use designation are to provide for single-family housing at lower densities, typically no greater than 1 unit per acre, and compatible uses such as schools and parks. The proposed Final Subdivision Plats are consistent with the goals of the Comprehensive Plan to provide larger lot residential development.

Site Characteristics:

The residential portion of the development for Filings 1 and 2 are almost completely built out. The proposed Preliminary Plat Filings 3 and 4 are vacant, with a 14-well oil and gas facility.

Surrounding Zoning Designations and Existing Use Activity:

Northwest PUD Vacant	North PUD Vacant	Northeast PUD Vacant
West PUD Vacant	Subject Property PUD Vacant/Well Pad	East PUD Vacant
Southwest R-E Single-Family	South PUD Single-Family (under development)	Southeast PUD and R-E Vacant (PUD) and Single-Family (R-E)

Compatibility with the Surrounding Land Uses:

The uses surrounding the site consist of single-family residential uses. The subject request for Final Plats for Filing 3 and 4 is consistent with the existing surrounding developments and the future land use designation of Estate Residential.

STAFF RECOMMENDATION:

Based upon the application, the criteria for approval for the two Final Plats, and a recent site visit, staff recommends Approval of the Shook Filing No. 3 Final Plat, Shook Filing No. 4 Final Plat, and associated Subdivision Improvements Agreement with 7 findings of fact (per Final Plat), and 1 note.

FINDINGS OF FACT:

Major Subdivision (Final Plat):

1. The final plat is consistent and conforms to the approved preliminary plat.
2. The final plat is in conformance with the subdivision design standards.
3. The applicant has provided evidence that a sufficient water supply has been acquired in terms of quantity, quality, and dependability for the type of subdivision proposed, as determined in accordance with the standards set forth in the water supply standards.
4. The applicant has provided evidence that a public sewage disposal system has been established and, if other methods of sewage disposal are proposed, adequate evidence indicating that the system complies with state and local laws and regulations.
5. The applicant has provided evidence to show all areas of the proposed subdivision, which may involve soil or topographical conditions presenting hazards or requiring special precautions, have been identified by the applicant and the proposed uses of these areas are compatible with such conditions.
6. The proposed or constructed drainage improvements are adequate and comply with these standards and regulations.
7. Adequate public facilities or infrastructure, or cash-in-lieu, for impacts reasonably related to the proposed subdivision have been constructed or financially

guaranteed through cash-in-lieu or a subdivision improvements agreement so the proposed subdivision will not negatively impact the levels of service of the County.

Recommended Notes to the Applicant:

1. The applicant shall adhere to all fire, animal, health, zoning, and building codes.

COUNTY AGENCY COMMENTS

Adams County Development Services

Planning referred all documents to ROW, Engineering, Legal, and Finance staff to ensure the Final Plats and SIAs were compliant. A few corrections were issued and resolved.

Engineering has continued to receive correspondence from residents of the Twin Lakes PUD (not affiliated with Todd Creek or the Shook development) – a small single-family detached community to the southeast of this Shook development application. The residents have questioned silt buildup and other items related to Shook Filings 1 and 2 construction activity (see Neighborhood Comment and exhibit material provided in Exhibit 5). Mile High Flood District, a third-party reviewer, reviewed the as built conditions for a drainage swale and have found them adequate. The Public Works Stormwater Division has inspected the area as well and finds that the activity with silt was related to the construction fence on one of the SFD homes under construction (for Shook Filing 1). The concerns appear to have been resolved (see Exhibit 3.7 for information from Adams County Engineering regarding the Mile High analysis and the applicant’s corrections).

Adams County Public Works

Noted previously that a Subdivision Improvements Agreement (SIA) will be required for each Final Plat at the time of the FDP/Final Plat. Engineering staff has reviewed the SIAs and finds each adequate. The SIAs are provided as exhibit material in this report.

Adams County Development Services Environmental and Building

No comment.

Adams County Development Services Addressing and Right-of-Way

Right-of-way requested that the applicant provide evidence that the Signal Ditch was vacated on the Final Plat. The applicant has provided this.

Adams County Parks and Open Space

No comment.

REFERRAL AGENCY COMMENTS

Responding with Comments:

- State Division of Water Resources -- With the previous Preliminary Plat hearings, staff requested that the applicant work with the DWR to demonstrate an adequate non-potable water supply. On March 31, 2020, a letter was provided demonstrating this. It is

contained in Exhibit 3.6. Staff finds the letter adequate and that the letter resolves any previous staff concerns.

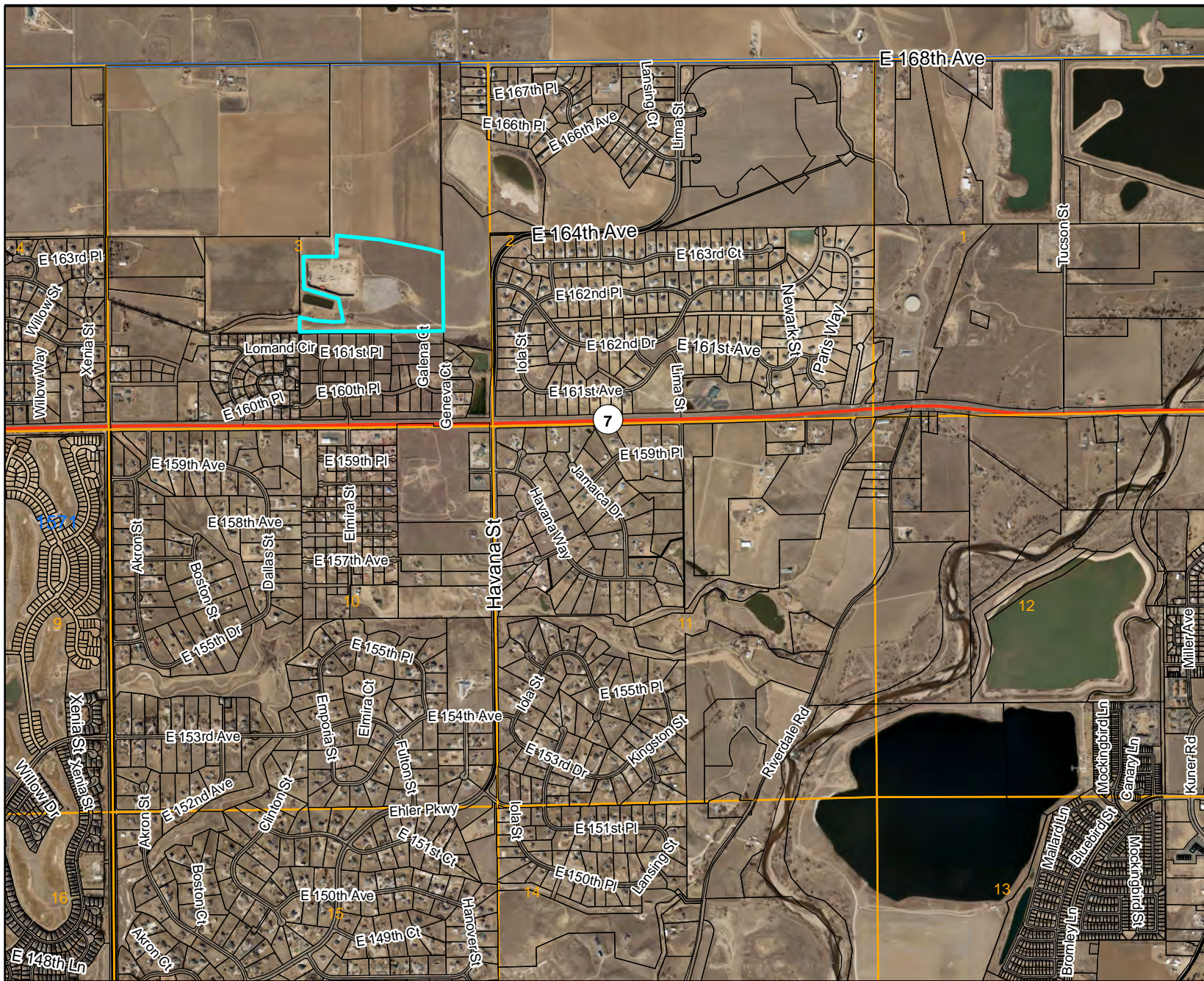
- Colorado Parks and Wildlife – At the time of the preliminary plat review, Colorado Parks and Wildlife recommended restoring the land within the project area to native habitat if possible and to plant native species within the area. They also stated that a burrowing owl survey should be performed if earth moving occurs between March 15th and October 31st. This recommendation shall be carried forth with the final plats as well.
- Tri-County Health – Previously acknowledged in the Preliminary Plat reviews that the Todd Creek Metro District is responsible for inspections of the Onsite Wastewater Treatment Systems as a Responsible Management Entity.

Responding without Concerns:

- Adams County Treasurer
- Brighton Fire
- CDOT
- CGS
- West Adams Conservation District
- United Power

Notified but not Responding / Considered a Favorable Response:

- Brighton School District 27J
- Comcast
- Century Link
- Eagle Shadow Metro District 1
- Hi-Land Acres Water & Sanitation District
- USPS
- Xcel Energy
- RTD



Legend

- Railroad
 - Major Water
 - Zoning Line
 - Sections
- Zoning Districts**
- A-1
 - A-2
 - A-3
 - R-E
 - R-1-A
 - R-1-C
 - R-2
 - R-3
 - R-4
 - M-H
 - C-0
 - C-1
 - C-2
 - C-3
 - C-4
 - C-5
 - I-1
 - I-2
 - I-3
 - CO
 - PL
 - AV
 - DIA
 - P-U-D
 - P-U-D(P)

Case Name Shook 3&4

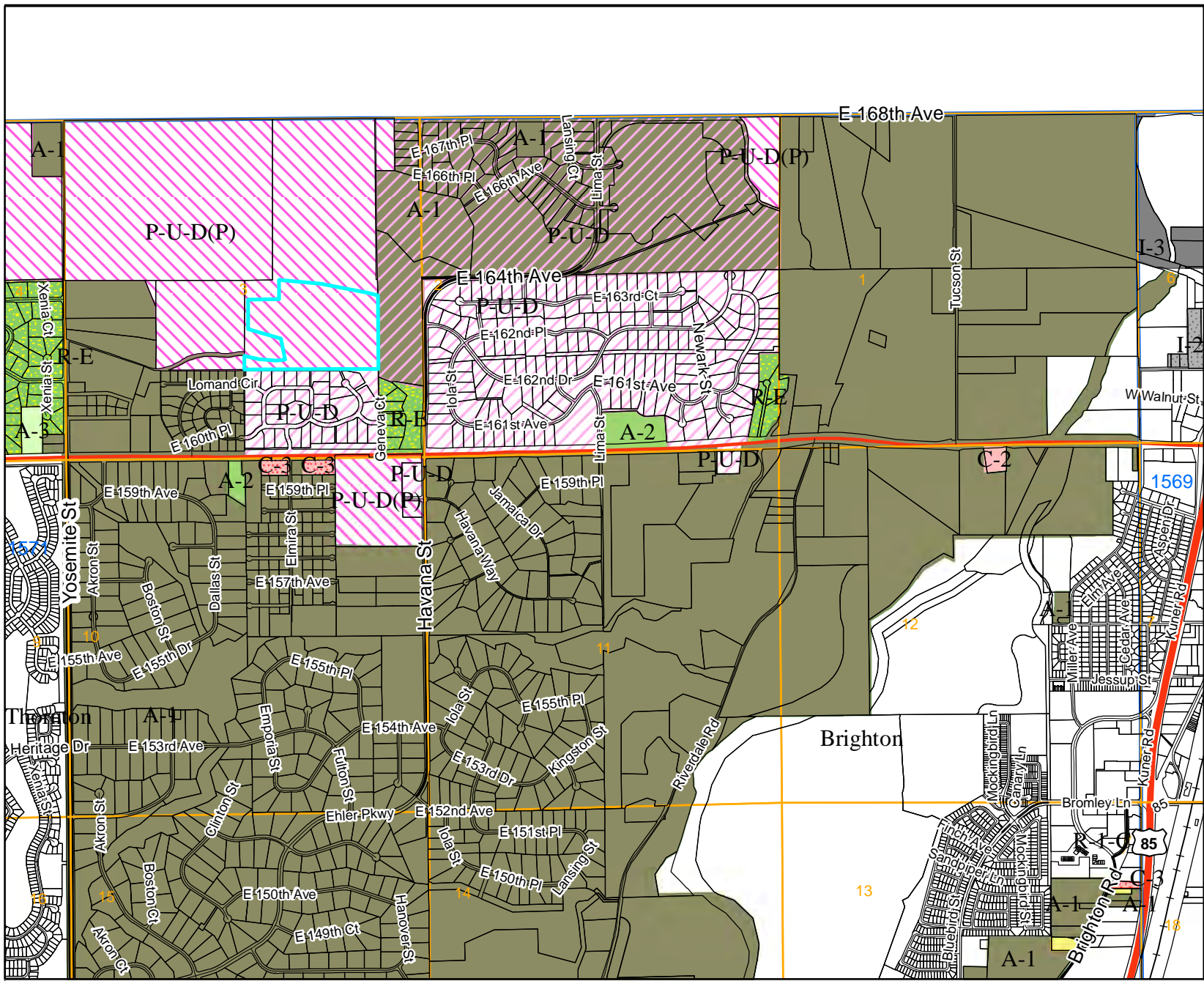
Case Number PRC2020-00007



For display purposes only.



This map is made possible by the Adams County GIS group, which assumes no responsibility for its accuracy



Legend

- Railroad
- Major Water
- Zoning Line
- Sections

Zoning Districts

- A-1
- A-2
- A-3
- R-E
- R-1-A
- R-1-C
- R-2
- R-3
- R-4
- M-H
- C-0
- C-1
- C-2
- C-3
- C-4
- C-5
- I-1
- I-2
- I-3
- CO
- PL
- AV
- DIA
- P-U-D
- P-U-D(P)

PRC2020-0007 Shook Filing 3 and 4

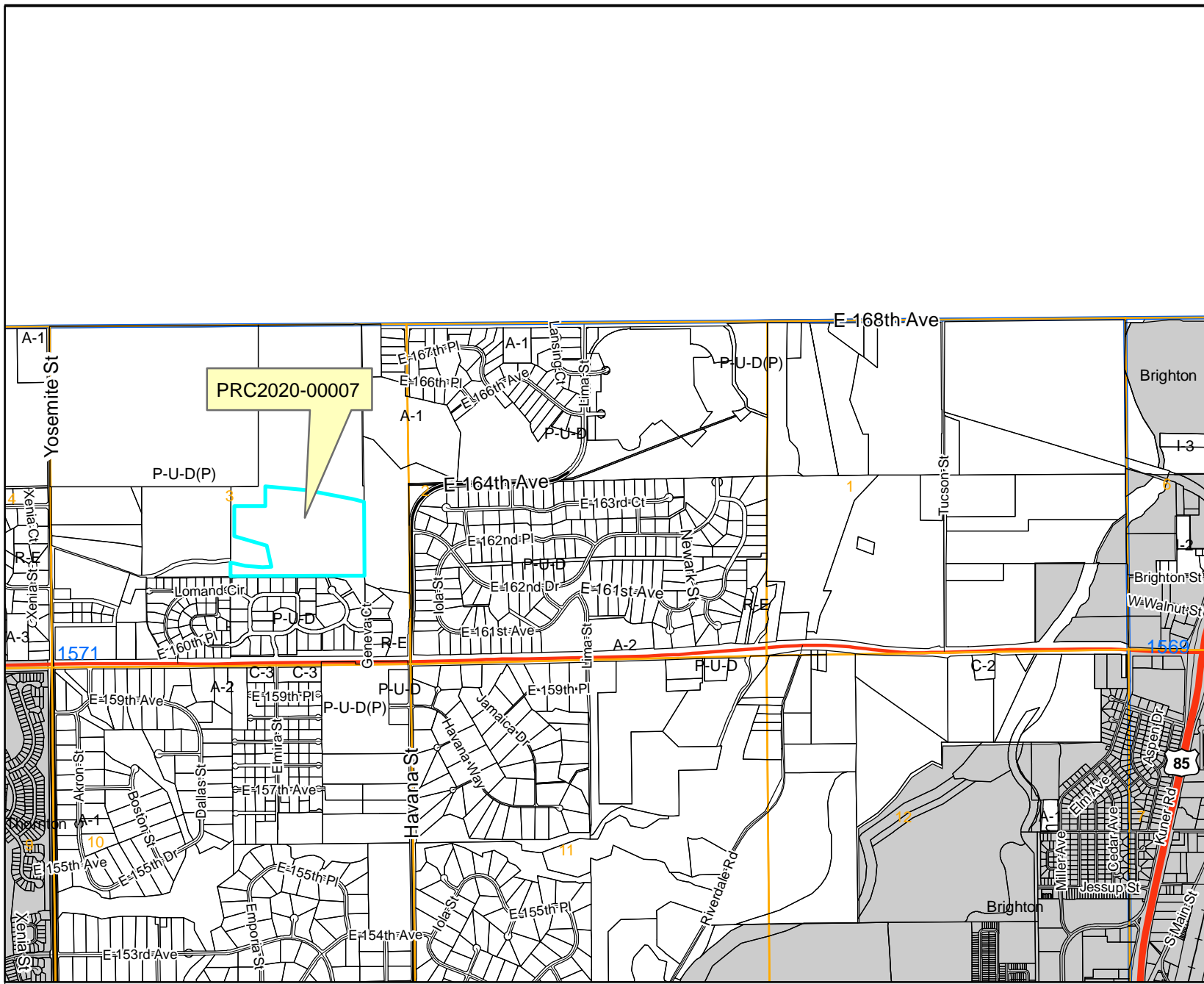
1500 ft buffer map



For display purposes only.



This map is made possible by the Adams County GIS group, which assumes no responsibility for its accuracy



Legend

- +— Railroad
- Major Water
- Zoning Line
- Sections

Zoning Districts

- A-1
- A-2
- A-3
- R-E
- R-1-A
- R-1-C
- R-2
- R-3
- R-4
- M-H
- C-0
- C-1
- C-2
- C-3
- C-4
- C-5
- I-1
- I-2
- I-3
- CO
- PL
- AV
- DIA
- P-U-D
- P-U-D(P)

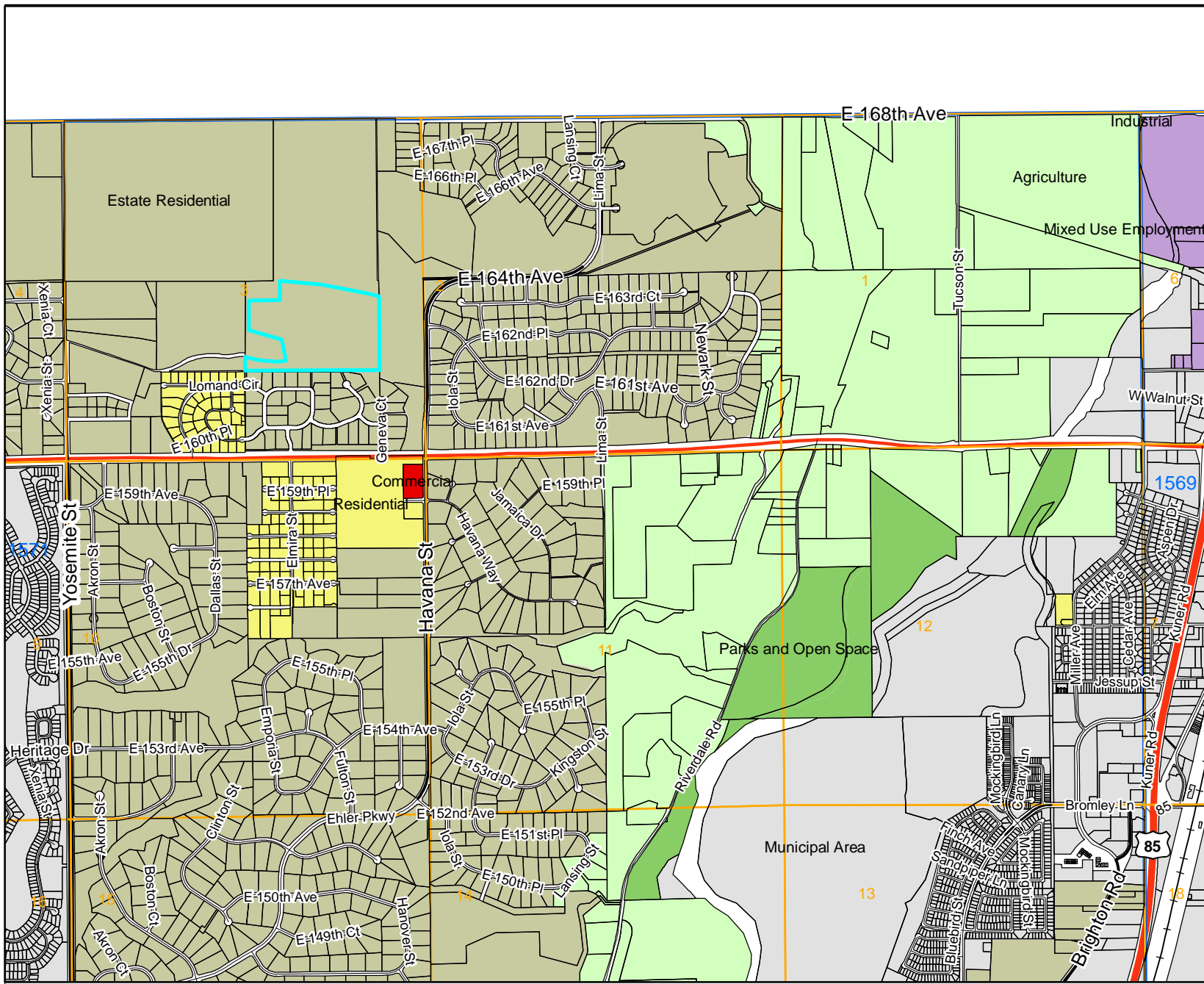
PRC2020-00007 Shook Filing 3 and 4
1500 ft buffer map



For display purposes only.



This map is made possible by the Adams County GIS group, which assumes no responsibility for its accuracy



Legend

- +— Railroad
 - Major Water
 - Zoning Line
 - Sections
- Zoning Districts**
- A-1
 - A-2
 - A-3
 - R-E
 - R-1-A
 - R-1-C
 - R-2
 - R-3
 - R-4
 - M-H
 - C-0
 - C-1
 - C-2
 - C-3
 - C-4
 - C-5
 - I-1
 - I-2
 - I-3
 - CO
 - PL
 - AV
 - DIA
 - P-U-D
 - P-U-D(P)

PRC2020-0007 Shook Filing 3 and 4
1500 ft buffer map



For display purposes only.



This map is made possible by the Adams County GIS group, which assumes no responsibility for its accuracy

Project Explanation

The original Final Plat for the Shook Subdivision was approved in 2006. It consisted of (32) 1-acre (minimum) single-family lots and is located approximately at the NW corner of Highway 7 and Havana Street in unincorporated Adams County.

On 12/13/2018 the Shook Subdivision was re-platted into Filings 1 & 2 which consists of (40) 1-acre single family lots. The amended Shook Planned Unit Development was also approved on 12/13/2018 which added an additional (24) 1-acre lots to the Shook Subdivision. This parcel, #01571030001, is north of Filings 1 & 2 and will be called Filings 3 & 4.

Parcel #0157103400001 will consist of (24) 1-acre (minimum) single-family lots and (3) additional outlots. Outlot "B" is an oil-well pad. There will also be an available future access road to Havana St. which will give the expanded subdivision another full turn access point.

The drainage requirements will be able to be consolidated for the Shook Filings 1-4 and more efficiently utilize one larger detention pond in the NE corner of the new layout.

The Shook Subdivision Preliminary Plat for Filings 3 & 4 (case no. 2018-00008) were approved on February 4, 2020.

We are requesting Final Plat approval for Filings 3 & 4.

Todd Creek Village Metropolitan District will provide both potable and non-potable water to this site and Individual Wastewater Treatment Systems will be utilized. United Power and Xcel will provide the electric and gas service.

**SHOOK SUBDIVISION FILING NO. 3
LOCATED IN THE SOUTHEAST 1/4 OF SECTION 3,
TOWNSHIP 1 SOUTH, RANGE 67 WEST, 6TH PM,
COUNTY OF ADAMS, STATE OF COLORADO
SHEET 1 OF 3**

CERTIFICATE OF OWNERSHIP AND DEDICATION*

KNOW ALL MEN BY THESE PRESENTS THAT SEC 2-3 PHOENIX, LLC. A COLORADO LIMITED LIABILITY COMPANY AND TRUST, BEING THE SOLE OWNERS OF THE FOLLOWING DESCRIBED TRACT OF LAND:

A PART OF THE SOUTHEAST ONE-QUARTER OF SECTION 3, TOWNSHIP 1 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS: THE SOUTH LINE OF THE SOUTHEAST ONE-QUARTER OF SAID SECTION 3, BEING MONUMENTED AT THE SOUTH 1/4 CORNER BY A 3 INCH ALUMINUM CAP STAMPED "T1S,1/4, 3/10, PLS 26298" AND AT THE SOUTHEAST CORNER OF SAID SECTION 3, BY A 2 INCH ALUMINUM CAP STAMPED "ALPHA ENGRG., T1S/S3/S2/S10/S11, R67W, 1996, LS25937" IN A RANGE BOX, BEING ASSUMED TO BEAR S89°31'31"W; A DISTANCE OF 2651.32 FEET

COMMENCING AT THE SOUTH 1/4 CORNER OF SAID SECTION 3, THENCE N 00°30'49" W ALONG THE WEST LINE OF SAID SOUTHEAST ONE-QUARTER A DISTANCE OF 1323.23 FEET TO THE POINT ON THE NORTH LINE OF THE SOUTH ONE-HALF OF SAID SOUTHEAST ONE QUARTER OF SECTION 3 THE CENTER-EAST-SOUTHEAST ONE-SIXTY-FOURTH OF SECTION 3, ALSO BEING THE NORTHERLY LINE SHOOK SUBDIVISION NO 2.

THENCE CONTINUING ALONG SAID NORTH LINE OF THE SOUTHEAST ONE-QUARTER N 88° 35'44" E A DISTANCE OF 966.96 FEET TO THE POINT OF BEGINNING;

THENCE N 00°00'00" W A DISTANCE OF 168.58 FEET;

TO A POINT ON A CURVE WITH A RADIUS OF 330.00 FEET, A LENGTH OF 163.19 FEET, A DELTA ANGLE OF 28°19'04", A CHORD LENGTH OF 161.54 FEET AND A CHORD BEARING OF N 14°10'02" E;

THENCE N 28°20'04" E A DISTANCE OF 438.19 FEET

TO A POINT ON A CURVE WITH A RADIUS OF 15.00 FEET, A LENGTH OF 23.58 FEET, A DELTA ANGLE OF 90°00'00", A CHORD LENGTH OF 21.21 FEET AND A CHORD BEARING OF N 16°39'54" W;

THENCE N 28°20'04" E A DISTANCE OF 80.00 FEET; THENCE N 61°39'58" W A DISTANCE OF 20.00 FEET; THENCE N 28°20'04" E A DISTANCE OF 260.30 FEET; THENCE N 19°59'32" W A DISTANCE OF 200.82 FEET; THENCE N 28°20'04" E A DISTANCE OF 24.71 FEET; THENCE S 79°10'19" E A DISTANCE OF 540.08 FEET; THENCE S 75°13'08" E A DISTANCE OF 171.08 FEET; THENCE S 00°40'10" E A DISTANCE OF 1082.65 FEET; THENCE S 88°35'44" W A DISTANCE OF 1018.08 FEET TO THE POINT OF BEGINNING.

CONTAINING AN AREA OF 975,368.59± SQUARE FEET OR 22.39± ACRES.

HAVE BY THESE PRESENTS LAID OUT, PLATTED AND SUBDIVIDED THE SAME INTO STREETS, EASEMENTS, LOTS, BLOCKS AND OUTLOTS AS SHOWN ON THE PLAT UNDER THE NAME AND STYLE OF SHOOK SUBDIVISION FILING NO. 3 PLAT AND DO HEREBY DEDICATE TO THE COUNTY OF ADAMS, STATE OF COLORADO, FOR PUBLIC USE, ALL STREETS AND OTHER PUBLIC WAYS AND LANDS AS SHOWN ON THIS PLAT, FOREVER, AND ALSO RESERVE THOSE PORTIONS OF REAL PROPERTY WHICH ARE LABELED AS EASEMENTS ON THIS PLAT, FOR THE INSTALLATION AND MAINTENANCE OF UTILITY AND DRAINAGE FACILITIES, INCLUDING BUT NOT LIMITED TO ELECTRIC LINES, GAS LINES, WATER LINES AND SEWER LINES TOGETHER WITH THE RIGHT TO TRIM INTERFERING TREES AND BRUSH, TOGETHER WITH A PERPETUAL RIGHT OF INGRESS AND EGRESS FOR INSTALLATION, MAINTENANCE AND REPLACEMENT OF SUCH LINES; SAID EASEMENTS TO BE USED IN A RESPONSIBLE AND PRUDENT MANNER.

EXECUTED THIS ____ DAY OF _____, 20 ____.

SEC 2-3 PHOENIX, LLC. A COLORADO LIMITED LIABILITY COMPANY.

BY: GEORGE HANLON

_____, DATE _____
MANAGER

ACKNOWLEDGMENT

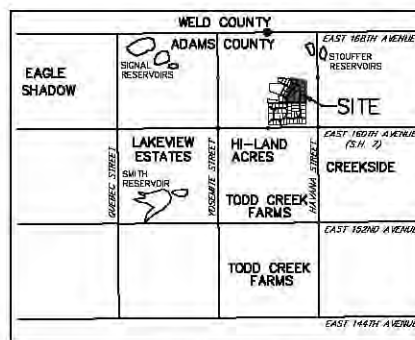
COUNTY OF _____)
STATE OF COLORADO _____) SS

THE FORGOING PLAT AND DEDICATION WAS ACKNOWLEDGED BEFORE ME THIS ____ DAY OF _____, 20 ____.
BY SEC 2-3 PHOENIX, LLC. A COLORADO LIMITED LIABILITY COMPANY

NOTARY PUBLIC

WITNESS MY HAND AND SEAL. MY COMMISSION EXPIRES _____.

MY ADDRESS IS: _____.



VICINITY MAP
NOT TO SCALE

NOTES

- BY GRAPHIC PLOTTING ONLY THIS SITE LIES IN ZONE "X" OF THE FLOOD INSURANCE RATE MAP. COMMUNITY PANEL NUMBER 080010C055G, WITH AN EFFECTIVE DATE OF AUGUST 16, 1995.
- ALL EASEMENTS SHOWN ARE UTILITY AND DRAINAGE EASEMENTS UNLESS OTHERWISE NOTED. ALL EASEMENTS ALONG ROADS ARE ALSO SLOPE EASEMENTS.
- ENGINEERED ONSITE WASTEWATER SYSTEMS (OWS) MAY BE REQUIRED ON CERTAIN LOTS. ENGINEERED OWS ARE LARGER AND MORE COSTLY THAN CONVENTIONAL SYSTEMS. LOT SPECIFIC SOILS AND PERCOLATION TESTS SHALL BE USED TO DETERMINE THE TYPE AND SIZE OF OWS THAN THE MINIMUM REQUIRED BASED SOLELY UPON THE PERCOLATION TEST RESULTS.

SUITABLE AREA NEEDS TO BE DESIGNATED ON EACH LOT SITE PLAN FOR BOTH PRIMARY AND REPLACEMENT WASTEWATER ABSORPTION AREAS. REPLACEMENT OF THE PRIMARY ABSORPTION AREA MAY BE REQUIRED IF FAILURE OF THE PRIMARY AREA OCCURS. THESE AREAS NEED TO MEET ALL TRI-COUNTY HEALTH DEPARTMENT SETBACK REQUIREMENTS AND ARE TO REMAIN FREE OF ANY IMPROVEMENTS, E.G. IRRIGATED LANDSCAPE, PAVING, OUT-BUILDINGS, ETC.
- NO BUILDING PERMITS WILL BE ISSUED FOR ANY LOT IN ANY PHASE OF CONSTRUCTION, UNTIL ALL PUBLIC IMPROVEMENTS, IN ANY PHASE, AS REQUIRED BY THE APPROVED CONSTRUCTION PLANS, HAVE BEEN COMPLETED AND ARE UNDER PRELIMINARY ACCEPTANCE OF THE ADAMS COUNTY DEPARTMENT OF PUBLIC WORKS.
- FIFTEEN-FOOT (15') WIDE UTILITY EASEMENTS ARE HEREBY GRANTED ON PRIVATE PROPERTY ADJACENT TO THE FRONT AND REAR LOT LINES AND FIVE-FOOT (5') UTILITY EASEMENTS ARE HEREBY GRANTED ON THE SIDE PROPERTY LINES OF EACH LOT WITHIN THE SUBDIVISION OR PLATTED AREA. THESE EASEMENTS ARE DEDICATED FOR THE INSTALLATION, MAINTENANCE, AND REPLACEMENT OF ELECTRIC, GAS, TELEPHONE, CABLE AND TELECOMMUNICATION FACILITIES. UTILITIES SHALL ALSO BE PERMITTED WITHIN ANY ACCESS EASEMENTS AND PRIVATE STREETS WITHIN THE SUBDIVISION. PERMANENT STRUCTURES AND WATER METERS SHALL NOT BE PERMITTED WITHIN SAID UTILITY EASEMENTS.
- THE DEVELOPER SHALL PROVIDE A BUILDING ENVELOPE FREE OF ALL UNDERGROUND PIPELINES AND WILL BE RESPONSIBLE FOR REMOVING, RELOCATING AND/OR REDIRECTING ANY UNDISCOVERED PIPELINES WITHIN THE BUILDING ENVELOPES.
- ADAMS COUNTY IS NOT RESPONSIBLE FOR THE ENFORCEMENT OF ANY COVENANTS, CONDITIONS, OR RESTRICTIONS THAT MAY BE FILED AGAINST THIS SUBDIVISION PLAT.
- THE DEVELOPER SHALL RELOCATE ANY AND ALL OIL OR GAS LINES THAT PREVENT AN ADEQUATE ISDS FROM BEING INSTALLED ON ANY LOT.
- THERE ARE EXISTING UNDERGROUND GAS AND/OR OIL LINES WITHIN UNDOCUMENTED EASEMENTS WITHIN THIS DEVELOPMENT. THIS IS A GENERAL NOTE INFORMING THAT SUCH LINES OR EASEMENTS MAY EXIST ON ANY LOT AND CANNOT BE ACCURATELY LOCATED ON ANY PLATS AND THAT THE SURVEYOR AND ENGINEER ARE NOT LIABLE OR RESPONSIBLE FOR ANY BUILDING RESTRICTIONS OR LIMITATIONS CAUSED BY THESE LINES OR EASEMENTS. RESPONSIBILITY IS WITH THE OWNER/DEVELOPER TO LOCATE ANY SUCH LINES SO AS TO PROVIDE, AN ACCEPTABLE BUILDING ENVELOPE.

THE POLICY OF THE COUNTY REQUIRES THAT MAINTENANCE ACCESS BE PROVIDED TO ALL STORM DRAINAGE FACILITIES TO ASSURE CONTINUOUS OPERATIONAL CAPABILITY TO THE SYSTEM. THE PROPERTY OWNERS (METRO DISTRICT) SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF ALL DRAINAGE FACILITIES INCLUDING INLETS, PIPES,CULVERTS, CHANNELS, DITCHES, HYDRAULIC STRUCTURES AND DETENTION BASINS LOCATED ON THEIR LAND UNLESS MODIFIED BY THE SUBDIVISION DEVELOPMENT AGREEMENT. SHOULD THE OWNERS FAIL TO ADEQUATELY MAINTAIN SAID FACILITIES, THE COUNTY SHALL HAVE THE RIGHT TO ENTER SAID LAND FOR THE SOLE PURPOSE OF OPERATIONS AND MAINTENANCE. ALL SUCH MAINTENANCE COSTS WILL BE ASSESSED TO THE PROPERTY OWNERS.
- INDIVIDUAL SEWAGE DISPOSAL (ISDS). MAINTENANCE OF THE ISDS WILL BE UNDERTAKEN BY THE TODD CREEK VILLAGE METROPOLITAN DISTRICT NUMBER 1 (TCVMD1). NO SEPTIC TANK SHALL BE CONSTRUCTED FURTHER THAN 150' FROM THE GARAGE DRIVEWAY. SEPTIC TANK PUMPING TRUCKS WILL ACCESS THOSE DRIVEWAYS FOR MAINTENANCE PURPOSES. DRIVEWAYS WILL BE CONSTRUCTED ACCORDINGLY. ALL ISDS WILL BE APPROVED BY TVFMD1 PRIOR TO CONSTRUCTION.
- THE TODD CREEK VILLAGE METRO DISTRICT HAS IMPLEMENTED A MAINTENANCE AND INSPECTION PROGRAM FOR ONSITE WASTEWATER SYSTEMS (OWS) WITHIN THE DISTRICT. THE DISTRICT SHALL BE CONTACTED FOR SPECIFIC REQUIREMENTS OF THE PROGRAM
- THE APPROVED STORMWATER OPERATIONS AND MAINTENANCE MANUAL IS ON FILE WITH ADAMS COUNTY CLERK AND RECORDER'S OFFICE AT RECEPTION #201800026310
- MONUMENTS WILL BE SET AT ALL STREET INTERSECTIONS, THE BEGINNING AND THE END OF EACH CENTERLINE, HORIZONTAL CURVE IS A STREET AND AT THE CENTER OF THE CUL-DE-SAC.

(CONTINUED)

NOTES (CONTINUED)

15. NOTICE TO PROSPECTIVE BUYERS: THERE IS AN ABANDONED WELL LOCATED ON THIS PLAT PURSUANT TO ADAMS COUNTY DEVELOPMENT STANDARDS SECTION 4-10-02-03-03-05(2) THERE IS A 50 FT X 100 FT BUFFER AROUND THE ABANDONED WELLHEAD DEDICATED AS A WELL MAINTENANCE AND WORKOVER SETBACK. NO STRUCTURES SHALL BE LOCATED WITHIN THIS SETBACK.

16. SAID EASEMENT TO BE USED FOR TEMPORARY ACCESS UNTIL SUCH A TIME AS THE ROAD IS EXTENDED BEYOND THE CUL-DE-SAC, CONSTRUCTION OF THE ROAD IS COMPLETED, AND THE ROAD HAS BEEN DEDICATED TO AND ACCEPTED BY THE COUNTY, AT WHICH POINT THE EASEMENT SHALL TERMINATE.

17. NO DWELLING SHALL BE CONSTRUCTED WITHIN FIFTY (50') FEET OF A PLUGGED AND ABANDONED WELL.

18. THE OWNER SHALL DISCLOSE TO PROSPECTIVE PURCHASERS OF LOTS WITHIN A RADIUS OF 200 FEET OF THE PLUGGED AND ABANDONED WELL OF (1) THE LOCATION OF THE PLUGGED AND ABANDONED WELL, (2) THE LOCATION OF THE MAINTENANCE AND WORKOVER SETBACK, AND (3) THE PURPOSE FOR THE WELL MAINTENANCE AND WORKOVER SETBACK.

19. NO UTILITY LINES SHALL BE INSTALLED WITHIN (10) FEET OF ANY PLUGGED AND ABANDONED WELL.

20. A PORTION OF THE SIGNAL DITCH, NOT SHOWN, HAS BEEN ABANDONED BY SEPARATE INSTRUMENT (RECEPTION #2019000108651)

CERTIFICATE OF SURVEY

I, RANDALL R. LONG, A REGISTERED LAND SURVEYOR IN THE STATE OF COLORADO DO HEREBY CERTIFY THAT TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF: THERE ARE NO ROADS, IRRIGATION DITCHES, OR OTHER EASEMENTS IN EVIDENCE OR KNOWN BY ME TO EXIST ON OR ACROSS THE HEREIN DESCRIBED PROPERTY EXCEPT AS SHOWN ON THIS PLAT. I FURTHER CERTIFY THAT THE SURVEY WAS PERFORMED BY ME OR UNDER MY DIRECT RESPONSIBILITY, SUPERVISION AND CHECKING AND THAT THE PLAT ACCURATELY REPRESENTS SAID SURVEY, AND THAT ALL MONUMENTS EXIST AS SHOWN HEREON

FOR AND ON BEHALF OF NEW HORIZON SURVEY, LLC.

_____, DATE _____
RANDALL R. LONG
REGISTERED LAND SURVEYOR
COLORADO REGISTRATION NO. 35591

BASIS OF BEARINGS

THE BEARINGS SHOWN HEREON ARE BASED ON THE SOUTH LINE OF THE SOUTHEAST ONE-QUARTER OF SAID SECTION 3, BEING MONUMENTED AT THE SOUTH 1/4 CORNER BY A 3 INCH ALUMINUM CAP STAMPED "T1S, 1/4, 3/10, PLS 26298" AND AT THE SOUTHEAST CORNER OF SAID SECTION 3 BY A 2 INCH ALUMINUM CAP STAMPED "ALPHA ENGRG., T1S, S3/S2/S10/S11, R 67W, 1996, LS 25937" IN A RANGEBOX, BEARING S 89°31'31" W,

NOTICE

ACCORDING TO COLORADO LAW, YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT OF THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF SURVEY SHOWN HERON.

BOARD OF COUNTY COMMISSIONERS APPROVAL

APPROVED BY THE ADAMS COUNTY BOARD OF COMMISSIONERS

THIS ____ DAY OF _____, 20 ____.

CHAIR

PLANNING COMMISSION APPROVAL

APPROVED BY THE ADAMS COUNTY PLANNING COMMISSION

THIS ____ DAY OF _____, 20 ____.

CHAIR

CLERK AND RECORDER

THIS FINAL PLAT WAS FILED FOR RECORD IN THE OFFICE OF THE ADAMS COUNTY CLERK AND RECORDER IN THE STATE OF COLORADO AT

_____, M. ON THE ____ DAY OF _____, 20 ____.

COUNTY CLERK AND RECORDER

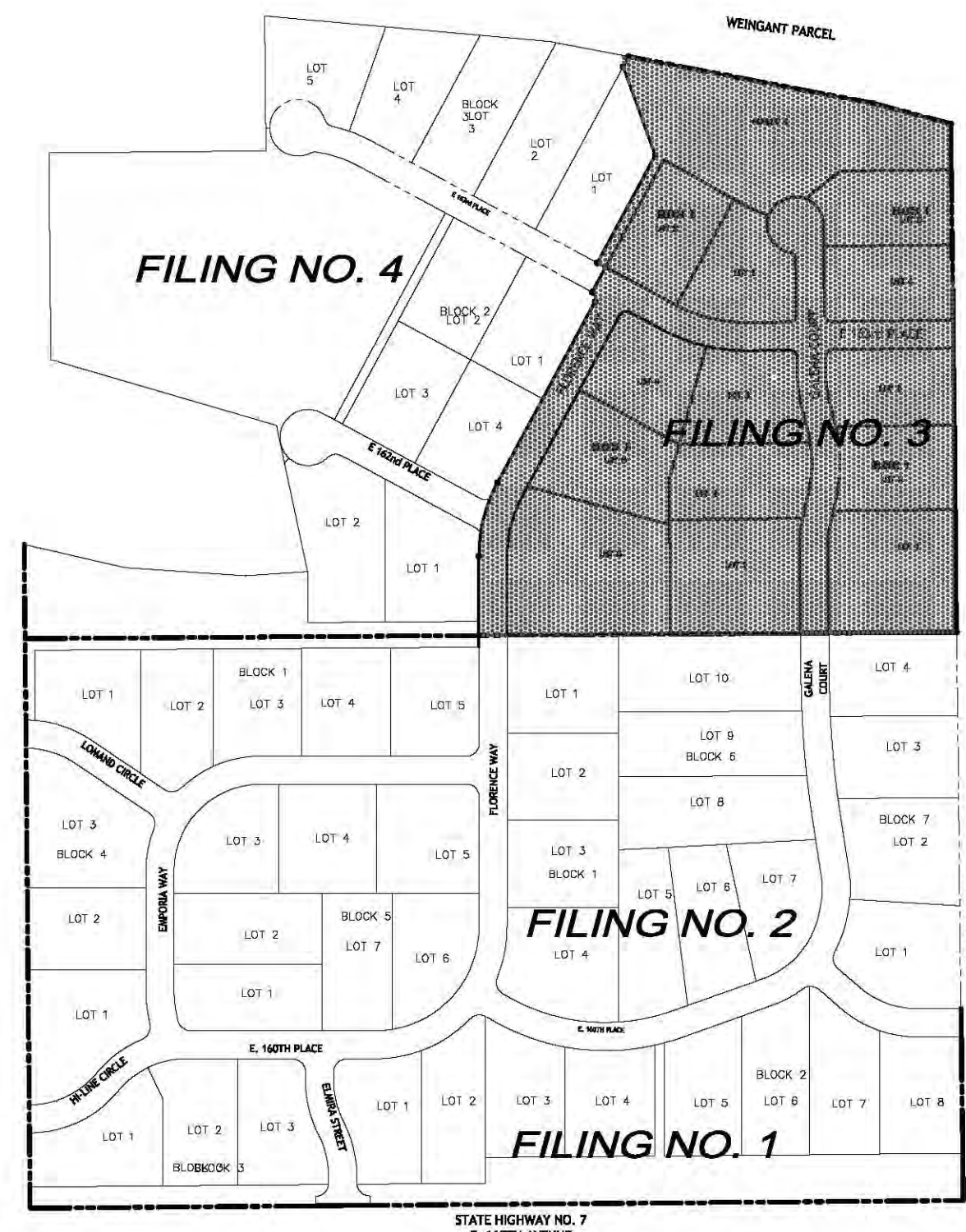
BY DEPUTY: _____

INSTRUMENT NUMBER: _____

NEW HORIZON SURVEY, LLC P.O. BOX 213 ARVADA, COLORADO 80001 PH. (303) 922-5285 / newh@nhsd.com	SHOOK SUBDIVISION FILING NO. 3 800-218-587	DRAWN BY: BRL	DATE: 11/05/2018	REVISION: 3RD REVISION	BY: MCG
		CHECKED BY: RL	DATE: 11/15/2018	REVISION: 4TH REVISION	BY: MCG
		SCALE: N/A	DATE: 11/16/2018	REVISION: 5TH REVISION	BY: NRL
		DATE: MAY, 2018	DATE: 5/28/2019	REVISION: 6TH REVISION	BY: EAB
		SHEET 1 OF 3	DATE: 6/11/18	REVISION: 7TH REVISION	BY: EAB
			DATE: 6/27/18	REVISION: 8TH REVISION	BY: EAB

**SHOOK SUBDIVISION FILING NO. 3
 LOCATED IN THE SOUTHEAST 1/4 OF SECTION 3,
 TOWNSHIP 1 SOUTH, RANGE 67 WEST, 6TH PM,
 COUNTY OF ADAMS, STATE OF COLORADO
 SHEET 2 OF 3**

SELTZER FARMS
 UNPLATTED



BASELINE LAKES LLC
 REC. NO. 00677/040
 (UNPLATTED)

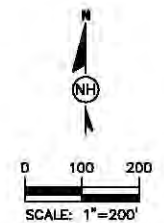
HIGHLAND ACRES
 FILE 11, MAP 23

LOT 1, TWIN LAKES ESTATES
 SUBDIVISION FILE 17, MAP 382

LAND USE TABLE

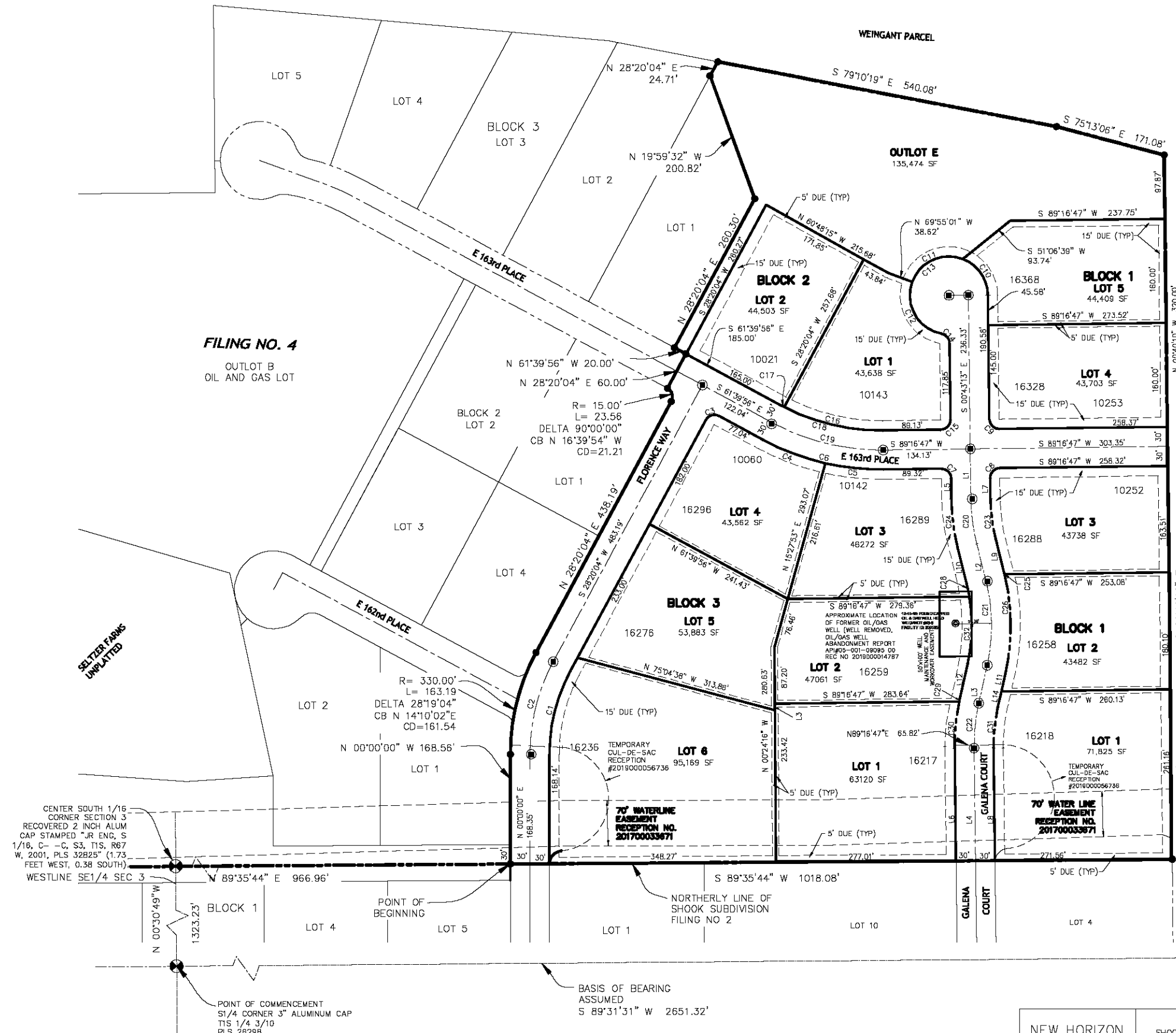
DESCRIPTION	LAND USE	ACREAGE	DWELLING UNITS	% OF SITE ACREAGE	DWELLING UNITS PER ACRE
LOTS 1-5 BLOCK 1 LOTS 1-2 BLOCK 2 LOTS 1-8 BLOCK 3	SINGLE FAMILY RESIDENCES	15.38	13	68.7%	N/A
OUTLOT E TO BE MAINTAINED BY PROMONTORY METRO DISTRICT	DRAINAGE EASEMENTS	3.11	N/A	13.8%	N/A
PROPOSED STREET (ROW) AND EASEMENTS	INGRESS/EGRESS & EASEMENTS	3.9	N/A	17.4%	N/A
TOTAL		22.39	13	100%	.56 DU/AC

STATE HIGHWAY NO. 7
 E. 160TH AVENUE



NEW HORIZON SURVEY, LLC <small>P.O. BOX 215 ARVADA, COLORADO 80001 PH (303) 501-2288 / nhsurvey@nhd.com</small>	SHOOK SUBDIVISION FILING NO. 3 800-218-567	DRAWN BY: BRL	DATE: 11/05/2018	REVISION: 3RD REVISION	BY: MCG
		CHECKED BY: RL	DATE: MAY, 2018	REVISION: 4TH REVISION	BY: MCG
		SCALE: 1" = 200'	DATE: MAY, 2018	REVISION: 5TH REVISION	BY: RRL
		SHEET 2 OF 3	DATE: MAY, 2018	REVISION: 6TH REVISION	BY: EAB
			DATE: MAY, 2018	REVISION: 7TH REVISION	BY: EAB
			DATE: MAY, 2018	REVISION: 8TH REVISION	BY: EAB

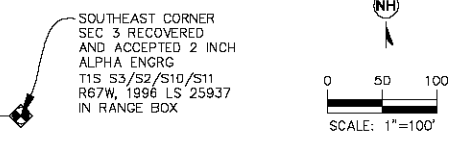
SHOOK SUBDIVISION FILING NO. 3
 LOCATED IN THE SOUTHEAST 1/4 OF SECTION 3,
 TOWNSHIP 1 SOUTH, RANGE 67 WEST, 6TH PM,
 COUNTY OF ADAMS, STATE OF COLORADO
 SHEET 3 OF 3



- LEGEND**
- ◊ = ALIQUOT SECTION CORNER AS NOTED
 - ⊙ = ALIQUOT 1/4 CORNER AS NOTED
 - = FOUND MONUMENT AS NOTED
 - = FOUND #5 REBAR WITH A 1-1/4 ALUMINUM CAP STAMPED "SUVCON INC, L.S. 30829"
 - = SET #5 REBAR WITH 1" PLASTIC CAP
 - ⊙ = SET #5 REBAR 18" LONG WITH 1" PLASTIC CAP IN RANGE BOX
- BK=BOOK
 PG=PAGE
 DUE=DRAINAGE AND UTILITY EASEMENT

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	270.00'	133.52'	132.17'	S 14°10'02" W	28°20'04"
C2	300.00'	148.36'	145.85'	S 14°10'02" W	28°20'04"
C3	15.00'	23.56'	21.21'	S 73°20'04" W	90°00'00"
C4	380.00'	102.46'	102.15'	S 69°23'26" E	14°37'42"
C5	380.00'	90.23'	90.02'	S 83°55'04" E	12°58'26"
C6	380.00'	192.69'	190.64'	S 76°11'36" E	27°36'08"
C7	15.00'	23.56'	21.21'	N 45°43'13" W	90°00'00"
C8	15.00'	23.56'	21.21'	S 44°16'47" W	90°00'00"
C9	15.00'	23.56'	21.21'	S 45°43'13" E	90°00'00"
C10	60.00'	72.28'	67.97'	N 34°30'01" W	69°00'03"
C11	60.00'	95.21'	85.53'	S 69°32'26" W	90°55'02"
C12	60.00'	103.95'	91.43'	S 29°32'56" E	99°15'42"
C13	60.00'	271.41'	92.48'	S 50°24'37" W	259°10'47"
C14	15.00'	20.54'	18.97'	N 39°57'00" W	78°27'34"
C15	15.00'	23.56'	21.21'	N 44°16'47" E	90°00'00"
C16	320.00'	157.47'	155.89'	S 76°37'23" E	28°11'44"
C17	320.00'	4.79'	4.79'	S 62°03'52" E	0°51'30"
C18	320.00'	162.26'	160.54'	S 76°11'37" E	29°03'04"
C19	350.00'	177.48'	175.59'	S 76°11'36" E	29°03'14"
C20	300.00'	69.56'	69.41'	S 00°43'13" E	1°31'09"
C21	280.00'	129.85'	128.69'	S 00°43'13" E	26°34'17"
C22	300.00'	69.56'	69.41'	S 05°55'21" W	1°31'09"
C23	270.00'	62.61'	62.47'	S 07°21'47" E	1°31'09"
C24	330.00'	76.52'	76.35'	S 07°21'47" E	1°31'09"
C25	330.00'	0.83'	0.84'	S 13°56'00" E	0°08'41"
C26	330.00'	152.20'	150.86'	S 00°38'51" E	26°25'33"
C28	270.00'	21.30'	21.29'	S 11°57'41" E	4°31'12"
C29	330.00'	3.82'	3.83'	S 12°13'56" W	0°39'52"
C30	330.00'	72.69'	72.55'	S 05°35'00" W	12°37'16"
C31	270.00'	62.61'	62.47'	S 05°55'21" W	12°47'08"
C32	270.00'	103.93'	103.29'	S 01°32'17" W	22°03'17"

LINE #	LENGTH	BEARING
L1	76.96'	S00°43'13"E
L2	59.89'	S14°00'22"E
L3	59.89'	S12°33'55"W
L4	173.01'	S00°43'13"E
L5	31.96'	S00°43'13"E
L6	172.84'	S00°43'13"E
L7	31.96'	S00°43'13"E
L8	173.17'	S00°43'13"E
L9	55.17'	S13°59'21"E
L10	55.17'	S14°00'22"E
L11	25.12'	S12°33'55"W
L12	55.17'	S12°33'55"W
L13	10.00'	S00°24'16"W
L14	30.08'	S12°33'55"W



CENTER SOUTH 1/16 CORNER SECTION 3 RECOVERED 2 INCH ALUM CAP STAMPED "JR ENG, S 1/16, C - C, S3, T1S, R67 W, 2001, PLS 32825" (1.73 FEET WEST, 0.38 SOUTH)

POINT OF COMMENCEMENT S1/4 CORNER 3" ALUMINUM CAP T1S 1/4 3/10 PLS 26298

BASIS OF BEARING ASSUMED S 89°31'31" W 2651.32'

NEW HORIZON SURVEY, LLC
 P.O. BOX 215, ARVADA, COLORADO 80001
 PH: (303) 502-5265 / nhsurveyllc@gmail.com

SHOOK SUBDIVISION FILING NO. 3

800-216-567

DRAWN BY:	DATE	REVISION	BY
BRL	11/05/2018	3RD REVISION	MCC
RL	11/15/2018	4TH REVISION	MCC
RL	11/16/2018	5TH REVISION	RRL
RL	5/29/19	6TH REVISION	EAB
RL	6/13/19	7TH REVISION	EAB
RL	6/27/19	8TH REVISION	EAB
RL	6/5/19	9TH REVISION	EAB

**SHOOK SUBDIVISION FILING NO. 4
LOCATED IN THE SOUTHEAST 1/4 OF SECTION 3,
TOWNSHIP 1 SOUTH, RANGE 67 WEST, 6TH PM,
COUNTY OF ADAMS, STATE OF COLORADO
SHEET 1 OF 3**

CERTIFICATE OF OWNERSHIP AND DEDICATION:

KNOW ALL MEN BY THESE PRESENTS THAT SEC 2-3 PHOENIX, LLC, A COLORADO LIMITED LIABILITY CO, BEING ALL OF THE OWNERS OF THE FOLLOWING DESCRIBED PROPERTY, TO WIT:

A PART OF THE SOUTHEAST ONE-QUARTER OF SECTION 3, TOWNSHIP 1 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS: THE SOUTH LINE OF THE SOUTHEAST ONE-QUARTER OF SAID SECTION 3, BEING MONUMENTED AT THE SOUTH 1/4 CORNER BY A 3 INCH ALUMINUM CAP STAMPED "T1S, 1/4, 3/10, PLS 26298" AND AT THE SOUTHEAST CORNER OF SAID SECTION 3, BY A 2 INCH ALUMINUM CAP STAMPED "ALPHA ENGRG., T1S/S3/S2/S10/S11, R67W, 1996, LS25937" IN A RANGE BOX, WITH ASSUMED BEARING S89°31'31"W; A DISTANCE OF 2651.32 FEET

COMMENCING AT THE SOUTH 1/4 CORNER OF SAID SECTION 3, THENCE N 00°30'49" W ALONG THE WEST LINE OF SAID SOUTHEAST ONE-QUARTER A DISTANCE OF 1323.17 FEET TO A POINT ON THE CENTER SOUTH 1/16 CORNER SECTION 3, RECOVERED 2" ALUMINUM CAP STAMPED "JR ENG, S1/6, C-C, S3, T1S, R67W, 2001, PLS 32825" (1.73 WEST, 0.38 SOUTH); THE POINT OF BEGINNING;

THENCE N 89°34'31" E A DISTANCE OF 967.04 FEET;

THENCE N 00°00'00" E A DISTANCE OF 168.56 FEET;
TO A POINT ON A CURVE WITH A RADIUS OF 330.00 FEET, A LENGTH OF 163.19 FEET AND A DELTA ANGLE OF 28°19'04", A CHORD BEARING OF N 14°10'02" E AND A CHORD LENGTH OF 161.54 FEET;

THENCE N 28°20'04" E A DISTANCE OF 438.19 FEET;

TO A POINT ON A CURVE WITH A RADIUS OF 15.00 FEET, A LENGTH OF 23.56 FEET AND A DELTA ANGLE OF 90°00'00", A CHORD BEARING OF 16°39'58" AND A CHORD LENGTH OF 21.21 FEET;

THENCE N 28°20'04" E A DISTANCE OF 60.00 FEET; THENCE N 81°39'58" W A DISTANCE OF 20.00 FEET; THENCE N 28°20'04" E A DISTANCE OF 280.30 FEET; THENCE N 19°59'32" W, A DISTANCE OF 200.82 FEET; THENCE N 28°20'04" E, A DISTANCE OF 24.71 FEET; THENCE N 79°10'19" W, A DISTANCE OF 170.71 FEET; THENCE N 84°54'03" W, A DISTANCE OF 610.38 FEET; THENCE S 00°31'00" E, A DISTANCE OF 287.50 FEET; THENCE S 89°29'01" W, A DISTANCE OF 462.14 FEET; THENCE S 00°30'59" E, A DISTANCE OF 440.47 FEET; THENCE S 73°44'55" E, A DISTANCE OF 500.89 FEET; THENCE S 12°00'10" E, A DISTANCE OF 318.38 FEET; THENCE S 86°11'56" W A DISTANCE OF 133.20 FEET; THENCE N 88°03'09" W A DISTANCE OF 375.34 FEET; THENCE N 77°05'57" W A DISTANCE OF 220.08 FEET;
THENCE S 00°30'49" E A DISTANCE OF 205.88 FEET THE POINT OF BEGINNING.

CONTAINING AN AREA OF 1,116,695.46± SQUARE FEET OR 25.63± ACRES.

HAVE BY THESE PRESENTS LAID OUT, PLATTED AND SUBDIVIDED THE SAME INTO STREETS, EASEMENTS, LOTS, BLOCKS AND OUTLOTS AS SHOWN ON THE PLAT UNDER THE NAME AND STYLE OF SHOOK SUBDIVISION FILING NO. 4 AND DO HEREBY DEDICATE TO THE COUNTY OF ADAMS, STATE OF COLORADO, FOR PUBLIC USE, ALL STREETS AND OTHER PUBLIC WAYS AND LANDS AS SHOWN ON THIS PLAT, FOREVER, AND ALSO RESERVE THOSE PORTIONS OF REAL PROPERTY WHICH ARE LABELED AS EASEMENTS ON THIS PLAT, FOR THE INSTALLATION AND MAINTENANCE OF UTILITY AND DRAINAGE FACILITIES TOGETHER WITH THE RIGHT TO TRIM INTERFERING TREES AND BRUSH, TOGETHER WITH A PERPETUAL RIGHT OF INGRESS AND EGRESS FOR INSTALLATION, MAINTENANCE AND REPLACEMENT OF SUCH LINES; SAID EASEMENTS TO BE USED IN A RESPONSIBLE AND PRUDENT MANNER.

EXECUTED THIS ____ DAY OF _____, 20 ____.

SEC 2-3 PHOENIX, LLC. A COLORADO LIMITED LIABILITY COMPANY

BY: GEORGE HANLON

_____, DATE _____
MANAGER

ACKNOWLEDGMENT

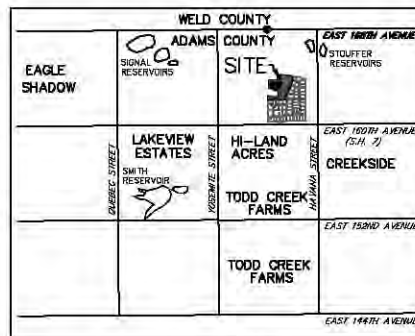
COUNTY OF _____)
STATE OF COLORADO) SS

THE FORGOING PLAT AND DEDICATION WAS ACKNOWLEDGED BEFORE ME THIS ____ DAY OF _____, 20 ____, BY GEORGE HANLON AS MANAGER OF SEC 2-3 PHOENIX, LLC A COLORADO LIMITED LIABILITY COMPANY

NOTARY PUBLIC

WITNESS MY HAND AND SEAL. MY COMMISSION EXPIRES _____.

MY ADDRESS IS: _____.



VICINITY MAP
NOT TO SCALE

NOTES

- BY GRAPHIC PLOTTING ONLY THIS SITE LIES IN ZONE "X" OF THE FLOOD INSURANCE RATE MAP. COMMUNITY PANEL NUMBER 080010C055G, WITH AN EFFECTIVE DATE OF AUGUST 16, 1995.
- ALL EASEMENTS SHOWN ARE UTILITY AND DRAINAGE EASEMENTS UNLESS OTHERWISE NOTED. ALL EASEMENTS ALONG ROADS ARE ALSO SLOPE EASEMENTS.
- ENGINEERED ONSITE WASTEWATER SYSTEMS (OWS) MAY BE REQUIRED ON CERTAIN LOTS. ENGINEERED OWS ARE LARGER AND MORE COSTLY THAN CONVENTIONAL SYSTEMS. LOT SPECIFIC SOILS AND PERCOLATION TESTS SHALL BE USED TO DETERMINE THE TYPE AND SIZE OF OWS THAN THE MINIMUM REQUIRED BASED SOLELY UPON THE PERCOLATION TEST RESULTS.
SUITABLE AREA NEEDS TO BE DESIGNATED ON EACH LOT SITE PLAN FOR BOTH PRIMARY AND REPLACEMENT WASTEWATER ABSORPTION AREAS. REPLACEMENT OF THE PRIMARY ABSORPTION AREA MAY BE REQUIRED IF FAILURE OF THE PRIMARY AREA OCCURS. THESE AREAS NEED TO MEET ALL TRI-COUNTY HEALTH DEPARTMENT SETBACK REQUIREMENTS AND ARE TO REMAIN FREE OF ANY IMPROVEMENTS, E.G. IRRIGATED LANDSCAPE, PAVING, OUT-BUILDINGS, ETC.
- NO BUILDING PERMITS WILL BE ISSUED FOR ANY LOT IN ANY PHASE OF CONSTRUCTION, UNTIL ALL PUBLIC IMPROVEMENTS, IN ANY PHASE, AS REQUIRED BY THE APPROVED CONSTRUCTION PLANS, HAVE BEEN COMPLETED AND ARE UNDER PRELIMINARY ACCEPTANCE OF THE ADAMS COUNTY DEPARTMENT OF PUBLIC WORKS.
- FIFTEEN-FOOT (15') WIDE UTILITY EASEMENTS ARE HEREBY GRANTED ON PRIVATE PROPERTY ADJACENT TO THE FRONT AND REAR LOT LINES OF EACH LOT AND FIVE FOOT (5') AND TEN-FOOT (10') UTILITY EASEMENTS ARE HEREBY GRANTED ALONG THE SIDE LOT LINES WITHIN THE SUBDIVISION OR PLATTED AREA. THESE EASEMENTS ARE DEDICATED FOR THE INSTALLATION, MAINTENANCE, AND REPLACEMENT OF ELECTRIC, GAS, TELEPHONE, CABLE AND TELECOMMUNICATION FACILITIES. UTILITIES SHALL ALSO BE PERMITTED WITHIN ANY ACCESS EASEMENTS AND PRIVATE STREETS WITHIN THE SUBDIVISION. PERMANENT STRUCTURES AND WATER METERS SHALL NOT BE PERMITTED WITHIN SAID UTILITY EASEMENTS.
- THE DEVELOPER SHALL PROVIDE A BUILDING ENVELOPE FREE OF ALL UNDERGROUND PIPELINES AND WILL BE RESPONSIBLE FOR REMOVING, RELOCATING AND/OR REDIRECTING ANY UNDISCOVERED PIPELINES WITHIN THE BUILDING ENVELOPES.
- ADAMS COUNTY IS NOT RESPONSIBLE FOR THE ENFORCEMENT OF ANY COVENANTS, CONDITIONS, OR RESTRICTIONS THAT MAY BE FILED AGAINST THIS SUBDIVISION PLAT.
- THE DEVELOPER SHALL RELOCATE ANY AND ALL OIL OR GAS LINES THAT PREVENT AN ADEQUATE ISDS FROM BEING INSTALLED ON ANY LOT.
- THERE ARE EXISTING UNDERGROUND GAS AND/OR OIL LINES WITHIN UNDOCUMENTED EASEMENTS WITHIN THIS DEVELOPMENT. THIS IS A GENERAL NOTE INFORMING THAT SUCH LINES OR EASEMENTS MAY EXIST ON ANY LOT AND CANNOT BE ACCURATELY LOCATED ON ANY PLATS AND THAT THE SURVEYOR AND ENGINEER ARE NOT LIABLE OR RESPONSIBLE FOR ANY BUILDING RESTRICTIONS OR LIMITATIONS CAUSED BY THESE LINES OR EASEMENTS. RESPONSIBILITY IS WITH THE OWNER/DEVELOPER TO LOCATE ANY SUCH LINES SO AS TO PROVIDE, AN ACCEPTABLE BUILDING ENVELOPE.
- THE POLICY OF THE COUNTY REQUIRES THAT MAINTENANCE ACCESS BE PROVIDED TO ALL STORM DRAINAGE FACILITIES TO ASSURE CONTINUOUS OPERATIONAL CAPABILITY TO THE SYSTEM. THE PROPERTY OWNERS (METRO DISTRICT) SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF ALL DRAINAGE FACILITIES INCLUDING INLETS, PIPES, CULVERTS, CHANNELS, DITCHES, HYDRAULIC STRUCTURES AND DETENTION BASINS LOCATED ON THEIR LAND UNLESS MODIFIED BY THE SUBDIVISION DEVELOPMENT AGREEMENT. SHOULD THE OWNERS FAIL TO ADEQUATELY MAINTAIN SAID FACILITIES, THE COUNTY SHALL HAVE THE RIGHT TO ENTER SAID LAND FOR THE SOLE PURPOSE OF OPERATIONS AND MAINTENANCE. ALL SUCH MAINTENANCE COSTS WILL BE ASSESSED TO THE PROPERTY OWNERS.

(CONTINUED)

NOTES (CONTINUED)

- INDIVIDUAL SEWAGE DISPOSAL (ISDS). MAINTENANCE OF THE ISDS WILL BE UNDERTAKEN BY THE TODD CREEK VILLAGE METROPOLITAN DISTRICT NUMBER 1 (TCVMD1). NO SEPTIC TANK SHALL BE CONSTRUCTED FURTHER THAN 150' FROM THE GARAGE DRIVEWAY. SEPTIC TANK PUMPING TRUCKS WILL ACCESS THOSE DRIVEWAYS FOR MAINTENANCE PURPOSES. DRIVEWAYS WILL BE CONSTRUCTED ACCORDINGLY. ALL ISDS WILL BE APPROVED BY TVFMD1 PRIOR TO CONSTRUCTION.
- THE TODD CREEK VILLAGE METRO DISTRICT HAS IMPLEMENTED A MAINTENANCE AND INSPECTION PROGRAM FOR ONSITE WASTEWATER SYSTEMS (OWS) WITHIN THE DISTRICT. THE DISTRICT SHALL BE CONTACTED FOR SPECIFIC REQUIREMENTS OF THE PROGRAM
- THE APPROVED STORMWATER OPERATIONS AND MAINTENANCE MANUAL IS ON FILE WITH ADAMS COUNTY CLERK AND RECORDER'S OFFICE AT RECEPTION #201800026310
- MONUMENTS WILL BE SET AT ALL STREET INTERSECTIONS, THE BEGINNING AND THE END OF EACH CENTERLINE, HORIZONTAL CURVE IS A STREET AND AT THE CENTER OF THE CUL-DE-SAC.
- THE OWNER SHALL DISCLOSE TO PROSPECTIVE PURCHASERS OF LOTS WITHIN A RADIUS OF 200 FEET OF THE PLUGGED AND ABANDONED WELL OF (1) LOCATION OF THE PLUGGED AND ABANDONED WELL, (2) THE LOCATION OF THE MAINTENANCE AND WORKOVER SETBACK, AND (3) THE PURPOSE FOR THE WELL AND MAINTENANCE AND WORKOVER SETBACK.
- NO UTILITY LINES SHALL BE INSTALLED WITHIN (10') FEET OF ANY PLUGGED AND ABANDONED WELL.
- NO DWELLING SHALL BE CONSTRUCTED WITHIN FIFTY (50') FEET OF A PLUGGED AND ABANDONED WELL.
- A PORTION OF THE SIGNAL DITCH, NOT SHOWN, HAS BEEN ABANDONED BY SEPARATE INSTRUMENT (RECEPTION #2019000108651)

CERTIFICATE OF SURVEY

I, RANDALL R. LONG, A REGISTERED LAND SURVEYOR IN THE STATE OF COLORADO DO HEREBY CERTIFY THAT TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF: THERE ARE NO ROADS, IRRIGATION DITCHES, OR OTHER EASEMENTS IN EVIDENCE OR KNOWN BY ME TO EXIST ON OR ACROSS THE HEREIN DESCRIBED PROPERTY EXCEPT AS SHOWN ON THIS PLAT. I FURTHER CERTIFY THAT THE SURVEY WAS PERFORMED BY ME OR UNDER MY DIRECT RESPONSIBILITY, SUPERVISION AND CHECKING AND THAT THE PLAT ACCURATELY REPRESENTS SAID SURVEY, AND THAT ALL MONUMENTS EXIST AS SHOWN HEREON

FOR AND ON BEHALF OF NEW HORIZON SURVEY, LLC.

_____, DATE _____
RANDALL R. LONG
REGISTERED LAND SURVEYOR
COLORADO REGISTRATION NO. 35591

BASIS OF BEARINGS

THE BEARINGS SHOWN HEREON ARE BASED ON THE SOUTH LINE OF THE SOUTHEAST ONE-QUARTER OF SAID SECTION 3, BEING MONUMENTED AT THE SOUTH 1/4 CORNER BY A 3 INCH ALUMINUM CAP STAMPED "T1S, 1/4, 3/10, PLS 26298" AND AT THE SOUTHEAST CORNER OF SAID SECTION 3 BY A 2 INCH ALUMINUM CAP STAMPED "ALPHA ENGRG., T1S, S3/S2/S10/S11, R 67W, 1996, LS 25937" IN A RANGEBOX, BEARING S 89°31'31" W.

NOTICE

ACCORDING TO COLORADO LAW, YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT OF THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF SURVEY SHOWN HERON.

BOARD OF COUNTY COMMISSIONERS APPROVAL

APPROVED BY THE ADAMS COUNTY BOARD OF COMMISSIONERS

THIS ____ DAY OF _____, 20 ____.

CHAIR

PLANNING COMMISSION APPROVAL

APPROVED BY THE ADAMS COUNTY PLANNING COMMISSION

THIS ____ DAY OF _____, 20 ____.

CHAIR

CLERK AND RECORDER

THIS FINAL PLAT WAS FILED FOR RECORD IN THE OFFICE OF THE ADAMS COUNTY CLERK AND RECORDER IN THE STATE OF COLORADO AT

_____, M. ON THE ____ DAY OF _____, 20 ____.

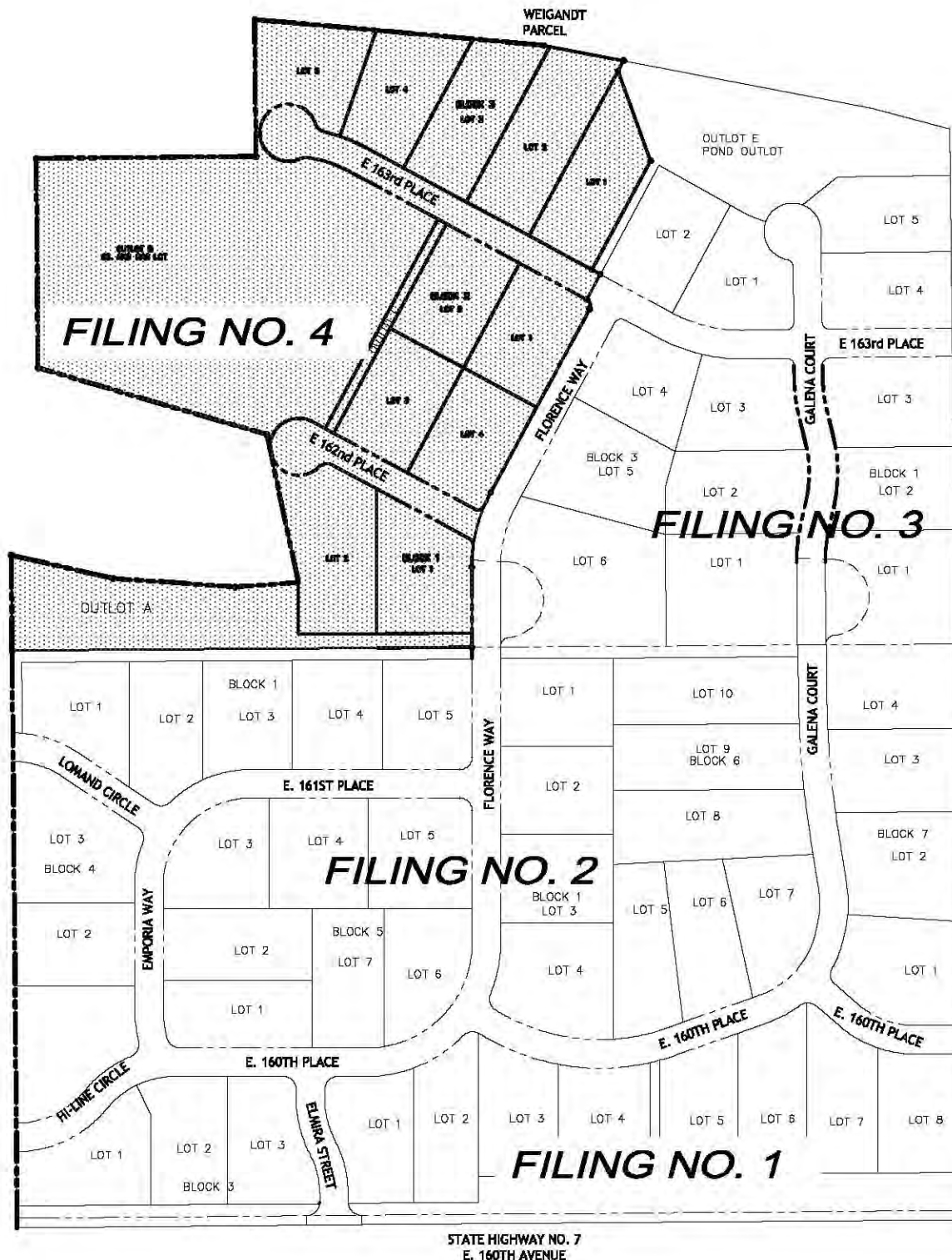
COUNTY CLERK AND RECORDER

BY DEPUTY: _____

INSTRUMENT NUMBER: _____

NEW HORIZON SURVEY, LLC P.A. BOX 213 ARVADA, COLORADO 80001 PH. (303) 942-5288 / newhorizonsurvey.com	SHOOK SUBDIVISION FILING NO. 4 800-218-587	DRAWN BY: BRL	DATE: 11/15/18	REVISION: 3RD REVISION	BY: MCG
		CHECKED BY: RL	DATE: 11/16/18	REVISION: 4TH REVISION	BY: RRL
		SCALE: N/A	DATE: 3/5/19	REVISION: 5TH REVISION	BY: RRL
		DATE: MAY 2018	DATE: 5/29/19	REVISION: 6TH REVISION	BY: EAB
SHEET 1 OF 3		DATE: 6/4/19	DATE: 6/27/19	REVISION: 7TH REVISION	BY: EAB
				REVISION: 8TH REVISION	

SHOOK SUBDIVISION FILING NO 4
 LOCATED IN THE SOUTHEAST 1/4 OF SECTION 3,
 TOWNSHIP 1 SOUTH, RANGE 67 WEST, 6TH PM,
 COUNTY OF ADAMS, STATE OF COLORADO
 SHEET 2 OF 3



SELTZER FARMS
UNPLATTED

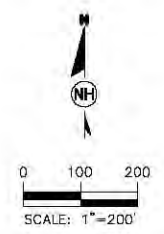
HIGHLAND ACRES
FILE 11, MAP 23

BASELINE LAKES, LLC
REC. NO. 080774340
(UNPLATTED)

LAND USE TABLE

DESCRIPTION	LAND USE	PROPOSED ACREAGE	PROPOSED DWELLING UNITS	PROPOSED % OF SITE ACREAGE	DWELLING UNITS PER ACRE
LOTS 1-2 BLOCK 1 LOTS 1-4 BLOCK 2 LOTS 1-5 BLOCK 3	SINGLE FAMILY RESIDENCES	11.57	11	45%	N/A
OUTLOT A TO BE MAINTAINED BY PROMONTORY HOA	OPEN SPACE	3.35	N/A	9.1	N/A
OUTLOT B (LANDSCAPING) TO BE MAINTAINED BY PROMONTORY HOA	OIL AND GAS	8.81	N/A	34.4	N/A
OUTLOT C (LANDSCAPING) TO BE MAINTAINED BY PROMONTORY HOA	DRAINAGE	0.23	N/A	0.1	N/A
PROPOSED STREET (ROW) AND EASEMENTS	INGRESS/EGRESS & EASEMENTS	2.60	N/A	11.4%	N/A
TOTAL		25.63	11	100.00	0.43

LOT 1, TWIN LAKES ESTATES
SUBDIVISION FILE 17, MAP 382



NEW HORIZON SURVEY, LLC P.O. BOX 213 ARVIDA, COLORADO 80001 PH (303) 502-5266 / rhaune@nhsurvey.com	SHOOK SUBDIVISION FILING NO. 4 800-218-567	DRAWN BY: BRL	DATE: 11/15/18	REVISION: 3RD REVISION	BY: MCG
		CHECKED BY: RL	DATE: 11/16/18	REVISION: 4TH REVISION	BY: RRL
		SCALE: 1" = 200'	DATE: 3/5/19	REVISION: 5TH REVISION	BY: RRL
		DATE: MAY 2018	DATE: 5/28/19	REVISION: 6TH REVISION	BY: EAB
		SHEET 2 OF 3	DATE: 6/4/19	REVISION: 7TH REVISION	BY: EAB
			DATE: 6/27/19	REVISION: 8TH REVISION	BY: EAB

SUBDIVISION IMPROVEMENTS AGREEMENT

THIS AGREEMENT, is made and entered into by and between the County of Adams, State of Colorado, hereinafter called "County" and SEC 2-3 Phoenix, LLC, a Colorado limited liability company, 9200 E. Mineral Avenue, Unit 365, Centennial, CO 80112, hereinafter called "Developer", and collectively referred to hereinafter as the "parties".

WITNESSETH:

WHEREAS, Developer is the owner of real property in the County of Adams, State of Colorado, as described in Exhibit "A" attached hereto, and by this reference made a part hereof, hereafter referred to as the "Property".

WHEREAS, it is provided by resolution of the Board of County Commissioners, County of Adams, that where designated the Developer shall have entered into a written agreement with the County to install public and/or private improvements, and to deed land for public purposes or right-of-way.

NOW, THEREFORE, in consideration of the foregoing, the parties hereto promise, covenant, and agree as follows:

1. **Engineering Services.** Developer shall furnish, at its own expense, all engineering and other services in connection with the design and construction of the improvements described and detailed on Exhibit "B" attached hereto, and by this reference made a part hereof.
2. **Drawings and Estimates.** The Developer shall furnish drawings and cost estimates for all improvements described and detailed on Exhibit "B" for approval by the County. Upon request, the Developer shall furnish one set of reproducible "as built" drawings and a final statement of construction costs for each phase of the development to the County.
3. **Construction.** Developer shall furnish and construct, at its own expense and in accordance with drawings and materials approved by the County, the improvements described and detailed on Exhibit "B".
4. **Time for Completion.** Improvements shall be completed according to the terms of this agreement within "construction completion date" appearing in Exhibits "B". The Director of Community and Economic Development may for good cause grant extension of time for completion of any part or all of improvements appearing on said Exhibit "B" for a period not to exceed 180 days. Any extension greater than 180 days shall only be approved by the Board of County Commissioners. Any extension of time shall be in written form only.
5. **Guarantee of Compliance.** Developer shall furnish to the County a cash escrow deposit or other acceptable collateral releasable only by the County, to guarantee compliance with this agreement. Said collateral shall be in the amount of \$294,313.80 including twenty percent (20%) to cover administration and five percent (5%) per year for the term of the Agreement to cover inflation. Upon completion of said improvements constructed according to the terms of this agreement, and Preliminary Acceptance by the Public Works Department in accordance with section 5-02-05-01 of the County's Development Standards and Regulations, the collateral shall be released. Completion of said improvements shall be determined solely by the County, and a reasonable part of said collateral, up to 20%, may be retained to guarantee maintenance of public improvements for a period of one year from the date of Preliminary Acceptance.

No building permits shall be issued until said collateral is furnished in the amount required and in a form acceptable to the Board of County Commissioners, and until the final plat has been approved and the improvements described in Exhibit "B" have been preliminarily accepted by the Director of Public Works. No construction permits shall be issued until all collateral required by this Agreement is furnished in a form acceptable to the Board of County Commissioners.

6. **Acceptance and Maintenance of Public Improvements.** All improvements designated "public" on Exhibit "B" shall be public facilities and become the property of the County or other public agencies upon acceptance of the improvements. During the period of one year from and after the acceptance of public improvements, the Developer shall, at its own expense, make all needed repairs or replacement due to defective materials or workmanship which, in the opinion of the County, becomes necessary. If, within ten days of written notice to the Developer from the County requesting such repairs or replacements, the Developer has not undertaken with due diligence to make the same, the County may make such repairs or replacements at the Developer's expense. In the case of an emergency such written notice may be waived.
7. **Successors and Assigns.** This agreement shall be binding upon the heirs, executors, personal representatives, successors, and assigns of the Developer, and shall be deemed a covenant running with the real property as described in Exhibit "A" attached hereto.
8. **Improvements and Dedication.** The undersigned Developer hereby agrees to provide the following improvements, and to dedicate described property.

A. **Improvements.** The Shook Subdivision Filing 3 improvements:

Public Improvements:

- Construction of Florence Way, Galena Ct, and 163rd Place.
- Construction of related drainage ways, culverts, and utilities.
- Block 1, Lots 1-5
- Block 2, Lots 1-2
- Block 3, Lots 1-6

The improvements shall be constructed in accordance with all County requirements and specifications in accordance with the approved plans and time schedule as indicated in Exhibit "B".

- B. **Public dedication of land for right-of-way purposes or other public purpose.** Upon approval of this agreement by the Board of County Commissioners, the Developer hereby agrees to convey by warranty deed to the County of Adams the following described land for right-of-way or other public purposes:

All dedications were made at the time of platting.

SEC 2-3 Phoenix, LLC
Developer

By: _____
Gene Osborne, Authorized Agent

By: _____
Name, Title

The foregoing instrument was acknowledged before me this ____ day of _____,
2020, by _____.

My commission expires: _____

Address: _____

Notary Public

APPROVED BY resolution at the meeting of _____, 2020.

Collateral to guarantee compliance with this agreement and construction of public improvements shall be required in the amounts of **\$294,313.80**. No building permits shall be issued until said collateral is furnished in the amount required and, in a form, acceptable to the Board of County Commissioners. No construction permits shall be issued until all collateral required by this Agreement is furnished in the amount required and in a form acceptable to the Board of County Commissioners.

ATTEST:

CHAIR
ADAMS COUNTY, COLORADO

Clerk of the Board

Chair

Approved as to form:

County Attorney

EXHIBIT A

Legal Description: Located in the Southeast ¼ of Section 3, Township 1 South, Range 67 West of the 6th P.M, County of Adams, State of Colorado

SECT,TWN,RNG:3-1-67 DESC: PARC A-1 PT OF THE N2 OF THE SE4 OF SEC 3 DESC AS FOLS BEG AT THE NW COR OF THE NE4 OF SD SEC 3 TH N 89D 34M 25S E 422/14 FT TH S 00D 30M 59S E 2384/12 FT TH N 89D 39M 59S E 100 FT TO THE TRUE POB TH S 82D 54M 03S E 610/38 FT TH S 79D 10M 19S E 701/23 FT TH S 75D 13M 06S E 171/08 FT TH S 00D 40M 10S E 1082/69 FT TH S 89D 35M 44S W 1985/04 FT TH N 00D 30M 59S W 200/52 FT TH S 77D 05M 57S E 220/03 FT TH S 86D 03M 09S E 256/87 FT TH N 86D 11M 56S E 133/20 FT TH N 12D 00M 10S W 318/38 FT TH N 73D 44M 55S W 500/99 FT TH N 00D 30M 59S W 440/47 FT TH N 89D 29M 01S E 462/14 FT TH N 00D 30M 59S W 287/50 FT TO THE TRUE POB 48/03A

EXHIBIT B

See attached Exhibit "B".

Construction Completion Dates:

Filing 3 (exhibit B): June 1, 2021

Initials or signature of Developer: _____

Exhibit B
Shook Subdivision Filing
3
Projected Schedule Of
Public Improvements
June 1, 2020

Item	Quantity	Unit	Unit Price	Total
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1. a. Streets - Florence Way				
All Internal roads				
HMA Pavement (4" Full Depth)	2020	SY	\$18.75	\$37,875.00
Class 6 Road Base (6" Depth)	2020	SY	\$9.75	\$19,695.00
Fine Grading	2020	SY	\$0.57	\$1,151.40
6' Class 6 road base shoulders	1010	SY	\$9.75	\$9,847.50
Signs	2	EA	\$300.00	\$600.00
Street Lights	1	EA	\$3,500.00	\$3,500.00
Mobilization	1	LS	\$390.00	\$390.00
			Subtotal	\$73,058.90

1. b. Streets - Galena Court				
All Internal roads				
HMA Pavement (4" Full Depth)	2315	SY	\$18.75	\$43,406.25
Class 6 Road Base	2315	SY	\$9.75	\$22,571.25
Fine Grading	2315	SY	\$0.57	\$1,319.55
6' Class road base shoulders	1157	SY	\$9.75	\$11,280.75
Signs	4	EA	\$300.00	\$1,200.00
Street Lights	2	EA	\$3,500.00	\$7,000.00
Mobilization	1		\$390.00	\$390.00
			Subtotal	\$87,167.80

1. c. Streets - E. 163rd Place				
All Internal roads				
HMA Pavement (4" Full Depth)	1824	SY	\$18.75	\$34,200.00
Class 6 Road Base	1824	SY	\$9.75	\$17,784.00
Fine Grading	1824	SY	\$0.57	\$1,039.68
6' Class 6 road base shoulders	912	SY	\$9.75	\$8,892.00
Signs	1	EA	\$300.00	\$300.00
Street Lights	1	EA	\$3,500.00	\$3,500.00
36-inch RCP	50	LF	\$95.00	\$4,750.00
36" FES	2	EA	\$1,250.00	\$2,500.00
Mobilization	1	LS	\$390.00	\$390.00
			Subtotal	\$73,355.68

Total Projection	\$233,582.38
Administration 20%	\$280,298.86
Inflation Guaranty 5%	\$14,014.94
Total Projection With Warranty	\$294,313.80

SUBDIVISION IMPROVEMENTS AGREEMENT

THIS AGREEMENT, is made and entered into by and between the County of Adams, State of Colorado, hereinafter called "County" and SEC 2-3 Phoenix, LLC, a Colorado limited liability company, 9200 E. Mineral Avenue, Unit 365, Centennial, CO 80112, hereinafter called "Developer", and collectively referred to hereinafter as the "parties".

WITNESSETH:

WHEREAS, Developer is the owner of real property in the County of Adams, State of Colorado, as described in Exhibit "A" attached hereto, and by this reference made a part hereof, hereafter referred to as the "Property".

WHEREAS, it is provided by resolution of the Board of County Commissioners, County of Adams, that where designated the Developer shall have entered into a written agreement with the County to install public and/or private improvements, and to deed land for public purposes or right-of-way.

NOW, THEREFORE, in consideration of the foregoing, the parties hereto promise, covenant, and agree as follows:

1. **Engineering Services.** Developer shall furnish, at its own expense, all engineering and other services in connection with the design and construction of the improvements described and detailed on Exhibit "B" attached hereto, and by this reference made a part hereof.
2. **Drawings and Estimates.** The Developer shall furnish drawings and cost estimates for all improvements described and detailed on Exhibit "B" for approval by the County. Upon request, the Developer shall furnish one set of reproducible "as-built" drawings and a final statement of construction costs for each phase of the development to the County.
3. **Construction.** Developer shall furnish and construct, at its own expense and in accordance with drawings and materials approved by the County, the improvements described and detailed on Exhibit "B".
4. **Time for Completion.** Improvements shall be completed according to the terms of this agreement within "construction completion date" appearing in Exhibit "B". The Director of Community and Economic Development may for good cause grant extension of time for completion of any part or all of improvements appearing on said Exhibit "B" for a period not to exceed 180 days. Any extension greater than 180 days shall only be approved by the Board of County Commissioners. Any extension of time shall be in written form only.
5. **Guarantee of Compliance.** Developer shall furnish to the County a cash escrow deposit or other acceptable collateral releasable only by the County, to guarantee compliance with this agreement. Said collateral shall be in the amount of \$154,525.47, including twenty percent (20%) to cover administration and five percent (5%) per year for the term of the Agreement to cover inflation. Upon completion of said improvements constructed according to the terms of this agreement, and Preliminary Acceptance by the Public Works Department in accordance with section 5-02-05-01 of the County's Development Standards and Regulations, the collateral shall be released. Completion of said improvements shall be determined solely by the County, and a reasonable part of said collateral, up to 20%, may be retained to guarantee maintenance of public improvements for a period of one year from the date of Preliminary Acceptance.

No building permits shall be issued until said collateral is furnished in the amount required and in a form acceptable to the Board of County Commissioners, and until the final plat has been approved and the improvements described in Exhibit "B" have been preliminarily accepted by the Director of Public Works. No construction permits shall be issued until all collateral required by this Agreement is furnished in a form acceptable to the Board of County Commissioners.

- 6. **Acceptance and Maintenance of Public Improvements.** All improvements designated “public” on Exhibit “B” shall be public facilities and become the property of the County or other public agencies upon acceptance of the improvements. During the period of one year from and after the acceptance of public improvements, the Developer shall, at its own expense, make all needed repairs or replacement due to defective materials or workmanship which, in the opinion of the County, becomes necessary. If, within ten days of written notice to the Developer from the County requesting such repairs or replacements, the Developer has not undertaken with due diligence to make the same, the County may make such repairs or replacements at the Developer’s expense. In the case of an emergency such written notice may be waived.
- 7. **Successors and Assigns.** This agreement shall be binding upon the heirs, executors, personal representatives, successors, and assigns of the Developer, and shall be deemed a covenant running with the real property as described in Exhibit “A” attached hereto.
- 8. **Improvements and Dedication.** The undersigned Developer hereby agrees to provide the following improvements, and to dedicate described property.

A. **Improvements.** The Shook Subdivision Filing 4:

Public Improvements:

- Construction of E. 162nd Place and E. 163rd Place
- Construction of related drainage ways, culverts, and utilities
- Block 1, Lots 1-2
- Block 2, Lots 1-4
- Block 3, Lots 1-5

The improvements shall be constructed in accordance with all County requirements and specifications in accordance with the approved plans and time schedule as indicated in Exhibit “B”.

B. **Public dedication of land for right-of-way purposes or other public purpose.** Upon approval of this agreement by the Board of County Commissioners, the Developer hereby agrees to convey by warranty deed to the County of Adams the following described land for right-of-way or other public purposes:

All dedications were made at the time of platting.

SEC 2-3 Phoenix, LLC
Developer

By: _____
Gene Osborne, Authorized Agent

By: _____
Name, Title

The foregoing instrument was acknowledged before me this ____ day of _____, 2020, by _____.

My commission expires: _____

Address: _____

Notary Public

APPROVED BY resolution at the meeting of _____, 2020.

Collateral to guarantee compliance with this agreement and construction of public improvements shall be required in the amounts of \$154,525.47. No building permits shall be issued until said collateral is furnished in the amount required and, in a form, acceptable to the Board of County Commissioners. No construction permits shall be issued until all collateral required by this Agreement is furnished in the amount required and in a form acceptable to the Board of County Commissioners.

ATTEST:

CHAIR
ADAMS COUNTY, COLORADO

Clerk of the Board

Chair

Approved as to form:

County Attorney

EXHIBIT A

Legal Description: Located in the Southeast ¼ of Section 3, Township 1 South, Range 67 West of the 6th P.M, County of Adams, State of Colorado

SECT,TWN,RNG:3-1-67 DESC: PARC A-1 PT OF THE N2 OF THE SE4 OF SEC 3 DESC AS FOLS BEG AT THE NW COR OF THE NE4 OF SD SEC 3 TH N 89D 34M 25S E 422/14 FT TH S 00D 30M 59S E 2384/12 FT TH N 89D 39M 59S E 100 FT TO THE TRUE POB TH S 82D 54M 03S E 610/38 FT TH S 79D 10M 19S E 701/23 FT TH S 75D 13M 06S E 171/08 FT TH S 00D 40M 10S E 1082/69 FT TH S 89D 35M 44S W 1985/04 FT TH N 00D 30M 59S W 200/52 FT TH S 77D 05M 57S E 220/03 FT TH S 86D 03M 09S E 256/87 FT TH N 86D 11M 56S E 133/20 FT TH N 12D 00M 10S W 318/38 FT TH N 73D 44M 55S W 500/99 FT TH N 00D 30M 59S W 440/47 FT TH N 89D 29M 01S E 462/14 FT TH N 00D 30M 59S W 287/50 FT TO THE TRUE POB 48/03A

EXHIBIT B

See attached Exhibit B.

Construction Completion Dates:

Filing 4 (exhibit B): June 1, 2021

Initials or signature of Developer: _____

Exhibit B
Shook Subdivision Filing
4
Projected Schedule Of
Public Improvements
June 1, 2020

Item	Quantity	Unit	Unit Price	Total
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1. a. Streets - E. 162nd Place

All Internal roads				
HMA Pavement (4" Full Depth)	765	SY	\$18.75	\$14,343.75
Class 6 Road Base (6" Depth)	765	SY	\$9.75	\$7,458.75
Fine Grading	765	SY	\$0.57	\$436.05
6' Class 6 road base shoulders	382	SY	\$9.75	\$3,724.50
Signs	2	EA	\$300.00	\$600.00
Street Lights	1	EA	\$3,500.00	\$3,500.00
Mobilization	1	LS	\$390.00	\$390.00

18" RCP	84	LF	\$71.52	\$6,007.68
18" FES	2	EA	\$550.00	\$1,100.00
36" RCP	70	LF	\$95.77	\$6,703.90
36" FES	2	EA	\$1,050.00	\$2,100.00

Subtotal \$46,364.63

1. b. Streets - E. 163rd Place

All Internal roads				
HMA Pavement (4" Full Depth)	1909	SY	\$18.75	\$35,793.75
Class 6 Road Base	1909	SY	\$9.75	\$18,612.75
Fine Grading	1909	SY	\$0.57	\$1,088.13
6' Class 6 road base shoulders	954	SY	\$9.75	\$9,301.50
Signs	1	EA	\$300.00	\$300.00
Street Lights	1	EA	\$3,500.00	\$3,500.00
36-inch RCP	50	LF	\$95.77	\$4,788.50
36" FES	2	EA	\$1,250.00	\$2,500.00
Mobilization	1	LS	\$390.00	\$390.00

Subtotal \$76,274.63

Total Projection \$122,639.26

Administration 20% \$147,167.11

Inflation Guaranty 5% \$7,358.36

Total Projection With Warranty \$154,525.47



March 31, 2020

Emily Collins
Adams County Community and Economic Development Department
Transmitted via email:
ecollins@adcogov.org

RE: Shook Subdivision Filings 3 and 4
Project Number: PRC2018-00008
Portion of the SE ¼, Section 3, T1S, R67W, 6th P.M.
Water Division 1, Water District 2

Dear Ms. Collins,

We have reviewed the additional documents related to case no. PRC2018-00008, concerning the above referenced proposal to create 13 lots in Shook Subdivision Filing 3 and to create 11 lots in Shook Subdivision Filing 4.

Water Supply Demand

According to an updated report regarding the District's surface water supplies and water demands on March 16, 2020 ("Water Supply Report") the potable water demand is estimated at 7.2 acre-feet per year based on a potable demand of 0.3 acre-feet per year per unit. According to the Water Supply Report the non-potable irrigation water demand is estimated at 8.16 acre-feet per year based on a non-potable irrigation demand of 0.34 acre-feet per year per unit.

Source of Water Supply

District Water Supply Overview

The proposed water source is the Todd Creek Village Metropolitan District (District). A "willing to serve" letter from the District dated February 18, 2018 was provided with application materials.

This office recognizes that the District continues to develop its water portfolio and infrastructure so that it can meet the needs of its customers. However, when this office evaluates water supplies available to any water district or municipal provider for the purpose of meeting permanent customer commitments it does not consider a district's short-term contract supplies, Denver Basin water that has not been decreed, nontributary Denver Basin groundwater that has not been included in a court approved augmentation plan or any other source of water that is not currently legally available for municipal use. Short term contracts have the potential to be discontinued and water supplies that require a water court decree prior to use have an uncertain yield until such time as a water court decree is obtained. For these reasons, we have not historically considered such supplies when evaluating the permanent water supplies available to a district. This is consistent with the approach we have taken in previous letters to the county regarding the District, including letters dated January 2, 2002, June 18, 2002, August 8, 2002, October 29, 2002, September 15, 2004, January 24, 2005, February 8,



2005, October 4, 2011 and November 17, 2016. In addition, to the extent that the applicant is claiming junior water rights they must specify and provide support for the claimed annual firm yield of the water rights.

District Water Supply Demands

According to the Water Supply Report, the District has implemented a dual pipeline system, one for potable water and one for non-potable irrigation water. New subdivisions will be required to have two taps and the existing subdivisions have been retrofitted with this system.

The Water Supply Report estimates the District’s potable water commitments to be approximately 789.07 acre-feet annually, as shown in Table 1 below and the District’s non-potable water commitments to approximately, 1,345.01 acre-feet annually, as shown in Table 2 below.

For the purposes of understanding the District’s ability to satisfy the counties’ water allocation approaches for the previously approved subdivisions, water demand can also be described by the total residential and commercial water demand over the 100 year and 300 year allocation periods. The total potable water demand for residential and commercial developments is 104,971.7 acre-feet and the non-potable water demand for residential and commercial developments is 164,367.0 acre-feet. The potable and non-potable water requirements of each existing residential and commercial development are listed in Table 1 and 2.

Table 1: Potable Water Demands

Development Name	Number of Single Family Units	Assumed Water Requirement per Lot (AF/yr/lot)	Total Annual In-House Use Requirement (AF/yr)	Water Supply Demand Approach	Total In-House Use Requirement (AF)
Residential					
Todd Creek Farms Filing 1	54	0.269	14.53	100-yr	1452.6
Todd Creek Farms Filing 2	57	0.269	15.33	100-yr	1533.3
Todd Creek Farms Filing 3	62	0.269	16.68	100-yr	1667.8
Todd Creek Farms Filing 4	139	0.269	37.39	100-yr	3739.1
Foxridge	58	0.269	15.60	100-yr	1560.2
Todd Creek Farms Filing 5	160	0.269	43.04	100-yr	4304.0
Eagle Shadow I	185	0.269	49.77	100-yr	4976.5
Wheatland Estates	71	0.269	19.10	100-yr	1909.9
Todd Creek Meadows Phase I	78	0.269	20.98	100-yr	2098.2
Silver Springs	52	0.269	13.99	100-yr	1398.8
Hawk Ridge	47	0.269	12.64	100-yr	1264.3
Eagle Shadow II	191	0.269	51.38	100-yr	5137.9
Heritage at Todd Creek	1277	0.269	343.51	100-yr	34351.3
Todd Creek Village-Bartley	179	0.300	53.70	300-yr	16110.0
Todd Creek Village-Shook	64	0.300	19.20	300-yr	5760.0
Baseline Lakes	54	0.269	14.53	300-yr	4357.8
Jogan Estates	3	0.300	0.9	300-yr	270
Baseline Lakes-Add'l	140	0.300	42.00	300-yr	12,600.0
Commercial					

HTC Club/Maint			3.65	100-yr	365.0
TCVMD office			0.03	100-yr	3.0
NH Church			0.88	100-yr	88.0
Harvest Fellowship			0.24	100-yr	24.0
Total	2,871		789.07		104,971.7

Table 2: Non-Potable Water Demands

Development Name	Number of Single Family Units	Assumed Water Requirement per Lot (AF/yr/lot)	Total Annual Irrigation Requirement (AF/yr)	Water Supply Demand Approach	Total Irrigation Requirement (AF)
Residential					
Todd Creek Farms Filing 1	54	0.34	18.36	100-yr	1,836
Todd Creek Farms Filing 2	57	0.34	19.38	100-yr	1,938
Todd Creek Farms Filing 3	62	0.34	21.08	100-yr	2,108
Todd Creek Farms Filing 4	139	0.34	47.26	100-yr	4,726
Foxridge	58	0.34	19.72	100-yr	1,972
Todd Creek Farms Filing 5	160	0.34	54.40	100-yr	5,440
Eagle Shadow I	185	0.34	62.90	100-yr	6,290
Wheatland Estates	71	0.34	24.14	100-yr	2,414
Todd Creek Meadows Phase I	78	0.34	26.52	100-yr	2,652
Silver Springs	52	0.34	17.68	100-yr	1,768
Hawk Ridge	47	0.34	15.98	100-yr	1,598
Eagle Shadow II	191	0.34	64.94	100-yr	6,494
Heritage at Todd Creek	1277	0.25	319.25	100-yr	31,925
Todd Creek Village-Bartley	179	0.34	60.86	300-yr	18,258
Todd Creek Village-Shook	64	0.34	21.76	300-yr	6,528
Baseline Lakes	54	0.34	18.36	300-yr	5,508
Jogan Estates	3	0.25	0.75	300-yr	225
Baseline Lakes-Add'l	140	0.34	47.60	300-yr	14,280
Commercial					
HTC Club/Maint			11.7	100-yr	1,170
TCVMD office			0.0	100-yr	0
NH Church			0.0	100-yr	0
Harvest Fellowship			0.39	100-yr	39
TCV P&R ES Park			8.1	100-yr	810
TCV P&R TCM Park			3.98	100-yr	398
LS Areas			69.9	100-yr	6,990
Future HTC LS areas			120	100-yr	12,000
HTC Golf Courses			270	100-yr	27,000
Total	2,871		1,345.01		164,367.0

There is a current subdivision proposal in Weld County known as Dry Creek Village East Subdivision Phase 1 and the District may commit an additional 90 acre-feet to that subdivision. If the District

commits to provide water to that development the existing commitments would be 879.07 acre-feet per year.

District Water Supply Availability: Denver Basin Water

According to the District's Water Supply Report, the District has approximately 843 acre-feet per year of currently decreed nontributary Laramie-Fox Hills ground water rights. The District also has 39.2 acre-feet per year of not-nontributary Lower Arapahoe ground water rights that are currently included in a plan for augmentation and 503.6 acre-feet per year of not-nontributary Lower Arapahoe ground water rights that are currently not included in a plan for augmentation. Once adjudicated, the District claims it will also have the right to withdraw and use additional Laramie-Fox Hills aquifer water underlying lands in the District's boundaries that is not currently adjudicated. **Please note that these amounts are based on the statutory 100-year aquifer life allocation approach.**

Based on this information, the District currently has a total of 88,220 acre-feet (882.2 acre-feet per year for 100 years) of Denver Basin water supplies; the District is committed to supplying a total of 104,971.7 acre-feet of potable water. If the Denver Basin water is withdrawn over 100 years, it equates to 882.2 acre-feet of water per year, which is greater than the yearly potable commitment of 789.07 acre-feet per year.

The proposed source of water for this subdivision includes bedrock aquifer ground water in the Denver Basin. The State Engineer's Office does not have evidence regarding the length of time for which this source will be a physically and economically viable source of water. According to 37-90-137(4)(b)(I), C.R.S., "Permits issued pursuant to this subsection (4) shall allow withdrawals on the basis of an aquifer life of one hundred years." Based on this allocation approach, the annual amounts of water decreed by the District in the Denver Basin are equal to one percent of the total amount, as determined by rules 8.A and 8.B of the Statewide Nontributary Ground Water Rules, 2 CCR 402-7. Therefore, the water may be withdrawn in those annual amounts for a maximum of 100 years.

In the Adams County Development Standards and Regulations, Effective April 15, 2002, Section 5-04-05-06-04 states:

"Prior to platting, the developer shall demonstrate that...the water supply is dependable in quantity and quality based on a minimum useful life of three-hundred (300) years. A minimum 300-year useful life means the water supply from both a static and dynamic basis will be viable for a minimum 300-year period. The static analysis shall include evaluation of the volume of water that is appropriable for the proposed subdivision. The dynamic analysis shall evaluate whether the appropriable water supply is sustainable for three-hundred (300) years, giving consideration to the location and extent of the aquifer, as well as impacts caused by both current and future pumping by others from the aquifer."

The State Engineer's Office does not have evidence regarding the length of time for which this source will be "dependable in quantity and quality." However, the one hundred year and three hundred year water allocation approach was evaluated as described above. The State Engineer's Office has no comment on the quality of the water supply or the required 'dynamic analysis' to evaluate whether the appropriable water supply is sustainable for three hundred years.

District Water Supply Availability: Surface Water

According to the District’s Water Supply Report, the District has surface water rights and leased sources. Some of this water is limited to municipal or irrigation uses only, as outlined in Table 3, below. Table 3 also outlines what sources this office considers secure permanent supplies for the purposes of evaluating a subdivision water supply plan. This office does not consider water subject to short-term leases or water not yet adjudicated by the Water Court when evaluating the amount of permanent supplies available to supply residential developments.

Regarding the District’s use of Coors water, the following issues need to be addressed before we can provide additional comments. The Coors effluent may have very limited yield since the decrees under which the majority of the water rights were changed (case nos. W-8036, W8256 and 89CW234) do not allow for reuse or successive use for municipal uses within the District’s boundaries or augmentation uses other than the Coors Operations contemplated in the decrees. It appears that only a portion of the water included in case no. 99CW236, specifically water previously changed in case no. 96CW1117, could be used within the District’s boundaries, subject to the terms and conditions of said decrees.

The District has obtained a decree in case no. 08CW165. The average historical consumptive use decreed in that case for the Old Brantner shares of 130 acre-feet has been included as a permanent supply as shown in Table 3.

Table 3: District’s Surface Water Supplies

Water Source	Contract/ Shares	Contract End Date or Decree/ SWSP	Proposed Yield: Municipal (AF)	Proposed Yield: Irrigation (AF)	Firm yield, permanent supply: Municipal (AF)	Firm yield, permanent supply: Irrigation (AF)	Notes
Old Brantner	17 shares	08CW165	315.2	0	130	0	Adjudicated March 10, 2015
New Brantner	18.375 shares		0	312	0	312*	No information provided
Effluent	Coors- Aug	12/31/2016 (12/31/2026 w/ extensions)	200	0	0	0	Effluent not decreed for reuse or successive use
Reusable Effluent	Consolidated Mutual	Perpetual	500	0	462.1**	0	
Excess Credits	SACWSD	3/31/2018	500	0	0	0	Short term lease

*The New Brantner shares can continue to be used for the historical irrigation use. From the information provided it could not be determined if the land proposed to be irrigated is included under the originally decreed lands.

**The Consolidated Mutual contract water is typically released from the Metro Wastewater Facility; this water travels downstream to the District. Due to transit losses associated with the water delivery, only 462.1 acre-feet of the 500 acre-feet contracted is realized by the District. This calculation is based on the standard river transit loss rates; in a dry year the rate of transit loss could increase.

As shown in Table 3 above the District has approximately 592.1 acre-feet of potable surface water and leased supplies that could be considered part of the permanent water supply.

The Applicant is also claiming that the junior surface and storage water rights decreed in Division 1 Water Court case nos. 13CW3181 and 16CW3019 have a firm yield of 1,777 acre-feet per year. This analysis is based on historical stream flow and call records for the period of 2001 through 2018. According to the Water Supply Report the junior water rights decreed in case nos. 13CW3181 and 16CW3019 will be used when available and the Denver Basin water will be used as a backup supply during periods of drought or shortage.

District Water Supply Availability: Conclusions

The District's ability to regulate potable and irrigation water separately through their dual pipeline system allows this office to evaluate potable water supply and irrigation water supply independently. Therefore, this office's conclusions regarding the District's potable and irrigation water are being addressed separately.

When the permanent supply of the District's municipal surface rights (592.1 acre-feet per year) is combined with the District's Denver Basin water (882.2 acre-feet per year), the District's total permanent potable water supply becomes 1,474.3 acre-feet per year (assuming a 100-year aquifer life). This amount is sufficient to meet the potable residential and commercial demands for the existing District's commitments, which is 789.07 acre-feet per year, which includes the 7.2 acre-feet per year for Shook Subdivision Filings 3 and 4. This amount would also be sufficient if the District commits to serve the Dry Creek Village East Subdivision Phase 1 subdivision in Weld County.

As discussed above based on the 100 year and 300 year allocation approaches required for the subdivisions the total water requirement for the District's current commitments is 104,971.7 acre-feet. The permanent water sources available to meet that demand is 882.2 acre-feet per year of Denver Basin water (88,220 acre-feet total based on a 100 year allocation approach) and 592.1 acre-feet of surface rights (177,630 acre-feet based on deliveries for 300 years). Therefore the total amount of permanent water supplies available over a 300 year period would be 265,850 acre-feet which would be adequate to meet the potable demand over that period of 104,971.7 acre-feet, including Shook Subdivision Filings 3 and 4.

The sources of supply available to meet irrigation demands include the New Brantner shares for areas that can be legally irrigated by such shares, junior water right, Denver Basin water that is not needed to meet potable water demands and leased water from Consolidated Mutual that is not needed to meet potable water demands. However to the extent that Denver Basin water or leased water from Consolidated Mutual is used to meet irrigation demands it would reduce the amount of water available to meet potable water demands. As shown in Table 2 above the annual irrigation demand is 1345.01 acre-feet per year. Based on the Applicant's claimed firm yield for their junior water rights of 1,777 acre-feet the applicant has adequate junior water to meet its annual irrigation demand, as long as the junior water rights continue to be available in-priority consistent with the Applicant's historical availability analysis.

State Engineer's Office Opinion

As stated above, the District's dual pipeline system allows the District to control potable and non-potable water supply separately. Based the District's ability to maintain separate potable and non-potable water supply systems, the information presented above, and pursuant to Section 30-28-136(1)(h)(I) and Section 30-28-136(1)(h)(II), C.R.S., it is our opinion that the proposed water

supply is adequate **for potable residential and commercial use** and can be provided without causing injury to decreed water rights. Pursuant to Section 30-28-136(1)(h)(I) and Section 30-28-136(1)(h)(II), C.R.S., it is our opinion that the proposed water supply is adequate **for irrigation use** and can be provided without causing injury to decreed water rights, as long as the junior water rights continue to be available in-priority consistent with the Applicant's historical availability analysis.

Our opinion that the potable water supply is **adequate** is based on our determination that the amount of Denver Basin water required annually to serve the subdivision is currently physically available, based on current estimated aquifer conditions.

Our opinion that the irrigation water supply is **adequate** is based on the Applicant's firm yield analysis for the junior water rights, which was based on a historical availability analysis.

Our opinion that the potable water supply can be **provided without causing injury** is based on our determination that the amount of Denver Basin water that is legally available for the proposed uses on an annual basis, according to the statutory **allocation** approach, plus the permanent municipal supplies shown in Table 3, is greater than the annual amount of water required to supply existing water commitments and the demands of the proposed subdivision.

Our opinion that the potable water supply can be provided without causing injury recognizes that the District plans to use junior water rights to the extent available as the primary source of water supply and intends to use the Denver Basin water as a backup supply during periods of drought or shortage.

Our opinion is qualified by the following:

The Division 1 Water Court has retained jurisdiction over the final amount of water available under the Denver Basin decrees reference by the District, pending actual geophysical data from the aquifer.

The amounts of water in the Denver Basin aquifers, and identified in this letter, are calculated based on estimated current aquifer conditions. For planning purposes the county should be aware that the economic life of a water supply based on wells in a given Denver Basin aquifer may be less than the 100 or 300 years used for allocation due to anticipated water level declines. We recommend that the county determine whether it is appropriate to require development of renewable water resources for this subdivision to provide for a long-term water supply.

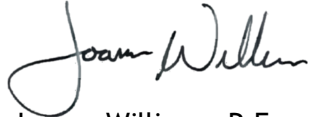
Additionally, the Con Mutual water is subject to assessment of conveyance losses occurring at the time of delivery as assessed by the water commissioner, currently 0.25% per mile during November through March and 0.50% per mile during April through October on the South Platte and 0.25% per mile on Clear Creek. Further, the Con Mutual water is dependent upon the natural stream for delivery from the point made available by Con Mutual at the Metro Wastewater Facility or other decreed source to the downstream location where Todd Creek would divert or use. Todd Creek would be responsible for any structures to be constructed or the use of existing structures that are required to bypass water past any structure that physically sweeps the river.

The applicant should be aware that unless any storm water detention structure, can meet the requirements of a "storm water detention and infiltration facility" as defined in Section 37-92-

602(8), C.R.S., the structure may be subject to administration by this office. The applicant should review the Division of Water Resources [Administrative Statement Regarding the Management of Storm Water Detention Facilities and Post-Wildland Fire Facilities in Colorado](#), available on our website, to ensure that the notification, construction and operation of the proposed structure meets statutory and administrative requirements. The applicant is encouraged to use *Colorado Stormwater Detention and Infiltration Facility Notification Portal*, located at <https://maperture.digitaldataservices.com/gyh/?viewer=cswdif>, to meet the notification requirements.

Should you or the applicant have any questions, please contact Ailis Thyne at (303) 866-3581 x8216.

Sincerely,

A handwritten signature in black ink that reads "Joanna Williams". The signature is written in a cursive, flowing style.

Joanna Williams, P.E.
Water Resource Engineer

JMW/aat

Cc: Subdivision File 24595
Todd Creek Village Metro District File



January 28, 2020

Emily Collins
Adams County Community and Economic Development Department
Transmitted via email:
ecollins@adcogov.org

RE: Shook Subdivision Filings 3 and 4
Project Number: PRC2018-00008
Portion of the SE ¼, Section 3, T1S, R67W, 6th P.M.
Water Division 1, Water District 2

Dear Ms. Collins,

We have reviewed the additional documents related to case no. PRC2018-00008, concerning the above referenced proposal to create 13 lots in Shook Subdivision Filing 3 and to create 11 lots in Shook Subdivision Filing 4.

Water Supply Demand

According to a January 27, 2020 email from Gina Burke with Jehn Water Consultants, Inc. the potable water demand is estimated at 7.2 acre-feet per year based on a potable demand of 0.3 acre-feet per year per unit.

Source of Water Supply

District Water Supply Overview

The proposed water source is the Todd Creek Village Metropolitan District (District). A “willing to serve” letter from the District dated February 18, 2018 was provided with application materials.

The District last provided a Water Supply Report to this office, dated November 2011, on June 3, 2014. The District submitted an updated report regarding the District’s surface water supplies and water demands on December 19, 2019 and a memorandum to the report dated January 20, 2020 (“Water Supply Report”).

This office recognizes that the District continues to develop its water portfolio and infrastructure so that it can meet the needs of its customers. However, when this office evaluates water supplies available to any water district or municipal provider for the purpose of meeting permanent customer commitments it does not consider a district’s short-term contract supplies, Denver Basin water that has not been decreed, not nontributary Denver Basin groundwater that has not been included in a court approved augmentation plan or any other source of water that is not currently legally available for municipal use. Short term contracts have the potential to be discontinued and water supplies that require a water court decree prior to use have an uncertain yield until such time as a water court decree is obtained. For these reasons, we have not historically considered such supplies when evaluating the permanent water



supplies available to a district. This is consistent with the approach we have taken in previous letters to the county regarding the District, including letters dated January 2, 2002, June 18, 2002, August 8, 2002, October 29, 2002, September 15, 2004, January 24, 2005, February 8, 2005, October 4, 2011 and November 17, 2016. In addition, to the extent that the applicant is claiming junior water rights they must specify and provide support for the claimed annual firm yield of the water rights.

District Water Supply Demands

According to information in this office, the District has implemented a dual pipeline system, one for potable water and one for non-potable irrigation water. New subdivisions will be required to have two taps and the existing subdivisions have been retrofitted with this system. This office will focus on the potable residential and commercial water demands since the Water Supply Report addresses the potable demands and Todd Creek has existing permanent water supplies that will provide a firm yield to meet these demands and can supply potable water separate from non-potable water as a result of their dual pipeline system.

The Water Supply Report estimates the District’s potable water commitments to be approximately 789.07 acre-feet annually, as shown in Table 1 below.

For the purposes of understanding the District’s ability to satisfy the counties’ water allocation approaches for the previously approved subdivisions, water demand can also be described by the total residential and commercial potable water demand over the 100 year and 300 year allocation periods. The total potable water demand for residential and commercial developments is 104,971.7 acre-feet. The potable water requirements of each existing residential and commercial development are listed in Table 1.

Table 1: Potable Water Demands

Development Name	Number of Single Family Units	Assumed Water Requirement per Lot (AF/yr/lot)	Total Annual In-House Use Requirement (AF/yr)	Water Supply Demand Approach	Total In-House Use Requirement (AF)
Residential					
Todd Creek Farms Filing 1	54	0.269	14.53	100-yr	1452.6
Todd Creek Farms Filing 2	57	0.269	15.33	100-yr	1533.3
Todd Creek Farms Filing 3	62	0.269	16.68	100-yr	1667.8
Todd Creek Farms Filing 4	139	0.269	37.39	100-yr	3739.1
Foxridge	58	0.269	15.60	100-yr	1560.2
Todd Creek Farms Filing 5	160	0.269	43.04	100-yr	4304.0
Eagle Shadow I	185	0.269	49.77	100-yr	4976.5
Wheatland Estates	71	0.269	19.10	100-yr	1909.9
Todd Creek Meadows Phase I	78	0.269	20.98	100-yr	2098.2
Silver Springs	52	0.269	13.99	100-yr	1398.8
Hawk Ridge	47	0.269	12.64	100-yr	1264.3
Eagle Shadow II	191	0.269	51.38	100-yr	5137.9
Heritage at Todd Creek	1277	0.269	343.51	100-yr	34351.3
Todd Creek Village-Bartley	172	0.300	51.60	300-yr	15480.0
Todd Creek Village-Shook	64	0.300	19.20	300-yr	5760.0

Baseline Lakes	54	0.269	14.53	300-yr	4357.8
Jogan Estates	3	0.300	0.9	300-yr	270
Baseline Lakes-Add'l	140	0.300	42.00	300-yr	12,600.0
Commercial					
HTC Club/Maint			3.65	100-yr	365.0
TCVMD office			0.03	100-yr	3.0
NH Church			0.88	100-yr	88.0
Harvest Fellowship			0.24	100-yr	24.0
Total	2,871		789.07		104,971.7

There is a current subdivision proposal in Weld County known as Dry Creek Village East Subdivision Phase 1 and the District may commit an additional 90 acre-feet to that subdivision. If the District commits to provide water to that development the existing commitments would be 879.07 acre-feet per year.

District Water Supply Availability: Denver Basin Water

According to the District's Water Supply Report, the District has approximately 843 acre-feet per year of currently decreed nontributary Laramie-Fox Hills ground water rights. The District also has 39.2 acre-feet per year of not-nontributary Lower Arapahoe ground water rights that are currently included in a plan for augmentation and 503.6 acre-feet per year of not-nontributary Lower Arapahoe ground water rights that are currently not included in a plan for augmentation. Once adjudicated, the District claims it will also have the right to withdraw and use additional Laramie-Fox Hills aquifer water underlying lands in the District's boundaries that is not currently adjudicated. **Please note that these amounts are based on the statutory 100-year aquifer life allocation approach.**

Based on this information, the District currently has a total of 88,220 acre-feet (882.2 acre-feet per year for 100 years) of Denver Basin water supplies; the District is committed to supplying a total of 104,971.7 acre-feet of potable water. If the Denver Basin water is withdrawn over 100 years, it equates to 882.2 acre-feet of water per year, which is greater than the yearly potable commitment of 789.07 acre-feet per year.

The proposed source of water for this subdivision includes bedrock aquifer ground water in the Denver Basin. The State Engineer's Office does not have evidence regarding the length of time for which this source will be a physically and economically viable source of water. According to 37-90-137(4)(b)(I), C.R.S., "Permits issued pursuant to this subsection (4) shall allow withdrawals on the basis of an aquifer life of one hundred years." Based on this **allocation** approach, the annual amounts of water decreed by the District in the Denver Basin are equal to one percent of the total amount, as determined by rules 8.A and 8.B of the Statewide Nontributary Ground Water Rules, 2 CCR 402-7. Therefore, the water may be withdrawn in those annual amounts for a maximum of 100 years.

In the Adams County Development Standards and Regulations, Effective April 15, 2002, Section 5-04-05-06-04 states:

"Prior to platting, the developer shall demonstrate that...the water supply is dependable in quantity and quality based on a minimum useful life of three-hundred (300) years. A minimum 300-year useful life means the water supply from both a

static and dynamic basis will be viable for a minimum 300-year period. The static analysis shall include evaluation of the volume of water that is appropriable for the proposed subdivision. The dynamic analysis shall evaluate whether the appropriable water supply is sustainable for three-hundred (300) years, giving consideration to the location and extent of the aquifer, as well as impacts caused by both current and future pumping by others from the aquifer.”

The State Engineer’s Office does not have evidence regarding the length of time for which this source will be “dependable in quantity and quality.” However, the one hundred year and three hundred year water allocation approach was evaluated as described above. The State Engineer’s Office has no comment on the quality of the water supply or the required ‘dynamic analysis’ to evaluate whether the appropriable water supply is sustainable for three hundred years.

District Water Supply Availability: Surface Water

According to the District’s Water Supply Report, the District has surface water rights and leased sources. Some of this water is limited to municipal or irrigation uses only, as outlined in Table 2, below. Table 2 also outlines what sources this office considers secure permanent supplies for the purposes of evaluating a subdivision water supply plan. This office does not consider water subject to short-term leases or water not yet adjudicated by the Water Court when evaluating the amount of permanent supplies available to supply residential developments.

Regarding the District’s use of Coors water, the following issues need to be addressed before we can provide additional comments. The Coors effluent may have very limited yield since the decrees under which the majority of the water rights were changed (case nos. W-8036, W8256 and 89CW234) do not allow for reuse or successive use for municipal uses within the District’s boundaries or augmentation uses other than the Coors Operations contemplated in the decrees. It appears that only a portion of the water included in case no. 99CW236, specifically water previously changed in case no. 96CW1117, could be used within the District’s boundaries, subject to the terms and conditions of said decrees.

The District has obtained a decree in case no. 08CW165. The average historical consumptive use decreed in that case for the Old Brantner shares of 130 acre-feet has been included as a permanent supply as shown in Table 2.

Table 2: District’s Surface Water Supplies

Water Source	Contract/ Shares	Contract End Date or Decree/ SWSP	Proposed Yield: Municipal (AF)	Proposed Yield: Irrigation (AF)	Firm yield, permanent supply: Municipal (AF)	Firm yield, permanent supply: Irrigation (AF)	Notes
Old Brantner	17 shares	08CW165	315.2	0	130	0	Adjudicated March 10, 2015
New Brantner	18.375 shares		0	312	0	312*	No information provided
Effluent	Coors- Aug	12/31/2016 (12/31/2026 w/ extensions)	200	0	0	0	Effluent not decreed for reuse or successive use
Reusable Effluent	Consolidated Mutual	Perpetual	500	0	462.1**	0	
Excess Credits	SACWSD	3/31/2018	500	0	0	0	Short term lease

*The New Brantner shares can continue to be used for the historical irrigation use. From the information provided it could not be determined if the land proposed to be irrigated is included under the originally decreed lands.

**The Consolidated Mutual contract water is typically released from the Metro Wastewater Facility; this water travels downstream to the District. Due to transit losses associated with the water delivery, only 462.1 acre-feet of the 500 acre-feet contracted is realized by the District. This calculation is based on the standard river transit loss rates; in a dry year the rate of transit loss could increase.

As shown in Table 2 above the District has approximately 592.1 acre-feet of potable surface water and leased supplies that could be considered part of the permanent water supply.

The Applicant is also claiming that the junior surface and storage water rights decreed in Division 1 Water Court case nos. 13CW3181 and 16CW3019 have a firm yield of 1,405 acre-feet per year. This analysis is based on historical stream flow and call records for the period of 2001 through 2018. According to the Water Supply Report the junior water rights decreed in case nos. 13CW3181 and 16CW3019 will be used when available and the Denver Basin water will be used as a backup supply during periods of drought or shortage.

District Water Supply Availability: Conclusions

The District’s ability to regulate potable and irrigation water separately through their dual pipeline system allows this office to evaluate potable water supply and irrigation water supply independently. Therefore, this office’s conclusions regarding the District’s potable and irrigation water are being addressed separately.

When the permanent supply of the District’s municipal surface rights (592.1 acre-feet per year) is combined with the District’s Denver Basin water (882.2 acre-feet per year), the District’s total permanent potable water supply becomes 1,474.3 acre-feet per year (assuming a 100-year aquifer

life). This amount is sufficient to meet the potable residential and commercial demands for the existing District's commitments, which is 789.07 acre-feet per year, which includes the 7.2 acre-feet per year for Shook Subdivision Filings 3 and 4. This amount would also be sufficient if the District commits to serve the Dry Creek Village East Subdivision Phase 1 subdivision in Weld County.

As discussed above based on the 100 year and 300 year allocation approaches required for the subdivisions the total water requirement for the District's current commitments is 104,971.7 acre-feet. The permanent water sources available to meet that demand is 882.2 acre-feet per year of Denver Basin water (88,220 acre-feet total based on a 100 year allocation approach) and 592.1 acre-feet of surface rights (177,630 acre-feet based on deliveries for 300 years). Therefore the total amount of permanent water supplies available over a 300 year period would be 265,850 acre-feet which would be adequate to meet the demand over that period of 104,971.7 acre-feet, including Shook Subdivision Filings 3 and 4.

The recognized permanent surface irrigation supplies are 312 acre-feet per year available from the New Brantner shares. Permanent potable water supply that is not needed for existing residential and commercial commitments may be used as a source of permanent irrigation water supply, however Denver Basin water used for that purpose would reduce the amount available to meet future potable water demands.

The 312 acre-feet of permanent irrigation supplies is less than the 1,922.81 acre-feet per year irrigation demand projected for the platted parcels. It is our opinion that the District does not have adequate permanent water supplies to meet the estimated future irrigation requirements.

State Engineer's Office Opinion

As stated above, the District's dual pipeline system allows the District to control potable and non-potable water supply separately. Based on the District's ability to maintain separate potable and non-potable water supply systems, the information presented above, and pursuant to Section 30-28-136(1)(h)(I) and Section 30-28-136(1)(h)(II), C.R.S., it is our opinion that the proposed water supply is adequate for **potable residential and commercial use** and can be provided without causing injury to decreed water rights. **This office offers no formal opinion pursuant to the above referenced statutes regarding the non-potable water supply for golf course or lawn and garden irrigation.**

Our opinion that the potable water supply is **adequate** is based on our determination that the amount of Denver Basin water required annually to serve the subdivision is currently physically available, based on current estimated aquifer conditions.

Our opinion that the potable water supply can be **provided without causing injury** is based on our determination that the amount of Denver Basin water that is legally available for the proposed uses on an annual basis, according to the statutory allocation approach, plus the permanent municipal supplies shown in Table 2, is greater than the annual amount of water required to supply existing water commitments and the demands of the proposed subdivision.

Our opinion that the potable water supply can be provided without causing injury recognizes that the District plans to use junior water rights to the extent available as the primary source of water supply and intends to use the Denver Basin water as a backup supply during periods of drought or

shortage.

Our opinion is qualified by the following:

The Division 1 Water Court has retained jurisdiction over the final amount of water available under the Denver Basin decrees reference by the District, pending actual geophysical data from the aquifer.

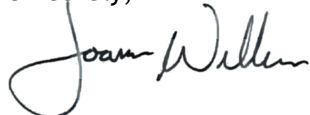
The amounts of water in the Denver Basin aquifers, and identified in this letter, are calculated based on estimated current aquifer conditions. For planning purposes the county should be aware that the economic life of a water supply based on wells in a given Denver Basin aquifer may be less than the 100 or 300 years used for allocation due to anticipated water level declines. We recommend that the county determine whether it is appropriate to require development of renewable water resources for this subdivision to provide for a long-term water supply.

Additionally, the Con Mutual water is subject to assessment of conveyance losses occurring at the time of delivery as assessed by the water commissioner, currently 0.25% per mile during November through March and 0.50% per mile during April through October on the South Platte and 0.25% per mile on Clear Creek. Further, the Con Mutual water is dependent upon the natural stream for delivery from the point made available by Con Mutual at the Metro Wastewater Facility or other decreed source to the downstream location where Todd Creek would divert or use. Todd Creek would be responsible for any structures to be constructed or the use of existing structures that are required to bypass water past any structure that physically sweeps the river.

The applicant should be aware that unless any storm water detention structure, can meet the requirements of a “storm water detention and infiltration facility” as defined in Section 37-92-602(8), C.R.S., the structure may be subject to administration by this office. The applicant should review the Division of Water Resources [Administrative Statement Regarding the Management of Storm Water Detention Facilities and Post-Wildland Fire Facilities in Colorado](#), available on our website, to ensure that the notification, construction and operation of the proposed structure meets statutory and administrative requirements. The applicant is encouraged to use *Colorado Stormwater Detention and Infiltration Facility Notification Portal*, located at <https://maperture.digitaldataservices.com/gvh/?viewer=cswdif>, to meet the notification requirements.

Should you or the applicant have any questions, please contact Ailis Thyne at (303) 866-3581 x8216.

Sincerely,



Joanna Williams, P.E.
Water Resource Engineer

JMW/aat

Cc: Subdivision File 24595
Todd Creek Village Metro District File



COLORADO
Division of Water Resources
Department of Natural Resources

1313 Sherman Street, Room 821
Denver, CO 80203

July 18, 2018

Emily Collins
Adams County Community and Economic Development Department
Transmitted via email:
ecollins@adcogov.org

RE: Shook Subdivision Filings 3 and 4
Project Number: PRC2018-00008
Portion of the SE ¼, Section 3, T1S, R67W, 6th P.M.
Water Division 1, Water District 2

Dear Ms. Collins,

We have reviewed the submittal documents related to case no. PRC2018-00008 provided via mail on June 29, 2018, concerning the above referenced proposal to create 13 lots in Shook Subdivision Filing 3 and to create 11 lots in Shook Subdivision Filing 4.

Estimated water requirements were not provided for this development. The proposed water supply is Todd Creek Village Metropolitan District (“District”). A letter of commitment for service from the District, dated February 19, 2018, was provided. Prior to further review of the subdivision a water supply plan must be included along with an updated report from the District that includes all current water supply commitments. Details of necessary information to be included in the subdivision water supply plan can be found on Attachments A and C of the Updated Memorandum Regarding Subdivisions, available online at: <http://water.state.co.us/groundwater/GWAdmin/Pages/SubdivisionWSP.aspx>.

The applicant should be aware that any storm water detention structure proposed for this location and extent, must meet the requirements of a “storm water detention and infiltration facility” as defined in section 37-92-602(8), Colorado Revised Statutes, in order for the structure to be exempt from administration by this office. The applicant should review DWR’s Administrative Statement Regarding the Management of Storm Water Detention Facilities and Post-Wildland Fire Facilities in Colorado, attached, to ensure that the notification, construction and operation of the proposed structure meets statutory and administrative requirements. The applicant is encouraged to use Colorado Stormwater Detention and Infiltration Facility Notification Portal, located at <https://maperture.digitaldataservices.com/gvh/?viewer=cswdif>, to meet the notification requirements.

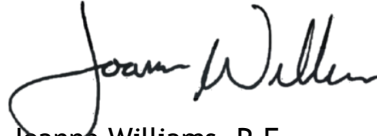


Shook Subdivision Filings 3 and 4
July 18, 2018
Page 2 of 2

Since insufficient information was provided in this referral, we cannot comment on the potential for injury to existing water rights or the adequacy of the proposed water supply under the provisions of Section 30-28-136(1)(h)(II), C.R.S.

Should you have any questions, please contact Ailis Thyne of this office at 303-866-3581 ext. 8216.

Sincerely,



Joanna Williams, P.E.
Water Resource Engineer

JMW/aat

Cc: Subdivision File 24595
Todd Creek Village Metro District File



From: [Thyne - DNR, Ailis](#)
To: [Libby Tart](#)
Subject: Re: second review comments for Shook 3 & 4 (PRC2018-00008)
Date: Thursday, December 5, 2019 9:13:23 AM
Attachments: [Shook Subdivision Filings 3 and 4 12-5-19.pdf](#)

Please be cautious: This email was sent from outside Adams County

Dear Libby Tart,
Please find attached comments from the State Engineers Office regarding PRC2018-00008.

If you have questions, please contact me at [303-866-3581 ext. 8216](tel:303-866-3581).

Sincerely,

Ailis Thyne
Water Resource Engineer



P 303.866.3581 x 8216
1313 Sherman Street, Room 818, Denver, CO 80203
ailis.thyne@state.co.us | www.colorado.gov/water

On Mon, Dec 2, 2019 at 3:13 PM Libby Tart <LTart@adcogov.org> wrote:

Hello all – I inherited the Shook 3 & 4 Preliminary/Final Plat case (number PRC2018-00008) from Emily Collins in February and am taking the preliminary plat portions of the case to public hearings in mid-December and mid-January. It looks like you all provided comment indicating you wished to see a water supply plan even though the new subdivision is part of the Todd Creek Village Metro District. The applicant responded back to Adams County with the following comment: “submitted additional information to Colorado Division of Water Resources in regards to water supply and water requirements”. Unfortunately, I cannot find any verification that Mr. JR Osborne sent this to your agency and if your agency commented that things are now adequate. Do you happen to have the information? If so, it would be very helpful to have it as exhibit material. I’m also attaching the initial comment letter from the first review in summer of 2018.

Many thanks for digging through your archives and finding the information!

Libby

Libby Tart, AICP

Senior Long Range Planner, *Community and Economic Development Department*

ADAMS COUNTY, COLORADO

4430 S. Adams County Parkway, 1st Floor, Suite W2000A

Brighton, CO 80601

O: 720.523.6858 | General Line: 720.523.6800

ltart@adcogov.org | www.adcogov.org



December 5, 2019

Emily Collins
Adams County Community and Economic Development Department
Transmitted via email:
ecollins@adcogov.org

RE: Shook Subdivision Filings 3 and 4
Project Number: PRC2018-00008
Portion of the SE ¼, Section 3, T1S, R67W, 6th P.M.
Water Division 1, Water District 2

Dear Ms. Collins,

We have reviewed the additional documents related to case no. PRC2018-00008, concerning the above referenced proposal to create 13 lots in Shook Subdivision Filing 3 and to create 11 lots in Shook Subdivision Filing 4.

Water Supply Demand

According to the Water Supply Information Summary Sheet submitted by the applicant, the estimated water demand is 0.5 AF/yr per lot, consisting of household use and irrigation use, for a total water demand of 12 AF/yr.

Information submitted by the Todd Creek Village Metropolitan District (“District”) for other subdivisions indicate that each proposed lot typically requires one potable water unit per lot and one irrigation water unit per lot. Since this subdivision is creating 24 lots, it is assumed that this development would require water for 24 lots.

Based on information in this office, the District currently uses a rate of 0.3 acre-feet per year per unit for their Potable Water Units and 0.25 acre-feet per year per unit for their Irrigation Water Units. At these rates, the subdivision would require 7.2 acre feet for indoor uses and 6 acre-feet for irrigation purposes; the development would require a total of 13.2 acre-feet per year.

Source of Water Supply

District Water Supply Overview

The proposed water source is the Todd Creek Village Metropolitan District (District). A “willing to serve” letter from the District dated February 18, 2018 was provided with application materials.



The District last provided a Water Supply Report to this office, dated November 2011, on June 3, 2014. The District submitted updated information regarding the District's surface water supplies and water demands on August 19, 2019 ("updated 2011 Report").

This office recognizes that the District continues to develop its water portfolio and infrastructure so that it can meet the needs of its customers. However, when this office evaluates water supplies available to any water district or municipal provider for the purpose of meeting permanent customer commitments it does not consider a district's short-term contract supplies, pending projects or junior water rights. Short term contracts have the potential to be discontinued, water supplies that require a water court decree prior to use have an uncertain yield until such time as a water court decree is obtained and junior water rights are only able to divert during times when all downstream senior water rights are satisfied, which in the South Platte river basin is infrequent in dry years. For these reasons, we have not historically considered such supplies when evaluating the permanent water supplies available to a district. This is consistent with the approach we have taken in previous letters to the county regarding the District, including letters dated January 2, 2002, June 18, 2002, August 8, 2002, October 29, 2002, September 15, 2004, January 24, 2005, February 8, 2005, October 4, 2011 and November 17, 2016.

District Water Supply Demands

The updated 2011 Report estimates the District's current and future demands are approximately 3,375.08 acre-feet annually of which 1,452.27 acre-feet annually is for potable use and 1,922.81 acre-feet annually is for irrigation use. *This total includes 1,930 units for Dry Creek East Subdivision, but does not include the additional 24 lots of Shook Filings 3 and 4.*

According to information in this office, the District has implemented a dual pipeline system, one for potable water and one for non-potable irrigation water. New subdivisions will be required to have two taps and the existing subdivisions have been retrofitted with this system. Due to the nature of the District's water rights, their dual pipeline system and the water supply requirements of this office, the demand has been further broken down into potable residential water demands, potable commercial water demands and non-potable irrigation demands. This office will focus on the potable residential and commercial water demands since Todd Creek can supply potable water separate from non-potable water as a result of their dual pipeline system. Currently, platted and future residential and commercial potable water demands total 1,452.27 acre-feet per year, *not including Shook Subdivision Filings 3 and 4.*

For the purposes of understanding the District's ability to satisfy the county's water allocation approach for the previously approved subdivisions, water demand can also be described by the total residential and commercial potable water demand over the 100 year and 300 year allocation periods. The total potable water demand for residential and commercial developments is 303,664.4 acre-feet. The potable water requirements of each existing residential and commercial development are listed in Table 1.

Table 1: Potable Water Demands

Development Name	Number of Single Family Units	Assumed Water Requirement per Lot (AF/yr/lot)	Total Annual In-House Use Requirement (AF/yr)	Water Supply Demand Approach	Total In-House Use Requirement (AF)
Residential					
Todd Creek Farms Filing 1	54	0.269	14.53	100-yr	1452.6
Todd Creek Farms Filing 2	57	0.269	15.33	100-yr	1533.3
Todd Creek Farms Filing 3	62	0.269	16.68	100-yr	1667.8
Todd Creek Farms Filing 4	139	0.269	37.39	100-yr	3739.1
Foxridge	58	0.269	15.60	100-yr	1560.2
Todd Creek Farms Filing 5	160	0.269	43.04	100-yr	4304.0
Eagle Shadow I	185	0.269	49.77	100-yr	4976.5
Wheatland Estates	71	0.269	19.10	100-yr	1909.9
Todd Creek Meadows Phase I	78	0.269	20.98	100-yr	2098.2
Silver Springs	52	0.269	13.99	100-yr	1398.8
Hawk Ridge	47	0.269	12.64	100-yr	1264.3
Eagle Shadow II	191	0.269	51.38	100-yr	5137.9
Heritage at Todd Creek	1277	0.269	343.51	100-yr	34351.3
Todd Creek Village-Bartley	172	0.300	51.60	300-yr	15480.0
Todd Creek Village-Shook	32	0.300	9.60	300-yr	2880.0
Baseline Lakes	54	0.269	14.53	300-yr	4357.8
Jogan Estates	3	0.300	0.9	300-yr	270
Seltzer FT	207	0.300	62.10	300-yr	18,630.0
Seltzer Farms	501	0.300	150.30	300-yr	45,090.0
Wygant	255	0.300	76.50	300-yr	22,950.0
Baseline Lakes-Add'l	140	0.300	42.00	300-yr	12,600.0
ALF (Dry Creek East)	1,930	0.200	386	300-yr	115,800.0
Commercial					
HTC Club/Maint			3.65	100-yr	365.0
TCVMD office			0.03	100-yr	3.0
NH Church			0.88	100-yr	88.0
Harvest Fellowship			0.24	100-yr	24.0
Total	5,725		1,452.27		303,931.7

District Water Supply Availability: Denver Basin Water

According to the District's updated 2011 Report, the District has approximately 843 acre-feet per year of currently decreed nontributary Laramie-Fox Hills ground water rights. The District also has 39.2 acre-feet per year of not-nontributary Lower Arapahoe ground water rights that are currently included in a plan for augmentation and 503.6 acre-feet per year of not-nontributary Lower Arapahoe ground water rights that are currently not included in a plan for augmentation. Once adjudicated, the District claims it will also have the right to withdraw and use additional Laramie-Fox Hills aquifer water underlying lands in the District's

boundaries that is not currently adjudicated. **Please note that these amounts are based on the statutory 100-year aquifer life allocation approach.**

Based on this information, the District currently has a total of 88,220 acre-feet (882.2 acre-feet per year for 100 years) of Denver Basin water supplies; the District is committed to supplying a total of 303,931.7 acre-feet of potable water. If the Denver Basin water is withdrawn over 100 years, it equates to 882.2 acre-feet of water per year, which is less than the yearly potable commitment of 1,452.27 acre-feet per year.

The proposed source of water for this subdivision includes bedrock aquifer ground water in the Denver Basin. The State Engineer's Office does not have evidence regarding the length of time for which this source will be a physically and economically viable source of water. According to 37-90-137(4)(b)(I), C.R.S., "Permits issued pursuant to this subsection (4) shall allow withdrawals on the basis of an aquifer life of one hundred years." Based on this **allocation** approach, the annual amounts of water decreed by the District in the Denver Basin are equal to one percent of the total amount, as determined by rules 8.A and 8.B of the Statewide Nontributary Ground Water Rules, 2 CCR 402-7. Therefore, the water may be withdrawn in those annual amounts for a maximum of 100 years.

In the Adams County Development Standards and Regulations, Effective April 15, 2002, Section 5-04-05-06-04 states:

"Prior to platting, the developer shall demonstrate that...the water supply is dependable in quantity and quality based on a minimum useful life of three-hundred (300) years. A minimum 300-year useful life means the water supply from both a static and dynamic basis will be viable for a minimum 300-year period. The static analysis shall include evaluation of the volume of water that is appropriable for the proposed subdivision. The dynamic analysis shall evaluate whether the appropriable water supply is sustainable for three-hundred (300) years, giving consideration to the location and extent of the aquifer, as well as impacts caused by both current and future pumping by others from the aquifer."

The State Engineer's Office does not have evidence regarding the length of time for which this source will be "dependable in quantity and quality." However, the one hundred year and three hundred year water allocation approach was evaluated as described above. The State Engineer's Office has no comment on the quality of the water supply or the required 'dynamic analysis' to evaluate whether the appropriable water supply is sustainable for three hundred years.

District Water Supply Availability: Surface Water

According to the District's updated 2011 Report, the District has surface water rights ranging from 1,740 acre-feet per year to 3,440 acre-feet per year. Some of this surface water is limited to municipal or irrigation uses only, as outlined in Table 2, below. Table 2 also outlines what sources this office considers secure permanent supplies for the purposes of evaluating a subdivision water supply plan. This office does not consider water subject to short-term leases or water not yet adjudicated by the Water Court when evaluating the amount of permanent supplies available to supply residential developments. Also this office will not consider junior water rights unless the District shows that they have the ability to

store junior water rights and can clearly document the firm supply that would be available from such junior water rights in dry years.

Regarding the District's use of Coors water, the following issues need to be addressed before we can provide additional comments. The Coors effluent may have very limited yield since the decrees under which the majority of the water rights were changed (case nos. W-8036, W8256 and 89CW234) do not allow for reuse or successive use for municipal uses within the District's boundaries or augmentation uses other than the Coors Operations contemplated in the decrees. It appears that only a portion of the water included in case no. 99CW236, specifically water previously changed in case no. 96CW1117, could be used within the District's boundaries, subject to the terms and conditions of said decrees.

The District has obtained a decree in case no. 08CW165 since the District's updated 2011 Report, therefore the average historical consumptive use decreed in that case for the Old Brantner shares of 130 acre-feet has been included as a permanent supply as shown in Table 2.

Table 2: District's Surface Water Supplies

Water Source	Contract/ Shares	Contract End Date or Decree/ SWSP	Proposed Yield: Municipal (AF)	Proposed Yield: Irrigation (AF)	Firm yield, permanent supply: Municipal (AF)	Firm yield, permanent supply: Irrigation (AF)	Notes
Old Brantner	17 shares	08CW165	315.2	0	130	0	Adjudicated March 10, 2015
New Brantner	18.375 shares		0	312	0	312*	No information provided
Effluent	Coors- Aug	12/31/2016 (12/31/2026 w/ extensions)	200	0	0	0	Effluent not decreed for reuse or successive use
Reusable Effluent	Consolidated Mutual	Perpetual	500	0	462.1**	0	
Excess Credits	SACWSD	3/31/2018	500	0	0	0	Short term lease
Jr. Surface Right	n/a	13CW3181	40 cfs	0	0	0	
Jr. Surface Right	n/a	16CW3019	7,482	0	0	0	
Jr. Surface Right	n/a	19CW3061	----	0	0	0	Pending Court Case

*The New Brantner shares can continue to be used for the historical irrigation use. From the information provided it could not be determined if the land proposed to be irrigated is included under the originally decreed lands.

**The Consolidated Mutual contract water is typically released from the Metro Wastewater Facility; this water travels downstream to the District. Due to transit losses associated with the water delivery, only 462.1 acre-feet of the 500 acre-feet contracted is realized by the District. This calculation is based on the standard river transit loss rates; in a dry year the rate of transit loss could increase.

Based on the information provided by the District, and additional information available to this office, it appears that the applicant has approximately 592.1 acre-feet of potable surface water supplies that could be considered part of the permanent water supply.

District Water Supply Availability: Conclusions

The District's ability to regulate potable and irrigation water separately through their dual pipeline system allows this office to evaluate potable water supply and irrigation water supply independently. Therefore, this office's conclusions regarding the District's potable and irrigation water are being addressed separately.

When the permanent supply of the District's municipal surface rights (592.1 acre-feet per year) is combined with the District's Denver Basin water (882.2 acre-feet per year), the District's total permanent potable water supply becomes 1,474.3 acre-feet per year (assuming a 100-year aquifer life). This amount is not sufficient to meet the potable residential and commercial demands for the existing District's commitments, which is 1,066.27 acre-feet per year, the 386 acre-feet per year required for Dry Creek East Planned Development (Weld County) and 7.2 acre-feet per year for Shook Subdivision Filings 3 and 4.

As discussed above based on the 100 year and 300 year allocation approaches required for the subdivisions the total water requirement for the District's current commitments is 303,931.7 acre-feet. The permanent water sources available to meet that demand is 882.2 acre-feet per year of Denver Basin water (88,220 acre-feet total based on a 100 year allocation approach) and 592.1 acre-feet of surface rights (177,630 acre-feet based on deliveries for 300 years). Therefore the total amount of permanent water supplies available over a 300 year period would be 265,850 acre-feet which would not be adequate to meet the demand over that period of 303,931.7 acre-feet, *not* including Shook Subdivision Filings 3 and 4.

The recognized permanent surface irrigation supplies are 312 acre-feet per year available from the New Brantner shares. Permanent potable water supply that is not needed for existing residential and commercial commitments may be used as a source of permanent irrigation water supply, however Denver Basin water used for that purpose would reduce the amount available to meet future potable water demands.

The 312 acre-feet of permanent irrigation supplies is less than the 1,922.81 acre-feet per year irrigation demand projected for the platted parcels. It is our opinion that the District does not have adequate permanent water supplies to meet the estimated future irrigation requirements.

State Engineer's Office Opinion

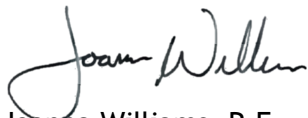
Based on the above and pursuant to Section 30-28-136(1)(h)(II), C.R.S., the State Engineer's Office has not received enough information to render an opinion regarding the potential for causing material injury to decreed water rights, or the adequacy of the proposed water supply. Prior to further review of the subdivision water supply plan the following information is required:

1. The District should show that they have additional firm water supplies currently available to supply water to their existing commitments, Dry Creek Planned Development (Weld County) and Shook Subdivision Filings 3 and 4 or clarify the amount of water actually committed to the Dry Creek Planned Development and Shook Subdivision Filings 3 and 4. If the District will be claiming junior water rights as part of the firm supply the District must show that they have the ability to store the junior water rights and clearly document the firm supply that would be available from such junior water rights in dry years.

The applicant should be aware that unless any storm water detention structure, can meet the requirements of a "storm water detention and infiltration facility" as defined in Section 37-92-602(8), C.R.S., the structure may be subject to administration by this office. The applicant should review the Division of Water Resources [Administrative Statement Regarding the Management of Storm Water Detention Facilities and Post-Wildland Fire Facilities in Colorado](#), available on our website, to ensure that the notification, construction and operation of the proposed structure meets statutory and administrative requirements. The applicant is encouraged to use *Colorado Stormwater Detention and Infiltration Facility Notification Portal*, located at <https://maperture.digitaldataservices.com/gvh/?viewer=cswdif>, to meet the notification requirements.

Should you or the applicant have any questions, please contact Ailis Thyne at (303) 866-3581 x8216.

Sincerely,



Joanna Williams, P.E.
Water Resource Engineer

JMW/aat

Cc: Subdivision File 24595
Todd Creek Village Metro District File

From: [Libby Tart](#)
To: "Don Summers": c3construction@live.com
Cc: [Jen Rutter](#); [Christine Fitch](#); [Matthew Emmens](#)
Subject: RE: TCVMD 2019 Water Supply Plan
Date: Thursday, January 2, 2020 3:03:00 PM
Importance: High

Hello all – Hope you all had a happy holiday!

We haven't received any further files since just before the holidays began. We must receive the *signed and stamped* water supply plan by noon on Wednesday 1/8 in order for the case to not be continued again. The Planning Commission (PC) is expecting that the case will go before them on Thursday 1/9. If you anticipate that this timeframe is not realistic, please make a continuance request by email so that we have it for our records.

The BoCC continuance request occurs on 1/14 and the proposed date for consideration is 1/21. If we need to move the PC date again (to 1/23 or later – PC meetings occur the 2nd and 4th Thursdays of the month) , we will need to continue the BoCC date to February 4th or later.

Please keep us informed about your timeline.

I'm currently working from home due to a head cold, but anticipate being in the office tomorrow.

Many thanks,
Libby

Libby Tart, AICP

Senior Long Range Planner, *Community and Economic Development Department*
ADAMS COUNTY, COLORADO

4430 S. Adams County Parkway, 1st Floor, Suite W2000A
Brighton, CO 80601

O: 720.523.6858 | General Line: 720.523.6800

ltart@adcogov.org | www.adcogov.org

From: Libby Tart

Sent: Tuesday, December 24, 2019 12:20 PM

To: Don Summers <don@toddcreekvillage.org>; Jen Rutter <JRutter@adcogov.org>

Cc: c3construction@live.com; [Christine Fitch <CFitch@adcogov.org>](mailto:CFitch@adcogov.org); [Matthew Emmens <MEmmens@adcogov.org>](mailto:MEmmens@adcogov.org)

Subject: RE: TCVMD 2019 Water Supply Plan

From: [Libby Tart](#)
To: [Don Summers](#); [Jen Rutter](#)
Cc: c3construction@live.com; [Christine Fitch](#); [Matthew Emmens](#)
Subject: RE: TCVMD 2019 Water Supply Plan
Date: Tuesday, December 24, 2019 12:20:00 PM

Hello Don and Jen – I will be happy to send the request along to the Division of Water Resources after we receive the update with the 300 year supply mentioned. I'll be here Thursday and Friday if the revisions are quickly addressed.

Thanks and Merry Christmas to you!

Libby

Libby Tart, AICP

Senior Long Range Planner, *Community and Economic Development Department*
ADAMS COUNTY, COLORADO

4430 S. Adams County Parkway, 1st Floor, Suite W2000A
Brighton, CO 80601

O: 720.523.6858 | General Line: 720.523.6800

ltart@adcogov.org | www.adcogov.org

From: Don Summers <don@toddcreekvillage.org>
Sent: Tuesday, December 24, 2019 11:43 AM
To: Jen Rutter <JRutter@adcogov.org>
Cc: Don Summers <don@toddcreekvillage.org>; c3construction@live.com; [Christine Fitch <CFitch@adcogov.org>](mailto:CFitch@adcogov.org); [Libby Tart <LTart@adcogov.org>](mailto:LTart@adcogov.org); [Matthew Emmens <MEmmens@adcogov.org>](mailto:MEmmens@adcogov.org)
Subject: RE: TCVMD 2019 Water Supply Plan

Please be cautious: This email was sent from outside Adams County

Jen,

Thank you for getting back to me so quickly. What you are asking for is a simple request and I will get back the revision back to you right away.

Merry Christmas,

Don

Don Summers
TCVMD
720.373.7373

The information contained in this e-mail is intended only for the individuals to whom it is addressed. Its contents (including attachments) are confidential and may be privileged information. If you are

not an intended recipient, you must not use, disclose, disseminate, copy or print its contents. If you receive this email in error, please notify the sender or reply by e-mail and delete or destroy this message.

On Dec 24, 2019, at 9:59 AM, Jen Rutter <jrutter@adcogov.org> wrote:

Good morning,

Thank you for providing the TCVMD 2019 Water Supply Plan. The County requires proof of adequate supply of water for a minimum of 300 years, so please make that more explicit in your report. Table 2 (page 15 of 18) lists "Estimated Annual Appropriation 100 yrs af/yr".

Please see Section 5-04-05-06-04(2.) for the details on that 300-year requirement:

<http://www.adcogov.org/sites/default/files/dsr-chapter-05.pdf>

Thank you and happy holidays!

Jen

Jen Rutter

Development Services Manager, *Community & Economic Development*

ADAMS COUNTY, COLORADO

4430 South Adams County Parkway, 1st Floor, Suite W2000A

Brighton, CO 80601

o: 720.523.6841 | jrutter@adcogov.org

www.adcogov.org

From: Don Summers <don@toddcreekvillage.org>

Sent: Thursday, December 19, 2019 11:29 AM

To: Libby Tart <LTart@adcogov.org>; Jen Rutter <JRutter@adcogov.org>; Christine Fitch <CFitch@adcogov.org>

Subject: TCVMD 2019 Water Supply Plan

Please be cautious: This email was sent from outside Adams County

Libby, Jen & Christy,

Please see the attached Water Supply Plan.

In response the letter written by DWR regarding Adams County's request of determination of TCVMD's ability to supply water to the Shook subdivision, Todd Creek Village Metropolitan

District(TCVMD) has commissioned and finished a new Water Supply Plan(WSP).

TCVMD disagrees with the conclusion and overall characterization of our water plan in the letter and thought it would be clearer and more efficient to complete a new WSP for review by both the County and the State DWR.

This is not an update of an existing plan, but an entirely new description of the water available to the District to supply its users. This plan goes not only into the supplies that are available normally, but also the amount available during the drought period of 2002-2006 (The worst in State history) and further to a drought scenario that is significantly worse than the worst seen in Colorado history.

TCVMD is confident of its ability to supply water to all of its customers in all conditions and with more flexibility than most suppliers serving in Adams County or elsewhere in the State. If Adams County would like the District to present or defend this Supply Plan to others of the County's choosing, I am happy to do that on behalf of TCVMD.

TCVMD is in partnership with Adams County on the Mann Lakes Reservoir Project located in the Adams County Regional Park Complex on 124th Ave. This reservoir project is one of many that are in various stages of development by TCVMD to better supply our users. TCVMD has purposefully embarked on a different strategy than many other water suppliers. We here at TCVMD are implementing a "junior rights supported by superior infrastructure" approach. As you will see in the TCVMD 2019 WSP that this approach along with our two-pipe system(potable & non-potable water delivery to each house) allows TCVMD to supply water reliably during very extreme drought periods.

When you have any questions relating to water, I will be glad to assist you whether the issue is directly related to TCVMD or just general water information.

The State DWR is being provided this same 2019 Water Supply Plan by Jehn Water. However, they will not act on it without a formal request from Adams County.

Thank you,

Don

Don Summers
TCVMD
720.373.7373

The information contained in this e-mail is intended only for the individuals to whom it is addressed. Its contents (including attachments) are confidential and may be privileged information. If you are not an intended recipient, you must not use, disclose, disseminate, copy or print its contents. If you receive this email in error, please notify the sender or reply by e-mail and delete or destroy this message.

From: [Don Summers](#)
To: [Libby Tart](#); [Jen Rutter](#); [Christine Fitch](#)
Subject: TCVMD 2019 Water Supply Plan
Date: Thursday, December 19, 2019 11:28:47 AM
Attachments: [TCVMD WSP Final 20191217 \(002\).pdf](#)

Please be cautious: This email was sent from outside Adams County

Libby, Jen & Christy,

Please see the attached Water Supply Plan.

In response the letter written by DWR regarding Adams County's request of determination of TCVMD's ability to supply water to the Shook subdivision, Todd Creek Village Metropolitan District(TCVMD) has commissioned and finished a new Water Supply Plan(WSP). TCVMD disagrees with the conclusion and overall characterization of our water plan in the letter and thought it would be clearer and more efficient to complete a new WSP for review by both the County and the State DWR.

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Don

Don Summers
TCVMD

720.373.7373

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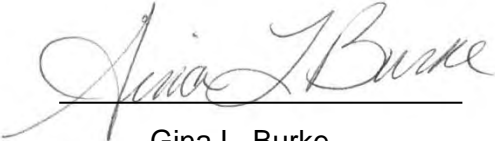
**TODD CREEK VILLAGE
METROPOLITAN DISTRICT
WATER SUPPLY PLAN**

Prepared For: Todd Creek Village Metropolitan District
10450 East 49th Ct.
Brighton, Colorado 80602

Prepared By: Jehn Water Consultants, Inc.
88 Inverness Circle East, Suite K-102
Englewood, Colorado 80112
(303)321-8335
Job No. 814.1

**TODD CREEK VILLAGE
METROPOLITAN DISTRICT
WATER SUPPLY PLAN**

December 17, 2019

A handwritten signature in cursive script, reading "Gina L. Burke", is positioned above a horizontal line. The signature is written in black ink and is centered on the page.

Gina L. Burke
President

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INTRODUCTION

This Report is an update of the Water Supply Report, dated November 2, 2011, for the Todd Creek Village Metropolitan District (District) which is approved to provide services in Adams and Weld Counties, Colorado. The primary purpose of this Report is to summarize the current and future demands of the District and the water available to meet those demands.

The District controls Denver Basin ground water rights in all or portions of Sections 1–5, 8–12, 14–16, and 21-23 in Township 1 South, Range 67 West. The District's Service Area also includes Sections 21-24, 25-28, and 33-36 in Township 1 North, Range 67 West, all within the 6th P.M. (Figure 1). The District's Service Area currently includes approximately 12,891 acres, of which approximately 6,833 acres are located in Adams County and 6,058 acres are located in Weld County.

This Report updates the water supplies available to the District and the current potable and irrigation demands of the District. This Report also provides firm yield analyses for the District's junior water rights and existing infrastructure to evaluate the sufficiency of the District's water supplies.

DISTRICT'S WATER SUPPLY

The District controls water rights in the Denver Basin aquifers underlying the District property as well as surface water rights on the South Platte.

Decreed Denver Basin Ground Water Rights

As summarized in Table 1, a total of 1,386.2 acre-feet per year (af/yr) are decreed for use within the District. That total includes 843.4 af/yr decreed from the nontributary Laramie-Fox Hills aquifer and 542.8 af/yr decreed from the not-nontributary Lower Arapahoe aquifer. At the time of this Report, the water rights decreed in the Lower Arapahoe aquifer have not been decreed in a Water Court approved augmentation plan.

As additional properties are platted and agreements are made with the District for service, the Denver Basin ground water is conveyed to the District. Table 2 provides a summary of Denver Basin ground water rights that have either been conveyed to the District but have not yet been adjudicated, or that underlie properties that are currently in the process of being zoned or platted and will be conveyed to the District upon completion of the land use process. Based on the estimates described in Table 2, there are approximately 568 af/yr in the not-nontributary Lower Arapahoe and 948 af/yr of nontributary Laramie-Fox Hills water rights underlying Todd Creek Village, Todd Creek Shook and Todd Creek Bartley (Adams County). The Todd Creek Seltzer properties, located in both Adams and Weld Counties, may have 59 af/yr in the not-nontributary Lower Arapahoe and 103 af/yr in the nontributary Laramie-Fox Hills underlying those parcels. There is also an estimated 86 af/yr of not-nontributary Lower Arapahoe and 155 af/yr of nontributary Laramie-Fox Hills aquifer ground water underlying the Dry Creek East property. The Dry Creek East property is currently being rezoned through Weld County and once the proposed development is platted, the Denver Basin ground water associated with the property will be conveyed to the District as one of the conditions for service. In total, there is approximately 714 af/yr available in the not-nontributary Lower Arapahoe and 1,216 af/yr in the nontributary Laramie-Fox Hills aquifers that will be available to the District to meet future demands.

Surface Water Rights

The District owns surface water rights to be utilized within the District to meet current and future demands. Table 3 provides a summary of those water rights totaling approximately 19,000 af/yr.

Old Brantner Ditch

The District permanently controls 18 shares of the Old Brantner Ditch. 17 of those shares were changed to municipal uses in Case No. 08CW165. The change of use in that Case was from irrigation to municipal uses within the District. The consumptive use associated with the 17 shares is 130 af/yr.

New Brantner Ditch

The District owns 19.375 shares of the New Brantner Ditch. The District is currently working with Aurora to purchase additional shares. The District has future plans to change its shares of New Brantner Ditch rights to municipal uses within the District. The estimated consumptive use for the 18.375 shares is approximately 312 af/yr.

Consolidated Mutual

The District permanently controls the 500 af/yr of reusable effluent from Consolidated Mutual Water Company.

Case No. 13CW3181

This decree includes conditional surface water rights from the South Platte River, both direct and storage, conditional alluvial well water rights, and a plan for augmentation and exchange. Case No. 13CW3181 includes two surface points of diversion (TCVS-01 and TCVS-02) and four augmented alluvial wells (TCQAL-1 through TCQAL-4). The decreed total annual diversion may not exceed 6,202 af/yr (10-year average) and 11,237 acre-feet in any single year. A total of 1,198 acre-feet of storage was also decreed utilizing the reservoirs within the District's Service Area (Smith, Signal 1, Signal 2, and Baselines East and West). The District is currently using about 564 acre-feet of storage, has the remaining amount under development, is currently utilizing diversions from TCVS-01, and wells TCQAL-1, TCQAL-2 and TCQAL-4.

In Water Year 2018 the District diverted approximately 2,538 acre-feet from the decreed structures and 1,509 acre-feet in Water Year 2019.

Case No. 16CW3019

TCVMD has decreed a conditional storage water right for the Mann Lakes Reservoir which is an off-channel, lined gravel pit reservoir complex consisting of three interconnected lakes know as Mann Lake No. 1, Mann Lake No. 2 and Mann Lake No. 3. A total of 3,741 acre-feet of storage is decreed to Mann Lakes. The decreed volumetric limit is 7,482 af/yr. Currently, the Mann Lakes reservoirs are legally available for use and in 2019 the District diverted approximately 1,656 acre-feet into the reservoir complex, utilizing Mann Lake Nos. 2 and 3.

EXISTING AND PROJECTED WATER DEMANDS

The District is currently relying on its surface water rights to meet the needs of the District and are utilizing their Denver Basin ground water rights as drought protection only. As of the date of this Report, the District is committed to provide potable and irrigation service to 2,713 residential units, four commercial properties, and the irrigation of two parks, miscellaneous landscaping throughout the District and the Heritage Todd Creek Golf Course. The District manages two water rights portfolios, one to meet their potable demands and a second to meet their irrigation demands. The District runs on a two-pipe system where they only treat a portion of their surface water rights for potable uses and can provide untreated water for irrigation throughout the District. The estimated total demands, as outlined in Table 4, for those properties that are currently platted and have service agreements with the District are approximately 1,736 af/yr.

Currently, there are two County applications being processed. The 24 lots in the Adams County application (TC Shook) will add approximately 7.2 af/yr to the current committed potable demands of the District. There are also 300 lots in a Weld County application (ALF) that will add approximately 60 af/yr to the potable demands of the District. The overall total demands of these two applications, including irrigation, will be approximately 150 af/yr which will raise the current overall demands of the District to approximately 1,886 af/yr.

JUNIOR FIRM YIELD ANALYSIS

An operational model was built to determine what demands could be met with the water rights discussed above. This firm yield analysis includes the Water Availability analyses completed for both junior water rights decrees, Case Nos. 13CW3181 and 16CW3019 updated through Water Year 2018 (Tables 5 through 13), along with the currently utilized storage reservoirs (Smith, Signal 2 and Mann Lake Nos. 1, 2 and 3). The sources of water supply to meet the demands in the firm yield analysis include the conditional junior water rights decreed in Case No. 13CW3181 for TCVS-01 (limited to 40 cfs) and the water rights decreed in Case No. 16CW3019 diverted at Mann Lakes South Platte River Diversion (limited to 21 cfs). The total water rights available to the District at TCVS-01, as utilized in this operational analysis, is summarized in Table 11 and those water rights available at Mann Lake are summarized in Table 13.

District Demands

Based on the demands outlined in Table 4, a total of 803 af/yr was utilized in the operational analysis (Table 14). This includes the potable demands for the platted units, which includes the 24 units for TC Shook, and the 300 ALF units (60 af/yr). Since the demands being modeled are potable only, it is assumed they are constant each month. A conservative analysis was completed in regard to the demands of evaporation off of the storage reservoirs. It was assumed that the reservoirs were full throughout the operational model to maximize the evaporative demands on the system. As TCVMD utilizes the reservoirs as a single storage system with all the structures connect to each other, the analysis utilized a combine storage volume of 460 acre-feet at the District (Smith and Signal 2) with a combined surface area of 53 acres. For Mann Lakes, it was assumed that the District would only have available their portion of the Mann Lakes reservoir complex (58.15% of the total storage) which equates to 1,789 acre-feet and 93 surface acres. The conservative demands for evaporation at the District and Mann Lakes are provided in Tables 15 and 16, respectively. As shown, a total of 517 af/yr of evaporation was included in the operational analysis.

Analysis Results

Based on the water availability analysis and the demands on the system, a storage analysis was completed to determine the potential demands met. Table 17 shows the water remaining in storage after the monthly demands are met utilizing the District's storage in Smith and Signal 2.

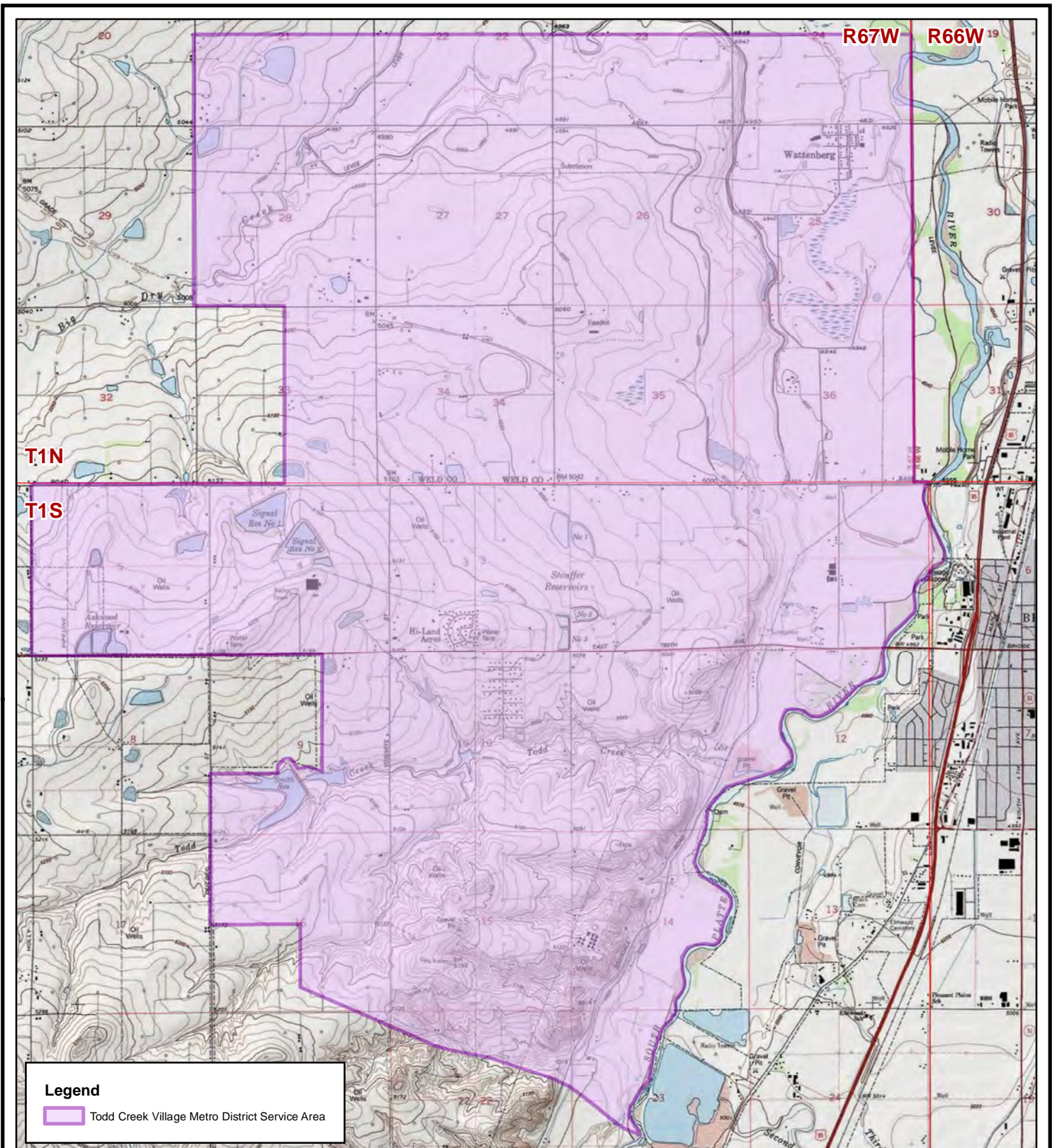
This analysis provides excess storage to be carried over to meet the demands of the following month. There are months in which all demands were not met as shown in Table 18. Those additional demands were then modeled in the Mann Lakes Reservoir Complex. Table 19 shows the water remaining in storage after the remaining demands are met utilizing the District's storage in Mann Lakes. As shown in Table 20, the junior surface water rights, with storage within the District and at Mann Lakes is more than sufficient to meet the District's demands of 803 af/yr.


A second model was completed which added additional conservative measures. The conservative model utilized all the same data as the model discussed above but added a limitation on resources for the two decreed rights. From 2003 through 2005 all water rights available under Case Nos. 13CW3181 and 16CW3019 were zeroed out as shown on Tables 21 and 22, respectively. This modeling approach utilized the same conservative approach to evaporation as discussed above. The results, as shown in Tables 23 through 25, show that the total demands met by the storage structures averaged 748 af/yr over the 26-year study period. As shown in Table 25, there was sufficient junior water rights available in storage to meet all the demands in 2003 and partial demands in 2004 and 2006. From 2004 through 2006, the District would need to utilize other sources available to them, such as their decreed Denver Basin aquifer water rights and the surface water rights from Consolidated Mutual (500 af/yr) and the Old Brantner (130 af/yr), to fill in the gaps when the junior water rights would not be available to meet all demands.

CONCLUSIONS

The Todd Creek Village Metropolitan District has sufficient water rights readily available to meet current and future demands within the District's Service Area. As of the date of this Report, the District's current and short-term future potable demands are approximately 803 af/yr. These demands will be met from water rights owned or controlled by the District. Those water rights currently include approximately 843 af/yr of currently decreed nontributary Laramie-Fox Hills ground water rights, 500 af/yr from Consolidated Mutual, 130 af/yr from the Old Brantner and firm yield supplies from their decreed junior water rights, Case Nos. 13CW3181 and 16CW3019, ranging from 748 af/yr to 803 af/yr based on the analyses included herein. The District will also have right to withdraw and use additional Denver Basin ground water from the Laramie-Fox Hills aquifer once adjudicated in the estimated amounts of 1,216 af/yr for additional drought protection.

These readily available water rights, totaling more than 2,220 af/yr, are more than sufficient to meet the current and future needs of the District. With the use of the District's two-pipe system and separate portfolio of water rights to meet irrigation demands, that would allow the use of the 2,220 af/r of firm water rights to meet the potable demands of over 7,400 units.



Legend
 Todd Creek Village Metro District Service Area

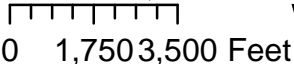
Sources:
 Esri USA Topo Maps Basemap

Projection:
 UTM NAD83

Job No. 814.1
 Prepared By: HLB 02/23/2016
 Checked By: GLB 02/23/2016

Jehn Water Consultants, Inc.
 1565 Gilpin Street
 Denver, CO 80218
 (303) 321-8335
 (303) 321-8346 fax
www.jehnwater.com

TCVMD Service Area

1 inch = 4,000 feet

 0 1,750 3,500 Feet

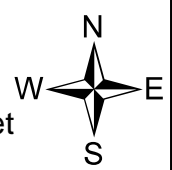


Figure 1

TABLE 1
TODD CREEK VILLAGE METROPOLITAN DISTRICT
DECREED DENVER BASIN GROUND WATER

Case No.	NNT Lower Arapahoe (af/yr)	NT LFH (af/yr)	Total af/yr
83CW136	-	27.3	27.3
87CW258	177.0	226.0	403.0
96CW242	23.8	14.5	38.3
97CW186	28.0	39.0	67.0
98CW396	27.4	38.1	65.5
98CW397	24.7	-	24.7
99CW042	-	34.0	34.0
99CW124	16.8	23.8	40.6
99CW141	28.7	38.0	66.7
00CW160	16.6	-	16.6
00CW254	41.5	133.9	175.4
02CW106	112.1	177.6	289.7
04CW108	46.2	91.2	137.4
Total	542.8	843.4	1386.2

Note: At the time of this report, the NNT Lower Arapahoe Aquifer ground water is not included in a plan for augmentation.

98CW397 was reduced by District's pro-rata share
(144 acres out of 149 acres decreed)

99CW124 was reduced by District's pro-rata share
(80 acres out of 160 acres decreed)

**TABLE 2
TODD CREEK VILLAGE METROPOLITAN DISTRICT
ESTIMATED DENVER BASIN GROUND WATER AVAILABLE**

*Dry Creek East
Township 1 North, Range 67 West, 6th P.M.*

Acres	Aquifer	Saturated Thickness ft	Sy	Estimated Appropriation acre-feet	Estimated Annual Appropriation 100 yrs af/yr	Status
530.1	Lower Arapahoe	96	0.17	8,644	86.44	NNT
	Laramie-Fox Hills	195	0.15	15,521	155.21	NT

*Todd Creek Shook
Portion of Section 3, Township 1 South, Range 67 West, 6th P.M.*

Acres	Aquifer	Saturated Thickness ft	Sy	Estimated Appropriation acre-feet	Estimated Annual Appropriation 100 yrs af/yr	Status
55	Lower Arapahoe	100	0.17	935	9.35	NNT
	Laramie-Fox Hills	189	0.15	1,559	15.59	NT

*Todd Creek Bartley
Portion of Section 2, Township 1 South, Range 67 West, 6th P.M.*

Acres	Aquifer	Saturated Thickness ft	Sy	Estimated Appropriation acre-feet	Estimated Annual Appropriation 100 yrs af/yr	Status
285	Lower Arapahoe	100	0.17	4,845	48.45	NNT
	Laramie-Fox Hills	189	0.15	8,080	80.80	NT

*Todd Creek Village
Township 1 South, Range 67 West, 6th P.M.*

Acres	Aquifer	Saturated Thickness ft	Sy	Estimated Appropriation acre-feet	Estimated Annual Appropriation 100 yrs af/yr	Status
3,004	Lower Arapahoe	100	0.17	51,068	510.68	NNT
	Laramie-Fox Hills	189	0.15	85,163	851.63	NT

*Todd Creek Seltzer
Portion of Section 34, Township 1 North, Range 67 West, and Portion of Section 3 and 4, Township 1 South,
Range 67 West, 6th P.M.*

Acres	Aquifer	Saturated Thickness ft	Sy	Estimated Appropriation acre-feet	Estimated Annual Appropriation 100 yrs af/yr	Status
381	Lower Arapahoe	91	0.17	5,913	59.13	NNT
339	Laramie-Fox Hills	203	0.15	10,295	102.95	NT

Notes: **At the time of this Report, the Denver Basin water rights included in this table have not been adjudicated.**

Dry Creek East Denver Basin water rights will be conveyed to the District once property is platted. Once conveyed, the District will adjudicate the water rights.

Todd Creek Village, Todd Creek Shook and Todd Creek Bentley Denver Basin water rights have been conveyed to the District.

The saturated thicknesses are to be considered estimates only.

**TABLE 3
TODD CREEK VILLAGE METROPOLITAN DISTRICT
SURFACE WATER RIGHTS & CONTRACTS**

Water Right	Contract/Shares	af/yr	Decree/SWSP	Uses	Notes
Old Brantner	17 shares	130	08CW165	Municipal	Decreed max annual
New Brantner	18.375 shares	312	shares	Irrigation	Estimated CU
Reusable Effluent	Consolidated Mutual	500	-	Municipal	Contract
Jr Surface Water	-	6,202	13CW3181	Municipal	10-yr avg (decreed max 11,237 af/yr)
Jr Surface Water	-	7,482	16CW3019	Municipal	Decreed Volumetric Limit
Jr Surface Water	-	4491	19CW3061	Municipal	Pending
Total		19,117			

**TABLE 4
TODD CREEK VILLAGE METROPOLITAN DISTRICT
ESTIMATED CURRENT & FUTURE DEMANDS**

	Total units	Currently Served Units	Future Units	Potable af/yr/unit	Current af/yr	Future af/yr	Total Potable af/yr		Irrigation af/yr/unit	Current af/yr	Future af/yr	Total Irrigation af/yr	Total Demands af/yr
Development (Platted)													
TCF 1	54	54	0	0.27	14.53	0.00	14.53	54	0.34	18.36	0.00	18.36	32.89
TCF 2	57	57	0	0.27	15.33	0.00	15.33	57	0.34	19.38	0.00	19.38	34.71
TCF 3	62	62	0	0.27	16.68	0.00	16.68	62	0.34	21.08	0.00	21.08	37.76
TCF 4	139	139	0	0.27	37.39	0.00	37.39	139	0.34	47.26	0.00	47.26	84.65
Foxridge	58	58	0	0.27	15.60	0.00	15.60	58	0.34	19.72	0.00	19.72	35.32
TCF 5	160	152	8	0.27	40.89	2.15	43.04	160	0.34	51.68	2.72	54.40	97.44
ES 1	185	180	5	0.27	48.42	1.35	49.77	185	0.34	61.20	1.70	62.90	112.67
Wheatlands	71	71	0	0.27	19.10	0.00	19.10	71	0.34	24.14	0.00	24.14	43.24
TCM 1	78	71	7	0.27	19.10	1.88	20.98	78	0.34	24.14	2.38	26.52	47.50
Silver Springs	52	52	0	0.27	13.99	0.00	13.99	52	0.34	17.68	0.00	17.68	31.67
Hawk Ridge	47	42	5	0.27	11.30	1.35	12.64	47	0.34	14.28	1.70	15.98	28.62
ESS	191	187	4	0.27	50.30	1.08	51.38	190	0.34	63.58	1.02	64.60	115.98
HTC	1,277	825	452	0.27	221.93	121.59	343.51	800	0.25	206.25	-6.25	200.00	543.51
TC Bartley	172	163	9	0.30	48.90	2.70	51.60	172	0.34	55.42	3.06	58.48	110.08
TC Shook	60	0	60	0.30	0.00	18.00	18.00	32	0.34	0.00	10.88	10.88	28.88
Baseline Lakes	54	49	5	0.27	13.18	1.35	14.53	54	0.34	16.66	1.70	18.36	32.89
Subtotals	2,717	2,162	555		586.63	151.43	738.07	2,211		660.83	18.91	679.74	1417.81
Commercial (Platted - 2010 Demands)													
HTC Club/Maint							3.65					11.70	15.35
TCVMD office							0.03					-	0.03
NH Church							0.88					-	0.88
Harvest Fellowship							0.24					0.39	0.63
TCVP&R ES Park							-					8.10	8.10
TCVP&R TCM Park							-					3.98	3.98
LS areas							-					69.90	69.90
Future HTC LS areas							-					120.00	120.00
HTC Golf Course							-					270.00	270.00
Future Development (Not Platted)													
Weld County Development Area	3,100			0.20			620.00	3,100	0.25			775.00	1395.00
ALF	1,930			0.20			386.00	1,930	0.25			482.50	868.50
Jogan Estates (Adams)	3			0.30			0.90	3	0.25			0.75	1.65
Seltzer FT (Adams)	207			0.30			62.10	207	0.25			51.75	113.85
Seltzer Farms (Adams)	501			0.30			150.30	501	0.25			125.25	275.55
Wygant (Adams)	255			0.30			76.50	255	0.25			63.75	140.25
Baseline Lakes - Add'l (Adams)	140			0.30			42.00	140	0.25			35.00	77.00
	6,136												
							Total (Platted)					1,163.81	1,906.68
							Current					1,144.90	1,736.33
							Future					18.91	170.34
							Total (Not Platted)					1,534.00	2,871.80
							TOTAL DEMANDS					2,697.81	4,778.48

Notes:
 Demands provided by Todd Creek Village Metropolitan District
 HTC - replat reduced units from 1,310 to 1,277.
 Baseline Lakes - platted for 54 units

TABLE 5
USGS 06720500 SOUTH PLATTE RIVER AT HENDERSON, CO
Colorado DWR Calculated Monthly Totals
(Acre-Feet)

Water Year	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Annual Total
1993	15,842	17,826	17,068	19,234	20,539	19,224	21,721	32,279	34,910	25,210	18,300	16,891	259,045
1994	14,547	12,936	16,336	12,823	15,138	17,110	25,012	33,882	16,562	18,034	12,478	15,926	210,785
1995	12,072	12,123	11,915	11,375	8,136	16,410	115,204	285,386	197,001	37,512	34,622	21,741	763,497
1996	20,615	17,322	21,737	17,524	15,614	14,017	40,053	50,169	35,394	26,517	26,936	19,004	304,902
1997	17,387	19,036	21,674	19,482	13,551	24,724	25,282	121,287	49,770	70,144	32,654	39,091	454,083
1998	26,388	30,316	32,198	19,180	31,819	75,845	106,280	44,424	62,633	43,697	21,319	20,386	514,486
1999	26,690	27,916	22,505	13,609	12,417	52,547	116,386	152,730	53,820	91,158	34,509	32,164	636,450
2000	30,209	22,088	32,736	22,104	24,219	21,231	32,884	31,619	36,522	26,960	16,237	17,756	314,565
2001	16,846	15,467	17,042	20,946	22,717	28,632	49,393	34,935	39,692	26,906	17,615	24,601	314,793
2002	19,067	16,086	15,237	17,540	19,839	12,647	19,411	14,827	12,085	10,035	15,549	11,889	184,212
2003	15,570	10,477	13,740	16,300	29,003	27,412	38,754	62,808	29,185	21,525	11,558	8,481	284,813
2004	11,256	11,806	11,522	17,562	17,852	22,802	20,242	30,871	38,520	39,204	19,208	22,947	263,792
2005	16,318	16,376	12,472	12,909	13,454	43,744	47,283	66,991	25,292	30,994	14,874	26,067	326,774
2006	11,709	12,082	11,203	13,077	16,058	11,832	21,531	30,191	39,856	32,996	14,341	18,365	233,240
2007	16,554	17,774	17,885	24,103	46,396	71,852	186,608	99,889	42,530	32,379	15,432	19,411	590,813
2008	26,422	12,744	13,932	22,108	23,021	16,098	31,210	42,145	40,628	34,275	18,454	14,049	295,087
2009	20,456	16,481	17,572	14,783	15,420	34,473	51,938	131,784	48,939	20,174	16,021	18,093	406,134
2010	32,908	19,163	11,808	15,289	31,298	57,226	59,864	79,023	30,744	31,292	12,292	13,595	394,500
2011	23,971	16,066	13,561	11,165	11,127	13,865	29,943	46,283	98,794	23,088	14,848	18,246	320,958
2012	24,508	14,214	11,959	17,066	16,243	16,683	18,796	18,494	17,227	11,909	16,929	12,199	196,226
2013	15,334	14,876	15,085	13,514	16,300	13,583	23,776	30,516	27,460	21,041	93,597	32,240	317,322
2014	25,430	18,155	16,705	15,396	21,281	19,234	58,954	89,722	54,677	27,805	19,444	35,477	402,280
2015	25,185	18,673	21,170	21,515	25,901	37,068	236,576	306,649	124,358	26,855	16,120	26,430	886,498
2016	32,502	23,860	19,297	18,593	28,691	82,085	119,704	89,037	30,308	21,690	11,623	10,673	488,064
2017	14,604	19,232	19,388	15,612	15,344	16,393	46,998	49,416	35,355	28,939	15,943	17,992	295,218
2018	19,702	15,588	15,808	12,891	19,747	13,434	26,404	26,531	22,945	15,106	13,751	12,018	213,926
Average	20,465	17,257	17,368	16,758	20,428	30,007	60,392	76,996	47,893	30,594	21,333	20,221	379,710
Minimum	11,256	10,477	11,203	11,165	8,136	11,832	18,796	14,827	12,085	10,035	11,558	8,481	184,212
Maximum	32,908	30,316	32,736	24,103	46,396	82,085	236,576	306,649	197,001	91,158	93,597	39,091	886,498

Data downloaded 05/03/2017 - updated 12/11/2019

TABLE 6
BRIGHTON DITCH DIVERSION HISTORY
Monthly Totals
(Acre-Feet)

Water Year	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Annual Total
1993	0	0	0	0	0	985	1,795	1,916	2,477	1,494	808	127	9,602
1994	0	0	0	0	268	949	2,060	2,070	1,410	1,479	1,215	416	9,867
1995	0	0	0	0	525	1,370	1,236	1,314	2,692	2,789	1,545	54	11,526
1996	0	0	0	0	152	1,824	2,111	2,152	2,599	1,684	529	0	11,051
1997	0	0	0	0	104	1,613	2,646	1,693	2,396	1,402	793	0	10,648
1998	0	0	0	0	0	977	1,714	2,116	2,449	2,059	1,899	245	11,457
1999	0	0	0	0	779	991	1,295	1,632	2,751	1,715	774	623	10,560
2000	0	0	0	0	928	979	1,776	2,215	1,997	1,617	843	766	11,120
2001	0	0	0	0	155	1,410	912	1,385	2,153	1,668	853	504	9,042
2002	0	0	0	0	0	1,417	1,481	1,272	1,373	1,353	1,147	1,025	9,069
2003	152	0	0	0	0	1,213	799	1,639	1,891	1,431	1,121	796	9,042
2004	143	0	0	0	644	1,893	1,873	1,266	2,017	2,034	1,143	716	11,729
2005	87	0	0	0	75	945	812	765	1,431	1,559	1,253	398	7,326
2006	16	0	0	0	65	1,432	1,449	1,767	1,430	1,317	979	785	9,240
2007	0	0	0	0	0	303	958	1,369	1,582	1,473	1,129	686	7,500
2008	0	0	0	0	154	1,193	1,490	1,134	1,735	1,065	1,034	1,019	8,824
2009	0	0	0	0	382	486	717	653	1,685	1,319	797	548	6,586
2010	0	0	0	0	0	284	662	988	1,321	1,084	768	598	5,704
2011	35	0	0	0	382	1,041	906	1,685	1,895	1,550	1,265	565	9,324
2012	0	0	0	0	426	1,192	1,085	1,129	1,261	1,233	974	714	8,014
2013	0	0	0	0	13	361	722	1,192	1,329	1,437	487	0	5,543
2014	0	0	0	0	0	1,397	1,452	1,692	1,745	1,175	797	713	8,970
2015	105	0	0	0	0	933	668	846	921	1,958	1,415	675	7,522
2016	93	0	0	0	49	313	317	1,038	1,560	1,507	988	612	6,477
2017	0	0	0	0	0	887	725	1,428	1,737	1,364	1,069	692	7,901
2018	0	0	0	0	0	652	1,232	1,237	1,254	1,269	1,060	846	7,551
Average	24	0	0	0	196	1,040	1,265	1,446	1,811	1,540	1,026	543	8,892

TABLE 7
UNITED RESERVOIR 3 DIVERSION HISTORY
Monthly Totals
(Acre-Feet)

Water Year	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Annual Total
1993	0	0	0	0	0	0	0	0	0	0	0	0	0
1994	0	0	0	0	0	0	0	0	0	0	0	0	0
1995	0	0	0	0	0	0	0	0	0	0	0	0	0
1996	0	0	0	0	0	0	0	0	0	0	0	0	0
1997	0	0	0	0	0	0	0	0	0	0	0	0	0
1998	0	0	0	0	0	0	0	0	0	0	0	0	0
1999	0	0	0	0	0	0	0	0	0	0	0	0	0
2000	0	0	0	0	0	0	0	0	0	0	0	0	0
2001	0	0	0	0	0	0	0	0	0	0	0	0	0
2002	0	0	0	0	0	0	0	0	0	0	0	0	0
2003	0	0	0	0	0	0	0	0	0	0	0	0	0
2004	0	0	0	0	0	0	0	0	0	0	0	0	0
2005	0	0	0	0	0	0	0	0	0	0	0	0	0
2006	0	0	0	0	0	0	0	0	0	0	0	0	0
2007	0	0	0	0	0	0	0	0	0	0	0	0	0
2008	0	0	0	0	103	2	0	0	0	0	0	0	105
2009	0	0	0	93	93	37	0	0	0	0	0	0	224
2010	0	0	0	186	187	74	0	0	0	0	0	318	765
2011	0	0	0	0	0	0	0	0	0	0	0	0	0
2012	536	531	228	0	0	0	0	0	0	0	0	0	1,295
2013	382	672	674	601	937	226	415	247	114	111	1,731	1,352	7,463
2014	83	451	788	114	121	112	201	189	408	191	154	33	2,843
2015	67	490	586	292	72	122	118	112	108	119	120	278	2,485
2016	552	369	119	112	91	116	119	114	113	133	175	180	2,194
2017	63	99	2,227	1,054	545	576	464	113	79	216	338	522	6,296
2018	0	0	305	278	307	207	223	0	0	0	0	0	1,319
Average	65	100	189	105	144	87	91	46	48	45	148	158	961

Notes: 2011 Diversion records show data unavailable - assumed no diversions.

TABLE 8
FREE RIVER AT TCVMC ON THE SOUTH PLATTE RIVER
Number of Days In-Priority

Water Year	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	Annual Total
1993	30	31	31	28	31	30	11	10	0	0	18	31	251
1994	30	31	31	28	31	17	0	0	0	0	0	13	181
1995	30	7	9	13	18	3	30	30	31	31	18	31	251
1996	30	5	29	29	31	8	9	30	2	4	21	31	229
1997	30	31	31	28	31	28	31	30	14	31	30	31	346
1998	30	31	31	28	31	30	31	19	8	9	17	31	296
1999	30	31	31	28	15	9	31	30	11	31	30	31	308
2000	30	31	31	29	31	25	5	0	0	0	0	0	182
2001	0	19	31	28	31	30	20	14	4	0	23	31	231
2002	30	31	31	28	31	17	1	0	0	0	0	0	169
2003	0	0	0	0	0	0	0	1	0	0	0	0	1
2004	0	0	0	0	0	0	0	2	0	0	1	0	3
2005	0	0	0	0	0	1	0	18	0	0	0	3	22
2006	0	0	0	2	6	4	0	0	1	0	0	4	17
2007	0	7	10	7	0	13	31	20	0	0	0	0	88
2008	0	14	21	0	0	0	0	0	0	3	0	0	38
2009	0	10	0	0	0	7	5	28	9	1	7	31	98
2010	31	31	31	10	28	27	31	25	0	1	0	8	223
2011	0	0	30	28	15	0	16	30	25	0	15	31	190
2012	30	31	31	29	22	0	0	0	0	0	0	0	143
2013	0	0	0	0	8	0	14	22	0	0	21	31	96
2014	6	30	31	29	31	21	20	30	23	22	30	31	304
2015	30	31	31	28	31	20	31	30	30	0	1	31	294
2016	30	31	31	29	31	30	31	26	0	0	0	0	239
2017	0	7	27	21	13	0	14	19	0	0	3	29	133
2018	0	17	31	28	31	8	16	5	0	0	0	0	136
Average	15	18	22	18	19	13	15	16	6	5	9	17	172

TABLE 9
ADJUSTED SOUTH PLATTE RIVER AVAILABILITY AT TCVMD
Monthly Totals
(Acre-Feet)

Water Year	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Annual Total
1993	14,593	16,534	15,777	18,068	19,248	16,989	18,635	29,114	32,433	23,717	16,243	15,474	236,823
1994	13,297	11,645	15,045	11,657	13,579	14,911	22,952	31,813	15,152	16,555	11,264	14,218	192,087
1995	10,822	10,832	10,624	10,209	6,320	13,790	112,677	282,822	193,018	33,432	31,827	20,396	736,768
1996	19,365	16,031	20,446	16,316	14,171	10,944	36,651	46,767	31,503	23,542	25,157	17,713	278,605
1997	16,138	17,744	20,382	18,316	12,156	21,862	21,344	118,345	46,082	67,451	30,611	37,800	428,231
1998	25,139	29,025	30,907	18,014	30,528	73,619	103,275	41,059	58,893	40,346	18,170	18,851	487,825
1999	25,440	26,625	21,214	12,442	10,346	50,306	113,800	149,847	49,778	88,151	32,486	30,250	610,686
2000	28,959	20,797	31,444	20,896	22,000	19,003	29,817	29,404	34,525	25,343	15,394	16,991	294,573
2001	16,846	14,176	15,751	19,779	21,271	25,972	47,189	32,300	36,247	25,238	15,512	22,806	293,089
2002	17,818	14,795	13,946	16,374	18,548	9,980	17,304	13,555	10,712	8,681	14,401	10,864	166,977
2003	15,419	10,477	13,740	16,300	29,003	26,199	37,954	59,919	27,294	20,093	10,437	7,686	274,521
2004	11,113	11,806	11,522	17,562	17,208	20,909	18,369	28,356	36,503	37,170	17,425	22,231	250,173
2005	16,231	16,376	12,472	12,909	13,379	41,549	46,471	64,976	23,861	29,435	13,621	24,378	315,658
2006	11,693	12,082	11,203	12,143	14,702	9,150	20,082	28,424	37,141	31,678	13,362	16,289	217,948
2007	16,554	16,483	16,594	22,937	46,396	70,300	184,359	97,271	40,948	30,906	14,303	18,724	575,774
2008	26,422	11,453	12,641	22,108	22,764	14,903	29,720	41,012	38,893	31,918	17,420	13,030	282,284
2009	20,456	15,190	17,572	14,690	14,945	32,701	49,930	129,881	45,963	18,204	13,974	16,254	389,760
2010	31,659	17,871	10,517	13,936	29,820	55,619	57,911	76,785	29,423	29,199	11,524	11,388	375,650
2011	23,936	16,066	12,270	9,999	9,454	12,823	27,746	43,349	95,607	21,538	12,334	16,390	301,512
2012	22,723	12,392	10,439	15,858	14,525	15,491	17,710	17,365	15,966	10,676	15,955	11,485	180,585
2013	14,952	14,204	14,410	12,913	14,059	12,996	21,348	27,827	26,016	19,493	90,130	29,597	297,944
2014	24,097	16,413	14,626	14,116	19,869	16,476	56,009	86,592	51,234	25,148	17,244	33,440	375,264
2015	23,762	16,891	19,292	20,057	24,537	34,763	234,499	304,442	122,038	24,777	14,047	24,186	863,291
2016	30,607	22,199	17,887	17,273	27,260	80,407	117,977	86,636	28,635	20,049	10,460	9,881	469,270
2017	14,541	17,841	15,871	13,391	13,508	14,930	44,518	46,626	33,540	27,359	13,287	15,487	270,899
2018	19,702	14,297	14,212	11,447	18,149	11,326	23,658	24,044	21,691	13,837	12,691	11,172	196,225
Average	19,703	16,163	16,185	15,758	19,144	27,997	58,150	74,559	45,504	28,613	19,588	18,730	360,093

Notes: Adjustment made for diversion at Brighton Ditch, United No. 3 and Mann Lakes

TABLE 10
WATER AVAILABLE IN-PRIORITY TO A JUNIOR SOUTH PLATTE RIVER WATER RIGHT
AT TCVMD
(Acre-Feet)

Water Year	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	Annual Total
1993	14,593	16,534	15,777	18,068	19,248	16,989	6,612	9,705	0	0	9,746	15,474	142,745
1994	13,297	11,645	15,045	11,657	13,579	8,449	0	0	0	0	0	5,962	79,635
1995	10,822	2,446	3,084	4,740	3,670	1,379	109,042	282,822	193,018	33,432	19,096	20,396	683,947
1996	19,365	2,586	19,127	16,316	14,171	2,918	10,641	46,767	2,032	3,038	17,610	17,713	172,283
1997	16,138	17,744	20,382	18,316	12,156	20,405	21,344	118,345	20,811	67,451	30,611	37,800	401,503
1998	25,139	29,025	30,907	18,014	30,528	73,619	103,275	26,004	15,198	11,713	10,296	18,851	392,569
1999	25,440	26,625	21,214	12,442	5,006	15,092	113,800	149,847	17,663	88,151	32,486	30,250	538,017
2000	28,959	20,797	31,444	20,896	22,000	15,836	4,809	0	0	0	0	0	144,741
2001	0	8,689	15,751	19,779	21,271	25,972	30,445	15,073	4,677	0	11,893	22,806	176,356
2002	17,818	14,795	13,946	16,374	18,548	5,655	558	0	0	0	0	0	87,694
2003	0	0	0	0	0	0	0	1,997	0	0	0	0	1,997
2004	0	0	0	0	0	0	0	1,890	0	0	581	0	2,471
2005	0	0	0	0	0	1,385	0	38,985	0	0	0	2,359	42,730
2006	0	0	0	867	2,846	1,220	0	0	1,198	0	0	2,102	8,233
2007	0	3,722	5,353	5,734	0	30,463	184,359	64,847	0	0	0	0	294,478
2008	0	5,172	8,563	0	0	0	0	0	0	3,089	0	0	16,824
2009	0	4,900	0	0	0	7,630	8,053	121,222	13,344	587	3,261	16,254	175,252
2010	32,714	17,871	10,517	4,977	26,934	50,057	57,911	63,988	0	942	0	2,939	268,849
2011	0	0	11,874	9,999	4,575	0	14,320	43,349	77,103	0	6,167	16,390	183,776
2012	22,723	12,392	10,439	15,858	10,308	0	0	0	0	0	0	0	71,720
2013	0	0	0	0	3,628	0	9,641	20,407	0	0	63,091	29,597	126,363
2014	4,819	15,884	14,626	14,620	19,869	11,533	36,135	86,592	38,012	17,847	17,244	33,440	310,621
2015	23,762	16,891	19,292	20,057	24,537	23,175	234,499	304,442	118,101	0	468	24,186	809,411
2016	30,607	22,199	17,887	17,273	27,260	80,407	117,977	75,084	0	0	0	0	388,694
2017	0	4,029	13,823	10,044	5,665	0	20,105	29,530	0	0	1,329	14,488	99,011
2018	0	7,840	14,212	11,447	18,149	3,020	12,211	4,007	0	0	0	0	70,886
Average	11,008	10,069	12,049	10,288	11,690	15,200	42,144	57,881	19,275	8,702	8,611	11,962	218,877
Avg cfs	185	164	196	185	190	256	686	973	314	142	145	195	

TABLE 11
WATER AVAILABLE IN-PRIORITY TO A JUNIOR SOUTH PLATTE RIVER WATER RIGHT AT TCVMD
With a Diversion Limitation of 40 cfs on the South Platte River
(Acre-Feet)

Water Year	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	Annual Total
1993	2,380	2,460	2,460	2,222	2,460	2,380	873	793	0	0	1,428	2,460	19,914
1994	2,380	2,460	2,460	2,222	2,460	1,349	0	0	0	0	0	1,031	14,361
1995	2,380	555	714	1,031	1,428	238	2,380	2,380	2,460	2,460	1,428	2,460	19,914
1996	2,380	397	2,301	2,301	2,460	635	714	2,380	159	317	1,666	2,460	18,169
1997	2,380	2,460	2,460	2,222	2,460	2,222	2,460	2,380	1,111	2,460	2,380	2,460	27,452
1998	2,380	2,460	2,460	2,222	2,460	2,380	2,460	1,507	635	714	1,349	2,460	23,485
1999	2,380	2,460	2,460	2,222	1,190	714	2,460	2,380	873	2,460	2,380	2,460	24,437
2000	2,380	2,460	2,460	2,301	2,460	1,984	397	0	0	0	0	0	14,440
2001	0	1,507	2,460	2,222	2,460	2,380	1,587	1,111	317	0	1,825	2,460	18,328
2002	2,380	2,460	2,460	2,222	2,460	1,349	79	0	0	0	0	0	13,408
2003	0	0	0	0	0	0	0	79	0	0	0	0	79
2004	0	0	0	0	0	0	0	159	0	0	79	0	238
2005	0	0	0	0	0	79	0	1,428	0	0	0	238	1,745
2006	0	0	0	159	476	317	0	0	79	0	0	317	1,349
2007	0	555	793	555	0	1,031	2,460	1,587	0	0	0	0	6,982
2008	0	1,111	1,666	0	0	0	0	0	0	238	0	0	3,015
2009	0	793	0	0	0	555	397	2,222	714	79	555	2,460	7,775
2010	2,460	2,460	2,460	793	2,222	2,142	2,460	1,984	0	79	0	635	17,693
2011	0	0	2,380	2,222	1,190	0	1,269	2,380	1,984	0	1,190	2,460	15,075
2012	2,380	2,460	2,460	2,301	1,745	0	0	0	0	0	0	0	11,346
2013	0	0	0	0	635	0	1,111	1,745	0	0	1,666	2,460	7,617
2014	476	2,380	2,460	2,301	2,460	1,666	1,587	2,380	1,825	1,745	2,380	2,460	24,119
2015	2,380	2,460	2,460	2,222	2,460	1,587	2,460	2,380	2,380	0	79	2,460	23,326
2016	2,380	2,460	2,460	2,301	2,460	2,380	2,460	2,063	0	0	0	0	18,962
2017	0	555	2,142	1,666	1,031	0	1,111	1,507	0	0	238	2,301	10,552
2018	0	1,349	2,460	2,222	2,460	635	1,269	397	0	0	0	0	10,790
Average	1,211	1,395	1,709	1,459	1,517	1,001	1,153	1,279	482	406	717	1,309	13,637

40 cfs = 79.34

TABLE 12
WATER AVAILABLE IN-PRIORITY TO A JUNIOR SOUTH PLATTE RIVER WATER RIGHT
AT MANN LAKES RESERVOIR
(Acre-Feet)

Water Year	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	Annual Total
1993	15,842	17,826	17,068	19,234	20,539	19,224	7,708	10,760	0	0	10,980	16,891	156,072
1994	14,547	12,936	16,336	12,823	15,138	9,695	0	0	0	0	0	6,678	88,155
1995	12,072	2,737	3,459	5,281	4,724	1,641	111,487	285,386	197,001	37,512	20,773	21,741	703,816
1996	20,615	2,794	20,335	17,524	15,614	3,738	11,628	50,169	2,283	3,422	18,855	19,004	185,980
1997	17,387	19,036	21,674	19,482	13,551	23,076	25,282	121,287	22,477	70,144	32,654	39,091	425,141
1998	26,388	30,316	32,198	19,180	31,819	75,845	106,280	28,135	16,163	12,686	12,081	20,386	411,479
1999	26,690	27,916	22,505	13,609	6,008	15,764	116,386	152,730	19,098	91,158	34,509	32,164	558,535
2000	30,209	22,088	32,736	22,104	24,219	17,693	5,304	0	0	0	0	0	154,352
2001	0	9,480	17,042	20,946	22,717	28,632	31,867	16,303	5,122	0	13,505	24,601	190,215
2002	19,067	16,086	15,237	17,540	19,839	7,167	626	0	0	0	0	0	95,563
2003	0	0	0	0	0	0	0	2,094	0	0	0	0	2,094
2004	0	0	0	0	0	0	0	2,058	0	0	640	0	2,698
2005	0	0	0	0	0	1,458	0	40,194	0	0	0	2,523	44,175
2006	0	0	0	934	3,108	1,578	0	0	1,286	0	0	2,370	9,275
2007	0	4,014	5,769	6,026	0	31,136	186,608	66,593	0	0	0	0	300,145
2008	0	5,755	9,438	0	0	0	0	0	0	3,317	0	0	18,510
2009	0	5,316	0	0	0	8,044	8,377	122,998	14,208	651	3,738	18,093	181,426
2010	34,005	19,163	11,808	5,460	28,269	51,503	59,864	65,852	0	1,009	0	3,508	280,442
2011	0	0	13,124	11,165	5,384	0	15,454	46,283	79,673	0	7,424	18,246	196,754
2012	24,508	14,214	11,959	17,066	11,527	0	0	0	0	0	0	0	79,274
2013	0	0	0	0	4,207	0	10,738	22,379	0	0	65,518	32,240	135,081
2014	5,086	17,569	16,705	15,946	21,281	13,464	38,035	89,722	40,567	19,732	19,444	35,477	333,028
2015	25,185	18,673	21,170	21,515	25,901	24,712	236,576	306,649	120,346	0	537	26,430	827,693
2016	32,502	23,860	19,297	18,593	28,691	82,085	119,704	77,166	0	0	0	0	401,898
2017	0	4,343	16,887	11,709	6,435	0	21,225	31,297	0	0	1,594	16,831	110,320
2018	0	8,548	15,808	12,446	19,747	3,582	13,628	4,422	0	0	0	0	78,182
Average	11,696	10,872	13,098	11,099	12,643	16,155	43,338	59,326	19,932	9,217	9,317	12,934	229,627
Avg cfs	197	177	213	200	206	272	705	997	324	150	157	210	

TABLE 13
WATER AVAILABLE IN-PRIORITY TO A JUNIOR SOUTH PLATTE RIVER WATER RIGHT AT MANN LAKES
With a Diversion Limitation of 21 cfs on the South Platte River
(Acre-Feet)

Water Year	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	Annual Total
1993	1,250	1,291	1,291	1,166	1,291	1,250	1,291	1,250	0	0	1,250	1,291	12,621
1994	1,250	1,291	1,291	1,166	1,291	1,250	0	0	0	0	0	1,291	8,831
1995	1,250	1,291	1,291	1,166	1,291	1,250	1,291	1,250	1,291	1,291	1,250	1,291	15,204
1996	1,250	1,291	1,291	1,208	1,291	1,250	1,291	1,250	1,291	1,291	1,250	1,291	15,245
1997	1,250	1,291	1,291	1,166	1,291	1,250	1,291	1,250	1,291	1,291	1,250	1,291	15,204
1998	1,250	1,291	1,291	1,166	1,291	1,250	1,291	1,250	1,291	1,291	1,250	1,291	15,204
1999	1,250	1,291	1,291	1,166	1,291	1,250	1,291	1,250	1,291	1,291	1,250	1,291	15,204
2000	1,250	1,291	1,291	1,208	1,291	1,250	1,291	0	0	0	0	0	8,872
2001	0	1,291	1,291	1,166	1,291	1,250	1,291	1,250	1,291	0	1,250	1,291	12,663
2002	1,250	1,291	1,291	1,166	1,291	1,250	626	0	0	0	0	0	8,165
2003	0	0	0	0	0	0	0	1,250	0	0	0	0	1,250
2004	0	0	0	0	0	0	0	1,250	0	0	640	0	1,890
2005	0	0	0	0	0	1,250	0	1,250	0	0	0	1,291	3,790
2006	0	0	0	934	1,291	1,250	0	0	1,286	0	0	1,291	6,052
2007	0	1,291	1,291	1,166	0	1,250	1,291	1,250	0	0	0	0	7,539
2008	0	1,291	1,291	0	0	0	0	0	0	1,291	0	0	3,874
2009	0	1,291	0	0	0	1,250	1,291	1,250	1,291	651	1,250	1,291	9,565
2010	1,250	1,291	1,291	1,166	1,291	1,250	1,291	1,250	0	1,009	0	1,291	12,381
2011	0	0	1,291	1,166	1,291	0	1,291	1,250	1,291	0	1,250	1,291	10,122
2012	1,250	1,291	1,291	1,208	1,291	0	0	0	0	0	0	0	6,331
2013	0	0	0	0	1,291	0	1,291	1,250	0	0	1,250	1,291	6,373
2014	1,250	1,291	1,291	1,166	1,291	1,250	1,291	1,250	1,291	1,291	1,250	1,291	15,204
2015	1,250	1,291	1,291	1,166	1,291	1,250	1,291	1,250	1,291	0	537	1,291	13,200
2016	1,250	1,291	1,291	1,208	1,291	1,250	1,291	1,250	0	0	0	0	10,122
2017	0	1,291	1,291	1,166	1,291	0	1,291	1,250	0	0	1,250	1,291	10,122
2018	0	1,291	1,291	1,166	1,291	1,250	1,291	1,250	0	0	0	0	8,831
Average	673	993	993	895	993	913	918	961	546	411	622	844	9,764
Minimum	0	0	0	0	0	0	0	0	0	0	0	0	1,250
Maximum	1,250	1,291	1,291	1,208	1,291	1,250	1,291	1,250	1,291	1,291	1,250	1,291	15,245

21 cfs = 41.65 af/day

**TABLE 14
TCVMD DEMANDS**

(Acre-Feet)

Water Year	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	Annual Total
1993	67	67	67	67	67	67	67	67	67	67	67	67	803
1994	67	67	67	67	67	67	67	67	67	67	67	67	803
1995	67	67	67	67	67	67	67	67	67	67	67	67	803
1996	67	67	67	67	67	67	67	67	67	67	67	67	803
1997	67	67	67	67	67	67	67	67	67	67	67	67	803
1998	67	67	67	67	67	67	67	67	67	67	67	67	803
1999	67	67	67	67	67	67	67	67	67	67	67	67	803
2000	67	67	67	67	67	67	67	67	67	67	67	67	803
2001	67	67	67	67	67	67	67	67	67	67	67	67	803
2002	67	67	67	67	67	67	67	67	67	67	67	67	803
2003	67	67	67	67	67	67	67	67	67	67	67	67	803
2004	67	67	67	67	67	67	67	67	67	67	67	67	803
2005	67	67	67	67	67	67	67	67	67	67	67	67	803
2006	67	67	67	67	67	67	67	67	67	67	67	67	803
2007	67	67	67	67	67	67	67	67	67	67	67	67	803
2008	67	67	67	67	67	67	67	67	67	67	67	67	803
2009	67	67	67	67	67	67	67	67	67	67	67	67	803
2010	67	67	67	67	67	67	67	67	67	67	67	67	803
2011	67	67	67	67	67	67	67	67	67	67	67	67	803
2012	67	67	67	67	67	67	67	67	67	67	67	67	803
2013	67	67	67	67	67	67	67	67	67	67	67	67	803
2014	67	67	67	67	67	67	67	67	67	67	67	67	803
2015	67	67	67	67	67	67	67	67	67	67	67	67	803
2016	67	67	67	67	67	67	67	67	67	67	67	67	803
2017	67	67	67	67	67	67	67	67	67	67	67	67	803
2018	67	67	67	67	67	67	67	67	67	67	67	67	803
Average	67	67	67	67	67	67	67	67	67	67	67	67	803

TABLE 15
TCVMD ESTIMATED RESERVOIR EVAPORATION
Conservative Analysis - Assumed Storage Full
(Acre-Feet)

Water Year	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	Annual Total
1993	7	5	5	6	9	13	19	26	27	22	18	12	168
1994	7	5	5	6	9	13	19	26	27	22	18	12	168
1995	7	5	5	6	9	13	19	26	27	22	18	12	168
1996	7	5	5	6	9	13	19	26	27	22	18	12	168
1997	7	5	5	6	9	13	19	26	27	22	18	12	168
1998	7	5	5	6	9	13	19	26	27	22	18	12	168
1999	7	5	5	6	9	13	19	26	27	22	18	12	168
2000	7	5	5	6	9	13	19	26	27	22	18	12	168
2001	7	5	5	6	9	13	19	26	27	22	18	12	168
2002	7	5	5	6	9	13	19	26	27	22	18	12	168
2003	7	5	5	6	9	13	19	26	27	22	18	12	168
2004	7	5	5	6	9	13	19	26	27	22	18	12	168
2005	7	5	5	6	9	13	19	26	27	22	18	12	168
2006	7	5	5	6	9	13	19	26	27	22	18	12	168
2007	7	5	5	6	9	13	19	26	27	22	18	12	168
2008	7	5	5	6	9	13	19	26	27	22	18	12	168
2009	7	5	5	6	9	13	19	26	27	22	18	12	168
2010	7	5	5	6	9	13	19	26	27	22	18	12	168
2011	7	5	5	6	9	13	19	26	27	22	18	12	168
2012	7	5	5	6	9	13	19	26	27	22	18	12	168
2013	7	5	5	6	9	13	19	26	27	22	18	12	168
2014	7	5	5	6	9	13	19	26	27	22	18	12	168
2015	7	5	5	6	9	13	19	26	27	22	18	12	168
2016	7	5	5	6	9	13	19	26	27	22	18	12	168
2017	7	5	5	6	9	13	19	26	27	22	18	12	168
2018	7	5	5	6	9	13	19	26	27	22	18	12	168
Average	7	5	5	6	9	13	19	26	27	22	18	12	168

Notes: Smith and Signal 2 included in study.
Conservative estimate of evaporation - assumed full year-round

TABLE 16
MANN LAKES ESTIMATED RESERVOIR EVAPORATION
Conservative Analysis - Assumed Storage Full
(Acre-Feet)

Water Year	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	Annual Total
1993	14	10	10	12	19	31	42	51	52	47	35	24	349
1994	14	10	10	12	19	31	42	51	52	47	35	24	349
1995	14	10	10	12	19	31	42	51	52	47	35	24	349
1996	14	10	10	12	19	31	42	51	52	47	35	24	349
1997	14	10	10	12	19	31	42	51	52	47	35	24	349
1998	14	10	10	12	19	31	42	51	52	47	35	24	349
1999	14	10	10	12	19	31	42	51	52	47	35	24	349
2000	14	10	10	12	19	31	42	51	52	47	35	24	349
2001	14	10	10	12	19	31	42	51	52	47	35	24	349
2002	14	10	10	12	19	31	42	51	52	47	35	24	349
2003	14	10	10	12	19	31	42	51	52	47	35	24	349
2004	14	10	10	12	19	31	42	51	52	47	35	24	349
2005	14	10	10	12	19	31	42	51	52	47	35	24	349
2006	14	10	10	12	19	31	42	51	52	47	35	24	349
2007	14	10	10	12	19	31	42	51	52	47	35	24	349
2008	14	10	10	12	19	31	42	51	52	47	35	24	349
2009	14	10	10	12	19	31	42	51	52	47	35	24	349
2010	14	10	10	12	19	31	42	51	52	47	35	24	349
2011	14	10	10	12	19	31	42	51	52	47	35	24	349
2012	14	10	10	12	19	31	42	51	52	47	35	24	349
2013	14	10	10	12	19	31	42	51	52	47	35	24	349
2014	14	10	10	12	19	31	42	51	52	47	35	24	349
2015	14	10	10	12	19	31	42	51	52	47	35	24	349
2016	14	10	10	12	19	31	42	51	52	47	35	24	349
2017	14	10	10	12	19	31	42	51	52	47	35	24	349
2018	14	10	10	12	19	31	42	51	52	47	35	24	349
Average	14	10	10	12	19	31	42	51	52	47	35	24	349

Notes: TCVMD portion of total included (160 acres x 58.15% = 93 acres)
Conservative estimate of evaporation - assumed full year-round

TABLE 17
WATER AVAILABLE IN STORAGE AFTER DEMANDS ARE MET
LIMITED TO 460 af WITHIN DISTRICT
(Acre-Feet)

Water Year	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT
1993	460	460	460	460	460	460	460	460	367	278	460	460
1994	460	460	460	460	460	460	374	281	187	98	14	460
1995	460	460	460	460	460	460	460	460	460	460	460	460
1996	460	460	460	460	460	460	460	460	460	460	460	460
1997	460	460	460	460	460	460	460	460	460	460	460	460
1998	460	460	460	460	460	460	460	460	460	460	460	460
1999	460	460	460	460	460	460	460	460	460	460	460	460
2000	460	460	460	460	460	460	460	367	274	185	100	22
2001	0	460	460	460	460	460	460	460	460	371	460	460
2002	460	460	460	460	460	460	453	360	267	178	93	15
2003	0	0	0	0	0	0	0	0	0	0	0	0
2004	0	0	0	0	0	0	0	66	0	0	0	0
2005	0	0	0	0	0	0	0	460	367	278	193	352
2006	278	206	134	220	460	460	374	281	267	178	93	332
2007	258	460	460	460	385	460	460	460	367	278	193	114
2008	40	460	460	387	312	232	145	52	0	149	64	0
2009	0	460	388	315	240	460	460	460	460	450	460	460
2010	460	460	460	460	460	460	460	460	367	357	272	460
2011	386	314	460	460	460	380	460	460	460	371	460	460
2012	460	460	460	460	460	380	294	201	107	18	0	0
2013	0	0	0	0	460	380	460	460	367	278	460	460
2014	460	460	460	460	460	460	460	460	460	460	460	460
2015	460	460	460	460	460	460	460	460	460	371	366	460
2016	460	460	460	460	460	460	460	460	367	278	193	114
2017	40	460	460	460	460	380	460	460	367	278	431	460
2018	386	460	460	460	460	460	460	460	367	278	193	114
Average	301	374	374	372	390	386	382	380	332	286	279	306

**TABLE 18
DEMANDS MET WITH TCVMD STORAGE**

Water Year	(Acre-Feet)												Annual Total
	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	
1993	67	67	67	67	67	67	67	67	67	67	67	67	803
1994	67	67	67	67	67	67	67	67	67	67	67	67	803
1995	67	67	67	67	67	67	67	67	67	67	67	67	803
1996	67	67	67	67	67	67	67	67	67	67	67	67	803
1997	67	67	67	67	67	67	67	67	67	67	67	67	803
1998	67	67	67	67	67	67	67	67	67	67	67	67	803
1999	67	67	67	67	67	67	67	67	67	67	67	67	803
2000	67	67	67	67	67	67	67	67	67	67	67	67	803
2001	22	67	67	67	67	67	67	67	67	67	67	67	758
2002	67	67	67	67	67	67	67	67	67	67	67	67	803
2003	15	0	0	0	0	0	0	67	0	0	0	0	81
2004	0	0	0	0	0	0	0	67	66	0	67	0	200
2005	0	0	0	0	0	67	0	67	67	67	67	67	402
2006	67	67	67	67	67	67	67	67	67	67	67	67	803
2007	67	67	67	67	67	67	67	67	67	67	67	67	803
2008	67	67	67	67	67	67	67	67	52	67	67	64	786
2009	0	67	67	67	67	67	67	67	67	67	67	67	736
2010	67	67	67	67	67	67	67	67	67	67	67	67	803
2011	67	67	67	67	67	67	67	67	67	67	67	67	803
2012	67	67	67	67	67	67	67	67	67	67	18	0	688
2013	0	0	0	0	67	67	67	67	67	67	67	67	535
2014	67	67	67	67	67	67	67	67	67	67	67	67	803
2015	67	67	67	67	67	67	67	67	67	67	67	67	803
2016	67	67	67	67	67	67	67	67	67	67	67	67	803
2017	67	67	67	67	67	67	67	67	67	67	67	67	803
2018	67	67	67	67	67	67	67	67	67	67	67	67	803
Average	53	57	57	57	59	62	59	67	64	62	62	59	717

TABLE 19
WATER AVAILABLE IN STORAGE AFTER DEMANDS ARE MET
LIMITED TO 1,789 af AT MANN LAKES
(Acre-Feet)

Water Year	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT
1993	1,236	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,737	1,690	1,789	1,789
1994	1,789	1,789	1,789	1,789	1,789	1,789	1,747	1,697	1,644	1,597	1,562	1,789
1995	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789
1996	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789
1997	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789
1998	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789
1999	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789
2000	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,738	1,686	1,639	1,604	1,580
2001	1,520	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,742	1,789	1,789
2002	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,738	1,686	1,639	1,604	1,580
2003	1,513	1,436	1,359	1,280	1,193	1,095	986	1,789	1,670	1,556	1,454	1,363
2004	1,282	1,204	1,127	1,048	962	864	755	1,789	1,736	1,622	1,789	1,698
2005	1,617	1,539	1,462	1,383	1,297	1,789	1,680	1,789	1,737	1,690	1,655	1,789
2006	1,775	1,765	1,754	1,789	1,789	1,789	1,747	1,697	1,789	1,742	1,707	1,789
2007	1,775	1,789	1,789	1,789	1,770	1,789	1,789	1,789	1,737	1,690	1,655	1,630
2008	1,616	1,789	1,789	1,777	1,758	1,726	1,684	1,634	1,567	1,789	1,754	1,727
2009	1,646	1,789	1,779	1,766	1,747	1,789	1,789	1,789	1,789	1,789	1,789	1,789
2010	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,737	1,789	1,754	1,789
2011	1,775	1,765	1,789	1,789	1,789	1,758	1,789	1,789	1,789	1,742	1,789	1,789
2012	1,789	1,789	1,789	1,789	1,789	1,758	1,716	1,665	1,613	1,566	1,482	1,391
2013	1,310	1,233	1,156	1,076	1,789	1,758	1,789	1,789	1,737	1,690	1,789	1,789
2014	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789
2015	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,742	1,789	1,789
2016	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,737	1,690	1,655	1,630
2017	1,616	1,789	1,789	1,789	1,789	1,758	1,789	1,789	1,737	1,690	1,789	1,789
2018	1,775	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,737	1,690	1,655	1,630
Average	1,681	1,720	1,708	1,697	1,712	1,719	1,704	1,767	1,737	1,712	1,715	1,717

**TABLE 20
TOTAL DEMANDS MET**

Water Year	(Acre-Feet)												Annual Total
	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	
1993	67	67	67	67	67	67	67	67	67	67	67	67	803
1994	67	67	67	67	67	67	67	67	67	67	67	67	803
1995	67	67	67	67	67	67	67	67	67	67	67	67	803
1996	67	67	67	67	67	67	67	67	67	67	67	67	803
1997	67	67	67	67	67	67	67	67	67	67	67	67	803
1998	67	67	67	67	67	67	67	67	67	67	67	67	803
1999	67	67	67	67	67	67	67	67	67	67	67	67	803
2000	67	67	67	67	67	67	67	67	67	67	67	67	803
2001	67	67	67	67	67	67	67	67	67	67	67	67	803
2002	67	67	67	67	67	67	67	67	67	67	67	67	803
2003	67	67	67	67	67	67	67	67	67	67	67	67	803
2004	67	67	67	67	67	67	67	67	67	67	67	67	803
2005	67	67	67	67	67	67	67	67	67	67	67	67	803
2006	67	67	67	67	67	67	67	67	67	67	67	67	803
2007	67	67	67	67	67	67	67	67	67	67	67	67	803
2008	67	67	67	67	67	67	67	67	67	67	67	67	803
2009	67	67	67	67	67	67	67	67	67	67	67	67	803
2010	67	67	67	67	67	67	67	67	67	67	67	67	803
2011	67	67	67	67	67	67	67	67	67	67	67	67	803
2012	67	67	67	67	67	67	67	67	67	67	67	67	803
2013	67	67	67	67	67	67	67	67	67	67	67	67	803
2014	67	67	67	67	67	67	67	67	67	67	67	67	803
2015	67	67	67	67	67	67	67	67	67	67	67	67	803
2016	67	67	67	67	67	67	67	67	67	67	67	67	803
2017	67	67	67	67	67	67	67	67	67	67	67	67	803
2018	67	67	67	67	67	67	67	67	67	67	67	67	803
Average	67	67	67	67	67	67	67	67	67	67	67	67	803

TABLE 21
WATER AVAILABLE IN-PRIORITY TO A JUNIOR SOUTH PLATTE RIVER WATER RIGHT AT TCVMD
With a Diversion Limitation of 40 cfs on the South Platte River
(Acre-Feet)

Water Year	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	Annual Total
1993	2,380	2,460	2,460	2,222	2,460	2,380	873	793	0	0	1,428	2,460	19,914
1994	2,380	2,460	2,460	2,222	2,460	1,349	0	0	0	0	0	1,031	14,361
1995	2,380	555	714	1,031	1,428	238	2,380	2,380	2,460	2,460	1,428	2,460	19,914
1996	2,380	397	2,301	2,301	2,460	635	714	2,380	159	317	1,666	2,460	18,169
1997	2,380	2,460	2,460	2,222	2,460	2,222	2,460	2,380	1,111	2,460	2,380	2,460	27,452
1998	2,380	2,460	2,460	2,222	2,460	2,380	2,460	1,507	635	714	1,349	2,460	23,485
1999	2,380	2,460	2,460	2,222	1,190	714	2,460	2,380	873	2,460	2,380	2,460	24,437
2000	2,380	2,460	2,460	2,301	2,460	1,984	397	0	0	0	0	0	14,440
2001	0	1,507	2,460	2,222	2,460	2,380	1,587	1,111	317	0	1,825	2,460	18,328
2002	2,380	2,460	2,460	2,222	2,460	1,349	79	0	0	0	0	0	13,408
2003	0	0	0	0	0	0	0	0	0	0	0	0	0
2004	0	0	0	0	0	0	0	0	0	0	0	0	0
2005	0	0	0	0	0	0	0	0	0	0	0	0	0
2006	0	0	0	159	476	317	0	0	79	0	0	317	1,349
2007	0	555	793	555	0	1,031	2,460	1,587	0	0	0	0	6,982
2008	0	1,111	1,666	0	0	0	0	0	0	238	0	0	3,015
2009	0	793	0	0	0	555	397	2,222	714	79	555	2,460	7,775
2010	2,460	2,460	2,460	793	2,222	2,142	2,460	1,984	0	79	0	635	17,693
2011	0	0	2,380	2,222	1,190	0	1,269	2,380	1,984	0	1,190	2,460	15,075
2012	2,380	2,460	2,460	2,301	1,745	0	0	0	0	0	0	0	11,346
2013	0	0	0	0	635	0	1,111	1,745	0	0	1,666	2,460	7,617
2014	476	2,380	2,460	2,301	2,460	1,666	1,587	2,380	1,825	1,745	2,380	2,460	24,119
2015	2,380	2,460	2,460	2,222	2,460	1,587	2,460	2,380	2,380	0	79	2,460	23,326
2016	2,380	2,460	2,460	2,301	2,460	2,380	2,460	2,063	0	0	0	0	18,962
2017	0	555	2,142	1,666	1,031	0	1,111	1,507	0	0	238	2,301	10,552
2018	0	1,349	2,460	2,222	2,460	635	1,269	397	0	0	0	0	10,790
Average	1,211	1,395	1,709	1,459	1,517	998	1,153	1,215	482	406	714	1,300	13,558

40 cfs = 79.34

TABLE 22
WATER AVAILABLE IN-PRIORITY TO A JUNIOR SOUTH PLATTE RIVER WATER RIGHT AT MANN LAKES
With a Diversion Limitation of 21 cfs on the South Platte River
(Acre-Feet)

Water Year	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	Annual Total
1993	1,250	1,291	1,291	1,166	1,291	1,250	1,291	1,250	0	0	1,250	1,291	12,621
1994	1,250	1,291	1,291	1,166	1,291	1,250	0	0	0	0	0	1,291	8,831
1995	1,250	1,291	1,291	1,166	1,291	1,250	1,291	1,250	1,291	1,291	1,250	1,291	15,204
1996	1,250	1,291	1,291	1,208	1,291	1,250	1,291	1,250	1,291	1,291	1,250	1,291	15,245
1997	1,250	1,291	1,291	1,166	1,291	1,250	1,291	1,250	1,291	1,291	1,250	1,291	15,204
1998	1,250	1,291	1,291	1,166	1,291	1,250	1,291	1,250	1,291	1,291	1,250	1,291	15,204
1999	1,250	1,291	1,291	1,166	1,291	1,250	1,291	1,250	1,291	1,291	1,250	1,291	15,204
2000	1,250	1,291	1,291	1,208	1,291	1,250	1,291	0	0	0	0	0	8,872
2001	0	1,291	1,291	1,166	1,291	1,250	1,291	1,250	1,291	0	1,250	1,291	12,663
2002	1,250	1,291	1,291	1,166	1,291	1,250	626	0	0	0	0	0	8,165
2003	0	0	0	0	0	0	0	0	0	0	0	0	0
2004	0	0	0	0	0	0	0	0	0	0	0	0	0
2005	0	0	0	0	0	0	0	0	0	0	0	0	0
2006	0	0	0	934	1,291	1,250	0	0	1,286	0	0	1,291	6,052
2007	0	1,291	1,291	1,166	0	1,250	1,291	1,250	0	0	0	0	7,539
2008	0	1,291	1,291	0	0	0	0	0	0	1,291	0	0	3,874
2009	0	1,291	0	0	0	1,250	1,291	1,250	1,291	651	1,250	1,291	9,565
2010	1,250	1,291	1,291	1,166	1,291	1,250	1,291	1,250	0	1,009	0	1,291	12,381
2011	0	0	1,291	1,166	1,291	0	1,291	1,250	1,291	0	1,250	1,291	10,122
2012	1,250	1,291	1,291	1,208	1,291	0	0	0	0	0	0	0	6,331
2013	0	0	0	0	1,291	0	1,291	1,250	0	0	1,250	1,291	6,373
2014	1,250	1,291	1,291	1,166	1,291	1,250	1,291	1,250	1,291	1,291	1,250	1,291	15,204
2015	1,250	1,291	1,291	1,166	1,291	1,250	1,291	1,250	1,291	0	537	1,291	13,200
2016	1,250	1,291	1,291	1,208	1,291	1,250	1,291	1,250	0	0	0	0	10,122
2017	0	1,291	1,291	1,166	1,291	0	1,291	1,250	0	0	1,250	1,291	10,122
2018	0	1,291	1,291	1,166	1,291	1,250	1,291	1,250	0	0	0	0	8,831
Average	673	993	993	895	993	865	918	817	546	411	597	795	9,497
Minimum	0	0	0	0	0	0	0	0	0	0	0	0	0
Maximum	1,250	1,291	1,291	1,208	1,291	1,250	1,291	1,250	1,291	1,291	1,250	1,291	15,245

21 cfs = 41.65 af/day

TABLE 23
WATER AVAILABLE IN STORAGE AFTER DEMANDS ARE MET
LIMITED TO 460 af
(Acre-Feet)

Water Year	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	Annual Total
1993	460	460	460	460	460	460	460	460	367	278	460	460	5,244
1994	460	460	460	460	460	460	374	281	187	98	14	460	4,174
1995	460	460	460	460	460	460	460	460	460	460	460	460	5,520
1996	460	460	460	460	460	460	460	460	460	460	460	460	5,520
1997	460	460	460	460	460	460	460	460	460	460	460	460	5,520
1998	460	460	460	460	460	460	460	460	460	460	460	460	5,520
1999	460	460	460	460	460	460	460	460	460	460	460	460	5,520
2000	460	460	460	460	460	460	460	367	274	185	100	22	4,167
2001	0	460	460	460	460	460	460	460	460	371	460	460	4,971
2002	460	460	460	460	460	460	453	360	267	178	93	15	4,126
2003	0	0	0	0	0	0	0	0	0	0	0	0	0
2004	0	0	0	0	0	0	0	0	0	0	0	0	0
2005	0	0	0	0	0	0	0	0	0	0	0	0	0
2006	0	0	0	86	460	460	374	281	267	178	93	332	2,530
2007	258	460	460	460	385	460	460	460	367	278	193	114	4,354
2008	40	460	460	387	312	232	145	52	0	149	64	0	2,302
2009	0	460	388	315	240	460	460	460	460	450	460	460	4,613
2010	460	460	460	460	460	460	460	460	367	357	272	460	5,136
2011	386	314	460	460	460	380	460	460	460	371	460	460	5,131
2012	460	460	460	460	460	380	294	201	107	18	0	0	3,301
2013	0	0	0	0	460	380	460	460	367	278	460	460	3,324
2014	460	460	460	460	460	460	460	460	460	460	460	460	5,520
2015	460	460	460	460	460	460	460	460	460	371	366	460	5,337
2016	460	460	460	460	460	460	460	460	367	278	193	114	4,631
2017	40	460	460	460	460	380	460	460	367	278	431	460	4,715
2018	386	460	460	460	460	460	460	460	367	278	193	114	4,557
Average	290	366	369	366	390	386	382	360	318	275	272	293	4,067

TABLE 24
WATER AVAILABLE IN STORAGE AFTER DEMANDS ARE MET
LIMITED TO 1,789 af
(Acre-Feet)

Water Year	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	Annual Total	
1993	1,236	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,737	1,690	1,789	1,789	20,763	
1994	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,747	1,697	1,644	1,597	1,562	1,789	20,771
1995	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	21,468
1996	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	21,468
1997	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	21,468
1998	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	21,468
1999	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	21,468
2000	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,738	1,686	1,639	1,604	1,580	20,771
2001	1,520	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,742	1,789	1,789	1,789	21,152
2002	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,738	1,686	1,639	1,604	1,580	20,771
2003	1,513	1,436	1,359	1,280	1,193	1,095	986	869	750	636	534	443		12,094
2004	362	284	207	128	42	0	0	0	0	0	0	0	0	1,022
2005	0	0	0	0	0	0	0	0	0	0	0	0	0	0
2006	0	0	0	922	1,789	1,789	1,747	1,697	1,789	1,742	1,707	1,789	1,789	14,971
2007	1,775	1,789	1,789	1,789	1,770	1,789	1,789	1,789	1,737	1,690	1,655	1,630	1,789	20,990
2008	1,616	1,789	1,789	1,777	1,758	1,726	1,684	1,634	1,567	1,789	1,754	1,727	1,789	20,611
2009	1,646	1,789	1,779	1,766	1,747	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	21,250
2010	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,737	1,789	1,754	1,789	1,789	21,381
2011	1,775	1,765	1,789	1,789	1,789	1,758	1,789	1,789	1,789	1,742	1,789	1,789	1,789	21,351
2012	1,789	1,789	1,789	1,789	1,789	1,758	1,716	1,665	1,613	1,566	1,482	1,391	1,789	20,136
2013	1,310	1,233	1,156	1,076	1,789	1,758	1,789	1,789	1,737	1,690	1,789	1,789	1,789	18,904
2014	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	21,468
2015	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,742	1,789	1,789	1,789	21,421
2016	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,737	1,690	1,655	1,630	1,789	21,023
2017	1,616	1,789	1,789	1,789	1,789	1,758	1,789	1,789	1,737	1,690	1,789	1,789	1,789	21,112
2018	1,775	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,737	1,690	1,655	1,630	1,789	21,009
Average	1,515	1,558	1,549	1,575	1,627	1,617	1,610	1,594	1,569	1,549	1,547	1,548	1,789	18,858

**TABLE 25
TOTAL DEMANDS MET**

Water Year	(Acre-Feet)												Annual Total
	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	
1993	67	67	67	67	67	67	67	67	67	67	67	67	803
1994	67	67	67	67	67	67	67	67	67	67	67	67	803
1995	67	67	67	67	67	67	67	67	67	67	67	67	803
1996	67	67	67	67	67	67	67	67	67	67	67	67	803
1997	67	67	67	67	67	67	67	67	67	67	67	67	803
1998	67	67	67	67	67	67	67	67	67	67	67	67	803
1999	67	67	67	67	67	67	67	67	67	67	67	67	803
2000	67	67	67	67	67	67	67	67	67	67	67	67	803
2001	67	67	67	67	67	67	67	67	67	67	67	67	803
2002	67	67	67	67	67	67	67	67	67	67	67	67	803
2003	67	67	67	67	67	67	67	67	67	67	67	67	803
2004	67	67	67	67	67	42	0	0	0	0	0	0	376
2005	0	0	0	0	0	0	0	0	0	0	0	0	0
2006	0	0	0	67	67	67	67	67	67	67	67	67	602
2007	67	67	67	67	67	67	67	67	67	67	67	67	803
2008	67	67	67	67	67	67	67	67	67	67	67	67	803
2009	67	67	67	67	67	67	67	67	67	67	67	67	803
2010	67	67	67	67	67	67	67	67	67	67	67	67	803
2011	67	67	67	67	67	67	67	67	67	67	67	67	803
2012	67	67	67	67	67	67	67	67	67	67	67	67	803
2013	67	67	67	67	67	67	67	67	67	67	67	67	803
2014	67	67	67	67	67	67	67	67	67	67	67	67	803
2015	67	67	67	67	67	67	67	67	67	67	67	67	803
2016	67	67	67	67	67	67	67	67	67	67	67	67	803
2017	67	67	67	67	67	67	67	67	67	67	67	67	803
2018	67	67	67	67	67	67	67	67	67	67	67	67	803
Average	62	62	62	64	64	63	62	62	62	62	62	62	748

From: [JR Osborne](#)
To: [Libby Tart](#)
Subject: Shook Water Report
Date: Thursday, December 12, 2019 9:38:03 AM
Attachments: [WSP Summary Adams County.pdf](#)

Please be cautious: This email was sent from outside Adams County

Good Morning Libby,

Here is the letter from the Water District engineer. It gives an overview of the districts position and that the district is working with DWR on final report.

Please let me know if you have any questions. A district rep will be in attendance to answer any questions as well.

Thanks!

J.R.

MEMORANDUM

TO: Todd Creek Village Metropolitan District (District)
FROM: Gina Burke
DATE: December 12, 2019
SUBJECT: TCVMD Water Supply Plan
JOB NO: 814.1

The purpose of this Memorandum is to provide Adams County with a summary of the water resources that are legally available to the District to meet current and future water demands for existing and committed development within the District's approved Service Area. This information will be incorporated into an updated Water Supply Plan that is being completed by our office as the District's water consultant. The updated Water Supply Plan is being provided in response to the letter from Joanna Williams of the Division of Water Resources (DWR) dated December 5, 2019. The outline below is a summary of the District's current and future approved demands and the water supplies they have available to meet those demands based on the analysis being incorporated into the updated Water Supply Plan:

- Based on our review of the referenced letter from DWR there appears to be some confusion regarding the District's current and future demands for water and the water resources the District has to meet those demands. Specifically, DWR has given no consideration for the Junior Water rights that have been decreed under Water Court Case Nos. 13CW3181 and 16CW3019. The details under these decrees are referenced below.

Based on our analysis, the current potable demands of the District are approximately 587 acre-feet per year (af/yr) as shown on the attached Table (provided to DWR). The future platted potable demands are estimated at 151 af/yr for a total of approximately 738 af/yr. When the current potable demands for platted commercial are added (4.80 af/yr), the total potable demands within the District at current platted build-out are approximately 743 af/yr.

- The 24 lots in the Adams County application (Promontory) will add approximately 7.2 af/yr to the current committed potable demands of the District.

- District Water Rights Summary

Decreed Laramie-Fox Hills ground water - 843 af/yr

Consolidated Mutual - 500 af/yr (approx. 466 af/yr after transit losses)

Old Brantner - 130 af/yr

Total Senior Water Rights – 1,473 af/yr

Case No. 13CW3181 – Decreed Limitation of 6,202 af/yr (10-year average). A total of 1,198 acre-feet of storage was also decreed utilizing the reservoirs within the District's Service Area. The District is currently using about 564 acre-feet of storage and has the remaining amount under development.

The District was able to divert the following amounts under Case No. 13CW3181 since the decree was finalized:

2017 331 acre-feet (partial year/started diversions in June)

2018 1,618 acre-feet

2019 2,151 acre-feet

Case No. 16CW3019 – Decreed limitation of 7,482 af/yr. A total of 3,741 acre-feet of storage is decreed to Mann Lakes.

The Mann Lakes reservoirs are legally available for use and in 2019 the District diverted approximately 1,656 acre-feet into the reservoir complex.

Total Decreed Junior Water Rights – 13,684 af/yr

Case No. 19CW3061 – Pending case which requests an additional fill in Mann Lakes of 3,741 af/yr for a total of 11,223 af/yr and enlargements to two of the District's reservoirs, Signal 1 and Signal 2, which will add 2,095 acre-feet of additional storage bringing the total to 3,293 acre-feet.

- In my conversations with Joanna Williams regarding the letter referenced above, she explained that it is DWR's policy to not give credit to junior water rights without a proven firm yield analysis. She requested that the District compile a conservative firm yield analysis of its junior water rights for DWR's review. This is the study we are currently finalizing which will incorporate the water resources summarized above.
- Finally, the volumetric limits discussed above for both of the decreed Water Court cases were based on historic data and were approved by all objectors and the State and Division Engineers.

**TABLE 4
TODD CREEK VILLAGE METROPOLITAN DISTRICT
ESTIMATED CURRENT & FUTURE DEMANDS**

	Total units	Currently Served Units	Future Units	Potable af/yr/unit	Current af/yr	Future af/yr	Total Potable af/yr	units	Irrigation af/yr/unit	Current af/yr	Future af/yr	Total Irrigation af/yr	Total Demands af/yr
Development (Platted)													
TCF 1	54	54	0	0.27	14.53	0.00	14.53	54	0.34	18.36	0.00	18.36	32.89
TCF 2	57	57	0	0.27	15.33	0.00	15.33	57	0.34	19.38	0.00	19.38	34.71
TCF 3	62	62	0	0.27	16.68	0.00	16.68	62	0.34	21.08	0.00	21.08	37.76
TCF 4	139	139	0	0.27	37.39	0.00	37.39	139	0.34	47.26	0.00	47.26	84.65
Foxridge	58	58	0	0.27	15.60	0.00	15.60	58	0.34	19.72	0.00	19.72	35.32
TCF 5	160	152	8	0.27	40.89	2.15	43.04	160	0.34	51.68	2.72	54.40	97.44
ES 1	185	180	5	0.27	48.42	1.35	49.77	185	0.34	61.20	1.70	62.90	112.67
Wheatlands	71	71	0	0.27	19.10	0.00	19.10	71	0.34	24.14	0.00	24.14	43.24
TCM 1	78	71	7	0.27	19.10	1.88	20.98	78	0.34	24.14	2.38	26.52	47.50
Silver Springs	52	52	0	0.27	13.99	0.00	13.99	52	0.34	17.68	0.00	17.68	31.67
Hawk Ridge	47	42	5	0.27	11.30	1.35	12.64	47	0.34	14.28	1.70	15.98	28.62
ESS	191	187	4	0.27	50.30	1.08	51.38	190	0.34	63.58	1.02	64.60	115.98
HTC	1,277	825	452	0.27	221.93	121.59	343.51	800	0.25	206.25	-6.25	200.00	543.51
TC Bartley	172	163	9	0.30	48.90	2.70	51.60	172	0.34	55.42	3.06	58.48	110.08
TC Shook	60	0	60	0.30	0.00	18.00	18.00	32	0.34	0.00	10.88	10.88	28.88
Baseline Lakes	54	49	5	0.27	13.18	1.35	14.53	54	0.34	16.66	1.70	18.36	32.89
Subtotals	2,717	2,162	555		586.63	151.43	738.07	2,211		660.83	18.91	679.74	1417.81
Commercial (Platted - 2010 Demands)													
HTC Club/Maint							3.65					11.70	15.35
TCVMD office							0.03					-	0.03
NH Church							0.88					-	0.88
Harvest Fellowship							0.24					0.39	0.63
TCVP&R ES Park							-					8.10	8.10
TCVP&R TCM Park							-					3.98	3.98
LS areas							-					69.90	69.90
Future HTC LS areas							-					120.00	120.00
HTC Golf Course							-					270.00	270.00
Future Development (Not Platted)													
Weld County Development Area	3,100			0.20			620.00	3,100	0.25			775.00	1395.00
ALF	1,930			0.20			386.00	1,930	0.25			482.50	868.50
Jogan Estates (Adams)	3			0.30			0.90	3	0.25			0.75	1.65
Seltzer FT (Adams)	207			0.30			62.10	207	0.25			51.75	113.85
Seltzer Farms (Adams)	501			0.30			150.30	501	0.25			125.25	275.55
Wygant (Adams)	255			0.30			76.50	255	0.25			63.75	140.25
Baseline Lakes - Add'l (Adams)	140			0.30			42.00	140	0.25			35.00	77.00
	6,136												
							742.87					1,163.81	1,906.68
							591.43					1,144.90	1,736.33
							151.43					18.91	170.34
							1,337.80					1,534.00	2,871.80
							2,080.67					2,697.81	4,778.48

Notes:
 Demands provided by Todd Creek Village Metropolitan District
 HTC - replat reduced units from 1,310 to 1,277.
 Baseline Lakes - platted for 54 units

Exhibit 3.7 Mile High Flood District Correspondence and Photos

From: [Jen Rutter](#)
To: [Libby Tart](#)
Subject: FW: Shook Subdivision more drainage pictures
Date: Wednesday, April 1, 2020 9:45:17 AM

Jen Rutter

Development Services Manager, *Community & Economic Development*

ADAMS COUNTY, COLORADO

4430 South Adams County Parkway, 1st Floor, Suite W2000A

Brighton, CO 80601

o: 720.523.6841 | jrutter@adcogov.org

www.adcogov.org

From: Matthew Emmens <MEmmens@adcogov.org>

Sent: Tuesday, March 31, 2020 11:55 AM

To: Jerry Whitmore <jdubwh@gmail.com>

Cc: Scott Bietendorf <sbietendorf@gmail.com>; Debbie Whitmore <debwhit22@gmail.com>; Silene Patroniti <patroniti6@gmail.com>; Richard Arnold <thekoiman@comcast.net>; Jen Rutter <JRutter@adcogov.org>; Jill Jennings Golich <JJenningsGolich@adcogov.org>

Subject: RE: Shook Subdivision more drainage pictures

Hello Jerry,

Sorry for the late response. The County buildings have been closed until April 19th due to the coronavirus. And, in addition to having to figure out how to work from home, I also got sick for a week or so. I'm getting back into the swing of things now, though.

Anyway, we did hear back from MHFD. They said that the swale appears to be designed correctly and does flow to the north (per design) but, it would take a more extensive survey to find out if it was constructed per design. They also said that without that more extensive survey, there is now way of knowing if the swale contributed to the illicit discharge that happened last year. However, when the County's Stormwater Division investigated the illicit discharge last year, they concluded that it was due to an improperly installed silt fence on one of the properties that had a house under construction (which was fixed by the home builder).

The standing water in the swale (shown in your pictures) is a bit of a concern. I will pass these along to the Stormwater Division and have them investigate. It could be that the culvert under E 160th is plugged. County staff is continuing to discuss this issue, though. At this time we have no made any decisions about what should be done. I will keep you notified of any decisions.

Matt

From: Jerry Whitmore <jdubwh@gmail.com>

Sent: Sunday, March 22, 2020 3:35 PM

To: Matthew Emmens <MEmmens@adcogov.org>

Cc: Scott Bietendorf <sbietendorf@gmail.com>; Debbie Whitmore <debwhit22@gmail.com>; Silene Patroniti <patroniti6@gmail.com>; Richard Arnold <thekoiman@comcast.net>

Subject: Shook Subdivision more drainage pictures

Please be cautious: This email was sent from outside Adams County

Hi Matt,

We were wondering where we are at with the MHFD investigation of our storm water issue?

Attached are 3 pictures I took today of the standing water across from my property next to Twin Lakes Storm drain. As you can see the standing water is not draining toward the culvert at E. 160th Place. One of the photos is directly across from the our storm drain and there isn't even a ditch on the other side. We are going to get clobbered. We tried to tell everyone early on that water doesn't flow uphill and this proves it. Mind you this is only runoff from the last snow. I hate to see what's going to happen when we get a big rain! We are asking for help from the County to please address this issue.

Thanks,

Jerry Whitmore

Twin Lakes subdivision

From: Matthew Emmens

Sent: Thursday, February 13, 2020 11:15 AM

To: Jerry Whitmore

Cc: Scott Bietendorf ; Debbie Whitmore

Subject: RE: Shook Subdivision

Thankyou Mr. Whitmore. The more information I have, the easier it is for me and MHFD to figure out what is happening and fix it.

Sincerely,

Matt Emmens

Senior Engineer, *Community and Economic Development*

ADAMS COUNTY, COLORADO

4430 S. Adams County Parkway, W2000B

Brighton, CO 80601

o: 720.523.6826 | memmens@adcogov.org

www.adcogov.org

From: Jerry Whitmore <jdubwh@gmail.com>
Sent: Thursday, February 13, 2020 10:29 AM
To: Matthew Emmens <MEmmens@adcogov.org>
Cc: Scott Bietendorf <sbietendorf@gmail.com>; Debbie Whitmore <debwhit22@gmail.com>
Subject: Fw: Shook Subdivision

Please be cautious: This email was sent from outside Adams County

Good Morning Matt,

I'm forwarding an email that you sent Juliana with the pictures showing the illicit discharge situation back on Aug. 3, 2018. In this email you state that you received it from a citizen living in Twin Lakes subdivision which as you can see below in the thread that it would have been me.

I hope this refreshes your memory concerning our drainage situation.

Thanks,
Jerry Whitmore

From: Matthew Emmens
Sent: Friday, August 03, 2018 9:38 AM
To: Juliana J. Archuleta
Cc: David Rausch ; jdubwh@gmail.com ; Miles Buescher
Subject: FW: Shook Subdivision

Good Morning Juliana,

I received the email below from a citizen who lives in the Twin Lakes subdivision, just East of the Shook Subdivision. It appears from the attached pictures that there is an illicit discharge situation happening on the east side of the Shook Subdivision.

Let me know if there is anything I need to do.

Sincerely,
Matt Emmens

Senior Engineer, *Community and Economic Development*
ADAMS COUNTY, COLORADO
4430 S. Adams County Parkway, W2000B
Brighton, CO 80601
o: 720.523.6826 | memmens@adcogov.org
www.adcogov.org

From: Jerry Whitmore [<mailto:jdubwh@gmail.com>]
Sent: Thursday, August 02, 2018 2:50 PM
To: Matthew Emmens
Cc: Scott Bietendorf; Richard Arnold; Debbie Whitmore; 'Bob & Silene Patroniti'; vicfoster@comcast.net; 'John and Barbara Otto'; D&S Beckett; Stormwater Quality Mailbox
Subject: Fw: Shook Subdivision

Hi Matt,

We were previously working through Julie for the New Shook Subdivision issues but have been advised that she is no longer working for Adams County. The operator said that you should be able to help us. Please read below and review the pictures.

Thanks,
Jerry

From: Jerry Whitmore
Sent: Thursday, August 02, 2018 2:18 PM
To: Julie Wyatt ; swq@adcogov.org
Cc: 'Scott & Vicky' ; thekoiman@comcast.net ; 'Debbie Whitmore' ; 'Bob & Silene Patroniti' ; 'Scott & Vicky' ; 'John and Barbara Otto' ; D&S Beckett
Subject: Re: Shook Subdivision

Shook Subdivision Request for comment

Hi Julie,

I wanted to bring up a storm water issue that we are seeing now when it rains. Please review the attached pictures. We were told that there would be 2 separate storm water retention ponds servicing the Shook subdivision. There has only been 1 retention pond built currently for the west (upper side) of the Shook subdivision. That design is very robust in capturing the storm water from the upper (West) side of the subdivision. However, the lower (East side of the subdivision has had very little work done to capture the storm water coming down the grade of the East side. A culvert was installed (see photo) under the E. 160th Pl. road where it meets Geneva Ct. (our road). This culvert goes basically nowhere except to drain onto our properties. You can also see from the photos that the water actually overwhelmed our own drain and was coming over the road to drain into our property as evidenced by the mud on the road.

We understand "historic upstream drainage". All of the water that historically drained between lots 5 and 6 has been clear water. As you can see in the photos, this is muddy water and is not historic at all but as a result of no longer having vegetation in the Shook subdivision the stop the water.

We request that someone from the county to come out and look over the project and please explain to us how this is going to work. Because from what we are seeing so far, the Shook subdivision is planning on using the properties on Geneva Ct. to accept the storm water from the East side of the Shook subdivision. This is unacceptable and if you read down below, this was one of our main concerns during the platting effort.

Please respond to our concerns.

Thank you,

Gerald Whitmore
Lot #5 Twin Lakes subdivision

From: Julie Wyatt
Sent: Thursday, March 08, 2018 9:36 AM
To: Jerry Whitmore ; D&S Beckett
Cc: 'Scott & Vicky' ; thekoiman@comcast.net ; 'Debbie Whitmore' ; 'Bob & Silene Patroniti' ; 'Scott & Vicky' ; 'John and Barbara Otto'
Subject: RE: Shook Subdivision

Good morning,

Our Engineering Department has provided me with some information to share with you regarding your concerns with the Shook Subdivision. Below are their responses :

1) Traffic - There was a traffic impact study done in April of 2005. That study was completed before the Bartley property East of Havana (now the TC Riverside) was developed and Also before the 2 subdivisions located at Hwy 7 and York Street were developed. Since then the traffic along Hwy 7 has increased substantially. The Hwy 7/Geneva Ct. intersection has no traffic light and the Eastbound turn lane is almost non-existent. The traffic along Hwy 7 now is so heavy that turning East onto Hwy 7 is almost impossible during peak rush times. The 2005 study stated on page 3 of section 1.2 that the access to E 160th Place via Geneva Ct. was to be closed except for emergency purposes. If that entrance to E 160th Place will now be open to traffic, A new more current Traffic study should be completed. Geneva Ct. is a very narrow dead-end road and I believe was only intended for traffic to the 6 homes on Geneva Ct.

-

Engineering Response: The original Shook Subdivision (approved in 2005), includes a plan for closing the Geneva Court connection to Highway 7, converting the south end of the roadway to a 'hammer head' turn around and, routing the Geneva Court traffic through the Shook Subdivision. That plan will remain as part of the currently approved (for construction) plans and the re-platting of the Shook Subdivision. With

Geneva Court not having a connection to Highway 7, there is no anticipated need for anyone passing through or leaving the Shook Subdivision to go onto Geneva Court. When the south end of Geneva Court is converted to a hammer head, the approved plans call for an emergency only access onto Highway 7. A physical roadway connection to Highway 7 will remain but, will be blocked with a locked chain or gate that only the emergency services (police, fire protection, etc.) have a key to.

At no time will access to Geneva Court be closed or access denied to the residents. When the roadways in the Shook Subdivision have been constructed and accepted by the County, the Geneva Court connection will be closed and converted to a hammer head. Residential access will always be provided.

One of the (if not the main) purposes of the Shook Subdivision Re-plat is to allow for roadway connections to the Weigandt Property, north of the Shook Subdivision (to allow for development of that property). That is proposed to be done with the extension of Galena Court and Florence Way. None of the improvements for the Shook subdivision or the future development of the Weigandt Property should negatively affect the traffic flow on Geneva Ct.

The recommendation for turn signals, acceleration/deceleration lanes, and turn lanes were considered during the review of the original Shook Subdivision and with this re-platting effort. As a CDOT road, Highway 7 improvements such as turn signals, acceleration/deceleration lanes, and turn lanes are approved by CDOT and require that certain criteria (known as Warrants) be met before they can be required or constructed. The warrants for requiring and installing those type of roadway improvements are based on State, local and Federal regulations and must be proved by a rigorous engineering analysis. *At this time, development of the Shook Subdivision will not produce enough traffic movements to meet the required Warrants for a turn signal; however, the currently approved plans do meet the warrants for acceleration/deceleration lanes and turn lanes on Highway 7. Those improvements will be constructed by a restriping of the lane lines on Highway 7.* With the development of the Weigandt Property to the north of the Shook Property, the warrants for turn signals, additional turn lanes and, all other potential roadway improvements will be re-reviewed by the County and CDOT and required for development if the warrants are met.

2) Storm runoff – Currently there is a storm drain located between lots 5 and 6 on the West side Geneva Ct. That storm drain empties out onto the property between lots 5 and 6 and drains down our properties and into the Stouffer reservoir behind our house. During times of heavy rain the runoff is so powerful that it tends to wash our decorative rock away and is basically a river between our properties. Currently the Shook subdivision is undeveloped and does have some minor vegetation that could stop some erosion and drainage. If the Shook subdivision is developed, that could increase the storm drainage emptying out between our properties. We would like to see that storm drain re-configured and re-directed into a different drain stream that would prevent the flooding issues along our properties.

Engineering Response: Development of the Shook property and, specifically the individual lots, includes reconfiguring of the site grading and storm drainage systems. The construction plans for the Shook subdivision call for the majority of the storm flows to be captured on site and directed to the north and south, away from entering Geneva Ct or the Twin Lakes Subdivision. The largest impact will be seen when development (home construction) of the lots in the Shook subdivision that are directly west of lots 5 and 6 of the Twin Lakes subdivision occurs. The lot grading is anticipated to direct a significant portion of storm flows to the north and south, thus reducing the historic flows that drain to Geneva Court. However, development plans for those particular lots in the Shook subdivision have not been created yet (they typically aren't created until someone purchases the properties). Therefore, at this time, Engineering can't say for sure when those storm flows will be reduced or by how much. However, I can say that the storm flows to Geneva Ct from the Shook Subdivision will be reduced with the development/construction of the Shook Subdivision.

Just for background information--under Colorado law, downstream property owners must accept historic upstream drainage. Therefore, if storm water historically drained onto your property, that condition may remain. The land plat for the Twin Lakes subdivision shows a 10-foot wide drainage easement straddling the property line between lots 5 & 6. This easement was intended to be used to convey storm drainage. Since current conditions include stormwater flowing between lots 5 and/or 6 of the Twin Lakes subdivision, this stormwater is considered historic drainage. Development upstream of your property may release storm water at historic levels and patterns, but cannot increase the amount or make the situation any worse than it is now.

Thank you very much for your response. We appreciate you reaching out to provide feedback. If there is any additional information or assistance I can provide, please feel free to contact me.

Sincerely,

Julie Wyatt

Planner III, *Community and Economic Development*

ADAMS COUNTY, COLORADO

4430 South Adams County Parkway

Brighton, CO 80601-8212

720.523.6858 | jwyatt@adcogov.org

From: Jerry Whitmore [<mailto:jdubwh@gmail.com>]

Sent: Tuesday, March 06, 2018 1:29 PM

To: Julie Wyatt; D&S Beckett

Cc: 'Scott & Vicky'; thekoiman@comcast.net; 'Debbie Whitmore'; 'Bob & Silene Patroniti'; 'Scott & Vicky'; 'John and Barbara Otto'

Subject: Re: Shook Subdivision

Shook Subdivision request for comment

Hello:

I live in the Twin Lakes Subdivision just East of the Shook Subdivision. I went to the Adams county website and looked through the Shook case documents and I do have a couple of concerns regarding the re-platting.

1) Traffic - There was a traffic impact study done in April of 2005. That study was completed before the Bartley property East of Havana (now the TC Riverside) was developed and Also before the 2 subdivisions located at Hwy 7 and York Street were developed. Since then the traffic along Hwy 7 has increased substantially. The Hwy 7/Geneva Ct. intersection has no traffic light and the Eastbound turn lane is almost non-existent. The traffic along Hwy 7 now is so heavy that turning East onto Hwy 7 is almost impossible during peak rush times. The 2005 study stated on page 3 of section 1.2 that the access to E 160th Place via Geneva Ct. was to be closed except for emergency purposes. If that entrance to E 160th Place will now be open to traffic, A new more current Traffic study should be completed. Geneva Ct. is a very narrow dead-end road and I believe was only intended for traffic to the 6 homes on Geneva Ct.

2) Storm runoff – Currently there is a storm drain located between lots 5 and 6 on the West side Geneva Ct. That storm drain empties out onto the property between lots 5 and 6 and drains down our properties and into the Stouffer reservoir behind our house. During times of heavy rain the runoff is so powerful that it tends to wash our decorative rock away and is basically a river between our properties. Currently the Shook subdivision is undeveloped and does have some minor vegetation that could stop some erosion and drainage. If the Shook subdivision is developed, that could increase the storm drainage emptying out between our properties. We would like to see that storm drain re-configured and re-directed into a different drain stream that would prevent the flooding issues along our properties.

Thank you in advance for your consideration,

Jerry Whitmore
16020 Geneva Ct.
Brighton, Co. 80602

From: [JR Osborne](#)
To: [Libby Tart](#)
Subject: Re: Shook Filing 3 & 4
Date: Wednesday, April 22, 2020 2:35:23 PM

Please be cautious: This email was sent from outside Adams County

Happy Wednesday Libby,

I hope your week is going well. I spoke with Matt and am going to get some more as-built shots taken for the swale for him. We also did some additional swale work on the south side of Geneva to ensure no drainage issues. Matt thought they were great improvements. I'll send you some pics.

How are we looking on other referrals?

Thanks!

J.R.

From: Libby Tart <LTart@adcogov.org>
Sent: Thursday, April 16, 2020 10:48 AM
To: JR Osborne <c3construction@live.com>
Subject: RE: Shook Filing 3 & 4

Hi JR – Doing well – and how about you? I didn't get any feedback thus far but will be following up early next week with all of them.

Thanks,
Libby



Libby Tart, AICP

Senior Long Range Planner, *Community & Economic Development*

ADAMS COUNTY, COLORADO

4430 South Adams County Parkway, 1st Floor, Suite W2000A

Brighton, CO 80601

o: 720.523.6858 | ltart@adcogov.org

www.adcogov.org

Preferred Pronouns: she/her/hers

From: JR Osborne <c3construction@live.com>
Sent: Thursday, April 16, 2020 10:39 AM
To: Libby Tart <LTart@adcogov.org>

From: [JR Osborne](#)
To: [Libby Tart](#)
Subject: Shook
Date: Wednesday, April 22, 2020 3:12:03 PM
Attachments: [ATT00001.txt](#)
[ATT00002.txt](#)
[ATT00003.txt](#)

Please be cautious: This email was sent from outside Adams County









Development Review Team Comments

Date: 7/23/18

Project Number: PRC2018-00008

Project Name: Shook Filing 3 and 4 FDP/ Final Plats

For submission of revisions to applications, a cover letter addressing each staff review comments must be provided. The cover letter must include the following information: restate each comment that require a response and provide a response below the comment; respond to each comment with a description of the revisions and the page of the response on the site plan. And identify any additional changes made to the original document other than those required by staff.

A re-submittal is required. Please submit 1 hard copy and 1 electronic copy to the Community and Economic Development Department front desk with the re-submittal form.

An additional 20% review fee will be required after the third review and upon submittal of the fourth review.

Commenting Division: Development Services, Planning

Name of Reviewer: Emily Collins

Email: ecollins@adcogov.org

PLN1. REQUEST:

- a. This request is for a Major Subdivision Final Plat for Filings 3 and 4 of the Shook Planned Unit Development.
- b. Filing 3 is proposed for 13 lots on approximately 22.37 acres.
- c. Filing 4 is proposed for 11 lots on approximately 23.16 acres.

PLN2. SITE HISTORY/ ZONING:

- d. Todd Creek Shook FDP was approved on March 13, 2006. The final plat and only filing was approved for 32 single family lots.
- e. The subject area to be added to the existing Shook Subdivision is designated PUD-P in the Todd Creek Village Preliminary Development Plan which was approved March 2002.
- f. A Replat application has been submitted to create 2 filings from the initial Shook plat, this includes realignment of Florence Way and Galena Ct. to connect the northern portions of the subdivision (proposed Filing 3 and 4).
- g. An FDP Major Amendment has been submitted to include the parcel intended to be subdivided for Filings 3 and 4.

PLN3. COMPREHENSIVE PLAN:

- a. The site is designated as Estate Residential which is intended for single family housing at lower densities, no greater than one unit per acre, and compatible uses such as schools and parks.

PLN4. PLAT COMMENTS:

- a. A Subdivision Improvements Agreement is required at time of final plat. Please see attached template.
- b. Public Land Dedication fees are required prior to scheduling any public hearing. Please see attached spreadsheet.
- c. All lots must conform to the minimum dimensional standards for the Shook FDP.
 - Minimum frontage width at front setback 150'
 - Minimum front setback for residence 30'
 - Minimum lot size 1 acre
 - i. Filing 3, Block 3, Lot 4 is not 1 acre in size.
 - ii. Filing 3, Block 1, Lot 4 and 5 may not meet the 150 width at the 30 ft setback from Galena Court. Please demonstrate compliance.
 - iii. Filing 4, Block 3, Lot 1-4 may not meet the 150 width at the 30 ft setback from E. 163rd Place. Please demonstrate compliance.
- d. Design is compatible with Comprehensive plan, zoning, and area's character
- e. No hazardous areas or floodplain
- f. Lot configuration is appropriate for development
- g. Adequate water and sanitation demonstrated by Will Serve letter from Todd Creek Village Metro District.
- h. Lots have access to public roads

PLN5. COMMENTS:

- a. Land Use Table on Filing 3 does not appear correct (states 29 dwelling units on 13 lots).
- b. Please note the County recently passed new regulations for residential construction standards (Section 4-10-02-03-03), which include a signed waiver for any new home constructed within 300 ft of an existing oil and gas well.

Commenting Division: Development Services, Engineering:

Name of Review: Matt Emmens

Email: memmens@adcogov.org

ENG1: Flood Insurance Rate Map – FIRM Panel # (08001C0326H), Federal Emergency Management Agency, March 5, 2007. According to the above reference, the project site is NOT located within a delineated 100-year flood hazard zone; A floodplain use permit will not be required.

ENG2: The applicant shall be responsible to ensure compliance with all Federal, State, and Local water quality construction requirements. The project site is partially within the County's MS4

Stormwater Permit area. In the event that the disturbed area, within the MS4 Permit area, of the site exceeds 1 acre the applicant shall be responsible to prepare the SWMP plan using the Adams County ESC Template, and obtain both a County SWQ Permit and State Permit COR-030000.

ENG3: Prior to scheduling the final plat/FDP BOCC hearing, the developer is required to submit for review and receive approval of all construction documents (construction plans and reports). Construction documents shall include, at a minimum, onsite and public improvements construction plans, drainage report, traffic impact study. All construction documents must meet the requirements of the Adams County Development Standards and Regulations. The developer shall submit to the Adams County Development Review Engineering division the following: Engineering Review Application, Engineering Review Fee, two (2) copies of all construction documents. The development review fee for this project will be \$7,500.

The applicant has submitted construction documents for review. Those documents are not yet approved.

ENG4: Prior to the issuance of any construction or building permits, the developer shall enter into a Subdivision Improvements Agreement (SIA) with the County and provide a security bond for all public improvements.

ENG5: No building permits will be issued until all public improvements have been constructed, inspected and preliminarily accepted by the County's Public Works Dept.

Commenting Division: Development Services, Right-of-Way:

Name of Review: Marissa Hillje

Email: mhillje@adcogov.org

ROW1. Monuments should be at all street intersections, the beginning and end of each centerline horizontal curve in a street and at the center of the cul-de-sac. This should be shown on the plat.

ROW2. Monuments should be set and shown on this plat at each change of bearing along the perimeter of the filing. Add set monuments to the legend.

ROW3. Un-bold the labels that are in bold.

ROW4. Consider changing the boundary of the Filings to a slightly thinner line

ROW5. Add Sheet #'s to each page

ROW6. Add Case # to top right of each page

ROW7. See redlines on plat for the Certificate of Ownership and Dedication statements.

ROW8. See redlines- remove notes that are inaccurate or not needed.

ROW9. See all other redlines shown on the attached plat.

Commenting Division: Development Services, Building Safety:

Name of Review: Justin Blair

Email: jblair@adcogov.org

BSD1- No comment.

Commenting Division: Development Services, Environmental Programs:

Name of Review: Jen Rutter

Email: jrutter@adcogov.org

There is an active well on the Shook Filing 3, Lot 3. The name is Weigandt and the operator is PetroShare. If the well is to remain active, the plat will need to comply with 4-10-02-03-03-05(1). If the well is to be plugged and abandoned, the plat should show the location of the P&A'd well.

Here are some recommended plat notes, if the well is to remain active:

Plat Note 1

In compliance with Adams County Development Standards and Regulations, Section 4-10-02-03-05, existing oil and gas well locations are depicted on the plat with a two-hundred-fifty (250) foot buffer in the form of an easement. No habitable structures shall be constructed within the two-hundred-fifty (250) foot buffer area.

Plat Note 2

In compliance with Adams County Development Standards and Regulations, Section 4-10-02-03-05, prior to issuance of a building permit for a new home and/or other permanent structure with plumbing within three hundred (300) feet of an existing oil and gas well facility, the property owner shall submit a signed waiver acknowledging the existence of the facility.

Plat Note 3

In compliance with Adams County Development Standards and Regulations, Section 4-10-02-03-05, access to the oil and gas well locations is provided by a public street or recorded easement for private access and shown on the Final Plat. All oil and gas well lines are placed in easements and shown on the Final Plat. No structures shall encroach upon these easements.

Plat Note 4

In the event that an existing well is plugged and abandoned, the two-hundred-fifty (250) foot easement may be removed through a plat correction. A copy of the Well Abandonment Report shall be provided along with a recorded copy of the Oil & Gas Well Waiver.



Development Review Team Comments

Date: May 15, 2019
Project Number: PRC2018-00008
Project Name: Shook Filings 3 and 4

Note to Applicant:

For submission of revisions to applications, a cover letter addressing each staff review comment must be provided. The cover letter must include the following information: restate each comment that requires a response and provide a response below the comment; respond to each comment with a description of the revisions and the page of the response on the site plan. And identify any additional changes made to the original document other than those required by staff.

A re-submittal is required.

Commenting Division: Development Services, Planning
Name of Reviewer: Libby Tart
Email: Ltart-schoenfelder@adcogov.org / 720-523-6858

PLN1. REQUEST

- a. This request is for a Major Subdivision Final Plat for Filings 3 and 4 of the Shook Planned Unit Development.
- b. Filing 3 is proposed for 13 lots on approximately 22.37 acres.
- c. Filing 4 is proposed for 11 lots on approximately 23.16 acres.

PLN2. COMPREHENSIVE PLAN:

- a. The site is designated as Estate Residential which is intended for single family housing at lower densities, no greater than one unit per acre, and compatible uses such as schools and parks.

PLN3. SITE HISTORY/ZONING:

- a. Todd Creek Shook FDP was approved on March 13, 2006. The final plat and only filing was approved for 32 single family lots.
- b. The subject area to be added to the existing Shook Subdivision is designated PUD-P in the Todd Creek Village Preliminary Development Plan which was approved March 2002.

- c. A Replat application has been submitted to create 2 filings from the initial Shook plat, this includes realignment of Florence Way and Galena Ct. to connect the northern portions of the subdivision (proposed Filing 3 and 4).
- d. An FDP Major Amendment has been submitted to include the parcel intended to be subdivided for Filings 3 and 4.

PLN4. COMMENTS:

Subdivision Improvement Agreement (SIA) Comments:

4A. Please see the comments from Engineering, Legal and Finance below about the SIAs.

Plat Comments:

4B. The previous planner requested information from the applicant demonstrating compliance with the 150-foot minimum frontage width at front setback standard (30-foot) for Filing 3, Block 1, Lots 4 and 5 as well as the same with Filing 4, Block 3, Lots 1-4. This was not supplied. Please measure these lots off and provide more detail about their lot widths.

4C. In the previous comments, there was not a reference to the provision of a signed waiver for any new home within 300-feet of an existing oil and gas well but the following should also be noted, dimensioned, etc. on both plats to adhere to our current standards in the Adams County Development Standards and Regulations, Section 4-10-02-03-03-05, or RESIDENTIAL CONSTRUCTION Standards for **Plugged and Abandoned, and Former Oil and Gas Production Sites**: This Section is enacted to protect and promote the health, safety, morals, convenience, order, prosperity, or general welfare of the present and future residents of the County. These regulations are based upon the land use authority of the County.

- a. Prior to submittal of a final plat or site specific development plan, each plugged and abandoned well shall be located and surveyed. The plugged and abandoned well shall be permanently marked by a brass plaque set in concrete similar to a permanent bench mark to monument its existence and location. Such plaque shall contain all information required on a dry hole marker by the Colorado Oil and Gas Conservation Commission and the County.
- b. As a condition of review of any final plat or site specific development plan which contains a plugged and abandoned well or former oil and gas production site or is within 200 feet of such well or site, the owner shall submit a location diagram of the location of the well.
- c. On every final plat or site specific development plan which contains a plugged and abandoned well, there shall be dedicated a well maintenance and workover setback depicted on the plat, the dimensions of which shall be not less than fifty feet in width and 100 feet in length. No structures shall be located within this setback. The plugged and

abandoned well shall be located in the center of the setback. There shall be public access for ingress and egress to the setback of a width of not less than twenty feet.

- d. Every final plat and site specific development plan which contains a plugged and abandoned well or a site specific development that includes a property that is less than 200 feet from a plugged and abandon well, shall include the following notation: "The owner shall disclose to prospective purchasers of lots within a radius of 200 feet of the plugged and abandoned well of (1) the location of the plugged and abandoned well, (2) the location of the maintenance and workover setback, and (3) the purpose for the well maintenance and workover setback."
- e. As a condition of building permit review, no dwelling shall be constructed within fifty (50) feet of a plugged and abandoned well.
- f. Prior to issuance of a grading permit within a development containing a known reserve pit site, the reserve pit site shall be tested for expansive soils. Reserve pits containing expansive soils in locations proposed for buildings shall be subject to the provisions of the International Building Code.
- g. No utility lines shall be installed within ten feet of any plugged and abandoned well.

4D. Please state what the 70-foot easement is on the plats – is it a utility provider or a multi-use easement? Oil and gas?

4E. Public Works/ROW/Legal have commented on the plugged and abandoned well site location in Filing No. 3 along a public right-of-way. They are indicating below that the well itself must be located on a lot and not within the ROW. Staff suggests conducting a meeting with our team once the applicant determines the realignment/new lot configuration. We would prefer to see a few options at the meeting so we can provide you with thoughtful comments. *This reconfiguration of Galena and lots 1-3 in Block 1 may affect the overall FDP and trigger a FDP Amendment.* Staff is checking in to get a determination on this.

4F. Please reference the original FDP and the Oil and Gas Outlot B names in an updated letter of explanation. This will help with some of the case history.

4G. The PLD Fees and other items may need revisions due to the ROW reconfiguration. Please hold off on sending any of these in until we review those changes.

Commenting Division: Development Services, Engineering:

Name of Review: Matt Emmens

Email: MEmmens@adcogov.org

ENG1: Flood Insurance Rate Map – FIRM Panel # (08001C0326H), Federal Emergency Management Agency, March 5, 2007. According to the above reference, the project site is NOT

located within a delineated 100-year flood hazard zone; A floodplain use permit will not be required.

Applicant Response: No response received

County Comment: Comment is for notification purposes. Comment Closed.

ENG2: The applicant shall be responsible to ensure compliance with all Federal, State, and Local water quality construction requirements. The project site is partially within the County's MS4 Stormwater Permit area. In the event that the disturbed area, within the MS4 Permit area, of the site exceeds 1 acre the applicant shall be responsible to prepare the SWMP plan using the Adams County ESC Template, and obtain both a County SWQ Permit and State Permit COR-030000.

Applicant Response: Will submit plans for MS4 Permit

County Comment: No construction permits will be issued until the Stormwater Permit has been issued. Comment Closed.

ENG3: Prior to scheduling the final plat/FDP BOCC hearing, the developer is required to submit for review and receive approval of all construction documents (construction plans and reports). Construction documents shall include, at a minimum, onsite and public improvements construction plans, drainage report, traffic impact study. All construction documents must meet the requirements of the Adams County Development Standards and Regulations. The developer shall submit to the Adams County Development Review Engineering division the following: Engineering Review Application, Engineering Review Fee, two (2) copies of all construction documents. The development review fee for this project will be \$7,500.

The applicant has submitted construction documents for review. Those documents are not yet approved.

Applicant Response: Plans are complete and will be submitted to Engineering. Fees have been paid at time of original submittal.

County Comment: The construction plans, although complete, have only been approved for Filings 1 and 2. The construction plans will need to be re-approved for filings 3 and 4, separately.

ENG4: Prior to the issuance of any construction or building permits, the developer shall enter into a Subdivision Improvements Agreement (SIA) with the County and provide a security bond for all public improvements.

Applicant Response: SIA drafts are attached to this submittal.

County Comment: SIA has been reviewed. See SIA Comments below. Comment Closed.

ENG5: No building permits will be issued until all public improvements have been constructed, inspected and preliminarily accepted by the County's Public Works Dept.

Applicant Response: No response received

County Comment: Comment is for notification purposes. Comment Closed.

ENG6: The Exhibit “B” for the Filing 3 SIA was not included in the submittal. Resubmit with the Exhibit “B”

Commenting Division: Development Services, Right-of-Way and Addressing

Name of Review: Marissa Hillje

Email. mhillje@adcogov.org

Please note:

During the last review of Shook Subdivision Filing No. 3, I made a note ROW5: See below.

ROW5: The County attorney’s office is working with risk management to determine if the County will accept an abandoned well in the public right of way.

I received an update from the County Attorney’s office. The County will not accept an abandoned well in Public Right-of-way. The developer will need to change the street configuration so that the abandoned well is on private property.

Please send this update to the developer.

Any questions feel free to reach out to me or Matt Emmens.

ROW1: Monuments: All monuments used to determine and/or describe a boundary (including basis of bearings, point of beginning and point of commencement) shall be shown and clearly labeled on the plat drawing. Monuments for corners defined by the plat, or otherwise found to be missing in the field, shall be placed and set in accord with the requirements of the State of Colorado.

- a. Monuments should be at all street intersections, the beginning and end of each centerline horizontal curve in a street and at the center of the cul-de-sac. This should be shown on the plat.

ROW2: Prior to submittal of a final plat or site specific development plan, each plugged and abandoned well shall be located and surveyed. The plugged and abandoned well shall be permanently marked by a brass plaque set in concrete similar to a permanent bench mark to monument its existence and location. Such plaque shall contain all information required on a dry hole marker by the Colorado Oil and Gas Conservation Commission and the County. On every final plat or site specific development plan which contains a plugged and abandoned well, there shall be dedicated a well maintenance and workover setback depicted on the plat, the dimensions of which shall be not less than fifty feet in width and 100 feet in length. No structures shall be located within this setback. The plugged and abandoned well shall be located in the center of the setback.

ROW3: Add this note to the plat- No utility lines shall be installed within ten feet of any plugged and abandoned well.

ROW4: An updated recent title commitment will be required with the final plat application.
ROW5: The County attorney's office is working with risk management to determine if the County will accept an abandoned well in the public right of way.

ROW6: Show and label the temporary cul-de-sac easements. ROW agent Marissa Hillje is still waiting on signatures on the agreements.

ROW7: Filing 4: Outlot B- the buffer areas around the wells needs to be shown on the plat.

ROW8: Filing 4: Outlot C is not in the table- revise table.

ROW9: The County needs a dedicated storm drainage easement over any drainage facilities created for the subdivision. The storm drainage easement should be delineated with distances and bearings.

ROW10: If Outlot A is to be used for storm water drainage, the county needs access to maintain it. Please show access easement to the storm drainage.

ROW11: Fix all overlapping labels.

ROW12: Label what the 70ft easement is for.

ROW13: There are additional comments and redlines on attached plat.

Commenting Division: Environmental Programs Manager

ENV1. The applicant must comply with Adams County Development Standards and Regulations, Section 4-10-02-03-05 for Plugged and Abandoned, and Former Oil and Gas Production Sites.

Commenting Division: Legal

Name of Review: Christy Fitch

Please see the attached SIAs for corrections.

Commenting Division: Finance

Name of Review: Laura Garcia

Please see the file attached for the correct calculation.

Filing 3:

Item number 5 should be \$309,029.49

The following section needs to match the amount in item number 5.

APPROVED BY resolution at the meeting of _____, 2019.

Collateral to guarantee compliance with this agreement and construction of public improvements shall be required in the amounts of: **\$290,697.60**. No building permits shall be issued until said collateral is furnished in the amount required and in a form acceptable to the Board of County Commissioners. No construction permits shall be issued until all collateral required by this SIA is provided and approved by County staff.

Filing 4:

Item number 5 should be \$154,525.47

Please let me know if you have any questions.

Thanks and have a great day.

Laura Garcia

Senior Accountant, *Finance*

4430 South Adams County Parkway, 4th floor, Suite C4228

Brighton, CO 80601

720.523.6239 | Lgarcia@adcogov.org | adcogov.org

Adjacent Property Owner/Occupant Comments (Please note: applicant must provide responses to all comments):

Previous comments were satisfactory from most of the external reviewers. However, with the plugged and abandoned gas correction, staff will refer the application out to those initial reviewers such as Xcel, Division of Water Resources, TCHD, CGS, etc. to ensure they are satisfied with any of the future (new) changes.



Development Review Team Comments (3rd Review)

Date: October 30, 2019
Project Number: PRC2018-00008
Project Name: Shook Filings 3 and 4

Note to Applicant:

For submission of revisions to applications, a cover letter addressing each staff review comment must be provided. The cover letter must include the following information: restate each comment that requires a response and provide a response below the comment; respond to each comment with a description of the revisions and the page of the response on the site plan. And identify any additional changes made to the original document other than those required by staff.

An email re-submittal is required.

Commenting Division: Development Services, Planning
Name of Reviewer: Libby Tart
Email: Ltart@adcogov.org / 720-523-6858

PLN1. REQUEST

- a. This request is for a Major Subdivision Final Plat for Filings 3 and 4 of the Shook Planned Unit Development.
- b. Filing 3 is proposed for 13 lots on approximately 22.37 acres.
- c. Filing 4 is proposed for 11 lots on approximately 23.16 acres.

PLN2. COMPREHENSIVE PLAN:

- a. The site is designated as Estate Residential which is intended for single family housing at lower densities, no greater than one unit per acre, and compatible uses such as schools and parks.

PLN3. SITE HISTORY/ZONING:

- a. Todd Creek Shook FDP was approved on March 13, 2006. The final plat and only filing was approved for 32 single family lots.
- b. The subject area to be added to the existing Shook Subdivision is designated PUD-P in the Todd Creek Village Preliminary Development Plan which was approved March 2002.

- c. A Replat application has been submitted to create 2 filings from the initial Shook plat, this includes realignment of Florence Way and Galena Ct. to connect the northern portions of the subdivision (proposed Filing 3 and 4).
- d. An FDP Major Amendment has been submitted to include the parcel intended to be subdivided for Filings 3 and 4.

PLN4. COMMENTS:

Subdivision Improvement Agreement (SIA) Comments:

No further comment from Finance.

4A. LEGAL is requesting the SIA document in Word in lieu of a .pdf. Please email this document to your case manager and she will send it along to our attorney.

Plat Comments:

4B. Carry over note – the applicant states that they supplied this in the third submission but the case manager did not find it. Please email this over just to ensure we have it documented. *The previous planner requested information from the applicant demonstrating compliance with the 150-foot minimum frontage width at front setback standard (30-feet) for Filing 3, Block 1, Lots 4 and 5 as well as the same with Filing 4, Block 3, Lots 1-4. This was not supplied. Please measure these lots off and provide more detail about their lot widths.*

Commenting Division: Development Services, Engineering:

Name of Review: Matt Emmens

Email: MEmmens@adcogov.org

ENG1: Review complete. All comments resolved.

Commenting Division: Development Services, Right-of-Way and Addressing

Name of Review: Marissa Hillje

Email. mhillje@adcogov.org

ROW1: The applicant has addressed and revised all ROW comments on the plat.

Commenting Division: Environmental Programs Manager

ENV1. No further comment.

