



Administration Building
East Hearing Room
5334 S. Prince St.
Littleton, CO 80120
303-795-4630
Relay Colorado 711
303-795-4630 Audio Agenda Line

Kathleen Conti, District 1
Nancy Sharpe, Chair, District 2
Jeff Baker, Chair Pro Tem, District 3
Nancy Jackson, District 4
Bill Holen, District 5

Public Meeting

**May 2, 2017
9:30 A.M.**

The Board of County Commissioners holds its weekly Public Hearing at 9:30 a.m. on Tuesdays. Public Hearings are open to the public and items for discussion are included on this agenda. Items listed on the consent agenda are adopted with one vote. Items listed under regular business are considered separately. Agendas are available through the Commissioners' Office or through the County's web site at www.arapahoegov.com. Questions about this agenda, please contact the Commissioners' Office at 303-795-4630 or by e-mail at commissioners@arapahoegov.com.

AGENDA

1. OPENING

1.a. CALL TO ORDER

Arapahoe County Board of County Commissioners

1.b. INTRODUCTION

Ron Carl, County Attorney

Joleen Sanchez, Asst. Clerk to the Board

1.c. ROLL CALL

1.d. PLEDGE OF ALLEGIANCE

2. MODIFICATION TO THE AGENDA

3. ADOPTION OF THE AGENDA

4. CEREMONIES

4.a. CEREMONY - Recognition of Bryan Weimer for receiving a Distinguished Service Award from the Denver Regional Council of Governments (DRCOG)

Recognition of Bryan Weimer for receiving a Distinguished Service Award from the Denver Regional Council of Governments (DRCOG) at their annual awards celebration on April 26, 2017

Bryan Weimer, Transportation Division Manager, Public Works and Development

Dave Schmit, Director, Public Works and Development
Caitlin Wilson, Communication Specialist, Communication Services

Documents:

[DRCOG_DISTINGUISHED_SERVICE_AWARD_WEIMER.PDF](#)

5. APPROVAL OF THE MINUTES

5.a. BOCC Public Meeting Minutes - April 11, 2017

Documents:

[BOCC PUBLIC MEETING MINUTES 04.11.2017.PDF](#)

6. CITIZEN COMMENT PERIOD

Citizens are invited to speak to the Commissioners on non-agenda items. There is a 3-minute time limit per person, unless otherwise noted by the Chair.

7. CONSENT AGENDA

7.a. 4.17.17 Warrant ACH Expenditure Report

Authorization to sign the Warrant Disbursement Register

Ron Carl, County Attorney

Documents:

[4.17.17 WARRANT ACH EXPENDITURE REPORT.PDF](#)

7.b. 2017 Agreement for Services Between Arapahoe County and Aramark Correctional Services, LLC to Provide Inmate Food and Laundry Services

Adoption of a resolution authorizing the Chair of the Board of County Commissioners to sign the 2017 Agreement for Services between Arapahoe County and Aramark Correctional Services, LLC for the provision of inmate food and laundry services per RFP-17-13 for the period of April 1, 2017 to March 31, 2018, at the rates set forth in the Agreement, pursuant to the terms contained therein

Olga Fajaros, Budget & Logistics Manager, Sheriff's Office

Vince Line, Detentions Bureau Chief, Sheriff's Office

Louie Perea, Undersheriff, Sheriff's Office

David C. Walcher, Sheriff

Todd Weaver, Budget Manager, Finance

Tiffany Bleau, Senior Assistant County Attorney

Documents:

[BSR CONSENT AGENDA - ARAMARK.PDF](#)

[ARAMARK 2017-AGREEMENT FOR SERVICES - SIGNED BY VENDOR.PDF](#)

[EXHIBIT B - ARAMARK PRICING FORM.PDF](#)

7.c. Amendment No. 1 to Agreement for Services with Super Vac Manufacturing Co, Inc., - Pricing Update for new Decals

Adoption of a resolution authorizing the Chair of the Board of County Commissioners to sign the Amendment No. 1 to the Agreement for Services by and between Arapahoe County and Super Vac Manufacturing Co., Inc., dba SVI

Graphics, to provide updated pricing for exterior vehicle graphics for the Arapahoe County Sheriff's Office vehicles

Olga Fujaros, Budget & Logistics Manager, Sheriff's Office
Glenn Thompson, Public Safety Bureau Chief, Sheriff's Office
Louie Perea, Undersheriff, Sheriff's Office
David C. Walcher, Sheriff
Todd Weaver, Budget Manager, Finance
Tiffanie Bleau, Senior Assistant County Attorney

Documents:

[BSR -SVI ADDENDUM.DOCX](#)
[RESO-SVI ADDENDUM.DOCX](#)
[SVI ADDENDUM SIGNED BY VENDOR.PDF](#)

8. GENERAL BUSINESS ITEMS

8.a. *PUBLIC HEARING - Prosper Waste Water Treatment Plant Location and Extent (L16-002) Appeal of Planning Commission Denial (Continued from March 7, 2017)

Consideration of an appeal of the Planning Commission's denial of a Location and Extent application for a waste water treatment plant for the Prosper Development, (Case No. L16-002)

Presenter - Sherman Feher, Senior Planner, Public Works & Development
Jason Reynolds, Current Planning Manager, Public Works & Development
Jan Yeckes, Planning Division Manager, Public Works & Development
David M. Schmit, Director, Public Works & Development
Todd Weaver, Budget Manager, Finance
Robert Hill, Senior Assistant County Attorney

Documents:

[LE16-002 050217 BSR MOTIONS RESO ET AL.PDF](#)
[L16-002 PC REVISED STAFF REPORT AND PACKET 2.PDF](#)
[L16-002 LOCATION AND EXTENT DRAWINGS.PDF](#)

8.b. *PUBLIC HEARING - Prosper Waste Water Treatment Plant 1041 Permit (ASI16-001) (Continued from March 7, 2017)

Consideration of a request from the applicant, Prosper Regional Water and Sanitation Service Metropolitan District, seeking approval of a 1041 Permit for a wastewater treatment plant that would serve the Prosper Development located southwest of the unincorporated town of Watkins, (Case No. ASI16-001)

Presenter - Sherman Feher, Senior Planner, Public Works & Development
Jason Reynolds, Current Planning Manager, Public Works & Development
Jan Yeckes, Planning Division Manager, Public Works & Development
David M. Schmit, Director, Public Works & Development
Todd Weaver, Budget Manager, Finance
Robert Hill, Senior Assistant County Attorney

Documents:

[ASI16-001 BSR MOTIONS RESOS ET AL 050217.PDF](#)
[ASI16-001 PC STAFF REVISED REPORT AND PACKET 2.PDF](#)
[ASI16-001 BOCC ENG SUMMARY REPORT.PDF](#)

8.c. ***PUBLIC HEARING - Prosper Waste Water Treatment Plant Subdivision Exemption (X16-001) (Continued from March 7, 2017)**

Consideration of a request from the applicant, Prosper Regional Water and Sanitation District, for approval of a Subdivision Exemption for a 8.5 acre lot that would contain a waste water treatment plant for the Prosper development (Case No. X16-001)

*Presenter - Sherman Feher, Senior Planner, Public Works & Development
Jason Reynolds, Current Planning Manager, Public Works & Development
Jan Yeckes, Planning Division Manager, Public Works & Development
David M. Schmit, Director, Public Works & Development
Todd Weaver, Budget Manager, Finance
Robert Hill, Senior Assistant County Attorney*

Documents:

[X16-001 050217 BSR MOTION RESO ET AL.PDF](#)
[X16-001 BOCC STAFF REPORT AND REFERRALS.PDF](#)
[X16-002 PROSPER WTP SUBDIV EXEMP REV4 02.27.17.PDF](#)

9. **COMMISSIONER COMMENTS**

***Denotes a requirement by federal or state law that this item be opened to public testimony. All other items under the "General Business" agenda may be opened for public testimony at the discretion of the Board of County Commissioners.**

Arapahoe County is committed to making its public meetings accessible to persons with disabilities. Assisted listening devices are available. Ask any staff member and we will provide one for you. If you need special accommodations, contact the Commissioners' Office at 303-795-4630 or Relay Colorado 711.

Please contact our office at least 3 days in advance to make arrangements.

PRESSRELEASE



1290 Broadway • Suite 100 • Denver, Colorado 80203-5606
main: 303-455-1000 • fax: 303-480-6790 • email: drcog@drcog.org • web: www.drcog.org

For Immediate Release: April 27, 2017

Contact:

Winna MacLaren
Public relations coordinator
Desk: 303-480-6743
E-mail: WMacLaren@drcog.org

**DENVER REGIONAL COUNCIL OF GOVERNMENTS HONORS BRYAN WEIMER
WITH A DISTINGUISHED SERVICE AWARD**

DENVER – Bryan Weimer received a Distinguished Service Award from the Denver Regional Council of Governments (DRCOG). The award was presented by DRCOG board secretary Bob Fifer at DRCOG's annual awards celebration on April 26 at the Sheraton Downtown Denver.

Weimer is the transportation division manager for Arapahoe County and has participated on DRCOG transportation planning committees for 30 years. He is a longstanding member of DRCOG's Transportation Advisory committee and has joined ad-hoc committees for projects such as the Transportation Improvement Program and the Regional Transportation Plan.

"Bryan Weimer has contributed to transportation planning in our region over the last three decades," said Doug Rex, DRCOG's acting executive director. "He has helped to shape mobility in our area as it has grown and changed, and we're thankful for his continued leadership in tackling new challenges."

The American Public Works Association recently designated Weimer as a Leadership Fellow, teaching and mentoring public works professionals in the Donald C. Stone Center for Leadership Excellence in Public Works.

DRCOG presents Distinguished Service Awards to individuals who make significant contributions to the Denver region and its communities, and to DRCOG's programs and activities. The regional council has been honoring outstanding achievements for more than 30 years.

The Denver Regional Council of Governments is a planning organization where local governments collaborate to establish guidelines, set policy and allocate funding in the areas of transportation and personal mobility, growth and development, and aging and disability resources.

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(Insert photo of the group/individual who won the award)

**MINUTES OF THE ARAPAHOE COUNTY
BOARD OF COUNTY COMMISSIONERS
TUESDAY, APRIL 11, 2017**

At a public meeting of the Board of County Commissioners for Arapahoe County, State of Colorado, held at 5334 South Prince Street, Littleton, Colorado 80120 there were:

Nancy Sharpe, Chair	Commissioner District 2	Present
Jeff Baker, Chair Pro-Tem	Commissioner District 3	Present
Kathleen Conti	Commissioner District 1	Present
Nancy Jackson	Commissioner District 4	Present
Bill Holen	Commissioner District 5	Present
Ron Carl	County Attorney	Present
Matt Crane	Clerk to the Board	Absent and Excused
Joleen Sanchez	Asst. Clerk to the Board	Present

when the following proceedings, among others, were had and done, to-wit:

CALL TO ORDER

Commissioner Sharpe called the meeting to order.

INTRODUCTIONS

ROLL CALL

PLEDGE OF ALLEGIANCE

MODIFICATION(S) TO THE AGENDA

Move General Business Item 7.b. to the Consent Agenda, as Item 6.e.

ADOPTION OF THE AGENDA

The motion was made by Commissioner Holen and duly seconded by Commissioner Baker to adopt the Agenda as amended.

The motion passed unanimously.

APPROVAL OF THE MINUTES

The motion was made by Commissioner Baker duly seconded by Commissioner Conti to approve the minutes from the March 21, 2017 Public Meeting.

The motion passed unanimously.

CEREMONIES

There were no ceremonies on this date.

CITIZEN COMMENT PERIOD

JM Fay, 2575 S. Syracuse Way, requested a copy of the County budget, and expressed concern about illegal residents, county meeting coordination, the library district, and parking spaces near her residence.

CONSENT AGENDA

The motion was made by Commissioner Conti and duly seconded by Commissioner Baker to approve the items on the Consent Agenda as modified.

The motion passed unanimously.

GENERAL BUSINESS ITEMS

Item 7.a. – Resolution No. 170257 - Case No. P16-025 – Denver Jewish Senior Living Final Plat

Senior Assistant County Attorney Robert Hill established jurisdiction for the Board to hear this case.

Molly Orkild-Larson, Senior Planner, introduced the case and explained why staff supports waiving cash-in-lieu requirements for parks and schools. Staff recommends approval of this case with conditions. Fees for the library district, the fire district and the Sheriff would not be waived.

Public Comment Period Opened

JM Fay - opposed

Public Comment Period Closed

The motion was made by Commissioner Jackson in the case of P16-025, Denver Jewish Senior Living Final Plat, that the Board has reviewed the staff report, including all exhibits and attachments, and has listened to the applicant's presentation and the public comment as presented at the public hearing and hereby move to APPROVE this application based on the findings in the staff report, subject to the following condition:

1. Prior to signature of the final mylar copy of the Final Plat, the applicant agrees to address the Arapahoe County Public Works and Development Department comments and concerns, as outlined in their reports.
2. Applicant shall pay cash-in-lieu in the amount of \$1,760 for other public purposes; The applicant's request to waive the cash-in-lieu for public schools and public park dedications, on the grounds that the senior living and memory care residents will not generate impacts on schools and parks, is granted.

Duly seconded by Commissioner Holen.

The motion passed 5-0.

Item 7.c. – Resolution No. 170258 - Case Z16-008 – Dove Valley Master Development Plan – 4th Amendment

Senior Assistant County Attorney Robert Hill established jurisdiction for the Board to hear this case.

Bill Skinner, Senior Planner, introduced the case and explained the details of the amendment.

Jerry Kemp, representing the applicant, presented a PowerPoint presentation and reviewed the proposed changes to the Master Development Plan (MDP).

Dennis Moore, representing PDB Sports, explained the details of the proposed signage.

There was extensive discussion regarding the requested modifications to signage requirements.

Public Comment Period Opened

There were no public comments.

Public Comment Period Closed

The motion was made by Commissioner Sharpe in the case of Z16-008, Dove Valley Business Park MDP 4th Amendment, that the Board has reviewed the staff report, including all exhibits and attachments and has listened to the applicant's presentation and the public comment as presented at the hearing, and hereby move to approve this application based on the findings in the staff report, subject to the following conditions:

1. Prior to signature of the final copy of these plans, the applicant will address all Public Works and Development Staff comments.
2. The approval excludes the Planning Commission recommendation of 2-acre lot minimum for the increased 10-foot tall monument sign size, but requires that such increased monument signs only be allowed where the nearest on-site building is more than 30 feet tall. All other monument signs may be expanded to eight feet tall.
3. This approval allows rooftop signs as proposed, subject to the specific sign dimensional and mounting limitations as stated in the staff report and depicted in the attached plans for Lots 1, 2, and 3 of Dove Valley Business Park, Subdivision Filing 24.
4. All references to signs for professional sports teams on the MDP shall be replaced with a reference to Lots 1, 2, and 3 of Dove Valley Business Park Subdivision Filing 24.

Duly seconded by Commissioner Conti.

The motion passed 5-0.

COMMISSIONER COMMENTS

There were no commissioner comments on this date.

There being no other business before the Board, Commissioner Sharpe adjourned the meeting at 10:47 a.m.

ARAPAHOE COUNTY BOARD OF COUNTY COMMISSIONERS

MATT CRANE, CLERK TO THE BOARD**BY JOLEEN SANCHEZ, ASSISTANT CLERK TO THE BOARD**

REPORT FOR 04/11/2017 TO 04/17/2017

FUNDS SUMMARY:

FUNDS SUMMARY:

10 General Fund	774,021.72
11 Social Services	94,154.05
14 Law Enforcement Authority Dist	6,327.24
15 Arapahoe / Douglas Works!	80,999.18
16 Road and Bridge	36,093.95
20 Sheriff's Commissary	7,036.93
21 Community Development	45,489.88
25 Developmental Disability	1,175,612.70
26 Grants	474,488.33
28 Open Space Sales Tax	52,402.61
29 Homeland Security - North Cent	12,555.00
33 Building Maintenance Fund	39,411.02
41 Capital Expenditure	7,153.77
42 Infrastructure	82,255.41
43 Arapahoe County Recreation Dis	6,573.07
70 Central Services	130,852.69
71 Self-Insurance Liability	13,983.29
72 Employee Flexible Benefit	1,811.50
73 Self-Insurance Workers Comp	118.50
74 Self-Insurance Dental	39,204.10
84 E-911 Authority	465.20
91 Treasurer	686.04
=====	
TOTAL	3,081,696.18

FUND REPORT - EXPENDITURE TYPE

FUND 10 EXPENDITURE REPORT

1ST CLASS TOWING	Services And Other	170.00
4 A LLC	Services And Other	652.50
A2M4SEEN LLP	Supplies	666.06
ABELMAN LAW OFFICES	MISC.	25.00
ALL TRUCK AND TRAILER PARTS (ATTP)	Supplies	970.20
AMERICAN INSTITUTIONAL SUPPLY	MISC.	2,715.15
ANDREA RASIZER	Services And Other	88.50
ANGELA STANTON	Services And Other	8.24
AQUA SERVE	Services And Other	166.00
ARAMARK CHICAGO LOCKBOX	Services And Other	2,975.00
ARAMARK CHICAGO LOCKBOX	Supplies	48,225.58
ARAPAHOE COUNTY SHERIFFS OFFICE	Supplies	528.00
ARAPAHOE WATER AND WASTEWATER	Services And Other	14,064.08
ASSOCIATION OF THREAT ASSESSMENT	Services And Other	160.00
AURORA INTERCHURCH TASK FORCE	Services And Other	12,500.00
AURORA MENTAL HEALTH	Services And Other	17,550.00
AUTOZONE STORES INC	Supplies	58.23-
BATTERY SYSTEMS INC	Supplies	87.63
BC SERVICES INC	MISC.	30.00
BERGKAMP INC	Supplies	223.58
BRANDON HOLDER	Services And Other	64.63
BRENDA SIMONS	Services And Other	4.72
BRIAN GILPATRICK	Services And Other	59.55
BRIAN WEISS	Services And Other	105.00
BRUCE A THAYER	Services And Other	25.95



Board Summary Report

Date: April 12, 2017

To: Board of County Commissioners

Through: David C. Walcher, Sheriff

From: Olga Fajaros, Budget & Logistics Manager

Subject: 2017 Agreement for Services Between Arapahoe County and Aramark Correctional Services, LLC per RFP-17-13

Request and Recommendation

Request the Board of County Commissioners to authorize the Chair of the Board of County Commissioners to sign the Agreement for Services between Arapahoe County and Aramark Correctional Services, LLC for the provision of Inmate Food and Laundry Service at the Arapahoe County Sheriff's Office Detention Facility.

Background

An RFP for inmate food and laundry services was solicited in 2017 with the option to renew the contract for subsequent one-year periods. The optional renewal periods shall not exceed a total of three additional years.

Links to Align Arapahoe

Optimize Use of Resources: The RFP process ensures that the Arapahoe County Sheriff's Office Detention Facility is getting the best possible price for the services it needs.

Discussion

Aramark Correctional Services, LLC was awarded the contract for the provision of inmate food and laundry services per RFP-17-13.

Alternatives

There is no alternative as Aramark Correctional Services, LLC was awarded the contract per formal solicitation.

Fiscal Impact

The cost of the Agreement for Services is included in the Sheriff's Office General Fund Budget for 2017. The cost of the food portion of the Agreement will vary according to inmate population. The cost of the laundry portion of the Agreement will be \$140,400.

Concurrence

The Sheriff's Office Administration and Detention Services Bureau are in concurrence with this decision.

Reviewed By:

Olga Fajaros, Budget & Logistics Manager

Vincent Line, Detention Service Bureau

Louie Perea, Undersheriff

David C. Walcher, Sheriff

Finance Department

County Attorney

RESOLUTION NO. It was moved by Commissioner and duly seconded by Commissioner to authorize the Chair of the Board of County Commissioners to sign the 2017 Agreement for Services between Arapahoe County and Aramark Correctional Services, LLC for the provision of inmate food and laundry services per RFP-17-13 for the period of April 1, 2017 to March 31, 2018, at the rates set forth in the Agreement, pursuant to the terms contained therein.

The vote was:

Commissioner Baker, ; Commissioner Conti, ; Commissioner Holen, ; Commissioner Jackson, ; Commissioner Sharpe, .

The Chair declared the motion carried and so ordered.

AGREEMENT FOR SERVICES

Project Number or Name: Inmate Food & Laundry Services, RFP-17-13

THIS AGREEMENT is entered into as of the 1st day of April, 2017 by and between the Board of County Commissioners of the County of Arapahoe, State of Colorado (hereinafter referred to as the "County") and Aramark Correctional Services, LLC (hereinafter referred to as the "Contractor").

WHEREAS, the County desires to engage the Contractor to provide the services described in Exhibit A.

NOW, THEREFORE, the parties mutually agree as follows:

1. **Scope of Services.** The Contractor agrees to perform the services described in Section 1 of Exhibit A, which document is attached hereto and incorporated herein in its entirety.
2. **Time of Performance.** The services of the Contractor are to commence and be completed (or end) by the dates set forth in Section 2 of Exhibit A, unless this Agreement is sooner terminated pursuant to paragraph 4.A. below. All time limits are of the essence in this Agreement.
3. **Method of Payment.** The County will compensate the Contractor for services rendered in accordance with Section 3 of Exhibit A, subject to the availability of appropriated funds within the annual budget. The Contractor is responsible for paying all applicable income, Federal Insurance Contributions Act (FICA), Federal Unemployment Tax Act, or other taxes owed on compensation paid under this Agreement. The Contractor shall submit requests for payment in a form acceptable to the County and in conformance with the County's policies. The Contractor shall provide such backup information for its payment requests as may be reasonably requested by the County. The County shall have forty-five (45) days from receipt of any payment request to make payment to the Contractor.
4. **General Terms and Conditions.**
 - A. **Termination of Agreement.** The County or the Contractor shall have the right to terminate this Agreement, with or without cause, by giving written notice to the other party of such termination and specifying the effective date thereof, which notice shall be given at least the number of days set forth in Section 4 of Exhibit A prior to the effective date of such termination. In such event, all finished or unfinished documents, data, studies and reports prepared by the Contractor pursuant to this Agreement shall become the property of the County. Unless expressly stated otherwise in the notice, Contractor shall provide no further services in connection with this Agreement after receipt of a notice of termination, and the Contractor shall proceed to cancel all existing orders and contracts that are chargeable to the County under this Agreement. The Contractor shall be entitled to receive compensation in accordance with this Agreement for any satisfactory services completed pursuant to the terms of this Agreement prior to the date of receipt of the notice of termination, or such other stop-work date as may be specified in the notice. Notwithstanding the above, the Contractor shall not be relieved of liability to the County for damages sustained by virtue of any breach of this Agreement by the Contractor.
 - B. **Changes.** The County or Contractor may, from time to time, request changes in the scope of services or compensation of the Contractor. Such changes that are mutually agreed upon between the County and Contractor shall be in writing, and upon execution shall become part of this Agreement. To be effective, all changes must be signed by the Contractor and by the Board of County Commissioners, or by a person authorized by resolution to sign on behalf of the Board.
 - C. **Assignability or Subcontracting.** Any assignment, transfer or subcontracting of this Agreement is prohibited, unless written consent is obtained from the County.
 - D. **Audit.** The County and any of its duly authorized representatives shall have reasonable access to any books, documents, papers and records of the Contractor which are pertinent to the Contractor's performance under this Agreement for the purpose of making an audit, examination, or excerpts. The Contractor shall provide any documentation necessary to prepare all reporting required of or by the County, and shall keep all books, documents, papers and records

which are pertinent to the Contractor's performance for a minimum period of three years, or such longer time as may be set forth in any Special Conditions or addendums to this Agreement.

E. Equal Employment Opportunity. While performing this Agreement, the Contractor shall not discriminate against any employee, subcontractor, or applicant for employment because of disability, race, creed, color, sex, sexual orientation, religion, age, national origin, or ancestry.

F. Ownership of Documents. All drawings, specifications, guidelines and other documents prepared or received by the Contractor in connection with this Agreement shall be the property of the County.

G. Assignment of Copyrights. The Contractor assigns to the County the copyrights to all works prepared, developed, or created pursuant to this Agreement, including the rights to: 1) reproduce the work; 2) prepare derivative works; 3) distribute copies to the public by sale, rental, lease, or lending; 4) perform the works publicly; and 5) to display the work publicly. The Contractor waives its rights to claim authorship of the works, to prevent its name from being used in connection with the works, and to prevent distortion of the works.

H. Governing Law/Forum/Interpretation. This Agreement has been executed by the parties hereto on the day and year first above written and shall be governed by the laws of the State of Colorado. Venue for any civil action relating to this Agreement shall be in Arapahoe County. Both parties agree that the rule that ambiguities in a contract are to be construed against the drafting party shall not apply to the interpretation of this Agreement. If there is any conflict between the language of this Agreement and any exhibit or attachment, the language of this Agreement shall govern.

I. Compliance with Laws/Licenses and Permits. The Contractor shall comply with all applicable federal, state and local laws, ordinances, regulations, and resolutions. The Contractor shall be responsible for obtaining all licenses and permits necessary to perform the scope of services, at the Contractor's expense, unless specifically stated otherwise in this Agreement.

J. No Waiver of Rights. The County's approval or acceptance of, or payment for, services shall not be construed to operate as a waiver of any rights or benefits to be provided under this Agreement. No covenant or term of this Agreement shall be deemed to be waived by the County except in writing signed by the Board of County Commissioners or person authorized to sign by resolution of the Board, and any waiver of a right shall not be construed to be a waiver of any other right or to be a continuing waiver, unless specifically so stated.

K. Non-appropriation. Pursuant to C.R.S. § 29-1-110, as amended, the financial obligations of the County as set forth herein after the current fiscal year are contingent upon funds for that purpose being appropriated, budgeted and otherwise available. This Agreement is automatically terminated on January 1st of the first fiscal year for which funds are not appropriated. The County shall give the Contractor written notice of such non-appropriation.

L. Conflict of Interest/Ethics. The Contractor shall refrain from providing services to other persons, firms or entities that would create a conflict of interest for Contractor with regard to providing services pursuant to this Agreement. The Contractor shall not offer or provide anything of benefit to any County official or employee that would place the official or employee in a position of violating the public trust in violation of Colorado Constitution Article XXIX, C.R.S. § 24-18-109, as amended, or the County's Ethical Principles and Guidelines.

M. Remedies. In addition to any other remedies provided for in this Agreement, and without limiting its remedies available at law, the County may exercise the following remedial actions if the Contractor substantially fails to satisfy the duties and obligations in this Agreement. Substantial failure to satisfy the duties and obligations shall mean significant insufficient, incorrect or improper performance, activities or inactions by the Contractor. These remedial actions are as follows:

(1) Suspend Contractor's performance pending necessary corrective action as specified by the County without the Contractor's entitlement to an increase in price/cost or a time extension; and/or

(2) Withhold payment to the Contractor until the necessary services or corrections in performance are satisfactorily completed; and/or

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(3) Deny payment for those services which have not been satisfactorily performed, or which, due to circumstances caused by the Contractor, cannot be performed, or if performed would be of no value to the County.

The foregoing remedial actions are cumulative and the County, at its sole discretion, may exercise any or all of them individually or simultaneously. The County shall provide written notice to Contractor of its exercise of any of the foregoing remedial actions.

N. Force Majeure. Neither the Contractor nor the County shall be liable for any delay in, or failure of performance of, any covenant or promise contained in this Agreement, nor shall any delay or failure constitute default or give rise to any liability for damages if, and only to extent that, such delay or failure is caused by "force majeure." As used in this Agreement, "force majeure" means acts of God, acts of the public enemy, unusually severe weather, fires, floods, epidemics, quarantines, strikes, labor disputes and freight embargoes, to the extent such events were not the result of, or were not aggravated by, the acts or omissions of the non-performing or delayed party.

O. Third-Party Beneficiaries. It is expressly understood and agreed that the enforcement of this Agreement and all rights of action relating thereto shall be strictly reserved to the County and the named Contractor. Nothing contained in this Agreement shall give or allow any claim or right of action whatsoever by any other third person.

P. Survival of Terms and Conditions. Notwithstanding anything herein to the contrary, the parties understand and agree that all terms and conditions of the Agreement that anticipate continued performance, compliance, or effect beyond the termination date of the Agreement shall survive such termination date and shall be enforceable in the event of a failure to perform or comply.

Q. Illegal Aliens. As required by C.R.S. § 8-17.5-102, the Contractor certifies and agrees as follows:

(1) The Contractor shall not knowingly employ or contract with an illegal alien (a non-legal resident of the United States) to perform work under this Agreement.

(2) The Contractor shall not enter into a contract with a subcontractor that fails to certify to the Contractor that the subcontractor shall not knowingly employ or contract with an illegal alien to perform work under this Agreement.

(3) The Contractor has confirmed the employment eligibility of all employees who are newly hired for employment to perform work under this Agreement through participation in either the employment verification ("e-verify") program administered by the United States Department of Homeland Security and the Social Security Administration, or the employment verification program operated by the Colorado Department of Labor and Employment ("Department").

(4) The Contractor shall not use the e-verify or Department programs to undertake preemployment screening of job applicants while this Agreement is being performed.

(5) If the Contractor obtains actual knowledge that a subcontractor performing work under this Agreement knowingly employs or contracts with an illegal alien, then the Contractor shall: (a) notify the subcontractor and the County within three days that the Contractor has actual knowledge that the subcontractor is employing or contracting with an illegal alien; and (b) terminate the subcontract with the subcontractor if within three days of receiving the notice the subcontractor does not stop employing or contracting with the illegal alien; except that Contractor shall not terminate the subcontract if during such three days the subcontractor provides information to establish that the subcontractor has not knowingly employed or contracted with an illegal alien.

(6) The Contractor shall comply with any reasonable request by the Department made in the course of an investigation that the Department is undertaking pursuant to the authority established by C.R.S. § 8-17.5-101(5).

(7) If the Contractor violates any of the provisions of this section 4.Q. the County may immediately terminate this Agreement effective upon the receipt by Contractor of written notice of termination from the County, and the Contractor shall be liable for actual and consequential damages to the County.

(8) Compliance with this subsection Q is not required if the Contractor is a governmental entity.

R. Abilities, Qualifications, Experience, and Best Efforts. Notwithstanding anything to the contrary contained in this Agreement, the County and Contractor agree and acknowledge that the County enters into this Agreement relying on the special and unique abilities of Contractor to perform the services and accomplish the tasks described. Contractor accepts the relationship of trust and confidence established between Contractor and the County by this Agreement. Contractor covenants with the County to use its best efforts. Contractor shall further the interests of the County according to the County's requirements and procedures, and according to the highest standards and quality prevailing among those who perform work of a similar nature.

S. Accuracy of Work. The Contractor represents, covenants and agrees that its work will be accurate and free from any material errors.

5. Insurance. In part to assure the County that the Contractor is always capable of fulfilling the specified indemnification obligations, the Contractor must purchase and maintain insurance of the kind and in the minimum amounts specified below, unless indicated otherwise in Section 7 of Exhibit A.

A. The Contractor agrees to procure and maintain, at its own expense, for all services covered by this Agreement, the following policies of insurance:

(1) Workers' Compensation Insurance: The Contractor will maintain workers' compensation insurance covering the contractor for the performance of all services under this Agreement in accordance with applicable state laws, and employer's liability insurance. Coverage shall include a waiver of subrogation in favor of Arapahoe County.

Minimum Limits:

- Workers' Compensation – statutory limits
- Employer's Liability:
 - \$1,000,000 bodily injury for each accident
 - \$1,000,000 each employee for disease
 - \$1,000,000 disease aggregate

The requirements of this provision shall apply to the Contractor and to all subcontractors.

(2) Commercial General Liability: The Contractor will maintain commercial general liability insurance covering all operations by or on behalf of the Contractor on an occurrence basis against claims for bodily injury, property damage (including loss of use) and personal injury.

Minimum Limits:

- \$1,000,000 each occurrence
- \$2,000,000 general aggregate with dedicated limits per project site
- \$2,000,000 products and completed operations aggregate

Coverages:

- Products and completed operations coverage maintained for at least 2 years after completion of the project for construction contractors
- Contractual Liability
- Independent Contractors
- Defense in addition to the limits of liability
- Severability of Interests Provision
- Additional Insured Endorsement issued to Arapahoe County, Colorado its officers, its agents, and its employees acting in the scope of their employment

The requirements of this provision shall apply to the Contractor and to all subcontractors.

(3) **Automobile Liability:** The Contractor will maintain business auto liability coverage covering liability arising out of any auto (including owned, hired and nonowned autos) used in connection with this Agreement:

Minimum Limit:

- \$1,000,000 Combined Single Limit Each Accident

Coverages:

- MCS 90 for vehicles carrying hazardous materials
- Additional Insured Endorsement issued to Arapahoe County, Colorado its officers, its agents, and its employees acting in the scope of their employment

The requirements of this provision shall apply to the Contractor and to all subcontractors.

(4) If indicated in Section 5 of Exhibit A, Errors and Omissions or Professional Liability Insurance with a minimum coverage amount as specified in Section 5 of Exhibit A, and for two years beyond the completion of all services under this Agreement.

(5) If indicated in Section 6 of Exhibit A, Cyber Liability Insurance with a minimum coverage amount as specified in Section 6 of Exhibit A.

B. The above-mentioned coverages shall be procured and maintained with insurers with an A- or better rating, as determined by Best's Key Rating Guide. All coverages shall be continuously maintained during the term of this Agreement or as noted above to cover all liability, claims, demands, and other obligations assumed by the Contractor.

C. Additional Insured status required above shall be primary and non-contributory with any insurance or self-insurance carried by the County. The Contractor shall be solely responsible for any deductible losses under any policy required above.

D. The policies shall provide that the County will receive notice no less than 30 days prior to cancellation, termination or non-renewal of the policies.

E. The Contractor shall not be relieved of any liability, claims, demands, or other obligations assumed pursuant to this Agreement by reason of its failure to procure or maintain insurance, or by reason of its failure to procure or maintain insurance in sufficient amounts, durations or types.

F. Failure on the part of the Contractor to procure or maintain policies providing the required coverages, conditions and minimum limits shall constitute a material breach of contract upon which the County may immediately terminate this Agreement.

G. The County reserves the right to request and receive a certified copy of any policy and any endorsement thereto.

6. Insurance Certificates.

A. The Contractor shall, prior to commencing services, deliver to the County Certificates of Insurance as evidence that policies providing any and all required coverages and limits are in full force and effect.

B. These certificates will serve as an indication to the County that the Contractor has acquired all necessary insurance; however, the County may require that certified copies of the insurance policies be submitted and may

withhold payment for services until the applicable insurance policies are received and found to be in accordance with the Agreement.

C. Insurance limits must be indicated on each Certificate of Insurance. Each Certificate of Insurance shall be reviewed and approved by the County prior to commencement of services under the Agreement. The certificates shall identify this Agreement and shall state the project number where applicable.

7. **Indemnification.** The Contractor shall indemnify and hold harmless the County and its elected and appointed officials, officers, employees, and agents from and against any and all losses, damages, liabilities, claims, suits, actions, or awards, including costs, expenses and attorney's fees, incurred or occasioned as a result of the acts or omissions of the Contractor, or its principals, employees, agents, or subcontractors arising out of or in any way connected with the performance of services under this Agreement. The Contractor's obligation to indemnify pursuant to this paragraph, and to provide any extended insurance coverage where applicable, shall survive the completion of the scope of services, and shall survive the termination of this Agreement.

8. **Independent Contractor.** The Contractor is an independent contractor. AN INDEPENDENT CONTRACTOR IS NOT ENTITLED TO WORKER'S COMPENSATION BENEFITS AND IS OBLIGATED TO PAY FEDERAL AND STATE INCOME TAX ON ANY MONIES EARNED PURSUANT TO THE CONTRACT RELATIONSHIP. Notwithstanding any provision appearing in this Agreement, all personnel assigned by the Contractor to perform work under the terms of this Agreement shall be and remain at all times employees of the Contractor or employees of their respective employers for all purposes.

9. **Notices.** Notices to be provided under this Agreement shall be given in writing and either delivered by hand or deposited in the United States mail with sufficient postage to the addresses set forth in Section 7 of Exhibit A.

10. **Extent of Agreement.** This Agreement represents the entire and integrated agreement between the County and the Contractor and supersedes all prior negotiations, representations or agreements, either written or oral. Any amendments to this must be in writing and be signed by both the County and the Contractor. If any portion of this Agreement is found by a court of competent jurisdiction to be void and/or unenforceable, it is the intent of the parties that the remaining portions of this Agreement shall be of full force and effect.

(SA Form, 11/29/16)

CONTRACTOR : Aramark Correctional Services, LLC

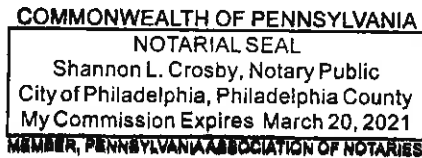
By: Mark R. Adams
(signature)

Title: Vice President, Finance

Signed this 11 day of April, 2017
Commonwealth of Pennsylvania
~~State of Colorado~~
County of Philadelphia

Subscribed and sworn to before me this 11 day of April, 2017
by Mark R. Adams

My commission expires March 20, 2021
Shannon L. Crosby
Notary Public



SEAL

ATTEST: Clerk to the Board

ARAPAHOE COUNTY

By: _____
Chair, Board of County Commissioners
(Or representative authorized by resolution)

Date: _____

EXHIBIT A to Agreement between the County and Aramark Correctional Services, LLC.

Project Number or Name: Inmate Food & Laundry Services, RFP-17-13.

1. **Scope of Services.** The Contractor hereby agrees to and accepts responsibility to perform the following services:

The County and/or Sheriff grants to Contractor the exclusive right to provide food service and laundry service for inmates, and food service for staff and visitors at the Arapahoe County Sheriff's Office Detention Facility (hereinafter referred to as the "Detention Facility") and the Contractor in turn agrees to furnish nutritious, wholesome, and palatable food to inmates, staff, and visitors in accordance with the terms of this Agreement and the specific menu requirements set forth in the specifications of the Request for Proposal RFP-17-13, which are described below and incorporated hereby reference as well as Aramark's Proposal Response to RFP-17-13. The food and laundry service shall meet all current regulations and guidelines as established by the American Correctional Association and the Food and Nutritional Board or the National Academy Science as prescribed for inmates.

Food service management includes labor, food, materials and supplies necessary to provide food for inmates, staff, and official visitors to the Detention Facility, seven (7) days per week.

Laundry service management includes labor, supplies, materials, and management supervision of the laundry service at the Detention Facility

The work to be provided in this service shall consist of the following technical requirements / specifications.

A. Personnel, employment practices, staffing, scheduling. The contractor shall provide all management staff for complete operation of food and laundry services at the Detention Facility. The contractor shall provide sufficient staff to supervise the inmates assigned to the food service area while performing their job assignments including preparation of meals, serving of meals, receiving materials and sanitation. Contractor shall provide adequate management and supervision of each shift, seven (7) days per week on a schedule to be established by the detention administrator.

B. The contractor will provide a trained food service and laundry director (manager), with experience in similar facilities, who will work with the Sheriff's Detention Administration. Employment of the manager and all other employees of the contractor at the facility will be subject to review and approval by the Sheriff's Detention Administration. Qualification statements and prior work experience for all personnel who will be assigned to the Facility will be provided to the Sheriff's Detention Administration. The County and/or Sheriff reserves the right to require the contractor to remove and replace employees of the contractor with or without just cause.

C. The contractor will provide a minimum staffing of: one full-time Food Service Director, one full-time Assistant Food Service Director, two full-time Laundry Supervisors, and seven full-time Kitchen Supervisors. In order to attract qualified staffing, the minimum wage for Kitchen and Laundry Supervisors shall meet or exceed the industry standard.

D. The contractor shall provide expert administrative, dietetic, purchasing, equipment consulting, and personnel supervision. The County and/or the Sheriff shall have the right to reject any employee of the contractor.

E. The contractor's resident food service director and managers assigned to the detention facility who will be selected for these positions shall remain at the detention facility for a minimum period of one (1) year and as long thereafter as their performance is acceptable to the County and/or the Sheriff. The food director and unit managers assigned to the facility shall not be changed more than once per year unless mutually agreed, and not without thirty (30) days advance notice and the replacement selection made is acceptable to and mutually agreed upon by the County and/or the Sheriff. These positions shall not remain unfilled for a period in excess of thirty (30) days. The contractor shall consult with the Sheriff Detention Administration prior to announcing the transfer to the selected individual. The Sheriff shall carefully weigh the advantages that the transfer may have for the individual when making judgment on transfer denial or delay.

F. All employees of the contractor will be obligated to adhere to Arapahoe County's and the Sheriff's policies and procedures.

G. The Sheriff's Detention Administration will provide sufficient inmate labor for food preparation, serving, sanitation and other activities the contractor determines can be appropriately handled by inmate labor, except during lockdown, strikes or other emergencies. The contractor shall be responsible for documenting on specified forms and notifying the Sheriff Detention staff of rule violations by inmates working in the food and laundry service facility. Sheriff Detention staff will be responsible for taking the necessary steps for disciplinary action, where appropriate. The contractor shall have the right to request the Sheriff's Detention Administration remove an inmate from assignment to food and laundry service.

2.2 Training:

A. The contractor shall ensure that all contractors' staff are trained in accordance with the Sheriff's Detention Division's policies and procedures and all rules and regulations of Arapahoe County. In addition, the contractor will meet or exceed the training requirements established by the American Correctional Association (ACA) and the National Commission on Correctional Health Care (NCCHC).

2.3 Orientation:

A. Orientation of new employees shall be the responsibility of the contractor. The contractor shall distribute a written job description to each member of the staff which clearly delineates his assigned responsibilities and shall provide such with it's' proposal submittal.

B. All staff provided by the contractor shall be required to attend the Sheriff's Detention Orientation program. This program shall be provided free of charge to the contractor. The contractor shall be responsible for payment of its staff salaries, benefits, etc., while attending the program.

2.4 Technical Specifications – Menus:

A. The contractor shall meet mandatory technical requirements as specified in this section.

B. The contractor shall provide well-balanced meals that provide caloric values of a minimum of 2800 calories per day. Inmates have traditionally been served 8 ounces of juice, coffee or tea (when identified in the meal service). An additional 4 ounces, totaling 12 ounces will be provided to the inmates. The added 4 ounces shall not be included in the 2800 calorie requirement.

C. The contractor shall provide an actual five (5) week menu cycle based upon the recommendations of the Food and Nutrition Board National Research Council. Medical diet menus and religious diet menus in accordance with section 2.8 and 2.11 below will be provided for specific medical and religious diets.

D. All menus must be reviewed and certified as to nutritional adequacy by a registered, certified dietitian provided by the contractor to meet the requirements contained in menu specifications. Contractor must provide a nutrient analysis and cooked weight (volume) for each serving size portion, and recipes for every menu item.

E. Where combination foods are on the menu, the contractor shall submit the recipe providing the list of ingredients and their quantities, also, the number of servings and the size of each serving. The County and/or the Sheriff's Detention Administration may at any time, inspect the food items or meals, the food storage, preparation, serving areas, test food for caloric value, minimum RDA's and attractiveness, reject food or material not meeting the specifications contained in the terms of this contract or in the approved menu.

F. Hours of Service. Hours of meal service will be determined by the Sheriff's Detention Administration.

G. American Correctional Association Accreditation Standards and the National Commission on Correctional Health Care: The contractor shall assure the dietary operations are in compliance with the American Correctional Association Accreditation standards and the National Commission on Correctional Health Care standards.

2.5 Location:

A. Meals shall be prepared in the central kitchen and shall be transported to the housing units by detention staff and trusty prisoners.

B. Inmates shall generally be served in the inmate dayrooms, however, the contractor shall also provide meals located in the segregation unit, infirmary, inmates confined to the living units, and any other locations as requested by the Sheriff's Detention Administration.

C. The contractor shall use the detention kitchen facilities for preparation of food for Sheriff's Detention staff and inmates, unless the contractor identifies to the County and/or Sheriff written justification for the use of a separate facility.

2.6 Menu Variety:

A. The contractor shall provide meals of sufficient variety to include regional considerations for the population of the facility. The contractor's menu cycle shall be changed seasonally to reflect availability of seasonal foods, traditional holiday menus and heavier foods during the colder weather and light, cool and crisp foods during the warmer weather.

2.7 Meal Service:

A. The contractor, in accordance with ACA Standards, shall provide three (3) meals (including 2 hot meals) to inmates daily. Sack lunches are currently served for the mid-day meal, Monday through Friday.

B. The contractor shall prepare sack lunches for inmates who are in court or on a work detail. The contractor shall vary the type of sandwiches to avoid repetition.

C. The contractor shall also adequately staff the Officer Lounge, prepare and serve to Sheriff Detention Staff three meals daily at low cost. The Officer Lounge will be open at a minimum 7.5 hours every day during the hours of 6:30AM – 9:00AM, 10:30AM – 1:30PM, and 4:30PM – 6:30PM. Additionally the contractor shall prepare and serve a midnight meal at the agreed upon time at no cost to staff but charged to the Sheriff's Office. The staff meal shall consist of the same foods as served to staff for either the lunch or dinner meal.

2.8 Religious Diets:

A. The contractor shall provide 2800-calorie meals, which comply with the tenets of recognized religious organizations as requested by the Sheriff's Detention Administration.

2.9 Menu Cycle:

A. The contractor must provide the menu cycle for the first five (5) weeks of service. Changes will subsequently be submitted for review and approval by the Sheriff's Detention Administration four (4) weeks prior to the effective date of the next menu cycle. Included with the menu submitted must be the certification by the dietician, complete nutritional analysis and cooked weight portion size for each item specified for each meal as required in the menus. Any change of the menu after the Sheriff's Detention Administration approval must be submitted in writing.

2.10 Meal Satisfaction:

A. The contractor is responsible for inmate and staff satisfaction with meals prepared and served. The contractor will submit annual questionnaires to the inmate population to ascertain opinions and obtain suggestions to improve the quality of the dietary service. The results of the questionnaires will be submitted to the Sheriff's Detention Administration for review.

2.11 Medical Diets:

A. The contractor shall provide per the proposal, an outline of its preparation, distribution and documentation procedures for medical diets to be provided within the detention facility. The contractor shall prepare and serve all medical diets, shall ensure that the menu prepared is in compliance with the detention facility's physician's orders. Where possible, the menu of the day shall be modified for the medical diets. When this is not feasible, medical diets shall be prepared

separately. Medical diets shall be served during normal serving times in the manner specified by the physician. The contractor shall maintain complete records showing which inmates are to be provided medical diets, contents of the diet and whether each inmate requests and receives their prescribed meal. Copies shall be submitted to the health care service administrator on a monthly basis. Previous month's documentation is to be submitted no later than the fifth working day of each month. Health care services will provide documentation of verbal diet orders within 24 hours.

B. The food services director and the health care administrator shall have a dietician available and shall calculate those medical diets ordered that are not covered by the manual.

C. The contractor must provide a written sample of a "heart healthy" meal with accompanying dietary information.

2.12 Meal Counts:

A. For the purpose of estimation, the contractor may base its proposal on an average population of 1000 inmates. Approximately 90 staff meals are served daily. This is neither a maximum or minimum guaranteed number of meals. The Sheriff's Detention Administration will be responsible to give the count to the contractor for each meal. The maximum housing for the facility is 1443.

B. The contractor shall be responsible for determining the appropriate number of meals to be prepared and served. The contractor shall provide sufficient meals for all inmates and staff, Sheriff's employees and visitors, approved by the Detention Facility Administration, who wish to eat according to the approved menu schedule.

C. The contractor must maintain complete and accurate records of the number of meals served by location at each meal in accordance with the detention facility's established procedures.

2.13 Dietary / Food Supplies:

A. Dietary and food supplies purchased by the contractor are the property of the contractor and the contractor is responsible for any loss, damage or spoilage.

B. The contractor will be responsible for assuring the correct merchandise ordered is received in the quantity ordered and that deliveries are made to correspond with the appropriate schedules and security procedures of the Sheriff's detention Administration. The detention facility staff shall require advance notification of all deliveries. Normal Detention Warehouse delivery hours are Monday – Friday, 7:00AM – 5:00PM.

C. The contractor must maintain a minimal inventory on hand. All inventories shall be rotated regularly and the contractor shall ensure that food items are not served after the manufacturer's expiration date. The County and/or Sheriff will not pay for spoilage, damage, obsolescence or theft of food items.

2.14 Contractor and Sheriff's Responsibilities:

A. The Sheriff shall be responsible for providing all tableware, food service and food delivery items for use in staff dining.

B. The contractor shall requisition and/or purchase and supply all utensils, paper products, household items and cleaning supplies mutually agreed to be necessary for efficient and sanitary operation of the dietary service. Contractor shall purchase laundry products and related laundry service chemicals, kitchen equipment cleaning chemicals, dishwashing chemicals, water softening salt, and maintenance supplies. Maintenance supplies are defined as sanitizing hand soap (foam), floor cleaners, grill cleaning bricks, and scouring pads. Contractor shall also purchase consumable supply inventory. Consumable supplies are defined as plastic film, sheet pan liners, bun rack covers, food service disposable serving gloves, and paper sacks. The contractor shall be responsible for the proper storage control of those items to prevent any theft, damage or other loss. The contractor shall notify the detention facility administration of any of the aforementioned items and quantities thereof that will be necessary for the operation of the dietary facility. All office supplies necessary for the management of the operation shall be provided by the contractor except those forms required by the Detention Facility Administration for compliance with established regulations.

- C. The Sheriff shall purchase Styrofoam products, utensils, paper towels, toilet paper, trash bags, latex gloves for food preparation and cleaning only, hand soap lotion, and non-consumable maintenance supplies (mops, mop heads, brooms, buckets, squeegees).
- D. The contractor shall be responsible for the purchasing of linen and uniforms for contractor staff use only in the dietary operation. Contractor personnel will be required to wear distinctive food service uniforms in a color other than white, in order that they are more easily distinguishable from inmate kitchen labor force.
- E. The Sheriff shall be responsible for providing all kitchen uniforms for inmates working in the kitchen area.
- F. The Sheriff will, at its own expense, provide, maintain, repair and replace food service equipment currently in place at the food service facility.
- G. The Sheriff will permit the contractor to install additional equipment (food service or otherwise) at its own expense with the Sheriff's Detention Administration approval.
- H. The County and/or Sheriff will provide pest control for all areas assigned to the contractor in accordance with existing Sheriff Detention policies or directives.
- I. The Sheriff and/or County will maintain and repair the building structure in areas assigned to the contractor including painting, and provide all utilities necessary for the performance of the food service operations. The contractor will be responsible to operate in an energy efficient manner. The Sheriff shall provide one (1) master phone for local calls only, without charge. The contractor will be billed for all long distance phone service.
- J. The Sheriff will provide adequate trash removal facilities or services as deemed necessary to maintain the highest standards of sanitation.
- K. The Sheriff will provide existing office space and the following furniture for the contractor; desks, chairs, tables, filing cabinets and storage safe.

2.15 Utilities:

- A. The County and/or Sheriff shall not guarantee an uninterrupted supply of water, steam, electricity, gas, telephone and heat or air conditioning. However, they shall be diligent in restoring service following an interruption. The County and/or Sheriff shall not be liable for any product loss which may result from the interruption or failure of any such utility services.

2.16 Keys:

- A. The contractor is responsible for control of keys obtained from the Sheriff's Detention Administration and the security of those areas for which and when they are used by its representatives. The contractor shall be responsible for immediately reporting all the facts relating to losses incurred as a result of break-ins to areas of the detention facility. The Sheriff's Detention Administration shall designate the authority as to who shall receive these reports and be responsible for key control.
- B. The Sheriff's Detention Administration is responsible for the costs of re-keying and replacing lock cylinders, as determined by the County and/or Sheriff, however, the contractor shall be responsible for replacement of lost keys and the cost of re-keying and replacement of lock cylinders required as a result of the Contractor or its' employees negligence and/or loss of keys.

2.17 Security:

- A. The contractor agrees to exercise security measures consistent with the nature of the Sheriff's Detention policies and procedures. Employees of the food service contractor are not required to have a polygraph examination for the purpose of

employment by the contractor. However, a polygraph examination, at the expense of the Sheriff's Office, may be required before the contractor's employee is issued a building pass to allow for unescorted access to the building.

B. The contractor staff shall use designated exits and entries into the detention facility, shall be required to wear such identification badges as the detention facility deems necessary while on the premises. The Sheriff's Detention Administration shall provide identification badges for all contractor personnel.

C. At all times, while in the detention facility, the contractor staff shall comply with all the directives, bulletins, policies, and procedures of the Sheriff Detention Administration. Contractor staff vehicles, if located on the grounds of the detention facility shall be subject to search, in accordance with the law.

D. The contractor staff shall not fraternize with inmates or otherwise engage in activities with inmates that could endanger anyone's life, liberty, property, or disrupt detention programs.

E. The Sheriff's Detention Administration reserves the right to restrict access to the facility or require immediate removal of any person(s) without prior notification.

F. During the term of the contract period, the Sheriff shall provide security measures for the contractor's employees comparable to that offered to Sheriff's employees. The contractor agrees that the contractor's employees shall be subject to all security regulations and practices of the Sheriff.

2.18 Lock Down Procedure:

A. The contractor shall maintain dietary operations during a lock down situation. The contractor shall be responsible for the preparation, delivery and supervision of meals at all locations according to the specifications outlined below, unless otherwise mutually agreed upon by the contractor and the Sheriff's Detention Administration.

B. If possible, prior notification of a lockdown shall be given to the contractor. Once a lockdown is implemented, all inmates may be locked in their cells. No exceptions! In most cases, the Sheriff's Detention Administration may know a lockdown one (1) to three (3) hours in advance.

C. The contractor shall have on hand menu items that can be used in the lock down situation, per the approved lock down menu.

2.19 Miscellaneous Items:

A. Meals will be prepared and proportioned by the contractor's personnel.

B. Serving of meals shall be supervised by the contractor's staff, distribution shall be by the Sheriff's staff and trusty prisoners.

C. Return of all dietary equipment shall be by the contractor, the Sheriff's staff and trusty prisoners.

D. Operation, supervision and sanitation of the dietary areas shall be the responsibility of the contractor.

E. In the event of a lock down of prolonged duration, the contractor may request other forms of assistance from the Sheriff's Detention Administration.

F. The contractor is responsible for providing dietary services in the event of a work stoppage or slow-down by contractor personnel or inmates assigned to the detention facility food service area(s).

G. The contractor should also be prepared to cater special events, such as, meetings, seminars, etc. The contractor must provide, with the proposal a written menu of sample items along with pricing for catered special events.. The requesting party should be given a cost of the goods and services at the time the request is made.

2.20 Required Records:

A. The contractor shall maintain at the facility the following records which shall be made available to the detention facility upon request:

1. A current manning chart and work schedule for all employees
2. A complete job description for all positions and inmate assignments.
3. Records of all staff to include days worked and absences
4. Record of meal counts for each meal, by location, according to established meal count procedures.
5. Daily records documenting the testing of temperatures in the refrigeration, cooking and serving areas and any other records necessary to meet health care standards.
6. On a weekly basis, the proposed menu for the coming week will be prepared that shows the food that is to be served at each meal in order that it can be distributed to staff and the inmate population.
7. Nutritional analysis and recipes and portion sizes of menus.
8. Maintain for 7 days of sample meals of each meal served.

B. On a weekly basis, the contractor will submit all the documentation necessary to generate payment for the contractor.

2.21 Laundry Services:

A. The contractor is to provide laundry service, including but not limited to supplies, labor and management supervision. Trusty inmate labor and equipment shall be supplied by the Sheriff's Detention Administration.. In the event of any conflicts between this Agreement and any attached solicitation documents, this Agreement shall control.

2. **Time of Performance.** The services of the Contractor shall commence (choose one):

- ☐ As of the date of this Agreement.
- ☐ As specified in a Notice to Proceed to be provided by the County.
- ☒ As of the following date: April 1, 2017.

The services of the Contractor shall be completed, or shall end, by March 31, 2018 at which time the County shall have the option to renew the contract for subsequent one-year periods. The optional renewal periods shall not exceed a total of three additional years. This option is a County prerogative and not a right of the Contractor and will be exercised only when such continuation is clearly in the best interest of the County.

****The Contractor shall notify the County of any adjustments during the option period a minimum of ninety (90) calendar days prior to the effective date of the new price(s) to be charged to the County.**

The County reserves the right to reject any price adjustments submitted by the Contractor and/or to terminate the contract with the Contractor based on such price adjustments.

3. **Compensation.** The County agrees to compensate the Contractor for the performance of services detailed in Section 1 above, Scope of Services, as follows (choose one):

- ☐ Lump sum due upon completion: .
- ☐ Hourly rate of (to be billed monthly).
- ☒ Other: See Exhibit B - Aramark Pricing Form. Total payments for food will fluctuate with inmate population. Total payments for laundry will not exceed \$140,400.00.

It is expressly understood and agreed that the total compensation to be paid to the Contractor under this Agreement shall not exceed .

4. **Notices of Termination.** Notices of termination shall be given at least thirty (30) days before the effective date of termination.

5. **Professional Liability Insurance.** Errors and Omissions or Professional Liability Insurance is required ☒ (check box only if it is required). The required minimum amount of coverage is \$1,000,000 (indicate amount only if it is required).

6. **Cyber Liability Insurance.** Cyber Liability Insurance is required ☐ (check box only if it is required). The required minimum amount of coverage is not less than \$2,000,000 per occurrence or claim, \$2,000,000 aggregate. Coverage shall be sufficiently broad to respond to the duties and obligations as is undertaken by Contractor in this Agreement and shall include, but not be limited to, claims involving infringement of intellectual property, including but not limited to infringement of copyright, trademark, trade dress, invasion of privacy violations, information theft, damage to or destruction of electronic information, release of private information, alteration of electronic information, extortion and network security. The policy shall provide coverage for breach response costs as well as regulatory fines and penalties as well as credit monitoring expenses with limits sufficient to respond to these obligations.

The requirements of this provision shall apply to the Contractor and to all subcontractors.

7. **Addresses for Notices.** The addresses for Notices are as follows:

To the County: Arapahoe County Attorney
5334 South Prince Street
Littleton, Colorado 80120-1136

 and (send to both)

 Arapahoe County Sheriff's Office Detention Facility
Attn: Lt. Adam Burson
7375 South Potomac St.
Centennial, CO 80112

To the Contractor: Aramark Correctional Services, LLC
Aramark Tower
1101 Market Street
Philadelphia, PA 19107

8. **Special Conditions.**

- ☐ No special conditions
☒ Special Conditions are as follows:

SECURITY

BACKGROUND CHECK:

Contractor / individual entering the facility shall submit a list of all employees, within four (4) days prior to appearance on the work site including full name, date of birth, social security number, and driver's license number for background check. Any record indicating felony violations, questionable character or possible security risk shall be just cause for denial of access for that person to the facility. Final approval of employees' list shall be at the sole discretion of the Owner and Owner's Representative and shall not be cause for additional payment.

PARKING:

All parking at the Facility shall be in designated parking areas.

All parking lots are County Property. As such, the Owner reserves the right to search any parked vehicle or any vehicle entering or leaving the facilities. This is a warrant-less search; the Owner does not need a warrant to search a vehicle.

Workers shall take personal responsibility to search their own vehicles to insure no items therein are declared contraband. Examples include guns, knives, bullets, narcotics, and medications (prescribed or otherwise).

SECURITY RULES AND REGULATIONS:

The following Rules and Procedures will apply to all Contractor / individuals and their employees working at the Facility.

Because work will take place in a Detention Facility actively housing an inmate population, the assistance provided by Detention Facility staff has limitations. Contractor / individuals are obligated to abide by the standards of the United States Constitutional issues, the Prison Rape Elimination Act Standards, and the laws of the State of Colorado along with the rules, regulations, and procedures of the Arapahoe County Sheriff's Office. The rules and regulations take precedence if an emergency situation develops.

All rules have been enacted for the purpose of protecting the public, teaching positive disciplines to the inmates, controlling the inmate population, and for security of staff, inmates and visitors. Not all the rules and regulations are listed in this section. It is the responsibility of the Contractor / individuals to familiarize themselves with the rules and regulations.

The two most important rules to remember:

- (1) When in doubt, ask a Deputy, and
- (2) The Deputy on duty will enforce the rules according to policy.

PERSONAL SEARCH:

All personnel entering the Detention Facility may be required to submit to a personal search, which may be conducted electronically, or "hands on" by the officer on duty. Each employee will be required to sign a "Consent to Search" form. This form allows a search of any person or any articles in the Contractor / individual's possession to be searched. If there is reason to suspect that a person is attempting to bring contraband into the facility, that person will be denied access to the facility.

All Contractor / individual vehicles, tools, and equipment brought onto County property are subject to search at any time for alcohol and other listed contraband.

INTOXICANTS:

Possession of and/or consumption of alcoholic beverages is prohibited prior to entering County property. While on County property, no intoxicants will be allowed in any employee's possession, including his vehicle.

SMOKING:

This is a non-smoking facility. Cigarettes and other forms of smoking tobacco are not to be brought into this facility under any circumstance.

POSSESSION AND/OR USE OF DRUGS AND MEDICATION:

Illicit drugs are prohibited. Legal medications, when prescribed by a doctor, must be controlled. Any employee taking prescribed medications must bring in only the dosage for that day and medication must be in the original prescription container. Any excess medication may be confiscated.

WEAPONS:

No weapons or items that can be readily converted to dangerous weapons or any parts thereof are permitted on County property.

CONTROL OF EQUIPMENT AND VEHICLES:

Equipment shall be inventoried and accounted for at all times. When a piece of equipment is not in use, it shall be properly secured and stored.

Contractor / individual vehicles shall have windows rolled up and doors locked when parked on County property.

KEYS:

The Contractor / individual are responsible for control of keys obtained from the Detention Facility and the security of those areas for which and when they are used by his representatives. The Contractor / individual shall be responsible for immediately reporting all the facts relating to losses incurred as a result of break-ins to those areas of the Detention Facility. The Detention Facility representative shall designate the individual authorized to receive these reports.

The Contractor / individual shall be responsible for replacement of lost keys and the cost of re-keying and replacement of lock cylinders if required as a result of their negligence and/or loss of keys.

GUESTS:

No guests are authorized on County property unless properly cleared by the Contractor / individual and Sheriff's Office. Unauthorized guests will be escorted from the facility.

INMATE COUNT SCHEDULES:

There are specific times during the day and night when all inmates are counted. These scheduled counts are not subject to change. When a count is called, all inmate movement ceases and the inmates must return to their units to be counted. There may also be random counts. The Contractor / individual shall not interfere with this process.

ESCAPE PREVENTION:

It is the duty and responsibility of all persons in the State of Colorado to prevent escape. (See Colorado Revised Statutes 18-8-201 and 18-8-105.) Escape is deemed to be a continuing activity commencing with the conception of the design to escape and continuing until the escapee is returned to custody or the attempt to escape is thwarted or abandoned. "Assist" includes any activity characterized as "rendering assistance" which is covered in CRS 18-8-105. Any activity not mentioned herein regarding escape or aiding and abetting are applicable. Simply stated, if any contractor / individual / employee becomes aware of or has reason to believe an escape attempt is being planned or is imminent, the obligation is to report such information to the Arapahoe County Sheriff's Office authorities. Improper handling and storage of equipment may contribute to escape.

DISTURBANCES:

In the event of a disturbance in the facility, all activity will cease until control is re-established. Contractor / individual / employees will be given specific instructions by the officer on duty. These instructions will be followed promptly to insure the safety of all persons in the facility.

The Arapahoe County Sheriff's Office has Emergency Plans that can be implemented at any time to cover any contingencies. Once an Emergency Plan is implemented, it shall take precedence over all other activities.

MANDATORY OBEDIENCE TO ORDERS:

It is expected that all individuals will follow the orders of the officers on duty. Oftentimes, a situation may be developing that an "outsider" does not perceive while an officer will. The "view" of the officer is based upon experience and training and cannot be taken lightly.

GIFTS FROM AND TO INMATES:

Giving gifts to or receiving gifts from inmates is prohibited.

UNAUTHORIZED DEALINGS WITH INMATES:

No activity will be conducted for any inmate that would be in violation of facility rules. Examples include: Purchasing an item to bring in to an inmate; taking items such as letters, etc. out of the facility to be delivered or mailed; and making phone calls for an inmate to people on the streets. Inmates have access to all mail facilities and phones during specified periods. There is absolutely no reason to take anything in or out of the facility on behalf of an inmate. This type of activity is covered in state statute and Facility Rules of Contraband.

PROPER IDENTIFICATION:

All Contractor / individual personnel working at the Detention facility will be subjected to and must pass a security clearance background check. Clearance process will take up to seven (7) workdays. Contractor / individual is required to submit a list of their selected "on site" employees a minimum of fourteen (14) days prior to beginning work. Selected individuals may be issued an identification card. Control of this ID is the responsibility of the individual. Identification cards shall be surrendered at the completion of the work, at time of termination or as otherwise required by the Detention Facility.

VIOLATIONS OF RULES AND REGULATIONS:

Violations of the rules and regulations of the facility and laws of the State of Colorado will be dealt with and governed by those rules and laws. Felony violations will be prosecuted.

DECLARATION OF CONTRABAND:

Pursuant to the Authority under the provision of the Colorado Revised Statutes § 18-8-204 as amended, the County hereby publishes and declares the following items to be contraband, harmful to the health, welfare, good order, and discipline of the resident population:

- Cigarettes
- Incense and Incense Burners
- Book Matches
- Candles
- Liquid Shoe Polish
- Weapons of any kind
- Narcotic and Dangerous Drugs
- Hotel, motel, or house keys
- Driver's License, Credit Cards, or Food Stamps
- Currency
- Batteries or battery operated items, except watches, hearing aids, small flat calculator, writing pens
- Fluid lighters
- Cameras and Polaroid cartridges
- Radios with police band
- Lottery tickets

Contractor must adhere to Sheriff's Office policy and procedures.

Any reports, information, data, etc, provided to or obtained by Contractor shall be considered the property of the Sheriff and shall be kept confidential and shall not be made available to any individual or organization by the Contractor without prior written approval of the Sheriff or his designee.

LIMITED CONTRACT EXTENSION TO MAINTAIN SERVICE LEVELS: It is hereby agreed and understood that this contract may be extended for an additional thirty day transitional period after the contract is scheduled for termination and after any option years have been exercised. During this transitional period, the Contractor agrees to continue the same or a reduced level of service to the County at the same prices while the new contract, also in force, is being mobilized. If the Contractor is supplying equipment in conjunction with this contract, the Contractor agrees to retain its equipment at the designated County premise(s) for an additional thirty calendar days after the termination of the contract, at which time the equipment shall be removed from the premise(s). The Contractor shall be allowed to invoice the County for this additional period on a pro rated basis.

LOCAL OFFICE SHALL BE REQUIRED: Due to the service level required in conjunction with this Solicitation, the Contractor shall maintain an office within the Metro Denver, Colorado, area. This office shall be staffed by a competent company representative who can be contacted during normal working hours and who is authorized to discuss matters pertaining to the contract. Metro Denver consists of City and County of Denver, City of Ft. Collins and surrounding counties, City of Colorado Springs and surrounding counties, Arapahoe County, Jefferson County, Adams County, Boulder County, Douglas County, City and County of Broomfield, Clear Creek County, and Gilpin County, Colorado.

CONSIGNMENT OF CONTRACT NOT ALLOWED: Responses will only be considered from firms which are directly engaged in the business of manufacturing or distributing the goods and/or performing the services described in this Solicitation. Accordingly, no part of this contract can be consigned to another contractor.

SUB-CONTRACTING: No portion of the Solicitation may be subcontracted without the prior written approval of Arapahoe County.

GOVERNMENT STANDARDS AND REQUIREMENTS: All services to be supplied in conjunction with this Solicitation shall be in accordance with all federal, state and local governmental standards to include, but not be limited to, those issued by the Office of Safety and Health Administration (OSHA), the National Institute of Occupational Safety Hazards (NIOSH) and the National Fire Protection Association (NFPA).

ACCIDENT PREVENTION: The Contractor shall be required to take safety precautions in an effort to protect persons and County property. The Contractor shall conform to all OSHA, State and County regulations while performing under the terms and conditions of this contract. Any fines levied by the above-mentioned authorities because of inadequate compliance with these requirements shall be borne solely by the Contractor, which is responsible for same.

PRICES SHALL BE FIXED AND FIRM FOR THE TERM OF THE CONTRACT: The prices proposed by the Contractor shall remain fixed and firm during the term of the contract, provided, however, that the Contractor may offer incentive discounts from this fixed price to the County at any time during the contractual term.

PURCHASE BY OTHER GOVERNMENTAL AGENCIES: Each governmental unit which avails itself of this contract will establish its own contract, place its own orders, issues its own purchase orders, be invoiced there from and make its own payments and issue its own exemption certifications as required by the Contractor. It is understood and agreed that Arapahoe County is not a legally binding party to any contractual agreement made between any other governmental unit and the Contractor as a result of this solicitation.



ARAPAHOE COUNTY
COLORADO'S FIRST

Arapahoe County Finance Department
Purchasing Division
5334 South Prince Street, Room 480
Littleton, Colorado 80120

**REQUEST FOR PROPOSAL
PRICING FORM**

I. PRICING

ITEM NUMB	DESCRIPTION	UNIT PRICE
1.	Cost per inmate per regular meal	\$.927 /meal
2.	Cost per inmate per medical meal	\$.927 /meal
3.	Cost per inmate per kosher meal	\$ 3.25 /meal
4.	Cost per inmate per halal meal	\$ 1.05 /meal
5.	Cost per inmate per heart healthy meal	\$ 1.05 /meal
6.	Cost per inmate per pre-packaged meal	\$ 1.05 /meal
7.	Cost to staff laundry area, please specify position	
	Laundry Supervisor	\$ 16.84 /hour
	Laundry Supervisor	\$ 14.00 /hour
8.	Cost to staff kitchen area, please specify position	
	Cook Supervisor	\$ 14.00 /hour
	Cook Supervisor	\$ 14.00 /hour
	Cook Supervisor	\$ 14.00 /hour
	Cook Supervisor	\$ 14.16 /hour
	Cook Supervisor	\$ 14.89 /hour
	Cook Supervisor	\$ 14.90 /hour
	Cook Supervisor	\$ 15.05 /hour
9.	Weekly cost for laundry services	\$ 2700.00 /week

Officer Meals-See Page 3.111 for A la Carte Pricing

**Page 3.115 also has more option for officers



David C. Walcher
Sheriff

OFFICE OF THE SHERIFF
13101 E. Broncos Parkway
Centennial, Colorado 80112
Phone: 720-874-4176
Fax: 720-874-4158
www.arapahoesherriff.org
sheriff@arapahoegov.com

Board Summary Report

Date: April 11, 2017
To: Board of County Commissioners
Through: David C. Walcher, Sheriff
From: Olga Fajaros, Budget & Logistics Manager
Subject: 2017 Addendum to Agreement with SVI Graphics

Request and Recommendation

Request the Board of County Commissioners to authorize the Chair of the Board of County Commissioners to sign the pricing addendum to the agreement for services between the Arapahoe County Sheriff's Office and Super Vac Manufacturing Co., Inc., d.b.a. SVI Graphics.

Links to Align Arapahoe

Updating the graphics for the Sheriff's Office vehicles is the second phase in re-branding the image of the Sheriff's Office. The re-design on marked vehicle will be immediately recognizable as law enforcement.

Background

Super Vac Manufacturing Co, Inc., d.b.a. SVI Graphics, was identified as the qualified vendor by Arapahoe County Purchasing in 2014 with solicitation number IFB-14-17.

Discussion

The addendum to the agreement for services provides updated pricing for the 2017 Graphic Vehicle package and the 2017 Graphic Motorcycle package as outlined in the agreement date April 1, 2014. Super Vac Manufacturing Co, Inc., d.b.a. SVI Graphics, will provide and install approved exterior graphics on the Sheriff's Office marked vehicles.

Alternatives

There no other alternatives.

Fiscal Impact

The funds needed for these services are included in the Sheriff's Office annual operating budget.

Concurrence

The Sheriff's Office Administration and Public Safety Bureau are in concurrence with this decision.

Reviewed By:

Olga Fajaros, Budget & Logistics Manager

Glenn Thompson, Public Safety Bureau Chief

Louie Perea, Undersheriff

David C. Walcher, Sheriff

Finance Department

County Attorney

RESOLUTION NO. It was moved by Commissioner and duly seconded by Commissioner to authorize the Chair of the Board of County Commissioners to sign the pricing addendum for the Agreement for Services by and between Arapahoe County and Super Vac Manufacturing Co., Inc., dba SVI Graphics, to provide exterior vehicle graphics for the Arapahoe County Sheriff's Office vehicles.

The vote was: Commissioner Baker,; Commissioner Conti,; Commissioner Holen,; Commissioner Jackson,; Commissioner Sharpe,.

The Chair declared the motion carried and so ordered.



Department of Finance

PURCHASING DIVISION

5334 South Prince Street
Littleton, Colorado 80120-1136
Phone 303-795-4430
Fax 303-738-7929
www.arapahoe.gov

JANET J. KENNEDY
Director

AMENDMENT # 1
GRAPHICS FOR ARAPAHOE COUNTY VEHICLES, IFB-14-17

This amendment to Agreement for Services made this 1ST day of April, 2017 by and between ARAPAHOE COUNTY, Colorado, hereinafter called "the County" and SUPER VACUUM MANUFACTURING CO., INC. hereinafter called "the Contractor" and collectively referred to as "the Parties".

WHEREAS, the County and the Contractor have entered into a written agreement ("the agreement") dated June 1, 2014 to provide all labor and materials to produce, furnish and install graphics for Arapahoe County Sheriff's Office vehicles.

WHEREAS, the parties desire to enter into this Amendment to provide updated pricing for the 2017 Graphic Vehicle pricing package and the 2017 Graphic Motorcycle Package as outline in the agreement dated April 1, 2014.

The dollar amount of this contract shall be revised to the following, per estimate # 2539, dated 04/06/2017:

- Vehicle Package, White & blue background – non reflective, Rest of the package – reflective, materials and labor included
Cost \$750.00 per unit
- Motorcycle Package: Material and Labor per approved layout
Cost \$225.00 per unit

This amendment shall take effect immediately upon execution by the parties.

SUPER VACUUM MANUFACTURING CO., INC.

By: Amy Behadt Date: 4.6.17
Title: Manager

ARAPAHOE COUNTY

By: _____ Date: _____
Chairperson, Board of County
Commissioners
(Or representative authorized by
BoCC Resolution)



Board Summary Report

Date: April 17, 2017

To: Board of County Commissioners

Through: Jan Yeckes, Planning Division Manager

From: Sherman Feher

Subject: Prosper Waste Water Treatment Plant, Location and Extent (L16-002). Appeal of the Planning Commission Action of Denial. **UPDATE IN BOLD**

Purpose and Recommendation

The applicant is requesting that the BOCC overturn the Planning Commission's denial of the Location and Extent case (L&E) and approve the L&E for a waste water treatment plant (WWTP). The Planning Commission denied the L&E case based on the detrimental impacts of the waste water treatment plant on neighboring properties. The Planning Staff recommended approval with conditions, on the basis that the L&E complies with the Arapahoe County Comprehensive Plan, the Prosper Preliminary Development Plan designated this site for a wastewater treatment plant, and the site location and extent of the proposed facility is appropriate to the efficient site operation (such as low elevation within Prosper development and reduction of lift station needs) and addresses engineering concerns (such as floodplains).

UPDATE: On March 7, 2017 the applicant requested a continuation of the BOCC hearing in order to discuss possible mitigative measures with neighboring property owners. The BOCC granted the continuation of the hearing to May 2, 2017. The specific results of these discussions will be presented by the applicant at that hearing. The applicant has provided a letter that summarizes the results of the discussions with the neighboring property owners (see attachment that follows this BSR).

Based on Section 13-702.02 of the Land Development Code, "If the Planning Commission disapproves the proposed public facility,....., the applicant may appeal such decision to the Board of County Commissioners, and the Planning Commission shall communicate the reasons for such disapproval to the Board, who may overrule such disapproval by a majority vote." The applicant appealed this denial on January 23, 2017 to the BOCC.

The initial public hearing for this case was at the December 20, 2016 Planning Commission meeting. The Planning Commission continued the proceedings and, on January 17, 2017, by a vote of 6-1, denied the Location and Extent case (L16-002). The Planning Commission based their recommendation for denial on its finding that the waste water treatment plant at that location would have detrimental impacts to the neighboring properties. In discussing the motion, Planning Commission members said that while the WWTP might meet Colorado Department of Public Health and Environment (CDPHE) setback criteria, the applicant has not done enough to mitigate adverse impacts and the applicant should explore other options for locating the WWTP

further from the school located on the adjacent church property. Planning Commissioner Weiss voted against the motion, noting that the applicant followed setback requirements and procedures. Per the LDC, the applicant has appealed the Planning Commission's denial of this L&E case.

There were approximately 36 public comments at the hearings in opposition to this case, including parents of children that attend Our Lady of Help Christians Academy, students, parishioners and a Pastor of Saint Isidore Church, nearby residents, school administrators, and a Bennett Town Trustee. Approximately 45 people indicated opposition on the sign-in sheets but did not address the Planning Commission. Speakers were primarily concerned about odors and safety, as well as EPA policies for siting of schools, and the possibility of relocating the WWTP. A comment was made that the church and school were not specifically mentioned in the Preliminary Development Plan documents. This comment was not completely accurate as addressed below. A Bennett Town Board Trustee made the suggestion that Prosper and Bennett could do a WWTP that would serve both entities; this did not appear to be a formal recommendation on behalf of the Town of Bennett.

Additional citizen concerns related to proximity of the proposed WWTP site to floodplains. County Engineering Services noted the site does not lie within the regulated 100-year floodplain and meets freeboard requirements above the floodplain for the proposed WWTP. One citizen presented an analysis he indicated would support alternate locations.

The applicant's team made a presentation and responded to a number of the public's comments and questions. The Prosper development's topography generally drains from south to north and the WWTP site is near the lowest point. WWTP facilities are better designed to work with gravity; the more lift/pump stations in a system, the more places for potential mechanical failure and odors. The proposed Prosper WWTP exceeds CDPHE's setback requirements for this type of facility. The applicant said that CDPHE requires a 100 foot setback for covered, enclosed, mechanical facilities such as theirs. The applicant is proposing a 345-foot setback from the school building to the closest WWTP building and approximately a 250-foot setback from the nearest part of the playfield to the WWTP.

The applicant said that moving the WWTP is not easy due to topography, sewer pipes, grading, and roads. CDPHE is the permitting authority for this WWTP and not EPA policies. The applicant is also concerned about odors because residents of Prosper would be affected by them, so they have additional odor controls designed for the WWTP that would benefit other nearby properties.

The Planning Commission, by a vote of 6-1, also recommended denial of a related 1041 Permit Case (ASI16-001) that addresses general environmental, historic/cultural and socioeconomic information, based essentially on the same finding as was made for the Location and Extent case.

Background

"The regulation of the location and extent of public facilities is provided by Colorado Revised Statutes, Section 30-28-110, as amended." It is the intent of the Section 13-700 of the Land Development Code "to conform to the provisions of the State Statute..... (and) to prescribe procedures for the orderly consideration of Location and Extent applications in order to effectuate the purposes of the state statute."

Prosper Regional Water and Wastewater Metropolitan District has applied for approvals to build a wastewater treatment plant for the Prosper development in eastern Arapahoe County near Watkins. The actual licensing of the facility will be conducted through the Colorado Department of Public Health and Environment. From the County's perspective, the applicant has applied for three separate planning cases: 1) 1041 Permit (the 1041 Permit provides general environmental, cultural/historical and socioeconomic information), 2) Location and Extent Case (the L&E case provides more site specific details), and 3) Subdivision Exemption Case (provides a legally exempt subdivided lot for the WWTP).

The Prosper development Preliminary Development Plan (PDP) and 1041 Permit for a "New Community" were approved by the BOCC on February 10, 2015 as a 5,130 acre mixed-use development with 9,000 dwelling units and 8,000,000 square feet of commercial, light industrial, and office buildings. The approved PDP exhibit shows the location of an approximately 9 acre Planning Area (PA-71) for the location of a WWTP. This location is near the north central area of the Prosper Development and is the site, proposed for the WWTP in the 1041 Permit application, the Location and Extent case, and the Subdivision Exemption. The proposed WWTP site is adjacent to the Saint Isidore Church property and approximately 345 feet from the Our Lady of Help Christians Academy school building, a private school on the church property.

Related to the 1041 Permit and the appeal of the Location and Extent is the Subdivision Exemption case for the parcel where the wastewater treatment plant will be located. This subdivision exemption request, made pursuant to Section 14-902(b)(1) of the Land Development Code, is to create a separate parcel for this proposed WWTP location. This subdivision exemption case will be heard on the same day as the 1041 Permit case for the wastewater treatment plant and the appeal of the Planning Commission denial of the Location and Extent case.

Align Arapahoe

If the proposed Location and Extent case is approved, it could "improve the County's economic environment" by generating jobs to build the WWTP and the Prosper development.

Alternatives

The Board of County Commissioners has 3 alternatives:

1. Affirm the Planning Commission denial of the Location and Extent case with a finding that the Planning Commission acted within their authority. Note: If the BOCC chooses to uphold the denial of this L&E case, then the Prosper Regional Water and Wastewater District Board could approve the L&E case, per state statute (but not the 1041 Permit).
2. Overturn the Planning Commission denial and approve the Location and Extent case with Conditions of Approval
3. Continue to a date certain for more information

Fiscal Impact

No specific fiscal impact study has been done for this case so it is difficult to determine the exact fiscal impact to the County. If the WWTP and the Prosper development are built, the County would benefit from increased property tax revenues.

Concurrence

Reviewed By:

Sherman Feher
Jason Reynolds
Jan Yeckes
Dave Schmit
Todd Weaver
Bob Hill



April 17, 2017

Mr. Sherman Feher, Planning Program Manager
Arapahoe County Public Works and Development
6924 S. Lima Plaza.
Centennial, CO 80112

**Re: Prosper Waste Water Treatment Plant
1041 and Location & Extents Application**

Dear Sherman,

As communicated at the March 7th, 2017 Board of County Commissioners meeting, the intent of the Prosper Metropolitan Coordinating District is to conduct additional meetings with St. Isadore church regarding the proposed Waste Water Treatment Plant. These meetings are in addition to the two church meetings conducted prior to the March 7th, 2017 hearings.

A meeting was conducted on April 4th with the church to further discuss the location of the proposed waste water treatment plant including the Colorado Department of Health and Environment (CDPHE) site criteria. It was also discussed that the proposed waste water treatment plant was located at the lowest point of the site which allowed the 5,130 acres to gravity sewer to the plant which would avoid the need for additional lift stations. Providing a gravity sewer system further reinforces reliability, safety and long-term cost/energy efficiency for future residents and users (which may also include the church).

Alternative site locations and the associated implications including the requirements for additional lift stations were discussed. Relocating the plant a 1,000' south as suggested by the church and the impacts to the Coyote Run and Rat Run flood plains (enlarging/combining of the floodplains) was also reviewed. Odor control issues were discussed and addressed at the meeting including odor control technology (not required by CDPHE) that could be provided to the plant. While both parties seemed to agree that the odor issue could be addressed with added odor controls, the church also expressed concerns regarding the potential aesthetic impacts of the plant as viewed to the west from the school.

Based on the April 4th hearing, Prosper created a visual simulation to address some of the questions associated with the view of the plant. Potential additional buffering that Prosper could incorporate along the perimeter of the plant and on the church property was also discussed. A meeting was conducted on April 17th to review and discuss the simulation and the aesthetics with the church. Further discussion regards to relocating specific components of the plant away from the school was also discussed further.

Based on the April 17th meeting, it is the intent to further review and follow-up with the church regarding the respective items. At this time, the intent is to conduct the Board of County Commissioners meeting on May 2nd, 2017.

Please review and call with questions or comments.

Sincerely,

Vogel & Associates, LLC

Jeffrey Vogel, AICP

Principal

DRAFT MOTIONS:

AFFIRM THE PLANNING COMMISSION DENIAL (This motion would sustain the Planning Commission denial of this L&E case resulting in a decision to deny the Location and Extent application):

In the case of L16-002, Prosper Wastewater Treatment Plant Location and Extent, we have read the staff report dated December 8, 2017, and the Board Summary Report, dated February 22, 2017, and received testimony at the public hearing. We find ourselves in agreement with the Planning Commission finding that this project will have detrimental impacts to neighboring properties, and we also feel that the Planning Commission acted within their authority, and we sustain the Planning Commission's DENIAL of the Location and Extent case.

Additional Findings:

State any additional new or amended findings to support Planning Commission's "Denial" as part of the BOCC motion.

OVERTURN THE PLANNING COMMISSION DENIAL AND APPROVE THE L&E CASE

(This motion would not be consistent with the Planning Commission denial of this case but would be consistent with the Staff recommendation for approval with conditions of approval).

In the case of L16-002, Prosper Wastewater Treatment Plant Location and Extent, we have read the staff report, Board Summary Report, dated February 22, 2017, and received testimony at the public hearing. We find ourselves in agreement with staff findings including all plans and attachments as set forth in the staff report dated December 8, 2016, and move to overturn the Planning Commission decision to deny the Location and Extent case, and approve this case, subject to the following conditions:

- 1. The applicant makes any minor modifications to plans, as requested by the Public Works and Development Department.*
- 2. The applicant agrees to address all Engineering Services Division comments and concerns as identified within their staff reports, prior to construction.*
- 3. The Applicant will obtain a permit to construct and operate the Prosper Wastewater Treatment Plant from the Colorado Department of Public Health and Environment prior to construction of the wastewater treatment plant.*
- 4. The applicant agrees to address comments issued by the Urban Drainage and Flood Control District (UDFCD).*
- 5. The applicant will execute a Subdivision Improvement Agreement.*
- 6. The applicant will obtain all other necessary permits prior to commencing construction of the project.*
- 7. The applicant will comply with all items requested by the Bennett Fire Protection District regarding this project.*

CONTINUE THE APPEAL OF THE LOCATION AND EXTENT CASE

In the case of L16-002, Prosper Wastewater Treatment Plant, Location and Extent case, I move to continue the decision on this request to [DATE], 2017, date certain, at 9:30 a.m., at this same location [to receive further information] [to further consider information presented during the hearing].