Commenting Division: Legal

Name of Review: Christy Fitch

Legal needs a copy of the SIA in a Word document form to redline any corrections. Please email this to your case manager.

Xcel Energy (Please note: applicant must provide responses to all comments):

Public Service Company of Colorado's (PSCo) Right of Way & Permits Referral Desk has reviewed the plats for **Shook Filing Nos. 3 and 4** and requests the following 15- foot wide drainage and utility easements for connectivity purposes around the cul du sacs:

- within Outlot B on Filing No. 4 adjacent to East 162nd Place
- within Lot 5 and Outlot B on Filing No. 4 adjacent to East 163rd Place

Please see the attached highlighted drawing.

The property owner/developer/contractor must complete the application process for any new natural gas service via xcelenergy.com/InstallAndConnect. It is then the responsibility of the developer to contact the Designer assigned to the project for approval of design details.

Additional easements may need to be acquired by separate document for new facilities.

As a safety precaution, PSCo would like to remind the developer to call the Utility Notification Center by dialing 811 for utility locates prior to construction.

Donna George
Right of Way and Permits
Public Service Company of Colorado dba Xcel Energy
Office: 303-571-3306 – Email: donna.l.george@xcelenergy.com



Development Review Team Comments – 1st Review

Date: 04/22/2020

Project Number: PRC2020-00007

Project Name: Shook Filings 3&4 Final Plats and SIAs

Note to Applicant:

For submission of revisions to applications, a cover letter addressing each staff review comment must be provided. The cover letter must include the following information: restate each comment that requires a response and provide a response below the comment; respond to each comment with a description of the revisions and the page of the response on the site plan. And identify any additional changes made to the original document other than those required by staff.

A re-submittal is required per Legal. The resubmittal needs to be checked in by the E-Permit/OneStop Counter at epermitcenter@adcogov.org. Please cc your Case Manager in the email to ensure she knows you have resubmitted.

Commenting Division: Development Services, Planning

Name of Reviewer: Libby Tart

Email: Ltart@adcogov.org / 720-523-6858

PLN1. REQUEST

- a. A final plat for Shook Subdivision Filing No. 3 to create 13 lots and b) A final plat for Shook Subdivision Filing No. 4 to create 11 lots and c) a request to create a Subdivision Improvements Agreement (SIA) to finance the public improvements associated with the two Final Plats for Shook Filing 3 and Shook Filing 4.

PLN2. COMPREHENSIVE PLAN:

- a. The site is designated as Estate Residential which is intended for single family housing at lower densities, no greater than one unit per acre, and compatible uses such as schools and parks.

PLN3. SITE LOCATION/ ZONING:

- a. The subject property is designated PUD.

PLN4. COMMENTS:

4A. Please see the updated PLD fees attached. The former PLD calculator was incorrect with a household calculation and staff is updating all case PLD fees to ensure we are using the 2020 calculator.

Commenting Division: Legal:

Please see the attached County Attorney's markups and provide a corrected Word document with the next submission. If these edits are fine, staff can begin scheduling Shook for a BoCC hearing.

Commenting Division: Finance:

No further comment.

Commenting Division: Development Services, Engineering:

Name of Review: Matthew Emmens

Email: Memmens@adcogov.org / 720-523-6826

ENG1: The developer has submitted construction plans for review. Those plans have received preliminary approval. Final approval and issuance of construction permit will require approval by the Board of County Commissioners of the final plat(s) and SIA(s).

ENG2: The developer should make note that there have been drainage complaints associated with Filings No. 1 and 2 of this development. As all four (4) filings of this development share storm sewer infrastructure, the developer may need to address drainage issues within other filings as part of the final acceptance of the public improvements.

Mr. Emmens recently provided an email summary of the stormwater discussion that has concerned the subdivision to the east of Shook. See below:

Here is a timeline and summary of the Shook Subdivision and drainage issues.

The Shook subdivision was originally approved in 2005 (I think). The construction of the subdivision was put on hold (no known reason but, probably due to the economy). The developer started the construction permitting process in 2016 but, before permits were issued in 2018, decided to split the site into two filings. Here is the timeline/summary.

- The Shook subdivision re-plat was approved in December of 2018, creating Filing No. 1 and No. 2.
 - Construction of the public and drainage infrastructure for Filing No. 1 began in about May of 2018.
 - Construction was started under the approved construction plans for the originally approved subdivision and a new SIA. The replat case began soon after.
 - Preliminary acceptance of the public and drainage infrastructure was granted in November of 2018.

- Home construction began very soon after.
 - Construction of the public and drainage infrastructure for Filing No. 2 began in February of 2019.
 - Preliminary acceptance of the public and drainage infrastructure was granted in September of 2019.
- During construction, several stormwater inspections were performed (some routine, others due to a complaint) and violations were given out.
 - June 2019 – (inspection not documented in Accela) inspection due to neighbor complaint of an illicit discharge (erosion and sediment draining from the site).
 - Inspectors noticed that one of the home builders (not JR Osbourne, the developer) had improperly installed a silt fence, along the east side of a parcel adjacent to Geneva Ct. That silt fence failed during a storm the day before and carried sediment off the site and into the properties to the east.
 - Inspectors notified the home builder, who promptly fixed the violation.
 - The inspector said they did not document this case in Accela because it seemed like a minor violation.
 - This is the issue that the Geneva Ct. neighbors are complaining about.
 - January 21, 2019 – (CSI2019-0001) violation issued due to recalcitrant noncompliance on site (stormwater BMP's not installed and/or maintained properly)
- In June of 2019, I began receiving calls from the residence on Geneva Ct. about the Shook Subdivision.
 - There were several complaints:
 - The water supply to two manmade ponds, in the back yards of the Geneva Ct residences, was cut off and, the residence wanted the County to resolve this problem.
 - The County does not have any control of the utility district that was supplying the water to the Geneva Ct residence; therefore, the County cannot help. The Geneva Ct residence do not seem to acknowledge that the County has no control over the utility district.
 - Geneva Ct direct access to Highway 2 had been closed off. The Geneva Ct residence would now have to go through the Shook Subdivision to get onto Highway 7.
 - This was a requirement from CDOT when the subdivision was originally approved in 2005.
 - I have been told that the Geneva Ct residence liked this idea at the time.
 - I coordinated with CDOT to allow the Geneva Ct access to Highway 7 to remain open.
 - CDOT agreed to the request but, if there is an increase in accidents at that intersection they will require the County

- to close the access (there are bollards and a chain in place, we would just have to lock the chain to a bollard).
- I received several calls telling me that the chain had been re-attached. The best the developer and I can guess is that one of the construction workers had reattached the chain, unknowingly. I have not heard anything more about this issue since about September.
 - The home builder at the south-east corner of the site was accessing the lot from Geneva Ct.
 - Stormwater inspectors were sent out and found that the homebuilder had taken down the silt fence to create an access through the rear yard. The inspector informed the home builder of the error of their ways and the problem was promptly fixed.
 - There is “massive” drainage problem with the Shook Subdivision. (This is the complaint that led to us asking MHFD to do a review of the swale design and construction).
 - Stormwater was draining off the Shook subdivision into Geneva Ct and leaving sediment on the street and neighboring properties.
 - This did happen, due to the improperly installed silt fence by the home builder (June 2019).
 - We have no record of this happening since June of 2019.
 - The swale running along the east side of the Shook Subdivision was constructed improperly and drains backwards.
 - The developer was notified of this concern and the County asked him to perform an as-built survey of the swale.
 - The as-built drawing showed that the centerline of the swale does, in fact, drain to the north, as it was designed and should.
 - January 14, 2020 – During the BoCC public hearing for Filings 3 and 4, the Geneva Ct neighbors made public comment about the swale (and other issues) and asked that the County “take action” on the swale issue.
 - The BoCC asked staff if there was a way, we could have a third-party review done of the swale design and construction; suggesting that the Mile High Flood District (MHFD) might be able to help.
 - MHFD was contacted and agreed to do a third-party review. All documents associated with the swale and drainage issues with the development were sent to MHFD (Dave Skuodas).

- An assessment was received by MHDF on March 3rd, 2020 (See [more on this below](#)).
- March 2020, one of the Geneva Ct residence sent me pictures showing standing water in the swale.
 - Stormwater inspectors were sent to the site to investigate (early April).
 - No issues were found and, the swale was dry.
 - I followed up with Stormwater (Juliana); she does not see a problem with the swale.
 - I have also asked David Rausch and Gordon Stevens to inspect the swale, both agree, it is very flat, but they have no issue with that.
- Mid-April 2020 – I was asked to put this summary together.

The MHFD letter (see attached) basically says that the swale was designed correctly but, there is not enough as-built information to show 1) that it was built correctly (as designed) and 2), that, with the lack of as-built information, there is no way to know if the swale had anything to do with the illicit discharge of June, 2019. Our Stormwater inspectors and their manger (Juliana) are pretty certain that the illicit discharge was due to the improperly installed silt fence, which was fixed. Julian Archuleta, Jordon Maclay (stormwater inspector), Gordon Stevens, David Rausch and myself have all been out to this site to inspect the swale. Not to speak for the others but, our collective opinion appears to be that the swale is very flat but, was designed, built and works correctly. There has not been another illicit discharge since.

Sincerely,
Matt Emmens

Senior Engineer, *Community and Economic Development*
 ADAMS COUNTY, COLORADO
 4430 S. Adams County Parkway, W2000B
 Brighton, CO 80601
 o: 720.523.6826 | memmens@adco.gov
www.adcogov.org

Name of Review: Colorado Division of Water Resources
 Comment by Joanna Williams/Ailis Thyne
 Phone: 303-866-3581 x8216

Please see the attached letter from the Division of Water Resources. This will be included as exhibit material in the BoCC report.

From: [Christine Fitch](#)
To: [Libby Tart](#)
Subject: Re: PRC2020-0007
Date: Thursday, April 30, 2020 3:11:28 PM

Hey Libby,

It looks like JR made all of the changes from the last version.

Thanks,

Christy

From: Libby Tart <LTart@adcogov.org>
Sent: Thursday, April 30, 2020 3:05 PM
To: Christine Fitch <CFitch@adcogov.org>
Subject: FW: PRC2020-0007

Hello Christy – Attached are the corrections from JR on the SIA. Just look them over and let me know your thoughts. Hopefully he corrected everything and we can proceed to scheduling!

Thanks,
Libby



Libby Tart, AICP

Senior Long Range Planner, *Community & Economic Development*

ADAMS COUNTY, COLORADO

4430 South Adams County Parkway, 1st Floor, Suite W2000A

Brighton, CO 80601

o: 720.523.6858 | ltart@adcogov.org

www.adcogov.org

Preferred Pronouns: she/her/hers

From: JR Osborne <c3construction@live.com>
Sent: Tuesday, April 28, 2020 2:27 PM
To: CPD ePermit Center <epermitcenter@adcogov.org>
Cc: Libby Tart <LTart@adcogov.org>
Subject: PRC2020-0007

Please be cautious: This email was sent from outside Adams County

Hi Megan,

Here are the corrected SIA's that the county attorney requested. I also attached the word docs so either you or Libby can get to them.

Thanks,

J.R. Osborne

Emily Collins

From: Gutierrez, Carla [CGutierrez@brightonfire.org]
Sent: Tuesday, July 17, 2018 6:06 PM
To: Emily Collins
Subject: RE: PRC2018-00008 Shook Subdivision Filing 3 and 4

Hi Emily,

At this time we have no issues with this case.

Thank you!

Carla Gutierrez

Fire Inspector
Brighton Fire Rescue District
500 S. 4th Ave. 3rd Floor
Brighton, CO 80601
303-654-8042
www.brightonfire.org

From: Emily Collins [<mailto:ECollins@adcogov.org>]
Sent: Friday, June 29, 2018 11:29 AM
To: 'landuse@tchd.org' <landuse@tchd.org>; Monte Deatrich <mdeatric@tchd.org>; Loeffler - CDOT, Steven <steven.loeffler@state.co.us>; serena.rocksund@state.co.us; Loeffler - CDOT, Steven <steven.loeffler@state.co.us>; Brigitte Grimm <BGrimm@adcogov.org>; Gutierrez, Carla <CGutierrez@brightonfire.org>; CGS_LUR <CGS_LUR@mines.edu>; Williams - Dnr, Joanna <Joanna.Williams@State.CO.US>; Kerrie Monti <kmonti@sd27j.net>; brandyn.wiedrich@centurylink.com; thomas_lowe@cable.comcast.com; Marisa Dale <mdale@UnitedPower.com>; mary.c.dobyns@usps.gov; 'chris.quinn@rtd-denver.com' <chris.quinn@rtd-denver.com>; roger@equinoxland.com
Subject: PRC2018-00008 Shook Subdivision Filing 3 and 4

Good Afternoon:

Please see the attached Request for Comments on the above case. **Comments are due by Friday, July 20th.**

Thank you for your review!



Emily Collins, AICP

Planner III, *Community and Economic Development*
ADAMS COUNTY, COLORADO
4430 South Adams County Parkway, W2000A
Brighton, CO 80601
o: 720-523-6820 | ecollins@adcogov.org
www.adcogov.org

Emily Collins

From: Steven Loeffler - CDOT [steven.loeffler@state.co.us]
Sent: Thursday, July 19, 2018 1:43 PM
To: Emily Collins
Subject: PRC2018-00008, Shook Subdivision Filing 3 and 4

Emily,

I have reviewed the referral named above for Preliminary and Final Plat for Shook Subdivision Filings 3 and 4 and have no objections. This developer has worked with CDOT for access permitting. Any other proposed work in the CDOT Right-of-Way including, but not limited to, survey, utility, or landscaping work will require a permit from our office. Contact for that permit is Robert Williams who can be reached at 303-916-3542 or robert.williams@state.co.us

Thank you for the opportunity to review this referral.

Steve Loeffler
Permits Unit



P 303.757.9891 | F 303.757.9886
2829 W. Howard Pl. 2nd Floor, Denver, CO 80204
steven.loeffler@state.co.us | www.codot.gov | www.cotrip.org

COLORADO GEOLOGICAL SURVEY

1801 19th Street
Golden, Colorado 80401



Karen Berry
State Geologist

July 23, 2018

Emily Collins
Adams County Community & Economic Development
4430 S. Adams County Parkway, Suite W2000A
Brighton, CO 80601

Location:
N½ SE¼ Section 3,
T1S, R67W, 6th P.M.
39.9916, -104.87

Subject: Shook Subdivision Filings 3 and 4 – Preliminary and Final Plat
Case Number PRC2018-00008; Adams County, CO; CGS Unique No. AD-18-0019

Dear Ms. Collins:

Colorado Geological Survey has reviewed the Shook Subdivision Filing 3 and Filing 4 preliminary and final plat referral. I understand the applicant proposes 13 lots (Filing 3) and 11 lots (Filing 4) of at least one acre each on approximately 48 acres located north of Shook Subdivision Filing 2.

The site does not contain, nor is it exposed to, any geologic hazards that would preclude the proposed subdivision. **CGS therefore has no objection to approval of the plat as proposed.**

Potential development constraints that will require site-specific geotechnical investigation, testing, and analysis include:

Slow percolation rates, shallow bedrock, and possible need for engineer-designed OWS. The Project Explanation (undated) indicates that each lot will contain an onsite wastewater system (OWS). The Adams County Soil Survey describes most of the site soils as very limited in suitability for conventional septic tank absorption fields due to low permeability and bedrock within 6 feet of the ground surface. It is likely that at least some of the proposed lots will require engineer-designed septic systems.

Soil engineering properties and foundation design. The Adams County Soil Survey describes some of the soils at this site as somewhat limited in suitability for construction of dwellings due to shrink-swell.

Lot-specific geotechnical investigation, testing, and analysis will be needed, once building locations are determined, to characterize soil engineering properties such as expansion/consolidation potential, strength, water content, and allowable bearing pressures. This information, along with more specific information about depths to bedrock and seasonal depths to groundwater, will be needed to determine whether overexcavation is needed to provide a separation distance between potentially highly expansive claystone bedrock and foundation elements, to design individual foundations, floor systems, and subsurface drainage, and to determine the each lot's suitability for a full-depth basement, if planned.

Thank you for the opportunity to review and comment on this project. If you have questions or require additional review, please call me at (303) 384-2643, or e-mail carlson@mines.edu.

Sincerely,

Jill Carlson, C.E.G.
Engineering Geologist

A handwritten signature in black ink, appearing to read "Jill Carlson", is written over the typed name and title.



COLORADO

Parks and Wildlife

Department of Natural Resources

Northeast Regional Office
6060 Broadway
Denver, CO 80216
P 303.291.7227 | F 303.291.7114

July 7, 2018

Ms. Emily Collins
Adams County
Community & Economic Development Department
4430 South Adams County Parkway, Suite W2000A
Brighton, CO 80601

Re: Shook Subdivision Filing 3 and 4, PRC2018-00008

Dear Ms. Collins:

Thank you for the opportunity to comment on the proposed creation of 13 single family 1-acre lots and associated subdivision improvements for Shook Subdivision Filing 3 and creation of 11 single family 1-acre lots and associated subdivision improvements for Shook Subdivision Filing 4. The 48-acre proposed subdivision is owned SEC. 2-3 Phoenix, LLC. The proposed site is located in the SE1/4 of Section 3, Township 1 South, Range 67 West and is bounded east by Geneva Court, and on the south, west and north by various parcels of private property.

The mission of Colorado Parks and Wildlife (CPW) is to perpetuate the wildlife resources of the state, to provide a quality state parks system, and to provide enjoyable and sustainable outdoor recreation opportunities that educate and inspire current and future generations to serve as active stewards of Colorado's natural resources. Our goal in responding to land use proposals such as this is to provide complete, consistent, and timely information to all entities who request comment on matters within our statutory authority. Current CPW policy directs our efforts towards proposals that will potentially have high impacts to wildlife and wildlife habitat. The emphasis of CPW's concerns is on large acreages, critical habitats, wildlife diversity, and impacts to species of special concern, or those that are state or federally endangered. Due to the low availability of undeveloped habitat surrounding the site, impacts of the development, as proposed, may be characterized as minimal.

Natural Vegetation

CPW recommends that land within the project area be restored to native habitat, if possible. To improve wildlife habitat after construction, the CPW recommends using native plant species along the project area. CPW also recommends planting trees, shrubs, and grasses so that they are mixed within the landscape. A landscape that has a good mix of trees, grasses, and shrubs is more beneficial to wildlife than a landscape with all trees in one area and all grasses and shrubs in others.

Burrowing Owls

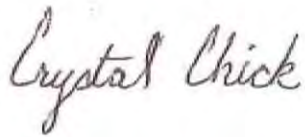


If prairie dog towns are present on the sites or if prairie dogs establish themselves on the property prior to development - CPW recommends that a burrowing owl survey be conducted prior to earth moving. Burrowing owls live on flat, treeless land with short vegetation, and nest underground in burrows dug by prairie dogs, badgers, and foxes. These raptors are classified as a state threatened species and are protected at both the state and federal level, including the Migratory Bird Treaty Act.

These laws prohibit the killing of burrowing owls or disturbance of their nests. Therefore, if any earth-moving will occur between March 15th and October 31st, a burrowing owl survey should be performed. Guidelines for performing a burrowing owl survey may be obtained from District Wildlife Manager Jordan Likes, visiting the CPW website at <http://cpw.state.co.us> or by calling the CPW Denver Region Office at (303) 291-7227.

Please contact us if we can be of assistance in implementing your proposal to minimize negative impacts and maximizing potential enhancements to support living with wildlife in our community. If you have any further questions, please contact District Wildlife Manager Jordan Likes at (303) 291-7135.

Sincerely,

A handwritten signature in cursive script that reads "Crystal Chick".

Crystal Chick
Area Wildlife Manager

Cc: M. Leslie, T. Kroening, J. Likes

WEST ADAMS CONSERVATION DISTRICT
Serving portions of Adams, Broomfield, Denver, and Weld Counties
57 West Bromley Lane
Brighton, CO 80601
303-659-0525
westadamscd@gmail.com, www.westadamscd.com

Date: July 18,2018

To: Ms, Emily Collins Case Manager
Department of Community and Economic Development
4430 South Adams County parkway, Suite W200A Brighton, CO 80601-8216

Re: Case Number: PRC2018-00008
Case Name: Shook Subdivision Filing 3 and 4

Dear Ms Collins

The West Adams Conservation District is in receipt of the above referenced project request for comments.

According to the attached map and information this is consistent with the surrounding area. Therefore the requirements of the Adams County Development Standards and Regulations shall apply to these two filings also, as it did for the first and second filings that now exist

In the future could the county please provide a topographic map or grading plan showing direction of the developed flow's. The assumption is that no surrounding area will be affected. The county standards should be followed for the placement of slit fence for erosion protection.

The District is concerned with weed control, so we are asking that the disturbed areas be reseeded back with native grasses that are best suited for this area, and spraying the weeds take place as needed.

Thank you for submitting this for our review and comment.

Bob Olivier
Director with WACD



July 20, 2018

Emily Collins
Adams County Community and Economic Development
4430 South Adams County Parkway, Suite W2000A
Brighton, CO 80601

RE: Shook Subdivision Filing 3 and 4, PRC2018-00008
TCHD Case No. 5017

Dear Ms. Collins,

Thank you for the opportunity to review and comment on the Preliminary and Final Plat for Shook Subdivision Filings 3 to create 13 lots and Filings 4 to create 11 lots and associated Subdivision Improvements Agreements located at the northwest corner of Highway 7 and Havana Street. Tri-County Health Department (TCHD) staff has reviewed the application for compliance with applicable environmental and public health regulations and principles of healthy community design. After reviewing the application, TCHD has the following comments.

On-Site Wastewater Treatment Systems (OWTS)

Proper wastewater management promotes effective and responsible water use, protects potable water from contaminants, and provides appropriate collection, treatment, and disposal of waste, which protects public health and the environment. TCHD has no objection to the proposed subdivision being served by Onsite Wastewater Treatment Systems (OWTS), provided the systems are permitted, installed, and operated in compliance with our current OWTS regulation.

At the time of our review of the original subdivision, it was TCHD's expectation that the Todd Creek Metropolitan District (TCMD) would act as the Responsible Management Entity (RME) for OWTS within the Shook Subdivision. The understanding that TCMD would be responsible for inspections of the OWTS in the Shook Subdivision was a factor in our agreeing to allow properties in the Shook Subdivision to be served by ISDS. Consequently, we recommend that TCMD be the RME for Shook Subdivision. TCHD is willing to work with TCMD to assist them in developing a successful RME program.

Oil and Gas

The Colorado Oil and Gas Conservation commission (COGCC) regulates the setback requirements of oil and gas wells and production facilities in order to eliminate, minimize, or mitigate potential adverse impacts to public health. COGCC requires setbacks of five hundred (500) feet to a building and three hundred fifty (350) feet to the

boundary of a designated outside activity area. An oil and gas well is located in Filing 4. TCHD recommends the applicant adhere to the setbacks outlined above, at a minimum.

Community design to support walking and bicycling

Because chronic diseases related to physical inactivity and obesity now rank among the country's greatest public health risks, TCHD encourages community designs that make it easy for people to include regular physical activity, such as walking and bicycling, in their daily routines. Because research shows that the way we design our communities can encourage regular physical activity, TCHD strongly supports community plans that incorporate pedestrian and bicycle amenities that support the use of a broader pedestrian and bicycle network.

In order to promote walking and bicycling through this development, TCHD encourages the applicant to consider the inclusion of the following as they design the community.

1. A system of sidewalks, bike paths and open space trail networks that are well-designed and well-lit, safe, and attractive so as to promote bicycle and pedestrian use.
2. Bicycle and pedestrian networks that provide direct connections between destinations in and adjacent to the community.
3. Where public transportation systems exist, direct pedestrian access should be provided to increase transit use and reduce unnecessary vehicle trips, and related vehicle emissions. The pedestrian/bicycle networks should be integrated with the existing and future transit plans for the area.
4. Streets that are designed to be pedestrian/bike friendly and to reduce vehicle and pedestrian/bicycle fatalities.
5. Bicycle facilities and racks are provided in convenient locations.

Please feel free to contact me at 720-200-1585 or ahenrich@tchd.org if you have any questions on TCHD's comments.

Sincerely,



Annemarie Heinrich, MPH/MURP
Land Use and Built Environment Specialist

cc: Sheila Lynch, Monte Deatrich, Michael Weakley, Warren Brown, TCHD

Emily Collins

From: Marisa Dale [mdale@UnitedPower.com]
Sent: Tuesday, July 17, 2018 6:02 PM
To: Emily Collins
Subject: RE: PRC2018-00008 Shook Subdivision Filing 3 and 4

Emily,

We appreciate the dedicated utility easements. Developer must submit an application for new service to this subdivision.

Thank you,
Marisa

From: Emily Collins [<mailto:ECollins@adcogov.org>]
Sent: Friday, June 29, 2018 11:29 AM
To: 'landuse@tchd.org'; Monte Deatrich; Loeffler - CDOT, Steven; serena.rocksund@state.co.us; Loeffler - CDOT, Steven; Brigitte Grimm; Gutierrez, Carla; CGS_LUR; Williams - Dnr, Joanna; Kerrie Monti; brandyn.wiedrich@centurylink.com; thomas_lowe@cable.comcast.com; Marisa Dale; mary.c.dobyns@usps.gov; 'chris.quinn@rtd-denver.com'; roger@equinoxland.com
Subject: PRC2018-00008 Shook Subdivision Filing 3 and 4

Good Afternoon:

Please see the attached Request for Comments on the above case. **Comments are due by Friday, July 20th.**

Thank you for your review!



Emily Collins, AICP

Planner III, *Community and Economic Development*
ADAMS COUNTY, COLORADO
4430 South Adams County Parkway, W2000A
Brighton, CO 80601
o: 720-523-6820 | ecollins@adcogov.org
www.adcogov.org

Disclaimer

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Right of Way & Permits

1123 West 3rd Avenue
Denver, Colorado 80223
Telephone: **303.571.3306**
Facsimile: 303. 571. 3284
donna.l.george@xcelenergy.com

October 23, 2019

Adams County Community and Economic Development Department
4430 South Adams County Parkway, 3rd Floor, Suite W3000
Brighton, CO 80601

Attn: Libby Tart

Re: Shook Filing Nos. 3 and 4, Case # PRC2018-00008

Public Service Company of Colorado's (PSCo) Right of Way & Permits Referral Desk has reviewed the plats for **Shook Filing Nos. 3 and 4** and requests the following 15-foot wide drainage and utility easements for connectivity purposes around the cul du sacs:

- within Outlot B on Filing No. 4 adjacent to East 162nd Place
- within Lot 5 and Outlot B on Filing No. 4 adjacent to East 163rd Place

Please see the attached highlighted drawing.

The property owner/developer/contractor must complete the application process for any new natural gas service via xcelenergy.com/InstallAndConnect. It is then the responsibility of the developer to contact the Designer assigned to the project for approval of design details. Additional easements may need to be acquired by separate document for new facilities.

As a safety precaution, PSCo would like to remind the developer to call the Utility Notification Center by dialing 811 for utility locates prior to construction.

Donna George
Right of Way and Permits
Public Service Company of Colorado dba Xcel Energy
Office: 303-571-3306 – Email: donna.l.george@xcelenergy.com

SHOOK SUBDIVISION FILING NO 4
 LOCATED IN THE SOUTHEAST 1/4 OF SECTION 3,
 TOWNSHIP 1 SOUTH, RANGE 67 WEST, 6TH PM,
 COUNTY OF ADAMS, STATE OF COLORADO
 SHEET 3 OF 3

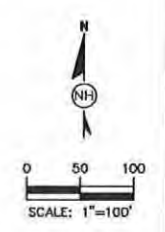
CASE NO. PRC2018-00008



- LEGEND**
- ⊙ = ALIQUOT SECTION CORNER AS NOTED
 - ⊙ = ALIQUOT 1/4 CORNER AS NOTED
 - ⊙ = FOUND MONUMENT AS NOTED
 - ⊙ = FOUND #5 REBAR WITH A 1-1/4 ALUMINUM CAP STAMPED "SUJCON INC, L.S. 30829"
 - ⊙ = SET #5 REBAR WITH 1" PLASTIC CAP
 - ⊙ = SET #5 REBAR 18" LONG WITH 1" PLASTIC CAP IN RANGE BOX
 - BK=BOOK
 - PG=PAGE
 - DUE=DRAINAGE AND UTILITY EASEMENT

CURVE #	LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD LENGTH
C1	18.15'	15.00'	069°19'29.40"	N27°00'11.12"W	17.06'
C2	24.95'	15.00'	095°17'25"	N70°41'21"E	22.17'
C3	31.81'	25.00'	072°53'42"	S81°53'13"W	29.70'
C5	132.13'	60.00'	126°10'16"	S55°03'53"W	107.0'
C6	132.51'	60.00'	126°32'23"	N71°17'27"W	107.0'
C7	93.43'	270.00'	019°49'34"	N71°34'43"W	92.96'
C8	14.88'	25.00'	034°06.00"	S81°27'30"W	14.66'
C9	120.51'	60.00'	115°04'29"	S58°03'15"E	101.25'
C10	169.74'	60.00'	162°05'36"	S80°31'48"W	118.54'
C11	25.54'	25.00'	058°31'28"	S47°41'07"E	24.44'
C12	290.25'	60.00'	277°10'06"	S22°59'33"W	79.38'
C13	34.71'	330.00'	06°01'34"	N73°56'03"W	34.89'
C14	53.31'	330.00'	09°15'20"	N66°17'36"W	53.25'
C15	88.02'	330.00'	012°16'54"	N69°18'23"W	87.76'

LINE #	LENGTH	BEARING
L1	30.00'	S75°07'30"E
L3	30.00'	N28°20'04"E
L4	31.33'	N61°38'56"W
L5	20.00'	N61°39'56"W
L6	20.00'	S61°39'56"E
L7	8.58'	S88°28'00"W



CENTER SOUTH 1/16 CORNER SECTION 3 RECOVERED 2 INCH ALUM CAP STAMPED "JR ENG, S 1/16, C-C, S3, T1S, R67 W, 2001, PLS 32825" (1.73 FEET WEST, 0.38 SOUTH)

POINT OF COMMENCEMENT

SI 1/4 CORNER 3" ALUMINUM CAP T1S 1/4 S 1/10 PLS 26298

SOUTHEAST CORNER SEC 3 RECOVERED AND ACCEPTED 2 INCH ALPHA ENGRG T1S S3/S2/S10/S11 R67W, 1996 LS 25937 IN RANGE BOX

NEW HORIZON SURVEY, LLC P.O. BOX 213, ARVADA, COLORADO 80001 PH (303) 502-5266 / nharsurf@prod.com	SHOOK SUBDIVISION 800-218-567	DRAWN BY: BRL CHECKED BY: RL SCALE: 1" = 100' DATE: MAY 2018	DATE: 11/16/18 3/5/19 5/28/19 6/4/19 6/27/19 8/6/19 9/17/19	REVISION 4TH REVISION 5TH REVISION 6TH REVISION 7TH REVISION 8TH REVISION 9TH REVISION 10TH REVISION	BY RRL RRL EAB EAB EAB EAB EAB
		SHEET 3 OF 3			

From: [George, Donna L](#)
To: [JR Osborne](#)
Cc: [Libby Tart](#)
Subject: RE: Shook Subdivision
Date: Thursday, November 7, 2019 10:14:45 AM

Please be cautious: This email was sent from outside Adams County

Looks good, JR!

Thanks,

Donna George
Xcel Energy | Responsible By Nature
Right of Way and Permits
1123 West 3rd Avenue, Denver, CO 80223
P: [303-571-3306](tel:303-571-3306) | F: [303-571-3660](tel:303-571-3660)
donna.l.george@xcelenergy.com

xcelenergy.com/InstallAndConnect - Visit our website for more information about installing and connecting service with Xcel Energy!

From: JR Osborne [mailto:c3construction@live.com]
Sent: Thursday, November 07, 2019 10:11 AM
To: George, Donna L
Cc: Libby Tart-Schoenfelder
Subject: Shook Subdivision

CAUTION EXTERNAL SENDER: Stop and consider before you click links or open attachments.

Report suspicious email using the 'Report Phishing/Spam' button in Outlook.

Hi Donna,

Here is the updated plat showing the easement extending into Outlot B as we discussed.
Please let me know if you be all happy now?

Thanks,

J.R. Osborne

Neighborhood Comments*

(*sent to Engineering as a part of a discussion)

1. Bientendorf
2. Patroniti
3. Whitmore

From: [Matthew Emmens](#)
To: [Libby Tart](#)
Subject: FW: Twin Lakes contact
Date: Tuesday, May 26, 2020 4:14:15 PM

From: S B <sbietendorf@gmail.com>
Sent: Tuesday, February 4, 2020 3:44 PM
To: Matthew Emmens <MEmmens@adcogov.org>
Subject: Re: Twin Lakes contact

Please be cautious: This email was sent from outside Adams County

Hi Matthew,
Thanks for the email. Let me know when you have information Mile High Flood District for a 3rd party review.

Thank you,
Scott Bietendorf - Twin Lakes HOA - Secretary

On Tue, Feb 4, 2020 at 12:06 PM Matthew Emmens <MEmmens@adcogov.org> wrote:

Hello Mr. Bietendorf,

It was nice meeting you at the hearing this morning. I just want to send you an email and confirm your contact information. I have your phone number as 303-483-5152. If you could give me a quick reply, that would be perfect.

Also, I contacted the Mile High Flood District to inquire about a 3rd party review. I'm pretty sure they will be happy to help out but, unfortunately, most of their engineers are working from home today due to the snowy weather. I did leave a message and I will let you know when I hear back from them.

Sincerely,
Matt Emmens

Senior Engineer, *Community and Economic Development*
ADAMS COUNTY, COLORADO
4430 S. Adams County Parkway, W2000B
Brighton, CO 80601
O: 720.523.6826 | memmens@adcogov.org
www.adcogov.org

From: [Matthew Emmens](#)
To: [Libby Tart](#)
Subject: FW: Shook Eastern Swale - Third Party Review
Date: Tuesday, May 26, 2020 4:14:09 PM

From: S B <sbietendorf@gmail.com>
Sent: Wednesday, February 12, 2020 5:06 PM
To: Matthew Emmens <MEmmens@adcogov.org>
Cc: Dave Beckett <benbeck66@comcast.net>; Debbie Whitmore <debwhit22@gmail.com>; John Otto <s3nidow@aol.com>; Kate Swensen <kateswensen@gmail.com>; Richard Arnold <thekoiman@comcast.net>; Silene Patronitis <patroniti6@gmail.com>
Subject: Re: Shook Eastern Swale - Third Party Review

Please be cautious: This email was sent from outside Adams County

Matthew,
Thank you for the update. Do you think MHFD would benefit from images taken by Jerry Whitmore that show extensive run-off after a storm? Jerry provided these images to the council at the last meeting.

Thank you
Scott Bietendorf - Twin Lakes HOA Secretary

On Wed, Feb 12, 2020 at 4:36 PM Matthew Emmens <MEmmens@adcogov.org> wrote:

Hello Mr. Bietendorf,

Per your request, here is an update to the Shook swale/erosion third party review issue.

I've coordinated with staff at the Mile High Flood District (formerly Urban Drainage and Flood Control District). They have agreed to review the design and field inspection documents and provide an assessment or, recommend a third party to do the review. The Mile High Flood District (MHFD) usually doesn't review existing improvements for municipalities but, they have agreed to do a cursory review and if they feel a more in-depth review is necessary, they will recommend a private company that the County can contract with for the review. Otherwise, MHFD will provide the assessment themselves.

What I sent them was all of the design reports, construction plans, inspection information and some, additional map/data that the County has (basically, everything I could find on the subject). What I've asked them to do is review the documents and provide (1) an assessment of the eastern swale (whether it is design correctly and constructed properly), (2) an assessment of the erosion issue (referred to as an 'illicit discharge) and, (3) to make a determination on whether the erosion issue is related to the swale.

I expect to hear back from MHFD in about a week or two. I will pass on any information I receive.

Sincerely,
Matt Emmens

Senior Engineer, *Community and Economic Development*

ADAMS COUNTY, COLORADO

4430 S. Adams County Parkway, W2000B

Brighton, CO 80601

O: 720.523.6826 | memmens@adcogov.org

www.adcogov.org

From: [Matthew Emmens](#)
To: [Libby Tart](#)
Subject: FW: Shook Subdivision more drainage pictures
Date: Tuesday, May 26, 2020 4:13:57 PM

From: S B <sbietendorf@gmail.com>
Sent: Monday, May 4, 2020 4:36 PM
To: Matthew Emmens <MEmmens@adcogov.org>
Cc: Jerry Whitmore <jdubwh@gmail.com>; Debbie Whitmore <debwhit22@gmail.com>; Silene Patroniti <patroniti6@gmail.com>; Richard Arnold <thekoiman@comcast.net>
Subject: Re: Shook Subdivision more drainage pictures

Please be cautious: This email was sent from outside Adams County

Matthew,
Thank you for the update. It appears the as built survey is critical. However, will this be verified by a 3rd party, as we do not trust the developer.

Thank you,
Scott Bietendorf - Secretary Twin Lakes HOA

On Mon, May 4, 2020 at 3:56 PM Matthew Emmens <MEmmens@adcogov.org> wrote:

Hello Jerry,

I am very sorry for this very late response. Things have been a little hectic and I'm having a horrible time trying to keep up with emails.

We did hear back from the Mile High Flood District (MHFD). Their review says that the swale was designed correctly and does flow to the north, per the as-built survey information we submitted to them for review. The review also says that there is not enough as-built survey information to determine if the swale was constructed per the design. What this could mean is that the swale might not be wide enough or deep enough. And, because of that lack of information, they could not determine if the swale contributed to the illicit discharge of sediment from the site last year.

In response to the MHFD review comments, the County asked the developer to supply more as-built information so that a determination could be made as to whether the swale was constructed per the design and, if it had anything to do with the illicit discharge a year ago. I received that additional survey information from the developer just last week. I have not had a chance to review the information or, send it to the MHFD for their 3rd party review.

Matt

From: Jerry Whitmore <jdubwh@gmail.com>
Sent: Sunday, March 22, 2020 3:35 PM
To: Matthew Emmens <MEmmens@adcogov.org>
Cc: Scott Bietendorf <sbietendorf@gmail.com>; Debbie Whitmore <debwhit22@gmail.com>; Silene Patroniti <patroniti6@gmail.com>; Richard Arnold <thekoiman@comcast.net>
Subject: Shook Subdivision more drainage pictures

Please be cautious: This email was sent from outside Adams County

Hi Matt,

We were wondering where we are at with the MHFD investigation of our storm water issue?

Attached are 3 pictures I took today of the standing water across from my property next to Twin Lakes Storm drain. As you can see the standing water is not draining toward the culvert at E. 160th Place. One of the photos is directly across from the our storm drain and there isn't even a ditch on the other side. We are going to get clobbered. We tried to tell everyone early on that water doesn't flow uphill and this proves it. Mind you this is only runoff from the last snow. I hate to see what's going to happen when we get a big rain! We are asking for help from the County to please address this issue.

Thanks,
Jerry Whitmore
Twin Lakes subdivision

From: Matthew Emmens
Sent: Thursday, February 13, 2020 11:15 AM
To: Jerry Whitmore
Cc: Scott Bietendorf ; Debbie Whitmore
Subject: RE: Shook Subdivision

Thankyou Mr. Whitmore. The more information I have, the easier it is for me and MHFD to figure out what is happening and fix it.

Sincerely,
Matt Emmens

Senior Engineer, *Community and Economic Development*
ADAMS COUNTY, COLORADO
4430 S. Adams County Parkway, W2000B
Brighton, CO 80601
o: 720.523.6826 | memmens@adcogov.org

www.adcogov.org

From: Jerry Whitmore <jdubwh@gmail.com>
Sent: Thursday, February 13, 2020 10:29 AM
To: Matthew Emmens <MEmmens@adcogov.org>
Cc: Scott Bietendorf <sbietendorf@gmail.com>; Debbie Whitmore <debwhit22@gmail.com>
Subject: Fw: Shook Subdivision

Please be cautious: This email was sent from outside Adams County

Good Morning Matt,

I'm forwarding an email that you sent Juliana with the pictures showing the illicit discharge situation back on Aug. 3, 2018. In this email you state that you received it from a citizen living in Twin Lakes subdivision which as you can see below in the thread that it would have been me.

I hope this refreshes your memory concerning our drainage situation.

Thanks,
Jerry Whitmore

From: Matthew Emmens
Sent: Friday, August 03, 2018 9:38 AM
To: Juliana J. Archuleta
Cc: David Rausch ; jdubwh@gmail.com ; Miles Buescher
Subject: FW: Shook Subdivision

Good Morning Juliana,

I received the email below from a citizen who lives in the Twin Lakes subdivision, just East of the Shook Subdivision. It appears from the attached pictures that there is an illicit discharge situation happening on the east side of the Shook Subdivision.

Let me know if there is anything I need to do.

Sincerely,
Matt Emmens

Senior Engineer, *Community and Economic Development*
ADAMS COUNTY, COLORADO
4430 S. Adams County Parkway, W2000B
Brighton, CO 80601
o: 720.523.6826 | memmens@adcogov.org

www.adcogov.org

From: Jerry Whitmore [<mailto:jdubwh@gmail.com>]
Sent: Thursday, August 02, 2018 2:50 PM
To: Matthew Emmens
Cc: Scott Bietendorf; Richard Arnold; Debbie Whitmore; 'Bob & Silene Patroniti'; vicfoster@comcast.net; 'John and Barbara Otto'; D&S Beckett; Stormwater Quality Mailbox
Subject: Fw: Shook Subdivision

Hi Matt,

We were previously working through Julie for the New Shook Subdivision issues but have been advised that she is no longer working for Adams County. The operator said that you should be able to help us. Please read below and review the pictures.

Thanks,
Jerry

From: Jerry Whitmore
Sent: Thursday, August 02, 2018 2:18 PM
To: Julie Wyatt ; swq@adcogov.org
Cc: 'Scott & Vicky' ; thekoiman@comcast.net ; 'Debbie Whitmore' ; 'Bob & Silene Patroniti' ; 'Scott & Vicky' ; 'John and Barbara Otto' ; D&S Beckett
Subject: Re: Shook Subdivision

Shook Subdivision Request for comment

Hi Julie,

I wanted to bring up a storm water issue that we are seeing now when it rains. Please review the attached pictures. We were told that there would be 2 separate storm water retention ponds servicing the Shook subdivision. There has only been 1 retention pond built currently for the west (upper side) of the Shook subdivision. That design is very robust in capturing the storm water from the upper (West) side of the subdivision. However, the lower (East side of the subdivision has had very little work done to capture the storm water coming down the grade of the East side. A culvert was installed (see photo) under the E. 160th Pl. road where it meets Geneva Ct. (our road). This culvert goes basically nowhere except to drain onto our properties. You can also see from the photos that the water actually overwhelmed our own drain and was coming over the road to drain into our property as evidenced by the mud on the road.

We understand "historic upstream drainage". All of the water that historically drained between lots 5 and 6 has been clear water. As you can see in the photos, this is muddy water and is not historic at all but as a result of no longer having vegetation in the Shook

subdivision the stop the water.

We request that someone from the county to come out and look over the project and please explain to us how this is going to work. Because from what we are seeing so far, the Shook subdivision is planning on using the properties on Geneva Ct. to accept the storm water from the East side of the Shook subdivision. This is unacceptable and if you read down below, this was one of our main concerns during the platting effort.

Please respond to our concerns.

Thank you,

Gerald Whitmore
Lot #5 Twin Lakes subdivision

From: Julie Wyatt
Sent: Thursday, March 08, 2018 9:36 AM
To: Jerry Whitmore ; D&S Beckett
Cc: 'Scott & Vicky' ; thekoiman@comcast.net ; 'Debbie Whitmore' ; 'Bob & Silene Patroniti' ; 'Scott & Vicky' ; 'John and Barbara Otto'
Subject: RE: Shook Subdivision

Good morning,

Our Engineering Department has provided me with some information to share with you regarding your concerns with the Shook Subdivision. Below are their responses :

1) Traffic - There was a traffic impact study done in April of 2005. That study was completed before the Bartley property East of Havana (now the TC Riverside) was developed and Also before the 2 subdivisions located at Hwy 7 and York Street were developed. Since then the traffic along Hwy 7 has increased substantially. The Hwy 7/Geneva Ct. intersection has no traffic light and the Eastbound turn lane is almost non-existent. The traffic along Hwy 7 now is so heavy that turning East onto Hwy 7 is almost impossible during peak rush times. The 2005 study stated on page 3 of section 1.2 that the access to E 160th Place via Geneva Ct. was to be closed except for emergency purposes. If that entrance to E 160th Place will now be open to traffic, A new more current Traffic study should be completed. Geneva Ct. is a very narrow dead-end road and I believe was only intended for traffic to the 6 homes on Geneva Ct.

Engineering Response: The original Shook Subdivision (approved in 2005), includes a plan for closing the Geneva Court connection to Highway 7, converting the south end of the roadway to a 'hammer head' turn around and, routing the Geneva Court traffic through the Shook Subdivision. That plan will remain as part

of the currently approved (for construction) plans and the re-platting of the Shook Subdivision. With Geneva Court not having a connection to Highway 7, there is no anticipated need for anyone passing through or leaving the Shook Subdivision to go onto Geneva Court. When the south end of Geneva Court is converted to a hammer head, the approved plans call for an emergency only access onto Highway 7. A physical roadway connection to Highway 7 will remain but, will be blocked with a locked chain or gate that only the emergency services (police, fire protection, etc.) have a key to.

At no time will access to Geneva Court be closed or access denied to the residents. When the roadways in the Shook Subdivision have been constructed and accepted by the County, the Geneva Court connection will be closed and converted to a hammer head. Residential access will always be provided.

One of the (if not the main) purposes of the Shook Subdivision Re-plat is to allow for roadway connections to the Weigandt Property, north of the Shook Subdivision (to allow for development of that property). That is proposed to be done with the extension of Galena Court and Florence Way. None of the improvements for the Shook subdivision or the future development of the Weigandt Property should negatively affect the traffic flow on Geneva Ct.

The recommendation for turn signals, acceleration/deceleration lanes, and turn lanes were considered during the review of the original Shook Subdivision and with this re-platting effort. As a CDOT road, Highway 7 improvements such as turn signals, acceleration/deceleration lanes, and turn lanes are approved by CDOT and require that certain criteria (known as Warrants) be met before they can be required or constructed. The warrants for requiring and installing those type of roadway improvements are based on State, local and Federal regulations and must be proved by a rigorous engineering analysis. *At this time, development of the Shook Subdivision will not produce enough traffic movements to meet the required Warrants for a turn signal; however, the currently approved plans do meet the warrants for acceleration/deceleration lanes and turn lanes on Highway 7. Those improvements will be constructed by a restriping of the lane lines on Highway 7.* With the development of the Weigandt Property to the north of the Shook Property, the warrants for turn signals, additional turn lanes and, all other potential roadway improvements will be re-reviewed by the County and CDOT and required for development if the warrants are met.

2) Storm runoff – Currently there is a storm drain located between lots 5 and 6 on the West side Geneva Ct. That storm drain empties out onto the property between lots 5 and 6 and drains down our properties and into the Stouffer reservoir behind our house. During times of heavy rain the runoff is so powerful that it tends to wash our decorative rock away and is basically a river between our properties. Currently the Shook subdivision is undeveloped and does have some minor vegetation that could stop some erosion and drainage. If the Shook subdivision is developed, that could increase the storm drainage

emptying out between our properties. We would like to see that storm drain re-configured and re-directed into a different drain stream that would prevent the flooding issues along our properties.

Engineering Response: Development of the Shook property and, specifically the individual lots, includes reconfiguring of the site grading and storm drainage systems. The construction plans for the Shook subdivision call for the majority of the storm flows to be captured on site and directed to the north and south, away from entering Geneva Ct or the Twin Lakes Subdivision. The largest impact will be seen when development (home construction) of the lots in the Shook subdivision that are directly west of lots 5 and 6 of the Twin Lakes subdivision occurs. The lot grading is anticipated to direct a significant portion of storm flows to the north and south, thus reducing the historic flows that drain to Geneva Court. However, development plans for those particular lots in the Shook subdivision have not been created yet (they typically aren't created until someone purchases the properties). Therefore, at this time, Engineering can't say for sure when those storm flows will be reduced or by how much. However, I can say that the storm flows to Geneva Ct from the Shook Subdivision will be reduced with the development/construction of the Shook Subdivision.

Just for background information--under Colorado law, downstream property owners must accept historic upstream drainage. Therefore, if storm water historically drained onto your property, that condition may remain. The land plat for the Twin Lakes subdivision shows a 10-foot wide drainage easement straddling the property line between lots 5 & 6. This easement was intended to be used to convey storm drainage. Since current conditions include stormwater flowing between lots 5 and/or 6 of the Twin Lakes subdivision, this stormwater is considered historic drainage. Development upstream of your property may release storm water at historic levels and patterns, but cannot increase the amount or make the situation any worse than it is now.

Thank you very much for your response. We appreciate you reaching out to provide feedback. If there is any additional information or assistance I can provide, please feel free to contact me.

Sincerely,

Julie Wyatt

Planner III, *Community and Economic Development*

ADAMS COUNTY, COLORADO

4430 South Adams County Parkway

Brighton, CO 80601-8212

720.523.6858 | jwyatt@adcogov.org

From: Jerry Whitmore [<mailto:jdubwh@gmail.com>]

Sent: Tuesday, March 06, 2018 1:29 PM

To: Julie Wyatt; D&S Beckett

Cc: 'Scott & Vicky'; thekoiman@comcast.net; 'Debbie Whitmore'; 'Bob & Silene Patroniti'; 'Scott & Vicky'; 'John and Barbara Otto'

Subject: Re: Shook Subdivision

Shook Subdivision request for comment

Hello:

I live in the Twin Lakes Subdivision just East of the Shook Subdivision. I went to the Adams county website and looked through the Shook case documents and I do have a couple of concerns regarding the re-platting.

1) Traffic - There was a traffic impact study done in April of 2005. That study was completed before the Bartley property East of Havana (now the TC Riverside) was developed and Also before the 2 subdivisions located at Hwy 7 and York Street were developed. Since then the traffic along Hwy 7 has increased substantially. The Hwy 7/Geneva Ct. intersection has no traffic light and the Eastbound turn lane is almost non-existent. The traffic along Hwy 7 now is so heavy that turning East onto Hwy 7 is almost impossible during peak rush times. The 2005 study stated on page 3 of section 1.2 that the access to E 160th Place via Geneva Ct. was to be closed except for emergency purposes. If that entrance to E 160th Place will now be open to traffic, A new more current Traffic study should be completed. Geneva Ct. is a very narrow dead-end road and I believe was only intended for traffic to the 6 homes on Geneva Ct.

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Thank you in advance for your consideration,

Jerry Whitmore

16020 Geneva Ct.

Brighton, Co. 80602

From: [Matthew Emmens](#)
To: [Libby Tart](#)
Subject: FW: Shook Eastern Swale - Third Party Review
Date: Tuesday, May 26, 2020 4:13:06 PM

From: Silene Patroniti <patroniti6@gmail.com>
Sent: Friday, February 14, 2020 2:29 PM
To: Matthew Emmens <MEmmens@adcogov.org>
Cc: S B <sbietendorf@gmail.com>; Dave Beckett <benbeck66@comcast.net>; Debbie Whitmore <debwhit22@gmail.com>; John Otto <s3nidow@aol.com>; Kate Swensen <kateswensen@gmail.com>; Richard Arnold <thekoiman@comcast.net>
Subject: Re: Shook Eastern Swale - Third Party Review

Please be cautious: This email was sent from outside Adams County

Matthew,

This is inaccurate. Bob has provided 9 pictures given throughout this process to the board of commissioners and planning commission. Jerry Whitmore also provided more pictures at the last meeting. According to a planning commission member, Bib can't remember her name, she stated that the pictures Bob provided were Exhibit A.

Silene Patroniti

On Thu, Feb 13, 2020, 9:27 AM Matthew Emmens <MEmmens@adcogov.org> wrote:

Actually, we would have all benefitted from those images months ago. I asked repeatedly for pictures or video or something showing me what was happening and received nothing. So yes, please send over ANYTHING and EVERYTHING you have. MHFD and/or the County can't solve a problem if we don't know what is happening.

Sincerely,
Matt Emmens

Senior Engineer, *Community and Economic Development*
ADAMS COUNTY, COLORADO
4430 S. Adams County Parkway, W2000B
Brighton, CO 80601
O: 720.523.6826 | memmens@adcogov.org
www.adcogov.org

From: S B <sbietendorf@gmail.com>
Sent: Wednesday, February 12, 2020 5:06 PM

To: Matthew Emmens <MEmmens@adcogov.org>

Cc: Dave Beckett <benbeck66@comcast.net>; Debbie Whitmore <debwhit22@gmail.com>; John Otto <s3nidow@aol.com>; Kate Swensen <kateswensen@gmail.com>; Richard Arnold <thekoiman@comcast.net>; Silene Patronitis <patroniti6@gmail.com>

Subject: Re: Shook Eastern Swale - Third Party Review

Please be cautious: This email was sent from outside Adams County

Matthew,

Thank you for the update. Do you think MHFD would benefit from images taken by Jerry Whitmore that show extensive run-off after a storm? Jerry provided these images to the council at the last meeting.

Thank you

Scott Bietendorf - Twin Lakes HOA Secretary

On Wed, Feb 12, 2020 at 4:36 PM Matthew Emmens <MEmmens@adcogov.org> wrote:

Hello Mr. Bietendorf,

Per your request, here is an update to the Shook swale/erosion third party review issue.

I've coordinated with staff at the Mile High Flood District (formerly Urban Drainage and Flood Control District). They have agreed to review the design and field inspection documents and provide an assessment or, recommend a third party to do the review. The Mile High Flood District (MHFD) usually doesn't review existing improvements for municipalities but, they have agreed to do a cursory review and if they feel a more in-depth review is necessary, they will recommend a private company that the County can contract with for the review. Otherwise, MHFD will provide the assessment themselves.

What I sent them was all of the design reports, construction plans, inspection information and some, additional map/data that the County has (basically, everything I could find on the subject). What I've asked them to do is review the documents and provide (1) an assessment of the eastern swale (whether it is design correctly and constructed properly), (2) an assessment of the erosion issue (referred to as an 'illicit discharge) and, (3) to make a determination on whether the erosion issue is related to the swale.

I expect to hear back from MHFD in about a week or two. I will pass on any information I receive.

Sincerely,
Matt Emmens

Senior Engineer, *Community and Economic Development*

ADAMS COUNTY, COLORADO

4430 S. Adams County Parkway, W2000B

Brighton, CO 80601

From: [Matthew Emmens](#)
To: [Libby Tart](#)
Subject: FW: Mailbox down 5/19/2020
Date: Tuesday, May 26, 2020 4:13:14 PM

From: Silene Patroniti <patroniti6@gmail.com>
Sent: Wednesday, May 20, 2020 5:26 PM
To: bryan@liverichfield.com
Cc: Jerry Whitmore <jdubwh@gmail.com>; Matthew Emmens <MEmmens@adcogov.org>
Subject: Mailbox down 5/19/2020

Please be cautious: This email was sent from outside Adams County

Good Afternoon Bryan,

This is Bob and Silene Patroniti at 16000 Geneva Ct. of Twin Lake Estates. One of the delivery drivers by the name of Leo Jimenez took out our mailbox again while turning around in the fire department turn around location. This is the third time someone with a long truck cannot make that turn without wiping out the mailbox. Can we get the "no construction traffic" sign put back up preferably by the Hwy 7 as the truck drivers cannot see or read the sign message until after they have made the turn onto Geneva Ct.

Thank you in advance,

Bob n Silene Patroniti

From: [Matthew Emmens](#)
To: [Libby Tart](#)
Subject: FW: Mailbox down 5/19/2020
Date: Tuesday, May 26, 2020 4:13:24 PM
Attachments: [image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)
[image007.png](#)
[image008.png](#)
[image002.png](#)

From: Silene Patroniti <patroniti6@gmail.com>
Sent: Tuesday, May 26, 2020 1:30 PM
To: Bryan Kapusta <bryan@liverichfield.com>
Cc: Jerry Whitmore <jdubwh@gmail.com>; Matthew Emmens <MEmmens@adcogov.org>
Subject: Re: Mailbox down 5/19/2020

Please be cautious: This email was sent from outside Adams County

Hi.

Sign: Sweeeet!

No. I got a blurry picture. But the guy was very understanding and nice. He has already fixed it. We are prime there.

Thank you for the follow up in both these matters. Have an amazing day.

Silene Patroniti

On Tue, May 26, 2020, 10:46 AM Bryan Kapusta <bryan@liverichfield.com> wrote:

Just wanted to let you know the no construction sign should be put back up soon.

Did you happen to catch what delivery truck company it was? I want to get on the trade that hit your mailbox and make sure they replace. Let me know what company so I can make them do it.

Thanks!

Bryan Kapusta

Construction Manager

C: 720-537-0120

O: 303-955-2493

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Any statements in this email does not create in any manner binding agreement(s) for Richfield Home's clients, customers, principals, or other similar relationships. Additionally, my typed name is not my electronic signature in this email nor should it be considered in any manner the electronic signature of any of my clients, customers, principals, or other similar relationships. If you have received this message in error, please immediately notify the sender and delete the message, together with any attachments, from your computer. Thank you for your cooperation.

From: Silene Patroniti <patroniti6@gmail.com>
Sent: Wednesday, May 20, 2020 5:26 PM
To: Bryan Kapusta <bryan@liverichfield.com>
Cc: Jerry Whitmore <jdubwh@gmail.com>; Matthew Emmens <MEmmens@adcogov.org>
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Thank you in advance,

Bob n Silene Patroniti

From: [Matthew Emmens](#)
To: [Libby Tart](#)
Subject: FW: Shook Subdivision more drainage pictures
Date: Tuesday, May 26, 2020 4:15:32 PM

From: Jerry Whitmore <jdubwh@gmail.com>
Sent: Saturday, April 4, 2020 1:32 PM
To: Matthew Emmens <MEmmens@adcogov.org>
Cc: Debbie Whitmore <debwhit22@gmail.com>; Silene Patroniti <patroniti6@gmail.com>
Subject: Re: Shook Subdivision more drainage pictures

Please be cautious: This email was sent from outside Adams County

Hi Matt,

We were wondering if the county is having any work done West of Geneva Ct. concerning our storm water issue? The reason I ask is the new homeowner across from us is removing the silt fence which is our #1 defense against storm runoff. There is a Bob Cat and it looks as if they are going to be doing landscaping or re-grading. I was under the impression that the Silt fence would be there for a couple of years.

Also we did notice some surveyors out surveying their property.

Please let us know.

Thanks,
Jerry Whitmore
Twin Lakes Subdivision

From: Matthew Emmens
Sent: Tuesday, March 31, 2020 11:54 AM
To: Jerry Whitmore
Cc: Scott Bietendorf ; Debbie Whitmore ; Silene Patroniti ; Richard Arnold ; Jen Rutter ; Jill Jennings Golich
Subject: RE: Shook Subdivision more drainage pictures

Hello Jerry,

Sorry for the late response. The County buildings have been closed until April 19th due to the coronavirus. And, in addition to having to figure out how to work from home, I also got sick for a week or so. I'm getting back into the swing of things now, though.

Anyway, we did hear back from MHFD. They said that the swale appears to be designed correctly and does flow to the north (per design) but, it would take a more extensive survey to find out if it was constructed per design. They also said that without that more extensive survey, there is now way of knowing if the swale contributed to the illicit discharge that happened last year. However, when the County's Stormwater Division investigated the illicit discharge last year, they concluded that it was due to an improperly installed silt fence on one of the properties that had a house under construction (which was fixed by the home builder).

The standing water in the swale (shown in your pictures) is a bit of a concern. I will pass these along to the Stormwater Division and have them investigate. It could be that the culvert under E 160th is plugged. County staff is continuing to discuss this issue, though. At this time we have no made any decisions about what should be done. I will keep you notified of any decisions.

Matt

From: Jerry Whitmore <jdubwh@gmail.com>

Sent: Sunday, March 22, 2020 3:35 PM

To: Matthew Emmens <MEmmens@adcogov.org>

Cc: Scott Bietendorf <sbietendorf@gmail.com>; Debbie Whitmore <debwhit22@gmail.com>; Silene Patroniti <patroniti6@gmail.com>; Richard Arnold <thekoiman@comcast.net>

Subject: Shook Subdivision more drainage pictures

Please be cautious: This email was sent from outside Adams County

Hi Matt,

We were wondering where we are at with the MHFD investigation of our storm water issue?

Attached are 3 pictures I took today of the standing water across from my property next to Twin Lakes Storm drain. As you can see the standing water is not draining toward the culvert at E. 160th Place. One of the photos is directly across from the our storm drain and there isn't even a ditch on the other side. We are going to get clobbered. We tried to tell everyone early on that water doesn't flow uphill and this proves it. Mind you this is only runoff from the last snow. I hate to see what's going to happen when we get a big rain! We are asking for help from the County to please address this issue.

Thanks,

Jerry Whitmore

Twin Lakes subdivision

From: [Matthew Emmens](#)
To: [Libby Tart](#)
Subject: FW: Shook Subdivision
Date: Tuesday, May 26, 2020 4:17:08 PM

From: Jerry Whitmore <jdubwh@gmail.com>
Sent: Thursday, February 13, 2020 10:29 AM
To: Matthew Emmens <MEmmens@adcogov.org>
Cc: Scott Bietendorf <sbietendorf@gmail.com>; Debbie Whitmore <debwhit22@gmail.com>
Subject: Fw: Shook Subdivision

Please be cautious: This email was sent from outside Adams County

Good Morning Matt,

I'm forwarding an email that you sent Juliana with the pictures showing the illicit discharge situation back on Aug. 3, 2018. In this email you state that you received it from a citizen living in Twin Lakes subdivision which as you can see below in the thread that it would have been me.

I hope this refreshes your memory concerning our drainage situation.

Thanks,
Jerry Whitmore

From: Matthew Emmens
Sent: Friday, August 03, 2018 9:38 AM
To: Juliana J. Archuleta
Cc: David Rausch ; [jdubwh@gmail.com](#) ; Miles Buescher
Subject: FW: Shook Subdivision

Good Morning Juliana,

I received the email below from a citizen who lives in the Twin Lakes subdivision, just East of the Shook Subdivision. It appears from the attached pictures that there is an illicit discharge situation happening on the east side of the Shook Subdivision.

Let me know if there is anything I need to do.

Sincerely,
Matt Emmens

Senior Engineer, *Community and Economic Development*

ADAMS COUNTY, COLORADO

4430 S. Adams County Parkway, W2000B

Brighton, CO 80601

o: 720.523.6826 | memmens@adcogov.org

www.adcogov.org

From: Jerry Whitmore [<mailto:jdubwh@gmail.com>]

Sent: Thursday, August 02, 2018 2:50 PM

To: Matthew Emmens

Cc: Scott Bietendorf; Richard Arnold; Debbie Whitmore; 'Bob & Silene Patroniti'; vicfoster@comcast.net; 'John and Barbara Otto'; D&S Beckett; Stormwater Quality Mailbox

Subject: Fw: Shook Subdivision

Hi Matt,

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Thanks,

Jerry

From: Jerry Whitmore

Sent: Thursday, August 02, 2018 2:18 PM

To: Julie Wyatt ; swq@adcogov.org

Cc: 'Scott & Vicky' ; thekoiman@comcast.net ; 'Debbie Whitmore' ; 'Bob & Silene Patroniti' ; 'Scott & Vicky' ; 'John and Barbara Otto' ; D&S Beckett

Subject: Re: Shook Subdivision

Shook Subdivision Request for comment

Hi Julie,

I wanted to bring up a storm water issue that we are seeing now when it rains. Please review the attached pictures. We were told that there would be 2 separate storm water retention ponds servicing the Shook subdivision. There has only been 1 retention pond built currently for the west (upper side) of the Shook subdivision. That design is very robust in capturing the storm water from the upper (West) side of the subdivision. However, the lower (East side of the subdivision has had very little work done to capture the storm water coming down the grade of the East side. A culvert was installed (see photo) under the E. 160th Pl. road where it meets Geneva Ct. (our road). This culvert goes basically nowhere except to drain onto our properties. You can also see from the photos that the water actually overwhelmed our own drain and was coming over the road to drain into our property as evidenced by the mud on the road.

We understand “historic upstream drainage”. All of the water that historically drained between lots 5 and 6 has been clear water. As you can see in the photos, this is muddy water and is not historic at all but as a result of no longer having vegetation in the Shook subdivision the stop the water.

We request that someone from the county to come out and look over the project and please explain to us how this is going to work. Because from what we are seeing so far, the Shook subdivision is planning on using the properties on Geneva Ct. to accept the storm water from the East side of the Shook subdivision. This is unacceptable and if you read down below, this was one of our main concerns during the platting effort.

Please respond to our concerns.

Thank you,

Gerald Whitmore
Lot #5 Twin Lakes subdivision

From: Julie Wyatt
Sent: Thursday, March 08, 2018 9:36 AM
To: Jerry Whitmore ; D&S Beckett
Cc: 'Scott & Vicky' ; thekoiman@comcast.net ; 'Debbie Whitmore' ; 'Bob & Silene Patroniti' ; 'Scott & Vicky' ; 'John and Barbara Otto'
Subject: RE: Shook Subdivision

Good morning,

Our Engineering Department has provided me with some information to share with you regarding your concerns with the Shook Subdivision. Below are their responses :

1) Traffic - There was a traffic impact study done in April of 2005. That study was completed before the Bartley property East of Havana (now the TC Riverside) was developed and Also before the 2 subdivisions located at Hwy 7 and York Street were developed. Since then the traffic along Hwy 7 has increased substantially. The Hwy 7/Geneva Ct. intersection has no traffic light and the Eastbound turn lane is almost non-existent. The traffic along Hwy 7 now is so heavy that turning East onto Hwy 7 is almost impossible during peak rush times. The 2005 study stated on page 3 of section 1.2 that the access to E 160th Place via Geneva Ct. was to be closed except for emergency purposes. If that entrance to E 160th Place will now be open to traffic, A new more current Traffic study should be completed. Geneva Ct. is a very narrow dead-end road and I believe was only intended for traffic to the 6 homes on Geneva Ct.

-

Engineering Response: The original Shook Subdivision (approved in 2005), includes a plan for closing the Geneva Court connection to Highway 7, converting the south end of the roadway to a 'hammer head' turn around and, routing the Geneva Court traffic through the Shook Subdivision. That plan will remain as part of the currently approved (for construction) plans and the re-platting of the Shook Subdivision. With Geneva Court not having a connection to Highway 7, there is no anticipated need for anyone passing through or leaving the Shook Subdivision to go onto Geneva Court. When the south end of Geneva Court is converted to a hammer head, the approved plans call for an emergency only access onto Highway 7. A physical roadway connection to Highway 7 will remain but, will be blocked with a locked chain or gate that only the emergency services (police, fire protection, etc.) have a key to.

At no time will access to Geneva Court be closed or access denied to the residents. When the roadways in the Shook Subdivision have been constructed and accepted by the County, the Geneva Court connection will be closed and converted to a hammer head. Residential access will always be provided.

One of the (if not the main) purposes of the Shook Subdivision Re-plat is to allow for roadway connections to the Weigandt Property, north of the Shook Subdivision (to allow for development of that property). That is proposed to be done with the extension of Galena Court and Florence Way. None of the improvements for the Shook subdivision or the future development of the Weigandt Property should negatively affect the traffic flow on Geneva Ct.

The recommendation for turn signals, acceleration/deceleration lanes, and turn lanes were considered during the review of the original Shook Subdivision and with this re-platting effort. As a CDOT road, Highway 7 improvements such as turn signals, acceleration/deceleration lanes, and turn lanes are approved by CDOT and require that certain criteria (known as Warrants) be met before they can be required or constructed. The warrants for requiring and installing those type of roadway improvements are based on State, local and Federal regulations and must be proved by a rigorous engineering analysis. *At this time, development of the Shook Subdivision will not produce enough traffic movements to meet the required Warrants for a turn signal; however, the currently approved plans do meet the warrants for acceleration/deceleration lanes and turn lanes on Highway 7. Those improvements will be constructed by a restriping of the lane lines on Highway 7.* With the development of the Weigandt Property to the north of the Shook Property, the warrants for turn signals, additional turn lanes and, all other potential roadway improvements will be re-reviewed by the County and CDOT and required for development if the warrants are met.

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Thank you very much for your response. We appreciate you reaching out to provide feedback. If there is any additional information or assistance I can provide, please feel free to contact me.

Sincerely,

Julie Wyatt

Planner III, *Community and Economic Development*

ADAMS COUNTY, COLORADO

4430 South Adams County Parkway

Brighton, CO 80601-8212

720.523.6858 | jwyatt@adcogov.org

From: Jerry Whitmore [<mailto:jdubwh@gmail.com>]

Sent: Tuesday, March 06, 2018 1:29 PM

To: Julie Wyatt; D&S Beckett

Cc: 'Scott & Vicky'; thekoiman@comcast.net; 'Debbie Whitmore'; 'Bob & Silene Patroniti'; 'Scott & Vicky'; 'John and Barbara Otto'

Subject: Re: Shook Subdivision

Shook Subdivision request for comment

Hello:

I live in the Twin Lakes Subdivision just East of the Shook Subdivision. I went to the Adams county website and looked through the Shook case documents and I do have a couple of concerns regarding the re-platting.

1) Traffic - There was a traffic impact study done in April of 2005. That study was completed before the Bartley property East of Havana (now the TC Riverside) was developed and Also before the 2 subdivisions located at Hwy 7 and York Street were developed. Since then the traffic along Hwy 7 has increased substantially. The Hwy 7/Geneva Ct. intersection has no traffic light and the Eastbound turn lane is almost non-existent. The traffic along Hwy 7 now is so heavy that turning East onto Hwy 7 is almost impossible during peak rush times. The 2005 study stated on page 3 of section 1.2 that the access to E 160th Place via Geneva Ct. was to be closed except for emergency purposes. If that entrance to E 160th Place will now be open to traffic, A new more current Traffic study should be completed. Geneva Ct. is a very narrow dead-end road and I believe was only intended for traffic to the 6 homes on Geneva Ct.

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Thank you in advance for your consideration,

Jerry Whitmore
16020 Geneva Ct.
Brighton, Co. 80602

From: [Matthew Emmens](#)
To: [Libby Tart](#)
Subject: FW: Shook Subdivision more drainage pictures
Date: Tuesday, May 26, 2020 4:15:26 PM

From: Jerry Whitmore <jdubwh@gmail.com>
Sent: Sunday, March 22, 2020 3:35 PM
To: Matthew Emmens <MEmmens@adcogov.org>
Cc: Scott Bietendorf <sbietendorf@gmail.com>; Debbie Whitmore <debwhit22@gmail.com>; Silene Patroniti <patroniti6@gmail.com>; Richard Arnold <thekoiman@comcast.net>
Subject: Shook Subdivision more drainage pictures

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Thanks,
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Twin Lakes subdivision

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Cc: Scott Bietendorf ; Debbie Whitmore
Subject: RE: Shook Subdivision

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Senior Engineer, *Community and Economic Development*

ADAMS COUNTY, COLORADO

4430 S. Adams County Parkway, W2000B

Brighton, CO 80601

o: 720.523.6826 | memmens@adcogov.org

www.adcogov.org

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To: Matthew Emmens <MEmmens@adcogov.org>

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From: Matthew Emmens

Sent: Friday, August 03, 2018 9:38 AM

To: Juliana J. Archuleta

Cc: David Rausch ; jdubwh@gmail.com ; Miles Buescher

Subject: FW: Shook Subdivision

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Let me know if there is anything I need to do.

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www.adcogov.org

From: Jerry Whitmore [<mailto:jdubwh@gmail.com>]

Sent: Thursday, August 02, 2018 2:50 PM

To: Matthew Emmens

Cc: Scott Bietendorf; Richard Arnold; Debbie Whitmore; 'Bob & Silene Patroniti'; vicfoster@comcast.net; 'John and Barbara Otto'; D&S Beckett; Stormwater Quality Mailbox

Subject: Fw: Shook Subdivision

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Cc: 'Scott & Vicky' ; thekoiman@comcast.net ; 'Debbie Whitmore' ; 'Bob & Silene Patroniti' ; 'Scott & Vicky' ; 'John and Barbara Otto' ; D&S Beckett

Subject: Re: Shook Subdivision

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Please respond to our concerns.

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Lot #5 Twin Lakes subdivision

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Sent: Thursday, March 08, 2018 9:36 AM
To: Jerry Whitmore ; D&S Beckett
Cc: 'Scott & Vicky' ; thekoiman@comcast.net ; 'Debbie Whitmore' ; 'Bob & Silene Patroniti' ; 'Scott & Vicky' ; 'John and Barbara Otto'
Subject: RE: Shook Subdivision

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Planner III, *Community and Economic Development*

ADAMS COUNTY, COLORADO

4430 South Adams County Parkway

Brighton, CO 80601-8212

720.523.6858 | jwyatt@adcogov.org

From: Jerry Whitmore [<mailto:jdubwh@gmail.com>]

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To: Julie Wyatt; D&S Beckett

Cc: 'Scott & Vicky'; thekoiman@comcast.net; 'Debbie Whitmore'; 'Bob & Silene Patroniti'; 'Scott & Vicky'; 'John and Barbara Otto'

Subject: Re: Shook Subdivision

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16020 Geneva Ct.
Brighton, Co. 80602

From: [Matthew Emmens](#)
To: [Libby Tart](#)
Subject: FW: Shook Subdivision more drainage pictures
Date: Tuesday, May 26, 2020 4:15:45 PM

From: Gerald Whitmore <jdubwh@gmail.com>
Sent: Monday, May 4, 2020 5:37 PM
To: S B <sbietendorf@gmail.com>
Cc: Matthew Emmens <MEmmens@adcogov.org>; Debbie Whitmore <debwhit22@gmail.com>; Silene Patroniti <patroniti6@gmail.com>; Richard Arnold <thekoiman@comcast.net>
Subject: Re: Shook Subdivision more drainage pictures

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Hi Matt,

Thanks for the update. We have been watching what is going on. They are building up the homeowners Back yard with loads of dirt and they have filled in the swale directly across from our house. I don't know if this is going to help or make things worse.

Thanks,
Jerry

Sent from my iPad

On May 4, 2020, at 4:36 PM, S B <sbietendorf@gmail.com> wrote:

Matthew,
Thank you for the update. It appears the as built survey is critical. However, will this be verified by a 3rd party, as we do not trust the developer.

Thank you,
Scott Bietendorf - Secretary Twin Lakes HOA

On Mon, May 4, 2020 at 3:56 PM Matthew Emmens <MEmmens@adcogov.org> wrote:

Hello Jerry,

I am very sorry for this very late response. Things have been a little hectic and I'm having a horrible time trying to keep up with emails.

We did hear back from the Mile High Flood District (MHFD). Their review says that the swale was designed correctly and does flow to the north, per the as-built survey information we submitted to them for review. The review also says that there is not enough as-built survey information to determine if the swale was constructed per the design. What this could mean is that the swale might not be wide enough or

deep enough. And, because of that lack of information, they could not determine if the swale contributed to the illicit discharge of sediment from the site last year.

In response to the MHFD review comments, the County asked the developer to supply more as-built information so that a determination could be made as to whether the swale was constructed per the design and, if it had anything to do with the illicit discharge a year ago. I received that additional survey information from the developer just last week. I have not had a chance to review the information or, send it to the MHFD for their 3rd party review.

Matt

From: Jerry Whitmore <jdubwh@gmail.com>

Sent: Sunday, March 22, 2020 3:35 PM

To: Matthew Emmens <MEmmens@adcogov.org>

Cc: Scott Bietendorf <sbietendorf@gmail.com>; Debbie Whitmore <debwhit22@gmail.com>; Silene Patroniti <patroniti6@gmail.com>; Richard Arnold <thekoiman@comcast.net>

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Twin Lakes subdivision

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Subject: RE: Shook Subdivision

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Engineering Response: The original Shook Subdivision (approved in 2005), includes a plan for closing the Geneva Court connection to Highway 7, converting the south end of the roadway to a 'hammer head' turn around and, routing the Geneva Court traffic through the Shook Subdivision. That plan will remain as part of the currently approved (for construction) plans and the re-platting of the Shook Subdivision. With Geneva Court not having a connection to Highway 7, there is no anticipated need for anyone passing through or leaving the Shook Subdivision to go onto Geneva Court. When the south end of Geneva Court is converted to a hammer head, the approved plans call for an emergency only access onto Highway 7. A physical roadway connection to Highway 7 will remain but, will be blocked with a locked chain or gate that only the emergency services (police, fire protection, etc.) have a key to.

At no time will access to Geneva Court be closed or access denied to the residents. When the roadways in the Shook Subdivision have been constructed and accepted by the County, the Geneva Court connection will be closed and converted to a hammer head. Residential access will always be provided.

One of the (if not the main) purposes of the Shook Subdivision Re-plat is to allow for roadway connections to the Weigandt Property, north of the Shook Subdivision (to allow for development of that property). That is proposed to be done with the extension of Galena

Court and Florence Way. None of the improvements for the Shook subdivision or the future development of the Weigandt Property should negatively affect the traffic flow on Geneva Ct.

The recommendation for turn signals, acceleration/deceleration lanes, and turn lanes were considered during the review of the original Shook Subdivision and with this re-platting effort. As a CDOT road, Highway 7 improvements such as turn signals, acceleration/deceleration lanes, and turn lanes are approved by CDOT and require that certain criteria (known as Warrants) be met before they can be required or constructed. The warrants for requiring and installing those type of roadway improvements are based on State, local and Federal regulations and must be proved by a rigorous engineering analysis. *At this time, development of the Shook Subdivision will not produce enough traffic movements to meet the required Warrants for a turn signal; however, the currently approved plans do meet the warrants for acceleration/deceleration lanes and turn lanes on Highway 7. Those improvements will be constructed by a restriping of the lane lines on Highway 7.* With the development of the Weigandt Property to the north of the Shook Property, the warrants for turn signals, additional turn lanes and, all other potential roadway improvements will be re-reviewed by the County and CDOT and required for development if the warrants are met.

2) Storm runoff – Currently there is a storm drain located between lots 5 and 6 on the West side Geneva Ct. That storm drain empties out onto the property between lots 5 and 6 and drains down our properties and into the Stouffer reservoir behind our house. During times of heavy rain the runoff is so powerful that it tends to wash our decorative rock away and is basically a river between our properties. Currently the Shook subdivision is undeveloped and does have some minor vegetation that could stop some erosion and drainage. If the Shook subdivision is developed, that could increase the storm drainage emptying out between our properties. We would like to see that storm drain re-configured and re-directed into a different drain stream that would prevent the flooding issues along our properties.

Engineering Response: Development of the Shook property and, specifically the individual lots, includes reconfiguring of the site grading and storm drainage systems. The construction plans for the Shook subdivision call for the majority of the storm flows to be captured on site and directed to the north and south, away from entering Geneva Ct or the Twin Lakes Subdivision. The largest impact will be seen when development (home construction) of the

lots in the Shook subdivision that are directly west of lots 5 and 6 of the Twin Lakes subdivision occurs. The lot grading is anticipated to direct a significant portion of storm flows to the north and south, thus reducing the historic flows that drain to Geneva Court. However, development plans for those particular lots in the Shook subdivision have not been created yet (they typically aren't created until someone purchases the properties). Therefore, at this time, Engineering can't say for sure when those storm flows will be reduced or by how much. However, I can say that the storm flows to Geneva Ct from the Shook Subdivision will be reduced with the development/construction of the Shook Subdivision.

Just for background information--under Colorado law, downstream property owners must accept historic upstream drainage. Therefore, if storm water historically drained onto your property, that condition may remain. The land plat for the Twin Lakes subdivision shows a 10-foot wide drainage easement straddling the property line between lots 5 & 6. This easement was intended to be used to convey storm drainage. Since current conditions include stormwater flowing between lots 5 and/or 6 of the Twin Lakes subdivision, this stormwater is considered historic drainage. Development upstream of your property may release storm water at historic levels and patterns, but cannot increase the amount or make the situation any worse than it is now.

Thank you very much for your response. We appreciate you reaching out to provide feedback. If there is any additional information or assistance I can provide, please feel free to contact me.

Sincerely,

<image001.jpg>**Julie Wyatt**

Planner III, *Community and Economic Development*

ADAMS COUNTY, COLORADO

4430 South Adams County Parkway

Brighton, CO 80601-8212

720.523.6858 | jwyatt@adcogov.org

From: Jerry Whitmore [<mailto:jdubwh@gmail.com>]

Sent: Tuesday, March 06, 2018 1:29 PM

To: Julie Wyatt; D&S Beckett

Cc: 'Scott & Vicky'; thekoiman@comcast.net; 'Debbie Whitmore'; 'Bob & Silene Patroniti'; 'Scott & Vicky'; 'John and Barbara Otto'

Subject: Re: Shook Subdivision

Shook Subdivision request for comment

Hello:

I live in the Twin Lakes Subdivision just East of the Shook Subdivision. I went to the Adams county website and looked through the Shook case documents and I do have a couple of concerns regarding the re-platting.

1) Traffic - There was a traffic impact study done in April of 2005. That study was completed before the Bartley property East of Havana (now the TC Riverside) was developed and Also before the 2 subdivisions located at Hwy 7 and York Street were developed. Since then the traffic along Hwy 7 has increased substantially. The Hwy 7/Geneva Ct. intersection has no traffic light and the Eastbound turn lane is almost non-existent. The traffic along Hwy 7 now is so heavy that turning East onto Hwy 7 is almost impossible during peak rush times. The 2005 study stated on page 3 of section 1.2 that the access to E 160th Place via Geneva Ct. was to be closed except for emergency purposes. If that entrance to E 160th Place will now be open to traffic, A new more current Traffic study should be completed. Geneva Ct. is a very narrow dead-end road and I believe was only intended for traffic to the 6 homes on Geneva Ct.

2) Storm runoff – Currently there is a storm drain located between lots 5 and 6 on the West side Geneva Ct. That storm drain empties out onto the property between lots 5 and 6 and drains down our properties and into the Stouffer reservoir behind our house. During times of heavy rain the runoff is so powerful that it tends to wash our decorative rock away and is basically a river between our properties. Currently the Shook subdivision is undeveloped and does have some minor vegetation that could stop some erosion and drainage. If the Shook subdivision is developed, that could increase the storm drainage emptying out between our properties. We would like to see that storm drain re-configured and re-directed into a different drain stream that would prevent the flooding issues along our properties.

Thank you in advance for your consideration,

Jerry Whitmore
16020 Geneva Ct.
Brighton, Co. 80602





OR
DRIVING
STAKES
CALL
ED POWER
9-0551















Request for Comments

Case Name:	Shook Subdivision Filing 3 and 4
Case Number:	PRC2018-00008

June 29, 2018

Adams County Planning Commission is requesting comments on the following request:

- 1) Preliminary and Final Plat for Shook Subdivision Filings 3 to create 13 lots and associated Subdivision Improvements Agreement; 2) Preliminary and Final Plat for Shook Subdivision Filings 4 to create 11 lots and associated Subdivision Improvements Agreement.**

The Assessor's Parcel Numbers is **0157103400001**

Applicant Information **C3 CONSTRUCTION (JR OSBORNE)**

9200 E MINERAL AVE #365

CENTENNIAL, CO 80112

Please forward any written comments on this application to the Department of Community and Economic Development at 4430 South Adams County Parkway, Suite W2000A Brighton, CO 80601-8216. (720) 523-6820 by **July 20, 2018** in order that your comments may be taken into consideration in the review of this case. If you would like your comments included verbatim please send your response by way of e-mail to ECollins@adcogov.org.

Once comments have been received and the staff report written, the staff report and notice of public hearing dates will be forwarded to you for your information. The full text of the proposed request and additional colored maps can be obtained by contacting this office or by accessing the Adams County web site at www.adcogov.org/planning/currentcases.

Thank you for your review of this case.

Emily Collins

Emily Collins, AICP

Case Manager

BASELINE LAKES HOLDINGS LLC ET ALS
PO BOX 247
EASTLAKE CO 80614-0247

PARRISH MARK A AND
PARRISH KRISTINE A
9414 E 161ST PL
BRIGHTON CO 80602

BECKETT DAVID AND
BECKETT SHAUNA
16040 GENEVA WAY
BRIGHTON CO 80602

PROV 356 LLC
610 REDSTONE DR
BROOMFIELD CO 80020-6079

CARLSON TAYLOR R UND 24.25% INT AND
THORNTON CORY J UND 24.25% INT ET ALS
PO BOX 247
EASTLAKE CO 80614-0247

RICHFIELD HOMES LLC
428 KIMBARK ST
LONGMONT CO 80501-5526

CARLSON TAYLOR R UND 24.25% INT AND
THORNTON CORY J UN 24.25 INT ET ALS
PO BOX 247
EASTLAKE CO 80614-0247

RIVERSIDE VILLAGE OWNERS ASSOCIATION
7501 VILLAGE SQUARE DR STE 205
CASTLE PINES CO 80108-3700

DIAZ FRIEDA A
9425 E 161ST PL
BRIGHTON CO 80602

ROBILLARD CHRISTOPHER P
1013 COUNTY ROAD 7
ERIE CO 80516-7906

DIAZ FRIEDA A
9425 E 161ST AVE
BRIGHTON CO 80602-7524

SEC 2-3 PHOENIX LLC
9200 E MINERAL AVE STE 365
CENTENNIAL CO 80112-3459

EQUINOX DEVELOPMENT LLC
10450 E 159TH CT
BRIGHTON CO 80602-7977

SELTZER FARMS INC
9390 E 168TH AVE
BRIGHTON CO 80602-6606

GREATER BRIGHTON FIRE
PROTECTION DISTRICT
500 S 4TH AVE 3RD FL
BRIGHTON CO 80601-3165

SELTZER FARMS INC
9390 E 168TH AVE
BRIGHTON CO 80602

HI-LAND ACRES WATER AND
SANITATION DISTRICT
PO BOX 0128
BRIGHTON CO 80601-0128

SPS OIL FIELD SERVICE
PO BOX 304
BRIGHTON CO 80601

LESSER LOIS B
PO BOX 65
BRIGHTON CO 80602

SPV VIII LLC
1751 RIVER RUN STE 400
FORT WORTH TX 76107-6669

TODD CREEK VILLAGE METROPOLITAN
DISTRICT
10450 E 159TH CT
BRIGHTON CO 80602-7977

BILODEAU DONNA J AND
IRONS JAY P
OR CURRENT RESIDENT
16135 LOMAND CIR
BRIGHTON CO 80602-7519

TWIN LAKE ESTATES HOMEOWNERS
ASSOCIATION INC
12000 N WASHINGTON NO. 340
DENVER CO 80241

BOYD DANIEL LEE
OR CURRENT RESIDENT
16044 LOMAND CIR
BRIGHTON CO 80602-7518

WATKINS BILLY J
16300 YOSEMITE ST
BRIGHTON CO 80602

BOYENS JOAN M 50% INT AND
OLIVAS GREGORY K 50% INT
OR CURRENT RESIDENT
10540 E 163RD AVE
BRIGHTON CO 80602-7505

WEIGANDT JOHN WILLIAM
10390 E 168TH AVE
BRIGHTON CO 80602

BRADFORD WILLIAM R AND
BRADFORD REBECCA L
OR CURRENT RESIDENT
10653 E 163RD CT
BRIGHTON CO 80602

WEST SOUTH PLATTE WATER AND SANITATION INC
9200 E MINERAL AVE STE 365
CENTENNIAL CO 80112-3459

BRADLEY MICHAEL R LIVING TRUST
OR CURRENT RESIDENT
16033 HI LAND CIR
BRIGHTON CO 80602

WRIGHT REVA L
PO BOX 274
BRIGHTON CO 80601-0274

CABLE ROBERT A AND
CABLE KELSEY J
OR CURRENT RESIDENT
10693 E 163RD CT
BRIGHTON CO 80602

ARNOLD RICHARD L TRUST
OR CURRENT RESIDENT
16170 GENEVA CT
BRIGHTON CO 80602-7548

CABRAL JOSE JUAREZ
OR CURRENT RESIDENT
9700 E 160TH AVE
BRIGHTON CO 80602-7571

BALLINGER MICHAEL D AND
SCHASNY GERALDINE C
OR CURRENT RESIDENT
16144 LOMAND CIR
BRIGHTON CO 80602

CARMONA ALEJANDRO
OR CURRENT RESIDENT
9405 E 159TH AVE
BRIGHTON CO 80602-8665

BEDAN ROBERT AND
BEDAN CINDY
OR CURRENT RESIDENT
16180 IOLA ST
BRIGHTON CO 80602-7615

CHAVEZ GUTIERREZ RAFAEL
OR CURRENT RESIDENT
16121 IOLA ST
BRIGHTON CO 80602-7615

BIETENDORF SCOTT A AND
FOSTER VICKIE L
OR CURRENT RESIDENT
16150 GENEVA CT
BRIGHTON CO 80602

COCA LEROY
ROMERO BARBARA M
OR CURRENT RESIDENT
16053 HI LAND CIR
BRIGHTON CO 80602-7513

DELCAMP JAMES R AND
DELCAMP BARBARA J
OR CURRENT RESIDENT
16185 LOMAND CIR
BRIGHTON CO 80602

FLUHARTY JOEL JEFFERSON AND
FLUHARTY MARILYN JO
OR CURRENT RESIDENT
16101 IOLA ST
BRIGHTON CO 80602-7615

DELGADO JORGE REYES
OR CURRENT RESIDENT
10630 E 161ST AVE
BRIGHTON CO 80602-8294

FORD RANDY S
OR CURRENT RESIDENT
9600 E 160TH AVE
BRIGHTON CO 80602

DELVENTHAL DENNIS L AND
DELVENTHAL ASHLEE L
OR CURRENT RESIDENT
16045 LOMAND CIR
BRIGHTON CO 80602-7517

FORSYTHE ANDREW C AND
FORSYTHE LORRI D
OR CURRENT RESIDENT
8985 E 162ND AVE
BRIGHTON CO 80602

DENNE CARL E AND
CAMPBELL PATRICIA G
OR CURRENT RESIDENT
16151 IOLA ST
BRIGHTON CO 80602-7615

GONZALES JASON AND
GONZALES STEPHANIE
OR CURRENT RESIDENT
16165 LOMAND CIR
BRIGHTON CO 80602-7519

DERR REUBEN ALLEN AND
DERR KATHERINE LEE
OR CURRENT RESIDENT
16125 LOMAND CIR
BRIGHTON CO 80602-7519

GOODALL STEPHEN JR
GOODALL JAYMIE
OR CURRENT RESIDENT
10533 E 163RD AVE
BRIGHTON CO 80602-7505

DEVRIES HERMAN T AND
DEVRIES JEAN C
OR CURRENT RESIDENT
10680 E 163RD CT
BRIGHTON CO 80602

GORDON ANDREW S AND MICHELLE A
OR CURRENT RESIDENT
16085 LOMAND CIR
BRIGHTON CO 80602

DILALLO ERIC AND
DILALLO STACY
OR CURRENT RESIDENT
16141 IOLA ST
BRIGHTON CO 80602

GORDON PATRICIA AND
HERNOUD MELANI
OR CURRENT RESIDENT
16105 LOMAND CIR
BRIGHTON CO 80602-7519

EBERLE DAVID G AND
EBERLE LORETTA J
OR CURRENT RESIDENT
9485 E 161ST AVE
BRIGHTON CO 80602-7524

HAJI-SARVESTNAI NASSER
OR CURRENT RESIDENT
16084 LOMAND CIR
BRIGHTON CO 80602-7518

EHRMANN EDWARD J AND
EHRMANN VICKI M
OR CURRENT RESIDENT
9445 E 161ST AVE
BRIGHTON CO 80602

HEIM ROBERT RAYMOND AND
FILLENBERG KIMBERLY A
OR CURRENT RESIDENT
16102 HI LAND CIR
BRIGHTON CO 80602

ERNSTER JON M AND
ERNSTER JULIE
OR CURRENT RESIDENT
16171 IOLA ST
BRIGHTON CO 80602-7615

HOWELL SHAWN AND
HOWELL SHEILA L
OR CURRENT RESIDENT
16150 IOLA ST
BRIGHTON CO 80602-7615

INGRAHAM LUKE AND
INGRAHAM RUTH
OR CURRENT RESIDENT
10652 E 162ND PL
BRIGHTON CO 80602-8293

LESLEY TIMOTHY JAY BRANDON
AKIYAMA MEGAN ANN
OR CURRENT RESIDENT
16074 LOMAND CIR
BRIGHTON CO 80602-7518

JOHNSON FREDERICK D AND
JOHNSON SALLIE R
OR CURRENT RESIDENT
16172 DALLAS ST
BRIGHTON CO 80602

LYBARGER JOSHUA M AND
LYBARGER ALICEA M
OR CURRENT RESIDENT
16143 HI LAND CIR
BRIGHTON CO 80602-7515

JOHNSON MATTHEW J AND
JOHNSON JILLANN M
OR CURRENT RESIDENT
16181 IOLA ST
BRIGHTON CO 80602-7615

MALARKEY CHARLES E AND
NORTHROP KARYL A
OR CURRENT RESIDENT
16134 LOMAND CIRCLE
BRIGHTON CO 80601

KEARNS BRIAN P AND
KEARNS PAIGE C
OR CURRENT RESIDENT
10623 E 163RD CT
BRIGHTON CO 80602

MARTINEZ RAUL S AND
MARTINEZ MARTHA
OR CURRENT RESIDENT
16073 HI LAND CIR
BRIGHTON CO 80602-7513

KESSLER JANET N
OR CURRENT RESIDENT
16162 HI LAND CIR
BRIGHTON CO 80602-7516

MC DONALD BRAD L AND JEAN L
OR CURRENT RESIDENT
16083 HI LAND CIR
BRIGHTON CO 80602

KETTERLING E ERROL AND
KETTERLING MARILYN P
OR CURRENT RESIDENT
16064 LOMAND CIR
BRIGHTON CO 80602-7518

MCCULLOH DOUGLAS
OR CURRENT RESIDENT
10563 E 163RD AVE
BRIGHTON CO 80602-7505

KING DENNIS J AND
KING KATHLEEN M
OR CURRENT RESIDENT
16042 HI LAND CIR
BRIGHTON CO 80602-7514

MCGEE RYAN M AND
MCGEE ELLEN L
OR CURRENT RESIDENT
10740 E 162ND DR
BRIGHTON CO 80602

KIYOTA JAMES AND
KIYOTA FRANCES T
OR CURRENT RESIDENT
16103 HI LAND CIR
BRIGHTON CO 80602-7515

MILLER BARBARA L AND
MILLER TERRY J
OR CURRENT RESIDENT
16104 LOMAND CIRCLE
BRIGHTON CO 80602

KLINGER JAMES G AND
KLINGER PAULINE C
OR CURRENT RESIDENT
16175 LOMAND CIR
BRIGHTON CO 80602

MOE ADAM AND
MOE ROCHELLE
OR CURRENT RESIDENT
16160 IOLA ST
BRIGHTON CO 80602-7615

LEMKE KAREN B
OR CURRENT RESIDENT
16114 LOMAND CIR
BRIGHTON CO 80602-7520

MORGAN JEFFREY J B
OR CURRENT RESIDENT
9465 E 161ST AVE
BRIGHTON CO 80601-7524

MURPHY THOMAS J JR AND
KENNEDY MURPHY RINTHEA
OR CURRENT RESIDENT
10593 E 163RD AVE
BRIGHTON CO 80602-7505

RUYBAL LEPIO J JR AND
GARCIA ROSAMARIA
OR CURRENT RESIDENT
16072 HI LAND CIR
BRIGHTON CO 80602-7514

ONAKA CLARENCE S REVOCABLE LIVING TRUST UND
50% INT AND
CARVALHO ELIZABETH M TRUST UND 50% INT
OR CURRENT RESIDENT
10600 E 163RD CT
BRIGHTON CO 80602-7537

SCHLEIS STEVEN J AND
SCHLEIS BARBARA J
OR CURRENT RESIDENT
16191 IOLA ST
BRIGHTON CO 80602-7615

OTTO JOHN C AND
BRONSON BARBARA T
OR CURRENT RESIDENT
16190 GENEVA CT
BRIGHTON CO 80602-7548

SCHLOSSER ROBERT R AND
SCHLOSSER SUSAN R
OR CURRENT RESIDENT
16124 LOMAND CIR
BRIGHTON CO 80601

OWERS CHARLES AND
OWERS MICHIE
OR CURRENT RESIDENT
16065 LOMAND CIR
BRIGHTON CO 80602-7517

SMITH MICHAEL F AND
SMITH DIANE M
OR CURRENT RESIDENT
9520 E 160TH PL
BRIGHTON CO 80602

PATRONITI ROBERT AND
PATRONITI SILENE
OR CURRENT RESIDENT
16000 GENEVA CT
BRIGHTON CO 80602-7548

STOCKTON JEFFERY L AND
STOCKTON ALAYNA M
OR CURRENT RESIDENT
16155 LOMAND CIR
BRIGHTON CO 80602-7519

PETERS JAMES AND
PETERS DENISE COUTURIE
OR CURRENT RESIDENT
16140 IOLA ST
BRIGHTON CO 80602-7615

THOMPSON ROGER C AND
THOMPSON PATRICIA R
OR CURRENT RESIDENT
16063 HI LAND CIR
BRIGHTON CO 80602-7513

PEVLER FRANK L
OR CURRENT RESIDENT
16164 DALLAS STREET
BRIGHTON CO 80602

TORRES JOSE LUIS
OR CURRENT RESIDENT
16154 LOMAND CIR
BRIGHTON CO 80602-7520

PICCOLO JAMES THOMAS AND
PICCOLO KELLI JEAN
OR CURRENT RESIDENT
16052 HI LAND CIR
BRIGHTON CO 80602-7514

TOTAL AUTO COVERAGE CORPORATION
OR CURRENT RESIDENT
9315 E 160TH AVE
BRIGHTON CO 80602

PRASAD MANOJ AND
PRASAD JOANNE
OR CURRENT RESIDENT
16131 IOLA ST
BRIGHTON CO 80602-7615

WAGERS KENNETH AND
WAGERS KELLY A
OR CURRENT RESIDENT
16152 HI LAND CIR
BRIGHTON CO 80602-7516

REID RICKY L AND
REID PATRICIA
OR CURRENT RESIDENT
16043 HI LAND CIR
BRIGHTON CO 80602

WALTER MICHAEL J AND
WALTER LISA A
OR CURRENT RESIDENT
10627 E 162ND PL
BRIGHTON CO 80602

WATKINS BILLY J
OR CURRENT RESIDENT
16300 YOSEMITE ST
BRIGHTON CO 80602

CURRENT RESIDENT
9930 E 160TH PL
BRIGHTON CO 80602-5606

WEGLIN GREG L AND
WEGLIN BRANDY K
OR CURRENT RESIDENT
16115 LOMAND CIR
BRIGHTON CO 80602-7519

CURRENT RESIDENT
9941 E 160TH PL
BRIGHTON CO 80602-5606

WENK BRIAN A AND
WENK LYNDA M
OR CURRENT RESIDENT
16123 HI LAND CIR
BRIGHTON CO 80602-7515

CURRENT RESIDENT
9970 E 160TH PL
BRIGHTON CO 80602-5606

WHITMORE GERALD P AND
WHITMORE DEBRA A
OR CURRENT RESIDENT
16020 GENEVA CT
BRIGHTON CO 80602-7548

CURRENT RESIDENT
10210 E 160TH PL
BRIGHTON CO 80602-5607

WOLTERS EDWARD W AND
WOLTERS HOLLY M
OR CURRENT RESIDENT
16145 LOMAND CIR
BRIGHTON CO 80602-7519

CURRENT RESIDENT
10040 E 160TH PL
BRIGHTON CO 80602-5608

WORSTER RONALD P AND
WORSTER ROBERTA M
OR CURRENT RESIDENT
10780 E 162ND DR
BRIGHTON CO 80602-7508

CURRENT RESIDENT
10080 E 160TH PL
BRIGHTON CO 80602-5608

YOUNG CAROL L
OR CURRENT RESIDENT
16153 DALLAS ST
BRIGHTON CO 80602

CURRENT RESIDENT
10120 E 160TH PL
BRIGHTON CO 80602-5608

YOUNG GEORGE M AND KAREN M
OR CURRENT RESIDENT
16075 LOMAND CIR
BRIGHTON CO 80602

CURRENT RESIDENT
10170 E 160TH PL
BRIGHTON CO 80602-5608

ZAGEL JAMES R AND
ZAGEL PAULA J
OR CURRENT RESIDENT
16168 DALLAS ST
BRIGHTON CO 80602-7512

CURRENT RESIDENT
9820 E 160TH PL
BRIGHTON CO 80602-5618

CURRENT RESIDENT
9911 E 160TH PL
BRIGHTON CO 80602-5606

CURRENT RESIDENT
9880 E 160TH PL
BRIGHTON CO 80602-5618

CURRENT RESIDENT
9230 E 168TH AVE
BRIGHTON CO 80602-6606

CURRENT RESIDENT
16380 YOSEMITE ST
BRIGHTON CO 80602-7506

CURRENT RESIDENT
16062 HI LAND CIR
BRIGHTON CO 80602-7514

CURRENT RESIDENT
9580 E 160TH AVE
BRIGHTON CO 80602-7522

CURRENT RESIDENT
9414 E 161ST AVE
BRIGHTON CO 80602-7523

CURRENT RESIDENT
9425 E 161ST AVE
BRIGHTON CO 80602-7524

CURRENT RESIDENT
16040 GENEVA CT
BRIGHTON CO 80602-7548

CURRENT RESIDENT
10200 E 159TH CT
THORNTON CO 80602-7976

CURRENT RESIDENT
15975 ELMIRA ST
BRIGHTON CO 80602-8620

CURRENT RESIDENT
15959 HAVANA ST
BRIGHTON CO 80602-8650

Adams County
Attn: Planning Addressing
PLN

Adams County Construction Inspection
Attn: PWCI .
PWCI

Adams County Development Services - Building
Attn: Justin Blair
4430 S Adams County Pkwy
Brighton CO 80601

Adams County Treasurer: Send email
Attn: Adams County Treasurer
bgrimm@adcogov.org

BRIGHTON FIRE DISTRICT
Attn: Carla Gutierrez
500 South 4th Avenue
3rd Floor
BRIGHTON CO 80601

BRIGHTON SCHOOL DISTRICT 27J
Attn: Kerrie Monti
1850 EGBERT STREET
SUITE 140, BOX 6
BRIGHTON CO 80601

Century Link, Inc
Attn: Brandyn Wiedreich
5325 Zuni St, Rm 728
Denver CO 80221

Code Compliance Supervisor
Attn: Eric Guenther
eguenther@adcogov.org

COLO DIV OF WATER RESOURCES
Attn: Joanna Williams
OFFICE OF STATE ENGINEER
1313 SHERMAN ST., ROOM 818
DENVER CO 80203

COLO DIV OF WATER RESOURCES
Attn: Joanna Williams
OFFICE OF STATE ENGINEER
1313 SHERMAN ST., ROOM 818
DENVER CO 80203

COLORADO DEPT OF TRANSPORTATION
Attn: Steve Loeffler
2000 S. Holly St.
Region 1
Denver CO 80222

COLORADO DIVISION OF WILDLIFE
Attn: Eliza Hunholz
Northeast Regional Engineer
6060 BROADWAY
DENVER CO 80216-1000

COLORADO DIVISION OF WILDLIFE
Attn: Serena Rocksund
6060 BROADWAY
DENVER CO 80216

COLORADO GEOLOGICAL SURVEY
Attn: Jill Carlson
1500 Illinois Street
Golden CO 80401

Colorado Geological Survey: CGS_LUR@mines.edu
Attn: Jill Carlson
Mail CHECK to Jill Carlson

COMCAST
Attn: JOE LOWE
8490 N UMITILLA ST
FEDERAL HEIGHTS CO 80260

COUNTY ATTORNEY- Email
Attn: Christine Francescani
CFrancescani@adcogov.org

Eagle Shadow Metro District 1/ Spencer Fane
Attn: JIM WORTHY
1700 Lincoln Street
Suite 2000
Denver CO 80203

Engineering Department - ROW
Attn: Transportation Department
PWE - ROW

Engineering Division
Attn: Transportation Department
PWE

Hi-Land Acres Water & Sanitation District
Attn: Gabby Begeman
10086 E 159th Ave
Nancy Gay - 303-637-7499
Brighton CO 80601

United Power, Inc
Attn: Marisa Dale
PO Box 929
500 Cooperative Way
Brighton CO 80601

NS - Code Compliance
Attn: Joaquin Flores

UNITED STATES POST OFFICE
Attn: MARY C. DOBYNS
56691 E COLFAX AVENUE
STRASBURG CO 80136-8115

Parks and Open Space Department
Attn: Nathan Mosley
mpedrucci@adcogov.org
aclark@adcogov.org

Xcel Energy
Attn: Donna George
1123 W 3rd Ave
DENVER CO 80223

REGIONAL TRANSPORTATION DIST.
Attn: CHRIS QUINN
1560 BROADWAY SUITE 700
DENVER CO 80202

SHERIFF'S OFFICE: SO-HQ
Attn: MICHAEL McINTOSH
nblair@adcogov.org, aoverton@adcogov.org; mkaiser@adcog
snielson@adcogov.org

Sheriff's Office: SO-SUB
Attn: SCOTT MILLER
TFuller@adcogov.org, smiller@adcogov.org
aoverton@adcogov.org; mkaiser@adcogov.org

Todd Creek Village Metropolitan District
Attn: Roger Hollard
10450 E. 159th Ct.
BRIGHTON CO 80602

TRI-COUNTY HEALTH DEPARTMENT
Attn: MONTE DEATRICH
4201 E. 72ND AVENUE SUITE D
COMMERCE CITY CO 80022

TRI-COUNTY HEALTH DEPARTMENT
Attn: Sheila Lynch
6162 S WILLOW DR, SUITE 100
GREENWOOD VILLAGE CO 80111

Tri-County Health: Mail CHECK to Sheila Lynch
Attn: Tri-County Health
landuse@tchd.org



PUBLIC HEARING AGENDA ITEM

DATE OF PUBLIC HEARING: June 16, 2020
SUBJECT: Intergovernmental Agreement between City of Westminster and Adams County Regarding the Small Business Stabilization Program
FROM: Jill Jennings Golich, Community & Economic Development Director
AGENCY/DEPARTMENT: Community & Economic Development
HEARD AT STUDY SESSION ON: June 2, 2020
AUTHORIZATION TO MOVE FORWARD: <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
RECOMMENDED ACTION: Board of County Commissioners approve and authorize the Chair to execute the attached Intergovernmental Agreement (IGA) between Adams County and City of Westminster to allow the City's participation in the Small Business Stabilization Program (SBSP).

BACKGROUND:

In response to the COVID-19 Pandemic, Community and Economic Development launched the SBSP on May 4, 2020 to help aid in the recovery efforts with COVID-19. The SBSP to help reduce the negative impacts of the COVID-19 outbreak on local businesses. The program is funded with Community Development Block Grant (CDBG) funds.

The SBSP aids local businesses with short-term working capital to avoid job loss and provide organizational stability caused by closures related to social distancing. The funding would provide up to a \$35,000 grant to the small business, if established criteria is met.

City of Westminster City Council unanimously voted on May 18, 2020 to contribute its CDBG CARES ACT funds (CDBG-CV) funds, \$371,728, to the program. This contribution will allow for businesses within the City of Westminster to apply for the program.

To establish the City's participation in the SBSP, Adams County and the City of Westminster must execute an IGA to carry out the program. Staff recommends approval of the attached IGA and requests authorization for the Chair to execute the IGA.

AGENCIES, DEPARTMENTS OR OTHER OFFICES INVOLVED:

County Attorney's Office

ATTACHED DOCUMENTS:

Resolution

Intergovernmental Agreement (IGA) between the City of Westminster and Adams County
Regarding the Small Business Stabilization Program for Response to Economic Impacts
Associated with COVID-19

FISCAL IMPACT:

Please check if there is no fiscal impact . If there is fiscal impact, please fully complete the section below.

Fund: 30

Cost Center: To be determined

	Object Account	Subledger	Amount
Current Budgeted Revenue:			
Additional Revenue not included in Current Budget:			
Total Revenues:			<hr/> <hr/>

	Object Account	Subledger	Amount
Current Budgeted Operating Expenditure:	8810		\$6,710,658
Add'l Operating Expenditure not included in Current Budget:			
Current Budgeted Capital Expenditure:			
Add'l Capital Expenditure not included in Current Budget:			
Total Expenditures:			<hr/> <hr/> \$6,710,658

New FTEs requested: YES NO

Future Amendment Needed: YES NO

Additional Note:

BOARD OF COUNTY COMMISSIONERS FOR
ADAMS COUNTY, STATE OF COLORADO

RESOLUTION APPROVING INTERGOVERNMENTAL AGREEMENT BETWEEN THE
CITY OF WESTMINSTER AND ADAMS COUNTY REGARDING THE SMALL BUSINESS
STABILIZATION PROGRAM FOR RESPONSE TO ECONOMIC IMPACTS ASSOCIATED
WITH COVID-19

Resolution 2020-

WHEREAS, the U.S. Department of Housing and Urban Development (HUD) has designated Adams County (County) as an Urban Entitlement County under the Community Development Block Grant (CDBG) Program; and,

WHEREAS, in response to the Presidentially declared National Emergency surrounding COVID-19, Adams County has identified local community and economic development needs that must urgently be addressed; and,

WHEREAS, to help aid in the recovery efforts with COVID-19, Adams County launched a Small Business Stabilization Program on May 4 utilizing Community Development Block Grant funding; and,

WHEREAS, City of Westminster City Council unanimously voted on May 18, 2020 to contribute its CDBG CARES ACT funds (CDBG-CV), \$371,728, to the Adams County's Small Business Stabilization Program; and,

WHEREAS, to establish the City's participation in Adams County's Small Business Stabilization Program, Adams County and the City of Westminster must execute an Intergovernmental Agreement to carry out the program.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners, County of Adams, State of Colorado, that the Intergovernmental Agreement between the City of Westminster and Adams County Regarding the Small Business Stabilization Program for Response to Economic Impacts Associated with COVID-19 be approved.

BE IT FURTHER RESOLVED, that the Chair is authorized to sign the Intergovernmental Agreement between the City of Westminster and Adams County Regarding the Small Business Stabilization Program for Response to Economic Impacts Associated with COVID-19

BE IT FURTHER RESOLVED, that the Director of the Community and Economic Development Department and the Community Development Manager are hereby authorized to sign necessary non-contractual documents to carry out the ongoing activities of the Adams County Small Business Stabilization Program

BE IT FURTHER RESOLVED, that the Director of the Community and Economic Development Department is hereby authorized to sign necessary Small Business Stabilization Program grant Agreements.

**INTERGOVERNMENTAL AGREEMENT BETWEEN
THE CITY OF WESTMINSTER AND ADAMS COUNTY
REGARDING THE SMALL BUSINESS STABILIZATION PROGRAM FOR RESPONSE
TO ECONOMIC IMPACTS ASSOCIATED WITH COVID-19**

This Intergovernmental Agreement Regarding the Small Business Stabilization Program for Response to Economic Impacts Associated with COVID-19 (“Agreement”) is made and effective this ___ day of May, 2020, by and among the **CITY OF WESTMINSTER**, a Colorado home rule municipality, whose principal business address is 4800 West 92nd Avenue, Westminster, Colorado 80031 (“City”), and the **COUNTY OF ADAMS, STATE OF COLORADO**, whose principal business address is 4430 South Adams County Parkway, Brighton, Colorado 80601 (“County”). The City and County may be referred to collectively as “Parties,” and individually as “Party,” and the Small Business Stabilization Program may be referred to as “Program”.

WHEREAS, Section 18(2) of Article XIV of the Colorado Constitution, as well as Section 29-1-201, *et seq.*, and 29-20-105 of the Colorado Revised Statutes authorize and encourage governments to cooperate by contracting with one another for their mutual benefit; and

WHEREAS, the United States Department of Housing and Urban Development (“HUD”) disbursed additional Community Development Block Grant funds (“CDBG-CV”) provided by the Coronavirus Aid, Relief, and Economic Security Act (“CARES”) for communities to provide a wide range of resources to address COVID-19; and

WHEREAS, the COVID-19 pandemic has created significant and unprecedented economic impacts to individuals and families, businesses and organizations, and state and local governments; and

WHEREAS, the City and County recognize the need to provide short-term working capital assistance to small businesses to enable retention of jobs and provide organizational stability; and

WHEREAS, the City and County have determined that it will be mutually beneficial and in the public interest to enter into this Agreement to fund and administer the Program with CDBG-CV funds that will maximize the use of resources available to local governments to respond to the economic impacts associated with the COVID-19 pandemic; and

WHEREAS, the Program identified in Attachment A, attached hereto and incorporated herein, shall be amended to include City businesses as eligible recipients subsequent to approval of this Agreement; and

WHEREAS, City businesses shall receive assistance proportional to the amount of the City’s contribution of CDBG-CV funds in the amount of \$371,728 to the Program.

NOW, THEREFORE, in consideration for the making and performance of the mutual promises and covenants contained herein, the Parties agree as follows:

1.0 SCOPE OF WORK.

1.1 The City shall contribute CDBG-CV funds to the Program to be administered by the County according to the criteria shown in Attachment A, which shall be amended to include City businesses as eligible recipients. The policies and procedures for administering the Program may also be amended for clarification and to improve processing, but the County will not make substantive changes that

would impact the City's interests without prior written approval by the City's project manager.

- 1.2 The Program commenced at the discretion of the County on May 4, 2020, with County funds. The Program will terminate when all allocated funds have been exhausted. The City shall benefit from the Program so long as the City's CDBG-CV funds are available for use. No Program activities shall commence on behalf of the City until a completed HUD Environmental Review has been accepted.
- 1.3 The County will be a designated sub-recipient of CDBG-CV funds, and under the rules and regulations of HUD, the City must monitor the Program for compliance. This will be achieved by the City acting as the final reviewer in the approval process.

2.0 PAYMENT. The City shall pay the County up to the full amount of awarded CDBG-CV funds, \$371,728 for operation of this Program. The County will accept, review, approve, award contracts, and pay the grants on behalf of the City and request to draw the funds from the City following the awards to applicants.

3.0 PROJECT MANAGER.

- 3.1 The City's project manager for the Program is Jenni Grafton, Housing Policy and Development Manager, Department of Economic Development.
- 3.2 The County's project manager for the Program is Melissa Scheere, Community Development Manager, Department of Community and Economic Development.
- 3.3 The project managers from the City and County shall be the primary points of contact for questions and inquiries about the Program and shall be responsible for reporting the progress of the Program to their respective entities, as well as any problems which might arise. The Parties may change their designated project managers upon written notice to the other Party. All notices given pursuant to this Agreement should be sent to the attention of the project manager of the Party to whom the notice is being given.

4.0 COOPERATION. The City and County hereby agree that, upon execution of this Agreement and commencement of the Program, they will cooperate with each other to the fullest extent in the administration, reporting, and review processes as required by HUD and one another to ensure the successful implementation of the Program.

5.0 INSURANCE AND INDEMNIFICATION. During the term of this Agreement, both Parties shall maintain property and general liability insurance in commercially reasonable amounts. Either or both Parties may meet this obligation through their membership in the insurance pool provided by the Colorado Intergovernmental Risk Sharing Agency to insure them from claims arising from the Program.

6.0 ADDITIONAL DOCUMENTS OR ACTION. The Parties agree to execute any additional action that is necessary to carry out this Agreement.

7.0 ASSIGNMENT. This Agreement shall not be assigned by either Party without the prior written consent of the other Party.

- 8.0 FORCE MAJEURE.** Any delays in or failure of performance by either Party of its obligations under this Agreement shall be excused if such delays or failure are a result of acts of God, pandemics, fires, floods, strikes, labor disputes, accidents, regulations or orders of civil or military authorities, shortages of labor or materials, or other causes, similar or dissimilar, which are beyond the control of either Party.
- 9.0 BINDING EFFECT.** This Agreement shall inure to the benefit of, and be binding upon, the Parties, their respective legal representative, successors, and assigns.
- 10.0 ATTACHMENT.** All recitals and Attachment A are incorporated herein for all purposes.
- 11.0 NOTICES.** Any notice required or permitted by this Agreement shall be in writing and shall be deemed to have been sufficiently given for all purposes if sent by certified mail or registered mail, postage and fees prepaid, addressed to the project manager as referenced in paragraph 3.0 above, or at such other address as has been previously furnished in writing, to the other Party. Such notice shall be deemed to have been given when deposited in the United States mail.
- 12.0 AMENDMENTS.** This Agreement represents the entire agreement between the Parties, and there are no oral or collateral agreements or understandings. This Agreement may be amended only by an instrument in writing signed by the Parties. If any other provision of the Agreement is held invalid or unenforceable, no other provision shall be affected by such holding, and all of the remaining provisions of this Agreement shall continue in full force and effect.
- 13.0 DEFAULT.** If any payment or any other condition, obligation, or duty is not timely made, tendered, or performed by either Party, then this Agreement may be terminated by the non-defaulting Party, if such default is not cured by the defaulting Party within thirty (30) days of receipt of a notice of default from the non-defaulting Party. If the non-defaulting Party elects to treat this Agreement as being in full force and effect, the non-defaulting Party shall have the right to an action for specific performance or damage or both.
- 14.0 EMPLOYEMENT STATUS.** This Agreement shall not change the employment status of any employees of the Parties. No party shall have the right to control or direct the activities of any employees of another related to this Agreement.
- 15.0 APPROPRIATIONS.** Notwithstanding any other term, condition, or provision herein, each and every obligation of the Parties stated in this Agreement is subject to the requirement of a prior appropriation of funds therefor by the appropriate governing body of the City and County.
- 16.0 GOVERNING LAW AND VENUE.** This Agreement shall be governed by the laws of the State of Colorado. Venue for any action arising under this Agreement or for the enforcement of this Agreement shall be in the appropriate court in Adams County, Colorado.
- 17.0 GOVERNMENTAL IMMUNITIES.**
- 17.1 The Parties hereto intend that nothing herein shall be deemed or construed as a waiver by either Party of any rights or protections afforded to them under the Colorado Governmental Immunity Act (Section 24-10-101, C.R.S., *et seq.*)

17.2 The City and County agree that in the event any claim or suit is brought against either or both Parties by any third party as a result of the operation of this Agreement that both Parties will cooperate with each other, and with the insuring entities of both Parties, in defending such claim or suit.

The Parties hereto have caused this Agreement to be executed by properly authorized signatories as of the date and year first above written.

CITY OF WESTMINSTER

Mayor Herb Atchison

ATTEST:

Michelle Parker, City Clerk

APPROVED AS TO LEGALFORM:

David Frankel, Westminster City Attorney

BOARD OF COUNTY COMMISSIONERS
ADAMS COUNTY, COLORADO

Chair

ATTEST:

Erica Hannah, Deputy Clerk

APPROVED AS TO LEGAL FORM:

Adams County Attorney's Office



**SMALL BUSINESS STABILIZATION PROGRAM
POLICIES & PROCEDURES**

COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT
COMMUNITY DEVELOPMENT DIVISION

Updated May 1, 2020

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I. INTRODUCTION

In response to the economic hardships experienced by small businesses from the COVID-19 pandemic, Adams County Community and Economic Development is launching the Small Business Stabilization Program (SBSP) to retain jobs and stabilize local businesses. This program will use U.S. Department of Housing and Urban Development (HUD) Community Development Block Grant (CDBG) funding for the objective of aiding Adams County businesses to retain or create jobs for low-to-moderate income persons.

SBSP provides a grant assistance to eligible businesses that have taken financial losses as a result of public health orders for social distancing in response to the COVID-19 outbreak. Applicants may apply to pay for either: 1.) Two (2) months of salaries or wages (not including benefits) for one (1) FTE qualified low-to-moderate income employee; or 2.) Four (4) months of 50% workspace rent or mortgage costs.

As a result of the grant, the business must agree to retain one or more low-to-moderate income staff for the agreement term, two (2) or four (4) months. The business must have no more than twenty-five (25) full-time equivalent (FTE) employees at the time of application.

Grants provided will be up to a maximum of \$35,000 per business, however, the award is dependent on the demonstrated need.

II. PROGRAM FRAMEWORK

1. PROGRAM OBJECTIVE

Applicants may apply to pay for either: 1.) Two (2) months of salaries or wages (not including benefits) for one (1) FTE qualified low-to-moderate income employee; or 2.) Four (4) months of 50% workspace rent or mortgage costs.

Overall, the program objective is to retain or create jobs affected by the COVID-19 pandemic. The applicant must commit to retaining employees or creating jobs. The positions retained or created must be held by employees who are a member of a low-/moderate-income household (under 80% Area Median Income [AMI]) for the Denver-Aurora-Lakewood CO MSA, available in **Exhibit A – HUD Low/Mod Household Income Thresholds.**

For the purpose of the program, job retention means that if the proposed grant is not awarded, the position will need to be eliminated. Job creation is defined as the position was already eliminated as a result of public health orders and the grant will allow for the business to bring the employee back to work.

2. ELIGIBILITY AND TERMS

Eligible businesses will be evaluated based on the eligibility criteria and the order in which completed applications are received. Eligible businesses will be awarded a grant based on the need of the business; however, awards will be a minimum of \$1,000 and up to \$35,000 in grant funds.

a. Eligibility Criteria

The following requirements must be met:

- The business must have 1-25 full-time equivalent (FTE) employees, as of February 12, 2019.
- The business must be a for-profit business or organization and have a physical establishment within an eligible CDBG Urban County area, which includes:
 - Unincorporated Adams County;
 - Town of Bennett;
 - City of Brighton;
 - City of Federal Heights; or,
 - City of Northglenn.
- Businesses with more than one physical location in the areas listed above may apply for the grant program for one location only. For purposes of estimating FTEs, the FTE count shall be based only on the specific location applying for the grant.
- The applicant must be at least 18 years of age and have ownership interest in the business.
- The applicant must have a valid Social Security number, an Employer Identification Number (EIN), and bank account that accepts wire transfers.
- The applicant cannot be debarred from receiving federal funding.

- The applicant, business owners, or business must not currently be in bankruptcy.
- The applicant must prove that the business has experienced a loss of revenue due to Public Health Orders enacted for COVID-19.
- The applicant must demonstrate how the grant will pay for rent/mortgage or salaries and benefits for low-to-moderate income employees.
- As a result of the grant, the applicant must demonstrate how the grant will create or retain job(s) for low-to-moderate income individuals or families. Specifically, at least one FTE job (1,750 hours annually) must be created/retained.
- The business must prove they have been in operation since February 12, 2019 and must possess an active local business license and/or business certification from the office of the Colorado Secretary of State.
- The business must be in good standing for any permits or licenses issued by their respective jurisdictions.
- The applicant must be able to demonstrate the business was unable to obtain other forms of assistance or did not receive enough assistance (i.e., Small Business Assistance, Paycheck Protection Program, and other small business loans/grants).
- The applicant or any other business owners must not have a conflict of interest in accordance with the Adams County Code of Ethics policy, available at <http://www.adcogov.org/sites/default/files/Code-of-Ethics-v201807.pdf>.
- Owner/Applicant must be current with property taxes and local Adams County and/or city fees, or has a payment plan in place with County and/or City as of March 12, 2020.
- Business must have active liability insurance.

b. Contingency of Award

- The applicant must obtain a Data Universal Numbering System (DUNS) number.
 - **Exhibit B – Helpful Resources**
- The applicant must register in Department of Labor’s System for Award Management (SAM) system (SAM.gov) and cannot be debarred from receiving federal funding.
 - **Exhibit B – Helpful Resources**
- Businesses will be evaluated based on the Eligibility Criteria. Further, grant awards are contingent on underwriting review by Adams County staff pursuant to 24 CFR 570.209(a). Policies relating to Underwriting can be found in **Exhibit C –Underwriting Criteria.**
- Eligible businesses will be awarded a grant based on the demonstrated payroll or rent/mortgage needs of the business; however, awards will be a minimum of \$1,000 and up to \$35,000 in grant funds.
- All grants must have an environmental review conducted pursuant to 24 CFR Part 58. Adams County staff will complete the environmental review upon award.
- The applicant must agree to the terms and conditions of the grant through a written agreement. The agreement must be signed by an individual who has signatory authority on behalf of the business.

c. Ineligible Applicants

An ineligible existing business applicant is one that has a physical business location outside of the Adams County CDBG Urban County jurisdictional boundaries, defined above.

Due to Federal requirements, non-profit organizations are not eligible businesses and will not be considered for funding.

Other ineligible businesses include payday grant businesses, liquor and tobacco stores, marijuana stores and establishments, pawn shops, firearm or other weapons dealers, adult entertainment, passive real estate investments, home-based businesses operating without appropriate zoning and/or permits and licenses, or any businesses operating without appropriate zoning and/or permits and licenses.

d. Eligible Use of Funds

The Adams County will review the proposed use of the funds and supporting documentation submitted in the application. Grants are restricted to certain eligible costs, specifically those related to rent payments, mortgage payments, or staff salaries.

Applicants may apply to pay for either: 1.) Two (2) months of salaries or wages (not including benefits) for one (1) FTE qualified low-to-moderate income employee; or 2.) Four (4) months of 50% workspace rent or mortgage costs.

e. Ineligible Use of Funds

In addition to CDBG-ineligible costs outlined in 24 CFR 570, funds may not be used for the following, but are not limited to:

- Reimburse expenses incurred prior to approval of grant.
- Pay off non-business debt, such as personal credit cards for purchases not associated with the business.
- Purchase personal expenses such as buying a new family car or making repairs to a participant's home.
- Direct financing to political activities or paying off taxes and fines.
- Purchase personal items.
- Support other businesses in which the borrower may have an interest.
- Physical improvements to the business.
- Purchase of goods or equipment for the business.
- Acquisition of property.
- Reimbursement for services.

Further, CDBG funding used for economic development must meet Public Benefit Standards. HUD has determined that certain economic development activities by their nature fail to provide sufficient public benefit. They are:

- An activity in which the grant recipient promotes the community as a whole (as opposed to promotion of specific areas and programs).
- Assistance to a professional sports team.

- Assistance to privately-owned recreational facilities that serve a predominantly higher-income clientele, where the recreational benefit to be derived by users or members clearly outweighs the employment or other benefits to low-to-moderate income persons.
- Acquisition of land for which the specific proposed use has not yet been identified.
- Assistance to a for-profit business while that business or any other business owned by the same person(s) or entity(ies) is the subject of unresolved findings of noncompliance relating to previous CDBG assistance provided to the business.

Therefore, any activity subject to the Public Benefit Standards that falls into any of the above descriptions may not be assisted with CDBG funds regardless of any other aspect of the activity.

f. Terms

Financial assistance from the program is designed to keep businesses operational and retain jobs. Terms and conditions are determined by the materials submitted in the application.

Eligible applicants must agree to the following terms:

- The funding is in the form of a grant.
- Business must be able to provide evidence (in the form of payroll records and/or mortgage or rent expenses) to Adams County to demonstrate how job(s) will be retained or created for at least four (4) months. If the terms are not met, funds must be repaid to Adams County.
- The applicant must agree to the terms and conditions of the grant through a written agreement. The agreement must be signed by an individual who has signatory authority on behalf of the business.
- The grant is disbursed on a monthly basis, over the course of the term of the agreement.
- The applicant must submit monthly grant draw requests with the required reports through Adams County's Neighborly grant portal.
- The applicant must agree to retain/create at least one job for a low-to-moderate income individual through the term of the agreement. The amount of jobs to be retained/created will be established in the applicant's agreement. This information must be certified by the employee and be submitted to Adams County on a monthly basis.
- The applicant must agree to provide Adams County with certain income and demographic data from applicants and their employees.
- Adams County must be allowed to collect 3rd party documentation such as financial information that demonstrates the potential business closure or layoffs.

III. AWARD AND PROGRAM PROCESS

1. APPLICATION

Applications will be open beginning on May 4, 2020 through Adams County's Neighborly grant portal. Adams County will stop accepting applications when fifty (50) completed applications are received. If funding is still available, or additional funding is made available, after the review of the first fifty (50) applications, Adams County will reopen the application to more applications.

2. APPLICATION REVIEW

Applications to the program are reviewed on a first come, first served basis until all initial funding is exhausted.

Adams County must confirm, through underwriting, that the business and the applicant(s) possess the capacity to execute the project proposal to be successful with the CDBG funds. As such, grant applicants for the program are required to demonstrate management capacity and ability to successfully operate a business through their applications.

Adams County staff will review the submitted applications within fourteen (14) calendar days of receipt of the completed. The application will be reviewed based on the Eligibility Criteria, Section II. 2(a), Eligibility Criteria and HUD's required underwriting standards, **Exhibit B – Underwriting Criteria**. HUD underwriting standards are defined at 24 CFR 570.209(a).

If the applicant is not eligible for funding, Adams County will email an official denial letter and the reason for denial.

3. AWARD

After determining eligibility and award amount, Adams County staff will contact the applicant via email. Adams County will send an official award determination, welcome packet, and agreement for signature. If the applicant wishes to proceed with the program, the applicant must return a signed agreement via email and mail within ten (10) calendar days of the date of the email. If the applicant does not respond within ten (10) calendar days, the Adams County will assume the applicant does not wish to participate in the SBSP and that specific award amount will be reallocated to another successful applicant.

The Director of Community and Economic Development is authorized by Resolution to sign agreements to carry out the program. A fully executed agreement will be emailed to the applicant. Upon receipt of the fully executed agreement, the business may proceed with requesting the first reimbursement request.

4. REIMBURSEMENT

Reimbursement terms and conditions are outlined in individual agreements with the applicant and Adams County.

Generally, funds will be disbursed upon request from the business applicant. The first draw will be allowed immediately following receipt of the fully executed agreement. Thereafter, draws will be allowed once monthly over the term of the agreement. The applicant must submit grant draws through the Neighborly grant portal and provide required documentation of eligible project expenses as outlined in the agreement (i.e., rent/mortgage expenses or salary expenses for the low-to-moderate income staff).

CDBG funds will only be disbursed for reimbursement to the applicant for documented eligible project expenses. If the applicant is unable to provide the required documentation, Adams County reserves the right to rescind the grant at any time.

Upon receipt of an eligible draw request, Adams County staff will follow its internal financial policies and procedures to pay the applicant through the Finance Department. The applicant will receive a check or ACH payment. After successful disbursement, Community Development staff will request reimbursement from HUD through Integrated Disbursement and Information System (IDIS).

5. GRANT CLOSEOUT

Upon successful completion of agreement term, Adams County staff will closeout the grant in the Neighborly grant portal and report accomplishments to HUD through IDIS.

The applicant will be notified when the grant has been successfully closed out. At this point, no further funds will be available to the applicant and the applicant will no longer supply Adams County with necessary documentation.

IV. MISCELLANEOUS PROGRAM INFORMATION

1. CDBG PROGRAM COMPLIANCE

Adams County will follow all CDBG compliance requirements set forth at 24 CFR Part 570, including but not limited to reporting on program specific outcomes and demographic information.

1. PROGRAM MARKETING AND OUTREACH

Program marketing will be conducted by Adams County Communications Department and stakeholders. Examples of marketing might include media coverage with ads in local papers or distribution of marketing brochures to local chamber of commerce and business networking organizations.

2. EQUAL OPPORTUNITY COMPLIANCE

The program will be implemented in ways consistent with Adams County's commitment to State and Federal equal opportunity laws. No person or business shall be excluded from participation in, denied the benefit of, or be subjected to discrimination under any program or activity funded in whole or in part with CDBG program funds on the basis of his or her religion, religious affiliation, age, race, color, ancestry, national origin, sex, marital status, familial status (number or ages of children), physical or mental disability, sexual orientation, or other arbitrary cause.

2. APPLICANT CONFIDENTIALITY

All personal and business financial information will be kept confidential to the extent permitted by law. Participant files with personal and business confidential information will be kept digitally in accordance with Adams County Information Technology and Innovation's Information Security Policies & Standards.

3. DISPUTE RESOLUTION/APPEALS PROCEDURE

Applicants whose applications are not selected or not deemed eligible have the right to appeal limited to procedural errors in the selection process. Appeals must be submitted within seven (7) days of the date of receipt of the official denial letter. Appeals are to be submitted to Adams County Development Division Manager. Contact information is outlined in **Exhibit D – Adams County Contacts**.

The appeal must state all facts and arguments upon which the appeal is based. The Manager, or the appointed designee, will review the content of the program's Policies & Procedures, the applicant's application, and the facts which form the basis for the appeal. The Manager, or the appointed designee, will render a written decision within thirty (30) business days of the receipt of the appeal.

If no such procedural errors are found to have occurred, the decision of Adams County staff shall be final.

4. EXCEPTIONS / SPECIAL CIRCUMSTANCES

Adams County reserves the right, at its sole discretion, to deviate from the Policies & Procedures in extenuating circumstances. A request for exception to program guidelines shall be submitted to staff in writing by applicant. Exceptions are defined as any action which would depart from these Policies & Procedures.

V. EXHIBIT A – HUD LOW/MOD HOUSEHOLD INCOME THRESHOLDS

The income thresholds below are established by HUD on an annual basis. The incomes are based on 80% of the Denver-Aurora-Lakewood Metropolitan Statistical Area's median family income of \$100,000. Eligible employee's must fall into the salary ranges below and may not exceed the income limit based on their household size.

Family Size	Income Limit
1	\$54,950
2	\$62,800
3	\$70,650
4	\$78,500
5	\$84,800
6	\$91,100
7	\$97,350
8	\$103,6500

VI. EXHIBIT B – HELPFUL LINKS

Adams County Community & Economic Development

<http://www.adcogov.org/CED>

Adams County Community Development Division

<http://www.adcogov.org/community-development>

Adams County Small Business Stabilization Program

<http://www.adcogov.org/sbsp>

Federal EIN

<https://www.irs.gov/businesses/small-businesses-self-employed/apply-for-an-employer-identification-number-ein-online>

Adams County's COVID-19 Response & Recovery Resource Page

<http://adamscountycovid19.org/>

Dun & Bradstreet DUNS Number

<https://www.dnb.com/duns-number/get-a-duns.html>

SAM and CAGE Code Registration

<https://www.sam.gov/SAM/>

US Department of Housing and Urban Development

<https://www.hud.gov/>

VII. EXHIBIT C – UNDERWRITING CRITERIA

**Adams County Small Business Stabilization Program (SBSP)
Underwriting Analysis**

Per 24 CFR Part 570.209(a) and Adams County Eligibility Criteria

Applicant Name:	
Business Name:	
Business Address:	
Neighborly Case ID:	
Reviewer:	

Grant Requests

Check all that apply:

- | | |
|--|--|
| <input type="checkbox"/> Job Retention | <input type="checkbox"/> Rent/Mortgage |
| <input type="checkbox"/> Job Creation | <input type="checkbox"/> Salaries |

Final Grant Approval

- | |
|----------------------------------|
| <input type="checkbox"/> Approve |
| <input type="checkbox"/> Deny |

Justification of Approval/Denial

Adams County Eligibility Criteria

General Criteria (all answers must be yes to qualify, unless otherwise noted)

Did the applicant provide all required application documentation?

- | | |
|------------------------------|-----------------------------|
| <input type="checkbox"/> Yes | <input type="checkbox"/> No |
|------------------------------|-----------------------------|

Does the business must have 1-25 full-time equivalent (FTE) employees, as of February 12, 2019?

- | | |
|------------------------------|-----------------------------|
| <input type="checkbox"/> Yes | <input type="checkbox"/> No |
|------------------------------|-----------------------------|

Does the business have a physical establishment within an eligible CDBG Urban County area in Unincorporated Adams County; Town of Bennett; City of Brighton; City of Federal Heights; or City of Northglenn?

Yes No

Is the applicant must be at least 18 years of age and have ownership interest in the business?

Yes No

Does the applicant have a valid Social Security number and Employer Identification Number (EIN)?

Yes No

Did the applicant experience a loss of revenue due to Public Health Orders enacted for COVID-19?

Yes No

Has the business been in operation since February 12, 2019?

Yes No

Does the business possess an active local business license and/or business certification from the office of the Colorado Secretary of State?

Yes No

Is the business in good standing with the Colorado Secretary of State?

Yes No

Is the applicant current with property taxes and local Adams County and/or city fees, or has a payment plan in place with County and/or City as of March 12, 2020?

Yes No

Is does the business have active liability insurance?

Yes No

Does the business have a Data Universal Numbering System (DUNS) number? If not, it must register upon grant award.

Yes No

Is the applicant registered in Department of Labor's System for Award Management (SAM) system (SAM.gov)? If not, it must register upon grant award.

Yes No

Did the applicant must demonstrate how the grant will pay for rent/mortgage or salaries for low-to-moderate income employees?

Yes No

Did the applicant demonstrate it was unable to obtain other forms of assistance or did not receive enough assistance (i.e., Small Business Assistance, Paycheck Protection Program, and other small business loans/grants)?

Yes No

Capacity Criteria (all answers must be no to qualify)

Is the applicant debarred from receiving federal funding? Attach SAM.gov debarment check.

Yes No

Is the applicant, business owners, or business currently be in bankruptcy?

Yes No

Is the business in good standing for any permits or licenses issued by their respective jurisdictions?

Yes No

HUD Eligibility Criteria

Is the business any of the following (*if so, the business does not qualify*)?

Non-profit organization

Payday grant businesses; liquor and tobacco stores; marijuana stores and establishments; pawn shops; firearm or other weapons dealers; adult entertainment; passive real estate investments; or professional sports team.

Home-based businesses operating without appropriate zoning and/or permits and licenses; or any businesses operating without appropriate zoning and/or permits and licenses.

Privately-owned recreational facilities that serve a predominantly higher-income clientele, where the recreational benefit to be derived by users or members clearly outweighs the employment or other benefits to low-to-moderate income persons.

Business or owner that is subject to unresolved findings of noncompliance relating to previous CDBG assistance provided to the business.

HUD Required Underwriting Analysis

Reasonableness of project costs

Is the requested grant appropriate to the demonstrated need?

Yes No

If not, what grant amount is appropriate and why?

Commitment of Financing Needed

This is not a capital project; financing is being provided to assist business to remain viable for the agreement period. The County will maintain contact with the business and coordinate /refer businesses to additional assistance as needed.

Use of CDBG Funds as a Substitute for Non-Federal Funding

Did the applicant sign the affidavit regarding exhausting all funding options in the application?

Yes No

Financial Feasibility

This funding is projected to assist the business for _____ months and is feasible for that period.

Return on Equity

Adams County does not anticipate these funds will result in profit. Adams County will monitor expenses of the rent/mortgage and payroll over the agreement term.

Disbursement of CDBG funds

The County plans to disburse funds in installments after securing an executed agreement between Adams County and the business owner. Installments are based on the established agreement and policies and procedures of the program.

VIII. EXHIBIT D – ADAMS COUNTY CONTACTS

Community Development Manager (Primary SBSP Contact)

Melissa Scheere

mscheere@adcogov.org

720.523.6210

Sr. Community Development Coordinator (Secondary SBSP Contact)

Ric Reed

rreed@adcogov.org

720.523.6203

Director of Community and Economic Development

Jill Jennings Golich

jjenningsgolich@adcogov.org

720.523.6819

Deputy Director of Community and Economic Development, Director of Economic Development

Ryan M. Nalty

rnalty@adcogov.org

720.523.6842



PUBLIC HEARING AGENDA ITEM

DATE OF PUBLIC HEARING: June 16, 2020
SUBJECT: Major Subdivision, Final Plat for Shook Filing No. 4
FROM: Jill Jennings Golich, Community and Economic Development Director
AGENCY/DEPARTMENT: Community & Economic Development Department
HEARD AT STUDY SESSION ON: N/A
AUTHORIZATION TO MOVE FORWARD: <input type="checkbox"/> YES <input type="checkbox"/> NO
RECOMMENDED ACTION: That the Board of County Commissioners approves the Shook Subdivision, Filing No. 4 final plat with 7 findings-of-fact and 1 note.

Background

The subject request is to create a Final Plat for Filing 4 to create 11 lots on 23.16 acres. The Final Development Plan (FDP) Amendment, approved on December 4, 2018, added acreage to the Shook FDP and identified a maximum of 32 residential lots on 46.5 acres. On February 4, 2020, the BoCC heard the Preliminary Plat requests and voted to approve the requests with three conditions and two notes. The two Final Plats proposed with this application are the final step to culminating the Shook Filings 3 and 4 and the FDP Amendment. The Shook FDP requires each lot to be a minimum of one (1) acre and defaulting to the requirements of a Residential Estate (R-E) zone district if items are not explicit in the FDP.

AGENCIES, DEPARTMENTS OR OTHER OFFICES INVOLVED:

None

ATTACHED DOCUMENTS:

- BOCC staff report and packet
- Resolution approving application in case PLT2020-00022

FISCAL IMPACT:

Please check if there is no fiscal impact . If there is fiscal impact, please fully complete the section below.

Fund:
Cost Center:

	Object Account	Subledger	Amount
Current Budgeted Revenue:			
Additional Revenue not included in Current Budget:			
Total Revenues:			

	Object Account	Subledger	Amount
Current Budgeted Operating Expenditure:			
Add'l Operating Expenditure not included in Current Budget:			
Current Budgeted Capital Expenditure:			
Add'l Capital Expenditure not included in Current Budget:			
Total Expenditures:			

New FTEs requested: YES NO

Future Amendment Needed: YES NO

Additional Note:

**RESOLUTION APPROVING APPLICATION IN CASE #PLT2020-00022 SHOOK
SUBDIVISION FILING NUMBER 4 FINAL PLAT**

WHEREAS, this case involved a Request for Final Plat to create 11 lots on 23.16 acres on the following described property:

APPROXIMATE LOCATION: Parcel # 0157103400001

LEGAL DESCRIPTION:

LOCATED IN THE SOUTHEAST ¼ OF SECTION 3, TOWNSHIP 1 SOUTH, RANGE 67 WEST OF THE 6TH P.M, COUNTY OF ADAMS, STATE OF COLORADO

SECT,TWN,RNG:3-1-67 DESC: PARC A-1 PT OF THE N2 OF THE SE4 OF SEC 3 DESC AS FOLS BEG AT THE NW COR OF THE NE4 OF SD SEC 3 TH N 89D 34M 25S E 422/14 FT TH S 00D 30M 59S E 2384/12 FT TH N 89D 39M 59S E 100 FT TO THE TRUE POB TH S 82D 54M 03S E 610/38 FT TH S 79D 10M 19S E 701/23 FT TH S 75D 13M 06S E 171/08 FT TH S 00D 40M 10S E 1082/69 FT TH S 89D 35M 44S W 1985/04 FT TH N 00D 30M 59S W 200/52 FT TH S 77D 05M 57S E 220/03 FT TH S 86D 03M 09S E 256/87 FT TH N 86D 11M 56S E 133/20 FT TH N 12D 00M 10S W 318/38 FT TH N 73D 44M 55S W 500/99 FT TH N 00D 30M 59S W 440/47 FT TH N 89D 29M 01S E 462/14 FT TH N 00D 30M 59S W 287/50 FT TO THE TRUE POB 48/03A

WHEREAS, the Board of County Commissioners held a public hearing on the application on the 16th day of June, 2020; and,

WHEREAS, substantial testimony was presented by members of the public and the applicant.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners, County of Adams, State of Colorado, that based upon the evidence presented at the hearing, the application in this case is hereby APPROVED based upon the following findings-of-fact and one note:

Findings-Of-Fact

1. The final plat is consistent and conforms to the approved preliminary plat.
2. The final plat is in conformance with the subdivision design standards.
3. The applicant has provided evidence that a sufficient water supply has been acquired in terms of quantity, quality, and dependability for the type of subdivision proposed, as determined in accordance with the standards set forth in the water supply standards.
4. The applicant has provided evidence that a public sewage disposal system has been established and, if other methods of sewage disposal are proposed, adequate evidence indicating that the system complies with state and local laws and regulations.
5. The applicant has provided evidence to show all areas of the proposed subdivision, which may involve soil or topographical conditions presenting hazards or requiring special precautions, have been identified by the applicant and the proposed uses of these areas are compatible with such conditions.
6. The proposed or constructed drainage improvements are adequate and comply with these standards and regulations.

7. Adequate public facilities or infrastructure, or cash-in-lieu, for impacts reasonably related to the proposed subdivision have been constructed or financially guaranteed through cash-in-lieu or a subdivision improvements agreement so the proposed subdivision will not negatively impact the levels of service of the County.

Note to the Applicant:

1. The applicant shall adhere to all fire, animal, health, zoning and building codes.



COMMUNITY AND ECONOMIC DEVELOPMENT
DEPARTMENT

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CASE NO.: PRC2020-00007

CASE NAME: Shook 3 & 4 Final Plats and SIAs

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- 2.2 Zoning Map
- 2.3 Simple Map
- 2.4 Future Land Use Map

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- 3.1 Applicant Written Explanation
- 3.2 Filing 3 Final Plat
- 3.3 Filing 4 Final Plat
- 3.4 Subdivision Improvements Agreement Filing 3
- 3.5 Subdivision Improvements Agreement Filing 4
- 3.6 Water Supply Plan Correspondence (DWR Comments)
- 3.7 Mile High Correspondence and Photos

EXHIBIT 4- Referral Comments

- 4.1 Referral Comments (Development Review Team)
- 4.2 Brighton Fire
- 4.3 CDOT
- 4.4 Colorado Geological Society
- 4.5 Colorado Parks and Wildlife
- 4.6 West Adams Conservation District
- 4.7 Tri-County Health
- 4.8 United Power
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EXHIBIT 5- Public Comments

- 5.1 Twin Lakes Neighbors (three neighbors and associated photos)

EXHIBIT 6- Associated Case Materials

- 6.1 Request for Comments
- 6.2 Property Owner and Occupant Labels
- 6.3 Referral Labels

Board of County Commissioners

June 16, 2020

CASE No.: PRC2020-00007	CASE NAME: Shook 3 and 4 Final Plats and SIAs
Owner's Information:	Sec. 2-3 Phoenix LLC
Applicant's Name:	JR Osborne c/o C3 Construction
Applicant's Address:	9200 East Mineral Avenue, #365, Centennial, CO 80112
Location of Request:	Parcel # 0157103400001
Nature of Request:	1) Final Plat for Filing 3 to create 13 lots on 22.37 acres; 2) Final Plat for Filing 4 to create 11 lots on 23.16 acres and 3) SIAs associated with each Filing
Zone District:	Planned Unit Development (PUD)
Site Size:	46.5 acres
Proposed Uses:	Residential
Existing Use:	Vacant
Hearing Date(s):	BOCC: June 16, 2020
Report Date:	May 26, 2020
Case Manager:	Libby Tart
Staff Recommendation:	APPROVAL with 7 Findings-of-Fact and One Note per each Final Plat

SUMMARY OF PREVIOUS APPLICATIONS

On March 6, 2002, the Board of County Commissioners (BoCC) approved a Preliminary Development Plan (PDP) for the Todd Creek Village Development. This PDP allowed for a mixed-use development with a maximum of 3,255 dwelling units including residential estate, single-family detached, and single-family attached units, neighborhood commercial uses, and associated open space.

On May 9, 2005, the BoCC approved a preliminary plat to create 32 residential estate lots on approximately 53 acres (Todd Creek Village Shook). The final plat was approved on February 27, 2006.

On March 13, 2006, the BoCC approved a final development plan for the Todd Creek Shook Development including a minimum one-acre lot size requirement for residential development and 13.5 acres of open space.

On December 4, 2018, the BoCC approved a major amendment to the Shook Final Development Plan (FDP) to add 46.5 acres to the development boundaries, add 32 residential lots, and replat two existing subdivision filings (Shook 1 and 2) to realign roadways to connect to the future filings.

Two Subdivision Improvement Agreements (SIAs) for Filings 1 and 2 were also approved in the public hearing by the BoCC.

On February 4, 2020, The BoCC approved a request for the Shook Filings 3 and 4 Preliminary Plats. Three conditions and two notes were approved and stated the following:

- Condition 1: The applicant shall provide proof of irrigation water supply and services in compliance with Section 5-04-05-06-04 of the Adams County Development Standards and Regulations prior to the Board of County Commissioners hearing on the Final Plat.
- Condition 2: A Subdivision Improvements Agreement (SIA) shall be submitted with the final plat application.
- Condition 3: A public land dedication fee for parks and schools shall be paid to Adams County prior to or with the final plat submittal. This fee shall be determined by the current fee structure specified in Section 5-05 of the Adams County Development Standards and Regulations.
- Note 1: The applicant shall adhere to all fire, animal, health, zoning, and building codes.
- Note 2: The Signal Ditch has been vacated and the vacation shall be shown on the final plat.

The applicant has satisfied all the conditions and notes prior to this Final Plat and SIA hearing.

SUMMARY OF APPLICATION

Background

The subject request is to create two Final Plats – one for Filing 3 to create 13 lots on 22.37 acres and one for Filing 4 to create 11 lots on 23.16 acres. The Final Development Plan (FDP) Amendment, approved on December 4, 2018, added acreage to the Shook FDP and identified a maximum of 32 residential lots on 46.5 acres. On February 4, 2020, the BoCC heard the Preliminary Plat requests and voted to approve the requests with three conditions and two notes. The two Final Plats proposed with this application are the final step to culminating the Shook Filings 3 and 4 and the FDP Amendment. The Shook FDP requires each lot to be a minimum of one (1) acre and defaulting to the requirements of a Residential Estate (R-E) zone district if items are not explicit in the FDP.

Development Standards and Regulations:

Major Subdivision (Final Plat):

Per Section 2-02-17-04 of the County’s Development Standards and Regulations, the applicant is requesting two Major Subdivisions (Final Plats) for the proposed single-family detached development. Currently, the site consists of 46.5 acres and is vacant. The applicant’s proposal will create 24 lots and four (4) outlots (one outlot for Filing 3, three outlots for Filing 4). The outlots are reserved for landscaping, open space, and one existing oil and gas lot (Outlot B in Filing 4). Streets, rights-of-way, and easements are also proposed throughout the Final Plats and connect into the existing Shook Filings 1 and 2 to the south and west of this application. All proposed lots conform to the minimum lot size requirement of one acre for the PUD.

It is staff's determination the Final Subdivision Plats conform to the Development Standards and Regulations outlined in Section 2-02-19-04-05 of the County's Development Standards and the goals of the Comprehensive Plan.

Following the Preliminary Plat hearings, the applicant submitted their potable (residential needs) and non-potable (irrigation needs) water plan to the Division of Water Resources (DWR). The DWR provided a response on March 31, 2020 (See Exhibit 3.6), indicating that the Todd Creek Metro District's supply of municipal surface rights combined with the District's Denver Basin water "is sufficient to meet the potable resident and commercial demands of the existing District's commitments, including the Shook Subdivision Filings 3 and 4. They also state, "the applicant has adequate junior water to meet its annual irrigation (non-potable) demand, as long as the junior water rights continue to be available in-priority consistent with the Applicant's historical availability analysis". The State Engineer's Office Opinion is that the proposed water supply for residential, commercial and irrigation uses is adequate.

Sewer facilities will be provided in the form of septic systems on each lot. In addition, the overall density of development conforms to the zone district density allowances, as specified in the FDP. Finally, the proposed subdivision is compatible with the surrounding area, harmonious with the character of the neighborhood, not detrimental to the immediate area, not detrimental to the future development of the area, and not detrimental to the health, safety, or welfare of the inhabitants of the area and the County.

All proposed drainage facilities have been reviewed and approved by the County's Development Services Engineering staff. Per the request of the BoCC from February 4, 2020, a drainage swale was inspected by a third party, Mile High Flood Control (District), to ensure it was designed and built correctly. Mile High indicated that the swale was designed correctly and flows to the north based on the design. The Stormwater Division at Adams County investigated the discharge from this swale the previous year and concluded that it was due to an improperly installed silt fence while a home was under construction from the previous Shook Filing No. 1. The builder fixed the fence and no further issues have been noted.

Comprehensive Plan:

The subject property is designated as Estate Residential in the County's future land use map. Per Chapter 5 of the County's Comprehensive Plan, the goals of the Estate Residential future land use designation are to provide for single-family housing at lower densities, typically no greater than 1 unit per acre, and compatible uses such as schools and parks. The proposed Final Subdivision Plats are consistent with the goals of the Comprehensive Plan to provide larger lot residential development.

Site Characteristics:

The residential portion of the development for Filings 1 and 2 are almost completely built out. The proposed Preliminary Plat Filings 3 and 4 are vacant, with a 14-well oil and gas facility.

Surrounding Zoning Designations and Existing Use Activity:

Northwest PUD Vacant	North PUD Vacant	Northeast PUD Vacant
West PUD Vacant	Subject Property PUD Vacant/Well Pad	East PUD Vacant
Southwest R-E Single-Family	South PUD Single-Family (under development)	Southeast PUD and R-E Vacant (PUD) and Single-Family (R-E)

Compatibility with the Surrounding Land Uses:

The uses surrounding the site consist of single-family residential uses. The subject request for Final Plats for Filing 3 and 4 is consistent with the existing surrounding developments and the future land use designation of Estate Residential.

STAFF RECOMMENDATION:

Based upon the application, the criteria for approval for the two Final Plats, and a recent site visit, staff recommends Approval of the Shook Filing No. 3 Final Plat, Shook Filing No. 4 Final Plat, and associated Subdivision Improvements Agreement with 7 findings of fact (per Final Plat), and 1 note.

FINDINGS OF FACT:

Major Subdivision (Final Plat):

1. The final plat is consistent and conforms to the approved preliminary plat.
2. The final plat is in conformance with the subdivision design standards.
3. The applicant has provided evidence that a sufficient water supply has been acquired in terms of quantity, quality, and dependability for the type of subdivision proposed, as determined in accordance with the standards set forth in the water supply standards.
4. The applicant has provided evidence that a public sewage disposal system has been established and, if other methods of sewage disposal are proposed, adequate evidence indicating that the system complies with state and local laws and regulations.
5. The applicant has provided evidence to show all areas of the proposed subdivision, which may involve soil or topographical conditions presenting hazards or requiring special precautions, have been identified by the applicant and the proposed uses of these areas are compatible with such conditions.
6. The proposed or constructed drainage improvements are adequate and comply with these standards and regulations.
7. Adequate public facilities or infrastructure, or cash-in-lieu, for impacts reasonably related to the proposed subdivision have been constructed or financially

guaranteed through cash-in-lieu or a subdivision improvements agreement so the proposed subdivision will not negatively impact the levels of service of the County.

Recommended Notes to the Applicant:

1. The applicant shall adhere to all fire, animal, health, zoning, and building codes.

COUNTY AGENCY COMMENTS

Adams County Development Services

Planning referred all documents to ROW, Engineering, Legal, and Finance staff to ensure the Final Plats and SIAs were compliant. A few corrections were issued and resolved.

Engineering has continued to receive correspondence from residents of the Twin Lakes PUD (not affiliated with Todd Creek or the Shook development) – a small single-family detached community to the southeast of this Shook development application. The residents have questioned silt buildup and other items related to Shook Filings 1 and 2 construction activity (see Neighborhood Comment and exhibit material provided in Exhibit 5). Mile High Flood District, a third-party reviewer, reviewed the as built conditions for a drainage swale and have found them adequate. The Public Works Stormwater Division has inspected the area as well and finds that the activity with silt was related to the construction fence on one of the SFD homes under construction (for Shook Filing 1). The concerns appear to have been resolved (see Exhibit 3.7 for information from Adams County Engineering regarding the Mile High analysis and the applicant’s corrections).

Adams County Public Works

Noted previously that a Subdivision Improvements Agreement (SIA) will be required for each Final Plat at the time of the FDP/Final Plat. Engineering staff has reviewed the SIAs and finds each adequate. The SIAs are provided as exhibit material in this report.

Adams County Development Services Environmental and Building

No comment.

Adams County Development Services Addressing and Right-of-Way

Right-of-way requested that the applicant provide evidence that the Signal Ditch was vacated on the Final Plat. The applicant has provided this.

Adams County Parks and Open Space

No comment.

REFERRAL AGENCY COMMENTS

Responding with Comments:

- State Division of Water Resources -- With the previous Preliminary Plat hearings, staff requested that the applicant work with the DWR to demonstrate an adequate non-potable water supply. On March 31, 2020, a letter was provided demonstrating this. It is

contained in Exhibit 3.6. Staff finds the letter adequate and that the letter resolves any previous staff concerns.

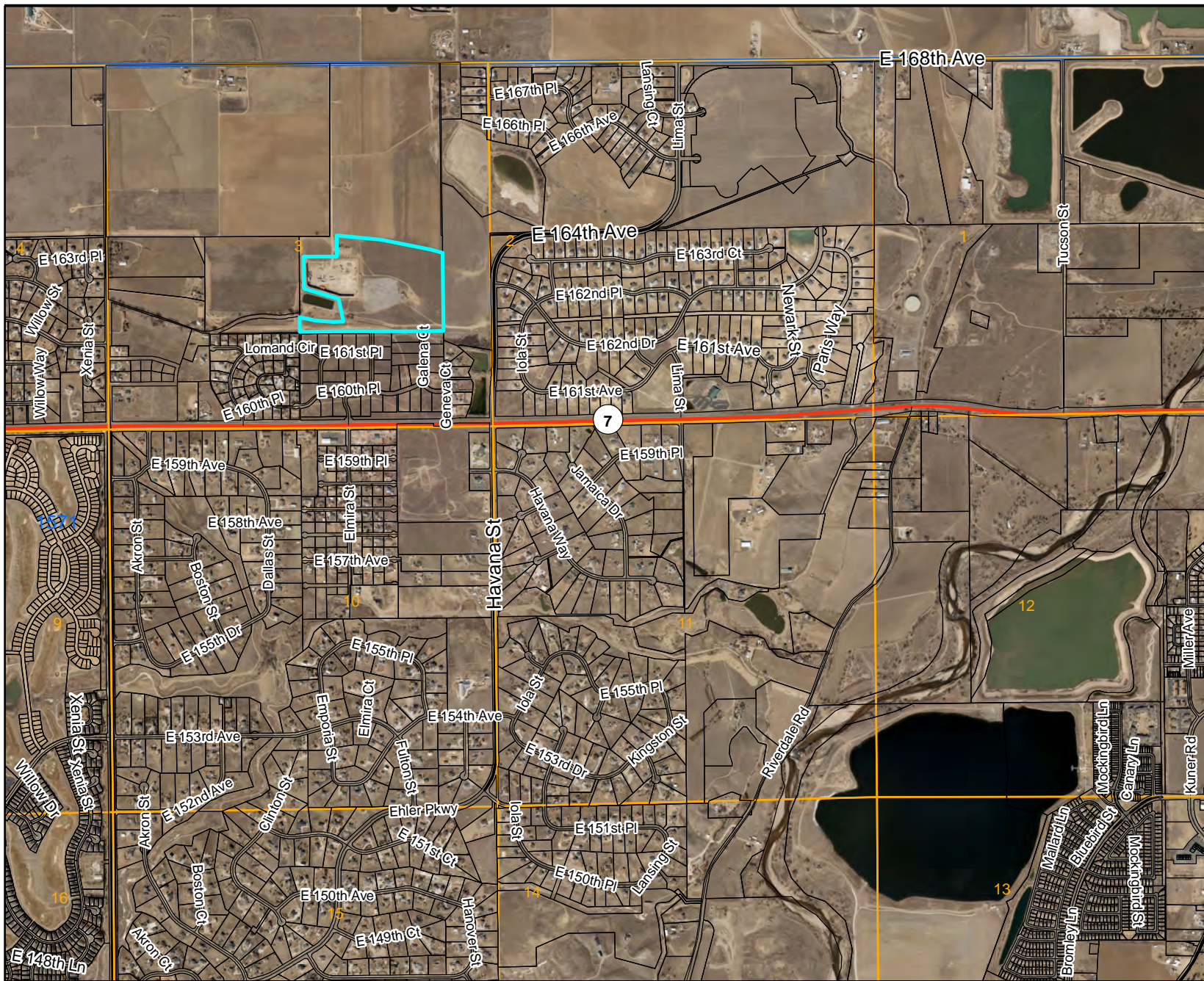
- Colorado Parks and Wildlife – At the time of the preliminary plat review, Colorado Parks and Wildlife recommended restoring the land within the project area to native habitat if possible and to plant native species within the area. They also stated that a burrowing owl survey should be performed if earth moving occurs between March 15th and October 31st. This recommendation shall be carried forth with the final plats as well.
- Tri-County Health – Previously acknowledged in the Preliminary Plat reviews that the Todd Creek Metro District is responsible for inspections of the Onsite Wastewater Treatment Systems as a Responsible Management Entity.

Responding without Concerns:

- Adams County Treasurer
- Brighton Fire
- CDOT
- CGS
- West Adams Conservation District
- United Power

Notified but not Responding / Considered a Favorable Response:

- Brighton School District 27J
- Comcast
- Century Link
- Eagle Shadow Metro District 1
- Hi-Land Acres Water & Sanitation District
- USPS
- Xcel Energy
- RTD



Legend

- Railroad
- Major Water
- Zoning Line
- Sections

Zoning Districts

- A-1
- A-2
- A-3
- R-E
- R-1-A
- R-1-C
- R-2
- R-3
- R-4
- M-H
- C-0
- C-1
- C-2
- C-3
- C-4
- C-5
- I-1
- I-2
- I-3
- CO
- PL
- AV
- DIA
- P-U-D
- P-U-D(P)

Case Name Shook 3&4

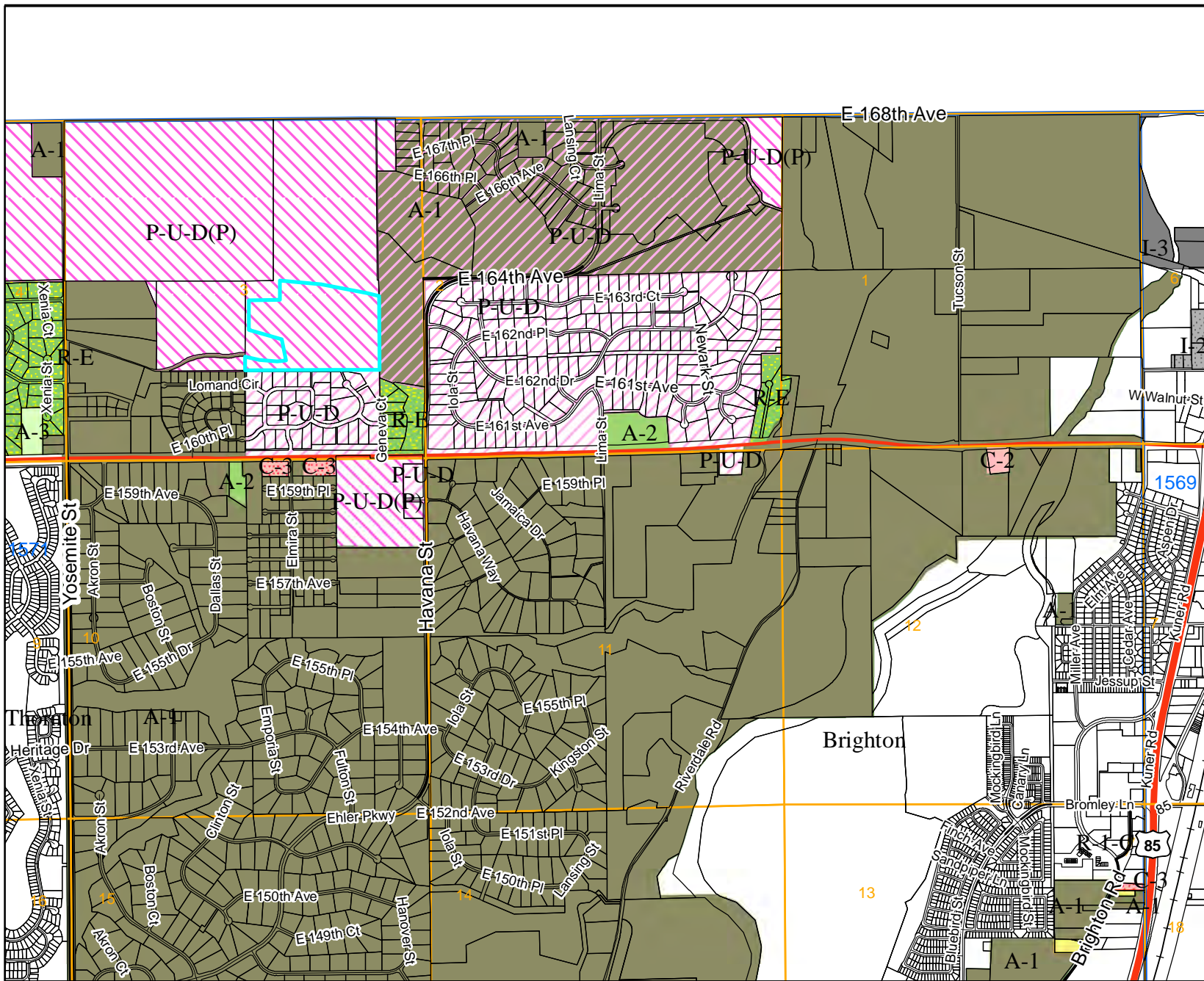
Case Number PRC2020-00007



For display purposes only.



This map is made possible by the Adams County GIS group, which assumes no responsibility for its accuracy



Legend

- +— Railroad
- Major Water
- Zoning Line
- Sections

Zoning Districts

- A-1
- A-2
- A-3
- R-E
- R-1-A
- R-1-C
- R-2
- R-3
- R-4
- M-H
- C-0
- C-1
- C-2
- C-3
- C-4
- C-5
- I-1
- I-2
- I-3
- CO
- PL
- AV
- DIA
- P-U-D
- P-U-D(P)

PRC2020-0007 Shook Filing 3 and 4

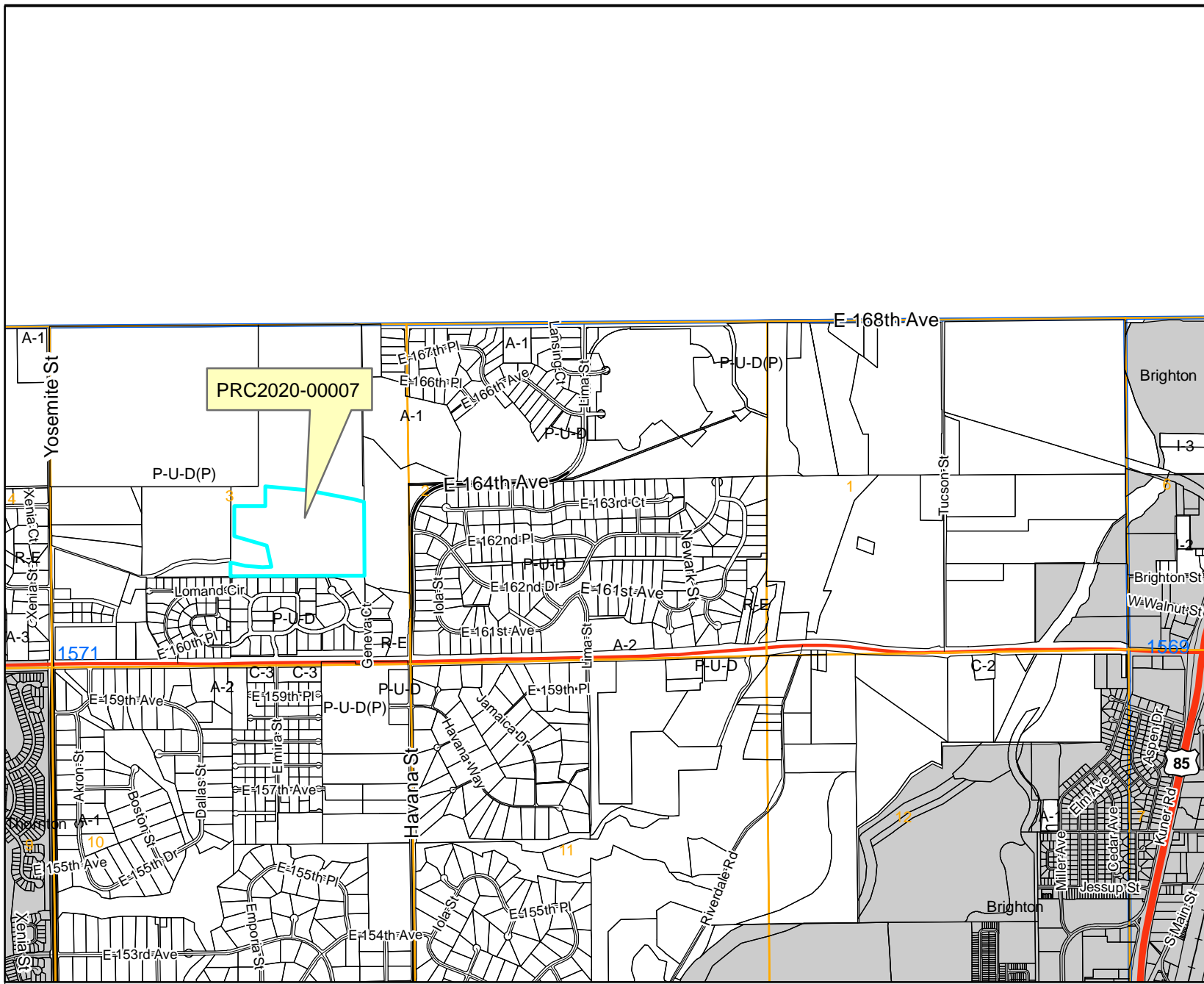
1500 ft buffer map



For display purposes only.



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Legend

- +— Railroad
- Major Water
- Zoning Line
- Sections

Zoning Districts

- A-1
- A-2
- A-3
- R-E
- R-1-A
- R-1-C
- R-2
- R-3
- R-4
- M-H
- C-0
- C-1
- C-2
- C-3
- C-4
- C-5
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- I-2
- I-3
- CO
- PL
- AV
- DIA
- P-U-D
- P-U-D(P)

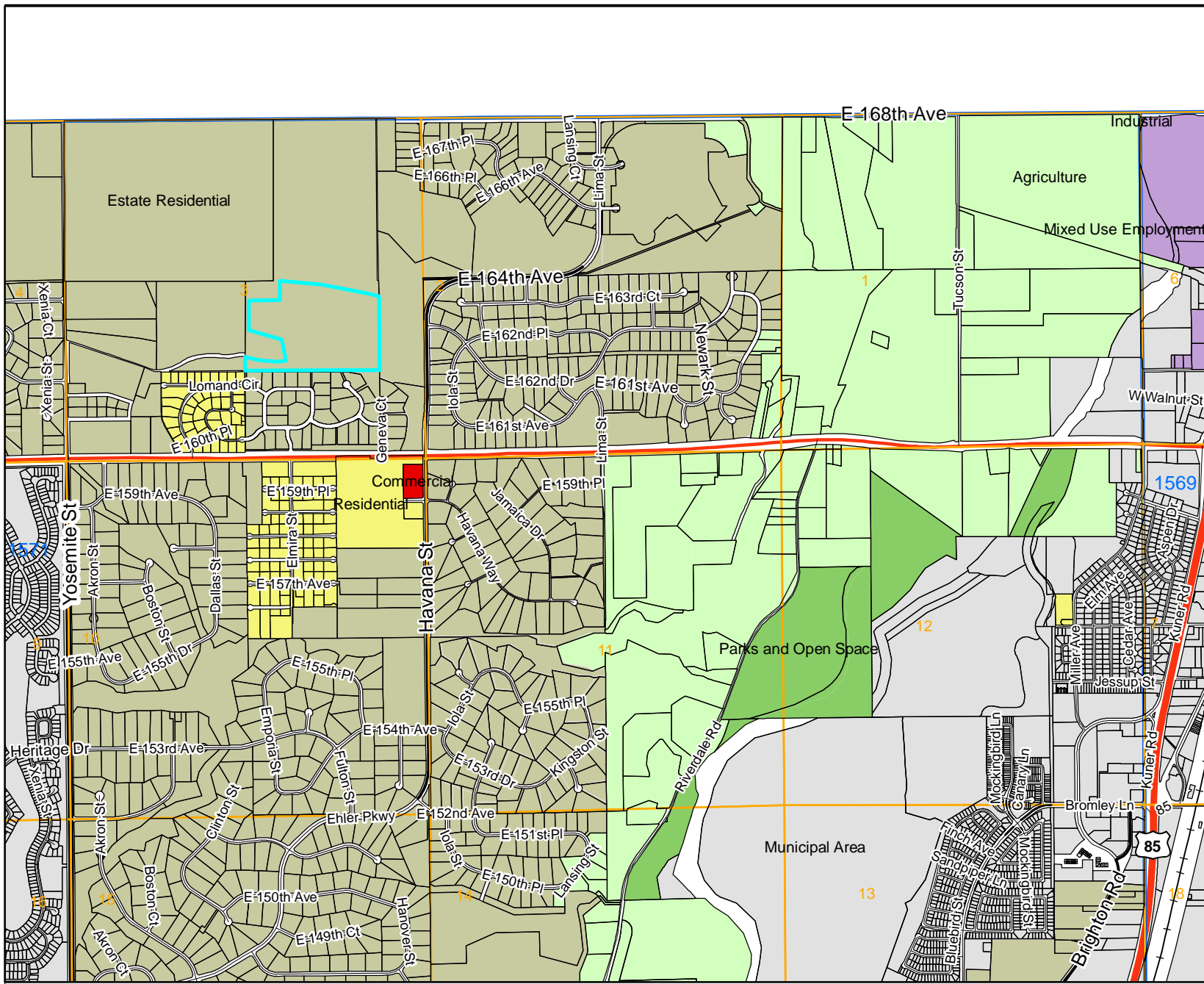
PRC2020-00007 Shook Filing 3 and 4
1500 ft buffer map



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Legend

- +— Railroad
 - Major Water
 - Zoning Line
 - Sections
- Zoning Districts**
- A-1
 - A-2
 - A-3
 - R-E
 - R-1-A
 - R-1-C
 - R-2
 - R-3
 - R-4
 - M-H
 - C-0
 - C-1
 - C-2
 - C-3
 - C-4
 - C-5
 - I-1
 - I-2
 - I-3
 - CO
 - PL
 - AV
 - DIA
 - P-U-D
 - P-U-D(P)

PRC2020-0007 Shook Filing 3 and 4
1500 ft buffer map



For display purposes only.



This map is made possible by the Adams County GIS group, which assumes no responsibility for its accuracy

Project Explanation

The original Final Plat for the Shook Subdivision was approved in 2006. It consisted of (32) 1-acre (minimum) single-family lots and is located approximately at the NW corner of Highway 7 and Havana Street in unincorporated Adams County.

On 12/13/2018 the Shook Subdivision was re-platted into Filings 1 & 2 which consists of (40) 1-acre single family lots. The amended Shook Planned Unit Development was also approved on 12/13/2018 which added an additional (24) 1-acre lots to the Shook Subdivision. This parcel, #01571030001, is north of Filings 1 & 2 and will be called Filings 3 & 4.

Parcel #0157103400001 will consist of (24) 1-acre (minimum) single-family lots and (3) additional outlots. Outlot "B" is an oil-well pad. There will also be an available future access road to Havana St. which will give the expanded subdivision another full turn access point.

The drainage requirements will be able to be consolidated for the Shook Filings 1-4 and more efficiently utilize one larger detention pond in the NE corner of the new layout.

The Shook Subdivision Preliminary Plat for Filings 3 & 4 (case no. 2018-00008) were approved on February 4, 2020.

We are requesting Final Plat approval for Filings 3 & 4.

Todd Creek Village Metropolitan District will provide both potable and non-potable water to this site and Individual Wastewater Treatment Systems will be utilized. United Power and Xcel will provide the electric and gas service.

**SHOOK SUBDIVISION FILING NO. 3
LOCATED IN THE SOUTHEAST 1/4 OF SECTION 3,
TOWNSHIP 1 SOUTH, RANGE 67 WEST, 6TH PM,
COUNTY OF ADAMS, STATE OF COLORADO
SHEET 1 OF 3**

CERTIFICATE OF OWNERSHIP AND DEDICATION*

KNOW ALL MEN BY THESE PRESENTS THAT SEC 2-3 PHOENIX, LLC. A COLORADO LIMITED LIABILITY COMPANY AND TRUST, BEING THE SOLE OWNERS OF THE FOLLOWING DESCRIBED TRACT OF LAND:

A PART OF THE SOUTHEAST ONE-QUARTER OF SECTION 3, TOWNSHIP 1 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS: THE SOUTH LINE OF THE SOUTHEAST ONE-QUARTER OF SAID SECTION 3, BEING MONUMENTED AT THE SOUTH 1/4 CORNER BY A 3 INCH ALUMINUM CAP STAMPED "T1S,1/4, 3/10, PLS 26298" AND AT THE SOUTHEAST CORNER OF SAID SECTION 3, BY A 2 INCH ALUMINUM CAP STAMPED "ALPHA ENGRG., T1S/S3/S2/S10/S11, R67W, 1996, LS25937" IN A RANGE BOX, BEING ASSUMED TO BEAR S89°31'31"W; A DISTANCE OF 2651.32 FEET

COMMENCING AT THE SOUTH 1/4 CORNER OF SAID SECTION 3, THENCE N 00°30'49" W ALONG THE WEST LINE OF SAID SOUTHEAST ONE-QUARTER A DISTANCE OF 1323.23 FEET TO THE POINT ON THE NORTH LINE OF THE SOUTH ONE-HALF OF SAID SOUTHEAST ONE QUARTER OF SECTION 3 THE CENTER-EAST-SOUTHEAST ONE-SIXTY-FOURTH OF SECTION 3, ALSO BEING THE NORTHERLY LINE SHOOK SUBDIVISION NO 2.

THENCE CONTINUING ALONG SAID NORTH LINE OF THE SOUTHEAST ONE-QUARTER N 88° 35'44" E A DISTANCE OF 966.96 FEET TO THE POINT OF BEGINNING;

THENCE N 00°00'00" W A DISTANCE OF 168.58 FEET;

TO A POINT ON A CURVE WITH A RADIUS OF 330.00 FEET, A LENGTH OF 163.19 FEET, A DELTA ANGLE OF 28°19'04", A CHORD LENGTH OF 161.54 FEET AND A CHORD BEARING OF N 14°10'02" E;

THENCE N 28°20'04" E A DISTANCE OF 438.19 FEET

TO A POINT ON A CURVE WITH A RADIUS OF 15.00 FEET, A LENGTH OF 23.58 FEET, A DELTA ANGLE OF 90°00'00", A CHORD LENGTH OF 21.21 FEET AND A CHORD BEARING OF N 16°39'54" W;

THENCE N 28°20'04" E A DISTANCE OF 80.00 FEET; THENCE N 61°39'58" W A DISTANCE OF 20.00 FEET; THENCE N 28°20'04" E A DISTANCE OF 260.30 FEET; THENCE N 19°59'32" W A DISTANCE OF 200.82 FEET; THENCE N 28°20'04" E A DISTANCE OF 24.71 FEET; THENCE S 79°10'19" E A DISTANCE OF 540.08 FEET; THENCE S 75°13'08" E A DISTANCE OF 171.08 FEET; THENCE S 00°40'10" E A DISTANCE OF 1082.65 FEET; THENCE S 88°35'44" W A DISTANCE OF 1018.08 FEET TO THE POINT OF BEGINNING.

CONTAINING AN AREA OF 975,368.59± SQUARE FEET OR 22.39± ACRES.

HAVE BY THESE PRESENTS LAID OUT, PLATTED AND SUBDIVIDED THE SAME INTO STREETS, EASEMENTS, LOTS, BLOCKS AND OUTLOTS AS SHOWN ON THE PLAT UNDER THE NAME AND STYLE OF SHOOK SUBDIVISION FILING NO. 3 PLAT AND DO HEREBY DEDICATE TO THE COUNTY OF ADAMS, STATE OF COLORADO, FOR PUBLIC USE, ALL STREETS AND OTHER PUBLIC WAYS AND LANDS AS SHOWN ON THIS PLAT, FOREVER, AND ALSO RESERVE THOSE PORTIONS OF REAL PROPERTY WHICH ARE LABELED AS EASEMENTS ON THIS PLAT, FOR THE INSTALLATION AND MAINTENANCE OF UTILITY AND DRAINAGE FACILITIES, INCLUDING BUT NOT LIMITED TO ELECTRIC LINES, GAS LINES, WATER LINES AND SEWER LINES TOGETHER WITH THE RIGHT TO TRIM INTERFERING TREES AND BRUSH, TOGETHER WITH A PERPETUAL RIGHT OF INGRESS AND EGRESS FOR INSTALLATION, MAINTENANCE AND REPLACEMENT OF SUCH LINES; SAID EASEMENTS TO BE USED IN A RESPONSIBLE AND PRUDENT MANNER.

EXECUTED THIS ____ DAY OF _____, 20 ____.

SEC 2-3 PHOENIX, LLC. A COLORADO LIMITED LIABILITY COMPANY.

BY: GEORGE HANLON

_____, DATE _____
MANAGER

ACKNOWLEDGMENT

COUNTY OF _____)

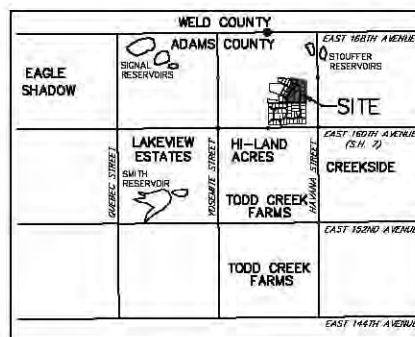
STATE OF COLORADO _____) SS

THE FORGOING PLAT AND DEDICATION WAS ACKNOWLEDGED BEFORE ME THIS ____ DAY OF _____, 20 ____.
BY SEC 2-3 PHOENIX, LLC. A COLORADO LIMITED LIABILITY COMPANY

NOTARY PUBLIC

WITNESS MY HAND AND SEAL. MY COMMISSION EXPIRES _____.

MY ADDRESS IS: _____.



VICINITY MAP
NOT TO SCALE

NOTES

- BY GRAPHIC PLOTTING ONLY THIS SITE LIES IN ZONE "X" OF THE FLOOD INSURANCE RATE MAP. COMMUNITY PANEL NUMBER 080010C055G, WITH AN EFFECTIVE DATE OF AUGUST 16, 1995.
- ALL EASEMENTS SHOWN ARE UTILITY AND DRAINAGE EASEMENTS UNLESS OTHERWISE NOTED. ALL EASEMENTS ALONG ROADS ARE ALSO SLOPE EASEMENTS.
- ENGINEERED ONSITE WASTEWATER SYSTEMS (OWS) MAY BE REQUIRED ON CERTAIN LOTS. ENGINEERED OWS ARE LARGER AND MORE COSTLY THAN CONVENTIONAL SYSTEMS. LOT SPECIFIC SOILS AND PERCOLATION TESTS SHALL BE USED TO DETERMINE THE TYPE AND SIZE OF OWS THAN THE MINIMUM REQUIRED BASED SOLELY UPON THE PERCOLATION TEST RESULTS.

SUITABLE AREA NEEDS TO BE DESIGNATED ON EACH LOT SITE PLAN FOR BOTH PRIMARY AND REPLACEMENT WASTEWATER ABSORPTION AREAS. REPLACEMENT OF THE PRIMARY ABSORPTION AREA MAY BE REQUIRED IF FAILURE OF THE PRIMARY AREA OCCURS. THESE AREAS NEED TO MEET ALL TRI-COUNTY HEALTH DEPARTMENT SETBACK REQUIREMENTS AND ARE TO REMAIN FREE OF ANY IMPROVEMENTS, E.G. IRRIGATED LANDSCAPE, PAVING, OUT-BUILDINGS, ETC.
- NO BUILDING PERMITS WILL BE ISSUED FOR ANY LOT IN ANY PHASE OF CONSTRUCTION, UNTIL ALL PUBLIC IMPROVEMENTS, IN ANY PHASE, AS REQUIRED BY THE APPROVED CONSTRUCTION PLANS, HAVE BEEN COMPLETED AND ARE UNDER PRELIMINARY ACCEPTANCE OF THE ADAMS COUNTY DEPARTMENT OF PUBLIC WORKS.
- FIFTEEN-FOOT (15') WIDE UTILITY EASEMENTS ARE HEREBY GRANTED ON PRIVATE PROPERTY ADJACENT TO THE FRONT AND REAR LOT LINES AND FIVE-FOOT (5') UTILITY EASEMENTS ARE HEREBY GRANTED ON THE SIDE PROPERTY LINES OF EACH LOT WITHIN THE SUBDIVISION OR PLATTED AREA. THESE EASEMENTS ARE DEDICATED FOR THE INSTALLATION, MAINTENANCE, AND REPLACEMENT OF ELECTRIC, GAS, TELEPHONE, CABLE AND TELECOMMUNICATION FACILITIES. UTILITIES SHALL ALSO BE PERMITTED WITHIN ANY ACCESS EASEMENTS AND PRIVATE STREETS WITHIN THE SUBDIVISION. PERMANENT STRUCTURES AND WATER METERS SHALL NOT BE PERMITTED WITHIN SAID UTILITY EASEMENTS.
- THE DEVELOPER SHALL PROVIDE A BUILDING ENVELOPE FREE OF ALL UNDERGROUND PIPELINES AND WILL BE RESPONSIBLE FOR REMOVING, RELOCATING AND/OR REDIRECTING ANY UNDISCOVERED PIPELINES WITHIN THE BUILDING ENVELOPES.
- ADAMS COUNTY IS NOT RESPONSIBLE FOR THE ENFORCEMENT OF ANY COVENANTS, CONDITIONS, OR RESTRICTIONS THAT MAY BE FILED AGAINST THIS SUBDIVISION PLAT.
- THE DEVELOPER SHALL RELOCATE ANY AND ALL OIL OR GAS LINES THAT PREVENT AN ADEQUATE ISDS FROM BEING INSTALLED ON ANY LOT.
- THERE ARE EXISTING UNDERGROUND GAS AND/OR OIL LINES WITHIN UNDOCUMENTED EASEMENTS WITHIN THIS DEVELOPMENT. THIS IS A GENERAL NOTE INFORMING THAT SUCH LINES OR EASEMENTS MAY EXIST ON ANY LOT AND CANNOT BE ACCURATELY LOCATED ON ANY PLATS AND THAT THE SURVEYOR AND ENGINEER ARE NOT LIABLE OR RESPONSIBLE FOR ANY BUILDING RESTRICTIONS OR LIMITATIONS CAUSED BY THESE LINES OR EASEMENTS. RESPONSIBILITY IS WITH THE OWNER/DEVELOPER TO LOCATE ANY SUCH LINES SO AS TO PROVIDE, AN ACCEPTABLE BUILDING ENVELOPE.

THE POLICY OF THE COUNTY REQUIRES THAT MAINTENANCE ACCESS BE PROVIDED TO ALL STORM DRAINAGE FACILITIES TO ASSURE CONTINUOUS OPERATIONAL CAPABILITY TO THE SYSTEM. THE PROPERTY OWNERS (METRO DISTRICT) SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF ALL DRAINAGE FACILITIES INCLUDING INLETS, PIPES,CULVERTS, CHANNELS, DITCHES, HYDRAULIC STRUCTURES AND DETENTION BASINS LOCATED ON THEIR LAND UNLESS MODIFIED BY THE SUBDIVISION DEVELOPMENT AGREEMENT. SHOULD THE OWNERS FAIL TO ADEQUATELY MAINTAIN SAID FACILITIES, THE COUNTY SHALL HAVE THE RIGHT TO ENTER SAID LAND FOR THE SOLE PURPOSE OF OPERATIONS AND MAINTENANCE. ALL SUCH MAINTENANCE COSTS WILL BE ASSESSED TO THE PROPERTY OWNERS.
- INDIVIDUAL SEWAGE DISPOSAL (ISDS). MAINTENANCE OF THE ISDS WILL BE UNDERTAKEN BY THE TODD CREEK VILLAGE METROPOLITAN DISTRICT NUMBER 1 (TCVMD1). NO SEPTIC TANK SHALL BE CONSTRUCTED FURTHER THAN 150' FROM THE GARAGE DRIVEWAY. SEPTIC TANK PUMPING TRUCKS WILL ACCESS THOSE DRIVEWAYS FOR MAINTENANCE PURPOSES. DRIVEWAYS WILL BE CONSTRUCTED ACCORDINGLY. ALL ISDS WILL BE APPROVED BY TVFMD1 PRIOR TO CONSTRUCTION.
- THE TODD CREEK VILLAGE METRO DISTRICT HAS IMPLEMENTED A MAINTENANCE AND INSPECTION PROGRAM FOR ONSITE WASTEWATER SYSTEMS (OWS) WITHIN THE DISTRICT. THE DISTRICT SHALL BE CONTACTED FOR SPECIFIC REQUIREMENTS OF THE PROGRAM
- THE APPROVED STORMWATER OPERATIONS AND MAINTENANCE MANUAL IS ON FILE WITH ADAMS COUNTY CLERK AND RECORDER'S OFFICE AT RECEPTION #201800026310
- MONUMENTS WILL BE SET AT ALL STREET INTERSECTIONS, THE BEGINNING AND THE END OF EACH CENTERLINE, HORIZONTAL CURVE IS A STREET AND AT THE CENTER OF THE CUL-DE-SAC.

(CONTINUED)

NOTES (CONTINUED)

15. NOTICE TO PROSPECTIVE BUYERS: THERE IS AN ABANDONED WELL LOCATED ON THIS PLAT PURSUANT TO ADAMS COUNTY DEVELOPMENT STANDARDS SECTION 4-10-02-03-03-05(2) THERE IS A 50 FT X 100 FT BUFFER AROUND THE ABANDONED WELLHEAD DEDICATED AS A WELL MAINTENANCE AND WORKOVER SETBACK. NO STRUCTURES SHALL BE LOCATED WITHIN THIS SETBACK.

16. SAID EASEMENT TO BE USED FOR TEMPORARY ACCESS UNTIL SUCH A TIME AS THE ROAD IS EXTENDED BEYOND THE CUL-DE-SAC, CONSTRUCTION OF THE ROAD IS COMPLETED, AND THE ROAD HAS BEEN DEDICATED TO AND ACCEPTED BY THE COUNTY, AT WHICH POINT THE EASEMENT SHALL TERMINATE.

17. NO DWELLING SHALL BE CONSTRUCTED WITHIN FIFTY (50') FEET OF A PLUGGED AND ABANDONED WELL.

18. THE OWNER SHALL DISCLOSE TO PROSPECTIVE PURCHASERS OF LOTS WITHIN A RADIUS OF 200 FEET OF THE PLUGGED AND ABANDONED WELL OF (1) THE LOCATION OF THE PLUGGED AND ABANDONED WELL, (2) THE LOCATION OF THE MAINTENANCE AND WORKOVER SETBACK, AND (3) THE PURPOSE FOR THE WELL MAINTENANCE AND WORKOVER SETBACK.

19. NO UTILITY LINES SHALL BE INSTALLED WITHIN (10) FEET OF ANY PLUGGED AND ABANDONED WELL.

20. A PORTION OF THE SIGNAL DITCH, NOT SHOWN, HAS BEEN ABANDONED BY SEPARATE INSTRUMENT (RECEPTION #2019000108651)

CERTIFICATE OF SURVEY

I, RANDALL R. LONG, A REGISTERED LAND SURVEYOR IN THE STATE OF COLORADO DO HEREBY CERTIFY THAT TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF: THERE ARE NO ROADS, IRRIGATION DITCHES, OR OTHER EASEMENTS IN EVIDENCE OR KNOWN BY ME TO EXIST ON OR ACROSS THE HEREIN DESCRIBED PROPERTY EXCEPT AS SHOWN ON THIS PLAT. I FURTHER CERTIFY THAT THE SURVEY WAS PERFORMED BY ME OR UNDER MY DIRECT RESPONSIBILITY, SUPERVISION AND CHECKING AND THAT THE PLAT ACCURATELY REPRESENTS SAID SURVEY, AND THAT ALL MONUMENTS EXIST AS SHOWN HEREON

FOR AND ON BEHALF OF NEW HORIZON SURVEY, LLC.

_____, DATE _____
RANDALL R. LONG
REGISTERED LAND SURVEYOR
COLORADO REGISTRATION NO. 35591

BASIS OF BEARINGS

THE BEARINGS SHOWN HEREON ARE BASED ON THE SOUTH LINE OF THE SOUTHEAST ONE-QUARTER OF SAID SECTION 3, BEING MONUMENTED AT THE SOUTH 1/4 CORNER BY A 3 INCH ALUMINUM CAP STAMPED "T1S, 1/4, 3/10, PLS 26298" AND AT THE SOUTHEAST CORNER OF SAID SECTION 3 BY A 2 INCH ALUMINUM CAP STAMPED "ALPHA ENGRG., T1S, S3/S2/S10/S11, R 67W, 1996, LS 25937" IN A RANGEBOX, BEARING S 89°31'31" W,

NOTICE

ACCORDING TO COLORADO LAW, YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT OF THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF SURVEY SHOWN HEREON.

BOARD OF COUNTY COMMISSIONERS APPROVAL

APPROVED BY THE ADAMS COUNTY BOARD OF COMMISSIONERS

THIS ____ DAY OF _____, 20 ____.

CHAIR

PLANNING COMMISSION APPROVAL

APPROVED BY THE ADAMS COUNTY PLANNING COMMISSION

THIS ____ DAY OF _____, 20 ____.

CHAIR

CLERK AND RECORDER

THIS FINAL PLAT WAS FILED FOR RECORD IN THE OFFICE OF THE ADAMS COUNTY CLERK AND RECORDER IN THE STATE OF COLORADO AT

_____, M. ON THE ____ DAY OF _____, 20 ____.

COUNTY CLERK AND RECORDER

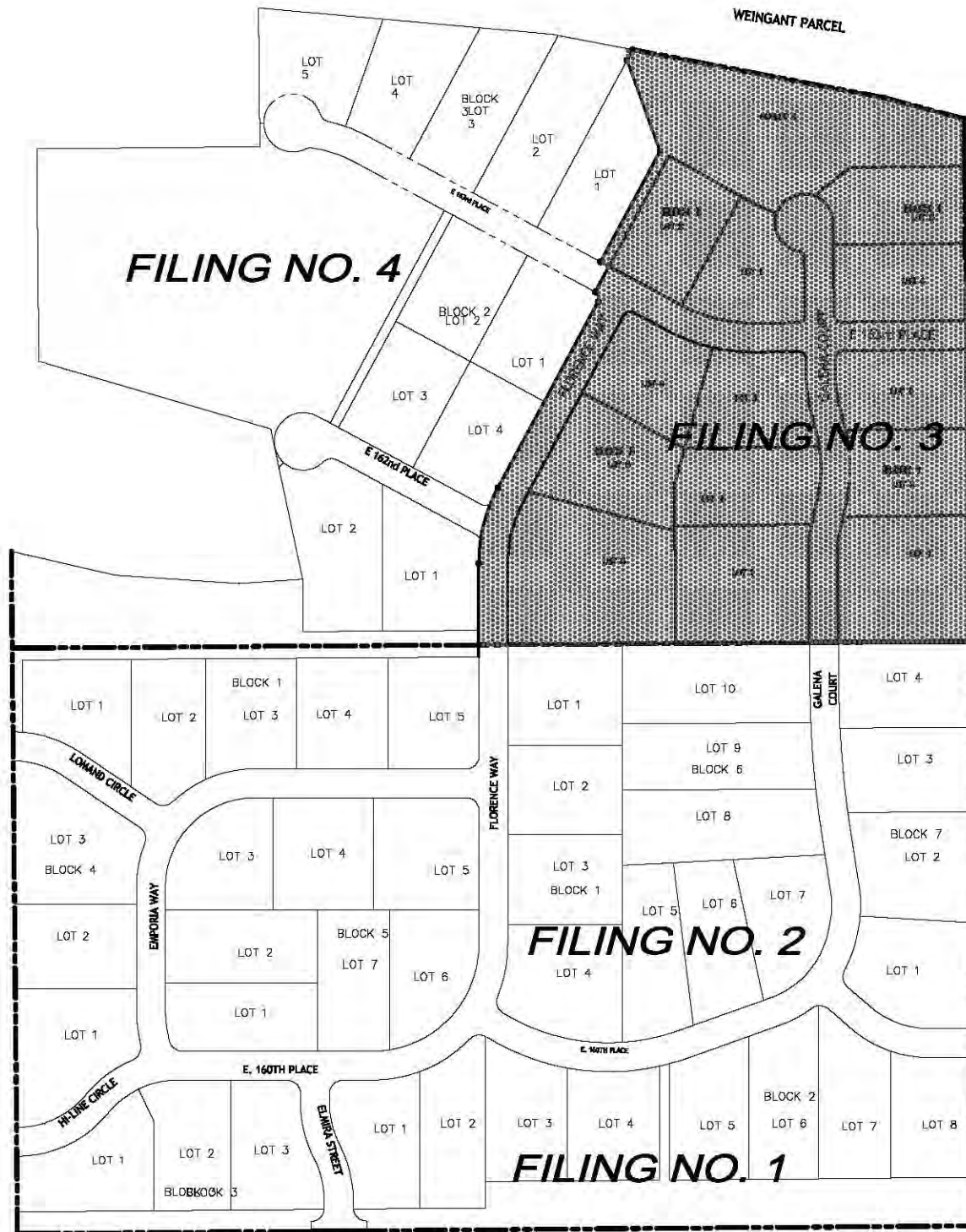
BY DEPUTY: _____

INSTRUMENT NUMBER: _____

NEW HORIZON SURVEY, LLC P.O. BOX 213 ARVADA, COLORADO 80001 PH. (303) 992-5285 / newh@nhsd.com	SHOOK SUBDIVISION FILING NO. 3 800-218-587	DRAWN BY: BRL	DATE	REVISION	BY
		CHECKED BY: RL	11/05/2018	3RD REVISION	MCG
			11/15/2018	4TH REVISION	MCG
		SCALE: N/A	11/16/2018	5TH REVISION	NRL
		DATE: MAY, 2018	5/28/2019	6TH REVISION	EAB
			6/11/19	7TH REVISION	EAB
			6/27/19	8TH REVISION	EAB
		SHEET 1 OF 3			

SHOOK SUBDIVISION FILING NO. 3
 LOCATED IN THE SOUTHEAST 1/4 OF SECTION 3,
 TOWNSHIP 1 SOUTH, RANGE 67 WEST, 6TH PM,
 COUNTY OF ADAMS, STATE OF COLORADO
 SHEET 2 OF 3

SELTZER FARMS
 UNPLATTED



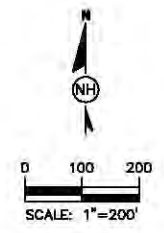
BASELINE LAKES LLC
 REC. NO. 00677/040
 (UNPLATTED)

HIGHLAND ACRES
 FILE 11, MAP 23

LOT 1, TWIN LAKES ESTATES
 SUBDIVISION FILE 17, MAP 382

LAND USE TABLE

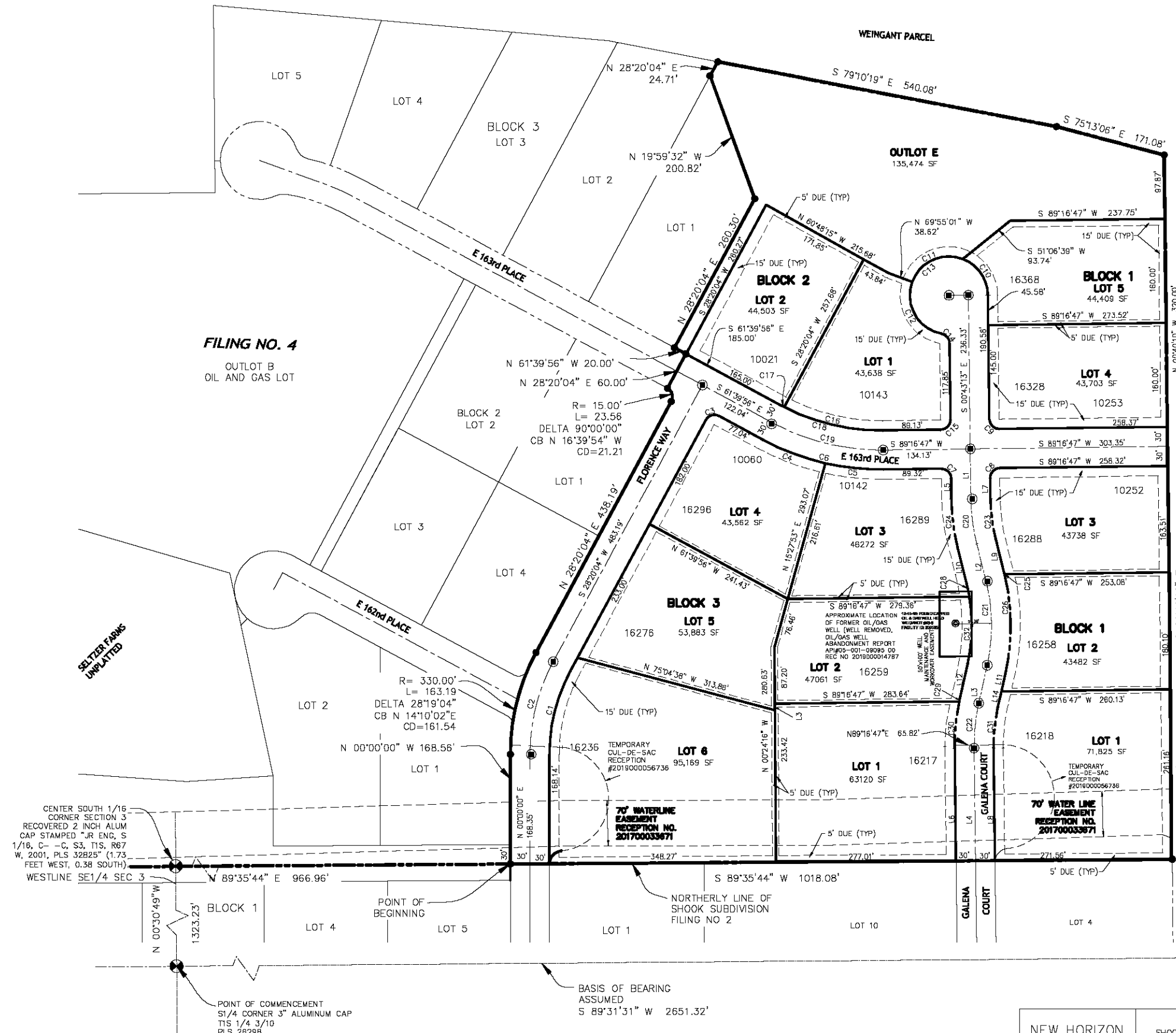
DESCRIPTION	LAND USE	ACREAGE	DWELLING UNITS	% OF SITE ACREAGE	DWELLING UNITS PER ACRE
LOTS 1-5 BLOCK 1 LOTS 1-2 BLOCK 2 LOTS 1-8 BLOCK 3	SINGLE FAMILY RESIDENCES	15.38	13	68.7%	N/A
OUTLOT E TO BE MAINTAINED BY PROMONTORY METRO DISTRICT	DRAINAGE EASEMENTS	3.11	N/A	13.8%	N/A
PROPOSED STREET (ROW) AND EASEMENTS	INGRESS/EGRESS & EASEMENTS	3.9	N/A	17.4%	N/A
TOTAL		22.39	13	100%	.56 DU/AC



STATE HIGHWAY NO. 7
 E. 160TH AVENUE

NEW HORIZON SURVEY, LLC <small>P.O. BOX 215 ARVADA, COLORADO 80001 PH (303) 501-2288 / nhsurvey@nhd.com</small>	SHOOK SUBDIVISION FILING NO. 3 800-218-567	DRAWN BY: BRL	DATE: 11/05/2018	REVISION: 3RD REVISION	BY: MCG
		CHECKED BY: RL	DATE: 11/15/2018	REVISION: 4TH REVISION	BY: MCG
		SCALE: 1" = 200'	DATE: 11/16/2018	REVISION: 5TH REVISION	BY: RRL
		DATE: MAY, 2018	DATE: 5/29/19	REVISION: 6TH REVISION	BY: EAB
		SHEET 2 OF 3	DATE: 6/11/19	REVISION: 7TH REVISION	BY: EAB
			DATE: 6/27/19	REVISION: 8TH REVISION	BY: EAB

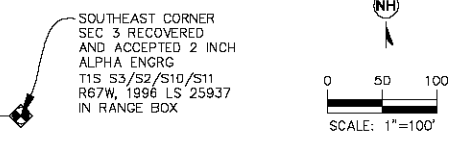
SHOOK SUBDIVISION FILING NO. 3
 LOCATED IN THE SOUTHEAST 1/4 OF SECTION 3,
 TOWNSHIP 1 SOUTH, RANGE 67 WEST, 6TH PM,
 COUNTY OF ADAMS, STATE OF COLORADO
 SHEET 3 OF 3



- LEGEND**
- ◊ = ALIQUOT SECTION CORNER AS NOTED
 - ⊙ = ALIQUOT 1/4 CORNER AS NOTED
 - = FOUND MONUMENT AS NOTED
 - = FOUND #5 REBAR WITH A 1-1/4 ALUMINUM CAP STAMPED "SUVCOR INC, L.S. 30829"
 - = SET #5 REBAR WITH 1" PLASTIC CAP
 - ⊙ = SET #5 REBAR 18" LONG WITH 1" PLASTIC CAP IN RANGE BOX
- BK=BOOK
 PG=PAGE
 DUE=DRAINAGE AND UTILITY EASEMENT

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	270.00'	133.52'	132.17'	S 14°10'02" W	28°20'04"
C2	300.00'	148.36'	145.85'	S 14°10'02" W	28°20'04"
C3	15.00'	23.56'	21.21'	S 73°20'04" W	90°00'00"
C4	380.00'	102.46'	102.15'	S 69°23'26" E	14°37'42"
C5	380.00'	90.23'	90.02'	S 83°55'04" E	12°58'26"
C6	380.00'	192.69'	190.64'	S 76°11'36" E	27°36'08"
C7	15.00'	23.56'	21.21'	N 45°43'13" W	90°00'00"
C8	15.00'	23.56'	21.21'	S 44°16'47" W	90°00'00"
C9	15.00'	23.56'	21.21'	S 45°43'13" E	90°00'00"
C10	60.00'	72.28'	67.97'	N 34°30'01" W	69°00'03"
C11	60.00'	95.21'	85.53'	S 69°32'26" W	90°55'02"
C12	60.00'	103.95'	91.43'	S 29°32'56" E	99°15'42"
C13	60.00'	271.41'	92.48'	S 50°24'37" W	259°10'47"
C14	15.00'	20.54'	18.97'	N 39°57'00" W	78°27'34"
C15	15.00'	23.56'	21.21'	N 44°16'47" E	90°00'00"
C16	320.00'	157.47'	155.89'	S 76°37'23" E	28°11'44"
C17	320.00'	4.79'	4.79'	S 62°03'52" E	0°51'30"
C18	320.00'	162.26'	160.54'	S 76°11'37" E	29°03'04"
C19	350.00'	177.48'	175.59'	S 76°11'36" E	29°03'14"
C20	300.00'	69.56'	69.41'	S 00°43'13" E	1°31'09"
C21	280.00'	129.85'	128.69'	S 00°43'13" E	26°34'17"
C22	300.00'	69.56'	69.41'	S 05°55'21" W	1°31'09"
C23	270.00'	62.61'	62.47'	S 07°21'47" E	1°31'09"
C24	330.00'	76.52'	76.35'	S 07°21'47" E	1°31'09"
C25	330.00'	0.83'	0.84'	S 13°56'00" E	0°08'41"
C26	330.00'	152.20'	150.86'	S 00°38'51" E	26°25'33"
C28	270.00'	21.30'	21.29'	S 11°57'41" E	4°31'12"
C29	330.00'	3.82'	3.83'	S 12°13'56" W	0°39'52"
C30	330.00'	72.69'	72.55'	S 05°35'00" W	12°37'16"
C31	270.00'	62.61'	62.47'	S 05°55'21" W	12°47'08"
C32	270.00'	103.93'	103.29'	S 01°32'17" W	22°03'17"

LINE #	LENGTH	BEARING
L1	76.96'	S00°43'13"E
L2	59.89'	S14°00'22"E
L3	59.89'	S12°33'55"W
L4	173.01'	S00°43'13"E
L5	31.96'	S00°43'13"E
L6	172.84'	S00°43'13"E
L7	31.96'	S00°43'13"E
L8	173.17'	S00°43'13"E
L9	55.17'	S13°59'21"E
L10	55.17'	S14°00'22"E
L11	25.12'	S12°33'55"W
L12	55.17'	S12°33'55"W
L13	10.00'	S00°24'16"W
L14	30.08'	S12°33'55"W



CENTER SOUTH 1/16 CORNER SECTION 3 RECOVERED 2 INCH ALUM CAP STAMPED "JR ENG, S 1/16, C - C, S3, T1S, R67 W, 2001, PLS 32825" (1.73 FEET WEST, 0.38 SOUTH)

POINT OF COMMENCEMENT S1/4 CORNER 3" ALUMINUM CAP T1S 1/4 3/10 PLS 26298

BASIS OF BEARING ASSUMED S 89°31'31" W 2651.32'

NEW HORIZON SURVEY, LLC
 P.O. BOX 215, ARVADA, COLORADO 80001
 PH. (303) 502-5265 / nhsurveyllc@gmail.com

SHOOK SUBDIVISION FILING NO. 3
 800-216-567

DRAWN BY:	DATE	REVISION	BY
BRL	11/05/2018	3RD REVISION	MCC
RL	11/15/2018	4TH REVISION	MCC
RL	11/16/2018	5TH REVISION	RRL
RL	5/29/19	6TH REVISION	EAB
RL	6/13/19	7TH REVISION	EAB
RL	6/27/19	8TH REVISION	EAB
RL	6/5/19	9TH REVISION	EAB

**SHOOK SUBDIVISION FILING NO. 4
LOCATED IN THE SOUTHEAST 1/4 OF SECTION 3,
TOWNSHIP 1 SOUTH, RANGE 67 WEST, 6TH PM,
COUNTY OF ADAMS, STATE OF COLORADO
SHEET 1 OF 3**

CERTIFICATE OF OWNERSHIP AND DEDICATION:

KNOW ALL MEN BY THESE PRESENTS THAT SEC 2-3 PHOENIX, LLC, A COLORADO LIMITED LIABILITY CO, BEING ALL OF THE OWNERS OF THE FOLLOWING DESCRIBED PROPERTY, TO WIT:

A PART OF THE SOUTHEAST ONE-QUARTER OF SECTION 3, TOWNSHIP 1 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS: THE SOUTH LINE OF THE SOUTHEAST ONE-QUARTER OF SAID SECTION 3, BEING MONUMENTED AT THE SOUTH 1/4 CORNER BY A 3 INCH ALUMINUM CAP STAMPED "T1S, 1/4, 3/10, PLS 26298" AND AT THE SOUTHEAST CORNER OF SAID SECTION 3, BY A 2 INCH ALUMINUM CAP STAMPED "ALPHA ENGRG., T1S/S3/S2/S10/S11, R67W, 1996, LS25937" IN A RANGE BOX, WITH ASSUMED BEARING S89°31'31"W; A DISTANCE OF 2851.32 FEET

COMMENCING AT THE SOUTH 1/4 CORNER OF SAID SECTION 3, THENCE N 00°30'49" W ALONG THE WEST LINE OF SAID SOUTHEAST ONE-QUARTER A DISTANCE OF 1323.17 FEET TO A POINT ON THE CENTER SOUTH 1/16 CORNER SECTION 3, RECOVERED 2" ALUMINUM CAP STAMPED "JR ENG, S1/6, C-C, S3, T1S, R67W, 2001, PLS 32825" (1.73 WEST, 0.38 SOUTH); THE POINT OF BEGINNING;

THENCE N 89°34'31" E A DISTANCE OF 967.04 FEET;

THENCE N 00°00'00" E A DISTANCE OF 188.58 FEET;
TO A POINT ON A CURVE WITH A RADIUS OF 330.00 FEET, A LENGTH OF 163.19 FEET AND A DELTA ANGLE OF 28°19'04", A CHORD BEARING OF N 14°10'02" E AND A CHORD LENGTH OF 161.54 FEET;

THENCE N 28°20'04" E A DISTANCE OF 438.19 FEET;

TO A POINT ON A CURVE WITH A RADIUS OF 15.00 FEET, A LENGTH OF 23.56 FEET AND A DELTA ANGLE OF 90°00'00", A CHORD BEARING OF 16°39'58" AND A CHORD LENGTH OF 21.21 FEET;

THENCE N 28°20'04" E A DISTANCE OF 60.00 FEET; THENCE N 81°39'58" W A DISTANCE OF 20.00 FEET; THENCE N 28°20'04" E A DISTANCE OF 280.30 FEET; THENCE N 19°59'32" W, A DISTANCE OF 200.82 FEET; THENCE N 28°20'04" E, A DISTANCE OF 24.71 FEET; THENCE N 79°10'19" W, A DISTANCE OF 170.71 FEET; THENCE N 84°54'03" W, A DISTANCE OF 610.38 FEET; THENCE S 00°31'00" E, A DISTANCE OF 287.50 FEET; THENCE S 89°29'01" W, A DISTANCE OF 462.14 FEET; THENCE S 00°30'59" E, A DISTANCE OF 440.47 FEET; THENCE S 73°44'55" E, A DISTANCE OF 500.89 FEET; THENCE S 12°00'10" E, A DISTANCE OF 318.38 FEET; THENCE S 86°11'56" W A DISTANCE OF 133.20 FEET; THENCE N 88°03'09" W A DISTANCE OF 375.34 FEET; THENCE N 77°05'57" W A DISTANCE OF 220.08 FEET;
THENCE S 00°30'49" E A DISTANCE OF 205.88 FEET THE POINT OF BEGINNING.

CONTAINING AN AREA OF 1,116,695.46± SQUARE FEET OR 25.63± ACRES.

HAVE BY THESE PRESENTS LAID OUT, PLATTED AND SUBDIVIDED THE SAME INTO STREETS, EASEMENTS, LOTS, BLOCKS AND OUTLOTS AS SHOWN ON THE PLAT UNDER THE NAME AND STYLE OF SHOOK SUBDIVISION FILING NO. 4 AND DO HEREBY DEDICATE TO THE COUNTY OF ADAMS, STATE OF COLORADO, FOR PUBLIC USE, ALL STREETS AND OTHER PUBLIC WAYS AND LANDS AS SHOWN ON THIS PLAT, FOREVER, AND ALSO RESERVE THOSE PORTIONS OF REAL PROPERTY WHICH ARE LABELED AS EASEMENTS ON THIS PLAT, FOR THE INSTALLATION AND MAINTENANCE OF UTILITY AND DRAINAGE FACILITIES TOGETHER WITH THE RIGHT TO TRIM INTERFERING TREES AND BRUSH, TOGETHER WITH A PERPETUAL RIGHT OF INGRESS AND EGRESS FOR INSTALLATION, MAINTENANCE AND REPLACEMENT OF SUCH LINES; SAID EASEMENTS TO BE USED IN A RESPONSIBLE AND PRUDENT MANNER.

EXECUTED THIS ____ DAY OF _____, 20 ____.

SEC 2-3 PHOENIX, LLC. A COLORADO LIMITED LIABILITY COMPANY

BY: GEORGE HANLON

_____, DATE _____
MANAGER

ACKNOWLEDGMENT

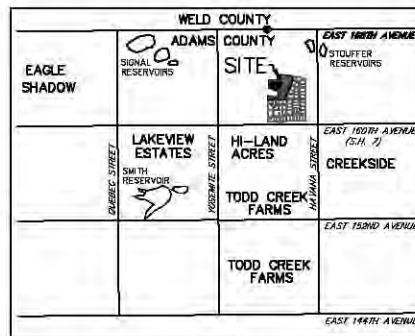
COUNTY OF _____)
STATE OF COLORADO) SS

THE FORGOING PLAT AND DEDICATION WAS ACKNOWLEDGED BEFORE ME THIS ____ DAY OF _____, 20 ____, BY GEORGE HANLON AS MANAGER OF SEC 2-3 PHOENIX, LLC A COLORADO LIMITED LIABILITY COMPANY

NOTARY PUBLIC

WITNESS MY HAND AND SEAL. MY COMMISSION EXPIRES _____.

MY ADDRESS IS: _____.



VICINITY MAP
NOT TO SCALE

NOTES

- BY GRAPHIC PLOTTING ONLY THIS SITE LIES IN ZONE "X" OF THE FLOOD INSURANCE RATE MAP. COMMUNITY PANEL NUMBER 080010C055G, WITH AN EFFECTIVE DATE OF AUGUST 16, 1995.
- ALL EASEMENTS SHOWN ARE UTILITY AND DRAINAGE EASEMENTS UNLESS OTHERWISE NOTED. ALL EASEMENTS ALONG ROADS ARE ALSO SLOPE EASEMENTS.
- ENGINEERED ONSITE WASTEWATER SYSTEMS (OWS) MAY BE REQUIRED ON CERTAIN LOTS. ENGINEERED OWS ARE LARGER AND MORE COSTLY THAN CONVENTIONAL SYSTEMS. LOT SPECIFIC SOILS AND PERCOLATION TESTS SHALL BE USED TO DETERMINE THE TYPE AND SIZE OF OWS THAN THE MINIMUM REQUIRED BASED SOLELY UPON THE PERCOLATION TEST RESULTS.
SUITABLE AREA NEEDS TO BE DESIGNATED ON EACH LOT SITE PLAN FOR BOTH PRIMARY AND REPLACEMENT WASTEWATER ABSORPTION AREAS. REPLACEMENT OF THE PRIMARY ABSORPTION AREA MAY BE REQUIRED IF FAILURE OF THE PRIMARY AREA OCCURS. THESE AREAS NEED TO MEET ALL TRI-COUNTY HEALTH DEPARTMENT SETBACK REQUIREMENTS AND ARE TO REMAIN FREE OF ANY IMPROVEMENTS, E.G. IRRIGATED LANDSCAPE, PAVING, OUT-BUILDINGS, ETC.
- NO BUILDING PERMITS WILL BE ISSUED FOR ANY LOT IN ANY PHASE OF CONSTRUCTION, UNTIL ALL PUBLIC IMPROVEMENTS, IN ANY PHASE, AS REQUIRED BY THE APPROVED CONSTRUCTION PLANS, HAVE BEEN COMPLETED AND ARE UNDER PRELIMINARY ACCEPTANCE OF THE ADAMS COUNTY DEPARTMENT OF PUBLIC WORKS.
- FIFTEEN-FOOT (15') WIDE UTILITY EASEMENTS ARE HEREBY GRANTED ON PRIVATE PROPERTY ADJACENT TO THE FRONT AND REAR LOT LINES OF EACH LOT AND FIVE FOOT (5') AND TEN-FOOT (10') UTILITY EASEMENTS ARE HEREBY GRANTED ALONG THE SIDE LOT LINES WITHIN THE SUBDIVISION OR PLATTED AREA. THESE EASEMENTS ARE DEDICATED FOR THE INSTALLATION, MAINTENANCE, AND REPLACEMENT OF ELECTRIC, GAS, TELEPHONE, CABLE AND TELECOMMUNICATION FACILITIES. UTILITIES SHALL ALSO BE PERMITTED WITHIN ANY ACCESS EASEMENTS AND PRIVATE STREETS WITHIN THE SUBDIVISION. PERMANENT STRUCTURES AND WATER METERS SHALL NOT BE PERMITTED WITHIN SAID UTILITY EASEMENTS.
- THE DEVELOPER SHALL PROVIDE A BUILDING ENVELOPE FREE OF ALL UNDERGROUND PIPELINES AND WILL BE RESPONSIBLE FOR REMOVING, RELOCATING AND/OR REDIRECTING ANY UNDISCOVERED PIPELINES WITHIN THE BUILDING ENVELOPES.
- ADAMS COUNTY IS NOT RESPONSIBLE FOR THE ENFORCEMENT OF ANY COVENANTS, CONDITIONS, OR RESTRICTIONS THAT MAY BE FILED AGAINST THIS SUBDIVISION PLAT.
- THE DEVELOPER SHALL RELOCATE ANY AND ALL OIL OR GAS LINES THAT PREVENT AN ADEQUATE ISDS FROM BEING INSTALLED ON ANY LOT.
- THERE ARE EXISTING UNDERGROUND GAS AND/OR OIL LINES WITHIN UNDOCUMENTED EASEMENTS WITHIN THIS DEVELOPMENT. THIS IS A GENERAL NOTE INFORMING THAT SUCH LINES OR EASEMENTS MAY EXIST ON ANY LOT AND CANNOT BE ACCURATELY LOCATED ON ANY PLATS AND THAT THE SURVEYOR AND ENGINEER ARE NOT LIABLE OR RESPONSIBLE FOR ANY BUILDING RESTRICTIONS OR LIMITATIONS CAUSED BY THESE LINES OR EASEMENTS. RESPONSIBILITY IS WITH THE OWNER/DEVELOPER TO LOCATE ANY SUCH LINES SO AS TO PROVIDE, AN ACCEPTABLE BUILDING ENVELOPE.
- THE POLICY OF THE COUNTY REQUIRES THAT MAINTENANCE ACCESS BE PROVIDED TO ALL STORM DRAINAGE FACILITIES TO ASSURE CONTINUOUS OPERATIONAL CAPABILITY TO THE SYSTEM. THE PROPERTY OWNERS (METRO DISTRICT) SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF ALL DRAINAGE FACILITIES INCLUDING INLETS, PIPES, CULVERTS, CHANNELS, DITCHES, HYDRAULIC STRUCTURES AND DETENTION BASINS LOCATED ON THEIR LAND UNLESS MODIFIED BY THE SUBDIVISION DEVELOPMENT AGREEMENT. SHOULD THE OWNERS FAIL TO ADEQUATELY MAINTAIN SAID FACILITIES, THE COUNTY SHALL HAVE THE RIGHT TO ENTER SAID LAND FOR THE SOLE PURPOSE OF OPERATIONS AND MAINTENANCE. ALL SUCH MAINTENANCE COSTS WILL BE ASSESSED TO THE PROPERTY OWNERS.

(CONTINUED)

NOTES (CONTINUED)

- INDIVIDUAL SEWAGE DISPOSAL (ISDS). MAINTENANCE OF THE ISDS WILL BE UNDERTAKEN BY THE TODD CREEK VILLAGE METROPOLITAN DISTRICT NUMBER 1 (TCVMD1). NO SEPTIC TANK SHALL BE CONSTRUCTED FURTHER THAN 150' FROM THE GARAGE DRIVEWAY. SEPTIC TANK PUMPING TRUCKS WILL ACCESS THOSE DRIVEWAYS FOR MAINTENANCE PURPOSES. DRIVEWAYS WILL BE CONSTRUCTED ACCORDINGLY. ALL ISDS WILL BE APPROVED BY TVFMD1 PRIOR TO CONSTRUCTION.
- THE TODD CREEK VILLAGE METRO DISTRICT HAS IMPLEMENTED A MAINTENANCE AND INSPECTION PROGRAM FOR ONSITE WASTEWATER SYSTEMS (OWS) WITHIN THE DISTRICT. THE DISTRICT SHALL BE CONTACTED FOR SPECIFIC REQUIREMENTS OF THE PROGRAM
- THE APPROVED STORMWATER OPERATIONS AND MAINTENANCE MANUAL IS ON FILE WITH ADAMS COUNTY CLERK AND RECORDER'S OFFICE AT RECEPTION #201800026310
- MONUMENTS WILL BE SET AT ALL STREET INTERSECTIONS, THE BEGINNING AND THE END OF EACH CENTERLINE, HORIZONTAL CURVE IS A STREET AND AT THE CENTER OF THE CUL-DE-SAC.
- THE OWNER SHALL DISCLOSE TO PROSPECTIVE PURCHASERS OF LOTS WITHIN A RADIUS OF 200 FEET OF THE PLUGGED AND ABANDONED WELL OF (1) LOCATION OF THE PLUGGED AND ABANDONED WELL, (2) THE LOCATION OF THE MAINTENANCE AND WORKOVER SETBACK, AND (3) THE PURPOSE FOR THE WELL AND MAINTENANCE AND WORKOVER SETBACK.
- NO UTILITY LINES SHALL BE INSTALLED WITHIN (10') FEET OF ANY PLUGGED AND ABANDONED WELL.
- NO DWELLING SHALL BE CONSTRUCTED WITHIN FIFTY (50') FEET OF A PLUGGED AND ABANDONED WELL.
- A PORTION OF THE SIGNAL DITCH, NOT SHOWN, HAS BEEN ABANDONED BY SEPARATE INSTRUMENT (RECEPTION #2019000108651)

CERTIFICATE OF SURVEY

I, RANDALL R. LONG, A REGISTERED LAND SURVEYOR IN THE STATE OF COLORADO DO HEREBY CERTIFY THAT TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF: THERE ARE NO ROADS, IRRIGATION DITCHES, OR OTHER EASEMENTS IN EVIDENCE OR KNOWN BY ME TO EXIST ON OR ACROSS THE HEREIN DESCRIBED PROPERTY EXCEPT AS SHOWN ON THIS PLAT. I FURTHER CERTIFY THAT THE SURVEY WAS PERFORMED BY ME OR UNDER MY DIRECT RESPONSIBILITY, SUPERVISION AND CHECKING AND THAT THE PLAT ACCURATELY REPRESENTS SAID SURVEY, AND THAT ALL MONUMENTS EXIST AS SHOWN HEREON

FOR AND ON BEHALF OF NEW HORIZON SURVEY, LLC.

_____, DATE _____
RANDALL R. LONG
REGISTERED LAND SURVEYOR
COLORADO REGISTRATION NO. 35591

BASIS OF BEARINGS

THE BEARINGS SHOWN HEREON ARE BASED ON THE SOUTH LINE OF THE SOUTHEAST ONE-QUARTER OF SAID SECTION 3, BEING MONUMENTED AT THE SOUTH 1/4 CORNER BY A 3 INCH ALUMINUM CAP STAMPED "T1S, 1/4, 3/10, PLS 26298" AND AT THE SOUTHEAST CORNER OF SAID SECTION 3 BY A 2 INCH ALUMINUM CAP STAMPED "ALPHA ENGRG., T1S, S3/S2/S10/S11, R 67W, 1996, LS 25937" IN A RANGEBOX, BEARING S 89°31'31" W.

NOTICE

ACCORDING TO COLORADO LAW, YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT OF THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF SURVEY SHOWN HERON.

BOARD OF COUNTY COMMISSIONERS APPROVAL

APPROVED BY THE ADAMS COUNTY BOARD OF COMMISSIONERS

THIS ____ DAY OF _____, 20 ____.

CHAIR

PLANNING COMMISSION APPROVAL

APPROVED BY THE ADAMS COUNTY PLANNING COMMISSION

THIS ____ DAY OF _____, 20 ____.

CHAIR

CLERK AND RECORDER

THIS FINAL PLAT WAS FILED FOR RECORD IN THE OFFICE OF THE ADAMS COUNTY CLERK AND RECORDER IN THE STATE OF COLORADO AT

_____, M. ON THE ____ DAY OF _____, 20 ____.

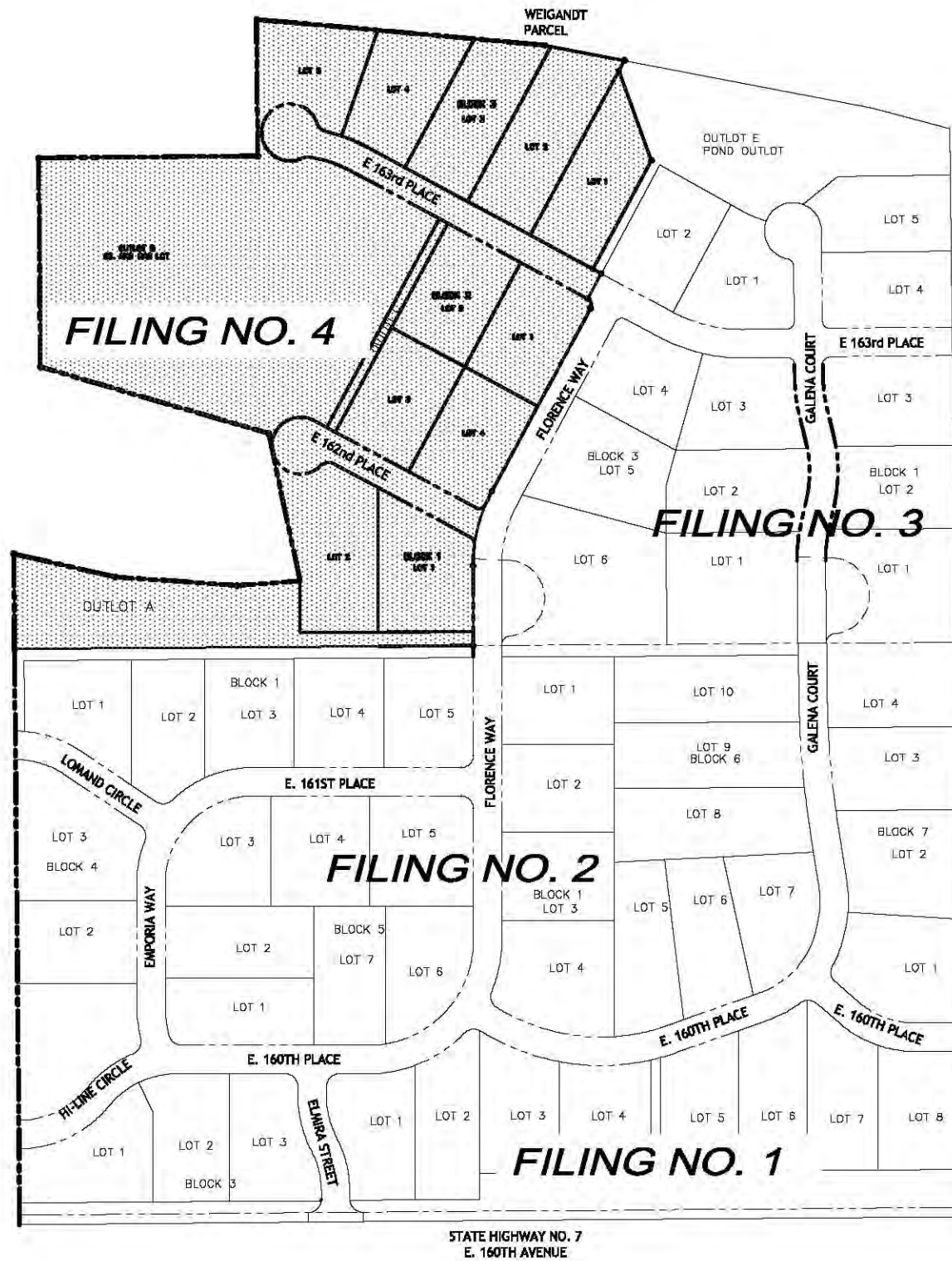
COUNTY CLERK AND RECORDER

BY DEPUTY: _____

INSTRUMENT NUMBER: _____

NEW HORIZON SURVEY, LLC P.A. BOX 213 ARVADA, COLORADO 80001 PH. (303) 992-5288 / newh@hds.com	SHOOK SUBDIVISION FILING NO. 4 800-218-587	DRAWN BY: BRL	DATE: 11/15/18	REVISION: 3RD REVISION	BY: MCG
		CHECKED BY: RL	DATE: 11/16/18	REVISION: 4TH REVISION	BY: RRL
		SCALE: N/A	DATE: 3/5/19	REVISION: 5TH REVISION	BY: EAB
		DATE: MAY 2018	DATE: 6/4/19	REVISION: 6TH REVISION	BY: EAB
SHEET 1 OF 3		DATE: 5/27/19	REVISION: 8TH REVISION	BY: EAB	

SHOOK SUBDIVISION FILING NO 4
 LOCATED IN THE SOUTHEAST 1/4 OF SECTION 3,
 TOWNSHIP 1 SOUTH, RANGE 67 WEST, 6TH PM,
 COUNTY OF ADAMS, STATE OF COLORADO
 SHEET 2 OF 3



SELTZER FARMS
UNPLATTED

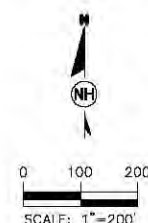
HIGHLAND ACRES
FILE 11, MAP 23

BASELINE LAKES, LLC
REC. NO. 080774340
(UNPLATTED)

LAND USE TABLE

DESCRIPTION	LAND USE	PROPOSED ACREAGE	PROPOSED DWELLING UNITS	PROPOSED % OF SITE ACREAGE	DWELLING UNITS PER ACRE
LOTS 1-2 BLOCK 1 LOTS 1-4 BLOCK 2 LOTS 1-5 BLOCK 3	SINGLE FAMILY RESIDENCES	11.57	11	45%	N/A
OUTLOT A TO BE MAINTAINED BY PROMONTORY HOA	OPEN SPACE	3.35	N/A	9.1	N/A
OUTLOT B (LANDSCAPING) TO BE MAINTAINED BY PROMONTORY HOA	OIL AND GAS	8.81	N/A	34.4	N/A
OUTLOT C (LANDSCAPING) TO BE MAINTAINED BY PROMONTORY HOA	DRAINAGE	0.23	N/A	0.1	N/A
PROPOSED STREET (ROW) AND EASEMENTS	INGRESS/EGRESS & EASEMENTS	2.60	N/A	11.4%	N/A
TOTAL		25.63	11	100.00	0.43

LOT 1, TWIN LAKES ESTATES
SUBDIVISION FILE 17, MAP 382



NEW HORIZON SURVEY, LLC <small>P.O. BOX 213 ARVIDA, COLORADO 80001 PH (303) 502-5266 / rhaunej@nhsurvey.com</small>	SHOOK SUBDIVISION FILING NO. 4 800-218-567	DRAWN BY: BRL	DATE: 11/15/18	REVISION: 3RD REVISION	BY: MCG
		CHECKED BY: RL	DATE: 11/16/18	REVISION: 4TH REVISION	BY: RRL
		SCALE: 1" = 200'	DATE: 3/5/19	REVISION: 5TH REVISION	BY: RRL
		DATE: MAY 2018	DATE: 5/28/19	REVISION: 6TH REVISION	BY: EAB
		SHEET 2 OF 3	DATE: 6/4/19	REVISION: 7TH REVISION	BY: EAB
			DATE: 6/27/19	REVISION: 8TH REVISION	BY: EAB

SUBDIVISION IMPROVEMENTS AGREEMENT

THIS AGREEMENT, is made and entered into by and between the County of Adams, State of Colorado, hereinafter called "County" and SEC 2-3 Phoenix, LLC, a Colorado limited liability company, 9200 E. Mineral Avenue, Unit 365, Centennial, CO 80112, hereinafter called "Developer", and collectively referred to hereinafter as the "parties".

WITNESSETH:

WHEREAS, Developer is the owner of real property in the County of Adams, State of Colorado, as described in Exhibit "A" attached hereto, and by this reference made a part hereof, hereafter referred to as the "Property".

WHEREAS, it is provided by resolution of the Board of County Commissioners, County of Adams, that where designated the Developer shall have entered into a written agreement with the County to install public and/or private improvements, and to deed land for public purposes or right-of-way.

NOW, THEREFORE, in consideration of the foregoing, the parties hereto promise, covenant, and agree as follows:

1. **Engineering Services.** Developer shall furnish, at its own expense, all engineering and other services in connection with the design and construction of the improvements described and detailed on Exhibit "B" attached hereto, and by this reference made a part hereof.
2. **Drawings and Estimates.** The Developer shall furnish drawings and cost estimates for all improvements described and detailed on Exhibit "B" for approval by the County. Upon request, the Developer shall furnish one set of reproducible "as built" drawings and a final statement of construction costs for each phase of the development to the County.
3. **Construction.** Developer shall furnish and construct, at its own expense and in accordance with drawings and materials approved by the County, the improvements described and detailed on Exhibit "B".
4. **Time for Completion.** Improvements shall be completed according to the terms of this agreement within "construction completion date" appearing in Exhibits "B". The Director of Community and Economic Development may for good cause grant extension of time for completion of any part or all of improvements appearing on said Exhibit "B" for a period not to exceed 180 days. Any extension greater than 180 days shall only be approved by the Board of County Commissioners. Any extension of time shall be in written form only.
5. **Guarantee of Compliance.** Developer shall furnish to the County a cash escrow deposit or other acceptable collateral releasable only by the County, to guarantee compliance with this agreement. Said collateral shall be in the amount of \$294,313.80 including twenty percent (20%) to cover administration and five percent (5%) per year for the term of the Agreement to cover inflation. Upon completion of said improvements constructed according to the terms of this agreement, and Preliminary Acceptance by the Public Works Department in accordance with section 5-02-05-01 of the County's Development Standards and Regulations, the collateral shall be released. Completion of said improvements shall be determined solely by the County, and a reasonable part of said collateral, up to 20%, may be retained to guarantee maintenance of public improvements for a period of one year from the date of Preliminary Acceptance.

No building permits shall be issued until said collateral is furnished in the amount required and in a form acceptable to the Board of County Commissioners, and until the final plat has been approved and the improvements described in Exhibit "B" have been preliminarily accepted by the Director of Public Works. No construction permits shall be issued until all collateral required by this Agreement is furnished in a form acceptable to the Board of County Commissioners.

6. **Acceptance and Maintenance of Public Improvements.** All improvements designated "public" on Exhibit "B" shall be public facilities and become the property of the County or other public agencies upon acceptance of the improvements. During the period of one year from and after the acceptance of public improvements, the Developer shall, at its own expense, make all needed repairs or replacement due to defective materials or workmanship which, in the opinion of the County, becomes necessary. If, within ten days of written notice to the Developer from the County requesting such repairs or replacements, the Developer has not undertaken with due diligence to make the same, the County may make such repairs or replacements at the Developer's expense. In the case of an emergency such written notice may be waived.
7. **Successors and Assigns.** This agreement shall be binding upon the heirs, executors, personal representatives, successors, and assigns of the Developer, and shall be deemed a covenant running with the real property as described in Exhibit "A" attached hereto.
8. **Improvements and Dedication.** The undersigned Developer hereby agrees to provide the following improvements, and to dedicate described property.

A. **Improvements.** The Shook Subdivision Filing 3 improvements:

Public Improvements:

- Construction of Florence Way, Galena Ct, and 163rd Place.
- Construction of related drainage ways, culverts, and utilities.
- Block 1, Lots 1-5
- Block 2, Lots 1-2
- Block 3, Lots 1-6

The improvements shall be constructed in accordance with all County requirements and specifications in accordance with the approved plans and time schedule as indicated in Exhibit "B".

- B. **Public dedication of land for right-of-way purposes or other public purpose.** Upon approval of this agreement by the Board of County Commissioners, the Developer hereby agrees to convey by warranty deed to the County of Adams the following described land for right-of-way or other public purposes:

All dedications were made at the time of platting.

SEC 2-3 Phoenix, LLC
Developer

By: _____
Gene Osborne, Authorized Agent

By: _____
Name, Title

The foregoing instrument was acknowledged before me this ____ day of _____,
2020, by _____.

My commission expires: _____

Address: _____

Notary Public

APPROVED BY resolution at the meeting of _____, 2020.

Collateral to guarantee compliance with this agreement and construction of public improvements shall be required in the amounts of **\$294,313.80**. No building permits shall be issued until said collateral is furnished in the amount required and, in a form, acceptable to the Board of County Commissioners. No construction permits shall be issued until all collateral required by this Agreement is furnished in the amount required and in a form acceptable to the Board of County Commissioners.

ATTEST:

CHAIR
ADAMS COUNTY, COLORADO

Clerk of the Board

Chair

Approved as to form:

County Attorney

EXHIBIT A

Legal Description: Located in the Southeast ¼ of Section 3, Township 1 South, Range 67 West of the 6th P.M, County of Adams, State of Colorado

SECT,TWN,RNG:3-1-67 DESC: PARC A-1 PT OF THE N2 OF THE SE4 OF SEC 3 DESC AS FOLS BEG AT THE NW COR OF THE NE4 OF SD SEC 3 TH N 89D 34M 25S E 422/14 FT TH S 00D 30M 59S E 2384/12 FT TH N 89D 39M 59S E 100 FT TO THE TRUE POB TH S 82D 54M 03S E 610/38 FT TH S 79D 10M 19S E 701/23 FT TH S 75D 13M 06S E 171/08 FT TH S 00D 40M 10S E 1082/69 FT TH S 89D 35M 44S W 1985/04 FT TH N 00D 30M 59S W 200/52 FT TH S 77D 05M 57S E 220/03 FT TH S 86D 03M 09S E 256/87 FT TH N 86D 11M 56S E 133/20 FT TH N 12D 00M 10S W 318/38 FT TH N 73D 44M 55S W 500/99 FT TH N 00D 30M 59S W 440/47 FT TH N 89D 29M 01S E 462/14 FT TH N 00D 30M 59S W 287/50 FT TO THE TRUE POB 48/03A

EXHIBIT B

See attached Exhibit "B".

Construction Completion Dates:

Filing 3 (exhibit B): June 1, 2021

Initials or signature of Developer: _____

Exhibit B
Shook Subdivision Filing
3
Projected Schedule Of
Public Improvements
June 1, 2020

Item	Quantity	Unit	Unit Price	Total
------	----------	------	------------	-------

1. a. Streets - Florence Way

All Internal roads				
HMA Pavement (4" Full Depth)	2020	SY	\$18.75	\$37,875.00
Class 6 Road Base (6" Depth)	2020	SY	\$9.75	\$19,695.00
Fine Grading	2020	SY	\$0.57	\$1,151.40
6' Class 6 road base shoulders	1010	SY	\$9.75	\$9,847.50
Signs	2	EA	\$300.00	\$600.00
Street Lights	1	EA	\$3,500.00	\$3,500.00
Mobilization	1	LS	\$390.00	\$390.00
			Subtotal	\$73,058.90

1. b. Streets - Galena Court

All Internal roads				
HMA Pavement (4" Full Depth)	2315	SY	\$18.75	\$43,406.25
Class 6 Road Base	2315	SY	\$9.75	\$22,571.25
Fine Grading	2315	SY	\$0.57	\$1,319.55
6' Class road base shoulders	1157	SY	\$9.75	\$11,280.75
Signs	4	EA	\$300.00	\$1,200.00
Street Lights	2	EA	\$3,500.00	\$7,000.00
Mobilization	1		\$390.00	\$390.00
			Subtotal	\$87,167.80

1. c. Streets - E. 163rd Place

All Internal roads				
HMA Pavement (4" Full Depth)	1824	SY	\$18.75	\$34,200.00
Class 6 Road Base	1824	SY	\$9.75	\$17,784.00
Fine Grading	1824	SY	\$0.57	\$1,039.68
6' Class 6 road base shoulders	912	SY	\$9.75	\$8,892.00
Signs	1	EA	\$300.00	\$300.00
Street Lights	1	EA	\$3,500.00	\$3,500.00
36-inch RCP	50	LF	\$95.00	\$4,750.00
36" FES	2	EA	\$1,250.00	\$2,500.00
Mobilization	1	LS	\$390.00	\$390.00
			Subtotal	\$73,355.68

Total Projection \$233,582.38

Administration 20% \$280,298.86

Inflation Guaranty 5% \$14,014.94

Total Projection With Warranty \$294,313.80

SUBDIVISION IMPROVEMENTS AGREEMENT

THIS AGREEMENT, is made and entered into by and between the County of Adams, State of Colorado, hereinafter called "County" and SEC 2-3 Phoenix, LLC, a Colorado limited liability company, 9200 E. Mineral Avenue, Unit 365, Centennial, CO 80112, hereinafter called "Developer", and collectively referred to hereinafter as the "parties".

WITNESSETH:

WHEREAS, Developer is the owner of real property in the County of Adams, State of Colorado, as described in Exhibit "A" attached hereto, and by this reference made a part hereof, hereafter referred to as the "Property".

WHEREAS, it is provided by resolution of the Board of County Commissioners, County of Adams, that where designated the Developer shall have entered into a written agreement with the County to install public and/or private improvements, and to deed land for public purposes or right-of-way.

NOW, THEREFORE, in consideration of the foregoing, the parties hereto promise, covenant, and agree as follows:

1. **Engineering Services.** Developer shall furnish, at its own expense, all engineering and other services in connection with the design and construction of the improvements described and detailed on Exhibit "B" attached hereto, and by this reference made a part hereof.
2. **Drawings and Estimates.** The Developer shall furnish drawings and cost estimates for all improvements described and detailed on Exhibit "B" for approval by the County. Upon request, the Developer shall furnish one set of reproducible "as-built" drawings and a final statement of construction costs for each phase of the development to the County.
3. **Construction.** Developer shall furnish and construct, at its own expense and in accordance with drawings and materials approved by the County, the improvements described and detailed on Exhibit "B".
4. **Time for Completion.** Improvements shall be completed according to the terms of this agreement within "construction completion date" appearing in Exhibit "B". The Director of Community and Economic Development may for good cause grant extension of time for completion of any part or all of improvements appearing on said Exhibit "B" for a period not to exceed 180 days. Any extension greater than 180 days shall only be approved by the Board of County Commissioners. Any extension of time shall be in written form only.
5. **Guarantee of Compliance.** Developer shall furnish to the County a cash escrow deposit or other acceptable collateral releasable only by the County, to guarantee compliance with this agreement. Said collateral shall be in the amount of \$154,525.47, including twenty percent (20%) to cover administration and five percent (5%) per year for the term of the Agreement to cover inflation. Upon completion of said improvements constructed according to the terms of this agreement, and Preliminary Acceptance by the Public Works Department in accordance with section 5-02-05-01 of the County's Development Standards and Regulations, the collateral shall be released. Completion of said improvements shall be determined solely by the County, and a reasonable part of said collateral, up to 20%, may be retained to guarantee maintenance of public improvements for a period of one year from the date of Preliminary Acceptance.

No building permits shall be issued until said collateral is furnished in the amount required and in a form acceptable to the Board of County Commissioners, and until the final plat has been approved and the improvements described in Exhibit "B" have been preliminarily accepted by the Director of Public Works. No construction permits shall be issued until all collateral required by this Agreement is furnished in a form acceptable to the Board of County Commissioners.

- 6. **Acceptance and Maintenance of Public Improvements.** All improvements designated “public” on Exhibit “B” shall be public facilities and become the property of the County or other public agencies upon acceptance of the improvements. During the period of one year from and after the acceptance of public improvements, the Developer shall, at its own expense, make all needed repairs or replacement due to defective materials or workmanship which, in the opinion of the County, becomes necessary. If, within ten days of written notice to the Developer from the County requesting such repairs or replacements, the Developer has not undertaken with due diligence to make the same, the County may make such repairs or replacements at the Developer’s expense. In the case of an emergency such written notice may be waived.
- 7. **Successors and Assigns.** This agreement shall be binding upon the heirs, executors, personal representatives, successors, and assigns of the Developer, and shall be deemed a covenant running with the real property as described in Exhibit “A” attached hereto.
- 8. **Improvements and Dedication.** The undersigned Developer hereby agrees to provide the following improvements, and to dedicate described property.

A. **Improvements.** The Shook Subdivision Filing 4:

Public Improvements:

- Construction of E. 162nd Place and E. 163rd Place
- Construction of related drainage ways, culverts, and utilities
- Block 1, Lots 1-2
- Block 2, Lots 1-4
- Block 3, Lots 1-5

The improvements shall be constructed in accordance with all County requirements and specifications in accordance with the approved plans and time schedule as indicated in Exhibit “B”.

B. **Public dedication of land for right-of-way purposes or other public purpose.** Upon approval of this agreement by the Board of County Commissioners, the Developer hereby agrees to convey by warranty deed to the County of Adams the following described land for right-of-way or other public purposes:

All dedications were made at the time of platting.

SEC 2-3 Phoenix, LLC
Developer

By: _____
Gene Osborne, Authorized Agent

By: _____
Name, Title

The foregoing instrument was acknowledged before me this ____ day of _____, 2020, by _____.

My commission expires: _____

Address: _____

Notary Public

APPROVED BY resolution at the meeting of _____, 2020.

Collateral to guarantee compliance with this agreement and construction of public improvements shall be required in the amounts of \$154,525.47. No building permits shall be issued until said collateral is furnished in the amount required and, in a form, acceptable to the Board of County Commissioners. No construction permits shall be issued until all collateral required by this Agreement is furnished in the amount required and in a form acceptable to the Board of County Commissioners.

ATTEST:

CHAIR
ADAMS COUNTY, COLORADO

Clerk of the Board

Chair

Approved as to form:

County Attorney

EXHIBIT A

Legal Description: Located in the Southeast ¼ of Section 3, Township 1 South, Range 67 West of the 6th P.M, County of Adams, State of Colorado

SECT,TWN,RNG:3-1-67 DESC: PARC A-1 PT OF THE N2 OF THE SE4 OF SEC 3 DESC AS FOLS BEG AT THE NW COR OF THE NE4 OF SD SEC 3 TH N 89D 34M 25S E 422/14 FT TH S 00D 30M 59S E 2384/12 FT TH N 89D 39M 59S E 100 FT TO THE TRUE POB TH S 82D 54M 03S E 610/38 FT TH S 79D 10M 19S E 701/23 FT TH S 75D 13M 06S E 171/08 FT TH S 00D 40M 10S E 1082/69 FT TH S 89D 35M 44S W 1985/04 FT TH N 00D 30M 59S W 200/52 FT TH S 77D 05M 57S E 220/03 FT TH S 86D 03M 09S E 256/87 FT TH N 86D 11M 56S E 133/20 FT TH N 12D 00M 10S W 318/38 FT TH N 73D 44M 55S W 500/99 FT TH N 00D 30M 59S W 440/47 FT TH N 89D 29M 01S E 462/14 FT TH N 00D 30M 59S W 287/50 FT TO THE TRUE POB 48/03A

EXHIBIT B

See attached Exhibit B.

Construction Completion Dates:

Filing 4 (exhibit B): June 1, 2021

Initials or signature of Developer: _____

Exhibit B
Shook Subdivision Filing
4
Projected Schedule Of
Public Improvements
June 1, 2020

Item	Quantity	Unit	Unit Price	Total
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1. a. Streets - E. 162nd Place

All Internal roads				
HMA Pavement (4" Full Depth)	765	SY	\$18.75	\$14,343.75
Class 6 Road Base (6" Depth)	765	SY	\$9.75	\$7,458.75
Fine Grading	765	SY	\$0.57	\$436.05
6' Class 6 road base shoulders	382	SY	\$9.75	\$3,724.50
Signs	2	EA	\$300.00	\$600.00
Street Lights	1	EA	\$3,500.00	\$3,500.00
Mobilization	1	LS	\$390.00	\$390.00

18" RCP	84	LF	\$71.52	\$6,007.68
18" FES	2	EA	\$550.00	\$1,100.00
36" RCP	70	LF	\$95.77	\$6,703.90
36" FES	2	EA	\$1,050.00	\$2,100.00

Subtotal \$46,364.63

1. b. Streets - E. 163rd Place

All Internal roads				
HMA Pavement (4" Full Depth)	1909	SY	\$18.75	\$35,793.75
Class 6 Road Base	1909	SY	\$9.75	\$18,612.75
Fine Grading	1909	SY	\$0.57	\$1,088.13
6' Class 6 road base shoulders	954	SY	\$9.75	\$9,301.50
Signs	1	EA	\$300.00	\$300.00
Street Lights	1	EA	\$3,500.00	\$3,500.00
36-inch RCP	50	LF	\$95.77	\$4,788.50
36" FES	2	EA	\$1,250.00	\$2,500.00
Mobilization	1	LS	\$390.00	\$390.00

Subtotal \$76,274.63

Total Projection \$122,639.26

Administration 20% \$147,167.11

Inflation Guaranty 5% \$7,358.36

Total Projection With Warranty \$154,525.47



March 31, 2020

Emily Collins
Adams County Community and Economic Development Department
Transmitted via email:
ecollins@adcogov.org

RE: Shook Subdivision Filings 3 and 4
Project Number: PRC2018-00008
Portion of the SE ¼, Section 3, T1S, R67W, 6th P.M.
Water Division 1, Water District 2

Dear Ms. Collins,

We have reviewed the additional documents related to case no. PRC2018-00008, concerning the above referenced proposal to create 13 lots in Shook Subdivision Filing 3 and to create 11 lots in Shook Subdivision Filing 4.

Water Supply Demand

According to an updated report regarding the District's surface water supplies and water demands on March 16, 2020 ("Water Supply Report") the potable water demand is estimated at 7.2 acre-feet per year based on a potable demand of 0.3 acre-feet per year per unit. According to the Water Supply Report the non-potable irrigation water demand is estimated at 8.16 acre-feet per year based on a non-potable irrigation demand of 0.34 acre-feet per year per unit.

Source of Water Supply

District Water Supply Overview

The proposed water source is the Todd Creek Village Metropolitan District (District). A "willing to serve" letter from the District dated February 18, 2018 was provided with application materials.

This office recognizes that the District continues to develop its water portfolio and infrastructure so that it can meet the needs of its customers. However, when this office evaluates water supplies available to any water district or municipal provider for the purpose of meeting permanent customer commitments it does not consider a district's short-term contract supplies, Denver Basin water that has not been decreed, nontributary Denver Basin groundwater that has not been included in a court approved augmentation plan or any other source of water that is not currently legally available for municipal use. Short term contracts have the potential to be discontinued and water supplies that require a water court decree prior to use have an uncertain yield until such time as a water court decree is obtained. For these reasons, we have not historically considered such supplies when evaluating the permanent water supplies available to a district. This is consistent with the approach we have taken in previous letters to the county regarding the District, including letters dated January 2, 2002, June 18, 2002, August 8, 2002, October 29, 2002, September 15, 2004, January 24, 2005, February 8,



2005, October 4, 2011 and November 17, 2016. In addition, to the extent that the applicant is claiming junior water rights they must specify and provide support for the claimed annual firm yield of the water rights.

District Water Supply Demands

According to the Water Supply Report, the District has implemented a dual pipeline system, one for potable water and one for non-potable irrigation water. New subdivisions will be required to have two taps and the existing subdivisions have been retrofitted with this system.

The Water Supply Report estimates the District’s potable water commitments to be approximately 789.07 acre-feet annually, as shown in Table 1 below and the District’s non-potable water commitments to approximately, 1,345.01 acre-feet annually, as shown in Table 2 below.

For the purposes of understanding the District’s ability to satisfy the counties’ water allocation approaches for the previously approved subdivisions, water demand can also be described by the total residential and commercial water demand over the 100 year and 300 year allocation periods. The total potable water demand for residential and commercial developments is 104,971.7 acre-feet and the non-potable water demand for residential and commercial developments is 164,367.0 acre-feet. The potable and non-potable water requirements of each existing residential and commercial development are listed in Table 1 and 2.

Table 1: Potable Water Demands

Development Name	Number of Single Family Units	Assumed Water Requirement per Lot (AF/yr/lot)	Total Annual In-House Use Requirement (AF/yr)	Water Supply Demand Approach	Total In-House Use Requirement (AF)
Residential					
Todd Creek Farms Filing 1	54	0.269	14.53	100-yr	1452.6
Todd Creek Farms Filing 2	57	0.269	15.33	100-yr	1533.3
Todd Creek Farms Filing 3	62	0.269	16.68	100-yr	1667.8
Todd Creek Farms Filing 4	139	0.269	37.39	100-yr	3739.1
Foxridge	58	0.269	15.60	100-yr	1560.2
Todd Creek Farms Filing 5	160	0.269	43.04	100-yr	4304.0
Eagle Shadow I	185	0.269	49.77	100-yr	4976.5
Wheatland Estates	71	0.269	19.10	100-yr	1909.9
Todd Creek Meadows Phase I	78	0.269	20.98	100-yr	2098.2
Silver Springs	52	0.269	13.99	100-yr	1398.8
Hawk Ridge	47	0.269	12.64	100-yr	1264.3
Eagle Shadow II	191	0.269	51.38	100-yr	5137.9
Heritage at Todd Creek	1277	0.269	343.51	100-yr	34351.3
Todd Creek Village-Bartley	179	0.300	53.70	300-yr	16110.0
Todd Creek Village-Shook	64	0.300	19.20	300-yr	5760.0
Baseline Lakes	54	0.269	14.53	300-yr	4357.8
Jogan Estates	3	0.300	0.9	300-yr	270
Baseline Lakes-Add'l	140	0.300	42.00	300-yr	12,600.0
Commercial					

HTC Club/Maint			3.65	100-yr	365.0
TCVMD office			0.03	100-yr	3.0
NH Church			0.88	100-yr	88.0
Harvest Fellowship			0.24	100-yr	24.0
Total	2,871		789.07		104,971.7

Table 2: Non-Potable Water Demands

Development Name	Number of Single Family Units	Assumed Water Requirement per Lot (AF/yr/lot)	Total Annual Irrigation Requirement (AF/yr)	Water Supply Demand Approach	Total Irrigation Requirement (AF)
Residential					
Todd Creek Farms Filing 1	54	0.34	18.36	100-yr	1,836
Todd Creek Farms Filing 2	57	0.34	19.38	100-yr	1,938
Todd Creek Farms Filing 3	62	0.34	21.08	100-yr	2,108
Todd Creek Farms Filing 4	139	0.34	47.26	100-yr	4,726
Foxridge	58	0.34	19.72	100-yr	1,972
Todd Creek Farms Filing 5	160	0.34	54.40	100-yr	5,440
Eagle Shadow I	185	0.34	62.90	100-yr	6,290
Wheatland Estates	71	0.34	24.14	100-yr	2,414
Todd Creek Meadows Phase I	78	0.34	26.52	100-yr	2,652
Silver Springs	52	0.34	17.68	100-yr	1,768
Hawk Ridge	47	0.34	15.98	100-yr	1,598
Eagle Shadow II	191	0.34	64.94	100-yr	6,494
Heritage at Todd Creek	1277	0.25	319.25	100-yr	31,925
Todd Creek Village-Bartley	179	0.34	60.86	300-yr	18,258
Todd Creek Village-Shook	64	0.34	21.76	300-yr	6,528
Baseline Lakes	54	0.34	18.36	300-yr	5,508
Jogan Estates	3	0.25	0.75	300-yr	225
Baseline Lakes-Add'l	140	0.34	47.60	300-yr	14,280
Commercial					
HTC Club/Maint			11.7	100-yr	1,170
TCVMD office			0.0	100-yr	0
NH Church			0.0	100-yr	0
Harvest Fellowship			0.39	100-yr	39
TCV P&R ES Park			8.1	100-yr	810
TCV P&R TCM Park			3.98	100-yr	398
LS Areas			69.9	100-yr	6,990
Future HTC LS areas			120	100-yr	12,000
HTC Golf Courses			270	100-yr	27,000
Total	2,871		1,345.01		164,367.0

There is a current subdivision proposal in Weld County known as Dry Creek Village East Subdivision Phase 1 and the District may commit an additional 90 acre-feet to that subdivision. If the District

commits to provide water to that development the existing commitments would be 879.07 acre-feet per year.

District Water Supply Availability: Denver Basin Water

According to the District's Water Supply Report, the District has approximately 843 acre-feet per year of currently decreed nontributary Laramie-Fox Hills ground water rights. The District also has 39.2 acre-feet per year of not-nontributary Lower Arapahoe ground water rights that are currently included in a plan for augmentation and 503.6 acre-feet per year of not-nontributary Lower Arapahoe ground water rights that are currently not included in a plan for augmentation. Once adjudicated, the District claims it will also have the right to withdraw and use additional Laramie-Fox Hills aquifer water underlying lands in the District's boundaries that is not currently adjudicated. **Please note that these amounts are based on the statutory 100-year aquifer life allocation approach.**

Based on this information, the District currently has a total of 88,220 acre-feet (882.2 acre-feet per year for 100 years) of Denver Basin water supplies; the District is committed to supplying a total of 104,971.7 acre-feet of potable water. If the Denver Basin water is withdrawn over 100 years, it equates to 882.2 acre-feet of water per year, which is greater than the yearly potable commitment of 789.07 acre-feet per year.

The proposed source of water for this subdivision includes bedrock aquifer ground water in the Denver Basin. The State Engineer's Office does not have evidence regarding the length of time for which this source will be a physically and economically viable source of water. According to 37-90-137(4)(b)(I), C.R.S., "Permits issued pursuant to this subsection (4) shall allow withdrawals on the basis of an aquifer life of one hundred years." Based on this allocation approach, the annual amounts of water decreed by the District in the Denver Basin are equal to one percent of the total amount, as determined by rules 8.A and 8.B of the Statewide Nontributary Ground Water Rules, 2 CCR 402-7. Therefore, the water may be withdrawn in those annual amounts for a maximum of 100 years.

In the Adams County Development Standards and Regulations, Effective April 15, 2002, Section 5-04-05-06-04 states:

"Prior to platting, the developer shall demonstrate that...the water supply is dependable in quantity and quality based on a minimum useful life of three-hundred (300) years. A minimum 300-year useful life means the water supply from both a static and dynamic basis will be viable for a minimum 300-year period. The static analysis shall include evaluation of the volume of water that is appropriable for the proposed subdivision. The dynamic analysis shall evaluate whether the appropriable water supply is sustainable for three-hundred (300) years, giving consideration to the location and extent of the aquifer, as well as impacts caused by both current and future pumping by others from the aquifer."

The State Engineer's Office does not have evidence regarding the length of time for which this source will be "dependable in quantity and quality." However, the one hundred year and three hundred year water allocation approach was evaluated as described above. The State Engineer's Office has no comment on the quality of the water supply or the required 'dynamic analysis' to evaluate whether the appropriable water supply is sustainable for three hundred years.

District Water Supply Availability: Surface Water

According to the District’s Water Supply Report, the District has surface water rights and leased sources. Some of this water is limited to municipal or irrigation uses only, as outlined in Table 3, below. Table 3 also outlines what sources this office considers secure permanent supplies for the purposes of evaluating a subdivision water supply plan. This office does not consider water subject to short-term leases or water not yet adjudicated by the Water Court when evaluating the amount of permanent supplies available to supply residential developments.

Regarding the District’s use of Coors water, the following issues need to be addressed before we can provide additional comments. The Coors effluent may have very limited yield since the decrees under which the majority of the water rights were changed (case nos. W-8036, W8256 and 89CW234) do not allow for reuse or successive use for municipal uses within the District’s boundaries or augmentation uses other than the Coors Operations contemplated in the decrees. It appears that only a portion of the water included in case no. 99CW236, specifically water previously changed in case no. 96CW1117, could be used within the District’s boundaries, subject to the terms and conditions of said decrees.

The District has obtained a decree in case no. 08CW165. The average historical consumptive use decreed in that case for the Old Brantner shares of 130 acre-feet has been included as a permanent supply as shown in Table 3.

Table 3: District’s Surface Water Supplies

Water Source	Contract/ Shares	Contract End Date or Decree/ SWSP	Proposed Yield: Municipal (AF)	Proposed Yield: Irrigation (AF)	Firm yield, permanent supply: Municipal (AF)	Firm yield, permanent supply: Irrigation (AF)	Notes
Old Brantner	17 shares	08CW165	315.2	0	130	0	Adjudicated March 10, 2015
New Brantner	18.375 shares		0	312	0	312*	No information provided
Effluent	Coors- Aug	12/31/2016 (12/31/2026 w/ extensions)	200	0	0	0	Effluent not decreed for reuse or successive use
Reusable Effluent	Consolidated Mutual	Perpetual	500	0	462.1**	0	
Excess Credits	SACWSD	3/31/2018	500	0	0	0	Short term lease

*The New Brantner shares can continue to be used for the historical irrigation use. From the information provided it could not be determined if the land proposed to be irrigated is included under the originally decreed lands.

**The Consolidated Mutual contract water is typically released from the Metro Wastewater Facility; this water travels downstream to the District. Due to transit losses associated with the water delivery, only 462.1 acre-feet of the 500 acre-feet contracted is realized by the District. This calculation is based on the standard river transit loss rates; in a dry year the rate of transit loss could increase.

As shown in Table 3 above the District has approximately 592.1 acre-feet of potable surface water and leased supplies that could be considered part of the permanent water supply.

The Applicant is also claiming that the junior surface and storage water rights decreed in Division 1 Water Court case nos. 13CW3181 and 16CW3019 have a firm yield of 1,777 acre-feet per year. This analysis is based on historical stream flow and call records for the period of 2001 through 2018. According to the Water Supply Report the junior water rights decreed in case nos. 13CW3181 and 16CW3019 will be used when available and the Denver Basin water will be used as a backup supply during periods of drought or shortage.

District Water Supply Availability: Conclusions

The District's ability to regulate potable and irrigation water separately through their dual pipeline system allows this office to evaluate potable water supply and irrigation water supply independently. Therefore, this office's conclusions regarding the District's potable and irrigation water are being addressed separately.

When the permanent supply of the District's municipal surface rights (592.1 acre-feet per year) is combined with the District's Denver Basin water (882.2 acre-feet per year), the District's total permanent potable water supply becomes 1,474.3 acre-feet per year (assuming a 100-year aquifer life). This amount is sufficient to meet the potable residential and commercial demands for the existing District's commitments, which is 789.07 acre-feet per year, which includes the 7.2 acre-feet per year for Shook Subdivision Filings 3 and 4. This amount would also be sufficient if the District commits to serve the Dry Creek Village East Subdivision Phase 1 subdivision in Weld County.

As discussed above based on the 100 year and 300 year allocation approaches required for the subdivisions the total water requirement for the District's current commitments is 104,971.7 acre-feet. The permanent water sources available to meet that demand is 882.2 acre-feet per year of Denver Basin water (88,220 acre-feet total based on a 100 year allocation approach) and 592.1 acre-feet of surface rights (177,630 acre-feet based on deliveries for 300 years). Therefore the total amount of permanent water supplies available over a 300 year period would be 265,850 acre-feet which would be adequate to meet the potable demand over that period of 104,971.7 acre-feet, including Shook Subdivision Filings 3 and 4.

The sources of supply available to meet irrigation demands include the New Brantner shares for areas that can be legally irrigated by such shares, junior water right, Denver Basin water that is not needed to meet potable water demands and leased water from Consolidated Mutual that is not needed to meet potable water demands. However to the extent that Denver Basin water or leased water from Consolidated Mutual is used to meet irrigation demands it would reduce the amount of water available to meet potable water demands. As shown in Table 2 above the annual irrigation demand is 1345.01 acre-feet per year. Based on the Applicant's claimed firm yield for their junior water rights of 1,777 acre-feet the applicant has adequate junior water to meet its annual irrigation demand, as long as the junior water rights continue to be available in-priority consistent with the Applicant's historical availability analysis.

State Engineer's Office Opinion

As stated above, the District's dual pipeline system allows the District to control potable and non-potable water supply separately. Based the District's ability to maintain separate potable and non-potable water supply systems, the information presented above, and pursuant to Section 30-28-136(1)(h)(I) and Section 30-28-136(1)(h)(II), C.R.S., it is our opinion that the proposed water

supply is adequate **for potable residential and commercial use** and can be provided without causing injury to decreed water rights. Pursuant to Section 30-28-136(1)(h)(I) and Section 30-28-136(1)(h)(II), C.R.S., it is our opinion that the proposed water supply is adequate **for irrigation use** and can be provided without causing injury to decreed water rights, as long as the junior water rights continue to be available in-priority consistent with the Applicant's historical availability analysis.

Our opinion that the potable water supply is **adequate** is based on our determination that the amount of Denver Basin water required annually to serve the subdivision is currently physically available, based on current estimated aquifer conditions.

Our opinion that the irrigation water supply is **adequate** is based on the Applicant's firm yield analysis for the junior water rights, which was based on a historical availability analysis.

Our opinion that the potable water supply can be **provided without causing injury** is based on our determination that the amount of Denver Basin water that is legally available for the proposed uses on an annual basis, according to the statutory **allocation** approach, plus the permanent municipal supplies shown in Table 3, is greater than the annual amount of water required to supply existing water commitments and the demands of the proposed subdivision.

Our opinion that the potable water supply can be provided without causing injury recognizes that the District plans to use junior water rights to the extent available as the primary source of water supply and intends to use the Denver Basin water as a backup supply during periods of drought or shortage.

Our opinion is qualified by the following:

The Division 1 Water Court has retained jurisdiction over the final amount of water available under the Denver Basin decrees reference by the District, pending actual geophysical data from the aquifer.

The amounts of water in the Denver Basin aquifers, and identified in this letter, are calculated based on estimated current aquifer conditions. For planning purposes the county should be aware that the economic life of a water supply based on wells in a given Denver Basin aquifer may be less than the 100 or 300 years used for allocation due to anticipated water level declines. We recommend that the county determine whether it is appropriate to require development of renewable water resources for this subdivision to provide for a long-term water supply.

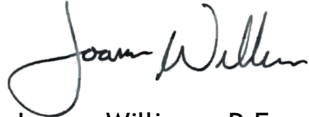
Additionally, the Con Mutual water is subject to assessment of conveyance losses occurring at the time of delivery as assessed by the water commissioner, currently 0.25% per mile during November through March and 0.50% per mile during April through October on the South Platte and 0.25% per mile on Clear Creek. Further, the Con Mutual water is dependent upon the natural stream for delivery from the point made available by Con Mutual at the Metro Wastewater Facility or other decreed source to the downstream location where Todd Creek would divert or use. Todd Creek would be responsible for any structures to be constructed or the use of existing structures that are required to bypass water past any structure that physically sweeps the river.

The applicant should be aware that unless any storm water detention structure, can meet the requirements of a "storm water detention and infiltration facility" as defined in Section 37-92-

602(8), C.R.S., the structure may be subject to administration by this office. The applicant should review the Division of Water Resources [Administrative Statement Regarding the Management of Storm Water Detention Facilities and Post-Wildland Fire Facilities in Colorado](#), available on our website, to ensure that the notification, construction and operation of the proposed structure meets statutory and administrative requirements. The applicant is encouraged to use *Colorado Stormwater Detention and Infiltration Facility Notification Portal*, located at <https://maperture.digitaldataservices.com/gyh/?viewer=cswdif>, to meet the notification requirements.

Should you or the applicant have any questions, please contact Ailis Thyne at (303) 866-3581 x8216.

Sincerely,

A handwritten signature in black ink that reads "Joanna Williams". The signature is written in a cursive style with a large initial "J".

Joanna Williams, P.E.
Water Resource Engineer

JMW/aat

Cc: Subdivision File 24595
Todd Creek Village Metro District File



January 28, 2020

Emily Collins
Adams County Community and Economic Development Department
Transmitted via email:
ecollins@adcogov.org

RE: Shook Subdivision Filings 3 and 4
Project Number: PRC2018-00008
Portion of the SE ¼, Section 3, T1S, R67W, 6th P.M.
Water Division 1, Water District 2

Dear Ms. Collins,

We have reviewed the additional documents related to case no. PRC2018-00008, concerning the above referenced proposal to create 13 lots in Shook Subdivision Filing 3 and to create 11 lots in Shook Subdivision Filing 4.

Water Supply Demand

According to a January 27, 2020 email from Gina Burke with Jehn Water Consultants, Inc. the potable water demand is estimated at 7.2 acre-feet per year based on a potable demand of 0.3 acre-feet per year per unit.

Source of Water Supply

District Water Supply Overview

The proposed water source is the Todd Creek Village Metropolitan District (District). A “willing to serve” letter from the District dated February 18, 2018 was provided with application materials.

The District last provided a Water Supply Report to this office, dated November 2011, on June 3, 2014. The District submitted an updated report regarding the District’s surface water supplies and water demands on December 19, 2019 and a memorandum to the report dated January 20, 2020 (“Water Supply Report”).

This office recognizes that the District continues to develop its water portfolio and infrastructure so that it can meet the needs of its customers. However, when this office evaluates water supplies available to any water district or municipal provider for the purpose of meeting permanent customer commitments it does not consider a district’s short-term contract supplies, Denver Basin water that has not been decreed, not nontributary Denver Basin groundwater that has not been included in a court approved augmentation plan or any other source of water that is not currently legally available for municipal use. Short term contracts have the potential to be discontinued and water supplies that require a water court decree prior to use have an uncertain yield until such time as a water court decree is obtained. For these reasons, we have not historically considered such supplies when evaluating the permanent water



supplies available to a district. This is consistent with the approach we have taken in previous letters to the county regarding the District, including letters dated January 2, 2002, June 18, 2002, August 8, 2002, October 29, 2002, September 15, 2004, January 24, 2005, February 8, 2005, October 4, 2011 and November 17, 2016. In addition, to the extent that the applicant is claiming junior water rights they must specify and provide support for the claimed annual firm yield of the water rights.

District Water Supply Demands

According to information in this office, the District has implemented a dual pipeline system, one for potable water and one for non-potable irrigation water. New subdivisions will be required to have two taps and the existing subdivisions have been retrofitted with this system. This office will focus on the potable residential and commercial water demands since the Water Supply Report addresses the potable demands and Todd Creek has existing permanent water supplies that will provide a firm yield to meet these demands and can supply potable water separate from non-potable water as a result of their dual pipeline system.

The Water Supply Report estimates the District’s potable water commitments to be approximately 789.07 acre-feet annually, as shown in Table 1 below.

For the purposes of understanding the District’s ability to satisfy the counties’ water allocation approaches for the previously approved subdivisions, water demand can also be described by the total residential and commercial potable water demand over the 100 year and 300 year allocation periods. The total potable water demand for residential and commercial developments is 104,971.7 acre-feet. The potable water requirements of each existing residential and commercial development are listed in Table 1.

Table 1: Potable Water Demands

Development Name	Number of Single Family Units	Assumed Water Requirement per Lot (AF/yr/lot)	Total Annual In-House Use Requirement (AF/yr)	Water Supply Demand Approach	Total In-House Use Requirement (AF)
Residential					
Todd Creek Farms Filing 1	54	0.269	14.53	100-yr	1452.6
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Eagle Shadow II	191	0.269	51.38	100-yr	5137.9
Heritage at Todd Creek	1277	0.269	343.51	100-yr	34351.3
Todd Creek Village-Bartley	172	0.300	51.60	300-yr	15480.0
Todd Creek Village-Shook	64	0.300	19.20	300-yr	5760.0

Baseline Lakes	54	0.269	14.53	300-yr	4357.8
Jogan Estates	3	0.300	0.9	300-yr	270
Baseline Lakes-Add'l	140	0.300	42.00	300-yr	12,600.0
Commercial					
HTC Club/Maint			3.65	100-yr	365.0
TCVMD office			0.03	100-yr	3.0
NH Church			0.88	100-yr	88.0
Harvest Fellowship			0.24	100-yr	24.0
Total	2,871		789.07		104,971.7

There is a current subdivision proposal in Weld County known as Dry Creek Village East Subdivision Phase 1 and the District may commit an additional 90 acre-feet to that subdivision. If the District commits to provide water to that development the existing commitments would be 879.07 acre-feet per year.

District Water Supply Availability: Denver Basin Water

According to the District's Water Supply Report, the District has approximately 843 acre-feet per year of currently decreed nontributary Laramie-Fox Hills ground water rights. The District also has 39.2 acre-feet per year of not-nontributary Lower Arapahoe ground water rights that are currently included in a plan for augmentation and 503.6 acre-feet per year of not-nontributary Lower Arapahoe ground water rights that are currently not included in a plan for augmentation. Once adjudicated, the District claims it will also have the right to withdraw and use additional Laramie-Fox Hills aquifer water underlying lands in the District's boundaries that is not currently adjudicated. **Please note that these amounts are based on the statutory 100-year aquifer life allocation approach.**

Based on this information, the District currently has a total of 88,220 acre-feet (882.2 acre-feet per year for 100 years) of Denver Basin water supplies; the District is committed to supplying a total of 104,971.7 acre-feet of potable water. If the Denver Basin water is withdrawn over 100 years, it equates to 882.2 acre-feet of water per year, which is greater than the yearly potable commitment of 789.07 acre-feet per year.

The proposed source of water for this subdivision includes bedrock aquifer ground water in the Denver Basin. The State Engineer's Office does not have evidence regarding the length of time for which this source will be a physically and economically viable source of water. According to 37-90-137(4)(b)(I), C.R.S., "Permits issued pursuant to this subsection (4) shall allow withdrawals on the basis of an aquifer life of one hundred years." Based on this **allocation** approach, the annual amounts of water decreed by the District in the Denver Basin are equal to one percent of the total amount, as determined by rules 8.A and 8.B of the Statewide Nontributary Ground Water Rules, 2 CCR 402-7. Therefore, the water may be withdrawn in those annual amounts for a maximum of 100 years.

In the Adams County Development Standards and Regulations, Effective April 15, 2002, Section 5-04-05-06-04 states:

"Prior to platting, the developer shall demonstrate that...the water supply is dependable in quantity and quality based on a minimum useful life of three-hundred (300) years. A minimum 300-year useful life means the water supply from both a

static and dynamic basis will be viable for a minimum 300-year period. The static analysis shall include evaluation of the volume of water that is appropriable for the proposed subdivision. The dynamic analysis shall evaluate whether the appropriable water supply is sustainable for three-hundred (300) years, giving consideration to the location and extent of the aquifer, as well as impacts caused by both current and future pumping by others from the aquifer.”

The State Engineer’s Office does not have evidence regarding the length of time for which this source will be “dependable in quantity and quality.” However, the one hundred year and three hundred year water allocation approach was evaluated as described above. The State Engineer’s Office has no comment on the quality of the water supply or the required ‘dynamic analysis’ to evaluate whether the appropriable water supply is sustainable for three hundred years.

District Water Supply Availability: Surface Water

According to the District’s Water Supply Report, the District has surface water rights and leased sources. Some of this water is limited to municipal or irrigation uses only, as outlined in Table 2, below. Table 2 also outlines what sources this office considers secure permanent supplies for the purposes of evaluating a subdivision water supply plan. This office does not consider water subject to short-term leases or water not yet adjudicated by the Water Court when evaluating the amount of permanent supplies available to supply residential developments.

Regarding the District’s use of Coors water, the following issues need to be addressed before we can provide additional comments. The Coors effluent may have very limited yield since the decrees under which the majority of the water rights were changed (case nos. W-8036, W8256 and 89CW234) do not allow for reuse or successive use for municipal uses within the District’s boundaries or augmentation uses other than the Coors Operations contemplated in the decrees. It appears that only a portion of the water included in case no. 99CW236, specifically water previously changed in case no. 96CW1117, could be used within the District’s boundaries, subject to the terms and conditions of said decrees.

The District has obtained a decree in case no. 08CW165. The average historical consumptive use decreed in that case for the Old Brantner shares of 130 acre-feet has been included as a permanent supply as shown in Table 2.

Table 2: District’s Surface Water Supplies

Water Source	Contract/ Shares	Contract End Date or Decree/ SWSP	Proposed Yield: Municipal (AF)	Proposed Yield: Irrigation (AF)	Firm yield, permanent supply: Municipal (AF)	Firm yield, permanent supply: Irrigation (AF)	Notes
Old Brantner	17 shares	08CW165	315.2	0	130	0	Adjudicated March 10, 2015
New Brantner	18.375 shares		0	312	0	312*	No information provided
Effluent	Coors- Aug	12/31/2016 (12/31/2026 w/ extensions)	200	0	0	0	Effluent not decreed for reuse or successive use
Reusable Effluent	Consolidated Mutual	Perpetual	500	0	462.1**	0	
Excess Credits	SACWSD	3/31/2018	500	0	0	0	Short term lease

*The New Brantner shares can continue to be used for the historical irrigation use. From the information provided it could not be determined if the land proposed to be irrigated is included under the originally decreed lands.

**The Consolidated Mutual contract water is typically released from the Metro Wastewater Facility; this water travels downstream to the District. Due to transit losses associated with the water delivery, only 462.1 acre-feet of the 500 acre-feet contracted is realized by the District. This calculation is based on the standard river transit loss rates; in a dry year the rate of transit loss could increase.

As shown in Table 2 above the District has approximately 592.1 acre-feet of potable surface water and leased supplies that could be considered part of the permanent water supply.

The Applicant is also claiming that the junior surface and storage water rights decreed in Division 1 Water Court case nos. 13CW3181 and 16CW3019 have a firm yield of 1,405 acre-feet per year. This analysis is based on historical stream flow and call records for the period of 2001 through 2018. According to the Water Supply Report the junior water rights decreed in case nos. 13CW3181 and 16CW3019 will be used when available and the Denver Basin water will be used as a backup supply during periods of drought or shortage.

District Water Supply Availability: Conclusions

The District’s ability to regulate potable and irrigation water separately through their dual pipeline system allows this office to evaluate potable water supply and irrigation water supply independently. Therefore, this office’s conclusions regarding the District’s potable and irrigation water are being addressed separately.

When the permanent supply of the District’s municipal surface rights (592.1 acre-feet per year) is combined with the District’s Denver Basin water (882.2 acre-feet per year), the District’s total permanent potable water supply becomes 1,474.3 acre-feet per year (assuming a 100-year aquifer

life). This amount is sufficient to meet the potable residential and commercial demands for the existing District's commitments, which is 789.07 acre-feet per year, which includes the 7.2 acre-feet per year for Shook Subdivision Filings 3 and 4. This amount would also be sufficient if the District commits to serve the Dry Creek Village East Subdivision Phase 1 subdivision in Weld County.

As discussed above based on the 100 year and 300 year allocation approaches required for the subdivisions the total water requirement for the District's current commitments is 104,971.7 acre-feet. The permanent water sources available to meet that demand is 882.2 acre-feet per year of Denver Basin water (88,220 acre-feet total based on a 100 year allocation approach) and 592.1 acre-feet of surface rights (177,630 acre-feet based on deliveries for 300 years). Therefore the total amount of permanent water supplies available over a 300 year period would be 265,850 acre-feet which would be adequate to meet the demand over that period of 104,971.7 acre-feet, including Shook Subdivision Filings 3 and 4.

The recognized permanent surface irrigation supplies are 312 acre-feet per year available from the New Brantner shares. Permanent potable water supply that is not needed for existing residential and commercial commitments may be used as a source of permanent irrigation water supply, however Denver Basin water used for that purpose would reduce the amount available to meet future potable water demands.

The 312 acre-feet of permanent irrigation supplies is less than the 1,922.81 acre-feet per year irrigation demand projected for the platted parcels. It is our opinion that the District does not have adequate permanent water supplies to meet the estimated future irrigation requirements.

State Engineer's Office Opinion

As stated above, the District's dual pipeline system allows the District to control potable and non-potable water supply separately. Based on the District's ability to maintain separate potable and non-potable water supply systems, the information presented above, and pursuant to Section 30-28-136(1)(h)(I) and Section 30-28-136(1)(h)(II), C.R.S., it is our opinion that the proposed water supply is adequate for **potable residential and commercial use** and can be provided without causing injury to decreed water rights. **This office offers no formal opinion pursuant to the above referenced statutes regarding the non-potable water supply for golf course or lawn and garden irrigation.**

Our opinion that the potable water supply is **adequate** is based on our determination that the amount of Denver Basin water required annually to serve the subdivision is currently physically available, based on current estimated aquifer conditions.

Our opinion that the potable water supply can be **provided without causing injury** is based on our determination that the amount of Denver Basin water that is legally available for the proposed uses on an annual basis, according to the statutory allocation approach, plus the permanent municipal supplies shown in Table 2, is greater than the annual amount of water required to supply existing water commitments and the demands of the proposed subdivision.

Our opinion that the potable water supply can be provided without causing injury recognizes that the District plans to use junior water rights to the extent available as the primary source of water supply and intends to use the Denver Basin water as a backup supply during periods of drought or

shortage.

Our opinion is qualified by the following:

The Division 1 Water Court has retained jurisdiction over the final amount of water available under the Denver Basin decrees reference by the District, pending actual geophysical data from the aquifer.

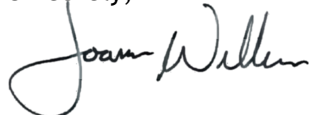
The amounts of water in the Denver Basin aquifers, and identified in this letter, are calculated based on estimated current aquifer conditions. For planning purposes the county should be aware that the economic life of a water supply based on wells in a given Denver Basin aquifer may be less than the 100 or 300 years used for allocation due to anticipated water level declines. We recommend that the county determine whether it is appropriate to require development of renewable water resources for this subdivision to provide for a long-term water supply.

Additionally, the Con Mutual water is subject to assessment of conveyance losses occurring at the time of delivery as assessed by the water commissioner, currently 0.25% per mile during November through March and 0.50% per mile during April through October on the South Platte and 0.25% per mile on Clear Creek. Further, the Con Mutual water is dependent upon the natural stream for delivery from the point made available by Con Mutual at the Metro Wastewater Facility or other decreed source to the downstream location where Todd Creek would divert or use. Todd Creek would be responsible for any structures to be constructed or the use of existing structures that are required to bypass water past any structure that physically sweeps the river.

The applicant should be aware that unless any storm water detention structure, can meet the requirements of a "storm water detention and infiltration facility" as defined in Section 37-92-602(8), C.R.S., the structure may be subject to administration by this office. The applicant should review the Division of Water Resources [Administrative Statement Regarding the Management of Storm Water Detention Facilities and Post-Wildland Fire Facilities in Colorado](#), available on our website, to ensure that the notification, construction and operation of the proposed structure meets statutory and administrative requirements. The applicant is encouraged to use *Colorado Stormwater Detention and Infiltration Facility Notification Portal*, located at <https://maperture.digitaldataservices.com/gvh/?viewer=cswdif>, to meet the notification requirements.

Should you or the applicant have any questions, please contact Ailis Thyne at (303) 866-3581 x8216.

Sincerely,



Joanna Williams, P.E.
Water Resource Engineer

JMW/aat

Cc: Subdivision File 24595
Todd Creek Village Metro District File



COLORADO
Division of Water Resources
Department of Natural Resources

1313 Sherman Street, Room 821
Denver, CO 80203

July 18, 2018

Emily Collins
Adams County Community and Economic Development Department
Transmitted via email:
ecollins@adcogov.org

RE: Shook Subdivision Filings 3 and 4
Project Number: PRC2018-00008
Portion of the SE ¼, Section 3, T1S, R67W, 6th P.M.
Water Division 1, Water District 2

Dear Ms. Collins,

We have reviewed the submittal documents related to case no. PRC2018-00008 provided via mail on June 29, 2018, concerning the above referenced proposal to create 13 lots in Shook Subdivision Filing 3 and to create 11 lots in Shook Subdivision Filing 4.

Estimated water requirements were not provided for this development. The proposed water supply is Todd Creek Village Metropolitan District (“District”). A letter of commitment for service from the District, dated February 19, 2018, was provided. Prior to further review of the subdivision a water supply plan must be included along with an updated report from the District that includes all current water supply commitments. Details of necessary information to be included in the subdivision water supply plan can be found on Attachments A and C of the Updated Memorandum Regarding Subdivisions, available online at: <http://water.state.co.us/groundwater/GWAdmin/Pages/SubdivisionWSP.aspx>.

The applicant should be aware that any storm water detention structure proposed for this location and extent, must meet the requirements of a “storm water detention and infiltration facility” as defined in section 37-92-602(8), Colorado Revised Statutes, in order for the structure to be exempt from administration by this office. The applicant should review DWR’s Administrative Statement Regarding the Management of Storm Water Detention Facilities and Post-Wildland Fire Facilities in Colorado, attached, to ensure that the notification, construction and operation of the proposed structure meets statutory and administrative requirements. The applicant is encouraged to use Colorado Stormwater Detention and Infiltration Facility Notification Portal, located at <https://maperture.digitaldataservices.com/gvh/?viewer=cswdif>, to meet the notification requirements.

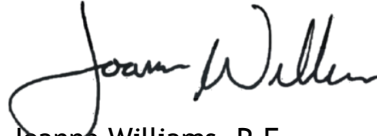


Shook Subdivision Filings 3 and 4
July 18, 2018
Page 2 of 2

Since insufficient information was provided in this referral, we cannot comment on the potential for injury to existing water rights or the adequacy of the proposed water supply under the provisions of Section 30-28-136(1)(h)(II), C.R.S.

Should you have any questions, please contact Ailis Thyne of this office at 303-866-3581 ext. 8216.

Sincerely,



Joanna Williams, P.E.
Water Resource Engineer

JMW/aat

Cc: Subdivision File 24595
Todd Creek Village Metro District File



From: [Thyne - DNR, Ailis](#)
To: [Libby Tart](#)
Subject: Re: second review comments for Shook 3 & 4 (PRC2018-00008)
Date: Thursday, December 5, 2019 9:13:23 AM
Attachments: [Shook Subdivision Filings 3 and 4 12-5-19.pdf](#)

Please be cautious: This email was sent from outside Adams County

Dear Libby Tart,
Please find attached comments from the State Engineers Office regarding PRC2018-00008.

If you have questions, please contact me at [303-866-3581 ext. 8216](tel:303-866-3581).