RESOLUTION NO. XXXXX

It was moved by Commissioner _____ and duly seconded by Commissioner _____ to adopt the following Resolution:

WHEREAS, in accordance with the Arapahoe County Land Development Code (LDC), Section 13-700 and Section 30-28-110(1) of the Colorado Revised Statutes ("CRS"), the Prosper Regional Water and Sanitation Metropolitan District submitted an application to the Arapahoe Planning commissioner for a location and extent review, Case # L16-002, of a proposed waste water treatment plant to serve the Prosper development; and

WHEREAS, on December 20, 2016, the Arapahoe County Planning Commission held a duly noticed public hearing on this application for a location and extent review and following such public hearing voted to continue the matter to a date certain of January 17, 2017; and

WHEREAS, on January 17, 2017, the Arapahoe County Planning Commission held the continued the public hearing on this application and following such public hearing voted to deny the application as shown on the record of the said Planning Commission proceeding; and

WHEREAS, on January 23, 2017, pursuant to Section 13-702.02, LDC, the Prosper Regional Water and Sanitation Metropolitan District submitted its notice of appeal of the Planning Commission decision to the Arapahoe County Board of County Commissioners ("the Board"); and

WHEREAS, notice of a hearing before the Board to be held on March 7, 2017 was published in the Villager on January 26, 2017, a newspaper of general circulation within Arapahoe County, and in the I-70 Scout on January 24, 2017, a newspaper of general circulation in the east County, as well as by mail notice to adjoining land owners and posting for affected property; and

WHEREAS, as noticed, a public hearing was held before the Board at the Arapahoe County Administration Building, 5334 South Prince Street, Littleton, Colorado, on the 7th day of March, 2017, at 9:30 o'clock a.m., at which time jurisdiction was established and evidence and testimony were presented to the Board concerning said appeal of the Planning Commission's denial of the location and extent review for such proposed wastewater treatment plant; and

WHEREAS, the Board has reviewed the record made at the public hearing, has considered the materials submitted and the testimony and evidence presented at the public hearing and has made findings of fact on this matter.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Arapahoe County as follows:

FINDINGS OF FACT

The Board makes the following findings of fact:

1. The Board has jurisdiction over the subject matter of this application to hear an

appeal of the Planning Commission decision on the proposed location and extent review.

2. At the March 7, 2017 public hearing held on this application, all the requirements of the Colorado Revised Statutes and the Arapahoe County Land Development Code regarding notice, due process and procedure were met and no objections were made thereto.
3. The Board has considered the proposed location and extent thereof of the proposed wastewater treatment plant:
4. The Board has considered the comments and recommendation of the Arapahoe County Department of Public Works and Development contained in the staff report for this application, has considered the Planning Commission's decision of denial and its findings as made on the record of those proceedings, and has considered the presentation and testimony of the applicant contained in the record and as made at public hearing, as well and the comments and testimony of the public made at the public hearing and/or as has been submitted for the record.
5. Although the Arapahoe County Planning Division has made a recommendation of conditional approval regarding this application for a location and extent review, the Board disagrees with that recommendation and finds itself in agreement with the Planning Commission that location and extent of the proposed waste water treatment plant should be denied for the following reasons:
 1. The wastewater treatment plant will have detrimental impacts on neighboring properties.

[state any other specific finding(s)]

BOARD DECISION AND DETERMINATION

1. On the basis of the evidence and testimony before the Board of County Commissioners of Arapahoe County, the aforementioned findings of fact, the entire record and in the interest of the residents and property owners of Arapahoe County, the Board hereby affirms the Planning Commission decision denying the application of Prosper Regional Water and Sanitation Metropolitan District for a location and extent review of the proposed wastewater treatment plant.
2. In affirming the Planning Commission's denial of the said application, the Board adopts the above stated findings of fact in support of this decision.

The vote was:

Commissioner Baker, ; Commissioner Conti, ; Commissioner Holen, ; Commissioner Jackson,
; Commissioner Sharpe, .

The Chair declared the motion carried and so ordered.

RESOLUTION NO. XXXXX

It was moved by Commissioner _____ and duly seconded by Commissioner _____ to adopt the following Resolution:

WHEREAS, in accordance with the Arapahoe County Land Development Code (LDC), Section 13-700 and Section 30-28-110(1) of the Colorado Revised Statutes ("CRS"), the Prosper Regional Water and Sanitation Metropolitan District submitted an application to the Arapahoe Planning commissioner for a location and extent review, Case # L16-002, of a proposed waste water treatment plant to serve the Prosper development; and

WHEREAS, on December 20, 2016, the Arapahoe County Planning Commission held a duly noticed public hearing on this application for a location and extent review and following such public hearing voted to continue the matter to a date certain of January 17, 2017; and

WHEREAS, on January 17, 2017, the Arapahoe County Planning Commission held the continued the public hearing on this application and following such public hearing voted to deny the application as shown on the record of the said Planning Commission proceeding; and

WHEREAS, on January 23, 2017, pursuant to Section 13-702.02, LDC, the Prosper Regional Water and Sanitation Metropolitan District submitted its notice of appeal of the Planning Commission decision to the Arapahoe County Board of County Commissioners ("the Board"); and

WHEREAS, notice of a hearing before the Board to be held on March 7, 2017 was published in the Villager on January 26, 2017, a newspaper of general circulation within Arapahoe County, and in the I-70 Scout on January 24, 2017, a newspaper of general circulation in the east County, as well as by mail notice to adjoining land owners and posting for affected property; and

WHEREAS, as noticed, a public hearing was held before the Board at the Arapahoe County Administration Building, 5334 South Prince Street, Littleton, Colorado, on the 7th day of March, 2017, at 9:30 o'clock a.m., at which time jurisdiction was established and evidence and testimony were presented to the Board concerning said appeal of the Planning Commission's denial of the location and extent review for such proposed wastewater treatment plant; and

WHEREAS, the Board has reviewed the record made at the public hearing, has considered the materials submitted and the testimony and evidence presented at the public hearing and has made findings of fact on this matter.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Arapahoe County as follows:

FINDINGS OF FACT

The Board makes the following findings of fact:

1. The Board has jurisdiction over the subject matter of this application to hear an appeal of the Planning Commission decision on the proposed location and extent

review.

2. At the March 7, 2017 public hearing held on this application, all the requirements of the Colorado Revised Statutes and the Arapahoe County Land Development Code regarding notice, due process and procedure were met and no objections were made thereto.
3. The Board has considered the proposed location and extent thereof of the proposed wastewater treatment plant:
4. The Board has considered the comments and recommendation of the Arapahoe County Department of Public Works and Development contained in the staff report for this application, has considered the Planning Commission's decision of denial and its findings as made on the record of those proceedings, and has considered the presentation and testimony of the applicant contained in the record and made at the public hearing, as well and the comments and testimony of the public made at the public hearing and/or as has been submitted for the record.
5. The Board finds itself in disagreement the Planning Commission's decision on this location and extent review and instead finds itself in agreement with the Planning Division's recommendation of conditional approval regarding this application for a location and extent review.
6. The Board makes the following findings regarding the location and extent of the proposed wastewater treatment plant:
 1. The application for the wastewater treatment plant L&E complies with the Arapahoe County Comprehensive Plan.
 2. The submitted L&E application is in conformance with the submittal and processing requirements of the Land Development Code.
 3. Staff finds that the request for approval of Location and Extent for wastewater treatment plant is in conformance with policies and goals outlined in the Land Development Code for a Location & Extent.
 4. The Applicant needs to obtain a permit to construct and operate a wastewater treatment plant from the Colorado Department of Public Health and Environment.
 5. Bennett Fire Protection District has requested a number of items to be addressed by the applicant for the proposed wastewater treatment plant.
 6. There are a number of Engineering issues and concerns that need to be addressed.

BOARD DECISION AND DETERMINATION

1. On the basis of the evidence and testimony before the Board of County Commissioners of Arapahoe County, the aforementioned findings of fact, the entire record and in the interest of the residents and property owners of Arapahoe County, the Board hereby overturns the Planning Commission decision denying the application of Prosper Regional Water and Sanitation Metropolitan District for a location and extent review of the proposed wastewater treatment plant.
2. The Board hereby conditionally approves the location and extent review of the Prosper Wastewater Treatment Plant as proposed by the Prosper Regional Water and Sanitation Metropolitan District subject to the following conditions of approval:
 1. The applicant makes any minor modifications to plans, as requested by the Public Works and Development Department.
 2. The applicant agrees to address all Engineering Services Division comments and concerns as identified within their staff reports, prior to construction.
 3. The Applicant will obtain a permit to construct and operate a wastewater treatment plant from the Colorado Department of Public Health and Environment prior to construction of the wastewater treatment plant.
 4. The applicant agrees to address comments issued by the Urban Drainage and Flood Control District (UDFCD).
 5. The applicant will execute a Subdivision Improvement Agreement.
 6. The applicant will obtain all other necessary permits prior to commencing construction of the project.
 7. The applicant will comply with all items requested by the Bennett Fire Protection District regarding this project.
3. County planning, engineering and legal staff are authorized to make any changes to the mylar form of the approved document as may be needed to conform the documents to the form and content requirements of the County in existence at the time the documents are submitted for signature, and to make such other changes that are expressly stated by staff before the Board, or are recommended by staff in the written staff reports, or are referred to by the movant Commissioner. No other deviation or variance from the form and content of the documents submitted for the Board's consideration are approved except to the extent stated in this resolution.
4. The County Attorney, with the concurrence of the planning and/or engineering case managers, is authorized to make appropriate modifications to the resolution and plan documents as needed to accurately reflect the matters presented to the Board and to record and clarify, as necessary, other aspects and ramifications of the Board's action.
5. The foregoing approval is further conditioned upon, and subject to, submission by the applicant of a mylar, containing the above changes, within sixty (60) days of the date of this decision. In the event the applicant fails to submit a conforming mylar by the

above deadline, this decision shall be voidable by resolution of the Board of County Commissioners and of no effect whatsoever.

6. Upon the applicant's completion of any and all changes to the mylar as required by this Resolution, the Chair of the Board of County Commissioners is hereby authorized to sign same. In the event of a discrepancy between the terms of this Resolution and the content of the executed mylar, the terms of this Resolution will control.

The vote was:

Commissioner Baker, ; Commissioner Conti, ; Commissioner Holen, ; Commissioner Jackson, ;
Commissioner Sharpe, .

The Chair declared the motion carried and so ordered.

Board of County Commissioners

Engineering Summary Report

Date: February 17, 2017

To: Arapahoe County Board of County Commissioners

Via: Sherman Feher
Planning Division

From: Sarah White
Engineering Services Division

Re: **Prosper Wastewater Treatment Plant (WWTP)**
ASI16-001 1041 Permit
L16-002 Location & Extent
X16-001 Subdivision Exemption

Purpose and Recommendation

The purpose of this report is to provide the Engineering Services Division Staff findings, comments, and recommendations regarding the above-referenced land use application(s).

Scope/Location:

Vogel and Associates and Dewberry Engineers Inc., on behalf of owners, VREI, Inc., is requesting approval of the 1041, Location & Extent and Subdivision Exemption for the development of the Prosper Wastewater Treatment Plant (WWTP). The proposed development is generally located within the area known as 'Prosper', south of Interstate 70, east of N. Watkins Road and north of E 6th Avenue. The proposal is for a wastewater treatment plant on approximately 9 acres. The site is proposed to be built in 4 phases based on the future development of Prosper.

The site is located within the Box Elder Creek drainage basin. Phase I development will utilize a temporary access road (reference Arapahoe County Case No. E16-029) until the permanent public road is built out as per the Prosper PDP (case no. Z12-100).

Referenced Referral Items

1041
L&E Exhibit
Subdivision Exemption
Drainage Report
Construction Drawings
O&M Manual
GESD Plans and Report

Cc: *Chuck Haskins, Engineering Services Division, Division Manager*
Case Files ASI16-001, L16-002, X16-001

Engineering Services Division Staff (Staff) has reviewed the referenced land use application(s) and has the following findings and comments:

Findings:

1. Engineering review and approval fees are included with the planning fee for the 1041 and L&E, with the exclusion of the easements that will need to be prepared by separate document(s). Fees for the Subdivision Exemption are paid.
2. This site lies within Coyote Run-Box Elder Creek watershed basin. Basin fees are still being established for this area, but are not yet determined.
3. This development lies within the boundaries of the Urban Drainage and Flood Control District (UDFCD).
4. Urban Drainage and Flood Control District (UDFCD) has been included as a referral agency. Their comments will need to be addressed prior to final approval
5. Construction activities that disturb one or more acres are required by the Environmental Protection Agency (EPA) to obtain a Construction Stormwater Permit.
6. The subdivision exemption process requires a permanent roadway or an access easement to be established. The permanent roadway as proposed in the Prosper Preliminary Development Plan (PDP) is not yet constructed. Once the development around the Waste Water Treatment Plant (WWTP) begins, a permanent road will be constructed that allows access to the WWTP. In the interim, access to WWTP will be via private access road. Easement recordation information will need to be noted on the Subdivision Exemption exhibit. Engineering Case E16-029 has been submitted and is under review for the Access Road construction.
7. The WWTP will have a limited on-site staff, and generates very minimal traffic, as such a Traffic Impact Study was waived for this development.
8. Drainage easements for each detention pond outfalls (offsite) will need to be dedicated to Arapahoe County via separate document.
9. Both Coyote Run and Rat Run have existing Flood Insurance Rate Maps (FIRM) as provided by the Federal Emergency Management Agency (FEMA). Coyote Run is in a Flood Hazard Area Delineation (FHAD) process to update the floodplain delineation with FEMA. The WWTP is outside of both FEMA and FHAD designated 100 year floodplains. Both delineations are shown on all exhibits, as applicable.
10. Waste water treatment plants are exempt from specific critical facility regulations established by the Colorado Water Conservation Board. However, applicant is encouraged to minimize potential hazards from floodwaters. County would recommend to have lowest floor elevation a minimum of 2 feet above 100-year water surface elevation, ensure on-site waste disposal is located such that outside but adjacent to 100 year floodplain. County discourages critical facilities within the 500 year floodplain, since these drainage ways have not been mapped for 500 yr flooding, recommend additional provisions may be needed – i.e. flood proofing building or elevation of facility to be at 2 ft above BFE (LDC section 12-2007.09).

11. All applicable public and private improvements (i.e., storm sewer systems, detention ponds, roadways appurtenances, etc.) associated with this development proposal shall be guaranteed within a Subdivision Improvements Agreement (SIA). The applicant will be required to enter into a Subdivision Improvement Agreement (SIA) to guarantee onsite and offsite improvements related to this development. Subdivision Improvement Agreement will be prepared by County Staff with finalization of costs.
12. Staff reviewed contours and elevations for the WWTP, per aerial photography and County GIS. The WWTP is located at the lowest elevation within the Prosper PDP boundaries outside of the floodplain. Elevation increases as the topography fans in a bowl-or U-shaped pattern towards the south, east and west.

Recommendations:

The Division of Engineering Services recommends this case favorably subject to the following conditions:

1. The applicant agrees to address the Division of Engineering Services' comments and concerns as identified within the ESD Staff Report dated 9/20/2016.
2. The applicant agrees to address comments issued by the Urban Drainage and Flood Control District (UDFCD).
3. The applicant executes a Subdivision Improvement Agreement.

PUBLIC COMMENTS

Sherman Feher

From: pilgrimrose <pilgrimrose@yahoo.com>
Sent: Wednesday, February 15, 2017 10:28 AM
To: Sherman Feher
Cc: creefe@adcogov.com; mhodge@adcogov.com
Subject: RE: Response to Questions

Sherman,

Thank you for responding to the questions.

It is absolutely unbelievable and unconscionable that Adams County wasn't contacted about Prosper's Sewage treatment plant when it will be discharging directly into Adams County!! Talk about dumping on your neighbors! We who live near Coyote Run just across I-70 in Adams County, and who drink from the Denver Aquifer do not believe this lack of evaluation of negative impact on the surrounding area rises to the standard of basic decency, let alone due diligence. And just like Prosper's application never mentions the existing school directly east of the proposed location, neither does the application seem to identify that the Coyote Creek pictures and info they included are located in Adams County!

Does CDOT realize the effluent will be running undiluted under I 70? Have they evaluated the impact of the effluent on the bridge at Coyote Run?

What impact will the effluent have on landowners near the now dry Coyote Creek when there is running, pooling and ponding effluent to deal with in a formerly dry creek bed that has never been tested for the volume Prosper intends to discharge?

Is considering these issues part of the approval review process?

Thank you
Elizabeth Wilson

Sent from my Verizon Wireless 4G LTE smartphone

Sherman Feher

From: Jeff Baker
Sent: Monday, March 06, 2017 8:33 AM
To: Jan Yeckes; Jason Reynolds; Sherman Feher
Subject: FW: Prosper Wastewater Treatment Plan

FYI...

From: Bob Neumann [mailto:bneu9423@gmail.com]
Sent: Monday, March 6, 2017 7:12 AM
To: Jeff Baker <JBaker@arapahogov.com>
Subject: RE: Prosper Wastewater Treatment Plan

Please deny the building of this wastewater treatment plant next to our parish church (St. Isidore) and school. Consider the disruption this will cause to our students education.

I could not imagine this would even be considered if this was a public school.

I do own 39 acres in Arapahoe County near Byers, which I plan on building on this land sometime in the future. I do hope that I can witness the County Commissioners making the correct choice on this issue, in Watkins.

Thank you for your consideration.

Bob Neumann

9423 W. Kentucky Pl.

Lakewood, CO 80226

Sherman Feher

From: Jason Reynolds
Sent: Thursday, March 02, 2017 3:28 PM
To: Sherman Feher
Subject: FW: Sewage Plant Hearing

-----Original Message-----

From: Jeff Baker
Sent: Thursday, March 02, 2017 3:20 PM
To: Jan Yeckes <JYeckes@arapahoegov.com>; Jason Reynolds <JReynolds@arapahoegov.com>
Subject: FW: Sewage Plant Hearing

Forwarding for the file. Thanks!

-----Original Message-----

From: Megan Dowd [mailto:st.nicks12six@gmail.com]
Sent: Thursday, March 2, 2017 3:03 PM
To: Jeff Baker <JBaker@arapahoegov.com>
Subject: Sewage Plant Hearing

Dear Jeff,

Welcome, Commissioner!

I am writing in regards to a hearing which will take place on March 7, regarding Prosper Farms LLC's proposed sewage treatment plant. I was at both Planners meetings where this plant was discussed and where ultimately approval was denied by the Planners.

There were several facts that came out during those meetings that have myself as well as many other people highly concerned about this project.

Probably the most concerning matter regarding this plant is that from beginning to end, from the initial (over 400 page) application to the two Commissioners meetings where they were granted their temporary permit, the developers failed to reveal to the Commissioners or the public, the location of a K-12 school immediately adjacent and in close proximity to the proposed site, literally right across the ditch. The school has been in existence at that location for many years.

There is also a church on the property, which is acknowledged in the application, but it is much further away from the proposed site.

As the parent of a child in said school, I am highly concerned about the placement of such a massive facility being placed next to the school, not merely for obvious quality of life issues, but for those of safety and health as well. I am also angry that through their own greed, this developer decided in practice to shun common decency and fairness and showed so little regard for the children of the community they are moving into.

The fact that such a crucial fact was not revealed by the developers had a lot to do with the Planners decision. I am hoping that the Commissioners will follow the Planners denial of permit and location, and that is why I am reaching out.

Thank you so much,
Megan Dowd
720-334-2133

Sherman Feher

From: Jeff Baker
Sent: Tuesday, February 28, 2017 10:52 AM
To: Jan Yeckes; Jason Reynolds; Sherman Feher
Subject: Fwd: Wastewater treatment

FYI.

Sent from my iPhone

Begin forwarded message:

From: Rita Connolly <ritaross22@gmail.com>
Date: February 28, 2017 at 11:34:45 AM EST
To: jbaker@arapahoe.gov
Subject: Wastewater treatment

Dear Mr. Baker,

I am a parishioner at St. Isidore in Watkins, Colorado and would like to express my opinion regarding the Wastewater Treatment plant that is being proposed.

As a retired Registered Nurse who has had experience in both grade schools and a high school setting I am very concerned about the health effects for the teachers, students and parents who are attending the area everyday. There are so many environmental toxins which we are concerned about these days and to build a wastewater treatment plant so close to the school would be, I believe, very hazardous for all concerned. With all the open space in that area would it not be better for all concerned to deny the placement of this treatment plant for the sake of growing children ? Please deny any permit to build this treatment plant.

I thank you for reading this letter.

Mrs. Rita Connolly

I thank you for reading this letter and

ARAPAHOE COUNTY PLANNING COMMISSION

PUBLIC HEARING

December 20, 2016

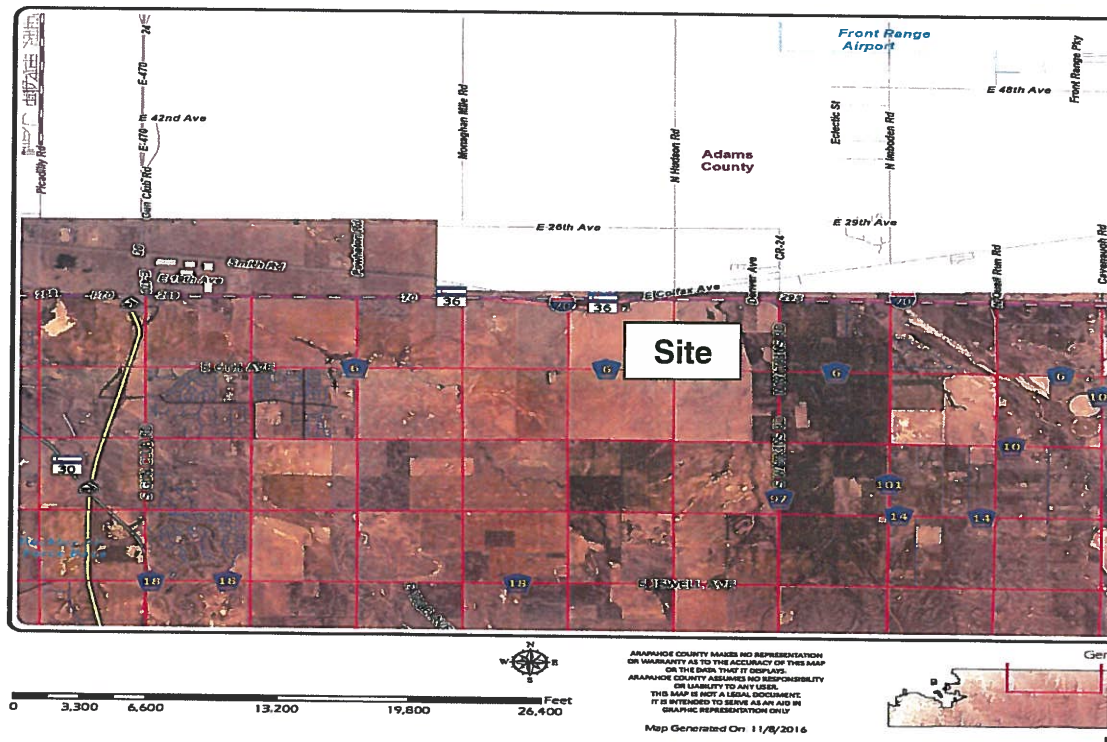
6:30 P.M.

SUBJECT: L16-002 – PROSPER WASTEWATER TREATMENT PLANT LOCATION & EXTENT

Sherman Feher, Senior Planner

December 8, 2016

VICINITY MAP: The property is located south of I-70 and approximately 2000 feet west of Watkins Road. This application is in Commissioner District No. 3.



Vicinity Map



**Looking South
over WWTP Site**



**Looking SW over
WWTP Site**

PROPOSAL:

The applicant, The Prosper Regional Water & Sanitation District, is requesting Planning Commission approval for a Location and Extent case, known as the Prosper Wastewater Treatment Plant. This is specified in the Land Development Code as a “major facility of a public utility” as part of the Location & Extent. The applicant seeks to construct a wastewater treatment plant to serve the Prosper Development.

This Location and Extent (L&E) case is being done in conjunction with a 1041 Permit Case. Both of these cases will be heard by the Planning Commission. The Planning Commission will make the final decision on the L&E case and make a recommendation to the BOCC for the 1041 Permit case. The BOCC will make the final decision on the 1041 Permit case. The Location and Extent case primarily reviews the general location and overall extent of the project. The 1041 Permit case reviews environmental and socio-economic factors that are related to the project. There is also a Subdivision Exemption case for the property where the wastewater treatment plant will be located. The Subdivision Exemption case will be heard by the BOCC.

RECOMMENDATION:

Staff: Staff is recommending approval of this case with conditions, based on the findings listed in the staff report.

I. BACKGROUND

Zoning

The property is currently zoned MU-PUD.

II. DISCUSSION

Staff review of this application included a comparison of the project to policies and goals outlined in the Comprehensive Plan, a review of pertinent zoning regulations, background activity, and analysis of referral comments.

1. The Comprehensive Plan

The Comprehensive Plan designation for this area is in Tier 1 of the Planning Reserve. The Planning Reserve is creating a reserve of vacant land to accommodate future uses/development. Tier 1 is envisioned as the first area of development along the I-70 Corridor. One of the goals for Public Facilities and Services is Goal PFS1 IS TO “Plan for Adequate Public Facilities and Service in

Growth Areas.” As such, this proposed wastewater treatment plant is allowed by the Comprehensive Plan land use designation of Tier 1 of the Planning Reserve and is supported by the Goal for adequate public facilities.

2. Regulatory Review and additional Background Information

Chapter 13, Section 13-700 of the Land Development Code, covers the policy and regulatory aspects of a Location and Extent. This includes a specific review of – Location and Extent, Section 13-702 – General Requirements and Procedure. A Location and Extent does not have specific approval criteria but may be approved upon the finding that:

13-702.01A No road, park, public way, ground, or space, no public building or structure, and no major facility of a public utility shall be constructed or authorized in the unincorporated areas of Arapahoe County unless and until the proposed location and extent thereof has been submitted to and approved by the Arapahoe County Planning Commission.

13-702.05 The Planning Commission and the Board of County Commissioners, when applicable, may approve the facilities as submitted, approve it with conditions, or deny the facility. The conditions to be imposed are those necessary, in the discretion of the Planning Commission and Board of County Commissioners, to mitigate or eliminate any adverse impacts of the proposed facility on the surrounding area, and may include the posting of sufficient performance guarantees with the County to guarantee the construction of any improvements.

SUBMITTAL REQUIREMENTS - The applicant is in compliance with Section 13-703, sub-section 13-703.01, by submitting all of the required materials.

3. Referral Comments

The following chart is an overview of the comments. A copy of all referral comments follows the staff report. The Applicant’s response is in italics

Engineering Services	-	Comments on Engineering studies, Subdivision Improvement Agreement, and Urban Drainage. <i>The applicant has addressed or will address these comments. The remaining items will be conditions of approval.</i>
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Mapping	-	Comments on L&E Exhibit. <i>The applicant has addressed or will address these comments.</i>
Zoning Administrator	-	Comments on landscaping. <i>Applicant has addressed or will address comments.</i>
Open Spaces	-	No response.
Weed Control		No response.
Sheriff's Department		No comments.
Bennett Fire District	-	Comments regarding fire suppression, roads, hazardous materials, Knox key access etc. <i>Applicant responded to referral comments; see applicant's comments that are part of this Planning Commission packet. These items will be a condition of approval.</i>
City of Aurora		Comment on Prosper Development, floodplain mapping and Metro Wastewater Reclamation District. <i>Applicant responded to referral comments; see applicant's comments that are part of this Planning Commission packet.</i>
Colorado Parks & Wildlife	-	No response.
Army Corps of Engineers	-	No response.
Assessor's Office	-	No response.
West Arapahoe Conservation District		No response.
Tri-County Health	-	Comment on site application and utility plan, floodplains, dust and odor, and setbacks etc. <i>Applicant responded to referral comments; see applicant's comments that are part of this Planning Commission packet.</i>
REAP		No comments.
Xcel Energy	-	Add utility easements to Preliminary and Final Plats. <i>Comments noted.</i>
East End Advisory Committee	-	Janet Cook had "No comments"; No response from other members.
Urban Drainage		Comments on drainage issues and concerns. <i>The applicant has addressed or will address these comments. The remaining items will be conditions of approval.</i>

III. STAFF FINDINGS

Staff has visited the site and has reviewed the plans and supporting documentation and referral comments. Based upon review of applicable policies and approval standards in the Land Development Code and analysis of referral comments, our findings include:

1. The application for the wastewater treatment plant L&E complies with the Arapahoe County Comprehensive Plan.
2. The submitted L&E application is in conformance with the submittal and processing requirements of the Land Development Code.
3. Staff finds that the request for approval of Location and Extent for wastewater treatment plant is in conformance with policies and goals outlined in the Land Development Code for a Location & Extent.
4. The Applicant needs to obtain a permit to construct and operate a wastewater treatment plant from the Colorado Department of Public Health and Environment.
5. Bennett Fire Protection District has requested a number of items to be addressed by the applicant for the proposed wastewater treatment plant.
6. There are a number of Engineering issues and concerns that need to be addressed.

IV. RECOMMENDATION:

Considering the findings and other information provided herein, the staff recommends approval of this case, Prosper Wastewater Treatment Plant (Case No. L16-002), subject to the following conditions:

1. The applicant makes any minor modifications to plans, as requested by the Public Works and Development Department.
2. The applicant agrees to address all Engineering Services Division comments and concerns as identified within their staff reports, prior to construction.
3. The Applicant will obtain a permit to construct and operate a wastewater treatment plant from the Colorado Department of Public Health and Environment prior to construction of the wastewater treatment plant.
4. The applicant agrees to address comments issued by the Urban Drainage and Flood Control District (UDFCD).
5. The applicant will execute a Subdivision Improvement Agreement.

6. The applicant will obtain all other necessary permits prior to commencing construction of the project.
7. The applicant will comply with all items requested by the Bennett Fire Protection District regarding this project.

This is based upon:

- The proposed use is acceptable and consistent with the standards as determined by the Land Development Code.
- The proposed use benefits and serves the interest of the citizens of Arapahoe County.

V. DRAFT MOTIONS:

A. **APPROVAL:** In the case of L16-002, Prosper Wastewater Treatment Plant Location and Extent, we have read the staff report and received testimony at the public hearing. We find ourselves in agreement with staff findings including all plans and attachments as set forth in the staff report dated December 8, 2016, and move to approve this case, subject to the following conditions:

1. The applicant makes any minor modifications to plans, as requested by the Public Works and Development Department.
2. The applicant agrees to address all Engineering Services Division comments and concerns as identified within their staff reports, prior to construction.
3. The Applicant will obtain a permit to construct and operate a wastewater treatment plant from the Colorado Department of Public Health and Environment prior to construction of the wastewater treatment plant.
4. The applicant agrees to address comments issued by the Urban Drainage and Flood Control District (UDFCD).
5. The applicant will execute a Subdivision Improvement Agreement.
6. The applicant will obtain all other necessary permits prior to commencing construction of the project.
7. The applicant will comply with all items requested by the Bennett Fire Protection District regarding this project.

B. **DENIAL** (This recommendation would not be consistent with the Staff recommendation. Any alternate motion must include new findings and conditions in support of the motion for Approval where those differ from the Staff-recommended findings and conditions):

In the case of L16-002, Prosper Wastewater Treatment Plant Location and Extent, we have read the staff report and received testimony at the public hearing. We find ourselves not in agreement with staff findings regarding the


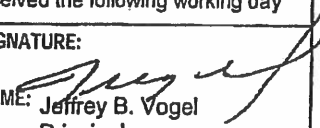

draft plan and attachments as set forth in the staff report dated December 8, 2016, and DENY the Location and Extent case.

Findings:

1. State new or amended findings to support Planning Commission recommendation of “Denial” as part of the motion.
- 2.

A. CONTINUE: *In the case of L16-002, Prosper Wastewater Treatment Plant, Location and Extent case, I move to continue the decision on this request to [DATE], 2016, date certain, at 6:30 p.m., at this same location [to receive further information] [to further consider information presented during the hearing].*

Attachments: Application
 Response Letter
 Referral Letters
 Location and Extent Exhibit

 Arapahoe County <i>Colorado's First</i>		Public Works and Development 6924 S. Lima Street Centennial, Colorado 80112 Phone: 720-874-6650 www.arapahoe.gov		Land Development Application Form must be complete Land Development Application materials received after 2pm shall be date stamped received the following working day	
APPLICANT/REPRESENTATIVE: Vogel & Associates LLC		ADDRESS: 475 West 12th Ave, Suite E Denver, CO 80204 PHONE: 303.893.4288 FAX: 303.893.6792 EMAIL: jvogel@vogelassoc.com		SIGNATURE:  NAME: Jeffrey B. Vogel Principal TITLE:	
OWNER(S) OF RECORD: VREI, Inc.		ADDRESS: 5641 N Broadway Denver, CO 80215 PHONE: 303.566.8000 FAX: 303.566.8099 EMAIL:		SIGNATURE:  NAME: Greg Ruegsegger Vice President TITLE:	
ENGINEERING FIRM: Dewberry Engineers Inc. Stacy Roberts 303-757-0637		ADDRESS: 990 S Broadway, Suite 400, Denver, CO 80209 PHONE: 303.951.0614 FAX: 303.825.2322 EMAIL: apratt@dewberry.com		CONTACT PERSON: Alan Pratt, PE	
Pre-Submittal Case Number: Q15-103		Pre-Submittal Planner: Sherman Fehr		Pre-Submittal Engineer: Sarah White	
Parcel ID no. (AIN no.)		1977-00-0-00-418			
Parcel Address or Cross Streets:		Interstate 70 and Watkins Road			
Subdivision Name & Filing No.:		None			
Related Case Numbers: (Preliminary/Final Development Plan, Rezoning, and / or Plat)		Latest Approved Zoning - Z12-010 also, Z12-100 & S14-001			
EXISTING			PROPOSED		
Zoning:		PUD - Waste Water Treatment		PUD - Wastewater Treatment Plant	
Case/Project/Subdivision Name:		None		Prosper WWTP	
Site Area (Acres):				8.22	
Floor Area Ratio (FAR):				0.18	
Density (Dwelling Units/Acre):				N/A	
Building Square Footage:				66,450 (includes basins)	
Disturbed Area (Acres):					
CASE TYPE (Administrative Case types are shaded in Gray)					
<input type="checkbox"/> Preliminary Development Plan or Major Amendment	<input checked="" type="checkbox"/> Location & Extent or Major Amendment	<input type="checkbox"/> Administrative Site Plan	<input type="checkbox"/> Preliminary Plat		
<input type="checkbox"/> Master Development Plan or Major Amendment	<input type="checkbox"/> Rezoning - Conventional	<input type="checkbox"/> Administrative Amendment to _____ (PDP, FDP, etc.)	<input type="checkbox"/> Final Plat		
<input type="checkbox"/> Final Development Plan or Major Amendment	<input type="checkbox"/> Land Development Code Amendment	<input type="checkbox"/> Technical Amendment to _____ (PDP, FDP, etc.)	<input type="checkbox"/> Minor Subdivision		
<input type="checkbox"/> Planned Sign Program or Major Amendment	<input type="checkbox"/> Use by Special Review or Major Amendment	<input type="checkbox"/> Commercial Mobile Radio Service (CMRS/cellular antennas)	<input type="checkbox"/> Subdivision Exemption		
<input type="checkbox"/> Vacation of Right of Way/Easement/Plat	<input type="checkbox"/> Use by Special Review - Oil and Gas	<input type="checkbox"/> Plat Correction	<input type="checkbox"/> Replat (Major)		
<input type="checkbox"/> 1041 - Areas & Activities of State Interest - Use by Special Review	<input type="checkbox"/> Special District Title 30 <input type="checkbox"/> Title 32 <input type="checkbox"/>	<input type="checkbox"/> Administrative Oil & Gas Use by Special Review (AOGUSR)	<input type="checkbox"/> Administrative Replat		
<input type="checkbox"/> Comprehensive Plan	<input type="checkbox"/> Rural Cluster	<input type="checkbox"/> Street Name Change	<input type="checkbox"/> _____		
THIS SECTION FOR OFFICE USE ONLY					
Case No:	L116-002	Planning Manager:	Sherman	Engineering Manager:	Sarah
Planning Fee:	Y N \$	Engineering Fee:	Y N \$	TCHD Fee?	<input type="checkbox"/> \$
This application shall be submitted with all applicable application fees. Submittal of this application does not establish a vested property right in accordance with C.R.S. 24-68-105(1). Processing and review of this application may require the submittal of additional information for subsequent reviews, and/or meetings, as outlined in the Arapahoe County Land Development Code.					

RECEIVED

FEB 19 2016



Dewberry Engineers Inc. | 303.825.1802
990 South Broadway, Suite 400 | 303.825.2322 fax
Denver, CO 80209 | www.dewberry.com

December 21, 2015

Arapahoe County Public Works & Development
Planning Division
6924 S Lima Street
Centennial, CO 80112

Re: Prosper Development Wastewater Treatment Facility Letter of Intent

Dear Public Works & Development:

Our company, Dewberry Engineers Inc., on behalf of the property owner, Prosper Farms Investment LLC, is proposing a project within unincorporated Arapahoe County. The project is located in between Hayesmount Road and N Watkins Road just south of interstate 70 in the north portion of parcel #035150836. This project includes 8.22 acres and is currently zoned Prosper PDP WWTP.

As referenced in the Prosper Preliminary Development Plan (PDP) and 1041 Permit, the intent is to construct a Waste Water Treatment Plant (WWTP) to serve the Prosper community. The WWTP will be located within Planning Area 71 of the Prosper PDP. The proposed building structures include an administration/lab, headworks, pumping station, UV/reuse water, digester blower, solids handling, and maintenance shop.

Based on previous discussions, it is our understanding that a 1041 Permit and Location and Extents application will have to be processed and approved. It is the intent to schedule a pre-submittal meeting to discuss and review in greater detail the process and respective submittal requirements.

Developer contact information:

Vogel & Associates
Jeff Vogel, AICP, Principal
475 W 12th Ave, Suite E
Denver, CO 80204
Phone: (303) 893-4288
Email: jvogel@vogelassoc.com

Sincerely,
Dewberry Engineers Inc.

Patrick Radabaugh, PE
Project Manager



Planning Commission Engineering Summary Report

Date: November 10, 2016
To: Arapahoe County Planning Commissioners
Via: Sherman Feher, Planning Division
From: Sarah White, Engineering Services Division
Re: Prosper Wastewater Treatment Plant (WWTP)
ASI16-001 1041 Permit
L16-002 Location & Extent
X16-001 Subdivision Exemption

Purpose and Recommendation

The purpose of this report is to provide the Engineering Services Division Staff findings, comments, and recommendations regarding the above-referenced land use application(s).

Scope/Location:

Dewberry Engineers Inc., on behalf of owners VREI, Inc., is requesting approval of the 1041, Location & Extent and Subdivision Exemption for the development of the Prosper Wastewater Treatment Plant (WWTP). The proposed development is generally located within the area known as 'Prosper', south of Interstate 70, east of N. Watkins Road and north of E 6th Avenue. The proposal is for a wastewater treatment plant on approximately 9 acres. The site is proposed to be built in 4 phases based on the future development of Prosper.

The site is located within the Box Elder Creek drainage basin. Phase I development will utilize a temporary access road (reference Arapahoe County Case No. E16-029) until the permanent public road is built out as per the Prosper PDP (case no. Z12-100).

Referenced Referral Items

1041
L&E Exhibit
Subdivision Exemption
Drainage Report
Construction Drawings
O&M Manual
GESC Plans and Report

Cc: Chuck Haskins, Engineering Services Division, Division Manager
Case Files ASI16-001, L16-002, X16-001

Engineering Services Division Staff (Staff) has reviewed the referenced land use application(s) and has the following findings and comments:

Findings:

1. Engineering review and approval fees are included with the planning fee for the 1041 and L&E, with the exclusion of the easements that will need to be prepared by separate document(s). Fees for the Subdivision Exemption are paid.
2. This site lies within Coyote Run-Box Elder Creek watershed basin. Basin fees are still being established for this area, but are not yet determined.
3. This development lies within the boundaries of the Urban Drainage and Flood Control District (UDFCD).
4. Urban Drainage and Flood Control District (UDFCD) has been included as a referral agency. Their comments will need to be addressed prior to final approval
5. Construction activities that disturb one or more acres are required by the Environmental Protection Agency (EPA) to obtain a Construction Stormwater Permit.
6. The subdivision exemption process requires a permanent roadway or an access easement to be established. The permanent roadway as proposed in the Prosper Preliminary Development Plan (PDP) is not yet constructed. Once the development around the Waste Water Treatment Plant (WWTP) begins, a permanent road will be constructed that allows access to the WWTP. In the interim, access to WWTP will be via private access road. Easement recordation information will need to be noted on the Subdivision Exemption exhibit. Engineering Case E16-029 has been submitted and is under review for the Access Road construction.
7. The WWTP will have a limited on-site staff, and generates very minimal traffic, as such a Traffic Impact Study was waived for this development.
8. Drainage easements for each detention pond outfalls will need to be dedicated to Arapahoe County via separate document.
9. Waste water treatment plants are exempt from specific critical facility regulations established by the Colorado Water Conservation Board. However, applicant is encouraged to minimize potential hazards from floodwaters. County would recommend have lowest floor elevation a minimum of 2 feet above 100-year water surface elevation, ensure on-site waste disposal is located such that outside but adjacent to 100 year floodplain - are there any additional mitigation measures needed? County discourages critical facilities within the 500 year floodplain, since these drainage ways have not been mapped for 500 yr flooding, recommend additional provisions may be needed - flood proofing bldg or elevation of facility to be at 2 ft above BFE (LDC section 12-2007.09)
10. All applicable public and private improvements (i.e., storm sewer systems, detention ponds, roadways appurtenances, etc.) associated with this development proposal shall be guaranteed within a Subdivision Improvements Agreement (SIA). The applicant will be required to enter into a Subdivision Improvement Agreement (SIA) to guarantee onsite and offsite improvements related to this development. Subdivision Improvement Agreement will be prepared by County Staff with finalization of costs.

Recommendations:

The Division of Engineering Services recommends this case favorably subject to the following conditions:

1. The applicant agrees to address the Division of Engineering Services' comments and concerns as identified within the ESD Staff Report.
2. The applicant agrees to address comments issued by the Urban Drainage and Flood Control District (UDFCD).
3. The applicant executes a Subdivision Improvement Agreement.



URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

Paul A. Hindman, Executive Director
2480 W. 26th Avenue, Suite 156B
Denver, CO 80211-5304

Telephone 303-455-6277
Fax 303-455-7880
www.udfcd.org

September 30, 2016

UDFCD Maintenance Eligibility Program Referral Review Comments

To: Sarah L. White, Arapahoe County
Project: Prosper Farms WWTP
Stream: Coyote Run and Rat Run
UDFCD MEP Phase: Design
UD MEP ID: 106341/10000720

Dear Sarah,

This letter is in response to the request for our comments concerning the referenced project. We appreciate the opportunity to review this proposal. We have reviewed this proposal only as it relates to major drainage features, in this case:

- Coyote Run and Rat Run

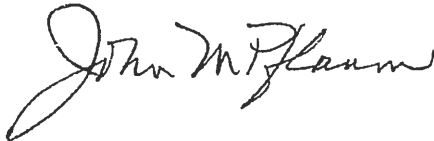
We have the following comments to offer:

1. The Phase III Drainage Report states that the existing 100-yr floodplains for Coyote Run and Rat Run establish constraints from a layout and elevation standpoint. We agree with this assessment and recommend that the 100-year flood elevations for the adjacent major drainageways be confirmed relative to the grading and elevations of the site and treatment plant.
2. The proposed private access road is the sole access in and out of the proposed WWTP. The road is proposed to cross Rat Run. The design of the Rat Run roadway crossing should be designed for long term sustainability, with consideration of the 100-year discharge (2,500 cfs), stream channel stability and floodplain impacts. A hydraulic analysis should be conducted for the crossing. According to the Phase III Report, a future High Density Residential Land use is designated for property to the south of the WTP site. With regard to this future upstream land use, consideration should be given to installation of a stabilization check structure with the crossing. The need for additional check structures can be evaluated as future development is proposed upstream. A Floodplain Development Permit application should be submitted, with certification by the Engineer of no adverse impact to 100-year flood elevations.

3. Two storm drain outfalls to Rat Run are proposed, one each from the North and West onsite detention ponds. It appears that the discharge is to the overbank zone of the major drainageway, so a low tailwater basin is the appropriate outfall protection, as it allows outflows to sheet flow to the main channel following dissipation at the pipe outfall. Calculations for the outfalls should be included in the Drainage Report. The pond outfall profiles on Sheets 4 and 5 should include the design flow, velocity and Froude Number at the outfall and should show the FES and outlet protection. Standard UDFCD details for a typical FES (Fig 9-29), Low Tailwater Basin (Fig 9-37, as appropriate) and Riprap/Soil Riprap (Fig 8-34) should be included.
4. The overflow spillways from each pond should have a concrete crest control wall.
5. The Drainage Plan at the end of the Phase III Report should include the 100-yr flood elevations along Rat Run as indicated on the 1995 FHAD or as may be updated by analysis of the access road crossing.

Please feel free to contact me with any questions or concerns.

Sincerely,
Urban Drainage and Flood Control District

A handwritten signature in black ink, reading "John M. Pflaum". The signature is fluid and cursive, with the first name "John" being the most prominent part.

John M. Pflaum, P.E.
Floodplain Management Program



Public Works and Development
6924 S. Lima Street Centennial, Colorado 80112 Phone: 720-874-6650; FAX 720-874-6611
www.co.arapahoe.co.us

Planning Division
Phase II Referral Routing

Case Number / Case Name: ASI16-001, Prosper Wastewater Treatment Plant 1041 Permit / Areas of State Interest and L16-002, Prosper Wastewater Treatment Plant / Location and Extent and X16-001, Prosper Wastewater Treatment Plant/Subdivision Exemption
Planner: Sherman Feher
Engineer: Sarah L White
Date: July 8, 2016
Date to be returned: August 8, 2016

Arapahoe County Agencies		Citizen's Organizations	
<input checked="" type="checkbox"/>	Assessor / Arapahoe County (Residential)	Karen Hart	
<input type="checkbox"/>	Attorney / Arapahoe County	Robert Hill	
<input type="checkbox"/>	Building / Arapahoe County	Steve Byer	
<input checked="" type="checkbox"/>	Engineering / Arapahoe County	Sarah L. White	
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<input checked="" type="checkbox"/>	Zoning / Arapahoe County	Tammy King	
Referral Agencies		Conservation District	
<input type="checkbox"/>	Architectural Review Committee		
<input type="checkbox"/>	Airport or Military Base		
<input type="checkbox"/>	CGS Colorado Geological Survey-Soils		
<input checked="" type="checkbox"/>	City / Town	Aurora	
<input checked="" type="checkbox"/>	Colorado Parks and Wildlife	Travis Harris	
<input type="checkbox"/>	County		
<input type="checkbox"/>	DRCOG		
<input checked="" type="checkbox"/>	Bennett Fire Protection District	Caleb Connor	
<input type="checkbox"/>	Metro District		
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<input type="checkbox"/>	Special District		
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		<input type="checkbox"/>	RTD
		Utilities: Gas, Electric & Phone	
		<input type="checkbox"/>	Centurylink/Phone
		<input type="checkbox"/>	Conoco Phillips / Gas Pipeline
		<input checked="" type="checkbox"/>	XCEL
		<input type="checkbox"/>	IREA
		Water / Sanitation / Stormwater / Wetlands	
		<input type="checkbox"/>	ACWWA
		<input checked="" type="checkbox"/>	U.S. Army Corp. of Engineer
		<input type="checkbox"/>	CCBWQA
		<input type="checkbox"/>	Colorado Division of Water Resources
		<input type="checkbox"/>	SEMSWA
		<input type="checkbox"/>	ECCVW&S
		<input checked="" type="checkbox"/>	Urban Drainage & Flood
		<input checked="" type="checkbox"/>	Other / 5 Sets East End Adv. Committee

The enclosed case has been submitted to the Arapahoe County Planning Office for consideration. Because of the possible effect of the proposed development upon your area, the case is being referred for your comment. Please examine this request and, after review, check the appropriate line and return to the Arapahoe County Planning Office on or before the date indicated above.

COMMENTS:	SIGNATURE
<input type="checkbox"/> Have NO Comments to make on the case as submitted	
<input checked="" type="checkbox"/> Have the following comments to make related to the case: SEE ATTACHED	ATS 7-12-16

Note change to add language the the quantities must reflect the required number of plant material

002 Prosper WASTEWATER TREATMENT Plant

Note added for amendment, ratio, and tilling depth.

PAGE 6: STANDARD NOTES: REMOVE LANGUAGE FROM #2
OR ADD QUANTITIES MUST MATCH NUMBER OF TREES
AND SHRUBS PROVIDED IN LANDSCAPE SUMMARY TABLE
#3 - SOIL AMENDMENT TYPE + RATIO + TILLING DEPTH

Caliper sizes, heights, and container sizes were added to plant schedule. Specific Types and quantities of plants were added to plans.

LEGEND: SEED TYPES PROVIDED
SHRUB BED - TYPES/QUANTITIES ON PLAN
TREES - CALIPER SIZES, HTS + TYPE BREAKDOWN
ON PLAN ON CHART
SHRUBS - QUANTITIES ON PLAN W/ CONTAINER
SIZES ON CHART PAGE 7

Caliper sizes, heights, and container sizes were added to plant schedule. Specific Types and quantities of plants added to plant schedule.

PAGE 7: PLANT SCHEDULE
ALL DECIDUOUS TREES NEED QUANTITY BREAKDOWN
+ CALIPER SIZE
ALL ORNAMENTAL TREES NEED QUANTITY BREAKDOWN
+ CALIPER SIZE
ALL EVERGREEN TREES NEED QUANTITY BREAKDOWN
+ TREE HEIGHT

Ornamental grasses were removed from plant schedule because none were shown on plan.

ALL SHRUBS + GRASSES NEED QUANTITY BREAKDOWN
+ CONTAINER SIZES - 5 GAL / 1 GAL.
ARE 1 GAL SHRUBS (GRASSES) BEING SUBSTITUTED FOR
5 GAL SHRUBS?

Detail shows dimension of 8'-0" for height and 8' is in the detail description for the fence.

NO HEIGHT FOR SECURITY FENCING ON DETAIL (2)
IS VINYL CLAD FABRIC ALLOWED AS A FENCE TYPE?

Vinyl clad fabric is the coating on the fence. No slats are proposed for the fence.

2.16.002

Cont

PAGE 2 - ALL PINES SHOULD BE TRIPLED GUYED/STAKED
REMOVE "UPLAND" FROM UPLAND EVERGREEN TREE

Detail revised to include tripled guyed/
staked, and "UPLAND" was removed
from detail title.



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<input type="checkbox"/>	Attorney / Arapahoe County	Robert Hill	<input type="checkbox"/>	CECON-(Within Centennial)
<input type="checkbox"/>	Building / Arapahoe County	Steve Byer	<input type="checkbox"/>	Four Square Mile Neighborhood
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<input type="checkbox"/>				

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<input checked="" type="checkbox"/>	Have NO Comments to make on the case as submitted	<i>Sarah L White</i>
<input type="checkbox"/>	Have the following comments to make related to the case:	



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Referral Agencies		Transportation	
<input type="checkbox"/> Architectural Review Committee		<input type="checkbox"/> CDOT / State Highway Dept- Region 1	Rick Solomon
<input type="checkbox"/> Airport or Military Base		<input type="checkbox"/> E-470 Authority	Peggy Davenport
<input type="checkbox"/> CGS Colorado Geological Survey-Soils		<input type="checkbox"/> RTD	Chris Quinn
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<input type="checkbox"/> Aurora School District		<input type="checkbox"/> SEMSWA	Paul Danley
<input type="checkbox"/> Special District		<input type="checkbox"/> ECCVW&S	Chris Douglass
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<input checked="" type="checkbox"/> Have NO Comments to make on the case as submitted		
<input type="checkbox"/> Have the following comments to make related to the case:		



August 3, 2016

Ms. Nancy Doty, Chair
Arapahoe County Commission
5334 S. Prince Street
Littleton, CO 80120

Dear Chair Doty,

Thank you for the opportunity to comment on the referral for the Prosper Wastewater Treatment Plant application. The City of Aurora has reviewed the application and has the following comments:

1. City Concerns Regarding The Prosper Development

Prosper and the adjacent Sky Ranch development do not conform to Metro Vision 2035, and, if approved, will have significant traffic, noise and water supply issues. Given these issues, the City of Aurora does not support these proposals. The applicant could seek annexation into Aurora. The annexation process includes mechanisms to address the traffic, land use, and water service issues that this development presents.

2. Public Works Department

Floodplain mapping provided with the application package appears to present current effective FEMA mapping. UDFCD recently completed a FHAD study (Olsson, 2014) which included Coyote Run and appears to show a somewhat wider floodplain (especially just upstream of the I-70 crossing) and somewhat higher flood elevations. The County may want to consider if the more recent UDFCD study constitutes the "best available information" and require its use rather than the current FEMA mapping.

The 2014 UDFCD FHAD did not include Rat Run and current effective FEMA mapping for this stream system upstream of I-70 and adjacent to the proposed WWTP site is Approximate Zone A. It is recommended as part of the WWTP design process (if not 1041 permitting) that the applicant carry out floodplain modeling to develop detailed floodplain limits and elevations for Rat Run.

UDFCD recently completed an MDP that includes Coyote Run (Olsson, 2014) and recommended "floodplain preservation" with no structural improvements for the channel reach adjacent to the proposed WWTP. It appears that the proposed site plan is adhering to this UDFCD conceptual design and the City would recommend this approach be maintained when/if updated FHAD mapping is utilized for Coyote Run and detailed floodplain information is developed for Rat Run.

The UDFCD MDP (Olsson, 2014) indicates that the Coyote Run channel slope is on the order of 0.6% in the reach adjacent to the proposed WWTP and recommends no channel check structures. A slope of 0.6% is relatively high for a developed watershed and the introduction of WWTP and urban runoff base flows into a previously intermittent stream system has the potential to significantly impact channel invert and bank stability. UDFCD has recently changed its recommended channel design slopes for urbanized watersheds to be substantially lower than 0.6%. It is recommended that the applicant address the potential need for channel checks and/or grade controls.

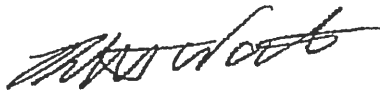
WWTP's are typically considered "critical facilities" and as such, it is recommended that an enhanced level of flood protection (> than the 100yr event) be considered. The COA standard for critical facilities is 2 feet above the 100-yr floodplain. Draft federal guidance for EO 13690 has similar requirements.

3. Metro Wastewater Reclamation District

In reviewing the maps in our records, it appears that the Prosper area is partially within our "expected service area", however that is only relevant to Special Connectors and expansion of their service area. Prosper is not within the corporate boundaries of Aurora so they are not obligated to send that flow to the District.

In the event Aurora were to annex the Prosper development in the future, the treatment plant that the developer is proposing could not be expanded, or that area would have to be excluded from the District under 32-4-515 and Board Policy Exclusion-Service Area. Even though the proposed treatment plant may be within our expected service area, unless it is within the boundaries of Aurora or they choose to serve it (Service Contract section 303), it is District staff's opinion that there is no requirement that it connects to the District's system and it would not violate our competing system prohibitions.

Cordially,



Bob Watkins
Interim Planning and Development Services Director
City of Aurora

Cc: Members of City Council
George Noe, City Manager
Nancy Freed, Deputy City Manager
Jason Batchelor, Deputy City Manager

City of Aurora Comments and Responses

1. City Concerns Regarding

The Prosper Development Prosper and the adjacent Sky Ranch development do not conform to Metro Vision 2035, and, if approved, will have significant traffic, noise and water supply issues. Given these issues, the City of Aurora does not support these proposals. The applicant could seek annexation into Aurora. The annexation process includes mechanisms to address the traffic, land use, and water service issues that this development presents.

Response: The proposed WWTP is consistent with the approved Prosper Preliminary Development Plan. It is the applicant's intent to develop the property in Arapahoe County consistent with the approved Preliminary Development Plan. The approved Preliminary Development Plan addresses issues related to land use, drainage, water service and other planning considerations.

2. Public Works Department

Floodplain mapping provided with the application package appears to present current effective FEMA mapping. UDFCD recently completed a FHAD study (Olsson, 2014) which included Coyote Run and appears to show a somewhat wider floodplain (especially just upstream of the I- 70 crossing) and somewhat higher flood elevations. The County may want to consider if the more recent UDFCD study constitutes the "best available information" and require its use rather than the current FEMA mapping.

The 2014 UDFCD FHAD did not include Rat Run and current effective FEMA mapping for this stream system upstream of I-70 and adjacent to the proposed WWTP site is Approximate Zone A. It is recommended as part of the WWTP design process (if not 1041 permitting) that the applicant carry out floodplain modeling to develop detailed floodplain limits and elevations for Rat Run.

Response: We feel an obligation to continue to show the current FEMA mapping, until such time as it is updated by the more current 2014 UDFCD FHAD. We have provided (to Arapahoe County) our 100 yr modeling of Rat Run and its tributary known as Rat 1-D (or known as stream 120), for the purpose of identifying the existing conditions 100 yr flood limits, utilizing the match elevation determined from the 2014 FHAD right at the south side of Interstate 70.

UDFCD recently completed an MDP that includes Coyote Run (Olsson, 2014) and recommended "floodplain preservation" with no structural improvements for the channel reach adjacent to the proposed WWTP. It appears that the proposed site plan is adhering to this UDFCD conceptual design and the City would recommend this approach be maintained when/if updated FHAD mapping is utilized for Coyote Run and detailed floodplain information is developed for Rat Run. The UDFCD MDP (Olsson, 2014) indicates that the Coyote Run channel slope is on the order of 0.6% in the reach adjacent to the proposed WWTP and recommends no channel check structures. A slope of 0.6% is relatively high for a developed watershed and the introduction of WWTP and urban runoff base flows into a previously intermittent stream system has the potential to significantly impact channel invert and bank stability. UDFCD has recently changed its recommended channel design slopes for urbanized watersheds to be substantially lower than 0.6%. It is recommended that the applicant address the potential need for channel checks and/or grade controls.

Response: We have been directed by the County to adhere to the MDP, which we believe we have done. As stated in your comment there are no requirements for stabilization facilities in this area.

WWTP's are typically considered "critical facilities" and as such, it is recommended that an enhanced level of flood protection (> than the 100yr event) be considered. The COA standard for critical facilities is 2 feet above the 100-yr floodplain. Draft federal guidance for EO 13690 has similar requirements.

Response: Per the County, the WWTP is not considered a Critical Facility, though we do note that the proposed facilities are 2' or more above the 100 yr water surface as determined on Coyote Run (East side of site) from the 2014 FHAD, AND as determined for Rat Run (West side of site) from analysis/modeling by our firm for this project. Reference can be made to sht 3 of the CD set of plans which identifies the BFE's (100-yr Base Flood Elevations) for both Coyote Run and for Rat Run.

3. Metro Wastewater Reclamation District

In reviewing the maps in our records, it appears that the Prosper area is partially within our "expected service area", however that is only relevant to Special Connectors and expansion of their service area. Prosper is not within the corporate boundaries of Aurora so they are not obligated to send that flow to the District.

In the event Aurora were to annex the Prosper development in the future, the treatment plant that the developer is proposing could not be expanded, or that area would have to be excluded from the District under 32-4-515 and Board Policy Exclusion Service Area. Even though the proposed treatment plant may be within our expected service area, unless it is within the boundaries of Aurora or they choose to serve it (Service Contract section 303), it is District staff's opinion that there is no requirement that it connects to the District's system and it would not violate our competing system prohibitions.

Response: The intent is to develop Prosper within Arapahoe County and per the approved Preliminary Development Plan that includes the proposed WWTP site. There is not a requirement that Prosper connect to the Metro Wastewater Reclamation District.



Right of Way & Permits

1123 West 3rd Avenue
Denver, Colorado 80223
Telephone: 303.571.3306
Facsimile: 303. 571.3284
donna.l.george@xcelenergy.com

August 3, 2016

Arapahoe County Public Works and Development
6924 South Lima Street
Centennial, CO 80112

Attn: Sherman Feher

Re: Prosper Wastewater Treatment Plant, Case # ASI16-001

Public Service Company of Colorado's (PSCo) Right of Way & Permits Referral Desk has reviewed the plans and subdivision exemption plat for **Prosper Wastewater Treatment Plant**. As always, thank you for the opportunity to take part in the review process. To ensure that adequate utility easements are available within this development, PSCo requests that the following language or plat note be placed on the preliminary and final plats for the subdivision:

Minimum ten-foot (10') wide dry utility easements are hereby dedicated on private property abutting all public streets, and around the perimeter of each commercial/ industrial lot in the subdivision or platted area. These easements are dedicated to Arapahoe County for the benefit of the applicable utility providers for the installation, maintenance, and replacement of electric, gas, television, cable, and telecommunications facilities (Dry Utilities). Utility easements shall also be granted within any access easements and private streets in the subdivision. Permanent structures, improvements, objects, buildings, wells, water meters and other objects that may interfere with the utility facilities or use thereof (Interfering Objects) shall not be permitted within said utility easements and the utility providers, as grantees, may remove any Interfering Objects at no cost to such grantees, including, without limitation, vegetation. Public Service Company of Colorado (PSCo) and its successors reserve the right to require additional easements and to require the property owner to grant PSCo an easement on its standard form.

Public Service Company also requests that **all utility easements be depicted graphically on the preliminary and final plats**. While these easements may accommodate certain utilities to be installed in the subdivision, some additional easements may be required as planning and building progresses.

In addition, 31-23-214 (3), C.R.S., requires the subdivider, at the time of subdivision platting, to provide for major utility facilities such as electric substation sites, gas or electric transmission line easements and gas regulator/meter station sites as deemed necessary by PSCo. While this provision will not be required on every plat, when necessary, PSCo will work with the subdivider to identify appropriate locations. This statute also requires the subdivider to submit a letter of agreement to the municipal/county commission that adequate provision of electrical and/or gas service has been provided to the subdivisions.

The property owner/developer/contractor must contact the **Builder's Call Line** at 1-800-628-2121 or <https://xcelenergy.force.com/FastApp> (Register so you can track your application) and complete the application process for any new electric service. 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** at 1-800-922-1987 for utility locates prior to construction.

If you have any questions about this referral response, please contact me at (303) 571-3306.

Donna George
Contract Right-of-Way Referral Processor
Public Service Company of Colorado

Xcel Energy Comments and Responses

Public Service Company of Colorado's (PSCO) Right of Way & Permits Referral Desk has reviewed the plans and subdivision exemption plat for Prosper Wastewater Treatment Plant. As always, thank you for the opportunity to take part in the review process. To ensure that adequate utility easements are available within this development, PSCO requests that the following language or plat note be placed on the preliminary and final plats for the subdivision:

Minimum ten-foot (10) wide dry utility easements are hereby dedicated on private property abutting all public streets, and around the perimeter of each commercial/ industrial lot in the subdivision or platted area. These easements are dedicated to Arapahoe County for the benefit of the applicable utility providers for the installation, maintenance, and replacement of electric, gas, television, cable, and telecommunications facilities (Dry Utilities). Utility easements shall also be granted within any access easements and private streets in the subdivision. Permanent structures, improvements, objects, buildings, wells, water meters and other objects that may interfere with the utility facilities or use thereof (Interfering Objects) shall not be permitted within said utility easements and the utility providers, as grantees, may remove any interfering Objects at no cost to such grantees, including, without limitation, vegetation. Public Service Company of Colorado (PSCO) and its successors reserve the right to require additional easements and to require the property owner to grant PSCO an easement on its standard form.

Public Service Company also requests that all utility easements be depicted graphically on the preliminary and final plats. While these easements may accommodate certain utilities to be installed in the subdivision, some additional easements may be required as planning and building progresses.

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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 at 1-800-922-1987 for utility locates prior to construction.

Response: The requirements and development standards outlined above have been noted in our files.



BENNETT FIRE PROTECTION DISTRICT #7

DISTRICT OFFICE: 303-644-3572 FAX: 303-644-3401

EMAIL: LIFESAFETY@BENNETTFIRERESCUE.ORG

"Striving to Preserve Life and Property"

July 21st, 2016

Sherman Feher

Arapahoe County Public Works & Development

6924 S. Lima Street

Centennial, CO 80112

Re: AS116-001, Prosper Wastewater Treatment Plant 1041 Permit / Areas of State Interest and L 16-002, Prosper Wastewater Treatment Plant/ Location and Extent and X16-001, Prosper Wastewater Treatment Plant/Subdivision Exemption

Planner Feher,

In regards case AS116-001, Prosper Wastewater Treatment Plant 1041 Permit / Areas of State Interest and L 16-002, Prosper Wastewater Treatment Plant/ Location and Extent and X16-001, Prosper Wastewater Treatment Plant/Subdivision Exemption, Bennett Fire Protection District has the following comments and considerations:

- Bennett Fire Protection District currently serves this location as it falls within our Fire Protection District and has no objections to the proposed development.
- The applicant shall consult with Bennett Fire Protection District to ensure all aspects of the project conform to the District's adopted fire code (2012 IFC).
- The developer shall ensure that the proposed water systems pertaining to hydrant distribution for fire suppression is adequate to protect the proposed development as well as meet the design criteria of both Arapahoe County and the Bennett Fire Protection District. Considerations for design requirements shall include adopted codes and standards as well as ISO distribution and fire flow requirements.
- Bennett Fire Protection District will accept the proposed temporary road guidelines contained in the referral. All temporary and permanent roads constructed for any part of the development shall conform to IFC fire apparatus access requirements.
- As the proposed temporary access road will serve as the interim sole means of providing emergency services to the facility, the proposed temporary access road shall be maintained at all times during its service life of the facility. This includes, grading, maintenance, and snow removal. If at any times Bennett Fire Protection District deems the road inadequate for the provision of emergency services, the applicant shall work with the Fire District to make necessary improvements.
- The internal access road design includes roads which are 20ft in width. The current IFC standard for fire apparatus access roads with a fire hydrant is 26ft in width at the point of the hydrant. The applicant may need to make minor revisions at the hydrant locations to meet this width.
- The processing of waste water often involves the storage and use of hazardous materials. This information shall be provided to Bennett Fire Protection District to be reviewed and approved.

- Facilities which store or use hazardous materials are often classified as "H" occupancies, which require fire sprinkler suppression or special electrical considerations. Applicant shall ensure the facility design meets the District's adopted fire code requirements.
- KNOX Fire Department Key access hardware shall be provided for all vehicle access gates as well as each building on site.

Thank You

A handwritten signature in black ink, appearing to read 'Caleb J. Connor', with a long horizontal flourish extending to the right.

Caleb J. Connor
Fire Marshal
Life Safety Division
Bennett Fire Protection District
303-644-3572 - Headquarters / 303-532-7733 - Direct
www.BennettFireRescue.org

Bennett Fire Protection District Comments and Responses

In regards case AS116-001, Prosper Wastewater Treatment Plant 1041 Permit / Areas of State Interest and L 16-002, Prosper Wastewater Treatment Plant/ Location and Extent and X16-001, Prosper Wastewater Treatment Plant/Subdivision Exemption, Bennett Fire Protection District has the following comments and considerations:

- Bennett Fire Protection District currently serves this location as it falls within our Fire Protection District and has no objections to the proposed development.
- The applicant shall consult with Bennett Fire Protection District to ensure all aspects of the project conform to the District's adopted fire code (2012 IFC).

Response: The applicant will coordinate aspects with the Fire Code and District.

- The developer shall ensure that the proposed water systems pertaining to hydrant distribution for fire suppression is adequate to protect the proposed development as well as meet the design criteria of both Arapahoe County and the Bennett Fire Protection District. Considerations for design requirements shall include adopted codes and standards as well as ISO distribution and fire flow requirements.

Response: Fire hydrant distribution and required fire suppression will be incorporated into the final construction drawings for the site and buildings/facilities.

- Bennett Fire Protection District will accept the proposed temporary road guidelines contained in the referral. All temporary and permanent roads constructed for any part of the development shall conform to IFC fire apparatus access requirements.

Response: Access roads will meet IFC requirements for access.

- As the proposed temporary access road will serve as the interim sole means of providing emergency services to the facility, the proposed temporary access road shall be maintained at all times during its service life of the facility. This includes, grading, maintenance, and snow removal. If at any times Bennett Fire Protection District deems the road inadequate for the provision of emergency services, the applicant shall work with the Fire District to make necessary improvements.

Response: The temporary road will be maintained to provide all-season access.

- The internal access road design includes roads which are 20ft in width. The current IFC standard for fire apparatus access roads with a fire hydrant is 26ft in width at the point of the hydrant. The applicant may need to make minor revisions at the hydrant locations to meet this width.

Response: Some hydrant locations moved to intersection and other locations the road has been widened to 26' per IFC.

- The processing of waste water often involves the storage and use of hazardous materials. This information shall be provided to Bennett Fire Protection District to be reviewed and approved.

Response: Hazardous materials including the storage will be reviewed with the Bennett Fire Protection District.

- Facilities which store or use hazardous materials are often classified as "H" occupancies, which require fire sprinkler suppression or special electrical considerations. Applicant shall ensure the facility design meets the District's adopted fire code requirements.

Response: The Applicant will ensure the facility design meets the District's adopted fire code requirements including NFPA 820 requirements for Fire Protection in Wastewater Treatment and Collection Facilities.

- KNOX Fire Department Key access hardware shall be provided for all vehicle access gates as well as each building on site.

Response: A KNOX Box will be provided for the gate.



August 9, 2016

Sherman Feher.
Arapahoe County Planning Department
6924 S. Lima Street
Centennial, CO 80112

RE: ASI 116-001, Prosper Wastewater Treatment Plant 1041 Permit/Areas of State Interest
L16-002, Prosper Wastewater Treatment Plant/Location and Extent
X16-001, Prosper Wastewater Treatment Plant/Subdivision Exemption
Prosper Wastewater Treatment Plant
TCHD Case No. 3993

Dear Mr. Feher:

Thank you for the opportunity to review and comment on the 1041 Permit/Areas of State Interest, Location and Extent, and Subdivision Exemption for the proposed Prosper Wastewater Treatment Plant (WWTP). Tri-County Health Department (TCHD) staff has reviewed the application for compliance with applicable public and environmental health regulations. After reviewing the application, TCHD has the following comments.

The Site Application and Utility Plan for the WWTP indicate that the recommended WWTP is a Membrane Bioreactor (MBR). Section 7 b. of the Application Submittal states: "This plant will include modern wastewater treatment facilities with biological nutrient removal (BNR) and filtration for the production of reuse water. The Location and Extent drawings depicting the WWTP (Sheets 1-15) are typical of a Biological Nutrient Removal (BNR) System. TCHD recommends that the drawings be revised to reflect the preferred alternative of an MBR.

Sheet 5 of the drawings indicates that the WWTP site is bounded on the east by a floodway and on the west by floodplain. The Location and Extent Plan shows an access road to the site across the Rat Run Drainageway. Construction of the road may alter the floodplain, and future flood events may impede or prevent access to the site. TCHD recommends that the applicant address any applicable regulatory and technical issues associated with the floodplain alteration and also site access.

Section 10, Dust and Odor. The second sentence states: Odor control equipment will be installed at the influent lift station and at the Headworks Building of the WWTP. These facilities are typically the source of the majority of odors at WWTP's. The Location and Extent drawings indicate that the WWTP is in close proximity to future residences. TCHD is concerned that odors will also be produced from the aeration basins, resulting in complaints from nearby residents. Consequently, TCHD recommends that the aeration basins be covered. The Water Quality Control Division

Prosper Wastewater Treatment Plant-Areas of State Interest, Location and Extent, Subdivision
Exemption
August 9, 2016
Page 2 of 2

(WQCD) also has requirements for setbacks from residential areas. Please describe how the proposed facilities will comply with the WQCD's setback policies.

TCHD has submitted comments regarding the WWTP Site Application and Utility Plan that are relevant to the subject case. I have included our comment letter as an enclosure to this letter.

Please feel free to contact me at (720) 200-1568 or wbrown@tchd.org if you have any questions regarding TCHD's comments.

Sincerely,



Warren S. Brown, P.E.
Senior Environmental Health Consultant

Enclosure

CC: Julio Iturreria, Larry Mugler, Arapahoe County
Bret Icenogle, P.E., David Kurz, P.E., CDPHE
Sheila Lynch, Steven Chevalier, TCHD

Tri-County Health Department Comments and Responses

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Response: The BNR system is presented in the Location and Extent (L&E) drawings as the largest footprint (worst case) treatment process alternative at full build-out of the WWTP (35-40 years from now). A note has been added to the L&E drawings under Specific Notes (1 of 15) and Phase Designations (2 of 15) describing the phasing in more detail. The MBR system is the selected treatment process alternative for the initial phase of the WWTP (2-5 years from now) and is described in detail in the Site Application/Utility Plan. A Site Plan has been included in the Utility Plan report to show that the Phase 1 (MBR) is an integral part of the WWTP at build-out. The Metropolitan Districts will need to determine the selected treatment process for future phases as the demand of the WWTP increases.

Sheet 5 of the drawings indicates that the WWTP site is bounded on the east by a floodway and on the west by floodplain. The Location and Extent Plan shows an access road to the site across the Rat Run Drainageway. Construction of the road may alter the floodplain, and future flood events may impede or prevent access to the site. TCHD recommends that the applicant address any applicable regulatory and technical issues associated with the floodplain alteration and also site access.

Response: We have determined that there is no alteration to the floodzone and the floodway on the east side of the property.

The proposed access road, located on the west side of the property has been designed to match the existing grade across the floodzones of Rat Run and of Rat 1-D (a tributary to Rat Run). By matching the existing grade across these drainages it is shown that the elevation of the 100 yr storm event within the drainages, will not increase, thus the roadway has no impact on the floodzones. We have provided analysis of these 2 drainages to Arapahoe County to confirm our findings. Arapahoe County is further requiring that a "No Rise Certificate" be provided by our office to confirm and document these findings.

The access roadway is comprised of a gravel surface, and is identified as temporary until such time as a future paved is completed in the area. There is no specific timetable for the future permanent roadway construction.

As the access road is placed at the natural ground elevation across the 2 drainageways, it will overflow and "flood" during storm events. Maximum flow depth at the 100 yr event has been determined to be 18" at the roadway crossings. Staff personal will be trained on use of

the roadway during pending and actual storm events. Standard vehicles may be required to be temporarily parked outside of the floodzone areas, with staff being transported into the site with all-terrain vehicles.

An ultimate emergency means of access is available to the site from I-70.

Bennett Fire Department has reviewed the site plan and accessibility route and have determined it to be sufficient.

Section 10, Dust and Odor. The second sentence states: Odor control equipment will be installed at the influent lift station and at the Headworks Building of the WWTP. These facilities are typically the source of the majority of odors at WWTP's. The Location and Extent drawings indicate that the WWTP is in close proximity to future residences. TCHD is concerned that odors will also be produced from the aeration basins, resulting in complaints from nearby residents. Consequently, TCHD recommends that the aeration basins be covered. The Water Quality Control Division (WQCD) also has requirements for setbacks from residential areas. Please describe how the proposed facilities will comply with the WQCD's setback policies.

Response: The WQCD's setback distances are not met thus odor mitigating elements will be incorporated into the design including aeration system failure alarms, covering or enclosing the digester and process basins, and providing odor control systems for the influent lift station and headworks building.



Public Works and Development
6924 S. Lima Street Centennial, Colorado 80112 Phone: 720-874-6650; FAX 720-874-6611
www.co.arapahoe.co.us

Planning Division
Phase II Referral Routing

Case Number / Case Name:	ASI16-001, Prosper Wastewater Treatment Plant 1041 Permit / Areas of State Interest and L16-002, Prosper Wastewater Treatment Plant / Location and Extent and X16-001, Prosper Wastewater Treatment Plant/Subdivision Exemption
Planner:	Sherman Feher
Engineer:	Sarah L White
Date:	July 8, 2016
Date to be returned:	August 8, 2016

Arapahoe County Agencies		Citizen's Organizations	
<input checked="" type="checkbox"/>	Assessor / Arapahoe County (Residential) Karen Hart	<input type="checkbox"/>	CCNA-Cherry Creek Neighborhoods Ass.
<input type="checkbox"/>	Attorney / Arapahoe County Robert Hill	<input type="checkbox"/>	CECON-(Within Centennial)
<input type="checkbox"/>	Building / Arapahoe County Steve Byer	<input type="checkbox"/>	Four Square Mile Neighborhood
<input checked="" type="checkbox"/>	Engineering / Arapahoe County Sarah L. White	<input type="checkbox"/>	South Metro Chamber of Commerce
<input checked="" type="checkbox"/>	Mapping / Arapahoe County Pat Hubert	Conservation District	
<input type="checkbox"/>	Oil & Gas / Arapahoe County Diane Kocis	<input type="checkbox"/>	Deer Trail Conservation District
<input checked="" type="checkbox"/>	Open Space / Arapahoe County Shannon Carter	<input checked="" type="checkbox"/>	West Arapahoe Conservation District Tasha Chevarria
<input checked="" type="checkbox"/>	Planning / Arapahoe County Sherman Feher	Transportation	
<input checked="" type="checkbox"/>	Sheriff / Arapahoe County 1 to Brian McKnight 1 to Glenn Thompson	<input type="checkbox"/>	CDOT / State Highway Dept- Region 1 Rick Solomon
<input checked="" type="checkbox"/>	Weed Control / Arapahoe County Russell Johnson	<input type="checkbox"/>	E-470 Authority Peggy Davenport
<input checked="" type="checkbox"/>	Zoning / Arapahoe County Tammy King	<input type="checkbox"/>	RTD Chris Quinn
Referral Agencies		Utilities: Gas, Electric & Phone	
<input type="checkbox"/>	Architectural Review Committee	<input type="checkbox"/>	Centurylink/Phone Charles Place
<input type="checkbox"/>	Airport or Military Base	<input type="checkbox"/>	Conoco Phillips / Gas Pipeline
<input type="checkbox"/>	CGS Colorado Geological Survey-Soils	<input checked="" type="checkbox"/>	XCEL Donna George
<input checked="" type="checkbox"/>	City / Town Aurora	<input type="checkbox"/>	IREA Brooks Kaufman
<input checked="" type="checkbox"/>	Colorado Parks and Wildlife Travis Harris	Water / Sanitation / Stormwater / Wetlands	
<input type="checkbox"/>	County	<input type="checkbox"/>	ACWWA
<input type="checkbox"/>	DRCOG	<input checked="" type="checkbox"/>	U.S. Army Corp. of Engineer Kiel Downing
<input checked="" type="checkbox"/>	Bennett Fire Protection District Caleb Connor	<input type="checkbox"/>	CCBWQA
<input type="checkbox"/>	Metro District	<input type="checkbox"/>	Colorado Division of Water Resources Joanne Williams
<input type="checkbox"/>	Post Office Growth Coordinator J. Hernandez	<input type="checkbox"/>	SEMSWA Paul Danley
<input checked="" type="checkbox"/>	Reap I-70 Regional Economic Advancement Partnership Matt Reay and Jack Keever	<input type="checkbox"/>	ECCVW&S Chris Douglass
<input type="checkbox"/>	Recreation District / Park District (External)	<input checked="" type="checkbox"/>	Urban Drainage & Flood David Mallory
<input type="checkbox"/>	Bennett School District #29J Keith Yach	<input checked="" type="checkbox"/>	Other / 5 Sets East End Adv. Committee
<input type="checkbox"/>	Aurora School District		
<input type="checkbox"/>	Special District		
<input checked="" type="checkbox"/>	Tri-County Health Department Sheila Lynch		
<input type="checkbox"/>			

The enclosed case has been submitted to the Arapahoe County Planning Office for consideration. Because of the possible effect of the proposed development upon your area, the case is being referred for your comment. Please examine this request and, after review, check the appropriate line and return to the Arapahoe County Planning Office on or before the date indicated above.

COMMENTS:		SIGNATURE
<input checked="" type="checkbox"/>	Have NO Comments to make on the case as submitted	<i>Chris Quinn</i> 7/11/16
<input type="checkbox"/>	Have the following comments to make related to the case:	

LOCATION AND EXTENT
PROSPER WASTEWATER TREATMENT PLANT

LOT 1, BLOCK 1, PROSPER WWTP SUBDIVISION EXEMPTION
COUNTY OF ARAPAHOE, STATE OF COLORADO

STANDARD NOTES:

THE OWNER(S), DEVELOPER(S) AND/OR SUBDIVIDER(S) OF THE LOCATION AND EXTENT KNOWN AS PROSPER WASTEWATER TREATMENT PLANT, THEIR RESPECTIVE SUCCESSORS, HEIRS AND/OR ASSIGNS AGREE TO THE FOLLOWING NOTES:

STREET MAINTENANCE

IT IS MUTUALLY UNDERSTOOD AND AGREED THAT THE DEDICATED ROADWAYS SHOWN ON THIS PLAT/PLAN WILL NOT BE MAINTAINED BY THE COUNTY UNTIL AND UNLESS THE STREETS ARE CONSTRUCTED IN ACCORDANCE WITH THE SUBDIVISION REGULATIONS IN EFFECT AT THE DATE CONSTRUCTION PLANS ARE APPROVED, AND PROVIDED CONSTRUCTION OF SAID ROADWAYS IS STARTED WITHIN ONE YEAR OF THE CONSTRUCTION PLAN APPROVAL. THE OWNERS, DEVELOPERS AND/OR SUBDIVIDERS, THEIR SUCCESSORS AND/OR ASSIGNS IN INTEREST, SHALL BE RESPONSIBLE FOR STREET MAINTENANCE UNTIL SUCH TIME AS THE COUNTY ACCEPTS THE RESPONSIBILITY FOR MAINTENANCE AS STATED ABOVE.

DRAINAGE MAINTENANCE

THE PROPERTY OWNER SHALL BE RESPONSIBLE FOR MAINTENANCE OF ALL DRAINAGE FACILITIES INSTALLED PURSUANT TO THE SUBDIVISION AGREEMENT. REQUIREMENTS INCLUDE, BUT ARE NOT LIMITED TO MAINTAINING THE SPECIFIED STORM WATER DETENTION/ RETENTION VOLUMES, MAINTAINING OUTLET STRUCTURES, FLOW RESTRICTION DEVICES AND FACILITIES NEEDED TO CONVEY FLOW TO SAID BASINS. ARAPAHOE COUNTY SHALL HAVE THE RIGHT TO ENTER PROPERTIES TO INSPECT SAID FACILITIES AT ANY TIME. IF THESE FACILITIES ARE NOT PROPERLY MAINTAINED, THE COUNTY MAY PROVIDE NECESSARY MAINTENANCE AND ASSESS THE MAINTENANCE COST TO THE OWNER OF THE PROPERTY.

EMERGENCY ACCESS NOTE

EMERGENCY ACCESS IS GRANTED HEREWITH OVER AND ACROSS ALL PAVED AREAS FOR POLICE, FIRE AND EMERGENCY VEHICLES.

DRIVES, PARKING AREAS, AND UTILITY EASEMENTS MAINTENANCE

THE OWNERS OF THIS PLAN OR PLAT, THEIR SUCCESSORS, AND/OR ASSIGNS IN INTEREST, THE ADJACENT PROPERTY OWNER(S), HOMEOWNERS ASSOCIATION OR OTHER ENTITY OTHER THAN ARAPAHOE COUNTY, IS RESPONSIBLE FOR MAINTENANCE AND UPKEEP OF ANY AND ALL DRIVES, PARKING AREAS, AND EASEMENTS, I.E.: CROSS-ACCESS EASEMENTS, DRAINAGE EASEMENTS, ETC.

PRIVATE STREET MAINTENANCE

IT IS MUTUALLY UNDERSTOOD AND AGREED THAT THE PRIVATE ROADWAYS SHOWN ON THIS PLAT/PLAN ARE NOT IN CONFORMANCE WITH ARAPAHOE COUNTY ROADWAY DESIGN AND CONSTRUCTION STANDARDS AND WILL NOT BE MAINTAINED BY THE COUNTY UNTIL AND UNLESS THE STREETS ARE CONSTRUCTED IN CONFORMANCE WITH THE SUBDIVISION REGULATIONS IN EFFECT AT THE DATE OF THE REQUEST FOR DEDICATION. THE OWNERS, DEVELOPERS, AND/OR SUBDIVIDERS, THEIR SUCCESSORS AND/OR ASSIGNS IN INTEREST, SHALL BE RESPONSIBLE FOR STREET MAINTENANCE UNTIL SUCH TIME AS THE COUNTY ACCEPTS RESPONSIBILITY FOR MAINTENANCE AS STATED ABOVE.

DRAINAGE LIABILITY

IT IS THE POLICY OF ARAPAHOE COUNTY THAT IT DOES NOT AND WILL NOT ASSUME LIABILITY FOR THE DRAINAGE FACILITIES DESIGNED AND/OR CERTIFIED BY CORE CONSULTANTS ARAPAHOE COUNTY REVIEWS DRAINAGE PLANS PURSUANT TO COLORADO REVISED STATUTES TITLE 30, ARTICLE 28, BUT CANNOT, ON BEHALF OF VREI, INC. GUARANTEE THAT FINAL DRAINAGE DESIGN REVIEW WILL ABSOLVE VREI, INC. AND/OR THEIR SUCCESSORS AND/OR ASSIGNS OF FUTURE LIABILITY FOR IMPROPER DESIGN. IT IS THE POLICY OF ARAPAHOE COUNTY THAT APPROVAL OF THE FINAL PLAT AND/OR FINAL DEVELOPMENT PLAN DOES NOT IMPLY APPROVAL OF CORE CONSULTANTS DRAINAGE DESIGN.

LANDSCAPE MAINTENANCE

THE OWNERS OF THIS PLAN OR PLAT, THEIR SUCCESSORS AND/OR ASSIGNS IN INTEREST, THE ADJACENT PROPERTY OWNER(S), HOMEOWNER'S ASSOCIATION OR OTHER ENTITY OTHER THAN ARAPAHOE COUNTY IS RESPONSIBLE FOR MAINTENANCE AND UPKEEP OF PERIMETER FENCING, LANDSCAPED AREAS AND SIDEWALKS BETWEEN THE FENCE LINE/PROPERTY LINE AND ANY PAVED ROADWAYS.

THE OWNERS OF THIS SUBDIVISION, THEIR SUCCESSORS AND/OR ASSIGNS IN INTEREST, OR SOME OTHER ENTITY OTHER THAN ARAPAHOE COUNTY, AGREE TO THE RESPONSIBILITY OF MAINTAINING ALL OTHER OPEN SPACE AREAS ASSOCIATED WITH THIS DEVELOPMENT.

SIGHT TRIANGLE MAINTENANCE

THE OWNERS OF PRIVATE PROPERTY CONTAINING A TRAFFIC SIGHT TRIANGLE ARE PROHIBITED FROM ERECTING OR GROWING ANY OBSTRUCTIONS OVER THREE FEET IN HEIGHT ABOVE THE ELEVATION OF THE LOWEST POINT ON THE CROWN OF THE ADJACENT ROADWAY WITHIN SAID TRIANGLE.

PUBLIC IMPROVEMENTS NOTE

AFTER FINAL DEVELOPMENT PLAN/FINAL PLAT APPROVAL, ISSUANCE OF INDIVIDUAL BUILDING PERMITS WILL BE SUBJECT TO THE FOLLOWING STIPULATIONS AND/OR CONDITIONS PRECEDENT, WHICH OWNER AGREES TO IN CONJUNCTION WITH APPROVAL OF THE FINAL DEVELOPMENT PLAN AND/OR FINAL PLAT. SUCH BUILDING PERMITS WILL BE ISSUED ONLY AFTER THE OWNERS GUARANTEE PUBLIC IMPROVEMENTS IN A FORM ACCEPTABLE TO THE BOARD OF COUNTY COMMISSIONERS PURSUANT TO STATE STATUTE.

DRAINAGE MASTER PLAN NOTE

THE POLICY OF THE COUNTY REQUIRES THAT ALL NEW DEVELOPMENT AND REDEVELOPMENT SHALL PARTICIPATE IN THE REQUIRED DRAINAGE IMPROVEMENTS AS SET FORTH BELOW:

- DESIGN AND CONSTRUCT THE LOCAL DRAINAGE SYSTEM AS DEFINED BY THE PHASE III DRAINAGE REPORT AND PLAN.
- DESIGN AND CONSTRUCT THE CONNECTION OF THE SUBDIVISION DRAINAGE SYSTEM TO A DRAINAGEWAY OF ESTABLISHED CONVEYANCE CAPACITY SUCH AS A MASTER PLANNED OUTFALL STORM SEWER OR MASTER PLANNED MAJOR DRAINAGEWAY. THE COUNTY WILL REQUIRE THAT THE CONNECTION OF THE MINOR AND MAJOR SYSTEMS PROVIDE CAPACITY TO CONVEY ONLY THOSE FLOWS (INCLUDING OFFSITE FLOWS) LEAVING THE SPECIFIC DEVELOPMENT SITE. TO MINIMIZE OVERALL CAPITAL COSTS, THE COUNTY ENCOURAGES ADJACENT DEVELOPMENTS TO JOIN IN DESIGNING AND CONSTRUCTING CONNECTION SYSTEMS. ALSO, THE COUNTY MAY CHOOSE TO PARTICIPATE WITH A DEVELOPER IN THE DESIGN AND CONSTRUCTION OF THE CONNECTION SYSTEM.
- EQUITABLE PARTICIPATION IN THE DESIGN AND CONSTRUCTION OF THE MAJOR DRAINAGEWAY SYSTEM THAT SERVES THE DEVELOPMENT AS DEFINED BY ADOPTED MASTER DRAINAGEWAY PLANS (SECTION 3.4 OF THE ARAPAHOE COUNTY STORMWATER MANAGEMENT MANUAL) OR AS REQUIRED BY THE COUNTY AND DESIGNATED IN THE PHASE III DRAINAGE REPORT.

SPECIFIC NOTES:

STREET LIGHTING

ALL LOTS ARE SUBJECT TO AND BOUND BY TARIFFS WHICH ARE NOW AND MAY IN THE FUTURE BE FILED WITH THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO RELATING TO STREET LIGHTING IN THIS PLAN OR: PLAT, TOGETHER WITH RATES, RULES, AND REGULATIONS THEREIN PROVIDED AND SUBJECT TO ALL FUTURE AMENDMENTS AND CHANGES THERETO. THE OWNER OR OWNERS, THEIR SUCCESSORS AND/OR ASSIGNS IN INTEREST, SHALL PAY AS BILLED, A PORTION OF THE COST OF PUBLIC STREET LIGHTING IN THE PLAN OR PLAT ACCORDING TO APPLICABLE RATES, RULES, AND REGULATIONS, INCLUDING FUTURE AMENDMENTS AND CHANGES ON FILE WITH THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO.

STORMWATER MAINTENANCE

THE PROPERTY OWNER SHALL BE RESPONSIBLE FOR MAINTENANCE OF ALL PERMANENT BEST MANAGEMENT PRACTICES (BMP'S) AND STORMWATER FACILITIES INSTALLED PURSUANT TO THE SUBDIVISION AGREEMENTS AND THE OPERATIONS AND MAINTENANCE (O AND M) GUIDE IN THE CASE OF PERMANENT BMP'S. REQUIREMENTS INCLUDE, BUT ARE NOT LIMITED TO, MAINTAINING THE SPECIFIED BMP'S CONTAINED IN THE O AND M MANUAL RECORDED AT RECEPTION NUMBER _____, AND THE STORMWATER FACILITIES SHOWN IN THE APPROVED PHASE III DRAINAGE REPORT AND SHOWN ON THE APPROVED CONSTRUCTION DRAWINGS.

THE OWNERS OF THIS SUBDIVISION, THEIR SUCCESSORS AND/OR ASSIGNS IN INTEREST, OR SOME ENTITY OTHER THAN ARAPAHOE COUNTY, AGREE TO THE RESPONSIBILITY OF MAINTAINING ALL PERMANENT BMP'S AND/OR STORMWATER FACILITIES ASSOCIATED WITH THIS DEVELOPMENT. IF THE PERMANENT BMP'S AND STORMWATER FACILITIES ARE NOT PROPERLY MAINTAINED, THE COUNTY MAY PROVIDE NECESSARY MAINTENANCE AND ASSESS THE MAINTENANCE COST TO THE OWNER OF THE PROPERTY.

WASTEWATER TREATMENT PROCESS PHASING

PHASE 1 TREATMENT PROCESS BASINS WILL BE LOCATED IN THE PHASE 1 PROCESS BUILDING. THE PHASE 4 SITE PLAN AT BUILD-OUT REPRESENTS THE LARGEST FOOTPRINT (WORST CASE) TREATMENT PROCESS. THE METROPOLITAN DISTRICTS WILL DETERMINE THE SELECTED TREATMENT PROCESS FOR FUTURE PHASES AS THE DEMAND OF THE WWTP INCREASES.

LEGAL DESCRIPTION:

A PARCEL OF LAND SITUATED IN THE NW ¼ OF SECTION 1, TOWNSHIP 4 SOUTH, RANGE 65 WEST, OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF ARAPAHOE, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NW CORNER OF SAID SECTION 1, WHENCE THE N ¼ CORNER OF SAID SECTION 1 BEARS N89°49'24"E A DISTANCE OF 2840.14 FEET, WITH ALL BEARINGS CONTAINED HEREIN RELATIVE TO;
THENCE S78°54'31"E A DISTANCE OF 1749.90 FEET TO THE POINT OF BEGINNING;
THENCE S87°48'14"E A DISTANCE OF 332.44 FEET;
THENCE S24°21'17"W A DISTANCE OF 58.15 FEET;
THENCE S20°55'23"E A DISTANCE OF 53.88 FEET TO A POINT OF NON-TANGENT CURVE;
THENCE ALONG A CURVE TO THE LEFT WHOSE CHORD BEARS S20°55'23"E A DISTANCE OF 59.10 FEET,
SAID CURVE HAVING A CENTRAL ANGLE OF 09°56'06", A RADIUS OF 341.25 FEET, AN ARC LENGTH OF 59.17 FEET;
THENCE S20°55'23"E NON-TANGENT TO THE LAST DESCRIBED CURVE A DISTANCE OF 158.97 FEET;
THENCE S32°01'43"E A DISTANCE OF 147.01 FEET;
THENCE S32°47'32"E A DISTANCE OF 42.94 FEET TO A POINT OF NON-TANGENT CURVE;
THENCE ALONG A CURVE TO THE LEFT WHOSE CHORD BEARS S52°47'32"E A DISTANCE OF 31.47 FEET,
SAID CURVE HAVING A CENTRAL ANGLE OF 06°06'03", A RADIUS OF 295.64 FEET, AN ARC LENGTH OF 31.49 FEET;
THENCE S32°47'32"E NON-TANGENT TO THE LAST DESCRIBED CURVE A DISTANCE OF 167.18 FEET;
THENCE S40°52'11"E A DISTANCE OF 13.05 FEET;
THENCE S32°02'59"E A DISTANCE OF 202.63 FEET;
THENCE S42°28'07"E A DISTANCE OF 139.69 FEET;
THENCE S04°01'11"W A DISTANCE OF 206.73 FEET;
THENCE S10°20'05"E A DISTANCE OF 98.37 FEET;
THENCE S45°33'17"W A DISTANCE OF 36.78 FEET TO A POINT OF NON-TANGENT CURVE;
THENCE ALONG A CURVE TO THE LEFT WHOSE CHORD BEARS N57°10'32"W A DISTANCE OF 543.41 FEET,
SAID CURVE HAVING A CENTRAL ANGLE OF 25°27'37", A RADIUS OF 1233.00 FEET, AN ARC LENGTH OF 547.30 FEET;
THENCE N16°48'09"W NON-TANGENT TO THE LAST DESCRIBED CURVE A DISTANCE OF 393.05 FEET;
THENCE N40°15'48"W A DISTANCE OF 317.16 FEET;
THENCE N16°46'03"W A DISTANCE OF 304.14 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS (370,337 SQUARE FEET) 8.5018 ACRES.

CERTIFICATE OF OWNERSHIP

I _____ HEREBY AFFIRM THAT I AM THE OWNER OR AUTHORIZED AGENT OF ALL INDIVIDUALS HAVING OWNERSHIP INTEREST IN THE PROPERTY DESCRIBED HEREIN, KNOWN AS PROSPER WASTEWATER TREATMENT PLANT CASE NUMBER L16-002.

OWNER OF RECORD OR AUTHORIZED AGENT

STATE OF _____)
COUNTY OF _____) SS

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS

_____, DAY OF _____, A.D., 20____

BY _____ AS _____ OF _____ AN AUTHORIZED SIGNATORY.

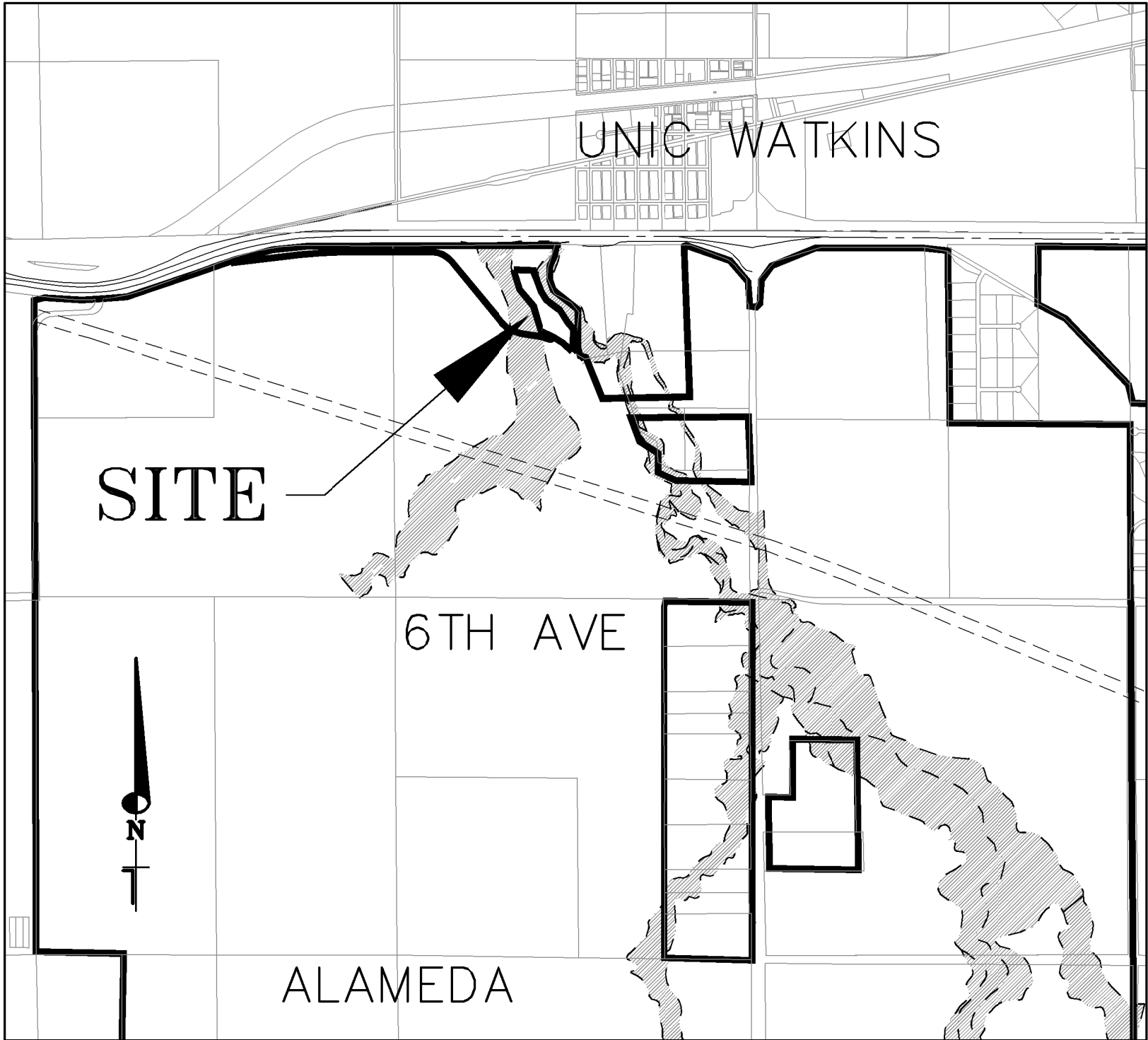
BY _____ WITNESS MY HAND AND SEAL.

NOTARY PUBLIC

_____, MY COMMISSION EXPIRES _____

ADDRESS

CITY _____ STATE _____ ZIP CODE _____



VICINITY MAP

SCALE: 1" = 2000'

LIST OF DRAWINGS

SHEET NO.	TITLE
1	COVER
2	PRELIMINARY SITE PLAN
3	GRADING AND DRAINAGE PLAN
4	UTILITY AND PAVING PLAN
5	SITE ANALYSIS
6	LANDSCAPE PLAN
7	LANDSCAPE PLAN DETAILS
8	HEADWORKS BUILDING
9	PROCESS PUMP STATION/BLOWER BUILDING
10	UV BUILDING
11	DIGESTER BLOWER BUILDING
12	AEROBIC DIGESTERS
13	SOLIDS HANDLING BUILDING
14	ADMINISTRATION BUILDING
15	MAINTENANCE SHOP

PLANNING COMMISSION APPROVAL

APPROVED BY THE ARAPAHOE COUNTY PLANNING COMMISSION ON THIS _____ DAY OF _____, A.D., 20____.

CHAIR: _____

BOARD OF COUNTY COMMISSIONERS APPROVAL

APPROVED BY THE ARAPAHOE COUNTY BOARD OF COMMISSIONERS ON THIS _____ DAY OF _____, A.D., 20____.

CHAIR: _____

ATTEST: _____

Dewberry
Dewberry Engineers Inc.
990 S. BROADWAY, SUITE 400
Denver, Colorado 80209
(303) 825-1802



CALL A BUSINESS DAY IN ADVANCE BEFORE YOU
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UNDERGROUND MEMBER UTILITIES.
Dewberry Engineers Inc. ASSUMES NO RESPONSIBILITY FOR EXISTING UTILITY
LOCATIONS (HORIZONTAL AND VERTICAL). THE EXISTING
LOCATIONS (HORIZONTAL AND VERTICAL) ARE SHOWN FOR
INFORMATION ONLY. IT IS THE RESPONSIBILITY OF THE
OWNER TO OBTAIN THE BEST AVAILABLE INFORMATION, UTILIZE
THE SERVICES OF A QUALIFIED PROFESSIONAL ENGINEER
TO DETERMINE THE LOCATION OF ALL UTILITIES PRIOR TO THE
CONSTRUCTION OF ANY CONSTRUCTION ACTIVITIES.

REVISIONS			
#	DESCRIPTION	DATE	BY
B	INITIAL COUNTY REVIEW COMMENTS	06/13/16	SR
C	COUNTY REVIEW COMMENTS, RMD 2	07/07/16	SR

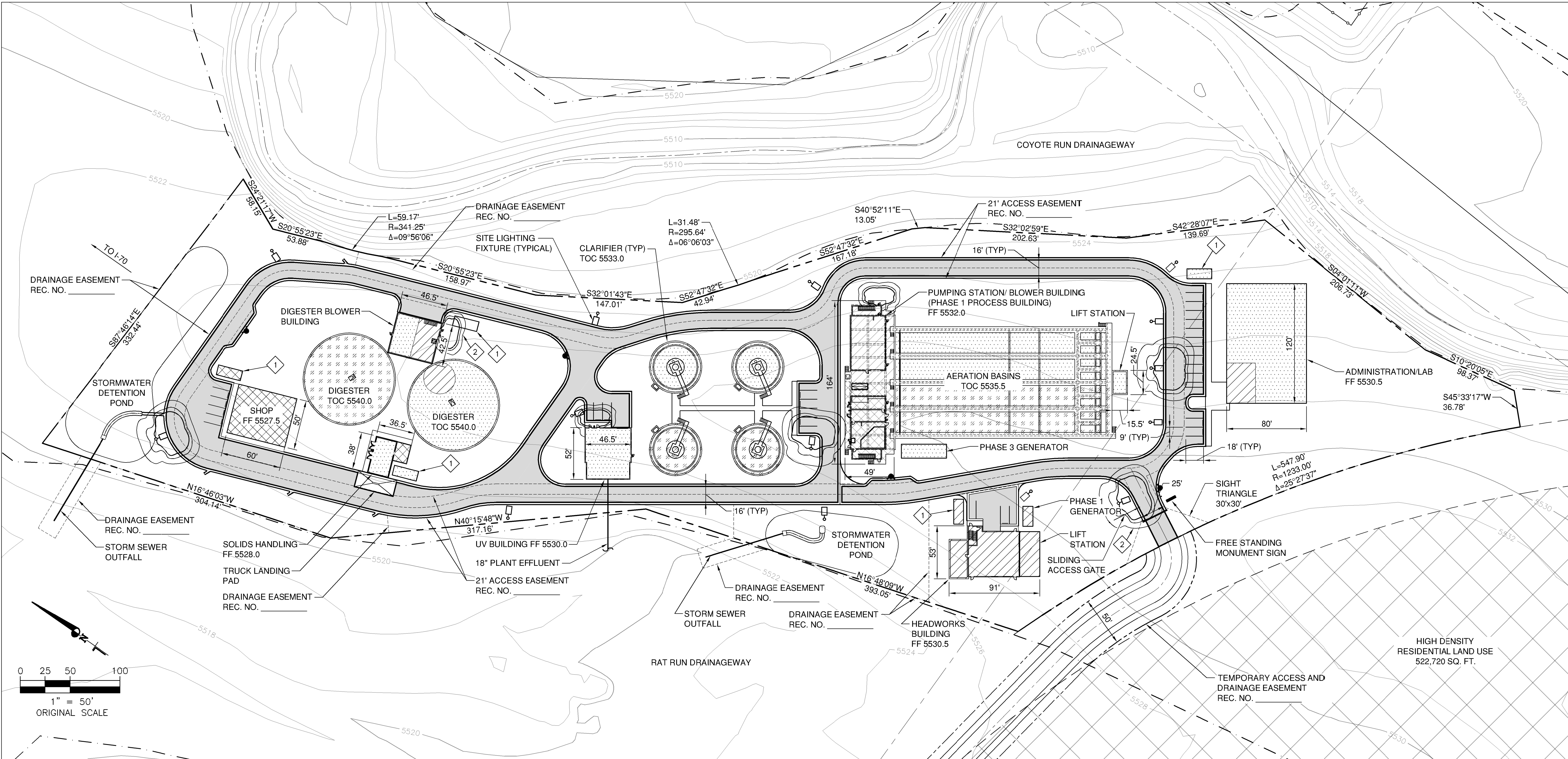
PROSPER REGIONAL WATER & SANITATION
SERVICE METROPOLITAN DISTRICT
PROSPER, COLORADO
WASTEWATER TREATMENT PLANT
COVER

INITIAL PLAN
RELEASE:
DESIGNED BY: _____ SMR
DRAWN BY: _____ TWL
CHECKED BY: _____

JOB NO.
50079191
SHEET
1 OF 15

LOCATION AND EXTENT
PROSPER WASTEWATER TREATMENT PLANT

LOT 1, BLOCK 1, PROSPER WWTP SUBDIVISION EXEMPTION
COUNTY OF ARAPAHOE, STATE OF COLORADO



GENERAL NOTES:

- BENCHMARK: ARAPAHOE COUNTY BM010101 - 3 1/4" DIAMETER ALUMINUM CAP 300' SOUTH OF NORTH WATKINS MILE ROAD AND INTERSTATE HIGHWAY 70 ON EAST SIDE. ELEVATION: 5538.35 FEET (NAVD 1988 DATUM).
 - BEARINGS ARE BASED ON THE NORTH LINE OF THE NW ¼ OF SECTION 1, TOWNSHIP 4 SOUTH, RANGE 64 WEST, OF THE 6TH PRINCIPAL MERIDIAN BEARING N 89°49'24" E.
 - THE WWTP SITE IS APPROXIMATELY 370,337 SQ. FT. AND IS ZONED SPECIFICALLY FOR THE WWTP.
 - SITE LIGHTING FIXTURES SHALL BE LIGHT EMITTING DIODE (LED), MINIMUM 80 LUMENS PER WATT. SITE FIXTURES SHALL BE ON MULTIPLE CIRCUITS AND HAVE DIMMABLE AND CONTROLLABLE LUMEN OUTPUT IN ADDITION TO AUTOMATIC CONTROL VIA COMBINED PHOTOCELL AND MOTION DETECTOR. FIXTURES ARE SHOWN REPRESENTATIONAL OF PROPOSED LOCATIONS BUT NOT TO SCALE, FOR EASE OF VISIBILITY ON SHEET.
 - THE EXISTING WASTEWATER TREATMENT PLANT ZONING IS MU-PUD.
 - THE WWTP ACCESS ROAD AND ALL ON-SITE ROADS WILL BE ASPHALT SURFACING.
- THERE A TOTAL OF 34 PARKING SPACES ON THE WWTP SITE.

BUILDING HEIGHTS AND AREAS:

BUILDING	HEIGHT (FT.)	AREA (SQ. FT.)
ADMIN/LAB	20	9,600
AERATION BASINS	8	23,492
HEADWORKS	20	3,246
PUMPING STATION	25	5,335
CLARIFIERS	7	8,714
UV/REUSE	20	2,382
DIGESTER BLOWER	25	1,976
DIGESTERS	15	13,489
SOLIDS HANDLING	20	1,121
SHOP	25	3,000

LAND USE AREAS:

LAND USE	AREA (SQ. FT.)
WWTP	72,355
ROADWAYS	69,614
PARKING	6,134
LANDSCAPING	202,096
STORMWATER DETENTION	20,138
TOTAL AREA	370,337

PHASE DESIGNATIONS:

PHASE 1	
PHASE 2	
PHASE 3	
PHASE 4	

NOTE: PHASE 1 TREATMENT PROCESS BASINS WILL BE LOCATED IN THE PHASE 1 PROCESS BUILDING. THE PHASE 4 SITE PLAN AT BUILD-OUT REPRESENTS THE LARGEST FOOTPRINT (WORST CASE) TREATMENT PROCESS. THE METROPOLITAN DISTRICTS WILL DETERMINE THE SELECTED TREATMENT PROCESS FOR FUTURE PHASES AS THE DEMAND OF THE WWTP INCREASES.

KEY NOTES:

- OUTDOOR WASTE DISPOSAL SYSTEMS.
- LIGHTING GRADIENT (TYPICAL). LIGHTING GRADIENTS SHOWN FOR VARIOUS CONFIGURATIONS. PHOTOMETRIC DATA: INNERMOST GRADIENT = 1 FOOTCANDLE. MIDDLE GRADIENT = 0.5 FOOTCANDLE. OUTERMOST GRADIENT = 0.1 FOOTCANDLE. PHOTOMETRIC DATA IS BASED ON MOUNTING HEIGHT OF 12'-0" FOR SITE LIGHTING AND 8'-0" FOR WALL MOUNTED FIXTURES.

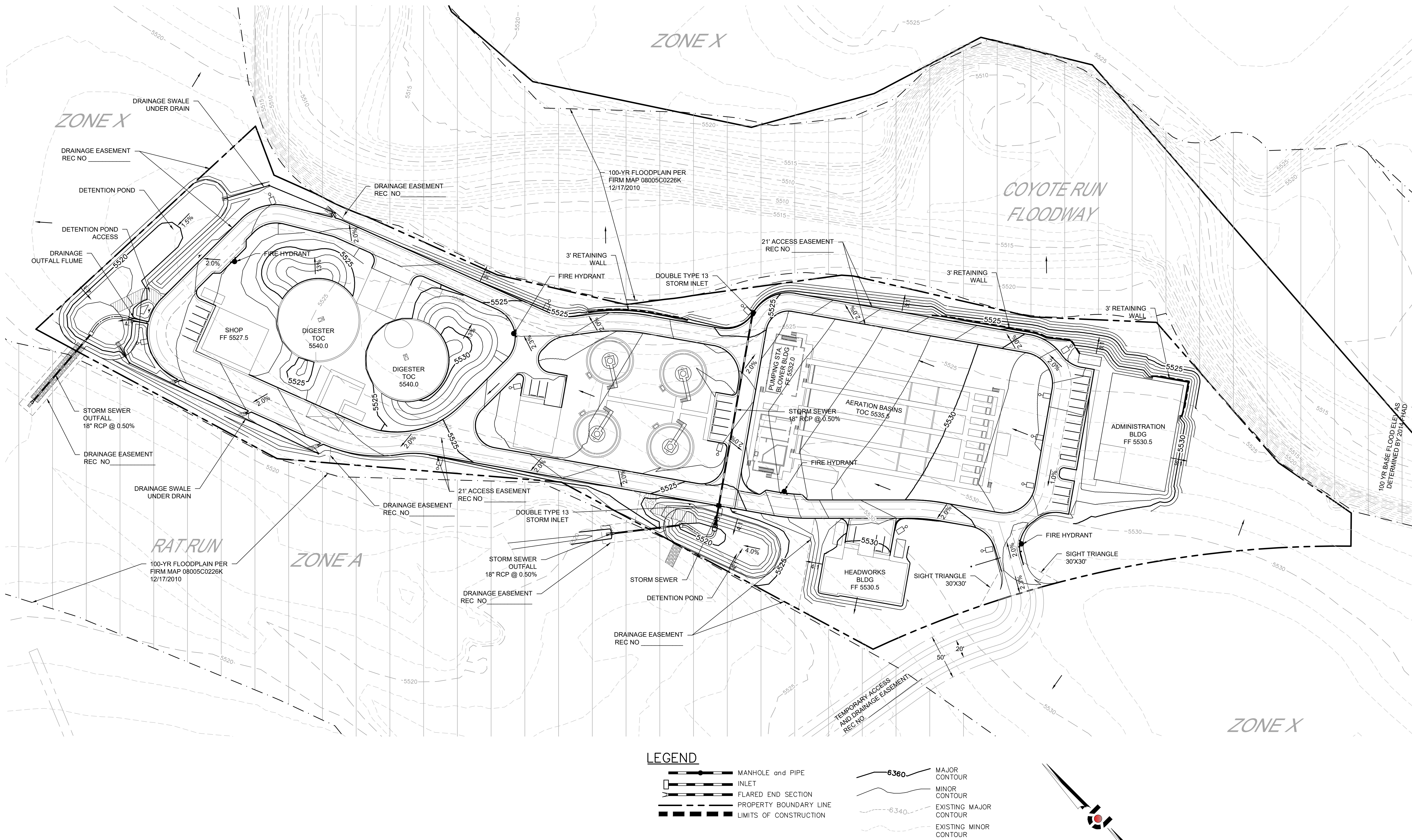
LEGEND:

	FIRE HYDRANT
	SITE LIGHTING FIXTURE
	PROPERTY LINE
	100-YR FLOODPLAIN
	EASEMENT

REVISIONS	DATE	BY
#	DESCRIPTION	
B	INITIAL COUNTY REVIEW COMMENTS	06/13/16 SR
C	COUNTY REVIEW COMMENTS, RMD 2	07/07/16 SR

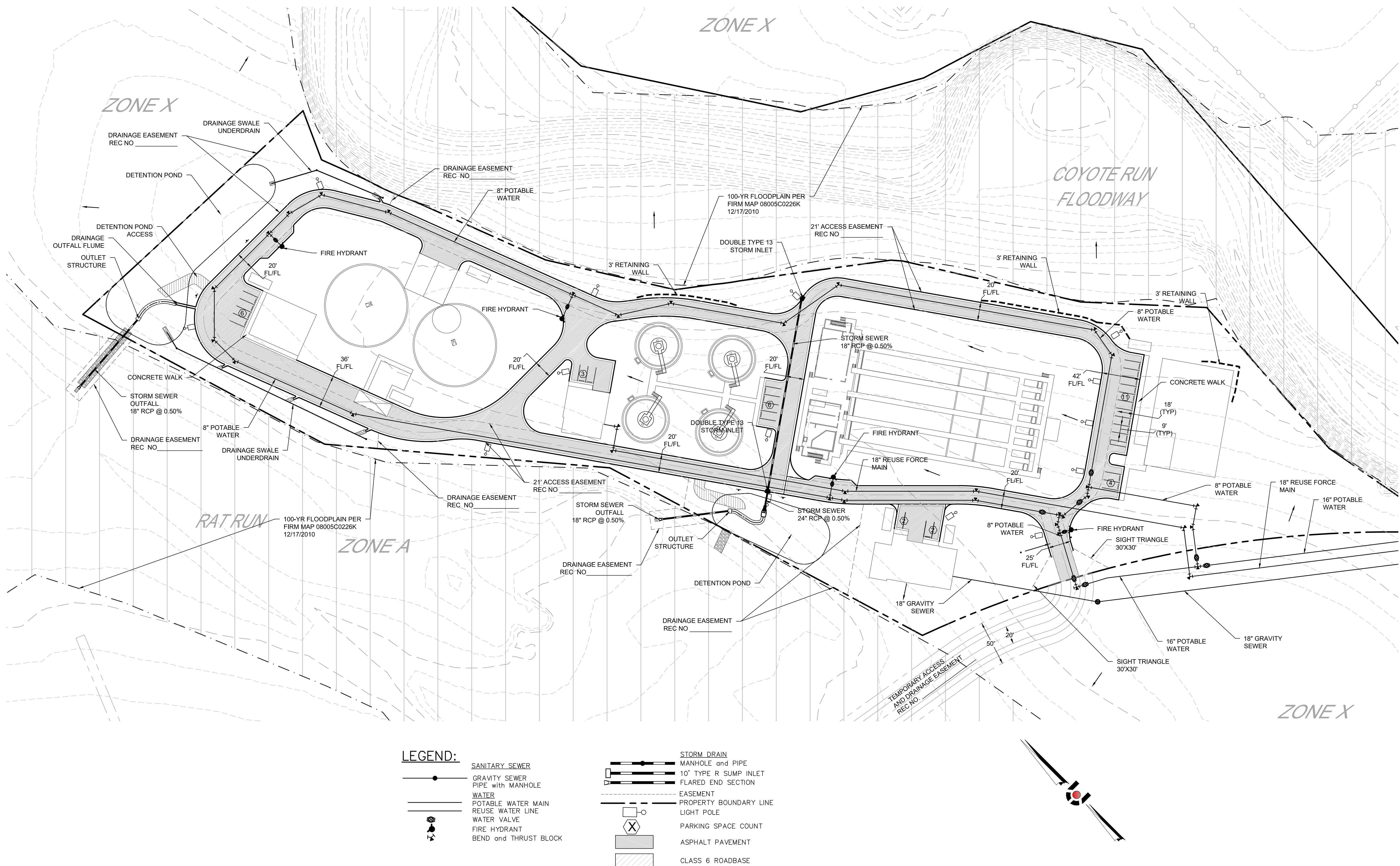
LOCATION AND EXTENT
PROSPER WASTEWATER TREATMENT PLANT

LOT 1, BLOCK 1, PROSPER WWTP SUBDIVISION EXEMPTION
COUNTY OF ARAPAHOE, STATE OF COLORADO



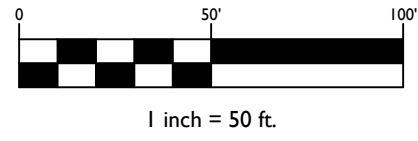
LOCATION AND EXTENT
PROSPER WASTEWATER TREATMENT PLANT

LOT 1, BLOCK 1, PROSPER WWTP SUBDIVISION EXEMPTION
COUNTY OF ARAPAHOE, STATE OF COLORADO



LEGEND:

- SANITARY SEWER
- GRAVITY SEWER PIPE with MANHOLE
- WATER
- POTABLE WATER MAIN
- REUSE WATER LINE
- WATER VALVE
- FIRE HYDRANT
- BEND and THRUST BLOCK
- STORM DRAIN MANHOLE and PIPE
- 10' TYPE R SUMP INLET
- FLARED END SECTION
- EASEMENT
- PROPERTY BOUNDARY LINE
- LIGHT POLE
- PARKING SPACE COUNT
- ASPHALT PAVEMENT
- CLASS 6 ROADBASE



PREPARED BY:



CIVIL ENGINEERING
DEVELOPMENT CONSULTING
LAND SURVEYING
303.703.4444
1950 W. Littleton Blvd., Ste. 109
Littleton, CO 80120

Dewberry
Dewberry Engineers Inc.
990 S. Broadway, Suite 400
Denver, Colorado 80209
(303) 825-1802

CALL 24 HOURS AHEAD IN ADVANCE BEFORE YOU DIG. GRADE OR EXCAVATE FOR THE MARKING OF UNDERGROUND MEMBER UTILITIES.

Know what's below. Call before you dig.

811

COLE ASSUMES NO RESPONSIBILITY FOR EXISTING UTILITY LOCATIONS HORIZONTAL AND VERTICAL. THE EXISTING LOCATIONS ARE BASED ON THE BEST AVAILABLE INFORMATION. IT IS, HOWEVER, THE USER'S RESPONSIBILITY TO VERIFY THE LOCATION OF ALL UTILITIES PRIOR TO THE COMMENCEMENT OF ANY CONSTRUCTION ACTIVITIES.

REVISIONS		DATE	BY
#	DESCRIPTION		
1	COUNTY REVIEW COMMENTS	08/25/16	MM

PROSPER REGIONAL WATER & SANITATION
SERVICE METROPOLITAN DISTRICT
PROSPER, COLORADO
WASTEWATER TREATMENT PLANT
UTILITY & PAVING PLAN

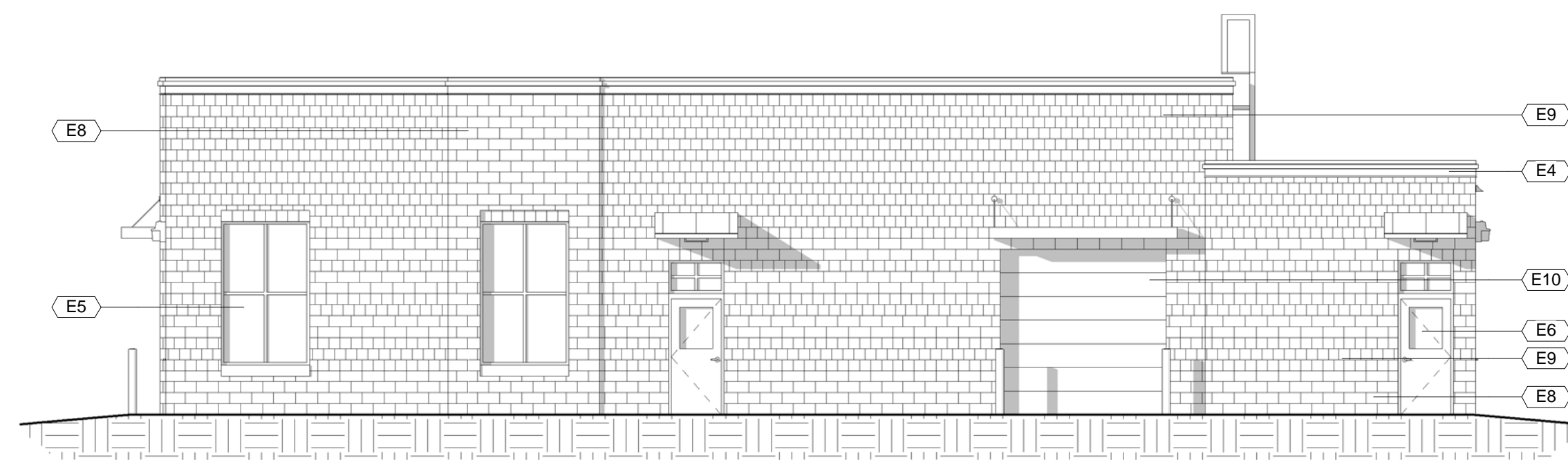
INITIAL PLAN	5/13/16
RELEASE:	
DESIGNED BY:	MM
DRAWN BY:	MM
CHECKED BY:	MM

JOB NO.
11-012
SHEET
4 OF 15

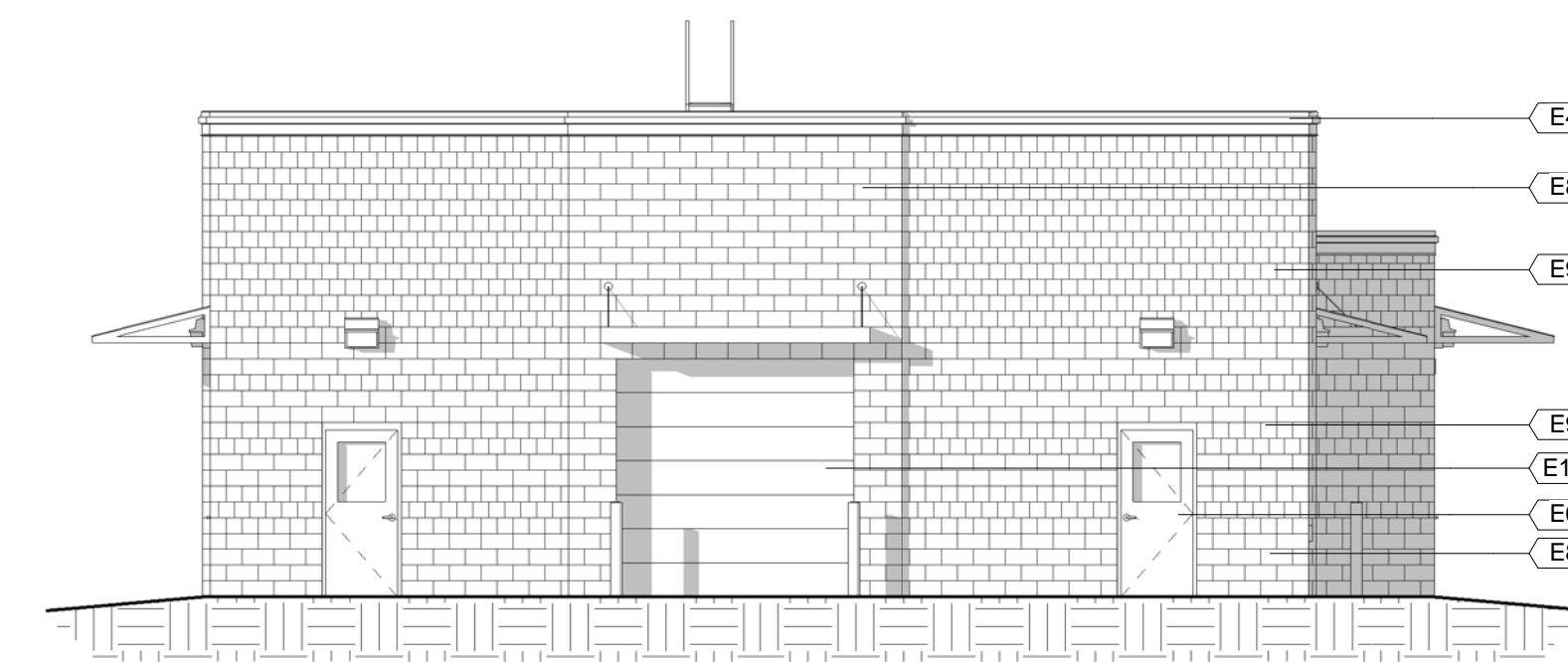
LOCATION AND EXTENT PROSPER WASTEWATER TREATMENT PLANT

LOT 1, BLOCK 1, PROSPER WWTP SUBDIVISION EXEMPTION
COUNTY OF ARAPAHOE, STATE OF COLORADO

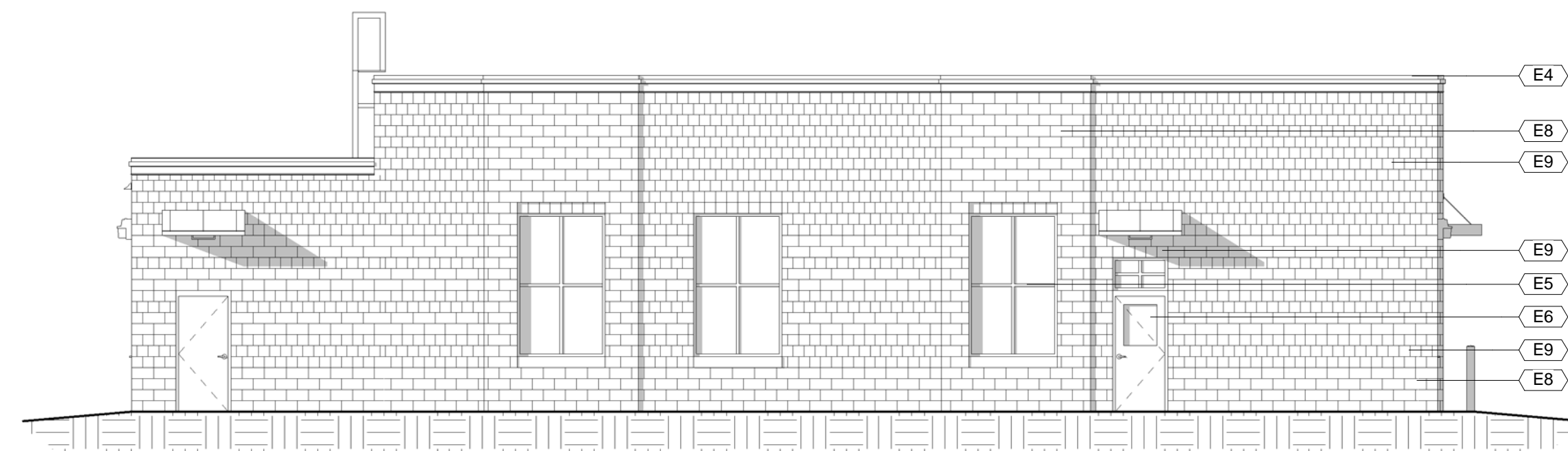
ELEVATION KEYED NOTES	
NOTE	DESCRIPTION
E1	LAPPED SIDING PANELS
E2	CORRUGATED METAL PANELS
E3	STACKED STONE
E4	METAL FASCIA
E5	ALUMINUM STOREFRONT
E6	HOLLOW METAL DOOR & FRAME
E7	FACE BRICK
E8	CMU - 8X16
E9	CMU - 8X8
E10	OVERHEAD COILING DOOR
E11	EQUIPMENT SCREEN
E12	METAL CLADDING



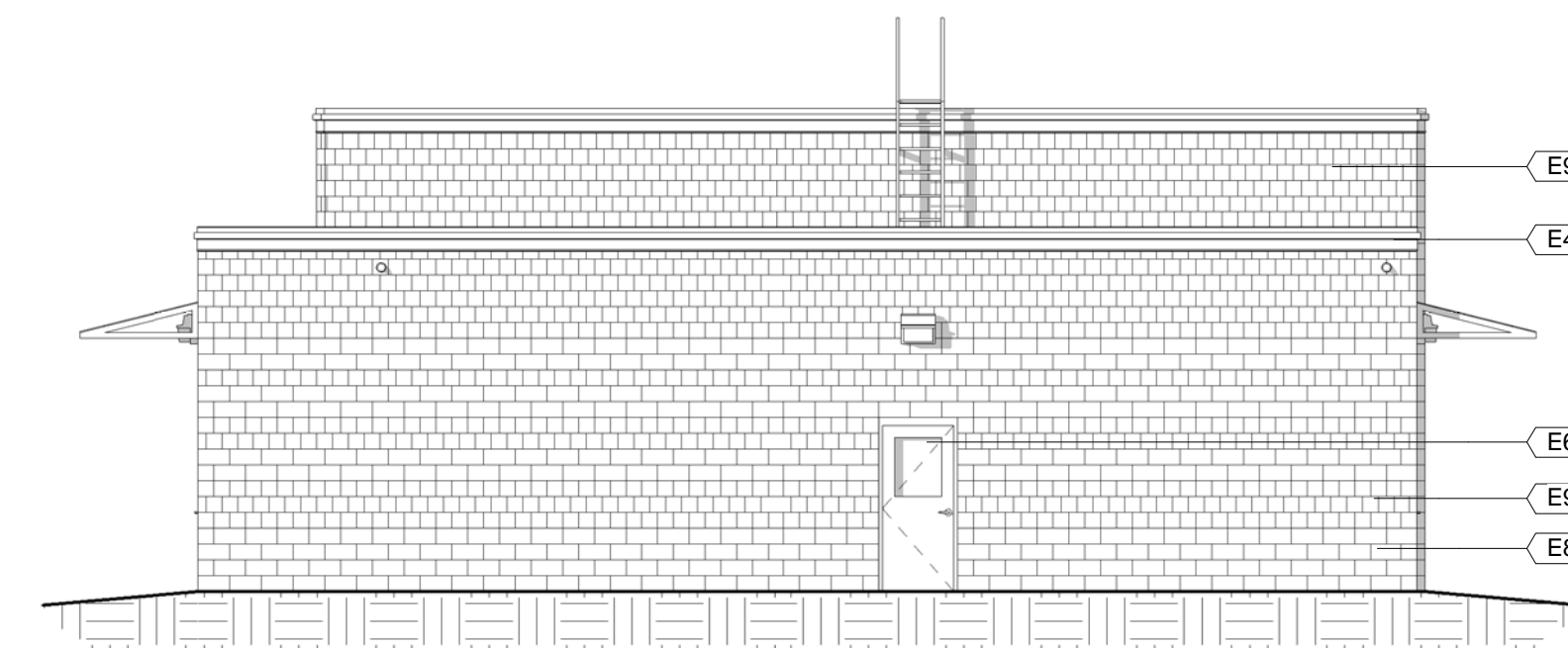
A NORTH ELEVATION
Scale: 1/8" = 1'-0"



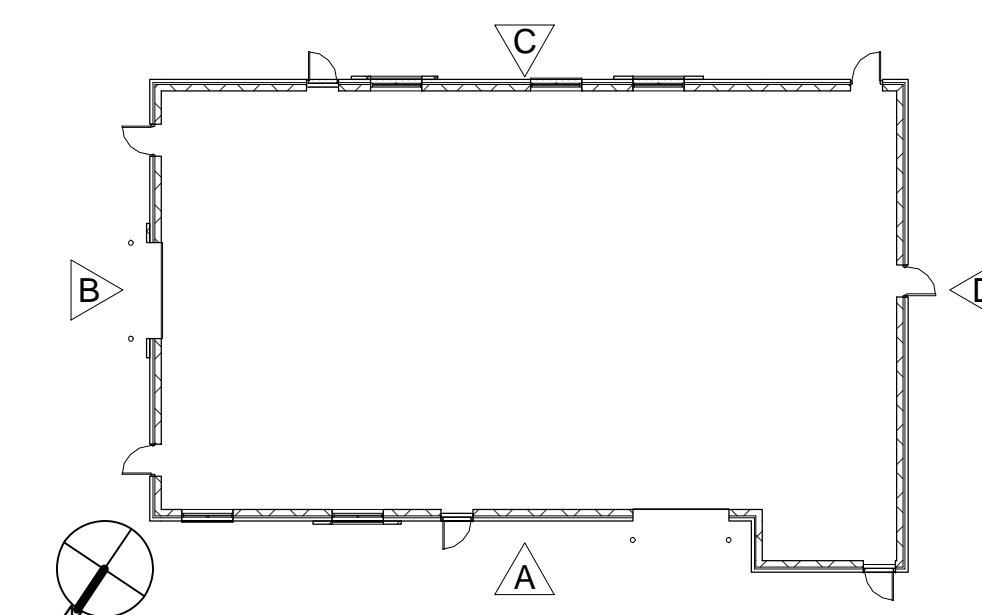
B EAST ELEVATION
Scale: 1/8" = 1'-0"



C SOUTH ELEVATION
Scale: 1/8" = 1'-0"



D WEST ELEVATION
Scale: 1/8" = 1'-0"

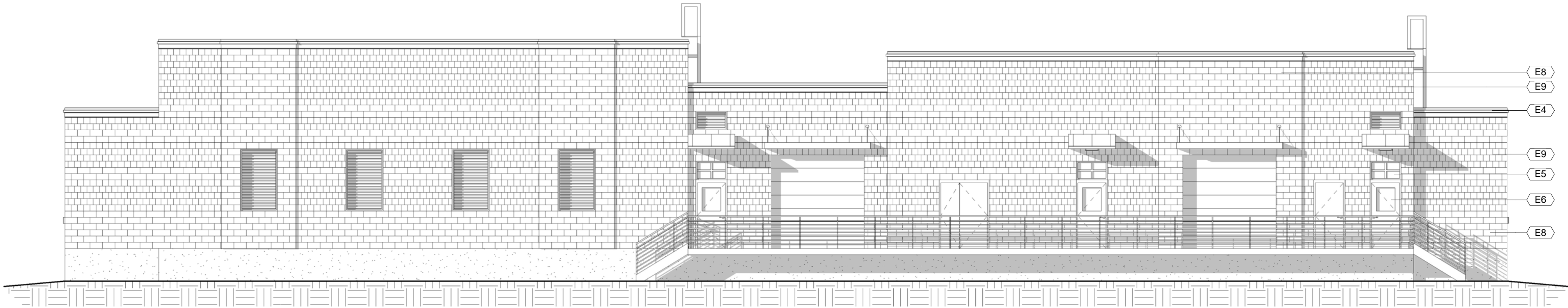


REVISIONS		
#	DESCRIPTION	DATE BY
B.	INITIAL COUNTY REVIEW COMMENTS	05/13/16 WL
C.	COUNTY REVIEW COMMENTS--ROUND 2	07/01/16 WL

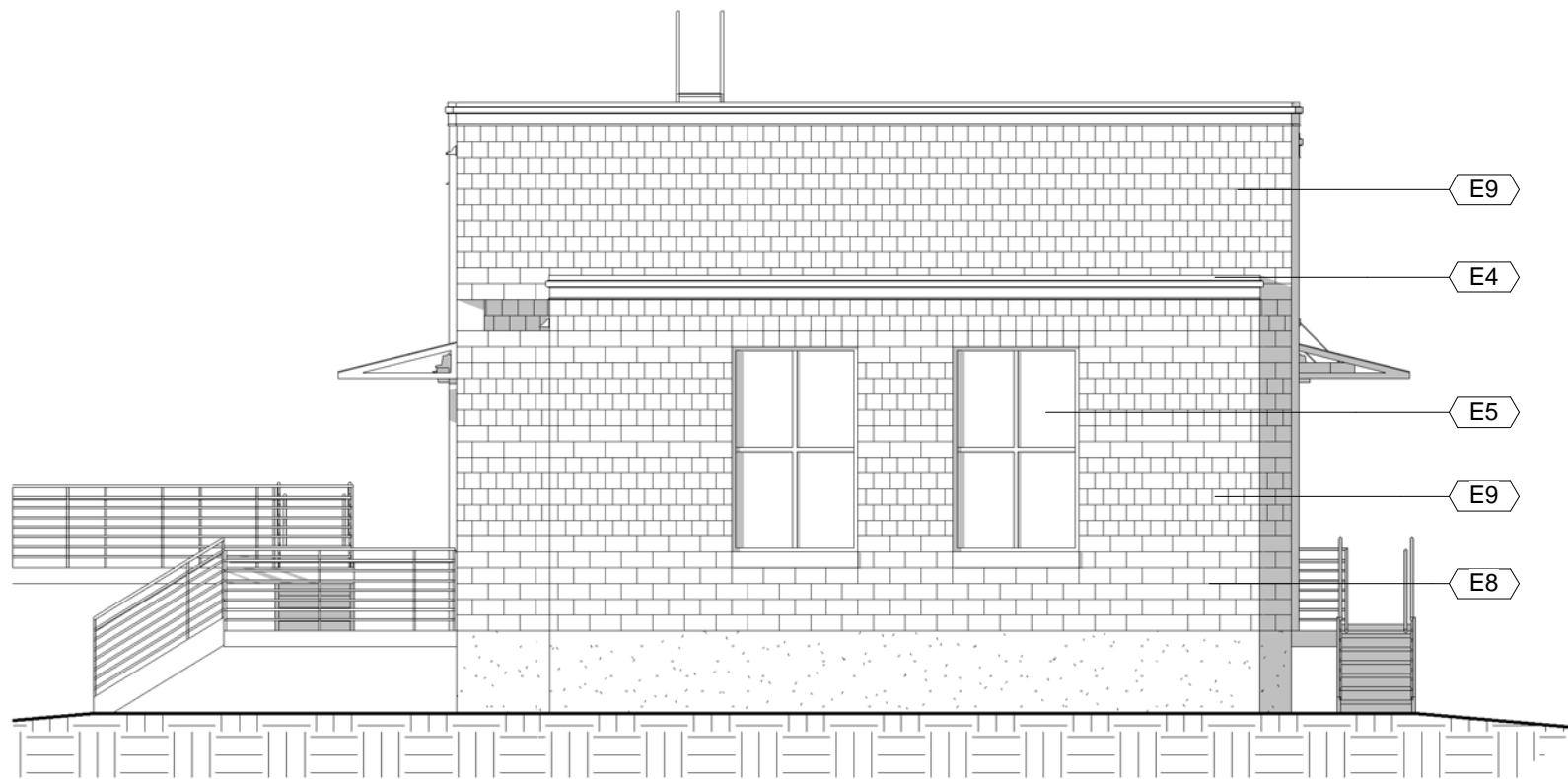
LOCATION AND EXTENT
PROSPER WASTEWATER TREATMENT PLANT

LOT 1, BLOCK 1, PROSPER WWTP SUBDIVISION EXEMPTION
COUNTY OF ARAPAHOE, STATE OF COLORADO

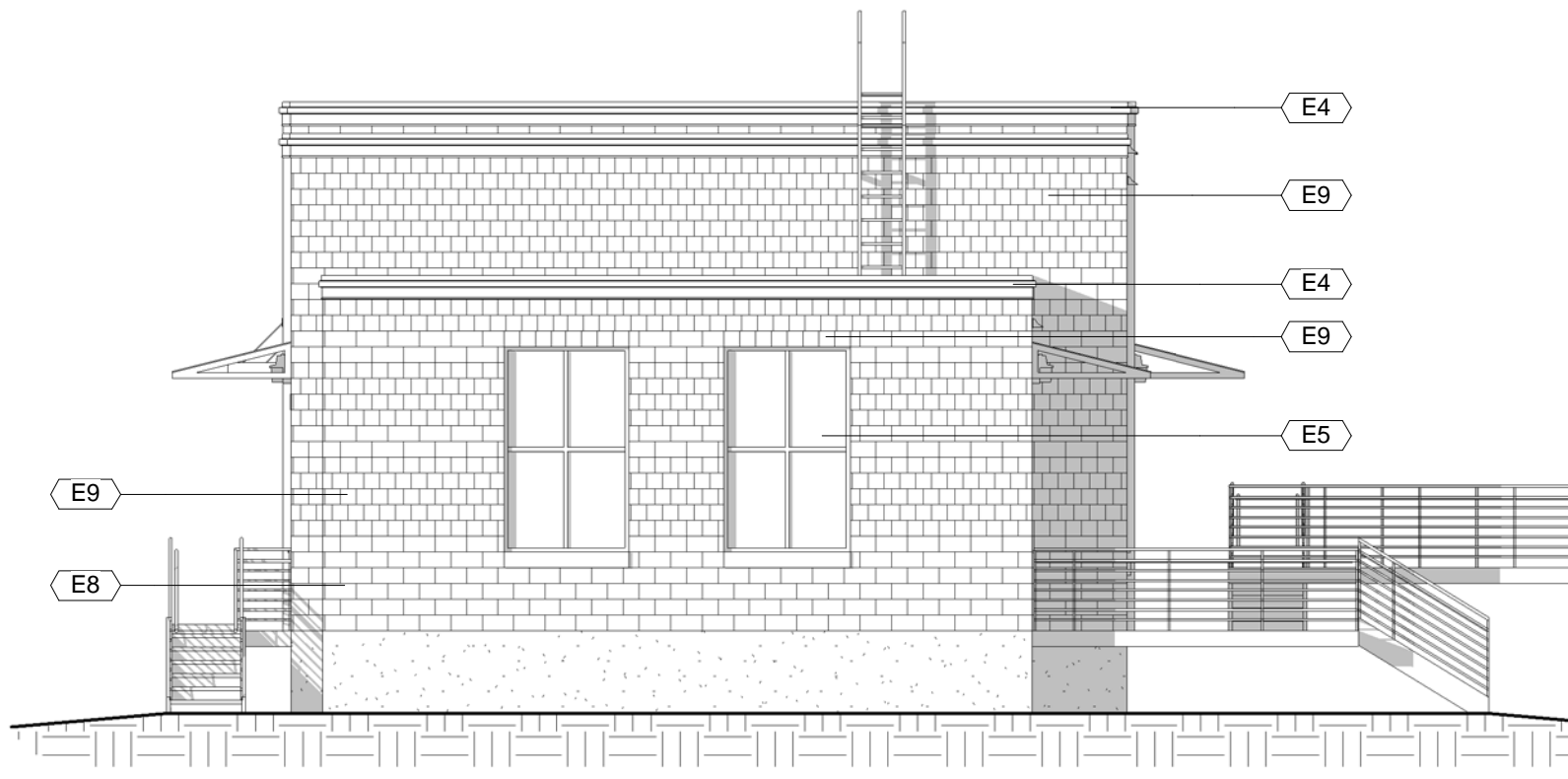
ELEVATION KEYED NOTES	
NOTE	DESCRIPTION
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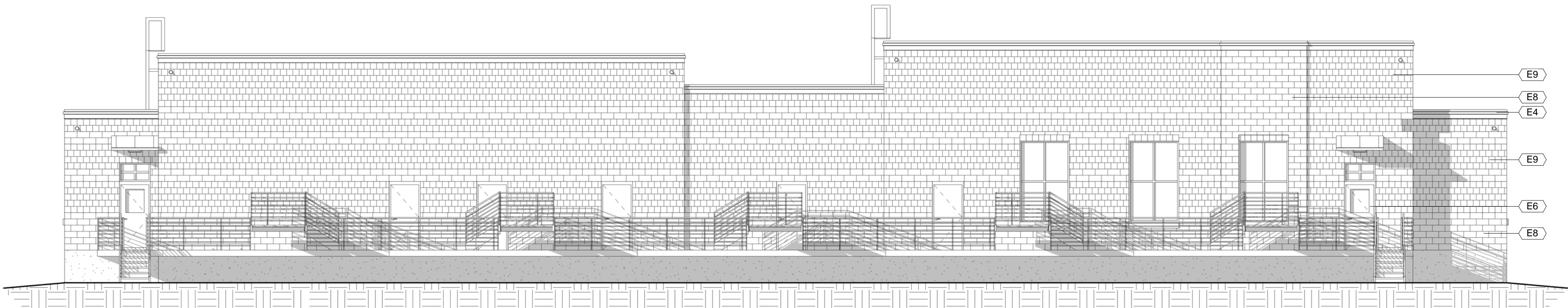
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Scale: 1/8" = 1'-0"



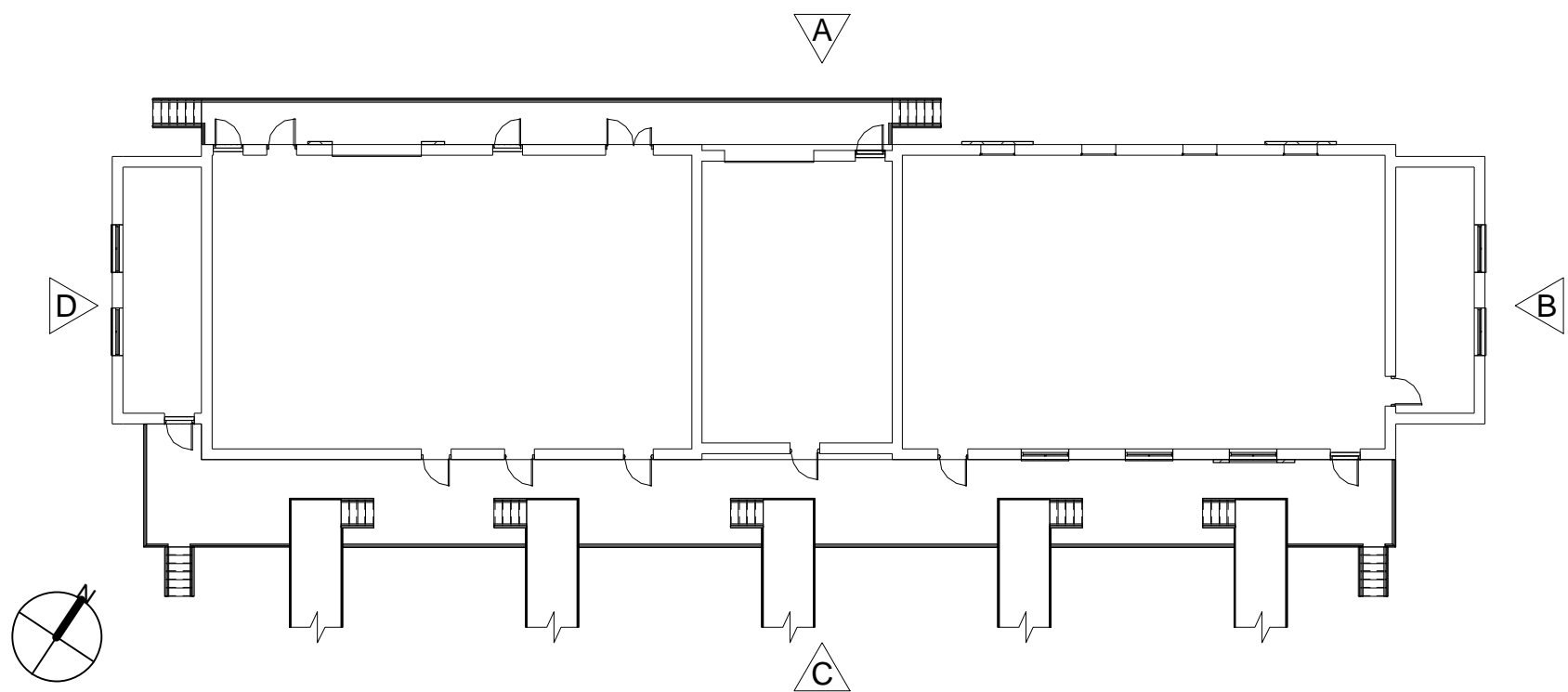
B EAST ELEVATION
Scale: 1/8" = 1'-0"



C WEST ELEVATION
Scale: 1/8" = 1'-0"



D SOUTH ELEVATION
Scale: 1/8" = 1'-0"



Dewberry
Dewberry Engineers Inc.
990 S. Broadway, Suite 400
Denver, Colorado 80209
(303) 625-1602

CALL 24 HOURS BEFORE YOU
DIG. CALL 800-4-A-PROSPER
FOR A FREE COPY OF THE
PROSPER WASTEWATER TREATMENT
PLANT SUBDIVISION EXEMPTION
APPLICATION. THE APPLICATION
IS AVAILABLE FOR REVIEW AT THE
COUNTY OF ARAPAHOE
ENGINEERING DEPARTMENT.
FOR MORE INFORMATION, CONTACT
THE COUNTY OF ARAPAHOE
ENGINEERING DEPARTMENT.
CONTACT US AT 303-625-1602.

REVISIONS		DATE BY
#	DESCRIPTION	
1	INITIAL COUNTY REVIEW COMMENTS	10/13/16 JML
2	COUNTY REVIEW COMMENTS - ROUND 2	10/17/16 JML

PROSPER REGIONAL WATER & SANITATION
SERVICE METROPOLITAN DISTRICT
PROSPER, COLORADO
WASTEWATER TREATMENT PLANT
A-4000 PROCESS PUMP STATION / BLOWER BUILDING

INITIAL PLAN
RELEASE: 2013.05.01
DESIGNED BY:
DRAWN BY: VL
CHECKED BY:

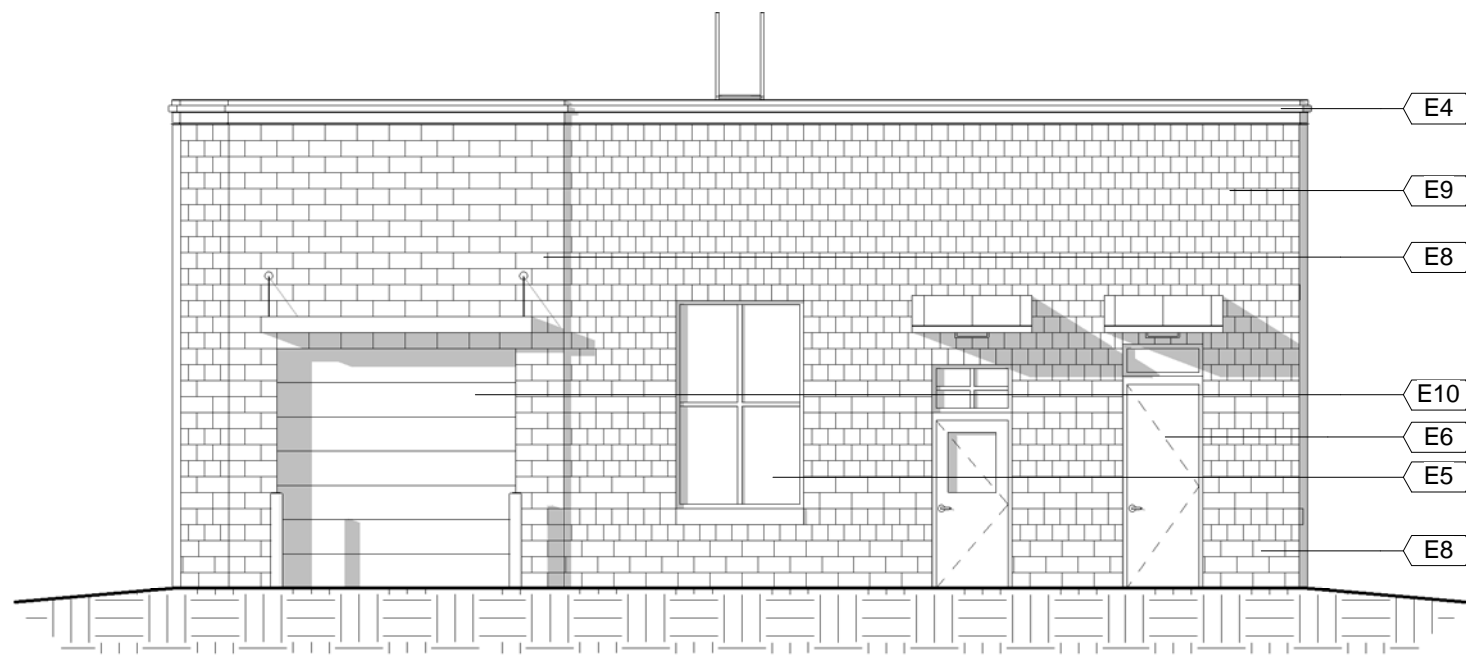
JOB NO.
50079191
SHEET
9 OF 15

LOCATION AND EXTENT

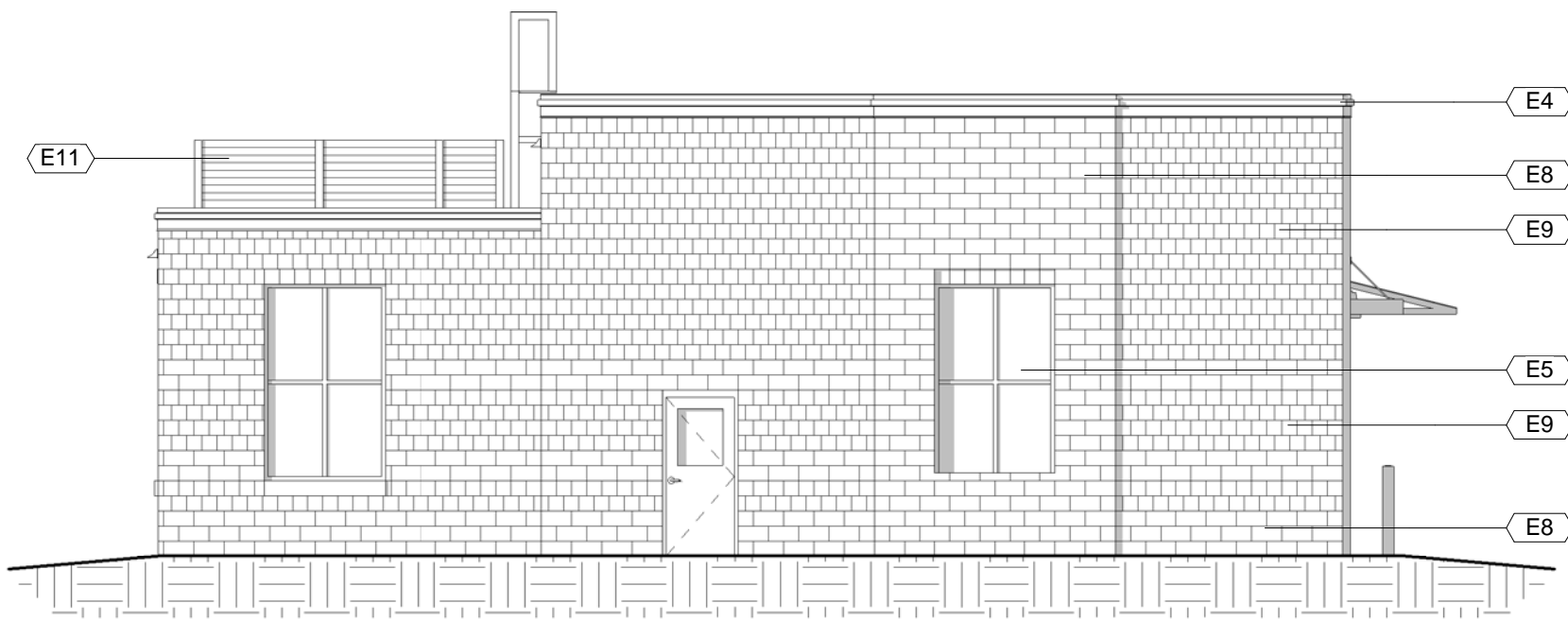
PROSPER WASTEWATER TREATMENT PLANT

LOT 1, BLOCK 1, PROSPER WWTP SUBDIVISION EXEMPTION
COUNTY OF ARAPAHOE, STATE OF COLORADO

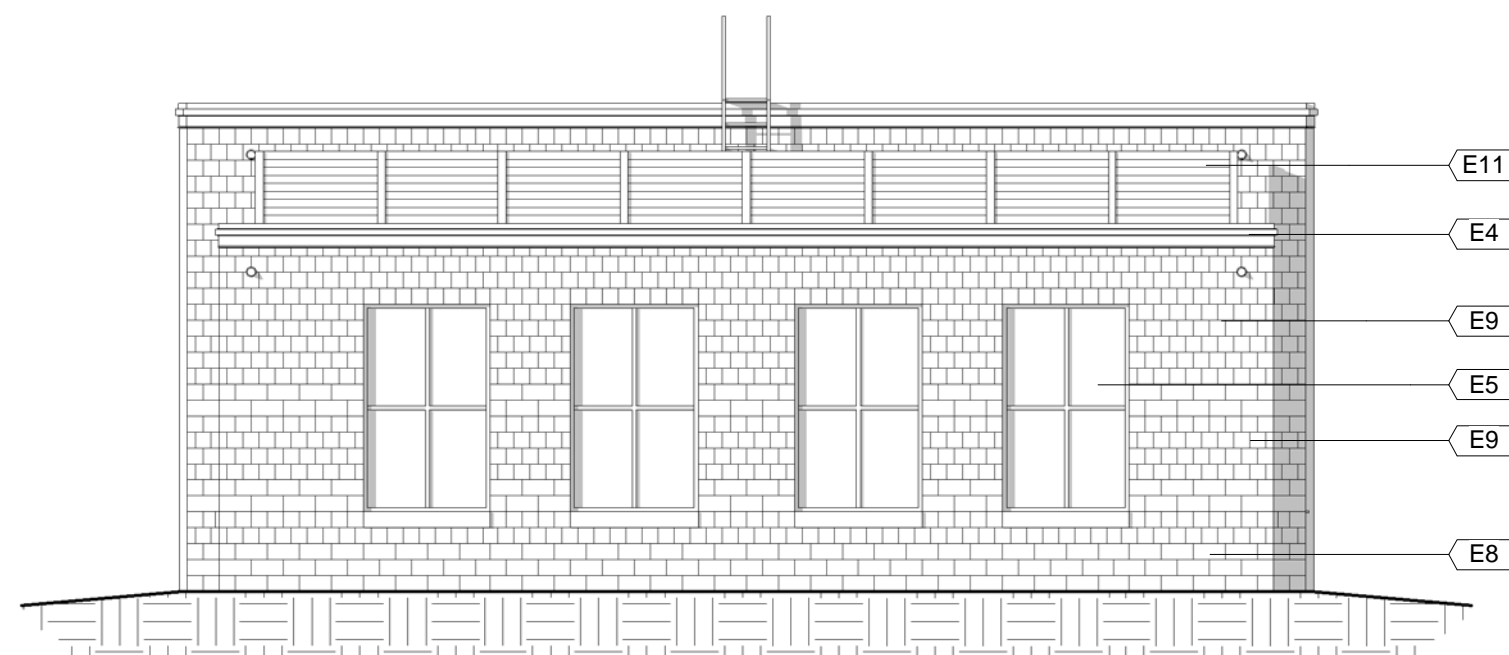
ELEVATION KEYED NOTES	
NOTE	DESCRIPTION
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E4	METAL FASCIA
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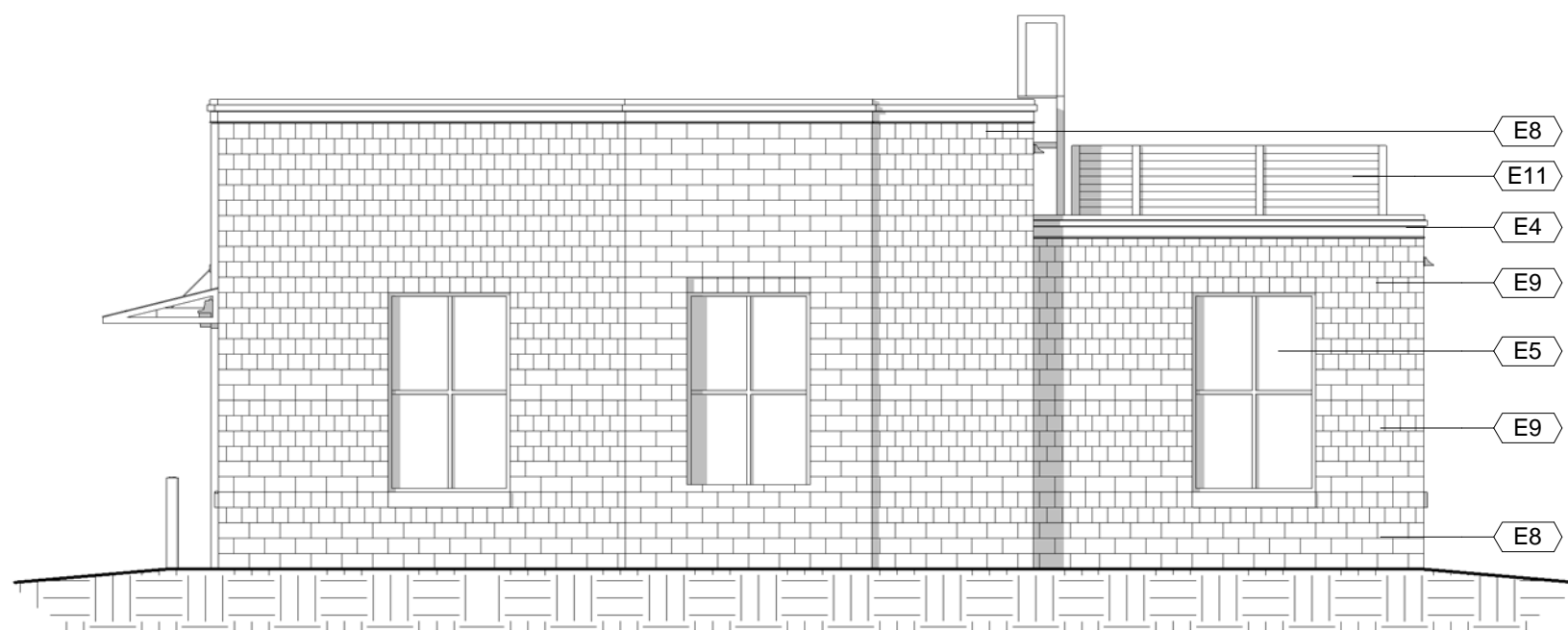
A SOUTH ELEVATION
Scale: 1/8" = 1'-0"



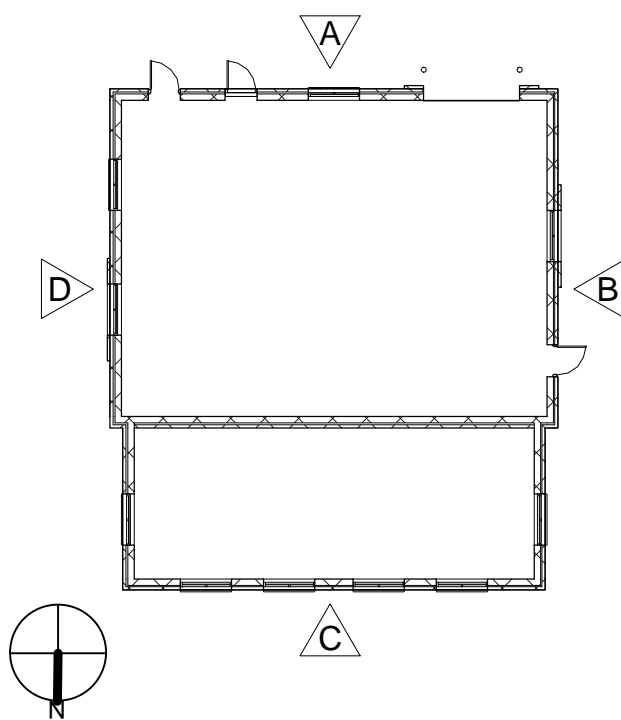
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D EAST ELEVATION
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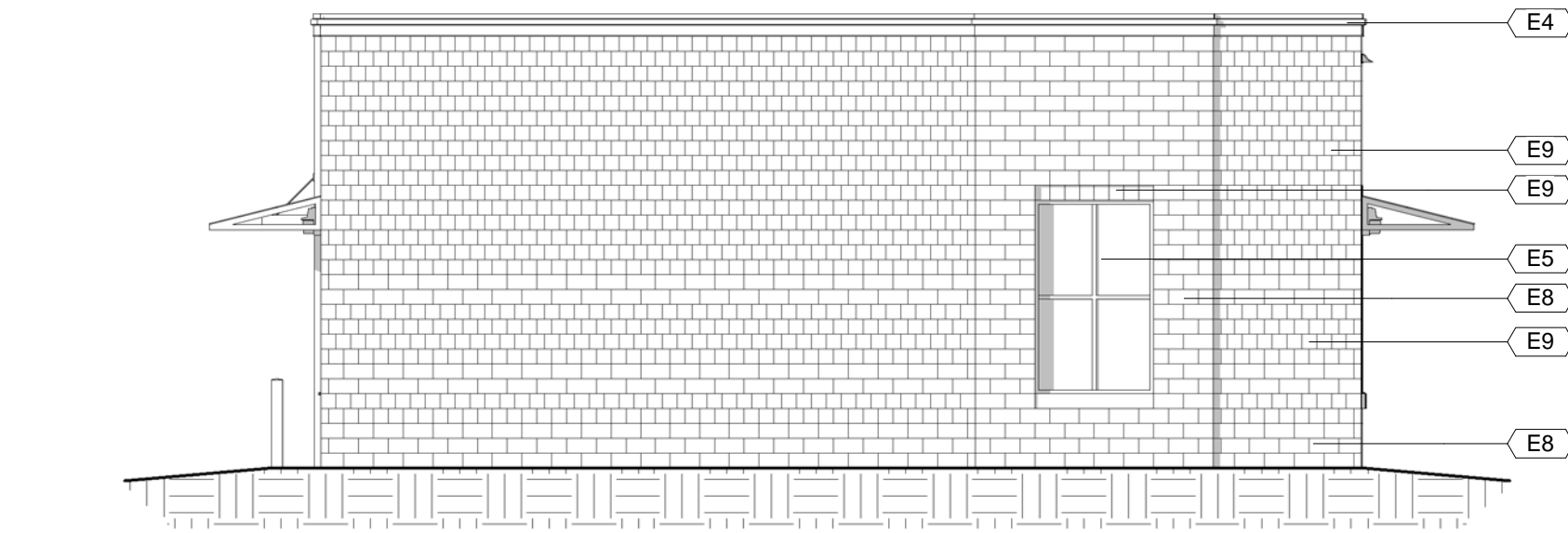
REVISIONS		DATE	BY
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C	COUNTY REVIEW COMMENTS-ROUND 2	07/07/16	ML

LOCATION AND EXTENT

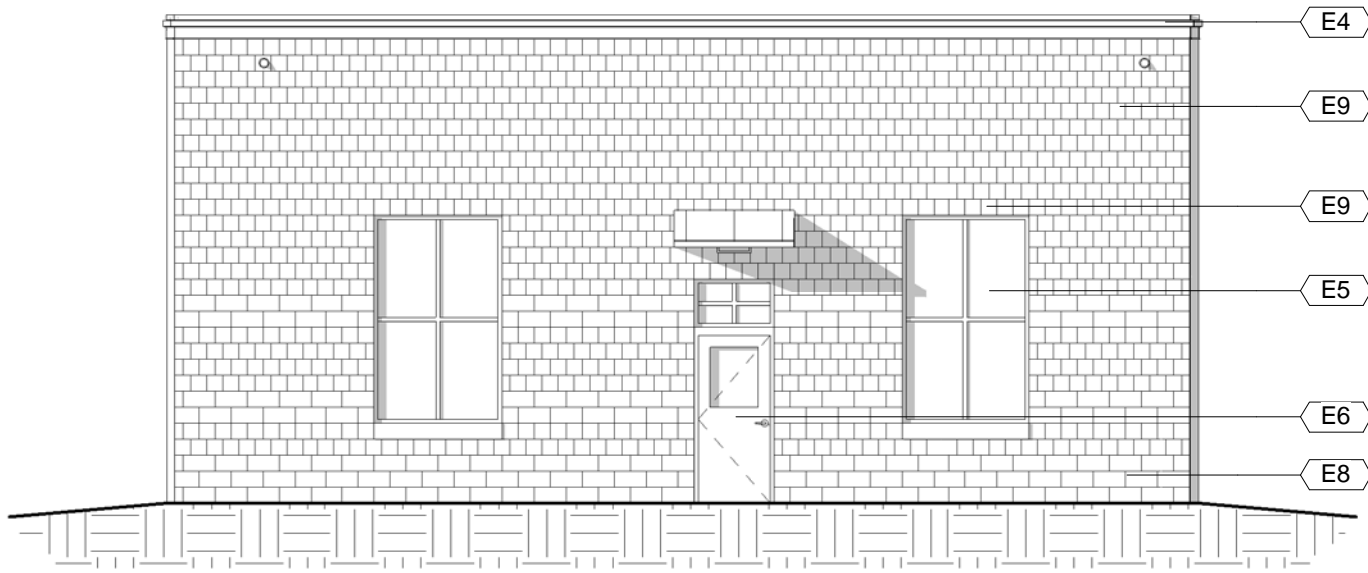
PROSPER WASTEWATER TREATMENT PLANT

LOT 1, BLOCK 1, PROSPER WWTP SUBDIVISION EXEMPTION
COUNTY OF ARAPAHOE, STATE OF COLORADO

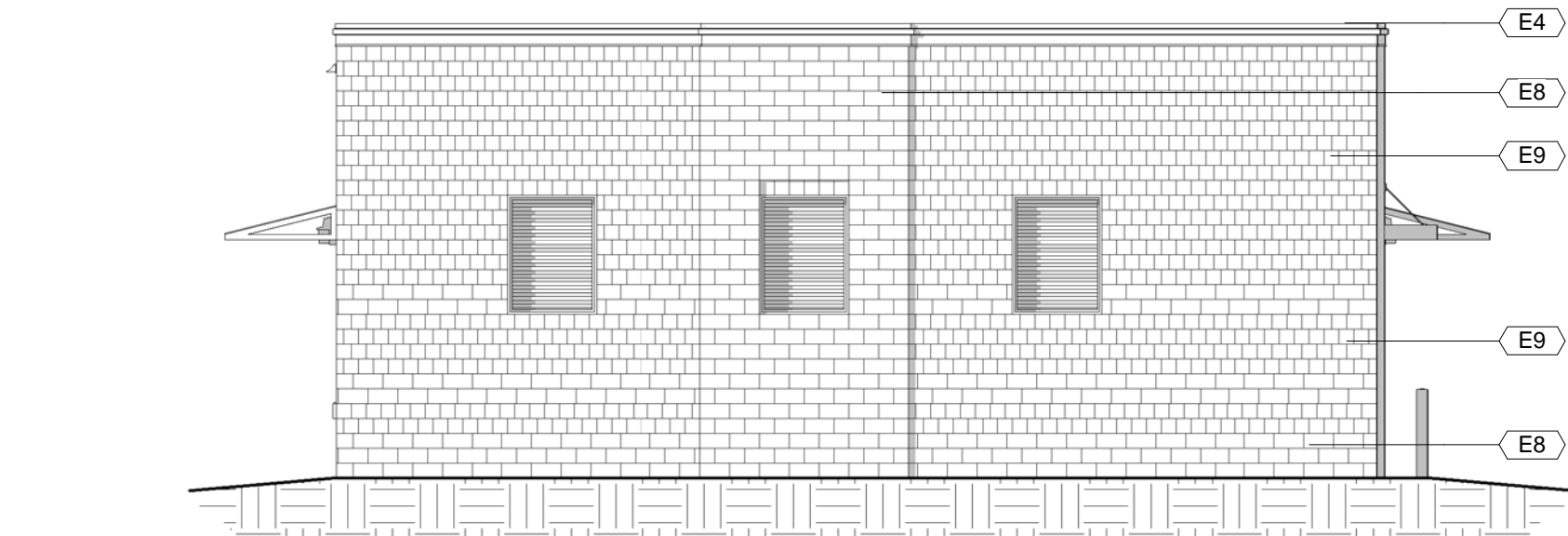
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E8	CMU - 8X16
E9	CMU - 8X8
E10	OVERHEAD COILING DOOR
E11	EQUIPMENT SCREEN
E12	METAL CLADDING