Sincerely,

Ailis Thyne
Water Resource Engineer



P 303.866.3581 x 8216
1313 Sherman Street, Room 818, Denver, CO 80203
ailis.thyne@state.co.us | www.colorado.gov/water

On Mon, Dec 2, 2019 at 3:13 PM Libby Tart <LTart@adcogov.org> wrote:

Hello all – I inherited the Shook 3 & 4 Preliminary/Final Plat case (number PRC2018-00008) from Emily Collins in February and am taking the preliminary plat portions of the case to public hearings in mid-December and mid-January. It looks like you all provided comment indicating you wished to see a water supply plan even though the new subdivision is part of the Todd Creek Village Metro District. The applicant responded back to Adams County with the following comment: “submitted additional information to Colorado Division of Water Resources in regards to water supply and water requirements”. Unfortunately, I cannot find any verification that Mr. JR Osborne sent this to your agency and if your agency commented that things are now adequate. Do you happen to have the information? If so, it would be very helpful to have it as exhibit material. I’m also attaching the initial comment letter from the first review in summer of 2018.

Many thanks for digging through your archives and finding the information!

Libby

Libby Tart, AICP

Senior Long Range Planner, *Community and Economic Development Department*

ADAMS COUNTY, COLORADO

4430 S. Adams County Parkway, 1st Floor, Suite W2000A

Brighton, CO 80601

O: 720.523.6858 | General Line: 720.523.6800

ltart@adcogov.org | www.adcogov.org



December 5, 2019

Emily Collins
Adams County Community and Economic Development Department
Transmitted via email:
ecollins@adcogov.org

RE: Shook Subdivision Filings 3 and 4
Project Number: PRC2018-00008
Portion of the SE ¼, Section 3, T1S, R67W, 6th P.M.
Water Division 1, Water District 2

Dear Ms. Collins,

We have reviewed the additional documents related to case no. PRC2018-00008, concerning the above referenced proposal to create 13 lots in Shook Subdivision Filing 3 and to create 11 lots in Shook Subdivision Filing 4.

Water Supply Demand

According to the Water Supply Information Summary Sheet submitted by the applicant, the estimated water demand is 0.5 AF/yr per lot, consisting of household use and irrigation use, for a total water demand of 12 AF/yr.

Information submitted by the Todd Creek Village Metropolitan District (“District”) for other subdivisions indicate that each proposed lot typically requires one potable water unit per lot and one irrigation water unit per lot. Since this subdivision is creating 24 lots, it is assumed that this development would require water for 24 lots.

Based on information in this office, the District currently uses a rate of 0.3 acre-feet per year per unit for their Potable Water Units and 0.25 acre-feet per year per unit for their Irrigation Water Units. At these rates, the subdivision would require 7.2 acre feet for indoor uses and 6 acre-feet for irrigation purposes; the development would require a total of 13.2 acre-feet per year.

Source of Water Supply

District Water Supply Overview

The proposed water source is the Todd Creek Village Metropolitan District (District). A “willing to serve” letter from the District dated February 18, 2018 was provided with application materials.



The District last provided a Water Supply Report to this office, dated November 2011, on June 3, 2014. The District submitted updated information regarding the District's surface water supplies and water demands on August 19, 2019 ("updated 2011 Report").

This office recognizes that the District continues to develop its water portfolio and infrastructure so that it can meet the needs of its customers. However, when this office evaluates water supplies available to any water district or municipal provider for the purpose of meeting permanent customer commitments it does not consider a district's short-term contract supplies, pending projects or junior water rights. Short term contracts have the potential to be discontinued, water supplies that require a water court decree prior to use have an uncertain yield until such time as a water court decree is obtained and junior water rights are only able to divert during times when all downstream senior water rights are satisfied, which in the South Platte river basin is infrequent in dry years. For these reasons, we have not historically considered such supplies when evaluating the permanent water supplies available to a district. This is consistent with the approach we have taken in previous letters to the county regarding the District, including letters dated January 2, 2002, June 18, 2002, August 8, 2002, October 29, 2002, September 15, 2004, January 24, 2005, February 8, 2005, October 4, 2011 and November 17, 2016.

District Water Supply Demands

The updated 2011 Report estimates the District's current and future demands are approximately 3,375.08 acre-feet annually of which 1,452.27 acre-feet annually is for potable use and 1,922.81 acre-feet annually is for irrigation use. *This total includes 1,930 units for Dry Creek East Subdivision, but does not include the additional 24 lots of Shook Filings 3 and 4.*

According to information in this office, the District has implemented a dual pipeline system, one for potable water and one for non-potable irrigation water. New subdivisions will be required to have two taps and the existing subdivisions have been retrofitted with this system. Due to the nature of the District's water rights, their dual pipeline system and the water supply requirements of this office, the demand has been further broken down into potable residential water demands, potable commercial water demands and non-potable irrigation demands. This office will focus on the potable residential and commercial water demands since Todd Creek can supply potable water separate from non-potable water as a result of their dual pipeline system. Currently, platted and future residential and commercial potable water demands total 1,452.27 acre-feet per year, *not including Shook Subdivision Filings 3 and 4.*

For the purposes of understanding the District's ability to satisfy the county's water allocation approach for the previously approved subdivisions, water demand can also be described by the total residential and commercial potable water demand over the 100 year and 300 year allocation periods. The total potable water demand for residential and commercial developments is 303,664.4 acre-feet. The potable water requirements of each existing residential and commercial development are listed in Table 1.

Table 1: Potable Water Demands

Development Name	Number of Single Family Units	Assumed Water Requirement per Lot (AF/yr/lot)	Total Annual In-House Use Requirement (AF/yr)	Water Supply Demand Approach	Total In-House Use Requirement (AF)
Residential					
Todd Creek Farms Filing 1	54	0.269	14.53	100-yr	1452.6
Todd Creek Farms Filing 2	57	0.269	15.33	100-yr	1533.3
Todd Creek Farms Filing 3	62	0.269	16.68	100-yr	1667.8
Todd Creek Farms Filing 4	139	0.269	37.39	100-yr	3739.1
Foxridge	58	0.269	15.60	100-yr	1560.2
Todd Creek Farms Filing 5	160	0.269	43.04	100-yr	4304.0
Eagle Shadow I	185	0.269	49.77	100-yr	4976.5
Wheatland Estates	71	0.269	19.10	100-yr	1909.9
Todd Creek Meadows Phase I	78	0.269	20.98	100-yr	2098.2
Silver Springs	52	0.269	13.99	100-yr	1398.8
Hawk Ridge	47	0.269	12.64	100-yr	1264.3
Eagle Shadow II	191	0.269	51.38	100-yr	5137.9
Heritage at Todd Creek	1277	0.269	343.51	100-yr	34351.3
Todd Creek Village-Bartley	172	0.300	51.60	300-yr	15480.0
Todd Creek Village-Shook	32	0.300	9.60	300-yr	2880.0
Baseline Lakes	54	0.269	14.53	300-yr	4357.8
Jogan Estates	3	0.300	0.9	300-yr	270
Seltzer FT	207	0.300	62.10	300-yr	18,630.0
Seltzer Farms	501	0.300	150.30	300-yr	45,090.0
Wygant	255	0.300	76.50	300-yr	22,950.0
Baseline Lakes-Add'l	140	0.300	42.00	300-yr	12,600.0
ALF (Dry Creek East)	1,930	0.200	386	300-yr	115,800.0
Commercial					
HTC Club/Maint			3.65	100-yr	365.0
TCVMD office			0.03	100-yr	3.0
NH Church			0.88	100-yr	88.0
Harvest Fellowship			0.24	100-yr	24.0
Total	5,725		1,452.27		303,931.7

District Water Supply Availability: Denver Basin Water

According to the District's updated 2011 Report, the District has approximately 843 acre-feet per year of currently decreed nontributary Laramie-Fox Hills ground water rights. The District also has 39.2 acre-feet per year of not-nontributary Lower Arapahoe ground water rights that are currently included in a plan for augmentation and 503.6 acre-feet per year of not-nontributary Lower Arapahoe ground water rights that are currently not included in a plan for augmentation. Once adjudicated, the District claims it will also have the right to withdraw and use additional Laramie-Fox Hills aquifer water underlying lands in the District's

boundaries that is not currently adjudicated. **Please note that these amounts are based on the statutory 100-year aquifer life allocation approach.**

Based on this information, the District currently has a total of 88,220 acre-feet (882.2 acre-feet per year for 100 years) of Denver Basin water supplies; the District is committed to supplying a total of 303,931.7 acre-feet of potable water. If the Denver Basin water is withdrawn over 100 years, it equates to 882.2 acre-feet of water per year, which is less than the yearly potable commitment of 1,452.27 acre-feet per year.

The proposed source of water for this subdivision includes bedrock aquifer ground water in the Denver Basin. The State Engineer's Office does not have evidence regarding the length of time for which this source will be a physically and economically viable source of water. According to 37-90-137(4)(b)(I), C.R.S., "Permits issued pursuant to this subsection (4) shall allow withdrawals on the basis of an aquifer life of one hundred years." Based on this **allocation** approach, the annual amounts of water decreed by the District in the Denver Basin are equal to one percent of the total amount, as determined by rules 8.A and 8.B of the Statewide Nontributary Ground Water Rules, 2 CCR 402-7. Therefore, the water may be withdrawn in those annual amounts for a maximum of 100 years.

In the Adams County Development Standards and Regulations, Effective April 15, 2002, Section 5-04-05-06-04 states:

"Prior to platting, the developer shall demonstrate that...the water supply is dependable in quantity and quality based on a minimum useful life of three-hundred (300) years. A minimum 300-year useful life means the water supply from both a static and dynamic basis will be viable for a minimum 300-year period. The static analysis shall include evaluation of the volume of water that is appropriable for the proposed subdivision. The dynamic analysis shall evaluate whether the appropriable water supply is sustainable for three-hundred (300) years, giving consideration to the location and extent of the aquifer, as well as impacts caused by both current and future pumping by others from the aquifer."

The State Engineer's Office does not have evidence regarding the length of time for which this source will be "dependable in quantity and quality." However, the one hundred year and three hundred year water allocation approach was evaluated as described above. The State Engineer's Office has no comment on the quality of the water supply or the required 'dynamic analysis' to evaluate whether the appropriable water supply is sustainable for three hundred years.

District Water Supply Availability: Surface Water

According to the District's updated 2011 Report, the District has surface water rights ranging from 1,740 acre-feet per year to 3,440 acre-feet per year. Some of this surface water is limited to municipal or irrigation uses only, as outlined in Table 2, below. Table 2 also outlines what sources this office considers secure permanent supplies for the purposes of evaluating a subdivision water supply plan. This office does not consider water subject to short-term leases or water not yet adjudicated by the Water Court when evaluating the amount of permanent supplies available to supply residential developments. Also this office will not consider junior water rights unless the District shows that they have the ability to

store junior water rights and can clearly document the firm supply that would be available from such junior water rights in dry years.

Regarding the District's use of Coors water, the following issues need to be addressed before we can provide additional comments. The Coors effluent may have very limited yield since the decrees under which the majority of the water rights were changed (case nos. W-8036, W8256 and 89CW234) do not allow for reuse or successive use for municipal uses within the District's boundaries or augmentation uses other than the Coors Operations contemplated in the decrees. It appears that only a portion of the water included in case no. 99CW236, specifically water previously changed in case no. 96CW1117, could be used within the District's boundaries, subject to the terms and conditions of said decrees.

The District has obtained a decree in case no. 08CW165 since the District's updated 2011 Report, therefore the average historical consumptive use decreed in that case for the Old Brantner shares of 130 acre-feet has been included as a permanent supply as shown in Table 2.

Table 2: District's Surface Water Supplies

Water Source	Contract/ Shares	Contract End Date or Decree/ SWSP	Proposed Yield: Municipal (AF)	Proposed Yield: Irrigation (AF)	Firm yield, permanent supply: Municipal (AF)	Firm yield, permanent supply: Irrigation (AF)	Notes
Old Brantner	17 shares	08CW165	315.2	0	130	0	Adjudicated March 10, 2015
New Brantner	18.375 shares		0	312	0	312*	No information provided
Effluent	Coors- Aug	12/31/2016 (12/31/2026 w/ extensions)	200	0	0	0	Effluent not decreed for reuse or successive use
Reusable Effluent	Consolidated Mutual	Perpetual	500	0	462.1**	0	
Excess Credits	SACWSD	3/31/2018	500	0	0	0	Short term lease
Jr. Surface Right	n/a	13CW3181	40 cfs	0	0	0	
Jr. Surface Right	n/a	16CW3019	7,482	0	0	0	
Jr. Surface Right	n/a	19CW3061	----	0	0	0	Pending Court Case

*The New Brantner shares can continue to be used for the historical irrigation use. From the information provided it could not be determined if the land proposed to be irrigated is included under the originally decreed lands.

**The Consolidated Mutual contract water is typically released from the Metro Wastewater Facility; this water travels downstream to the District. Due to transit losses associated with the water delivery, only 462.1 acre-feet of the 500 acre-feet contracted is realized by the District. This calculation is based on the standard river transit loss rates; in a dry year the rate of transit loss could increase.

Based on the information provided by the District, and additional information available to this office, it appears that the applicant has approximately 592.1 acre-feet of potable surface water supplies that could be considered part of the permanent water supply.

District Water Supply Availability: Conclusions

The District's ability to regulate potable and irrigation water separately through their dual pipeline system allows this office to evaluate potable water supply and irrigation water supply independently. Therefore, this office's conclusions regarding the District's potable and irrigation water are being addressed separately.

When the permanent supply of the District's municipal surface rights (592.1 acre-feet per year) is combined with the District's Denver Basin water (882.2 acre-feet per year), the District's total permanent potable water supply becomes 1,474.3 acre-feet per year (assuming a 100-year aquifer life). This amount is not sufficient to meet the potable residential and commercial demands for the existing District's commitments, which is 1,066.27 acre-feet per year, the 386 acre-feet per year required for Dry Creek East Planned Development (Weld County) and 7.2 acre-feet per year for Shook Subdivision Filings 3 and 4.

As discussed above based on the 100 year and 300 year allocation approaches required for the subdivisions the total water requirement for the District's current commitments is 303,931.7 acre-feet. The permanent water sources available to meet that demand is 882.2 acre-feet per year of Denver Basin water (88,220 acre-feet total based on a 100 year allocation approach) and 592.1 acre-feet of surface rights (177,630 acre-feet based on deliveries for 300 years). Therefore the total amount of permanent water supplies available over a 300 year period would be 265,850 acre-feet which would not be adequate to meet the demand over that period of 303,931.7 acre-feet, *not* including Shook Subdivision Filings 3 and 4.

The recognized permanent surface irrigation supplies are 312 acre-feet per year available from the New Brantner shares. Permanent potable water supply that is not needed for existing residential and commercial commitments may be used as a source of permanent irrigation water supply, however Denver Basin water used for that purpose would reduce the amount available to meet future potable water demands.

The 312 acre-feet of permanent irrigation supplies is less than the 1,922.81 acre-feet per year irrigation demand projected for the platted parcels. It is our opinion that the District does not have adequate permanent water supplies to meet the estimated future irrigation requirements.

State Engineer's Office Opinion

Based on the above and pursuant to Section 30-28-136(1)(h)(II), C.R.S., the State Engineer's Office has not received enough information to render an opinion regarding the potential for causing material injury to decreed water rights, or the adequacy of the proposed water supply. Prior to further review of the subdivision water supply plan the following information is required:

1. The District should show that they have additional firm water supplies currently available to supply water to their existing commitments, Dry Creek Planned Development (Weld County) and Shook Subdivision Filings 3 and 4 or clarify the amount of water actually committed to the Dry Creek Planned Development and Shook Subdivision Filings 3 and 4. If the District will be claiming junior water rights as part of the firm supply the District must show that they have the ability to store the junior water rights and clearly document the firm supply that would be available from such junior water rights in dry years.

The applicant should be aware that unless any storm water detention structure, can meet the requirements of a "storm water detention and infiltration facility" as defined in Section 37-92-602(8), C.R.S., the structure may be subject to administration by this office. The applicant should review the Division of Water Resources [Administrative Statement Regarding the Management of Storm Water Detention Facilities and Post-Wildland Fire Facilities in Colorado](#), available on our website, to ensure that the notification, construction and operation of the proposed structure meets statutory and administrative requirements. The applicant is encouraged to use *Colorado Stormwater Detention and Infiltration Facility Notification Portal*, located at <https://maperture.digitaldataservices.com/gvh/?viewer=cswdif>, to meet the notification requirements.

Should you or the applicant have any questions, please contact Ailis Thyne at (303) 866-3581 x8216.

Sincerely,



Joanna Williams, P.E.
Water Resource Engineer

JMW/aat

Cc: Subdivision File 24595
Todd Creek Village Metro District File

From: [Libby Tart](#)
To: "Don Summers": c3construction@live.com
Cc: [Jen Rutter](#); [Christine Fitch](#); [Matthew Emmens](#)
Subject: RE: TCVMD 2019 Water Supply Plan
Date: Thursday, January 2, 2020 3:03:00 PM
Importance: High

Hello all – Hope you all had a happy holiday!

We haven't received any further files since just before the holidays began. We must receive the *signed and stamped* water supply plan by noon on Wednesday 1/8 in order for the case to not be continued again. The Planning Commission (PC) is expecting that the case will go before them on Thursday 1/9. If you anticipate that this timeframe is not realistic, please make a continuance request by email so that we have it for our records.

The BoCC continuance request occurs on 1/14 and the proposed date for consideration is 1/21. If we need to move the PC date again (to 1/23 or later – PC meetings occur the 2nd and 4th Thursdays of the month) , we will need to continue the BoCC date to February 4th or later.

Please keep us informed about your timeline.

I'm currently working from home due to a head cold, but anticipate being in the office tomorrow.

Many thanks,
Libby

Libby Tart, AICP

Senior Long Range Planner, *Community and Economic Development Department*
ADAMS COUNTY, COLORADO

4430 S. Adams County Parkway, 1st Floor, Suite W2000A
Brighton, CO 80601

O: 720.523.6858 | General Line: 720.523.6800

ltart@adcogov.org | www.adcogov.org

From: Libby Tart

Sent: Tuesday, December 24, 2019 12:20 PM

To: Don Summers <don@toddcreekvillage.org>; Jen Rutter <JRutter@adcogov.org>

Cc: c3construction@live.com; [Christine Fitch <CFitch@adcogov.org>](mailto:CFitch@adcogov.org); [Matthew Emmens <MEmmens@adcogov.org>](mailto:MEmmens@adcogov.org)

Subject: RE: TCVMD 2019 Water Supply Plan

From: [Libby Tart](#)
To: [Don Summers](#); [Jen Rutter](#)
Cc: c3construction@live.com; [Christine Fitch](#); [Matthew Emmens](#)
Subject: RE: TCVMD 2019 Water Supply Plan
Date: Tuesday, December 24, 2019 12:20:00 PM

Hello Don and Jen – I will be happy to send the request along to the Division of Water Resources after we receive the update with the 300 year supply mentioned. I'll be here Thursday and Friday if the revisions are quickly addressed.

Thanks and Merry Christmas to you!

Libby

Libby Tart, AICP

Senior Long Range Planner, *Community and Economic Development Department*
ADAMS COUNTY, COLORADO

4430 S. Adams County Parkway, 1st Floor, Suite W2000A
Brighton, CO 80601

O: 720.523.6858 | General Line: 720.523.6800

ltart@adcogov.org | www.adcogov.org

From: Don Summers <don@toddcreekvillage.org>
Sent: Tuesday, December 24, 2019 11:43 AM
To: Jen Rutter <JRutter@adcogov.org>
Cc: Don Summers <don@toddcreekvillage.org>; c3construction@live.com; [Christine Fitch <CFitch@adcogov.org>](mailto:CFitch@adcogov.org); [Libby Tart <LTart@adcogov.org>](mailto:LTart@adcogov.org); [Matthew Emmens <MEmmens@adcogov.org>](mailto:MEmmens@adcogov.org)
Subject: RE: TCVMD 2019 Water Supply Plan

Please be cautious: This email was sent from outside Adams County

Jen,

Thank you for getting back to me so quickly. What you are asking for is a simple request and I will get back the revision back to you right away.

Merry Christmas,

Don

Don Summers
TCVMD
720.373.7373

The information contained in this e-mail is intended only for the individuals to whom it is addressed. Its contents (including attachments) are confidential and may be privileged information. If you are

not an intended recipient, you must not use, disclose, disseminate, copy or print its contents. If you receive this email in error, please notify the sender or reply by e-mail and delete or destroy this message.

On Dec 24, 2019, at 9:59 AM, Jen Rutter <jrutter@adcogov.org> wrote:

Good morning,

Thank you for providing the TCVMD 2019 Water Supply Plan. The County requires proof of adequate supply of water for a minimum of 300 years, so please make that more explicit in your report. Table 2 (page 15 of 18) lists "Estimated Annual Appropriation 100 yrs af/yr".

Please see Section 5-04-05-06-04(2.) for the details on that 300-year requirement:

<http://www.adcogov.org/sites/default/files/dsr-chapter-05.pdf>

Thank you and happy holidays!

Jen

Jen Rutter

Development Services Manager, *Community & Economic Development*

ADAMS COUNTY, COLORADO

4430 South Adams County Parkway, 1st Floor, Suite W2000A

Brighton, CO 80601

o: 720.523.6841 | jrutter@adcogov.org

www.adcogov.org

From: Don Summers <don@toddcreekvillage.org>

Sent: Thursday, December 19, 2019 11:29 AM

To: Libby Tart <LTart@adcogov.org>; Jen Rutter <JRutter@adcogov.org>; Christine Fitch <CFitch@adcogov.org>

Subject: TCVMD 2019 Water Supply Plan

Please be cautious: This email was sent from outside Adams County

Libby, Jen & Christy,

Please see the attached Water Supply Plan.

In response the letter written by DWR regarding Adams County's request of determination of TCVMD's ability to supply water to the Shook subdivision, Todd Creek Village Metropolitan

District(TCVMD) has commissioned and finished a new Water Supply Plan(WSP).

TCVMD disagrees with the conclusion and overall characterization of our water plan in the letter and thought it would be clearer and more efficient to complete a new WSP for review by both the County and the State DWR.

This is not an update of an existing plan, but an entirely new description of the water available to the District to supply its users. This plan goes not only into the supplies that are available normally, but also the amount available during the drought period of 2002-2006 (The worst in State history) and further to a drought scenario that is significantly worse than the worst seen in Colorado history.

TCVMD is confident of its ability to supply water to all of its customers in all conditions and with more flexibility than most suppliers serving in Adams County or elsewhere in the State. If Adams County would like the District to present or defend this Supply Plan to others of the County's choosing, I am happy to do that on behalf of TCVMD.

TCVMD is in partnership with Adams County on the Mann Lakes Reservoir Project located in the Adams County Regional Park Complex on 124th Ave. This reservoir project is one of many that are in various stages of development by TCVMD to better supply our users. TCVMD has purposefully embarked on a different strategy than many other water suppliers. We here at TCVMD are implementing a "junior rights supported by superior infrastructure" approach. As you will see in the TCVMD 2019 WSP that this approach along with our two-pipe system(potable & non-potable water delivery to each house) allows TCVMD to supply water reliably during very extreme drought periods.

When you have any questions relating to water, I will be glad to assist you whether the issue is directly related to TCVMD or just general water information.

The State DWR is being provided this same 2019 Water Supply Plan by Jehn Water. However, they will not act on it without a formal request from Adams County.

Thank you,

Don

Don Summers
TCVMD
720.373.7373

The information contained in this e-mail is intended only for the individuals to whom it is addressed. Its contents (including attachments) are confidential and may be privileged information. If you are not an intended recipient, you must not use, disclose, disseminate, copy or print its contents. If you receive this email in error, please notify the sender or reply by e-mail and delete or destroy this message.

From: [Don Summers](#)
To: [Libby Tart](#); [Jen Rutter](#); [Christine Fitch](#)
Subject: TCVMD 2019 Water Supply Plan
Date: Thursday, December 19, 2019 11:28:47 AM
Attachments: [TCVMD WSP Final 20191217 \(002\).pdf](#)

Please be cautious: This email was sent from outside Adams County

Libby, Jen & Christy,

Please see the attached Water Supply Plan.

In response the letter written by DWR regarding Adams County's request of determination of TCVMD's ability to supply water to the Shook subdivision, Todd Creek Village Metropolitan District(TCVMD) has commissioned and finished a new Water Supply Plan(WSP). TCVMD disagrees with the conclusion and overall characterization of our water plan in the letter and thought it would be clearer and more efficient to complete a new WSP for review by both the County and the State DWR.

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Thank you,

Don

Don Summers
TCVMD

720.373.7373

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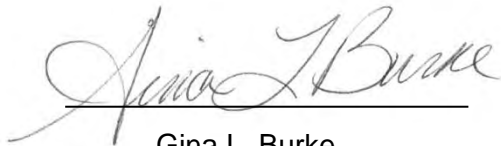
**TODD CREEK VILLAGE
METROPOLITAN DISTRICT
WATER SUPPLY PLAN**

Prepared For: Todd Creek Village Metropolitan District
10450 East 49th Ct.
Brighton, Colorado 80602

Prepared By: Jehn Water Consultants, Inc.
88 Inverness Circle East, Suite K-102
Englewood, Colorado 80112
(303)321-8335
Job No. 814.1

**TODD CREEK VILLAGE
METROPOLITAN DISTRICT
WATER SUPPLY PLAN**

December 17, 2019

A handwritten signature in cursive script, reading "Gina L. Burke". The signature is written in black ink and is positioned above a horizontal line.

Gina L. Burke
President

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INTRODUCTION

This Report is an update of the Water Supply Report, dated November 2, 2011, for the Todd Creek Village Metropolitan District (District) which is approved to provide services in Adams and Weld Counties, Colorado. The primary purpose of this Report is to summarize the current and future demands of the District and the water available to meet those demands.

The District controls Denver Basin ground water rights in all or portions of Sections 1–5, 8–12, 14–16, and 21-23 in Township 1 South, Range 67 West. The District's Service Area also includes Sections 21-24, 25-28, and 33-36 in Township 1 North, Range 67 West, all within the 6th P.M. (Figure 1). The District's Service Area currently includes approximately 12,891 acres, of which approximately 6,833 acres are located in Adams County and 6,058 acres are located in Weld County.

This Report updates the water supplies available to the District and the current potable and irrigation demands of the District. This Report also provides firm yield analyses for the District's junior water rights and existing infrastructure to evaluate the sufficiency of the District's water supplies.

DISTRICT'S WATER SUPPLY

The District controls water rights in the Denver Basin aquifers underlying the District property as well as surface water rights on the South Platte.

Decreed Denver Basin Ground Water Rights

As summarized in Table 1, a total of 1,386.2 acre-feet per year (af/yr) are decreed for use within the District. That total includes 843.4 af/yr decreed from the nontributary Laramie-Fox Hills aquifer and 542.8 af/yr decreed from the not-nontributary Lower Arapahoe aquifer. At the time of this Report, the water rights decreed in the Lower Arapahoe aquifer have not been decreed in a Water Court approved augmentation plan.

As additional properties are platted and agreements are made with the District for service, the Denver Basin ground water is conveyed to the District. Table 2 provides a summary of Denver Basin ground water rights that have either been conveyed to the District but have not yet been adjudicated, or that underlie properties that are currently in the process of being zoned or platted and will be conveyed to the District upon completion of the land use process. Based on the estimates described in Table 2, there are approximately 568 af/yr in the not-nontributary Lower Arapahoe and 948 af/yr of nontributary Laramie-Fox Hills water rights underlying Todd Creek Village, Todd Creek Shook and Todd Creek Bartley (Adams County). The Todd Creek Seltzer properties, located in both Adams and Weld Counties, may have 59 af/yr in the not-nontributary Lower Arapahoe and 103 af/yr in the nontributary Laramie-Fox Hills underlying those parcels. There is also an estimated 86 af/yr of not-nontributary Lower Arapahoe and 155 af/yr of nontributary Laramie-Fox Hills aquifer ground water underlying the Dry Creek East property. The Dry Creek East property is currently being rezoned through Weld County and once the proposed development is platted, the Denver Basin ground water associated with the property will be conveyed to the District as one of the conditions for service. In total, there is approximately 714 af/yr available in the not-nontributary Lower Arapahoe and 1,216 af/yr in the nontributary Laramie-Fox Hills aquifers that will be available to the District to meet future demands.

Surface Water Rights

The District owns surface water rights to be utilized within the District to meet current and future demands. Table 3 provides a summary of those water rights totaling approximately 19,000 af/yr.

Old Brantner Ditch

The District permanently controls 18 shares of the Old Brantner Ditch. 17 of those shares were changed to municipal uses in Case No. 08CW165. The change of use in that Case was from irrigation to municipal uses within the District. The consumptive use associated with the 17 shares is 130 af/yr.

New Brantner Ditch

The District owns 19.375 shares of the New Brantner Ditch. The District is currently working with Aurora to purchase additional shares. The District has future plans to change its shares of New Brantner Ditch rights to municipal uses within the District. The estimated consumptive use for the 18.375 shares is approximately 312 af/yr.

Consolidated Mutual

The District permanently controls the 500 af/yr of reusable effluent from Consolidated Mutual Water Company.

Case No. 13CW3181

This decree includes conditional surface water rights from the South Platte River, both direct and storage, conditional alluvial well water rights, and a plan for augmentation and exchange. Case No. 13CW3181 includes two surface points of diversion (TCVS-01 and TCVS-02) and four augmented alluvial wells (TCQAL-1 through TCQAL-4). The decreed total annual diversion may not exceed 6,202 af/yr (10-year average) and 11,237 acre-feet in any single year. A total of 1,198 acre-feet of storage was also decreed utilizing the reservoirs within the District's Service Area (Smith, Signal 1, Signal 2, and Baselines East and West). The District is currently using about 564 acre-feet of storage, has the remaining amount under development, is currently utilizing diversions from TCVS-01, and wells TCQAL-1, TCQAL-2 and TCQAL-4.

In Water Year 2018 the District diverted approximately 2,538 acre-feet from the decreed structures and 1,509 acre-feet in Water Year 2019.

Case No. 16CW3019

TCVMD has decreed a conditional storage water right for the Mann Lakes Reservoir which is an off-channel, lined gravel pit reservoir complex consisting of three interconnected lakes know as Mann Lake No. 1, Mann Lake No. 2 and Mann Lake No. 3. A total of 3,741 acre-feet of storage is decreed to Mann Lakes. The decreed volumetric limit is 7,482 af/yr. Currently, the Mann Lakes reservoirs are legally available for use and in 2019 the District diverted approximately 1,656 acre-feet into the reservoir complex, utilizing Mann Lake Nos. 2 and 3.

EXISTING AND PROJECTED WATER DEMANDS

The District is currently relying on its surface water rights to meet the needs of the District and are utilizing their Denver Basin ground water rights as drought protection only. As of the date of this Report, the District is committed to provide potable and irrigation service to 2,713 residential units, four commercial properties, and the irrigation of two parks, miscellaneous landscaping throughout the District and the Heritage Todd Creek Golf Course. The District manages two water rights portfolios, one to meet their potable demands and a second to meet their irrigation demands. The District runs on a two-pipe system where they only treat a portion of their surface water rights for potable uses and can provide untreated water for irrigation throughout the District. The estimated total demands, as outlined in Table 4, for those properties that are currently platted and have service agreements with the District are approximately 1,736 af/yr.

Currently, there are two County applications being processed. The 24 lots in the Adams County application (TC Shook) will add approximately 7.2 af/yr to the current committed potable demands of the District. There are also 300 lots in a Weld County application (ALF) that will add approximately 60 af/yr to the potable demands of the District. The overall total demands of these two applications, including irrigation, will be approximately 150 af/yr which will raise the current overall demands of the District to approximately 1,886 af/yr.

JUNIOR FIRM YIELD ANALYSIS

An operational model was built to determine what demands could be met with the water rights discussed above. This firm yield analysis includes the Water Availability analyses completed for both junior water rights decrees, Case Nos. 13CW3181 and 16CW3019 updated through Water Year 2018 (Tables 5 through 13), along with the currently utilized storage reservoirs (Smith, Signal 2 and Mann Lake Nos. 1, 2 and 3). The sources of water supply to meet the demands in the firm yield analysis include the conditional junior water rights decreed in Case No. 13CW3181 for TCVS-01 (limited to 40 cfs) and the water rights decreed in Case No. 16CW3019 diverted at Mann Lakes South Platte River Diversion (limited to 21 cfs). The total water rights available to the District at TCVS-01, as utilized in this operational analysis, is summarized in Table 11 and those water rights available at Mann Lake are summarized in Table 13.

District Demands

Based on the demands outlined in Table 4, a total of 803 af/yr was utilized in the operational analysis (Table 14). This includes the potable demands for the platted units, which includes the 24 units for TC Shook, and the 300 ALF units (60 af/yr). Since the demands being modeled are potable only, it is assumed they are constant each month. A conservative analysis was completed in regard to the demands of evaporation off of the storage reservoirs. It was assumed that the reservoirs were full throughout the operational model to maximize the evaporative demands on the system. As TCVMD utilizes the reservoirs as a single storage system with all the structures connect to each other, the analysis utilized a combine storage volume of 460 acre-feet at the District (Smith and Signal 2) with a combined surface area of 53 acres. For Mann Lakes, it was assumed that the District would only have available their portion of the Mann Lakes reservoir complex (58.15% of the total storage) which equates to 1,789 acre-feet and 93 surface acres. The conservative demands for evaporation at the District and Mann Lakes are provided in Tables 15 and 16, respectively. As shown, a total of 517 af/yr of evaporation was included in the operational analysis.

Analysis Results

Based on the water availability analysis and the demands on the system, a storage analysis was completed to determine the potential demands met. Table 17 shows the water remaining in storage after the monthly demands are met utilizing the District's storage in Smith and Signal 2.

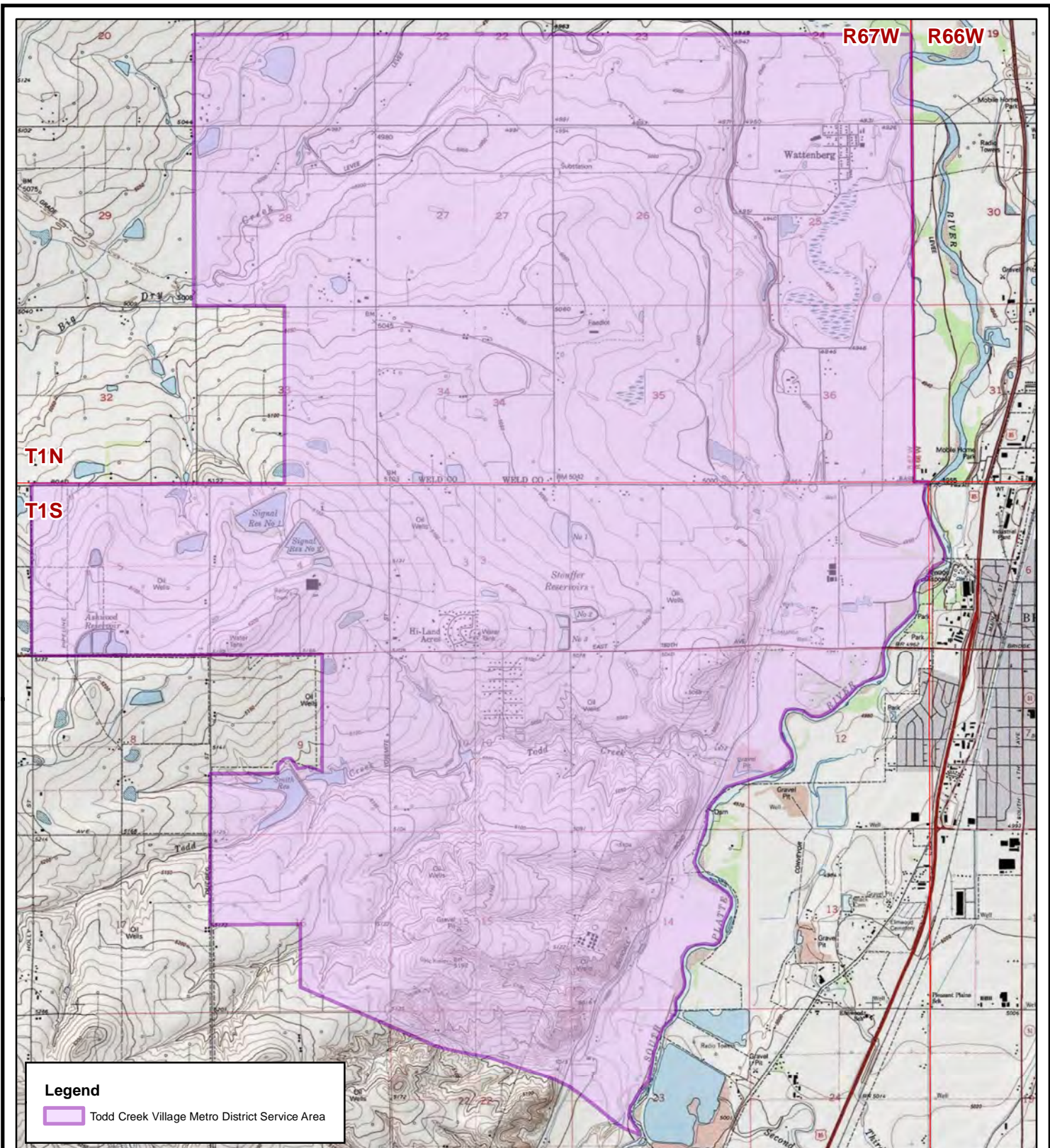
This analysis provides excess storage to be carried over to meet the demands of the following month. There are months in which all demands were not met as shown in Table 18. Those additional demands were then modeled in the Mann Lakes Reservoir Complex. Table 19 shows the water remaining in storage after the remaining demands are met utilizing the District's storage in Mann Lakes. As shown in Table 20, the junior surface water rights, with storage within the District and at Mann Lakes is more than sufficient to meet the District's demands of 803 af/yr.

A second model was completed which added additional conservative measures. The conservative model utilized all the same data as the model discussed above but added a limitation on resources for the two decreed rights. From 2003 through 2005 all water rights available under Case Nos. 13CW3181 and 16CW3019 were zeroed out as shown on Tables 21 and 22, respectively. This modeling approach utilized the same conservative approach to evaporation as discussed above. The results, as shown in Tables 23 through 25, show that the total demands met by the storage structures averaged 748 af/yr over the 26-year study period. As shown in Table 25, there was sufficient junior water rights available in storage to meet all the demands in 2003 and partial demands in 2004 and 2006. From 2004 through 2006, the District would need to utilize other sources available to them, such as their decreed Denver Basin aquifer water rights and the surface water rights from Consolidated Mutual (500 af/yr) and the Old Brantner (130 af/yr), to fill in the gaps when the junior water rights would not be available to meet all demands.

CONCLUSIONS

The Todd Creek Village Metropolitan District has sufficient water rights readily available to meet current and future demands within the District's Service Area. As of the date of this Report, the District's current and short-term future potable demands are approximately 803 af/yr. These demands will be met from water rights owned or controlled by the District. Those water rights currently include approximately 843 af/yr of currently decreed nontributary Laramie-Fox Hills ground water rights, 500 af/yr from Consolidated Mutual, 130 af/yr from the Old Brantner and firm yield supplies from their decreed junior water rights, Case Nos. 13CW3181 and 16CW3019, ranging from 748 af/yr to 803 af/yr based on the analyses included herein. The District will also have right to withdraw and use additional Denver Basin ground water from the Laramie-Fox Hills aquifer once adjudicated in the estimated amounts of 1,216 af/yr for additional drought protection.

These readily available water rights, totaling more than 2,220 af/yr, are more than sufficient to meet the current and future needs of the District. With the use of the District's two-pipe system and separate portfolio of water rights to meet irrigation demands, that would allow the use of the 2,220 af/r of firm water rights to meet the potable demands of over 7,400 units.



Sources:
Esri USA Topo Maps Basemap

Projection:
UTM NAD83

Job No. 814.1
Prepared By: HLB 02/23/2016
Checked By: GLB 02/23/2016

Jehn Water Consultants, Inc.
1565 Gilpin Street
Denver, CO 80218
(303) 321-8335
(303) 321-8346 fax
www.jehnwater.com

TCVMD Service Area

1 inch = 4,000 feet
0 1,750 3,500 Feet



**Figure
1**

TABLE 1
TODD CREEK VILLAGE METROPOLITAN DISTRICT
DECREED DENVER BASIN GROUND WATER

Case No.	NNT Lower Arapahoe (af/yr)	NT LFH (af/yr)	Total af/yr
83CW136	-	27.3	27.3
87CW258	177.0	226.0	403.0
96CW242	23.8	14.5	38.3
97CW186	28.0	39.0	67.0
98CW396	27.4	38.1	65.5
98CW397	24.7	-	24.7
99CW042	-	34.0	34.0
99CW124	16.8	23.8	40.6
99CW141	28.7	38.0	66.7
00CW160	16.6	-	16.6
00CW254	41.5	133.9	175.4
02CW106	112.1	177.6	289.7
04CW108	46.2	91.2	137.4
Total	542.8	843.4	1386.2

Note: At the time of this report, the NNT Lower Arapahoe Aquifer ground water is not included in a plan for augmentation.

98CW397 was reduced by District's pro-rata share
(144 acres out of 149 acres decreed)

99CW124 was reduced by District's pro-rata share
(80 acres out of 160 acres decreed)

**TABLE 2
TODD CREEK VILLAGE METROPOLITAN DISTRICT
ESTIMATED DENVER BASIN GROUND WATER AVAILABLE**

*Dry Creek East
Township 1 North, Range 67 West, 6th P.M.*

Acres	Aquifer	Saturated Thickness ft	Sy	Estimated Appropriation acre-feet	Estimated Annual Appropriation 100 yrs af/yr	Status
530.1	Lower Arapahoe	96	0.17	8,644	86.44	NNT
	Laramie-Fox Hills	195	0.15	15,521	155.21	NT

*Todd Creek Shook
Portion of Section 3, Township 1 South, Range 67 West, 6th P.M.*

Acres	Aquifer	Saturated Thickness ft	Sy	Estimated Appropriation acre-feet	Estimated Annual Appropriation 100 yrs af/yr	Status
55	Lower Arapahoe	100	0.17	935	9.35	NNT
	Laramie-Fox Hills	189	0.15	1,559	15.59	NT

*Todd Creek Bartley
Portion of Section 2, Township 1 South, Range 67 West, 6th P.M.*

Acres	Aquifer	Saturated Thickness ft	Sy	Estimated Appropriation acre-feet	Estimated Annual Appropriation 100 yrs af/yr	Status
285	Lower Arapahoe	100	0.17	4,845	48.45	NNT
	Laramie-Fox Hills	189	0.15	8,080	80.80	NT

*Todd Creek Village
Township 1 South, Range 67 West, 6th P.M.*

Acres	Aquifer	Saturated Thickness ft	Sy	Estimated Appropriation acre-feet	Estimated Annual Appropriation 100 yrs af/yr	Status
3,004	Lower Arapahoe	100	0.17	51,068	510.68	NNT
	Laramie-Fox Hills	189	0.15	85,163	851.63	NT

*Todd Creek Seltzer
Portion of Section 34, Township 1 North, Range 67 West, and Portion of Section 3 and 4, Township 1 South,
Range 67 West, 6th P.M.*

Acres	Aquifer	Saturated Thickness ft	Sy	Estimated Appropriation acre-feet	Estimated Annual Appropriation 100 yrs af/yr	Status
381	Lower Arapahoe	91	0.17	5,913	59.13	NNT
339	Laramie-Fox Hills	203	0.15	10,295	102.95	NT

Notes: **At the time of this Report, the Denver Basin water rights included in this table have not been adjudicated.**

Dry Creek East Denver Basin water rights will be conveyed to the District once property is platted. Once conveyed, the District will adjudicate the water rights.

Todd Creek Village, Todd Creek Shook and Todd Creek Bentley Denver Basin water rights have been conveyed to the District.

The saturated thicknesses are to be considered estimates only.

**TABLE 3
TODD CREEK VILLAGE METROPOLITAN DISTRICT
SURFACE WATER RIGHTS & CONTRACTS**

Water Right	Contract/Shares	af/yr	Decree/SWSP	Uses	Notes
Old Brantner	17 shares	130	08CW165	Municipal	Decreed max annual
New Brantner	18.375 shares	312	shares	Irrigation	Estimated CU
Reusable Effluent	Consolidated Mutual	500	-	Municipal	Contract
Jr Surface Water	-	6,202	13CW3181	Municipal	10-yr avg (decreed max 11,237 af/yr)
Jr Surface Water	-	7,482	16CW3019	Municipal	Decreed Volumetric Limit
Jr Surface Water	-	4491	19CW3061	Municipal	Pending
Total		19,117			

**TABLE 4
TODD CREEK VILLAGE METROPOLITAN DISTRICT
ESTIMATED CURRENT & FUTURE DEMANDS**

	Total units	Currently Served Units	Future Units	Potable af/yr/unit	Current af/yr	Future af/yr	Total Potable af/yr		Irrigation af/yr/unit	Current af/yr	Future af/yr	Total Irrigation af/yr	Total Demands af/yr
Development (Platted)													
TCF 1	54	54	0	0.27	14.53	0.00	14.53	54	0.34	18.36	0.00	18.36	32.89
TCF 2	57	57	0	0.27	15.33	0.00	15.33	57	0.34	19.38	0.00	19.38	34.71
TCF 3	62	62	0	0.27	16.68	0.00	16.68	62	0.34	21.08	0.00	21.08	37.76
TCF 4	139	139	0	0.27	37.39	0.00	37.39	139	0.34	47.26	0.00	47.26	84.65
Foxridge	58	58	0	0.27	15.60	0.00	15.60	58	0.34	19.72	0.00	19.72	35.32
TCF 5	160	152	8	0.27	40.89	2.15	43.04	160	0.34	51.68	2.72	54.40	97.44
ES 1	185	180	5	0.27	48.42	1.35	49.77	185	0.34	61.20	1.70	62.90	112.67
Wheatlands	71	71	0	0.27	19.10	0.00	19.10	71	0.34	24.14	0.00	24.14	43.24
TCM 1	78	71	7	0.27	19.10	1.88	20.98	78	0.34	24.14	2.38	26.52	47.50
Silver Springs	52	52	0	0.27	13.99	0.00	13.99	52	0.34	17.68	0.00	17.68	31.67
Hawk Ridge	47	42	5	0.27	11.30	1.35	12.64	47	0.34	14.28	1.70	15.98	28.62
ESS	191	187	4	0.27	50.30	1.08	51.38	190	0.34	63.58	1.02	64.60	115.98
HTC	1,277	825	452	0.27	221.93	121.59	343.51	800	0.25	206.25	-6.25	200.00	543.51
TC Bartley	172	163	9	0.30	48.90	2.70	51.60	172	0.34	55.42	3.06	58.48	110.08
TC Shook	60	0	60	0.30	0.00	18.00	18.00	32	0.34	0.00	10.88	10.88	28.88
Baseline Lakes	54	49	5	0.27	13.18	1.35	14.53	54	0.34	16.66	1.70	18.36	32.89
Subtotals	2,717	2,162	555		586.63	151.43	738.07	2,211		660.83	18.91	679.74	1417.81
Commercial (Platted - 2010 Demands)													
HTC Club/Maint							3.65					11.70	15.35
TCVMD office							0.03					-	0.03
NH Church							0.88					-	0.88
Harvest Fellowship							0.24					0.39	0.63
TCVP&R ES Park							-					8.10	8.10
TCVP&R TCM Park							-					3.98	3.98
LS areas							-					69.90	69.90
Future HTC LS areas							-					120.00	120.00
HTC Golf Course							-					270.00	270.00
Future Development (Not Platted)													
Weld County Development Area	3,100			0.20			620.00	3,100	0.25			775.00	1395.00
ALF	1,930			0.20			386.00	1,930	0.25			482.50	868.50
Jogan Estates (Adams)	3			0.30			0.90	3	0.25			0.75	1.65
Seltzer FT (Adams)	207			0.30			62.10	207	0.25			51.75	113.85
Seltzer Farms (Adams)	501			0.30			150.30	501	0.25			125.25	275.55
Wygant (Adams)	255			0.30			76.50	255	0.25			63.75	140.25
Baseline Lakes - Add'l (Adams)	140			0.30			42.00	140	0.25			35.00	77.00
	6,136												
							Total (Platted)					1,163.81	1,906.68
							Current					1,144.90	1,736.33
							Future					18.91	170.34
							Total (Not Platted)					1,534.00	2,871.80
							TOTAL DEMANDS					2,697.81	4,778.48

Notes:
 Demands provided by Todd Creek Village Metropolitan District
 HTC - replat reduced units from 1,310 to 1,277.
 Baseline Lakes - platted for 54 units

TABLE 5
USGS 06720500 SOUTH PLATTE RIVER AT HENDERSON, CO
Colorado DWR Calculated Monthly Totals
(Acre-Feet)

Water Year	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Annual Total
1993	15,842	17,826	17,068	19,234	20,539	19,224	21,721	32,279	34,910	25,210	18,300	16,891	259,045
1994	14,547	12,936	16,336	12,823	15,138	17,110	25,012	33,882	16,562	18,034	12,478	15,926	210,785
1995	12,072	12,123	11,915	11,375	8,136	16,410	115,204	285,386	197,001	37,512	34,622	21,741	763,497
1996	20,615	17,322	21,737	17,524	15,614	14,017	40,053	50,169	35,394	26,517	26,936	19,004	304,902
1997	17,387	19,036	21,674	19,482	13,551	24,724	25,282	121,287	49,770	70,144	32,654	39,091	454,083
1998	26,388	30,316	32,198	19,180	31,819	75,845	106,280	44,424	62,633	43,697	21,319	20,386	514,486
1999	26,690	27,916	22,505	13,609	12,417	52,547	116,386	152,730	53,820	91,158	34,509	32,164	636,450
2000	30,209	22,088	32,736	22,104	24,219	21,231	32,884	31,619	36,522	26,960	16,237	17,756	314,565
2001	16,846	15,467	17,042	20,946	22,717	28,632	49,393	34,935	39,692	26,906	17,615	24,601	314,793
2002	19,067	16,086	15,237	17,540	19,839	12,647	19,411	14,827	12,085	10,035	15,549	11,889	184,212
2003	15,570	10,477	13,740	16,300	29,003	27,412	38,754	62,808	29,185	21,525	11,558	8,481	284,813
2004	11,256	11,806	11,522	17,562	17,852	22,802	20,242	30,871	38,520	39,204	19,208	22,947	263,792
2005	16,318	16,376	12,472	12,909	13,454	43,744	47,283	66,991	25,292	30,994	14,874	26,067	326,774
2006	11,709	12,082	11,203	13,077	16,058	11,832	21,531	30,191	39,856	32,996	14,341	18,365	233,240
2007	16,554	17,774	17,885	24,103	46,396	71,852	186,608	99,889	42,530	32,379	15,432	19,411	590,813
2008	26,422	12,744	13,932	22,108	23,021	16,098	31,210	42,145	40,628	34,275	18,454	14,049	295,087
2009	20,456	16,481	17,572	14,783	15,420	34,473	51,938	131,784	48,939	20,174	16,021	18,093	406,134
2010	32,908	19,163	11,808	15,289	31,298	57,226	59,864	79,023	30,744	31,292	12,292	13,595	394,500
2011	23,971	16,066	13,561	11,165	11,127	13,865	29,943	46,283	98,794	23,088	14,848	18,246	320,958
2012	24,508	14,214	11,959	17,066	16,243	16,683	18,796	18,494	17,227	11,909	16,929	12,199	196,226
2013	15,334	14,876	15,085	13,514	16,300	13,583	23,776	30,516	27,460	21,041	93,597	32,240	317,322
2014	25,430	18,155	16,705	15,396	21,281	19,234	58,954	89,722	54,677	27,805	19,444	35,477	402,280
2015	25,185	18,673	21,170	21,515	25,901	37,068	236,576	306,649	124,358	26,855	16,120	26,430	886,498
2016	32,502	23,860	19,297	18,593	28,691	82,085	119,704	89,037	30,308	21,690	11,623	10,673	488,064
2017	14,604	19,232	19,388	15,612	15,344	16,393	46,998	49,416	35,355	28,939	15,943	17,992	295,218
2018	19,702	15,588	15,808	12,891	19,747	13,434	26,404	26,531	22,945	15,106	13,751	12,018	213,926
Average	20,465	17,257	17,368	16,758	20,428	30,007	60,392	76,996	47,893	30,594	21,333	20,221	379,710
Minimum	11,256	10,477	11,203	11,165	8,136	11,832	18,796	14,827	12,085	10,035	11,558	8,481	184,212
Maximum	32,908	30,316	32,736	24,103	46,396	82,085	236,576	306,649	197,001	91,158	93,597	39,091	886,498

Data downloaded 05/03/2017 - updated 12/11/2019

TABLE 6
BRIGHTON DITCH DIVERSION HISTORY
Monthly Totals
(Acre-Feet)

Water Year	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Annual Total
1993	0	0	0	0	0	985	1,795	1,916	2,477	1,494	808	127	9,602
1994	0	0	0	0	268	949	2,060	2,070	1,410	1,479	1,215	416	9,867
1995	0	0	0	0	525	1,370	1,236	1,314	2,692	2,789	1,545	54	11,526
1996	0	0	0	0	152	1,824	2,111	2,152	2,599	1,684	529	0	11,051
1997	0	0	0	0	104	1,613	2,646	1,693	2,396	1,402	793	0	10,648
1998	0	0	0	0	0	977	1,714	2,116	2,449	2,059	1,899	245	11,457
1999	0	0	0	0	779	991	1,295	1,632	2,751	1,715	774	623	10,560
2000	0	0	0	0	928	979	1,776	2,215	1,997	1,617	843	766	11,120
2001	0	0	0	0	155	1,410	912	1,385	2,153	1,668	853	504	9,042
2002	0	0	0	0	0	1,417	1,481	1,272	1,373	1,353	1,147	1,025	9,069
2003	152	0	0	0	0	1,213	799	1,639	1,891	1,431	1,121	796	9,042
2004	143	0	0	0	644	1,893	1,873	1,266	2,017	2,034	1,143	716	11,729
2005	87	0	0	0	75	945	812	765	1,431	1,559	1,253	398	7,326
2006	16	0	0	0	65	1,432	1,449	1,767	1,430	1,317	979	785	9,240
2007	0	0	0	0	0	303	958	1,369	1,582	1,473	1,129	686	7,500
2008	0	0	0	0	154	1,193	1,490	1,134	1,735	1,065	1,034	1,019	8,824
2009	0	0	0	0	382	486	717	653	1,685	1,319	797	548	6,586
2010	0	0	0	0	0	284	662	988	1,321	1,084	768	598	5,704
2011	35	0	0	0	382	1,041	906	1,685	1,895	1,550	1,265	565	9,324
2012	0	0	0	0	426	1,192	1,085	1,129	1,261	1,233	974	714	8,014
2013	0	0	0	0	13	361	722	1,192	1,329	1,437	487	0	5,543
2014	0	0	0	0	0	1,397	1,452	1,692	1,745	1,175	797	713	8,970
2015	105	0	0	0	0	933	668	846	921	1,958	1,415	675	7,522
2016	93	0	0	0	49	313	317	1,038	1,560	1,507	988	612	6,477
2017	0	0	0	0	0	887	725	1,428	1,737	1,364	1,069	692	7,901
2018	0	0	0	0	0	652	1,232	1,237	1,254	1,269	1,060	846	7,551
Average	24	0	0	0	196	1,040	1,265	1,446	1,811	1,540	1,026	543	8,892

TABLE 7
UNITED RESERVOIR 3 DIVERSION HISTORY
Monthly Totals
(Acre-Feet)

Water Year	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Annual Total
1993	0	0	0	0	0	0	0	0	0	0	0	0	0
1994	0	0	0	0	0	0	0	0	0	0	0	0	0
1995	0	0	0	0	0	0	0	0	0	0	0	0	0
1996	0	0	0	0	0	0	0	0	0	0	0	0	0
1997	0	0	0	0	0	0	0	0	0	0	0	0	0
1998	0	0	0	0	0	0	0	0	0	0	0	0	0
1999	0	0	0	0	0	0	0	0	0	0	0	0	0
2000	0	0	0	0	0	0	0	0	0	0	0	0	0
2001	0	0	0	0	0	0	0	0	0	0	0	0	0
2002	0	0	0	0	0	0	0	0	0	0	0	0	0
2003	0	0	0	0	0	0	0	0	0	0	0	0	0
2004	0	0	0	0	0	0	0	0	0	0	0	0	0
2005	0	0	0	0	0	0	0	0	0	0	0	0	0
2006	0	0	0	0	0	0	0	0	0	0	0	0	0
2007	0	0	0	0	0	0	0	0	0	0	0	0	0
2008	0	0	0	0	103	2	0	0	0	0	0	0	105
2009	0	0	0	93	93	37	0	0	0	0	0	0	224
2010	0	0	0	186	187	74	0	0	0	0	0	318	765
2011	0	0	0	0	0	0	0	0	0	0	0	0	0
2012	536	531	228	0	0	0	0	0	0	0	0	0	1,295
2013	382	672	674	601	937	226	415	247	114	111	1,731	1,352	7,463
2014	83	451	788	114	121	112	201	189	408	191	154	33	2,843
2015	67	490	586	292	72	122	118	112	108	119	120	278	2,485
2016	552	369	119	112	91	116	119	114	113	133	175	180	2,194
2017	63	99	2,227	1,054	545	576	464	113	79	216	338	522	6,296
2018	0	0	305	278	307	207	223	0	0	0	0	0	1,319
Average	65	100	189	105	144	87	91	46	48	45	148	158	961

Notes: 2011 Diversion records show data unavailable - assumed no diversions.

TABLE 8
FREE RIVER AT TCVMC ON THE SOUTH PLATTE RIVER
Number of Days In-Priority

Water Year	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	Annual Total
1993	30	31	31	28	31	30	11	10	0	0	18	31	251
1994	30	31	31	28	31	17	0	0	0	0	0	13	181
1995	30	7	9	13	18	3	30	30	31	31	18	31	251
1996	30	5	29	29	31	8	9	30	2	4	21	31	229
1997	30	31	31	28	31	28	31	30	14	31	30	31	346
1998	30	31	31	28	31	30	31	19	8	9	17	31	296
1999	30	31	31	28	15	9	31	30	11	31	30	31	308
2000	30	31	31	29	31	25	5	0	0	0	0	0	182
2001	0	19	31	28	31	30	20	14	4	0	23	31	231
2002	30	31	31	28	31	17	1	0	0	0	0	0	169
2003	0	0	0	0	0	0	0	1	0	0	0	0	1
2004	0	0	0	0	0	0	0	2	0	0	1	0	3
2005	0	0	0	0	0	1	0	18	0	0	0	3	22
2006	0	0	0	2	6	4	0	0	1	0	0	4	17
2007	0	7	10	7	0	13	31	20	0	0	0	0	88
2008	0	14	21	0	0	0	0	0	0	3	0	0	38
2009	0	10	0	0	0	7	5	28	9	1	7	31	98
2010	31	31	31	10	28	27	31	25	0	1	0	8	223
2011	0	0	30	28	15	0	16	30	25	0	15	31	190
2012	30	31	31	29	22	0	0	0	0	0	0	0	143
2013	0	0	0	0	8	0	14	22	0	0	21	31	96
2014	6	30	31	29	31	21	20	30	23	22	30	31	304
2015	30	31	31	28	31	20	31	30	30	0	1	31	294
2016	30	31	31	29	31	30	31	26	0	0	0	0	239
2017	0	7	27	21	13	0	14	19	0	0	3	29	133
2018	0	17	31	28	31	8	16	5	0	0	0	0	136
Average	15	18	22	18	19	13	15	16	6	5	9	17	172

TABLE 9
ADJUSTED SOUTH PLATTE RIVER AVAILABILITY AT TCVMD
Monthly Totals
(Acre-Feet)

Water Year	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Annual Total
1993	14,593	16,534	15,777	18,068	19,248	16,989	18,635	29,114	32,433	23,717	16,243	15,474	236,823
1994	13,297	11,645	15,045	11,657	13,579	14,911	22,952	31,813	15,152	16,555	11,264	14,218	192,087
1995	10,822	10,832	10,624	10,209	6,320	13,790	112,677	282,822	193,018	33,432	31,827	20,396	736,768
1996	19,365	16,031	20,446	16,316	14,171	10,944	36,651	46,767	31,503	23,542	25,157	17,713	278,605
1997	16,138	17,744	20,382	18,316	12,156	21,862	21,344	118,345	46,082	67,451	30,611	37,800	428,231
1998	25,139	29,025	30,907	18,014	30,528	73,619	103,275	41,059	58,893	40,346	18,170	18,851	487,825
1999	25,440	26,625	21,214	12,442	10,346	50,306	113,800	149,847	49,778	88,151	32,486	30,250	610,686
2000	28,959	20,797	31,444	20,896	22,000	19,003	29,817	29,404	34,525	25,343	15,394	16,991	294,573
2001	16,846	14,176	15,751	19,779	21,271	25,972	47,189	32,300	36,247	25,238	15,512	22,806	293,089
2002	17,818	14,795	13,946	16,374	18,548	9,980	17,304	13,555	10,712	8,681	14,401	10,864	166,977
2003	15,419	10,477	13,740	16,300	29,003	26,199	37,954	59,919	27,294	20,093	10,437	7,686	274,521
2004	11,113	11,806	11,522	17,562	17,208	20,909	18,369	28,356	36,503	37,170	17,425	22,231	250,173
2005	16,231	16,376	12,472	12,909	13,379	41,549	46,471	64,976	23,861	29,435	13,621	24,378	315,658
2006	11,693	12,082	11,203	12,143	14,702	9,150	20,082	28,424	37,141	31,678	13,362	16,289	217,948
2007	16,554	16,483	16,594	22,937	46,396	70,300	184,359	97,271	40,948	30,906	14,303	18,724	575,774
2008	26,422	11,453	12,641	22,108	22,764	14,903	29,720	41,012	38,893	31,918	17,420	13,030	282,284
2009	20,456	15,190	17,572	14,690	14,945	32,701	49,930	129,881	45,963	18,204	13,974	16,254	389,760
2010	31,659	17,871	10,517	13,936	29,820	55,619	57,911	76,785	29,423	29,199	11,524	11,388	375,650
2011	23,936	16,066	12,270	9,999	9,454	12,823	27,746	43,349	95,607	21,538	12,334	16,390	301,512
2012	22,723	12,392	10,439	15,858	14,525	15,491	17,710	17,365	15,966	10,676	15,955	11,485	180,585
2013	14,952	14,204	14,410	12,913	14,059	12,996	21,348	27,827	26,016	19,493	90,130	29,597	297,944
2014	24,097	16,413	14,626	14,116	19,869	16,476	56,009	86,592	51,234	25,148	17,244	33,440	375,264
2015	23,762	16,891	19,292	20,057	24,537	34,763	234,499	304,442	122,038	24,777	14,047	24,186	863,291
2016	30,607	22,199	17,887	17,273	27,260	80,407	117,977	86,636	28,635	20,049	10,460	9,881	469,270
2017	14,541	17,841	15,871	13,391	13,508	14,930	44,518	46,626	33,540	27,359	13,287	15,487	270,899
2018	19,702	14,297	14,212	11,447	18,149	11,326	23,658	24,044	21,691	13,837	12,691	11,172	196,225
Average	19,703	16,163	16,185	15,758	19,144	27,997	58,150	74,559	45,504	28,613	19,588	18,730	360,093

Notes: Adjustment made for diversion at Brighton Ditch, United No. 3 and Mann Lakes

TABLE 10
WATER AVAILABLE IN-PRIORITY TO A JUNIOR SOUTH PLATTE RIVER WATER RIGHT
AT TCVMD
(Acre-Feet)

Water Year	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	Annual Total
1993	14,593	16,534	15,777	18,068	19,248	16,989	6,612	9,705	0	0	9,746	15,474	142,745
1994	13,297	11,645	15,045	11,657	13,579	8,449	0	0	0	0	0	5,962	79,635
1995	10,822	2,446	3,084	4,740	3,670	1,379	109,042	282,822	193,018	33,432	19,096	20,396	683,947
1996	19,365	2,586	19,127	16,316	14,171	2,918	10,641	46,767	2,032	3,038	17,610	17,713	172,283
1997	16,138	17,744	20,382	18,316	12,156	20,405	21,344	118,345	20,811	67,451	30,611	37,800	401,503
1998	25,139	29,025	30,907	18,014	30,528	73,619	103,275	26,004	15,198	11,713	10,296	18,851	392,569
1999	25,440	26,625	21,214	12,442	5,006	15,092	113,800	149,847	17,663	88,151	32,486	30,250	538,017
2000	28,959	20,797	31,444	20,896	22,000	15,836	4,809	0	0	0	0	0	144,741
2001	0	8,689	15,751	19,779	21,271	25,972	30,445	15,073	4,677	0	11,893	22,806	176,356
2002	17,818	14,795	13,946	16,374	18,548	5,655	558	0	0	0	0	0	87,694
2003	0	0	0	0	0	0	0	1,997	0	0	0	0	1,997
2004	0	0	0	0	0	0	0	1,890	0	0	581	0	2,471
2005	0	0	0	0	0	1,385	0	38,985	0	0	0	2,359	42,730
2006	0	0	0	867	2,846	1,220	0	0	1,198	0	0	2,102	8,233
2007	0	3,722	5,353	5,734	0	30,463	184,359	64,847	0	0	0	0	294,478
2008	0	5,172	8,563	0	0	0	0	0	0	3,089	0	0	16,824
2009	0	4,900	0	0	0	7,630	8,053	121,222	13,344	587	3,261	16,254	175,252
2010	32,714	17,871	10,517	4,977	26,934	50,057	57,911	63,988	0	942	0	2,939	268,849
2011	0	0	11,874	9,999	4,575	0	14,320	43,349	77,103	0	6,167	16,390	183,776
2012	22,723	12,392	10,439	15,858	10,308	0	0	0	0	0	0	0	71,720
2013	0	0	0	0	3,628	0	9,641	20,407	0	0	63,091	29,597	126,363
2014	4,819	15,884	14,626	14,620	19,869	11,533	36,135	86,592	38,012	17,847	17,244	33,440	310,621
2015	23,762	16,891	19,292	20,057	24,537	23,175	234,499	304,442	118,101	0	468	24,186	809,411
2016	30,607	22,199	17,887	17,273	27,260	80,407	117,977	75,084	0	0	0	0	388,694
2017	0	4,029	13,823	10,044	5,665	0	20,105	29,530	0	0	1,329	14,488	99,011
2018	0	7,840	14,212	11,447	18,149	3,020	12,211	4,007	0	0	0	0	70,886
Average	11,008	10,069	12,049	10,288	11,690	15,200	42,144	57,881	19,275	8,702	8,611	11,962	218,877
Avg cfs	185	164	196	185	190	256	686	973	314	142	145	195	

TABLE 11
WATER AVAILABLE IN-PRIORITY TO A JUNIOR SOUTH PLATTE RIVER WATER RIGHT AT TCVMD
With a Diversion Limitation of 40 cfs on the South Platte River
(Acre-Feet)

Water Year	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	Annual Total
1993	2,380	2,460	2,460	2,222	2,460	2,380	873	793	0	0	1,428	2,460	19,914
1994	2,380	2,460	2,460	2,222	2,460	1,349	0	0	0	0	0	1,031	14,361
1995	2,380	555	714	1,031	1,428	238	2,380	2,380	2,460	2,460	1,428	2,460	19,914
1996	2,380	397	2,301	2,301	2,460	635	714	2,380	159	317	1,666	2,460	18,169
1997	2,380	2,460	2,460	2,222	2,460	2,222	2,460	2,380	1,111	2,460	2,380	2,460	27,452
1998	2,380	2,460	2,460	2,222	2,460	2,380	2,460	1,507	635	714	1,349	2,460	23,485
1999	2,380	2,460	2,460	2,222	1,190	714	2,460	2,380	873	2,460	2,380	2,460	24,437
2000	2,380	2,460	2,460	2,301	2,460	1,984	397	0	0	0	0	0	14,440
2001	0	1,507	2,460	2,222	2,460	2,380	1,587	1,111	317	0	1,825	2,460	18,328
2002	2,380	2,460	2,460	2,222	2,460	1,349	79	0	0	0	0	0	13,408
2003	0	0	0	0	0	0	0	79	0	0	0	0	79
2004	0	0	0	0	0	0	0	159	0	0	79	0	238
2005	0	0	0	0	0	79	0	1,428	0	0	0	238	1,745
2006	0	0	0	159	476	317	0	0	79	0	0	317	1,349
2007	0	555	793	555	0	1,031	2,460	1,587	0	0	0	0	6,982
2008	0	1,111	1,666	0	0	0	0	0	0	238	0	0	3,015
2009	0	793	0	0	0	555	397	2,222	714	79	555	2,460	7,775
2010	2,460	2,460	2,460	793	2,222	2,142	2,460	1,984	0	79	0	635	17,693
2011	0	0	2,380	2,222	1,190	0	1,269	2,380	1,984	0	1,190	2,460	15,075
2012	2,380	2,460	2,460	2,301	1,745	0	0	0	0	0	0	0	11,346
2013	0	0	0	0	635	0	1,111	1,745	0	0	1,666	2,460	7,617
2014	476	2,380	2,460	2,301	2,460	1,666	1,587	2,380	1,825	1,745	2,380	2,460	24,119
2015	2,380	2,460	2,460	2,222	2,460	1,587	2,460	2,380	2,380	0	79	2,460	23,326
2016	2,380	2,460	2,460	2,301	2,460	2,380	2,460	2,063	0	0	0	0	18,962
2017	0	555	2,142	1,666	1,031	0	1,111	1,507	0	0	238	2,301	10,552
2018	0	1,349	2,460	2,222	2,460	635	1,269	397	0	0	0	0	10,790
Average	1,211	1,395	1,709	1,459	1,517	1,001	1,153	1,279	482	406	717	1,309	13,637

40 cfs = 79.34

TABLE 12
WATER AVAILABLE IN-PRIORITY TO A JUNIOR SOUTH PLATTE RIVER WATER RIGHT
AT MANN LAKES RESERVOIR
(Acre-Feet)

Water Year	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	Annual Total
1993	15,842	17,826	17,068	19,234	20,539	19,224	7,708	10,760	0	0	10,980	16,891	156,072
1994	14,547	12,936	16,336	12,823	15,138	9,695	0	0	0	0	0	6,678	88,155
1995	12,072	2,737	3,459	5,281	4,724	1,641	111,487	285,386	197,001	37,512	20,773	21,741	703,816
1996	20,615	2,794	20,335	17,524	15,614	3,738	11,628	50,169	2,283	3,422	18,855	19,004	185,980
1997	17,387	19,036	21,674	19,482	13,551	23,076	25,282	121,287	22,477	70,144	32,654	39,091	425,141
1998	26,388	30,316	32,198	19,180	31,819	75,845	106,280	28,135	16,163	12,686	12,081	20,386	411,479
1999	26,690	27,916	22,505	13,609	6,008	15,764	116,386	152,730	19,098	91,158	34,509	32,164	558,535
2000	30,209	22,088	32,736	22,104	24,219	17,693	5,304	0	0	0	0	0	154,352
2001	0	9,480	17,042	20,946	22,717	28,632	31,867	16,303	5,122	0	13,505	24,601	190,215
2002	19,067	16,086	15,237	17,540	19,839	7,167	626	0	0	0	0	0	95,563
2003	0	0	0	0	0	0	0	2,094	0	0	0	0	2,094
2004	0	0	0	0	0	0	0	2,058	0	0	640	0	2,698
2005	0	0	0	0	0	1,458	0	40,194	0	0	0	2,523	44,175
2006	0	0	0	934	3,108	1,578	0	0	1,286	0	0	2,370	9,275
2007	0	4,014	5,769	6,026	0	31,136	186,608	66,593	0	0	0	0	300,145
2008	0	5,755	9,438	0	0	0	0	0	0	3,317	0	0	18,510
2009	0	5,316	0	0	0	8,044	8,377	122,998	14,208	651	3,738	18,093	181,426
2010	34,005	19,163	11,808	5,460	28,269	51,503	59,864	65,852	0	1,009	0	3,508	280,442
2011	0	0	13,124	11,165	5,384	0	15,454	46,283	79,673	0	7,424	18,246	196,754
2012	24,508	14,214	11,959	17,066	11,527	0	0	0	0	0	0	0	79,274
2013	0	0	0	0	4,207	0	10,738	22,379	0	0	65,518	32,240	135,081
2014	5,086	17,569	16,705	15,946	21,281	13,464	38,035	89,722	40,567	19,732	19,444	35,477	333,028
2015	25,185	18,673	21,170	21,515	25,901	24,712	236,576	306,649	120,346	0	537	26,430	827,693
2016	32,502	23,860	19,297	18,593	28,691	82,085	119,704	77,166	0	0	0	0	401,898
2017	0	4,343	16,887	11,709	6,435	0	21,225	31,297	0	0	1,594	16,831	110,320
2018	0	8,548	15,808	12,446	19,747	3,582	13,628	4,422	0	0	0	0	78,182
Average	11,696	10,872	13,098	11,099	12,643	16,155	43,338	59,326	19,932	9,217	9,317	12,934	229,627
Avg cfs	197	177	213	200	206	272	705	997	324	150	157	210	

TABLE 13
WATER AVAILABLE IN-PRIORITY TO A JUNIOR SOUTH PLATTE RIVER WATER RIGHT AT MANN LAKES
With a Diversion Limitation of 21 cfs on the South Platte River
(Acre-Feet)

Water Year	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	Annual Total
1993	1,250	1,291	1,291	1,166	1,291	1,250	1,291	1,250	0	0	1,250	1,291	12,621
1994	1,250	1,291	1,291	1,166	1,291	1,250	0	0	0	0	0	1,291	8,831
1995	1,250	1,291	1,291	1,166	1,291	1,250	1,291	1,250	1,291	1,291	1,250	1,291	15,204
1996	1,250	1,291	1,291	1,208	1,291	1,250	1,291	1,250	1,291	1,291	1,250	1,291	15,245
1997	1,250	1,291	1,291	1,166	1,291	1,250	1,291	1,250	1,291	1,291	1,250	1,291	15,204
1998	1,250	1,291	1,291	1,166	1,291	1,250	1,291	1,250	1,291	1,291	1,250	1,291	15,204
1999	1,250	1,291	1,291	1,166	1,291	1,250	1,291	1,250	1,291	1,291	1,250	1,291	15,204
2000	1,250	1,291	1,291	1,208	1,291	1,250	1,291	0	0	0	0	0	8,872
2001	0	1,291	1,291	1,166	1,291	1,250	1,291	1,250	1,291	0	1,250	1,291	12,663
2002	1,250	1,291	1,291	1,166	1,291	1,250	626	0	0	0	0	0	8,165
2003	0	0	0	0	0	0	0	1,250	0	0	0	0	1,250
2004	0	0	0	0	0	0	0	1,250	0	0	640	0	1,890
2005	0	0	0	0	0	1,250	0	1,250	0	0	0	1,291	3,790
2006	0	0	0	934	1,291	1,250	0	0	1,286	0	0	1,291	6,052
2007	0	1,291	1,291	1,166	0	1,250	1,291	1,250	0	0	0	0	7,539
2008	0	1,291	1,291	0	0	0	0	0	0	1,291	0	0	3,874
2009	0	1,291	0	0	0	1,250	1,291	1,250	1,291	651	1,250	1,291	9,565
2010	1,250	1,291	1,291	1,166	1,291	1,250	1,291	1,250	0	1,009	0	1,291	12,381
2011	0	0	1,291	1,166	1,291	0	1,291	1,250	1,291	0	1,250	1,291	10,122
2012	1,250	1,291	1,291	1,208	1,291	0	0	0	0	0	0	0	6,331
2013	0	0	0	0	1,291	0	1,291	1,250	0	0	1,250	1,291	6,373
2014	1,250	1,291	1,291	1,166	1,291	1,250	1,291	1,250	1,291	1,291	1,250	1,291	15,204
2015	1,250	1,291	1,291	1,166	1,291	1,250	1,291	1,250	1,291	0	537	1,291	13,200
2016	1,250	1,291	1,291	1,208	1,291	1,250	1,291	1,250	0	0	0	0	10,122
2017	0	1,291	1,291	1,166	1,291	0	1,291	1,250	0	0	1,250	1,291	10,122
2018	0	1,291	1,291	1,166	1,291	1,250	1,291	1,250	0	0	0	0	8,831
Average	673	993	993	895	993	913	918	961	546	411	622	844	9,764
Minimum	0	0	0	0	0	0	0	0	0	0	0	0	1,250
Maximum	1,250	1,291	1,291	1,208	1,291	1,250	1,291	1,250	1,291	1,291	1,250	1,291	15,245

21 cfs = 41.65 af/day

**TABLE 14
TCVMD DEMANDS**

(Acre-Feet)

Water Year	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	Annual Total
1993	67	67	67	67	67	67	67	67	67	67	67	67	803
1994	67	67	67	67	67	67	67	67	67	67	67	67	803
1995	67	67	67	67	67	67	67	67	67	67	67	67	803
1996	67	67	67	67	67	67	67	67	67	67	67	67	803
1997	67	67	67	67	67	67	67	67	67	67	67	67	803
1998	67	67	67	67	67	67	67	67	67	67	67	67	803
1999	67	67	67	67	67	67	67	67	67	67	67	67	803
2000	67	67	67	67	67	67	67	67	67	67	67	67	803
2001	67	67	67	67	67	67	67	67	67	67	67	67	803
2002	67	67	67	67	67	67	67	67	67	67	67	67	803
2003	67	67	67	67	67	67	67	67	67	67	67	67	803
2004	67	67	67	67	67	67	67	67	67	67	67	67	803
2005	67	67	67	67	67	67	67	67	67	67	67	67	803
2006	67	67	67	67	67	67	67	67	67	67	67	67	803
2007	67	67	67	67	67	67	67	67	67	67	67	67	803
2008	67	67	67	67	67	67	67	67	67	67	67	67	803
2009	67	67	67	67	67	67	67	67	67	67	67	67	803
2010	67	67	67	67	67	67	67	67	67	67	67	67	803
2011	67	67	67	67	67	67	67	67	67	67	67	67	803
2012	67	67	67	67	67	67	67	67	67	67	67	67	803
2013	67	67	67	67	67	67	67	67	67	67	67	67	803
2014	67	67	67	67	67	67	67	67	67	67	67	67	803
2015	67	67	67	67	67	67	67	67	67	67	67	67	803
2016	67	67	67	67	67	67	67	67	67	67	67	67	803
2017	67	67	67	67	67	67	67	67	67	67	67	67	803
2018	67	67	67	67	67	67	67	67	67	67	67	67	803
Average	67	67	67	67	67	67	67	67	67	67	67	67	803

TABLE 15
TCVMD ESTIMATED RESERVOIR EVAPORATION
Conservative Analysis - Assumed Storage Full
(Acre-Feet)

Water Year	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	Annual Total
1993	7	5	5	6	9	13	19	26	27	22	18	12	168
1994	7	5	5	6	9	13	19	26	27	22	18	12	168
1995	7	5	5	6	9	13	19	26	27	22	18	12	168
1996	7	5	5	6	9	13	19	26	27	22	18	12	168
1997	7	5	5	6	9	13	19	26	27	22	18	12	168
1998	7	5	5	6	9	13	19	26	27	22	18	12	168
1999	7	5	5	6	9	13	19	26	27	22	18	12	168
2000	7	5	5	6	9	13	19	26	27	22	18	12	168
2001	7	5	5	6	9	13	19	26	27	22	18	12	168
2002	7	5	5	6	9	13	19	26	27	22	18	12	168
2003	7	5	5	6	9	13	19	26	27	22	18	12	168
2004	7	5	5	6	9	13	19	26	27	22	18	12	168
2005	7	5	5	6	9	13	19	26	27	22	18	12	168
2006	7	5	5	6	9	13	19	26	27	22	18	12	168
2007	7	5	5	6	9	13	19	26	27	22	18	12	168
2008	7	5	5	6	9	13	19	26	27	22	18	12	168
2009	7	5	5	6	9	13	19	26	27	22	18	12	168
2010	7	5	5	6	9	13	19	26	27	22	18	12	168
2011	7	5	5	6	9	13	19	26	27	22	18	12	168
2012	7	5	5	6	9	13	19	26	27	22	18	12	168
2013	7	5	5	6	9	13	19	26	27	22	18	12	168
2014	7	5	5	6	9	13	19	26	27	22	18	12	168
2015	7	5	5	6	9	13	19	26	27	22	18	12	168
2016	7	5	5	6	9	13	19	26	27	22	18	12	168
2017	7	5	5	6	9	13	19	26	27	22	18	12	168
2018	7	5	5	6	9	13	19	26	27	22	18	12	168
Average	7	5	5	6	9	13	19	26	27	22	18	12	168

Notes: Smith and Signal 2 included in study.
Conservative estimate of evaporation - assumed full year-round

TABLE 16
MANN LAKES ESTIMATED RESERVOIR EVAPORATION
Conservative Analysis - Assumed Storage Full
(Acre-Feet)

Water Year	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	Annual Total
1993	14	10	10	12	19	31	42	51	52	47	35	24	349
1994	14	10	10	12	19	31	42	51	52	47	35	24	349
1995	14	10	10	12	19	31	42	51	52	47	35	24	349
1996	14	10	10	12	19	31	42	51	52	47	35	24	349
1997	14	10	10	12	19	31	42	51	52	47	35	24	349
1998	14	10	10	12	19	31	42	51	52	47	35	24	349
1999	14	10	10	12	19	31	42	51	52	47	35	24	349
2000	14	10	10	12	19	31	42	51	52	47	35	24	349
2001	14	10	10	12	19	31	42	51	52	47	35	24	349
2002	14	10	10	12	19	31	42	51	52	47	35	24	349
2003	14	10	10	12	19	31	42	51	52	47	35	24	349
2004	14	10	10	12	19	31	42	51	52	47	35	24	349
2005	14	10	10	12	19	31	42	51	52	47	35	24	349
2006	14	10	10	12	19	31	42	51	52	47	35	24	349
2007	14	10	10	12	19	31	42	51	52	47	35	24	349
2008	14	10	10	12	19	31	42	51	52	47	35	24	349
2009	14	10	10	12	19	31	42	51	52	47	35	24	349
2010	14	10	10	12	19	31	42	51	52	47	35	24	349
2011	14	10	10	12	19	31	42	51	52	47	35	24	349
2012	14	10	10	12	19	31	42	51	52	47	35	24	349
2013	14	10	10	12	19	31	42	51	52	47	35	24	349
2014	14	10	10	12	19	31	42	51	52	47	35	24	349
2015	14	10	10	12	19	31	42	51	52	47	35	24	349
2016	14	10	10	12	19	31	42	51	52	47	35	24	349
2017	14	10	10	12	19	31	42	51	52	47	35	24	349
2018	14	10	10	12	19	31	42	51	52	47	35	24	349
Average	14	10	10	12	19	31	42	51	52	47	35	24	349

Notes: TCVMMD portion of total included (160 acres x 58.15% = 93 acres)
Conservative estimate of evaporation - assumed full year-round

TABLE 17
WATER AVAILABLE IN STORAGE AFTER DEMANDS ARE MET
LIMITED TO 460 af WITHIN DISTRICT
(Acre-Feet)

Water Year	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT
1993	460	460	460	460	460	460	460	460	367	278	460	460
1994	460	460	460	460	460	460	374	281	187	98	14	460
1995	460	460	460	460	460	460	460	460	460	460	460	460
1996	460	460	460	460	460	460	460	460	460	460	460	460
1997	460	460	460	460	460	460	460	460	460	460	460	460
1998	460	460	460	460	460	460	460	460	460	460	460	460
1999	460	460	460	460	460	460	460	460	460	460	460	460
2000	460	460	460	460	460	460	460	367	274	185	100	22
2001	0	460	460	460	460	460	460	460	460	371	460	460
2002	460	460	460	460	460	460	453	360	267	178	93	15
2003	0	0	0	0	0	0	0	0	0	0	0	0
2004	0	0	0	0	0	0	0	66	0	0	0	0
2005	0	0	0	0	0	0	0	460	367	278	193	352
2006	278	206	134	220	460	460	374	281	267	178	93	332
2007	258	460	460	460	385	460	460	460	367	278	193	114
2008	40	460	460	387	312	232	145	52	0	149	64	0
2009	0	460	388	315	240	460	460	460	460	450	460	460
2010	460	460	460	460	460	460	460	460	367	357	272	460
2011	386	314	460	460	460	380	460	460	460	371	460	460
2012	460	460	460	460	460	380	294	201	107	18	0	0
2013	0	0	0	0	460	380	460	460	367	278	460	460
2014	460	460	460	460	460	460	460	460	460	460	460	460
2015	460	460	460	460	460	460	460	460	460	371	366	460
2016	460	460	460	460	460	460	460	460	367	278	193	114
2017	40	460	460	460	460	380	460	460	367	278	431	460
2018	386	460	460	460	460	460	460	460	367	278	193	114
Average	301	374	374	372	390	386	382	380	332	286	279	306

**TABLE 18
DEMANDS MET WITH TCVMD STORAGE**

Water Year	(Acre-Feet)												Annual Total
	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	
1993	67	67	67	67	67	67	67	67	67	67	67	67	803
1994	67	67	67	67	67	67	67	67	67	67	67	67	803
1995	67	67	67	67	67	67	67	67	67	67	67	67	803
1996	67	67	67	67	67	67	67	67	67	67	67	67	803
1997	67	67	67	67	67	67	67	67	67	67	67	67	803
1998	67	67	67	67	67	67	67	67	67	67	67	67	803
1999	67	67	67	67	67	67	67	67	67	67	67	67	803
2000	67	67	67	67	67	67	67	67	67	67	67	67	803
2001	22	67	67	67	67	67	67	67	67	67	67	67	758
2002	67	67	67	67	67	67	67	67	67	67	67	67	803
2003	15	0	0	0	0	0	0	67	0	0	0	0	81
2004	0	0	0	0	0	0	0	67	66	0	67	0	200
2005	0	0	0	0	0	67	0	67	67	67	67	67	402
2006	67	67	67	67	67	67	67	67	67	67	67	67	803
2007	67	67	67	67	67	67	67	67	67	67	67	67	803
2008	67	67	67	67	67	67	67	67	52	67	67	64	786
2009	0	67	67	67	67	67	67	67	67	67	67	67	736
2010	67	67	67	67	67	67	67	67	67	67	67	67	803
2011	67	67	67	67	67	67	67	67	67	67	67	67	803
2012	67	67	67	67	67	67	67	67	67	67	18	0	688
2013	0	0	0	0	67	67	67	67	67	67	67	67	535
2014	67	67	67	67	67	67	67	67	67	67	67	67	803
2015	67	67	67	67	67	67	67	67	67	67	67	67	803
2016	67	67	67	67	67	67	67	67	67	67	67	67	803
2017	67	67	67	67	67	67	67	67	67	67	67	67	803
2018	67	67	67	67	67	67	67	67	67	67	67	67	803
Average	53	57	57	57	59	62	59	67	64	62	62	59	717

TABLE 19
WATER AVAILABLE IN STORAGE AFTER DEMANDS ARE MET
LIMITED TO 1,789 af AT MANN LAKES
(Acre-Feet)

Water Year	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT
1993	1,236	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,737	1,690	1,789	1,789
1994	1,789	1,789	1,789	1,789	1,789	1,789	1,747	1,697	1,644	1,597	1,562	1,789
1995	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789
1996	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789
1997	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789
1998	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789
1999	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789
2000	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,738	1,686	1,639	1,604	1,580
2001	1,520	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,742	1,789	1,789
2002	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,738	1,686	1,639	1,604	1,580
2003	1,513	1,436	1,359	1,280	1,193	1,095	986	1,789	1,670	1,556	1,454	1,363
2004	1,282	1,204	1,127	1,048	962	864	755	1,789	1,736	1,622	1,789	1,698
2005	1,617	1,539	1,462	1,383	1,297	1,789	1,680	1,789	1,737	1,690	1,655	1,789
2006	1,775	1,765	1,754	1,789	1,789	1,789	1,747	1,697	1,789	1,742	1,707	1,789
2007	1,775	1,789	1,789	1,789	1,770	1,789	1,789	1,789	1,737	1,690	1,655	1,630
2008	1,616	1,789	1,789	1,777	1,758	1,726	1,684	1,634	1,567	1,789	1,754	1,727
2009	1,646	1,789	1,779	1,766	1,747	1,789	1,789	1,789	1,789	1,789	1,789	1,789
2010	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,737	1,789	1,754	1,789
2011	1,775	1,765	1,789	1,789	1,789	1,758	1,789	1,789	1,789	1,742	1,789	1,789
2012	1,789	1,789	1,789	1,789	1,789	1,758	1,716	1,665	1,613	1,566	1,482	1,391
2013	1,310	1,233	1,156	1,076	1,789	1,758	1,789	1,789	1,737	1,690	1,789	1,789
2014	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789
2015	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,742	1,789	1,789
2016	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,737	1,690	1,655	1,630
2017	1,616	1,789	1,789	1,789	1,789	1,758	1,789	1,789	1,737	1,690	1,789	1,789
2018	1,775	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,737	1,690	1,655	1,630
Average	1,681	1,720	1,708	1,697	1,712	1,719	1,704	1,767	1,737	1,712	1,715	1,717

**TABLE 20
TOTAL DEMANDS MET**

Water Year	(Acre-Feet)												Annual Total
	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	
1993	67	67	67	67	67	67	67	67	67	67	67	67	803
1994	67	67	67	67	67	67	67	67	67	67	67	67	803
1995	67	67	67	67	67	67	67	67	67	67	67	67	803
1996	67	67	67	67	67	67	67	67	67	67	67	67	803
1997	67	67	67	67	67	67	67	67	67	67	67	67	803
1998	67	67	67	67	67	67	67	67	67	67	67	67	803
1999	67	67	67	67	67	67	67	67	67	67	67	67	803
2000	67	67	67	67	67	67	67	67	67	67	67	67	803
2001	67	67	67	67	67	67	67	67	67	67	67	67	803
2002	67	67	67	67	67	67	67	67	67	67	67	67	803
2003	67	67	67	67	67	67	67	67	67	67	67	67	803
2004	67	67	67	67	67	67	67	67	67	67	67	67	803
2005	67	67	67	67	67	67	67	67	67	67	67	67	803
2006	67	67	67	67	67	67	67	67	67	67	67	67	803
2007	67	67	67	67	67	67	67	67	67	67	67	67	803
2008	67	67	67	67	67	67	67	67	67	67	67	67	803
2009	67	67	67	67	67	67	67	67	67	67	67	67	803
2010	67	67	67	67	67	67	67	67	67	67	67	67	803
2011	67	67	67	67	67	67	67	67	67	67	67	67	803
2012	67	67	67	67	67	67	67	67	67	67	67	67	803
2013	67	67	67	67	67	67	67	67	67	67	67	67	803
2014	67	67	67	67	67	67	67	67	67	67	67	67	803
2015	67	67	67	67	67	67	67	67	67	67	67	67	803
2016	67	67	67	67	67	67	67	67	67	67	67	67	803
2017	67	67	67	67	67	67	67	67	67	67	67	67	803
2018	67	67	67	67	67	67	67	67	67	67	67	67	803
Average	67	67	67	67	67	67	67	67	67	67	67	67	803

TABLE 21
WATER AVAILABLE IN-PRIORITY TO A JUNIOR SOUTH PLATTE RIVER WATER RIGHT AT TCVMD
With a Diversion Limitation of 40 cfs on the South Platte River
(Acre-Feet)

Water Year	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	Annual Total
1993	2,380	2,460	2,460	2,222	2,460	2,380	873	793	0	0	1,428	2,460	19,914
1994	2,380	2,460	2,460	2,222	2,460	1,349	0	0	0	0	0	1,031	14,361
1995	2,380	555	714	1,031	1,428	238	2,380	2,380	2,460	2,460	1,428	2,460	19,914
1996	2,380	397	2,301	2,301	2,460	635	714	2,380	159	317	1,666	2,460	18,169
1997	2,380	2,460	2,460	2,222	2,460	2,222	2,460	2,380	1,111	2,460	2,380	2,460	27,452
1998	2,380	2,460	2,460	2,222	2,460	2,380	2,460	1,507	635	714	1,349	2,460	23,485
1999	2,380	2,460	2,460	2,222	1,190	714	2,460	2,380	873	2,460	2,380	2,460	24,437
2000	2,380	2,460	2,460	2,301	2,460	1,984	397	0	0	0	0	0	14,440
2001	0	1,507	2,460	2,222	2,460	2,380	1,587	1,111	317	0	1,825	2,460	18,328
2002	2,380	2,460	2,460	2,222	2,460	1,349	79	0	0	0	0	0	13,408
2003	0	0	0	0	0	0	0	0	0	0	0	0	0
2004	0	0	0	0	0	0	0	0	0	0	0	0	0
2005	0	0	0	0	0	0	0	0	0	0	0	0	0
2006	0	0	0	159	476	317	0	0	79	0	0	317	1,349
2007	0	555	793	555	0	1,031	2,460	1,587	0	0	0	0	6,982
2008	0	1,111	1,666	0	0	0	0	0	0	238	0	0	3,015
2009	0	793	0	0	0	555	397	2,222	714	79	555	2,460	7,775
2010	2,460	2,460	2,460	793	2,222	2,142	2,460	1,984	0	79	0	635	17,693
2011	0	0	2,380	2,222	1,190	0	1,269	2,380	1,984	0	1,190	2,460	15,075
2012	2,380	2,460	2,460	2,301	1,745	0	0	0	0	0	0	0	11,346
2013	0	0	0	0	635	0	1,111	1,745	0	0	1,666	2,460	7,617
2014	476	2,380	2,460	2,301	2,460	1,666	1,587	2,380	1,825	1,745	2,380	2,460	24,119
2015	2,380	2,460	2,460	2,222	2,460	1,587	2,460	2,380	2,380	0	79	2,460	23,326
2016	2,380	2,460	2,460	2,301	2,460	2,380	2,460	2,063	0	0	0	0	18,962
2017	0	555	2,142	1,666	1,031	0	1,111	1,507	0	0	238	2,301	10,552
2018	0	1,349	2,460	2,222	2,460	635	1,269	397	0	0	0	0	10,790
Average	1,211	1,395	1,709	1,459	1,517	998	1,153	1,215	482	406	714	1,300	13,558

40 cfs = 79.34

TABLE 22
WATER AVAILABLE IN-PRIORITY TO A JUNIOR SOUTH PLATTE RIVER WATER RIGHT AT MANN LAKES
With a Diversion Limitation of 21 cfs on the South Platte River
(Acre-Feet)

Water Year	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	Annual Total
1993	1,250	1,291	1,291	1,166	1,291	1,250	1,291	1,250	0	0	1,250	1,291	12,621
1994	1,250	1,291	1,291	1,166	1,291	1,250	0	0	0	0	0	1,291	8,831
1995	1,250	1,291	1,291	1,166	1,291	1,250	1,291	1,250	1,291	1,291	1,250	1,291	15,204
1996	1,250	1,291	1,291	1,208	1,291	1,250	1,291	1,250	1,291	1,291	1,250	1,291	15,245
1997	1,250	1,291	1,291	1,166	1,291	1,250	1,291	1,250	1,291	1,291	1,250	1,291	15,204
1998	1,250	1,291	1,291	1,166	1,291	1,250	1,291	1,250	1,291	1,291	1,250	1,291	15,204
1999	1,250	1,291	1,291	1,166	1,291	1,250	1,291	1,250	1,291	1,291	1,250	1,291	15,204
2000	1,250	1,291	1,291	1,208	1,291	1,250	1,291	0	0	0	0	0	8,872
2001	0	1,291	1,291	1,166	1,291	1,250	1,291	1,250	1,291	0	1,250	1,291	12,663
2002	1,250	1,291	1,291	1,166	1,291	1,250	626	0	0	0	0	0	8,165
2003	0	0	0	0	0	0	0	0	0	0	0	0	0
2004	0	0	0	0	0	0	0	0	0	0	0	0	0
2005	0	0	0	0	0	0	0	0	0	0	0	0	0
2006	0	0	0	934	1,291	1,250	0	0	1,286	0	0	1,291	6,052
2007	0	1,291	1,291	1,166	0	1,250	1,291	1,250	0	0	0	0	7,539
2008	0	1,291	1,291	0	0	0	0	0	0	1,291	0	0	3,874
2009	0	1,291	0	0	0	1,250	1,291	1,250	1,291	651	1,250	1,291	9,565
2010	1,250	1,291	1,291	1,166	1,291	1,250	1,291	1,250	0	1,009	0	1,291	12,381
2011	0	0	1,291	1,166	1,291	0	1,291	1,250	1,291	0	1,250	1,291	10,122
2012	1,250	1,291	1,291	1,208	1,291	0	0	0	0	0	0	0	6,331
2013	0	0	0	0	1,291	0	1,291	1,250	0	0	1,250	1,291	6,373
2014	1,250	1,291	1,291	1,166	1,291	1,250	1,291	1,250	1,291	1,291	1,250	1,291	15,204
2015	1,250	1,291	1,291	1,166	1,291	1,250	1,291	1,250	1,291	0	537	1,291	13,200
2016	1,250	1,291	1,291	1,208	1,291	1,250	1,291	1,250	0	0	0	0	10,122
2017	0	1,291	1,291	1,166	1,291	0	1,291	1,250	0	0	1,250	1,291	10,122
2018	0	1,291	1,291	1,166	1,291	1,250	1,291	1,250	0	0	0	0	8,831
Average	673	993	993	895	993	865	918	817	546	411	597	795	9,497
Minimum	0	0	0	0	0	0	0	0	0	0	0	0	0
Maximum	1,250	1,291	1,291	1,208	1,291	1,250	1,291	1,250	1,291	1,291	1,250	1,291	15,245

21 cfs = 41.65 af/day

TABLE 23
WATER AVAILABLE IN STORAGE AFTER DEMANDS ARE MET
LIMITED TO 460 af
(Acre-Feet)

Water Year	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	Annual Total
1993	460	460	460	460	460	460	460	460	367	278	460	460	5,244
1994	460	460	460	460	460	460	374	281	187	98	14	460	4,174
1995	460	460	460	460	460	460	460	460	460	460	460	460	5,520
1996	460	460	460	460	460	460	460	460	460	460	460	460	5,520
1997	460	460	460	460	460	460	460	460	460	460	460	460	5,520
1998	460	460	460	460	460	460	460	460	460	460	460	460	5,520
1999	460	460	460	460	460	460	460	460	460	460	460	460	5,520
2000	460	460	460	460	460	460	460	367	274	185	100	22	4,167
2001	0	460	460	460	460	460	460	460	460	371	460	460	4,971
2002	460	460	460	460	460	460	453	360	267	178	93	15	4,126
2003	0	0	0	0	0	0	0	0	0	0	0	0	0
2004	0	0	0	0	0	0	0	0	0	0	0	0	0
2005	0	0	0	0	0	0	0	0	0	0	0	0	0
2006	0	0	0	86	460	460	374	281	267	178	93	332	2,530
2007	258	460	460	460	385	460	460	460	367	278	193	114	4,354
2008	40	460	460	387	312	232	145	52	0	149	64	0	2,302
2009	0	460	388	315	240	460	460	460	460	450	460	460	4,613
2010	460	460	460	460	460	460	460	460	367	357	272	460	5,136
2011	386	314	460	460	460	380	460	460	460	371	460	460	5,131
2012	460	460	460	460	460	380	294	201	107	18	0	0	3,301
2013	0	0	0	0	460	380	460	460	367	278	460	460	3,324
2014	460	460	460	460	460	460	460	460	460	460	460	460	5,520
2015	460	460	460	460	460	460	460	460	460	371	366	460	5,337
2016	460	460	460	460	460	460	460	460	367	278	193	114	4,631
2017	40	460	460	460	460	380	460	460	367	278	431	460	4,715
2018	386	460	460	460	460	460	460	460	367	278	193	114	4,557
Average	290	366	369	366	390	386	382	360	318	275	272	293	4,067

TABLE 24
WATER AVAILABLE IN STORAGE AFTER DEMANDS ARE MET
LIMITED TO 1,789 af
(Acre-Feet)

Water Year	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	Annual Total
1993	1,236	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,737	1,690	1,789	1,789	20,763
1994	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,747	1,697	1,644	1,597	1,562	20,771
1995	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	21,468
1996	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	21,468
1997	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	21,468
1998	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	21,468
1999	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	21,468
2000	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,738	1,686	1,639	1,604	20,771
2001	1,520	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,742	1,789	1,789	21,152
2002	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,738	1,686	1,639	1,604	20,771
2003	1,513	1,436	1,359	1,280	1,193	1,095	986	869	750	636	534	443	12,094
2004	362	284	207	128	42	0	0	0	0	0	0	0	1,022
2005	0	0	0	0	0	0	0	0	0	0	0	0	0
2006	0	0	0	922	1,789	1,789	1,747	1,697	1,789	1,742	1,707	1,789	14,971
2007	1,775	1,789	1,789	1,789	1,770	1,789	1,789	1,789	1,737	1,690	1,655	1,630	20,990
2008	1,616	1,789	1,789	1,777	1,758	1,726	1,684	1,634	1,567	1,789	1,754	1,727	20,611
2009	1,646	1,789	1,779	1,766	1,747	1,789	1,789	1,789	1,789	1,789	1,789	1,789	21,250
2010	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,737	1,789	1,754	1,789	21,381
2011	1,775	1,765	1,789	1,789	1,789	1,758	1,789	1,789	1,789	1,742	1,789	1,789	21,351
2012	1,789	1,789	1,789	1,789	1,789	1,758	1,716	1,665	1,613	1,566	1,482	1,391	20,136
2013	1,310	1,233	1,156	1,076	1,789	1,758	1,789	1,789	1,737	1,690	1,789	1,789	18,904
2014	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	21,468
2015	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,742	1,789	1,789	21,421
2016	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,737	1,690	1,655	1,630	21,023
2017	1,616	1,789	1,789	1,789	1,789	1,758	1,789	1,789	1,737	1,690	1,789	1,789	21,112
2018	1,775	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,737	1,690	1,655	1,630	21,009
Average	1,515	1,558	1,549	1,575	1,627	1,617	1,610	1,594	1,569	1,549	1,547	1,548	18,858

**TABLE 25
TOTAL DEMANDS MET**

Water Year	(Acre-Feet)												Annual Total
	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	
1993	67	67	67	67	67	67	67	67	67	67	67	67	803
1994	67	67	67	67	67	67	67	67	67	67	67	67	803
1995	67	67	67	67	67	67	67	67	67	67	67	67	803
1996	67	67	67	67	67	67	67	67	67	67	67	67	803
1997	67	67	67	67	67	67	67	67	67	67	67	67	803
1998	67	67	67	67	67	67	67	67	67	67	67	67	803
1999	67	67	67	67	67	67	67	67	67	67	67	67	803
2000	67	67	67	67	67	67	67	67	67	67	67	67	803
2001	67	67	67	67	67	67	67	67	67	67	67	67	803
2002	67	67	67	67	67	67	67	67	67	67	67	67	803
2003	67	67	67	67	67	67	67	67	67	67	67	67	803
2004	67	67	67	67	67	42	0	0	0	0	0	0	376
2005	0	0	0	0	0	0	0	0	0	0	0	0	0
2006	0	0	0	67	67	67	67	67	67	67	67	67	602
2007	67	67	67	67	67	67	67	67	67	67	67	67	803
2008	67	67	67	67	67	67	67	67	67	67	67	67	803
2009	67	67	67	67	67	67	67	67	67	67	67	67	803
2010	67	67	67	67	67	67	67	67	67	67	67	67	803
2011	67	67	67	67	67	67	67	67	67	67	67	67	803
2012	67	67	67	67	67	67	67	67	67	67	67	67	803
2013	67	67	67	67	67	67	67	67	67	67	67	67	803
2014	67	67	67	67	67	67	67	67	67	67	67	67	803
2015	67	67	67	67	67	67	67	67	67	67	67	67	803
2016	67	67	67	67	67	67	67	67	67	67	67	67	803
2017	67	67	67	67	67	67	67	67	67	67	67	67	803
2018	67	67	67	67	67	67	67	67	67	67	67	67	803
Average	62	62	62	64	64	63	62	62	62	62	62	62	748

From: [JR Osborne](#)
To: [Libby Tart](#)
Subject: Shook Water Report
Date: Thursday, December 12, 2019 9:38:03 AM
Attachments: [WSP Summary Adams County.pdf](#)

Please be cautious: This email was sent from outside Adams County

Good Morning Libby,

Here is the letter from the Water District engineer. It gives an overview of the districts position and that the district is working with DWR on final report.

Please let me know if you have any questions. A district rep will be in attendance to answer any questions as well.

Thanks!

J.R.

MEMORANDUM

TO: Todd Creek Village Metropolitan District (District)
FROM: Gina Burke
DATE: December 12, 2019
SUBJECT: TCVMD Water Supply Plan
JOB NO: 814.1

The purpose of this Memorandum is to provide Adams County with a summary of the water resources that are legally available to the District to meet current and future water demands for existing and committed development within the District's approved Service Area. This information will be incorporated into an updated Water Supply Plan that is being completed by our office as the District's water consultant. The updated Water Supply Plan is being provided in response to the letter from Joanna Williams of the Division of Water Resources (DWR) dated December 5, 2019. The outline below is a summary of the District's current and future approved demands and the water supplies they have available to meet those demands based on the analysis being incorporated into the updated Water Supply Plan:

- Based on our review of the referenced letter from DWR there appears to be some confusion regarding the District's current and future demands for water and the water resources the District has to meet those demands. Specifically, DWR has given no consideration for the Junior Water rights that have been decreed under Water Court Case Nos. 13CW3181 and 16CW3019. The details under these decrees are referenced below.

Based on our analysis, the current potable demands of the District are approximately 587 acre-feet per year (af/yr) as shown on the attached Table (provided to DWR). The future platted potable demands are estimated at 151 af/yr for a total of approximately 738 af/yr. When the current potable demands for platted commercial are added (4.80 af/yr), the total potable demands within the District at current platted build-out are approximately 743 af/yr.

- The 24 lots in the Adams County application (Promontory) will add approximately 7.2 af/yr to the current committed potable demands of the District.
- District Water Rights Summary

Decreed Laramie-Fox Hills ground water - 843 af/yr

Consolidated Mutual - 500 af/yr (approx. 466 af/yr after transit losses)

Old Brantner - 130 af/yr

Total Senior Water Rights – 1,473 af/yr

Case No. 13CW3181 – Decreed Limitation of 6,202 af/yr (10-year average). A total of 1,198 acre-feet of storage was also decreed utilizing the reservoirs within the District's Service Area. The District is currently using about 564 acre-feet of storage and has the remaining amount under development.

The District was able to divert the following amounts under Case No. 13CW3181 since the decree was finalized:

2017 331 acre-feet (partial year/started diversions in June)

2018 1,618 acre-feet

2019 2,151 acre-feet

Case No. 16CW3019 – Decreed limitation of 7,482 af/yr. A total of 3,741 acre-feet of storage is decreed to Mann Lakes.

The Mann Lakes reservoirs are legally available for use and in 2019 the District diverted approximately 1,656 acre-feet into the reservoir complex.

Total Decreed Junior Water Rights – 13,684 af/yr

Case No. 19CW3061 – Pending case which requests an additional fill in Mann Lakes of 3,741 af/yr for a total of 11,223 af/yr and enlargements to two of the District's reservoirs, Signal 1 and Signal 2, which will add 2,095 acre-feet of additional storage bringing the total to 3,293 acre-feet.

- In my conversations with Joanna Williams regarding the letter referenced above, she explained that it is DWR's policy to not give credit to junior water rights without a proven firm yield analysis. She requested that the District compile a conservative firm yield analysis of its junior water rights for DWR's review. This is the study we are currently finalizing which will incorporate the water resources summarized above.
- Finally, the volumetric limits discussed above for both of the decreed Water Court cases were based on historic data and were approved by all objectors and the State and Division Engineers.

**TABLE 4
TODD CREEK VILLAGE METROPOLITAN DISTRICT
ESTIMATED CURRENT & FUTURE DEMANDS**

	Total units	Currently Served Units	Future Units	Potable af/yr/unit	Current af/yr	Future af/yr	Total Potable af/yr	units	Irrigation af/yr/unit	Current af/yr	Future af/yr	Total Irrigation af/yr	Total Demands af/yr
Development (Platted)													
TCF 1	54	54	0	0.27	14.53	0.00	14.53	54	0.34	18.36	0.00	18.36	32.89
TCF 2	57	57	0	0.27	15.33	0.00	15.33	57	0.34	19.38	0.00	19.38	34.71
TCF 3	62	62	0	0.27	16.68	0.00	16.68	62	0.34	21.08	0.00	21.08	37.76
TCF 4	139	139	0	0.27	37.39	0.00	37.39	139	0.34	47.26	0.00	47.26	84.65
Foxridge	58	58	0	0.27	15.60	0.00	15.60	58	0.34	19.72	0.00	19.72	35.32
TCF 5	160	152	8	0.27	40.89	2.15	43.04	160	0.34	51.68	2.72	54.40	97.44
ES 1	185	180	5	0.27	48.42	1.35	49.77	185	0.34	61.20	1.70	62.90	112.67
Wheatlands	71	71	0	0.27	19.10	0.00	19.10	71	0.34	24.14	0.00	24.14	43.24
TCM 1	78	71	7	0.27	19.10	1.88	20.98	78	0.34	24.14	2.38	26.52	47.50
Silver Springs	52	52	0	0.27	13.99	0.00	13.99	52	0.34	17.68	0.00	17.68	31.67
Hawk Ridge	47	42	5	0.27	11.30	1.35	12.64	47	0.34	14.28	1.70	15.98	28.62
ESS	191	187	4	0.27	50.30	1.08	51.38	190	0.34	63.58	1.02	64.60	115.98
HTC	1,277	825	452	0.27	221.93	121.59	343.51	800	0.25	206.25	-6.25	200.00	543.51
TC Bartley	172	163	9	0.30	48.90	2.70	51.60	172	0.34	55.42	3.06	58.48	110.08
TC Shook	60	0	60	0.30	0.00	18.00	18.00	32	0.34	0.00	10.88	10.88	28.88
Baseline Lakes	54	49	5	0.27	13.18	1.35	14.53	54	0.34	16.66	1.70	18.36	32.89
Subtotals	2,717	2,162	555		586.63	151.43	738.07	2,211		660.83	18.91	679.74	1417.81
Commercial (Platted - 2010 Demands)													
HTC Club/Maint							3.65					11.70	15.35
TCVMD office							0.03					-	0.03
NH Church							0.88					-	0.88
Harvest Fellowship							0.24					0.39	0.63
TCVP&R ES Park							-					8.10	8.10
TCVP&R TCM Park							-					3.98	3.98
LS areas							-					69.90	69.90
Future HTC LS areas							-					120.00	120.00
HTC Golf Course							-					270.00	270.00
Future Development (Not Platted)													
Weld County Development Area	3,100			0.20			620.00	3,100	0.25			775.00	1395.00
ALF	1,930			0.20			386.00	1,930	0.25			482.50	868.50
Jogan Estates (Adams)	3			0.30			0.90	3	0.25			0.75	1.65
Seltzer FT (Adams)	207			0.30			62.10	207	0.25			51.75	113.85
Seltzer Farms (Adams)	501			0.30			150.30	501	0.25			125.25	275.55
Wygant (Adams)	255			0.30			76.50	255	0.25			63.75	140.25
Baseline Lakes - Add'l (Adams)	140			0.30			42.00	140	0.25			35.00	77.00
	6,136												
							Total (Platted)					1,163.81	1,906.68
							Current					1,144.90	1,736.33
							Future					18.91	170.34
							Total (Not Platted)					1,534.00	2,871.80
							TOTAL DEMANDS					2,697.81	4,778.48

Notes:
 Demands provided by Todd Creek Village Metropolitan District
 HTC - replat reduced units from 1,310 to 1,277.
 Baseline Lakes - platted for 54 units

Exhibit 3.7 Mile High Flood District Correspondence and Photos

From: [Jen Rutter](#)
To: [Libby Tart](#)
Subject: FW: Shook Subdivision more drainage pictures
Date: Wednesday, April 1, 2020 9:45:17 AM

Jen Rutter

Development Services Manager, *Community & Economic Development*

ADAMS COUNTY, COLORADO

4430 South Adams County Parkway, 1st Floor, Suite W2000A

Brighton, CO 80601

o: 720.523.6841 | jrutter@adcogov.org

www.adcogov.org

From: Matthew Emmens <MEmmens@adcogov.org>
Sent: Tuesday, March 31, 2020 11:55 AM
To: Jerry Whitmore <jdubwh@gmail.com>
Cc: Scott Bietendorf <sbietendorf@gmail.com>; Debbie Whitmore <debwhit22@gmail.com>; Silene Patroniti <patroniti6@gmail.com>; Richard Arnold <thekoiman@comcast.net>; Jen Rutter <JRutter@adcogov.org>; Jill Jennings Golich <JJenningsGolich@adcogov.org>
Subject: RE: Shook Subdivision more drainage pictures

Hello Jerry,

Sorry for the late response. The County buildings have been closed until April 19th due to the coronavirus. And, in addition to having to figure out how to work from home, I also got sick for a week or so. I'm getting back into the swing of things now, though.

Anyway, we did hear back from MHFD. They said that the swale appears to be designed correctly and does flow to the north (per design) but, it would take a more extensive survey to find out if it was constructed per design. They also said that without that more extensive survey, there is now way of knowing if the swale contributed to the illicit discharge that happened last year. However, when the County's Stormwater Division investigated the illicit discharge last year, they concluded that it was due to an improperly installed silt fence on one of the properties that had a house under construction (which was fixed by the home builder).

The standing water in the swale (shown in your pictures) is a bit of a concern. I will pass these along to the Stormwater Division and have them investigate. It could be that the culvert under E 160th is plugged. County staff is continuing to discuss this issue, though. At this time we have no made any decisions about what should be done. I will keep you notified of any decisions.

Matt

From: Jerry Whitmore <jdubwh@gmail.com>

Sent: Sunday, March 22, 2020 3:35 PM

To: Matthew Emmens <MEmmens@adcogov.org>

Cc: Scott Bietendorf <sbietendorf@gmail.com>; Debbie Whitmore <debwhit22@gmail.com>; Silene Patroniti <patroniti6@gmail.com>; Richard Arnold <thekoiman@comcast.net>

Subject: Shook Subdivision more drainage pictures

Please be cautious: This email was sent from outside Adams County

Hi Matt,

We were wondering where we are at with the MHFD investigation of our storm water issue?

Attached are 3 pictures I took today of the standing water across from my property next to Twin Lakes Storm drain. As you can see the standing water is not draining toward the culvert at E. 160th Place. One of the photos is directly across from the our storm drain and there isn't even a ditch on the other side. We are going to get clobbered. We tried to tell everyone early on that water doesn't flow uphill and this proves it. Mind you this is only runoff from the last snow. I hate to see what's going to happen when we get a big rain! We are asking for help from the County to please address this issue.

Thanks,

Jerry Whitmore

Twin Lakes subdivision

From: Matthew Emmens

Sent: Thursday, February 13, 2020 11:15 AM

To: Jerry Whitmore

Cc: Scott Bietendorf ; Debbie Whitmore

Subject: RE: Shook Subdivision

Thankyou Mr. Whitmore. The more information I have, the easier it is for me and MHFD to figure out what is happening and fix it.

Sincerely,

Matt Emmens

Senior Engineer, *Community and Economic Development*

ADAMS COUNTY, COLORADO

4430 S. Adams County Parkway, W2000B

Brighton, CO 80601

o: 720.523.6826 | memmens@adcogov.org

www.adcogov.org

From: Jerry Whitmore <jdubwh@gmail.com>
Sent: Thursday, February 13, 2020 10:29 AM
To: Matthew Emmens <MEmmens@adcogov.org>
Cc: Scott Bietendorf <sbietendorf@gmail.com>; Debbie Whitmore <debwhit22@gmail.com>
Subject: Fw: Shook Subdivision

Please be cautious: This email was sent from outside Adams County

Good Morning Matt,

I'm forwarding an email that you sent Juliana with the pictures showing the illicit discharge situation back on Aug. 3, 2018. In this email you state that you received it from a citizen living in Twin Lakes subdivision which as you can see below in the thread that it would have been me.

I hope this refreshes your memory concerning our drainage situation.

Thanks,
Jerry Whitmore

From: Matthew Emmens
Sent: Friday, August 03, 2018 9:38 AM
To: Juliana J. Archuleta
Cc: David Rausch ; jdubwh@gmail.com ; Miles Buescher
Subject: FW: Shook Subdivision

Good Morning Juliana,

I received the email below from a citizen who lives in the Twin Lakes subdivision, just East of the Shook Subdivision. It appears from the attached pictures that there is an illicit discharge situation happening on the east side of the Shook Subdivision.

Let me know if there is anything I need to do.

Sincerely,
Matt Emmens

Senior Engineer, *Community and Economic Development*
ADAMS COUNTY, COLORADO
4430 S. Adams County Parkway, W2000B
Brighton, CO 80601
o: 720.523.6826 | memmens@adcogov.org
www.adcogov.org

From: Jerry Whitmore [<mailto:jdubwh@gmail.com>]
Sent: Thursday, August 02, 2018 2:50 PM
To: Matthew Emmens
Cc: Scott Bietendorf; Richard Arnold; Debbie Whitmore; 'Bob & Silene Patroniti'; vicfoster@comcast.net; 'John and Barbara Otto'; D&S Beckett; Stormwater Quality Mailbox
Subject: Fw: Shook Subdivision

Hi Matt,

We were previously working through Julie for the New Shook Subdivision issues but have been advised that she is no longer working for Adams County. The operator said that you should be able to help us. Please read below and review the pictures.

Thanks,
Jerry

From: Jerry Whitmore
Sent: Thursday, August 02, 2018 2:18 PM
To: Julie Wyatt ; swq@adcogov.org
Cc: 'Scott & Vicky' ; thekoiman@comcast.net ; 'Debbie Whitmore' ; 'Bob & Silene Patroniti' ; 'Scott & Vicky' ; 'John and Barbara Otto' ; D&S Beckett
Subject: Re: Shook Subdivision

Shook Subdivision Request for comment

Hi Julie,

I wanted to bring up a storm water issue that we are seeing now when it rains. Please review the attached pictures. We were told that there would be 2 separate storm water retention ponds servicing the Shook subdivision. There has only been 1 retention pond built currently for the west (upper side) of the Shook subdivision. That design is very robust in capturing the storm water from the upper (West) side of the subdivision. However, the lower (East side of the subdivision has had very little work done to capture the storm water coming down the grade of the East side. A culvert was installed (see photo) under the E. 160th Pl. road where it meets Geneva Ct. (our road). This culvert goes basically nowhere except to drain onto our properties. You can also see from the photos that the water actually overwhelmed our own drain and was coming over the road to drain into our property as evidenced by the mud on the road.

We understand "historic upstream drainage". All of the water that historically drained between lots 5 and 6 has been clear water. As you can see in the photos, this is muddy water and is not historic at all but as a result of no longer having vegetation in the Shook subdivision the stop the water.

We request that someone from the county to come out and look over the project and please explain to us how this is going to work. Because from what we are seeing so far, the Shook subdivision is planning on using the properties on Geneva Ct. to accept the storm water from the East side of the Shook subdivision. This is unacceptable and if you read down below, this was one of our main concerns during the platting effort.

Please respond to our concerns.

Thank you,

Gerald Whitmore
Lot #5 Twin Lakes subdivision

From: Julie Wyatt
Sent: Thursday, March 08, 2018 9:36 AM
To: Jerry Whitmore ; D&S Beckett
Cc: 'Scott & Vicky' ; thekoiman@comcast.net ; 'Debbie Whitmore' ; 'Bob & Silene Patroniti' ; 'Scott & Vicky' ; 'John and Barbara Otto'
Subject: RE: Shook Subdivision

Good morning,

Our Engineering Department has provided me with some information to share with you regarding your concerns with the Shook Subdivision. Below are their responses :

1) Traffic - There was a traffic impact study done in April of 2005. That study was completed before the Bartley property East of Havana (now the TC Riverside) was developed and Also before the 2 subdivisions located at Hwy 7 and York Street were developed. Since then the traffic along Hwy 7 has increased substantially. The Hwy 7/Geneva Ct. intersection has no traffic light and the Eastbound turn lane is almost non-existent. The traffic along Hwy 7 now is so heavy that turning East onto Hwy 7 is almost impossible during peak rush times. The 2005 study stated on page 3 of section 1.2 that the access to E 160th Place via Geneva Ct. was to be closed except for emergency purposes. If that entrance to E 160th Place will now be open to traffic, A new more current Traffic study should be completed. Geneva Ct. is a very narrow dead-end road and I believe was only intended for traffic to the 6 homes on Geneva Ct.

-

Engineering Response: The original Shook Subdivision (approved in 2005), includes a plan for closing the Geneva Court connection to Highway 7, converting the south end of the roadway to a 'hammer head' turn around and, routing the Geneva Court traffic through the Shook Subdivision. That plan will remain as part of the currently approved (for construction) plans and the re-platting of the Shook Subdivision. With

Geneva Court not having a connection to Highway 7, there is no anticipated need for anyone passing through or leaving the Shook Subdivision to go onto Geneva Court. When the south end of Geneva Court is converted to a hammer head, the approved plans call for an emergency only access onto Highway 7. A physical roadway connection to Highway 7 will remain but, will be blocked with a locked chain or gate that only the emergency services (police, fire protection, etc.) have a key to.

At no time will access to Geneva Court be closed or access denied to the residents. When the roadways in the Shook Subdivision have been constructed and accepted by the County, the Geneva Court connection will be closed and converted to a hammer head. Residential access will always be provided.

One of the (if not the main) purposes of the Shook Subdivision Re-plat is to allow for roadway connections to the Weigandt Property, north of the Shook Subdivision (to allow for development of that property). That is proposed to be done with the extension of Galena Court and Florence Way. None of the improvements for the Shook subdivision or the future development of the Weigandt Property should negatively affect the traffic flow on Geneva Ct.

The recommendation for turn signals, acceleration/deceleration lanes, and turn lanes were considered during the review of the original Shook Subdivision and with this re-platting effort. As a CDOT road, Highway 7 improvements such as turn signals, acceleration/deceleration lanes, and turn lanes are approved by CDOT and require that certain criteria (known as Warrants) be met before they can be required or constructed. The warrants for requiring and installing those type of roadway improvements are based on State, local and Federal regulations and must be proved by a rigorous engineering analysis. *At this time, development of the Shook Subdivision will not produce enough traffic movements to meet the required Warrants for a turn signal; however, the currently approved plans do meet the warrants for acceleration/deceleration lanes and turn lanes on Highway 7. Those improvements will be constructed by a restriping of the lane lines on Highway 7.* With the development of the Weigandt Property to the north of the Shook Property, the warrants for turn signals, additional turn lanes and, all other potential roadway improvements will be re-reviewed by the County and CDOT and required for development if the warrants are met.

2) Storm runoff – Currently there is a storm drain located between lots 5 and 6 on the West side Geneva Ct. That storm drain empties out onto the property between lots 5 and 6 and drains down our properties and into the Stouffer reservoir behind our house. During times of heavy rain the runoff is so powerful that it tends to wash our decorative rock away and is basically a river between our properties. Currently the Shook subdivision is undeveloped and does have some minor vegetation that could stop some erosion and drainage. If the Shook subdivision is developed, that could increase the storm drainage emptying out between our properties. We would like to see that storm drain re-configured and re-directed into a different drain stream that would prevent the flooding issues along our properties.

Engineering Response: Development of the Shook property and, specifically the individual lots, includes reconfiguring of the site grading and storm drainage systems. The construction plans for the Shook subdivision call for the majority of the storm flows to be captured on site and directed to the north and south, away from entering Geneva Ct or the Twin Lakes Subdivision. The largest impact will be seen when development (home construction) of the lots in the Shook subdivision that are directly west of lots 5 and 6 of the Twin Lakes subdivision occurs. The lot grading is anticipated to direct a significant portion of storm flows to the north and south, thus reducing the historic flows that drain to Geneva Court. However, development plans for those particular lots in the Shook subdivision have not been created yet (they typically aren't created until someone purchases the properties). Therefore, at this time, Engineering can't say for sure when those storm flows will be reduced or by how much. However, I can say that the storm flows to Geneva Ct from the Shook Subdivision will be reduced with the development/construction of the Shook Subdivision.

Just for background information--under Colorado law, downstream property owners must accept historic upstream drainage. Therefore, if storm water historically drained onto your property, that condition may remain. The land plat for the Twin Lakes subdivision shows a 10-foot wide drainage easement straddling the property line between lots 5 & 6. This easement was intended to be used to convey storm drainage. Since current conditions include stormwater flowing between lots 5 and/or 6 of the Twin Lakes subdivision, this stormwater is considered historic drainage. Development upstream of your property may release storm water at historic levels and patterns, but cannot increase the amount or make the situation any worse than it is now.

Thank you very much for your response. We appreciate you reaching out to provide feedback. If there is any additional information or assistance I can provide, please feel free to contact me.

Sincerely,

Julie Wyatt

Planner III, *Community and Economic Development*

ADAMS COUNTY, COLORADO

4430 South Adams County Parkway

Brighton, CO 80601-8212

720.523.6858 | jwyatt@adcogov.org

From: Jerry Whitmore [<mailto:jdubwh@gmail.com>]

Sent: Tuesday, March 06, 2018 1:29 PM

To: Julie Wyatt; D&S Beckett

Cc: 'Scott & Vicky'; thekoiman@comcast.net; 'Debbie Whitmore'; 'Bob & Silene Patroniti'; 'Scott & Vicky'; 'John and Barbara Otto'

Subject: Re: Shook Subdivision

Shook Subdivision request for comment

Hello:

I live in the Twin Lakes Subdivision just East of the Shook Subdivision. I went to the Adams county website and looked through the Shook case documents and I do have a couple of concerns regarding the re-platting.

1) Traffic - There was a traffic impact study done in April of 2005. That study was completed before the Bartley property East of Havana (now the TC Riverside) was developed and Also before the 2 subdivisions located at Hwy 7 and York Street were developed. Since then the traffic along Hwy 7 has increased substantially. The Hwy 7/Geneva Ct. intersection has no traffic light and the Eastbound turn lane is almost non-existent. The traffic along Hwy 7 now is so heavy that turning East onto Hwy 7 is almost impossible during peak rush times. The 2005 study stated on page 3 of section 1.2 that the access to E 160th Place via Geneva Ct. was to be closed except for emergency purposes. If that entrance to E 160th Place will now be open to traffic, A new more current Traffic study should be completed. Geneva Ct. is a very narrow dead-end road and I believe was only intended for traffic to the 6 homes on Geneva Ct.

2) Storm runoff – Currently there is a storm drain located between lots 5 and 6 on the West side Geneva Ct. That storm drain empties out onto the property between lots 5 and 6 and drains down our properties and into the Stouffer reservoir behind our house. During times of heavy rain the runoff is so powerful that it tends to wash our decorative rock away and is basically a river between our properties. Currently the Shook subdivision is undeveloped and does have some minor vegetation that could stop some erosion and drainage. If the Shook subdivision is developed, that could increase the storm drainage emptying out between our properties. We would like to see that storm drain re-configured and re-directed into a different drain stream that would prevent the flooding issues along our properties.

Thank you in advance for your consideration,

Jerry Whitmore
16020 Geneva Ct.
Brighton, Co. 80602

From: [JR Osborne](#)
To: [Libby Tart](#)
Subject: Re: Shook Filing 3 & 4
Date: Wednesday, April 22, 2020 2:35:23 PM

Please be cautious: This email was sent from outside Adams County

Happy Wednesday Libby,

I hope your week is going well. I spoke with Matt and am going to get some more as-built shots taken for the swale for him. We also did some additional swale work on the south side of Geneva to ensure no drainage issues. Matt thought they were great improvements. I'll send you some pics.

How are we looking on other referrals?

Thanks!

J.R.

From: Libby Tart <LTart@adcogov.org>
Sent: Thursday, April 16, 2020 10:48 AM
To: JR Osborne <c3construction@live.com>
Subject: RE: Shook Filing 3 & 4

Hi JR – Doing well – and how about you? I didn't get any feedback thus far but will be following up early next week with all of them.

Thanks,
Libby



Libby Tart, AICP

Senior Long Range Planner, *Community & Economic Development*

ADAMS COUNTY, COLORADO

4430 South Adams County Parkway, 1st Floor, Suite W2000A

Brighton, CO 80601

o: 720.523.6858 | ltart@adcogov.org

www.adcogov.org

Preferred Pronouns: she/her/hers

From: JR Osborne <c3construction@live.com>
Sent: Thursday, April 16, 2020 10:39 AM
To: Libby Tart <LTart@adcogov.org>

From: [JR Osborne](#)
To: [Libby Tart](#)
Subject: Shook
Date: Wednesday, April 22, 2020 3:12:03 PM
Attachments: [ATT00001.txt](#)
[ATT00002.txt](#)
[ATT00003.txt](#)

Please be cautious: This email was sent from outside Adams County









Development Review Team Comments

Date: 7/23/18

Project Number: PRC2018-00008

Project Name: Shook Filing 3 and 4 FDP/ Final Plats

For submission of revisions to applications, a cover letter addressing each staff review comments must be provided. The cover letter must include the following information: restate each comment that require a response and provide a response below the comment; respond to each comment with a description of the revisions and the page of the response on the site plan. And identify any additional changes made to the original document other than those required by staff.

A re-submittal is required. Please submit 1 hard copy and 1 electronic copy to the Community and Economic Development Department front desk with the re-submittal form.

An additional 20% review fee will be required after the third review and upon submittal of the fourth review.

Commenting Division: Development Services, Planning

Name of Reviewer: Emily Collins

Email: ecollins@adcogov.org

PLN1. REQUEST:

- a. This request is for a Major Subdivision Final Plat for Filings 3 and 4 of the Shook Planned Unit Development.
- b. Filing 3 is proposed for 13 lots on approximately 22.37 acres.
- c. Filing 4 is proposed for 11 lots on approximately 23.16 acres.

PLN2. SITE HISTORY/ ZONING:

- d. Todd Creek Shook FDP was approved on March 13, 2006. The final plat and only filing was approved for 32 single family lots.
- e. The subject area to be added to the existing Shook Subdivision is designated PUD-P in the Todd Creek Village Preliminary Development Plan which was approved March 2002.
- f. A Replat application has been submitted to create 2 filings from the initial Shook plat, this includes realignment of Florence Way and Galena Ct. to connect the northern portions of the subdivision (proposed Filing 3 and 4).
- g. An FDP Major Amendment has been submitted to include the parcel intended to be subdivided for Filings 3 and 4.

PLN3. COMPREHENSIVE PLAN:

- a. The site is designated as Estate Residential which is intended for single family housing at lower densities, no greater than one unit per acre, and compatible uses such as schools and parks.

PLN4. PLAT COMMENTS:

- a. A Subdivision Improvements Agreement is required at time of final plat. Please see attached template.
- b. Public Land Dedication fees are required prior to scheduling any public hearing. Please see attached spreadsheet.
- c. All lots must conform to the minimum dimensional standards for the Shook FDP.
 - Minimum frontage width at front setback 150'
 - Minimum front setback for residence 30'
 - Minimum lot size 1 acre
 - i. Filing 3, Block 3, Lot 4 is not 1 acre in size.
 - ii. Filing 3, Block 1, Lot 4 and 5 may not meet the 150 width at the 30 ft setback from Galena Court. Please demonstrate compliance.
 - iii. Filing 4, Block 3, Lot 1-4 may not meet the 150 width at the 30 ft setback from E. 163rd Place. Please demonstrate compliance.
- d. Design is compatible with Comprehensive plan, zoning, and area's character
- e. No hazardous areas or floodplain
- f. Lot configuration is appropriate for development
- g. Adequate water and sanitation demonstrated by Will Serve letter from Todd Creek Village Metro District.
- h. Lots have access to public roads

PLN5. COMMENTS:

- a. Land Use Table on Filing 3 does not appear correct (states 29 dwelling units on 13 lots).
- b. Please note the County recently passed new regulations for residential construction standards (Section 4-10-02-03-03), which include a signed waiver for any new home constructed within 300 ft of an existing oil and gas well.

Commenting Division: Development Services, Engineering:

Name of Review: Matt Emmens

Email: memmens@adcogov.org

ENG1: Flood Insurance Rate Map – FIRM Panel # (08001C0326H), Federal Emergency Management Agency, March 5, 2007. According to the above reference, the project site is NOT located within a delineated 100-year flood hazard zone; A floodplain use permit will not be required.

ENG2: The applicant shall be responsible to ensure compliance with all Federal, State, and Local water quality construction requirements. The project site is partially within the County's MS4

Stormwater Permit area. In the event that the disturbed area, within the MS4 Permit area, of the site exceeds 1 acre the applicant shall be responsible to prepare the SWMP plan using the Adams County ESC Template, and obtain both a County SWQ Permit and State Permit COR-030000.

ENG3: Prior to scheduling the final plat/FDP BOCC hearing, the developer is required to submit for review and receive approval of all construction documents (construction plans and reports). Construction documents shall include, at a minimum, onsite and public improvements construction plans, drainage report, traffic impact study. All construction documents must meet the requirements of the Adams County Development Standards and Regulations. The developer shall submit to the Adams County Development Review Engineering division the following: Engineering Review Application, Engineering Review Fee, two (2) copies of all construction documents. The development review fee for this project will be \$7,500.

The applicant has submitted construction documents for review. Those documents are not yet approved.

ENG4: Prior to the issuance of any construction or building permits, the developer shall enter into a Subdivision Improvements Agreement (SIA) with the County and provide a security bond for all public improvements.

ENG5: No building permits will be issued until all public improvements have been constructed, inspected and preliminarily accepted by the County's Public Works Dept.

Commenting Division: Development Services, Right-of-Way:

Name of Review: Marissa Hillje

Email: mhillje@adcogov.org

ROW1. Monuments should be at all street intersections, the beginning and end of each centerline horizontal curve in a street and at the center of the cul-de-sac. This should be shown on the plat.

ROW2. Monuments should be set and shown on this plat at each change of bearing along the perimeter of the filing. Add set monuments to the legend.

ROW3. Un-bold the labels that are in bold.

ROW4. Consider changing the boundary of the Filings to a slightly thinner line

ROW5. Add Sheet #'s to each page

ROW6. Add Case # to top right of each page

ROW7. See redlines on plat for the Certificate of Ownership and Dedication statements.

ROW8. See redlines- remove notes that are inaccurate or not needed.

ROW9. See all other redlines shown on the attached plat.

Commenting Division: Development Services, Building Safety:

Name of Review: Justin Blair

Email: jblair@adcogov.org

BSD1- No comment.

Commenting Division: Development Services, Environmental Programs:

Name of Review: Jen Rutter

Email: jrutter@adcogov.org

There is an active well on the Shook Filing 3, Lot 3. The name is Weigandt and the operator is PetroShare. If the well is to remain active, the plat will need to comply with 4-10-02-03-03-05(1). If the well is to be plugged and abandoned, the plat should show the location of the P&A'd well.

Here are some recommended plat notes, if the well is to remain active:

Plat Note 1

In compliance with Adams County Development Standards and Regulations, Section 4-10-02-03-05, existing oil and gas well locations are depicted on the plat with a two-hundred-fifty (250) foot buffer in the form of an easement. No habitable structures shall be constructed within the two-hundred-fifty (250) foot buffer area.

Plat Note 2

In compliance with Adams County Development Standards and Regulations, Section 4-10-02-03-05, prior to issuance of a building permit for a new home and/or other permanent structure with plumbing within three hundred (300) feet of an existing oil and gas well facility, the property owner shall submit a signed waiver acknowledging the existence of the facility.

Plat Note 3

In compliance with Adams County Development Standards and Regulations, Section 4-10-02-03-05, access to the oil and gas well locations is provided by a public street or recorded easement for private access and shown on the Final Plat. All oil and gas well lines are placed in easements and shown on the Final Plat. No structures shall encroach upon these easements.

Plat Note 4

In the event that an existing well is plugged and abandoned, the two-hundred-fifty (250) foot easement may be removed through a plat correction. A copy of the Well Abandonment Report shall be provided along with a recorded copy of the Oil & Gas Well Waiver.



Development Review Team Comments

Date: May 15, 2019

Project Number: PRC2018-00008

Project Name: Shook Filings 3 and 4

Note to Applicant:

For submission of revisions to applications, a cover letter addressing each staff review comment must be provided. The cover letter must include the following information: restate each comment that requires a response and provide a response below the comment; respond to each comment with a description of the revisions and the page of the response on the site plan. And identify any additional changes made to the original document other than those required by staff.

A re-submittal is required.

Commenting Division: Development Services, Planning

Name of Reviewer: Libby Tart

Email: Ltart-schoenfelder@adcogov.org / 720-523-6858

PLN1. REQUEST

- a. This request is for a Major Subdivision Final Plat for Filings 3 and 4 of the Shook Planned Unit Development.
- b. Filing 3 is proposed for 13 lots on approximately 22.37 acres.
- c. Filing 4 is proposed for 11 lots on approximately 23.16 acres.

PLN2. COMPREHENSIVE PLAN:

- a. The site is designated as Estate Residential which is intended for single family housing at lower densities, no greater than one unit per acre, and compatible uses such as schools and parks.

PLN3. SITE HISTORY/ZONING:

- a. Todd Creek Shook FDP was approved on March 13, 2006. The final plat and only filing was approved for 32 single family lots.
- b. The subject area to be added to the existing Shook Subdivision is designated PUD-P in the Todd Creek Village Preliminary Development Plan which was approved March 2002.

- c. A Replat application has been submitted to create 2 filings from the initial Shook plat, this includes realignment of Florence Way and Galena Ct. to connect the northern portions of the subdivision (proposed Filing 3 and 4).
- d. An FDP Major Amendment has been submitted to include the parcel intended to be subdivided for Filings 3 and 4.

PLN4. COMMENTS:

Subdivision Improvement Agreement (SIA) Comments:

4A. Please see the comments from Engineering, Legal and Finance below about the SIAs.

Plat Comments:

4B. The previous planner requested information from the applicant demonstrating compliance with the 150-foot minimum frontage width at front setback standard (30-foot) for Filing 3, Block 1, Lots 4 and 5 as well as the same with Filing 4, Block 3, Lots 1-4. This was not supplied. Please measure these lots off and provide more detail about their lot widths.

4C. In the previous comments, there was not a reference to the provision of a signed waiver for any new home within 300-feet of an existing oil and gas well but the following should also be noted, dimensioned, etc. on both plats to adhere to our current standards in the Adams County Development Standards and Regulations, Section 4-10-02-03-03-05, or RESIDENTIAL CONSTRUCTION Standards for **Plugged and Abandoned, and Former Oil and Gas Production Sites**: This Section is enacted to protect and promote the health, safety, morals, convenience, order, prosperity, or general welfare of the present and future residents of the County. These regulations are based upon the land use authority of the County.

- a. Prior to submittal of a final plat or site specific development plan, each plugged and abandoned well shall be located and surveyed. The plugged and abandoned well shall be permanently marked by a brass plaque set in concrete similar to a permanent bench mark to monument its existence and location. Such plaque shall contain all information required on a dry hole marker by the Colorado Oil and Gas Conservation Commission and the County.
- b. As a condition of review of any final plat or site specific development plan which contains a plugged and abandoned well or former oil and gas production site or is within 200 feet of such well or site, the owner shall submit a location diagram of the location of the well.
- c. On every final plat or site specific development plan which contains a plugged and abandoned well, there shall be dedicated a well maintenance and workover setback depicted on the plat, the dimensions of which shall be not less than fifty feet in width and 100 feet in length. No structures shall be located within this setback. The plugged and

abandoned well shall be located in the center of the setback. There shall be public access for ingress and egress to the setback of a width of not less than twenty feet.

- d. Every final plat and site specific development plan which contains a plugged and abandoned well or a site specific development that includes a property that is less than 200 feet from a plugged and abandon well, shall include the following notation: "The owner shall disclose to prospective purchasers of lots within a radius of 200 feet of the plugged and abandoned well of (1) the location of the plugged and abandoned well, (2) the location of the maintenance and workover setback, and (3) the purpose for the well maintenance and workover setback."
- e. As a condition of building permit review, no dwelling shall be constructed within fifty (50) feet of a plugged and abandoned well.
- f. Prior to issuance of a grading permit within a development containing a known reserve pit site, the reserve pit site shall be tested for expansive soils. Reserve pits containing expansive soils in locations proposed for buildings shall be subject to the provisions of the International Building Code.
- g. No utility lines shall be installed within ten feet of any plugged and abandoned well.

4D. Please state what the 70-foot easement is on the plats – is it a utility provider or a multi-use easement? Oil and gas?

4E. Public Works/ROW/Legal have commented on the plugged and abandoned well site location in Filing No. 3 along a public right-of-way. They are indicating below that the well itself must be located on a lot and not within the ROW. Staff suggests conducting a meeting with our team once the applicant determines the realignment/new lot configuration. We would prefer to see a few options at the meeting so we can provide you with thoughtful comments. *This reconfiguration of Galena and lots 1-3 in Block 1 may affect the overall FDP and trigger a FDP Amendment.* Staff is checking in to get a determination on this.

4F. Please reference the original FDP and the Oil and Gas Outlot B names in an updated letter of explanation. This will help with some of the case history.

4G. The PLD Fees and other items may need revisions due to the ROW reconfiguration. Please hold off on sending any of these in until we review those changes.

Commenting Division: Development Services, Engineering:

Name of Review: Matt Emmens

Email: MEmmens@adcogov.org

ENG1: Flood Insurance Rate Map – FIRM Panel # (08001C0326H), Federal Emergency Management Agency, March 5, 2007. According to the above reference, the project site is NOT

located within a delineated 100-year flood hazard zone; A floodplain use permit will not be required.

Applicant Response: No response received

County Comment: Comment is for notification purposes. Comment Closed.

ENG2: The applicant shall be responsible to ensure compliance with all Federal, State, and Local water quality construction requirements. The project site is partially within the County's MS4 Stormwater Permit area. In the event that the disturbed area, within the MS4 Permit area, of the site exceeds 1 acre the applicant shall be responsible to prepare the SWMP plan using the Adams County ESC Template, and obtain both a County SWQ Permit and State Permit COR-030000.

Applicant Response: Will submit plans for MS4 Permit

County Comment: No construction permits will be issued until the Stormwater Permit has been issued. Comment Closed.

ENG3: Prior to scheduling the final plat/FDP BOCC hearing, the developer is required to submit for review and receive approval of all construction documents (construction plans and reports). Construction documents shall include, at a minimum, onsite and public improvements construction plans, drainage report, traffic impact study. All construction documents must meet the requirements of the Adams County Development Standards and Regulations. The developer shall submit to the Adams County Development Review Engineering division the following: Engineering Review Application, Engineering Review Fee, two (2) copies of all construction documents. The development review fee for this project will be \$7,500.

The applicant has submitted construction documents for review. Those documents are not yet approved.

Applicant Response: Plans are complete and will be submitted to Engineering. Fees have been paid at time of original submittal.

County Comment: The construction plans, although complete, have only been approved for Filings 1 and 2. The construction plans will need to be re-approved for filings 3 and 4, separately.

ENG4: Prior to the issuance of any construction or building permits, the developer shall enter into a Subdivision Improvements Agreement (SIA) with the County and provide a security bond for all public improvements.

Applicant Response: SIA drafts are attached to this submittal.

County Comment: SIA has been reviewed. See SIA Comments below. Comment Closed.

ENG5: No building permits will be issued until all public improvements have been constructed, inspected and preliminarily accepted by the County's Public Works Dept.

Applicant Response: No response received

County Comment: Comment is for notification purposes. Comment Closed.

ENG6: The Exhibit “B” for the Filing 3 SIA was not included in the submittal. Resubmit with the Exhibit “B”

Commenting Division: Development Services, Right-of-Way and Addressing

Name of Review: Marissa Hillje

Email. mhillje@adcogov.org

Please note:

During the last review of Shook Subdivision Filing No. 3, I made a note ROW5: See below.

ROW5: The County attorney’s office is working with risk management to determine if the County will accept an abandoned well in the public right of way.

I received an update from the County Attorney’s office. The County will not accept an abandoned well in Public Right-of-way. The developer will need to change the street configuration so that the abandoned well is on private property.

Please send this update to the developer.

Any questions feel free to reach out to me or Matt Emmens.

ROW1: Monuments: All monuments used to determine and/or describe a boundary (including basis of bearings, point of beginning and point of commencement) shall be shown and clearly labeled on the plat drawing. Monuments for corners defined by the plat, or otherwise found to be missing in the field, shall be placed and set in accord with the requirements of the State of Colorado.

- a. Monuments should be at all street intersections, the beginning and end of each centerline horizontal curve in a street and at the center of the cul-de-sac. This should be shown on the plat.

ROW2: Prior to submittal of a final plat or site specific development plan, each plugged and abandoned well shall be located and surveyed. The plugged and abandoned well shall be permanently marked by a brass plaque set in concrete similar to a permanent bench mark to monument its existence and location. Such plaque shall contain all information required on a dry hole marker by the Colorado Oil and Gas Conservation Commission and the County. On every final plat or site specific development plan which contains a plugged and abandoned well, there shall be dedicated a well maintenance and workover setback depicted on the plat, the dimensions of which shall be not less than fifty feet in width and 100 feet in length. No structures shall be located within this setback. The plugged and abandoned well shall be located in the center of the setback.

ROW3: Add this note to the plat- No utility lines shall be installed within ten feet of any plugged and abandoned well.

ROW4: An updated recent title commitment will be required with the final plat application.
ROW5: The County attorney's office is working with risk management to determine if the County will accept an abandoned well in the public right of way.

ROW6: Show and label the temporary cul-de-sac easements. ROW agent Marissa Hillje is still waiting on signatures on the agreements.

ROW7: Filing 4: Outlot B- the buffer areas around the wells needs to be shown on the plat.

ROW8: Filing 4: Outlot C is not in the table- revise table.

ROW9: The County needs a dedicated storm drainage easement over any drainage facilities created for the subdivision. The storm drainage easement should be delineated with distances and bearings.

ROW10: If Outlot A is to be used for storm water drainage, the county needs access to maintain it. Please show access easement to the storm drainage.

ROW11: Fix all overlapping labels.

ROW12: Label what the 70ft easement is for.

ROW13: There are additional comments and redlines on attached plat.

Commenting Division: Environmental Programs Manager

ENV1. The applicant must comply with Adams County Development Standards and Regulations, Section 4-10-02-03-05 for Plugged and Abandoned, and Former Oil and Gas Production Sites.

Commenting Division: Legal

Name of Review: Christy Fitch

Please see the attached SIAs for corrections.

Commenting Division: Finance

Name of Review: Laura Garcia

Please see the file attached for the correct calculation.

Filing 3:

Item number 5 should be \$309,029.49

The following section needs to match the amount in item number 5.

APPROVED BY resolution at the meeting of _____, 2019.

Collateral to guarantee compliance with this agreement and construction of public improvements shall be required in the amounts of: **\$290,697.60**. No building permits shall be issued until said collateral is furnished in the amount required and in a form acceptable to the Board of County Commissioners. No construction permits shall be issued until all collateral required by this SIA is provided and approved by County staff.

Filing 4:

Item number 5 should be \$154,525.47

Please let me know if you have any questions.

Thanks and have a great day.

Laura Garcia

Senior Accountant, *Finance*

4430 South Adams County Parkway, 4th floor, Suite C4228

Brighton, CO 80601

720.523.6239 | Lgarcia@adcogov.org | adcogov.org

Adjacent Property Owner/Occupant Comments (Please note: applicant must provide responses to all comments):

Previous comments were satisfactory from most of the external reviewers. However, with the plugged and abandoned gas correction, staff will refer the application out to those initial reviewers such as Xcel, Division of Water Resources, TCHD, CGS, etc. to ensure they are satisfied with any of the future (new) changes.



Development Review Team Comments (3rd Review)

Date: October 30, 2019
Project Number: PRC2018-00008
Project Name: Shook Filings 3 and 4

Note to Applicant:

For submission of revisions to applications, a cover letter addressing each staff review comment must be provided. The cover letter must include the following information: restate each comment that requires a response and provide a response below the comment; respond to each comment with a description of the revisions and the page of the response on the site plan. And identify any additional changes made to the original document other than those required by staff.

An email re-submittal is required.

Commenting Division: Development Services, Planning
Name of Reviewer: Libby Tart
Email: Ltart@adcogov.org / 720-523-6858

PLN1. REQUEST

- a. This request is for a Major Subdivision Final Plat for Filings 3 and 4 of the Shook Planned Unit Development.
- b. Filing 3 is proposed for 13 lots on approximately 22.37 acres.
- c. Filing 4 is proposed for 11 lots on approximately 23.16 acres.

PLN2. COMPREHENSIVE PLAN:

- a. The site is designated as Estate Residential which is intended for single family housing at lower densities, no greater than one unit per acre, and compatible uses such as schools and parks.

PLN3. SITE HISTORY/ZONING:

- a. Todd Creek Shook FDP was approved on March 13, 2006. The final plat and only filing was approved for 32 single family lots.
- b. The subject area to be added to the existing Shook Subdivision is designated PUD-P in the Todd Creek Village Preliminary Development Plan which was approved March 2002.

- c. A Replat application has been submitted to create 2 filings from the initial Shook plat, this includes realignment of Florence Way and Galena Ct. to connect the northern portions of the subdivision (proposed Filing 3 and 4).
- d. An FDP Major Amendment has been submitted to include the parcel intended to be subdivided for Filings 3 and 4.

PLN4. COMMENTS:

Subdivision Improvement Agreement (SIA) Comments:

No further comment from Finance.

4A. LEGAL is requesting the SIA document in Word in lieu of a .pdf. Please email this document to your case manager and she will send it along to our attorney.

Plat Comments:

4B. Carry over note – the applicant states that they supplied this in the third submission but the case manager did not find it. Please email this over just to ensure we have it documented. *The previous planner requested information from the applicant demonstrating compliance with the 150-foot minimum frontage width at front setback standard (30-feet) for Filing 3, Block 1, Lots 4 and 5 as well as the same with Filing 4, Block 3, Lots 1-4. This was not supplied. Please measure these lots off and provide more detail about their lot widths.*

Commenting Division: Development Services, Engineering:

Name of Review: Matt Emmens

Email: MEmmens@adcogov.org

ENG1: Review complete. All comments resolved.

Commenting Division: Development Services, Right-of-Way and Addressing

Name of Review: Marissa Hillje

Email. mhillje@adcogov.org

ROW1: The applicant has addressed and revised all ROW comments on the plat.

Commenting Division: Environmental Programs Manager

ENV1. No further comment.

Commenting Division: Legal

Name of Review: Christy Fitch

Legal needs a copy of the SIA in a Word document form to redline any corrections. Please email this to your case manager.

Xcel Energy (Please note: applicant must provide responses to all comments):

Public Service Company of Colorado's (PSCo) Right of Way & Permits Referral Desk has reviewed the plats for **Shook Filing Nos. 3 and 4** and requests the following 15- foot wide drainage and utility easements for connectivity purposes around the cul du sacs:

- within Outlot B on Filing No. 4 adjacent to East 162nd Place
- within Lot 5 and Outlot B on Filing No. 4 adjacent to East 163rd Place

Please see the attached highlighted drawing.

The property owner/developer/contractor must complete the application process for any new natural gas service via xcelenergy.com/InstallAndConnect. It is then the responsibility of the developer to contact the Designer assigned to the project for approval of design details.

Additional easements may need to be acquired by separate document for new facilities.

As a safety precaution, PSCo would like to remind the developer to call the Utility Notification Center by dialing 811 for utility locates prior to construction.

Donna George
Right of Way and Permits
Public Service Company of Colorado dba Xcel Energy
Office: 303-571-3306 – Email: donna.l.george@xcelenergy.com



Development Review Team Comments – 1st Review

Date: 04/22/2020

Project Number: PRC2020-00007

Project Name: Shook Filings 3&4 Final Plats and SIAs

Note to Applicant:

For submission of revisions to applications, a cover letter addressing each staff review comment must be provided. The cover letter must include the following information: restate each comment that requires a response and provide a response below the comment; respond to each comment with a description of the revisions and the page of the response on the site plan. And identify any additional changes made to the original document other than those required by staff.

A re-submittal is required per Legal. The resubmittal needs to be checked in by the E-Permit/OneStop Counter at epermitcenter@adcogov.org. Please cc your Case Manager in the email to ensure she knows you have resubmitted.

Commenting Division: Development Services, Planning

Name of Reviewer: Libby Tart

Email: Ltart@adcogov.org / 720-523-6858

PLN1. REQUEST

- a. A final plat for Shook Subdivision Filing No. 3 to create 13 lots and b) A final plat for Shook Subdivision Filing No. 4 to create 11 lots and c) a request to create a Subdivision Improvements Agreement (SIA) to finance the public improvements associated with the two Final Plats for Shook Filing 3 and Shook Filing 4.

PLN2. COMPREHENSIVE PLAN:

- a. The site is designated as Estate Residential which is intended for single family housing at lower densities, no greater than one unit per acre, and compatible uses such as schools and parks.

PLN3. SITE LOCATION/ ZONING:

- a. The subject property is designated PUD.

PLN4. COMMENTS:

4A. Please see the updated PLD fees attached. The former PLD calculator was incorrect with a household calculation and staff is updating all case PLD fees to ensure we are using the 2020 calculator.

Commenting Division: Legal:

Please see the attached County Attorney's markups and provide a corrected Word document with the next submission. If these edits are fine, staff can begin scheduling Shook for a BoCC hearing.

Commenting Division: Finance:

No further comment.

Commenting Division: Development Services, Engineering:

Name of Review: Matthew Emmens

Email: Memmens@adcogov.org / 720-523-6826

ENG1: The developer has submitted construction plans for review. Those plans have received preliminary approval. Final approval and issuance of construction permit will require approval by the Board of County Commissioners of the final plat(s) and SIA(s).

ENG2: The developer should make note that there have been drainage complaints associated with Filings No. 1 and 2 of this development. As all four (4) filings of this development share storm sewer infrastructure, the developer may need to address drainage issues within other filings as part of the final acceptance of the public improvements.

Mr. Emmens recently provided an email summary of the stormwater discussion that has concerned the subdivision to the east of Shook. See below:

Here is a timeline and summary of the Shook Subdivision and drainage issues.

The Shook subdivision was originally approved in 2005 (I think). The construction of the subdivision was put on hold (no known reason but, probably due to the economy). The developer started the construction permitting process in 2016 but, before permits were issued in 2018, decided to split the site into two filings. Here is the timeline/summary.

- The Shook subdivision re-plat was approved in December of 2018, creating Filing No. 1 and No. 2.
 - Construction of the public and drainage infrastructure for Filing No. 1 began in about May of 2018.
 - Construction was started under the approved construction plans for the originally approved subdivision and a new SIA. The replat case began soon after.
 - Preliminary acceptance of the public and drainage infrastructure was granted in November of 2018.

- Home construction began very soon after.
 - Construction of the public and drainage infrastructure for Filing No. 2 began in February of 2019.
 - Preliminary acceptance of the public and drainage infrastructure was granted in September of 2019.
- During construction, several stormwater inspections were performed (some routine, others due to a complaint) and violations were given out.
 - June 2019 – (inspection not documented in Accela) inspection due to neighbor complaint of an illicit discharge (erosion and sediment draining from the site).
 - Inspectors noticed that one of the home builders (not JR Osbourne, the developer) had improperly installed a silt fence, along the east side of a parcel adjacent to Geneva Ct. That silt fence failed during a storm the day before and carried sediment off the site and into the properties to the east.
 - Inspectors notified the home builder, who promptly fixed the violation.
 - The inspector said they did not document this case in Accela because it seemed like a minor violation.
 - This is the issue that the Geneva Ct. neighbors are complaining about.
 - January 21, 2019 – (CSI2019-0001) violation issued due to recalcitrant noncompliance on site (stormwater BMP's not installed and/or maintained properly)
- In June of 2019, I began receiving calls from the residence on Geneva Ct. about the Shook Subdivision.
 - There were several complaints:
 - The water supply to two manmade ponds, in the back yards of the Geneva Ct residences, was cut off and, the residence wanted the County to resolve this problem.
 - The County does not have any control of the utility district that was supplying the water to the Geneva Ct residence; therefore, the County cannot help. The Geneva Ct residence do not seem to acknowledge that the County has no control over the utility district.
 - Geneva Ct direct access to Highway 2 had been closed off. The Geneva Ct residence would now have to go through the Shook Subdivision to get onto Highway 7.
 - This was a requirement from CDOT when the subdivision was originally approved in 2005.
 - I have been told that the Geneva Ct residence liked this idea at the time.
 - I coordinated with CDOT to allow the Geneva Ct access to Highway 7 to remain open.
 - CDOT agreed to the request but, if there is an increase in accidents at that intersection they will require the County

- to close the access (there are bollards and a chain in place, we would just have to lock the chain to a bollard).
- I received several calls telling me that the chain had been re-attached. The best the developer and I can guess is that one of the construction workers had reattached the chain, unknowingly. I have not heard anything more about this issue since about September.
 - The home builder at the south-east corner of the site was accessing the lot from Geneva Ct.
 - Stormwater inspectors were sent out and found that the homebuilder had taken down the silt fence to create an access through the rear yard. The inspector informed the home builder of the error of their ways and the problem was promptly fixed.
 - There is “massive” drainage problem with the Shook Subdivision. (This is the complaint that led to us asking MHFD to do a review of the swale design and construction).
 - Stormwater was draining off the Shook subdivision into Geneva Ct and leaving sediment on the street and neighboring properties.
 - This did happen, due to the improperly installed silt fence by the home builder (June 2019).
 - We have no record of this happening since June of 2019.
 - The swale running along the east side of the Shook Subdivision was constructed improperly and drains backwards.
 - The developer was notified of this concern and the County asked him to perform an as-built survey of the swale.
 - The as-built drawing showed that the centerline of the swale does, in fact, drain to the north, as it was designed and should.
 - January 14, 2020 – During the BoCC public hearing for Filings 3 and 4, the Geneva Ct neighbors made public comment about the swale (and other issues) and asked that the County “take action” on the swale issue.
 - The BoCC asked staff if there was a way, we could have a third-party review done of the swale design and construction; suggesting that the Mile High Flood District (MHFD) might be able to help.
 - MHFD was contacted and agreed to do a third-party review. All documents associated with the swale and drainage issues with the development were sent to MHFD (Dave Skuodas).

- o An assessment was received by MHDF on March 3rd, 2020 (See [more on this below](#)).
- o March 2020, one of the Geneva Ct residence sent me pictures showing standing water in the swale.
 - Stormwater inspectors were sent to the site to investigate (early April).
 - No issues were found and, the swale was dry.
 - I followed up with Stormwater (Juliana); she does not see a problem with the swale.
 - I have also asked David Rausch and Gordon Stevens to inspect the swale, both agree, it is very flat, but they have no issue with that.
- o Mid-April 2020 – I was asked to put this summary together.

The MHFD letter (see attached) basically says that the swale was designed correctly but, there is not enough as-built information to show 1) that it was built correctly (as designed) and 2), that, with the lack of as-built information, there is no way to know if the swale had anything to do with the illicit discharge of June, 2019. Our Stormwater inspectors and their manger (Juliana) are pretty certain that the illicit discharge was due to the improperly installed silt fence, which was fixed. Julian Archuleta, Jordon Maclay (stormwater inspector), Gordon Stevens, David Rausch and myself have all been out to this site to inspect the swale. Not to speak for the others but, our collective opinion appears to be that the swale is very flat but, was designed, built and works correctly. There has not been another illicit discharge since.

Sincerely,
Matt Emmens

Senior Engineer, *Community and Economic Development*
 ADAMS COUNTY, COLORADO
 4430 S. Adams County Parkway, W2000B
 Brighton, CO 80601
 o: 720.523.6826 | memmens@adco.gov
www.adcogov.org

Name of Review: Colorado Division of Water Resources
 Comment by Joanna Williams/Ailis Thyne
 Phone: 303-866-3581 x8216

Please see the attached letter from the Division of Water Resources. This will be included as exhibit material in the BoCC report.

From: [Christine Fitch](#)
To: [Libby Tart](#)
Subject: Re: PRC2020-0007
Date: Thursday, April 30, 2020 3:11:28 PM

Hey Libby,

It looks like JR made all of the changes from the last version.

Thanks,

Christy

From: Libby Tart <LTart@adcogov.org>
Sent: Thursday, April 30, 2020 3:05 PM
To: Christine Fitch <CFitch@adcogov.org>
Subject: FW: PRC2020-0007

Hello Christy – Attached are the corrections from JR on the SIA. Just look them over and let me know your thoughts. Hopefully he corrected everything and we can proceed to scheduling!

Thanks,
Libby



Libby Tart, AICP

Senior Long Range Planner, *Community & Economic Development*

ADAMS COUNTY, COLORADO

4430 South Adams County Parkway, 1st Floor, Suite W2000A

Brighton, CO 80601

o: 720.523.6858 | ltart@adcogov.org

www.adcogov.org

Preferred Pronouns: she/her/hers

From: JR Osborne <c3construction@live.com>
Sent: Tuesday, April 28, 2020 2:27 PM
To: CPD ePermit Center <epermitcenter@adcogov.org>
Cc: Libby Tart <LTart@adcogov.org>
Subject: PRC2020-0007

Please be cautious: This email was sent from outside Adams County

Hi Megan,

Here are the corrected SIA's that the county attorney requested. I also attached the word docs so either you or Libby can get to them.

Thanks,

J.R. Osborne

Emily Collins

From: Gutierrez, Carla [CGutierrez@brightonfire.org]
Sent: Tuesday, July 17, 2018 6:06 PM
To: Emily Collins
Subject: RE: PRC2018-00008 Shook Subdivision Filing 3 and 4

Hi Emily,

At this time we have no issues with this case.

Thank you!

Carla Gutierrez

Fire Inspector
Brighton Fire Rescue District
500 S. 4th Ave. 3rd Floor
Brighton, CO 80601
303-654-8042
www.brightonfire.org

From: Emily Collins [<mailto:ECollins@adcogov.org>]
Sent: Friday, June 29, 2018 11:29 AM
To: 'landuse@tchd.org' <landuse@tchd.org>; Monte Deatrich <mdeatric@tchd.org>; Loeffler - CDOT, Steven <steven.loeffler@state.co.us>; serena.rocksund@state.co.us; Loeffler - CDOT, Steven <steven.loeffler@state.co.us>; Brigitte Grimm <BGrimm@adcogov.org>; Gutierrez, Carla <CGutierrez@brightonfire.org>; CGS_LUR <CGS_LUR@mines.edu>; Williams - Dnr, Joanna <Joanna.Williams@State.CO.US>; Kerrie Monti <kmonti@sd27j.net>; brandyn.wiedrich@centurylink.com; thomas_lowe@cable.comcast.com; Marisa Dale <mdale@UnitedPower.com>; mary.c.dobyns@usps.gov; 'chris.quinn@rtd-denver.com' <chris.quinn@rtd-denver.com>; roger@equinoxland.com
Subject: PRC2018-00008 Shook Subdivision Filing 3 and 4

Good Afternoon:

Please see the attached Request for Comments on the above case. **Comments are due by Friday, July 20th.**

Thank you for your review!



Emily Collins, AICP

Planner III, *Community and Economic Development*
ADAMS COUNTY, COLORADO
4430 South Adams County Parkway, W2000A
Brighton, CO 80601
o: 720-523-6820 | ecollins@adcogov.org
www.adcogov.org

Emily Collins

From: Steven Loeffler - CDOT [steven.loeffler@state.co.us]
Sent: Thursday, July 19, 2018 1:43 PM
To: Emily Collins
Subject: PRC2018-00008, Shook Subdivision Filing 3 and 4

Emily,

I have reviewed the referral named above for Preliminary and Final Plat for Shook Subdivision Filings 3 and 4 and have no objections. This developer has worked with CDOT for access permitting. Any other proposed work in the CDOT Right-of-Way including, but not limited to, survey, utility, or landscaping work will require a permit from our office. Contact for that permit is Robert Williams who can be reached at 303-916-3542 or robert.williams@state.co.us

Thank you for the opportunity to review this referral.

Steve Loeffler
Permits Unit



P 303.757.9891 | F 303.757.9886
2829 W. Howard Pl. 2nd Floor, Denver, CO 80204
steven.loeffler@state.co.us | www.codot.gov | www.cotrip.org

COLORADO GEOLOGICAL SURVEY

1801 19th Street
Golden, Colorado 80401



Karen Berry
State Geologist

July 23, 2018

Emily Collins
Adams County Community & Economic Development
4430 S. Adams County Parkway, Suite W2000A
Brighton, CO 80601

Location:
N½ SE¼ Section 3,
T1S, R67W, 6th P.M.
39.9916, -104.87

Subject: Shook Subdivision Filings 3 and 4 – Preliminary and Final Plat
Case Number PRC2018-00008; Adams County, CO; CGS Unique No. AD-18-0019

Dear Ms. Collins:

Colorado Geological Survey has reviewed the Shook Subdivision Filing 3 and Filing 4 preliminary and final plat referral. I understand the applicant proposes 13 lots (Filing 3) and 11 lots (Filing 4) of at least one acre each on approximately 48 acres located north of Shook Subdivision Filing 2.

The site does not contain, nor is it exposed to, any geologic hazards that would preclude the proposed subdivision. **CGS therefore has no objection to approval of the plat as proposed.**

Potential development constraints that will require site-specific geotechnical investigation, testing, and analysis include:

Slow percolation rates, shallow bedrock, and possible need for engineer-designed OWS. The Project Explanation (undated) indicates that each lot will contain an onsite wastewater system (OWS). The Adams County Soil Survey describes most of the site soils as very limited in suitability for conventional septic tank absorption fields due to low permeability and bedrock within 6 feet of the ground surface. It is likely that at least some of the proposed lots will require engineer-designed septic systems.

Soil engineering properties and foundation design. The Adams County Soil Survey describes some of the soils at this site as somewhat limited in suitability for construction of dwellings due to shrink-swell.

Lot-specific geotechnical investigation, testing, and analysis will be needed, once building locations are determined, to characterize soil engineering properties such as expansion/consolidation potential, strength, water content, and allowable bearing pressures. This information, along with more specific information about depths to bedrock and seasonal depths to groundwater, will be needed to determine whether overexcavation is needed to provide a separation distance between potentially highly expansive claystone bedrock and foundation elements, to design individual foundations, floor systems, and subsurface drainage, and to determine the each lot's suitability for a full-depth basement, if planned.

Thank you for the opportunity to review and comment on this project. If you have questions or require additional review, please call me at (303) 384-2643, or e-mail carlson@mines.edu.

Sincerely,

Jill Carlson, C.E.G.
Engineering Geologist

A handwritten signature in black ink, appearing to read "Jill Carlson", is written over the typed name and title.



COLORADO

Parks and Wildlife

Department of Natural Resources

Northeast Regional Office
6060 Broadway
Denver, CO 80216
P 303.291.7227 | F 303.291.7114

July 7, 2018

Ms. Emily Collins
Adams County
Community & Economic Development Department
4430 South Adams County Parkway, Suite W2000A
Brighton, CO 80601

Re: Shook Subdivision Filing 3 and 4, PRC2018-00008

Dear Ms. Collins:

Thank you for the opportunity to comment on the proposed creation of 13 single family 1-acre lots and associated subdivision improvements for Shook Subdivision Filing 3 and creation of 11 single family 1-acre lots and associated subdivision improvements for Shook Subdivision Filing 4. The 48-acre proposed subdivision is owned SEC. 2-3 Phoenix, LLC. The proposed site is located in the SE1/4 of Section 3, Township 1 South, Range 67 West and is bounded east by Geneva Court, and on the south, west and north by various parcels of private property.

The mission of Colorado Parks and Wildlife (CPW) is to perpetuate the wildlife resources of the state, to provide a quality state parks system, and to provide enjoyable and sustainable outdoor recreation opportunities that educate and inspire current and future generations to serve as active stewards of Colorado's natural resources. Our goal in responding to land use proposals such as this is to provide complete, consistent, and timely information to all entities who request comment on matters within our statutory authority. Current CPW policy directs our efforts towards proposals that will potentially have high impacts to wildlife and wildlife habitat. The emphasis of CPW's concerns is on large acreages, critical habitats, wildlife diversity, and impacts to species of special concern, or those that are state or federally endangered. Due to the low availability of undeveloped habitat surrounding the site, impacts of the development, as proposed, may be characterized as minimal.

Natural Vegetation

CPW recommends that land within the project area be restored to native habitat, if possible. To improve wildlife habitat after construction, the CPW recommends using native plant species along the project area. CPW also recommends planting trees, shrubs, and grasses so that they are mixed within the landscape. A landscape that has a good mix of trees, grasses, and shrubs is more beneficial to wildlife than a landscape with all trees in one area and all grasses and shrubs in others.

Burrowing Owls

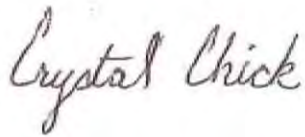


If prairie dog towns are present on the sites or if prairie dogs establish themselves on the property prior to development - CPW recommends that a burrowing owl survey be conducted prior to earth moving. Burrowing owls live on flat, treeless land with short vegetation, and nest underground in burrows dug by prairie dogs, badgers, and foxes. These raptors are classified as a state threatened species and are protected at both the state and federal level, including the Migratory Bird Treaty Act.

These laws prohibit the killing of burrowing owls or disturbance of their nests. Therefore, if any earth-moving will occur between March 15th and October 31st, a burrowing owl survey should be performed. Guidelines for performing a burrowing owl survey may be obtained from District Wildlife Manager Jordan Likes, visiting the CPW website at <http://cpw.state.co.us> or by calling the CPW Denver Region Office at (303) 291-7227.

Please contact us if we can be of assistance in implementing your proposal to minimize negative impacts and maximizing potential enhancements to support living with wildlife in our community. If you have any further questions, please contact District Wildlife Manager Jordan Likes at (303) 291-7135.

Sincerely,

A handwritten signature in cursive script that reads "Crystal Chick".

Crystal Chick
Area Wildlife Manager

Cc: M. Leslie, T. Kroening, J. Likes

WEST ADAMS CONSERVATION DISTRICT
Serving portions of Adams, Broomfield, Denver, and Weld Counties
57 West Bromley Lane
Brighton, CO 80601
303-659-0525
westadamscd@gmail.com, www.westadamsCD.com

Date: July 18,2018

To: Ms, Emily Collins Case Manager
Department of Community and Economic Development
4430 South Adams County parkway, Suite W200A Brighton, CO 80601-8216

Re: Case Number: PRC2018-00008
Case Name: Shook Subdivision Filing 3 and 4

Dear Ms Collins

The West Adams Conservation District is in receipt of the above referenced project request for comments.

According to the attached map and information this is consistent with the surrounding area. Therefore the requirements of the Adams County Development Standards and Regulations shall apply to these two filings also, as it did for the first and second filings that now exist

In the future could the county please provide a topographic map or grading plan showing direction of the developed flow's. The assumption is that no surrounding area will be affected. The county standards should be followed for the placement of slit fence for erosion protection.

The District is concerned with weed control, so we are asking that the disturbed areas be reseeded back with native grasses that are best suited for this area, and spraying the weeds take place as needed.

Thank you for submitting this for our review and comment.

Bob Olivier
Director with WACD



July 20, 2018

Emily Collins
Adams County Community and Economic Development
4430 South Adams County Parkway, Suite W2000A
Brighton, CO 80601

RE: Shook Subdivision Filing 3 and 4, PRC2018-00008
TCHD Case No. 5017

Dear Ms. Collins,

Thank you for the opportunity to review and comment on the Preliminary and Final Plat for Shook Subdivision Filings 3 to create 13 lots and Filings 4 to create 11 lots and associated Subdivision Improvements Agreements located at the northwest corner of Highway 7 and Havana Street. Tri-County Health Department (TCHD) staff has reviewed the application for compliance with applicable environmental and public health regulations and principles of healthy community design. After reviewing the application, TCHD has the following comments.

On-Site Wastewater Treatment Systems (OWTS)

Proper wastewater management promotes effective and responsible water use, protects potable water from contaminants, and provides appropriate collection, treatment, and disposal of waste, which protects public health and the environment. TCHD has no objection to the proposed subdivision being served by Onsite Wastewater Treatment Systems (OWTS), provided the systems are permitted, installed, and operated in compliance with our current OWTS regulation.

At the time of our review of the original subdivision, it was TCHD's expectation that the Todd Creek Metropolitan District (TCMD) would act as the Responsible Management Entity (RME) for OWTS within the Shook Subdivision. The understanding that TCMD would be responsible for inspections of the OWTS in the Shook Subdivision was a factor in our agreeing to allow properties in the Shook Subdivision to be served by ISDS. Consequently, we recommend that TCMD be the RME for Shook Subdivision. TCHD is willing to work with TCMD to assist them in developing a successful RME program.

Oil and Gas

The Colorado Oil and Gas Conservation commission (COGCC) regulates the setback requirements of oil and gas wells and production facilities in order to eliminate, minimize, or mitigate potential adverse impacts to public health. COGCC requires setbacks of five hundred (500) feet to a building and three hundred fifty (350) feet to the

boundary of a designated outside activity area. An oil and gas well is located in Filing 4. TCHD recommends the applicant adhere to the setbacks outlined above, at a minimum.

Community design to support walking and bicycling

Because chronic diseases related to physical inactivity and obesity now rank among the country's greatest public health risks, TCHD encourages community designs that make it easy for people to include regular physical activity, such as walking and bicycling, in their daily routines. Because research shows that the way we design our communities can encourage regular physical activity, TCHD strongly supports community plans that incorporate pedestrian and bicycle amenities that support the use of a broader pedestrian and bicycle network.

In order to promote walking and bicycling through this development, TCHD encourages the applicant to consider the inclusion of the following as they design the community.

1. A system of sidewalks, bike paths and open space trail networks that are well-designed and well-lit, safe, and attractive so as to promote bicycle and pedestrian use.
2. Bicycle and pedestrian networks that provide direct connections between destinations in and adjacent to the community.
3. Where public transportation systems exist, direct pedestrian access should be provided to increase transit use and reduce unnecessary vehicle trips, and related vehicle emissions. The pedestrian/bicycle networks should be integrated with the existing and future transit plans for the area.
4. Streets that are designed to be pedestrian/bike friendly and to reduce vehicle and pedestrian/bicycle fatalities.
5. Bicycle facilities and racks are provided in convenient locations.

Please feel free to contact me at 720-200-1585 or aheinrich@tchd.org if you have any questions on TCHD's comments.

Sincerely,



Annemarie Heinrich, MPH/MURP
Land Use and Built Environment Specialist

cc: Sheila Lynch, Monte Deatrich, Michael Weakley, Warren Brown, TCHD

Emily Collins

From: Marisa Dale [mdale@UnitedPower.com]
Sent: Tuesday, July 17, 2018 6:02 PM
To: Emily Collins
Subject: RE: PRC2018-00008 Shook Subdivision Filing 3 and 4

Emily,

We appreciate the dedicated utility easements. Developer must submit an application for new service to this subdivision.

Thank you,
Marisa

From: Emily Collins [<mailto:ECollins@adcogov.org>]
Sent: Friday, June 29, 2018 11:29 AM
To: 'landuse@tchd.org'; Monte Deatrich; Loeffler - CDOT, Steven; serena.rocksund@state.co.us; Loeffler - CDOT, Steven; Brigitte Grimm; Gutierrez, Carla; CGS_LUR; Williams - Dnr, Joanna; Kerrie Monti; brandyn.wiedrich@centurylink.com; thomas_lowe@cable.comcast.com; Marisa Dale; mary.c.dobyns@usps.gov; 'chris.quinn@rtd-denver.com'; roger@equinoxland.com
Subject: PRC2018-00008 Shook Subdivision Filing 3 and 4

Good Afternoon:

Please see the attached Request for Comments on the above case. **Comments are due by Friday, July 20th.**

Thank you for your review!



Emily Collins, AICP

Planner III, *Community and Economic Development*
ADAMS COUNTY, COLORADO
4430 South Adams County Parkway, W2000A
Brighton, CO 80601
o: 720-523-6820 | ecollins@adcogov.org
www.adcogov.org

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Right of Way & Permits

1123 West 3rd Avenue
Denver, Colorado 80223
Telephone: **303.571.3306**
Facsimile: 303. 571. 3284
donna.l.george@xcelenergy.com

October 23, 2019

Adams County Community and Economic Development Department
4430 South Adams County Parkway, 3rd Floor, Suite W3000
Brighton, CO 80601

Attn: Libby Tart

Re: Shook Filing Nos. 3 and 4, Case # PRC2018-00008

Public Service Company of Colorado's (PSCo) Right of Way & Permits Referral Desk has reviewed the plats for **Shook Filing Nos. 3 and 4** and requests the following 15-foot wide drainage and utility easements for connectivity purposes around the cul du sacs:

- within Outlot B on Filing No. 4 adjacent to East 162nd Place
- within Lot 5 and Outlot B on Filing No. 4 adjacent to East 163rd Place

Please see the attached highlighted drawing.

The property owner/developer/contractor must complete the application process for any new natural gas service via xcelenergy.com/InstallAndConnect. It is then the responsibility of the developer to contact the Designer assigned to the project for approval of design details. Additional easements may need to be acquired by separate document for new facilities.

As a safety precaution, PSCo would like to remind the developer to call the Utility Notification Center by dialing 811 for utility locates prior to construction.

Donna George
Right of Way and Permits
Public Service Company of Colorado dba Xcel Energy
Office: 303-571-3306 – Email: donna.l.george@xcelenergy.com

SHOOK SUBDIVISION FILING NO 4
 LOCATED IN THE SOUTHEAST 1/4 OF SECTION 3,
 TOWNSHIP 1 SOUTH, RANGE 67 WEST, 6TH PM,
 COUNTY OF ADAMS, STATE OF COLORADO
 SHEET 3 OF 3

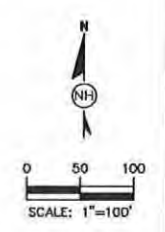
CASE NO. PRC2018-00008



- LEGEND**
- ◆ = ALIQUOT SECTION CORNER AS NOTED
 - ⊙ = ALIQUOT 1/4 CORNER AS NOTED
 - ⊕ = FOUND MONUMENT AS NOTED
 - = FOUND #5 REBAR WITH A 1-1/4 ALUMINUM CAP STAMPED "SUJCOON INC, L.S. 30829"
 - = SET #5 REBAR WITH 1" PLASTIC CAP
 - ⊗ = SET #5 REBAR 18" LONG WITH 1" PLASTIC CAP IN RANGE BOX
 - BK=BOOK
 - PG=PAGE
 - DUE=DRAINAGE AND UTILITY EASEMENT

CURVE #	LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD LENGTH
C1	18.15'	15.00'	069°19'29.40"	N27°00'11.12"W	17.06'
C2	24.95'	15.00'	095°17'25"	N70°41'21"E	22.17'
C3	31.81'	25.00'	072°53'42"	S81°53'13"W	29.70'
C5	132.13'	60.00'	126°10'16"	S55°03'53"W	107.0'
C6	132.51'	60.00'	126°32'23"	N71°17'27"W	107.0'
C7	93.43'	270.00'	019°49'34"	N71°34'43"W	92.96'
C8	14.88'	25.00'	034°06'00"	S81°27'30"W	14.66'
C9	120.51'	60.00'	115°04'29"	S58°03'15"E	101.25'
C10	169.74'	60.00'	162°05'36"	S80°31'48"W	118.54'
C11	25.54'	25.00'	058°31'28"	S47°41'07"E	24.44'
C12	290.25'	60.00'	277°10'06"	S22°59'33"W	79.38'
C13	34.71'	330.00'	06°01'34"	N73°56'03"W	34.89'
C14	53.31'	330.00'	09°15'20"	N66°17'36"W	53.25'
C15	88.02'	330.00'	015°16'54"	N69°18'23"W	87.76'

LINE #	LENGTH	BEARING
L1	30.00'	S75°07'30"E
L3	30.00'	N28°20'04"E
L4	31.33'	N61°38'56"W
L5	20.00'	N61°39'56"W
L6	20.00'	S61°39'56"E
L7	8.58'	S88°28'00"W



NEW HORIZON SURVEY, LLC
 P.O. BOX 213, ARVADA, COLORADO 80001
 PH (303) 502-5266 / nharsurf@prod.com

SHOOK SUBDIVISION
 800-218-567

DRAWN BY: BRL	DATE: 11/16/18	REVISION: 4TH REVISION	BY: RRL
CHECKED BY: RL	DATE: 3/5/19	REVISION: 5TH REVISION	BY: RRL
SCALE: 1" = 100'	DATE: 5/28/19	REVISION: 6TH REVISION	BY: EAB
DATE: MAY 2018	DATE: 6/4/16	REVISION: 7TH REVISION	BY: EAB
	DATE: 6/27/16	REVISION: 8TH REVISION	BY: EAB
	DATE: 8/6/08	REVISION: 9TH REVISION	BY: EAB
	DATE: 9/17/10	REVISION: 10TH REVISION	BY: EAB

SHEET 3 OF 3

CENTER SOUTH 1/16 CORNER SECTION 3 RECOVERED 2 INCH ALUM CAP STAMPED "JR ENG, S 1/16, C-C, S3, T1S, R67 W, 2001, PLS 32825" (1.73 FEET WEST, 0.38 SOUTH)

POINT OF COMMENCEMENT

S 1/4 CORNER 3" ALUMINUM CAP T1S 1/4 S 1/10 PLS 26298

SOUTHEAST CORNER SEC 3 RECOVERED AND ACCEPTED 2 INCH ALPHA ENGRG T1S S3/S2/S10/S11 R67W, 1996 LS 25937 IN RANGE BOX

From: [George, Donna L](#)
To: [JR Osborne](#)
Cc: [Libby Tart](#)
Subject: RE: Shook Subdivision
Date: Thursday, November 7, 2019 10:14:45 AM

Please be cautious: This email was sent from outside Adams County

Looks good, JR!

Thanks,

Donna George
Xcel Energy | Responsible By Nature
Right of Way and Permits
1123 West 3rd Avenue, Denver, CO 80223
P: [303-571-3306](tel:303-571-3306) | F: [303-571-3660](tel:303-571-3660)
donna.l.george@xcelenergy.com

xcelenergy.com/InstallAndConnect - Visit our website for more information about installing and connecting service with Xcel Energy!

From: JR Osborne [mailto:c3construction@live.com]
Sent: Thursday, November 07, 2019 10:11 AM
To: George, Donna L
Cc: Libby Tart-Schoenfelder
Subject: Shook Subdivision

CAUTION EXTERNAL SENDER: Stop and consider before you click links or open attachments.

Report suspicious email using the 'Report Phishing/Spam' button in Outlook.

Hi Donna,

Here is the updated plat showing the easement extending into Outlot B as we discussed.
Please let me know if you be all happy now?

Thanks,

J.R. Osborne

Neighborhood Comments*

(*sent to Engineering as a part of a discussion)

1. Bientendorf
2. Patroniti
3. Whitmore

From: [Matthew Emmens](#)
To: [Libby Tart](#)
Subject: FW: Twin Lakes contact
Date: Tuesday, May 26, 2020 4:14:15 PM

From: S B <sbietendorf@gmail.com>
Sent: Tuesday, February 4, 2020 3:44 PM
To: Matthew Emmens <MEmmens@adcogov.org>
Subject: Re: Twin Lakes contact

Please be cautious: This email was sent from outside Adams County

Hi Matthew,
Thanks for the email. Let me know when you have information Mile High Flood District for a 3rd party review.

Thank you,
Scott Bietendorf - Twin Lakes HOA - Secretary

On Tue, Feb 4, 2020 at 12:06 PM Matthew Emmens <MEmmens@adcogov.org> wrote:

Hello Mr. Bietendorf,

It was nice meeting you at the hearing this morning. I just want to send you an email and confirm your contact information. I have your phone number as 303-483-5152. If you could give me a quick reply, that would be perfect.

Also, I contacted the Mile High Flood District to inquire about a 3rd party review. I'm pretty sure they will be happy to help out but, unfortunately, most of their engineers are working from home today due to the snowy weather. I did leave a message and I will let you know when I hear back from them.

Sincerely,
Matt Emmens

Senior Engineer, *Community and Economic Development*
ADAMS COUNTY, COLORADO
4430 S. Adams County Parkway, W2000B
Brighton, CO 80601
O: 720.523.6826 | memmens@adcogov.org
www.adcogov.org

From: [Matthew Emmens](#)
To: [Libby Tart](#)
Subject: FW: Shook Eastern Swale - Third Party Review
Date: Tuesday, May 26, 2020 4:14:09 PM

From: S B <sbietendorf@gmail.com>
Sent: Wednesday, February 12, 2020 5:06 PM
To: Matthew Emmens <MEmmens@adcogov.org>
Cc: Dave Beckett <benbeck66@comcast.net>; Debbie Whitmore <debwhit22@gmail.com>; John Otto <s3nidow@aol.com>; Kate Swensen <kateswensen@gmail.com>; Richard Arnold <thekoiman@comcast.net>; Silene Patronitis <patroniti6@gmail.com>
Subject: Re: Shook Eastern Swale - Third Party Review

Please be cautious: This email was sent from outside Adams County

Matthew,
Thank you for the update. Do you think MHFD would benefit from images taken by Jerry Whitmore that show extensive run-off after a storm? Jerry provided these images to the council at the last meeting.

Thank you
Scott Bietendorf - Twin Lakes HOA Secretary

On Wed, Feb 12, 2020 at 4:36 PM Matthew Emmens <MEmmens@adcogov.org> wrote:

Hello Mr. Bietendorf,

Per your request, here is an update to the Shook swale/erosion third party review issue.

I've coordinated with staff at the Mile High Flood District (formerly Urban Drainage and Flood Control District). They have agreed to review the design and field inspection documents and provide an assessment or, recommend a third party to do the review. The Mile High Flood District (MHFD) usually doesn't review existing improvements for municipalities but, they have agreed to do a cursory review and if they feel a more in-depth review is necessary, they will recommend a private company that the County can contract with for the review. Otherwise, MHFD will provide the assessment themselves.

What I sent them was all of the design reports, construction plans, inspection information and some, additional map/data that the County has (basically, everything I could find on the subject). What I've asked them to do is review the documents and provide (1) an assessment of the eastern swale (whether it is design correctly and constructed properly), (2) an assessment of the erosion issue (referred to as an 'illicit discharge) and, (3) to make a determination on whether the erosion issue is related to the swale.

I expect to hear back from MHFD in about a week or two. I will pass on any information I receive.

Sincerely,
Matt Emmens

Senior Engineer, *Community and Economic Development*

ADAMS COUNTY, COLORADO

4430 S. Adams County Parkway, W2000B

Brighton, CO 80601

O: 720.523.6826 | memmens@adcogov.org

www.adcogov.org

From: [Matthew Emmens](#)
To: [Libby Tart](#)
Subject: FW: Shook Subdivision more drainage pictures
Date: Tuesday, May 26, 2020 4:13:57 PM

From: S B <sbietendorf@gmail.com>
Sent: Monday, May 4, 2020 4:36 PM
To: Matthew Emmens <MEmmens@adcogov.org>
Cc: Jerry Whitmore <jdubwh@gmail.com>; Debbie Whitmore <debwhit22@gmail.com>; Silene Patroniti <patroniti6@gmail.com>; Richard Arnold <thekoiman@comcast.net>
Subject: Re: Shook Subdivision more drainage pictures

Please be cautious: This email was sent from outside Adams County

Matthew,
Thank you for the update. It appears the as built survey is critical. However, will this be verified by a 3rd party, as we do not trust the developer.

Thank you,
Scott Bietendorf - Secretary Twin Lakes HOA

On Mon, May 4, 2020 at 3:56 PM Matthew Emmens <MEmmens@adcogov.org> wrote:

Hello Jerry,

I am very sorry for this very late response. Things have been a little hectic and I'm having a horrible time trying to keep up with emails.

We did hear back from the Mile High Flood District (MHFD). Their review says that the swale was designed correctly and does flow to the north, per the as-built survey information we submitted to them for review. The review also says that there is not enough as-built survey information to determine if the swale was constructed per the design. What this could mean is that the swale might not be wide enough or deep enough. And, because of that lack of information, they could not determine if the swale contributed to the illicit discharge of sediment from the site last year.

In response to the MHFD review comments, the County asked the developer to supply more as-built information so that a determination could be made as to whether the swale was constructed per the design and, if it had anything to do with the illicit discharge a year ago. I received that additional survey information from the developer just last week. I have not had a chance to review the information or, send it to the MHFD for their 3rd party review.

Matt

From: Jerry Whitmore <jdubwh@gmail.com>
Sent: Sunday, March 22, 2020 3:35 PM
To: Matthew Emmens <MEmmens@adcogov.org>
Cc: Scott Bietendorf <sbietendorf@gmail.com>; Debbie Whitmore <debwhit22@gmail.com>; Silene Patroniti <patroniti6@gmail.com>; Richard Arnold <thekoiman@comcast.net>
Subject: Shook Subdivision more drainage pictures

Please be cautious: This email was sent from outside Adams County

Hi Matt,

We were wondering where we are at with the MHFD investigation of our storm water issue?

Attached are 3 pictures I took today of the standing water across from my property next to Twin Lakes Storm drain. As you can see the standing water is not draining toward the culvert at E. 160th Place. One of the photos is directly across from the our storm drain and there isn't even a ditch on the other side. We are going to get clobbered. We tried to tell everyone early on that water doesn't flow uphill and this proves it. Mind you this is only runoff from the last snow. I hate to see what's going to happen when we get a big rain! We are asking for help from the County to please address this issue.

Thanks,
Jerry Whitmore
Twin Lakes subdivision

From: Matthew Emmens
Sent: Thursday, February 13, 2020 11:15 AM
To: Jerry Whitmore
Cc: Scott Bietendorf ; Debbie Whitmore
Subject: RE: Shook Subdivision

Thankyou Mr. Whitmore. The more information I have, the easier it is for me and MHFD to figure out what is happening and fix it.

Sincerely,
Matt Emmens

Senior Engineer, *Community and Economic Development*
ADAMS COUNTY, COLORADO
4430 S. Adams County Parkway, W2000B
Brighton, CO 80601
o: 720.523.6826 | memmens@adcogov.org

www.adcogov.org

From: Jerry Whitmore <jdubwh@gmail.com>
Sent: Thursday, February 13, 2020 10:29 AM
To: Matthew Emmens <MEmmens@adcogov.org>
Cc: Scott Bietendorf <sbietendorf@gmail.com>; Debbie Whitmore <debwhit22@gmail.com>
Subject: Fw: Shook Subdivision

Please be cautious: This email was sent from outside Adams County

Good Morning Matt,

I'm forwarding an email that you sent Juliana with the pictures showing the illicit discharge situation back on Aug. 3, 2018. In this email you state that you received it from a citizen living in Twin Lakes subdivision which as you can see below in the thread that it would have been me.

I hope this refreshes your memory concerning our drainage situation.

Thanks,
Jerry Whitmore

From: Matthew Emmens
Sent: Friday, August 03, 2018 9:38 AM
To: Juliana J. Archuleta
Cc: David Rausch ; jdubwh@gmail.com ; Miles Buescher
Subject: FW: Shook Subdivision

Good Morning Juliana,

I received the email below from a citizen who lives in the Twin Lakes subdivision, just East of the Shook Subdivision. It appears from the attached pictures that there is an illicit discharge situation happening on the east side of the Shook Subdivision.

Let me know if there is anything I need to do.

Sincerely,
Matt Emmens

Senior Engineer, *Community and Economic Development*
ADAMS COUNTY, COLORADO
4430 S. Adams County Parkway, W2000B
Brighton, CO 80601
o: 720.523.6826 | [memmens@adcogov.org](mailto:mемmens@adcogov.org)

www.adcogov.org

From: Jerry Whitmore [<mailto:jdubwh@gmail.com>]
Sent: Thursday, August 02, 2018 2:50 PM
To: Matthew Emmens
Cc: Scott Bietendorf; Richard Arnold; Debbie Whitmore; 'Bob & Silene Patroniti'; vicfoster@comcast.net; 'John and Barbara Otto'; D&S Beckett; Stormwater Quality Mailbox
Subject: Fw: Shook Subdivision

Hi Matt,

We were previously working through Julie for the New Shook Subdivision issues but have been advised that she is no longer working for Adams County. The operator said that you should be able to help us. Please read below and review the pictures.

Thanks,
Jerry

From: Jerry Whitmore
Sent: Thursday, August 02, 2018 2:18 PM
To: Julie Wyatt ; swq@adcogov.org
Cc: 'Scott & Vicky' ; thekoiman@comcast.net ; 'Debbie Whitmore' ; 'Bob & Silene Patroniti' ; 'Scott & Vicky' ; 'John and Barbara Otto' ; D&S Beckett
Subject: Re: Shook Subdivision

Shook Subdivision Request for comment

Hi Julie,

I wanted to bring up a storm water issue that we are seeing now when it rains. Please review the attached pictures. We were told that there would be 2 separate storm water retention ponds servicing the Shook subdivision. There has only been 1 retention pond built currently for the west (upper side) of the Shook subdivision. That design is very robust in capturing the storm water from the upper (West) side of the subdivision. However, the lower (East side of the subdivision has had very little work done to capture the storm water coming down the grade of the East side. A culvert was installed (see photo) under the E. 160th Pl. road where it meets Geneva Ct. (our road). This culvert goes basically nowhere except to drain onto our properties. You can also see from the photos that the water actually overwhelmed our own drain and was coming over the road to drain into our property as evidenced by the mud on the road.

We understand "historic upstream drainage". All of the water that historically drained between lots 5 and 6 has been clear water. As you can see in the photos, this is muddy water and is not historic at all but as a result of no longer having vegetation in the Shook

subdivision the stop the water.

We request that someone from the county to come out and look over the project and please explain to us how this is going to work. Because from what we are seeing so far, the Shook subdivision is planning on using the properties on Geneva Ct. to accept the storm water from the East side of the Shook subdivision. This is unacceptable and if you read down below, this was one of our main concerns during the platting effort.

Please respond to our concerns.

Thank you,

Gerald Whitmore
Lot #5 Twin Lakes subdivision

From: Julie Wyatt
Sent: Thursday, March 08, 2018 9:36 AM
To: Jerry Whitmore ; D&S Beckett
Cc: 'Scott & Vicky' ; thekoiman@comcast.net ; 'Debbie Whitmore' ; 'Bob & Silene Patroniti' ; 'Scott & Vicky' ; 'John and Barbara Otto'
Subject: RE: Shook Subdivision

Good morning,

Our Engineering Department has provided me with some information to share with you regarding your concerns with the Shook Subdivision. Below are their responses :

1) Traffic - There was a traffic impact study done in April of 2005. That study was completed before the Bartley property East of Havana (now the TC Riverside) was developed and Also before the 2 subdivisions located at Hwy 7 and York Street were developed. Since then the traffic along Hwy 7 has increased substantially. The Hwy 7/Geneva Ct. intersection has no traffic light and the Eastbound turn lane is almost non-existent. The traffic along Hwy 7 now is so heavy that turning East onto Hwy 7 is almost impossible during peak rush times. The 2005 study stated on page 3 of section 1.2 that the access to E 160th Place via Geneva Ct. was to be closed except for emergency purposes. If that entrance to E 160th Place will now be open to traffic, A new more current Traffic study should be completed. Geneva Ct. is a very narrow dead-end road and I believe was only intended for traffic to the 6 homes on Geneva Ct.

Engineering Response: The original Shook Subdivision (approved in 2005), includes a plan for closing the Geneva Court connection to Highway 7, converting the south end of the roadway to a 'hammer head' turn around and, routing the Geneva Court traffic through the Shook Subdivision. That plan will remain as part

of the currently approved (for construction) plans and the re-platting of the Shook Subdivision. With Geneva Court not having a connection to Highway 7, there is no anticipated need for anyone passing through or leaving the Shook Subdivision to go onto Geneva Court. When the south end of Geneva Court is converted to a hammer head, the approved plans call for an emergency only access onto Highway 7. A physical roadway connection to Highway 7 will remain but, will be blocked with a locked chain or gate that only the emergency services (police, fire protection, etc.) have a key to.

At no time will access to Geneva Court be closed or access denied to the residents. When the roadways in the Shook Subdivision have been constructed and accepted by the County, the Geneva Court connection will be closed and converted to a hammer head. Residential access will always be provided.

One of the (if not the main) purposes of the Shook Subdivision Re-plat is to allow for roadway connections to the Weigandt Property, north of the Shook Subdivision (to allow for development of that property). That is proposed to be done with the extension of Galena Court and Florence Way. None of the improvements for the Shook subdivision or the future development of the Weigandt Property should negatively affect the traffic flow on Geneva Ct.

The recommendation for turn signals, acceleration/deceleration lanes, and turn lanes were considered during the review of the original Shook Subdivision and with this re-platting effort. As a CDOT road, Highway 7 improvements such as turn signals, acceleration/deceleration lanes, and turn lanes are approved by CDOT and require that certain criteria (known as Warrants) be met before they can be required or constructed. The warrants for requiring and installing those type of roadway improvements are based on State, local and Federal regulations and must be proved by a rigorous engineering analysis. *At this time, development of the Shook Subdivision will not produce enough traffic movements to meet the required Warrants for a turn signal; however, the currently approved plans do meet the warrants for acceleration/deceleration lanes and turn lanes on Highway 7. Those improvements will be constructed by a restriping of the lane lines on Highway 7.* With the development of the Weigandt Property to the north of the Shook Property, the warrants for turn signals, additional turn lanes and, all other potential roadway improvements will be re-reviewed by the County and CDOT and required for development if the warrants are met.

2) Storm runoff – Currently there is a storm drain located between lots 5 and 6 on the West side Geneva Ct. That storm drain empties out onto the property between lots 5 and 6 and drains down our properties and into the Stouffer reservoir behind our house. During times of heavy rain the runoff is so powerful that it tends to wash our decorative rock away and is basically a river between our properties. Currently the Shook subdivision is undeveloped and does have some minor vegetation that could stop some erosion and drainage. If the Shook subdivision is developed, that could increase the storm drainage

emptying out between our properties. We would like to see that storm drain re-configured and re-directed into a different drain stream that would prevent the flooding issues along our properties.

Engineering Response: Development of the Shook property and, specifically the individual lots, includes reconfiguring of the site grading and storm drainage systems. The construction plans for the Shook subdivision call for the majority of the storm flows to be captured on site and directed to the north and south, away from entering Geneva Ct or the Twin Lakes Subdivision. The largest impact will be seen when development (home construction) of the lots in the Shook subdivision that are directly west of lots 5 and 6 of the Twin Lakes subdivision occurs. The lot grading is anticipated to direct a significant portion of storm flows to the north and south, thus reducing the historic flows that drain to Geneva Court. However, development plans for those particular lots in the Shook subdivision have not been created yet (they typically aren't created until someone purchases the properties). Therefore, at this time, Engineering can't say for sure when those storm flows will be reduced or by how much. However, I can say that the storm flows to Geneva Ct from the Shook Subdivision will be reduced with the development/construction of the Shook Subdivision.

Just for background information--under Colorado law, downstream property owners must accept historic upstream drainage. Therefore, if storm water historically drained onto your property, that condition may remain. The land plat for the Twin Lakes subdivision shows a 10-foot wide drainage easement straddling the property line between lots 5 & 6. This easement was intended to be used to convey storm drainage. Since current conditions include stormwater flowing between lots 5 and/or 6 of the Twin Lakes subdivision, this stormwater is considered historic drainage. Development upstream of your property may release storm water at historic levels and patterns, but cannot increase the amount or make the situation any worse than it is now.

Thank you very much for your response. We appreciate you reaching out to provide feedback. If there is any additional information or assistance I can provide, please feel free to contact me.

Sincerely,

Julie Wyatt

Planner III, *Community and Economic Development*

ADAMS COUNTY, COLORADO

4430 South Adams County Parkway

Brighton, CO 80601-8212

720.523.6858 | jwyatt@adcogov.org

From: Jerry Whitmore [<mailto:jdubwh@gmail.com>]

Sent: Tuesday, March 06, 2018 1:29 PM

To: Julie Wyatt; D&S Beckett

Cc: 'Scott & Vicky'; thekoiman@comcast.net; 'Debbie Whitmore'; 'Bob & Silene Patroniti'; 'Scott & Vicky'; 'John and Barbara Otto'

Subject: Re: Shook Subdivision

Shook Subdivision request for comment

Hello:

I live in the Twin Lakes Subdivision just East of the Shook Subdivision. I went to the Adams county website and looked through the Shook case documents and I do have a couple of concerns regarding the re-platting.

1) Traffic - There was a traffic impact study done in April of 2005. That study was completed before the Bartley property East of Havana (now the TC Riverside) was developed and Also before the 2 subdivisions located at Hwy 7 and York Street were developed. Since then the traffic along Hwy 7 has increased substantially. The Hwy 7/Geneva Ct. intersection has no traffic light and the Eastbound turn lane is almost non-existent. The traffic along Hwy 7 now is so heavy that turning East onto Hwy 7 is almost impossible during peak rush times. The 2005 study stated on page 3 of section 1.2 that the access to E 160th Place via Geneva Ct. was to be closed except for emergency purposes. If that entrance to E 160th Place will now be open to traffic, A new more current Traffic study should be completed. Geneva Ct. is a very narrow dead-end road and I believe was only intended for traffic to the 6 homes on Geneva Ct.

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Thank you in advance for your consideration,

Jerry Whitmore

16020 Geneva Ct.

Brighton, Co. 80602

From: [Matthew Emmens](#)
To: [Libby Tart](#)
Subject: FW: Shook Eastern Swale - Third Party Review
Date: Tuesday, May 26, 2020 4:13:06 PM

From: Silene Patroniti <patroniti6@gmail.com>
Sent: Friday, February 14, 2020 2:29 PM
To: Matthew Emmens <MEmmens@adcogov.org>
Cc: S B <sbietendorf@gmail.com>; Dave Beckett <benbeck66@comcast.net>; Debbie Whitmore <debwhit22@gmail.com>; John Otto <s3nidow@aol.com>; Kate Swensen <kateswensen@gmail.com>; Richard Arnold <thekoiman@comcast.net>
Subject: Re: Shook Eastern Swale - Third Party Review

Please be cautious: This email was sent from outside Adams County

Matthew,

This is inaccurate. Bob has provided 9 pictures given throughout this process to the board of commissioners and planning commission. Jerry Whitmore also provided more pictures at the last meeting. According to a planning commission member, Bib can't remember her name, she stated that the pictures Bob provided were Exhibit A.

Silene Patroniti

On Thu, Feb 13, 2020, 9:27 AM Matthew Emmens <MEmmens@adcogov.org> wrote:

Actually, we would have all benefitted from those images months ago. I asked repeatedly for pictures or video or something showing me what was happening and received nothing. So yes, please send over ANYTHING and EVERYTHING you have. MHFD and/or the County can't solve a problem if we don't know what is happening.

Sincerely,
Matt Emmens

Senior Engineer, *Community and Economic Development*
ADAMS COUNTY, COLORADO
4430 S. Adams County Parkway, W2000B
Brighton, CO 80601
O: 720.523.6826 | memmens@adcogov.org
www.adcogov.org

From: S B <sbietendorf@gmail.com>
Sent: Wednesday, February 12, 2020 5:06 PM

To: Matthew Emmens <MEmmens@adcogov.org>

Cc: Dave Beckett <benbeck66@comcast.net>; Debbie Whitmore <debwhit22@gmail.com>; John Otto <s3nidow@aol.com>; Kate Swensen <kateswensen@gmail.com>; Richard Arnold <thekoiman@comcast.net>; Silene Patronitis <patroniti6@gmail.com>

Subject: Re: Shook Eastern Swale - Third Party Review

Please be cautious: This email was sent from outside Adams County

Matthew,

Thank you for the update. Do you think MHFD would benefit from images taken by Jerry Whitmore that show extensive run-off after a storm? Jerry provided these images to the council at the last meeting.

Thank you

Scott Bietendorf - Twin Lakes HOA Secretary

On Wed, Feb 12, 2020 at 4:36 PM Matthew Emmens <MEmmens@adcogov.org> wrote:

Hello Mr. Bietendorf,

Per your request, here is an update to the Shook swale/erosion third party review issue.

I've coordinated with staff at the Mile High Flood District (formerly Urban Drainage and Flood Control District). They have agreed to review the design and field inspection documents and provide an assessment or, recommend a third party to do the review. The Mile High Flood District (MHFD) usually doesn't review existing improvements for municipalities but, they have agreed to do a cursory review and if they feel a more in-depth review is necessary, they will recommend a private company that the County can contract with for the review. Otherwise, MHFD will provide the assessment themselves.

What I sent them was all of the design reports, construction plans, inspection information and some, additional map/data that the County has (basically, everything I could find on the subject). What I've asked them to do is review the documents and provide (1) an assessment of the eastern swale (whether it is design correctly and constructed properly), (2) an assessment of the erosion issue (referred to as an 'illicit discharge) and, (3) to make a determination on whether the erosion issue is related to the swale.

I expect to hear back from MHFD in about a week or two. I will pass on any information I receive.

Sincerely,
Matt Emmens

Senior Engineer, *Community and Economic Development*

ADAMS COUNTY, COLORADO

4430 S. Adams County Parkway, W2000B

Brighton, CO 80601

From: [Matthew Emmens](#)
To: [Libby Tart](#)
Subject: FW: Mailbox down 5/19/2020
Date: Tuesday, May 26, 2020 4:13:14 PM

From: Silene Patroniti <patroniti6@gmail.com>
Sent: Wednesday, May 20, 2020 5:26 PM
To: bryan@liverichfield.com
Cc: Jerry Whitmore <jdubwh@gmail.com>; Matthew Emmens <MEmmens@adcogov.org>
Subject: Mailbox down 5/19/2020

Please be cautious: This email was sent from outside Adams County

Good Afternoon Bryan,

This is Bob and Silene Patroniti at 16000 Geneva Ct. of Twin Lake Estates. One of the delivery drivers by the name of Leo Jimenez took out our mailbox again while turning around in the fire department turn around location. This is the third time someone with a long truck cannot make that turn without wiping out the mailbox. Can we get the "no construction traffic" sign put back up preferably by the Hwy 7 as the truck drivers cannot see or read the sign message until after they have made the turn onto Geneva Ct.

Thank you in advance,

Bob n Silene Patroniti

From: [Matthew Emmens](#)
To: [Libby Tart](#)
Subject: FW: Mailbox down 5/19/2020
Date: Tuesday, May 26, 2020 4:13:24 PM
Attachments: [image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)
[image007.png](#)
[image008.png](#)
[image002.png](#)

From: Silene Patroniti <patroniti6@gmail.com>
Sent: Tuesday, May 26, 2020 1:30 PM
To: Bryan Kapusta <bryan@liverichfield.com>
Cc: Jerry Whitmore <jdubwh@gmail.com>; Matthew Emmens <MEmmens@adcogov.org>
Subject: Re: Mailbox down 5/19/2020

Please be cautious: This email was sent from outside Adams County

Hi.

Sign: Sweeeet!

No. I got a blurry picture. But the guy was very understanding and nice. He has already fixed it. We are prime there.

Thank you for the follow up in both these matters. Have an amazing day.

Silene Patroniti

On Tue, May 26, 2020, 10:46 AM Bryan Kapusta <bryan@liverichfield.com> wrote:

Just wanted to let you know the no construction sign should be put back up soon.

Did you happen to catch what delivery truck company it was? I want to get on the trade that hit your mailbox and make sure they replace. Let me know what company so I can make them do it.

Thanks!

Bryan Kapusta

Construction Manager

C: 720-537-0120

O: 303-955-2493

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Any statements in this email does not create in any manner binding agreement(s) for Richfield Home's clients, customers, principals, or other similar relationships. Additionally, my typed name is not my electronic signature in this email nor should it be considered in any manner the electronic signature of any of my clients, customers, principals, or other similar relationships. If you have received this message in error, please immediately notify the sender and delete the message, together with any attachments, from your computer. Thank you for your cooperation.

From: Silene Patroniti <patroniti6@gmail.com>
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To: Bryan Kapusta <bryan@liverichfield.com>
Cc: Jerry Whitmore <jdubwh@gmail.com>; Matthew Emmens <MEmmens@adcogov.org>
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Thank you in advance,

Bob n Silene Patroniti

From: [Matthew Emmens](#)
To: [Libby Tart](#)
Subject: FW: Shook Subdivision more drainage pictures
Date: Tuesday, May 26, 2020 4:15:32 PM

From: Jerry Whitmore <jdubwh@gmail.com>
Sent: Saturday, April 4, 2020 1:32 PM
To: Matthew Emmens <MEmmens@adcogov.org>
Cc: Debbie Whitmore <debwhit22@gmail.com>; Silene Patroniti <patroniti6@gmail.com>
Subject: Re: Shook Subdivision more drainage pictures

Please be cautious: This email was sent from outside Adams County

Hi Matt,

We were wondering if the county is having any work done West of Geneva Ct. concerning our storm water issue? The reason I ask is the new homeowner across from us is removing the silt fence which is our #1 defense against storm runoff. There is a Bob Cat and it looks as if they are going to be doing landscaping or re-grading. I was under the impression that the Silt fence would be there for a couple of years.

Also we did notice some surveyors out surveying their property.

Please let us know.

Thanks,
Jerry Whitmore
Twin Lakes Subdivision

From: Matthew Emmens
Sent: Tuesday, March 31, 2020 11:54 AM
To: Jerry Whitmore
Cc: Scott Bietendorf ; Debbie Whitmore ; Silene Patroniti ; Richard Arnold ; Jen Rutter ; Jill Jennings Golich
Subject: RE: Shook Subdivision more drainage pictures

Hello Jerry,

Sorry for the late response. The County buildings have been closed until April 19th due to the coronavirus. And, in addition to having to figure out how to work from home, I also got sick for a week or so. I'm getting back into the swing of things now, though.

Anyway, we did hear back from MHFD. They said that the swale appears to be designed correctly and does flow to the north (per design) but, it would take a more extensive survey to find out if it was constructed per design. They also said that without that more extensive survey, there is now way of knowing if the swale contributed to the illicit discharge that happened last year. However, when the County's Stormwater Division investigated the illicit discharge last year, they concluded that it was due to an improperly installed silt fence on one of the properties that had a house under construction (which was fixed by the home builder).

The standing water in the swale (shown in your pictures) is a bit of a concern. I will pass these along to the Stormwater Division and have them investigate. It could be that the culvert under E 160th is plugged. County staff is continuing to discuss this issue, though. At this time we have no made any decisions about what should be done. I will keep you notified of any decisions.

Matt

From: Jerry Whitmore <jdubwh@gmail.com>

Sent: Sunday, March 22, 2020 3:35 PM

To: Matthew Emmens <MEmmens@adcogov.org>

Cc: Scott Bietendorf <sbietendorf@gmail.com>; Debbie Whitmore <debwhit22@gmail.com>; Silene Patroniti <patroniti6@gmail.com>; Richard Arnold <thekoiman@comcast.net>

Subject: Shook Subdivision more drainage pictures

Please be cautious: This email was sent from outside Adams County

Hi Matt,

We were wondering where we are at with the MHFD investigation of our storm water issue?

Attached are 3 pictures I took today of the standing water across from my property next to Twin Lakes Storm drain. As you can see the standing water is not draining toward the culvert at E. 160th Place. One of the photos is directly across from the our storm drain and there isn't even a ditch on the other side. We are going to get clobbered. We tried to tell everyone early on that water doesn't flow uphill and this proves it. Mind you this is only runoff from the last snow. I hate to see what's going to happen when we get a big rain! We are asking for help from the County to please address this issue.

Thanks,

Jerry Whitmore

Twin Lakes subdivision

From: [Matthew Emmens](#)
To: [Libby Tart](#)
Subject: FW: Shook Subdivision
Date: Tuesday, May 26, 2020 4:17:08 PM

From: Jerry Whitmore <jdubwh@gmail.com>
Sent: Thursday, February 13, 2020 10:29 AM
To: Matthew Emmens <MEmmens@adcogov.org>
Cc: Scott Bietendorf <sbietendorf@gmail.com>; Debbie Whitmore <debwhit22@gmail.com>
Subject: Fw: Shook Subdivision

Please be cautious: This email was sent from outside Adams County

Good Morning Matt,

I'm forwarding an email that you sent Juliana with the pictures showing the illicit discharge situation back on Aug. 3, 2018. In this email you state that you received it from a citizen living in Twin Lakes subdivision which as you can see below in the thread that it would have been me.

I hope this refreshes your memory concerning our drainage situation.

Thanks,
Jerry Whitmore

From: Matthew Emmens
Sent: Friday, August 03, 2018 9:38 AM
To: Juliana J. Archuleta
Cc: David Rausch ; [jdubwh@gmail.com](#) ; Miles Buescher
Subject: FW: Shook Subdivision

Good Morning Juliana,

I received the email below from a citizen who lives in the Twin Lakes subdivision, just East of the Shook Subdivision. It appears from the attached pictures that there is an illicit discharge situation happening on the east side of the Shook Subdivision.

Let me know if there is anything I need to do.

Sincerely,
Matt Emmens

Senior Engineer, *Community and Economic Development*

ADAMS COUNTY, COLORADO

4430 S. Adams County Parkway, W2000B

Brighton, CO 80601

o: 720.523.6826 | memmens@adcogov.org

www.adcogov.org

From: Jerry Whitmore [<mailto:jdubwh@gmail.com>]

Sent: Thursday, August 02, 2018 2:50 PM

To: Matthew Emmens

Cc: Scott Bietendorf; Richard Arnold; Debbie Whitmore; 'Bob & Silene Patroniti'; vicfoster@comcast.net; 'John and Barbara Otto'; D&S Beckett; Stormwater Quality Mailbox

Subject: Fw: Shook Subdivision

Hi Matt,

We were previously working through Julie for the New Shook Subdivision issues but have been advised that she is no longer working for Adams County. The operator said that you should be able to help us. Please read below and review the pictures.

Thanks,

Jerry

From: Jerry Whitmore

Sent: Thursday, August 02, 2018 2:18 PM

To: Julie Wyatt ; swq@adcogov.org

Cc: 'Scott & Vicky' ; thekoiman@comcast.net ; 'Debbie Whitmore' ; 'Bob & Silene Patroniti' ; 'Scott & Vicky' ; 'John and Barbara Otto' ; D&S Beckett

Subject: Re: Shook Subdivision

Shook Subdivision Request for comment

Hi Julie,

I wanted to bring up a storm water issue that we are seeing now when it rains. Please review the attached pictures. We were told that there would be 2 separate storm water retention ponds servicing the Shook subdivision. There has only been 1 retention pond built currently for the west (upper side) of the Shook subdivision. That design is very robust in capturing the storm water from the upper (West) side of the subdivision. However, the lower (East side of the subdivision has had very little work done to capture the storm water coming down the grade of the East side. A culvert was installed (see photo) under the E. 160th Pl. road where it meets Geneva Ct. (our road). This culvert goes basically nowhere except to drain onto our properties. You can also see from the photos that the water actually overwhelmed our own drain and was coming over the road to drain into our property as evidenced by the mud on the road.

We understand “historic upstream drainage”. All of the water that historically drained between lots 5 and 6 has been clear water. As you can see in the photos, this is muddy water and is not historic at all but as a result of no longer having vegetation in the Shook subdivision the stop the water.

We request that someone from the county to come out and look over the project and please explain to us how this is going to work. Because from what we are seeing so far, the Shook subdivision is planning on using the properties on Geneva Ct. to accept the storm water from the East side of the Shook subdivision. This is unacceptable and if you read down below, this was one of our main concerns during the platting effort.

Please respond to our concerns.

Thank you,

Gerald Whitmore
Lot #5 Twin Lakes subdivision

From: Julie Wyatt
Sent: Thursday, March 08, 2018 9:36 AM
To: Jerry Whitmore ; D&S Beckett
Cc: 'Scott & Vicky' ; thekoiman@comcast.net ; 'Debbie Whitmore' ; 'Bob & Silene Patroniti' ; 'Scott & Vicky' ; 'John and Barbara Otto'
Subject: RE: Shook Subdivision

Good morning,

Our Engineering Department has provided me with some information to share with you regarding your concerns with the Shook Subdivision. Below are their responses :

1) Traffic - There was a traffic impact study done in April of 2005. That study was completed before the Bartley property East of Havana (now the TC Riverside) was developed and Also before the 2 subdivisions located at Hwy 7 and York Street were developed. Since then the traffic along Hwy 7 has increased substantially. The Hwy 7/Geneva Ct. intersection has no traffic light and the Eastbound turn lane is almost non-existent. The traffic along Hwy 7 now is so heavy that turning East onto Hwy 7 is almost impossible during peak rush times. The 2005 study stated on page 3 of section 1.2 that the access to E 160th Place via Geneva Ct. was to be closed except for emergency purposes. If that entrance to E 160th Place will now be open to traffic, A new more current Traffic study should be completed. Geneva Ct. is a very narrow dead-end road and I believe was only intended for traffic to the 6 homes on Geneva Ct.

-

Engineering Response: The original Shook Subdivision (approved in 2005), includes a plan for closing the Geneva Court connection to Highway 7, converting the south end of the roadway to a 'hammer head' turn around and, routing the Geneva Court traffic through the Shook Subdivision. That plan will remain as part of the currently approved (for construction) plans and the re-platting of the Shook Subdivision. With Geneva Court not having a connection to Highway 7, there is no anticipated need for anyone passing through or leaving the Shook Subdivision to go onto Geneva Court. When the south end of Geneva Court is converted to a hammer head, the approved plans call for an emergency only access onto Highway 7. A physical roadway connection to Highway 7 will remain but, will be blocked with a locked chain or gate that only the emergency services (police, fire protection, etc.) have a key to.

At no time will access to Geneva Court be closed or access denied to the residents. When the roadways in the Shook Subdivision have been constructed and accepted by the County, the Geneva Court connection will be closed and converted to a hammer head. Residential access will always be provided.

One of the (if not the main) purposes of the Shook Subdivision Re-plat is to allow for roadway connections to the Weigandt Property, north of the Shook Subdivision (to allow for development of that property). That is proposed to be done with the extension of Galena Court and Florence Way. None of the improvements for the Shook subdivision or the future development of the Weigandt Property should negatively affect the traffic flow on Geneva Ct.

The recommendation for turn signals, acceleration/deceleration lanes, and turn lanes were considered during the review of the original Shook Subdivision and with this re-platting effort. As a CDOT road, Highway 7 improvements such as turn signals, acceleration/deceleration lanes, and turn lanes are approved by CDOT and require that certain criteria (known as Warrants) be met before they can be required or constructed. The warrants for requiring and installing those type of roadway improvements are based on State, local and Federal regulations and must be proved by a rigorous engineering analysis. *At this time, development of the Shook Subdivision will not produce enough traffic movements to meet the required Warrants for a turn signal; however, the currently approved plans do meet the warrants for acceleration/deceleration lanes and turn lanes on Highway 7. Those improvements will be constructed by a restriping of the lane lines on Highway 7.* With the development of the Weigandt Property to the north of the Shook Property, the warrants for turn signals, additional turn lanes and, all other potential roadway improvements will be re-reviewed by the County and CDOT and required for development if the warrants are met.

2) Storm runoff – Currently there is a storm drain located between lots 5 and 6 on the West side Geneva Ct. That storm drain empties out onto the property between lots 5 and 6 and drains down our properties and into the Stouffer reservoir behind our house. During times of heavy rain the runoff is so powerful that it tends to wash our decorative rock away and is

basically a river between our properties. Currently the Shook subdivision is undeveloped and does have some minor vegetation that could stop some erosion and drainage. If the Shook subdivision is developed, that could increase the storm drainage emptying out between our properties. We would like to see that storm drain re-configured and re-directed into a different drain stream that would prevent the flooding issues along our properties.

Engineering Response: Development of the Shook property and, specifically the individual lots, includes reconfiguring of the site grading and storm drainage systems. The construction plans for the Shook subdivision call for the majority of the storm flows to be captured on site and directed to the north and south, away from entering Geneva Ct or the Twin Lakes Subdivision. The largest impact will be seen when development (home construction) of the lots in the Shook subdivision that are directly west of lots 5 and 6 of the Twin Lakes subdivision occurs. The lot grading is anticipated to direct a significant portion of storm flows to the north and south, thus reducing the historic flows that drain to Geneva Court. However, development plans for those particular lots in the Shook subdivision have not been created yet (they typically aren't created until someone purchases the properties). Therefore, at this time, Engineering can't say for sure when those storm flows will be reduced or by how much. However, I can say that the storm flows to Geneva Ct from the Shook Subdivision will be reduced with the development/construction of the Shook Subdivision.

Just for background information--under Colorado law, downstream property owners must accept historic upstream drainage. Therefore, if storm water historically drained onto your property, that condition may remain. The land plat for the Twin Lakes subdivision shows a 10-foot wide drainage easement straddling the property line between lots 5 & 6. This easement was intended to be used to convey storm drainage. Since current conditions include stormwater flowing between lots 5 and/or 6 of the Twin Lakes subdivision, this stormwater is considered historic drainage. Development upstream of your property may release storm water at historic levels and patterns, but cannot increase the amount or make the situation any worse than it is now.

Thank you very much for your response. We appreciate you reaching out to provide feedback. If there is any additional information or assistance I can provide, please feel free to contact me.

Sincerely,

Julie Wyatt

Planner III, *Community and Economic Development*

ADAMS COUNTY, COLORADO

4430 South Adams County Parkway

Brighton, CO 80601-8212

720.523.6858 | jwyatt@adcogov.org

From: Jerry Whitmore [<mailto:jdubwh@gmail.com>]

Sent: Tuesday, March 06, 2018 1:29 PM

To: Julie Wyatt; D&S Beckett

Cc: 'Scott & Vicky'; thekoiman@comcast.net; 'Debbie Whitmore'; 'Bob & Silene Patroniti'; 'Scott & Vicky'; 'John and Barbara Otto'

Subject: Re: Shook Subdivision

Shook Subdivision request for comment

Hello:

I live in the Twin Lakes Subdivision just East of the Shook Subdivision. I went to the Adams county website and looked through the Shook case documents and I do have a couple of concerns regarding the re-platting.

1) Traffic - There was a traffic impact study done in April of 2005. That study was completed before the Bartley property East of Havana (now the TC Riverside) was developed and Also before the 2 subdivisions located at Hwy 7 and York Street were developed. Since then the traffic along Hwy 7 has increased substantially. The Hwy 7/Geneva Ct. intersection has no traffic light and the Eastbound turn lane is almost non-existent. The traffic along Hwy 7 now is so heavy that turning East onto Hwy 7 is almost impossible during peak rush times. The 2005 study stated on page 3 of section 1.2 that the access to E 160th Place via Geneva Ct. was to be closed except for emergency purposes. If that entrance to E 160th Place will now be open to traffic, A new more current Traffic study should be completed. Geneva Ct. is a very narrow dead-end road and I believe was only intended for traffic to the 6 homes on Geneva Ct.

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Thank you in advance for your consideration,

Jerry Whitmore
16020 Geneva Ct.
Brighton, Co. 80602

From: [Matthew Emmens](#)
To: [Libby Tart](#)
Subject: FW: Shook Subdivision more drainage pictures
Date: Tuesday, May 26, 2020 4:15:26 PM

From: Jerry Whitmore <jdubwh@gmail.com>
Sent: Sunday, March 22, 2020 3:35 PM
To: Matthew Emmens <MEmmens@adcogov.org>
Cc: Scott Bietendorf <sbietendorf@gmail.com>; Debbie Whitmore <debwhit22@gmail.com>; Silene Patroniti <patroniti6@gmail.com>; Richard Arnold <thekoiman@comcast.net>
Subject: Shook Subdivision more drainage pictures

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Hi Matt,

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Thanks,
Jerry Whitmore
Twin Lakes subdivision

From: Matthew Emmens
Sent: Thursday, February 13, 2020 11:15 AM
To: Jerry Whitmore
Cc: Scott Bietendorf ; Debbie Whitmore
Subject: RE: Shook Subdivision

Thankyou Mr. Whitmore. The more information I have, the easier it is for me and MHFD to figure out what is happening and fix it.

Sincerely,
Matt Emmens

Senior Engineer, *Community and Economic Development*

ADAMS COUNTY, COLORADO

4430 S. Adams County Parkway, W2000B

Brighton, CO 80601

o: 720.523.6826 | memmens@adcogov.org

www.adcogov.org

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ADAMS COUNTY, COLORADO

4430 S. Adams County Parkway, W2000B

Brighton, CO 80601

o: 720.523.6826 | memmens@adcogov.org

www.adcogov.org

From: Jerry Whitmore [<mailto:jdubwh@gmail.com>]

Sent: Thursday, August 02, 2018 2:50 PM

To: Matthew Emmens

Cc: Scott Bietendorf; Richard Arnold; Debbie Whitmore; 'Bob & Silene Patroniti'; vicfoster@comcast.net; 'John and Barbara Otto'; D&S Beckett; Stormwater Quality Mailbox

Subject: Fw: Shook Subdivision

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Thanks,

Jerry

From: Jerry Whitmore

Sent: Thursday, August 02, 2018 2:18 PM

To: Julie Wyatt ; swq@adcogov.org

Cc: 'Scott & Vicky' ; thekoiman@comcast.net ; 'Debbie Whitmore' ; 'Bob & Silene Patroniti' ; 'Scott & Vicky' ; 'John and Barbara Otto' ; D&S Beckett

Subject: Re: Shook Subdivision

Shook Subdivision Request for comment

Hi Julie,

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Please respond to our concerns.

Thank you,

Gerald Whitmore
Lot #5 Twin Lakes subdivision

From: Julie Wyatt
Sent: Thursday, March 08, 2018 9:36 AM
To: Jerry Whitmore ; D&S Beckett
Cc: 'Scott & Vicky' ; thekoiman@comcast.net ; 'Debbie Whitmore' ; 'Bob & Silene Patroniti' ; 'Scott & Vicky' ; 'John and Barbara Otto'
Subject: RE: Shook Subdivision

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Just for background information--under Colorado law, downstream property owners must accept historic upstream drainage. Therefore, if storm water historically drained onto your property, that condition may remain. The land plat for the Twin Lakes subdivision shows a 10-foot wide drainage easement straddling the property line between lots 5 & 6. This easement was intended to be used to convey storm drainage. Since current conditions include stormwater flowing between lots 5 and/or 6 of the Twin Lakes subdivision, this stormwater is considered historic drainage. Development upstream of your property may release storm water at historic levels and patterns, but cannot increase the amount or make the situation any worse than it is now.

Thank you very much for your response. We appreciate you reaching out to provide feedback. If there is any additional information or assistance I can provide, please feel free to contact me.

Sincerely,

Julie Wyatt

Planner III, *Community and Economic Development*

ADAMS COUNTY, COLORADO

4430 South Adams County Parkway

Brighton, CO 80601-8212

720.523.6858 | jwyatt@adcogov.org

From: Jerry Whitmore [<mailto:jdubwh@gmail.com>]
Sent: Tuesday, March 06, 2018 1:29 PM
To: Julie Wyatt; D&S Beckett
Cc: 'Scott & Vicky'; thekoiman@comcast.net; 'Debbie Whitmore'; 'Bob & Silene Patroniti'; 'Scott & Vicky'; 'John and Barbara Otto'
Subject: Re: Shook Subdivision

Shook Subdivision request for comment

Hello:

I live in the Twin Lakes Subdivision just East of the Shook Subdivision. I went to the Adams county website and looked through the Shook case documents and I do have a couple of concerns regarding the re-platting.

1) Traffic - There was a traffic impact study done in April of 2005. That study was completed before the Bartley property East of Havana (now the TC Riverside) was developed and Also before the 2 subdivisions located at Hwy 7 and York Street were developed. Since then the traffic along Hwy 7 has increased substantially. The Hwy 7/Geneva Ct. intersection has no traffic light and the Eastbound turn lane is almost non-existent. The traffic along Hwy 7 now is so heavy that turning East onto Hwy 7 is almost impossible during peak rush times. The 2005 study stated on page 3 of section 1.2 that the access to E 160th Place via Geneva Ct. was to be closed except for emergency purposes. If that entrance to E 160th Place will now be open to traffic, A new more current Traffic study should be completed. Geneva Ct. is a very narrow dead-end road and I believe was only intended for traffic to the 6 homes on Geneva Ct.

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Thank you in advance for your consideration,

Jerry Whitmore
16020 Geneva Ct.
Brighton, Co. 80602

From: [Matthew Emmens](#)
To: [Libby Tart](#)
Subject: FW: Shook Subdivision more drainage pictures
Date: Tuesday, May 26, 2020 4:15:45 PM

From: Gerald Whitmore <jdubwh@gmail.com>
Sent: Monday, May 4, 2020 5:37 PM
To: S B <sbietendorf@gmail.com>
Cc: Matthew Emmens <MEmmens@adcogov.org>; Debbie Whitmore <debwhit22@gmail.com>; Silene Patroniti <patroniti6@gmail.com>; Richard Arnold <thekoiman@comcast.net>
Subject: Re: Shook Subdivision more drainage pictures

Please be cautious: This email was sent from outside Adams County

Hi Matt,

Thanks for the update. We have been watching what is going on. They are building up the homeowners Back yard with loads of dirt and they have filled in the swale directly across from our house. I don't know if this is going to help or make things worse.

Thanks,
Jerry

Sent from my iPad

On May 4, 2020, at 4:36 PM, S B <sbietendorf@gmail.com> wrote:

Matthew,
Thank you for the update. It appears the as built survey is critical. However, will this be verified by a 3rd party, as we do not trust the developer.

Thank you,
Scott Bietendorf - Secretary Twin Lakes HOA

On Mon, May 4, 2020 at 3:56 PM Matthew Emmens <MEmmens@adcogov.org> wrote:

Hello Jerry,

I am very sorry for this very late response. Things have been a little hectic and I'm having a horrible time trying to keep up with emails.

We did hear back from the Mile High Flood District (MHFD). Their review says that the swale was designed correctly and does flow to the north, per the as-built survey information we submitted to them for review. The review also says that there is not enough as-built survey information to determine if the swale was constructed per the design. What this could mean is that the swale might not be wide enough or

deep enough. And, because of that lack of information, they could not determine if the swale contributed to the illicit discharge of sediment from the site last year.

In response to the MHFD review comments, the County asked the developer to supply more as-built information so that a determination could be made as to whether the swale was constructed per the design and, if it had anything to do with the illicit discharge a year ago. I received that additional survey information from the developer just last week. I have not had a chance to review the information or, send it to the MHFD for their 3rd party review.

Matt

From: Jerry Whitmore <jdubwh@gmail.com>

Sent: Sunday, March 22, 2020 3:35 PM

To: Matthew Emmens <MEmmens@adcogov.org>

Cc: Scott Bietendorf <sbietendorf@gmail.com>; Debbie Whitmore <debwhit22@gmail.com>; Silene Patroniti <patroniti6@gmail.com>; Richard Arnold <thekoiman@comcast.net>

Subject: Shook Subdivision more drainage pictures

Please be cautious: This email was sent from outside Adams County

Hi Matt,

We were wondering where we are at with the MHFD investigation of our storm water issue?

Attached are 3 pictures I took today of the standing water across from my property next to Twin Lakes Storm drain. As you can see the standing water is not draining toward the culvert at E. 160th Place. One of the photos is directly across from the our storm drain and there isn't even a ditch on the other side. We are going to get clobbered. We tried to tell everyone early on that water doesn't flow uphill and this proves it. Mind you this is only runoff from the last snow. I hate to see what's going to happen when we get a big rain! We are asking for help from the County to please address this issue.

Thanks,

Jerry Whitmore

Twin Lakes subdivision

From: Matthew Emmens
Sent: Thursday, February 13, 2020 11:15 AM
To: Jerry Whitmore
Cc: Scott Bietendorf ; Debbie Whitmore
Subject: RE: Shook Subdivision

Thankyou Mr. Whitmore. The more information I have, the easier it is for me and MHFD to figure out what is happening and fix it.

Sincerely,
Matt Emmens

Senior Engineer, *Community and Economic Development*
ADAMS COUNTY, COLORADO
4430 S. Adams County Parkway, W2000B
Brighton, CO 80601
o: 720.523.6826 | memmens@adcogov.org
www.adcogov.org

From: Jerry Whitmore <jdubwh@gmail.com>
Sent: Thursday, February 13, 2020 10:29 AM
To: Matthew Emmens <MEmmens@adcogov.org>
Cc: Scott Bietendorf <sbietendorf@gmail.com>; Debbie Whitmore <debwhit22@gmail.com>
Subject: Fw: Shook Subdivision

Please be cautious: This email was sent from outside Adams County

Good Morning Matt,

I'm forwarding an email that you sent Juliana with the pictures showing the illicit discharge situation back on Aug. 3, 2018. In this email you state that you received it from a citizen living in Twin Lakes subdivision which as you can see below in the thread that it would have been me.

I hope this refreshes your memory concerning our drainage situation.

Thanks,
Jerry Whitmore

From: Matthew Emmens
Sent: Friday, August 03, 2018 9:38 AM
To: Juliana J. Archuleta
Cc: David Rausch ; jdubwh@gmail.com ; Miles Buescher
Subject: FW: Shook Subdivision

Good Morning Juliana,

I received the email below from a citizen who lives in the Twin Lakes subdivision, just East of the Shook Subdivision. It appears from the attached pictures that there is an illicit discharge situation happening on the east side of the Shook Subdivision.

Let me know if there is anything I need to do.

Sincerely,
Matt Emmens

Senior Engineer, *Community and Economic Development*

ADAMS COUNTY, COLORADO

4430 S. Adams County Parkway, W2000B

Brighton, CO 80601

o: 720.523.6826 | memmens@adcogov.org

www.adcogov.org

From: Jerry Whitmore [<mailto:jdubwh@gmail.com>]

Sent: Thursday, August 02, 2018 2:50 PM

To: Matthew Emmens

Cc: Scott Bietendorf; Richard Arnold; Debbie Whitmore; 'Bob & Silene Patroniti'; vicfoster@comcast.net; 'John and Barbara Otto'; D&S Beckett; Stormwater Quality Mailbox

Subject: Fw: Shook Subdivision

Hi Matt,

We were previously working through Julie for the New Shook Subdivision issues but have been advised that she is no longer working for Adams County. The operator said that you should be able to help us. Please read below and review the pictures.

Thanks,

Jerry

From: Jerry Whitmore

Sent: Thursday, August 02, 2018 2:18 PM

To: Julie Wyatt ; swq@adcogov.org

Cc: 'Scott & Vicky' ; thekoiman@comcast.net ; 'Debbie Whitmore' ; 'Bob & Silene Patroniti' ; 'Scott & Vicky' ; 'John and Barbara Otto' ; D&S Beckett

Subject: Re: Shook Subdivision

Shook Subdivision Request for comment

Hi Julie,

I wanted to bring up a storm water issue that we are seeing now when it rains. Please review the attached pictures. We were told that there would be 2 separate storm water retention ponds servicing the Shook subdivision. There has only been 1 retention pond built currently for the west (upper side) of the Shook subdivision. That design is very robust in capturing the storm water from the upper (West) side of the subdivision. However, the lower (East side of the subdivision has had very little work done to capture the storm water coming down the grade of the East side. A culvert was installed (see photo) under the E. 160th Pl. road where it meets Geneva Ct. (our road). This culvert goes basically nowhere except to drain onto our properties. You can also see from the photos that the water actually overwhelmed our own drain and was coming over the road to drain into our property as evidenced by the mud on the road.

We understand "historic upstream drainage". All of the water that historically drained between lots 5 and 6 has been clear water. As you can see in the photos, this is muddy water and is not historic at all but as a result of no longer having vegetation in the Shook subdivision the stop the water.

We request that someone from the county to come out and look over the project and please explain to us how this is going to work. Because from what we are seeing so far, the Shook subdivision is planning on using the properties on Geneva Ct. to accept the storm water from the East side of the Shook subdivision. This is unacceptable and if you read down below, this was one of our main concerns during the platting effort.

Please respond to our concerns.

Thank you,

Gerald Whitmore
Lot #5 Twin Lakes subdivision

From: Julie Wyatt

Sent: Thursday, March 08, 2018 9:36 AM

To: Jerry Whitmore ; D&S Beckett

Cc: 'Scott & Vicky' ; thekoiman@comcast.net ; 'Debbie Whitmore' ; 'Bob & Silene Patroniti' ; 'Scott & Vicky' ; 'John and Barbara Otto'

Subject: RE: Shook Subdivision

Good morning,

Our Engineering Department has provided me with some information to share with you regarding your concerns with the Shook Subdivision. Below are their responses :

1) Traffic - There was a traffic impact study done in April of 2005. That study was completed before the Bartley property East of Havana (now the TC Riverside) was developed and Also before the 2 subdivisions located at Hwy 7 and York Street were developed. Since then the traffic along Hwy 7 has increased substantially. The Hwy 7/Geneva Ct. intersection has no traffic light and the Eastbound turn lane is almost non-existent. The traffic along Hwy 7 now is so heavy that turning East onto Hwy 7 is almost impossible during peak rush times. The 2005 study stated on page 3 of section 1.2 that the access to E 160th Place via Geneva Ct. was to be closed except for emergency purposes. If that entrance to E 160th Place will now be open to traffic, A new more current Traffic study should be completed. Geneva Ct. is a very narrow dead-end road and I believe was only intended for traffic to the 6 homes on Geneva Ct.

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Thank you very much for your response. We appreciate you reaching out to provide feedback. If there is any additional information or assistance I can provide, please feel free to contact me.

Sincerely,

<image001.jpg>**Julie Wyatt**

Planner III, *Community and Economic Development*

ADAMS COUNTY, COLORADO

4430 South Adams County Parkway

Brighton, CO 80601-8212

720.523.6858 | jwyatt@adcogov.org

From: Jerry Whitmore [<mailto:jdubwh@gmail.com>]

Sent: Tuesday, March 06, 2018 1:29 PM

To: Julie Wyatt; D&S Beckett

Cc: 'Scott & Vicky'; thekoiman@comcast.net; 'Debbie Whitmore'; 'Bob & Silene Patroniti'; 'Scott & Vicky'; 'John and Barbara Otto'

Subject: Re: Shook Subdivision

Shook Subdivision request for comment

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Thank you in advance for your consideration,

Jerry Whitmore
16020 Geneva Ct.
Brighton, Co. 80602





OR
DRIVING
STAKES
CALL
ED POWER
9-0551















Request for Comments

Case Name:	Shook Subdivision Filing 3 and 4
Case Number:	PRC2018-00008

June 29, 2018

Adams County Planning Commission is requesting comments on the following request:

- 1) Preliminary and Final Plat for Shook Subdivision Filings 3 to create 13 lots and associated Subdivision Improvements Agreement; 2) Preliminary and Final Plat for Shook Subdivision Filings 4 to create 11 lots and associated Subdivision Improvements Agreement.**

The Assessor's Parcel Numbers is **0157103400001**

Applicant Information **C3 CONSTRUCTION (JR OSBORNE)**

9200 E MINERAL AVE #365

CENTENNIAL, CO 80112

Please forward any written comments on this application to the Department of Community and Economic Development at 4430 South Adams County Parkway, Suite W2000A Brighton, CO 80601-8216. (720) 523-6820 by **July 20, 2018** in order that your comments may be taken into consideration in the review of this case. If you would like your comments included verbatim please send your response by way of e-mail to ECollins@adcogov.org.

Once comments have been received and the staff report written, the staff report and notice of public hearing dates will be forwarded to you for your information. The full text of the proposed request and additional colored maps can be obtained by contacting this office or by accessing the Adams County web site at www.adcogov.org/planning/currentcases.

Thank you for your review of this case.

Emily Collins

Emily Collins, AICP

Case Manager

BASELINE LAKES HOLDINGS LLC ET ALS
PO BOX 247
EASTLAKE CO 80614-0247

PARRISH MARK A AND
PARRISH KRISTINE A
9414 E 161ST PL
BRIGHTON CO 80602

BECKETT DAVID AND
BECKETT SHAUNA
16040 GENEVA WAY
BRIGHTON CO 80602

PROV 356 LLC
610 REDSTONE DR
BROOMFIELD CO 80020-6079

CARLSON TAYLOR R UND 24.25% INT AND
THORNTON CORY J UND 24.25% INT ET ALS
PO BOX 247
EASTLAKE CO 80614-0247

RICHFIELD HOMES LLC
428 KIMBARK ST
LONGMONT CO 80501-5526

CARLSON TAYLOR R UND 24.25% INT AND
THORNTON CORY J UN 24.25% INT ET ALS
PO BOX 247
EASTLAKE CO 80614-0247

RIVERSIDE VILLAGE OWNERS ASSOCIATION
7501 VILLAGE SQUARE DR STE 205
CASTLE PINES CO 80108-3700

DIAZ FRIEDA A
9425 E 161ST PL
BRIGHTON CO 80602

ROBILLARD CHRISTOPHER P
1013 COUNTY ROAD 7
ERIE CO 80516-7906

DIAZ FRIEDA A
9425 E 161ST AVE
BRIGHTON CO 80602-7524

SEC 2-3 PHOENIX LLC
9200 E MINERAL AVE STE 365
CENTENNIAL CO 80112-3459

EQUINOX DEVELOPMENT LLC
10450 E 159TH CT
BRIGHTON CO 80602-7977

SELTZER FARMS INC
9390 E 168TH AVE
BRIGHTON CO 80602-6606

GREATER BRIGHTON FIRE
PROTECTION DISTRICT
500 S 4TH AVE 3RD FL
BRIGHTON CO 80601-3165

SELTZER FARMS INC
9390 E 168TH AVE
BRIGHTON CO 80602

HI-LAND ACRES WATER AND
SANITATION DISTRICT
PO BOX 0128
BRIGHTON CO 80601-0128

SPS OIL FIELD SERVICE
PO BOX 304
BRIGHTON CO 80601

LESSER LOIS B
PO BOX 65
BRIGHTON CO 80602

SPV VIII LLC
1751 RIVER RUN STE 400
FORT WORTH TX 76107-6669

TODD CREEK VILLAGE METROPOLITAN
DISTRICT
10450 E 159TH CT
BRIGHTON CO 80602-7977

BILODEAU DONNA J AND
IRONS JAY P
OR CURRENT RESIDENT
16135 LOMAND CIR
BRIGHTON CO 80602-7519

TWIN LAKE ESTATES HOMEOWNERS
ASSOCIATION INC
12000 N WASHINGTON NO. 340
DENVER CO 80241

BOYD DANIEL LEE
OR CURRENT RESIDENT
16044 LOMAND CIR
BRIGHTON CO 80602-7518

WATKINS BILLY J
16300 YOSEMITE ST
BRIGHTON CO 80602

BOYENS JOAN M 50% INT AND
OLIVAS GREGORY K 50% INT
OR CURRENT RESIDENT
10540 E 163RD AVE
BRIGHTON CO 80602-7505

WEIGANDT JOHN WILLIAM
10390 E 168TH AVE
BRIGHTON CO 80602

BRADFORD WILLIAM R AND
BRADFORD REBECCA L
OR CURRENT RESIDENT
10653 E 163RD CT
BRIGHTON CO 80602

WEST SOUTH PLATTE WATER AND SANITATION INC
9200 E MINERAL AVE STE 365
CENTENNIAL CO 80112-3459

BRADLEY MICHAEL R LIVING TRUST
OR CURRENT RESIDENT
16033 HI LAND CIR
BRIGHTON CO 80602

WRIGHT REVA L
PO BOX 274
BRIGHTON CO 80601-0274

CABLE ROBERT A AND
CABLE KELSEY J
OR CURRENT RESIDENT
10693 E 163RD CT
BRIGHTON CO 80602

ARNOLD RICHARD L TRUST
OR CURRENT RESIDENT
16170 GENEVA CT
BRIGHTON CO 80602-7548

CABRAL JOSE JUAREZ
OR CURRENT RESIDENT
9700 E 160TH AVE
BRIGHTON CO 80602-7571

BALLINGER MICHAEL D AND
SCHASNY GERALDINE C
OR CURRENT RESIDENT
16144 LOMAND CIR
BRIGHTON CO 80602

CARMONA ALEJANDRO
OR CURRENT RESIDENT
9405 E 159TH AVE
BRIGHTON CO 80602-8665

BEDAN ROBERT AND
BEDAN CINDY
OR CURRENT RESIDENT
16180 IOLA ST
BRIGHTON CO 80602-7615

CHAVEZ GUTIERREZ RAFAEL
OR CURRENT RESIDENT
16121 IOLA ST
BRIGHTON CO 80602-7615

BIETENDORF SCOTT A AND
FOSTER VICKIE L
OR CURRENT RESIDENT
16150 GENEVA CT
BRIGHTON CO 80602

COCA LEROY
ROMERO BARBARA M
OR CURRENT RESIDENT
16053 HI LAND CIR
BRIGHTON CO 80602-7513

DELCAMP JAMES R AND
DELCAMP BARBARA J
OR CURRENT RESIDENT
16185 LOMAND CIR
BRIGHTON CO 80602

FLUHARTY JOEL JEFFERSON AND
FLUHARTY MARILYN JO
OR CURRENT RESIDENT
16101 IOLA ST
BRIGHTON CO 80602-7615

DELGADO JORGE REYES
OR CURRENT RESIDENT
10630 E 161ST AVE
BRIGHTON CO 80602-8294

FORD RANDY S
OR CURRENT RESIDENT
9600 E 160TH AVE
BRIGHTON CO 80602

DELVENTHAL DENNIS L AND
DELVENTHAL ASHLEE L
OR CURRENT RESIDENT
16045 LOMAND CIR
BRIGHTON CO 80602-7517

FORSYTHE ANDREW C AND
FORSYTHE LORRI D
OR CURRENT RESIDENT
8985 E 162ND AVE
BRIGHTON CO 80602

DENNE CARL E AND
CAMPBELL PATRICIA G
OR CURRENT RESIDENT
16151 IOLA ST
BRIGHTON CO 80602-7615

GONZALES JASON AND
GONZALES STEPHANIE
OR CURRENT RESIDENT
16165 LOMAND CIR
BRIGHTON CO 80602-7519

DERR REUBEN ALLEN AND
DERR KATHERINE LEE
OR CURRENT RESIDENT
16125 LOMAND CIR
BRIGHTON CO 80602-7519

GOODALL STEPHEN JR
GOODALL JAYMIE
OR CURRENT RESIDENT
10533 E 163RD AVE
BRIGHTON CO 80602-7505

DEVRIES HERMAN T AND
DEVRIES JEAN C
OR CURRENT RESIDENT
10680 E 163RD CT
BRIGHTON CO 80602

GORDON ANDREW S AND MICHELLE A
OR CURRENT RESIDENT
16085 LOMAND CIR
BRIGHTON CO 80602

DILALLO ERIC AND
DILALLO STACY
OR CURRENT RESIDENT
16141 IOLA ST
BRIGHTON CO 80602

GORDON PATRICIA AND
HERNOUD MELANI
OR CURRENT RESIDENT
16105 LOMAND CIR
BRIGHTON CO 80602-7519

EBERLE DAVID G AND
EBERLE LORETTA J
OR CURRENT RESIDENT
9485 E 161ST AVE
BRIGHTON CO 80602-7524

HAJI-SARVESTNAI NASSER
OR CURRENT RESIDENT
16084 LOMAND CIR
BRIGHTON CO 80602-7518

EHRMANN EDWARD J AND
EHRMANN VICKI M
OR CURRENT RESIDENT
9445 E 161ST AVE
BRIGHTON CO 80602

HEIM ROBERT RAYMOND AND
FILLENBERG KIMBERLY A
OR CURRENT RESIDENT
16102 HI LAND CIR
BRIGHTON CO 80602

ERNSTER JON M AND
ERNSTER JULIE
OR CURRENT RESIDENT
16171 IOLA ST
BRIGHTON CO 80602-7615

HOWELL SHAWN AND
HOWELL SHEILA L
OR CURRENT RESIDENT
16150 IOLA ST
BRIGHTON CO 80602-7615

INGRAHAM LUKE AND
INGRAHAM RUTH
OR CURRENT RESIDENT
10652 E 162ND PL
BRIGHTON CO 80602-8293

LESLEY TIMOTHY JAY BRANDON
AKIYAMA MEGAN ANN
OR CURRENT RESIDENT
16074 LOMAND CIR
BRIGHTON CO 80602-7518

JOHNSON FREDERICK D AND
JOHNSON SALLIE R
OR CURRENT RESIDENT
16172 DALLAS ST
BRIGHTON CO 80602

LYBARGER JOSHUA M AND
LYBARGER ALICEA M
OR CURRENT RESIDENT
16143 HI LAND CIR
BRIGHTON CO 80602-7515

JOHNSON MATTHEW J AND
JOHNSON JILLANN M
OR CURRENT RESIDENT
16181 IOLA ST
BRIGHTON CO 80602-7615

MALARKEY CHARLES E AND
NORTHROP KARYL A
OR CURRENT RESIDENT
16134 LOMAND CIRCLE
BRIGHTON CO 80601

KEARNS BRIAN P AND
KEARNS PAIGE C
OR CURRENT RESIDENT
10623 E 163RD CT
BRIGHTON CO 80602

MARTINEZ RAUL S AND
MARTINEZ MARTHA
OR CURRENT RESIDENT
16073 HI LAND CIR
BRIGHTON CO 80602-7513

KESSLER JANET N
OR CURRENT RESIDENT
16162 HI LAND CIR
BRIGHTON CO 80602-7516

MC DONALD BRAD L AND JEAN L
OR CURRENT RESIDENT
16083 HI LAND CIR
BRIGHTON CO 80602

KETTERLING E ERROL AND
KETTERLING MARILYN P
OR CURRENT RESIDENT
16064 LOMAND CIR
BRIGHTON CO 80602-7518

MCCULLOH DOUGLAS
OR CURRENT RESIDENT
10563 E 163RD AVE
BRIGHTON CO 80602-7505

KING DENNIS J AND
KING KATHLEEN M
OR CURRENT RESIDENT
16042 HI LAND CIR
BRIGHTON CO 80602-7514

MCGEE RYAN M AND
MCGEE ELLEN L
OR CURRENT RESIDENT
10740 E 162ND DR
BRIGHTON CO 80602

KIYOTA JAMES AND
KIYOTA FRANCES T
OR CURRENT RESIDENT
16103 HI LAND CIR
BRIGHTON CO 80602-7515

MILLER BARBARA L AND
MILLER TERRY J
OR CURRENT RESIDENT
16104 LOMAND CIRCLE
BRIGHTON CO 80602

KLINGER JAMES G AND
KLINGER PAULINE C
OR CURRENT RESIDENT
16175 LOMAND CIR
BRIGHTON CO 80602

MOE ADAM AND
MOE ROCHELLE
OR CURRENT RESIDENT
16160 IOLA ST
BRIGHTON CO 80602-7615

LEMKE KAREN B
OR CURRENT RESIDENT
16114 LOMAND CIR
BRIGHTON CO 80602-7520

MORGAN JEFFREY J B
OR CURRENT RESIDENT
9465 E 161ST AVE
BRIGHTON CO 80601-7524

MURPHY THOMAS J JR AND
KENNEDY MURPHY RINTHEA
OR CURRENT RESIDENT
10593 E 163RD AVE
BRIGHTON CO 80602-7505

RUYBAL LEPIO J JR AND
GARCIA ROSAMARIA
OR CURRENT RESIDENT
16072 HI LAND CIR
BRIGHTON CO 80602-7514

ONAKA CLARENCE S REVOCABLE LIVING TRUST UND
50% INT AND
CARVALHO ELIZABETH M TRUST UND 50% INT
OR CURRENT RESIDENT
10600 E 163RD CT
BRIGHTON CO 80602-7537

SCHLEIS STEVEN J AND
SCHLEIS BARBARA J
OR CURRENT RESIDENT
16191 IOLA ST
BRIGHTON CO 80602-7615

OTTO JOHN C AND
BRONSON BARBARA T
OR CURRENT RESIDENT
16190 GENEVA CT
BRIGHTON CO 80602-7548

SCHLOSSER ROBERT R AND
SCHLOSSER SUSAN R
OR CURRENT RESIDENT
16124 LOMAND CIR
BRIGHTON CO 80601

OWERS CHARLES AND
OWERS MICHIE
OR CURRENT RESIDENT
16065 LOMAND CIR
BRIGHTON CO 80602-7517

SMITH MICHAEL F AND
SMITH DIANE M
OR CURRENT RESIDENT
9520 E 160TH PL
BRIGHTON CO 80602

PATRONITI ROBERT AND
PATRONITI SILENE
OR CURRENT RESIDENT
16000 GENEVA CT
BRIGHTON CO 80602-7548

STOCKTON JEFFERY L AND
STOCKTON ALAYNA M
OR CURRENT RESIDENT
16155 LOMAND CIR
BRIGHTON CO 80602-7519

PETERS JAMES AND
PETERS DENISE COUTURIE
OR CURRENT RESIDENT
16140 IOLA ST
BRIGHTON CO 80602-7615

THOMPSON ROGER C AND
THOMPSON PATRICIA R
OR CURRENT RESIDENT
16063 HI LAND CIR
BRIGHTON CO 80602-7513

PEVLER FRANK L
OR CURRENT RESIDENT
16164 DALLAS STREET
BRIGHTON CO 80602

TORRES JOSE LUIS
OR CURRENT RESIDENT
16154 LOMAND CIR
BRIGHTON CO 80602-7520

PICCOLO JAMES THOMAS AND
PICCOLO KELLI JEAN
OR CURRENT RESIDENT
16052 HI LAND CIR
BRIGHTON CO 80602-7514

TOTAL AUTO COVERAGE CORPORATION
OR CURRENT RESIDENT
9315 E 160TH AVE
BRIGHTON CO 80602

PRASAD MANOJ AND
PRASAD JOANNE
OR CURRENT RESIDENT
16131 IOLA ST
BRIGHTON CO 80602-7615

WAGERS KENNETH AND
WAGERS KELLY A
OR CURRENT RESIDENT
16152 HI LAND CIR
BRIGHTON CO 80602-7516

REID RICKY L AND
REID PATRICIA
OR CURRENT RESIDENT
16043 HI LAND CIR
BRIGHTON CO 80602

WALTER MICHAEL J AND
WALTER LISA A
OR CURRENT RESIDENT
10627 E 162ND PL
BRIGHTON CO 80602

WATKINS BILLY J
OR CURRENT RESIDENT
16300 YOSEMITE ST
BRIGHTON CO 80602

CURRENT RESIDENT
9930 E 160TH PL
BRIGHTON CO 80602-5606

WEGLIN GREG L AND
WEGLIN BRANDY K
OR CURRENT RESIDENT
16115 LOMAND CIR
BRIGHTON CO 80602-7519

CURRENT RESIDENT
9941 E 160TH PL
BRIGHTON CO 80602-5606

WENK BRIAN A AND
WENK LYNDA M
OR CURRENT RESIDENT
16123 HI LAND CIR
BRIGHTON CO 80602-7515

CURRENT RESIDENT
9970 E 160TH PL
BRIGHTON CO 80602-5606

WHITMORE GERALD P AND
WHITMORE DEBRA A
OR CURRENT RESIDENT
16020 GENEVA CT
BRIGHTON CO 80602-7548

CURRENT RESIDENT
10210 E 160TH PL
BRIGHTON CO 80602-5607

WOLTERS EDWARD W AND
WOLTERS HOLLY M
OR CURRENT RESIDENT
16145 LOMAND CIR
BRIGHTON CO 80602-7519

CURRENT RESIDENT
10040 E 160TH PL
BRIGHTON CO 80602-5608

WORSTER RONALD P AND
WORSTER ROBERTA M
OR CURRENT RESIDENT
10780 E 162ND DR
BRIGHTON CO 80602-7508

CURRENT RESIDENT
10080 E 160TH PL
BRIGHTON CO 80602-5608

YOUNG CAROL L
OR CURRENT RESIDENT
16153 DALLAS ST
BRIGHTON CO 80602

CURRENT RESIDENT
10120 E 160TH PL
BRIGHTON CO 80602-5608

YOUNG GEORGE M AND KAREN M
OR CURRENT RESIDENT
16075 LOMAND CIR
BRIGHTON CO 80602

CURRENT RESIDENT
10170 E 160TH PL
BRIGHTON CO 80602-5608

ZAGEL JAMES R AND
ZAGEL PAULA J
OR CURRENT RESIDENT
16168 DALLAS ST
BRIGHTON CO 80602-7512

CURRENT RESIDENT
9820 E 160TH PL
BRIGHTON CO 80602-5618

CURRENT RESIDENT
9911 E 160TH PL
BRIGHTON CO 80602-5606

CURRENT RESIDENT
9880 E 160TH PL
BRIGHTON CO 80602-5618

CURRENT RESIDENT
9230 E 168TH AVE
BRIGHTON CO 80602-6606

CURRENT RESIDENT
16380 YOSEMITE ST
BRIGHTON CO 80602-7506

CURRENT RESIDENT
16062 HI LAND CIR
BRIGHTON CO 80602-7514

CURRENT RESIDENT
9580 E 160TH AVE
BRIGHTON CO 80602-7522

CURRENT RESIDENT
9414 E 161ST AVE
BRIGHTON CO 80602-7523

CURRENT RESIDENT
9425 E 161ST AVE
BRIGHTON CO 80602-7524

CURRENT RESIDENT
16040 GENEVA CT
BRIGHTON CO 80602-7548

CURRENT RESIDENT
10200 E 159TH CT
THORNTON CO 80602-7976

CURRENT RESIDENT
15975 ELMIRA ST
BRIGHTON CO 80602-8620

CURRENT RESIDENT
15959 HAVANA ST
BRIGHTON CO 80602-8650

Adams County
Attn: Planning Addressing
PLN

Adams County Construction Inspection
Attn: PWCI .
PWCI

Adams County Development Services - Building
Attn: Justin Blair
4430 S Adams County Pkwy
Brighton CO 80601

Adams County Treasurer: Send email
Attn: Adams County Treasurer
bgrimm@adcogov.org

BRIGHTON FIRE DISTRICT
Attn: Carla Gutierrez
500 South 4th Avenue
3rd Floor
BRIGHTON CO 80601

BRIGHTON SCHOOL DISTRICT 27J
Attn: Kerrie Monti
1850 EGBERT STREET
SUITE 140, BOX 6
BRIGHTON CO 80601

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Attn: Brandyn Wiedreich
5325 Zuni St, Rm 728
Denver CO 80221

Code Compliance Supervisor
Attn: Eric Guenther
eguenther@adcogov.org

COLO DIV OF WATER RESOURCES
Attn: Joanna Williams
OFFICE OF STATE ENGINEER
1313 SHERMAN ST., ROOM 818
DENVER CO 80203

COLO DIV OF WATER RESOURCES
Attn: Joanna Williams
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DENVER CO 80203

COLORADO DEPT OF TRANSPORTATION
Attn: Steve Loeffler
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Region 1
Denver CO 80222

COLORADO DIVISION OF WILDLIFE
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Northeast Regional Engineer
6060 BROADWAY
DENVER CO 80216-1000

COLORADO DIVISION OF WILDLIFE
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6060 BROADWAY
DENVER CO 80216

COLORADO GEOLOGICAL SURVEY
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1500 Illinois Street
Golden CO 80401

Colorado Geological Survey: CGS_LUR@mines.edu
Attn: Jill Carlson
Mail CHECK to Jill Carlson

COMCAST
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8490 N UMITILLA ST
FEDERAL HEIGHTS CO 80260

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CFrancescani@adcogov.org

Eagle Shadow Metro District 1/ Spencer Fane
Attn: JIM WORTHY
1700 Lincoln Street
Suite 2000
Denver CO 80203

Engineering Department - ROW
Attn: Transportation Department
PWE - ROW

Engineering Division
Attn: Transportation Department
PWE

Hi-Land Acres Water & Sanitation District
Attn: Gabby Begeman
10086 E 159th Ave
Nancy Gay - 303-637-7499
Brighton CO 80601

United Power, Inc
Attn: Marisa Dale
PO Box 929
500 Cooperative Way
Brighton CO 80601

NS - Code Compliance
Attn: Joaquin Flores

UNITED STATES POST OFFICE
Attn: MARY C. DOBYNS
56691 E COLFAX AVENUE
STRASBURG CO 80136-8115

Parks and Open Space Department
Attn: Nathan Mosley
mpedrucci@adcogov.org
aclark@adcogov.org

Xcel Energy
Attn: Donna George
1123 W 3rd Ave
DENVER CO 80223

REGIONAL TRANSPORTATION DIST.
Attn: CHRIS QUINN
1560 BROADWAY SUITE 700
DENVER CO 80202

SHERIFF'S OFFICE: SO-HQ
Attn: MICHAEL McINTOSH
nblair@adcogov.org, aoverton@adcogov.org; mkaiser@adcog
snielson@adcogov.org

Sheriff's Office: SO-SUB
Attn: SCOTT MILLER
TFuller@adcogov.org, smiller@adcogov.org
aoverton@adcogov.org; mkaiser@adcogov.org

Todd Creek Village Metropolitan District
Attn: Roger Hollard
10450 E. 159th Ct.
BRIGHTON CO 80602

TRI-COUNTY HEALTH DEPARTMENT
Attn: MONTE DEATRICH
4201 E. 72ND AVENUE SUITE D
COMMERCE CITY CO 80022

TRI-COUNTY HEALTH DEPARTMENT
Attn: Sheila Lynch
6162 S WILLOW DR, SUITE 100
GREENWOOD VILLAGE CO 80111

Tri-County Health: Mail CHECK to Sheila Lynch
Attn: Tri-County Health
landuse@tchd.org



PUBLIC HEARING AGENDA ITEM

DATE OF PUBLIC HEARING: June 16, 2020
SUBJECT: Subdivision Improvement Agreement for Shook Filing No. 3
FROM: Jill Jennings Golich, Community and Economic Development Director
AGENCY/DEPARTMENT: Community & Economic Development Department
HEARD AT STUDY SESSION ON: N/A
AUTHORIZATION TO MOVE FORWARD: <input type="checkbox"/> YES <input type="checkbox"/> NO
RECOMMENDED ACTION: That the Board of County Commissioners approves the Shook Subdivision Improvements Agreement for Filing No. 3.

Background

Sec. 2-3 Phoenix LLC is requesting a major subdivision final plat to create 13 residential lots and associated public streets on 22.37 acres. The site is located 1,500 feet northwest of the corner of Havana and Highway 7. Most of the surrounding properties are developed as single-family homes.

Section 2-02-17-04 of the County's Development Standards and Regulations outline the criteria for approval of a final plat. The proposed request conforms to all requirements outlined in the Development Standards and Regulations (see attached staff report). The proposed lots conform to the minimum lot sizes required for development in the approved Planned Unit Development (PUD).

Per Section 5-02-05 of the County's Development Standards and Regulations, a Subdivision Improvements Agreement (SIA) is required with approval of a final plat. The required improvements include construction of infrastructure, such as public streets, curbs, gutters, sidewalks, and storm sewers to serve development. Staff has reviewed and determined the proposed agreement (See SIA Exhibit) complies with the County's Development Standards and Regulations (See BoCC Report Exhibit).

AGENCIES, DEPARTMENTS OR OTHER OFFICES INVOLVED:

None

ATTACHED DOCUMENTS:

- BOCC staff report and packet
- SIA exhibit
- Resolution approving application in case SIA2020-00008

FISCAL IMPACT:

Please check if there is no fiscal impact . If there is fiscal impact, please fully complete the section below.

Fund:
Cost Center:

	Object Account	Subledger	Amount
Current Budgeted Revenue:			
Additional Revenue not included in Current Budget:			
Total Revenues:			<hr/>

	Object Account	Subledger	Amount
Current Budgeted Operating Expenditure:			
Add'l Operating Expenditure not included in Current Budget:			
Current Budgeted Capital Expenditure:			
Add'l Capital Expenditure not included in Current Budget:			
Total Expenditures:			<hr/> <hr/>

New FTEs requested: YES NO

Future Amendment Needed: YES NO

Additional Note:

**RESOLUTION APPROVING CASE #SIA2020-00007 SUBDIVISION IMPROVEMENTS
AGREEMENT FOR SHOOK SUBDIVISION, FILING 3**

WHEREAS, it is provided by resolution of the Board of County Commissioners, County of Adams, that where designated the Developer shall have entered into a written agreement with the County to install public and/or private improvements, and to deed land for public purposes or right-of-way or submit cash-in-lieu; and,

WHEREAS, on June 16, 2020, the Board of County Commissioners, in Case No. PLT2020-00021, Shook Subdivision, Filing 3, approved a Final Plat to allow 13 residential lots on approximately 22.37 acres in a Planned Unit Development (PUD) zone district; and,

WHEREAS, the Developer has provided collateral to meet the terms of the agreement; and,

WHEREAS, the Adams County Community and Economic Development Department recommends approval of the attached Subdivision Improvements Agreement for Shook Subdivision, Filing 3, Case No. SIA2020-00007.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners, County of Adams, State of Colorado, that the Subdivision Improvements Agreement for Shook Subdivision Filing 3, a copy of which is attached hereto and incorporated herein by this reference, be approved.

BE IT FURTHER RESOLVED that the Chair of the Board of County Commissioners be authorized to execute this AGREEMENT on behalf of the County of Adams, State of Colorado.



COMMUNITY AND ECONOMIC DEVELOPMENT
DEPARTMENT

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CASE NAME: Shook 3 & 4 Final Plats and SIAs

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Board of County Commissioners

June 16, 2020

CASE No.: PRC2020-00007	CASE NAME: Shook 3 and 4 Final Plats and SIAs
Owner's Information:	Sec. 2-3 Phoenix LLC
Applicant's Name:	JR Osborne c/o C3 Construction
Applicant's Address:	9200 East Mineral Avenue, #365, Centennial, CO 80112
Location of Request:	Parcel # 0157103400001
Nature of Request:	1) Final Plat for Filing 3 to create 13 lots on 22.37 acres; 2) Final Plat for Filing 4 to create 11 lots on 23.16 acres and 3) SIAs associated with each Filing
Zone District:	Planned Unit Development (PUD)
Site Size:	46.5 acres
Proposed Uses:	Residential
Existing Use:	Vacant
Hearing Date(s):	BOCC: June 16, 2020
Report Date:	May 26, 2020
Case Manager:	Libby Tart
Staff Recommendation:	APPROVAL with 7 Findings-of-Fact and One Note per each Final Plat

SUMMARY OF PREVIOUS APPLICATIONS

On March 6, 2002, the Board of County Commissioners (BoCC) approved a Preliminary Development Plan (PDP) for the Todd Creek Village Development. This PDP allowed for a mixed-use development with a maximum of 3,255 dwelling units including residential estate, single-family detached, and single-family attached units, neighborhood commercial uses, and associated open space.

On May 9, 2005, the BoCC approved a preliminary plat to create 32 residential estate lots on approximately 53 acres (Todd Creek Village Shook). The final plat was approved on February 27, 2006.

On March 13, 2006, the BoCC approved a final development plan for the Todd Creek Shook Development including a minimum one-acre lot size requirement for residential development and 13.5 acres of open space.

On December 4, 2018, the BoCC approved a major amendment to the Shook Final Development Plan (FDP) to add 46.5 acres to the development boundaries, add 32 residential lots, and replat two existing subdivision filings (Shook 1 and 2) to realign roadways to connect to the future filings.

Two Subdivision Improvement Agreements (SIAs) for Filings 1 and 2 were also approved in the public hearing by the BoCC.

On February 4, 2020, The BoCC approved a request for the Shook Filings 3 and 4 Preliminary Plats. Three conditions and two notes were approved and stated the following:

- Condition 1: The applicant shall provide proof of irrigation water supply and services in compliance with Section 5-04-05-06-04 of the Adams County Development Standards and Regulations prior to the Board of County Commissioners hearing on the Final Plat.
- Condition 2: A Subdivision Improvements Agreement (SIA) shall be submitted with the final plat application.
- Condition 3: A public land dedication fee for parks and schools shall be paid to Adams County prior to or with the final plat submittal. This fee shall be determined by the current fee structure specified in Section 5-05 of the Adams County Development Standards and Regulations.
- Note 1: The applicant shall adhere to all fire, animal, health, zoning, and building codes.
- Note 2: The Signal Ditch has been vacated and the vacation shall be shown on the final plat.

The applicant has satisfied all the conditions and notes prior to this Final Plat and SIA hearing.

SUMMARY OF APPLICATION

Background

The subject request is to create two Final Plats – one for Filing 3 to create 13 lots on 22.37 acres and one for Filing 4 to create 11 lots on 23.16 acres. The Final Development Plan (FDP) Amendment, approved on December 4, 2018, added acreage to the Shook FDP and identified a maximum of 32 residential lots on 46.5 acres. On February 4, 2020, the BoCC heard the Preliminary Plat requests and voted to approve the requests with three conditions and two notes. The two Final Plats proposed with this application are the final step to culminating the Shook Filings 3 and 4 and the FDP Amendment. The Shook FDP requires each lot to be a minimum of one (1) acre and defaulting to the requirements of a Residential Estate (R-E) zone district if items are not explicit in the FDP.

Development Standards and Regulations:

Major Subdivision (Final Plat):

Per Section 2-02-17-04 of the County's Development Standards and Regulations, the applicant is requesting two Major Subdivisions (Final Plats) for the proposed single-family detached development. Currently, the site consists of 46.5 acres and is vacant. The applicant's proposal will create 24 lots and four (4) outlots (one outlot for Filing 3, three outlots for Filing 4). The outlots are reserved for landscaping, open space, and one existing oil and gas lot (Outlot B in Filing 4). Streets, rights-of-way, and easements are also proposed throughout the Final Plats and connect into the existing Shook Filings 1 and 2 to the south and west of this application. All proposed lots conform to the minimum lot size requirement of one acre for the PUD.

It is staff's determination the Final Subdivision Plats conform to the Development Standards and Regulations outlined in Section 2-02-19-04-05 of the County's Development Standards and the goals of the Comprehensive Plan.

Following the Preliminary Plat hearings, the applicant submitted their potable (residential needs) and non-potable (irrigation needs) water plan to the Division of Water Resources (DWR). The DWR provided a response on March 31, 2020 (See Exhibit 3.6), indicating that the Todd Creek Metro District's supply of municipal surface rights combined with the District's Denver Basin water "is sufficient to meet the potable resident and commercial demands of the existing District's commitments, including the Shook Subdivision Filings 3 and 4. They also state, "the applicant has adequate junior water to meet its annual irrigation (non-potable) demand, as long as the junior water rights continue to be available in-priority consistent with the Applicant's historical availability analysis". The State Engineer's Office Opinion is that the proposed water supply for residential, commercial and irrigation uses is adequate.

Sewer facilities will be provided in the form of septic systems on each lot. In addition, the overall density of development conforms to the zone district density allowances, as specified in the FDP. Finally, the proposed subdivision is compatible with the surrounding area, harmonious with the character of the neighborhood, not detrimental to the immediate area, not detrimental to the future development of the area, and not detrimental to the health, safety, or welfare of the inhabitants of the area and the County.

All proposed drainage facilities have been reviewed and approved by the County's Development Services Engineering staff. Per the request of the BoCC from February 4, 2020, a drainage swale was inspected by a third party, Mile High Flood Control (District), to ensure it was designed and built correctly. Mile High indicated that the swale was designed correctly and flows to the north based on the design. The Stormwater Division at Adams County investigated the discharge from this swale the previous year and concluded that it was due to an improperly installed silt fence while a home was under construction from the previous Shook Filing No. 1. The builder fixed the fence and no further issues have been noted.

Comprehensive Plan:

The subject property is designated as Estate Residential in the County's future land use map. Per Chapter 5 of the County's Comprehensive Plan, the goals of the Estate Residential future land use designation are to provide for single-family housing at lower densities, typically no greater than 1 unit per acre, and compatible uses such as schools and parks. The proposed Final Subdivision Plats are consistent with the goals of the Comprehensive Plan to provide larger lot residential development.

Site Characteristics:

The residential portion of the development for Filings 1 and 2 are almost completely built out. The proposed Preliminary Plat Filings 3 and 4 are vacant, with a 14-well oil and gas facility.

Surrounding Zoning Designations and Existing Use Activity:

Northwest PUD Vacant	North PUD Vacant	Northeast PUD Vacant
West PUD Vacant	Subject Property PUD Vacant/Well Pad	East PUD Vacant
Southwest R-E Single-Family	South PUD Single-Family (under development)	Southeast PUD and R-E Vacant (PUD) and Single-Family (R-E)

Compatibility with the Surrounding Land Uses:

The uses surrounding the site consist of single-family residential uses. The subject request for Final Plats for Filing 3 and 4 is consistent with the existing surrounding developments and the future land use designation of Estate Residential.

STAFF RECOMMENDATION:

Based upon the application, the criteria for approval for the two Final Plats, and a recent site visit, staff recommends Approval of the Shook Filing No. 3 Final Plat, Shook Filing No. 4 Final Plat, and associated Subdivision Improvements Agreement with 7 findings of fact (per Final Plat), and 1 note.

FINDINGS OF FACT:

Major Subdivision (Final Plat):

1. The final plat is consistent and conforms to the approved preliminary plat.
2. The final plat is in conformance with the subdivision design standards.
3. The applicant has provided evidence that a sufficient water supply has been acquired in terms of quantity, quality, and dependability for the type of subdivision proposed, as determined in accordance with the standards set forth in the water supply standards.
4. The applicant has provided evidence that a public sewage disposal system has been established and, if other methods of sewage disposal are proposed, adequate evidence indicating that the system complies with state and local laws and regulations.
5. The applicant has provided evidence to show all areas of the proposed subdivision, which may involve soil or topographical conditions presenting hazards or requiring special precautions, have been identified by the applicant and the proposed uses of these areas are compatible with such conditions.
6. The proposed or constructed drainage improvements are adequate and comply with these standards and regulations.
7. Adequate public facilities or infrastructure, or cash-in-lieu, for impacts reasonably related to the proposed subdivision have been constructed or financially

guaranteed through cash-in-lieu or a subdivision improvements agreement so the proposed subdivision will not negatively impact the levels of service of the County.

Recommended Notes to the Applicant:

1. The applicant shall adhere to all fire, animal, health, zoning, and building codes.

COUNTY AGENCY COMMENTS

Adams County Development Services

Planning referred all documents to ROW, Engineering, Legal, and Finance staff to ensure the Final Plats and SIAs were compliant. A few corrections were issued and resolved.

Engineering has continued to receive correspondence from residents of the Twin Lakes PUD (not affiliated with Todd Creek or the Shook development) – a small single-family detached community to the southeast of this Shook development application. The residents have questioned silt buildup and other items related to Shook Filings 1 and 2 construction activity (see Neighborhood Comment and exhibit material provided in Exhibit 5). Mile High Flood District, a third-party reviewer, reviewed the as built conditions for a drainage swale and have found them adequate. The Public Works Stormwater Division has inspected the area as well and finds that the activity with silt was related to the construction fence on one of the SFD homes under construction (for Shook Filing 1). The concerns appear to have been resolved (see Exhibit 3.7 for information from Adams County Engineering regarding the Mile High analysis and the applicant’s corrections).

Adams County Public Works

Noted previously that a Subdivision Improvements Agreement (SIA) will be required for each Final Plat at the time of the FDP/Final Plat. Engineering staff has reviewed the SIAs and finds each adequate. The SIAs are provided as exhibit material in this report.

Adams County Development Services Environmental and Building

No comment.

Adams County Development Services Addressing and Right-of-Way

Right-of-way requested that the applicant provide evidence that the Signal Ditch was vacated on the Final Plat. The applicant has provided this.

Adams County Parks and Open Space

No comment.

REFERRAL AGENCY COMMENTS

Responding with Comments:

- State Division of Water Resources -- With the previous Preliminary Plat hearings, staff requested that the applicant work with the DWR to demonstrate an adequate non-potable water supply. On March 31, 2020, a letter was provided demonstrating this. It is

contained in Exhibit 3.6. Staff finds the letter adequate and that the letter resolves any previous staff concerns.

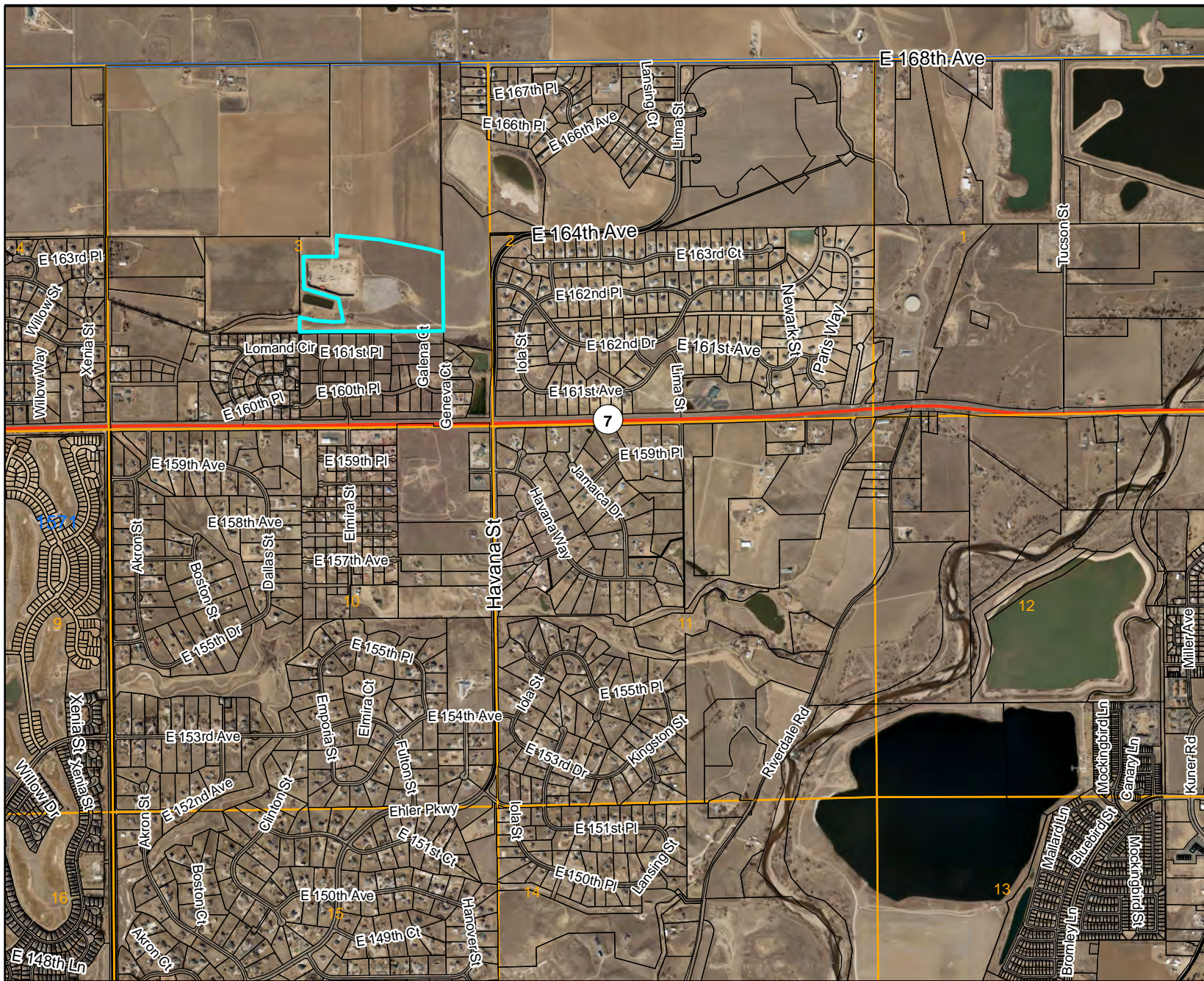
- Colorado Parks and Wildlife – At the time of the preliminary plat review, Colorado Parks and Wildlife recommended restoring the land within the project area to native habitat if possible and to plant native species within the area. They also stated that a burrowing owl survey should be performed if earth moving occurs between March 15th and October 31st. This recommendation shall be carried forth with the final plats as well.
- Tri-County Health – Previously acknowledged in the Preliminary Plat reviews that the Todd Creek Metro District is responsible for inspections of the Onsite Wastewater Treatment Systems as a Responsible Management Entity.

Responding without Concerns:

- Adams County Treasurer
- Brighton Fire
- CDOT
- CGS
- West Adams Conservation District
- United Power

Notified but not Responding / Considered a Favorable Response:

- Brighton School District 27J
- Comcast
- Century Link
- Eagle Shadow Metro District 1
- Hi-Land Acres Water & Sanitation District
- USPS
- Xcel Energy
- RTD



Legend

- Railroad
- Major Water
- Zoning Line
- Sections

Zoning Districts

- A-1
- A-2
- A-3
- R-E
- R-1-A
- R-1-C
- R-2
- R-3
- R-4
- M-H
- C-0
- C-1
- C-2
- C-3
- C-4
- C-5
- I-1
- I-2
- I-3
- CO
- PL
- AV
- DIA
- P-U-D
- P-U-D(P)

Case Name Shook 3&4

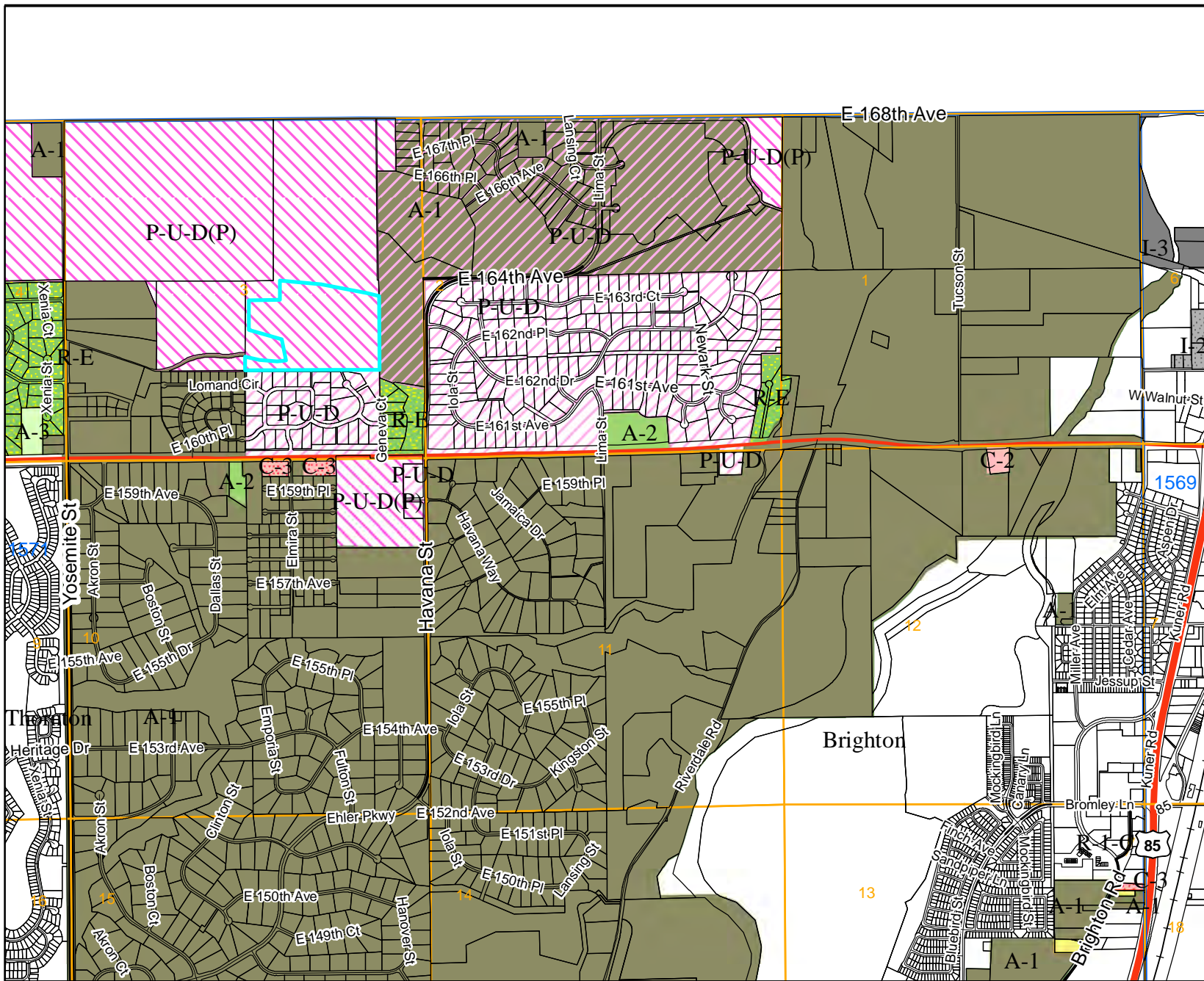
Case Number PRC2020-00007



For display purposes only.



This map is made possible by the Adams County GIS group, which assumes no responsibility for its accuracy



Legend

- +— Railroad
- Major Water
- Zoning Line
- Sections

Zoning Districts

- A-1
- A-2
- A-3
- R-E
- R-1-A
- R-1-C
- R-2
- R-3
- R-4
- M-H
- C-0
- C-1
- C-2
- C-3
- C-4
- C-5
- I-1
- I-2
- I-3
- CO
- PL
- AV
- DIA
- P-U-D
- P-U-D(P)

PRC2020-0007 Shook Filing 3 and 4

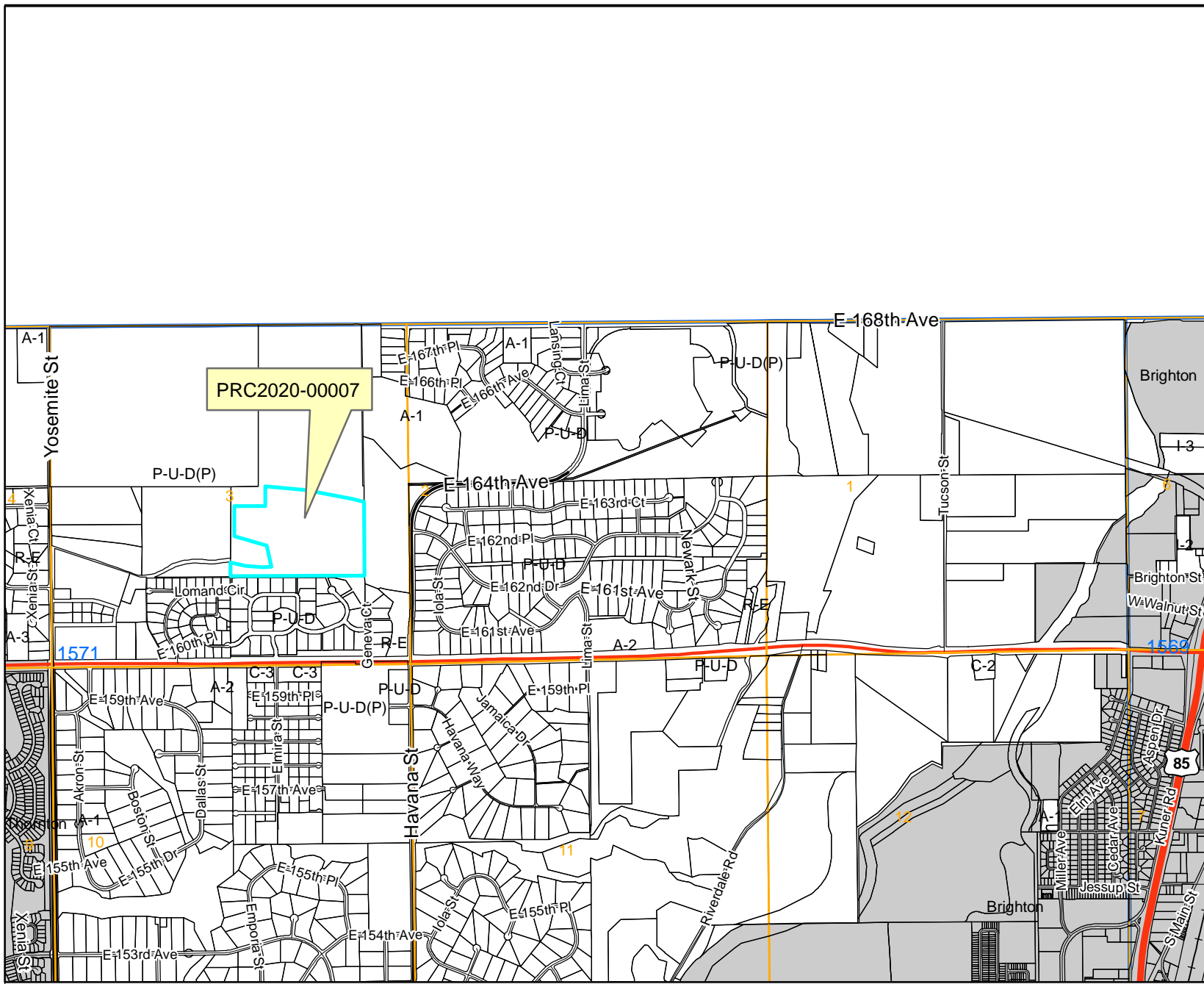
1500 ft buffer map



For display purposes only.