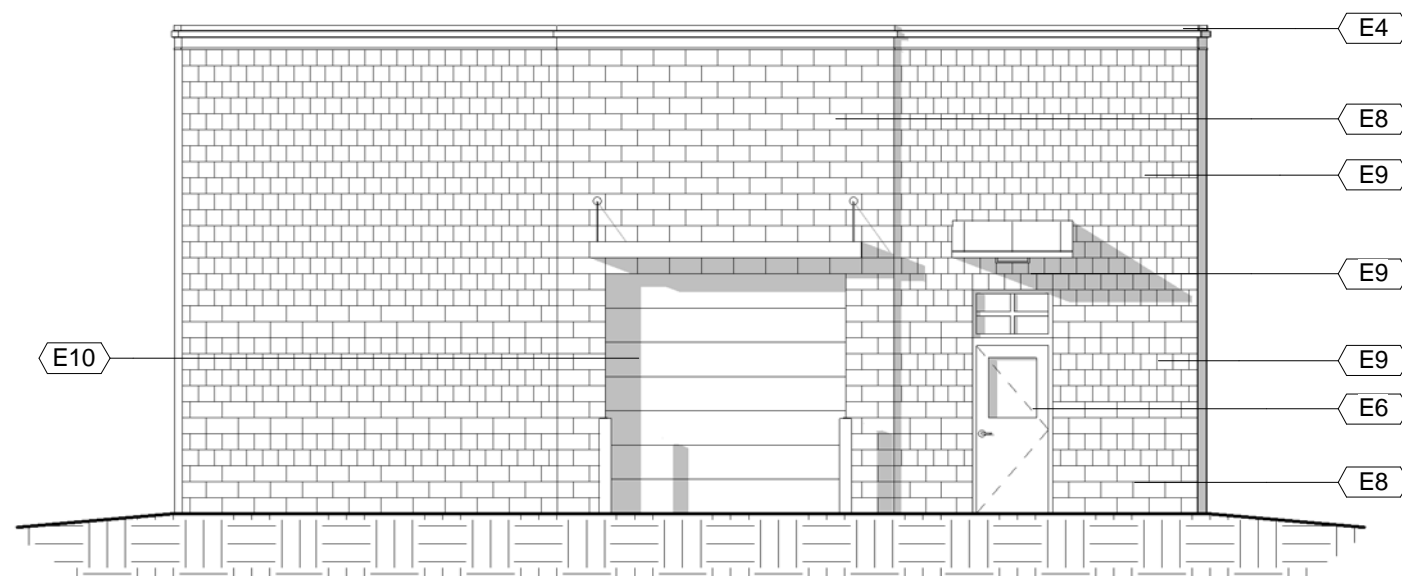
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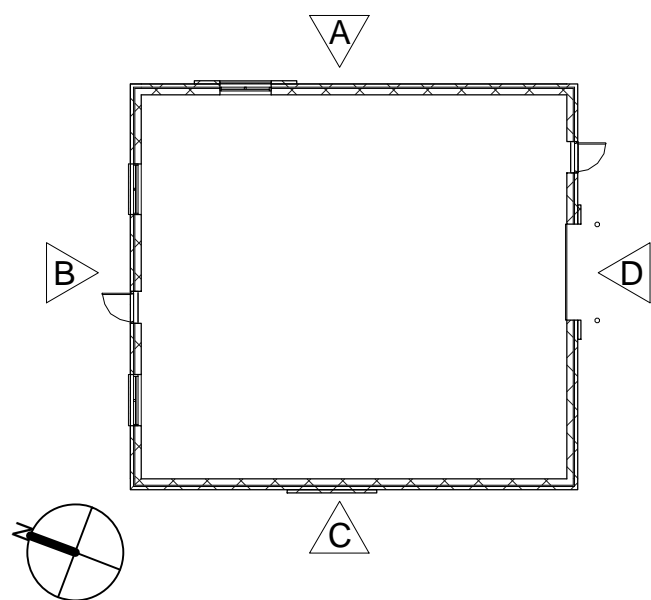
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REVISIONS	
#	DESCRIPTION
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2	COUNTY REVIEW COMMENTS

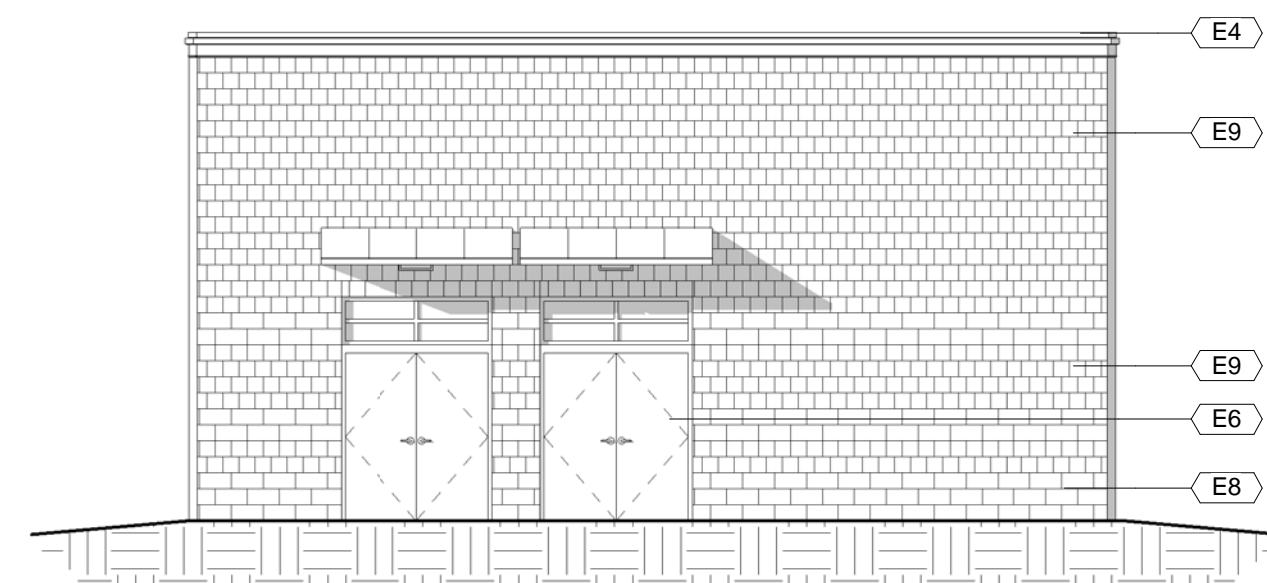
PROSPER REGIONAL WATER & SANITATION
SERVICE METROPOLITAN DISTRICT
PROSPER, COLORADO
WASTEWATER TREATMENT PLANT
A-8000 DIGESTER BLOWER BUILDING

INITIAL PLAN RELEASE: 2013.05.01 DESIGNED BY: DRAWN BY: VL CHECKED BY:	JOB NO. 50079191 SHEET 11 OF 15
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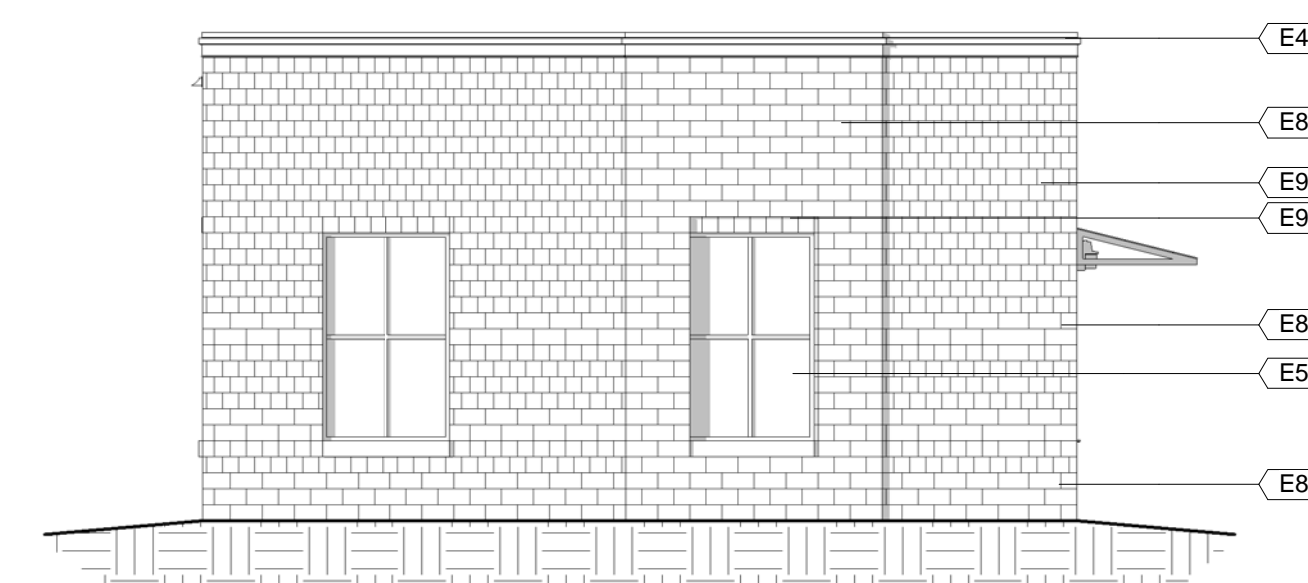
LOCATION AND EXTENT PROSPER WASTEWATER TREATMENT PLANT

LOT 1, BLOCK 1, PROSPER WWTP SUBDIVISION EXEMPTION
COUNTY OF ARAPAHOE, STATE OF COLORADO

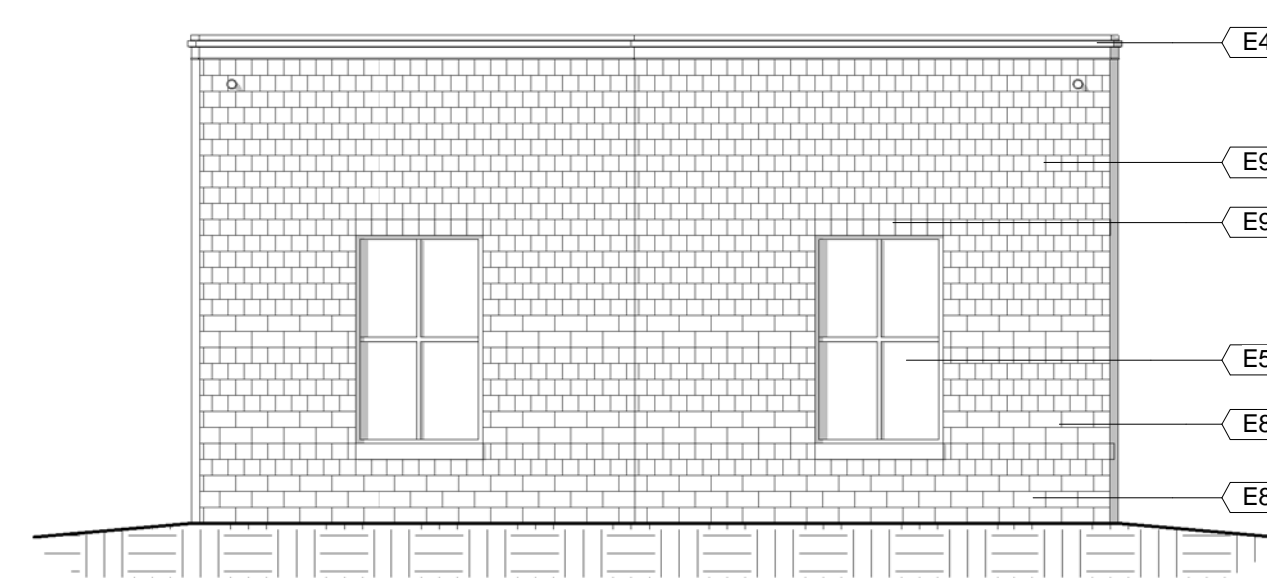
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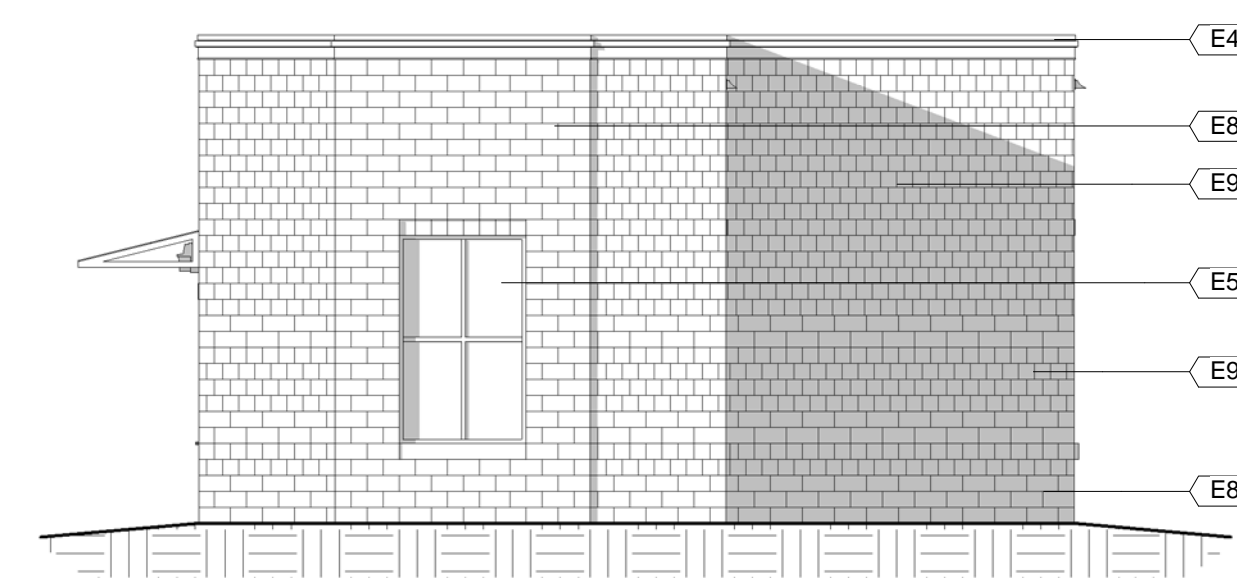
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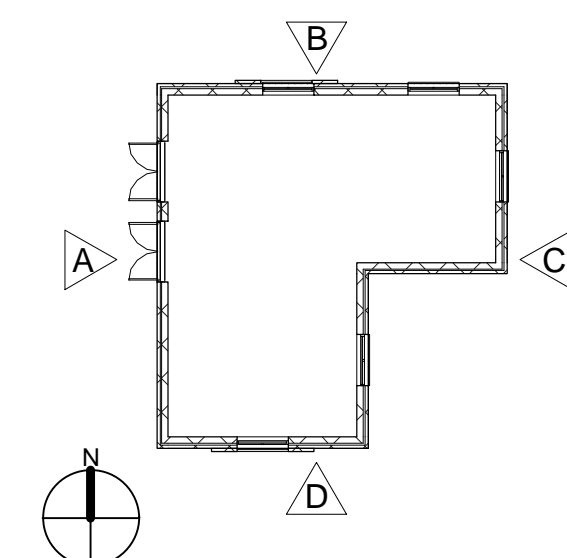
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Scale: 1/8" = 1'-0"



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DIG. GROUND CONDITIONS ARE THE MAKING
OF UNDERGROUND MEMBER UTILITIES.

CORE ASSUMES NO RESPONSIBILITY FOR EXISTING UTILITY
LOCATIONS (HORIZONTAL AND VERTICAL). THE EXISTING
LOCATIONS SHOWN ON THIS DRAWING HAVE BEEN PLOTTED
FROM THE BEST AVAILABLE INFORMATION. IT IS HOWEVER
THE RESPONSIBILITY OF THE CONTRACTOR TO FIELD VERIFY
THE LOCATION OF ALL UTILITIES PRIOR TO THE
COMPLETION OF ALL CONSTRUCTION ACTIVITIES.

REVISIONS			
#	DESCRIPTION	DATE BY	
B	INITIAL COUNTY REVIEW COMMENTS	05/13/16	WL
C	COUNTY REVIEW COMMENTS-ROUND 2	07/01/16	WL

**PROSPER REGIONAL WATER & SANITATION
SERVICE METROPOLITAN DISTRICT**
PROSPER, COLORADO
WASTEWATER TREATMENT PLANT
A-8500 SOLIDS HANDLING BUILDING

INITIAL PLAN
RELEASE: 2013.05.01
DESIGNED BY:
DRAWN BY: VL
CHECKED BY:

JOB NO. 50079191
SHEET 13 OF 15

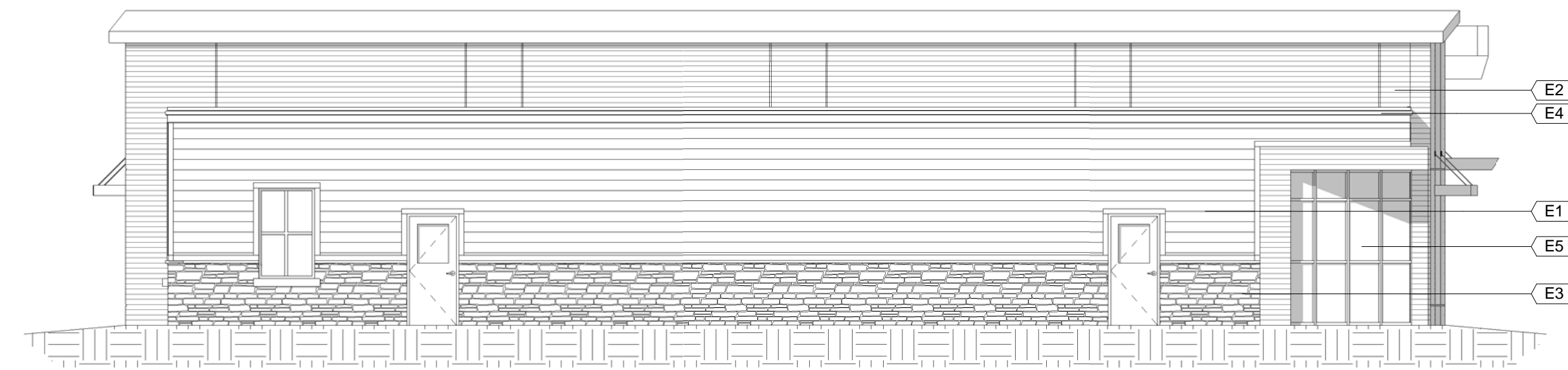
LOCATION AND EXTENT PROSPER WASTEWATER TREATMENT PLANT

LOT 1, BLOCK 1, PROSPER WWTP SUBDIVISION EXEMPTION
COUNTY OF ARAPAHOE, STATE OF COLORADO

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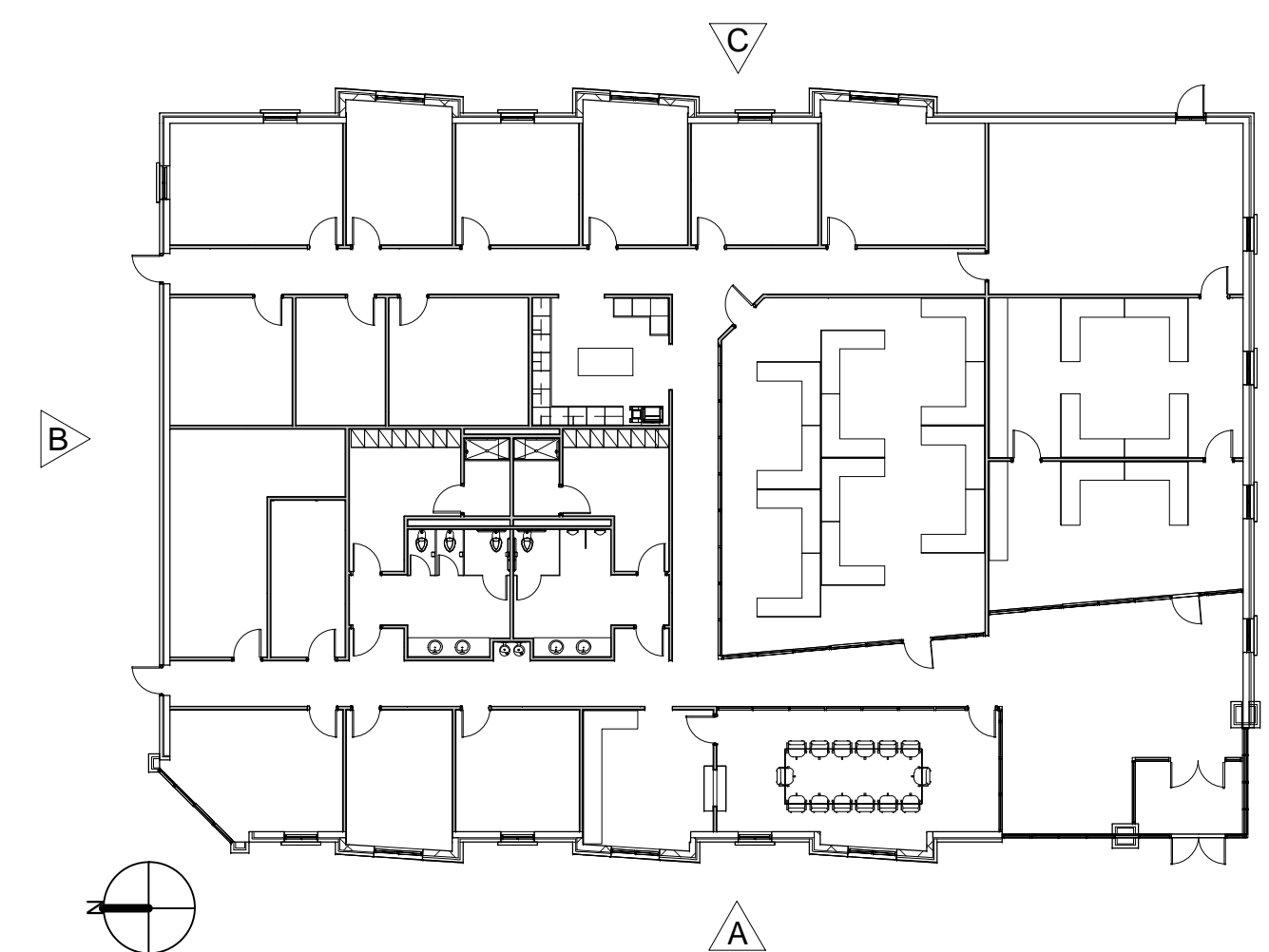
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C	COUNTY REVIEW COMMENTS-ROUND 2	07/01/16	WL

**PROSPER REGIONAL WATER & SANITATION
SERVICE METROPOLITAN DISTRICT**
PROSPER, COLORADO
WASTEWATER TREATMENT PLANT
A-9000 ADMINISTRATION BUILDING

INITIAL PLAN
RELEASE: 2013.05.01
DESIGNED BY: _____
DRAWN BY: VL
CHECKED BY: _____

JOB NO.
50079191

SHEET
14 OF 15

LOCATION AND EXTENT

PROSPER WASTEWATER TREATMENT PLANT

LOT 1, BLOCK 1, PROSPER WWTP SUBDIVISION EXEMPTION
COUNTY OF ARAPAHOE, STATE OF COLORADO

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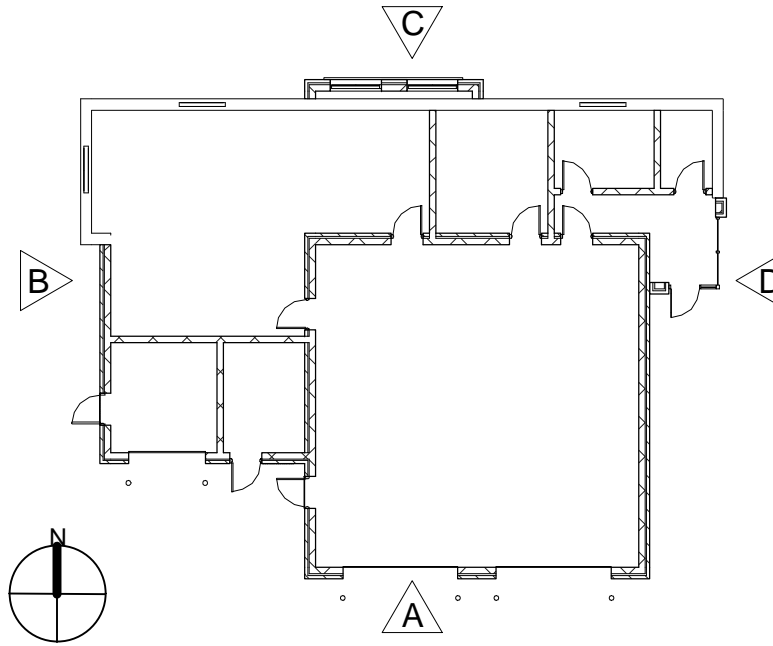
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REVISIONS		DATE	BY
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1	INITIAL COUNTY REVIEW COMMENTS	05/13/16	ML
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Board Summary Report

Date: April 17, 2017
To: Board of County Commissioners
Through: Jan Yeckes, Planning Division Manager
From: Sherman Feher
Subject: Prosper Wastewater Treatment Plant, 1041 Permit (ASI16-001).
UPDATE IN BOLD

Purpose and Recommendation

The purpose of this action is to request BOCC approval of a 1041 Permit for a wastewater treatment plant (WWTP). The Planning Commission is recommending denial and the Planning Staff recommended approval with conditions, based on a finding that the applicant has met 1041 Permit approval criteria. **UPDATE: On March 7, 2017 the applicant requested a continuation of the BOCC hearing in order to discuss possible mitigative measures with neighboring property owners. The BOCC granted the continuation of the hearing to May 2, 2017. The specific results of these discussions will be presented by the applicant at that hearing. The applicant has provided a letter that summarizes the results of the discussions with the neighboring property owners (see attachment that follows this BSR).**

The initial public hearing for this case was at the December 20, 2016 Planning Commission meeting. On January 17, 2017, the Planning Commission by a vote of 6-1 recommended denial to the BOCC for the 1041 Permit case (ASI16-001). The Planning Commission based their recommendation for denial on the detrimental impacts of the wastewater treatment plant to neighboring properties. In discussing the motion, Planning Commission members said that while the WWTP might meet Colorado Department of Public Health and Environment (CDPHE) setback criteria, the applicant has not done enough to mitigate adverse impacts and the applicant should explore other options for locating the WWTP further from the school. Planning Commissioner Weiss voted against the motion, noting that the applicant followed setback requirements and procedures.

There were approximately 36 public comments at the hearings in opposition to this case, including parents of children that attend Our Lady of Help Christians Academy, students, parishioners and a Pastor of Saint Isidore Church, nearby residents, school administrators, and a Bennett Town Trustee. Approximately 45 people indicated opposition on the sign-in sheets but did not address the Planning Commission. Speakers were primarily concerned about odors and safety as well as EPA policies for siting of schools, and the possibility of relocating the WWTP. A comment was made that the church and school were not specifically mentioned in the Preliminary Development Plan documents. A Bennett Town Board Trustee made the suggestion that Prosper and Bennett could do a WWTP that would serve both entities.

The applicant's team made a presentation and responded to a number of the public's comments and questions. The Prosper development's topography generally drains from south to north and the WWTP site is near the lowest point. WWTP facilities are better designed to work with gravity; the more lift/pump stations in a system, the more places for potential mechanical failure and odors. The proposed Prosper WWTP exceeds CDPHE's setback requirements for this type of facility. The applicant said that CDPHE requires a 100 foot setback for covered, enclosed, mechanical facilities such as theirs. The applicant is proposing a 345 foot setback from the school to the closest WWTP building and approximately a 250 feet setback from the nearest part of the playfield to the WWTP. The applicant said that moving the WWTP is not easy due to topography, sewer pipes, grading, and roads. CDPHE is the permitting authority for this WWTP and not EPA policies. The applicant is also concerned about odors because residents of Prosper would be affected by them, so they have additional odor controls on the WWTP.

The Planning Commission by a vote of 6-1 denied a related Location & Extent Case (L16-002) that provided site plan information. The applicant has appealed this denial to the BOCC. This appeal will be heard on the same day as the 1041 Permit case for the wastewater treatment plant.

Background

The Prosper development Preliminary Development Plan (PDP) and 1041 Permit for a "New Community" was approved by the BOCC on February 10, 2015 as a 5,130 acre mixed-use development with 9,000 dwelling units and 8,000,000 square feet of commercial, light industrial, and office buildings. The PDP exhibit showed the location of an approximately 9 acre Planning Area (PA-71) for the location of a WWTP near the north central area of the Prosper Development, where the current proposed site for the WWTP 1041 Permit, Location and Extent case, and Subdivision Exemption case are located. The proposed WWTP site is adjacent to the Saint Isidore Church property and approximately 345 feet from the Our Lady of Help Christians Academy school building, a private school on the church property.

Prosper Regional Water and Wastewater Metropolitan District would like to build a wastewater treatment plant for the Prosper development in eastern Arapahoe County near Watkins. The applicant applied for three planning cases related to the wastewater treatment plant: 1) 1041 Permit (the 1041 Permit provides general environmental, cultural/historical and socioeconomic information), 2) Location and Extent Case (the L&E case provides more site specific details), and 3) Subdivision Exemption Case (provides a legally exempt subdivided lot for the WWTP).

Another related case to the 1041 Permit and the appeal of the Location and Extent is the Subdivision Exemption case for the parcel that the wastewater treatment plant. This case will be heard on the same day as the 1041 Permit case for the wastewater treatment plant and the appeal of the Planning Commission denial of the Location and Extent case.

Align Arapahoe

If the proposed 1041 Permit is approved, it could "improve the County's economic environment" by generating jobs to build the WWTP and the Prosper development.

Alternatives

The Board of County Commissioners has 3 alternatives:

1. Deny the 1041 Permit

2. Approve the 1041 Permit with Conditions of Approval
3. Continue to a date certain for more information

Fiscal Impact

No specific fiscal impact study has been done for this case so it is difficult to determine the exact fiscal impact to the County. If the WWTP and the Prosper development are built, the County would benefit from increased property tax revenues.

Concurrence

Reviewed By:

Sherman Feher
Jason Reynolds
Jan Yeckes
Dave Schmit
Todd Weaver
Bob Hill



April 17, 2017

Mr. Sherman Feher, Planning Program Manager
Arapahoe County Public Works and Development
6924 S. Lima Plaza.
Centennial, CO 80112

**Re: Prosper Waste Water Treatment Plant
1041 and Location & Extents Application**

Dear Sherman,

As communicated at the March 7th, 2017 Board of County Commissioners meeting, the intent of the Prosper Metropolitan Coordinating District is to conduct additional meetings with St. Isadore church regarding the proposed Waste Water Treatment Plant. These meetings are in addition to the two church meetings conducted prior to the March 7th, 2017 hearings.

A meeting was conducted on April 4th with the church to further discuss the location of the proposed waste water treatment plant including the Colorado Department of Health and Environment (CDPHE) site criteria. It was also discussed that the proposed waste water treatment plant was located at the lowest point of the site which allowed the 5,130 acres to gravity sewer to the plant which would avoid the need for additional lift stations. Providing a gravity sewer system further reinforces reliability, safety and long-term cost/energy efficiency for future residents and users (which may also include the church).

Alternative site locations and the associated implications including the requirements for additional lift stations were discussed. Relocating the plant a 1,000' south as suggested by the church and the impacts to the Coyote Run and Rat Run flood plains (enlarging/combining of the floodplains) was also reviewed. Odor control issues were discussed and addressed at the meeting including odor control technology (not required by CDPHE) that could be provided to the plant. While both parties seemed to agree that the odor issue could be addressed with added odor controls, the church also expressed concerns regarding the potential aesthetic impacts of the plant as viewed to the west from the school.

Based on the April 4th hearing, Prosper created a visual simulation to address some of the questions associated with the view of the plant. Potential additional buffering that Prosper could incorporate along the perimeter of the plant and on the church property was also discussed. A meeting was conducted on April 17th to review and discuss the simulation and the aesthetics with the church. Further discussion regards to relocating specific components of the plant away from the school was also discussed further.

Based on the April 17th meeting, it is the intent to further review and follow-up with the church regarding the respective items. At this time, the intent is to conduct the Board of County Commissioners meeting on May 2nd, 2017.

Please review and call with questions or comments.

Sincerely,

Vogel & Associates, LLC

Jeffrey Vogel, AICP

Principal

DRAFT MOTIONS FOR 1041 PERMIT:

A. DENIAL *(This motion is consistent with the Planning Commission recommendation for denial, but would not be consistent with the Staff recommendation for approval that is listed below.*

In the case of ASI16-001, Prosper Wastewater Treatment Plant 1041 Permit, we have read the staff report, dated December 8, 2016, and received testimony at the public hearing. We find ourselves in agreement with the Planning Commission finding that this project will have detrimental impact to neighboring properties and DENY the request for approval of the 1041 Permit and further find that the proposed Plant location is inconsistent with the following: [1041 approval criteria].

B. APPROVAL *(This motion is consistent with the Staff recommendation in the attached Planning Staff Report to the Planning Commission dated, December 8, 2016)*

In the case of ASI16-001 – Prosper Wastewater Treatment Plant 1041 Permit case, we have read the staff report and received testimony at the public hearing. We find ourselves in agreement with staff findings for the 1041 Permit application including all plans and attachments as set forth in the Planning Commission staff report dated December 8, 2016 and approve, subject to the following conditions:

1. The applicant makes any modifications to plans, as requested by the Public Works & Development Department, prior to any construction is started on this project.
2. The applicant agrees to address all Engineering Services Division comments and concerns as identified within their staff reports, prior to construction.
3. The Applicant will obtain a permit to construct and operate a wastewater treatment plant from the Colorado Department of Public Health and Environment prior to construction of the wastewater treatment plant.
4. The applicant agrees to address comments issued by the Urban Drainage and Flood Control District (UDFCD).
5. The applicant will execute a Subdivision Improvement Agreement.

C. CONTINUE: In the case of ASI16-001, Prosper Wastewater Treatment Plant, 1041 Permit, I move to continue the decision on this request to [DATE], 2017, date certain, at 9:30 a.m., at this same location [to receive further information] [to further consider information presented during the hearing].

RESOLUTION NO. XXXXX

It was moved by Commissioner _____ and duly seconded by Commissioner _____ to adopt the following Resolution:

WHEREAS, the Board of County Commissioners ("the Board") of the County of Arapahoe, State of Colorado, on June 2, 2004 adopted Regulations Governing Areas and Activities of State Interest in Arapahoe County ("1041 Regulations") and, on December 12, 2006, the Board readopted and amended said 1041 Regulations; and

WHEREAS, the Prosper Regional Water and Sanitation Metropolitan District submitted an application, pursuant to said 1041 Regulations, Case # ASI16-001, for development in the designated area of state interest for a permit for wastewater treatment plant; and

WHEREAS, on December 20, 2016, the Arapahoe County Planning Commission held a duly noticed public hearing on this application for development in the designated area of state interest and following such public hearing voted to continue to a date certain of January 17, 2017.

WHEREAS, on January 17, 2017 the Arapahoe County Planning Commission continued the public hearing on this application for development in the designated area of state interest and following such public hearing voted to recommend that the application be denied as shown on the record of the said Planning Commission proceeding; and

WHEREAS, public notice of the application for such 1041 permit was properly given by publication in The Villager on January 26, 2017, a newspaper of general circulation within Arapahoe County and in the I-70 Scout on January 24, 2017, a newspaper of general circulation in the east County, as well as by mail notice to adjoining land owners and posting for affected property; and

WHEREAS, pursuant to state statute and the aforementioned notice provisions, a public hearing was held before the Board at the Arapahoe County Administration Building, 5334 South Prince Street, Littleton, Colorado, on the 7th day of March, 2017, at 9:30 o'clock a.m., at which time jurisdiction was established and evidence and testimony were presented to the Board concerning said application for a permit for development in the designated area of state interest; and

WHEREAS, the Board has reviewed the record made at the public hearing, has considered the materials submitted and the testimony and evidence presented at the public hearing and has made findings of fact on this matter.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Arapahoe County as follows:

FINDINGS OF FACT

The Board makes the following findings of fact:

1. The Board has jurisdiction over the subject matter of this application, for a permit

for development in a designated area of state interest pursuant to Article 65.1 of Title 24, C.R.S and pursuant the Arapahoe County 1041 Regulations.

2. At the March 7, 2017 public hearing held on this application, all the statutory requisites and requirements of the Colorado Revised Statutes regarding notice, due process and procedure were met and no objections were made thereto.
3. In considering an application for a permit for development in a designated area of state interest the Board has considered that:
 - a. the protection of the utility, value and future of all lands within Arapahoe County, including the public domain as well as privately owned land, is a matter of public interest; and
 - b. land use, land use planning and quality of development are matters which the County has responsibility for the protection of the environment of the County and for the health, welfare and safety of the residents and property owners of Arapahoe County.
4. The Arapahoe County Department of Public Works and Development has made comments regarding this application indicating certain concerns that need to be addressed prior to signature, if approved.
5. Although the Arapahoe County Planning Division has made a recommendation of conditional approval regarding this application, the Board disagrees with that recommendation and finds that the proposed Waste Water Treatment Plant does not comply with the criteria for approval set forth in the Arapahoe County 1041 Regulations in the following respects:

[state each specific finding]

6. The proposed development does not comply with the guidelines and criteria for development in the area of state interest designated by Arapahoe County pursuant to the Arapahoe County 1041 Regulations.

DECISION

On the basis of the evidence and testimony before the Board of County Commissioners of Arapahoe County, the aforementioned findings of fact, the entire record and in the interest of the residents and property owners of Arapahoe County, the Board hereby denies the application of Prosper Regional Water and Sanitation Metropolitan District for a permit (Case No. ASI16-001) to engage in development in the area of state interest designated under the 1041 Regulations, which development is a wastewater treatment plant.

BE IT FURTHER RESOLVED that in accordance with Section 24-65.1-501(5)(b), C.R.S., as amended, the Board shall preserve the record of the proceedings.

The vote was:

Commissioner Baker, ; Commissioner Conti, ; Commissioner Holen, ; Commissioner Jackson, ; Commissioner Sharpe, .

The Chair declared the motion carried and so ordered.

RESOLUTION NO. XXXXX

It was moved by Commissioner _____ and duly seconded by Commissioner _____ to adopt the following Resolution:

WHEREAS, the Board of County Commissioners ("the Board") of the County of Arapahoe, State of Colorado, on June 2, 2004 adopted Regulations Governing Areas and Activities of State Interest in Arapahoe County ("1041 Regulations") and, on December 12, 2006, the Board readopted and amended said 1041 Regulations; and

WHEREAS, the Prosper Regional Water and Sanitation Metropolitan District submitted an application, pursuant to said 1041 Regulations, Case # ASI16-001, for development in the designated area of state interest for a permit for wastewater treatment plant; and

WHEREAS, on December 20, 2016, the Arapahoe County Planning Commission held a duly noticed public hearing on this application for development in the designated area of state interest and following such public hearing voted to continue to a date certain of January 17, 2017.

WHEREAS, on January 17, 2017 the Arapahoe County Planning Commission continued the public hearing on this application for development in the designated area of state interest and following such public hearing voted to recommend that the application be denied as shown on the record of the said Planning Commission proceeding; and

WHEREAS, public notice of the application for such 1041 permit was properly given by publication in The Villager on January 26, 2017, a newspaper of general circulation within Arapahoe County and in the I-70 Scout on January 24, 2017, a newspaper of general circulation in the east County, as well as by mail notice to adjoining land owners and posting for affected property; and

WHEREAS, pursuant to state statute and the aforementioned notice provisions, a public hearing was held before the Board at the Arapahoe County Administration Building, 5334 South Prince Street, Littleton, Colorado, on the 7th day of March, 2017, at 9:30 o'clock a.m., at which time jurisdiction was established and evidence and testimony were presented to the Board concerning said application for a permit for development in the designated area of state interest; and

WHEREAS, the Board has reviewed the record made at the public hearing, has considered the materials submitted and the testimony and evidence presented at the public hearing and has made findings of fact on this matter.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Arapahoe County as follows:

FINDINGS OF FACT

The Board makes the following findings of fact:

1. The Board has jurisdiction over the subject matter of this application, for a permit

for development in a designated area of state interest pursuant to Article 65.1 of Title 24, C.R.S and pursuant the Arapahoe County 1041 Regulations.

2. At the March 7, 2017 public hearing held on this application, all the statutory requisites and requirements of the Colorado Revised Statutes regarding notice, due process and procedure were met and no objections were made thereto.
3. In considering an application for a permit for development in a designated area of state interest the Board has considered that:
 - a. the protection of the utility, value and future of all lands within Arapahoe County, including the public domain as well as privately owned land, is a matter of public interest; and
 - b. land use, land use planning and quality of development are matters which the County has responsibility for the protection of the environment of the County and for the health, welfare and safety of the residents and property owners of Arapahoe County.
4. The Arapahoe County Department of Public Works and Development has made comments regarding this application indicating certain concerns that need to be addressed prior to signature, if approved.
5. The Arapahoe County Planning Division has made a recommendation regarding this application with the following conditions of approval:
 - a. The applicant makes any modifications to plans, as requested by the Public Works & Development Department, prior to any construction is started on this project.
 - b. The applicant agrees to address all Engineering Services Division comments and concerns as identified within their staff reports, prior to construction.
 - c. The Applicant will obtain a site development permit to construct and operate the Prosper Wastewater Treatment Plant from the Colorado Department of Public Health and Environment prior to construction of the wastewater treatment plant.
 - d. The applicant agrees to address comments issued by the Urban Drainage and Flood Control District (UDFCD).
 - e. The applicant will execute a Subdivision Improvement Agreement.
6. The proposed development complies with the guidelines and criteria for development in the area of state interest designated by Arapahoe County pursuant to the Arapahoe County 1041 Regulations.

DECISION

On the basis of the evidence and testimony before the Board of County Commissioners of Arapahoe County, the aforementioned findings of fact, the entire record and in the interest of the residents and property owners of Arapahoe County, the Board hereby approves the application of Prosper Regional Water and Sanitation Metropolitan District for a permit (Case No. ASI16-001) to engage in development in the area of state interest designated under the 1041 Regulations, which development is a wastewater treatment plant. This resolution is hereby deemed to be the 1041 permit for development in said area of state interest and is approved, subject to the following conditions of approval:

1. The applicant makes any modifications to plans, as requested by the Public Works & Development Department, prior to any construction is started on this project.
2. The applicant agrees to address all Engineering Services Division comments and concerns as identified within their staff reports, prior to construction.
3. The Applicant will obtain a site development permit to construct and operate the Prosper Wastewater Treatment Plant from the Colorado Department of Public Health and Environment prior to construction of the wastewater treatment plant.
4. The applicant agrees to address comments issued by the Urban Drainage and Flood Control District (UDFCD).
5. The applicant will execute a Subdivision Improvement Agreement.

BE IT FURTHER RESOLVED that in accordance with Section 24-65.1-501(5)(b), C.R.S., as amended, the Board shall preserve the record of the proceedings.

The vote was:

Commissioner Baker, ; Commissioner Conti, ; Commissioner Holen, ; Commissioner Jackson, ; Commissioner Sharpe, .

The Chair declared the motion carried and so ordered.

Board of County Commissioners

Engineering Summary Report

Date: February 17, 2017

To: Arapahoe County Board of County Commissioners

Via: Sherman Feher
Planning Division

From: Sarah White
Engineering Services Division

Re: **Prosper Wastewater Treatment Plant (WWTP)**
ASI16-001 1041 Permit
L16-002 Location & Extent
X16-001 Subdivision Exemption

Purpose and Recommendation

The purpose of this report is to provide the Engineering Services Division Staff findings, comments, and recommendations regarding the above-referenced land use application(s).

Scope/Location:

Vogel and Associates and Dewberry Engineers Inc., on behalf of owners, VREI, Inc., is requesting approval of the 1041, Location & Extent and Subdivision Exemption for the development of the Prosper Wastewater Treatment Plant (WWTP). The proposed development is generally located within the area known as 'Prosper', south of Interstate 70, east of N. Watkins Road and north of E 6th Avenue. The proposal is for a wastewater treatment plant on approximately 9 acres. The site is proposed to be built in 4 phases based on the future development of Prosper.

The site is located within the Box Elder Creek drainage basin. Phase I development will utilize a temporary access road (reference Arapahoe County Case No. E16-029) until the permanent public road is built out as per the Prosper PDP (case no. Z12-100).

Referenced Referral Items

1041
L&E Exhibit
Subdivision Exemption
Drainage Report
Construction Drawings
O&M Manual
GESD Plans and Report

Cc: *Chuck Haskins, Engineering Services Division, Division Manager*
Case Files ASI16-001, L16-002, X16-001

11. All applicable public and private improvements (i.e., storm sewer systems, detention ponds, roadways appurtenances, etc.) associated with this development proposal shall be guaranteed within a Subdivision Improvements Agreement (SIA). The applicant will be required to enter into a Subdivision Improvement Agreement (SIA) to guarantee onsite and offsite improvements related to this development. Subdivision Improvement Agreement will be prepared by County Staff with finalization of costs.
12. Staff reviewed contours and elevations for the WWTP, per aerial photography and County GIS. The WWTP is located at the lowest elevation within the Prosper PDP boundaries outside of the floodplain. Elevation increases as the topography fans in a bowl-or U-shaped pattern towards the south, east and west.

Recommendations:

The Division of Engineering Services recommends this case favorably subject to the following conditions:

1. The applicant agrees to address the Division of Engineering Services' comments and concerns as identified within the ESD Staff Report dated 9/20/2016.
2. The applicant agrees to address comments issued by the Urban Drainage and Flood Control District (UDFCD).
3. The applicant executes a Subdivision Improvement Agreement.

Sherman Feher

From: Jeff Baker
Sent: Monday, March 06, 2017 8:33 AM
To: Jan Yeckes; Jason Reynolds; Sherman Feher
Subject: FW: Prosper Wastewater Treatment Plan

FYI...

From: Bob Neumann [mailto:bneu9423@gmail.com]
Sent: Monday, March 6, 2017 7:12 AM
To: Jeff Baker <JBaker@arapahoegov.com>
Subject: RE: Prosper Wastewater Treatment Plan

Please deny the building of this wastewater treatment plant next to our parish church (St. Isidore) and school. Consider the disruption this will cause to our students education.

I could not imagine this would even be considered if this was a public school.

I do own 39 acres in Arapahoe County near Byers, which I plan on building on this land sometime in the future. I do hope that I can witness the County Commissioners making the correct choice on this issue, in Watkins.

Thank you for your consideration.

Bob Neumann

9423 W. Kentucky Pl.

Lakewood, CO 80226

Sherman Feher

From: Jason Reynolds
Sent: Thursday, March 02, 2017 3:28 PM
To: Sherman Feher
Subject: FW: Sewage Plant Hearing

-----Original Message-----

From: Jeff Baker
Sent: Thursday, March 02, 2017 3:20 PM
To: Jan Yeckes <JYeckes@arapahoegov.com>; Jason Reynolds <JReynolds@arapahoegov.com>
Subject: FW: Sewage Plant Hearing

Forwarding for the file. Thanks!

-----Original Message-----

From: Megan Dowd [mailto:st.nicks12six@gmail.com]
Sent: Thursday, March 2, 2017 3:03 PM
To: Jeff Baker <JBaker@arapahoegov.com>
Subject: Sewage Plant Hearing

Dear Jeff,

Welcome, Commissioner!

I am writing in regards to a hearing which will take place on March 7, regarding Prosper Farms LLC's proposed sewage treatment plant. I was at both Planners meetings where this plant was discussed and where ultimately approval was denied by the Planners.

There were several facts that came out during those meetings that have myself as well as many other people highly concerned about this project.

Probably the most concerning matter regarding this plant is that from beginning to end, from the initial (over 400 page) application to the two Commissioners meetings where they were granted their temporary permit, the developers failed to reveal to the Commissioners or the public, the location of a K-12 school immediately adjacent and in close proximity to the proposed site, literally right across the ditch. The school has been in existence at that location for many years.

There is also a church on the property, which is acknowledged in the application, but it is much further away from the proposed site.

As the parent of a child in said school, I am highly concerned about the placement of such a massive facility being placed next to the school, not merely for obvious quality of life issues, but for those of safety and health as well. I am also angry that through their own greed, this developer decided in practice to shun common decency and fairness and showed so little regard for the children of the community they are moving into.

The fact that such a crucial fact was not revealed by the developers had a lot to do with the Planners decision. I am hoping that the Commissioners will follow the Planners denial of permit and location, and that is why I am reaching out.

Thank you so much,
Megan Dowd
720-334-2133

Sherman Feher

From: Jeff Baker
Sent: Tuesday, February 28, 2017 10:52 AM
To: Jan Yeckes; Jason Reynolds; Sherman Feher
Subject: Fwd: Wastewater treatment

FYI.

Sent from my iPhone

Begin forwarded message:

From: Rita Connolly <ritaross22@gmail.com>
Date: February 28, 2017 at 11:34:45 AM EST
To: jbaker@arapahoe.gov
Subject: Wastewater treatment

Dear Mr. Baker,

I am a parishioner at St. Isidore in Watkins, Colorado and would like to express my opinion regarding the Wastewater Treatment plant that is being proposed.

As a retired Registered Nurse who has had experience in both grade schools and a high school setting I am very concerned about the health effects for the teachers, students and parents who are attending the area everyday. There are so many environmental toxins which we are concerned about these days and to build a wastewater treatment plant so close to the school would be, I believe, very hazardous for all concerned. With all the open space in that area would it not be better for all concerned to deny the placement of this treatment plant for the sake of growing children ? Please deny any permit to build this treatment plant.

I thank you for reading this letter.

Mrs. Rita Connolly

I thank you for reading this letter and

ARAPAHOE COUNTY PLANNING COMMISSION
PUBLIC HEARING
December 20, 2016

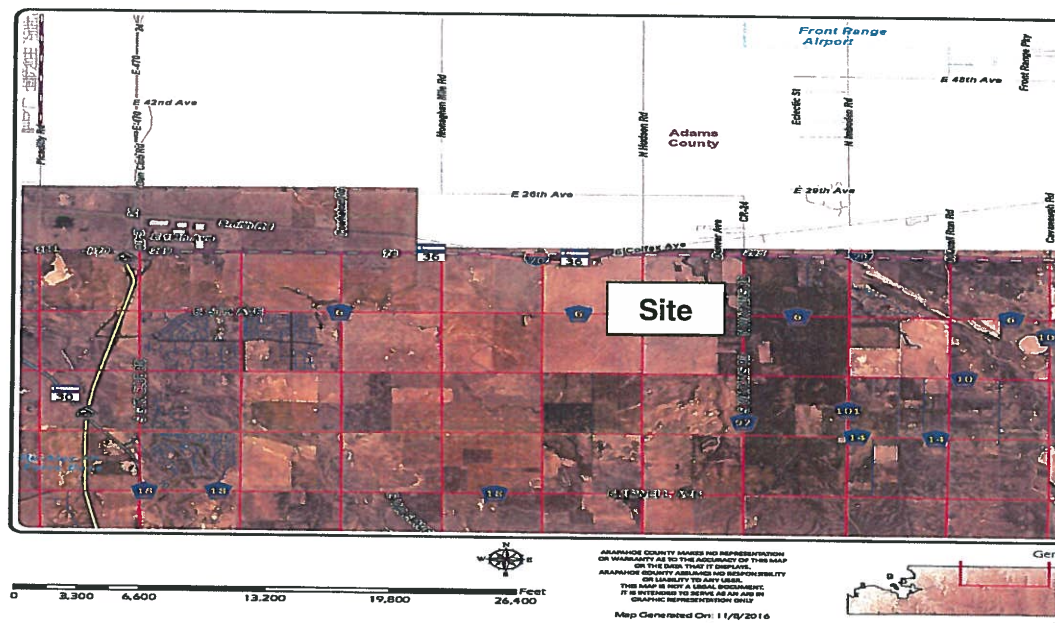
6:30 PM

SUBJECT: ASI16-001 – 1041 PERMIT: PROSPER WASTEWATER TREATMENT PLANT.

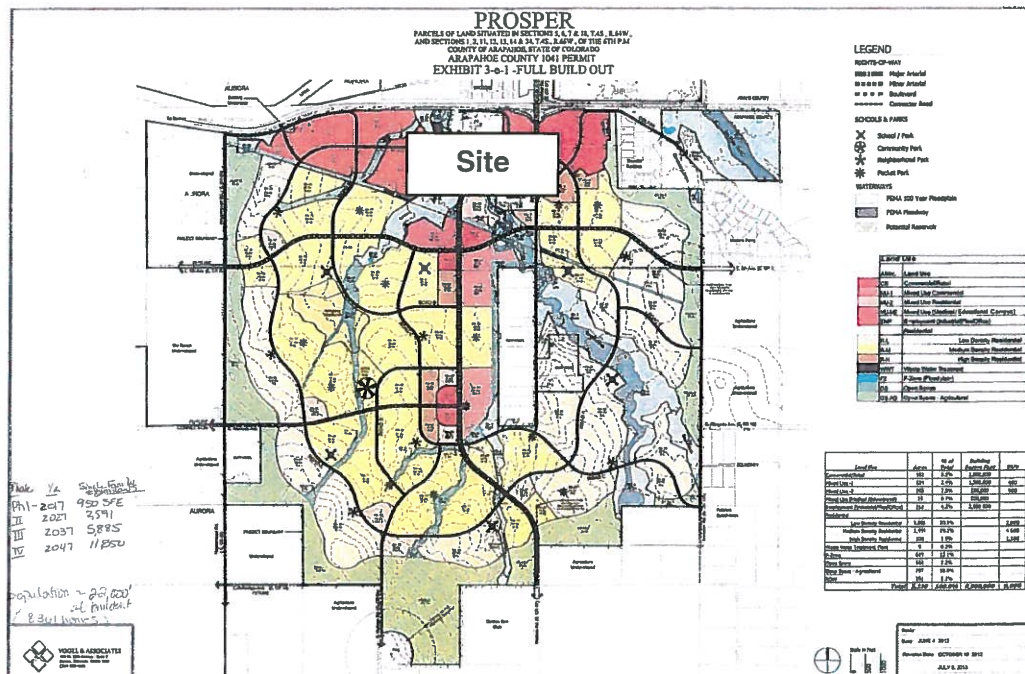
J. SHERMAN FEHER, SENIOR PLANNER

December 8, 2016

VICINITY: This proposal is in Commissioner's District #3. The site is located south of I-70 and approximately 2000 feet west of Watkins Road.



Vicinity Map



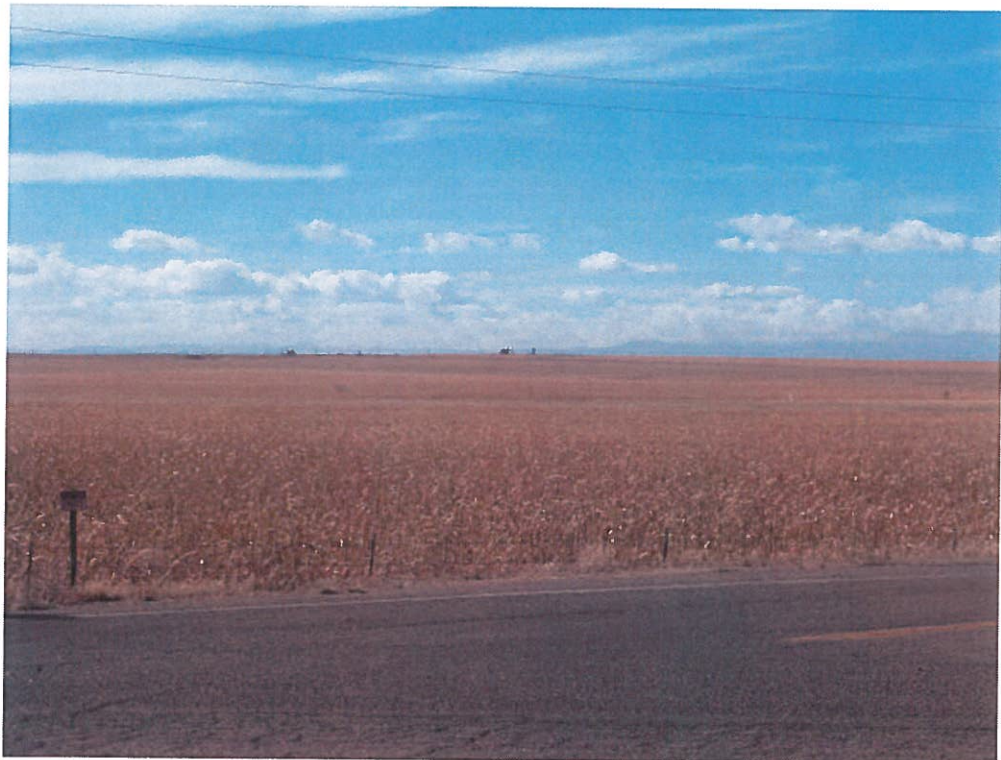
Zoning Map

ADJACENT SUBDIVISIONS, ZONING, AND LAND USES (IN ARAPAHOE COUNTY):

- North - None; MU-PUD; Agriculture
- South - None; MU-PUD; Agriculture
- East - None; MU_PUD; Agriculture
- West - None; MU_PUD; Agriculture



**Looking South
Over WWTP Site**



**Looking SW Over
WWTP Site**

PROPOSAL:

The applicant, Prosper Regional Water and Sanitation Service Metropolitan District, is requesting approval for a 1041 Permit known as the Prosper Wastewater Treatment Plant. The applicant desires to construct a wastewater treatment plant to serve the Prosper development.

This 1041 Permit case for "Site selection and construction of major new.....sewage treatment systems" is being done in conjunction with a Location and Extent (L&E) case. Both of these cases will be heard by the Planning Commission. The Planning Commission will make the final decision on the L&E case and make a recommendation to the BOCC for the 1041 Permit case. The BOCC will make the final decision on the 1041 Permit case. The Location and Extent case primarily reviews the general location and overall extent of the project. The 1041 Permit case reviews environmental and socio-economic factors that are related to the project. There is also a Subdivision Exemption case for the property where the wastewater treatment plant will be located. The Subdivision Exemption case will be heard by the BOCC.

RECOMMENDATIONS AND FINDINGS:

Staff: Staff recommends that the 1041 Permit application be APPROVED, subject to the findings and conditions of approval outlined herein.

I. BACKGROUND

The current zoning for the Prosper development is MU-PUD. The Prosper PDP identifies the proposed site for the wastewater treatment plant as the location for the wastewater treatment plant.

II. DISCUSSION

Comprehensive Plan:

The Comprehensive Plan designation for this area is in Tier 1 of the Planning Reserve. The Planning Reserve is creating a reserve of vacant land to accommodate future uses/development. Tier 1 is envisioned as the first area of development along the I-70 Corridor. One of the goals for Public Facilities and Services is Goal PFS1 IS TO "Plan for Adequate Public Facilities and Service in Growth Areas." As such, this proposed wastewater treatment plant is allowed by the Comprehensive Plan land use designation of Tier 1 of the Planning Reserve and is supported by the Goal for adequate public facilities.

1041 Permit Submittal Requirements:

The applicant has complied with all of the submittal requirements outlined in Section IIIC and IIID in the 1041 regulations.

Referral Comments:

The following are referral comments, as well as the applicant's response to the comments (in italics).

Engineering Services	-	Comments on Engineering studies, Subdivision Improvement Agreement, and Urban Drainage. <i>The applicant has addressed or will address these comments. The remaining items will be conditions of approval.</i>
Mapping	-	No comments.
Zoning Administrator	-	Comments on landscaping. <i>Applicant has addressed or will address comments.</i>
Open Spaces	-	No response.
Weed Control		No response.
Sheriff's Department		No comments.
Bennett Fire District	-	Comments regarding fire suppression, roads, hazardous materials, Knox key access etc. <i>Applicant responded to referral comments; see applicant's comments that are part of this Planning Commission packet.</i>
City of Aurora		Comment on Prosper Development, floodplain mapping and Metro Wastewater Reclamation District. <i>Applicant responded to referral comments; see applicant's comments that are part of this Planning Commission packet.</i>
Colorado Parks & Wildlife	-	No response.
Army Corps of Engineers	-	No response.
Assessor's Office	-	No response.
West Arapahoe Conservation District		No response.
Tri-County Health	-	Comment on site application and utility plan, floodplains, dust and odor, and setbacks etc. <i>Applicant responded to referral comments; see applicant's comments that are part of this Planning Commission packet.</i>

REAP		No comments.
Xcel Energy	-	Add utility easements to Preliminary and Final Plats. <i>Comments noted.</i>
East End Advisory Committee	-	Janet Cook had "No comments"; No response from other members.
Urban Drainage		Comments on drainage issues and concerns. <i>The applicant has addressed or will address these comments. The remaining items will be conditions of approval.</i>

Approval Criteria

The 1041 Permit approval criteria for a Wastewater Treatment Plant/Sewage Plant shall comply with the criteria set forth in the 1041 Regulations, Part V, Sections A and B, along with Appendix A. All of these criteria shall be used in determining whether such 1041 Permit should be approved.

Ordinance Review and Additional Background Information

A permit may be approved if the proposed activity complies with the following general criteria. In determining whether the proposed activity complies with the criteria, the Planning Commission and Board of County Commissioners may take into consideration, the construction, operation and cumulative impacts of the proposed activity.

A. General Approval Criteria [See applicant's response to approval criteria in page 3 of the 1041 application report. Staff response to approval criteria in italics below]

1. Documentation that prior to site disturbance associated with the Proposed Project, the applicant can and will obtain all necessary property rights, permits and approvals. The Board may, at its discretion, defer making a final decision on the application until outstanding property rights, permits and approvals are obtained.

The applicant can and will obtain all necessary property rights, permits and approvals prior to construction.

2. The Proposed Project considers the relevant provisions of the regional water quality plans.

There are no regional water quality plans for this area.

3. The applicant has the necessary expertise and financial capability to develop and operate the Proposed Project consistent with all requirements and conditions.

The applicant has provided the Planning Division with some general information that shows that Prosper Water and Wastewater District has the expertise and the financial capability to develop the Proposed Project.

4. The Proposed Project is technically and financially feasible.

The applicant has conducted studies that indicate that the Proposed Project is technically and financially feasible.

5. The Proposed Project is not subject to significant risk from natural hazards.

The applicant will design the Proposed Project to minimize the risks from natural hazards, such as high winds and floods.

6. The Proposed Project is in general conformity with the applicable comprehensive plans.

The Proposed Project is in general conformity with the Arapahoe County Comprehensive Plan which allows for Public Facilities and Services in "Tier 1/Planning Reserve" designated areas of the County.

7. The Proposed Project will not have a significant adverse effect on the capability of local government to provide services or exceed the capacity of service delivery systems.

This Proposed Project is anticipated to have minimal impacts on provision of services from Arapahoe County and other special districts.

8. The Proposed Project will not create an undue financial burden on existing or future residents of the County.

This Proposed Project will be financed as part of the metro district and will have minimal demand for public services in Arapahoe County.

9. The Proposed Project will not significantly degrade any substantial sector of the local economy.

The Proposed Project has been designed to minimize the effects on the agricultural sector.

10. The Proposed Project will not unduly degrade the quality or quantity of recreational opportunities and experience.

The Proposed Project will not unduly degrade the quality or quantity of recreational opportunities and experience in the area because it covers a relatively small area of the Prosper development which has other areas that are designated for recreation.

11. The planning, design and operation of the Proposed Project will reflect principles of resource conservation, energy efficiency and recycling or reuse.

The Proposed Project is designed to minimize adverse impacts to resources.

12. The Proposed Project will not significantly degrade the environment. Appendix "A" includes the considerations that will be used to determine whether there will be significant degradation of the environment. For purposes of this section, the term environment shall include:
 - a. Air quality.
 - b. Visual quality.
 - c. Surface water quality.
 - d. Groundwater quality.
 - e. Wetlands, flood plains, streambed meander limits, recharge areas, and riparian areas.
 - f. Terrestrial and aquatic animal life.
 - g. Terrestrial and aquatic plant life.
 - h. Soils and geologic conditions.

The analysis of the submitted application and referral comments has determined that the Proposed Project has no significant environmental impacts. The applicant has sited and designed the Project to minimize environmental impacts.

13. The Proposed Project will not cause a nuisance.

The Proposed Project will not cause undue nuisances outside of the WWTP area.

14. The Proposed Project will not significantly degrade areas of paleontological, historic, or archaeological importance.

The Proposed Project appears to not degrade any areas of paleontological, historic, or archaeological importance in the Project area.

15. The Proposed Project will not result in unreasonable risk of releases of hazardous materials. In making this determination as to such risk, the Board's consideration shall include:

- a. Plans for compliance with Federal and State handling, storage, disposal and transportation requirements.

The applicant will comply with Federal and State hazardous materials regulations.

- b. Use of waste minimization techniques.

The applicant will use waste minimization techniques.

- c. Adequacy of spill prevention and response plans. The applicant intends to comply with all local, state, and federal laws and regulations related to hazardous materials, including spill prevention and response plans.

The applicant intends to comply with all regulations related to hazardous materials, including spill prevention and response plans.

- 16. The benefits accruing to the County and its citizens from the proposed activity outweigh the losses of any resources within the County, or the losses of opportunities to develop such resources.

This Proposed Project enhances the productive use of resources within the County.

- 17. The Proposed Project is the best alternative available based on consideration of need, existing technology, cost, impact and these regulations.

Per the discussion in the alternatives section of the applicant's 1041 application, the applicant has generally chosen the best overall alternative.

- 18. The Proposed Project will not unduly degrade the quality or quantity of agricultural activities.

The Proposed Project will not significantly degrade the quality or quantity of agricultural activities.

- 19. The Proposed Project will not significantly interfere with the preservation of cultural resources, including historical structures and sites, agricultural resources, the rural lifestyle and the opportunity for solitude in the natural environment.

The Proposed Project will not significantly interfere with any of the above-mentioned cultural resources criteria.

20. The Proposed Project will not cause significant degradation of land-use patterns in the area around the Proposed Project.

The Proposed Project will not cause significant degradation of land-use patterns in the area.

21. The applicant has complied with all applicable provisions of these regulations and has paid all applicable fees.

The applicant has sought to comply with all applicable 1041 Permit regulations and has paid a deposit that will apply towards the fees.

B. Additional Criteria Applicable to Wastewater Treatment Plant/Sewage Plant

In addition to the general criteria set forth in Section V, Part A of the 1041 Permit Regulations, above, the following additional criteria shall apply to major water and sewer projects.

1. To the extent practicable, Domestic Water and Wastewater Treatment Systems shall be consolidated with existing facilities within the area. The determination of whether consolidation is practicable shall include but not be limited to the following considerations:
 - a. Distance to and capacity of nearest Domestic Water or Wastewater Treatment System.
 - b. Technical, legal, managerial and financial feasibility of connecting to existing Domestic Water or Wastewater Treatment System.
 - c. Scope of the Service Area for existing Domestic Water or Wastewater Treatment.
 - d. Projected growth and development in the Service Area of existing Domestic Water or Wastewater Treatment System.

It does not appear that the Proposed Project can easily be consolidated with other existing facilities within the area based on the criteria provided above.

2. The Proposed project will not result in duplicative services within the County.

The Proposed Project will not result in duplicative services in this area of the County.

3. The Proposed Project will be constructed in areas that will result in the proper utilization of existing treatment plants and the orderly development of domestic water and sewage treatment systems of adjacent communities.

The Proposed Project will generally result in the proper utilization of existing treatment plants and the orderly development of treatment systems of adjacent communities.

4. If the Proposed Project is designed to serve areas within the County, it is necessary that the Proposed Project meet community development and population demands in those areas.

The Proposed Project is designed to serve areas that will meet community development and population demands in those areas.

5. The Proposed Project shall emphasize the most efficient use of water, including, to the extent permissible under existing law, the recycling, reuse and conservation of water.

The Proposed Project will emphasize the efficient use of water through recycling and conservation of water.

6. The Applicant shall demonstrate sufficient managerial expertise and capacity to operate the facility.

The Applicant has generally demonstrated sufficient managerial expertise to operate the facility.

7. Major extensions of domestic water and sewage treatment systems shall be permitted in those areas in which the anticipated growth and development that may occur as the result of such extension can be accommodated within the financial and environmental capacity of the area to sustain such growth and development.

The Proposed Project is not a major extension of domestic water and sewage treatment systems but is proposed to service only the Prosper development.

III. STAFF FINDINGS: 1041 PERMIT

Staff has visited the site and has reviewed the plans and supporting documentation and referral comments, as well as citizen input in response to this application. Based upon review of the Comprehensive Plan, development regulations, and analysis of referral comments, our findings include:

1. The proposed 1041 Permit application is in conformance with the Arapahoe County Comprehensive Plan, in that it provides for development of public facilities and services within the "Tier 1/Planning Reserve" Land Use Area.
2. The proposed 1041 Permit application appears to be consistent with Arapahoe County 1041 Permit Regulations.
3. This application appears to meet all of the approval criteria for this 1041 Permit application, provided all of the conditions of approval are met.
4. The Applicant needs to obtain a permit to construct and operate a wastewater treatment plant from the Colorado Department of Public Health and Environment.
5. There are a number of Engineering and Urban Drainage comments that need to be addressed.

IV. RECOMMENDATION FOR 1041 PERMIT:

Considering the findings and other information provided herein, staff recommends approval of the 1041 Permit, case number, ASI16-001, for the Prosper Wastewater Treatment Plant, subject to the following:

1. The applicant makes any modifications to plans, as requested by the Public Works & Development Department, prior to any construction is started on this project.
2. The applicant agrees to address all Engineering Services Division comments and concerns as identified within their staff reports, prior to construction.
3. The Applicant will obtain a permit to construct and operate a wastewater treatment plant from the Colorado Department of Public Health and Environment prior to construction of the wastewater treatment plant.
4. The applicant agrees to address comments issued by the Urban Drainage and Flood Control District (UDFCD).
5. The applicant will execute a Subdivision Improvement Agreement.

This is based upon:

- The proposal is in conformance with the Arapahoe County Comprehensive Plan.
- The proposal is in conformance with Arapahoe County Land Development Code, specifically the 1041 Permit Regulations.

V. DRAFT MOTIONS FOR 1041 PERMIT:

A. APPROVAL: In the case of ASI16-001 – Prosper Wastewater Treatment Plant case, we have read the staff report and received testimony at the public hearing. We find ourselves in agreement with staff findings for the 1041 Permit application including all plans and attachments as set forth in the staff report dated December 8, 2016, and recommend approval to the BOCC, subject to the following conditions:

1. The applicant makes any modifications to plans, as requested by the Public Works & Development Department, prior to any construction is started on this project.
2. The applicant agrees to address all Engineering Services Division comments and concerns as identified within their staff reports, prior to construction.
3. The Applicant will obtain a permit to construct and operate a wastewater treatment plant from the Colorado Department of Public Health and Environment prior to construction of the wastewater treatment plant.
4. The applicant agrees to address comments issued by the Urban Drainage and Flood Control District (UDFCD).
5. The applicant will execute a Subdivision Improvement Agreement.

B. DENIAL *(This recommendation would not be consistent with the Staff recommendation. Any alternate motion must include new findings and conditions in support of the motion for Approval where those differ from the Staff-recommended findings and conditions):*

In the case of ASI16-001, Prosper Wastewater Treatment Plant 1041 Permit, we have read the staff report and received testimony at the public hearing. We find ourselves not in agreement with staff findings regarding the draft plan and attachments as set forth in the staff report dated December 8, 2016, and recommend the Board of County Commissioners DENY the request for approval of the 1041 Permit.

Findings:

1. *State new or amended findings to support Planning Commission recommendation of "Denial" as part of the motion.*
- 2.

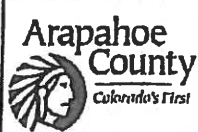
C. CONTINUE: In the case of ASI16-0001, Prosper Wastewater Treatment Plant 1041 Permit, I move to continue the decision on this request to [DATE], 2016, date certain, at 6:30 p.m., at this same location [to receive further information] [to further consider information presented during the hearing].

Attachments

Application, for 1041 Permit

Referral Comments

Engineering Staff Report



Public Works and Development
6924 S. Lima Street
Centennial, Colorado 80112
Phone: 720-874-6650
www.arapahoe.gov

Land Development Application

Form must be complete

Land Development Application materials received after 2pm
shall be date stamped received the following working day

APPLICANT/REPRESENTATIVE: Vogel & Associates LLC	ADDRESS: 475 West 12th Ave, Suite E Denver, CO 80204 PHONE: 303.893.4288 FAX: 303.893.6792 EMAIL: ivogel@vogelassoc.com	SIGNATURE: NAME: Jeffrey B. Vogel Principal TITLE:
OWNER(S) OF RECORD: VREI, Inc.	ADDRESS: 5641 N Broadway Denver, CO 80215 PHONE: 303.566.8000 FAX: 303.566.8099 EMAIL:	SIGNATURE: NAME: Greg Ruegsegger Vice President TITLE:
ENGINEERING FIRM: Dewberry Engineers Inc. <i>Stacy Roberts 303-757-0637</i>	ADDRESS: 990 S Broadway, Suite 400, Denver, CO 80209 PHONE: 303.951.0614 FAX: 303.825.2322 EMAIL: apratt@dewberry.com	CONTACT PERSON: Alan Pratt, PE

Pre-Submittal Case Number: Q15-103 Pre-Submittal Planner: Sherman Fehrer Pre-Submittal Engineer: Sarah White

Parcel ID no. (AIN no.)	1977-00-0-00-418
Parcel Address or Cross Streets:	Interstate 70 and Watkins Road
Subdivision Name & Filing No.:	None
Related Case Numbers: (Preliminary/Final Development Plan, Rezoning, and / or Plat)	Latest Approved Zoning - Z12-010 also, Z12-100 & S14-001

EXISTING		PROPOSED
Zoning:	PUD - Waste Water Treatment	PUD - Wastewater Treatment Plant
Case/Project/Subdivision Name:	None	Prosper WWTP
Site Area (Acres):		8.22
Floor Area Ratio (FAR):		0.18
Density (Dwelling Units/Acre):		N/A
Building Square Footage:		66,450 (includes basins)
Disturbed Area (Acres):		

CASE TYPE (Administrative Case types are shaded in Gray)

<input type="checkbox"/> Preliminary Development Plan or Major Amendment <input type="checkbox"/>	<input checked="" type="checkbox"/> Location & Extent or Major Amendment <input type="checkbox"/>	<input type="checkbox"/> Administrative Site Plan	<input type="checkbox"/> Preliminary Plat
<input type="checkbox"/> Master Development Plan or Major Amendment <input type="checkbox"/>	<input type="checkbox"/> Rezoning - Conventional	<input type="checkbox"/> Administrative Amendment to _____ (PDP, FDP, etc.)	<input type="checkbox"/> Final Plat
<input type="checkbox"/> Final Development Plan or Major Amendment <input type="checkbox"/>	<input type="checkbox"/> Land Development Code Amendment	<input type="checkbox"/> Technical Amendment to _____ (PDP, FDP, etc.)	<input type="checkbox"/> Minor Subdivision
<input type="checkbox"/> Planned Sign Program or Major Amendment <input type="checkbox"/>	<input type="checkbox"/> Use by Special Review or Major Amendment <input type="checkbox"/>	<input type="checkbox"/> Commercial Mobile Radio Service (CMRS/cellular antennas)	<input type="checkbox"/> Subdivision Exemption
<input type="checkbox"/> Vacation of Right of Way/Easement/Plat	<input type="checkbox"/> Use by Special Review - Oil and Gas	<input type="checkbox"/> Plat Correction	<input type="checkbox"/> Replat (Major)
<input type="checkbox"/> 1041 - Areas & Activities of State Interest - Use by Special Review <input type="checkbox"/>	<input type="checkbox"/> Special District Title 30 <input type="checkbox"/> Title 32 <input type="checkbox"/>	<input type="checkbox"/> Administrative Oil & Gas Use by Special Review (AOGUSR)	<input type="checkbox"/> Administrative Replat
<input type="checkbox"/> Comprehensive Plan	<input type="checkbox"/> Rural Cluster	<input type="checkbox"/> Street Name Change	<input type="checkbox"/> _____

THIS SECTION FOR OFFICE USE ONLY

Case No:	L16-002	Planning Manager:	Sherman	Engineering Manager:	Sarah
Planning Fee:	Y N \$	Engineering Fee:	Y N \$	TCHD Fee? <input type="checkbox"/>	\$

This application shall be submitted with all applicable application fees. Submittal of this application does not establish a vested property right in accordance with C.R.S. 24-68-105(1). Processing and review of this application may require the submittal of additional information for subsequent reviews, and/or meetings, as outlined in the Arapahoe County Land Development Code.

RECEIVED

FEB 19 2016



Dewberry Engineers Inc. | 303.825.1802
990 South Broadway, Suite 400 | 303.825.2322 fax
Denver, CO 80209 | www.dewberry.com

December 21, 2015

Arapahoe County Public Works & Development
Planning Division
6924 S Lima Street
Centennial, CO 80112

Re: Prosper Development Wastewater Treatment Facility Letter of Intent

Dear Public Works & Development:

Our company, Dewberry Engineers Inc., on behalf of the property owner, Prosper Farms Investment LLC, is proposing a project within unincorporated Arapahoe County. The project is located in between Hayesmount Road and N Watkins Road just south of interstate 70 in the north portion of parcel #035150836. This project includes 8.22 acres and is currently zoned Prosper PDP WWTP.

As referenced in the Prosper Preliminary Development Plan (PDP) and 1041 Permit, the intent is to construct a Waste Water Treatment Plant (WWTP) to serve the Prosper community. The WWTP will be located within Planning Area 71 of the Prosper PDP. The proposed building structures include an administration/lab, headworks, pumping station, UV/reuse water, digester blower, solids handling, and maintenance shop.

Based on previous discussions, it is our understanding that a 1041 Permit and Location and Extents application will have to be processed and approved. It is the intent to schedule a pre-submittal meeting to discuss and review in greater detail the process and respective submittal requirements.

Developer contact information:

Vogel & Associates
Jeff Vogel, AICP, Principal
475 W 12th Ave, Suite E
Denver, CO 80204
Phone: (303) 893-4288
Email: jvogel@vogelassoc.com

Sincerely,
Dewberry Engineers Inc.

Patrick Radabaugh, PE
Project Manager



Planning Commission Engineering Summary Report

Date: November 10, 2016

To: Arapahoe County Planning Commissioners

Via: Sherman Feher, Planning Division

From: Sarah White, Engineering Services Division

Re: **Prosper Wastewater Treatment Plant (WWTP)**
ASI16-001 1041 Permit
L16-002 Location & Extent
X16-001 Subdivision Exemption

Purpose and Recommendation

The purpose of this report is to provide the Engineering Services Division Staff findings, comments, and recommendations regarding the above-referenced land use application(s).

Scope/Location:

Dewberry Engineers Inc., on behalf of owners VREI, Inc., is requesting approval of the 1041, Location & Extent and Subdivision Exemption for the development of the Prosper Wastewater Treatment Plant (WWTP). The proposed development is generally located within the area known as 'Prosper', south of Interstate 70, east of N. Watkins Road and north of E 6th Avenue. The proposal is for a wastewater treatment plant on approximately 9 acres. The site is proposed to be built in 4 phases based on the future development of Prosper.

The site is located within the Box Elder Creek drainage basin. Phase I development will utilize a temporary access road (reference Arapahoe County Case No. E16-029) until the permanent public road is built out as per the Prosper PDP (case no. Z12-100).

Referenced Referral Items

1041
L&E Exhibit
Subdivision Exemption
Drainage Report
Construction Drawings
O&M Manual
GESC Plans and Report

Cc: *Chuck Haskins, Engineering Services Division, Division Manager*
Case Files ASI16-001, L16-002, X16-001

Engineering Services Division Staff (Staff) has reviewed the referenced land use application(s) and has the following findings and comments:

Findings:

1. Engineering review and approval fees are included with the planning fee for the 1041 and L&E, with the exclusion of the easements that will need to be prepared by separate document(s). Fees for the Subdivision Exemption are paid.
2. This site lies within Coyote Run-Box Elder Creek watershed basin. Basin fees are still being established for this area, but are not yet determined.
3. This development lies within the boundaries of the Urban Drainage and Flood Control District (UDFCD).
4. Urban Drainage and Flood Control District (UDFCD) has been included as a referral agency. Their comments will need to be addressed prior to final approval
5. Construction activities that disturb one or more acres are required by the Environmental Protection Agency (EPA) to obtain a Construction Stormwater Permit.
6. The subdivision exemption process requires a permanent roadway or an access easement to be established. The permanent roadway as proposed in the Prosper Preliminary Development Plan (PDP) is not yet constructed. Once the development around the Waste Water Treatment Plant (WWTP) begins, a permanent road will be constructed that allows access to the WWTP. In the interim, access to WWTP will be via private access road. Easement recordation information will need to be noted on the Subdivision Exemption exhibit. Engineering Case E16-029 has been submitted and is under review for the Access Road construction.
7. The WWTP will have a limited on-site staff, and generates very minimal traffic, as such a Traffic Impact Study was waived for this development.
8. Drainage easements for each detention pond outfalls will need to be dedicated to Arapahoe County via separate document.
9. Waste water treatment plants are exempt from specific critical facility regulations established by the Colorado Water Conservation Board. However, applicant is encouraged to minimize potential hazards from floodwaters. County would recommend have lowest floor elevation a minimum of 2 feet above 100-year water surface elevation, ensure on-site waste disposal is located such that outside but adjacent to 100 year floodplain - are there any additional mitigation measures needed? County discourages critical facilities within the 500 year floodplain, since these drainage ways have not been mapped for 500 yr flooding, recommend additional provisions may be needed - flood proofing bldg or elevation of facility to be at 2 ft above BFE (LDC section 12-2007.09)
10. All applicable public and private improvements (i.e., storm sewer systems, detention ponds, roadways appurtenances, etc.) associated with this development proposal shall be guaranteed within a Subdivision Improvements Agreement (SIA). The applicant will be required to enter into a Subdivision Improvement Agreement (SIA) to guarantee onsite and offsite improvements related to this development. Subdivision Improvement Agreement will be prepared by County Staff with finalization of costs.

Recommendations:

The Division of Engineering Services recommends this case favorably subject to the following conditions:

1. The applicant agrees to address the Division of Engineering Services' comments and concerns as identified within the ESD Staff Report.
2. The applicant agrees to address comments issued by the Urban Drainage and Flood Control District (UDFCD).
3. The applicant executes a Subdivision Improvement Agreement.



URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

Paul A. Hindman, Executive Director
2480 W. 26th Avenue, Suite 156B
Denver, CO 80211-5304

Telephone 303-455-6277
Fax 303-455-7880
www.udfcd.org

September 30, 2016

UDFCD Maintenance Eligibility Program Referral Review Comments

To: Sarah L. White, Arapahoe County
Project: Prosper Farms WWTP
Stream: Coyote Run and Rat Run
UDFCD MEP Phase: Design
UD MEP ID: 106341/10000720

Dear Sarah,

This letter is in response to the request for our comments concerning the referenced project. We appreciate the opportunity to review this proposal. We have reviewed this proposal only as it relates to major drainage features, in this case:

- Coyote Run and Rat Run

We have the following comments to offer:

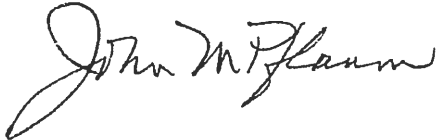
1. The Phase III Drainage Report states that the existing 100-yr floodplains for Coyote Run and Rat Run establish constraints from a layout and elevation standpoint. We agree with this assessment and recommend that the 100-year flood elevations for the adjacent major drainageways be confirmed relative to the grading and elevations of the site and treatment plant.
2. The proposed private access road is the sole access in and out of the proposed WWTP. The road is proposed to cross Rat Run. The design of the Rat Run roadway crossing should be designed for long term sustainability, with consideration of the 100-year discharge (2,500 cfs), stream channel stability and floodplain impacts. A hydraulic analysis should be conducted for the crossing. According to the Phase III Report, a future High Density Residential Land use is designated for property to the south of the WTP site. With regard to this future upstream land use, consideration should be given to installation of a stabilization check structure with the crossing. The need for additional check structures can be evaluated as future development is proposed upstream. A Floodplain Development Permit application should be submitted, with certification by the Engineer of no adverse impact to 100-year flood elevations.

3. Two storm drain outfalls to Rat Run are proposed, one each from the North and West onsite detention ponds. It appears that the discharge is to the overbank zone of the major drainageway, so a low tailwater basin is the appropriate outfall protection, as it allows outflows to sheet flow to the main channel following dissipation at the pipe outfall. Calculations for the outfalls should be included in the Drainage Report. The pond outfall profiles on Sheets 4 and 5 should include the design flow, velocity and Froude Number at the outfall and should show the FES and outlet protection. Standard UDFCD details for a typical FES (Fig 9-29), Low Tailwater Basin (Fig 9-37, as appropriate) and Riprap/Soil Riprap (Fig 8-34) should be included.
4. The overflow spillways from each pond should have a concrete crest control wall.
5. The Drainage Plan at the end of the Phase III Report should include the 100-yr flood elevations along Rat Run as indicated on the 1995 FHAD or as may be updated by analysis of the access road crossing.

Please feel free to contact me with any questions or concerns.