This map is made possible by the Adams County GIS group, which assumes no responsibility for its accuracy



Legend

- +— Railroad
- Major Water
- Zoning Line
- Sections

Zoning Districts

- A-1
- A-2
- A-3
- R-E
- R-1-A
- R-1-C
- R-2
- R-3
- R-4
- M-H
- C-0
- C-1
- C-2
- C-3
- C-4
- C-5
- I-1
- I-2
- I-3
- CO
- PL
- AV
- DIA
- P-U-D
- P-U-D(P)

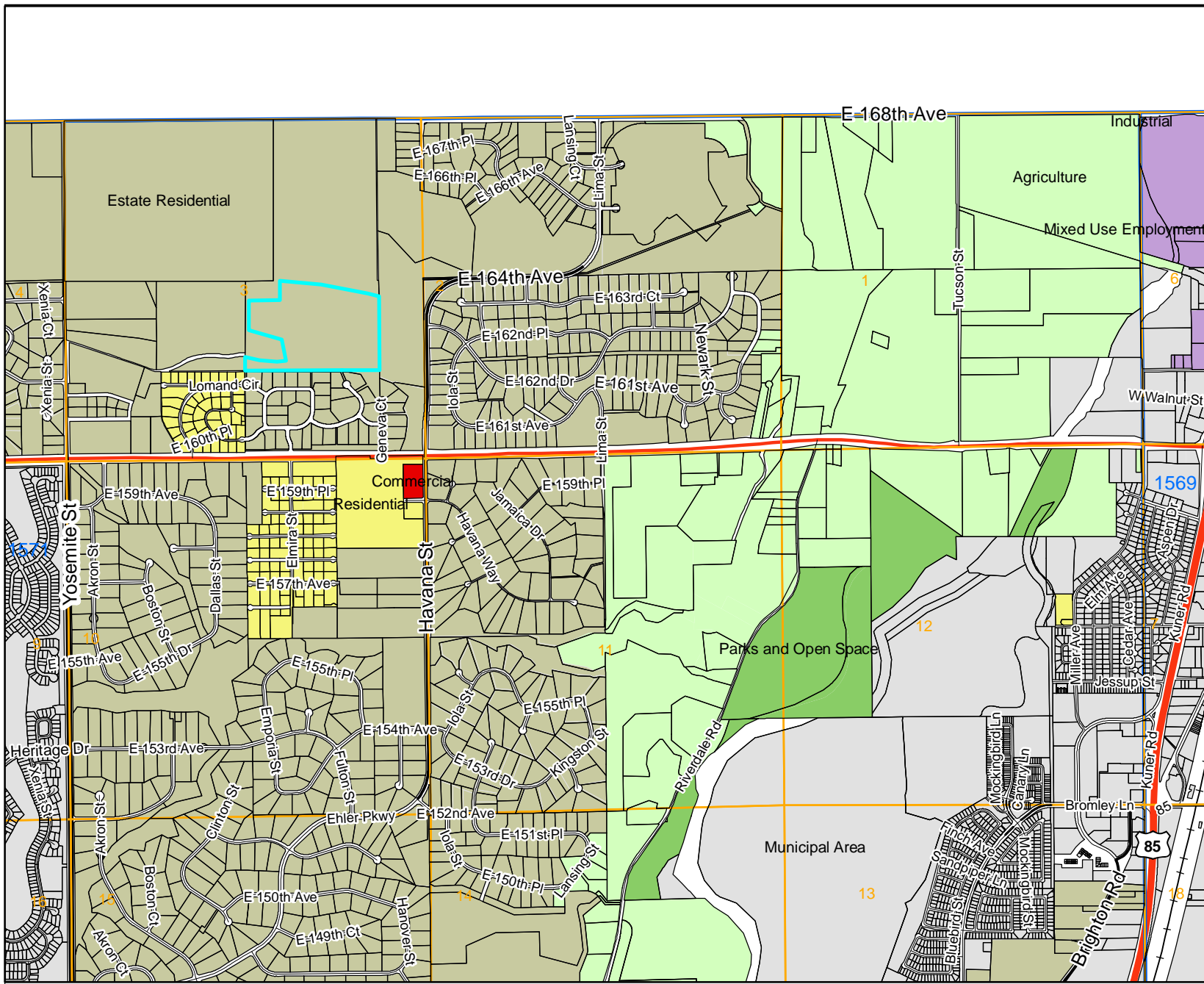
PRC2020-00007 Shook Filing 3 and 4
1500 ft buffer map



For display purposes only.



This map is made possible by the Adams County GIS group, which assumes no responsibility for its accuracy



Legend

- +— Railroad
 - Major Water
 - Zoning Line
 - Sections
- Zoning Districts**
- A-1
 - A-2
 - A-3
 - R-E
 - R-1-A
 - R-1-C
 - R-2
 - R-3
 - R-4
 - M-H
 - C-0
 - C-1
 - C-2
 - C-3
 - C-4
 - C-5
 - I-1
 - I-2
 - I-3
 - CO
 - PL
 - AV
 - DIA
 - P-U-D
 - P-U-D(P)

PRC2020-0007 Shook Filing 3 and 4
1500 ft buffer map



For display purposes only.



This map is made possible by the Adams County GIS group, which assumes no responsibility for its accuracy

Project Explanation

The original Final Plat for the Shook Subdivision was approved in 2006. It consisted of (32) 1-acre (minimum) single-family lots and is located approximately at the NW corner of Highway 7 and Havana Street in unincorporated Adams County.

On 12/13/2018 the Shook Subdivision was re-platted into Filings 1 & 2 which consists of (40) 1-acre single family lots. The amended Shook Planned Unit Development was also approved on 12/13/2018 which added an additional (24) 1-acre lots to the Shook Subdivision. This parcel, #01571030001, is north of Filings 1 & 2 and will be called Filings 3 & 4.

Parcel #0157103400001 will consist of (24) 1-acre (minimum) single-family lots and (3) additional outlots. Outlot "B" is an oil-well pad. There will also be an available future access road to Havana St. which will give the expanded subdivision another full turn access point.

The drainage requirements will be able to be consolidated for the Shook Filings 1-4 and more efficiently utilize one larger detention pond in the NE corner of the new layout.

The Shook Subdivision Preliminary Plat for Filings 3 & 4 (case no. 2018-00008) were approved on February 4, 2020.

We are requesting Final Plat approval for Filings 3 & 4.

Todd Creek Village Metropolitan District will provide both potable and non-potable water to this site and Individual Wastewater Treatment Systems will be utilized. United Power and Xcel will provide the electric and gas service.

**SHOOK SUBDIVISION FILING NO. 3
LOCATED IN THE SOUTHEAST 1/4 OF SECTION 3,
TOWNSHIP 1 SOUTH, RANGE 67 WEST, 6TH PM,
COUNTY OF ADAMS, STATE OF COLORADO
SHEET 1 OF 3**

CERTIFICATE OF OWNERSHIP AND DEDICATION*

KNOW ALL MEN BY THESE PRESENTS THAT SEC 2-3 PHOENIX, LLC. A COLORADO LIMITED LIABILITY COMPANY AND TRUST, BEING THE SOLE OWNERS OF THE FOLLOWING DESCRIBED TRACT OF LAND:

A PART OF THE SOUTHEAST ONE-QUARTER OF SECTION 3, TOWNSHIP 1 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS: THE SOUTH LINE OF THE SOUTHEAST ONE-QUARTER OF SAID SECTION 3, BEING MONUMENTED AT THE SOUTH 1/4 CORNER BY A 3 INCH ALUMINUM CAP STAMPED "T1S, 1/4, 3/10, PLS 26298" AND AT THE SOUTHEAST CORNER OF SAID SECTION 3, BY A 2 INCH ALUMINUM CAP STAMPED "ALPHA ENGRG., T1S/S3/S2/S10/S11, R67W, 1996, LS25937" IN A RANGE BOX, BEING ASSUMED TO BEAR S89°31'31"W; A DISTANCE OF 2651.32 FEET

COMMENCING AT THE SOUTH 1/4 CORNER OF SAID SECTION 3, THENCE N 00°30'49" W ALONG THE WEST LINE OF SAID SOUTHEAST ONE-QUARTER A DISTANCE OF 1323.23 FEET TO THE POINT ON THE NORTH LINE OF THE SOUTH ONE-HALF OF SAID SOUTHEAST ONE QUARTER OF SECTION 3 THE CENTER-EAST-SOUTHEAST ONE-SIXTY-FOURTH OF SECTION 3, ALSO BEING THE NORTHERLY LINE SHOOK SUBDIVISION NO 2.

THENCE CONTINUING ALONG SAID NORTH LINE OF THE SOUTHEAST ONE-QUARTER N 88° 35'44" E A DISTANCE OF 966.96 FEET TO THE POINT OF BEGINNING;

THENCE N 00°00'00" W A DISTANCE OF 168.58 FEET;

TO A POINT ON A CURVE WITH A RADIUS OF 330.00 FEET, A LENGTH OF 163.19 FEET, A DELTA ANGLE OF 28°19'04", A CHORD LENGTH OF 161.54 FEET AND A CHORD BEARING OF N 14°10'02" E;

THENCE N 28°20'04" E A DISTANCE OF 438.19 FEET

TO A POINT ON A CURVE WITH A RADIUS OF 15.00 FEET, A LENGTH OF 23.58 FEET, A DELTA ANGLE OF 90°00'00", A CHORD LENGTH OF 21.21 FEET AND A CHORD BEARING OF N 16°39'54" W;

THENCE N 28°20'04" E A DISTANCE OF 80.00 FEET; THENCE N 61°39'58" W A DISTANCE OF 20.00 FEET; THENCE N 28°20'04" E A DISTANCE OF 260.30 FEET; THENCE N 19°59'32" W A DISTANCE OF 200.82 FEET; THENCE N 28°20'04" E A DISTANCE OF 24.71 FEET; THENCE S 79°10'19" E A DISTANCE OF 540.08 FEET; THENCE S 75°13'08" E A DISTANCE OF 171.08 FEET; THENCE S 00°40'10" E A DISTANCE OF 1082.65 FEET; THENCE S 88°35'44" W A DISTANCE OF 1018.08 FEET TO THE POINT OF BEGINNING.

CONTAINING AN AREA OF 975,368.59± SQUARE FEET OR 22.39± ACRES.

HAVE BY THESE PRESENTS LAID OUT, PLATTED AND SUBDIVIDED THE SAME INTO STREETS, EASEMENTS, LOTS, BLOCKS AND OUTLOTS AS SHOWN ON THE PLAT UNDER THE NAME AND STYLE OF SHOOK SUBDIVISION FILING NO. 3 PLAT AND DO HEREBY DEDICATE TO THE COUNTY OF ADAMS, STATE OF COLORADO, FOR PUBLIC USE, ALL STREETS AND OTHER PUBLIC WAYS AND LANDS AS SHOWN ON THIS PLAT, FOREVER, AND ALSO RESERVE THOSE PORTIONS OF REAL PROPERTY WHICH ARE LABELED AS EASEMENTS ON THIS PLAT, FOR THE INSTALLATION AND MAINTENANCE OF UTILITY AND DRAINAGE FACILITIES, INCLUDING BUT NOT LIMITED TO ELECTRIC LINES, GAS LINES, WATER LINES AND SEWER LINES TOGETHER WITH THE RIGHT TO TRIM INTERFERING TREES AND BRUSH, TOGETHER WITH A PERPETUAL RIGHT OF INGRESS AND EGRESS FOR INSTALLATION, MAINTENANCE AND REPLACEMENT OF SUCH LINES; SAID EASEMENTS TO BE USED IN A RESPONSIBLE AND PRUDENT MANNER.

EXECUTED THIS ____ DAY OF _____, 20 ____.

SEC 2-3 PHOENIX, LLC. A COLORADO LIMITED LIABILITY COMPANY.

BY: GEORGE HANLON

_____, _____
MANAGER DATE

ACKNOWLEDGMENT

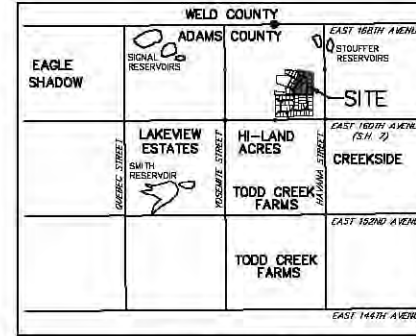
COUNTY OF _____)
STATE OF COLORADO _____) SS

THE FORGOING PLAT AND DEDICATION WAS ACKNOWLEDGED BEFORE ME THIS ____ DAY OF _____, 20 ____.

NOTARY PUBLIC

WITNESS MY HAND AND SEAL. MY COMMISSION EXPIRES _____.

MY ADDRESS IS: _____.



VICINITY MAP
NOT TO SCALE

NOTES

- BY GRAPHIC PLOTTING ONLY THIS SITE LIES IN ZONE "X" OF THE FLOOD INSURANCE RATE MAP. COMMUNITY PANEL NUMBER 080010C055G, WITH AN EFFECTIVE DATE OF AUGUST 16, 1995.
- ALL EASEMENTS SHOWN ARE UTILITY AND DRAINAGE EASEMENTS UNLESS OTHERWISE NOTED. ALL EASEMENTS ALONG ROADS ARE ALSO SLOPE EASEMENTS.
- ENGINEERED ONSITE WASTEWATER SYSTEMS (OWS) MAY BE REQUIRED ON CERTAIN LOTS. ENGINEERED OWS ARE LARGER AND MORE COSTLY THAN CONVENTIONAL SYSTEMS. LOT SPECIFIC SOILS AND PERCOLATION TESTS SHALL BE USED TO DETERMINE THE TYPE AND SIZE OF OWS THAN THE MINIMUM REQUIRED BASED SOLELY UPON THE PERCOLATION TEST RESULTS.

SUITABLE AREA NEEDS TO BE DESIGNATED ON EACH LOT SITE PLAN FOR BOTH PRIMARY AND REPLACEMENT WASTEWATER ABSORPTION AREAS. REPLACEMENT OF THE PRIMARY ABSORPTION AREA MAY BE REQUIRED IF FAILURE OF THE PRIMARY AREA OCCURS. THESE AREAS NEED TO MEET ALL TRI-COUNTY HEALTH DEPARTMENT SETBACK REQUIREMENTS AND ARE TO REMAIN FREE OF ANY IMPROVEMENTS, E.G. IRRIGATED LANDSCAPE, PAVING, OUT-BUILDINGS, ETC.
- NO BUILDING PERMITS WILL BE ISSUED FOR ANY LOT IN ANY PHASE OF CONSTRUCTION, UNTIL ALL PUBLIC IMPROVEMENTS, IN ANY PHASE, AS REQUIRED BY THE APPROVED CONSTRUCTION PLANS, HAVE BEEN COMPLETED AND ARE UNDER PRELIMINARY ACCEPTANCE OF THE ADAMS COUNTY DEPARTMENT OF PUBLIC WORKS.
- FIFTEEN-FOOT (15') WIDE UTILITY EASEMENTS ARE HEREBY GRANTED ON PRIVATE PROPERTY ADJACENT TO THE FRONT AND REAR LOT LINES AND FIVE-FOOT (5') UTILITY EASEMENTS ARE HEREBY GRANTED ON THE SIDE PROPERTY LINES OF EACH LOT WITHIN THE SUBDIVISION OR PLATTED AREA. THESE EASEMENTS ARE DEDICATED FOR THE INSTALLATION, MAINTENANCE, AND REPLACEMENT OF ELECTRIC, GAS, TELEPHONE, CABLE AND TELECOMMUNICATION FACILITIES. UTILITIES SHALL ALSO BE PERMITTED WITHIN ANY ACCESS EASEMENTS AND PRIVATE STREETS WITHIN THE SUBDIVISION. PERMANENT STRUCTURES AND WATER METERS SHALL NOT BE PERMITTED WITHIN SAID UTILITY EASEMENTS.
- THE DEVELOPER SHALL PROVIDE A BUILDING ENVELOPE FREE OF ALL UNDERGROUND PIPELINES AND WILL BE RESPONSIBLE FOR REMOVING, RELOCATING AND/OR REDIRECTING ANY UNDISCOVERED PIPELINES WITHIN THE BUILDING ENVELOPES.
- ADAMS COUNTY IS NOT RESPONSIBLE FOR THE ENFORCEMENT OF ANY COVENANTS, CONDITIONS, OR RESTRICTIONS THAT MAY BE FILED AGAINST THIS SUBDIVISION PLAT.
- THE DEVELOPER SHALL RELOCATE ANY AND ALL OIL OR GAS LINES THAT PREVENT AN ADEQUATE ISDS FROM BEING INSTALLED ON ANY LOT.
- THERE ARE EXISTING UNDERGROUND GAS AND/OR OIL LINES WITHIN UNDOCUMENTED EASEMENTS WITHIN THIS DEVELOPMENT. THIS IS A GENERAL NOTE INFORMING THAT SUCH LINES OR EASEMENTS MAY EXIST ON ANY LOT AND CANNOT BE ACCURATELY LOCATED ON ANY PLATS AND THAT THE SURVEYOR AND ENGINEER ARE NOT LIABLE OR RESPONSIBLE FOR ANY BUILDING RESTRICTIONS OR LIMITATIONS CAUSED BY THESE LINES OR EASEMENTS. RESPONSIBILITY IS WITH THE OWNER/DEVELOPER TO LOCATE ANY SUCH LINES SO AS TO PROVIDE, AN ACCEPTABLE BUILDING ENVELOPE.

THE POLICY OF THE COUNTY REQUIRES THAT MAINTENANCE ACCESS BE PROVIDED TO ALL STORM DRAINAGE FACILITIES TO ASSURE CONTINUOUS OPERATIONAL CAPABILITY TO THE SYSTEM. THE PROPERTY OWNERS (METRO DISTRICT) SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF ALL DRAINAGE FACILITIES INCLUDING INLETS, PIPES, CULVERTS, CHANNELS, DITCHES, HYDRAULIC STRUCTURES AND DETENTION BASINS LOCATED ON THEIR LAND UNLESS MODIFIED BY THE SUBDIVISION DEVELOPMENT AGREEMENT. SHOULD THE OWNERS FAIL TO ADEQUATELY MAINTAIN SAID FACILITIES, THE COUNTY SHALL HAVE THE RIGHT TO ENTER SAID LAND FOR THE SOLE PURPOSE OF OPERATIONS AND MAINTENANCE. ALL SUCH MAINTENANCE COSTS WILL BE ASSESSED TO THE PROPERTY OWNERS.
- INDIVIDUAL SEWAGE DISPOSAL (ISDS). MAINTENANCE OF THE ISDS WILL BE UNDERTAKEN BY THE TODD CREEK VILLAGE METROPOLITAN DISTRICT NUMBER 1 (TCVMD1). NO SEPTIC TANK SHALL BE CONSTRUCTED FURTHER THAN 150' FROM THE GARAGE DRIVEWAY. SEPTIC TANK PUMPING TRUCKS WILL ACCESS THOSE DRIVEWAYS FOR MAINTENANCE PURPOSES. DRIVEWAYS WILL BE CONSTRUCTED ACCORDINGLY. ALL ISDS WILL BE APPROVED BY TVFMD1 PRIOR TO CONSTRUCTION.
- THE TODD CREEK VILLAGE METRO DISTRICT HAS IMPLEMENTED A MAINTENANCE AND INSPECTION PROGRAM FOR ONSITE WASTEWATER SYSTEMS (OWS) WITHIN THE DISTRICT. THE DISTRICT SHALL BE CONTACTED FOR SPECIFIC REQUIREMENTS OF THE PROGRAM
- THE APPROVED STORMWATER OPERATIONS AND MAINTENANCE MANUAL IS ON FILE WITH ADAMS COUNTY CLERK AND RECORDER'S OFFICE AT RECEPTION #201800026310
- MONUMENTS WILL BE SET AT ALL STREET INTERSECTIONS, THE BEGINNING AND THE END OF EACH CENTERLINE, HORIZONTAL CURVE IS A STREET AND AT THE CENTER OF THE CUL-DE-SAC.

(CONTINUED)

NOTES (CONTINUED)

- NOTICE TO PROSPECTIVE BUYERS: THERE IS AN ABANDONED WELL LOCATED ON THIS PLAT PURSUANT TO ADAMS COUNTY DEVELOPMENT STANDARDS SECTION 4-10-02-03-05(2) THERE IS A 50 FT X 100 FT BUFFER AROUND THE ABANDONED WELLHEAD DEDICATED AS A WELL MAINTENANCE AND WORKOVER SETBACK. NO STRUCTURES SHALL BE LOCATED WITHIN THIS SETBACK.
- SAID EASEMENT TO BE USED FOR TEMPORARY ACCESS UNTIL SUCH A TIME AS THE ROAD IS EXTENDED BEYOND THE CUL-DE-SAC, CONSTRUCTION OF THE ROAD IS COMPLETED, AND THE ROAD HAS BEEN DEDICATED TO AND ACCEPTED BY THE COUNTY, AT WHICH POINT THE EASEMENT SHALL TERMINATE.
- NO DWELLING SHALL BE CONSTRUCTED WITHIN FIFTY (50') FEET OF A PLUGGED AND ABANDONED WELL.
- THE OWNER SHALL DISCLOSE TO PROSPECTIVE PURCHASERS OF LOTS WITHIN A RADIUS OF 200 FEET OF THE PLUGGED AND ABANDONED WELL OF (1) THE LOCATION OF THE PLUGGED AND ABANDONED WELL, (2) THE LOCATION OF THE MAINTENANCE AND WORKOVER SETBACK, AND (3) THE PURPOSE FOR THE WELL MAINTENANCE AND WORKOVER SETBACK.
- NO UTILITY LINES SHALL BE INSTALLED WITHIN (10) FEET OF ANY PLUGGED AND ABANDONED WELL.
- A PORTION OF THE SIGNAL DITCH, NOT SHOWN, HAS BEEN ABANDONED BY SEPARATE INSTRUMENT (RECEPTION #2019000108651)

CERTIFICATE OF SURVEY

I, RANDALL R. LONG, A REGISTERED LAND SURVEYOR IN THE STATE OF COLORADO DO HEREBY CERTIFY THAT TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF: THERE ARE NO ROADS, IRRIGATION DITCHES, OR OTHER EASEMENTS IN EVIDENCE OR KNOWN BY ME TO EXIST ON OR ACROSS THE HEREIN DESCRIBED PROPERTY EXCEPT AS SHOWN ON THIS PLAT. I FURTHER CERTIFY THAT THE SURVEY WAS PERFORMED BY ME OR UNDER MY DIRECT RESPONSIBILITY, SUPERVISION AND CHECKING AND THAT THE PLAT ACCURATELY REPRESENTS SAID SURVEY, AND THAT ALL MONUMENTS EXIST AS SHOWN HEREON

FOR AND ON BEHALF OF NEW HORIZON SURVEY, LLC.

_____, _____ DATE
RANDALL R. LONG
REGISTERED LAND SURVEYOR
COLORADO REGISTRATION NO. 35591

BASIS OF BEARINGS

THE BEARINGS SHOWN HEREON ARE BASED ON THE SOUTH LINE OF THE SOUTHEAST ONE-QUARTER OF SAID SECTION 3, BEING MONUMENTED AT THE SOUTH 1/4 CORNER BY A 3 INCH ALUMINUM CAP STAMPED "T1S, 1/4, 3/10, PLS 26298" AND AT THE SOUTHEAST CORNER OF SAID SECTION 3 BY A 2 INCH ALUMINUM CAP STAMPED "ALPHA ENGRG., T1S, S3/S2/S10/S11, R 67W, 1996, LS 25937" IN A RANGEBOX, BEARING S 89°31'31" W,

NOTICE

ACCORDING TO COLORADO LAW, YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT OF THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF SURVEY SHOWN HERON.

BOARD OF COUNTY COMMISSIONERS APPROVAL

APPROVED BY THE ADAMS COUNTY BOARD OF COMMISSIONERS

THIS ____ DAY OF _____, 20 ____.

CHAIR

PLANNING COMMISSION APPROVAL

APPROVED BY THE ADAMS COUNTY PLANNING COMMISSION

THIS ____ DAY OF _____, 20 ____.

CHAIR

CLERK AND RECORDER

THIS FINAL PLAT WAS FILED FOR RECORD IN THE OFFICE OF THE ADAMS COUNTY CLERK AND RECORDER IN THE STATE OF COLORADO AT

_____, M. ON THE ____ DAY OF _____, 20 ____.

COUNTY CLERK AND RECORDER

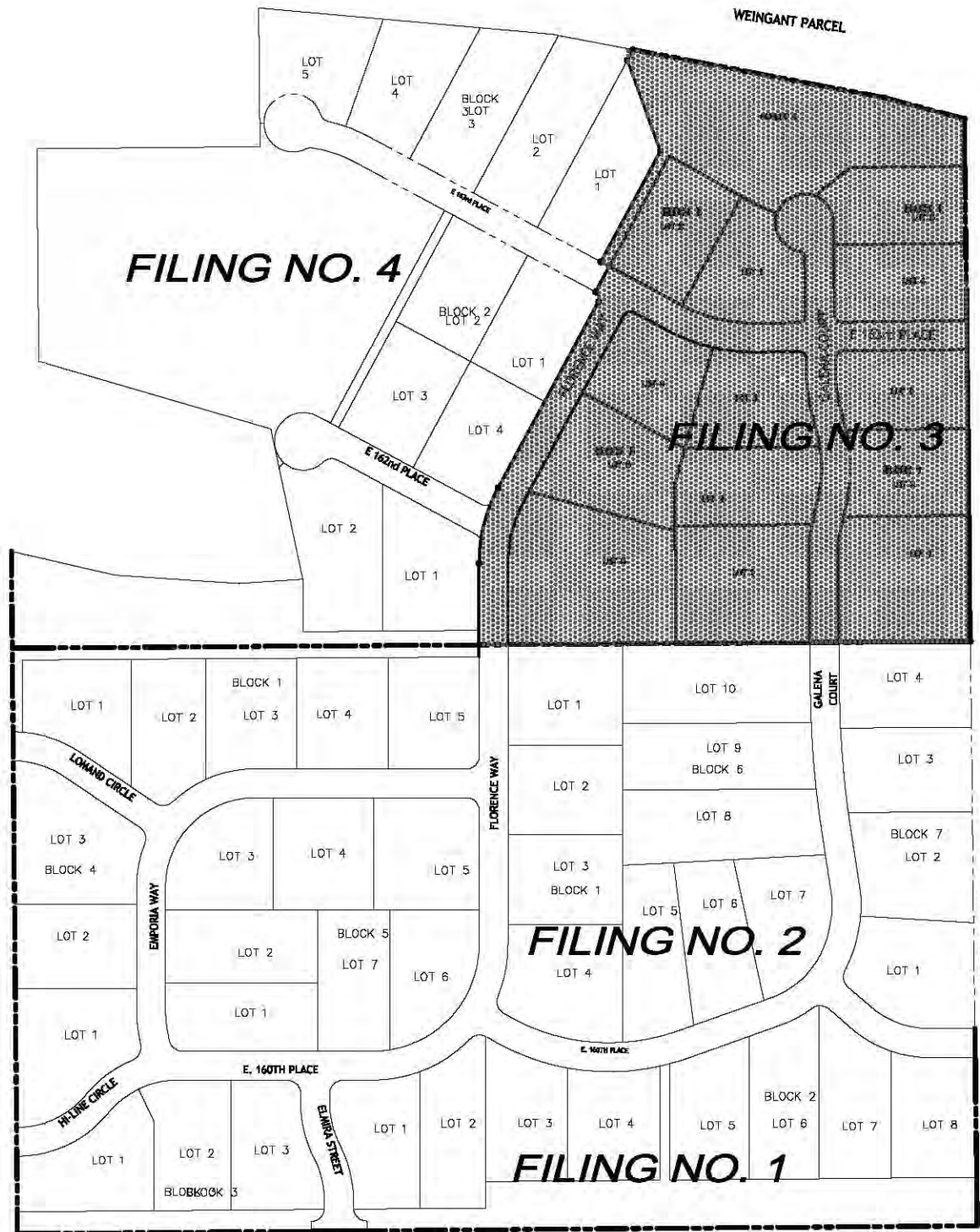
BY DEPUTY: _____

INSTRUMENT NUMBER: _____

NEW HORIZON SURVEY, LLC <small>P.O. BOX 213 ARVADA, COLORADO 80001 PH: (303) 992-5285 / newh@nhsd.com</small>	SHOOK SUBDIVISION FILING NO. 3 800-218-587	DRAWN BY: BRL	DATE: 11/05/2018	REVISION: 3RD REVISION	BY: MCG
		CHECKED BY: RL	DATE: 11/15/2018	REVISION: 4TH REVISION	BY: MCG
		SCALE: N/A	DATE: 11/16/2018	REVISION: 5TH REVISION	BY: NRL
		DATE: MAY, 2018	DATE: 5/28/2019	REVISION: 6TH REVISION	BY: EAB
			DATE: 6/11/19	REVISION: 7TH REVISION	BY: EAB
			DATE: 6/27/19	REVISION: 8TH REVISION	BY: EAB

**SHOOK SUBDIVISION FILING NO. 3
 LOCATED IN THE SOUTHEAST 1/4 OF SECTION 3,
 TOWNSHIP 1 SOUTH, RANGE 67 WEST, 6TH PM,
 COUNTY OF ADAMS, STATE OF COLORADO
 SHEET 2 OF 3**

SELTZER FARMS
 UNPLATTED



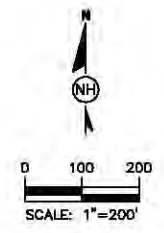
BASELINE LAKES LLC
 REC. NO. 00677/040
 (UNPLATTED)

HIGHLAND ACRES
 FILE 11, MAP 23

LOT 1, TWIN LAKES ESTATES
 SUBDIVISION FILE 17, MAP 382

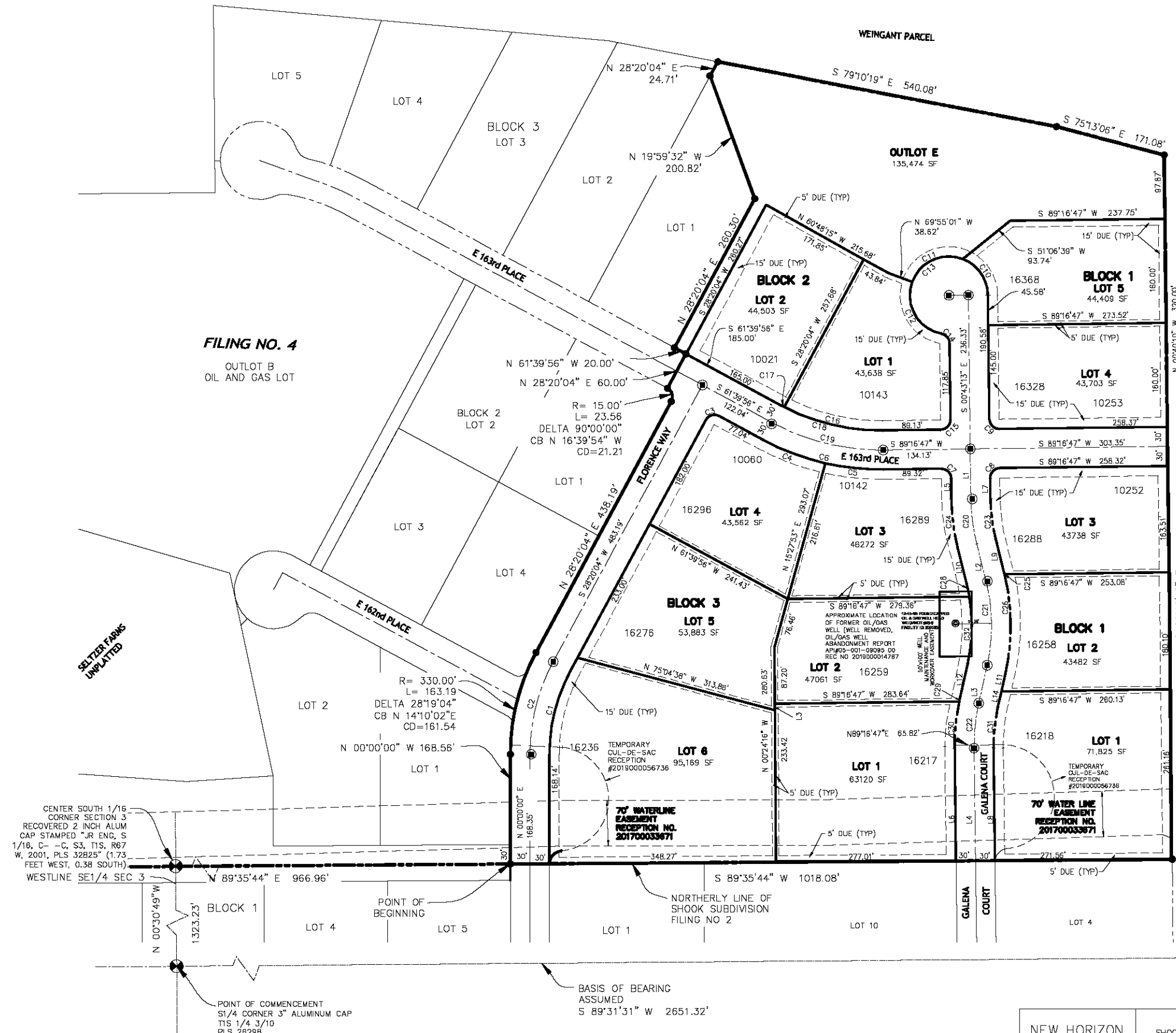
LAND USE TABLE

DESCRIPTION	LAND USE	ACREAGE	DWELLING UNITS	% OF SITE ACREAGE	DWELLING UNITS PER ACRE
LOTS 1-5 BLOCK 1 LOTS 1-2 BLOCK 2 LOTS 1-8 BLOCK 3	SINGLE FAMILY RESIDENCES	15.38	13	68.7%	N/A
OUTLOT E TO BE MAINTAINED BY PROMONTORY METRO DISTRICT	DRAINAGE EASEMENTS	3.11	N/A	13.8%	N/A
PROPOSED STREET (ROW) AND EASEMENTS	INGRESS/EGRESS & EASEMENTS	3.9	N/A	17.4%	N/A
TOTAL		22.39	13	100%	.56 DU/AC



NEW HORIZON SURVEY, LLC <small>P.O. BOX 215 ARVADA, COLORADO 80001 PH (303) 501-2288 / nhsurvey@nhd.com</small>	SHOOK SUBDIVISION FILING NO. 3 800-218-567	DRAWN BY: BRL	DATE: 11/05/2018	REVISION: 3RD REVISION	BY: MCG
		CHECKED BY: RL	DATE: MAY, 2018	REVISION: 4TH REVISION	BY: MCG
		SCALE: 1" = 200'	DATE: 11/15/2018	REVISION: 5TH REVISION	BY: RRL
		SHEET 2 OF 3	DATE: 5/26/19	REVISION: 6TH REVISION	BY: EAB
			DATE: 6/11/19	REVISION: 7TH REVISION	BY: EAB
			DATE: 6/27/19	REVISION: 8TH REVISION	BY: EAB

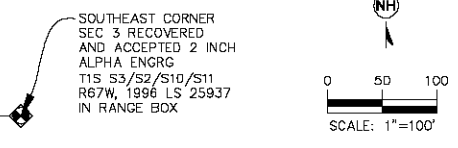
SHOOK SUBDIVISION FILING NO. 3
 LOCATED IN THE SOUTHEAST 1/4 OF SECTION 3,
 TOWNSHIP 1 SOUTH, RANGE 67 WEST, 6TH PM,
 COUNTY OF ADAMS, STATE OF COLORADO
 SHEET 3 OF 3



- LEGEND**
- ◊ = ALIQUOT SECTION CORNER AS NOTED
 - ⊙ = ALIQUOT 1/4 CORNER AS NOTED
 - = FOUND MONUMENT AS NOTED
 - = FOUND #5 REBAR WITH A 1-1/4 ALUMINUM CAP STAMPED "SUVCON INC, L.S. 30829"
 - = SET #5 REBAR WITH 1" PLASTIC CAP
 - ⊙ = SET #5 REBAR 18" LONG WITH 1" PLASTIC CAP IN RANGE BOX
- BK=BOOK
 PG=PAGE
 DUE=DRAINAGE AND UTILITY EASEMENT

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	270.00'	133.52'	132.17'	S 14°10'02" W	28°20'04"
C2	300.00'	148.36'	145.85'	S 14°10'02" W	28°20'04"
C3	15.00'	23.56'	21.21'	S 73°20'04" W	90°00'00"
C4	380.00'	102.46'	102.15'	S 69°23'26" E	14°37'42"
C5	380.00'	90.23'	90.02'	S 83°55'04" E	12°58'26"
C6	380.00'	192.69'	190.64'	S 76°11'36" E	27°36'08"
C7	15.00'	23.56'	21.21'	N 45°43'13" W	90°00'00"
C8	15.00'	23.56'	21.21'	S 44°16'47" W	90°00'00"
C9	15.00'	23.56'	21.21'	S 45°43'13" E	90°00'00"
C10	60.00'	72.28'	67.97'	N 34°30'01" W	69°00'03"
C11	60.00'	95.21'	85.53'	S 69°32'26" W	90°55'02"
C12	60.00'	103.95'	91.43'	S 29°32'56" E	99°15'42"
C13	60.00'	271.41'	92.48'	S 50°24'37" W	259°10'47"
C14	15.00'	20.54'	18.97'	N 39°57'00" W	78°27'34"
C15	15.00'	23.56'	21.21'	N 44°16'47" E	90°00'00"
C16	320.00'	157.47'	155.89'	S 76°37'23" E	28°11'44"
C17	320.00'	4.79'	4.79'	S 62°03'52" E	0°51'30"
C18	320.00'	162.26'	160.54'	S 76°11'37" E	29°03'04"
C19	350.00'	177.48'	175.59'	S 76°11'36" E	29°03'14"
C20	300.00'	69.56'	69.41'	S 00°43'13" E	1°31'09"
C21	280.00'	129.85'	128.69'	S 00°43'13" E	26°34'17"
C22	300.00'	69.56'	69.41'	S 05°55'21" W	1°31'09"
C23	270.00'	62.61'	62.47'	S 07°21'47" E	1°31'09"
C24	330.00'	76.52'	76.35'	S 07°21'47" E	1°31'09"
C25	330.00'	0.83'	0.84'	S 13°56'00" E	0°08'41"
C26	330.00'	152.20'	150.86'	S 00°38'51" E	26°25'33"
C28	270.00'	21.30'	21.29'	S 11°57'41" E	4°31'12"
C29	330.00'	3.82'	3.83'	S 12°13'56" W	0°39'52"
C30	330.00'	72.69'	72.55'	S 05°35'00" W	12°37'16"
C31	270.00'	62.61'	62.47'	S 05°55'21" W	12°47'08"
C32	270.00'	103.93'	103.29'	S 01°32'17" W	22°03'17"

LINE #	LENGTH	BEARING
L1	76.96'	S00°43'13"E
L2	59.89'	S14°00'22"E
L3	59.89'	S12°33'55"W
L4	173.01'	S00°43'13"E
L5	31.96'	S00°43'13"E
L6	172.84'	S00°43'13"E
L7	31.96'	S00°43'13"E
L8	173.17'	S00°43'13"E
L9	55.17'	S13°59'21"E
L10	55.17'	S14°00'22"E
L11	25.12'	S12°33'55"W
L12	55.17'	S12°33'55"W
L13	10.00'	S00°24'16"W
L14	30.08'	S12°33'55"W



CENTER SOUTH 1/16 CORNER SECTION 3 RECOVERED 2 INCH ALUM CAP STAMPED "JR ENG, S 1/16, C - C, S3, T1S, R67 W, 2001, PLS 32825" (1.73 FEET WEST, 0.38 SOUTH)

POINT OF COMMENCEMENT S1/4 CORNER 3" ALUMINUM CAP T1S 1/4 3/10 PLS 26298

BASIS OF BEARING ASSUMED S 89°31'31" W 2651.32'

NEW HORIZON SURVEY, LLC P.O. BOX 215, ARVADA, COLORADO 80001 PH: (303) 502-5265 / nhsurveyllc@gmail.com	SHOOK SUBDIVISION FILING NO. 3 800-216-567	DRAWN BY: BRL	DATE: 11/05/2018	REVISION: 3RD REVISION	BY: MCC
		CHECKED BY: RL	DATE: 11/15/2018	REVISION: 4TH REVISION	BY: MCC
SCALE: 1" = 100'		DATE: 11/16/2018	REVISION: 5TH REVISION	BY: RRL	
DATE: MAY 2018		DATE: 5/29/19	REVISION: 6TH REVISION	BY: EAB	
SHEET 3 OF 3		DATE: 6/13/19	REVISION: 7TH REVISION	BY: EAB	
		DATE: 6/27/19	REVISION: 8TH REVISION	BY: EAB	
		DATE: 6/5/19	REVISION: 9TH REVISION	BY: EAB	

**SHOOK SUBDIVISION FILING NO. 4
LOCATED IN THE SOUTHEAST 1/4 OF SECTION 3,
TOWNSHIP 1 SOUTH, RANGE 67 WEST, 6TH PM,
COUNTY OF ADAMS, STATE OF COLORADO
SHEET 1 OF 3**

CERTIFICATE OF OWNERSHIP AND DEDICATION:

KNOW ALL MEN BY THESE PRESENTS THAT SEC 2-3 PHOENIX, LLC, A COLORADO LIMITED LIABILITY CO, BEING ALL OF THE OWNERS OF THE FOLLOWING DESCRIBED PROPERTY, TO WIT:

A PART OF THE SOUTHEAST ONE-QUARTER OF SECTION 3, TOWNSHIP 1 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS: THE SOUTH LINE OF THE SOUTHEAST ONE-QUARTER OF SAID SECTION 3, BEING MONUMENTED AT THE SOUTH 1/4 CORNER BY A 3 INCH ALUMINUM CAP STAMPED "T1S, 1/4, 3/10, PLS 26298" AND AT THE SOUTHEAST CORNER OF SAID SECTION 3, BY A 2 INCH ALUMINUM CAP STAMPED "ALPHA ENGRG., T1S/S3/S2/S10/S11, R67W, 1996, LS25937" IN A RANGE BOX, WITH ASSUMED BEARING S89°31'31"W; A DISTANCE OF 2651.32 FEET

COMMENCING AT THE SOUTH 1/4 CORNER OF SAID SECTION 3, THENCE N 00°30'49" W ALONG THE WEST LINE OF SAID SOUTHEAST ONE-QUARTER A DISTANCE OF 1323.17 FEET TO A POINT ON THE CENTER SOUTH 1/16 CORNER SECTION 3, RECOVERED 2" ALUMINUM CAP STAMPED "JR ENG, S1/6, C-C, S3, T1S, R67W, 2001, PLS 32825" (1.73 WEST, 0.38 SOUTH); THE POINT OF BEGINNING;

THENCE N 89°34'31" E A DISTANCE OF 967.04 FEET;

THENCE N 00°00'00" E A DISTANCE OF 168.56 FEET;
TO A POINT ON A CURVE WITH A RADIUS OF 330.00 FEET, A LENGTH OF 163.19 FEET AND A DELTA ANGLE OF 28°19'04", A CHORD BEARING OF N 14°10'02" E AND A CHORD LENGTH OF 161.54 FEET;

THENCE N 28°20'04" E A DISTANCE OF 438.19 FEET;

TO A POINT ON A CURVE WITH A RADIUS OF 15.00 FEET, A LENGTH OF 23.56 FEET AND A DELTA ANGLE OF 90°00'00", A CHORD BEARING OF 16°39'58" AND A CHORD LENGTH OF 21.21 FEET;

THENCE N 28°20'04" E A DISTANCE OF 60.00 FEET; THENCE N 81°39'58" W A DISTANCE OF 20.00 FEET; THENCE N 28°20'04" E A DISTANCE OF 280.30 FEET; THENCE N 19°59'32" W, A DISTANCE OF 200.82 FEET; THENCE N 28°20'04" E, A DISTANCE OF 24.71 FEET; THENCE N 79°10'19" W, A DISTANCE OF 170.71 FEET; THENCE N 84°54'03" W, A DISTANCE OF 610.38 FEET; THENCE S 00°31'00" E, A DISTANCE OF 287.50 FEET; THENCE S 89°29'01" W, A DISTANCE OF 462.14 FEET; THENCE S 00°30'59" E, A DISTANCE OF 440.47 FEET; THENCE S 73°44'55" E, A DISTANCE OF 500.99 FEET; THENCE S 12°00'10" E, A DISTANCE OF 318.38 FEET; THENCE S 86°11'56" W A DISTANCE OF 133.20 FEET; THENCE N 88°03'09" W A DISTANCE OF 375.34 FEET; THENCE N 77°05'57" W A DISTANCE OF 220.08 FEET;
THENCE S 00°30'49" E A DISTANCE OF 205.88 FEET THE POINT OF BEGINNING.

CONTAINING AN AREA OF 1,116,695.46± SQUARE FEET OR 25.63± ACRES.

HAVE BY THESE PRESENTS LAID OUT, PLATTED AND SUBDIVIDED THE SAME INTO STREETS, EASEMENTS, LOTS, BLOCKS AND OUTLOTS AS SHOWN ON THE PLAT UNDER THE NAME AND STYLE OF SHOOK SUBDIVISION FILING NO. 4 AND DO HEREBY DEDICATE TO THE COUNTY OF ADAMS, STATE OF COLORADO, FOR PUBLIC USE, ALL STREETS AND OTHER PUBLIC WAYS AND LANDS AS SHOWN ON THIS PLAT, FOREVER, AND ALSO RESERVE THOSE PORTIONS OF REAL PROPERTY WHICH ARE LABELED AS EASEMENTS ON THIS PLAT, FOR THE INSTALLATION AND MAINTENANCE OF UTILITY AND DRAINAGE FACILITIES TOGETHER WITH THE RIGHT TO TRIM INTERFERING TREES AND BRUSH, TOGETHER WITH A PERPETUAL RIGHT OF INGRESS AND EGRESS FOR INSTALLATION, MAINTENANCE AND REPLACEMENT OF SUCH LINES; SAID EASEMENTS TO BE USED IN A RESPONSIBLE AND PRUDENT MANNER.

EXECUTED THIS ____ DAY OF _____, 20 ____.

SEC 2-3 PHOENIX, LLC. A COLORADO LIMITED LIABILITY COMPANY

BY: GEORGE HANLON

_____, DATE _____
MANAGER

ACKNOWLEDGMENT

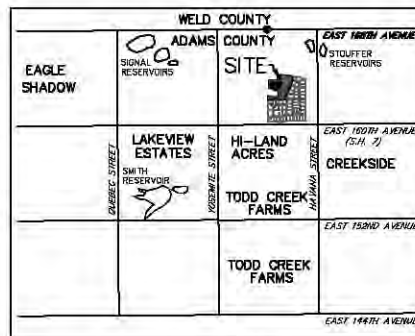
COUNTY OF _____)
STATE OF COLORADO) SS

THE FORGOING PLAT AND DEDICATION WAS ACKNOWLEDGED BEFORE ME THIS ____ DAY OF _____, 20 ____, BY GEORGE HANLON AS MANAGER OF SEC 2-3 PHOENIX, LLC A COLORADO LIMITED LIABILITY COMPANY

NOTARY PUBLIC

WITNESS MY HAND AND SEAL. MY COMMISSION EXPIRES _____.

MY ADDRESS IS: _____.



VICINITY MAP
NOT TO SCALE

NOTES

- BY GRAPHIC PLOTTING ONLY THIS SITE LIES IN ZONE "X" OF THE FLOOD INSURANCE RATE MAP. COMMUNITY PANEL NUMBER 080010C055G, WITH AN EFFECTIVE DATE OF AUGUST 16, 1995.
- ALL EASEMENTS SHOWN ARE UTILITY AND DRAINAGE EASEMENTS UNLESS OTHERWISE NOTED. ALL EASEMENTS ALONG ROADS ARE ALSO SLOPE EASEMENTS.
- ENGINEERED ONSITE WASTEWATER SYSTEMS (OWS) MAY BE REQUIRED ON CERTAIN LOTS. ENGINEERED OWS ARE LARGER AND MORE COSTLY THAN CONVENTIONAL SYSTEMS. LOT SPECIFIC SOILS AND PERCOLATION TESTS SHALL BE USED TO DETERMINE THE TYPE AND SIZE OF OWS THAN THE MINIMUM REQUIRED BASED SOLELY UPON THE PERCOLATION TEST RESULTS.
SUITABLE AREA NEEDS TO BE DESIGNATED ON EACH LOT SITE PLAN FOR BOTH PRIMARY AND REPLACEMENT WASTEWATER ABSORPTION AREAS. REPLACEMENT OF THE PRIMARY ABSORPTION AREA MAY BE REQUIRED IF FAILURE OF THE PRIMARY AREA OCCURS. THESE AREAS NEED TO MEET ALL TRI-COUNTY HEALTH DEPARTMENT SETBACK REQUIREMENTS AND ARE TO REMAIN FREE OF ANY IMPROVEMENTS, E.G. IRRIGATED LANDSCAPE, PAVING, OUT-BUILDINGS, ETC.
- NO BUILDING PERMITS WILL BE ISSUED FOR ANY LOT IN ANY PHASE OF CONSTRUCTION, UNTIL ALL PUBLIC IMPROVEMENTS, IN ANY PHASE, AS REQUIRED BY THE APPROVED CONSTRUCTION PLANS, HAVE BEEN COMPLETED AND ARE UNDER PRELIMINARY ACCEPTANCE OF THE ADAMS COUNTY DEPARTMENT OF PUBLIC WORKS.
- FIFTEEN-FOOT (15') WIDE UTILITY EASEMENTS ARE HEREBY GRANTED ON PRIVATE PROPERTY ADJACENT TO THE FRONT AND REAR LOT LINES OF EACH LOT AND FIVE FOOT (5') AND TEN-FOOT (10') UTILITY EASEMENTS ARE HEREBY GRANTED ALONG THE SIDE LOT LINES WITHIN THE SUBDIVISION OR PLATTED AREA. THESE EASEMENTS ARE DEDICATED FOR THE INSTALLATION, MAINTENANCE, AND REPLACEMENT OF ELECTRIC, GAS, TELEPHONE, CABLE AND TELECOMMUNICATION FACILITIES. UTILITIES SHALL ALSO BE PERMITTED WITHIN ANY ACCESS EASEMENTS AND PRIVATE STREETS WITHIN THE SUBDIVISION. PERMANENT STRUCTURES AND WATER METERS SHALL NOT BE PERMITTED WITHIN SAID UTILITY EASEMENTS.
- THE DEVELOPER SHALL PROVIDE A BUILDING ENVELOPE FREE OF ALL UNDERGROUND PIPELINES AND WILL BE RESPONSIBLE FOR REMOVING, RELOCATING AND/OR REDIRECTING ANY UNDISCOVERED PIPELINES WITHIN THE BUILDING ENVELOPES.
- ADAMS COUNTY IS NOT RESPONSIBLE FOR THE ENFORCEMENT OF ANY COVENANTS, CONDITIONS, OR RESTRICTIONS THAT MAY BE FILED AGAINST THIS SUBDIVISION PLAT.
- THE DEVELOPER SHALL RELOCATE ANY AND ALL OIL OR GAS LINES THAT PREVENT AN ADEQUATE ISDS FROM BEING INSTALLED ON ANY LOT.
- THERE ARE EXISTING UNDERGROUND GAS AND/OR OIL LINES WITHIN UNDOCUMENTED EASEMENTS WITHIN THIS DEVELOPMENT. THIS IS A GENERAL NOTE INFORMING THAT SUCH LINES OR EASEMENTS MAY EXIST ON ANY LOT AND CANNOT BE ACCURATELY LOCATED ON ANY PLATS AND THAT THE SURVEYOR AND ENGINEER ARE NOT LIABLE OR RESPONSIBLE FOR ANY BUILDING RESTRICTIONS OR LIMITATIONS CAUSED BY THESE LINES OR EASEMENTS. RESPONSIBILITY IS WITH THE OWNER/DEVELOPER TO LOCATE ANY SUCH LINES SO AS TO PROVIDE, AN ACCEPTABLE BUILDING ENVELOPE.
- THE POLICY OF THE COUNTY REQUIRES THAT MAINTENANCE ACCESS BE PROVIDED TO ALL STORM DRAINAGE FACILITIES TO ASSURE CONTINUOUS OPERATIONAL CAPABILITY TO THE SYSTEM. THE PROPERTY OWNERS (METRO DISTRICT) SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF ALL DRAINAGE FACILITIES INCLUDING INLETS, PIPES, CULVERTS, CHANNELS, DITCHES, HYDRAULIC STRUCTURES AND DETENTION BASINS LOCATED ON THEIR LAND UNLESS MODIFIED BY THE SUBDIVISION DEVELOPMENT AGREEMENT. SHOULD THE OWNERS FAIL TO ADEQUATELY MAINTAIN SAID FACILITIES, THE COUNTY SHALL HAVE THE RIGHT TO ENTER SAID LAND FOR THE SOLE PURPOSE OF OPERATIONS AND MAINTENANCE. ALL SUCH MAINTENANCE COSTS WILL BE ASSESSED TO THE PROPERTY OWNERS.

(CONTINUED)

NOTES (CONTINUED)

- INDIVIDUAL SEWAGE DISPOSAL (ISDS). MAINTENANCE OF THE ISDS WILL BE UNDERTAKEN BY THE TODD CREEK VILLAGE METROPOLITAN DISTRICT NUMBER 1 (TCVMD1). NO SEPTIC TANK SHALL BE CONSTRUCTED FURTHER THAN 150' FROM THE GARAGE DRIVEWAY. SEPTIC TANK PUMPING TRUCKS WILL ACCESS THOSE DRIVEWAYS FOR MAINTENANCE PURPOSES. DRIVEWAYS WILL BE CONSTRUCTED ACCORDINGLY. ALL ISDS WILL BE APPROVED BY TVFMD1 PRIOR TO CONSTRUCTION.
- THE TODD CREEK VILLAGE METRO DISTRICT HAS IMPLEMENTED A MAINTENANCE AND INSPECTION PROGRAM FOR ONSITE WASTEWATER SYSTEMS (OWS) WITHIN THE DISTRICT. THE DISTRICT SHALL BE CONTACTED FOR SPECIFIC REQUIREMENTS OF THE PROGRAM
- THE APPROVED STORMWATER OPERATIONS AND MAINTENANCE MANUAL IS ON FILE WITH ADAMS COUNTY CLERK AND RECORDER'S OFFICE AT RECEPTION #201800026310
- MONUMENTS WILL BE SET AT ALL STREET INTERSECTIONS, THE BEGINNING AND THE END OF EACH CENTERLINE, HORIZONTAL CURVE IS A STREET AND AT THE CENTER OF THE CUL-DE-SAC.
- THE OWNER SHALL DISCLOSE TO PROSPECTIVE PURCHASERS OF LOTS WITHIN A RADIUS OF 200 FEET OF THE PLUGGED AND ABANDONED WELL OF (1) LOCATION OF THE PLUGGED AND ABANDONED WELL, (2) THE LOCATION OF THE MAINTENANCE AND WORKOVER SETBACK, AND (3) THE PURPOSE FOR THE WELL AND MAINTENANCE AND WORKOVER SETBACK.
- NO UTILITY LINES SHALL BE INSTALLED WITHIN (10') FEET OF ANY PLUGGED AND ABANDONED WELL.
- NO DWELLING SHALL BE CONSTRUCTED WITHIN FIFTY (50') FEET OF A PLUGGED AND ABANDONED WELL.
- A PORTION OF THE SIGNAL DITCH, NOT SHOWN, HAS BEEN ABANDONED BY SEPARATE INSTRUMENT (RECEPTION #2019000108651)

CERTIFICATE OF SURVEY

I, RANDALL R. LONG, A REGISTERED LAND SURVEYOR IN THE STATE OF COLORADO DO HEREBY CERTIFY THAT TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF: THERE ARE NO ROADS, IRRIGATION DITCHES, OR OTHER EASEMENTS IN EVIDENCE OR KNOWN BY ME TO EXIST ON OR ACROSS THE HEREIN DESCRIBED PROPERTY EXCEPT AS SHOWN ON THIS PLAT. I FURTHER CERTIFY THAT THE SURVEY WAS PERFORMED BY ME OR UNDER MY DIRECT RESPONSIBILITY, SUPERVISION AND CHECKING AND THAT THE PLAT ACCURATELY REPRESENTS SAID SURVEY, AND THAT ALL MONUMENTS EXIST AS SHOWN HEREON

FOR AND ON BEHALF OF NEW HORIZON SURVEY, LLC.

_____, DATE _____
RANDALL R. LONG
REGISTERED LAND SURVEYOR
COLORADO REGISTRATION NO. 35591

BASIS OF BEARINGS

THE BEARINGS SHOWN HEREON ARE BASED ON THE SOUTH LINE OF THE SOUTHEAST ONE-QUARTER OF SAID SECTION 3, BEING MONUMENTED AT THE SOUTH 1/4 CORNER BY A 3 INCH ALUMINUM CAP STAMPED "T1S, 1/4, 3/10, PLS 26298" AND AT THE SOUTHEAST CORNER OF SAID SECTION 3 BY A 2 INCH ALUMINUM CAP STAMPED "ALPHA ENGRG., T1S, S3/S2/S10/S11, R 67W, 1996, LS 25937" IN A RANGEBOX, BEARING S 89°31'31" W.

NOTICE

ACCORDING TO COLORADO LAW, YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT OF THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF SURVEY SHOWN HERON.

BOARD OF COUNTY COMMISSIONERS APPROVAL

APPROVED BY THE ADAMS COUNTY BOARD OF COMMISSIONERS

THIS ____ DAY OF _____, 20 ____.

CHAIR

PLANNING COMMISSION APPROVAL

APPROVED BY THE ADAMS COUNTY PLANNING COMMISSION

THIS ____ DAY OF _____, 20 ____.

CHAIR

CLERK AND RECORDER

THIS FINAL PLAT WAS FILED FOR RECORD IN THE OFFICE OF THE ADAMS COUNTY CLERK AND RECORDER IN THE STATE OF COLORADO AT

_____, M. ON THE ____ DAY OF _____, 20 ____.

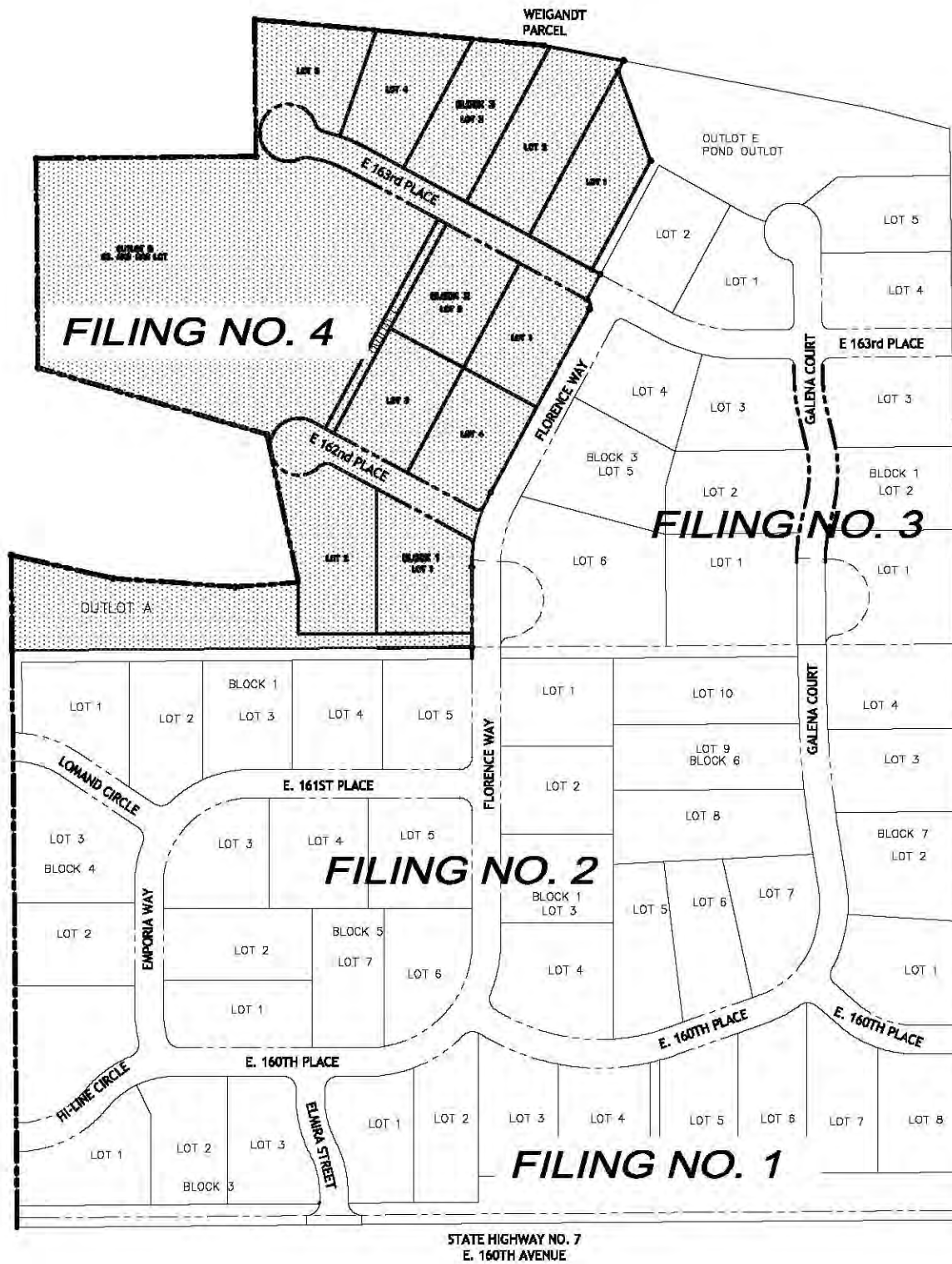
COUNTY CLERK AND RECORDER

BY DEPUTY: _____

INSTRUMENT NUMBER: _____

NEW HORIZON SURVEY, LLC P.A. BOX 213 ARVADA, COLORADO 80001 PH. (303) 942-5288 / newh@hds.com	SHOOK SUBDIVISION FILING NO. 4 800-218-587	DRAWN BY: BRL	DATE: 11/15/18	REVISION: 3RD REVISION	BY: MCG
		CHECKED BY: RL	DATE: 11/16/18	REVISION: 4TH REVISION	BY: RRL
		SCALE: N/A	DATE: 3/5/19	REVISION: 5TH REVISION	BY: EAB
		DATE: MAY 2018	DATE: 6/4/19	REVISION: 6TH REVISION	BY: EAB
SHEET 1 OF 3		DATE: 5/27/19	REVISION: 8TH REVISION	BY: EAB	

SHOOK SUBDIVISION FILING NO 4
 LOCATED IN THE SOUTHEAST 1/4 OF SECTION 3,
 TOWNSHIP 1 SOUTH, RANGE 67 WEST, 6TH PM,
 COUNTY OF ADAMS, STATE OF COLORADO
 SHEET 2 OF 3



SELTZER FARMS
UNPLATTED

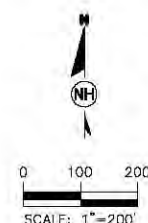
HIGHLAND ACRES
FILE 11, MAP 23

BASELINE LAKES, LLC
REC. NO. 080774340
(UNPLATTED)

LAND USE TABLE

DESCRIPTION	LAND USE	PROPOSED ACREAGE	PROPOSED DWELLING UNITS	PROPOSED % OF SITE ACREAGE	DWELLING UNITS PER ACRE
LOTS 1-2 BLOCK 1 LOTS 1-4 BLOCK 2 LOTS 1-5 BLOCK 3	SINGLE FAMILY RESIDENCES	11.57	11	45%	N/A
OUTLOT A TO BE MAINTAINED BY PROMONTORY HOA	OPEN SPACE	3.35	N/A	9.1	N/A
OUTLOT B (LANDSCAPING) TO BE MAINTAINED BY PROMONTORY HOA	OIL AND GAS	8.81	N/A	34.4	N/A
OUTLOT C (LANDSCAPING) TO BE MAINTAINED BY PROMONTORY HOA	DRAINAGE	0.23	N/A	0.1	N/A
PROPOSED STREET (ROW) AND EASEMENTS	INGRESS/EGRESS & EASEMENTS	2.60	N/A	11.4%	N/A
TOTAL		25.63	11	100.00	0.43

LOT 1, TWIN LAKES ESTATES
SUBDIVISION FILE 17, MAP 382



NEW HORIZON SURVEY, LLC P.O. BOX 213 ARVIDA, COLORADO 80001 PH (303) 502-5266 / rhauney@nhsurvey.com	SHOOK SUBDIVISION FILING NO. 4 800-218-567	DRAWN BY: BRL	DATE: 11/15/18	REVISION: 3RD REVISION	BY: MCG
		CHECKED BY: RL	DATE: 11/16/18	REVISION: 4TH REVISION	BY: RRL
		SCALE: 1" = 200'	DATE: 3/5/19	REVISION: 5TH REVISION	BY: RRL
		DATE: MAY 2018	DATE: 5/28/19	REVISION: 6TH REVISION	BY: EAB
		SHEET 2 OF 3	DATE: 6/4/19	REVISION: 7TH REVISION	BY: EAB
			DATE: 6/27/19	REVISION: 8TH REVISION	BY: EAB

SUBDIVISION IMPROVEMENTS AGREEMENT

THIS AGREEMENT, is made and entered into by and between the County of Adams, State of Colorado, hereinafter called "County" and SEC 2-3 Phoenix, LLC, a Colorado limited liability company, 9200 E. Mineral Avenue, Unit 365, Centennial, CO 80112, hereinafter called "Developer", and collectively referred to hereinafter as the "parties".

WITNESSETH:

WHEREAS, Developer is the owner of real property in the County of Adams, State of Colorado, as described in Exhibit "A" attached hereto, and by this reference made a part hereof, hereafter referred to as the "Property".

WHEREAS, it is provided by resolution of the Board of County Commissioners, County of Adams, that where designated the Developer shall have entered into a written agreement with the County to install public and/or private improvements, and to deed land for public purposes or right-of-way.

NOW, THEREFORE, in consideration of the foregoing, the parties hereto promise, covenant, and agree as follows:

1. **Engineering Services.** Developer shall furnish, at its own expense, all engineering and other services in connection with the design and construction of the improvements described and detailed on Exhibit "B" attached hereto, and by this reference made a part hereof.
2. **Drawings and Estimates.** The Developer shall furnish drawings and cost estimates for all improvements described and detailed on Exhibit "B" for approval by the County. Upon request, the Developer shall furnish one set of reproducible "as built" drawings and a final statement of construction costs for each phase of the development to the County.
3. **Construction.** Developer shall furnish and construct, at its own expense and in accordance with drawings and materials approved by the County, the improvements described and detailed on Exhibit "B".
4. **Time for Completion.** Improvements shall be completed according to the terms of this agreement within "construction completion date" appearing in Exhibits "B". The Director of Community and Economic Development may for good cause grant extension of time for completion of any part or all of improvements appearing on said Exhibit "B" for a period not to exceed 180 days. Any extension greater than 180 days shall only be approved by the Board of County Commissioners. Any extension of time shall be in written form only.
5. **Guarantee of Compliance.** Developer shall furnish to the County a cash escrow deposit or other acceptable collateral releasable only by the County, to guarantee compliance with this agreement. Said collateral shall be in the amount of \$294,313.80 including twenty percent (20%) to cover administration and five percent (5%) per year for the term of the Agreement to cover inflation. Upon completion of said improvements constructed according to the terms of this agreement, and Preliminary Acceptance by the Public Works Department in accordance with section 5-02-05-01 of the County's Development Standards and Regulations, the collateral shall be released. Completion of said improvements shall be determined solely by the County, and a reasonable part of said collateral, up to 20%, may be retained to guarantee maintenance of public improvements for a period of one year from the date of Preliminary Acceptance.

No building permits shall be issued until said collateral is furnished in the amount required and in a form acceptable to the Board of County Commissioners, and until the final plat has been approved and the improvements described in Exhibit "B" have been preliminarily accepted by the Director of Public Works. No construction permits shall be issued until all collateral required by this Agreement is furnished in a form acceptable to the Board of County Commissioners.

6. **Acceptance and Maintenance of Public Improvements.** All improvements designated "public" on Exhibit "B" shall be public facilities and become the property of the County or other public agencies upon acceptance of the improvements. During the period of one year from and after the acceptance of public improvements, the Developer shall, at its own expense, make all needed repairs or replacement due to defective materials or workmanship which, in the opinion of the County, becomes necessary. If, within ten days of written notice to the Developer from the County requesting such repairs or replacements, the Developer has not undertaken with due diligence to make the same, the County may make such repairs or replacements at the Developer's expense. In the case of an emergency such written notice may be waived.
7. **Successors and Assigns.** This agreement shall be binding upon the heirs, executors, personal representatives, successors, and assigns of the Developer, and shall be deemed a covenant running with the real property as described in Exhibit "A" attached hereto.
8. **Improvements and Dedication.** The undersigned Developer hereby agrees to provide the following improvements, and to dedicate described property.

A. **Improvements.** The Shook Subdivision Filing 3 improvements:

Public Improvements:

- Construction of Florence Way, Galena Ct, and 163rd Place.
- Construction of related drainage ways, culverts, and utilities.
- Block 1, Lots 1-5
- Block 2, Lots 1-2
- Block 3, Lots 1-6

The improvements shall be constructed in accordance with all County requirements and specifications in accordance with the approved plans and time schedule as indicated in Exhibit "B".

- B. **Public dedication of land for right-of-way purposes or other public purpose.** Upon approval of this agreement by the Board of County Commissioners, the Developer hereby agrees to convey by warranty deed to the County of Adams the following described land for right-of-way or other public purposes:

All dedications were made at the time of platting.

SEC 2-3 Phoenix, LLC
Developer

By: _____
Gene Osborne, Authorized Agent

By: _____
Name, Title

The foregoing instrument was acknowledged before me this ____ day of _____,
2020, by _____.

My commission expires: _____

Address: _____

Notary Public

APPROVED BY resolution at the meeting of _____, 2020.

Collateral to guarantee compliance with this agreement and construction of public improvements shall be required in the amounts of **\$294,313.80**. No building permits shall be issued until said collateral is furnished in the amount required and, in a form, acceptable to the Board of County Commissioners. No construction permits shall be issued until all collateral required by this Agreement is furnished in the amount required and in a form acceptable to the Board of County Commissioners.

ATTEST:

CHAIR
ADAMS COUNTY, COLORADO

Clerk of the Board

Chair

Approved as to form:

County Attorney

EXHIBIT A

Legal Description: Located in the Southeast ¼ of Section 3, Township 1 South, Range 67 West of the 6th P.M, County of Adams, State of Colorado

SECT,TWN,RNG:3-1-67 DESC: PARC A-1 PT OF THE N2 OF THE SE4 OF SEC 3 DESC AS FOLS BEG AT THE NW COR OF THE NE4 OF SD SEC 3 TH N 89D 34M 25S E 422/14 FT TH S 00D 30M 59S E 2384/12 FT TH N 89D 39M 59S E 100 FT TO THE TRUE POB TH S 82D 54M 03S E 610/38 FT TH S 79D 10M 19S E 701/23 FT TH S 75D 13M 06S E 171/08 FT TH S 00D 40M 10S E 1082/69 FT TH S 89D 35M 44S W 1985/04 FT TH N 00D 30M 59S W 200/52 FT TH S 77D 05M 57S E 220/03 FT TH S 86D 03M 09S E 256/87 FT TH N 86D 11M 56S E 133/20 FT TH N 12D 00M 10S W 318/38 FT TH N 73D 44M 55S W 500/99 FT TH N 00D 30M 59S W 440/47 FT TH N 89D 29M 01S E 462/14 FT TH N 00D 30M 59S W 287/50 FT TO THE TRUE POB 48/03A

EXHIBIT B

See attached Exhibit "B".

Construction Completion Dates:

Filing 3 (exhibit B): June 1, 2021

Initials or signature of Developer: _____

Exhibit B
Shook Subdivision Filing
3
Projected Schedule Of
Public Improvements
June 1, 2020

Item	Quantity	Unit	Unit Price	Total
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1. a. Streets - Florence Way				
All Internal roads				
HMA Pavement (4" Full Depth)	2020	SY	\$18.75	\$37,875.00
Class 6 Road Base (6" Depth)	2020	SY	\$9.75	\$19,695.00
Fine Grading	2020	SY	\$0.57	\$1,151.40
6' Class 6 road base shoulders	1010	SY	\$9.75	\$9,847.50
Signs	2	EA	\$300.00	\$600.00
Street Lights	1	EA	\$3,500.00	\$3,500.00
Mobilization	1	LS	\$390.00	\$390.00
			Subtotal	\$73,058.90

1. b. Streets - Galena Court				
All Internal roads				
HMA Pavement (4" Full Depth)	2315	SY	\$18.75	\$43,406.25
Class 6 Road Base	2315	SY	\$9.75	\$22,571.25
Fine Grading	2315	SY	\$0.57	\$1,319.55
6' Class road base shoulders	1157	SY	\$9.75	\$11,280.75
Signs	4	EA	\$300.00	\$1,200.00
Street Lights	2	EA	\$3,500.00	\$7,000.00
Mobilization	1		\$390.00	\$390.00
			Subtotal	\$87,167.80

1. c. Streets - E. 163rd Place				
All Internal roads				
HMA Pavement (4" Full Depth)	1824	SY	\$18.75	\$34,200.00
Class 6 Road Base	1824	SY	\$9.75	\$17,784.00
Fine Grading	1824	SY	\$0.57	\$1,039.68
6' Class 6 road base shoulders	912	SY	\$9.75	\$8,892.00
Signs	1	EA	\$300.00	\$300.00
Street Lights	1	EA	\$3,500.00	\$3,500.00
36-inch RCP	50	LF	\$95.00	\$4,750.00
36" FES	2	EA	\$1,250.00	\$2,500.00
Mobilization	1	LS	\$390.00	\$390.00
			Subtotal	\$73,355.68

Total Projection	\$233,582.38
Administration 20%	\$280,298.86
Inflation Guaranty 5%	\$14,014.94
Total Projection With Warranty	\$294,313.80

SUBDIVISION IMPROVEMENTS AGREEMENT

THIS AGREEMENT, is made and entered into by and between the County of Adams, State of Colorado, hereinafter called "County" and SEC 2-3 Phoenix, LLC, a Colorado limited liability company, 9200 E. Mineral Avenue, Unit 365, Centennial, CO 80112, hereinafter called "Developer", and collectively referred to hereinafter as the "parties".

WITNESSETH:

WHEREAS, Developer is the owner of real property in the County of Adams, State of Colorado, as described in Exhibit "A" attached hereto, and by this reference made a part hereof, hereafter referred to as the "Property".

WHEREAS, it is provided by resolution of the Board of County Commissioners, County of Adams, that where designated the Developer shall have entered into a written agreement with the County to install public and/or private improvements, and to deed land for public purposes or right-of-way.

NOW, THEREFORE, in consideration of the foregoing, the parties hereto promise, covenant, and agree as follows:

1. **Engineering Services.** Developer shall furnish, at its own expense, all engineering and other services in connection with the design and construction of the improvements described and detailed on Exhibit "B" attached hereto, and by this reference made a part hereof.
2. **Drawings and Estimates.** The Developer shall furnish drawings and cost estimates for all improvements described and detailed on Exhibit "B" for approval by the County. Upon request, the Developer shall furnish one set of reproducible "as-built" drawings and a final statement of construction costs for each phase of the development to the County.
3. **Construction.** Developer shall furnish and construct, at its own expense and in accordance with drawings and materials approved by the County, the improvements described and detailed on Exhibit "B".
4. **Time for Completion.** Improvements shall be completed according to the terms of this agreement within "construction completion date" appearing in Exhibit "B". The Director of Community and Economic Development may for good cause grant extension of time for completion of any part or all of improvements appearing on said Exhibit "B" for a period not to exceed 180 days. Any extension greater than 180 days shall only be approved by the Board of County Commissioners. Any extension of time shall be in written form only.
5. **Guarantee of Compliance.** Developer shall furnish to the County a cash escrow deposit or other acceptable collateral releasable only by the County, to guarantee compliance with this agreement. Said collateral shall be in the amount of \$154,525.47, including twenty percent (20%) to cover administration and five percent (5%) per year for the term of the Agreement to cover inflation. Upon completion of said improvements constructed according to the terms of this agreement, and Preliminary Acceptance by the Public Works Department in accordance with section 5-02-05-01 of the County's Development Standards and Regulations, the collateral shall be released. Completion of said improvements shall be determined solely by the County, and a reasonable part of said collateral, up to 20%, may be retained to guarantee maintenance of public improvements for a period of one year from the date of Preliminary Acceptance.

No building permits shall be issued until said collateral is furnished in the amount required and in a form acceptable to the Board of County Commissioners, and until the final plat has been approved and the improvements described in Exhibit "B" have been preliminarily accepted by the Director of Public Works. No construction permits shall be issued until all collateral required by this Agreement is furnished in a form acceptable to the Board of County Commissioners.

- 6. **Acceptance and Maintenance of Public Improvements.** All improvements designated “public” on Exhibit “B” shall be public facilities and become the property of the County or other public agencies upon acceptance of the improvements. During the period of one year from and after the acceptance of public improvements, the Developer shall, at its own expense, make all needed repairs or replacement due to defective materials or workmanship which, in the opinion of the County, becomes necessary. If, within ten days of written notice to the Developer from the County requesting such repairs or replacements, the Developer has not undertaken with due diligence to make the same, the County may make such repairs or replacements at the Developer’s expense. In the case of an emergency such written notice may be waived.
- 7. **Successors and Assigns.** This agreement shall be binding upon the heirs, executors, personal representatives, successors, and assigns of the Developer, and shall be deemed a covenant running with the real property as described in Exhibit “A” attached hereto.
- 8. **Improvements and Dedication.** The undersigned Developer hereby agrees to provide the following improvements, and to dedicate described property.

A. **Improvements.** The Shook Subdivision Filing 4:

Public Improvements:

- Construction of E. 162nd Place and E. 163rd Place
- Construction of related drainage ways, culverts, and utilities
- Block 1, Lots 1-2
- Block 2, Lots 1-4
- Block 3, Lots 1-5

The improvements shall be constructed in accordance with all County requirements and specifications in accordance with the approved plans and time schedule as indicated in Exhibit “B”.

- B. **Public dedication of land for right-of-way purposes or other public purpose.** Upon approval of this agreement by the Board of County Commissioners, the Developer hereby agrees to convey by warranty deed to the County of Adams the following described land for right-of-way or other public purposes:

All dedications were made at the time of platting.

SEC 2-3 Phoenix, LLC
Developer

By: _____
Gene Osborne, Authorized Agent

By: _____
Name, Title

The foregoing instrument was acknowledged before me this ____ day of _____, 2020, by _____.

My commission expires: _____

Address: _____

Notary Public

APPROVED BY resolution at the meeting of _____, 2020.

Collateral to guarantee compliance with this agreement and construction of public improvements shall be required in the amounts of \$154,525.47. No building permits shall be issued until said collateral is furnished in the amount required and, in a form, acceptable to the Board of County Commissioners. No construction permits shall be issued until all collateral required by this Agreement is furnished in the amount required and in a form acceptable to the Board of County Commissioners.

ATTEST:

CHAIR
ADAMS COUNTY, COLORADO

Clerk of the Board

Chair

Approved as to form:

County Attorney

EXHIBIT A

Legal Description: Located in the Southeast ¼ of Section 3, Township 1 South, Range 67 West of the 6th P.M, County of Adams, State of Colorado

SECT,TWN,RNG:3-1-67 DESC: PARC A-1 PT OF THE N2 OF THE SE4 OF SEC 3 DESC AS FOLS BEG AT THE NW COR OF THE NE4 OF SD SEC 3 TH N 89D 34M 25S E 422/14 FT TH S 00D 30M 59S E 2384/12 FT TH N 89D 39M 59S E 100 FT TO THE TRUE POB TH S 82D 54M 03S E 610/38 FT TH S 79D 10M 19S E 701/23 FT TH S 75D 13M 06S E 171/08 FT TH S 00D 40M 10S E 1082/69 FT TH S 89D 35M 44S W 1985/04 FT TH N 00D 30M 59S W 200/52 FT TH S 77D 05M 57S E 220/03 FT TH S 86D 03M 09S E 256/87 FT TH N 86D 11M 56S E 133/20 FT TH N 12D 00M 10S W 318/38 FT TH N 73D 44M 55S W 500/99 FT TH N 00D 30M 59S W 440/47 FT TH N 89D 29M 01S E 462/14 FT TH N 00D 30M 59S W 287/50 FT TO THE TRUE POB 48/03A

EXHIBIT B

See attached Exhibit B.

Construction Completion Dates:

Filing 4 (exhibit B): June 1, 2021

Initials or signature of Developer: _____

Exhibit B
Shook Subdivision Filing
4
Projected Schedule Of
Public Improvements
June 1, 2020

Item	Quantity	Unit	Unit Price	Total
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1. a. Streets - E. 162nd Place

All Internal roads				
HMA Pavement (4" Full Depth)	765	SY	\$18.75	\$14,343.75
Class 6 Road Base (6" Depth)	765	SY	\$9.75	\$7,458.75
Fine Grading	765	SY	\$0.57	\$436.05
6' Class 6 road base shoulders	382	SY	\$9.75	\$3,724.50
Signs	2	EA	\$300.00	\$600.00
Street Lights	1	EA	\$3,500.00	\$3,500.00
Mobilization	1	LS	\$390.00	\$390.00

18" RCP	84	LF	\$71.52	\$6,007.68
18" FES	2	EA	\$550.00	\$1,100.00
36" RCP	70	LF	\$95.77	\$6,703.90
36" FES	2	EA	\$1,050.00	\$2,100.00

Subtotal \$46,364.63

1. b. Streets - E. 163rd Place

All Internal roads				
HMA Pavement (4" Full Depth)	1909	SY	\$18.75	\$35,793.75
Class 6 Road Base	1909	SY	\$9.75	\$18,612.75
Fine Grading	1909	SY	\$0.57	\$1,088.13
6' Class 6 road base shoulders	954	SY	\$9.75	\$9,301.50
Signs	1	EA	\$300.00	\$300.00
Street Lights	1	EA	\$3,500.00	\$3,500.00
36-inch RCP	50	LF	\$95.77	\$4,788.50
36" FES	2	EA	\$1,250.00	\$2,500.00
Mobilization	1	LS	\$390.00	\$390.00

Subtotal \$76,274.63

Total Projection \$122,639.26

Administration 20% \$147,167.11

Inflation Guaranty 5% \$7,358.36

Total Projection With Warranty \$154,525.47



March 31, 2020

Emily Collins
Adams County Community and Economic Development Department
Transmitted via email:
ecollins@adcogov.org

RE: Shook Subdivision Filings 3 and 4
Project Number: PRC2018-00008
Portion of the SE ¼, Section 3, T1S, R67W, 6th P.M.
Water Division 1, Water District 2

Dear Ms. Collins,

We have reviewed the additional documents related to case no. PRC2018-00008, concerning the above referenced proposal to create 13 lots in Shook Subdivision Filing 3 and to create 11 lots in Shook Subdivision Filing 4.

Water Supply Demand

According to an updated report regarding the District's surface water supplies and water demands on March 16, 2020 ("Water Supply Report") the potable water demand is estimated at 7.2 acre-feet per year based on a potable demand of 0.3 acre-feet per year per unit. According to the Water Supply Report the non-potable irrigation water demand is estimated at 8.16 acre-feet per year based on a non-potable irrigation demand of 0.34 acre-feet per year per unit.

Source of Water Supply

District Water Supply Overview

The proposed water source is the Todd Creek Village Metropolitan District (District). A "willing to serve" letter from the District dated February 18, 2018 was provided with application materials.

This office recognizes that the District continues to develop its water portfolio and infrastructure so that it can meet the needs of its customers. However, when this office evaluates water supplies available to any water district or municipal provider for the purpose of meeting permanent customer commitments it does not consider a district's short-term contract supplies, Denver Basin water that has not been decreed, nontributary Denver Basin groundwater that has not been included in a court approved augmentation plan or any other source of water that is not currently legally available for municipal use. Short term contracts have the potential to be discontinued and water supplies that require a water court decree prior to use have an uncertain yield until such time as a water court decree is obtained. For these reasons, we have not historically considered such supplies when evaluating the permanent water supplies available to a district. This is consistent with the approach we have taken in previous letters to the county regarding the District, including letters dated January 2, 2002, June 18, 2002, August 8, 2002, October 29, 2002, September 15, 2004, January 24, 2005, February 8,



2005, October 4, 2011 and November 17, 2016. In addition, to the extent that the applicant is claiming junior water rights they must specify and provide support for the claimed annual firm yield of the water rights.

District Water Supply Demands

According to the Water Supply Report, the District has implemented a dual pipeline system, one for potable water and one for non-potable irrigation water. New subdivisions will be required to have two taps and the existing subdivisions have been retrofitted with this system.

The Water Supply Report estimates the District’s potable water commitments to be approximately 789.07 acre-feet annually, as shown in Table 1 below and the District’s non-potable water commitments to approximately, 1,345.01 acre-feet annually, as shown in Table 2 below.

For the purposes of understanding the District’s ability to satisfy the counties’ water allocation approaches for the previously approved subdivisions, water demand can also be described by the total residential and commercial water demand over the 100 year and 300 year allocation periods. The total potable water demand for residential and commercial developments is 104,971.7 acre-feet and the non-potable water demand for residential and commercial developments is 164,367.0 acre-feet. The potable and non-potable water requirements of each existing residential and commercial development are listed in Table 1 and 2.

Table 1: Potable Water Demands

Development Name	Number of Single Family Units	Assumed Water Requirement per Lot (AF/yr/lot)	Total Annual In-House Use Requirement (AF/yr)	Water Supply Demand Approach	Total In-House Use Requirement (AF)
Residential					
Todd Creek Farms Filing 1	54	0.269	14.53	100-yr	1452.6
Todd Creek Farms Filing 2	57	0.269	15.33	100-yr	1533.3
Todd Creek Farms Filing 3	62	0.269	16.68	100-yr	1667.8
Todd Creek Farms Filing 4	139	0.269	37.39	100-yr	3739.1
Foxridge	58	0.269	15.60	100-yr	1560.2
Todd Creek Farms Filing 5	160	0.269	43.04	100-yr	4304.0
Eagle Shadow I	185	0.269	49.77	100-yr	4976.5
Wheatland Estates	71	0.269	19.10	100-yr	1909.9
Todd Creek Meadows Phase I	78	0.269	20.98	100-yr	2098.2
Silver Springs	52	0.269	13.99	100-yr	1398.8
Hawk Ridge	47	0.269	12.64	100-yr	1264.3
Eagle Shadow II	191	0.269	51.38	100-yr	5137.9
Heritage at Todd Creek	1277	0.269	343.51	100-yr	34351.3
Todd Creek Village-Bartley	179	0.300	53.70	300-yr	16110.0
Todd Creek Village-Shook	64	0.300	19.20	300-yr	5760.0
Baseline Lakes	54	0.269	14.53	300-yr	4357.8
Jogan Estates	3	0.300	0.9	300-yr	270
Baseline Lakes-Add'l	140	0.300	42.00	300-yr	12,600.0
Commercial					

HTC Club/Maint			3.65	100-yr	365.0
TCVMD office			0.03	100-yr	3.0
NH Church			0.88	100-yr	88.0
Harvest Fellowship			0.24	100-yr	24.0
Total	2,871		789.07		104,971.7

Table 2: Non-Potable Water Demands

Development Name	Number of Single Family Units	Assumed Water Requirement per Lot (AF/yr/lot)	Total Annual Irrigation Requirement (AF/yr)	Water Supply Demand Approach	Total Irrigation Requirement (AF)
Residential					
Todd Creek Farms Filing 1	54	0.34	18.36	100-yr	1,836
Todd Creek Farms Filing 2	57	0.34	19.38	100-yr	1,938
Todd Creek Farms Filing 3	62	0.34	21.08	100-yr	2,108
Todd Creek Farms Filing 4	139	0.34	47.26	100-yr	4,726
Foxridge	58	0.34	19.72	100-yr	1,972
Todd Creek Farms Filing 5	160	0.34	54.40	100-yr	5,440
Eagle Shadow I	185	0.34	62.90	100-yr	6,290
Wheatland Estates	71	0.34	24.14	100-yr	2,414
Todd Creek Meadows Phase I	78	0.34	26.52	100-yr	2,652
Silver Springs	52	0.34	17.68	100-yr	1,768
Hawk Ridge	47	0.34	15.98	100-yr	1,598
Eagle Shadow II	191	0.34	64.94	100-yr	6,494
Heritage at Todd Creek	1277	0.25	319.25	100-yr	31,925
Todd Creek Village-Bartley	179	0.34	60.86	300-yr	18,258
Todd Creek Village-Shook	64	0.34	21.76	300-yr	6,528
Baseline Lakes	54	0.34	18.36	300-yr	5,508
Jogan Estates	3	0.25	0.75	300-yr	225
Baseline Lakes-Add'l	140	0.34	47.60	300-yr	14,280
Commercial					
HTC Club/Maint			11.7	100-yr	1,170
TCVMD office			0.0	100-yr	0
NH Church			0.0	100-yr	0
Harvest Fellowship			0.39	100-yr	39
TCV P&R ES Park			8.1	100-yr	810
TCV P&R TCM Park			3.98	100-yr	398
LS Areas			69.9	100-yr	6,990
Future HTC LS areas			120	100-yr	12,000
HTC Golf Courses			270	100-yr	27,000
Total	2,871		1,345.01		164,367.0

There is a current subdivision proposal in Weld County known as Dry Creek Village East Subdivision Phase 1 and the District may commit an additional 90 acre-feet to that subdivision. If the District

commits to provide water to that development the existing commitments would be 879.07 acre-feet per year.

District Water Supply Availability: Denver Basin Water

According to the District's Water Supply Report, the District has approximately 843 acre-feet per year of currently decreed nontributary Laramie-Fox Hills ground water rights. The District also has 39.2 acre-feet per year of not-nontributary Lower Arapahoe ground water rights that are currently included in a plan for augmentation and 503.6 acre-feet per year of not-nontributary Lower Arapahoe ground water rights that are currently not included in a plan for augmentation. Once adjudicated, the District claims it will also have the right to withdraw and use additional Laramie-Fox Hills aquifer water underlying lands in the District's boundaries that is not currently adjudicated. **Please note that these amounts are based on the statutory 100-year aquifer life allocation approach.**

Based on this information, the District currently has a total of 88,220 acre-feet (882.2 acre-feet per year for 100 years) of Denver Basin water supplies; the District is committed to supplying a total of 104,971.7 acre-feet of potable water. If the Denver Basin water is withdrawn over 100 years, it equates to 882.2 acre-feet of water per year, which is greater than the yearly potable commitment of 789.07 acre-feet per year.

The proposed source of water for this subdivision includes bedrock aquifer ground water in the Denver Basin. The State Engineer's Office does not have evidence regarding the length of time for which this source will be a physically and economically viable source of water. According to 37-90-137(4)(b)(I), C.R.S., "Permits issued pursuant to this subsection (4) shall allow withdrawals on the basis of an aquifer life of one hundred years." Based on this allocation approach, the annual amounts of water decreed by the District in the Denver Basin are equal to one percent of the total amount, as determined by rules 8.A and 8.B of the Statewide Nontributary Ground Water Rules, 2 CCR 402-7. Therefore, the water may be withdrawn in those annual amounts for a maximum of 100 years.

In the Adams County Development Standards and Regulations, Effective April 15, 2002, Section 5-04-05-06-04 states:

"Prior to platting, the developer shall demonstrate that...the water supply is dependable in quantity and quality based on a minimum useful life of three-hundred (300) years. A minimum 300-year useful life means the water supply from both a static and dynamic basis will be viable for a minimum 300-year period. The static analysis shall include evaluation of the volume of water that is appropriable for the proposed subdivision. The dynamic analysis shall evaluate whether the appropriable water supply is sustainable for three-hundred (300) years, giving consideration to the location and extent of the aquifer, as well as impacts caused by both current and future pumping by others from the aquifer."

The State Engineer's Office does not have evidence regarding the length of time for which this source will be "dependable in quantity and quality." However, the one hundred year and three hundred year water allocation approach was evaluated as described above. The State Engineer's Office has no comment on the quality of the water supply or the required 'dynamic analysis' to evaluate whether the appropriable water supply is sustainable for three hundred years.

District Water Supply Availability: Surface Water

According to the District’s Water Supply Report, the District has surface water rights and leased sources. Some of this water is limited to municipal or irrigation uses only, as outlined in Table 3, below. Table 3 also outlines what sources this office considers secure permanent supplies for the purposes of evaluating a subdivision water supply plan. This office does not consider water subject to short-term leases or water not yet adjudicated by the Water Court when evaluating the amount of permanent supplies available to supply residential developments.

Regarding the District’s use of Coors water, the following issues need to be addressed before we can provide additional comments. The Coors effluent may have very limited yield since the decrees under which the majority of the water rights were changed (case nos. W-8036, W8256 and 89CW234) do not allow for reuse or successive use for municipal uses within the District’s boundaries or augmentation uses other than the Coors Operations contemplated in the decrees. It appears that only a portion of the water included in case no. 99CW236, specifically water previously changed in case no. 96CW1117, could be used within the District’s boundaries, subject to the terms and conditions of said decrees.

The District has obtained a decree in case no. 08CW165. The average historical consumptive use decreed in that case for the Old Brantner shares of 130 acre-feet has been included as a permanent supply as shown in Table 3.

Table 3: District’s Surface Water Supplies

Water Source	Contract/ Shares	Contract End Date or Decree/ SWSP	Proposed Yield: Municipal (AF)	Proposed Yield: Irrigation (AF)	Firm yield, permanent supply: Municipal (AF)	Firm yield, permanent supply: Irrigation (AF)	Notes
Old Brantner	17 shares	08CW165	315.2	0	130	0	Adjudicated March 10, 2015
New Brantner	18.375 shares		0	312	0	312*	No information provided
Effluent	Coors- Aug	12/31/2016 (12/31/2026 w/ extensions)	200	0	0	0	Effluent not decreed for reuse or successive use
Reusable Effluent	Consolidated Mutual	Perpetual	500	0	462.1**	0	
Excess Credits	SACWSD	3/31/2018	500	0	0	0	Short term lease

*The New Brantner shares can continue to be used for the historical irrigation use. From the information provided it could not be determined if the land proposed to be irrigated is included under the originally decreed lands.

**The Consolidated Mutual contract water is typically released from the Metro Wastewater Facility; this water travels downstream to the District. Due to transit losses associated with the water delivery, only 462.1 acre-feet of the 500 acre-feet contracted is realized by the District. This calculation is based on the standard river transit loss rates; in a dry year the rate of transit loss could increase.

As shown in Table 3 above the District has approximately 592.1 acre-feet of potable surface water and leased supplies that could be considered part of the permanent water supply.

The Applicant is also claiming that the junior surface and storage water rights decreed in Division 1 Water Court case nos. 13CW3181 and 16CW3019 have a firm yield of 1,777 acre-feet per year. This analysis is based on historical stream flow and call records for the period of 2001 through 2018. According to the Water Supply Report the junior water rights decreed in case nos. 13CW3181 and 16CW3019 will be used when available and the Denver Basin water will be used as a backup supply during periods of drought or shortage.

District Water Supply Availability: Conclusions

The District's ability to regulate potable and irrigation water separately through their dual pipeline system allows this office to evaluate potable water supply and irrigation water supply independently. Therefore, this office's conclusions regarding the District's potable and irrigation water are being addressed separately.

When the permanent supply of the District's municipal surface rights (592.1 acre-feet per year) is combined with the District's Denver Basin water (882.2 acre-feet per year), the District's total permanent potable water supply becomes 1,474.3 acre-feet per year (assuming a 100-year aquifer life). This amount is sufficient to meet the potable residential and commercial demands for the existing District's commitments, which is 789.07 acre-feet per year, which includes the 7.2 acre-feet per year for Shook Subdivision Filings 3 and 4. This amount would also be sufficient if the District commits to serve the Dry Creek Village East Subdivision Phase 1 subdivision in Weld County.

As discussed above based on the 100 year and 300 year allocation approaches required for the subdivisions the total water requirement for the District's current commitments is 104,971.7 acre-feet. The permanent water sources available to meet that demand is 882.2 acre-feet per year of Denver Basin water (88,220 acre-feet total based on a 100 year allocation approach) and 592.1 acre-feet of surface rights (177,630 acre-feet based on deliveries for 300 years). Therefore the total amount of permanent water supplies available over a 300 year period would be 265,850 acre-feet which would be adequate to meet the potable demand over that period of 104,971.7 acre-feet, including Shook Subdivision Filings 3 and 4.

The sources of supply available to meet irrigation demands include the New Brantner shares for areas that can be legally irrigated by such shares, junior water right, Denver Basin water that is not needed to meet potable water demands and leased water from Consolidated Mutual that is not needed to meet potable water demands. However to the extent that Denver Basin water or leased water from Consolidated Mutual is used to meet irrigation demands it would reduce the amount of water available to meet potable water demands. As shown in Table 2 above the annual irrigation demand is 1345.01 acre-feet per year. Based on the Applicant's claimed firm yield for their junior water rights of 1,777 acre-feet the applicant has adequate junior water to meet its annual irrigation demand, as long as the junior water rights continue to be available in-priority consistent with the Applicant's historical availability analysis.

State Engineer's Office Opinion

As stated above, the District's dual pipeline system allows the District to control potable and non-potable water supply separately. Based the District's ability to maintain separate potable and non-potable water supply systems, the information presented above, and pursuant to Section 30-28-136(1)(h)(I) and Section 30-28-136(1)(h)(II), C.R.S., it is our opinion that the proposed water

supply is adequate **for potable residential and commercial use** and can be provided without causing injury to decreed water rights. Pursuant to Section 30-28-136(1)(h)(I) and Section 30-28-136(1)(h)(II), C.R.S., it is our opinion that the proposed water supply is adequate **for irrigation use** and can be provided without causing injury to decreed water rights, as long as the junior water rights continue to be available in-priority consistent with the Applicant's historical availability analysis.

Our opinion that the potable water supply is **adequate** is based on our determination that the amount of Denver Basin water required annually to serve the subdivision is currently physically available, based on current estimated aquifer conditions.

Our opinion that the irrigation water supply is **adequate** is based on the Applicant's firm yield analysis for the junior water rights, which was based on a historical availability analysis.

Our opinion that the potable water supply can be **provided without causing injury** is based on our determination that the amount of Denver Basin water that is legally available for the proposed uses on an annual basis, according to the statutory **allocation** approach, plus the permanent municipal supplies shown in Table 3, is greater than the annual amount of water required to supply existing water commitments and the demands of the proposed subdivision.

Our opinion that the potable water supply can be provided without causing injury recognizes that the District plans to use junior water rights to the extent available as the primary source of water supply and intends to use the Denver Basin water as a backup supply during periods of drought or shortage.

Our opinion is qualified by the following:

The Division 1 Water Court has retained jurisdiction over the final amount of water available under the Denver Basin decrees reference by the District, pending actual geophysical data from the aquifer.

The amounts of water in the Denver Basin aquifers, and identified in this letter, are calculated based on estimated current aquifer conditions. For planning purposes the county should be aware that the economic life of a water supply based on wells in a given Denver Basin aquifer may be less than the 100 or 300 years used for allocation due to anticipated water level declines. We recommend that the county determine whether it is appropriate to require development of renewable water resources for this subdivision to provide for a long-term water supply.

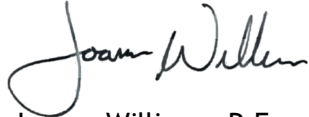
Additionally, the Con Mutual water is subject to assessment of conveyance losses occurring at the time of delivery as assessed by the water commissioner, currently 0.25% per mile during November through March and 0.50% per mile during April through October on the South Platte and 0.25% per mile on Clear Creek. Further, the Con Mutual water is dependent upon the natural stream for delivery from the point made available by Con Mutual at the Metro Wastewater Facility or other decreed source to the downstream location where Todd Creek would divert or use. Todd Creek would be responsible for any structures to be constructed or the use of existing structures that are required to bypass water past any structure that physically sweeps the river.

The applicant should be aware that unless any storm water detention structure, can meet the requirements of a "storm water detention and infiltration facility" as defined in Section 37-92-

602(8), C.R.S., the structure may be subject to administration by this office. The applicant should review the Division of Water Resources [Administrative Statement Regarding the Management of Storm Water Detention Facilities and Post-Wildland Fire Facilities in Colorado](#), available on our website, to ensure that the notification, construction and operation of the proposed structure meets statutory and administrative requirements. The applicant is encouraged to use *Colorado Stormwater Detention and Infiltration Facility Notification Portal*, located at <https://maperture.digitaldataservices.com/gyh/?viewer=cswdif>, to meet the notification requirements.

Should you or the applicant have any questions, please contact Ailis Thyne at (303) 866-3581 x8216.

Sincerely,

A handwritten signature in black ink that reads "Joanna Williams". The signature is written in a cursive style with a large initial "J".

Joanna Williams, P.E.
Water Resource Engineer

JMW/aat

Cc: Subdivision File 24595
Todd Creek Village Metro District File



January 28, 2020

Emily Collins
Adams County Community and Economic Development Department
Transmitted via email:
ecollins@adcogov.org

RE: Shook Subdivision Filings 3 and 4
Project Number: PRC2018-00008
Portion of the SE ¼, Section 3, T1S, R67W, 6th P.M.
Water Division 1, Water District 2

Dear Ms. Collins,

We have reviewed the additional documents related to case no. PRC2018-00008, concerning the above referenced proposal to create 13 lots in Shook Subdivision Filing 3 and to create 11 lots in Shook Subdivision Filing 4.

Water Supply Demand

According to a January 27, 2020 email from Gina Burke with Jehn Water Consultants, Inc. the potable water demand is estimated at 7.2 acre-feet per year based on a potable demand of 0.3 acre-feet per year per unit.

Source of Water Supply

District Water Supply Overview

The proposed water source is the Todd Creek Village Metropolitan District (District). A “willing to serve” letter from the District dated February 18, 2018 was provided with application materials.

The District last provided a Water Supply Report to this office, dated November 2011, on June 3, 2014. The District submitted an updated report regarding the District’s surface water supplies and water demands on December 19, 2019 and a memorandum to the report dated January 20, 2020 (“Water Supply Report”).

This office recognizes that the District continues to develop its water portfolio and infrastructure so that it can meet the needs of its customers. However, when this office evaluates water supplies available to any water district or municipal provider for the purpose of meeting permanent customer commitments it does not consider a district’s short-term contract supplies, Denver Basin water that has not been decreed, not nontributary Denver Basin groundwater that has not been included in a court approved augmentation plan or any other source of water that is not currently legally available for municipal use. Short term contracts have the potential to be discontinued and water supplies that require a water court decree prior to use have an uncertain yield until such time as a water court decree is obtained. For these reasons, we have not historically considered such supplies when evaluating the permanent water



supplies available to a district. This is consistent with the approach we have taken in previous letters to the county regarding the District, including letters dated January 2, 2002, June 18, 2002, August 8, 2002, October 29, 2002, September 15, 2004, January 24, 2005, February 8, 2005, October 4, 2011 and November 17, 2016. In addition, to the extent that the applicant is claiming junior water rights they must specify and provide support for the claimed annual firm yield of the water rights.

District Water Supply Demands

According to information in this office, the District has implemented a dual pipeline system, one for potable water and one for non-potable irrigation water. New subdivisions will be required to have two taps and the existing subdivisions have been retrofitted with this system. This office will focus on the potable residential and commercial water demands since the Water Supply Report addresses the potable demands and Todd Creek has existing permanent water supplies that will provide a firm yield to meet these demands and can supply potable water separate from non-potable water as a result of their dual pipeline system.

The Water Supply Report estimates the District’s potable water commitments to be approximately 789.07 acre-feet annually, as shown in Table 1 below.

For the purposes of understanding the District’s ability to satisfy the counties’ water allocation approaches for the previously approved subdivisions, water demand can also be described by the total residential and commercial potable water demand over the 100 year and 300 year allocation periods. The total potable water demand for residential and commercial developments is 104,971.7 acre-feet. The potable water requirements of each existing residential and commercial development are listed in Table 1.

Table 1: Potable Water Demands

Development Name	Number of Single Family Units	Assumed Water Requirement per Lot (AF/yr/lot)	Total Annual In-House Use Requirement (AF/yr)	Water Supply Demand Approach	Total In-House Use Requirement (AF)
Residential					
Todd Creek Farms Filing 1	54	0.269	14.53	100-yr	1452.6
Todd Creek Farms Filing 2	57	0.269	15.33	100-yr	1533.3
Todd Creek Farms Filing 3	62	0.269	16.68	100-yr	1667.8
Todd Creek Farms Filing 4	139	0.269	37.39	100-yr	3739.1
Foxridge	58	0.269	15.60	100-yr	1560.2
Todd Creek Farms Filing 5	160	0.269	43.04	100-yr	4304.0
Eagle Shadow I	185	0.269	49.77	100-yr	4976.5
Wheatland Estates	71	0.269	19.10	100-yr	1909.9
Todd Creek Meadows Phase I	78	0.269	20.98	100-yr	2098.2
Silver Springs	52	0.269	13.99	100-yr	1398.8
Hawk Ridge	47	0.269	12.64	100-yr	1264.3
Eagle Shadow II	191	0.269	51.38	100-yr	5137.9
Heritage at Todd Creek	1277	0.269	343.51	100-yr	34351.3
Todd Creek Village-Bartley	172	0.300	51.60	300-yr	15480.0
Todd Creek Village-Shook	64	0.300	19.20	300-yr	5760.0

Baseline Lakes	54	0.269	14.53	300-yr	4357.8
Jogan Estates	3	0.300	0.9	300-yr	270
Baseline Lakes-Add'l	140	0.300	42.00	300-yr	12,600.0
Commercial					
HTC Club/Maint			3.65	100-yr	365.0
TCVMD office			0.03	100-yr	3.0
NH Church			0.88	100-yr	88.0
Harvest Fellowship			0.24	100-yr	24.0
Total	2,871		789.07		104,971.7

There is a current subdivision proposal in Weld County known as Dry Creek Village East Subdivision Phase 1 and the District may commit an additional 90 acre-feet to that subdivision. If the District commits to provide water to that development the existing commitments would be 879.07 acre-feet per year.

District Water Supply Availability: Denver Basin Water

According to the District's Water Supply Report, the District has approximately 843 acre-feet per year of currently decreed nontributary Laramie-Fox Hills ground water rights. The District also has 39.2 acre-feet per year of not-nontributary Lower Arapahoe ground water rights that are currently included in a plan for augmentation and 503.6 acre-feet per year of not-nontributary Lower Arapahoe ground water rights that are currently not included in a plan for augmentation. Once adjudicated, the District claims it will also have the right to withdraw and use additional Laramie-Fox Hills aquifer water underlying lands in the District's boundaries that is not currently adjudicated. **Please note that these amounts are based on the statutory 100-year aquifer life allocation approach.**

Based on this information, the District currently has a total of 88,220 acre-feet (882.2 acre-feet per year for 100 years) of Denver Basin water supplies; the District is committed to supplying a total of 104,971.7 acre-feet of potable water. If the Denver Basin water is withdrawn over 100 years, it equates to 882.2 acre-feet of water per year, which is greater than the yearly potable commitment of 789.07 acre-feet per year.

The proposed source of water for this subdivision includes bedrock aquifer ground water in the Denver Basin. The State Engineer's Office does not have evidence regarding the length of time for which this source will be a physically and economically viable source of water. According to 37-90-137(4)(b)(I), C.R.S., "Permits issued pursuant to this subsection (4) shall allow withdrawals on the basis of an aquifer life of one hundred years." Based on this **allocation** approach, the annual amounts of water decreed by the District in the Denver Basin are equal to one percent of the total amount, as determined by rules 8.A and 8.B of the Statewide Nontributary Ground Water Rules, 2 CCR 402-7. Therefore, the water may be withdrawn in those annual amounts for a maximum of 100 years.

In the Adams County Development Standards and Regulations, Effective April 15, 2002, Section 5-04-05-06-04 states:

"Prior to platting, the developer shall demonstrate that...the water supply is dependable in quantity and quality based on a minimum useful life of three-hundred (300) years. A minimum 300-year useful life means the water supply from both a

static and dynamic basis will be viable for a minimum 300-year period. The static analysis shall include evaluation of the volume of water that is appropriable for the proposed subdivision. The dynamic analysis shall evaluate whether the appropriable water supply is sustainable for three-hundred (300) years, giving consideration to the location and extent of the aquifer, as well as impacts caused by both current and future pumping by others from the aquifer.”

The State Engineer’s Office does not have evidence regarding the length of time for which this source will be “dependable in quantity and quality.” However, the one hundred year and three hundred year water allocation approach was evaluated as described above. The State Engineer’s Office has no comment on the quality of the water supply or the required ‘dynamic analysis’ to evaluate whether the appropriable water supply is sustainable for three hundred years.

District Water Supply Availability: Surface Water

According to the District’s Water Supply Report, the District has surface water rights and leased sources. Some of this water is limited to municipal or irrigation uses only, as outlined in Table 2, below. Table 2 also outlines what sources this office considers secure permanent supplies for the purposes of evaluating a subdivision water supply plan. This office does not consider water subject to short-term leases or water not yet adjudicated by the Water Court when evaluating the amount of permanent supplies available to supply residential developments.

Regarding the District’s use of Coors water, the following issues need to be addressed before we can provide additional comments. The Coors effluent may have very limited yield since the decrees under which the majority of the water rights were changed (case nos. W-8036, W8256 and 89CW234) do not allow for reuse or successive use for municipal uses within the District’s boundaries or augmentation uses other than the Coors Operations contemplated in the decrees. It appears that only a portion of the water included in case no. 99CW236, specifically water previously changed in case no. 96CW1117, could be used within the District’s boundaries, subject to the terms and conditions of said decrees.

The District has obtained a decree in case no. 08CW165. The average historical consumptive use decreed in that case for the Old Brantner shares of 130 acre-feet has been included as a permanent supply as shown in Table 2.

Table 2: District’s Surface Water Supplies

Water Source	Contract/ Shares	Contract End Date or Decree/ SWSP	Proposed Yield: Municipal (AF)	Proposed Yield: Irrigation (AF)	Firm yield, permanent supply: Municipal (AF)	Firm yield, permanent supply: Irrigation (AF)	Notes
Old Brantner	17 shares	08CW165	315.2	0	130	0	Adjudicated March 10, 2015
New Brantner	18.375 shares		0	312	0	312*	No information provided
Effluent	Coors- Aug	12/31/2016 (12/31/2026 w/ extensions)	200	0	0	0	Effluent not decreed for reuse or successive use
Reusable Effluent	Consolidated Mutual	Perpetual	500	0	462.1**	0	
Excess Credits	SACWSD	3/31/2018	500	0	0	0	Short term lease

*The New Brantner shares can continue to be used for the historical irrigation use. From the information provided it could not be determined if the land proposed to be irrigated is included under the originally decreed lands.

**The Consolidated Mutual contract water is typically released from the Metro Wastewater Facility; this water travels downstream to the District. Due to transit losses associated with the water delivery, only 462.1 acre-feet of the 500 acre-feet contracted is realized by the District. This calculation is based on the standard river transit loss rates; in a dry year the rate of transit loss could increase.

As shown in Table 2 above the District has approximately 592.1 acre-feet of potable surface water and leased supplies that could be considered part of the permanent water supply.

The Applicant is also claiming that the junior surface and storage water rights decreed in Division 1 Water Court case nos. 13CW3181 and 16CW3019 have a firm yield of 1,405 acre-feet per year. This analysis is based on historical stream flow and call records for the period of 2001 through 2018. According to the Water Supply Report the junior water rights decreed in case nos. 13CW3181 and 16CW3019 will be used when available and the Denver Basin water will be used as a backup supply during periods of drought or shortage.

District Water Supply Availability: Conclusions

The District’s ability to regulate potable and irrigation water separately through their dual pipeline system allows this office to evaluate potable water supply and irrigation water supply independently. Therefore, this office’s conclusions regarding the District’s potable and irrigation water are being addressed separately.

When the permanent supply of the District’s municipal surface rights (592.1 acre-feet per year) is combined with the District’s Denver Basin water (882.2 acre-feet per year), the District’s total permanent potable water supply becomes 1,474.3 acre-feet per year (assuming a 100-year aquifer

life). This amount is sufficient to meet the potable residential and commercial demands for the existing District's commitments, which is 789.07 acre-feet per year, which includes the 7.2 acre-feet per year for Shook Subdivision Filings 3 and 4. This amount would also be sufficient if the District commits to serve the Dry Creek Village East Subdivision Phase 1 subdivision in Weld County.

As discussed above based on the 100 year and 300 year allocation approaches required for the subdivisions the total water requirement for the District's current commitments is 104,971.7 acre-feet. The permanent water sources available to meet that demand is 882.2 acre-feet per year of Denver Basin water (88,220 acre-feet total based on a 100 year allocation approach) and 592.1 acre-feet of surface rights (177,630 acre-feet based on deliveries for 300 years). Therefore the total amount of permanent water supplies available over a 300 year period would be 265,850 acre-feet which would be adequate to meet the demand over that period of 104,971.7 acre-feet, including Shook Subdivision Filings 3 and 4.

The recognized permanent surface irrigation supplies are 312 acre-feet per year available from the New Brantner shares. Permanent potable water supply that is not needed for existing residential and commercial commitments may be used as a source of permanent irrigation water supply, however Denver Basin water used for that purpose would reduce the amount available to meet future potable water demands.

The 312 acre-feet of permanent irrigation supplies is less than the 1,922.81 acre-feet per year irrigation demand projected for the platted parcels. It is our opinion that the District does not have adequate permanent water supplies to meet the estimated future irrigation requirements.

State Engineer's Office Opinion

As stated above, the District's dual pipeline system allows the District to control potable and non-potable water supply separately. Based on the District's ability to maintain separate potable and non-potable water supply systems, the information presented above, and pursuant to Section 30-28-136(1)(h)(I) and Section 30-28-136(1)(h)(II), C.R.S., it is our opinion that the proposed water supply is adequate for **potable residential and commercial use** and can be provided without causing injury to decreed water rights. **This office offers no formal opinion pursuant to the above referenced statutes regarding the non-potable water supply for golf course or lawn and garden irrigation.**

Our opinion that the potable water supply is **adequate** is based on our determination that the amount of Denver Basin water required annually to serve the subdivision is currently physically available, based on current estimated aquifer conditions.

Our opinion that the potable water supply can be **provided without causing injury** is based on our determination that the amount of Denver Basin water that is legally available for the proposed uses on an annual basis, according to the statutory allocation approach, plus the permanent municipal supplies shown in Table 2, is greater than the annual amount of water required to supply existing water commitments and the demands of the proposed subdivision.

Our opinion that the potable water supply can be provided without causing injury recognizes that the District plans to use junior water rights to the extent available as the primary source of water supply and intends to use the Denver Basin water as a backup supply during periods of drought or

shortage.

Our opinion is qualified by the following:

The Division 1 Water Court has retained jurisdiction over the final amount of water available under the Denver Basin decrees reference by the District, pending actual geophysical data from the aquifer.

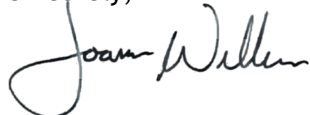
The amounts of water in the Denver Basin aquifers, and identified in this letter, are calculated based on estimated current aquifer conditions. For planning purposes the county should be aware that the economic life of a water supply based on wells in a given Denver Basin aquifer may be less than the 100 or 300 years used for allocation due to anticipated water level declines. We recommend that the county determine whether it is appropriate to require development of renewable water resources for this subdivision to provide for a long-term water supply.

Additionally, the Con Mutual water is subject to assessment of conveyance losses occurring at the time of delivery as assessed by the water commissioner, currently 0.25% per mile during November through March and 0.50% per mile during April through October on the South Platte and 0.25% per mile on Clear Creek. Further, the Con Mutual water is dependent upon the natural stream for delivery from the point made available by Con Mutual at the Metro Wastewater Facility or other decreed source to the downstream location where Todd Creek would divert or use. Todd Creek would be responsible for any structures to be constructed or the use of existing structures that are required to bypass water past any structure that physically sweeps the river.

The applicant should be aware that unless any storm water detention structure, can meet the requirements of a “storm water detention and infiltration facility” as defined in Section 37-92-602(8), C.R.S., the structure may be subject to administration by this office. The applicant should review the Division of Water Resources [Administrative Statement Regarding the Management of Storm Water Detention Facilities and Post-Wildland Fire Facilities in Colorado](#), available on our website, to ensure that the notification, construction and operation of the proposed structure meets statutory and administrative requirements. The applicant is encouraged to use *Colorado Stormwater Detention and Infiltration Facility Notification Portal*, located at <https://maperture.digitaldataservices.com/gvh/?viewer=cswdif>, to meet the notification requirements.

Should you or the applicant have any questions, please contact Ailis Thyne at (303) 866-3581 x8216.

Sincerely,



Joanna Williams, P.E.
Water Resource Engineer

JMW/aat

Cc: Subdivision File 24595
Todd Creek Village Metro District File



COLORADO
Division of Water Resources
Department of Natural Resources

1313 Sherman Street, Room 821
Denver, CO 80203

July 18, 2018

Emily Collins
Adams County Community and Economic Development Department
Transmitted via email:
ecollins@adcogov.org

RE: Shook Subdivision Filings 3 and 4
Project Number: PRC2018-00008
Portion of the SE ¼, Section 3, T1S, R67W, 6th P.M.
Water Division 1, Water District 2

Dear Ms. Collins,

We have reviewed the submittal documents related to case no. PRC2018-00008 provided via mail on June 29, 2018, concerning the above referenced proposal to create 13 lots in Shook Subdivision Filing 3 and to create 11 lots in Shook Subdivision Filing 4.

Estimated water requirements were not provided for this development. The proposed water supply is Todd Creek Village Metropolitan District (“District”). A letter of commitment for service from the District, dated February 19, 2018, was provided. Prior to further review of the subdivision a water supply plan must be included along with an updated report from the District that includes all current water supply commitments. Details of necessary information to be included in the subdivision water supply plan can be found on Attachments A and C of the Updated Memorandum Regarding Subdivisions, available online at: <http://water.state.co.us/groundwater/GWAdmin/Pages/SubdivisionWSP.aspx>.

The applicant should be aware that any storm water detention structure proposed for this location and extent, must meet the requirements of a “storm water detention and infiltration facility” as defined in section 37-92-602(8), Colorado Revised Statutes, in order for the structure to be exempt from administration by this office. The applicant should review DWR’s Administrative Statement Regarding the Management of Storm Water Detention Facilities and Post-Wildland Fire Facilities in Colorado, attached, to ensure that the notification, construction and operation of the proposed structure meets statutory and administrative requirements. The applicant is encouraged to use Colorado Stormwater Detention and Infiltration Facility Notification Portal, located at <https://maperture.digitaldataservices.com/gvh/?viewer=cswdif>, to meet the notification requirements.

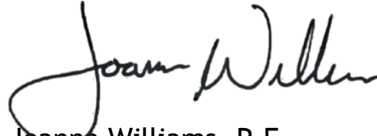


Shook Subdivision Filings 3 and 4
July 18, 2018
Page 2 of 2

Since insufficient information was provided in this referral, we cannot comment on the potential for injury to existing water rights or the adequacy of the proposed water supply under the provisions of Section 30-28-136(1)(h)(II), C.R.S.

Should you have any questions, please contact Ailis Thyne of this office at 303-866-3581 ext. 8216.

Sincerely,



Joanna Williams, P.E.
Water Resource Engineer

JMW/aat

Cc: Subdivision File 24595
Todd Creek Village Metro District File



From: [Thyne - DNR, Ailis](#)
To: [Libby Tart](#)
Subject: Re: second review comments for Shook 3 & 4 (PRC2018-00008)
Date: Thursday, December 5, 2019 9:13:23 AM
Attachments: [Shook Subdivision Filings 3 and 4 12-5-19.pdf](#)

Please be cautious: This email was sent from outside Adams County

Dear Libby Tart,
Please find attached comments from the State Engineers Office regarding PRC2018-00008.

If you have questions, please contact me at [303-866-3581 ext. 8216](tel:303-866-3581).

Sincerely,

Ailis Thyne
Water Resource Engineer



P 303.866.3581 x 8216
1313 Sherman Street, Room 818, Denver, CO 80203
ailis.thyne@state.co.us | www.colorado.gov/water

On Mon, Dec 2, 2019 at 3:13 PM Libby Tart <LTart@adcogov.org> wrote:

Hello all – I inherited the Shook 3 & 4 Preliminary/Final Plat case (number PRC2018-00008) from Emily Collins in February and am taking the preliminary plat portions of the case to public hearings in mid-December and mid-January. It looks like you all provided comment indicating you wished to see a water supply plan even though the new subdivision is part of the Todd Creek Village Metro District. The applicant responded back to Adams County with the following comment: “submitted additional information to Colorado Division of Water Resources in regards to water supply and water requirements”. Unfortunately, I cannot find any verification that Mr. JR Osborne sent this to your agency and if your agency commented that things are now adequate. Do you happen to have the information? If so, it would be very helpful to have it as exhibit material. I’m also attaching the initial comment letter from the first review in summer of 2018.

Many thanks for digging through your archives and finding the information!

Libby

Libby Tart, AICP

Senior Long Range Planner, *Community and Economic Development Department*

ADAMS COUNTY, COLORADO

4430 S. Adams County Parkway, 1st Floor, Suite W2000A

Brighton, CO 80601

O: 720.523.6858 | General Line: 720.523.6800

ltart@adcogov.org | www.adcogov.org



December 5, 2019

Emily Collins
Adams County Community and Economic Development Department
Transmitted via email:
ecollins@adcogov.org

RE: Shook Subdivision Filings 3 and 4
Project Number: PRC2018-00008
Portion of the SE ¼, Section 3, T1S, R67W, 6th P.M.
Water Division 1, Water District 2

Dear Ms. Collins,

We have reviewed the additional documents related to case no. PRC2018-00008, concerning the above referenced proposal to create 13 lots in Shook Subdivision Filing 3 and to create 11 lots in Shook Subdivision Filing 4.

Water Supply Demand

According to the Water Supply Information Summary Sheet submitted by the applicant, the estimated water demand is 0.5 AF/yr per lot, consisting of household use and irrigation use, for a total water demand of 12 AF/yr.

Information submitted by the Todd Creek Village Metropolitan District (“District”) for other subdivisions indicate that each proposed lot typically requires one potable water unit per lot and one irrigation water unit per lot. Since this subdivision is creating 24 lots, it is assumed that this development would require water for 24 lots.

Based on information in this office, the District currently uses a rate of 0.3 acre-feet per year per unit for their Potable Water Units and 0.25 acre-feet per year per unit for their Irrigation Water Units. At these rates, the subdivision would require 7.2 acre feet for indoor uses and 6 acre-feet for irrigation purposes; the development would require a total of 13.2 acre-feet per year.

Source of Water Supply

District Water Supply Overview

The proposed water source is the Todd Creek Village Metropolitan District (District). A “willing to serve” letter from the District dated February 18, 2018 was provided with application materials.



The District last provided a Water Supply Report to this office, dated November 2011, on June 3, 2014. The District submitted updated information regarding the District's surface water supplies and water demands on August 19, 2019 ("updated 2011 Report").

This office recognizes that the District continues to develop its water portfolio and infrastructure so that it can meet the needs of its customers. However, when this office evaluates water supplies available to any water district or municipal provider for the purpose of meeting permanent customer commitments it does not consider a district's short-term contract supplies, pending projects or junior water rights. Short term contracts have the potential to be discontinued, water supplies that require a water court decree prior to use have an uncertain yield until such time as a water court decree is obtained and junior water rights are only able to divert during times when all downstream senior water rights are satisfied, which in the South Platte river basin is infrequent in dry years. For these reasons, we have not historically considered such supplies when evaluating the permanent water supplies available to a district. This is consistent with the approach we have taken in previous letters to the county regarding the District, including letters dated January 2, 2002, June 18, 2002, August 8, 2002, October 29, 2002, September 15, 2004, January 24, 2005, February 8, 2005, October 4, 2011 and November 17, 2016.

District Water Supply Demands

The updated 2011 Report estimates the District's current and future demands are approximately 3,375.08 acre-feet annually of which 1,452.27 acre-feet annually is for potable use and 1,922.81 acre-feet annually is for irrigation use. *This total includes 1,930 units for Dry Creek East Subdivision, but does not include the additional 24 lots of Shook Filings 3 and 4.*

According to information in this office, the District has implemented a dual pipeline system, one for potable water and one for non-potable irrigation water. New subdivisions will be required to have two taps and the existing subdivisions have been retrofitted with this system. Due to the nature of the District's water rights, their dual pipeline system and the water supply requirements of this office, the demand has been further broken down into potable residential water demands, potable commercial water demands and non-potable irrigation demands. This office will focus on the potable residential and commercial water demands since Todd Creek can supply potable water separate from non-potable water as a result of their dual pipeline system. Currently, platted and future residential and commercial potable water demands total 1,452.27 acre-feet per year, *not including Shook Subdivision Filings 3 and 4.*

For the purposes of understanding the District's ability to satisfy the county's water allocation approach for the previously approved subdivisions, water demand can also be described by the total residential and commercial potable water demand over the 100 year and 300 year allocation periods. The total potable water demand for residential and commercial developments is 303,664.4 acre-feet. The potable water requirements of each existing residential and commercial development are listed in Table 1.

Table 1: Potable Water Demands

Development Name	Number of Single Family Units	Assumed Water Requirement per Lot (AF/yr/lot)	Total Annual In-House Use Requirement (AF/yr)	Water Supply Demand Approach	Total In-House Use Requirement (AF)
Residential					
Todd Creek Farms Filing 1	54	0.269	14.53	100-yr	1452.6
Todd Creek Farms Filing 2	57	0.269	15.33	100-yr	1533.3
Todd Creek Farms Filing 3	62	0.269	16.68	100-yr	1667.8
Todd Creek Farms Filing 4	139	0.269	37.39	100-yr	3739.1
Foxridge	58	0.269	15.60	100-yr	1560.2
Todd Creek Farms Filing 5	160	0.269	43.04	100-yr	4304.0
Eagle Shadow I	185	0.269	49.77	100-yr	4976.5
Wheatland Estates	71	0.269	19.10	100-yr	1909.9
Todd Creek Meadows Phase I	78	0.269	20.98	100-yr	2098.2
Silver Springs	52	0.269	13.99	100-yr	1398.8
Hawk Ridge	47	0.269	12.64	100-yr	1264.3
Eagle Shadow II	191	0.269	51.38	100-yr	5137.9
Heritage at Todd Creek	1277	0.269	343.51	100-yr	34351.3
Todd Creek Village-Bartley	172	0.300	51.60	300-yr	15480.0
Todd Creek Village-Shook	32	0.300	9.60	300-yr	2880.0
Baseline Lakes	54	0.269	14.53	300-yr	4357.8
Jogan Estates	3	0.300	0.9	300-yr	270
Seltzer FT	207	0.300	62.10	300-yr	18,630.0
Seltzer Farms	501	0.300	150.30	300-yr	45,090.0
Wygant	255	0.300	76.50	300-yr	22,950.0
Baseline Lakes-Add'l	140	0.300	42.00	300-yr	12,600.0
ALF (Dry Creek East)	1,930	0.200	386	300-yr	115,800.0
Commercial					
HTC Club/Maint			3.65	100-yr	365.0
TCVMD office			0.03	100-yr	3.0
NH Church			0.88	100-yr	88.0
Harvest Fellowship			0.24	100-yr	24.0
Total	5,725		1,452.27		303,931.7

District Water Supply Availability: Denver Basin Water

According to the District's updated 2011 Report, the District has approximately 843 acre-feet per year of currently decreed nontributary Laramie-Fox Hills ground water rights. The District also has 39.2 acre-feet per year of not-nontributary Lower Arapahoe ground water rights that are currently included in a plan for augmentation and 503.6 acre-feet per year of not-nontributary Lower Arapahoe ground water rights that are currently not included in a plan for augmentation. Once adjudicated, the District claims it will also have the right to withdraw and use additional Laramie-Fox Hills aquifer water underlying lands in the District's

boundaries that is not currently adjudicated. **Please note that these amounts are based on the statutory 100-year aquifer life allocation approach.**

Based on this information, the District currently has a total of 88,220 acre-feet (882.2 acre-feet per year for 100 years) of Denver Basin water supplies; the District is committed to supplying a total of 303,931.7 acre-feet of potable water. If the Denver Basin water is withdrawn over 100 years, it equates to 882.2 acre-feet of water per year, which is less than the yearly potable commitment of 1,452.27 acre-feet per year.

The proposed source of water for this subdivision includes bedrock aquifer ground water in the Denver Basin. The State Engineer's Office does not have evidence regarding the length of time for which this source will be a physically and economically viable source of water. According to 37-90-137(4)(b)(I), C.R.S., "Permits issued pursuant to this subsection (4) shall allow withdrawals on the basis of an aquifer life of one hundred years." Based on this **allocation** approach, the annual amounts of water decreed by the District in the Denver Basin are equal to one percent of the total amount, as determined by rules 8.A and 8.B of the Statewide Nontributary Ground Water Rules, 2 CCR 402-7. Therefore, the water may be withdrawn in those annual amounts for a maximum of 100 years.

In the Adams County Development Standards and Regulations, Effective April 15, 2002, Section 5-04-05-06-04 states:

"Prior to platting, the developer shall demonstrate that...the water supply is dependable in quantity and quality based on a minimum useful life of three-hundred (300) years. A minimum 300-year useful life means the water supply from both a static and dynamic basis will be viable for a minimum 300-year period. The static analysis shall include evaluation of the volume of water that is appropriable for the proposed subdivision. The dynamic analysis shall evaluate whether the appropriable water supply is sustainable for three-hundred (300) years, giving consideration to the location and extent of the aquifer, as well as impacts caused by both current and future pumping by others from the aquifer."

The State Engineer's Office does not have evidence regarding the length of time for which this source will be "dependable in quantity and quality." However, the one hundred year and three hundred year water allocation approach was evaluated as described above. The State Engineer's Office has no comment on the quality of the water supply or the required 'dynamic analysis' to evaluate whether the appropriable water supply is sustainable for three hundred years.

District Water Supply Availability: Surface Water

According to the District's updated 2011 Report, the District has surface water rights ranging from 1,740 acre-feet per year to 3,440 acre-feet per year. Some of this surface water is limited to municipal or irrigation uses only, as outlined in Table 2, below. Table 2 also outlines what sources this office considers secure permanent supplies for the purposes of evaluating a subdivision water supply plan. This office does not consider water subject to short-term leases or water not yet adjudicated by the Water Court when evaluating the amount of permanent supplies available to supply residential developments. Also this office will not consider junior water rights unless the District shows that they have the ability to

store junior water rights and can clearly document the firm supply that would be available from such junior water rights in dry years.

Regarding the District's use of Coors water, the following issues need to be addressed before we can provide additional comments. The Coors effluent may have very limited yield since the decrees under which the majority of the water rights were changed (case nos. W-8036, W8256 and 89CW234) do not allow for reuse or successive use for municipal uses within the District's boundaries or augmentation uses other than the Coors Operations contemplated in the decrees. It appears that only a portion of the water included in case no. 99CW236, specifically water previously changed in case no. 96CW1117, could be used within the District's boundaries, subject to the terms and conditions of said decrees.

The District has obtained a decree in case no. 08CW165 since the District's updated 2011 Report, therefore the average historical consumptive use decreed in that case for the Old Brantner shares of 130 acre-feet has been included as a permanent supply as shown in Table 2.

Table 2: District's Surface Water Supplies

Water Source	Contract/ Shares	Contract End Date or Decree/ SWSP	Proposed Yield: Municipal (AF)	Proposed Yield: Irrigation (AF)	Firm yield, permanent supply: Municipal (AF)	Firm yield, permanent supply: Irrigation (AF)	Notes
Old Brantner	17 shares	08CW165	315.2	0	130	0	Adjudicated March 10, 2015
New Brantner	18.375 shares		0	312	0	312*	No information provided
Effluent	Coors- Aug	12/31/2016 (12/31/2026 w/ extensions)	200	0	0	0	Effluent not decreed for reuse or successive use
Reusable Effluent	Consolidated Mutual	Perpetual	500	0	462.1**	0	
Excess Credits	SACWSD	3/31/2018	500	0	0	0	Short term lease
Jr. Surface Right	n/a	13CW3181	40 cfs	0	0	0	
Jr. Surface Right	n/a	16CW3019	7,482	0	0	0	
Jr. Surface Right	n/a	19CW3061	----	0	0	0	Pending Court Case

*The New Brantner shares can continue to be used for the historical irrigation use. From the information provided it could not be determined if the land proposed to be irrigated is included under the originally decreed lands.

**The Consolidated Mutual contract water is typically released from the Metro Wastewater Facility; this water travels downstream to the District. Due to transit losses associated with the water delivery, only 462.1 acre-feet of the 500 acre-feet contracted is realized by the District. This calculation is based on the standard river transit loss rates; in a dry year the rate of transit loss could increase.

Based on the information provided by the District, and additional information available to this office, it appears that the applicant has approximately 592.1 acre-feet of potable surface water supplies that could be considered part of the permanent water supply.

District Water Supply Availability: Conclusions

The District's ability to regulate potable and irrigation water separately through their dual pipeline system allows this office to evaluate potable water supply and irrigation water supply independently. Therefore, this office's conclusions regarding the District's potable and irrigation water are being addressed separately.

When the permanent supply of the District's municipal surface rights (592.1 acre-feet per year) is combined with the District's Denver Basin water (882.2 acre-feet per year), the District's total permanent potable water supply becomes 1,474.3 acre-feet per year (assuming a 100-year aquifer life). This amount is not sufficient to meet the potable residential and commercial demands for the existing District's commitments, which is 1,066.27 acre-feet per year, the 386 acre-feet per year required for Dry Creek East Planned Development (Weld County) and 7.2 acre-feet per year for Shook Subdivision Filings 3 and 4.

As discussed above based on the 100 year and 300 year allocation approaches required for the subdivisions the total water requirement for the District's current commitments is 303,931.7 acre-feet. The permanent water sources available to meet that demand is 882.2 acre-feet per year of Denver Basin water (88,220 acre-feet total based on a 100 year allocation approach) and 592.1 acre-feet of surface rights (177,630 acre-feet based on deliveries for 300 years). Therefore the total amount of permanent water supplies available over a 300 year period would be 265,850 acre-feet which would not be adequate to meet the demand over that period of 303,931.7 acre-feet, *not* including Shook Subdivision Filings 3 and 4.

The recognized permanent surface irrigation supplies are 312 acre-feet per year available from the New Brantner shares. Permanent potable water supply that is not needed for existing residential and commercial commitments may be used as a source of permanent irrigation water supply, however Denver Basin water used for that purpose would reduce the amount available to meet future potable water demands.

The 312 acre-feet of permanent irrigation supplies is less than the 1,922.81 acre-feet per year irrigation demand projected for the platted parcels. It is our opinion that the District does not have adequate permanent water supplies to meet the estimated future irrigation requirements.

State Engineer's Office Opinion

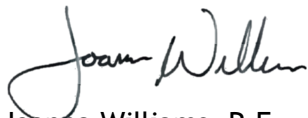
Based on the above and pursuant to Section 30-28-136(1)(h)(II), C.R.S., the State Engineer's Office has not received enough information to render an opinion regarding the potential for causing material injury to decreed water rights, or the adequacy of the proposed water supply. Prior to further review of the subdivision water supply plan the following information is required:

1. The District should show that they have additional firm water supplies currently available to supply water to their existing commitments, Dry Creek Planned Development (Weld County) and Shook Subdivision Filings 3 and 4 or clarify the amount of water actually committed to the Dry Creek Planned Development and Shook Subdivision Filings 3 and 4. If the District will be claiming junior water rights as part of the firm supply the District must show that they have the ability to store the junior water rights and clearly document the firm supply that would be available from such junior water rights in dry years.

The applicant should be aware that unless any storm water detention structure, can meet the requirements of a "storm water detention and infiltration facility" as defined in Section 37-92-602(8), C.R.S., the structure may be subject to administration by this office. The applicant should review the Division of Water Resources [Administrative Statement Regarding the Management of Storm Water Detention Facilities and Post-Wildland Fire Facilities in Colorado](#), available on our website, to ensure that the notification, construction and operation of the proposed structure meets statutory and administrative requirements. The applicant is encouraged to use *Colorado Stormwater Detention and Infiltration Facility Notification Portal*, located at <https://maperture.digitaldataservices.com/gvh/?viewer=cswdif>, to meet the notification requirements.

Should you or the applicant have any questions, please contact Ailis Thyne at (303) 866-3581 x8216.

Sincerely,



Joanna Williams, P.E.
Water Resource Engineer

JMW/aat

Cc: Subdivision File 24595
Todd Creek Village Metro District File

From: [Libby Tart](#)
To: "Don Summers": c3construction@live.com
Cc: [Jen Rutter](#); [Christine Fitch](#); [Matthew Emmens](#)
Subject: RE: TCVMD 2019 Water Supply Plan
Date: Thursday, January 2, 2020 3:03:00 PM
Importance: High

Hello all – Hope you all had a happy holiday!

We haven't received any further files since just before the holidays began. We must receive the *signed and stamped* water supply plan by noon on Wednesday 1/8 in order for the case to not be continued again. The Planning Commission (PC) is expecting that the case will go before them on Thursday 1/9. If you anticipate that this timeframe is not realistic, please make a continuance request by email so that we have it for our records.

The BoCC continuance request occurs on 1/14 and the proposed date for consideration is 1/21. If we need to move the PC date again (to 1/23 or later – PC meetings occur the 2nd and 4th Thursdays of the month) , we will need to continue the BoCC date to February 4th or later.

Please keep us informed about your timeline.

I'm currently working from home due to a head cold, but anticipate being in the office tomorrow.

Many thanks,
Libby

Libby Tart, AICP

Senior Long Range Planner, *Community and Economic Development Department*
ADAMS COUNTY, COLORADO

4430 S. Adams County Parkway, 1st Floor, Suite W2000A
Brighton, CO 80601

O: 720.523.6858 | General Line: 720.523.6800

ltart@adcogov.org | www.adcogov.org

From: Libby Tart
Sent: Tuesday, December 24, 2019 12:20 PM
To: Don Summers <don@toddcreekvillage.org>; Jen Rutter <JRutter@adcogov.org>
Cc: c3construction@live.com; [Christine Fitch <CFitch@adcogov.org>](mailto:CFitch@adcogov.org); [Matthew Emmens <MEmmens@adcogov.org>](mailto:MEmmens@adcogov.org)
Subject: RE: TCVMD 2019 Water Supply Plan

From: [Libby Tart](#)
To: [Don Summers](#); [Jen Rutter](#)
Cc: c3construction@live.com; [Christine Fitch](#); [Matthew Emmens](#)
Subject: RE: TCVMD 2019 Water Supply Plan
Date: Tuesday, December 24, 2019 12:20:00 PM

Hello Don and Jen – I will be happy to send the request along to the Division of Water Resources after we receive the update with the 300 year supply mentioned. I'll be here Thursday and Friday if the revisions are quickly addressed.

Thanks and Merry Christmas to you!

Libby

Libby Tart, AICP

Senior Long Range Planner, *Community and Economic Development Department*
ADAMS COUNTY, COLORADO

4430 S. Adams County Parkway, 1st Floor, Suite W2000A
Brighton, CO 80601

O: 720.523.6858 | General Line: 720.523.6800

ltart@adcogov.org | www.adcogov.org

From: Don Summers <don@toddcreekvillage.org>
Sent: Tuesday, December 24, 2019 11:43 AM
To: Jen Rutter <JRutter@adcogov.org>
Cc: Don Summers <don@toddcreekvillage.org>; c3construction@live.com; [Christine Fitch <CFitch@adcogov.org>](mailto:CFitch@adcogov.org); [Libby Tart <LTart@adcogov.org>](mailto:LTart@adcogov.org); [Matthew Emmens <MEmmens@adcogov.org>](mailto:MEmmens@adcogov.org)
Subject: RE: TCVMD 2019 Water Supply Plan

Please be cautious: This email was sent from outside Adams County

Jen,

Thank you for getting back to me so quickly. What you are asking for is a simple request and I will get back the revision back to you right away.

Merry Christmas,

Don

Don Summers
TCVMD
720.373.7373

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not an intended recipient, you must not use, disclose, disseminate, copy or print its contents. If you receive this email in error, please notify the sender or reply by e-mail and delete or destroy this message.

On Dec 24, 2019, at 9:59 AM, Jen Rutter <jrutter@adcogov.org> wrote:

Good morning,

Thank you for providing the TCVMD 2019 Water Supply Plan. The County requires proof of adequate supply of water for a minimum of 300 years, so please make that more explicit in your report. Table 2 (page 15 of 18) lists "Estimated Annual Appropriation 100 yrs af/yr".

Please see Section 5-04-05-06-04(2.) for the details on that 300-year requirement:

<http://www.adcogov.org/sites/default/files/dsr-chapter-05.pdf>

Thank you and happy holidays!

Jen

Jen Rutter

Development Services Manager, *Community & Economic Development*

ADAMS COUNTY, COLORADO

4430 South Adams County Parkway, 1st Floor, Suite W2000A

Brighton, CO 80601

o: 720.523.6841 | jrutter@adcogov.org

www.adcogov.org

From: Don Summers <don@toddcreekvillage.org>

Sent: Thursday, December 19, 2019 11:29 AM

To: Libby Tart <LTart@adcogov.org>; Jen Rutter <JRutter@adcogov.org>; Christine Fitch <CFitch@adcogov.org>

Subject: TCVMD 2019 Water Supply Plan

Please be cautious: This email was sent from outside Adams County

Libby, Jen & Christy,

Please see the attached Water Supply Plan.

In response the letter written by DWR regarding Adams County's request of determination of TCVMD's ability to supply water to the Shook subdivision, Todd Creek Village Metropolitan

District(TCVMD) has commissioned and finished a new Water Supply Plan(WSP).

TCVMD disagrees with the conclusion and overall characterization of our water plan in the letter and thought it would be clearer and more efficient to complete a new WSP for review by both the County and the State DWR.

This is not an update of an existing plan, but an entirely new description of the water available to the District to supply its users. This plan goes not only into the supplies that are available normally, but also the amount available during the drought period of 2002-2006 (The worst in State history) and further to a drought scenario that is significantly worse than the worst seen in Colorado history.

TCVMD is confident of its ability to supply water to all of its customers in all conditions and with more flexibility than most suppliers serving in Adams County or elsewhere in the State. If Adams County would like the District to present or defend this Supply Plan to others of the County's choosing, I am happy to do that on behalf of TCVMD.

TCVMD is in partnership with Adams County on the Mann Lakes Reservoir Project located in the Adams County Regional Park Complex on 124th Ave. This reservoir project is one of many that are in various stages of development by TCVMD to better supply our users. TCVMD has purposefully embarked on a different strategy than many other water suppliers. We here at TCVMD are implementing a "junior rights supported by superior infrastructure" approach. As you will see in the TCVMD 2019 WSP that this approach along with our two-pipe system(potable & non-potable water delivery to each house) allows TCVMD to supply water reliably during very extreme drought periods.

When you have any questions relating to water, I will be glad to assist you whether the issue is directly related to TCVMD or just general water information.

The State DWR is being provided this same 2019 Water Supply Plan by Jehn Water. However, they will not act on it without a formal request from Adams County.

Thank you,

Don

Don Summers
TCVMD
720.373.7373

The information contained in this e-mail is intended only for the individuals to whom it is addressed. Its contents (including attachments) are confidential and may be privileged information. If you are not an intended recipient, you must not use, disclose, disseminate, copy or print its contents. If you receive this email in error, please notify the sender or reply by e-mail and delete or destroy this message.

From: [Don Summers](#)
To: [Libby Tart](#); [Jen Rutter](#); [Christine Fitch](#)
Subject: TCVMD 2019 Water Supply Plan
Date: Thursday, December 19, 2019 11:28:47 AM
Attachments: [TCVMD WSP Final 20191217 \(002\).pdf](#)

Please be cautious: This email was sent from outside Adams County

Libby, Jen & Christy,

Please see the attached Water Supply Plan.

In response the letter written by DWR regarding Adams County's request of determination of TCVMD's ability to supply water to the Shook subdivision, Todd Creek Village Metropolitan District(TCVMD) has commissioned and finished a new Water Supply Plan(WSP). TCVMD disagrees with the conclusion and overall characterization of our water plan in the letter and thought it would be clearer and more efficient to complete a new WSP for review by both the County and the State DWR.

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Don

Don Summers
TCVMD

720.373.7373

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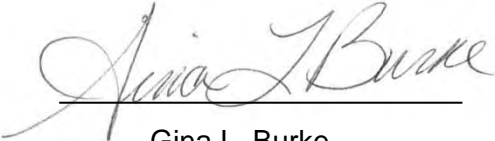
**TODD CREEK VILLAGE
METROPOLITAN DISTRICT
WATER SUPPLY PLAN**

Prepared For: Todd Creek Village Metropolitan District
10450 East 49th Ct.
Brighton, Colorado 80602

Prepared By: Jehn Water Consultants, Inc.
88 Inverness Circle East, Suite K-102
Englewood, Colorado 80112
(303)321-8335
Job No. 814.1

**TODD CREEK VILLAGE
METROPOLITAN DISTRICT
WATER SUPPLY PLAN**

December 17, 2019

A handwritten signature in cursive script, reading "Gina L. Burke", is positioned above a horizontal line. The signature is written in black ink and is centered on the page.

Gina L. Burke
President

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INTRODUCTION

This Report is an update of the Water Supply Report, dated November 2, 2011, for the Todd Creek Village Metropolitan District (District) which is approved to provide services in Adams and Weld Counties, Colorado. The primary purpose of this Report is to summarize the current and future demands of the District and the water available to meet those demands.

The District controls Denver Basin ground water rights in all or portions of Sections 1–5, 8–12, 14–16, and 21-23 in Township 1 South, Range 67 West. The District's Service Area also includes Sections 21-24, 25-28, and 33-36 in Township 1 North, Range 67 West, all within the 6th P.M. (Figure 1). The District's Service Area currently includes approximately 12,891 acres, of which approximately 6,833 acres are located in Adams County and 6,058 acres are located in Weld County.

This Report updates the water supplies available to the District and the current potable and irrigation demands of the District. This Report also provides firm yield analyses for the District's junior water rights and existing infrastructure to evaluate the sufficiency of the District's water supplies.

DISTRICT'S WATER SUPPLY

The District controls water rights in the Denver Basin aquifers underlying the District property as well as surface water rights on the South Platte.

Decreed Denver Basin Ground Water Rights

As summarized in Table 1, a total of 1,386.2 acre-feet per year (af/yr) are decreed for use within the District. That total includes 843.4 af/yr decreed from the nontributary Laramie-Fox Hills aquifer and 542.8 af/yr decreed from the not-nontributary Lower Arapahoe aquifer. At the time of this Report, the water rights decreed in the Lower Arapahoe aquifer have not been decreed in a Water Court approved augmentation plan.

As additional properties are platted and agreements are made with the District for service, the Denver Basin ground water is conveyed to the District. Table 2 provides a summary of Denver Basin ground water rights that have either been conveyed to the District but have not yet been adjudicated, or that underlie properties that are currently in the process of being zoned or platted and will be conveyed to the District upon completion of the land use process. Based on the estimates described in Table 2, there are approximately 568 af/yr in the not-nontributary Lower Arapahoe and 948 af/yr of nontributary Laramie-Fox Hills water rights underlying Todd Creek Village, Todd Creek Shook and Todd Creek Bartley (Adams County). The Todd Creek Seltzer properties, located in both Adams and Weld Counties, may have 59 af/yr in the not-nontributary Lower Arapahoe and 103 af/yr in the nontributary Laramie-Fox Hills underlying those parcels. There is also an estimated 86 af/yr of not-nontributary Lower Arapahoe and 155 af/yr of nontributary Laramie-Fox Hills aquifer ground water underlying the Dry Creek East property. The Dry Creek East property is currently being rezoned through Weld County and once the proposed development is platted, the Denver Basin ground water associated with the property will be conveyed to the District as one of the conditions for service. In total, there is approximately 714 af/yr available in the not-nontributary Lower Arapahoe and 1,216 af/yr in the nontributary Laramie-Fox Hills aquifers that will be available to the District to meet future demands.

Surface Water Rights

The District owns surface water rights to be utilized within the District to meet current and future demands. Table 3 provides a summary of those water rights totaling approximately 19,000 af/yr.

Old Brantner Ditch

The District permanently controls 18 shares of the Old Brantner Ditch. 17 of those shares were changed to municipal uses in Case No. 08CW165. The change of use in that Case was from irrigation to municipal uses within the District. The consumptive use associated with the 17 shares is 130 af/yr.

New Brantner Ditch

The District owns 19.375 shares of the New Brantner Ditch. The District is currently working with Aurora to purchase additional shares. The District has future plans to change its shares of New Brantner Ditch rights to municipal uses within the District. The estimated consumptive use for the 18.375 shares is approximately 312 af/yr.

Consolidated Mutual

The District permanently controls the 500 af/yr of reusable effluent from Consolidated Mutual Water Company.

Case No. 13CW3181

This decree includes conditional surface water rights from the South Platte River, both direct and storage, conditional alluvial well water rights, and a plan for augmentation and exchange. Case No. 13CW3181 includes two surface points of diversion (TCVS-01 and TCVS-02) and four augmented alluvial wells (TCQAL-1 through TCQAL-4). The decreed total annual diversion may not exceed 6,202 af/yr (10-year average) and 11,237 acre-feet in any single year. A total of 1,198 acre-feet of storage was also decreed utilizing the reservoirs within the District's Service Area (Smith, Signal 1, Signal 2, and Baselines East and West). The District is currently using about 564 acre-feet of storage, has the remaining amount under development, is currently utilizing diversions from TCVS-01, and wells TCQAL-1, TCQAL-2 and TCQAL-4.

In Water Year 2018 the District diverted approximately 2,538 acre-feet from the decreed structures and 1,509 acre-feet in Water Year 2019.

Case No. 16CW3019

TCVMD has decreed a conditional storage water right for the Mann Lakes Reservoir which is an off-channel, lined gravel pit reservoir complex consisting of three interconnected lakes know as Mann Lake No. 1, Mann Lake No. 2 and Mann Lake No. 3. A total of 3,741 acre-feet of storage is decreed to Mann Lakes. The decreed volumetric limit is 7,482 af/yr. Currently, the Mann Lakes reservoirs are legally available for use and in 2019 the District diverted approximately 1,656 acre-feet into the reservoir complex, utilizing Mann Lake Nos. 2 and 3.

EXISTING AND PROJECTED WATER DEMANDS

The District is currently relying on its surface water rights to meet the needs of the District and are utilizing their Denver Basin ground water rights as drought protection only. As of the date of this Report, the District is committed to provide potable and irrigation service to 2,713 residential units, four commercial properties, and the irrigation of two parks, miscellaneous landscaping throughout the District and the Heritage Todd Creek Golf Course. The District manages two water rights portfolios, one to meet their potable demands and a second to meet their irrigation demands. The District runs on a two-pipe system where they only treat a portion of their surface water rights for potable uses and can provide untreated water for irrigation throughout the District. The estimated total demands, as outlined in Table 4, for those properties that are currently platted and have service agreements with the District are approximately 1,736 af/yr.

Currently, there are two County applications being processed. The 24 lots in the Adams County application (TC Shook) will add approximately 7.2 af/yr to the current committed potable demands of the District. There are also 300 lots in a Weld County application (ALF) that will add approximately 60 af/yr to the potable demands of the District. The overall total demands of these two applications, including irrigation, will be approximately 150 af/yr which will raise the current overall demands of the District to approximately 1,886 af/yr.

JUNIOR FIRM YIELD ANALYSIS

An operational model was built to determine what demands could be met with the water rights discussed above. This firm yield analysis includes the Water Availability analyses completed for both junior water rights decrees, Case Nos. 13CW3181 and 16CW3019 updated through Water Year 2018 (Tables 5 through 13), along with the currently utilized storage reservoirs (Smith, Signal 2 and Mann Lake Nos. 1, 2 and 3). The sources of water supply to meet the demands in the firm yield analysis include the conditional junior water rights decreed in Case No. 13CW3181 for TCVS-01 (limited to 40 cfs) and the water rights decreed in Case No. 16CW3019 diverted at Mann Lakes South Platte River Diversion (limited to 21 cfs). The total water rights available to the District at TCVS-01, as utilized in this operational analysis, is summarized in Table 11 and those water rights available at Mann Lake are summarized in Table 13.

District Demands

Based on the demands outlined in Table 4, a total of 803 af/yr was utilized in the operational analysis (Table 14). This includes the potable demands for the platted units, which includes the 24 units for TC Shook, and the 300 ALF units (60 af/yr). Since the demands being modeled are potable only, it is assumed they are constant each month. A conservative analysis was completed in regard to the demands of evaporation off of the storage reservoirs. It was assumed that the reservoirs were full throughout the operational model to maximize the evaporative demands on the system. As TCVMD utilizes the reservoirs as a single storage system with all the structures connect to each other, the analysis utilized a combine storage volume of 460 acre-feet at the District (Smith and Signal 2) with a combined surface area of 53 acres. For Mann Lakes, it was assumed that the District would only have available their portion of the Mann Lakes reservoir complex (58.15% of the total storage) which equates to 1,789 acre-feet and 93 surface acres. The conservative demands for evaporation at the District and Mann Lakes are provided in Tables 15 and 16, respectively. As shown, a total of 517 af/yr of evaporation was included in the operational analysis.

Analysis Results

Based on the water availability analysis and the demands on the system, a storage analysis was completed to determine the potential demands met. Table 17 shows the water remaining in storage after the monthly demands are met utilizing the District's storage in Smith and Signal 2.

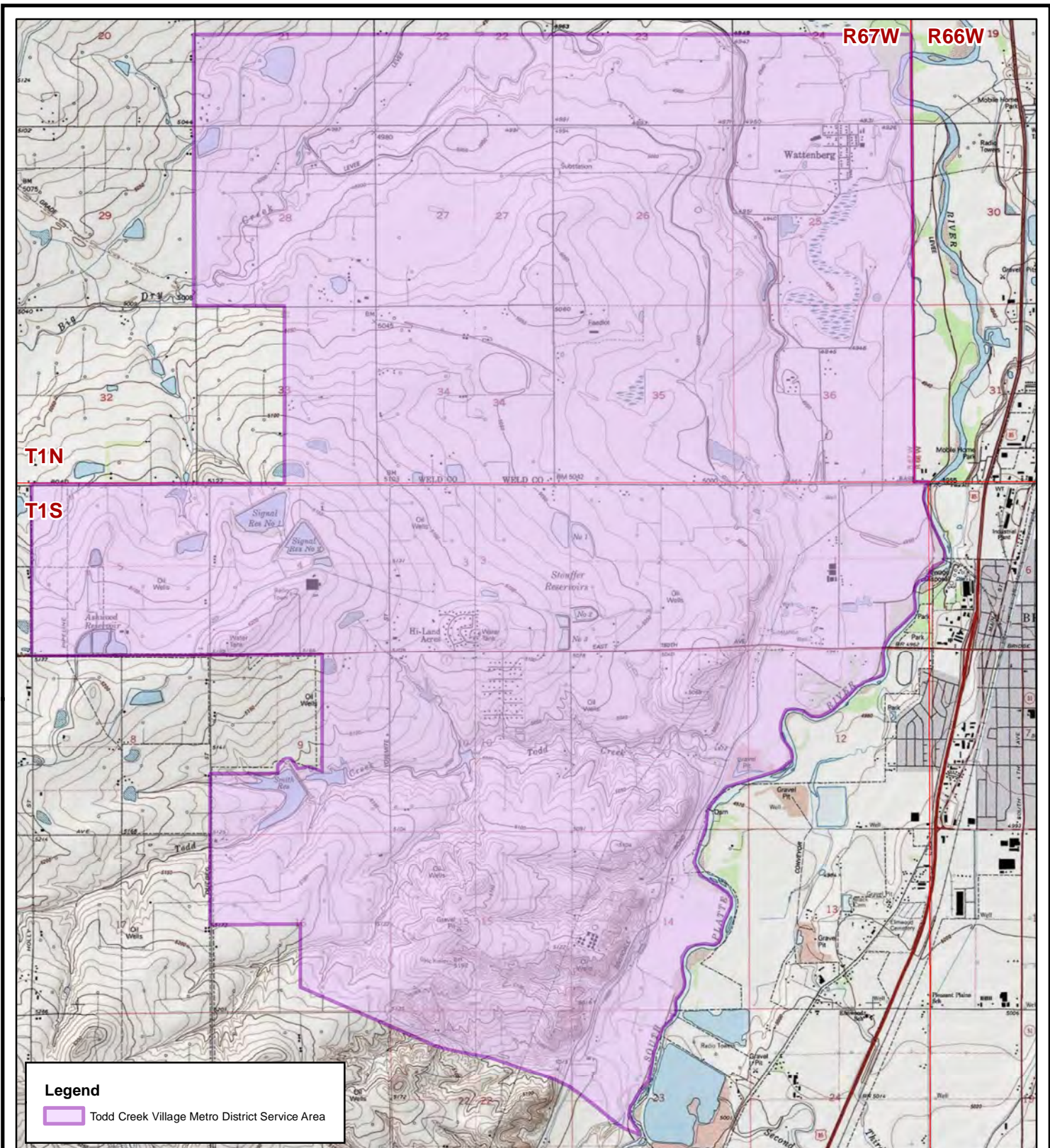
This analysis provides excess storage to be carried over to meet the demands of the following month. There are months in which all demands were not met as shown in Table 18. Those additional demands were then modeled in the Mann Lakes Reservoir Complex. Table 19 shows the water remaining in storage after the remaining demands are met utilizing the District's storage in Mann Lakes. As shown in Table 20, the junior surface water rights, with storage within the District and at Mann Lakes is more than sufficient to meet the District's demands of 803 af/yr.

A second model was completed which added additional conservative measures. The conservative model utilized all the same data as the model discussed above but added a limitation on resources for the two decreed rights. From 2003 through 2005 all water rights available under Case Nos. 13CW3181 and 16CW3019 were zeroed out as shown on Tables 21 and 22, respectively. This modeling approach utilized the same conservative approach to evaporation as discussed above. The results, as shown in Tables 23 through 25, show that the total demands met by the storage structures averaged 748 af/yr over the 26-year study period. As shown in Table 25, there was sufficient junior water rights available in storage to meet all the demands in 2003 and partial demands in 2004 and 2006. From 2004 through 2006, the District would need to utilize other sources available to them, such as their decreed Denver Basin aquifer water rights and the surface water rights from Consolidated Mutual (500 af/yr) and the Old Brantner (130 af/yr), to fill in the gaps when the junior water rights would not be available to meet all demands.

CONCLUSIONS

The Todd Creek Village Metropolitan District has sufficient water rights readily available to meet current and future demands within the District's Service Area. As of the date of this Report, the District's current and short-term future potable demands are approximately 803 af/yr. These demands will be met from water rights owned or controlled by the District. Those water rights currently include approximately 843 af/yr of currently decreed nontributary Laramie-Fox Hills ground water rights, 500 af/yr from Consolidated Mutual, 130 af/yr from the Old Brantner and firm yield supplies from their decreed junior water rights, Case Nos. 13CW3181 and 16CW3019, ranging from 748 af/yr to 803 af/yr based on the analyses included herein. The District will also have right to withdraw and use additional Denver Basin ground water from the Laramie-Fox Hills aquifer once adjudicated in the estimated amounts of 1,216 af/yr for additional drought protection.

These readily available water rights, totaling more than 2,220 af/yr, are more than sufficient to meet the current and future needs of the District. With the use of the District's two-pipe system and separate portfolio of water rights to meet irrigation demands, that would allow the use of the 2,220 af/r of firm water rights to meet the potable demands of over 7,400 units.



Legend

Todd Creek Village Metro District Service Area

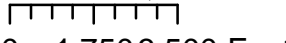
Sources:
Esri USA Topo Maps Basemap

Projection:
UTM NAD83

Job No. 814.1
Prepared By: HLB 02/23/2016
Checked By: GLB 02/23/2016

Jehn Water Consultants, Inc.
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Denver, CO 80218
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(303) 321-8346 fax
www.jehnwater.com

TCVMD Service Area

1 inch = 4,000 feet

 0 1,750 3,500 Feet



**Figure
1**

TABLE 1
TODD CREEK VILLAGE METROPOLITAN DISTRICT
DECREED DENVER BASIN GROUND WATER

Case No.	NNT Lower Arapahoe (af/yr)	NT LFH (af/yr)	Total af/yr
83CW136	-	27.3	27.3
87CW258	177.0	226.0	403.0
96CW242	23.8	14.5	38.3
97CW186	28.0	39.0	67.0
98CW396	27.4	38.1	65.5
98CW397	24.7	-	24.7
99CW042	-	34.0	34.0
99CW124	16.8	23.8	40.6
99CW141	28.7	38.0	66.7
00CW160	16.6	-	16.6
00CW254	41.5	133.9	175.4
02CW106	112.1	177.6	289.7
04CW108	46.2	91.2	137.4
Total	542.8	843.4	1386.2

Note: At the time of this report, the NNT Lower Arapahoe Aquifer ground water is not included in a plan for augmentation.

98CW397 was reduced by District's pro-rata share
(144 acres out of 149 acres decreed)

99CW124 was reduced by District's pro-rata share
(80 acres out of 160 acres decreed)

**TABLE 2
TODD CREEK VILLAGE METROPOLITAN DISTRICT
ESTIMATED DENVER BASIN GROUND WATER AVAILABLE**

*Dry Creek East
Township 1 North, Range 67 West, 6th P.M.*

Acres	Aquifer	Saturated Thickness ft	Sy	Estimated Appropriation acre-feet	Estimated Annual Appropriation 100 yrs af/yr	Status
530.1	Lower Arapahoe	96	0.17	8,644	86.44	NNT
	Laramie-Fox Hills	195	0.15	15,521	155.21	NT

*Todd Creek Shook
Portion of Section 3, Township 1 South, Range 67 West, 6th P.M.*

Acres	Aquifer	Saturated Thickness ft	Sy	Estimated Appropriation acre-feet	Estimated Annual Appropriation 100 yrs af/yr	Status
55	Lower Arapahoe	100	0.17	935	9.35	NNT
	Laramie-Fox Hills	189	0.15	1,559	15.59	NT

*Todd Creek Bartley
Portion of Section 2, Township 1 South, Range 67 West, 6th P.M.*

Acres	Aquifer	Saturated Thickness ft	Sy	Estimated Appropriation acre-feet	Estimated Annual Appropriation 100 yrs af/yr	Status
285	Lower Arapahoe	100	0.17	4,845	48.45	NNT
	Laramie-Fox Hills	189	0.15	8,080	80.80	NT

*Todd Creek Village
Township 1 South, Range 67 West, 6th P.M.*

Acres	Aquifer	Saturated Thickness ft	Sy	Estimated Appropriation acre-feet	Estimated Annual Appropriation 100 yrs af/yr	Status
3,004	Lower Arapahoe	100	0.17	51,068	510.68	NNT
	Laramie-Fox Hills	189	0.15	85,163	851.63	NT

*Todd Creek Seltzer
Portion of Section 34, Township 1 North, Range 67 West, and Portion of Section 3 and 4, Township 1 South,
Range 67 West, 6th P.M.*

Acres	Aquifer	Saturated Thickness ft	Sy	Estimated Appropriation acre-feet	Estimated Annual Appropriation 100 yrs af/yr	Status
381	Lower Arapahoe	91	0.17	5,913	59.13	NNT
339	Laramie-Fox Hills	203	0.15	10,295	102.95	NT

Notes: **At the time of this Report, the Denver Basin water rights included in this table have not been adjudicated.**

Dry Creek East Denver Basin water rights will be conveyed to the District once property is platted. Once conveyed, the District will adjudicate the water rights.

Todd Creek Village, Todd Creek Shook and Todd Creek Bentley Denver Basin water rights have been conveyed to the District.

The saturated thicknesses are to be considered estimates only.

**TABLE 3
TODD CREEK VILLAGE METROPOLITAN DISTRICT
SURFACE WATER RIGHTS & CONTRACTS**

Water Right	Contract/Shares	af/yr	Decree/SWSP	Uses	Notes
Old Brantner	17 shares	130	08CW165	Municipal	Decreed max annual
New Brantner	18.375 shares	312	shares	Irrigation	Estimated CU
Reusable Effluent	Consolidated Mutual	500	-	Municipal	Contract
Jr Surface Water	-	6,202	13CW3181	Municipal	10-yr avg (decreed max 11,237 af/yr)
Jr Surface Water	-	7,482	16CW3019	Municipal	Decreed Volumetric Limit
Jr Surface Water	-	4491	19CW3061	Municipal	Pending
Total		19,117			

**TABLE 4
TODD CREEK VILLAGE METROPOLITAN DISTRICT
ESTIMATED CURRENT & FUTURE DEMANDS**

	Total units	Currently Served Units	Future Units	Potable af/yr/unit	Current af/yr	Future af/yr	Total Potable af/yr		Irrigation af/yr/unit	Current af/yr	Future af/yr	Total Irrigation af/yr	Total Demands af/yr
Development (Platted)													
TCF 1	54	54	0	0.27	14.53	0.00	14.53	54	0.34	18.36	0.00	18.36	32.89
TCF 2	57	57	0	0.27	15.33	0.00	15.33	57	0.34	19.38	0.00	19.38	34.71
TCF 3	62	62	0	0.27	16.68	0.00	16.68	62	0.34	21.08	0.00	21.08	37.76
TCF 4	139	139	0	0.27	37.39	0.00	37.39	139	0.34	47.26	0.00	47.26	84.65
Foxridge	58	58	0	0.27	15.60	0.00	15.60	58	0.34	19.72	0.00	19.72	35.32
TCF 5	160	152	8	0.27	40.89	2.15	43.04	160	0.34	51.68	2.72	54.40	97.44
ES 1	185	180	5	0.27	48.42	1.35	49.77	185	0.34	61.20	1.70	62.90	112.67
Wheatlands	71	71	0	0.27	19.10	0.00	19.10	71	0.34	24.14	0.00	24.14	43.24
TCM 1	78	71	7	0.27	19.10	1.88	20.98	78	0.34	24.14	2.38	26.52	47.50
Silver Springs	52	52	0	0.27	13.99	0.00	13.99	52	0.34	17.68	0.00	17.68	31.67
Hawk Ridge	47	42	5	0.27	11.30	1.35	12.64	47	0.34	14.28	1.70	15.98	28.62
ESS	191	187	4	0.27	50.30	1.08	51.38	190	0.34	63.58	1.02	64.60	115.98
HTC	1,277	825	452	0.27	221.93	121.59	343.51	800	0.25	206.25	-6.25	200.00	543.51
TC Bartley	172	163	9	0.30	48.90	2.70	51.60	172	0.34	55.42	3.06	58.48	110.08
TC Shook	60	0	60	0.30	0.00	18.00	18.00	32	0.34	0.00	10.88	10.88	28.88
Baseline Lakes	54	49	5	0.27	13.18	1.35	14.53	54	0.34	16.66	1.70	18.36	32.89
Subtotals	2,717	2,162	555		586.63	151.43	738.07	2,211		660.83	18.91	679.74	1417.81
Commercial (Platted - 2010 Demands)													
HTC Club/Maint							3.65					11.70	15.35
TCVMD office							0.03					-	0.03
NH Church							0.88					-	0.88
Harvest Fellowship							0.24					0.39	0.63
TCVP&R ES Park							-					8.10	8.10
TCVP&R TCM Park							-					3.98	3.98
LS areas							-					69.90	69.90
Future HTC LS areas							-					120.00	120.00
HTC Golf Course							-					270.00	270.00
Future Development (Not Platted)													
Weld County Development Area	3,100			0.20			620.00	3,100	0.25			775.00	1395.00
ALF	1,930			0.20			386.00	1,930	0.25			482.50	868.50
Jogan Estates (Adams)	3			0.30			0.90	3	0.25			0.75	1.65
Seltzer FT (Adams)	207			0.30			62.10	207	0.25			51.75	113.85
Seltzer Farms (Adams)	501			0.30			150.30	501	0.25			125.25	275.55
Wygant (Adams)	255			0.30			76.50	255	0.25			63.75	140.25
Baseline Lakes - Add'l (Adams)	140			0.30			42.00	140	0.25			35.00	77.00
	6,136												
							Total (Platted)					1,163.81	1,906.68
							Current					1,144.90	1,736.33
							Future					18.91	170.34
							Total (Not Platted)					1,534.00	2,871.80
							TOTAL DEMANDS					2,697.81	4,778.48

Notes:
 Demands provided by Todd Creek Village Metropolitan District
 HTC - replat reduced units from 1,310 to 1,277.
 Baseline Lakes - platted for 54 units

TABLE 5
USGS 06720500 SOUTH PLATTE RIVER AT HENDERSON, CO
Colorado DWR Calculated Monthly Totals
(Acre-Feet)

Water Year	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Annual Total
1993	15,842	17,826	17,068	19,234	20,539	19,224	21,721	32,279	34,910	25,210	18,300	16,891	259,045
1994	14,547	12,936	16,336	12,823	15,138	17,110	25,012	33,882	16,562	18,034	12,478	15,926	210,785
1995	12,072	12,123	11,915	11,375	8,136	16,410	115,204	285,386	197,001	37,512	34,622	21,741	763,497
1996	20,615	17,322	21,737	17,524	15,614	14,017	40,053	50,169	35,394	26,517	26,936	19,004	304,902
1997	17,387	19,036	21,674	19,482	13,551	24,724	25,282	121,287	49,770	70,144	32,654	39,091	454,083
1998	26,388	30,316	32,198	19,180	31,819	75,845	106,280	44,424	62,633	43,697	21,319	20,386	514,486
1999	26,690	27,916	22,505	13,609	12,417	52,547	116,386	152,730	53,820	91,158	34,509	32,164	636,450
2000	30,209	22,088	32,736	22,104	24,219	21,231	32,884	31,619	36,522	26,960	16,237	17,756	314,565
2001	16,846	15,467	17,042	20,946	22,717	28,632	49,393	34,935	39,692	26,906	17,615	24,601	314,793
2002	19,067	16,086	15,237	17,540	19,839	12,647	19,411	14,827	12,085	10,035	15,549	11,889	184,212
2003	15,570	10,477	13,740	16,300	29,003	27,412	38,754	62,808	29,185	21,525	11,558	8,481	284,813
2004	11,256	11,806	11,522	17,562	17,852	22,802	20,242	30,871	38,520	39,204	19,208	22,947	263,792
2005	16,318	16,376	12,472	12,909	13,454	43,744	47,283	66,991	25,292	30,994	14,874	26,067	326,774
2006	11,709	12,082	11,203	13,077	16,058	11,832	21,531	30,191	39,856	32,996	14,341	18,365	233,240
2007	16,554	17,774	17,885	24,103	46,396	71,852	186,608	99,889	42,530	32,379	15,432	19,411	590,813
2008	26,422	12,744	13,932	22,108	23,021	16,098	31,210	42,145	40,628	34,275	18,454	14,049	295,087
2009	20,456	16,481	17,572	14,783	15,420	34,473	51,938	131,784	48,939	20,174	16,021	18,093	406,134
2010	32,908	19,163	11,808	15,289	31,298	57,226	59,864	79,023	30,744	31,292	12,292	13,595	394,500
2011	23,971	16,066	13,561	11,165	11,127	13,865	29,943	46,283	98,794	23,088	14,848	18,246	320,958
2012	24,508	14,214	11,959	17,066	16,243	16,683	18,796	18,494	17,227	11,909	16,929	12,199	196,226
2013	15,334	14,876	15,085	13,514	16,300	13,583	23,776	30,516	27,460	21,041	93,597	32,240	317,322
2014	25,430	18,155	16,705	15,396	21,281	19,234	58,954	89,722	54,677	27,805	19,444	35,477	402,280
2015	25,185	18,673	21,170	21,515	25,901	37,068	236,576	306,649	124,358	26,855	16,120	26,430	886,498
2016	32,502	23,860	19,297	18,593	28,691	82,085	119,704	89,037	30,308	21,690	11,623	10,673	488,064
2017	14,604	19,232	19,388	15,612	15,344	16,393	46,998	49,416	35,355	28,939	15,943	17,992	295,218
2018	19,702	15,588	15,808	12,891	19,747	13,434	26,404	26,531	22,945	15,106	13,751	12,018	213,926
Average	20,465	17,257	17,368	16,758	20,428	30,007	60,392	76,996	47,893	30,594	21,333	20,221	379,710
Minimum	11,256	10,477	11,203	11,165	8,136	11,832	18,796	14,827	12,085	10,035	11,558	8,481	184,212
Maximum	32,908	30,316	32,736	24,103	46,396	82,085	236,576	306,649	197,001	91,158	93,597	39,091	886,498

Data downloaded 05/03/2017 - updated 12/11/2019

TABLE 6
BRIGHTON DITCH DIVERSION HISTORY
Monthly Totals
(Acre-Feet)

Water Year	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Annual Total
1993	0	0	0	0	0	985	1,795	1,916	2,477	1,494	808	127	9,602
1994	0	0	0	0	268	949	2,060	2,070	1,410	1,479	1,215	416	9,867
1995	0	0	0	0	525	1,370	1,236	1,314	2,692	2,789	1,545	54	11,526
1996	0	0	0	0	152	1,824	2,111	2,152	2,599	1,684	529	0	11,051
1997	0	0	0	0	104	1,613	2,646	1,693	2,396	1,402	793	0	10,648
1998	0	0	0	0	0	977	1,714	2,116	2,449	2,059	1,899	245	11,457
1999	0	0	0	0	779	991	1,295	1,632	2,751	1,715	774	623	10,560
2000	0	0	0	0	928	979	1,776	2,215	1,997	1,617	843	766	11,120
2001	0	0	0	0	155	1,410	912	1,385	2,153	1,668	853	504	9,042
2002	0	0	0	0	0	1,417	1,481	1,272	1,373	1,353	1,147	1,025	9,069
2003	152	0	0	0	0	1,213	799	1,639	1,891	1,431	1,121	796	9,042
2004	143	0	0	0	644	1,893	1,873	1,266	2,017	2,034	1,143	716	11,729
2005	87	0	0	0	75	945	812	765	1,431	1,559	1,253	398	7,326
2006	16	0	0	0	65	1,432	1,449	1,767	1,430	1,317	979	785	9,240
2007	0	0	0	0	0	303	958	1,369	1,582	1,473	1,129	686	7,500
2008	0	0	0	0	154	1,193	1,490	1,134	1,735	1,065	1,034	1,019	8,824
2009	0	0	0	0	382	486	717	653	1,685	1,319	797	548	6,586
2010	0	0	0	0	0	284	662	988	1,321	1,084	768	598	5,704
2011	35	0	0	0	382	1,041	906	1,685	1,895	1,550	1,265	565	9,324
2012	0	0	0	0	426	1,192	1,085	1,129	1,261	1,233	974	714	8,014
2013	0	0	0	0	13	361	722	1,192	1,329	1,437	487	0	5,543
2014	0	0	0	0	0	1,397	1,452	1,692	1,745	1,175	797	713	8,970
2015	105	0	0	0	0	933	668	846	921	1,958	1,415	675	7,522
2016	93	0	0	0	49	313	317	1,038	1,560	1,507	988	612	6,477
2017	0	0	0	0	0	887	725	1,428	1,737	1,364	1,069	692	7,901
2018	0	0	0	0	0	652	1,232	1,237	1,254	1,269	1,060	846	7,551
Average	24	0	0	0	196	1,040	1,265	1,446	1,811	1,540	1,026	543	8,892

TABLE 7
UNITED RESERVOIR 3 DIVERSION HISTORY
Monthly Totals
(Acre-Feet)

Water Year	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Annual Total
1993	0	0	0	0	0	0	0	0	0	0	0	0	0
1994	0	0	0	0	0	0	0	0	0	0	0	0	0
1995	0	0	0	0	0	0	0	0	0	0	0	0	0
1996	0	0	0	0	0	0	0	0	0	0	0	0	0
1997	0	0	0	0	0	0	0	0	0	0	0	0	0
1998	0	0	0	0	0	0	0	0	0	0	0	0	0
1999	0	0	0	0	0	0	0	0	0	0	0	0	0
2000	0	0	0	0	0	0	0	0	0	0	0	0	0
2001	0	0	0	0	0	0	0	0	0	0	0	0	0
2002	0	0	0	0	0	0	0	0	0	0	0	0	0
2003	0	0	0	0	0	0	0	0	0	0	0	0	0
2004	0	0	0	0	0	0	0	0	0	0	0	0	0
2005	0	0	0	0	0	0	0	0	0	0	0	0	0
2006	0	0	0	0	0	0	0	0	0	0	0	0	0
2007	0	0	0	0	0	0	0	0	0	0	0	0	0
2008	0	0	0	0	103	2	0	0	0	0	0	0	105
2009	0	0	0	93	93	37	0	0	0	0	0	0	224
2010	0	0	0	186	187	74	0	0	0	0	0	318	765
2011	0	0	0	0	0	0	0	0	0	0	0	0	0
2012	536	531	228	0	0	0	0	0	0	0	0	0	1,295
2013	382	672	674	601	937	226	415	247	114	111	1,731	1,352	7,463
2014	83	451	788	114	121	112	201	189	408	191	154	33	2,843
2015	67	490	586	292	72	122	118	112	108	119	120	278	2,485
2016	552	369	119	112	91	116	119	114	113	133	175	180	2,194
2017	63	99	2,227	1,054	545	576	464	113	79	216	338	522	6,296
2018	0	0	305	278	307	207	223	0	0	0	0	0	1,319
Average	65	100	189	105	144	87	91	46	48	45	148	158	961

Notes: 2011 Diversion records show data unavailable - assumed no diversions.

TABLE 8
FREE RIVER AT TCVMC ON THE SOUTH PLATTE RIVER
Number of Days In-Priority

Water Year	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	Annual Total
1993	30	31	31	28	31	30	11	10	0	0	18	31	251
1994	30	31	31	28	31	17	0	0	0	0	0	13	181
1995	30	7	9	13	18	3	30	30	31	31	18	31	251
1996	30	5	29	29	31	8	9	30	2	4	21	31	229
1997	30	31	31	28	31	28	31	30	14	31	30	31	346
1998	30	31	31	28	31	30	31	19	8	9	17	31	296
1999	30	31	31	28	15	9	31	30	11	31	30	31	308
2000	30	31	31	29	31	25	5	0	0	0	0	0	182
2001	0	19	31	28	31	30	20	14	4	0	23	31	231
2002	30	31	31	28	31	17	1	0	0	0	0	0	169
2003	0	0	0	0	0	0	0	1	0	0	0	0	1
2004	0	0	0	0	0	0	0	2	0	0	1	0	3
2005	0	0	0	0	0	1	0	18	0	0	0	3	22
2006	0	0	0	2	6	4	0	0	1	0	0	4	17
2007	0	7	10	7	0	13	31	20	0	0	0	0	88
2008	0	14	21	0	0	0	0	0	0	3	0	0	38
2009	0	10	0	0	0	7	5	28	9	1	7	31	98
2010	31	31	31	10	28	27	31	25	0	1	0	8	223
2011	0	0	30	28	15	0	16	30	25	0	15	31	190
2012	30	31	31	29	22	0	0	0	0	0	0	0	143
2013	0	0	0	0	8	0	14	22	0	0	21	31	96
2014	6	30	31	29	31	21	20	30	23	22	30	31	304
2015	30	31	31	28	31	20	31	30	30	0	1	31	294
2016	30	31	31	29	31	30	31	26	0	0	0	0	239
2017	0	7	27	21	13	0	14	19	0	0	3	29	133
2018	0	17	31	28	31	8	16	5	0	0	0	0	136
Average	15	18	22	18	19	13	15	16	6	5	9	17	172

TABLE 9
ADJUSTED SOUTH PLATTE RIVER AVAILABILITY AT TCVMD
Monthly Totals
(Acre-Feet)

Water Year	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Annual Total
1993	14,593	16,534	15,777	18,068	19,248	16,989	18,635	29,114	32,433	23,717	16,243	15,474	236,823
1994	13,297	11,645	15,045	11,657	13,579	14,911	22,952	31,813	15,152	16,555	11,264	14,218	192,087
1995	10,822	10,832	10,624	10,209	6,320	13,790	112,677	282,822	193,018	33,432	31,827	20,396	736,768
1996	19,365	16,031	20,446	16,316	14,171	10,944	36,651	46,767	31,503	23,542	25,157	17,713	278,605
1997	16,138	17,744	20,382	18,316	12,156	21,862	21,344	118,345	46,082	67,451	30,611	37,800	428,231
1998	25,139	29,025	30,907	18,014	30,528	73,619	103,275	41,059	58,893	40,346	18,170	18,851	487,825
1999	25,440	26,625	21,214	12,442	10,346	50,306	113,800	149,847	49,778	88,151	32,486	30,250	610,686
2000	28,959	20,797	31,444	20,896	22,000	19,003	29,817	29,404	34,525	25,343	15,394	16,991	294,573
2001	16,846	14,176	15,751	19,779	21,271	25,972	47,189	32,300	36,247	25,238	15,512	22,806	293,089
2002	17,818	14,795	13,946	16,374	18,548	9,980	17,304	13,555	10,712	8,681	14,401	10,864	166,977
2003	15,419	10,477	13,740	16,300	29,003	26,199	37,954	59,919	27,294	20,093	10,437	7,686	274,521
2004	11,113	11,806	11,522	17,562	17,208	20,909	18,369	28,356	36,503	37,170	17,425	22,231	250,173
2005	16,231	16,376	12,472	12,909	13,379	41,549	46,471	64,976	23,861	29,435	13,621	24,378	315,658
2006	11,693	12,082	11,203	12,143	14,702	9,150	20,082	28,424	37,141	31,678	13,362	16,289	217,948
2007	16,554	16,483	16,594	22,937	46,396	70,300	184,359	97,271	40,948	30,906	14,303	18,724	575,774
2008	26,422	11,453	12,641	22,108	22,764	14,903	29,720	41,012	38,893	31,918	17,420	13,030	282,284
2009	20,456	15,190	17,572	14,690	14,945	32,701	49,930	129,881	45,963	18,204	13,974	16,254	389,760
2010	31,659	17,871	10,517	13,936	29,820	55,619	57,911	76,785	29,423	29,199	11,524	11,388	375,650
2011	23,936	16,066	12,270	9,999	9,454	12,823	27,746	43,349	95,607	21,538	12,334	16,390	301,512
2012	22,723	12,392	10,439	15,858	14,525	15,491	17,710	17,365	15,966	10,676	15,955	11,485	180,585
2013	14,952	14,204	14,410	12,913	14,059	12,996	21,348	27,827	26,016	19,493	90,130	29,597	297,944
2014	24,097	16,413	14,626	14,116	19,869	16,476	56,009	86,592	51,234	25,148	17,244	33,440	375,264
2015	23,762	16,891	19,292	20,057	24,537	34,763	234,499	304,442	122,038	24,777	14,047	24,186	863,291
2016	30,607	22,199	17,887	17,273	27,260	80,407	117,977	86,636	28,635	20,049	10,460	9,881	469,270
2017	14,541	17,841	15,871	13,391	13,508	14,930	44,518	46,626	33,540	27,359	13,287	15,487	270,899
2018	19,702	14,297	14,212	11,447	18,149	11,326	23,658	24,044	21,691	13,837	12,691	11,172	196,225
Average	19,703	16,163	16,185	15,758	19,144	27,997	58,150	74,559	45,504	28,613	19,588	18,730	360,093

Notes: Adjustment made for diversion at Brighton Ditch, United No. 3 and Mann Lakes

TABLE 10
WATER AVAILABLE IN-PRIORITY TO A JUNIOR SOUTH PLATTE RIVER WATER RIGHT
AT TCVMD
(Acre-Feet)

Water Year	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	Annual Total
1993	14,593	16,534	15,777	18,068	19,248	16,989	6,612	9,705	0	0	9,746	15,474	142,745
1994	13,297	11,645	15,045	11,657	13,579	8,449	0	0	0	0	0	5,962	79,635
1995	10,822	2,446	3,084	4,740	3,670	1,379	109,042	282,822	193,018	33,432	19,096	20,396	683,947
1996	19,365	2,586	19,127	16,316	14,171	2,918	10,641	46,767	2,032	3,038	17,610	17,713	172,283
1997	16,138	17,744	20,382	18,316	12,156	20,405	21,344	118,345	20,811	67,451	30,611	37,800	401,503
1998	25,139	29,025	30,907	18,014	30,528	73,619	103,275	26,004	15,198	11,713	10,296	18,851	392,569
1999	25,440	26,625	21,214	12,442	5,006	15,092	113,800	149,847	17,663	88,151	32,486	30,250	538,017
2000	28,959	20,797	31,444	20,896	22,000	15,836	4,809	0	0	0	0	0	144,741
2001	0	8,689	15,751	19,779	21,271	25,972	30,445	15,073	4,677	0	11,893	22,806	176,356
2002	17,818	14,795	13,946	16,374	18,548	5,655	558	0	0	0	0	0	87,694
2003	0	0	0	0	0	0	0	1,997	0	0	0	0	1,997
2004	0	0	0	0	0	0	0	1,890	0	0	581	0	2,471
2005	0	0	0	0	0	1,385	0	38,985	0	0	0	2,359	42,730
2006	0	0	0	867	2,846	1,220	0	0	1,198	0	0	2,102	8,233
2007	0	3,722	5,353	5,734	0	30,463	184,359	64,847	0	0	0	0	294,478
2008	0	5,172	8,563	0	0	0	0	0	0	3,089	0	0	16,824
2009	0	4,900	0	0	0	7,630	8,053	121,222	13,344	587	3,261	16,254	175,252
2010	32,714	17,871	10,517	4,977	26,934	50,057	57,911	63,988	0	942	0	2,939	268,849
2011	0	0	11,874	9,999	4,575	0	14,320	43,349	77,103	0	6,167	16,390	183,776
2012	22,723	12,392	10,439	15,858	10,308	0	0	0	0	0	0	0	71,720
2013	0	0	0	0	3,628	0	9,641	20,407	0	0	63,091	29,597	126,363
2014	4,819	15,884	14,626	14,620	19,869	11,533	36,135	86,592	38,012	17,847	17,244	33,440	310,621
2015	23,762	16,891	19,292	20,057	24,537	23,175	234,499	304,442	118,101	0	468	24,186	809,411
2016	30,607	22,199	17,887	17,273	27,260	80,407	117,977	75,084	0	0	0	0	388,694
2017	0	4,029	13,823	10,044	5,665	0	20,105	29,530	0	0	1,329	14,488	99,011
2018	0	7,840	14,212	11,447	18,149	3,020	12,211	4,007	0	0	0	0	70,886
Average	11,008	10,069	12,049	10,288	11,690	15,200	42,144	57,881	19,275	8,702	8,611	11,962	218,877
Avg cfs	185	164	196	185	190	256	686	973	314	142	145	195	

TABLE 11
WATER AVAILABLE IN-PRIORITY TO A JUNIOR SOUTH PLATTE RIVER WATER RIGHT AT TCVMD
With a Diversion Limitation of 40 cfs on the South Platte River
(Acre-Feet)

Water Year	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	Annual Total
1993	2,380	2,460	2,460	2,222	2,460	2,380	873	793	0	0	1,428	2,460	19,914
1994	2,380	2,460	2,460	2,222	2,460	1,349	0	0	0	0	0	1,031	14,361
1995	2,380	555	714	1,031	1,428	238	2,380	2,380	2,460	2,460	1,428	2,460	19,914
1996	2,380	397	2,301	2,301	2,460	635	714	2,380	159	317	1,666	2,460	18,169
1997	2,380	2,460	2,460	2,222	2,460	2,222	2,460	2,380	1,111	2,460	2,380	2,460	27,452
1998	2,380	2,460	2,460	2,222	2,460	2,380	2,460	1,507	635	714	1,349	2,460	23,485
1999	2,380	2,460	2,460	2,222	1,190	714	2,460	2,380	873	2,460	2,380	2,460	24,437
2000	2,380	2,460	2,460	2,301	2,460	1,984	397	0	0	0	0	0	14,440
2001	0	1,507	2,460	2,222	2,460	2,380	1,587	1,111	317	0	1,825	2,460	18,328
2002	2,380	2,460	2,460	2,222	2,460	1,349	79	0	0	0	0	0	13,408
2003	0	0	0	0	0	0	0	79	0	0	0	0	79
2004	0	0	0	0	0	0	0	159	0	0	79	0	238
2005	0	0	0	0	0	79	0	1,428	0	0	0	238	1,745
2006	0	0	0	159	476	317	0	0	79	0	0	317	1,349
2007	0	555	793	555	0	1,031	2,460	1,587	0	0	0	0	6,982
2008	0	1,111	1,666	0	0	0	0	0	0	238	0	0	3,015
2009	0	793	0	0	0	555	397	2,222	714	79	555	2,460	7,775
2010	2,460	2,460	2,460	793	2,222	2,142	2,460	1,984	0	79	0	635	17,693
2011	0	0	2,380	2,222	1,190	0	1,269	2,380	1,984	0	1,190	2,460	15,075
2012	2,380	2,460	2,460	2,301	1,745	0	0	0	0	0	0	0	11,346
2013	0	0	0	0	635	0	1,111	1,745	0	0	1,666	2,460	7,617
2014	476	2,380	2,460	2,301	2,460	1,666	1,587	2,380	1,825	1,745	2,380	2,460	24,119
2015	2,380	2,460	2,460	2,222	2,460	1,587	2,460	2,380	2,380	0	79	2,460	23,326
2016	2,380	2,460	2,460	2,301	2,460	2,380	2,460	2,063	0	0	0	0	18,962
2017	0	555	2,142	1,666	1,031	0	1,111	1,507	0	0	238	2,301	10,552
2018	0	1,349	2,460	2,222	2,460	635	1,269	397	0	0	0	0	10,790
Average	1,211	1,395	1,709	1,459	1,517	1,001	1,153	1,279	482	406	717	1,309	13,637

40 cfs = 79.34

TABLE 12
WATER AVAILABLE IN-PRIORITY TO A JUNIOR SOUTH PLATTE RIVER WATER RIGHT
AT MANN LAKES RESERVOIR
(Acre-Feet)

Water Year	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	Annual Total
1993	15,842	17,826	17,068	19,234	20,539	19,224	7,708	10,760	0	0	10,980	16,891	156,072
1994	14,547	12,936	16,336	12,823	15,138	9,695	0	0	0	0	0	6,678	88,155
1995	12,072	2,737	3,459	5,281	4,724	1,641	111,487	285,386	197,001	37,512	20,773	21,741	703,816
1996	20,615	2,794	20,335	17,524	15,614	3,738	11,628	50,169	2,283	3,422	18,855	19,004	185,980
1997	17,387	19,036	21,674	19,482	13,551	23,076	25,282	121,287	22,477	70,144	32,654	39,091	425,141
1998	26,388	30,316	32,198	19,180	31,819	75,845	106,280	28,135	16,163	12,686	12,081	20,386	411,479
1999	26,690	27,916	22,505	13,609	6,008	15,764	116,386	152,730	19,098	91,158	34,509	32,164	558,535
2000	30,209	22,088	32,736	22,104	24,219	17,693	5,304	0	0	0	0	0	154,352
2001	0	9,480	17,042	20,946	22,717	28,632	31,867	16,303	5,122	0	13,505	24,601	190,215
2002	19,067	16,086	15,237	17,540	19,839	7,167	626	0	0	0	0	0	95,563
2003	0	0	0	0	0	0	0	2,094	0	0	0	0	2,094
2004	0	0	0	0	0	0	0	2,058	0	0	640	0	2,698
2005	0	0	0	0	0	1,458	0	40,194	0	0	0	2,523	44,175
2006	0	0	0	934	3,108	1,578	0	0	1,286	0	0	2,370	9,275
2007	0	4,014	5,769	6,026	0	31,136	186,608	66,593	0	0	0	0	300,145
2008	0	5,755	9,438	0	0	0	0	0	0	3,317	0	0	18,510
2009	0	5,316	0	0	0	8,044	8,377	122,998	14,208	651	3,738	18,093	181,426
2010	34,005	19,163	11,808	5,460	28,269	51,503	59,864	65,852	0	1,009	0	3,508	280,442
2011	0	0	13,124	11,165	5,384	0	15,454	46,283	79,673	0	7,424	18,246	196,754
2012	24,508	14,214	11,959	17,066	11,527	0	0	0	0	0	0	0	79,274
2013	0	0	0	0	4,207	0	10,738	22,379	0	0	65,518	32,240	135,081
2014	5,086	17,569	16,705	15,946	21,281	13,464	38,035	89,722	40,567	19,732	19,444	35,477	333,028
2015	25,185	18,673	21,170	21,515	25,901	24,712	236,576	306,649	120,346	0	537	26,430	827,693
2016	32,502	23,860	19,297	18,593	28,691	82,085	119,704	77,166	0	0	0	0	401,898
2017	0	4,343	16,887	11,709	6,435	0	21,225	31,297	0	0	1,594	16,831	110,320
2018	0	8,548	15,808	12,446	19,747	3,582	13,628	4,422	0	0	0	0	78,182
Average	11,696	10,872	13,098	11,099	12,643	16,155	43,338	59,326	19,932	9,217	9,317	12,934	229,627
Avg cfs	197	177	213	200	206	272	705	997	324	150	157	210	

TABLE 13
WATER AVAILABLE IN-PRIORITY TO A JUNIOR SOUTH PLATTE RIVER WATER RIGHT AT MANN LAKES
With a Diversion Limitation of 21 cfs on the South Platte River
(Acre-Feet)

Water Year	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	Annual Total
1993	1,250	1,291	1,291	1,166	1,291	1,250	1,291	1,250	0	0	1,250	1,291	12,621
1994	1,250	1,291	1,291	1,166	1,291	1,250	0	0	0	0	0	1,291	8,831
1995	1,250	1,291	1,291	1,166	1,291	1,250	1,291	1,250	1,291	1,291	1,250	1,291	15,204
1996	1,250	1,291	1,291	1,208	1,291	1,250	1,291	1,250	1,291	1,291	1,250	1,291	15,245
1997	1,250	1,291	1,291	1,166	1,291	1,250	1,291	1,250	1,291	1,291	1,250	1,291	15,204
1998	1,250	1,291	1,291	1,166	1,291	1,250	1,291	1,250	1,291	1,291	1,250	1,291	15,204
1999	1,250	1,291	1,291	1,166	1,291	1,250	1,291	1,250	1,291	1,291	1,250	1,291	15,204
2000	1,250	1,291	1,291	1,208	1,291	1,250	1,291	0	0	0	0	0	8,872
2001	0	1,291	1,291	1,166	1,291	1,250	1,291	1,250	1,291	0	1,250	1,291	12,663
2002	1,250	1,291	1,291	1,166	1,291	1,250	626	0	0	0	0	0	8,165
2003	0	0	0	0	0	0	0	1,250	0	0	0	0	1,250
2004	0	0	0	0	0	0	0	1,250	0	0	640	0	1,890
2005	0	0	0	0	0	1,250	0	1,250	0	0	0	1,291	3,790
2006	0	0	0	934	1,291	1,250	0	0	1,286	0	0	1,291	6,052
2007	0	1,291	1,291	1,166	0	1,250	1,291	1,250	0	0	0	0	7,539
2008	0	1,291	1,291	0	0	0	0	0	0	1,291	0	0	3,874
2009	0	1,291	0	0	0	1,250	1,291	1,250	1,291	651	1,250	1,291	9,565
2010	1,250	1,291	1,291	1,166	1,291	1,250	1,291	1,250	0	1,009	0	1,291	12,381
2011	0	0	1,291	1,166	1,291	0	1,291	1,250	1,291	0	1,250	1,291	10,122
2012	1,250	1,291	1,291	1,208	1,291	0	0	0	0	0	0	0	6,331
2013	0	0	0	0	1,291	0	1,291	1,250	0	0	1,250	1,291	6,373
2014	1,250	1,291	1,291	1,166	1,291	1,250	1,291	1,250	1,291	1,291	1,250	1,291	15,204
2015	1,250	1,291	1,291	1,166	1,291	1,250	1,291	1,250	1,291	0	537	1,291	13,200
2016	1,250	1,291	1,291	1,208	1,291	1,250	1,291	1,250	0	0	0	0	10,122
2017	0	1,291	1,291	1,166	1,291	0	1,291	1,250	0	0	1,250	1,291	10,122
2018	0	1,291	1,291	1,166	1,291	1,250	1,291	1,250	0	0	0	0	8,831
Average	673	993	993	895	993	913	918	961	546	411	622	844	9,764
Minimum	0	0	0	0	0	0	0	0	0	0	0	0	1,250
Maximum	1,250	1,291	1,291	1,208	1,291	1,250	1,291	1,250	1,291	1,291	1,250	1,291	15,245

21 cfs = 41.65 af/day

**TABLE 14
TCVMD DEMANDS**

(Acre-Feet)

Water Year	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	Annual Total
1993	67	67	67	67	67	67	67	67	67	67	67	67	803
1994	67	67	67	67	67	67	67	67	67	67	67	67	803
1995	67	67	67	67	67	67	67	67	67	67	67	67	803
1996	67	67	67	67	67	67	67	67	67	67	67	67	803
1997	67	67	67	67	67	67	67	67	67	67	67	67	803
1998	67	67	67	67	67	67	67	67	67	67	67	67	803
1999	67	67	67	67	67	67	67	67	67	67	67	67	803
2000	67	67	67	67	67	67	67	67	67	67	67	67	803
2001	67	67	67	67	67	67	67	67	67	67	67	67	803
2002	67	67	67	67	67	67	67	67	67	67	67	67	803
2003	67	67	67	67	67	67	67	67	67	67	67	67	803
2004	67	67	67	67	67	67	67	67	67	67	67	67	803
2005	67	67	67	67	67	67	67	67	67	67	67	67	803
2006	67	67	67	67	67	67	67	67	67	67	67	67	803
2007	67	67	67	67	67	67	67	67	67	67	67	67	803
2008	67	67	67	67	67	67	67	67	67	67	67	67	803
2009	67	67	67	67	67	67	67	67	67	67	67	67	803
2010	67	67	67	67	67	67	67	67	67	67	67	67	803
2011	67	67	67	67	67	67	67	67	67	67	67	67	803
2012	67	67	67	67	67	67	67	67	67	67	67	67	803
2013	67	67	67	67	67	67	67	67	67	67	67	67	803
2014	67	67	67	67	67	67	67	67	67	67	67	67	803
2015	67	67	67	67	67	67	67	67	67	67	67	67	803
2016	67	67	67	67	67	67	67	67	67	67	67	67	803
2017	67	67	67	67	67	67	67	67	67	67	67	67	803
2018	67	67	67	67	67	67	67	67	67	67	67	67	803
Average	67	67	67	67	67	67	67	67	67	67	67	67	803

TABLE 15
TCVMD ESTIMATED RESERVOIR EVAPORATION
Conservative Analysis - Assumed Storage Full
(Acre-Feet)

Water Year	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	Annual Total
1993	7	5	5	6	9	13	19	26	27	22	18	12	168
1994	7	5	5	6	9	13	19	26	27	22	18	12	168
1995	7	5	5	6	9	13	19	26	27	22	18	12	168
1996	7	5	5	6	9	13	19	26	27	22	18	12	168
1997	7	5	5	6	9	13	19	26	27	22	18	12	168
1998	7	5	5	6	9	13	19	26	27	22	18	12	168
1999	7	5	5	6	9	13	19	26	27	22	18	12	168
2000	7	5	5	6	9	13	19	26	27	22	18	12	168
2001	7	5	5	6	9	13	19	26	27	22	18	12	168
2002	7	5	5	6	9	13	19	26	27	22	18	12	168
2003	7	5	5	6	9	13	19	26	27	22	18	12	168
2004	7	5	5	6	9	13	19	26	27	22	18	12	168
2005	7	5	5	6	9	13	19	26	27	22	18	12	168
2006	7	5	5	6	9	13	19	26	27	22	18	12	168
2007	7	5	5	6	9	13	19	26	27	22	18	12	168
2008	7	5	5	6	9	13	19	26	27	22	18	12	168
2009	7	5	5	6	9	13	19	26	27	22	18	12	168
2010	7	5	5	6	9	13	19	26	27	22	18	12	168
2011	7	5	5	6	9	13	19	26	27	22	18	12	168
2012	7	5	5	6	9	13	19	26	27	22	18	12	168
2013	7	5	5	6	9	13	19	26	27	22	18	12	168
2014	7	5	5	6	9	13	19	26	27	22	18	12	168
2015	7	5	5	6	9	13	19	26	27	22	18	12	168
2016	7	5	5	6	9	13	19	26	27	22	18	12	168
2017	7	5	5	6	9	13	19	26	27	22	18	12	168
2018	7	5	5	6	9	13	19	26	27	22	18	12	168
Average	7	5	5	6	9	13	19	26	27	22	18	12	168

Notes: Smith and Signal 2 included in study.
Conservative estimate of evaporation - assumed full year-round

TABLE 16
MANN LAKES ESTIMATED RESERVOIR EVAPORATION
Conservative Analysis - Assumed Storage Full
(Acre-Feet)

Water Year	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	Annual Total
1993	14	10	10	12	19	31	42	51	52	47	35	24	349
1994	14	10	10	12	19	31	42	51	52	47	35	24	349
1995	14	10	10	12	19	31	42	51	52	47	35	24	349
1996	14	10	10	12	19	31	42	51	52	47	35	24	349
1997	14	10	10	12	19	31	42	51	52	47	35	24	349
1998	14	10	10	12	19	31	42	51	52	47	35	24	349
1999	14	10	10	12	19	31	42	51	52	47	35	24	349
2000	14	10	10	12	19	31	42	51	52	47	35	24	349
2001	14	10	10	12	19	31	42	51	52	47	35	24	349
2002	14	10	10	12	19	31	42	51	52	47	35	24	349
2003	14	10	10	12	19	31	42	51	52	47	35	24	349
2004	14	10	10	12	19	31	42	51	52	47	35	24	349
2005	14	10	10	12	19	31	42	51	52	47	35	24	349
2006	14	10	10	12	19	31	42	51	52	47	35	24	349
2007	14	10	10	12	19	31	42	51	52	47	35	24	349
2008	14	10	10	12	19	31	42	51	52	47	35	24	349
2009	14	10	10	12	19	31	42	51	52	47	35	24	349
2010	14	10	10	12	19	31	42	51	52	47	35	24	349
2011	14	10	10	12	19	31	42	51	52	47	35	24	349
2012	14	10	10	12	19	31	42	51	52	47	35	24	349
2013	14	10	10	12	19	31	42	51	52	47	35	24	349
2014	14	10	10	12	19	31	42	51	52	47	35	24	349
2015	14	10	10	12	19	31	42	51	52	47	35	24	349
2016	14	10	10	12	19	31	42	51	52	47	35	24	349
2017	14	10	10	12	19	31	42	51	52	47	35	24	349
2018	14	10	10	12	19	31	42	51	52	47	35	24	349
Average	14	10	10	12	19	31	42	51	52	47	35	24	349

Notes: TCVMMD portion of total included (160 acres x 58.15% = 93 acres)
Conservative estimate of evaporation - assumed full year-round

TABLE 17
WATER AVAILABLE IN STORAGE AFTER DEMANDS ARE MET
LIMITED TO 460 af WITHIN DISTRICT
(Acre-Feet)

Water Year	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT
1993	460	460	460	460	460	460	460	460	367	278	460	460
1994	460	460	460	460	460	460	374	281	187	98	14	460
1995	460	460	460	460	460	460	460	460	460	460	460	460
1996	460	460	460	460	460	460	460	460	460	460	460	460
1997	460	460	460	460	460	460	460	460	460	460	460	460
1998	460	460	460	460	460	460	460	460	460	460	460	460
1999	460	460	460	460	460	460	460	460	460	460	460	460
2000	460	460	460	460	460	460	460	367	274	185	100	22
2001	0	460	460	460	460	460	460	460	460	371	460	460
2002	460	460	460	460	460	460	453	360	267	178	93	15
2003	0	0	0	0	0	0	0	0	0	0	0	0
2004	0	0	0	0	0	0	0	66	0	0	0	0
2005	0	0	0	0	0	0	0	460	367	278	193	352
2006	278	206	134	220	460	460	374	281	267	178	93	332
2007	258	460	460	460	385	460	460	460	367	278	193	114
2008	40	460	460	387	312	232	145	52	0	149	64	0
2009	0	460	388	315	240	460	460	460	460	450	460	460
2010	460	460	460	460	460	460	460	460	367	357	272	460
2011	386	314	460	460	460	380	460	460	460	371	460	460
2012	460	460	460	460	460	380	294	201	107	18	0	0
2013	0	0	0	0	460	380	460	460	367	278	460	460
2014	460	460	460	460	460	460	460	460	460	460	460	460
2015	460	460	460	460	460	460	460	460	460	371	366	460
2016	460	460	460	460	460	460	460	460	367	278	193	114
2017	40	460	460	460	460	380	460	460	367	278	431	460
2018	386	460	460	460	460	460	460	460	367	278	193	114
Average	301	374	374	372	390	386	382	380	332	286	279	306

**TABLE 18
DEMANDS MET WITH TCVMD STORAGE**

Water Year	(Acre-Feet)												Annual Total
	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	
1993	67	67	67	67	67	67	67	67	67	67	67	67	803
1994	67	67	67	67	67	67	67	67	67	67	67	67	803
1995	67	67	67	67	67	67	67	67	67	67	67	67	803
1996	67	67	67	67	67	67	67	67	67	67	67	67	803
1997	67	67	67	67	67	67	67	67	67	67	67	67	803
1998	67	67	67	67	67	67	67	67	67	67	67	67	803
1999	67	67	67	67	67	67	67	67	67	67	67	67	803
2000	67	67	67	67	67	67	67	67	67	67	67	67	803
2001	22	67	67	67	67	67	67	67	67	67	67	67	758
2002	67	67	67	67	67	67	67	67	67	67	67	67	803
2003	15	0	0	0	0	0	0	67	0	0	0	0	81
2004	0	0	0	0	0	0	0	67	66	0	67	0	200
2005	0	0	0	0	0	67	0	67	67	67	67	67	402
2006	67	67	67	67	67	67	67	67	67	67	67	67	803
2007	67	67	67	67	67	67	67	67	67	67	67	67	803
2008	67	67	67	67	67	67	67	67	52	67	67	64	786
2009	0	67	67	67	67	67	67	67	67	67	67	67	736
2010	67	67	67	67	67	67	67	67	67	67	67	67	803
2011	67	67	67	67	67	67	67	67	67	67	67	67	803
2012	67	67	67	67	67	67	67	67	67	67	18	0	688
2013	0	0	0	0	67	67	67	67	67	67	67	67	535
2014	67	67	67	67	67	67	67	67	67	67	67	67	803
2015	67	67	67	67	67	67	67	67	67	67	67	67	803
2016	67	67	67	67	67	67	67	67	67	67	67	67	803
2017	67	67	67	67	67	67	67	67	67	67	67	67	803
2018	67	67	67	67	67	67	67	67	67	67	67	67	803
Average	53	57	57	57	59	62	59	67	64	62	62	59	717

TABLE 19
WATER AVAILABLE IN STORAGE AFTER DEMANDS ARE MET
LIMITED TO 1,789 af AT MANN LAKES
(Acre-Feet)

Water Year	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT
1993	1,236	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,737	1,690	1,789	1,789
1994	1,789	1,789	1,789	1,789	1,789	1,789	1,747	1,697	1,644	1,597	1,562	1,789
1995	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789
1996	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789
1997	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789
1998	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789
1999	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789
2000	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,738	1,686	1,639	1,604	1,580
2001	1,520	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,742	1,789	1,789
2002	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,738	1,686	1,639	1,604	1,580
2003	1,513	1,436	1,359	1,280	1,193	1,095	986	1,789	1,670	1,556	1,454	1,363
2004	1,282	1,204	1,127	1,048	962	864	755	1,789	1,736	1,622	1,789	1,698
2005	1,617	1,539	1,462	1,383	1,297	1,789	1,680	1,789	1,737	1,690	1,655	1,789
2006	1,775	1,765	1,754	1,789	1,789	1,789	1,747	1,697	1,789	1,742	1,707	1,789
2007	1,775	1,789	1,789	1,789	1,770	1,789	1,789	1,789	1,737	1,690	1,655	1,630
2008	1,616	1,789	1,789	1,777	1,758	1,726	1,684	1,634	1,567	1,789	1,754	1,727
2009	1,646	1,789	1,779	1,766	1,747	1,789	1,789	1,789	1,789	1,789	1,789	1,789
2010	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,737	1,789	1,754	1,789
2011	1,775	1,765	1,789	1,789	1,789	1,758	1,789	1,789	1,789	1,742	1,789	1,789
2012	1,789	1,789	1,789	1,789	1,789	1,758	1,716	1,665	1,613	1,566	1,482	1,391
2013	1,310	1,233	1,156	1,076	1,789	1,758	1,789	1,789	1,737	1,690	1,789	1,789
2014	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789
2015	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,742	1,789	1,789
2016	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,737	1,690	1,655	1,630
2017	1,616	1,789	1,789	1,789	1,789	1,758	1,789	1,789	1,737	1,690	1,789	1,789
2018	1,775	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,737	1,690	1,655	1,630
Average	1,681	1,720	1,708	1,697	1,712	1,719	1,704	1,767	1,737	1,712	1,715	1,717

**TABLE 20
TOTAL DEMANDS MET**

Water Year	(Acre-Feet)												Annual Total	
	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT		
1993	67	67	67	67	67	67	67	67	67	67	67	67	67	803
1994	67	67	67	67	67	67	67	67	67	67	67	67	67	803
1995	67	67	67	67	67	67	67	67	67	67	67	67	67	803
1996	67	67	67	67	67	67	67	67	67	67	67	67	67	803
1997	67	67	67	67	67	67	67	67	67	67	67	67	67	803
1998	67	67	67	67	67	67	67	67	67	67	67	67	67	803
1999	67	67	67	67	67	67	67	67	67	67	67	67	67	803
2000	67	67	67	67	67	67	67	67	67	67	67	67	67	803
2001	67	67	67	67	67	67	67	67	67	67	67	67	67	803
2002	67	67	67	67	67	67	67	67	67	67	67	67	67	803
2003	67	67	67	67	67	67	67	67	67	67	67	67	67	803
2004	67	67	67	67	67	67	67	67	67	67	67	67	67	803
2005	67	67	67	67	67	67	67	67	67	67	67	67	67	803
2006	67	67	67	67	67	67	67	67	67	67	67	67	67	803
2007	67	67	67	67	67	67	67	67	67	67	67	67	67	803
2008	67	67	67	67	67	67	67	67	67	67	67	67	67	803
2009	67	67	67	67	67	67	67	67	67	67	67	67	67	803
2010	67	67	67	67	67	67	67	67	67	67	67	67	67	803
2011	67	67	67	67	67	67	67	67	67	67	67	67	67	803
2012	67	67	67	67	67	67	67	67	67	67	67	67	67	803
2013	67	67	67	67	67	67	67	67	67	67	67	67	67	803
2014	67	67	67	67	67	67	67	67	67	67	67	67	67	803
2015	67	67	67	67	67	67	67	67	67	67	67	67	67	803
2016	67	67	67	67	67	67	67	67	67	67	67	67	67	803
2017	67	67	67	67	67	67	67	67	67	67	67	67	67	803
2018	67	67	67	67	67	67	67	67	67	67	67	67	67	803
Average	67	67	67	67	67	67	67	67	67	67	67	67	67	803

TABLE 21
WATER AVAILABLE IN-PRIORITY TO A JUNIOR SOUTH PLATTE RIVER WATER RIGHT AT TCVMD
With a Diversion Limitation of 40 cfs on the South Platte River
(Acre-Feet)

Water Year	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	Annual Total
1993	2,380	2,460	2,460	2,222	2,460	2,380	873	793	0	0	1,428	2,460	19,914
1994	2,380	2,460	2,460	2,222	2,460	1,349	0	0	0	0	0	1,031	14,361
1995	2,380	555	714	1,031	1,428	238	2,380	2,380	2,460	2,460	1,428	2,460	19,914
1996	2,380	397	2,301	2,301	2,460	635	714	2,380	159	317	1,666	2,460	18,169
1997	2,380	2,460	2,460	2,222	2,460	2,222	2,460	2,380	1,111	2,460	2,380	2,460	27,452
1998	2,380	2,460	2,460	2,222	2,460	2,380	2,460	1,507	635	714	1,349	2,460	23,485
1999	2,380	2,460	2,460	2,222	1,190	714	2,460	2,380	873	2,460	2,380	2,460	24,437
2000	2,380	2,460	2,460	2,301	2,460	1,984	397	0	0	0	0	0	14,440
2001	0	1,507	2,460	2,222	2,460	2,380	1,587	1,111	317	0	1,825	2,460	18,328
2002	2,380	2,460	2,460	2,222	2,460	1,349	79	0	0	0	0	0	13,408
2003	0	0	0	0	0	0	0	0	0	0	0	0	0
2004	0	0	0	0	0	0	0	0	0	0	0	0	0
2005	0	0	0	0	0	0	0	0	0	0	0	0	0
2006	0	0	0	159	476	317	0	0	79	0	0	317	1,349
2007	0	555	793	555	0	1,031	2,460	1,587	0	0	0	0	6,982
2008	0	1,111	1,666	0	0	0	0	0	0	238	0	0	3,015
2009	0	793	0	0	0	555	397	2,222	714	79	555	2,460	7,775
2010	2,460	2,460	2,460	793	2,222	2,142	2,460	1,984	0	79	0	635	17,693
2011	0	0	2,380	2,222	1,190	0	1,269	2,380	1,984	0	1,190	2,460	15,075
2012	2,380	2,460	2,460	2,301	1,745	0	0	0	0	0	0	0	11,346
2013	0	0	0	0	635	0	1,111	1,745	0	0	1,666	2,460	7,617
2014	476	2,380	2,460	2,301	2,460	1,666	1,587	2,380	1,825	1,745	2,380	2,460	24,119
2015	2,380	2,460	2,460	2,222	2,460	1,587	2,460	2,380	2,380	0	79	2,460	23,326
2016	2,380	2,460	2,460	2,301	2,460	2,380	2,460	2,063	0	0	0	0	18,962
2017	0	555	2,142	1,666	1,031	0	1,111	1,507	0	0	238	2,301	10,552
2018	0	1,349	2,460	2,222	2,460	635	1,269	397	0	0	0	0	10,790
Average	1,211	1,395	1,709	1,459	1,517	998	1,153	1,215	482	406	714	1,300	13,558

40 cfs = 79.34

TABLE 22
WATER AVAILABLE IN-PRIORITY TO A JUNIOR SOUTH PLATTE RIVER WATER RIGHT AT MANN LAKES
With a Diversion Limitation of 21 cfs on the South Platte River
(Acre-Feet)

Water Year	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	Annual Total
1993	1,250	1,291	1,291	1,166	1,291	1,250	1,291	1,250	0	0	1,250	1,291	12,621
1994	1,250	1,291	1,291	1,166	1,291	1,250	0	0	0	0	0	1,291	8,831
1995	1,250	1,291	1,291	1,166	1,291	1,250	1,291	1,250	1,291	1,291	1,250	1,291	15,204
1996	1,250	1,291	1,291	1,208	1,291	1,250	1,291	1,250	1,291	1,291	1,250	1,291	15,245
1997	1,250	1,291	1,291	1,166	1,291	1,250	1,291	1,250	1,291	1,291	1,250	1,291	15,204
1998	1,250	1,291	1,291	1,166	1,291	1,250	1,291	1,250	1,291	1,291	1,250	1,291	15,204
1999	1,250	1,291	1,291	1,166	1,291	1,250	1,291	1,250	1,291	1,291	1,250	1,291	15,204
2000	1,250	1,291	1,291	1,208	1,291	1,250	1,291	0	0	0	0	0	8,872
2001	0	1,291	1,291	1,166	1,291	1,250	1,291	1,250	1,291	0	1,250	1,291	12,663
2002	1,250	1,291	1,291	1,166	1,291	1,250	626	0	0	0	0	0	8,165
2003	0	0	0	0	0	0	0	0	0	0	0	0	0
2004	0	0	0	0	0	0	0	0	0	0	0	0	0
2005	0	0	0	0	0	0	0	0	0	0	0	0	0
2006	0	0	0	934	1,291	1,250	0	0	1,286	0	0	1,291	6,052
2007	0	1,291	1,291	1,166	0	1,250	1,291	1,250	0	0	0	0	7,539
2008	0	1,291	1,291	0	0	0	0	0	0	1,291	0	0	3,874
2009	0	1,291	0	0	0	1,250	1,291	1,250	1,291	651	1,250	1,291	9,565
2010	1,250	1,291	1,291	1,166	1,291	1,250	1,291	1,250	0	1,009	0	1,291	12,381
2011	0	0	1,291	1,166	1,291	0	1,291	1,250	1,291	0	1,250	1,291	10,122
2012	1,250	1,291	1,291	1,208	1,291	0	0	0	0	0	0	0	6,331
2013	0	0	0	0	1,291	0	1,291	1,250	0	0	1,250	1,291	6,373
2014	1,250	1,291	1,291	1,166	1,291	1,250	1,291	1,250	1,291	1,291	1,250	1,291	15,204
2015	1,250	1,291	1,291	1,166	1,291	1,250	1,291	1,250	1,291	0	537	1,291	13,200
2016	1,250	1,291	1,291	1,208	1,291	1,250	1,291	1,250	0	0	0	0	10,122
2017	0	1,291	1,291	1,166	1,291	0	1,291	1,250	0	0	1,250	1,291	10,122
2018	0	1,291	1,291	1,166	1,291	1,250	1,291	1,250	0	0	0	0	8,831
Average	673	993	993	895	993	865	918	817	546	411	597	795	9,497
Minimum	0	0	0	0	0	0	0	0	0	0	0	0	0
Maximum	1,250	1,291	1,291	1,208	1,291	1,250	1,291	1,250	1,291	1,291	1,250	1,291	15,245

21 cfs = 41.65 af/day

TABLE 23
WATER AVAILABLE IN STORAGE AFTER DEMANDS ARE MET
LIMITED TO 460 af
(Acre-Feet)

Water Year	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	Annual Total
1993	460	460	460	460	460	460	460	460	367	278	460	460	5,244
1994	460	460	460	460	460	460	374	281	187	98	14	460	4,174
1995	460	460	460	460	460	460	460	460	460	460	460	460	5,520
1996	460	460	460	460	460	460	460	460	460	460	460	460	5,520
1997	460	460	460	460	460	460	460	460	460	460	460	460	5,520
1998	460	460	460	460	460	460	460	460	460	460	460	460	5,520
1999	460	460	460	460	460	460	460	460	460	460	460	460	5,520
2000	460	460	460	460	460	460	460	367	274	185	100	22	4,167
2001	0	460	460	460	460	460	460	460	460	371	460	460	4,971
2002	460	460	460	460	460	460	453	360	267	178	93	15	4,126
2003	0	0	0	0	0	0	0	0	0	0	0	0	0
2004	0	0	0	0	0	0	0	0	0	0	0	0	0
2005	0	0	0	0	0	0	0	0	0	0	0	0	0
2006	0	0	0	86	460	460	374	281	267	178	93	332	2,530
2007	258	460	460	460	385	460	460	460	367	278	193	114	4,354
2008	40	460	460	387	312	232	145	52	0	149	64	0	2,302
2009	0	460	388	315	240	460	460	460	460	450	460	460	4,613
2010	460	460	460	460	460	460	460	460	367	357	272	460	5,136
2011	386	314	460	460	460	380	460	460	460	371	460	460	5,131
2012	460	460	460	460	460	380	294	201	107	18	0	0	3,301
2013	0	0	0	0	460	380	460	460	367	278	460	460	3,324
2014	460	460	460	460	460	460	460	460	460	460	460	460	5,520
2015	460	460	460	460	460	460	460	460	460	371	366	460	5,337
2016	460	460	460	460	460	460	460	460	367	278	193	114	4,631
2017	40	460	460	460	460	380	460	460	367	278	431	460	4,715
2018	386	460	460	460	460	460	460	460	367	278	193	114	4,557
Average	290	366	369	366	390	386	382	360	318	275	272	293	4,067

TABLE 24
WATER AVAILABLE IN STORAGE AFTER DEMANDS ARE MET
LIMITED TO 1,789 af
(Acre-Feet)

Water Year	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	Annual Total
1993	1,236	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,737	1,690	1,789	1,789	20,763
1994	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,747	1,697	1,644	1,597	1,562	20,771
1995	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	21,468
1996	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	21,468
1997	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	21,468
1998	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	21,468
1999	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	21,468
2000	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,738	1,686	1,639	1,604	20,771
2001	1,520	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,742	1,789	1,789	21,152
2002	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,738	1,686	1,639	1,604	20,771
2003	1,513	1,436	1,359	1,280	1,193	1,095	986	869	750	636	534	443	12,094
2004	362	284	207	128	42	0	0	0	0	0	0	0	1,022
2005	0	0	0	0	0	0	0	0	0	0	0	0	0
2006	0	0	0	922	1,789	1,789	1,747	1,697	1,789	1,742	1,707	1,789	14,971
2007	1,775	1,789	1,789	1,789	1,770	1,789	1,789	1,789	1,737	1,690	1,655	1,630	20,990
2008	1,616	1,789	1,789	1,777	1,758	1,726	1,684	1,634	1,567	1,789	1,754	1,727	20,611
2009	1,646	1,789	1,779	1,766	1,747	1,789	1,789	1,789	1,789	1,789	1,789	1,789	21,250
2010	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,737	1,789	1,754	1,789	21,381
2011	1,775	1,765	1,789	1,789	1,789	1,758	1,789	1,789	1,789	1,742	1,789	1,789	21,351
2012	1,789	1,789	1,789	1,789	1,789	1,758	1,716	1,665	1,613	1,566	1,482	1,391	20,136
2013	1,310	1,233	1,156	1,076	1,789	1,758	1,789	1,789	1,737	1,690	1,789	1,789	18,904
2014	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	21,468
2015	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,742	1,789	1,789	21,421
2016	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,737	1,690	1,655	1,630	21,023
2017	1,616	1,789	1,789	1,789	1,789	1,758	1,789	1,789	1,737	1,690	1,789	1,789	21,112
2018	1,775	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,737	1,690	1,655	1,630	21,009
Average	1,515	1,558	1,549	1,575	1,627	1,617	1,610	1,594	1,569	1,549	1,547	1,548	18,858

**TABLE 25
TOTAL DEMANDS MET**

Water Year	(Acre-Feet)												Annual Total
	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	
1993	67	67	67	67	67	67	67	67	67	67	67	67	803
1994	67	67	67	67	67	67	67	67	67	67	67	67	803
1995	67	67	67	67	67	67	67	67	67	67	67	67	803
1996	67	67	67	67	67	67	67	67	67	67	67	67	803
1997	67	67	67	67	67	67	67	67	67	67	67	67	803
1998	67	67	67	67	67	67	67	67	67	67	67	67	803
1999	67	67	67	67	67	67	67	67	67	67	67	67	803
2000	67	67	67	67	67	67	67	67	67	67	67	67	803
2001	67	67	67	67	67	67	67	67	67	67	67	67	803
2002	67	67	67	67	67	67	67	67	67	67	67	67	803
2003	67	67	67	67	67	67	67	67	67	67	67	67	803
2004	67	67	67	67	67	42	0	0	0	0	0	0	376
2005	0	0	0	0	0	0	0	0	0	0	0	0	0
2006	0	0	0	67	67	67	67	67	67	67	67	67	602
2007	67	67	67	67	67	67	67	67	67	67	67	67	803
2008	67	67	67	67	67	67	67	67	67	67	67	67	803
2009	67	67	67	67	67	67	67	67	67	67	67	67	803
2010	67	67	67	67	67	67	67	67	67	67	67	67	803
2011	67	67	67	67	67	67	67	67	67	67	67	67	803
2012	67	67	67	67	67	67	67	67	67	67	67	67	803
2013	67	67	67	67	67	67	67	67	67	67	67	67	803
2014	67	67	67	67	67	67	67	67	67	67	67	67	803
2015	67	67	67	67	67	67	67	67	67	67	67	67	803
2016	67	67	67	67	67	67	67	67	67	67	67	67	803
2017	67	67	67	67	67	67	67	67	67	67	67	67	803
2018	67	67	67	67	67	67	67	67	67	67	67	67	803
Average	62	62	62	64	64	63	62	62	62	62	62	62	748

From: [JR Osborne](#)
To: [Libby Tart](#)
Subject: Shook Water Report
Date: Thursday, December 12, 2019 9:38:03 AM
Attachments: [WSP Summary Adams County.pdf](#)

Please be cautious: This email was sent from outside Adams County

Good Morning Libby,

Here is the letter from the Water District engineer. It gives an overview of the districts position and that the district is working with DWR on final report.

Please let me know if you have any questions. A district rep will be in attendance to answer any questions as well.

Thanks!

J.R.

MEMORANDUM

TO: Todd Creek Village Metropolitan District (District)
FROM: Gina Burke
DATE: December 12, 2019
SUBJECT: TCVMD Water Supply Plan
JOB NO: 814.1

The purpose of this Memorandum is to provide Adams County with a summary of the water resources that are legally available to the District to meet current and future water demands for existing and committed development within the District's approved Service Area. This information will be incorporated into an updated Water Supply Plan that is being completed by our office as the District's water consultant. The updated Water Supply Plan is being provided in response to the letter from Joanna Williams of the Division of Water Resources (DWR) dated December 5, 2019. The outline below is a summary of the District's current and future approved demands and the water supplies they have available to meet those demands based on the analysis being incorporated into the updated Water Supply Plan:

- Based on our review of the referenced letter from DWR there appears to be some confusion regarding the District's current and future demands for water and the water resources the District has to meet those demands. Specifically, DWR has given no consideration for the Junior Water rights that have been decreed under Water Court Case Nos. 13CW3181 and 16CW3019. The details under these decrees are referenced below.

Based on our analysis, the current potable demands of the District are approximately 587 acre-feet per year (af/yr) as shown on the attached Table (provided to DWR). The future platted potable demands are estimated at 151 af/yr for a total of approximately 738 af/yr. When the current potable demands for platted commercial are added (4.80 af/yr), the total potable demands within the District at current platted build-out are approximately 743 af/yr.

- The 24 lots in the Adams County application (Promontory) will add approximately 7.2 af/yr to the current committed potable demands of the District.
- District Water Rights Summary

Decreed Laramie-Fox Hills ground water - 843 af/yr

Consolidated Mutual - 500 af/yr (approx. 466 af/yr after transit losses)

Old Brantner - 130 af/yr

Total Senior Water Rights – 1,473 af/yr

Case No. 13CW3181 – Decreed Limitation of 6,202 af/yr (10-year average). A total of 1,198 acre-feet of storage was also decreed utilizing the reservoirs within the District's Service Area. The District is currently using about 564 acre-feet of storage and has the remaining amount under development.

The District was able to divert the following amounts under Case No. 13CW3181 since the decree was finalized:

2017 331 acre-feet (partial year/started diversions in June)

2018 1,618 acre-feet

2019 2,151 acre-feet

Case No. 16CW3019 – Decreed limitation of 7,482 af/yr. A total of 3,741 acre-feet of storage is decreed to Mann Lakes.

The Mann Lakes reservoirs are legally available for use and in 2019 the District diverted approximately 1,656 acre-feet into the reservoir complex.

Total Decreed Junior Water Rights – 13,684 af/yr

Case No. 19CW3061 – Pending case which requests an additional fill in Mann Lakes of 3,741 af/yr for a total of 11,223 af/yr and enlargements to two of the District's reservoirs, Signal 1 and Signal 2, which will add 2,095 acre-feet of additional storage bringing the total to 3,293 acre-feet.

- In my conversations with Joanna Williams regarding the letter referenced above, she explained that it is DWR's policy to not give credit to junior water rights without a proven firm yield analysis. She requested that the District compile a conservative firm yield analysis of its junior water rights for DWR's review. This is the study we are currently finalizing which will incorporate the water resources summarized above.
- Finally, the volumetric limits discussed above for both of the decreed Water Court cases were based on historic data and were approved by all objectors and the State and Division Engineers.

**TABLE 4
TODD CREEK VILLAGE METROPOLITAN DISTRICT
ESTIMATED CURRENT & FUTURE DEMANDS**

	Total units	Currently Served Units	Future Units	Potable af/yr/unit	Current af/yr	Future af/yr	Total Potable af/yr	units	Irrigation af/yr/unit	Current af/yr	Future af/yr	Total Irrigation af/yr	Total Demands af/yr
Development (Platted)													
TCF 1	54	54	0	0.27	14.53	0.00	14.53	54	0.34	18.36	0.00	18.36	32.89
TCF 2	57	57	0	0.27	15.33	0.00	15.33	57	0.34	19.38	0.00	19.38	34.71
TCF 3	62	62	0	0.27	16.68	0.00	16.68	62	0.34	21.08	0.00	21.08	37.76
TCF 4	139	139	0	0.27	37.39	0.00	37.39	139	0.34	47.26	0.00	47.26	84.65
Foxridge	58	58	0	0.27	15.60	0.00	15.60	58	0.34	19.72	0.00	19.72	35.32
TCF 5	160	152	8	0.27	40.89	2.15	43.04	160	0.34	51.68	2.72	54.40	97.44
ES 1	185	180	5	0.27	48.42	1.35	49.77	185	0.34	61.20	1.70	62.90	112.67
Wheatlands	71	71	0	0.27	19.10	0.00	19.10	71	0.34	24.14	0.00	24.14	43.24
TCM 1	78	71	7	0.27	19.10	1.88	20.98	78	0.34	24.14	2.38	26.52	47.50
Silver Springs	52	52	0	0.27	13.99	0.00	13.99	52	0.34	17.68	0.00	17.68	31.67
Hawk Ridge	47	42	5	0.27	11.30	1.35	12.64	47	0.34	14.28	1.70	15.98	28.62
ESS	191	187	4	0.27	50.30	1.08	51.38	190	0.34	63.58	1.02	64.60	115.98
HTC	1,277	825	452	0.27	221.93	121.59	343.51	800	0.25	206.25	-6.25	200.00	543.51
TC Bartley	172	163	9	0.30	48.90	2.70	51.60	172	0.34	55.42	3.06	58.48	110.08
TC Shook	60	0	60	0.30	0.00	18.00	18.00	32	0.34	0.00	10.88	10.88	28.88
Baseline Lakes	54	49	5	0.27	13.18	1.35	14.53	54	0.34	16.66	1.70	18.36	32.89
Subtotals	2,717	2,162	555		586.63	151.43	738.07	2,211		660.83	18.91	679.74	1417.81
Commercial (Platted - 2010 Demands)													
HTC Club/Maint							3.65					11.70	15.35
TCVMD office							0.03					-	0.03
NH Church							0.88					-	0.88
Harvest Fellowship							0.24					0.39	0.63
TCVP&R ES Park							-					8.10	8.10
TCVP&R TCM Park							-					3.98	3.98
LS areas							-					69.90	69.90
Future HTC LS areas							-					120.00	120.00
HTC Golf Course							-					270.00	270.00
Future Development (Not Platted)													
Weld County Development Area	3,100			0.20			620.00	3,100	0.25			775.00	1395.00
ALF	1,930			0.20			386.00	1,930	0.25			482.50	868.50
Jogan Estates (Adams)	3			0.30			0.90	3	0.25			0.75	1.65
Seltzer FT (Adams)	207			0.30			62.10	207	0.25			51.75	113.85
Seltzer Farms (Adams)	501			0.30			150.30	501	0.25			125.25	275.55
Wygant (Adams)	255			0.30			76.50	255	0.25			63.75	140.25
Baseline Lakes - Add'l (Adams)	140			0.30			42.00	140	0.25			35.00	77.00
	6,136												
							742.87					1,163.81	1,906.68
							591.43					1,144.90	1,736.33
							151.43					18.91	170.34
							1,337.80					1,534.00	2,871.80
							2,080.67					2,697.81	4,778.48

Notes:
 Demands provided by Todd Creek Village Metropolitan District
 HTC - replat reduced units from 1,310 to 1,277.
 Baseline Lakes - platted for 54 units

Exhibit 3.7 Mile High Flood District Correspondence and Photos

From: [Jen Rutter](#)
To: [Libby Tart](#)
Subject: FW: Shook Subdivision more drainage pictures
Date: Wednesday, April 1, 2020 9:45:17 AM

Jen Rutter

Development Services Manager, *Community & Economic Development*

ADAMS COUNTY, COLORADO

4430 South Adams County Parkway, 1st Floor, Suite W2000A

Brighton, CO 80601

o: 720.523.6841 | jrutter@adcogov.org

www.adcogov.org

From: Matthew Emmens <MEmmens@adcogov.org>

Sent: Tuesday, March 31, 2020 11:55 AM

To: Jerry Whitmore <jdubwh@gmail.com>

Cc: Scott Bietendorf <sbietendorf@gmail.com>; Debbie Whitmore <debwhit22@gmail.com>; Silene Patroniti <patroniti6@gmail.com>; Richard Arnold <thekoiman@comcast.net>; Jen Rutter <JRutter@adcogov.org>; Jill Jennings Golich <JJenningsGolich@adcogov.org>

Subject: RE: Shook Subdivision more drainage pictures

Hello Jerry,

Sorry for the late response. The County buildings have been closed until April 19th due to the coronavirus. And, in addition to having to figure out how to work from home, I also got sick for a week or so. I'm getting back into the swing of things now, though.

Anyway, we did hear back from MHFD. They said that the swale appears to be designed correctly and does flow to the north (per design) but, it would take a more extensive survey to find out if it was constructed per design. They also said that without that more extensive survey, there is now way of knowing if the swale contributed to the illicit discharge that happened last year. However, when the County's Stormwater Division investigated the illicit discharge last year, they concluded that it was due to an improperly installed silt fence on one of the properties that had a house under construction (which was fixed by the home builder).

The standing water in the swale (shown in your pictures) is a bit of a concern. I will pass these along to the Stormwater Division and have them investigate. It could be that the culvert under E 160th is plugged. County staff is continuing to discuss this issue, though. At this time we have no made any decisions about what should be done. I will keep you notified of any decisions.

Matt

From: Jerry Whitmore <jdubwh@gmail.com>

Sent: Sunday, March 22, 2020 3:35 PM

To: Matthew Emmens <MEmmens@adcogov.org>

Cc: Scott Bietendorf <sbietendorf@gmail.com>; Debbie Whitmore <debwhit22@gmail.com>; Silene Patroniti <patroniti6@gmail.com>; Richard Arnold <thekoiman@comcast.net>

Subject: Shook Subdivision more drainage pictures

Please be cautious: This email was sent from outside Adams County

Hi Matt,

We were wondering where we are at with the MHFD investigation of our storm water issue?

Attached are 3 pictures I took today of the standing water across from my property next to Twin Lakes Storm drain. As you can see the standing water is not draining toward the culvert at E. 160th Place. One of the photos is directly across from the our storm drain and there isn't even a ditch on the other side. We are going to get clobbered. We tried to tell everyone early on that water doesn't flow uphill and this proves it. Mind you this is only runoff from the last snow. I hate to see what's going to happen when we get a big rain! We are asking for help from the County to please address this issue.

Thanks,

Jerry Whitmore

Twin Lakes subdivision

From: Matthew Emmens

Sent: Thursday, February 13, 2020 11:15 AM

To: Jerry Whitmore

Cc: Scott Bietendorf ; Debbie Whitmore

Subject: RE: Shook Subdivision

Thankyou Mr. Whitmore. The more information I have, the easier it is for me and MHFD to figure out what is happening and fix it.

Sincerely,

Matt Emmens

Senior Engineer, *Community and Economic Development*

ADAMS COUNTY, COLORADO

4430 S. Adams County Parkway, W2000B

Brighton, CO 80601

o: 720.523.6826 | memmens@adcogov.org

www.adcogov.org

From: Jerry Whitmore <jdubwh@gmail.com>
Sent: Thursday, February 13, 2020 10:29 AM
To: Matthew Emmens <MEmmens@adcogov.org>
Cc: Scott Bietendorf <sbietendorf@gmail.com>; Debbie Whitmore <debwhit22@gmail.com>
Subject: Fw: Shook Subdivision

Please be cautious: This email was sent from outside Adams County

Good Morning Matt,

I'm forwarding an email that you sent Juliana with the pictures showing the illicit discharge situation back on Aug. 3, 2018. In this email you state that you received it from a citizen living in Twin Lakes subdivision which as you can see below in the thread that it would have been me.

I hope this refreshes your memory concerning our drainage situation.

Thanks,
Jerry Whitmore

From: Matthew Emmens
Sent: Friday, August 03, 2018 9:38 AM
To: Juliana J. Archuleta
Cc: David Rausch ; jdubwh@gmail.com ; Miles Buescher
Subject: FW: Shook Subdivision

Good Morning Juliana,

I received the email below from a citizen who lives in the Twin Lakes subdivision, just East of the Shook Subdivision. It appears from the attached pictures that there is an illicit discharge situation happening on the east side of the Shook Subdivision.

Let me know if there is anything I need to do.

Sincerely,
Matt Emmens

Senior Engineer, *Community and Economic Development*
ADAMS COUNTY, COLORADO
4430 S. Adams County Parkway, W2000B
Brighton, CO 80601
o: 720.523.6826 | memmens@adcogov.org
www.adcogov.org

From: Jerry Whitmore [<mailto:jdubwh@gmail.com>]
Sent: Thursday, August 02, 2018 2:50 PM
To: Matthew Emmens
Cc: Scott Bietendorf; Richard Arnold; Debbie Whitmore; 'Bob & Silene Patroniti'; vicfoster@comcast.net; 'John and Barbara Otto'; D&S Beckett; Stormwater Quality Mailbox
Subject: Fw: Shook Subdivision

Hi Matt,

We were previously working through Julie for the New Shook Subdivision issues but have been advised that she is no longer working for Adams County. The operator said that you should be able to help us. Please read below and review the pictures.

Thanks,
Jerry

From: Jerry Whitmore
Sent: Thursday, August 02, 2018 2:18 PM
To: Julie Wyatt ; swq@adcogov.org
Cc: 'Scott & Vicky' ; thekoiman@comcast.net ; 'Debbie Whitmore' ; 'Bob & Silene Patroniti' ; 'Scott & Vicky' ; 'John and Barbara Otto' ; D&S Beckett
Subject: Re: Shook Subdivision

Shook Subdivision Request for comment

Hi Julie,

I wanted to bring up a storm water issue that we are seeing now when it rains. Please review the attached pictures. We were told that there would be 2 separate storm water retention ponds servicing the Shook subdivision. There has only been 1 retention pond built currently for the west (upper side) of the Shook subdivision. That design is very robust in capturing the storm water from the upper (West) side of the subdivision. However, the lower (East side of the subdivision has had very little work done to capture the storm water coming down the grade of the East side. A culvert was installed (see photo) under the E. 160th Pl. road where it meets Geneva Ct. (our road). This culvert goes basically nowhere except to drain onto our properties. You can also see from the photos that the water actually overwhelmed our own drain and was coming over the road to drain into our property as evidenced by the mud on the road.

We understand "historic upstream drainage". All of the water that historically drained between lots 5 and 6 has been clear water. As you can see in the photos, this is muddy water and is not historic at all but as a result of no longer having vegetation in the Shook subdivision the stop the water.

We request that someone from the county to come out and look over the project and please explain to us how this is going to work. Because from what we are seeing so far, the Shook subdivision is planning on using the properties on Geneva Ct. to accept the storm water from the East side of the Shook subdivision. This is unacceptable and if you read down below, this was one of our main concerns during the platting effort.

Please respond to our concerns.

Thank you,

Gerald Whitmore
Lot #5 Twin Lakes subdivision

From: Julie Wyatt
Sent: Thursday, March 08, 2018 9:36 AM
To: Jerry Whitmore ; D&S Beckett
Cc: 'Scott & Vicky' ; thekoiman@comcast.net ; 'Debbie Whitmore' ; 'Bob & Silene Patroniti' ; 'Scott & Vicky' ; 'John and Barbara Otto'
Subject: RE: Shook Subdivision

Good morning,

Our Engineering Department has provided me with some information to share with you regarding your concerns with the Shook Subdivision. Below are their responses :

1) Traffic - There was a traffic impact study done in April of 2005. That study was completed before the Bartley property East of Havana (now the TC Riverside) was developed and Also before the 2 subdivisions located at Hwy 7 and York Street were developed. Since then the traffic along Hwy 7 has increased substantially. The Hwy 7/Geneva Ct. intersection has no traffic light and the Eastbound turn lane is almost non-existent. The traffic along Hwy 7 now is so heavy that turning East onto Hwy 7 is almost impossible during peak rush times. The 2005 study stated on page 3 of section 1.2 that the access to E 160th Place via Geneva Ct. was to be closed except for emergency purposes. If that entrance to E 160th Place will now be open to traffic, A new more current Traffic study should be completed. Geneva Ct. is a very narrow dead-end road and I believe was only intended for traffic to the 6 homes on Geneva Ct.

-

Engineering Response: The original Shook Subdivision (approved in 2005), includes a plan for closing the Geneva Court connection to Highway 7, converting the south end of the roadway to a 'hammer head' turn around and, routing the Geneva Court traffic through the Shook Subdivision. That plan will remain as part of the currently approved (for construction) plans and the re-platting of the Shook Subdivision. With

Geneva Court not having a connection to Highway 7, there is no anticipated need for anyone passing through or leaving the Shook Subdivision to go onto Geneva Court. When the south end of Geneva Court is converted to a hammer head, the approved plans call for an emergency only access onto Highway 7. A physical roadway connection to Highway 7 will remain but, will be blocked with a locked chain or gate that only the emergency services (police, fire protection, etc.) have a key to.

At no time will access to Geneva Court be closed or access denied to the residents. When the roadways in the Shook Subdivision have been constructed and accepted by the County, the Geneva Court connection will be closed and converted to a hammer head. Residential access will always be provided.

One of the (if not the main) purposes of the Shook Subdivision Re-plat is to allow for roadway connections to the Weigandt Property, north of the Shook Subdivision (to allow for development of that property). That is proposed to be done with the extension of Galena Court and Florence Way. None of the improvements for the Shook subdivision or the future development of the Weigandt Property should negatively affect the traffic flow on Geneva Ct.

The recommendation for turn signals, acceleration/deceleration lanes, and turn lanes were considered during the review of the original Shook Subdivision and with this re-platting effort. As a CDOT road, Highway 7 improvements such as turn signals, acceleration/deceleration lanes, and turn lanes are approved by CDOT and require that certain criteria (known as Warrants) be met before they can be required or constructed. The warrants for requiring and installing those type of roadway improvements are based on State, local and Federal regulations and must be proved by a rigorous engineering analysis. *At this time, development of the Shook Subdivision will not produce enough traffic movements to meet the required Warrants for a turn signal; however, the currently approved plans do meet the warrants for acceleration/deceleration lanes and turn lanes on Highway 7. Those improvements will be constructed by a restriping of the lane lines on Highway 7.* With the development of the Weigandt Property to the north of the Shook Property, the warrants for turn signals, additional turn lanes and, all other potential roadway improvements will be re-reviewed by the County and CDOT and required for development if the warrants are met.

2) Storm runoff – Currently there is a storm drain located between lots 5 and 6 on the West side Geneva Ct. That storm drain empties out onto the property between lots 5 and 6 and drains down our properties and into the Stouffer reservoir behind our house. During times of heavy rain the runoff is so powerful that it tends to wash our decorative rock away and is basically a river between our properties. Currently the Shook subdivision is undeveloped and does have some minor vegetation that could stop some erosion and drainage. If the Shook subdivision is developed, that could increase the storm drainage emptying out between our properties. We would like to see that storm drain re-configured and re-directed into a different drain stream that would prevent the flooding issues along our properties.

Engineering Response: Development of the Shook property and, specifically the individual lots, includes reconfiguring of the site grading and storm drainage systems. The construction plans for the Shook subdivision call for the majority of the storm flows to be captured on site and directed to the north and south, away from entering Geneva Ct or the Twin Lakes Subdivision. The largest impact will be seen when development (home construction) of the lots in the Shook subdivision that are directly west of lots 5 and 6 of the Twin Lakes subdivision occurs. The lot grading is anticipated to direct a significant portion of storm flows to the north and south, thus reducing the historic flows that drain to Geneva Court. However, development plans for those particular lots in the Shook subdivision have not been created yet (they typically aren't created until someone purchases the properties). Therefore, at this time, Engineering can't say for sure when those storm flows will be reduced or by how much. However, I can say that the storm flows to Geneva Ct from the Shook Subdivision will be reduced with the development/construction of the Shook Subdivision.

Just for background information--under Colorado law, downstream property owners must accept historic upstream drainage. Therefore, if storm water historically drained onto your property, that condition may remain. The land plat for the Twin Lakes subdivision shows a 10-foot wide drainage easement straddling the property line between lots 5 & 6. This easement was intended to be used to convey storm drainage. Since current conditions include stormwater flowing between lots 5 and/or 6 of the Twin Lakes subdivision, this stormwater is considered historic drainage. Development upstream of your property may release storm water at historic levels and patterns, but cannot increase the amount or make the situation any worse than it is now.

Thank you very much for your response. We appreciate you reaching out to provide feedback. If there is any additional information or assistance I can provide, please feel free to contact me.

Sincerely,

Julie Wyatt

Planner III, *Community and Economic Development*

ADAMS COUNTY, COLORADO

4430 South Adams County Parkway

Brighton, CO 80601-8212

720.523.6858 | jwyatt@adcogov.org

From: Jerry Whitmore [<mailto:jdubwh@gmail.com>]

Sent: Tuesday, March 06, 2018 1:29 PM

To: Julie Wyatt; D&S Beckett

Cc: 'Scott & Vicky'; thekoiman@comcast.net; 'Debbie Whitmore'; 'Bob & Silene Patroniti'; 'Scott & Vicky'; 'John and Barbara Otto'

Subject: Re: Shook Subdivision

Shook Subdivision request for comment

Hello:

I live in the Twin Lakes Subdivision just East of the Shook Subdivision. I went to the Adams county website and looked through the Shook case documents and I do have a couple of concerns regarding the re-platting.

1) Traffic - There was a traffic impact study done in April of 2005. That study was completed before the Bartley property East of Havana (now the TC Riverside) was developed and Also before the 2 subdivisions located at Hwy 7 and York Street were developed. Since then the traffic along Hwy 7 has increased substantially. The Hwy 7/Geneva Ct. intersection has no traffic light and the Eastbound turn lane is almost non-existent. The traffic along Hwy 7 now is so heavy that turning East onto Hwy 7 is almost impossible during peak rush times. The 2005 study stated on page 3 of section 1.2 that the access to E 160th Place via Geneva Ct. was to be closed except for emergency purposes. If that entrance to E 160th Place will now be open to traffic, A new more current Traffic study should be completed. Geneva Ct. is a very narrow dead-end road and I believe was only intended for traffic to the 6 homes on Geneva Ct.

2) Storm runoff – Currently there is a storm drain located between lots 5 and 6 on the West side Geneva Ct. That storm drain empties out onto the property between lots 5 and 6 and drains down our properties and into the Stouffer reservoir behind our house. During times of heavy rain the runoff is so powerful that it tends to wash our decorative rock away and is basically a river between our properties. Currently the Shook subdivision is undeveloped and does have some minor vegetation that could stop some erosion and drainage. If the Shook subdivision is developed, that could increase the storm drainage emptying out between our properties. We would like to see that storm drain re-configured and re-directed into a different drain stream that would prevent the flooding issues along our properties.

Thank you in advance for your consideration,

Jerry Whitmore
16020 Geneva Ct.
Brighton, Co. 80602

From: [JR Osborne](#)
To: [Libby Tart](#)
Subject: Re: Shook Filing 3 & 4
Date: Wednesday, April 22, 2020 2:35:23 PM

Please be cautious: This email was sent from outside Adams County

Happy Wednesday Libby,

I hope your week is going well. I spoke with Matt and am going to get some more as-built shots taken for the swale for him. We also did some additional swale work on the south side of Geneva to ensure no drainage issues. Matt thought they were great improvements. I'll send you some pics.

How are we looking on other referrals?

Thanks!

J.R.

From: Libby Tart <LTart@adcogov.org>
Sent: Thursday, April 16, 2020 10:48 AM
To: JR Osborne <c3construction@live.com>
Subject: RE: Shook Filing 3 & 4

Hi JR – Doing well – and how about you? I didn't get any feedback thus far but will be following up early next week with all of them.

Thanks,
Libby



Libby Tart, AICP

Senior Long Range Planner, *Community & Economic Development*

ADAMS COUNTY, COLORADO

4430 South Adams County Parkway, 1st Floor, Suite W2000A

Brighton, CO 80601

o: 720.523.6858 | ltart@adcogov.org

www.adcogov.org

Preferred Pronouns: she/her/hers

From: JR Osborne <c3construction@live.com>
Sent: Thursday, April 16, 2020 10:39 AM
To: Libby Tart <LTart@adcogov.org>

From: [JR Osborne](#)
To: [Libby Tart](#)
Subject: Shook
Date: Wednesday, April 22, 2020 3:12:03 PM
Attachments: [ATT00001.txt](#)
[ATT00002.txt](#)
[ATT00003.txt](#)

Please be cautious: This email was sent from outside Adams County









Development Review Team Comments

Date: 7/23/18

Project Number: PRC2018-00008

Project Name: Shook Filing 3 and 4 FDP/ Final Plats

For submission of revisions to applications, a cover letter addressing each staff review comments must be provided. The cover letter must include the following information: restate each comment that require a response and provide a response below the comment; respond to each comment with a description of the revisions and the page of the response on the site plan. And identify any additional changes made to the original document other than those required by staff.

A re-submittal is required. Please submit 1 hard copy and 1 electronic copy to the Community and Economic Development Department front desk with the re-submittal form.

An additional 20% review fee will be required after the third review and upon submittal of the fourth review.

Commenting Division: Development Services, Planning

Name of Reviewer: Emily Collins

Email: ecollins@adcogov.org

PLN1. REQUEST:

- a. This request is for a Major Subdivision Final Plat for Filings 3 and 4 of the Shook Planned Unit Development.
- b. Filing 3 is proposed for 13 lots on approximately 22.37 acres.
- c. Filing 4 is proposed for 11 lots on approximately 23.16 acres.

PLN2. SITE HISTORY/ ZONING:

- d. Todd Creek Shook FDP was approved on March 13, 2006. The final plat and only filing was approved for 32 single family lots.
- e. The subject area to be added to the existing Shook Subdivision is designated PUD-P in the Todd Creek Village Preliminary Development Plan which was approved March 2002.
- f. A Replat application has been submitted to create 2 filings from the initial Shook plat, this includes realignment of Florence Way and Galena Ct. to connect the northern portions of the subdivision (proposed Filing 3 and 4).
- g. An FDP Major Amendment has been submitted to include the parcel intended to be subdivided for Filings 3 and 4.

PLN3. COMPREHENSIVE PLAN:

- a. The site is designated as Estate Residential which is intended for single family housing at lower densities, no greater than one unit per acre, and compatible uses such as schools and parks.

PLN4. PLAT COMMENTS:

- a. A Subdivision Improvements Agreement is required at time of final plat. Please see attached template.
- b. Public Land Dedication fees are required prior to scheduling any public hearing. Please see attached spreadsheet.
- c. All lots must conform to the minimum dimensional standards for the Shook FDP.
 - Minimum frontage width at front setback 150'
 - Minimum front setback for residence 30'
 - Minimum lot size 1 acre
 - i. Filing 3, Block 3, Lot 4 is not 1 acre in size.
 - ii. Filing 3, Block 1, Lot 4 and 5 may not meet the 150 width at the 30 ft setback from Galena Court. Please demonstrate compliance.
 - iii. Filing 4, Block 3, Lot 1-4 may not meet the 150 width at the 30 ft setback from E. 163rd Place. Please demonstrate compliance.
- d. Design is compatible with Comprehensive plan, zoning, and area's character
- e. No hazardous areas or floodplain
- f. Lot configuration is appropriate for development
- g. Adequate water and sanitation demonstrated by Will Serve letter from Todd Creek Village Metro District.
- h. Lots have access to public roads

PLN5. COMMENTS:

- a. Land Use Table on Filing 3 does not appear correct (states 29 dwelling units on 13 lots).
- b. Please note the County recently passed new regulations for residential construction standards (Section 4-10-02-03-03), which include a signed waiver for any new home constructed within 300 ft of an existing oil and gas well.

Commenting Division: Development Services, Engineering:

Name of Review: Matt Emmens

Email: memmens@adcogov.org

ENG1: Flood Insurance Rate Map – FIRM Panel # (08001C0326H), Federal Emergency Management Agency, March 5, 2007. According to the above reference, the project site is NOT located within a delineated 100-year flood hazard zone; A floodplain use permit will not be required.

ENG2: The applicant shall be responsible to ensure compliance with all Federal, State, and Local water quality construction requirements. The project site is partially within the County's MS4

Stormwater Permit area. In the event that the disturbed area, within the MS4 Permit area, of the site exceeds 1 acre the applicant shall be responsible to prepare the SWMP plan using the Adams County ESC Template, and obtain both a County SWQ Permit and State Permit COR-030000.

ENG3: Prior to scheduling the final plat/FDP BOCC hearing, the developer is required to submit for review and receive approval of all construction documents (construction plans and reports). Construction documents shall include, at a minimum, onsite and public improvements construction plans, drainage report, traffic impact study. All construction documents must meet the requirements of the Adams County Development Standards and Regulations. The developer shall submit to the Adams County Development Review Engineering division the following: Engineering Review Application, Engineering Review Fee, two (2) copies of all construction documents. The development review fee for this project will be \$7,500.

The applicant has submitted construction documents for review. Those documents are not yet approved.

ENG4: Prior to the issuance of any construction or building permits, the developer shall enter into a Subdivision Improvements Agreement (SIA) with the County and provide a security bond for all public improvements.

ENG5: No building permits will be issued until all public improvements have been constructed, inspected and preliminarily accepted by the County's Public Works Dept.

Commenting Division: Development Services, Right-of-Way:

Name of Review: Marissa Hillje

Email: mhillje@adcogov.org

ROW1. Monuments should be at all street intersections, the beginning and end of each centerline horizontal curve in a street and at the center of the cul-de-sac. This should be shown on the plat.

ROW2. Monuments should be set and shown on this plat at each change of bearing along the perimeter of the filing. Add set monuments to the legend.

ROW3. Un-bold the labels that are in bold.

ROW4. Consider changing the boundary of the Filings to a slightly thinner line

ROW5. Add Sheet #'s to each page

ROW6. Add Case # to top right of each page

ROW7. See redlines on plat for the Certificate of Ownership and Dedication statements.

ROW8. See redlines- remove notes that are inaccurate or not needed.

ROW9. See all other redlines shown on the attached plat.

Commenting Division: Development Services, Building Safety:

Name of Review: Justin Blair

Email: jblair@adcogov.org

BSD1- No comment.

Commenting Division: Development Services, Environmental Programs:

Name of Review: Jen Rutter

Email: jrutter@adcogov.org

There is an active well on the Shook Filing 3, Lot 3. The name is Weigandt and the operator is PetroShare. If the well is to remain active, the plat will need to comply with 4-10-02-03-03-05(1). If the well is to be plugged and abandoned, the plat should show the location of the P&A'd well.

Here are some recommended plat notes, if the well is to remain active:

Plat Note 1

In compliance with Adams County Development Standards and Regulations, Section 4-10-02-03-05, existing oil and gas well locations are depicted on the plat with a two-hundred-fifty (250) foot buffer in the form of an easement. No habitable structures shall be constructed within the two-hundred-fifty (250) foot buffer area.

Plat Note 2

In compliance with Adams County Development Standards and Regulations, Section 4-10-02-03-05, prior to issuance of a building permit for a new home and/or other permanent structure with plumbing within three hundred (300) feet of an existing oil and gas well facility, the property owner shall submit a signed waiver acknowledging the existence of the facility.

Plat Note 3

In compliance with Adams County Development Standards and Regulations, Section 4-10-02-03-05, access to the oil and gas well locations is provided by a public street or recorded easement for private access and shown on the Final Plat. All oil and gas well lines are placed in easements and shown on the Final Plat. No structures shall encroach upon these easements.

Plat Note 4

In the event that an existing well is plugged and abandoned, the two-hundred-fifty (250) foot easement may be removed through a plat correction. A copy of the Well Abandonment Report shall be provided along with a recorded copy of the Oil & Gas Well Waiver.



Development Review Team Comments

Date: May 15, 2019

Project Number: PRC2018-00008

Project Name: Shook Filings 3 and 4

Note to Applicant:

For submission of revisions to applications, a cover letter addressing each staff review comment must be provided. The cover letter must include the following information: restate each comment that requires a response and provide a response below the comment; respond to each comment with a description of the revisions and the page of the response on the site plan. And identify any additional changes made to the original document other than those required by staff.

A re-submittal is required.

Commenting Division: Development Services, Planning

Name of Reviewer: Libby Tart

Email: Ltart-schoenfelder@adcogov.org / 720-523-6858

PLN1. REQUEST

- a. This request is for a Major Subdivision Final Plat for Filings 3 and 4 of the Shook Planned Unit Development.
- b. Filing 3 is proposed for 13 lots on approximately 22.37 acres.
- c. Filing 4 is proposed for 11 lots on approximately 23.16 acres.

PLN2. COMPREHENSIVE PLAN:

- a. The site is designated as Estate Residential which is intended for single family housing at lower densities, no greater than one unit per acre, and compatible uses such as schools and parks.

PLN3. SITE HISTORY/ZONING:

- a. Todd Creek Shook FDP was approved on March 13, 2006. The final plat and only filing was approved for 32 single family lots.
- b. The subject area to be added to the existing Shook Subdivision is designated PUD-P in the Todd Creek Village Preliminary Development Plan which was approved March 2002.

- c. A Replat application has been submitted to create 2 filings from the initial Shook plat, this includes realignment of Florence Way and Galena Ct. to connect the northern portions of the subdivision (proposed Filing 3 and 4).
- d. An FDP Major Amendment has been submitted to include the parcel intended to be subdivided for Filings 3 and 4.

PLN4. COMMENTS:

Subdivision Improvement Agreement (SIA) Comments:

4A. Please see the comments from Engineering, Legal and Finance below about the SIAs.

Plat Comments:

4B. The previous planner requested information from the applicant demonstrating compliance with the 150-foot minimum frontage width at front setback standard (30-foot) for Filing 3, Block 1, Lots 4 and 5 as well as the same with Filing 4, Block 3, Lots 1-4. This was not supplied. Please measure these lots off and provide more detail about their lot widths.

4C. In the previous comments, there was not a reference to the provision of a signed waiver for any new home within 300-feet of an existing oil and gas well but the following should also be noted, dimensioned, etc. on both plats to adhere to our current standards in the Adams County Development Standards and Regulations, Section 4-10-02-03-03-05, or RESIDENTIAL CONSTRUCTION Standards for **Plugged and Abandoned, and Former Oil and Gas Production Sites**: This Section is enacted to protect and promote the health, safety, morals, convenience, order, prosperity, or general welfare of the present and future residents of the County. These regulations are based upon the land use authority of the County.

- a. Prior to submittal of a final plat or site specific development plan, each plugged and abandoned well shall be located and surveyed. The plugged and abandoned well shall be permanently marked by a brass plaque set in concrete similar to a permanent bench mark to monument its existence and location. Such plaque shall contain all information required on a dry hole marker by the Colorado Oil and Gas Conservation Commission and the County.
- b. As a condition of review of any final plat or site specific development plan which contains a plugged and abandoned well or former oil and gas production site or is within 200 feet of such well or site, the owner shall submit a location diagram of the location of the well.
- c. On every final plat or site specific development plan which contains a plugged and abandoned well, there shall be dedicated a well maintenance and workover setback depicted on the plat, the dimensions of which shall be not less than fifty feet in width and 100 feet in length. No structures shall be located within this setback. The plugged and

abandoned well shall be located in the center of the setback. There shall be public access for ingress and egress to the setback of a width of not less than twenty feet.

- d. Every final plat and site specific development plan which contains a plugged and abandoned well or a site specific development that includes a property that is less than 200 feet from a plugged and abandon well, shall include the following notation: "The owner shall disclose to prospective purchasers of lots within a radius of 200 feet of the plugged and abandoned well of (1) the location of the plugged and abandoned well, (2) the location of the maintenance and workover setback, and (3) the purpose for the well maintenance and workover setback."
- e. As a condition of building permit review, no dwelling shall be constructed within fifty (50) feet of a plugged and abandoned well.
- f. Prior to issuance of a grading permit within a development containing a known reserve pit site, the reserve pit site shall be tested for expansive soils. Reserve pits containing expansive soils in locations proposed for buildings shall be subject to the provisions of the International Building Code.
- g. No utility lines shall be installed within ten feet of any plugged and abandoned well.

4D. Please state what the 70-foot easement is on the plats – is it a utility provider or a multi-use easement? Oil and gas?

4E. Public Works/ROW/Legal have commented on the plugged and abandoned well site location in Filing No. 3 along a public right-of-way. They are indicating below that the well itself must be located on a lot and not within the ROW. Staff suggests conducting a meeting with our team once the applicant determines the realignment/new lot configuration. We would prefer to see a few options at the meeting so we can provide you with thoughtful comments. *This reconfiguration of Galena and lots 1-3 in Block 1 may affect the overall FDP and trigger a FDP Amendment.* Staff is checking in to get a determination on this.

4F. Please reference the original FDP and the Oil and Gas Outlot B names in an updated letter of explanation. This will help with some of the case history.

4G. The PLD Fees and other items may need revisions due to the ROW reconfiguration. Please hold off on sending any of these in until we review those changes.

Commenting Division: Development Services, Engineering:

Name of Review: Matt Emmens

Email: MEmmens@adcogov.org

ENG1: Flood Insurance Rate Map – FIRM Panel # (08001C0326H), Federal Emergency Management Agency, March 5, 2007. According to the above reference, the project site is NOT

located within a delineated 100-year flood hazard zone; A floodplain use permit will not be required.

Applicant Response: No response received

County Comment: Comment is for notification purposes. Comment Closed.

ENG2: The applicant shall be responsible to ensure compliance with all Federal, State, and Local water quality construction requirements. The project site is partially within the County's MS4 Stormwater Permit area. In the event that the disturbed area, within the MS4 Permit area, of the site exceeds 1 acre the applicant shall be responsible to prepare the SWMP plan using the Adams County ESC Template, and obtain both a County SWQ Permit and State Permit COR-030000.

Applicant Response: Will submit plans for MS4 Permit

County Comment: No construction permits will be issued until the Stormwater Permit has been issued. Comment Closed.

ENG3: Prior to scheduling the final plat/FDP BOCC hearing, the developer is required to submit for review and receive approval of all construction documents (construction plans and reports). Construction documents shall include, at a minimum, onsite and public improvements construction plans, drainage report, traffic impact study. All construction documents must meet the requirements of the Adams County Development Standards and Regulations. The developer shall submit to the Adams County Development Review Engineering division the following: Engineering Review Application, Engineering Review Fee, two (2) copies of all construction documents. The development review fee for this project will be \$7,500.

The applicant has submitted construction documents for review. Those documents are not yet approved.

Applicant Response: Plans are complete and will be submitted to Engineering. Fees have been paid at time of original submittal.

County Comment: The construction plans, although complete, have only been approved for Filings 1 and 2. The construction plans will need to be re-approved for filings 3 and 4, separately.

ENG4: Prior to the issuance of any construction or building permits, the developer shall enter into a Subdivision Improvements Agreement (SIA) with the County and provide a security bond for all public improvements.

Applicant Response: SIA drafts are attached to this submittal.

County Comment: SIA has been reviewed. See SIA Comments below. Comment Closed.

ENG5: No building permits will be issued until all public improvements have been constructed, inspected and preliminarily accepted by the County's Public Works Dept.

Applicant Response: No response received

County Comment: Comment is for notification purposes. Comment Closed.

ENG6: The Exhibit “B” for the Filing 3 SIA was not included in the submittal. Resubmit with the Exhibit “B”

Commenting Division: Development Services, Right-of-Way and Addressing

Name of Review: Marissa Hillje

Email. mhillje@adcogov.org

Please note:

During the last review of Shook Subdivision Filing No. 3, I made a note ROW5: See below.

ROW5: The County attorney’s office is working with risk management to determine if the County will accept an abandoned well in the public right of way.

I received an update from the County Attorney’s office. The County will not accept an abandoned well in Public Right-of-way. The developer will need to change the street configuration so that the abandoned well is on private property.

Please send this update to the developer.

Any questions feel free to reach out to me or Matt Emmens.

ROW1: Monuments: All monuments used to determine and/or describe a boundary (including basis of bearings, point of beginning and point of commencement) shall be shown and clearly labeled on the plat drawing. Monuments for corners defined by the plat, or otherwise found to be missing in the field, shall be placed and set in accord with the requirements of the State of Colorado.

- a. Monuments should be at all street intersections, the beginning and end of each centerline horizontal curve in a street and at the center of the cul-de-sac. This should be shown on the plat.

ROW2: Prior to submittal of a final plat or site specific development plan, each plugged and abandoned well shall be located and surveyed. The plugged and abandoned well shall be permanently marked by a brass plaque set in concrete similar to a permanent bench mark to monument its existence and location. Such plaque shall contain all information required on a dry hole marker by the Colorado Oil and Gas Conservation Commission and the County. On every final plat or site specific development plan which contains a plugged and abandoned well, there shall be dedicated a well maintenance and workover setback depicted on the plat, the dimensions of which shall be not less than fifty feet in width and 100 feet in length. No structures shall be located within this setback. The plugged and abandoned well shall be located in the center of the setback.

ROW3: Add this note to the plat- No utility lines shall be installed within ten feet of any plugged and abandoned well.

ROW4: An updated recent title commitment will be required with the final plat application.
ROW5: The County attorney's office is working with risk management to determine if the County will accept an abandoned well in the public right of way.

ROW6: Show and label the temporary cul-de-sac easements. ROW agent Marissa Hillje is still waiting on signatures on the agreements.

ROW7: Filing 4: Outlot B- the buffer areas around the wells needs to be shown on the plat.

ROW8: Filing 4: Outlot C is not in the table- revise table.

ROW9: The County needs a dedicated storm drainage easement over any drainage facilities created for the subdivision. The storm drainage easement should be delineated with distances and bearings.

ROW10: If Outlot A is to be used for storm water drainage, the county needs access to maintain it. Please show access easement to the storm drainage.

ROW11: Fix all overlapping labels.

ROW12: Label what the 70ft easement is for.

ROW13: There are additional comments and redlines on attached plat.

Commenting Division: Environmental Programs Manager

ENV1. The applicant must comply with Adams County Development Standards and Regulations, Section 4-10-02-03-05 for Plugged and Abandoned, and Former Oil and Gas Production Sites.

Commenting Division: Legal

Name of Review: Christy Fitch

Please see the attached SIAs for corrections.

Commenting Division: Finance

Name of Review: Laura Garcia

Please see the file attached for the correct calculation.

Filing 3:

Item number 5 should be \$309,029.49

The following section needs to match the amount in item number 5.

APPROVED BY resolution at the meeting of _____, 2019.

Collateral to guarantee compliance with this agreement and construction of public improvements shall be required in the amounts of: **\$290,697.60**. No building permits shall be issued until said collateral is furnished in the amount required and in a form acceptable to the Board of County Commissioners. No construction permits shall be issued until all collateral required by this SIA is provided and approved by County staff.

Filing 4:

Item number 5 should be \$154,525.47

Please let me know if you have any questions.

Thanks and have a great day.

Laura Garcia

Senior Accountant, *Finance*

4430 South Adams County Parkway, 4th floor, Suite C4228

Brighton, CO 80601

720.523.6239 | Lgarcia@adcogov.org | adcogov.org

Adjacent Property Owner/Occupant Comments (Please note: applicant must provide responses to all comments):

Previous comments were satisfactory from most of the external reviewers. However, with the plugged and abandoned gas correction, staff will refer the application out to those initial reviewers such as Xcel, Division of Water Resources, TCHD, CGS, etc. to ensure they are satisfied with any of the future (new) changes.



Development Review Team Comments (3rd Review)

Date: October 30, 2019
Project Number: PRC2018-00008
Project Name: Shook Filings 3 and 4

Note to Applicant:

For submission of revisions to applications, a cover letter addressing each staff review comment must be provided. The cover letter must include the following information: restate each comment that requires a response and provide a response below the comment; respond to each comment with a description of the revisions and the page of the response on the site plan. And identify any additional changes made to the original document other than those required by staff.

An email re-submittal is required.

Commenting Division: Development Services, Planning
Name of Reviewer: Libby Tart
Email: Ltart@adcogov.org / 720-523-6858

PLN1. REQUEST

- a. This request is for a Major Subdivision Final Plat for Filings 3 and 4 of the Shook Planned Unit Development.
- b. Filing 3 is proposed for 13 lots on approximately 22.37 acres.
- c. Filing 4 is proposed for 11 lots on approximately 23.16 acres.

PLN2. COMPREHENSIVE PLAN:

- a. The site is designated as Estate Residential which is intended for single family housing at lower densities, no greater than one unit per acre, and compatible uses such as schools and parks.

PLN3. SITE HISTORY/ZONING:

- a. Todd Creek Shook FDP was approved on March 13, 2006. The final plat and only filing was approved for 32 single family lots.
- b. The subject area to be added to the existing Shook Subdivision is designated PUD-P in the Todd Creek Village Preliminary Development Plan which was approved March 2002.

- c. A Replat application has been submitted to create 2 filings from the initial Shook plat, this includes realignment of Florence Way and Galena Ct. to connect the northern portions of the subdivision (proposed Filing 3 and 4).
- d. An FDP Major Amendment has been submitted to include the parcel intended to be subdivided for Filings 3 and 4.

PLN4. COMMENTS:

Subdivision Improvement Agreement (SIA) Comments:

No further comment from Finance.

4A. LEGAL is requesting the SIA document in Word in lieu of a .pdf. Please email this document to your case manager and she will send it along to our attorney.

Plat Comments:

4B. Carry over note – the applicant states that they supplied this in the third submission but the case manager did not find it. Please email this over just to ensure we have it documented. *The previous planner requested information from the applicant demonstrating compliance with the 150-foot minimum frontage width at front setback standard (30-feet) for Filing 3, Block 1, Lots 4 and 5 as well as the same with Filing 4, Block 3, Lots 1-4. This was not supplied. Please measure these lots off and provide more detail about their lot widths.*

Commenting Division: Development Services, Engineering:

Name of Review: Matt Emmens

Email: MEmmens@adcogov.org

ENG1: Review complete. All comments resolved.

Commenting Division: Development Services, Right-of-Way and Addressing

Name of Review: Marissa Hillje

Email. mhillje@adcogov.org

ROW1: The applicant has addressed and revised all ROW comments on the plat.

Commenting Division: Environmental Programs Manager

ENV1. No further comment.

Commenting Division: Legal

Name of Review: Christy Fitch

Legal needs a copy of the SIA in a Word document form to redline any corrections. Please email this to your case manager.

Xcel Energy (Please note: applicant must provide responses to all comments):

Public Service Company of Colorado's (PSCo) Right of Way & Permits Referral Desk has reviewed the plats for **Shook Filing Nos. 3 and 4** and requests the following 15- foot wide drainage and utility easements for connectivity purposes around the cul du sacs:

- within Outlot B on Filing No. 4 adjacent to East 162nd Place
- within Lot 5 and Outlot B on Filing No. 4 adjacent to East 163rd Place

Please see the attached highlighted drawing.

The property owner/developer/contractor must complete the application process for any new natural gas service via xcelenergy.com/InstallAndConnect. It is then the responsibility of the developer to contact the Designer assigned to the project for approval of design details.

Additional easements may need to be acquired by separate document for new facilities.

As a safety precaution, PSCo would like to remind the developer to call the Utility Notification Center by dialing 811 for utility locates prior to construction.

Donna George
Right of Way and Permits
Public Service Company of Colorado dba Xcel Energy
Office: 303-571-3306 – Email: donna.l.george@xcelenergy.com



Development Review Team Comments – 1st Review

Date: 04/22/2020

Project Number: PRC2020-00007

Project Name: Shook Filings 3&4 Final Plats and SIAs

Note to Applicant:

For submission of revisions to applications, a cover letter addressing each staff review comment must be provided. The cover letter must include the following information: restate each comment that requires a response and provide a response below the comment; respond to each comment with a description of the revisions and the page of the response on the site plan. And identify any additional changes made to the original document other than those required by staff.

A re-submittal is required per Legal. The resubmittal needs to be checked in by the E-Permit/OneStop Counter at epermitcenter@adcogov.org. Please cc your Case Manager in the email to ensure she knows you have resubmitted.

Commenting Division: Development Services, Planning

Name of Reviewer: Libby Tart

Email: Ltart@adcogov.org / 720-523-6858

PLN1. REQUEST

- a. A final plat for Shook Subdivision Filing No. 3 to create 13 lots and b) A final plat for Shook Subdivision Filing No. 4 to create 11 lots and c) a request to create a Subdivision Improvements Agreement (SIA) to finance the public improvements associated with the two Final Plats for Shook Filing 3 and Shook Filing 4.

PLN2. COMPREHENSIVE PLAN:

- a. The site is designated as Estate Residential which is intended for single family housing at lower densities, no greater than one unit per acre, and compatible uses such as schools and parks.

PLN3. SITE LOCATION/ ZONING:

- a. The subject property is designated PUD.

PLN4. COMMENTS:

4A. Please see the updated PLD fees attached. The former PLD calculator was incorrect with a household calculation and staff is updating all case PLD fees to ensure we are using the 2020 calculator.

Commenting Division: Legal:

Please see the attached County Attorney's markups and provide a corrected Word document with the next submission. If these edits are fine, staff can begin scheduling Shook for a BoCC hearing.

Commenting Division: Finance:

No further comment.

Commenting Division: Development Services, Engineering:

Name of Review: Matthew Emmens

Email: Memmens@adcogov.org / 720-523-6826

ENG1: The developer has submitted construction plans for review. Those plans have received preliminary approval. Final approval and issuance of construction permit will require approval by the Board of County Commissioners of the final plat(s) and SIA(s).

ENG2: The developer should make note that there have been drainage complaints associated with Filings No. 1 and 2 of this development. As all four (4) filings of this development share storm sewer infrastructure, the developer may need to address drainage issues within other filings as part of the final acceptance of the public improvements.

Mr. Emmens recently provided an email summary of the stormwater discussion that has concerned the subdivision to the east of Shook. See below:

Here is a timeline and summary of the Shook Subdivision and drainage issues.

The Shook subdivision was originally approved in 2005 (I think). The construction of the subdivision was put on hold (no known reason but, probably due to the economy). The developer started the construction permitting process in 2016 but, before permits were issued in 2018, decided to split the site into two filings. Here is the timeline/summary.

- The Shook subdivision re-plat was approved in December of 2018, creating Filing No. 1 and No. 2.
 - Construction of the public and drainage infrastructure for Filing No. 1 began in about May of 2018.
 - Construction was started under the approved construction plans for the originally approved subdivision and a new SIA. The replat case began soon after.
 - Preliminary acceptance of the public and drainage infrastructure was granted in November of 2018.

- Home construction began very soon after.
 - Construction of the public and drainage infrastructure for Filing No. 2 began in February of 2019.
 - Preliminary acceptance of the public and drainage infrastructure was granted in September of 2019.
- During construction, several stormwater inspections were performed (some routine, others due to a complaint) and violations were given out.
 - June 2019 – (inspection not documented in Accela) inspection due to neighbor complaint of an illicit discharge (erosion and sediment draining from the site).
 - Inspectors noticed that one of the home builders (not JR Osbourne, the developer) had improperly installed a silt fence, along the east side of a parcel adjacent to Geneva Ct. That silt fence failed during a storm the day before and carried sediment off the site and into the properties to the east.
 - Inspectors notified the home builder, who promptly fixed the violation.
 - The inspector said they did not document this case in Accela because it seemed like a minor violation.
 - This is the issue that the Geneva Ct. neighbors are complaining about.
 - January 21, 2019 – (CSI2019-0001) violation issued due to recalcitrant noncompliance on site (stormwater BMP's not installed and/or maintained properly)
- In June of 2019, I began receiving calls from the residence on Geneva Ct. about the Shook Subdivision.
 - There were several complaints:
 - The water supply to two manmade ponds, in the back yards of the Geneva Ct residences, was cut off and, the residence wanted the County to resolve this problem.
 - The County does not have any control of the utility district that was supplying the water to the Geneva Ct residence; therefore, the County cannot help. The Geneva Ct residence do not seem to acknowledge that the County has no control over the utility district.
 - Geneva Ct direct access to Highway 2 had been closed off. The Geneva Ct residence would now have to go through the Shook Subdivision to get onto Highway 7.
 - This was a requirement from CDOT when the subdivision was originally approved in 2005.
 - I have been told that the Geneva Ct residence liked this idea at the time.
 - I coordinated with CDOT to allow the Geneva Ct access to Highway 7 to remain open.
 - CDOT agreed to the request but, if there is an increase in accidents at that intersection they will require the County

- to close the access (there are bollards and a chain in place, we would just have to lock the chain to a bollard).
- I received several calls telling me that the chain had been re-attached. The best the developer and I can guess is that one of the construction workers had reattached the chain, unknowingly. I have not heard anything more about this issue since about September.
 - The home builder at the south-east corner of the site was accessing the lot from Geneva Ct.
 - Stormwater inspectors were sent out and found that the homebuilder had taken down the silt fence to create an access through the rear yard. The inspector informed the home builder of the error of their ways and the problem was promptly fixed.
 - There is “massive” drainage problem with the Shook Subdivision. **(This is the complaint that led to us asking MHFD to do a review of the swale design and construction).**
 - Stormwater was draining off the Shook subdivision into Geneva Ct and leaving sediment on the street and neighboring properties.
 - This did happen, due to the improperly installed silt fence by the home builder (June 2019).
 - We have no record of this happening since June of 2019.
 - The swale running along the east side of the Shook Subdivision was constructed improperly and drains backwards.
 - The developer was notified of this concern and the County asked him to perform an as-built survey of the swale.
 - The as-built drawing showed that the centerline of the swale does, in fact, drain to the north, as it was designed and should.
 - January 14, 2020 – During the BoCC public hearing for Filings 3 and 4, the Geneva Ct neighbors made public comment about the swale (and other issues) and asked that the County “take action” on the swale issue.
 - The BoCC asked staff if there was a way, we could have a third-party review done of the swale design and construction; suggesting that the Mile High Flood District (MHFD) might be able to help.
 - MHFD was contacted and agreed to do a third-party review. All documents associated with the swale and drainage issues with the development were sent to MHFD (Dave Skuodas).

- An assessment was received by MHDF on March 3rd, 2020 (See [more on this below](#)).
- March 2020, one of the Geneva Ct residence sent me pictures showing standing water in the swale.
 - Stormwater inspectors were sent to the site to investigate (early April).
 - No issues were found and, the swale was dry.
 - I followed up with Stormwater (Juliana); she does not see a problem with the swale.
 - I have also asked David Rausch and Gordon Stevens to inspect the swale, both agree, it is very flat, but they have no issue with that.
- Mid-April 2020 – I was asked to put this summary together.

The MHFD letter (see attached) basically says that the swale was designed correctly but, there is not enough as-built information to show 1) that it was built correctly (as designed) and 2), that, with the lack of as-built information, there is no way to know if the swale had anything to do with the illicit discharge of June, 2019. Our Stormwater inspectors and their manger (Juliana) are pretty certain that the illicit discharge was due to the improperly installed silt fence, which was fixed. Julian Archuleta, Jordon Maclay (stormwater inspector), Gordon Stevens, David Rausch and myself have all been out to this site to inspect the swale. Not to speak for the others but, our collective opinion appears to be that the swale is very flat but, was designed, built and works correctly. There has not been another illicit discharge since.

Sincerely,
Matt Emmens

Senior Engineer, *Community and Economic Development*
 ADAMS COUNTY, COLORADO
 4430 S. Adams County Parkway, W2000B
 Brighton, CO 80601
 o: 720.523.6826 | memmens@adco.gov
www.adcogov.org

Name of Review: Colorado Division of Water Resources
 Comment by Joanna Williams/Ailis Thyne
 Phone: 303-866-3581 x8216

Please see the attached letter from the Division of Water Resources. This will be included as exhibit material in the BoCC report.

From: [Christine Fitch](#)
To: [Libby Tart](#)
Subject: Re: PRC2020-0007
Date: Thursday, April 30, 2020 3:11:28 PM

Hey Libby,

It looks like JR made all of the changes from the last version.

Thanks,

Christy

From: Libby Tart <LTart@adcogov.org>
Sent: Thursday, April 30, 2020 3:05 PM
To: Christine Fitch <CFitch@adcogov.org>
Subject: FW: PRC2020-0007

Hello Christy – Attached are the corrections from JR on the SIA. Just look them over and let me know your thoughts. Hopefully he corrected everything and we can proceed to scheduling!

Thanks,
Libby



Libby Tart, AICP

Senior Long Range Planner, *Community & Economic Development*

ADAMS COUNTY, COLORADO

4430 South Adams County Parkway, 1st Floor, Suite W2000A

Brighton, CO 80601

o: 720.523.6858 | ltart@adcogov.org

www.adcogov.org

Preferred Pronouns: she/her/hers

From: JR Osborne <c3construction@live.com>
Sent: Tuesday, April 28, 2020 2:27 PM
To: CPD ePermit Center <epermitcenter@adcogov.org>
Cc: Libby Tart <LTart@adcogov.org>
Subject: PRC2020-0007

Please be cautious: This email was sent from outside Adams County

Hi Megan,

Here are the corrected SIA's that the county attorney requested. I also attached the word docs so either you or Libby can get to them.

Thanks,

J.R. Osborne

Emily Collins

From: Gutierrez, Carla [CGutierrez@brightonfire.org]
Sent: Tuesday, July 17, 2018 6:06 PM
To: Emily Collins
Subject: RE: PRC2018-00008 Shook Subdivision Filing 3 and 4

Hi Emily,

At this time we have no issues with this case.

Thank you!

Carla Gutierrez

Fire Inspector
Brighton Fire Rescue District
500 S. 4th Ave. 3rd Floor
Brighton, CO 80601
303-654-8042
www.brightonfire.org

From: Emily Collins [<mailto:ECollins@adcogov.org>]
Sent: Friday, June 29, 2018 11:29 AM
To: 'landuse@tchd.org' <landuse@tchd.org>; Monte Deatrich <mdeatric@tchd.org>; Loeffler - CDOT, Steven <steven.loeffler@state.co.us>; serena.rocksund@state.co.us; Loeffler - CDOT, Steven <steven.loeffler@state.co.us>; Brigitte Grimm <BGrimm@adcogov.org>; Gutierrez, Carla <CGutierrez@brightonfire.org>; CGS_LUR <CGS_LUR@mines.edu>; Williams - Dnr, Joanna <Joanna.Williams@State.CO.US>; Kerrie Monti <kmonti@sd27j.net>; brandyn.wiedrich@centurylink.com; thomas_lowe@cable.comcast.com; Marisa Dale <mdale@UnitedPower.com>; mary.c.dobyns@usps.gov; 'chris.quinn@rtd-denver.com' <chris.quinn@rtd-denver.com>; roger@equinoxland.com
Subject: PRC2018-00008 Shook Subdivision Filing 3 and 4

Good Afternoon:

Please see the attached Request for Comments on the above case. **Comments are due by Friday, July 20th.**

Thank you for your review!



Emily Collins, AICP

Planner III, *Community and Economic Development*
ADAMS COUNTY, COLORADO
4430 South Adams County Parkway, W2000A
Brighton, CO 80601
o: 720-523-6820 | ecollins@adcogov.org
www.adcogov.org

Emily Collins

From: Steven Loeffler - CDOT [steven.loeffler@state.co.us]
Sent: Thursday, July 19, 2018 1:43 PM
To: Emily Collins
Subject: PRC2018-00008, Shook Subdivision Filing 3 and 4

Emily,

I have reviewed the referral named above for Preliminary and Final Plat for Shook Subdivision Filings 3 and 4 and have no objections. This developer has worked with CDOT for access permitting. Any other proposed work in the CDOT Right-of-Way including, but not limited to, survey, utility, or landscaping work will require a permit from our office. Contact for that permit is Robert Williams who can be reached at 303-916-3542 or robert.williams@state.co.us

Thank you for the opportunity to review this referral.

Steve Loeffler
Permits Unit



P 303.757.9891 | F 303.757.9886
2829 W. Howard Pl. 2nd Floor, Denver, CO 80204
steven.loeffler@state.co.us | www.codot.gov | www.cotrip.org

COLORADO GEOLOGICAL SURVEY

1801 19th Street
Golden, Colorado 80401



Karen Berry
State Geologist

July 23, 2018

Emily Collins
Adams County Community & Economic Development
4430 S. Adams County Parkway, Suite W2000A
Brighton, CO 80601

Location:
N½ SE¼ Section 3,
T1S, R67W, 6th P.M.
39.9916, -104.87

Subject: Shook Subdivision Filings 3 and 4 – Preliminary and Final Plat
Case Number PRC2018-00008; Adams County, CO; CGS Unique No. AD-18-0019

Dear Ms. Collins:

Colorado Geological Survey has reviewed the Shook Subdivision Filing 3 and Filing 4 preliminary and final plat referral. I understand the applicant proposes 13 lots (Filing 3) and 11 lots (Filing 4) of at least one acre each on approximately 48 acres located north of Shook Subdivision Filing 2.

The site does not contain, nor is it exposed to, any geologic hazards that would preclude the proposed subdivision. **CGS therefore has no objection to approval of the plat as proposed.**

Potential development constraints that will require site-specific geotechnical investigation, testing, and analysis include:

Slow percolation rates, shallow bedrock, and possible need for engineer-designed OWS. The Project Explanation (undated) indicates that each lot will contain an onsite wastewater system (OWS). The Adams County Soil Survey describes most of the site soils as very limited in suitability for conventional septic tank absorption fields due to low permeability and bedrock within 6 feet of the ground surface. It is likely that at least some of the proposed lots will require engineer-designed septic systems.

Soil engineering properties and foundation design. The Adams County Soil Survey describes some of the soils at this site as somewhat limited in suitability for construction of dwellings due to shrink-swell.

Lot-specific geotechnical investigation, testing, and analysis will be needed, once building locations are determined, to characterize soil engineering properties such as expansion/consolidation potential, strength, water content, and allowable bearing pressures. This information, along with more specific information about depths to bedrock and seasonal depths to groundwater, will be needed to determine whether overexcavation is needed to provide a separation distance between potentially highly expansive claystone bedrock and foundation elements, to design individual foundations, floor systems, and subsurface drainage, and to determine the each lot's suitability for a full-depth basement, if planned.

Thank you for the opportunity to review and comment on this project. If you have questions or require additional review, please call me at (303) 384-2643, or e-mail carlson@mines.edu.

Sincerely,

Jill Carlson, C.E.G.
Engineering Geologist

A handwritten signature in black ink, appearing to read "Jill Carlson", is written over the typed name and title.



COLORADO

Parks and Wildlife

Department of Natural Resources

Northeast Regional Office
6060 Broadway
Denver, CO 80216
P 303.291.7227 | F 303.291.7114

July 7, 2018

Ms. Emily Collins
Adams County
Community & Economic Development Department
4430 South Adams County Parkway, Suite W2000A
Brighton, CO 80601

Re: Shook Subdivision Filing 3 and 4, PRC2018-00008

Dear Ms. Collins:

Thank you for the opportunity to comment on the proposed creation of 13 single family 1-acre lots and associated subdivision improvements for Shook Subdivision Filing 3 and creation of 11 single family 1-acre lots and associated subdivision improvements for Shook Subdivision Filing 4. The 48-acre proposed subdivision is owned SEC. 2-3 Phoenix, LLC. The proposed site is located in the SE1/4 of Section 3, Township 1 South, Range 67 West and is bounded east by Geneva Court, and on the south, west and north by various parcels of private property.

The mission of Colorado Parks and Wildlife (CPW) is to perpetuate the wildlife resources of the state, to provide a quality state parks system, and to provide enjoyable and sustainable outdoor recreation opportunities that educate and inspire current and future generations to serve as active stewards of Colorado's natural resources. Our goal in responding to land use proposals such as this is to provide complete, consistent, and timely information to all entities who request comment on matters within our statutory authority. Current CPW policy directs our efforts towards proposals that will potentially have high impacts to wildlife and wildlife habitat. The emphasis of CPW's concerns is on large acreages, critical habitats, wildlife diversity, and impacts to species of special concern, or those that are state or federally endangered. Due to the low availability of undeveloped habitat surrounding the site, impacts of the development, as proposed, may be characterized as minimal.