Sincerely,

Urban Drainage and Flood Control District

A handwritten signature in black ink, reading "John M. Pflaum". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

John M. Pflaum, P.E.
Floodplain Management Program



Public Works and Development
6924 S. Lima Street Centennial, Colorado 80112 Phone: 720-874-6650; FAX 720-874-6611
www.co.arapahoe.co.us

Planning Division
Phase II Referral Routing

Case Number / Case Name:	ASI16-001, Prosper Wastewater Treatment Plant 1041 Permit / Areas of State Interest and L16-002, Prosper Wastewater Treatment Plant / Location and Extent and X16-001, Prosper Wastewater Treatment Plant/Subdivision Exemption
Planner:	Sherman Feher
Engineer:	Sarah L White
Date:	July 8, 2016
Date to be returned:	August 8, 2016

Arapahoe County Agencies		Citizen's Organizations	
<input checked="" type="checkbox"/> Assessor / Arapahoe County (Residential)	Karen Hart	<input type="checkbox"/> CCNA-Cherry Creek Neighborhoods Ass.	
<input type="checkbox"/> Attorney / Arapahoe County	Robert Hill	<input type="checkbox"/> CECON-(Within Centennial)	
<input type="checkbox"/> Building / Arapahoe County	Steve Byer	<input type="checkbox"/> Four Square Mile Neighborhood	
<input checked="" type="checkbox"/> Engineering / Arapahoe County	Sarah L. White	<input type="checkbox"/> South Metro Chamber of Commerce	
<input checked="" type="checkbox"/> Mapping / Arapahoe County	Pat Hubert	Conservation District	
<input type="checkbox"/> Oil & Gas / Arapahoe County	Diane Kocis	<input type="checkbox"/> Deer Trail Conservation District	
<input checked="" type="checkbox"/> Open Space / Arapahoe County	Shannon Carter	<input checked="" type="checkbox"/> West Arapahoe Conservation District	Tasha Chevarria
<input checked="" type="checkbox"/> Planning / Arapahoe County	Sherman Feher	Transportation	
<input checked="" type="checkbox"/> Sheriff / Arapahoe County	1 to Brian McKnight 1 to Glenn Thompson	<input type="checkbox"/> CDOT / State Highway Dept- Region 1	Rick Solomon
<input checked="" type="checkbox"/> Weed Control / Arapahoe County	Russell Johnson	<input type="checkbox"/> E-470 Authority	Peggy Davenport
<input checked="" type="checkbox"/> Zoning / Arapahoe County	Tammy King	<input type="checkbox"/> RTD	Chris Quinn
Referral Agencies		Utilities: Gas, Electric & Phone	
<input type="checkbox"/> Architectural Review Committee		<input type="checkbox"/> Centurylink/Phone	Charles Place
<input type="checkbox"/> Airport or Military Base		<input type="checkbox"/> Conoco Phillips / Gas Pipeline	
<input type="checkbox"/> CGS Colorado Geological Survey-Solls		<input checked="" type="checkbox"/> XCEL	Donna George
<input checked="" type="checkbox"/> City / Town	Aurora	<input type="checkbox"/> IREA	Brooks Kaufman
<input checked="" type="checkbox"/> Colorado Parks and Wildlife	Travis Harris	Water / Sanitation / Stormwater / Wetlands	
<input type="checkbox"/> County		<input type="checkbox"/> ACWWA	
<input type="checkbox"/> DRCOG		<input checked="" type="checkbox"/> U.S. Army Corp. of Engineer	Kiel Downing
<input checked="" type="checkbox"/> Bennett Fire Protection District	Caleb Connor	<input type="checkbox"/> CCBWQA	
<input type="checkbox"/> Metro District		<input type="checkbox"/> Colorado Division of Water Resources	Joanne Williams
<input type="checkbox"/> Post Office Growth Coordinator	J. Hernandez	<input type="checkbox"/> SEMSWA	Paul Danley
<input checked="" type="checkbox"/> Reap I-70 Regional Economic Advancement Partnership	Matt Reay and Jack Keever	<input type="checkbox"/> ECCVW&S	Chris Douglass
<input type="checkbox"/> Recreation District / Park District (External)		<input checked="" type="checkbox"/> Urban Drainage & Flood	David Mallory
<input type="checkbox"/> Bennett School District #29J	Keith Yach	<input checked="" type="checkbox"/> Other / 5 Sets East End Adv. Committee	
<input type="checkbox"/> Aurora School District			
<input type="checkbox"/> Special District			
<input checked="" type="checkbox"/> Tri-County Health Department	Shelia Lynch		
<input type="checkbox"/>			

The enclosed case has been submitted to the Arapahoe County Planning Office for consideration. Because of the possible effect of the proposed development upon your area, the case is being referred for your comment. Please examine this request and, after review, check the appropriate line and return to the Arapahoe County Planning Office on or before the date indicated above.

COMMENTS:	SIGNATURE
<input type="checkbox"/> Have NO Comments to make on the case as submitted	
<input checked="" type="checkbox"/> Have the following comments to make related to the case: SEE ATTACHED	AJS 7-12-16

Note change to add language the the quantities must reflect the required number of plant material

002 Prosper WASTEWATER TREATMENT PLANT

Note added for amendment, ratio, and tilling depth.

PAGE 6: STANDARD NOTES: REMOVE LANGUAGE FROM #2 OR ADD QUANTITIES MUST MATCH NUMBER OF TREES AND SHRUBS PROVIDED IN LANDSCAPE SUMMARY TABLE #3 - SOIL AMENDMENT TYPE + RATIO + TILLING DEPTH

Caliper sizes, heights, and container sizes were added to plant schedule. Specific Types and quantities of plants were added to plans.

LEGEND: SEED TYPES PROVIDED

SHRUB BED - TYPES/QUANTITIES ON PLAN

TREES - CALIPER SIZES, Hgts + TYPE BREAKDOWN ON PLAN ON CHART

SHRUBS - QUANTITIES ON PLAN W/ CONTAINER SIZES ON CHART PAGE 7

PAGE 7: PLANT SCHEDULE

ALL DECIDUOUS TREES NEED QUANTITY BREAKDOWN + CALIPER SIZE

ALL ORNAMENTAL TREES NEED QUANTITY BREAKDOWN + CALIPER SIZE

ALL EVERGREEN TREES NEED QUANTITY BREAKDOWN + TREE HEIGHT

ALL SHRUBS + GRASSES NEED QUANTITY BREAKDOWN + CONTAINER SIZES - 5 GAL / 1 GAL.

ARE 1 GAL SHRUBS (GRASSES) BEING SUBSTITUTED FOR 5 GAL SHRUBS?

NO HEIGHT FOR SECURITY FENCING ON DETAIL (2)
IS VINYL CLAD FABRIC ALLOWED AS A FENCE TYPE?

Vinyl clad fabric is the coating on the fence. No slats are proposed for the fence.

Caliper sizes, heights, and container sizes were added to plant schedule. Specific Types and quantities of plants added to plant schedule.

Ornamental grasses were removed from plant schedule because none were shown on plan.

Detail shows dimension of 8'-0" for height and 8' ft. is in the detail description for the fence.

L16-002

CON-4

PAGE 7 - ALL PINES SHOULD BE TRIPLED GUYED/STAKED
REMOVE "UPLAND" FROM UPLAND EVERGREEN TREE

Detail revised to include tripled guyed/
staked. and "UPLAND" was removed
from detail title.



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Planning Division
Phase II Referral Routing

Case Number / Case Name: ASI16-001, Prosper Wastewater Treatment Plant 1041 Permit / Areas of State Interest and L16-002, Prosper Wastewater Treatment Plant / Location and Extent and X16-001, Prosper Wastewater Treatment Plant/Subdivision Exemption
Planner: Sherman Feher
Engineer: Sarah L White
Date: July 8, 2016
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<input type="checkbox"/>	Airport or Military Base		<input type="checkbox"/>	Conoco Phillips / Gas Pipeline	
<input type="checkbox"/>	CGS Colorado Geological Survey-Soils		<input checked="" type="checkbox"/>	XCEL	Donna George
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<input type="checkbox"/>	Special District				
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COMMENTS:		SIGNATURE
<input checked="" type="checkbox"/>	Have NO Comments to make on the case as submitted	<i>Gary W. Dole</i>
<input type="checkbox"/>	Have the following comments to make related to the case:	



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COMMENTS:		SIGNATURE
<input checked="" type="checkbox"/> Have NO Comments to make on the case as submitted		
<input type="checkbox"/> Have the following comments to make related to the case:		



August 3, 2016

Ms. Nancy Doty, Chair
Arapahoe County Commission
5334 S. Prince Street
Littleton, CO 80120

Dear Chair Doty,

Thank you for the opportunity to comment on the referral for the Prosper Wastewater Treatment Plant application. The City of Aurora has reviewed the application and has the following comments:

1. City Concerns Regarding The Prosper Development

Prosper and the adjacent Sky Ranch development do not conform to Metro Vision 2035, and, if approved, will have significant traffic, noise and water supply issues. Given these issues, the City of Aurora does not support these proposals. The applicant could seek annexation into Aurora. The annexation process includes mechanisms to address the traffic, land use, and water service issues that this development presents.

2. Public Works Department

Floodplain mapping provided with the application package appears to present current effective FEMA mapping. UDFCD recently completed a FHAD study (Olsson, 2014) which included Coyote Run and appears to show a somewhat wider floodplain (especially just upstream of the I-70 crossing) and somewhat higher flood elevations. The County may want to consider if the more recent UDFCD study constitutes the "best available information" and require its use rather than the current FEMA mapping.

The 2014 UDFCD FHAD did not include Rat Run and current effective FEMA mapping for this stream system upstream of I-70 and adjacent to the proposed WWTP site is Approximate Zone A. It is recommended as part of the WWTP design process (if not 1041 permitting) that the applicant carry out floodplain modeling to develop detailed floodplain limits and elevations for Rat Run.

UDFCD recently completed an MDP that includes Coyote Run (Olsson, 2014) and recommended "floodplain preservation" with no structural improvements for the channel reach adjacent to the proposed WWTP. It appears that the proposed site plan is adhering to this UDFCD conceptual design and the City would recommend this approach be maintained when/if updated FHAD mapping is utilized for Coyote Run and detailed floodplain information is developed for Rat Run.

Ms. Nancy Doly, Chair
Arapahoe County Board of County Commissioners
August 3, 2016
Page 2

The UDFCD MDP (Olsson, 2014) indicates that the Coyote Run channel slope is on the order of 0.6% in the reach adjacent to the proposed WWTP and recommends no channel check structures. A slope of 0.6% is relatively high for a developed watershed and the introduction of WWTP and urban runoff base flows into a previously intermittent stream system has the potential to significantly impact channel invert and bank stability. UDFCD has recently changed its recommended channel design slopes for urbanized watersheds to be substantially lower than 0.6%. It is recommended that the applicant address the potential need for channel checks and/or grade controls.

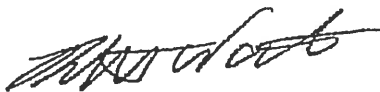
WWTP's are typically considered "critical facilities" and as such, it is recommended that an enhanced level of flood protection (> than the 100yr event) be considered. The COA standard for critical facilities is 2 feet above the 100-yr floodplain. Draft federal guidance for EO 13690 has similar requirements.

3. Metro Wastewater Reclamation District

In reviewing the maps in our records, it appears that the Prosper area is partially within our "expected service area", however that is only relevant to Special Connectors and expansion of their service area. Prosper is not within the corporate boundaries of Aurora so they are not obligated to send that flow to the District.

In the event Aurora were to annex the Prosper development in the future, the treatment plant that the developer is proposing could not be expanded, or that area would have to be excluded from the District under 32-4-515 and Board Policy Exclusion-Service Area. Even though the proposed treatment plant may be within our expected service area, unless it is within the boundaries of Aurora or they choose to serve it (Service Contract section 303), it is District staff's opinion that there is no requirement that it connects to the District's system and it would not violate our competing system prohibitions.

Cordially,



Bob Watkins
Interim Planning and Development Services Director
City of Aurora

Cc: Members of City Council
George Noe, City Manager
Nancy Freed, Deputy City Manager
Jason Batchelor, Deputy City Manager

City of Aurora Comments and Responses

1. City Concerns Regarding

The Prosper Development Prosper and the adjacent Sky Ranch development do not conform to Metro Vision 2035, and, if approved, will have significant traffic, noise and water supply issues. Given these issues, the City of Aurora does not support these proposals. The applicant could seek annexation into Aurora. The annexation process includes mechanisms to address the traffic, land use, and water service issues that this development presents.

Response: The proposed WWTP is consistent with the approved Prosper Preliminary Development Plan. It is the applicant's intent to develop the property in Arapahoe County consistent with the approved Preliminary Development Plan. The approved Preliminary Development Plan addresses issues related to land use, drainage, water service and other planning considerations.

2. Public Works Department

Floodplain mapping provided with the application package appears to present current effective FEMA mapping. UDFCD recently completed a FHAD study (Olsson, 2014) which included Coyote Run and appears to show a somewhat wider floodplain (especially just upstream of the I- 70 crossing) and somewhat higher flood elevations. The County may want to consider if the more recent UDFCD study constitutes the "best available information" and require its use rather than the current FEMA mapping.

The 2014 UDFCD FHAD did not include Rat Run and current effective FEMA mapping for this stream system upstream of I-70 and adjacent to the proposed WWTP site is Approximate Zone A. It is recommended as part of the WWTP design process (if not 1041 permitting) that the applicant carry out floodplain modeling to develop detailed floodplain limits and elevations for Rat Run.

Response: We feel an obligation to continue to show the current FEMA mapping, until such time as it is updated by the more current 2014 UDFCD FHAD. We have provided (to Arapahoe County) our 100 yr modeling of Rat Run and its tributary known as Rat 1-D (or known as stream 120), for the purpose of identifying the existing conditions 100 yr flood limits, utilizing the match elevation determined from the 2014 FHAD right at the south side of Interstate 70.

UDFCD recently completed an MDP that includes Coyote Run (Olsson, 2014) and recommended "floodplain preservation" with no structural improvements for the channel reach adjacent to the proposed WWTP. It appears that the proposed site plan is adhering to this UDFCD conceptual design and the City would recommend this approach be maintained when/if updated FHAD mapping is utilized for Coyote Run and detailed floodplain information is developed for Rat Run. The UDFCD MDP (Olsson, 2014) indicates that the Coyote Run channel slope is on the order of 0.6% in the reach adjacent to the proposed WWTP and recommends no channel check structures. A slope of 0.6% is relatively high for a developed watershed and the introduction of WWTP and urban runoff base flows into a previously intermittent stream system has the potential to significantly impact channel invert and bank stability. UDFCD has recently changed its recommended channel design slopes for urbanized watersheds to be substantially lower than 0.6%. It is recommended that the applicant address the potential need for channel checks and/or grade controls.

Response: We have been directed by the County to adhere to the MDP, which we believe we have done. As stated in your comment there are no requirements for stabilization facilities in this area.

WWTP's are typically considered "critical facilities" and as such, it is recommended that an enhanced level of flood protection (> than the 100yr event) be considered. The COA standard for critical facilities is 2 feet above the 100-yr floodplain. Draft federal guidance for EO 13690 has similar requirements.

Response: Per the County, the WWTP is not considered a Critical Facility, though we do note that the proposed facilities are 2' or more above the 100 yr water surface as determined on Coyote Run (East side of site) from the 2014 FHAD, AND as determined for Rat Run (West side of site) from analysis/modeling by our firm for this project. Reference can be made to sht 3 of the CD set of plans which identifies the BFE's (100-yr Base Flood Elevations) for both Coyote Run and for Rat Run.

3. Metro Wastewater Reclamation District

In reviewing the maps in our records, it appears that the Prosper area is partially within our "expected service area", however that is only relevant to Special Connectors and expansion of their service area. Prosper is not within the corporate boundaries of Aurora so they are not obligated to send that flow to the District.

In the event Aurora were to annex the Prosper development in the future, the treatment plant that the developer is proposing could not be expanded, or that area would have to be excluded from the District under 32-4-515 and Board Policy Exclusion Service Area. Even though the proposed treatment plant may be within our expected service area, unless it is within the boundaries of Aurora or they choose to serve it (Service Contract section 303), it is District staff's opinion that there is no requirement that it connects to the District's system and it would not violate our competing system prohibitions.

Response: The intent is to develop Prosper within Arapahoe County and per the approved Preliminary Development Plan that includes the proposed WWTP site. There is not a requirement that Prosper connect to the Metro Wastewater Reclamation District.



Right of Way & Permits

1123 West 3rd Avenue
Denver, Colorado 80223
Telephone: 303.571.3306
Facsimile: 303. 571.3284
donna.l.george@xcelenergy.com

August 3, 2016

Arapahoe County Public Works and Development
6924 South Lima Street
Centennial, CO 80112

Attn: Sherman Feher

Re: Prosper Wastewater Treatment Plant, Case # ASI16-001

Public Service Company of Colorado's (PSCo) Right of Way & Permits Referral Desk has reviewed the plans and subdivision exemption plat for **Prosper Wastewater Treatment Plant**. As always, thank you for the opportunity to take part in the review process. To ensure that adequate utility easements are available within this development, PSCo requests that the following language or plat note be placed on the preliminary and final plats for the subdivision:

Minimum ten-foot (10') wide dry utility easements are hereby dedicated on private property abutting all public streets, and around the perimeter of each commercial/ industrial lot in the subdivision or platted area. These easements are dedicated to Arapahoe County for the benefit of the applicable utility providers for the installation, maintenance, and replacement of electric, gas, television, cable, and telecommunications facilities (Dry Utilities). Utility easements shall also be granted within any access easements and private streets in the subdivision. Permanent structures, improvements, objects, buildings, wells, water meters and other objects that may interfere with the utility facilities or use thereof (Interfering Objects) shall not be permitted within said utility easements and the utility providers, as grantees, may remove any Interfering Objects at no cost to such grantees, including, without limitation, vegetation. Public Service Company of Colorado (PSCo) and its successors reserve the right to require additional easements and to require the property owner to grant PSCo an easement on its standard form.

Public Service Company also requests that **all utility easements be depicted graphically on the preliminary and final plats**. While these easements may accommodate certain utilities to be installed in the subdivision, some additional easements may be required as planning and building progresses.

In addition, 31-23-214 (3), C.R.S., requires the subdivider, at the time of subdivision platting, to provide for major utility facilities such as electric substation sites, gas or electric transmission line easements and gas regulator/meter station sites as deemed necessary by PSCo. While this provision will not be required on every plat, when necessary, PSCo will work with the subdivider to identify appropriate locations. This statute also requires the subdivider to submit a letter of agreement to the municipal/county commission that adequate provision of electrical and/or gas service has been provided to the subdivisions.

The property owner/developer/contractor must contact the **Builder's Call Line** at 1-800-628-2121 or <https://xcelenergy.force.com/FastApp> (**Register** so you can track your application) and complete the application process for any new electric service. 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** at 1-800-922-1987 for utility locates prior to construction.

If you have any questions about this referral response, please contact me at (303) 571-3306.

Donna George
Contract Right-of-Way Referral Processor
Public Service Company of Colorado

Xcel Energy Comments and Responses

Public Service Company of Colorado's (PSCO) Right of Way & Permits Referral Desk has reviewed the plans and subdivision exemption plat for Prosper Wastewater Treatment Plant. As always, thank you for the opportunity to take part in the review process. To ensure that adequate utility easements are available within this development, PSCo requests that the following language or plat note be placed on the preliminary and final plats for the subdivision:

Minimum ten-foot (10) wide dry utility easements are hereby dedicated on private property abutting all public streets. and around the perimeter of each commercial/ industrial lot in the subdivision or platted area. These easements are dedicated to Arapahoe County for the benefit of the applicable utility providers for the installation, maintenance, and replacement of electric, gas, television, cable, and telecommunications facilities (Dry Utilities). Utility easements shall also be granted within any access easements and private streets in the subdivision. Permanent structures, improvements, objects, buildings, wells, water meters and other objects that may interfere with the utility facilities or use thereof (Interfering Objects) shall not be permitted within said utility easements and the utility providers, as grantees, may remove any interfering Objects at no cost to such grantees, including, without limitation, vegetation. Public Service Company of Colorado (PSCo) and its successors reserve the right to require additional easements and to require the property owner to grant PSCo an easement on its standard form.

Public Service Company also requests that all utility easements be depicted graphically on the preliminary and final plats. While these easements may accommodate certain utilities to be installed in the subdivision, some additional easements may be required as planning and building progresses.

In addition, 31-23-214 (3), C.R.S., requires the subdivider, at the time of subdivision platting, to provide for major utility facilities such as electric substation sites, gas or electric transmission line easements and gas regulator/meter station sites as deemed necessary by PSCo. While this provision will not be required on every plat, when necessary, PSCo will work with the subdivider to identify appropriate locations. This statute also requires the subdivider to submit a letter of agreement to the municipal/county commission that adequate provision of electrical and/or gas service has been provided to the subdivisions.

The property owner/developer/contractor must contact the Builder's Call Line at 1-800-628-2121 or <https://xcelenergy.force.com/FastApp> (Register so you can track your application) and complete the application process for any new electric service. 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 at 1-800-922-1987 for utility locates prior to construction.

Response: The requirements and development standards outlined above have been noted in our files.



BENNETT FIRE PROTECTION DISTRICT #7

DISTRICT OFFICE: 303-644-3572 FAX: 303-644-3401

EMAIL: LIFESAFETY@BENNETTFIRERESCUE.ORG

"Striving to Preserve Life and Property"

July 21st, 2016

Sherman Feher

Arapahoe County Public Works & Development

6924 S. Lima Street

Centennial, CO 80112

Re: AS116-001, Prosper Wastewater Treatment Plant 1041 Permit / Areas of State Interest and L 16-002, Prosper Wastewater Treatment Plant/ Location and Extent and X16-001, Prosper Wastewater Treatment Plant/Subdivision Exemption

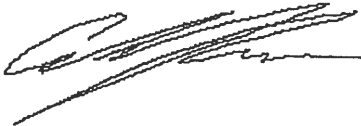
Planner Feher,

In regards case AS116-001, Prosper Wastewater Treatment Plant 1041 Permit / Areas of State Interest and L 16-002, Prosper Wastewater Treatment Plant/ Location and Extent and X16-001, Prosper Wastewater Treatment Plant/Subdivision Exemption, Bennett Fire Protection District has the following comments and considerations:

- Bennett Fire Protection District currently serves this location as it falls within our Fire Protection District and has no objections to the proposed development.
- The applicant shall consult with Bennett Fire Protection District to ensure all aspects of the project conform to the District's adopted fire code (2012 IFC).
- The developer shall ensure that the proposed water systems pertaining to hydrant distribution for fire suppression is adequate to protect the proposed development as well as meet the design criteria of both Arapahoe County and the Bennett Fire Protection District. Considerations for design requirements shall include adopted codes and standards as well as ISO distribution and fire flow requirements.
- Bennett Fire Protection District will accept the proposed temporary road guidelines contained in the referral. All temporary and permanent roads constructed for any part of the development shall conform to IFC fire apparatus access requirements.
- As the proposed temporary access road will serve as the interim sole means of providing emergency services to the facility, the proposed temporary access road shall be maintained at all times during its service life of the facility. This includes, grading, maintenance, and snow removal. If at any times Bennett Fire Protection District deems the road inadequate for the provision of emergency services, the applicant shall work with the Fire District to make necessary improvements.
- The internal access road design includes roads which are 20ft in width. The current IFC standard for fire apparatus access roads with a fire hydrant is 26ft in width at the point of the hydrant. The applicant may need to make minor revisions at the hydrant locations to meet this width.
- The processing of waste water often involves the storage and use of hazardous materials. This information shall be provided to Bennett Fire Protection District to be reviewed and approved.

- Facilities which store or use hazardous materials are often classified as "H" occupancies, which require fire sprinkler suppression or special electrical considerations. Applicant shall ensure the facility design meets the District's adopted fire code requirements.
- KNOX Fire Department Key access hardware shall be provided for all vehicle access gates as well as each building on site.

Thank You



Caleb J. Connor
Fire Marshal
Life Safety Division
Bennett Fire Protection District
303-644-3572 - Headquarters / 303-532-7733 - Direct
www.BennettFireRescue.org

Bennett Fire Protection District Comments and Responses

In regards case AS116-001, Prosper Wastewater Treatment Plant 1041 Permit / Areas of State Interest and L 16-002, Prosper Wastewater Treatment Plant/ Location and Extent and X16-001, Prosper Wastewater Treatment Plant/Subdivision Exemption, Bennett Fire Protection District has the following comments and considerations:

- Bennett Fire Protection District currently serves this location as it falls within our Fire Protection District and has no objections to the proposed development.
- The applicant shall consult with Bennett Fire Protection District to ensure all aspects of the project conform to the District's adopted fire code (2012 IFC).

Response: The applicant will coordinate aspects with the Fire Code and District.

- The developer shall ensure that the proposed water systems pertaining to hydrant distribution for fire suppression is adequate to protect the proposed development as well as meet the design criteria of both Arapahoe County and the Bennett Fire Protection District. Considerations for design requirements shall include adopted codes and standards as well as ISO distribution and fire flow requirements.

Response: Fire hydrant distribution and required fire suppression will be incorporated into the final construction drawings for the site and buildings/facilities.

- Bennett Fire Protection District will accept the proposed temporary road guidelines contained in the referral. All temporary and permanent roads constructed for any part of the development shall conform to IFC fire apparatus access requirements.

Response: Access roads will meet IFC requirements for access.

- As the proposed temporary access road will serve as the interim sole means of providing emergency services to the facility, the proposed temporary access road shall be maintained at all times during its service life of the facility. This includes, grading, maintenance, and snow removal. If at any times Bennett Fire Protection District deems the road inadequate for the provision of emergency services, the applicant shall work with the Fire District to make necessary improvements.

Response: The temporary road will be maintained to provide all-season access.

- The internal access road design includes roads which are 20ft in width. The current IFC standard for fire apparatus access roads with a fire hydrant is 26ft in width at the point of the hydrant. The applicant may need to make minor revisions at the hydrant locations to meet this width.

Response: Some hydrant locations moved to intersection and other locations the road has been widened to 26' per IFC.

- The processing of waste water often involves the storage and use of hazardous materials. This information shall be provided to Bennett Fire Protection District to be reviewed and approved.

Response: Hazardous materials including the storage will be reviewed with the Bennett Fire Protection District.

- Facilities which store or use hazardous materials are often classified as "H" occupancies, which require fire sprinkler suppression or special electrical considerations. Applicant shall ensure the facility design meets the District's adopted fire code requirements.

Response: The Applicant will ensure the facility design meets the District's adopted fire code requirements including NFPA 820 requirements for Fire Protection in Wastewater Treatment and Collection Facilities.

- KNOX Fire Department Key access hardware shall be provided for all vehicle access gates as well as each building on site.

Response: A KNOX Box will be provided for the gate.



August 9, 2016

Sherman Feher.
Arapahoe County Planning Department
6924 S. Lima Street
Centennial, CO 80112

RE: ASI 116-001, Prosper Wastewater Treatment Plant 1041 Permit/Areas of State Interest
L16-002, Prosper Wastewater Treatment Plant/Location and Extent
X16-001, Prosper Wastewater Treatment Plant/Subdivision Exemption
Prosper Wastewater Treatment Plant
TCHD Case No. 3993

Dear Mr. Feher:

Thank you for the opportunity to review and comment on the 1041 Permit/Areas of State Interest, Location and Extent, and Subdivision Exemption for the proposed Prosper Wastewater Treatment Plant (WWTP). Tri-County Health Department (TCHD) staff has reviewed the application for compliance with applicable public and environmental health regulations. After reviewing the application, TCHD has the following comments.

The Site Application and Utility Plan for the WWTP indicate that the recommended WWTP is a Membrane Bioreactor (MBR). Section 7 b. of the Application Submittal states: "This plant will include modern wastewater treatment facilities with biological nutrient removal (BNR) and filtration for the production of reuse water. The Location and Extent drawings depicting the WWTP (Sheets 1-15) are typical of a Biological Nutrient Removal (BNR) System. TCHD recommends that the drawings be revised to reflect the preferred alternative of an MBR.

Sheet 5 of the drawings indicates that the WWTP site is bounded on the east by a floodway and on the west by floodplain. The Location and Extent Plan shows an access road to the site across the Rat Run Drainageway. Construction of the road may alter the floodplain, and future flood events may impede or prevent access to the site. TCHD recommends that the applicant address any applicable regulatory and technical issues associated with the floodplain alteration and also site access.

Section 10, Dust and Odor. The second sentence states: Odor control equipment will be installed at the influent lift station and at the Headworks Building of the WWTP. These facilities are typically the source of the majority of odors at WWTP's. The Location and Extent drawings indicate that the WWTP is in close proximity to future residences. TCHD is concerned that odors will also be produced from the aeration basins, resulting in complaints from nearby residents. Consequently, TCHD recommends that the aeration basins be covered. The Water Quality Control Division

Prosper Wastewater Treatment Plant-Areas of State Interest, Location and Extent, Subdivision
Exemption

August 9, 2016

Page 2 of 2

(WQCD) also has requirements for setbacks from residential areas. Please describe how the proposed facilities will comply with the WQCD's setback policies.

TCHD has submitted comments regarding the WWTP Site Application and Utility Plan that are relevant to the subject case. I have included our comment letter as an enclosure to this letter.

Please feel free to contact me at (720) 200-1568 or wbrown@tchd.org if you have any questions regarding TCHD's comments.

Sincerely,



Warren S. Brown, P.E.
Senior Environmental Health Consultant

Enclosure

CC: Julio Iturreria, Larry Mugler, Arapahoe County
Bret Icenogle, P.E., David Kurz, P.E., CDPHE
Sheila Lynch, Steven Chevalier, TCHD

Tri-County Health Department Comments and Responses

Thank you for the opportunity to review and comment on the 1041 Permit/Areas of State Interest, Location and Extent, and Subdivision Exemption for the proposed Prosper Wastewater Treatment Plant (WWTP). Tri-County Health Department (TCHD) staff has reviewed the application for compliance with applicable public and environmental health regulations. After reviewing the application, TCHD has the following comments.

The Site Application and Utility Plan for the WWTP indicate that the recommended WWTP is a Membrane Bioreactor (MBR). Section 7 b. of the Application Submittal states: "This plant will include modern wastewater treatment facilities with biological nutrient removal (BNR) and filtration for the production of reuse water. The Location and Extent drawings depicting the WWTP (Sheets 1-15) are typical of a Biological Nutrient Removal (BNR) System. TCHD recommends that the drawings be revised to reflect the preferred alternative of an MBR.

Response: The BNR system is presented in the Location and Extent (L&E) drawings as the largest footprint (worst case) treatment process alternative at full build-out of the WWTP (35-40 years from now). A note has been added to the L&E drawings under Specific Notes (1 of 15) and Phase Designations (2 of 15) describing the phasing in more detail. The MBR system is the selected treatment process alternative for the initial phase of the WWTP (2-5 years from now) and is described in detail in the Site Application/Utility Plan. A Site Plan has been included in the Utility Plan report to show that the Phase 1 (MBR) is an integral part of the WWTP at build-out. The Metropolitan Districts will need to determine the selected treatment process for future phases as the demand of the WWTP increases.

Sheet 5 of the drawings indicates that the WWTP site is bounded on the east by a floodway and on the west by floodplain. The Location and Extent Plan shows an access road to the site across the Rat Run Drainageway. Construction of the road may alter the floodplain, and future flood events may impede or prevent access to the site. TCHD recommends that the applicant address any applicable regulatory and technical issues associated with the floodplain alteration and also site access.

Response: We have determined that there is no alteration to the floodzone and the floodway on the east side of the property.

The proposed access road, located on the west side of the property has been designed to match the existing grade across the floodzones of Rat Run and of Rat 1-D (a tributary to Rat Run). By matching the existing grade across these drainages it is shown that the elevation of the 100 yr storm event within the drainages, will not increase, thus the roadway has no impact on the floodzones. We have provided analysis of these 2 drainages to Arapahoe County to confirm our findings. Arapahoe County is further requiring that a "No Rise Certificate" be provided by our office to confirm and document these findings.

The access roadway is comprised of a gravel surface, and is identified as temporary until such time as a future paved is completed in the area. There is no specific timetable for the future permanent roadway construction.

As the access road is placed at the natural ground elevation across the 2 drainageways, it will overflow and "flood" during storm events. Maximum flow depth at the 100 yr event has been determined to be 18" at the roadway crossings. Staff personal will be trained on use of

the roadway during pending and actual storm events. Standard vehicles may be required to be temporarily parked outside of the floodzone areas, with staff being transported into the site with all-terrain vehicles.

An ultimate emergency means of access is available to the site from I-70.

Bennett Fire Department has reviewed the site plan and accessibility route and have determined it to be sufficient.

Section 10, Dust and Odor: The second sentence states: Odor control equipment will be installed at the influent lift station and at the Headworks Building of the WWTP. These facilities are typically the source of the majority of odors at WWTP's. The Location and Extent drawings indicate that the WWTP is in close proximity to future residences. TCHD is concerned that odors will also be produced from the aeration basins, resulting in complaints from nearby residents. Consequently, TCHD recommends that the aeration basins be covered. The Water Quality Control Division (WQCD) also has requirements for setbacks from residential areas. Please describe how the proposed facilities will comply with the WQCD's setback policies.

Response: The WQCD's setback distances are not met thus odor mitigating elements will be incorporated into the design including aeration system failure alarms, covering or enclosing the digester and process basins, and providing odor control systems for the influent lift station and headworks building.



Public Works and Development
6924 S. Lima Street Centennial, Colorado 80112 Phone: 720-874-6650; FAX 720-874-6611
www.co.arapahoe.co.us

Planning Division
Phase II Referral Routing

Case Number / Case Name: ASI16-001, Prosper Wastewater Treatment Plant 1041 Permit / Areas of State Interest and L16-002, Prosper Wastewater Treatment Plant / Location and Extent and X16-001, Prosper Wastewater Treatment Plant/Subdivision Exemption
Planner: Sherman Feher
Engineer: Sarah L. White
Date: July 8, 2016
Date to be returned: August 8, 2016

Arapahoe County Agencies			Citizen's Organizations	
<input checked="" type="checkbox"/>	Assessor / Arapahoe County (Residential)	Karen Hart	<input type="checkbox"/>	CCNA-Cherry Creek Neighborhoods Ass.
<input type="checkbox"/>	Attorney / Arapahoe County	Robert Hill	<input type="checkbox"/>	CECON-(Within Centennial)
<input type="checkbox"/>	Building / Arapahoe County	Steve Byer	<input type="checkbox"/>	Four Square Mile Neighborhood
<input checked="" type="checkbox"/>	Engineering / Arapahoe County	Sarah L. White	<input type="checkbox"/>	South Metro Chamber of Commerce
<input checked="" type="checkbox"/>	Mapping / Arapahoe County	Pat Hubert	Conservation District	
<input type="checkbox"/>	Oil & Gas / Arapahoe County	Diane Kocis	<input type="checkbox"/>	Deer Trail Conservation District
<input checked="" type="checkbox"/>	Open Space / Arapahoe County	Shannon Carter	<input checked="" type="checkbox"/>	West Arapahoe Conservation District Tasha Chevarria
<input checked="" type="checkbox"/>	Planning / Arapahoe County	Sherman Feher	Transportation	
<input checked="" type="checkbox"/>	Sheriff / Arapahoe County	1 to Brian McKnight 1 to Glenn Thompson	<input type="checkbox"/>	CDOT / State Highway Dept- Region 1 Rick Solomon
<input checked="" type="checkbox"/>	Weed Control / Arapahoe County	Russell Johnson	<input type="checkbox"/>	E-470 Authority Peggy Davenport
<input checked="" type="checkbox"/>	Zoning / Arapahoe County	Tammy King	<input type="checkbox"/>	RTD Chris Quinn
Referral Agencies			Utilities: Gas, Electric & Phone	
<input type="checkbox"/>	Architectural Review Committee		<input type="checkbox"/>	Centurylink/Phone Charles Place
<input type="checkbox"/>	Airport or Military Base		<input type="checkbox"/>	Conoco Phillips / Gas Pipeline
<input type="checkbox"/>	CGS Colorado Geological Survey-Soils		<input checked="" type="checkbox"/>	XCEL Donna George
<input checked="" type="checkbox"/>	City / Town	Aurora	<input type="checkbox"/>	IREA Brooks Kaufman
<input checked="" type="checkbox"/>	Colorado Parks and Wildlife	Travis Harris	Water / Sanitation / Stormwater / Wetlands	
<input type="checkbox"/>	County		<input type="checkbox"/>	ACWWA
<input type="checkbox"/>	DRCOG		<input checked="" type="checkbox"/>	U.S. Army Corp. of Engineer Kiel Downing
<input checked="" type="checkbox"/>	Bennett Fire Protection District	Caleb Connor	<input type="checkbox"/>	CCBWQA
<input type="checkbox"/>	Metro District		<input type="checkbox"/>	Colorado Division of Water Resources Joanne Williams
<input type="checkbox"/>	Post Office Growth Coordinator	J. Hernandez	<input type="checkbox"/>	SEMSWA Paul Danley
<input checked="" type="checkbox"/>	Reap I-70 Regional Economic Advancement Partnership	Matt Reay and Jack Kever	<input type="checkbox"/>	ECCVW&S Chris Douglass
<input type="checkbox"/>	Recreation District / Park District (External)		<input checked="" type="checkbox"/>	Urban Drainage & Flood David Mallory
<input type="checkbox"/>	Bennett School District #29J	Keith Yach	<input checked="" type="checkbox"/>	Other / 5 Sets East End Adv. Committee
<input type="checkbox"/>	Aurora School District			
<input type="checkbox"/>	Special District			
<input checked="" type="checkbox"/>	Tri-County Health Department	Sheila Lynch		
<input type="checkbox"/>				

The enclosed case has been submitted to the Arapahoe County Planning Office for consideration. Because of the possible effect of the proposed development upon your area, the case is being referred for your comment. Please examine this request and, after review, check the appropriate line and return to the Arapahoe County Planning Office on or before the date indicated above.

COMMENTS:		SIGNATURE
<input checked="" type="checkbox"/>	Have NO Comments to make on the case as submitted	<i>Chris Quinn</i> 7/11/16
<input type="checkbox"/>	Have the following comments to make related to the case:	

Board of County Commissioners

Engineering Summary Report

Date: February 17, 2017

To: Arapahoe County Board of County Commissioners

Via: Sherman Feher
Planning Division

From: Sarah White
Engineering Services Division

Re: **Prosper Wastewater Treatment Plant (WWTP)**
ASI16-001 1041 Permit
L16-002 Location & Extent
X16-001 Subdivision Exemption

Purpose and Recommendation

The purpose of this report is to provide the Engineering Services Division Staff findings, comments, and recommendations regarding the above-referenced land use application(s).

Scope/Location:

Vogel and Associates and Dewberry Engineers Inc., on behalf of owners, VREI, Inc., is requesting approval of the 1041, Location & Extent and Subdivision Exemption for the development of the Prosper Wastewater Treatment Plant (WWTP). The proposed development is generally located within the area known as 'Prosper', south of Interstate 70, east of N. Watkins Road and north of E 6th Avenue. The proposal is for a wastewater treatment plant on approximately 9 acres. The site is proposed to be built in 4 phases based on the future development of Prosper.

The site is located within the Box Elder Creek drainage basin. Phase I development will utilize a temporary access road (reference Arapahoe County Case No. E16-029) until the permanent public road is built out as per the Prosper PDP (case no. Z12-100).

Referenced Referral Items

1041
L&E Exhibit
Subdivision Exemption
Drainage Report
Construction Drawings
O&M Manual
GESD Plans and Report

Cc: *Chuck Haskins, Engineering Services Division, Division Manager*
Case Files ASI16-001, L16-002, X16-001

Engineering Services Division Staff (Staff) has reviewed the referenced land use application(s) and has the following findings and comments:

Findings:

1. Engineering review and approval fees are included with the planning fee for the 1041 and L&E, with the exclusion of the easements that will need to be prepared by separate document(s). Fees for the Subdivision Exemption are paid.
2. This site lies within Coyote Run-Box Elder Creek watershed basin. Basin fees are still being established for this area, but are not yet determined.
3. This development lies within the boundaries of the Urban Drainage and Flood Control District (UDFCD).
4. Urban Drainage and Flood Control District (UDFCD) has been included as a referral agency. Their comments will need to be addressed prior to final approval
5. Construction activities that disturb one or more acres are required by the Environmental Protection Agency (EPA) to obtain a Construction Stormwater Permit.
6. The subdivision exemption process requires a permanent roadway or an access easement to be established. The permanent roadway as proposed in the Prosper Preliminary Development Plan (PDP) is not yet constructed. Once the development around the Waste Water Treatment Plant (WWTP) begins, a permanent road will be constructed that allows access to the WWTP. In the interim, access to WWTP will be via private access road. Easement recordation information will need to be noted on the Subdivision Exemption exhibit. Engineering Case E16-029 has been submitted and is under review for the Access Road construction.
7. The WWTP will have a limited on-site staff, and generates very minimal traffic, as such a Traffic Impact Study was waived for this development.
8. Drainage easements for each detention pond outfalls (offsite) will need to be dedicated to Arapahoe County via separate document.
9. Both Coyote Run and Rat Run have existing Flood Insurance Rate Maps (FIRM) as provided by the Federal Emergency Management Agency (FEMA). Coyote Run is in a Flood Hazard Area Delineation (FHAD) process to update the floodplain delineation with FEMA. The WWTP is outside of both FEMA and FHAD designated 100 year floodplains. Both delineations are shown on all exhibits, as applicable.
10. Waste water treatment plants are exempt from specific critical facility regulations established by the Colorado Water Conservation Board. However, applicant is encouraged to minimize potential hazards from floodwaters. County would recommend to have lowest floor elevation a minimum of 2 feet above 100-year water surface elevation, ensure on-site waste disposal is located such that outside but adjacent to 100 year floodplain. County discourages critical facilities within the 500 year floodplain, since these drainage ways have not been mapped for 500 yr flooding, recommend additional provisions may be needed – i.e. flood proofing building or elevation of facility to be at 2 ft above BFE (LDC section 12-2007.09).

11. All applicable public and private improvements (i.e., storm sewer systems, detention ponds, roadways appurtenances, etc.) associated with this development proposal shall be guaranteed within a Subdivision Improvements Agreement (SIA). The applicant will be required to enter into a Subdivision Improvement Agreement (SIA) to guarantee onsite and offsite improvements related to this development. Subdivision Improvement Agreement will be prepared by County Staff with finalization of costs.
12. Staff reviewed contours and elevations for the WWTP, per aerial photography and County GIS. The WWTP is located at the lowest elevation within the Prosper PDP boundaries outside of the floodplain. Elevation increases as the topography fans in a bowl-or U-shaped pattern towards the south, east and west.

Recommendations:

The Division of Engineering Services recommends this case favorably subject to the following conditions:

1. The applicant agrees to address the Division of Engineering Services' comments and concerns as identified within the ESD Staff Report dated 9/20/2016.
2. The applicant agrees to address comments issued by the Urban Drainage and Flood Control District (UDFCD).
3. The applicant executes a Subdivision Improvement Agreement.

Prosper Wastewater Treatment Plant
Arapahoe County 1041 Application Submittal
Revision 3

August 2016

Prepared for:

Arapahoe County
Public Works Department
6294 S. Lima Street
Centennial, CO 80112

Arapahoe County Case No. ASI16-001

Prepared by:

Dewberry Engineers Inc.
990 South Broadway, Suite 400
Denver, CO 80209

Prosper Wastewater Treatment Plant

Arapahoe County 1041 Application Submittal

Revision 3

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Section 1

Approval Criteria

a. General Approval Criteria

Documentation that prior to site disturbance associated with the proposed project, the applicant can and will obtain all necessary property rights, permits and approvals

Per the Title Commitment provided in **Attachment B**, Prosper Regional Water & Sanitation Service Metropolitan District currently owns the Wastewater Treatment Plant (WWTP) property that is included in this 1041 application. Any additional property rights that will be required shall be obtained prior to site disturbance.

Applicable Federal, State and Local permits shall be obtained prior to site disturbance. The following permits shall be obtained prior to site disturbance.

1. Arapahoe County Department of Public Works and Development – GESC, Public Improvement, Building, Floodplain (for outfall in a 100-year floodplain)
2. State of Colorado – Storm Water Management Plan
3. Environmental Protection Agency (EPA) – Construction Stormwater Permit
4. Colorado Department of Public Health and Environment (CDPHE) – Air Pollution Emission Notice and Emission Permit
5. CDPHE – Sewage Treatment (Wastewater Site Application and Process Design Report)
6. Tri-County Health Department

Required Arapahoe County planning and public works and CDPHE approvals will be obtained prior to site disturbance. These approvals shall include the following for the WWTP.

1. Arapahoe County 1041 Permit
2. Preliminary Development Plan
3. Final Development Plan
4. Preliminary Plat
5. Final Plat
6. Site Application – Section 22.4 of Regulation 22: New Domestic Wastewater Treatment Facility
7. Process Design Report – Required approval before construction can begin.
8. Wastewater Design Criteria Capacity Evaluation Form.

The proposed project considers the relevant provisions of the regional water quality plans

A comprehensive storm water and water quality management plan was prepared for the Prosper WWTP that is provided in the Location and Extent submittal. The Phase III storm drainage report incorporates standards and guidelines outlined by Arapahoe County and the Urban Drainage and Flood Control District.

The storm drainage and water quality plan for the Prosper WWTP will be implemented in one phase. As outlined in the phase III drainage report, the intent is to maintain the integrity of the natural drainages and patterns that currently exist on the property. Storm conveyance facilities, drainage crossings, detention and water quality ponds have been located and configured to integrate with the existing drainage patterns and topography.

The first phase of the Prosper development including the WWTP will be served by well water from the Denver Basin Aquifer wells. The Prosper development Water Supply Report is provided in **Attachment D**.

The applicant has the necessary expertise and financial capability to develop and operate the proposed project consistent with all requirements and conditions

Prosper is proposed to include eight metropolitan districts. Through one or more Intergovernmental Agreements the Districts will coordinate the planning; design; acquisition; financing; construction; operations and maintenance of road and transportation improvements; water; wastewater; sanitary sewer; storm drainage improvements; park and recreation improvements; and mosquito control services.

Two of the approved districts include the Prosper Regional Water & Sanitation Service Metropolitan District and the Prosper Water & Sanitation Financing Metropolitan District. These districts may be utilized to finance, construct and maintain the proposed wastewater treatment plant. It is estimated that six employees will be required to operate and maintain the WWTP. At a minimum, one operator will hold a Class A Wastewater Operator's License; the highest Class achievable.

The proposed project is technically and financially feasible

The Owner, Prosper Regional Water & Sanitation Service Metropolitan District, has extensive experience and financial resources to implement and maintain the project. As mentioned above, Prosper is proposed to include eight metropolitan districts. Through one or more Intergovernmental Agreements the Districts will coordinate the planning, design, financing, construction, and operations and maintenance of the WWTP. A fiscal impact report has been prepared for Prosper that includes a financial analysis and summary outlining the cost and benefit to the residents of Arapahoe County and is included in the approved Prosper Development 1041 Application.

The proposed project is not subject to significant risk from natural hazards

The Prosper WWTP is located within the Coyote Run and Rat Run drainage ways and outside of the 100- year FEMA floodplain.

Mostly Adena-Colby silt loam soils are found at the WWTP site that are highly susceptible to wind and water erosion. Therefore, Best Management Practices (BMPs) as outlined in the Arapahoe County Grading, Erosion and Sediment Control Manual (Arapahoe County, 2010) will be considered during the design phase to minimize wind and water erosion.

The proposed project is in general conformity with the applicable comprehensive plan

The approved Prosper Preliminary Development Plan is located within the western segment of the I-70 Planning Reserve Tier One area that is identified on the Comprehensive Plan update. Planning Area 71 which includes the proposed Wastewater Treatment facility is located within the approved Preliminary Development Plan.

As described in the Comprehensive Plan, "The Vision for Arapahoe County describes the County's values and aspirations in terms of what kind of place the County will be over the next 20 years." Outlined below are principles outlined in the Comprehensive Plan that support the Vision for Arapahoe County that have also been incorporated into Prosper and specifically the wastewater treatment plant.

Arapahoe County Comprehensive Plan Principles *(Section II, page 20)*

"Appropriate Land Use Patterns" *(Section II, page 20)*

In keeping with the approved Prosper Preliminary Development Plan and planning principles of Arapahoe County, the Prosper wastewater treatment is located within Planning Area 71 along the Interstate 70 (I-70) corridor. Open space buffers and

drainage corridors are located on the east, west and north side of Planning Area 71. Non-residential land uses are approved south of Planning Area 71.

“Adequate Public Facilities and Services” *(Section II, page 20)*

Public and community facilities for Prosper will include water, wastewater, fire protection, police protection, parks and other utilities.

A comprehensive water and wastewater plan has been prepared for Prosper. This plan includes utilizing a combination of ground water, renewable surface water and recycled water.

The proposed wastewater treatment plant is designed to process and create recycled water. This water will be utilized to address potable and non-potable requirements for the Prosper project.

“Resource Conservation and Environmental Quality” *(Section II, page 22)*

The proposed wastewater treatment plant utilizes modern technology to process and treat wastewater that will be generated within Prosper. This facility will include processing recycled water for potable and non-potable use.

Utilizing recycled water for potable and non-potable use will significantly reduce the demand for additional ground and renewable water. Utilizing treated non-potable water for specific landscape irrigation requirements also significantly reduces groundwater and renewable water requirements.

The proposed plant is designed to ensure efficient water use, recycling and the utilization of reuse technology. This plant will include modern wastewater treatment facilities with biological nutrient removal (BNR) and filtration for the production of reuse water. The treatment units will include a headworks (influent screening and grit removal), secondary aerobic biological treatment (nutrient reduction), ultraviolet disinfection for discharge to creek, aerobic sludge digestion, sludge handling facilities (thickening or cake production); effluent chemical addition, flocculation, clarification and filtration (Advanced Wastewater Treatment for reuse production), and chlorine disinfection for irrigation within the development. All residential and commercial facilities will include low flow water fixtures to reduce demands.

The proposed project will not have a significant adverse effect on the capability of local government to provide services or exceed the capacity of service delivery systems

The Prosper WWTP will not have a significant adverse effect on the capability of local government to provide services or exceed the capacity of service delivery systems, in fact the WWTP will provide a reliable treatment system that is vital to the Prosper community. The WWTP shall be designed and constructed to ensure efficient water use, recycling and the utilization of reuse technology. The community will include modern wastewater treatment facilities with biological nutrient removal (BNR) and filtration for the production of reuse water. The treatment units will include a headworks (influent screening and grit removal), secondary aerobic biological treatment (nutrient reduction), ultraviolet disinfection for discharge to creek, aerobic sludge digestion, sludge handling facilities (thickening or cake production); effluent chemical addition, flocculation, clarification and filtration (Advanced Wastewater Treatment for reuse production), and chlorine disinfection for irrigation within the development. All residential and commercial facilities will include low flow water fixtures to reduce demands.

The planning, design and operation of the proposed project will reflect principles of resource conservation, energy efficiency and recycling or reuse

The WWTP will be designed and constructed to ensure efficient water use, recycling and the utilization of reuse technology. The proposed biological nutrient removal process (BNR) recaptures oxygen released during denitrification which significantly

reduces the amount of energy required during the treatment process. The process design will also incorporate biological phosphorus removal which reduces both the amount of energy and chemicals required.

Disinfection of the treated wastewater will be accomplished with UV radiation, which reduces chemical consumption and the risks associated with chemicals spills and accidental releases.

Biosolids produced during the treatment process will be dewatered to minimize water loss. Once digested, the biosolids will be land applied to recapture their value as a natural fertilizer and soil amendment.

Beginning in Phase 2 of the project, treated wastewater will be captured and reused for landscape irrigation throughout the development as described in Section 5.c. and in accordance to Prosper's augmentation plan applied for in pending Case No. 13CW3143. The Case would provide legal approval to recapture and reuse up to 800 acre feet of the WWTP reusable effluent and has been carefully structured to assure that local alluvial groundwater appropriators will not be injured.

The proposed project will not significantly degrade the environment

A comprehensive environmental impact analysis has been prepared for the Prosper WWTP by McVehil-Monnett Associates, Inc. and is provided in **Attachment E**. The WWTP will discharge to Rat Run which is a tributary to Box Elder Creek and part of the South Platte Basin as defined by CDPHE. Rat Run is currently dry so it is not anticipated that the WWTP will have an effect on the surface water quality. The WWTP will also have strict effluent limits per Regulation 85, Nutrients Management Control Regulation adopted by CDPHE in 2012, because it is a brand new treatment plant.

The proposed WWTP would impact 8.5 acres of a fallow wheat field, a terrestrial introduced habitat. It would not impact any wetland or riparian areas, or aquatic plant life. Furthermore, no wetlands or riparian areas occur along Rat Run and Coyote Run Creek in the area of the WWTP.

The proposed project will not cause a nuisance

Prosper is planned and designed to avoid or mitigate any potential nuisances. Considerations with regards to dust and odor, noise and light, land use, transportation, environmental impacts, cultural and economic implications, and airport influence area have been addressed as part of this planning and 1041 process.

Dust control Best Management Practices (BMPs) as outlined in the Arapahoe County Grading, Erosion and Sediment Control Manual (Arapahoe County, 2010) will be implemented during construction. These will include watering of disturbed areas to reduce dust, tracking pads at construction site entrance(s) to reduce the transfer of mud offsite to local roads, and pavement sweeping during dry periods to reduce dust. Odor control equipment will be installed at the influent lift station and at the Headworks Building of the WWTP.

Construction noise will be typical of that associated with the construction of a treatment facility. Noise will generally be associated with the use of outdoor construction equipment such as cranes, excavators, backhoes, compactors and delivery vehicles. The operation of the WWTP will not produce significant noise. Nighttime friendly LED fixtures and site lighting will be used at the WWTP.

The proposed project will not significantly degrade areas of paleontological, historic, or archaeological importance

An archaeological and cultural survey for the Prosper property was conducted by the Colorado Historical Society. The Planning Area 71 property does not include any cultural resources that are eligible to be listed on the National Register of Historic Places. A Colorado Historical Society search, provided in **Section 11**, outlines eight (8) sites and five (5) surveys that

have been conducted within and adjacent to the Prosper property. These sites are located in the northeast corner of Section 6 and the northwest corner of Section 5 within the Box Elder Creek corridor. The WWTP is located in the northwest portion of Section 1 and is approximately 1.6 miles west of the eight (8) sites mentioned above.

The proposed project will not result in unreasonable risk of releases of hazardous materials

The Prosper WWTP will utilize and store two chemicals, alum and sodium hypochlorite, onsite at the pumping station/blower building located next to the aeration basins. It is estimated that three 3,000 gallon FRP storage tanks will be required for Alum and two 300 gallon totes will be required for sodium hypochlorite. Alum will be used for backup phosphorus removal and sodium hypochlorite will be used for reuse water disinfection.

Both chemicals are classified as hazardous by OSHA when not stored, handled, or used properly. Federal regulations require that a material safety data sheet (MSDS) be posted on site. Operators must use the correct safety equipment and follow the safe handling procedures described in the MSDS. This would include using personal protective equipment such as face shields, eyewear, and protective clothing. Further, the plant will be adequately equipped with emergency eyewashes and showers and secondary containment structures for liquid chemical or solution systems.

Biosolids produced as a by-product of the WWTP process will be disposed of offsite by a certified contractor hauler that specializes in the safe removal and land application of municipal wastewater by-products. Similar services are used by many WWTP's in Colorado.

Emergency overflows will be incorporated into the critical process structures to ensure no sewage will overflow onto the WWTP property or inside any process buildings. If an emergency overflow occurs, the overflow will be recaptured back into the treatment process or storage basin and will not be discharged to Rat Run. The on-site lift station will have adequate storage time and bypass pumping capabilities to ensure no sewage overflow occurs.

The proposed project will not cause significant degradation of land use patterns in the area around the proposed project

The proposed Prosper WWTP is located within Planning Area 71 of the approved Prosper PDP. Planning Area 71 has been strategically located, configured and zoned to accommodate the proposed WWTP. The WWTP is located at one of the lowest elevation points within the Prosper PDP. The location of the Planning Area in conjunction with the vertical elevation achieves specific criteria with regards to allowing sanitary sewer to flow by gravity to the proposed facility.

Existing drainage corridors and flood plain boundaries are to be preserved in their existing state and modified as required for transportation and other infrastructure requirements. Modifications to the FEMA floodplain will not be required for the Prosper WWTP site.

The WWTP is located within the context of adjacent land uses that are comprised of existing Interstate 70, the Coyote Run drainage and the Rat Run drainage corridors. A natural grassland area is located directly north of the proposed facility. Non-residential land uses are approved and proposed to the south of Planning Area 71.

Planning Area 71 is currently undeveloped. Existing land uses included dry land wheat and corn fields.

Compliance with Regulations and Fees

Prosper Regional Water & Sanitation Service Metropolitan District has paid and will continue to pay applicable development fees as determined by Arapahoe County and agreed upon by the applicant.

b. Additional Criteria Applicable to Major Water and Sewer Projects

In addition to the Submittal Requirements mentioned above, the following additional requirements shall apply to Major Water and Sewer Projects:

Existing domestic water and wastewater treatment facilities in the vicinity of the project, including their capacity and existing service levels, location of intake and discharge points, discharge permit requirements, service fees and rates, debt structure and service plan boundaries and reasons for and against hooking on to those facilities

Existing WWTP facilities in the vicinity of Prosper are Metro Wastewater Reclamation District's facilities, the Coal Creek Water Reclamation Facility, and the individual facilities serving Foxridge Farms, the Arapahoe Racetrack, and Orica USA. Discharge permit requirements and discharge points were found for all the facilities. Rates are provided for Metro Wastewater Reclamation District, City of Denver, Aurora Water, and South Adams County Water and Sanitation District. Debt structure, and a service area map were only provide for the Metro Wastewater Reclamation District. This information was not available for the other treatment facilities due to their small size of the facilities and their service areas.

Each of the facilities was analyzed as an option for the Prosper development to consolidate with. The main reasons for not consolidating with existing facilities are infrastructure costs, capacity limitations, and the Prosper development would not have the opportunity to reuse their treated wastewater for irrigation purposes.

Other water and wastewater treatment management agencies in the project area and reasons for and against consolidation with those agencies

Existing wastewater management agencies were discussed concurrently with the existing wastewater treatment facilities they manage. It is not feasible to consolidate with any of the surround agencies because the logistics and cost of connecting the treatment facilities and because the other agencies (excluding Metro Wastewater Reclamation District) are too small to be able to manage the Prosper WWTP and sewer system. Consolidation would eliminate the opportunity for the Prosper Development to utilize their own reuse water.

How project may affect adjacent communities and users on wells

The Prosper WWTP will not affect adjacent communities and users on wells. The Prosper water supply plan was created to limit effects by pumping out of aquifers not used heavily by surrounding communities and users and by developing and relying on renewable sources as possible. The water supply plan can be found as part of **Attachment D**.

Demands that this project expects to meet and basis for projections of that demand

Demand projections follow the 30 year development timeline for the Prosper development. The projected demands, shown in **Table 16-6**, are based on the market and feasibility studies prepared by Arapahoe County for tier 1 of the growth corridor along I-70.

Efficient water use, recycling and reuse technology the project intends to use

Reuse water from the WWTP will be utilized directly and indirectly. At the WWTP site reuse water will be used for pump lubrication, irrigation, and yard hydrants. Reuse water will also be used throughout the community to irrigate public and commercial areas. A filter system and sodium hypochlorite disinfection will be used to ensure the reuse water meets the CDPHE criteria. Indirect reuse will occur by discharging treated wastewater to Box Elder Creek where it will be exchanged for water in the creek via alluvial wells. At buildout approximately 32% of the community's water is planned to be provided by reuse water.

How the project will affect urban development, urban densities, and site layout and design of stormwater and sanitation systems

The WWTP will be designed to minimize its visual impact by blending it with the surroundings. The WWTP project will not affect existing stormwater or sanitation systems as there are no existing systems in the area and these systems will be integrated concurrently with the new WWTP.

Map and description of other municipal and industrial water projects in the vicinity and a discussion of how the project will compete or duplicate those services in the County

The Sky Ranch development is the only wastewater project identified in the area. The possible variability in schedules of the two projects, the buildout size of each development, and the cost of transporting water and/or wastewater from one development to the other outweigh the benefits of combining the two systems.

Section 2

The Application

a. Application

The Land Development Application, Letter of Intent, and Pre-submittal notes are provided at the end of this Section.

b. 1041 Permit Review Fee

The 1041 permit fee, which has been paid by the applicant, is an initial \$10,000 deposit that is drawn down based on the fully-loaded salaries of all County employees who are working on the case. This includes Planning, Engineering and other County staff. The applicant is willing per the 1041 Permit Regulations, Section III, C.1.c., to pay for any consultant that the County may need to retain to analyze, evaluate or provide information to the County regarding all or a portion of an application where City Staff does not have expertise.

c. Review Consultant Fees

There are no review consultant fees at this time.

Section 3

The Applicant

a. The Applicant Contact Information

Applicant/Owner(s) of Record

VREI, Inc.
5641 N. Broadway
Denver, CO 80215
Phone: (303) 566-8915
Fax: (303) 918-4216
Email: jvogel@vogelassoc.com
Contact: Jeffrey Vogel, AICP

Applicant Representative Contact Information

Vogel & Associates, LLC
475 W. 12th Avenue, Suite E
Denver, CO 80204
Phone: (303) 893-4288
Fax: (303) 893-6792
Email: jvogel@vogelassoc.com
Contact: Jeffrey Vogel, AICP

b. Design Team Contact Information

Prosper Planning Team

The Prosper WWTP is an integrated project that incorporates several engineers and planners to ensure the project's intent is achieved. This comprehensive and balanced approach is supported by a planning and development team comprised of several disciplines that have extensive experience with master planned communities.

The following is an outline of the planning team. This outline summarizes the professional expertise and experience of each respective discipline.

Planner and Landscape Architect

Vogel & Associates, LLC
475 W. 12th Avenue, Suite E
Denver, CO 80204
Phone: (303) 893-4288
Fax: (303) 893-6792
Email: jvogel@vogelassoc.com
Contact: Jeffrey Vogel, AICP

Vogel & Associates, LLC is the project planner and landscape architect for the Prosper WWTP. This planning role has included working on the Prosper project for that last eight years on issues related to property acquisition and monitoring local and

regional planning initiatives. Vogel & Associates is also responsible for preparing the required master plan and coordinating the PDP and 1041 review process.

By utilizing a small multi-disciplinary studio approach, in collaboration with nationally recognized design consultants and specialists, Vogel & Associates is able to provide services ranging from initial strategic consultation on land planning and development issues to long range comprehensive planning, design and project management.

The established team of Vogel & Associates has extensive experience in integrated planning and design as required to master plan, design and re-position projects in this new and evolving real estate market. Services include integrated land planning, urban design, landscape architecture, adaptive-reuse planning, energy efficient community design and real estate feasibility.

This diversity of professional experience, involving a variety of geographic locations, combined with the firm's holistic approach to the practice of planning and design, has resulted in numerous nationally recognized mixed use, residential, education, recreation and resort community projects. Our commitment to implementing the vision established for each project along with our high-level of service has resulted in several long-term community and client relationships.

Environmental Engineering

Dewberry Engineers Inc.
990 South Broadway, Suite 400
Denver, CO 80209
Phone: (303) 951-0614
Fax: (303) 825-2322
Email: apratt@dewberry.com
Contact: Alan Pratt, PE

Dewberry Engineers Inc. are the environmental engineers who will be designing the wastewater treatment process and site layout for the Prosper WWTP. For more than 20 years, the Dewberry staff has provided practical, innovative, and cost-effective engineering solutions to municipalities throughout Colorado from the Denver office. Combining a broad range of experience with the latest technical research and a flair for innovation, Dewberry develops solutions that are custom engineered to meet the requirements of each unique situation at an affordable cost.

Dewberry specializes in engineering and construction management services for municipal water and wastewater infrastructure facilities. In-house capabilities include civil, mechanical, structural, electrical, instrumentation and control, CAD, and GIS services. The Denver office currently has 46 professionals who live and work in Colorado and know the environmental, regulatory, and water resources issues that affect drinking water and wastewater systems throughout the state. Dewberry is also well versed in local design and construction practices, and state and local approval processes. When necessary to meet specific client needs, the Denver office can draw on special expertise located in other Dewberry offices across the country.

Civil Engineering

CORE Consultants Inc.
1950 W. Littleton Blvd., Suite 109
Littleton, CO 80120
Phone: (303) 703-4444
Fax: (303) 703-4530
Contact: Scott Pease, PE

The project civil engineer is CORE Consultants Inc. (CCI). Engineering services for the Prosper WWTP project includes preparing preliminary utility, grading and drainage plans.

CORE Consultants Inc. (CCI) is a full service and schedule oriented company. CCI has established itself as one of the most reliable engineering firms in the area. We have distinguished ourselves as experts in single and multi-family residential projects, as well as commercial and industrial developments.

Today CCI is a full-service civil engineering company that provides all the expertise necessary to complete any size land development project on-schedule and within monetary constraints. Our services include, but are not limited to, grading plans, street improvement plans, sanitary and storm sewer design, area grading plans, water distribution system design and analysis, provision of major and minor drainage improvements, infrastructure master planning, and support during construction activities.

CCI has worked to gain project approval in every major city and county in the Denver area and strives to maintain its working relationships with design review engineers in every municipality. We also maintain close relationships with the project surveyors and contractors with whom we work. Our engineers are experts in doing what it takes to gain approval and achieve completion for each and every project.

CCI has performed work for three of the nation's ten largest home builders and many of Denver's largest and most reputable developers, and master planned communities including Highlands Ranch, Green Valley Ranch and the Meadows.

Environmental Analysis and Planning

Western Ecological Resource, Inc.

711 Walnut Street

Boulder, CO 80302

Phone: (303) 449-9009

Fax: (303) 449-9038

Contact: David Johnson

Western Ecological is the Prosper environmental team consultant. Environmental services include preparing the required environmental assessment for the PDP and 1041 submittal. This effort includes addressing issues related to vegetation, wildlife, air quality etc. The firm of Mcvehil-Monnett Associates, Inc. has been responsible for preparing the air quality analysis.

Western Ecological is an ecology consulting firm serving Colorado and the western United States. We offer a full range of professional ecological services from an interdisciplinary team of specialists. Western Ecological Resource provides services to a diversity of industries as well as local, state and federal agencies in Colorado and the western United States. Since establishment in 1978, their ecologists and associated natural resource scientists have provided consulting services to more than 500 clients. They are dedicated to helping our clients achieve their project goals in a timely and cost effective manner. More than 95% of our business is from existing clients.

Western Ecological provide expertise in the areas of vegetation, wetlands, weed management, forest health, wildfire hazards, wildlife and aquatic biology, threatened, endangered, and rare species, soil science, geology, reclamation/ecological restoration, stream restoration, NEPA compliance, permitting and project approvals, and project management. Their natural resource studies incorporate the latest technologies including GPS, CAD, GIS, and high-resolution aerial imagery, and we have in-house capabilities for the production of reports with presentation quality graphics.

Their work throughout Colorado and the Western United States has allowed us to develop a comprehensive understanding of the ecology of this diverse region and the ecological issues and concerns to state and federal land resource managers. Over the past 32 years, they have developed a thorough understanding of local, state and federal environmental regulations and laws, and have established positive working relationships with personnel in environmental regulatory agencies. They also have extensive experience with the environmental review, compliance and permitting process. They use their ecological and regulatory expertise to facilitate client compliance with environmental regulations and laws to quickly achieve their project goals. For more information on our experience and qualifications, please see their website at www.westerneco.com.

McVehil-Monnett Associates, Inc.

McVehil-Monnett Associates, Inc. is an experienced firm of atmospheric scientists, engineers, and environmental specialists providing air quality and environmental consulting services to industry and government clients. Since its inception in 1984, McVehil-Monnett Associates has completed more than 1,000 projects for hundreds of clients in the U.S. and abroad. Their services include air permitting; impact analyses; air quality modeling and monitoring; environmental regulatory compliance; and litigation support services. For additional details on McVehil-Monnett Associates, please refer to their website: www.mcvehil-monnett.com.

Wildlife Specialties, LLC

Wildlife Specialties, LLC provides innovative environmental consulting services throughout Colorado and the western United States. They are a private consulting firm specializing in wildlife related planning, baseline studies, inventories, habitat management, and research. Their expertise includes NEPA compliance; Endangered Species Act section 7 consultations; threatened and endangered species habitat assessments and surveys; impact analyses and wildlife mitigation plans; Migratory Bird Treaty Act compliance; and toxicology studies. Their biologists have considerable experience evaluating the potential impacts of transportation projects to wildlife, including the Canada lynx. Jerry Powell, the president of Wildlife Specialties, LLC, is a certified wildlife biologist with more than 18 years of professional experience. His expertise includes NEPA compliance, sensitive species surveys and habitat assessments, small mammal studies, avian surveys, and environmental impact assessments. For additional details on Wildlife Specialties, LLC and their services, please refer to their website: www.wildlifespecialtiesllc.com.

Buscher Soil & Environmental, Inc.

Buscher Soil & Environmental, Inc., owned by David Buscher, provides technical services in the fields of soils and geology. They are the premier firm in Colorado specializing in hydric soil identification for wetland delineations, and have extensive experience with wetlands throughout the state of Colorado. Mr. Buscher is a Certified Professional Soil Scientist, Ecological Engineer, and Professional Geologist with more than 27 years of experience. His expertise includes mapping and describing soils and geomorphic features, delineating wetlands, hydric soil identification, and evaluating geologic hazards for NEPA compliance documents.

Hydraulic and Water Resources

HRS Water Consultants, Inc.

8885 W. 14th Avenue

Lakewood, CO 80215

Phone: (303) 462-1111

Fax: (303) 462-3030

Contact: Mark R. Palumbo, Principal Hydrologist

HRS Water Consultants is the Prosper hydrologist and water resource specialist. These services have included analyzing and evaluating ground water, surface water and preparing water demand analysis for the Prosper project.

HRS Water Consultants, Inc. specializes in providing the complete range of services necessary for analysis and development of surface and ground water supplies. The HRS staff, which is composed of specialists in the disciplines of ground water hydrology, hydrogeology, geophysics, surface water hydrology, and water rights engineering, provides optimal solutions to difficult and unique water supply and water rights issues. The experience of the staff throughout the Rocky Mountain region, combined with state-of-the-art investigation techniques and evaluation methods, assures cost-effective and beneficial solutions.

The firm's clientele includes individual water users, municipalities, special districts, private owners and ventures, ditch and reservoir companies, irrigation districts, State and Federal agencies, residential and business-complex developers, mining companies, exploration and energy firms, and citizens' groups.

Transportation Engineer

Felsburg Holt and Ullevig

6300 S. Syracuse Way, Ste. 600

Centennial, CO 80111

Phone: (303) 721-1440

Fax: (303) 721-0832

Contact: Charles M. Buck, P.E., PTOE

Felsburg Holt and Ullevig (FHU) is the Prosper transportation engineer. Transportation services have included preparing a traffic demand analysis, coordinating with the Colorado Department of Transportation and preparing required Preliminary Development Plan and 1041 transportation reports.

Felsburg Holt & Ullevig is a consulting firm specializing in transportation planning, traffic engineering, civil engineering design, and environmental services. The philosophy of the firm is to provide high quality professional services on a wide range of transportation and design projects, with emphasis on developing creative, cost-effective and environmentally sensitive solutions. The strength of our firm comes from a group of Principals with many years of technical and management experience who are actively involved in projects to assure the highest level of customer satisfaction. The entire staff is committed to conceiving the best project for the client and the community. The company adheres to the multi-disciplinary team concept and has extensive experience in managing complex endeavors as well as serving as a sub-consultant.

Since its founding in 1984, the company's business plan has been to maintain a highly qualified professional and technical staff. Felsburg Holt & Ullevig has grown to a current full-time staff of nearly 90 people, including multi-modal transportation planners, traffic engineers, civil design engineers, structural engineers, environmental analysts, construction management specialists, GIS specialists, technicians, and graphic designers. Our award-winning staff includes almost 40 professional engineers registered in Colorado and several other states. Felsburg Holt & Ullevig has offices in Centennial and Colorado Springs, Colorado as well as Omaha and Lincoln, Nebraska, allowing us to serve both the Rocky Mountain region and the Midwest.

Our professional services encompass the spectrum of transportation and related civil engineering design. In addition to the technical and analytical skills necessary for successful project completion, we also provide supplementary support services essential for project implementation. Felsburg Holt & Ullevig provides community participation, public presentation, and governmental processing services as required by the project work program and the client's objectives.

Metropolitan Districts

McGeady Sisneros
450 E. 17th Avenue, Suite 400
Denver, CO 80203
Phone: (303) 592-4380
Fax: (303) 592-4385
Contact: MaryAnn McGeady, PC

McGeady Sisneros, P.C. has extensive experience in Arapahoe County and has been retained as part of the Prosper planning team as legal counsel for the formation of the Prosper Metropolitan Districts. The Firm's primary areas of practice are: Special Districts, Municipal Finance, Municipal Law, Real Estate, Real Estate Finance, and Construction Law.

Members of the Firm have been involved in all aspects of special district representation for over twenty-six (26) years, including, but not limited to, organization, construction and construction financing, right-of-way acquisition, intergovernmental agreements, public finance, and debt restructuring. In addition, the Firm has represented clients in evaluating the impact of property being included in a special district and evaluating the enforceability of liens and agreements with special districts.

The Firm serves as general counsel to over two hundred (200) special districts, including metropolitan districts, water and sanitation districts and fire protection districts. This representation includes the ongoing representation of these entities with regard to all matters, including, but not limited to agreement negotiation and drafting, financing, construction, operations, elections, right-of-way acquisition and intergovernmental agreements.

Members of the Firm have also represented a broad spectrum of clients in real estate matters: investors, developers, lenders, borrowers, landlords, tenants, covenant declarants, home builders, purchasers and sellers. Members of the Firm have organized and provided advice to real estate limited partnerships and have a broad base of experience in all phases of commercial real estate practice.

The Firm's experience includes the drafting and negotiating of contracts for the purchase and sale of real property. In the area of real property leasing, our attorneys have experience in both landlord and tenant representation for shopping centers, industrial parks, and office buildings. Their real estate department also has significant experience in the area of real estate financing, including participation agreements and purchases and sales of loans. They have experience in foreclosures (both public trustee and quiet title), deeds in lieu of foreclosure, wrap-around mortgages and deeds of trust, loan modifications and workouts.

c. Letter of Authorization

Provided at the end of Section 3.

d. Owner's Financial Ability

Prosper Regional Water & Sanitation Service Metropolitan District is the sole owner of the 8.22 acre parcel that is to be used for the Prosper WWTP site. The owners of Prosper Regional Water & Sanitation Service Metropolitan District have over 40 years of experience in the acquisition and development of raw land, including the design, construction, financing and operation of more than 100 real estate projects which has resulted in several multi-million dollar investments. The Prosper property that will include the Prosper WWTP was purchased for cash with assumed debt relating to only one parcel.

This extensive experience and real estate portfolio includes the acquisition, construction, and operation of commercial office, industrial, distribution and retail projects throughout the United States. Each project has required a unique approach to ensure that aesthetic, economic and environmental considerations are appropriately addressed and project goals are achieved.

The extensive experience of the owners and management team of Prosper Regional Water & Sanitation Service Metropolitan District includes constructing and operating sustainable and smart energy projects. This experience in conjunction with the commitment to sustainability and integrated planning remains a primary directive for each project including the Prosper WWTP.

Prosper is proposed to include eight metropolitan districts. Through one or more Intergovernmental Agreements the Districts will coordinate the planning; design; acquisition; financing; construction; operations and maintenance of road and transportation improvements; water; wastewater; sanitary sewer; storm drainage improvements; park and recreation improvements; and mosquito control services.

Two of the approved districts include the Prosper Regional Water & Sanitation Service Metropolitan District and the Prosper Water & Sanitation Financing Metropolitan District. These districts may be utilized to finance, construct and maintain the proposed wastewater treatment plant. It is estimated that six employees will be required to operate and maintain the WWTP. At a minimum, one operator will hold a Class A Wastewater Operator's License; the highest Class achievable.

Section 4

Project Description

a. Plans and Specifications

The preliminary plans for the Prosper WWTP are provided in **Attachment A**. Project specifications will be provided in the future after the project is more defined and the equipment has been selected. Preliminary plans include site layouts, drainage, utility lines, paving, landscaping, hydraulic profile, process flow schematic, design criteria, major building and structure plans and specifications, and architectural elevations.

b. Alternatives

The WWTP site was selected using best engineering judgment as it is the lowest point on the property and thus allows for optimal design of the sanitary sewer collection system and minimizes the need for pumping. Planning Area 71 and specifically the WWTP is a permitted land use in the approved Preliminary Development Plan.

c. Schedule

As shown in **Table 4-1**, County and State approval, design, and construction of the WWTP is estimated to have a duration of approximately 27 months.

Table 4-1 Estimated Project Duration

Item	Duration	Projected Completion
Start of Planning, County, and State Approval Process		January 2016
County and State Site Application Approval Complete	10 months	November 2016
60 Percent Design Complete (Submittal to State for Approval)	5 months	April 2017
Final Design Complete	2 months	June 2017
State Approval Complete – Cleared for Construction	N/A	July 2017
Permitting and Construction	9 months	April 2018
Startup and Commissioning (Phase 1 part of Construction)	N/A	April 2018
Total Project Duration	27 months	

Phase 1 construction is shown on drawing C-1 of the preliminary plans provided in **Attachment A**. Design and construction of Phase 2, 3, and 4 are estimated to begin in years 2026, 2036, and 2046 respectively.

d. Project Need

The WWTP is needed to serve the Prosper Development and will be upgraded concurrently with the development growth per the project phases described in **Section 16, Table 16-6**. Prosper is estimated to have a population of 22,344 at full build-out. Estimated households are 8,361 at full build-out. Prosper is estimated to generate 24,573 jobs at full build-out. A reliable wastewater system is vital to the health of the Prosper community. As described in **Section 16** it is not viable to consolidate with existing treatment facilities in the surrounding areas so that Prosper can take advantage of the reuse water produced by their own WWTP.

e. Conservation Techniques

In keeping with the goals and directives of Prosper, energy and natural resource conservation practices will be incorporated and applied at different scales and levels of the WWTP project. Smart energy and water wise principles will be incorporated within each respective component of planning, including architecture and landscape architecture.

The WWTP will be designed and constructed to ensure efficient water use, recycling and the utilization of reuse technology. The proposed biological nutrient removal process (BNR) recaptures oxygen released during denitrification which significantly reduces the amount of energy required during the treatment process. The process design will also incorporate biological phosphorus removal which reduces both the amount of energy and chemicals required.

Disinfection of the treated wastewater will be accomplished with UV radiation, which reduces chemical consumption and the risks associated with chemicals spills and accidental releases.

Biosolids produced during the treatment process will be dewatered to minimize water loss. Once digested, the biosolids will be land applied to recapture their value as a natural fertilizer and soil amendment.

Beginning in Phase 2 of the project, treated wastewater will be captured and reused for landscape irrigation throughout the development as described in Section 5.c. and in accordance to Prosper's augmentation plan applied for in pending Case No. 13CW3143. The Case would provide legal approval to recapture and reuse up to 800 acre feet of the WWTP reusable effluent and has been carefully structured to assure that local alluvial groundwater appropriators will not be injured.

All residential and commercial facilities will include low flow water fixtures to reduce demands.

Section 5

Property Rights, Permits and other Approvals

a. Property Ownership, Land Use Approvals, & Permits

Property Owner

The Prosper WWTP is 8.5 acres and is owned by one entity which is Prosper Regional Water & Sanitation Service Metropolitan District. The applicant is currently evaluating alternatives for operating and maintaining the WWTP and therefore has elected not to transfer the ownership to the Prosper Metropolitan Districts. The current title policy is provided in **Attachment B**.

Land Use Approvals

The following Arapahoe County land use and development application approvals will be required for Prosper:

1. Regulations Governing Areas and Activities of State Interest in Arapahoe County (1041) Application.
2. Preliminary Development Plan
3. Preliminary Plat
4. Final Development Plan
5. Final Plat
6. Metro District Service Plan
7. Large Land Activities and Applicable Reservoir Permits

State Approvals

The following CDPHE design and construction approvals will be required for Prosper WWTP:

1. Site Application – Section 22.4 of Regulation 22: New Domestic Wastewater Treatment Facility
2. Process Design Report – Required approval before construction can begin.
3. Wastewater Design Criteria Capacity Evaluation Form.

Permits

The following permits that may be required for the Prosper WWTP project:

1. Arapahoe County Department of Public Works and Development – GESC, Public Improvement, Building, Floodplain (for outfall in a 100-year floodplain)
2. State of Colorado – Storm Water Management Plan
3. Environmental Protection Agency (EPA) – Construction Stormwater Permit
4. Colorado Department of Public Health and Environment (CDPHE) – Air Pollution Emission Notice and Emission Permit
5. CDPHE – Sewage Treatment (Wastewater Site Application and Process Design Report)
6. Tri-County Health Department

b. Federal, State, and Local Authorities Correspondences

The request for preliminary effluent limits from CDPHE for the Prosper WWTP is provided in **Attachment C**.

c. Description of Water and Water Supply Plan

The physical sources of Prosper's proposed water supply of 5,986 af/yr are shown in **Table 5-1**. The build-out water supply is met with: (a) Denver Basin ground water, (b) renewable surface water, (c) reclaimed wastewater, and (d) lawn irrigation return flow ("LIRF"). S.B. 1141 (C.R.S. § 29-20-302(2)) states that applicant is not required to own or have acquired the proposed water supply or infrastructure that is the subject of its S.B. 1141 water supply report. Nevertheless, Prosper does have a decree for over 5,400 af/yr of nontributary and not nontributary Denver Basin ground water underlying the project. Under this water supply plan, Prosper will use 1,595 af/yr of its nontributary Denver Basin groundwater. This amount represents 27 percent of the total demand for the Prosper development at full build-out and only 49 percent of Prosper's nontributary water (3,250.6 af/yr) available under its decree. Prosper proposes to meet 33 percent of the total supply, or 2,085 af/yr, with renewable surface water.

At buildout the indoor demand is 2,369 af/yr, approximately 40 percent of the total demand, which is estimated to go through the WWTP. Of the indoor demand amount approximately 57 percent or 1,350 af/yr will be from renewable water and approximately 43 percent or 1,019 af/yr will be Denver Basin ground water.

Table 5-1 Average Annual Water Supply

Prosper Water Supply	Volume (af/yr)	Percentage
Denver Basin Aquifer Ground Water (nontributary)	1,595	27
Renewable Surface Water	2,085	35
Reclaimed Wastewater	1,913	32
Lawn Irrigation Return Flow	392	7
Total	5,986	100

Reclaimed water in the form of reclaimed wastewater and LIRF is 39 percent of the total supply. Reclaimed wastewater is 1,913 af/yr and LIRF is 392 af/yr. Nontributary Denver Basin ground water and the renewable surface water are reusable water supplies. The return flow from the application of these waters to indoor and outdoor uses will be diverted, treated, and used as a water supply. Approximately 95 percent of indoor use water and approximately 15 percent of irrigation water will return to the surface water system as return flow and be reused. Current plans call for the diversion of reclaimed wastewater, either through direct non-potable reuse for irrigation, or by indirect reuse through underground storage or as recaptured by Box Elder Creek alluvial wells located in the northeastern portion of the development.

Reclaimed Wastewater

The proposed Prosper water supply includes 1,913 af/yr of reclaimed wastewater. This volume of water represents 32 percent of the project's water supply. Renewable surface water and nontributary Denver Basin ground water are reusable water supplies. Only two percent of nontributary Denver Basin ground water that is produced must be relinquished to the surface water system. The remainder of the nontributary Denver Basin ground water, 98 percent, can be reused to extinction.

The Prosper WWTP which will treat all return flows accruing from indoor use of Prosper's reusable surface water and reusable Denver Basin supplies. 1,913 af/yr of these treated return flows will then be recaptured and reused by Prosper. Prosper proposes to reuse this water by delivering the reusable wastewater/treated effluent to the Box Elder Creek drainage and/or to alluvial aquifer storage, and recapturing the water with wells located in the northeast portion of the development. Alternatively, Prosper will deliver the treated return flows to a raw water irrigation system. A detailed discussion of the Box Elder Creek alluvial aquifer is included in the Prosper Water Supply Plan Report provided in **Attachment D** and is incorporated herein by reference.

Indirect Reuse of Wastewater from the Box Elder Creek Alluvial Aquifer. For the indirect reuse of up to 800 acre-feet per year of the indoor-use return flows, Prosper intends to pipe treated wastewater from the Prosper sewer treatment plant discharge to an upgradient location on Box Elder Creek. The treated wastewater will infiltrate into the Box Elder Creek alluvial aquifer; and an equal amount of water would then be diverted from the Box Elder Creek alluvial aquifer through alluvial wells. This water may be delivered into Prosper's on-site water treatment plant and treated to potable standards (indirect potable reuse) or will be used for irrigation only (direct non-potable reuse). In Phase 1 and 2 the water supply plan does not contemplate directly treating wastewater to potable standards. In Phase 2, water will be treated to the appropriate potable standard with appropriate water treatment methodologies. Treatment beyond the conventional approaches of coagulation, sedimentation, filtration and disinfection is not anticipated. Of the approximately 1,913 af/yr of effluent generated at full build out, approximately 343 af/yr, may be used as indirect potable supply in the manner described above, and up to 1,570 af/yr may be delivered to a raw water irrigation system. Recapturing the water via wells located down gradient of the discharge into the Box Elder Creek will be accomplished through a Water Court-approved augmentation plan decree. This augmentation plan is pending as Case No. 13CW3143. The proposed decree in this case is included as **Attachment D - Appendix I.**

The reclaimed water supply is derived from return flows from the first use of reusable water for indoor purposes. 2,369 af/yr is the estimated indoor demand. Indoor use is estimated to be five percent consumptive. Therefore, Prosper anticipates approximately 2,251 af/yr of reusable return flows to be produced from the first use of its 2,369 af/yr reusable indoor-use supplies. From this 2,369 af/yr of return flows, we have conservatively estimated that approximately 15 percent is lost during the wastewater treatment process and from other potential system losses. This leaves 1,913 af/yr available to be recaptured and reused.

Direct Reuse of Wastewater for Irrigation. As previously discussed, the non-potable irrigation demand is 1,570 af/yr. Therefore, it is anticipated that a large portion of the reusable wastewater supply of 1,913 af/yr will be used in a direct reuse non-potable irrigation system. The direct use of wastewater for irrigation is included in Regulation No. 84 of the Colorado Department of Public Health and Environment Water Quality Control Commission. For the direct reuse of the indoor-use return flows, Prosper effluent would be treated to appropriate standards and delivered into the non-potable irrigation system, or, alternatively, delivered from the wastewater treatment plant to storage for subsequent irrigation application. The level of required wastewater treatment for direct reuse of wastewater for irrigation under Regulation No. 84 is less than the level of wastewater treatment required to produce potable water. Under Regulation No. 84 filtration and chlorination is required. A central WWTP will be constructed in Phase 1. The conceptual level master plan for the wastewater system includes 800 af of reuse irrigation storage. The current conceptual plan does not include storage sites outside the Prosper area.