Natural Vegetation

CPW recommends that land within the project area be restored to native habitat, if possible. To improve wildlife habitat after construction, the CPW recommends using native plant species along the project area. CPW also recommends planting trees, shrubs, and grasses so that they are mixed within the landscape. A landscape that has a good mix of trees, grasses, and shrubs is more beneficial to wildlife than a landscape with all trees in one area and all grasses and shrubs in others.

Burrowing Owls

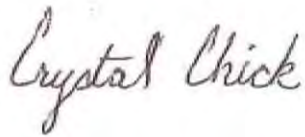


If prairie dog towns are present on the sites or if prairie dogs establish themselves on the property prior to development - CPW recommends that a burrowing owl survey be conducted prior to earth moving. Burrowing owls live on flat, treeless land with short vegetation, and nest underground in burrows dug by prairie dogs, badgers, and foxes. These raptors are classified as a state threatened species and are protected at both the state and federal level, including the Migratory Bird Treaty Act.

These laws prohibit the killing of burrowing owls or disturbance of their nests. Therefore, if any earth-moving will occur between March 15th and October 31st, a burrowing owl survey should be performed. Guidelines for performing a burrowing owl survey may be obtained from District Wildlife Manager Jordan Likes, visiting the CPW website at <http://cpw.state.co.us> or by calling the CPW Denver Region Office at (303) 291-7227.

Please contact us if we can be of assistance in implementing your proposal to minimize negative impacts and maximizing potential enhancements to support living with wildlife in our community. If you have any further questions, please contact District Wildlife Manager Jordan Likes at (303) 291-7135.

Sincerely,

A handwritten signature in cursive script that reads "Crystal Chick".

Crystal Chick
Area Wildlife Manager

Cc: M. Leslie, T. Kroening, J. Likes

WEST ADAMS CONSERVATION DISTRICT
Serving portions of Adams, Broomfield, Denver, and Weld Counties
57 West Bromley Lane
Brighton, CO 80601
303-659-0525
westadamscd@gmail.com, www.westadamsCD.com

Date: July 18,2018

To: Ms, Emily Collins Case Manager
Department of Community and Economic Development
4430 South Adams County parkway, Suite W200A Brighton, CO 80601-8216

Re: Case Number: PRC2018-00008
Case Name: Shook Subdivision Filing 3 and 4

Dear Ms Collins

The West Adams Conservation District is in receipt of the above referenced project request for comments.

According to the attached map and information this is consistent with the surrounding area. Therefore the requirements of the Adams County Development Standards and Regulations shall apply to these two filings also, as it did for the first and second filings that now exist

In the future could the county please provide a topographic map or grading plan showing direction of the developed flow's. The assumption is that no surrounding area will be affected. The county standards should be followed for the placement of slit fence for erosion protection.

The District is concerned with weed control, so we are asking that the disturbed areas be reseeded back with native grasses that are best suited for this area, and spraying the weeds take place as needed.

Thank you for submitting this for our review and comment.

Bob Olivier
Director with WACD



July 20, 2018

Emily Collins
Adams County Community and Economic Development
4430 South Adams County Parkway, Suite W2000A
Brighton, CO 80601

RE: Shook Subdivision Filing 3 and 4, PRC2018-00008
TCHD Case No. 5017

Dear Ms. Collins,

Thank you for the opportunity to review and comment on the Preliminary and Final Plat for Shook Subdivision Filings 3 to create 13 lots and Filings 4 to create 11 lots and associated Subdivision Improvements Agreements located at the northwest corner of Highway 7 and Havana Street. Tri-County Health Department (TCHD) staff has reviewed the application for compliance with applicable environmental and public health regulations and principles of healthy community design. After reviewing the application, TCHD has the following comments.

On-Site Wastewater Treatment Systems (OWTS)

Proper wastewater management promotes effective and responsible water use, protects potable water from contaminants, and provides appropriate collection, treatment, and disposal of waste, which protects public health and the environment. TCHD has no objection to the proposed subdivision being served by Onsite Wastewater Treatment Systems (OWTS), provided the systems are permitted, installed, and operated in compliance with our current OWTS regulation.

At the time of our review of the original subdivision, it was TCHD's expectation that the Todd Creek Metropolitan District (TCMD) would act as the Responsible Management Entity (RME) for OWTS within the Shook Subdivision. The understanding that TCMD would be responsible for inspections of the OWTS in the Shook Subdivision was a factor in our agreeing to allow properties in the Shook Subdivision to be served by ISDS. Consequently, we recommend that TCMD be the RME for Shook Subdivision. TCHD is willing to work with TCMD to assist them in developing a successful RME program.

Oil and Gas

The Colorado Oil and Gas Conservation commission (COGCC) regulates the setback requirements of oil and gas wells and production facilities in order to eliminate, minimize, or mitigate potential adverse impacts to public health. COGCC requires setbacks of five hundred (500) feet to a building and three hundred fifty (350) feet to the

boundary of a designated outside activity area. An oil and gas well is located in Filing 4. TCHD recommends the applicant adhere to the setbacks outlined above, at a minimum.

Community design to support walking and bicycling

Because chronic diseases related to physical inactivity and obesity now rank among the country's greatest public health risks, TCHD encourages community designs that make it easy for people to include regular physical activity, such as walking and bicycling, in their daily routines. Because research shows that the way we design our communities can encourage regular physical activity, TCHD strongly supports community plans that incorporate pedestrian and bicycle amenities that support the use of a broader pedestrian and bicycle network.

In order to promote walking and bicycling through this development, TCHD encourages the applicant to consider the inclusion of the following as they design the community.

1. A system of sidewalks, bike paths and open space trail networks that are well-designed and well-lit, safe, and attractive so as to promote bicycle and pedestrian use.
2. Bicycle and pedestrian networks that provide direct connections between destinations in and adjacent to the community.
3. Where public transportation systems exist, direct pedestrian access should be provided to increase transit use and reduce unnecessary vehicle trips, and related vehicle emissions. The pedestrian/bicycle networks should be integrated with the existing and future transit plans for the area.
4. Streets that are designed to be pedestrian/bike friendly and to reduce vehicle and pedestrian/bicycle fatalities.
5. Bicycle facilities and racks are provided in convenient locations.

Please feel free to contact me at 720-200-1585 or aheinrich@tchd.org if you have any questions on TCHD's comments.

Sincerely,



Annemarie Heinrich, MPH/MURP
Land Use and Built Environment Specialist

cc: Sheila Lynch, Monte Deatrich, Michael Weakley, Warren Brown, TCHD

Emily Collins

From: Marisa Dale [mdale@UnitedPower.com]
Sent: Tuesday, July 17, 2018 6:02 PM
To: Emily Collins
Subject: RE: PRC2018-00008 Shook Subdivision Filing 3 and 4

Emily,

We appreciate the dedicated utility easements. Developer must submit an application for new service to this subdivision.

Thank you,
Marisa

From: Emily Collins [<mailto:ECollins@adcogov.org>]
Sent: Friday, June 29, 2018 11:29 AM
To: 'landuse@tchd.org'; Monte Deatrich; Loeffler - CDOT, Steven; serena.rocksund@state.co.us; Loeffler - CDOT, Steven; Brigitte Grimm; Gutierrez, Carla; CGS_LUR; Williams - Dnr, Joanna; Kerrie Monti; brandyn.wiedrich@centurylink.com; thomas_lowe@cable.comcast.com; Marisa Dale; mary.c.dobyns@usps.gov; 'chris.quinn@rtd-denver.com'; roger@equinoxland.com
Subject: PRC2018-00008 Shook Subdivision Filing 3 and 4

Good Afternoon:

Please see the attached Request for Comments on the above case. **Comments are due by Friday, July 20th.**

Thank you for your review!



Emily Collins, AICP

Planner III, *Community and Economic Development*
ADAMS COUNTY, COLORADO
4430 South Adams County Parkway, W2000A
Brighton, CO 80601
o: 720-523-6820 | ecollins@adcogov.org
www.adcogov.org

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Right of Way & Permits

1123 West 3rd Avenue
Denver, Colorado 80223
Telephone: **303.571.3306**
Facsimile: 303. 571. 3284
donna.l.george@xcelenergy.com

October 23, 2019

Adams County Community and Economic Development Department
4430 South Adams County Parkway, 3rd Floor, Suite W3000
Brighton, CO 80601

Attn: Libby Tart

Re: Shook Filing Nos. 3 and 4, Case # PRC2018-00008

Public Service Company of Colorado's (PSCo) Right of Way & Permits Referral Desk has reviewed the plats for **Shook Filing Nos. 3 and 4** and requests the following 15-foot wide drainage and utility easements for connectivity purposes around the cul du sacs:

- within Outlot B on Filing No. 4 adjacent to East 162nd Place
- within Lot 5 and Outlot B on Filing No. 4 adjacent to East 163rd Place

Please see the attached highlighted drawing.

The property owner/developer/contractor must complete the application process for any new natural gas service via xcelenergy.com/InstallAndConnect. It is then the responsibility of the developer to contact the Designer assigned to the project for approval of design details. Additional easements may need to be acquired by separate document for new facilities.

As a safety precaution, PSCo would like to remind the developer to call the Utility Notification Center by dialing 811 for utility locates prior to construction.

Donna George
Right of Way and Permits
Public Service Company of Colorado dba Xcel Energy
Office: 303-571-3306 – Email: donna.l.george@xcelenergy.com

SHOOK SUBDIVISION FILING NO 4
 LOCATED IN THE SOUTHEAST 1/4 OF SECTION 3,
 TOWNSHIP 1 SOUTH, RANGE 67 WEST, 6TH PM,
 COUNTY OF ADAMS, STATE OF COLORADO
 SHEET 3 OF 3

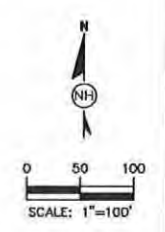
CASE NO. PRC2018-00008



- LEGEND**
- ⊙ = ALIQUOT SECTION CORNER AS NOTED
 - ⊙ = ALIQUOT 1/4 CORNER AS NOTED
 - ⊙ = FOUND MONUMENT AS NOTED
 - ⊙ = FOUND #5 REBAR WITH A 1-1/4 ALUMINUM CAP STAMPED "SUVCON INC, L.S. 30829"
 - ⊙ = SET #5 REBAR WITH 1" PLASTIC CAP
 - ⊙ = SET #5 REBAR 18" LONG WITH 1" PLASTIC CAP IN RANGE BOX
 - BK=BOOK
 - PG=PAGE
 - DUE=DRAINAGE AND UTILITY EASEMENT

CURVE #	LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD LENGTH
C1	18.15'	15.00'	069°19'29.40"	N27°00'11.12"W	17.06'
C2	24.95'	15.00'	095°17'25"	N70°41'21"E	22.17'
C3	31.81'	25.00'	072°53'42"	S81°53'13"W	29.70'
C5	132.13'	60.00'	126°10'16"	S55°03'53"W	107.0'
C6	132.51'	60.00'	126°32'23"	N71°17'27"W	107.0'
C7	93.43'	270.00'	019°49'34"	N71°34'43"W	92.96'
C8	14.88'	25.00'	034°06'00"	S81°27'30"W	14.66'
C9	120.51'	60.00'	115°04'29"	S58°03'15"E	101.25'
C10	169.74'	60.00'	162°05'36"	S80°31'48"W	118.54'
C11	25.54'	25.00'	058°31'28"	S47°41'07"E	24.44'
C12	290.25'	60.00'	277°10'06"	S22°59'33"W	79.38'
C13	34.71'	330.00'	06°01'34"	N73°56'03"W	34.89'
C14	53.31'	330.00'	09°15'20"	N66°17'36"W	53.25'
C15	88.02'	330.00'	012°16'54"	N69°18'23"W	87.76'

LINE #	LENGTH	BEARING
L1	30.00'	S75°07'30"E
L3	30.00'	N28°20'04"E
L4	31.33'	N61°38'56"W
L5	20.00'	N61°39'56"W
L6	20.00'	S61°39'56"E
L7	8.58'	S88°28'00"W



CENTER SOUTH 1/16 CORNER SECTION 3 RECOVERED 2 INCH ALUM CAP STAMPED "JR ENG, S 1/16, C-C, S3, T1S, R67 W, 2001, PLS 32825" (1.73 FEET WEST, 0.38 SOUTH)

POINT OF COMMENCEMENT

SI 1/4 CORNER 3" ALUMINUM CAP T1S 1/4 S 1/10 PLS 26298

SOUTHEAST CORNER SEC 3 RECOVERED AND ACCEPTED 2 INCH ALPHA ENGRG T1S S3/S2/S10/S11 R67W, 1996 LS 25937 IN RANGE BOX

NEW HORIZON SURVEY, LLC P.O. BOX 213, ARVADA, COLORADO 80001 PH (303) 502-5266 / nhars@f@prod.com	SHOOK SUBDIVISION 800-218-567	DRAWN BY: BRL CHECKED BY: RL SCALE: 1" = 100' DATE: MAY 2018	DATE 11/16/18 3/5/19 5/28/19 6/4/19 6/27/19 8/6/19 9/17/19	REVISION 4TH REVISION 5TH REVISION 6TH REVISION 7TH REVISION 8TH REVISION 9TH REVISION 10TH REVISION	BY RRL RRL EAB EAB EAB EAB EAB
		SHEET 3 OF 3			

From: [George, Donna L](#)
To: [JR Osborne](#)
Cc: [Libby Tart](#)
Subject: RE: Shook Subdivision
Date: Thursday, November 7, 2019 10:14:45 AM

Please be cautious: This email was sent from outside Adams County

Looks good, JR!

Thanks,

Donna George
Xcel Energy | Responsible By Nature
Right of Way and Permits
1123 West 3rd Avenue, Denver, CO 80223
P: [303-571-3306](tel:303-571-3306) | F: [303-571-3660](tel:303-571-3660)
donna.l.george@xcelenergy.com

xcelenergy.com/InstallAndConnect - Visit our website for more information about installing and connecting service with Xcel Energy!

From: JR Osborne [mailto:c3construction@live.com]
Sent: Thursday, November 07, 2019 10:11 AM
To: George, Donna L
Cc: Libby Tart-Schoenfelder
Subject: Shook Subdivision

CAUTION EXTERNAL SENDER: Stop and consider before you click links or open attachments.

Report suspicious email using the 'Report Phishing/Spam' button in Outlook.

Hi Donna,

Here is the updated plat showing the easement extending into Outlot B as we discussed.
Please let me know if you be all happy now?

Thanks,

J.R. Osborne

Neighborhood Comments*

(*sent to Engineering as a part of a discussion)

1. Bientendorf
2. Patroniti
3. Whitmore

From: [Matthew Emmens](#)
To: [Libby Tart](#)
Subject: FW: Twin Lakes contact
Date: Tuesday, May 26, 2020 4:14:15 PM

From: S B <sbietendorf@gmail.com>
Sent: Tuesday, February 4, 2020 3:44 PM
To: Matthew Emmens <MEmmens@adcogov.org>
Subject: Re: Twin Lakes contact

Please be cautious: This email was sent from outside Adams County

Hi Matthew,
Thanks for the email. Let me know when you have information Mile High Flood District for a 3rd party review.

Thank you,
Scott Bietendorf - Twin Lakes HOA - Secretary

On Tue, Feb 4, 2020 at 12:06 PM Matthew Emmens <MEmmens@adcogov.org> wrote:

Hello Mr. Bietendorf,

It was nice meeting you at the hearing this morning. I just want to send you an email and confirm your contact information. I have your phone number as 303-483-5152. If you could give me a quick reply, that would be perfect.

Also, I contacted the Mile High Flood District to inquire about a 3rd party review. I'm pretty sure they will be happy to help out but, unfortunately, most of their engineers are working from home today due to the snowy weather. I did leave a message and I will let you know when I hear back from them.

Sincerely,
Matt Emmens

Senior Engineer, *Community and Economic Development*
ADAMS COUNTY, COLORADO
4430 S. Adams County Parkway, W2000B
Brighton, CO 80601
O: 720.523.6826 | memmens@adcogov.org
www.adcogov.org

From: [Matthew Emmens](#)
To: [Libby Tart](#)
Subject: FW: Shook Eastern Swale - Third Party Review
Date: Tuesday, May 26, 2020 4:14:09 PM

From: S B <sbietendorf@gmail.com>
Sent: Wednesday, February 12, 2020 5:06 PM
To: Matthew Emmens <MEmmens@adcogov.org>
Cc: Dave Beckett <benbeck66@comcast.net>; Debbie Whitmore <debwhit22@gmail.com>; John Otto <s3nidow@aol.com>; Kate Swensen <kateswensen@gmail.com>; Richard Arnold <thekoiman@comcast.net>; Silene Patronitis <patroniti6@gmail.com>
Subject: Re: Shook Eastern Swale - Third Party Review

Please be cautious: This email was sent from outside Adams County

Matthew,
Thank you for the update. Do you think MHFD would benefit from images taken by Jerry Whitmore that show extensive run-off after a storm? Jerry provided these images to the council at the last meeting.

Thank you
Scott Bietendorf - Twin Lakes HOA Secretary

On Wed, Feb 12, 2020 at 4:36 PM Matthew Emmens <MEmmens@adcogov.org> wrote:

Hello Mr. Bietendorf,

Per your request, here is an update to the Shook swale/erosion third party review issue.

I've coordinated with staff at the Mile High Flood District (formerly Urban Drainage and Flood Control District). They have agreed to review the design and field inspection documents and provide an assessment or, recommend a third party to do the review. The Mile High Flood District (MHFD) usually doesn't review existing improvements for municipalities but, they have agreed to do a cursory review and if they feel a more in-depth review is necessary, they will recommend a private company that the County can contract with for the review. Otherwise, MHFD will provide the assessment themselves.

What I sent them was all of the design reports, construction plans, inspection information and some, additional map/data that the County has (basically, everything I could find on the subject). What I've asked them to do is review the documents and provide (1) an assessment of the eastern swale (whether it is design correctly and constructed properly), (2) an assessment of the erosion issue (referred to as an 'illicit discharge) and, (3) to make a determination on whether the erosion issue is related to the swale.

I expect to hear back from MHFD in about a week or two. I will pass on any information I receive.

Sincerely,
Matt Emmens

Senior Engineer, *Community and Economic Development*

ADAMS COUNTY, COLORADO

4430 S. Adams County Parkway, W2000B

Brighton, CO 80601

O: 720.523.6826 | memmens@adcogov.org

www.adcogov.org

From: [Matthew Emmens](#)
To: [Libby Tart](#)
Subject: FW: Shook Subdivision more drainage pictures
Date: Tuesday, May 26, 2020 4:13:57 PM

From: S B <sbietendorf@gmail.com>
Sent: Monday, May 4, 2020 4:36 PM
To: Matthew Emmens <MEmmens@adcogov.org>
Cc: Jerry Whitmore <jdubwh@gmail.com>; Debbie Whitmore <debwhit22@gmail.com>; Silene Patroniti <patroniti6@gmail.com>; Richard Arnold <thekoiman@comcast.net>
Subject: Re: Shook Subdivision more drainage pictures

Please be cautious: This email was sent from outside Adams County

Matthew,
Thank you for the update. It appears the as built survey is critical. However, will this be verified by a 3rd party, as we do not trust the developer.

Thank you,
Scott Bietendorf - Secretary Twin Lakes HOA

On Mon, May 4, 2020 at 3:56 PM Matthew Emmens <MEmmens@adcogov.org> wrote:

Hello Jerry,

I am very sorry for this very late response. Things have been a little hectic and I'm having a horrible time trying to keep up with emails.

We did hear back from the Mile High Flood District (MHFD). Their review says that the swale was designed correctly and does flow to the north, per the as-built survey information we submitted to them for review. The review also says that there is not enough as-built survey information to determine if the swale was constructed per the design. What this could mean is that the swale might not be wide enough or deep enough. And, because of that lack of information, they could not determine if the swale contributed to the illicit discharge of sediment from the site last year.

In response to the MHFD review comments, the County asked the developer to supply more as-built information so that a determination could be made as to whether the swale was constructed per the design and, if it had anything to do with the illicit discharge a year ago. I received that additional survey information from the developer just last week. I have not had a chance to review the information or, send it to the MHFD for their 3rd party review.

Matt

From: Jerry Whitmore <jdubwh@gmail.com>
Sent: Sunday, March 22, 2020 3:35 PM
To: Matthew Emmens <MEmmens@adcogov.org>
Cc: Scott Bietendorf <sbietendorf@gmail.com>; Debbie Whitmore <debwhit22@gmail.com>; Silene Patroniti <patroniti6@gmail.com>; Richard Arnold <thekoiman@comcast.net>
Subject: Shook Subdivision more drainage pictures

Please be cautious: This email was sent from outside Adams County

Hi Matt,

We were wondering where we are at with the MHFD investigation of our storm water issue?

Attached are 3 pictures I took today of the standing water across from my property next to Twin Lakes Storm drain. As you can see the standing water is not draining toward the culvert at E. 160th Place. One of the photos is directly across from the our storm drain and there isn't even a ditch on the other side. We are going to get clobbered. We tried to tell everyone early on that water doesn't flow uphill and this proves it. Mind you this is only runoff from the last snow. I hate to see what's going to happen when we get a big rain! We are asking for help from the County to please address this issue.

Thanks,
Jerry Whitmore
Twin Lakes subdivision

From: Matthew Emmens
Sent: Thursday, February 13, 2020 11:15 AM
To: Jerry Whitmore
Cc: Scott Bietendorf ; Debbie Whitmore
Subject: RE: Shook Subdivision

Thankyou Mr. Whitmore. The more information I have, the easier it is for me and MHFD to figure out what is happening and fix it.

Sincerely,
Matt Emmens

Senior Engineer, *Community and Economic Development*
ADAMS COUNTY, COLORADO
4430 S. Adams County Parkway, W2000B
Brighton, CO 80601
o: 720.523.6826 | memmens@adcogov.org

www.adcogov.org

From: Jerry Whitmore <jdubwh@gmail.com>
Sent: Thursday, February 13, 2020 10:29 AM
To: Matthew Emmens <MEmmens@adcogov.org>
Cc: Scott Bietendorf <sbietendorf@gmail.com>; Debbie Whitmore <debwhit22@gmail.com>
Subject: Fw: Shook Subdivision

Please be cautious: This email was sent from outside Adams County

Good Morning Matt,

I'm forwarding an email that you sent Juliana with the pictures showing the illicit discharge situation back on Aug. 3, 2018. In this email you state that you received it from a citizen living in Twin Lakes subdivision which as you can see below in the thread that it would have been me.

I hope this refreshes your memory concerning our drainage situation.

Thanks,
Jerry Whitmore

From: Matthew Emmens
Sent: Friday, August 03, 2018 9:38 AM
To: Juliana J. Archuleta
Cc: David Rausch ; jdubwh@gmail.com ; Miles Buescher
Subject: FW: Shook Subdivision

Good Morning Juliana,

I received the email below from a citizen who lives in the Twin Lakes subdivision, just East of the Shook Subdivision. It appears from the attached pictures that there is an illicit discharge situation happening on the east side of the Shook Subdivision.

Let me know if there is anything I need to do.

Sincerely,
Matt Emmens

Senior Engineer, *Community and Economic Development*
ADAMS COUNTY, COLORADO
4430 S. Adams County Parkway, W2000B
Brighton, CO 80601
o: 720.523.6826 | [memmens@adcogov.org](mailto:mемmens@adcogov.org)

www.adcogov.org

From: Jerry Whitmore [<mailto:jdubwh@gmail.com>]
Sent: Thursday, August 02, 2018 2:50 PM
To: Matthew Emmens
Cc: Scott Bietendorf; Richard Arnold; Debbie Whitmore; 'Bob & Silene Patroniti'; vicfoster@comcast.net; 'John and Barbara Otto'; D&S Beckett; Stormwater Quality Mailbox
Subject: Fw: Shook Subdivision

Hi Matt,

We were previously working through Julie for the New Shook Subdivision issues but have been advised that she is no longer working for Adams County. The operator said that you should be able to help us. Please read below and review the pictures.

Thanks,
Jerry

From: Jerry Whitmore
Sent: Thursday, August 02, 2018 2:18 PM
To: Julie Wyatt ; swq@adcogov.org
Cc: 'Scott & Vicky' ; thekoiman@comcast.net ; 'Debbie Whitmore' ; 'Bob & Silene Patroniti' ; 'Scott & Vicky' ; 'John and Barbara Otto' ; D&S Beckett
Subject: Re: Shook Subdivision

Shook Subdivision Request for comment

Hi Julie,

I wanted to bring up a storm water issue that we are seeing now when it rains. Please review the attached pictures. We were told that there would be 2 separate storm water retention ponds servicing the Shook subdivision. There has only been 1 retention pond built currently for the west (upper side) of the Shook subdivision. That design is very robust in capturing the storm water from the upper (West) side of the subdivision. However, the lower (East side of the subdivision has had very little work done to capture the storm water coming down the grade of the East side. A culvert was installed (see photo) under the E. 160th Pl. road where it meets Geneva Ct. (our road). This culvert goes basically nowhere except to drain onto our properties. You can also see from the photos that the water actually overwhelmed our own drain and was coming over the road to drain into our property as evidenced by the mud on the road.

We understand "historic upstream drainage". All of the water that historically drained between lots 5 and 6 has been clear water. As you can see in the photos, this is muddy water and is not historic at all but as a result of no longer having vegetation in the Shook

subdivision the stop the water.

We request that someone from the county to come out and look over the project and please explain to us how this is going to work. Because from what we are seeing so far, the Shook subdivision is planning on using the properties on Geneva Ct. to accept the storm water from the East side of the Shook subdivision. This is unacceptable and if you read down below, this was one of our main concerns during the platting effort.

Please respond to our concerns.

Thank you,

Gerald Whitmore
Lot #5 Twin Lakes subdivision

From: Julie Wyatt
Sent: Thursday, March 08, 2018 9:36 AM
To: Jerry Whitmore ; D&S Beckett
Cc: 'Scott & Vicky' ; thekoiman@comcast.net ; 'Debbie Whitmore' ; 'Bob & Silene Patroniti' ; 'Scott & Vicky' ; 'John and Barbara Otto'
Subject: RE: Shook Subdivision

Good morning,

Our Engineering Department has provided me with some information to share with you regarding your concerns with the Shook Subdivision. Below are their responses :

1) Traffic - There was a traffic impact study done in April of 2005. That study was completed before the Bartley property East of Havana (now the TC Riverside) was developed and Also before the 2 subdivisions located at Hwy 7 and York Street were developed. Since then the traffic along Hwy 7 has increased substantially. The Hwy 7/Geneva Ct. intersection has no traffic light and the Eastbound turn lane is almost non-existent. The traffic along Hwy 7 now is so heavy that turning East onto Hwy 7 is almost impossible during peak rush times. The 2005 study stated on page 3 of section 1.2 that the access to E 160th Place via Geneva Ct. was to be closed except for emergency purposes. If that entrance to E 160th Place will now be open to traffic, A new more current Traffic study should be completed. Geneva Ct. is a very narrow dead-end road and I believe was only intended for traffic to the 6 homes on Geneva Ct.

Engineering Response: The original Shook Subdivision (approved in 2005), includes a plan for closing the Geneva Court connection to Highway 7, converting the south end of the roadway to a 'hammer head' turn around and, routing the Geneva Court traffic through the Shook Subdivision. That plan will remain as part

of the currently approved (for construction) plans and the re-platting of the Shook Subdivision. With Geneva Court not having a connection to Highway 7, there is no anticipated need for anyone passing through or leaving the Shook Subdivision to go onto Geneva Court. When the south end of Geneva Court is converted to a hammer head, the approved plans call for an emergency only access onto Highway 7. A physical roadway connection to Highway 7 will remain but, will be blocked with a locked chain or gate that only the emergency services (police, fire protection, etc.) have a key to.

At no time will access to Geneva Court be closed or access denied to the residents. When the roadways in the Shook Subdivision have been constructed and accepted by the County, the Geneva Court connection will be closed and converted to a hammer head. Residential access will always be provided.

One of the (if not the main) purposes of the Shook Subdivision Re-plat is to allow for roadway connections to the Weigandt Property, north of the Shook Subdivision (to allow for development of that property). That is proposed to be done with the extension of Galena Court and Florence Way. None of the improvements for the Shook subdivision or the future development of the Weigandt Property should negatively affect the traffic flow on Geneva Ct.

The recommendation for turn signals, acceleration/deceleration lanes, and turn lanes were considered during the review of the original Shook Subdivision and with this re-platting effort. As a CDOT road, Highway 7 improvements such as turn signals, acceleration/deceleration lanes, and turn lanes are approved by CDOT and require that certain criteria (known as Warrants) be met before they can be required or constructed. The warrants for requiring and installing those type of roadway improvements are based on State, local and Federal regulations and must be proved by a rigorous engineering analysis. *At this time, development of the Shook Subdivision will not produce enough traffic movements to meet the required Warrants for a turn signal; however, the currently approved plans do meet the warrants for acceleration/deceleration lanes and turn lanes on Highway 7. Those improvements will be constructed by a restriping of the lane lines on Highway 7.* With the development of the Weigandt Property to the north of the Shook Property, the warrants for turn signals, additional turn lanes and, all other potential roadway improvements will be re-reviewed by the County and CDOT and required for development if the warrants are met.

2) Storm runoff – Currently there is a storm drain located between lots 5 and 6 on the West side Geneva Ct. That storm drain empties out onto the property between lots 5 and 6 and drains down our properties and into the Stouffer reservoir behind our house. During times of heavy rain the runoff is so powerful that it tends to wash our decorative rock away and is basically a river between our properties. Currently the Shook subdivision is undeveloped and does have some minor vegetation that could stop some erosion and drainage. If the Shook subdivision is developed, that could increase the storm drainage

emptying out between our properties. We would like to see that storm drain re-configured and re-directed into a different drain stream that would prevent the flooding issues along our properties.

Engineering Response: Development of the Shook property and, specifically the individual lots, includes reconfiguring of the site grading and storm drainage systems. The construction plans for the Shook subdivision call for the majority of the storm flows to be captured on site and directed to the north and south, away from entering Geneva Ct or the Twin Lakes Subdivision. The largest impact will be seen when development (home construction) of the lots in the Shook subdivision that are directly west of lots 5 and 6 of the Twin Lakes subdivision occurs. The lot grading is anticipated to direct a significant portion of storm flows to the north and south, thus reducing the historic flows that drain to Geneva Court. However, development plans for those particular lots in the Shook subdivision have not been created yet (they typically aren't created until someone purchases the properties). Therefore, at this time, Engineering can't say for sure when those storm flows will be reduced or by how much. However, I can say that the storm flows to Geneva Ct from the Shook Subdivision will be reduced with the development/construction of the Shook Subdivision.

Just for background information--under Colorado law, downstream property owners must accept historic upstream drainage. Therefore, if storm water historically drained onto your property, that condition may remain. The land plat for the Twin Lakes subdivision shows a 10-foot wide drainage easement straddling the property line between lots 5 & 6. This easement was intended to be used to convey storm drainage. Since current conditions include stormwater flowing between lots 5 and/or 6 of the Twin Lakes subdivision, this stormwater is considered historic drainage. Development upstream of your property may release storm water at historic levels and patterns, but cannot increase the amount or make the situation any worse than it is now.

Thank you very much for your response. We appreciate you reaching out to provide feedback. If there is any additional information or assistance I can provide, please feel free to contact me.

Sincerely,

Julie Wyatt

Planner III, *Community and Economic Development*

ADAMS COUNTY, COLORADO

4430 South Adams County Parkway

Brighton, CO 80601-8212

720.523.6858 | jwyatt@adcogov.org

From: Jerry Whitmore [<mailto:jdubwh@gmail.com>]

Sent: Tuesday, March 06, 2018 1:29 PM

To: Julie Wyatt; D&S Beckett

Cc: 'Scott & Vicky'; thekoiman@comcast.net; 'Debbie Whitmore'; 'Bob & Silene Patroniti'; 'Scott & Vicky'; 'John and Barbara Otto'

Subject: Re: Shook Subdivision

Shook Subdivision request for comment

Hello:

I live in the Twin Lakes Subdivision just East of the Shook Subdivision. I went to the Adams county website and looked through the Shook case documents and I do have a couple of concerns regarding the re-platting.

1) Traffic - There was a traffic impact study done in April of 2005. That study was completed before the Bartley property East of Havana (now the TC Riverside) was developed and Also before the 2 subdivisions located at Hwy 7 and York Street were developed. Since then the traffic along Hwy 7 has increased substantially. The Hwy 7/Geneva Ct. intersection has no traffic light and the Eastbound turn lane is almost non-existent. The traffic along Hwy 7 now is so heavy that turning East onto Hwy 7 is almost impossible during peak rush times. The 2005 study stated on page 3 of section 1.2 that the access to E 160th Place via Geneva Ct. was to be closed except for emergency purposes. If that entrance to E 160th Place will now be open to traffic, A new more current Traffic study should be completed. Geneva Ct. is a very narrow dead-end road and I believe was only intended for traffic to the 6 homes on Geneva Ct.

2) Storm runoff – Currently there is a storm drain located between lots 5 and 6 on the West side Geneva Ct. That storm drain empties out onto the property between lots 5 and 6 and drains down our properties and into the Stouffer reservoir behind our house. During times of heavy rain the runoff is so powerful that it tends to wash our decorative rock away and is basically a river between our properties. Currently the Shook subdivision is undeveloped and does have some minor vegetation that could stop some erosion and drainage. If the Shook subdivision is developed, that could increase the storm drainage emptying out between our properties. We would like to see that storm drain re-configured and re-directed into a different drain stream that would prevent the flooding issues along our properties.

Thank you in advance for your consideration,

Jerry Whitmore

16020 Geneva Ct.

Brighton, Co. 80602

From: [Matthew Emmens](#)
To: [Libby Tart](#)
Subject: FW: Shook Eastern Swale - Third Party Review
Date: Tuesday, May 26, 2020 4:13:06 PM

From: Silene Patroniti <patroniti6@gmail.com>
Sent: Friday, February 14, 2020 2:29 PM
To: Matthew Emmens <MEmmens@adcogov.org>
Cc: S B <sbietendorf@gmail.com>; Dave Beckett <benbeck66@comcast.net>; Debbie Whitmore <debwhit22@gmail.com>; John Otto <s3nidow@aol.com>; Kate Swensen <kateswensen@gmail.com>; Richard Arnold <thekoiman@comcast.net>
Subject: Re: Shook Eastern Swale - Third Party Review

Please be cautious: This email was sent from outside Adams County

Matthew,

This is inaccurate. Bob has provided 9 pictures given throughout this process to the board of commissioners and planning commission. Jerry Whitmore also provided more pictures at the last meeting. According to a planning commission member, Bib can't remember her name, she stated that the pictures Bob provided were Exhibit A.

Silene Patroniti

On Thu, Feb 13, 2020, 9:27 AM Matthew Emmens <MEmmens@adcogov.org> wrote:

Actually, we would have all benefitted from those images months ago. I asked repeatedly for pictures or video or something showing me what was happening and received nothing. So yes, please send over ANYTHING and EVERYTHING you have. MHFD and/or the County can't solve a problem if we don't know what is happening.

Sincerely,
Matt Emmens

Senior Engineer, *Community and Economic Development*
ADAMS COUNTY, COLORADO
4430 S. Adams County Parkway, W2000B
Brighton, CO 80601
O: 720.523.6826 | memmens@adcogov.org
www.adcogov.org

From: S B <sbietendorf@gmail.com>
Sent: Wednesday, February 12, 2020 5:06 PM

To: Matthew Emmens <MEmmens@adcogov.org>

Cc: Dave Beckett <benbeck66@comcast.net>; Debbie Whitmore <debwhit22@gmail.com>; John Otto <s3nidow@aol.com>; Kate Swensen <kateswensen@gmail.com>; Richard Arnold <thekoiman@comcast.net>; Silene Patronitis <patroniti6@gmail.com>

Subject: Re: Shook Eastern Swale - Third Party Review

Please be cautious: This email was sent from outside Adams County

Matthew,

Thank you for the update. Do you think MHFD would benefit from images taken by Jerry Whitmore that show extensive run-off after a storm? Jerry provided these images to the council at the last meeting.

Thank you

Scott Bietendorf - Twin Lakes HOA Secretary

On Wed, Feb 12, 2020 at 4:36 PM Matthew Emmens <MEmmens@adcogov.org> wrote:

Hello Mr. Bietendorf,

Per your request, here is an update to the Shook swale/erosion third party review issue.

I've coordinated with staff at the Mile High Flood District (formerly Urban Drainage and Flood Control District). They have agreed to review the design and field inspection documents and provide an assessment or, recommend a third party to do the review. The Mile High Flood District (MHFD) usually doesn't review existing improvements for municipalities but, they have agreed to do a cursory review and if they feel a more in-depth review is necessary, they will recommend a private company that the County can contract with for the review. Otherwise, MHFD will provide the assessment themselves.

What I sent them was all of the design reports, construction plans, inspection information and some, additional map/data that the County has (basically, everything I could find on the subject). What I've asked them to do is review the documents and provide (1) an assessment of the eastern swale (whether it is design correctly and constructed properly), (2) an assessment of the erosion issue (referred to as an 'illicit discharge) and, (3) to make a determination on whether the erosion issue is related to the swale.

I expect to hear back from MHFD in about a week or two. I will pass on any information I receive.

Sincerely,
Matt Emmens

Senior Engineer, *Community and Economic Development*

ADAMS COUNTY, COLORADO

4430 S. Adams County Parkway, W2000B

Brighton, CO 80601

From: [Matthew Emmens](#)
To: [Libby Tart](#)
Subject: FW: Mailbox down 5/19/2020
Date: Tuesday, May 26, 2020 4:13:14 PM

From: Silene Patroniti <patroniti6@gmail.com>
Sent: Wednesday, May 20, 2020 5:26 PM
To: bryan@liverichfield.com
Cc: Jerry Whitmore <jdubwh@gmail.com>; Matthew Emmens <MEmmens@adcogov.org>
Subject: Mailbox down 5/19/2020

Please be cautious: This email was sent from outside Adams County

Good Afternoon Bryan,

This is Bob and Silene Patroniti at 16000 Geneva Ct. of Twin Lake Estates. One of the delivery drivers by the name of Leo Jimenez took out our mailbox again while turning around in the fire department turn around location. This is the third time someone with a long truck cannot make that turn without wiping out the mailbox. Can we get the "no construction traffic" sign put back up preferably by the Hwy 7 as the truck drivers cannot see or read the sign message until after they have made the turn onto Geneva Ct.

Thank you in advance,

Bob n Silene Patroniti

From: [Matthew Emmens](#)
To: [Libby Tart](#)
Subject: FW: Mailbox down 5/19/2020
Date: Tuesday, May 26, 2020 4:13:24 PM
Attachments: [image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)
[image007.png](#)
[image008.png](#)
[image002.png](#)

From: Silene Patroniti <patroniti6@gmail.com>
Sent: Tuesday, May 26, 2020 1:30 PM
To: Bryan Kapusta <bryan@liverichfield.com>
Cc: Jerry Whitmore <jdubwh@gmail.com>; Matthew Emmens <MEmmens@adcogov.org>
Subject: Re: Mailbox down 5/19/2020

Please be cautious: This email was sent from outside Adams County

Hi.

Sign: Sweeeet!

No. I got a blurry picture. But the guy was very understanding and nice. He has already fixed it. We are prime there.

Thank you for the follow up in both these matters. Have an amazing day.

Silene Patroniti

On Tue, May 26, 2020, 10:46 AM Bryan Kapusta <bryan@liverichfield.com> wrote:

Just wanted to let you know the no construction sign should be put back up soon.

Did you happen to catch what delivery truck company it was? I want to get on the trade that hit your mailbox and make sure they replace. Let me know what company so I can make them do it.

Thanks!

Bryan Kapusta

Construction Manager

C: 720-537-0120

O: 303-955-2493

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Any statements in this email does not create in any manner binding agreement(s) for Richfield Home's clients, customers, principals, or other similar relationships. Additionally, my typed name is not my electronic signature in this email nor should it be considered in any manner the electronic signature of any of my clients, customers, principals, or other similar relationships. If you have received this message in error, please immediately notify the sender and delete the message, together with any attachments, from your computer. Thank you for your cooperation.

From: Silene Patroniti <patroniti6@gmail.com>
Sent: Wednesday, May 20, 2020 5:26 PM
To: Bryan Kapusta <bryan@liverichfield.com>
Cc: Jerry Whitmore <jdubwh@gmail.com>; Matthew Emmens <MEmmens@adcogov.org>
Subject: Mailbox down 5/19/2020

Good Afternoon Bryan,

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Thank you in advance,

Bob n Silene Patroniti

From: [Matthew Emmens](#)
To: [Libby Tart](#)
Subject: FW: Shook Subdivision more drainage pictures
Date: Tuesday, May 26, 2020 4:15:32 PM

From: Jerry Whitmore <jdubwh@gmail.com>
Sent: Saturday, April 4, 2020 1:32 PM
To: Matthew Emmens <MEmmens@adcogov.org>
Cc: Debbie Whitmore <debwhit22@gmail.com>; Silene Patroniti <patroniti6@gmail.com>
Subject: Re: Shook Subdivision more drainage pictures

Please be cautious: This email was sent from outside Adams County

Hi Matt,

We were wondering if the county is having any work done West of Geneva Ct. concerning our storm water issue? The reason I ask is the new homeowner across from us is removing the silt fence which is our #1 defense against storm runoff. There is a Bob Cat and it looks as if they are going to be doing landscaping or re-grading. I was under the impression that the Silt fence would be there for a couple of years.

Also we did notice some surveyors out surveying their property.

Please let us know.

Thanks,
Jerry Whitmore
Twin Lakes Subdivision

From: Matthew Emmens
Sent: Tuesday, March 31, 2020 11:54 AM
To: Jerry Whitmore
Cc: Scott Bietendorf ; Debbie Whitmore ; Silene Patroniti ; Richard Arnold ; Jen Rutter ; Jill Jennings Golich
Subject: RE: Shook Subdivision more drainage pictures

Hello Jerry,

Sorry for the late response. The County buildings have been closed until April 19th due to the coronavirus. And, in addition to having to figure out how to work from home, I also got sick for a week or so. I'm getting back into the swing of things now, though.

Anyway, we did hear back from MHFD. They said that the swale appears to be designed correctly and does flow to the north (per design) but, it would take a more extensive survey to find out if it was constructed per design. They also said that without that more extensive survey, there is now way of knowing if the swale contributed to the illicit discharge that happened last year. However, when the County's Stormwater Division investigated the illicit discharge last year, they concluded that it was due to an improperly installed silt fence on one of the properties that had a house under construction (which was fixed by the home builder).

The standing water in the swale (shown in your pictures) is a bit of a concern. I will pass these along to the Stormwater Division and have them investigate. It could be that the culvert under E 160th is plugged. County staff is continuing to discuss this issue, though. At this time we have no made any decisions about what should be done. I will keep you notified of any decisions.

Matt

From: Jerry Whitmore <jdubwh@gmail.com>

Sent: Sunday, March 22, 2020 3:35 PM

To: Matthew Emmens <MEmmens@adcogov.org>

Cc: Scott Bietendorf <sbietendorf@gmail.com>; Debbie Whitmore <debwhit22@gmail.com>; Silene Patroniti <patroniti6@gmail.com>; Richard Arnold <thekoiman@comcast.net>

Subject: Shook Subdivision more drainage pictures

Please be cautious: This email was sent from outside Adams County

Hi Matt,

We were wondering where we are at with the MHFD investigation of our storm water issue?

Attached are 3 pictures I took today of the standing water across from my property next to Twin Lakes Storm drain. As you can see the standing water is not draining toward the culvert at E. 160th Place. One of the photos is directly across from the our storm drain and there isn't even a ditch on the other side. We are going to get clobbered. We tried to tell everyone early on that water doesn't flow uphill and this proves it. Mind you this is only runoff from the last snow. I hate to see what's going to happen when we get a big rain! We are asking for help from the County to please address this issue.

Thanks,

Jerry Whitmore

Twin Lakes subdivision

From: [Matthew Emmens](#)
To: [Libby Tart](#)
Subject: FW: Shook Subdivision
Date: Tuesday, May 26, 2020 4:17:08 PM

From: Jerry Whitmore <jdubwh@gmail.com>
Sent: Thursday, February 13, 2020 10:29 AM
To: Matthew Emmens <MEmmens@adcogov.org>
Cc: Scott Bietendorf <sbietendorf@gmail.com>; Debbie Whitmore <debwhit22@gmail.com>
Subject: Fw: Shook Subdivision

Please be cautious: This email was sent from outside Adams County

Good Morning Matt,

I'm forwarding an email that you sent Juliana with the pictures showing the illicit discharge situation back on Aug. 3, 2018. In this email you state that you received it from a citizen living in Twin Lakes subdivision which as you can see below in the thread that it would have been me.

I hope this refreshes your memory concerning our drainage situation.

Thanks,
Jerry Whitmore

From: Matthew Emmens
Sent: Friday, August 03, 2018 9:38 AM
To: Juliana J. Archuleta
Cc: David Rausch ; [jdubwh@gmail.com](#) ; Miles Buescher
Subject: FW: Shook Subdivision

Good Morning Juliana,

I received the email below from a citizen who lives in the Twin Lakes subdivision, just East of the Shook Subdivision. It appears from the attached pictures that there is an illicit discharge situation happening on the east side of the Shook Subdivision.

Let me know if there is anything I need to do.

Sincerely,
Matt Emmens

Senior Engineer, *Community and Economic Development*

ADAMS COUNTY, COLORADO

4430 S. Adams County Parkway, W2000B

Brighton, CO 80601

o: 720.523.6826 | memmens@adcogov.org

www.adcogov.org

From: Jerry Whitmore [<mailto:jdubwh@gmail.com>]

Sent: Thursday, August 02, 2018 2:50 PM

To: Matthew Emmens

Cc: Scott Bietendorf; Richard Arnold; Debbie Whitmore; 'Bob & Silene Patroniti'; vicfoster@comcast.net; 'John and Barbara Otto'; D&S Beckett; Stormwater Quality Mailbox

Subject: Fw: Shook Subdivision

Hi Matt,

We were previously working through Julie for the New Shook Subdivision issues but have been advised that she is no longer working for Adams County. The operator said that you should be able to help us. Please read below and review the pictures.

Thanks,

Jerry

From: Jerry Whitmore

Sent: Thursday, August 02, 2018 2:18 PM

To: Julie Wyatt ; swq@adcogov.org

Cc: 'Scott & Vicky' ; thekoiman@comcast.net ; 'Debbie Whitmore' ; 'Bob & Silene Patroniti' ; 'Scott & Vicky' ; 'John and Barbara Otto' ; D&S Beckett

Subject: Re: Shook Subdivision

Shook Subdivision Request for comment

Hi Julie,

I wanted to bring up a storm water issue that we are seeing now when it rains. Please review the attached pictures. We were told that there would be 2 separate storm water retention ponds servicing the Shook subdivision. There has only been 1 retention pond built currently for the west (upper side) of the Shook subdivision. That design is very robust in capturing the storm water from the upper (West) side of the subdivision. However, the lower (East side of the subdivision has had very little work done to capture the storm water coming down the grade of the East side. A culvert was installed (see photo) under the E. 160th Pl. road where it meets Geneva Ct. (our road). This culvert goes basically nowhere except to drain onto our properties. You can also see from the photos that the water actually overwhelmed our own drain and was coming over the road to drain into our property as evidenced by the mud on the road.

We understand “historic upstream drainage”. All of the water that historically drained between lots 5 and 6 has been clear water. As you can see in the photos, this is muddy water and is not historic at all but as a result of no longer having vegetation in the Shook subdivision the stop the water.

We request that someone from the county to come out and look over the project and please explain to us how this is going to work. Because from what we are seeing so far, the Shook subdivision is planning on using the properties on Geneva Ct. to accept the storm water from the East side of the Shook subdivision. This is unacceptable and if you read down below, this was one of our main concerns during the platting effort.

Please respond to our concerns.

Thank you,

Gerald Whitmore
Lot #5 Twin Lakes subdivision

From: Julie Wyatt
Sent: Thursday, March 08, 2018 9:36 AM
To: Jerry Whitmore ; D&S Beckett
Cc: 'Scott & Vicky' ; thekoiman@comcast.net ; 'Debbie Whitmore' ; 'Bob & Silene Patroniti' ; 'Scott & Vicky' ; 'John and Barbara Otto'
Subject: RE: Shook Subdivision

Good morning,

Our Engineering Department has provided me with some information to share with you regarding your concerns with the Shook Subdivision. Below are their responses :

1) Traffic - There was a traffic impact study done in April of 2005. That study was completed before the Bartley property East of Havana (now the TC Riverside) was developed and Also before the 2 subdivisions located at Hwy 7 and York Street were developed. Since then the traffic along Hwy 7 has increased substantially. The Hwy 7/Geneva Ct. intersection has no traffic light and the Eastbound turn lane is almost non-existent. The traffic along Hwy 7 now is so heavy that turning East onto Hwy 7 is almost impossible during peak rush times. The 2005 study stated on page 3 of section 1.2 that the access to E 160th Place via Geneva Ct. was to be closed except for emergency purposes. If that entrance to E 160th Place will now be open to traffic, A new more current Traffic study should be completed. Geneva Ct. is a very narrow dead-end road and I believe was only intended for traffic to the 6 homes on Geneva Ct.

-

Engineering Response: The original Shook Subdivision (approved in 2005), includes a plan for closing the Geneva Court connection to Highway 7, converting the south end of the roadway to a 'hammer head' turn around and, routing the Geneva Court traffic through the Shook Subdivision. That plan will remain as part of the currently approved (for construction) plans and the re-platting of the Shook Subdivision. With Geneva Court not having a connection to Highway 7, there is no anticipated need for anyone passing through or leaving the Shook Subdivision to go onto Geneva Court. When the south end of Geneva Court is converted to a hammer head, the approved plans call for an emergency only access onto Highway 7. A physical roadway connection to Highway 7 will remain but, will be blocked with a locked chain or gate that only the emergency services (police, fire protection, etc.) have a key to.

At no time will access to Geneva Court be closed or access denied to the residents. When the roadways in the Shook Subdivision have been constructed and accepted by the County, the Geneva Court connection will be closed and converted to a hammer head. Residential access will always be provided.

One of the (if not the main) purposes of the Shook Subdivision Re-plat is to allow for roadway connections to the Weigandt Property, north of the Shook Subdivision (to allow for development of that property). That is proposed to be done with the extension of Galena Court and Florence Way. None of the improvements for the Shook subdivision or the future development of the Weigandt Property should negatively affect the traffic flow on Geneva Ct.

The recommendation for turn signals, acceleration/deceleration lanes, and turn lanes were considered during the review of the original Shook Subdivision and with this re-platting effort. As a CDOT road, Highway 7 improvements such as turn signals, acceleration/deceleration lanes, and turn lanes are approved by CDOT and require that certain criteria (known as Warrants) be met before they can be required or constructed. The warrants for requiring and installing those type of roadway improvements are based on State, local and Federal regulations and must be proved by a rigorous engineering analysis. *At this time, development of the Shook Subdivision will not produce enough traffic movements to meet the required Warrants for a turn signal; however, the currently approved plans do meet the warrants for acceleration/deceleration lanes and turn lanes on Highway 7. Those improvements will be constructed by a restriping of the lane lines on Highway 7.* With the development of the Weigandt Property to the north of the Shook Property, the warrants for turn signals, additional turn lanes and, all other potential roadway improvements will be re-reviewed by the County and CDOT and required for development if the warrants are met.

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Thank you very much for your response. We appreciate you reaching out to provide feedback. If there is any additional information or assistance I can provide, please feel free to contact me.

Sincerely,

Julie Wyatt

Planner III, *Community and Economic Development*

ADAMS COUNTY, COLORADO

4430 South Adams County Parkway

Brighton, CO 80601-8212

720.523.6858 | jwyatt@adcogov.org

From: Jerry Whitmore [<mailto:jdubwh@gmail.com>]

Sent: Tuesday, March 06, 2018 1:29 PM

To: Julie Wyatt; D&S Beckett

Cc: 'Scott & Vicky'; thekoiman@comcast.net; 'Debbie Whitmore'; 'Bob & Silene Patroniti'; 'Scott & Vicky'; 'John and Barbara Otto'

Subject: Re: Shook Subdivision

Shook Subdivision request for comment

Hello:

I live in the Twin Lakes Subdivision just East of the Shook Subdivision. I went to the Adams county website and looked through the Shook case documents and I do have a couple of concerns regarding the re-platting.

1) Traffic - There was a traffic impact study done in April of 2005. That study was completed before the Bartley property East of Havana (now the TC Riverside) was developed and Also before the 2 subdivisions located at Hwy 7 and York Street were developed. Since then the traffic along Hwy 7 has increased substantially. The Hwy 7/Geneva Ct. intersection has no traffic light and the Eastbound turn lane is almost non-existent. The traffic along Hwy 7 now is so heavy that turning East onto Hwy 7 is almost impossible during peak rush times. The 2005 study stated on page 3 of section 1.2 that the access to E 160th Place via Geneva Ct. was to be closed except for emergency purposes. If that entrance to E 160th Place will now be open to traffic, A new more current Traffic study should be completed. Geneva Ct. is a very narrow dead-end road and I believe was only intended for traffic to the 6 homes on Geneva Ct.

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Jerry Whitmore
16020 Geneva Ct.
Brighton, Co. 80602

From: [Matthew Emmens](#)
To: [Libby Tart](#)
Subject: FW: Shook Subdivision more drainage pictures
Date: Tuesday, May 26, 2020 4:15:26 PM

From: Jerry Whitmore <jdubwh@gmail.com>
Sent: Sunday, March 22, 2020 3:35 PM
To: Matthew Emmens <MEmmens@adcogov.org>
Cc: Scott Bietendorf <sbietendorf@gmail.com>; Debbie Whitmore <debwhit22@gmail.com>; Silene Patroniti <patroniti6@gmail.com>; Richard Arnold <thekoiman@comcast.net>
Subject: Shook Subdivision more drainage pictures

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Thanks,
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Twin Lakes subdivision

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Cc: Scott Bietendorf ; Debbie Whitmore
Subject: RE: Shook Subdivision

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Sincerely,
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Senior Engineer, *Community and Economic Development*

ADAMS COUNTY, COLORADO

4430 S. Adams County Parkway, W2000B

Brighton, CO 80601

o: 720.523.6826 | memmens@adcogov.org

www.adcogov.org

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Cc: Scott Bietendorf <sbietendorf@gmail.com>; Debbie Whitmore <debwhit22@gmail.com>

Subject: Fw: Shook Subdivision

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From: Matthew Emmens

Sent: Friday, August 03, 2018 9:38 AM

To: Juliana J. Archuleta

Cc: David Rausch ; jdubwh@gmail.com ; Miles Buescher

Subject: FW: Shook Subdivision

Good Morning Juliana,

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Let me know if there is anything I need to do.

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ADAMS COUNTY, COLORADO

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Brighton, CO 80601

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www.adcogov.org

From: Jerry Whitmore [<mailto:jdubwh@gmail.com>]

Sent: Thursday, August 02, 2018 2:50 PM

To: Matthew Emmens

Cc: Scott Bietendorf; Richard Arnold; Debbie Whitmore; 'Bob & Silene Patroniti'; vicfoster@comcast.net; 'John and Barbara Otto'; D&S Beckett; Stormwater Quality Mailbox

Subject: Fw: Shook Subdivision

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Sent: Thursday, August 02, 2018 2:18 PM

To: Julie Wyatt ; swq@adcogov.org

Cc: 'Scott & Vicky' ; thekoiman@comcast.net ; 'Debbie Whitmore' ; 'Bob & Silene Patroniti' ; 'Scott & Vicky' ; 'John and Barbara Otto' ; D&S Beckett

Subject: Re: Shook Subdivision

Shook Subdivision Request for comment

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We request that someone from the county to come out and look over the project and please explain to us how this is going to work. Because from what we are seeing so far, the Shook subdivision is planning on using the properties on Geneva Ct. to accept the storm water from the East side of the Shook subdivision. This is unacceptable and if you read down below, this was one of our main concerns during the platting effort.

Please respond to our concerns.

Thank you,

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Lot #5 Twin Lakes subdivision

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Sent: Thursday, March 08, 2018 9:36 AM
To: Jerry Whitmore ; D&S Beckett
Cc: 'Scott & Vicky' ; thekoiman@comcast.net ; 'Debbie Whitmore' ; 'Bob & Silene Patroniti' ; 'Scott & Vicky' ; 'John and Barbara Otto'
Subject: RE: Shook Subdivision

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Thank you very much for your response. We appreciate you reaching out to provide feedback. If there is any additional information or assistance I can provide, please feel free to contact me.

Sincerely,

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Planner III, *Community and Economic Development*

ADAMS COUNTY, COLORADO

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720.523.6858 | jwyatt@adcogov.org

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To: Julie Wyatt; D&S Beckett
Cc: 'Scott & Vicky'; thekoiman@comcast.net; 'Debbie Whitmore'; 'Bob & Silene Patroniti'; 'Scott & Vicky'; 'John and Barbara Otto'
Subject: Re: Shook Subdivision

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Thank you in advance for your consideration,

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16020 Geneva Ct.
Brighton, Co. 80602

From: [Matthew Emmens](#)
To: [Libby Tart](#)
Subject: FW: Shook Subdivision more drainage pictures
Date: Tuesday, May 26, 2020 4:15:45 PM

From: Gerald Whitmore <jdubwh@gmail.com>
Sent: Monday, May 4, 2020 5:37 PM
To: S B <sbietendorf@gmail.com>
Cc: Matthew Emmens <MEmmens@adcogov.org>; Debbie Whitmore <debwhit22@gmail.com>; Silene Patroniti <patroniti6@gmail.com>; Richard Arnold <thekoiman@comcast.net>
Subject: Re: Shook Subdivision more drainage pictures

Please be cautious: This email was sent from outside Adams County

Hi Matt,

Thanks for the update. We have been watching what is going on. They are building up the homeowners Back yard with loads of dirt and they have filled in the swale directly across from our house. I don't know if this is going to help or make things worse.

Thanks,
Jerry

Sent from my iPad

On May 4, 2020, at 4:36 PM, S B <sbietendorf@gmail.com> wrote:

Matthew,
Thank you for the update. It appears the as built survey is critical. However, will this be verified by a 3rd party, as we do not trust the developer.

Thank you,
Scott Bietendorf - Secretary Twin Lakes HOA

On Mon, May 4, 2020 at 3:56 PM Matthew Emmens <MEmmens@adcogov.org> wrote:

Hello Jerry,

I am very sorry for this very late response. Things have been a little hectic and I'm having a horrible time trying to keep up with emails.

We did hear back from the Mile High Flood District (MHFD). Their review says that the swale was designed correctly and does flow to the north, per the as-built survey information we submitted to them for review. The review also says that there is not enough as-built survey information to determine if the swale was constructed per the design. What this could mean is that the swale might not be wide enough or

deep enough. And, because of that lack of information, they could not determine if the swale contributed to the illicit discharge of sediment from the site last year.

In response to the MHFD review comments, the County asked the developer to supply more as-built information so that a determination could be made as to whether the swale was constructed per the design and, if it had anything to do with the illicit discharge a year ago. I received that additional survey information from the developer just last week. I have not had a chance to review the information or, send it to the MHFD for their 3rd party review.

Matt

From: Jerry Whitmore <jdubwh@gmail.com>

Sent: Sunday, March 22, 2020 3:35 PM

To: Matthew Emmens <MEmmens@adcogov.org>

Cc: Scott Bietendorf <sbietendorf@gmail.com>; Debbie Whitmore <debwhit22@gmail.com>; Silene Patroniti <patroniti6@gmail.com>; Richard Arnold <thekoiman@comcast.net>

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Twin Lakes subdivision

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Subject: RE: Shook Subdivision

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Court and Florence Way. None of the improvements for the Shook subdivision or the future development of the Weigandt Property should negatively affect the traffic flow on Geneva Ct.

The recommendation for turn signals, acceleration/deceleration lanes, and turn lanes were considered during the review of the original Shook Subdivision and with this re-platting effort. As a CDOT road, Highway 7 improvements such as turn signals, acceleration/deceleration lanes, and turn lanes are approved by CDOT and require that certain criteria (known as Warrants) be met before they can be required or constructed. The warrants for requiring and installing those type of roadway improvements are based on State, local and Federal regulations and must be proved by a rigorous engineering analysis. *At this time, development of the Shook Subdivision will not produce enough traffic movements to meet the required Warrants for a turn signal; however, the currently approved plans do meet the warrants for acceleration/deceleration lanes and turn lanes on Highway 7. Those improvements will be constructed by a restriping of the lane lines on Highway 7.* With the development of the Weigandt Property to the north of the Shook Property, the warrants for turn signals, additional turn lanes and, all other potential roadway improvements will be re-reviewed by the County and CDOT and required for development if the warrants are met.

2) Storm runoff – Currently there is a storm drain located between lots 5 and 6 on the West side Geneva Ct. That storm drain empties out onto the property between lots 5 and 6 and drains down our properties and into the Stouffer reservoir behind our house. During times of heavy rain the runoff is so powerful that it tends to wash our decorative rock away and is basically a river between our properties. Currently the Shook subdivision is undeveloped and does have some minor vegetation that could stop some erosion and drainage. If the Shook subdivision is developed, that could increase the storm drainage emptying out between our properties. We would like to see that storm drain re-configured and re-directed into a different drain stream that would prevent the flooding issues along our properties.

Engineering Response: Development of the Shook property and, specifically the individual lots, includes reconfiguring of the site grading and storm drainage systems. The construction plans for the Shook subdivision call for the majority of the storm flows to be captured on site and directed to the north and south, away from entering Geneva Ct or the Twin Lakes Subdivision. The largest impact will be seen when development (home construction) of the

lots in the Shook subdivision that are directly west of lots 5 and 6 of the Twin Lakes subdivision occurs. The lot grading is anticipated to direct a significant portion of storm flows to the north and south, thus reducing the historic flows that drain to Geneva Court. However, development plans for those particular lots in the Shook subdivision have not been created yet (they typically aren't created until someone purchases the properties). Therefore, at this time, Engineering can't say for sure when those storm flows will be reduced or by how much. However, I can say that the storm flows to Geneva Ct from the Shook Subdivision will be reduced with the development/construction of the Shook Subdivision.

Just for background information--under Colorado law, downstream property owners must accept historic upstream drainage. Therefore, if storm water historically drained onto your property, that condition may remain. The land plat for the Twin Lakes subdivision shows a 10-foot wide drainage easement straddling the property line between lots 5 & 6. This easement was intended to be used to convey storm drainage. Since current conditions include stormwater flowing between lots 5 and/or 6 of the Twin Lakes subdivision, this stormwater is considered historic drainage. Development upstream of your property may release storm water at historic levels and patterns, but cannot increase the amount or make the situation any worse than it is now.

Thank you very much for your response. We appreciate you reaching out to provide feedback. If there is any additional information or assistance I can provide, please feel free to contact me.

Sincerely,

<image001.jpg>**Julie Wyatt**

Planner III, *Community and Economic Development*

ADAMS COUNTY, COLORADO

4430 South Adams County Parkway

Brighton, CO 80601-8212

720.523.6858 | jwyatt@adcogov.org

From: Jerry Whitmore [<mailto:jdubwh@gmail.com>]

Sent: Tuesday, March 06, 2018 1:29 PM

To: Julie Wyatt; D&S Beckett

Cc: 'Scott & Vicky'; thekoiman@comcast.net; 'Debbie Whitmore'; 'Bob & Silene Patroniti'; 'Scott & Vicky'; 'John and Barbara Otto'

Subject: Re: Shook Subdivision

Shook Subdivision request for comment

Hello:

I live in the Twin Lakes Subdivision just East of the Shook Subdivision. I went to the Adams county website and looked through the Shook case documents and I do have a couple of concerns regarding the re-platting.

1) Traffic - There was a traffic impact study done in April of 2005. That study was completed before the Bartley property East of Havana (now the TC Riverside) was developed and Also before the 2 subdivisions located at Hwy 7 and York Street were developed. Since then the traffic along Hwy 7 has increased substantially. The Hwy 7/Geneva Ct. intersection has no traffic light and the Eastbound turn lane is almost non-existent. The traffic along Hwy 7 now is so heavy that turning East onto Hwy 7 is almost impossible during peak rush times. The 2005 study stated on page 3 of section 1.2 that the access to E 160th Place via Geneva Ct. was to be closed except for emergency purposes. If that entrance to E 160th Place will now be open to traffic, A new more current Traffic study should be completed. Geneva Ct. is a very narrow dead-end road and I believe was only intended for traffic to the 6 homes on Geneva Ct.

2) Storm runoff – Currently there is a storm drain located between lots 5 and 6 on the West side Geneva Ct. That storm drain empties out onto the property between lots 5 and 6 and drains down our properties and into the Stouffer reservoir behind our house. During times of heavy rain the runoff is so powerful that it tends to wash our decorative rock away and is basically a river between our properties. Currently the Shook subdivision is undeveloped and does have some minor vegetation that could stop some erosion and drainage. If the Shook subdivision is developed, that could increase the storm drainage emptying out between our properties. We would like to see that storm drain re-configured and re-directed into a different drain stream that would prevent the flooding issues along our properties.

Thank you in advance for your consideration,

Jerry Whitmore
16020 Geneva Ct.
Brighton, Co. 80602





OR
DRIVING
STAKES
CALL
ED POWER
9-0551















Request for Comments

Case Name:	Shook Subdivision Filing 3 and 4
Case Number:	PRC2018-00008

June 29, 2018

Adams County Planning Commission is requesting comments on the following request:

- 1) Preliminary and Final Plat for Shook Subdivision Filings 3 to create 13 lots and associated Subdivision Improvements Agreement; 2) Preliminary and Final Plat for Shook Subdivision Filings 4 to create 11 lots and associated Subdivision Improvements Agreement.**

The Assessor's Parcel Numbers is **0157103400001**

Applicant Information **C3 CONSTRUCTION (JR OSBORNE)**

9200 E MINERAL AVE #365

CENTENNIAL, CO 80112

Please forward any written comments on this application to the Department of Community and Economic Development at 4430 South Adams County Parkway, Suite W2000A Brighton, CO 80601-8216. (720) 523-6820 by **July 20, 2018** in order that your comments may be taken into consideration in the review of this case. If you would like your comments included verbatim please send your response by way of e-mail to ECollins@adcogov.org.

Once comments have been received and the staff report written, the staff report and notice of public hearing dates will be forwarded to you for your information. The full text of the proposed request and additional colored maps can be obtained by contacting this office or by accessing the Adams County web site at www.adcogov.org/planning/currentcases.

Thank you for your review of this case.

Emily Collins

Emily Collins, AICP

Case Manager

BASELINE LAKES HOLDINGS LLC ET ALS
PO BOX 247
EASTLAKE CO 80614-0247

PARRISH MARK A AND
PARRISH KRISTINE A
9414 E 161ST PL
BRIGHTON CO 80602

BECKETT DAVID AND
BECKETT SHAUNA
16040 GENEVA WAY
BRIGHTON CO 80602

PROV 356 LLC
610 REDSTONE DR
BROOMFIELD CO 80020-6079

CARLSON TAYLOR R UND 24.25% INT AND
THORNTON CORY J UND 24.25% INT ET ALS
PO BOX 247
EASTLAKE CO 80614-0247

RICHFIELD HOMES LLC
428 KIMBARK ST
LONGMONT CO 80501-5526

CARLSON TAYLOR R UND 24.25% INT AND
THORNTON CORY J UN 24.25 INT ET ALS
PO BOX 247
EASTLAKE CO 80614-0247

RIVERSIDE VILLAGE OWNERS ASSOCIATION
7501 VILLAGE SQUARE DR STE 205
CASTLE PINES CO 80108-3700

DIAZ FRIEDA A
9425 E 161ST PL
BRIGHTON CO 80602

ROBILLARD CHRISTOPHER P
1013 COUNTY ROAD 7
ERIE CO 80516-7906

DIAZ FRIEDA A
9425 E 161ST AVE
BRIGHTON CO 80602-7524

SEC 2-3 PHOENIX LLC
9200 E MINERAL AVE STE 365
CENTENNIAL CO 80112-3459

EQUINOX DEVELOPMENT LLC
10450 E 159TH CT
BRIGHTON CO 80602-7977

SELTZER FARMS INC
9390 E 168TH AVE
BRIGHTON CO 80602-6606

GREATER BRIGHTON FIRE
PROTECTION DISTRICT
500 S 4TH AVE 3RD FL
BRIGHTON CO 80601-3165

SELTZER FARMS INC
9390 E 168TH AVE
BRIGHTON CO 80602

HI-LAND ACRES WATER AND
SANITATION DISTRICT
PO BOX 0128
BRIGHTON CO 80601-0128

SPS OIL FIELD SERVICE
PO BOX 304
BRIGHTON CO 80601

LESSER LOIS B
PO BOX 65
BRIGHTON CO 80602

SPV VIII LLC
1751 RIVER RUN STE 400
FORT WORTH TX 76107-6669

TODD CREEK VILLAGE METROPOLITAN
DISTRICT
10450 E 159TH CT
BRIGHTON CO 80602-7977

BILODEAU DONNA J AND
IRONS JAY P
OR CURRENT RESIDENT
16135 LOMAND CIR
BRIGHTON CO 80602-7519

TWIN LAKE ESTATES HOMEOWNERS
ASSOCIATION INC
12000 N WASHINGTON NO. 340
DENVER CO 80241

BOYD DANIEL LEE
OR CURRENT RESIDENT
16044 LOMAND CIR
BRIGHTON CO 80602-7518

WATKINS BILLY J
16300 YOSEMITE ST
BRIGHTON CO 80602

BOYENS JOAN M 50% INT AND
OLIVAS GREGORY K 50% INT
OR CURRENT RESIDENT
10540 E 163RD AVE
BRIGHTON CO 80602-7505

WEIGANDT JOHN WILLIAM
10390 E 168TH AVE
BRIGHTON CO 80602

BRADFORD WILLIAM R AND
BRADFORD REBECCA L
OR CURRENT RESIDENT
10653 E 163RD CT
BRIGHTON CO 80602

WEST SOUTH PLATTE WATER AND SANITATION INC
9200 E MINERAL AVE STE 365
CENTENNIAL CO 80112-3459

BRADLEY MICHAEL R LIVING TRUST
OR CURRENT RESIDENT
16033 HI LAND CIR
BRIGHTON CO 80602

WRIGHT REVA L
PO BOX 274
BRIGHTON CO 80601-0274

CABLE ROBERT A AND
CABLE KELSEY J
OR CURRENT RESIDENT
10693 E 163RD CT
BRIGHTON CO 80602

ARNOLD RICHARD L TRUST
OR CURRENT RESIDENT
16170 GENEVA CT
BRIGHTON CO 80602-7548

CABRAL JOSE JUAREZ
OR CURRENT RESIDENT
9700 E 160TH AVE
BRIGHTON CO 80602-7571

BALLINGER MICHAEL D AND
SCHASNY GERALDINE C
OR CURRENT RESIDENT
16144 LOMAND CIR
BRIGHTON CO 80602

CARMONA ALEJANDRO
OR CURRENT RESIDENT
9405 E 159TH AVE
BRIGHTON CO 80602-8665

BEDAN ROBERT AND
BEDAN CINDY
OR CURRENT RESIDENT
16180 IOLA ST
BRIGHTON CO 80602-7615

CHAVEZ GUTIERREZ RAFAEL
OR CURRENT RESIDENT
16121 IOLA ST
BRIGHTON CO 80602-7615

BIETENDORF SCOTT A AND
FOSTER VICKIE L
OR CURRENT RESIDENT
16150 GENEVA CT
BRIGHTON CO 80602

COCA LEROY
ROMERO BARBARA M
OR CURRENT RESIDENT
16053 HI LAND CIR
BRIGHTON CO 80602-7513

DELCAMP JAMES R AND
DELCAMP BARBARA J
OR CURRENT RESIDENT
16185 LOMAND CIR
BRIGHTON CO 80602

FLUHARTY JOEL JEFFERSON AND
FLUHARTY MARILYN JO
OR CURRENT RESIDENT
16101 IOLA ST
BRIGHTON CO 80602-7615

DELGADO JORGE REYES
OR CURRENT RESIDENT
10630 E 161ST AVE
BRIGHTON CO 80602-8294

FORD RANDY S
OR CURRENT RESIDENT
9600 E 160TH AVE
BRIGHTON CO 80602

DELVENTHAL DENNIS L AND
DELVENTHAL ASHLEE L
OR CURRENT RESIDENT
16045 LOMAND CIR
BRIGHTON CO 80602-7517

FORSYTHE ANDREW C AND
FORSYTHE LORRI D
OR CURRENT RESIDENT
8985 E 162ND AVE
BRIGHTON CO 80602

DENNE CARL E AND
CAMPBELL PATRICIA G
OR CURRENT RESIDENT
16151 IOLA ST
BRIGHTON CO 80602-7615

GONZALES JASON AND
GONZALES STEPHANIE
OR CURRENT RESIDENT
16165 LOMAND CIR
BRIGHTON CO 80602-7519

DERR REUBEN ALLEN AND
DERR KATHERINE LEE
OR CURRENT RESIDENT
16125 LOMAND CIR
BRIGHTON CO 80602-7519

GOODALL STEPHEN JR
GOODALL JAYMIE
OR CURRENT RESIDENT
10533 E 163RD AVE
BRIGHTON CO 80602-7505

DEVRIES HERMAN T AND
DEVRIES JEAN C
OR CURRENT RESIDENT
10680 E 163RD CT
BRIGHTON CO 80602

GORDON ANDREW S AND MICHELLE A
OR CURRENT RESIDENT
16085 LOMAND CIR
BRIGHTON CO 80602

DILALLO ERIC AND
DILALLO STACY
OR CURRENT RESIDENT
16141 IOLA ST
BRIGHTON CO 80602

GORDON PATRICIA AND
HERNOUD MELANI
OR CURRENT RESIDENT
16105 LOMAND CIR
BRIGHTON CO 80602-7519

EBERLE DAVID G AND
EBERLE LORETTA J
OR CURRENT RESIDENT
9485 E 161ST AVE
BRIGHTON CO 80602-7524

HAJI-SARVESTNAI NASSER
OR CURRENT RESIDENT
16084 LOMAND CIR
BRIGHTON CO 80602-7518

EHRMANN EDWARD J AND
EHRMANN VICKI M
OR CURRENT RESIDENT
9445 E 161ST AVE
BRIGHTON CO 80602

HEIM ROBERT RAYMOND AND
FILLENBERG KIMBERLY A
OR CURRENT RESIDENT
16102 HI LAND CIR
BRIGHTON CO 80602

ERNSTER JON M AND
ERNSTER JULIE
OR CURRENT RESIDENT
16171 IOLA ST
BRIGHTON CO 80602-7615

HOWELL SHAWN AND
HOWELL SHEILA L
OR CURRENT RESIDENT
16150 IOLA ST
BRIGHTON CO 80602-7615

INGRAHAM LUKE AND
INGRAHAM RUTH
OR CURRENT RESIDENT
10652 E 162ND PL
BRIGHTON CO 80602-8293

LESLEY TIMOTHY JAY BRANDON
AKIYAMA MEGAN ANN
OR CURRENT RESIDENT
16074 LOMAND CIR
BRIGHTON CO 80602-7518

JOHNSON FREDERICK D AND
JOHNSON SALLIE R
OR CURRENT RESIDENT
16172 DALLAS ST
BRIGHTON CO 80602

LYBARGER JOSHUA M AND
LYBARGER ALICEA M
OR CURRENT RESIDENT
16143 HI LAND CIR
BRIGHTON CO 80602-7515

JOHNSON MATTHEW J AND
JOHNSON JILLANN M
OR CURRENT RESIDENT
16181 IOLA ST
BRIGHTON CO 80602-7615

MALARKEY CHARLES E AND
NORTHROP KARYL A
OR CURRENT RESIDENT
16134 LOMAND CIRCLE
BRIGHTON CO 80601

KEARNS BRIAN P AND
KEARNS PAIGE C
OR CURRENT RESIDENT
10623 E 163RD CT
BRIGHTON CO 80602

MARTINEZ RAUL S AND
MARTINEZ MARTHA
OR CURRENT RESIDENT
16073 HI LAND CIR
BRIGHTON CO 80602-7513

KESSLER JANET N
OR CURRENT RESIDENT
16162 HI LAND CIR
BRIGHTON CO 80602-7516

MC DONALD BRAD L AND JEAN L
OR CURRENT RESIDENT
16083 HI LAND CIR
BRIGHTON CO 80602

KETTERLING E ERROL AND
KETTERLING MARILYN P
OR CURRENT RESIDENT
16064 LOMAND CIR
BRIGHTON CO 80602-7518

MCCULLOH DOUGLAS
OR CURRENT RESIDENT
10563 E 163RD AVE
BRIGHTON CO 80602-7505

KING DENNIS J AND
KING KATHLEEN M
OR CURRENT RESIDENT
16042 HI LAND CIR
BRIGHTON CO 80602-7514

MCGEE RYAN M AND
MCGEE ELLEN L
OR CURRENT RESIDENT
10740 E 162ND DR
BRIGHTON CO 80602

KIYOTA JAMES AND
KIYOTA FRANCES T
OR CURRENT RESIDENT
16103 HI LAND CIR
BRIGHTON CO 80602-7515

MILLER BARBARA L AND
MILLER TERRY J
OR CURRENT RESIDENT
16104 LOMAND CIRCLE
BRIGHTON CO 80602

KLINGER JAMES G AND
KLINGER PAULINE C
OR CURRENT RESIDENT
16175 LOMAND CIR
BRIGHTON CO 80602

MOE ADAM AND
MOE ROCHELLE
OR CURRENT RESIDENT
16160 IOLA ST
BRIGHTON CO 80602-7615

LEMKE KAREN B
OR CURRENT RESIDENT
16114 LOMAND CIR
BRIGHTON CO 80602-7520

MORGAN JEFFREY J B
OR CURRENT RESIDENT
9465 E 161ST AVE
BRIGHTON CO 80601-7524

MURPHY THOMAS J JR AND
KENNEDY MURPHY RINTHEA
OR CURRENT RESIDENT
10593 E 163RD AVE
BRIGHTON CO 80602-7505

RUYBAL LEPIO J JR AND
GARCIA ROSAMARIA
OR CURRENT RESIDENT
16072 HI LAND CIR
BRIGHTON CO 80602-7514

ONAKA CLARENCE S REVOCABLE LIVING TRUST UND
50% INT AND
CARVALHO ELIZABETH M TRUST UND 50% INT
OR CURRENT RESIDENT
10600 E 163RD CT
BRIGHTON CO 80602-7537

SCHLEIS STEVEN J AND
SCHLEIS BARBARA J
OR CURRENT RESIDENT
16191 IOLA ST
BRIGHTON CO 80602-7615

OTTO JOHN C AND
BRONSON BARBARA T
OR CURRENT RESIDENT
16190 GENEVA CT
BRIGHTON CO 80602-7548

SCHLOSSER ROBERT R AND
SCHLOSSER SUSAN R
OR CURRENT RESIDENT
16124 LOMAND CIR
BRIGHTON CO 80601

OWERS CHARLES AND
OWERS MICHIE
OR CURRENT RESIDENT
16065 LOMAND CIR
BRIGHTON CO 80602-7517

SMITH MICHAEL F AND
SMITH DIANE M
OR CURRENT RESIDENT
9520 E 160TH PL
BRIGHTON CO 80602

PATRONITI ROBERT AND
PATRONITI SILENE
OR CURRENT RESIDENT
16000 GENEVA CT
BRIGHTON CO 80602-7548

STOCKTON JEFFERY L AND
STOCKTON ALAYNA M
OR CURRENT RESIDENT
16155 LOMAND CIR
BRIGHTON CO 80602-7519

PETERS JAMES AND
PETERS DENISE COUTURIE
OR CURRENT RESIDENT
16140 IOLA ST
BRIGHTON CO 80602-7615

THOMPSON ROGER C AND
THOMPSON PATRICIA R
OR CURRENT RESIDENT
16063 HI LAND CIR
BRIGHTON CO 80602-7513

PEVLER FRANK L
OR CURRENT RESIDENT
16164 DALLAS STREET
BRIGHTON CO 80602

TORRES JOSE LUIS
OR CURRENT RESIDENT
16154 LOMAND CIR
BRIGHTON CO 80602-7520

PICCOLO JAMES THOMAS AND
PICCOLO KELLI JEAN
OR CURRENT RESIDENT
16052 HI LAND CIR
BRIGHTON CO 80602-7514

TOTAL AUTO COVERAGE CORPORATION
OR CURRENT RESIDENT
9315 E 160TH AVE
BRIGHTON CO 80602

PRASAD MANOJ AND
PRASAD JOANNE
OR CURRENT RESIDENT
16131 IOLA ST
BRIGHTON CO 80602-7615

WAGERS KENNETH AND
WAGERS KELLY A
OR CURRENT RESIDENT
16152 HI LAND CIR
BRIGHTON CO 80602-7516

REID RICKY L AND
REID PATRICIA
OR CURRENT RESIDENT
16043 HI LAND CIR
BRIGHTON CO 80602

WALTER MICHAEL J AND
WALTER LISA A
OR CURRENT RESIDENT
10627 E 162ND PL
BRIGHTON CO 80602

WATKINS BILLY J
OR CURRENT RESIDENT
16300 YOSEMITE ST
BRIGHTON CO 80602

CURRENT RESIDENT
9930 E 160TH PL
BRIGHTON CO 80602-5606

WEGLIN GREG L AND
WEGLIN BRANDY K
OR CURRENT RESIDENT
16115 LOMAND CIR
BRIGHTON CO 80602-7519

CURRENT RESIDENT
9941 E 160TH PL
BRIGHTON CO 80602-5606

WENK BRIAN A AND
WENK LYNDA M
OR CURRENT RESIDENT
16123 HI LAND CIR
BRIGHTON CO 80602-7515

CURRENT RESIDENT
9970 E 160TH PL
BRIGHTON CO 80602-5606

WHITMORE GERALD P AND
WHITMORE DEBRA A
OR CURRENT RESIDENT
16020 GENEVA CT
BRIGHTON CO 80602-7548

CURRENT RESIDENT
10210 E 160TH PL
BRIGHTON CO 80602-5607

WOLTERS EDWARD W AND
WOLTERS HOLLY M
OR CURRENT RESIDENT
16145 LOMAND CIR
BRIGHTON CO 80602-7519

CURRENT RESIDENT
10040 E 160TH PL
BRIGHTON CO 80602-5608

WORSTER RONALD P AND
WORSTER ROBERTA M
OR CURRENT RESIDENT
10780 E 162ND DR
BRIGHTON CO 80602-7508

CURRENT RESIDENT
10080 E 160TH PL
BRIGHTON CO 80602-5608

YOUNG CAROL L
OR CURRENT RESIDENT
16153 DALLAS ST
BRIGHTON CO 80602

CURRENT RESIDENT
10120 E 160TH PL
BRIGHTON CO 80602-5608

YOUNG GEORGE M AND KAREN M
OR CURRENT RESIDENT
16075 LOMAND CIR
BRIGHTON CO 80602

CURRENT RESIDENT
10170 E 160TH PL
BRIGHTON CO 80602-5608

ZAGEL JAMES R AND
ZAGEL PAULA J
OR CURRENT RESIDENT
16168 DALLAS ST
BRIGHTON CO 80602-7512

CURRENT RESIDENT
9820 E 160TH PL
BRIGHTON CO 80602-5618

CURRENT RESIDENT
9911 E 160TH PL
BRIGHTON CO 80602-5606

CURRENT RESIDENT
9880 E 160TH PL
BRIGHTON CO 80602-5618

CURRENT RESIDENT
9230 E 168TH AVE
BRIGHTON CO 80602-6606

CURRENT RESIDENT
16380 YOSEMITE ST
BRIGHTON CO 80602-7506

CURRENT RESIDENT
16062 HI LAND CIR
BRIGHTON CO 80602-7514

CURRENT RESIDENT
9580 E 160TH AVE
BRIGHTON CO 80602-7522

CURRENT RESIDENT
9414 E 161ST AVE
BRIGHTON CO 80602-7523

CURRENT RESIDENT
9425 E 161ST AVE
BRIGHTON CO 80602-7524

CURRENT RESIDENT
16040 GENEVA CT
BRIGHTON CO 80602-7548

CURRENT RESIDENT
10200 E 159TH CT
THORNTON CO 80602-7976

CURRENT RESIDENT
15975 ELMIRA ST
BRIGHTON CO 80602-8620

CURRENT RESIDENT
15959 HAVANA ST
BRIGHTON CO 80602-8650

Adams County
Attn: Planning Addressing
PLN

Adams County Construction Inspection
Attn: PWCI .
PWCI

Adams County Development Services - Building
Attn: Justin Blair
4430 S Adams County Pkwy
Brighton CO 80601

Adams County Treasurer: Send email
Attn: Adams County Treasurer
bgrimm@adcogov.org

BRIGHTON FIRE DISTRICT
Attn: Carla Gutierrez
500 South 4th Avenue
3rd Floor
BRIGHTON CO 80601

BRIGHTON SCHOOL DISTRICT 27J
Attn: Kerrie Monti
1850 EGBERT STREET
SUITE 140, BOX 6
BRIGHTON CO 80601

Century Link, Inc
Attn: Brandyn Wiedreich
5325 Zuni St, Rm 728
Denver CO 80221

Code Compliance Supervisor
Attn: Eric Guenther
eguenther@adcogov.org

COLO DIV OF WATER RESOURCES
Attn: Joanna Williams
OFFICE OF STATE ENGINEER
1313 SHERMAN ST., ROOM 818
DENVER CO 80203

COLO DIV OF WATER RESOURCES
Attn: Joanna Williams
OFFICE OF STATE ENGINEER
1313 SHERMAN ST., ROOM 818
DENVER CO 80203

COLORADO DEPT OF TRANSPORTATION
Attn: Steve Loeffler
2000 S. Holly St.
Region 1
Denver CO 80222

COLORADO DIVISION OF WILDLIFE
Attn: Eliza Hunholz
Northeast Regional Engineer
6060 BROADWAY
DENVER CO 80216-1000

COLORADO DIVISION OF WILDLIFE
Attn: Serena Rocksund
6060 BROADWAY
DENVER CO 80216

COLORADO GEOLOGICAL SURVEY
Attn: Jill Carlson
1500 Illinois Street
Golden CO 80401

Colorado Geological Survey: CGS_LUR@mines.edu
Attn: Jill Carlson
Mail CHECK to Jill Carlson

COMCAST
Attn: JOE LOWE
8490 N UMITILLA ST
FEDERAL HEIGHTS CO 80260

COUNTY ATTORNEY- Email
Attn: Christine Francescani
CFrancescani@adcogov.org

Eagle Shadow Metro District 1/ Spencer Fane
Attn: JIM WORTHY
1700 Lincoln Street
Suite 2000
Denver CO 80203

Engineering Department - ROW
Attn: Transportation Department
PWE - ROW

Engineering Division
Attn: Transportation Department
PWE

Hi-Land Acres Water & Sanitation District
Attn: Gabby Begeman
10086 E 159th Ave
Nancy Gay - 303-637-7499
Brighton CO 80601

United Power, Inc
Attn: Marisa Dale
PO Box 929
500 Cooperative Way
Brighton CO 80601

NS - Code Compliance
Attn: Joaquin Flores

UNITED STATES POST OFFICE
Attn: MARY C. DOBYNS
56691 E COLFAX AVENUE
STRASBURG CO 80136-8115

Parks and Open Space Department
Attn: Nathan Mosley
mpedrucci@adcogov.org
aclark@adcogov.org

Xcel Energy
Attn: Donna George
1123 W 3rd Ave
DENVER CO 80223

REGIONAL TRANSPORTATION DIST.
Attn: CHRIS QUINN
1560 BROADWAY SUITE 700
DENVER CO 80202

SHERIFF'S OFFICE: SO-HQ
Attn: MICHAEL McINTOSH
nblair@adcogov.org, aoverton@adcogov.org; mkaiser@adcog
snielson@adcogov.org

Sheriff's Office: SO-SUB
Attn: SCOTT MILLER
TFuller@adcogov.org, smiller@adcogov.org
aoverton@adcogov.org; mkaiser@adcogov.org

Todd Creek Village Metropolitan District
Attn: Roger Hollard
10450 E. 159th Ct.
BRIGHTON CO 80602

TRI-COUNTY HEALTH DEPARTMENT
Attn: MONTE DEATRICH
4201 E. 72ND AVENUE SUITE D
COMMERCE CITY CO 80022

TRI-COUNTY HEALTH DEPARTMENT
Attn: Sheila Lynch
6162 S WILLOW DR, SUITE 100
GREENWOOD VILLAGE CO 80111

Tri-County Health: Mail CHECK to Sheila Lynch
Attn: Tri-County Health
landuse@tchd.org

SUBDIVISION IMPROVEMENTS AGREEMENT

THIS AGREEMENT, is made and entered into by and between the County of Adams, State of Colorado, hereinafter called "County" and SEC 2-3 Phoenix, LLC, a Colorado limited liability company, 9200 E. Mineral Avenue, Unit 365, Centennial, CO 80112, hereinafter called "Developer", and collectively referred to hereinafter as the "parties".

WITNESSETH:

WHEREAS, Developer is the owner of real property in the County of Adams, State of Colorado, as described in Exhibit "A" attached hereto, and by this reference made a part hereof, hereafter referred to as the "Property".

WHEREAS, it is provided by resolution of the Board of County Commissioners, County of Adams, that where designated the Developer shall have entered into a written agreement with the County to install public and/or private improvements, and to deed land for public purposes or right-of-way.

NOW, THEREFORE, in consideration of the foregoing, the parties hereto promise, covenant, and agree as follows:

1. **Engineering Services.** Developer shall furnish, at its own expense, all engineering and other services in connection with the design and construction of the improvements described and detailed on Exhibit "B" attached hereto, and by this reference made a part hereof.
2. **Drawings and Estimates.** The Developer shall furnish drawings and cost estimates for all improvements described and detailed on Exhibit "B" for approval by the County. Upon request, the Developer shall furnish one set of reproducible "as built" drawings and a final statement of construction costs for each phase of the development to the County.
3. **Construction.** Developer shall furnish and construct, at its own expense and in accordance with drawings and materials approved by the County, the improvements described and detailed on Exhibit "B".
4. **Time for Completion.** Improvements shall be completed according to the terms of this agreement within "construction completion date" appearing in Exhibits "B". The Director of Community and Economic Development may for good cause grant extension of time for completion of any part or all of improvements appearing on said Exhibit "B" for a period not to exceed 180 days. Any extension greater than 180 days shall only be approved by the Board of County Commissioners. Any extension of time shall be in written form only.
5. **Guarantee of Compliance.** Developer shall furnish to the County a cash escrow deposit or other acceptable collateral releasable only by the County, to guarantee compliance with this agreement. Said collateral shall be in the amount of \$294,313.80 including twenty percent (20%) to cover administration and five percent (5%) per year for the term of the Agreement to cover inflation. Upon completion of said improvements constructed according to the terms of this agreement, and Preliminary Acceptance by the Public Works Department in accordance with section 5-02-05-01 of the County's Development Standards and Regulations, the collateral shall be released. Completion of said improvements shall be determined solely by the County, and a reasonable part of said collateral, up to 20%, may be retained to guarantee maintenance of public improvements for a period of one year from the date of Preliminary Acceptance.

No building permits shall be issued until said collateral is furnished in the amount required and in a form acceptable to the Board of County Commissioners, and until the final plat has been approved and the improvements described in Exhibit "B" have been preliminarily accepted by the Director of Public Works. No construction permits shall be issued until all collateral required by this Agreement is furnished in a form acceptable to the Board of County Commissioners.

6. **Acceptance and Maintenance of Public Improvements.** All improvements designated "public" on Exhibit "B" shall be public facilities and become the property of the County or other public agencies upon acceptance of the improvements. During the period of one year from and after the acceptance of public improvements, the Developer shall, at its own expense, make all needed repairs or replacement due to defective materials or workmanship which, in the opinion of the County, becomes necessary. If, within ten days of written notice to the Developer from the County requesting such repairs or replacements, the Developer has not undertaken with due diligence to make the same, the County may make such repairs or replacements at the Developer's expense. In the case of an emergency such written notice may be waived.
7. **Successors and Assigns.** This agreement shall be binding upon the heirs, executors, personal representatives, successors, and assigns of the Developer, and shall be deemed a covenant running with the real property as described in Exhibit "A" attached hereto.
8. **Improvements and Dedication.** The undersigned Developer hereby agrees to provide the following improvements, and to dedicate described property.

A. **Improvements.** The Shook Subdivision Filing 3 improvements:

Public Improvements:

- Construction of Florence Way, Galena Ct, and 163rd Place.
- Construction of related drainage ways, culverts, and utilities.
- Block 1, Lots 1-5
- Block 2, Lots 1-2
- Block 3, Lots 1-6

The improvements shall be constructed in accordance with all County requirements and specifications in accordance with the approved plans and time schedule as indicated in Exhibit "B".

- B. **Public dedication of land for right-of-way purposes or other public purpose.** Upon approval of this agreement by the Board of County Commissioners, the Developer hereby agrees to convey by warranty deed to the County of Adams the following described land for right-of-way or other public purposes:

All dedications were made at the time of platting.

SEC 2-3 Phoenix, LLC
Developer

By: _____
Gene Osborne, Authorized Agent

By: _____
Name, Title

The foregoing instrument was acknowledged before me this ____ day of _____,
2020, by _____.

My commission expires: _____

Address: _____

Notary Public

APPROVED BY resolution at the meeting of _____, 2020.

Collateral to guarantee compliance with this agreement and construction of public improvements shall be required in the amounts of **\$294,313.80**. No building permits shall be issued until said collateral is furnished in the amount required and, in a form, acceptable to the Board of County Commissioners. No construction permits shall be issued until all collateral required by this Agreement is furnished in the amount required and in a form acceptable to the Board of County Commissioners.

ATTEST:

CHAIR
ADAMS COUNTY, COLORADO

Clerk of the Board

Chair

Approved as to form:

County Attorney

EXHIBIT A

Legal Description: Located in the Southeast ¼ of Section 3, Township 1 South, Range 67 West of the 6th P.M, County of Adams, State of Colorado

SECT,TWN,RNG:3-1-67 DESC: PARC A-1 PT OF THE N2 OF THE SE4 OF SEC 3 DESC AS FOLS BEG AT THE NW COR OF THE NE4 OF SD SEC 3 TH N 89D 34M 25S E 422/14 FT TH S 00D 30M 59S E 2384/12 FT TH N 89D 39M 59S E 100 FT TO THE TRUE POB TH S 82D 54M 03S E 610/38 FT TH S 79D 10M 19S E 701/23 FT TH S 75D 13M 06S E 171/08 FT TH S 00D 40M 10S E 1082/69 FT TH S 89D 35M 44S W 1985/04 FT TH N 00D 30M 59S W 200/52 FT TH S 77D 05M 57S E 220/03 FT TH S 86D 03M 09S E 256/87 FT TH N 86D 11M 56S E 133/20 FT TH N 12D 00M 10S W 318/38 FT TH N 73D 44M 55S W 500/99 FT TH N 00D 30M 59S W 440/47 FT TH N 89D 29M 01S E 462/14 FT TH N 00D 30M 59S W 287/50 FT TO THE TRUE POB 48/03A

EXHIBIT B

See attached Exhibit "B".

Construction Completion Dates:

Filing 3 (exhibit B): June 1, 2021

Initials or signature of Developer: _____

Exhibit B
Shook Subdivision Filing
3
Projected Schedule Of
Public Improvements
June 1, 2020

Item	Quantity	Unit	Unit Price	Total
------	----------	------	------------	-------

1. a. Streets - Florence Way				
All Internal roads				
HMA Pavement (4" Full Depth)	2020	SY	\$18.75	\$37,875.00
Class 6 Road Base (6" Depth)	2020	SY	\$9.75	\$19,695.00
Fine Grading	2020	SY	\$0.57	\$1,151.40
6' Class 6 road base shoulders	1010	SY	\$9.75	\$9,847.50
Signs	2	EA	\$300.00	\$600.00
Street Lights	1	EA	\$3,500.00	\$3,500.00
Mobilization	1	LS	\$390.00	\$390.00
			Subtotal	\$73,058.90

1. b. Streets - Galena Court				
All Internal roads				
HMA Pavement (4" Full Depth)	2315	SY	\$18.75	\$43,406.25
Class 6 Road Base	2315	SY	\$9.75	\$22,571.25
Fine Grading	2315	SY	\$0.57	\$1,319.55
6' Class road base shoulders	1157	SY	\$9.75	\$11,280.75
Signs	4	EA	\$300.00	\$1,200.00
Street Lights	2	EA	\$3,500.00	\$7,000.00
Mobilization	1		\$390.00	\$390.00
			Subtotal	\$87,167.80

1. c. Streets - E. 163rd Place				
All Internal roads				
HMA Pavement (4" Full Depth)	1824	SY	\$18.75	\$34,200.00
Class 6 Road Base	1824	SY	\$9.75	\$17,784.00
Fine Grading	1824	SY	\$0.57	\$1,039.68
6' Class 6 road base shoulders	912	SY	\$9.75	\$8,892.00
Signs	1	EA	\$300.00	\$300.00
Street Lights	1	EA	\$3,500.00	\$3,500.00
36-inch RCP	50	LF	\$95.00	\$4,750.00
36" FES	2	EA	\$1,250.00	\$2,500.00
Mobilization	1	LS	\$390.00	\$390.00
			Subtotal	\$73,355.68

Total Projection	\$233,582.38
Administration 20%	\$280,298.86
Inflation Guaranty 5%	\$14,014.94
Total Projection With Warranty	\$294,313.80



PUBLIC HEARING AGENDA ITEM

DATE OF PUBLIC HEARING: June 16, 2020
SUBJECT: Subdivision Improvement Agreement for Shook Filing No. 4
FROM: Jill Jennings Golich, Community and Economic Development Director
AGENCY/DEPARTMENT: Community & Economic Development Department
HEARD AT STUDY SESSION ON: N/A
AUTHORIZATION TO MOVE FORWARD: <input type="checkbox"/> YES <input type="checkbox"/> NO
RECOMMENDED ACTION: That the Board of County Commissioners approves the Shook Subdivision Improvements Agreement for Filing No. 4.

Background

The subject request is to create a Subdivision Improvements Agreement for Filing 4 to create 11 lots on 23.16 acres. The Final Development Plan (FDP) Amendment, approved on December 4, 2018, added acreage to the Shook FDP and identified a maximum of 32 residential lots on 46.5 acres. On February 4, 2020, the BoCC heard the Preliminary Plat requests and voted to approve the requests with three conditions and two notes. The two Final Plats proposed with this application are the final step to culminating the Shook Filings 3 and 4 and the FDP Amendment. The Shook FDP requires each lot to be a minimum of one (1) acre and defaulting to the requirements of a Residential Estate (R-E) zone district if items are not explicit in the FDP.

AGENCIES, DEPARTMENTS OR OTHER OFFICES INVOLVED:

None

ATTACHED DOCUMENTS:

- BOCC staff report and packet
- SIA exhibit
- Resolution approving application in case SIA2020-00009

FISCAL IMPACT:

Please check if there is no fiscal impact . If there is fiscal impact, please fully complete the section below.

Fund:
Cost Center:

	Object Account	Subledger	Amount
Current Budgeted Revenue:			
Additional Revenue not included in Current Budget:			
Total Revenues:			

	Object Account	Subledger	Amount
Current Budgeted Operating Expenditure:			
Add'l Operating Expenditure not included in Current Budget:			
Current Budgeted Capital Expenditure:			
Add'l Capital Expenditure not included in Current Budget:			
Total Expenditures:			

New FTEs requested: YES NO

Future Amendment Needed: YES NO

Additional Note:

**RESOLUTION APPROVING CASE #SIA2020-00009 SUBDIVISION IMPROVEMENTS
AGREEMENT FOR SHOOK SUBDIVISION, FILING 4**

WHEREAS, it is provided by resolution of the Board of County Commissioners, County of Adams, that where designated the Developer shall have entered into a written agreement with the County to install public and/or private improvements, and to deed land for public purposes or right-of-way or submit cash-in-lieu; and,

WHEREAS, on June 16, 2020, the Board of County Commissioners, in Case No. PLT2020-00022, Shook Subdivision, Filing 4, approved a Final Plat to allow 11 residential lots on approximately 23.16 acres in a Planned Unit Development (PUD) zone district; and,

WHEREAS, the Developer has provided collateral to meet the terms of the agreement; and,

WHEREAS, the Adams County Community and Economic Development Department recommends approval of the attached Subdivision Improvements Agreement for Shook Subdivision, Filing 4, Case No. SIA2020-00009.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners, County of Adams, State of Colorado, that the Subdivision Improvements Agreement for Shook Subdivision Filing 4, a copy of which is attached hereto and incorporated herein by this reference, be approved.

BE IT FURTHER RESOLVED that the Chair of the Board of County Commissioners be authorized to execute this AGREEMENT on behalf of the County of Adams, State of Colorado.



COMMUNITY AND ECONOMIC DEVELOPMENT
DEPARTMENT

TABLE OF CONTENTS

CASE NO.: PRC2020-00007

CASE NAME: Shook 3 & 4 Final Plats and SIAs

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- 2.2 Zoning Map
- 2.3 Simple Map
- 2.4 Future Land Use Map

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- 3.1 Applicant Written Explanation
- 3.2 Filing 3 Final Plat
- 3.3 Filing 4 Final Plat
- 3.4 Subdivision Improvements Agreement Filing 3
- 3.5 Subdivision Improvements Agreement Filing 4
- 3.6 Water Supply Plan Correspondence (DWR Comments)
- 3.7 Mile High Correspondence and Photos

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- 4.1 Referral Comments (Development Review Team)
- 4.2 Brighton Fire
- 4.3 CDOT
- 4.4 Colorado Geological Society
- 4.5 Colorado Parks and Wildlife
- 4.6 West Adams Conservation District
- 4.7 Tri-County Health
- 4.8 United Power
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- 6.1 Request for Comments
- 6.2 Property Owner and Occupant Labels
- 6.3 Referral Labels

Board of County Commissioners

June 16, 2020

CASE No.: PRC2020-00007	CASE NAME: Shook 3 and 4 Final Plats and SIAs
Owner's Information:	Sec. 2-3 Phoenix LLC
Applicant's Name:	JR Osborne c/o C3 Construction
Applicant's Address:	9200 East Mineral Avenue, #365, Centennial, CO 80112
Location of Request:	Parcel # 0157103400001
Nature of Request:	1) Final Plat for Filing 3 to create 13 lots on 22.37 acres; 2) Final Plat for Filing 4 to create 11 lots on 23.16 acres and 3) SIAs associated with each Filing
Zone District:	Planned Unit Development (PUD)
Site Size:	46.5 acres
Proposed Uses:	Residential
Existing Use:	Vacant
Hearing Date(s):	BOCC: June 16, 2020
Report Date:	May 26, 2020
Case Manager:	Libby Tart
Staff Recommendation:	APPROVAL with 7 Findings-of-Fact and One Note per each Final Plat

SUMMARY OF PREVIOUS APPLICATIONS

On March 6, 2002, the Board of County Commissioners (BoCC) approved a Preliminary Development Plan (PDP) for the Todd Creek Village Development. This PDP allowed for a mixed-use development with a maximum of 3,255 dwelling units including residential estate, single-family detached, and single-family attached units, neighborhood commercial uses, and associated open space.

On May 9, 2005, the BoCC approved a preliminary plat to create 32 residential estate lots on approximately 53 acres (Todd Creek Village Shook). The final plat was approved on February 27, 2006.

On March 13, 2006, the BoCC approved a final development plan for the Todd Creek Shook Development including a minimum one-acre lot size requirement for residential development and 13.5 acres of open space.

On December 4, 2018, the BoCC approved a major amendment to the Shook Final Development Plan (FDP) to add 46.5 acres to the development boundaries, add 32 residential lots, and replat two existing subdivision filings (Shook 1 and 2) to realign roadways to connect to the future filings.

Two Subdivision Improvement Agreements (SIAs) for Filings 1 and 2 were also approved in the public hearing by the BoCC.

On February 4, 2020, The BoCC approved a request for the Shook Filings 3 and 4 Preliminary Plats. Three conditions and two notes were approved and stated the following:

- Condition 1: The applicant shall provide proof of irrigation water supply and services in compliance with Section 5-04-05-06-04 of the Adams County Development Standards and Regulations prior to the Board of County Commissioners hearing on the Final Plat.
- Condition 2: A Subdivision Improvements Agreement (SIA) shall be submitted with the final plat application.
- Condition 3: A public land dedication fee for parks and schools shall be paid to Adams County prior to or with the final plat submittal. This fee shall be determined by the current fee structure specified in Section 5-05 of the Adams County Development Standards and Regulations.
- Note 1: The applicant shall adhere to all fire, animal, health, zoning, and building codes.
- Note 2: The Signal Ditch has been vacated and the vacation shall be shown on the final plat.

The applicant has satisfied all the conditions and notes prior to this Final Plat and SIA hearing.

SUMMARY OF APPLICATION

Background

The subject request is to create two Final Plats – one for Filing 3 to create 13 lots on 22.37 acres and one for Filing 4 to create 11 lots on 23.16 acres. The Final Development Plan (FDP) Amendment, approved on December 4, 2018, added acreage to the Shook FDP and identified a maximum of 32 residential lots on 46.5 acres. On February 4, 2020, the BoCC heard the Preliminary Plat requests and voted to approve the requests with three conditions and two notes. The two Final Plats proposed with this application are the final step to culminating the Shook Filings 3 and 4 and the FDP Amendment. The Shook FDP requires each lot to be a minimum of one (1) acre and defaulting to the requirements of a Residential Estate (R-E) zone district if items are not explicit in the FDP.

Development Standards and Regulations:

Major Subdivision (Final Plat):

Per Section 2-02-17-04 of the County's Development Standards and Regulations, the applicant is requesting two Major Subdivisions (Final Plats) for the proposed single-family detached development. Currently, the site consists of 46.5 acres and is vacant. The applicant's proposal will create 24 lots and four (4) outlots (one outlot for Filing 3, three outlots for Filing 4). The outlots are reserved for landscaping, open space, and one existing oil and gas lot (Outlot B in Filing 4). Streets, rights-of-way, and easements are also proposed throughout the Final Plats and connect into the existing Shook Filings 1 and 2 to the south and west of this application. All proposed lots conform to the minimum lot size requirement of one acre for the PUD.

It is staff's determination the Final Subdivision Plats conform to the Development Standards and Regulations outlined in Section 2-02-19-04-05 of the County's Development Standards and the goals of the Comprehensive Plan.

Following the Preliminary Plat hearings, the applicant submitted their potable (residential needs) and non-potable (irrigation needs) water plan to the Division of Water Resources (DWR). The DWR provided a response on March 31, 2020 (See Exhibit 3.6), indicating that the Todd Creek Metro District's supply of municipal surface rights combined with the District's Denver Basin water "is sufficient to meet the potable resident and commercial demands of the existing District's commitments, including the Shook Subdivision Filings 3 and 4. They also state, "the applicant has adequate junior water to meet its annual irrigation (non-potable) demand, as long as the junior water rights continue to be available in-priority consistent with the Applicant's historical availability analysis". The State Engineer's Office Opinion is that the proposed water supply for residential, commercial and irrigation uses is adequate.

Sewer facilities will be provided in the form of septic systems on each lot. In addition, the overall density of development conforms to the zone district density allowances, as specified in the FDP. Finally, the proposed subdivision is compatible with the surrounding area, harmonious with the character of the neighborhood, not detrimental to the immediate area, not detrimental to the future development of the area, and not detrimental to the health, safety, or welfare of the inhabitants of the area and the County.

All proposed drainage facilities have been reviewed and approved by the County's Development Services Engineering staff. Per the request of the BoCC from February 4, 2020, a drainage swale was inspected by a third party, Mile High Flood Control (District), to ensure it was designed and built correctly. Mile High indicated that the swale was designed correctly and flows to the north based on the design. The Stormwater Division at Adams County investigated the discharge from this swale the previous year and concluded that it was due to an improperly installed silt fence while a home was under construction from the previous Shook Filing No. 1. The builder fixed the fence and no further issues have been noted.

Comprehensive Plan:

The subject property is designated as Estate Residential in the County's future land use map. Per Chapter 5 of the County's Comprehensive Plan, the goals of the Estate Residential future land use designation are to provide for single-family housing at lower densities, typically no greater than 1 unit per acre, and compatible uses such as schools and parks. The proposed Final Subdivision Plats are consistent with the goals of the Comprehensive Plan to provide larger lot residential development.

Site Characteristics:

The residential portion of the development for Filings 1 and 2 are almost completely built out. The proposed Preliminary Plat Filings 3 and 4 are vacant, with a 14-well oil and gas facility.

Surrounding Zoning Designations and Existing Use Activity:

Northwest PUD Vacant	North PUD Vacant	Northeast PUD Vacant
West PUD Vacant	Subject Property PUD Vacant/Well Pad	East PUD Vacant
Southwest R-E Single-Family	South PUD Single-Family (under development)	Southeast PUD and R-E Vacant (PUD) and Single-Family (R-E)

Compatibility with the Surrounding Land Uses:

The uses surrounding the site consist of single-family residential uses. The subject request for Final Plats for Filing 3 and 4 is consistent with the existing surrounding developments and the future land use designation of Estate Residential.

STAFF RECOMMENDATION:

Based upon the application, the criteria for approval for the two Final Plats, and a recent site visit, staff recommends Approval of the Shook Filing No. 3 Final Plat, Shook Filing No. 4 Final Plat, and associated Subdivision Improvements Agreement with 7 findings of fact (per Final Plat), and 1 note.

FINDINGS OF FACT:

Major Subdivision (Final Plat):

1. The final plat is consistent and conforms to the approved preliminary plat.
2. The final plat is in conformance with the subdivision design standards.
3. The applicant has provided evidence that a sufficient water supply has been acquired in terms of quantity, quality, and dependability for the type of subdivision proposed, as determined in accordance with the standards set forth in the water supply standards.
4. The applicant has provided evidence that a public sewage disposal system has been established and, if other methods of sewage disposal are proposed, adequate evidence indicating that the system complies with state and local laws and regulations.
5. The applicant has provided evidence to show all areas of the proposed subdivision, which may involve soil or topographical conditions presenting hazards or requiring special precautions, have been identified by the applicant and the proposed uses of these areas are compatible with such conditions.
6. The proposed or constructed drainage improvements are adequate and comply with these standards and regulations.
7. Adequate public facilities or infrastructure, or cash-in-lieu, for impacts reasonably related to the proposed subdivision have been constructed or financially

guaranteed through cash-in-lieu or a subdivision improvements agreement so the proposed subdivision will not negatively impact the levels of service of the County.

Recommended Notes to the Applicant:

1. The applicant shall adhere to all fire, animal, health, zoning, and building codes.

COUNTY AGENCY COMMENTS

Adams County Development Services

Planning referred all documents to ROW, Engineering, Legal, and Finance staff to ensure the Final Plats and SIAs were compliant. A few corrections were issued and resolved.

Engineering has continued to receive correspondence from residents of the Twin Lakes PUD (not affiliated with Todd Creek or the Shook development) – a small single-family detached community to the southeast of this Shook development application. The residents have questioned silt buildup and other items related to Shook Filings 1 and 2 construction activity (see Neighborhood Comment and exhibit material provided in Exhibit 5). Mile High Flood District, a third-party reviewer, reviewed the as built conditions for a drainage swale and have found them adequate. The Public Works Stormwater Division has inspected the area as well and finds that the activity with silt was related to the construction fence on one of the SFD homes under construction (for Shook Filing 1). The concerns appear to have been resolved (see Exhibit 3.7 for information from Adams County Engineering regarding the Mile High analysis and the applicant’s corrections).

Adams County Public Works

Noted previously that a Subdivision Improvements Agreement (SIA) will be required for each Final Plat at the time of the FDP/Final Plat. Engineering staff has reviewed the SIAs and finds each adequate. The SIAs are provided as exhibit material in this report.

Adams County Development Services Environmental and Building

No comment.

Adams County Development Services Addressing and Right-of-Way

Right-of-way requested that the applicant provide evidence that the Signal Ditch was vacated on the Final Plat. The applicant has provided this.

Adams County Parks and Open Space

No comment.

REFERRAL AGENCY COMMENTS

Responding with Comments:

- State Division of Water Resources -- With the previous Preliminary Plat hearings, staff requested that the applicant work with the DWR to demonstrate an adequate non-potable water supply. On March 31, 2020, a letter was provided demonstrating this. It is

contained in Exhibit 3.6. Staff finds the letter adequate and that the letter resolves any previous staff concerns.

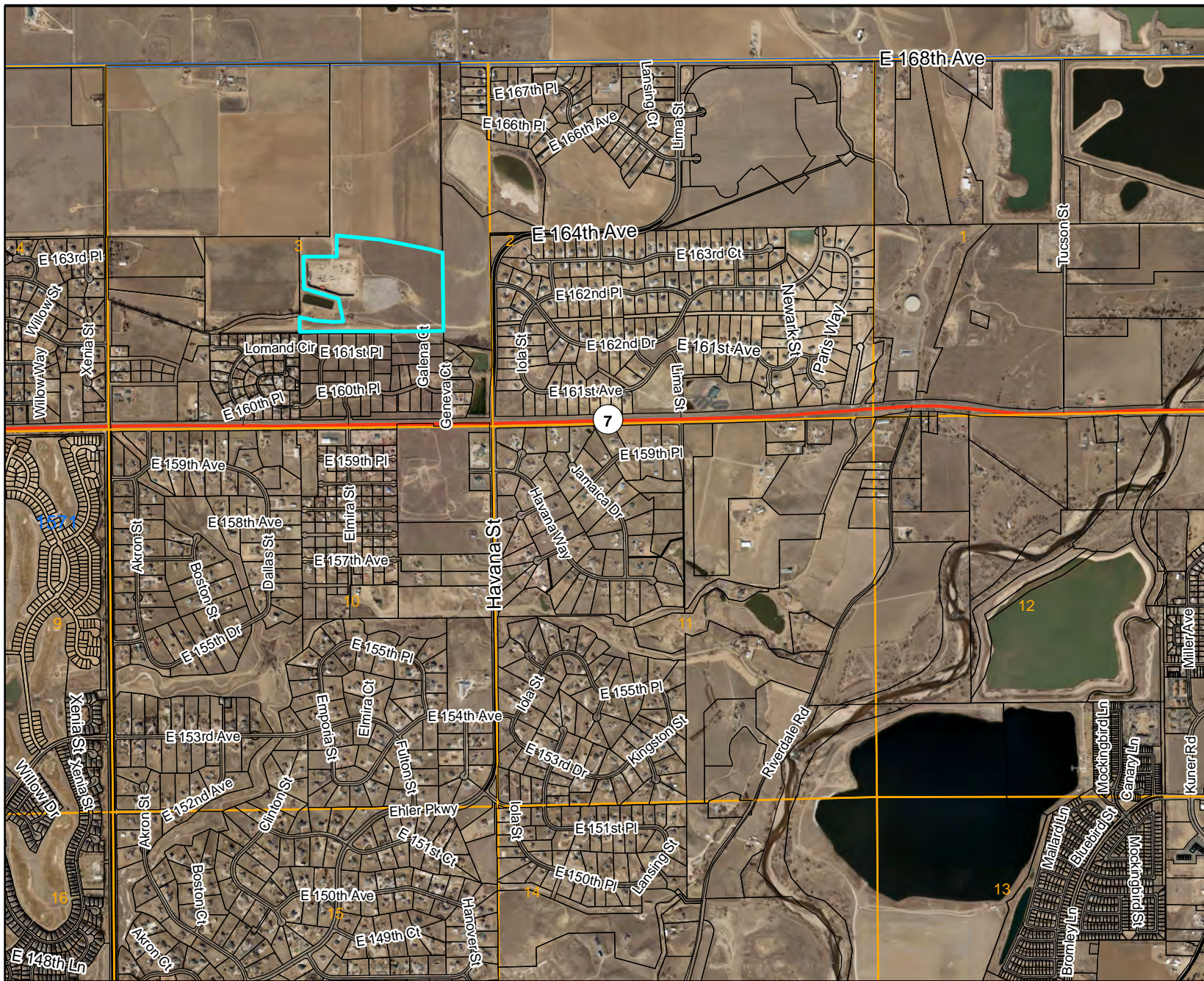
- Colorado Parks and Wildlife – At the time of the preliminary plat review, Colorado Parks and Wildlife recommended restoring the land within the project area to native habitat if possible and to plant native species within the area. They also stated that a burrowing owl survey should be performed if earth moving occurs between March 15th and October 31st. This recommendation shall be carried forth with the final plats as well.
- Tri-County Health – Previously acknowledged in the Preliminary Plat reviews that the Todd Creek Metro District is responsible for inspections of the Onsite Wastewater Treatment Systems as a Responsible Management Entity.

Responding without Concerns:

- Adams County Treasurer
- Brighton Fire
- CDOT
- CGS
- West Adams Conservation District
- United Power

Notified but not Responding / Considered a Favorable Response:

- Brighton School District 27J
- Comcast
- Century Link
- Eagle Shadow Metro District 1
- Hi-Land Acres Water & Sanitation District
- USPS
- Xcel Energy
- RTD



Legend

- Railroad
- Major Water
- Zoning Line
- Sections

Zoning Districts

- A-1
- A-2
- A-3
- R-E
- R-1-A
- R-1-C
- R-2
- R-3
- R-4
- M-H
- C-0
- C-1
- C-2
- C-3
- C-4
- C-5
- I-1
- I-2
- I-3
- CO
- PL
- AV
- DIA
- P-U-D
- P-U-D(P)

Case Name Shook 3&4

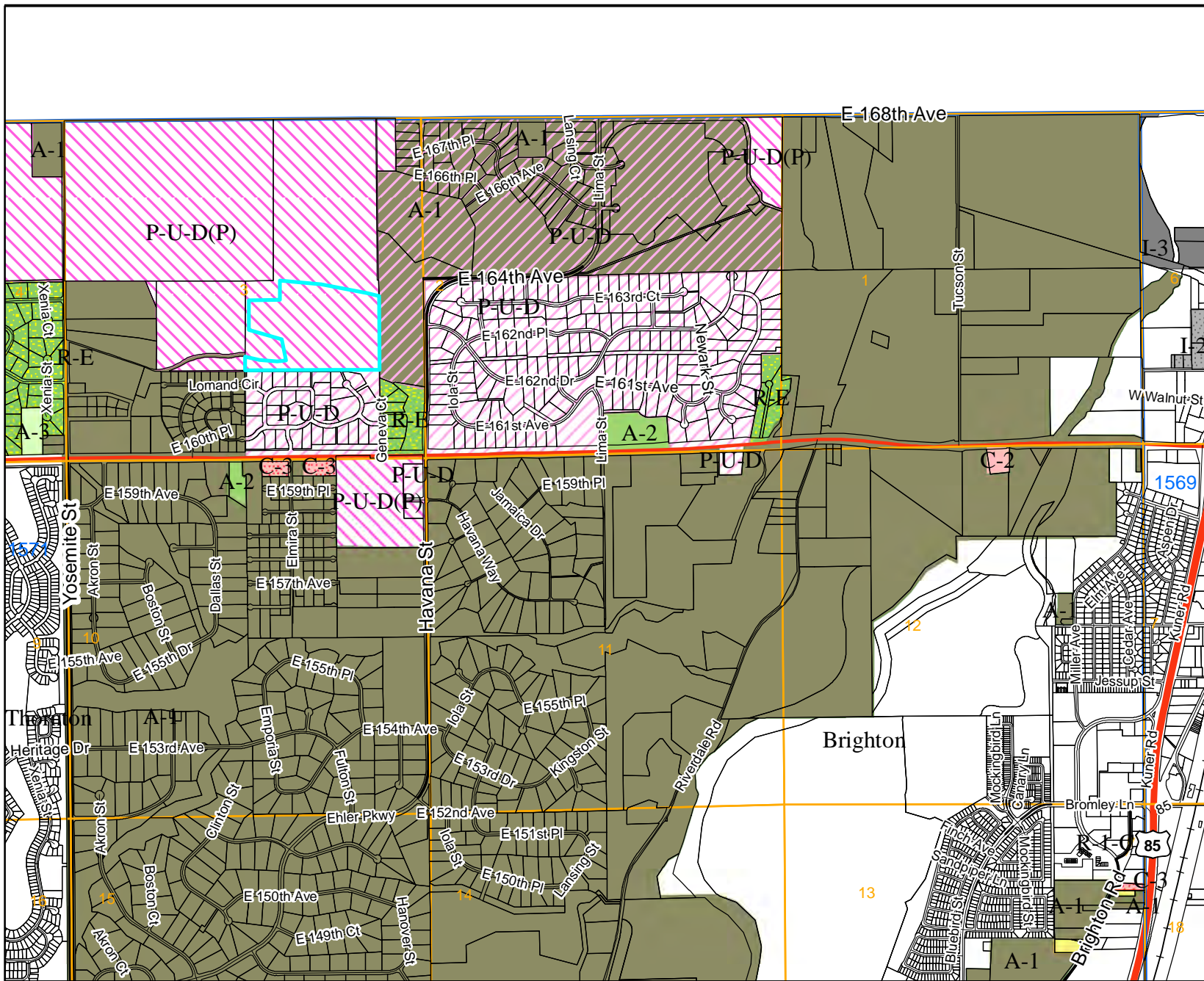
Case Number PRC2020-00007



For display purposes only.



This map is made possible by the Adams County GIS group, which assumes no responsibility for its accuracy



Legend

- +— Railroad
 - Major Water
 - Zoning Line
 - Sections
- Zoning Districts**
- A-1
 - A-2
 - A-3
 - R-E
 - R-1-A
 - R-1-C
 - R-2
 - R-3
 - R-4
 - M-H
 - C-0
 - C-1
 - C-2
 - C-3
 - C-4
 - C-5
 - I-1
 - I-2
 - I-3
 - CO
 - PL
 - AV
 - DIA
 - P-U-D
 - P-U-D(P)

PRC2020-0007 Shook Filing 3 and 4

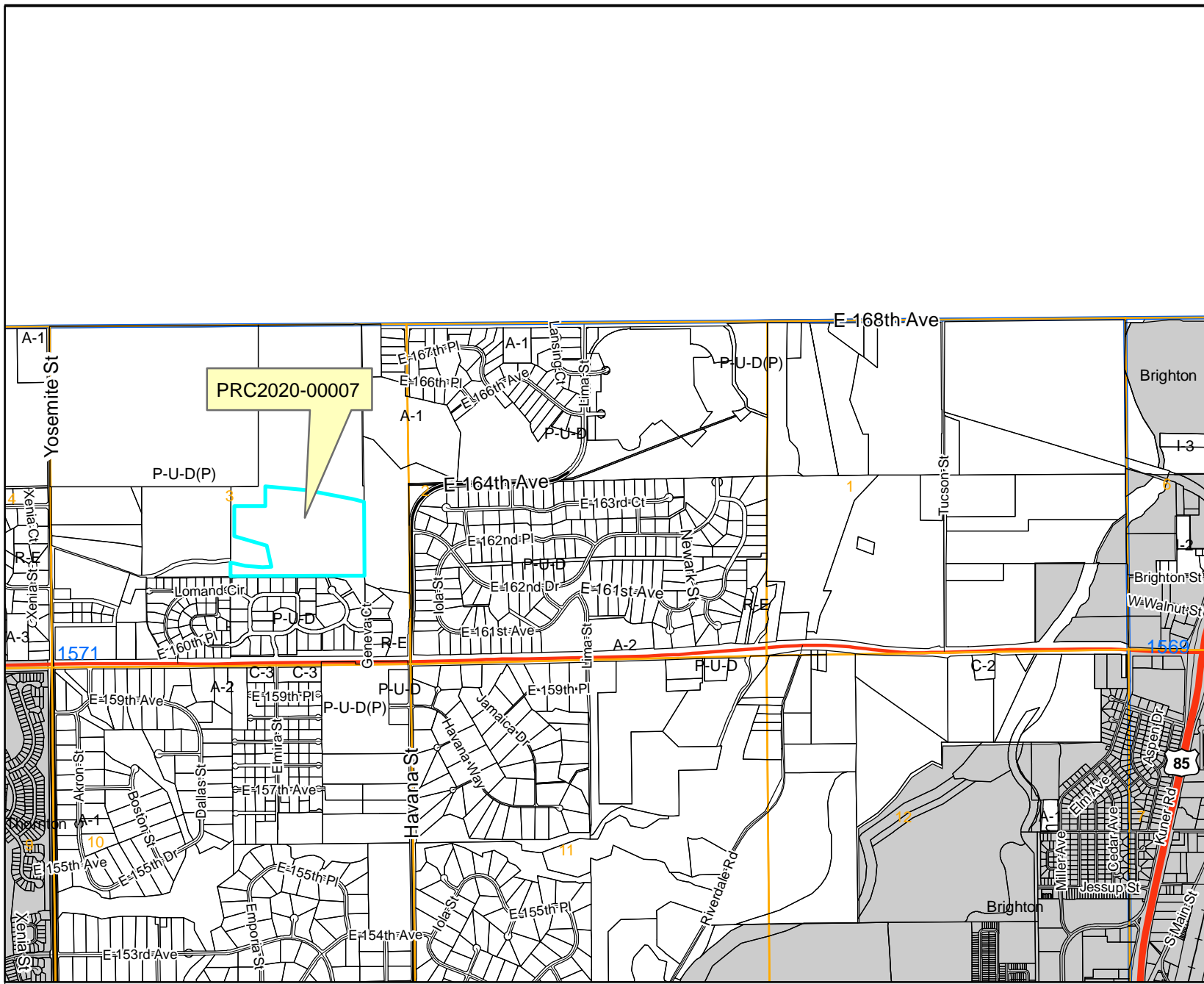
1500 ft buffer map



For display purposes only.



This map is made possible by the Adams County GIS group, which assumes no responsibility for its accuracy



Legend

- +— Railroad
- Major Water
- Zoning Line
- Sections

Zoning Districts

- A-1
- A-2
- A-3
- R-E
- R-1-A
- R-1-C
- R-2
- R-3
- R-4
- M-H
- C-0
- C-1
- C-2
- C-3
- C-4
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- CO
- PL
- AV
- DIA
- P-U-D
- P-U-D(P)

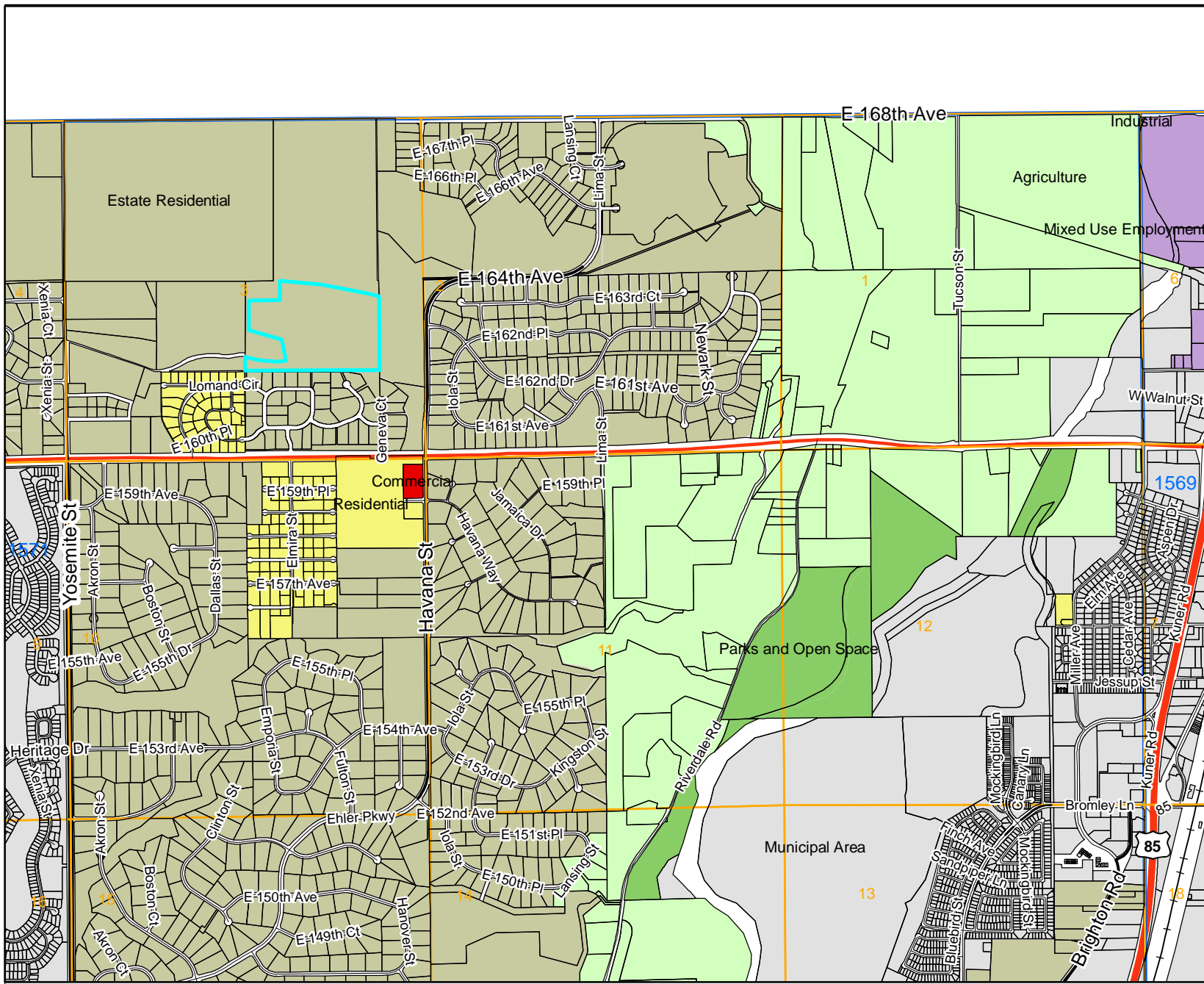
PRC2020-00007 Shook Filing 3 and 4
1500 ft buffer map



For display purposes only.



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Legend

- +— Railroad
 - Major Water
 - Zoning Line
 - Sections
- Zoning Districts**
- A-1
 - A-2
 - A-3
 - R-E
 - R-1-A
 - R-1-C
 - R-2
 - R-3
 - R-4
 - M-H
 - C-0
 - C-1
 - C-2
 - C-3
 - C-4
 - C-5
 - I-1
 - I-2
 - I-3
 - CO
 - PL
 - AV
 - DIA
 - P-U-D
 - P-U-D(P)

PRC2020-0007 Shook Filing 3 and 4
1500 ft buffer map



For display purposes only.



This map is made possible by the Adams County GIS group, which assumes no responsibility for its accuracy

Project Explanation

The original Final Plat for the Shook Subdivision was approved in 2006. It consisted of (32) 1-acre (minimum) single-family lots and is located approximately at the NW corner of Highway 7 and Havana Street in unincorporated Adams County.

On 12/13/2018 the Shook Subdivision was re-platted into Filings 1 & 2 which consists of (40) 1-acre single family lots. The amended Shook Planned Unit Development was also approved on 12/13/2018 which added an additional (24) 1-acre lots to the Shook Subdivision. This parcel, #01571030001, is north of Filings 1 & 2 and will be called Filings 3 & 4.

Parcel #0157103400001 will consist of (24) 1-acre (minimum) single-family lots and (3) additional outlots. Outlot "B" is an oil-well pad. There will also be an available future access road to Havana St. which will give the expanded subdivision another full turn access point.

The drainage requirements will be able to be consolidated for the Shook Filings 1-4 and more efficiently utilize one larger detention pond in the NE corner of the new layout.

The Shook Subdivision Preliminary Plat for Filings 3 & 4 (case no. 2018-00008) were approved on February 4, 2020.

We are requesting Final Plat approval for Filings 3 & 4.

Todd Creek Village Metropolitan District will provide both potable and non-potable water to this site and Individual Wastewater Treatment Systems will be utilized. United Power and Xcel will provide the electric and gas service.

**SHOOK SUBDIVISION FILING NO. 3
 LOCATED IN THE SOUTHEAST 1/4 OF SECTION 3,
 TOWNSHIP 1 SOUTH, RANGE 67 WEST, 6TH PM,
 COUNTY OF ADAMS, STATE OF COLORADO
 SHEET 1 OF 3**

CERTIFICATE OF OWNERSHIP AND DEDICATION*

KNOW ALL MEN BY THESE PRESENTS THAT SEC 2-3 PHOENIX, LLC. A COLORADO LIMITED LIABILITY COMPANY AND TRUST, BEING THE SOLE OWNERS OF THE FOLLOWING DESCRIBED TRACT OF LAND:

A PART OF THE SOUTHEAST ONE-QUARTER OF SECTION 3, TOWNSHIP 1 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS: THE SOUTH LINE OF THE SOUTHEAST ONE-QUARTER OF SAID SECTION 3, BEING MONUMENTED AT THE SOUTH 1/4 CORNER BY A 3 INCH ALUMINUM CAP STAMPED "T1S, 1/4, 3/10, PLS 26298" AND AT THE SOUTHEAST CORNER OF SAID SECTION 3, BY A 2 INCH ALUMINUM CAP STAMPED "ALPHA ENGRG., T1S/S3/S2/S10/S11, R67W, 1996, LS25937" IN A RANGE BOX, BEING ASSUMED TO BEAR S89°31'31"W; A DISTANCE OF 2651.32 FEET

COMMENCING AT THE SOUTH 1/4 CORNER OF SAID SECTION 3, THENCE N 00°30'49" W ALONG THE WEST LINE OF SAID SOUTHEAST ONE-QUARTER A DISTANCE OF 1323.23 FEET TO THE POINT ON THE NORTH LINE OF THE SOUTH ONE-HALF OF SAID SOUTHEAST ONE-QUARTER OF SECTION 3 THE CENTER-EAST-SOUTHEAST ONE-SIXTY-FOURTH OF SECTION 3, ALSO BEING THE NORTHERLY LINE SHOOK SUBDIVISION NO 2.

THENCE CONTINUING ALONG SAID NORTH LINE OF THE SOUTHEAST ONE-QUARTER N 88° 35'44" E A DISTANCE OF 966.96 FEET TO THE POINT OF BEGINNING;

THENCE N 00°00'00" W A DISTANCE OF 168.58 FEET;

TO A POINT ON A CURVE WITH A RADIUS OF 330.00 FEET, A LENGTH OF 163.19 FEET, A DELTA ANGLE OF 28°19'04", A CHORD LENGTH OF 161.54 FEET AND A CHORD BEARING OF N 14°10'02" E;

THENCE N 28°20'04" E A DISTANCE OF 438.19 FEET

TO A POINT ON A CURVE WITH A RADIUS OF 15.00 FEET, A LENGTH OF 23.58 FEET, A DELTA ANGLE OF 90°00'00", A CHORD LENGTH OF 21.21 FEET AND A CHORD BEARING OF N 16°39'54" W;

THENCE N 28°20'04" E A DISTANCE OF 80.00 FEET; THENCE N 61°39'58" W A DISTANCE OF 20.00 FEET; THENCE N 28°20'04" E A DISTANCE OF 260.30 FEET; THENCE N 19°59'32" W A DISTANCE OF 200.82 FEET; THENCE N 28°20'04" E A DISTANCE OF 24.71 FEET; THENCE S 79°10'19" E A DISTANCE OF 540.08 FEET; THENCE S 75°13'08" E A DISTANCE OF 171.08 FEET; THENCE S 00°40'10" E A DISTANCE OF 1082.65 FEET; THENCE S 88°35'44" W A DISTANCE OF 1018.08 FEET TO THE POINT OF BEGINNING.

CONTAINING AN AREA OF 975,368.59± SQUARE FEET OR 22.39± ACRES.

HAVE BY THESE PRESENTS LAID OUT, PLATTED AND SUBDIVIDED THE SAME INTO STREETS, EASEMENTS, LOTS, BLOCKS AND OUTLOTS AS SHOWN ON THE PLAT UNDER THE NAME AND STYLE OF SHOOK SUBDIVISION FILING NO. 3 PLAT AND DO HEREBY DEDICATE TO THE COUNTY OF ADAMS, STATE OF COLORADO, FOR PUBLIC USE, ALL STREETS AND OTHER PUBLIC WAYS AND LANDS AS SHOWN ON THIS PLAT, FOREVER, AND ALSO RESERVE THOSE PORTIONS OF REAL PROPERTY WHICH ARE LABELED AS EASEMENTS ON THIS PLAT, FOR THE INSTALLATION AND MAINTENANCE OF UTILITY AND DRAINAGE FACILITIES, INCLUDING BUT NOT LIMITED TO ELECTRIC LINES, GAS LINES, WATER LINES AND SEWER LINES TOGETHER WITH THE RIGHT TO TRIM INTERFERING TREES AND BRUSH, TOGETHER WITH A PERPETUAL RIGHT OF INGRESS AND EGRESS FOR INSTALLATION, MAINTENANCE AND REPLACEMENT OF SUCH LINES; SAID EASEMENTS TO BE USED IN A RESPONSIBLE AND PRUDENT MANNER.

EXECUTED THIS ____ DAY OF _____, 20 ____.

SEC 2-3 PHOENIX, LLC. A COLORADO LIMITED LIABILITY COMPANY.

BY: GEORGE HANLON

_____, DATE _____,
 MANAGER

ACKNOWLEDGMENT

COUNTY OF _____)
) SS

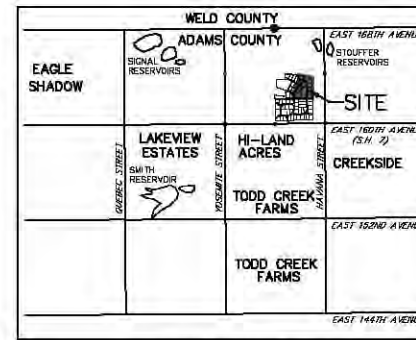
STATE OF COLORADO _____)

THE FORGOING PLAT AND DEDICATION WAS ACKNOWLEDGED BEFORE ME THIS ____ DAY OF _____, 20 ____.
 BY SEC 2-3 PHOENIX, LLC. A COLORADO LIMITED LIABILITY COMPANY

NOTARY PUBLIC

WITNESS MY HAND AND SEAL. MY COMMISSION EXPIRES _____.

MY ADDRESS IS: _____.



VICINITY MAP
 NOT TO SCALE

NOTES

1. BY GRAPHIC PLOTTING ONLY THIS SITE LIES IN ZONE "X" OF THE FLOOD INSURANCE RATE MAP. COMMUNITY PANEL NUMBER 080010C055G, WITH AN EFFECTIVE DATE OF AUGUST 16, 1995.
2. ALL EASEMENTS SHOWN ARE UTILITY AND DRAINAGE EASEMENTS UNLESS OTHERWISE NOTED. ALL EASEMENTS ALONG ROADS ARE ALSO SLOPE EASEMENTS.
3. ENGINEERED ONSITE WASTEWATER SYSTEMS (OWS) MAY BE REQUIRED ON CERTAIN LOTS. ENGINEERED OWS ARE LARGER AND MORE COSTLY THAN CONVENTIONAL SYSTEMS. LOT SPECIFIC SOILS AND PERCOLATION TESTS SHALL BE USED TO DETERMINE THE TYPE AND SIZE OF OWS THAN THE MINIMUM REQUIRED BASED SOLELY UPON THE PERCOLATION TEST RESULTS.

 SUITABLE AREA NEEDS TO BE DESIGNATED ON EACH LOT SITE PLAN FOR BOTH PRIMARY AND REPLACEMENT WASTEWATER ABSORPTION AREAS. REPLACEMENT OF THE PRIMARY ABSORPTION AREA MAY BE REQUIRED IF FAILURE OF THE PRIMARY AREA OCCURS. THESE AREAS NEED TO MEET ALL TRI-COUNTY HEALTH DEPARTMENT SETBACK REQUIREMENTS AND ARE TO REMAIN FREE OF ANY IMPROVEMENTS, E.G. IRRIGATED LANDSCAPE, PAVING, OUT-BUILDINGS, ETC.
4. NO BUILDING PERMITS WILL BE ISSUED FOR ANY LOT IN ANY PHASE OF CONSTRUCTION, UNTIL ALL PUBLIC IMPROVEMENTS, IN ANY PHASE, AS REQUIRED BY THE APPROVED CONSTRUCTION PLANS, HAVE BEEN COMPLETED AND ARE UNDER PRELIMINARY ACCEPTANCE OF THE ADAMS COUNTY DEPARTMENT OF PUBLIC WORKS.
5. FIFTEEN-FOOT (15') WIDE UTILITY EASEMENTS ARE HEREBY GRANTED ON PRIVATE PROPERTY ADJACENT TO THE FRONT AND REAR LOT LINES AND FIVE-FOOT (5') UTILITY EASEMENTS ARE HEREBY GRANTED ON THE SIDE PROPERTY LINES OF EACH LOT WITHIN THE SUBDIVISION OR PLATTED AREA. THESE EASEMENTS ARE DEDICATED FOR THE INSTALLATION, MAINTENANCE, AND REPLACEMENT OF ELECTRIC, GAS, TELEPHONE, CABLE AND TELECOMMUNICATION FACILITIES. UTILITIES SHALL ALSO BE PERMITTED WITHIN ANY ACCESS EASEMENTS AND PRIVATE STREETS WITHIN THE SUBDIVISION. PERMANENT STRUCTURES AND WATER METERS SHALL NOT BE PERMITTED WITHIN SAID UTILITY EASEMENTS.
6. THE DEVELOPER SHALL PROVIDE A BUILDING ENVELOPE FREE OF ALL UNDERGROUND PIPELINES AND WILL BE RESPONSIBLE FOR REMOVING, RELOCATING AND/OR REDIRECTING ANY UNDISCOVERED PIPELINES WITHIN THE BUILDING ENVELOPES.
7. ADAMS COUNTY IS NOT RESPONSIBLE FOR THE ENFORCEMENT OF ANY COVENANTS, CONDITIONS, OR RESTRICTIONS THAT MAY BE FILED AGAINST THIS SUBDIVISION PLAT.
8. THE DEVELOPER SHALL RELOCATE ANY AND ALL OIL OR GAS LINES THAT PREVENT AN ADEQUATE ISDS FROM BEING INSTALLED ON ANY LOT.
9. THERE ARE EXISTING UNDERGROUND GAS AND/OR OIL LINES WITHIN UNDOCUMENTED EASEMENTS WITHIN THIS DEVELOPMENT. THIS IS A GENERAL NOTE INFORMING THAT SUCH LINES OR EASEMENTS MAY EXIST ON ANY LOT AND CANNOT BE ACCURATELY LOCATED ON ANY PLATS AND THAT THE SURVEYOR AND ENGINEER ARE NOT LIABLE OR RESPONSIBLE FOR ANY BUILDING RESTRICTIONS OR LIMITATIONS CAUSED BY THESE LINES OR EASEMENTS. RESPONSIBILITY IS WITH THE OWNER/DEVELOPER TO LOCATE ANY SUCH LINES SO AS TO PROVIDE, AN ACCEPTABLE BUILDING ENVELOPE.

 THE POLICY OF THE COUNTY REQUIRES THAT MAINTENANCE ACCESS BE PROVIDED TO ALL STORM DRAINAGE FACILITIES TO ASSURE CONTINUOUS OPERATIONAL CAPABILITY TO THE SYSTEM. THE PROPERTY OWNERS (METRO DISTRICT) SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF ALL DRAINAGE FACILITIES INCLUDING INLETS, PIPES,CULVERTS, CHANNELS, DITCHES, HYDRAULIC STRUCTURES AND DETENTION BASINS LOCATED ON THEIR LAND UNLESS MODIFIED BY THE SUBDIVISION DEVELOPMENT AGREEMENT. SHOULD THE OWNERS FAIL TO ADEQUATELY MAINTAIN SAID FACILITIES, THE COUNTY SHALL HAVE THE RIGHT TO ENTER SAID LAND FOR THE SOLE PURPOSE OF OPERATIONS AND MAINTENANCE. ALL SUCH MAINTENANCE COSTS WILL BE ASSESSED TO THE PROPERTY OWNERS.
11. INDIVIDUAL SEWAGE DISPOSAL (ISDS). MAINTENANCE OF THE ISDS WILL BE UNDERTAKEN BY THE TODD CREEK VILLAGE METROPOLITAN DISTRICT NUMBER 1 (TCVMD1). NO SEPTIC TANK SHALL BE CONSTRUCTED FURTHER THAN 150' FROM THE GARAGE DRIVEWAY. SEPTIC TANK PUMPING TRUCKS WILL ACCESS THOSE DRIVEWAYS FOR MAINTENANCE PURPOSES. DRIVEWAYS WILL BE CONSTRUCTED ACCORDINGLY. ALL ISDS WILL BE APPROVED BY TVFMD1 PRIOR TO CONSTRUCTION.
12. THE TODD CREEK VILLAGE METRO DISTRICT HAS IMPLEMENTED A MAINTENANCE AND INSPECTION PROGRAM FOR ONSITE WASTEWATER SYSTEMS (OWS) WITHIN THE DISTRICT. THE DISTRICT SHALL BE CONTACTED FOR SPECIFIC REQUIREMENTS OF THE PROGRAM
13. THE APPROVED STORMWATER OPERATIONS AND MAINTENANCE MANUAL IS ON FILE WITH ADAMS COUNTY CLERK AND RECORDER'S OFFICE AT RECEPTION #201800026310
14. MONUMENTS WILL BE SET AT ALL STREET INTERSECTIONS, THE BEGINNING AND THE END OF EACH CENTERLINE, HORIZONTAL CURVE IS A STREET AND AT THE CENTER OF THE CUL-DE-SAC.

(CONTINUED)

NOTES (CONTINUED)

15. NOTICE TO PROSPECTIVE BUYERS: THERE IS AN ABANDONED WELL LOCATED ON THIS PLAT PURSUANT TO ADAMS COUNTY DEVELOPMENT STANDARDS SECTION 4-10-02-03-03-05(2) THERE IS A 50 FT X 100 FT BUFFER AROUND THE ABANDONED WELLHEAD DEDICATED AS A WELL MAINTENANCE AND WORKOVER SETBACK. NO STRUCTURES SHALL BE LOCATED WITHIN THIS SETBACK.
16. SAID EASEMENT TO BE USED FOR TEMPORARY ACCESS UNTIL SUCH A TIME AS THE ROAD IS EXTENDED BEYOND THE CUL-DE-SAC, CONSTRUCTION OF THE ROAD IS COMPLETED, AND THE ROAD HAS BEEN DEDICATED TO AND ACCEPTED BY THE COUNTY, AT WHICH POINT THE EASEMENT SHALL TERMINATE.
17. NO DWELLING SHALL BE CONSTRUCTED WITHIN FIFTY (50') FEET OF A PLUGGED AND ABANDONED WELL.
18. THE OWNER SHALL DISCLOSE TO PROSPECTIVE PURCHASERS OF LOTS WITHIN A RADIUS OF 200 FEET OF THE PLUGGED AND ABANDONED WELL OF (1) THE LOCATION OF THE PLUGGED AND ABANDONED WELL, (2) THE LOCATION OF THE MAINTENANCE AND WORKOVER SETBACK, AND (3) THE PURPOSE FOR THE WELL MAINTENANCE AND WORKOVER SETBACK.
19. NO UTILITY LINES SHALL BE INSTALLED WITHIN (10) FEET OF ANY PLUGGED AND ABANDONED WELL.
20. A PORTION OF THE SIGNAL DITCH, NOT SHOWN, HAS BEEN ABANDONED BY SEPARATE INSTRUMENT (RECEPTION #2019000108651)

CERTIFICATE OF SURVEY

I, RANDALL R. LONG, A REGISTERED LAND SURVEYOR IN THE STATE OF COLORADO DO HEREBY CERTIFY THAT TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF: THERE ARE NO ROADS, IRRIGATION DITCHES, OR OTHER EASEMENTS IN EVIDENCE OR KNOWN BY ME TO EXIST ON OR ACROSS THE HEREIN DESCRIBED PROPERTY EXCEPT AS SHOWN ON THIS PLAT. I FURTHER CERTIFY THAT THE SURVEY WAS PERFORMED BY ME OR UNDER MY DIRECT RESPONSIBILITY, SUPERVISION AND CHECKING AND THAT THE PLAT ACCURATELY REPRESENTS SAID SURVEY, AND THAT ALL MONUMENTS EXIST AS SHOWN HEREON

FOR AND ON BEHALF OF NEW HORIZON SURVEY, LLC.

_____, DATE _____
 RANDALL R. LONG
 REGISTERED LAND SURVEYOR
 COLORADO REGISTRATION NO. 35591

BASIS OF BEARINGS

THE BEARINGS SHOWN HEREON ARE BASED ON THE SOUTH LINE OF THE SOUTHEAST ONE-QUARTER OF SAID SECTION 3, BEING MONUMENTED AT THE SOUTH 1/4 CORNER BY A 3 INCH ALUMINUM CAP STAMPED "T1S, 1/4, 3/10, PLS 26298" AND AT THE SOUTHEAST CORNER OF SAID SECTION 3 BY A 2 INCH ALUMINUM CAP STAMPED "ALPHA ENGRG., T1S, S3/S2/S10/S11, R 67W, 1996, LS 25937" IN A RANGEBOX, BEARING S 89°31'31" W,

NOTICE

ACCORDING TO COLORADO LAW, YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT OF THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF SURVEY SHOWN HEREON.

BOARD OF COUNTY COMMISSIONERS APPROVAL

APPROVED BY THE ADAMS COUNTY BOARD OF COMMISSIONERS

THIS ____ DAY OF _____, 20 ____.

CHAIR

PLANNING COMMISSION APPROVAL

APPROVED BY THE ADAMS COUNTY PLANNING COMMISSION

THIS ____ DAY OF _____, 20 ____.

CHAIR

CLERK AND RECORDER

THIS FINAL PLAT WAS FILED FOR RECORD IN THE OFFICE OF THE ADAMS COUNTY CLERK AND RECORDER IN THE STATE OF COLORADO AT

_____, M. ON THE ____ DAY OF _____, 20 ____.

COUNTY CLERK AND RECORDER

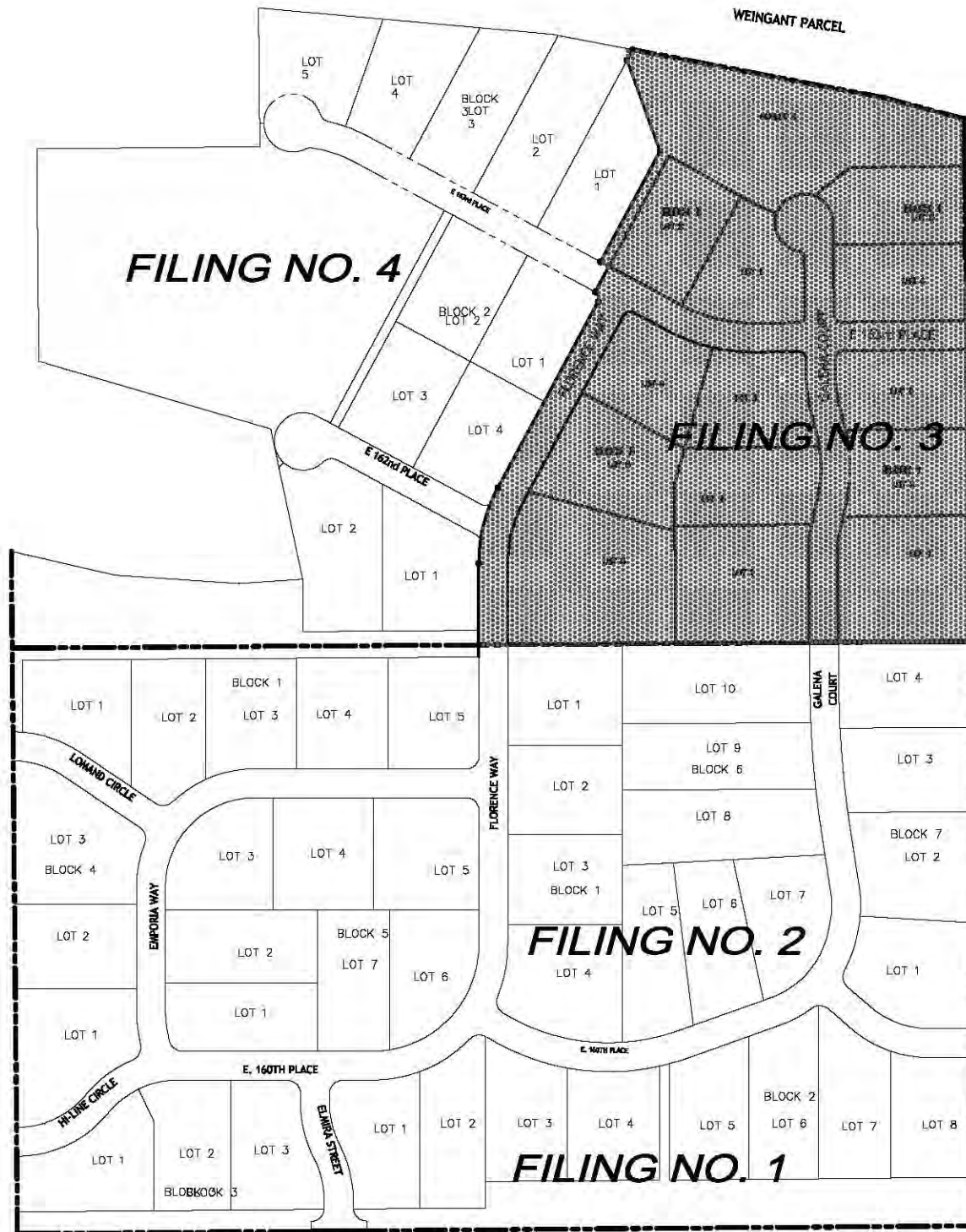
BY DEPUTY: _____

INSTRUMENT NUMBER: _____

NEW HORIZON SURVEY, LLC P.O. BOX 213, ARVADA, COLORADO 80001 PH. (303) 962-5265 / newhorizon.com	SHOOK SUBDIVISION FILING NO. 3 800-218-587	DRAWN BY: BRL	DATE: 11/05/2018	3RD REVISION	BY: MCG
		CHECKED BY: RL	DATE: 11/15/2018	4TH REVISION	BY: MCG
		SCALE: N/A	DATE: 11/16/2018	5TH REVISION	BY: NRL
		DATE: MAY, 2018	DATE: 5/28/2019	6TH REVISION	BY: EAB
		SHEET 1 OF 3	DATE: 6/11/18	7TH REVISION	BY: EAB
			DATE: 6/27/18	8TH REVISION	BY: EAB

**SHOOK SUBDIVISION FILING NO. 3
 LOCATED IN THE SOUTHEAST 1/4 OF SECTION 3,
 TOWNSHIP 1 SOUTH, RANGE 67 WEST, 6TH PM,
 COUNTY OF ADAMS, STATE OF COLORADO
 SHEET 2 OF 3**

SELTZER FARMS
 UNPLATTED



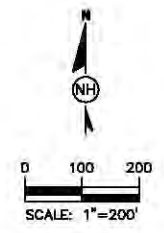
BASELINE LAKES LLC
 REC. NO. 00677/040
 (UNPLATTED)

HIGHLAND ACRES
 FILE 11, MAP 23

LOT 1, TWIN LAKES ESTATES
 SUBDIVISION FILE 17, MAP 382

LAND USE TABLE

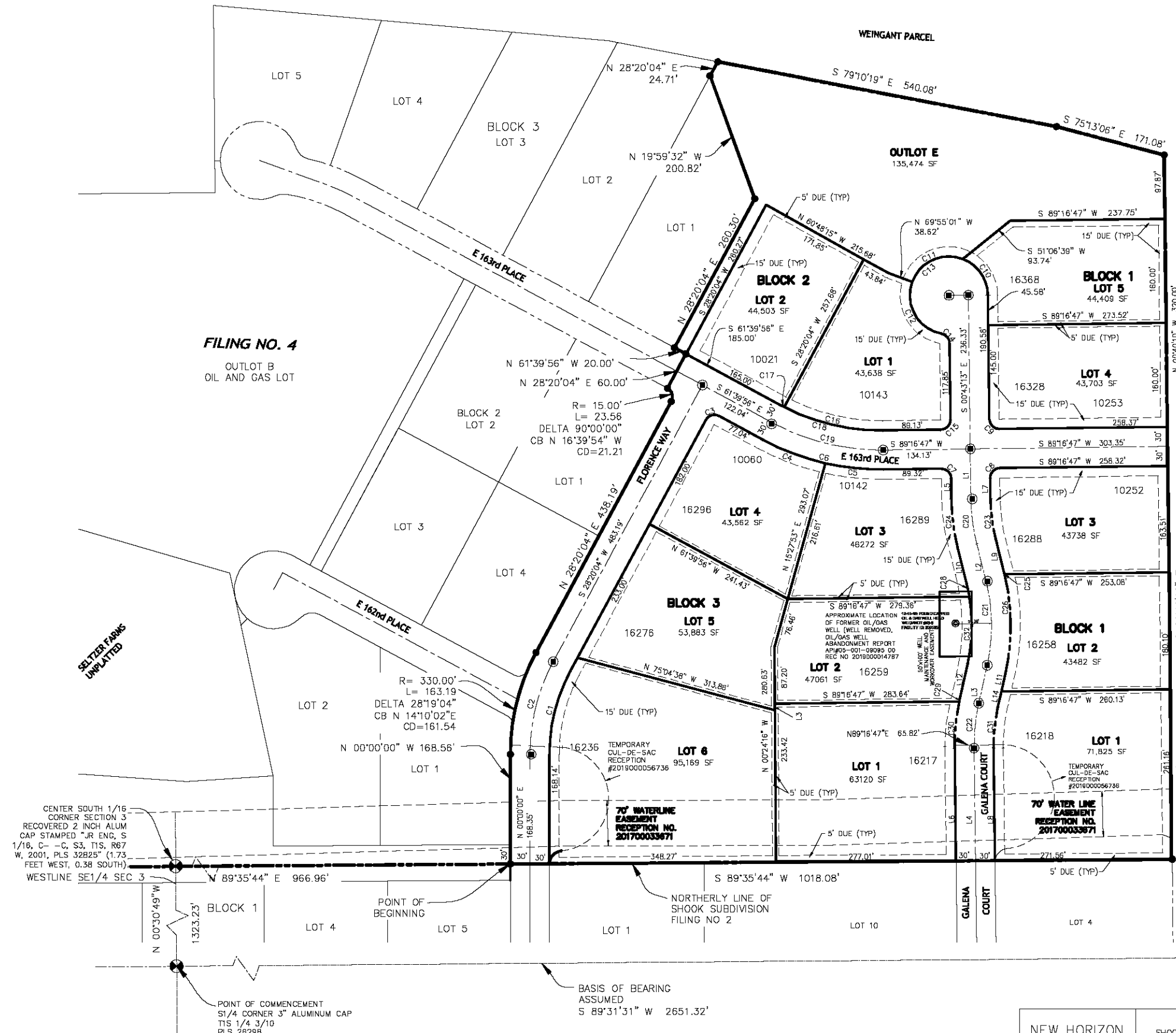
DESCRIPTION	LAND USE	ACREAGE	DWELLING UNITS	% OF SITE ACREAGE	DWELLING UNITS PER ACRE
LOTS 1-5 BLOCK 1 LOTS 1-2 BLOCK 2 LOTS 1-8 BLOCK 3	SINGLE FAMILY RESIDENCES	15.38	13	68.7%	N/A
OUTLOT E TO BE MAINTAINED BY PROMONTORY METRO DISTRICT	DRAINAGE EASEMENTS	3.11	N/A	13.8%	N/A
PROPOSED STREET (ROW) AND EASEMENTS	INGRESS/EGRESS & EASEMENTS	3.9	N/A	17.4%	N/A
TOTAL		22.39	13	100%	.56 DU/AC



STATE HIGHWAY NO. 7
 E. 160TH AVENUE

NEW HORIZON SURVEY, LLC <small>P.O. BOX 215 ARVADA, COLORADO 80001 PH (303) 501-2288 / nhsurvey@nhd.com</small>	SHOOK SUBDIVISION FILING NO. 3 800-218-567	DRAWN BY: BRL	DATE: 11/05/2018	REVISION: 3RD REVISION	BY: MCG
		CHECKED BY: RL	DATE: 11/15/2018	REVISION: 4TH REVISION	BY: MCG
		SCALE: 1" = 200'	DATE: 11/16/2018	REVISION: 5TH REVISION	BY: RRL
		DATE: MAY, 2018	DATE: 5/29/19	REVISION: 6TH REVISION	BY: EAB
		SHEET 2 OF 3	DATE: 6/11/19	REVISION: 7TH REVISION	BY: EAB
			DATE: 6/27/19	REVISION: 8TH REVISION	BY: EAB

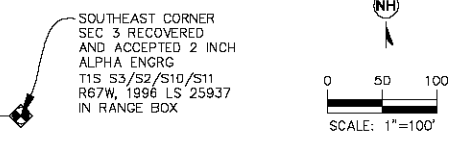
SHOOK SUBDIVISION FILING NO. 3
 LOCATED IN THE SOUTHEAST 1/4 OF SECTION 3,
 TOWNSHIP 1 SOUTH, RANGE 67 WEST, 6TH PM,
 COUNTY OF ADAMS, STATE OF COLORADO
 SHEET 3 OF 3



- LEGEND**
- ◊ = ALIQUOT SECTION CORNER AS NOTED
 - ⊙ = ALIQUOT 1/4 CORNER AS NOTED
 - = FOUND MONUMENT AS NOTED
 - = FOUND #5 REBAR WITH A 1-1/4 ALUMINUM CAP STAMPED "SUVCOR INC, L.S. 30829"
 - = SET #5 REBAR WITH 1" PLASTIC CAP
 - ⊙ = SET #5 REBAR 18" LONG WITH 1" PLASTIC CAP IN RANGE BOX
- BK=BOOK
 PG=PAGE
 DUE=DRAINAGE AND UTILITY EASEMENT

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	270.00'	133.52'	132.17'	S 14°10'02" W	28°20'04"
C2	300.00'	148.36'	145.85'	S 14°10'02" W	28°20'04"
C3	15.00'	23.56'	21.21'	S 73°20'04" W	90°00'00"
C4	380.00'	102.46'	102.15'	S 69°23'26" E	14°37'42"
C5	380.00'	90.23'	90.02'	S 83°55'04" E	12°58'26"
C6	380.00'	192.69'	190.64'	S 76°11'36" E	27°36'08"
C7	15.00'	23.56'	21.21'	N 45°43'13" W	90°00'00"
C8	15.00'	23.56'	21.21'	S 44°16'47" W	90°00'00"
C9	15.00'	23.56'	21.21'	S 45°43'13" E	90°00'00"
C10	60.00'	72.28'	67.97'	N 34°30'01" W	69°00'03"
C11	60.00'	95.21'	85.53'	S 69°32'26" W	90°55'02"
C12	60.00'	103.95'	91.43'	S 29°32'56" E	99°15'42"
C13	60.00'	271.41'	92.48'	S 50°24'37" W	259°10'47"
C14	15.00'	20.54'	18.97'	N 39°57'00" W	78°27'34"
C15	15.00'	23.56'	21.21'	N 44°16'47" E	90°00'00"
C16	320.00'	157.47'	155.89'	S 76°37'23" E	28°11'44"
C17	320.00'	4.79'	4.79'	S 62°03'52" E	0°51'30"
C18	320.00'	162.26'	160.54'	S 76°11'37" E	29°03'04"
C19	350.00'	177.48'	175.59'	S 76°11'36" E	29°03'14"
C20	300.00'	69.56'	69.41'	S 00°43'13" E	1°31'09"
C21	280.00'	129.85'	128.69'	S 00°43'13" E	26°34'17"
C22	300.00'	69.56'	69.41'	S 05°55'21" W	1°31'09"
C23	270.00'	62.61'	62.47'	S 07°21'47" E	1°31'09"
C24	330.00'	76.52'	76.35'	S 07°21'47" E	1°31'09"
C25	330.00'	0.83'	0.84'	S 13°56'00" E	0°08'41"
C26	330.00'	152.20'	150.86'	S 00°38'51" E	26°25'33"
C28	270.00'	21.30'	21.29'	S 11°57'41" E	4°31'12"
C29	330.00'	3.82'	3.83'	S 12°13'56" W	0°39'52"
C30	330.00'	72.69'	72.55'	S 05°35'00" W	12°37'16"
C31	270.00'	62.61'	62.47'	S 05°55'21" W	12°47'08"
C32	270.00'	103.93'	103.29'	S 01°32'17" W	22°03'17"

LINE #	LENGTH	BEARING
L1	76.96'	S00°43'13"E
L2	59.89'	S14°00'22"E
L3	59.89'	S12°33'55"W
L4	173.01'	S00°43'13"E
L5	31.96'	S00°43'13"E
L6	172.84'	S00°43'13"E
L7	31.96'	S00°43'13"E
L8	173.17'	S00°43'13"E
L9	55.17'	S13°59'21"E
L10	55.17'	S14°00'22"E
L11	25.12'	S12°33'55"W
L12	55.17'	S12°33'55"W
L13	10.00'	S00°24'16"W
L14	30.08'	S12°33'55"W



CENTER SOUTH 1/16 CORNER SECTION 3 RECOVERED 2 INCH ALUM CAP STAMPED "JR ENG, S 1/16, C - C, S3, T1S, R67 W, 2001, PLS 32825" (1.73 FEET WEST, 0.38 SOUTH)

POINT OF COMMENCEMENT S1/4 CORNER 3" ALUMINUM CAP T1S 1/4 3/10 PLS 26298

NORTHERLY LINE OF SHOOK SUBDIVISION FILING NO 2 BASIS OF BEARING ASSUMED S 89°31'31" W 2651.32'

SOUTHEAST CORNER SEC 3 RECOVERED AND ACCEPTED 2 INCH ALPHA ENGRG T1S S3/S2/S10/S11 R67W, 1996 LS 25937 IN RANGE BOX

NEW HORIZON SURVEY, LLC P.O. BOX 215, ARVADA, COLORADO 80001 PH: (303) 502-5265 / nhsurveyllc@gmail.com	SHOOK SUBDIVISION FILING NO. 3 800-216-567	DRAWN BY: BRL	DATE: 11/05/2018	REVISION: 3RD REVISION	BY: MCC
		CHECKED BY: RL	DATE: 11/15/2018	REVISION: 4TH REVISION	MCC
SCALE: 1" = 100'		DATE: 5/29/19	REVISION: 5TH REVISION	BY: RRL	
DATE: MAY 2018		DATE: 6/13/19	REVISION: 6TH REVISION	BY: EAB	
SHEET 3 OF 3		DATE: 6/27/19	REVISION: 7TH REVISION	BY: EAB	
		DATE: 6/5/19	REVISION: 8TH REVISION	BY: EAB	

**SHOOK SUBDIVISION FILING NO. 4
LOCATED IN THE SOUTHEAST 1/4 OF SECTION 3,
TOWNSHIP 1 SOUTH, RANGE 67 WEST, 6TH PM,
COUNTY OF ADAMS, STATE OF COLORADO
SHEET 1 OF 3**

CERTIFICATE OF OWNERSHIP AND DEDICATION:

KNOW ALL MEN BY THESE PRESENTS THAT SEC 2-3 PHOENIX, LLC, A COLORADO LIMITED LIABILITY CO, BEING ALL OF THE OWNERS OF THE FOLLOWING DESCRIBED PROPERTY, TO WIT:

A PART OF THE SOUTHEAST ONE-QUARTER OF SECTION 3, TOWNSHIP 1 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS: THE SOUTH LINE OF THE SOUTHEAST ONE-QUARTER OF SAID SECTION 3, BEING MONUMENTED AT THE SOUTH 1/4 CORNER BY A 3 INCH ALUMINUM CAP STAMPED "T1S, 1/4, 3/10, PLS 26298" AND AT THE SOUTHEAST CORNER OF SAID SECTION 3, BY A 2 INCH ALUMINUM CAP STAMPED "ALPHA ENGRG., T1S/S3/S2/S10/S11, R67W, 1996, LS25937" IN A RANGE BOX, WITH ASSUMED BEARING S89°31'31"W; A DISTANCE OF 2651.32 FEET

COMMENCING AT THE SOUTH 1/4 CORNER OF SAID SECTION 3, THENCE N 00°30'49" W ALONG THE WEST LINE OF SAID SOUTHEAST ONE-QUARTER A DISTANCE OF 1323.17 FEET TO A POINT ON THE CENTER SOUTH 1/16 CORNER SECTION 3, RECOVERED 2" ALUMINUM CAP STAMPED "JR ENG, S1/6, C-C, S3, T1S, R67W, 2001, PLS 32825" (1.73 WEST, 0.38 SOUTH); THE POINT OF BEGINNING;

THENCE N 89°34'31" E A DISTANCE OF 967.04 FEET;

THENCE N 00°00'00" E A DISTANCE OF 168.56 FEET;
TO A POINT ON A CURVE WITH A RADIUS OF 330.00 FEET, A LENGTH OF 163.19 FEET AND A DELTA ANGLE OF 28°19'04", A CHORD BEARING OF N 14°10'02" E AND A CHORD LENGTH OF 161.54 FEET;

THENCE N 28°20'04" E A DISTANCE OF 438.19 FEET;

TO A POINT ON A CURVE WITH A RADIUS OF 15.00 FEET, A LENGTH OF 23.56 FEET AND A DELTA ANGLE OF 90°00'00", A CHORD BEARING OF 16°39'58" AND A CHORD LENGTH OF 21.21 FEET;

THENCE N 28°20'04" E A DISTANCE OF 60.00 FEET; THENCE N 81°39'58" W A DISTANCE OF 20.00 FEET; THENCE N 28°20'04" E A DISTANCE OF 280.30 FEET; THENCE N 19°59'32" W, A DISTANCE OF 200.82 FEET; THENCE N 28°20'04" E, A DISTANCE OF 24.71 FEET; THENCE N 79°10'19" W, A DISTANCE OF 170.71 FEET; THENCE N 84°54'03" W, A DISTANCE OF 610.38 FEET; THENCE S 00°31'00" E, A DISTANCE OF 287.50 FEET; THENCE S 89°29'01" W, A DISTANCE OF 462.14 FEET; THENCE S 00°30'59" E, A DISTANCE OF 440.47 FEET; THENCE S 73°44'55" E, A DISTANCE OF 500.99 FEET; THENCE S 12°00'10" E, A DISTANCE OF 318.38 FEET; THENCE S 86°11'56" W A DISTANCE OF 133.20 FEET; THENCE N 88°03'09" W A DISTANCE OF 375.34 FEET; THENCE N 77°05'57" W A DISTANCE OF 220.08 FEET;
THENCE S 00°30'49" E A DISTANCE OF 205.88 FEET THE POINT OF BEGINNING.

CONTAINING AN AREA OF 1,116,695.46± SQUARE FEET OR 25.63± ACRES.

HAVE BY THESE PRESENTS LAID OUT, PLATTED AND SUBDIVIDED THE SAME INTO STREETS, EASEMENTS, LOTS, BLOCKS AND OUTLOTS AS SHOWN ON THE PLAT UNDER THE NAME AND STYLE OF SHOOK SUBDIVISION FILING NO. 4 AND DO HEREBY DEDICATE TO THE COUNTY OF ADAMS, STATE OF COLORADO, FOR PUBLIC USE, ALL STREETS AND OTHER PUBLIC WAYS AND LANDS AS SHOWN ON THIS PLAT, FOREVER, AND ALSO RESERVE THOSE PORTIONS OF REAL PROPERTY WHICH ARE LABELED AS EASEMENTS ON THIS PLAT, FOR THE INSTALLATION AND MAINTENANCE OF UTILITY AND DRAINAGE FACILITIES TOGETHER WITH THE RIGHT TO TRIM INTERFERING TREES AND BRUSH, TOGETHER WITH A PERPETUAL RIGHT OF INGRESS AND EGRESS FOR INSTALLATION, MAINTENANCE AND REPLACEMENT OF SUCH LINES; SAID EASEMENTS TO BE USED IN A RESPONSIBLE AND PRUDENT MANNER.

EXECUTED THIS ____ DAY OF _____, 20 ____.

SEC 2-3 PHOENIX, LLC. A COLORADO LIMITED LIABILITY COMPANY

BY: GEORGE HANLON

_____, DATE _____
MANAGER

ACKNOWLEDGMENT

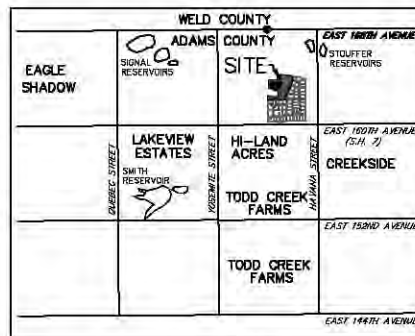
COUNTY OF _____)
STATE OF COLORADO) SS

THE FORGOING PLAT AND DEDICATION WAS ACKNOWLEDGED BEFORE ME THIS ____ DAY OF _____, 20 ____, BY GEORGE HANLON AS MANAGER OF SEC 2-3 PHOENIX, LLC A COLORADO LIMITED LIABILITY COMPANY

_____,
NOTARY PUBLIC

WITNESS MY HAND AND SEAL. MY COMMISSION EXPIRES _____.

MY ADDRESS IS: _____.



VICINITY MAP
NOT TO SCALE

NOTES

- BY GRAPHIC PLOTTING ONLY THIS SITE LIES IN ZONE "X" OF THE FLOOD INSURANCE RATE MAP. COMMUNITY PANEL NUMBER 080010C055G, WITH AN EFFECTIVE DATE OF AUGUST 16, 1995.
- ALL EASEMENTS SHOWN ARE UTILITY AND DRAINAGE EASEMENTS UNLESS OTHERWISE NOTED. ALL EASEMENTS ALONG ROADS ARE ALSO SLOPE EASEMENTS.
- ENGINEERED ONSITE WASTEWATER SYSTEMS (OWS) MAY BE REQUIRED ON CERTAIN LOTS. ENGINEERED OWS ARE LARGER AND MORE COSTLY THAN CONVENTIONAL SYSTEMS. LOT SPECIFIC SOILS AND PERCOLATION TESTS SHALL BE USED TO DETERMINE THE TYPE AND SIZE OF OWS THAN THE MINIMUM REQUIRED BASED SOLELY UPON THE PERCOLATION TEST RESULTS.
SUITABLE AREA NEEDS TO BE DESIGNATED ON EACH LOT SITE PLAN FOR BOTH PRIMARY AND REPLACEMENT WASTEWATER ABSORPTION AREAS. REPLACEMENT OF THE PRIMARY ABSORPTION AREA MAY BE REQUIRED IF FAILURE OF THE PRIMARY AREA OCCURS. THESE AREAS NEED TO MEET ALL TRI-COUNTY HEALTH DEPARTMENT SETBACK REQUIREMENTS AND ARE TO REMAIN FREE OF ANY IMPROVEMENTS, E.G. IRRIGATED LANDSCAPE, PAVING, OUT-BUILDINGS, ETC.
- NO BUILDING PERMITS WILL BE ISSUED FOR ANY LOT IN ANY PHASE OF CONSTRUCTION, UNTIL ALL PUBLIC IMPROVEMENTS, IN ANY PHASE, AS REQUIRED BY THE APPROVED CONSTRUCTION PLANS, HAVE BEEN COMPLETED AND ARE UNDER PRELIMINARY ACCEPTANCE OF THE ADAMS COUNTY DEPARTMENT OF PUBLIC WORKS.
- FIFTEEN-FOOT (15') WIDE UTILITY EASEMENTS ARE HEREBY GRANTED ON PRIVATE PROPERTY ADJACENT TO THE FRONT AND REAR LOT LINES OF EACH LOT AND FIVE FOOT (5') AND TEN-FOOT (10') UTILITY EASEMENTS ARE HEREBY GRANTED ALONG THE SIDE LOT LINES WITHIN THE SUBDIVISION OR PLATTED AREA. THESE EASEMENTS ARE DEDICATED FOR THE INSTALLATION, MAINTENANCE, AND REPLACEMENT OF ELECTRIC, GAS, TELEPHONE, CABLE AND TELECOMMUNICATION FACILITIES. UTILITIES SHALL ALSO BE PERMITTED WITHIN ANY ACCESS EASEMENTS AND PRIVATE STREETS WITHIN THE SUBDIVISION. PERMANENT STRUCTURES AND WATER METERS SHALL NOT BE PERMITTED WITHIN SAID UTILITY EASEMENTS.
- THE DEVELOPER SHALL PROVIDE A BUILDING ENVELOPE FREE OF ALL UNDERGROUND PIPELINES AND WILL BE RESPONSIBLE FOR REMOVING, RELOCATING AND/OR REDIRECTING ANY UNDISCOVERED PIPELINES WITHIN THE BUILDING ENVELOPES.
- ADAMS COUNTY IS NOT RESPONSIBLE FOR THE ENFORCEMENT OF ANY COVENANTS, CONDITIONS, OR RESTRICTIONS THAT MAY BE FILED AGAINST THIS SUBDIVISION PLAT.
- THE DEVELOPER SHALL RELOCATE ANY AND ALL OIL OR GAS LINES THAT PREVENT AN ADEQUATE ISDS FROM BEING INSTALLED ON ANY LOT.
- THERE ARE EXISTING UNDERGROUND GAS AND/OR OIL LINES WITHIN UNDOCUMENTED EASEMENTS WITHIN THIS DEVELOPMENT. THIS IS A GENERAL NOTE INFORMING THAT SUCH LINES OR EASEMENTS MAY EXIST ON ANY LOT AND CANNOT BE ACCURATELY LOCATED ON ANY PLATS AND THAT THE SURVEYOR AND ENGINEER ARE NOT LIABLE OR RESPONSIBLE FOR ANY BUILDING RESTRICTIONS OR LIMITATIONS CAUSED BY THESE LINES OR EASEMENTS. RESPONSIBILITY IS WITH THE OWNER/DEVELOPER TO LOCATE ANY SUCH LINES SO AS TO PROVIDE, AN ACCEPTABLE BUILDING ENVELOPE.
- THE POLICY OF THE COUNTY REQUIRES THAT MAINTENANCE ACCESS BE PROVIDED TO ALL STORM DRAINAGE FACILITIES TO ASSURE CONTINUOUS OPERATIONAL CAPABILITY TO THE SYSTEM. THE PROPERTY OWNERS (METRO DISTRICT) SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF ALL DRAINAGE FACILITIES INCLUDING INLETS, PIPES, CULVERTS, CHANNELS, DITCHES, HYDRAULIC STRUCTURES AND DETENTION BASINS LOCATED ON THEIR LAND UNLESS MODIFIED BY THE SUBDIVISION DEVELOPMENT AGREEMENT. SHOULD THE OWNERS FAIL TO ADEQUATELY MAINTAIN SAID FACILITIES, THE COUNTY SHALL HAVE THE RIGHT TO ENTER SAID LAND FOR THE SOLE PURPOSE OF OPERATIONS AND MAINTENANCE. ALL SUCH MAINTENANCE COSTS WILL BE ASSESSED TO THE PROPERTY OWNERS.

(CONTINUED)

NOTES (CONTINUED)

- INDIVIDUAL SEWAGE DISPOSAL (ISDS). MAINTENANCE OF THE ISDS WILL BE UNDERTAKEN BY THE TODD CREEK VILLAGE METROPOLITAN DISTRICT NUMBER 1 (TCVMD1). NO SEPTIC TANK SHALL BE CONSTRUCTED FURTHER THAN 150' FROM THE GARAGE DRIVEWAY. SEPTIC TANK PUMPING TRUCKS WILL ACCESS THOSE DRIVEWAYS FOR MAINTENANCE PURPOSES. DRIVEWAYS WILL BE CONSTRUCTED ACCORDINGLY. ALL ISDS WILL BE APPROVED BY TVFMD1 PRIOR TO CONSTRUCTION.
- THE TODD CREEK VILLAGE METRO DISTRICT HAS IMPLEMENTED A MAINTENANCE AND INSPECTION PROGRAM FOR ONSITE WASTEWATER SYSTEMS (OWS) WITHIN THE DISTRICT. THE DISTRICT SHALL BE CONTACTED FOR SPECIFIC REQUIREMENTS OF THE PROGRAM
- THE APPROVED STORMWATER OPERATIONS AND MAINTENANCE MANUAL IS ON FILE WITH ADAMS COUNTY CLERK AND RECORDER'S OFFICE AT RECEPTION #201800026310
- MONUMENTS WILL BE SET AT ALL STREET INTERSECTIONS, THE BEGINNING AND THE END OF EACH CENTERLINE, HORIZONTAL CURVE IS A STREET AND AT THE CENTER OF THE CUL-DE-SAC.
- THE OWNER SHALL DISCLOSE TO PROSPECTIVE PURCHASERS OF LOTS WITHIN A RADIUS OF 200 FEET OF THE PLUGGED AND ABANDONED WELL OF (1) LOCATION OF THE PLUGGED AND ABANDONED WELL, (2) THE LOCATION OF THE MAINTENANCE AND WORKOVER SETBACK, AND (3) THE PURPOSE FOR THE WELL AND MAINTENANCE AND WORKOVER SETBACK.
- NO UTILITY LINES SHALL BE INSTALLED WITHIN (10') FEET OF ANY PLUGGED AND ABANDONED WELL.
- NO DWELLING SHALL BE CONSTRUCTED WITHIN FIFTY (50') FEET OF A PLUGGED AND ABANDONED WELL.
- A PORTION OF THE SIGNAL DITCH, NOT SHOWN, HAS BEEN ABANDONED BY SEPARATE INSTRUMENT (RECEPTION #2019000108651)

CERTIFICATE OF SURVEY

I, RANDALL R. LONG, A REGISTERED LAND SURVEYOR IN THE STATE OF COLORADO DO HEREBY CERTIFY THAT TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF: THERE ARE NO ROADS, IRRIGATION DITCHES, OR OTHER EASEMENTS IN EVIDENCE OR KNOWN BY ME TO EXIST ON OR ACROSS THE HEREIN DESCRIBED PROPERTY EXCEPT AS SHOWN ON THIS PLAT. I FURTHER CERTIFY THAT THE SURVEY WAS PERFORMED BY ME OR UNDER MY DIRECT RESPONSIBILITY, SUPERVISION AND CHECKING AND THAT THE PLAT ACCURATELY REPRESENTS SAID SURVEY, AND THAT ALL MONUMENTS EXIST AS SHOWN HEREON

FOR AND ON BEHALF OF NEW HORIZON SURVEY, LLC.

_____, DATE _____
RANDALL R. LONG
REGISTERED LAND SURVEYOR
COLORADO REGISTRATION NO. 35591

BASIS OF BEARINGS

THE BEARINGS SHOWN HEREON ARE BASED ON THE SOUTH LINE OF THE SOUTHEAST ONE-QUARTER OF SAID SECTION 3, BEING MONUMENTED AT THE SOUTH 1/4 CORNER BY A 3 INCH ALUMINUM CAP STAMPED "T1S, 1/4, 3/10, PLS 26298" AND AT THE SOUTHEAST CORNER OF SAID SECTION 3 BY A 2 INCH ALUMINUM CAP STAMPED "ALPHA ENGRG., T1S, S3/S2/S10/S11, R 67W, 1996, LS 25937" IN A RANGEBOX, BEARING S 89°31'31" W.

NOTICE

ACCORDING TO COLORADO LAW, YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT OF THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF SURVEY SHOWN HERON.

BOARD OF COUNTY COMMISSIONERS APPROVAL

APPROVED BY THE ADAMS COUNTY BOARD OF COMMISSIONERS

THIS ____ DAY OF _____, 20 ____.

CHAIR

PLANNING COMMISSION APPROVAL

APPROVED BY THE ADAMS COUNTY PLANNING COMMISSION

THIS ____ DAY OF _____, 20 ____.

CHAIR

CLERK AND RECORDER

THIS FINAL PLAT WAS FILED FOR RECORD IN THE OFFICE OF THE ADAMS COUNTY CLERK AND RECORDER IN THE STATE OF COLORADO AT

_____, M. ON THE ____ DAY OF _____, 20 ____.

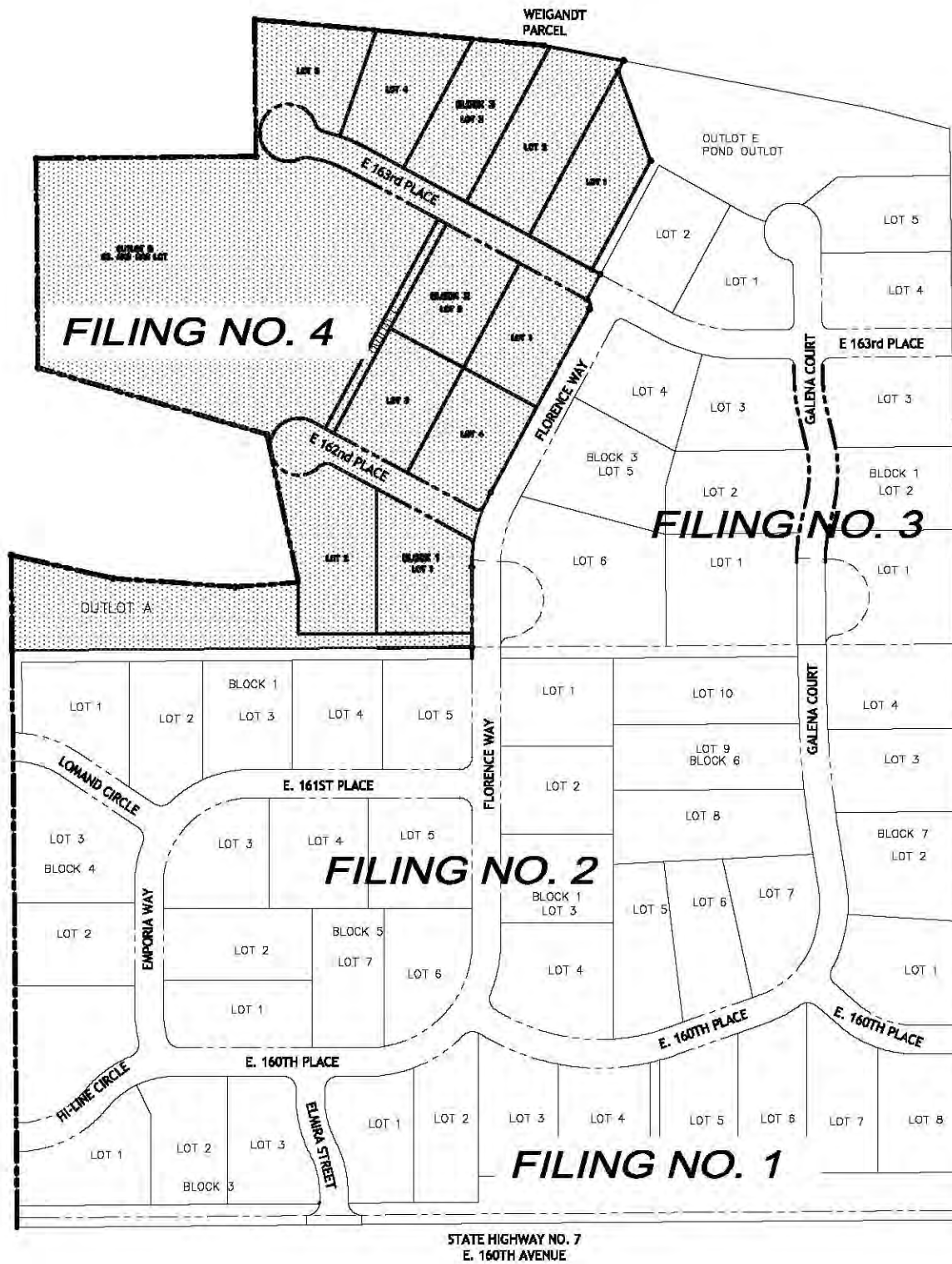
COUNTY CLERK AND RECORDER

BY DEPUTY: _____

INSTRUMENT NUMBER: _____

NEW HORIZON SURVEY, LLC P.A. BOX 213 ARVADA, COLORADO 80001 PH. (303) 962-5286 / newhorizonsurvey.com	SHOOK SUBDIVISION FILING NO. 4 800-218-587	DRAWN BY: BRL	DATE: 11/15/18	REVISION: 3RD REVISION	BY: MCG
		CHECKED BY: RL	DATE: 11/16/18	REVISION: 4TH REVISION	BY: RRL
		SCALE: N/A	DATE: 3/5/19	REVISION: 5TH REVISION	BY: EAB
		DATE: MAY 2018	DATE: 6/4/19	REVISION: 6TH REVISION	BY: EAB
SHEET 1 OF 3		DATE: 5/27/19	REVISION: 8TH REVISION	BY: EAB	

SHOOK SUBDIVISION FILING NO 4
 LOCATED IN THE SOUTHEAST 1/4 OF SECTION 3,
 TOWNSHIP 1 SOUTH, RANGE 67 WEST, 6TH PM,
 COUNTY OF ADAMS, STATE OF COLORADO
 SHEET 2 OF 3



SELTZER FARMS
UNPLATTED

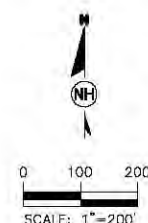
HIGHLAND ACRES
FILE 11, MAP 23

BASELINE LAKES, LLC
REC. NO. 080774340
(UNPLATTED)

LAND USE TABLE

DESCRIPTION	LAND USE	PROPOSED ACREAGE	PROPOSED DWELLING UNITS	PROPOSED % OF SITE ACREAGE	DWELLING UNITS PER ACRE
LOTS 1-2 BLOCK 1 LOTS 1-4 BLOCK 2 LOTS 1-5 BLOCK 3	SINGLE FAMILY RESIDENCES	11.57	11	45%	N/A
OUTLOT A TO BE MAINTAINED BY PROMONTORY HOA	OPEN SPACE	3.35	N/A	9.1	N/A
OUTLOT B (LANDSCAPING) TO BE MAINTAINED BY PROMONTORY HOA	OIL AND GAS	8.81	N/A	34.4	N/A
OUTLOT C (LANDSCAPING) TO BE MAINTAINED BY PROMONTORY HOA	DRAINAGE	0.23	N/A	0.1	N/A
PROPOSED STREET (ROW) AND EASEMENTS	INGRESS/EGRESS & EASEMENTS	2.60	N/A	11.4%	N/A
TOTAL		25.63	11	100.00	0.43

LOT 1, TWIN LAKES ESTATES
SUBDIVISION FILE 17, MAP 382



NEW HORIZON SURVEY, LLC <small>P.O. BOX 213 ARVUDA, COLORADO 80001 PH (303) 502-5266 / rhaunej@nhsurvey.com</small>	SHOOK SUBDIVISION FILING NO. 4 800-218-567	DRAWN BY: BRL	DATE: 11/15/18	REVISION: 3RD REVISION	BY: MCG
		CHECKED BY: RL	DATE: 11/16/18	REVISION: 4TH REVISION	BY: RRL
SCALE: 1" = 200'		DATE: MAY 2018	DATE: 3/5/19	REVISION: 5TH REVISION	BY: RRL
SHEET 2 OF 3		DATE: 5/28/19	DATE: 6/4/19	REVISION: 6TH REVISION	BY: EAB
			DATE: 6/27/19	REVISION: 7TH REVISION	BY: EAB
				REVISION: 8TH REVISION	BY: EAB

SUBDIVISION IMPROVEMENTS AGREEMENT

THIS AGREEMENT, is made and entered into by and between the County of Adams, State of Colorado, hereinafter called "County" and SEC 2-3 Phoenix, LLC, a Colorado limited liability company, 9200 E. Mineral Avenue, Unit 365, Centennial, CO 80112, hereinafter called "Developer", and collectively referred to hereinafter as the "parties".

WITNESSETH:

WHEREAS, Developer is the owner of real property in the County of Adams, State of Colorado, as described in Exhibit "A" attached hereto, and by this reference made a part hereof, hereafter referred to as the "Property".

WHEREAS, it is provided by resolution of the Board of County Commissioners, County of Adams, that where designated the Developer shall have entered into a written agreement with the County to install public and/or private improvements, and to deed land for public purposes or right-of-way.

NOW, THEREFORE, in consideration of the foregoing, the parties hereto promise, covenant, and agree as follows:

1. **Engineering Services.** Developer shall furnish, at its own expense, all engineering and other services in connection with the design and construction of the improvements described and detailed on Exhibit "B" attached hereto, and by this reference made a part hereof.
2. **Drawings and Estimates.** The Developer shall furnish drawings and cost estimates for all improvements described and detailed on Exhibit "B" for approval by the County. Upon request, the Developer shall furnish one set of reproducible "as built" drawings and a final statement of construction costs for each phase of the development to the County.
3. **Construction.** Developer shall furnish and construct, at its own expense and in accordance with drawings and materials approved by the County, the improvements described and detailed on Exhibit "B".
4. **Time for Completion.** Improvements shall be completed according to the terms of this agreement within "construction completion date" appearing in Exhibits "B". The Director of Community and Economic Development may for good cause grant extension of time for completion of any part or all of improvements appearing on said Exhibit "B" for a period not to exceed 180 days. Any extension greater than 180 days shall only be approved by the Board of County Commissioners. Any extension of time shall be in written form only.
5. **Guarantee of Compliance.** Developer shall furnish to the County a cash escrow deposit or other acceptable collateral releasable only by the County, to guarantee compliance with this agreement. Said collateral shall be in the amount of \$294,313.80 including twenty percent (20%) to cover administration and five percent (5%) per year for the term of the Agreement to cover inflation. Upon completion of said improvements constructed according to the terms of this agreement, and Preliminary Acceptance by the Public Works Department in accordance with section 5-02-05-01 of the County's Development Standards and Regulations, the collateral shall be released. Completion of said improvements shall be determined solely by the County, and a reasonable part of said collateral, up to 20%, may be retained to guarantee maintenance of public improvements for a period of one year from the date of Preliminary Acceptance.

No building permits shall be issued until said collateral is furnished in the amount required and in a form acceptable to the Board of County Commissioners, and until the final plat has been approved and the improvements described in Exhibit "B" have been preliminarily accepted by the Director of Public Works. No construction permits shall be issued until all collateral required by this Agreement is furnished in a form acceptable to the Board of County Commissioners.

6. **Acceptance and Maintenance of Public Improvements.** All improvements designated "public" on Exhibit "B" shall be public facilities and become the property of the County or other public agencies upon acceptance of the improvements. During the period of one year from and after the acceptance of public improvements, the Developer shall, at its own expense, make all needed repairs or replacement due to defective materials or workmanship which, in the opinion of the County, becomes necessary. If, within ten days of written notice to the Developer from the County requesting such repairs or replacements, the Developer has not undertaken with due diligence to make the same, the County may make such repairs or replacements at the Developer's expense. In the case of an emergency such written notice may be waived.
7. **Successors and Assigns.** This agreement shall be binding upon the heirs, executors, personal representatives, successors, and assigns of the Developer, and shall be deemed a covenant running with the real property as described in Exhibit "A" attached hereto.
8. **Improvements and Dedication.** The undersigned Developer hereby agrees to provide the following improvements, and to dedicate described property.

A. **Improvements.** The Shook Subdivision Filing 3 improvements:

Public Improvements:

- Construction of Florence Way, Galena Ct, and 163rd Place.
- Construction of related drainage ways, culverts, and utilities.
- Block 1, Lots 1-5
- Block 2, Lots 1-2
- Block 3, Lots 1-6

The improvements shall be constructed in accordance with all County requirements and specifications in accordance with the approved plans and time schedule as indicated in Exhibit "B".

- B. **Public dedication of land for right-of-way purposes or other public purpose.** Upon approval of this agreement by the Board of County Commissioners, the Developer hereby agrees to convey by warranty deed to the County of Adams the following described land for right-of-way or other public purposes:

All dedications were made at the time of platting.

SEC 2-3 Phoenix, LLC
Developer

By: _____
Gene Osborne, Authorized Agent

By: _____
Name, Title

The foregoing instrument was acknowledged before me this ____ day of _____,
2020, by _____.

My commission expires: _____

Address: _____

Notary Public

APPROVED BY resolution at the meeting of _____, 2020.

Collateral to guarantee compliance with this agreement and construction of public improvements shall be required in the amounts of **\$294,313.80**. No building permits shall be issued until said collateral is furnished in the amount required and, in a form, acceptable to the Board of County Commissioners. No construction permits shall be issued until all collateral required by this Agreement is furnished in the amount required and in a form acceptable to the Board of County Commissioners.

ATTEST:

CHAIR
ADAMS COUNTY, COLORADO

Clerk of the Board

Chair

Approved as to form:

County Attorney

EXHIBIT A

Legal Description: Located in the Southeast ¼ of Section 3, Township 1 South, Range 67 West of the 6th P.M, County of Adams, State of Colorado

SECT,TWN,RNG:3-1-67 DESC: PARC A-1 PT OF THE N2 OF THE SE4 OF SEC 3 DESC AS FOLS BEG AT THE NW COR OF THE NE4 OF SD SEC 3 TH N 89D 34M 25S E 422/14 FT TH S 00D 30M 59S E 2384/12 FT TH N 89D 39M 59S E 100 FT TO THE TRUE POB TH S 82D 54M 03S E 610/38 FT TH S 79D 10M 19S E 701/23 FT TH S 75D 13M 06S E 171/08 FT TH S 00D 40M 10S E 1082/69 FT TH S 89D 35M 44S W 1985/04 FT TH N 00D 30M 59S W 200/52 FT TH S 77D 05M 57S E 220/03 FT TH S 86D 03M 09S E 256/87 FT TH N 86D 11M 56S E 133/20 FT TH N 12D 00M 10S W 318/38 FT TH N 73D 44M 55S W 500/99 FT TH N 00D 30M 59S W 440/47 FT TH N 89D 29M 01S E 462/14 FT TH N 00D 30M 59S W 287/50 FT TO THE TRUE POB 48/03A

EXHIBIT B

See attached Exhibit "B".

Construction Completion Dates:

Filing 3 (exhibit B): June 1, 2021

Initials or signature of Developer: _____

Exhibit B
Shook Subdivision Filing
3
Projected Schedule Of
Public Improvements
June 1, 2020

Item	Quantity	Unit	Unit Price	Total
------	----------	------	------------	-------

1. a. Streets - Florence Way				
All Internal roads				
HMA Pavement (4" Full Depth)	2020	SY	\$18.75	\$37,875.00
Class 6 Road Base (6" Depth)	2020	SY	\$9.75	\$19,695.00
Fine Grading	2020	SY	\$0.57	\$1,151.40
6' Class 6 road base shoulders	1010	SY	\$9.75	\$9,847.50
Signs	2	EA	\$300.00	\$600.00
Street Lights	1	EA	\$3,500.00	\$3,500.00
Mobilization	1	LS	\$390.00	\$390.00
			Subtotal	\$73,058.90

1. b. Streets - Galena Court				
All Internal roads				
HMA Pavement (4" Full Depth)	2315	SY	\$18.75	\$43,406.25
Class 6 Road Base	2315	SY	\$9.75	\$22,571.25
Fine Grading	2315	SY	\$0.57	\$1,319.55
6' Class road base shoulders	1157	SY	\$9.75	\$11,280.75
Signs	4	EA	\$300.00	\$1,200.00
Street Lights	2	EA	\$3,500.00	\$7,000.00
Mobilization	1		\$390.00	\$390.00
			Subtotal	\$87,167.80

1. c. Streets - E. 163rd Place				
All Internal roads				
HMA Pavement (4" Full Depth)	1824	SY	\$18.75	\$34,200.00
Class 6 Road Base	1824	SY	\$9.75	\$17,784.00
Fine Grading	1824	SY	\$0.57	\$1,039.68
6' Class 6 road base shoulders	912	SY	\$9.75	\$8,892.00
Signs	1	EA	\$300.00	\$300.00
Street Lights	1	EA	\$3,500.00	\$3,500.00
36-inch RCP	50	LF	\$95.00	\$4,750.00
36" FES	2	EA	\$1,250.00	\$2,500.00
Mobilization	1	LS	\$390.00	\$390.00
			Subtotal	\$73,355.68

Total Projection	\$233,582.38
Administration 20%	\$280,298.86
Inflation Guaranty 5%	\$14,014.94
Total Projection With Warranty	\$294,313.80

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2. **Drawings and Estimates.** The Developer shall furnish drawings and cost estimates for all improvements described and detailed on Exhibit "B" for approval by the County. Upon request, the Developer shall furnish one set of reproducible "as-built" drawings and a final statement of construction costs for each phase of the development to the County.
3. **Construction.** Developer shall furnish and construct, at its own expense and in accordance with drawings and materials approved by the County, the improvements described and detailed on Exhibit "B".
4. **Time for Completion.** Improvements shall be completed according to the terms of this agreement within "construction completion date" appearing in Exhibit "B". The Director of Community and Economic Development may for good cause grant extension of time for completion of any part or all of improvements appearing on said Exhibit "B" for a period not to exceed 180 days. Any extension greater than 180 days shall only be approved by the Board of County Commissioners. Any extension of time shall be in written form only.
5. **Guarantee of Compliance.** Developer shall furnish to the County a cash escrow deposit or other acceptable collateral releasable only by the County, to guarantee compliance with this agreement. Said collateral shall be in the amount of \$154,525.47, including twenty percent (20%) to cover administration and five percent (5%) per year for the term of the Agreement to cover inflation. Upon completion of said improvements constructed according to the terms of this agreement, and Preliminary Acceptance by the Public Works Department in accordance with section 5-02-05-01 of the County's Development Standards and Regulations, the collateral shall be released. Completion of said improvements shall be determined solely by the County, and a reasonable part of said collateral, up to 20%, may be retained to guarantee maintenance of public improvements for a period of one year from the date of Preliminary Acceptance.

No building permits shall be issued until said collateral is furnished in the amount required and in a form acceptable to the Board of County Commissioners, and until the final plat has been approved and the improvements described in Exhibit "B" have been preliminarily accepted by the Director of Public Works. No construction permits shall be issued until all collateral required by this Agreement is furnished in a form acceptable to the Board of County Commissioners.

- 6. **Acceptance and Maintenance of Public Improvements.** All improvements designated “public” on Exhibit “B” shall be public facilities and become the property of the County or other public agencies upon acceptance of the improvements. During the period of one year from and after the acceptance of public improvements, the Developer shall, at its own expense, make all needed repairs or replacement due to defective materials or workmanship which, in the opinion of the County, becomes necessary. If, within ten days of written notice to the Developer from the County requesting such repairs or replacements, the Developer has not undertaken with due diligence to make the same, the County may make such repairs or replacements at the Developer’s expense. In the case of an emergency such written notice may be waived.
- 7. **Successors and Assigns.** This agreement shall be binding upon the heirs, executors, personal representatives, successors, and assigns of the Developer, and shall be deemed a covenant running with the real property as described in Exhibit “A” attached hereto.
- 8. **Improvements and Dedication.** The undersigned Developer hereby agrees to provide the following improvements, and to dedicate described property.

A. **Improvements.** The Shook Subdivision Filing 4:

Public Improvements:

- Construction of E. 162nd Place and E. 163rd Place
- Construction of related drainage ways, culverts, and utilities
- Block 1, Lots 1-2
- Block 2, Lots 1-4
- Block 3, Lots 1-5

The improvements shall be constructed in accordance with all County requirements and specifications in accordance with the approved plans and time schedule as indicated in Exhibit “B”.

B. **Public dedication of land for right-of-way purposes or other public purpose.** Upon approval of this agreement by the Board of County Commissioners, the Developer hereby agrees to convey by warranty deed to the County of Adams the following described land for right-of-way or other public purposes:

All dedications were made at the time of platting.

SEC 2-3 Phoenix, LLC
Developer

By: _____
Gene Osborne, Authorized Agent

By: _____
Name, Title

The foregoing instrument was acknowledged before me this ____ day of _____, 2020, by _____.

My commission expires: _____

Address: _____

Notary Public

APPROVED BY resolution at the meeting of _____, 2020.

Collateral to guarantee compliance with this agreement and construction of public improvements shall be required in the amounts of \$154,525.47. No building permits shall be issued until said collateral is furnished in the amount required and, in a form, acceptable to the Board of County Commissioners. No construction permits shall be issued until all collateral required by this Agreement is furnished in the amount required and in a form acceptable to the Board of County Commissioners.

ATTEST:

CHAIR
ADAMS COUNTY, COLORADO

Clerk of the Board

Chair

Approved as to form:

County Attorney

EXHIBIT A

Legal Description: Located in the Southeast ¼ of Section 3, Township 1 South, Range 67 West of the 6th P.M, County of Adams, State of Colorado

SECT,TWN,RNG:3-1-67 DESC: PARC A-1 PT OF THE N2 OF THE SE4 OF SEC 3 DESC AS FOLS BEG AT THE NW COR OF THE NE4 OF SD SEC 3 TH N 89D 34M 25S E 422/14 FT TH S 00D 30M 59S E 2384/12 FT TH N 89D 39M 59S E 100 FT TO THE TRUE POB TH S 82D 54M 03S E 610/38 FT TH S 79D 10M 19S E 701/23 FT TH S 75D 13M 06S E 171/08 FT TH S 00D 40M 10S E 1082/69 FT TH S 89D 35M 44S W 1985/04 FT TH N 00D 30M 59S W 200/52 FT TH S 77D 05M 57S E 220/03 FT TH S 86D 03M 09S E 256/87 FT TH N 86D 11M 56S E 133/20 FT TH N 12D 00M 10S W 318/38 FT TH N 73D 44M 55S W 500/99 FT TH N 00D 30M 59S W 440/47 FT TH N 89D 29M 01S E 462/14 FT TH N 00D 30M 59S W 287/50 FT TO THE TRUE POB 48/03A

EXHIBIT B

See attached Exhibit B.

Construction Completion Dates:

Filing 4 (exhibit B): June 1, 2021

Initials or signature of Developer: _____

Exhibit B
Shook Subdivision Filing
4
Projected Schedule Of
Public Improvements
June 1, 2020

Item	Quantity	Unit	Unit Price	Total
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1. a. Streets - E. 162nd Place

All Internal roads				
HMA Pavement (4" Full Depth)	765	SY	\$18.75	\$14,343.75
Class 6 Road Base (6" Depth)	765	SY	\$9.75	\$7,458.75
Fine Grading	765	SY	\$0.57	\$436.05
6' Class 6 road base shoulders	382	SY	\$9.75	\$3,724.50
Signs	2	EA	\$300.00	\$600.00
Street Lights	1	EA	\$3,500.00	\$3,500.00
Mobilization	1	LS	\$390.00	\$390.00

18" RCP	84	LF	\$71.52	\$6,007.68
18" FES	2	EA	\$550.00	\$1,100.00
36" RCP	70	LF	\$95.77	\$6,703.90
36" FES	2	EA	\$1,050.00	\$2,100.00

Subtotal \$46,364.63

1. b. Streets - E. 163rd Place

All Internal roads				
HMA Pavement (4" Full Depth)	1909	SY	\$18.75	\$35,793.75
Class 6 Road Base	1909	SY	\$9.75	\$18,612.75
Fine Grading	1909	SY	\$0.57	\$1,088.13
6' Class 6 road base shoulders	954	SY	\$9.75	\$9,301.50
Signs	1	EA	\$300.00	\$300.00
Street Lights	1	EA	\$3,500.00	\$3,500.00
36-inch RCP	50	LF	\$95.77	\$4,788.50
36" FES	2	EA	\$1,250.00	\$2,500.00
Mobilization	1	LS	\$390.00	\$390.00

Subtotal \$76,274.63

Total Projection \$122,639.26

Administration 20% \$147,167.11

Inflation Guaranty 5% \$7,358.36

Total Projection With Warranty \$154,525.47



March 31, 2020

Emily Collins
Adams County Community and Economic Development Department
Transmitted via email:
ecollins@adcogov.org

RE: Shook Subdivision Filings 3 and 4
Project Number: PRC2018-00008
Portion of the SE ¼, Section 3, T1S, R67W, 6th P.M.
Water Division 1, Water District 2

Dear Ms. Collins,

We have reviewed the additional documents related to case no. PRC2018-00008, concerning the above referenced proposal to create 13 lots in Shook Subdivision Filing 3 and to create 11 lots in Shook Subdivision Filing 4.

Water Supply Demand

According to an updated report regarding the District's surface water supplies and water demands on March 16, 2020 ("Water Supply Report") the potable water demand is estimated at 7.2 acre-feet per year based on a potable demand of 0.3 acre-feet per year per unit. According to the Water Supply Report the non-potable irrigation water demand is estimated at 8.16 acre-feet per year based on a non-potable irrigation demand of 0.34 acre-feet per year per unit.

Source of Water Supply

District Water Supply Overview

The proposed water source is the Todd Creek Village Metropolitan District (District). A "willing to serve" letter from the District dated February 18, 2018 was provided with application materials.

This office recognizes that the District continues to develop its water portfolio and infrastructure so that it can meet the needs of its customers. However, when this office evaluates water supplies available to any water district or municipal provider for the purpose of meeting permanent customer commitments it does not consider a district's short-term contract supplies, Denver Basin water that has not been decreed, nontributary Denver Basin groundwater that has not been included in a court approved augmentation plan or any other source of water that is not currently legally available for municipal use. Short term contracts have the potential to be discontinued and water supplies that require a water court decree prior to use have an uncertain yield until such time as a water court decree is obtained. For these reasons, we have not historically considered such supplies when evaluating the permanent water supplies available to a district. This is consistent with the approach we have taken in previous letters to the county regarding the District, including letters dated January 2, 2002, June 18, 2002, August 8, 2002, October 29, 2002, September 15, 2004, January 24, 2005, February 8,



2005, October 4, 2011 and November 17, 2016. In addition, to the extent that the applicant is claiming junior water rights they must specify and provide support for the claimed annual firm yield of the water rights.

District Water Supply Demands

According to the Water Supply Report, the District has implemented a dual pipeline system, one for potable water and one for non-potable irrigation water. New subdivisions will be required to have two taps and the existing subdivisions have been retrofitted with this system.

The Water Supply Report estimates the District’s potable water commitments to be approximately 789.07 acre-feet annually, as shown in Table 1 below and the District’s non-potable water commitments to approximately, 1,345.01 acre-feet annually, as shown in Table 2 below.

For the purposes of understanding the District’s ability to satisfy the counties’ water allocation approaches for the previously approved subdivisions, water demand can also be described by the total residential and commercial water demand over the 100 year and 300 year allocation periods. The total potable water demand for residential and commercial developments is 104,971.7 acre-feet and the non-potable water demand for residential and commercial developments is 164,367.0 acre-feet. The potable and non-potable water requirements of each existing residential and commercial development are listed in Table 1 and 2.

Table 1: Potable Water Demands

Development Name	Number of Single Family Units	Assumed Water Requirement per Lot (AF/yr/lot)	Total Annual In-House Use Requirement (AF/yr)	Water Supply Demand Approach	Total In-House Use Requirement (AF)
Residential					
Todd Creek Farms Filing 1	54	0.269	14.53	100-yr	1452.6
Todd Creek Farms Filing 2	57	0.269	15.33	100-yr	1533.3
Todd Creek Farms Filing 3	62	0.269	16.68	100-yr	1667.8
Todd Creek Farms Filing 4	139	0.269	37.39	100-yr	3739.1
Foxridge	58	0.269	15.60	100-yr	1560.2
Todd Creek Farms Filing 5	160	0.269	43.04	100-yr	4304.0
Eagle Shadow I	185	0.269	49.77	100-yr	4976.5
Wheatland Estates	71	0.269	19.10	100-yr	1909.9
Todd Creek Meadows Phase I	78	0.269	20.98	100-yr	2098.2
Silver Springs	52	0.269	13.99	100-yr	1398.8
Hawk Ridge	47	0.269	12.64	100-yr	1264.3
Eagle Shadow II	191	0.269	51.38	100-yr	5137.9
Heritage at Todd Creek	1277	0.269	343.51	100-yr	34351.3
Todd Creek Village-Bartley	179	0.300	53.70	300-yr	16110.0
Todd Creek Village-Shook	64	0.300	19.20	300-yr	5760.0
Baseline Lakes	54	0.269	14.53	300-yr	4357.8
Jogan Estates	3	0.300	0.9	300-yr	270
Baseline Lakes-Add'l	140	0.300	42.00	300-yr	12,600.0
Commercial					

HTC Club/Maint			3.65	100-yr	365.0
TCVMD office			0.03	100-yr	3.0
NH Church			0.88	100-yr	88.0
Harvest Fellowship			0.24	100-yr	24.0
Total	2,871		789.07		104,971.7

Table 2: Non-Potable Water Demands

Development Name	Number of Single Family Units	Assumed Water Requirement per Lot (AF/yr/lot)	Total Annual Irrigation Requirement (AF/yr)	Water Supply Demand Approach	Total Irrigation Requirement (AF)
Residential					
Todd Creek Farms Filing 1	54	0.34	18.36	100-yr	1,836
Todd Creek Farms Filing 2	57	0.34	19.38	100-yr	1,938
Todd Creek Farms Filing 3	62	0.34	21.08	100-yr	2,108
Todd Creek Farms Filing 4	139	0.34	47.26	100-yr	4,726
Foxridge	58	0.34	19.72	100-yr	1,972
Todd Creek Farms Filing 5	160	0.34	54.40	100-yr	5,440
Eagle Shadow I	185	0.34	62.90	100-yr	6,290
Wheatland Estates	71	0.34	24.14	100-yr	2,414
Todd Creek Meadows Phase I	78	0.34	26.52	100-yr	2,652
Silver Springs	52	0.34	17.68	100-yr	1,768
Hawk Ridge	47	0.34	15.98	100-yr	1,598
Eagle Shadow II	191	0.34	64.94	100-yr	6,494
Heritage at Todd Creek	1277	0.25	319.25	100-yr	31,925
Todd Creek Village-Bartley	179	0.34	60.86	300-yr	18,258
Todd Creek Village-Shook	64	0.34	21.76	300-yr	6,528
Baseline Lakes	54	0.34	18.36	300-yr	5,508
Jogan Estates	3	0.25	0.75	300-yr	225
Baseline Lakes-Add'l	140	0.34	47.60	300-yr	14,280
Commercial					
HTC Club/Maint			11.7	100-yr	1,170
TCVMD office			0.0	100-yr	0
NH Church			0.0	100-yr	0
Harvest Fellowship			0.39	100-yr	39
TCV P&R ES Park			8.1	100-yr	810
TCV P&R TCM Park			3.98	100-yr	398
LS Areas			69.9	100-yr	6,990
Future HTC LS areas			120	100-yr	12,000
HTC Golf Courses			270	100-yr	27,000
Total	2,871		1,345.01		164,367.0

There is a current subdivision proposal in Weld County known as Dry Creek Village East Subdivision Phase 1 and the District may commit an additional 90 acre-feet to that subdivision. If the District

commits to provide water to that development the existing commitments would be 879.07 acre-feet per year.

District Water Supply Availability: Denver Basin Water

According to the District's Water Supply Report, the District has approximately 843 acre-feet per year of currently decreed nontributary Laramie-Fox Hills ground water rights. The District also has 39.2 acre-feet per year of not-nontributary Lower Arapahoe ground water rights that are currently included in a plan for augmentation and 503.6 acre-feet per year of not-nontributary Lower Arapahoe ground water rights that are currently not included in a plan for augmentation. Once adjudicated, the District claims it will also have the right to withdraw and use additional Laramie-Fox Hills aquifer water underlying lands in the District's boundaries that is not currently adjudicated. **Please note that these amounts are based on the statutory 100-year aquifer life allocation approach.**

Based on this information, the District currently has a total of 88,220 acre-feet (882.2 acre-feet per year for 100 years) of Denver Basin water supplies; the District is committed to supplying a total of 104,971.7 acre-feet of potable water. If the Denver Basin water is withdrawn over 100 years, it equates to 882.2 acre-feet of water per year, which is greater than the yearly potable commitment of 789.07 acre-feet per year.

The proposed source of water for this subdivision includes bedrock aquifer ground water in the Denver Basin. The State Engineer's Office does not have evidence regarding the length of time for which this source will be a physically and economically viable source of water. According to 37-90-137(4)(b)(I), C.R.S., "Permits issued pursuant to this subsection (4) shall allow withdrawals on the basis of an aquifer life of one hundred years." Based on this allocation approach, the annual amounts of water decreed by the District in the Denver Basin are equal to one percent of the total amount, as determined by rules 8.A and 8.B of the Statewide Nontributary Ground Water Rules, 2 CCR 402-7. Therefore, the water may be withdrawn in those annual amounts for a maximum of 100 years.

In the Adams County Development Standards and Regulations, Effective April 15, 2002, Section 5-04-05-06-04 states:

"Prior to platting, the developer shall demonstrate that...the water supply is dependable in quantity and quality based on a minimum useful life of three-hundred (300) years. A minimum 300-year useful life means the water supply from both a static and dynamic basis will be viable for a minimum 300-year period. The static analysis shall include evaluation of the volume of water that is appropriable for the proposed subdivision. The dynamic analysis shall evaluate whether the appropriable water supply is sustainable for three-hundred (300) years, giving consideration to the location and extent of the aquifer, as well as impacts caused by both current and future pumping by others from the aquifer."

The State Engineer's Office does not have evidence regarding the length of time for which this source will be "dependable in quantity and quality." However, the one hundred year and three hundred year water allocation approach was evaluated as described above. The State Engineer's Office has no comment on the quality of the water supply or the required 'dynamic analysis' to evaluate whether the appropriable water supply is sustainable for three hundred years.

District Water Supply Availability: Surface Water

According to the District’s Water Supply Report, the District has surface water rights and leased sources. Some of this water is limited to municipal or irrigation uses only, as outlined in Table 3, below. Table 3 also outlines what sources this office considers secure permanent supplies for the purposes of evaluating a subdivision water supply plan. This office does not consider water subject to short-term leases or water not yet adjudicated by the Water Court when evaluating the amount of permanent supplies available to supply residential developments.

Regarding the District’s use of Coors water, the following issues need to be addressed before we can provide additional comments. The Coors effluent may have very limited yield since the decrees under which the majority of the water rights were changed (case nos. W-8036, W8256 and 89CW234) do not allow for reuse or successive use for municipal uses within the District’s boundaries or augmentation uses other than the Coors Operations contemplated in the decrees. It appears that only a portion of the water included in case no. 99CW236, specifically water previously changed in case no. 96CW1117, could be used within the District’s boundaries, subject to the terms and conditions of said decrees.

The District has obtained a decree in case no. 08CW165. The average historical consumptive use decreed in that case for the Old Brantner shares of 130 acre-feet has been included as a permanent supply as shown in Table 3.

Table 3: District’s Surface Water Supplies

Water Source	Contract/ Shares	Contract End Date or Decree/ SWSP	Proposed Yield: Municipal (AF)	Proposed Yield: Irrigation (AF)	Firm yield, permanent supply: Municipal (AF)	Firm yield, permanent supply: Irrigation (AF)	Notes
Old Brantner	17 shares	08CW165	315.2	0	130	0	Adjudicated March 10, 2015
New Brantner	18.375 shares		0	312	0	312*	No information provided
Effluent	Coors- Aug	12/31/2016 (12/31/2026 w/ extensions)	200	0	0	0	Effluent not decreed for reuse or successive use
Reusable Effluent	Consolidated Mutual	Perpetual	500	0	462.1**	0	
Excess Credits	SACWSD	3/31/2018	500	0	0	0	Short term lease

*The New Brantner shares can continue to be used for the historical irrigation use. From the information provided it could not be determined if the land proposed to be irrigated is included under the originally decreed lands.

**The Consolidated Mutual contract water is typically released from the Metro Wastewater Facility; this water travels downstream to the District. Due to transit losses associated with the water delivery, only 462.1 acre-feet of the 500 acre-feet contracted is realized by the District. This calculation is based on the standard river transit loss rates; in a dry year the rate of transit loss could increase.

As shown in Table 3 above the District has approximately 592.1 acre-feet of potable surface water and leased supplies that could be considered part of the permanent water supply.

The Applicant is also claiming that the junior surface and storage water rights decreed in Division 1 Water Court case nos. 13CW3181 and 16CW3019 have a firm yield of 1,777 acre-feet per year. This analysis is based on historical stream flow and call records for the period of 2001 through 2018. According to the Water Supply Report the junior water rights decreed in case nos. 13CW3181 and 16CW3019 will be used when available and the Denver Basin water will be used as a backup supply during periods of drought or shortage.

District Water Supply Availability: Conclusions

The District's ability to regulate potable and irrigation water separately through their dual pipeline system allows this office to evaluate potable water supply and irrigation water supply independently. Therefore, this office's conclusions regarding the District's potable and irrigation water are being addressed separately.

When the permanent supply of the District's municipal surface rights (592.1 acre-feet per year) is combined with the District's Denver Basin water (882.2 acre-feet per year), the District's total permanent potable water supply becomes 1,474.3 acre-feet per year (assuming a 100-year aquifer life). This amount is sufficient to meet the potable residential and commercial demands for the existing District's commitments, which is 789.07 acre-feet per year, which includes the 7.2 acre-feet per year for Shook Subdivision Filings 3 and 4. This amount would also be sufficient if the District commits to serve the Dry Creek Village East Subdivision Phase 1 subdivision in Weld County.

As discussed above based on the 100 year and 300 year allocation approaches required for the subdivisions the total water requirement for the District's current commitments is 104,971.7 acre-feet. The permanent water sources available to meet that demand is 882.2 acre-feet per year of Denver Basin water (88,220 acre-feet total based on a 100 year allocation approach) and 592.1 acre-feet of surface rights (177,630 acre-feet based on deliveries for 300 years). Therefore the total amount of permeant water supplies available over a 300 year period would be 265,850 acre-feet which would be adequate to meet the potable demand over that period of 104,971.7 acre-feet, including Shook Subdivision Filings 3 and 4.

The sources of supply available to meet irrigation demands include the New Brantner shares for areas that can be legally irrigated by such shares, junior water right, Denver Basin water that is not needed to meet potable water demands and leased water from Consolidated Mutual that is not needed to meet potable water demands. However to the extent that Denver Basin water or leased water from Consolidated Mutual is used to meet irrigation demands it would reduce the amount of water available to meet potable water demands. As shown in Table 2 above the annual irrigation demand is 1345.01 acre-feet per year. Based on the Applicant's claimed firm yield for their junior water rights of 1,777 acre-feet the applicant has adequate junior water to meet its annual irrigation demand, as long as the junior water rights continue to be available in-priority consistent with the Applicant's historical availability analysis.

State Engineer's Office Opinion

As stated above, the District's dual pipeline system allows the District to control potable and non-potable water supply separately. Based the District's ability to maintain separate potable and non-potable water supply systems, the information presented above, and pursuant to Section 30-28-136(1)(h)(I) and Section 30-28-136(1)(h)(II), C.R.S., it is our opinion that the proposed water

supply is adequate **for potable residential and commercial use** and can be provided without causing injury to decreed water rights. Pursuant to Section 30-28-136(1)(h)(I) and Section 30-28-136(1)(h)(II), C.R.S., it is our opinion that the proposed water supply is adequate **for irrigation use** and can be provided without causing injury to decreed water rights, as long as the junior water rights continue to be available in-priority consistent with the Applicant's historical availability analysis.

Our opinion that the potable water supply is **adequate** is based on our determination that the amount of Denver Basin water required annually to serve the subdivision is currently physically available, based on current estimated aquifer conditions.

Our opinion that the irrigation water supply is **adequate** is based on the Applicant's firm yield analysis for the junior water rights, which was based on a historical availability analysis.

Our opinion that the potable water supply can be **provided without causing injury** is based on our determination that the amount of Denver Basin water that is legally available for the proposed uses on an annual basis, according to the statutory **allocation** approach, plus the permanent municipal supplies shown in Table 3, is greater than the annual amount of water required to supply existing water commitments and the demands of the proposed subdivision.

Our opinion that the potable water supply can be provided without causing injury recognizes that the District plans to use junior water rights to the extent available as the primary source of water supply and intends to use the Denver Basin water as a backup supply during periods of drought or shortage.

Our opinion is qualified by the following:

The Division 1 Water Court has retained jurisdiction over the final amount of water available under the Denver Basin decrees reference by the District, pending actual geophysical data from the aquifer.

The amounts of water in the Denver Basin aquifers, and identified in this letter, are calculated based on estimated current aquifer conditions. For planning purposes the county should be aware that the economic life of a water supply based on wells in a given Denver Basin aquifer may be less than the 100 or 300 years used for allocation due to anticipated water level declines. We recommend that the county determine whether it is appropriate to require development of renewable water resources for this subdivision to provide for a long-term water supply.

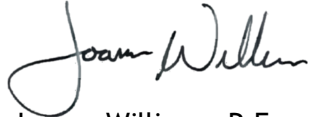
Additionally, the Con Mutual water is subject to assessment of conveyance losses occurring at the time of delivery as assessed by the water commissioner, currently 0.25% per mile during November through March and 0.50% per mile during April through October on the South Platte and 0.25% per mile on Clear Creek. Further, the Con Mutual water is dependent upon the natural stream for delivery from the point made available by Con Mutual at the Metro Wastewater Facility or other decreed source to the downstream location where Todd Creek would divert or use. Todd Creek would be responsible for any structures to be constructed or the use of existing structures that are required to bypass water past any structure that physically sweeps the river.

The applicant should be aware that unless any storm water detention structure, can meet the requirements of a "storm water detention and infiltration facility" as defined in Section 37-92-

602(8), C.R.S., the structure may be subject to administration by this office. The applicant should review the Division of Water Resources [Administrative Statement Regarding the Management of Storm Water Detention Facilities and Post-Wildland Fire Facilities in Colorado](#), available on our website, to ensure that the notification, construction and operation of the proposed structure meets statutory and administrative requirements. The applicant is encouraged to use *Colorado Stormwater Detention and Infiltration Facility Notification Portal*, located at <https://maperture.digitaldataservices.com/gyh/?viewer=cswdif>, to meet the notification requirements.

Should you or the applicant have any questions, please contact Ailis Thyne at (303) 866-3581 x8216.

Sincerely,

A handwritten signature in black ink that reads "Joanna Williams". The signature is written in a cursive style with a large initial "J".

Joanna Williams, P.E.
Water Resource Engineer

JMW/aat

Cc: Subdivision File 24595
Todd Creek Village Metro District File



January 28, 2020

Emily Collins
Adams County Community and Economic Development Department
Transmitted via email:
ecollins@adcogov.org

RE: Shook Subdivision Filings 3 and 4
Project Number: PRC2018-00008
Portion of the SE ¼, Section 3, T1S, R67W, 6th P.M.
Water Division 1, Water District 2

Dear Ms. Collins,

We have reviewed the additional documents related to case no. PRC2018-00008, concerning the above referenced proposal to create 13 lots in Shook Subdivision Filing 3 and to create 11 lots in Shook Subdivision Filing 4.

Water Supply Demand

According to a January 27, 2020 email from Gina Burke with Jehn Water Consultants, Inc. the potable water demand is estimated at 7.2 acre-feet per year based on a potable demand of 0.3 acre-feet per year per unit.

Source of Water Supply

District Water Supply Overview

The proposed water source is the Todd Creek Village Metropolitan District (District). A “willing to serve” letter from the District dated February 18, 2018 was provided with application materials.

The District last provided a Water Supply Report to this office, dated November 2011, on June 3, 2014. The District submitted an updated report regarding the District’s surface water supplies and water demands on December 19, 2019 and a memorandum to the report dated January 20, 2020 (“Water Supply Report”).

This office recognizes that the District continues to develop its water portfolio and infrastructure so that it can meet the needs of its customers. However, when this office evaluates water supplies available to any water district or municipal provider for the purpose of meeting permanent customer commitments it does not consider a district’s short-term contract supplies, Denver Basin water that has not been decreed, not nontributary Denver Basin groundwater that has not been included in a court approved augmentation plan or any other source of water that is not currently legally available for municipal use. Short term contracts have the potential to be discontinued and water supplies that require a water court decree prior to use have an uncertain yield until such time as a water court decree is obtained. For these reasons, we have not historically considered such supplies when evaluating the permanent water



supplies available to a district. This is consistent with the approach we have taken in previous letters to the county regarding the District, including letters dated January 2, 2002, June 18, 2002, August 8, 2002, October 29, 2002, September 15, 2004, January 24, 2005, February 8, 2005, October 4, 2011 and November 17, 2016. In addition, to the extent that the applicant is claiming junior water rights they must specify and provide support for the claimed annual firm yield of the water rights.

District Water Supply Demands

According to information in this office, the District has implemented a dual pipeline system, one for potable water and one for non-potable irrigation water. New subdivisions will be required to have two taps and the existing subdivisions have been retrofitted with this system. This office will focus on the potable residential and commercial water demands since the Water Supply Report addresses the potable demands and Todd Creek has existing permanent water supplies that will provide a firm yield to meet these demands and can supply potable water separate from non-potable water as a result of their dual pipeline system.

The Water Supply Report estimates the District’s potable water commitments to be approximately 789.07 acre-feet annually, as shown in Table 1 below.

For the purposes of understanding the District’s ability to satisfy the counties’ water allocation approaches for the previously approved subdivisions, water demand can also be described by the total residential and commercial potable water demand over the 100 year and 300 year allocation periods. The total potable water demand for residential and commercial developments is 104,971.7 acre-feet. The potable water requirements of each existing residential and commercial development are listed in Table 1.

Table 1: Potable Water Demands

Development Name	Number of Single Family Units	Assumed Water Requirement per Lot (AF/yr/lot)	Total Annual In-House Use Requirement (AF/yr)	Water Supply Demand Approach	Total In-House Use Requirement (AF)
Residential					
Todd Creek Farms Filing 1	54	0.269	14.53	100-yr	1452.6
Todd Creek Farms Filing 2	57	0.269	15.33	100-yr	1533.3
Todd Creek Farms Filing 3	62	0.269	16.68	100-yr	1667.8
Todd Creek Farms Filing 4	139	0.269	37.39	100-yr	3739.1
Foxridge	58	0.269	15.60	100-yr	1560.2
Todd Creek Farms Filing 5	160	0.269	43.04	100-yr	4304.0
Eagle Shadow I	185	0.269	49.77	100-yr	4976.5
Wheatland Estates	71	0.269	19.10	100-yr	1909.9
Todd Creek Meadows Phase I	78	0.269	20.98	100-yr	2098.2
Silver Springs	52	0.269	13.99	100-yr	1398.8
Hawk Ridge	47	0.269	12.64	100-yr	1264.3
Eagle Shadow II	191	0.269	51.38	100-yr	5137.9
Heritage at Todd Creek	1277	0.269	343.51	100-yr	34351.3
Todd Creek Village-Bartley	172	0.300	51.60	300-yr	15480.0
Todd Creek Village-Shook	64	0.300	19.20	300-yr	5760.0

Baseline Lakes	54	0.269	14.53	300-yr	4357.8
Jogan Estates	3	0.300	0.9	300-yr	270
Baseline Lakes-Add'l	140	0.300	42.00	300-yr	12,600.0
Commercial					
HTC Club/Maint			3.65	100-yr	365.0
TCVMD office			0.03	100-yr	3.0
NH Church			0.88	100-yr	88.0
Harvest Fellowship			0.24	100-yr	24.0
Total	2,871		789.07		104,971.7

There is a current subdivision proposal in Weld County known as Dry Creek Village East Subdivision Phase 1 and the District may commit an additional 90 acre-feet to that subdivision. If the District commits to provide water to that development the existing commitments would be 879.07 acre-feet per year.

District Water Supply Availability: Denver Basin Water

According to the District's Water Supply Report, the District has approximately 843 acre-feet per year of currently decreed nontributary Laramie-Fox Hills ground water rights. The District also has 39.2 acre-feet per year of not-nontributary Lower Arapahoe ground water rights that are currently included in a plan for augmentation and 503.6 acre-feet per year of not-nontributary Lower Arapahoe ground water rights that are currently not included in a plan for augmentation. Once adjudicated, the District claims it will also have the right to withdraw and use additional Laramie-Fox Hills aquifer water underlying lands in the District's boundaries that is not currently adjudicated. **Please note that these amounts are based on the statutory 100-year aquifer life allocation approach.**

Based on this information, the District currently has a total of 88,220 acre-feet (882.2 acre-feet per year for 100 years) of Denver Basin water supplies; the District is committed to supplying a total of 104,971.7 acre-feet of potable water. If the Denver Basin water is withdrawn over 100 years, it equates to 882.2 acre-feet of water per year, which is greater than the yearly potable commitment of 789.07 acre-feet per year.

The proposed source of water for this subdivision includes bedrock aquifer ground water in the Denver Basin. The State Engineer's Office does not have evidence regarding the length of time for which this source will be a physically and economically viable source of water. According to 37-90-137(4)(b)(I), C.R.S., "Permits issued pursuant to this subsection (4) shall allow withdrawals on the basis of an aquifer life of one hundred years." Based on this **allocation** approach, the annual amounts of water decreed by the District in the Denver Basin are equal to one percent of the total amount, as determined by rules 8.A and 8.B of the Statewide Nontributary Ground Water Rules, 2 CCR 402-7. Therefore, the water may be withdrawn in those annual amounts for a maximum of 100 years.

In the Adams County Development Standards and Regulations, Effective April 15, 2002, Section 5-04-05-06-04 states:

"Prior to platting, the developer shall demonstrate that...the water supply is dependable in quantity and quality based on a minimum useful life of three-hundred (300) years. A minimum 300-year useful life means the water supply from both a

static and dynamic basis will be viable for a minimum 300-year period. The static analysis shall include evaluation of the volume of water that is appropriable for the proposed subdivision. The dynamic analysis shall evaluate whether the appropriable water supply is sustainable for three-hundred (300) years, giving consideration to the location and extent of the aquifer, as well as impacts caused by both current and future pumping by others from the aquifer.”

The State Engineer’s Office does not have evidence regarding the length of time for which this source will be “dependable in quantity and quality.” However, the one hundred year and three hundred year water allocation approach was evaluated as described above. The State Engineer’s Office has no comment on the quality of the water supply or the required ‘dynamic analysis’ to evaluate whether the appropriable water supply is sustainable for three hundred years.

District Water Supply Availability: Surface Water

According to the District’s Water Supply Report, the District has surface water rights and leased sources. Some of this water is limited to municipal or irrigation uses only, as outlined in Table 2, below. Table 2 also outlines what sources this office considers secure permanent supplies for the purposes of evaluating a subdivision water supply plan. This office does not consider water subject to short-term leases or water not yet adjudicated by the Water Court when evaluating the amount of permanent supplies available to supply residential developments.

Regarding the District’s use of Coors water, the following issues need to be addressed before we can provide additional comments. The Coors effluent may have very limited yield since the decrees under which the majority of the water rights were changed (case nos. W-8036, W8256 and 89CW234) do not allow for reuse or successive use for municipal uses within the District’s boundaries or augmentation uses other than the Coors Operations contemplated in the decrees. It appears that only a portion of the water included in case no. 99CW236, specifically water previously changed in case no. 96CW1117, could be used within the District’s boundaries, subject to the terms and conditions of said decrees.

The District has obtained a decree in case no. 08CW165. The average historical consumptive use decreed in that case for the Old Brantner shares of 130 acre-feet has been included as a permanent supply as shown in Table 2.

Table 2: District’s Surface Water Supplies

Water Source	Contract/ Shares	Contract End Date or Decree/ SWSP	Proposed Yield: Municipal (AF)	Proposed Yield: Irrigation (AF)	Firm yield, permanent supply: Municipal (AF)	Firm yield, permanent supply: Irrigation (AF)	Notes
Old Brantner	17 shares	08CW165	315.2	0	130	0	Adjudicated March 10, 2015
New Brantner	18.375 shares		0	312	0	312*	No information provided
Effluent	Coors- Aug	12/31/2016 (12/31/2026 w/ extensions)	200	0	0	0	Effluent not decreed for reuse or successive use
Reusable Effluent	Consolidated Mutual	Perpetual	500	0	462.1**	0	
Excess Credits	SACWSD	3/31/2018	500	0	0	0	Short term lease

*The New Brantner shares can continue to be used for the historical irrigation use. From the information provided it could not be determined if the land proposed to be irrigated is included under the originally decreed lands.

**The Consolidated Mutual contract water is typically released from the Metro Wastewater Facility; this water travels downstream to the District. Due to transit losses associated with the water delivery, only 462.1 acre-feet of the 500 acre-feet contracted is realized by the District. This calculation is based on the standard river transit loss rates; in a dry year the rate of transit loss could increase.

As shown in Table 2 above the District has approximately 592.1 acre-feet of potable surface water and leased supplies that could be considered part of the permanent water supply.

The Applicant is also claiming that the junior surface and storage water rights decreed in Division 1 Water Court case nos. 13CW3181 and 16CW3019 have a firm yield of 1,405 acre-feet per year. This analysis is based on historical stream flow and call records for the period of 2001 through 2018. According to the Water Supply Report the junior water rights decreed in case nos. 13CW3181 and 16CW3019 will be used when available and the Denver Basin water will be used as a backup supply during periods of drought or shortage.

District Water Supply Availability: Conclusions

The District’s ability to regulate potable and irrigation water separately through their dual pipeline system allows this office to evaluate potable water supply and irrigation water supply independently. Therefore, this office’s conclusions regarding the District’s potable and irrigation water are being addressed separately.

When the permanent supply of the District’s municipal surface rights (592.1 acre-feet per year) is combined with the District’s Denver Basin water (882.2 acre-feet per year), the District’s total permanent potable water supply becomes 1,474.3 acre-feet per year (assuming a 100-year aquifer

life). This amount is sufficient to meet the potable residential and commercial demands for the existing District's commitments, which is 789.07 acre-feet per year, which includes the 7.2 acre-feet per year for Shook Subdivision Filings 3 and 4. This amount would also be sufficient if the District commits to serve the Dry Creek Village East Subdivision Phase 1 subdivision in Weld County.

As discussed above based on the 100 year and 300 year allocation approaches required for the subdivisions the total water requirement for the District's current commitments is 104,971.7 acre-feet. The permanent water sources available to meet that demand is 882.2 acre-feet per year of Denver Basin water (88,220 acre-feet total based on a 100 year allocation approach) and 592.1 acre-feet of surface rights (177,630 acre-feet based on deliveries for 300 years). Therefore the total amount of permanent water supplies available over a 300 year period would be 265,850 acre-feet which would be adequate to meet the demand over that period of 104,971.7 acre-feet, including Shook Subdivision Filings 3 and 4.

The recognized permanent surface irrigation supplies are 312 acre-feet per year available from the New Brantner shares. Permanent potable water supply that is not needed for existing residential and commercial commitments may be used as a source of permanent irrigation water supply, however Denver Basin water used for that purpose would reduce the amount available to meet future potable water demands.

The 312 acre-feet of permanent irrigation supplies is less than the 1,922.81 acre-feet per year irrigation demand projected for the platted parcels. It is our opinion that the District does not have adequate permanent water supplies to meet the estimated future irrigation requirements.

State Engineer's Office Opinion

As stated above, the District's dual pipeline system allows the District to control potable and non-potable water supply separately. Based on the District's ability to maintain separate potable and non-potable water supply systems, the information presented above, and pursuant to Section 30-28-136(1)(h)(I) and Section 30-28-136(1)(h)(II), C.R.S., it is our opinion that the proposed water supply is adequate for **potable residential and commercial use** and can be provided without causing injury to decreed water rights. **This office offers no formal opinion pursuant to the above referenced statutes regarding the non-potable water supply for golf course or lawn and garden irrigation.**

Our opinion that the potable water supply is **adequate** is based on our determination that the amount of Denver Basin water required annually to serve the subdivision is currently physically available, based on current estimated aquifer conditions.

Our opinion that the potable water supply can be **provided without causing injury** is based on our determination that the amount of Denver Basin water that is legally available for the proposed uses on an annual basis, according to the statutory allocation approach, plus the permanent municipal supplies shown in Table 2, is greater than the annual amount of water required to supply existing water commitments and the demands of the proposed subdivision.

Our opinion that the potable water supply can be provided without causing injury recognizes that the District plans to use junior water rights to the extent available as the primary source of water supply and intends to use the Denver Basin water as a backup supply during periods of drought or

shortage.

Our opinion is qualified by the following:

The Division 1 Water Court has retained jurisdiction over the final amount of water available under the Denver Basin decrees reference by the District, pending actual geophysical data from the aquifer.

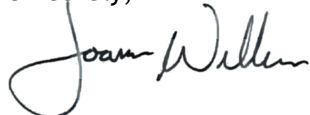
The amounts of water in the Denver Basin aquifers, and identified in this letter, are calculated based on estimated current aquifer conditions. For planning purposes the county should be aware that the economic life of a water supply based on wells in a given Denver Basin aquifer may be less than the 100 or 300 years used for allocation due to anticipated water level declines. We recommend that the county determine whether it is appropriate to require development of renewable water resources for this subdivision to provide for a long-term water supply.

Additionally, the Con Mutual water is subject to assessment of conveyance losses occurring at the time of delivery as assessed by the water commissioner, currently 0.25% per mile during November through March and 0.50% per mile during April through October on the South Platte and 0.25% per mile on Clear Creek. Further, the Con Mutual water is dependent upon the natural stream for delivery from the point made available by Con Mutual at the Metro Wastewater Facility or other decreed source to the downstream location where Todd Creek would divert or use. Todd Creek would be responsible for any structures to be constructed or the use of existing structures that are required to bypass water past any structure that physically sweeps the river.

The applicant should be aware that unless any storm water detention structure, can meet the requirements of a “storm water detention and infiltration facility” as defined in Section 37-92-602(8), C.R.S., the structure may be subject to administration by this office. The applicant should review the Division of Water Resources [Administrative Statement Regarding the Management of Storm Water Detention Facilities and Post-Wildland Fire Facilities in Colorado](#), available on our website, to ensure that the notification, construction and operation of the proposed structure meets statutory and administrative requirements. The applicant is encouraged to use *Colorado Stormwater Detention and Infiltration Facility Notification Portal*, located at <https://maperture.digitaldataservices.com/gvh/?viewer=cswdif>, to meet the notification requirements.

Should you or the applicant have any questions, please contact Ailis Thyne at (303) 866-3581 x8216.

Sincerely,



Joanna Williams, P.E.
Water Resource Engineer

JMW/aat

Cc: Subdivision File 24595
Todd Creek Village Metro District File



COLORADO
Division of Water Resources
Department of Natural Resources

1313 Sherman Street, Room 821
Denver, CO 80203

July 18, 2018

Emily Collins
Adams County Community and Economic Development Department
Transmitted via email:
ecollins@adcogov.org

RE: Shook Subdivision Filings 3 and 4
Project Number: PRC2018-00008
Portion of the SE ¼, Section 3, T1S, R67W, 6th P.M.
Water Division 1, Water District 2

Dear Ms. Collins,

We have reviewed the submittal documents related to case no. PRC2018-00008 provided via mail on June 29, 2018, concerning the above referenced proposal to create 13 lots in Shook Subdivision Filing 3 and to create 11 lots in Shook Subdivision Filing 4.

Estimated water requirements were not provided for this development. The proposed water supply is Todd Creek Village Metropolitan District (“District”). A letter of commitment for service from the District, dated February 19, 2018, was provided. Prior to further review of the subdivision a water supply plan must be included along with an updated report from the District that includes all current water supply commitments. Details of necessary information to be included in the subdivision water supply plan can be found on Attachments A and C of the Updated Memorandum Regarding Subdivisions, available online at: <http://water.state.co.us/groundwater/GWAdmin/Pages/SubdivisionWSP.aspx>.

The applicant should be aware that any storm water detention structure proposed for this location and extent, must meet the requirements of a “storm water detention and infiltration facility” as defined in section 37-92-602(8), Colorado Revised Statutes, in order for the structure to be exempt from administration by this office. The applicant should review DWR’s Administrative Statement Regarding the Management of Storm Water Detention Facilities and Post-Wildland Fire Facilities in Colorado, attached, to ensure that the notification, construction and operation of the proposed structure meets statutory and administrative requirements. The applicant is encouraged to use Colorado Stormwater Detention and Infiltration Facility Notification Portal, located at <https://maperture.digitaldataservices.com/gvh/?viewer=cswdif>, to meet the notification requirements.

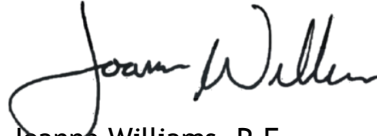


Shook Subdivision Filings 3 and 4
July 18, 2018
Page 2 of 2

Since insufficient information was provided in this referral, we cannot comment on the potential for injury to existing water rights or the adequacy of the proposed water supply under the provisions of Section 30-28-136(1)(h)(II), C.R.S.

Should you have any questions, please contact Ailis Thyne of this office at 303-866-3581 ext. 8216.

Sincerely,



Joanna Williams, P.E.
Water Resource Engineer

JMW/aat

Cc: Subdivision File 24595
Todd Creek Village Metro District File



From: [Thyne - DNR, Ailis](#)
To: [Libby Tart](#)
Subject: Re: second review comments for Shook 3 & 4 (PRC2018-00008)
Date: Thursday, December 5, 2019 9:13:23 AM
Attachments: [Shook Subdivision Filings 3 and 4 12-5-19.pdf](#)

Please be cautious: This email was sent from outside Adams County

Dear Libby Tart,
Please find attached comments from the State Engineers Office regarding PRC2018-00008.

If you have questions, please contact me at [303-866-3581 ext. 8216](tel:303-866-3581).

Sincerely,

Ailis Thyne
Water Resource Engineer



P 303.866.3581 x 8216
1313 Sherman Street, Room 818, Denver, CO 80203
ailis.thyne@state.co.us | www.colorado.gov/water

On Mon, Dec 2, 2019 at 3:13 PM Libby Tart <LTart@adcogov.org> wrote:

Hello all – I inherited the Shook 3 & 4 Preliminary/Final Plat case (number PRC2018-00008) from Emily Collins in February and am taking the preliminary plat portions of the case to public hearings in mid-December and mid-January. It looks like you all provided comment indicating you wished to see a water supply plan even though the new subdivision is part of the Todd Creek Village Metro District. The applicant responded back to Adams County with the following comment: “submitted additional information to Colorado Division of Water Resources in regards to water supply and water requirements”. Unfortunately, I cannot find any verification that Mr. JR Osborne sent this to your agency and if your agency commented that things are now adequate. Do you happen to have the information? If so, it would be very helpful to have it as exhibit material. I’m also attaching the initial comment letter from the first review in summer of 2018.

Many thanks for digging through your archives and finding the information!

Libby

Libby Tart, AICP

Senior Long Range Planner, *Community and Economic Development Department*

ADAMS COUNTY, COLORADO

4430 S. Adams County Parkway, 1st Floor, Suite W2000A

Brighton, CO 80601

O: 720.523.6858 | General Line: 720.523.6800

ltart@adcogov.org | www.adcogov.org



December 5, 2019

Emily Collins
Adams County Community and Economic Development Department
Transmitted via email:
ecollins@adcogov.org

RE: Shook Subdivision Filings 3 and 4
Project Number: PRC2018-00008
Portion of the SE ¼, Section 3, T1S, R67W, 6th P.M.
Water Division 1, Water District 2

Dear Ms. Collins,

We have reviewed the additional documents related to case no. PRC2018-00008, concerning the above referenced proposal to create 13 lots in Shook Subdivision Filing 3 and to create 11 lots in Shook Subdivision Filing 4.

Water Supply Demand

According to the Water Supply Information Summary Sheet submitted by the applicant, the estimated water demand is 0.5 AF/yr per lot, consisting of household use and irrigation use, for a total water demand of 12 AF/yr.

Information submitted by the Todd Creek Village Metropolitan District (“District”) for other subdivisions indicate that each proposed lot typically requires one potable water unit per lot and one irrigation water unit per lot. Since this subdivision is creating 24 lots, it is assumed that this development would require water for 24 lots.

Based on information in this office, the District currently uses a rate of 0.3 acre-feet per year per unit for their Potable Water Units and 0.25 acre-feet per year per unit for their Irrigation Water Units. At these rates, the subdivision would require 7.2 acre feet for indoor uses and 6 acre-feet for irrigation purposes; the development would require a total of 13.2 acre-feet per year.

Source of Water Supply

District Water Supply Overview

The proposed water source is the Todd Creek Village Metropolitan District (District). A “willing to serve” letter from the District dated February 18, 2018 was provided with application materials.



The District last provided a Water Supply Report to this office, dated November 2011, on June 3, 2014. The District submitted updated information regarding the District's surface water supplies and water demands on August 19, 2019 ("updated 2011 Report").

This office recognizes that the District continues to develop its water portfolio and infrastructure so that it can meet the needs of its customers. However, when this office evaluates water supplies available to any water district or municipal provider for the purpose of meeting permanent customer commitments it does not consider a district's short-term contract supplies, pending projects or junior water rights. Short term contracts have the potential to be discontinued, water supplies that require a water court decree prior to use have an uncertain yield until such time as a water court decree is obtained and junior water rights are only able to divert during times when all downstream senior water rights are satisfied, which in the South Platte river basin is infrequent in dry years. For these reasons, we have not historically considered such supplies when evaluating the permanent water supplies available to a district. This is consistent with the approach we have taken in previous letters to the county regarding the District, including letters dated January 2, 2002, June 18, 2002, August 8, 2002, October 29, 2002, September 15, 2004, January 24, 2005, February 8, 2005, October 4, 2011 and November 17, 2016.

District Water Supply Demands

The updated 2011 Report estimates the District's current and future demands are approximately 3,375.08 acre-feet annually of which 1,452.27 acre-feet annually is for potable use and 1,922.81 acre-feet annually is for irrigation use. *This total includes 1,930 units for Dry Creek East Subdivision, but does not include the additional 24 lots of Shook Filings 3 and 4.*

According to information in this office, the District has implemented a dual pipeline system, one for potable water and one for non-potable irrigation water. New subdivisions will be required to have two taps and the existing subdivisions have been retrofitted with this system. Due to the nature of the District's water rights, their dual pipeline system and the water supply requirements of this office, the demand has been further broken down into potable residential water demands, potable commercial water demands and non-potable irrigation demands. This office will focus on the potable residential and commercial water demands since Todd Creek can supply potable water separate from non-potable water as a result of their dual pipeline system. Currently, platted and future residential and commercial potable water demands total 1,452.27 acre-feet per year, *not including Shook Subdivision Filings 3 and 4.*

For the purposes of understanding the District's ability to satisfy the county's water allocation approach for the previously approved subdivisions, water demand can also be described by the total residential and commercial potable water demand over the 100 year and 300 year allocation periods. The total potable water demand for residential and commercial developments is 303,664.4 acre-feet. The potable water requirements of each existing residential and commercial development are listed in Table 1.

Table 1: Potable Water Demands

Development Name	Number of Single Family Units	Assumed Water Requirement per Lot (AF/yr/lot)	Total Annual In-House Use Requirement (AF/yr)	Water Supply Demand Approach	Total In-House Use Requirement (AF)
Residential					
Todd Creek Farms Filing 1	54	0.269	14.53	100-yr	1452.6
Todd Creek Farms Filing 2	57	0.269	15.33	100-yr	1533.3
Todd Creek Farms Filing 3	62	0.269	16.68	100-yr	1667.8
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Eagle Shadow I	185	0.269	49.77	100-yr	4976.5
Wheatland Estates	71	0.269	19.10	100-yr	1909.9
Todd Creek Meadows Phase I	78	0.269	20.98	100-yr	2098.2
Silver Springs	52	0.269	13.99	100-yr	1398.8
Hawk Ridge	47	0.269	12.64	100-yr	1264.3
Eagle Shadow II	191	0.269	51.38	100-yr	5137.9
Heritage at Todd Creek	1277	0.269	343.51	100-yr	34351.3
Todd Creek Village-Bartley	172	0.300	51.60	300-yr	15480.0
Todd Creek Village-Shook	32	0.300	9.60	300-yr	2880.0
Baseline Lakes	54	0.269	14.53	300-yr	4357.8
Jogan Estates	3	0.300	0.9	300-yr	270
Seltzer FT	207	0.300	62.10	300-yr	18,630.0
Seltzer Farms	501	0.300	150.30	300-yr	45,090.0
Wygant	255	0.300	76.50	300-yr	22,950.0
Baseline Lakes-Add'l	140	0.300	42.00	300-yr	12,600.0
ALF (Dry Creek East)	1,930	0.200	386	300-yr	115,800.0
Commercial					
HTC Club/Maint			3.65	100-yr	365.0
TCVMD office			0.03	100-yr	3.0
NH Church			0.88	100-yr	88.0
Harvest Fellowship			0.24	100-yr	24.0
Total	5,725		1,452.27		303,931.7

District Water Supply Availability: Denver Basin Water

According to the District's updated 2011 Report, the District has approximately 843 acre-feet per year of currently decreed nontributary Laramie-Fox Hills ground water rights. The District also has 39.2 acre-feet per year of not-nontributary Lower Arapahoe ground water rights that are currently included in a plan for augmentation and 503.6 acre-feet per year of not-nontributary Lower Arapahoe ground water rights that are currently not included in a plan for augmentation. Once adjudicated, the District claims it will also have the right to withdraw and use additional Laramie-Fox Hills aquifer water underlying lands in the District's

boundaries that is not currently adjudicated. **Please note that these amounts are based on the statutory 100-year aquifer life allocation approach.**

Based on this information, the District currently has a total of 88,220 acre-feet (882.2 acre-feet per year for 100 years) of Denver Basin water supplies; the District is committed to supplying a total of 303,931.7 acre-feet of potable water. If the Denver Basin water is withdrawn over 100 years, it equates to 882.2 acre-feet of water per year, which is less than the yearly potable commitment of 1,452.27 acre-feet per year.

The proposed source of water for this subdivision includes bedrock aquifer ground water in the Denver Basin. The State Engineer's Office does not have evidence regarding the length of time for which this source will be a physically and economically viable source of water. According to 37-90-137(4)(b)(I), C.R.S., "Permits issued pursuant to this subsection (4) shall allow withdrawals on the basis of an aquifer life of one hundred years." Based on this **allocation** approach, the annual amounts of water decreed by the District in the Denver Basin are equal to one percent of the total amount, as determined by rules 8.A and 8.B of the Statewide Nontributary Ground Water Rules, 2 CCR 402-7. Therefore, the water may be withdrawn in those annual amounts for a maximum of 100 years.

In the Adams County Development Standards and Regulations, Effective April 15, 2002, Section 5-04-05-06-04 states:

"Prior to platting, the developer shall demonstrate that...the water supply is dependable in quantity and quality based on a minimum useful life of three-hundred (300) years. A minimum 300-year useful life means the water supply from both a static and dynamic basis will be viable for a minimum 300-year period. The static analysis shall include evaluation of the volume of water that is appropriable for the proposed subdivision. The dynamic analysis shall evaluate whether the appropriable water supply is sustainable for three-hundred (300) years, giving consideration to the location and extent of the aquifer, as well as impacts caused by both current and future pumping by others from the aquifer."

The State Engineer's Office does not have evidence regarding the length of time for which this source will be "dependable in quantity and quality." However, the one hundred year and three hundred year water allocation approach was evaluated as described above. The State Engineer's Office has no comment on the quality of the water supply or the required 'dynamic analysis' to evaluate whether the appropriable water supply is sustainable for three hundred years.

District Water Supply Availability: Surface Water

According to the District's updated 2011 Report, the District has surface water rights ranging from 1,740 acre-feet per year to 3,440 acre-feet per year. Some of this surface water is limited to municipal or irrigation uses only, as outlined in Table 2, below. Table 2 also outlines what sources this office considers secure permanent supplies for the purposes of evaluating a subdivision water supply plan. This office does not consider water subject to short-term leases or water not yet adjudicated by the Water Court when evaluating the amount of permanent supplies available to supply residential developments. Also this office will not consider junior water rights unless the District shows that they have the ability to

store junior water rights and can clearly document the firm supply that would be available from such junior water rights in dry years.

Regarding the District's use of Coors water, the following issues need to be addressed before we can provide additional comments. The Coors effluent may have very limited yield since the decrees under which the majority of the water rights were changed (case nos. W-8036, W8256 and 89CW234) do not allow for reuse or successive use for municipal uses within the District's boundaries or augmentation uses other than the Coors Operations contemplated in the decrees. It appears that only a portion of the water included in case no. 99CW236, specifically water previously changed in case no. 96CW1117, could be used within the District's boundaries, subject to the terms and conditions of said decrees.

The District has obtained a decree in case no. 08CW165 since the District's updated 2011 Report, therefore the average historical consumptive use decreed in that case for the Old Brantner shares of 130 acre-feet has been included as a permanent supply as shown in Table 2.

Table 2: District's Surface Water Supplies

Water Source	Contract/ Shares	Contract End Date or Decree/ SWSP	Proposed Yield: Municipal (AF)	Proposed Yield: Irrigation (AF)	Firm yield, permanent supply: Municipal (AF)	Firm yield, permanent supply: Irrigation (AF)	Notes
Old Brantner	17 shares	08CW165	315.2	0	130	0	Adjudicated March 10, 2015
New Brantner	18.375 shares		0	312	0	312*	No information provided
Effluent	Coors- Aug	12/31/2016 (12/31/2026 w/ extensions)	200	0	0	0	Effluent not decreed for reuse or successive use
Reusable Effluent	Consolidated Mutual	Perpetual	500	0	462.1**	0	
Excess Credits	SACWSD	3/31/2018	500	0	0	0	Short term lease
Jr. Surface Right	n/a	13CW3181	40 cfs	0	0	0	
Jr. Surface Right	n/a	16CW3019	7,482	0	0	0	
Jr. Surface Right	n/a	19CW3061	----	0	0	0	Pending Court Case

*The New Brantner shares can continue to be used for the historical irrigation use. From the information provided it could not be determined if the land proposed to be irrigated is included under the originally decreed lands.

**The Consolidated Mutual contract water is typically released from the Metro Wastewater Facility; this water travels downstream to the District. Due to transit losses associated with the water delivery, only 462.1 acre-feet of the 500 acre-feet contracted is realized by the District. This calculation is based on the standard river transit loss rates; in a dry year the rate of transit loss could increase.

Based on the information provided by the District, and additional information available to this office, it appears that the applicant has approximately 592.1 acre-feet of potable surface water supplies that could be considered part of the permanent water supply.

District Water Supply Availability: Conclusions

The District's ability to regulate potable and irrigation water separately through their dual pipeline system allows this office to evaluate potable water supply and irrigation water supply independently. Therefore, this office's conclusions regarding the District's potable and irrigation water are being addressed separately.

When the permanent supply of the District's municipal surface rights (592.1 acre-feet per year) is combined with the District's Denver Basin water (882.2 acre-feet per year), the District's total permanent potable water supply becomes 1,474.3 acre-feet per year (assuming a 100-year aquifer life). This amount is not sufficient to meet the potable residential and commercial demands for the existing District's commitments, which is 1,066.27 acre-feet per year, the 386 acre-feet per year required for Dry Creek East Planned Development (Weld County) and 7.2 acre-feet per year for Shook Subdivision Filings 3 and 4.

As discussed above based on the 100 year and 300 year allocation approaches required for the subdivisions the total water requirement for the District's current commitments is 303,931.7 acre-feet. The permanent water sources available to meet that demand is 882.2 acre-feet per year of Denver Basin water (88,220 acre-feet total based on a 100 year allocation approach) and 592.1 acre-feet of surface rights (177,630 acre-feet based on deliveries for 300 years). Therefore the total amount of permanent water supplies available over a 300 year period would be 265,850 acre-feet which would not be adequate to meet the demand over that period of 303,931.7 acre-feet, *not* including Shook Subdivision Filings 3 and 4.

The recognized permanent surface irrigation supplies are 312 acre-feet per year available from the New Brantner shares. Permanent potable water supply that is not needed for existing residential and commercial commitments may be used as a source of permanent irrigation water supply, however Denver Basin water used for that purpose would reduce the amount available to meet future potable water demands.

The 312 acre-feet of permanent irrigation supplies is less than the 1,922.81 acre-feet per year irrigation demand projected for the platted parcels. It is our opinion that the District does not have adequate permanent water supplies to meet the estimated future irrigation requirements.

State Engineer's Office Opinion

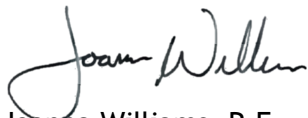
Based on the above and pursuant to Section 30-28-136(1)(h)(II), C.R.S., the State Engineer's Office has not received enough information to render an opinion regarding the potential for causing material injury to decreed water rights, or the adequacy of the proposed water supply. Prior to further review of the subdivision water supply plan the following information is required:

1. The District should show that they have additional firm water supplies currently available to supply water to their existing commitments, Dry Creek Planned Development (Weld County) and Shook Subdivision Filings 3 and 4 or clarify the amount of water actually committed to the Dry Creek Planned Development and Shook Subdivision Filings 3 and 4. If the District will be claiming junior water rights as part of the firm supply the District must show that they have the ability to store the junior water rights and clearly document the firm supply that would be available from such junior water rights in dry years.

The applicant should be aware that unless any storm water detention structure, can meet the requirements of a "storm water detention and infiltration facility" as defined in Section 37-92-602(8), C.R.S., the structure may be subject to administration by this office. The applicant should review the Division of Water Resources [Administrative Statement Regarding the Management of Storm Water Detention Facilities and Post-Wildland Fire Facilities in Colorado](#), available on our website, to ensure that the notification, construction and operation of the proposed structure meets statutory and administrative requirements. The applicant is encouraged to use *Colorado Stormwater Detention and Infiltration Facility Notification Portal*, located at <https://maperture.digitaldataservices.com/gvh/?viewer=cswdif>, to meet the notification requirements.

Should you or the applicant have any questions, please contact Ailis Thyne at (303) 866-3581 x8216.

Sincerely,



Joanna Williams, P.E.
Water Resource Engineer

JMW/aat

Cc: Subdivision File 24595
Todd Creek Village Metro District File

From: [Libby Tart](#)
To: "Don Summers": c3construction@live.com
Cc: [Jen Rutter](#); [Christine Fitch](#); [Matthew Emmens](#)
Subject: RE: TCVMD 2019 Water Supply Plan
Date: Thursday, January 2, 2020 3:03:00 PM
Importance: High

Hello all – Hope you all had a happy holiday!

We haven't received any further files since just before the holidays began. We must receive the *signed and stamped* water supply plan by noon on Wednesday 1/8 in order for the case to not be continued again. The Planning Commission (PC) is expecting that the case will go before them on Thursday 1/9. If you anticipate that this timeframe is not realistic, please make a continuance request by email so that we have it for our records.

The BoCC continuance request occurs on 1/14 and the proposed date for consideration is 1/21. If we need to move the PC date again (to 1/23 or later – PC meetings occur the 2nd and 4th Thursdays of the month) , we will need to continue the BoCC date to February 4th or later.

Please keep us informed about your timeline.

I'm currently working from home due to a head cold, but anticipate being in the office tomorrow.

Many thanks,
Libby

Libby Tart, AICP

Senior Long Range Planner, *Community and Economic Development Department*
ADAMS COUNTY, COLORADO
4430 S. Adams County Parkway, 1st Floor, Suite W2000A
Brighton, CO 80601
O: 720.523.6858 | General Line: 720.523.6800
ltart@adcogov.org | www.adcogov.org

From: Libby Tart
Sent: Tuesday, December 24, 2019 12:20 PM
To: Don Summers <don@toddcreekvillage.org>; Jen Rutter <JRutter@adcogov.org>
Cc: c3construction@live.com; [Christine Fitch <CFitch@adcogov.org>](mailto:CFitch@adcogov.org); [Matthew Emmens <MEmmens@adcogov.org>](mailto:MEmmens@adcogov.org)
Subject: RE: TCVMD 2019 Water Supply Plan

From: [Libby Tart](#)
To: [Don Summers](#); [Jen Rutter](#)
Cc: c3construction@live.com; [Christine Fitch](#); [Matthew Emmens](#)
Subject: RE: TCVMD 2019 Water Supply Plan
Date: Tuesday, December 24, 2019 12:20:00 PM

Hello Don and Jen – I will be happy to send the request along to the Division of Water Resources after we receive the update with the 300 year supply mentioned. I'll be here Thursday and Friday if the revisions are quickly addressed.

Thanks and Merry Christmas to you!

Libby

Libby Tart, AICP

Senior Long Range Planner, *Community and Economic Development Department*
ADAMS COUNTY, COLORADO

4430 S. Adams County Parkway, 1st Floor, Suite W2000A
Brighton, CO 80601

O: 720.523.6858 | General Line: 720.523.6800

ltart@adcogov.org | www.adcogov.org

From: Don Summers <don@toddcreekvillage.org>
Sent: Tuesday, December 24, 2019 11:43 AM
To: Jen Rutter <JRutter@adcogov.org>
Cc: Don Summers <don@toddcreekvillage.org>; c3construction@live.com; Christine Fitch <CFitch@adcogov.org>; Libby Tart <LTart@adcogov.org>; Matthew Emmens <MEmmens@adcogov.org>
Subject: RE: TCVMD 2019 Water Supply Plan

Please be cautious: This email was sent from outside Adams County

Jen,

Thank you for getting back to me so quickly. What you are asking for is a simple request and I will get back the revision back to you right away.

Merry Christmas,

Don

Don Summers
TCVMD
720.373.7373

The information contained in this e-mail is intended only for the individuals to whom it is addressed. Its contents (including attachments) are confidential and may be privileged information. If you are

not an intended recipient, you must not use, disclose, disseminate, copy or print its contents. If you receive this email in error, please notify the sender or reply by e-mail and delete or destroy this message.

On Dec 24, 2019, at 9:59 AM, Jen Rutter <jrutter@adcogov.org> wrote:

Good morning,

Thank you for providing the TCVMD 2019 Water Supply Plan. The County requires proof of adequate supply of water for a minimum of 300 years, so please make that more explicit in your report. Table 2 (page 15 of 18) lists "Estimated Annual Appropriation 100 yrs af/yr".

Please see Section 5-04-05-06-04(2.) for the details on that 300-year requirement:

<http://www.adcogov.org/sites/default/files/dsr-chapter-05.pdf>

Thank you and happy holidays!

Jen

Jen Rutter

Development Services Manager, *Community & Economic Development*

ADAMS COUNTY, COLORADO

4430 South Adams County Parkway, 1st Floor, Suite W2000A

Brighton, CO 80601

o: 720.523.6841 | jrutter@adcogov.org

www.adcogov.org

From: Don Summers <don@toddcreekvillage.org>

Sent: Thursday, December 19, 2019 11:29 AM

To: Libby Tart <LTart@adcogov.org>; Jen Rutter <JRutter@adcogov.org>; Christine Fitch <CFitch@adcogov.org>

Subject: TCVMD 2019 Water Supply Plan

Please be cautious: This email was sent from outside Adams County

Libby, Jen & Christy,

Please see the attached Water Supply Plan.

In response the letter written by DWR regarding Adams County's request of determination of TCVMD's ability to supply water to the Shook subdivision, Todd Creek Village Metropolitan

District(TCVMD) has commissioned and finished a new Water Supply Plan(WSP).

TCVMD disagrees with the conclusion and overall characterization of our water plan in the letter and thought it would be clearer and more efficient to complete a new WSP for review by both the County and the State DWR.

This is not an update of an existing plan, but an entirely new description of the water available to the District to supply its users. This plan goes not only into the supplies that are available normally, but also the amount available during the drought period of 2002-2006 (The worst in State history) and further to a drought scenario that is significantly worse than the worst seen in Colorado history.

TCVMD is confident of its ability to supply water to all of its customers in all conditions and with more flexibility than most suppliers serving in Adams County or elsewhere in the State. If Adams County would like the District to present or defend this Supply Plan to others of the County's choosing, I am happy to do that on behalf of TCVMD.

TCVMD is in partnership with Adams County on the Mann Lakes Reservoir Project located in the Adams County Regional Park Complex on 124th Ave. This reservoir project is one of many that are in various stages of development by TCVMD to better supply our users. TCVMD has purposefully embarked on a different strategy than many other water suppliers. We here at TCVMD are implementing a "junior rights supported by superior infrastructure" approach. As you will see in the TCVMD 2019 WSP that this approach along with our two-pipe system(potable & non-potable water delivery to each house) allows TCVMD to supply water reliably during very extreme drought periods.

When you have any questions relating to water, I will be glad to assist you whether the issue is directly related to TCVMD or just general water information.

The State DWR is being provided this same 2019 Water Supply Plan by Jehn Water. However, they will not act on it without a formal request from Adams County.

Thank you,

Don

Don Summers
TCVMD
720.373.7373

The information contained in this e-mail is intended only for the individuals to whom it is addressed. Its contents (including attachments) are confidential and may be privileged information. If you are not an intended recipient, you must not use, disclose, disseminate, copy or print its contents. If you receive this email in error, please notify the sender or reply by e-mail and delete or destroy this message.

From: [Don Summers](#)
To: [Libby Tart](#); [Jen Rutter](#); [Christine Fitch](#)
Subject: TCVMD 2019 Water Supply Plan
Date: Thursday, December 19, 2019 11:28:47 AM
Attachments: [TCVMD WSP Final 20191217 \(002\).pdf](#)

Please be cautious: This email was sent from outside Adams County

Libby, Jen & Christy,

Please see the attached Water Supply Plan.

In response the letter written by DWR regarding Adams County's request of determination of TCVMD's ability to supply water to the Shook subdivision, Todd Creek Village Metropolitan District(TCVMD) has commissioned and finished a new Water Supply Plan(WSP). TCVMD disagrees with the conclusion and overall characterization of our water plan in the letter and thought it would be clearer and more efficient to complete a new WSP for review by both the County and the State DWR.

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Thank you,

Don

Don Summers
TCVMD

720.373.7373

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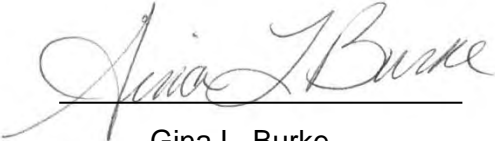
**TODD CREEK VILLAGE
METROPOLITAN DISTRICT
WATER SUPPLY PLAN**

Prepared For: Todd Creek Village Metropolitan District
10450 East 49th Ct.
Brighton, Colorado 80602

Prepared By: Jehn Water Consultants, Inc.
88 Inverness Circle East, Suite K-102
Englewood, Colorado 80112
(303)321-8335
Job No. 814.1

**TODD CREEK VILLAGE
METROPOLITAN DISTRICT
WATER SUPPLY PLAN**

December 17, 2019

A handwritten signature in cursive script that reads "Gina L. Burke". The signature is written in black ink and is positioned above a horizontal line.

Gina L. Burke
President

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INTRODUCTION

This Report is an update of the Water Supply Report, dated November 2, 2011, for the Todd Creek Village Metropolitan District (District) which is approved to provide services in Adams and Weld Counties, Colorado. The primary purpose of this Report is to summarize the current and future demands of the District and the water available to meet those demands.

The District controls Denver Basin ground water rights in all or portions of Sections 1–5, 8–12, 14–16, and 21-23 in Township 1 South, Range 67 West. The District's Service Area also includes Sections 21-24, 25-28, and 33-36 in Township 1 North, Range 67 West, all within the 6th P.M. (Figure 1). The District's Service Area currently includes approximately 12,891 acres, of which approximately 6,833 acres are located in Adams County and 6,058 acres are located in Weld County.

This Report updates the water supplies available to the District and the current potable and irrigation demands of the District. This Report also provides firm yield analyses for the District's junior water rights and existing infrastructure to evaluate the sufficiency of the District's water supplies.

DISTRICT'S WATER SUPPLY

The District controls water rights in the Denver Basin aquifers underlying the District property as well as surface water rights on the South Platte.

Decreed Denver Basin Ground Water Rights

As summarized in Table 1, a total of 1,386.2 acre-feet per year (af/yr) are decreed for use within the District. That total includes 843.4 af/yr decreed from the nontributary Laramie-Fox Hills aquifer and 542.8 af/yr decreed from the not-nontributary Lower Arapahoe aquifer. At the time of this Report, the water rights decreed in the Lower Arapahoe aquifer have not been decreed in a Water Court approved augmentation plan.

As additional properties are platted and agreements are made with the District for service, the Denver Basin ground water is conveyed to the District. Table 2 provides a summary of Denver Basin ground water rights that have either been conveyed to the District but have not yet been adjudicated, or that underlie properties that are currently in the process of being zoned or platted and will be conveyed to the District upon completion of the land use process. Based on the estimates described in Table 2, there are approximately 568 af/yr in the not-nontributary Lower Arapahoe and 948 af/yr of nontributary Laramie-Fox Hills water rights underlying Todd Creek Village, Todd Creek Shook and Todd Creek Bartley (Adams County). The Todd Creek Seltzer properties, located in both Adams and Weld Counties, may have 59 af/yr in the not-nontributary Lower Arapahoe and 103 af/yr in the nontributary Laramie-Fox Hills underlying those parcels. There is also an estimated 86 af/yr of not-nontributary Lower Arapahoe and 155 af/yr of nontributary Laramie-Fox Hills aquifer ground water underlying the Dry Creek East property. The Dry Creek East property is currently being rezoned through Weld County and once the proposed development is platted, the Denver Basin ground water associated with the property will be conveyed to the District as one of the conditions for service. In total, there is approximately 714 af/yr available in the not-nontributary Lower Arapahoe and 1,216 af/yr in the nontributary Laramie-Fox Hills aquifers that will be available to the District to meet future demands.

Surface Water Rights

The District owns surface water rights to be utilized within the District to meet current and future demands. Table 3 provides a summary of those water rights totaling approximately 19,000 af/yr.

Old Brantner Ditch

The District permanently controls 18 shares of the Old Brantner Ditch. 17 of those shares were changed to municipal uses in Case No. 08CW165. The change of use in that Case was from irrigation to municipal uses within the District. The consumptive use associated with the 17 shares is 130 af/yr.

New Brantner Ditch

The District owns 19.375 shares of the New Brantner Ditch. The District is currently working with Aurora to purchase additional shares. The District has future plans to change its shares of New Brantner Ditch rights to municipal uses within the District. The estimated consumptive use for the 18.375 shares is approximately 312 af/yr.

Consolidated Mutual

The District permanently controls the 500 af/yr of reusable effluent from Consolidated Mutual Water Company.

Case No. 13CW3181

This decree includes conditional surface water rights from the South Platte River, both direct and storage, conditional alluvial well water rights, and a plan for augmentation and exchange. Case No. 13CW3181 includes two surface points of diversion (TCVS-01 and TCVS-02) and four augmented alluvial wells (TCQAL-1 through TCQAL-4). The decreed total annual diversion may not exceed 6,202 af/yr (10-year average) and 11,237 acre-feet in any single year. A total of 1,198 acre-feet of storage was also decreed utilizing the reservoirs within the District's Service Area (Smith, Signal 1, Signal 2, and Baselines East and West). The District is currently using about 564 acre-feet of storage, has the remaining amount under development, is currently utilizing diversions from TCVS-01, and wells TCQAL-1, TCQAL-2 and TCQAL-4.

In Water Year 2018 the District diverted approximately 2,538 acre-feet from the decreed structures and 1,509 acre-feet in Water Year 2019.

Case No. 16CW3019

TCVMD has decreed a conditional storage water right for the Mann Lakes Reservoir which is an off-channel, lined gravel pit reservoir complex consisting of three interconnected lakes know as Mann Lake No. 1, Mann Lake No. 2 and Mann Lake No. 3. A total of 3,741 acre-feet of storage is decreed to Mann Lakes. The decreed volumetric limit is 7,482 af/yr. Currently, the Mann Lakes reservoirs are legally available for use and in 2019 the District diverted approximately 1,656 acre-feet into the reservoir complex, utilizing Mann Lake Nos. 2 and 3.

EXISTING AND PROJECTED WATER DEMANDS

The District is currently relying on its surface water rights to meet the needs of the District and are utilizing their Denver Basin ground water rights as drought protection only. As of the date of this Report, the District is committed to provide potable and irrigation service to 2,713 residential units, four commercial properties, and the irrigation of two parks, miscellaneous landscaping throughout the District and the Heritage Todd Creek Golf Course. The District manages two water rights portfolios, one to meet their potable demands and a second to meet their irrigation demands. The District runs on a two-pipe system where they only treat a portion of their surface water rights for potable uses and can provide untreated water for irrigation throughout the District. The estimated total demands, as outlined in Table 4, for those properties that are currently platted and have service agreements with the District are approximately 1,736 af/yr.

Currently, there are two County applications being processed. The 24 lots in the Adams County application (TC Shook) will add approximately 7.2 af/yr to the current committed potable demands of the District. There are also 300 lots in a Weld County application (ALF) that will add approximately 60 af/yr to the potable demands of the District. The overall total demands of these two applications, including irrigation, will be approximately 150 af/yr which will raise the current overall demands of the District to approximately 1,886 af/yr.

JUNIOR FIRM YIELD ANALYSIS

An operational model was built to determine what demands could be met with the water rights discussed above. This firm yield analysis includes the Water Availability analyses completed for both junior water rights decrees, Case Nos. 13CW3181 and 16CW3019 updated through Water Year 2018 (Tables 5 through 13), along with the currently utilized storage reservoirs (Smith, Signal 2 and Mann Lake Nos. 1, 2 and 3). The sources of water supply to meet the demands in the firm yield analysis include the conditional junior water rights decreed in Case No. 13CW3181 for TCVS-01 (limited to 40 cfs) and the water rights decreed in Case No. 16CW3019 diverted at Mann Lakes South Platte River Diversion (limited to 21 cfs). The total water rights available to the District at TCVS-01, as utilized in this operational analysis, is summarized in Table 11 and those water rights available at Mann Lake are summarized in Table 13.

District Demands

Based on the demands outlined in Table 4, a total of 803 af/yr was utilized in the operational analysis (Table 14). This includes the potable demands for the platted units, which includes the 24 units for TC Shook, and the 300 ALF units (60 af/yr). Since the demands being modeled are potable only, it is assumed they are constant each month. A conservative analysis was completed in regard to the demands of evaporation off of the storage reservoirs. It was assumed that the reservoirs were full throughout the operational model to maximize the evaporative demands on the system. As TCVMD utilizes the reservoirs as a single storage system with all the structures connect to each other, the analysis utilized a combine storage volume of 460 acre-feet at the District (Smith and Signal 2) with a combined surface area of 53 acres. For Mann Lakes, it was assumed that the District would only have available their portion of the Mann Lakes reservoir complex (58.15% of the total storage) which equates to 1,789 acre-feet and 93 surface acres. The conservative demands for evaporation at the District and Mann Lakes are provided in Tables 15 and 16, respectively. As shown, a total of 517 af/yr of evaporation was included in the operational analysis.

Analysis Results

Based on the water availability analysis and the demands on the system, a storage analysis was completed to determine the potential demands met. Table 17 shows the water remaining in storage after the monthly demands are met utilizing the District's storage in Smith and Signal 2.

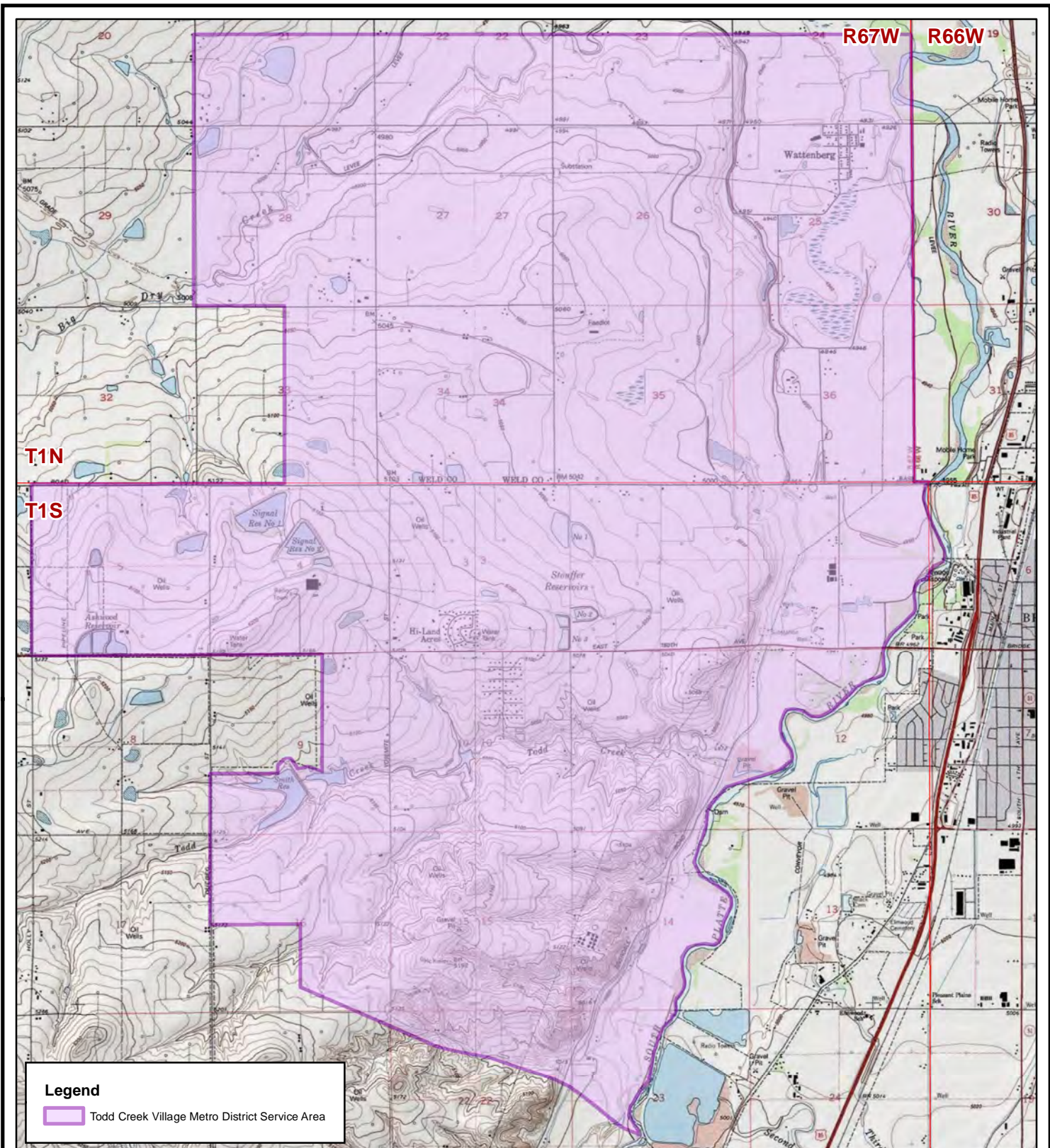
This analysis provides excess storage to be carried over to meet the demands of the following month. There are months in which all demands were not met as shown in Table 18. Those additional demands were then modeled in the Mann Lakes Reservoir Complex. Table 19 shows the water remaining in storage after the remaining demands are met utilizing the District's storage in Mann Lakes. As shown in Table 20, the junior surface water rights, with storage within the District and at Mann Lakes is more than sufficient to meet the District's demands of 803 af/yr.

A second model was completed which added additional conservative measures. The conservative model utilized all the same data as the model discussed above but added a limitation on resources for the two decreed rights. From 2003 through 2005 all water rights available under Case Nos. 13CW3181 and 16CW3019 were zeroed out as shown on Tables 21 and 22, respectively. This modeling approach utilized the same conservative approach to evaporation as discussed above. The results, as shown in Tables 23 through 25, show that the total demands met by the storage structures averaged 748 af/yr over the 26-year study period. As shown in Table 25, there was sufficient junior water rights available in storage to meet all the demands in 2003 and partial demands in 2004 and 2006. From 2004 through 2006, the District would need to utilize other sources available to them, such as their decreed Denver Basin aquifer water rights and the surface water rights from Consolidated Mutual (500 af/yr) and the Old Brantner (130 af/yr), to fill in the gaps when the junior water rights would not be available to meet all demands.

CONCLUSIONS

The Todd Creek Village Metropolitan District has sufficient water rights readily available to meet current and future demands within the District's Service Area. As of the date of this Report, the District's current and short-term future potable demands are approximately 803 af/yr. These demands will be met from water rights owned or controlled by the District. Those water rights currently include approximately 843 af/yr of currently decreed nontributary Laramie-Fox Hills ground water rights, 500 af/yr from Consolidated Mutual, 130 af/yr from the Old Brantner and firm yield supplies from their decreed junior water rights, Case Nos. 13CW3181 and 16CW3019, ranging from 748 af/yr to 803 af/yr based on the analyses included herein. The District will also have right to withdraw and use additional Denver Basin ground water from the Laramie-Fox Hills aquifer once adjudicated in the estimated amounts of 1,216 af/yr for additional drought protection.

These readily available water rights, totaling more than 2,220 af/yr, are more than sufficient to meet the current and future needs of the District. With the use of the District's two-pipe system and separate portfolio of water rights to meet irrigation demands, that would allow the use of the 2,220 af/r of firm water rights to meet the potable demands of over 7,400 units.



Sources:
Esri USA Topo Maps Basemap

Projection:
UTM NAD83

Job No. 814.1
Prepared By: HLB 02/23/2016
Checked By: GLB 02/23/2016

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TCVMD Service Area

1 inch = 4,000 feet
0 1,750 3,500 Feet



**Figure
1**

TABLE 1
TODD CREEK VILLAGE METROPOLITAN DISTRICT
DECREED DENVER BASIN GROUND WATER

Case No.	NNT Lower Arapahoe (af/yr)	NT LFH (af/yr)	Total af/yr
83CW136	-	27.3	27.3
87CW258	177.0	226.0	403.0
96CW242	23.8	14.5	38.3
97CW186	28.0	39.0	67.0
98CW396	27.4	38.1	65.5
98CW397	24.7	-	24.7
99CW042	-	34.0	34.0
99CW124	16.8	23.8	40.6
99CW141	28.7	38.0	66.7
00CW160	16.6	-	16.6
00CW254	41.5	133.9	175.4
02CW106	112.1	177.6	289.7
04CW108	46.2	91.2	137.4
Total	542.8	843.4	1386.2

Note: At the time of this report, the NNT Lower Arapahoe Aquifer ground water is not included in a plan for augmentation.

98CW397 was reduced by District's pro-rata share
(144 acres out of 149 acres decreed)

99CW124 was reduced by District's pro-rata share
(80 acres out of 160 acres decreed)

**TABLE 2
TODD CREEK VILLAGE METROPOLITAN DISTRICT
ESTIMATED DENVER BASIN GROUND WATER AVAILABLE**

*Dry Creek East
Township 1 North, Range 67 West, 6th P.M.*

Acres	Aquifer	Saturated Thickness ft	Sy	Estimated Appropriation acre-feet	Estimated Annual Appropriation 100 yrs af/yr	Status
530.1	Lower Arapahoe	96	0.17	8,644	86.44	NNT
	Laramie-Fox Hills	195	0.15	15,521	155.21	NT

*Todd Creek Shook
Portion of Section 3, Township 1 South, Range 67 West, 6th P.M.*

Acres	Aquifer	Saturated Thickness ft	Sy	Estimated Appropriation acre-feet	Estimated Annual Appropriation 100 yrs af/yr	Status
55	Lower Arapahoe	100	0.17	935	9.35	NNT
	Laramie-Fox Hills	189	0.15	1,559	15.59	NT

*Todd Creek Bartley
Portion of Section 2, Township 1 South, Range 67 West, 6th P.M.*

Acres	Aquifer	Saturated Thickness ft	Sy	Estimated Appropriation acre-feet	Estimated Annual Appropriation 100 yrs af/yr	Status
285	Lower Arapahoe	100	0.17	4,845	48.45	NNT
	Laramie-Fox Hills	189	0.15	8,080	80.80	NT

*Todd Creek Village
Township 1 South, Range 67 West, 6th P.M.*

Acres	Aquifer	Saturated Thickness ft	Sy	Estimated Appropriation acre-feet	Estimated Annual Appropriation 100 yrs af/yr	Status
3,004	Lower Arapahoe	100	0.17	51,068	510.68	NNT
	Laramie-Fox Hills	189	0.15	85,163	851.63	NT

*Todd Creek Seltzer
Portion of Section 34, Township 1 North, Range 67 West, and Portion of Section 3 and 4, Township 1 South,
Range 67 West, 6th P.M.*

Acres	Aquifer	Saturated Thickness ft	Sy	Estimated Appropriation acre-feet	Estimated Annual Appropriation 100 yrs af/yr	Status
381	Lower Arapahoe	91	0.17	5,913	59.13	NNT
339	Laramie-Fox Hills	203	0.15	10,295	102.95	NT

Notes: **At the time of this Report, the Denver Basin water rights included in this table have not been adjudicated.**

Dry Creek East Denver Basin water rights will be conveyed to the District once property is platted. Once conveyed, the District will adjudicate the water rights.

Todd Creek Village, Todd Creek Shook and Todd Creek Bentley Denver Basin water rights have been conveyed to the District.

The saturated thicknesses are to be considered estimates only.

**TABLE 3
TODD CREEK VILLAGE METROPOLITAN DISTRICT
SURFACE WATER RIGHTS & CONTRACTS**

Water Right	Contract/Shares	af/yr	Decree/SWSP	Uses	Notes
Old Brantner	17 shares	130	08CW165	Municipal	Decreed max annual
New Brantner	18.375 shares	312	shares	Irrigation	Estimated CU
Reusable Effluent	Consolidated Mutual	500	-	Municipal	Contract
Jr Surface Water	-	6,202	13CW3181	Municipal	10-yr avg (decreed max 11,237 af/yr)
Jr Surface Water	-	7,482	16CW3019	Municipal	Decreed Volumetric Limit
Jr Surface Water	-	4491	19CW3061	Municipal	Pending
Total		19,117			

**TABLE 4
TODD CREEK VILLAGE METROPOLITAN DISTRICT
ESTIMATED CURRENT & FUTURE DEMANDS**

	Total units	Currently Served Units	Future Units	Potable af/yr/unit	Current af/yr	Future af/yr	Total Potable af/yr		Irrigation af/yr/unit	Current af/yr	Future af/yr	Total Irrigation af/yr	Total Demands af/yr
Development (Platted)													
TCF 1	54	54	0	0.27	14.53	0.00	14.53	54	0.34	18.36	0.00	18.36	32.89
TCF 2	57	57	0	0.27	15.33	0.00	15.33	57	0.34	19.38	0.00	19.38	34.71
TCF 3	62	62	0	0.27	16.68	0.00	16.68	62	0.34	21.08	0.00	21.08	37.76
TCF 4	139	139	0	0.27	37.39	0.00	37.39	139	0.34	47.26	0.00	47.26	84.65
Foxridge	58	58	0	0.27	15.60	0.00	15.60	58	0.34	19.72	0.00	19.72	35.32
TCF 5	160	152	8	0.27	40.89	2.15	43.04	160	0.34	51.68	2.72	54.40	97.44
ES 1	185	180	5	0.27	48.42	1.35	49.77	185	0.34	61.20	1.70	62.90	112.67
Wheatlands	71	71	0	0.27	19.10	0.00	19.10	71	0.34	24.14	0.00	24.14	43.24
TCM 1	78	71	7	0.27	19.10	1.88	20.98	78	0.34	24.14	2.38	26.52	47.50
Silver Springs	52	52	0	0.27	13.99	0.00	13.99	52	0.34	17.68	0.00	17.68	31.67
Hawk Ridge	47	42	5	0.27	11.30	1.35	12.64	47	0.34	14.28	1.70	15.98	28.62
ESS	191	187	4	0.27	50.30	1.08	51.38	190	0.34	63.58	1.02	64.60	115.98
HTC	1,277	825	452	0.27	221.93	121.59	343.51	800	0.25	206.25	-6.25	200.00	543.51
TC Bartley	172	163	9	0.30	48.90	2.70	51.60	172	0.34	55.42	3.06	58.48	110.08
TC Shook	60	0	60	0.30	0.00	18.00	18.00	32	0.34	0.00	10.88	10.88	28.88
Baseline Lakes	54	49	5	0.27	13.18	1.35	14.53	54	0.34	16.66	1.70	18.36	32.89
Subtotals	2,717	2,162	555		586.63	151.43	738.07	2,211		660.83	18.91	679.74	1417.81
Commercial (Platted - 2010 Demands)													
HTC Club/Maint							3.65					11.70	15.35
TCVMD office							0.03					-	0.03
NH Church							0.88					-	0.88
Harvest Fellowship							0.24					0.39	0.63
TCVP&R ES Park							-					8.10	8.10
TCVP&R TCM Park							-					3.98	3.98
LS areas							-					69.90	69.90
Future HTC LS areas							-					120.00	120.00
HTC Golf Course							-					270.00	270.00
Future Development (Not Platted)													
Weld County Development Area	3,100			0.20			620.00	3,100	0.25			775.00	1395.00
ALF	1,930			0.20			386.00	1,930	0.25			482.50	868.50
Jogan Estates (Adams)	3			0.30			0.90	3	0.25			0.75	1.65
Seltzer FT (Adams)	207			0.30			62.10	207	0.25			51.75	113.85
Seltzer Farms (Adams)	501			0.30			150.30	501	0.25			125.25	275.55
Wygant (Adams)	255			0.30			76.50	255	0.25			63.75	140.25
Baseline Lakes - Add'l (Adams)	140			0.30			42.00	140	0.25			35.00	77.00
	6,136												
							Total (Platted)					1,163.81	1,906.68
							Current					1,144.90	1,736.33
							Future					18.91	170.34
							Total (Not Platted)					1,534.00	2,871.80
							TOTAL DEMANDS					2,697.81	4,778.48

Notes:
 Demands provided by Todd Creek Village Metropolitan District
 HTC - replat reduced units from 1,310 to 1,277.
 Baseline Lakes - platted for 54 units

TABLE 5
USGS 06720500 SOUTH PLATTE RIVER AT HENDERSON, CO
Colorado DWR Calculated Monthly Totals
(Acre-Feet)

Water Year	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Annual Total
1993	15,842	17,826	17,068	19,234	20,539	19,224	21,721	32,279	34,910	25,210	18,300	16,891	259,045
1994	14,547	12,936	16,336	12,823	15,138	17,110	25,012	33,882	16,562	18,034	12,478	15,926	210,785
1995	12,072	12,123	11,915	11,375	8,136	16,410	115,204	285,386	197,001	37,512	34,622	21,741	763,497
1996	20,615	17,322	21,737	17,524	15,614	14,017	40,053	50,169	35,394	26,517	26,936	19,004	304,902
1997	17,387	19,036	21,674	19,482	13,551	24,724	25,282	121,287	49,770	70,144	32,654	39,091	454,083
1998	26,388	30,316	32,198	19,180	31,819	75,845	106,280	44,424	62,633	43,697	21,319	20,386	514,486
1999	26,690	27,916	22,505	13,609	12,417	52,547	116,386	152,730	53,820	91,158	34,509	32,164	636,450
2000	30,209	22,088	32,736	22,104	24,219	21,231	32,884	31,619	36,522	26,960	16,237	17,756	314,565
2001	16,846	15,467	17,042	20,946	22,717	28,632	49,393	34,935	39,692	26,906	17,615	24,601	314,793
2002	19,067	16,086	15,237	17,540	19,839	12,647	19,411	14,827	12,085	10,035	15,549	11,889	184,212
2003	15,570	10,477	13,740	16,300	29,003	27,412	38,754	62,808	29,185	21,525	11,558	8,481	284,813
2004	11,256	11,806	11,522	17,562	17,852	22,802	20,242	30,871	38,520	39,204	19,208	22,947	263,792
2005	16,318	16,376	12,472	12,909	13,454	43,744	47,283	66,991	25,292	30,994	14,874	26,067	326,774
2006	11,709	12,082	11,203	13,077	16,058	11,832	21,531	30,191	39,856	32,996	14,341	18,365	233,240
2007	16,554	17,774	17,885	24,103	46,396	71,852	186,608	99,889	42,530	32,379	15,432	19,411	590,813
2008	26,422	12,744	13,932	22,108	23,021	16,098	31,210	42,145	40,628	34,275	18,454	14,049	295,087
2009	20,456	16,481	17,572	14,783	15,420	34,473	51,938	131,784	48,939	20,174	16,021	18,093	406,134
2010	32,908	19,163	11,808	15,289	31,298	57,226	59,864	79,023	30,744	31,292	12,292	13,595	394,500
2011	23,971	16,066	13,561	11,165	11,127	13,865	29,943	46,283	98,794	23,088	14,848	18,246	320,958
2012	24,508	14,214	11,959	17,066	16,243	16,683	18,796	18,494	17,227	11,909	16,929	12,199	196,226
2013	15,334	14,876	15,085	13,514	16,300	13,583	23,776	30,516	27,460	21,041	93,597	32,240	317,322
2014	25,430	18,155	16,705	15,396	21,281	19,234	58,954	89,722	54,677	27,805	19,444	35,477	402,280
2015	25,185	18,673	21,170	21,515	25,901	37,068	236,576	306,649	124,358	26,855	16,120	26,430	886,498
2016	32,502	23,860	19,297	18,593	28,691	82,085	119,704	89,037	30,308	21,690	11,623	10,673	488,064
2017	14,604	19,232	19,388	15,612	15,344	16,393	46,998	49,416	35,355	28,939	15,943	17,992	295,218
2018	19,702	15,588	15,808	12,891	19,747	13,434	26,404	26,531	22,945	15,106	13,751	12,018	213,926
Average	20,465	17,257	17,368	16,758	20,428	30,007	60,392	76,996	47,893	30,594	21,333	20,221	379,710
Minimum	11,256	10,477	11,203	11,165	8,136	11,832	18,796	14,827	12,085	10,035	11,558	8,481	184,212
Maximum	32,908	30,316	32,736	24,103	46,396	82,085	236,576	306,649	197,001	91,158	93,597	39,091	886,498

Data downloaded 05/03/2017 - updated 12/11/2019

TABLE 6
BRIGHTON DITCH DIVERSION HISTORY
Monthly Totals
(Acre-Feet)

Water Year	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Annual Total
1993	0	0	0	0	0	985	1,795	1,916	2,477	1,494	808	127	9,602
1994	0	0	0	0	268	949	2,060	2,070	1,410	1,479	1,215	416	9,867
1995	0	0	0	0	525	1,370	1,236	1,314	2,692	2,789	1,545	54	11,526
1996	0	0	0	0	152	1,824	2,111	2,152	2,599	1,684	529	0	11,051
1997	0	0	0	0	104	1,613	2,646	1,693	2,396	1,402	793	0	10,648
1998	0	0	0	0	0	977	1,714	2,116	2,449	2,059	1,899	245	11,457
1999	0	0	0	0	779	991	1,295	1,632	2,751	1,715	774	623	10,560
2000	0	0	0	0	928	979	1,776	2,215	1,997	1,617	843	766	11,120
2001	0	0	0	0	155	1,410	912	1,385	2,153	1,668	853	504	9,042
2002	0	0	0	0	0	1,417	1,481	1,272	1,373	1,353	1,147	1,025	9,069
2003	152	0	0	0	0	1,213	799	1,639	1,891	1,431	1,121	796	9,042
2004	143	0	0	0	644	1,893	1,873	1,266	2,017	2,034	1,143	716	11,729
2005	87	0	0	0	75	945	812	765	1,431	1,559	1,253	398	7,326
2006	16	0	0	0	65	1,432	1,449	1,767	1,430	1,317	979	785	9,240
2007	0	0	0	0	0	303	958	1,369	1,582	1,473	1,129	686	7,500
2008	0	0	0	0	154	1,193	1,490	1,134	1,735	1,065	1,034	1,019	8,824
2009	0	0	0	0	382	486	717	653	1,685	1,319	797	548	6,586
2010	0	0	0	0	0	284	662	988	1,321	1,084	768	598	5,704
2011	35	0	0	0	382	1,041	906	1,685	1,895	1,550	1,265	565	9,324
2012	0	0	0	0	426	1,192	1,085	1,129	1,261	1,233	974	714	8,014
2013	0	0	0	0	13	361	722	1,192	1,329	1,437	487	0	5,543
2014	0	0	0	0	0	1,397	1,452	1,692	1,745	1,175	797	713	8,970
2015	105	0	0	0	0	933	668	846	921	1,958	1,415	675	7,522
2016	93	0	0	0	49	313	317	1,038	1,560	1,507	988	612	6,477
2017	0	0	0	0	0	887	725	1,428	1,737	1,364	1,069	692	7,901
2018	0	0	0	0	0	652	1,232	1,237	1,254	1,269	1,060	846	7,551
Average	24	0	0	0	196	1,040	1,265	1,446	1,811	1,540	1,026	543	8,892

TABLE 7
UNITED RESERVOIR 3 DIVERSION HISTORY
Monthly Totals
(Acre-Feet)

Water Year	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Annual Total
1993	0	0	0	0	0	0	0	0	0	0	0	0	0
1994	0	0	0	0	0	0	0	0	0	0	0	0	0
1995	0	0	0	0	0	0	0	0	0	0	0	0	0
1996	0	0	0	0	0	0	0	0	0	0	0	0	0
1997	0	0	0	0	0	0	0	0	0	0	0	0	0
1998	0	0	0	0	0	0	0	0	0	0	0	0	0
1999	0	0	0	0	0	0	0	0	0	0	0	0	0
2000	0	0	0	0	0	0	0	0	0	0	0	0	0
2001	0	0	0	0	0	0	0	0	0	0	0	0	0
2002	0	0	0	0	0	0	0	0	0	0	0	0	0
2003	0	0	0	0	0	0	0	0	0	0	0	0	0
2004	0	0	0	0	0	0	0	0	0	0	0	0	0
2005	0	0	0	0	0	0	0	0	0	0	0	0	0
2006	0	0	0	0	0	0	0	0	0	0	0	0	0
2007	0	0	0	0	0	0	0	0	0	0	0	0	0
2008	0	0	0	0	103	2	0	0	0	0	0	0	105
2009	0	0	0	93	93	37	0	0	0	0	0	0	224
2010	0	0	0	186	187	74	0	0	0	0	0	318	765
2011	0	0	0	0	0	0	0	0	0	0	0	0	0
2012	536	531	228	0	0	0	0	0	0	0	0	0	1,295
2013	382	672	674	601	937	226	415	247	114	111	1,731	1,352	7,463
2014	83	451	788	114	121	112	201	189	408	191	154	33	2,843
2015	67	490	586	292	72	122	118	112	108	119	120	278	2,485
2016	552	369	119	112	91	116	119	114	113	133	175	180	2,194
2017	63	99	2,227	1,054	545	576	464	113	79	216	338	522	6,296
2018	0	0	305	278	307	207	223	0	0	0	0	0	1,319
Average	65	100	189	105	144	87	91	46	48	45	148	158	961

Notes: 2011 Diversion records show data unavailable - assumed no diversions.

TABLE 8
FREE RIVER AT TCVMC ON THE SOUTH PLATTE RIVER
Number of Days In-Priority

Water Year	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	Annual Total
1993	30	31	31	28	31	30	11	10	0	0	18	31	251
1994	30	31	31	28	31	17	0	0	0	0	0	13	181
1995	30	7	9	13	18	3	30	30	31	31	18	31	251
1996	30	5	29	29	31	8	9	30	2	4	21	31	229
1997	30	31	31	28	31	28	31	30	14	31	30	31	346
1998	30	31	31	28	31	30	31	19	8	9	17	31	296
1999	30	31	31	28	15	9	31	30	11	31	30	31	308
2000	30	31	31	29	31	25	5	0	0	0	0	0	182
2001	0	19	31	28	31	30	20	14	4	0	23	31	231
2002	30	31	31	28	31	17	1	0	0	0	0	0	169
2003	0	0	0	0	0	0	0	1	0	0	0	0	1
2004	0	0	0	0	0	0	0	2	0	0	1	0	3
2005	0	0	0	0	0	1	0	18	0	0	0	3	22
2006	0	0	0	2	6	4	0	0	1	0	0	4	17
2007	0	7	10	7	0	13	31	20	0	0	0	0	88
2008	0	14	21	0	0	0	0	0	0	3	0	0	38
2009	0	10	0	0	0	7	5	28	9	1	7	31	98
2010	31	31	31	10	28	27	31	25	0	1	0	8	223
2011	0	0	30	28	15	0	16	30	25	0	15	31	190
2012	30	31	31	29	22	0	0	0	0	0	0	0	143
2013	0	0	0	0	8	0	14	22	0	0	21	31	96
2014	6	30	31	29	31	21	20	30	23	22	30	31	304
2015	30	31	31	28	31	20	31	30	30	0	1	31	294
2016	30	31	31	29	31	30	31	26	0	0	0	0	239
2017	0	7	27	21	13	0	14	19	0	0	3	29	133
2018	0	17	31	28	31	8	16	5	0	0	0	0	136
Average	15	18	22	18	19	13	15	16	6	5	9	17	172

TABLE 9
ADJUSTED SOUTH PLATTE RIVER AVAILABILITY AT TCVMD
Monthly Totals
(Acre-Feet)

Water Year	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Annual Total
1993	14,593	16,534	15,777	18,068	19,248	16,989	18,635	29,114	32,433	23,717	16,243	15,474	236,823
1994	13,297	11,645	15,045	11,657	13,579	14,911	22,952	31,813	15,152	16,555	11,264	14,218	192,087
1995	10,822	10,832	10,624	10,209	6,320	13,790	112,677	282,822	193,018	33,432	31,827	20,396	736,768
1996	19,365	16,031	20,446	16,316	14,171	10,944	36,651	46,767	31,503	23,542	25,157	17,713	278,605
1997	16,138	17,744	20,382	18,316	12,156	21,862	21,344	118,345	46,082	67,451	30,611	37,800	428,231
1998	25,139	29,025	30,907	18,014	30,528	73,619	103,275	41,059	58,893	40,346	18,170	18,851	487,825
1999	25,440	26,625	21,214	12,442	10,346	50,306	113,800	149,847	49,778	88,151	32,486	30,250	610,686
2000	28,959	20,797	31,444	20,896	22,000	19,003	29,817	29,404	34,525	25,343	15,394	16,991	294,573
2001	16,846	14,176	15,751	19,779	21,271	25,972	47,189	32,300	36,247	25,238	15,512	22,806	293,089
2002	17,818	14,795	13,946	16,374	18,548	9,980	17,304	13,555	10,712	8,681	14,401	10,864	166,977
2003	15,419	10,477	13,740	16,300	29,003	26,199	37,954	59,919	27,294	20,093	10,437	7,686	274,521
2004	11,113	11,806	11,522	17,562	17,208	20,909	18,369	28,356	36,503	37,170	17,425	22,231	250,173
2005	16,231	16,376	12,472	12,909	13,379	41,549	46,471	64,976	23,861	29,435	13,621	24,378	315,658
2006	11,693	12,082	11,203	12,143	14,702	9,150	20,082	28,424	37,141	31,678	13,362	16,289	217,948
2007	16,554	16,483	16,594	22,937	46,396	70,300	184,359	97,271	40,948	30,906	14,303	18,724	575,774
2008	26,422	11,453	12,641	22,108	22,764	14,903	29,720	41,012	38,893	31,918	17,420	13,030	282,284
2009	20,456	15,190	17,572	14,690	14,945	32,701	49,930	129,881	45,963	18,204	13,974	16,254	389,760
2010	31,659	17,871	10,517	13,936	29,820	55,619	57,911	76,785	29,423	29,199	11,524	11,388	375,650
2011	23,936	16,066	12,270	9,999	9,454	12,823	27,746	43,349	95,607	21,538	12,334	16,390	301,512
2012	22,723	12,392	10,439	15,858	14,525	15,491	17,710	17,365	15,966	10,676	15,955	11,485	180,585
2013	14,952	14,204	14,410	12,913	14,059	12,996	21,348	27,827	26,016	19,493	90,130	29,597	297,944
2014	24,097	16,413	14,626	14,116	19,869	16,476	56,009	86,592	51,234	25,148	17,244	33,440	375,264
2015	23,762	16,891	19,292	20,057	24,537	34,763	234,499	304,442	122,038	24,777	14,047	24,186	863,291
2016	30,607	22,199	17,887	17,273	27,260	80,407	117,977	86,636	28,635	20,049	10,460	9,881	469,270
2017	14,541	17,841	15,871	13,391	13,508	14,930	44,518	46,626	33,540	27,359	13,287	15,487	270,899
2018	19,702	14,297	14,212	11,447	18,149	11,326	23,658	24,044	21,691	13,837	12,691	11,172	196,225
Average	19,703	16,163	16,185	15,758	19,144	27,997	58,150	74,559	45,504	28,613	19,588	18,730	360,093

Notes: Adjustment made for diversion at Brighton Ditch, United No. 3 and Mann Lakes

TABLE 10
WATER AVAILABLE IN-PRIORITY TO A JUNIOR SOUTH PLATTE RIVER WATER RIGHT
AT TCVMD
(Acre-Feet)

Water Year	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	Annual Total
1993	14,593	16,534	15,777	18,068	19,248	16,989	6,612	9,705	0	0	9,746	15,474	142,745
1994	13,297	11,645	15,045	11,657	13,579	8,449	0	0	0	0	0	5,962	79,635
1995	10,822	2,446	3,084	4,740	3,670	1,379	109,042	282,822	193,018	33,432	19,096	20,396	683,947
1996	19,365	2,586	19,127	16,316	14,171	2,918	10,641	46,767	2,032	3,038	17,610	17,713	172,283
1997	16,138	17,744	20,382	18,316	12,156	20,405	21,344	118,345	20,811	67,451	30,611	37,800	401,503
1998	25,139	29,025	30,907	18,014	30,528	73,619	103,275	26,004	15,198	11,713	10,296	18,851	392,569
1999	25,440	26,625	21,214	12,442	5,006	15,092	113,800	149,847	17,663	88,151	32,486	30,250	538,017
2000	28,959	20,797	31,444	20,896	22,000	15,836	4,809	0	0	0	0	0	144,741
2001	0	8,689	15,751	19,779	21,271	25,972	30,445	15,073	4,677	0	11,893	22,806	176,356
2002	17,818	14,795	13,946	16,374	18,548	5,655	558	0	0	0	0	0	87,694
2003	0	0	0	0	0	0	0	1,997	0	0	0	0	1,997
2004	0	0	0	0	0	0	0	1,890	0	0	581	0	2,471
2005	0	0	0	0	0	1,385	0	38,985	0	0	0	2,359	42,730
2006	0	0	0	867	2,846	1,220	0	0	1,198	0	0	2,102	8,233
2007	0	3,722	5,353	5,734	0	30,463	184,359	64,847	0	0	0	0	294,478
2008	0	5,172	8,563	0	0	0	0	0	0	3,089	0	0	16,824
2009	0	4,900	0	0	0	7,630	8,053	121,222	13,344	587	3,261	16,254	175,252
2010	32,714	17,871	10,517	4,977	26,934	50,057	57,911	63,988	0	942	0	2,939	268,849
2011	0	0	11,874	9,999	4,575	0	14,320	43,349	77,103	0	6,167	16,390	183,776
2012	22,723	12,392	10,439	15,858	10,308	0	0	0	0	0	0	0	71,720
2013	0	0	0	0	3,628	0	9,641	20,407	0	0	63,091	29,597	126,363
2014	4,819	15,884	14,626	14,620	19,869	11,533	36,135	86,592	38,012	17,847	17,244	33,440	310,621
2015	23,762	16,891	19,292	20,057	24,537	23,175	234,499	304,442	118,101	0	468	24,186	809,411
2016	30,607	22,199	17,887	17,273	27,260	80,407	117,977	75,084	0	0	0	0	388,694
2017	0	4,029	13,823	10,044	5,665	0	20,105	29,530	0	0	1,329	14,488	99,011
2018	0	7,840	14,212	11,447	18,149	3,020	12,211	4,007	0	0	0	0	70,886
Average	11,008	10,069	12,049	10,288	11,690	15,200	42,144	57,881	19,275	8,702	8,611	11,962	218,877
Avg cfs	185	164	196	185	190	256	686	973	314	142	145	195	

TABLE 11
WATER AVAILABLE IN-PRIORITY TO A JUNIOR SOUTH PLATTE RIVER WATER RIGHT AT TCVMD
With a Diversion Limitation of 40 cfs on the South Platte River
(Acre-Feet)

Water Year	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	Annual Total
1993	2,380	2,460	2,460	2,222	2,460	2,380	873	793	0	0	1,428	2,460	19,914
1994	2,380	2,460	2,460	2,222	2,460	1,349	0	0	0	0	0	1,031	14,361
1995	2,380	555	714	1,031	1,428	238	2,380	2,380	2,460	2,460	1,428	2,460	19,914
1996	2,380	397	2,301	2,301	2,460	635	714	2,380	159	317	1,666	2,460	18,169
1997	2,380	2,460	2,460	2,222	2,460	2,222	2,460	2,380	1,111	2,460	2,380	2,460	27,452
1998	2,380	2,460	2,460	2,222	2,460	2,380	2,460	1,507	635	714	1,349	2,460	23,485
1999	2,380	2,460	2,460	2,222	1,190	714	2,460	2,380	873	2,460	2,380	2,460	24,437
2000	2,380	2,460	2,460	2,301	2,460	1,984	397	0	0	0	0	0	14,440
2001	0	1,507	2,460	2,222	2,460	2,380	1,587	1,111	317	0	1,825	2,460	18,328
2002	2,380	2,460	2,460	2,222	2,460	1,349	79	0	0	0	0	0	13,408
2003	0	0	0	0	0	0	0	79	0	0	0	0	79
2004	0	0	0	0	0	0	0	159	0	0	79	0	238
2005	0	0	0	0	0	79	0	1,428	0	0	0	238	1,745
2006	0	0	0	159	476	317	0	0	79	0	0	317	1,349
2007	0	555	793	555	0	1,031	2,460	1,587	0	0	0	0	6,982
2008	0	1,111	1,666	0	0	0	0	0	0	238	0	0	3,015
2009	0	793	0	0	0	555	397	2,222	714	79	555	2,460	7,775
2010	2,460	2,460	2,460	793	2,222	2,142	2,460	1,984	0	79	0	635	17,693
2011	0	0	2,380	2,222	1,190	0	1,269	2,380	1,984	0	1,190	2,460	15,075
2012	2,380	2,460	2,460	2,301	1,745	0	0	0	0	0	0	0	11,346
2013	0	0	0	0	635	0	1,111	1,745	0	0	1,666	2,460	7,617
2014	476	2,380	2,460	2,301	2,460	1,666	1,587	2,380	1,825	1,745	2,380	2,460	24,119
2015	2,380	2,460	2,460	2,222	2,460	1,587	2,460	2,380	2,380	0	79	2,460	23,326
2016	2,380	2,460	2,460	2,301	2,460	2,380	2,460	2,063	0	0	0	0	18,962
2017	0	555	2,142	1,666	1,031	0	1,111	1,507	0	0	238	2,301	10,552
2018	0	1,349	2,460	2,222	2,460	635	1,269	397	0	0	0	0	10,790
Average	1,211	1,395	1,709	1,459	1,517	1,001	1,153	1,279	482	406	717	1,309	13,637

40 cfs = 79.34

TABLE 12
WATER AVAILABLE IN-PRIORITY TO A JUNIOR SOUTH PLATTE RIVER WATER RIGHT
AT MANN LAKES RESERVOIR
(Acre-Feet)

Water Year	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	Annual Total
1993	15,842	17,826	17,068	19,234	20,539	19,224	7,708	10,760	0	0	10,980	16,891	156,072
1994	14,547	12,936	16,336	12,823	15,138	9,695	0	0	0	0	0	6,678	88,155
1995	12,072	2,737	3,459	5,281	4,724	1,641	111,487	285,386	197,001	37,512	20,773	21,741	703,816
1996	20,615	2,794	20,335	17,524	15,614	3,738	11,628	50,169	2,283	3,422	18,855	19,004	185,980
1997	17,387	19,036	21,674	19,482	13,551	23,076	25,282	121,287	22,477	70,144	32,654	39,091	425,141
1998	26,388	30,316	32,198	19,180	31,819	75,845	106,280	28,135	16,163	12,686	12,081	20,386	411,479
1999	26,690	27,916	22,505	13,609	6,008	15,764	116,386	152,730	19,098	91,158	34,509	32,164	558,535
2000	30,209	22,088	32,736	22,104	24,219	17,693	5,304	0	0	0	0	0	154,352
2001	0	9,480	17,042	20,946	22,717	28,632	31,867	16,303	5,122	0	13,505	24,601	190,215
2002	19,067	16,086	15,237	17,540	19,839	7,167	626	0	0	0	0	0	95,563
2003	0	0	0	0	0	0	0	2,094	0	0	0	0	2,094
2004	0	0	0	0	0	0	0	2,058	0	0	640	0	2,698
2005	0	0	0	0	0	1,458	0	40,194	0	0	0	2,523	44,175
2006	0	0	0	934	3,108	1,578	0	0	1,286	0	0	2,370	9,275
2007	0	4,014	5,769	6,026	0	31,136	186,608	66,593	0	0	0	0	300,145
2008	0	5,755	9,438	0	0	0	0	0	0	3,317	0	0	18,510
2009	0	5,316	0	0	0	8,044	8,377	122,998	14,208	651	3,738	18,093	181,426
2010	34,005	19,163	11,808	5,460	28,269	51,503	59,864	65,852	0	1,009	0	3,508	280,442
2011	0	0	13,124	11,165	5,384	0	15,454	46,283	79,673	0	7,424	18,246	196,754
2012	24,508	14,214	11,959	17,066	11,527	0	0	0	0	0	0	0	79,274
2013	0	0	0	0	4,207	0	10,738	22,379	0	0	65,518	32,240	135,081
2014	5,086	17,569	16,705	15,946	21,281	13,464	38,035	89,722	40,567	19,732	19,444	35,477	333,028
2015	25,185	18,673	21,170	21,515	25,901	24,712	236,576	306,649	120,346	0	537	26,430	827,693
2016	32,502	23,860	19,297	18,593	28,691	82,085	119,704	77,166	0	0	0	0	401,898
2017	0	4,343	16,887	11,709	6,435	0	21,225	31,297	0	0	1,594	16,831	110,320
2018	0	8,548	15,808	12,446	19,747	3,582	13,628	4,422	0	0	0	0	78,182
Average	11,696	10,872	13,098	11,099	12,643	16,155	43,338	59,326	19,932	9,217	9,317	12,934	229,627
Avg cfs	197	177	213	200	206	272	705	997	324	150	157	210	

TABLE 13
WATER AVAILABLE IN-PRIORITY TO A JUNIOR SOUTH PLATTE RIVER WATER RIGHT AT MANN LAKES
With a Diversion Limitation of 21 cfs on the South Platte River
(Acre-Feet)

Water Year	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	Annual Total
1993	1,250	1,291	1,291	1,166	1,291	1,250	1,291	1,250	0	0	1,250	1,291	12,621
1994	1,250	1,291	1,291	1,166	1,291	1,250	0	0	0	0	0	1,291	8,831
1995	1,250	1,291	1,291	1,166	1,291	1,250	1,291	1,250	1,291	1,291	1,250	1,291	15,204
1996	1,250	1,291	1,291	1,208	1,291	1,250	1,291	1,250	1,291	1,291	1,250	1,291	15,245
1997	1,250	1,291	1,291	1,166	1,291	1,250	1,291	1,250	1,291	1,291	1,250	1,291	15,204
1998	1,250	1,291	1,291	1,166	1,291	1,250	1,291	1,250	1,291	1,291	1,250	1,291	15,204
1999	1,250	1,291	1,291	1,166	1,291	1,250	1,291	1,250	1,291	1,291	1,250	1,291	15,204
2000	1,250	1,291	1,291	1,208	1,291	1,250	1,291	0	0	0	0	0	8,872
2001	0	1,291	1,291	1,166	1,291	1,250	1,291	1,250	1,291	0	1,250	1,291	12,663
2002	1,250	1,291	1,291	1,166	1,291	1,250	626	0	0	0	0	0	8,165
2003	0	0	0	0	0	0	0	1,250	0	0	0	0	1,250
2004	0	0	0	0	0	0	0	1,250	0	0	640	0	1,890
2005	0	0	0	0	0	1,250	0	1,250	0	0	0	1,291	3,790
2006	0	0	0	934	1,291	1,250	0	0	1,286	0	0	1,291	6,052
2007	0	1,291	1,291	1,166	0	1,250	1,291	1,250	0	0	0	0	7,539
2008	0	1,291	1,291	0	0	0	0	0	0	1,291	0	0	3,874
2009	0	1,291	0	0	0	1,250	1,291	1,250	1,291	651	1,250	1,291	9,565
2010	1,250	1,291	1,291	1,166	1,291	1,250	1,291	1,250	0	1,009	0	1,291	12,381
2011	0	0	1,291	1,166	1,291	0	1,291	1,250	1,291	0	1,250	1,291	10,122
2012	1,250	1,291	1,291	1,208	1,291	0	0	0	0	0	0	0	6,331
2013	0	0	0	0	1,291	0	1,291	1,250	0	0	1,250	1,291	6,373
2014	1,250	1,291	1,291	1,166	1,291	1,250	1,291	1,250	1,291	1,291	1,250	1,291	15,204
2015	1,250	1,291	1,291	1,166	1,291	1,250	1,291	1,250	1,291	0	537	1,291	13,200
2016	1,250	1,291	1,291	1,208	1,291	1,250	1,291	1,250	0	0	0	0	10,122
2017	0	1,291	1,291	1,166	1,291	0	1,291	1,250	0	0	1,250	1,291	10,122
2018	0	1,291	1,291	1,166	1,291	1,250	1,291	1,250	0	0	0	0	8,831
Average	673	993	993	895	993	913	918	961	546	411	622	844	9,764
Minimum	0	0	0	0	0	0	0	0	0	0	0	0	1,250
Maximum	1,250	1,291	1,291	1,208	1,291	1,250	1,291	1,250	1,291	1,291	1,250	1,291	15,245

21 cfs = 41.65 af/day

**TABLE 14
TCVMD DEMANDS**

(Acre-Feet)

Water Year	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	Annual Total
1993	67	67	67	67	67	67	67	67	67	67	67	67	803
1994	67	67	67	67	67	67	67	67	67	67	67	67	803
1995	67	67	67	67	67	67	67	67	67	67	67	67	803
1996	67	67	67	67	67	67	67	67	67	67	67	67	803
1997	67	67	67	67	67	67	67	67	67	67	67	67	803
1998	67	67	67	67	67	67	67	67	67	67	67	67	803
1999	67	67	67	67	67	67	67	67	67	67	67	67	803
2000	67	67	67	67	67	67	67	67	67	67	67	67	803
2001	67	67	67	67	67	67	67	67	67	67	67	67	803
2002	67	67	67	67	67	67	67	67	67	67	67	67	803
2003	67	67	67	67	67	67	67	67	67	67	67	67	803
2004	67	67	67	67	67	67	67	67	67	67	67	67	803
2005	67	67	67	67	67	67	67	67	67	67	67	67	803
2006	67	67	67	67	67	67	67	67	67	67	67	67	803
2007	67	67	67	67	67	67	67	67	67	67	67	67	803
2008	67	67	67	67	67	67	67	67	67	67	67	67	803
2009	67	67	67	67	67	67	67	67	67	67	67	67	803
2010	67	67	67	67	67	67	67	67	67	67	67	67	803
2011	67	67	67	67	67	67	67	67	67	67	67	67	803
2012	67	67	67	67	67	67	67	67	67	67	67	67	803
2013	67	67	67	67	67	67	67	67	67	67	67	67	803
2014	67	67	67	67	67	67	67	67	67	67	67	67	803
2015	67	67	67	67	67	67	67	67	67	67	67	67	803
2016	67	67	67	67	67	67	67	67	67	67	67	67	803
2017	67	67	67	67	67	67	67	67	67	67	67	67	803
2018	67	67	67	67	67	67	67	67	67	67	67	67	803
Average	67	67	67	67	67	67	67	67	67	67	67	67	803

TABLE 15
TCVMD ESTIMATED RESERVOIR EVAPORATION
Conservative Analysis - Assumed Storage Full
(Acre-Feet)

Water Year	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	Annual Total
1993	7	5	5	6	9	13	19	26	27	22	18	12	168
1994	7	5	5	6	9	13	19	26	27	22	18	12	168
1995	7	5	5	6	9	13	19	26	27	22	18	12	168
1996	7	5	5	6	9	13	19	26	27	22	18	12	168
1997	7	5	5	6	9	13	19	26	27	22	18	12	168
1998	7	5	5	6	9	13	19	26	27	22	18	12	168
1999	7	5	5	6	9	13	19	26	27	22	18	12	168
2000	7	5	5	6	9	13	19	26	27	22	18	12	168
2001	7	5	5	6	9	13	19	26	27	22	18	12	168
2002	7	5	5	6	9	13	19	26	27	22	18	12	168
2003	7	5	5	6	9	13	19	26	27	22	18	12	168
2004	7	5	5	6	9	13	19	26	27	22	18	12	168
2005	7	5	5	6	9	13	19	26	27	22	18	12	168
2006	7	5	5	6	9	13	19	26	27	22	18	12	168
2007	7	5	5	6	9	13	19	26	27	22	18	12	168
2008	7	5	5	6	9	13	19	26	27	22	18	12	168
2009	7	5	5	6	9	13	19	26	27	22	18	12	168
2010	7	5	5	6	9	13	19	26	27	22	18	12	168
2011	7	5	5	6	9	13	19	26	27	22	18	12	168
2012	7	5	5	6	9	13	19	26	27	22	18	12	168
2013	7	5	5	6	9	13	19	26	27	22	18	12	168
2014	7	5	5	6	9	13	19	26	27	22	18	12	168
2015	7	5	5	6	9	13	19	26	27	22	18	12	168
2016	7	5	5	6	9	13	19	26	27	22	18	12	168
2017	7	5	5	6	9	13	19	26	27	22	18	12	168
2018	7	5	5	6	9	13	19	26	27	22	18	12	168
Average	7	5	5	6	9	13	19	26	27	22	18	12	168

Notes: Smith and Signal 2 included in study.
Conservative estimate of evaporation - assumed full year-round

TABLE 16
MANN LAKES ESTIMATED RESERVOIR EVAPORATION
Conservative Analysis - Assumed Storage Full
(Acre-Feet)

Water Year	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	Annual Total
1993	14	10	10	12	19	31	42	51	52	47	35	24	349
1994	14	10	10	12	19	31	42	51	52	47	35	24	349
1995	14	10	10	12	19	31	42	51	52	47	35	24	349
1996	14	10	10	12	19	31	42	51	52	47	35	24	349
1997	14	10	10	12	19	31	42	51	52	47	35	24	349
1998	14	10	10	12	19	31	42	51	52	47	35	24	349
1999	14	10	10	12	19	31	42	51	52	47	35	24	349
2000	14	10	10	12	19	31	42	51	52	47	35	24	349
2001	14	10	10	12	19	31	42	51	52	47	35	24	349
2002	14	10	10	12	19	31	42	51	52	47	35	24	349
2003	14	10	10	12	19	31	42	51	52	47	35	24	349
2004	14	10	10	12	19	31	42	51	52	47	35	24	349
2005	14	10	10	12	19	31	42	51	52	47	35	24	349
2006	14	10	10	12	19	31	42	51	52	47	35	24	349
2007	14	10	10	12	19	31	42	51	52	47	35	24	349
2008	14	10	10	12	19	31	42	51	52	47	35	24	349
2009	14	10	10	12	19	31	42	51	52	47	35	24	349
2010	14	10	10	12	19	31	42	51	52	47	35	24	349
2011	14	10	10	12	19	31	42	51	52	47	35	24	349
2012	14	10	10	12	19	31	42	51	52	47	35	24	349
2013	14	10	10	12	19	31	42	51	52	47	35	24	349
2014	14	10	10	12	19	31	42	51	52	47	35	24	349
2015	14	10	10	12	19	31	42	51	52	47	35	24	349
2016	14	10	10	12	19	31	42	51	52	47	35	24	349
2017	14	10	10	12	19	31	42	51	52	47	35	24	349
2018	14	10	10	12	19	31	42	51	52	47	35	24	349
Average	14	10	10	12	19	31	42	51	52	47	35	24	349

Notes: TCVMMD portion of total included (160 acres x 58.15% = 93 acres)
Conservative estimate of evaporation - assumed full year-round

TABLE 17
WATER AVAILABLE IN STORAGE AFTER DEMANDS ARE MET
LIMITED TO 460 af WITHIN DISTRICT
(Acre-Feet)

Water Year	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT
1993	460	460	460	460	460	460	460	460	367	278	460	460
1994	460	460	460	460	460	460	374	281	187	98	14	460
1995	460	460	460	460	460	460	460	460	460	460	460	460
1996	460	460	460	460	460	460	460	460	460	460	460	460
1997	460	460	460	460	460	460	460	460	460	460	460	460
1998	460	460	460	460	460	460	460	460	460	460	460	460
1999	460	460	460	460	460	460	460	460	460	460	460	460
2000	460	460	460	460	460	460	460	367	274	185	100	22
2001	0	460	460	460	460	460	460	460	460	371	460	460
2002	460	460	460	460	460	460	453	360	267	178	93	15
2003	0	0	0	0	0	0	0	0	0	0	0	0
2004	0	0	0	0	0	0	0	66	0	0	0	0
2005	0	0	0	0	0	0	0	460	367	278	193	352
2006	278	206	134	220	460	460	374	281	267	178	93	332
2007	258	460	460	460	385	460	460	460	367	278	193	114
2008	40	460	460	387	312	232	145	52	0	149	64	0
2009	0	460	388	315	240	460	460	460	460	450	460	460
2010	460	460	460	460	460	460	460	460	367	357	272	460
2011	386	314	460	460	460	380	460	460	460	371	460	460
2012	460	460	460	460	460	380	294	201	107	18	0	0
2013	0	0	0	0	460	380	460	460	367	278	460	460
2014	460	460	460	460	460	460	460	460	460	460	460	460
2015	460	460	460	460	460	460	460	460	460	371	366	460
2016	460	460	460	460	460	460	460	460	367	278	193	114
2017	40	460	460	460	460	380	460	460	367	278	431	460
2018	386	460	460	460	460	460	460	460	367	278	193	114
Average	301	374	374	372	390	386	382	380	332	286	279	306

**TABLE 18
DEMANDS MET WITH TCVMD STORAGE**

Water Year	(Acre-Feet)												Annual Total	
	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT		
1993	67	67	67	67	67	67	67	67	67	67	67	67	67	803
1994	67	67	67	67	67	67	67	67	67	67	67	67	67	803
1995	67	67	67	67	67	67	67	67	67	67	67	67	67	803
1996	67	67	67	67	67	67	67	67	67	67	67	67	67	803
1997	67	67	67	67	67	67	67	67	67	67	67	67	67	803
1998	67	67	67	67	67	67	67	67	67	67	67	67	67	803
1999	67	67	67	67	67	67	67	67	67	67	67	67	67	803
2000	67	67	67	67	67	67	67	67	67	67	67	67	67	803
2001	22	67	67	67	67	67	67	67	67	67	67	67	67	758
2002	67	67	67	67	67	67	67	67	67	67	67	67	67	803
2003	15	0	0	0	0	0	0	67	0	0	0	0	0	81
2004	0	0	0	0	0	0	0	67	66	0	67	0	0	200
2005	0	0	0	0	0	67	0	67	67	67	67	67	67	402
2006	67	67	67	67	67	67	67	67	67	67	67	67	67	803
2007	67	67	67	67	67	67	67	67	67	67	67	67	67	803
2008	67	67	67	67	67	67	67	67	52	67	67	67	64	786
2009	0	67	67	67	67	67	67	67	67	67	67	67	67	736
2010	67	67	67	67	67	67	67	67	67	67	67	67	67	803
2011	67	67	67	67	67	67	67	67	67	67	67	67	67	803
2012	67	67	67	67	67	67	67	67	67	67	18	0	0	688
2013	0	0	0	0	67	67	67	67	67	67	67	67	67	535
2014	67	67	67	67	67	67	67	67	67	67	67	67	67	803
2015	67	67	67	67	67	67	67	67	67	67	67	67	67	803
2016	67	67	67	67	67	67	67	67	67	67	67	67	67	803
2017	67	67	67	67	67	67	67	67	67	67	67	67	67	803
2018	67	67	67	67	67	67	67	67	67	67	67	67	67	803
Average	53	57	57	57	59	62	59	67	64	62	62	59	59	717

TABLE 19
WATER AVAILABLE IN STORAGE AFTER DEMANDS ARE MET
LIMITED TO 1,789 af AT MANN LAKES
(Acre-Feet)

Water Year	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT
1993	1,236	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,737	1,690	1,789	1,789
1994	1,789	1,789	1,789	1,789	1,789	1,789	1,747	1,697	1,644	1,597	1,562	1,789
1995	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789
1996	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789
1997	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789
1998	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789
1999	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789
2000	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,738	1,686	1,639	1,604	1,580
2001	1,520	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,742	1,789	1,789
2002	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,738	1,686	1,639	1,604	1,580
2003	1,513	1,436	1,359	1,280	1,193	1,095	986	1,789	1,670	1,556	1,454	1,363
2004	1,282	1,204	1,127	1,048	962	864	755	1,789	1,736	1,622	1,789	1,698
2005	1,617	1,539	1,462	1,383	1,297	1,789	1,680	1,789	1,737	1,690	1,655	1,789
2006	1,775	1,765	1,754	1,789	1,789	1,789	1,747	1,697	1,789	1,742	1,707	1,789
2007	1,775	1,789	1,789	1,789	1,770	1,789	1,789	1,789	1,737	1,690	1,655	1,630
2008	1,616	1,789	1,789	1,777	1,758	1,726	1,684	1,634	1,567	1,789	1,754	1,727
2009	1,646	1,789	1,779	1,766	1,747	1,789	1,789	1,789	1,789	1,789	1,789	1,789
2010	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,737	1,789	1,754	1,789
2011	1,775	1,765	1,789	1,789	1,789	1,758	1,789	1,789	1,789	1,742	1,789	1,789
2012	1,789	1,789	1,789	1,789	1,789	1,758	1,716	1,665	1,613	1,566	1,482	1,391
2013	1,310	1,233	1,156	1,076	1,789	1,758	1,789	1,789	1,737	1,690	1,789	1,789
2014	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789
2015	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,742	1,789	1,789
2016	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,737	1,690	1,655	1,630
2017	1,616	1,789	1,789	1,789	1,789	1,758	1,789	1,789	1,737	1,690	1,789	1,789
2018	1,775	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,737	1,690	1,655	1,630
Average	1,681	1,720	1,708	1,697	1,712	1,719	1,704	1,767	1,737	1,712	1,715	1,717

**TABLE 20
TOTAL DEMANDS MET**

Water Year	(Acre-Feet)												Annual Total	
	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT		
1993	67	67	67	67	67	67	67	67	67	67	67	67	67	803
1994	67	67	67	67	67	67	67	67	67	67	67	67	67	803
1995	67	67	67	67	67	67	67	67	67	67	67	67	67	803
1996	67	67	67	67	67	67	67	67	67	67	67	67	67	803
1997	67	67	67	67	67	67	67	67	67	67	67	67	67	803
1998	67	67	67	67	67	67	67	67	67	67	67	67	67	803
1999	67	67	67	67	67	67	67	67	67	67	67	67	67	803
2000	67	67	67	67	67	67	67	67	67	67	67	67	67	803
2001	67	67	67	67	67	67	67	67	67	67	67	67	67	803
2002	67	67	67	67	67	67	67	67	67	67	67	67	67	803
2003	67	67	67	67	67	67	67	67	67	67	67	67	67	803
2004	67	67	67	67	67	67	67	67	67	67	67	67	67	803
2005	67	67	67	67	67	67	67	67	67	67	67	67	67	803
2006	67	67	67	67	67	67	67	67	67	67	67	67	67	803
2007	67	67	67	67	67	67	67	67	67	67	67	67	67	803
2008	67	67	67	67	67	67	67	67	67	67	67	67	67	803
2009	67	67	67	67	67	67	67	67	67	67	67	67	67	803
2010	67	67	67	67	67	67	67	67	67	67	67	67	67	803
2011	67	67	67	67	67	67	67	67	67	67	67	67	67	803
2012	67	67	67	67	67	67	67	67	67	67	67	67	67	803
2013	67	67	67	67	67	67	67	67	67	67	67	67	67	803
2014	67	67	67	67	67	67	67	67	67	67	67	67	67	803
2015	67	67	67	67	67	67	67	67	67	67	67	67	67	803
2016	67	67	67	67	67	67	67	67	67	67	67	67	67	803
2017	67	67	67	67	67	67	67	67	67	67	67	67	67	803
2018	67	67	67	67	67	67	67	67	67	67	67	67	67	803
Average	67	67	67	67	67	67	67	67	67	67	67	67	67	803

TABLE 21
WATER AVAILABLE IN-PRIORITY TO A JUNIOR SOUTH PLATTE RIVER WATER RIGHT AT TCVMD
With a Diversion Limitation of 40 cfs on the South Platte River
(Acre-Feet)

Water Year	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	Annual Total
1993	2,380	2,460	2,460	2,222	2,460	2,380	873	793	0	0	1,428	2,460	19,914
1994	2,380	2,460	2,460	2,222	2,460	1,349	0	0	0	0	0	1,031	14,361
1995	2,380	555	714	1,031	1,428	238	2,380	2,380	2,460	2,460	1,428	2,460	19,914
1996	2,380	397	2,301	2,301	2,460	635	714	2,380	159	317	1,666	2,460	18,169
1997	2,380	2,460	2,460	2,222	2,460	2,222	2,460	2,380	1,111	2,460	2,380	2,460	27,452
1998	2,380	2,460	2,460	2,222	2,460	2,380	2,460	1,507	635	714	1,349	2,460	23,485
1999	2,380	2,460	2,460	2,222	1,190	714	2,460	2,380	873	2,460	2,380	2,460	24,437
2000	2,380	2,460	2,460	2,301	2,460	1,984	397	0	0	0	0	0	14,440
2001	0	1,507	2,460	2,222	2,460	2,380	1,587	1,111	317	0	1,825	2,460	18,328
2002	2,380	2,460	2,460	2,222	2,460	1,349	79	0	0	0	0	0	13,408
2003	0	0	0	0	0	0	0	0	0	0	0	0	0
2004	0	0	0	0	0	0	0	0	0	0	0	0	0
2005	0	0	0	0	0	0	0	0	0	0	0	0	0
2006	0	0	0	159	476	317	0	0	79	0	0	317	1,349
2007	0	555	793	555	0	1,031	2,460	1,587	0	0	0	0	6,982
2008	0	1,111	1,666	0	0	0	0	0	0	238	0	0	3,015
2009	0	793	0	0	0	555	397	2,222	714	79	555	2,460	7,775
2010	2,460	2,460	2,460	793	2,222	2,142	2,460	1,984	0	79	0	635	17,693
2011	0	0	2,380	2,222	1,190	0	1,269	2,380	1,984	0	1,190	2,460	15,075
2012	2,380	2,460	2,460	2,301	1,745	0	0	0	0	0	0	0	11,346
2013	0	0	0	0	635	0	1,111	1,745	0	0	1,666	2,460	7,617
2014	476	2,380	2,460	2,301	2,460	1,666	1,587	2,380	1,825	1,745	2,380	2,460	24,119
2015	2,380	2,460	2,460	2,222	2,460	1,587	2,460	2,380	2,380	0	79	2,460	23,326
2016	2,380	2,460	2,460	2,301	2,460	2,380	2,460	2,063	0	0	0	0	18,962
2017	0	555	2,142	1,666	1,031	0	1,111	1,507	0	0	238	2,301	10,552
2018	0	1,349	2,460	2,222	2,460	635	1,269	397	0	0	0	0	10,790
Average	1,211	1,395	1,709	1,459	1,517	998	1,153	1,215	482	406	714	1,300	13,558

40 cfs = 79.34

TABLE 22
WATER AVAILABLE IN-PRIORITY TO A JUNIOR SOUTH PLATTE RIVER WATER RIGHT AT MANN LAKES
With a Diversion Limitation of 21 cfs on the South Platte River
(Acre-Feet)

Water Year	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	Annual Total
1993	1,250	1,291	1,291	1,166	1,291	1,250	1,291	1,250	0	0	1,250	1,291	12,621
1994	1,250	1,291	1,291	1,166	1,291	1,250	0	0	0	0	0	1,291	8,831
1995	1,250	1,291	1,291	1,166	1,291	1,250	1,291	1,250	1,291	1,291	1,250	1,291	15,204
1996	1,250	1,291	1,291	1,208	1,291	1,250	1,291	1,250	1,291	1,291	1,250	1,291	15,245
1997	1,250	1,291	1,291	1,166	1,291	1,250	1,291	1,250	1,291	1,291	1,250	1,291	15,204
1998	1,250	1,291	1,291	1,166	1,291	1,250	1,291	1,250	1,291	1,291	1,250	1,291	15,204
1999	1,250	1,291	1,291	1,166	1,291	1,250	1,291	1,250	1,291	1,291	1,250	1,291	15,204
2000	1,250	1,291	1,291	1,208	1,291	1,250	1,291	0	0	0	0	0	8,872
2001	0	1,291	1,291	1,166	1,291	1,250	1,291	1,250	1,291	0	1,250	1,291	12,663
2002	1,250	1,291	1,291	1,166	1,291	1,250	626	0	0	0	0	0	8,165
2003	0	0	0	0	0	0	0	0	0	0	0	0	0
2004	0	0	0	0	0	0	0	0	0	0	0	0	0
2005	0	0	0	0	0	0	0	0	0	0	0	0	0
2006	0	0	0	934	1,291	1,250	0	0	1,286	0	0	1,291	6,052
2007	0	1,291	1,291	1,166	0	1,250	1,291	1,250	0	0	0	0	7,539
2008	0	1,291	1,291	0	0	0	0	0	0	1,291	0	0	3,874
2009	0	1,291	0	0	0	1,250	1,291	1,250	1,291	651	1,250	1,291	9,565
2010	1,250	1,291	1,291	1,166	1,291	1,250	1,291	1,250	0	1,009	0	1,291	12,381
2011	0	0	1,291	1,166	1,291	0	1,291	1,250	1,291	0	1,250	1,291	10,122
2012	1,250	1,291	1,291	1,208	1,291	0	0	0	0	0	0	0	6,331
2013	0	0	0	0	1,291	0	1,291	1,250	0	0	1,250	1,291	6,373
2014	1,250	1,291	1,291	1,166	1,291	1,250	1,291	1,250	1,291	1,291	1,250	1,291	15,204
2015	1,250	1,291	1,291	1,166	1,291	1,250	1,291	1,250	1,291	0	537	1,291	13,200
2016	1,250	1,291	1,291	1,208	1,291	1,250	1,291	1,250	0	0	0	0	10,122
2017	0	1,291	1,291	1,166	1,291	0	1,291	1,250	0	0	1,250	1,291	10,122
2018	0	1,291	1,291	1,166	1,291	1,250	1,291	1,250	0	0	0	0	8,831
Average	673	993	993	895	993	865	918	817	546	411	597	795	9,497
Minimum	0	0	0	0	0	0	0	0	0	0	0	0	0
Maximum	1,250	1,291	1,291	1,208	1,291	1,250	1,291	1,250	1,291	1,291	1,250	1,291	15,245

21 cfs = 41.65 af/day

TABLE 23
WATER AVAILABLE IN STORAGE AFTER DEMANDS ARE MET
LIMITED TO 460 af
(Acre-Feet)

Water Year	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	Annual Total
1993	460	460	460	460	460	460	460	460	367	278	460	460	5,244
1994	460	460	460	460	460	460	374	281	187	98	14	460	4,174
1995	460	460	460	460	460	460	460	460	460	460	460	460	5,520
1996	460	460	460	460	460	460	460	460	460	460	460	460	5,520
1997	460	460	460	460	460	460	460	460	460	460	460	460	5,520
1998	460	460	460	460	460	460	460	460	460	460	460	460	5,520
1999	460	460	460	460	460	460	460	460	460	460	460	460	5,520
2000	460	460	460	460	460	460	460	367	274	185	100	22	4,167
2001	0	460	460	460	460	460	460	460	460	371	460	460	4,971
2002	460	460	460	460	460	460	453	360	267	178	93	15	4,126
2003	0	0	0	0	0	0	0	0	0	0	0	0	0
2004	0	0	0	0	0	0	0	0	0	0	0	0	0
2005	0	0	0	0	0	0	0	0	0	0	0	0	0
2006	0	0	0	86	460	460	374	281	267	178	93	332	2,530
2007	258	460	460	460	385	460	460	460	367	278	193	114	4,354
2008	40	460	460	387	312	232	145	52	0	149	64	0	2,302
2009	0	460	388	315	240	460	460	460	460	450	460	460	4,613
2010	460	460	460	460	460	460	460	460	367	357	272	460	5,136
2011	386	314	460	460	460	380	460	460	460	371	460	460	5,131
2012	460	460	460	460	460	380	294	201	107	18	0	0	3,301
2013	0	0	0	0	460	380	460	460	367	278	460	460	3,324
2014	460	460	460	460	460	460	460	460	460	460	460	460	5,520
2015	460	460	460	460	460	460	460	460	460	371	366	460	5,337
2016	460	460	460	460	460	460	460	460	367	278	193	114	4,631
2017	40	460	460	460	460	380	460	460	367	278	431	460	4,715
2018	386	460	460	460	460	460	460	460	367	278	193	114	4,557
Average	290	366	369	366	390	386	382	360	318	275	272	293	4,067

TABLE 24
WATER AVAILABLE IN STORAGE AFTER DEMANDS ARE MET
LIMITED TO 1,789 af
(Acre-Feet)

Water Year	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	Annual Total	
1993	1,236	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,737	1,690	1,789	1,789	20,763	
1994	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,747	1,697	1,644	1,597	1,562	1,789	20,771
1995	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	21,468
1996	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	21,468
1997	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	21,468
1998	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	21,468
1999	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	21,468
2000	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,738	1,686	1,639	1,604	1,580	20,771
2001	1,520	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,742	1,789	1,789	1,789	21,152
2002	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,738	1,686	1,639	1,604	1,580	20,771
2003	1,513	1,436	1,359	1,280	1,193	1,095	986	869	750	636	534	443		12,094
2004	362	284	207	128	42	0	0	0	0	0	0	0	0	1,022
2005	0	0	0	0	0	0	0	0	0	0	0	0	0	0
2006	0	0	0	922	1,789	1,789	1,747	1,697	1,789	1,742	1,707	1,789	1,789	14,971
2007	1,775	1,789	1,789	1,789	1,770	1,789	1,789	1,789	1,737	1,690	1,655	1,630	1,789	20,990
2008	1,616	1,789	1,789	1,777	1,758	1,726	1,684	1,634	1,567	1,789	1,754	1,727	1,789	20,611
2009	1,646	1,789	1,779	1,766	1,747	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	21,250
2010	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,737	1,789	1,754	1,789	1,789	21,381
2011	1,775	1,765	1,789	1,789	1,789	1,758	1,789	1,789	1,789	1,742	1,789	1,789	1,789	21,351
2012	1,789	1,789	1,789	1,789	1,789	1,758	1,716	1,665	1,613	1,566	1,482	1,391	1,789	20,136
2013	1,310	1,233	1,156	1,076	1,789	1,758	1,789	1,789	1,737	1,690	1,789	1,789	1,789	18,904
2014	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	21,468
2015	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,742	1,789	1,789	1,789	21,421
2016	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,737	1,690	1,655	1,630	1,789	21,023
2017	1,616	1,789	1,789	1,789	1,789	1,758	1,789	1,789	1,737	1,690	1,789	1,789	1,789	21,112
2018	1,775	1,789	1,789	1,789	1,789	1,789	1,789	1,789	1,737	1,690	1,655	1,630	1,789	21,009
Average	1,515	1,558	1,549	1,575	1,627	1,617	1,610	1,594	1,569	1,549	1,547	1,548	1,789	18,858

**TABLE 25
TOTAL DEMANDS MET**

Water Year	(Acre-Feet)												Annual Total
	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	
1993	67	67	67	67	67	67	67	67	67	67	67	67	803
1994	67	67	67	67	67	67	67	67	67	67	67	67	803
1995	67	67	67	67	67	67	67	67	67	67	67	67	803
1996	67	67	67	67	67	67	67	67	67	67	67	67	803
1997	67	67	67	67	67	67	67	67	67	67	67	67	803
1998	67	67	67	67	67	67	67	67	67	67	67	67	803
1999	67	67	67	67	67	67	67	67	67	67	67	67	803
2000	67	67	67	67	67	67	67	67	67	67	67	67	803
2001	67	67	67	67	67	67	67	67	67	67	67	67	803
2002	67	67	67	67	67	67	67	67	67	67	67	67	803
2003	67	67	67	67	67	67	67	67	67	67	67	67	803
2004	67	67	67	67	67	42	0	0	0	0	0	0	376
2005	0	0	0	0	0	0	0	0	0	0	0	0	0
2006	0	0	0	67	67	67	67	67	67	67	67	67	602
2007	67	67	67	67	67	67	67	67	67	67	67	67	803
2008	67	67	67	67	67	67	67	67	67	67	67	67	803
2009	67	67	67	67	67	67	67	67	67	67	67	67	803
2010	67	67	67	67	67	67	67	67	67	67	67	67	803
2011	67	67	67	67	67	67	67	67	67	67	67	67	803
2012	67	67	67	67	67	67	67	67	67	67	67	67	803
2013	67	67	67	67	67	67	67	67	67	67	67	67	803
2014	67	67	67	67	67	67	67	67	67	67	67	67	803
2015	67	67	67	67	67	67	67	67	67	67	67	67	803
2016	67	67	67	67	67	67	67	67	67	67	67	67	803
2017	67	67	67	67	67	67	67	67	67	67	67	67	803
2018	67	67	67	67	67	67	67	67	67	67	67	67	803
Average	62	62	62	64	64	63	62	62	62	62	62	62	748

From: [JR Osborne](#)
To: [Libby Tart](#)
Subject: Shook Water Report
Date: Thursday, December 12, 2019 9:38:03 AM
Attachments: [WSP Summary Adams County.pdf](#)

Please be cautious: This email was sent from outside Adams County

Good Morning Libby,

Here is the letter from the Water District engineer. It gives an overview of the districts position and that the district is working with DWR on final report.

Please let me know if you have any questions. A district rep will be in attendance to answer any questions as well.

Thanks!

J.R.

MEMORANDUM

TO: Todd Creek Village Metropolitan District (District)
FROM: Gina Burke
DATE: December 12, 2019
SUBJECT: TCVMD Water Supply Plan
JOB NO: 814.1

The purpose of this Memorandum is to provide Adams County with a summary of the water resources that are legally available to the District to meet current and future water demands for existing and committed development within the District's approved Service Area. This information will be incorporated into an updated Water Supply Plan that is being completed by our office as the District's water consultant. The updated Water Supply Plan is being provided in response to the letter from Joanna Williams of the Division of Water Resources (DWR) dated December 5, 2019. The outline below is a summary of the District's current and future approved demands and the water supplies they have available to meet those demands based on the analysis being incorporated into the updated Water Supply Plan:

- Based on our review of the referenced letter from DWR there appears to be some confusion regarding the District's current and future demands for water and the water resources the District has to meet those demands. Specifically, DWR has given no consideration for the Junior Water rights that have been decreed under Water Court Case Nos. 13CW3181 and 16CW3019. The details under these decrees are referenced below.

Based on our analysis, the current potable demands of the District are approximately 587 acre-feet per year (af/yr) as shown on the attached Table (provided to DWR). The future platted potable demands are estimated at 151 af/yr for a total of approximately 738 af/yr. When the current potable demands for platted commercial are added (4.80 af/yr), the total potable demands within the District at current platted build-out are approximately 743 af/yr.

- The 24 lots in the Adams County application (Promontory) will add approximately 7.2 af/yr to the current committed potable demands of the District.

- District Water Rights Summary

Decreed Laramie-Fox Hills ground water - 843 af/yr

Consolidated Mutual - 500 af/yr (approx. 466 af/yr after transit losses)

Old Brantner - 130 af/yr

Total Senior Water Rights – 1,473 af/yr

Case No. 13CW3181 – Decreed Limitation of 6,202 af/yr (10-year average). A total of 1,198 acre-feet of storage was also decreed utilizing the reservoirs within the District's Service Area. The District is currently using about 564 acre-feet of storage and has the remaining amount under development.

The District was able to divert the following amounts under Case No. 13CW3181 since the decree was finalized:

2017 331 acre-feet (partial year/started diversions in June)

2018 1,618 acre-feet

2019 2,151 acre-feet

Case No. 16CW3019 – Decreed limitation of 7,482 af/yr. A total of 3,741 acre-feet of storage is decreed to Mann Lakes.

The Mann Lakes reservoirs are legally available for use and in 2019 the District diverted approximately 1,656 acre-feet into the reservoir complex.

Total Decreed Junior Water Rights – 13,684 af/yr

Case No. 19CW3061 – Pending case which requests an additional fill in Mann Lakes of 3,741 af/yr for a total of 11,223 af/yr and enlargements to two of the District's reservoirs, Signal 1 and Signal 2, which will add 2,095 acre-feet of additional storage bringing the total to 3,293 acre-feet.

- In my conversations with Joanna Williams regarding the letter referenced above, she explained that it is DWR's policy to not give credit to junior water rights without a proven firm yield analysis. She requested that the District compile a conservative firm yield analysis of its junior water rights for DWR's review. This is the study we are currently finalizing which will incorporate the water resources summarized above.
- Finally, the volumetric limits discussed above for both of the decreed Water Court cases were based on historic data and were approved by all objectors and the State and Division Engineers.

**TABLE 4
TODD CREEK VILLAGE METROPOLITAN DISTRICT
ESTIMATED CURRENT & FUTURE DEMANDS**

	Total units	Currently Served Units	Future Units	Potable af/yr/unit	Current af/yr	Future af/yr	Total Potable af/yr	units	Irrigation af/yr/unit	Current af/yr	Future af/yr	Total Irrigation af/yr	Total Demands af/yr
Development (Platted)													
TCF 1	54	54	0	0.27	14.53	0.00	14.53	54	0.34	18.36	0.00	18.36	32.89
TCF 2	57	57	0	0.27	15.33	0.00	15.33	57	0.34	19.38	0.00	19.38	34.71
TCF 3	62	62	0	0.27	16.68	0.00	16.68	62	0.34	21.08	0.00	21.08	37.76
TCF 4	139	139	0	0.27	37.39	0.00	37.39	139	0.34	47.26	0.00	47.26	84.65
Foxridge	58	58	0	0.27	15.60	0.00	15.60	58	0.34	19.72	0.00	19.72	35.32
TCF 5	160	152	8	0.27	40.89	2.15	43.04	160	0.34	51.68	2.72	54.40	97.44
ES 1	185	180	5	0.27	48.42	1.35	49.77	185	0.34	61.20	1.70	62.90	112.67
Wheatlands	71	71	0	0.27	19.10	0.00	19.10	71	0.34	24.14	0.00	24.14	43.24
TCM 1	78	71	7	0.27	19.10	1.88	20.98	78	0.34	24.14	2.38	26.52	47.50
Silver Springs	52	52	0	0.27	13.99	0.00	13.99	52	0.34	17.68	0.00	17.68	31.67
Hawk Ridge	47	42	5	0.27	11.30	1.35	12.64	47	0.34	14.28	1.70	15.98	28.62
ESS	191	187	4	0.27	50.30	1.08	51.38	190	0.34	63.58	1.02	64.60	115.98
HTC	1,277	825	452	0.27	221.93	121.59	343.51	800	0.25	206.25	-6.25	200.00	543.51
TC Bartley	172	163	9	0.30	48.90	2.70	51.60	172	0.34	55.42	3.06	58.48	110.08
TC Shook	60	0	60	0.30	0.00	18.00	18.00	32	0.34	0.00	10.88	10.88	28.88
Baseline Lakes	54	49	5	0.27	13.18	1.35	14.53	54	0.34	16.66	1.70	18.36	32.89
Subtotals	2,717	2,162	555		586.63	151.43	738.07	2,211		660.83	18.91	679.74	1417.81
Commercial (Platted - 2010 Demands)													
HTC Club/Maint							3.65					11.70	15.35
TCVMD office							0.03					-	0.03
NH Church							0.88					-	0.88
Harvest Fellowship							0.24					0.39	0.63
TCVP&R ES Park							-					8.10	8.10
TCVP&R TCM Park							-					3.98	3.98
LS areas							-					69.90	69.90
Future HTC LS areas							-					120.00	120.00
HTC Golf Course							-					270.00	270.00
Future Development (Not Platted)													
Weld County Development Area	3,100			0.20			620.00	3,100	0.25			775.00	1395.00
ALF	1,930			0.20			386.00	1,930	0.25			482.50	868.50
Jogan Estates (Adams)	3			0.30			0.90	3	0.25			0.75	1.65
Seltzer FT (Adams)	207			0.30			62.10	207	0.25			51.75	113.85
Seltzer Farms (Adams)	501			0.30			150.30	501	0.25			125.25	275.55
Wygant (Adams)	255			0.30			76.50	255	0.25			63.75	140.25
Baseline Lakes - Add'l (Adams)	140			0.30			42.00	140	0.25			35.00	77.00
	6,136												
							Total (Platted)					1,163.81	1,906.68
							Current					1,144.90	1,736.33
							Future					18.91	170.34
							Total (Not Platted)					1,534.00	2,871.80
							TOTAL DEMANDS					2,697.81	4,778.48

Notes:
 Demands provided by Todd Creek Village Metropolitan District
 HTC - replat reduced units from 1,310 to 1,277.
 Baseline Lakes - platted for 54 units

Exhibit 3.7 Mile High Flood District Correspondence and Photos

From: [Jen Rutter](#)
To: [Libby Tart](#)
Subject: FW: Shook Subdivision more drainage pictures
Date: Wednesday, April 1, 2020 9:45:17 AM

Jen Rutter

Development Services Manager, *Community & Economic Development*

ADAMS COUNTY, COLORADO

4430 South Adams County Parkway, 1st Floor, Suite W2000A

Brighton, CO 80601

o: 720.523.6841 | jrutter@adcogov.org

www.adcogov.org

From: Matthew Emmens <MEmmens@adcogov.org>

Sent: Tuesday, March 31, 2020 11:55 AM

To: Jerry Whitmore <jdubwh@gmail.com>

Cc: Scott Bietendorf <sbietendorf@gmail.com>; Debbie Whitmore <debwhit22@gmail.com>; Silene Patroniti <patroniti6@gmail.com>; Richard Arnold <thekoiman@comcast.net>; Jen Rutter <JRutter@adcogov.org>; Jill Jennings Golich <JJenningsGolich@adcogov.org>

Subject: RE: Shook Subdivision more drainage pictures

Hello Jerry,

Sorry for the late response. The County buildings have been closed until April 19th due to the coronavirus. And, in addition to having to figure out how to work from home, I also got sick for a week or so. I'm getting back into the swing of things now, though.

Anyway, we did hear back from MHFD. They said that the swale appears to be designed correctly and does flow to the north (per design) but, it would take a more extensive survey to find out if it was constructed per design. They also said that without that more extensive survey, there is now way of knowing if the swale contributed to the illicit discharge that happened last year. However, when the County's Stormwater Division investigated the illicit discharge last year, they concluded that it was due to an improperly installed silt fence on one of the properties that had a house under construction (which was fixed by the home builder).

The standing water in the swale (shown in your pictures) is a bit of a concern. I will pass these along to the Stormwater Division and have them investigate. It could be that the culvert under E 160th is plugged. County staff is continuing to discuss this issue, though. At this time we have no made any decisions about what should be done. I will keep you notified of any decisions.

Matt

From: Jerry Whitmore <jdubwh@gmail.com>

Sent: Sunday, March 22, 2020 3:35 PM

To: Matthew Emmens <MEmmens@adcogov.org>

Cc: Scott Bietendorf <sbietendorf@gmail.com>; Debbie Whitmore <debwhit22@gmail.com>; Silene Patroniti <patroniti6@gmail.com>; Richard Arnold <thekoiman@comcast.net>

Subject: Shook Subdivision more drainage pictures

Please be cautious: This email was sent from outside Adams County

Hi Matt,

We were wondering where we are at with the MHFD investigation of our storm water issue?

Attached are 3 pictures I took today of the standing water across from my property next to Twin Lakes Storm drain. As you can see the standing water is not draining toward the culvert at E. 160th Place. One of the photos is directly across from the our storm drain and there isn't even a ditch on the other side. We are going to get clobbered. We tried to tell everyone early on that water doesn't flow uphill and this proves it. Mind you this is only runoff from the last snow. I hate to see what's going to happen when we get a big rain! We are asking for help from the County to please address this issue.

Thanks,

Jerry Whitmore

Twin Lakes subdivision

From: Matthew Emmens

Sent: Thursday, February 13, 2020 11:15 AM

To: Jerry Whitmore

Cc: Scott Bietendorf ; Debbie Whitmore

Subject: RE: Shook Subdivision

Thankyou Mr. Whitmore. The more information I have, the easier it is for me and MHFD to figure out what is happening and fix it.

Sincerely,

Matt Emmens

Senior Engineer, *Community and Economic Development*

ADAMS COUNTY, COLORADO

4430 S. Adams County Parkway, W2000B

Brighton, CO 80601

o: 720.523.6826 | memmens@adcogov.org

www.adcogov.org

From: Jerry Whitmore <jdubwh@gmail.com>
Sent: Thursday, February 13, 2020 10:29 AM
To: Matthew Emmens <MEmmens@adcogov.org>
Cc: Scott Bietendorf <sbietendorf@gmail.com>; Debbie Whitmore <debwhit22@gmail.com>
Subject: Fw: Shook Subdivision

Please be cautious: This email was sent from outside Adams County

Good Morning Matt,

I'm forwarding an email that you sent Juliana with the pictures showing the illicit discharge situation back on Aug. 3, 2018. In this email you state that you received it from a citizen living in Twin Lakes subdivision which as you can see below in the thread that it would have been me.

I hope this refreshes your memory concerning our drainage situation.

Thanks,
Jerry Whitmore

From: Matthew Emmens
Sent: Friday, August 03, 2018 9:38 AM
To: Juliana J. Archuleta
Cc: David Rausch ; jdubwh@gmail.com ; Miles Buescher
Subject: FW: Shook Subdivision

Good Morning Juliana,

I received the email below from a citizen who lives in the Twin Lakes subdivision, just East of the Shook Subdivision. It appears from the attached pictures that there is an illicit discharge situation happening on the east side of the Shook Subdivision.

Let me know if there is anything I need to do.

Sincerely,
Matt Emmens

Senior Engineer, *Community and Economic Development*
ADAMS COUNTY, COLORADO
4430 S. Adams County Parkway, W2000B
Brighton, CO 80601
o: 720.523.6826 | memmens@adcogov.org
www.adcogov.org

From: Jerry Whitmore [<mailto:jdubwh@gmail.com>]
Sent: Thursday, August 02, 2018 2:50 PM
To: Matthew Emmens
Cc: Scott Bietendorf; Richard Arnold; Debbie Whitmore; 'Bob & Silene Patroniti'; vicfoster@comcast.net; 'John and Barbara Otto'; D&S Beckett; Stormwater Quality Mailbox
Subject: Fw: Shook Subdivision

Hi Matt,

We were previously working through Julie for the New Shook Subdivision issues but have been advised that she is no longer working for Adams County. The operator said that you should be able to help us. Please read below and review the pictures.

Thanks,
Jerry

From: Jerry Whitmore
Sent: Thursday, August 02, 2018 2:18 PM
To: Julie Wyatt ; swq@adcogov.org
Cc: 'Scott & Vicky' ; thekoiman@comcast.net ; 'Debbie Whitmore' ; 'Bob & Silene Patroniti' ; 'Scott & Vicky' ; 'John and Barbara Otto' ; D&S Beckett
Subject: Re: Shook Subdivision

Shook Subdivision Request for comment

Hi Julie,

I wanted to bring up a storm water issue that we are seeing now when it rains. Please review the attached pictures. We were told that there would be 2 separate storm water retention ponds servicing the Shook subdivision. There has only been 1 retention pond built currently for the west (upper side) of the Shook subdivision. That design is very robust in capturing the storm water from the upper (West) side of the subdivision. However, the lower (East side of the subdivision has had very little work done to capture the storm water coming down the grade of the East side. A culvert was installed (see photo) under the E. 160th Pl. road where it meets Geneva Ct. (our road). This culvert goes basically nowhere except to drain onto our properties. You can also see from the photos that the water actually overwhelmed our own drain and was coming over the road to drain into our property as evidenced by the mud on the road.

We understand "historic upstream drainage". All of the water that historically drained between lots 5 and 6 has been clear water. As you can see in the photos, this is muddy water and is not historic at all but as a result of no longer having vegetation in the Shook subdivision the stop the water.

We request that someone from the county to come out and look over the project and please explain to us how this is going to work. Because from what we are seeing so far, the Shook subdivision is planning on using the properties on Geneva Ct. to accept the storm water from the East side of the Shook subdivision. This is unacceptable and if you read down below, this was one of our main concerns during the platting effort.

Please respond to our concerns.

Thank you,

Gerald Whitmore
Lot #5 Twin Lakes subdivision

From: Julie Wyatt
Sent: Thursday, March 08, 2018 9:36 AM
To: Jerry Whitmore ; D&S Beckett
Cc: 'Scott & Vicky' ; thekoiman@comcast.net ; 'Debbie Whitmore' ; 'Bob & Silene Patroniti' ; 'Scott & Vicky' ; 'John and Barbara Otto'
Subject: RE: Shook Subdivision

Good morning,

Our Engineering Department has provided me with some information to share with you regarding your concerns with the Shook Subdivision. Below are their responses :

1) Traffic - There was a traffic impact study done in April of 2005. That study was completed before the Bartley property East of Havana (now the TC Riverside) was developed and Also before the 2 subdivisions located at Hwy 7 and York Street were developed. Since then the traffic along Hwy 7 has increased substantially. The Hwy 7/Geneva Ct. intersection has no traffic light and the Eastbound turn lane is almost non-existent. The traffic along Hwy 7 now is so heavy that turning East onto Hwy 7 is almost impossible during peak rush times. The 2005 study stated on page 3 of section 1.2 that the access to E 160th Place via Geneva Ct. was to be closed except for emergency purposes. If that entrance to E 160th Place will now be open to traffic, A new more current Traffic study should be completed. Geneva Ct. is a very narrow dead-end road and I believe was only intended for traffic to the 6 homes on Geneva Ct.

-

Engineering Response: The original Shook Subdivision (approved in 2005), includes a plan for closing the Geneva Court connection to Highway 7, converting the south end of the roadway to a 'hammer head' turn around and, routing the Geneva Court traffic through the Shook Subdivision. That plan will remain as part of the currently approved (for construction) plans and the re-platting of the Shook Subdivision. With

Geneva Court not having a connection to Highway 7, there is no anticipated need for anyone passing through or leaving the Shook Subdivision to go onto Geneva Court. When the south end of Geneva Court is converted to a hammer head, the approved plans call for an emergency only access onto Highway 7. A physical roadway connection to Highway 7 will remain but, will be blocked with a locked chain or gate that only the emergency services (police, fire protection, etc.) have a key to.

At no time will access to Geneva Court be closed or access denied to the residents. When the roadways in the Shook Subdivision have been constructed and accepted by the County, the Geneva Court connection will be closed and converted to a hammer head. Residential access will always be provided.

One of the (if not the main) purposes of the Shook Subdivision Re-plat is to allow for roadway connections to the Weigandt Property, north of the Shook Subdivision (to allow for development of that property). That is proposed to be done with the extension of Galena Court and Florence Way. None of the improvements for the Shook subdivision or the future development of the Weigandt Property should negatively affect the traffic flow on Geneva Ct.

The recommendation for turn signals, acceleration/deceleration lanes, and turn lanes were considered during the review of the original Shook Subdivision and with this re-platting effort. As a CDOT road, Highway 7 improvements such as turn signals, acceleration/deceleration lanes, and turn lanes are approved by CDOT and require that certain criteria (known as Warrants) be met before they can be required or constructed. The warrants for requiring and installing those type of roadway improvements are based on State, local and Federal regulations and must be proved by a rigorous engineering analysis. *At this time, development of the Shook Subdivision will not produce enough traffic movements to meet the required Warrants for a turn signal; however, the currently approved plans do meet the warrants for acceleration/deceleration lanes and turn lanes on Highway 7. Those improvements will be constructed by a restriping of the lane lines on Highway 7.* With the development of the Weigandt Property to the north of the Shook Property, the warrants for turn signals, additional turn lanes and, all other potential roadway improvements will be re-reviewed by the County and CDOT and required for development if the warrants are met.

2) Storm runoff – Currently there is a storm drain located between lots 5 and 6 on the West side Geneva Ct. That storm drain empties out onto the property between lots 5 and 6 and drains down our properties and into the Stouffer reservoir behind our house. During times of heavy rain the runoff is so powerful that it tends to wash our decorative rock away and is basically a river between our properties. Currently the Shook subdivision is undeveloped and does have some minor vegetation that could stop some erosion and drainage. If the Shook subdivision is developed, that could increase the storm drainage emptying out between our properties. We would like to see that storm drain re-configured and re-directed into a different drain stream that would prevent the flooding issues along our properties.

Engineering Response: Development of the Shook property and, specifically the individual lots, includes reconfiguring of the site grading and storm drainage systems. The construction plans for the Shook subdivision call for the majority of the storm flows to be captured on site and directed to the north and south, away from entering Geneva Ct or the Twin Lakes Subdivision. The largest impact will be seen when development (home construction) of the lots in the Shook subdivision that are directly west of lots 5 and 6 of the Twin Lakes subdivision occurs. The lot grading is anticipated to direct a significant portion of storm flows to the north and south, thus reducing the historic flows that drain to Geneva Court. However, development plans for those particular lots in the Shook subdivision have not been created yet (they typically aren't created until someone purchases the properties). Therefore, at this time, Engineering can't say for sure when those storm flows will be reduced or by how much. However, I can say that the storm flows to Geneva Ct from the Shook Subdivision will be reduced with the development/construction of the Shook Subdivision.

Just for background information--under Colorado law, downstream property owners must accept historic upstream drainage. Therefore, if storm water historically drained onto your property, that condition may remain. The land plat for the Twin Lakes subdivision shows a 10-foot wide drainage easement straddling the property line between lots 5 & 6. This easement was intended to be used to convey storm drainage. Since current conditions include stormwater flowing between lots 5 and/or 6 of the Twin Lakes subdivision, this stormwater is considered historic drainage. Development upstream of your property may release storm water at historic levels and patterns, but cannot increase the amount or make the situation any worse than it is now.

Thank you very much for your response. We appreciate you reaching out to provide feedback. If there is any additional information or assistance I can provide, please feel free to contact me.

Sincerely,

Julie Wyatt

Planner III, *Community and Economic Development*

ADAMS COUNTY, COLORADO

4430 South Adams County Parkway

Brighton, CO 80601-8212

720.523.6858 | jwyatt@adcogov.org

From: Jerry Whitmore [<mailto:jdubwh@gmail.com>]

Sent: Tuesday, March 06, 2018 1:29 PM

To: Julie Wyatt; D&S Beckett

Cc: 'Scott & Vicky'; thekoiman@comcast.net; 'Debbie Whitmore'; 'Bob & Silene Patroniti'; 'Scott & Vicky'; 'John and Barbara Otto'

Subject: Re: Shook Subdivision

Shook Subdivision request for comment

Hello:

I live in the Twin Lakes Subdivision just East of the Shook Subdivision. I went to the Adams county website and looked through the Shook case documents and I do have a couple of concerns regarding the re-platting.

1) Traffic - There was a traffic impact study done in April of 2005. That study was completed before the Bartley property East of Havana (now the TC Riverside) was developed and Also before the 2 subdivisions located at Hwy 7 and York Street were developed. Since then the traffic along Hwy 7 has increased substantially. The Hwy 7/Geneva Ct. intersection has no traffic light and the Eastbound turn lane is almost non-existent. The traffic along Hwy 7 now is so heavy that turning East onto Hwy 7 is almost impossible during peak rush times. The 2005 study stated on page 3 of section 1.2 that the access to E 160th Place via Geneva Ct. was to be closed except for emergency purposes. If that entrance to E 160th Place will now be open to traffic, A new more current Traffic study should be completed. Geneva Ct. is a very narrow dead-end road and I believe was only intended for traffic to the 6 homes on Geneva Ct.

2) Storm runoff – Currently there is a storm drain located between lots 5 and 6 on the West side Geneva Ct. That storm drain empties out onto the property between lots 5 and 6 and drains down our properties and into the Stouffer reservoir behind our house. During times of heavy rain the runoff is so powerful that it tends to wash our decorative rock away and is basically a river between our properties. Currently the Shook subdivision is undeveloped and does have some minor vegetation that could stop some erosion and drainage. If the Shook subdivision is developed, that could increase the storm drainage emptying out between our properties. We would like to see that storm drain re-configured and re-directed into a different drain stream that would prevent the flooding issues along our properties.

Thank you in advance for your consideration,

Jerry Whitmore
16020 Geneva Ct.
Brighton, Co. 80602

From: [JR Osborne](#)
To: [Libby Tart](#)
Subject: Re: Shook Filing 3 & 4
Date: Wednesday, April 22, 2020 2:35:23 PM

Please be cautious: This email was sent from outside Adams County

Happy Wednesday Libby,

I hope your week is going well. I spoke with Matt and am going to get some more as-built shots taken for the swale for him. We also did some additional swale work on the south side of Geneva to ensure no drainage issues. Matt thought they were great improvements. I'll send you some pics.

How are we looking on other referrals?

Thanks!

J.R.

From: Libby Tart <LTart@adcogov.org>
Sent: Thursday, April 16, 2020 10:48 AM
To: JR Osborne <c3construction@live.com>
Subject: RE: Shook Filing 3 & 4

Hi JR – Doing well – and how about you? I didn't get any feedback thus far but will be following up early next week with all of them.

Thanks,
Libby



Libby Tart, AICP

Senior Long Range Planner, *Community & Economic Development*

ADAMS COUNTY, COLORADO

4430 South Adams County Parkway, 1st Floor, Suite W2000A

Brighton, CO 80601

o: 720.523.6858 | ltart@adcogov.org

www.adcogov.org

Preferred Pronouns: she/her/hers

From: JR Osborne <c3construction@live.com>
Sent: Thursday, April 16, 2020 10:39 AM
To: Libby Tart <LTart@adcogov.org>

From: [JR Osborne](#)
To: [Libby Tart](#)
Subject: Shook
Date: Wednesday, April 22, 2020 3:12:03 PM
Attachments: [ATT00001.txt](#)
[ATT00002.txt](#)
[ATT00003.txt](#)

Please be cautious: This email was sent from outside Adams County









Development Review Team Comments

Date: 7/23/18

Project Number: PRC2018-00008

Project Name: Shook Filing 3 and 4 FDP/ Final Plats

For submission of revisions to applications, a cover letter addressing each staff review comments must be provided. The cover letter must include the following information: restate each comment that require a response and provide a response below the comment; respond to each comment with a description of the revisions and the page of the response on the site plan. And identify any additional changes made to the original document other than those required by staff.

A re-submittal is required. Please submit 1 hard copy and 1 electronic copy to the Community and Economic Development Department front desk with the re-submittal form.

An additional 20% review fee will be required after the third review and upon submittal of the fourth review.

Commenting Division: Development Services, Planning

Name of Reviewer: Emily Collins

Email: ecollins@adcogov.org

PLN1. REQUEST:

- a. This request is for a Major Subdivision Final Plat for Filings 3 and 4 of the Shook Planned Unit Development.
- b. Filing 3 is proposed for 13 lots on approximately 22.37 acres.
- c. Filing 4 is proposed for 11 lots on approximately 23.16 acres.

PLN2. SITE HISTORY/ ZONING:

- d. Todd Creek Shook FDP was approved on March 13, 2006. The final plat and only filing was approved for 32 single family lots.
- e. The subject area to be added to the existing Shook Subdivision is designated PUD-P in the Todd Creek Village Preliminary Development Plan which was approved March 2002.
- f. A Replat application has been submitted to create 2 filings from the initial Shook plat, this includes realignment of Florence Way and Galena Ct. to connect the northern portions of the subdivision (proposed Filing 3 and 4).
- g. An FDP Major Amendment has been submitted to include the parcel intended to be subdivided for Filings 3 and 4.

PLN3. COMPREHENSIVE PLAN:

- a. The site is designated as Estate Residential which is intended for single family housing at lower densities, no greater than one unit per acre, and compatible uses such as schools and parks.

PLN4. PLAT COMMENTS:

- a. A Subdivision Improvements Agreement is required at time of final plat. Please see attached template.
- b. Public Land Dedication fees are required prior to scheduling any public hearing. Please see attached spreadsheet.
- c. All lots must conform to the minimum dimensional standards for the Shook FDP.
 - Minimum frontage width at front setback 150'
 - Minimum front setback for residence 30'
 - Minimum lot size 1 acre
 - i. Filing 3, Block 3, Lot 4 is not 1 acre in size.
 - ii. Filing 3, Block 1, Lot 4 and 5 may not meet the 150 width at the 30 ft setback from Galena Court. Please demonstrate compliance.
 - iii. Filing 4, Block 3, Lot 1-4 may not meet the 150 width at the 30 ft setback from E. 163rd Place. Please demonstrate compliance.
- d. Design is compatible with Comprehensive plan, zoning, and area's character
- e. No hazardous areas or floodplain
- f. Lot configuration is appropriate for development
- g. Adequate water and sanitation demonstrated by Will Serve letter from Todd Creek Village Metro District.
- h. Lots have access to public roads

PLN5. COMMENTS:

- a. Land Use Table on Filing 3 does not appear correct (states 29 dwelling units on 13 lots).
- b. Please note the County recently passed new regulations for residential construction standards (Section 4-10-02-03-03), which include a signed waiver for any new home constructed within 300 ft of an existing oil and gas well.

Commenting Division: Development Services, Engineering:

Name of Review: Matt Emmens

Email: memmens@adcogov.org

ENG1: Flood Insurance Rate Map – FIRM Panel # (08001C0326H), Federal Emergency Management Agency, March 5, 2007. According to the above reference, the project site is NOT located within a delineated 100-year flood hazard zone; A floodplain use permit will not be required.

ENG2: The applicant shall be responsible to ensure compliance with all Federal, State, and Local water quality construction requirements. The project site is partially within the County's MS4

Stormwater Permit area. In the event that the disturbed area, within the MS4 Permit area, of the site exceeds 1 acre the applicant shall be responsible to prepare the SWMP plan using the Adams County ESC Template, and obtain both a County SWQ Permit and State Permit COR-030000.

ENG3: Prior to scheduling the final plat/FDP BOCC hearing, the developer is required to submit for review and receive approval of all construction documents (construction plans and reports). Construction documents shall include, at a minimum, onsite and public improvements construction plans, drainage report, traffic impact study. All construction documents must meet the requirements of the Adams County Development Standards and Regulations. The developer shall submit to the Adams County Development Review Engineering division the following: Engineering Review Application, Engineering Review Fee, two (2) copies of all construction documents. The development review fee for this project will be \$7,500.

The applicant has submitted construction documents for review. Those documents are not yet approved.

ENG4: Prior to the issuance of any construction or building permits, the developer shall enter into a Subdivision Improvements Agreement (SIA) with the County and provide a security bond for all public improvements.

ENG5: No building permits will be issued until all public improvements have been constructed, inspected and preliminarily accepted by the County's Public Works Dept.

Commenting Division: Development Services, Right-of-Way:

Name of Review: Marissa Hillje

Email: mhillje@adcogov.org

ROW1. Monuments should be at all street intersections, the beginning and end of each centerline horizontal curve in a street and at the center of the cul-de-sac. This should be shown on the plat.

ROW2. Monuments should be set and shown on this plat at each change of bearing along the perimeter of the filing. Add set monuments to the legend.

ROW3. Un-bold the labels that are in bold.

ROW4. Consider changing the boundary of the Filings to a slightly thinner line

ROW5. Add Sheet #'s to each page

ROW6. Add Case # to top right of each page

ROW7. See redlines on plat for the Certificate of Ownership and Dedication statements.

ROW8. See redlines- remove notes that are inaccurate or not needed.

ROW9. See all other redlines shown on the attached plat.

Commenting Division: Development Services, Building Safety:

Name of Review: Justin Blair

Email: jblair@adcogov.org

BSD1- No comment.

Commenting Division: Development Services, Environmental Programs:

Name of Review: Jen Rutter

Email: jrutter@adcogov.org

There is an active well on the Shook Filing 3, Lot 3. The name is Weigandt and the operator is PetroShare. If the well is to remain active, the plat will need to comply with 4-10-02-03-03-05(1). If the well is to be plugged and abandoned, the plat should show the location of the P&A'd well.

Here are some recommended plat notes, if the well is to remain active:

Plat Note 1

In compliance with Adams County Development Standards and Regulations, Section 4-10-02-03-05, existing oil and gas well locations are depicted on the plat with a two-hundred-fifty (250) foot buffer in the form of an easement. No habitable structures shall be constructed within the two-hundred-fifty (250) foot buffer area.

Plat Note 2

In compliance with Adams County Development Standards and Regulations, Section 4-10-02-03-05, prior to issuance of a building permit for a new home and/or other permanent structure with plumbing within three hundred (300) feet of an existing oil and gas well facility, the property owner shall submit a signed waiver acknowledging the existence of the facility.

Plat Note 3

In compliance with Adams County Development Standards and Regulations, Section 4-10-02-03-05, access to the oil and gas well locations is provided by a public street or recorded easement for private access and shown on the Final Plat. All oil and gas well lines are placed in easements and shown on the Final Plat. No structures shall encroach upon these easements.

Plat Note 4

In the event that an existing well is plugged and abandoned, the two-hundred-fifty (250) foot easement may be removed through a plat correction. A copy of the Well Abandonment Report shall be provided along with a recorded copy of the Oil & Gas Well Waiver.



Development Review Team Comments

Date: May 15, 2019

Project Number: PRC2018-00008

Project Name: Shook Filings 3 and 4

Note to Applicant:

For submission of revisions to applications, a cover letter addressing each staff review comment must be provided. The cover letter must include the following information: restate each comment that requires a response and provide a response below the comment; respond to each comment with a description of the revisions and the page of the response on the site plan. And identify any additional changes made to the original document other than those required by staff.

A re-submittal is required.

Commenting Division: Development Services, Planning

Name of Reviewer: Libby Tart

Email: Ltart-schoenfelder@adcogov.org / 720-523-6858

PLN1. REQUEST

- a. This request is for a Major Subdivision Final Plat for Filings 3 and 4 of the Shook Planned Unit Development.
- b. Filing 3 is proposed for 13 lots on approximately 22.37 acres.
- c. Filing 4 is proposed for 11 lots on approximately 23.16 acres.

PLN2. COMPREHENSIVE PLAN:

- a. The site is designated as Estate Residential which is intended for single family housing at lower densities, no greater than one unit per acre, and compatible uses such as schools and parks.

PLN3. SITE HISTORY/ZONING:

- a. Todd Creek Shook FDP was approved on March 13, 2006. The final plat and only filing was approved for 32 single family lots.
- b. The subject area to be added to the existing Shook Subdivision is designated PUD-P in the Todd Creek Village Preliminary Development Plan which was approved March 2002.

- c. A Replat application has been submitted to create 2 filings from the initial Shook plat, this includes realignment of Florence Way and Galena Ct. to connect the northern portions of the subdivision (proposed Filing 3 and 4).
- d. An FDP Major Amendment has been submitted to include the parcel intended to be subdivided for Filings 3 and 4.

PLN4. COMMENTS:

Subdivision Improvement Agreement (SIA) Comments:

4A. Please see the comments from Engineering, Legal and Finance below about the SIAs.

Plat Comments:

4B. The previous planner requested information from the applicant demonstrating compliance with the 150-foot minimum frontage width at front setback standard (30-foot) for Filing 3, Block 1, Lots 4 and 5 as well as the same with Filing 4, Block 3, Lots 1-4. This was not supplied. Please measure these lots off and provide more detail about their lot widths.

4C. In the previous comments, there was not a reference to the provision of a signed waiver for any new home within 300-feet of an existing oil and gas well but the following should also be noted, dimensioned, etc. on both plats to adhere to our current standards in the Adams County Development Standards and Regulations, Section 4-10-02-03-03-05, or RESIDENTIAL CONSTRUCTION Standards for **Plugged and Abandoned, and Former Oil and Gas Production Sites**: This Section is enacted to protect and promote the health, safety, morals, convenience, order, prosperity, or general welfare of the present and future residents of the County. These regulations are based upon the land use authority of the County.

- a. Prior to submittal of a final plat or site specific development plan, each plugged and abandoned well shall be located and surveyed. The plugged and abandoned well shall be permanently marked by a brass plaque set in concrete similar to a permanent bench mark to monument its existence and location. Such plaque shall contain all information required on a dry hole marker by the Colorado Oil and Gas Conservation Commission and the County.
- b. As a condition of review of any final plat or site specific development plan which contains a plugged and abandoned well or former oil and gas production site or is within 200 feet of such well or site, the owner shall submit a location diagram of the location of the well.
- c. On every final plat or site specific development plan which contains a plugged and abandoned well, there shall be dedicated a well maintenance and workover setback depicted on the plat, the dimensions of which shall be not less than fifty feet in width and 100 feet in length. No structures shall be located within this setback. The plugged and

abandoned well shall be located in the center of the setback. There shall be public access for ingress and egress to the setback of a width of not less than twenty feet.

- d. Every final plat and site specific development plan which contains a plugged and abandoned well or a site specific development that includes a property that is less than 200 feet from a plugged and abandon well, shall include the following notation: "The owner shall disclose to prospective purchasers of lots within a radius of 200 feet of the plugged and abandoned well of (1) the location of the plugged and abandoned well, (2) the location of the maintenance and workover setback, and (3) the purpose for the well maintenance and workover setback."
- e. As a condition of building permit review, no dwelling shall be constructed within fifty (50) feet of a plugged and abandoned well.
- f. Prior to issuance of a grading permit within a development containing a known reserve pit site, the reserve pit site shall be tested for expansive soils. Reserve pits containing expansive soils in locations proposed for buildings shall be subject to the provisions of the International Building Code.
- g. No utility lines shall be installed within ten feet of any plugged and abandoned well.

4D. Please state what the 70-foot easement is on the plats – is it a utility provider or a multi-use easement? Oil and gas?

4E. Public Works/ROW/Legal have commented on the plugged and abandoned well site location in Filing No. 3 along a public right-of-way. They are indicating below that the well itself must be located on a lot and not within the ROW. Staff suggests conducting a meeting with our team once the applicant determines the realignment/new lot configuration. We would prefer to see a few options at the meeting so we can provide you with thoughtful comments. *This reconfiguration of Galena and lots 1-3 in Block 1 may affect the overall FDP and trigger a FDP Amendment.* Staff is checking in to get a determination on this.

4F. Please reference the original FDP and the Oil and Gas Outlot B names in an updated letter of explanation. This will help with some of the case history.

4G. The PLD Fees and other items may need revisions due to the ROW reconfiguration. Please hold off on sending any of these in until we review those changes.

Commenting Division: Development Services, Engineering:

Name of Review: Matt Emmens

Email: MEmmens@adcogov.org

ENG1: Flood Insurance Rate Map – FIRM Panel # (08001C0326H), Federal Emergency Management Agency, March 5, 2007. According to the above reference, the project site is NOT

located within a delineated 100-year flood hazard zone; A floodplain use permit will not be required.

Applicant Response: No response received

County Comment: Comment is for notification purposes. Comment Closed.

ENG2: The applicant shall be responsible to ensure compliance with all Federal, State, and Local water quality construction requirements. The project site is partially within the County's MS4 Stormwater Permit area. In the event that the disturbed area, within the MS4 Permit area, of the site exceeds 1 acre the applicant shall be responsible to prepare the SWMP plan using the Adams County ESC Template, and obtain both a County SWQ Permit and State Permit COR-030000.

Applicant Response: Will submit plans for MS4 Permit

County Comment: No construction permits will be issued until the Stormwater Permit has been issued. Comment Closed.

ENG3: Prior to scheduling the final plat/FDP BOCC hearing, the developer is required to submit for review and receive approval of all construction documents (construction plans and reports). Construction documents shall include, at a minimum, onsite and public improvements construction plans, drainage report, traffic impact study. All construction documents must meet the requirements of the Adams County Development Standards and Regulations. The developer shall submit to the Adams County Development Review Engineering division the following: Engineering Review Application, Engineering Review Fee, two (2) copies of all construction documents. The development review fee for this project will be \$7,500.

The applicant has submitted construction documents for review. Those documents are not yet approved.

Applicant Response: Plans are complete and will be submitted to Engineering. Fees have been paid at time of original submittal.

County Comment: The construction plans, although complete, have only been approved for Filings 1 and 2. The construction plans will need to be re-approved for filings 3 and 4, separately.

ENG4: Prior to the issuance of any construction or building permits, the developer shall enter into a Subdivision Improvements Agreement (SIA) with the County and provide a security bond for all public improvements.

Applicant Response: SIA drafts are attached to this submittal.

County Comment: SIA has been reviewed. See SIA Comments below. Comment Closed.

ENG5: No building permits will be issued until all public improvements have been constructed, inspected and preliminarily accepted by the County's Public Works Dept.

Applicant Response: No response received

County Comment: Comment is for notification purposes. Comment Closed.

ENG6: The Exhibit “B” for the Filing 3 SIA was not included in the submittal. Resubmit with the Exhibit “B”

Commenting Division: Development Services, Right-of-Way and Addressing

Name of Review: Marissa Hillje

Email. mhillje@adcogov.org

Please note:

During the last review of Shook Subdivision Filing No. 3, I made a note ROW5: See below.

ROW5: The County attorney’s office is working with risk management to determine if the County will accept an abandoned well in the public right of way.

I received an update from the County Attorney’s office. The County will not accept an abandoned well in Public Right-of-way. The developer will need to change the street configuration so that the abandoned well is on private property.

Please send this update to the developer.

Any questions feel free to reach out to me or Matt Emmens.

ROW1: Monuments: All monuments used to determine and/or describe a boundary (including basis of bearings, point of beginning and point of commencement) shall be shown and clearly labeled on the plat drawing. Monuments for corners defined by the plat, or otherwise found to be missing in the field, shall be placed and set in accord with the requirements of the State of Colorado.

- a. Monuments should be at all street intersections, the beginning and end of each centerline horizontal curve in a street and at the center of the cul-de-sac. This should be shown on the plat.

ROW2: Prior to submittal of a final plat or site specific development plan, each plugged and abandoned well shall be located and surveyed. The plugged and abandoned well shall be permanently marked by a brass plaque set in concrete similar to a permanent bench mark to monument its existence and location. Such plaque shall contain all information required on a dry hole marker by the Colorado Oil and Gas Conservation Commission and the County. On every final plat or site specific development plan which contains a plugged and abandoned well, there shall be dedicated a well maintenance and workover setback depicted on the plat, the dimensions of which shall be not less than fifty feet in width and 100 feet in length. No structures shall be located within this setback. The plugged and abandoned well shall be located in the center of the setback.

ROW3: Add this note to the plat- No utility lines shall be installed within ten feet of any plugged and abandoned well.

ROW4: An updated recent title commitment will be required with the final plat application.
ROW5: The County attorney's office is working with risk management to determine if the County will accept an abandoned well in the public right of way.

ROW6: Show and label the temporary cul-de-sac easements. ROW agent Marissa Hillje is still waiting on signatures on the agreements.

ROW7: Filing 4: Outlot B- the buffer areas around the wells needs to be shown on the plat.

ROW8: Filing 4: Outlot C is not in the table- revise table.

ROW9: The County needs a dedicated storm drainage easement over any drainage facilities created for the subdivision. The storm drainage easement should be delineated with distances and bearings.

ROW10: If Outlot A is to be used for storm water drainage, the county needs access to maintain it. Please show access easement to the storm drainage.

ROW11: Fix all overlapping labels.

ROW12: Label what the 70ft easement is for.

ROW13: There are additional comments and redlines on attached plat.

Commenting Division: Environmental Programs Manager

ENV1. The applicant must comply with Adams County Development Standards and Regulations, Section 4-10-02-03-05 for Plugged and Abandoned, and Former Oil and Gas Production Sites.

Commenting Division: Legal

Name of Review: Christy Fitch

Please see the attached SIAs for corrections.

Commenting Division: Finance

Name of Review: Laura Garcia

Please see the file attached for the correct calculation.

Filing 3:

Item number 5 should be \$309,029.49

The following section needs to match the amount in item number 5.

APPROVED BY resolution at the meeting of _____, 2019.

Collateral to guarantee compliance with this agreement and construction of public improvements shall be required in the amounts of: **\$290,697.60**. No building permits shall be issued until said collateral is furnished in the amount required and in a form acceptable to the Board of County Commissioners. No construction permits shall be issued until all collateral required by this SIA is provided and approved by County staff.

Filing 4:

Item number 5 should be \$154,525.47

Please let me know if you have any questions.

Thanks and have a great day.

Laura Garcia

Senior Accountant, *Finance*

4430 South Adams County Parkway, 4th floor, Suite C4228

Brighton, CO 80601

720.523.6239 | Lgarcia@adcogov.org | adcogov.org

Adjacent Property Owner/Occupant Comments (Please note: applicant must provide responses to all comments):

Previous comments were satisfactory from most of the external reviewers. However, with the plugged and abandoned gas correction, staff will refer the application out to those initial reviewers such as Xcel, Division of Water Resources, TCHD, CGS, etc. to ensure they are satisfied with any of the future (new) changes.



Development Review Team Comments (3rd Review)

Date: October 30, 2019
Project Number: PRC2018-00008
Project Name: Shook Filings 3 and 4

Note to Applicant:

For submission of revisions to applications, a cover letter addressing each staff review comment must be provided. The cover letter must include the following information: restate each comment that requires a response and provide a response below the comment; respond to each comment with a description of the revisions and the page of the response on the site plan. And identify any additional changes made to the original document other than those required by staff.

An email re-submittal is required.

Commenting Division: Development Services, Planning
Name of Reviewer: Libby Tart
Email: Ltart@adcogov.org / 720-523-6858

PLN1. REQUEST

- a. This request is for a Major Subdivision Final Plat for Filings 3 and 4 of the Shook Planned Unit Development.
- b. Filing 3 is proposed for 13 lots on approximately 22.37 acres.
- c. Filing 4 is proposed for 11 lots on approximately 23.16 acres.

PLN2. COMPREHENSIVE PLAN:

- a. The site is designated as Estate Residential which is intended for single family housing at lower densities, no greater than one unit per acre, and compatible uses such as schools and parks.

PLN3. SITE HISTORY/ZONING:

- a. Todd Creek Shook FDP was approved on March 13, 2006. The final plat and only filing was approved for 32 single family lots.
- b. The subject area to be added to the existing Shook Subdivision is designated PUD-P in the Todd Creek Village Preliminary Development Plan which was approved March 2002.

- c. A Replat application has been submitted to create 2 filings from the initial Shook plat, this includes realignment of Florence Way and Galena Ct. to connect the northern portions of the subdivision (proposed Filing 3 and 4).
- d. An FDP Major Amendment has been submitted to include the parcel intended to be subdivided for Filings 3 and 4.

PLN4. COMMENTS:

Subdivision Improvement Agreement (SIA) Comments:

No further comment from Finance.

4A. LEGAL is requesting the SIA document in Word in lieu of a .pdf. Please email this document to your case manager and she will send it along to our attorney.

Plat Comments:

4B. Carry over note – the applicant states that they supplied this in the third submission but the case manager did not find it. Please email this over just to ensure we have it documented. *The previous planner requested information from the applicant demonstrating compliance with the 150-foot minimum frontage width at front setback standard (30-feet) for Filing 3, Block 1, Lots 4 and 5 as well as the same with Filing 4, Block 3, Lots 1-4. This was not supplied. Please measure these lots off and provide more detail about their lot widths.*

Commenting Division: Development Services, Engineering:

Name of Review: Matt Emmens

Email: MEmmens@adcogov.org

ENG1: Review complete. All comments resolved.

Commenting Division: Development Services, Right-of-Way and Addressing

Name of Review: Marissa Hillje

Email. mhillje@adcogov.org

ROW1: The applicant has addressed and revised all ROW comments on the plat.

Commenting Division: Environmental Programs Manager

ENV1. No further comment.

Commenting Division: Legal

Name of Review: Christy Fitch

Legal needs a copy of the SIA in a Word document form to redline any corrections. Please email this to your case manager.

Xcel Energy (Please note: applicant must provide responses to all comments):

Public Service Company of Colorado's (PSCo) Right of Way & Permits Referral Desk has reviewed the plats for **Shook Filing Nos. 3 and 4** and requests the following 15- foot wide drainage and utility easements for connectivity purposes around the cul du sacs:

- within Outlot B on Filing No. 4 adjacent to East 162nd Place
- within Lot 5 and Outlot B on Filing No. 4 adjacent to East 163rd Place

Please see the attached highlighted drawing.

The property owner/developer/contractor must complete the application process for any new natural gas service via xcelenergy.com/InstallAndConnect. It is then the responsibility of the developer to contact the Designer assigned to the project for approval of design details.

Additional easements may need to be acquired by separate document for new facilities.

As a safety precaution, PSCo would like to remind the developer to call the Utility Notification Center by dialing 811 for utility locates prior to construction.

Donna George
Right of Way and Permits
Public Service Company of Colorado dba Xcel Energy
Office: 303-571-3306 – Email: donna.l.george@xcelenergy.com



Development Review Team Comments – 1st Review

Date: 04/22/2020

Project Number: PRC2020-00007

Project Name: Shook Filings 3&4 Final Plats and SIAs

Note to Applicant:

For submission of revisions to applications, a cover letter addressing each staff review comment must be provided. The cover letter must include the following information: restate each comment that requires a response and provide a response below the comment; respond to each comment with a description of the revisions and the page of the response on the site plan. And identify any additional changes made to the original document other than those required by staff.

A re-submittal is required per Legal. The resubmittal needs to be checked in by the E-Permit/OneStop Counter at epermitcenter@adcogov.org. Please cc your Case Manager in the email to ensure she knows you have resubmitted.

Commenting Division: Development Services, Planning

Name of Reviewer: Libby Tart

Email: Ltart@adcogov.org / 720-523-6858

PLN1. REQUEST

- a. A final plat for Shook Subdivision Filing No. 3 to create 13 lots and b) A final plat for Shook Subdivision Filing No. 4 to create 11 lots and c) a request to create a Subdivision Improvements Agreement (SIA) to finance the public improvements associated with the two Final Plats for Shook Filing 3 and Shook Filing 4.

PLN2. COMPREHENSIVE PLAN:

- a. The site is designated as Estate Residential which is intended for single family housing at lower densities, no greater than one unit per acre, and compatible uses such as schools and parks.

PLN3. SITE LOCATION/ ZONING:

- a. The subject property is designated PUD.

PLN4. COMMENTS:

4A. Please see the updated PLD fees attached. The former PLD calculator was incorrect with a household calculation and staff is updating all case PLD fees to ensure we are using the 2020 calculator.

Commenting Division: Legal:

Please see the attached County Attorney's markups and provide a corrected Word document with the next submission. If these edits are fine, staff can begin scheduling Shook for a BoCC hearing.

Commenting Division: Finance:

No further comment.

Commenting Division: Development Services, Engineering:

Name of Review: Matthew Emmens

Email: Memmens@adcogov.org / 720-523-6826

ENG1: The developer has submitted construction plans for review. Those plans have received preliminary approval. Final approval and issuance of construction permit will require approval by the Board of County Commissioners of the final plat(s) and SIA(s).

ENG2: The developer should make note that there have been drainage complaints associated with Filings No. 1 and 2 of this development. As all four (4) filings of this development share storm sewer infrastructure, the developer may need to address drainage issues within other filings as part of the final acceptance of the public improvements.

Mr. Emmens recently provided an email summary of the stormwater discussion that has concerned the subdivision to the east of Shook. See below:

Here is a timeline and summary of the Shook Subdivision and drainage issues.

The Shook subdivision was originally approved in 2005 (I think). The construction of the subdivision was put on hold (no known reason but, probably due to the economy). The developer started the construction permitting process in 2016 but, before permits were issued in 2018, decided to split the site into two filings. Here is the timeline/summary.

- The Shook subdivision re-plat was approved in December of 2018, creating Filing No. 1 and No. 2.
 - Construction of the public and drainage infrastructure for Filing No. 1 began in about May of 2018.
 - Construction was started under the approved construction plans for the originally approved subdivision and a new SIA. The replat case began soon after.
 - Preliminary acceptance of the public and drainage infrastructure was granted in November of 2018.

- Home construction began very soon after.
 - Construction of the public and drainage infrastructure for Filing No. 2 began in February of 2019.
 - Preliminary acceptance of the public and drainage infrastructure was granted in September of 2019.
- During construction, several stormwater inspections were performed (some routine, others due to a complaint) and violations were given out.
 - June 2019 – (inspection not documented in Accela) inspection due to neighbor complaint of an illicit discharge (erosion and sediment draining from the site).
 - Inspectors noticed that one of the home builders (not JR Osbourne, the developer) had improperly installed a silt fence, along the east side of a parcel adjacent to Geneva Ct. That silt fence failed during a storm the day before and carried sediment off the site and into the properties to the east.
 - Inspectors notified the home builder, who promptly fixed the violation.
 - The inspector said they did not document this case in Accela because it seemed like a minor violation.
 - This is the issue that the Geneva Ct. neighbors are complaining about.
 - January 21, 2019 – (CSI2019-0001) violation issued due to recalcitrant noncompliance on site (stormwater BMP's not installed and/or maintained properly)
- In June of 2019, I began receiving calls from the residence on Geneva Ct. about the Shook Subdivision.
 - There were several complaints:
 - The water supply to two manmade ponds, in the back yards of the Geneva Ct residences, was cut off and, the residence wanted the County to resolve this problem.
 - The County does not have any control of the utility district that was supplying the water to the Geneva Ct residence; therefore, the County cannot help. The Geneva Ct residence do not seem to acknowledge that the County has no control over the utility district.
 - Geneva Ct direct access to Highway 2 had been closed off. The Geneva Ct residence would now have to go through the Shook Subdivision to get onto Highway 7.
 - This was a requirement from CDOT when the subdivision was originally approved in 2005.
 - I have been told that the Geneva Ct residence liked this idea at the time.
 - I coordinated with CDOT to allow the Geneva Ct access to Highway 7 to remain open.
 - CDOT agreed to the request but, if there is an increase in accidents at that intersection they will require the County

- to close the access (there are bollards and a chain in place, we would just have to lock the chain to a bollard).
- I received several calls telling me that the chain had been re-attached. The best the developer and I can guess is that one of the construction workers had reattached the chain, unknowingly. I have not heard anything more about this issue since about September.
 - The home builder at the south-east corner of the site was accessing the lot from Geneva Ct.
 - Stormwater inspectors were sent out and found that the homebuilder had taken down the silt fence to create an access through the rear yard. The inspector informed the home builder of the error of their ways and the problem was promptly fixed.
 - There is “massive” drainage problem with the Shook Subdivision. (This is the complaint that led to us asking MHFD to do a review of the swale design and construction).
 - Stormwater was draining off the Shook subdivision into Geneva Ct and leaving sediment on the street and neighboring properties.
 - This did happen, due to the improperly installed silt fence by the home builder (June 2019).
 - We have no record of this happening since June of 2019.
 - The swale running along the east side of the Shook Subdivision was constructed improperly and drains backwards.
 - The developer was notified of this concern and the County asked him to perform an as-built survey of the swale.
 - The as-built drawing showed that the centerline of the swale does, in fact, drain to the north, as it was designed and should.
 - January 14, 2020 – During the BoCC public hearing for Filings 3 and 4, the Geneva Ct neighbors made public comment about the swale (and other issues) and asked that the County “take action” on the swale issue.
 - The BoCC asked staff if there was a way, we could have a third-party review done of the swale design and construction; suggesting that the Mile High Flood District (MHFD) might be able to help.
 - MHFD was contacted and agreed to do a third-party review. All documents associated with the swale and drainage issues with the development were sent to MHFD (Dave Skuodas).

- An assessment was received by MHDF on March 3rd, 2020 (See [more on this below](#)).
- March 2020, one of the Geneva Ct residence sent me pictures showing standing water in the swale.
 - Stormwater inspectors were sent to the site to investigate (early April).
 - No issues were found and, the swale was dry.
 - I followed up with Stormwater (Juliana); she does not see a problem with the swale.
 - I have also asked David Rausch and Gordon Stevens to inspect the swale, both agree, it is very flat, but they have no issue with that.
- Mid-April 2020 – I was asked to put this summary together.

The MHFD letter (see attached) basically says that the swale was designed correctly but, there is not enough as-built information to show 1) that it was built correctly (as designed) and 2), that, with the lack of as-built information, there is no way to know if the swale had anything to do with the illicit discharge of June, 2019. Our Stormwater inspectors and their manger (Juliana) are pretty certain that the illicit discharge was due to the improperly installed silt fence, which was fixed. Julian Archuleta, Jordon Maclay (stormwater inspector), Gordon Stevens, David Rausch and myself have all been out to this site to inspect the swale. Not to speak for the others but, our collective opinion appears to be that the swale is very flat but, was designed, built and works correctly. There has not been another illicit discharge since.

Sincerely,
Matt Emmens

Senior Engineer, *Community and Economic Development*
 ADAMS COUNTY, COLORADO
 4430 S. Adams County Parkway, W2000B
 Brighton, CO 80601
 o: 720.523.6826 | memmens@adco.gov
www.adcogov.org

Name of Review: Colorado Division of Water Resources
 Comment by Joanna Williams/Ailis Thyne
 Phone: 303-866-3581 x8216

Please see the attached letter from the Division of Water Resources. This will be included as exhibit material in the BoCC report.

From: [Christine Fitch](#)
To: [Libby Tart](#)
Subject: Re: PRC2020-0007
Date: Thursday, April 30, 2020 3:11:28 PM

Hey Libby,

It looks like JR made all of the changes from the last version.

Thanks,

Christy

From: Libby Tart <LTart@adcogov.org>
Sent: Thursday, April 30, 2020 3:05 PM
To: Christine Fitch <CFitch@adcogov.org>
Subject: FW: PRC2020-0007

Hello Christy – Attached are the corrections from JR on the SIA. Just look them over and let me know your thoughts. Hopefully he corrected everything and we can proceed to scheduling!

Thanks,
Libby



Libby Tart, AICP

Senior Long Range Planner, *Community & Economic Development*

ADAMS COUNTY, COLORADO

4430 South Adams County Parkway, 1st Floor, Suite W2000A

Brighton, CO 80601

o: 720.523.6858 | ltart@adcogov.org

www.adcogov.org

Preferred Pronouns: she/her/hers

From: JR Osborne <c3construction@live.com>
Sent: Tuesday, April 28, 2020 2:27 PM
To: CPD ePermit Center <epermitcenter@adcogov.org>
Cc: Libby Tart <LTart@adcogov.org>
Subject: PRC2020-0007

Please be cautious: This email was sent from outside Adams County

Hi Megan,

Here are the corrected SIA's that the county attorney requested. I also attached the word docs so either you or Libby can get to them.

Thanks,

J.R. Osborne

Emily Collins

From: Gutierrez, Carla [CGutierrez@brightonfire.org]
Sent: Tuesday, July 17, 2018 6:06 PM
To: Emily Collins
Subject: RE: PRC2018-00008 Shook Subdivision Filing 3 and 4

Hi Emily,

At this time we have no issues with this case.

Thank you!

Carla Gutierrez

Fire Inspector
Brighton Fire Rescue District
500 S. 4th Ave. 3rd Floor
Brighton, CO 80601
303-654-8042
www.brightonfire.org

From: Emily Collins [<mailto:ECollins@adcogov.org>]
Sent: Friday, June 29, 2018 11:29 AM
To: 'landuse@tchd.org' <landuse@tchd.org>; Monte Deatrich <mdeatric@tchd.org>; Loeffler - CDOT, Steven <steven.loeffler@state.co.us>; serena.rocksund@state.co.us; Loeffler - CDOT, Steven <steven.loeffler@state.co.us>; Brigitte Grimm <BGrimm@adcogov.org>; Gutierrez, Carla <CGutierrez@brightonfire.org>; CGS_LUR <CGS_LUR@mines.edu>; Williams - Dnr, Joanna <Joanna.Williams@State.CO.US>; Kerrie Monti <kmonti@sd27j.net>; brandyn.wiedrich@centurylink.com; thomas_lowe@cable.comcast.com; Marisa Dale <mdale@UnitedPower.com>; mary.c.dobyns@usps.gov; 'chris.quinn@rtd-denver.com' <chris.quinn@rtd-denver.com>; roger@equinoxland.com
Subject: PRC2018-00008 Shook Subdivision Filing 3 and 4

Good Afternoon:

Please see the attached Request for Comments on the above case. **Comments are due by Friday, July 20th.**

Thank you for your review!



Emily Collins, AICP

Planner III, *Community and Economic Development*
ADAMS COUNTY, COLORADO
4430 South Adams County Parkway, W2000A
Brighton, CO 80601
o: 720-523-6820 | ecollins@adcogov.org
www.adcogov.org

Emily Collins

From: Steven Loeffler - CDOT [steven.loeffler@state.co.us]
Sent: Thursday, July 19, 2018 1:43 PM
To: Emily Collins
Subject: PRC2018-00008, Shook Subdivision Filing 3 and 4

Emily,

I have reviewed the referral named above for Preliminary and Final Plat for Shook Subdivision Filings 3 and 4 and have no objections. This developer has worked with CDOT for access permitting. Any other proposed work in the CDOT Right-of-Way including, but not limited to, survey, utility, or landscaping work will require a permit from our office. Contact for that permit is Robert Williams who can be reached at 303-916-3542 or robert.williams@state.co.us

Thank you for the opportunity to review this referral.

Steve Loeffler
Permits Unit



P 303.757.9891 | F 303.757.9886
2829 W. Howard Pl. 2nd Floor, Denver, CO 80204
steven.loeffler@state.co.us | www.codot.gov | www.cotrip.org

COLORADO GEOLOGICAL SURVEY

1801 19th Street
Golden, Colorado 80401



Karen Berry
State Geologist

July 23, 2018

Emily Collins
Adams County Community & Economic Development
4430 S. Adams County Parkway, Suite W2000A
Brighton, CO 80601

Location:
N½ SE¼ Section 3,
T1S, R67W, 6th P.M.
39.9916, -104.87

Subject: Shook Subdivision Filings 3 and 4 – Preliminary and Final Plat
Case Number PRC2018-00008; Adams County, CO; CGS Unique No. AD-18-0019

Dear Ms. Collins:

Colorado Geological Survey has reviewed the Shook Subdivision Filing 3 and Filing 4 preliminary and final plat referral. I understand the applicant proposes 13 lots (Filing 3) and 11 lots (Filing 4) of at least one acre each on approximately 48 acres located north of Shook Subdivision Filing 2.

The site does not contain, nor is it exposed to, any geologic hazards that would preclude the proposed subdivision. **CGS therefore has no objection to approval of the plat as proposed.**

Potential development constraints that will require site-specific geotechnical investigation, testing, and analysis include:

Slow percolation rates, shallow bedrock, and possible need for engineer-designed OWS. The Project Explanation (undated) indicates that each lot will contain an onsite wastewater system (OWS). The Adams County Soil Survey describes most of the site soils as very limited in suitability for conventional septic tank absorption fields due to low permeability and bedrock within 6 feet of the ground surface. It is likely that at least some of the proposed lots will require engineer-designed septic systems.

Soil engineering properties and foundation design. The Adams County Soil Survey describes some of the soils at this site as somewhat limited in suitability for construction of dwellings due to shrink-swell.

Lot-specific geotechnical investigation, testing, and analysis will be needed, once building locations are determined, to characterize soil engineering properties such as expansion/consolidation potential, strength, water content, and allowable bearing pressures. This information, along with more specific information about depths to bedrock and seasonal depths to groundwater, will be needed to determine whether overexcavation is needed to provide a separation distance between potentially highly expansive claystone bedrock and foundation elements, to design individual foundations, floor systems, and subsurface drainage, and to determine the each lot's suitability for a full-depth basement, if planned.

Thank you for the opportunity to review and comment on this project. If you have questions or require additional review, please call me at (303) 384-2643, or e-mail carlson@mines.edu.

Sincerely,

Jill Carlson, C.E.G.
Engineering Geologist

A handwritten signature in black ink, appearing to read "Jill Carlson", is written over the typed name and title.



COLORADO

Parks and Wildlife

Department of Natural Resources

Northeast Regional Office
6060 Broadway
Denver, CO 80216
P 303.291.7227 | F 303.291.7114

July 7, 2018

Ms. Emily Collins
Adams County
Community & Economic Development Department
4430 South Adams County Parkway, Suite W2000A
Brighton, CO 80601

Re: Shook Subdivision Filing 3 and 4, PRC2018-00008

Dear Ms. Collins:

Thank you for the opportunity to comment on the proposed creation of 13 single family 1-acre lots and associated subdivision improvements for Shook Subdivision Filing 3 and creation of 11 single family 1-acre lots and associated subdivision improvements for Shook Subdivision Filing 4. The 48-acre proposed subdivision is owned SEC. 2-3 Phoenix, LLC. The proposed site is located in the SE1/4 of Section 3, Township 1 South, Range 67 West and is bounded east by Geneva Court, and on the south, west and north by various parcels of private property.

The mission of Colorado Parks and Wildlife (CPW) is to perpetuate the wildlife resources of the state, to provide a quality state parks system, and to provide enjoyable and sustainable outdoor recreation opportunities that educate and inspire current and future generations to serve as active stewards of Colorado's natural resources. Our goal in responding to land use proposals such as this is to provide complete, consistent, and timely information to all entities who request comment on matters within our statutory authority. Current CPW policy directs our efforts towards proposals that will potentially have high impacts to wildlife and wildlife habitat. The emphasis of CPW's concerns is on large acreages, critical habitats, wildlife diversity, and impacts to species of special concern, or those that are state or federally endangered. Due to the low availability of undeveloped habitat surrounding the site, impacts of the development, as proposed, may be characterized as minimal.

Natural Vegetation

CPW recommends that land within the project area be restored to native habitat, if possible. To improve wildlife habitat after construction, the CPW recommends using native plant species along the project area. CPW also recommends planting trees, shrubs, and grasses so that they are mixed within the landscape. A landscape that has a good mix of trees, grasses, and shrubs is more beneficial to wildlife than a landscape with all trees in one area and all grasses and shrubs in others.

Burrowing Owls

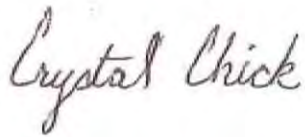


If prairie dog towns are present on the sites or if prairie dogs establish themselves on the property prior to development - CPW recommends that a burrowing owl survey be conducted prior to earth moving. Burrowing owls live on flat, treeless land with short vegetation, and nest underground in burrows dug by prairie dogs, badgers, and foxes. These raptors are classified as a state threatened species and are protected at both the state and federal level, including the Migratory Bird Treaty Act.

These laws prohibit the killing of burrowing owls or disturbance of their nests. Therefore, if any earth-moving will occur between March 15th and October 31st, a burrowing owl survey should be performed. Guidelines for performing a burrowing owl survey may be obtained from District Wildlife Manager Jordan Likes, visiting the CPW website at <http://cpw.state.co.us> or by calling the CPW Denver Region Office at (303) 291-7227.

Please contact us if we can be of assistance in implementing your proposal to minimize negative impacts and maximizing potential enhancements to support living with wildlife in our community. If you have any further questions, please contact District Wildlife Manager Jordan Likes at (303) 291-7135.

Sincerely,

A handwritten signature in cursive script that reads "Crystal Chick".

Crystal Chick
Area Wildlife Manager

Cc: M. Leslie, T. Kroening, J. Likes

WEST ADAMS CONSERVATION DISTRICT
Serving portions of Adams, Broomfield, Denver, and Weld Counties
57 West Bromley Lane
Brighton, CO 80601
303-659-0525
westadamscd@gmail.com, www.westadamscd.com

Date: July 18,2018

To: Ms, Emily Collins Case Manager
Department of Community and Economic Development
4430 South Adams County parkway, Suite W200A Brighton, CO 80601-8216

Re: Case Number: PRC2018-00008
Case Name: Shook Subdivision Filing 3 and 4

Dear Ms Collins

The West Adams Conservation District is in receipt of the above referenced project request for comments.

According to the attached map and information this is consistent with the surrounding area. Therefore the requirements of the Adams County Development Standards and Regulations shall apply to these two filings also, as it did for the first and second filings that now exist

In the future could the county please provide a topographic map or grading plan showing direction of the developed flow's. The assumption is that no surrounding area will be affected. The county standards should be followed for the placement of slit fence for erosion protection.

The District is concerned with weed control, so we are asking that the disturbed areas be reseeded back with native grasses that are best suited for this area, and spraying the weeds take place as needed.

Thank you for submitting this for our review and comment.

Bob Olivier
Director with WACD



July 20, 2018

Emily Collins
Adams County Community and Economic Development
4430 South Adams County Parkway, Suite W2000A
Brighton, CO 80601

RE: Shook Subdivision Filing 3 and 4, PRC2018-00008
TCHD Case No. 5017

Dear Ms. Collins,

Thank you for the opportunity to review and comment on the Preliminary and Final Plat for Shook Subdivision Filings 3 to create 13 lots and Filings 4 to create 11 lots and associated Subdivision Improvements Agreements located at the northwest corner of Highway 7 and Havana Street. Tri-County Health Department (TCHD) staff has reviewed the application for compliance with applicable environmental and public health regulations and principles of healthy community design. After reviewing the application, TCHD has the following comments.

On-Site Wastewater Treatment Systems (OWTS)

Proper wastewater management promotes effective and responsible water use, protects potable water from contaminants, and provides appropriate collection, treatment, and disposal of waste, which protects public health and the environment. TCHD has no objection to the proposed subdivision being served by Onsite Wastewater Treatment Systems (OWTS), provided the systems are permitted, installed, and operated in compliance with our current OWTS regulation.

At the time of our review of the original subdivision, it was TCHD's expectation that the Todd Creek Metropolitan District (TCMD) would act as the Responsible Management Entity (RME) for OWTS within the Shook Subdivision. The understanding that TCMD would be responsible for inspections of the OWTS in the Shook Subdivision was a factor in our agreeing to allow properties in the Shook Subdivision to be served by ISDS. Consequently, we recommend that TCMD be the RME for Shook Subdivision. TCHD is willing to work with TCMD to assist them in developing a successful RME program.

Oil and Gas

The Colorado Oil and Gas Conservation commission (COGCC) regulates the setback requirements of oil and gas wells and production facilities in order to eliminate, minimize, or mitigate potential adverse impacts to public health. COGCC requires setbacks of five hundred (500) feet to a building and three hundred fifty (350) feet to the

boundary of a designated outside activity area. An oil and gas well is located in Filing 4. TCHD recommends the applicant adhere to the setbacks outlined above, at a minimum.

Community design to support walking and bicycling

Because chronic diseases related to physical inactivity and obesity now rank among the country's greatest public health risks, TCHD encourages community designs that make it easy for people to include regular physical activity, such as walking and bicycling, in their daily routines. Because research shows that the way we design our communities can encourage regular physical activity, TCHD strongly supports community plans that incorporate pedestrian and bicycle amenities that support the use of a broader pedestrian and bicycle network.

In order to promote walking and bicycling through this development, TCHD encourages the applicant to consider the inclusion of the following as they design the community.

1. A system of sidewalks, bike paths and open space trail networks that are well-designed and well-lit, safe, and attractive so as to promote bicycle and pedestrian use.
2. Bicycle and pedestrian networks that provide direct connections between destinations in and adjacent to the community.
3. Where public transportation systems exist, direct pedestrian access should be provided to increase transit use and reduce unnecessary vehicle trips, and related vehicle emissions. The pedestrian/bicycle networks should be integrated with the existing and future transit plans for the area.
4. Streets that are designed to be pedestrian/bike friendly and to reduce vehicle and pedestrian/bicycle fatalities.
5. Bicycle facilities and racks are provided in convenient locations.

Please feel free to contact me at 720-200-1585 or ahenrich@tchd.org if you have any questions on TCHD's comments.

Sincerely,



Annemarie Heinrich, MPH/MURP
Land Use and Built Environment Specialist

cc: Sheila Lynch, Monte Deatrich, Michael Weakley, Warren Brown, TCHD

Emily Collins

From: Marisa Dale [mdale@UnitedPower.com]
Sent: Tuesday, July 17, 2018 6:02 PM
To: Emily Collins
Subject: RE: PRC2018-00008 Shook Subdivision Filing 3 and 4

Emily,

We appreciate the dedicated utility easements. Developer must submit an application for new service to this subdivision.

Thank you,
Marisa

From: Emily Collins [<mailto:ECollins@adcogov.org>]
Sent: Friday, June 29, 2018 11:29 AM
To: 'landuse@tchd.org'; Monte Deatrich; Loeffler - CDOT, Steven; serena.rocksund@state.co.us; Loeffler - CDOT, Steven; Brigitte Grimm; Gutierrez, Carla; CGS_LUR; Williams - Dnr, Joanna; Kerrie Monti; brandyn.wiedrich@centurylink.com; thomas_lowe@cable.comcast.com; Marisa Dale; mary.c.dobyns@usps.gov; 'chris.quinn@rtd-denver.com'; roger@equinoxland.com
Subject: PRC2018-00008 Shook Subdivision Filing 3 and 4

Good Afternoon:

Please see the attached Request for Comments on the above case. **Comments are due by Friday, July 20th.**

Thank you for your review!



Emily Collins, AICP

Planner III, *Community and Economic Development*
ADAMS COUNTY, COLORADO
4430 South Adams County Parkway, W2000A
Brighton, CO 80601
o: 720-523-6820 | ecollins@adcogov.org
www.adcogov.org

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Right of Way & Permits

1123 West 3rd Avenue
Denver, Colorado 80223
Telephone: **303.571.3306**
Facsimile: 303. 571. 3284
donna.l.george@xcelenergy.com

October 23, 2019

Adams County Community and Economic Development Department
4430 South Adams County Parkway, 3rd Floor, Suite W3000
Brighton, CO 80601

Attn: Libby Tart

Re: Shook Filing Nos. 3 and 4, Case # PRC2018-00008

Public Service Company of Colorado's (PSCo) Right of Way & Permits Referral Desk has reviewed the plats for **Shook Filing Nos. 3 and 4** and requests the following 15-foot wide drainage and utility easements for connectivity purposes around the cul du sacs:

- within Outlot B on Filing No. 4 adjacent to East 162nd Place
- within Lot 5 and Outlot B on Filing No. 4 adjacent to East 163rd Place

Please see the attached highlighted drawing.

The property owner/developer/contractor must complete the application process for any new natural gas service via xcelenergy.com/InstallAndConnect. It is then the responsibility of the developer to contact the Designer assigned to the project for approval of design details. Additional easements may need to be acquired by separate document for new facilities.

As a safety precaution, PSCo would like to remind the developer to call the Utility Notification Center by dialing 811 for utility locates prior to construction.

Donna George
Right of Way and Permits
Public Service Company of Colorado dba Xcel Energy
Office: 303-571-3306 – Email: donna.l.george@xcelenergy.com

SHOOK SUBDIVISION FILING NO 4
 LOCATED IN THE SOUTHEAST 1/4 OF SECTION 3,
 TOWNSHIP 1 SOUTH, RANGE 67 WEST, 6TH PM,
 COUNTY OF ADAMS, STATE OF COLORADO
 SHEET 3 OF 3

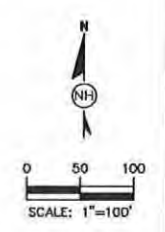
CASE NO. PRC2018-00008



- LEGEND**
- ⊠ = ALIQUOT SECTION CORNER AS NOTED
 - ⊙ = ALIQUOT 1/4 CORNER AS NOTED
 - ⊕ = FOUND MONUMENT AS NOTED
 - ⊖ = FOUND #5 REBAR WITH A 1-1/4 ALUMINUM CAP STAMPED "SUVCON INC, L.S. 30829"
 - ⊗ = SET #5 REBAR WITH 1" PLASTIC CAP
 - ⊘ = SET #5 REBAR 18" LONG WITH 1" PLASTIC CAP IN RANGE BOX
 - BK=BOOK
 - PG=PAGE
 - DUE=DRAINAGE AND UTILITY EASEMENT

CURVE #	LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD LENGTH
C1	18.15'	15.00'	069°19'29.40"	N27°00'11.12"W	17.06'
C2	24.95'	15.00'	095°17'25"	N70°41'21"E	22.17'
C3	31.81'	25.00'	072°53'42"	S81°53'13"W	29.70'
C5	132.13'	60.00'	126°10'16"	S55°03'53"W	107.0'
C6	132.51'	60.00'	126°32'23"	N71°17'27"W	107.0'
C7	93.43'	270.00'	019°49'34"	N71°34'43"W	92.96'
C8	14.88'	25.00'	034°06'00"	S81°27'30"W	14.66'
C9	120.51'	60.00'	115°04'29"	S58°03'15"E	101.25'
C10	169.74'	60.00'	162°05'36"	S80°31'48"W	118.54'
C11	25.54'	25.00'	058°31'28"	S47°41'07"E	24.44'
C12	290.25'	60.00'	277°10'06"	S22°59'33"W	79.38'
C13	34.71'	330.00'	06°01'34"	N73°56'03"W	34.89'
C14	53.31'	330.00'	09°15'20"	N66°17'36"W	53.25'
C15	88.02'	330.00'	012°16'54"	N69°18'23"W	87.76'

LINE #	LENGTH	BEARING
L1	30.00'	S75°07'30"E
L3	30.00'	N28°20'04"E
L4	31.33'	N61°38'56"W
L5	20.00'	N61°39'56"W
L6	20.00'	S61°39'56"E
L7	8.58'	S88°28'00"W



CENTER SOUTH 1/16 CORNER SECTION 3 RECOVERED 2 INCH ALUM CAP STAMPED "JR ENG, S 1/16, C-C, S3, T1S, R67 W, 2001, PLS 32825" (1.73 FEET WEST, 0.38 SOUTH)

POINT OF BEGINNING

POINT OF COMMENCEMENT

SOUTHEAST CORNER SEC 3 RECOVERED AND ACCEPTED 2 INCH ALPHA ENGRG T1S S3/S2/S10/S11 R67W, 1996 LS 25937 IN RANGE BOX

NEW HORIZON SURVEY, LLC P.O. BOX 213, ARVADA, COLORADO 80001 PH (303) 502-5266 / nharsurf@prod.com	SHOOK SUBDIVISION 800-218-567	DRAWN BY: BRL CHECKED BY: RL SCALE: 1" = 100' DATE: MAY 2018	DATE 11/16/18 3/5/19 5/28/19 6/4/19 6/27/19 8/6/19 9/17/19	REVISION 4TH REVISION 5TH REVISION 6TH REVISION 7TH REVISION 8TH REVISION 9TH REVISION 10TH REVISION	BY RRL RRL EAB EAB EAB EAB EAB
		SHEET 3 OF 3			

From: [George, Donna L](#)
To: [JR Osborne](#)
Cc: [Libby Tart](#)
Subject: RE: Shook Subdivision
Date: Thursday, November 7, 2019 10:14:45 AM

Please be cautious: This email was sent from outside Adams County

Looks good, JR!

Thanks,

Donna George
Xcel Energy | Responsible By Nature
Right of Way and Permits
1123 West 3rd Avenue, Denver, CO 80223
P: [303-571-3306](tel:303-571-3306) | F: [303-571-3660](tel:303-571-3660)
donna.l.george@xcelenergy.com

xcelenergy.com/InstallAndConnect - Visit our website for more information about installing and connecting service with Xcel Energy!

From: JR Osborne [mailto:c3construction@live.com]
Sent: Thursday, November 07, 2019 10:11 AM
To: George, Donna L
Cc: Libby Tart-Schoenfelder
Subject: Shook Subdivision

CAUTION EXTERNAL SENDER: Stop and consider before you click links or open attachments.

Report suspicious email using the 'Report Phishing/Spam' button in Outlook.

Hi Donna,

Here is the updated plat showing the easement extending into Outlot B as we discussed.
Please let me know if you be all happy now?

Thanks,

J.R. Osborne

Neighborhood Comments*

(*sent to Engineering as a part of a discussion)

1. Bientendorf
2. Patroniti
3. Whitmore

From: [Matthew Emmens](#)
To: [Libby Tart](#)
Subject: FW: Twin Lakes contact
Date: Tuesday, May 26, 2020 4:14:15 PM

From: S B <sbietendorf@gmail.com>
Sent: Tuesday, February 4, 2020 3:44 PM
To: Matthew Emmens <MEmmens@adcogov.org>
Subject: Re: Twin Lakes contact

Please be cautious: This email was sent from outside Adams County

Hi Matthew,
Thanks for the email. Let me know when you have information Mile High Flood District for a 3rd party review.

Thank you,
Scott Bietendorf - Twin Lakes HOA - Secretary

On Tue, Feb 4, 2020 at 12:06 PM Matthew Emmens <MEmmens@adcogov.org> wrote:

Hello Mr. Bietendorf,

It was nice meeting you at the hearing this morning. I just want to send you an email and confirm your contact information. I have your phone number as 303-483-5152. If you could give me a quick reply, that would be perfect.

Also, I contacted the Mile High Flood District to inquire about a 3rd party review. I'm pretty sure they will be happy to help out but, unfortunately, most of their engineers are working from home today due to the snowy weather. I did leave a message and I will let you know when I hear back from them.

Sincerely,
Matt Emmens

Senior Engineer, *Community and Economic Development*
ADAMS COUNTY, COLORADO
4430 S. Adams County Parkway, W2000B
Brighton, CO 80601
O: 720.523.6826 | memmens@adcogov.org
www.adcogov.org

From: [Matthew Emmens](#)
To: [Libby Tart](#)
Subject: FW: Shook Eastern Swale - Third Party Review
Date: Tuesday, May 26, 2020 4:14:09 PM

From: S B <sbietendorf@gmail.com>
Sent: Wednesday, February 12, 2020 5:06 PM
To: Matthew Emmens <MEmmens@adcogov.org>
Cc: Dave Beckett <benbeck66@comcast.net>; Debbie Whitmore <debwhit22@gmail.com>; John Otto <s3nidow@aol.com>; Kate Swensen <kateswensen@gmail.com>; Richard Arnold <thekoiman@comcast.net>; Silene Patronitis <patroniti6@gmail.com>
Subject: Re: Shook Eastern Swale - Third Party Review

Please be cautious: This email was sent from outside Adams County

Matthew,
Thank you for the update. Do you think MHFD would benefit from images taken by Jerry Whitmore that show extensive run-off after a storm? Jerry provided these images to the council at the last meeting.

Thank you
Scott Bietendorf - Twin Lakes HOA Secretary

On Wed, Feb 12, 2020 at 4:36 PM Matthew Emmens <MEmmens@adcogov.org> wrote:

Hello Mr. Bietendorf,

Per your request, here is an update to the Shook swale/erosion third party review issue.

I've coordinated with staff at the Mile High Flood District (formerly Urban Drainage and Flood Control District). They have agreed to review the design and field inspection documents and provide an assessment or, recommend a third party to do the review. The Mile High Flood District (MHFD) usually doesn't review existing improvements for municipalities but, they have agreed to do a cursory review and if they feel a more in-depth review is necessary, they will recommend a private company that the County can contract with for the review. Otherwise, MHFD will provide the assessment themselves.

What I sent them was all of the design reports, construction plans, inspection information and some, additional map/data that the County has (basically, everything I could find on the subject). What I've asked them to do is review the documents and provide (1) an assessment of the eastern swale (whether it is design correctly and constructed properly), (2) an assessment of the erosion issue (referred to as an 'illicit discharge) and, (3) to make a determination on whether the erosion issue is related to the swale.

I expect to hear back from MHFD in about a week or two. I will pass on any information I receive.

Sincerely,
Matt Emmens

Senior Engineer, *Community and Economic Development*

ADAMS COUNTY, COLORADO

4430 S. Adams County Parkway, W2000B

Brighton, CO 80601

O: 720.523.6826 | memmens@adcogov.org

www.adcogov.org

From: [Matthew Emmens](#)
To: [Libby Tart](#)
Subject: FW: Shook Subdivision more drainage pictures
Date: Tuesday, May 26, 2020 4:13:57 PM

From: S B <sbietendorf@gmail.com>
Sent: Monday, May 4, 2020 4:36 PM
To: Matthew Emmens <MEmmens@adcogov.org>
Cc: Jerry Whitmore <jdubwh@gmail.com>; Debbie Whitmore <debwhit22@gmail.com>; Silene Patroniti <patroniti6@gmail.com>; Richard Arnold <thekoiman@comcast.net>
Subject: Re: Shook Subdivision more drainage pictures

Please be cautious: This email was sent from outside Adams County

Matthew,
Thank you for the update. It appears the as built survey is critical. However, will this be verified by a 3rd party, as we do not trust the developer.

Thank you,
Scott Bietendorf - Secretary Twin Lakes HOA

On Mon, May 4, 2020 at 3:56 PM Matthew Emmens <MEmmens@adcogov.org> wrote:

Hello Jerry,

I am very sorry for this very late response. Things have been a little hectic and I'm having a horrible time trying to keep up with emails.

We did hear back from the Mile High Flood District (MHFD). Their review says that the swale was designed correctly and does flow to the north, per the as-built survey information we submitted to them for review. The review also says that there is not enough as-built survey information to determine if the swale was constructed per the design. What this could mean is that the swale might not be wide enough or deep enough. And, because of that lack of information, they could not determine if the swale contributed to the illicit discharge of sediment from the site last year.

In response to the MHFD review comments, the County asked the developer to supply more as-built information so that a determination could be made as to whether the swale was constructed per the design and, if it had anything to do with the illicit discharge a year ago. I received that additional survey information from the developer just last week. I have not had a chance to review the information or, send it to the MHFD for their 3rd party review.

Matt

From: Jerry Whitmore <jdubwh@gmail.com>
Sent: Sunday, March 22, 2020 3:35 PM
To: Matthew Emmens <MEmmens@adcogov.org>
Cc: Scott Bietendorf <sbietendorf@gmail.com>; Debbie Whitmore <debwhit22@gmail.com>; Silene Patroniti <patroniti6@gmail.com>; Richard Arnold <thekoiman@comcast.net>
Subject: Shook Subdivision more drainage pictures

Please be cautious: This email was sent from outside Adams County

Hi Matt,

We were wondering where we are at with the MHFD investigation of our storm water issue?

Attached are 3 pictures I took today of the standing water across from my property next to Twin Lakes Storm drain. As you can see the standing water is not draining toward the culvert at E. 160th Place. One of the photos is directly across from the our storm drain and there isn't even a ditch on the other side. We are going to get clobbered. We tried to tell everyone early on that water doesn't flow uphill and this proves it. Mind you this is only runoff from the last snow. I hate to see what's going to happen when we get a big rain! We are asking for help from the County to please address this issue.

Thanks,
Jerry Whitmore
Twin Lakes subdivision

From: Matthew Emmens
Sent: Thursday, February 13, 2020 11:15 AM
To: Jerry Whitmore
Cc: Scott Bietendorf ; Debbie Whitmore
Subject: RE: Shook Subdivision

Thankyou Mr. Whitmore. The more information I have, the easier it is for me and MHFD to figure out what is happening and fix it.

Sincerely,
Matt Emmens

Senior Engineer, *Community and Economic Development*
ADAMS COUNTY, COLORADO
4430 S. Adams County Parkway, W2000B
Brighton, CO 80601
o: 720.523.6826 | memmens@adcogov.org

www.adcogov.org

From: Jerry Whitmore <jdubwh@gmail.com>
Sent: Thursday, February 13, 2020 10:29 AM
To: Matthew Emmens <MEmmens@adcogov.org>
Cc: Scott Bietendorf <sbietendorf@gmail.com>; Debbie Whitmore <debwhit22@gmail.com>
Subject: Fw: Shook Subdivision

Please be cautious: This email was sent from outside Adams County

Good Morning Matt,

I'm forwarding an email that you sent Juliana with the pictures showing the illicit discharge situation back on Aug. 3, 2018. In this email you state that you received it from a citizen living in Twin Lakes subdivision which as you can see below in the thread that it would have been me.

I hope this refreshes your memory concerning our drainage situation.

Thanks,
Jerry Whitmore

From: Matthew Emmens
Sent: Friday, August 03, 2018 9:38 AM
To: Juliana J. Archuleta
Cc: David Rausch ; jdubwh@gmail.com ; Miles Buescher
Subject: FW: Shook Subdivision

Good Morning Juliana,

I received the email below from a citizen who lives in the Twin Lakes subdivision, just East of the Shook Subdivision. It appears from the attached pictures that there is an illicit discharge situation happening on the east side of the Shook Subdivision.

Let me know if there is anything I need to do.

Sincerely,
Matt Emmens

Senior Engineer, *Community and Economic Development*
ADAMS COUNTY, COLORADO
4430 S. Adams County Parkway, W2000B
Brighton, CO 80601
o: 720.523.6826 | [memmens@adcogov.org](mailto:mемmens@adcogov.org)

www.adcogov.org

From: Jerry Whitmore [<mailto:jdubwh@gmail.com>]
Sent: Thursday, August 02, 2018 2:50 PM
To: Matthew Emmens
Cc: Scott Bietendorf; Richard Arnold; Debbie Whitmore; 'Bob & Silene Patroniti'; vicfoster@comcast.net; 'John and Barbara Otto'; D&S Beckett; Stormwater Quality Mailbox
Subject: Fw: Shook Subdivision

Hi Matt,

We were previously working through Julie for the New Shook Subdivision issues but have been advised that she is no longer working for Adams County. The operator said that you should be able to help us. Please read below and review the pictures.

Thanks,
Jerry

From: Jerry Whitmore
Sent: Thursday, August 02, 2018 2:18 PM
To: Julie Wyatt ; swq@adcogov.org
Cc: 'Scott & Vicky' ; thekoiman@comcast.net ; 'Debbie Whitmore' ; 'Bob & Silene Patroniti' ; 'Scott & Vicky' ; 'John and Barbara Otto' ; D&S Beckett
Subject: Re: Shook Subdivision

Shook Subdivision Request for comment

Hi Julie,

I wanted to bring up a storm water issue that we are seeing now when it rains. Please review the attached pictures. We were told that there would be 2 separate storm water retention ponds servicing the Shook subdivision. There has only been 1 retention pond built currently for the west (upper side) of the Shook subdivision. That design is very robust in capturing the storm water from the upper (West) side of the subdivision. However, the lower (East side of the subdivision has had very little work done to capture the storm water coming down the grade of the East side. A culvert was installed (see photo) under the E. 160th Pl. road where it meets Geneva Ct. (our road). This culvert goes basically nowhere except to drain onto our properties. You can also see from the photos that the water actually overwhelmed our own drain and was coming over the road to drain into our property as evidenced by the mud on the road.

We understand "historic upstream drainage". All of the water that historically drained between lots 5 and 6 has been clear water. As you can see in the photos, this is muddy water and is not historic at all but as a result of no longer having vegetation in the Shook

subdivision the stop the water.

We request that someone from the county to come out and look over the project and please explain to us how this is going to work. Because from what we are seeing so far, the Shook subdivision is planning on using the properties on Geneva Ct. to accept the storm water from the East side of the Shook subdivision. This is unacceptable and if you read down below, this was one of our main concerns during the platting effort.

Please respond to our concerns.

Thank you,

Gerald Whitmore
Lot #5 Twin Lakes subdivision

From: Julie Wyatt
Sent: Thursday, March 08, 2018 9:36 AM
To: Jerry Whitmore ; D&S Beckett
Cc: 'Scott & Vicky' ; thekoiman@comcast.net ; 'Debbie Whitmore' ; 'Bob & Silene Patroniti' ; 'Scott & Vicky' ; 'John and Barbara Otto'
Subject: RE: Shook Subdivision

Good morning,

Our Engineering Department has provided me with some information to share with you regarding your concerns with the Shook Subdivision. Below are their responses :

1) Traffic - There was a traffic impact study done in April of 2005. That study was completed before the Bartley property East of Havana (now the TC Riverside) was developed and Also before the 2 subdivisions located at Hwy 7 and York Street were developed. Since then the traffic along Hwy 7 has increased substantially. The Hwy 7/Geneva Ct. intersection has no traffic light and the Eastbound turn lane is almost non-existent. The traffic along Hwy 7 now is so heavy that turning East onto Hwy 7 is almost impossible during peak rush times. The 2005 study stated on page 3 of section 1.2 that the access to E 160th Place via Geneva Ct. was to be closed except for emergency purposes. If that entrance to E 160th Place will now be open to traffic, A new more current Traffic study should be completed. Geneva Ct. is a very narrow dead-end road and I believe was only intended for traffic to the 6 homes on Geneva Ct.

Engineering Response: The original Shook Subdivision (approved in 2005), includes a plan for closing the Geneva Court connection to Highway 7, converting the south end of the roadway to a 'hammer head' turn around and, routing the Geneva Court traffic through the Shook Subdivision. That plan will remain as part

of the currently approved (for construction) plans and the re-platting of the Shook Subdivision. With Geneva Court not having a connection to Highway 7, there is no anticipated need for anyone passing through or leaving the Shook Subdivision to go onto Geneva Court. When the south end of Geneva Court is converted to a hammer head, the approved plans call for an emergency only access onto Highway 7. A physical roadway connection to Highway 7 will remain but, will be blocked with a locked chain or gate that only the emergency services (police, fire protection, etc.) have a key to.

At no time will access to Geneva Court be closed or access denied to the residents. When the roadways in the Shook Subdivision have been constructed and accepted by the County, the Geneva Court connection will be closed and converted to a hammer head. Residential access will always be provided.

One of the (if not the main) purposes of the Shook Subdivision Re-plat is to allow for roadway connections to the Weigandt Property, north of the Shook Subdivision (to allow for development of that property). That is proposed to be done with the extension of Galena Court and Florence Way. None of the improvements for the Shook subdivision or the future development of the Weigandt Property should negatively affect the traffic flow on Geneva Ct.

The recommendation for turn signals, acceleration/deceleration lanes, and turn lanes were considered during the review of the original Shook Subdivision and with this re-platting effort. As a CDOT road, Highway 7 improvements such as turn signals, acceleration/deceleration lanes, and turn lanes are approved by CDOT and require that certain criteria (known as Warrants) be met before they can be required or constructed. The warrants for requiring and installing those type of roadway improvements are based on State, local and Federal regulations and must be proved by a rigorous engineering analysis. *At this time, development of the Shook Subdivision will not produce enough traffic movements to meet the required Warrants for a turn signal; however, the currently approved plans do meet the warrants for acceleration/deceleration lanes and turn lanes on Highway 7. Those improvements will be constructed by a restriping of the lane lines on Highway 7.* With the development of the Weigandt Property to the north of the Shook Property, the warrants for turn signals, additional turn lanes and, all other potential roadway improvements will be re-reviewed by the County and CDOT and required for development if the warrants are met.

2) Storm runoff – Currently there is a storm drain located between lots 5 and 6 on the West side Geneva Ct. That storm drain empties out onto the property between lots 5 and 6 and drains down our properties and into the Stouffer reservoir behind our house. During times of heavy rain the runoff is so powerful that it tends to wash our decorative rock away and is basically a river between our properties. Currently the Shook subdivision is undeveloped and does have some minor vegetation that could stop some erosion and drainage. If the Shook subdivision is developed, that could increase the storm drainage

emptying out between our properties. We would like to see that storm drain re-configured and re-directed into a different drain stream that would prevent the flooding issues along our properties.

Engineering Response: Development of the Shook property and, specifically the individual lots, includes reconfiguring of the site grading and storm drainage systems. The construction plans for the Shook subdivision call for the majority of the storm flows to be captured on site and directed to the north and south, away from entering Geneva Ct or the Twin Lakes Subdivision. The largest impact will be seen when development (home construction) of the lots in the Shook subdivision that are directly west of lots 5 and 6 of the Twin Lakes subdivision occurs. The lot grading is anticipated to direct a significant portion of storm flows to the north and south, thus reducing the historic flows that drain to Geneva Court. However, development plans for those particular lots in the Shook subdivision have not been created yet (they typically aren't created until someone purchases the properties). Therefore, at this time, Engineering can't say for sure when those storm flows will be reduced or by how much. However, I can say that the storm flows to Geneva Ct from the Shook Subdivision will be reduced with the development/construction of the Shook Subdivision.

Just for background information--under Colorado law, downstream property owners must accept historic upstream drainage. Therefore, if storm water historically drained onto your property, that condition may remain. The land plat for the Twin Lakes subdivision shows a 10-foot wide drainage easement straddling the property line between lots 5 & 6. This easement was intended to be used to convey storm drainage. Since current conditions include stormwater flowing between lots 5 and/or 6 of the Twin Lakes subdivision, this stormwater is considered historic drainage. Development upstream of your property may release storm water at historic levels and patterns, but cannot increase the amount or make the situation any worse than it is now.

Thank you very much for your response. We appreciate you reaching out to provide feedback. If there is any additional information or assistance I can provide, please feel free to contact me.

Sincerely,

Julie Wyatt

Planner III, *Community and Economic Development*

ADAMS COUNTY, COLORADO

4430 South Adams County Parkway

Brighton, CO 80601-8212

720.523.6858 | jwyatt@adcogov.org

From: Jerry Whitmore [<mailto:jdubwh@gmail.com>]

Sent: Tuesday, March 06, 2018 1:29 PM

To: Julie Wyatt; D&S Beckett

Cc: 'Scott & Vicky'; thekoiman@comcast.net; 'Debbie Whitmore'; 'Bob & Silene Patroniti'; 'Scott & Vicky'; 'John and Barbara Otto'

Subject: Re: Shook Subdivision

Shook Subdivision request for comment

Hello:

I live in the Twin Lakes Subdivision just East of the Shook Subdivision. I went to the Adams county website and looked through the Shook case documents and I do have a couple of concerns regarding the re-platting.

1) Traffic - There was a traffic impact study done in April of 2005. That study was completed before the Bartley property East of Havana (now the TC Riverside) was developed and Also before the 2 subdivisions located at Hwy 7 and York Street were developed. Since then the traffic along Hwy 7 has increased substantially. The Hwy 7/Geneva Ct. intersection has no traffic light and the Eastbound turn lane is almost non-existent. The traffic along Hwy 7 now is so heavy that turning East onto Hwy 7 is almost impossible during peak rush times. The 2005 study stated on page 3 of section 1.2 that the access to E 160th Place via Geneva Ct. was to be closed except for emergency purposes. If that entrance to E 160th Place will now be open to traffic, A new more current Traffic study should be completed. Geneva Ct. is a very narrow dead-end road and I believe was only intended for traffic to the 6 homes on Geneva Ct.

2) Storm runoff – Currently there is a storm drain located between lots 5 and 6 on the West side Geneva Ct. That storm drain empties out onto the property between lots 5 and 6 and drains down our properties and into the Stouffer reservoir behind our house. During times of heavy rain the runoff is so powerful that it tends to wash our decorative rock away and is basically a river between our properties. Currently the Shook subdivision is undeveloped and does have some minor vegetation that could stop some erosion and drainage. If the Shook subdivision is developed, that could increase the storm drainage emptying out between our properties. We would like to see that storm drain re-configured and re-directed into a different drain stream that would prevent the flooding issues along our properties.

Thank you in advance for your consideration,

Jerry Whitmore

16020 Geneva Ct.

Brighton, Co. 80602

From: [Matthew Emmens](#)
To: [Libby Tart](#)
Subject: FW: Shook Eastern Swale - Third Party Review
Date: Tuesday, May 26, 2020 4:13:06 PM

From: Silene Patroniti <patroniti6@gmail.com>
Sent: Friday, February 14, 2020 2:29 PM
To: Matthew Emmens <MEmmens@adcogov.org>
Cc: S B <sbietendorf@gmail.com>; Dave Beckett <benbeck66@comcast.net>; Debbie Whitmore <debwhit22@gmail.com>; John Otto <s3nidow@aol.com>; Kate Swensen <kateswensen@gmail.com>; Richard Arnold <thekoiman@comcast.net>
Subject: Re: Shook Eastern Swale - Third Party Review

Please be cautious: This email was sent from outside Adams County

Matthew,

This is inaccurate. Bob has provided 9 pictures given throughout this process to the board of commissioners and planning commission. Jerry Whitmore also provided more pictures at the last meeting. According to a planning commission member, Bib can't remember her name, she stated that the pictures Bob provided were Exhibit A.

Silene Patroniti

On Thu, Feb 13, 2020, 9:27 AM Matthew Emmens <MEmmens@adcogov.org> wrote:

Actually, we would have all benefitted from those images months ago. I asked repeatedly for pictures or video or something showing me what was happening and received nothing. So yes, please send over ANYTHING and EVERYTHING you have. MHFD and/or the County can't solve a problem if we don't know what is happening.

Sincerely,
Matt Emmens

Senior Engineer, *Community and Economic Development*
ADAMS COUNTY, COLORADO
4430 S. Adams County Parkway, W2000B
Brighton, CO 80601
O: 720.523.6826 | memmens@adcogov.org
www.adcogov.org

From: S B <sbietendorf@gmail.com>
Sent: Wednesday, February 12, 2020 5:06 PM

To: Matthew Emmens <MEmmens@adcogov.org>

Cc: Dave Beckett <benbeck66@comcast.net>; Debbie Whitmore <debwhit22@gmail.com>; John Otto <s3nidow@aol.com>; Kate Swensen <kateswensen@gmail.com>; Richard Arnold <thekoiman@comcast.net>; Silene Patronitis <patroniti6@gmail.com>

Subject: Re: Shook Eastern Swale - Third Party Review

Please be cautious: This email was sent from outside Adams County

Matthew,

Thank you for the update. Do you think MHFD would benefit from images taken by Jerry Whitmore that show extensive run-off after a storm? Jerry provided these images to the council at the last meeting.

Thank you

Scott Bietendorf - Twin Lakes HOA Secretary

On Wed, Feb 12, 2020 at 4:36 PM Matthew Emmens <MEmmens@adcogov.org> wrote:

Hello Mr. Bietendorf,

Per your request, here is an update to the Shook swale/erosion third party review issue.

I've coordinated with staff at the Mile High Flood District (formerly Urban Drainage and Flood Control District). They have agreed to review the design and field inspection documents and provide an assessment or, recommend a third party to do the review. The Mile High Flood District (MHFD) usually doesn't review existing improvements for municipalities but, they have agreed to do a cursory review and if they feel a more in-depth review is necessary, they will recommend a private company that the County can contract with for the review. Otherwise, MHFD will provide the assessment themselves.

What I sent them was all of the design reports, construction plans, inspection information and some, additional map/data that the County has (basically, everything I could find on the subject). What I've asked them to do is review the documents and provide (1) an assessment of the eastern swale (whether it is design correctly and constructed properly), (2) an assessment of the erosion issue (referred to as an 'illicit discharge) and, (3) to make a determination on whether the erosion issue is related to the swale.

I expect to hear back from MHFD in about a week or two. I will pass on any information I receive.

Sincerely,
Matt Emmens

Senior Engineer, *Community and Economic Development*

ADAMS COUNTY, COLORADO

4430 S. Adams County Parkway, W2000B

Brighton, CO 80601

From: [Matthew Emmens](#)
To: [Libby Tart](#)
Subject: FW: Mailbox down 5/19/2020
Date: Tuesday, May 26, 2020 4:13:14 PM

From: Silene Patroniti <patroniti6@gmail.com>
Sent: Wednesday, May 20, 2020 5:26 PM
To: bryan@liverichfield.com
Cc: Jerry Whitmore <jdubwh@gmail.com>; Matthew Emmens <MEmmens@adcogov.org>
Subject: Mailbox down 5/19/2020

Please be cautious: This email was sent from outside Adams County

Good Afternoon Bryan,

This is Bob and Silene Patroniti at 16000 Geneva Ct. of Twin Lake Estates. One of the delivery drivers by the name of Leo Jimenez took out our mailbox again while turning around in the fire department turn around location. This is the third time someone with a long truck cannot make that turn without wiping out the mailbox. Can we get the "no construction traffic" sign put back up preferably by the Hwy 7 as the truck drivers cannot see or read the sign message until after they have made the turn onto Geneva Ct.

Thank you in advance,

Bob n Silene Patroniti

From: [Matthew Emmens](#)
To: [Libby Tart](#)
Subject: FW: Mailbox down 5/19/2020
Date: Tuesday, May 26, 2020 4:13:24 PM
Attachments: [image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)
[image007.png](#)
[image008.png](#)
[image002.png](#)

From: Silene Patroniti <patroniti6@gmail.com>
Sent: Tuesday, May 26, 2020 1:30 PM
To: Bryan Kapusta <bryan@liverichfield.com>
Cc: Jerry Whitmore <jdubwh@gmail.com>; Matthew Emmens <MEmmens@adcogov.org>
Subject: Re: Mailbox down 5/19/2020

Please be cautious: This email was sent from outside Adams County

Hi.

Sign: Sweeeet!

No. I got a blurry picture. But the guy was very understanding and nice. He has already fixed it. We are prime there.

Thank you for the follow up in both these matters. Have an amazing day.

Silene Patroniti

On Tue, May 26, 2020, 10:46 AM Bryan Kapusta <bryan@liverichfield.com> wrote:

Just wanted to let you know the no construction sign should be put back up soon.

Did you happen to catch what delivery truck company it was? I want to get on the trade that hit your mailbox and make sure they replace. Let me know what company so I can make them do it.

Thanks!

Bryan Kapusta

Construction Manager

C: 720-537-0120

O: 303-955-2493

LiveRichfield.com



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Any statements in this email does not create in any manner binding agreement(s) for Richfield Home's clients, customers, principals, or other similar relationships. Additionally, my typed name is not my electronic signature in this email nor should it be considered in any manner the electronic signature of any of my clients, customers, principals, or other similar relationships. If you have received this message in error, please immediately notify the sender and delete the message, together with any attachments, from your computer. Thank you for your cooperation.

From: Silene Patroniti <patroniti6@gmail.com>
Sent: Wednesday, May 20, 2020 5:26 PM
To: Bryan Kapusta <bryan@liverichfield.com>
Cc: Jerry Whitmore <jdubwh@gmail.com>; Matthew Emmens <MEmmens@adcogov.org>
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Thank you in advance,

Bob n Silene Patroniti

From: [Matthew Emmens](#)
To: [Libby Tart](#)
Subject: FW: Shook Subdivision more drainage pictures
Date: Tuesday, May 26, 2020 4:15:32 PM

From: Jerry Whitmore <jdubwh@gmail.com>
Sent: Saturday, April 4, 2020 1:32 PM
To: Matthew Emmens <MEmmens@adcogov.org>
Cc: Debbie Whitmore <debwhit22@gmail.com>; Silene Patroniti <patroniti6@gmail.com>
Subject: Re: Shook Subdivision more drainage pictures

Please be cautious: This email was sent from outside Adams County

Hi Matt,

We were wondering if the county is having any work done West of Geneva Ct. concerning our storm water issue? The reason I ask is the new homeowner across from us is removing the silt fence which is our #1 defense against storm runoff. There is a Bob Cat and it looks as if they are going to be doing landscaping or re-grading. I was under the impression that the Silt fence would be there for a couple of years.

Also we did notice some surveyors out surveying their property.

Please let us know.

Thanks,
Jerry Whitmore
Twin Lakes Subdivision

From: Matthew Emmens
Sent: Tuesday, March 31, 2020 11:54 AM
To: Jerry Whitmore
Cc: Scott Bietendorf ; Debbie Whitmore ; Silene Patroniti ; Richard Arnold ; Jen Rutter ; Jill Jennings Golich
Subject: RE: Shook Subdivision more drainage pictures

Hello Jerry,

Sorry for the late response. The County buildings have been closed until April 19th due to the coronavirus. And, in addition to having to figure out how to work from home, I also got sick for a week or so. I'm getting back into the swing of things now, though.

Anyway, we did hear back from MHFD. They said that the swale appears to be designed correctly and does flow to the north (per design) but, it would take a more extensive survey to find out if it was constructed per design. They also said that without that more extensive survey, there is now way of knowing if the swale contributed to the illicit discharge that happened last year. However, when the County's Stormwater Division investigated the illicit discharge last year, they concluded that it was due to an improperly installed silt fence on one of the properties that had a house under construction (which was fixed by the home builder).

The standing water in the swale (shown in your pictures) is a bit of a concern. I will pass these along to the Stormwater Division and have them investigate. It could be that the culvert under E 160th is plugged. County staff is continuing to discuss this issue, though. At this time we have no made any decisions about what should be done. I will keep you notified of any decisions.

Matt

From: Jerry Whitmore <jdubwh@gmail.com>

Sent: Sunday, March 22, 2020 3:35 PM

To: Matthew Emmens <MEmmens@adcogov.org>

Cc: Scott Bietendorf <sbietendorf@gmail.com>; Debbie Whitmore <debwhit22@gmail.com>; Silene Patroniti <patroniti6@gmail.com>; Richard Arnold <thekoiman@comcast.net>

Subject: Shook Subdivision more drainage pictures

Please be cautious: This email was sent from outside Adams County

Hi Matt,

We were wondering where we are at with the MHFD investigation of our storm water issue?

Attached are 3 pictures I took today of the standing water across from my property next to Twin Lakes Storm drain. As you can see the standing water is not draining toward the culvert at E. 160th Place. One of the photos is directly across from the our storm drain and there isn't even a ditch on the other side. We are going to get clobbered. We tried to tell everyone early on that water doesn't flow uphill and this proves it. Mind you this is only runoff from the last snow. I hate to see what's going to happen when we get a big rain! We are asking for help from the County to please address this issue.

Thanks,

Jerry Whitmore

Twin Lakes subdivision

From: [Matthew Emmens](#)
To: [Libby Tart](#)
Subject: FW: Shook Subdivision
Date: Tuesday, May 26, 2020 4:17:08 PM

From: Jerry Whitmore <jdubwh@gmail.com>
Sent: Thursday, February 13, 2020 10:29 AM
To: Matthew Emmens <MEmmens@adcogov.org>
Cc: Scott Bietendorf <sbietendorf@gmail.com>; Debbie Whitmore <debwhit22@gmail.com>
Subject: Fw: Shook Subdivision

Please be cautious: This email was sent from outside Adams County

Good Morning Matt,

I'm forwarding an email that you sent Juliana with the pictures showing the illicit discharge situation back on Aug. 3, 2018. In this email you state that you received it from a citizen living in Twin Lakes subdivision which as you can see below in the thread that it would have been me.

I hope this refreshes your memory concerning our drainage situation.

Thanks,
Jerry Whitmore

From: Matthew Emmens
Sent: Friday, August 03, 2018 9:38 AM
To: Juliana J. Archuleta
Cc: David Rausch ; [jdubwh@gmail.com](#) ; Miles Buescher
Subject: FW: Shook Subdivision

Good Morning Juliana,

I received the email below from a citizen who lives in the Twin Lakes subdivision, just East of the Shook Subdivision. It appears from the attached pictures that there is an illicit discharge situation happening on the east side of the Shook Subdivision.

Let me know if there is anything I need to do.

Sincerely,
Matt Emmens

Senior Engineer, *Community and Economic Development*

ADAMS COUNTY, COLORADO

4430 S. Adams County Parkway, W2000B

Brighton, CO 80601

o: 720.523.6826 | memmens@adcogov.org

www.adcogov.org

From: Jerry Whitmore [<mailto:jdubwh@gmail.com>]

Sent: Thursday, August 02, 2018 2:50 PM

To: Matthew Emmens

Cc: Scott Bietendorf; Richard Arnold; Debbie Whitmore; 'Bob & Silene Patroniti'; vicfoster@comcast.net; 'John and Barbara Otto'; D&S Beckett; Stormwater Quality Mailbox

Subject: Fw: Shook Subdivision

Hi Matt,

We were previously working through Julie for the New Shook Subdivision issues but have been advised that she is no longer working for Adams County. The operator said that you should be able to help us. Please read below and review the pictures.

Thanks,

Jerry

From: Jerry Whitmore

Sent: Thursday, August 02, 2018 2:18 PM

To: Julie Wyatt ; swq@adcogov.org

Cc: 'Scott & Vicky' ; thekoiman@comcast.net ; 'Debbie Whitmore' ; 'Bob & Silene Patroniti' ; 'Scott & Vicky' ; 'John and Barbara Otto' ; D&S Beckett

Subject: Re: Shook Subdivision

Shook Subdivision Request for comment

Hi Julie,

I wanted to bring up a storm water issue that we are seeing now when it rains. Please review the attached pictures. We were told that there would be 2 separate storm water retention ponds servicing the Shook subdivision. There has only been 1 retention pond built currently for the west (upper side) of the Shook subdivision. That design is very robust in capturing the storm water from the upper (West) side of the subdivision. However, the lower (East side of the subdivision has had very little work done to capture the storm water coming down the grade of the East side. A culvert was installed (see photo) under the E. 160th Pl. road where it meets Geneva Ct. (our road). This culvert goes basically nowhere except to drain onto our properties. You can also see from the photos that the water actually overwhelmed our own drain and was coming over the road to drain into our property as evidenced by the mud on the road.

We understand “historic upstream drainage”. All of the water that historically drained between lots 5 and 6 has been clear water. As you can see in the photos, this is muddy water and is not historic at all but as a result of no longer having vegetation in the Shook subdivision the stop the water.

We request that someone from the county to come out and look over the project and please explain to us how this is going to work. Because from what we are seeing so far, the Shook subdivision is planning on using the properties on Geneva Ct. to accept the storm water from the East side of the Shook subdivision. This is unacceptable and if you read down below, this was one of our main concerns during the platting effort.

Please respond to our concerns.

Thank you,

Gerald Whitmore
Lot #5 Twin Lakes subdivision

From: Julie Wyatt
Sent: Thursday, March 08, 2018 9:36 AM
To: Jerry Whitmore ; D&S Beckett
Cc: 'Scott & Vicky' ; thekoiman@comcast.net ; 'Debbie Whitmore' ; 'Bob & Silene Patroniti' ; 'Scott & Vicky' ; 'John and Barbara Otto'
Subject: RE: Shook Subdivision

Good morning,

Our Engineering Department has provided me with some information to share with you regarding your concerns with the Shook Subdivision. Below are their responses :

1) Traffic - There was a traffic impact study done in April of 2005. That study was completed before the Bartley property East of Havana (now the TC Riverside) was developed and Also before the 2 subdivisions located at Hwy 7 and York Street were developed. Since then the traffic along Hwy 7 has increased substantially. The Hwy 7/Geneva Ct. intersection has no traffic light and the Eastbound turn lane is almost non-existent. The traffic along Hwy 7 now is so heavy that turning East onto Hwy 7 is almost impossible during peak rush times. The 2005 study stated on page 3 of section 1.2 that the access to E 160th Place via Geneva Ct. was to be closed except for emergency purposes. If that entrance to E 160th Place will now be open to traffic, A new more current Traffic study should be completed. Geneva Ct. is a very narrow dead-end road and I believe was only intended for traffic to the 6 homes on Geneva Ct.

-

Engineering Response: The original Shook Subdivision (approved in 2005), includes a plan for closing the Geneva Court connection to Highway 7, converting the south end of the roadway to a 'hammer head' turn around and, routing the Geneva Court traffic through the Shook Subdivision. That plan will remain as part of the currently approved (for construction) plans and the re-platting of the Shook Subdivision. With Geneva Court not having a connection to Highway 7, there is no anticipated need for anyone passing through or leaving the Shook Subdivision to go onto Geneva Court. When the south end of Geneva Court is converted to a hammer head, the approved plans call for an emergency only access onto Highway 7. A physical roadway connection to Highway 7 will remain but, will be blocked with a locked chain or gate that only the emergency services (police, fire protection, etc.) have a key to.

At no time will access to Geneva Court be closed or access denied to the residents. When the roadways in the Shook Subdivision have been constructed and accepted by the County, the Geneva Court connection will be closed and converted to a hammer head. Residential access will always be provided.

One of the (if not the main) purposes of the Shook Subdivision Re-plat is to allow for roadway connections to the Weigandt Property, north of the Shook Subdivision (to allow for development of that property). That is proposed to be done with the extension of Galena Court and Florence Way. None of the improvements for the Shook subdivision or the future development of the Weigandt Property should negatively affect the traffic flow on Geneva Ct.

The recommendation for turn signals, acceleration/deceleration lanes, and turn lanes were considered during the review of the original Shook Subdivision and with this re-platting effort. As a CDOT road, Highway 7 improvements such as turn signals, acceleration/deceleration lanes, and turn lanes are approved by CDOT and require that certain criteria (known as Warrants) be met before they can be required or constructed. The warrants for requiring and installing those type of roadway improvements are based on State, local and Federal regulations and must be proved by a rigorous engineering analysis. *At this time, development of the Shook Subdivision will not produce enough traffic movements to meet the required Warrants for a turn signal; however, the currently approved plans do meet the warrants for acceleration/deceleration lanes and turn lanes on Highway 7. Those improvements will be constructed by a restriping of the lane lines on Highway 7.* With the development of the Weigandt Property to the north of the Shook Property, the warrants for turn signals, additional turn lanes and, all other potential roadway improvements will be re-reviewed by the County and CDOT and required for development if the warrants are met.

2) Storm runoff – Currently there is a storm drain located between lots 5 and 6 on the West side Geneva Ct. That storm drain empties out onto the property between lots 5 and 6 and drains down our properties and into the Stouffer reservoir behind our house. During times of heavy rain the runoff is so powerful that it tends to wash our decorative rock away and is

basically a river between our properties. Currently the Shook subdivision is undeveloped and does have some minor vegetation that could stop some erosion and drainage. If the Shook subdivision is developed, that could increase the storm drainage emptying out between our properties. We would like to see that storm drain re-configured and re-directed into a different drain stream that would prevent the flooding issues along our properties.

Engineering Response: Development of the Shook property and, specifically the individual lots, includes reconfiguring of the site grading and storm drainage systems. The construction plans for the Shook subdivision call for the majority of the storm flows to be captured on site and directed to the north and south, away from entering Geneva Ct or the Twin Lakes Subdivision. The largest impact will be seen when development (home construction) of the lots in the Shook subdivision that are directly west of lots 5 and 6 of the Twin Lakes subdivision occurs. The lot grading is anticipated to direct a significant portion of storm flows to the north and south, thus reducing the historic flows that drain to Geneva Court. However, development plans for those particular lots in the Shook subdivision have not been created yet (they typically aren't created until someone purchases the properties). Therefore, at this time, Engineering can't say for sure when those storm flows will be reduced or by how much. However, I can say that the storm flows to Geneva Ct from the Shook Subdivision will be reduced with the development/construction of the Shook Subdivision.

Just for background information--under Colorado law, downstream property owners must accept historic upstream drainage. Therefore, if storm water historically drained onto your property, that condition may remain. The land plat for the Twin Lakes subdivision shows a 10-foot wide drainage easement straddling the property line between lots 5 & 6. This easement was intended to be used to convey storm drainage. Since current conditions include stormwater flowing between lots 5 and/or 6 of the Twin Lakes subdivision, this stormwater is considered historic drainage. Development upstream of your property may release storm water at historic levels and patterns, but cannot increase the amount or make the situation any worse than it is now.

Thank you very much for your response. We appreciate you reaching out to provide feedback. If there is any additional information or assistance I can provide, please feel free to contact me.

Sincerely,

Julie Wyatt

Planner III, *Community and Economic Development*

ADAMS COUNTY, COLORADO

4430 South Adams County Parkway

Brighton, CO 80601-8212

720.523.6858 | jwyatt@adcogov.org

From: Jerry Whitmore [<mailto:jdubwh@gmail.com>]

Sent: Tuesday, March 06, 2018 1:29 PM

To: Julie Wyatt; D&S Beckett

Cc: 'Scott & Vicky'; thekoiman@comcast.net; 'Debbie Whitmore'; 'Bob & Silene Patroniti'; 'Scott & Vicky'; 'John and Barbara Otto'

Subject: Re: Shook Subdivision

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Thank you in advance for your consideration,

Jerry Whitmore
16020 Geneva Ct.
Brighton, Co. 80602

From: [Matthew Emmens](#)
To: [Libby Tart](#)
Subject: FW: Shook Subdivision more drainage pictures
Date: Tuesday, May 26, 2020 4:15:26 PM

From: Jerry Whitmore <jdubwh@gmail.com>
Sent: Sunday, March 22, 2020 3:35 PM
To: Matthew Emmens <MEmmens@adcogov.org>
Cc: Scott Bietendorf <sbietendorf@gmail.com>; Debbie Whitmore <debwhit22@gmail.com>; Silene Patroniti <patroniti6@gmail.com>; Richard Arnold <thekoiman@comcast.net>
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Thanks,
Jerry Whitmore
Twin Lakes subdivision

From: Matthew Emmens
Sent: Thursday, February 13, 2020 11:15 AM
To: Jerry Whitmore
Cc: Scott Bietendorf ; Debbie Whitmore
Subject: RE: Shook Subdivision

Thankyou Mr. Whitmore. The more information I have, the easier it is for me and MHFD to figure out what is happening and fix it.

Sincerely,
Matt Emmens

Senior Engineer, *Community and Economic Development*

ADAMS COUNTY, COLORADO

4430 S. Adams County Parkway, W2000B

Brighton, CO 80601

o: 720.523.6826 | memmens@adcogov.org

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Matt Emmens

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ADAMS COUNTY, COLORADO

4430 S. Adams County Parkway, W2000B

Brighton, CO 80601

o: 720.523.6826 | memmens@adcogov.org

www.adcogov.org

From: Jerry Whitmore [<mailto:jdubwh@gmail.com>]

Sent: Thursday, August 02, 2018 2:50 PM

To: Matthew Emmens

Cc: Scott Bietendorf; Richard Arnold; Debbie Whitmore; 'Bob & Silene Patroniti'; vicfoster@comcast.net; 'John and Barbara Otto'; D&S Beckett; Stormwater Quality Mailbox

Subject: Fw: Shook Subdivision

Hi Matt,

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Thanks,

Jerry

From: Jerry Whitmore

Sent: Thursday, August 02, 2018 2:18 PM

To: Julie Wyatt ; swq@adcogov.org

Cc: 'Scott & Vicky' ; thekoiman@comcast.net ; 'Debbie Whitmore' ; 'Bob & Silene Patroniti' ; 'Scott & Vicky' ; 'John and Barbara Otto' ; D&S Beckett

Subject: Re: Shook Subdivision

Shook Subdivision Request for comment

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Please respond to our concerns.

Thank you,

Gerald Whitmore
Lot #5 Twin Lakes subdivision

From: Julie Wyatt
Sent: Thursday, March 08, 2018 9:36 AM
To: Jerry Whitmore ; D&S Beckett
Cc: 'Scott & Vicky' ; thekoiman@comcast.net ; 'Debbie Whitmore' ; 'Bob & Silene Patroniti' ; 'Scott & Vicky' ; 'John and Barbara Otto'
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Thank you very much for your response. We appreciate you reaching out to provide feedback. If there is any additional information or assistance I can provide, please feel free to contact me.

Sincerely,

Julie Wyatt

Planner III, *Community and Economic Development*

ADAMS COUNTY, COLORADO

4430 South Adams County Parkway

Brighton, CO 80601-8212

720.523.6858 | jwyatt@adcogov.org

From: Jerry Whitmore [<mailto:jdubwh@gmail.com>]
Sent: Tuesday, March 06, 2018 1:29 PM
To: Julie Wyatt; D&S Beckett
Cc: 'Scott & Vicky'; thekoiman@comcast.net; 'Debbie Whitmore'; 'Bob & Silene Patroniti'; 'Scott & Vicky'; 'John and Barbara Otto'
Subject: Re: Shook Subdivision

Shook Subdivision request for comment

Hello:

I live in the Twin Lakes Subdivision just East of the Shook Subdivision. I went to the Adams county website and looked through the Shook case documents and I do have a couple of concerns regarding the re-platting.

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Thank you in advance for your consideration,

Jerry Whitmore
16020 Geneva Ct.
Brighton, Co. 80602

From: [Matthew Emmens](#)
To: [Libby Tart](#)
Subject: FW: Shook Subdivision more drainage pictures
Date: Tuesday, May 26, 2020 4:15:45 PM

From: Gerald Whitmore <jdubwh@gmail.com>
Sent: Monday, May 4, 2020 5:37 PM
To: S B <sbietendorf@gmail.com>
Cc: Matthew Emmens <MEmmens@adcogov.org>; Debbie Whitmore <debwhit22@gmail.com>; Silene Patroniti <patroniti6@gmail.com>; Richard Arnold <thekoiman@comcast.net>
Subject: Re: Shook Subdivision more drainage pictures

Please be cautious: This email was sent from outside Adams County

Hi Matt,

Thanks for the update. We have been watching what is going on. They are building up the homeowners Back yard with loads of dirt and they have filled in the swale directly across from our house. I don't know if this is going to help or make things worse.

Thanks,
Jerry

Sent from my iPad

On May 4, 2020, at 4:36 PM, S B <sbietendorf@gmail.com> wrote:

Matthew,
Thank you for the update. It appears the as built survey is critical. However, will this be verified by a 3rd party, as we do not trust the developer.

Thank you,
Scott Bietendorf - Secretary Twin Lakes HOA

On Mon, May 4, 2020 at 3:56 PM Matthew Emmens <MEmmens@adcogov.org> wrote:

Hello Jerry,

I am very sorry for this very late response. Things have been a little hectic and I'm having a horrible time trying to keep up with emails.

We did hear back from the Mile High Flood District (MHFD). Their review says that the swale was designed correctly and does flow to the north, per the as-built survey information we submitted to them for review. The review also says that there is not enough as-built survey information to determine if the swale was constructed per the design. What this could mean is that the swale might not be wide enough or

deep enough. And, because of that lack of information, they could not determine if the swale contributed to the illicit discharge of sediment from the site last year.

In response to the MHFD review comments, the County asked the developer to supply more as-built information so that a determination could be made as to whether the swale was constructed per the design and, if it had anything to do with the illicit discharge a year ago. I received that additional survey information from the developer just last week. I have not had a chance to review the information or, send it to the MHFD for their 3rd party review.

Matt

From: Jerry Whitmore <jdubwh@gmail.com>

Sent: Sunday, March 22, 2020 3:35 PM

To: Matthew Emmens <MEmmens@adcogov.org>

Cc: Scott Bietendorf <sbietendorf@gmail.com>; Debbie Whitmore <debwhit22@gmail.com>; Silene Patroniti <patroniti6@gmail.com>; Richard Arnold <thekoiman@comcast.net>

Subject: Shook Subdivision more drainage pictures

Please be cautious: This email was sent from outside Adams County

Hi Matt,

We were wondering where we are at with the MHFD investigation of our storm water issue?

Attached are 3 pictures I took today of the standing water across from my property next to Twin Lakes Storm drain. As you can see the standing water is not draining toward the culvert at E. 160th Place. One of the photos is directly across from the our storm drain and there isn't even a ditch on the other side. We are going to get clobbered. We tried to tell everyone early on that water doesn't flow uphill and this proves it. Mind you this is only runoff from the last snow. I hate to see what's going to happen when we get a big rain! We are asking for help from the County to please address this issue.

Thanks,

Jerry Whitmore

Twin Lakes subdivision

From: Matthew Emmens
Sent: Thursday, February 13, 2020 11:15 AM
To: Jerry Whitmore
Cc: Scott Bietendorf ; Debbie Whitmore
Subject: RE: Shook Subdivision

Thankyou Mr. Whitmore. The more information I have, the easier it is for me and MHFD to figure out what is happening and fix it.

Sincerely,
Matt Emmens

Senior Engineer, *Community and Economic Development*
ADAMS COUNTY, COLORADO
4430 S. Adams County Parkway, W2000B
Brighton, CO 80601
o: 720.523.6826 | memmens@adcogov.org
www.adcogov.org

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Cc: Scott Bietendorf <sbietendorf@gmail.com>; Debbie Whitmore <debwhit22@gmail.com>
Subject: Fw: Shook Subdivision

Please be cautious: This email was sent from outside Adams County

Good Morning Matt,

I'm forwarding an email that you sent Juliana with the pictures showing the illicit discharge situation back on Aug. 3, 2018. In this email you state that you received it from a citizen living in Twin Lakes subdivision which as you can see below in the thread that it would have been me.

I hope this refreshes your memory concerning our drainage situation.

Thanks,
Jerry Whitmore

From: Matthew Emmens
Sent: Friday, August 03, 2018 9:38 AM
To: Juliana J. Archuleta
Cc: David Rausch ; jdubwh@gmail.com ; Miles Buescher
Subject: FW: Shook Subdivision

Good Morning Juliana,

I received the email below from a citizen who lives in the Twin Lakes subdivision, just East of the Shook Subdivision. It appears from the attached pictures that there is an illicit discharge situation happening on the east side of the Shook Subdivision.

Let me know if there is anything I need to do.

Sincerely,
Matt Emmens

Senior Engineer, *Community and Economic Development*

ADAMS COUNTY, COLORADO

4430 S. Adams County Parkway, W2000B

Brighton, CO 80601

o: 720.523.6826 | memmens@adcogov.org

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<image001.jpg>**Julie Wyatt**

Planner III, *Community and Economic Development*

ADAMS COUNTY, COLORADO

4430 South Adams County Parkway

Brighton, CO 80601-8212

720.523.6858 | jwyatt@adcogov.org

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Jerry Whitmore
16020 Geneva Ct.
Brighton, Co. 80602





OR
DRIVING
STAKES
CALL
ED POWER
9-0551















Request for Comments

Case Name:	Shook Subdivision Filing 3 and 4
Case Number:	PRC2018-00008

June 29, 2018

Adams County Planning Commission is requesting comments on the following request:

- 1) Preliminary and Final Plat for Shook Subdivision Filings 3 to create 13 lots and associated Subdivision Improvements Agreement; 2) Preliminary and Final Plat for Shook Subdivision Filings 4 to create 11 lots and associated Subdivision Improvements Agreement.**

The Assessor's Parcel Numbers is **0157103400001**

Applicant Information **C3 CONSTRUCTION (JR OSBORNE)**

9200 E MINERAL AVE #365

CENTENNIAL, CO 80112

Please forward any written comments on this application to the Department of Community and Economic Development at 4430 South Adams County Parkway, Suite W2000A Brighton, CO 80601-8216. (720) 523-6820 by **July 20, 2018** in order that your comments may be taken into consideration in the review of this case. If you would like your comments included verbatim please send your response by way of e-mail to ECollins@adcogov.org.

Once comments have been received and the staff report written, the staff report and notice of public hearing dates will be forwarded to you for your information. The full text of the proposed request and additional colored maps can be obtained by contacting this office or by accessing the Adams County web site at www.adcogov.org/planning/currentcases.

Thank you for your review of this case.

Emily Collins

Emily Collins, AICP

Case Manager

BASELINE LAKES HOLDINGS LLC ET ALS
PO BOX 247
EASTLAKE CO 80614-0247

PARRISH MARK A AND
PARRISH KRISTINE A
9414 E 161ST PL
BRIGHTON CO 80602

BECKETT DAVID AND
BECKETT SHAUNA
16040 GENEVA WAY
BRIGHTON CO 80602

PROV 356 LLC
610 REDSTONE DR
BROOMFIELD CO 80020-6079

CARLSON TAYLOR R UND 24.25% INT AND
THORNTON CORY J UND 24.25% INT ET ALS
PO BOX 247
EASTLAKE CO 80614-0247

RICHFIELD HOMES LLC
428 KIMBARK ST
LONGMONT CO 80501-5526

CARLSON TAYLOR R UND 24.25% INT AND
THORNTON CORY J UN 24.25% INT ET ALS
PO BOX 247
EASTLAKE CO 80614-0247

RIVERSIDE VILLAGE OWNERS ASSOCIATION
7501 VILLAGE SQUARE DR STE 205
CASTLE PINES CO 80108-3700

DIAZ FRIEDA A
9425 E 161ST PL
BRIGHTON CO 80602

ROBILLARD CHRISTOPHER P
1013 COUNTY ROAD 7
ERIE CO 80516-7906

DIAZ FRIEDA A
9425 E 161ST AVE
BRIGHTON CO 80602-7524

SEC 2-3 PHOENIX LLC
9200 E MINERAL AVE STE 365
CENTENNIAL CO 80112-3459

EQUINOX DEVELOPMENT LLC
10450 E 159TH CT
BRIGHTON CO 80602-7977

SELTZER FARMS INC
9390 E 168TH AVE
BRIGHTON CO 80602-6606

GREATER BRIGHTON FIRE
PROTECTION DISTRICT
500 S 4TH AVE 3RD FL
BRIGHTON CO 80601-3165

SELTZER FARMS INC
9390 E 168TH AVE
BRIGHTON CO 80602

HI-LAND ACRES WATER AND
SANITATION DISTRICT
PO BOX 0128
BRIGHTON CO 80601-0128

SPS OIL FIELD SERVICE
PO BOX 304
BRIGHTON CO 80601

LESSER LOIS B
PO BOX 65
BRIGHTON CO 80602

SPV VIII LLC
1751 RIVER RUN STE 400
FORT WORTH TX 76107-6669

TODD CREEK VILLAGE METROPOLITAN
DISTRICT
10450 E 159TH CT
BRIGHTON CO 80602-7977

BILODEAU DONNA J AND
IRONS JAY P
OR CURRENT RESIDENT
16135 LOMAND CIR
BRIGHTON CO 80602-7519

TWIN LAKE ESTATES HOMEOWNERS
ASSOCIATION INC
12000 N WASHINGTON NO. 340
DENVER CO 80241

BOYD DANIEL LEE
OR CURRENT RESIDENT
16044 LOMAND CIR
BRIGHTON CO 80602-7518

WATKINS BILLY J
16300 YOSEMITE ST
BRIGHTON CO 80602

BOYENS JOAN M 50% INT AND
OLIVAS GREGORY K 50% INT
OR CURRENT RESIDENT
10540 E 163RD AVE
BRIGHTON CO 80602-7505

WEIGANDT JOHN WILLIAM
10390 E 168TH AVE
BRIGHTON CO 80602

BRADFORD WILLIAM R AND
BRADFORD REBECCA L
OR CURRENT RESIDENT
10653 E 163RD CT
BRIGHTON CO 80602

WEST SOUTH PLATTE WATER AND SANITATION INC
9200 E MINERAL AVE STE 365
CENTENNIAL CO 80112-3459

BRADLEY MICHAEL R LIVING TRUST
OR CURRENT RESIDENT
16033 HI LAND CIR
BRIGHTON CO 80602

WRIGHT REVA L
PO BOX 274
BRIGHTON CO 80601-0274

CABLE ROBERT A AND
CABLE KELSEY J
OR CURRENT RESIDENT
10693 E 163RD CT
BRIGHTON CO 80602

ARNOLD RICHARD L TRUST
OR CURRENT RESIDENT
16170 GENEVA CT
BRIGHTON CO 80602-7548

CABRAL JOSE JUAREZ
OR CURRENT RESIDENT
9700 E 160TH AVE
BRIGHTON CO 80602-7571

BALLINGER MICHAEL D AND
SCHASNY GERALDINE C
OR CURRENT RESIDENT
16144 LOMAND CIR
BRIGHTON CO 80602

CARMONA ALEJANDRO
OR CURRENT RESIDENT
9405 E 159TH AVE
BRIGHTON CO 80602-8665

BEDAN ROBERT AND
BEDAN CINDY
OR CURRENT RESIDENT
16180 IOLA ST
BRIGHTON CO 80602-7615

CHAVEZ GUTIERREZ RAFAEL
OR CURRENT RESIDENT
16121 IOLA ST
BRIGHTON CO 80602-7615

BIETENDORF SCOTT A AND
FOSTER VICKIE L
OR CURRENT RESIDENT
16150 GENEVA CT
BRIGHTON CO 80602

COCA LEROY
ROMERO BARBARA M
OR CURRENT RESIDENT
16053 HI LAND CIR
BRIGHTON CO 80602-7513

DELCAMP JAMES R AND
DELCAMP BARBARA J
OR CURRENT RESIDENT
16185 LOMAND CIR
BRIGHTON CO 80602

FLUHARTY JOEL JEFFERSON AND
FLUHARTY MARILYN JO
OR CURRENT RESIDENT
16101 IOLA ST
BRIGHTON CO 80602-7615

DELGADO JORGE REYES
OR CURRENT RESIDENT
10630 E 161ST AVE
BRIGHTON CO 80602-8294

FORD RANDY S
OR CURRENT RESIDENT
9600 E 160TH AVE
BRIGHTON CO 80602

DELVENTHAL DENNIS L AND
DELVENTHAL ASHLEE L
OR CURRENT RESIDENT
16045 LOMAND CIR
BRIGHTON CO 80602-7517

FORSYTHE ANDREW C AND
FORSYTHE LORRI D
OR CURRENT RESIDENT
8985 E 162ND AVE
BRIGHTON CO 80602

DENNE CARL E AND
CAMPBELL PATRICIA G
OR CURRENT RESIDENT
16151 IOLA ST
BRIGHTON CO 80602-7615

GONZALES JASON AND
GONZALES STEPHANIE
OR CURRENT RESIDENT
16165 LOMAND CIR
BRIGHTON CO 80602-7519

DERR REUBEN ALLEN AND
DERR KATHERINE LEE
OR CURRENT RESIDENT
16125 LOMAND CIR
BRIGHTON CO 80602-7519

GOODALL STEPHEN JR
GOODALL JAYMIE
OR CURRENT RESIDENT
10533 E 163RD AVE
BRIGHTON CO 80602-7505

DEVRIES HERMAN T AND
DEVRIES JEAN C
OR CURRENT RESIDENT
10680 E 163RD CT
BRIGHTON CO 80602

GORDON ANDREW S AND MICHELLE A
OR CURRENT RESIDENT
16085 LOMAND CIR
BRIGHTON CO 80602

DILALLO ERIC AND
DILALLO STACY
OR CURRENT RESIDENT
16141 IOLA ST
BRIGHTON CO 80602

GORDON PATRICIA AND
HERNOUD MELANI
OR CURRENT RESIDENT
16105 LOMAND CIR
BRIGHTON CO 80602-7519

EBERLE DAVID G AND
EBERLE LORETTA J
OR CURRENT RESIDENT
9485 E 161ST AVE
BRIGHTON CO 80602-7524

HAJI-SARVESTNAI NASSER
OR CURRENT RESIDENT
16084 LOMAND CIR
BRIGHTON CO 80602-7518

EHRMANN EDWARD J AND
EHRMANN VICKI M
OR CURRENT RESIDENT
9445 E 161ST AVE
BRIGHTON CO 80602

HEIM ROBERT RAYMOND AND
FILLENBERG KIMBERLY A
OR CURRENT RESIDENT
16102 HI LAND CIR
BRIGHTON CO 80602

ERNSTER JON M AND
ERNSTER JULIE
OR CURRENT RESIDENT
16171 IOLA ST
BRIGHTON CO 80602-7615

HOWELL SHAWN AND
HOWELL SHEILA L
OR CURRENT RESIDENT
16150 IOLA ST
BRIGHTON CO 80602-7615

INGRAHAM LUKE AND
INGRAHAM RUTH
OR CURRENT RESIDENT
10652 E 162ND PL
BRIGHTON CO 80602-8293

LESLEY TIMOTHY JAY BRANDON
AKIYAMA MEGAN ANN
OR CURRENT RESIDENT
16074 LOMAND CIR
BRIGHTON CO 80602-7518

JOHNSON FREDERICK D AND
JOHNSON SALLIE R
OR CURRENT RESIDENT
16172 DALLAS ST
BRIGHTON CO 80602

LYBARGER JOSHUA M AND
LYBARGER ALICEA M
OR CURRENT RESIDENT
16143 HI LAND CIR
BRIGHTON CO 80602-7515

JOHNSON MATTHEW J AND
JOHNSON JILLANN M
OR CURRENT RESIDENT
16181 IOLA ST
BRIGHTON CO 80602-7615

MALARKEY CHARLES E AND
NORTHROP KARYL A
OR CURRENT RESIDENT
16134 LOMAND CIRCLE
BRIGHTON CO 80601

KEARNS BRIAN P AND
KEARNS PAIGE C
OR CURRENT RESIDENT
10623 E 163RD CT
BRIGHTON CO 80602

MARTINEZ RAUL S AND
MARTINEZ MARTHA
OR CURRENT RESIDENT
16073 HI LAND CIR
BRIGHTON CO 80602-7513

KESSLER JANET N
OR CURRENT RESIDENT
16162 HI LAND CIR
BRIGHTON CO 80602-7516

MC DONALD BRAD L AND JEAN L
OR CURRENT RESIDENT
16083 HI LAND CIR
BRIGHTON CO 80602

KETTERLING E ERROL AND
KETTERLING MARILYN P
OR CURRENT RESIDENT
16064 LOMAND CIR
BRIGHTON CO 80602-7518

MCCULLOH DOUGLAS
OR CURRENT RESIDENT
10563 E 163RD AVE
BRIGHTON CO 80602-7505

KING DENNIS J AND
KING KATHLEEN M
OR CURRENT RESIDENT
16042 HI LAND CIR
BRIGHTON CO 80602-7514

MCGEE RYAN M AND
MCGEE ELLEN L
OR CURRENT RESIDENT
10740 E 162ND DR
BRIGHTON CO 80602

KIYOTA JAMES AND
KIYOTA FRANCES T
OR CURRENT RESIDENT
16103 HI LAND CIR
BRIGHTON CO 80602-7515

MILLER BARBARA L AND
MILLER TERRY J
OR CURRENT RESIDENT
16104 LOMAND CIRCLE
BRIGHTON CO 80602

KLINGER JAMES G AND
KLINGER PAULINE C
OR CURRENT RESIDENT
16175 LOMAND CIR
BRIGHTON CO 80602

MOE ADAM AND
MOE ROCHELLE
OR CURRENT RESIDENT
16160 IOLA ST
BRIGHTON CO 80602-7615

LEMKE KAREN B
OR CURRENT RESIDENT
16114 LOMAND CIR
BRIGHTON CO 80602-7520

MORGAN JEFFREY J B
OR CURRENT RESIDENT
9465 E 161ST AVE
BRIGHTON CO 80601-7524

MURPHY THOMAS J JR AND
KENNEDY MURPHY RINTHEA
OR CURRENT RESIDENT
10593 E 163RD AVE
BRIGHTON CO 80602-7505

RUYBAL LEPIO J JR AND
GARCIA ROSAMARIA
OR CURRENT RESIDENT
16072 HI LAND CIR
BRIGHTON CO 80602-7514

ONAKA CLARENCE S REVOCABLE LIVING TRUST UND
50% INT AND
CARVALHO ELIZABETH M TRUST UND 50% INT
OR CURRENT RESIDENT
10600 E 163RD CT
BRIGHTON CO 80602-7537

SCHLEIS STEVEN J AND
SCHLEIS BARBARA J
OR CURRENT RESIDENT
16191 IOLA ST
BRIGHTON CO 80602-7615

OTTO JOHN C AND
BRONSON BARBARA T
OR CURRENT RESIDENT
16190 GENEVA CT
BRIGHTON CO 80602-7548

SCHLOSSER ROBERT R AND
SCHLOSSER SUSAN R
OR CURRENT RESIDENT
16124 LOMAND CIR
BRIGHTON CO 80601

OWERS CHARLES AND
OWERS MICHIE
OR CURRENT RESIDENT
16065 LOMAND CIR
BRIGHTON CO 80602-7517

SMITH MICHAEL F AND
SMITH DIANE M
OR CURRENT RESIDENT
9520 E 160TH PL
BRIGHTON CO 80602

PATRONITI ROBERT AND
PATRONITI SILENE
OR CURRENT RESIDENT
16000 GENEVA CT
BRIGHTON CO 80602-7548

STOCKTON JEFFERY L AND
STOCKTON ALAYNA M
OR CURRENT RESIDENT
16155 LOMAND CIR
BRIGHTON CO 80602-7519

PETERS JAMES AND
PETERS DENISE COUTURIE
OR CURRENT RESIDENT
16140 IOLA ST
BRIGHTON CO 80602-7615

THOMPSON ROGER C AND
THOMPSON PATRICIA R
OR CURRENT RESIDENT
16063 HI LAND CIR
BRIGHTON CO 80602-7513

PEVLER FRANK L
OR CURRENT RESIDENT
16164 DALLAS STREET
BRIGHTON CO 80602

TORRES JOSE LUIS
OR CURRENT RESIDENT
16154 LOMAND CIR
BRIGHTON CO 80602-7520

PICCOLO JAMES THOMAS AND
PICCOLO KELLI JEAN
OR CURRENT RESIDENT
16052 HI LAND CIR
BRIGHTON CO 80602-7514

TOTAL AUTO COVERAGE CORPORATION
OR CURRENT RESIDENT
9315 E 160TH AVE
BRIGHTON CO 80602

PRASAD MANOJ AND
PRASAD JOANNE
OR CURRENT RESIDENT
16131 IOLA ST
BRIGHTON CO 80602-7615

WAGERS KENNETH AND
WAGERS KELLY A
OR CURRENT RESIDENT
16152 HI LAND CIR
BRIGHTON CO 80602-7516

REID RICKY L AND
REID PATRICIA
OR CURRENT RESIDENT
16043 HI LAND CIR
BRIGHTON CO 80602

WALTER MICHAEL J AND
WALTER LISA A
OR CURRENT RESIDENT
10627 E 162ND PL
BRIGHTON CO 80602

WATKINS BILLY J
OR CURRENT RESIDENT
16300 YOSEMITE ST
BRIGHTON CO 80602

CURRENT RESIDENT
9930 E 160TH PL
BRIGHTON CO 80602-5606

WEGLIN GREG L AND
WEGLIN BRANDY K
OR CURRENT RESIDENT
16115 LOMAND CIR
BRIGHTON CO 80602-7519

CURRENT RESIDENT
9941 E 160TH PL
BRIGHTON CO 80602-5606

WENK BRIAN A AND
WENK LYNDA M
OR CURRENT RESIDENT
16123 HI LAND CIR
BRIGHTON CO 80602-7515

CURRENT RESIDENT
9970 E 160TH PL
BRIGHTON CO 80602-5606

WHITMORE GERALD P AND
WHITMORE DEBRA A
OR CURRENT RESIDENT
16020 GENEVA CT
BRIGHTON CO 80602-7548

CURRENT RESIDENT
10210 E 160TH PL
BRIGHTON CO 80602-5607

WOLTERS EDWARD W AND
WOLTERS HOLLY M
OR CURRENT RESIDENT
16145 LOMAND CIR
BRIGHTON CO 80602-7519

CURRENT RESIDENT
10040 E 160TH PL
BRIGHTON CO 80602-5608

WORSTER RONALD P AND
WORSTER ROBERTA M
OR CURRENT RESIDENT
10780 E 162ND DR
BRIGHTON CO 80602-7508

CURRENT RESIDENT
10080 E 160TH PL
BRIGHTON CO 80602-5608

YOUNG CAROL L
OR CURRENT RESIDENT
16153 DALLAS ST
BRIGHTON CO 80602

CURRENT RESIDENT
10120 E 160TH PL
BRIGHTON CO 80602-5608

YOUNG GEORGE M AND KAREN M
OR CURRENT RESIDENT
16075 LOMAND CIR
BRIGHTON CO 80602

CURRENT RESIDENT
10170 E 160TH PL
BRIGHTON CO 80602-5608

ZAGEL JAMES R AND
ZAGEL PAULA J
OR CURRENT RESIDENT
16168 DALLAS ST
BRIGHTON CO 80602-7512

CURRENT RESIDENT
9820 E 160TH PL
BRIGHTON CO 80602-5618

CURRENT RESIDENT
9911 E 160TH PL
BRIGHTON CO 80602-5606

CURRENT RESIDENT
9880 E 160TH PL
BRIGHTON CO 80602-5618

CURRENT RESIDENT
9230 E 168TH AVE
BRIGHTON CO 80602-6606

CURRENT RESIDENT
16380 YOSEMITE ST
BRIGHTON CO 80602-7506

CURRENT RESIDENT
16062 HI LAND CIR
BRIGHTON CO 80602-7514

CURRENT RESIDENT
9580 E 160TH AVE
BRIGHTON CO 80602-7522

CURRENT RESIDENT
9414 E 161ST AVE
BRIGHTON CO 80602-7523

CURRENT RESIDENT
9425 E 161ST AVE
BRIGHTON CO 80602-7524

CURRENT RESIDENT
16040 GENEVA CT
BRIGHTON CO 80602-7548

CURRENT RESIDENT
10200 E 159TH CT
THORNTON CO 80602-7976

CURRENT RESIDENT
15975 ELMIRA ST
BRIGHTON CO 80602-8620

CURRENT RESIDENT
15959 HAVANA ST
BRIGHTON CO 80602-8650

Adams County
Attn: Planning Addressing
PLN

Adams County Construction Inspection
Attn: PWCI .
PWCI

Adams County Development Services - Building
Attn: Justin Blair
4430 S Adams County Pkwy
Brighton CO 80601

Adams County Treasurer: Send email
Attn: Adams County Treasurer
bgrimm@adcogov.org

BRIGHTON FIRE DISTRICT
Attn: Carla Gutierrez
500 South 4th Avenue
3rd Floor
BRIGHTON CO 80601

BRIGHTON SCHOOL DISTRICT 27J
Attn: Kerrie Monti
1850 EGBERT STREET
SUITE 140, BOX 6
BRIGHTON CO 80601

Century Link, Inc
Attn: Brandyn Wiedreich
5325 Zuni St, Rm 728
Denver CO 80221

Code Compliance Supervisor
Attn: Eric Guenther
eguenther@adcogov.org

COLO DIV OF WATER RESOURCES
Attn: Joanna Williams
OFFICE OF STATE ENGINEER
1313 SHERMAN ST., ROOM 818
DENVER CO 80203

COLO DIV OF WATER RESOURCES
Attn: Joanna Williams
OFFICE OF STATE ENGINEER
1313 SHERMAN ST., ROOM 818
DENVER CO 80203

COLORADO DEPT OF TRANSPORTATION
Attn: Steve Loeffler
2000 S. Holly St.
Region 1
Denver CO 80222

COLORADO DIVISION OF WILDLIFE
Attn: Eliza Hunholz
Northeast Regional Engineer
6060 BROADWAY
DENVER CO 80216-1000

COLORADO DIVISION OF WILDLIFE
Attn: Serena Rocksund
6060 BROADWAY
DENVER CO 80216

COLORADO GEOLOGICAL SURVEY
Attn: Jill Carlson
1500 Illinois Street
Golden CO 80401

Colorado Geological Survey: CGS_LUR@mines.edu
Attn: Jill Carlson
Mail CHECK to Jill Carlson

COMCAST
Attn: JOE LOWE
8490 N UMITILLA ST
FEDERAL HEIGHTS CO 80260

COUNTY ATTORNEY- Email
Attn: Christine Francescani
CFrancescani@adcogov.org

Eagle Shadow Metro District 1/ Spencer Fane
Attn: JIM WORTHY
1700 Lincoln Street
Suite 2000
Denver CO 80203

Engineering Department - ROW
Attn: Transportation Department
PWE - ROW

Engineering Division
Attn: Transportation Department
PWE

Hi-Land Acres Water & Sanitation District
Attn: Gabby Begeman
10086 E 159th Ave
Nancy Gay - 303-637-7499
Brighton CO 80601

United Power, Inc
Attn: Marisa Dale
PO Box 929
500 Cooperative Way
Brighton CO 80601

NS - Code Compliance
Attn: Joaquin Flores

UNITED STATES POST OFFICE
Attn: MARY C. DOBYNS
56691 E COLFAX AVENUE
STRASBURG CO 80136-8115

Parks and Open Space Department
Attn: Nathan Mosley
mpedrucci@adcogov.org
aclark@adcogov.org

Xcel Energy
Attn: Donna George
1123 W 3rd Ave
DENVER CO 80223

REGIONAL TRANSPORTATION DIST.
Attn: CHRIS QUINN
1560 BROADWAY SUITE 700
DENVER CO 80202

SHERIFF'S OFFICE: SO-HQ
Attn: MICHAEL McINTOSH
nblair@adcogov.org, aoverton@adcogov.org; mkaiser@adcog
snielson@adcogov.org

Sheriff's Office: SO-SUB
Attn: SCOTT MILLER
TFuller@adcogov.org, smiller@adcogov.org
aoverton@adcogov.org; mkaiser@adcogov.org

Todd Creek Village Metropolitan District
Attn: Roger Hollard
10450 E. 159th Ct.
BRIGHTON CO 80602

TRI-COUNTY HEALTH DEPARTMENT
Attn: MONTE DEATRICH
4201 E. 72ND AVENUE SUITE D
COMMERCE CITY CO 80022

TRI-COUNTY HEALTH DEPARTMENT
Attn: Sheila Lynch
6162 S WILLOW DR, SUITE 100
GREENWOOD VILLAGE CO 80111

Tri-County Health: Mail CHECK to Sheila Lynch
Attn: Tri-County Health
landuse@tchd.org

SUBDIVISION IMPROVEMENTS AGREEMENT

THIS AGREEMENT, is made and entered into by and between the County of Adams, State of Colorado, hereinafter called "County" and SEC 2-3 Phoenix, LLC, a Colorado limited liability company, 9200 E. Mineral Avenue, Unit 365, Centennial, CO 80112, hereinafter called "Developer", and collectively referred to hereinafter as the "parties".

WITNESSETH:

WHEREAS, Developer is the owner of real property in the County of Adams, State of Colorado, as described in Exhibit "A" attached hereto, and by this reference made a part hereof, hereafter referred to as the "Property".

WHEREAS, it is provided by resolution of the Board of County Commissioners, County of Adams, that where designated the Developer shall have entered into a written agreement with the County to install public and/or private improvements, and to deed land for public purposes or right-of-way.

NOW, THEREFORE, in consideration of the foregoing, the parties hereto promise, covenant, and agree as follows:

1. **Engineering Services.** Developer shall furnish, at its own expense, all engineering and other services in connection with the design and construction of the improvements described and detailed on Exhibit "B" attached hereto, and by this reference made a part hereof.
2. **Drawings and Estimates.** The Developer shall furnish drawings and cost estimates for all improvements described and detailed on Exhibit "B" for approval by the County. Upon request, the Developer shall furnish one set of reproducible "as-built" drawings and a final statement of construction costs for each phase of the development to the County.
3. **Construction.** Developer shall furnish and construct, at its own expense and in accordance with drawings and materials approved by the County, the improvements described and detailed on Exhibit "B".
4. **Time for Completion.** Improvements shall be completed according to the terms of this agreement within "construction completion date" appearing in Exhibit "B". The Director of Community and Economic Development may for good cause grant extension of time for completion of any part or all of improvements appearing on said Exhibit "B" for a period not to exceed 180 days. Any extension greater than 180 days shall only be approved by the Board of County Commissioners. Any extension of time shall be in written form only.
5. **Guarantee of Compliance.** Developer shall furnish to the County a cash escrow deposit or other acceptable collateral releasable only by the County, to guarantee compliance with this agreement. Said collateral shall be in the amount of \$154,525.47, including twenty percent (20%) to cover administration and five percent (5%) per year for the term of the Agreement to cover inflation. Upon completion of said improvements constructed according to the terms of this agreement, and Preliminary Acceptance by the Public Works Department in accordance with section 5-02-05-01 of the County's Development Standards and Regulations, the collateral shall be released. Completion of said improvements shall be determined solely by the County, and a reasonable part of said collateral, up to 20%, may be retained to guarantee maintenance of public improvements for a period of one year from the date of Preliminary Acceptance.

No building permits shall be issued until said collateral is furnished in the amount required and in a form acceptable to the Board of County Commissioners, and until the final plat has been approved and the improvements described in Exhibit "B" have been preliminarily accepted by the Director of Public Works. No construction permits shall be issued until all collateral required by this Agreement is furnished in a form acceptable to the Board of County Commissioners.

- 6. **Acceptance and Maintenance of Public Improvements.** All improvements designated “public” on Exhibit “B” shall be public facilities and become the property of the County or other public agencies upon acceptance of the improvements. During the period of one year from and after the acceptance of public improvements, the Developer shall, at its own expense, make all needed repairs or replacement due to defective materials or workmanship which, in the opinion of the County, becomes necessary. If, within ten days of written notice to the Developer from the County requesting such repairs or replacements, the Developer has not undertaken with due diligence to make the same, the County may make such repairs or replacements at the Developer’s expense. In the case of an emergency such written notice may be waived.
- 7. **Successors and Assigns.** This agreement shall be binding upon the heirs, executors, personal representatives, successors, and assigns of the Developer, and shall be deemed a covenant running with the real property as described in Exhibit “A” attached hereto.
- 8. **Improvements and Dedication.** The undersigned Developer hereby agrees to provide the following improvements, and to dedicate described property.

A. **Improvements.** The Shook Subdivision Filing 4:

Public Improvements:

- Construction of E. 162nd Place and E. 163rd Place
- Construction of related drainage ways, culverts, and utilities
- Block 1, Lots 1-2
- Block 2, Lots 1-4
- Block 3, Lots 1-5

The improvements shall be constructed in accordance with all County requirements and specifications in accordance with the approved plans and time schedule as indicated in Exhibit “B”.

B. **Public dedication of land for right-of-way purposes or other public purpose.** Upon approval of this agreement by the Board of County Commissioners, the Developer hereby agrees to convey by warranty deed to the County of Adams the following described land for right-of-way or other public purposes:

All dedications were made at the time of platting.

SEC 2-3 Phoenix, LLC
Developer

By: _____
Gene Osborne, Authorized Agent

By: _____
Name, Title

The foregoing instrument was acknowledged before me this ____ day of _____, 2020, by _____.

My commission expires: _____

Address: _____

Notary Public

APPROVED BY resolution at the meeting of _____, 2020.

Collateral to guarantee compliance with this agreement and construction of public improvements shall be required in the amounts of \$154,525.47. No building permits shall be issued until said collateral is furnished in the amount required and, in a form, acceptable to the Board of County Commissioners. No construction permits shall be issued until all collateral required by this Agreement is furnished in the amount required and in a form acceptable to the Board of County Commissioners.

ATTEST:

CHAIR
ADAMS COUNTY, COLORADO

Clerk of the Board

Chair

Approved as to form:

County Attorney

EXHIBIT A

Legal Description: Located in the Southeast ¼ of Section 3, Township 1 South, Range 67 West of the 6th P.M, County of Adams, State of Colorado

SECT,TWN,RNG:3-1-67 DESC: PARC A-1 PT OF THE N2 OF THE SE4 OF SEC 3 DESC AS FOLS BEG AT THE NW COR OF THE NE4 OF SD SEC 3 TH N 89D 34M 25S E 422/14 FT TH S 00D 30M 59S E 2384/12 FT TH N 89D 39M 59S E 100 FT TO THE TRUE POB TH S 82D 54M 03S E 610/38 FT TH S 79D 10M 19S E 701/23 FT TH S 75D 13M 06S E 171/08 FT TH S 00D 40M 10S E 1082/69 FT TH S 89D 35M 44S W 1985/04 FT TH N 00D 30M 59S W 200/52 FT TH S 77D 05M 57S E 220/03 FT TH S 86D 03M 09S E 256/87 FT TH N 86D 11M 56S E 133/20 FT TH N 12D 00M 10S W 318/38 FT TH N 73D 44M 55S W 500/99 FT TH N 00D 30M 59S W 440/47 FT TH N 89D 29M 01S E 462/14 FT TH N 00D 30M 59S W 287/50 FT TO THE TRUE POB 48/03A

EXHIBIT B

See attached Exhibit B.

Construction Completion Dates:

Filing 4 (exhibit B): June 1, 2021

Initials or signature of Developer: _____

Exhibit B
Shook Subdivision Filing
4
Projected Schedule Of
Public Improvements
June 1, 2020

Item	Quantity	Unit	Unit Price	Total
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1. a. Streets - E. 162nd Place

All Internal roads				
HMA Pavement (4" Full Depth)	765	SY	\$18.75	\$14,343.75
Class 6 Road Base (6" Depth)	765	SY	\$9.75	\$7,458.75
Fine Grading	765	SY	\$0.57	\$436.05
6' Class 6 road base shoulders	382	SY	\$9.75	\$3,724.50
Signs	2	EA	\$300.00	\$600.00
Street Lights	1	EA	\$3,500.00	\$3,500.00
Mobilization	1	LS	\$390.00	\$390.00

18" RCP	84	LF	\$71.52	\$6,007.68
18" FES	2	EA	\$550.00	\$1,100.00
36" RCP	70	LF	\$95.77	\$6,703.90
36" FES	2	EA	\$1,050.00	\$2,100.00

Subtotal \$46,364.63

1. b. Streets - E. 163rd Place

All Internal roads				
HMA Pavement (4" Full Depth)	1909	SY	\$18.75	\$35,793.75
Class 6 Road Base	1909	SY	\$9.75	\$18,612.75
Fine Grading	1909	SY	\$0.57	\$1,088.13
6' Class 6 road base shoulders	954	SY	\$9.75	\$9,301.50
Signs	1	EA	\$300.00	\$300.00
Street Lights	1	EA	\$3,500.00	\$3,500.00
36-inch RCP	50	LF	\$95.77	\$4,788.50
36" FES	2	EA	\$1,250.00	\$2,500.00
Mobilization	1	LS	\$390.00	\$390.00

Subtotal \$76,274.63

Total Projection \$122,639.26

Administration 20% \$147,167.11

Inflation Guaranty 5% \$7,358.36

Total Projection With Warranty \$154,525.47



PUBLIC HEARING AGENDA ITEM

DATE OF PUBLIC HEARING: 6/16/2020
SUBJECT: TEMPORARY REGULATIONS FOR THE ESTABLISHMENT OF ADDITIONAL OUTDOOR COMMERCE AREAS FOR BUSINESSES IN ADAMS COUNTY AFFECTED BY THE COVID19 PANDEMIC
FROM: Maxwell Daffron
AGENCY/DEPARTMENT: Community and Economic Development
HEARD AT STUDY SESSION ON: June 2, 2020
AUTHORIZATION TO MOVE FORWARD: <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
RECOMMENDED ACTION: Allow for Community and Economic Development Department to develop temporary regulations to allow for expanded outdoor commerce areas.

BACKGROUND:

Adams County Staff from the Economic Development Division have established guidelines for operation of businesses with expanded outdoor footprint areas. This will allow for businesses hard hit by the COVID 19 pandemic to utilize additional outdoor space for restaurant dining or retail establishment. Proposed regulations are attached.

AGENCIES, DEPARTMENTS OR OTHER OFFICES INVOLVED:

ATTACHED DOCUMENTS:

- Resolution
- Regulations

FISCAL IMPACT:

Please check if there is no fiscal impact . If there is fiscal impact, please fully complete the section below.

Fund:
Cost Center:

	Object Account	Subledger	Amount
Current Budgeted Revenue:			
Additional Revenue not included in Current Budget:			
Total Revenues:			<hr/> <hr/>

	Object Account	Subledger	Amount
Current Budgeted Operating Expenditure:			
Add'l Operating Expenditure not included in Current Budget:			
Current Budgeted Capital Expenditure:			
Add'l Capital Expenditure not included in Current Budget:			
Total Expenditures:			<hr/> <hr/>

New FTEs requested: YES NO

Future Amendment Needed: YES NO

Additional Note:

BOARD OF COUNTY COMMISSIONERS FOR
ADAMS COUNTY, STATE OF COLORADO

RESOLUTION APPROVING TEMPORARY REGULATIONS FOR THE ESTABLISHMENT OF ADDITIONAL
OUTDOOR COMMERCE AREAS FOR BUSINESSES IN ADAMS COUNTY AFFECTED BY THE COVID19
PANDEMIC

WHEREAS, the Board of County Commissioners has identified the need to allow businesses an opportunity to temporarily expand their outdoor footprint to ensure state social distancing guidelines are met; and,

WHEREAS, the Board of County Commissioners believes that dedicated action is essential to assist the business community with recovery efforts associated with COVID19; and,

WHEREAS, the Adams County Board of Commissioners wishes to establish temporary waivers of County parking requirements that will allow businesses the opportunity to temporarily expand their dining and shopping footprints in accordance with the attached regulations; and,

WHEREAS, it is the desire of the Board of County Commissioners that regulations be effective as of June 1st, 2020 and go until October 1st, 2020 unless designated otherwise by the board.

NOW, THEREFORE BE IT RESOLVED, by the Board of County Commissioners, County of Adams, State of Colorado, that the attached temporary regulations for the establishment of the additional outdoor commerce areas for businesses affected by the COVID 19 Pandemic , be approved.

BE IT FURTHER RESOLVED, that the Community and Economic Development Department is appointed to develop and implement a process for businesses to request a temporary waiver of County parking requirements.

Restaurant/Retail Outdoor Seating Guidelines

The following requirements are put in place to allow businesses located in unincorporated Adams County such as Restaurants/boutique retail/etc. to temporarily engage in commerce outside of their normal footprint in order to promote social distancing and public health measures related to COVID-19. The following requirements must be adhered to by businesses wishing to temporarily operate an expanded outdoor footprint.

- Who is eligible to apply?
 - Applicants can include places of public accommodation offering food, beverages or alcoholic beverages for public consumption (restaurants, coffee houses, brew pubs, etc.) as well as for the sale of goods to the public (retail sales).
 - Applicants must also comply with all applicable zoning, building and fire codes.
- What is allowed in this expanded space?
 - Allowed activities include sit-down service, customer pick-up, carryout, and display of merchandise for sale.
- Where is the expanded area allowed (subject to approval)?
 - Patio
 - Plaza
 - Parking spaces
 - Landscaping area
 - Sidewalk
- Total Occupancy: Occupancy shall not exceed standard building occupancy for the location, and per the Governor's Order, indoor dining service must be limited to no more than 50% of the indoor posted occupancy code limit, with no more than 50 people total, whichever is less. For example, if the standard building occupancy is 100, 50 guests may be seated inside and the outdoor seating capacity may be expanded to up to 50 guests. This ensures the business is still meeting standard building and fire code occupancy standards for restrooms. Social distancing practices must be observed.
- Expanding into Parking Lots: Business owners may apply for a temporary waiver of parking space requirements. This waiver will allow businesses to situate tables/sales racks in a designated parking area. The following conditions must be met to allow expansion into designated parking spaces:
 - The parking lot used for the expansion is owned by the business, or the business can provide written permission from the lot owner to use that space
 - Must provide ADA accessibility and may not block ADA parking spaces.
 - Not negatively impacting the parking needs of another adjacent business. For example, if the lot is shared by multiple businesses, you only use those spaces allotted to your use of the property.
 - Parking spaces utilized must not exceed 50% of total parking area.
 - The expanded footprint area is controlled (ex. temporary fencing 4-feet in height or less or another type of divider separating the space from the parking area).
 - Submit a site plan to the County detailing the waiver request.
- Liquor Licensing: Coordinate with Adams County Licensing Administrator, Brandan Slattery (BSlattery@adcogov.org), to file for a temporary Liquor Modification of Premise form. Fill in

the 1st page, also section 9 later in the form and sign the oath on the last page. The Form can be found [Here](#).

- Tri County Health Standards: If a restaurant is solely expanding seating and/or host station to a parking lot or other space, it does NOT need to go through a TCHD Retail Food Establishment Plan Review. If a restaurant plans on expanding operations beyond seating/host station, including moving equipment or service areas such as a drink station, water station, ice storage, etc., a retail food plan review may be required. Those businesses should contact the TCHD Plan Review Team at 303-846-6230 or planreview@tchd.org for further guidance.
- When will this expire?
 - This program for the temporary expanded outdoor footprint will expire by the end of October 2020. County staff will re-evaluate the program leading up to this expiration date.
- Safety Guidelines for Temporary Use of Outdoor Space
 - Temporary outdoor seating/merchandise areas must not block egress from the building. Exiting is allowed through the temporary outdoor space as long as the exit path is defined and remains clear.
 - Parking stalls designated for the disabled must remain accessible, including any ramps or accessible routes into the building.
 - All exterior electrical wiring must be approved for exterior use and suitable for wet locations (including property GFCI protection). Electrical wiring must be properly supported, be protected from physical damage and not create a tripping hazard.
 - A minimum of 5-foot pedestrian pathway must be maintained through sidewalk seating/merchandise areas.
 - Ensure there is access for all modes of transportation, including pedestrians and cyclists.
- Building permits will be required for new construction, additions or alternations, including:
 - Any permanent improvements such as awnings or patio covers.
 - Permanent fences or barriers
 - Installation of permanent electrical power or lighting
 - Installation of heating appliances that are connected to building services.
 - Moving walls.
 - Demolition.
 - Interior remodeling.



PUBLIC HEARING AGENDA ITEM

DATE OF PUBLIC HEARING: 6/16/2020
SUBJECT: RESOLUTION APPROVING AGREEMENTS TO ADMINISTER COVID-19 MINI GRANT PROGRAM TO ASSIST BUSINESSES IN ADAMS COUNTY AFFECTED BY THE COVID-19 PANDEMIC
FROM: Maxwell Daffron / Ryan Nalty
AGENCY/DEPARTMENT: Community and Economic Development
HEARD AT STUDY SESSION ON: June 2, 2020
AUTHORIZATION TO MOVE FORWARD: <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
RECOMMENDED ACTION: Allow for Adams County to enter into grant agreements with Local Chambers of Commerce to administer COVID-19 Mini Grant Program.

BACKGROUND:

The purpose of the COVID-19 Small Business Mini-Grants Program is to provide short term capital in the form of business grants to small businesses of less than 25 employees and has direct physical interaction with customers at a physical business location, who are in the process of reopening after being closed or having severe business operation limitations as a direct result of COVID-19 and associated public health orders. Additionally, the COVID-19 Small Business Mini-Grants deployment is to provide small businesses capital to cover short-term working expenses incurred or soon to be incurred to change business operations, update technology, or handle compliance issues requirements to comply with social distancing requirements, public health orders and ensure health and safety of employees and customers. The program will be administered by local Chambers of Commerce who will review grant applications and disburse CARES Act funds on behalf of the County.

AGENCIES, DEPARTMENTS OR OTHER OFFICES INVOLVED:

- Adams County Regional Economic Partnership (ACREP)
- Arvada Chamber of Commerce
- Aurora Chamber of Commerce

- Commerce City Chamber of Commerce
- Greater Brighton Chamber of Commerce
- Westminster Chamber of Commerce

ATTACHED DOCUMENTS:

- Resolutions for each mini grant agreement.
- Copy of Form Mini Grant Agreement.

FISCAL IMPACT:

Please check if there is no fiscal impact . If there is fiscal impact, please fully complete the section below.

Fund: 00001
Cost Center: 9263

	Object Account	Subledger	Amount
Current Budgeted Revenue:			
Additional Revenue not included in Current Budget:			
Total Revenues:			

	Object Account	Subledger	Amount
Current Budgeted Operating Expenditure:	8810		\$50,000,000
Add'l Operating Expenditure not included in Current Budget:			
Current Budgeted Capital Expenditure:			
Add'l Capital Expenditure not included in Current Budget:			
Total Expenditures:			\$50,000,000

New FTEs requested: YES NO

Future Amendment Needed: YES NO

Additional Note:

Funding for the Mini Grant program is gained from Federal CARES ACT money designated to government agencies to assist businesses in COVID-19 response.

BOARD OF COUNTY COMMISSIONERS FOR
ADAMS COUNTY, STATE OF COLORADO

RESOLUTION APPROVING AGREEMENT BETWEEN ADAMS COUNTY AND ADAMS COUNTY REGIONAL
ECONOMIC PARTNERSHIP (ACREP) TO ADMINISTER COVID-19 MINI GRANT PROGRAM TO ASSIST
BUSINESSES IN ADAMS COUNTY AFFECTED BY THE COVID-19 PANDEMIC

WHEREAS, Adams County ("County") wishes to support small businesses suffering financial strain from the COVID-19 pandemic; and,

WHEREAS, the Board of County Commissioners believes that dedicated action is essential to assist the business community with recovery efforts associated with COVID19; and,

WHEREAS, the County wishes to utilize additional CARES ACT funds to provide relief to COVID-19 impacted small businesses in Adams County in the form of "Mini Grants" that will allow for businesses to update business operations, upgrade technology, and address compliance issues related to operating in a COVID-19 environment; and,

WHEREAS, The County has partnered with multiple community Chambers of Commerce to administer the mini grant program to COVID-19 impacted small businesses based on the terms and conditions of the attached grant agreement.

NOW, THEREFORE BE IT RESOLVED, by the Board of County Commissioners, County of Adams, State of Colorado, that the Mini Grant Agreement for COVID-19 Relief between Adams County and ACREP, a copy of which is attached, is hereby approved.

COVID-19 SMALL BUSINESS MINI-GRANTS PROGRAM
GRANT AGREEMENT PURSUANT TO THE CORONAVIRUS AID, RELIEF, AND ECONOMIC
SECURITY ACT (“CARES”)

THIS GRANT AGREEMENT (the “Agreement”) is made this _____ day of June, 2020, (“Effective Date”) by and between **Adams County, Colorado** (“Grantor”) and the **Adams County Regional Economic Partnership**, a Colorado 501c-6 (“Grantee”). Grantor and Grantee shall be referred to herein collectively as the “Parties”.

1. Grant Amount. Grantor agrees to provide, and Grantee agrees to receive, an overall grant in the aggregate amount (“Total Grant”) shown for the grantee in Attachment A of this agreement, pursuant to the terms provided herein. The total grant will be disbursed to the Grantee within 5 business days of the Effective Date, subject to all terms, provisions, conditions, covenants, and agreements contained in this Agreement.
2. The total grant funds disbursed pursuant to this Agreement are federal CARES funds. Grantee shall comply with all applicable CARES legislation, regulations, and guidance issued by the federal government. The total grant is the sum of two sub-allocations to the Grantee, each with a specific use. A breakdown showing the sub-allocations can be found in Attachment A.
 - a. Grant funds directed towards the business community (“COVID-19 Small Business Mini-Grants”). These funds shall be used for funding grants to eligible and qualified small businesses located in jurisdictional areas of Adams County not currently covered by a local Chamber of Commerce, including Thornton, Northglenn, Federal Heights, Bennett and towns and areas classified within Unincorporated Adams County (“Program Area”) in accordance with the criteria and purpose described COVID-19 Small Business Mini-Grants Eligibility Guidelines in Attachment B (“Eligible Projects”).
 - b. Grant funds directed toward internal administrative support of program by Grantee (“Administrative Grant”). These funds shall be used for administrative costs of Grantee for the administering of the Mini-Grants. The Grantee may also use the Administrative Grants for the purpose of hiring 3rd party staff or support in order to fulfill necessary requirements of this agreement and the overall program.
3. Maximum Grant Amount of COVID-19 Small Business Mini-Grants. The maximum amount allowed for each Mini-Grant will depend on which of the three (3) categories of Mini-Grant the eligible business applicant has sought.
 - a. Mini-Grants for business operations (“COVID-19 Small Business Mini-Grants – Business Operations”) have a maximum award value of \$2,500 per business applicant.
 - b. Mini-Grants for technology upgrades (“COVID-19 Small Business Mini-Grants – Technology”) have a maximum award value of \$1,000 per business applicant.
 - c. Mini-Grants for support on compliance issues (“COVID-19 Small Business Mini-Grants – Compliance”) have a maximum award value of \$1,000 per business applicant.
4. Performance Period. Grantee must disburse 100% of the COVID-19 Small Business

GRANT AGREEMENT

Mini-Grants for Eligible Projects by 12:01AM on November 1, 2020. If this requirement is not met, Grantor may require any unused portion of the COVID-19 Small Business Mini-Grants, to be returned to Grantor. All Administrative Grant funds which Grantee has either disbursed or pledged by agreement to third part recipients will be considered earned and non-refundable as of the date such funds were disbursed or pledged. The Administrative Grant will be considered earned and non-refundable as of 60 calendar days after Effective Date.

5. Promotion of COVID-19 Small Business Mini-Grants Program. Grantee and Grantor shall each have the right to promote the Mini-Grants and include in their respective organization's materials or reports information. The Grantee will be required to use the Adams County Response and Recovery logo(s) in all relevant marketing efforts
6. The Parties agree as follows:
 - a. All COVID-19 Small Business Mini-Grants funds will be utilized under the COVID-19 Small Business Mini-Grants Program for grants to qualified small businesses of 25 employees or less located in Program Area in accordance with this Agreement and the COVID-19 Small Business Mini-Grants Eligibility Guidelines, attached as Attachment B.
 - b. During the Performance Period, Grantee shall endeavor to achieve the following business engagement procedures and timelines to allow for effective and timely use of Mini-Grant funds by successful business applicants.
 - i. If a business application for a Mini-Grant is successful and COVID-19 Small Business Mini-Grants funds are available, the Grantee will notify the business of its application success, receiving any other necessary documents, and providing the necessary funds to the business through an appropriate financial transaction.
 - ii. If a business application is not successful and/or COVID-19 Small Business Mini-Grants funds are no longer available, the Grantee will notify the business of its application rejection and handling any relevant follow up discussion with the business, if needed.
 - c. During the Performance, Grantee shall provide Mini-Grant monthly activity and impact reports to Grantor every 30 days by means of email. Monthly reports will include, COVID-19 Small Business Mini-Grants current balance, monthly application totals (received, approved, rejected), monthly individual Mini-Grant category application totals (received, approved, rejected), and list of business successfully receiving any Mini-Grant (Business Name, Address, Grant Type, Award Amount, short summary of planned impact provided by each successful applicant.
 - d. During the Performance Period, Grantee shall provide a final overall Mini-Grant activity and impact report to Grantor within 30 days of COVID-19 Small Business Mini-Grants funds exhaustion and the final financial transaction to a business applicant, or at the close of Performance Period, whichever comes first. This final report to Grantor will summarize the total impact of the Program including, COVID-19 Small Business Mini-Grants current balance, Mini-Grant application totals (received, approved, rejected), individual Mini-Grant category application totals (received, approved, rejected), and list of business successfully receiving a

GRANT AGREEMENT

Mini-Grant (Business Name, Address, Grant Type, Award Amount, short summary of planned impact by each successful applicant, and documentation showing the final impact from each successful applicant.

- e. With the grant funding structure, there is no expectation of repayment of Mini-Grants by successful business applicants to Grantee or Grantor if found to have truthfully and legal applied for grant funds. Grantee shall be solely responsible for retrieving funds for any application determined to be fraudulent after consultation with Grantor based on the facts of the individual case.
 - f. Grantee shall use funds in the COVID-19 Small Business Mini-Grants Program in compliance with all applicable laws, rules, regulations, and other legal requirements.
 - g. No term or condition of this Agreement shall be construed or interpreted as a waiver, express or implied, of any of the immunities, rights, benefits, protections or other provisions of the Colorado Governmental Immunity Act, C.R.S. §§ 24-10-101, et seq.
7. Conditions. Grantee shall be subject to the following conditions as of the Effective Date
- a. The Grantee shall familiarize itself with, and shall adhere to, all current and subsequent legislation, rules, and regulations in conjunction with use of CARES Act funds. In the event of non-compliance with its legislative and regulatory mandates, the federal government may seek reimbursement of funds it deems were not spent in compliance with its legislation and rules. In the event the of this reimbursement of funds spent by Grantee, the Grantee shall be solely responsible for reimbursing said funds.
8. Miscellaneous Provisions.
- a. This Agreement is not intended to benefit any person or entity other than the Grantee and Grantor and no other person or entity may rely on the terms hereof.
 - b. The Grantee may seek to garner or encourage additional financial support for the COVID-19 Small Business Mini-Grants through engagement with other public partners, but can in no way alter the stated purpose or Eligible Guidelines of the COVID-19 Small Business Mini-Grants Program in order to solicit or incorporate those non-Grantor funds. This Agreement will remain paramount in all operations for the program and use of the funds allocated through this Agreement.
 - c. Grantee shall not discriminate against any person on the basis of race, color, religion, sex, national origin, disability, age, or veteran status, sexual orientation or any other basis prohibited by law in the use of Grant Funds, administration of the COVID-19 Small Business Mini-Grants.
 - d. Grantee shall not assign or attempt to assign, any of its rights under this Agreement without the prior written consent of Grantor. The Grantee shall not convey or assign any portion of the Grant Funds, except as permitted hereunder under the COVID-19 Small Business Mini-Grants, prior to the completion of the Compliance Period without the prior written consent of the Grantor.

GRANT AGREEMENT

- e. This Agreement contains the entire agreement between the Parties and supersedes all prior discussions, understandings and agreements regarding grants to allay COVID-19 impacts and support the business community. Neither this Agreement nor any provision hereof may be changed, waived, discharged, or terminated orally and may only be modified or amended in writing, signed by the Parties.
- f. Grantee shall defend, indemnify and save harmless the Grantor from and against all losses, claims, suits, judgments or liabilities incurred as a result of its activities pursuant to this Agreement, and as part of such indemnification obligation shall pay all costs and attorney's fees, if any, incurred by the Grantor as a result of any such claims or suits. Venue for any dispute between the parties shall be in Adams County, Colorado.
- g. All notices shall be in writing and shall be deemed to have been sufficiently given or served when presented personally, by email, or by mail to designated contact set forth herein. Such addresses may be changed by notice to the other party given the same manner.

The terms and conditions of this Agreement shall be governed by the construed in accordance with the laws of the State of Colorado, excluding its conflicts of law provisions.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the date first above written.

GRANTEE:

By: _____
President, CEO

Attest:

By: _____

GRANTOR:

By: _____
County Manager

Attest:

By: _____

COVID-19 SMALL BUSINESS MINI-GRANTS PROGRAM
GRANT AGREEMENT PURSUANT TO THE CORONAVIRUS AID, RELIEF, AND ECONOMIC SECURITY ACT (“CARES”)

ATTACHMENT A

Designated Grantee	Sub-Allocations		Total Grant Award	Justification
	Small Business COVID-19 Mini-Grants	Administrative Grant		
Adams County Regional Economic Partnership (ACREP)	\$975,000	\$97,500	\$1,072,500	<i>For the purpose of administering Adams County Mini-Grant program in the geographic area of Thornton, Northglenn, Federal Heights, Bennett, and Unincorporated Adams County (and all towns contained within)</i>
Arvada Chamber of Commerce	\$125,000	\$12,500	\$137,500	<i>For the purpose of administering Adams County Mini-Grant program in the geographic area of the Municipality of Arvada</i>
Aurora Chamber of Commerce	\$350,000	\$35,000	\$385,000	<i>For the purpose of administering Adams County Mini-Grant program in the geographic area of the Municipality of Aurora (contained within Adams County)</i>
Commerce City Chamber of Commerce	\$375,000	\$37,500	\$412,500	<i>For the purpose of administering Adams County Mini-Grant program in the geographic area of the Municipality of Commerce City</i>
Greater Brighton Chamber of Commerce	\$325,000	\$32,500	\$357,500	<i>For the purpose of administering Adams County Mini-Grant program in the geographic area of the Municipality of Brighton</i>
Westminster Chamber of Commerce	\$350,000	\$35,000	\$385,000	<i>For the purpose of administering Adams County Mini-Grant program in the geographic area of the Municipality of Westminster</i>

Notes:

- Grantee is the designated recipient organization receiving funds from Adams County
- Total Grants Award is the total amounts being awarded to individual Grantee; seen as sum of Sub-Allocations
- Sub-Allocations outlines funding reserved for specific purposes:
 - Small Business COVID-19 Mini-Grants is amount that must be funded entirely to business community in jurisdiction directly through Mini-Grants Program
 - Administrative Grant will be used within Grantee organization to cover administrative costs associated with participation in the Mini-Grant Program
- Justification outlines proposed use of funds and area of geographic coverage

**COVID-19 SMALL BUSINESS MINI-GRANTS PROGRAM
GRANT AGREEMENT PURSUANT TO THE CORONAVIRUS AID, RELIEF, AND ECONOMIC
SECURITY ACT (“CARES”)**

ATTACHMENT B

COVID-19 SMALL BUSINESS MINI-GRANTS ELIGIBILITY GUIDELINES

The purpose of the COVID-19 Small Business Mini-Grants Program is to provide short term capital in the form of business grants to small businesses of less than 25 employees and has direct physical interaction with customers at a physical business location, who are in the process of reopening after being closed or having severe business operation limitations as a direct result of COVID-19 and associated public health orders. The further purpose of COVID-19 Small Business Mini-Grants deployment is to provide small businesses capital to cover short-term working expenses incurred or soon to be incurred to change business operations, update technology, or handle compliance issues requirements to comply with social distancing requirements, public health orders and ensure health and safety of employees and customers;

All grants made from the COVID-19 Small Business Mini-Grants Program will be to businesses with their primary locations within the Program Area, as defined by the Agreement.

In order to be an Eligible Project of the COVID-19 Small Business Mini-Grants Program and receive a small business Mini-Grant:

1. At the time of application and throughout the term of the grant program, a business must have its primary office/headquarters or operations in the Program Area.
2. Business should have been open since at least December 31, 2019 or prior and must have 25 or fewer employees at the time of application and must adequately demonstrate a need for the Mini-Grant in application. The 25-employee count is determined by the total number of employees –which includes full time and part time employees (including employees managed through PEO) for each separate business entity.
3. The business must demonstrate direct and sizeable impact from COVID-19 and subsequent public health orders on operations, this can include, but is not limited to: verified loss of significant revenue, temporary business closure, staffing reductions, loss of sizeable market share or customer base, prohibition of physical operations during COVID-19.
4. Business owners may apply for up to one Mini-Grant per outlined category but will do so with a unique application for each category sought. It will be the discretion of the direct awarding entity (Grantee) whether to award an individual business applicant multiple categories or prioritize to other new business applicants. A business owner owning multiple businesses is eligible for only one Mini-Grant in each category, not one grant per business.
5. The business can not be in default or be actively planning default at the time of application, and in full and good faith be in the process of reopening operations.
6. Business must have direct physical in-person interaction with potential customers at a physical business location as the primary function of business operations. Home based businesses, fully remote/virtual businesses, non-profits, consulting/legal/accountancy/financial with primarily remote customer engagement, are ineligible. Home based businesses for the primary purposes of in-person education/childcare

GRANT AGREEMENT

customer services will be deemed eligible.

7. There are no restrictions on the type of business eligible for Mini-Grants so long as the activities of the business are legal and in the best interests of the community. Cannabis, 3rd party liquor sales, and adult entertainment businesses are ineligible.
 8. Franchise businesses and subsidiaries of national corporation may be eligible only if having a local ownership control model and can adequately demonstrate that no relevant support from franchised corporation or national partner was or will be available. Franchise owner oversees multiple local locations within Adams County, Mini-Grant application(s) will only be accepted for one location.
- A. COVID-19 Small Business Mini-Grants Categories. The COVID-19 Small Business Mini-Grants Program is divided into three (3) categories of Mini-Grant. Each has its own permitted use allowance and max funding levels outlined later in this section.
1. Mini-Grants for business operations (“COVID-19 Small Business Mini-Grants – Business Operations”)
 2. Mini-Grants for technology upgrades (“COVID-19 Small Business Mini-Grants – Technology”)
 3. Mini-Grants for support on compliance issues (“COVID-19 Small Business Mini-Grants – Compliance”)
- B. Permitted Uses of Mini-Grants. Mini-Grants permitted use are determined on their category. In all cases, it will be the judgement of the application review team if the business applicant’s proposal(s) match the sentiment of the category’s allowable uses:
1. Mini-Grants for business operations (“COVID-19 Small Business Mini-Grants – Business Operations”) have a permitted use of, but not limited to:
 - a. Building safety upgrades for the purpose of encouraging social distancing
 - b. Employee or customer safety (PPE, physical barriers, upgrades to air or filtration systems,
 - c. Other current safety requirements related to COVID-19 (testing)
 - d. For costs associated with enactment of COVID-19 specific operations plans
 2. Mini-Grants for technology upgrades (“COVID-19 Small Business Mini-Grants – Technology”) have a permitted use of, but not limited to:
 - a. Point of sale (POS) terminals or systems, including contactless payment systems
 - b. Touchless entry/exit for physical business location,
 - c. Temperature screening, etc.
 - d. Technology needs for enactment of COVID-19 specific operations plans
 3. Mini-Grants for support on compliance issues (“COVID-19 Small Business Mini-Grants – Compliance”) have a permitted use of, but not limited to:
 - a. Legal support or guidance directly resultant from operations during COVID-19
 - b. Consulting support directly resultant from operations during COVID-19
 - c. Expenses for preparation of variance requests to public health agencies
- C. Non-permitted Uses of Mini-Grants. All Mini-Grants categories may not be used to pay any of owner's or direct employee remuneration, including but not limited to wages, bonuses

GRANT AGREEMENT

and the like or to pay for legal expenses incurred in defending against a criminal violation, or to pay for penalties assessed for criminal or regulatory violations, or to pay adverse civil judgments stemming from operation of the business. Mini-Grants may not be used to pay for other business activities outside of COVID-19 impacted operations and reopening efforts and must be in line with the proposals outlined in the business's approved application. Should a business wish to alter the use of award Mini-Grant funds to another function of COVID-19 impacted operations and reopening efforts, prior approval from fund overseeing authority (Chamber or Partner who approved application and awarded funds) will be necessary prior to expenditure. Grants shall not be used to pay fees, assessments, liens or penalties due to the failure of the business to collect or remit applicable taxes when due. Uses incompatible with or illegal under local or federal regulatory authority will not be permitted.

- D. Maximum Mini-Grant Award Amount. The maximum amount of each Mini-Grant will be dependent on category:
1. Mini-Grants for business operations ("COVID-19 Small Business Mini-Grants – Business Operations") have a maximum award value of \$2,500 per business applicant.
 2. Mini-Grants for technology upgrades ("COVID-19 Small Business Mini-Grants – Technology") have a maximum award value of \$1,000 per business applicant.
 3. Mini-Grants for support on compliance issues ("COVID-19 Small Business Mini-Grants – Compliance") have a maximum award value of \$1,000 per business applicant.
- E. Application of Mini-Grant Funding. Eligible businesses will use an application process standardized across Adams County and all partnership agreements under the COVID-19 Small Business Mini-Grants Program. An eligible business will need to apply independently for each Mini-Grant category sought (Operations, Technology, Compliance). Information requested of the business applicant will include:
1. Business address and contact information
 2. Copy of Driver's License or state-issued ID
 3. Copy of "active" state business registration from Colorado Secretary of State, which can be found using the following link ([link to website](#)). A screenshot with most recent information will suffice as proof.
 4. [IRS Form W-9 \(Download\)](#)
 5. Documented loss of revenue. The business must have experienced a significant loss of revenue and be in the process of reopening to be eligible for a grant.
 - i. The business will provide their estimate of revenue loss due to COVID-19, using best and good faith judgment to estimate how its revenue was impacted by comparing sales this year to sales last year, or if a newer business, comparing actual current sales to projected current sales.
 6. Brief description of current business reopening plans, including timelines and milestones
 7. Number of employees now and prior to pandemic (Prior to March 1, 2020)
 8. Years in business operation at location
 9. Any other business locations within Adams County
 10. Description and budget showing how the Mini-Grant will be used and the proposed

GRANT AGREEMENT

impact provided for that specific category

- F. Term of Mini-Grant. Upon successful application, eligible businesses should receive their awarded funding in one lump payment within 10 business days. Mini-Grant funding awarded must be used by applicant within a maximum of 30 calendar days for new expense costs, or recently incurred costs (within the last 30 calendar days) as described in their application proposal. Any substantial deviation from this usage must receive prior authorization from awarding entity. Successful business applicants will also be required to legally comply with the reporting requirements outlined below.
- G. Reporting Requirements of Mini-Grant. Within a maximum of 30 calendar days of receiving grant award funding, the successful applicant must provide documented evidence of grant funding being used in a manner outlined in their application proposal. This evidence can be in the form of, but not limited to, receipts of work, receipts of purchase, photographs, or on-site compliance checks.



PUBLIC HEARING AGENDA ITEM

DATE OF PUBLIC HEARING: 6/16/2020
SUBJECT: RESOLUTION APPROVING AGREEMENTS TO ADMINISTER COVID-19 MINI GRANT PROGRAM TO ASSIST BUSINESSES IN ADAMS COUNTY AFFECTED BY THE COVID-19 PANDEMIC
FROM: Maxwell Daffron / Ryan Nalty
AGENCY/DEPARTMENT: Community and Economic Development
HEARD AT STUDY SESSION ON: June 2, 2020
AUTHORIZATION TO MOVE FORWARD: <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
RECOMMENDED ACTION: Allow for Adams County to enter into grant agreements with Local Chambers of Commerce to administer COVID-19 Mini Grant Program.

BACKGROUND:

The purpose of the COVID-19 Small Business Mini-Grants Program is to provide short term capital in the form of business grants to small businesses of less than 25 employees and has direct physical interaction with customers at a physical business location, who are in the process of reopening after being closed or having severe business operation limitations as a direct result of COVID-19 and associated public health orders. Additionally, the COVID-19 Small Business Mini-Grants deployment is to provide small businesses capital to cover short-term working expenses incurred or soon to be incurred to change business operations, update technology, or handle compliance issues requirements to comply with social distancing requirements, public health orders and ensure health and safety of employees and customers. The program will be administered by local Chambers of Commerce who will review grant applications and disburse CARES Act funds on behalf of the County.

AGENCIES, DEPARTMENTS OR OTHER OFFICES INVOLVED:

- Adams County Regional Economic Partnership (ACREP)
- Arvada Chamber of Commerce
- Aurora Chamber of Commerce

- Commerce City Chamber of Commerce
- Greater Brighton Chamber of Commerce
- Westminster Chamber of Commerce

ATTACHED DOCUMENTS:

- Resolutions for each mini grant agreement.
- Copy of Form Mini Grant Agreement.

FISCAL IMPACT:

Please check if there is no fiscal impact . If there is fiscal impact, please fully complete the section below.

Fund: 00001
Cost Center: 9263

	Object Account	Subledger	Amount
Current Budgeted Revenue:			
Additional Revenue not included in Current Budget:			
Total Revenues:			

	Object Account	Subledger	Amount
Current Budgeted Operating Expenditure:	8810		\$50,000,000
Add'l Operating Expenditure not included in Current Budget:			
Current Budgeted Capital Expenditure:			
Add'l Capital Expenditure not included in Current Budget:			
Total Expenditures:			\$50,000,000

New FTEs requested: YES NO

Future Amendment Needed: YES NO

Additional Note:

Funding for the Mini Grant program is gained from Federal CARES ACT money designated to government agencies to assist businesses in COVID-19 response.

BOARD OF COUNTY COMMISSIONERS FOR
ADAMS COUNTY, STATE OF COLORADO

RESOLUTION APPROVING AGREEMENT BETWEEN ADAMS COUNTY AND THE ARVADA CHAMBER OF
COMMERCE TO ADMINISTER COVID-19 MINI GRANT PROGRAM TO ASSIST BUSINESSES IN ADAMS
COUNTY AFFECTED BY THE COVID-19 PANDEMIC

WHEREAS, Adams County ("County") wishes to support small businesses suffering financial strain from the COVID-19 pandemic; and,

WHEREAS, the Board of County Commissioners believes that dedicated action is essential to assist the business community with recovery efforts associated with COVID19; and,

WHEREAS, the County wishes to utilize additional CARES ACT funds to provide relief to COVID-19 impacted small businesses in Adams County in the form of "Mini Grants" that will allow for businesses to update business operations, upgrade technology, and address compliance issues related to operating in a COVID-19 environment; and,

WHEREAS, The County has partnered with multiple community Chambers of Commerce to administer the mini grant program to COVID-19 impacted small businesses based on the terms and conditions of the attached grant agreement.

NOW, THEREFORE BE IT RESOLVED, by the Board of County Commissioners, County of Adams, State of Colorado, that the Mini Grant Agreement for COVID-19 Relief between Adams County and The Arvada Chamber of Commerce, a copy of which is attached, is hereby approved.

COVID-19 SMALL BUSINESS MINI-GRANTS PROGRAM
GRANT AGREEMENT PURSUANT TO THE CORONAVIRUS AID, RELIEF, AND ECONOMIC
SECURITY ACT (“CARES”)

THIS GRANT AGREEMENT (the “Agreement”) is made this _____ day of June, 2020, (“Effective Date”) by and between **Adams County, Colorado** (“Grantor”) and the **Arvada Chamber of Commerce**, a Colorado 501c-6 (“Grantee”). Grantor and Grantee shall be referred to herein collectively as the “Parties”.

1. **Grant Amount.** Grantor agrees to provide, and Grantee agrees to receive, an overall grant in the aggregate amount (“Total Grant”) shown for the grantee in Attachment A of this agreement, pursuant to the terms provided herein. The total grant will be disbursed to the Grantee within 5 business days of the Effective Date, subject to all terms, provisions, conditions, covenants, and agreements contained in this Agreement.
2. The total grant funds disbursed pursuant to this Agreement are federal CARES funds. Grantee shall comply with all applicable CARES legislation, regulations, and guidance issued by the federal government. The total grant is the sum of two sub-allocations to the Grantee, each with a specific use. A breakdown showing the sub-allocations can be found in Attachment A.
 - a. Grant funds directed towards the business community (“COVID-19 Small Business Mini-Grants”). These funds shall be used for funding grants to eligible and qualified small businesses located in jurisdictional area of the Municipality of Arvada (“Program Area”) in accordance with the criteria and purpose described COVID-19 Small Business Mini-Grants Eligibility Guidelines in Attachment B (“Eligible Projects”).
 - b. Grant funds directed toward internal administrative support of program by Grantee (“Administrative Grant”). These funds shall be used for administrative costs of Grantee for the administering of the Mini-Grants. The Grantee may also use the Administrative Grants for the purpose of hiring 3rd party staff or support in order to fulfill necessary requirements of this agreement and the overall program.
3. **Maximum Grant Amount of COVID-19 Small Business Mini-Grants.** The maximum amount allowed for each Mini-Grant will depend on which of the three (3) categories of Mini-Grant the eligible business applicant has sought.
 - a. Mini-Grants for business operations (“COVID-19 Small Business Mini-Grants – Business Operations”) have a maximum award value of \$2,500 per business applicant.
 - b. Mini-Grants for technology upgrades (“COVID-19 Small Business Mini-Grants – Technology”) have a maximum award value of \$1,000 per business applicant.
 - c. Mini-Grants for support on compliance issues (“COVID-19 Small Business Mini-Grants – Compliance”) have a maximum award value of \$1,000 per business applicant.
4. **Performance Period.** Grantee must disburse 100% of the COVID-19 Small Business Mini-Grants for Eligible Projects by 12:01AM on November 1, 2020. If this requirement is not met, Grantor may require any unused portion of the COVID-19 Small Business

GRANT AGREEMENT

Mini-Grants, to be returned to Grantor. All Administrative Grant funds which Grantee has either disbursed or pledged by agreement to third part recipients will be considered earned and non-refundable as of the date such funds were disbursed or pledged. The Administrative Grant will be considered earned and non-refundable as of 60 calendar days after Effective Date.

5. Promotion of COVID-19 Small Business Mini-Grants Program. Grantee and Grantor shall each have the right to promote the Mini-Grants and include in their respective organization's materials or reports information. The Grantee will be required to use the Adams County Response and Recovery logo(s) in all relevant marketing efforts
6. The Parties agree as follows:
 - a. All COVID-19 Small Business Mini-Grants funds will be utilized under the COVID-19 Small Business Mini-Grants Program for grants to qualified small businesses of 25 employees or less located in Program Area in accordance with this Agreement and the COVID-19 Small Business Mini-Grants Eligibility Guidelines, attached as Attachment B.
 - b. During the Performance Period, Grantee shall endeavor to achieve the following business engagement procedures and timelines to allow for effective and timely use of Mini-Grant funds by successful business applicants.
 - i. If a business application for a Mini-Grant is successful and COVID-19 Small Business Mini-Grants funds are available, the Grantee will notify the business of its application success, receiving any other necessary documents, and providing the necessary funds to the business through an appropriate financial transaction.
 - ii. If a business application is not successful and/or COVID-19 Small Business Mini-Grants funds are no longer available, the Grantee will notify the business of its application rejection and handling any relevant follow up discussion with the business, if needed.
 - c. During the Performance, Grantee shall provide Mini-Grant monthly activity and impact reports to Grantor every 30 days by means of email. Monthly reports will include, COVID-19 Small Business Mini-Grants current balance, monthly application totals (received, approved, rejected), monthly individual Mini-Grant category application totals (received, approved, rejected), and list of business successfully receiving any Mini-Grant (Business Name, Address, Grant Type, Award Amount, short summary of planned impact provided by each successful applicant.
 - d. During the Performance Period, Grantee shall provide a final overall Mini-Grant activity and impact report to Grantor within 30 days of COVID-19 Small Business Mini-Grants funds exhaustion and the final financial transaction to a business applicant, or at the close of Performance Period, whichever comes first. This final report to Grantor will summarize the total impact of the Program including, COVID-19 Small Business Mini-Grants current balance, Mini-Grant application totals (received, approved, rejected), individual Mini-Grant category application totals (received, approved, rejected), and list of business successfully receiving a Mini-Grant (Business Name, Address, Grant Type, Award Amount, short summary of planned impact by each successful applicant, and documentation

GRANT AGREEMENT

showing the final impact from each successful applicant.

- e. With the grant funding structure, there is no expectation of repayment of Mini-Grants by successful business applicants to Grantee or Grantor if found to have truthfully and legal applied for grant funds. Grantee shall be solely responsible for retrieving funds for any application determined to be fraudulent after consultation with Grantor based on the facts of the individual case.
 - f. Grantee shall use funds in the COVID-19 Small Business Mini-Grants Program in compliance with all applicable laws, rules, regulations, and other legal requirements.
 - g. No term or condition of this Agreement shall be construed or interpreted as a waiver, express or implied, of any of the immunities, rights, benefits, protections or other provisions of the Colorado Governmental Immunity Act, C.R.S. §§ 24-10-101, et seq.
7. Conditions. Grantee shall be subject to the following conditions as of the Effective Date
- a. The Grantee shall familiarize itself with, and shall adhere to, all current and subsequent legislation, rules, and regulations in conjunction with use of CARES Act funds. In the event of non-compliance with its legislative and regulatory mandates, the federal government may seek reimbursement of funds it deems were not spent in compliance with its legislation and rules. In the event the of this reimbursement of funds spent by Grantee, the Grantee shall be solely responsible for reimbursing said funds.
8. Miscellaneous Provisions.
- a. This Agreement is not intended to benefit any person or entity other than the Grantee and Grantor and no other person or entity may rely on the terms hereof.
 - b. The Grantee may seek to garner or encourage additional financial support for the COVID-19 Small Business Mini-Grants through engagement with other public partners, but can in no way alter the stated purpose or Eligible Guidelines of the COVID-19 Small Business Mini-Grants Program in order to solicit or incorporate those non-Grantor funds. This Agreement will remain paramount in all operations for the program and use of the funds allocated through this Agreement.
 - c. Grantee shall not discriminate against any person on the basis of race, color, religion, sex, national origin, disability, age, or veteran status, sexual orientation or any other basis prohibited by law in the use of Grant Funds, administration of the COVID-19 Small Business Mini-Grants.
 - d. Grantee shall not assign or attempt to assign, any of its rights under this Agreement without the prior written consent of Grantor. The Grantee shall not convey or assign any portion of the Grant Funds, except as permitted hereunder under the COVID-19 Small Business Mini-Grants, prior to the completion of the Compliance Period without the prior written consent of the Grantor.
 - e. This Agreement contains the entire agreement between the Parties and supersedes all prior discussions, understandings and agreements regarding

GRANT AGREEMENT

grants to allay COVID-19 impacts and support the business community. Neither this Agreement nor any provision hereof may be changed, waived, discharged, or terminated orally and may only be modified or amended in writing, signed by the Parties.

f. Grantee shall defend, indemnify and save harmless the Grantor from and against all losses, claims, suits, judgments or liabilities incurred as a result of its activities pursuant to this Agreement, and as part of such indemnification obligation shall pay all costs and attorney's fees, if any, incurred by the Grantor as a result of any such claims or suits. Venue for any dispute between the parties shall be in Adams County, Colorado.

g. All notices shall be in writing and shall be deemed to have been sufficiently given or served when presented personally, by email, or by mail to designated contact set forth herein. Such addresses may be changed by notice to the other party given the same manner.

The terms and conditions of this Agreement shall be governed by the construed in accordance with the laws of the State of Colorado, excluding its conflicts of law provisions.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the date first above written.

GRANTEE:

By: _____
President, CEO

Attest:

By: _____

GRANTOR:

By: _____
County Manager

Attest:

By: _____

COVID-19 SMALL BUSINESS MINI-GRANTS PROGRAM
GRANT AGREEMENT PURSUANT TO THE CORONAVIRUS AID, RELIEF, AND ECONOMIC SECURITY ACT (“CARES”)

ATTACHMENT A

Designated Grantee	Sub-Allocations		Total Grant Award	Justification
	Small Business COVID-19 Mini-Grants	Administrative Grant		
Adams County Regional Economic Partnership (ACREP)	\$975,000	\$97,500	\$1,072,500	<i>For the purpose of administering Adams County Mini-Grant program in the geographic area of Thornton, Northglenn, Federal Heights, Bennett, and Unincorporated Adams County (and all towns contained within)</i>
Arvada Chamber of Commerce	\$125,000	\$12,500	\$137,500	<i>For the purpose of administering Adams County Mini-Grant program in the geographic area of the Municipality of Arvada</i>
Aurora Chamber of Commerce	\$350,000	\$35,000	\$385,000	<i>For the purpose of administering Adams County Mini-Grant program in the geographic area of the Municipality of Aurora (contained within Adams County)</i>
Commerce City Chamber of Commerce	\$375,000	\$37,500	\$412,500	<i>For the purpose of administering Adams County Mini-Grant program in the geographic area of the Municipality of Commerce City</i>
Greater Brighton Chamber of Commerce	\$325,000	\$32,500	\$357,500	<i>For the purpose of administering Adams County Mini-Grant program in the geographic area of the Municipality of Brighton</i>
Westminster Chamber of Commerce	\$350,000	\$35,000	\$385,000	<i>For the purpose of administering Adams County Mini-Grant program in the geographic area of the Municipality of Westminster</i>

Notes:

- Grantee is the designated recipient organization receiving funds from Adams County
- Total Grants Award is the total amounts being awarded to individual Grantee; seen as sum of Sub-Allocations
- Sub-Allocations outlines funding reserved for specific purposes:
 - Small Business COVID-19 Mini-Grants is amount that must be funded entirely to business community in jurisdiction directly through Mini-Grants Program
 - Administrative Grant will be used within Grantee organization to cover administrative costs associated with participation in the Mini-Grant Program
- Justification outlines proposed use of funds and area of geographic coverage

**COVID-19 SMALL BUSINESS MINI-GRANTS PROGRAM
GRANT AGREEMENT PURSUANT TO THE CORONAVIRUS AID, RELIEF, AND ECONOMIC
SECURITY ACT (“CARES”)**

ATTACHMENT B

COVID-19 SMALL BUSINESS MINI-GRANTS ELIGIBILITY GUIDELINES

The purpose of the COVID-19 Small Business Mini-Grants Program is to provide short term capital in the form of business grants to small businesses of less than 25 employees and has direct physical interaction with customers at a physical business location, who are in the process of reopening after being closed or having severe business operation limitations as a direct result of COVID-19 and associated public health orders. The further purpose of COVID-19 Small Business Mini-Grants deployment is to provide small businesses capital to cover short-term working expenses incurred or soon to be incurred to change business operations, update technology, or handle compliance issues requirements to comply with social distancing requirements, public health orders and ensure health and safety of employees and customers;

All grants made from the COVID-19 Small Business Mini-Grants Program will be to businesses with their primary locations within the Program Area, as defined by the Agreement.

In order to be an Eligible Project of the COVID-19 Small Business Mini-Grants Program and receive a small business Mini-Grant:

1. At the time of application and throughout the term of the grant program, a business must have its primary office/headquarters or operations in the Program Area.
2. Business should have been open since at least December 31, 2019 or prior and must have 25 or fewer employees at the time of application and must adequately demonstrate a need for the Mini-Grant in application. The 25-employee count is determined by the total number of employees –which includes full time and part time employees (including employees managed through PEO) for each separate business entity.
3. The business must demonstrate direct and sizeable impact from COVID-19 and subsequent public health orders on operations, this can include, but is not limited to: verified loss of significant revenue, temporary business closure, staffing reductions, loss of sizeable market share or customer base, prohibition of physical operations during COVID-19.
4. Business owners may apply for up to one Mini-Grant per outlined category but will do so with a unique application for each category sought. It will be the discretion of the direct awarding entity (Grantee) whether to award an individual business applicant multiple categories or prioritize to other new business applicants. A business owner owning multiple businesses is eligible for only one Mini-Grant in each category, not one grant per business.
5. The business can not be in default or be actively planning default at the time of application, and in full and good faith be in the process of reopening operations.
6. Business must have direct physical in-person interaction with potential customers at a physical business location as the primary function of business operations. Home based businesses, fully remote/virtual businesses, non-profits, consulting/legal/accountancy/financial with primarily remote customer engagement, are ineligible. Home based businesses for the primary purposes of in-person education/childcare

GRANT AGREEMENT

customer services will be deemed eligible.

7. There are no restrictions on the type of business eligible for Mini-Grants so long as the activities of the business are legal and in the best interests of the community. Cannabis, 3rd party liquor sales, and adult entertainment businesses are ineligible.
 8. Franchise businesses and subsidiaries of national corporation may be eligible only if having a local ownership control model and can adequately demonstrate that no relevant support from franchised corporation or national partner was or will be available. Franchise owner oversees multiple local locations within Adams County, Mini-Grant application(s) will only be accepted for one location.
- A. COVID-19 Small Business Mini-Grants Categories. The COVID-19 Small Business Mini-Grants Program is divided into three (3) categories of Mini-Grant. Each has its own permitted use allowance and max funding levels outlined later in this section.
1. Mini-Grants for business operations (“COVID-19 Small Business Mini-Grants – Business Operations”)
 2. Mini-Grants for technology upgrades (“COVID-19 Small Business Mini-Grants – Technology”)
 3. Mini-Grants for support on compliance issues (“COVID-19 Small Business Mini-Grants – Compliance”)
- B. Permitted Uses of Mini-Grants. Mini-Grants permitted use are determined on their category. In all cases, it will be the judgement of the application review team if the business applicant’s proposal(s) match the sentiment of the category’s allowable uses:
1. Mini-Grants for business operations (“COVID-19 Small Business Mini-Grants – Business Operations”) have a permitted use of, but not limited to:
 - a. Building safety upgrades for the purpose of encouraging social distancing
 - b. Employee or customer safety (PPE, physical barriers, upgrades to air or filtration systems,
 - c. Other current safety requirements related to COVID-19 (testing)
 - d. For costs associated with enactment of COVID-19 specific operations plans
 2. Mini-Grants for technology upgrades (“COVID-19 Small Business Mini-Grants – Technology”) have a permitted use of, but not limited to:
 - a. Point of sale (POS) terminals or systems, including contactless payment systems
 - b. Touchless entry/exit for physical business location,
 - c. Temperature screening, etc.
 - d. Technology needs for enactment of COVID-19 specific operations plans
 3. Mini-Grants for support on compliance issues (“COVID-19 Small Business Mini-Grants – Compliance”) have a permitted use of, but not limited to:
 - a. Legal support or guidance directly resultant from operations during COVID-19
 - b. Consulting support directly resultant from operations during COVID-19
 - c. Expenses for preparation of variance requests to public health agencies
- C. Non-permitted Uses of Mini-Grants. All Mini-Grants categories may not be used to pay any of owner's or direct employee remuneration, including but not limited to wages, bonuses

GRANT AGREEMENT

and the like or to pay for legal expenses incurred in defending against a criminal violation, or to pay for penalties assessed for criminal or regulatory violations, or to pay adverse civil judgments stemming from operation of the business. Mini-Grants may not be used to pay for other business activities outside of COVID-19 impacted operations and reopening efforts and must be in line with the proposals outlined in the business's approved application. Should a business wish to alter the use of award Mini-Grant funds to another function of COVID-19 impacted operations and reopening efforts, prior approval from fund overseeing authority (Chamber or Partner who approved application and awarded funds) will be necessary prior to expenditure. Grants shall not be used to pay fees, assessments, liens or penalties due to the failure of the business to collect or remit applicable taxes when due. Uses incompatible with or illegal under local or federal regulatory authority will not be permitted.

- D. Maximum Mini-Grant Award Amount. The maximum amount of each Mini-Grant will be dependent on category:
1. Mini-Grants for business operations ("COVID-19 Small Business Mini-Grants – Business Operations") have a maximum award value of \$2,500 per business applicant.
 2. Mini-Grants for technology upgrades ("COVID-19 Small Business Mini-Grants – Technology") have a maximum award value of \$1,000 per business applicant.
 3. Mini-Grants for support on compliance issues ("COVID-19 Small Business Mini-Grants – Compliance") have a maximum award value of \$1,000 per business applicant.
- E. Application of Mini-Grant Funding. Eligible businesses will use an application process standardized across Adams County and all partnership agreements under the COVID-19 Small Business Mini-Grants Program. An eligible business will need to apply independently for each Mini-Grant category sought (Operations, Technology, Compliance). Information requested of the business applicant will include:
1. Business address and contact information
 2. Copy of Driver's License or state-issued ID
 3. Copy of "active" state business registration from Colorado Secretary of State, which can be found using the following link ([link to website](#)). A screenshot with most recent information will suffice as proof.
 4. [IRS Form W-9 \(Download\)](#)
 5. Documented loss of revenue. The business must have experienced a significant loss of revenue and be in the process of reopening to be eligible for a grant.
 - i. The business will provide their estimate of revenue loss due to COVID-19, using best and good faith judgment to estimate how its revenue was impacted by comparing sales this year to sales last year, or if a newer business, comparing actual current sales to projected current sales.
 6. Brief description of current business reopening plans, including timelines and milestones
 7. Number of employees now and prior to pandemic (Prior to March 1, 2020)
 8. Years in business operation at location
 9. Any other business locations within Adams County
 10. Description and budget showing how the Mini-Grant will be used and the proposed

GRANT AGREEMENT

impact provided for that specific category

- F. Term of Mini-Grant. Upon successful application, eligible businesses should receive their awarded funding in one lump payment within 10 business days. Mini-Grant funding awarded must be used by applicant within a maximum of 30 calendar days for new expense costs, or recently incurred costs (within the last 30 calendar days) as described in their application proposal. Any substantial deviation from this usage must receive prior authorization from awarding entity. Successful business applicants will also be required to legally comply with the reporting requirements outlined below.
- G. Reporting Requirements of Mini-Grant. Within a maximum of 30 calendar days of receiving grant award funding, the successful applicant must provide documented evidence of grant funding being used in a manner outlined in their application proposal. This evidence can be in the form of, but not limited to, receipts of work, receipts of purchase, photographs, or on-site compliance checks.



PUBLIC HEARING AGENDA ITEM

DATE OF PUBLIC HEARING: 6/16/2020
SUBJECT: RESOLUTION APPROVING AGREEMENTS TO ADMINISTER COVID-19 MINI GRANT PROGRAM TO ASSIST BUSINESSES IN ADAMS COUNTY AFFECTED BY THE COVID-19 PANDEMIC
FROM: Maxwell Daffron / Ryan Nalty
AGENCY/DEPARTMENT: Community and Economic Development
HEARD AT STUDY SESSION ON: June 2, 2020
AUTHORIZATION TO MOVE FORWARD: <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
RECOMMENDED ACTION: Allow for Adams County to enter into grant agreements with Local Chambers of Commerce to administer COVID-19 Mini Grant Program.

BACKGROUND:

The purpose of the COVID-19 Small Business Mini-Grants Program is to provide short term capital in the form of business grants to small businesses of less than 25 employees and has direct physical interaction with customers at a physical business location, who are in the process of reopening after being closed or having severe business operation limitations as a direct result of COVID-19 and associated public health orders. Additionally, the COVID-19 Small Business Mini-Grants deployment is to provide small businesses capital to cover short-term working expenses incurred or soon to be incurred to change business operations, update technology, or handle compliance issues requirements to comply with social distancing requirements, public health orders and ensure health and safety of employees and customers. The program will be administered by local Chambers of Commerce who will review grant applications and disburse CARES Act funds on behalf of the County.

AGENCIES, DEPARTMENTS OR OTHER OFFICES INVOLVED:

- Adams County Regional Economic Partnership (ACREP)
- Arvada Chamber of Commerce
- Aurora Chamber of Commerce

- Commerce City Chamber of Commerce
- Greater Brighton Chamber of Commerce
- Westminster Chamber of Commerce

ATTACHED DOCUMENTS:

- Resolutions for each mini grant agreement.
- Copy of Form Mini Grant Agreement.

FISCAL IMPACT:

Please check if there is no fiscal impact . If there is fiscal impact, please fully complete the section below.

Fund: 00001
Cost Center: 9263

	Object Account	Subledger	Amount
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Additional Revenue not included in Current Budget:			
Total Revenues:			

	Object Account	Subledger	Amount
Current Budgeted Operating Expenditure:	8810		\$50,000,000
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Total Expenditures:			\$50,000,000

New FTEs requested: YES NO

Future Amendment Needed: YES NO

Additional Note:

Funding for the Mini Grant program is gained from Federal CARES ACT money designated to government agencies to assist businesses in COVID-19 response.

BOARD OF COUNTY COMMISSIONERS FOR
ADAMS COUNTY, STATE OF COLORADO

RESOLUTION APPROVING AGREEMENT BETWEEN ADAMS COUNTY AND THE AURORA CHAMBER OF
COMMERCE TO ADMINISTER COVID-19 MINI GRANT PROGRAM TO ASSIST BUSINESSES IN ADAMS
COUNTY AFFECTED BY THE COVID-19 PANDEMIC

WHEREAS, Adams County ("County") wishes to support small businesses suffering financial strain from the COVID-19 pandemic; and,

WHEREAS, the Board of County Commissioners believes that dedicated action is essential to assist the business community with recovery efforts associated with COVID19; and,

WHEREAS, the County wishes to utilize additional CARES ACT funds to provide relief to COVID-19 impacted small businesses in Adams County in the form of "Mini Grants" that will allow for businesses to update business operations, upgrade technology, and address compliance issues related to operating in a COVID-19 environment; and,

WHEREAS, The County has partnered with multiple community Chambers of Commerce to administer the mini grant program to COVID-19 impacted small businesses based on the terms and conditions of the attached grant agreement.

NOW, THEREFORE BE IT RESOLVED, by the Board of County Commissioners, County of Adams, State of Colorado, that the Mini Grant Agreement for COVID-19 Relief between Adams County and The Aurora Chamber of Commerce, a copy of which is attached, is hereby approved.

COVID-19 SMALL BUSINESS MINI-GRANTS PROGRAM
GRANT AGREEMENT PURSUANT TO THE CORONAVIRUS AID, RELIEF, AND ECONOMIC
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GRANT AGREEMENT

Mini-Grants, to be returned to Grantor. All Administrative Grant funds which Grantee has either disbursed or pledged by agreement to third part recipients will be considered earned and non-refundable as of the date such funds were disbursed or pledged. The Administrative Grant will be considered earned and non-refundable as of 60 calendar days after Effective Date.

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 - i. If a business application for a Mini-Grant is successful and COVID-19 Small Business Mini-Grants funds are available, the Grantee will notify the business of its application success, receiving any other necessary documents, and providing the necessary funds to the business through an appropriate financial transaction.
 - ii. If a business application is not successful and/or COVID-19 Small Business Mini-Grants funds are no longer available, the Grantee will notify the business of its application rejection and handling any relevant follow up discussion with the business, if needed.
 - c. During the Performance, Grantee shall provide Mini-Grant monthly activity and impact reports to Grantor every 30 days by means of email. Monthly reports will include, COVID-19 Small Business Mini-Grants current balance, monthly application totals (received, approved, rejected), monthly individual Mini-Grant category application totals (received, approved, rejected), and list of business successfully receiving any Mini-Grant (Business Name, Address, Grant Type, Award Amount, short summary of planned impact provided by each successful applicant.
 - d. During the Performance Period, Grantee shall provide a final overall Mini-Grant activity and impact report to Grantor within 30 days of COVID-19 Small Business Mini-Grants funds exhaustion and the final financial transaction to a business applicant, or at the close of Performance Period, whichever comes first. This final report to Grantor will summarize the total impact of the Program including, COVID-19 Small Business Mini-Grants current balance, Mini-Grant application totals (received, approved, rejected), individual Mini-Grant category application totals (received, approved, rejected), and list of business successfully receiving a Mini-Grant (Business Name, Address, Grant Type, Award Amount, short summary of planned impact by each successful applicant, and documentation

GRANT AGREEMENT

showing the final impact from each successful applicant.

- e. With the grant funding structure, there is no expectation of repayment of Mini-Grants by successful business applicants to Grantee or Grantor if found to have truthfully and legal applied for grant funds. Grantee shall be solely responsible for retrieving funds for any application determined to be fraudulent after consultation with Grantor based on the facts of the individual case.
 - f. Grantee shall use funds in the COVID-19 Small Business Mini-Grants Program in compliance with all applicable laws, rules, regulations, and other legal requirements.
 - g. No term or condition of this Agreement shall be construed or interpreted as a waiver, express or implied, of any of the immunities, rights, benefits, protections or other provisions of the Colorado Governmental Immunity Act, C.R.S. §§ 24-10-101, et seq.
7. Conditions. Grantee shall be subject to the following conditions as of the Effective Date
- a. The Grantee shall familiarize itself with, and shall adhere to, all current and subsequent legislation, rules, and regulations in conjunction with use of CARES Act funds. In the event of non-compliance with its legislative and regulatory mandates, the federal government may seek reimbursement of funds it deems were not spent in compliance with its legislation and rules. In the event the of this reimbursement of funds spent by Grantee, the Grantee shall be solely responsible for reimbursing said funds.
8. Miscellaneous Provisions.
- a. This Agreement is not intended to benefit any person or entity other than the Grantee and Grantor and no other person or entity may rely on the terms hereof.
 - b. The Grantee may seek to garner or encourage additional financial support for the COVID-19 Small Business Mini-Grants through engagement with other public partners, but can in no way alter the stated purpose or Eligible Guidelines of the COVID-19 Small Business Mini-Grants Program in order to solicit or incorporate those non-Grantor funds. This Agreement will remain paramount in all operations for the program and use of the funds allocated through this Agreement.
 - c. Grantee shall not discriminate against any person on the basis of race, color, religion, sex, national origin, disability, age, or veteran status, sexual orientation or any other basis prohibited by law in the use of Grant Funds, administration of the COVID-19 Small Business Mini-Grants.
 - d. Grantee shall not assign or attempt to assign, any of its rights under this Agreement without the prior written consent of Grantor. The Grantee shall not convey or assign any portion of the Grant Funds, except as permitted hereunder under the COVID-19 Small Business Mini-Grants, prior to the completion of the Compliance Period without the prior written consent of the Grantor.
 - e. This Agreement contains the entire agreement between the Parties and supersedes all prior discussions, understandings and agreements regarding

GRANT AGREEMENT

grants to allay COVID-19 impacts and support the business community. Neither this Agreement nor any provision hereof may be changed, waived, discharged, or terminated orally and may only be modified or amended in writing, signed by the Parties.

f. Grantee shall defend, indemnify and save harmless the Grantor from and against all losses, claims, suits, judgments or liabilities incurred as a result of its activities pursuant to this Agreement, and as part of such indemnification obligation shall pay all costs and attorney's fees, if any, incurred by the Grantor as a result of any such claims or suits. Venue for any dispute between the parties shall be in Adams County, Colorado.

g. All notices shall be in writing and shall be deemed to have been sufficiently given or served when presented personally, by email, or by mail to designated contact set forth herein. Such addresses may be changed by notice to the other party given the same manner.

The terms and conditions of this Agreement shall be governed by the construed in accordance with the laws of the State of Colorado, excluding its conflicts of law provisions.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the date first above written.

GRANTEE:

By: _____
President, CEO

Attest:

By: _____

GRANTOR:

By: _____
County Manager

Attest:

By: _____

COVID-19 SMALL BUSINESS MINI-GRANTS PROGRAM
GRANT AGREEMENT PURSUANT TO THE CORONAVIRUS AID, RELIEF, AND ECONOMIC SECURITY ACT (“CARES”)

ATTACHMENT A

Designated Grantee	Sub-Allocations		Total Grant Award	Justification
	Small Business COVID-19 Mini-Grants	Administrative Grant		
Adams County Regional Economic Partnership (ACREP)	\$975,000	\$97,500	\$1,072,500	<i>For the purpose of administering Adams County Mini-Grant program in the geographic area of Thornton, Northglenn, Federal Heights, Bennett, and Unincorporated Adams County (and all towns contained within)</i>
Arvada Chamber of Commerce	\$125,000	\$12,500	\$137,500	<i>For the purpose of administering Adams County Mini-Grant program in the geographic area of the Municipality of Arvada</i>
Aurora Chamber of Commerce	\$350,000	\$35,000	\$385,000	<i>For the purpose of administering Adams County Mini-Grant program in the geographic area of the Municipality of Aurora (contained within Adams County)</i>
Commerce City Chamber of Commerce	\$375,000	\$37,500	\$412,500	<i>For the purpose of administering Adams County Mini-Grant program in the geographic area of the Municipality of Commerce City</i>
Greater Brighton Chamber of Commerce	\$325,000	\$32,500	\$357,500	<i>For the purpose of administering Adams County Mini-Grant program in the geographic area of the Municipality of Brighton</i>
Westminster Chamber of Commerce	\$350,000	\$35,000	\$385,000	<i>For the purpose of administering Adams County Mini-Grant program in the geographic area of the Municipality of Westminster</i>

Notes:

- Grantee is the designated recipient organization receiving funds from Adams County
- Total Grants Award is the total amounts being awarded to individual Grantee; seen as sum of Sub-Allocations
- Sub-Allocations outlines funding reserved for specific purposes:
 - Small Business COVID-19 Mini-Grants is amount that must be funded entirely to business community in jurisdiction directly through Mini-Grants Program
 - Administrative Grant will be used within Grantee organization to cover administrative costs associated with participation in the Mini-Grant Program
- Justification outlines proposed use of funds and area of geographic coverage

**COVID-19 SMALL BUSINESS MINI-GRANTS PROGRAM
GRANT AGREEMENT PURSUANT TO THE CORONAVIRUS AID, RELIEF, AND ECONOMIC
SECURITY ACT (“CARES”)**

ATTACHMENT B

COVID-19 SMALL BUSINESS MINI-GRANTS ELIGIBILITY GUIDELINES

The purpose of the COVID-19 Small Business Mini-Grants Program is to provide short term capital in the form of business grants to small businesses of less than 25 employees and has direct physical interaction with customers at a physical business location, who are in the process of reopening after being closed or having severe business operation limitations as a direct result of COVID-19 and associated public health orders. The further purpose of COVID-19 Small Business Mini-Grants deployment is to provide small businesses capital to cover short-term working expenses incurred or soon to be incurred to change business operations, update technology, or handle compliance issues requirements to comply with social distancing requirements, public health orders and ensure health and safety of employees and customers;

All grants made from the COVID-19 Small Business Mini-Grants Program will be to businesses with their primary locations within the Program Area, as defined by the Agreement.

In order to be an Eligible Project of the COVID-19 Small Business Mini-Grants Program and receive a small business Mini-Grant:

1. At the time of application and throughout the term of the grant program, a business must have its primary office/headquarters or operations in the Program Area.
2. Business should have been open since at least December 31, 2019 or prior and must have 25 or fewer employees at the time of application and must adequately demonstrate a need for the Mini-Grant in application. The 25-employee count is determined by the total number of employees –which includes full time and part time employees (including employees managed through PEO) for each separate business entity.
3. The business must demonstrate direct and sizeable impact from COVID-19 and subsequent public health orders on operations, this can include, but is not limited to: verified loss of significant revenue, temporary business closure, staffing reductions, loss of sizeable market share or customer base, prohibition of physical operations during COVID-19.
4. Business owners may apply for up to one Mini-Grant per outlined category but will do so with a unique application for each category sought. It will be the discretion of the direct awarding entity (Grantee) whether to award an individual business applicant multiple categories or prioritize to other new business applicants. A business owner owning multiple businesses is eligible for only one Mini-Grant in each category, not one grant per business.
5. The business can not be in default or be actively planning default at the time of application, and in full and good faith be in the process of reopening operations.
6. Business must have direct physical in-person interaction with potential customers at a physical business location as the primary function of business operations. Home based businesses, fully remote/virtual businesses, non-profits, consulting/legal/accountancy/financial with primarily remote customer engagement, are ineligible. Home based businesses for the primary purposes of in-person education/childcare

GRANT AGREEMENT

customer services will be deemed eligible.