Section 6

Regional Water Quality Management Plan

a. Storm Water and Water Quality

A comprehensive storm water and water quality management plan was prepared for the Prosper WWTP that is provided in the Location and Extent submittal. The Phase III storm drainage report incorporates standards and guidelines outlined by Arapahoe County and the Urban Drainage and Flood Control District.

The storm drainage and water quality plan for the Prosper WWTP will be implemented in one phase. As outlined in the phase III drainage report, the intent is to maintain the integrity of the natural drainages and patterns that currently exist on the property. Storm conveyance facilities, drainage crossings, detention and water quality ponds have been located and configured to integrate with the existing drainage patterns and topography.

b. Domestic Water

Prosper is committed to providing a comprehensive sustainable water supply system. This water system is to be implemented in phases as the community develops. The central water system will utilize a combination of existing groundwater rights, renewable surface water sources and recycled water.

A comprehensive water analysis and report has been prepared for Prosper and is provided in **Attachment D** of this application. The report includes a supply and demand analysis. Existing and proposed ground water wells are also evaluated along with the net effect. The first phase of the Prosper development including the WWTP will be served by well water from the Denver Basin Aquifer wells.

Section 7

Land Use

The proposed Prosper WWTP is located within Planning Area 71 of the approved Prosper PDP. Planning Area 71 has been strategically located, configured and zoned to accommodate the proposed WWTP.

This proposed WWTP planning area is located at one of the lowest elevation points within the Prosper PDP. The location of the Planning Area in conjunction with the vertical elevation achieves specific criteria with regards to allowing sanitary sewer to flow by gravity to the proposed facility.

Existing drainage corridors and flood plain boundaries are to be preserved in their existing state and modified as required for transportation and other infrastructure requirements. Modifications to the FEMA floodplain will not be required for the Prosper WWTP site.

a. Existing and Adjacent Land Uses

Adjacent Land Uses

The WWTP is located within the context of adjacent land uses that are comprised of existing Interstate 70, the Coyote Run drainage and the Rat Run drainage corridors. A natural grassland area is located directly north of the proposed facility. Non-residential land uses are approved and proposed to the south of Planning Area 71.

Existing Land Uses

Planning Area 71 is currently undeveloped. Existing land uses included dry land wheat and corn fields.

The Coyote Run drainage corridor defines the east side of the parcel and is used to convey surface drainage. Located on the west side of Planning Area 71 is the Rat Run drainage corridor that is currently being utilized for dry land farming and surface drainage.

b. Compliance with Arapahoe County Comprehensive Plan

The approved Prosper Preliminary Development Plan is located within the western segment of the I-70 Planning Reserve Tier One area that is identified on the Comprehensive Plan update. Planning Area 71 which includes the proposed Wastewater Treatment facility is located within the approved Preliminary Development Plan.

This Comprehensive Land Use Plan Update illustrates the desired concentration of future urban development in this Planning Reserve classification. Planning Reserve Areas are proposed in the Comprehensive Plan to contain a greater mix of uses and higher densities than what is typically developed today, and will provide employment opportunities near the places where citizens reside.

The concentration of future development and greater mix of uses requires that specific infrastructure be implemented to support higher densities. This includes implementing central water and wastewater treatment services to support the mix of uses.

As described in the Comprehensive Plan, “The Vision for Arapahoe County describes the County’s values and aspirations in terms of what kind of place the County will be over the next 20 years.” Outlined below are principles outlined in the

Comprehensive Plan that support the Vision for Arapahoe County that have also been incorporated into Prosper and specifically the wastewater treatment plant.

Arapahoe County Comprehensive Plan Principles *(Section II, page 20)*

“Appropriate Land Use Patterns” *(Section II, page 20)*

In keeping with the approved Prosper Preliminary Development Plan and planning principles of Arapahoe County, the Prosper wastewater treatment is located within Planning Area 71 along the Interstate 70 (I-70) corridor. Open space buffers and drainage corridors are located on the east, west and north side of Planning Area 71. Non-residential land uses are approved south of Planning Area 71.

“Adequate Public Facilities and Services” *(Section II, page 20)*

Public and community facilities for Prosper will include water, wastewater, fire protection, police protection, parks and other utilities.

A comprehensive water and wastewater plan has been prepared for Prosper. This plan includes utilizing a combination of ground water, renewable surface water and recycled water.

The proposed wastewater treatment plant is designed to process and create recycled water. This water will be utilized to address potable and non-potable requirements for the Prosper project.

“Resource Conservation and Environmental Quality” *(Section II, page 22)*

The proposed wastewater treatment plant utilizes modern technology to process and treat wastewater that will be generated within Prosper. This facility will include processing recycled water for potable and non-potable use.

Utilizing recycled water for potable and non-potable use will significantly reduce the demand for additional ground and renewable water. Utilizing treated non-potable water for specific landscape irrigation requirements also significantly reduces groundwater and renewable water requirements.

The proposed plant is designed to ensure efficient water use, recycling and the utilization of reuse technology. This plant will include modern wastewater treatment facilities with biological nutrient removal (BNR) and filtration for the production of reuse water. The treatment units will include a headworks (influent screening and grit removal), secondary aerobic biological treatment (nutrient reduction), ultraviolet disinfection for discharge to creek, aerobic sludge digestion, sludge handling facilities (thickening or cake production); effluent chemical addition, flocculation, clarification and filtration (Advanced Wastewater Treatment for reuse production), and chlorine disinfection for irrigation within the development. All residential and commercial facilities will include low flow water fixtures to reduce demands.

c. Impacts and Net Effects on Land Use Patterns

The proposed Prosper WWTP is located within Planning Area 71 which is zoned specifically to accommodate a WWTP. Open space and drainage corridors are located on the north, east and west side of the proposed facility. Outside of the Prosper Development, Interstate 70 is located to the north and a Church is located to the east of the Prosper WWTP site. There will be no adverse impacts on the land use of these adjacent parcels.

In addition to the building setbacks, these open space areas will further provide a buffer around the proposed facility. The proposed WWTP is consistent with the land use patterns that are depicted on the approved Prosper PDP.

Section 8

Local Government Services

Public Services

The Prosper Wastewater Treatment Plant is located within the following Districts and service areas.

Tri-County Health Department and Colorado Department of Public Health and Environment

The WWTP planning and design process will be coordinated with the Tri-County Health Department and CDPHE before final design and construction of WWTP beings. Facility approval is required under the Colorado Water Quality Control Act.

A request for Preliminary Effluent Limits (PELs) has been sent to CDPHE to determine the estimated Water Quality Based Effluent Limits (WQBELs) required for the WWTP. The WQBELs are the estimated discharge permit requirements for the new WWTP and are used in the design of the WWTP. Next, a Site Application will be completed per the Water Quality Control Division of CDPHE and Regulation 22, Site Location and Design Approval Regulations for Domestic Wastewater Treatment Works. The Tri-County Health Department and Arapahoe County will review the Site Application and approve the WWTP site location and treatment objectives before submitting to CDPHE.

After the Site Application has been approved by CDPHE, a Process Design Report including WWTP design drawings will be submitted to CDPHE for review and approval before construction of the WWTP can begin. The WWTP design will follow the state standards set forth in WPC-DR-1, Design Criteria for Domestic Wastewater Treatment Works and will meet all discharge effluent requirements required by the CDPHE Water Quality Control Division.

Arapahoe County

The permanent streets leading to the WWTP are proposed to be public streets maintained by the County. At buildout of the WWTP, the plant would be operated by a maximum of six employees; thus, the traffic impacts of the wastewater treatment plant and the public streets would be minimal. The access road would carry only about 15 to 20 trips per day. Impacts to traffic operations at the STOP sign controlled intersection at US 36 and N Hayesmount Road would also be negligible, with only about six trips during either peak hour.

Prosper Metropolitan Districts

Prosper includes eight metropolitan districts. The Districts will coordinate the planning, design, acquisition, financing construction and operations and maintenance of specific transportation improvements, water, sanitary sewer and storm drainage improvements, park and recreation improvements, and mosquito control services.

Two of the approved districts include the Prosper Regional Water & Sanitation Service Metropolitan District and the Prosper Water and Sanitation Financing Metropolitan District. These districts may be utilized to finance, construct and maintain the proposed wastewater treatment plant.

Fire Department

Prosper is located within the Bennett Fire Protection District. The Bennett Fire Protection District has a station located northeast of the project on Highway 36. The District has indicated that the existing district facilities have the capacity to serve the initial development phases including the wastewater treatment plant.

WWTP's typically coordinate with local fire departments in developing emergency response plans including plans to address hazardous materials spills. Also, coordination and cooperation is needed to ensure that responding fire department personnel are trained and equipped to address the particular hazards associated with WWTPs including chemical storage, confined space procedures and high voltage electrical hazards.

School Districts

Approximately 3,930 acres of the Prosper property is located within the Bennett School District. The southwest portion of the property that is approximately 1,200 acres is located within the Aurora School District. Based on the projected density at full build-out, Prosper is estimated to include approximately 5,450 students.

Prosper is master planned to include six (6) joint use school/park sites that can accommodate an elementary or kindergarten through eighth grade school. The master plan also includes one (1) high school. A planning area has been incorporated into the plan that permits other private or public educational facilities such as a community college or technological institute.

As each school facility is programmed and designed, specific considerations with regards to wastewater treatment requirements including capacity will be coordinated with the owner and operator of the wastewater treatment plant. Shared school/park facility requirements including outdoor irrigation considerations will be coordinated with the owner and operator of the wastewater treatment plant. The WWTP may offer educational tours to school groups on a by-request basis.

Law Enforcement

Prosper is located within the Arapahoe County Law Enforcement Authority. Design of specific WWTP site facilities and security practices will be reviewed and coordinated with the Arapahoe County Law Enforcement Authority. The WWTP is to be located within a secured perimeter fence. Exterior lighting will also be provided for maintenance and security.

Section 9

Environmental Impact Analysis

A comprehensive environmental impact analysis has been prepared for the Prosper WWTP by McVehil-Monnett Associates, Inc. and is provided in **Attachment E**. This analysis addresses surface water quality, wetlands and riparian areas, terrestrial & aquatic animals, terrestrial & aquatic plant life, soils, geologic conditions and natural hazards.

The WWTP will discharge to Rat Run which is a tributary to Box Elder Creek and part of the South Platte Basin as defined by CDPHE. Rat Run is currently dry so it is not anticipated that the WWTP will have an effect on the surface water quality. The WWTP will also have strict effluent limits per Regulation 85, Nutrients Management Control Regulation adopted by CDPHE in 2012, because it is a brand new treatment plant.

The proposed WWTP would impact 8.5 acres of a fallow wheat field, a terrestrial introduced habitat. It would not impact any wetland or riparian areas, or aquatic plant life. Furthermore, no wetlands or riparian areas occur along Rat Run and Coyote Run Creek in the area of the WWTP.

The WWTP is outside of the 100-year floodplain.

The fallow wheat field to be impacted has a very limited potential to support terrestrial wildlife, as it lacks vegetation. The WWTP site does not provide habitat for any federally listed species or Species of State Concern. Furthermore, there would be no impact to prairie dogs, burrowing owls, raptors, or mule deer ranges.

The Adena-Colby silt loam soils at the proposed WWTP site are highly susceptible to wind and water erosion. Therefore, Best Management Practices (BMPs) as outlined in the Arapahoe County Grading, Erosion and Sediment Control Manual (Arapahoe County, 2010) should be considered during the design phase to minimize wind and water erosion.

There are no shrink-swell soils or unstable slopes at the site of the proposed WWTP. Further geotechnical investigations will be performed before construction of the WWTP begins.

The environmental impact analysis that describes and summarizes in greater detail the environmental considerations outlined above is provided in **Attachment E**.

Section 10

Nuisances

Prosper is planned and designed to avoid or mitigate any potential nuisances. The proposed Prosper WWTP is contemplated within the approved Prosper 1041 Permit for New Communities and the PDP. Considerations with regards to dust and odor, noise and light, land use, transportation, environmental impacts, cultural and economic implications, and airport influence area have been addressed as part of the planning and 1041 process.

Dust and Odor

Dust control Best Management Practices (BMPs) as outlined in the Arapahoe County Grading, Erosion and Sediment Control Manual (Arapahoe County, 2010) will be implemented during construction. These will include watering of disturbed areas to reduce dust, tracking pads at construction site entrance(s) to reduce the transfer of mud offsite to local roads, and pavement sweeping during dry periods to reduce dust.

Odor control equipment will be installed at the influent lift station and at the Headworks Building of the WWTP. These facilities are typically the source of the majority of odors at WWTP's.

Noise and Light

Construction noise will be typical of that associated with the construction of a treatment facility. Noise will generally be associated with the use of outdoor construction equipment such as cranes, excavators, backhoes, compactors and delivery vehicles. Other noise sources will include powered hand tools. No unusual noise sources are anticipated, the noise that is generated is a necessary part of the work of constructing the WWTP.

The operation of the WWTP will not produce significant noise. The primary noise sources are blowers that provide aeration air to the process tanks and these are housed inside structures such that outside noise levels are low. The other source of noise is the required backup generator. The generator is enclosed in a noise reducing housing and is only used in the event of an emergency or for maintenance of the generator itself.

Nighttime friendly LED fixtures and site lighting will be used at the WWTP. The lighting will be warmer in color per the recommendation of the Dark Sky Initiative. Furthermore, the up-lighting will be non-existent and 80 to 90 degree photometric is minimal. The majority of the building mounted fixtures will be forward lighting, which will yield a decreased reflection off of the wall.

Land Use

Land uses including the Prosper proposed WWTP are proposed that will be compatible with adjacent uses and facilities. Non-residential land uses in the proposed WWTP have been located along Interstate 70 and the Watkins Road interchange to maximize economic potential while also reducing potential noise impacts. Existing drainage corridors and flood plain boundaries are to be preserved in their existing state and modified as required for transportation and other infrastructure requirements.

Transportation

A comprehensive transportation plan has been prepared and approved for Prosper that is consistent with the Arapahoe County 2035 plan and the approved Prosper Traffic Impact Study. This transportation plan contemplates the proposed WWTP to ensure that the street network operates at an acceptable level of service. At buildout of the WWTP, the plant would be

operated by a maximum of six employees; thus, the traffic impacts of the WWTP and the public streets would be minimal. The access road would carry only about 15 to 20 trips per day. Impacts to traffic operations at the STOP sign controlled intersection at US 36 would also be negligible, with only about six trips during either peak hour.

Environmental

A comprehensive environmental analysis has been completed for the Prosper WWTP. Prosper incorporates an “Avoidance” approach to ensure that natural drainage ways and riparian zones remain in their existing state with minimal disturbance. Land use planning areas have been planned to respect existing drainage corridors and floodplain boundaries.

A sustainable water supply plan has been prepared to minimize impacts to existing Denver Basin aquifers and adjacent residential wells. This sustainable water supply plan incorporates a reuse system and conservation practices.

Surface and storm water shall comply with all State, County and Urban Drainage & Flood Control District standards and practices. Prosper includes a master drainage plan that includes appropriate storm water, water quality and conveyance facilities. Applicable Best Management Practices will be incorporated into each phase of the project to reduce erosion or siltation within and adjacent to Planning Area 71.

The Prosper WWTP will comply with all Environmental Protection Agency, Colorado and Arapahoe County air pollution regulations and standards.

Cultural and Historical

An archaeological and cultural survey for the Prosper property was conducted by the Colorado Historical Society. The WWTP property does not include any cultural resources that are eligible to be listed on the National Register of Historic Places.

The Colorado Historical Society search outlines eight (8) sites and five (5) surveys that have been conducted within and adjacent to the Prosper property. These sites are located in the northeast corner of Section 6 and the northwest corner of Section 5 within the Box Elder Creek corridor. This corridor is to be preserved with no proposed development with the exception of permitted recreational land uses.

Planning Area 71 is located west of the site and surveys outlined above. Disturbance to any potential sites will not occur with this application.

Airport Influence Area

The northwestern portion of Prosper within Section 2 is located within the Denver International Airport Influence zone 55 LDN designation. The Prosper WWTP is located in Section 1, east of Section 2, and outside any airport influent area as shown on the following figure.

Section 11

Areas of Cultural Importance

An archaeological and cultural survey for the Prosper property was conducted by the Colorado Historical Society. The Planning Area 71 property does not include any cultural resources that are eligible to be listed on the National Register of Historic Places.

The following Colorado Historical Society search outlines eight (8) sites and five (5) surveys that have been conducted within and adjacent to the Prosper property and is provided to show that the WWTP is located outside of these sites. These sites are located in the northeast corner of Section 6 and the northwest corner of Section 5 within the Box Elder Creek corridor. The WWTP is located in the northwest portion of Section 1 and is approximately 1.6 miles west of the eight (8) sites mentioned above.

As outlined on the following search matrix, the sites are designated as “Field not Eligible” and are not eligible to be listed on the National Register of Historic Places. This designation or assessment does not require that avoidance or mitigation procedures be implemented.

Section 12

Hazardous Materials

The Prosper property currently does not contain any land uses or facilities that would result in the release of hazardous materials. Land uses are proposed for Prosper that may contain hazardous materials such as fuel stations, medical facilities and light manufacturing facilities. Solid or hazardous waste facilities or sites are not proposed within Prosper.

The Prosper WWTP will utilize and store two chemicals, alum and sodium hypochlorite, onsite at the pumping station/blower building located next to the aeration basins. It is estimated that three 3,000 gallon FRP storage tanks will be required for Alum and two 300 gallon totes will be required for sodium hypochlorite. Alum will be used for backup phosphorus removal and sodium hypochlorite will be used for reuse water disinfection.

Both chemicals are classified as hazardous by OSHA when not stored, handled, or used properly. Federal regulations require that a material safety data sheet (MSDS) be posted on site. Operators must use the correct safety equipment and follow the safe handling procedures described in the MSDS. This would include using personal protective equipment such as face shields, eyewear, and protective clothing. Further, the plant will be adequately equipped with emergency eyewashes and showers and secondary containment structures for liquid chemical or solution systems.

Biosolids produced as a by-product of the WWTP process will be disposed of offsite by a certified contractor hauler that specializes in the safe removal and land application of municipal wastewater by-products. Similar services are used by many WWTP's in Colorado.

Emergency overflows will be incorporated into the critical process structures to ensure no sewage will overflow onto the WWTP property or inside any process buildings. If an emergency overflow occurs, the overflow will be recaptured back into the treatment process or storage basin and will not be discharged to Rat Run. The on-site lift station will have adequate storage time and bypass pumping capabilities to ensure no sewage overflow occurs.

Proposed land uses within Prosper that may include hazardous materials shall comply with Federal and State handling, storage, disposal and transportation requirements. Waste and minimization standards and practices shall be utilized for all hazardous materials. Land uses or facilities that may contain hazardous waste material shall include spill prevention and response plans.

Section 13

Monitoring and Mitigation Plan

The Prosper WWTP property is comprised of predominantly Adena-Colby silt loam soils that are highly susceptible to wind and water erosion. Therefore, Best Management Practices (BMPs) as outlined in the Arapahoe County Grading, Erosion and Sediment Control Manual (Arapahoe County, 2010) should be considered during the design phase to minimize wind and water erosion. The enclosed environmental impact analysis provides additional details regarding the soil composition.

The 100-year floodplain of the WWTP is proposed to remain unchanged as the open space surrounding the WWTP minimizes potential impacts. Any potential disturbance to these areas will comply with the mitigation procedures outlined in the analysis.

There are no potential wetland areas located adjacent to the WWTP. Mitigation procedures will be implemented should any disturbance be required.

There is very limited vegetation with regard to trees on the WWTP site as a majority of the Prosper property has been utilized for dry land and wheat farming.

Other considerations related to ground water, air and noise are also evaluated within the report. The analysis concludes that Prosper WWTP will not adversely impact ground water since the intent is to utilize a renewable and reusable water supply system for 75% of the total water required for the Prosper development.

With regards to ambient air quality, the Prosper WWTP shall comply with all Colorado Ambient Air Quality Standards. Air quality impacts would result from airborne particulates (fugitive dust) arising from earthwork during site preparation and construction. Fugitive dust and emissions resulting from construction activities proposed for the project site would be intermittent, and would not be expected to exceed ambient air quality standards or substantially impact regional air quality attainment status or progress. The Prosper WWTP will be subject to the standards of a Fugitive Dust Control Plan.

Colorado air pollution regulations also address stationary sources of air pollution. The only stationary source of air pollution proposed is the generator located at the WWTP, the generator will only operate during emergency power outage. Emissions from the WWTP shall comply with Colorado and air pollution permitting regulations. Odor control equipment will be installed at the influent lift station and at the Headworks Building of the WWTP. These facilities are typically the source of the majority of odors at WWTP's.

The Prosper WWTP is located outside of the Front Range Airport influence area.

Per the Prosper Water Supply Plan, Prosper will implement a water wise certification program for all residential and non-residential projects to minimize indoor and outdoor water use. High efficiency fixtures and appliances will be required for the Prosper WWTP. The high efficiency components will include model specifications for all toilets, washing machines, dishwashers, kitchen and bath faucets and showerheads. The Prosper Water Conservation plan will include a monitoring and evaluation program. Technology and staff will be utilized to evaluate indoor and outdoor water consumption to ensure efficiency objectives are being achieved at the WWTP.

A comprehensive environmental impact analysis has been prepared for the Prosper WWTP. The fallow wheat field to be impacted has a very limited potential to support terrestrial wildlife, as it lacks vegetation. The WWTP site does not provide habitat for any federally listed species or Species of State Concern. Furthermore, there would be no impact to prairie dogs, burrowing owls, raptors, or mule deer ranges.

Section 14

Engineering Studies

The Phase III Drainage Study/Report and Grading, Erosion, & Sediment Control Report/Plan are provided attached under separate cover.

Per request from the Arapahoe County Engineering Department, a formal transportation study was not completed. Before construction and during operation of the WWTP Phase 1, a private temporary access road will serve the site and is planned to extend along the south side of I-70, connecting the facility with the existing grade separation under I-70. This underpass provides connectivity to US 36 and the regional roadway network.

At buildout, the plant would be operated by a maximum of six employees; thus, the traffic impacts of the wastewater treatment plant would be minimal. The temporary access road would be replaced with a permanent access to PA 71 along the west connector road. The traffic impacts of PA 71 included in the Prosper Traffic Impact Study, dated July 11, 2014.

Section 15

Outside Agencies Referrals and Responses

The outside agencies referrals and responses are provided at the end of this section.



Public Works and Development
6924 S. Lima Street Centennial, Colorado 80112 Phone: 720-874-6650; FAX 720-874-6611
www.co.arapahoe.co.us

Planning Division
Phase II Referral Routing

Case Number / Case Name:	ASI16-001, Prosper Wastewater Treatment Plant 1041 Permit / Areas of State Interest and L16-002, Prosper Wastewater Treatment Plant / Location and Extent and X16-001, Prosper Wastewater Treatment Plant/Subdivision Exemption
Planner:	Sherman Feher
Engineer:	Sarah L White
Date:	July 8, 2016
Date to be returned:	August 8, 2016

Arapahoe County Agencies			Citizen's Organizations		
<input checked="" type="checkbox"/>	Assessor / Arapahoe County (Residential)	Karen Hart	<input type="checkbox"/>	CCNA-Cherry Creek Neighborhoods Ass.	
<input type="checkbox"/>	Attorney / Arapahoe County	Robert Hill	<input type="checkbox"/>	CECON-(Within Centennial)	
<input type="checkbox"/>	Building / Arapahoe County	Steve Byer	<input type="checkbox"/>	Four Square Mile Neighborhood	
<input checked="" type="checkbox"/>	Engineering / Arapahoe County	Sarah L. White	<input type="checkbox"/>	South Metro Chamber of Commerce	
<input checked="" type="checkbox"/>	Mapping / Arapahoe County	Pat Hubert	Conservation District		
<input type="checkbox"/>	Oil & Gas / Arapahoe County	Diane Kocis	<input type="checkbox"/>	Deer Trail Conservation District	
<input checked="" type="checkbox"/>	Open Space / Arapahoe County	Shannon Carter	<input checked="" type="checkbox"/>	West Arapahoe Conservation District	Tasha Chevarria
<input checked="" type="checkbox"/>	Planning / Arapahoe County	Sherman Feher	Transportation		
<input checked="" type="checkbox"/>	Sheriff / Arapahoe County	1 to Brian McKnight 1 to Glenn Thompson	<input type="checkbox"/>	CDOT / State Highway Dept- Region 1	Rick Solomon
<input checked="" type="checkbox"/>	Weed Control / Arapahoe County	Russell Johnson	<input type="checkbox"/>	E-470 Authority	Peggy Davenport
<input checked="" type="checkbox"/>	Zoning / Arapahoe County	Tammy King	<input type="checkbox"/>	RTD	Chris Quinn
Referral Agencies			<input type="checkbox"/>		
<input type="checkbox"/>	Architectural Review Committee		<input type="checkbox"/>		
<input type="checkbox"/>	Airport or Military Base		Utilities: Gas, Electric & Phone		
<input type="checkbox"/>	CGS Colorado Geological Survey-Soils		<input type="checkbox"/>	Centurylink/Phone	Charles Place
<input checked="" type="checkbox"/>	City / Town	Aurora	<input type="checkbox"/>	Conoco Phillips / Gas Pipeline	
<input checked="" type="checkbox"/>	Colorado Parks and Wildlife	Travis Harris	<input checked="" type="checkbox"/>	XCEL	Donna George
<input type="checkbox"/>	County		<input type="checkbox"/>	IREA	Brooks Kaufman
<input type="checkbox"/>	DRCOG		Water / Sanitation / Stormwater / Wetlands		
<input checked="" type="checkbox"/>	Bennett Fire Protection District	Caleb Connor	<input type="checkbox"/>	ACWWA	
<input type="checkbox"/>	Metro District		<input checked="" type="checkbox"/>	U.S. Army Corp. of Engineer	Kiel Downing
<input type="checkbox"/>	Post Office Growth Coordinator	J. Hernandez	<input type="checkbox"/>	CCBWQA	
<input checked="" type="checkbox"/>	Reap I-70 Regional Economic Advancement Partnership	Matt Reay and Jack Keever	<input type="checkbox"/>	Colorado Division of Water Resources	Joanne Williams
<input type="checkbox"/>	Recreation District / Park District (External)		<input type="checkbox"/>	SEMSWA	Paul Danley
<input type="checkbox"/>	Bennett School District #29J Aurora School District	Keith Yach	<input type="checkbox"/>	ECCVW&S	Chris Douglass
<input type="checkbox"/>	Special District		<input checked="" type="checkbox"/>	Urban Drainage & Flood	David Mallory
<input checked="" type="checkbox"/>	Tri-County Health Department	Sheila Lynch	<input checked="" type="checkbox"/>	Other / 5 Sets East End Adv. Committee	
<input type="checkbox"/>					

The enclosed case has been submitted to the Arapahoe County Planning Office for consideration. Because of the possible effect of the proposed development upon your area, the case is being referred for your comment. Please examine this request and, after review, check the appropriate line and return to the Arapahoe County Planning Office on or before the date indicated above.

COMMENTS:	SIGNATURE
<input type="checkbox"/> Have NO Comments to make on the case as submitted	
<input checked="" type="checkbox"/> Have the following comments to make related to the case: SEE ATTACHED	AJS 7-12-16

Note change to add language the the quantities must reflect the required number of plant material

002 Prosper WASTEWATER TREATMENT PLANT

PAGE 6: STANDARD NOTES: REMOVE LANGUAGE FROM #2
OR ADD QUANTITIES MUST MATCH NUMBER OF TREES
AND SHRUBS PROVIDED IN LANDSCAPE SUMMARY TABLE
#3 - SOIL AMENDMENT TYPE + RATIO + TILLING DEPTH

Note added for amendment, ratio, and tilling depth.

LEGEND: SEED TYPES PROVIDED

Caliper sizes, heights, and container sizes were added to plant schedule. Specific Types and quantities of plants were added to plans.

SHRUB BED - TYPES/QUANTITIES ON PLAN

TREES - CALIPER SIZES, HTS + TYPE BREAKDOWN
ON PLAN ON CHART

SHRUBS - QUANTITIES ON PLAN W/ CONTAINER
SIZES ON CHART PAGE 7

PAGE 7: PLANT SCHEDULE

Caliper sizes, heights, and container sizes were added to plant schedule. Specific Types and quantities of plants added to plant schedule.

ALL DECIDUOUS TREES NEED QUANTITY BREAKDOWN
+ CALIPER SIZE

ALL ORNAMENTAL TREES NEED QUANTITY BREAKDOWN
+ CALIPER SIZE

ALL EVERGREEN TREES NEED QUANTITY BREAKDOWN
+ TREE HEIGHT

ALL SHRUBS + GRASSES NEED QUANTITY BREAKDOWN
+ CONTAINER SIZES - 5 GAL / 1 GAL.

ARE 1 GAL SHRUBS (GRASSES) BEING SUBSTITUTED FOR
5 GAL SHRUBS?

Ornamental grasses were removed from plant schedule because none were shown on plan.

NO HEIGHT FOR SECURITY FENCING ON DETAIL (2)
IS VINYL CLAD FABRIC ALLOWED AS A FENCE TYPE?

Detail shows dimension of 8'-0" for height and 8' ht. is in the detail description for the fence.

Vinyl clad fabric is the coating on the fence. No slats are proposed for the fence.

L16-002 Cont

PAGE 2 - ALL PINES SHOULD BE TRIPLED GUYED/STAKED
REMOVE "UPLAND" FROM UPLAND EVERGREEN TREE

Detail revised to include tripled guyed/
staked. and "UPLAND" was removed
from detail title.

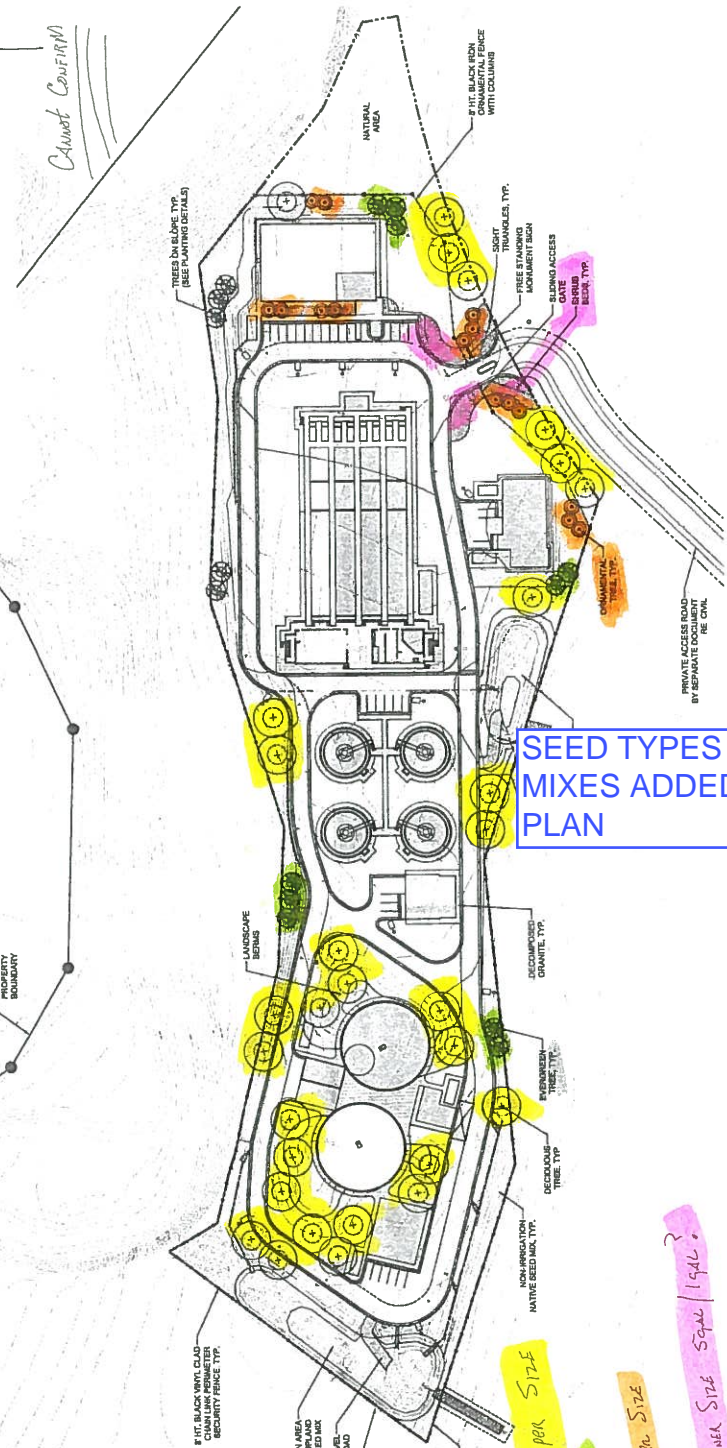
LOCATION AND EXTENT PROSPER WASTEWATER TREATMENT PLANT

LOT 1, BLOCK 1, PROSPER WASTE SUBDIVISION EXEMPTION PLAT SITUATED IN THE NW 1/4 OF SECTION 1,
TOWNSHIP 14 SOUTH, RANGE 63 WEST, OF THE 8TH PRINCIPAL MERIDIAN,
COUNTY OF HARRISON, STATE OF COLORADO

LANDSCAPE SUMMARY TABLE:

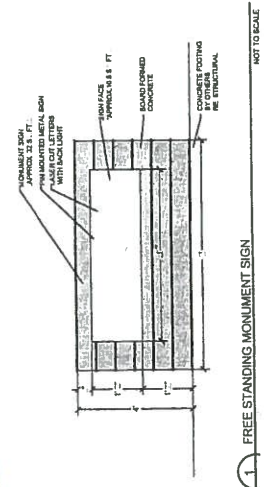
AREAS	AREA (SQ. FT.)	PERCENTAGE OF TOTAL	TREES REQUIRED**	TREES PROVIDED	SHRUBS PROVIDED
GROSS SITE AREA	178,337				
LANDSCAPE AREA REQUIRED	178,337	100%	56	56	560
LANDSCAPE AREA PROVIDED	178,337	100%	56	56	560
NON-IRRIGATED NATIVE SEED MIXES	178,337	100%	56	56	560
NATURAL AREA	18,879	10%	56	56	560
CONCRETE, ASPHALT, BUILDINGS, ETC.	159,458	89%	56	56	560

**REQUIRED TREES AND SHRUBS ARE BASED ON ANIRAND COUNTY SECTION 12-3 AND LANDSCAPING REGULATIONS. 1 TREE AND 10 SHRUBS FOR EVERY 1,000 SQUARE FEET OF REBERMED LANDSCAPE AREA.



LEGEND

NON-IRRIGATED NATIVE SEED MIX	NON-IRRIGATED NATIVE SEED MIX
IRRIGATED NATIVE SEED MIX	IRRIGATED NATIVE SEED MIX
SHRUB BED	SHRUB BED
DECOMPOSED GRASS	DECOMPOSED GRASS
CONCRETE	CONCRETE
ASPHALT	ASPHALT
ORNAMENTAL TREE	ORNAMENTAL TREE
ORNAMENTAL SHRUB	ORNAMENTAL SHRUB
ORNAMENTAL FENCE	ORNAMENTAL FENCE
ORNAMENTAL FENCE WITH COLUMNS	ORNAMENTAL FENCE WITH COLUMNS
ORNAMENTAL FENCE WITH COLUMNS AND TOPPING	ORNAMENTAL FENCE WITH COLUMNS AND TOPPING
ORNAMENTAL FENCE WITH COLUMNS AND TOPPING AND SECURITY FENCE	ORNAMENTAL FENCE WITH COLUMNS AND TOPPING AND SECURITY FENCE



Caliper sizes, heights, and container sizes were added to plant schedule. Specific Types and quantities of plants were added to plans.

NOTES REVISED AND ADDED BASED ON COMMENTS.

SEED TYPES AND MIXES ADDED TO PLAN

TREE TYPES + CAL PER SIZE
TREE TYPES + Hgt
TREE TYPES + CAL PER SIZE
SHRUB TYPES + Container Size Scale 1/4" = 1' - 0"

MUST MATCH QUANTITY LISTED IN PLANS
TREES + SHRUBS PLANTED - 1/4" = 1' - 0"

LOCATION AND EXTENT
PROSPER WASTEWATER TREATMENT PLANT
LOT 1, BLOCK 1, PROSPER WWTW SUBDIVISION EXEMPTION PLAT SITUATED IN THE NW 1/4 OF SECTION 1,
TOWNSHIP 1 SOUTH, RANGE 68 WEST, OF THE 6TH PRINCIPAL MERIDIAN,
COUNTY OF WAPAUD, STATE OF COLORADO

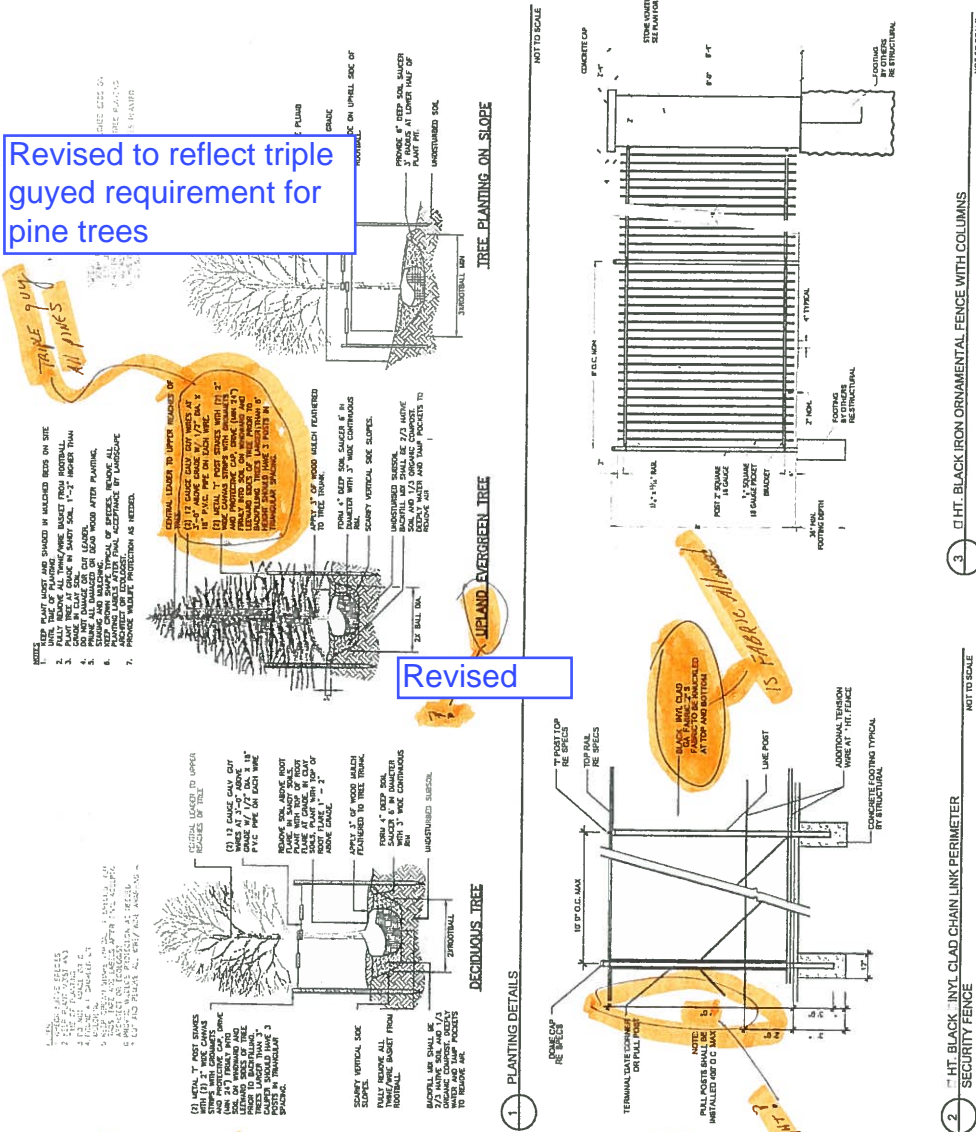
ANT SCHEDULE		SCIENTIFIC NAME	SIZE (MATURE HT. AND SPD.)	APPROXIMATE QUANTITIES ¹
COMMON TREE	TERMI HACKBERRY	CELTIS OCCIDENTALIS	50' HT. 40' SPD	
	RED BUD	CELTIS LAUREA	45' HT. 30' SPD	
	MOON LINDEN	TILIA AMERICANA 'REGENCY'	35' HT. 20' SPD	
	GLUEDISTIA TRANCAHOSI NERMS 'WYEMAL'	GLUEDISTIA TRANCAHOSI NERMS 'WYEMAL'	35' HT. 20' SPD	
	KNE HONEYLOCUST	GLUEDISTIA TRANCAHOSI NERMS 'WYEMAL'	35' HT. 20' SPD	
	KNE HONEYLOCUST	GLUEDISTIA TRANCAHOSI NERMS 'WYEMAL'	35' HT. 20' SPD	
	ACER SACHARINUM 'GREEN MOUNTAIN'	ACER SACHARINUM 'GREEN MOUNTAIN'	35' HT. 20' SPD	
	QUERULUS MACROCARPA	QUERULUS MACROCARPA	35' HT. 20' SPD	
	OAK	QUERULUS ALCOA	35' HT. 20' SPD	
	MP WHITE OAK	QUERULUS ALCOA	35' HT. 20' SPD	
DECIDUOUS TREES	RED-FIRE CRABAPPLE	MALUS 'FIREBRIDE'	20' HT. 20' SPD	
	SHAW SLOW CRABAPPLE	MALUS X SPINUS 'SNOW'	20' HT. 12' SPD	
	GRAY'S KOLSA X MUTALLI 'VENUS'	GRAY'S KOLSA X MUTALLI 'VENUS'	20' HT. 12' SPD	
	GRAY'S KOLSA X MUTALLI 'VENUS'	GRAY'S KOLSA X MUTALLI 'VENUS'	20' HT. 12' SPD	
	ACER GINNALA	ACER GINNALA	20' HT. 12' SPD	
	ACER TATARIANUM 'ORAMON'	ACER TATARIANUM 'ORAMON'	20' HT. 12' SPD	
	ACER TATARIANUM 'ORAMON'	ACER TATARIANUM 'ORAMON'	20' HT. 12' SPD	
	ACER TATARIANUM 'ORAMON'	ACER TATARIANUM 'ORAMON'	20' HT. 12' SPD	
	ACER TATARIANUM 'ORAMON'	ACER TATARIANUM 'ORAMON'	20' HT. 12' SPD	
	ACER TATARIANUM 'ORAMON'	ACER TATARIANUM 'ORAMON'	20' HT. 12' SPD	
SHRUBS	PIGEA PUNGENS	PIGEA PUNGENS	10' HT. 20' D	
	PRUNUS INGRA	PRUNUS INGRA	50' HT. 20' D	
	PRUNUS EDULIS	PRUNUS EDULIS	25' HT. 15' D	
	PHYSCARRUS OULIFOLUS 'SEWARD'	PHYSCARRUS OULIFOLUS 'SEWARD'	4' HT. 4' SPD	
	COTONEASTER ALFONCULUS	COTONEASTER ALFONCULUS	10' HT. 6' SPD	
	AMELANCHIER ALFONCULUS	AMELANCHIER ALFONCULUS	10' HT. 6' SPD	
	VICICA FLAEMINOSA 'GOLDEN SWORD'	VICICA FLAEMINOSA 'GOLDEN SWORD'	5' HT. 5' SPD	
	BUDLEIA DAVIDI	BUDLEIA DAVIDI	5' HT. 5' SPD	
	ARUNDA MELANOCARRA	ARUNDA MELANOCARRA	6' HT. 6' SPD	
	CHAMAETRA LAFOLIUM	CHAMAETRA LAFOLIUM	6' HT. 6' SPD	
SMALL SHRUBS	CYTISUS PURGANS 'SPANISH GOLD'	CYTISUS PURGANS 'SPANISH GOLD'	3.5' HT. 4.5' SPD	
	PEROVSKIA LITTLE SPIRE	PEROVSKIA LITTLE SPIRE	20-25' HT. 20-25' SPD	
	ARISTOTYLIS 'PANCHITO'	ARISTOTYLIS 'PANCHITO'	2' HT. 4' SPD	
	JUNIPERUS HORIZONTALIS 'YOUNGSTOWN'	JUNIPERUS HORIZONTALIS 'YOUNGSTOWN'	10' HT. 6' SPD	
	JUNIPERUS SABINA 'BUFFALO'	JUNIPERUS SABINA 'BUFFALO'	10' HT. 6' SPD	
	HELICOTRICHUM SEMPERVIRENS	HELICOTRICHUM SEMPERVIRENS	1.5' HT. 0.5' SPD	
	CALAMAGROSTIS ACUTIFLORA 'VALANCHE'	CALAMAGROSTIS ACUTIFLORA 'VALANCHE'	4' HT. 2' SPD	
	PENNETISETA ALCOCHUDES 'HAME IN'	PENNETISETA ALCOCHUDES 'HAME IN'	2.5' HT. 1.5' SPD	
	PANICUM VIRGATUM 'HEAVY METAL'	PANICUM VIRGATUM 'HEAVY METAL'	3.4' HT. 1.5' SPD	
	MISCANTHUS SINGENS 'YAKU IMU'	MISCANTHUS SINGENS 'YAKU IMU'	3.4' HT. 1.5' SPD	

LANDSCAPE QUANTITIES ARE APPROXIMATE MAY VARY AT TIME OF CONSTRUCTION DOCUMENTS.
PLANT TYPES AND LOCATIONS ARE CONCEPTUAL AND MAY VARY AT TIME OF CONSTRUCTION DOCUMENTS.

REQUIRE LANGUAGE FROM
PLAN - TREE | PLANT QUANTITIES, TYPES, COMPENSATION
| CONTAINER SIZES, # OF
| INVERTED HEIGHT & CONTAINER SIZES, # OF
| MATCH NUMBERS ON PAGE D
| SIZES & SIZES REQUIRE
| PAGES

Notes revised and added based on comments.

Caliper sizes, heights, and container sizes were added to plant schedule. Specific Types and quantities of plants were added to plans.



2 HT. BLACK : INYL CLAD CHAIN LINK PERIMETER
SECURITY FENCE

3 ☐ HT. BLACK IRON ORNAMENTAL FENCE WITH COLUMNS

[illegible]

VR&I, INC.
PROSPER, COLORADO
WASTEWATER TREATMENT PLANT
LANDSCAPE PLAN DETAILS

INITIAL PLAN
RELEASE: _____
DESIGNED BY: _____
DRAWN BY: _____
CHECKED BY: _____
JOB NO. _____
SHEET
7 OF 15



Public Works and Development
6924 S. Lima Street Centennial, Colorado 80112 Phone: 720-874-6650; FAX 720-874-6611
www.co.arapahoe.co.us

Planning Division
Phase II Referral Routing

Case Number / Case Name:	AS16-001, Prosper Wastewater Treatment Plant 1041 Permit / Areas of State Interest and L16-002, Prosper Wastewater Treatment Plant / Location and Extent and X16-001, Prosper Wastewater Treatment Plant/Subdivision Exemption
Planner:	Sherman Feher
Engineer:	Sarah L White
Date:	July 8, 2016
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Referral Agencies			<input type="checkbox"/>	
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<input checked="" type="checkbox"/>	City / Town	Aurora	<input type="checkbox"/>	Conoco Phillips / Gas Pipeline
<input checked="" type="checkbox"/>	Colorado Parks and Wildlife	Travis Harris	<input checked="" type="checkbox"/>	XCEL Donna George
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<input checked="" type="checkbox"/>	Reap I-70 Regional Economic Advancement Partnership	Matt Reay and Jack Keever	<input type="checkbox"/>	Colorado Division of Water Resources Joanne Williams
<input type="checkbox"/>	Recreation District / Park District (External)		<input type="checkbox"/>	SEMSWA Paul Danley
<input type="checkbox"/>	Bennett School District #29J Aurora School District	Keith Yach	<input type="checkbox"/>	ECCVW&S Chris Douglass
<input type="checkbox"/>	Special District		<input checked="" type="checkbox"/>	Urban Drainage & Flood David Mallory
<input checked="" type="checkbox"/>	Tri-County Health Department	Sheila Lynch	<input checked="" type="checkbox"/>	Other / 5 Sets East End Adv. Committee
<input type="checkbox"/>				

The enclosed case has been submitted to the Arapahoe County Planning Office for consideration. Because of the possible effect of the proposed development upon your area, the case is being referred for your comment. Please examine this request and, after review, check the appropriate line and return to the Arapahoe County Planning Office on or before the date indicated above.

COMMENTS:	SIGNATURE
<input checked="" type="checkbox"/> Have NO Comments to make on the case as submitted	
<input type="checkbox"/> Have the following comments to make related to the case:	

<input checked="checked" type="checkbox"/>	<p>COMMENTS:</p>	<p>SIGNATURE</p>
<input type="checkbox"/>	<p>Have NO Comments to make on the case as submitted</p>	<p><i>Janeth Cook</i></p>
<input type="checkbox"/>	<p>Have the following comments to make related to the case:</p>	



Planning Division
15151 E. Alameda Parkway, Ste. 2300
Aurora, Colorado 80012
303.739.7250

Worth Discovering • aurora.gov.org

August 3, 2016

Ms. Nancy Doty, Chair
Arapahoe County Commission
5334 S. Prince Street
Littleton, CO 80120

Dear Chair Doty,

Thank you for the opportunity to comment on the referral for the Prosper Wastewater Treatment Plant application. The City of Aurora has reviewed the application and has the following comments:

1. City Concerns Regarding The Prosper Development

Prosper and the adjacent Sky Ranch development do not conform to Metro Vision 2035, and, if approved, will have significant traffic, noise and water supply issues. Given these issues, the City of Aurora does not support these proposals. The applicant could seek annexation into Aurora. The annexation process includes mechanisms to address the traffic, land use, and water service issues that this development presents.

2. Public Works Department

Floodplain mapping provided with the application package appears to present current effective FEMA mapping. UDFCD recently completed a FHAD study (Olsson, 2014) which included Coyote Run and appears to show a somewhat wider floodplain (especially just upstream of the I-70 crossing) and somewhat higher flood elevations. The County may want to consider if the more recent UDFCD study constitutes the "best available information" and require its use rather than the current FEMA mapping.

The 2014 UDFCD FHAD did not include Rat Run and current effective FEMA mapping for this stream system upstream of I-70 and adjacent to the proposed WWTP site is Approximate Zone A. It is recommended as part of the WWTP design process (if not 1041 permitting) that the applicant carry out floodplain modeling to develop detailed floodplain limits and elevations for Rat Run.

UDFCD recently completed an MDP that includes Coyote Run (Olsson, 2014) and recommended "floodplain preservation" with no structural improvements for the channel reach adjacent to the proposed WWTP. It appears that the proposed site plan is adhering to this UDFCD conceptual design and the City would recommend this approach be maintained when/if updated FHAD mapping is utilized for Coyote Run and detailed floodplain information is developed for Rat Run.

The UDFCD MDP (Olsson, 2014) indicates that the Coyote Run channel slope is on the order of 0.6% in the reach adjacent to the proposed WWTP and recommends no channel check structures. A slope of 0.6% is relatively high for a developed watershed and the introduction of WWTP and urban runoff base flows into a previously intermittent stream system has the potential to significantly impact channel invert and bank stability. UDFCD has recently changed its recommended channel design slopes for urbanized watersheds to be substantially lower than 0.6%. It is recommended that the applicant address the potential need for channel checks and/or grade controls.

WWTP's are typically considered "critical facilities" and as such, it is recommended that an enhanced level of flood protection (> than the 100yr event) be considered. The COA standard for critical facilities is 2 feet above the 100-yr floodplain. Draft federal guidance for EO 13690 has similar requirements.

3. Metro Wastewater Reclamation District

In reviewing the maps in our records, it appears that the Prosper area is partially within our "expected service area", however that is only relevant to Special Connectors and expansion of their service area. Prosper is not within the corporate boundaries of Aurora so they are not obligated to send that flow to the District.

In the event Aurora were to annex the Prosper development in the future, the treatment plant that the developer is proposing could not be expanded, or that area would have to be excluded from the District under 32-4-515 and Board Policy Exclusion-Service Area. Even though the proposed treatment plant may be within our expected service area, unless it is within the boundaries of Aurora or they choose to serve it (Service Contract section 303), it is District staff's opinion that there is no requirement that it connects to the District's system and it would not violate our competing system prohibitions.

Cordially,



Bob Watkins
Interim Planning and Development Services Director
City of Aurora

Cc: Members of City Council
George Noe, City Manager
Nancy Freed, Deputy City Manager
Jason Batchelor, Deputy City Manager

City of Aurora Comments and Responses

1. City Concerns Regarding

The Prosper Development Prosper and the adjacent Sky Ranch development do not conform to Metro Vision 2035, and, if approved, will have significant traffic, noise and water supply issues. Given these issues, the City of Aurora does not support these proposals. The applicant could seek annexation into Aurora. The annexation process includes mechanisms to address the traffic, land use, and water service issues that this development presents.

Response: The proposed WWTP is consistent with the approved Prosper Preliminary Development Plan. It is the applicant's intent to develop the property in Arapahoe County consistent with the approved Preliminary Development Plan. The approved Preliminary Development Plan addresses issues related to land use, drainage, water service and other planning considerations.

2. Public Works Department

Floodplain mapping provided with the application package appears to present current effective FEMA mapping. UDFCD recently completed a FHAD study (Olsson, 2014) which included Coyote Run and appears to show a somewhat wider floodplain (especially just upstream of the I- 70 crossing) and somewhat higher flood elevations. The County may want to consider if the more recent UDFCD study constitutes the "best available information" and require its use rather than the current FEMA mapping.

The 2014 UDFCD FHAD did not include Rat Run and current effective FEMA mapping for this stream system upstream of I-70 and adjacent to the proposed WWTP site is Approximate Zone A. It is recommended as part of the WWTP design process (if not 1041 permitting) that the applicant carry out floodplain modeling to develop detailed floodplain limits and elevations for Rat Run.

Response: We feel an obligation to continue to show the current FEMA mapping, until such time as it is updated by the more current 2014 UDFCD FHAD. We have provided (to Arapahoe County) our 100 yr modeling of Rat Run and its tributary known as Rat 1-D (or known as stream 120), for the purpose of identifying the existing conditions 100 yr flood limits, utilizing the match elevation determined from the 2014 FHAD right at the south side of Interstate 70.

UDFCD recently completed an MDP that includes Coyote Run (Olsson, 2014) and recommended "floodplain preservation" with no structural improvements for the channel reach adjacent to the proposed WWTP. It appears that the proposed site plan is adhering to this UDFCD conceptual design and the City would recommend this approach be maintained when/if updated FHAD mapping is utilized for Coyote Run and detailed floodplain information is developed for Rat Run. The UDFCD MDP (Olsson, 2014) indicates that the Coyote Run channel slope is on the order of 0.6% in the reach adjacent to the proposed WWTP and recommends no channel check structures. A slope of 0.6% is relatively high for a developed watershed and the introduction of WWTP and urban runoff base flows into a previously intermittent stream system has the potential to significantly impact channel invert and bank stability. UDFCD has recently changed its recommended channel design slopes for urbanized watersheds to be substantially lower than 0.6%. It is recommended that the applicant address the potential need for channel checks and/or grade controls.

Response: We have been directed by the County to adhere to the MDP, which we believe we have done. As stated in your comment there are no requirements for stabilization facilities in this area.

WWTP's are typically considered "critical facilities" and as such, it is recommended that an enhanced level of flood protection (> than the 100yr event) be considered. The COA standard for critical facilities is 2 feet above the 100-yr floodplain. Draft federal guidance for EO 13690 has similar requirements.

Response: Per the County, the WWTP is not considered a Critical Facility, though we do note that the proposed facilities are 2' or more above the 100 yr water surface as determined on Coyote Run (East side of site) from the 2014 FHAD, AND as determined for Rat Run (West side of site) from analysis/modeling by our firm for this project. Reference can be made to sht 3 of the CD set of plans which identifies the BFE's (100 yr Base Flood Elevations) for both Coyote Run and for Rat Run.

3. Metro Wastewater Reclamation District

In reviewing the maps in our records, it appears that the Prosper area is partially within our "expected service area", however that is only relevant to Special Connectors and expansion of their service area. Prosper is not within the corporate boundaries of Aurora so they are not obligated to send that flow to the District.

In the event Aurora were to annex the Prosper development in the future, the treatment plant that the developer is proposing could not be expanded, or that area would have to be excluded from the District under 32-4-515 and Board Policy Exclusion Service Area. Even though the proposed treatment plant may be within our expected service area, unless it is within the boundaries of Aurora or they choose to serve it (Service Contract section 303), it is District staff's opinion that there is no requirement that it connects to the District's system and it would not violate our competing system prohibitions.

Response: The intent is to develop Prosper within Arapahoe County and per the approved Preliminary Development Plan that includes the proposed WWTP site. There is not a requirement that Prosper connect to the Metro Wastewater Reclamation District.



Right of Way & Permits

1123 West 3rd Avenue
Denver, Colorado 80223
Telephone: **303.571.3306**
Facsimile: 303. 571.3284
donna.l.george@xcelenergy.com

August 3, 2016

Arapahoe County Public Works and Development
6924 South Lima Street
Centennial, CO 80112

Attn: Sherman Feher

Re: Prosper Wastewater Treatment Plant, Case # ASI16-001

Public Service Company of Colorado's (PSCo) Right of Way & Permits Referral Desk has reviewed the plans and subdivision exemption plat for **Prosper Wastewater Treatment Plant**. As always, thank you for the opportunity to take part in the review process. To ensure that adequate utility easements are available within this development, PSCo requests that the following language or plat note be placed on the preliminary and final plats for the subdivision:

Minimum ten-foot (10') wide dry utility easements are hereby dedicated on private property abutting all public streets, and around the perimeter of each commercial/industrial lot in the subdivision or platted area. These easements are dedicated to Arapahoe County for the benefit of the applicable utility providers for the installation, maintenance, and replacement of electric, gas, television, cable, and telecommunications facilities (Dry Utilities). Utility easements shall also be granted within any access easements and private streets in the subdivision. Permanent structures, improvements, objects, buildings, wells, water meters and other objects that may interfere with the utility facilities or use thereof (Interfering Objects) shall not be permitted within said utility easements and the utility providers, as grantees, may remove any Interfering Objects at no cost to such grantees, including, without limitation, vegetation. Public Service Company of Colorado (PSCo) and its successors reserve the right to require additional easements and to require the property owner to grant PSCo an easement on its standard form.

Public Service Company also requests that **all utility easements be depicted graphically on the preliminary and final plats**. While these easements may accommodate certain utilities to be installed in the subdivision, some additional easements may be required as planning and building progresses.

In addition, 31-23-214 (3), C.R.S., requires the subdivider, at the time of subdivision platting, to provide for major utility facilities such as electric substation sites, gas or electric transmission line easements and gas regulator/meter station sites as deemed necessary by PSCo. While this provision will not be required on every plat, when necessary, PSCo will work with the subdivider to identify appropriate locations. This statute also requires the subdivider to submit a letter of agreement to the municipal/county commission that adequate provision of electrical and/or gas service has been provided to the subdivisions.

The property owner/developer/contractor must contact the **Builder's Call Line** at 1-800-628-2121 or <https://xcelenergy.force.com/FastApp> ([Register](#) so you can track your application) and complete the application process for any new electric service. 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** at 1-800-922-1987 for utility locates prior to construction.

If you have any questions about this referral response, please contact me at (303) 571-3306.

Donna George
Contract Right-of-Way Referral Processor
Public Service Company of Colorado

Xcel Energy Comments and Responses

Public Service Company of Colorado's (PSCO) Right of Way & Permits Referral Desk has reviewed the plans and subdivision exemption plat for Prosper Wastewater Treatment Plant. As always, thank you for the opportunity to take part in the review process. To ensure that adequate utility easements are available within this development, PSCO requests that the following language or plat note be placed on the preliminary and final plats for the subdivision:

Minimum ten-foot (10) wide dry utility easements are hereby dedicated on private property abutting all public streets. and around the perimeter of each commercial/ industrial lot in the subdivision or platted area. These easements are dedicated to Arapahoe County for the benefit of the applicable utility providers for the installation, maintenance, and replacement of electric, gas, television, cable, and telecommunications facilities (Dry Utilities). Utility easements shall also be granted within any access easements and private streets in the subdivision. Permanent structures, improvements, objects, buildings, wells, water meters and other objects that may interfere with the utility facilities or use thereof (Interfering Objects) shall not be permitted within said utility easements and the utility providers, as grantees, may remove any interfering Objects at no cost to such grantees, including, without limitation, vegetation. Public Service Company of Colorado (PSCO) and its successors reserve the right to require additional easements and to require the property owner to grant PSCO an easement on its standard form.

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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 at 1-800-922-1987 for utility locates prior to construction.

Response: The requirements and development standards outlined above have been noted in our files.



BENNETT FIRE PROTECTION DISTRICT #7

DISTRICT OFFICE: 303-644-3572 FAX: 303-644-3401

EMAIL: LIFESAFETY@BENNETTFIRERESCUE.ORG

"Striving to Preserve Life and Property"

July 21st, 2016

Sherman Feher

Arapahoe County Public Works & Development

6924 S. Lima Street

Centennial, CO 80112

Re: AS116-001, Prosper Wastewater Treatment Plant 1041 Permit / Areas of State Interest and L 16-002, Prosper Wastewater Treatment Plant/ Location and Extent and X16-001, Prosper Wastewater Treatment Plant/Subdivision Exemption

Planner Feher,

In regards case AS116-001, Prosper Wastewater Treatment Plant 1041 Permit / Areas of State Interest and L 16-002, Prosper Wastewater Treatment Plant/ Location and Extent and X16-001, Prosper Wastewater Treatment Plant/Subdivision Exemption, Bennett Fire Protection District has the following comments and considerations:

- Bennett Fire Protection District currently serves this location as it falls within our Fire Protection District and has no objections to the proposed development.
- The applicant shall consult with Bennett Fire Protection District to ensure all aspects of the project conform to the District's adopted fire code (2012 IFC).
- The developer shall ensure that the proposed water systems pertaining to hydrant distribution for fire suppression is adequate to protect the proposed development as well as meet the design criteria of both Arapahoe County and the Bennett Fire Protection District. Considerations for design requirements shall include adopted codes and standards as well as ISO distribution and fire flow requirements.
- Bennett Fire Protection District will accept the proposed temporary road guidelines contained in the referral. All temporary and permanent roads constructed for any part of the development shall conform to IFC fire apparatus access requirements.
- As the proposed temporary access road will serve as the interim sole means of providing emergency services to the facility, the proposed temporary access road shall be maintained at all times during its service life of the facility. This includes, grading, maintenance, and snow removal. If at any times Bennett Fire Protection District deems the road inadequate for the provision of emergency services, the applicant shall work with the Fire District to make necessary improvements.
- The internal access road design includes roads which are 20ft in width. The current IFC standard for fire apparatus access roads with a fire hydrant is 26ft in width at the point of the hydrant. The applicant may need to make minor revisions at the hydrant locations to meet this width.
- The processing of waste water often involves the storage and use of hazardous materials. This information shall be provided to Bennett Fire Protection District to be reviewed and approved.

- Facilities which store or use hazardous materials are often classified as “H” occupancies, which require fire sprinkler suppression or special electrical considerations. Applicant shall ensure the facility design meets the District’s adopted fire code requirements.
- KNOX Fire Department Key access hardware shall be provided for all vehicle access gates as well as each building on site.

Thank You

A handwritten signature in black ink, appearing to read 'Caleb J. Connor', with a horizontal line extending from the end of the signature.

Caleb J. Connor
Fire Marshal
Life Safety Division
Bennett Fire Protection District
303-644-3572 - Headquarters / 303-532-7733 - Direct
www.BennettFireRescue.org

Bennett Fire Protection District Comments and Responses

In regards case AS116-001, Prosper Wastewater Treatment Plant 1041 Permit / Areas of State Interest and L 16-002, Prosper Wastewater Treatment Plant/ Location and Extent and X16-001, Prosper Wastewater Treatment Plant/Subdivision Exemption, Bennett Fire Protection District has the following comments and considerations:

- Bennett Fire Protection District currently serves this location as it falls within our Fire Protection District and has no objections to the proposed development.
- The applicant shall consult with Bennett Fire Protection District to ensure all aspects of the project conform to the District's adopted fire code (2012 IFC).

Response: The applicant will coordinate aspects with the Fire Code and District.

- The developer shall ensure that the proposed water systems pertaining to hydrant distribution for fire suppression is adequate to protect the proposed development as well as meet the design criteria of both Arapahoe County and the Bennett Fire Protection District. Considerations for design requirements shall include adopted codes and standards as well as ISO distribution and fire flow requirements.

Response: Fire hydrant distribution and required fire suppression will be incorporated into the final construction drawings for the site and buildings/facilities.

- Bennett Fire Protection District will accept the proposed temporary road guidelines contained in the referral. All temporary and permanent roads constructed for any part of the development shall conform to IFC fire apparatus access requirements.

Response: Access roads will meet IFC requirements for access.

- As the proposed temporary access road will serve as the interim sole means of providing emergency services to the facility, the proposed temporary access road shall be maintained at all times during its service life of the facility. This includes, grading, maintenance, and snow removal. If at any times Bennett Fire Protection District deems the road inadequate for the provision of emergency services, the applicant shall work with the Fire District to make necessary improvements.

Response: The temporary road will be maintained to provide all-season access.

- The internal access road design includes roads which are 20ft in width. The current IFC standard for fire apparatus access roads with a fire hydrant is 26ft in width at the point of the hydrant. The applicant may need to make minor revisions at the hydrant locations to meet this width.

Response: Some hydrant locations moved to intersection and other locations the road has been widened to 26' per IFC.

- The processing of waste water often involves the storage and use of hazardous materials. This information shall be provided to Bennett Fire Protection District to be reviewed and approved.

Response: Hazardous materials including the storage will be reviewed with the Bennett Fire Protection District.

- Facilities which store or use hazardous materials are often classified as "H" occupancies, which require fire sprinkler suppression or special electrical considerations. Applicant shall ensure the facility design meets the District's adopted fire code requirements.

Response: The Applicant will ensure the facility design meets the District's adopted fire code requirements including NFPA 820 requirements for Fire Protection in Wastewater Treatment and Collection Facilities.

- KNOX Fire Department Key access hardware shall be provided for all vehicle access gates as well as each building on site.

Response: A KNOX Box will be provided for the gate.



Public Works and Development
6924 S. Lima Street Centennial, Colorado 80112 Phone: 720-874-6650; FAX 720-874-6611
www.co.arapahoe.co.us

Planning Division
Phase II Referral Routing

Case Number / Case Name:	ASI16-001, Prosper Wastewater Treatment Plant 1041 Permit / Areas of State Interest and L16-002, Prosper Wastewater Treatment Plant / Location and Extent and X16-001, Prosper Wastewater Treatment Plant/Subdivision Exemption
Planner:	Sherman Feher
Engineer:	Sarah L White
Date:	July 8, 2016
Date to be returned:	August 8, 2016

Arapahoe County Agencies		Citizen's Organizations	
<input checked="" type="checkbox"/> Assessor / Arapahoe County (Residential)	Karen Hart	<input type="checkbox"/> CCNA-Cherry Creek Neighborhoods Ass.	
<input type="checkbox"/> Attorney / Arapahoe County	Robert Hill	<input type="checkbox"/> CECOA-(Within Centennial)	
<input type="checkbox"/> Building / Arapahoe County	Steve Byer	<input type="checkbox"/> Four Square Mile Neighborhood	
<input checked="" type="checkbox"/> Engineering / Arapahoe County	Sarah L. White	<input type="checkbox"/> South Metro Chamber of Commerce	
<input checked="" type="checkbox"/> Mapping / Arapahoe County	Pat Hubert	Conservation District	
<input type="checkbox"/> Oil & Gas / Arapahoe County	Diane Kocis	<input type="checkbox"/> Deer Trail Conservation District	
<input checked="" type="checkbox"/> Open Space / Arapahoe County	Shannon Carter	<input checked="" type="checkbox"/> West Arapahoe Conservation District	Tasha Chevarria
<input checked="" type="checkbox"/> Planning / Arapahoe County	Sherman Feher	Transportation	
<input checked="" type="checkbox"/> Sheriff / Arapahoe County	1 to Brian McKnight 1 to Glenn Thompson	<input type="checkbox"/> CDOT / State Highway Dept- Region 1	Rick Solomon
<input checked="" type="checkbox"/> Weed Control / Arapahoe County	Russell Johnson	<input type="checkbox"/> E-470 Authority	Peggy Davenport
<input checked="" type="checkbox"/> Zoning / Arapahoe County	Tammy King	<input type="checkbox"/> RTD	Chris Quinn
Referral Agencies		<input type="checkbox"/>	
<input type="checkbox"/> Architectural Review Committee		Utilities: Gas, Electric & Phone	
<input type="checkbox"/> Airport or Military Base		<input type="checkbox"/> Centurylink/Phone	Charles Place
<input type="checkbox"/> CGS Colorado Geological Survey-Soils		<input type="checkbox"/> Conoco Phillips / Gas Pipeline	
<input checked="" type="checkbox"/> City / Town	Aurora	<input checked="" type="checkbox"/> XCEL	Donna George
<input checked="" type="checkbox"/> Colorado Parks and Wildlife	Travis Harris	<input type="checkbox"/> IREA	Brooks Kaufman
<input type="checkbox"/> County		Water / Sanitation / Stormwater / Wetlands	
<input type="checkbox"/> DRCOG		<input type="checkbox"/> ACWWA	
<input checked="" type="checkbox"/> Bennett Fire Protection District	Caleb Connor	<input checked="" type="checkbox"/> U.S. Army Corp. of Engineer	Kiel Downing
<input type="checkbox"/> Metro District		<input type="checkbox"/> CCBWQA	
<input type="checkbox"/> Post Office Growth Coordinator	J. Hernandez	<input type="checkbox"/> Colorado Division of Water Resources	Joanne Williams
<input checked="" type="checkbox"/> Reap I-70 Regional Economic Advancement Partnership	Matt Reay and Jack Keever	<input type="checkbox"/> SEMSWA	Paul Danley
<input type="checkbox"/> Recreation District / Park District (External)		<input type="checkbox"/> ECCVW&S	Chris Douglass
<input type="checkbox"/> Bennett School District #29J Aurora School District	Keith Yach	<input checked="" type="checkbox"/> Urban Drainage & Flood	David Mallory
<input type="checkbox"/> Special District		<input checked="" type="checkbox"/> Other / 5 Sets East End Adv. Committee	
<input checked="" type="checkbox"/> Tri-County Health Department	Sheila Lynch		
<input type="checkbox"/>			

The enclosed case has been submitted to the Arapahoe County Planning Office for consideration. Because of the possible effect of the proposed development upon your area, the case is being referred for your comment. Please examine this request and, after review, check the appropriate line and return to the Arapahoe County Planning Office on or before the date indicated above.

COMMENTS:	SIGNATURE
<input checked="" type="checkbox"/> Have NO Comments to make on the case as submitted	
<input type="checkbox"/> Have the following comments to make related to the case:	



August 9, 2016

Sherman Feher.
Arapahoe County Planning Department
6924 S. Lima Street
Centennial, CO 80112

RE: ASI 116-001, Prosper Wastewater Treatment Plant 1041 Permit/Areas of State Interest
L16-002, Prosper Wastewater Treatment Plant/Location and Extent
X16-001, Prosper Wastewater Treatment Plant/Subdivision Exemption
Prosper Wastewater Treatment Plant
TCHD Case No. 3993

Dear Mr. Feher:

Thank you for the opportunity to review and comment on the 1041 Permit/Areas of State Interest, Location and Extent, and Subdivision Exemption for the proposed Prosper Wastewater Treatment Plant (WWTP). Tri-County Health Department (TCHD) staff has reviewed the application for compliance with applicable public and environmental health regulations. After reviewing the application, TCHD has the following comments.

The Site Application and Utility Plan for the WWTP indicate that the recommended WWTP is a Membrane Bioreactor (MBR). Section 7 b. of the Application Submittal states: "This plant will include modern wastewater treatment facilities with biological nutrient removal (BNR) and filtration for the production of reuse water. The Location and Extent drawings depicting the WWTP (Sheets 1-15) are typical of a Biological Nutrient Removal (BNR) System. TCHD recommends that the drawings be revised to reflect the preferred alternative of an MBR.

Sheet 5 of the drawings indicates that the WWTP site is bounded on the east by a floodway and on the west by floodplain. The Location and Extent Plan shows an access road to the site across the Rat Run Drainageway. Construction of the road may alter the floodplain, and future flood events may impede or prevent access to the site. TCHD recommends that the applicant address any applicable regulatory and technical issues associated with the floodplain alteration and also site access.

Section 10, Dust and Odor. The second sentence states: Odor control equipment will be installed at the influent lift station and at the Headworks Building of the WWTP. These facilities are typically the source of the majority of odors at WWTP's. The Location and Extent drawings indicate that the WWTP is in close proximity to future residences. TCHD is concerned that odors will also be produced from the aeration basins, resulting in complaints from nearby residents. Consequently, TCHD recommends that the aeration basins be covered. The Water Quality Control Division

Prosper Wastewater Treatment Plant-Areas of State Interest, Location and Extent, Subdivision
Exemption
August 9, 2016
Page 2 of 2

(WQCD) also has requirements for setbacks from residential areas. Please describe how the proposed facilities will comply with the WQCD's setback policies.

TCHD has submitted comments regarding the WWTP Site Application and Utility Plan that are relevant to the subject case. I have included our comment letter as an enclosure to this letter.

Please feel free to contact me at (720) 200-1568 or wbrown@tchd.org if you have any questions regarding TCHD's comments.

Sincerely,

A handwritten signature in black ink, appearing to read "Warren S. Brown". The signature is fluid and cursive, with the first name "Warren" and last name "Brown" clearly distinguishable.

Warren S. Brown, P.E.
Senior Environmental Health Consultant

Enclosure

CC: Julio Iturreria, Larry Mugler, Arapahoe County
Bret Icenogle, P.E., David Kurz, P.E., CDPHE
Sheila Lynch, Steven Chevalier, TCHD

Tri-County Health Department Comments and Responses

Thank you for the opportunity to review and comment on the 1041 Permit/Areas of State Interest, Location and Extent, and Subdivision Exemption for the proposed Prosper Wastewater Treatment Plant (WWTP). Tri-County Health Department (TCHD) staff has reviewed the application for compliance with applicable public and environmental health regulations. After reviewing the application, TCHD has the following comments.

The Site Application and Utility Plan for the WWTP indicate that the recommended WWTP is a Membrane Bioreactor (MBR). Section 7 b. of the Application Submittal states: "This plant will include modern wastewater treatment facilities with biological nutrient removal (BNR) and filtration for the production of reuse water. The Location and Extent drawings depicting the WWTP (Sheets 1-15) are typical of a Biological Nutrient Removal (BNR) System. TCHD recommends that the drawings be revised to reflect the preferred alternative of an MBR.

Response: The BNR system is presented in the Location and Extent (L&E) drawings as the largest footprint (worst case) treatment process alternative at full build-out of the WWTP (35-40 years from now). A note has been added to the L&E drawings under Specific Notes (1 of 15) and Phase Designations (2 of 15) describing the phasing in more detail. The MBR system is the selected treatment process alternative for the initial phase of the WWTP (2-5 years from now) and is described in detail in the Site Application/Utility Plan. A Site Plan has been included in the Utility Plan report to show that the Phase 1 (MBR) is an integral part of the WWTP at build-out. The Metropolitan Districts will need to determine the selected treatment process for future phases as the demand of the WWTP increases.

Sheet 5 of the drawings indicates that the WWTP site is bounded on the east by a floodway and on the west by floodplain. The Location and Extent Plan shows an access road to the site across the Rat Run Drainageway. Construction of the road may alter the floodplain, and future flood events may impede or prevent access to the site. TCHD recommends that the applicant address any applicable regulatory and technical issues associated with the floodplain alteration and also site access.

Response: We have determined that there is no alteration to the floodzone and the floodway on the east side of the property.

The proposed access road, located on the west side of the property has been designed to match the existing grade across the floodzones of Rat Run and of Rat 1-D (a tributary to Rat Run). By matching the existing grade across these drainages it is shown that the elevation of the 100 yr storm event within the drainages, will not increase, thus the roadway has no impact on the floodzones. We have provided analysis of these 2 drainages to Arapahoe County to confirm our findings. Arapahoe County is further requiring that a "No Rise Certificate" be provided by our office to confirm and document these findings.

The access roadway is comprised of a gravel surface, and is identified as temporary until such time as a future paved is completed in the area. There is no specific timetable for the future permanent roadway construction.

As the access road is placed at the natural ground elevation across the 2 drainageways, it will overflow and "flood" during storm events. Maximum flow depth at the 100 yr event has been determined to be 18" at the roadway crossings. Staff personal will be trained on use of

the roadway during pending and actual storm events. Standard vehicles may be required to be temporarily parked outside of the floodzone areas, with staff being transported into the site with all-terrain vehicles.

An ultimate emergency means of access is available to the site from I-70.

Bennett Fire Department has reviewed the site plan and accessibility route and have determined it to be sufficient.

Section 10, Dust and Odor. The second sentence states: Odor control equipment will be installed at the influent lift station and at the Headworks Building of the WWTP. These facilities are typically the source of the majority of odors at WWTP's. The Location and Extent drawings indicate that the WWTP is in close proximity to future residences. TCHD is concerned that odors will also be produced from the aeration basins, resulting in complaints from nearby residents. Consequently, TCHD recommends that the aeration basins be covered. The Water Quality Control Division (WQCD) also has requirements for setbacks from residential areas. Please describe how the proposed facilities will comply with the WQCD's setback policies.

Response: The WQCD's setback distances are not met thus odor mitigating elements will be incorporated into the design including aeration system failure alarms, covering or enclosing the digester and process basins, and providing odor control systems for the influent lift station and headworks building.

Section 16

Additional Submittal Requirements Applicable to Major Water and Sewer Projects

This report serves as the 1041 application submittal for the Prosper Wastewater Treatment Plant (WWTP) to be constructed on the Prosper Development property and to serve only the Prosper Community. The Prosper Development 1041 submitted on October 20, 2014 and the Prosper Preliminary Development Plan (PDP) dated November 10, 2015 have been approved by Arapahoe County and are referenced throughout this report. For reference, the approved PDP is provided in **Attachment F**.

The WWTP project is located between Hayesmount Road and N Watkins Road just south of interstate 70 in the north portion of parcel #035150836 and in Planning Area 71 of the Prosper PDP. This project includes 8.5 acres and is currently zoned Prosper PDP WWTP. The proposed building structures include an administration/lab, headworks/lift station, aeration basins, pumping station/blower building, secondary clarifiers, UV/reuse water, digester blower building, aerobic digesters, solids handling, and a maintenance shop. Additional facilities include a backup power diesel generator, site roads, parking areas, and drainage ponds and facilities.

a. Existing Wastewater Treatment Facilities

The descriptions of existing wastewater treatment facilities in the vicinity of the project are found below with their locations shown in **Figure 16-1**.

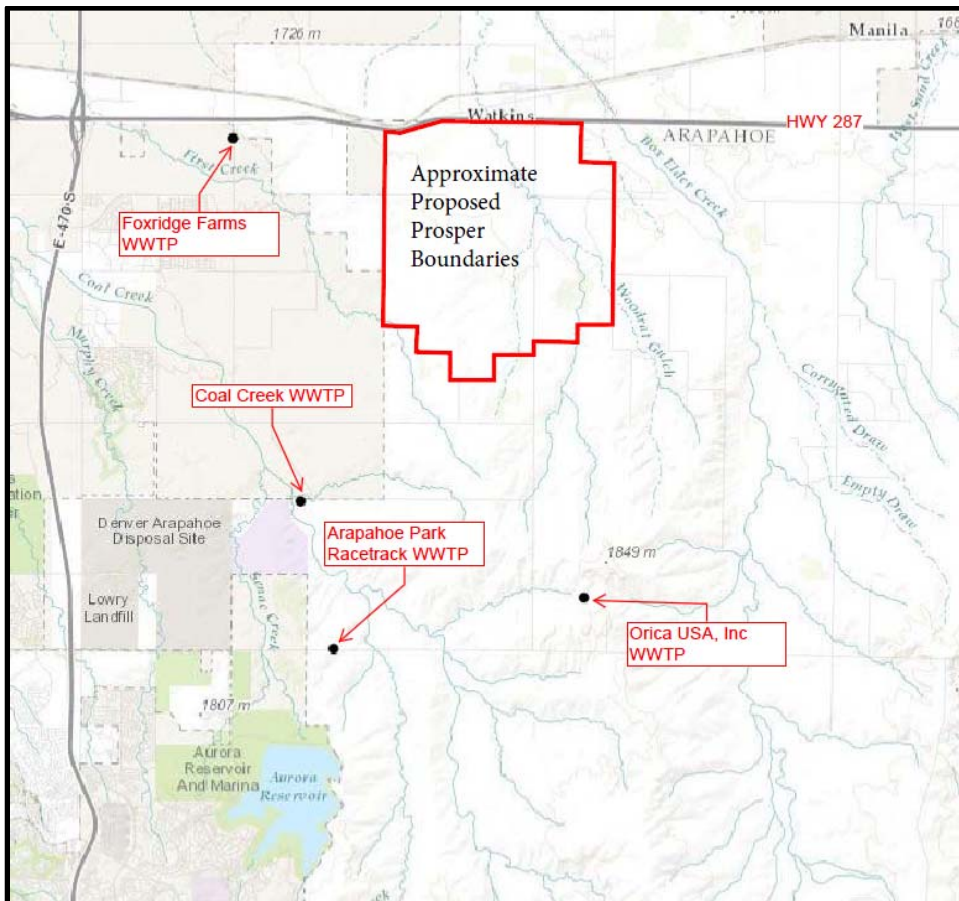


Figure 16-1 Existing Wastewater Treatment Facilities

Metro Wastewater Reclamation District

Wastewater from the area to the north and west of the proposed development along with the area to the east of the proposed development along I-70 is collected by Aurora Water and sent to the Metro Wastewater Reclamation District (MWWRD) for treatment, as shown in **Figure 16-2**. The MWWRD serves 1.7 million people within 60 local governments including Denver, Arvada, Aurora, Brighton, Lakewood, Thornton, Westminster, and parts of Adams and Arapahoe County.

The MWWRD operates two treatment facilities. The Robert W. Hite Treatment Facility currently treats an average of 130 million gallons per day (mgd) and has a peak capacity of 220 mgd. The Northern Treatment Plant, opening in 2016, will have an initial peak capacity of about 24 mgd with available room for expansion up to 60 mgd. The Robert W. Hite Treatment Facility is located at 6450 York Street and discharges to the Upper South Platte Segment 15 in two locations each of which is adjacent to its site. The North Treatment Facility is located at Highway 85 and 168th Avenue and will also discharge to the Upper South Platte Segment 15 adjacent to its site.

The discharge permit requirements for the Robert W. Hite Treatment Facility are provided in **Table 16-1**. Currently, there is not an approved permit for the North Treatment Facility but discharge requirements are expected to be similar to those for the Robert W. Hite Treatment Facility. MWWRD completed a water-quality modeling report dated April 7, 2014 to determine if the current effluent limits could be revised. The report is still under review, but may lead to changes in the discharge limits provided in **Table 16-1**.

Table 16-1 Effluent Discharge Limits for the Robert W. Hite Treatment Facility

Effluent Parameter	Discharge Limits - Maximum Concentrations		
	30-Day Average	7-Day Average	Daily Maximum
Flow, MGD			
Outfall 001C	220.0 a/	N/A	Report e/
Outfall 003A	Report a/	N/A	Report e/
5-day Carbonaceous Biochemical Oxygen Demand (CBOD5), mg/l			
Outfall 001C	17.0 a/	25.0 b/	N/A
Outfall 003A	25.0 a/	40.0 b/	N/A
Total Suspended Solids (TSS), mg/l			
Outfall 001C	30.0 a/	45.0 b/	N/A
Outfall 003A	30.0 a/	45.0 b/	N/A
E. Coli., Number/100 ml, Outfall 001C	126.0 c/	252.0 c/	N/A
Total Residual Chlorine, mg/l, g/, s/, t/			
Outfall 001C	0.011 a/	N/A	0.019 d/
pH, s.u. (minimum-maximum)			
Outfall 001C	N/A	N/A	6.0-9.0 d/
Outfall 003A	N/A	N/A	6.0-9.0 d/
Oil and Grease, mg/l			
Outfall 001C i/	N/A	N/A	10.0 d/
Outfall 003A i/	N/A	N/A	10.0 d/
Dissolved Oxygen (minimum), mg/l	N/A	5.0 b/	3.0 d/
Total Ammonia (as N), mg/l - Through 12/31/2014			
January through February	15.0 a/	N/A	30.0 e/
March	14.0 a/	N/A	26.6 e/
April	14.0 a/	N/A	25.6 e/
May	13.0 a/	N/A	25.9 e/

Table 16-1 Effluent Discharge Limits for the Robert W. Hite Treatment Facility

Effluent Parameter	Discharge Limits - Maximum Concentrations		
	30-Day Average	7-Day Average	Daily Maximum
June	13.0 a/	N/A	27.0 e/
July	10.0 a/	N/A	21.5 e/
August	9.7 a/	N/A	23.4 e/
September	10.0 a/	N/A	26.7 e/
October	10.0 a/	N/A	23.4 e/
November	14.0 a/	N/A	24.1 e/
December	15.0 a/	N/A	27.8 e/
Total Ammonia (as N) - Beginning 1/1/2015			
January	4.60 a/	N/A	6.31 e/
February	4.47 a/	N/A	6.17 e/
March	4.22 a/	N/A	8.29 e/
April	4.13 a/	N/A	9.21 e/
May	3.08 a/	N/A	11.21 e/
June	2.77 a/	N/A	12.67 e/
July	2.37 a/	2.00 b/	10.37 e/
August	2.04 a/	1.75 b/	10.13 e/
September	2.72 a/	2.23 b/	9.14 e/
October	3.34 a/	N/A	9.18 e/
November	3.54 a/	N/A	7.84 e/
December	4.64 a/	N/A	7.97 e/
Nitrate Plus Nitrite, mg/l as N	N/A	8.68 b/	N/A
Cadmium, PD, ug/l	Report a/	N/A	Report e/
Copper, PD, ug/l	Report a/	N/A	Report e/
Iron, PD, ug/l	Report a/	N/A	N/A
Mercury, PD, ug/l	Report a/	N/A	Report e/
Selenium, PD, ug/l	Report a/	N/A	Report e/
Cyanide, Weak Acid Dissociable, ug/l	Report a/	N/A	N/A
Tetrachloroethene (PERC), ug/l	5.06 a/	N/A	N/A
Diazinon, ug/l	Report a/	N/A	Report e/
Whole Effluent Toxicity, Chronic	N/A	N/A	Statistical Difference and IC25 < IWC=98.7%

The monthly service fee and rate charged to Aurora Water residential customers are \$3.81 for 5/8 inch and 3/4 inch taps and \$3.50 per 1,000 gallons. The rate remains the same for multifamily and commercial buildings, but the service fee varies based on tap size. The Denver, Aurora Water, and South Adams County Water & Sewer District sanitary sewer rates are provided in **Attachment G**.