7. There are no restrictions on the type of business eligible for Mini-Grants so long as the activities of the business are legal and in the best interests of the community. Cannabis, 3rd party liquor sales, and adult entertainment businesses are ineligible.
 8. Franchise businesses and subsidiaries of national corporation may be eligible only if having a local ownership control model and can adequately demonstrate that no relevant support from franchised corporation or national partner was or will be available. Franchise owner oversees multiple local locations within Adams County, Mini-Grant application(s) will only be accepted for one location.
- A. COVID-19 Small Business Mini-Grants Categories. The COVID-19 Small Business Mini-Grants Program is divided into three (3) categories of Mini-Grant. Each has its own permitted use allowance and max funding levels outlined later in this section.
1. Mini-Grants for business operations (“COVID-19 Small Business Mini-Grants – Business Operations”)
 2. Mini-Grants for technology upgrades (“COVID-19 Small Business Mini-Grants – Technology”)
 3. Mini-Grants for support on compliance issues (“COVID-19 Small Business Mini-Grants – Compliance”)
- B. Permitted Uses of Mini-Grants. Mini-Grants permitted use are determined on their category. In all cases, it will be the judgement of the application review team if the business applicant’s proposal(s) match the sentiment of the category’s allowable uses:
1. Mini-Grants for business operations (“COVID-19 Small Business Mini-Grants – Business Operations”) have a permitted use of, but not limited to:
 - a. Building safety upgrades for the purpose of encouraging social distancing
 - b. Employee or customer safety (PPE, physical barriers, upgrades to air or filtration systems,
 - c. Other current safety requirements related to COVID-19 (testing)
 - d. For costs associated with enactment of COVID-19 specific operations plans
 2. Mini-Grants for technology upgrades (“COVID-19 Small Business Mini-Grants – Technology”) have a permitted use of, but not limited to:
 - a. Point of sale (POS) terminals or systems, including contactless payment systems
 - b. Touchless entry/exit for physical business location,
 - c. Temperature screening, etc.
 - d. Technology needs for enactment of COVID-19 specific operations plans
 3. Mini-Grants for support on compliance issues (“COVID-19 Small Business Mini-Grants – Compliance”) have a permitted use of, but not limited to:
 - a. Legal support or guidance directly resultant from operations during COVID-19
 - b. Consulting support directly resultant from operations during COVID-19
 - c. Expenses for preparation of variance requests to public health agencies
- C. Non-permitted Uses of Mini-Grants. All Mini-Grants categories may not be used to pay any of owner's or direct employee remuneration, including but not limited to wages, bonuses

GRANT AGREEMENT

and the like or to pay for legal expenses incurred in defending against a criminal violation, or to pay for penalties assessed for criminal or regulatory violations, or to pay adverse civil judgments stemming from operation of the business. Mini-Grants may not be used to pay for other business activities outside of COVID-19 impacted operations and reopening efforts and must be in line with the proposals outlined in the business's approved application. Should a business wish to alter the use of award Mini-Grant funds to another function of COVID-19 impacted operations and reopening efforts, prior approval from fund overseeing authority (Chamber or Partner who approved application and awarded funds) will be necessary prior to expenditure. Grants shall not be used to pay fees, assessments, liens or penalties due to the failure of the business to collect or remit applicable taxes when due. Uses incompatible with or illegal under local or federal regulatory authority will not be permitted.

- D. Maximum Mini-Grant Award Amount. The maximum amount of each Mini-Grant will be dependent on category:
1. Mini-Grants for business operations ("COVID-19 Small Business Mini-Grants – Business Operations") have a maximum award value of \$2,500 per business applicant.
 2. Mini-Grants for technology upgrades ("COVID-19 Small Business Mini-Grants – Technology") have a maximum award value of \$1,000 per business applicant.
 3. Mini-Grants for support on compliance issues ("COVID-19 Small Business Mini-Grants – Compliance") have a maximum award value of \$1,000 per business applicant.
- E. Application of Mini-Grant Funding. Eligible businesses will use an application process standardized across Adams County and all partnership agreements under the COVID-19 Small Business Mini-Grants Program. An eligible business will need to apply independently for each Mini-Grant category sought (Operations, Technology, Compliance). Information requested of the business applicant will include:
1. Business address and contact information
 2. Copy of Driver's License or state-issued ID
 3. Copy of "active" state business registration from Colorado Secretary of State, which can be found using the following link ([link to website](#)). A screenshot with most recent information will suffice as proof.
 4. [IRS Form W-9 \(Download\)](#)
 5. Documented loss of revenue. The business must have experienced a significant loss of revenue and be in the process of reopening to be eligible for a grant.
 - i. The business will provide their estimate of revenue loss due to COVID-19, using best and good faith judgment to estimate how its revenue was impacted by comparing sales this year to sales last year, or if a newer business, comparing actual current sales to projected current sales.
 6. Brief description of current business reopening plans, including timelines and milestones
 7. Number of employees now and prior to pandemic (Prior to March 1, 2020)
 8. Years in business operation at location
 9. Any other business locations within Adams County
 10. Description and budget showing how the Mini-Grant will be used and the proposed

GRANT AGREEMENT

impact provided for that specific category

- F. Term of Mini-Grant. Upon successful application, eligible businesses should receive their awarded funding in one lump payment within 10 business days. Mini-Grant funding awarded must be used by applicant within a maximum of 30 calendar days for new expense costs, or recently incurred costs (within the last 30 calendar days) as described in their application proposal. Any substantial deviation from this usage must receive prior authorization from awarding entity. Successful business applicants will also be required to legally comply with the reporting requirements outlined below.
- G. Reporting Requirements of Mini-Grant. Within a maximum of 30 calendar days of receiving grant award funding, the successful applicant must provide documented evidence of grant funding being used in a manner outlined in their application proposal. This evidence can be in the form of, but not limited to, receipts of work, receipts of purchase, photographs, or on-site compliance checks.



PUBLIC HEARING AGENDA ITEM

DATE OF PUBLIC HEARING: 6/16/2020
SUBJECT: RESOLUTION APPROVING AGREEMENTS TO ADMINISTER COVID-19 MINI GRANT PROGRAM TO ASSIST BUSINESSES IN ADAMS COUNTY AFFECTED BY THE COVID-19 PANDEMIC
FROM: Maxwell Daffron / Ryan Nalty
AGENCY/DEPARTMENT: Community and Economic Development
HEARD AT STUDY SESSION ON: June 2, 2020
AUTHORIZATION TO MOVE FORWARD: <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
RECOMMENDED ACTION: Allow for Adams County to enter into grant agreements with Local Chambers of Commerce to administer COVID-19 Mini Grant Program.

BACKGROUND:

The purpose of the COVID-19 Small Business Mini-Grants Program is to provide short term capital in the form of business grants to small businesses of less than 25 employees and has direct physical interaction with customers at a physical business location, who are in the process of reopening after being closed or having severe business operation limitations as a direct result of COVID-19 and associated public health orders. Additionally, the COVID-19 Small Business Mini-Grants deployment is to provide small businesses capital to cover short-term working expenses incurred or soon to be incurred to change business operations, update technology, or handle compliance issues requirements to comply with social distancing requirements, public health orders and ensure health and safety of employees and customers. The program will be administered by local Chambers of Commerce who will review grant applications and disburse CARES Act funds on behalf of the County.

AGENCIES, DEPARTMENTS OR OTHER OFFICES INVOLVED:

- Adams County Regional Economic Partnership (ACREP)
- Arvada Chamber of Commerce
- Aurora Chamber of Commerce

- Commerce City Chamber of Commerce
- Greater Brighton Chamber of Commerce
- Westminster Chamber of Commerce

ATTACHED DOCUMENTS:

- Resolutions for each mini grant agreement.
- Copy of Form Mini Grant Agreement.

FISCAL IMPACT:

Please check if there is no fiscal impact . If there is fiscal impact, please fully complete the section below.

Fund: 0001
Cost Center: 9263

	Object Account	Subledger	Amount
Current Budgeted Revenue:			
Additional Revenue not included in Current Budget:			
Total Revenues:			

	Object Account	Subledger	Amount
Current Budgeted Operating Expenditure:	8810		\$50,000,000
Add'l Operating Expenditure not included in Current Budget:			
Current Budgeted Capital Expenditure:			
Add'l Capital Expenditure not included in Current Budget:			
Total Expenditures:			\$50,000,000

New FTEs requested: YES NO

Future Amendment Needed: YES NO

Additional Note:

Funding for the Mini Grant program is gained from Federal CARES ACT money designated to government agencies to assist businesses in COVID-19 response.

BOARD OF COUNTY COMMISSIONERS FOR
ADAMS COUNTY, STATE OF COLORADO

RESOLUTION APPROVING AGREEMENT BETWEEN ADAMS COUNTY AND THE GREATER BRIGHTON CHAMBER OF COMMERCE TO ADMINISTER COVID-19 MINI GRANT PROGRAM TO ASSIST BUSINESSES IN ADAMS COUNTY AFFECTED BY THE COVID-19 PANDEMIC

WHEREAS, Adams County ("County") wishes to support small businesses suffering financial strain from the COVID-19 pandemic; and,

WHEREAS, the Board of County Commissioners believes that dedicated action is essential to assist the business community with recovery efforts associated with COVID19; and,

WHEREAS, the County wishes to utilize additional CARES ACT funds to provide relief to COVID-19 impacted small businesses in Adams County in the form of "Mini Grants" that will allow for businesses to update business operations, upgrade technology, and address compliance issues related to operating in a COVID-19 environment; and,

WHEREAS, The County has partnered with multiple community Chambers of Commerce to administer the mini grant program to COVID-19 impacted small businesses based on the terms and conditions of the attached grant agreement.

NOW, THEREFORE BE IT RESOLVED, by the Board of County Commissioners, County of Adams, State of Colorado, that the Mini Grant Agreement for COVID-19 Relief between Adams County and The Greater Brighton Chamber of Commerce, a copy of which is attached, is hereby approved.

COVID-19 SMALL BUSINESS MINI-GRANTS PROGRAM
GRANT AGREEMENT PURSUANT TO THE CORONAVIRUS AID, RELIEF, AND ECONOMIC
SECURITY ACT (“CARES”)

THIS GRANT AGREEMENT (the “Agreement”) is made this _____ day of June, 2020, (“Effective Date”) by and between **Adams County, Colorado** (“Grantor”) and the **Greater Brighton Chamber of Commerce**, a Colorado 501c-6 (“Grantee”). Grantor and Grantee shall be referred to herein collectively as the “Parties”.

1. **Grant Amount.** Grantor agrees to provide, and Grantee agrees to receive, an overall grant in the aggregate amount (“Total Grant”) shown for the grantee in Attachment A of this agreement, pursuant to the terms provided herein. The total grant will be disbursed to the Grantee within 5 business days of the Effective Date, subject to all terms, provisions, conditions, covenants, and agreements contained in this Agreement.
2. The total grant funds disbursed pursuant to this Agreement are federal CARES funds. Grantee shall comply with all applicable CARES legislation, regulations, and guidance issued by the federal government. The total grant is the sum of two sub-allocations to the Grantee, each with a specific use. A breakdown showing the sub-allocations can be found in Attachment A.
 - a. Grant funds directed towards the business community (“COVID-19 Small Business Mini-Grants”). These funds shall be used for funding grants to eligible and qualified small businesses located in jurisdictional area of the Municipality of Brighton (“Program Area”) in accordance with the criteria and purpose described COVID-19 Small Business Mini-Grants Eligibility Guidelines in Attachment B (“Eligible Projects”).
 - b. Grant funds directed toward internal administrative support of program by Grantee (“Administrative Grant”). These funds shall be used for administrative costs of Grantee for the administering of the Mini-Grants. The Grantee may also use the Administrative Grants for the purpose of hiring 3rd party staff or support in order to fulfill necessary requirements of this agreement and the overall program.
3. **Maximum Grant Amount of COVID-19 Small Business Mini-Grants.** The maximum amount allowed for each Mini-Grant will depend on which of the three (3) categories of Mini-Grant the eligible business applicant has sought.
 - a. Mini-Grants for business operations (“COVID-19 Small Business Mini-Grants – Business Operations”) have a maximum award value of \$2,500 per business applicant.
 - b. Mini-Grants for technology upgrades (“COVID-19 Small Business Mini-Grants – Technology”) have a maximum award value of \$1,000 per business applicant.
 - c. Mini-Grants for support on compliance issues (“COVID-19 Small Business Mini-Grants – Compliance”) have a maximum award value of \$1,000 per business applicant.
4. **Performance Period.** Grantee must disburse 100% of the COVID-19 Small Business Mini-Grants for Eligible Projects by 12:01AM on November 1, 2020. If this requirement is not met, Grantor may require any unused portion of the COVID-19 Small Business

GRANT AGREEMENT

Mini-Grants, to be returned to Grantor. All Administrative Grant funds which Grantee has either disbursed or pledged by agreement to third part recipients will be considered earned and non-refundable as of the date such funds were disbursed or pledged. The Administrative Grant will be considered earned and non-refundable as of 60 calendar days after Effective Date.

5. Promotion of COVID-19 Small Business Mini-Grants Program. Grantee and Grantor shall each have the right to promote the Mini-Grants and include in their respective organization's materials or reports information. The Grantee will be required to use the Adams County Response and Recovery logo(s) in all relevant marketing efforts
6. The Parties agree as follows:
 - a. All COVID-19 Small Business Mini-Grants funds will be utilized under the COVID-19 Small Business Mini-Grants Program for grants to qualified small businesses of 25 employees or less located in Program Area in accordance with this Agreement and the COVID-19 Small Business Mini-Grants Eligibility Guidelines, attached as Attachment B.
 - b. During the Performance Period, Grantee shall endeavor to achieve the following business engagement procedures and timelines to allow for effective and timely use of Mini-Grant funds by successful business applicants.
 - i. If a business application for a Mini-Grant is successful and COVID-19 Small Business Mini-Grants funds are available, the Grantee will notify the business of its application success, receiving any other necessary documents, and providing the necessary funds to the business through an appropriate financial transaction.
 - ii. If a business application is not successful and/or COVID-19 Small Business Mini-Grants funds are no longer available, the Grantee will notify the business of its application rejection and handling any relevant follow up discussion with the business, if needed.
 - c. During the Performance, Grantee shall provide Mini-Grant monthly activity and impact reports to Grantor every 30 days by means of email. Monthly reports will include, COVID-19 Small Business Mini-Grants current balance, monthly application totals (received, approved, rejected), monthly individual Mini-Grant category application totals (received, approved, rejected), and list of business successfully receiving any Mini-Grant (Business Name, Address, Grant Type, Award Amount, short summary of planned impact provided by each successful applicant.
 - d. During the Performance Period, Grantee shall provide a final overall Mini-Grant activity and impact report to Grantor within 30 days of COVID-19 Small Business Mini-Grants funds exhaustion and the final financial transaction to a business applicant, or at the close of Performance Period, whichever comes first. This final report to Grantor will summarize the total impact of the Program including, COVID-19 Small Business Mini-Grants current balance, Mini-Grant application totals (received, approved, rejected), individual Mini-Grant category application totals (received, approved, rejected), and list of business successfully receiving a Mini-Grant (Business Name, Address, Grant Type, Award Amount, short summary of planned impact by each successful applicant, and documentation

GRANT AGREEMENT

showing the final impact from each successful applicant.

- e. With the grant funding structure, there is no expectation of repayment of Mini-Grants by successful business applicants to Grantee or Grantor if found to have truthfully and legal applied for grant funds. Grantee shall be solely responsible for retrieving funds for any application determined to be fraudulent after consultation with Grantor based on the facts of the individual case.
 - f. Grantee shall use funds in the COVID-19 Small Business Mini-Grants Program in compliance with all applicable laws, rules, regulations, and other legal requirements.
 - g. No term or condition of this Agreement shall be construed or interpreted as a waiver, express or implied, of any of the immunities, rights, benefits, protections or other provisions of the Colorado Governmental Immunity Act, C.R.S. §§ 24-10-101, et seq.
7. Conditions. Grantee shall be subject to the following conditions as of the Effective Date
- a. The Grantee shall familiarize itself with, and shall adhere to, all current and subsequent legislation, rules, and regulations in conjunction with use of CARES Act funds. In the event of non-compliance with its legislative and regulatory mandates, the federal government may seek reimbursement of funds it deems were not spent in compliance with its legislation and rules. In the event the of this reimbursement of funds spent by Grantee, the Grantee shall be solely responsible for reimbursing said funds.
8. Miscellaneous Provisions.
- a. This Agreement is not intended to benefit any person or entity other than the Grantee and Grantor and no other person or entity may rely on the terms hereof.
 - b. The Grantee may seek to garner or encourage additional financial support for the COVID-19 Small Business Mini-Grants through engagement with other public partners, but can in no way alter the stated purpose or Eligible Guidelines of the COVID-19 Small Business Mini-Grants Program in order to solicit or incorporate those non-Grantor funds. This Agreement will remain paramount in all operations for the program and use of the funds allocated through this Agreement.
 - c. Grantee shall not discriminate against any person on the basis of race, color, religion, sex, national origin, disability, age, or veteran status, sexual orientation or any other basis prohibited by law in the use of Grant Funds, administration of the COVID-19 Small Business Mini-Grants.
 - d. Grantee shall not assign or attempt to assign, any of its rights under this Agreement without the prior written consent of Grantor. The Grantee shall not convey or assign any portion of the Grant Funds, except as permitted hereunder under the COVID-19 Small Business Mini-Grants, prior to the completion of the Compliance Period without the prior written consent of the Grantor.
 - e. This Agreement contains the entire agreement between the Parties and supersedes all prior discussions, understandings and agreements regarding

GRANT AGREEMENT

grants to allay COVID-19 impacts and support the business community. Neither this Agreement nor any provision hereof may be changed, waived, discharged, or terminated orally and may only be modified or amended in writing, signed by the Parties.

f. Grantee shall defend, indemnify and save harmless the Grantor from and against all losses, claims, suits, judgments or liabilities incurred as a result of its activities pursuant to this Agreement, and as part of such indemnification obligation shall pay all costs and attorney's fees, if any, incurred by the Grantor as a result of any such claims or suits. Venue for any dispute between the parties shall be in Adams County, Colorado.

g. All notices shall be in writing and shall be deemed to have been sufficiently given or served when presented personally, by email, or by mail to designated contact set forth herein. Such addresses may be changed by notice to the other party given the same manner.

The terms and conditions of this Agreement shall be governed by the construed in accordance with the laws of the State of Colorado, excluding its conflicts of law provisions.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the date first above written.

GRANTEE:

By: _____
President, CEO

Attest:

By: _____

GRANTOR:

By: _____
County Manager

Attest:

By: _____

COVID-19 SMALL BUSINESS MINI-GRANTS PROGRAM
GRANT AGREEMENT PURSUANT TO THE CORONAVIRUS AID, RELIEF, AND ECONOMIC SECURITY ACT (“CARES”)

ATTACHMENT A

Designated Grantee	Sub-Allocations		Total Grant Award	Justification
	Small Business COVID-19 Mini-Grants	Administrative Grant		
Adams County Regional Economic Partnership (ACREP)	\$975,000	\$97,500	\$1,072,500	<i>For the purpose of administering Adams County Mini-Grant program in the geographic area of Thornton, Northglenn, Federal Heights, Bennett, and Unincorporated Adams County (and all towns contained within)</i>
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Notes:

- Grantee is the designated recipient organization receiving funds from Adams County
- Total Grants Award is the total amounts being awarded to individual Grantee; seen as sum of Sub-Allocations
- Sub-Allocations outlines funding reserved for specific purposes:
 - Small Business COVID-19 Mini-Grants is amount that must be funded entirely to business community in jurisdiction directly through Mini-Grants Program
 - Administrative Grant will be used within Grantee organization to cover administrative costs associated with participation in the Mini-Grant Program
- Justification outlines proposed use of funds and area of geographic coverage

**COVID-19 SMALL BUSINESS MINI-GRANTS PROGRAM
GRANT AGREEMENT PURSUANT TO THE CORONAVIRUS AID, RELIEF, AND ECONOMIC
SECURITY ACT (“CARES”)**

ATTACHMENT B

COVID-19 SMALL BUSINESS MINI-GRANTS ELIGIBILITY GUIDELINES

The purpose of the COVID-19 Small Business Mini-Grants Program is to provide short term capital in the form of business grants to small businesses of less than 25 employees and has direct physical interaction with customers at a physical business location, who are in the process of reopening after being closed or having severe business operation limitations as a direct result of COVID-19 and associated public health orders. The further purpose of COVID-19 Small Business Mini-Grants deployment is to provide small businesses capital to cover short-term working expenses incurred or soon to be incurred to change business operations, update technology, or handle compliance issues requirements to comply with social distancing requirements, public health orders and ensure health and safety of employees and customers;

All grants made from the COVID-19 Small Business Mini-Grants Program will be to businesses with their primary locations within the Program Area, as defined by the Agreement.

In order to be an Eligible Project of the COVID-19 Small Business Mini-Grants Program and receive a small business Mini-Grant:

1. At the time of application and throughout the term of the grant program, a business must have its primary office/headquarters or operations in the Program Area.
2. Business should have been open since at least December 31, 2019 or prior and must have 25 or fewer employees at the time of application and must adequately demonstrate a need for the Mini-Grant in application. The 25-employee count is determined by the total number of employees –which includes full time and part time employees (including employees managed through PEO) for each separate business entity.
3. The business must demonstrate direct and sizeable impact from COVID-19 and subsequent public health orders on operations, this can include, but is not limited to: verified loss of significant revenue, temporary business closure, staffing reductions, loss of sizeable market share or customer base, prohibition of physical operations during COVID-19.
4. Business owners may apply for up to one Mini-Grant per outlined category but will do so with a unique application for each category sought. It will be the discretion of the direct awarding entity (Grantee) whether to award an individual business applicant multiple categories or prioritize to other new business applicants. A business owner owning multiple businesses is eligible for only one Mini-Grant in each category, not one grant per business.
5. The business can not be in default or be actively planning default at the time of application, and in full and good faith be in the process of reopening operations.
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customer services will be deemed eligible.

7. There are no restrictions on the type of business eligible for Mini-Grants so long as the activities of the business are legal and in the best interests of the community. Cannabis, 3rd party liquor sales, and adult entertainment businesses are ineligible.
 8. Franchise businesses and subsidiaries of national corporation may be eligible only if having a local ownership control model and can adequately demonstrate that no relevant support from franchised corporation or national partner was or will be available. Franchise owner oversees multiple local locations within Adams County, Mini-Grant application(s) will only be accepted for one location.
- A. COVID-19 Small Business Mini-Grants Categories. The COVID-19 Small Business Mini-Grants Program is divided into three (3) categories of Mini-Grant. Each has its own permitted use allowance and max funding levels outlined later in this section.
1. Mini-Grants for business operations (“COVID-19 Small Business Mini-Grants – Business Operations”)
 2. Mini-Grants for technology upgrades (“COVID-19 Small Business Mini-Grants – Technology”)
 3. Mini-Grants for support on compliance issues (“COVID-19 Small Business Mini-Grants – Compliance”)
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 - c. Other current safety requirements related to COVID-19 (testing)
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- C. Non-permitted Uses of Mini-Grants. All Mini-Grants categories may not be used to pay any of owner's or direct employee remuneration, including but not limited to wages, bonuses

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and the like or to pay for legal expenses incurred in defending against a criminal violation, or to pay for penalties assessed for criminal or regulatory violations, or to pay adverse civil judgments stemming from operation of the business. Mini-Grants may not be used to pay for other business activities outside of COVID-19 impacted operations and reopening efforts and must be in line with the proposals outlined in the business's approved application. Should a business wish to alter the use of award Mini-Grant funds to another function of COVID-19 impacted operations and reopening efforts, prior approval from fund overseeing authority (Chamber or Partner who approved application and awarded funds) will be necessary prior to expenditure. Grants shall not be used to pay fees, assessments, liens or penalties due to the failure of the business to collect or remit applicable taxes when due. Uses incompatible with or illegal under local or federal regulatory authority will not be permitted.

- D. Maximum Mini-Grant Award Amount. The maximum amount of each Mini-Grant will be dependent on category:
1. Mini-Grants for business operations ("COVID-19 Small Business Mini-Grants – Business Operations") have a maximum award value of \$2,500 per business applicant.
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- E. Application of Mini-Grant Funding. Eligible businesses will use an application process standardized across Adams County and all partnership agreements under the COVID-19 Small Business Mini-Grants Program. An eligible business will need to apply independently for each Mini-Grant category sought (Operations, Technology, Compliance). Information requested of the business applicant will include:
1. Business address and contact information
 2. Copy of Driver's License or state-issued ID
 3. Copy of "active" state business registration from Colorado Secretary of State, which can be found using the following link ([link to website](#)). A screenshot with most recent information will suffice as proof.
 4. [IRS Form W-9 \(Download\)](#)
 5. Documented loss of revenue. The business must have experienced a significant loss of revenue and be in the process of reopening to be eligible for a grant.
 - i. The business will provide their estimate of revenue loss due to COVID-19, using best and good faith judgment to estimate how its revenue was impacted by comparing sales this year to sales last year, or if a newer business, comparing actual current sales to projected current sales.
 6. Brief description of current business reopening plans, including timelines and milestones
 7. Number of employees now and prior to pandemic (Prior to March 1, 2020)
 8. Years in business operation at location
 9. Any other business locations within Adams County
 10. Description and budget showing how the Mini-Grant will be used and the proposed

GRANT AGREEMENT

impact provided for that specific category

- F. Term of Mini-Grant. Upon successful application, eligible businesses should receive their awarded funding in one lump payment within 10 business days. Mini-Grant funding awarded must be used by applicant within a maximum of 30 calendar days for new expense costs, or recently incurred costs (within the last 30 calendar days) as described in their application proposal. Any substantial deviation from this usage must receive prior authorization from awarding entity. Successful business applicants will also be required to legally comply with the reporting requirements outlined below.
- G. Reporting Requirements of Mini-Grant. Within a maximum of 30 calendar days of receiving grant award funding, the successful applicant must provide documented evidence of grant funding being used in a manner outlined in their application proposal. This evidence can be in the form of, but not limited to, receipts of work, receipts of purchase, photographs, or on-site compliance checks.



PUBLIC HEARING AGENDA ITEM

DATE OF PUBLIC HEARING: 6/16/2020
SUBJECT: RESOLUTION APPROVING AGREEMENTS TO ADMINISTER COVID-19 MINI GRANT PROGRAM TO ASSIST BUSINESSES IN ADAMS COUNTY AFFECTED BY THE COVID-19 PANDEMIC
FROM: Maxwell Daffron / Ryan Nalty
AGENCY/DEPARTMENT: Community and Economic Development
HEARD AT STUDY SESSION ON: June 2, 2020
AUTHORIZATION TO MOVE FORWARD: <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
RECOMMENDED ACTION: Allow for Adams County to enter into grant agreements with Local Chambers of Commerce to administer COVID-19 Mini Grant Program.

BACKGROUND:

The purpose of the COVID-19 Small Business Mini-Grants Program is to provide short term capital in the form of business grants to small businesses of less than 25 employees and has direct physical interaction with customers at a physical business location, who are in the process of reopening after being closed or having severe business operation limitations as a direct result of COVID-19 and associated public health orders. Additionally, the COVID-19 Small Business Mini-Grants deployment is to provide small businesses capital to cover short-term working expenses incurred or soon to be incurred to change business operations, update technology, or handle compliance issues requirements to comply with social distancing requirements, public health orders and ensure health and safety of employees and customers. The program will be administered by local Chambers of Commerce who will review grant applications and disburse CARES Act funds on behalf of the County.

AGENCIES, DEPARTMENTS OR OTHER OFFICES INVOLVED:

- Adams County Regional Economic Partnership (ACREP)
- Arvada Chamber of Commerce
- Aurora Chamber of Commerce

- Commerce City Chamber of Commerce
- Greater Brighton Chamber of Commerce
- Westminster Chamber of Commerce

ATTACHED DOCUMENTS:

- Resolutions for each mini grant agreement.
- Copy of Form Mini Grant Agreement.

FISCAL IMPACT:

Please check if there is no fiscal impact . If there is fiscal impact, please fully complete the section below.

Fund: 00001
Cost Center: 9263

	Object Account	Subledger	Amount
Current Budgeted Revenue:			
Additional Revenue not included in Current Budget:			
Total Revenues:			

	Object Account	Subledger	Amount
Current Budgeted Operating Expenditure:	8810		\$50,000,000
Add'l Operating Expenditure not included in Current Budget:			
Current Budgeted Capital Expenditure:			
Add'l Capital Expenditure not included in Current Budget:			
Total Expenditures:			\$50,000,000

New FTEs requested: YES NO

Future Amendment Needed: YES NO

Additional Note:

Funding for the Mini Grant program is gained from Federal CARES ACT money designated to government agencies to assist businesses in COVID-19 response.

BOARD OF COUNTY COMMISSIONERS FOR
ADAMS COUNTY, STATE OF COLORADO

RESOLUTION APPROVING AGREEMENT BETWEEN ADAMS COUNTY AND THE COMMERCE CITY CHAMBER
OF COMMERCE TO ADMINISTER COVID-19 MINI GRANT PROGRAM TO ASSIST BUSINESSES IN ADAMS
COUNTY AFFECTED BY THE COVID-19 PANDEMIC

WHEREAS, Adams County ("County") wishes to support small businesses suffering financial strain from the COVID-19 pandemic; and,

WHEREAS, the Board of County Commissioners believes that dedicated action is essential to assist the business community with recovery efforts associated with COVID19; and,

WHEREAS, the County wishes to utilize additional CARES ACT funds to provide relief to COVID-19 impacted small businesses in Adams County in the form of "Mini Grants" that will allow for businesses to update business operations, upgrade technology, and address compliance issues related to operating in a COVID-19 environment; and,

WHEREAS, The County has partnered with multiple community Chambers of Commerce to administer the mini grant program to COVID-19 impacted small businesses based on the terms and conditions of the attached grant agreement.

NOW, THEREFORE BE IT RESOLVED, by the Board of County Commissioners, County of Adams, State of Colorado, that the Mini Grant Agreement for COVID-19 Relief between Adams County and The Commerce City Chamber of Commerce, a copy of which is attached, is hereby approved.

COVID-19 SMALL BUSINESS MINI-GRANTS PROGRAM
GRANT AGREEMENT PURSUANT TO THE CORONAVIRUS AID, RELIEF, AND ECONOMIC
SECURITY ACT (“CARES”)

THIS GRANT AGREEMENT (the “Agreement”) is made this _____ day of June, 2020, (“Effective Date”) by and between **Adams County, Colorado** (“Grantor”) and the **Commerce City Chamber of Commerce**, a Colorado 501c-6 (“Grantee”). Grantor and Grantee shall be referred to herein collectively as the “Parties”.

1. **Grant Amount.** Grantor agrees to provide, and Grantee agrees to receive, an overall grant in the aggregate amount (“Total Grant”) shown for the grantee in Attachment A of this agreement, pursuant to the terms provided herein. The total grant will be disbursed to the Grantee within 5 business days of the Effective Date, subject to all terms, provisions, conditions, covenants, and agreements contained in this Agreement.
2. The total grant funds disbursed pursuant to this Agreement are federal CARES funds. Grantee shall comply with all applicable CARES legislation, regulations, and guidance issued by the federal government. The total grant is the sum of two sub-allocations to the Grantee, each with a specific use. A breakdown showing the sub-allocations can be found in Attachment A.
 - a. Grant funds directed towards the business community (“COVID-19 Small Business Mini-Grants”). These funds shall be used for funding grants to eligible and qualified small businesses located in jurisdictional area of the Municipality of Commerce City (“Program Area”) in accordance with the criteria and purpose described COVID-19 Small Business Mini-Grants Eligibility Guidelines in Attachment B (“Eligible Projects”).
 - b. Grant funds directed toward internal administrative support of program by Grantee (“Administrative Grant”). These funds shall be used for administrative costs of Grantee for the administering of the Mini-Grants. The Grantee may also use the Administrative Grants for the purpose of hiring 3rd party staff or support in order to fulfill necessary requirements of this agreement and the overall program.
3. **Maximum Grant Amount of COVID-19 Small Business Mini-Grants.** The maximum amount allowed for each Mini-Grant will depend on which of the three (3) categories of Mini-Grant the eligible business applicant has sought.
 - a. Mini-Grants for business operations (“COVID-19 Small Business Mini-Grants – Business Operations”) have a maximum award value of \$2,500 per business applicant.
 - b. Mini-Grants for technology upgrades (“COVID-19 Small Business Mini-Grants – Technology”) have a maximum award value of \$1,000 per business applicant.
 - c. Mini-Grants for support on compliance issues (“COVID-19 Small Business Mini-Grants – Compliance”) have a maximum award value of \$1,000 per business applicant.
4. **Performance Period.** Grantee must disburse 100% of the COVID-19 Small Business Mini-Grants for Eligible Projects by 12:01AM on November 1, 2020. If this requirement is not met, Grantor may require any unused portion of the COVID-19 Small Business

GRANT AGREEMENT

Mini-Grants, to be returned to Grantor. All Administrative Grant funds which Grantee has either disbursed or pledged by agreement to third part recipients will be considered earned and non-refundable as of the date such funds were disbursed or pledged. The Administrative Grant will be considered earned and non-refundable as of 60 calendar days after Effective Date.

5. Promotion of COVID-19 Small Business Mini-Grants Program. Grantee and Grantor shall each have the right to promote the Mini-Grants and include in their respective organization's materials or reports information. The Grantee will be required to use the Adams County Response and Recovery logo(s) in all relevant marketing efforts
6. The Parties agree as follows:
 - a. All COVID-19 Small Business Mini-Grants funds will be utilized under the COVID-19 Small Business Mini-Grants Program for grants to qualified small businesses of 25 employees or less located in Program Area in accordance with this Agreement and the COVID-19 Small Business Mini-Grants Eligibility Guidelines, attached as Attachment B.
 - b. During the Performance Period, Grantee shall endeavor to achieve the following business engagement procedures and timelines to allow for effective and timely use of Mini-Grant funds by successful business applicants.
 - i. If a business application for a Mini-Grant is successful and COVID-19 Small Business Mini-Grants funds are available, the Grantee will notify the business of its application success, receiving any other necessary documents, and providing the necessary funds to the business through an appropriate financial transaction.
 - ii. If a business application is not successful and/or COVID-19 Small Business Mini-Grants funds are no longer available, the Grantee will notify the business of its application rejection and handling any relevant follow up discussion with the business, if needed.
 - c. During the Performance, Grantee shall provide Mini-Grant monthly activity and impact reports to Grantor every 30 days by means of email. Monthly reports will include, COVID-19 Small Business Mini-Grants current balance, monthly application totals (received, approved, rejected), monthly individual Mini-Grant category application totals (received, approved, rejected), and list of business successfully receiving any Mini-Grant (Business Name, Address, Grant Type, Award Amount, short summary of planned impact provided by each successful applicant.
 - d. During the Performance Period, Grantee shall provide a final overall Mini-Grant activity and impact report to Grantor within 30 days of COVID-19 Small Business Mini-Grants funds exhaustion and the final financial transaction to a business applicant, or at the close of Performance Period, whichever comes first. This final report to Grantor will summarize the total impact of the Program including, COVID-19 Small Business Mini-Grants current balance, Mini-Grant application totals (received, approved, rejected), individual Mini-Grant category application totals (received, approved, rejected), and list of business successfully receiving a Mini-Grant (Business Name, Address, Grant Type, Award Amount, short summary of planned impact by each successful applicant, and documentation

GRANT AGREEMENT

showing the final impact from each successful applicant.

- e. With the grant funding structure, there is no expectation of repayment of Mini-Grants by successful business applicants to Grantee or Grantor if found to have truthfully and legal applied for grant funds. Grantee shall be solely responsible for retrieving funds for any application determined to be fraudulent after consultation with Grantor based on the facts of the individual case.
 - f. Grantee shall use funds in the COVID-19 Small Business Mini-Grants Program in compliance with all applicable laws, rules, regulations, and other legal requirements.
 - g. No term or condition of this Agreement shall be construed or interpreted as a waiver, express or implied, of any of the immunities, rights, benefits, protections or other provisions of the Colorado Governmental Immunity Act, C.R.S. §§ 24-10-101, et seq.
7. Conditions. Grantee shall be subject to the following conditions as of the Effective Date
- a. The Grantee shall familiarize itself with, and shall adhere to, all current and subsequent legislation, rules, and regulations in conjunction with use of CARES Act funds. In the event of non-compliance with its legislative and regulatory mandates, the federal government may seek reimbursement of funds it deems were not spent in compliance with its legislation and rules. In the event the of this reimbursement of funds spent by Grantee, the Grantee shall be solely responsible for reimbursing said funds.
8. Miscellaneous Provisions.
- a. This Agreement is not intended to benefit any person or entity other than the Grantee and Grantor and no other person or entity may rely on the terms hereof.
 - b. The Grantee may seek to garner or encourage additional financial support for the COVID-19 Small Business Mini-Grants through engagement with other public partners, but can in no way alter the stated purpose or Eligible Guidelines of the COVID-19 Small Business Mini-Grants Program in order to solicit or incorporate those non-Grantor funds. This Agreement will remain paramount in all operations for the program and use of the funds allocated through this Agreement.
 - c. Grantee shall not discriminate against any person on the basis of race, color, religion, sex, national origin, disability, age, or veteran status, sexual orientation or any other basis prohibited by law in the use of Grant Funds, administration of the COVID-19 Small Business Mini-Grants.
 - d. Grantee shall not assign or attempt to assign, any of its rights under this Agreement without the prior written consent of Grantor. The Grantee shall not convey or assign any portion of the Grant Funds, except as permitted hereunder under the COVID-19 Small Business Mini-Grants, prior to the completion of the Compliance Period without the prior written consent of the Grantor.
 - e. This Agreement contains the entire agreement between the Parties and supersedes all prior discussions, understandings and agreements regarding

GRANT AGREEMENT

grants to allay COVID-19 impacts and support the business community. Neither this Agreement nor any provision hereof may be changed, waived, discharged, or terminated orally and may only be modified or amended in writing, signed by the Parties.

f. Grantee shall defend, indemnify and save harmless the Grantor from and against all losses, claims, suits, judgments or liabilities incurred as a result of its activities pursuant to this Agreement, and as part of such indemnification obligation shall pay all costs and attorney's fees, if any, incurred by the Grantor as a result of any such claims or suits. Venue for any dispute between the parties shall be in Adams County, Colorado.

g. All notices shall be in writing and shall be deemed to have been sufficiently given or served when presented personally, by email, or by mail to designated contact set forth herein. Such addresses may be changed by notice to the other party given the same manner.

The terms and conditions of this Agreement shall be governed by the construed in accordance with the laws of the State of Colorado, excluding its conflicts of law provisions.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the date first above written.

GRANTEE:

By: _____
President, CEO

Attest:

By: _____

GRANTOR:

By: _____
County Manager

Attest:

By: _____

COVID-19 SMALL BUSINESS MINI-GRANTS PROGRAM
GRANT AGREEMENT PURSUANT TO THE CORONAVIRUS AID, RELIEF, AND ECONOMIC SECURITY ACT (“CARES”)

ATTACHMENT A

Designated Grantee	Sub-Allocations		Total Grant Award	Justification
	Small Business COVID-19 Mini-Grants	Administrative Grant		
Adams County Regional Economic Partnership (ACREP)	\$975,000	\$97,500	\$1,072,500	<i>For the purpose of administering Adams County Mini-Grant program in the geographic area of Thornton, Northglenn, Federal Heights, Bennett, and Unincorporated Adams County (and all towns contained within)</i>
Arvada Chamber of Commerce	\$125,000	\$12,500	\$137,500	<i>For the purpose of administering Adams County Mini-Grant program in the geographic area of the Municipality of Arvada</i>
Aurora Chamber of Commerce	\$350,000	\$35,000	\$385,000	<i>For the purpose of administering Adams County Mini-Grant program in the geographic area of the Municipality of Aurora (contained within Adams County)</i>
Commerce City Chamber of Commerce	\$375,000	\$37,500	\$412,500	<i>For the purpose of administering Adams County Mini-Grant program in the geographic area of the Municipality of Commerce City</i>
Greater Brighton Chamber of Commerce	\$325,000	\$32,500	\$357,500	<i>For the purpose of administering Adams County Mini-Grant program in the geographic area of the Municipality of Brighton</i>
Westminster Chamber of Commerce	\$350,000	\$35,000	\$385,000	<i>For the purpose of administering Adams County Mini-Grant program in the geographic area of the Municipality of Westminster</i>

Notes:

- Grantee is the designated recipient organization receiving funds from Adams County
- Total Grants Award is the total amounts being awarded to individual Grantee; seen as sum of Sub-Allocations
- Sub-Allocations outlines funding reserved for specific purposes:
 - Small Business COVID-19 Mini-Grants is amount that must be funded entirely to business community in jurisdiction directly through Mini-Grants Program
 - Administrative Grant will be used within Grantee organization to cover administrative costs associated with participation in the Mini-Grant Program
- Justification outlines proposed use of funds and area of geographic coverage

**COVID-19 SMALL BUSINESS MINI-GRANTS PROGRAM
GRANT AGREEMENT PURSUANT TO THE CORONAVIRUS AID, RELIEF, AND ECONOMIC
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3. The business must demonstrate direct and sizeable impact from COVID-19 and subsequent public health orders on operations, this can include, but is not limited to: verified loss of significant revenue, temporary business closure, staffing reductions, loss of sizeable market share or customer base, prohibition of physical operations during COVID-19.
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and the like or to pay for legal expenses incurred in defending against a criminal violation, or to pay for penalties assessed for criminal or regulatory violations, or to pay adverse civil judgments stemming from operation of the business. Mini-Grants may not be used to pay for other business activities outside of COVID-19 impacted operations and reopening efforts and must be in line with the proposals outlined in the business's approved application. Should a business wish to alter the use of award Mini-Grant funds to another function of COVID-19 impacted operations and reopening efforts, prior approval from fund overseeing authority (Chamber or Partner who approved application and awarded funds) will be necessary prior to expenditure. Grants shall not be used to pay fees, assessments, liens or penalties due to the failure of the business to collect or remit applicable taxes when due. Uses incompatible with or illegal under local or federal regulatory authority will not be permitted.

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1. Mini-Grants for business operations ("COVID-19 Small Business Mini-Grants – Business Operations") have a maximum award value of \$2,500 per business applicant.
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1. Business address and contact information
2. Copy of Driver's License or state-issued ID
3. Copy of "active" state business registration from Colorado Secretary of State, which can be found using the following link ([link to website](#)). A screenshot with most recent information will suffice as proof.
4. [IRS Form W-9 \(Download\)](#)
5. Documented loss of revenue. The business must have experienced a significant loss of revenue and be in the process of reopening to be eligible for a grant.
 - i. The business will provide their estimate of revenue loss due to COVID-19, using best and good faith judgment to estimate how its revenue was impacted by comparing sales this year to sales last year, or if a newer business, comparing actual current sales to projected current sales.
6. Brief description of current business reopening plans, including timelines and milestones
7. Number of employees now and prior to pandemic (Prior to March 1, 2020)
8. Years in business operation at location
9. Any other business locations within Adams County
10. Description and budget showing how the Mini-Grant will be used and the proposed

GRANT AGREEMENT

impact provided for that specific category

- F. Term of Mini-Grant. Upon successful application, eligible businesses should receive their awarded funding in one lump payment within 10 business days. Mini-Grant funding awarded must be used by applicant within a maximum of 30 calendar days for new expense costs, or recently incurred costs (within the last 30 calendar days) as described in their application proposal. Any substantial deviation from this usage must receive prior authorization from awarding entity. Successful business applicants will also be required to legally comply with the reporting requirements outlined below.
- G. Reporting Requirements of Mini-Grant. Within a maximum of 30 calendar days of receiving grant award funding, the successful applicant must provide documented evidence of grant funding being used in a manner outlined in their application proposal. This evidence can be in the form of, but not limited to, receipts of work, receipts of purchase, photographs, or on-site compliance checks.



PUBLIC HEARING AGENDA ITEM

DATE OF PUBLIC HEARING: 6/16/2020
SUBJECT: RESOLUTION APPROVING AGREEMENTS TO ADMINISTER COVID-19 MINI GRANT PROGRAM TO ASSIST BUSINESSES IN ADAMS COUNTY AFFECTED BY THE COVID-19 PANDEMIC
FROM: Maxwell Daffron / Ryan Nalty
AGENCY/DEPARTMENT: Community and Economic Development
HEARD AT STUDY SESSION ON: June 2, 2020
AUTHORIZATION TO MOVE FORWARD: <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
RECOMMENDED ACTION: Allow for Adams County to enter into grant agreements with Local Chambers of Commerce to administer COVID-19 Mini Grant Program.

BACKGROUND:

The purpose of the COVID-19 Small Business Mini-Grants Program is to provide short term capital in the form of business grants to small businesses of less than 25 employees and has direct physical interaction with customers at a physical business location, who are in the process of reopening after being closed or having severe business operation limitations as a direct result of COVID-19 and associated public health orders. Additionally, the COVID-19 Small Business Mini-Grants deployment is to provide small businesses capital to cover short-term working expenses incurred or soon to be incurred to change business operations, update technology, or handle compliance issues requirements to comply with social distancing requirements, public health orders and ensure health and safety of employees and customers. The program will be administered by local Chambers of Commerce who will review grant applications and disburse CARES Act funds on behalf of the County.

AGENCIES, DEPARTMENTS OR OTHER OFFICES INVOLVED:

- Adams County Regional Economic Partnership (ACREP)
- Arvada Chamber of Commerce
- Aurora Chamber of Commerce

- Commerce City Chamber of Commerce
- Greater Brighton Chamber of Commerce
- Westminster Chamber of Commerce

ATTACHED DOCUMENTS:

- Resolutions for each mini grant agreement.
- Copy of Form Mini Grant Agreement.

FISCAL IMPACT:

Please check if there is no fiscal impact . If there is fiscal impact, please fully complete the section below.

Fund: 00001
Cost Center: 9263

	Object Account	Subledger	Amount
Current Budgeted Revenue:			
Additional Revenue not included in Current Budget:			
Total Revenues:			

	Object Account	Subledger	Amount
Current Budgeted Operating Expenditure:	8810		\$50,000,000
Add'l Operating Expenditure not included in Current Budget:			
Current Budgeted Capital Expenditure:			
Add'l Capital Expenditure not included in Current Budget:			
Total Expenditures:			\$50,000,000

New FTEs requested: YES NO

Future Amendment Needed: YES NO

Additional Note:

Funding for the Mini Grant program is gained from Federal CARES ACT money designated to government agencies to assist businesses in COVID-19 response.

BOARD OF COUNTY COMMISSIONERS FOR
ADAMS COUNTY, STATE OF COLORADO

RESOLUTION APPROVING AGREEMENT BETWEEN ADAMS COUNTY AND THE WESTMINSTER CHAMBER
OF COMMERCE TO ADMINISTER COVID-19 MINI GRANT PROGRAM TO ASSIST BUSINESSES IN ADAMS
COUNTY AFFECTED BY THE COVID-19 PANDEMIC

WHEREAS, Adams County ("County") wishes to support small businesses suffering financial strain from the COVID-19 pandemic; and,

WHEREAS, the Board of County Commissioners believes that dedicated action is essential to assist the business community with recovery efforts associated with COVID19; and,

WHEREAS, the County wishes to utilize additional CARES ACT funds to provide relief to COVID-19 impacted small businesses in Adams County in the form of "Mini Grants" that will allow for businesses to update business operations, upgrade technology, and address compliance issues related to operating in a COVID-19 environment; and,

WHEREAS, The County has partnered with multiple community Chambers of Commerce to administer the mini grant program to COVID-19 impacted small businesses based on the terms and conditions of the attached grant agreement.

NOW, THEREFORE BE IT RESOLVED, by the Board of County Commissioners, County of Adams, State of Colorado, that the Mini Grant Agreement for COVID-19 Relief between Adams County and The Westminster Chamber of Commerce, a copy of which is attached, is hereby approved.

COVID-19 SMALL BUSINESS MINI-GRANTS PROGRAM
GRANT AGREEMENT PURSUANT TO THE CORONAVIRUS AID, RELIEF, AND ECONOMIC
SECURITY ACT (“CARES”)

THIS GRANT AGREEMENT (the “Agreement”) is made this _____ day of June, 2020, (“Effective Date”) by and between **Adams County, Colorado** (“Grantor”) and the **Westminster Chamber of Commerce**, a Colorado 501c-6 (“Grantee”). Grantor and Grantee shall be referred to herein collectively as the “Parties”.

1. **Grant Amount.** Grantor agrees to provide, and Grantee agrees to receive, an overall grant in the aggregate amount (“Total Grant”) shown for the grantee in Attachment A of this agreement, pursuant to the terms provided herein. The total grant will be disbursed to the Grantee within 5 business days of the Effective Date, subject to all terms, provisions, conditions, covenants, and agreements contained in this Agreement.
2. The total grant funds disbursed pursuant to this Agreement are federal CARES funds. Grantee shall comply with all applicable CARES legislation, regulations, and guidance issued by the federal government. The total grant is the sum of two sub-allocations to the Grantee, each with a specific use. A breakdown showing the sub-allocations can be found in Attachment A.
 - a. Grant funds directed towards the business community (“COVID-19 Small Business Mini-Grants”). These funds shall be used for funding grants to eligible and qualified small businesses located in jurisdictional area of the Municipality of Westminster (“Program Area”) in accordance with the criteria and purpose described COVID-19 Small Business Mini-Grants Eligibility Guidelines in Attachment B (“Eligible Projects”).
 - b. Grant funds directed toward internal administrative support of program by Grantee (“Administrative Grant”). These funds shall be used for administrative costs of Grantee for the administering of the Mini-Grants. The Grantee may also use the Administrative Grants for the purpose of hiring 3rd party staff or support in order to fulfill necessary requirements of this agreement and the overall program.
3. **Maximum Grant Amount of COVID-19 Small Business Mini-Grants.** The maximum amount allowed for each Mini-Grant will depend on which of the three (3) categories of Mini-Grant the eligible business applicant has sought.
 - a. Mini-Grants for business operations (“COVID-19 Small Business Mini-Grants – Business Operations”) have a maximum award value of \$2,500 per business applicant.
 - b. Mini-Grants for technology upgrades (“COVID-19 Small Business Mini-Grants – Technology”) have a maximum award value of \$1,000 per business applicant.
 - c. Mini-Grants for support on compliance issues (“COVID-19 Small Business Mini-Grants – Compliance”) have a maximum award value of \$1,000 per business applicant.
4. **Performance Period.** Grantee must disburse 100% of the COVID-19 Small Business Mini-Grants for Eligible Projects by 12:01AM on November 1, 2020. If this requirement is not met, Grantor may require any unused portion of the COVID-19 Small Business

GRANT AGREEMENT

Mini-Grants, to be returned to Grantor. All Administrative Grant funds which Grantee has either disbursed or pledged by agreement to third part recipients will be considered earned and non-refundable as of the date such funds were disbursed or pledged. The Administrative Grant will be considered earned and non-refundable as of 60 calendar days after Effective Date.

5. Promotion of COVID-19 Small Business Mini-Grants Program. Grantee and Grantor shall each have the right to promote the Mini-Grants and include in their respective organization's materials or reports information. The Grantee will be required to use the Adams County Response and Recovery logo(s) in all relevant marketing efforts
6. The Parties agree as follows:
 - a. All COVID-19 Small Business Mini-Grants funds will be utilized under the COVID-19 Small Business Mini-Grants Program for grants to qualified small businesses of 25 employees or less located in Program Area in accordance with this Agreement and the COVID-19 Small Business Mini-Grants Eligibility Guidelines, attached as Attachment B.
 - b. During the Performance Period, Grantee shall endeavor to achieve the following business engagement procedures and timelines to allow for effective and timely use of Mini-Grant funds by successful business applicants.
 - i. If a business application for a Mini-Grant is successful and COVID-19 Small Business Mini-Grants funds are available, the Grantee will notify the business of its application success, receiving any other necessary documents, and providing the necessary funds to the business through an appropriate financial transaction.
 - ii. If a business application is not successful and/or COVID-19 Small Business Mini-Grants funds are no longer available, the Grantee will notify the business of its application rejection and handling any relevant follow up discussion with the business, if needed.
 - c. During the Performance, Grantee shall provide Mini-Grant monthly activity and impact reports to Grantor every 30 days by means of email. Monthly reports will include, COVID-19 Small Business Mini-Grants current balance, monthly application totals (received, approved, rejected), monthly individual Mini-Grant category application totals (received, approved, rejected), and list of business successfully receiving any Mini-Grant (Business Name, Address, Grant Type, Award Amount, short summary of planned impact provided by each successful applicant.
 - d. During the Performance Period, Grantee shall provide a final overall Mini-Grant activity and impact report to Grantor within 30 days of COVID-19 Small Business Mini-Grants funds exhaustion and the final financial transaction to a business applicant, or at the close of Performance Period, whichever comes first. This final report to Grantor will summarize the total impact of the Program including, COVID-19 Small Business Mini-Grants current balance, Mini-Grant application totals (received, approved, rejected), individual Mini-Grant category application totals (received, approved, rejected), and list of business successfully receiving a Mini-Grant (Business Name, Address, Grant Type, Award Amount, short summary of planned impact by each successful applicant, and documentation

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showing the final impact from each successful applicant.

- e. With the grant funding structure, there is no expectation of repayment of Mini-Grants by successful business applicants to Grantee or Grantor if found to have truthfully and legal applied for grant funds. Grantee shall be solely responsible for retrieving funds for any application determined to be fraudulent after consultation with Grantor based on the facts of the individual case.
 - f. Grantee shall use funds in the COVID-19 Small Business Mini-Grants Program in compliance with all applicable laws, rules, regulations, and other legal requirements.
 - g. No term or condition of this Agreement shall be construed or interpreted as a waiver, express or implied, of any of the immunities, rights, benefits, protections or other provisions of the Colorado Governmental Immunity Act, C.R.S. §§ 24-10-101, et seq.
7. Conditions. Grantee shall be subject to the following conditions as of the Effective Date
- a. The Grantee shall familiarize itself with, and shall adhere to, all current and subsequent legislation, rules, and regulations in conjunction with use of CARES Act funds. In the event of non-compliance with its legislative and regulatory mandates, the federal government may seek reimbursement of funds it deems were not spent in compliance with its legislation and rules. In the event the of this reimbursement of funds spent by Grantee, the Grantee shall be solely responsible for reimbursing said funds.
8. Miscellaneous Provisions.
- a. This Agreement is not intended to benefit any person or entity other than the Grantee and Grantor and no other person or entity may rely on the terms hereof.
 - b. The Grantee may seek to garner or encourage additional financial support for the COVID-19 Small Business Mini-Grants through engagement with other public partners, but can in no way alter the stated purpose or Eligible Guidelines of the COVID-19 Small Business Mini-Grants Program in order to solicit or incorporate those non-Grantor funds. This Agreement will remain paramount in all operations for the program and use of the funds allocated through this Agreement.
 - c. Grantee shall not discriminate against any person on the basis of race, color, religion, sex, national origin, disability, age, or veteran status, sexual orientation or any other basis prohibited by law in the use of Grant Funds, administration of the COVID-19 Small Business Mini-Grants.
 - d. Grantee shall not assign or attempt to assign, any of its rights under this Agreement without the prior written consent of Grantor. The Grantee shall not convey or assign any portion of the Grant Funds, except as permitted hereunder under the COVID-19 Small Business Mini-Grants, prior to the completion of the Compliance Period without the prior written consent of the Grantor.
 - e. This Agreement contains the entire agreement between the Parties and supersedes all prior discussions, understandings and agreements regarding

GRANT AGREEMENT

grants to allay COVID-19 impacts and support the business community. Neither this Agreement nor any provision hereof may be changed, waived, discharged, or terminated orally and may only be modified or amended in writing, signed by the Parties.

f. Grantee shall defend, indemnify and save harmless the Grantor from and against all losses, claims, suits, judgments or liabilities incurred as a result of its activities pursuant to this Agreement, and as part of such indemnification obligation shall pay all costs and attorney's fees, if any, incurred by the Grantor as a result of any such claims or suits. Venue for any dispute between the parties shall be in Adams County, Colorado.

g. All notices shall be in writing and shall be deemed to have been sufficiently given or served when presented personally, by email, or by mail to designated contact set forth herein. Such addresses may be changed by notice to the other party given the same manner.

The terms and conditions of this Agreement shall be governed by the construed in accordance with the laws of the State of Colorado, excluding its conflicts of law provisions.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the date first above written.

GRANTEE:

By: _____
President, CEO

Attest:

By: _____

GRANTOR:

By: _____
County Manager

Attest:

By: _____

COVID-19 SMALL BUSINESS MINI-GRANTS PROGRAM
GRANT AGREEMENT PURSUANT TO THE CORONAVIRUS AID, RELIEF, AND ECONOMIC SECURITY ACT (“CARES”)

ATTACHMENT A

Designated Grantee	Sub-Allocations		Total Grant Award	Justification
	Small Business COVID-19 Mini-Grants	Administrative Grant		
Adams County Regional Economic Partnership (ACREP)	\$975,000	\$97,500	\$1,072,500	<i>For the purpose of administering Adams County Mini-Grant program in the geographic area of Thornton, Northglenn, Federal Heights, Bennett, and Unincorporated Adams County (and all towns contained within)</i>
Arvada Chamber of Commerce	\$125,000	\$12,500	\$137,500	<i>For the purpose of administering Adams County Mini-Grant program in the geographic area of the Municipality of Arvada</i>
Aurora Chamber of Commerce	\$350,000	\$35,000	\$385,000	<i>For the purpose of administering Adams County Mini-Grant program in the geographic area of the Municipality of Aurora (contained within Adams County)</i>
Commerce City Chamber of Commerce	\$375,000	\$37,500	\$412,500	<i>For the purpose of administering Adams County Mini-Grant program in the geographic area of the Municipality of Commerce City</i>
Greater Brighton Chamber of Commerce	\$325,000	\$32,500	\$357,500	<i>For the purpose of administering Adams County Mini-Grant program in the geographic area of the Municipality of Brighton</i>
Westminster Chamber of Commerce	\$350,000	\$35,000	\$385,000	<i>For the purpose of administering Adams County Mini-Grant program in the geographic area of the Municipality of Westminster</i>

Notes:

- Grantee is the designated recipient organization receiving funds from Adams County
- Total Grants Award is the total amounts being awarded to individual Grantee; seen as sum of Sub-Allocations
- Sub-Allocations outlines funding reserved for specific purposes:
 - Small Business COVID-19 Mini-Grants is amount that must be funded entirely to business community in jurisdiction directly through Mini-Grants Program
 - Administrative Grant will be used within Grantee organization to cover administrative costs associated with participation in the Mini-Grant Program
- Justification outlines proposed use of funds and area of geographic coverage

**COVID-19 SMALL BUSINESS MINI-GRANTS PROGRAM
GRANT AGREEMENT PURSUANT TO THE CORONAVIRUS AID, RELIEF, AND ECONOMIC
SECURITY ACT (“CARES”)**

ATTACHMENT B

COVID-19 SMALL BUSINESS MINI-GRANTS ELIGIBILITY GUIDELINES

The purpose of the COVID-19 Small Business Mini-Grants Program is to provide short term capital in the form of business grants to small businesses of less than 25 employees and has direct physical interaction with customers at a physical business location, who are in the process of reopening after being closed or having severe business operation limitations as a direct result of COVID-19 and associated public health orders. The further purpose of COVID-19 Small Business Mini-Grants deployment is to provide small businesses capital to cover short-term working expenses incurred or soon to be incurred to change business operations, update technology, or handle compliance issues requirements to comply with social distancing requirements, public health orders and ensure health and safety of employees and customers;

All grants made from the COVID-19 Small Business Mini-Grants Program will be to businesses with their primary locations within the Program Area, as defined by the Agreement.

In order to be an Eligible Project of the COVID-19 Small Business Mini-Grants Program and receive a small business Mini-Grant:

1. At the time of application and throughout the term of the grant program, a business must have its primary office/headquarters or operations in the Program Area.
2. Business should have been open since at least December 31, 2019 or prior and must have 25 or fewer employees at the time of application and must adequately demonstrate a need for the Mini-Grant in application. The 25-employee count is determined by the total number of employees –which includes full time and part time employees (including employees managed through PEO) for each separate business entity.
3. The business must demonstrate direct and sizeable impact from COVID-19 and subsequent public health orders on operations, this can include, but is not limited to: verified loss of significant revenue, temporary business closure, staffing reductions, loss of sizeable market share or customer base, prohibition of physical operations during COVID-19.
4. Business owners may apply for up to one Mini-Grant per outlined category but will do so with a unique application for each category sought. It will be the discretion of the direct awarding entity (Grantee) whether to award an individual business applicant multiple categories or prioritize to other new business applicants. A business owner owning multiple businesses is eligible for only one Mini-Grant in each category, not one grant per business.
5. The business can not be in default or be actively planning default at the time of application, and in full and good faith be in the process of reopening operations.
6. Business must have direct physical in-person interaction with potential customers at a physical business location as the primary function of business operations. Home based businesses, fully remote/virtual businesses, non-profits, consulting/legal/accountancy/financial with primarily remote customer engagement, are ineligible. Home based businesses for the primary purposes of in-person education/childcare

GRANT AGREEMENT

customer services will be deemed eligible.

7. There are no restrictions on the type of business eligible for Mini-Grants so long as the activities of the business are legal and in the best interests of the community. Cannabis, 3rd party liquor sales, and adult entertainment businesses are ineligible.
 8. Franchise businesses and subsidiaries of national corporation may be eligible only if having a local ownership control model and can adequately demonstrate that no relevant support from franchised corporation or national partner was or will be available. Franchise owner oversees multiple local locations within Adams County, Mini-Grant application(s) will only be accepted for one location.
- A. COVID-19 Small Business Mini-Grants Categories. The COVID-19 Small Business Mini-Grants Program is divided into three (3) categories of Mini-Grant. Each has its own permitted use allowance and max funding levels outlined later in this section.
1. Mini-Grants for business operations (“COVID-19 Small Business Mini-Grants – Business Operations”)
 2. Mini-Grants for technology upgrades (“COVID-19 Small Business Mini-Grants – Technology”)
 3. Mini-Grants for support on compliance issues (“COVID-19 Small Business Mini-Grants – Compliance”)
- B. Permitted Uses of Mini-Grants. Mini-Grants permitted use are determined on their category. In all cases, it will be the judgement of the application review team if the business applicant’s proposal(s) match the sentiment of the category’s allowable uses:
1. Mini-Grants for business operations (“COVID-19 Small Business Mini-Grants – Business Operations”) have a permitted use of, but not limited to:
 - a. Building safety upgrades for the purpose of encouraging social distancing
 - b. Employee or customer safety (PPE, physical barriers, upgrades to air or filtration systems,
 - c. Other current safety requirements related to COVID-19 (testing)
 - d. For costs associated with enactment of COVID-19 specific operations plans
 2. Mini-Grants for technology upgrades (“COVID-19 Small Business Mini-Grants – Technology”) have a permitted use of, but not limited to:
 - a. Point of sale (POS) terminals or systems, including contactless payment systems
 - b. Touchless entry/exit for physical business location,
 - c. Temperature screening, etc.
 - d. Technology needs for enactment of COVID-19 specific operations plans
 3. Mini-Grants for support on compliance issues (“COVID-19 Small Business Mini-Grants – Compliance”) have a permitted use of, but not limited to:
 - a. Legal support or guidance directly resultant from operations during COVID-19
 - b. Consulting support directly resultant from operations during COVID-19
 - c. Expenses for preparation of variance requests to public health agencies
- C. Non-permitted Uses of Mini-Grants. All Mini-Grants categories may not be used to pay any of owner's or direct employee remuneration, including but not limited to wages, bonuses

GRANT AGREEMENT

and the like or to pay for legal expenses incurred in defending against a criminal violation, or to pay for penalties assessed for criminal or regulatory violations, or to pay adverse civil judgments stemming from operation of the business. Mini-Grants may not be used to pay for other business activities outside of COVID-19 impacted operations and reopening efforts and must be in line with the proposals outlined in the business's approved application. Should a business wish to alter the use of award Mini-Grant funds to another function of COVID-19 impacted operations and reopening efforts, prior approval from fund overseeing authority (Chamber or Partner who approved application and awarded funds) will be necessary prior to expenditure. Grants shall not be used to pay fees, assessments, liens or penalties due to the failure of the business to collect or remit applicable taxes when due. Uses incompatible with or illegal under local or federal regulatory authority will not be permitted.

- D. Maximum Mini-Grant Award Amount. The maximum amount of each Mini-Grant will be dependent on category:
1. Mini-Grants for business operations ("COVID-19 Small Business Mini-Grants – Business Operations") have a maximum award value of \$2,500 per business applicant.
 2. Mini-Grants for technology upgrades ("COVID-19 Small Business Mini-Grants – Technology") have a maximum award value of \$1,000 per business applicant.
 3. Mini-Grants for support on compliance issues ("COVID-19 Small Business Mini-Grants – Compliance") have a maximum award value of \$1,000 per business applicant.
- E. Application of Mini-Grant Funding. Eligible businesses will use an application process standardized across Adams County and all partnership agreements under the COVID-19 Small Business Mini-Grants Program. An eligible business will need to apply independently for each Mini-Grant category sought (Operations, Technology, Compliance). Information requested of the business applicant will include:
1. Business address and contact information
 2. Copy of Driver's License or state-issued ID
 3. Copy of "active" state business registration from Colorado Secretary of State, which can be found using the following link ([link to website](#)). A screenshot with most recent information will suffice as proof.
 4. [IRS Form W-9 \(Download\)](#)
 5. Documented loss of revenue. The business must have experienced a significant loss of revenue and be in the process of reopening to be eligible for a grant.
 - i. The business will provide their estimate of revenue loss due to COVID-19, using best and good faith judgment to estimate how its revenue was impacted by comparing sales this year to sales last year, or if a newer business, comparing actual current sales to projected current sales.
 6. Brief description of current business reopening plans, including timelines and milestones
 7. Number of employees now and prior to pandemic (Prior to March 1, 2020)
 8. Years in business operation at location
 9. Any other business locations within Adams County
 10. Description and budget showing how the Mini-Grant will be used and the proposed

GRANT AGREEMENT

impact provided for that specific category

- F. Term of Mini-Grant. Upon successful application, eligible businesses should receive their awarded funding in one lump payment within 10 business days. Mini-Grant funding awarded must be used by applicant within a maximum of 30 calendar days for new expense costs, or recently incurred costs (within the last 30 calendar days) as described in their application proposal. Any substantial deviation from this usage must receive prior authorization from awarding entity. Successful business applicants will also be required to legally comply with the reporting requirements outlined below.
- G. Reporting Requirements of Mini-Grant. Within a maximum of 30 calendar days of receiving grant award funding, the successful applicant must provide documented evidence of grant funding being used in a manner outlined in their application proposal. This evidence can be in the form of, but not limited to, receipts of work, receipts of purchase, photographs, or on-site compliance checks.



PUBLIC HEARING AGENDA ITEM

DATE OF PUBLIC HEARING: June 16, 2020
SUBJECT: River Corridor Restoration
FROM: Raymond H. Gonzales, County Manager Chris Kline, Deputy County Manager Nancy Duncan, Interim Finance Director Jennifer Tierney Hammer, Procurement & Contracts Manager
AGENCY/DEPARTMENT: Parks, Open Space, and Cultural Arts Department
HEARD AT STUDY SESSION ON: N/A
AUTHORIZATION TO MOVE FORWARD: <input type="checkbox"/> YES <input type="checkbox"/> NO
RECOMMENDED ACTION: That the Board of County Commissioners approves the award for an agreement with six vendors for on-call services related to the River Corridor Restoration project.

BACKGROUND:

The County is conducting a comprehensive River Corridor Restoration Project along South Platte, Clear Creek, Little Dry Creek and Niver Creek. The County seeks to reduce or eliminate invasive species of trees and increase the amount of desirable vegetation.

On February 20, 2020, Parks and Open Space Department through Purchasing, issued a formal Request for Proposal (RFP) for services related to the River Corridor Restoration on Bidnet. The intent is to award multiple vendors for three categories of on-call services related, but not limited to Forestry Operations, Debris Removal with mowing and landscaping services, and Minor Construction Services.

The RFP received ten vendor responses across the three categories for work. After thorough evaluation, the Parks and Open Space Department would like to award two vendors for each category:

Contractor	On-Call Service
303 Tree	Forestry Operations
Mile High Youth Corp	Forestry Operations
Smith Environmental	Debris Removal, Mowing and Landscaping
Arbor Force	Debris Removal, Mowing and Landscaping
ECI Site Construction	Minor Construction Services
Tezak Heavy Equipment	Minor Construction Services

These vendors will provide on-call services with a not to exceed project maximum of \$1,500,000.00 in 2020 and \$1,500,000.00 for 2021, based upon budget approval, for a total project amount of \$3,000,000.00.

AGENCIES, DEPARTMENTS OR OTHER OFFICES INVOLVED:

Parks, Open Space, and Cultural Arts Department

ATTACHED DOCUMENTS:

Resolution(s)

FISCAL IMPACT:

Please check if there is no fiscal impact . If there is fiscal impact, please fully complete the section below.

Fund: 1
Cost Center: 5016

	Object Account	Subledger	Amount
Current Budgeted Revenue:			
Additional Revenue not included in Current Budget:			
Total Revenues:			

	Object Account	Subledger	Amount
Current Budgeted Operating Expenditure:	7685	50162002	\$1,500,000
Add'l Operating Expenditure not included in Current Budget:			
Current Budgeted Capital Expenditure:			
Add'l Capital Expenditure not included in Current Budget:			
Total Expenditures:			<u>\$1,500,000</u>

New FTEs requested: YES NO

Future Amendment Needed: YES NO

Additional Note:

Additional \$1,500,00.00 in 2021

BOARD OF COUNTY COMMISSIONERS FOR
ADAMS COUNTY, STATE OF COLORADO

RESOLUTION APPROVING AN AGREEMENT BETWEEN ADAMS COUNTY AND
303 TREE FOR ON-CALL SERVICES

WHEREAS, 303 Tree submitted a proposal on March 26, 2020 to provide on-call services for forestry operations, and related to the River Corridor Restoration Project for the Parks, Open Space, and Cultural Arts Department; and,

WHEREAS, after thorough evaluation it was deemed that the 303 Tree was a responsive and responsible proposer; and,

WHEREAS, 303 Tree agrees to provide on-call services for forestry operations, and is one of six contractors for the River Corridor Restoration Project, in the not to exceed project total of \$3,000,000.00.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners, County of Adams, State of Colorado, that an agreement with 303 Tree to provide on-call services for forestry operations, and related to the River Corridor Restoration Project is hereby approved.

BE IT FURTHER RESOLVED, that the Chair is hereby authorized to sign said agreement with 303 Tree on behalf of Adams County, after negotiation and approval as to form is completed by the County Attorney's Office.



PUBLIC HEARING AGENDA ITEM

DATE OF PUBLIC HEARING: June 16, 2020
SUBJECT: River Corridor Restoration
FROM: Raymond H. Gonzales, County Manager Chris Kline, Deputy County Manager Nancy Duncan, Interim Finance Director Jennifer Tierney Hammer, Procurement & Contracts Manager
AGENCY/DEPARTMENT: Parks, Open Space, and Cultural Arts Department
HEARD AT STUDY SESSION ON: N/A
AUTHORIZATION TO MOVE FORWARD: <input type="checkbox"/> YES <input type="checkbox"/> NO
RECOMMENDED ACTION: That the Board of County Commissioners approves the award for an agreement with six vendors for on-call services related to the River Corridor Restoration project.

BACKGROUND:

The County is conducting a comprehensive River Corridor Restoration Project along South Platte, Clear Creek, Little Dry Creek and Niver Creek. The County seeks to reduce or eliminate invasive species of trees and increase the amount of desirable vegetation.

On February 20, 2020, Parks and Open Space Department through Purchasing, issued a formal Request for Proposal (RFP) for services related to the River Corridor Restoration on Bidnet. The intent is to award multiple vendors for three categories of on-call services related, but not limited, to Forestry Operations, Debris Removal with mowing and landscaping services, and Minor Construction Services.

The RFP received ten vendor responses across the three categories for work. After thorough evaluation, the Parks and Open Space Department would like to award two vendors for each category:

Contractor	On-Call Service
303 Tree	Forestry Operations
Mile High Youth Corp	Forestry Operations
Smith Environmental	Debris Removal, Mowing and Landscaping
Arbor Force	Debris Removal, Mowing and Landscaping
ECI Site Construction	Minor Construction Services
Tezak Heavy Equipment	Minor Construction Services

These vendors will provide on call services with a not to exceed project maximum of \$1,500,000.00 in 2020 and the \$1,500,000.00 for 2021 based upon budget approval, for a total project amount of \$3,000,000.00.

AGENCIES, DEPARTMENTS OR OTHER OFFICES INVOLVED:

Parks, Open Space, and Cultural Arts Department

ATTACHED DOCUMENTS:

Resolution

FISCAL IMPACT:

Please check if there is no fiscal impact . If there is fiscal impact, please fully complete the section below.

Fund: 1
Cost Center: 5016

	Object Account	Subledger	Amount
Current Budgeted Revenue:			
Additional Revenue not included in Current Budget:			
Total Revenues:			<u><u> </u></u>

	Object Account	Subledger	Amount
Current Budgeted Operating Expenditure:	7685	50162002	\$1,500,000
Add'l Operating Expenditure not included in Current Budget:			
Current Budgeted Capital Expenditure:			
Add'l Capital Expenditure not included in Current Budget:			
Total Expenditures:			<u><u>\$1,500,000</u></u>

New FTEs requested: YES NO

Future Amendment Needed: YES NO

Additional Note:

Additional \$1,500,00.00 in 2021

BOARD OF COUNTY COMMISSIONERS FOR
ADAMS COUNTY, STATE OF COLORADO

RESOLUTION APPROVING AN AGREEMENT BETWEEN ADAMS COUNTY AND
MILE HIGH YOUTH CORP., FOR ON-CALL SERVICES

WHEREAS, Mile High Youth Corp., submitted a proposal on March 26, 2020 to provide on-call services for forestry operations, and related to the River Corridor Restoration Project for the Parks, Open Space, and Cultural Arts Department; and,

WHEREAS, after thorough evaluation it was deemed that Mile High Youth Corp., was a responsive and responsible proposer; and,

WHEREAS, Mile High Youth Corp., agrees to provide on-call services for forestry operations, and is one of six contractors for the River Corridor Restoration Project, in the not to exceed project total of \$3,000,000.00.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners, County of Adams, State of Colorado, that an agreement with Mile High Youth Corp., to provide on-call services for forestry operations, and related to the River Corridor Restoration Project is hereby approved.

BE IT FURTHER RESOLVED, that the Chair is hereby authorized to sign said agreement with Mile High Youth Corp., on behalf of Adams County, after negotiation and approval as to form is completed by the County Attorney's Office.



PUBLIC HEARING AGENDA ITEM

DATE OF PUBLIC HEARING: June 16, 2020
SUBJECT: River Corridor Restoration
FROM: Raymond H. Gonzales, County Manager Chris Kline, Deputy County Manager Nancy Duncan, Interim Finance Director Jennifer Tierney Hammer, Procurement & Contracts Manager
AGENCY/DEPARTMENT: Parks, Open Space, and Cultural Arts Department
HEARD AT STUDY SESSION ON: N/A
AUTHORIZATION TO MOVE FORWARD: <input type="checkbox"/> YES <input type="checkbox"/> NO
RECOMMENDED ACTION: That the Board of County Commissioners approves the award for an agreement with six vendors for on-call services related to the River Corridor Restoration project.

BACKGROUND:

The County is conducting a comprehensive River Corridor Restoration Project along South Platte, Clear Creek, Little Dry Creek and Niver Creek. The County seeks to reduce or eliminate invasive species of trees and increase the amount of desirable vegetation.

On February 20, 2020, Parks and Open Space Department through Purchasing, issued a formal Request for Proposal (RFP) for services related to the River Corridor Restoration on Bidnet. The intent is to award multiple vendors for three categories of on-call services related, but not limited to Forestry Operations, Debris Removal with mowing and landscaping services, and Minor Construction Services.

The RFP received ten vendor responses across the three categories for work. After thorough evaluation, the Parks and Open Space Department would like to award two vendors for each category:

Contractor	On-Call Service
303 Tree	Forestry Operations
Mile High Youth Corp	Forestry Operations
Smith Environmental	Debris Removal, Mowing and Landscaping
Arbor Force	Debris Removal, Mowing and Landscaping
ECI Site Construction	Minor Construction Services
Tezak Heavy Equipment	Minor Construction Services

These vendors will provide on-call services with a not to exceed project maximum of \$1,500,000.00 in 2020 and the \$1,500,000.00 for 2021, based upon budget approval, for a total project amount of \$3,000,000.00.

AGENCIES, DEPARTMENTS OR OTHER OFFICES INVOLVED:

Parks, Open Space, and Cultural Arts Department

ATTACHED DOCUMENTS:

Resolution

FISCAL IMPACT:

Please check if there is no fiscal impact . If there is fiscal impact, please fully complete the section below.

Fund: 1
Cost Center: 5016

	Object Account	Subledger	Amount
Current Budgeted Revenue:			
Additional Revenue not included in Current Budget:			
Total Revenues:			<u><u> </u></u>

	Object Account	Subledger	Amount
Current Budgeted Operating Expenditure:	7685	50162002	\$1,500,000
Add'l Operating Expenditure not included in Current Budget:			
Current Budgeted Capital Expenditure:			
Add'l Capital Expenditure not included in Current Budget:			
Total Expenditures:			<u><u>\$1,500,000</u></u>

New FTEs requested: YES NO

Future Amendment Needed: YES NO

Additional Note:

Additional \$1,500,00.00 in 2021

BOARD OF COUNTY COMMISSIONERS FOR
ADAMS COUNTY, STATE OF COLORADO

RESOLUTION APPROVING AN AGREEMENT BETWEEN ADAMS COUNTY AND
SMITH ENVIRONMENTAL FOR ON-CALL SERVICES

WHEREAS, Smith Environmental submitted a proposal on March 26, 2020 to provide on-call services for debris removal, mowing and landscaping services, and related to the River Corridor Restoration Project for the Parks, Open Space, and Cultural Arts Department; and,

WHEREAS, after thorough evaluation it was deemed that the Smith Environmental was a responsive and responsible proposer; and,

WHEREAS, Smith Environmental agrees to provide on-call services for debris removal, mowing and landscaping services, and is one of six contractors for the River Corridor Restoration project, in the not to exceed project total of \$3,000,000.00.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners, County of Adams, State of Colorado, that an agreement with Smith Environmental to provide on-call services for debris removal, mowing and landscaping services, and related to the River Corridor Restoration Project is hereby approved.

BE IT FURTHER RESOLVED, that the Chair is hereby authorized to sign said agreement with Smith Environmental on behalf of Adams County, after negotiation and approval as to form is completed by the County Attorney's Office.



PUBLIC HEARING AGENDA ITEM

DATE OF PUBLIC HEARING: June 16, 2020
SUBJECT: River Corridor Restoration
FROM: Raymond H. Gonzales, County Manager Chris Kline, Deputy County Manager Nancy Duncan, Interim Finance Director Jennifer Tierney Hammer, Procurement & Contracts Manager
AGENCY/DEPARTMENT: Parks, Open Space, and Cultural Arts Department
HEARD AT STUDY SESSION ON: N/A
AUTHORIZATION TO MOVE FORWARD: <input type="checkbox"/> YES <input type="checkbox"/> NO
RECOMMENDED ACTION: That the Board of County Commissioners approves the award for an agreement with six vendors for on-call services related to the River Corridor Restoration project.

BACKGROUND:

The County is conducting a comprehensive River Corridor Restoration Project along South Platte, Clear Creek, Little Dry Creek and Niver Creek. The County seeks to reduce or eliminate invasive species of trees and increase the amount of desirable vegetation.

On February 20, 2020, Parks and Open Space Department through Purchasing, issued a formal Request for Proposal (RFP) for services related to the River Corridor Restoration on Bidnet. The intent is to award multiple vendors for three categories of on-call services related, but not limited to Forestry Operations, Debris Removal with mowing and landscaping services, and Minor Construction Services.

The RFP received ten vendor responses across the three categories for work. After thorough evaluation, the Parks and Open Space Department would like to award two vendors for each category:

Contractor	On-Call Service
303 Tree	Forestry Operations
Mile High Youth Corp	Forestry Operations
Smith Environmental	Debris Removal, Mowing and Landscaping
Arbor Force	Debris Removal, Mowing and Landscaping
ECI Site Construction	Minor Construction Services
Tezak Heavy Equipment	Minor Construction Services

These vendors will provide on-call services with a not to exceed project maximum of \$1,500,000.00 in 2020 and the \$1,500,000.00 for 2021, based upon budget approval, for a total project amount of \$3,000,000.00.

AGENCIES, DEPARTMENTS OR OTHER OFFICES INVOLVED:

Parks, Open Space, and Cultural Arts Department

ATTACHED DOCUMENTS:

Resolution

FISCAL IMPACT:

Please check if there is no fiscal impact . If there is fiscal impact, please fully complete the section below.

Fund: 1
Cost Center: 5016

	Object Account	Subledger	Amount
Current Budgeted Revenue:			
Additional Revenue not included in Current Budget:			
Total Revenues:			<u><u> </u></u>

	Object Account	Subledger	Amount
Current Budgeted Operating Expenditure:	7685	50162002	\$1,500,000
Add'l Operating Expenditure not included in Current Budget:			
Current Budgeted Capital Expenditure:			
Add'l Capital Expenditure not included in Current Budget:			
Total Expenditures:			<u><u>\$1,500,000</u></u>

New FTEs requested: YES NO

Future Amendment Needed: YES NO

Additional Note:

Additional \$1,500,00.00 in 2021

BOARD OF COUNTY COMMISSIONERS FOR
ADAMS COUNTY, STATE OF COLORADO

RESOLUTION APPROVING AN AGREEMENT BETWEEN ADAMS COUNTY AND
ARBOR FORCE FOR ON-CALL SERVICES

WHEREAS, Arbor Force submitted a proposal on March 26, 2020 to provide on-call services for debris removal, mowing and landscaping services, and related to the River Corridor Restoration Project for the Parks, Open Space, and Cultural Arts Department; and,

WHEREAS, after thorough evaluation it was deemed that the Arbor Force was a responsive and responsible proposer; and,

WHEREAS, Arbor Force agrees to provide on-call services for debris removal, mowing and landscaping services, and is one of six contractors for the River Corridor Restoration Project, in the not to exceed project total of \$3,000,000.00.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners, County of Adams, State of Colorado, that an agreement with Arbor Force to provide on-call services for debris removal with mowing and landscaping services, and related to the River Corridor Restoration Project is hereby approved.

BE IT FURTHER RESOLVED, that the Chair is hereby authorized to sign said agreement with Arbor Force on behalf of Adams County, after negotiation and approval as to form is completed by the County Attorney's Office.



PUBLIC HEARING AGENDA ITEM

DATE OF PUBLIC HEARING: June 16, 2020
SUBJECT: River Corridor Restoration
FROM: Raymond H. Gonzales, County Manager Chris Kline, Deputy County Manager Nancy Duncan, Interim Finance Director Jennifer Tierney Hammer, Procurement & Contracts Manager
AGENCY/DEPARTMENT: Parks, Open Space, and Cultural Arts Department
HEARD AT STUDY SESSION ON: N/A
AUTHORIZATION TO MOVE FORWARD: <input type="checkbox"/> YES <input type="checkbox"/> NO
RECOMMENDED ACTION: That the Board of County Commissioners approves the award for an agreement with six vendors for on-call services related to the River Corridor Restoration project.

BACKGROUND:

The County is conducting a comprehensive River Corridor Restoration Project along South Platte, Clear Creek, Little Dry Creek and Niver Creek. The County seeks to reduce or eliminate invasive species of trees and increase the amount of desirable vegetation.

On February 20, 2020, Parks and Open Space Department through Purchasing, issued a formal Request for Proposal (RFP) for services related to the River Corridor Restoration on Bidnet. The intent is to award multiple vendors for three categories of on-call services related, but not limited to Forestry Operations, Debris Removal with mowing and landscaping services, and Minor Construction Services.

The RFP received ten vendor responses across the three categories for work. After thorough evaluation, the Parks and Open Space Department would like to award two vendors for each category:

Contractor	On-Call Service
303 Tree	Forestry Operations
Mile High Youth Corp	Forestry Operations
Smith Environmental	Debris Removal, Mowing and Landscaping
Arbor Force	Debris Removal, Mowing and Landscaping
ECI Site Construction	Minor Construction Services
Tezak Heavy Equipment	Minor Construction Services

These vendors will provide on-call services with a not to exceed project maximum of \$1,500,000.00 in 2020 and the \$1,500,000.00 for 2021, based upon budget approval, for a total project amount of \$3,000,000.00.

AGENCIES, DEPARTMENTS OR OTHER OFFICES INVOLVED:

Parks, Open Space, and Cultural Arts Department

ATTACHED DOCUMENTS:

Resolution

FISCAL IMPACT:

Please check if there is no fiscal impact . If there is fiscal impact, please fully complete the section below.

Fund: 1
Cost Center: 5016

	Object Account	Subledger	Amount
Current Budgeted Revenue:			
Additional Revenue not included in Current Budget:			
Total Revenues:			<u><u> </u></u>

	Object Account	Subledger	Amount
Current Budgeted Operating Expenditure:	7685	50162002	\$1,500,000
Add'l Operating Expenditure not included in Current Budget:			
Current Budgeted Capital Expenditure:			
Add'l Capital Expenditure not included in Current Budget:			
Total Expenditures:			<u><u>\$1,500,000</u></u>

New FTEs requested: YES NO

Future Amendment Needed: YES NO

Additional Note:

Additional \$1,500,00.00 in 2021

BOARD OF COUNTY COMMISSIONERS FOR
ADAMS COUNTY, STATE OF COLORADO

RESOLUTION APPROVING AN AGREEMENT BETWEEN ADAMS COUNTY AND
ECI SITE CONSTRUCTION FOR ON-CALL SERVICES

WHEREAS, ECI Site Construction submitted a proposal on March 26, 2020 to provide on-call services for minor construction services, related to the River Corridor Restoration Project for the Parks, Open Space, and Cultural Arts Department; and,

WHEREAS, after thorough evaluation it was deemed that the ECI Site Construction was a responsive and responsible proposer; and,

WHEREAS, ECI Site Construction agrees to provide on-call services for minor construction services, and is one of six contractors for the River Corridor Restoration Project, in the not to exceed project total of \$3,000,000.00.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners, County of Adams, State of Colorado, that an agreement with ECI Site Construction to provide on-call services for minor construction services, and related to the River Corridor Restoration Project is hereby approved.

BE IT FURTHER RESOLVED, that the Chair is hereby authorized to sign said agreement with ECI Site Construction on behalf of Adams County, after negotiation and approval as to form is completed by the County Attorney's Office.



PUBLIC HEARING AGENDA ITEM

DATE OF PUBLIC HEARING: June 16, 2020
SUBJECT: River Corridor Restoration
FROM: Raymond H. Gonzales, County Manager Chris Kline, Deputy County Manager Nancy Duncan, Interim Finance Director Jennifer Tierney Hammer, Procurement & Contracts Manager
AGENCY/DEPARTMENT: Parks, Open Space, and Cultural Arts Department
HEARD AT STUDY SESSION ON: N/A
AUTHORIZATION TO MOVE FORWARD: <input type="checkbox"/> YES <input type="checkbox"/> NO
RECOMMENDED ACTION: That the Board of County Commissioners approves the award for an agreement with six vendors for on-call services related to the River Corridor Restoration project.

BACKGROUND:

The County is conducting a comprehensive River Corridor Restoration Project along South Platte, Clear Creek, Little Dry Creek and Niver Creek. The County seeks to reduce or eliminate invasive species of trees and increase the amount of desirable vegetation.

On February 20, 2020, Parks and Open Space Department through Purchasing, issued a formal Request for Proposal (RFP) for services related to the River Corridor Restoration on Bidnet. The intent is to award multiple vendors for three categories of on-call services related, but not limited to Forestry Operations, Debris Removal with mowing and landscaping services, and Minor Construction Services.

The RFP received ten vendor responses across the three categories for work. After thorough evaluation, the Parks and Open Space Department would like to award two vendors for each category:

Contractor	On-Call Service
303 Tree	Forestry Operations
Mile High Youth Corp	Forestry Operations
Smith Environmental	Debris Removal, Mowing and Landscaping
Arbor Force	Debris Removal, Mowing and Landscaping
ECI Site Construction	Minor Construction Services
Tezak Heavy Equipment	Minor Construction Services

These vendors will provide on-call services with a not to exceed project maximum of \$1,500,000.00 in 2020 and the \$1,500,000.00 for 2021, based upon budget approval, for a total project amount of \$3,000,000.00.

AGENCIES, DEPARTMENTS OR OTHER OFFICES INVOLVED:

Parks, Open Space, and Cultural Arts Department

ATTACHED DOCUMENTS:

Resolution

FISCAL IMPACT:

Please check if there is no fiscal impact . If there is fiscal impact, please fully complete the section below.

Fund: 1
Cost Center: 5016

	Object Account	Subledger	Amount
Current Budgeted Revenue:			
Additional Revenue not included in Current Budget:			
Total Revenues:			<u><u> </u></u>

	Object Account	Subledger	Amount
Current Budgeted Operating Expenditure:	7685	50162002	\$1,500,000
Add'l Operating Expenditure not included in Current Budget:			
Current Budgeted Capital Expenditure:			
Add'l Capital Expenditure not included in Current Budget:			
Total Expenditures:			<u><u>\$1,500,000</u></u>

New FTEs requested: YES NO

Future Amendment Needed: YES NO

Additional Note:

Additional \$1,500,00.00 in 2021

BOARD OF COUNTY COMMISSIONERS FOR
ADAMS COUNTY, STATE OF COLORADO

RESOLUTION APPROVING AN AGREEMENT BETWEEN ADAMS COUNTY AND
TEZAK HEAVY EQUIPMENT FOR ON-CALL SERVICES

WHEREAS, Tezak Heavy Equipment submitted a proposal on March 26, 2020 to provide on-call services for minor construction services, related to the River Corridor Restoration Project for the Parks, Open Space, and Cultural Arts Department; and,

WHEREAS, after thorough evaluation it was deemed that the Tezak Heavy Equipment was a responsive and responsible proposer; and,

WHEREAS, Tezak Heavy Equipment agrees to provide on-call services for minor construction services, and is one of six contractors for the River Corridor Restoration project, in the not to exceed project total of \$3,000,000.00.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners, County of Adams, State of Colorado, that an agreement with Tezak Heavy Equipment to provide on-call services for minor construction services, and related to the River Corridor Restoration Project is hereby approved.

BE IT FURTHER RESOLVED, that the Chair is hereby authorized to sign said agreement with Tezak Heavy Equipment on behalf of Adams County, after negotiation and approval as to form is completed by the County Attorney's Office.



PUBLIC HEARING AGENDA ITEM

DATE OF PUBLIC HEARING: June 16, 2020
SUBJECT: TANF Housing Services
FROM: Raymond H. Gonzales, County Manager Chris Kline, Deputy County Manager Nancy Duncan, Interim Finance Director Jennifer Tierney Hammer, Procurement and Contracts Supervisor
AGENCY/DEPARTMENT: Adams County Human Services Department Workforce and Business Center, (TANF)
HEARD AT STUDY SESSION ON: N/A
AUTHORIZATION TO MOVE FORWARD: <input type="checkbox"/> YES <input type="checkbox"/> NO
RECOMMENDED ACTION: That the Board of County Commissioners approves additional funds to the agreements with multiple providers for 2019/2020 Housing Services.

BACKGROUND:

Adams County Human Services Department (HSD) receives Federal Temporary Assistance for Needy Families (TANF) Block Grant funds, allocated by the State to assist with the goals of the HSD Workforce and Business Center (WBC) TANF program. These Home Services provide homelessness prevention, rent, utility assistance and other related services for eligible Adams County families who are in danger of homelessness.

Our housing contractors distribute an average of \$57,871.56 in emergency rental and utility assistance per month with TANF (Temporary Aide for Needy Families) funding. Since the COVID-19 pandemic has started contracted providers have seen anywhere from double to triple the amounts of requests for emergency deposit, rent and utility assistance due to layoffs, having employment hours reduced, or overall strain from this emergency crisis situation. For the month of February 2020, the County was billed a total of \$107,718.32 from our housing contracted providers for these same services and we are currently paying another \$145,000.00 in emergency deposit, rent and utility assistance for March 2020 services rendered. Roughly double to triple the average amounts typically that are requested by TANF eligible families.

The Board of County Commissioners approved multiple agreements to provide housing services for the TANF Program.

Adams County Human Services Department is requesting to add additional funding into the following 2019-2020 current TANF housing contracts due to the COVID-19 pandemic crisis.

Amendment	Contracted Provider	Current Contract Amount	Requested Amount	New Total Contract Amount
2020.626	Access Housing	\$130,044.00	\$100,000.00	\$230,044.00
2020.627	Almost Home	\$332,208.00	\$125,000.00	\$457,208.00
2020.629	Family Tree Housing	\$285,685.00	\$100,000.00	\$385,685.00
2020.628	Growing Home	\$356,578.00	\$100,000.00	\$456,578.00
2020.625	Unison/Maiker Housing	\$306,250.00	\$125,000.00	\$431,250.00
	Total	\$1,410,765.00	\$550,000.00	\$1,960,765.00

These funds will directly impact Adams County TANF eligible clients for emergency deposit, emergency rent, and utility payments to stabilize housing, prevent homelessness and meet the TANF purpose of providing assistance to needy families so that children can be cared for in their own homes.

Housing Services will be funded through the 2019/2020 TANF Block Grant Funds. The funding will be covered under 85/15. 85% funded Federally with a 15% Adams County match.

The recommendation is to approve additional funds in the not to exceed amount of \$550,000.00 for a total not to exceed agreement amount of \$1,960,765.00

AGENCIES, DEPARTMENTS OR OTHER OFFICES INVOLVED:

Adams County Human Services Department Workforce and Business Center, (TANF)

ATTACHED DOCUMENTS:

FISCAL IMPACT:

Please check if there is no fiscal impact . If there is fiscal impact, please fully complete the section below.

Fund: 15
Cost Center: 99915

	Object Account	Subledger	Amount
Current Budgeted Revenue:	5755		\$50,239,790
Additional Revenue not included in Current Budget:			
Total Revenues:			<u>50,239,790</u>

	Object Account	Subledger	Amount
Current Budgeted Operating Expenditure:	7645		\$6,078,100
Add'l Operating Expenditure not included in Current Budget:			
Current Budgeted Capital Expenditure:			
Add'l Capital Expenditure not included in Current Budget:			
Total Expenditures:			<u>6,078,100</u>

New FTEs requested: YES NO

Future Amendment Needed: YES NO

Additional Note:

BOARD OF COUNTY COMMISSIONERS FOR
ADAMS COUNTY, STATE OF COLORADO

RESOLUTION APPROVING AMENDMENT THREE TO THE AGREEMENT BETWEEN
ADAMS COUNTY AND MAIKER HOUSING PARTNERS TO PROVIDE
HOUSING SERVICES

WHEREAS, the Board of County Commissioners approved an agreement for Housing Services with Adams County Housing Authority d/b/a Unison Housing Partners in 2017; and,

WHEREAS, the Board of County Commissioners approved Amendment One to extend the agreement for Housing Services with Adams County Housing Authority d/b/a Unison Housing Partners for an additional year in 2018; and,

WHEREAS, the Board of County Commissioners approved Amendment Two to extend the agreement for Housing Services with Adams County Housing Authority d/b/a Unison Housing Partners for an additional year in 2019; and,

WHEREAS, Adams County Housing Authority d/b/a Unison Housing Partners has changed their name to Maiker Housing Partners; and

WHEREAS, Maiker Housing Partners agrees to provide the services in the not to exceed amount of \$125,000.00 for a total not to exceed contract amount of \$431,250.00; and,

WHEREAS, the program is being funded eighty-five (85%) percent by a federal grant, with Adams County responsible for the remaining fifteen (15%) percent.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners, County of Adams, State of Colorado, that Amendment Three to the agreement with Maiker Housing Partners is hereby approved.

BE IT FURTHER RESOLVED, that the Chair is hereby authorized to sign Amendment Three to the agreement with Maiker Housing Partners after negotiation and approval as to form is completed by the County Attorney's Office.



PUBLIC HEARING AGENDA ITEM

DATE OF PUBLIC HEARING: June 16, 2020
SUBJECT: TANF Housing Services
FROM: Raymond H. Gonzales, County Manager Chris Kline, Deputy County Manager Nancy Duncan, Interim Finance Director Jennifer Tierney Hammer, Procurement and Contracts Supervisor
AGENCY/DEPARTMENT: Adams County Human Services Department Workforce and Business Center, (TANF)
HEARD AT STUDY SESSION ON: N/A
AUTHORIZATION TO MOVE FORWARD: <input type="checkbox"/> YES <input type="checkbox"/> NO
RECOMMENDED ACTION: That the Board of County Commissioners approves additional funds to the agreements with multiple providers for 2019/2020 Housing Services.

BACKGROUND:

Adams County Human Services Department (HSD) receives Federal Temporary Assistance for Needy Families (TANF) Block Grant funds, allocated by the State to assist with the goals of the HSD Workforce and Business Center (WBC) TANF program. These Home Services provide homelessness prevention, rent, utility assistance and other related services for eligible Adams County families who are in danger of homelessness.

Our housing contractors distribute an average of \$57,871.56 in emergency rental and utility assistance per month with TANF (Temporary Aide for Needy Families) funding. Since the COVID-19 pandemic has started contracted providers have seen anywhere from double to triple the amounts of requests for emergency deposit, rent and utility assistance due to layoffs, having employment hours reduced, or overall strain from this emergency crisis situation. For the month of February 2020, the County was billed a total of \$107,718.32 from our housing contracted providers for these same services and we are currently paying another \$145,000.00 in emergency deposit, rent and utility assistance for March 2020 services rendered. Roughly double to triple the average amounts typically that are requested by TANF eligible families.

The Board of County Commissioners approved multiple agreements to provide housing services for the TANF Program.

Adams County Human Services Department is requesting to add additional funding into the following 2019-2020 current TANF housing contracts due to the COVID-19 pandemic crisis.

Amendment	Contracted Provider	Current Contract Amount	Requested Amount	New Total Contract Amount
2020.626	Access Housing	\$130,044.00	\$100,000.00	\$230,044.00
2020.627	Almost Home	\$332,208.00	\$125,000.00	\$457,208.00
2020.629	Family Tree Housing	\$285,685.00	\$100,000.00	\$385,685.00
2020.628	Growing Home	\$356,578.00	\$100,000.00	\$456,578.00
2020.625	Unison/Maiker Housing	\$306,250.00	\$125,000.00	\$431,250.00
	Total	\$1,410,765.00	\$550,000.00	\$1,960,765.00

These funds will directly impact Adams County TANF eligible clients for emergency deposit, emergency rent, and utility payments to stabilize housing, prevent homelessness and meet the TANF purpose of providing assistance to needy families so that children can be cared for in their own homes.

Housing Services will be funded through the 2019/2020 TANF Block Grant Funds. The funding will be covered under 85/15. 85% funded Federally with a 15% Adams County match.

The recommendation is to approve additional funds in the not to exceed amount of \$550,000.00 for a total not to exceed agreement amount of \$1,960,765.00

AGENCIES, DEPARTMENTS OR OTHER OFFICES INVOLVED:

Adams County Human Services Department Workforce and Business Center, (TANF)

ATTACHED DOCUMENTS:

FISCAL IMPACT:

Please check if there is no fiscal impact . If there is fiscal impact, please fully complete the section below.

Fund: 15

Cost Center: 99915

	Object Account	Subledger	Amount
Current Budgeted Revenue:	5755		\$50,239,790
Additional Revenue not included in Current Budget:			
Total Revenues:			<u>50,239,790</u>

	Object Account	Subledger	Amount
Current Budgeted Operating Expenditure:	7645		\$6,078,100
Add'l Operating Expenditure not included in Current Budget:			
Current Budgeted Capital Expenditure:			
Add'l Capital Expenditure not included in Current Budget:			
Total Expenditures:			<u>6,078,100</u>

New FTEs requested: **YES** **NO**

Future Amendment Needed: **YES** **NO**

Additional Note:

BOARD OF COUNTY COMMISSIONERS FOR
ADAMS COUNTY, STATE OF COLORADO

RESOLUTION APPROVING AMENDMENT TWO TO THE AGREEMENT BETWEEN
ADAMS COUNTY AND ACCESS HOUSING INC., TO PROVIDE HOUSING
SERVICES

WHEREAS, the Board of County Commissioners approved an agreement for Housing Services with Access Housing Inc., in 2018; and,

WHEREAS, the Board of County Commissioners approved Amendment One to extend the agreement for Housing Services with Access Housing Inc., for an additional year in 2019; and,

WHEREAS, Adams County would like to add additional funds to the agreement for one additional year; and,

WHEREAS, Access Housing Inc., agrees to provide the services in the not to exceed amount of \$100,000.00 for a total contract amount of \$230,044.00; and,

WHEREAS, the program is being funded eighty-five (85%) percent by a federal grant, with Adams County responsible for the remaining fifteen (15%) percent.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners, County of Adams, State of Colorado, that Amendment Two to the Agreement with Access Housing Inc., is hereby approved.

BE IT FURTHER RESOLVED, that the Chair is hereby authorized to sign Amendment Two with Access Housing Inc., after negotiation and approval as to form is completed by the County Attorney's Office.



PUBLIC HEARING AGENDA ITEM

DATE OF PUBLIC HEARING: June 16, 2020
SUBJECT: TANF Housing Services
FROM: Raymond H. Gonzales, County Manager Chris Kline, Deputy County Manager Nancy Duncan, Interim Finance Director Jennifer Tierney Hammer, Procurement and Contracts Supervisor
AGENCY/DEPARTMENT: Adams County Human Services Department Workforce and Business Center, (TANF)
HEARD AT STUDY SESSION ON: N/A
AUTHORIZATION TO MOVE FORWARD: <input type="checkbox"/> YES <input type="checkbox"/> NO
RECOMMENDED ACTION: That the Board of County Commissioners approves additional funds to the agreements with multiple providers for 2019/2020 Housing Services.

BACKGROUND:

Adams County Human Services Department (HSD) receives Federal Temporary Assistance for Needy Families (TANF) Block Grant funds, allocated by the State to assist with the goals of the HSD Workforce and Business Center (WBC) TANF program. These Home Services provide homelessness prevention, rent, utility assistance and other related services for eligible Adams County families who are in danger of homelessness.

Our housing contractors distribute an average of \$57,871.56 in emergency rental and utility assistance per month with TANF (Temporary Aide for Needy Families) funding. Since the COVID-19 pandemic has started contracted providers have seen anywhere from double to triple the amounts of requests for emergency deposit, rent and utility assistance due to layoffs, having employment hours reduced, or overall strain from this emergency crisis situation. For the month of February 2020, the County was billed a total of \$107,718.32 from our housing contracted providers for these same services and we are currently paying another \$145,000.00 in emergency deposit, rent and utility assistance for March 2020 services rendered. Roughly double to triple the average amounts typically that are requested by TANF eligible families.

The Board of County Commissioners approved multiple agreements to provide housing services for the TANF Program.

Adams County Human Services Department is requesting to add additional funding into the following 2019-2020 current TANF housing contracts due to the COVID-19 pandemic crisis.

Amendment	Contracted Provider	Current Contract Amount	Requested Amount	New Total Contract Amount
2020.626	Access Housing	\$130,044.00	\$100,000.00	\$230,044.00
2020.627	Almost Home	\$332,208.00	\$125,000.00	\$457,208.00
2020.629	Family Tree Housing	\$285,685.00	\$100,000.00	\$385,685.00
2020.628	Growing Home	\$356,578.00	\$100,000.00	\$456,578.00
2020.625	Unison/Maiker Housing	\$306,250.00	\$125,000.00	\$431,250.00
	Total	\$1,410,765.00	\$550,000.00	\$1,960,765.00

These funds will directly impact Adams County TANF eligible clients for emergency deposit, emergency rent, and utility payments to stabilize housing, prevent homelessness and meet the TANF purpose of providing assistance to needy families so that children can be cared for in their own homes.

Housing Services will be funded through the 2019/2020 TANF Block Grant Funds. The funding will be covered under 85/15. 85% funded Federally with a 15% Adams County match.

The recommendation is to approve additional funds in the not to exceed amount of \$550,000.00 for a total not to exceed agreement amount of \$1,960,765.00

AGENCIES, DEPARTMENTS OR OTHER OFFICES INVOLVED:

Adams County Human Services Department Workforce and Business Center, (TANF)

ATTACHED DOCUMENTS:

FISCAL IMPACT:

Please check if there is no fiscal impact . If there is fiscal impact, please fully complete the section below.

Fund: 15
Cost Center: 99915

	Object Account	Subledger	Amount
Current Budgeted Revenue:	5755		\$50,239,790
Additional Revenue not included in Current Budget:			
Total Revenues:			<u>50,239,790</u>

	Object Account	Subledger	Amount
Current Budgeted Operating Expenditure:	7645		\$6,078,100
Add'l Operating Expenditure not included in Current Budget:			
Current Budgeted Capital Expenditure:			
Add'l Capital Expenditure not included in Current Budget:			
Total Expenditures:			<u>6,078,100</u>

New FTEs requested: YES NO

Future Amendment Needed: YES NO

Additional Note:

BOARD OF COUNTY COMMISSIONERS FOR
ADAMS COUNTY, STATE OF COLORADO

RESOLUTION APPROVING AMENDMENT TWO TO THE AGREEMENT
BETWEEN ADAMS COUNTY AND ALMOST HOME INC.,
TO PROVIDE HOUSING SERVICES

WHEREAS, the Board of County Commissioners approved an agreement for Housing Services with Almost Home Inc., in 2018; and,

WHEREAS, the Board of County Commissioners approved Amendment One to extend the agreement for Housing Services with Almost Home Inc., for an additional year in 2019; and,

WHEREAS, Adams County would like to add additional funds to the agreement; and,

WHEREAS, Almost Home Inc., agrees to provide the services in the not to exceed amount of \$125,000.00 for a total contract amount of \$457,208.00; and,

WHEREAS, the program is being funded eighty-five (85%) percent by a federal grant, with Adams County responsible for the remaining fifteen (15%) percent.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners, County of Adams, State of Colorado, that Amendment Two to the Agreement with Almost Home Inc., is hereby approved.

BE IT FURTHER RESOLVED, that the Chair is hereby authorized to sign Amendment Two to the agreement with Almost Home Inc., after negotiation and approval as to form is completed by the County Attorney's Office.



PUBLIC HEARING AGENDA ITEM

DATE OF PUBLIC HEARING: June 16, 2020
SUBJECT: TANF Housing Services
FROM: Raymond H. Gonzales, County Manager Chris Kline, Deputy County Manager Nancy Duncan, Interim Finance Director Jennifer Tierney Hammer, Procurement and Contracts Supervisor
AGENCY/DEPARTMENT: Adams County Human Services Department Workforce and Business Center, (TANF)
HEARD AT STUDY SESSION ON: N/A
AUTHORIZATION TO MOVE FORWARD: <input type="checkbox"/> YES <input type="checkbox"/> NO
RECOMMENDED ACTION: That the Board of County Commissioners approves additional funds to the agreements with multiple providers for 2019/2020 Housing Services.

BACKGROUND:

Adams County Human Services Department (HSD) receives Federal Temporary Assistance for Needy Families (TANF) Block Grant funds, allocated by the State to assist with the goals of the HSD Workforce and Business Center (WBC) TANF program. These Home Services provide homelessness prevention, rent, utility assistance and other related services for eligible Adams County families who are in danger of homelessness.

Our housing contractors distribute an average of \$57,871.56 in emergency rental and utility assistance per month with TANF (Temporary Aide for Needy Families) funding. Since the COVID-19 pandemic has started contracted providers have seen anywhere from double to triple the amounts of requests for emergency deposit, rent and utility assistance due to layoffs, having employment hours reduced, or overall strain from this emergency crisis situation. For the month of February 2020, the County was billed a total of \$107,718.32 from our housing contracted providers for these same services and we are currently paying another \$145,000.00 in emergency deposit, rent and utility assistance for March 2020 services rendered. Roughly double to triple the average amounts typically that are requested by TANF eligible families.

The Board of County Commissioners approved multiple agreements to provide housing services for the TANF Program.

Adams County Human Services Department is requesting to add additional funding into the following 2019-2020 current TANF housing contracts due to the COVID-19 pandemic crisis.

Amendment	Contracted Provider	Current Contract Amount	Requested Amount	New Total Contract Amount
2020.626	Access Housing	\$130,044.00	\$100,000.00	\$230,044.00
2020.627	Almost Home	\$332,208.00	\$125,000.00	\$457,208.00
2020.629	Family Tree Housing	\$285,685.00	\$100,000.00	\$385,685.00
2020.628	Growing Home	\$356,578.00	\$100,000.00	\$456,578.00
2020.625	Unison/Maiker Housing	\$306,250.00	\$125,000.00	\$431,250.00
	Total	\$1,410,765.00	\$550,000.00	\$1,960,765.00

These funds will directly impact Adams County TANF eligible clients for emergency deposit, emergency rent, and utility payments to stabilize housing, prevent homelessness and meet the TANF purpose of providing assistance to needy families so that children can be cared for in their own homes.

Housing Services will be funded through the 2019/2020 TANF Block Grant Funds. The funding will be covered under 85/15. 85% funded Federally with a 15% Adams County match.

The recommendation is to approve additional funds in the not to exceed amount of \$550,000.00 for a total not to exceed agreement amount of \$1,960,765.00

AGENCIES, DEPARTMENTS OR OTHER OFFICES INVOLVED:

Adams County Human Services Department Workforce and Business Center, (TANF)

ATTACHED DOCUMENTS:

FISCAL IMPACT:

Please check if there is no fiscal impact . If there is fiscal impact, please fully complete the section below.

Fund: 15
Cost Center: 99915

	Object Account	Subledger	Amount
Current Budgeted Revenue:	5755		\$50,239,790
Additional Revenue not included in Current Budget:			
Total Revenues:			<u>50,239,790</u>

	Object Account	Subledger	Amount
Current Budgeted Operating Expenditure:	7645		\$6,078,100
Add'l Operating Expenditure not included in Current Budget:			
Current Budgeted Capital Expenditure:			
Add'l Capital Expenditure not included in Current Budget:			
Total Expenditures:			<u>6,078,100</u>

New FTEs requested: YES NO

Future Amendment Needed: YES NO

Additional Note:

BOARD OF COUNTY COMMISSIONERS FOR
ADAMS COUNTY, STATE OF COLORADO

RESOLUTION APPROVING AMENDMENT TWO TO THE AGREEMENT BETWEEN
ADAMS COUNTY AND GROWING HOME TO PROVIDE HOUSING
SERVICES

WHEREAS, the Board of County Commissioners approved an agreement for Housing Services with Growing Home in 2018; and,

WHEREAS, the Board of County Commissioners approved Amendment One to extend the agreement for Housing Services with Growing Home for an additional year in 2019; and,

WHEREAS, Growing Home agrees to provide the services in the not to exceed amount of \$100,000.00 and a total contact amount of \$456,578.00; and,

WHEREAS, the program is being funded eighty-five (85%) percent by a federal grant, with Adams County responsible for the remaining fifteen (15%) percent.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners, County of Adams, State of Colorado, that Amendment Two to the agreement with Growing Home is hereby approved.

BE IT FURTHER RESOLVED, that the Chair is hereby authorized to sign Amendment Two to the agreement with Growing Home after negotiation and approval as to form is completed by the County Attorney's Office.



PUBLIC HEARING AGENDA ITEM

DATE OF PUBLIC HEARING: June 16, 2020
SUBJECT: TANF Housing Services
FROM: Raymond H. Gonzales, County Manager Chris Kline, Deputy County Manager Nancy Duncan, Interim Finance Director Jennifer Tierney Hammer, Procurement and Contracts Supervisor
AGENCY/DEPARTMENT: Adams County Human Services Department Workforce and Business Center, (TANF)
HEARD AT STUDY SESSION ON: N/A
AUTHORIZATION TO MOVE FORWARD: <input type="checkbox"/> YES <input type="checkbox"/> NO
RECOMMENDED ACTION: That the Board of County Commissioners approves additional funds to the agreements with multiple providers for 2019/2020 Housing Services.

BACKGROUND:

Adams County Human Services Department (HSD) receives Federal Temporary Assistance for Needy Families (TANF) Block Grant funds, allocated by the State to assist with the goals of the HSD Workforce and Business Center (WBC) TANF program. These Home Services provide homelessness prevention, rent, utility assistance and other related services for eligible Adams County families who are in danger of homelessness.

Our housing contractors distribute an average of \$57,871.56 in emergency rental and utility assistance per month with TANF (Temporary Aide for Needy Families) funding. Since the COVID-19 pandemic has started contracted providers have seen anywhere from double to triple the amounts of requests for emergency deposit, rent and utility assistance due to layoffs, having employment hours reduced, or overall strain from this emergency crisis situation. For the month of February 2020, the County was billed a total of \$107,718.32 from our housing contracted providers for these same services and we are currently paying another \$145,000.00 in emergency deposit, rent and utility assistance for March 2020 services rendered. Roughly double to triple the average amounts typically that are requested by TANF eligible families.

The Board of County Commissioners approved multiple agreements to provide housing services for the TANF Program.

Adams County Human Services Department is requesting to add additional funding into the following 2019-2020 current TANF housing contracts due to the COVID-19 pandemic crisis.

Amendment	Contracted Provider	Current Contract Amount	Requested Amount	New Total Contract Amount
2020.626	Access Housing	\$130,044.00	\$100,000.00	\$230,044.00
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2020.628	Growing Home	\$356,578.00	\$100,000.00	\$456,578.00
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	Total	\$1,410,765.00	\$550,000.00	\$1,960,765.00

These funds will directly impact Adams County TANF eligible clients for emergency deposit, emergency rent, and utility payments to stabilize housing, prevent homelessness and meet the TANF purpose of providing assistance to needy families so that children can be cared for in their own homes.

Housing Services will be funded through the 2019/2020 TANF Block Grant Funds. The funding will be covered under 85/15. 85% funded Federally with a 15% Adams County match.

The recommendation is to approve additional funds in the not to exceed amount of \$550,000.00 for a total not to exceed agreement amount of \$1,960,765.00

AGENCIES, DEPARTMENTS OR OTHER OFFICES INVOLVED:

Adams County Human Services Department Workforce and Business Center, (TANF)

ATTACHED DOCUMENTS:

FISCAL IMPACT:

Please check if there is no fiscal impact . If there is fiscal impact, please fully complete the section below.

Fund: 15
Cost Center: 99915

	Object Account	Subledger	Amount
Current Budgeted Revenue:	5755		\$50,239,790
Additional Revenue not included in Current Budget:			
Total Revenues:			<u>50,239,790</u>

	Object Account	Subledger	Amount
Current Budgeted Operating Expenditure:	7645		\$6,078,100
Add'l Operating Expenditure not included in Current Budget:			
Current Budgeted Capital Expenditure:			
Add'l Capital Expenditure not included in Current Budget:			
Total Expenditures:			<u>6,078,100</u>

New FTEs requested: YES NO

Future Amendment Needed: YES NO

Additional Note:

BOARD OF COUNTY COMMISSIONERS FOR
ADAMS COUNTY, STATE OF COLORADO

RESOLUTION APPROVING AMENDMENT TWO TO THE AGREEMENT
BETWEEN ADAMS COUNTY AND FAMILY TREE, INC.,
TO PROVIDE HOUSING SERVICES

WHEREAS, the Board of County Commissioners approved an agreement for Housing Services with Family Tree Inc., in 2018; and,

WHEREAS, the Board of County Commissioners approved Amendment One to extend the agreement for Housing Services with Family Tree Inc., for an additional year in 2019; and,

WHEREAS, Family Tree Inc., agrees to provide the services in the not to exceed amount of \$100,000.00 and a total contract amount of \$385,685.00; and,

WHEREAS, the program is being funded eighty-five (85%) percent by a federal grant, with Adams County responsible for the remaining fifteen (15%) percent.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners, County of Adams, State of Colorado, that Amendment Two to the agreement with Family Tree Inc., is hereby approved.

BE IT FURTHER RESOLVED, that the Chair is hereby authorized to sign Amendment Two to the agreement with Family Tree Inc., after negotiation and approval as to form is completed by the County Attorney's Office.



PUBLIC HEARING AGENDA ITEM

DATE OF PUBLIC HEARING: June 16, 2020
SUBJECT: 2020 Video Inspection and Maintenance Program
FROM: Raymond H. Gonzales, County Manager Chris Kline, Deputy County Manager Nancy Duncan, Budget & Finance Director Jennifer Tierney Hammer, Procurement & Contracts Manager
AGENCY/DEPARTMENT: Public Works Department
HEARD AT STUDY SESSION ON: N/A
AUTHORIZATION TO MOVE FORWARD: <input type="checkbox"/> YES <input type="checkbox"/> NO
RECOMMENDED ACTION: That the Board of County Commissioners approves an agreement with Industrial Pipe Solutions for the 2020 Video Inspection and Maintenance Program.

BACKGROUND:

The Adams County Public Works Department (Public Works) has undertaken the efforts to inspect and provide clean drainage conveyances in unincorporated Adams County. Public Works has determined that video inspection and maintenance services are necessary in order to maintain the current service level for a sustainable public infrastructure, which supports the quality of life for citizens and the economic and business development community. These proposed services are in compliance with the stated County Goals, specifically for Safe and Reliable Infrastructure.

A formal Invitation for Bid (IFB) was solicited on BidNet. The County received three (3) bids on May 1, 2020, from the following firms:

Hoffman Southwest Corp. dba Professional Pipe Solutions	\$645,121.37
Industrial Pipe Solutions	\$592,087.00
Iron Woman Construction	\$805,576.05

After a thorough review of the submitted bids, it was determined that Industrial Pipe Solutions was the lowest, most responsible and responsive bid. The recommendation is to award the 2020 Video Inspection and Maintenance Program in the not to exceed amount of \$592,087.00.

AGENCIES, DEPARTMENTS OR OTHER OFFICES INVOLVED:

Public Works Department

ATTACHED DOCUMENTS:

Resolution

FISCAL IMPACT:

Please check if there is no fiscal impact . If there is fiscal impact, please fully complete the section below.

Fund: 1
Cost Center: 3090

	Object Account	Subledger	Amount
Current Budgeted Revenue:			
Additional Revenue not included in Current Budget:			
Total Revenues:			<hr/>

	Object Account	Subledger	Amount
Current Budgeted Operating Expenditure:	7820		\$1,295,376.00
Add'l Operating Expenditure not included in Current Budget:			
Current Budgeted Capital Expenditure:			
Add'l Capital Expenditure not included in Current Budget:			
Total Expenditures:			<hr/> \$1,295,376.00

New FTEs requested: YES NO

Future Amendment Needed: YES NO

Additional Note:

BOARD OF COUNTY COMMISSIONERS FOR
ADAMS COUNTY, STATE OF COLORADO

RESOLUTION APPROVING THE AGREEMENT BETWEEN ADAMS COUNTY AND
INDUSTRIAL PIPE SOLUTIONS, FOR THE 2020 VIDEO INSPECTION &
MAINTENANCE PROJECT

WHEREAS, Industrial Pipe Solutions submitted a bid on May 1, 2020, and was deemed the lowest most responsive and responsible bidder to provide the 2020 Video Inspection and Maintenance Program for Adams County; and,

WHEREAS, Industrial Pipe Solutions, has agreed to provide the 2020 Video Inspection and Maintenance Program in the not to exceed amount of \$592,087.00.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners, County of Adams, State of Colorado, that the agreement between Adams County and Industrial Pipe Solutions for the 2020 Video Inspection and Maintenance Program is hereby approved.

BE IT FURTHER RESOLVED that the Chair is hereby authorized to sign the agreement with Industrial Pipe Solutions, after negotiation and approval as to form is completed by the County Attorney's Office.



PUBLIC HEARING AGENDA ITEM

DATE OF PUBLIC HEARING: June 16, 2020
SUBJECT: Modules A-E Cell Window Replacement at the Detention Facility
FROM: Raymond H. Gonzales, County Manager Chris Kline, Deputy County Manager Nancy Duncan, Budget & Finance Director Jennifer Tierney Hammer, Procurement & Contracts Manager
AGENCY/DEPARTMENT: Facilities and Fleet Management Department and Sheriff's Office
HEARD AT STUDY SESSION ON: N/A
AUTHORIZATION TO MOVE FORWARD: <input type="checkbox"/> YES <input type="checkbox"/> NO
RECOMMENDED ACTION: That the Board of County Commissioners approves an agreement to Symmetry Builders, Inc., for Modules A-E Cell Window Replacement at the Detention Facility.

BACKGROUND:

The cell windows at the Detention Facility are approximately 35 years old and have served their useful life in a building with year-round operations. The current material is not UV-rated and has been exposed to the weather elements and is cracked, burnt or delaminating and poses a safety risk to inmates housed in these areas. This project will remove existing windows in modules A-E and will replace them with UV-rated Detention-grade polycarbonate.

A formal Invitation for Bid (IFB) was solicited through BidNet for Modules A-E Cell Window Replacement at the Detention Facility. The County received one response on May 18, 2020.

- Symmetry Builders, Inc. - \$283,717.00

After review, it was determined that Symmetry Builders, Inc., was responsive and responsible and their pricing was in-line with the project budget. The Facilities and Fleet Management Department recommends an agreement with Symmetry Builders, Inc., for Window Replacement at the Detention Facility in the not to exceed amount of \$283,717.00 be approved.

AGENCIES, DEPARTMENTS OR OTHER OFFICES INVOLVED:

Facilities and Fleet Management Department
Sheriff's Office

ATTACHED DOCUMENTS:

Resolution

FISCAL IMPACT:

Please check if there is no fiscal impact . If there is fiscal impact, please fully complete the section below.

Fund: 01
Cost Center: 2009

	Object Account	Subledger	Amount
Current Budgeted Revenue:			
Additional Revenue not included in Current Budget:			
Total Revenues:			<u> </u>

	Object Account	Subledger	Amount
Current Budgeted Operating Expenditure:			
Add'l Operating Expenditure not included in Current Budget:			
Current Budgeted Capital Expenditure:	7845	20092011	\$385,000
Add'l Capital Expenditure not included in Current Budget:			
Total Expenditures:			<u>\$385,000</u>

New FTEs requested: YES NO

Future Amendment Needed: YES NO

Additional Note:

BOARD OF COUNTY COMMISSIONERS FOR
ADAMS COUNTY, STATE OF COLORADO

RESOLUTION APPROVING AN AGREEMENT BETWEEN ADAMS COUNTY AND
SYMMETRY BUILDERS, INC., FOR MODULES A-E CELL WINDOW REPLACEMENT
AT THE DETENTION FACILITY

WHEREAS, Symmetry Builders, Inc., submitted a bid on May 18, 2020, to provide Modules A-E Cell Window Replacement at the Detention Facility; and,

WHEREAS, Symmetry Builders, Inc., agrees to provide Modules A-E Cell Window Replacement at the Detention Facility for the not to exceed amount of \$283,717.00; and,

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners, County of Adams, State of Colorado, that the agreement with Symmetry Builders, Inc., to provide Modules A-E Cell Window Replacement at the Detention Facility is hereby approved.

BE IT FURTHER RESOLVED that the Chair is hereby authorized to sign the agreement with Symmetry Builders, Inc., on behalf of Adams County, after negotiation and approval as to form is completed by the County Attorney's Office.



PUBLIC HEARING AGENDA ITEM

DATE OF PUBLIC HEARING: June 16, 2020
SUBJECT: Update of the Comprehensive Transportation, Parks and Open Space, and Trails Master Plan
FROM: Raymond H. Gonzales, County Manager Chris Kline, Deputy County Manager Nancy Duncan, Budget & Finance Director Jennifer Tierney Hammer, Procurement & Contracts Manager
AGENCY/DEPARTMENT: Community and Economic Development Department
HEARD AT STUDY SESSION ON: N/A
AUTHORIZATION TO MOVE FORWARD: <input type="checkbox"/> YES <input type="checkbox"/> NO
RECOMMENDED ACTION: That the Board of County Commissioners approves an agreement with Design Workshop to update the Adams County Comprehensive Transportation, Parks and Open Space, and Trails Master Plan.

BACKGROUND:

The Community and Economic Development Department manages the Comprehensive Transportation, Parks and Open Space, and Trails Master Plan. The previous Plan was adopted in December 2012 and is now due for an update. This plan guides and shapes the County's vision, establishes goals, policies and strategies for day-to-day decision making regarding future growth and public investment in the County over the next 10 to 20 years.

A formal Request for Proposal (RFP) was solicited through BidNet for the Adams County Comprehensive Transportation, Parks and Open Space, and Trails Master Plan update. The County received two responses on March 26, 2020. The responses were evaluated on the following criteria:

- Project Timeframe
- Past Experience and Key Personnel
- Demonstrated understanding and proposed methodology
- Ability to lead a robust and inclusive community engagement process
- Ability to complete task without substantial County resources
- Ability to identify key metrics, policies, regulatory improvements, and other priority initiatives
- Ability to convey and analyze concepts visually using GIS, 3D modeling and other graphic tools
- Fee Structure

After a thorough evaluation, Design Workshop was deemed to provide the best value for the County. The Community and Economic Development Department recommends that an agreement with Design Workshop for the update of the Comprehensive Transportation, Parks and Open Space, and Trails Master Plan be approved in the not to exceed amount of \$741,555.00.

AGENCIES, DEPARTMENTS OR OTHER OFFICES INVOLVED:

Community and Economic Development Department
Parks, Open Space & Cultural Arts Department
Public Works Department

ATTACHED DOCUMENTS:

Resolution

FISCAL IMPACT:

Please check if there is no fiscal impact . If there is fiscal impact, please fully complete the section below.

Fund: 1 & 13
Cost Center: 1081, 3011

	Object Account	Subledger	Amount
Current Budgeted Revenue:			
Additional Revenue not included in Current Budget:			
Total Revenues:			<hr/>

	Object Account	Subledger	Amount
Current Budgeted Operating Expenditure:	7685	10812001	\$225,000
	7685	30112001	\$250,000
Add'l Operating Expenditure not included in Current Budget:			
Current Budgeted Capital Expenditure:			
Add'l Capital Expenditure not included in Current Budget:			
Total Expenditures:			<hr/> <hr/> \$475,000*

New FTEs requested: YES NO

Future Amendment Needed: YES NO

Additional Note:

*Additional \$275,000 in funding will be requested in the 2021 budget.

BOARD OF COUNTY COMMISSIONERS FOR
ADAMS COUNTY, STATE OF COLORADO

RESOLUTION APPROVING AN AGREEMENT BETWEEN ADAMS COUNTY AND
DESIGN WORKSHOP FOR THE COMPREHENSIVE TRANSPORTATION, PARKS AND
OPEN SPACE, AND TRAILS MASTER PLAN

WHEREAS, Design Workshop submitted a proposal on March 26, 2020 to provide updates to the Comprehensive Transportation, Parks and Open Space, and Trails Master Plan for the Community and Economic Development Department; and,

WHEREAS, after thorough evaluation it was deemed that Design Workshop was the most responsive and responsible proposer; and,

WHEREAS, Design Workshop agrees to provide the updates to the Comprehensive Transportation, Parks and Open Space, and Trails Master Plan in the not to exceed amount of \$741,555.00.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners, County of Adams, State of Colorado, that the agreement between Adams County and Design Workshop to provide updates to the Comprehensive Transportation, Parks and Open Space, and Trails Master Plan is hereby approved.

BE IT FURTHER RESOLVED, that the Chair is hereby authorized to sign said agreement with Design Workshop on behalf of Adams County, after negotiation and approval as to form is completed by the County Attorney's Office.



PUBLIC HEARING AGENDA ITEM

DATE OF PUBLIC HEARING: June 16, 2020
SUBJECT: First Reading of Ordinance No. 15, Ordinance Regulating Marijuana Hospitality Businesses and Providing For Licenses for Such Businesses
FROM: Christy Fitch, Assistant County Attorney
AGENCY/DEPARTMENT: County Attorney
HEARD AT STUDY SESSION ON: April 28 and June 2, 2020
AUTHORIZATION TO MOVE FORWARD: <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
RECOMMENDED ACTION: That the Board of County Commissioners hears the first reading of Ordinance No. 15

BACKGROUND:

In 2019, the Colorado Legislature passed HB19-1230, An Act Concerning Marijuana Hospitality Establishments, and in Connection therewith, Making an Appropriation. The Act allowed for the establishment of licenses for Marijuana Hospitality in local jurisdictions.

The Adams County Community and Economic Development Department is recommending that the Board of County Commissioners adopt Ordinance No. 15 to allow for the licensing and operation of Marijuana Hospitality Businesses in unincorporated Adams County.

AGENCIES, DEPARTMENTS OR OTHER OFFICES INVOLVED:

Community and Economic Development, County Attorney's Office

ATTACHED DOCUMENTS:

Proposed Ordinance No. 15

FISCAL IMPACT:

Please check if there is no fiscal impact . If there is fiscal impact, please fully complete the section below.

Fund:
Cost Center:

	Object Account	Subledger	Amount
Current Budgeted Revenue:			
Additional Revenue not included in Current Budget:			
Total Revenues:			<hr/> <hr/>

	Object Account	Subledger	Amount
Current Budgeted Operating Expenditure:			
Add'l Operating Expenditure not included in Current Budget:			
Current Budgeted Capital Expenditure:			
Add'l Capital Expenditure not included in Current Budget:			
Total Expenditures:			<hr/> <hr/>

New FTEs requested: **YES** **NO**

Future Amendment Needed: **YES** **NO**

Additional Note:

ORDINANCE NO. 15

ORDINANCE REGULATING MARIJUANA HOSPITALITY BUSINESSES AND PROVIDING FOR LICENSES FOR SUCH BUSINESSES

WHEREAS, pursuant to §§ 30-11-101(2), 44-12-408(2)(a) and 44-12-409(2)(a), C.R.S., the Board of County Commissioners may authorize the operation of marijuana hospitality businesses within unincorporated Adams County through the enactment of an ordinance; and

WHEREAS, the Board of County Commissioners is authorized under §§ 44-12-408(2)(a) and 44-12-409(2)(a), et seq., C.R.S., to adopt regulations governing marijuana hospitality businesses that are at least as restrictive as the Colorado statutes and rules governing marijuana hospitality businesses; and,

WHEREAS, the Board of County Commissioners finds that regulating marijuana hospitality businesses is necessary to promote the health, safety, and welfare of the citizens of Adams County; and,

WHEREAS, the Board of County Commissioners wishes to permit licenses for Marijuana Hospitality Businesses and Retail Marijuana Hospitality and Sales Businesses as defined by § 44-12-103, C.R.S., as amended.

NOW, THEREFORE, BE IT ORDAINED, by the Board of County Commissioners, County of Adams, State of Colorado, that the operation of marijuana hospitality businesses in the unincorporated portions of Adams County be subject to the following regulations:

SECTION 1. PURPOSE AND INTENT

The objectives of this Ordinance are:

To establish regulations for the licensing of Marijuana Hospitality Businesses and Retail Marijuana Hospitality and Sales Businesses in unincorporated Adams County;

To prohibit the operation of unlicensed Marijuana Hospitality Businesses and Retail Marijuana Hospitality and Sales Businesses in unincorporated Adams County; and,

To establish procedures for inspection and enforcement to ensure compliance with this Ordinance and all other applicable rules, laws and ordinances pertaining to Marijuana Hospitality Businesses and Retail Marijuana Hospitality and Sales Businesses.

SECTION 2. DEFINITIONS

For the purposes of this Ordinance, the following shall mean:

“Board of County Commissioners” means the Adams County Board of County Commissioners.

“Consumption Area” means a designated and secured area within in the Licensed Premises of a Hospitality Business where consumers can use and consume marijuana and where no one under the age of 21 is permitted.

“Development Standards and Regulations” means the Adams County Development Standards and Regulations as adopted by the Adams County Board of County Commissioners.

“Hospitality Business” means a Marijuana Hospitality Business or Retail Marijuana Hospitality and Sales Business, as defined.

“Licensing Regulations” means the Adams County Licensing Regulations as adopted by the Adams County Board of County Commissioners.

“Marijuana Hospitality Business” means an entity licensed to permit the use or consumption of marijuana within a Consumption Area.

“Marijuana Hospitality Mobile License” means an entity licensed to permit the use or consumption of marijuana within a Mobile Premises.

“Mobile Premises” means a licensed premises operated by a Marijuana Hospitality Business in a motor vehicle, which includes any self-propelled vehicle that is designed primarily for travel on the public highways and that is generally and commonly used to transport persons and property over the public highways or a low-speed electric vehicle; but does not include electrical assisted bicycles, electric scooters, low-power scooters, wheelchairs, or vehicles moved solely by human power.

“Operations” means the business activities that a Hospitality Business engages in to provide a service to their customers.

“Outdoor Consumption Area” means a Consumption Area that is outdoors and surrounded by a sight-obscuring wall, fence, hedge, or other opaque or translucent barrier.

“Permitted Use” means a use permitted by right in a zone district. The use must comply with all applicable standards for the use or uses and all County and State regulations in order to be permitted.

“Restricted Access Area” means a designated and secure area within a Licensed Premises in a Retail Marijuana Hospitality and Sales business where Retail Marijuana is sold to consumers, processed for sale, and displayed for sale, and where no one under the age of 21 is permitted.

“Retail Marijuana Hospitality and Sales Business” means an entity licensed to (1) purchase Retail Marijuana from a Retail Marijuana Business, (2) Transfer Retail Marijuana to consumers, and (3) permit the use or consumption of Retail Marijuana Transferred to a consumer within the Restricted Access Area

SECTION 3. APPLICABILITY

This Ordinance shall apply to any Hospitality Business in unincorporated Adams County, Colorado.

SECTION 4. RESPONSIBILITY FOR ADMINISTRATION

- A. The Board of County Commissioners shall be responsible for allocating the number of available licenses for Hospitality Businesses.
- B. The Director of Community and Economic Development or the Director’s designee shall administer, implement, and perform enforcement of this Ordinance and may inspect for violations of this Ordinance.
- C. Any powers granted or duties imposed upon the Department may be delegated in writing by the Director acting for and on behalf of the County.
- D. Enforcement:
 - a. Pursuant to § 30-15-402.5(1) the Board of County Commissioners has determined that it is in the best interest of public safety to designate all Adams County Sheriff’s Office Peace Officers and all Adams County Code Compliance Officers to enforce this Ordinance by issuing citations or summonses and complaints for violators of the provisions of this Ordinance.

SECTION 5. LICENSE FEES

License Fees and associated administrative fees shall be adopted by the Board of County Commissioners on a yearly basis through means of a resolution.

SECTION 6. OPERATIONS

Hours of Operation

- A. The Hours of Operation for Hospitality Business shall be 8am to 10pm, daily.

Locations of Marijuana Hospitality Businesses or Retail Marijuana Hospitality and Sales Businesses

- A. No Hospitality Business shall be located within 1,000 feet of any existing public or private elementary, middle junior high or high school, state licensed daycare homes and daycare centers in existence as of the date of application (based on information provided to the County by the State of Colorado), playground, or public housing facility.
- B. No Hospitality Business shall be located within 100 feet of any existing house of worship, youth center, public swimming pool, video arcade, alcohol or drug rehabilitation facility, group home for the developmentally disabled, halfway house, or correctional facility
- C. No Hospitality Business shall be located within 50 feet of any residentially zoned or used property.
- D. No Hospitality Business shall be located within five miles of any other Hospitality Business.
- E. Hospitality Businesses shall only be allowed in the following Zone Districts: all industrial zone districts, Commercial-3, Commercial-4, and Commercial-5.

Mobile Marijuana Premises

- A. A Marijuana Hospitality Business may apply for a Marijuana Hospitality Mobile License. A maximum of two Mobile Premises will be available for each Marijuana Hospitality Business with a Marijuana Hospitality Mobile License.
- B. Each Mobile Premises is required to obtain a separate Marijuana Hospitality Mobile License.
- C. The Marijuana Hospitality Business must provide the following information to the County regarding its Mobile Premises:
 - a. Documentation that the Mobile Premises is owned or leased by the Marijuana Hospitality Business;
 - b. The vehicle manufacture/make, model, and year associated with the Mobile Premises;
 - c. Proof that the Mobile Premises is equipped with a global position system capable of tracking the Mobile Premises;
 - d. Proof that the Mobile Premises is equipped with video surveillance inside of the Mobile Premises; and

- e. Proof that the Mobile Premises is equipped with proper screening methods to ensure that consumption activity is not visible outside the vehicle.
- D. The Marijuana Hospitality Business with a Mobile Premises shall designate and maintain a fixed place of business in unincorporated Adams County that is separate from the Mobile Premises.

Applicability of the Adams County Development Standards and Regulations.

- A. All Hospitality Businesses shall abide by the Adams County Development Standards and Regulations as related to Hospitality Businesses.

Applicability of the Adams County Licensing Regulations

- A. All Hospitality Businesses shall be required to obtain a license from Adams County.
- B. All Hospitality Businesses shall be required to obtain a license from the State of Colorado.
- C. All Hospitality Businesses shall abide by the Adams County Licensing Regulations.

Compliance with Adams County Ordinances

- A. All Hospitality Businesses shall abide by all applicable rules, laws and ordinances, including, but not limited to, Adams County Ordinance No. 4, the Fire Code, and Adams County Ordinance No. 12, the Building Code.

Prohibited Uses

All uses (1) not expressly identified as permitted uses in this Section 6; or (2) determined to be permitted by the Director of Community and Economic Development pursuant to this Ordinance, the Adams County Development Standards and Regulations, or the Adams County Licensing Regulations, are prohibited.

SECTION 7. SEVERABILITY

If any provision, clause, sentence or paragraph of this Ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect the other provisions of this Ordinance that can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared to be severable.

SECTION 8. VIOLATIONS, ENFORCEMENT AND PENALTIES

- A. Criminal Prosecution
Any person that has violated or continues to violate this Ordinance may be subject to criminal prosecution, including criminal penalties authorized pursuant to § 30-15-402,

C.R.S., as amended. Each day a property is in violation of this Ordinance shall constitute a separate violation.

B. Fines

Pursuant to § 30-15-402, C.R.S., there shall be a graduated fine schedule for repeat offenses by the same individual, as follows:

First and Second offense: maximum fine of \$500 per day of offense

Third offense: minimum fine of \$750 per day of offense

Subsequent offenses: maximum fine of \$1,000 per day of offense

C. Surcharges

Pursuant to § 30-15-402(2)(a), C.R.S., there shall be a surcharge of ten dollars that shall be paid to the clerk of the court by the defendant. The moneys collected for that surcharge shall be placed in a fund established by the 17th Judicial District for victims and witness assistance and law enforcement pursuant to § 24-4.2-103, C.R.S.

D. Remedies Not Exclusive

The remedies listed in this Ordinance are not exclusive of any other remedies available under any applicable federal, state or local law, and it is within the discretion of the authorized enforcement agency to seek cumulative remedies.

E. Disposition of Fines

Unless otherwise provided for, all fines, penalties, and surcharges shall be paid into the treasury of Adams County pursuant to § 30-15-408, C.R.S. Court costs, if any, shall be paid directly to the Clerk of the Court by each defendant.

SECTION 9. EFFECTIVE DATE AND EXPIRATION

This Ordinance shall take effect thirty (30) days after the final publication of its adoption by the Board of County Commissioners.

Adopted this ___ day of _____, 2020

Emma Pinter, Chair
Board of County Commissioners
Adams County, Colorado

Upon motion duly made and seconded the foregoing Ordinance was adopted by the following vote:

Hodge _____
O’Doriso _____
Henry _____
Tedesco _____
Pinter _____
Commissioners

CERTIFICATE OF ATTESTATION

STATE OF COLORADO)
County of Adams)

CERTIFICATE OF ATTESTATION

I, Josh Zygielbaum, County Clerk and ex-officio Clerk of the Board of County Commissioners in and for the County and State aforesaid do hereby certify that the annexed and foregoing Order is truly copied from the Records of the Proceedings of the Board of County Commissioners for said Adams County, now in my office.

The foregoing text is the authentic text of Adams County Ordinance No. 15. The first reading of said Ordinance took place on **June ____, 2020**, at a regular Board of County Commissioners meeting. It was published in full in a newspaper of general circulation at least ten days before its adoption; to wit, in The Denver Post on **June __, 2020**. The Ordinance was adopted on second reading at a regular Board of County Commissioners meeting on **July ____, 2020**, and shall become effective on July __, 2020.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said County, at Brighton, Colorado this **__ day of July, 2020**.

County Clerk and ex-officio Clerk of the Board of County Commissioners
Josh Zygielbaum:

By:
Deputy



COMMUNITY AND ECONOMIC DEVELOPMENT
DEPARTMENT

CASE NO.: PRC2019-00013

CASE NAME: McCarty and Heinz Acres

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- 3.1 Applicant Written Explanation
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- 4.2 Referral Comments (Brighton Fire and Rescue)
- 4.3 Referral Comments (CDOT)
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- 4.6 Referral Comments (RTD)
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**COMMUNITY AND ECONOMIC DEVELOPMENT
DEPARTMENT
STAFF REPORT**

Board of County Commissioners

June 16th, 2020

CASE No.: PRC2019-00013 CASE NAME: McCarty and Heinz Acres	
Owner's Name:	Travis and Shantel McCarty
Applicant's Name:	Travis and Shantel McCarty
Applicant's Address:	12730 Brighton Rd. Brighton, Colorado 80601
Location of Requests:	12730 Brighton Rd. Brighton, Colorado 80601
Parcel Numbers:	0157135000035
Nature of Requests:	1) Minor Subdivision (Final Plat) 2) Zoning map amendment (rezone) 3) Waiver from the subdivision design standards
Current Zone Districts:	Agricultural-2
Proposed Zone District:	Agricultural-1
Future Land Use:	Estate Residential
Total Site Area:	9.98 Acres
Hearing Date(s):	PC: May 28, 2020 / 6:00 pm BoCC: June 16, 2020 / 9:30 am
Report Date:	May 30 th , 2020
Case Manager:	Layla Bajelan
Staff Recommendation:	APPROVAL with 18 Findings-of-Fact, 1 Condition, and 1 Note

SUMMARY OF APPLICATIONS

Background:

The applicants, Travis and Shantel McCarty, are requesting a rezone, minor subdivision final plat, and a waiver from the subdivision design standards. The proposal will split the lot into two lots, lot one would consist of 7.1 acres and lot two will consist of 2.5 acres. The applicant is also required to dedicate some right-of-way, as part of this request. Currently, the parcel is zoned as Agriculture-2 (A-2) and the applicants are requesting a rezone to Agricultural-1 (A-1).

Zone District Regulations:

Currently, the subject property is designated as Agricultural-2 (A-2). Per Section 3-09-01 of the County's Development Standards and Regulations, the purpose of the A-2 zone district is to provide a district for rural subdivisions of at least ten (10) acres in size where adequate

provisions are made for internal and external roads and access, water and sewer facilities, fire protection and other emergency services, and other public services and utilities.

The proposed zone district for this parcel is the A-1 zone district. Per Section 3-08-01 of the County's Development Standards and Regulations, the purpose of the A-1 zone district is to provide a rural single-family dwelling district where the minimum lot area for a home site is intended to provide for a rural living experience. Limited farming uses are permitted, including the keeping of a limited number of animals for the utilization and enjoyment of the County's rural environment. Primary uses within the A-1 zone district include single-family residential, farming, and nurseries.

The dimensional requirements for the A-1 zone district include a minimum of 2.5-acre lot size and a minimum lot width of 100-feet for lots serviced by public water or sewer facilities. The proposed plat will create one new lot, Lot 2, consisting of approximately 2.5 acres and have 195-feet of lot width. Lot 1 will consist of approximately 7.1 acres and have 192-feet of lot width. Therefore, the request to rezone this parcel is in conformance to the dimensional requirements for the proposed A-1 zone district of Section 3-08-07 of the County's Development Standards.

Subdivision Design and Improvements

The proposed final plat has been reviewed by County staff for consistency with the County's Subdivision Design Standards (Section 5-03). The proposed plat has been designed to be appropriate for development, and the lot configuration is suitable for access and emergency services. The proposed subdivision will be served by public water and sewer provided by the City of Brighton. The Colorado Division of Water Resources has sent a letter indicating the City of Brighton will be able to provide adequate supply and services. All documentation has been provided to ensure conformance with the County's water supply requirements.

Per Section 5-02-05 of the County's Development Standards and Regulations, an SIA is required with a final plat, if public improvements are required. The SIA allows for construction of infrastructure, such as public streets, curbs, gutters, sidewalks, and storm sewers to be constructed on the property. After review by the Development Services Engineers, it has been determined that no public improvements will be required with this request, therefore no Subdivision Improvement Agreement (SIA) is being required. In addition, residential subdivisions, public land dedication is required to support regional parks and school districts. Section 5-05-05-04 of the County's Development Standards allows for cash-in-lieu of land dedication. These cash-in-lieu fees will be expected to be paid prior to scheduling the final plat application for public hearings.

Waiver from Subdivision Design Standards:

Per Section 2-02-17-02 of the County's Development Standards and Regulations, the applicant is requesting a waiver of the Subdivision Design Standards for the lot width to depth ratio (Section 5-03-03-06). Section 5-03-03-06 of the Subdivision Design Standards states that "no lot shall have an average depth greater than three times the average width unless the lot width is a minimum of four-hundred-twenty-five (425) feet".

It is staff's determination the waiver of the Subdivision Design Standards meets the following criteria: 1) Extraordinary hardships or practical difficulties result from strict compliance with these standards and regulations, 2) The purpose of the standards and regulations are served to a greater extent by the alternative proposal, and 3) The waiver does not have the effect of nullifying the purpose of these standards and regulations. The subject parcel currently has 398-feet of lot width and 1,167-feet of lot depth. With the proposed flag lot configuration, Lot Two cannot be developed in conformance with this regulation.

Future Land Use Designation/Comprehensive Plan:

The future land use designation on the properties is Estate Residential. Per Chapter 5 of the Adams County Comprehensive Plan, the purpose of the Estate Residential future land use designation is to provide limited opportunities for ex-urban or rural lifestyles in the County. Estate Residential areas are designated for single-family housing at lower densities, typically no greater than 1 unit per acre, and compatible uses such as schools and parks. Agricultural-3 zoning is not consistent with the future land use designation of Estate Residential. Zoning requests that would be supported by the Estate Residential future land use designation include Agriculture-1, Agriculture-2, and Residential Estate (RE).

Rezoning the property to a zone district that is consistent with the Comprehensive Plan designation will advance the County's long-term goal for providing estate residential areas, supporting the need for housing within the County.

This request would also be supported by the Comprehensive Plan, as Policy 11.1 *Permit Estate Residential Development in targeted locations* aims to allow Estate Residential development only where a similar land use pattern is already established or where such patterns may be appropriately extended. Policy 11.1.a. *Established Areas* allows for Estate Residential development as an appropriate land use only in areas established for such development in area designated on the Future Land Use map.

Site Characteristics:

The subject property has street frontage along Brighton Road to the west. Currently, there is an existing single-family home and accessory structures on the northwest portion of the parcel. The remainder of the parcel is currently undeveloped.

Surrounding Zoning Designations and Existing Use Activity:

Northwest A-3 Stagecoach Gravel Pit/vacant	North A-1 Single-family dwelling	Northeast A-3 Water Storage Facility
West A-3 Stagecoach Gravel Pit/vacant	Subject Property A-2 Single-family dwelling	East A-3 Water Storage Facility
Southwest A-3 Stagecoach Gravel Pit/vacant	South A-2 Single-family dwelling	Southeast A-3 Water Storage Facility

Compatibility with the Surrounding Area:

The surrounding properties contain a mix of A-1, A-2, and A-3 zoned properties that are either undeveloped or developed with single-family dwellings and associated accessory structures. Rezoning the A-2 property to A-1 would make this parcel compatible to the surrounding area and allow for an additional single-family home to be developed.

Per Section 8-02-02 of the County’s Development Standards and Regulations, a traffic study is required with these applications. Staff reviewed the traffic study and has no outstanding concerns with potential traffic generation from the site. A new traffic study may be required during review of any building permit for new development on the property.

These applications are compatible with the overall area and are not detrimental to public health and safety. Approval of these requests will be consistent with the character of development activities in the area.

Planning Commission Update

The Planning Commission (PC) considered this case on May 28th, 2020 and voted (7-0) to recommend approval of the request. The applicant spoke at the meeting and had no concerns with the staff report or presentation. There was no one from the public to speak in favor or in opposition to the request.

Staff Recommendation:

Based upon the application, the criteria for approval, and a recent site visit, staff recommends approval of these requests, minor subdivision final plat, waiver from the subdivision design standards, and rezoning, with 18 findings-of-fact, 1 condition and 1 note:

RECOMMENDED FINDINGS-OF-FACT

1. The final plat is consistent and conforms to the approved sketch plat.
2. The final plat is in conformance with the subdivision design standards.
3. The applicant has provided evidence that a sufficient water supply has been acquired in terms of quantity, quality, and dependability for the type of subdivision proposed, as determined in accordance with the standards set forth in the water supply standards.
4. The applicant has provided evidence that a public sewage disposal system has been established and, if other methods of sewage disposal are proposed, adequate evidence indicating that the system complies with state and local laws and regulations.
5. The applicant has provided evidence to show all areas of the proposed subdivision, which may involve soil or topographical conditions presenting hazards or requiring special precautions, have been identified by the applicant and the proposed uses of these areas are compatible with such conditions.
6. The proposed or constructed drainage improvements are adequate and comply with these standards and regulations.
7. Adequate public facilities or infrastructure, or cash-in-lieu, for impacts reasonably related to the proposed subdivision have been constructed or financially guaranteed through cash-in-lieu or a subdivision improvements agreement so the proposed subdivision will not negatively impact the levels of service of the County.
8. The final plat is consistent with the Adams County Comprehensive Plan and any available area plan.
9. The final plat is consistent with the purposes of these standards and regulations.
10. The overall density of development within the proposed subdivision conforms to the zone district density allowances.
11. The proposed subdivision is compatible with the surrounding area, harmonious with the character of the neighborhood, not detrimental to the immediate area, not detrimental to the future development of the area, and not detrimental to the health, safety, or welfare of the inhabitants of the area and the County. The proposed subdivision has established an adequate level of compatibility by:
 - a. Incorporating natural physical features into the development design and providing sufficient open spaces considering the type and intensity of use;
 - b. Incorporating site planning techniques to foster the implementation of the County's plans, and encourage a land use pattern to support a balanced transportation system, including auto, bike and pedestrian traffic, public or mass transit, and the cost effective delivery of other services consistent with adopted plans, policies and regulations of the County;
 - c. Incorporating physical design features in the subdivision to provide a transition between the project and adjacent land uses through the provision of an attractive entryway, edges along public streets, architectural design, and appropriate height and bulk restrictions on structures;
 - d. Incorporating identified environmentally sensitive areas, including but not limited to, wetlands and wildlife corridors, into the project design; and

- e. Incorporating public facilities or infrastructure, or cash-in-lieu, reasonably related to the proposed subdivision so the proposed subdivision will not negatively impact the levels of service of the County services and facilities.
- 12. The Zoning Map amendment is consistent with the Adams County Comprehensive Plan.
- 13. The Zoning Map amendment is consistent with the purposes of these standards and regulations.
- 14. The Zoning Map amendment will comply with the requirements of these standards and regulations
- 15. The Zoning Map amendment is compatible with the surrounding area, harmonious with the character of the neighborhood, not detrimental to the immediate area, not detrimental to the future development of the area, and not detrimental to the health, safety, or welfare of the inhabitants of the area and the County.
- 16. Extraordinary hardships or practical difficulties result from strict compliance with these standards and regulations.
- 17. The purpose of the standards and regulations are served to a greater extent by the alternative proposal.
- 18. The waiver does not have the effect of nullifying the purpose of these standards and regulations.

Recommended Conditions of Approval:

- 1. No building permits will be issued on either Lot 1 or 2 until the property owner provides demolition permits to the County for the structures currently located on the newly created property line between Lot 1 and 2.

Recommended Notes to the Applicant:

- 1. The applicant shall comply with all building, zoning, fire, engineering, and health codes and regulations during the development of the subject site.

CITIZEN COMMENTS

Notifications Sent	Comments Received
21	1

All property owners and occupants within 1000-feet of the subject property were notified of the request. Staff received one public comment on this case. The public comment was not opposed to the rezone or final plat, but had concerns over weeds and current uses on the property.

COUNTY AGENCY COMMENTS

Staff reviewed the request and has no outstanding concerns with the proposed applications.

REFERRAL AGENCY COMMENTS

Responding with Concerns:

None

Responding without Concerns:

Brighton Fire Rescue District

Colorado Department of Transportation (CDOT)
Colorado Division of Water Resources (CDNR-DWR)
Colorado Geological Survey (CGS)
Regional Transportation District (RTD)
Tri County Health Department (TCHD)
Xcel Energy

Notified but not Responding / Considered a Favorable Response:

Adams County Sheriff
Adams County Parks and Open Space
Adams County Treasurer
Brighton School District 27J
Century Link
Colorado Div. of Mining Reclamation and Safety
Colorado Division of Wildlife
Comcast
North Metro Fire District
Regional Transportation District (RTD)
U.S. Environmental Protection Agency
U.S. Post Office



Legend

- +— Railroad
- Major Water
- Zoning Line
- Sections

Zoning Districts

- A-1
- A-2
- A-3
- R-E
- R-1-A
- R-1-C
- R-2
- R-3
- R-4
- M-H
- C-0
- C-1
- C-2
- C-3
- C-4
- C-5
- I-1
- I-2
- I-3
- CO
- PL
- AV
- DIA
- P-U-D
- P-U-D(P)

PRC2019-00013; McCarty and Heinz Acres

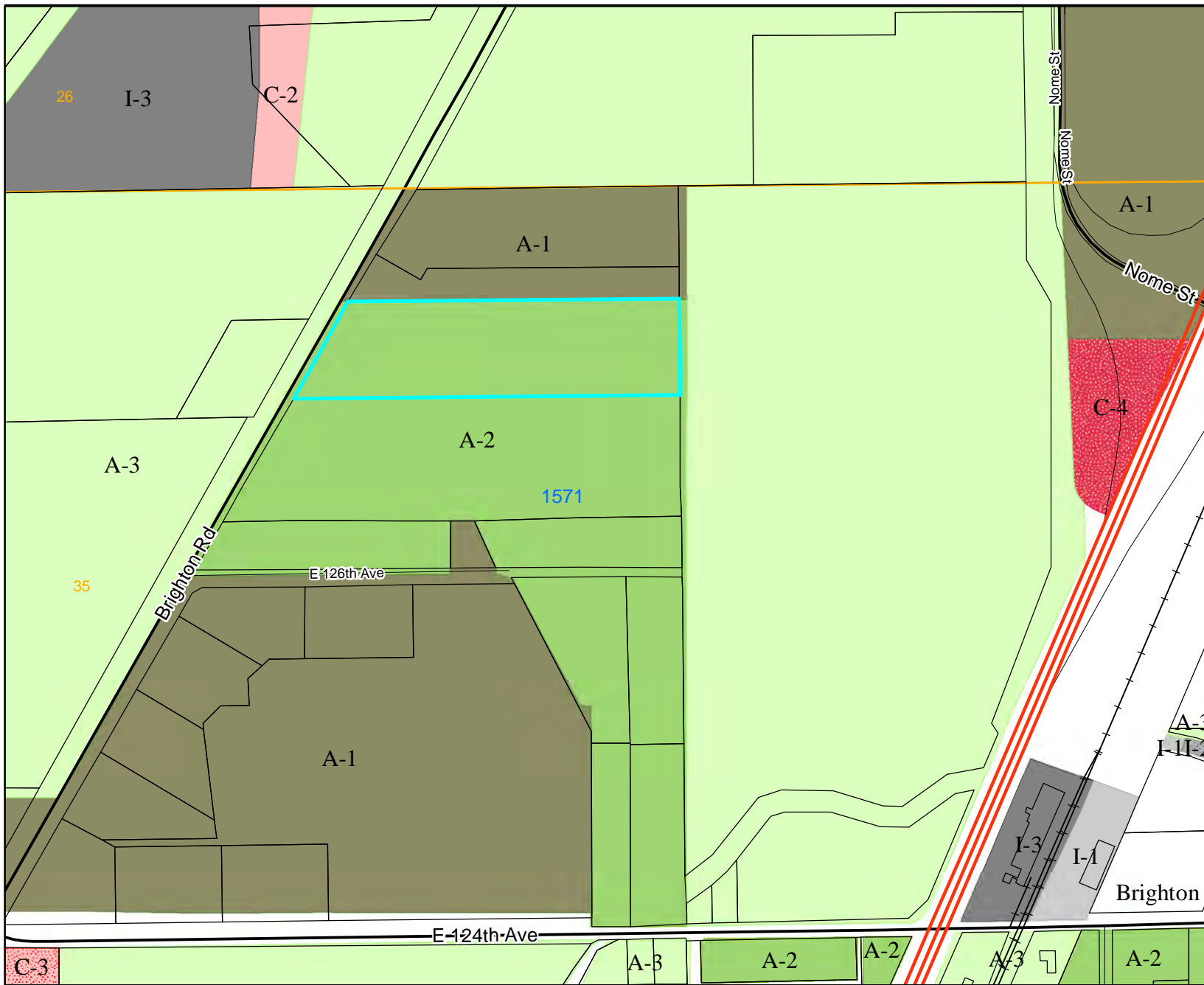
Aerial Map



For display purposes only.



This map is made possible by the Adams County GIS group, which assumes no responsibility for its accuracy



Legend

- +— Railroad
 - Major Water
 - Zoning Line
 - Sections
- Zoning Districts**
- A-1
 - A-2
 - A-3
 - R-E
 - R-1-A
 - R-1-C
 - R-2
 - R-3
 - R-4
 - M-H
 - C-0
 - C-1
 - C-2
 - C-3
 - C-4
 - C-5
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 - I-3
 - CO
 - PL
 - AV
 - DIA
 - P-U-D
 - P-U-D(P)

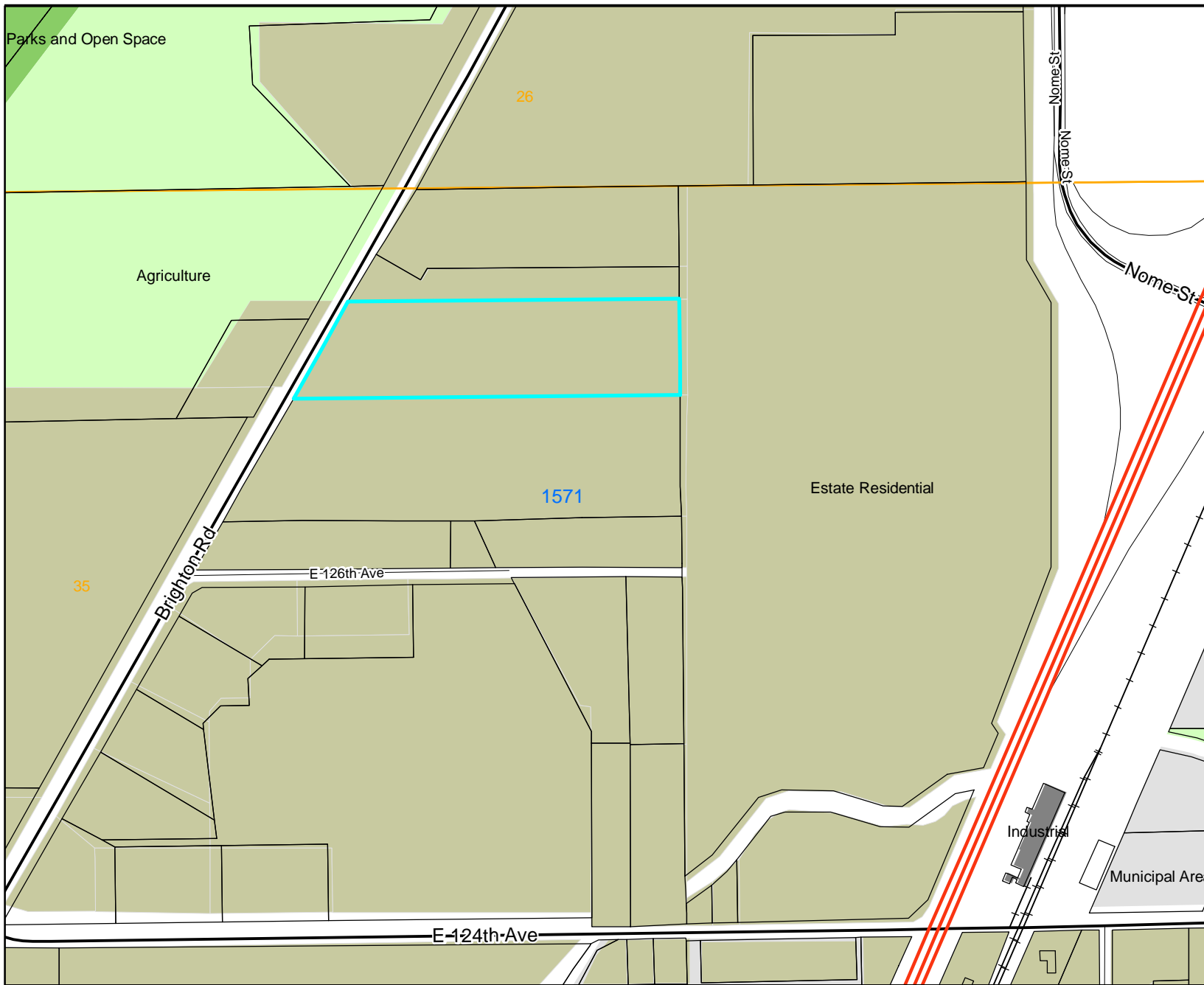
PRC2019-00013; McCarty and Heinz Acres
Current Zoning Map



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Legend

- +— Railroad
 - Major Water
 - Zoning Line
 - Sections
- Zoning Districts**
- A-1
 - A-2
 - A-3
 - R-E
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 - R-1-C
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PRC2019-00013; McCarty and Heinz Acres

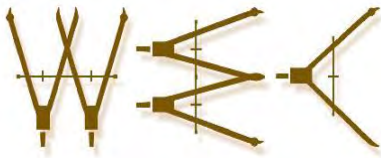
Future Land Use Map



For display purposes only.



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WESTERN ENGINEERING CONSULTANTS,

127 S Denver Ave. Fort Lupton, CO 80621

2501 Mill Street, Brush, CO 80723

Office: 720-685-9951

Cell. 303-913-7341, Fax 720-294-1330

Email: chadwin.cox@westerneci.com

Inc LLC

October 21, 2019

Adams County Community and Economic Development
4430 South Adams County Parkway
1st Floor, Suite W2000
Brighton, CO 80601-8216

RE: McCARTY & HEINZ ACRES SUBDIVISION MINOR / FINAL REVIEW WRITTEN NARRATIVE

Adams County Community and Economic Development:

Western Engineering Consultants Inc. LLC (WEC) has prepared this narrative letter to briefly summarize "McCarty & Heinz Acres" proposed Rezoning and Minor Subdivision, located at 12730 Brighton Road, Brighton CO, Adams County.

The subject property is located in the North West ¼, of Section 35, Township 1 South, Range 67 West of the 6th, P.M., County of Adams, State of Colorado, according to the Commitment for Title dated July 12, 2019.

PURPOSE / BACKGROUND

The property has historically and is currently farmland, zoned Agricultural (A-2) in Adams County County.

The existing 9.72 acre property will be rezoned from A-2 to A-1 in order to subdivide the property so the current property Owner may dedicate a 2.5 acre lot to his brother (Lot 1). A new residence and potential future outbuildings may be constructed on the remaining property (Lot 2) in accordance with Ag zoning (A1) requirements, and a future shop may be added to Lot 1.

The development is and will be compatible with the rural character of the surrounding area.

ADJACENT USES

To the north is a residential property zoned A-1, to the south is a rural residence zoned A-2, to the east a water storage facility (Bromley District Water Providers LLC) zoned A-3, and to the west is a water storage facility (Henderson Aggregate LTD) zoned A-3.

RELATIONSHIP TO & IMPACT UPON ADJACENT USES

The proposed Residential Development will retain a rural character compatible with the surrounding areas. The Adams County Zoning Map shows this area as A-2 Agricultural; City of Brighton Comprehensive Plan shows this property in the Estate Residential zone.

ACCESS LAYOUT

An existing access will continue to serve the existing home from Brighton Road. A proposed new access is proposed to serve the future Lot 2 residence. A 250 feet minimum distance between the existing and proposed access has been achieved.

GEOLOGICAL HAZARDS

No geologic hazards or environmental conditions/ concerns are known to exist on the property. The NRCS Study is enclosed.

ZONING, USE, PHASING, and UTILITY DISTRICTS

The following summarizes the proposed specifics:

- Zoning Currently zoned Agriculture (A-2) in Adams County
- Proposed Use Rural residence
- Type of structures to be built 2 Single family ranch style residential units
- Phasing Lot 2 primary residence is expected to be built early 2020
Only the Lot 2 garage and shop are proposed in the future
- Water source City of Brighton
- Sanitary Sewer source Individual septic systems
- Storm sewer On Site Retention ponds
- Gas & Electricity Excel Energy and United Power
- Fire Protection Brighton Greater Fire Protection District

EXISTING INFRASTRUCTURE / FIRE ACCESS & AVAILABLE HYDRANT(S)

Brighton Road (paved 2 lane road) exists to the west.

The existing residence (Lot 1) is within 170 feet from Brighton Road right of way.

The proposed home and garage on Lot 2 are shown to be within 220 feet of Brighton Road right of way.

City of Brighton Water lies within Brighton Road right of way and serves the existing residence. Existing hydrants lie near both Lot 1 and Lot 2. The closest is approximately 100 feet north of the Lot 1/Lot 2 dividing line – nearly due west of the existing residence on Lot 1 and the second hydrant lies approximately 50 feet south of proposed Lot 2.

Access roads to both lots will be required to meet Greater Brighton Fire District load requirements and are designed to be a minimum of 20 feet in width.

Electric service exists and serves the existing residence.

Sewage treatment will be provided by septic systems (see attached Will Serve Letter from Tri County Health).

POTENTIAL IMPACT IN ADJACENT PROPERTIES

There are no negative impacts anticipated from this development on adjacent properties after construction has been completed.

Traffic impacts from this proposal are expected to be minimal, please see the attached Trip Generation Estimate.

NEIGHBORHOOD MEETING

A neighborhood meeting was held on October 14, 2019 at the Holiday Inn Express in Brighton. One adjacent neighbor (property to the south) attended and had no objections. Meeting sign in and minutes are attached.

MINOR SUBDIVISION REVIEW CHECKLIST

- | | |
|---|---------------|
| 1. Minor Final Subdivision application form | Enclosed |
| 2. Application Fees | Enclosed |
| 3. Written Explanation of the project | This document |
| 4. Site Plan showing Proposed Development | Enclosed |
| 5. Copy of Plat prepared by Registered Land Surveyor | Enclosed |
| 6. Subdivision Improvement Agreement | TBD |
| 7. School Impact Analysis | Enclosed |
| 8. Fire Protection Report | In process |
| 9. Proof of Ownership | Enclosed |
| 10. Proof of Water and Sewer Services | Enclosed |
| 11. Proof of Utilities | Enclosed |
| 12. Legal Description | Enclosed |
| 13. Certificate of Taxes Paid | Enclosed |
| 14. Certificate of Notice to Mineral Estate Owners/ and Lessees | Enclosed |
| 15. Certificate of Surface Development | Enclosed |
| 16. Subdivision Engineering Review application (2 hard copies) | Enclosed |

CLOSING

The Applicant is excited to build his family residence next to his brother's residence within Adams County.

The desired schedule is to begin Construction in early 2020 after receiving the appropriate County approvals.

Please contact me with any questions or comments you may have on this Project Narrative.

Sincerely,



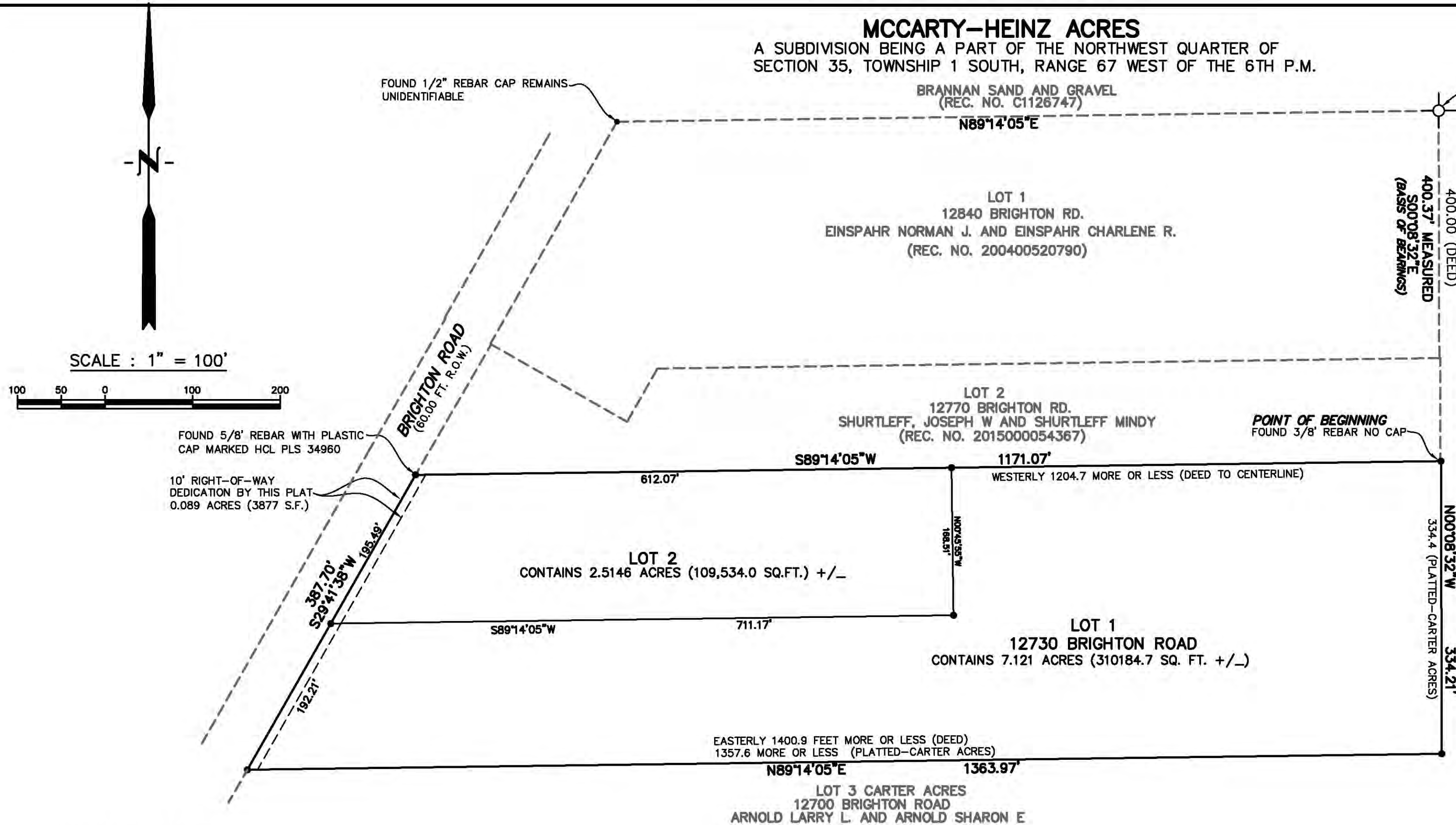
Western Engineering Consultants inc., LLC
Chadwin F. Cox, P.E.
Senior Project Manager

Encl. Subdivision Minor/Final Review Application submittal documents

MCCARTY-HEINZ ACRES

A SUBDIVISION BEING A PART OF THE NORTHWEST QUARTER OF SECTION 35, TOWNSHIP 1 SOUTH, RANGE 67 WEST OF THE 6TH P.M.

CASE NO. PRC2019-00013



PLAT NOTES:

THE POLICY OF THE COUNTY REQUIRES THAT MAINTENANCE ACCESS BE PROVIDED TO ALL STORM DRAINAGE FACILITIES TO ASSURE CONTINUOUS OPERATIONAL CAPABILITY OF THE SYSTEM. THE PROPERTY OWNERS SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF ALL DRAINAGE FACILITIES INCLUDING INLETS, PIPES, CULVERTS, CHANNELS, DITCHES, HYDRAULIC STRUCTURES, AND DETENTION BASINS LOCATED ON THEIR LAND UNLESS MODIFIED BY SUBDIVISION DEVELOPMENT AGREEMENT. SHOULD OWNER FAIL TO ADEQUATELY MAINTAIN SAID FACILITIES, THE COUNTY SHALL HAVE THE RIGHT TO ENTER SAID LAND FOR THE SOLE PURPOSE OF OPERATIONS AND MAINTENANCE. ALL SUCH MAINTENANCE COSTS WILL BE ASSESSED TO PROPERTY OWNER.

SURVEYORS CERTIFICATE

I, SCOTT A. PULLING, A PROFESSIONAL LAND SURVEYOR REGISTERED IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THERE ARE NO ROADS, PIPELINES, IRRIGATION DITCHES OR OTHER EASEMENTS IN EVIDENCE OR KNOW BY ME TO EXIST ON OR ACROSS THE HEREINBEFORE DESCRIBED PROPERTY, EXCEPT AS SHOWN ON THIS PLAT. I FURTHER CERTIFY THAT THIS SURVEY WAS BASED UPON MY KNOWLEDGE, INFORMATION AND BELIEF, IT HAS BEEN PREPARED IN ACCORDANCE WITH APPLICABLE STANDARDS OF PRACTICE, THE SURVEY IS NOT A GUARANTY OR WARRANTY, EITHER EXPRESSED OR IMPLIED AND THAT ALL MONUMENTS EXIST AS SHOWN HEREON.



SCOTT A. PULLING
COLORADO REGISTERED PROFESSIONAL
LAND SURVEYOR NO. 27936

DEDICATION AND OWNERSHIP

KNOWN BY ALL MEN PRESENTS THAT THE UNDERSIGNED, BEING THE OWNERS OF THE FOLLOWING DESCRIBED TRACT OF LAND SITUATED IN NORTHWEST QUARTER OF SECTION 35, TOWNSHIP 1 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THAT PART OF THE NORTHWEST QUARTER OF SECTION 35, TOWNSHIP 1 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

BEGINNING AT POINT ON THE NORTH SOUTH CENTERLINE OF SECTION 35, WHICH IS 400 FEET SOUTH OF THE NORTH QUARTER OF SAID SECTION; THENCE WESTERLY AND PARALLEL WITH THE NORTH LINE OF SAID SECTION, 1204.7 FEET MORE OR LESS, TO THE CENTERLINE OF COUNTY ROAD NO. 131 (BRIGHTON ROAD); THENCE SOUTHWESTERLY ALONG CENTERLINE OF SAID COUNTY ROAD, 387.7 FEET; THENCE EASTERLY AND PARALLEL WITH THE NORTH LINE OF SAID SECTION, 1400.9 FEET, MORE OR LESS, TO THE NORTH AND SOUTH CENTERLINE OF SAID SECTION 35, THENCE NORTHERLY ALONG THE NORTH AND SOUTH CENTERLINE OF SAID SECTION, 334.4 FEET TO THE TRUE POINT OF BEGINNING.

EXCEPT THE PORTION OF THE SUBJECT PROPERTY LYING WITHIN BRIGHTON ROAD, COUNTY OF ADAMS, STATE OF COLORADO.

CONTAINS 9.724 ACRES (423,596 S.F.)

HAVE BY THESE PRESENTS LAID OUT, PLATTED, AND SUBDIVIDED THE SAME INTO LOTS AS SHOWN ON THIS PLAT UNDER THE NAME AND STYLE OF MCCARTY-HEINZ ACRES, AND HEREBY GRANT TO COUNTY OF ADAMS, STATE OF COLORADO FOR THE USE OF THE PUBLIC ALL STREETS, AND OTHER PUBLIC WAYS AND LAND AS SHOWN ON THIS PLAT FOREVER.

EXECUTED THIS _____ DAY OF _____, 2020

BY: TRAVIS K. & SHANTEL M., MCCARTY, OWNERS

ACKNOWLEDGMENT:

STATE OF COLORADO)
)SS
COUNTY OF ADAMS)

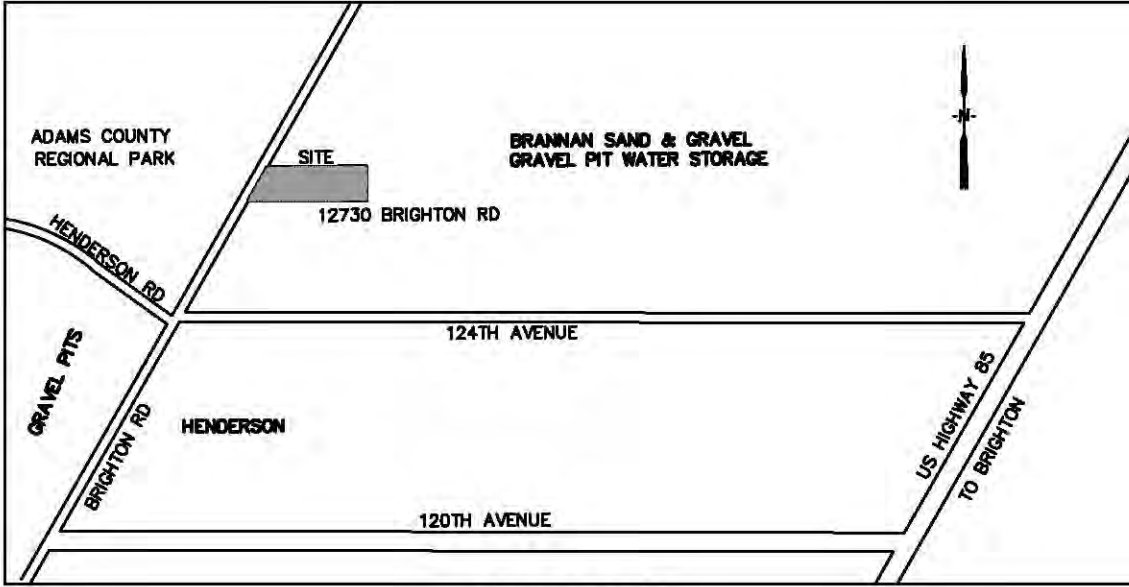
THE FOREGOING PLAT AND DEDICATION WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY _____, 2020, BY TRAVIS K. AND SHANTEL M. MCCARTY

WITNESS MY HAND AND OFFICIAL SEAL.
(SEAL)

NOTARY PUBLIC
MY COMMISSION EXPIRES:

GENERAL NOTES

- = SET 5/8" REBAR WITH PLASTIC CAP MARKED GSS SURVEYING PLS 27936 UNLESS OTHERWISE NOTED ON SURVEY.
- WESTCOR LAND TITLE INSURANCE COMPANY COMMITMENT NO. 201948 EFFECTIVE DATE OF JULY 12TH 2019 WAS ENTIRELY RELIED UPON FOR RECORDED INFORMATION REGARDING RIGHTS OF WAY, EASEMENTS AND ENCUMBRANCES IN THE PREPARATION OF THIS SURVEY.
- BEARINGS ARE BASED ON THE EAST LINE OF THE OF THE NORTHWEST 1/4, OF SECTION 35, T1S, R67W AS BEARING S00°08'32"E MONUMENTED AS SHOWN.
- THIS PARCEL OF LAND LIES WITHIN ZONE X (AREA OF MINIMAL FLOOD HAZARD) AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN AS DELINEATED IN F.E.M.A., FLOOD INSURANCE RATE MAP 08001C0336H EFFECTIVE DATE 3/5/2007.
- LEGAL DESCRIPTION IS AS FOUND IN WESTCOR LAND TITLE INSURANCE COMMITMENT NO. 201948 EFFECTIVE DATE JULY 12TH 2019.
- DISTANCES CALLED OUT IN LEGAL DESCRIPTION ALONG NORTH AND SOUTH LINES ARE TO CENTERLINE OF ROAD.



VICINITY MAP
NOT TO SCALE

PLANNING COMMISSION APPROVAL

APPROVED BY THE ADAMS COUNTY PLANNING COMMISSION ON THIS _____ DAY OF _____, 2020

CHAIR

BOARD OF COUNTY COMMISSIONERS APPROVAL

APPROVED BY THE ADAMS COUNTY BOARD OF COUNTY COMMISSIONERS ON THIS _____ DAY OF _____, 2020

CHAIR

RECORDERS CERTIFICATE

I HEREBY CERTIFY THAT THIS INSTRUMENT AS FILED FOR RECORD IN MY OFFICE ON THE _____ DAY OF _____, 2020 AT _____ O'CLOCK _____M,

RECEPTION NO. _____

CLERK AND RECORDER

BY: _____

DEPUTY CLERK

BY: _____

NOTICE: ACCORDING TO COLORADO LAW YOU MUST COMMENCE LEGAL ACTION BASED ON ANY DEFECT IN THIS SURVEY WITHIN 3 YEARS AFTER YOU DISCOVER SUCH DEFECT. IN NO EVENT MAY ANY ACTION BE BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN 10 YEARS FROM THE DATE OF THE SURVEYORS STATEMENT.

PREPARED FOR:
TRAVIS & SHANTEL MCCARTY
12730 BRIGHTON RD.
ADAMS COUNTY, COLORADO
(720)-298-5470
CONTACT: TRAVIS

PREPARED BY:
GSS SURVEYING, LLC
4740 YATES CT. 80020
BROOMFIELD, CO 80020
(303) 894-8850
CONTACT: SCOTT A. PULLING, PLS 27936

REVISION	BY	DATE

PROJECT: **MINOR SUBDIVISION PLAT**
ADAMS COUNTY, COLORADO

DRAWING: **12730 BRIGHTON ROAD**
PART OF THE NW 1/4, SEC. 35, T1S, R67W

SHEET 1 OF 1
JOB NO. 19-15



Development Review Team Comments

Date: November 21, 2019

Project Number: PRC2019-00013

Project Name: McCarty and Heinz Acres

Note to Applicant:

The following review comments and information from the Development Review Team is based on the information you submitted for the Rezone Application application. The Development Review Team review comments may change if you provide different information during the Resubmittal. **At this time, a resubmittal is being required. Resubmittal material can be deposited with our One-Stop Customer Service Center. You will need the attached "Resubmittal Form", and a paper and digital copy of all the resubmitted material. You should also provide a written response to each staff comment and referral agency letter.** Please contact the case manager if you have any questions.

Also, please note where "Section" is referenced, it is referring to the appropriate section of the Adams County Development Standards and Regulations.

Your review comment consultation will be held on **Monday, November 25th, 2019 from 3:45-4:30 p.m.**

Commenting Division: Development Services, Long Range Planning

Name of Reviewer: Layla Bajelan

Email: LBajelan@adcogov.org / 720-523-6863

PLN01: REQUEST

- a. Request to rezone from A-2 to A-1
- b. Minor Subdivision to divide the 9.98-acre lot into two separate lots (lot #1 will consist of 2.5 acres, Lot #2 will be roughly 7.5 acres)

PLN02: UTILITIES

- a. Applicant will need to obtain a Will Serve Letter from the City of Brighton for Water Services for 2 residential taps. Bill provided was not enough to satisfy Department of Water Resources.
- b. Applicant has provided a Letter from TCHD regarding approval for a second septic system.
- c. Will Serve Letters from Xcel and United Power are sufficient.

PLN03: Public Land Dedication (PLD) Fees

- a. Public Land Dedication- School District, Neighborhood/Regional Parks
- b. Cash in Lieu being required

- c. Included is a calculation sheet of PLD fees, once your case has been scheduled for public hearing, you will be expected to pay fees, at least 24 hours before your case has been scheduled.
- d. Please do not pay this amount until your case has been scheduled for Public Hearing.

PLN04: Engineering Plans

- a. This case will not be scheduled for Public Hearing until Engineering Plans are approved.

PLN05: Section 2-02-18-03-05; #7 Subdivision Improvement Agreement (SIA)

- a. Applicant turned in a blank SIA.
- b. The Engineering Review should determine a cost for your SIA

PLN06: Existing structures

- a. All structures must meet setbacks of new lot lines.
- b. No structures can be built over lot lines
- c. The A-1 Zone allows for a 6% lot coverage maximum.
- d. What is the plan for existing structures?

Commenting Division: Development Services, Engineering:

Name of Review: Greg Labrie

Email: GLabrie@adcogov.org / 720-523-6824

ENG1: The proposed site plan for the new development show retention ponds on the parcels. Retention ponds are not allowed within the state of Colorado without having the appropriate water rights or augmentation plan.

ENG2: Brighton Road is classified as a collector street, the applicant must insure that the proposed access driveways onto the parcels are designed to meet the spacing requirements as defined in the Adams County Development Standards and Regulations

Commenting Division: Development Services, Right-of-Way

Name of Review: Marissa Hillje

Email: MHillje@adcogov.org / 720-523-6837

ROW1: The type of plat submitted is incorrect. See checklist on the Major Plat application. Contact Marissa Hillje ROW Agent for questions.

Commenting Division: Environmental Analyst Review

Name of Review: Katie Keefe

Email: KKeefe@adcogov.org / 720-523-6897

No Comment

Commenting Division: Development Services Building and Safety, Chief Building Official

Name of Review: Justin Blair

Email: jblair@adcogov.org / 720-523-6843

No Comment

Commenting Division: Parks

Name of Review: Aaron Clark

Email: aclark@adcogov.org

No Comment



Development Review Team Comments

Date: 3/24/2020

Project Number: PRC2019-00013

Project Name: MCCARTY & HEINZ ACRES

Commenting Division: ROW Review 3rd Review

Name of Reviewer: Holden Pederson

Date: 03/24/2020

Email:

Resubmittal Required

ROW1: The legal description shown on the title commitment and under the dedication and ownership certificate on the plat does not match the measurements shown on the plat drawing. Please revise to match.

ROW2: Add the case number PRC2019-00013 to the upper right-hand corner of the sheet.

ROW3: Label the point of commencement and point of beginning on the Plat.

Commenting Division: Planner Review 3rd Review

Name of Reviewer: Layla Bajelan

Date: 03/23/2020

Email:

Complete

Commenting Division: Application Intake 3rd Review

Name of Reviewer: Megan Ulibarri

Date: 02/28/2020

Email:

Complete

Commenting Division: Plan Coordination 2nd Review

Name of Reviewer: Layla Bajelan

Date: 02/18/2020

Email:

Resubmittal Required

Commenting Division: Planner Review 2nd Review

Name of Reviewer: Layla Bajelan

Date: 02/18/2020

Email:

Resubmittal Required

PLN01: Resubmittal required per DWR comments.

Commenting Division: ROW Review 2nd Review

Name of Reviewer: Marissa Hillje

Date: 02/18/2020

Email: mhillje@adcogov.org

Resubmittal Required

ROW1: EDIT Property Description/ Legal Description:

a. An accurate and clear property (legal) description of the overall boundary of the subdivision with the acreage of the subdivision. All courses in the property (legal) description shall be shown and labeled on the plat drawing, with all bearings having the same direction as called out in the legal description. The only exception being where more than one description is required, going a different direction over the same course. The direction shall then hold for the description having more weight (i.e., the overall boundary) for purposes of the plat. If both record and "as-measured" dimensions are being used, show both and clearly label on the plat drawing. Point of commencement and/or point of beginning shall be clearly labeled on the plat drawing.

ROW2: Submit a title commitment which should be used to depict the applicable recordings on the plat. Send Adams County a copy of the title commitment with your application dated no later than 30 days to review in order to ensure that any other party's interests are not encroached upon.

ROW3: Right of way dedication required by this plat. See redlines

ROW4: Add Square Footage: The area in square feet of all lots and tracts sought to be platted.

ROW5: See additional redlines on plat attached.

Commenting Division: Development Engineering Review 2nd Review

Name of Reviewer: Greg Labrie

Date: 02/07/2020

Email: glabrie@adcogov.org

Complete

ENG1: No public improvements are required for this minor subdivision adjacent to Brighton Road which is classified as a rural collector road. Therefore, a Subdivision Improvement Agreement is not required.

Commenting Division: Application Intake 2nd Review

Name of Reviewer: Erin McMorries

Date: 01/27/2020

Email:

Complete

Commenting Division: Planner Review

Name of Reviewer: Layla Bajelan

Date: 11/21/2019

Email:

Resubmittal Required

PLN01: REQUEST

- a. Request to rezone from A-2 to A-1
- b. Minor Subdivision to divide the 9.98-acre lot into two separate lots (lot #1 will consist of 2.5 acres, Lot #2 will be roughly 7.5 acres)

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- a. Applicant will need to obtain a Will Serve Letter from the City of Brighton for Water Services.
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- a. Public Land Dedication- School District, Neighborhood/Regional Parks
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- a. This case will not be scheduled for Public Hearing until Engineering Plans are approved.

PLN05: Section 2-02-18-03-05; #7 Subdivision Improvement Agreement (SIA)

- a. Applicant turned in a blank SIA.
- b. The Engineering Review should determine a cost for your SIA

Commenting Division: Development Engineering Review

Name of Reviewer: Greg Labrie

Date: 11/21/2019

Email: glabrie@adcogov.org

Resubmittal Required

ENG1: The proposed site plan for the new development show retention ponds on the parcels. Retention ponds are not allowed within the state of Colorado without having the appropriate water rights or augmentation plan.

ENG2: Brighton Road is classified as a collector street, the applicant must insure that the proposed access driveways onto the parcels are designed to meet the spacing requirements as defined in the Adams County Development Standards and Regulations

Commenting Division: ROW Review

Name of Reviewer: Marissa Hillje

Date: 11/12/2019

Email: mhillje@adcogov.org

Resubmittal Required

ROW1: The type of plat submitted is incorrect. See checklist on the Major Plat application. Contact Marissa Hillje ROW Agent for questions.

From: [BFR Plan Reviews](#)
To: [Layla Bajelan](#)
Subject: RE: Request for Comments-PRC2019-00013; McCarty and Heinz Acres
Date: Friday, November 01, 2019 2:50:41 PM

Please be cautious: This email was sent from outside Adams County

Good afternoon,

At this time the Fire District has no comments or concerns.

Thank you!

Carla Gutierrez

Fire Inspector

Brighton Fire Rescue District

500 S. 4th Ave. 3rd Floor

Brighton, CO 80601

303-654-8042

www.brightonfire.org

From: Layla Bajelan <LBajelan@adcogov.org>
Sent: Thursday, October 31, 2019 2:45 PM
To: Layla Bajelan <LBajelan@adcogov.org>
Cc: Christine Fitch <CFitch@adcogov.org>; Marissa Hillje <MHillje@adcogov.org>; Gordon Stevens <GStevens@adcogov.org>; Justin Blair <jblair@adcogov.org>; Aaron Clark <AClark@adcogov.org>; Rick Reigenborn <RReigenborn@adcogov.org>; smiller@adcogov.org; Lisa Culpepper <LCulpepper@adcogov.org>; BFR Plan Reviews <planreviews@brightonfire.org>; kmonti@sd27j.org; Bradley Sheehan - CDOT <bradley.sheehan@state.co.us>; brandyn.wiedrich@centurylink.com; Eric Guenther <EGuenther@adcogov.org>; tony.waldron@state.co.us; joanna.williams@state.co.us; jbradford@brightonco.gov; Loeffler - CDOT, Steven <steven.loeffler@state.co.us>; serena.rocksund@state.co.us; crystal.chick@state.co.us; CGS_LUR <CGS_LUR@mines.edu>; thomas_lowe@cable.comcast.com; Joaquin Flores <JFlores@adcogov.org>; engineering@rtd-denver.com; mary.c.dobyns@usps.gov; christensen.stanley@epa.gov; George, Donna L <Donna.L.George@xcelenergy.com>; Land Use <LandUse@tchd.org>
Subject: Request for Comments-PRC2019-00013; McCarty and Heinz Acres

Request for Comments

Case Name:

McCarty and Heinz Acres

From: [Loeffler - CDOT, Steven](#)
To: [Layla Bajelan](#)
Cc: [Bradley Sheehan - CDOT](#)
Subject: Re: Request for Comments-PRC2019-00013; McCarty and Heinz Acres
Date: Monday, November 18, 2019 8:51:02 AM

Please be cautious: This email was sent from outside Adams County

Layla,

I have reviewed the referral for McCarty and Heinz Acres in which a rezone is requested from A-2 to A-1 and a minor subdivision Plat to split a 9.72 acre property into two parcels and have no objections. This is off the CDOT system and should have negligible impact.

Thank you for the opportunity to review this referral.

Steve Loeffler
Permits Unit- Region 1



P 303.757.9891 | F 303.757.9886
2829 W. Howard Pl. 2nd Floor, Denver, CO 80204
steven.loeffler@state.co.us | www.codot.gov | www.cotrip.org

On Thu, Oct 31, 2019 at 2:50 PM Layla Bajelan <LBajelan@adcogov.org> wrote:

Request for Comments

Case Name: McCarty and Heinz Acres
Case Number: PRC2019-00013

October 30, 2019

The Adams County Planning Commission is requesting comments on the following applications: 1) a rezone request from Agricultural-2 (A-2) to Agricultural-1 (A-1), 2) Minor Subdivision Plat to split one 9.72 acre property into two parcels. Lot one would be 2.5 acres and lot two would be 7.22 acres, and 3) Subdivision Improvement Agreement. This request is located at 12730 Brighton Rd Brighton, Colorado. The Assessor's Parcel Number is 0157135000035. Please refer to the full text documents that can be found online at www.adcogov.org/planning/currentcases.

COLORADO GEOLOGICAL SURVEY

1801 Moly Road
Golden, Colorado 80401



November 19, 2019

Karen Berry
State Geologist

Layla Bajelan
Adams County
Community & Economic Development Department
4430 S. Adams County Parkway, Suite W2000A
Brighton, CO 80601

Location:
NE NW Section 35,
T1S, R67W, 6th P.M.
39.9272, -104.8584

Subject: McCarty and Heinz Acres Rezone and Minor Subdivision
Case Number PRC2019-00013; Adams County, CO; CGS Unique No. AD-20-0007

Dear Ms. Bajelan:

Colorado Geological Survey has reviewed the McCarty and Heinz Acres referral. I understand the applicant proposes to rezone 9.72 acres with physical address 12730 Brighton Road, Brighton, from A-2 to A-1, and split the property into two parcels. Proposed Lot 1, 2.5 acres, contains an existing residence and outbuildings.

The site does not contain any geologic hazards or unusual geotechnical constraints that would preclude the existing and proposed residential and agricultural uses and slight increase in density. **CGS therefore has no objection to approval of the rezoning and minor subdivision as proposed.**

Mineral resource potential. According to the Atlas of Sand, Gravel, and Quarry Aggregate Resources, Colorado Front Range Counties (Schwochow et al, Colorado Geological Survey Special Publications 5-A, Plate 2, and 5-B, Brighton Quadrangle, 1974), the subject property is located within a mapped "T1" resource area, described as a stream terrace deposit potentially containing a coarse aggregate resource consisting of "Gravel: relatively clean and sound." One borehole log near the subject site indicates that there may be a sand and gravel layer of 54 feet thickness beneath three feet of overburden.

A determination of whether the property contains an economic mineral resource is outside the scope of CGS review. A site-specific investigation would be required to verify the presence or absence of a resource. However, even if an aggregate resource were determined to be present, the site's relatively small size and adjacent residential uses likely preclude economic extraction.

Thank you for the opportunity to review and comment on this project. If you have questions or require additional review, please call me at (303) 384-2643, or e-mail carlson@mines.edu.

Sincerely,

A handwritten signature in black ink, appearing to read "Jill Carlson".

Jill Carlson, C.E.G.
Engineering Geologist



November 6, 2019

Layla Bajelan, Long Range Planner I
Adams County Community and Economic Development Department
Transmission via email: lbajelan@adcogov.com

Re: McCarty and Heinz Acres
Case No. PRC2019-00013
Part of NW ¼ of Section 35, T 1S, R 67W, 6th P.M.
Water Division 1, Water District 2

Dear Layla Bajelan:

We have reviewed the October 30, 2019 proposal to rezone a 9.72-acre lot from Agricultural-2 to Agricultural-1, a minor subdivision plat to split the 9.72-acre parcel into two lots, and a subdivision improvement agreement. Lot 1 will be 2.5 acres and Lot 2 will be 7.22 acres. A new residence and potential future outbuildings may be constructed on Lot 2 in accordance with Ag zoning (A1) requirements, and a future shop may be added to Lot 1.

Water Supply Demand

Estimated water requirements and proposed uses for this development were not provided.

Source of Water Supply

There are no permitted wells on the property. The proposed water source for this development is water service provided by the City of Brighton (“City”). A letter showing proof of water and sewer services was submitted to the county according to the proposal, but a copy of the letter was not submitted to this office. According to the proposal, the City of Brighton currently serves the existing residence on Lot 1.

State Engineer’s Office Opinion

Based upon the above and pursuant to § 30-28-136(1)(h)(I) and § 30-28-136(1)(h)(II), C.R.S., the State Engineer’s Office has not received enough information to render an opinion regarding the potential for causing material injury to decreed water rights, or the adequacy of the proposed water supply. **Prior to further review the following information must be provided:**

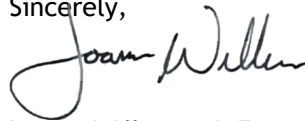
1. A subdivision water supply plan that specifies the water requirements for the subdivision and the proposed source of water to meet those requirements.
2. If the proposed water source is the City then a letter of commitment for service from the City must be provided.
3. If the proposed water source is the City, as required by C.R.S. 30-28-136(1)(h)(II), a report from the City documenting the amount of water that can be supplied to the subdivision, containing the following must be provided:
 - a. A summary of the water rights owned and controlled by the City.
 - b. The anticipated yield of these rights in both an average and dry year.
 - c. The present demand on the City, and the anticipated demand due to commitments for service entered into by the City that are not yet supplied.



- d. The amount of uncommitted firm supply the City has available for future commitment and development.
 - e. A map of the municipality's service area.
- The above information should be provided in a manner that demonstrates that the City has sufficient water resources to meet its commitments in terms of an overall annual water supply and daily availability

If you, or the applicant, have any questions please contact Wenli Dickinson at 303-866-3581 x8206 or at wenli.dickinson@state.co.us.

Sincerely,

A handwritten signature in black ink that reads "Joanna Williams". The signature is written in a cursive style with a large initial 'J'.

Joanna Williams, P.E.
Water Resources Engineer

Ec: Subdivision file 26768



February 10, 2020

Layla Bajelan, Long Range Planner I
Adams County Community and Economic Development Department
Transmission via email: lbajelan@adcogov.com

Re: McCarty and Heinz Acres (Resubmittal)
Case No. PRC2019-00013
Part of NW ¼ of Section 35, T 1S, R 67W, 6th P.M.
Water Division 1, Water District 2

Dear Layla Bajelan:

We have reviewed the January 31, 2020 proposal to rezone a 9.72-acre lot from Agricultural-2 to Agricultural-1, a minor subdivision plat to split the 9.72-acre parcel into two lots, and a subdivision improvement agreement. Lot 1 will be 2.5 acres and Lot 2 will be 7.22 acres. A new residence and potential future outbuildings may be constructed on Lot 2 in accordance with Ag zoning (A1) requirements, and a future shop may be added to Lot 1. This office previously reviewed and commented on this project on November 6, 2019 and December 2, 2019.

Water Supply Demand

Estimated water requirements and proposed uses for this development were not provided.

Source of Water Supply

There are no permitted wells on the property. The proposed water source for this development is water service provided by the City of Brighton ("City"). According to the submitted material, the City of Brighton currently serves the existing residence on Lot 1. According to the submitted material and the letter dated September 5, 2019 from the City, the City may serve the development provided that the applicant be responsible for the construction of new service lines and tap fees, and the conditions set forth in the Water Service Agreement are met. Once the applicant has paid the tap fee, the City of Brighton will provide a report with the information requested by this office, as outlined below.

State Engineer's Office Opinion

Based upon the above and pursuant to sections 30-28-136(1)(h)(I) and 30-28-136(1)(h)(II), C.R.S., the State Engineer's Office has not received enough information to render an opinion regarding the potential for causing material injury to decreed water rights, or the adequacy of the proposed water supply. **Prior to further review the following information must be provided:**

1. A subdivision water supply plan that specifies the water requirements for the subdivision and the proposed source of water to meet those requirements.
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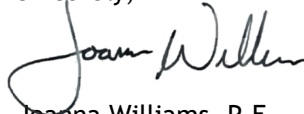


- b. The anticipated yield of these rights in both an average and dry year.
- c. The present demand on the City and the anticipated demand due to commitments for service entered into by the City that are not yet supplied.
- d. The amount of uncommitted firm supply the City has available for future commitment and development.
- e. A map of the municipality's service area.

The above information should be provided in a manner that demonstrates that the City has sufficient water resources to meet its commitments in terms of an overall annual water supply and daily availability

If you, or the applicant, have any questions please contact Wenli Dickinson at 303-866-3581 x8206 or at wenli.dickinson@state.co.us.

Sincerely,

A handwritten signature in black ink that reads "Joanna Williams". The signature is written in a cursive style with a large initial "J" and "W".

Joanna Williams, P.E.
Water Resources Engineer

Ec: Subdivision file 26768



March 23, 2020

Layla Bajelan, Long Range Planner I
Adams County Community and Economic Development Department
Transmission via email: lbajelan@adcogov.com

Re: McCarty and Heinz Acres (Resubmittal, 4th Letter)
Case No. PRC2019-00013
Part of NW ¼ of Section 35, T 1S, R 67W, 6th P.M.
Water Division 1, Water District 2

Dear Layla Bajelan:

We have reviewed the water supply report dated March 13, 2020 from the White Sands Water Engineers, Inc. for the proposal to rezone a 9.72-acre lot from Agricultural-2 to Agricultural-1, a minor subdivision plat to split the 9.72-acre parcel into two lots, and a subdivision improvement agreement. Lot 1 will be 2.5 acres and Lot 2 will be 7.22 acres. A new residence and potential future outbuildings may be constructed on Lot 2 in accordance with Ag zoning (A1) requirements, and a future shop may be added to Lot 1. This office previously reviewed and commented on this project on November 6, 2019, December 2, 2019, and February 5, 2020.

Water Supply Demand

Estimated water requirements for the subdivision are household use in two units and irrigation of less than 1,000 square feet of sod. The water demand for household use in two units is 230 gallons per day. The water demand for irrigation was not provided.

Source of Water Supply

There are no permitted wells on the property. The proposed water source for this development is service provided by the City of Brighton ("City"). According to the submitted material, the City of Brighton currently serves the existing residence on Lot 1. According to the submitted material and the letter dated September 5, 2019 from the City, the City can serve the development provided that the applicant be responsible for the construction of new service lines and tap fees, and the conditions set forth in the Water Service Agreement are met. This office has not received information that these requirements have been met.

According to the report dated March 13, 2020, the City's water supply is decreed alluvial wells augmented under Division 1 water court case nos. 00CW202 and 03CW320 and treated water from the City of Westminster ("Westminster") that is available through a perpetual water supply agreement. Replacement water sources for out-of-priority depletions from the alluvial wells are changed irrigation rights, storage rights owned by the City, fully consumable effluent from other entities (both through purchase and long-term lease) and fully consumable municipal return flows. Projected average annual yield is 8,262 acre-feet per year from alluvial wells and 2,240 acre-feet per year from Westminster, for a total projected annual yield of 10,502 acre-feet per year. Projected yield during a 5 year drought, similar to that of the 1950s, is 8,827 acre-feet per year. The maximum present demand on the City was 6,837 acre-feet per year in 2017. The City is committed to serve an additional 3,814 residential and/or multi-family units, which based on an



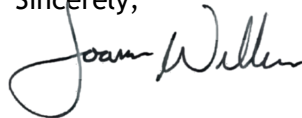
estimated demand of 0.5 acre-feet per year per unit would require 1,907 acre-feet per year and would bring the City's total demand to 8,744 acre-feet per year. Therefore the City's average annual uncommitted supply is approximately 1,758 acre-feet and the uncommitted supply during a drought period is approximately 83 acre-feet.

State Engineer's Office Opinion

Based upon the above and pursuant to sections 30-28-136(1)(h)(I) and 30-28-136(1)(h)(II), C.R.S., it is our opinion that the proposed water supply is adequate and can be provided without causing injury to decreed water rights, **as long as the District is committed to supply water to the lots.**

If you, or the applicant, have any questions please contact Wenli Dickinson at 303-866-3581 x8206 or at wenli.dickinson@state.co.us.

Sincerely,

A handwritten signature in black ink that reads "Joanna Williams". The signature is written in a cursive style with a large, looping initial "J".

Joanna Williams, P.E.
Water Resources Engineer

Ec: Subdivision file 26768

From: [Woodruff, Clayton](#)
To: [Layla Bajelan](#)
Subject: RE - PRC2019-00013
Date: Thursday, November 14, 2019 8:19:54 AM

Please be cautious: This email was sent from outside Adams County

Layla,

The RTD has no comment for this project.

Thanks,



C. Scott Woodruff
Engineer III

Regional Transportation District
1560 Broadway, Suite 700, FAS-73 | Denver, CO 80202

o 303.299.2943 | m 303-720-2025
clayton.woodruff@rd-denver.com



November 14, 2019

Layla Bajelan
Adams County Community and Economic Development
4430 South Adams County Parkway, Suite W2000A
Brighton, CO 80601

RE: McCarty and Heinz Acres, PRC2019-00013
TCHD Case No. 5957 & 5958

Dear Ms. Bajelan,

Thank you for the opportunity to review and comment on the Rezoning request from Agricultural-2 to Agricultural-1 and Minor Subdivision Plat to split one 9.72 acre property into two parcels to develop a new residence and future shop located at 12730 Brighton Road. Tri-County Health Department (TCHD) staff has reviewed the application for compliance with applicable environmental and public health regulations and principles of healthy community design. After reviewing the application, TCHD has the following comments.

On-Site Wastewater Treatment System (OWTS)

Proper wastewater management promotes effective and responsible water use, protects potable water from contaminants, and provides appropriate collection, treatment, and disposal of waste, which protects public health and the environment. Our records indicate the presence of an On-Site Wastewater Treatment System (OWTS) on the subject property. Tri-County Health Department Regulation Number O-17, Table 6 requires minimum horizontal distances to site features including property lines. The applicant should ensure that the proposed lot line adjustments meet all required setbacks. A copy of the regulation can be found here <http://www.tchd.org/DocumentCenter/View/4570/Regulation-O-17-Final-Version---Aug-22-2017?bidId=>. OWTS records can be found by searching here <http://www.tchd.org/642/Septic-Systems-Property-Records-Search>.

Moreover, TCHD has no objection to the proposed residence being served by an OWTS provided that the system is permitted, inspected and operated in accordance with TCHD's current OWTS Regulation. Based on the applicant's description, a permit for the installation and final approval of the OWTS will be required for the new residence. In order to start the process, the applicant may contact our Commerce City office by phone at 303-288-6816 or in person at 4201 E. 72nd Avenue. More information is available at <http://www.tchd.org/269/Septic-Systems>.

Please feel free to contact me at 720-200-1585 or aheinrich@tchd.org if you have any questions.

Sincerely,

A handwritten signature in blue ink that reads "AHF".

Annemarie Heinrich Fortune, MPH/MURP
Land Use and Built Environment Specialist

cc: Sheila Lynch, Monte Deatrich, TCHD



Right of Way & Permits

1123 West 3rd Avenue
Denver, Colorado 80223
Telephone: **303.571.3306**
Facsimile: 303. 571.3284
donna.l.george@xcelenergy.com

November 15, 2019

Adams County Community and Economic Development Department
4430 South Adams County Parkway, 3rd Floor, Suite W3000
Brighton, CO 80601

Attn: Layla Bajelan

**Re: McCarty and Heinz Acres Rezone and Minor Subdivision
Case # PRC2019-00013**

Public Service Company of Colorado's (PSCo) Right of Way & Permits Referral Desk has reviewed the minor subdivision and rezone for **McCarty and Heinz Acres** and has no objection to this proposed rezone, contingent upon PSCo's ability to maintain all existing rights and this amendment should not hinder our ability for future expansion, including all present and any future accommodations for natural gas transmission and electric transmission related facilities.

PSCo also has no conflict with the proposed minor subdivision plat.

The property owner/developer/contractor must complete the application process for any new natural gas or electric service, or modification to existing facilities via xcelenergy.com/InstallAndConnect. It is then the responsibility of the developer to contact the Designer assigned to the project for approval of design details. Additional easements may need to be acquired by separate document for new facilities.

As a safety precaution, PSCo would like to remind the developer to call the Utility Notification Center by dialing 811 for utility locates prior to construction.

Donna George
Right of Way and Permits
Public Service Company of Colorado dba Xcel Energy
Office: 303-571-3306 – Email: donna.l.george@xcelenergy.com

Comments for the request we received on Travis and Shantel McCarty are as follows:

The approval for subdividing into two lots for proposing a rezone to accommodate land usage for "Native Landscape Area" -- just exactly what does that mean and include?

Does that mean they are going to plant native plants within the environment of this area.

That would be great compared to the infestation of weeds that the field has produced in the previous years. However, currently they have built a trail with rather large humps they race their motorized bikes, ATV's and scooters on, with the dust drifting everywhere.

We and the adjoining neighbors do have a problem with that.



Request for Comments

Case Name: McCarty and Heinz Acres
Project Number: PRC2019-00013

May 3rd, 2020

The Adams County Planning Commission is requesting comments on the following applications: 1) a rezone request from Agricultural-2 (A-2) to Agricultural-1 (A-1), 2) Minor Subdivision Plat to split one 9.72 acre property into two parcels. Lot one would be 2.5 acres and lot two would be 7.22 acres, and 3) Waiver from the subdivision design standards. This request is located at 12730 Brighton Rd Brighton, Colorado. The Assessor's Parcel Number is 0157135000035.

Applicant Information: Travis and Shantel McCarty
12730 BRIGHTON RD
BRIGHTON, CO 80601

Please forward any written comments on this application to the Community and Economic Development Department at 4430 South Adams County Parkway, Suite W2000A Brighton, CO 80601-8216 or call (720) 523-6800 by 05/20/2020 in order that your comments may be taken into consideration in the review of this case. If you would like your comments included verbatim please send your response by way of e-mail to LBajelan@adcogov.org.

Once comments have been received and the staff report written, the staff report and notice of public hearing dates may be forwarded to you upon request. The full text of the proposed request and additional colored maps can be obtained by contacting this office or by accessing the Adams County web site at www.adcogov.org/planning/currentcases.

Thank you for your review of this case.

Layla Bajelan, Long Range Planner II
Case Manager



Public Hearing Notification

Case Name:	MCCARTY & HEINZ ACRES
Case Number:	PRC2019-00013
Planning Commission Hearing Date:	05/28/2020 at 6 p.m.
Board of County Commissioners Hearing Date:	06/16/2020 at 9:30 a.m.

May 4, 2020

A public hearing has been set by the Adams County Planning Commission and the Board of County Commissioners to consider the following requests: 1) Rezone request from Agricultural-2 (A-2) to Agricultural-1 (A-1); 2) Minor Subdivision Plat to create one additional lot; 3) Waiver from the Subdivision Design Standards. The Assessor's Parcel Number(s) 0157135000035 and the address is 12730 Brighton Rd. Brighton, Colorado 80601.

Applicant Information: Travis and Shantel McCarty
12730 Brighton Rd.
Brighton, CO 80601

This will be a public hearing and any interested parties may attend and be heard. The Applicant and their Representative's presence at these hearings is requested. The meeting will be held virtually using the Zoom video conferencing software and members of the public will be able to submit written comments prior to the start of the public hearing that will then be entered into the record. Please email written comments to ehannah@adcogov.org. To provide verbal comments during the public hearing, please email ehannah@adcogov.org by 4:30 p.m. the day prior so that special instructions to join the meeting may be sent; be sure to include your name, email address, and the case name you will be commenting on. For instructions on how to access the public hearing via the internet, please visit <http://www.adcogov.org/bocc> for up-to-date information.

For further information regarding this case, please contact the Department of Community and Economic Development, 4430 S Adams County Parkway, Brighton, CO 80601, 720-523-6800. This is also the location where maps and/or text certified by the Planning Commission may be viewed.

The full text of the proposed request and additional colored maps can be obtained by contacting this office or by accessing the Adams County web site at www.adcogov.org/planning/currentcases.

Thank you for your review of this case.

Layla Bajelan, Long Range Planner II
Case Manager

BOARD OF COUNTY COMMISSIONERS

Eva J. Henry
DISTRICT 1

Charles "Chaz" Tedesco
DISTRICT 2

Emma Pinter
DISTRICT 3

Steve O'Dorisio
DISTRICT 4

Mary Hodge
DISTRICT 5

PUBLICATION REQUEST

McCarty and Heinz Acres

Case Number: PRC2019-00013
Planning Commission Hearing Date: 05/28/2020 at 6:00 p.m.
Board of County Commissioners Hearing Date: 06/16/2020 at 9:30 a.m.
Public Hearings Location: 4430 S. Adams County Pkwy., Brighton, CO
80602

All meetings will be held over Zoom. Please see adcogov.org for more information.

Request: 1) Rezone request from Agriculture-2 (A-2) to Agriculture-1 (A-1); 2) Minor subdivision to create one additional lot 3) Waiver from the Subdivision Design Standards

Parcel Number: 0157135000035

Address: 12730 Brighton Rd. Brighton, Colorado 80601

Case Manager: Layla Bajelan

Applicant/Owner: Travis and Shantel McCarty
12730 Brighton Rd. Brighton, Colorado 80601

Legal Description:

THAT PART OF THE NORTHWEST QUARTER OF SECTION 35, TOWNSHIP 1 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTH AND SOUTH CENTERLINE OF SECTION 35, WHICH IS 400 FEET SOUTH OF THE NORTH QUARTER CORNER OF SAID SECTION; THENCE WESTERLY AND PARALLEL WITH THE NORTH LINE OF SAID SECTION, 1204.7 FEET, MORE OR LESS, TO THE CENTERLINE OF COUNTY ROAD NO. 131 (BRIGHTON ROAD); THENCE SOUTHWESTERLY ALONG THE CENTERLINE OF SAID COUNTY ROAD, 387.7 FEET; THENCE EASTERLY AND PARALLEL WITH THE NORTH LINE OF SAID SECTION, 1400.9 FEET, MORE OR LESS, TO THE NORTH AND SOUTH CENTERLINE OF SAID SECTION; THENCE NORTHERLY ALONG THE NORTH AND SOUTH CENTERLINE OF SAID SECTION, 334.4 FEET TO THE TRUE POINT OF BEGINNING, EXCEPT THE PORTION OF SUBJECT PROPERTY LYING WITHIN BRIGHTON ROAD, COUNTY OF ADAMS, STATE OF COLORADO.



Referral Listing
Case Number PRC2019-00013
MCCARTY & HEINZ ACRES

Agency

Contact Information

Adams County Attorney's Office

Christine Fitch
CFitch@adcogov.org
4430 S Adams County Pkwy
Brighton CO 80601
720-523-6352

Adams County CEDD Addressing

Marissa Hillje
PLN
720.523.6837
mhillje@adcogov.org

Adams County CEDD Development Services Engineer

Devt. Services Engineering
4430 S. Adams County Pkwy.
Brighton CO 80601
720-523-6800

Adams County CEDD Right-of-Way

Marissa Hillje
4430 S. Adams County Pkwy.
Brighton CO 80601
720-523-6837
mhillje@adcogov.org

Adams County Construction Inspection

Gordon .Stevens
4430 S. Adams County Pkwy
Brighton CO 80601
720-523-6965
gstevens@adcogov.org

Adams County Development Services - Building

Justin Blair
4430 S Adams County Pkwy
Brighton CO 80601
720-523-6825
JBlair@adcogov.org

Adams County Parks and Open Space Department

Aaron Clark
mpedrucci@adcogov.org
(303) 637-8005
aclark@adcogov.org

Adams County Sheriff's Office: SO-HQ

Rick Reigenborn
(303) 654-1850
rreigenborn@adcogov.org

Adams County Sheriff's Office: SO-SUB

SCOTT MILLER
720-322-1115
smiller@adcogov.org

Agency

Contact Information

Adams County Treasurer

Lisa Culpepper
4430 S Adams County Pkwy
Brighton CO 80601
720.523.6166
lculpepper@adcogov.org

BRIGHTON FIRE DISTRICT

Whitney Even
500 South 4th Avenue
3rd Floor
BRIGHTON CO 80601
(303) 659-4101
planreviews@brightonfire.org

BRIGHTON SCHOOL DISTRICT 27J

Kerrie Monti
1850 EGBERT STREET
SUITE 140, BOX 6
BRIGHTON CO 80601
303-655-2984
kmonti@sd27j.org

CDOT Colorado Department of Transportation

Bradley Sheehan
2829 W. Howard Pl.
2nd Floor
Denver CO 80204
303.757.9891
bradley.sheehan@state.co.us

Century Link, Inc

Brandyn Wiedrich
5325 Zuni St, Rm 728
Denver CO 80221
720-578-3724 720-245-0029
brandyn.wiedrich@centurylink.com

Code Compliance Supervisor

Eric Guenther
eguenther@adcogov.org
720-523-6856
eguenther@adcogov.org

COLO DIV OF MINING RECLAMATION AND SAFETY

ANTHONY J. WALDRON - SENIOR ENV
DEPT. OF NATURAL RESOURCES
1313 SHERMAN ST, #215
DENVER CO 80203
303-866-4926
tony.waldron@state.co.us

COLO DIV OF WATER RESOURCES

Joanna Williams
OFFICE OF STATE ENGINEER
1313 SHERMAN ST., ROOM 818
DENVER CO 80203
303-866-3581
joanna.williams@state.co.us

COLO DIV OF WATER RESOURCES

Joanna Williams
OFFICE OF STATE ENGINEER
1313 SHERMAN ST., ROOM 818
DENVER CO 80203
303-866-3581
joanna.williams@state.co.us

Agency

Contact Information

COLORADO DEPT OF TRANSPORTATION

Steve Loeffler
2000 S. Holly St.
Region 1
Denver CO 80222
303-757-9891
steven.loeffler@state.co.us

COLORADO DIVISION OF WILDLIFE

Serena Rocksund
6060 BROADWAY
DENVER CO 80216
3039471798
serena.rocksund@state.co.us

COLORADO DIVISION OF WILDLIFE

Crystal Chick
Northeast Regional Engineer
6060 BROADWAY
DENVER CO 80216-1000
303-291-7454
crystal.chick@state.co.us

COLORADO GEOLOGICAL SURVEY

Jill Carlson
1500 Illinois Street
Golden CO 80401
303-384-2643 303-384-2655
CGS_LUR@mines.edu

Colorado Geological Survey: CGS_LUR@mines.edu

Jill Carlson
Mail CHECK to Jill Carlson
303-384-2643 303-384-2655
CGS_LUR@mines.edu

COMCAST

JOE LOWE
8490 N UMITILLA ST
FEDERAL HEIGHTS CO 80260
303-603-5039
thomas_lowe@cable.comcast.com

NS - Code Compliance

Joaquin Flores
720.523.6207
jflores@adcogov.org

REGIONAL TRANSPORTATION DIST.

Engineering RTD
1560 BROADWAY SUITE 700
DENVER CO 80202
303-299-2439
engineering@rtd-denver.com

UNITED STATES POST OFFICE

MARY C. DOBYNS
56691 E COLFAX AVENUE
STRASBURG CO 80136-8115
303-622-9867
mary.c.dobyns@usps.gov

US EPA

Stan Christensen
1595 Wynkoop Street
DENVER CO 80202
1-800-227-8917
christensen.stanley@epa.gov

Agency

Contact Information

Xcel Energy

Donna George
1123 W 3rd Ave
DENVER CO 80223
303-571-3306
Donna.L.George@xcelenergy.com

BROMLEY DISTRICT WATER PROVIDERS LLC
C/O BROMLEY COMPANIES LLC
8301 E PRENTICE AVE STE 100
GREENWOOD VILLAGE CO 80111-2904

BOSTROM SHARON A
OR CURRENT RESIDENT
12550 BRIGHTON RD
BRIGHTON CO 80601-7350

BROMLEY KENNETH M JR AND
BROMLEY LOU ELLEN
12600 BRIGHTON RD RT 3
BRIGHTON CO 80601

BROMLEY WINIFRED LEE
OR CURRENT RESIDENT
12801 BRIGHTON RD
BRIGHTON CO 80601-7341

HENDERSON AGGREGATE LTD
7321 E 88TH AVE STE 100
HENDERSON CO 80640-8137

EINSPAHR NORMAN J AND
EINSPAHR CHARLENE R
OR CURRENT RESIDENT
12840 BRIGHTON RD
BRIGHTON CO 80601

HENDERSON AGGREGATE LTD
7321 E 88TH AVE
HENDERSON CO 80640-8137

MCCARTY TRAVIS K AND
MCCARTY SHANTEL M
OR CURRENT RESIDENT
12730 BRIGHTON RD
BRIGHTON CO 80601-7346

HENDERSON AGGREGATE LTD
PO BOX 700
HENDERSON CO 80640

MONTOYA MICHAEL AND SANDRA
OR CURRENT RESIDENT
10800 E 126TH AVE
BRIGHTON CO 80601

HOLSTINE RONALD R
3655 OTIS ST
WHEAT RIDGE CO 80033-6450

SHURTLEFF JOSEPH W AND
SHURTLEFF MINDY
OR CURRENT RESIDENT
12770 BRIGHTON RD
BRIGHTON CO 80601

HOLSTINE RONALD R
3655 OTIS STREET
WHEAT RIDGE CO 80033

ZIGAN STEVEN AND JONI
OR CURRENT RESIDENT
10900 E 126TH AVE
BRIGHTON CO 80601

ZIGAN HOMEOWNERS ASSOCIATION
10801 E 124TH AVE
BRIGHTON CO 80601-7114

CURRENT RESIDENT
12840 BRIGHTON RD
BRIGHTON CO 80601-7342

ZIGAN THEODORE
2724 CASTLE GLEN CT
CASTLE ROCK CO 80108-8303

CURRENT RESIDENT
12735 BRIGHTON RD
BRIGHTON CO 80601-7345

ARNOLD LARRY L AND
ARNOLD SHARON E
OR CURRENT RESIDENT
12700 BRIGHTON RD
BRIGHTON CO 80601-7346

CURRENT RESIDENT
12600 BRIGHTON RD
BRIGHTON CO 80601-7351

CURRENT RESIDENT
11100 E 126TH AVE
BRIGHTON CO 80601-7402

CERTIFICATE OF POSTING



I, Layla Bajelan, do hereby certify that I had the property posted at

12730 Brighton Rd

on May 12th, 2020

In accordance with the requirements of the Adams County Zoning Regulations

Layla Bajelan

Layla Bajelan

McCarty and Heinz Acres

PRC2019-00013

12730 Brighton Rd.

June 16, 2020

Board of County Commissioners Public Hearing
Community and Economic Development Department

Case Manager: Layla Bajelan



Requests

1. Minor Subdivision Final Plat: approximately 10 acres
2. Rezoning: Agricultural-2 to Agricultural-1
3. Waiver from the Subdivision Design Standards

Aerial View



Site

E. 126th Ave

Highway 85

Brighton Rd.

E 126th Ave

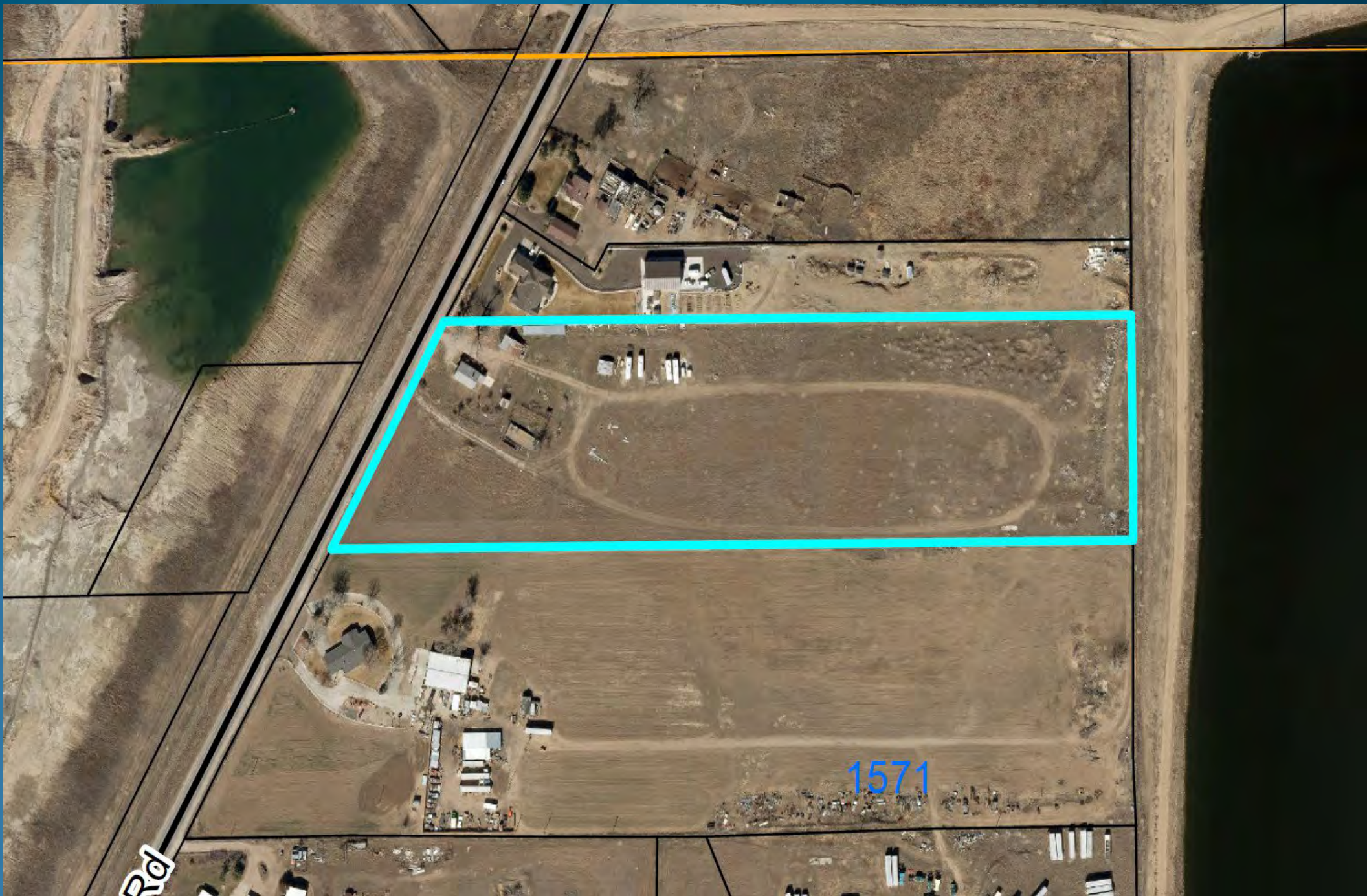
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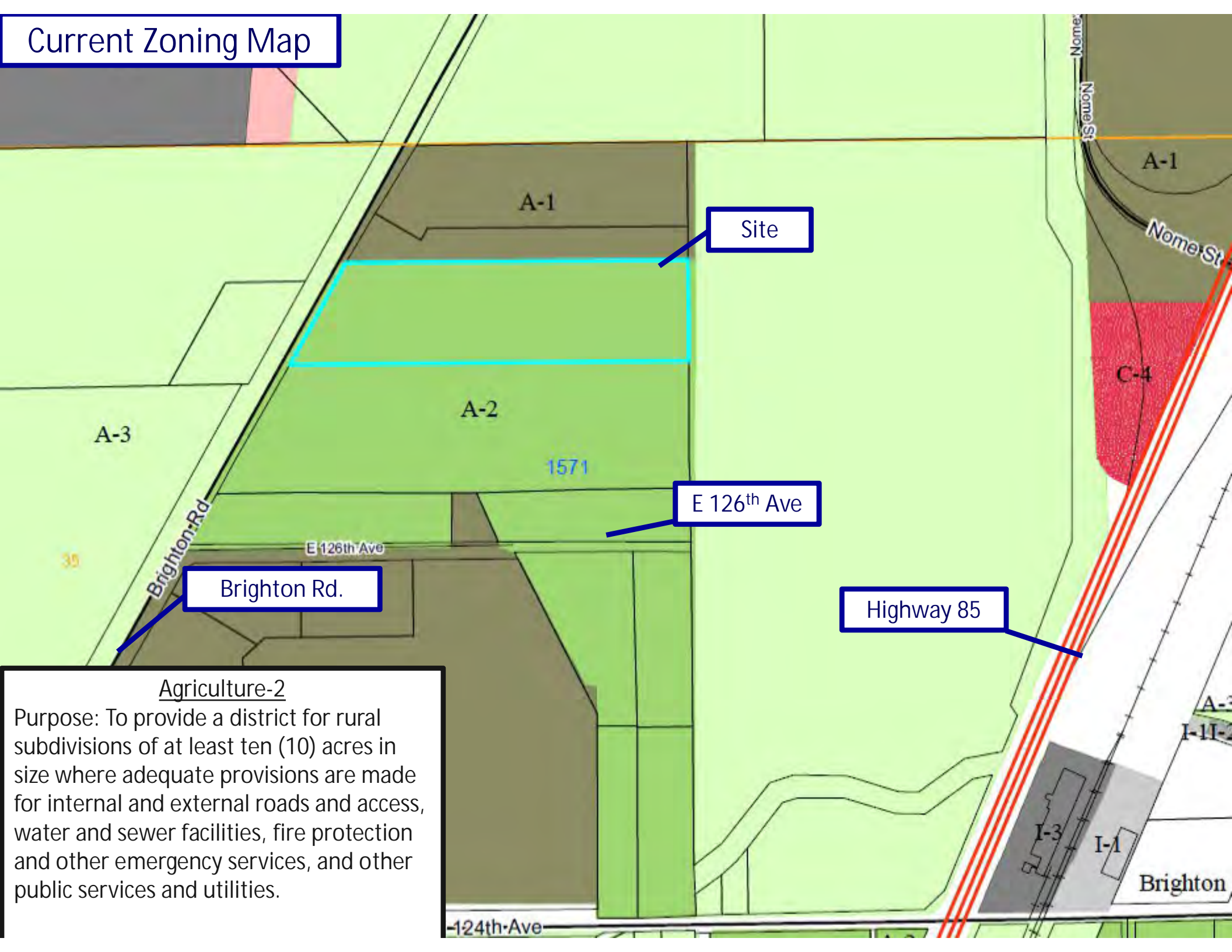
1571

Norma St
Norma St

Aerial View



Current Zoning Map



Site

E 126th Ave

Brighton Rd.

Highway 85

Agriculture-2

Purpose: To provide a district for rural subdivisions of at least ten (10) acres in size where adequate provisions are made for internal and external roads and access, water and sewer facilities, fire protection and other emergency services, and other public services and utilities.

-124th Ave

Brighton

Proposed Zoning Map



Brighton Rd.

E 126th Ave

Highway 85

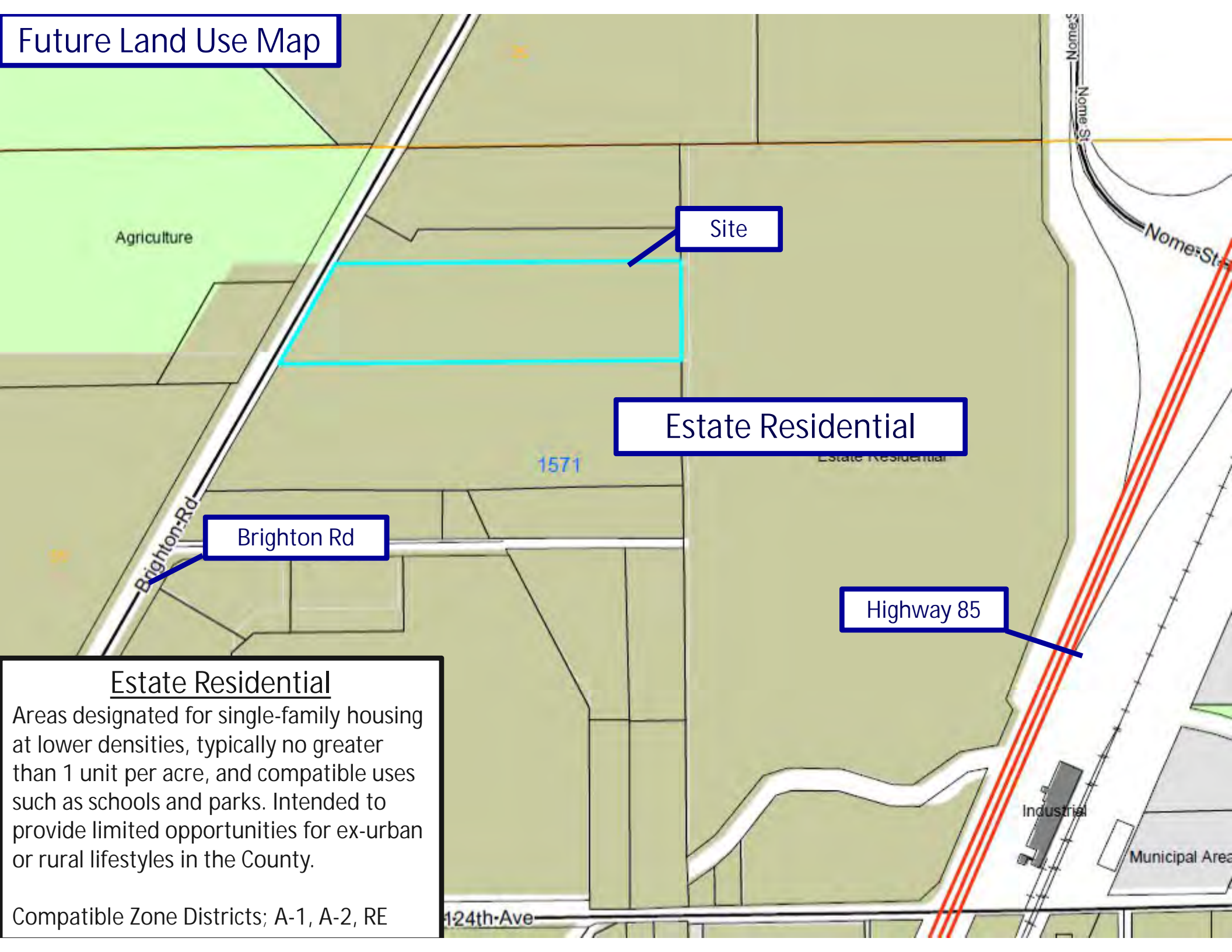
Site

Agriculture-1
Purpose: To provide a rural single-family dwelling district where the minimum lot area for a home site is intended to provide for a rural living experience.

124th Ave

Brighton

Future Land Use Map



Site

Estate Residential

Brighton Rd

Highway 85

Estate Residential

Areas designated for single-family housing at lower densities, typically no greater than 1 unit per acre, and compatible uses such as schools and parks. Intended to provide limited opportunities for ex-urban or rural lifestyles in the County.

Compatible Zone Districts; A-1, A-2, RE

124th Ave

Industrial

Municipal Area

1571

Estate Residential

Criteria for Minor Subdivision

Section 2-02-20-03-05

1. Conforms with subdivision design standards
2. Adequate water supply
3. Adequate sewer service
4. Any soil or topographical conditions have been identified
5. Adequate drainage infrastructure
6. Public infrastructure (curb, gutter, sidewalk)
7. Consistent with Comprehensive Plan
8. Consistent with development standards
9. Compatible with surrounding area

Criteria for Rezoning Approval

Section 2-02-15-06-02

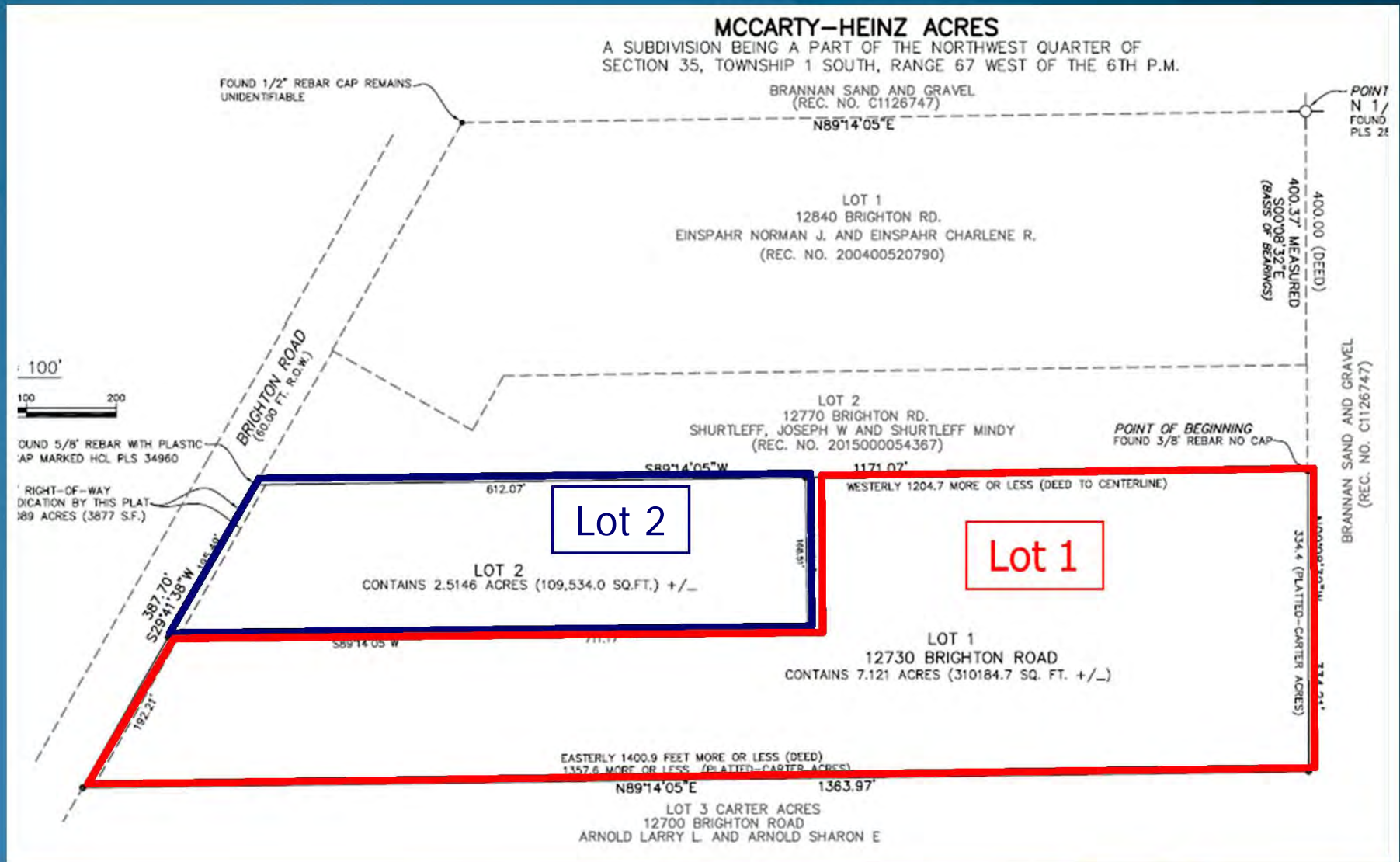
1. Consistent with Comprehensive Plan
2. Consistent with Purpose of Development Standards
3. Complies with Development Standards
4. Harmonious and Compatible to Surrounding Area

Criteria for Waiver from the Subdivision Design Standards

Section 2-02-17-05

1. Extraordinary hardships or practical difficulties result from strict compliance with these standards and regulations
2. The purpose of the standards and regulations are served to a greater extent by the alternative proposal
3. The waiver does not have the effect of nullifying the purpose of these standards and regulations

Proposed Final Plat



Comprehensive Plan

- Future Land Use: Estate Residential
- Policy 11.1: Permit Estate Residential Development in targeted locations
- Policy 11.1.a: Established Areas









Referral Comments

Notifications Sent*	# Comments Received
21	1

*Property owners and occupants within 1,000 ft.

- Public Comment: Concerns over weeds and current uses on the property
- Responding without Concern: Brighton Fire and Rescue, TCHD, CDOT, XCEL, Colorado Geological Survey, Division of Water Resources, RTD
- Referral Agencies: Century Link, CO Division of Mining Reclamation and Safety, Comcast, North Metro Fire, CO Division of Wildlife, EPA, Brighton School District 27J

PC Update

- Planning Commission Public Hearing- May 28, 2020
- Approval (6-0)
- No major concerns identified

Staff Recommendation

(PRC2019-00019; McCarty and Heinz Acres)

Staff recommends approval of the proposed Minor Subdivision Final Plat, Rezoning, and Waiver from the Subdivision Design Standards (PRC2019-00013) with 18 findings-of-fact, 1 condition and 1 note.

Recommended Findings-of-Fact

1. The final plat is consistent and conforms to the approved sketch plat.
2. The final plat is in conformance with the subdivision design standards.
3. The applicant has provided evidence that a sufficient water supply has been acquired in terms of quantity, quality, and dependability for the type of subdivision proposed, as determined in accordance with the standards set forth in the water supply standards.
4. The applicant has provided evidence that a public sewage disposal system has been established and, if other methods of sewage disposal are proposed, adequate evidence indicating that the system complies with state and local laws and regulations.
5. The applicant has provided evidence to show all areas of the proposed subdivision, which may involve soil or topographical conditions presenting hazards or requiring special precautions, have been identified by the applicant and the proposed uses of these areas are compatible with such conditions.
6. The proposed or constructed drainage improvements are adequate and comply with these standards and regulations.
7. Adequate public facilities or infrastructure, or cash-in-lieu, for impacts reasonably related to the proposed subdivision have been constructed or financially guaranteed through cash-in-lieu or a subdivision improvements agreement so the proposed subdivision will not negatively impact the levels of service of the County.
8. The final plat is consistent with the Adams County Comprehensive Plan and any available area plan.
9. The final plat is consistent with the purposes of these standards and regulations.
10. The overall density of development within the proposed subdivision conforms to the zone district density allowances.

Recommended Findings-of-Fact

11. The proposed subdivision is compatible with the surrounding area, harmonious with the character of the neighborhood, not detrimental to the immediate area, not detrimental to the future development of the area, and not detrimental to the health, safety, or welfare of the inhabitants of the area and the County. The proposed subdivision has established an adequate level of compatibility by:
 - a. Incorporating natural physical features into the development design and providing sufficient open spaces considering the type and intensity of use;
 - b. Incorporating site planning techniques to foster the implementation of the County's plans, and encourage a land use pattern to support a balanced transportation system, including auto, bike and pedestrian traffic, public or mass transit, and the cost effective delivery of other services consistent with adopted plans, policies and regulations of the County;
 - c. Incorporating physical design features in the subdivision to provide a transition between the project and adjacent land uses through the provision of an attractive entryway, edges along public streets, architectural design, and appropriate height and bulk restrictions on structures;
 - d. Incorporating identified environmentally sensitive areas, including but not limited to, wetlands and wildlife corridors, into the project design; and
 - e. Incorporating public facilities or infrastructure, or cash-in-lieu, reasonably related to the proposed subdivision so the proposed subdivision will not negatively impact the levels of service of the County services and facilities.
12. The Zoning Map amendment is consistent with the Adams County Comprehensive Plan.

Recommended Findings-of-Fact

13. The Zoning Map amendment is consistent with the purposes of these standards and regulations.
14. The Zoning Map amendment will comply with the requirements of these standards and regulations
15. The Zoning Map amendment is compatible with the surrounding area, harmonious with the character of the neighborhood, not detrimental to the immediate area, not detrimental to the future development of the area, and not detrimental to the health, safety, or welfare of the inhabitants of the area and the County.
16. Extraordinary hardships or practical difficulties result from strict compliance with these standards and regulations.
17. The purpose of the standards and regulations are served to a greater extent by the alternative proposal.
18. The waiver does not have the effect of nullifying the purpose of these standards and regulations.

Recommended Condition

1. No building permits will be issued on either Lot 1 or 2 until the property owner provides demolition permits to the County for the structures currently located on the newly created property line between Lot 1 and 2.

Recommended Note to the Applicant

1. The applicant shall comply with all building, zoning, fire, engineering, and health codes and regulations during the development of the subject site.



COMMUNITY AND ECONOMIC DEVELOPMENT
DEPARTMENT

CASE NO.: PRC2020-00009

CASE NAME: Colorado Rifle Club CUP Amendment 3

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**COMMUNITY AND ECONOMIC DEVELOPMENT
DEPARTMENT
STAFF REPORT**

Board of County Commissioners

June 16, 2020

CASE No.: PRC2020-00009	CASE NAME: Colorado Rifle Club CUP Amendment 3
Owner's Name:	Colorado Rifle Club, Inc.
Applicant's Name:	Wayne Wray Harris
Applicant's Address:	7602 Yale Court, Arvada, CO 80007
Location of Request:	76099 East 96 th Avenue (Parcel #'s 0173500000066, 0173500000007, 0173500000008, 0173500000009, 0173500000011, 0173500000012, 0173500000017, 0173500000019, 0173500000067, 0173500000084, 0173500000089)
Nature of Request:	1) Conditional Use Permit Amendment for the Colorado Rifle Club range expansion and clubhouse addition; 2) Vacation of a portion of East 112th Avenue right-of-way between Rector Leader Road and Bijou Creek
Zone District:	Agriculture-3 (A-3)
Future Land Use:	Agricultural
Site Size:	2,560 acres (111,513,600 sq. ft.)
Proposed Use:	Pistol and Shooting Range
Existing Use:	Pistol and Shooting Range
Hearing Date(s):	PC: May 28, 2020/ 6:00 pm BoCC: June 16, 2020/ 9:30 am
Report Date:	May 20, 2020
Case Manager:	Holden Pederson
Staff Recommendation:	APPROVAL with 14 Findings-of-Fact, 15 Conditions, and 6 Notes

SUMMARY OF APPLICATION

Background:

The subject property is not located within a subdivision but instead consists of eleven separate unplatted lots, some of which include entire sections.

In 1988, the property was originally approved for a Conditional Use Permit (case # 76-88-C) to establish a rifle club as a members-only operation in the Agricultural-3 (A-3) zone district. That

permit included no expiration date and was granted for the sole use of the Colorado Rifle Club (not to be transferred to any other entity).

In 1995, an amendment to the Conditional Use Permit was approved (case # 82-95-CA) to allow overnight camping, a sporting clay range, and to permit non-National Rifle Association (NRA) sanctioned matches and tournaments to be conducted at the facility. One of the original stipulations was also revised to allow guests and competitors who visit the members-only operation to have either a NRA membership or a membership in the non-NRA organization that was sponsoring a registered and approved competitive shooting match or event. Admission of the general public would still violate the original terms of the approval.

In 2008, a second amendment to the Conditional Use Permit was approved (case # RCU2007-00035) to include the new “East Range” on the property. This amendment also allowed the Conditional Use to run with the land rather than being granted for the sole use of the Colorado Rifle Club. Admission of the general public would still violate the original terms of the approval.

The applicant is now requesting this third amendment to the Conditional Use Permit to introduce a new club house, a new residential caretaker unit, additional overnight camping and recreational vehicle sites, as well as associated water and sanitary facilities, a new Long-Range Precision Facility with associated new berms, expansion of the existing east shooting range with associated new berms, and a one-mile long gravel roadway that would establish a new point of access from Rector Leader Road. The applicant is also requesting to vacate the portion of East 112th Avenue public right-of-way between Rector Leader Road and Bijou Creek that is located behind their firing lines and that is surrounded on both sides by land owned by the Rifle Club.

As part of this Conditional Use Permit Amendment request, the applicant is proposing to construct improvements to their facility in three phases:

- Phase 1: A new club house, a parking area for the clubhouse, and an RV dump station;
- Phase 2: A new Long-Range Precision Facility with an associated parking lot, fifteen-foot-high earthen berms placed in intervals up to 1,760 yards away with steel gongs or plates placed within them, and associated structures, such as a covered or enclosed firing line;
- Phase 3: A new gravel road connecting from Rector Leader Road to the facility with a gated entrance, as well as an expansion of the East Range by adding new shooting berms and associated RV parking pad areas, vaulted toilets, equipment sheds, and stat buildings; and
- Phase 4: A new caretaker’s house.

As an additional component of this request, the applicant is proposing to vacate the portion of East 112th Avenue between Rector Leader Road and Bijou Creek in order to limit public access onto the non-maintained East 112th Avenue and deter traffic from driving down range of the shooting facility. East 112th Avenue is located behind and down range from the existing firing lines and backstops (the applicant owns the land on each side of the road for two miles). The roadway is currently marked as a dead-end road and a buildout would require the County to acquire additional right-of-way across Bijou Creek in order to connect the existing portions of East 112th Avenue and would also require the County to construct a new bridge over Bijou

Creek. The applicant has proposed to leave East 112th Avenue in its current condition and to provide utility easements and access easements for the oil and gas facilities located throughout their buffer areas. If this request is approved, the applicant would leave the existing fences in place and also add a gate with a linked chain for all parties requiring access.

The applicant is also proposing as part of this request and as part of their proposed Phase 3 of construction to add a one-mile-long gravel road with a gated entrance that would provide an additional point of access directly from Rector Leader Road. As part of the second Conditional Use Permit amendment, a comment letter was received from a member of the public stating his concern that the route utilized by members and guests of the Rifle Club to their main entrance along East 96th Avenue would interfere with traffic and farm machinery that travels along East 96th Avenue. In 2007, staff included a Note to the Applicant with approval of the request stating that the Rifle Club members should endeavor to utilize Rector Leader Road in order to gain access to the site during the months of April through October as much as possible in order to lessen conflicts with farm machinery. The applicant's request to add the new gravel, private access road from Rector Leader Road would be consistent with considerations memorialized from the previous Amendment by providing the opportunity to direct some traffic into the site directly from Rector Leader Road rather than only utilizing East 96th Avenue.

Site Characteristics:

The Colorado Rifle Club was founded in 1925 and has been operating at this rural site in eastern Adams County since 1988. The Rifle Club's original location in western Adams County became unsuitable for their intensive outdoor commercial recreation use as new development from the Denver metropolitan area began encircling their facility. In order to prevent that scenario from occurring again and to ensure the long-term viability of the club, the Rifle Club relocated further east and purchased an initial 1,440 acres to provide adequate buffering for their use and prevent future encroachment of residential development.

The Rifle Club's current facility is located west of Rector Leader Road, between East 96th Avenue to the south and East 112th Avenue to the north, although they also own a considerable amount of land north of East 112th Avenue that serves as a buffer area for their shooting ranges, with all firing lines oriented towards the buffer area and to the north. The subject property is located entirely within the Agriculture-3 (A-3) zone district and consists of eleven separate lots totaling 2,560-acres.

The first NRA-approved rifle match at the site was conducted in 1991. In 2019, the Rifle Club's membership grew to approximately 1,500 members in total and the number of scheduled matches throughout the calendar year was increased to approximately 220 events. The private membership club is only open to members, their guests, and competition participants (all of which must be certified NRA members or must be members of the non-NRA organization that is sponsoring a particular competitive shooting match or event at the facility). Automatic weapons and explosive devices are not allowed on any range or within the club's property at any time. In addition, military, police, boy scout, hunting safety, and other groups occasionally visit the site in order to utilize the Rifle Club's ranges for training purposes; however, even military and police groups are only allowed to utilize the type of weapons that other members of the Rifle Club are allowed to bring onto the site. In addition, a two to three-hour new member orientation

class is required for new members that describes the Rifle Club's rules and regulations, while also emphasizing the importance of safety, respect, and cooperation for all members visiting the site and utilizing the shooting facilities.

Currently, there are seven ranges located throughout the Rifle Club's facility that are each designed for specific shooting sports and competitions. They include Silhouette, Schuetzen, Small Bore Rifle, High Power Rifle, Pistol, Skeet and Trap (sporting clay), and Archery Ranges, as well as the East Range which consists of individual shooting bays that are surrounded on three sides by earthen berms and backstops. The site also includes a historic ranch house, an equipment shed, three recreational vehicle (RV) parking pad areas (a six pad location near the Skeet, Trap, and Archery ranges, a fourteen pad location near the Pistol, Small Bore, and Schuetzen ranges, and a fourteen pad location near the East Range), as well as vaulted toilets, stat buildings, covered firing lines, sun shades, and vehicle parking areas scattered throughout the site for use by members or guests at each firing range. Overnight camping approved by previous Conditional Use Permit Amendments has been limited to the areas designated on the site plan at the time, and two of the three current RV parking pad areas include electrical connections.

The Rifle Club actively cooperates with the Colorado Division of Wildlife and other conservation groups and agencies in order to ensure that surrounding wildlife is protected by and benefits from the existence of their operation. The club does not allow any form of hunting on their land and has placed a portion of their overall property into the US Department of Agriculture's conservation reserve program in order to designate it as a wildlife preserve. Bijou Creek to the west runs through a portion of their property and is preserved by the Rifle Club so that it continues providing wildlife habitat and important stormwater functions for the County. Less intensive shooting ranges are located closer to Bijou Creek, such as the archery range.

Much of the overall property is not utilized for club or shooting activities and is instead planted with native grasses, representing a well-preserved prairie landscape that blends in well with the surrounding agricultural properties. The shooting ranges and the overall facility are not visible from any public right-of-way (Rector Leader Road, East 96th Avenue, or East 112th Avenue), as the club's priority since relocating to eastern Adams County has been to continue surrounding their facility with an abundance of buffer land in order to protect surrounding property owners and residents, mitigate the impacts of their intensive outdoor commercial recreational land use, and ensure that new development will not encroach on their facility anytime in the near future. Warning signs for active shooting ranges have been placed every 200 to 300 feet along the barbwire fencing that surrounds the perimeter of the facility.

The Rifle Club's main point of access and entrance is from East 96th Avenue to the south. A gate blocks the private gravel road that stretches north from East 96th Avenue and connects to the facility. The Rifle Club also receives secondary access from East 112th Avenue to the north. East 112th Avenue is an undeveloped, dirt trail road that runs south of the Rifle Club's buffer area and provides a back entrance to the facility that is not frequently utilized (although in the past, this unmaintained road was the club's primary point of access). All of the land surrounding this portion of East 112th Avenue is owned by the Rifle Club and is not utilized by any surrounding property owners or residents in order to access their properties. East 112th Avenue does provide

access to oil and gas facilities that are located within the Rifle Club's buffer area, and the existing right-of-way currently has not been designated in order to connect to the portion of East 112th Avenue that is located further to the west and across Bijou Creek.

Development Standards and Regulations:

If approved, the applicant anticipates that all four phases of improvements to the facility would be constructed over the course of the next ten years. The applicant has confirmed that each of the four phases of the project would be self-sufficient and that the supporting facilities and improvements required for each new component are established at the same time as the primary use that is expanded. Staff has included Conditions of Approval to ensure that each phase is reviewed, approved, and constructed to include all supporting facilities and improvements prior to staff considering the next phase.

For Phase 1, the proposed new club house is proposed as an approximately 2,800 square feet structure that would include covered concrete patio areas, an associated gravel parking lot, and exterior lighting. Currently, the Rifle Club conducts new member orientation classes once a month in an approximately 800 square-foot stat building. As the Rifle Club has grown, this stat building has become too small for the two to three-hour new member orientation class. The applicant is proposing to construct the new Club House in order to better host new member orientation classes (the proposal includes a meeting room for approximately one hundred people); to provide heated bathrooms and showers for members, competitors, and campers that otherwise do not currently exist on the property; to provide a venue for award ceremonies and sharing meals together; and to provide barracks where members can set up cots and sleeping beds for overnight stays without being required to bring their own recreational vehicle or tents. Family members of the match participants and guests of members would also be able to utilize the facility during matches and during their visits.

Overall, the proposed club house is intended by the applicant to be an ancillary use for the matches held at the Rifle Club's facility and would be designed to provide a limited number of amenities for members, guests, and participants of competitive events that currently do not exist throughout the facility. The barracks would be used mainly for two-day matches and for overnight stays, but according to the applicant, the club house would not be designed to resemble a bed and breakfast facility, would not include a full commercial kitchen, and would not attract additional vehicle traffic, as it would only be open to members, guests, and competitors of matches held at the site. According to the applicant, it would not be used for events, evening affairs, or additional classes (other than the new member orientation class), as the Rifle Club does not hold monthly membership meetings or host private events. Instead, the Rifle Club has an annual meeting each year that is held off-site in order to be closer to the Denver metropolitan area.

After reviewing the information provided by the applicant, staff has determined that the proposed new club house would not meet the definition of an Event Center or the previous definition of an Assembly Hall (since replaced through Code Amendments by the Event Center land use); therefore, it does not require an additional Conditional Use approval for the Agriculture-3 zone district but instead only serves as an accessory use for providing more amenities to members, guests, and participants at the Rifle Club. The Adams County Development Standards and

Regulations define an Event Center as, “a facility consisting of structures or premises used to accommodate the assembly of persons for private or public meetings, parties, weddings, wedding receptions, reunions, birthday celebrations, charitable fundraisers, and any other social engagement purposes, or similar such uses. Such use may include the provision of food, beverages, and entertainment. (Section 11-02-188)” All proposed uses of the club house are directly related to the Rifle Club’s approved activities and the competitions that will be held at the site, as private events not related to Rifle Club activities or events open to the general public would not be allowed to take place within the club house. While private Rifle Club events and social gatherings may be held within the club house, those types of limited events and private meetings do not exceed the type of amenities that should be provided by a membership club that regularly holds competitive matches and has already been permitted to allow overnight camping. A recommended Condition of Approval has been included by staff in order to ensure that the proposed club house would not exceed the applicant’s proposals and would not be allowed to rise to the intensity of an Event Center land use. In addition, the RV dump station and adjacent potable water services proposed for Phase 1 would serve the existing overnight camping and recreational vehicle parking pad uses.

As part of Phase 2, the new Long-Range Precision Facility would extend for one mile. The applicant has proposed two potential locations for the new facility and submitted separate site plans that depict those options, one located to the east of the existing Silhouette Range and located one to the west of the existing Silhouette Range.

As part of Phase 3, additional bays would be added to the East Range that were each approximately fifty yards deep and fifty feet wide surrounded on three sides by earthen berms that are fifteen feet high. New vaulted toilets, roadways, sun covers, stat buildings, and maintenance structures would be added to serve the expanded range. New RV parking pads would also be added in order to increase the capacity of camping areas that are adjacent to and provided for participants of the East Range.

Phase 4 would include the addition of a small residential caretaker’s house for the benefit of the Rifle Club’s staff who would be required to stay overnight to host matches the next day or to remain on site for purposes related to the caretaking of the overall facility, especially during winter months.

There are specific performance standards within the Adams County Development Standards and Regulations that address gun and archery ranges (Section 4-09-02-17-04). The applicant has responded to those performance standard requirements with the following commitments:

- “Warning: Shooting Range” signs would be included at regular intervals along approximately seven miles of existing perimeter (barbwire) fencing;
- All proposed new and existing firing lines would be directed in a northerly direction and would be positioned as close to horizontal as possible; and
- The Rifle Club facility would only be used by members, guests, and competition participants and is not open to the public.
- All shooting ranges would be supervised while in use by a club member or by a Match Director (who would also be a club member) during sanctioned and scheduled events.

In addition, gun and archery range performance standards require any shooting range located within one mile of a residentially zoned or used property to receive waivers from each of the residential property owners and disclosure documents that could subsequently be recorded against the residential property in order to alert future owners or residents of the existence of the nearby shooting range. During the applicant's second Conditional Use Permit Amendment, this performance standard was applied and the applicant received a total of five waivers from residential property owners within a mile of their ranges that were then subsequently recorded against the properties through the Adams County Clerk and Recorder's Office. Since 2007, staff has confirmed that two new properties within a mile of the Rifle Club's shooting ranges have built houses and established residential uses on their properties. As part of this review process, staff required the applicant to receive the two additional new waivers and to record them against the residentially used properties, which the applicant successfully accomplished.

There are also specific performance standards within the Adams County Development Standards and Regulations that address commercial campgrounds (Section 4-09-02-06). Although the applicant's currently approved overnight camping use has been determined by staff as being accessory to the primary pistol and shooting range use rather than being considered as a primary commercial campground land use (as it would not be open to the public and would not collect any fees in exchange for providing the services to its members, guests, or competition participants), the applicant has responded to the applicable performance standards with the following commitments:

- Each existing and proposed new recreation vehicle parking site would have less than fifteen campsites per acre;
- Stays are limited to a single weekend without special approval from the Rifle Club (never exceeding the maximum sixty-day limit described in the performance standards);
- Direct access is provided by East 96th Avenue (which is designated as a Rural Regional Arterial Roadway) from a private gravel road and is located approximately eleven miles from Highway 36, but does not provide direct access from a public road to the individual campsites;
- All interior roads providing access to the recreation vehicle parking areas would be twenty-two feet wide with side ditches and no parking on the sides;
- All recreational vehicle parking areas would be accessible by gravel roadways;
- All recreational vehicle parking pads would have an all-weather gravel parking surface;
- All recreational vehicle parking pads would include associated two-hundred square foot common recreational areas located on all-weather gravel surfaces (in addition to the shooting facilities which the applicant also considers as common recreation areas);
- Each recreational vehicle parking pad would be eighty feet long by twenty feet wide;
- A thirty-foot separation would be maintained between electrical pedestals associated with each recreational vehicle parking pad;
- No designated tent campgrounds would be included as part of the facility;
- Each recreational vehicle parking pad would be able to accommodate a maximum of four, ten foot by twenty-foot guest vehicle parking areas (depending on the size of the RV);
- Each recreational vehicle parking pad would be supplied with a private hookup for electrical power that is buried underground and that all other utilities that may be

provided in the future to any recreational vehicle parking pads would also be constructed underground;

- Vaulted toilets are currently the only accessory structures associated with the recreational vehicle parking pads, and that the proposed recreational vehicle dump station that would serve the entire facility is the only new sanitation facility proposed as part of this request;
- Manager housing would not be included for each recreational vehicle parking area, but instead that a single residential caretaker's house is being proposed for the entire site; and
- Dumpsters would be available throughout the facility for use by the overnight campers and recreational vehicle users.

In addition to associated landscaping required by gun and archery range as well as commercial campground performance standards, the applicant's proposal is also required by the Adams County Development Standards and Regulations as a commercial land use to include required lot landscaping, bufferyards between commercial and agricultural uses, off-road parking lot landscaping for each parking area, and street frontage landscaping. Due to the property's remote location in the far eastern prairie, the vast size of the overall property, the fact that only one well has been permitted by the Colorado Division of Water Resources for the site that allows for a maximum of one-acre of landscaping, and the ever-present wildlife that is attracted to young plants, the applicant has previously applied for and received approval from the Community and Economic Development Department for administrative landscape relief.

As part of this administrative landscape relief review process, the applicant shared that the majority of their land would remain as native grasses in order to serve as natural buffering from surrounding land uses and that the entirety of the shooting facility is currently enclosed by a four-foot-high, agricultural, four strand barbed wire fence. In addition, their approval included trees and a river rock and mulch area that would be placed around the proposed club house, while large diameter boulders would be placed on the east side of the club house in order to separate the building from the proposed parking lot. New fifteen foot tall berms would be included for the individual shooting bays added to the East Range (each shooting bay would be surrounded on three sides by berms) and the proposed Long-Range Precision firing line would include metal reactive targets with fifteen foot tall berms located at varying intervals up to a mile away. The applicant would also include at each recreational vehicle campsite a ten-foot by twenty-foot common recreation area as well as a large boulder placed adjacent to each associated the electrical pedestal in order to provide landmarking and delineation for each recreational vehicle pad.

In terms of required street frontage landscaping, the applicant's approval included the installation of new xeriscape improvements at their main entrance on East 96th Avenue, such as large boulders and river rock mulch, a 4' x 4' x 6' flat rock with the Colorado Rifle Club logo engraved upon it, a large ranch style arch placed over a newly painted gate and adjacent metal pipe fence, and a four foot standalone square metal sign placed in front of the fence in order to indicate the days that events would be held.

Meanwhile, the project site currently includes parking lots that serve each range and the applicant is also proposing to include new parking lots that would serve the following new or expanded uses:

- The proposed new clubhouse (approximately one hundred parking stalls would be included).
- The new East Range expansion.
- The new Long-Range Precision Range.

Future Land Use Designation/Comprehensive Plan:

The future land use designation on the property is Agriculture. Per Chapter 5 of the Adams County Comprehensive Plan, the purpose of the Agriculture future land use category is to preserve agricultural areas for long term farming, conserve environmentally sensitive areas, separate and define urban areas, prevent urban nuisance complaints, and limit the extension of services where they are costly and difficult to provide. Primary characteristics and uses include agricultural production, while secondary characteristics and uses include open space and other non-urban uses incidental to agriculture. The areas that have been identified as agriculture are those that are not expected to develop, except for limited areas of very low density, for the foreseeable future and that are typically characterized by a lack of urban services.

Policy 10.1 of the Adams County Comprehensive Plan focuses on conserving high quality agricultural lands. Within that policy, Strategy 10.1.c addresses compatible uses (maintain the integrity of sensitive agricultural lands by keeping non-rural commercial, estate residential, or other potentially disruptive uses separate from agricultural activities where necessary in order to preserve the County's agricultural economic base) and Strategy 10.1.e addresses conservation regulations and tools (continue to use open land conservation tools that help to preserve agricultural lands, such as density transfers, purchase of development rights, coordination with private land trusts, conversion taxes, and other tools that discourage excessive conversion of agricultural land to nonagricultural uses. Meanwhile, Policy 10.2 focuses on transitions from agricultural lands between the development and agricultural transition areas through a variety of tools including the use of cluster residential development, parks, open space, and buffering through landscaping and other types of screening. Within that policy, Strategy 10.2.b addresses buffering (establish open space buffer requirements for proposed development adjacent to agricultural production areas to minimize land use conflicts).

The applicant's proposal supports the policies and strategies of the Adams County Comprehensive Plan by representing a non-urban commercial use that is better suited for a more remote, rural environment and that includes extensive open space and buffering that benefits the integrity of surrounding sensitive agricultural lands. No details about land use conflicts or urban nuisance complaints have been identified by the surrounding property owners and residents as part of this review process, other than one letter received from a member of public commenting on the need for visitors to the club to share the road with and respect large farm trucks and equipment. The applicants have good relationships with their surrounding neighbors, as is evident by their ability to receive waivers and disclosures from all the surrounding residentially used properties within a one-mile radius of their shooting ranges. Their use conserves environmentally sensitive areas (especially within the portion of the Bijou Creek corridor owned by the applicant) by preventing hunting on the property and by working with the US Department of Agriculture to designate their land as a wildlife preserve. The extensive buffering required to preserve their own outdoor commercial recreational use effectively conserves open space for the County and minimizes their land use conflicts with adjacent agricultural production areas.

Surrounding Zoning Designations and Existing Use Activity:

Northwest A-3 Bijou Creek and Agricultural Land	North A-3 Agricultural Land	Northeast A-3 Agricultural Land
West A-3 Bijou Creek and Agricultural Land	Subject Property A-3 Pistol and Shooting Range	East A-3 Agricultural Land
Southwest A-3 Bijou Creek and Agricultural Land	South A-3 Agricultural Land	Southeast A-3 Hunting Club (The Bluffs)

Compatibility with the Surrounding Area:

The surrounding properties are all zoned as Agriculture-3 and are utilized for non-urban and rural uses (such as agricultural production, farming, and residential farmhouses). The Bluffs hunting club is located next to the Rifle Club’s main entrance from East 96th Avenue. Bijou Creek is located to the west of the property, and Little Antelope Creek is located further west from Bijou Creek.

Although considered a commercial land use, this 2,560-acre facility is located in the far eastern prairie, surrounded for miles by agricultural land, dryland wheat, and pivot irrigation systems. Due to the vast size of the facility and the extensive buffer land that would remain as native grasses (only 280 acres of the overall 2,560-acre project site is actually proposed to be utilized for shooting and club activities), the site naturally blends in with the surrounding agricultural land and prairie landscape. The closest residences are located approximately a mile away from the facility, and the club sees minimal usage from October to March due to the cold temperatures and road conditions. The ranges are a ¼ mile from the south property line (which is over a mile from East 96th Avenue), a ¼ mile from the east property line and Rector Leader Road, and ¾ mile from the west property line. Facilities are not visible from any existing residences or nearby roadways.

Based on recent site visits by staff, the facility’s remote location largely removes the need for attractive street frontages or bufferyards between neighboring uses, as there are few existing trees or shrubs located throughout the surrounding prairie and agricultural farmland. Due to the large size of the existing lots (many take up the entirety of or at least a quarter of a section), homes and agricultural structures often are not visible from the road. The extensive buffer land that has been purchased by the Rifle Club ensures that their facility will not be encroached upon by future development and that they are adequately buffered from surrounding uses. This extensive buffer land has remained as native grasses and blends in with the surrounding prairie landscape. It effectively serves the same purposes as landscaping which would normally be required to buffer, soften, and enhance features of the facility, but the buffer land likely is more

effective than landscaping as sheer distance renders all of the previously mentioned objectives unnecessary.

Staff has confirmed that an agricultural fence encloses the entire facility and that warning signs are placed on the fence in order to alert passersby of the existence of the shooting ranges. Earthen berms associated with the shooting ranges ensure that spent ammunition is contained and does not spread throughout the land (although the existence of the extensive bufferland already eliminates the possibility that a stray bullet could leave the facility under normal circumstances). The applicant has proposed xeriscaping improvements to their main entrance off East 96th Avenue, which would enhance the appearance of their main entrance along this public right-of-way by providing landmarks that announce their presence to the community without adversely impacting the neighborhood. Simple agricultural gates for the other two secondary entrances to the property would fit the character of the surrounding farmland and better blend in along the rural roads that crisscross the prairie.

PLANNING COMMISSION UPDATE:

The Planning Commission considered this request on May 28, 2020, and recommended approval with a 6-0 vote and 14 Findings-of-Fact, 15 Conditions, and 6 Notes to the applicant. No members of the public spoke in support or opposition of the request during the public hearing.

At the hearing, the Planning Commission inquired about age restrictions for club membership. The applicant responded that there are no age restrictions, as family memberships are encouraged in order to promote safety practices at a young age. The Planning Commission also inquired whether it was feasible for the applicant to promote the use of lead-free bullets and inquired about the applicant's lead abatement program as well as their facility's total water usage. The applicant provided information regarding the difficulties of promoting lead-free bullets for outdoor ranges and for rifle users, although the applicant did describe new types of copper bullets that are gaining popularity and could potentially be promoted as an alternative. The applicant also described the club's previous lead abatement efforts and the minimal amount of water used by the overall facility.

Staff Recommendation:

Based upon the application, the criteria for rezoning approval, and a recent site visit, staff recommends Approval of this request with 14 Findings-of-Fact, 15 Conditions, and 6 Notes:

RECOMMENDED FINDINGS OF FACT FOR A CONDITIONAL USE PERMIT

1. The conditional use is permitted in the applicable zone district.
2. The conditional use is consistent with the purposes of these standards and regulations.
3. The conditional use will comply with the requirements of these standards and regulations including, but not limited to, all applicable performance standards.
4. The conditional use is compatible with the surrounding area, harmonious with the character of the neighborhood, not detrimental to the immediate area, not detrimental to the future development of the area, and not detrimental to the health, safety, or welfare of the inhabitants of the area and the County. In making this determination, the Planning Commission and the

Board of County Commissioners shall find, at a minimum, that the conditional use will not result in excessive traffic generation, noise, vibration, dust, glare, heat, smoke, fumes, gas, odors, or inappropriate hours of operation.

5. The conditional use permit has addressed all off-site impacts.
6. The site is suitable for the conditional use including adequate usable space, adequate access, and absence of environmental constraints.
7. The site plan for the proposed conditional use will provide the most convenient and functional use of the lot including the parking scheme, traffic circulation, open space, fencing, screening, landscaping, signage, and lighting.
8. Sewer, water, storm water drainage, fire protection, police protection, and roads are to be available and adequate to serve the needs of the conditional use as designed and proposed.

RECOMMENDED FINDINGS OF FACT FOR A ROADWAY VACATION

1. The roadway vacation complies with these standards and regulations and the original conditions of approval.
2. Nonconforming lots are not created, and in the case of nonconforming lots, the nonconformity is not increased.
3. The roadway vacation is in keeping with the purpose and intent of the subdivision regulations.
4. The approval will not adversely affect the public health, safety, and welfare.
5. The vacation does not leave any land adjoining the roadway without an established public road or private access easement connecting said land with another established public road.
6. If the roadway is a state or federal highway, the vacation has been approved by the state transportation commission.

Recommended Conditions of Approval:

1. The “buffer area” to the north of the shooting ranges and the Colorado Rifle Club’s facility shall remain in a relatively undeveloped state. No habitable structures shall be permitted to be constructed in this buffer area.
2. Guests/competitors shall either have an NRA membership or memberships in the organization sponsoring the Competitive Shooting Match or Event. Admission to the general public will violate the terms of the Conditional Use.
3. Overnight parking and camping areas shall be limited to the areas designated on the site plan and shall only be used by participants of the range.
4. Warning signs for the range shall be placed in a manner consistent with the existing shooting range at regular intervals of every 200 to 300 feet.
5. Hunting on the property is prohibited.
6. All complaints received by the applicant concerning damage to offsite properties, and the resolution of those complaints, shall be conveyed to the Community and Economic Development Department. Damages to off-site properties shall be responded to and resolved immediately by the applicant. Disputes concerning damages to off-site properties may be resolved by the Community and Economic Development Department and may be justification for a Show Cause Hearing before the Adams County Board of County Commissioners where the permit may be revoked.
7. Full automatic weapon firing or explosive devises shall not be permitted on any range.
8. Each of the applicant’s proposed four phases of construction must be self-sufficient so that the supporting facilities and improvements that are required for each new component are

established at the same time as the primary use that is being expanded. Each phase must be reviewed, approved, and constructed to include all supporting facilities and improvements prior to staff considering the next phase. The proposed phases of construction must comply with the approved site plan and the information submitted to staff that is included within the staff report. A Notice to Proceed from the Community and Economic Development Department will be required prior to commencing construction of each phase.

9. The proposed club house cannot be used to host public meetings or events. Use of the club house is only allowed for members, guests, and competitors of Colorado Rifle Club competitions and events. Compensation may not be received in exchange for hosting events at the facility.
10. The applicant will continue their established program of removing spent ammunition from berms and backstops on a schedule commensurate with the intensity of range use but not to exceed every 15-years.
11. Fugitive dust control techniques for unpaved roads and disturbed areas, as described by the Colorado Department of Public Health and Environment's referral letter, must be in place throughout the duration of construction activities on the site.
12. The applicant must permit, construct, and operate a designated holding tank or vault for the disposal of waste into the proposed RV dump station, as described by the Tri-County Health Department's referral letter and in compliance with their current regulations.
13. Applicant must receive a permit for the installation and final approval of the facility's on-site wastewater treatment system, as described by the Tri-County Health Department's referral letter.
14. Applicant must work with the County to grant an open space and drainage easement for the area along Bijou Creek in order for the County to access and maintain the banks of the creek, if needed.
15. Applicant must receive building permit approval for all unpermitted commercial structures located on the property within a year of approval of this Conditional Use Permit Amendment (June 16, 2021).

Recommended Notes to the Applicant:

1. All applicable building, zoning, engineering, fire, and health codes shall be adhered to with this request.
2. Colorado Rifle Club members should endeavor to utilize Rector Leader Road to gain access to the site during the months of April through October as much as possible to lessen conflicts with farm machinery.
3. Promoting the use of lead-free bullets within the shooting range by the applicant is strongly encouraged as a best management practice to reduce the potential for environmental contamination.
4. Implementing appropriate best management practices for lead at outdoor shooting ranges, as outlined in the EPA's guidance document, EPA-902-B-01-001, is recommended as a means to further control potential lead contamination.
5. Applicant must receive a new access permit from the Community and Economic Development Department in order to establish the new point of access from Rector Leader Road.
6. It should be known the Conditional Use Permit runs with the land. Any future owner, should the CRC be sold to another entity, should know they will be subject to all of the conditions

within this amendment and the previous three cases (RCU2007-00035, Case # 76-88-C, and Case # 82-95-CA).

CITIZEN COMMENTS

Notifications Sent	Comments Received
47 (CUP) and 12 (ROW VAC)	1 (CUP) and 1 (ROW VAC)

All property owners and occupants within 5,280 feet of the subject property were notified of the Conditional Use Permit request, and all property owners and occupants within 550 feet of the subject portion of East 96th Avenue were notified of the Roadway Vacation request.

As of writing this report, staff has received one public comment regarding the Conditional Use Permit request. That member of the public was not opposed to the project but did remind the applicant and the Club that large trucks and farm equipment frequent the roads in this rural area. As such, the member of the public wished to convey that the visitors to the Rifle Club were guests in an area where others live, that the commenter has witnessed several near accidents when members of the club have turned out of the entrance onto East 96th Avenue, and that visitors to the Rifle Club should drive more carefully in order to show respect for the surrounding community.

Staff also received one public comment regarding the Roadway Vacation request. The Colton Limited Liability Company operates an oil and gas well on a portion of the Rifle Club’s land that requires that portion of East 112th Avenue that is proposed by the applicant to be vacated and required access to its lease road which exits East 112th Avenue in order to reach their site. The company expressed concern because there would be no alternate access available to Colton if that portion of East 112th Avenue was to be vacated. As a result of this public comment, the applicant worked with the company to grant a non-exclusive right-of-way easement so that they may continue accessing their lease site. Correspondence has been submitted by the applicant demonstrating that the company’s concerns have been addressed as a result of the signed agreement, which has been included by staff in this packet of information.

COUNTY AGENCY COMMENTS

Staff reviewed the request and worked with the applicant through multiple rounds of review and across multiple applications in order to verify compliance with all applicable requirements of the Adams County Development Standards and Regulations.

Development Services Engineering reviewed the applicant’s submitted Trip Generation Letter and Drainage Report, sharing that if the applicant disturbed more than one acre of ground that a State Storm Water Permit would be required, confirming that no improvements would be located within the 100-year flood hazard zone surrounding Bijou Creek, receiving approval from the Colorado Division of Water Resources that stormwater detention and water quality were not required as part of this project, and reminding the applicant that future Engineering Reviews of construction documents would be required prior to the issuance of any building permits.

The County’s Right-of-Way Agent required the applicant to dedicate sixty feet of land along their portion of Rector Leader Road for right-of-way purposes and guided the applicant in preparing a

Vacation Plat for the proposed vacation of the East 112th Avenue public right-of-way. The Right-of-Way Agent also required that the owner grant an open space and drainage easement for the area in the flood plain along Bijou Creek in order for the County to access and maintain the banks of the creek if needed, explaining that structures would not be permitted within this easement area. In addition, the Right-of-Way Agent assisted the applicant in obtaining a Section Line Setback Waiver from the Adams County Public Works Department in order to reduce the required one-hundred-and-twenty foot setback for their proposed new clubhouse to a fifty foot setback from the section line located to the south of the proposed location. Finally, the Right-of-Way Agent confirmed that the Roadway Vacation request would not leave any land adjoining the East 112th Avenue without an established public road or private access easement connecting said land with another established public road, as all properties impacted by this request are owned by the applicant (including the property on which the Colton Limited Liability Company is operating). As a result, the applicant has reserved utility easements along the proposed vacated public right-of-way as well as an ingress-egress easement for any entities having rights, easements, or agreements regarding those affected sections of land.

The County's Environmental Analyst confirmed that no proposed work or expansions would be located in the 100-year floodplain or the Natural Resource Conservation Overlay surrounding Bijou Creek. In addition, she also reviewed the applicant's lead abatement program and verified that they have previously contracted with a company to mitigate and remove lead bullets from the rifle and pistol berms and backstops in the recent past. This review resulted in a recommended Condition of Approval and two Notes to the Applicant related to the continuance of the Rifle Club's lead abatement program, promoting the use of lead-free bullets to reduce the potential for environmental contamination, and implementing appropriate best management practices as outlined in the EPA's guidance document (EPA-902-B-01-001) as a means to further control potential lead contamination that have been recommended by staff as part of this request.

The County's Chief Building Official and the Building Safety Division are currently working with the applicant to retroactively permit all commercial structures over 120 square feet on the property that were built by the applicant without building permits. These structures include conex shipping containers, small storage buildings (Tuff Sheds), sunshades, and other minor structures that the Rifle Club was not aware required permitting by the International Building Code. The applicant has confirmed that twenty-eight structures still need to be permitted, and that a future General Contractor (once chosen to help construct the proposed new club house) will also be asked to assist the applicant in obtaining these retroactive build permits. A recommend Condition of Approval has been included by staff in order to address the future timeline for permitting these structures.

REFERRAL AGENCY COMMENTS

Responding with Concerns:

None.

Responding without Concerns:

The Colorado Department of Public Health and Environment initially responded with concern, indicating that there was not enough information provided in order to determine if the site may continue operating with onsite wastewater treatment systems or if it would instead require a domestic wastewater treatment works. The Department subsequently required the applicant to work through the wastewater flow projections with the Water Quality Division in order to determine if their facility

would meet the definition of a public water system. After working with the applicant, the Department confirmed that the project would not require state review for the wastewater or potable water infrastructure. The Department also reminded the applicant that fugitive dust control techniques for unpaved roads and disturbed areas must be in place throughout the duration of construction activities on the site, and that the applicant must characterize all wastes generated from their project and ensure that they are properly managed and disposed of in accordance with Colorado solid waste regulations and Colorado hazardous waste regulations, as applicable.

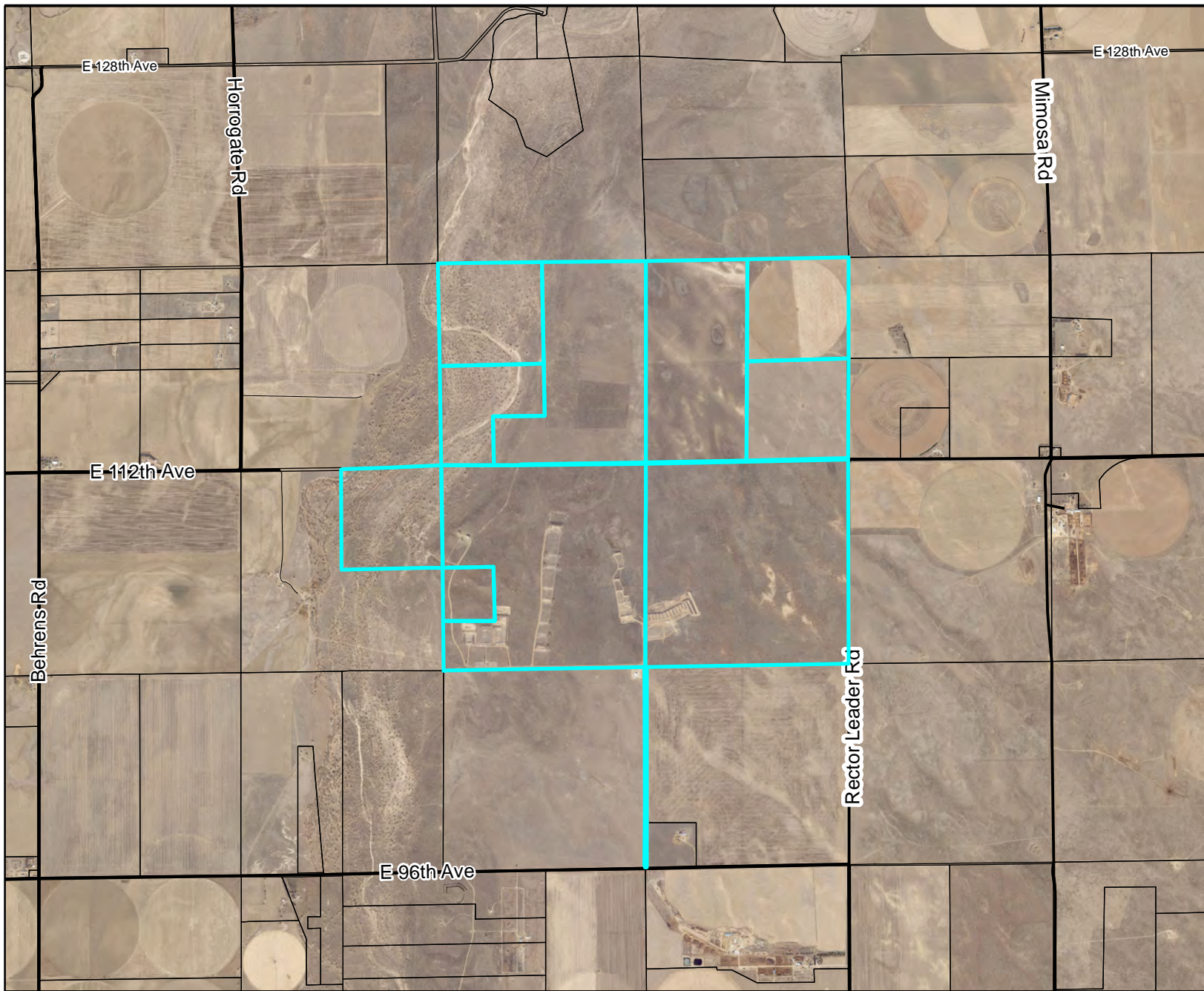
The Tri-County Health Department initially responded with concern, indicating that they did not have sufficient information to assess the adequacy or feasibility of the current on-site wastewater treatment system located on the site. Based on information provided by the applicant, the Department determined that the property could be served by an on-site wastewater treatment system provided that the systems are permitted, inspected, and operated in accordance with their current regulations. The Department did determine that, based on the applicant's description, a permit for the installation and final approval of the on-site wastewater treatment system is required. The Department also provided instructions for the type of designated holding tank or vault used for the disposal of waste within the proposed RV dump station that must be permitted, constructed, and operated in accordance with the Tri-County Health Department's regulations, provided additional regulations from the Colorado Department of Public Health and Environment for public water systems and non-community drinking water systems, recommended that the applicant participate in the Gun Shop Project in order to help promote suicide prevention for their members who have access to firearms, and shared US Environmental Protection Agency's Best Management Practices for Lead at Outdoor Shooting Ranges as well as the Colorado Department of Public Health and Environment's Corrective Action at Outdoor Shooting Ranges Guidance Document in order to address the dangers of lead ammunition when ingested or inhaled. The Department also provided information about the required clean-up and remediation of closed shooting ranges that would be required in order to remove lead hazards.

The Colorado Department of Wildlife responded without concerns but did explain that the main impacts to wildlife from this facility include fragmentation and loss of habitat, which can be mitigated by creating Conservation Reserve Program land buffers. The Department also provided specific guidance for minimizing impacts on raptors, prairie dogs, and burrowing owls.





Xcel Energy responded with no concerns.


























Notified but not Responding / Considered a Favorable Response:

Adams County Attorney's Office
Adams County Sheriff's Office
Byers Fire Protection District #9
Byers School District 32J
Century Link, Inc.
Adams County Code Compliance
COMCAST
IREA
Morgan County Rural Electric



Legend

-  Railroad
-  Major Water
-  Zoning Line
-  Sections

- Zoning Districts**
-  A-1
-  A-2
-  A-3
-  R-E
-  R-1-A
-  R-1-C
-  R-2
-  R-3
-  R-4
-  M-H
-  C-0
-  C-1
-  C-2
-  C-3
-  C-4
-  C-5
-  I-1
-  I-2
-  I-3
-  CO
-  PL
-  AV
-  DIA
-  P-U-D
-  P-U-D(P)

Case Name: Colorado Rifle Club CUP Amendment 3

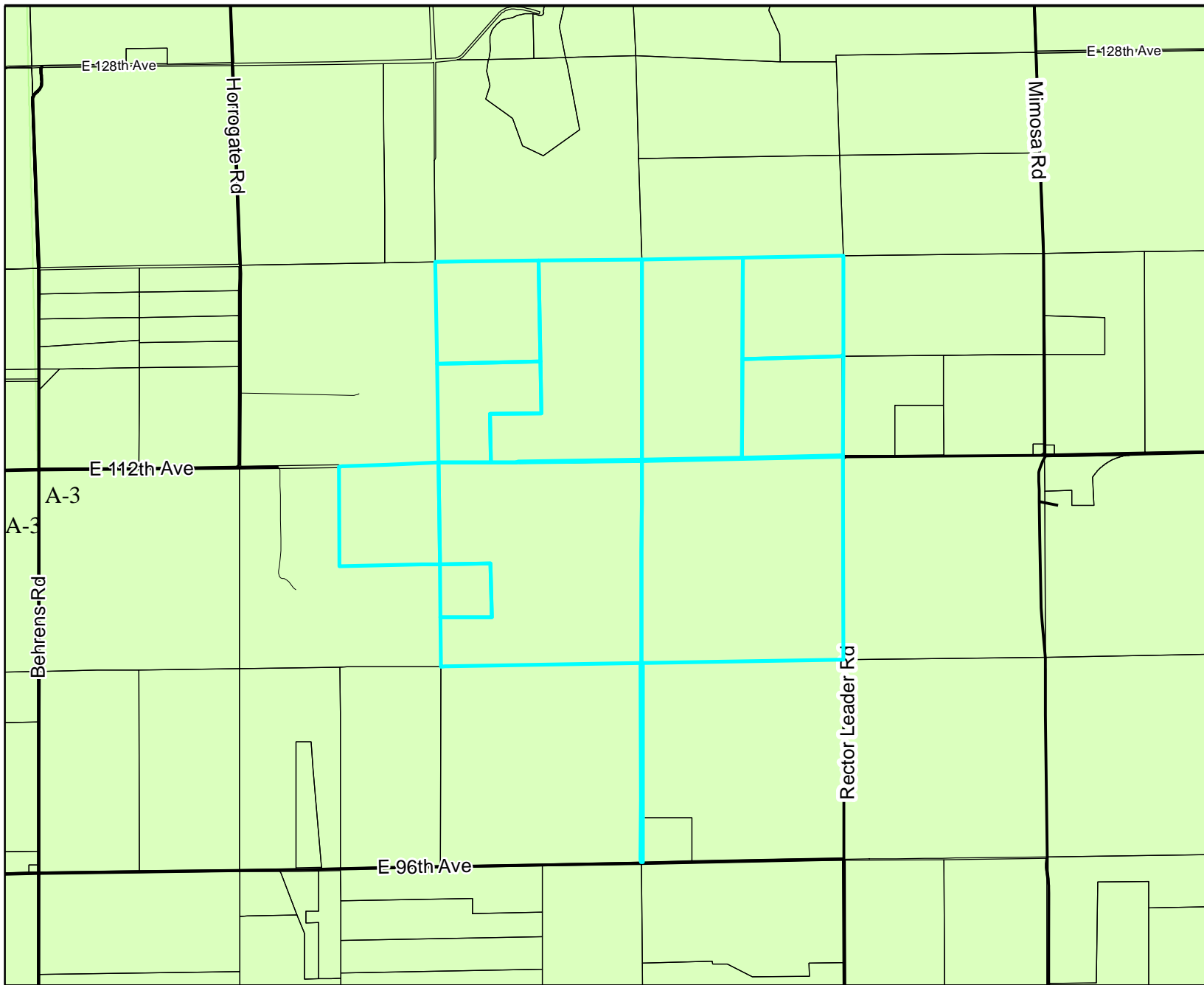
Case Number: RCU2019-00039



For display purposes only.