The service area boundaries for MWWRD are shown in **Figure 16-2**. As of December 31st, 2014 MWWRD's long-term debt consisted of approximately \$656.7 million in bonds payable. MWWRD's Moody's Investors Services and Standard & Poor's bond ratings are Aa1 and AAA, respectively. Additional information on the MWWRD's finances can be found in the "Metro Wastewater Reclamation District Basic Financial Statements and Supplementary Information December 31, 2014 and 2013", provided in **Attachment G**.

Miscellaneous Facilities

The Foxridge Farms community is located on I-70 approximately 3 miles west of the proposed Prosper development and treats wastewater from the Foxridge Farms community at an onsite facility. The facility is sized for a 0.13 mgd average day flow. The facility discharges treated effluent to First Creek (discharge point 001A) and has an internal discharge for BOD and TSS monitoring (discharge point 001B). Discharge limits are provided in **Table 16-2**.

Table 16-2 Effluent Discharge Limits for the Foxridge Farms Treatment Facility Outfall 001A (and 001B where noted)

Effluent Parameter	Discharge Limits - Maximum Concentrations		
	30-Day Average	7-Day Average	Daily Maximum
Flow, MGD			
Outfall 001A	0.13	N/A	Report
pH, su (minimum-maximum)	N/A	N/A	6.5-9
E. Coli., Number/100 ml	126.0	252.0	N/A
Total Residual Chlorine, mg/l	0.011	N/A	N/A
Total Ammonia (as N), mg/l			
January	3.7	N/A	15.2
February	3.4	N/A	12.8
March	3.4	N/A	14.6
April	3.2	N/A	14.1
May	2.7	N/A	13.7
June	2.5	N/A	16.1
July	2.2	N/A	16.4
August	1.9	N/A	13.4
September	2.1	N/A	14.1
October	2.2	N/A	12.3
November	3.0	N/A	14.2
December	3.2	N/A	13.2
BOD5, effluent, mg/l (Outfall 001B)	30	45	N/A
BOD5, % removal (Outfall 001B)	85 (min)	N/A	N/A
TSS, effluent, mg/l (Outfall 001B)	30	45	N/A
TSS, % removal (Outfall 001B)	85 (min)	N/A	N/A
Oil and Grease, visual	N/A	N/A	Report
Oil and Grease, mg/l	N/A	N/A	10
Arsenic, TR, ug/l	Report	N/A	ug/l
Cadmium, PD, ug/l	Report	N/A	Report
Chromium 3+, PD, ug/l	Report	N/A	Report
Chromium 6+, DIS, ug/l	11	N/A	Report
Copper, PD, ug/l	29	N/A	50
Copernicium, WAD, ug/l	N/A	N/A	5
Iron, TR, ug/l	Report	N/A	N/A
Lead, PD, ug/l	Report	N/A	Report
Manganese, PD, ug/l	Report	N/A	Report
Mercury, TOT, ug/l, Until 9/30/2018	Report	N/A	Report
Mercury, TOT, ug/l, Beginning 10/1/2018	0.01	N/A	N/A
Nickel, PD, ug/l	Report	N/A	Report
Selenium, PD, ug/l	Report	N/A	Report
Silver, PD, ug/l	Report	N/A	Report

Table 16-2 Effluent Discharge Limits for the Foxridge Farms Treatment Facility Outfall 001A (and 001B where noted)

Effluent Parameter	Discharge Limits - Maximum Concentrations		
	30-Day Average	7-Day Average	Daily Maximum
Zinc, PD, ug/l	Report	N/A	Report
WET, Chronic Until 12/31/2017			
Static Renewal 7 Day Chronic Pimephales Promelas	N/A	N/A	Report
WET, Chronic Beginning 1/1/2018			
Static Renewal 7 Day Chronic Pimephales Promelas	N/A	N/A	NOEC or IC25 > IWC
Static Renewal 7 Day Chronic Ceriodaphnia Dubia	N/A	N/A	NOEC or IC25 > IWC

The area to the south and east of the proposed development is minimally populated. However, there are separate facilities serving the Arapahoe Park Racetrack and Orica USA Inc. facilities. These treatment facilities are sized to treat wastewater from these entities only and could not treat an additional inflow from the Prosper development.

The Arapahoe Park Racetrack Treatment Facility is rated for 0.03 mgd and discharges to a ditch that is tributary to Murphy Creek. Discharge limits for the Arapahoe Park Racetrack are provided in **Table 16-3**.

Table 16-3 Effluent Discharge Limits for the Arapahoe Park Racetrack Treatment Facility Outfall 001A

Effluent Parameter	Discharge Limits - Maximum Concentrations		
	30-Day Average	7-Day Average	Daily Maximum
Flow, MGD	0.03	N/A	Report
BOD5, mg/l	30	45	N/A
BOD5, % removal	85 (min)	N/A	N/A
Total Suspended Solids, mg/l			
<i>Aerated Lagoons</i>	75	110	N/A
Total Residual Chlorine, mg/l	0.011	N/A	0.019
pH, su (minimum-maximum)	N/A	N/A	6.5-9
Oil and Grease, visual	N/A	N/A	Report
Oil and Grease, mg/l	N/A	N/A	10
E. Coli., Number/100 ml	126.0	252.0	N/A
Potentially Dissolved Selenium, ug/l	Report	N/A	Report
Total Ammonia (as N), mg/l			
January	5.1	N/A	13
February	4.7	N/A	11
March	3.2	N/A	7.3
April	1.9	N/A	6.1
May	2.4	N/A	7.9
June	3.0	N/A	10
July	2.3	N/A	9.7
August	1.9	N/A	7.9
September	2.3	N/A	8.7
October	3.4	N/A	11
November	3.7	N/A	11
December	3.7	N/A	8.9

The Orica USA Treatment Facility is rated for 0.012 mgd and discharges to an unidentified creek. Discharge limits for the Orica USA Facility are provided in **Table 16-4**.

Table 16-4 Effluent Discharge Limits for the Orica USA Treatment Facility Outfall 001A

Effluent Parameter	Discharge Limits - Maximum Concentrations		
	30-Day Average	7-Day Average	Daily Maximum
Flow, MGD	0.012	N/A	Report
BOD5, mg/l	30	45	N/A
BOD5, % removal	85 (min)	N/A	N/A
TSS, effluent, mg/l	30	45	N/A
TSS, % removal	85 (min)	N/A	N/A
Total Residual Chlorine, mg/l	0.011	N/A	0.019
pH, su (minimum-maximum)	N/A	N/A	6.5-9
Oil and Grease, visual	N/A	N/A	Report
Oil and Grease, mg/l	N/A	N/A	10
E. Coli., Number/100 ml	126.0	252.0	N/A
Total Ammonia (as N), mg/l			
January	7.1	N/A	24
February	6.9	N/A	22
March	7.1	N/A	26
April	4.9	N/A	25
May	4.9	N/A	25
June	5.2	N/A	29
July	4.4	N/A	26
August	4.5	N/A	27
September	5	N/A	30
October	5.8	N/A	30
November	6	N/A	25
December	7.4	N/A	28

The Coal Creek Wastewater Reclamation Facility, is managed by the Rangeview Metropolitan District/Pure Cycle and serves or will serve approximately 40 square mile of the Lowry Range and other areas by contract, including the Arapahoe County Fairgrounds and Front Range Airport. The Coal Creek Wastewater Reclamation Facility has a treatment capacity of 0.13 mgd and discharges to Coal Creek. Discharge limits for the Coal Creek Reclamation Facility are provided in **Table 16-5**.

Table 16-5 Effluent Discharge Limits for the Coal Creek Reclamation Facility Outfall 001A

Effluent Parameter	Discharge Limits - Maximum Concentrations		
	30-Day Average	7-Day Average	Daily Maximum
Flow, MGD	0.13	N/A	Report
CBOD5, mg/l	25	40	N/A
CBOD5, % removal	85 (min)	N/A	N/A
TSS, effluent, mg/l	75	110	N/A
TSS, % removal	Report	N/A	0.5
Total Residual Chlorine, mg/l	0.011	N/A	0.019
pH, su (minimum-maximum)	N/A	N/A	6.5-9
Oil and Grease, visual	N/A	N/A	Report

Table 16-5 Effluent Discharge Limits for the Coal Creek Reclamation Facility Outfall 001A

Effluent Parameter	Discharge Limits - Maximum Concentrations		
	30-Day Average	7-Day Average	Daily Maximum
Oil and Grease, mg/l	N/A	N/A	10
E. Coli., Number/100 ml	205	410	N/A
Total Ammonia (as N), mg/l			
January	3.5	N/A	8.5
February	3.1	N/A	7.5
March	2.2	N/A	4.9
April	1.9	N/A	4.1
May	2.4	N/A	5.3
June	3.0	N/A	7.1
July	2.3	N/A	6.4
August	1.9	N/A	5.3
September	2.3	N/A	5.8
October	3.1	N/A	7.4
November	3.1	N/A	7.4
December	2.6	N/A	6.0

b. Consolidation Analysis

Metro Wastewater Reclamation District

Although the MWWRD treatment facility is large and already constructed, the current MWWRD service boundaries do not encompass all of the Prosper development. It is assumed the MWWRD facilities were not sized to accommodate wastewater flows outside of their current service boundary. Additionally, if the Prosper development sent their wastewater to MWWRD for treatment they would not be able to utilize reuse water benefits from having their own WWTP. As described in the January 2014 Water Supply Plan Report by HRS Water Consultants provided in **Attachment D**, reuse water will contribute to approximately 32% of the total water supply for the development at buildout.

Miscellaneous Facilities

The Fox Ridge Farms, Arapahoe Race Track, Orica USA Inc., and Coal Creek Wastewater Reclamation facilities do not have excess capacity to support wastewater flows from the Prosper development. The cost of upgrading these existing facilities to treat the increased capacity would be similar to constructing the Phase 1 WWTP on the Prosper property. Similar to MMWRD, constructing a sanitary sewer line to any of these facilities would be expensive and it is more affordable to keep the wastewater treatment on the Prosper property. Another benefit of having an onsite WWTP is Prosper can more easily take advantage of the reuse water generated by the WWTP.

c. Effects on Adjacent Communities

There will be no effect on adjacent communities as the land surrounding the WWTP site is undeveloped and the WWTP will be designed to treat only the wastewater generated from the Prosper Development. Almost all of the domestic wells in the vicinity of Prosper are completed in the Denver and Upper Arapahoe aquifers. Prosper proposes to install wells in the Lower Arapahoe and Laramie-Fox Hills aquifers. Therefore, Prosper well pumping will not affect Denver and Upper Arapahoe aquifer wells in the vicinity of Prosper. Moreover, Prosper's augmentation plan applied for in pending Case No. 13CW3143, by which it will receive legal approval to recapture and reuse up to 800 acre feet of its reusable effluent, has been carefully structured to assure that local alluvial groundwater appropriators will not be injured. This is accomplished by requiring the delivery of the effluent

to the alluvium in advance of the pumping and limiting the amount of the pumping to the amount delivered in advance. This assures that the depletions from the alluvial well pumping are replaced as the pumping occurs. Unlike Prosper's plan, conventional augmentation plans in this area (including both pending and decreed plans) have historically not attempted to prevent injury to local alluvial groundwater appropriators and have received decrees that involve replacement only on the South Platte River.

d. Demand Projections

In reference to the approved Prosper Development 1041, the Prosper development is estimated to be implemented in multiple phases over 30 years. Arapahoe County has identified Interstate 70 east corridor as a potential growth area (Planning Reserve) that extends from the City of Aurora to Deer Trail. This growth area has been divided into three tiers or phases of growth. Tier I of this growth corridor will occur from the west that extends east to the existing Bennett town core. Prosper is located in the western portion of the tier I growth corridor. Market and feasibility studies have been prepared for the corridor with each outlining a demand for commercial, light industrial and a variety of residential land uses.

The projected Prosper development wastewater influent flows over the next 30 years are provided in **Table 16-6**.

Table 16-6 Prosper Development Projected Flows

Year	Phase	Total Single Family Equivalents	Max Month Daily Flow, MGD
2017	1	950	0.265
2027	2	2591	0.722
2037	3	5885	1.639
2047	4	11850	3.30

e. Reuse Water

A portion of the WWTP final effluent will be used for on and off site reuse water. A filter system and sodium hypochlorite disinfection will be used to ensure the wastewater meets the CDPHE reuse criteria. On-site re-use water will provide water for pump lubrication, on-site irrigation, and yard hydrants. Off-site reuse water will be pumped to Box Elder Creek for use throughout the development. Approximately 32% of the total water supply demand of the development at buildout will be met by reuse water produced at the WWTP.

Prosper has a Box Elder Creek augmentation plan case pending in Division 1 Water Court, Case No. 13CW3143. The case includes four Box Elder Creek alluvial wells. In order for the wells to pump stream depletion from Box Elder Creek, well pumping will be replaced with reusable WWTP effluent that will be discharged to Box Elder Creek through a pipeline from the Prosper WWTP. Alluvial well pumping and the reuse discharge pipeline will first be used when approximately 200 gallons per minute of reuse water is available which is estimated to occur in the early stages of Phase 2.

f. Urban Development

The proposed WWTP location and surrounding areas are currently undeveloped with the St. Isadore Church located directly to the east. The WWTP will be located on the approved Prosper Development PDP WWTP site and will grow in phases as the population of the development increases. Land use to the north of the WWTP is zoned as open space/agricultural and to south is zoned as high density residential. The WWTP will be designed so that the majority of the treatment processes will not be visible from major roads, homes, or business and those structures that are visible will architecturally blend in with the design theme of the development. The WWTP project will not affect existing stormwater or sanitation systems as these systems will be integrated as part of the new WWTP.

g. Other Municipal and Industrial Projects

Only one possible water or wastewater project was identified in the vicinity of the Prosper development. The Colorado Department of Public Health and Environment (CDPHE) website was searched for permits for new water and wastewater projects in the vicinity and it did not produce any results. After further research a proposed development on the Sky Ranch property directly to the west of the proposed Prosper development was found as shown on **Figure 16-3**.

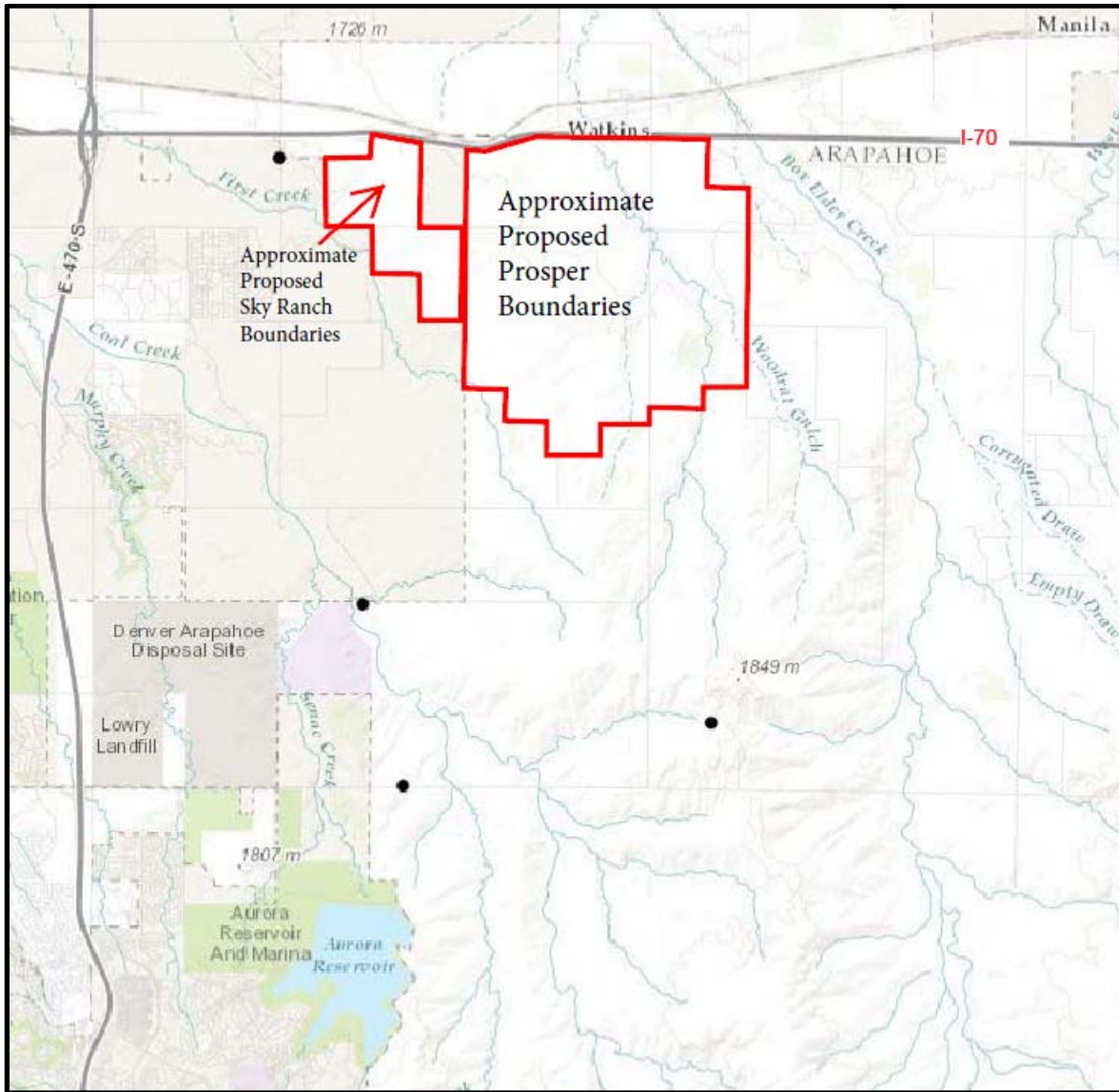


Figure 16-3 Sky Ranch Location and Boundaries

The Sky Ranch development will have water and wastewater facilities which will be similar to those for the proposed Prosper development. Due to the possible variability in the schedules for each project, the buildout size of each development, and the costs of transporting water and/or wastewater from one development to the other, the difficulties of combining the two treatment systems outweigh the benefits. It is recommended that the two treatment systems serve their separate communities and not compete with one another.



Board Summary Report

Date: April 17, 2017
To: Board of County Commissioners
Through: Jan Yeckes, Planning Division Manager
From: Sherman Feher, Senior Planner
Subject: Prosper Wastewater Treatment Plant Subdivision Exemption (X16-001)
UPDATE IN BOLD

Purpose and Recommendation

The purpose of this action is to request BOCC approval for a Subdivision Exemption of an unplatted parcel that will be used by the Prosper Development for a wastewater treatment plant. PWD is recommending approval of this action.

UPDATE: On March 7, 2017 the applicant requested a continuation of the BOCC hearing in order to discuss possible mitigative measures with neighboring property owners. The BOCC granted the continuation of the hearing to May 2, 2017. The specific results of these discussions will be presented by the applicant at that hearing. The applicant has provided a letter that summarizes the results of the discussions with the neighboring property owners (see attachment that follows this BSR).

Background

The property is currently zoned MU-PUD for a wastewater treatment plant.

Links to Align Arapahoe

This request, if approved, may “improve the County’s economic environment” by generating jobs to build the wastewater treatment plant as well as Prosper Development.

Discussion

The property in question is approximately 8.5 acres. The Arapahoe County Land Development Code allows a Subdivision Exemption given the following criteria: “Land is being used for public or quasi-public purposes including, but not limited to: utility facility, park open spaces, fire station, sheriff substation, library, metro district office, water/sewage facility, cemetery and school district facilities.” This request meets this criteria, as the proposed use on the property is a wastewater treatment plant.

The Subdivision Exemption should be denied if the BOCC denies the 1041 Permit (ASI-001) and does not overturn the Planning Commission denial of the Location and Extent case (L16-002) so that there will not be a subdivision exemption lot where the 1041 Permit and Location and Extent cases have not been approved.

Alternatives

The Board of County Commissioners has 3 alternatives:

1. Approve the Subdivision Exemption with conditions.
2. Continue to a date certain for more information.
3. Deny the Subdivision Exemption, if the BOCC denies the 1041 Permit and does not overturn the appeal of the Planning Commission denial of the Location and Extent.

Fiscal Impact

This request might have some positive fiscal impact on the County based on the employment created to build the wastewater treatment plant and the proposed Prosper development.

Concurrence

PWD Staff concur with this case.

Reviewed By:

Sherman Feher
Jason Reynolds
Jan Yeckes
Dave Schmit
Todd Weaver
Bob Hill



April 17, 2017

Mr. Sherman Feher, Planning Program Manager
Arapahoe County Public Works and Development
6924 S. Lima Plaza.
Centennial, CO 80112

**Re: Prosper Waste Water Treatment Plant
1041 and Location & Extents Application**

Dear Sherman,

As communicated at the March 7th, 2017 Board of County Commissioners meeting, the intent of the Prosper Metropolitan Coordinating District is to conduct additional meetings with St. Isadore church regarding the proposed Waste Water Treatment Plant. These meetings are in addition to the two church meetings conducted prior to the March 7th, 2017 hearings.

A meeting was conducted on April 4th with the church to further discuss the location of the proposed waste water treatment plant including the Colorado Department of Health and Environment (CDPHE) site criteria. It was also discussed that the proposed waste water treatment plant was located at the lowest point of the site which allowed the 5,130 acres to gravity sewer to the plant which would avoid the need for additional lift stations. Providing a gravity sewer system further reinforces reliability, safety and long-term cost/energy efficiency for future residents and users (which may also include the church).

Alternative site locations and the associated implications including the requirements for additional lift stations were discussed. Relocating the plant a 1,000' south as suggested by the church and the impacts to the Coyote Run and Rat Run flood plains (enlarging/combining of the floodplains) was also reviewed. Odor control issues were discussed and addressed at the meeting including odor control technology (not required by CDPHE) that could be provided to the plant. While both parties seemed to agree that the odor issue could be addressed with added odor controls, the church also expressed concerns regarding the potential aesthetic impacts of the plant as viewed to the west from the school.

Based on the April 4th hearing, Prosper created a visual simulation to address some of the questions associated with the view of the plant. Potential additional buffering that Prosper could incorporate along the perimeter of the plant and on the church property was also discussed. A meeting was conducted on April 17th to review and discuss the simulation and the aesthetics with the church. Further discussion regards to relocating specific components of the plant away from the school was also discussed further.

Based on the April 17th meeting, it is the intent to further review and follow-up with the church regarding the respective items. At this time, the intent is to conduct the Board of County Commissioners meeting on May 2nd, 2017.

Please review and call with questions or comments.

Sincerely,

Vogel & Associates, LLC

Jeffrey Vogel, AICP

Principal

Board of County Commissioners

Engineering Summary Report

Date: February 17, 2017

To: Arapahoe County Board of County Commissioners

Via: Sherman Feher
Planning Division

From: Sarah White
Engineering Services Division

Re: **Prosper Wastewater Treatment Plant (WWTP)**
ASI16-001 1041 Permit
L16-002 Location & Extent
X16-001 Subdivision Exemption

Purpose and Recommendation

The purpose of this report is to provide the Engineering Services Division Staff findings, comments, and recommendations regarding the above-referenced land use application(s).

Scope/Location:

Vogel and Associates and Dewberry Engineers Inc., on behalf of owners, VREI, Inc., is requesting approval of the 1041, Location & Extent and Subdivision Exemption for the development of the Prosper Wastewater Treatment Plant (WWTP). The proposed development is generally located within the area known as 'Prosper', south of Interstate 70, east of N. Watkins Road and north of E 6th Avenue. The proposal is for a wastewater treatment plant on approximately 9 acres. The site is proposed to be built in 4 phases based on the future development of Prosper.

The site is located within the Box Elder Creek drainage basin. Phase I development will utilize a temporary access road (reference Arapahoe County Case No. E16-029) until the permanent public road is built out as per the Prosper PDP (case no. Z12-100).

Referenced Referral Items

1041
L&E Exhibit
Subdivision Exemption
Drainage Report
Construction Drawings
O&M Manual
GESD Plans and Report

Cc: *Chuck Haskins, Engineering Services Division, Division Manager*
Case Files ASI16-001, L16-002, X16-001

Engineering Services Division Staff (Staff) has reviewed the referenced land use application(s) and has the following findings and comments:

Findings:

1. Engineering review and approval fees are included with the planning fee for the 1041 and L&E, with the exclusion of the easements that will need to be prepared by separate document(s). Fees for the Subdivision Exemption are paid.
2. This site lies within Coyote Run-Box Elder Creek watershed basin. Basin fees are still being established for this area, but are not yet determined.
3. This development lies within the boundaries of the Urban Drainage and Flood Control District (UDFCD).
4. Urban Drainage and Flood Control District (UDFCD) has been included as a referral agency. Their comments will need to be addressed prior to final approval
5. Construction activities that disturb one or more acres are required by the Environmental Protection Agency (EPA) to obtain a Construction Stormwater Permit.
6. The subdivision exemption process requires a permanent roadway or an access easement to be established. The permanent roadway as proposed in the Prosper Preliminary Development Plan (PDP) is not yet constructed. Once the development around the Waste Water Treatment Plant (WWTP) begins, a permanent road will be constructed that allows access to the WWTP. In the interim, access to WWTP will be via private access road. Easement recordation information will need to be noted on the Subdivision Exemption exhibit. Engineering Case E16-029 has been submitted and is under review for the Access Road construction.
7. The WWTP will have a limited on-site staff, and generates very minimal traffic, as such a Traffic Impact Study was waived for this development.
8. Drainage easements for each detention pond outfalls (offsite) will need to be dedicated to Arapahoe County via separate document.
9. Both Coyote Run and Rat Run have existing Flood Insurance Rate Maps (FIRM) as provided by the Federal Emergency Management Agency (FEMA). Coyote Run is in a Flood Hazard Area Delineation (FHAD) process to update the floodplain delineation with FEMA. The WWTP is outside of both FEMA and FHAD designated 100 year floodplains. Both delineations are shown on all exhibits, as applicable.
10. Waste water treatment plants are exempt from specific critical facility regulations established by the Colorado Water Conservation Board. However, applicant is encouraged to minimize potential hazards from floodwaters. County would recommend to have lowest floor elevation a minimum of 2 feet above 100-year water surface elevation, ensure on-site waste disposal is located such that outside but adjacent to 100 year floodplain. County discourages critical facilities within the 500 year floodplain, since these drainage ways have not been mapped for 500 yr flooding, recommend additional provisions may be needed – i.e. flood proofing building or elevation of facility to be at 2 ft above BFE (LDC section 12-2007.09).

11. All applicable public and private improvements (i.e., storm sewer systems, detention ponds, roadways appurtenances, etc.) associated with this development proposal shall be guaranteed within a Subdivision Improvements Agreement (SIA). The applicant will be required to enter into a Subdivision Improvement Agreement (SIA) to guarantee onsite and offsite improvements related to this development. Subdivision Improvement Agreement will be prepared by County Staff with finalization of costs.
12. Staff reviewed contours and elevations for the WWTP, per aerial photography and County GIS. The WWTP is located at the lowest elevation within the Prosper PDP boundaries outside of the floodplain. Elevation increases as the topography fans in a bowl-or U-shaped pattern towards the south, east and west.

Recommendations:

The Division of Engineering Services recommends this case favorably subject to the following conditions:

1. The applicant agrees to address the Division of Engineering Services' comments and concerns as identified within the ESD Staff Report dated 9/20/2016.
2. The applicant agrees to address comments issued by the Urban Drainage and Flood Control District (UDFCD).
3. The applicant executes a Subdivision Improvement Agreement.

DRAFT MOTIONS:

In the case of X16-001, Prosper Subdivision Exemption, we have read the staff report and received testimony at the public meeting. We find ourselves in agreement with staff findings including all plans and attachments as set forth in the staff report dated January 30, 2017, and move to approve this case, subject to the following conditions:

1. The applicant makes any minor modifications to plans, as requested by the Public Works and Development Department.
2. The applicant agrees to address all Planning, Division of Engineering comments and concerns as identified within the various Engineering reports.
3. The Subdivision Exemption requires that the land be used for a public purpose. Recording of the Subdivision Exemption is subject to approval of the 1041 Permit (AS16-003) and the Location and Extent case (L16-002) for a wastewater treatment plant.
4. A note shall be added to the Subdivision Exemption mylar exhibit prior to signatures and recording that allows issuance of building permits and Certificates of Occupancy.
5. The applicant will add utility easements to the Subdivision Exemption exhibit.

OR

Alternate Motions

Any alternate motion must include new findings and conditions where those differ from the Staff-recommended findings and conditions.

DENIAL: *In the case of X16-001, Prosper Subdivision Exemption, we have read the Board Summary Report dated January 30, 2017, and received testimony at the public hearing. We deny of this case, based on the following findings:*

1. *State new or amended findings to support BOCC "Denial."*
2.

CONTINUE: *In the case of X16-001, Prosper Subdivision Exemption, I move to continue the decision on this request to [DATE], 2017, date certain, at 9:30 a.m., at this same location [to receive further information] [to further consider information presented during the hearing].*

SUBDIVISION EXEMPTION

RESOLUTION NO. [Reso #] It was moved by Commissioner [Moved] and duly seconded by Commissioner [Seconded] to adopt the following Resolution:

WHEREAS, Prosper Regional Water and Sanitation Service Metropolitan District desires to divide a parcel of real property in order to locate a waste water treatment plant to serve a mixed use development called Prosper which will be located within unincorporated Arapahoe County; and

WHEREAS, Prosper Regional Water and Sanitation Service Metropolitan District desires to have said division exempted from the Arapahoe County Subdivision Regulations in accordance with Section 14-902(b)(1) of the Land Development Code for a public or quasi-public use; and

WHEREAS, the Board after hearing testimony and receiving evidence in Case No. X16-001, Prosper Wastewater Treatment Plant Subdivision Exemption, has determined that the proposed wastewater treatment plant constitutes a public or quasi-public use to be run by the Metropolitan District and, as such, is eligible for a subdivision exemption under the Land Development Code; and

WHEREAS, the Zoning will remain unchanged if said exemption is granted.

NOW, THEREFORE, BE IT RESOLVED that the Board hereby determines the following:

1. The Subdivision Exemption request, Case No. X16-001, to divide a parcel for the Prosper Regional Water and Sanitation Service Metropolitan District to construct and operate a waste water treatment plant to serve the Prosper Development is hereby approved for subdivision exemption under Section 14-902(B)(1) of the Land Development Code and CRS 30-28-101(10(d) for such conveyance.
2. This Subdivision Exemption is subject to the following conditions of approval:
 - a) The applicant makes any minor modifications to plans, as requested by the Public Works and Development Department.
 - b) The applicant agrees to address all Planning, Division of Engineering comments and concerns as identified within the various Engineering reports.
 - c) The Subdivision Exemption requires that the land be used for a public purpose. Recording of the Subdivision Exemption is subject to approval of the 1041 Permit (ASI16-003) and the Location and Extent case (L16-002) for a wastewater treatment plant.
 - d) A note shall be added to the Subdivision Exemption mylar exhibit prior to signatures and recording that allows issuance of building permits and Certificates of Occupancy.
 - e) The applicant will add utility easements to the Subdivision Exemption exhibit.

3. The Chair is authorized to sign an Exemption Exhibit prepared in accordance with the Land Development Code to describe the property authorized for this Subdivision Exemption, which shall be recorded in compliance with the applicable requirements of the Land Development Code, and which property approved for the Subdivision Exemption is described as follows:

LEGAL DESCRIPTION

Legal Description to be added

4. Following the recordation of the Exemption Exhibit, the title to the property approved for this exemption and described on the Exemption Exhibit may be lawfully transferred to the Prosper Regional Water and Sanitation Service Metropolitan District for the waste water treatment plant.
5. The County Attorney, with the concurrence of the planning and/or engineering case managers, is authorized to make appropriate modifications to the resolution and Exemption Exhibit documents as needed to accurately reflect the matters presented to the Board and to record and clarify, as necessary, other aspects and ramifications of the Board's action.
6. The foregoing approval is conditioned upon, and subject to, submission by the applicant of a mylar of the Exemption Exhibit within sixty (60) days of the date of this decision. In the event the applicant fails to submit a conforming mylar by the above deadline, this decision shall be voidable by resolution of the Board of County Commissioners and of no effect whatsoever.
7. The Arapahoe County Clerk and Recorder is hereby directed to record this Subdivision Exemption Resolution.
8. The Board of County Commissioners hereby directs that a copy of this Resolution be delivered to the Arapahoe County Assessor and the Mapping Division of the Department of Public Works and Development for appropriate action as required.

The vote was:

Commissioner Baker, ; Commissioner Conti, ; Commissioner Holen, ; Commissioner Jackson, ; Commissioner Sharpe, .

The Chair declared the motion carried and so ordered.

SUBDIVISION EXEMPTION

RESOLUTION NO. [Reso #] It was moved by Commissioner [Moved] and duly seconded by Commissioner [Seconded] to adopt the following Resolution:

WHEREAS, Prosper Regional Water and Sanitation Service Metropolitan District desires to divide a parcel of real property in order to locate a waste water treatment plant to serve a mixed use development called Prosper which will be located within unincorporated Arapahoe County; and

WHEREAS, Prosper Regional Water and Sanitation Service Metropolitan District desires to have said division exempted from the Arapahoe County Subdivision Regulations in accordance with Section 14-902(b)(1) of the Land Development Code for a public or quasi-public use; and

WHEREAS, the Board has heard and considered evidence and testimony in Case No. ASI16-001 and the appeal of the denial of Case No. L16-002 and has denied both cases over concern regarding the selected location for the proposed WWTP as expressed in the Board's motions, resolutions and the records for those applications; and

WHEREAS, the Board after hearing testimony and receiving evidence in Case No. X16-001, Prosper Wastewater Treatment Plant Subdivision Exemption, has determined that the proposed wastewater treatment plant does not constitute a public or quasi-public use because the Prosper Wastewater Treatment Plant 1041 Permit and Location and Extent cases were not approved and, as such, is not eligible for a subdivision exemption under the Land Development Code; and

NOW, THEREFORE, BE IT RESOLVED that the Board hereby determines the following:

1. The Subdivision Exemption request, Case No. X16-001, to divide a parcel for the Prosper Regional Water and Sanitation Service Metropolitan District to construct and operate a waste water treatment plant to serve the Prosper Development is hereby denied for subdivision exemption under Section 14-902(B)(1) of the Land Development Code and CRS 30-28-101(10(d)).

The vote was:

Commissioner Baker, ; Commissioner Conti, ; Commissioner Holen, ; Commissioner Jackson, ; Commissioner Sharpe, .

The Chair declared the motion carried and so ordered.

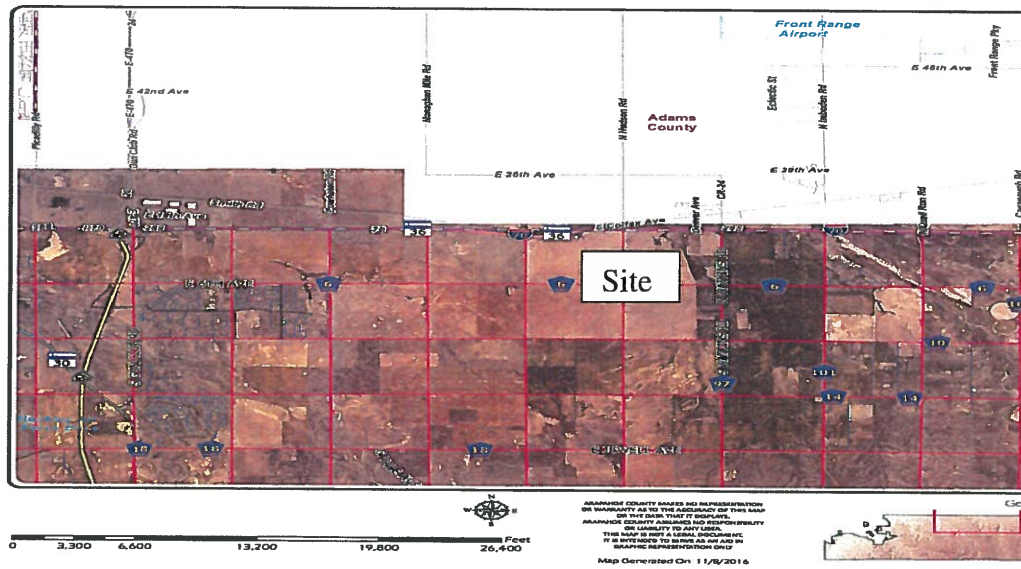
ARAPAHOE COUNTY BOARD OF COUNTY COMMISSIONERS

PUBLIC HEARING

MARCH 7, 2017
9:30 A.M.

SUBJECT: X06-001 – PROSPER WASTEWATER SUBDIVISION EXEMPTION
Sherman Feher, Senior Planner February 10, 2017

VICINITY MAP: The property is located West-Southwest of the intersection of I-70 and Watkins Road. It is located in Commissioner District No. 3.



VICINITY MAP



Looking South Over
WWTP Site

PROPOSAL:

Prosper Regional Water and Sanitation District is requesting approval of a Subdivision Exemption for a piece of property for a wastewater treatment plant. The property is approximately 8.5 acres. If approved, the subdivision exemption would allow the sale of the property and issuance of building permits.

RECOMMENDATION:

Staff: Staff is recommending approval of this application with conditions, based on the findings listed in the staff report.

I. BACKGROUND

The property was originally zoned A-1 (Agriculture) on August 7, 1961. On February 10, 2015, the BOCC approved the Prosper Preliminary Development Plan (PDP) from A-1 to MU-PUD (Case Number Z12-100). The Prosper PDP zoned this site to allow a wastewater treatment plant. While the Location and Extent (L&E) process does not require the underlying zoning to be consistent with the proposed use, the PDP provided notice of the proposed location of the WWTP within the overall plan for the Prosper development. On January 17, 2017, the Planning Commission denied the L&E case; an appeal is pending with the BOCC. Also a concurrent 1041 Permit case (ASI16-001) is pending a BOCC decision. The Planning Commission recommended denial by a vote of 6-1 based on the finding that the WWTP would negatively impact neighboring properties.

II. DISCUSSION

Staff review of this application included a comparison of the requested Subdivision Exemption Plat to policies and goals outlined in the Comprehensive Plan, a review of pertinent Subdivision Regulations, background activity, and analysis of referral comments.

1. The Comprehensive Plan

The Comprehensive Plan designates this site as “Tier One.” The Tier One Area is a Planning Reserve Area where future urban development can occur without a Comprehensive Plan Amendment. The requested exemption creates no conflict with the Comprehensive Plan.

2. Regulatory Review and additional Background Information

Section 14-900 of the Land Development Code, covers the policy and regulatory aspects of a Subdivision Exemption. The applicant has complied with the submittal requirements of the Land Development Code.

Section 14-902, Approval Criteria: The Arapahoe County Land Development Code allows a Subdivision Exemption given the following criteria: “Land is being used for public or quasi-public purposes including, but not limited to: utility facility, park open spaces, fire station, sheriff substation, library, metro district office, **water/sewage facility**, cemetery and school district facilities.” This request meets this criteria.

3. Referral Comments

The following chart is an overview of the comments. A copy of all referral comments to date follows the staff report.

Engineering Services	-	Recommends favorably subject to addressing all comments and concerns identified within Engineering Report. <i>The applicant will address all Engineering comments and concerns either before approval or as a condition of approval</i>
Mapping	-	Needs to correct a number of comments on the Subdivision Exemption exhibit. <i>Applicant has or will address mapper’s comments.</i>
Zoning Administrator	-	No comments regarding Subdivision Exemption.
Open Spaces	-	No response.

Weed Control		No response.
Sheriff's Department		No comments.
Bennett Fire District	-	No comments regarding Subdivision Exemption.
City of Aurora		No comments regarding Subdivision Exemption.
Colorado Parks & Wildlife	-	No response.
Army Corps of Engineers	-	No response.
Assessor's Office	-	No response.
West Arapahoe Conservation District		No response.
Tri-County Health	-	No comments regarding Subdivision Exemption.
REAP		No comments.
Xcel Energy	-	Add utility easements to Preliminary and Final Plats. <i>Comments noted.</i>
East End Advisory Committee	-	Janet Cook had "No comments"; No response from other members.
Urban Drainage		No comments regarding Subdivision Exemption.

III. Staff Findings

Staff has visited the site, reviewed the plans and supporting documentation and referral comments. Based upon review of applicable policies and approval standards in the Land Development Code and analysis of referral comments, our findings include:

1. The application appears not to conflict with the Arapahoe County Comprehensive Plan, which indicates this area as "Tier One."
2. Staff finds that the request for approval of Subdivision Exemption appears to be in conformance with policies and goals outlined in the Land Development Code for a Subdivision Exemption, Section 14-900, provided the 1041 Permit and Location and Extent are approved by the BOCC.
3. The applicant needs to address and resolve comments and issues raised by various County Staff and referral entities.

4. The Subdivision Exemption should be denied if the BOCC denies the 1041 Permit and does not overturn the Planning Commission denial of the Location and Extent case (L16-002) so that there will not be a subdivision exemption lot where the 1041 Permit and Location and Extent cases have not been approved.

IV. RECOMMENDATION:

Considering the findings and other information provided herein, the staff recommends approval of this case (X16-001), subject to the following conditions:

1. The applicant makes any minor modifications to plans, as requested by the Public Works and Development Department.
2. The applicant agrees to address all Division of Engineering comments and concerns as identified within the various Engineering reports.
3. The Subdivision Exemption requires that the land be used for a public purpose. Recording of the Subdivision Exemption is subject to approval of the 1041 Permit (AS16-003) and the Location and Extent case (L16-002) for a wastewater treatment plant.
4. A note shall be added to the Subdivision Exemption mylar exhibit prior to signatures and recording that allows issuance of building permits and Certificates of Occupancy.
5. The applicant will add utility easements to the Subdivision Exemption exhibit.

This is based upon:

- The proposed Subdivision Exemption Plat meets the requirements for a Subdivision Exemption as described in the Subdivision Regulations.
- The proposed Subdivision Exemption Plat conforms to the Comprehensive Plan.

Attachments: Application
 Referral Responses
 Subdivision Exemption Exhibit



Public Works and Development
6924 S. Lima Street
Centennial, Colorado 80112
Phone: 720-874-6650
www.arapahoegov.com

Land Development Application

Form must be complete

Land Development Application materials received after 2pm
shall be date stamped received the following working day.

APPLICANT/REPRESENTATIVE: Vogel & Associates LLC	ADDRESS: 475 West 12th Ave, Suite E Denver, CO 80204 PHONE: 303.893.4288 FAX: 303.893.6792 EMAIL: jvogel@vogelassoc.com	SIGNATURE: NAME: Jeffrey B. Vogel Principal TITLE:
OWNER(S) OF RECORD: VREI, Inc.	ADDRESS: 5641 N Broadway Denver, CO 80215 PHONE: 303.566.8000 FAX: 303.566.8099 EMAIL:	SIGNATURE: NAME: Greg Ruegsegger Vice President TITLE:
ENGINEERING FIRM: Dewberry Engineers Inc.	ADDRESS: 990 S Broadway, Suite 400, Denver, CO 80209 PHONE: 303.951.0614 FAX: 303.825.2322 EMAIL: apratt@dewberry.com	CONTACT PERSON: Alan Pratt, PE

Pre-Submittal Case Number: **Q15-103** Pre-Submittal Planner: **Sherman Fehr** Pre-Submittal Engineer: **Sarah White**

Parcel ID no. (AIN no.)	1977-00-0-00-418	
Parcel Address or Cross Streets:	Interstate 70 and Watkins Road	
Subdivision Name & Filing No.:	None	
Related Case Numbers: (Preliminary/Final Development Plan, Rezoning, and / or Plat)	Latest Approved Zoning - Z12-010 also, Z12-100 & S14-001	
Zoning:	EXISTING PUD - Waste Water Treatment	PROPOSED Agricultural, Undeveloped, Cemetery
Case/Project/Subdivision Name:	None	Prosper WWTP
Site Area (Acres):		12.0 Acres
Floor Area Ratio (FAR):		0.18
Density (Dwelling Units/Acre):		N/A
Building Square Footage:		66,450 (includes basins)
Disturbed Area (Acres):		

CASE TYPE (Administrative Case types are shaded in Gray)

<input type="checkbox"/> Preliminary Development Plan or Major Amendment	<input type="checkbox"/> Location & Extent or Major Amendment	<input type="checkbox"/> Administrative Site Plan	<input type="checkbox"/> Preliminary Plat
<input type="checkbox"/> Master Development Plan or Major Amendment	<input type="checkbox"/> Rezoning - Conventional	<input type="checkbox"/> Administrative Amendment to _____ (PDP, FDP, etc.)	<input type="checkbox"/> Final Plat
<input type="checkbox"/> Final Development Plan or Major Amendment	<input type="checkbox"/> Land Development Code Amendment	<input type="checkbox"/> Technical Amendment to _____ (PDP, FDP, etc.)	<input type="checkbox"/> Minor Subdivision
<input type="checkbox"/> Planned Sign Program or Major Amendment	<input type="checkbox"/> Use by Special Review or Major Amendment	<input type="checkbox"/> Commercial Mobile Radio Service (CMRS/cellular antennas)	<input checked="" type="checkbox"/> Subdivision Exemption
<input type="checkbox"/> Vacation of Right of Way/Easement/Plat	<input type="checkbox"/> Use by Special Review - Oil and Gas	<input type="checkbox"/> Plat Correction	<input type="checkbox"/> Replat (Major)
<input type="checkbox"/> 1041 - Areas & Activities of State Interest - Use by Special Review	<input type="checkbox"/> Special District Title 30 <input type="checkbox"/> Title 32	<input type="checkbox"/> Administrative Oil & Gas Use by Special Review (AOGUSR)	<input type="checkbox"/> Administrative Replat
<input type="checkbox"/> Comprehensive Plan	<input type="checkbox"/> Rural Cluster	<input type="checkbox"/> Street Name Change	<input type="checkbox"/> _____

THIS SECTION FOR OFFICE USE ONLY

Case No:		Planning Manager:		Engineering Manager:						
Planning Fee:	Y	N	\$	Engineering Fee:	Y	N	\$	TCHD Fee?	<input type="checkbox"/>	\$

This application shall be submitted with all applicable application fees. Submittal of this application does not establish a vested property right in accordance with C.R.S. 24-68-105(1). Processing and review of this application may require the submittal of additional information, subsequent reviews, and/or meetings, as outlined in the Arapahoe County Land Development Code.



May 24, 2016

Mr. Sherman Feher, Planning Program Manager
Arapahoe County Public Works and Development
6924 S. Lima Plaza.
Centennial, CO 80112

**Re: Prosper Waste Water Treatment Plant
Subdivision Exemption**

Dear Sherman,

On behalf of VREI, Inc. and Vogel & Associates, I am pleased to submit the attached Subdivision Exemption for the Prosper Waste Water Treatment Plant (WWTP). This Subdivision Exemption is to accompany the 1041 Permit and Location and Extents application that has been submitted to the County.

The Subdivision Exemption is comprised of one parcel that is approximately 12.0 acres. This 12.0-acre parcel will encompass the respective site and architectural components associated with the proposed Waste Water Treatment Plant.

A Preliminary Development Plan has been approved that includes the Subdivision Exemption Parcel. The Subdivision Exemption is included in Planning Area-71 which includes

Outlined below is a summary of considerations and documents that have been included in the Subdivision Exemption application.

General Submittal Requirements

- A. Completed Land Use Application
- B. Application Fee
- C. Letter of Intent
- D. Proof of Ownership (Title Commitment)
- E. Property Deed Ownership information – See the enclosed Title Commitment.
- F. Notarized Letter of Authorization
- G. Subdivision Exemption Exhibit
- H. Road Access – Access is to be provided via temporary access road that has been submitted via separate application to Arapahoe County. A temporary access easement will be provided via separate instrument.
- I. Utility Easement – The utilities including drainage facilities are being reviewed by the County as part of the 1041 and Location & Extents plan. Upon finalizing the utility and facilities, easements will be prepared via separate instruments.

- J. Water and Waste Water Treatment - A 1041/L&E is being submitted for the Prosper Water treatment facility. The water treatment/supply will utilize Denver Basin (deep wells) to provide water for this parcel. Sewage treatment will be provided via the proposed WWTP plant that will be constructed in the Subdivision Exemption parcel.

Sincerely,

Vogel & Associates, LLC

Jeffrey Vogel, AICP

Principal

Board of County Commissioners

Engineering Summary Report

Date: February 17, 2017

To: Arapahoe County Board of County Commissioners

Via: Sherman Feher
Planning Division

From: Sarah White
Engineering Services Division

Re: **Prosper Wastewater Treatment Plant (WWTP)**
ASI16-001 1041 Permit
L16-002 Location & Extent
X16-001 Subdivision Exemption

Purpose and Recommendation

The purpose of this report is to provide the Engineering Services Division Staff findings, comments, and recommendations regarding the above-referenced land use application(s).

Scope/Location:

Vogel and Associates and Dewberry Engineers Inc., on behalf of owners, VREI, Inc., is requesting approval of the 1041, Location & Extent and Subdivision Exemption for the development of the Prosper Wastewater Treatment Plant (WWTP). The proposed development is generally located within the area known as 'Prosper', south of Interstate 70, east of N. Watkins Road and north of E 6th Avenue. The proposal is for a wastewater treatment plant on approximately 9 acres. The site is proposed to be built in 4 phases based on the future development of Prosper.

The site is located within the Box Elder Creek drainage basin. Phase I development will utilize a temporary access road (reference Arapahoe County Case No. E16-029) until the permanent public road is built out as per the Prosper PDP (case no. Z12-100).

Referenced Referral Items

1041
L&E Exhibit
Subdivision Exemption
Drainage Report
Construction Drawings
O&M Manual
GESD Plans and Report

Cc: *Chuck Haskins, Engineering Services Division, Division Manager*
Case Files ASI16-001, L16-002, X16-001

Engineering Services Division Staff (Staff) has reviewed the referenced land use application(s) and has the following findings and comments:

Findings:

1. Engineering review and approval fees are included with the planning fee for the 1041 and L&E, with the exclusion of the easements that will need to be prepared by separate document(s). Fees for the Subdivision Exemption are paid.
2. This site lies within Coyote Run-Box Elder Creek watershed basin. Basin fees are still being established for this area, but are not yet determined.
3. This development lies within the boundaries of the Urban Drainage and Flood Control District (UDFCD).
4. Urban Drainage and Flood Control District (UDFCD) has been included as a referral agency. Their comments will need to be addressed prior to final approval
5. Construction activities that disturb one or more acres are required by the Environmental Protection Agency (EPA) to obtain a Construction Stormwater Permit.
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11. All applicable public and private improvements (i.e., storm sewer systems, detention ponds, roadways appurtenances, etc.) associated with this development proposal shall be guaranteed within a Subdivision Improvements Agreement (SIA). The applicant will be required to enter into a Subdivision Improvement Agreement (SIA) to guarantee onsite and offsite improvements related to this development. Subdivision Improvement Agreement will be prepared by County Staff with finalization of costs.
12. Staff reviewed contours and elevations for the WWTP, per aerial photography and County GIS. The WWTP is located at the lowest elevation within the Prosper PDP boundaries outside of the floodplain. Elevation increases as the topography fans in a bowl-or U-shaped pattern towards the south, east and west.

Recommendations:

The Division of Engineering Services recommends this case favorably subject to the following conditions:

1. The applicant agrees to address the Division of Engineering Services' comments and concerns as identified within the ESD Staff Report dated 9/20/2016.
2. The applicant agrees to address comments issued by the Urban Drainage and Flood Control District (UDFCD).
3. The applicant executes a Subdivision Improvement Agreement.



URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

Paul A. Hindman, Executive Director
2480 W. 26th Avenue, Suite 156B
Denver, CO 80211-5304

Telephone 303-455-6277
Fax 303-455-7880
www.udfcd.org

September 30, 2016

UDFCD Maintenance Eligibility Program Referral Review Comments

To: **Sarah L. White, Arapahoe County**
Project: **Prosper Farms WWTP**
Stream: **Coyote Run and Rat Run**
UDFCD MEP Phase: **Design**
UD MEP ID: **106341/10000720**

Dear Sarah,

This letter is in response to the request for our comments concerning the referenced project. We appreciate the opportunity to review this proposal. We have reviewed this proposal only as it relates to major drainage features, in this case:

- Coyote Run and Rat Run

We have the following comments to offer:

1. The Phase III Drainage Report states that the existing 100-yr floodplains for Coyote Run and Rat Run establish constraints from a layout and elevation standpoint. We agree with this assessment and recommend that the 100-year flood elevations for the adjacent major drainageways be confirmed relative to the grading and elevations of the site and treatment plant.
2. The proposed private access road is the sole access in and out of the proposed WWTP. The road is proposed to cross Rat Run. The design of the Rat Run roadway crossing should be designed for long term sustainability, with consideration of the 100-year discharge (2,500 cfs), stream channel stability and floodplain impacts. A hydraulic analysis should be conducted for the crossing. According to the Phase III Report, a future High Density Residential Land use is designated for property to the south of the WTP site. With regard to this future upstream land use, consideration should be given to installation of a stabilization check structure with the crossing. The need for additional check structures can be evaluated as future development is proposed upstream. A Floodplain Development Permit application should be submitted, with certification by the Engineer of no adverse impact to 100-year flood elevations.

3. Two storm drain outfalls to Rat Run are proposed, one each from the North and West onsite detention ponds. It appears that the discharge is to the overbank zone of the major drainageway, so a low tailwater basin is the appropriate outfall protection, as it allows outflows to sheet flow to the main channel following dissipation at the pipe outfall. Calculations for the outfalls should be included in the Drainage Report. The pond outfall profiles on Sheets 4 and 5 should include the design flow, velocity and Froude Number at the outfall and should show the FES and outlet protection. Standard UDFCD details for a typical FES (Fig 9-29), Low Tailwater Basin (Fig 9-37, as appropriate) and Riprap/Soil Riprap (Fig 8-34) should be included.
4. The overflow spillways from each pond should have a concrete crest control wall.
5. The Drainage Plan at the end of the Phase III Report should include the 100-yr flood elevations along Rat Run as indicated on the 1995 FHAD or as may be updated by analysis of the access road crossing.

Please feel free to contact me with any questions or concerns.

Sincerely,
Urban Drainage and Flood Control District

A handwritten signature in black ink, appearing to read "John M. Pflaum". The signature is fluid and cursive, with the first name "John" being the most prominent.

John M. Pflaum, P.E.
Floodplain Management Program



Public Works and Development
6924 S. Lima Street Centennial, Colorado 80112 Phone: 720-874-6650; FAX 720-874-6611
www.co.arapahoe.co.us

Planning Division
Phase II Referral Routing

Case Number / Case Name:	ASI16-001, Prosper Wastewater Treatment Plant 1041 Permit / Areas of State Interest and L16-002, Prosper Wastewater Treatment Plant / Location and Extent and X16-001, Prosper Wastewater Treatment Plant/Subdivision Exemption
Planner:	Sherman Feher
Engineer:	Sarah L White
Date:	July 8, 2016
Date to be returned:	August 8, 2016

Arapahoe County Agencies		Citizen's Organizations	
<input checked="" type="checkbox"/> Assessor / Arapahoe County (Residential)	Karen Hart	<input type="checkbox"/> CCNA-Cherry Creek Neighborhoods Ass.	
<input type="checkbox"/> Attorney / Arapahoe County	Robert Hill	<input type="checkbox"/> CECOA-(Within Centennial)	
<input type="checkbox"/> Building / Arapahoe County	Steve Byer	<input type="checkbox"/> Four Square Mile Neighborhood	
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<input type="checkbox"/> Airport or Military Base		<input type="checkbox"/> Conoco Phillips / Gas Pipeline	
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<input type="checkbox"/> Special District			
<input checked="" type="checkbox"/> Tri-County Health Department	Sheila Lynch		
<input type="checkbox"/>			

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COMMENTS:	SIGNATURE
<input type="checkbox"/> Have NO Comments to make on the case as submitted	
<input checked="" type="checkbox"/> Have the following comments to make related to the case: SEE ATTACHED	AJS 7-12-16

Note change to add language the the quantities must reflect the required number of plant material

002 Prosper WASTEWATER TREATMENT Plant

Note added for amendment, ratio, and tilling depth.

PAGE 6: STANDARD NOTES: REMOVE LANGUAGE FROM #2
OR ADD QUANTITIES MUST MATCH NUMBER OF TREES
AND SHRUBS PROVIDED IN LANDSCAPE SUMMARY TABLE
#3 - SOIL AMENDMENT TYPE + RATIO + TILLING DEPTH

Caliper sizes, heights, and container sizes were added to plant schedule. Specific Types and quantities of plants were added to plans.

LEGEND: SEED TYPES PROVIDED

SHRUB BED - TYPES/QUANTITIES ON PLAN

TREES - CALIPER SIZES, HTS + TYPE BREAKDOWN
ON PLAN ON CHART

SHRUBS - QUANTITIES ON PLAN W/ CONTAINER
SIZES ON CHART PAGE 7

PAGE 7: PLANT SCHEDULE

Caliper sizes, heights, and container sizes were added to plant schedule. Specific Types and quantities of plants added to plant schedule.

ALL DECIDUOUS TREES NEED QUANTITY BREAKDOWN
+ CALIPER SIZE

ALL ORNAMENTAL TREES NEED QUANTITY BREAKDOWN
+ CALIPER SIZE

ALL EVERGREEN TREES NEED QUANTITY BREAKDOWN
+ TREE HEIGHT

ALL SHRUBS + GRASSES NEED QUANTITY BREAKDOWN
+ CONTAINER SIZES - 5 GAL / 1 GAL.

ARE 1 GAL SHRUBS (GRASSES) BEING SUBSTITUTED FOR
5 GAL SHRUBS?

Ornamental grasses were removed from plant schedule because none were shown on plan.

Detail shows dimension of 8'-0" for height and 8' ft. is in the detail description for the fence.

NO HEIGHT FOR SECURITY FENCING ON DETAIL (2)
IS VINYL CLAD FABRIC ALLOWED AS A FENCE TYPE?

Vinyl clad fabric is the coating on the fence. No slats are proposed for the fence.

L16-002

CON'T

PAGE 2 - ALL PINES SHOULD BE TRIPLED GUYED/STAKED
REMOVE "UPLAND" FROM UPLAND EVERGREEN TREE

Detail revised to include tripled guyed/
staked. and "UPLAND" was removed
from detail title.



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<input type="checkbox"/>	Have the following comments to make related to the case:	



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August 3, 2016

Ms. Nancy Doty, Chair
Arapahoe County Commission
5334 S. Prince Street
Littleton, CO 80120

Dear Chair Doty,

Thank you for the opportunity to comment on the referral for the Prosper Wastewater Treatment Plant application. The City of Aurora has reviewed the application and has the following comments:

1. City Concerns Regarding The Prosper Development

Prosper and the adjacent Sky Ranch development do not conform to Metro Vision 2035, and, if approved, will have significant traffic, noise and water supply issues. Given these issues, the City of Aurora does not support these proposals. The applicant could seek annexation into Aurora. The annexation process includes mechanisms to address the traffic, land use, and water service issues that this development presents.

2. Public Works Department

Floodplain mapping provided with the application package appears to present current effective FEMA mapping. UDFCD recently completed a FHAD study (Olsson, 2014) which included Coyote Run and appears to show a somewhat wider floodplain (especially just upstream of the I-70 crossing) and somewhat higher flood elevations. The County may want to consider if the more recent UDFCD study constitutes the "best available information" and require its use rather than the current FEMA mapping.

The 2014 UDFCD FHAD did not include Rat Run and current effective FEMA mapping for this stream system upstream of I-70 and adjacent to the proposed WWTP site is Approximate Zone A. It is recommended as part of the WWTP design process (if not 1041 permitting) that the applicant carry out floodplain modeling to develop detailed floodplain limits and elevations for Rat Run.

UDFCD recently completed an MDP that includes Coyote Run (Olsson, 2014) and recommended "floodplain preservation" with no structural improvements for the channel reach adjacent to the proposed WWTP. It appears that the proposed site plan is adhering to this UDFCD conceptual design and the City would recommend this approach be maintained when/if updated FHAD mapping is utilized for Coyote Run and detailed floodplain information is developed for Rat Run.

The UDFCD MDP (Olsson, 2014) indicates that the Coyote Run channel slope is on the order of 0.6% in the reach adjacent to the proposed WWTP and recommends no channel check structures. A slope of 0.6% is relatively high for a developed watershed and the introduction of WWTP and urban runoff base flows into a previously intermittent stream system has the potential to significantly impact channel invert and bank stability. UDFCD has recently changed its recommended channel design slopes for urbanized watersheds to be substantially lower than 0.6%. It is recommended that the applicant address the potential need for channel checks and/or grade controls.

WWTP's are typically considered "critical facilities" and as such, it is recommended that an enhanced level of flood protection (> than the 100yr event) be considered. The COA standard for critical facilities is 2 feet above the 100-yr floodplain. Draft federal guidance for EO 13690 has similar requirements.

3. Metro Wastewater Reclamation District

In reviewing the maps in our records, it appears that the Prosper area is partially within our "expected service area", however that is only relevant to Special Connectors and expansion of their service area. Prosper is not within the corporate boundaries of Aurora so they are not obligated to send that flow to the District.

In the event Aurora were to annex the Prosper development in the future, the treatment plant that the developer is proposing could not be expanded, or that area would have to be excluded from the District under 32-4-515 and Board Policy Exclusion-Service Area. Even though the proposed treatment plant may be within our expected service area, unless it is within the boundaries of Aurora or they choose to serve it (Service Contract section 303), it is District staff's opinion that there is no requirement that it connects to the District's system and it would not violate our competing system prohibitions.

Cordially,



Bob Watkins
Interim Planning and Development Services Director
City of Aurora

Cc: Members of City Council
George Noe, City Manager
Nancy Freed, Deputy City Manager
Jason Batchelor, Deputy City Manager

City of Aurora Comments and Responses

1.City Concerns Regarding

The Prosper Development Prosper and the adjacent Sky Ranch development do not conform to Metro Vision 2035, and, if approved, will have significant traffic, noise and water supply issues. Given these issues, the City of Aurora does not support these proposals. The applicant could seek annexation into Aurora. The annexation process includes mechanisms to address the traffic, land use, and water service issues that this development presents.

Response: The proposed WWTP is consistent with the approved Prosper Preliminary Development Plan. It is the applicant's intent to develop the property in Arapahoe County consistent with the approved Preliminary Development Plan. The approved Preliminary Development Plan addresses issues related to land use, drainage, water service and other planning considerations.

2. Public Works Department

Floodplain mapping provided with the application package appears to present current effective FEMA mapping. UDFCD recently completed a FHAD study (Olsson, 2014) which included Coyote Run and appears to show a somewhat wider floodplain (especially just upstream of the I- 70 crossing) and somewhat higher flood elevations. The County may want to consider if the more recent UDFCD study constitutes the "best available information" and require its use rather than the current FEMA mapping.

The 2014 UDFCD FHAD did not include Rat Run and current effective FEMA mapping for this stream system upstream of I-70 and adjacent to the proposed WWTP site is Approximate Zone A. It is recommended as part of the WWTP design process (if not 1041 permitting) that the applicant carry out floodplain modeling to develop detailed floodplain limits and elevations for Rat Run.

Response: We feel an obligation to continue to show the current FEMA mapping, until such time as it is updated by the more current 2014 UDFCD FHAD. We have provided (to Arapahoe County) our 100 yr modeling of Rat Run and its tributary known as Rat 1-D (or known as stream 120), for the purpose of identifying the existing conditions 100 yr flood limits, utilizing the match elevation determined from the 2014 FHAD right at the south side of Interstate 70.

UDFCD recently completed an MDP that includes Coyote Run (Olsson, 2014) and recommended "floodplain preservation" with no structural improvements for the channel reach adjacent to the proposed WWTP. It appears that the proposed site plan is adhering to this UDFCD conceptual design and the City would recommend this approach be maintained when/if updated FHAD mapping is utilized for Coyote Run and detailed floodplain information is developed for Rat Run. The UDFCD MDP (Olsson, 2014) indicates that the Coyote Run channel slope is on the order of 0.6% in the reach adjacent to the proposed WWTP and recommends no channel check structures. A slope of 0.6% is relatively high for a developed watershed and the introduction of WWTP and urban runoff base flows into a previously intermittent stream system has the potential to significantly impact channel invert and bank stability. UDFCD has recently changed its recommended channel design slopes for urbanized watersheds to be substantially lower than 0.6%. It is recommended that the applicant address the potential need for channel checks and/or grade controls.

Response: We have been directed by the County to adhere to the MDP, which we believe we have done. As stated in your comment there are no requirements for stabilization facilities in this area.

WWTP's are typically considered "critical facilities" and as such, it is recommended that an enhanced level of flood protection (> than the 100yr event) be considered. The COA standard for critical facilities is 2 feet above the 100-yr floodplain. Draft federal guidance for EO 13690 has similar requirements.

Response: Per the County, the WWTP is not considered a Critical Facility, though we do note that the proposed facilities are 2' or more above the 100 yr water surface as determined on Coyote Run (East side of site) from the 2014 FHAD, AND as determined for Rat Run (West side of site) from analysis/modeling by our firm for this project. Reference can be made to sheet 3 of the CD set of plans which identifies the BFE's (100 yr Base Flood Elevations) for both Coyote Run and for Rat Run.

3. Metro Wastewater Reclamation District

In reviewing the maps in our records, it appears that the Prosper area is partially within our "expected service area", however that is only relevant to Special Connectors and expansion of their service area. Prosper is not within the corporate boundaries of Aurora so they are not obligated to send that flow to the District.

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Response: The intent is to develop Prosper within Arapahoe County and per the approved Preliminary Development Plan that includes the proposed WWTP site. There is not a requirement that Prosper connect to the Metro Wastewater Reclamation District.



Right of Way & Permits

1123 West 3rd Avenue
Denver, Colorado 80223
Telephone: 303.571.3306
Facsimile: 303. 571.3284
donna.l.george@xcelenergy.com

August 3, 2016

Arapahoe County Public Works and Development
6924 South Lima Street
Centennial, CO 80112

Attn: Sherman Feher

Re: Prosper Wastewater Treatment Plant, Case # ASI16-001

Public Service Company of Colorado's (PSCo) Right of Way & Permits Referral Desk has reviewed the plans and subdivision exemption plat for **Prosper Wastewater Treatment Plant**. As always, thank you for the opportunity to take part in the review process. To ensure that adequate utility easements are available within this development, PSCo requests that the following language or plat note be placed on the preliminary and final plats for the subdivision:

Minimum ten-foot (10') wide dry utility easements are hereby dedicated on private property abutting all public streets, and around the perimeter of each commercial/industrial lot in the subdivision or platted area. These easements are dedicated to Arapahoe County for the benefit of the applicable utility providers for the installation, maintenance, and replacement of electric, gas, television, cable, and telecommunications facilities (Dry Utilities). Utility easements shall also be granted within any access easements and private streets in the subdivision. Permanent structures, improvements, objects, buildings, wells, water meters and other objects that may interfere with the utility facilities or use thereof (Interfering Objects) shall not be permitted within said utility easements and the utility providers, as grantees, may remove any Interfering Objects at no cost to such grantees, including, without limitation, vegetation. Public Service Company of Colorado (PSCo) and its successors reserve the right to require additional easements and to require the property owner to grant PSCo an easement on its standard form.

Public Service Company also requests that **all utility easements be depicted graphically on the preliminary and final plats**. While these easements may accommodate certain utilities to be installed in the subdivision, some additional easements may be required as planning and building progresses.

In addition, 31-23-214 (3), C.R.S., requires the subdivider, at the time of subdivision platting, to provide for major utility facilities such as electric substation sites, gas or electric transmission line easements and gas regulator/meter station sites as deemed necessary by PSCo. While this provision will not be required on every plat, when necessary, PSCo will work with the subdivider to identify appropriate locations. This statute also requires the subdivider to submit a letter of agreement to the municipal/county commission that adequate provision of electrical and/or gas service has been provided to the subdivisions.

The property owner/developer/contractor must contact the **Builder's Call Line** at 1-800-628-2121 or <https://xcelenergy.force.com/FastApp> (Register so you can track your application) and complete the application process for any new electric service. 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** at 1-800-922-1987 for utility locates prior to construction.

If you have any questions about this referral response, please contact me at (303) 571-3306.

Donna George
Contract Right-of-Way Referral Processor
Public Service Company of Colorado

Xcel Energy Comments and Responses

Public Service Company of Colorado's (PSCO) Right of Way & Permits Referral Desk has reviewed the plans and subdivision exemption plat for Prosper Wastewater Treatment Plant. As always, thank you for the opportunity to take part in the review process. To ensure that adequate utility easements are available within this development, PSCO requests that the following language or plat note be placed on the preliminary and final plats for the subdivision:

Minimum ten-foot (10) wide dry utility easements are hereby dedicated on private property abutting all public streets. and around the perimeter of each commercial/ industrial lot in the subdivision or platted area. These easements are dedicated to Arapahoe County for the benefit of the applicable utility providers for the installation, maintenance, and replacement of electric, gas, television, cable, and telecommunications facilities (Dry Utilities). Utility easements shall also be granted within any access easements and private streets in the subdivision. Permanent structures, improvements, objects, buildings, wells, water meters and other objects that may interfere with the utility facilities or use thereof (Interfering Objects) shall not be permitted within said utility easements and the utility providers, as grantees, may remove any interfering Objects at no cost to such grantees, including, without limitation, vegetation. Public Service Company of Colorado (PSCO) and its successors reserve the right to require additional easements and to require the property owner to grant PSCO an easement on its standard form.

Public Service Company also requests that all utility easements be depicted graphically on the preliminary and final plats. While these easements may accommodate certain utilities to be installed in the subdivision, some additional easements may be required as planning and building progresses.

In addition, 31-23-214 (3), C.R.S., requires the subdivider, at the time of subdivision platting, to provide for major utility facilities such as electric substation sites, gas or electric transmission line easements and gas regulator/meter station sites as deemed necessary by PSCO. While this provision will not be required on every plat, when necessary, PSCO will work with the subdivider to identify appropriate locations. This statute also requires the subdivider to submit a letter of agreement to the municipal/county commission that adequate provision of electrical and/or gas service has been provided to the subdivisions.

The property owner/developer/contractor must contact the Builder's Call Line at 1-800-628-2121 or <https://xcelenergy.force.com/FastApp> (Register so you can track your application) and complete the application process for any new electric service. 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 at 1-800-922-1987 for utility locates prior to construction.

Response: The requirements and development standards outlined above have been noted in our files.



BENNETT FIRE PROTECTION DISTRICT #7

DISTRICT OFFICE: 303-644-3572 FAX: 303-644-3401

EMAIL: LIFESAFETY@BENNETTFIRESERUE.ORG

"Striving to Preserve Life and Property"

July 21st, 2016

Sherman Feher

Arapahoe County Public Works & Development

6924 S. Lima Street

Centennial, CO 80112

Re: AS116-001, Prosper Wastewater Treatment Plant 1041 Permit / Areas of State Interest and L 16-002, Prosper Wastewater Treatment Plant/ Location and Extent and X16-001, Prosper Wastewater Treatment Plant/Subdivision Exemption

Planner Feher,

In regards case AS116-001, Prosper Wastewater Treatment Plant 1041 Permit / Areas of State Interest and L 16-002, Prosper Wastewater Treatment Plant/ Location and Extent and X16-001, Prosper Wastewater Treatment Plant/Subdivision Exemption, Bennett Fire Protection District has the following comments and considerations:

- Bennett Fire Protection District currently serves this location as it falls within our Fire Protection District and has no objections to the proposed development.
- The applicant shall consult with Bennett Fire Protection District to ensure all aspects of the project conform to the District's adopted fire code (2012 IFC).
- The developer shall ensure that the proposed water systems pertaining to hydrant distribution for fire suppression is adequate to protect the proposed development as well as meet the design criteria of both Arapahoe County and the Bennett Fire Protection District. Considerations for design requirements shall include adopted codes and standards as well as ISO distribution and fire flow requirements.
- Bennett Fire Protection District will accept the proposed temporary road guidelines contained in the referral. All temporary and permanent roads constructed for any part of the development shall conform to IFC fire apparatus access requirements.
- As the proposed temporary access road will serve as the interim sole means of providing emergency services to the facility, the proposed temporary access road shall be maintained at all times during its service life of the facility. This includes, grading, maintenance, and snow removal. If at any times Bennett Fire Protection District deems the road inadequate for the provision of emergency services, the applicant shall work with the Fire District to make necessary improvements.
- The internal access road design includes roads which are 20ft in width. The current IFC standard for fire apparatus access roads with a fire hydrant is 26ft in width at the point of the hydrant. The applicant may need to make minor revisions at the hydrant locations to meet this width.
- The processing of waste water often involves the storage and use of hazardous materials. This information shall be provided to Bennett Fire Protection District to be reviewed and approved.

- Facilities which store or use hazardous materials are often classified as "H" occupancies, which require fire sprinkler suppression or special electrical considerations. Applicant shall ensure the facility design meets the District's adopted fire code requirements.
- KNOX Fire Department Key access hardware shall be provided for all vehicle access gates as well as each building on site.

Thank You

A handwritten signature in black ink, appearing to read 'Caleb J. Connor', with a stylized, sweeping underline.

Caleb J. Connor
Fire Marshal
Life Safety Division
Bennett Fire Protection District
303-644-3572 - Headquarters / 303-532-7733 - Direct
www.BennettFireRescue.org

Bennett Fire Protection District Comments and Responses

In regards case AS116-001, Prosper Wastewater Treatment Plant 1041 Permit / Areas of State Interest and L 16-002, Prosper Wastewater Treatment Plant/ Location and Extent and X16-001, Prosper Wastewater Treatment Plant/Subdivision Exemption, Bennett Fire Protection District has the following comments and considerations:

- Bennett Fire Protection District currently serves this location as it falls within our Fire Protection District and has no objections to the proposed development.
- The applicant shall consult with Bennett Fire Protection District to ensure all aspects of the project conform to the District's adopted fire code (2012 IFC).

Response: The applicant will coordinate aspects with the Fire Code and District.

- The developer shall ensure that the proposed water systems pertaining to hydrant distribution for fire suppression is adequate to protect the proposed development as well as meet the design criteria of both Arapahoe County and the Bennett Fire Protection District. Considerations for design requirements shall include adopted codes and standards as well as ISO distribution and fire flow requirements.

Response: Fire hydrant distribution and required fire suppression will be incorporated into the final construction drawings for the site and buildings/facilities.

- Bennett Fire Protection District will accept the proposed temporary road guidelines contained in the referral. All temporary and permanent roads constructed for any part of the development shall conform to IFC fire apparatus access requirements.

Response: Access roads will meet IFC requirements for access.

- As the proposed temporary access road will serve as the interim sole means of providing emergency services to the facility, the proposed temporary access road shall be maintained at all times during its service life of the facility. This includes, grading, maintenance, and snow removal. If at any times Bennett Fire Protection District deems the road inadequate for the provision of emergency services, the applicant shall work with the Fire District to make necessary improvements.

Response: The temporary road will be maintained to provide all-season access.

- The internal access road design includes roads which are 20ft in width. The current IFC standard for fire apparatus access roads with a fire hydrant is 26ft in width at the point of the hydrant. The applicant may need to make minor revisions at the hydrant locations to meet this width.

Response: Some hydrant locations moved to intersection and other locations the road has been widened to 26' per IFC.

- The processing of waste water often involves the storage and use of hazardous materials. This information shall be provided to Bennett Fire Protection District to be reviewed and approved.

Response: Hazardous materials including the storage will be reviewed with the Bennett Fire Protection District.

- Facilities which store or use hazardous materials are often classified as "H" occupancies, which require fire sprinkler suppression or special electrical considerations. Applicant shall ensure the facility design meets the District's adopted fire code requirements.

Response: The Applicant will ensure the facility design meets the District's adopted fire code requirements including NFPA 820 requirements for Fire Protection in Wastewater Treatment and Collection Facilities.

- KNOX Fire Department Key access hardware shall be provided for all vehicle access gates as well as each building on site.

Response: A KNOX Box will be provided for the gate.



August 9, 2016

Sherman Feher.
Arapahoe County Planning Department
6924 S. Lima Street
Centennial, CO 80112

RE: ASI 116-001, Prosper Wastewater Treatment Plant 1041 Permit/Areas of State Interest
L16-002, Prosper Wastewater Treatment Plant/Location and Extent
X16-001, Prosper Wastewater Treatment Plant/Subdivision Exemption
Prosper Wastewater Treatment Plant
TCHD Case No. 3993

Dear Mr. Feher:

Thank you for the opportunity to review and comment on the 1041 Permit/Areas of State Interest, Location and Extent, and Subdivision Exemption for the proposed Prosper Wastewater Treatment Plant (WWTP). Tri-County Health Department (TCHD) staff has reviewed the application for compliance with applicable public and environmental health regulations. After reviewing the application, TCHD has the following comments.

The Site Application and Utility Plan for the WWTP indicate that the recommended WWTP is a Membrane Bioreactor (MBR). Section 7 b. of the Application Submittal states: "This plant will include modern wastewater treatment facilities with biological nutrient removal (BNR) and filtration for the production of reuse water. The Location and Extent drawings depicting the WWTP (Sheets 1-15) are typical of a Biological Nutrient Removal (BNR) System. TCHD recommends that the drawings be revised to reflect the preferred alternative of an MBR.

Sheet 5 of the drawings indicates that the WWTP site is bounded on the east by a floodway and on the west by floodplain. The Location and Extent Plan shows an access road to the site across the Rat Run Drainageway. Construction of the road may alter the floodplain, and future flood events may impede or prevent access to the site. TCHD recommends that the applicant address any applicable regulatory and technical issues associated with the floodplain alteration and also site access.

Section 10, Dust and Odor: The second sentence states: Odor control equipment will be installed at the influent lift station and at the Headworks Building of the WWTP. These facilities are typically the source of the majority of odors at WWTP's. The Location and Extent drawings indicate that the WWTP is in close proximity to future residences. TCHD is concerned that odors will also be produced from the aeration basins, resulting in complaints from nearby residents. Consequently, TCHD recommends that the aeration basins be covered. The Water Quality Control Division

Prosper Wastewater Treatment Plant-Areas of State Interest, Location and Extent, Subdivision
Exemption
August 9, 2016
Page 2 of 2

(WQCD) also has requirements for setbacks from residential areas. Please describe how the proposed facilities will comply with the WQCD's setback policies.

TCHD has submitted comments regarding the WWTP Site Application and Utility Plan that are relevant to the subject case. I have included our comment letter as an enclosure to this letter.

Please feel free to contact me at (720) 200-1568 or wbrown@tchd.org if you have any questions regarding TCHD's comments.

Sincerely,



Warren S. Brown, P.E.
Senior Environmental Health Consultant

Enclosure

CC: Julio Iturreria, Larry Mugler, Arapahoe County
Bret Icenogle, P.E., David Kurz, P.E., CDPHE
Sheila Lynch, Steven Chevalier, TCHD

Tri-County Health Department Comments and Responses

Thank you for the opportunity to review and comment on the 1041 Permit/Areas of State Interest, Location and Extent, and Subdivision Exemption for the proposed Prosper Wastewater Treatment Plant (WWTP). Tri-County Health Department (TCHD) staff has reviewed the application for compliance with applicable public and environmental health regulations. After reviewing the application, TCHD has the following comments.

The Site Application and Utility Plan for the WWTP indicate that the recommended WWTP is a Membrane Bioreactor (MBR). Section 7 b. of the Application Submittal states: "This plant will include modern wastewater treatment facilities with biological nutrient removal (BNR) and filtration for the production of reuse water. The Location and Extent drawings depicting the WWTP (Sheets 1-15) are typical of a Biological Nutrient Removal (BNR) System. TCHD recommends that the drawings be revised to reflect the preferred alternative of an MBR.

Response: The BNR system is presented in the Location and Extent (L&E) drawings as the largest footprint (worst case) treatment process alternative at full build-out of the WWTP (35-40 years from now). A note has been added to the L&E drawings under Specific Notes (1 of 15) and Phase Designations (2 of 15) describing the phasing in more detail. The MBR system is the selected treatment process alternative for the initial phase of the WWTP (2-5 years from now) and is described in detail in the Site Application/Utility Plan. A Site Plan has been included in the Utility Plan report to show that the Phase 1 (MBR) is an integral part of the WWTP at build-out. The Metropolitan Districts will need to determine the selected treatment process for future phases as the demand of the WWTP increases.

Sheet 5 of the drawings indicates that the WWTP site is bounded on the east by a floodway and on the west by floodplain. The Location and Extent Plan shows an access road to the site across the Rat Run Drainageway. Construction of the road may alter the floodplain, and future flood events may impede or prevent access to the site. TCHD recommends that the applicant address any applicable regulatory and technical issues associated with the floodplain alteration and also site access.

Response: We have determined that there is no alteration to the floodzone and the floodway on the east side of the property.

The proposed access road, located on the west side of the property has been designed to match the existing grade across the floodzones of Rat Run and of Rat 1-D (a tributary to Rat Run). By matching the existing grade across these drainages it is shown that the elevation of the 100 yr storm event within the drainages, will not increase, thus the roadway has no impact on the floodzones. We have provided analysis of these 2 drainages to Arapahoe County to confirm our findings. Arapahoe County is further requiring that a "No Rise Certificate" be provided by our office to confirm and document these findings.

The access roadway is comprised of a gravel surface, and is identified as temporary until such time as a future paved is completed in the area. There is no specific timetable for the future permanent roadway construction.

As the access road is placed at the natural ground elevation across the 2 drainageways, it will overflow and "flood" during storm events. Maximum flow depth at the 100 yr event has been determined to be 18" at the roadway crossings. Staff personal will be trained on use of

the roadway during pending and actual storm events. Standard vehicles may be required to be temporarily parked outside of the floodzone areas, with staff being transported into the site with all-terrain vehicles.

An ultimate emergency means of access is available to the site from I-70.

Bennett Fire Department has reviewed the site plan and accessibility route and have determined it to be sufficient.

Section 10, Dust and Odor. The second sentence states: Odor control equipment will be installed at the influent lift station and at the Headworks Building of the WWTP. These facilities are typically the source of the majority of odors at WWTP's. The Location and Extent drawings indicate that the WWTP is in close proximity to future residences. TCHD is concerned that odors will also be produced from the aeration basins, resulting in complaints from nearby residents. Consequently, TCHD recommends that the aeration basins be covered. The Water Quality Control Division (WQCD) also has requirements for setbacks from residential areas. Please describe how the proposed facilities will comply with the WQCD's setback policies.

Response: The WQCD's setback distances are not met thus odor mitigating elements will be incorporated into the design including aeration system failure alarms, covering or enclosing the digester and process basins, and providing odor control systems for the influent lift station and headworks building.



Public Works and Development
6924 S. Lima Street Centennial, Colorado 80112 Phone: 720-874-6650; FAX 720-874-6611
www.co.arapahoe.co.us

Planning Division
Phase II Referral Routing

Case Number / Case Name: ASI16-001, Prosper Wastewater Treatment Plant 1041 Permit / Areas of State Interest and L16-002, Prosper Wastewater Treatment Plant / Location and Extent and X16-001, Prosper Wastewater Treatment Plant/Subdivision Exemption
Planner: Sherman Feher
Engineer: Sarah L White
Date: July 8, 2016
Date to be returned: August 8, 2016

Arapahoe County Agencies		Citizen's Organizations	
<input checked="" type="checkbox"/> Assessor / Arapahoe County (Residential)	Karen Hart	<input type="checkbox"/> CCNA-Cherry Creek Neighborhoods Ass.	
<input type="checkbox"/> Attorney / Arapahoe County	Robert Hill	<input type="checkbox"/> CECON-(Within Centennial)	
<input type="checkbox"/> Building / Arapahoe County	Steve Byer	<input type="checkbox"/> Four Square Mile Neighborhood	
<input checked="" type="checkbox"/> Engineering / Arapahoe County	Sarah L. White	<input type="checkbox"/> South Metro Chamber of Commerce	
<input checked="" type="checkbox"/> Mapping / Arapahoe County	Pat Hubert	Conservation District	
<input type="checkbox"/> Oil & Gas / Arapahoe County	Diane Kocis	<input type="checkbox"/> Deer Trail Conservation District	
<input checked="" type="checkbox"/> Open Space / Arapahoe County	Shannon Carter	<input checked="" type="checkbox"/> West Arapahoe Conservation District	Tasha Chevarria
<input checked="" type="checkbox"/> Planning / Arapahoe County	Sherman Feher	Transportation	
<input checked="" type="checkbox"/> Sheriff / Arapahoe County	1 to Brian McKnight 1 to Glenn Thompson	<input type="checkbox"/> CDOT / State Highway Dept- Region 1	Rick Solomon
<input checked="" type="checkbox"/> Weed Control / Arapahoe County	Russell Johnson	<input type="checkbox"/> E-470 Authority	Peggy Davenport
<input checked="" type="checkbox"/> Zoning / Arapahoe County	Tammy King	<input type="checkbox"/> RTD	Chris Quinn
Referral Agencies		Utilities: Gas, Electric & Phone	
<input type="checkbox"/> Architectural Review Committee		<input type="checkbox"/> Centurylink/Phone	Charles Place
<input type="checkbox"/> Airport or Military Base		<input type="checkbox"/> Conoco Phillips / Gas Pipeline	
<input type="checkbox"/> CGS Colorado Geological Survey-Soils		<input checked="" type="checkbox"/> XCEL	Donna George
<input checked="" type="checkbox"/> City / Town	Aurora	<input type="checkbox"/> IREA	Brooks Kaufman
<input checked="" type="checkbox"/> Colorado Parks and Wildlife	Travis Harris	Water / Sanitation / Stormwater / Wetlands	
<input type="checkbox"/> County		<input type="checkbox"/> ACWWA	
<input type="checkbox"/> DRCOG		<input checked="" type="checkbox"/> U.S. Army Corp. of Engineer	Kiel Downing
<input checked="" type="checkbox"/> Bennett Fire Protection District	Caleb Connor	<input type="checkbox"/> CCBWQA	
<input type="checkbox"/> Metro District		<input type="checkbox"/> Colorado Division of Water Resources	Joanne Williams
<input type="checkbox"/> Post Office Growth Coordinator	J. Hernandez	<input type="checkbox"/> SEMSWA	Paul Danley
<input checked="" type="checkbox"/> Reap I-70 Regional Economic Advancement Partnership	Matt Reay and Jack Keever	<input type="checkbox"/> ECCVW&S	Chris Douglass
<input type="checkbox"/> Recreation District / Park District (External)		<input checked="" type="checkbox"/> Urban Drainage & Flood	David Mallory
<input type="checkbox"/> Bennett School District #29J	Keith Yach	<input checked="" type="checkbox"/> Other / 5 Sets East End Adv. Committee	
<input type="checkbox"/> Aurora School District			
<input type="checkbox"/> Special District			
<input checked="" type="checkbox"/> Tri-County Health Department	Sheila Lynch		
<input type="checkbox"/>			

The enclosed case has been submitted to the Arapahoe County Planning Office for consideration. Because of the possible effect of the proposed development upon your area, the case is being referred for your comment. Please examine this request and, after review, check the appropriate line and return to the Arapahoe County Planning Office on or before the date indicated above.