This map is made possible by the Adams County GIS group, which assumes no responsibility for its accuracy



Legend

- Railroad
 - Major Water
 - Zoning Line
 - Sections
- Zoning Districts**
- A-1
 - A-2
 - A-3
 - R-E
 - R-1-A
 - R-1-C
 - R-2
 - R-3
 - R-4
 - M-H
 - C-0
 - C-1
 - C-2
 - C-3
 - C-4
 - C-5
 - I-1
 - I-2
 - I-3
 - CO
 - PL
 - AV
 - DIA
 - P-U-D
 - P-U-D(P)

Case Name: Colorado Rifle Club CUP Amendment 3

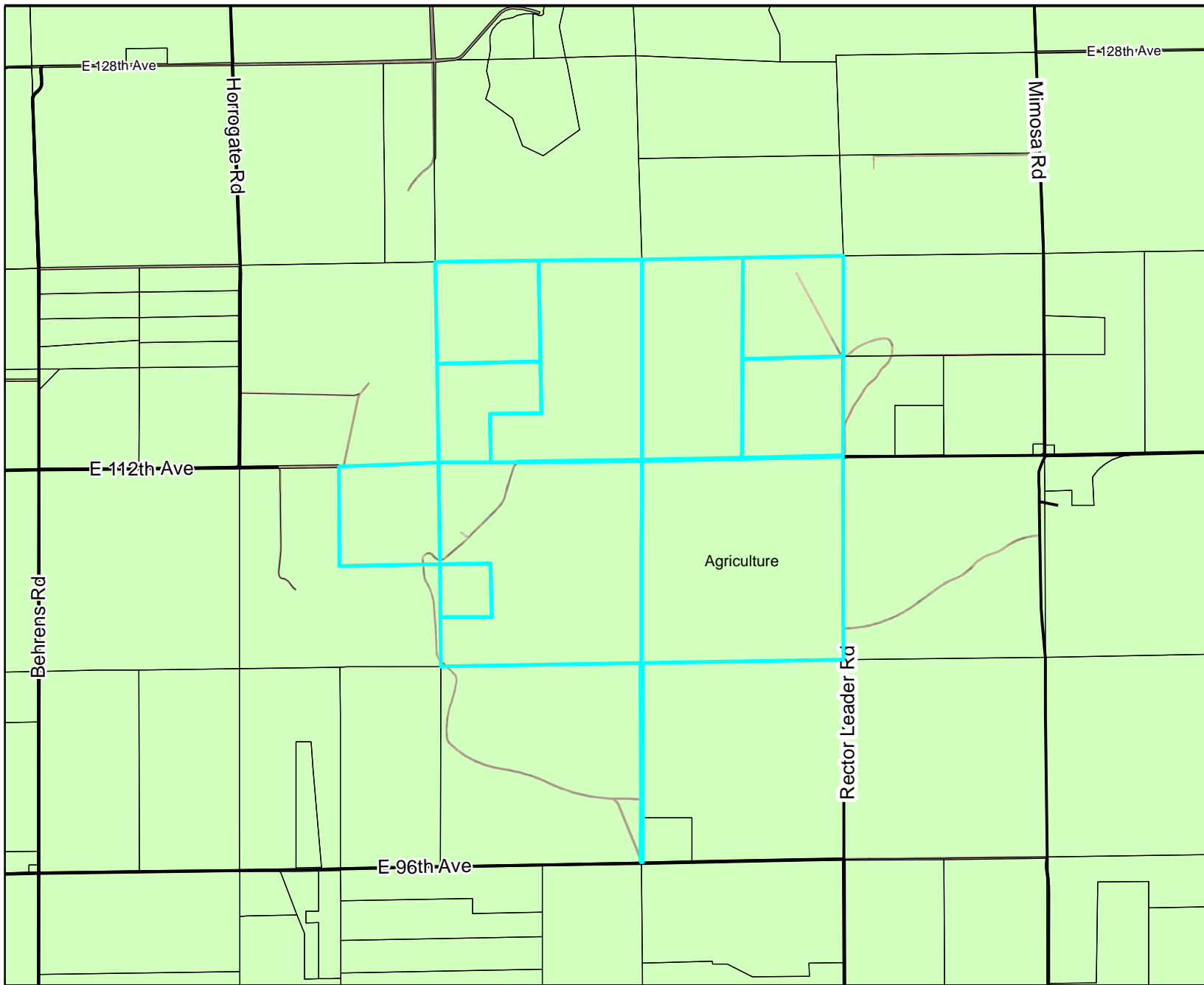
Case Number: RCU2019-00039



For display purposes only.



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Legend

- +— Railroad
- Major Water
- Zoning Line
- Sections

Case Name: Colorado Rifle Club CUP Amendment 3

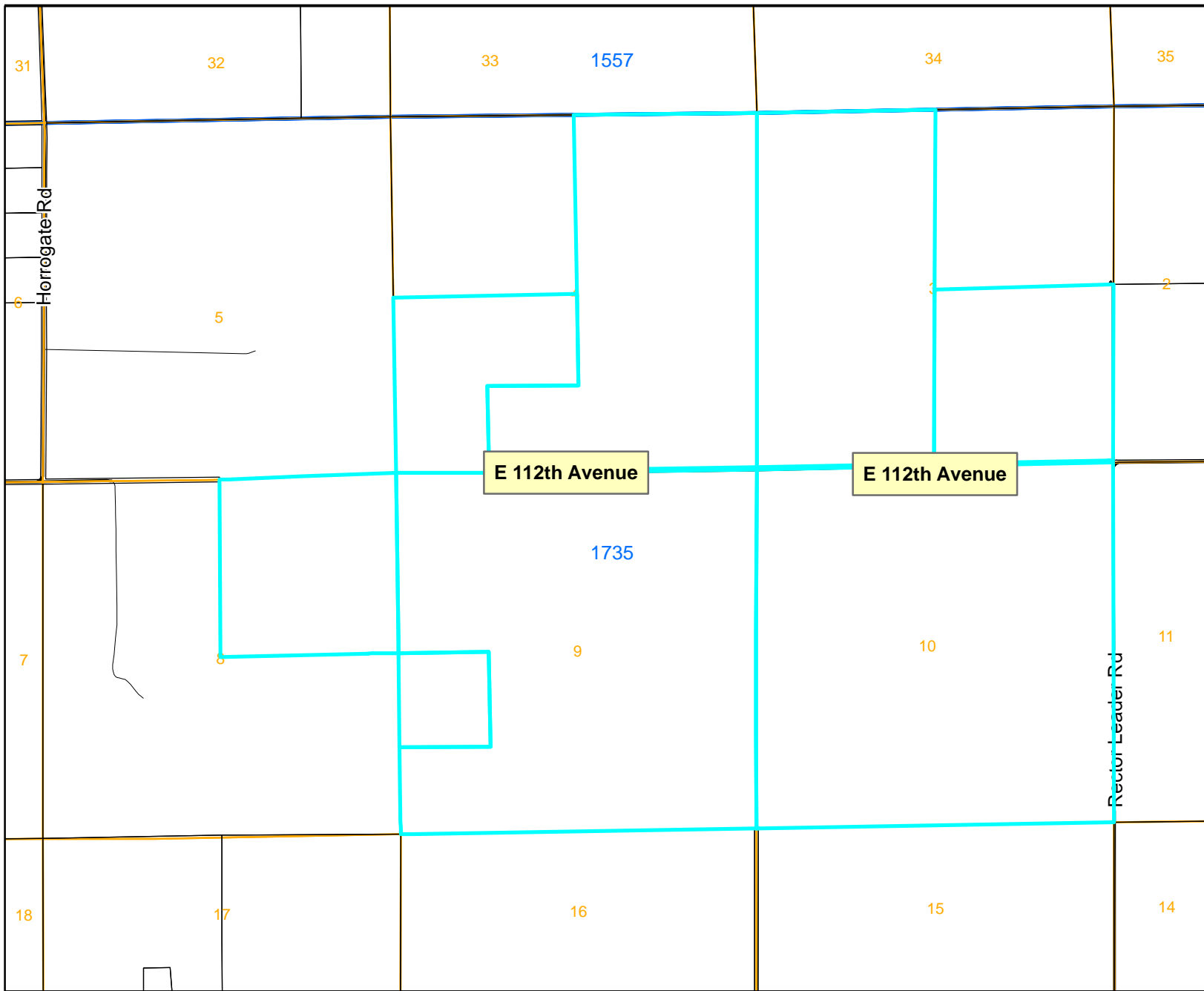
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For display purposes only.



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Legend

- Railroad
- Major Water
- Zoning Line
- Sections
- Zoning Districts**
- A-1
- A-2
- A-3
- R-E
- R-1-A
- R-1-C
- R-2
- R-3
- R-4
- M-H
- C-0
- C-1
- C-2
- C-3
- C-4
- C-5
- I-1
- I-2
- I-3
- CO
- PL
- AV
- DIA
- P-U-D
- P-U-D(P)

Case Name: Colorado Rifle Club Roadway Vacation

Case Number: VAC2019-00004



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Colorado Rifle Club
Conditional Use Permit
Addendum no. 3

The Colorado Rifle Club has been operating at 76099 East 96th Avenue in rural eastern Adams County since 1988. The first NRA approved rifle match was conducted in 1991. For 2019 we have increased the number of scheduled matches to some 220 events on our eight different Ranges. Our membership has also grown to about 1500 members.

With this application we are proposing the expansion of our range facilities to be able to provide more amenities to our shooting sports venues. Phase one will be the construction of a new Club House. The building is anticipated to be approximately 40' X 70' and will have restrooms and shower facilities, a small kitchen, meeting room for about 100 people and a barrack facility for the use of cots for overnight sleeping. Associated gravel parking lot, exterior lighting and concrete outdoor patios will also be added.

We are also proposing an RV dump station and adjacent potable water service. To limit access onto the non-maintained East 112th Avenue roadway we are proposing adding a gate with a padlock linked chain for all the parties requiring access.

Phase two will be the construction of a new Long Range Precision Facility that will extend for one-mile. Fifteen-foot-high berms will be constructed at several locations with a metal gong placed in the face of the berm. This will be built on the East side of the Silhouette Range. We are also proposing the addition of water and sanitary sewer service to the RV parking sites by the Smallbore Range. New RV pads may also be added if allowed by current regulatory criteria.

Phase three will be expanding the East Range. We propose adding additional bays approximately fifty yards deep, fifty feet wide and surrounded on three sides by an earthen berm fifteen feet high. Associated vaulted toilets, roadways, sun covers, Stat buildings and maintenance structures will also be added. We will also be adding additional RV dry sites like what we have on the existing East Range. A new one mile long graveled roadway is also proposed along the south line of section 10 to provide a connection to the Rector Leader roadway.

Phase Four will be for the construction of a small residential, Care Takers House.

February 23, 2019

Colorado Rifle Club

Proposed Club House

04-01-2019

Currently we envision the new Club House facility to be an approximately 40' X 70' pre-engineering metal building. Floors will be polished concrete and the walls will utilize 6" of insulation covered by 5/8" drywall. Ceilings will be 10 to 12 feet high and also covered with drywall and insulation. The outside of the structure will utilize a 4'-5' high course of brick or stone. Adjacent covered concrete patio areas on the East and West sides of the building will be utilized in nice weather. Numerous windows will also allow light into the building.

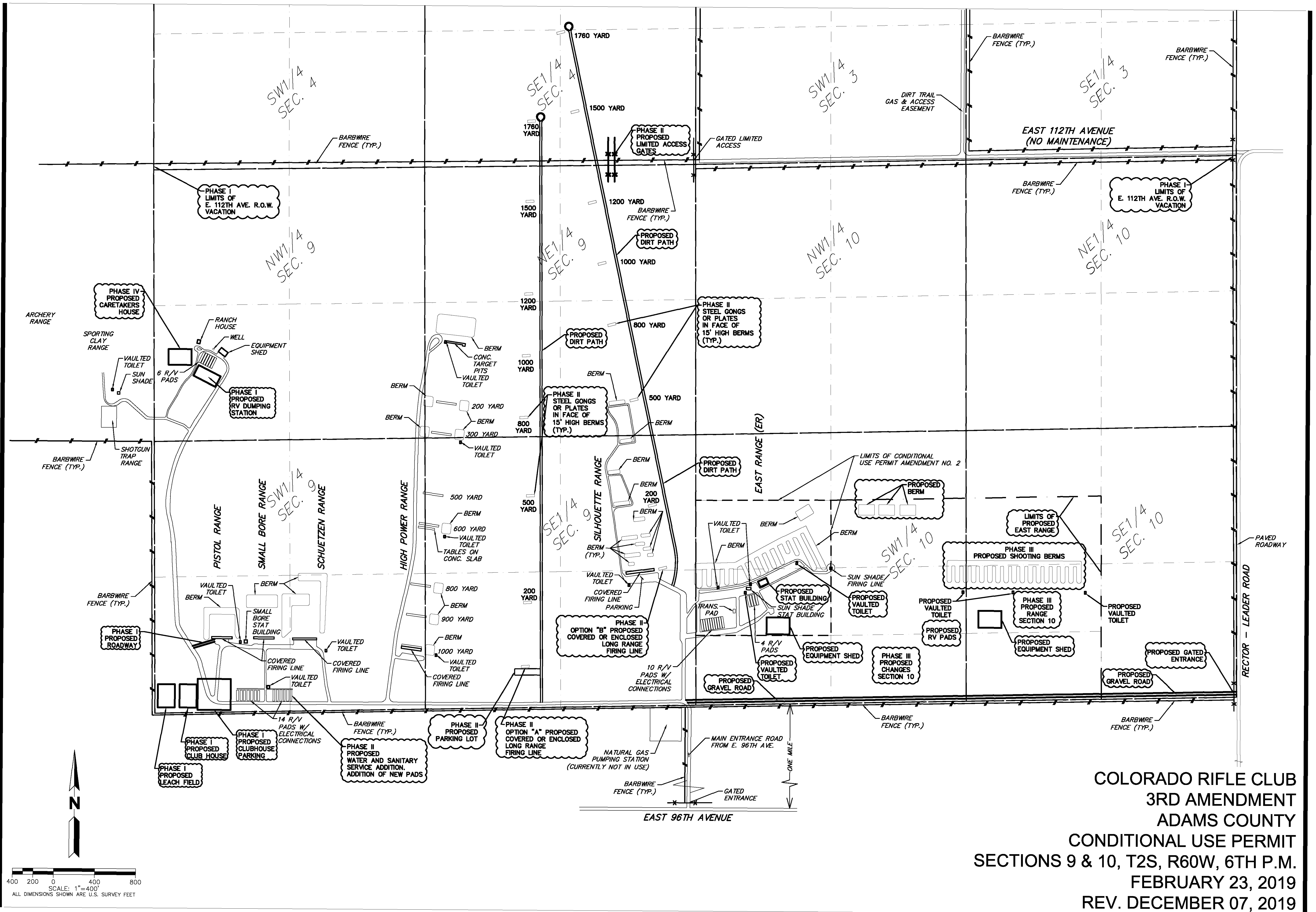
Currently we conduct new member orientation classes once a month which is held in the 20'X40' smallbore stat building. The facility is not near big enough for our 2-3-hour class and future classes are anticipated to be held in our new Club House. No other classes are scheduled.

The main attraction to the new Club House will be the heated bathrooms and showers. Currently the only indoor plumbing on our 2,560-acre facility is the small Ranch House constructed prior to WW II. The new individual unisex bathrooms, some with ADA showers, will be open year around and available to our members, competitors and campers.

Because of the over one-hour trip from Denver and the long stretches of gravel roads we do NOT anticipate the building to be used for any events or evening affairs. The Club does not have any monthly membership meetings and only an annual meeting in February of each year where we conduct our election of officers. This event generally draws some 130 to 150 people and will continue to be held on the West side of Metro Denver. We do however anticipate that after a five to eight-hour match that the participants will retire to the Club House for award and maybe a barbecue or small lunch. Family members of the match participants can also utilize the facility during hot, cold or inclement weather during the match. The proposed kitchen facility will be a prep kitchen and is not intended to be a full commercial kitchen.

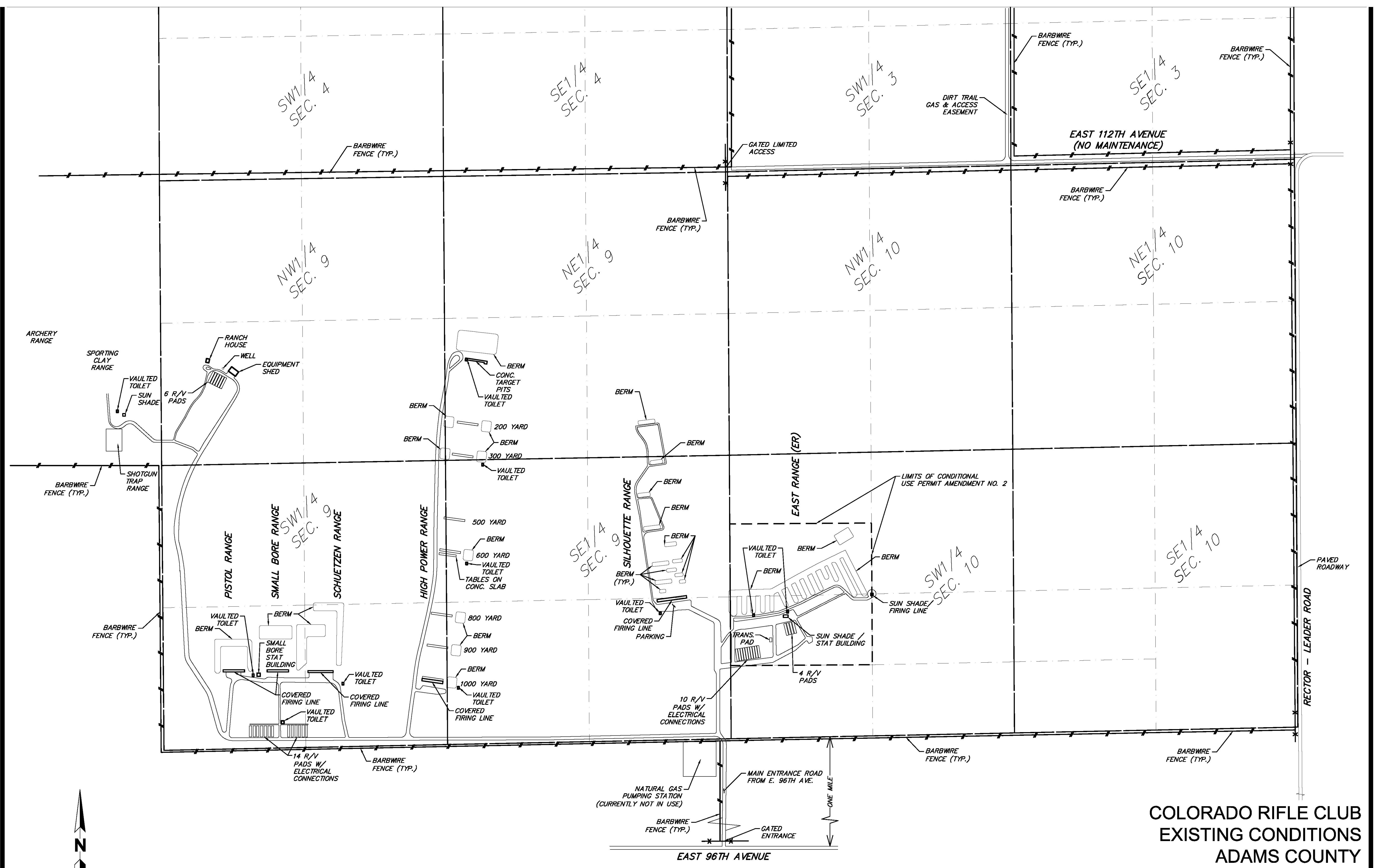
The barrack is anticipated to be an open room that members can set up cots and sleeping bags. No beds, lockers or closets will be provided. It will mainly be used for two day matches and for overnight stays. This will not be a bed and breakfast facility.

The Club house will be ancillary use for the over two hundred matches we conduct at the facility each year. We do not anticipate any additional vehicle traffic due to the construction of this facility. If our 2,560 acre facility was subdivided into 35 acre parcels it could accommodate some 73 single family homes. Utilizing six vehicle trips per day per residence this would be equate to about 438 trips per day. We currently estimate 50-60 vehicles per day during a match weekend (many people car pool) and 20 vehicles per day during the midweek. The clear majority of our facility is utilized for a buffer area and only contains a few cows and CRP land.

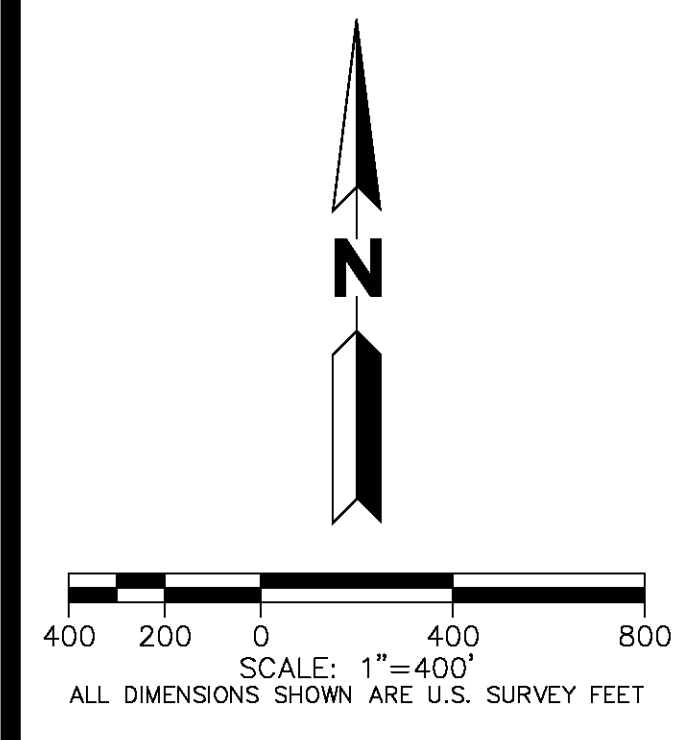


COLORADO RIFLE CLUB
3RD AMENDMENT
ADAMS COUNTY
CONDITIONAL USE PERMIT
SECTIONS 9 & 10, T2S, R60W, 6TH P.M.
FEBRUARY 23, 2019
REV. DECEMBER 07, 2019

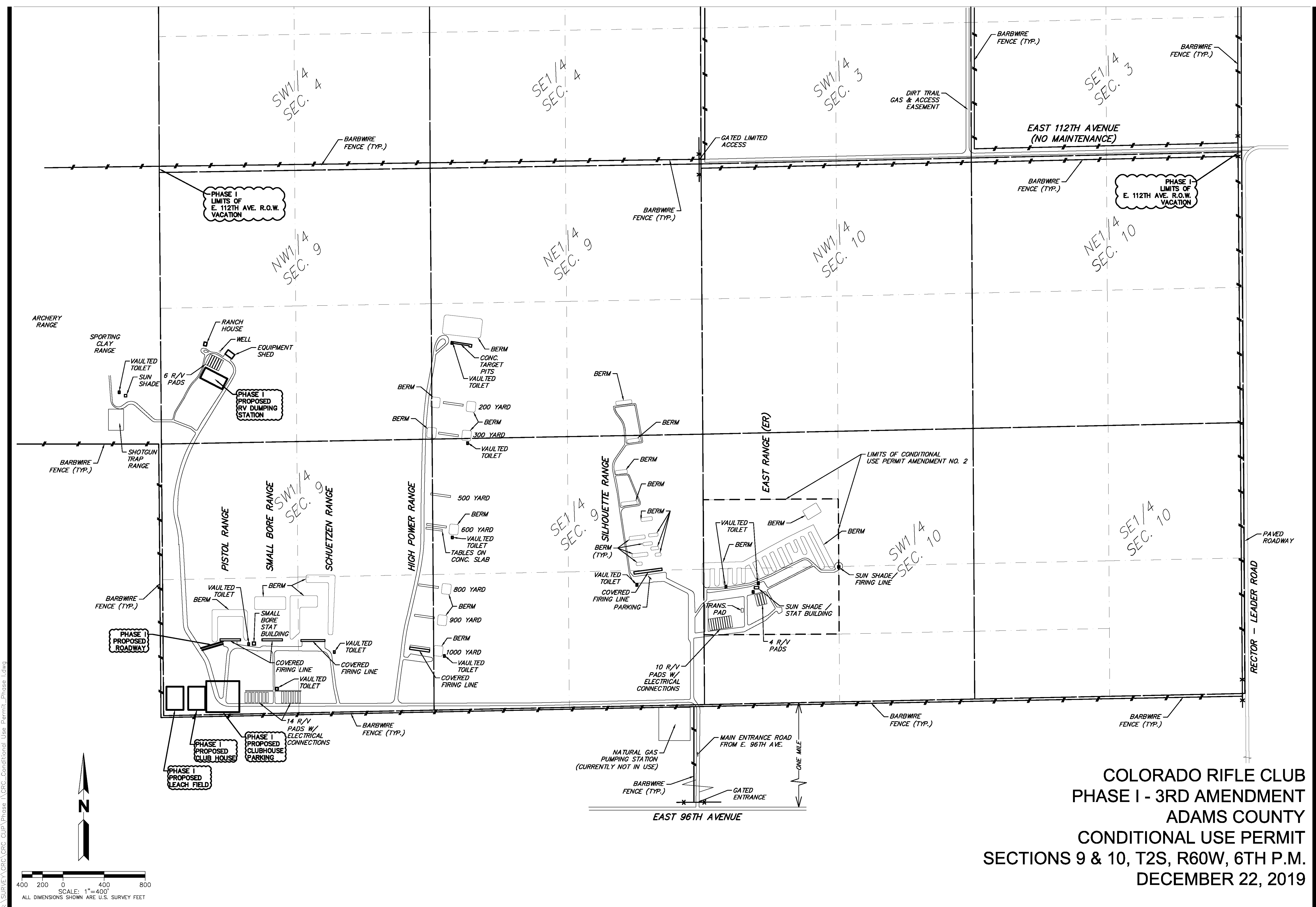
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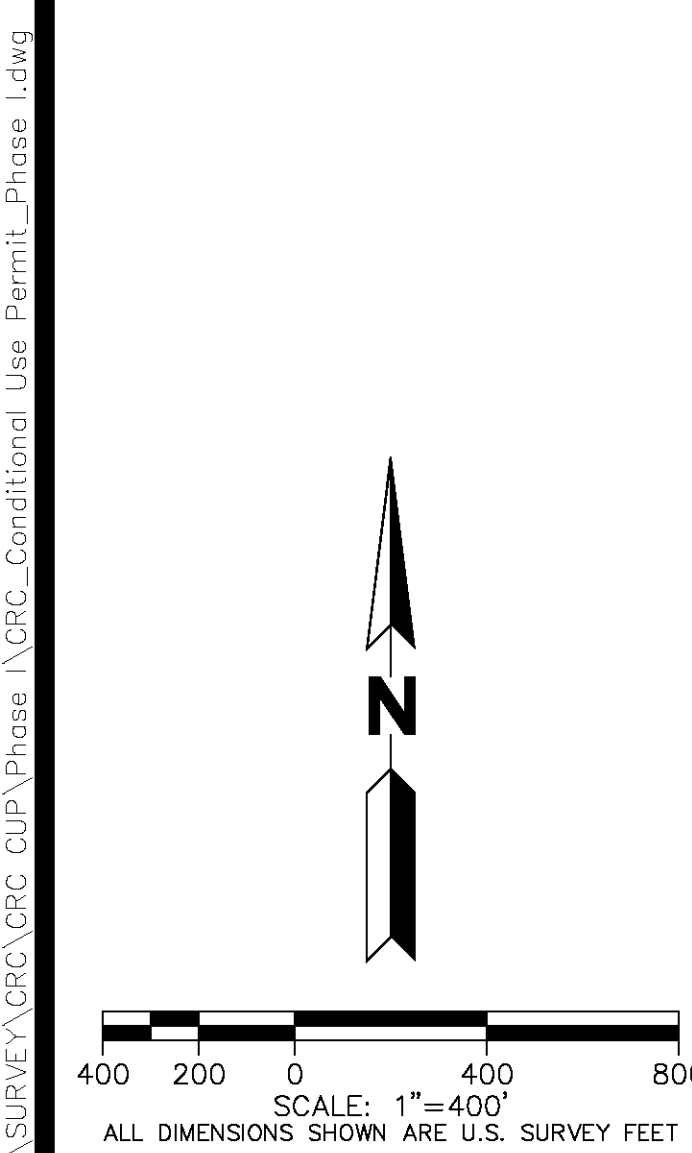
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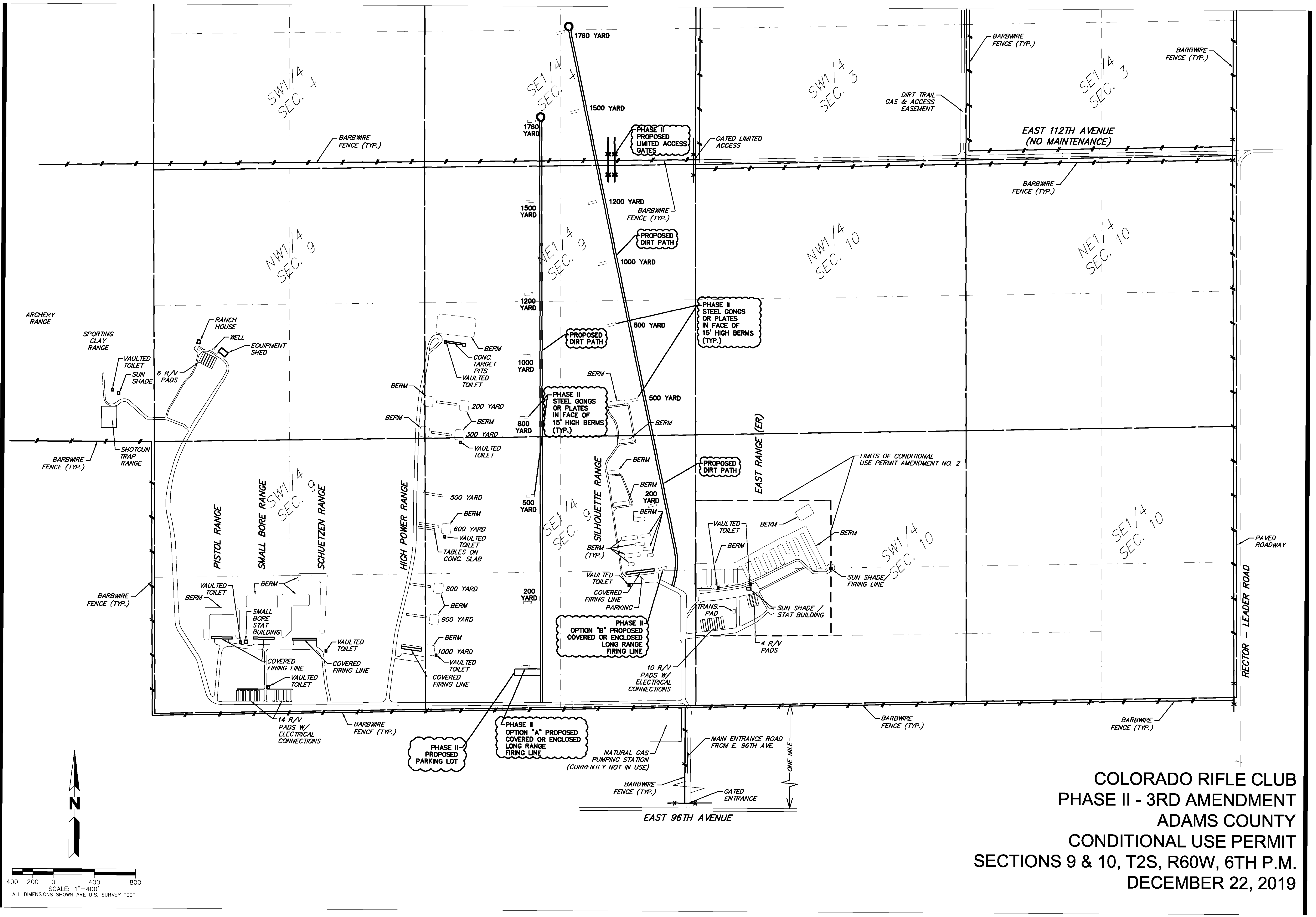
COLORADO RIFLE CLUB
EXISTING CONDITIONS
ADAMS COUNTY
CONDITIONAL USE PERMIT
SECTIONS 9 & 10, T2S, R60W, 6TH P.M.
DECEMBER 22, 2019



**COLORADO RIFLE CLUB
 PHASE I - 3RD AMENDMENT
 ADAMS COUNTY
 CONDITIONAL USE PERMIT
 SECTIONS 9 & 10, T2S, R60W, 6TH P.M.
 DECEMBER 22, 2019**

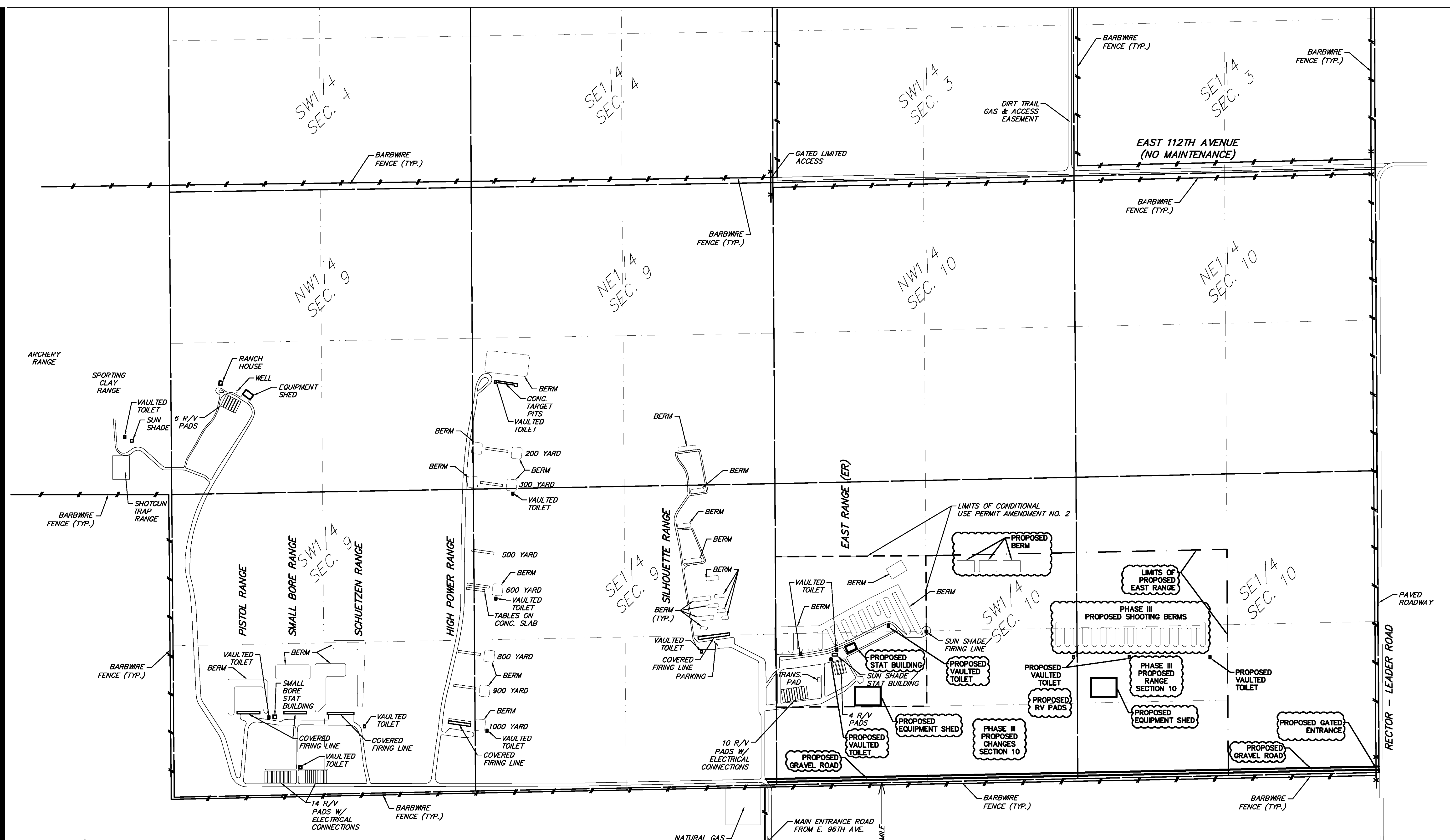


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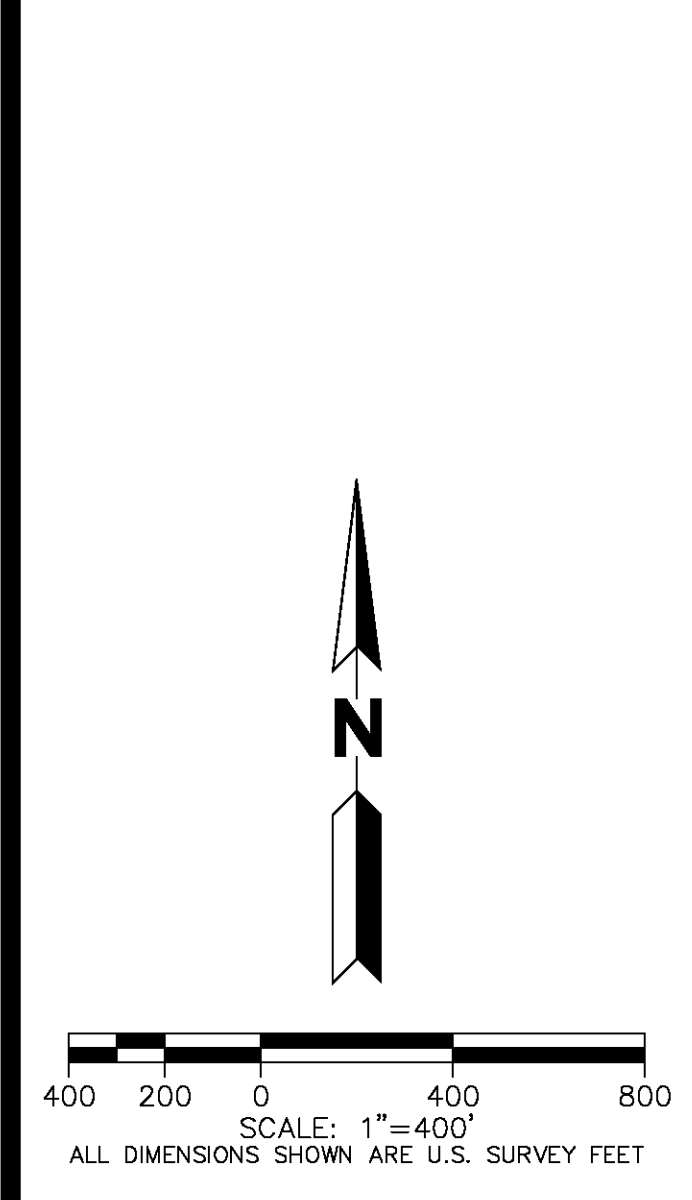


COLORADO RIFLE CLUB
PHASE II - 3RD AMENDMENT
ADAMS COUNTY
CONDITIONAL USE PERMIT
SECTIONS 9 & 10, T2S, R60W, 6TH P.M.
DECEMBER 22, 2019

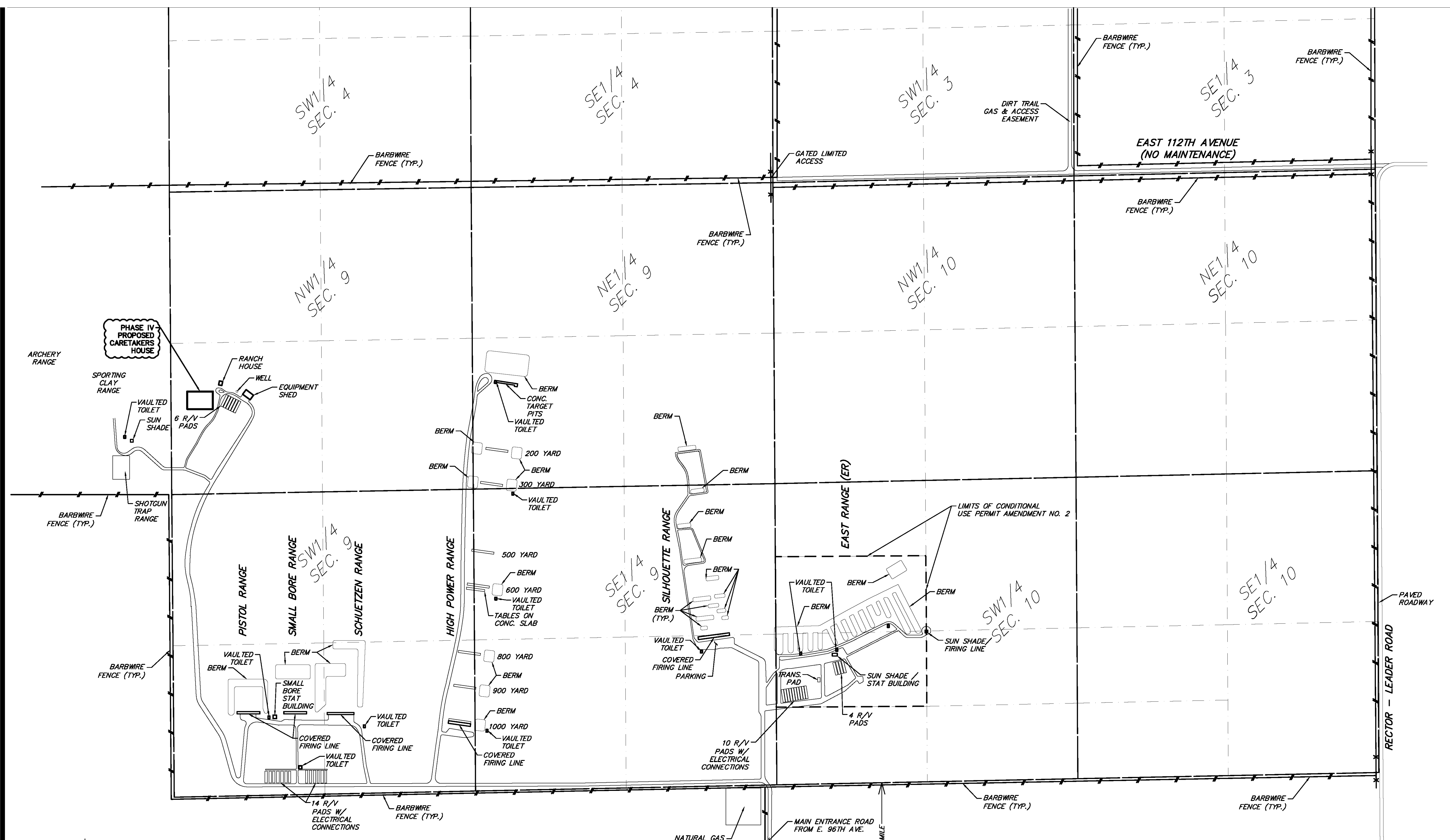
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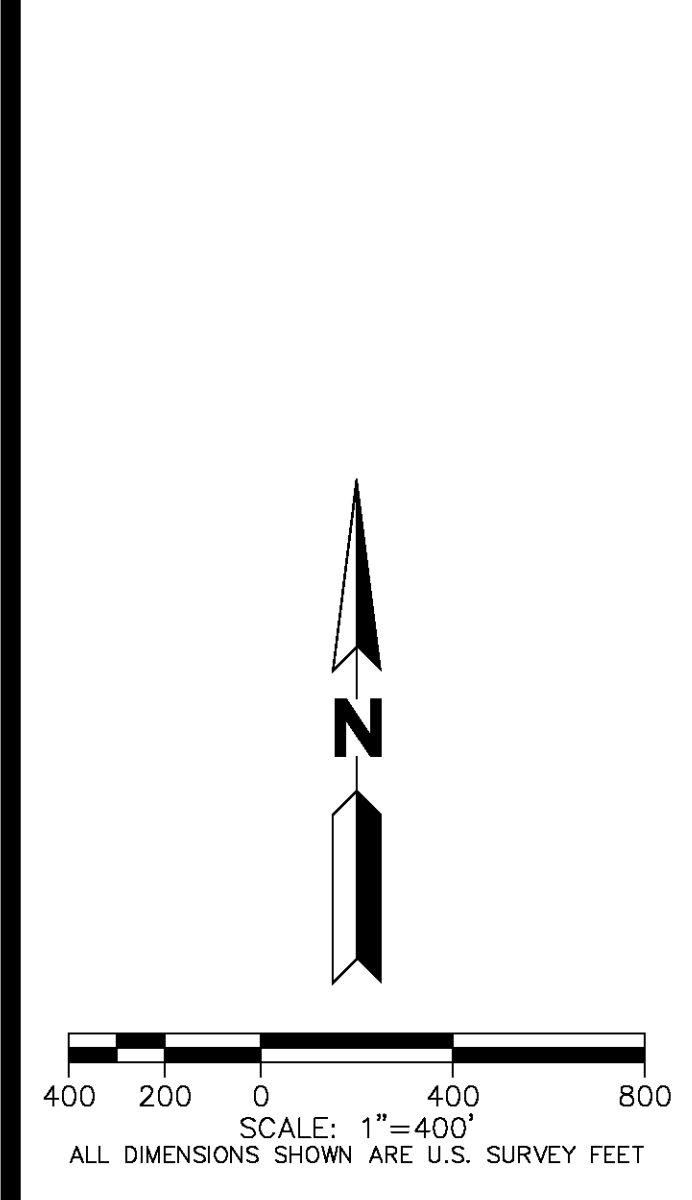
COLORADO RIFLE CLUB
PHASE III - 3RD AMENDMENT
ADAMS COUNTY
CONDITIONAL USE PERMIT
SECTIONS 9 & 10, T2S, R60W, 6TH P.M.
DECEMBER 22, 2019



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COLORADO RIFLE CLUB
PHASE IV - 3RD AMENDMENT
ADAMS COUNTY
CONDITIONAL USE PERMIT
SECTIONS 9 & 10, T2S, R60W, 6TH P.M.
DECEMBER 22, 2019



G:\SURVEY\CRC\CRC_CUP\Phase IV\CRC_Conditional Use Permit_Phase IV.dwg

October 30, 2019

CDPHE

C/O Sean Hackett

4300 Cherry Creek Drive South

Denver, Colorado 80246

RE: Colorado Rifle Club, RCU2019-00039

TCHD Case No. 5855

Dear Mr. Hackett

We are in receipt of your email to Holden Patterson regarding our application for a Conditional Use Permit Amendment. The Colorado Rifle Club is requesting consideration for a Range expansion and Club House addition to our facility at 76099 E. 96th Avenue, Byers, CO. The CRC intends to comply with all applicable rules and regulations. The following is our response to your comments.

Air Quality

Per your comment, if land development activities are less than 25 contiguous acres and less than 6 months in duration, we do not need to report air emissions to the Division. The entire grading operation for the proposed 3 KSF Club House and associated parking lot is less than two acres and the RV Dumping Station at a different site is only about one acre.

Water Quality

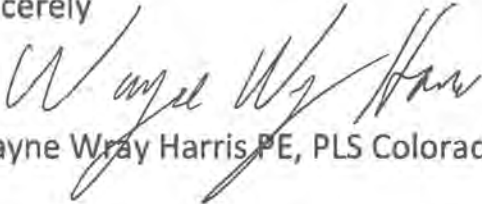
The Club House is a meeting place after shooting match events held on weekends and is not an Assembly Hall. The CRC has prepared a letter to Tri-County Health Department (TCHD) addressing if we meet the requirements for a Public Water System (PWS) and Domestic Wastewater Treatment Works (DWTW). Per the attached letter to TCHD we are not a PWS and can utilize an Onsite Wastewater Treatment System (OWTS). We have contracted with Church OWC, LLC, a Wastewater Engineering firm to provide a more definitive analysis.

Solid and Hazardous Wastes

The CRC realize that we utilize Lead ammunition which can be a hazardous material. We attempt to follow the outdoor shooting range documents by the CDPHE, and the Best Management Practices prescribed by the EPA.

If you have any other questions or concerns, please do not hesitate to contact me.

Sincerely

A handwritten signature in black ink, appearing to read "Wayne Wray Harris". The signature is written in a cursive style with a large, sweeping initial "W".

Wayne Wray Harris PE, PLS Colorado

Colorado Rifle Club
Water Consumption and Wastewater Generation
Per request from CDPHE
01-11-2020

The Colorado Rifle Club (CRC) started making purchases of undeveloped ranch land in eastern Adams County, Colorado starting in 1988. The CRC currently owns some 2,560 acres of land. About 800 acres has been established for Rifle, Pistol, Shotgun and Archery Ranges. The Rifle and Pistol Ranges are located at the southern portion of the facility and firing is directed northerly. The land to the north of the backstops is utilized as buffer area and for grazing and CRP.

The northerly portion of the property has two registered water wells which are dedicated to watering livestock. One other well is located in the southern portion of the property and serves an existing Ranch House. The small two-bedroom house can be accessed by a by a few dozen people who have keys. It may be utilized a few weekends a month by match directors staying at the Range for a two-day event. No cooking or washing of dishes or clothes is performed.

We have a couple of yard hydrants at the ranch house but none of the Ranges have any well water availability. The Ranch House is some half mile from the closest Range and about 1.5 miles from the farthest Range. Normally all participants at the facility bring along a couple of bottles of water for hydration. At the weekend events the match directors normally supply a chest full of ice and bottled water from their homes in Metro Denver.

There are no facilities for washing hands, clothes or dishes outside of the ranch house which is not open to the general membership. The shooting facility has nine vaulted, two-unit toilets to serve its members. These vaulted toilets have been approved and registered by the TCHD. Because of the warm weather in the summer and the low humidity many members will not utilize the vaulted toilets. We normally add 100 gallons of well water to the vaulted toilets twice a year to make up for evaporation. The units are pumped every couple of years and in 2018 we had a septic pumping contractor remove only 2,000 gallons from all the nine units. We feel that the wastewater generated is almost negligible since no onsite water is provided to the membership.

The CRC currently has some 1500 members and eight different Ranges. We have some 177 matches a year with the majority held during the warmer months being May through September. During the week we estimate about 20 to 30 people a day utilize the facilities. On a match weekend we may have up to 100 shooters present for the half day matches. Using 0.3 GPDPP this is only 30 GPD of effluence.

The proposed Club house will allow availability of water and OWTS facilities to the general membership. Our proposed/anticipated water usage is outlines in our letter to TCHD which is attached.

We currently have 28 RV pads on our facility which have only electrical hookups available. Water is available at the Ranch house, but this is not advertised, and most people just bring water from their homes or RV storage facilities. Assuming 50 gallons per day per unit this would be a maximum of 1400 gallons of effluent. We currently have no RV dump stations but per our TCHD Letter this is being proposed. Currently all RV effluent is removed offsite in the RV to a commercial dump station. The proposed CRC RV Dump station effluent will be removed and treated offsite by a commercial contractor. Actual pumping records for each truck load (4,000 G) removed will be reported per TCHD requirements.

Per the TCHD letter we estimate a maximum anticipated flow of 475 GPD for the Club House and 1,400 gallons per day for the RV and 20 GPD for competitors for a total of 1905 GPD. This is a maximum possible calculated number. We do not feel that we have met or will be meeting the requirements for a commercial public waste water system being 2,000 GPD. With this proposed development we will be installing separate water meters for the clubhouse and ranch house. We will be able to monitor daily uses of water and will be able to quantitatively justify to the CDPHE that we are utilizing flows under the threshold for water usage and for wastewater production.

Respectively submitted

Wayne Harris PE, PLS

Wayne Harris

From: Icenogle - CDPHE, Bret <bret.icenogle@state.co.us>
Sent: Tuesday, January 21, 2020 3:29 PM
To: Wayne Harris
Cc: Holden Pederson; Dennis Reul; Sherri Stuska; Dave Paananen; BillJack@danbridgeco.com
Subject: Re: CDPHE Adams County RCU2019-00039 Colorado Rifle Club CUP amendment 3
Categories: Red Category, Blue Category

Wayne,

We had a chance to review the materials. Thank you for putting this information together. The project does not appear to require state review for the wastewater or potable water infrastructure.

Thank you,

Bret

Bret Icenogle, P.E.
Engineering Section Manager



COLORADO
Water Quality Control Division
Department of Public Health & Environment

P 303.692.3278 | F 303.758.1398
4300 Cherry Creek Drive South, Denver, Colorado 80246
bret.icenogle@state.co.us | www.colorado.gov/cdphe/wqcd

24-hr Environmental Release/Incident Report Line: 1.877.518.5608

On Mon, Jan 13, 2020 at 9:36 AM Wayne Harris <wwharris@q.com> wrote:

Bret

It was good talking to you last week. I have tried to put together a narrative about the operations of the Colorado Rifle Club which is attached. We are a simple Club with very few amenities. The proposed Club House will be our first non-shooting venue open to the membership.

I hope that this report is satisfactory. Please let me know if you have any comments or questions.

Wayne Harris

From: Wayne Harris <wwharris@q.com>
Sent: Tuesday, January 07, 2020 2:05 PM
To: 'bret.icenogle@state.co.us' <bret.icenogle@state.co.us>
Cc: 'Dennis Reul' <denreul@comcast.net>; 'Sherri Stuska' <sherri@mavcom.com>; 'Dave Paananen' <dpaananen52@gmail.com>; 'BillJack@danbridgeco.com' <BillJack@danbridgeco.com>
Subject: Re: Adams County RCU2019-00039 Colorado Rifle Club CUP amendment 3

Bret

On 12/13/2019 you submitted comments to Adams County Planner Holden Pederson regarding our application for a Conditional Use Permit. The comments indicated that you feel that we will likely meet the delineation of a "Public Water System" and a "Public Waste Water Treatment System". I have called today and left a message requesting a meeting to discuss the activities of our Facility. We need a better understanding of your requirements as we currently believe our shooting facility provides NO wastewater treatment.

Please reply or give me a call so we can set up a meeting.

Thanks

Wayne Harris

I am using the Free version of [SPAMfighter](#).
SPAMfighter has removed 15699 of my spam emails to date.

Do you have a [slow PC?](#) Try a free scan!

October 30, 2019

Kathy Boyer, REHS

Tri-County Health Department

6162 S. Willow Drive, Suite 100

Greenwood Village, CO 80111

RE: Colorado Rifle Club, RCU2019-00039

TCHD Case No. 5855

Dear Ms. Boyer

We are in receipt of your letter dated October 3, 2019 in regard to our Conditional Use Permit Amendment for a Range expansion and Club House addition to our facility at 76099 E. 96th Avenue, Byers, CO.

You first had concerns that our small, approximately 3,000 SF structure would generate wastewater in excess of 2,000 gallons per day. This building will be a gathering place on weekend to present awards after a shooting match and maybe to have a barbeque. No food prep will be done for the large events, except for warming in the kitchen and all plates and utensils will be disposable and not washed in the kitchen. The Adams County planning staff has concurred that we will not be using this facility as an assemble Hall. They have also indicated that they will possibly be placing restrictions on the uses of the Club House to insure it will not be used as an Assembly Hall. The CRC conducts some 177 sanctioned events every year during the summer months mainly on weekends. The largest events being from 42 to 45 participants. The worst-case scenario would be for two events to meet on a Sunday afternoon. The next 5 days would only see maybe a dozen people a day utilizing the restrooms. Utilizing the Regulation, No O-17 Table 3 we utilized an estimated flow of 5 GPD for a church or transient visitor with a warming kitchen with no major food service. Utilizing a maximum occupancy of 95 people per day and a rate of 5 GPD we have a maximum

anticipated flow of 475 GPD. A conservative design flow of 600 GPD will be used. This is under the threshold for allowing the use of an OWTS.

Based on preliminary field investigations and the USDA National Resources Conservation Service Web Soil Survey the soils appear to be a sandy Loam. Kathryn Carney, PE. of Church Onsite Wastewater Consultants conducted a subsurface investigation in the area of the proposed STA on November 13, 2019. It was determined that the soil was a silty clay loam with a strong structure which changed to weak structure as the depth increased. The Long-Term Acceptance Rate (LTAR) for a soil type 3A is 0.3 gallons per day per square foot.

Using the 600 GPD calculated above we would need a STA of 2,000 SF. Infiltration Chambers will be utilized for soil treatment.

Utilizing Regulation No. 0-17 Section 12.2.B.2) the required Septic Tank volume would be required to detain the incoming wastewater design flows for a minimum of 48 hours. This would require a total storage of 1,200 Gallons. Precast concrete or plastic septic tanks will provide the retention time.

These are preliminary engineering analysis and design calculations. Church Onsite Wastewater Consultants has conducted the subsurface investigation and is in the process of designing the OWTS. Design information will be provided to the TCHD when it becomes available. Attached is Exhibit B (OWTS) showing the proposed preliminary layout of our OWTS. As noted, we exceed all setbacks required by TCHD Regulation No 0-17, Table 6.

Holding tanks will be required for the RV dump station. We currently have 28 RV existing spaces in our facility. The RV spaces are mostly utilized on weekend for multi day matches. Utilizing 50 gallons per day of effluent generated times two days per week times 28 RV Spaces we would generate about 2,800 gallons of effluent per week. Utilizing a 50% safety factor we need 4,200 gallons of storage. Utilizing two- 2,500-gallon concrete tanks we would have a total storage of 5,000 gallons. This RV dump station would be placed by the Old Ranch House and is shown on the attached Exhibit C.

The definition provided for a Public Water System (PWS) in part indicates that it regularly serves an average of at least 25 individuals daily at least 60 days per year. During the weekdays we anticipate less than a dozen people will utilize the

Club House. The weekends have the majority of traffic with our sanctioned shooting matches. Our outdoor shooting season in Colorado is from about the first of May until the end of September. This normally encompasses 22 weekend or 44 days with over 25 people per day utilizing the clubhouse. This utilization is under the requirement for a PWS. The vast majority use of our well water will be for toilets and some showers. The match directors provide bottled water for their participants on the Shooting Ranges.

We agree that Suicide is a serious cause of death especially from our former Armed Services personnel. CRC does not sell or provide the use of any firearms for practice or matches. CRC would be willing to participate in the current gun safety-suicide programs.

The CRC realize that we utilize Lead ammunition which can be a hazardous material. We attempt to follow the outdoor shooting range documents by the CDPHE, and the Best Management Practices prescribed by the EPA.

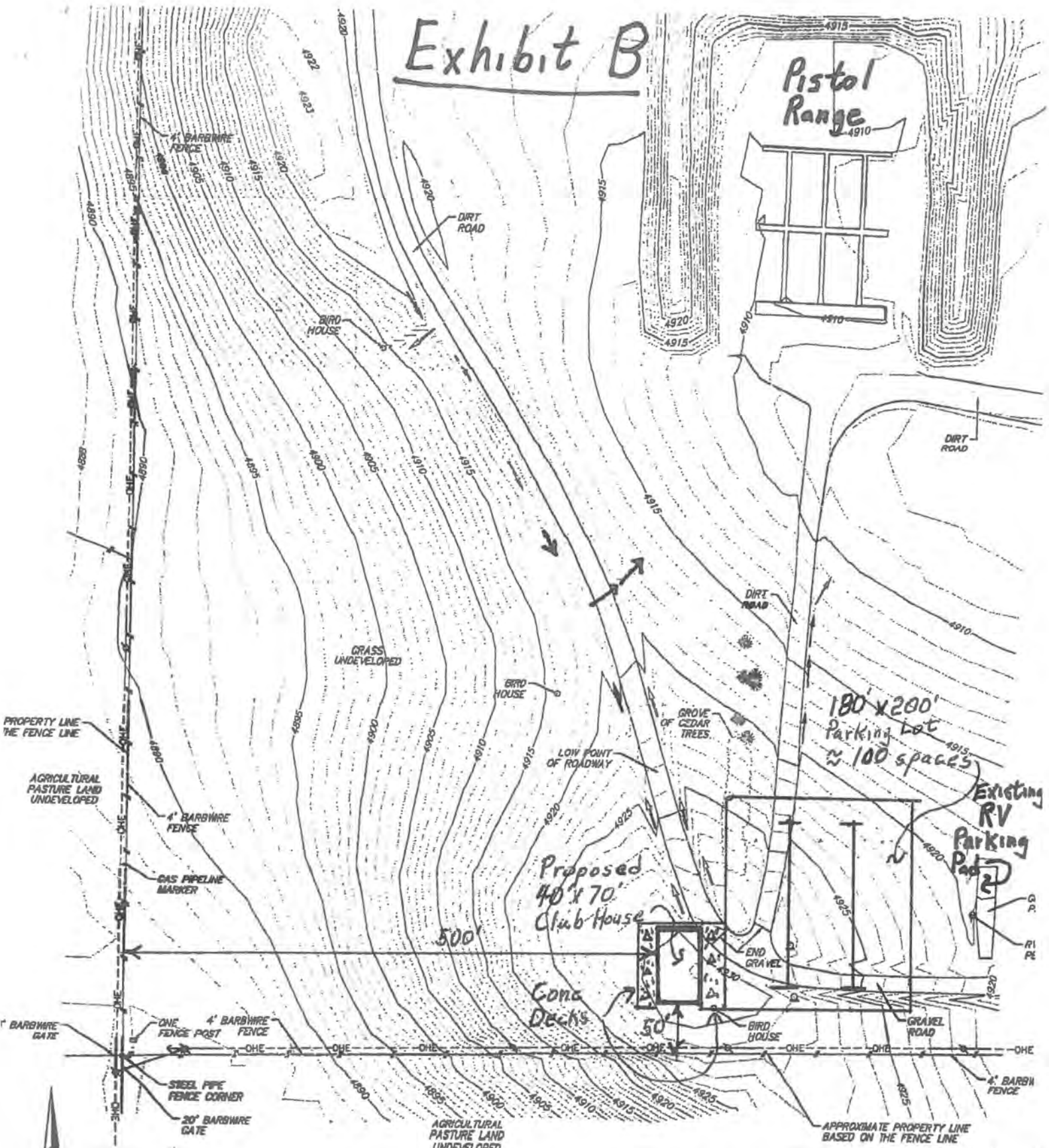
I hope that this addresses the concerns outlined in your response letter. We will be providing the required Construction Documents and Design reports/calculations when we submit for our building permits. The County will not accept any submittals until the CUP has been approved. We hope that this will take place in January, 2020 with Building Plan submittal following shortly in February.

Respectfully Submitted

A handwritten signature in cursive script that reads "Wayne Wray Harris".

Wayne Wray Harris PE, PLS Colorado

Exhibit B

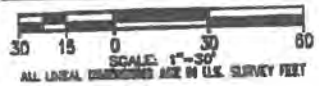
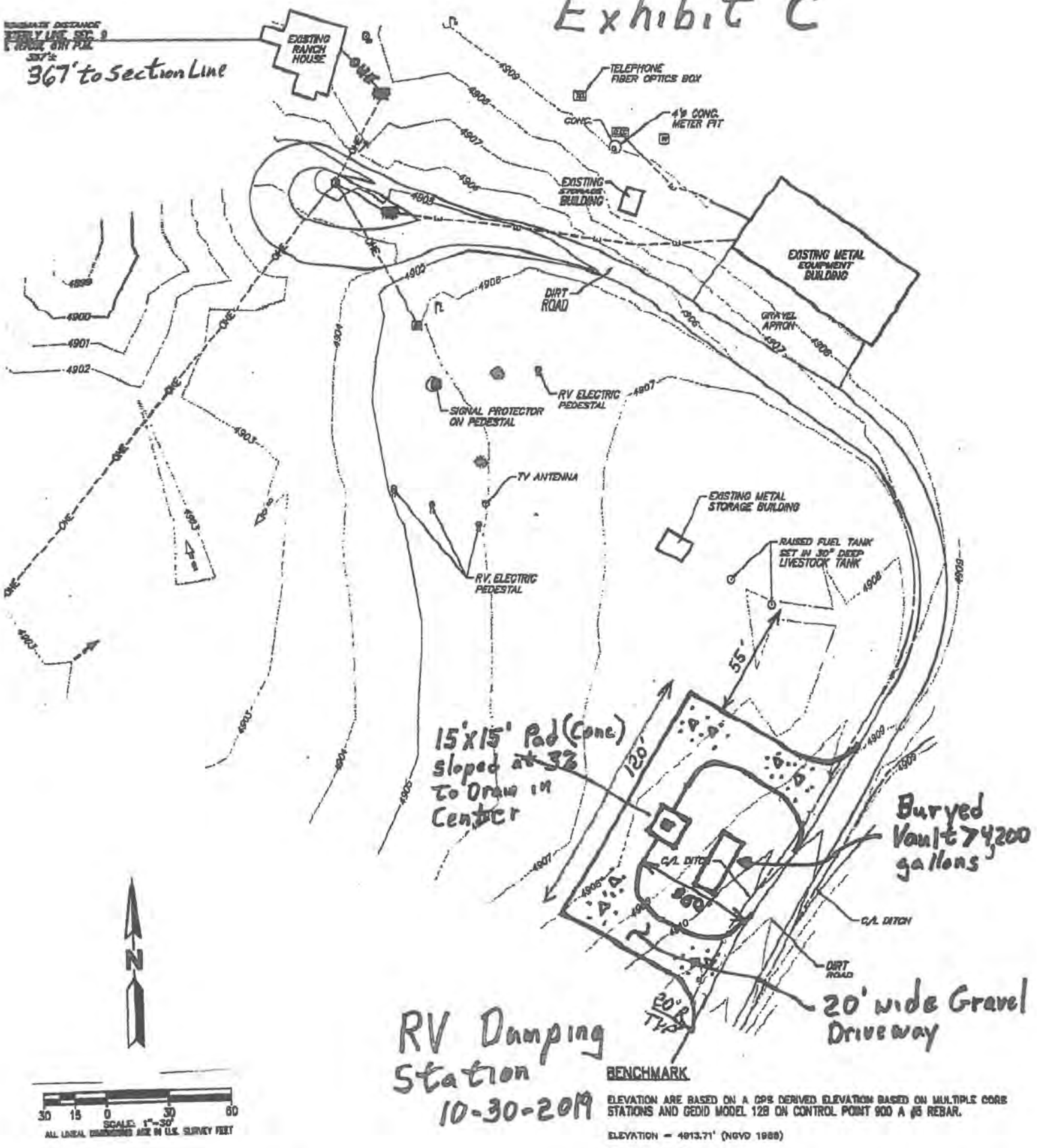


Preliminary
CRC Club House
Layout
10-30-2019

Reduced 50%

Exhibit C

BENCHMARK DISTANCE
 FROM 1/4 CORNER
 TO 1/4 CORNER
 367' to Section Line



Reduced Half Size

RV Dumping
 Station
 10-30-2019

BENCHMARK
 ELEVATION ARE BASED ON A GPS DERIVED ELEVATION BASED ON MULTIPLE CORE STATIONS AND GENI MODEL 128 ON CONTROL POINT 900 A #5 REBAR.
 ELEVATION = 4013.71' (NGVD 1988)
BASIS OF BEARING
 BEARINGS ARE BASED ON COLORADO CENTRAL ZONE (0302) NAD1983 (CORE) BEARING OF N06°04'30"W BETWEEN A #5 REBAR AND A CHISELED "X".

October 30, 2019

Matt Martinez
Colorado Parks and Wildlife
Northeast Regional Office
6060 Broadway
Denver, CO 80216

RE: Colorado Rifle Club, RCU2019-00039
TCHD Case No. 5855

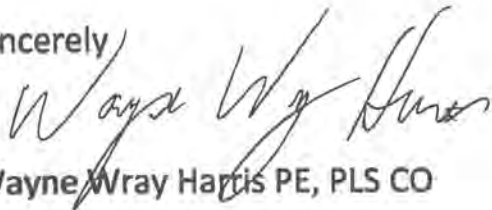
Dear Mr. Martinez

We are in receipt of your letter dated October 2, 2019 regarding our Conditional Use Permit Amendment for a Range expansion and Club House addition to our facility at 76099 E. 96th Avenue, Byers, CO. The Colorado Rifle Club (CRC) are good stewards of the land and wildlife resources. Our entire 2560-acre facility is a wildlife preserve. We have also set aside over 1,000 acres of our facility to CRP usage.

In the past we have been involved with the CHIPS and WHIP programs to introduce more vegetation and habitat to our facility.

Our projects will affect a small portion of our facility and we feel we are in compliance with the CPW goals. If you have any questions, please do not hesitate to contact me.

Sincerely



Wayne Wray Harts PE, PLS CO

Vice President CRC

WAIVER AND CONSENT


Re: Adams County Number RCU2019-00039 being the SW Corner of 112th Avenue and Rector- Leader Road/ Expansion Shooting Range PIN No. 017350000019 and PIN No. 017350000066.

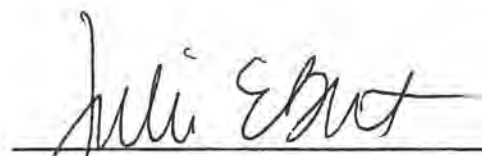
Pursuant to the requirements of the Adams County, Colorado, Planning and Development Department, to conform to section 04-09-02-17-04 of the Design Requirements and Performance Standards, Commercial Uses Performance Standards, I, the undersigned residential property owner, hereby consent to and recommend that the Colorado Rifle Club (CRC) be granted a Conditional Use Permit for the expansion of shooting facilities at their property.

I acknowledge receipt of a letter from a Director of the Club dated December 30, 2019 along with an accompanying air photo map of the CRC land. I have read and understand the contents of the letter and have no objections to the proposals set forth in said letter.

Dated this 13th day of January 2020.

Property owner located at 73210 East 112th Avenue, Byers, Colorado; Property located at 73455 East 96th Avenue, Byers, Colorado 80103 CO PIN No 0173517300001 being a portion of the West Half of Section 17, Township 2 South, Range 60 West of the Sixth Principal Meridian, County of Adams, State of Colorado.


Kres D. Ebert


Julie C. Ebert

WAIVER AND CONSENT

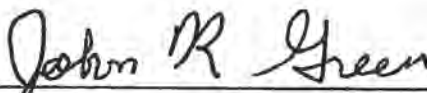
Re: Adams County Number RCU2019-00039 being the SW Corner of 112th Avenue and Rector- Leader Road/ Expansion Shooting Range PIN No. 0173500000019 and PIN No. 0173500000066.

Pursuant to the requirements of the Adams County, Colorado, Planning and Development Department, to conform to section 04-09-02-17-04 of the Design Requirements and Performance Standards, Commercial Uses Performance Standards, I, the undersigned residential property owner, hereby consent to and recommend that the Colorado Rifle Club (CRC) be granted a Conditional Use Permit for the expansion of shooting facilities at their property.

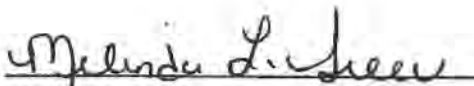
I acknowledge receipt of a letter from a Director of the Club dated December 30, 2019 along with an accompanying air photo map of the CRC land. I have read and understand the contents of the letter and have no objections to the proposals set forth in said letter.

Dated this 13th day of January 2020.

Property 72601 East 112th Avenue, Byers, Colorado CO PIN No 0173500000062 being the Southeast quarter of Section 6, Township 2 South, Range 60 West of the Sixth Principal Meridian, County of Adams, State of Colorado.



John R. Green



Melinda L. Green

DENNIS KEUL
110 Zinnia St.
Golden CO 80401

RECORDED AS RECEIVED

RECEPTION# 2007000089510
09/20/2007 at 11:14:29 AM 1 OF 1
TD Pgs 0 Doc Type WAI
Karen Long, Adams County, CO

WAIVER AND CONSENT

RE: Adams County Number PRE2006-00091/SW Corner of 112th Avenue and Rector - Leader Road/Expand Shooting Range. PIN No. 017350000019.

Pursuant to the requirements of the Adams County, Colorado, Planning and Development Department, to conform to Section 4-08-02-17-04 of the Design Requirements and Performance Standards, Commercial Uses Performance Standards, I, the undersigned residential property owner, hereby consent to and recommend that the Colorado Rifle Club be granted a Conditional Use Permit for the expansion of shooting facilities at their property.

I acknowledge receipt of a letter from a Director of the Club dated January 25, 2007 along with an accompanying air photo map of the CRC land. I have read and understand the contents of the letter and have no objection to the proposals set forth in said letter.

Dated this 6 day of January, 2007.

Property 76201 E. 96th Ave. Byers, CO. PIN No. 173500000078


Russell D. MacLennan

DENNIS KEUL
1110 Zinnia St
Golden CO 80401

RECORDED AS RECEIVED

RECEPTION# 2007000089511,
09/20/2007 at 11:14:30 AM 1 OF 1,
TD Pgs: 0 Doc Type: WAI
Karen Long Adams County CO

WAIVER AND CONSENT

RE: Adams County Number PRE2006-00091/SW Corner of 112th Avenue and Rector - Leader Road/Expand Shooting Range. PIN No. 017350000019.

Pursuant to the requirements of the Adams County, Colorado, Planning and Development Department, to conform to Section 4-08-02-17-04 of the Design Requirements and Performance Standards, Commercial Uses Performance Standards, I, the undersigned residential property owner, hereby consent to and recommend that the Colorado Rifle Club be granted a Conditional Use Permit for the expansion of shooting facilities at their property.

I acknowledge receipt of a letter from a Director of the Club dated January 25, 2007 along with an accompanying air photo map of the CRC land. I have read and understand the contents of the letter and have no objection to the proposals set forth in said letter.

Dated this 31st day of January, 2007.

Property PIN No. 173500000016

Alice I. Ebert
Alice I. Ebert, Trustee
Alice I. Ebert Revocable Living Trust

Dennis Kow
1110 Zinnia St
Golden CO 80401

RECORDED AS RECEIVED

RECEPTION# 2007000089512
09/20/2007 at 11:14:31 AM.1 OF 1
TD Pgs 0 Doc Type WAI
Karen Long, Adams County, CO

WAIVER AND CONSENT

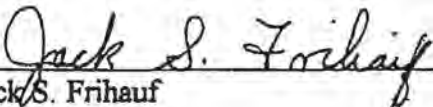
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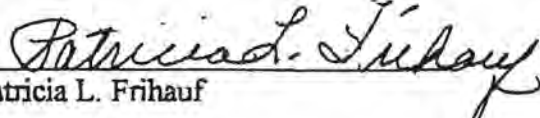
I acknowledge receipt of a letter from a Director of the Club dated January 25, 2007 along with an accompanying air photo map of the CRC land. I have read and understand the contents of the letter and have no objection to the proposals set forth in said letter.

Dated this 23 ^{June} day of ~~January~~, 2007.


Property PIN No. 173502300002



Jack S. Frihauf



Patricia L. Frihauf



Daniel Frihauf

DENNIS KEUL
1110 Zinnia St
Golden CO 80401

RECORDED AS RECEIVED

RECEPTION# 2007000089513.
09/20/2007 at 11:14:32 AM 1 OF 1
TD Pgs 0 Doc Type WAI
Karen Long Adams County, CO

WAIVER AND CONSENT

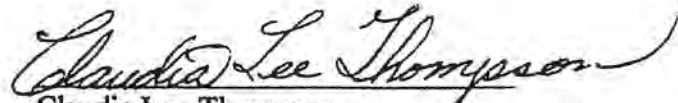
RE: Adams County Number PRE2006-00091/SW Corner of 112th Avenue and Rector - Leader Road/Expand Shooting Range. PIN No. 0173500000019.

Pursuant to the requirements of the Adams County, Colorado, Planning and Development Department, to conform to Section 4-08-02-17-04 of the Design Requirements and Performance Standards, Commercial Uses Performance Standards, I, the undersigned residential property owner, hereby consent to and recommend that the Colorado Rifle Club be granted a Conditional Use Permit for the expansion of shooting facilities at their property.

I acknowledge receipt of a letter from a Director of the Club dated January 25, 2007 along with an accompanying air photo map of the CRC land. I have read and understand the contents of the letter and have no objection to the proposals set forth in said letter.

Dated this 23rd day of ~~January~~ ^{JUNE}, 2007.

Property: 9230 Rector Leader Road, Byers, CO. PIN No. 173500000071


Claudia Lee Thompson

WENNIS KEUL
1110 Zinnia St
Golden CO 80401

RECORDED AS RECEIVED

RECEPTION# 2007000089514
09/20/2007 at 11:14:33 AM, 1 OF 1
TD Pgs: 0 Doc Type WAI
Karen Long, Adams County, CO

WAIVER AND CONSENT

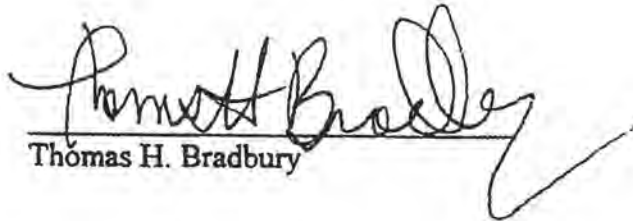
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Pursuant to the requirements of the Adams County, Colorado, Planning and Development Department, to conform to Section 4-08-02-17-04 of the Design Requirements and Performance Standards, Commercial Uses Performance Standards, I, the undersigned residential property owner, hereby consent to and recommend that the Colorado Rifle Club be granted a Conditional Use Permit for the expansion of shooting facilities at their property.

I acknowledge receipt of a letter from a Director of the Club dated January 25, 2007 along with an accompanying air photo map of the CRC land. I have read and understand the contents of the letter and have no objection to the proposals set forth in said letter.

Dated this 12 day of ~~January~~, March 2007

Properties: 10850 Mimosa Road, Byers, CO. PIN No. 1735000000021
11107 Mimosa Road, Byers, CO. PIN No. 1735000000020


Thomas H. Bradbury

Colorado Rifle Club
Right of Way Vacation Request
Written Explanation
10-30-2019

The Colorado Rifle Club Inc. (CRC) is requesting the vacation of the existing Right-of-Way (ROW) of West 112th Avenue between Rector Leader Road and Bijou Creek. This ROW is adjacent to sections 3, 4, 9, and 10, Township 2 South, Range 60 West of the 6th Principal Meridian, County of Adams, State of Colorado. The CRC owns property on both sides of the roadway for two miles. No bridge exists at Bijou Creek as it was washed out/destroyed sometime near World War I about a century ago.

The CRC is a private shooting club and the aforementioned section of 112th ROW is down range from our firing lines and backstops located on the southern portion of said sections 9 and 10. The existing unmaintained portion of 112th Avenue will be left in its current condition and remain a utility easement. The existing fences adjacent to the roadway will remain, and a gate will be placed at Rector Leader Road to deter traffic from going downrange from our shooting facility. The roadway is currently marked as a dead-end road.

This ROW vacation will be submitted concurrently with the Public Meetings for our proposed Conditional Use Permit and the Dedication of ROW (60') for Rector Leader Road.

EAST 112TH AVENUE VACATION PLAT

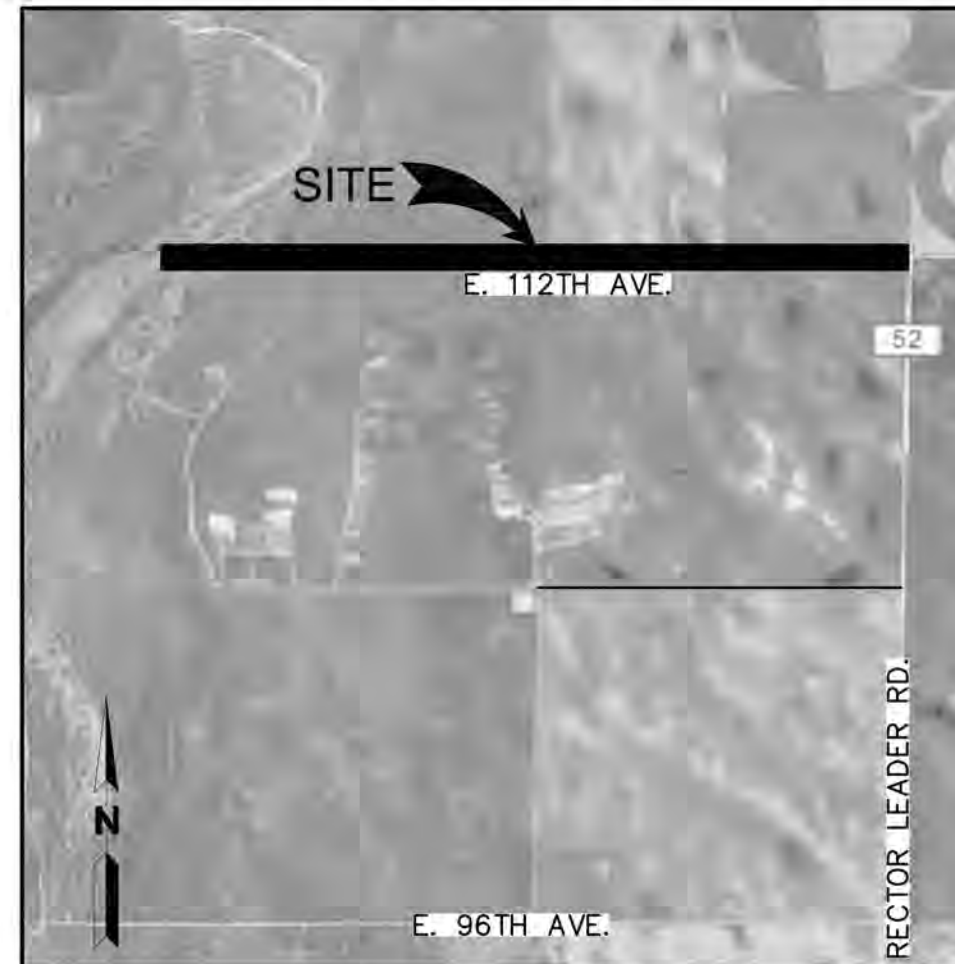
CASE NO. VAC2019-00004

A PORTION OF EAST 112TH AVENUE

LOCATED IN THE SOUTH HALF SECTION 3, SOUTH HALF SECTION 4, NORTH HALF SECTION 9 AND THE NORTH HALF SECTION 10,
TOWNSHIP 2 SOUTH, RANGE 60 WEST OF THE SIXTH PRINCIPAL MERIDIAN,

COUNTY OF ADAMS,
STATE OF COLORADO

SHEET 1 OF 2



VICINITY MAP

1" = 3000'

LEGAL DESCRIPTION

A PORTION OF LAND BEING A PORTION OF SECTIONS 3, 4, 9 AND 10, TOWNSHIP 2 SOUTH, RANGE 60 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE SOUTHERLY 30.00 FEET OF THE SAID SECTIONS 3 AND 4 AND THE NORTHERLY 30.00 FEET OF SAID SECTIONS 9 AND 10 BEING A PORTION OF THE PRESCRIPTIVE RIGHT-OF-WAY ASSUMED TO BE 30.00 FEET EACH SIDE OF THE SECTION LINE PER THE "HIGHWAY NOTICE" DATED APRIL 08, 1919, AT BOOK 5, PAGE 318, RECEPTION NUMBER 598 AND EXCEPTING THE EASTERLY 60.00 FEET OF SAID RIGHT-OF-WAY IN SECTION 3 AND 10.

SAID PORTION OF LAND CONTAINS 14.46 ACRES (630,000 SQ. FT.) MORE OR LESS.

PURPOSE STATEMENT

1. THE PURPOSE OF THIS ROADWAY/RIGHT-OF-WAY VACATION PLAT IS TO VACATE A PORTION OF EAST 112TH AVENUE AS SHOWN HEREON.

NOTES

1. RESERVING, HOWEVER, AN EASEMENT FOR THE CONTINUED USE OF EXISTING SEWER, GAS, WATER AND SIMILAR PIPELINES AND APPURTENANCES, AND FOR ELECTRIC, TELEPHONE, AND SIMILAR LINES AND APPURTENANCES WITHIN SAID STREET RIGHT-OF-WAY AND RESERVING AN INGRESS-EGRESS EASEMENT FOR ANY ENTITIES HAVING RIGHTS, EASEMENTS OR AGREEMENTS REGARDING SAID SECTIONS 3, 4, 9, AND 10.
2. THE PROPERTY INFORMATION BINDER PREPARED BY LAND TITLE GUARANTEE COMPANY AND GUARANTEED BY OLD REPUBLIC TITLE INSURANCE COMPANY UNDER ORDER NUMBER: RND70653408 AND POLICY NO: PIB70653408.1930902, DATED FEBRUARY 25, 2020 WAS RELIED UPON FOR THE PREPARATION OF THIS PLAT
3. ALL OF SECTION 9 IS AFFECTED BY AN EASEMENT TO TRANSPORT OIL, GAS OR PETROLEUM PER DOCUMENT FILED AT BOOK 2041 AT PAGE 881.
4. ALL OF SECTION 10 IS AFFECTED BY AN EASEMENT TO TRANSPORT OIL, GAS AND PETROLEUM PER DOCUMENT FILED AT BOOK 3451 PAGE 444.
5. ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT, MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.
6. ANY PERSON WHO KNOWINGLY REMOVES, ALTERS OR DEFACTS ANY PUBLIC LAND SURVEY MONUMENT OR LAND BOUNDARY MONUMENT OR ACCESSORY, COMMITS A CLASS TWO (2) MISDEMEANOR PURSUANT TO STATE STATUTE 18-4-580, C.R.S.
7. THE UNION PACIFIC RAILROAD ON APRIL 1, 1971 QUICK CLAIMED (BOOK 1684, PAGE 281) ALL OF THEIR RIGHTS AND TITLE BUT RESERVED ALL OF THEIR MINERAL RIGHTS AND RIGHT OF ENTRY AND OF SURFACE USE. THIS AFFECTS ALL OF SECTIONS 3 AND 9, T2S, R60W OF THE 6TH PM. THESE MINERAL RIGHTS AND RIGHT OF ENTRY HAS CHANGED NAMES AND ENTITIES SEVERAL TIMES INCLUDING ANADARKO PETROLEUM IN MAY 05, 2011 AT RECEPTION # 202000011990.

SURVEYOR'S CERTIFICATION

I, WAYNE WRAY HARRIS, BEING A PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO DO HEREBY CERTIFY THAT THIS MAP WAS MADE BY ME OR UNDER MY DIRECT SUPERVISION AND THAT, TO THE BEST OF MY BELIEF, THIS MAP IS A TRUE AND CORRECT. THIS STATEMENT IS NOT A GUARANTY OR WARRANTY, EITHER EXPRESSED OR IMPLIED.

WAYNE WRAY HARRIS, P.E., P.L.S.
PLS #18548
FOR AND ON BEHALF OF:
COLORADO RIFLE CLUB, INC.
76099 EAST 96TH AVENUE
BYERS, CO 80103



BOARD OF COUNTY COMMISSIONERS APPROVAL

ACCEPTED BY THE ADAMS COUNTY BOARD OF COUNTY COMMISSIONERS THIS _____ DAY OF _____, 20____A.D.

CHAIR _____

CLERK AND RECORDER'S CERTIFICATE

ACCEPTED FOR FILING IN THE OFFICE OF THE CLERK AND RECORDER OF ADAMS COUNTY, COLORADO, AT _____ O'CLOCK _____ M. THIS _____ DAY OF _____, 20____A.D.

CLERK AND RECORDER _____

DEPUTY _____

INSTRUMENT NO.: _____

APRIL 13, 2020

SHEET 1 OF 2

EAST 112TH AVENUE VACATION PLAT

CASE NO. VAC2019-00004

A PORTION OF EAST 112TH AVENUE

LOCATED IN THE SOUTH HALF SECTION 3, SOUTH HALF SECTION 4, NORTH HALF SECTION 9 AND THE NORTH HALF SECTION 10,
TOWNSHIP 2 SOUTH, RANGE 60 WEST OF THE SIXTH PRINCIPAL MERIDIAN,
COUNTY OF ADAMS, STATE OF COLORADO

SHEET 2 OF 2

PARCEL II
W1/2, SW1/4 &
NE1/4, SW1/4,
SEC. 4, T2S, R60W, 6TH P.M.
REC. #857147
BK. 3521, PG. 67
PARCEL #017350000012

PARCEL A
E1/2 AND SE1/4, SW1/4,
SEC. 4, T2S, R60W, 6TH P.M.
REC. #856189
BK. 3519, PG. 282
PARCEL #017350000084

W1/2, SEC. 3,
T2S, R60W, 6TH P.M.
REC. #2014000041136
PARCEL #017350000009

SE1/4, SEC. 3,
T2S, R60W, 6TH P.M.
REC. #20170001055378
PARCEL #017350000008

SEC. 5, T2S,
R60W, 6TH P.M.

SEC. 2, T2S,
R60W, 6TH P.M.

30.00'
30.00'

EAST 112TH AVENUE

30.00'
30.00'

EAST 112TH AVENUE

A PRESCRIPTIVE R.O.W. ASSUMED TO
BE 30.00' ON EACH SIDE THE THE SECTION LINE
PER "HIGHWAY NOTICE"
DATED APRIL 08, 1919
BK. 5, PG. 318
REC. #598

VACATED PORTION
OF LAND CONTAINS
14.46 ACRES
(630,000 SQ. FT.)
MORE OR LESS

RECTOR LEADER ROAD

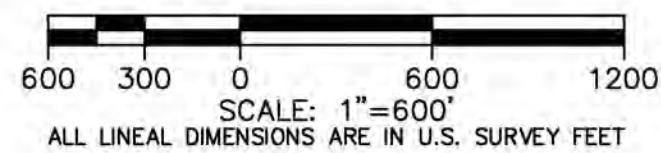
60' R.O.W.
TO BE DEDICATED
TO ADAMS CO. BY
SEPARATE DOCUMENT

PARCEL "C"
ALL OF SEC. 9, T2S, R60W, 6TH P.M.
EXCEPT NW1/4, SW1/4 OF SAID SECTION
REC. #856189
BK. 3519, PG. 282
PARCEL #017350000066

SEC. 10, T2S, R60W, 6TH P.M.
REC. #20040823000803230
PARCEL #017350000019

SEC. 8, T2S,
R60W, 6TH P.M.

SEC. 11, T2S,
R60W, 6TH P.M.



LEGEND

	SECTION LINE
	ALIQUOT PARCEL LINES
	PRESCRIPTIVE R.O.W. LINE
	R.O.W. DEDICATION
	EASEMENT LINES
	VACATED PORTION OF LAND



SEC. 16

SEC. 15

APRIL 13, 2020

SEC. 14

SHEET 2 OF 2

EXHIBIT "A"

RECTOR LEADER ROAD RIGHT-OF-WAY DEDICATION

LAND DESCRIPTION

A PARCEL OF LAND BEING A PORTION OF THE PROPERTY RECORDED AT RECEPTION NO. 20040823000803230 LOCATED IN SECTION 10, TOWNSHIP 2 SOUTH, RANGE 60 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE EASTERLY 60.00 FEET OF SAID SECTION 10 INCLUDING A PORTION OF THE PRESCRIPTIVE RIGHT-OF-WAY ASSUMED TO BE THE EASTERLY 30.00 FEET OF SAID SECTION 10 PER THE "HIGHWAY NOTICE" DATED APRIL 08, 1919, AT BOOK 5, PAGE 318, RECEPTION NUMBER 598.

SAID PARCEL CONTAINS 7.27 ACRES (316,800 SF) MORE OR LESS.

PREPARED BY WAYNE WRAY HARRIS PE., PLS.
FOR AND ON BEHALF OF:
COLORADO RIFLE CLUB, INC.
76099 EAST 96TH AVENUE
BYERS, CO 80103
Revised April 13, 2020



EXHIBIT "B" ATTACHED AND HEREBY MADE A PART THEREOF.

EXHIBIT "B"

CRC

SEC. 4, T2S,
R60W, 6TH P.M.

W1/2, SEC. 3,
T2S, R60W, 6TH P.M.
REC. #2014000041136
PARCEL #0173500000009

ALIQUOT PARCEL
LINES (TYP.)
SE1/4, SEC. 3,
T2S, R60W, 6TH P.M.
REC. #20170001055378
PARCEL #0173500000008

SEC. 2, T2S,
R60W, 6TH P.M.

PRESCRIPTIVE R.O.W.
LINE (TYP.)

EAST 112TH AVENUE

30' 30'

A PRESCRIPTIVE R.O.W. ASSUMED TO
BE 30' ON EACH SIDE THE THE SECTION LINE
PER "HIGHWAY NOTICE"
DATED APRIL 08, 1919
BK. 5, PG. 318
REC. #598

60' R.O.W.
DEDICATION TO
ADAMS CO.
CONTAINS
7.27 ACRES
316,800 SF
MORE OR LESS

SEC. 9, T2S,
R60W, 6TH P.M.

SEC. 10, T2S, R60W, 6TH P.M.
REC. #20040823000803230
PARCEL #0173500000019

SECTION LINE
(TYP.)

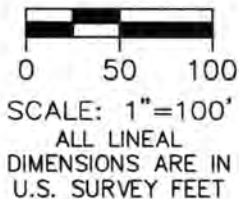
RECTOR LEADER ROAD

SEC. 11, T2S,
R60W, 6TH P.M.

SEC. 16

SEC. 15

SEC. 14



REV. APRIL 13, 2020



DRAWING LOCATION: G:\SURVEY\CRC\Topo10-19\Exhibits\Exhibit_B.dwg

THIS EXHIBIT DOES NOT REPRESENT A
MONUMENTED LAND SURVEY. IT IS ONLY
TO DEPICT THE ATTACHED DESCRIPTION.

Return to:
Colton LLC
P.O. Box 900
Denver CO 80201

February 20, 2020

Colorado Rifle Club, Inc.
Attn: Mr. Wayne Harris
76099 E. 96th Avenue
Byers, Colorado 80103

Re: **Right Of Way Grant**
Township 2 South, Range 60 West
Section 3: W/2 & SE/4 except any portion
lying within 112th Avenue
Adams County, Colorado

This right of way grant is by and between Colorado Rifle Club, a Colorado nonprofit corporation ("CRC"), as grantor, and Colton Limited Liability Company, a Colorado limited liability company ("Colton"), as grantee.

Whereas, Colton is the operator of record of the following described oil and gas well and its associated oil and gas leasehold and desires to maintain its existing right of way and wellsite on and across the surface of captioned land now owned by CRC:

Linnebur #21-3 (the "Well")

Surface Location: T2S-R60W
Sec 3: NE1/4NW1/4

API #05-001-08151

Now therefor, in consideration of Colton's consent to CRC's application to vacate a portion of East 112th Avenue pending before Adams County as case number VAC2019-00004 and other valuable consideration, the adequacy of which is hereby acknowledged, CRC hereby grants Colton a right of way easement (the "ROW") on and across the captioned land, as now used by Colton subject to the following terms and conditions:

1. Colton and its authorized agents, employees and contractors shall use the ROW for the sole purpose of operating the Well. Operations shall include but not be limited to routine maintenance and inspection, transportation and gathering of petroleum products, maintenance and construction of flow lines and battery facilities and workover and ancillary construction necessary in Colton's opinion to maintain production and safety.
2. CRC recognizes that Colton will use a portion of the to be vacated part of 112th Avenue and Colton will be responsible for maintaining it in a condition that it deems necessary for its use. If CRC installs a locked gate or other barrier across the ROW it will provide Colton with an access key or passcode free of cost.

COLTON LIMITED LIABILITY COMPANY

P.O. Box 900, Denver, Colorado, 80201, 303-297-0347

3. This is a nonexclusive ROW but CRC will give Colton's notice of any other easements or rights of way it intends to grant to third parties.
4. Colton and CRC agree to hold each other harmless from any liability to each party's property rights caused by their respective agents, employees and contractors. Colton agrees to properly plug and abandon the Well and restore the surface in accordance with the rules and regulations of the Colorado Oil & Gas Conservation Commission.
5. This ROW shall be effective as of January 1, 2020 and be for a term that expires on the expiration of the associated oil and gas lease or the final plugging and abandonment of the Well, whichever is later. Colton shall have 120 days after the expiration of this ROW to remove all surface and subsurface equipment.
6. This ROW shall be considered a covenant that runs with the land and shall be binding on the grantees, successors and assigns of the parties hereto.

Agreed to and accepted this 20 day of February, 2020.

Grantor:

Colorado Rifle Club, Inc.

By: Wade W. Harris

Title: Vice President

Grantee:

Colton Limited Liability Company

By: Thomas S. Metzger

Thomas S. Metzger
Manager

COLTON LIMITED LIABILITY COMPANY

P.O. Box 900, Denver, Colorado, 80201, 303-297-0347

ACKNOWLEDGMENTS

State of Colorado SS
County of Jefferson SS

The foregoing instrument was acknowledged before me this 20 day of February, 2020 by Wayne Wray Harris as Vice President for Colorado Rifle Club, a Colorado nonprofit corporation.

My Commission Expires:

01/30/2021

LINDSAY NICOLE ROACH
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20174004729
MY COMMISSION EXPIRES 01/30/2021

[Signature]
Notary Public:
Address:
12499 W. Colfax Ave
Lakewood, CO 80215

State of Colorado SS
County of Denver SS

The foregoing instrument was acknowledged before me this 20th day of Feb., 2020 By Thomas S. Metzger as the manager of Colton Limited Liability Company, a Colorado limited liability company.

My Commission Expires:

Dec. 10, 2021

WILLIAM G MILLS II
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 19974021121
MY COMMISSION EXPIRES DECEMBER 10, 2021

[Signature]
Notary Public:
Address:
7946 E. MEXICO AVENUE
DENVER, CO 80231

Colorado Rifle Club Inc.

May 17, 2019

76099 East 96th Avenue

Byers, Colorado 80103

CO/ Wayne Wray Harris PE, PLS

7602 Yule Court

Arvada, Colorado, 80007

Re: Notice of Neighborhood Meeting

To whom it may concern:

The Colorado Rifle Club Inc. (CRC) is submitting a Development Application to Adams County, State of Colorado for a Conditional Use Permit (CUP). The original CUP was granted in 1988 and this will be the third addendum. The Adams County Planning Department has determined that your property is within 500 feet of our property lines and that you are to receive notification of our Neighborhood Meeting.

We plan on meeting on the CRC property at the Smallbore Stat Building between 1:00 PM and 3:00 PM on Saturday, June 15, 2019. If our site is impassable due to weather an alternative site will be posted at our entrance gate on 96th Avenue. Signs will be posted directing you to the neighborhood meeting.

I have also attached a location map and a half-sized Site Plan showing our proposed development. A "Written Explanation of the Project" is included. Also attached is a narrative for the new Club House being developed in Phase One for your consideration. Please contact me with any questions or comments. Your response at the meeting will be reported to Adams County during the CUP process.

Thanks

Wayne Wray Harris PE, PLS

303-909-5195

Colorado Rifle Club Neighborhood Meeting Summary

Jun 15, 2019

Pursuant to the instructions in Chapter 2 of the Common Development Review Procedures for Development Applications, members of the Colorado Rifle Club held an open house style meeting at the range facility from 1:00 pm to 3:00 pm on June 15, 2019. Names and addresses of neighbors were provided by Adams County. Each of the neighbors were notified 2 weeks prior to the meeting date by US mail. In attendance at the meeting were 4 Colorado Rifle Club Board of Directors members: Dennis Reul, Wayne Harris, Dave Paananen, and Sherri Stuska. Signs were placed directing interested neighbors to the meeting location in addition to directions and a map that was included in the notification mailing. The signs were located at the intersection of Rector Leader Road and 96th, as well as at the entrance to the club property and at various places on the club property. A large satellite photo of the area was presented on the wall, and a large copy of the proposed changes to the property was prominently displayed.

One neighbor attended the meeting, Jim Thurman. He asked several questions regarding the plans. He stated verbally at the end of the meeting that he had no objections, or comments on the plans. He indicated we had been good neighbors and knew of no complaints from other neighbors about our operation. Jim also indicated he has sold his plane and has deactivated his airplane runway status with the FAA.



Meeting summary submitted by Dave Paananen



ORIGINAL PERMIT APPLICANT(S)

COLORADO RIFLE CLUB INC

APPROVED WELL LOCATION

Water Division: 1 Water District: 1
 Designated Basin: KIOWA-BIJOU
 Management District: NORTH KIOWA-BIJOU
 County: ADAMS
 Parcel Name: N/A
 Physical Address: 76099 E 96TH AVE BYERS, CO 80103
 SW 1/4 NW 1/4 Section 9 Township 2.0 S Range 60.0 W Sixth P.M.

AUTHORIZED AGENT

WAYNE WRAY HARRIS

UTM COORDINATES (Meters, Zone: 13, NAD83)

Easting: 576045.2 Northing: 4416391.0

PERMIT TO USE AN EXISTING WELL

ISSUANCE OF THIS PERMIT DOES NOT CONFER A WATER RIGHT
CONDITIONS OF APPROVAL

- 1) This well shall be used in such a way as to cause no material injury to existing water rights. The issuance of this permit does not ensure that no injury will occur to another vested water right or preclude another owner of a vested water right from seeking relief in a civil court action.
- 2) The construction of this well shall be in compliance with the Water Well Construction Rules 2 CCR 402-2, unless approval of a variance has been granted by the State Board of Examiners of Water Well Construction and Pump Installation Contractors in accordance with Rule 18.
- 3) Approved pursuant to CRS 37-90-105 for a change/increase of use of an existing well, constructed under permit no. 184036, on a tract of land of 600 acres described as all of Section 9, Township 2 South, Range 60 West of the Sixth P.M., except the NW1/4 of the NW1/4 of said Secton, Adams County, for one well to be used in one commercial business described as a private rifle club. The business must meet the qualifications as described in CRS 37-90-105(1)(c)(II). Use of this well in a commercial business having another small capacity commercial well is prohibited unless a new permit to use this well is granted.
- 4) Issuance of this permit cancels permit no. 184036.
- 5) The irrigated area shall not exceed 1 acre (43,560 square feet) of landscaping.
- 6) The pumping rate of this well shall not exceed 15 GPM.
- 7) The annual withdrawal of ground water from this well shall not exceed 5 acre-feet.
- 8) Production is limited to the Laramie-Fox Hills aquifer.
- 9) A totalizing flow meter must be installed on this well and maintained in good working order. Permanent records of all diversions must be maintained by the well owner (recorded at least annually) and submitted to the North Kiowa-Bijou Ground Water Management District and the Division of Water Resources upon request.

NOTE: This well is located within the North Kiowa-Bijou Ground Water Management District where local District Rules apply which may further limit the withdrawal and use of designated ground water as authorized under this permit.


 Issued By SHANNON PORTER

Date Issued: 3/4/2019
 Expiration Date: N/A

OFFICE OF THE STATE ENGINEER
COLORADO DIVISION OF WATER RESOURCES

818 Centennial Bldg., 1313 Sherman St., Denver, Colorado 80203
(303) 866-3581

1229

APPLICANT

WELL PERMIT NUMBER 184036
DIV. 8 CNTY. 1 WD 1 DES. BASIN 2 MD 7

Lot: Block: Filing: Subdiv:

COLORADO RIFLE CLUB INC
% LOWELL M HIGGINS
135 S HOOKER ST
DENVER CO 80219

(303)935-4530

PERMIT TO CONSTRUCT A WELL

APPROVED WELL LOCATION
ADAMS COUNTY

SW 1/4 NW 1/4 Section 9
Twp 2 S RANGE 60 W 6th P.M.

DISTANCES FROM SECTION LINES

1720 Ft. from North Section Line
550 Ft. from West Section Line

CONDITIONS OF APPROVAL

- 1) This well shall be used in such a way as to cause no material injury to existing water rights. The issuance of the permit does not assure the applicant that no injury will occur to another vested water right or preclude another owner of a vested water right from seeking relief in a civil court action.
- 2) The construction of this well shall be in compliance with the Water Well Construction and Pump Installation Rules 2 CCR 402-2, unless approval of a variance has been granted by the State Board of Examiners of Water Well Construction and Pump Installation Contractors in accordance with Rule 17.
- 3) Approved pursuant to CRS 37-90-105 as one well used in one commercial business described as a rifle club site, and for a change of use and change of water source from that approved under permit no. 78195. The issuance of this permit cancels permit no. 78195.
- 4) The maximum pumping rate shall not exceed 15 GPM.
- 5) The annual withdrawal of ground water from this well shall not exceed 3 acre-feet.
- 6) The irrigated area shall not exceed 1 acre (43,560 square feet) of lawn, garden, or landscaping.
- 7) A totalizing flow meter must be installed on the well and maintained in good working order. Permanent records of all diversions must be maintained by the well owner (collected at least annually) and submitted to the North Kiowa-Bijou Ground Water Management District and the Division of Water Resources upon request.
- 8) Production is limited to the Laramie-Fox Hills aquifer, which is located 105 feet below land surface and extends to a depth of 450 feet. Plain casing must be installed and sealed to prevent the withdrawal of ground water from other aquifers and the movement of ground water between aquifers.
- 9) The well constructed under permit no. 78195 must be plugged and abandoned according to the Water Well Construction and Pump Installation Rules. The enclosed abandonment report form must be completed within sixty (60) days of construction of the new well affirming that well permit no. 78195 was plugged and abandoned.
- 10) This well must be constructed within 300 feet of the location specified on this permit.

WS. 12/15/94

APPROVED
JWB

Hal D. Simpson
State Engineer

John W. Bilyard
EXPIRATION DATE DEC 16 1996

Receipt No. 0373856

DATE ISSUED DEC 16 1994



Brooks Kaufman
Lands and Rights of Way Director

January 15, 2019

Wayne Harris
Colorado Rifle Club
620 Lewis St.
Castle Rock, CO 80104

Re: Colorado Rifle Club – 76099 E. 96th Ave Byers, Colorado

Dear Mr. Harris:

We are an electric utility operating under the rules and regulations approved by our Board of Directors. The above-referenced parcel of land in the Section 9, Township 2 South, and Range 60 West of the 6th P.M., County of Adams, State of Colorado; is located within our service area.

We are willing to continue to provide electric service to the existing property in accordance with our extension policies. When you submit an application for service, the designer assigned will be able to answer any questions concerning the location of electric facilities in relation to the project. Any attempt to identify facilities now may provide inaccurate information due to the phasing of your project and other developments in the vicinity, which may alter the location or type of facilities prior to your request for service.

If you have any further questions, please feel free to contact me.

Sincerely,

A handwritten signature in blue ink, appearing to read "Brooks Kaufman", is written over a long, thin horizontal line.

Brooks Kaufman
Lands and Rights-of-Way Director

INTERMOUNTAIN RURAL ELECTRIC ASSOCIATION

5496 N. U.S. Highway 85, P.O. Drawer A / Sedalia, Colorado 80135
Telephone (720)733-5493
bkaufman@irea.coop

Wayne Harris

From: Jeff McCarron <jmccarron@tchd.org>
Sent: Tuesday, January 08, 2019 11:25 AM
To: Wayne Harris
Subject: RE: Written Statement from Tri County Health.

Hi Wayne,

Permanent Club House Proposal:

TCHD will approve a septic system, our current regulations use the term: Onsite Wastewater Treatment System (OWTS), for the club house provided that CRC applies for a new installation permit, pays the current permit fee, and provides a design document prepared by a licensed engineer which conforms to TCHD's O-17 OWTS Regulations. The system will need to be sized as a commercial system, not a residential system. If the project is initiated after a new set of regulations is promulgated, then the OWTS must conform to those regulations. The design document must include all required information such as complete soil investigation, a site plan, and full design details. The system must conform to all horizontal setback distances, and from my phone conversation with you it does not sound like this will be any issue. As long as this process is followed, and the system passes final inspection, TCHD WILL approve the OWTS and issue a use permit.

Additional Vault Privies:

TCHD will approve the installation of any number of additional vault privies provided that for each one CRC applies for a new system installation permit, pays the current new permit fee, and provided TCHD with the engineering design information from the manufacturer of the vault privy. TCHD will do a site visit for each permit, and then conduct a final inspection for each privy as well. This is consistent with how TCHD has permitted and inspected vault privies at campgrounds and parks in our jurisdiction.

RV camping:

TCHD will approve installation of a vault for RV dumping. The O-17 OWTS regulations specify that each RV unit will generate 50 gallons per day of sewage assuming no individual water and sewage hookup. Wayne, you've stated that RV's will be present for shooting matches on weekends, so the vault will need to be sized to accommodate at least: X number of RV spaces X 50 gallons per day X 2 days per event. The vault should be oversized by a safety factor to insure it will not be overfilled during an event. TCHD will approve a reasonable safety factor as long as the engineer justifies the size. TCHD will require a design document from an engineer specifying the design parameters of the vault, and a site plan showing the exact location of installation. The RV dump vault will require a new system installation permit.

Wayne you have stated that the club would prefer a regular OWTS for the RV camp sites. TCHD does not recommend installing an OWTS for the RV campsite, as RV waste typically contains residual antifreeze chemicals, formaldehydes, etc. which will harm the biological flora in the septic tank. These also can clog the soil treatment area and cause premature failure of the field leading to costly repairs. Here is a link to an EPA guidance document regarding RV waste in OWTS:

<https://www.epa.gov/sites/production/files/2015-06/documents/rv-wastewater.pdf>

This communication should satisfy Adams County. If they need any further information from TCHD, please let me know.

Thanks,

Jeff

Jeffrey K. McCarron
Water Quality Specialist, REHS, EHS IV
Tri-County Health Department
4201 E. 72nd Avenue, Suite D
Commerce City, CO 80022
303-439-5913

 Follow @TCHDHealth

 Follow @TCHDEmergency

From: Wayne Harris [mailto:wwharris@q.com]
Sent: Tuesday, January 08, 2019 9:47 AM
To: Jeff McCarron <jmccarron@tchd.org>
Cc: 'Dennis Reul' <denreul@comcast.net>; 'Dave/Colleen' <dpaananen@netzero.net>
Subject: Re: Written Statement from Tri County Health.

Tri-County Health Department

Atten; Jeff McCarron

It was good talking with you today about our proposed expansion of the Colorado Rifle Club (CRC) located north of Byers, Colorado. The CRC needs to obtain "A written statement from Tri-County Health indicating the viability of obtaining Onsite Wastewater Treatment Systems". This is a requirement by the Adams County Planning Department for the execution of a Conditional Use Permit. This will be our third amendment to the original Conditional Use Permit approved in 1988. This facility currently has numerous permitted vaulted toilets which are pumped out each season. With this amendment we will be proposing a permanent Club House with heated bathrooms and shower facilities. The facility will have a small kitchen and room for shooting event participants to set up cots for overnight sleeping. Utilization of the Club House will be mainly during matches which are mostly conducted on weekends during warm weather. Completion of his project is out some two to three years. We are also including a small 1,000 to 1,500 Sf Caretakers House. This project is probably a decade out. The Colorado Rifle Club (CRC) currently owns some 2,650 acres. These facilities will all be located in Section 9, T2S, R60W of the 6PM in Adams County, Colorado. All requirement of TCHD will be followed and plans for the Septic system will be prepared by a Professional Engineer.

Additional ranges will be added to adjacent Section 10. We will also submit to TCHD for approval of adding commercial, concrete, vaulted, HC toilet facilities. On section 9 and 10 we have some thirty four RV hookups with electrical connections but no water or sewage hookups. We propose working with TCHD to construct a RV Waste Dump Station utilizing either a Septic System or a vaulted storage tank which will be periodically pumped out. The majority of use will be during the summer months and mainly on weekends. We will implement "Flow Equalization" methods to maximize the use of our proposed Septic Systems.

Please let me know if you need any additional information in order to prepare our letter. The attached pictures of the Vaulted toilets are from the Boulder Rifle Club facility.

Sincerely

Wayne Harris PE, PLS
Colorado Rifle Club VP



Community & Economic Development Department

4430 South Adams County Parkway,
1st Floor, Suite W2000
Brighton, CO 80601-8205
PHONE 720.523.6800 FAX 720.523.6998

MEMORANDUM

Case Name: Colorado Rifle Club Expansion Administrative Relief
Case Number: VSP2019-00029
Date: January 6, 2020

Request: Administrative Relief from Landscaping Requirements for the following sections of the Adams County Development Standards and Regulations:

- Section 4-16-07 (Required Lot Landscaping)
 - All developments are required to landscape a minimum of 10% of the lot area. At least 50% of the required landscape area must be placed so it abuts adjoining public rights-of-ways, excluding alleys and drives.
 - Approximately 280 acres of the 2,560-acre Colorado Rifle Club facility is utilized for shooting ranges. Applicant has proposed that the entirety of the project site remains as native grasses in order to serve as natural buffering from surrounding land uses, such as agricultural ranching and grazing land, dryland wheat, and pivot irrigation systems.
- Section 4-16-06-01 (Bufferyards)
 - Bufferyard C (between new commercial uses and existing residential uses) requires a 15' minimum landscape area with 2 trees per 80 linear feet of lot line and a 6' high sight-obscuring fence or wall located on the interior line of the bufferyard.
 - Only one residentially used property directly abuts the Colorado Rifle Club facility. That residentially used property shares approximately 8,000 feet of property line with the facility and the home itself is located approximately a mile from the closest shooting range.
 - In order to separate the proposed clubhouse and existing agricultural uses along the south property line, the applicant has proposed two trees on both the south side of the club house that faces the property line and the east side of the club house that faces an internal access road, a 5 to 15' wide area around all four sides of the building that includes river rock and mulch, as well as large diameter boulders placed on the east side of the club house in order to separate the building from the proposed parking lot. The club house would be set back 50' from the south property line and the majority of that buffer area would remain as native grasses.
- Section 4-16-07-02 (Off-Road Parking Lot Landscaping)
 - Off-Road Parking Lot Landscaping requires 1 tree provided for every 10 parking stalls and landscaped areas placed within the vehicle use areas depending on the number of parking spaces per lot.
 - Applicant has requested relief from this requirement. The project site would include parking lots that serve each range, as well as a parking lot that would serve the proposed clubhouse.
- Section 4-16-07-01 (Street Frontage Landscaping)

- Street Frontage Landscaping requires 1 or any combination of 5 landscape options for an area along any property line abutting a public road right-of-way.
- Applicant's main entrance to the property is located along the south property line off of East 96th Avenue. A second gated entrance is proposed from Rector Leader Road to the east and a limited access gate is proposed from East 112th Avenue to the north.
- Applicant has proposed xeriscape improvements at the main entrance on East 96th Avenue that would include large boulders and river rock mulch, a 4' x 4' x 6" flat rock with the Colorado Rifle Club logo engraved upon it, a large ranch style arch placed over a newly painted gate and adjacent metal pipe fence, and a 4' standalone square metal sign placed in front of the fence in order to indicate the days that events would be held. All proposed street frontage improvements would be visible from the East 96th Avenue public right-of-way.
- Section 4-09-02-17-04 (Gun and Archery Range performance standards)
 - Gun and Archery Range performance standards require that the entire range is enclosed by a fence that is a minimum of 6' in height and that warning signs that read "Warning: Shooting Range" are posted every 100' on the fence, that two Type D Bufferyards must encircle the perimeter of the gun range in order to provide a natural noise barrier, and that a 10' berm must be incorporated into the bufferyards surrounding the site.
 - The proposed new firing lines would be ¼ mile from the south property line (which is over a mile from East 96th Avenue), the east limits of the expansion would be a ¼ mile from Rector Leader Road, and the west limits of the expansion would be ¾ mile from the west property line.
 - Applicant has proposed that the entire facility is enclosed by an agricultural 4' high, 4 strand barbed wire fence; that new 15' berms would be included in all proposed pistol and rifle ranges that provide individual shooting bays (each shooting bay would be surrounded on three sides by berms); that the proposed long-range firing line would include metal reactive targets within 15' high berms located at varying intervals up to a mile away; and that the requirement for Type D Bufferyards be waived due to the existence of buffer land on all sides that would remain as native grasses.
- Section 4-09-02-06 (Commercial Campgrounds)
 - Commercial Campground performance standards require 22' minimum paving width for two-way internal drives and no parking on either side; that each campground has a common recreation area of 100 square feet per campsite; that interior landscaping of the campground requires 1 tree and 2 shrubs per campsite; that all recreational vehicle, regular vehicle parking, guest parking, and internal drives are paved with asphalt or concrete; that 1 paved vehicle parking space that is 9' x 20' is associated with each recreation vehicle pad; that guest parking at the rate of 1 space for each 10 recreation vehicle pads is provided off the interior drives; and that each recreational vehicle pad is improved with a minimum paved parking space for the recreational vehicle of 25' x 45' in addition to the access driveway.

- Applicant has proposed that all internal drives accessing parking areas are 22' in width; that all internal drives accessing parking areas, as well as all recreational vehicle pads and associated parking spaces, are covered in gravel; and that each recreational vehicle site would include a 10' x 20' common recreation area, two 10' x 20' parking spaces, a 20' x 50' recreational vehicle pad, as well as a large boulder at each campsite placed adjacent to the electrical pedestal in order to provide landmarking and delineation for each recreational vehicle pad.

Address/PIN: 76099 E. 96th Avenue / 017350000007, 017350000008, 017350000009, 017350000011, 017350000012, 017350000017, 017350000019, 017350000066, 017350000067, 017350000084, 017350000089

Zoning Designation: Agriculture-3

Future Land Use Designation: Agriculture

To receive approval for Administrative Relief from Landscaping Requirements, the Director of Community and Economic Development must make all the following findings in order to grant administrative relief per Section 4-16-15 of the Adams County Development Standards and Regulations:

Administrative Relief	Complies with Findings
<p>The strict application of the regulations in question is unreasonable given the development proposal or the measures proposed by the applicant or the property has extraordinary or exceptional physical conditions or unique circumstances which do not generally exist in nearby properties in the same general area and such conditions will not allow a reasonable use of the property in its current zone in absence of relief.</p>	<p>Yes, as Policy #1 for administrative landscape relief states that the County recognizes the specific landscape requirements cannot and do not anticipate all possible landscape situations. Although considered a commercial land use, this 2,560-acre facility is located in the far eastern prairie, surrounded for miles by agricultural land consisting of grazing and ranching land, dryland wheat, and pivot irrigation systems. Only one well has been permitted by the Colorado Department of Water Resources for the site and it allows a maximum of one acre of landscaping. Planting of trees and bushes is extremely difficult in Eastern Adams County due to water restrictions and the ever-present wildlife. Due to the vast size of the facility and the extensive buffer land that would remain as native grasses (only 280 acres of the project site is actually utilized for the shooting ranges), the site naturally blends in with the surrounding agricultural land and</p>

<p>The intent of the landscaping section and the specific regulations in question is preserved.</p>	<p>prairie landscape.</p> <p>Yes, as Policy #3 for administrative landscape relief states that the County shall attempt to balance the reasonable use of such a lot with the provisions of required landscaping. The vast majority of the property is utilized as buffer areas in order to blend in with the surrounding agricultural land, the closest residence is located approximately a mile away from the facility, and the club sees minimal usage from October to March due to the cold temperatures and road conditions. In addition, all three priorities for compliance with the landscape requirements are met, as the facility is far enough away from residential uses that landscaped buffering would not reduce any of the facility's adverse impacts, the applicant has proposed improvements that would provide a more attractive appearance of the project along adjacent roads, and the parking areas and building elevations that form major public views are not visible from the surrounding public rights-of-way.</p>
<p>The granting of the administrative relief will not result in an adverse impact upon surrounding properties.</p>	<p>Yes, as the ranges are ¼ mile from the south property line (which is over a mile from East 96th Avenue), a ¼ mile from the east property line and Rector Leader Road, and ¾ mile from the west property line. Facilities cannot be seen from any existing residences or nearby roadways. In addition, the ability to irrigate landscaping, protect it from wildlife during its infancy, and the allowances of the approved water well make it impossible to provide the landscaping that would otherwise be required for such a commercial facility in Western Adams County or within an unincorporated city in Eastern Adams County such as Strasburg. The Colorado Rifle Club planted approximately 3,000 trees during the first decade they operated the facility, and only a few dozen cedar trees remain today due to the conditions described above. For these reasons, strict adherence with the</p>

	landscaping requirements would be an unreasonable financial burden for the applicant that would not accomplish the intent of the Development Standards and Regulations, and the surrounding property owners and residents will not be adversely impacted as a result of granting this administrative relief.
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Staff Evaluation:

The first Conditional Use Permit granted for the Colorado Rifle Club by the Adams County Community and Economic Development Department was in 1988. While the Colorado Rifle Club planted approximately 3,000 trees during the first decade that they operated the facility, only a few dozen cedar trees remain today due to the impacts on young trees and shrubs of prairie wildlife, the club’s limited ability to irrigate landscaping, and the frequent cold weather.

For these reasons, staff recognizes that xeriscaping is often a more suitable alternative to living landscaping in rural, Eastern Adams County, as xeriscaping provides low water and low maintenance landscaping techniques. In addition, the facility’s remote location largely removes the need for attractive street frontages or bufferyards between neighboring uses. Based on recent site visits, there are few existing trees or shrubs throughout the surrounding prairie and agricultural farmland. Due to the large size of the existing lots (many take up the entirety of or at least a quarter of a section), homes and agricultural structures often are not even visible from the road.

Rather than burden such a large commercial facility with excessive landscaping or xeriscaping requirements that provide few external benefits for the surrounding rural and agricultural community (and would, in fact, be out of character with the existing land and the natural prairie landscape), the three priorities for compliance with landscape requirements listed in Section 4-16-15 should determine the applicant’s effectiveness in reducing external impacts, proposing obtainable improvements throughout the site, and providing for the needs of the facility and its members.

Two of the priorities for compliance with landscape requirements do not apply to this site due to its distance from nearby public rights-of-way and residentially used properties: buffering adjacent residential uses and enhancing parking areas/building elevations. The Colorado Rifle Club has purchased a vast amount of land surrounding their facility (utilizing only 280 acres for the facility out of the total 2,560 acres) in order to ensure that they are not encroached upon by future development and also that they are adequately buffered from surrounding uses. This extensive bufferland has remained as native grasses and blends in with the surrounding prairie landscape. It effectively serves the same purpose as landscaping that would buffer, soften, or enhance features of their facility, but is likely more effective than landscaping as sheer distance renders all of these objectives unnecessary.

The applicant has proposed to visually soften the building elevation of their new clubhouse, which would include four trees, river rock and mulch surrounding the building, and large diameter boulders separating the parking area from the landscaped or communal recreation areas; however, it would be excessive to require them to provide a bufferyard along the entirety of the mile and a half west property line that separates the facility from a residentially used property or the two mile south property line that separates the facility from agriculturally used properties. None of the facility's other property lines border residentially used properties. There would be a deck or patio attached to the clubhouse that would further enhance the architectural design and the appearance of the building elevation. A wooden fence (as required for Type C Bufferyards) would detract from the residential look of the private building, obscure its visibility from members and guests, and would ultimately would not accomplish the intent of the landscaping regulations as the proposed clubhouse is not visible from a public right-of-way or the residence located to the west.

The third priority for landscaping relief involves providing an attractive appearance of the project along adjacent roads by landscaped setbacks and trees. The intent of this priority has been met by the applicant through proposed xeriscaping improvements to their main entrance off of E. 96th Avenue. While this minor rural arterial road handles very little traffic, the applicant's proposal would enhance the appearance of their main entrance along this public right-of-way by providing landmarks that announce their presence to the community without adversely impacting the neighborhood. The two other proposed entrances to this facility are considered side or ancillary entrances that would not be utilized widely by members or visitors. In addition, the simple agricultural gates proposed for these secondary entrances would fit the character of the surrounding farmland and better blend in along the rural roads that crisscross the prairie.

Other than the three priorities for compliance with landscape requirements, the remaining considerations for landscaping and buffering involve reducing external and adverse impacts on the surrounding property owners and residents as a result of this commercial facility and its associated shooting ranges. As part of this administrative request, staff has confirmed that an agricultural fence would enclose the entire facility and that warning signs would be placed on the fence in order to alert passersby of the existence of the shooting ranges. Earthen berms would be included within shooting ranges in order to ensure that the spent ammunition is contained and does not spread throughout the land (although the existence of the extensive bufferland already eliminates the possibility that a stray bullet could leave the facility under normal circumstances). All internal drives accessing parking areas, as well as all recreational vehicle pads and associated parking spaces, would be covered in gravel in order to reduce fugitive dust and environmental impacts as a result of the member and guest vehicles that traverse the site. Finally, large diameter boulders would be placed at each recreational vehicle pad in order to delineate the overnight parking and camping areas while facilitating the creation of a more orderly internal appearance for the project site. These boulders would represent a xeriscaping alternative to the required commercial campground landscaping performance standards.

Ultimately, allowing the applicant's proposed administrative relief from landscaping requirements will result in significant improvements to the project site with new landscaping

and xeriscaping that satisfies the intent of the Development Standards and Regulations while also ensuring that they would be meeting the safety requirements for shooting ranges and would be providing approved surfaces for internal vehicular circulation throughout the facility. While their proposal may not conform to the strict application of the landscape standards and regulations, it would enable the unique facility to retain its core functions, encourage the applicant to incrementally improve the project site, and would not cause an undue burden on such a large acreage facility in rural, eastern Adams County. The existing and proposed shooting ranges extend for over a mile and a half throughout the facility and would continue to blend into the arid agricultural land surrounding the project site.

Conditions of Approval:

1. All improvements related to the surrounding fence and warning signs, as well as all xeriscaping and placemaking improvements to the main entrance of the facility, must be completed as part of the project's proposed Phase 1 as described in the associated Conditional Use Permit (CUP) application.
2. All landscaping and xeriscaping improvements related to the proposed clubhouse must be included at the time of building permit application and installed during construction of the clubhouse.
3. All berms must be constructed at the time of the installation of the associated shooting ranges as described in the associated CUP application.
4. All internal drives accessing parking areas, as well as all recreational vehicle pads and associated parking spaces, must be covered in gravel as new recreational vehicle pads are built throughout the various phases of the project as described in the associated CUP application. The facility must continue to maintain its gravel and roadway program in order to ensure that heavily trafficked internal drives remain adequately covered by the approved surface as determined by the Community and Economic Development Department.

Per Section 4-16-15 Staff recommends **Approval** of this Administrative Relief from Landscaping Requirements.



Holden Pederson
Planner I

Decision: Approval or Denial



Jen Rutter
Development Services Manager



Development Team Review Comments

The following comments have been provided by reviewers of your land use application. At this time, a resubmittal of your application is required before this case is ready to be scheduled for public hearing.

To prepare your resubmittal, you will be expected to provide:

- A response to each comment with a description of the revisions and the page of the response on the site plan;
- Any revised plans or renderings; and
- A list identifying any additional changes made to the original submission other than those required by staff.

Resubmittal documents must be provided in person to the One-Stop Customer Service Center of the Community and Economic Development Department. The following items will be expected by our One-Stop Customer Service Center:

- One paper copy of all new materials
 - Paper copies shall not exceed 11"x17" (exception shall be made only for construction drawings or engineering plan review)
 - All paper copies shall be accompanied by the attached Resubmittal Form
- One digital copy of all new materials
 - All digital materials shall be in a single PDF document
 - The single PDF document shall be bookmarked
 - If a Subdivision Improvements Agreement, Legal Description, or Development Agreement is required, then an additional Microsoft Word version of these documents shall also be provided



Re-submittal Form

Case Name/ Number: _____

Case Manager: _____

Re-submitted Items:

- Development Plan/ Site Plan
- Plat
- Parking/ Landscape Plan
- Engineering Documents
- Subdivision Improvements Agreement
- Other: _____

*** All re-submittals must have this cover sheet and a cover letter addressing review comments.**

Please note the re-submittal review period is 21 days.

The cover letter must include the following information:

- Restate each comment that requires a response
- Provide a response below the comment with a description of the revisions
- Identify any additional changes made to the original document

For County Use Only:

Date Accepted:

Staff (accepting intake):

Resubmittal Active: ~~Addressing, Building Safety, Neighborhood Services,~~

~~Engineering, Environmental, Parks, Planner, ROW, SIA - Finance, SIA - Attorney~~

Commenting Division: Development Services, Planning

Resubmittal Required

Name of Reviewer: Holden Pederson

Email and Phone Number: HPederson@adcogov.org / 720-523-6847

PLN1: Applicant has provided a written description of the club house and its ancillary role for the shooting ranges and matches conducted on site. Conditions may be attached to the permit by staff in order to ensure that the proposed club house is not utilized as an assembly hall.

PLN2: Applicant must revise site plan or provide a new document that shows the proposed setbacks from the club house, caretaker house, and all other proposed structures to the nearest property lines.

- a. Setbacks for the A-3 zone district are listed in Chapter 3, Section 3-10 of the Adams County Development Standards and Regulations.
- b. Applicant should be aware that there are Section Lines that run along all four property lines of the two primary CRC parcels (#017350000066 and #017350000019). Section Lines require 120' setbacks for all structures, but variations may be permitted if the Department of Public Works determines no additional right-of-way is required.
- c. If possible, staff recommends that the applicant enhance the site plan by highlighting all proposed additions or by overlaying aerial imagery in order to provide more context for the location of each phase. This is not a requirement but staff believes that the additional versions would be helpful for better describing the request during public hearings.

PLN3: Conex shipping containers were mentioned in the "Deviations and Administrative Relief" page of the application. Applicant must clarify if those are labeled as the equipment sheds or stat buildings on the site plan, if they are the "tuff shed" buildings mentioned on the same "Deviations and Administrative Relief" page, or if they are not currently shown on the site plan.

PLN4: Applicant must confirm that all performance standards for Gun and Archery Ranges (Chapter 4, Section 4-09-02-17-04) and for Commercial Campgrounds (Chapter 4, Section 4-09-02-06) will be met as part of this Conditional Use Permit request. Please indicate any performance standards that are instead addressed through the separate Administrative Request for Landscape Relief.

PLN5: Applicant must confirm that each of the four phases of the project will be self-sufficient and that the supporting facilities and improvements required for each Conditional Use are established at the same time or prior to the expansion of those uses. For example, fencing or parking required for the new shooting range must be provided in conjunction with the construction of the new range.

PLN6: Applicant has proposed a gravel road that would provide access to Rector Leader Road. Applicant must also confirm the proposed ground cover for all other new and existing internal drives on the site, for recreational vehicle parking areas, and for guest parking areas.

PLN7: Applicant must provide responses to the Tri-County Health Department (TCHD), Colorado Department of Public Health and Environment (CDPHE), and the Colorado Parks and Wildlife (CPW) external referral agency letters.

- a. TCHD has requested additional information from the applicant prior to providing complete comments and a favorable recommendation for the project.
- b. CDPHE and CPW have provided guidelines for complying with all applicable rules and regulations.
- c. Applicant's response letters will be sent to the three external referral agencies in order to facilitate a second round of review and receive additional comments confirming support or opposition for the project.

Commenting Division: Development Services, Engineering

Complete

Name of Reviewer: Matt Emmens

Email and Phone Number: MEmmens@adcogov.org / 720-523-6826

ENG1: Flood Insurance Rate Map – FIRM Panel # (08001C0500H), Federal Emergency Management Agency, January 20, 2016. According to the above reference, the western portion of the project site is located within a delineated 100-year flood hazard zone; A floodplain use permit will be required for any improvements within the floodplain area.

ENG2: The applicant shall be responsible to ensure compliance with all Federal, State, and Local water quality construction requirements. The project site is within the County's MS4 Stormwater Permit area. In the event that the disturbed area of the site exceeds 1 acre the applicant shall be responsible to prepare the SWMP plan using the Adams County ESC Template, and obtain both a County SWQ Permit and State Permit COR400000. The installation of erosion and sediment control BMPs is expected for any ground disturbance.

ENG3: LOW IMPACT DEVELOPMENT (LID) STANDARDS AND REQUIREMENTS Section 9-01-03-14:

All construction projects shall reduce drainage impacts to the maximum extent practicable, and implement practices such as:

1. On-site structural and non-structural BMPs to promote infiltration, evapo-transpiration or use of stormwater,
2. Minimization of Directly Connected Impervious Area (MDCIA),
3. Green Infrastructure (GI),
4. Preservation of natural drainage systems that result in the infiltration, evapo-transpiration or use of stormwater in order to protect water quality and aquatic habitat.
5. Use of vegetation, soils, and roots to slow and filter stormwater runoff.
6. Management of stormwater as a resource rather than a waste product by creating functional, attractive, and environmentally friendly developments.
7. Treatment of stormwater flows as close to the impervious area as possible.

LID shall be designed and maintained to meet the standards of these Regulations and the Urban Drainage and Flood Control District's Urban Storm Drainage Criteria Manual, Volume 3.

ENG4: Sustainable Development Practices Section 3-27-06-05-07-08:

To the maximum extent practicable, new buildings are encouraged to incorporate one or more of the following features:

1. Opportunities for the integration of renewable energy features in the design of buildings or sites, such as: solar, wind, geothermal, biomass, or low-impact hydro sources;
2. Energy-efficient materials, including recycled materials that meet the requirements of these regulations;
3. Materials that are produced from renewable resources;
4. Low-Impact Development (LID) stormwater management features;
5. A green roof, such as a vegetated roof, or a cool roof;
6. Materials and design meeting the U.S. Green Building Council's LEED-NC certification requirements;
7. A greywater recycling system.

ENG5: Applicant is proposing to install over 3,000 square feet of impervious area on the project site. A drainage report and drainage plans in accordance to Chapter 9 of the Adams County Development Review Manual, are required to be completed by a registered professional engineer and submitted to Adams County for review and final approval.

The applicant has previously stated that the site has no storm sewer outfall. If this is the case, the Applicant may submit a drainage map, showing the closed drainage basins and a letter of explanation; both documents are required to be stamped and signed by an engineer licensed in the State of Colorado.

ENG6: The applicant has submitted a trip generation letter with this application. The letter is sufficient as submitted.

ENG7: If the applicant proposes to import soil to this site, additional permitting is required. Per section 4-05-02-07, of the Adams County Development Standards and Regulations, a Temporary or Conditional Use Permit is required to ensure that only clean, inert soil is imported into any site within Unincorporated Adams County. This regulation applies to ANY amount of soil imported to a site.

ENG8: Prior to the issuance of any building permit(s), the developer is required to submit for review and receive approval of all construction documents (construction plans and reports). Construction documents shall include, at a minimum, onsite and public improvements construction plans, drainage report, traffic impact study/letter. All construction documents must meet the requirements of the Adams County Development Standards and Regulations. The developer shall submit to the Adams County Development Review Engineering division the following: Engineering Review Application, Engineering Review Fee, two (2) copies of all construction documents. The development review fee for an Engineering Review is dependent on the type of project and/or the size of the project. The Development Review fee can be found in the Development Services Fee Schedule, located on the following web page: <http://www.adcogov.org/one-stop-customer-center>.

ENG9: The developer is responsible for the repair or replacement of any broken or damaged County infrastructure.

Commenting Division: Development Services, Right-of-Way

Resubmittal Required

Name of Reviewer: Marissa Hillje

Email and Phone Number: mhillje@adcogov.org / 720-523-6837

ROW1: 112th Ave is classified as a collector road which requires 40 ft for the ½ street. It appears that there has not been a right of way dedication for 112th Ave along the property line, and the existing 1/2 street width is 0. A right of way dedication may be required to meet the 40ft.

ROW2: Rector Leader Road is classified as a minor arterial per the 2012 Adams County Master Transportation Plan. As such it should have a half right-of-way width of 60 feet. Since the existing half right-of-way width is 0 feet, this would require a dedication of 60 feet additional right-of-way. The services of a licensed Professional Land Surveyor should be secured to create the legal description and exhibit of the right-of-way dedication. For additional information on dedication document specifics and process please go to <http://www.adcogov.org/documents/adams-county-easement-or-right-way-dedication-packet>.

ROW3: The County will require the owner to grant an open space and drainage easement for the area in the flood plain along Bijou Creek in order for the County to access and maintain the banks of the creek if needed. Structures will not be permitted within this easement.

ROW4: With the building permit and ROW dedication, a title commitment should be submitted, which should be used to depict the applicable recordings on the site plan. Send Adams County a copy of the title commitment with your application dated no later than 30 days to review in order to ensure that any other party's interests are not encroached upon.

Commenting Division: Development Services, Addressing
Name of Reviewer: Marissa Hillje
Email and Phone Number: mhillje@adcogov.org / 720-523-6837

Complete

No comment.

Commenting Division: Development Services, Environmental Analyst
Name of Reviewer: Katie Keefe
Email and Phone Number: KKeefe@adcogov.org / 720-523-6986

Complete

No comment.

Commenting Division: Parks and Open Space
Name of Reviewer: Aaron Clark
Email and Phone Number: AClark@adcogov.org / 720-523-8005

Complete

No comment.

Commenting Division: Development Services, Building and Safety
Name of Reviewer: Justin Blair
Email and Phone Number: jblair@adcogov.org / 720-523-6843

Complete

BSD1- Building permits would be required. Engineered plans will be required to obtain permits.

BSD2- Applicant should refer to commercial and industrial submittal requirements.

BSD3- Current adopted codes are the 2018 International Building Codes and the 2017 National Electrical Code.

BSD4- Applicant should contact Fire Department for their requirements.

External Referral Agency Comments

Re: Request for Comments: RCU2019-00039 Colorado Rifle Club CUP Amendment 3



Hackett - CDPHE, Sean <sean.hackett@state.co.us>
To: Holden Pederson

Reply Reply All Forward Fri 10/4/2019 8:01 AM

If there are problems with how this message is displayed, click here to view it in a web browser.



Public Health - This email and any attachments are UNCLASSIFIED//FOR OFFICIAL USE ONLY (U//FOUO).

Good evening, Holden:

The Colorado Department of Public Health and Environment (CDPHE) appreciates the opportunity to comment on this proposal. Please note that the following requirements are not intended to be an exhaustive list and it is ultimately the responsibility of the applicant to comply with all applicable rules and regulations.

Air Quality

Under Colorado air quality regulations, air development refers to all land clearing activities, including but not limited to land preparation such as excavating or grading, for residential, commercial or industrial development. Land development activities release fugitive dust, a pollutant regulated by the Division. Street and development activities are not subject to the same reporting and permitting requirements as large land use sites. Specifically, land development activities that are less than 25 contiguous acres and less than 100,000 square feet do not require a permit or permit modification. It is important to note that even a permit is not required, fugitive dust control measures required for Land Development APEN Form APD-223 must be followed at the site. Fugitive dust control techniques commonly included in the plan are included in the table below.

Control Options for Landfill Activities	
Grading	Use of erosion control
Paving	Controlling vehicle speed
Graveling	Controlling vehicle speed

Control Options for Mud and Soil Drift Control BMPs	
Gravel	Use of erosion control
Gravel only areas	Washing vehicle wheels
Graveling the road	Washing vehicle wheels

Control Options for Disturbed Areas	
Paving	Application of a surface stabilizer
Graveling	Controlling vehicle speed
Graveling the road	Washing the soil
Washing the road	Washing the soil
Washing the road	Washing the soil
Washing the road	Washing the soil

A copy of the APEN Form APD-223 is included with this letter. For future reference, please refer to the website <http://www.colorado.gov/pacific/dph/air-quality> for information on land use APENs and permit forms. Click on 'Land Development' to access the land development APEN forms. Please contact Chris Heston, Construction Permits Unit Supervisor, at 303-692-3988 if you have any specific questions about APENs and permit forms.

Water Quality

The Colorado Rifle Club proposal appears to result in a change in status for state water and wastewater requirements. When complete, the club will likely meet the definition of a public water system per Item 11.2.8(2)(c) of the Colorado Primary Drinking Water Regulations, Regulation 111. At this time, the club would need to meet all applicable requirements of Regulation 111 including, but not limited to design review and approval, technical, engineering, and financial review and approval, having a certified operator, and routine monitoring and reporting. In addition, the proposed design appears to have buildings or groups of buildings that are not subject to permitting under the 2010 version of the National Sanitation Foundation (NSF) 61. If the club requirements require the design, approval, construction, and monitoring of a domestic wastewater treatment system prior to discharging to waters of the state, the applicant may require further information to make a permit determination under the state rule. Further information will include wastewater treatment systems or require a domestic wastewater treatment system. The division requests that Colorado Rifle Club work through the wastewater flow requirements with the division prior to finalizing their Conditional Use Permit Amendment since the wastewater system design may have significant impacts on the overall hydro-geologic conditions.

The system may contact Brad Kung'u, Engineering Section Manager by email at brad.kung'u@state.co.us or by telephone at 303-692-3275.

Soil and Wetlands/Water

The applicant should ensure compliance of access provided from the access and drive to their property. All Colorado soil conservation and wetlands/water resources are regulated, in application.

Soil water requirements are available from <http://www.colorado.gov/pacific/dph/soil-water>

Wetlands water requirements are available from <http://www.colorado.gov/pacific/dph/wetlands>

Thank you.

Sean Hackett
Air Quality Section

P: 303.692.3982 | F: 303.691.7700
4001 Stout Street, Denver, Colorado 80202
www.colorado.gov | www.cdphe.state.co.us
How Feedback is Important to us: Please Visit www.colorado.gov from Left to Right.



Right of Way & Permits
1123 West 3rd Avenue
Denver, Colorado 80223
Telephone: 303.671.3308
Facsimile: 303.571.5284
donna.l.george@xcelenergy.com

October 4, 2019

Adams County Community and Economic Development Department
4430 South Adams County Parkway, 3rd Floor, Suite W3000
Brighton, CO 80601

Attn: Holden Pederson

Re: Colorado Rifle Club CUP Amendment No. 3, Case # RCU2019-00039

Public Service Company of Colorado's Right of Way & Permits Referral Desk has reviewed the plans for Colorado Rifle Club CUP A3 and has no apparent conflict.

Donna George
Right of Way and Permits
Public Service Company of Colorado dba Xcel Energy
Office: 303-571-3306 – Email: donna.l.george@xcelenergy.com



October 3, 2019

Holden Pederson
Adams County Community and Economic Development
4430 South Adams County Parkway, Suite W2000A
Brighton, CO 80601

RE: Colorado Rifle Club, RCU2019-00039
TCHD Case No. 5855

Dear Mr. Pederson,

Thank you for the opportunity to review and comment on the Conditional Use Permit Amendment for a range expansion and clubhouse addition located at 76099 E. 96th Avenue. Tri-County Health Department (TCHD) staff has reviewed the application for compliance with applicable environmental and public health regulations and principles of healthy community design. After reviewing the application, TCHD has the following comments.

Onsite Wastewater Treatment System (OWTS) Feasibility

Proper wastewater management promotes effective and responsible water use, protects potable water from contaminants, and provides appropriate collection, treatment, and disposal of waste, which protects public health and the environment.

The proposed project is to be served by the use of an On-Site Wastewater Treatment System (OWTS). Before TCHD can provide complete comments and a favorable recommendation, more information is needed from the applicant.

The proposal includes construction of a new clubhouse with restrooms, showers, and a kitchen, an RV dump station, new RV parking with water and sewer connections, and multiple vaulted toilets. TCHD does not have sufficient information to assess the adequacy or feasibility of the OWTS. For example, if the quantity of wastewater generated from the facility exceeds 2000 gallons per day, an OWTS permitted by TCHD is not feasible. In order for TCHD to determine if an OWTS is feasible, we recommend that the applicant provide a preliminary engineering analysis and design. The analysis and design shall include the following:

1. Calculations showing the quantity of wastewater flow and wastewater strength. Estimates of flow and strength can be obtained from TCHD Regulation No. O-17, On-Site Wastewater Treatment Systems (O-17), Table 3, or from an analysis of wastewater flows and strengths from comparable facilities.

2. Sizing calculations for the required septic tank, higher level treatment unit (if applicable), and STA, based on the applicable criteria in O-17 and an evaluation of soils at the proposed STA location.
3. A drawing showing locations of the OWTS components, e.g., septic tank, higher level treatment unit (if applicable) and primary and reserve soil treatment areas (STA) areas. The STA location shall be in an unpaved area, not used for vehicle traffic or parking. Furthermore, the location of both the existing and proposed OWTS must meet all required minimum horizontal distances as outlined in Tri-County Health Department Regulation Number O-17, Table 6. This includes setbacks from the OWTS to retention ponds as well as potable water supply components.

More information is available at <http://www.tchd.org/269/Septic-Systems>.

Upon receipt of the preliminary engineering analysis and design, TCHD will review the report and make a determination of the feasibility of the OWTS.

The applicant may contact Michael Weakley at (720) 200-1593 or mweakley@tchd.org with questions or for more information.

Wastes from RV Holding Tanks

The case referral materials indicate that an RV dump station is proposed. RV waste typically contains chemicals, e.g. formaldehyde and bronopol, which may be toxic if placed in a typical OWTS. Due to the toxicity of RV waste, TCHD requires that a designated holding tank or vault be used for the disposal of this waste. The vault or holding tank will need to be permitted, constructed, and operated in conformance with TCHD's current regulation. In order to start the process, the applicant may contact TCHD Aurora East Office, 15400 E. 14th Place - Suite 115, Aurora, CO 80011, 303-341-9370. More information is available at <http://www.tchd.org/269/Septic-Systems>.

Public Water System

Systems serving 25 or more persons on average, a minimum of 60 days per year are subject to regulation by the Colorado Department of Public Health and Environment (CDPHE) as a non-community drinking water system. The current water system may already be approved by CDPHE and have a Public Water Supply Identification (PWSID) with CDPHE. If this is the case, no additional action should be required, unless the system will need to be expanded. If the water system is not approved by CDPHE, or if it will need to be expanded, the applicant shall contact the CDPHE Drinking Water Section at (303) 692-3500 or <https://www.colorado.gov/pacific/cdphe/drinking-water> to determine requirements for the drinking water system.

Suicide Prevention

Suicide is the 7th leading cause of death in Colorado for all ages and the 2nd leading cause of death for those ages 10-24. While suicide method varies by age group and

Colorado Rifle Club
October 3, 2019
Page 3 of 3

gender, firearms account for a majority of suicide deaths. It has been found that access to firearms is a risk factor for suicide and reducing access to such means when someone may be suicidal can save lives. The Gun Shop Project seeks to partner with gun shop retailers and range owners promote suicide prevention through education and recognition of suicidal behavior. TCHD recommends the applicant participate in the program. More information along with free handouts, tip sheets, and posters can be found at <https://www.colorado.gov/pacific/cdphe/gun-safety-suicide>.

Lead Ammunition


When ingested or inhaled, lead can have adverse effects on human health, including but not limited to kidney dysfunction, high blood pressure, neurological disorders, and behavior and learning problems in children, and can be harmful to wildlife and the environment. Corrective Action at Outdoor Shooting Ranges Guidance Document, provided by Colorado Department of Health and Environment (CDPHE), and Best Management Practices for Lead at Outdoor Shooting Ranges, provided by the United States Environmental Protection Agency (EPA) provide guidance and best management practices for mitigating the impacts of lead on the environment and human health. TCHD recommends the applicant develop and implement practices based on the guidance documents.

Clean-Up of Closed Sites

Once the site is no longer operating as a shooting range, the site must be remediated to remove any lead hazards. For more information, the operator may contact the Colorado Department of Health and Environment Voluntary Clean Up Program at (303) 692-3320 or the Hazardous Waste Corrective Action Unit under the Resource Conservation and Recovery Act (RCRA) at 303-692-3368. More information is available here https://www.colorado.gov/pacific/sites/default/files/HM_outdoor-shooting-ranges.pdf

Please feel free to contact me at 720-200-1575 or kboyer@tchd.org if you have any questions about TCHD's comments.

Sincerely,



Kathy Boyer, REHS
Land Use and Built Environment Specialist III

cc: Sheila Lynch, Dylan Garrison, Michael Weakley, TCHD



COLORADO
Parks and Wildlife

Department of Natural Resources

Northeast Regional Office

6060 Broadway

Denver, CO 80216

P 303.291.7227

October 2, 2019

Holden Pederson
Adams County
Community and Economic Development Department
4430 South Adams County Parkway
Suite W2000A
Brighton, CO 80601-8216

RE: Request for Conditional Use Permit Amendment for the Colorado Rifle Club range expansion and clubhouse addition. (Case Number RCU2019-00039)

Dear Mr. Pederson:

Thank you for the opportunity to comment on the Colorado Rifle Club CUP Amendment 3. The mission of Colorado Parks and Wildlife (CPW) is to perpetuate the wildlife resources of the state, to provide a quality state parks system, and to provide enjoyable and sustainable outdoor recreation opportunities that educate and inspire current and future generations to serve as active stewards of Colorado's natural resources. Our goal in responding to land use proposals such as this is to provide complete, consistent, and timely information to all entities who request comment on matters within our statutory authority.

The proposed Conditional Use Permit Amendment for the 2,560-acre Colorado Rifle Club range is located at 76099 East 96th Avenue, Adams County, Colorado (Parcel # 0173500000007, 0173500000008, 0173500000009, 0173500000011, 0173500000012, 0173500000017, 0173500000019, 0173500000066, 0173500000067, 0173500000084, and 0173500000089). The proposal is to expand the rifle range facilities.

- Phase one will be construction of a new Club House, gravel parking lot, and RV dump station.
- Phase two will be construction of a new long range precision facility that will extend for one-mile with 15-foot high berms and new RV pads.
- Phase three will add be an expansion of the East Range with additional bays, one-mile long road on the south line of section 10, and additional RV sites.
- Phase four will be the construction of a small residential house.

The Colorado Rifle Range is currently surrounded by agricultural lands and few single-family homes.

District Wildlife Manager Serena Rocksund recently visited this site. The main impacts to wildlife from this facility include fragmentation and loss of habitat. However, by creating CRP land buffers for safe shooting this promotes wildlife habitat.



CPW would expect a variety of wildlife species to utilize this site on a regular basis, most notably, small to mid-sized mammals, pheasants, turkeys, songbirds, raptors, and reptiles. The potential also exists for large mammals, such as deer and pronghorn, to frequent this site.

Raptors

For further information on ways to minimize impact on raptors, a copy of the document "Recommended Buffer Zones and Seasonal Restrictions for Colorado Raptors¹," is available from your local District Wildlife Manager. Following the recommendations outlined in this document will decrease the likelihood of unintentional take of nesting raptors through disturbance.

Prairie Dogs

If prairie dog colonies are present, CPW would recommend they either be captured alive and moved to another location or humanely euthanized before any earth-moving occurs. The possibility of live-trapping and donating to a raptor rehabilitation facility or the black-footed ferret recovery program is another reasonable option. If interested, please contact the local District Wildlife Manager. Be aware that a permit and approval from CPW is required for live relocation.

Burrowing Owls

If a prairie dog colony is discovered within the project area, the potential may also exist for the presence of burrowing owls. These raptors are classified as a state threatened species and are protected by both state and federal laws, including the Migratory Bird Treaty Act. Therefore, if any earth-moving will begin between March 15th and October 31st, a burrowing owl presence/absence survey² should be performed.

Thank you again for the opportunity to comment on the Colorado Rifle Club CUP Amendment 3. Please do not hesitate to contact us again about ways to continue managing the property in order to maximize wildlife value while minimizing potential conflicts. If you have any further questions, please contact District Wildlife Manager Serena Rockbund at (303) 291-7132 or serena.rockbund@state.co.us.

Sincerely,



Matt Martinez
Area Wildlife Manager

¹ Copies of Raptors Buffer are available at:

<https://cpw.state.co.us/Documents/WildlifeSpecies/LivingWithWildlife/RaptorBufferGuidelines2008.pdf>

² Copies of Burrowing Owl Survey are available at:

<https://cpw.state.co.us/Documents/WildlifeSpecies/LivingWithWildlife/RecommendedSurveyOwls.pdf>

Cc: M. Leslie, T. Kroening, S. Rocksund

Public Comment

9/30/19

To whom it may concern regarding CRC
in Byers, Colorado.

The only thing I wish to convey
is the members that frequent the area.
They seem to forget that they are driving
in a rural area. They will encounter
large trucks & farm equipment on the
roads. We ask that they understand this
is where we live & they are guests in
the area. On several occasions people
leaving CRC on 96th, they have failed
to look both ways when exiting and
come close to more than a few accidents
on 96th. So all we request is some
respect for our community. Thank you!

Weg & Andrea Pearson
owners of neighboring land.



Development Team Review Comments

The following comments have been provided by reviewers of your land use application. At this time, a resubmittal of your application is required before this case is ready to be scheduled for public hearing.

To prepare your resubmittal, you will be expected to provide:

- A response to each comment with a description of the revisions and the page of the response on the site plan;
- Any revised plans or renderings; and
- A list identifying any additional changes made to the original submission other than those required by staff.

Resubmittal documents must be provided in person to the One-Stop Customer Service Center of the Community and Economic Development Department. The following items will be expected by our One-Stop Customer Service Center:

- One paper copy of all new materials
 - Paper copies shall not exceed 11"x17" (exception shall be made only for construction drawings or engineering plan review)
 - All paper copies shall be accompanied by the attached Resubmittal Form
- One digital copy of all new materials
 - All digital materials shall be in a single PDF document
 - The single PDF document shall be bookmarked
 - If a Subdivision Improvements Agreement, Legal Description, or Development Agreement is required, then an additional Microsoft Word version of these documents shall also be provided



Re-submittal Form

Case Name/ Number: _____

Case Manager: _____

Re-submitted Items:

- Development Plan/ Site Plan
- Plat
- Parking/ Landscape Plan
- Engineering Documents
- Subdivision Improvements Agreement
- Other: _____

*** All re-submittals must have this cover sheet and a cover letter addressing review comments.**

Please note the re-submittal review period is 21 days.

The cover letter must include the following information:

- Restate each comment that requires a response
- Provide a response below the comment with a description of the revisions
- Identify any additional changes made to the original document

For County Use Only:

Date Accepted:

Staff (accepting intake):

Resubmittal Active: ~~Addressing, Building Safety, Neighborhood Services,~~

~~Engineering, Environmental, Parks, Planner, ROW, SIA - Finance, SIA - Attorney~~

Commenting Division: Development Services, Planning

Resubmittal Required

Name of Reviewer: Holden Pederson

Email and Phone Number: HPederson@adcogov.org / 720-523-6847

PLN1: Applicant has submitted Exhibit B which demonstrates compliance with the required setbacks for a principal structure in the A-3 zone district. Applicant has also received section line waivers from the Public Works Department.

PLN2: Applicant is currently working with the Building Safety Department to bring all unpermitted structures on the property into compliance and to receive building permits. ***Please provide an update on this process so that this information can be included in public hearing presentations and the staff report.***

PLN3: Applicant has confirmed compliance with all performance standards for Gun and Archery Ranges.

- a. Performance standards for fencing, warning signs, and bufferyards are being addressed through a separate Administrative Relief from Landscaping Requirements application.
- b. Applicant is currently coordinating with staff to obtain waivers and disclosures from nearby residentially used properties (performance standard #2) that were not addressed during the last Conditional Use Permit application (2007). ***Conformance with the "Setback from Residential Properties" performance standard must be confirmed by the Director of Community and Economic Development Department prior to scheduling public hearings.***

PLN4: The existing and proposed RV Pads have been determined by the Community and Economic Development Department to be an accessory use to the Gun and Archery Ranges rather than a second principal use (Recreational Vehicle Commercial Campground) that would require a separate Conditional Use Permit in the A-3 zone district. This accessory use was originally established through previous Conditional Use Permit approvals as overnight parking and camping.

- a. Exhibit A and the application resubmittal have demonstrated conformance with most performance standards for Recreational Vehicle Commercial Campgrounds, including minimum parcel area, maximum density, duration of stay at campground, access, common recreation area, landscaping (addressed through the separate administrative relief from landscaping application), recreational vehicle campground requirements, permitted accessory uses, manager housing, and garbage collection.
- b. Performance standards for Recreational Vehicle Campgrounds not met include direct access to an arterial road of highway as well as the requirement for all recreational vehicle and guest parking spaces and drives to be paved with asphalt or concrete (gravel has been proposed for all internal drives that provide access to the RV pads and guest parking, as well as for all RV pads and guest parking).

PLN5: Applicant provided response letters to TCHD, CDPHE, and CPW. A second round of request for comments along with the applicant's response letters were sent by staff to the external referral agencies that provided comments during the 1st round of review.

- a. CDPHE responded with continued concern related to water quality and CPDHE's Water Quality Control Division. ***Applicant can either contact the CPDHE reviewer directly in order to address their comments and provide written confirmation from the Water Quality Control Division that the water quality issues have been resolved, or the applicant can provide a response through the application resubmittal that staff will forward to the CDPHE reviewer through a third request for comments letter.***
- b. TCHD and CPW did not respond with further concerns. No action required.

Commenting Division: Development Services, Engineering

Complete

Name of Reviewer: Matt Emmens

Email and Phone Number: MEmmens@adcogov.org / 720-523-6826

ENG 1: Flood Insurance Rate Map - FIRM Panel # (0800 1 COS OOH), Federal Emergency Management Agency, January 20, 2016. According to the above reference, the western portion of the project site is located within a delineated 100-year flood hazard zone; A floodplain use permit will be required for any improvements within the floodplain area.

CRC Response: No proposed work or phased project is indicated to be in or anticipated to be constructed in a mapped 100-year flood hazard zone.

County Comment: Comment Closed

ENG2: The applicant shall be responsible to ensure compliance with all Federal, State, and Local water quality construction requirements. The project site is within the County's MS4 Stormwater Permit area. In the event that the disturbed area of the site exceeds 1 acre the applicant shall be responsible to prepare the SWMP plan using the Adams County ESC Template, and obtain both a County SWQ Permit and State Permit COR400000. The installation of erosion and sediment control BMPs is expected for any ground disturbance.

CRC Response: It was indicated by Matt Emmons at our staff review meeting that we are not in the Counties MS4 Storm water Permit Area. We will prepare a SWMP plan and install erosion and sediment control BMP as indicated.

County Comment: If the applicant is disturbing more than one (1.0) acres of ground a State Storm Water Permit is required.

Comment Closed

ENG3: LOW IMPACT DEVELOPMENT (LID) STANDARDS AND REQUIREMENTS Section 9-01-03-14: All construction projects shall reduce drainage impacts to the maximum extent practicable, and implement practices such as:

1. On-site structural and non-structural BMPs to promote infiltration, evapo-transpiration or use of stormwater,
2. Minimization of Directly Connected Impervious Area (MDCIA),
3. Green Infrastructure (GI),
4. Preservation of natural drainage systems that result in the infiltration, evapo-transpiration or use of stormwater in order to protect water quality and aquatic habitat.
5. Use of vegetation, soils, and roots to slow and filter stormwater runoff.
6. Management of stormwater as a resource rather than a waste product by creating functional, attractive, and environmentally friendly developments.
7. Treatment of stormwater flows as close to the impervious area as possible.

LID shall be designed and maintained to meet the standards of these Regulations and the Urban Drainage and Flood Control District's Urban Storm Drainage Criteria Manual, Volume 3.

CRC Response: The CRC will endeavor to implement all LID standards and requirements to the maximum extent practicable.

County Comment: Comment Closed

ENG4: Sustainable Development Practices Section 3-27-06-05-07-08:

To the maximum extent practicable, new buildings are encouraged to incorporate one or more of the following features:

1. Opportunities for the integration of renewable energy features in the design of buildings or sites, such as: solar, wind, geothermal, biomass, or low-impact hydro sources;
2. Energy-efficient materials, including recycled materials that meet the requirements of these regulations;
3. Materials that are produced from renewable resources;

4. Low-Impact Development (LID) stormwater management features;
5. A green roof, such as a vegetated roof, or a cool roof;
6. Materials and design meeting the U.S. Green Building Council's LEED-NC certification requirements;
7. A greywater recycling system.

CRC Response: The first phase Club House is only a 3,000 SF structure but to the maximum extent practicable we hope to incorporate one or more of the above features.

County Comment: Comment Closed

ENG5: Applicant is proposing to install over 3,000 square feet of impervious area on the project site. A drainage report and drainage plans in accordance to Chapter 9 of the Adams County Development Review Manual, are required to be completed by a registered professional engineer and submitted to Adams County for review and final approval. The applicant has previously stated that the site has no storm sewer outfall. If this is the case, the Applicant may submit a drainage map, showing the closed drainage basins and a letter of explanation; both documents are required to be stamped and signed by an engineer licensed in the State of Colorado.

CRC Response: A document intitled Exhibit BD has been prepared which shows a contour map indicating that our facility does not drain to a receiving stream. Matt Emmens had given us a contact with DWR being Joanna Williams. A Drainage Report with attached topographic information has been forward to both parties. Attached is a response from the DNR indicating that natural low lying areas are not considered as retention ponds. Per Matthew Emmens no detention or release facilities are required for the proposed improvements to our facility.

County Comment: Confirmation has been received from the Division of Water Resources. Stormwater Detention and Water Quality will not be required for this development. Applicant will not need to prepare a drainage report.

Comment Closed.

ENG6: The applicant has submitted a trip generation letter with this application. The letter is sufficient as submitted.

CRC Response: We understand that no additional Traffic Reports or Studies will be necessary for this CUP application.

County Comment: Comment Closed

ENG7: If the applicant proposes to import soil to this site, additional permitting is required. Per section 4-05-02-07, of the Adams County Development Standards and Regulations, a Temporary or Conditional Use Permit is required to ensure that only clean, inert soil is imported into any site within Unincorporated Adams County. This regulation applies to ANY amount of soil imported to a site.

CRC Response: The CRC does not intend on importing any soil to this site. We may be bringing in gravel or filter material, but it will come from a registered, approved quarry.

County Comment: Comment Closed

ENG8: Prior to the issuance of any building permit(s), the developer is required to submit for review and receive approval of all construction documents (construction plans and reports). Construction documents shall include, at a minimum, onsite and public improvements construction plans, drainage report, traffic impact study/letter. All construction documents must meet the requirements of the Adams County Development Standards and Regulations. The developer shall submit to the Adams County Development Review Engineering division the following: Engineering Review Application, Engineering Review Fee, two (2) copies of all construction documents. The development review fee for an Engineering Review is dependent on the type of project and/or the size of the project. The Development Review fee can be found in the Development Services Fee Schedule, located on the following web page:

<http://www.adcogov.org/one-stop-customer-center>.

CRC Response: The CRC will be preparing construction documents and building plans for review by the engineering and building departments. We will be preparing preliminary documents in conjunction with the CUP process, but all formal submittals will be submitted after approval of the CUP. Staff indicated that no additional Traffic Study/Letter will be required.
County Comment: Comment Closed

ENG9: The developer is responsible for the repair or replacement of any broken or damaged County infrastructure.

CRC Response: The CRC will take responsibility for any damages we inflict on the County owned infrastructure.

County Comment: Comment Closed

Commenting Division: Development Services, Right-of-Way

Complete

Name of Reviewer: Marissa Hillje

Email and Phone Number: MHillje@adcogov.org / 720-523-6837

ROW1: No comments for the conditional use case.

ROW2: The applicant has requested a section line waiver of 50ft for the clubhouse. The section line waiver was approved by Public Works.

ROW3: The applicant has begun the process for right-of-way dedication for Rector Leader Road - but is still under review.

Commenting Division: Development Services, Environmental Analyst

Resubmittal Required

Name of Reviewer: Katie Keefe

Email and Phone Number: KKeefe@adcogov.org / 720-523-6986

ENV1. Please provide for review, if available, a Lead Management Plan for the Colorado Rifle Club shooting range detailing best management practices utilized by the facility to prevent migration of lead into the environment.

ENV2. The western side of the project area is partially covered by the 100-year floodplain.

ENV3. Associated with the floodplain is the Natural Resource Conservation Overlay (NRCO), which aims to protect important wildlife areas and designated floodplains and their riparian areas, among other things. See Section 3-38 of the Adams County Development Standards and Regulations for more details.

ENV4. If the land area disturbance within the NRCO is greater than one (1) acre, then a Resources Review must be completed so that findings and recommendations may be taken into consideration. All development must comply with the NRCO buffers/setbacks requirements in section 4-11-02-04-02.

External Referral Agency Comments

Re: Request for Comments: RCU2019-00039 Colorado Rifle Club CUP Amendment 3



Hackett - CDPHE, Sean <sean.hackett@state.co.us>
To: Holden Pederson

Reply Reply All Forward

Fri 12/13/2019 3:29 PM

If there are problems with how this message is displayed, click here to view it in a web browser.

Please be cautious: This email was sent from outside Adams County

Good afternoon, Holden:

CDPHE provides the following additional comments.

Air Quality

Thank you for confirming that the proposed project is less than 25 acres. Although the grading project is unlikely to last for six months or more, if it is expected to last for longer than six months, a land development APEN would be required. Again, this sounds unlikely. However, it is important to note that even if a permit is not required, fugitive dust control measures included the Land Development APEN Form APCD-223 must be followed at the site.

Water Quality

The Water Quality Control Division (WQCD) has continued concerns. The applicant responded back as if the single building was the issue. WQCD has concerns that (1) the overall operation generates greater than 2,000 gallons of domestic wastewater per day, (2) the proposed expansion will exacerbate the issue, and (3) the applicant has not provided sufficient information to demonstrate the facility's wastewater treatment and disposal. The WQCD needs additional information to verify the current and proposed loadings to wastewater treatment facilities. Please provide sufficient information that will allow the division to evaluate the design capacity of existing and proposed wastewater treatment systems for the facility.

The system will likely meet the definition of a public water system once the club house construction is complete in 2020. Per communications, the owner is aware of the definition of a public water system and will contact the WQCD of any changes in the near future. The systems plans to use an existing well for the club house. Once a public water system, the owner must submit an application to the WQCD for drinking water sources, treatment, and storage and receive approval of all drinking water infrastructure prior to commencement of construction.

Please contact Bret Icenogle with the WQCD if you have any additional questions about water quality (bret.icenogle@state.co.us; 303-692-3278)

Thank you,

Sean Hackett
Energy Liaison



COLORADO
Department of Public
Health & Environment

P 303.692.3662 | F 303.691.7702

[4300 Cherry Creek Drive South, Denver, CO 80246](https://www.colorado.gov/government/locations/4300-Cherry-Creek-Drive-South-Denver-CO-80246)



December 30, 2019

Holden Pederson
Adams County Community and Economic Development
4430 South Adams County Parkway, Suite W2000A
Brighton, CO 80601

RE: Colorado Rifle Club, RCU2019-00039
TCHD Case No. 6046

Dear Mr. Pederson,

Thank you for the opportunity to review and comment on the resubmittal of a Conditional Use Permit Amendment for a range expansion and clubhouse addition located at 76099 E. 96th Avenue. Tri-County Health Department (TCHD) staff previously reviewed the application and provided comments in a letter dated October 3, 2019. TCHD received a response from the applicant, dated October 30, 2019. After reviewing the resubmittal, TCHD has the following comments.

On-Site Wastewater Treatment System (OWTS) – New or Expanded

Proper wastewater management promotes effective and responsible water use, protects potable water from contaminants, and provides appropriate collection, treatment, and disposal of waste, which protects public health and the environment. Based on the information submitted by the applicant, and dated October 3, 2019, TCHD has no objection to the property being served by OWTS provided that the systems are permitted, inspected and operated in accordance with TCHD's current OWTS Regulation. Based on the applicant's description, a permit for the installation and final approval of the OWTS is required. In order to start the process, the applicant may contact the TCHD Aurora East Office, 15400 E. 14th Place - Suite 115, Aurora, CO 80011, 303-341-9370. More information is available at <http://www.tchd.org/269/Septic-Systems>.

Wastes from RV Holding Tanks

The case referral materials indicate that an RV dump station is proposed. RV waste typically contains chemicals, e.g. formaldehyde and bronopol, which may be toxic if placed in a typical OWTS. Due to the toxicity of RV waste, TCHD requires that a designated holding tank or vault be used for the disposal of this waste. The vault or holding tank will need to be permitted, constructed, and operated in conformance with TCHD's current regulation. In order to start the process, the applicant may contact TCHD Aurora East Office, 15400 E. 14th Place - Suite 115, Aurora, CO 80011, 303-341-9370. More information is available at <http://www.tchd.org/269/Septic-Systems>.

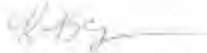
Colorado Rifle Club
December 30, 2019
Page 2 of 2

Public Water System

Public Water Systems are subject to regulation by the Colorado Department of Public Health and Environment (CDPHE). The applicant shall obtain written proof from the CDPHE Drinking Water Section indicating that the system, as described, does not meet the definition of a Public Water System. The Drinking Water Section may be contacted at (303) 692-3500 or <https://www.colorado.gov/pacific/cdphe/drinking-water>.

Please feel free to contact me at 720-200-1575 or kboyer@tchd.org if you have any questions about TCHD's comments.

Sincerely,



Kathy Boyer, REHS
Land Use and Built Environment Specialist III

cc: Sheila Lynch, Dylan Garrison, Michael Weakley, TCHD

Public Comment

None received.

Community & Economic
Development Department
www.adcogov.org



4430 South Adams County Parkway
1st Floor, Suite W2000B
Brighton, CO 80601-8218
PHONE 720.523.6800
FAX 720.523.6967

Development Team Review Comments

The following comments have been provided by reviewers of your land use application. At this time, a resubmittal of your application is not required before this case is ready to be scheduled for public hearing.

BOARD OF COUNTY COMMISSIONERS

Eva J. Henry
DISTRICT 1

Charles "Chaz" Tedesco
DISTRICT 2

Emma Pinter
DISTRICT 3

Steve O'Dorisio
DISTRICT 4

Mary Hodge
DISTRICT 5

Commenting Division: Planning

Complete

Name of Reviewer: Holden Pederson

Email and Phone Number: HPederson@adcogov.org / 720-523-6847

PLN1: Staff is satisfied with the applicant's progress in bringing all unpermitted structures on the property into compliance and receiving new building permits. Please continue working with the Adams County Building Safety Department in order to receive all necessary building permits. If approved, a Condition of Approval will likely be attached to the Conditional Use Permit stating that all structures on the site over the minimum size requirement for a commercial land use must be permitted and any unpermitted structures must be removed from the site.

PLN2: Applicant has provided all required waivers and disclosures from nearby residentially used properties and has provided proof that those documents have been recorded with the Adams County Clerk and Recorder.

PLN3: Applicant has provided proof of correspondence with the Colorado Department of Public Health and Environment's Water Quality Control Division indicating that the department's reviewer is satisfied with the additional materials submitted by the applicant and that the project does not appear to require state review for wastewater or potable water infrastructure. The project has been confirmed by the department's reviewer as not meeting the delineation of a "Public Water System" or a "Public Waste Water Treatment System" and CPDHE's concerns have been addressed.

PLN4: Staff agrees with the applicant that the accessory overnight parking and camping use does in fact meet the performance standard for Recreational Vehicle Campgrounds that requires direct access to an arterial road or highway. East 96th Avenue is classified as a Section Line Arterial Roadway by the Adams County Transportation Plan.

Commenting Division: Environmental Analyst

Complete

Name of Reviewer: Katie Keefe

Email and Phone Number: KKeefe@adcogov.org / 720-523-6986

No comment.

From: [Hackett - CDPHE, Sean](#)
To: [Holden Pederson](#)
Subject: Re: Request for Comments: RCU2019-00039 Colorado Rifle Club CUP Amendment 3
Date: Friday, October 4, 2019 8:01:37 AM
Attachments: [APEN 223.PDF](#)

Please be cautious: This email was sent from outside Adams County

Good morning, Holden:

The Colorado Department of Public Health and Environment (CDPHE) appreciates the opportunity to comment on this proposal. Please note that the following requirements are not intended to be an exhaustive list and it is ultimately the responsibility of the applicant to comply with all applicable rules and regulations.

Air Quality

Under Colorado air quality regulations, land development refers to all land clearing activities, including but not limited to land preparation such as excavating or grading, for residential, commercial or industrial development. Land development activities release fugitive dust, a pollutant regulated by the Division. Small land development activities are not subject to the same reporting and permitting requirements as large land activities. Specifically, land development activities that are less than 25 contiguous acres and less than 6 months in duration do not need to report air emissions to the Division. It is important to note that even if a permit is not required, fugitive dust control measures included the Land Development APEN Form APCD-223 must be followed at the site. Fugitive dust control techniques commonly included in the plan are included in the table below.

Control Options for Unpaved Roadways	
Watering	Use of chemical stabilizer
Paving	Controlling vehicle speed
Graveling	
Control Options for Mud and Dirt Carry-Out Onto Paved Surfaces	
Gravel entry ways	Washing vehicle wheels
Covering the load	Not overfilling trucks
Control Options for Disturbed Areas	
Watering	Application of a chemical stabilizer
Revegetation	Controlling vehicle speed
Compaction	Furrowing the soil
Wind Breaks	Minimizing the areas of disturbance
Slopes	Synthetic or Natural Cover for

A copy of the APEN Form APCD-223 is included with this letter. For future reference, please refer to the website <https://www.colorado.gov/pacific/cdphe/air/air-permit> for information on land use APENs and permit forms. Click on "Land Development" to access the land development specific APEN form. Please contact Chip Hancock, Construction Permits Unit Supervisor, at 303-692-3168 if you have any specific questions about APENs and permit forms.

Water Quality

The Colorado Rifle Club proposal appears to result in a change in status per state water and wastewater requirements. When complete, the club will likely meet the definition of a public water system per item 11.2(6)(60) of the Colorado Primary Drinking Water Regulations (Regulation 11). At that time, the club would need to meet all applicable requirements of Regulation 11 including, but not limited to, design review and approval; technical, managerial, and financial review and approval; having a certified operator; and routine monitoring and reporting. In addition, the proposed design appears to have buildings or groups of buildings that have the potential to generate greater than 2,000 gallons of domestic wastewater per day. If so, club improvements require the design, approval, construction, and permitting of a domestic wastewater treatment works prior to discharging to waters of the state. The application does not provide sufficient information to make a definitive determination whether the site may continue operating with onsite wastewater treatment systems or require a domestic wastewater treatment works. The division requests that Colorado Rifle Club work through the wastewater flow projections with the division prior to finalizing their Conditional Use Permit Amendment since the wastewater system design may have significant impacts on the overall facility design and operations.

The system may contact Bret Icenogle, Engineering Section Manager by email at bret.icenogle@state.co.us or by telephone at 303-692-3278

Solid and Hazardous Wastes

The permittee should properly characterize all wastes generated from this project and ensure they are properly managed and disposed of in accordance with Colorado solid waste regulations and Colorado hazardous waste regulations, as applicable.

Solid waste regulations are available here: <https://www.colorado.gov/pacific/cdphe/swregs>.

Hazardous waste regulations are available here: <https://www.colorado.gov/pacific/cdphe/hwregs>.

Thank you,

Sean Hackett
Energy Liaison



P 303.692.3662 | F 303.691.7702

[4300 Cherry Creek Drive South, Denver, CO 80246](#)

sean.hackett@state.co.us | www.colorado.gov/cdphe

Your feedback is important to us! Please [let us know](#) how I am doing.

On Thu, Sep 12, 2019 at 10:17 AM Holden Pederson <HPederson@adcogov.org> wrote:

The Adams County Planning Commission is requesting comments on the following application: **Request for Conditional Use Permit Amendment for the Colorado Rifle Club range expansion and clubhouse addition.** This request is located at 76099 E 96th Avenue. The Assessor's Parcel Numbers are 017350000007,

From: [Hackett - CDPHE, Sean](#)
To: [Holden Pederson](#)
Subject: Re: Request for Comments: RCU2019-00039 Colorado Rifle Club CUP Amendment 3
Date: Friday, December 13, 2019 3:29:39 PM

Please be cautious: This email was sent from outside Adams County

Good afternoon, Holden:

CDPHE provides the following additional comments.

Air Quality

Thank you for confirming that the proposed project is less than 25 acres. Although the grading project is unlikely to last for six months or more, if it is expected to last for longer than six months, a land development APEN would be required. Again, this sounds unlikely. However, it is important to note that even if a permit is not required, fugitive dust control measures included the Land Development APEN Form APCD-223 must be followed at the site.

Water Quality

The Water Quality Control Division (WQCD) has continued concerns. The applicant responded back as if the single building was the issue. WQCD has concerns that (1) the overall operation generates greater than 2,000 gallons of domestic wastewater per day, (2) the proposed expansion will exacerbate the issue, and (3) the applicant has not provided sufficient information to demonstrate the facility's wastewater treatment and disposal. The WQCD needs additional information to verify the current and proposed loadings to wastewater treatment facilities. Please provide sufficient information that will allow the division to evaluate the design capacity of existing and proposed wastewater treatment systems for the facility.

The system will likely meet the definition of a public water system once the club house construction is complete in 2020. Per communications, the owner is aware of the definition of a public water system and will contact the WQCD of any changes in the near future. The systems plans to use an existing well for the club house. Once a public water system, the owner must submit an application to the WQCD for drinking water sources, treatment, and storage and receive approval of all drinking water infrastructure prior to commencement of construction.

Please contact Bret Icenogle with the WQCD if you have any additional questions about water quality (bret.icenogle@state.co.us; 303-692-3278)

Thank you,

Sean Hackett
Energy Liaison



P 303.692.3662 | F 303.691.7702

[4300 Cherry Creek Drive South, Denver, CO 80246](#)

sean.hackett@state.co.us | www.colorado.gov/cdphe

Your feedback is important to us! Please [let us know](#) how I am doing.

On Wed, Dec 11, 2019 at 3:31 PM Holden Pederson <HPederson@adcogov.org> wrote:

Hello Sean,

I hope you are well. The applicant for the Colorado Rifle Club CUP Amendment 3 recently resubmitted their application, which is available on the County's "Current Land Use Cases" webpage. Attached to this message is the applicant's response to your original referral comments.

If you would like to provide a second round of referral comments in response to the applicant's resubmittal, please send those comments directly to me by **12/30/19**.

Let me know if I can provide any additional information. Thank you,



Holden Pederson

Planner I, *Community and Economic Development*

ADAMS COUNTY, COLORADO

4430 S Adams County Pkwy, W2410

Brighton, CO 80601

O: 720.523.6847 | HPederson@adcogov.org

www.adcogov.org

From: Hackett - CDPHE, Sean <sean.hackett@state.co.us>

Sent: Friday, October 04, 2019 8:01 AM

To: Holden Pederson <HPederson@adcogov.org>

Subject: Re: Request for Comments: RCU2019-00039 Colorado Rifle Club CUP Amendment 3

Please be cautious: This email was sent from outside Adams County

From: [Icenogle - CDPHE, Bret](#)
To: [Wayne Harris](#)
Cc: [Holden Pederson](#); [Dennis Reul](#); [Sherri Stuska](#); [Dave Paananen](#); BillJack@danbridgeco.com
Subject: Re: CDPHE Adams County RCU2019-00039 Colorado Rifle Club CUP amendment 3
Date: Tuesday, January 21, 2020 3:29:15 PM

Please be cautious: This email was sent from outside Adams County

Wayne,

We had a chance to review the materials. Thank you for putting this information together. The project does not appear to require state review for the wastewater or potable water infrastructure.

Thank you,

Bret

Bret Icenogle, P.E.
Engineering Section Manager



P 303.692.3278 | F 303.758.1398
4300 Cherry Creek Drive South, Denver, Colorado 80246
bret.icenogle@state.co.us | www.colorado.gov/cdphe/wqcd

24-hr Environmental Release/Incident Report Line: [1.877.518.5608](tel:1.877.518.5608)

On Mon, Jan 13, 2020 at 9:36 AM Wayne Harris <wwharris@q.com> wrote:

Bret

It was good talking to you last week. I have tried to put together a narrative about the operations of the Colorado Rifle Club which is attached. We are a simple Club with very few amenities. The proposed Club House will be our first non-shooting venue open to the membership.

I hope that this report is satisfactory. Please let me know if you have any comments or questions.

Wayne Harris

From: Wayne Harris <wwharris@q.com>

Sent: Tuesday, January 07, 2020 2:05 PM

To: 'bret.icenogle@state.co.us' <bret.icenogle@state.co.us>

Cc: 'Dennis Reul' <denreul@comcast.net>; 'Sherri Stuska' <sherri@mavcom.com>; 'Dave Paananen' <dpaananen52@gmail.com>; 'BillJack@danbridgeco.com' <BillJack@danbridgeco.com>

Subject: Re: Adams County RCU2019-00039 Colorado Rifle Club CUP amendment 3

Bret

On 12/13/2019 you submitted comments to Adams County Planner Holden Pederson regarding our application for a Conditional Use Permit. The comments indicated that you feel that we will likely meet the delineation of a “Public Water System” and a “Public Waste Water Treatment System”. I have called today and left a message requesting a meeting to discuss the activities of our Facility. We need a better understanding of your requirements as we currently believe our shooting facility provides NO wastewater treatment.

Please reply or give me a call so we can set up a meeting.

Thanks

Wayne Harris

I am using the Free version of [SPAMfighter](#).
SPAMfighter has removed 15699 of my spam emails to date.

Do you have a [slow PC?](#) Try a free scan!



October 3, 2019

Holden Pederson
Adams County Community and Economic Development
4430 South Adams County Parkway, Suite W2000A
Brighton, CO 80601

RE: Colorado Rifle Club, RCU2019-00039
TCHD Case No. 5855

Dear Mr. Pederson,

Thank you for the opportunity to review and comment on the Conditional Use Permit Amendment for a range expansion and clubhouse addition located at 76099 E. 96th Avenue. Tri-County Health Department (TCHD) staff has reviewed the application for compliance with applicable environmental and public health regulations and principles of healthy community design. After reviewing the application, TCHD has the following comments.

Onsite Wastewater Treatment System (OWTS) Feasibility

Proper wastewater management promotes effective and responsible water use, protects potable water from contaminants, and provides appropriate collection, treatment, and disposal of waste, which protects public health and the environment.

The proposed project is to be served by the use of an On-Site Wastewater Treatment System (OWTS). Before TCHD can provide complete comments and a favorable recommendation, more information is needed from the applicant.

The proposal includes construction of a new clubhouse with restrooms, showers, and a kitchen, an RV dump station, new RV parking with water and sewer connections, and multiple vaulted toilets. TCHD does not have sufficient information to assess the adequacy or feasibility of the OWTS. For example, if the quantity of wastewater generated from the facility exceeds 2000 gallons per day, an OWTS permitted by TCHD is not feasible. In order for TCHD to determine if an OWTS is feasible, we recommend that the applicant provide a preliminary engineering analysis and design. The analysis and design shall include the following:

1. Calculations showing the quantity of wastewater flow and wastewater strength. Estimates of flow and strength can be obtained from TCHD Regulation No. O-17, On-Site Wastewater Treatment Systems (O-17), Table 3, or from an analysis of wastewater flows and strengths from comparable facilities.

2. Sizing calculations for the required septic tank, higher level treatment unit (if applicable), and STA, based on the applicable criteria in O-17 and an evaluation of soils at the proposed STA location.
3. A drawing showing locations of the OWTS components, e.g., septic tank, higher level treatment unit (if applicable) and primary and reserve soil treatment areas (STA) areas. The STA location shall be in an unpaved area, not used for vehicle traffic or parking. Furthermore, the location of both the existing and proposed OWTS must meet all required minimum horizontal distances as outlined in Tri-County Health Department Regulation Number O-17, Table 6. This includes setbacks from the OWTS to retention ponds as well as potable water supply components.

More information is available at <http://www.tchd.org/269/Septic-Systems>.

Upon receipt of the preliminary engineering analysis and design, TCHD will review the report and make a determination of the feasibility of the OWTS.

The applicant may contact Michael Weakley at (720) 200-1593 or mweakley@tchd.org with questions or for more information.

Wastes from RV Holding Tanks

The case referral materials indicate that an RV dump station is proposed. RV waste typically contains chemicals, e.g. formaldehyde and bronopol, which may be toxic if placed in a typical OWTS. Due to the toxicity of RV waste, TCHD requires that a designated holding tank or vault be used for the disposal of this waste. The vault or holding tank will need to be permitted, constructed, and operated in conformance with TCHD's current regulation. In order to start the process, the applicant may contact TCHD Aurora East Office, 15400 E. 14th Place - Suite 115, Aurora, CO 80011, 303-341-9370. More information is available at <http://www.tchd.org/269/Septic-Systems>.

Public Water System

Systems serving 25 or more persons on average, a minimum of 60 days per year are subject to regulation by the Colorado Department of Public Health and Environment (CDPHE) as a non-community drinking water system. The current water system may already be approved by CDPHE and have a Public Water Supply Identification (PWSID) with CDPHE. If this is the case, no additional action should be required, unless the system will need to be expanded. If the water system is not approved by CDPHE, or if it will need to be expanded, the applicant shall contact the CDPHE Drinking Water Section at (303) 692-3500 or <https://www.colorado.gov/pacific/cdphe/drinking-water> to determine requirements for the drinking water system.

Suicide Prevention

Suicide in the 7th leading cause of death in Colorado for all ages and the 2nd leading cause of death for those ages 10-24. While suicide method varies by age group and

gender, firearms account for a majority of suicide deaths. It has been found that access to firearms is a risk factor for suicide and reducing access to such means when someone may be suicidal can save lives. The Gun Shop Project seeks to partner with gun shop retailers and range owners promote suicide prevention through education and recognition of suicidal behavior. TCHD recommends the applicant participate in the program. More information along with free handouts, tip sheets, and posters can be found at <https://www.colorado.gov/pacific/cdphe/gun-safety-suicide>.

Lead Ammunition

When ingested or inhaled, lead can have adverse effects on human health, including but not limited to kidney dysfunction, high blood pressure, neurological disorders, and behavior and learning problems in children, and can be harmful to wildlife and the environment. Corrective Action at Outdoor Shooting Ranges Guidance Document, provided by Colorado Department of Health and Environment (CDPHE), and Best Management Practices for Lead at Outdoor Shooting Ranges, provided by the United States Environmental Protection Agency (EPA) provide guidance and best management practices for mitigating the impacts of lead on the environment and human health. TCHD recommends the applicant develop and implement practices based on the guidance documents.

Clean-Up of Closed Sites

Once the site is no longer operating as a shooting range, the site must be remediated to remove any lead hazards. For more information, the operator may contact the Colorado Department of Health and Environment Voluntary Clean Up Program at (303) 692-3320 or the Hazardous Waste Corrective Action Unit under the Resource Conservation and Recovery Act (RCRA) at 303-692-3368. More information is available here https://www.colorado.gov/pacific/sites/default/files/HM_outdoor-shooting-ranges.pdf

Please feel free to contact me at 720-200-1575 or kboyer@tchd.org if you have any questions about TCHD's comments.

Sincerely,



Kathy Boyer, REHS
Land Use and Built Environment Specialist III

cc: Sheila Lynch, Dylan Garrison, Michael Weakley, TCHD



December 30, 2019

Holden Pederson
Adams County Community and Economic Development
4430 South Adams County Parkway, Suite W2000A
Brighton, CO 80601

RE: Colorado Rifle Club, RCU2019-00039
TCHD Case No. 6046

Dear Mr. Pederson,

Thank you for the opportunity to review and comment on the resubmittal of a Conditional Use Permit Amendment for a range expansion and clubhouse addition located at 76099 E. 96th Avenue. Tri-County Health Department (TCHD) staff previously reviewed the application and provided comments in a letter dated October 3, 2019. TCHD received a response from the applicant, dated October 30, 2019. After reviewing the resubmittal, TCHD has the following comments.

On-Site Wastewater Treatment System (OWTS) – New or Expanded

Proper wastewater management promotes effective and responsible water use, protects potable water from contaminants, and provides appropriate collection, treatment, and disposal of waste, which protects public health and the environment. Based on the information submitted by the applicant, and dated October 3, 2019, TCHD has no objection to the property being served by OWTS provided that the systems are permitted, inspected and operated in accordance with TCHD's current OWTS Regulation. Based on the applicant's description, a permit for the installation and final approval of the OWTS is required. In order to start the process, the applicant may contact the TCHD Aurora East Office, 15400 E. 14th Place - Suite 115, Aurora, CO 80011, 303-341-9370. More information is available at <http://www.tchd.org/269/Septic-Systems>.

Wastes from RV Holding Tanks

The case referral materials indicate that an RV dump station is proposed. RV waste typically contains chemicals, e.g. formaldehyde and bronopol, which may be toxic if placed in a typical OWTS. Due to the toxicity of RV waste, TCHD requires that a designated holding tank or vault be used for the disposal of this waste. The vault or holding tank will need to be permitted, constructed, and operated in conformance with TCHD's current regulation. In order to start the process, the applicant may contact TCHD Aurora East Office, 15400 E. 14th Place - Suite 115, Aurora, CO 80011, 303-341-9370. More information is available at <http://www.tchd.org/269/Septic-Systems>.

Colorado Rifle Club
December 30, 2019
Page 2 of 2

Public Water System

Public Water Systems are subject to regulation by the Colorado Department of Public Health and Environment (CDPHE). The applicant shall obtain written proof from the CDPHE Drinking Water Section indicating that the system, as described, does not meet the definition of a Public Water System. The Drinking Water Section may be contacted at (303) 692-3500 or <https://www.colorado.gov/pacific/cdphe/drinking-water>.

Please feel free to contact me at 720-200-1575 or kboyer@tchd.org if you have any questions about TCHD's comments.

Sincerely,

A handwritten signature in cursive script, appearing to read 'K Boyer', followed by a horizontal line.

Kathy Boyer, REHS
Land Use and Built Environment Specialist III

cc: Sheila Lynch, Dylan Garrison, Michael Weakley, TCHD



COLORADO

Parks and Wildlife

Department of Natural Resources

Northeast Regional Office
6060 Broadway
Denver, CO 80216
P 303.291.7227

October 2, 2019

Holden Pederson
Adams County
Community and Economic Development Department
4430 South Adams County Parkway
Suite W2000A
Brighton, CO 80601-8216

RE: Request for Conditional Use Permit Amendment for the Colorado Rifle Club range expansion and clubhouse addition. (Case Number RCU2019-00039)

Dear Mr. Pederson:

Thank you for the opportunity to comment on the Colorado Rifle Club CUP Amendment 3. The mission of Colorado Parks and Wildlife (CPW) is to perpetuate the wildlife resources of the state, to provide a quality state parks system, and to provide enjoyable and sustainable outdoor recreation opportunities that educate and inspire current and future generations to serve as active stewards of Colorado's natural resources. Our goal in responding to land use proposals such as this is to provide complete, consistent, and timely information to all entities who request comment on matters within our statutory authority.

The proposed Conditional Use Permit Amendment for the 2,560-acre Colorado Rifle Club range is located at 76099 East 96th Avenue, Adams County, Colorado (Parcel # 0173500000007, 0173500000008, 0173500000009, 0173500000011, 0173500000012, 0173500000017, 0173500000019, 0173500000066, 0173500000067, 0173500000084, and 0173500000089). The proposal is to expand the rifle range facilities.

- Phase one will be construction of a new Club House, gravel parking lot, and RV dump station.
- Phase two will be construction of a new long range precision facility that will extend for one-mile with 15-foot high berms and new RV pads.
- Phase three will add be an expansion of the East Range with additional bays, one-mile long road on the south line of section 10, and additional RV sites.
- Phase four will be the construction of a small residential house.

The Colorado Rifle Range is currently surrounded by agricultural lands and few single-family homes.

District Wildlife Manager Serena Rocksund recently visited this site. The main impacts to wildlife from this facility include fragmentation and loss of habitat. However, by creating CRP land buffers for safe shooting this promotes wildlife habitat.



CPW would expect a variety of wildlife species to utilize this site on a regular basis, most notably, small to mid-sized mammals, pheasants, turkeys, songbirds, raptors, and reptiles. The potential also exists for large mammals, such as deer and pronghorn, to frequent this site.

Raptors

For further information on ways to minimize impact on raptors, a copy of the document “Recommended Buffer Zones and Seasonal Restrictions for Colorado Raptors¹,” is available from your local District Wildlife Manager. Following the recommendations outlined in this document will decrease the likelihood of unintentional take of nesting raptors through disturbance.

Prairie Dogs

If prairie dog colonies are present, CPW would recommend they either be captured alive and moved to another location or humanely euthanized before any earth-moving occurs. The possibility of live-trapping and donating to a raptor rehabilitation facility or the black-footed ferret recovery program is another reasonable option. If interested, please contact the local District Wildlife Manager. Be aware that a permit and approval from CPW is required for live relocation.

Burrowing Owls

If a prairie dog colony is discovered within the project area, the potential may also exist for the presence of burrowing owls. These raptors are classified as a state threatened species and are protected by both state and federal laws, including the Migratory Bird Treaty Act. Therefore, if any earth-moving will begin between March 15th and October 31st, a burrowing owl presence/absence survey²,” should be performed.

Thank you again for the opportunity to comment on the Colorado Rifle Club CUP Amendment 3. Please do not hesitate to contact us again about ways to continue managing the property in order to maximize wildlife value while minimizing potential conflicts. If you have any further questions, please contact District Wildlife Manager Serena Rocksund at (303) 291-7132 or serena.rocksund@state.co.us.

Sincerely,



Matt Martinez
Area Wildlife Manager

¹ Copies of Raptors Buffer are available at:
<https://cpw.state.co.us/Documents/WildlifeSpecies/LivingWithWildlife/RaptorBufferGuidelines2008.pdf>

² Copies of Burrowing Owl Survey are available at:
<https://cpw.state.co.us/Documents/WildlifeSpecies/LivingWithWildlife/RecommendedSurveyOwls.pdf>

Cc: M. Leslie, T. Kroening, S. Rocksund



Right of Way & Permits
1123 West 3rd Avenue
Denver, Colorado 80223
Telephone: **303.571.3306**
Facsimile: 303. 571.3284
donna.l.george@xcelenergy.com

October 4, 2019

Adams County Community and Economic Development Department
4430 South Adams County Parkway, 3rd Floor, Suite W3000
Brighton, CO 80601

Attn: Holden Pederson

Re: Colorado Rifle Club CUP Amendment No. 3, Case # RCU2019-00039

Public Service Company of Colorado's Right of Way & Permits Referral Desk has reviewed the plans for **Colorado Rifle Club CUP A3** and has no apparent conflict.

Donna George
Right of Way and Permits
Public Service Company of Colorado dba Xcel Energy
Office: 303-571-3306 – Email: donna.l.george@xcelenergy.com

9/30/19

To Whom it may concern regarding CRC
in Byers, Colorado.

The only thing I wish to convey
is the members that frequent the area.
They seem to forget that they are driving
in a rural area. They will encounter
large trucks & farm equipment on the
roads. We ask that they understand this
is where we live & they are guests in
the area. On several occasions people
leaving CRC on 96th, they have failed
to look both ways when exiting and
come close to more than a few accidents
on 96th. So all we request is some
respect for our community. Thank you.

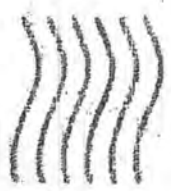
Alleg & Andrea Pearson
owners of neighboring land.

PEARSON
1851 Broadway - Clubswal
Bygone CD 8003

Colorado Rifle Club. Lin requirements to Ad's comments
7600 Yale St.
Arvada, CO 80007

DENVER CO SUE

01 OCT 2019 PM 7 L



80007-850202





Development Team Review Comments

The following comments have been provided by reviewers of your land use application. At this time, a resubmittal of your application is required before this case is ready to be scheduled for public hearing.

To prepare your resubmittal, you will be expected to provide:

- A response to each comment with a description of the revisions and the page of the response on the site plan;
- Any revised plans or renderings; and
- A list identifying any additional changes made to the original submission other than those required by staff.

Resubmittal documents must be provided in person to the One-Stop Customer Service Center of the Community and Economic Development Department. The following items will be expected by our One-Stop Customer Service Center:

- One paper copy of all new materials
 - Paper copies shall not exceed 11"x17" (exception shall be made only for construction drawings or engineering plan review)
 - All paper copies shall be accompanied by the attached Resubmittal Form
- One digital copy of all new materials
 - All digital materials shall be in a single PDF document
 - The single PDF document shall be bookmarked
 - If a Subdivision Improvements Agreement, Legal Description, or Development Agreement is required, then an additional Microsoft Word version of these documents shall also be provided



Re-submittal Form

Case Name/ Number: _____

Case Manager: _____

Re-submitted Items:

- Development Plan/ Site Plan
- Plat
- Parking/ Landscape Plan
- Engineering Documents
- Subdivision Improvements Agreement
- Other: _____

*** All re-submittals must have this cover sheet and a cover letter addressing review comments.**

Please note the re-submittal review period is 21 days.

The cover letter must include the following information:

- Restate each comment that requires a response
- Provide a response below the comment with a description of the revisions
- Identify any additional changes made to the original document

For County Use Only:

Date Accepted:

Staff (accepting intake):

Resubmittal Active: ~~Addressing, Building Safety, Neighborhood Services,~~

~~Engineering, Environmental, Parks, Planner, ROW, SIA - Finance, SIA - Attorney~~

Commenting Division: Development Services, Planning

Resubmittal Required

Name of Reviewer: Holden Pederson

Email and Phone Number: HPederson@adcogov.org / 720-523-6847

PLN1: Applicant must provide a response to the Colton Limited Liability Company's public referral comment. The access issue must be resolved prior to scheduling this case for a public hearing.

- a. Applicant can either contact the commenting member of the public directly in order to address their comments and provide written confirmation from the commenting member of the public that the access issue has been resolved, or the applicant can provide a response through the application resubmittal that staff will forward to the commenting member of the public through a second request for comments letter.
- b. Staff recommends that a private access easement is granted to the Colton Limited Liability Company or other operator. Please contact the County's Right-of-Way Agent Marissa Hillje for more information regarding the process for establishing private access easements.

PLN2: This request cannot leave any land adjoining the roadway without an established public road or private access easement connecting said land with another established public road. All properties impacted by this request are owned by the Colorado Rifle Club, including the property on which the Colton Limited Liability Company is operating.

Commenting Division: Development Services, Engineering

Resubmittal Required

Name of Reviewer: Matt Emmens

Email and Phone Number: MEmmens@adcogov.org / 720-523-6826

ENG1: Vacation of the E 112th Ave ROW would create a land locked parcel (Parcel #0173500000009). The County cannot create a land locked parcel through a vacation. The applicant will need to either file a land survey plat to combined parcels (Parcel #0173500000009 and #0173500000008) or file a quit claim deed to remove the common property line.

Commenting Division: Development Services, Right-of-Way

Resubmittal Required

Name of Reviewer: Marissa Hillje

Email and Phone Number: mhillje@adcogov.org / 720-523-6837

ROW1: A Copy of a vacation plat was not submitted. Please revisit the application checklist and documents for more information on what is required for this case.

ROW2: Submit a title commitment which should be used to depict the applicable recordings on the plat. Send Adams County a copy of the title commitment with your application dated no later than 30 days to review in order to ensure that any other party's interests are not encroached upon. All applicable easements/exceptions should be accurately shown and labeled on the plat.

Commenting Division: Development Services, Addressing

Complete

Name of Reviewer: Marissa Hillje

Email and Phone Number: mhillje@adcogov.org / 720-523-6837

No comment.

Commenting Division: Development Services, Environmental Analyst

Complete

Name of Reviewer: Katie Keefe

Email and Phone Number: KKeefe@adcogov.org / 720-523-6986

No comment.

Commenting Division: Development Services, Building and Safety
Name of Reviewer: Justin Blair
Email and Phone Number: jblair@adcogov.org / 720-523-6843

Complete

No comment.

Commenting Division: Neighborhood Services
Name of Reviewer: Gale Moon
Email and Phone Number: GMoon@adcogov.org / 720-523-6833

Complete

No comment.

Commenting Division: Parks and Open Space
Name of Reviewer: Aaron Clark
Email and Phone Number: AClark@adcogov.org / 720-523-8005

Complete

No comment.

External Agency Referral Comments:



Right of Way & Permits
1123 West 3rd Avenue
Denver, Colorado 80223
Telephone: 303.571.3306
Facsimile: 303.571.3284
donna.l.george@xcelenergy.com

December 17, 2019

Adams County Community and Economic Development Department
4430 South Adams County Parkway, 3rd Floor, Suite W3000
Brighton, CO 80601

Attn: Holden Pederson

Re: Colorado Rifle Club Roadway Vacation, Case # VAC2019-00004

Public Service Company of Colorado's Right of Way & Permits Referral Desk has reviewed the documentation for **Colorado Rifle Club Roadway Vacation** and has **no conflict** with the vacation of a portion of East 112th Avenue.

Donna George
Right of Way and Permits
Public Service Company of Colorado dba Xcel Energy
Office: 303-571-3306 – Email: donna.l.george@xcelenergy.com

Public Referral Comments:

COLTON LIMITED LIABILITY COMPANY

P.O. Box 900, Denver, Colorado, 80201, 303-297-0347

December 23, 2019

Adams County
Community & Economic
Development Department
4430 South Adams County Parkway
Suite W2000A
Brighton CO 80601-8216

JJPederson@adco.gov.org

Re: **Colorado Rifle Club Roadway Vacation**
Case Number: VAC2019-00004

This comment letter is written in response to your letter dated December 5, 2019 regarding the captioned application. **Colton Limited Liability Company** ("Colton") is the operator of the following described oil and gas well which requires that portion of East 112th Avenue between Rector Leader Road and its lease road which exits 112th Avenue north through sec. 3 to its battery and well site for access:

Linnebur #21-3 well

Location: T2S-R60W

Sec 3: NE1/4NW1/4

API #05-001-08151

Colton makes the following points against the proposed vacation application:

1. There is no alternate access available to Colton if this portion of 112th Avenue were to be vacated. If this vacation application is approved Colton will be forced to abandon the well which will cause substantial economic loss not only to Colton but also to the royalty owners which own the minerals under the NE1/4NW1/4 of section 3.
2. I would like to mention that Colton did not receive proper notice of this application when it is apparent from both the real property records of Adams County and the Colorado Oil & Gas Conservation Commission that Colton is the operator and owner of the well. It appears that notice was given to Koch Industries and Anadarko Land Corporation only.
3. The Warranty Deed dated June 24, 2014 from Linnebur Farms Corporation, as grantor, to Colorado Rifle Club, as grantee, conveying the W1/2 of section 3, recorded at reception #2014-00041136, and included in the vacation application, specifically states that the property is conveyed subject to the rights of third parties not shown in the public records and of which grantee has actual knowledge. The Colorado Rifle Club had actual knowledge of the existence of the well because they noticed both Koch and Anadarko. By virtue of the oil and gas leases, Colton as lessee, has the right to use that much of the surface as required to operate and access the well.

COLTON LIMITED LIABILITY COMPANY

P.O. Box 900, Denver, Colorado, 80201, 303-297-0347

Colton respectfully requests that Adams County consider these comments. If you need anything additional do not hesitate to contact me at 720-272-8616 or by e-mail at bmills@bsepllc.com.

Colton Limited Liability Company

By: 
William G. Mills II
Land Manager



Development Team Review Comments

The following comments have been provided by reviewers of your land use application. At this time, a resubmittal of your application is required before this case is ready to be scheduled for public hearing.

To prepare your resubmittal, you will be expected to provide:

- A response to each comment with a description of the revisions and the page of the response on the site plan;
- Any revised plans or renderings; and
- A list identifying any additional changes made to the original submission other than those required by staff.

Resubmittal documents must be provided in person to the One-Stop Customer Service Center of the Community and Economic Development Department. The following items will be expected by our One-Stop Customer Service Center:

- One paper copy of all new materials
 - Paper copies shall not exceed 11"x17" (exception shall be made only for construction drawings or engineering plan review)
 - All paper copies shall be accompanied by the attached Resubmittal Form
- One digital copy of all new materials
 - All digital materials shall be in a single PDF document
 - The single PDF document shall be bookmarked
 - If a Subdivision Improvements Agreement, Legal Description, or Development Agreement is required, then an additional Microsoft Word version of these documents shall also be provided



Re-submittal Form

Case Name/ Number: _____

Case Manager: _____

Re-submitted Items:

- Development Plan/ Site Plan
- Plat
- Parking/ Landscape Plan
- Engineering Documents
- Subdivision Improvements Agreement
- Other: _____

*** All re-submittals must have this cover sheet and a cover letter addressing review comments.**

Please note the re-submittal review period is 21 days.

The cover letter must include the following information:

- Restate each comment that requires a response
- Provide a response below the comment with a description of the revisions
- Identify any additional changes made to the original document

For County Use Only:

Date Accepted:

Staff (accepting intake):

Resubmittal Active: Addressing, Building Safety, Neighborhood Services,

Engineering, Environmental, Parks, Planner, ROW, SIA - Finance, SIA - Attorney

Commenting Division: Development Services, Planning

Complete

Name of Reviewer: Holden Pederson

Email and Phone Number: HPederson@adcogov.org / 720-523-6847

PLN1: Applicant has reserved an ingress-egress easement for any entities having rights, easements, or agreements regarding Sections 3, 4, 9, and 10. Applicant has also provided proof of correspondence with the Colton Limited Liability Company that their concerns regarding this Roadway Vacation request have been addressed as a result.

PLN2: The applicant is not creating any landlocked parcels through this Roadway Vacation request because they own all of the parcels surrounding the road.

Commenting Division: Development Services, Right-of-Way

Resubmittal Required

Name of Reviewer: Holden Pederson

Email and Phone Number: HPederson@adcogov.org / 720-523-6847

ROW1: Include the following Easement Preservation Note language in Plat Note #1: Reserving, however, an easement for the continued use of existing sewer, gas, water and similar pipelines and appurtenances, and for electric, telephone, and similar lines and appurtenances within said street right-of-way.

ROW2: Include a Plat Note describing the Title Commitment that was relied upon to create the Vacation Plat and the most recent date that it was updated.

ROW3: Provide a legend which designates all lines and symbols except where called out on plat drawing. All street rights of way defined by the Plat will be clearly distinguishable from other map lines by use of a distinct line type and/or thickness. All street center lines defined by the plat will be clearly distinguishable from other map lines by use of distinct line type and/or thickness.

ROW4: Street widths shall be labeled from each right-of-way line normal to the corresponding street center line. The plat shall show the right-of-way lines, widths, locations and street names of all existing and private streets.

ROW5: Must provide the area in square feet of the vacated area.

ROW6: All streets rights-of-way defined by the plat must be labeled with a complete bearing and distance. All dimensions to be determined by accurate field survey which must balance and close within limit of one in five thousand (5,000).

ROW7: If the location of any of the easements defined within the Title Commitment are not shown on the plat, please provide a statement or general notes as to why (i.e. Exception 11 – Rec No: 2013000080129).

ROW8: See Plat redlines for additional comments.

ROW9: The services of a licensed Professional Land Surveyor should be secured to create the legal description and exhibit of the right-of-way dedication. For additional information on dedication document specifics and process please go to <http://www.adcogov.org/documents/adams-county-easement-or-right-way-dedication-packet>.



January 7, 2020

Holden Pederson
Adams County Community and Economic Development
4430 South Adams County Parkway, Suite W2000A
Brighton, CO 80601

RE: Colorado Rifle Club Roadway Vacation, VAC2019-00004
TCHD Case No. 6080

Dear Mr. Pederson,

Thank you for the opportunity to review and comment on the application to vacate a portion of 112th Avenue right-of-way between Rector Leader Road and Bijou Creek. Tri-County Health Department (TCHD) staff previously reviewed the application for the expansion of Colorado Rifle Club and provided comments in letters dated October 3, 2019 and December 30, 2019. TCHD has no comments specific to the right-of-way vacation.

Please feel free to contact me at 720-200-1575 or kboyer@tchd.org if you have any questions about TCHD's comments.

Sincerely,

A handwritten signature in black ink, appearing to read "K Boyer", with a horizontal line extending to the right.

Kathy Boyer, REHS
Land Use and Built Environment Specialist III

cc: Sheila Lynch, Dylan Garrison, TCHD



Right of Way & Permits
1123 West 3rd Avenue
Denver, Colorado 80223
Telephone: **303.571.3306**
Facsimile: 303. 571.3284
donna.l.george@xcelenergy.com

December 17, 2019

Adams County Community and Economic Development Department
4430 South Adams County Parkway, 3rd Floor, Suite W3000
Brighton, CO 80601

Attn: Holden Pederson

Re: Colorado Rifle Club Roadway Vacation, Case # VAC2019-00004

Public Service Company of Colorado's Right of Way & Permits Referral Desk has reviewed the documentation for **Colorado Rifle Club Roadway Vacation** and has **no conflict** with the vacation of a portion of East 112th Avenue.

Donna George
Right of Way and Permits
Public Service Company of Colorado dba Xcel Energy
Office: 303-571-3306 – Email: donna.l.george@xcelenergy.com

COLTON LIMITED LIABILITY COMPANY

P.O. Box 900, Denver, Colorado, 80201, 303-297-0347

December 23, 2019

Adams County
Community & Economic
Development Department
4430 South Adams County Parkway
Suite W2000A
Brighton CO 80601-8216

HPederson@adcogov.org

Re: **Colorado Rifle Club Roadway Vacation**
Case Number: VAC2019-00004

This comment letter is written in response to your letter dated December 5, 2019 regarding the captioned application. **Colton Limited Liability Company** ("Colton") is the operator of the following described oil and gas well which requires that portion of East 112th Avenue between Rector Leader Road and its lease road which exits 112th Avenue north through sec. 3 to its battery and well site for access:

Linnebur #21-3 well

Location: T2S-R60W

Sec 3: NE1/4NW1/4

API #05-001-08151

Colton makes the following points against the proposed vacation application:


1. There is no alternate access available to Colton if this portion of 112th Avenue were to be vacated. If this vacation application is approved Colton will be forced to abandon the well which will cause substantial economic loss not only to Colton but also to the royalty owners which own the minerals under the NE1/4NW1/4 of section 3.
2. I would like to mention that Colton did not receive proper notice of this application when it is apparent from both the real property records of Adams County and the Colorado Oil & Gas Conservation Commission that Colton is the operator and owner of the well. It appears that notice was given to Koch Industries and Anadarko Land Corporation only.
3. The Warranty Deed dated June 24, 2014 from Linnebur Farms Corporation, as grantor, to Colorado Rifle Club, as grantee, conveying the W1/2 of section 3, recorded at reception #2014-00041136, and included in the vacation application, specifically states that the property is conveyed subject to the rights of third parties not shown in the public records and of which grantee has actual knowledge. The Colorado Rifle Club had actual knowledge of the existence of the well because they noticed both Koch and Anadarko. By virtue of the oil and gas leases, Colton as lessee, has the right to use that much of the surface as required to operate and access the well.

COLTON LIMITED LIABILITY COMPANY

P.O. Box 900, Denver, Colorado, 80201, 303-297-0347

Colton respectfully requests that Adams County consider these comments. If you need anything additional do not hesitate to contact me at 720-272-8616 or by e-mail at bmills@bsegllc.com.

Colton Limited Liability Company

By: 
William G. Mills II
Land Manager

Community & Economic
Development Department
Development Services Division
www.adcogov.org



4430 South Adams County Parkway
1st Floor, Suite W2000B
Brighton, CO 80601-8218
PHONE 720.523.6800
FAX 720.523.6967

Request for Comments

Case Name: Colorado Rifle Club Roadway Vacation
Case Number: VAC2019-00004

December 5, 2019

The Adams County Board of County Commissioners is requesting comments on the following application: **Vacate a portion of East 112th Avenue right-of-way between Rector Leader Road and Bijou Creek.** This request is located at 76099 E 96TH AVE. The Assessor's Parcel Number is 0173500000007, 0173500000008, 0173500000009, 0173500000011, 0173500000012, 0173500000017, 0173500000019, 0173500000066, 0173500000067, 0173500000084, 0173500000089.

Applicant Information:

WAYNE HARRIS
7602 YULE CT
ARVADA, CO 80007

Please forward any written comments on this application to the Community and Economic Development Department at 4430 South Adams County Parkway, Suite W2000A Brighton, CO 80601-8216 or call (720) 523-6800 by **12/30/2019** in order that your comments may be taken into consideration in the review of this case. If you would like your comments included verbatim please send your response by way of e-mail to HPederson@adcogov.org.

Once comments have been received and the staff report written, the staff report and notice of public hearing dates may be forwarded to you upon request. The full text of the proposed request and additional colored maps can be obtained by contacting this office or by accessing the Adams County web site at www.adcogov.org/planning/currentcases.

Thank you for your review of this case.

Holden Pederson
Planner I

BOARD OF COUNTY COMMISSIONERS

Eva J. Henry
DISTRICT 1

Charles "Chaz" Tedesco
DISTRICT 2

Emma Pinter
DISTRICT 3

Steve O'Dorisio
DISTRICT 4

Mary Hodge
DISTRICT 5

From: [Bill Mills](#)
To: [Wayne Harris](#); [Holden Pederson](#)
Cc: "[Sherri Stuska](#)"; "[Dennis Reul](#)"; dpaananen52@gmail.com
Subject: RE: Request for Public Comment on VAC2019-00004: Colorado Rifle Club Roadway Vacation
Date: Friday, February 21, 2020 12:58:57 PM

Please be cautious: This email was sent from outside Adams County

Thanks Wayne. Will do ASAP.

William G. Mills II
Sovereign Energy LLC
1200 17th St., Ste 750
Denver, CO 80202

Mailing address:
P.O. Box 900
Denver CO 80201

Phone: 303-297-0347, x-11
Fax: 303-586-5074
bmills@bsegllc.com

From: Wayne Harris <wwharris@q.com>
Sent: Thursday, February 20, 2020 5:54 PM
To: Bill Mills <bmills@bsegllc.com>; 'Holden Pederson' <HPederson@adcogov.org>
Cc: 'Sherri Stuska' <sherri@mavcom.com>; 'Dennis Reul' <denreul@comcast.net>;
dpaananen52@gmail.com
Subject: RE: Request for Public Comment on VAC2019-00004: Colorado Rifle Club Roadway Vacation

Bill

Attached is the signed notarized agreement. After the Colton Manager signs the easement and the document is recorded could you please forward a copy of that document to the people noted on this email.

We look forward to working with you in the future.

Thanks

Wayne Harris

From: Bill Mills <bmills@bsegllc.com>
Sent: Thursday, February 20, 2020 10:41 AM
To: Wayne Harris <wwharris@q.com>; 'Holden Pederson' <HPederson@adcogov.org>
Cc: 'Sherri Stuska' <sherri@mavcom.com>; 'Dennis Reul' <denreul@comcast.net>;
dpaananen52@gmail.com; 'Rick Home' <r-nobbe@comcast.net>
Subject: RE: Request for Public Comment on VAC2019-00004: Colorado Rifle Club Roadway Vacation

Wayne, attached is the ROW with the changes you requested in Word. Once signed and acknowledged by CRC, Colton has no issue with the resubmittal vacation Application.

William G. Mills II
Sovereign Energy LLC
1200 17th St., Ste 750
Denver, CO 80202

Mailing address:
P.O. Box 900
Denver CO 80201

Phone: 303-297-0347, x-11
Fax: 303-586-5074
bmills@bsegllc.com

From: Wayne Harris <wwharris@q.com>
Sent: Wednesday, February 19, 2020 3:45 PM
To: Bill Mills <bmills@bsegllc.com>; 'Holden Pederson' <HPederson@adcogov.org>
Cc: 'Sherri Stuska' <sherri@mavcom.com>; 'Dennis Reul' <denreul@comcast.net>;
dpaananen52@gmail.com; 'Rick Home' <r-nobbe@comcast.net>
Subject: RE: Request for Public Comment on VAC2019-00004: Colorado Rifle Club Roadway Vacation

Bill

It was good talking with you this morning. I now understand that you are not concerned so much about reserving a ingress-egress easement for the vacated 112th avenue but for having a new Ingress- Egress Easement (ROW) over our property to your existing wells. I believe that there is an existing ROW for you across our property but will not know for sure until we receive our title Commitment. If you do not have any existing ROW we are agreeable to providing you with the new ROW to access your wells.

Attached is a markup of your ROW agreement per our discussion. The CRC does not own 'ALL' of section 3 but only the amount per my redline document.

Please review my comments. The CRC is willing to sign this documents per my comments. Please let me know if you have any concerns or questions.

Thanks

Wayne Harris PE, PLS CO

From: Bill Mills <bmills@bsegllc.com>
Sent: Tuesday, February 18, 2020 2:51 PM
To: Holden Pederson <HPederson@adcogov.org>

Cc: Wayne Harris <wwharris@g.com>

Subject: RE: Request for Public Comment on VAC2019-00004: Colorado Rifle Club Roadway Vacation

Mr. Pederson, please see Colton LLC's attached reply to the resubmittal.

William G. Mills II
Sovereign Energy LLC
1200 17th St., Ste 750
Denver, CO 80202

Mailing address:
P.O. Box 900
Denver CO 80201

Phone: 303-297-0347, x-11
Fax: 303-586-5074
bmills@bsegllc.com

From: Holden Pederson <HPederson@adcogov.org>

Sent: Wednesday, February 12, 2020 4:20 PM

To: Bill Mills <bmills@bsegllc.com>

Subject: Request for Public Comment on VAC2019-00004: Colorado Rifle Club Roadway Vacation

Hello William,

I hope you are well. I am a Planner with the Adams County Community and Economic Development Department who is case managing the Colorado Rifle Club's Roadway Vacation request that is related to East 112th Avenue near Leader, Colorado. My staff received their application resubmittal recently and it included some correspondence regarding a proposed Ingress-Egress Easement that would allow you to continue accessing your site if the Roadway Vacation was approved.

Since you provide an initial round of public comment in opposition to this request, I wanted to reach out in order to offer you an opportunity to provide a second round of public comment addressing whether or not your concerns have been satisfied as a result of the applicant's efforts. If you are able to send over a letter or note responding to the applicant's resubmittal by **2/26/2020**, I will include that information in upcoming public hearings and share your comments with the Board of County Commissioners in making a final decision to approve or deny this request.

Please let me know if I can provide any additional information. Thank you,

Holden Pederson

Planner I, *Community and Economic Development*

ADAMS COUNTY, COLORADO

4430 S Adams County Pkwy, W2410

Brighton, CO 80601

o: 720.523.6847 | HPederson@adcogov.org

www.adcogov.org

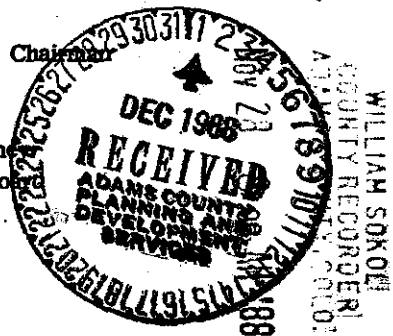
I am using the Free version of [SPAMfighter](#).

SPAMfighter has removed 15703 of my spam emails to date.

Do you have a [slow PC?](#) Try a free scan!

At a regular meeting of the Board of County Commissioners for Adams County, Colorado, held at the Administration Building in Brighton on Monday, the 21st day of November, A.D. 1988, there were present:

- Harold E. Kite, Commissioner Chairman
- Steven E. Cramer, Commissioner
- Leo M. Younger (Excused), Commissioner
- Charles P. Siner, County Attorney
- Wilma Thatcher, Deputy Clerk of the Board



852641

when the following proceedings, among others were held and done, to-wit:

ZONING HEARING DECISION - CASE #76-88-C
COLORADO RIFLE CLUB

WHEREAS, on the 21st day of November, 1988, the Board of County Commissioners, held a public hearing on the application of Colorado Rifle Club, Case #76-88-C, requesting Conditional Use to allow a rifle club in an agricultural zone and vacation of right-of-way along 112th Avenue, on the following described property:

Th Northerly 30 feet of Section 9 and the Southerly 30 feet of Section 4, Township 2 South, Range 60 West of the 6th P.M., Adams County, Colorado.

APPROXIMATE LOCATION: East 112th Avenue, one mile west of Leader Road.

WHEREAS, the Adams County Planning Commission held a public hearing on the 10th day of November, and forwarded a recommendation of approval to the Board of County Commissioners.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners, County of Adams, State of Colorado, that the application of Colorado Rifle Club, Case #76-88-C, requesting vacation of right-of-way is denied but the request for Conditional Use to allow a rifle club in an agricultural zone is hereby approved, subject to the following:

CONDITIONS PRECEDENT:

1. The noise study, submitted by Engineering Dynamics, shall be approved by Tri-County Health Department. All berming and sound-proofing of firing line structures, as suggested by Engineering Dynamics, and any additional noise mitigation recommended by Tri-County shall be incorporated into the site plan and become part of the Conditional Use. The applicant's noise study, including the 15 foot berms, shall be followed.
2. A map, delineating the areas to be taken out of the original grass seeding, including estimated measurements of acres or square footage so that the proper amount of land can be taken out of the Conservation Reserve Contract, must be provided to the East Adams County Soil Conservation Service. "As built" figures shall be submitted to Soil Conservation Services following completion of on-site construction.
3. The \$200.00 Soil Conservation Service review fee shall be paid to Adams County .
4. A right-of-way agreement, approved by the County Attorney's Office stating the specifics of public access restrictions, development of 112th Avenue, and installation of protective berming when the County extends road improvements to this section of 112th Avenue, shall be provided and recorded.
5. The applicant shall prepare a revised plan shifting the skeet/trap range to the southeast corner of Section 9. In shifting the skeet/trap range to the southeast corner of Section, the high high power rifle range and silhouette range shall not be relocated farther north than is shown on the site plan dated 10-27-88 (revised).
6. Incorporation of the conditions of the agreement with Mr. Thurmond as part of the application.

Colorado Rifle Club
Page 2

STIPULATIONS:

1. Any proposed development or excavation in the 100 year floodplain of Bijou Creek must be reviewed and approved according to requirements of the Flood Control Overlay Zone District.
2. This conditional use shall apply to the applicant, Colorado Rifle Club, and is not transferrable to any other entity. The Club shall remain as a members-only (and their guests with approved NRA membership) operation. Admission to the general public will violate the terms of the Conditional Use.
3. The "buffer area" to the north shall remain in a relatively undeveloped state. No habitable structures shall be permitted to be constructed in this buffer area.
4. Hunting on the property will be prohibited.
5. Certificate of Occupancy from Planning and Development Services is required prior to start of operation.

Upon motion duly made and seconded the foregoing Resolution was adopted by the following vote:

.....	Kite	Aye
.....	Cramer	Aye
.....	Younger	AyeXXX

Commissioners

STATE OF COLORADO }
County of Adams } ss.

I, William Sokol, County Clerk and ex-officio Clerk of the Board of County Commissioners in and for the County and State aforesaid do hereby certify that the annexed and foregoing Order is truly copied from the Records of the Proceedings of the Board of County Commissioners for said Adams County, now in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said County, at Brighton, this 21st day of November, A.D. 1988

County Clerk and ex-officio Clerk of the Board of County Commissioners
William Sokol

By Hilma Thatcher
Deputy



STATE OF COLORADO)

COUNTY OF ADAMS)

At a regular meeting of the Board of County Commissioners for Adams County, Colorado, held at the Administration Building in Brighton on WEDNESDAY the 26TH day of JULY, 1995 there were present:

Elaine T. Valente _____ Chairman
G.A. DeHerrera _____ Commissioner
Martin J. Flaum _____ Commissioner
Ron Carl, Asst. _____ County Attorney
Lucy Trujillo, Deputy _____ Clerk of the Board

when the following proceedings, among others were held and done, to-wit:

ZONING HEARING DECISION - CASE #082-95-C(A)
COLORADO RIFLE CLUB INC.

WHEREAS, on the 26th day of July, 1995, the Board of County Commissioners, held a public hearing on the application of Colorado Rifle Club Inc., Case #082-95-C(A); and,

WHEREAS, this case involved an application for: 1) Amendment to Conditional Use to allow overnight camping, and sporting clays range; 2) Amendment to the approved stipulations to include: Competitors/participants and guest/competitors shall have an NRA membership or membership in the organization sponsoring the Competitive Shooting Match, on the following described property:

LEGAL DESCRIPTION: The NE 1/4 Sec 8 and the entire Sec 9, T2S, R60W of the 6 PM, Adams County, Colorado.

APPROXIMATE LOCATION: One mile west of Rector-Leader Road (52N) between 104th and 120th Avenue alignment.

WHEREAS, substantial testimony was presented by members of the public and the applicant; and,

WHEREAS, the Adams County Planning Commission held a public hearing on the 22nd day of June, 1995, and forwarded a recommendation of approval to the Board of County Commissioners.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners, County of Adams, State of Colorado, that based upon the evidence presented at the hearing and the recommendations of the Department of Planning and Development and the Planning Commission, the application in this case be hereby **APPROVED** based upon the following findings of fact, and is subject to the fulfillment of the following stipulations by the applicant.

Findings of Fact:

1. The applicant had received approval for a rifle club and shooting range for its members at this same location as per case 76-88-C. The applicant's intention is to expand this use and amend existing stipulations.
2. The size, location and buffer area of the site is compatible with existing and future uses.

Stipulations:

1. The conditional use shall apply to the applicant, Colorado Rifle Club, and is not transferable to any other entity. The "Club" shall include competitors/participants of a registered/approved competitive shooting event. Admission to the general public will violate the terms of the Conditional Use Permit.
2. All "guest with approved NRA membership" be amended to include "guest/competitors shall either have an NRA membership or memberships in the organization sponsoring the Competitive Shooting Match.
3. Hunting on the property shall be prohibited.
4. Any proposed development or excavacion in the 100 year floodplain of Bijou Creek shall be in compliance with the County's Floodplain Regulations.
5. Approval must be obtained from Tri-County Health Department for the sanitary facilities prior to certificate of occupancy.

RECEPTION NO. C0094287 0.00
2LW ROBERT SACK, ADAMS COUNTY, COLORADO
BK: 4560 PG: 0902-0903 8/03/95 14:40

93

6. The "buffer area" to the north shall remain in a relatively undeveloped state. No habitable structures shall be permitted to be constructed in this buffer area.
7. Overnight packing shall be permitted in areas designated as camper/trailer pads on the plat and only in self-contained camper/trailers.

Note to Applicant:

1. Prior to obtaining a building permit, the applicant must submit a revised site plan depicting all access points, internal circulation dimensions, estimated number of daily overnight campers, estimated number of tournament competitors (by specific tournament), Club hours of operation plus seasonal months of operation (if applicable).

Upon motion duly made and seconded the foregoing resolution was adopted by the following vote:

<u>Valente</u>	Aye
<u>DeHerrera</u>	Aye
<u>Flaum</u>	Aye
Commissioners	

STATE OF COLORADO)
County of Adams)

I, Robert Sack, County Clerk and ex-officio Clerk of the Board of County Commissioners in and for the County and State aforesaid do hereby certify that the annexed and foregoing Order is truly copied from the Records of the Proceedings of the Board of County Commissioners for said Adams County, now in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said County, at Brighton, this 26TH day of JULY, A.D. 1995.

County Clerk and ex-officio Clerk of the Board of County Commissioners

Robert Sack

By

Larry Trujillo
Deputy



STATE OF COLORADO)
COUNTY OF ADAMS)

At a regular meeting of the Board of County Commissioners for Adams County, Colorado, held at the Administration Building in Brighton, Colorado on the 7th day of January, 2008 there were present:

W.R. "Skip" Fischer _____	Chairman
Alice J. Nichol _____	Commissioner
Larry W. Pace _____	Commissioner
Hal B. Warren _____	County Attorney
Kristen Hood, Deputy _____	Clerk of the Board

when the following proceedings, among others were held and done, to-wit:

ZONING HEARING DECISION - CASE #RCU2007-00035
COLORADO RIFLE CLUB

WHEREAS, on the 7th day of January, 2008, the Board of County Commissioners, held a public hearing on the application of Dennis Reul, Case #RCU2007-00035; and,

WHEREAS, this case involved an application for: Conditional use permit to allow an outdoor shooting facility on approximately 40 acres in the A-3 Zone District on the following described property:

LEGAL DESCRIPTION: SECT,TWN,RNG: 10-2-60 DESC: ALL 640A.

APPROXIMATE LOCATION: SW 112th Ave. & Rector Leader Rd.

WHEREAS, substantial testimony was presented by members of the public and the applicant; and,

WHEREAS, the Adams County Planning Commission held a public hearing on the 13th day of December, 2007, and forwarded a recommendation of APPROVAL to the Board of County Commissioners.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners, County of Adams, State of Colorado, that based upon the evidence presented at the hearing and the recommendations of the Department of Planning and Development and the Planning Commission, the application in this case be hereby **APPROVED** based upon the following findings of fact and subject to the fulfillment of the following conditions by the applicant:

Findings of Fact:

1. The conditional use is permitted in the applicable zone district.
2. The conditional use is consistent with the purposes of these standards and regulations.
3. The conditional use will comply with the requirements of these standards and regulations, including but not limited to, all applicable performance standards.

4. The conditional use is compatible with the surrounding area, harmonious with the character of the neighborhood, not detrimental to the immediate area, not detrimental to the future development of the area, and not detrimental to the health, safety, or welfare of the inhabitants of the area and the County.
5. The conditional use permit has addressed all off-site impacts.
6. The site is suitable for the proposed conditional use including adequate usable space, adequate access, and absence of environmental constraints.
7. The site plan for the proposed conditional use will provide the most convenient and functional use of the lot including the parking scheme, traffic circulation, open space, fencing, screening, landscaping, signage, and lighting.
8. Sewer, water, storm water drainage, fire protection, police protection, and roads are to be available and adequate to serve the needs of the conditional use as designed and proposed.

Conditions:

1. The “buffer area” to the north, as is depicted on the site plan, shall remain in a relatively undeveloped state. No habitable structures shall be permitted to be constructed in this buffer area.
2. The Tri-County Health Department must issue all required permits for sanitary facilities prior to the start of operations for the new range.
3. Guests/competitors shall either have an NRA membership or memberships in the organization sponsoring the Competitive Shooting Match or Event.
4. Overnight parking and camping areas for the new range shall be limited to the area designated on the site plan, and shall only be used by participants of the range.
5. The applicant shall contact the Adams County Public Works Department staff regarding water quality permits. If the Public Works staff determines that a water quality permit is necessary for construction, then the applicant shall be responsible for obtaining a Colorado Discharge Permit System/Construction Permit (CDPS) from the Colorado Department of Public Health and Environment. A copy of this permit shall be submitted to the Public Works Department prior to construction.
6. Erosion and sediment control shall be used on the site.
7. Warning signs for the range shall be placed in a manner consistent with the existing shooting range at regular intervals of every 200 to 300 feet.
8. All complaints received by the applicant concerning damage to offsite properties, and the resolution of those complaints, shall be conveyed to the Department of Planning and Development. Damages to off site properties shall be responded to and resolved immediately by the applicant. Disputes concerning damages to offsite properties may be resolved by the Department of Planning and Development and may be justification for a Show Cause Hearing

before the Adams County Board of County Commissioners where the permit may be revoked.

- 9. Full automatic weapon firing or explosive devices shall not be permitted on any range.

Notes to the Applicant:

- 1. All applicable building, zoning, engineering, fire, and health codes shall be adhered to with this request.
- 2. CRC members should endeavor to utilize Rector Leader Road to gain access to the site during the months of April though October as much as possible to lessen conflicts with farm machinery.
- 3. It should be known the Conditional Use Permit runs with the land. Any future owner, should the CRC be sold to another entity, should know they will be subject to the all of the conditions within this amendment and the previous two cases (Case # 76-88-C-SV & Case # 82-95-C (A)).

Upon motion duly made and seconded the foregoing resolution was adopted by the following vote:

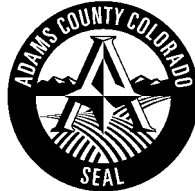
Fischer _____ Aye
Nichol _____ Aye
Pace _____ Aye
Commissioners

STATE OF COLORADO)
County of Adams)

I, Karen Long, County Clerk and ex-officio Clerk of the Board of County Commissioners in and for the County and State aforesaid do hereby certify that the annexed and foregoing Order is truly copied from the Records of the Proceedings of the Board of County Commissioners for said Adams County, now in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said County, at Brighton, Colorado this 7th day of January, A.D. 2008.

County Clerk and ex-officio Clerk of the Board of County Commissioners
Karen Long:



By:



Deputy



Request for Comments

Case Name: Colorado Rifle Club CUP Amendment 3
Case Number: RCU2019-00039

September 12, 2019

The Adams County Planning Commission is requesting comments on the following application: **Request for Conditional Use Permit Amendment for the Colorado Rifle Club range expansion and clubhouse addition.** This request is located at 76099 E 96TH AVE 0000. The Assessor's Parcel Number is 0173500000007, 0173500000008, 0173500000009, 0173500000011, 0173500000012, 0173500000017, 0173500000019, 0173500000066, 0173500000067, 0173500000084, 0173500000089.

Applicant Information: COLORADO RIFLE CLUB
WAYNE WRAY HARRIS PE PLS
7602 YALE CT
ARVADA, CO 80007

Please forward any written comments on this application to the Department of Community and Economic Development at 4430 South Adams County Parkway, Suite W2000A Brighton, CO 80601-8216 (720) 523-6800 by **10/04/2019** in order that your comments may be taken into consideration in the review of this case. If you would like your comments included verbatim please send your response by way of e-mail to HPederson@adcogov.org.

Once comments have been received and the staff report written, the staff report and notice of public hearing dates may be forwarded to you for your information upon request. The full text of the proposed request and additional colored maps can be obtained by contacting this office or by accessing the Adams County web site at www.adcogov.org/planning/currentcases.

Thank you for your review of this case.

Holden Pederson
Planner I

BOARD OF COUNTY COMMISSIONERS

Eva J. Henry
DISTRICT 1

Charles "Chaz" Tedesco
DISTRICT 2

Emma Pinter
DISTRICT 3

Steve O'Doriso
DISTRICT 4

Mary Hodge
DISTRICT 5



Referral Listing
Case Number RCU2019-00039
Colorado Rifle Club CUP Amendment 3

Agency

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Devt. Services Engineering
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Adams County CEDD Environmental Services Division

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Adams County CEDD Right-of-Way

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BYERS FIRE PROTECTION DISTRICT #9

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Agency

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Agency

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ALLEN LINDA L AND
FERRY TOM C
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MARYVILLE MO 64468-2566

ERKER JEFFREY JAMES
ERKER ROBIN RAE
36751 COUNTY ROAD 4
ROGGEN CO 80652-8608

BARTHOL DONNA M
42400 ECR 6
BENNETT CO 80102

F AND C FARMS L P
16557 HARD MONEY MILE ROAD
FORT MORGAN CO 80701

BRADBURY THOMAS H ET AL
PO BOX 550
BYERS CO 80103-0550

GREAT PLAINS CUSTOM FARMS LLC
9 CHRISTENSEN CT
BRUSH CO 80723-1333

BRADBURY THOMAS H UND 22.10% INT
ET AL
PO BOX 550
BYERS CO 80103-0550

GREEN LEO W
18886 WCR NO. 8
BRIGHTON CO 80601

BRADBURY THOMAS H/MARGARET D UND 49%
BEAUPREZ LISA K/MARK UND 51% INT
11780 MIMOSA ROAD
BYERS CO 80103

HENRY JACO LAND LLC
48921 E 128TH AVE UNIT A
BENNETT CO 80102-9418

BRADBURY THOMAS H/MARGARET E
BEAUPREZ MARK/LISA K
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HOWARD D GARY AND
HOWARD DONNA
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BRIGHTON CO 80603-8901

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73210 E 112TH AVE
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LINNEBUR IVAN J AND
LINNEBUR ALMA E RESIDUARY TRUST
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TURNBULL JESSICA A
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BYERS CO 80103-8520

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BENNETT CO 80102-8603

WILSON JEFF AND
WILSON STEPHANIE
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BENNETT CO 80102-8145

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BENNETT CO 80102-8603

BETZER CHARLES
OR CURRENT RESIDENT
11651 HORROGATE RD
BYERS CO 80103-8514

PEARSON GREGORY E
2020 BRADBURY ROAD
BYERS CO 80103

DAVIS BENJAMIN JOSEPH AND
DAVIS KAYLA ASHLEY
OR CURRENT RESIDENT
11851 HORROGATE RD
BYERS CO 80103-8715

SAUTER FARMS INC
49815 E 120TH AVE
BENNETT CO 80102-9478

EBERT KRES D AND
EBERT JULIE C
OR CURRENT RESIDENT
73210 E 112TH AVE
BYERS CO 80103-8708

SAUTER THOMAS M/GEORGE P SR
SAUTER HELEN T
50005 E 120TH AVE
BENNETT CO 80102-9415

GREEN JOHN R AND
GREEN MELINDA L
OR CURRENT RESIDENT
72601 E 112TH AVE
BYERS CO 80103-8712

SULLIVAN WILLIAM FLOYD AND
SULLIVAN KONNIE JILL
78501 E 112TH AVE
BYERS CO 80103-8625

MAC LENNAN RUSSELL D
OR CURRENT RESIDENT
76201 E 96TH AVE
BYERS CO 80103-8711

THOMPSON CLAUDIA LEE
9230 RECTOR LEADER MILE RD
BYERS CO 80103-8609

MC COMB GARY D AND
MC COMB OFELIA
OR CURRENT RESIDENT
11751 HORROGATE RD
BYERS CO 80103-8702

THURMAN JAMES D AND
THURMAN GAIL W
3120 E CALEY AVE
LITTLETON CO 80121-2922

OBERDORF KIRK ALLEN AND
OBERDORF LORI AINE
OR CURRENT RESIDENT
11951 HORROGATE RD
BYERS CO 80103

CURRENT RESIDENT
11107 MIMOSA RD
BYERS CO 80103-8600

CURRENT RESIDENT
11160 MIMOSA RD
BYERS CO 80103-8600

CURRENT RESIDENT
9230 RECTOR LEADER RD
BYERS CO 80103-8609

CURRENT RESIDENT
11611 MIMOSA RD
BYERS CO 80103-8613

CURRENT RESIDENT
74760 E 96TH AVE
BYERS CO 80103-8710

CURRENT RESIDENT
76099 E 96TH AVE
BYERS CO 80103-8710

CURRENT RESIDENT
12021 MIMOSA RD
BYERS CO 80103-8808



Request for Comments

Case Name: Colorado Rifle Club Roadway Vacation
Case Number: VAC2019-00004

December 5, 2019

The Adams County Board of County Commissioners is requesting comments on the following application: **Vacate a portion of East 112th Avenue right-of-way between Rector Leader Road and Bijou Creek.** This request is located at 76099 E 96TH AVE. The Assessor's Parcel Number is 0173500000007, 0173500000008, 0173500000009, 0173500000011, 0173500000012, 0173500000017, 0173500000019, 0173500000066, 0173500000067, 0173500000084, 0173500000089.

Applicant Information:

WAYNE HARRIS
7602 YULE CT
ARVADA, CO 80007

Please forward any written comments on this application to the Community and Economic Development Department at 4430 South Adams County Parkway, Suite W2000A Brighton, CO 80601-8216 or call (720) 523-6800 by **12/30/2019** in order that your comments may be taken into consideration in the review of this case. If you would like your comments included verbatim please send your response by way of e-mail to HPederson@adcogov.org.

Once comments have been received and the staff report written, the staff report and notice of public hearing dates may be forwarded to you upon request. The full text of the proposed request and additional colored maps can be obtained by contacting this office or by accessing the Adams County web site at www.adcogov.org/planning/currentcases.

Thank you for your review of this case.

Holden Pederson
Planner I

BOARD OF COUNTY COMMISSIONERS

Eva J. Henry
DISTRICT 1

Charles "Chaz" Tedesco
DISTRICT 2

Emma Pinter
DISTRICT 3

Steve O'Doriso
DISTRICT 4

Mary Hodge
DISTRICT 5



Referral Listing
Case Number VAC2019-00004
Colorado Rifle Club Roadway Vacation

Agency

Contact Information

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Adams County CEDD Right-of-Way

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Adams County Sheriff's Office: SO-SUB

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BYERS SCHOOL DISTRICT 32J

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MORGAN COUNTY RURAL ELECTRIC

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NS - Code Compliance

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Donna.L.George@xcelenergy.com

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MARYVILLE MO 64468-2566

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9230 RECTOR LEADER MILE RD
BYERS CO 80103-8609

BRADBURY THOMAS H ET AL
PO BOX 550
BYERS CO 80103-0550

THURMAN JAMES D AND
THURMAN GAIL W
2950 SUMMER WIND LN APT PC1112
HIGHLANDS RANCH CO 80129-2823

COLORADO RIFLE CLUB
620 LEWIS ST
CASTLE ROCK CO 80104-1821

TODD ARTIS E AND TODD EVA L AND
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COLORADO RIFLE CLUB
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TURNBULL JESSICA A
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EBERT KENNA E
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WILSON STEPHANIE
4180 CONVERSE RD
BENNETT CO 80102-8145

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LONE TREE CO 80124-6829

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EBERT JULIE C
OR CURRENT RESIDENT
73210 E 112TH AVE
BYERS CO 80103-8708

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800 US HIGHWAY 36
BYERS CO 80103-9700

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OR CURRENT RESIDENT
76201 E 96TH AVE
BYERS CO 80103-8711

LINNEBUR ROBERT D
76500 E HIWAY 36
BYERS CO 80103

CURRENT RESIDENT
11107 MIMOSA RD
BYERS CO 80103-8600

PEARSON GREGORY E
2020 BRADBURY ROAD
BYERS CO 80103

CURRENT RESIDENT
9230 RECTOR LEADER RD
BYERS CO 80103-8609

SAUTER THOMAS M/GEORGE P SR
SAUTER HELEN T
50005 E 120TH AVE
BENNETT CO 80102-9415

CURRENT RESIDENT
11611 MIMOSA RD
BYERS CO 80103-8613

CURRENT RESIDENT
76099 E 96TH AVE
BYERS CO 80103-8710

CURRENT RESIDENT
12021 MIMOSA RD
BYERS CO 80103-8808



Public Hearing Notification

Case Name:	Colorado Rifle Club CUP Amendment 3
Case Number:	PRC2020-00009 (includes RCU2019-00054 and VAC2019-00004)
Planning Commission Hearing Date:	05/28/2020 at 6:00 p.m.
Board of County Commissioners Hearing Date:	06/16/2020 at 9:30 a.m.

May 11, 2020

A public hearing has been set by the Adams County Planning Commission and the Board of County Commissioners to consider the following request:

1. Request for Conditional Use Permit Amendment for the Colorado Rifle Club range expansion and clubhouse addition. 2. Request to vacate a portion of East 112th Avenue right-of-way between Rector Leader Road and Bijou Creek.

The Assessor's Parcel Number(s) 0173500000007, 0173500000008, 0173500000009, 0173500000011, 0173500000012, 0173500000017, 0173500000019, 0173500000066, 0173500000067, 0173500000084, 0173500000089

Applicant Information: COLORADO RIFLE CLUB
WAYNE WRAY HARRIS PE PLS
7602 YALE CT
ARVADA, CO 80007

This meeting is broadcast live on the Adams County YouTube channel. You can view the meeting live through the county YouTube Channel link: <https://www.youtube.com/channel/UC7KDbF1XykrYlXnfhEH5XVA/> and post comments on this agenda through the web at <https://adcogov.legistar.com/Calendar.aspx>

Members of the public may submit written comments on any matter within the Board's subject matter jurisdiction or request to speak at the meeting through our eComment system at <https://adcogov.legistar.com/Calendar.aspx>

Residents are encouraged to submit comments, prior to the meeting, through written comment using eComment; eComment is integrated with the published meeting agenda and individuals may review the agenda item details and indicate their position on each item. A request to speak at the meeting may also be submitted using the eComment feature. You will be prompted to set up a user profile to allow you to comment, which will become part of the official public record. The eComment period opens when the agenda is published and closes at 4:30 p.m. the Monday prior to the noticed meeting.

BOARD OF COUNTY COMMISSIONERS

Eva J. Henry
DISTRICT 1

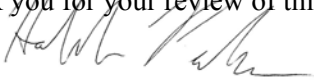
Charles "Chaz" Tedesco
DISTRICT 2

Emma Pinter
DISTRICT 3

Steve O'Doriso
DISTRICT 4

Mary Hodge
DISTRICT 5

The full text of the proposed request and additional colored maps can be obtained by contacting this office or by accessing the Adams County web site at www.adcogov.org/planning/currentcases.
Thank you for your review of this case.



Holden Pederson
Planner I

PUBLICATION REQUEST

Colorado Rifle Club CUP Amendment 3

Case Number: PRC2020-00009 (includes RCU2019-00054 and VAC2019-00004)
Planning Commission Hearing Date: 05/28/2020 at 6:00 p.m.
Board of County Commissioners Hearing Date: 06/16/2020 at 9:30 a.m.
Public Hearings Location: 4430 S. Adams County Pkwy, Brighton, CO 80602 * All meetings will be held over Zoom. Please see adcogov.org for more information.

Request: 1. Request for Conditional Use Permit Amendment for the Colorado Rifle Club range expansion and clubhouse addition. 2. Request to vacate a portion of East 112th Avenue right-of-way between Rector Leader Road and Bijou Creek.

Parcel Number: 0173500000007, 0173500000008, 0173500000009, 0173500000011, 0173500000012, 0173500000017, 0173500000019, 0173500000066, 0173500000067, 0173500000084, 0173500000089

Address: 76099 E 96TH AVE

Case Manager: Holden Pederson

Applicant/Owner: WAYNE WRAY HARRIS PE PLS
7602 YALE CT ARVADA, CO 80007

COLORADO RIFLE CLUB 620 LEWIS ST
CASTLE ROCK, CO 801041821

Legal Description:

All the southeast quarter of section 4; section 9; and the south half of section 10; Township 2 South, Range 60 West of the 6th Principal Meridian, County of Adams, State of Colorado. Excluded is dedicated Public Right of Way for Roads. Said parcel contains 1,140 acres more or less.

CERTIFICATE OF POSTING



I, **Holden Pederson**, do hereby certify that I had the property posted at

76099 East 96th Avenue

on May 13, 2020

in accordance with the requirements of the Adams County Zoning Regulations

Holden Pederson

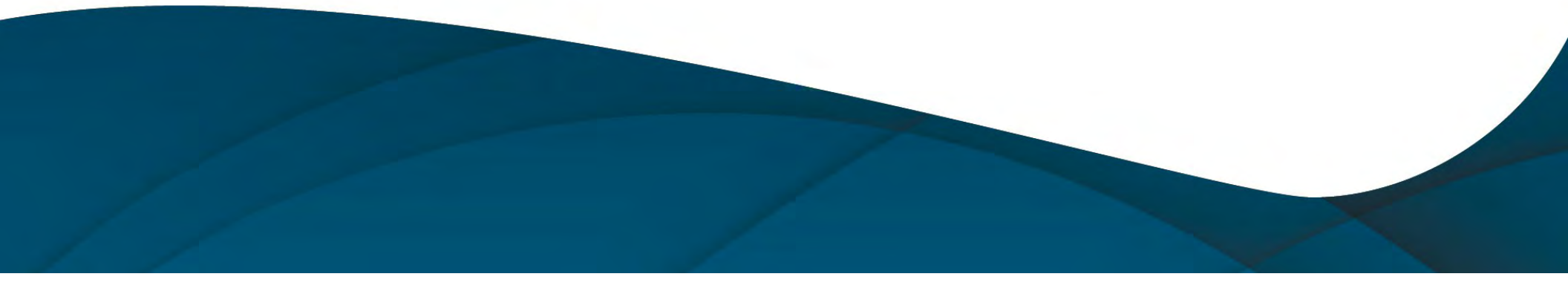
Colorado Rifle Club CUP Amendment 3

PRC2020-00009

76099 East 96th Avenue

June 16, 2020

Board of County Commissioners Public Hearing
Community and Economic Development Department
Case Manager: Holden Pederson



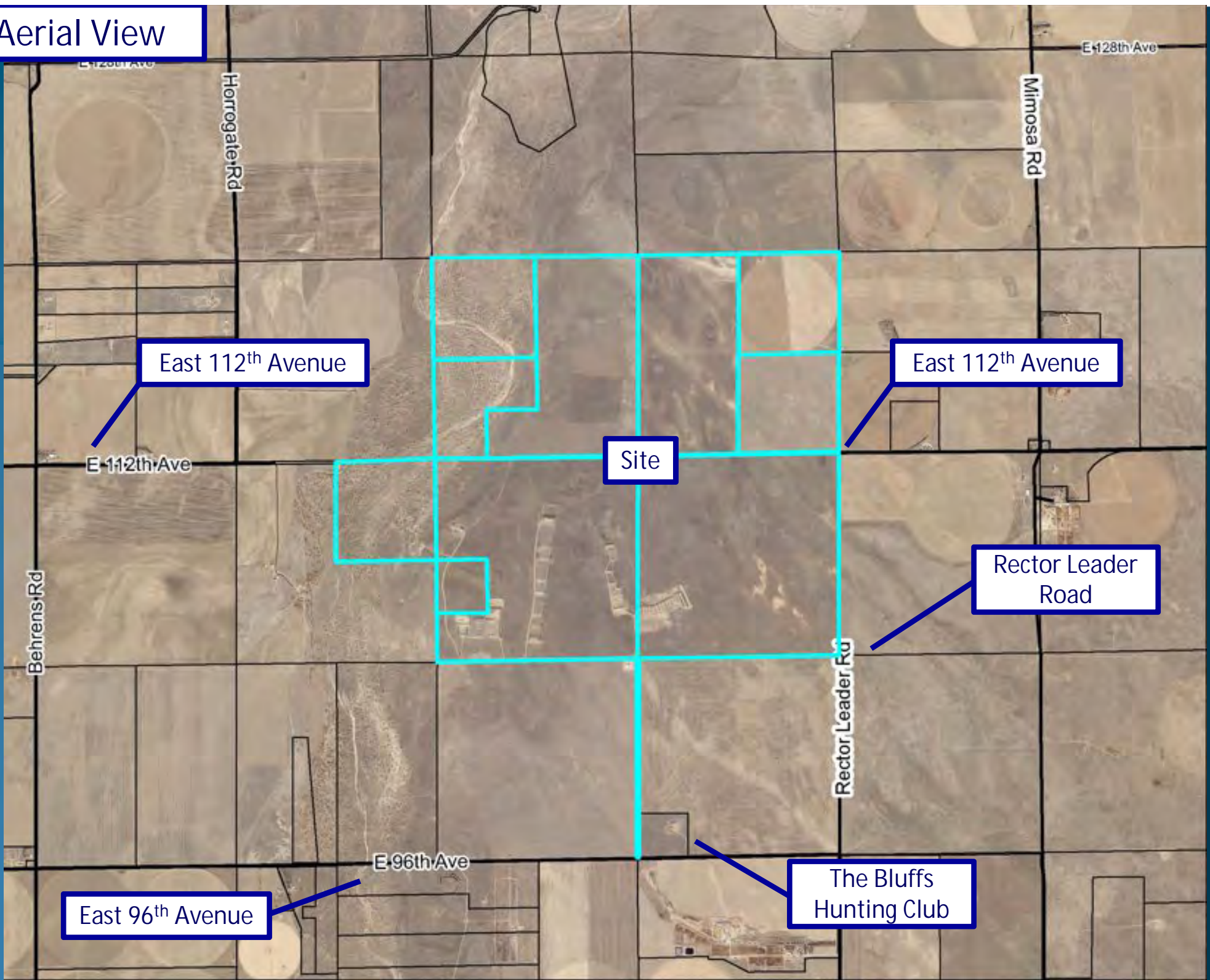
Request

1. Conditional Use Permit Major Amendment for the Colorado Rifle Club range expansion and clubhouse addition.
2. Request to vacate a portion of East 112th Avenue right-of-way between Rector Leader Road and Bijou Creek.

Colorado Rifle Club: Background

- Originally founded in 1925
- Relocated their facility further east in 1988.
- 2,560-acre property.
- 1,500 members and 220 matches in 2019.
- Proposed Phases of Construction:
 - Phase 1 – New Club House and RV Dump Station
 - Phase 2 – New Long-Range Precision Facility (shooting range)
 - Phase 3 – Expansion of the East Range
 - Phase 4 – New Caretaker's House

Aerial View



East 112th Avenue

East 112th Avenue

Site

Rector Leader Road

The Bluffs Hunting Club

East 96th Avenue

E 96th Ave

E 112th Ave

Horrogate Rd

Mimosa Rd

E 128th Ave

Behrens Rd

Rector Leader Rd

East 112th Avenue



Aerial View



Bijou Creek

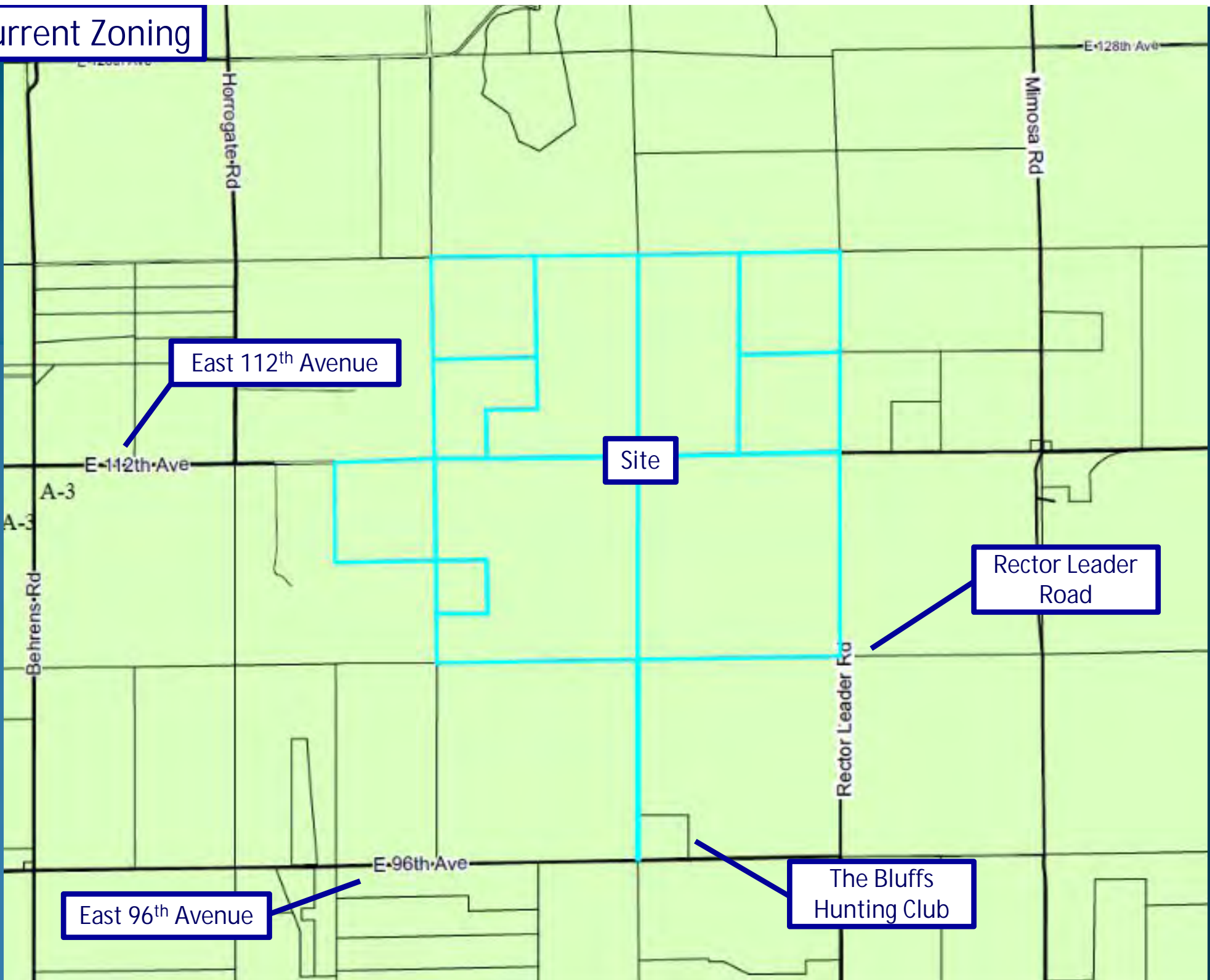
East 112th Avenue

Rector Leader Road

Rector Leader Rd

Rector Leader Rd

Current Zoning



East 112th Avenue

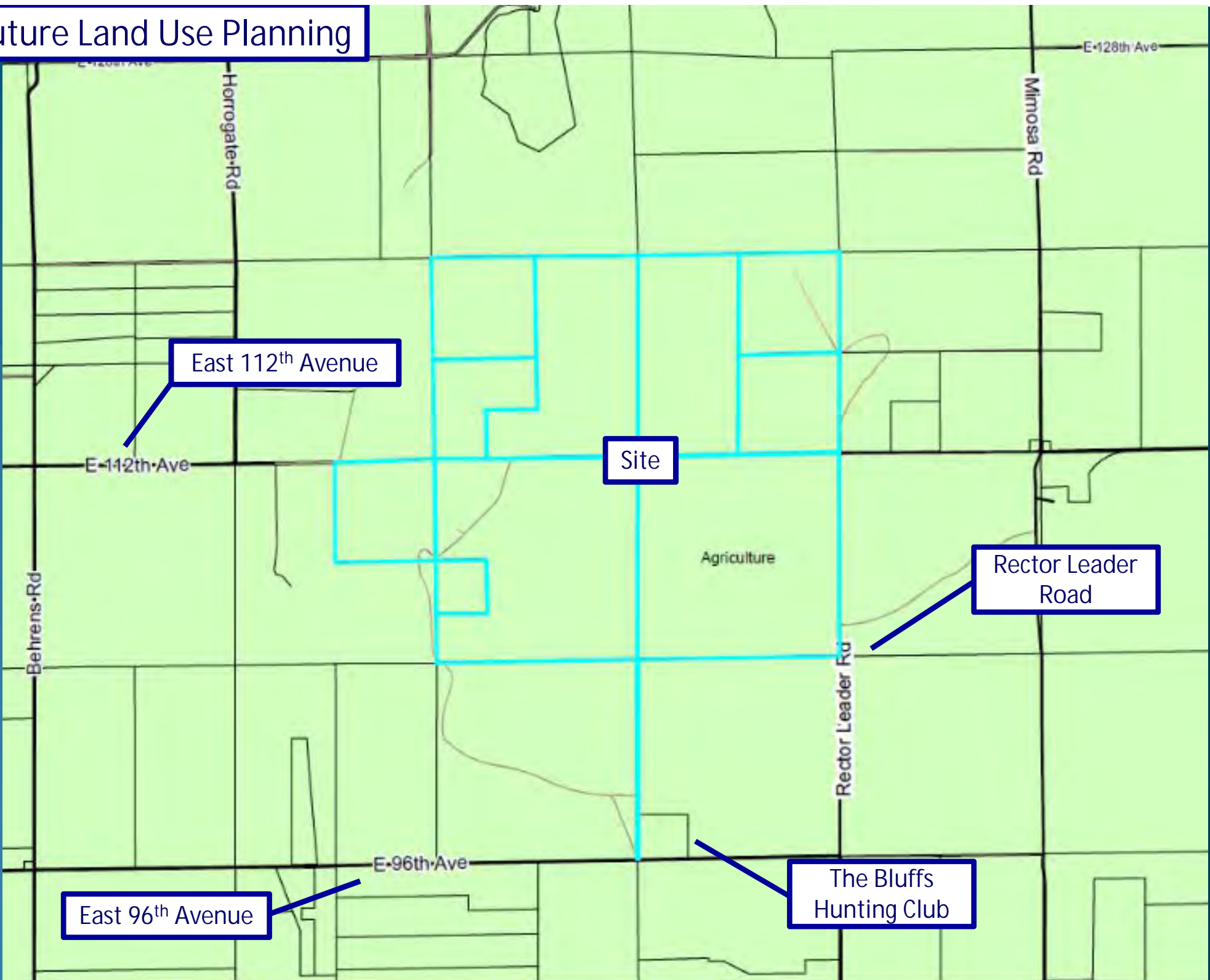
Site

Rector Leader Road

East 96th Avenue

The Bluffs Hunting Club

Future Land Use Planning



East 112th Avenue

Site

Rector Leader Road

East 96th Avenue

The Bluffs Hunting Club



YOU ARE
ENTERING A
WILDLIFE
PRESERVE
NO
HUNTING
ALLOWED

C
R
C

PRIVATE
ROAD





76099



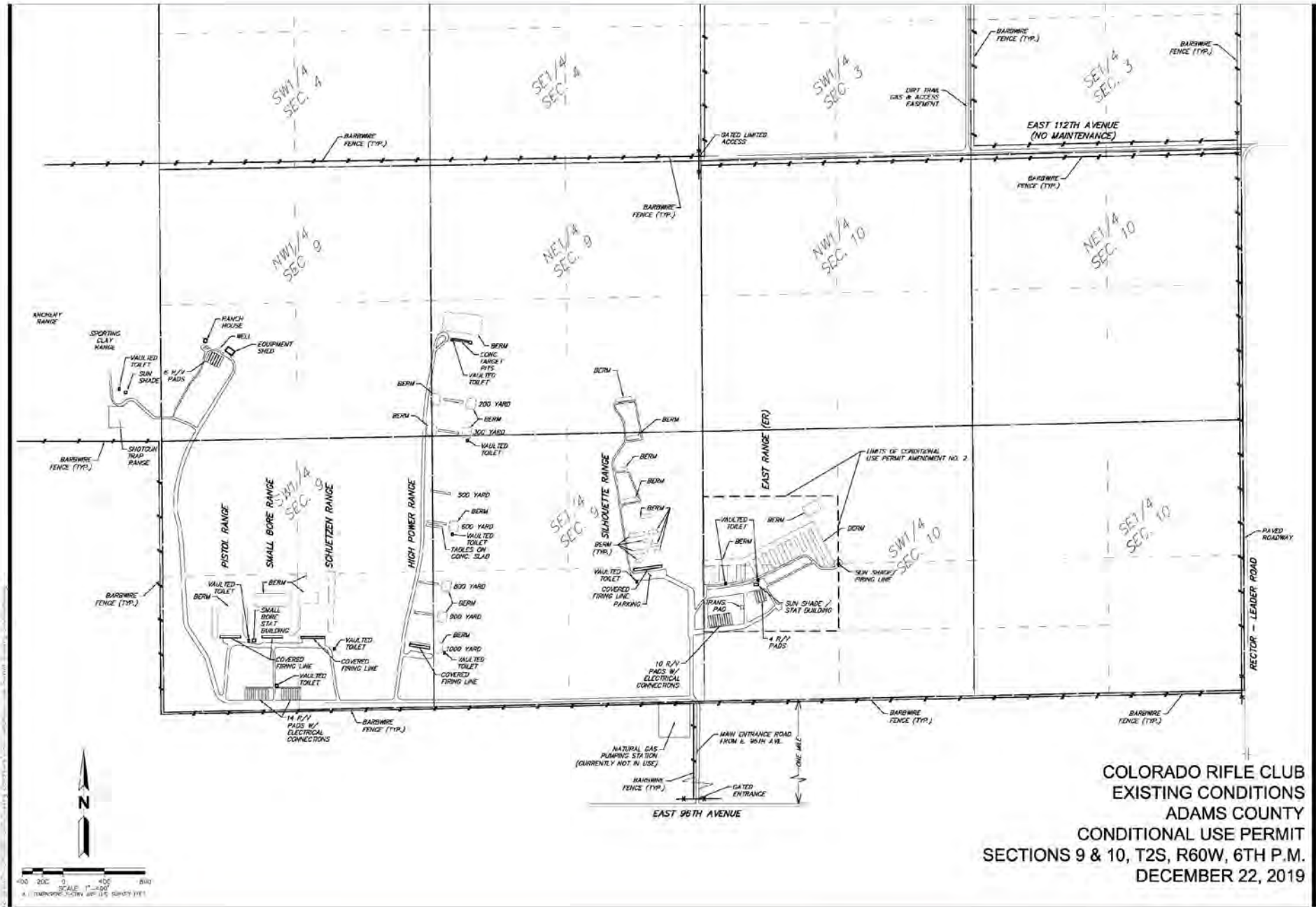


Proposed Phases of Construction

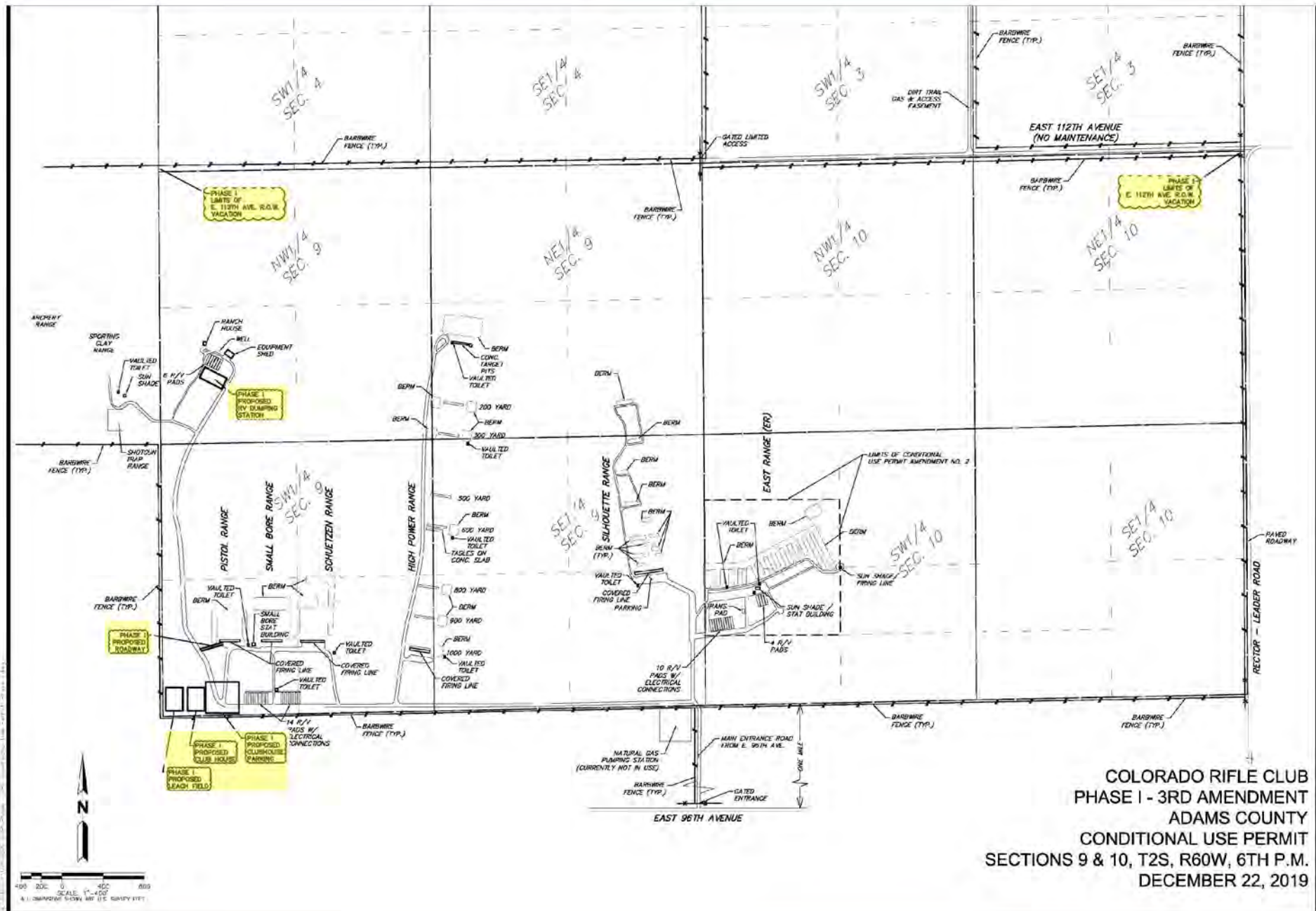
Four (4) phases of construction are proposed for this Conditional Use Permit Amendment over ten (10) years.

- Phase 1
 - New Club House
- Phase 2
 - New Long-Range Precision Facility
- Phase 3
 - East Range Expansion
- Phase 4
 - Residential Caretaker's House

Applicant Site Plan: Existing Conditions

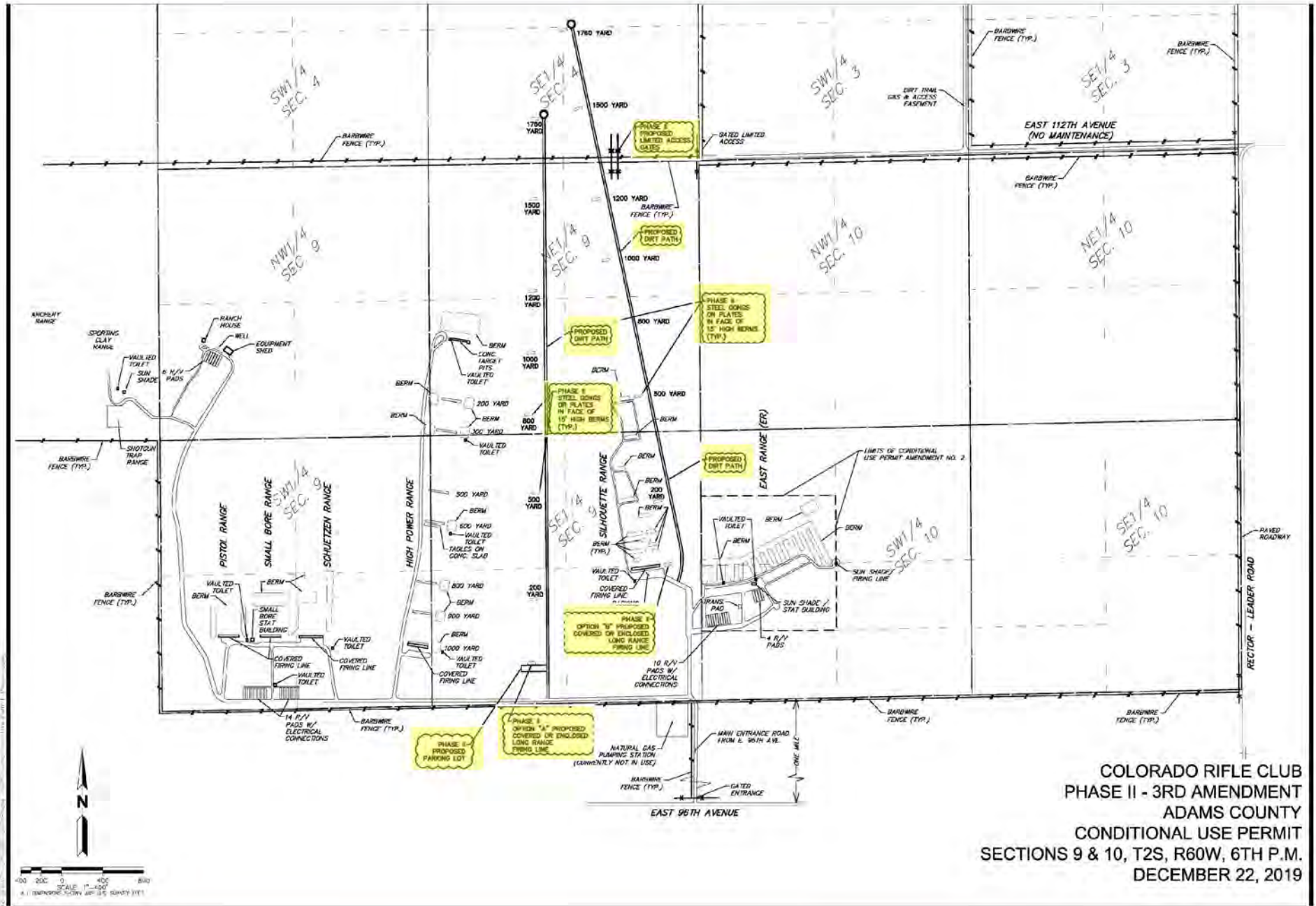


Applicant Site Plan: Phase 1



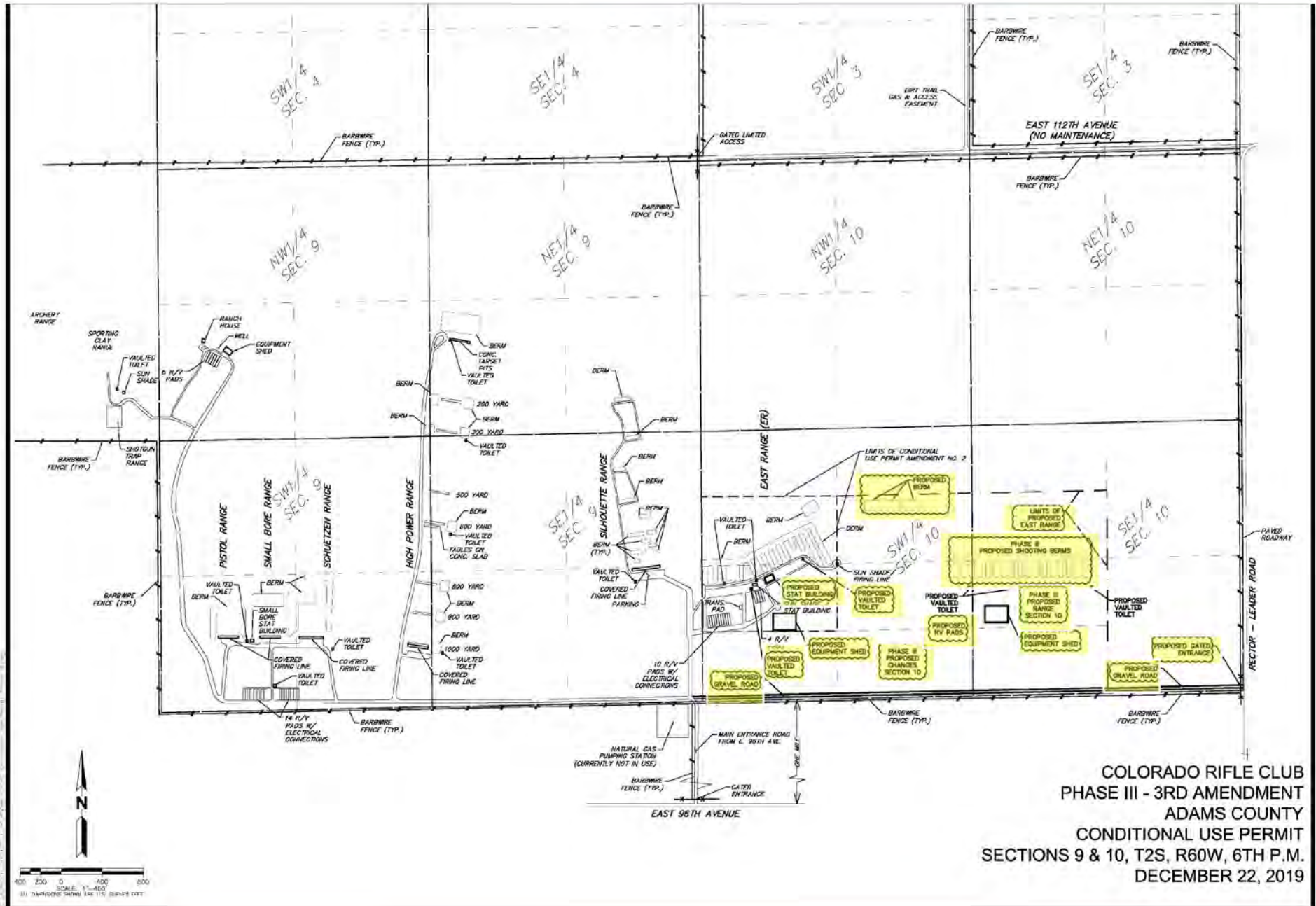
**COLORADO RIFLE CLUB
 PHASE I - 3RD AMENDMENT
 ADAMS COUNTY
 CONDITIONAL USE PERMIT
 SECTIONS 9 & 10, T2S, R60W, 6TH P.M.
 DECEMBER 22, 2019**

Applicant Site Plan: Phase 2



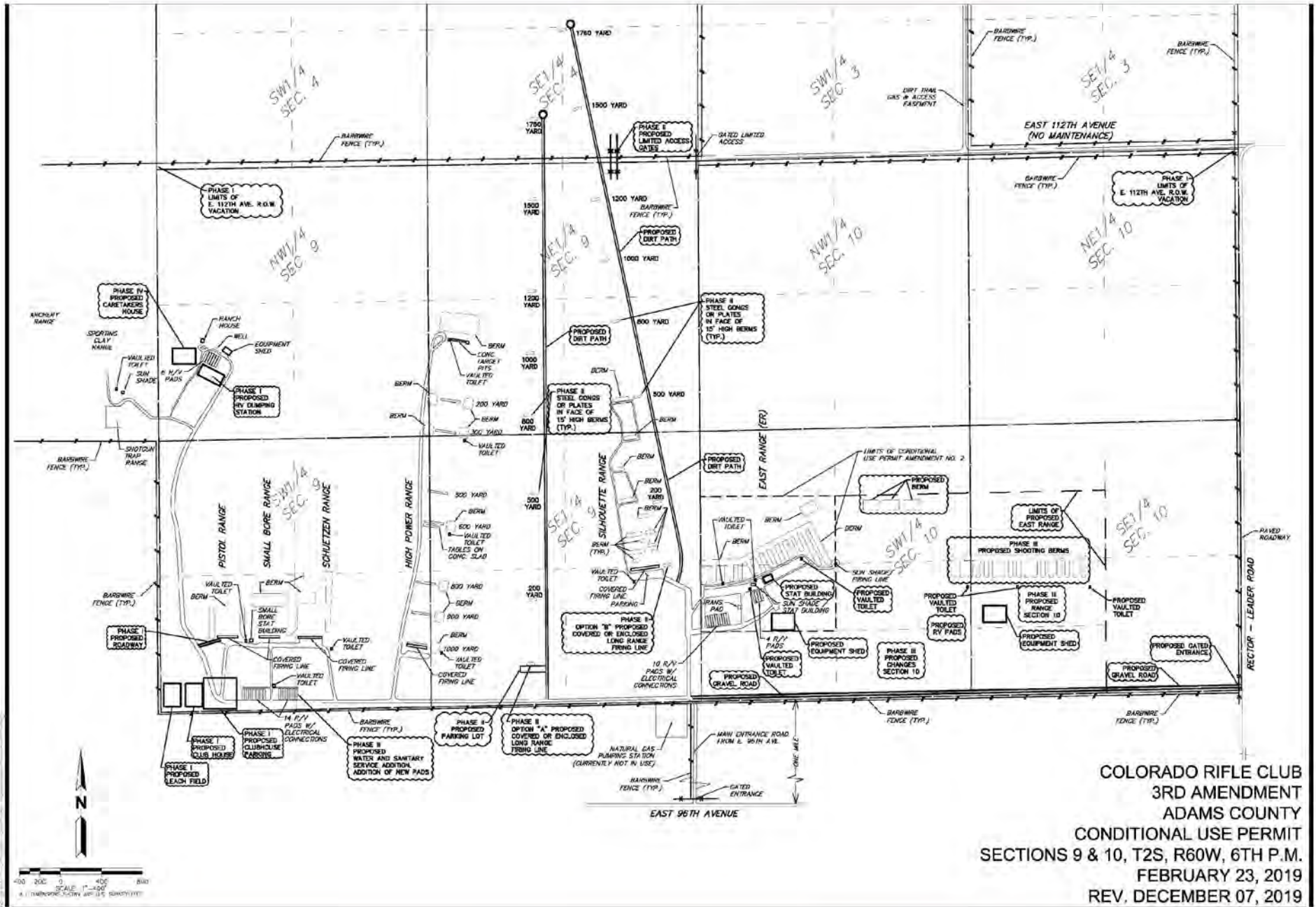
**COLORADO RIFLE CLUB
 PHASE II - 3RD AMENDMENT
 ADAMS COUNTY
 CONDITIONAL USE PERMIT
 SECTIONS 9 & 10, T2S, R60W, 6TH P.M.
 DECEMBER 22, 2019**

Applicant Site Plan: Phase 3



**COLORADO RIFLE CLUB
 PHASE III - 3RD AMENDMENT
 ADAMS COUNTY
 CONDITIONAL USE PERMIT
 SECTIONS 9 & 10, T2S, R60W, 6TH P.M.
 DECEMBER 22, 2019**

Applicant Site Plan: Final Conditions



**COLORADO RIFLE CLUB
3RD AMENDMENT
ADAMS COUNTY
CONDITIONAL USE PERMIT
SECTIONS 9 & 10, T2S, R60W, 6TH P.M.
FEBRUARY 23, 2019
REV. DECEMBER 07, 2019**

Criteria for Conditional Use

Section 2-02-09-06

1. Permitted in zone district
2. Consistent with regulations
3. Complies with performance standards
4. Harmonious & compatible
5. Addressed all off-site impacts
6. Site suitable for use
7. Site plan adequate for use
8. Adequate services

Criteria for Roadway Vacation

Section 2-02-18-08-05

1. Complies with standards and regulations.
2. Nonconforming lots are not created or nonconformity is not increased.
3. Complies with purpose and intent of subdivision regulations.
4. Approval will not harm public health, safety, and welfare.
5. Does not leave any land without an established public road or private access easement.
6. If the roadway is a state or federal highway, approval by the state transportation commission.

Performance Standards

- Gun and Archery Ranges (Section 4-09-02-17-04)
- Commercial Campgrounds (Section 4-09-02-06)
- Landscaping
- Parking

Referral Comments

Notifications Sent*	# Comments Received
47	2

*Property owners and residents within 5,280 ft.

External Referral Agencies Responding with Concerns:

None.

External Referral Agencies Responding without Concerns:

Tri-County Health Department, Colorado Department of Public Health and the Environment, Colorado Department of Wildlife, and Xcel Energy

Planning Commission Update

(May 28th, 2020)

- No members of the public spoke in support of or opposition to the request.
- PC inquired about age restrictions on club memberships, the applicant's established lead abatement program, the feasibility of the applicant promoting lead free bullets, and the overall facility's total water usage.

Criteria for Conditional Use

Section 2-02-09-06

1. Permitted in zone district
2. Consistent with regulations
3. Complies with performance standards
4. Harmonious & compatible
5. Addressed all off-site impacts
6. Site suitable for use
7. Site plan adequate for use
8. Adequate services

Criteria for Roadway Vacation

Section 2-02-18-08-05

1. Complies with standards and regulations.
2. Nonconforming lots are not created or nonconformity is not increased.
3. Complies with purpose and intent of subdivision regulations.
4. Approval will not harm public health, safety, and welfare.
5. Does not leave any land without an established public road or private access easement.
6. If the roadway is a state or federal highway, approval by the state transportation commission.

PC and Staff Recommendation

(PRC2020-00009; Colorado Rifle Club CUP Amendment 3)

The Planning Commission and staff recommend APPROVAL of the subject request (PRC2020-00009) with 14 Findings-of-Fact, 15 Conditions of Approval, and 6 Notes to the Applicant.

Recommended Findings-of-Fact

1. The conditional use is permitted in the applicable zone district.
2. The conditional use is consistent with the purposes of these standards and regulations.
3. The conditional use will comply with the requirements of these standards and regulations, including but not limited to, all applicable performance standards.
4. The conditional use is compatible with the surrounding area, harmonious with the character of the neighborhood, not detrimental to the immediate area, not detrimental to the future development of the area, and not detrimental to the health, safety, or welfare of the inhabitants of the area and the County.
5. The conditional use permit has addressed all off-site impacts.
6. The site is suitable for the proposed conditional use including adequate usable space, adequate access, and absence of environmental constraints.
7. The site plan for the proposed conditional use will provide the most convenient and functional use of the lot including the parking scheme, traffic circulation, open space, fencing, screening, landscaping, signage, and lighting.
8. Sewer, water, storm water drainage, fire protection, police protection, and roads are available and adequate to serve the needs of the conditional use as designed and proposed.

Recommended Findings-of-Fact

1. The roadway vacation complies with these standards and regulations and the original conditions of approval.
2. Nonconforming lots are not created, and in the case of nonconforming lots, the nonconformity is not increased.
3. The roadway vacation is in keeping with the purpose and intent of the subdivision regulations.
4. The approval will not adversely affect the public health, safety, and welfare.
5. The vacation does not leave any land adjoining the roadway without an established public road or private access easement connecting said land with another established public road.
6. If the roadway is a state or federal highway, the vacation has been approved by the state transportation commission.

Recommended Conditions

1. The “buffer area” to the north of the shooting ranges and the Colorado Rifle Club’s facility shall remain in a relatively undeveloped state. No habitable structures shall be permitted to be constructed in this buffer area.
2. Guests/competitors shall either have an NRA membership or memberships in the organization sponsoring the Competitive Shooting Match or Event. Admission to the general public will violate the terms of the Conditional Use.
3. Overnight parking and camping areas shall be limited to the areas designated on the site plan and shall only be used by participants of the range.
4. Warning signs for the range shall be placed in a manner consistent with the existing shooting range at regular intervals of every 200 to 300 feet.
5. Hunting on the property is prohibited.
6. All complaints received by the applicant concerning damage to offsite properties, and the resolution of those complaints, shall be conveyed to the Community and Economic Development Department. Damages to off-site properties shall be responded to and resolved immediately by the applicant. Disputes concerning damages to off-site properties may be resolved by the Community and Economic Development Department and may be justification for a Show Cause Hearing before the Adams County Board of County Commissioners where the permit may be revoked.

Recommended Conditions (cont.)

7. Full automatic weapon firing or explosive devices shall not be permitted on any range.
8. Each of the applicant's proposed four phases of construction must be self sufficient so that the supporting facilities and improvements that are required for each new component are established at the same time as the primary use that is being expanded. Each phase must be reviewed, approved, and constructed to include all supporting facilities and improvements prior to staff considering the next phase. The proposed phases of construction must comply with the approved site plan and the information submitted to staff that is included within the staff report. A Notice to Proceed from the Community and Economic Development Department will be required prior to commencing construction of each phase.
9. The proposed club house cannot be used to host public meetings or events. Use of the club house is only allowed for members, guests, and competitors of Colorado Rifle Club competitions and events. Compensation may not be received in exchange for hosting events at the facility.
10. The applicant will continue their established program of removing spent ammunition from berms and backstops on a schedule commensurate with the intensity of range use but not to exceed every 15-years.

Recommended Conditions (cont.)

11. Fugitive dust control techniques for unpaved roads and disturbed areas, as described by the Colorado Department of Public Health and Environment's referral letter, must be in place throughout the duration of construction activities on the site.
12. The applicant must permit, construct, and operate a designated holding tank or vault for the disposal of waste into the proposed RV dump station, as described by the Tri-County Health Department's referral letter and in compliance with their current regulations.
13. Applicant must receive a permit for the installation and final approval of the facility's on-site wastewater treatment system, as described by the Tri-County Health Department's referral letter.
14. Applicant must work with the County to grant an open space and drainage easement along Bijou Creek in order for the County to access and maintain the banks of the creek, if needed.
15. Applicant must receive building permit approval for all unpermitted commercial structures located on the property within a year of approval of this Conditional Use Permit Amendment (June 16, 2021).

Recommended Notes to the Applicant

1. All applicable building, zoning, engineering, fire, and health codes shall be adhered to with this request.
2. Colorado Rifle Club members should endeavor to utilize Rector Leader Road to gain access to the site during the months of April through October as much as possible to lessen conflicts with farm machinery.
3. Promoting the use of lead-free bullets within the shooting range by the applicant is strongly encouraged as a best management practice to reduce the potential for environmental contamination.
4. Implementing appropriate best management practices for lead at outdoor shooting ranges, as outlined in the EPA's guidance document, EPA-902-B-01-001, is recommended as a means to further control potential lead contamination.
5. Applicant must receive a new access permit from the Community and Economic Development Department in order to establish the new point of access from Rector Leader Road.
6. It should be known the Conditional Use Permit runs with the land. Any future owner, should the CRC be sold to another entity, should know they will be subject to all of the conditions within this amendment and the previous three cases (RCU2007-00035, Case # 76-88-C, and Case # 82-95-CA).