COMMENTS:		SIGNATURE
<input checked="" type="checkbox"/> Have NO Comments to make on the case as submitted		<i>Chris Quinn</i> 7/11/16
<input type="checkbox"/> Have the following comments to make related to the case:		

Prosper Water Treatment Plant
Arapahoe County Subdivision Exemption
Revision 4

February 2017

Applicant:

Prosper Regional Water and Sanitation Service Metropolitan District
5641 N. Broadway
Denver, CO 80215

Prepared for:

Arapahoe County
Public Works Department
6294 S. Lima Street
Centennial, CO 80112

Arapahoe County Case No. X16-002

Prepared by:

Dewberry Engineers Inc.
990 South Broadway, Suite 400
Denver, CO 80209

Prosper Water Treatment Plant

Arapahoe County 1041 Subdivision Exemption

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- 1. Letter of Intent**
- 2. Land Development Application**
- 3. Letter of Authorization**
- 4. Title Commitment**
- 5. Subdivision Exemption Plat**
- 6. Address Plat**
- 7. Drainage Easement Legal Description**



Dewberry Engineers Inc. | 303.825.1802
990 South Broadway, Suite 400 | 303.825.2322 fax
Denver, CO 80209 | www.dewberry.com

July 22, 2016

Arapahoe County Public Works & Development
Planning Division
6924 S Lima Street
Centennial, CO 80112

**Re: Prosper Development Subdivision Exemption for Water Treatment Facility and Storage Tank
Letter of Intent**

Dear Public Works & Development:

Our company, Dewberry Engineers Inc., on behalf of the property owner, VREI, Inc., is proposing a project within unincorporated Arapahoe County. The main piece of the project is located east of South Imboden Road between East Alameda Avenue and East 6th Avenue in the southwest ¼ Section 8, Township 4 south, Range 64 west of the 6th Prime Meridian. The project will be located in this ¼ Section, currently zoned as agricultural, undeveloped. A subdivision exemption is requested for the specific parcel defined for this project. Six (6) smaller ancillary sites will be located on undefined parcels throughout the development area on land zoned as open space.

The intent is to construct a Water Treatment Plant (WTP) and water tower to serve Phase 1 of the Prosper development. The proposed building structures include a single WTP building and a multi-column elevated storage tank. Additionally, 7 well sites (one will be located on the WTP/tower site) with one small building will be developed over the course of the Phase 1 timeline and will be spread throughout the development.

Based on previous discussions, it is our understanding that the subdivision exemption will have to be processed and approved concurrently with the 1041 Permit and Location and Extents applications for the WTP/Tower site.

Developer contact information:

Vogel & Associates
Jeff Vogel, AICP, Principal
475 W 12th Ave, Suite E
Denver, CO 80204
Phone: (303) 893-4288
Email: jvogel@vogelassoc.com

Sincerely,
Dewberry Engineers Inc.

A handwritten signature in blue ink, appearing to read "Stacy Roberts", is written over a light blue horizontal line.

Stacy Roberts, PE
Project Manager



Public Works and Development

6924 S. Lima Street
Centennial, Colorado 80112
Phone: 720-874-6650
www.arapahoe.gov

Land Development Application

Form must be complete

Land Development Application materials received after 2pm
shall be date stamped received the following working day.

APPLICANT/REPRESENTATIVE: Vogel & Associates LLC	ADDRESS: 475 West 12th Ave, Suite E Denver, CO 80204 PHONE: 303.893.4288 FAX: 303.893.6792 EMAIL: jvogel@vogelassoc.com	SIGNATURE: NAME: Jeffrey B. Vogel Principal TITLE:
OWNER(S) OF RECORD: Prosper Regional Water & Sanitation Service Metropolitan District	ADDRESS: 5641 N Broadway Denver, CO 80215 PHONE: 303.566.8915 FAX: 303.918.4216 EMAIL:	SIGNATURE: NAME: Greg Ruegsegger Vice President TITLE:
ENGINEERING FIRM: Dewberry Engineers Inc.	ADDRESS: 990 S Broadway, Suite 400, Denver, CO 80209 PHONE: 303.951.0614 FAX: 303.825.2322 EMAIL: apratt@dewberry.com	CONTACT PERSON: Alan Pratt, PE

Pre-Submittal Case Number: **Q16-045** Pre-Submittal Planner: **Sherman Fehrer** Pre-Submittal Engineer: **Sarah White**

Parcel ID no. (AIN no.)	1979-00-0-00-536	
Parcel Address or Cross Streets:	Interstate 70 and Watkins Road	
Subdivision Name & Filing No.:	None	
Related Case Numbers: (Preliminary/Final Development Plan, Rezoning, and / or Plat)	Latest Approved Zoning - Z12-100 & S14-001	
	EXISTING	PROPOSED
Zoning:	Undeveloped/Agricultural	Water Treatment Plant
Case/Project/Subdivision Name:	None	Prosper WTP
Site Area (Acres):		2.75
Floor Area Ratio (FAR):		0.06
Density (Dwelling Units/Acre):		N/A
Building Square Footage:		7,500
Disturbed Area (Acres):		

CASE TYPE (Administrative Case types are shaded in Gray)

<input type="checkbox"/> Preliminary Development Plan or Major Amendment <input type="checkbox"/>	<input type="checkbox"/> Location & Extent or Major Amendment <input type="checkbox"/>	<input type="checkbox"/> Administrative Site Plan	<input type="checkbox"/> Preliminary Plat
<input type="checkbox"/> Master Development Plan or Major Amendment <input type="checkbox"/>	<input type="checkbox"/> Rezoning - Conventional	<input type="checkbox"/> Administrative Amendment to _____ (PDP, FDP, etc.)	<input type="checkbox"/> Final Plat
<input type="checkbox"/> Final Development Plan or Major Amendment <input type="checkbox"/>	<input type="checkbox"/> Land Development Code Amendment	<input type="checkbox"/> Technical Amendment to _____ (PDP, FDP, etc.)	<input type="checkbox"/> Minor Subdivision
<input type="checkbox"/> Planned Sign Program or Major Amendment <input type="checkbox"/>	<input type="checkbox"/> Use by Special Review or Major Amendment <input type="checkbox"/>	<input type="checkbox"/> Commercial Mobile Radio Service (CMRS/cellular antennas)	<input checked="" type="checkbox"/> Subdivision Exemption
<input type="checkbox"/> Vacation of Right of Way/Easement/Plat	<input type="checkbox"/> Use by Special Review – Oil and Gas	<input type="checkbox"/> Plat Correction	<input type="checkbox"/> Replat (Major)
<input type="checkbox"/> 1041 – Areas & Activities of State Interest – Use by Special Review <input type="checkbox"/>	<input type="checkbox"/> Special District Title 30 <input type="checkbox"/> Title 32 <input type="checkbox"/>	<input type="checkbox"/> Administrative Oil & Gas Use by Special Review (AOGUSR)	<input type="checkbox"/> Administrative Replat
<input type="checkbox"/> Comprehensive Plan	<input type="checkbox"/> Rural Cluster	<input type="checkbox"/> Street Name Change	<input type="checkbox"/> _____

THIS SECTION FOR OFFICE USE ONLY

Case No:		Planning Manager:		Engineering Manager:					
Planning Fee:	Y	N	\$	Engineering Fee:	Y	N	\$	TCHD Fee? <input type="checkbox"/>	\$

This application shall be submitted with all applicable application fees. Submittal of this application does not establish a vested property right in accordance with C.R.S. 24-68-105(1). Processing and review of this application may require the submittal of additional information, subsequent reviews, and/or meetings, as outlined in the Arapahoe County Land Development Code.

Letter of Authorization

This consent authorizes Jeffrey Vogel of Vogel & Associates, LLC to represent The Prosper Regional Water & Sanitation Service Metropolitan District in all matters concerning the Development Application for the real property known as Prosper located in Arapahoe County, Colorado.

By: Maribeth D'Amico

Date: 8/25/16

State of: Colorado

County of: Adams

On August 25, 2016, Before me, the undersigned notary public, in and for said state,
(Date)

personally appeared, Maribeth D'Amico known to me to be the person whose name is subscribed to
(Name)

the within instrument and acknowledged he executed the same.

Witness my hand and official Seal:

Jaime M. Wood
Notary Public



My Commission Expires: 09/17/2017



First American Title Insurance Company - NCS
1125 17th Street, Suite 500
Denver, Colorado 80202
Phone: (303)876-1112 Fax:(877)235-9185

DATE: July 13, 2016
FILE NUMBER: NCS-802180-CO
PROPERTY ADDRESS: Section 8, CO
OWNER/BUYER: Prosper Farms Investments/
YOUR REFERENCE NUMBER: Section 8
ASSESSOR PARCEL NUMBER: APN: 1979-00-0-00-536

PLEASE REVIEW THE ENCLOSED MATERIAL COMPLETELY AND TAKE NOTE OF THE FOLLOWING TERMS CONTAINED THEREIN:

Transmittal:

Revision No.:

Schedule A:

Schedule B - Section 1 Requirements:

Schedule B - Section 2 Exceptions:

Should you have any questions regarding these materials, please contact First American Title Insurance Company National Commercial Services at the above phone number. We sincerely thank you for your business.

TO: First American Title Insurance
Company National Commercial
Services
1125 17th Street, Suite 500
Denver, Colorado 80202

TITLE OFFICER: James Betson

PHONE: (303)876-1112

FAX: (877)235-9185

E-MAIL: jbetson@firstam.com

DELIVERY: E-MAIL

To: Furniture Row Companies
300 Union Blvd., Suite 350
Lakewood, CO 80228-1553

ATTN: Maribeth D'Amico

PHONE:

MOBILE:

FAX:

E-MAIL: maribeth.damico@funriturerow.com

DELIVERY: E-MAIL

To:

ATTN:

PHONE:

MOBILE:

FAX:

E-MAIL:

DELIVERY: E-MAIL

ALTA Commitment Form**COMMITMENT FOR TITLE INSURANCE**

Issued by

First American Title Insurance Company

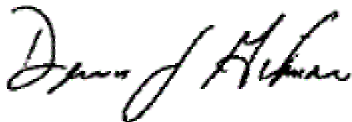
First American Title Insurance Company, a Nebraska corporation ("Company"), for a valuable consideration, commits to issue its policy or policies of title insurance, as identified in Schedule A, in favor of the Proposed Insured named in Schedule A, as owner or mortgagee of the estate or interest in the land described or referred to in Schedule A, upon payment of the premiums and charges and compliance with the Requirements; all subject to the provisions of Schedules A and B and to the Conditions of this Commitment.

This Commitment shall be effective only when the identity of the Proposed Insured and the amount of the policy or policies committed for have been inserted in Schedule A by the Company.

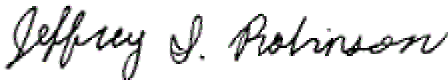
All liability and obligation under this Commitment shall cease and terminate six (6) months after the Effective Date or when the policy or policies committed for shall issue, whichever first occurs, provided that the failure to issue the policy or policies is not the fault of the Company.

The Company will provide a sample of the policy form upon request.

IN WITNESS WHEREOF, First American Title Insurance Company has caused its corporate name and seal to be affixed by its duly authorized officers on the date shown in Schedule A.

First American Title Insurance Company

Dennis J. Gilmore
President



Jeffrey S. Robinson
Secretary

**COMMITMENT FOR TITLE INSURANCE FORM
SCHEDULE A**

1. Effective Date: July 01, 2016 at 5:00 p.m.

a. ALTA Owner's Policy (06-17-06) \$TBD

Proposed Insured:
A Purchaser To Be Determined

b. ALTA Loan Policy (06-17-06) \$0.00

Proposed Insured:
None

2. The estate or interest in the Land described or referred to in this Commitment is:

Fee Simple

3. Title to the estate or interest in the Land is at the Effective Date vested in:

Prosper Farms Investments, LLC, a Colorado limited liability company

4. The Land referred to in this Commitment is described as follows:

See Exhibit "A" attached hereto and made a part hereof.

For informational purposes only: Section 8,
, Colorado

EXHIBIT A

Commitment No.: NCS-802180-CO

The land referred to in Schedule A is situated in the County of Arapahoe, State of Colorado and is described as follows:

A parcel of land located in Section 8, Township 4 South, Range 64 West of the Sixth Principal Meridian, County of Arapahoe, State of Colorado, being more particularly described as follows:

Basis of Bearings: The north line of the northwest one-quarter of said Section 8, monumented at the west end by a 2.5 inch aluminum cap stamped "PLS 28656 1995" and on the east end by a 2 inch aluminum cap stamped "LS 25937 1999", with the line considered to bear S89°12'13"E.

Commencing at the west one-quarter corner of Section 8;
thence S88°55'29"E along the north line of the southwest one-quarter of said Section 8, a distance of 30.00 feet to the easterly right-of-way line of North Imboden Mile Road and the point of beginning;
thence S88°55'29"E continuing along the said north line of the southwest one-quarter of Section 8, a distance of 2628.21 feet to the calculated center one-quarter corner;
thence S00°40'54"W along the east line of the said southwest one-quarter of Section 8, a distance of 2613.17 feet to the point on the northerly right-of-way line of Alameda Avenue;
thence N88°55'08"W along said northerly right-of-way line of Alameda Avenue a distance of 2627.70 feet to a point on the said easterly right-of-way line of North Imboden Mile Road;
thence N00°40'13"E along the said easterly right-of-way line of North Imboden Mile Road, a distance of 2612.91 feet to the point of beginning;

LESS AND EXCEPT any portion that may lie within the parcel as conveyed in Quit Claim Deed recorded March 31, 2010 at Reception No. D0030768, described as follows:

A parcel of land located in the southwest quarter of Section 8, Township 4 South, Range 64 West of the 6th Principal Meridian, County of Arapahoe, State of Colorado, more particularly described as follows:

Basis of Bearing: For the purposes of this description the south line of the southwest quarter of said Section 8 is assumed to bear N 88°55'08" W as shown on land survey plat No. 03390 deposited by PLS 37051 on January 11, 2007 in the records of the clerk and recorder of Arapahoe County, Colorado.

Beginning at the southwest quarter corner of said Section 8; thence S 88°55'08" E along the south line of said southwest quarter a distance of 2657.69 feet to the south quarter corner of said Section 8;
thence N 00°40'54" E along the east line of said southwest quarter a distance of 30.00 feet;
thence N 88°55'08" W along a line 30.00 feet north of and parallel with the south line of said southwest quarter a distance of 2627.70 feet to a point 30.00 feet east of, as measured perpendicularly, the west line of said southwest quarter;
thence N 00°40'13" E along a line 30.00 feet east of and parallel with the west line of said southwest quarter a distance of 2612.91 feet to a point on the north line of said southwest quarter;
thence N 88°55'29" W along the north line of southwest quarter a distance of 30.00 feet to the west quarter of said Section 8;
thence S 00°40'13" W along the west line of said southwest quarter a distance of 2642.91 feet to the point of beginning.
County of Arapahoe,
State of Colorado.

For informational purposes only: APN: 1979-00-0-00-536

COMMITMENT FOR TITLE INSURANCE FORM
SCHEDULE B
SECTION ONE
REQUIREMENTS

The following requirements must be met:

1. Pay the agreed amounts for the interest in the land and/or the mortgage to be insured.
2. Pay us the premiums, fees and charges for the policy.
3. Payment of all taxes and assessments now due and payable.
4. Recordation of a Correction Deed satisfactory to the Company, from Furniture Row USA, LLC, a Colorado limited liability company, to Furniture Row, LLC, a Colorado limited liability company.

NOTE: This requirement is necessary to correct the following defect in the General Warranty Deed recorded October 28, 2011 at Reception No. D1106062: Parcel II of legal should not be included

5. Recordation of a Correction Deed satisfactory to the Company, from Furniture Row, LLC, a Colorado limited liability company, to Prosper Farms Investments, LLC, a Colorado limited liability company.

NOTE: This requirement is necessary to correct the following defect in the General Warranty Deed recorded October 28, 2011 at Reception No. D1106063: Parcel II of legal should not be included

6. Recordation of a Warranty Deed satisfactory to the Company, from Prosper Farms Investments, LLC, a Colorado limited liability company, vesting fee simple title in and to A Purchaser To Be Determined.

7. Receipt by the Company of the following documentation for Prosper Farms Investments, LLC, a Colorado limited liability company:

Operating Agreement, and all amendments thereto, if any.

8. Receipt by the Company of a satisfactory Final Affidavit and Indemnity, executed by Prosper Farms Investments, LLC, a Colorado limited liability company.

9. Receipt by the Company of an ALTA/NSPS Land Title Survey, certified to First American Title Insurance Company, and in form and content satisfactory to the Company. The Company reserves the right to make further requirements and/or exceptions upon review of this survey.

NOTE: This commitment is subject to further requirements and/or exceptions upon disclosure to the Company of the identity of the proposed insured purchaser.

COMMITMENT FOR TITLE INSURANCE FORM**SCHEDULE B****SECTION TWO****EXCEPTIONS**

Schedule B of the policy or policies to be issued will contain exceptions to the following matters unless the same are disposed of to the satisfaction of the Company:

1. Any facts, rights, interests or claims which are not shown by the Public Records, but which could be ascertained by an inspection of the Land or by making inquiry of persons in possession thereof.
2. Easements, or claims of easements, not shown by the Public Records.
3. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, and any facts which a correct survey and inspection of the Land would disclose, and which are not shown by the public records.
4. Any lien, or right to a lien, for services, labor or material heretofore or hereafter furnished, imposed by law and not shown in the Public Records.
5. Any and all unpaid taxes, assessments and unredeemed tax sales.
6. Water rights, claims or title to water, whether or not shown by the public records.
7. Right of way for ditches and canals as constructed by the authority of the United States, as reserved in United States Patent recorded January 13, 1896 in Book A57 at Page 100.
8. Any tax, lien, fee or assessment by reason of inclusion of subject property in the West Arapahoe Soil and Conservation District, as evidenced by instrument recorded December 27, 1955 in Book 948 at Page 214.
9. Any tax, lien, fee or assessment by reason of inclusion of subject property in the Bennett Fire Protection District, as evidenced by instrument recorded October 2, 1962 in Book 1376 at Page 111.
10. Terms, conditions, provisions, obligations and agreements as set forth in the Surface Use Agreement recorded December 28, 2010 at Reception No. D0135148.
11. Oil and Gas Lease recorded December 28, 2010 at Reception No. D0135150, and any and all assignments thereof or interests therein .
12. Mineral rights as conveyed by Quitclaim Deed of Mineral Interests recorded June 14, 2012 at Reception No. D2064284, and any and all assignments thereof or interests therein.

13. Terms, conditions, provisions, obligations and agreements as set forth in the Affidavit of Non-Development recorded July 19, 2013 at Reception No. D3090515.
14. Terms, conditions, provisions, obligations and agreements as set forth in the Surface Use Agreement Re: Setbacks recorded July 29, 2013 at Reception No. D3095288.
15. Terms, conditions, provisions, obligations, easements and agreements as set forth in the Right of Way Contract recorded September 17, 2013 at Reception No. D3116432.
16. Terms, conditions, provisions, obligations and agreements as set forth in the Affidavit of Non-Development recorded October 1, 2013 at Reception No. D3122332.
17. Terms, conditions, provisions, obligations and agreements as set forth in the Affidavit of Surface Inspection recorded May 21, 2014 at Reception No. D4042797.
18. Terms, conditions, provisions, obligations, easements and agreements as set forth in the Right of Way Contract recorded August 27, 2014 at Reception No. D4079302.
19. Terms, conditions, provisions, obligations and agreements as set forth in the Right of Way Contract recorded August 27, 2014 at Reception No. D4079303 and Amendments thereto recorded April 30, 2015 at Reception No. D5043056, September 28, 2015 at Reception No. D5109906.
20. Terms, conditions, provisions, obligations, easements and agreements as set forth in the Surface Use and Compensation Agreement recorded August 27, 2014 at Reception No. D4079306.
21. Mineral rights as conveyed by Bargain and Sale Deed recorded October 6, 2014 at Reception No. D4093205, and any and all assignments thereof or interests therein.
22. Oil and Gas Lease recorded October 28, 2014 at Reception No. D4101519, and any and all assignments thereof or interests therein.
23. Oil and Gas Lease recorded November 5, 2014 at Reception No. D4104039, and any and all assignments thereof or interests therein.
24. Terms, conditions, provisions, obligations and agreements as set forth in the Affidavit of Possession, Use and Occupancy recorded November 18, 2014 at Reception No. D4108584.
25. Existing leases and tenancies.

EXHIBIT B
Statement of Charges

ALTA Extended Owner Policy	\$
Tax Certification	\$

CONDITIONS

1. The term mortgage, when used herein, shall include deed of trust, trust deed, or other security instrument.
2. If the proposed Insured has or acquired actual knowledge of any defect, lien, encumbrance, adverse claim or other matter affecting the estate or interest or mortgage thereon covered by this Commitment other than those shown in Schedule B hereof, and shall fail to disclose such knowledge to the Company in writing, the Company shall be relieved from liability for any loss or damage resulting from any act of reliance hereon to the extent the Company is prejudiced by failure to so disclose such knowledge. If the proposed Insured shall disclose such knowledge to the Company, or if the Company otherwise acquires actual knowledge of any such defect, lien, encumbrance, adverse claim or other matter, the Company at its option may amend Schedule B of this Commitment accordingly, but such amendment shall not relieve the Company from liability previously incurred pursuant to paragraph 3 of these Conditions and Stipulations.
3. Liability of the Company under this Commitment shall be only to the named proposed Insured and such parties included under the definition of Insured in the form of policy or policies committed for and only for actual loss incurred in reliance hereon in undertaking in good faith (a) to comply with the requirements hereof, or (b) to eliminate exceptions shown in Schedule B, or (c) to acquire or create the estate or interest or mortgage thereon covered by this Commitment. In no event shall such liability exceed the amount stated in Schedule A for the policy or policies committed for and such liability is subject to the insuring provisions and Conditions and Stipulations and the Exclusions from Coverage of the form of policy or policies committed for in favor of the proposed Insured which are hereby incorporated by reference and are made a part of this Commitment except as expressly modified herein.
4. This Commitment is a contract to issue one or more title insurance policies and is not an abstract of title or a report of the condition of title. Any action or actions or rights of action that the proposed Insured may have or may bring against the Company arising out of the status of the title to the estate or interest or the status of the mortgage thereon covered by this Commitment must be based on and are subject to the provisions of this Commitment.
5. The policy to be issued contains an arbitration clause. All arbitrable matters when the Amount of Insurance is \$2,000,000 or less shall be arbitrated at the option of either the Company or the Insured as the exclusive remedy of the parties. You may review a copy of the arbitration rules at <http://www.alta.org/>.



First American Title

Privacy Information

We Are Committed to Safeguarding Customer Information

In order to better serve your needs now and in the future, we may ask you to provide us with certain information. We understand that you may be concerned about what we will do with such information - particularly any personal or financial information. We agree that you have a right to know how we will utilize the personal information you provide to us. Therefore, together with our subsidiaries we have adopted this Privacy Policy to govern the use and handling of your personal information.

Applicability

This Privacy Policy governs our use of the information that you provide to us. It does not govern the manner in which we may use information we have obtained from any other source, such as information obtained from a public record or from another person or entity. First American has also adopted broader guidelines that govern our use of personal information regardless of its source. First American calls these guidelines its Fair Information Values.

Types of Information

Depending upon which of our services you are utilizing, the types of nonpublic personal information that we may collect include:

- Information we receive from you on applications, forms and in other communications to us, whether in writing, in person, by telephone or any other means;
- Information about your transactions with us, our affiliated companies, or others; and
- Information we receive from a consumer reporting agency.

Use of Information

We request information from you for our own legitimate business purposes and not for the benefit of any nonaffiliated party. Therefore, we will not release your information to nonaffiliated parties except: (1) as necessary for us to provide the product or service you have requested of us; or (2) as permitted by law. We may, however, store such information indefinitely, including the period after which any customer relationship has ceased. Such information may be used for any internal purpose, such as quality control efforts or customer analysis. We may also provide all of the types of nonpublic personal information listed above to one or more of our affiliated companies. Such affiliated companies include financial service providers, such as title insurers, property and casualty insurers, and trust and investment advisory companies, or companies involved in real estate services, such as appraisal companies, home warranty companies and escrow companies. Furthermore, we may also provide all the information we collect, as described above, to companies that perform marketing services on our behalf, on behalf of our affiliated companies or to other financial institutions with whom we or our affiliated companies have joint marketing agreements.

Former Customers

Even if you are no longer our customer, our Privacy Policy will continue to apply to you.

Confidentiality and Security

We will use our best efforts to ensure that no unauthorized parties have access to any of your information. We restrict access to nonpublic personal information about you to those individuals and entities who need to know that information to provide products or services to you. We will use our best efforts to train and oversee our employees and agents to ensure that your information will be handled responsibly and in accordance with this Privacy Policy and First American's Fair Information Values. We currently maintain physical, electronic, and procedural safeguards that comply with federal regulations to guard your nonpublic personal information.

Information Obtained Through Our Web Site

First American Financial Corporation is sensitive to privacy issues on the Internet. We believe it is important you know how we treat the information about you we receive on the Internet.

In general, you can visit First American or its affiliates' Web sites on the World Wide Web without telling us who you are or revealing any information about yourself. Our Web servers collect the domain names, not the e-mail addresses, of visitors. This information is aggregated to measure the number of visits, average time spent on the site, pages viewed and similar information. First American uses this information to measure the use of our site and to develop ideas to improve the content of our site.

There are times, however, when we may need information from you, such as your name and email address. When information is needed, we will use our best efforts to let you know at the time of collection how we will use the personal information. Usually, the personal information we collect is used only by us to respond to your inquiry, process an order or allow you to access specific account/profile information. If you choose to share any personal information with us, we will only use it in accordance with the policies outlined above.

Business Relationships

First American Financial Corporation's site and its affiliates' sites may contain links to other Web sites. While we try to link only to sites that share our high standards and respect for privacy, we are not responsible for the content or the privacy practices employed by other sites.

Cookies

Some of First American's Web sites may make use of "cookie" technology to measure site activity and to customize information to your personal tastes. A cookie is an element of data that a Web site can send to your browser, which may then store the cookie on your hard drive.

FirstAm.com uses stored cookies. The goal of this technology is to better serve you when visiting our site, save you time when you are here and to provide you with a more meaningful and productive Web site experience.

Fair Information Values

Fairness We consider consumer expectations about their privacy in all our businesses. We only offer products and services that assure a favorable balance between consumer benefits and consumer privacy.

Public Record We believe that an open public record creates significant value for society, enhances consumer choice and creates consumer opportunity. We actively support an open public record and emphasize its importance and contribution to our economy.

Use We believe we should behave responsibly when we use information about a consumer in our business. We will obey the laws governing the collection, use and dissemination of data.

Accuracy We will take reasonable steps to help assure the accuracy of the data we collect, use and disseminate. Where possible, we will take reasonable steps to correct inaccurate information. When, as with the public record, we cannot correct inaccurate information, we will take all reasonable steps to assist consumers in identifying the source of the erroneous data so that the consumer can secure the required corrections.

Education We endeavor to educate the users of our products and services, our employees and others in our industry about the importance of consumer privacy. We will instruct our employees on our fair information values and on the responsible collection and use of data. We will encourage others in our industry to collect and use information in a responsible manner.

Security We will maintain appropriate facilities and systems to protect against unauthorized access to and corruption of the data we maintain.

DISCLOSURE STATEMENT

Pursuant to C.R.S. 30-10-406(3)(a) all documents received for recording or filing in the Clerk and Recorder's office shall contain a top margin of at least one inch and a left, right and bottom margin of at least one-half of an inch. The Clerk and Recorder will refuse to record or file any document that does not conform to the requirements of this section.

NOTE: If this transaction includes a sale of the property and the price exceeds \$100,000.00, the seller must comply with the disclosure/withholding provisions of C.R.S. 39-22-604.5 (Nonresident withholding).

NOTE: Colorado Division of Insurance Regulations 8-1-2 requires that "Every title insurance company shall be responsible to the proposed insured(s) subject to the terms and conditions of the title commitment, other than the effective date of the title commitment, for all matters which appear of record prior to the time of recording whenever the title insurance company, or its agent, conducts the closing and settlement service that is in conjunction with its issuance of an owner's policy of title insurance and is responsible for the recording and filing of legal documents resulting from the transaction which was closed.

Pursuant to C.R.S. 10-11-122, the company will not issue its owner's policy or owner's policies of title insurance contemplated by this commitment until it has been provided a Certificate of Taxes due or other equivalent documentation from the County Treasurer or the County Treasurer's authorized agent; or until the Proposed Insured has notified or instructed the company in writing to the contrary.

The subject property may be located in a special taxing district. A Certificate of Taxes due listing each taxing jurisdiction shall be obtained from the County Treasurer or the County Treasurer's authorized agent. Information regarding special districts and the boundaries of such districts may be obtained from the Board of County Commissioners, the County Clerk and Recorder, or the County Assessor.

NOTE: Pursuant to CRS 10-11-123, notice is hereby given:

This notice applies to owner's policy commitments containing a mineral severance instrument exception, or exceptions, in Schedule B, Section 2.

- A. That there is recorded evidence that a mineral estate has been severed, leased, or otherwise conveyed from the surface estate and that there is a substantial likelihood that a third party holds some or all interest in oil, gas, other minerals, or geothermal energy in the property; and
- B. That such mineral estate may include the right to enter and use the property without the surface owner's permission.

NOTE: Pursuant to Colorado Division of Insurance Regulations 8-1-1, Affirmative mechanic's lien protection for the Owner may be available (typically by deletion of Exception no. 4 of Schedule B, Section 2 of the Commitment from the Owner's Policy to be issued) upon compliance with the following conditions:

- A. The land described in Schedule A of this commitment must be a single family residence which includes a condominium or townhouse unit.
- B. No labor or materials have been furnished by mechanics or material-men for purposes of construction on the land described in Schedule A of this Commitment within the past 6 months.
- C. The Company must receive an appropriate affidavit indemnifying the Company against un-filed mechanic's and material-men's liens.
- D. The Company must receive payment of the appropriate premium.

- E. If there has been construction, improvements or major repairs undertaken on the property to be purchased within six months prior to the Date of the Commitment, the requirements to obtain coverage for unrecorded liens will include: disclosure of certain construction information; financial information as to the seller, the builder and or the contractor; payment of the appropriate premium, fully executed Indemnity Agreements satisfactory to the company, and, any additional requirements as may be necessary after an examination of the aforesaid information by the Company.

No coverage will be given under any circumstances for labor or material for which the insured has contracted for or agreed to pay.

NOTE: Pursuant to C.R.S. 38-35-125(2) no person or entity that provides closing and settlement services for a real estate transaction shall disburse funds as a part of such services until those funds have been received and are available for immediate withdrawal as a matter of right.

NOTE: C.R.S. 39-14-102 requires that a real property transfer declaration accompany any conveyance document presented for recordation in the State of Colorado. Said declaration shall be completed and signed by either the grantor or grantee.

NOTE: Pursuant to CRS 10-1-128(6)(a), It is unlawful to knowingly provide false, incomplete, or misleading facts or information to an insurance company for the purpose of defrauding or attempting to defraud the company. Penalties may include imprisonment, fines, denial of insurance and civil damages. Any insurance company or agent of an insurance company who knowingly provides false, incomplete, or misleading facts or information to a policyholder or claimant for the purpose of defrauding or attempting to defraud the policyholder or claimant with regard to a settlement or award payable from insurance proceeds shall be reported to the Colorado division of insurance within the department of regulatory agencies.

Nothing herein contained will be deemed to obligate the company to provide any of the coverages referred to herein unless the above conditions are fully satisfied.

PROSPER WTP SUBDIVISION EXEMPTION PLAT
A PARCEL OF LAND SITUATED IN THE SW 1/4 OF SECTION 8, TOWNSHIP 4 SOUTH, RANGE 64 WEST, OF THE 6TH PRINCIPAL MERIDIAN
COUNTY OF ARAPAHOE, STATE OF COLORADO
SHEET 1 OF 2

1. STANDARD NOTES:

- THE OWNER(S), DEVELOPER(S) AND/OR SUBDIVIDER(S) OF THE EXEMPTION PLAT KNOWN AS PROSPER WTP SUBDIVISION EXEMPTION PLAT, THEIR RESPECTIVE SUCCESSORS, HEIRS AND/OR ASSIGNS AGREE TO THE FOLLOWING NOTES:
- A. STREET MAINTENANCE:
IT IS MUTUALLY UNDERSTOOD AND AGREED THAT THE DEDICATED ROADWAYS SHOWN ON THIS PLAT/PLAN WILL NOT BE MAINTAINED BY THE COUNTY UNTIL AND UNLESS THE STREETS ARE CONSTRUCTED IN ACCORDANCE WITH THE SUBDIVISION REGULATIONS IN EFFECT AT THE DATE CONSTRUCTION PLANS ARE APPROVED, AND PROVIDED CONSTRUCTION OF SAID ROADWAYS IS STARTED WITHIN ONE YEAR OF THE CONSTRUCTION PLAN APPROVAL. THE OWNERS, DEVELOPERS AND/OR SUBDIVIDERS, THEIR SUCCESSORS AND/OR ASSIGNS IN INTEREST, SHALL BE RESPONSIBLE FOR STREET MAINTENANCE UNTIL SUCH TIME AS THE COUNTY ACCEPTS THE RESPONSIBILITY FOR MAINTENANCE AS STATED ABOVE.
- B. DRAINAGE MAINTENANCE:
THE PROPERTY OWNER SHALL BE RESPONSIBLE FOR MAINTENANCE OF ALL DRAINAGE FACILITIES INSTALLED PURSUANT TO THE SUBDIVISION AGREEMENT. REQUIREMENTS INCLUDE, BUT ARE NOT LIMITED TO MAINTAINING THE SPECIFIED STORM WATER DETENTION/RETENTION VOLUMES, MAINTAINING OUTLET STRUCTURES, FLOW RESTRICTION DEVICES AND FACILITIES NEEDED TO CONVEY FLOW TO SAID BASINS. ARAPAHOE COUNTY SHALL HAVE THE RIGHT TO ENTER PROPERTIES TO INSPECT SAID FACILITIES AT ANY TIME. IF THESE FACILITIES ARE NOT PROPERLY MAINTAINED, THE COUNTY MAY PROVIDE NECESSARY MAINTENANCE AND ASSESS THE MAINTENANCE COST TO THE OWNER OF THE PROPERTY.
- C. EMERGENCY ACCESS NOTE:
EMERGENCY ACCESS IS GRANTED HERewith OVER AND ACROSS ALL PAVED AREAS FOR POLICE, FIRE AND EMERGENCY VEHICLES.
- D. DRIVES, PARKING AREAS, AND UTILITY EASEMENTS MAINTENANCE:
THE OWNERS OF THIS PLAN OR PLAT, THEIR SUCCESSORS, AND/OR ASSIGNS IN INTEREST, THE ADJACENT PROPERTY OWNER(S), HOMEOWNERS ASSOCIATION OR OTHER ENTITY OTHER THAN ARAPAHOE COUNTY, IS RESPONSIBLE FOR MAINTENANCE AND UPKEEP OF ANY AND ALL DRIVES, PARKING AREAS, AND EASEMENTS, I.E.: CROSS- ACCESS EASEMENTS, DRAINAGE EASEMENT, ETC.
- E. DRAINAGE LIABILITY:
IT IS THE POLICY OF ARAPAHOE COUNTY THAT IT DOES NOT AND WILL NOT ASSUME LIABILITY FOR THE DRAINAGE FACILITIES DESIGNED AND/OR CERTIFIED BY CORE CONSULTANTS. ARAPAHOE COUNTY REVIEWS DRAINAGE PLANS PURSUANT TO COLORADO REVISED STATUTES TITLE 30, ARTICLE 28, BUT CANNOT, ON BEHALF OF PROSPER FARM INVESTMENTS, LLC, A COLORADO LIMITED LIABILITY COMPANY GUARANTEE THAT FINAL DRAINAGE DESIGN REVIEW WILL ABSOLVE PROSPER FARM INVESTMENTS, LLC, A COLORADO LIMITED LIABILITY COMPANY, AND/OR THEIR SUCCESSORS AND/OR ASSIGNS OF FUTURE LIABILITY FOR IMPROPER DESIGN. IT IS THE POLICY OF ARAPAHOE COUNTY THAT APPROVAL OF THE FINAL PLAT AND/OR FINAL DEVELOPMENT PLAN DOES NOT IMPLY APPROVAL OF CORE CONSULTANTS DRAINAGE DESIGN.
- F. LANDSCAPE MAINTENANCE:
THE OWNERS OF THIS PLAN OR PLAT, THEIR SUCCESSORS AND/OR ASSIGNS IN INTEREST, THE ADJACENT PROPERTY OWNER(S), HOMEOWNER'S ASSOCIATION OR OTHER ENTITY OTHER THAN ARAPAHOE COUNTY IS RESPONSIBLE FOR MAINTENANCE AND UPKEEP OF PERIMETER FENCING, LANDSCAPED AREAS AND SIDEWALKS BETWEEN THE FENCE LINE/PROPERTY LINE AND ANY PAVED ROADWAYS. THE OWNERS OF THIS SUBDIVISION, THEIR SUCCESSORS AND/OR ASSIGNS IN INTEREST, OR SOME OTHER ENTITY OTHER THAN ARAPAHOE COUNTY, AGREE TO THE RESPONSIBILITY OF MAINTAINING ALL OTHER OPEN SPACE AREAS ASSOCIATED WITH THIS DEVELOPMENT.
- G. SIGHT TRIANGLE MAINTENANCE:
THE OWNERS OF PRIVATE PROPERTY CONTAINING A TRAFFIC SIGHT TRIANGLE ARE PROHIBITED FROM ERECTING OR GROWING ANY OBSTRUCTIONS OVER THREE FEET IN HEIGHT ABOVE THE ELEVATION OF THE LOWEST POINT ON THE CROWN OF THE ADJACENT ROADWAY WITHIN SAID TRIANGLE.
- H. PUBLIC IMPROVEMENTS NOTE:
AFTER FINAL DEVELOPMENT PLAN/FINAL PLAT APPROVAL, ISSUANCE OF INDIVIDUAL BUILDING PERMITS WILL BE SUBJECT TO THE FOLLOWING STIPULATIONS AND/OR CONDITIONS PRECEDENT, WHICH OWNER AGREES TO IN CONJUNCTION WITH APPROVAL OF THE FINAL DEVELOPMENT PLAN AND/OR FINAL PLAT. SUCH BUILDING PERMITS WILL BE ISSUED ONLY AFTER THE OWNERS GUARANTEE PUBLIC IMPROVEMENTS IN A FORM ACCEPTABLE TO THE BOARD OF COUNTY COMMISSIONERS PURSUANT TO STATE STATUTE.
- I. DRAINAGE MASTER PLAN NOTE:
THE POLICY OF THE COUNTY REQUIRES THAT ALL NEW DEVELOPMENT AND REDEVELOPMENT SHALL PARTICIPATE IN THE REQUIRED DRAINAGE IMPROVEMENTS AS SET FORTH BELOW: 1. DESIGN AND CONSTRUCT THE LOCAL DRAINAGE SYSTEM AS DEFINED BY THE PHASE III DRAINAGE REPORT AND PLAN. 2. DESIGN AND CONSTRUCT THE CONNECTION OF THE SUBDIVISION DRAINAGE SYSTEM TO A DRAINAGEWAY OF ESTABLISHED CONVEYANCE CAPACITY SUCH AS A MASTER PLANNED OUTFALL STORM SEWER OR MASTER PLANNED MAJOR DRAINAGEWAY. THE COUNTY WILL REQUIRE THAT THE CONNECTION OF THE MINOR AND MAJOR SYSTEMS PROVIDE CAPACITY TO CONVEY ONLY THOSE FLOWS (INCLUDING OFFSITE FLOWS) LEAVING THE SPECIFIED DEVELOPMENT SITE. TO MINIMIZE OVERALL CAPITAL COSTS, THE COUNTY ENCOURAGES ADJACENT DEVELOPMENTS TO JOIN IN DESIGNING AND CONSTRUCTING CONNECTION SYSTEMS. ALSO, THE COUNTY MAY CHOOSE TO PARTICIPATE WITH A DEVELOPER IN THE DESIGN AND CONSTRUCTION OF THE CONNECTION SYSTEM. 3. EQUITABLE PARTICIPATION IN THE DESIGN AND CONSTRUCTION OF THE MAJOR DRAINAGEWAY SYSTEM THAT SERVES THE DEVELOPMENT AS DEFINED BY ADOPTED MASTER DRAINAGEWAY PLANS (SECTION 3.4 OF THE ARAPAHOE COUNTY STORMWATER MANAGEMENT MANUAL) OR AS REQUIRED BY THE COUNTY AND DESIGNATED IN THE PHASE III DRAINAGE REPORT.
- J. PRIVATE STREET MAINTENANCE:
IT IS MUTUALLY UNDERSTOOD AND AGREED THAT THE PRIVATE ROADWAYS SHOWN ON THIS PLAT/PLAN ARE NOT IN CONFORMANCE WITH ARAPAHOE COUNTY ROADWAY DESIGN AND CONSTRUCTION STANDARDS AND WILL NOT BE MAINTAINED BY THE COUNTY UNTIL AND UNLESS THE STREETS ARE CONSTRUCTED IN CONFORMANCE WITH THE SUBDIVISION REGULATIONS IN EFFECT AT THE DATE OF THE REQUEST FOR DEDICATION. THE OWNERS, DEVELOPERS, AND/OR SUBDIVIDERS, THEIR SUCCESSORS AND/OR ASSIGNS IN INTEREST, SHALL BE RESPONSIBLE FOR STREET MAINTENANCE UNTIL SUCH TIME AS THE COUNTY ACCEPTS RESPONSIBILITY FOR MAINTENANCE AS STATED ABOVE.

2. SPECIFIC NOTES:

A. PRIVATE OPEN SPACE:

1. THE PRIVATE PARK SITE AS SHOWN ON THIS PLAT OR PLAN SHALL BE MAINTAINED IN PERPETUITY BY THE OWNER(S), HOMEOWNER'S ASSOCIATION, AND/OR ENTITY OTHER THAN ARAPAHOE COUNTY.
2. BUILDING PERMITS WILL BE ISSUED FOR ONLY ONE-HALF OF THE LOTS IN THIS SUBDIVISION UNTIL THE PARK FACILITIES HAVE BEEN INSTALLED IN ACCORDANCE WITH THE APPROVED PLAN.
3. WHEN A PROJECT CONSISTS OF ONE LOT, THE PRIVATE PARK SHALL BE INSTALLED PRIOR TO THE CERTIFICATE OF OCCUPANCY.

B. STREET LIGHTING:

ALL LOTS ARE SUBJECT TO AND BOUND BY TARIFFS WHICH ARE NOW AND MAY IN THE FUTURE BE FILED WITH THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO RELATING TO STREET LIGHTING IN THIS PLAN OR PLAT, TOGETHER WITH RATES, RULES, AND REGULATIONS THEREIN PROVIDED AND SUBJECT TO ALL FUTURE AMENDMENTS AND CHANGES THERETO. THE OWNER OR OWNERS, THEIR SUCCESSORS AND/OR ASSIGNS IN INTEREST, SHALL PAY AS BILLED, A PORTION OF THE COST OF PUBLIC STREET LIGHTING IN THE PLAN OR PLAT IN ACCORDING TO APPLICABLE RATES, RULES, AND REGULATIONS, INCLUDING FUTURE AMENDMENTS AND CHANGES ON FILE WITH THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO.

C. DRAINAGE:

ALL DRAINAGE, DETENTION POND AND STORM SEWER EASEMENTS SHOWN HEREON BURDEN AND RUN WITH ALL LANDS DESCRIBED IN THIS PLAT TO THE BENEFIT OF ARAPAHOE COUNTY AND ITS ASSIGNS, AND ARE BINDING UPON THE OWNERS AND THEIR RESPECTIVE SUCCESSORS, HEIRS AND ASSIGNS. THE EASEMENTS ARE GOVERNED BY THE TERMS AND CONDITIONS OF ARAPAHOE COUNTY'S STORMWATER AND DRAINAGE REGULATIONS AND STANDARDS AND ALL TERMS AND CONDITIONS OF RECORD, INCLUDING THOSE RECORDED ON JUNE 5, 1997, AT RECEPTION NUMBER A7066570, AS THOSE REGULATIONS, STANDARDS, TERMS AND CONDITIONS EXIST AT THE TIME OF COUNTY APPROVAL OF THIS DOCUMENT AND AS THEY MAY BE AMENDED FROM TIME TO TIME.

D. PUBLIC USE EASEMENT:

ALL PUBLIC USE EASEMENTS SHOWN HEREON BURDEN AND RUN WITH ALL LANDS DESCRIBED IN THIS PLAT TO THE BENEFIT OF ARAPAHOE COUNTY AND ITS ASSIGNS, AND ARE BINDING UPON THE OWNERS AND THEIR RESPECTIVE SUCCESSORS, HEIRS AND ASSIGNS. THE PUBLIC USE EASEMENTS ARE GOVERNED BY THE TERMS AND CONDITIONS OF ARAPAHOE COUNTY'S EASEMENT REGULATIONS AND STANDARDS AND ALL TERMS AND CONDITIONS OF RECORD, IF ANY, AS THOSE REGULATIONS, STANDARDS, TERMS AND CONDITIONS EXIST AT THE TIME OF COUNTY APPROVAL OF THIS DOCUMENT AND AS THEY MAY BE AMENDED FROM TIME TO TIME.

E. STORMWATER MAINTENANCE:

THE PROPERTY OWNER SHALL BE RESPONSIBLE FOR MAINTENANCE OF ALL PERMANENT BEST MANAGEMENT PRACTICES (BMP'S) AND STORMWATER FACILITIES INSTALLED PURSUANT TO THE SUBDIVISION AGREEMENTS AND THE OPERATIONS AND MAINTENANCE (O AND M) GUIDE IN THE CASE OF PERMANENT BMP'S. REQUIREMENTS INCLUDE, BUT ARE NOT LIMITED TO, MAINTAINING THE SPECIFIED BMP'S CONTAINED IN THE O AND M MANUAL RECORDED AT RECEPTION NO. _____ AND THE STORMWATER FACILITIES SHOWN IN THE APPROVED PHASE III DRAINAGE REPORT AND SHOWN ON THE APPROVED CONSTRUCTION DRAWINGS.

THE OWNERS OF THIS SUBDIVISION, THEIR SUCCESSORS AND/OR ASSIGNS IN INTEREST, OR SOME ENTITY OTHER THAN ARAPAHOE COUNTY, AGREE TO THE RESPONSIBILITY OF MAINTAINING ALL PERMANENT BMP'S AND/OR STORMWATER FACILITIES ASSOCIATED WITH THIS DEVELOPMENT. IF THE PERMANENT BMP'S AND STORMWATER FACILITIES ARE NOT PROPERLY MAINTAINED, THE COUNTY MAY PROVIDE NECESSARY MAINTENANCE AND ASSESS THE MAINTENANCE COST TO THE OWNER OF THE PROPERTY.

GENERAL NOTES:

1. THE TOTAL ACREAGE OF THIS FINAL PLAT IS 120,000 SQ. FT. OR 2.7548 ACRES MORE OR LESS.
2. BY GRAPHIC PLOTTING ONLY THE SUBJECT PROPERTY IS SITUATED IN FLOOD ZONE "X" AREA DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOOD PLAIN ACCORDING TO FLOOD INSURANCE RATE MAP (FIRM) COMMUNITY PANEL NO. 08005C0229K LAST REVISED DECEMBER 17, 2010. NO OFFICE CALCULATIONS OR FIELD SURVEYING WAS PERFORMED TO DETERMINE THIS INFORMATION.
3. BEARINGS ARE BASED ON THE WEST LINE OF THE SW 1/4 OF SECTION 8, TOWNSHIP 4 SOUTH, RANGE 64 WEST, OF THE 6TH PRINCIPAL MERIDIAN BEARING S00°06'22"W AS REFERENCED AND BOUNDED BY THE MONUMENTS SHOWN HEREON.
4. DATE OF SURVEY: JUNE 13, 2014
5. NO OFFSET MONUMENTS ARE TO BE SET IN CONJUNCTION WITH THIS PLAT.
6. BENCHMARK: ARAPAHOE COUNTY BM010101 - 3 1/4" DIAMETER ALUMINUM CAP 300' SOUTH OF NORTH WATKINS MILE ROAD AND INTERSTATE HIGHWAY 70 ON EAST SIDE. THE CONTOURS SHOWN HEREON ARE AT 2' INTERVALS. ELEVATION: 5538.35 FEET (NAVD 1988 DATUM)
7. DISTANCES ON THIS SURVEY ARE EXPRESSED IN U.S. SURVEY FEET AND DECIMALS THEREOF. A U.S. SURVEY FOOT IS DEFINED AS EXACTLY 1200/3937 METERS.
8. 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.
9. ANY PERSON WHO KNOWINGLY REMOVES, ALTERS, OR DEFACES ANY PUBLIC LAND SURVEY MONUMENT, LAND BOUNDARY MONUMENT, OR ACCESSORY MONUMENT, OR COMMITTS A (2) MISDEMEANOR, PURSUANT TO STATE STATUTE 18-4-508 OF THE COLORADO REVISED STATUTES.
10. PER ARAPAHOE COUNTY CODE 18-101-03 IN NO INSTANCE WILL ANY OBSTRUCTION BE PERMITTED IN FRONT OF THE MINIMUM SIGHT LINE, DEFINED AS THE HIGH RANGE OF STOPPING SIGHT DISTANCE. THUS, NO TREES, SHRUBS, PLANTERS, BERMS, ETC. OVER 36" IN HEIGHT ABOVE GUTTER FLOWLINE WILL BE ALLOWED.

CERTIFICATE OF DEDICATION AND OWNERSHIP

THE UNDERSIGNED CERTIFIES TO AND FOR THE BENEFIT OF THE BOARD OF COUNTY COMMISSIONERS OF ARAPAHOE COUNTY, THAT AS OF THE DATE SET FORTH BELOW AND THE DATE OF RECORDING OF THIS DOCUMENT, THE UNDERSIGNED CONSTITUTE ALL OF THE OWNERS OF THE PROPERTY WHICH IS THE SUBJECT OF THIS PLAT, THAT THE UNDERSIGNED HAVE GOOD RIGHT AND FULL POWER TO CONVEY, ENCUMBER AND SUBDIVIDE SAME, AND THAT THE PROPERTY IS FREE AND CLEAR OF ALL LIENS, ENCUMBRANCES, EASEMENTS AND RIGHTS OF WAY EXCEPT THE EASEMENTS AND RIGHTS-OF-WAY DEPICTED ON THIS PLAT, AND THE LIENS HELD BY OTHER SIGNATORIES TO THIS DOCUMENT. IN THE EVENT OF A DEFECT IN SAID TITLE WHICH BREACHES THE WARRANTIES IN THIS CERTIFICATE, THE UNDERSIGNED, JOINTLY AND SEVERALLY, AGREE(S) TO REMEDY SUCH DEFECT UPON DEMAND BY ARAPAHOE COUNTY, WHICH REMEDY SHALL NOT BE DEEMED EXCLUSIVE.

KNOW ALL MEN BY THESE PRESENTS, THAT PROSPER FARMS INVESTMENTS, LLC, A COLORADO LIMITED LIABILITY COMPANY, BEING THE OWNER(S), MORTGAGEE OR LIEN HOLDERS OF CERTAIN LANDS IN ARAPAHOE COUNTY, COLORADO, DESCRIBED AS FOLLOWS:

A PARCEL OF LAND SITUATED IN THE SOUTHWEST 1/4 OF SECTION 8, TOWNSHIP 4 SOUTH, RANGE 64 WEST, OF THE 6TH P.M., COUNTY OF ARAPAHOE, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE WEST 1/4 CORNER OF SAID SECTION 8;

THENCE S00°06'22"W ALONG THE WEST LINE OF SAID SOUTHWEST 1/4 A DISTANCE OF 1022.88 FEET;

THENCE S89°53'38"E A DISTANCE OF 30.00 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF SOUTH IMBODEN ROAD AS RECORDED AT RECEPTION NO. D0030788, ARAPAHOE COUNTY, COLORADO RECORDS, SAID POINT BEING THE POINT OF BEGINNING;

THENCE CONTINUING S89°53'38"E A DISTANCE OF 600.00 FEET;

THENCE S00°06'22"W PARALLEL WITH SAID WEST LINE A DISTANCE OF 200.00 FEET;

THENCE N89°53'38"W A DISTANCE OF 600.00 FEET TO A POINT ON SAID EASTERLY RIGHT-OF-WAY LINE;

THENCE N00°06'22"E ALONG SAID EASTERLY RIGHT-OF-WAY LINE A DISTANCE OF 200.00 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS (120,000 SQUARE FEET) 2.7548 ACRES.

HAVE BY THESE PRESENTS LAID OUT, PLATTED AND SUBDIVIDED THE SAME INTO A LOT AND A BLOCK AS SHOWN ON THIS PLAT, UNDER THE SAME AND STYLE OF PROSPER WTP SUBDIVISION EXEMPTION PLAT AND DO HEREBY DEDICATE AND CONVEY TO ARAPAHOE COUNTY, COLORADO, AND WARRANTS TITLE TO SAME, FOR THE USE OF THE PUBLIC, THE STREETS AND OTHER PUBLIC WAYS AND LANDS SHOWN HEREON, AND DO HEREBY DEDICATE TO ARAPAHOE COUNTY, COLORADO, AND APPROPRIATE UTILITY COMPANIES AND EMERGENCY ASSISTANCE ENTITIES, THE EASEMENTS AS SHOWN HEREON FOR THE PURPOSES STATED.

EXECUTED THIS ____ DAY OF _____, A.D., 20 ____.

OWNER OF RECORD

PROSPER FARMS INVESTMENTS, LLC, A COLORADO LIMITED LIABILITY COMPANY

BY: _____

STATE OF _____)
COUNTY OF _____) S.S.

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS ____ DAY OF _____, A.D., 20 ____ BY _____ AS _____ OF PROSPER FARMS INVESTMENTS, LLC, A COLORADO LIMITED LIABILITY COMPANY AN AUTHORIZED SIGNATORY.

BY _____ NOTARY PUBLIC _____ WITNESS MY HAND AND SEAL

_____, MY COMMISSION EXPIRES: _____

CITY _____ STATE _____ ZIP CODE _____



SURVEYOR NOTE

THE DIMENSIONS, LOCATIONS AND OTHER INFORMATION REGARDING RECORDED RIGHTS-OF-WAY AND EASEMENTS WERE DERIVED FROM COPIES OF THE ACTUAL RECORDED DOCUMENTS. THE UNDERSIGNED SURVEYOR DID NOT PERSONALLY SEARCH THE PUBLIC RECORDS TO DETERMINE THE RECORDED RIGHTS-OF-WAY AND EASEMENTS AFFECTING THE PROPERTY, BUT INSTEAD RESEARCH WAS OBTAINED FROM FIRST AMERICAN TITLE INSURANCE COMPANY. THE RESEARCH IS BELIEVED BY THE UNDERSIGNED TO BE RELIABLE, COMPLETE AND CORRECT, AND IS NOT CONTRADICTED BY ANY OTHER INFORMATION KNOWN TO THE SURVEYOR. THIS DISCLOSURE IS PROVIDED TO COMPLY WITH 38-51-106, C.R.S. AND FOR NO OTHER PURPOSE.

ATTORNEY CERTIFICATE

I, _____, AN ATTORNEY AT LAW DULY LICENSED TO PRACTICE IN THE STATE OF COLORADO, REGISTRATION NO. _____, STATE THAT I HAVE EXAMINED THE TITLE TO THE PROPERTY DESCRIBED IN THIS PLAT AND STATE FURTHER THAT, IN MY OPINION, TITLE TO ALL LANDS DESCRIBED IN THIS PLAT IS MERCHANTABLE IN THE OWNER AND IS FREE AND CLEAR OF ALL EASEMENTS, RIGHTS-OF-WAY, COVENANTS, LIENS AND ENCUMBRANCES EXCEPT (A) THOSE EASEMENTS AND RIGHTS-OF-WAY DEPICTED ON THE PLAT AND (B) THOSE HELD BY OTHER SIGNATORIES TO THIS PLAT. I FURTHER STATE THAT, IN MY OPINION, THE PERSON SIGNING AS OWNER IS AUTHORIZED TO DO SO.

SURVEYING CERTIFICATE

I, BRETT L. MILLER, A LICENSED PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO DO HEREBY CERTIFY THAT THE SURVEY REPRESENTED BY THIS PLAT WAS MADE UNDER MY SUPERVISION AND THE MONUMENTS SHOWN THEREON ACTUALLY EXIST AND THIS PLAT ACCURATELY REPRESENTS SAID SURVEY.

BRETT L. MILLER
LICENSED LAND SURVEYOR, PLS 27609

BOARD OF COUNTY COMMISSIONERS APPROVAL

APPROVED BY THE ARAPAHOE COUNTY BOARD OF COMMISSIONERS, THIS ____ DAY OF _____, A.D., 20 ____.

CHAIR: _____

ATTEST: _____

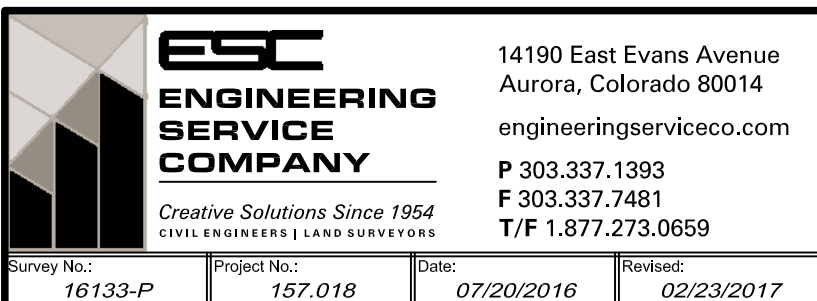
RECORDER'S CERTIFICATE

THIS PLAN OR PLAT WAS FILED FOR RECORD IN THE OFFICE OF THE COUNTY CLERK AND RECORDER OF ARAPAHOE COUNTY AT _____ (A.M./P.M.) ON THE ____ DAY OF _____, A.D., 20 ____.

IN BOOK _____, PAGE _____, RECEPTION NO. _____

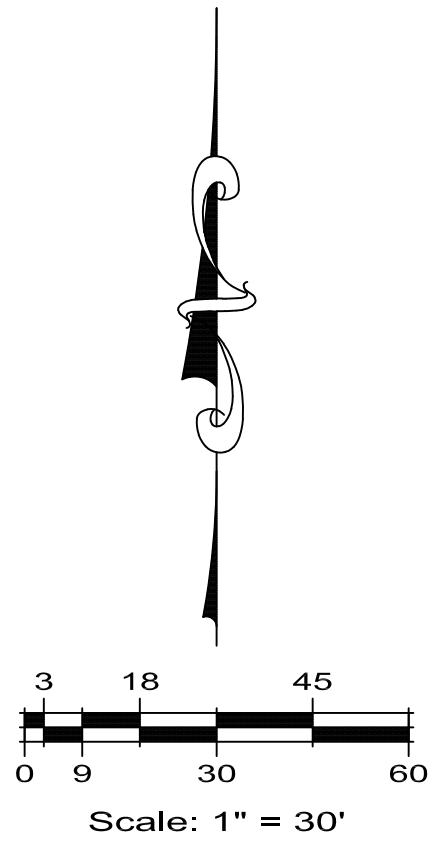
COUNTY CLERK AND RECORDER _____

BY DEPUTY _____



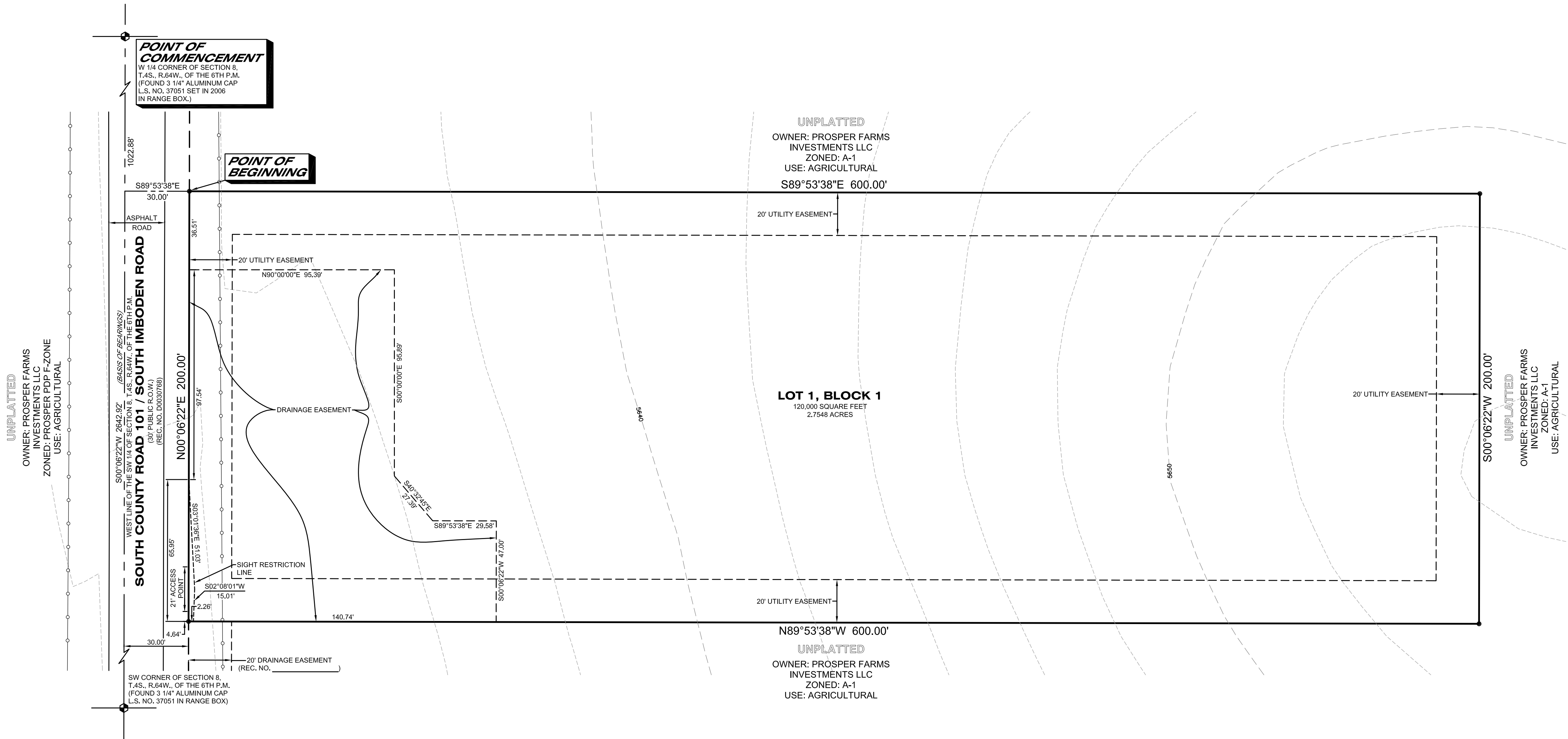
14190 East Evans Avenue
Aurora, Colorado 80014
engineeringserviceco.com
P 303.337.1393
F 303.337.7481
T/F 1.877.273.0659

PROSPER WTP SUBDIVISION EXEMPTION PLAT
A PARCEL OF LAND SITUATED IN THE SW 1/4 OF SECTION 8, TOWNSHIP 4 SOUTH, RANGE 64 WEST, OF THE 6TH PRINCIPAL MERIDIAN
COUNTY OF ARAPAHOE, STATE OF COLORADO
SHEET 2 OF 2



LEGEND	
	PLAT BOUNDARY LINE
	ADJACENT LOT/PARCEL LINES
	SECTION LINE
	EASEMENT LINE
	CONTOUR LINE
	FENCE LINE
	RIGHT-OF-WAY
	SECTION CORNER
	SET 3/4"x30" PIN & 2" ALUMINUM CAP L.S. NO. 27609 UNLESS OTHERWISE FOUND

EASEMENT CHART			
EASEMENT TYPE	USE	EASEMENT GRANTED TO	SURFACE MAINTENANCE
DRAINAGE	DRAINAGE FACILITIES	ARAPAHOE COUNTY	PROPERTY OWNER
UTILITY	UTILITIES	PUBLIC SERVICE COMPANY	PROPERTY OWNER



PROSPER WTP SUBDIVISION EXEMPTION PLAT
A PARCEL OF LAND SITUATED IN THE SW 1/4 OF SECTION 8, TOWNSHIP 4 SOUTH, RANGE 64 WEST, OF THE 6TH PRINCIPAL MERIDIAN
COUNTY OF ARAPAHOE, STATE OF COLORADO
SHEET 1 OF 2

ADDRESS PLAT

1. STANDARD NOTES:

- THE OWNER(S), DEVELOPER(S) AND/OR SUBDIVIDER(S) OF THE EXEMPTION PLAT KNOWN AS PROSPER WTP SUBDIVISION EXEMPTION PLAT, THEIR RESPECTIVE SUCCESSORS, HEIRS AND/OR ASSIGNS AGREE TO THE FOLLOWING NOTES:
- A. STREET MAINTENANCE:
IT IS MUTUALLY UNDERSTOOD AND AGREED THAT THE DEDICATED ROADWAYS SHOWN ON THIS PLAT/PLAN WILL NOT BE MAINTAINED BY THE COUNTY UNTIL AND UNLESS THE STREETS ARE CONSTRUCTED IN ACCORDANCE WITH THE SUBDIVISION REGULATIONS IN EFFECT AT THE DATE CONSTRUCTION PLANS ARE APPROVED, AND PROVIDED CONSTRUCTION OF SAID ROADWAYS IS STARTED WITHIN ONE YEAR OF THE CONSTRUCTION PLAN APPROVAL. THE OWNERS, DEVELOPERS AND/OR SUBDIVIDERS, THEIR SUCCESSORS AND/OR ASSIGNS IN INTEREST, SHALL BE RESPONSIBLE FOR STREET MAINTENANCE UNTIL SUCH TIME AS THE COUNTY ACCEPTS THE RESPONSIBILITY FOR MAINTENANCE AS STATED ABOVE.
- B. DRAINAGE MAINTENANCE:
THE PROPERTY OWNER SHALL BE RESPONSIBLE FOR MAINTENANCE OF ALL DRAINAGE FACILITIES INSTALLED PURSUANT TO THE SUBDIVISION AGREEMENT. REQUIREMENTS INCLUDE, BUT ARE NOT LIMITED TO MAINTAINING THE SPECIFIED STORM WATER DETENTION/RETENTION VOLUMES, MAINTAINING OUTLET STRUCTURES, FLOW RESTRICTION DEVICES AND FACILITIES NEEDED TO CONVEY FLOW TO SAID BASINS. ARAPAHOE COUNTY SHALL HAVE THE RIGHT TO ENTER PROPERTIES TO INSPECT SAID FACILITIES AT ANY TIME. IF THESE FACILITIES ARE NOT PROPERLY MAINTAINED, THE COUNTY MAY PROVIDE NECESSARY MAINTENANCE AND ASSESS THE MAINTENANCE COST TO THE OWNER OF THE PROPERTY.
- C. EMERGENCY ACCESS NOTE:
EMERGENCY ACCESS IS GRANTED HERewith OVER AND ACROSS ALL PAVED AREAS FOR POLICE, FIRE AND EMERGENCY VEHICLES.
- D. DRIVES, PARKING AREAS, AND UTILITY EASEMENTS MAINTENANCE:
THE OWNERS OF THIS PLAN OR PLAT, THEIR SUCCESSORS, AND/OR ASSIGNS IN INTEREST, THE ADJACENT PROPERTY OWNER(S), HOMEOWNERS ASSOCIATION OR OTHER ENTITY OTHER THAN ARAPAHOE COUNTY, IS RESPONSIBLE FOR MAINTENANCE AND UPKEEP OF ANY AND ALL DRIVES, PARKING AREAS, AND EASEMENTS, I.E.: CROSS- ACCESS EASEMENTS, DRAINAGE EASEMENT, ETC.
- E. DRAINAGE LIABILITY:
IT IS THE POLICY OF ARAPAHOE COUNTY THAT IT DOES NOT AND WILL NOT ASSUME LIABILITY FOR THE DRAINAGE FACILITIES DESIGNED AND/OR CERTIFIED BY CORE CONSULTANTS. ARAPAHOE COUNTY REVIEWS DRAINAGE PLANS PURSUANT TO COLORADO REVISED STATUTES TITLE 30, ARTICLE 28, BUT CANNOT, ON BEHALF OF PROSPER FARM INVESTMENTS, LLC, A COLORADO LIMITED LIABILITY COMPANY GUARANTEE THAT FINAL DRAINAGE DESIGN REVIEW WILL ABSOLVE PROSPER FARM INVESTMENTS, LLC, A COLORADO LIMITED LIABILITY COMPANY, AND/OR THEIR SUCCESSORS AND/OR ASSIGNS OF FUTURE LIABILITY FOR IMPROPER DESIGN. IT IS THE POLICY OF ARAPAHOE COUNTY THAT APPROVAL OF THE FINAL PLAT AND/OR FINAL DEVELOPMENT PLAN DOES NOT IMPLY APPROVAL OF CORE CONSULTANTS DRAINAGE DESIGN.
- F. LANDSCAPE MAINTENANCE:
THE OWNERS OF THIS PLAN OR PLAT, THEIR SUCCESSORS AND/OR ASSIGNS IN INTEREST, THE ADJACENT PROPERTY OWNER(S), HOMEOWNER'S ASSOCIATION OR OTHER ENTITY OTHER THAN ARAPAHOE COUNTY IS RESPONSIBLE FOR MAINTENANCE AND UPKEEP OF PERIMETER FENCING, LANDSCAPED AREAS AND SIDEWALKS BETWEEN THE FENCE LINE/PROPERTY LINE AND ANY PAVED ROADWAYS. THE OWNERS OF THIS SUBDIVISION, THEIR SUCCESSORS AND/OR ASSIGNS IN INTEREST, OR SOME OTHER ENTITY OTHER THAN ARAPAHOE COUNTY, AGREE TO THE RESPONSIBILITY OF MAINTAINING ALL OTHER OPEN SPACE AREAS ASSOCIATED WITH THIS DEVELOPMENT.
- G. SIGHT TRIANGLE MAINTENANCE:
THE OWNERS OF PRIVATE PROPERTY CONTAINING A TRAFFIC SIGHT TRIANGLE ARE PROHIBITED FROM ERECTING OR GROWING ANY OBSTRUCTIONS OVER THREE FEET IN HEIGHT ABOVE THE ELEVATION OF THE LOWEST POINT ON THE CROWN OF THE ADJACENT ROADWAY WITHIN SAID TRIANGLE.
- H. PUBLIC IMPROVEMENTS NOTE:
AFTER FINAL DEVELOPMENT PLAN/FINAL PLAT APPROVAL, ISSUANCE OF INDIVIDUAL BUILDING PERMITS WILL BE SUBJECT TO THE FOLLOWING STIPULATIONS AND/OR CONDITIONS PRECEDENT, WHICH OWNER AGREES TO IN CONJUNCTION WITH APPROVAL OF THE FINAL DEVELOPMENT PLAN AND/OR FINAL PLAT. SUCH BUILDING PERMITS WILL BE ISSUED ONLY AFTER THE OWNERS GUARANTEE PUBLIC IMPROVEMENTS IN A FORM ACCEPTABLE TO THE BOARD OF COUNTY COMMISSIONERS PURSUANT TO STATE STATUTE.
- I. DRAINAGE MASTER PLAN NOTE:
THE POLICY OF THE COUNTY REQUIRES THAT ALL NEW DEVELOPMENT AND REDEVELOPMENT SHALL PARTICIPATE IN THE REQUIRED DRAINAGE IMPROVEMENTS AS SET FORTH BELOW: 1. DESIGN AND CONSTRUCT THE LOCAL DRAINAGE SYSTEM AS DEFINED BY THE PHASE III DRAINAGE REPORT AND PLAN. 2. DESIGN AND CONSTRUCT THE CONNECTION OF THE SUBDIVISION DRAINAGE SYSTEM TO A DRAINAGEWAY OF ESTABLISHED CONVEYANCE CAPACITY SUCH AS A MASTER PLANNED OUTFALL STORM SEWER OR MASTER PLANNED MAJOR DRAINAGEWAY. THE COUNTY WILL REQUIRE THAT THE CONNECTION OF THE MINOR AND MAJOR SYSTEMS PROVIDE CAPACITY TO CONVEY ONLY THOSE FLOWS (INCLUDING OFFSITE FLOWS) LEAVING THE SPECIFIED DEVELOPMENT SITE. TO MINIMIZE OVERALL CAPITAL COSTS, THE COUNTY ENCOURAGES ADJACENT DEVELOPMENTS TO JOIN IN DESIGNING AND CONSTRUCTING CONNECTION SYSTEMS. ALSO, THE COUNTY MAY CHOOSE TO PARTICIPATE WITH A DEVELOPER IN THE DESIGN AND CONSTRUCTION OF THE CONNECTION SYSTEM. 3. EQUITABLE PARTICIPATION IN THE DESIGN AND CONSTRUCTION OF THE MAJOR DRAINAGEWAY SYSTEM THAT SERVES THE DEVELOPMENT AS DEFINED BY ADOPTED MASTER DRAINAGEWAY PLANS (SECTION 3.4 OF THE ARAPAHOE COUNTY STORMWATER MANAGEMENT MANUAL) OR AS REQUIRED BY THE COUNTY AND DESIGNATED IN THE PHASE III DRAINAGE REPORT.
- J. PRIVATE STREET MAINTENANCE:
IT IS MUTUALLY UNDERSTOOD AND AGREED THAT THE PRIVATE ROADWAYS SHOWN ON THIS PLAT/PLAN ARE NOT IN CONFORMANCE WITH ARAPAHOE COUNTY ROADWAY DESIGN AND CONSTRUCTION STANDARDS AND WILL NOT BE MAINTAINED BY THE COUNTY UNTIL AND UNLESS THE STREETS ARE CONSTRUCTED IN CONFORMANCE WITH THE SUBDIVISION REGULATIONS IN EFFECT AT THE DATE OF THE REQUEST FOR DEDICATION. THE OWNERS, DEVELOPERS, AND/OR SUBDIVIDERS, THEIR SUCCESSORS AND/OR ASSIGNS IN INTEREST, SHALL BE RESPONSIBLE FOR STREET MAINTENANCE UNTIL SUCH TIME AS THE COUNTY ACCEPTS RESPONSIBILITY FOR MAINTENANCE AS STATED ABOVE.

2. SPECIFIC NOTES:

A. PRIVATE OPEN SPACE:

1. THE PRIVATE PARK SITE AS SHOWN ON THIS PLAT OR PLAN SHALL BE MAINTAINED IN PERPETUITY BY THE OWNER(S), HOMEOWNER'S ASSOCIATION, AND/OR ENTITY OTHER THAN ARAPAHOE COUNTY.
2. BUILDING PERMITS WILL BE ISSUED FOR ONLY ONE-HALF OF THE LOTS IN THIS SUBDIVISION UNTIL THE PARK FACILITIES HAVE BEEN INSTALLED IN ACCORDANCE WITH THE APPROVED PLAN.
3. WHEN A PROJECT CONSISTS OF ONE LOT, THE PRIVATE PARK SHALL BE INSTALLED PRIOR TO THE CERTIFICATE OF OCCUPANCY.

B. STREET LIGHTING:

ALL LOTS ARE SUBJECT TO AND BOUND BY TARIFFS WHICH ARE NOW AND MAY IN THE FUTURE BE FILED WITH THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO RELATING TO STREET LIGHTING IN THIS PLAN OR PLAT, TOGETHER WITH RATES, RULES, AND REGULATIONS THEREIN PROVIDED AND SUBJECT TO ALL FUTURE AMENDMENTS AND CHANGES THERETO. THE OWNER OR OWNERS, THEIR SUCCESSORS AND/OR ASSIGNS IN INTEREST, SHALL PAY AS BILLED, A PORTION OF THE COST OF PUBLIC STREET LIGHTING IN THE PLAN OR PLAT IN ACCORDING TO APPLICABLE RATES, RULES, AND REGULATIONS, INCLUDING FUTURE AMENDMENTS AND CHANGES ON FILE WITH THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO.

C. DRAINAGE:

ALL DRAINAGE, DETENTION POND AND STORM SEWER EASEMENTS SHOWN HEREON BURDEN AND RUN WITH ALL LANDS DESCRIBED IN THIS PLAT TO THE BENEFIT OF ARAPAHOE COUNTY AND ITS ASSIGNS, AND ARE BINDING UPON THE OWNERS AND THEIR RESPECTIVE SUCCESSORS, HEIRS AND ASSIGNS. THE EASEMENTS ARE GOVERNED BY THE TERMS AND CONDITIONS OF ARAPAHOE COUNTY'S STORMWATER AND DRAINAGE REGULATIONS AND STANDARDS AND ALL TERMS AND CONDITIONS OF RECORD, INCLUDING THOSE RECORDED ON JUNE 5, 1997, AT RECEPTION NUMBER A7066570, AS THOSE REGULATIONS, STANDARDS, TERMS AND CONDITIONS EXIST AT THE TIME OF COUNTY APPROVAL OF THIS DOCUMENT AND AS THEY MAY BE AMENDED FROM TIME TO TIME.

D. PUBLIC USE EASEMENT:

ALL PUBLIC USE EASEMENTS SHOWN HEREON BURDEN AND RUN WITH ALL LANDS DESCRIBED IN THIS PLAT TO THE BENEFIT OF ARAPAHOE COUNTY AND ITS ASSIGNS, AND ARE BINDING UPON THE OWNERS AND THEIR RESPECTIVE SUCCESSORS, HEIRS AND ASSIGNS. THE PUBLIC USE EASEMENTS ARE GOVERNED BY THE TERMS AND CONDITIONS OF ARAPAHOE COUNTY'S EASEMENT REGULATIONS AND STANDARDS AND ALL TERMS AND CONDITIONS OF RECORD, IF ANY, AS THOSE REGULATIONS, STANDARDS, TERMS AND CONDITIONS EXIST AT THE TIME OF COUNTY APPROVAL OF THIS DOCUMENT AND AS THEY MAY BE AMENDED FROM TIME TO TIME.

E. STORMWATER MAINTENANCE:

THE PROPERTY OWNER SHALL BE RESPONSIBLE FOR MAINTENANCE OF ALL PERMANENT BEST MANAGEMENT PRACTICES (BMP'S) AND STORMWATER FACILITIES INSTALLED PURSUANT TO THE SUBDIVISION AGREEMENTS AND THE OPERATIONS AND MAINTENANCE (O AND M) GUIDE IN THE CASE OF PERMANENT BMP'S. REQUIREMENTS INCLUDE, BUT ARE NOT LIMITED TO, MAINTAINING THE SPECIFIED BMP'S CONTAINED IN THE O AND M MANUAL RECORDED AT RECEPTION NO. _____ AND THE STORMWATER FACILITIES SHOWN IN THE APPROVED PHASE III DRAINAGE REPORT AND SHOWN ON THE APPROVED CONSTRUCTION DRAWINGS.

THE OWNERS OF THIS SUBDIVISION, THEIR SUCCESSORS AND/OR ASSIGNS IN INTEREST, OR SOME ENTITY OTHER THAN ARAPAHOE COUNTY, AGREE TO THE RESPONSIBILITY OF MAINTAINING ALL PERMANENT BMP'S AND/OR STORMWATER FACILITIES ASSOCIATED WITH THIS DEVELOPMENT. IF THE PERMANENT BMP'S AND STORMWATER FACILITIES ARE NOT PROPERLY MAINTAINED, THE COUNTY MAY PROVIDE NECESSARY MAINTENANCE AND ASSESS THE MAINTENANCE COST TO THE OWNER OF THE PROPERTY.

GENERAL NOTES:

1. THE TOTAL ACREAGE OF THIS FINAL PLAT IS 120,000 SQ. FT. OR 2.7548 ACRES MORE OR LESS.
2. BY GRAPHIC PLOTTING ONLY THE SUBJECT PROPERTY IS SITUATED IN FLOOD ZONE "X" AREA DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOOD PLAIN ACCORDING TO FLOOD INSURANCE RATE MAP (FIRM) COMMUNITY PANEL NO. 08005C0229K LAST REVISED DECEMBER 17, 2010. NO OFFICE CALCULATIONS OR FIELD SURVEYING WAS PERFORMED TO DETERMINE THIS INFORMATION.
3. BEARINGS ARE BASED ON THE WEST LINE OF THE SW 1/4 OF SECTION 8, TOWNSHIP 4 SOUTH, RANGE 64 WEST, OF THE 6TH PRINCIPAL MERIDIAN BEARING S00°06'22"W AS REFERENCED AND BOUNDED BY THE MONUMENTS SHOWN HEREON.
4. DATE OF SURVEY: JUNE 13, 2014
5. NO OFFSET MONUMENTS ARE TO BE SET IN CONJUNCTION WITH THIS PLAT.
6. BENCHMARK: ARAPAHOE COUNTY BM010101 - 3 1/4" DIAMETER ALUMINUM CAP 300' SOUTH OF NORTH WATKINS MILE ROAD AND INTERSTATE HIGHWAY 70 ON EAST SIDE. THE CONTOURS SHOWN HEREON ARE AT 2' INTERVALS. ELEVATION: 5538.35 FEET (NAVD 1988 DATUM)
7. DISTANCES ON THIS SURVEY ARE EXPRESSED IN U.S. SURVEY FEET AND DECIMALS THEREOF. A U.S. SURVEY FOOT IS DEFINED AS EXACTLY 1200/3937 METERS.
8. 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.
9. ANY PERSON WHO KNOWINGLY REMOVES, ALTERS, OR DEFACES ANY PUBLIC LAND SURVEY MONUMENT, LAND BOUNDARY MONUMENT, OR ACCESSORY MONUMENTS A CLASS TWO (2) MISDEMEANOR, PURSUANT TO STATE STATUTE 18-4-508 OF THE COLORADO REVISED STATUTES.
10. PER ARAPAHOE COUNTY CODE 18-101-03 IN NO INSTANCE WILL ANY OBSTRUCTION BE PERMITTED IN FRONT OF THE MINIMUM SIGHT LINE, DEFINED AS THE HIGH RANGE OF STOPPING SIGHT DISTANCE. THUS, NO TREES, SHRUBS, PLANTERS, BERMS, ETC. OVER 36" IN HEIGHT ABOVE GUTTER FLOWLINE WILL BE ALLOWED.

CERTIFICATE OF DEDICATION AND OWNERSHIP

THE UNDERSIGNED CERTIFIES TO AND FOR THE BENEFIT OF THE BOARD OF COUNTY COMMISSIONERS OF ARAPAHOE COUNTY, THAT AS OF THE DATE SET FORTH BELOW AND THE DATE OF RECORDING OF THIS DOCUMENT, THE UNDERSIGNED CONSTITUTE ALL OF THE OWNERS OF THE PROPERTY WHICH IS THE SUBJECT OF THIS PLAT, THAT THE UNDERSIGNED HAVE GOOD RIGHT AND FULL POWER TO CONVEY, ENCUMBER AND SUBDIVIDE SAME, AND THAT THE PROPERTY IS FREE AND CLEAR OF ALL LIENS, ENCUMBRANCES, EASEMENTS AND RIGHTS OF WAY EXCEPT THE EASEMENTS AND RIGHTS-OF-WAY DEPICTED ON THIS PLAT, AND THE LIENS HELD BY OTHER SIGNATORIES TO THIS DOCUMENT. IN THE EVENT OF A DEFECT IN SAID TITLE WHICH BREACHES THE WARRANTIES IN THIS CERTIFICATE, THE UNDERSIGNED, JOINTLY AND SEVERALLY, AGREE(S) TO REMEDY SUCH DEFECT UPON DEMAND BY ARAPAHOE COUNTY, WHICH REMEDY SHALL NOT BE DEEMED EXCLUSIVE.

KNOW ALL MEN BY THESE PRESENTS, THAT PROSPER FARMS INVESTMENTS, LLC, A COLORADO LIMITED LIABILITY COMPANY, BEING THE OWNER(S), MORTGAGEE OR LIEN HOLDERS OF CERTAIN LANDS IN ARAPAHOE COUNTY, COLORADO, DESCRIBED AS FOLLOWS:

A PARCEL OF LAND SITUATED IN THE SOUTHWEST 1/4 OF SECTION 8, TOWNSHIP 4 SOUTH, RANGE 64 WEST, OF THE 6TH P.M., COUNTY OF ARAPAHOE, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE WEST 1/4 CORNER OF SAID SECTION 8;

THENCE S00°06'22"W ALONG THE WEST LINE OF SAID SOUTHWEST 1/4 A DISTANCE OF 1022.88 FEET;

THENCE S89°53'38"E A DISTANCE OF 30.00 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF SOUTH IMBODEN ROAD AS RECORDED AT RECEPTION NO. D0030788, ARAPAHOE COUNTY, COLORADO RECORDS, SAID POINT BEING THE POINT OF BEGINNING;

THENCE CONTINUING S89°53'38"E A DISTANCE OF 600.00 FEET;

THENCE S00°06'22"W PARALLEL WITH SAID WEST LINE A DISTANCE OF 200.00 FEET;

THENCE N89°53'38"W A DISTANCE OF 600.00 FEET TO A POINT ON SAID EASTERLY RIGHT-OF-WAY LINE;

THENCE N00°06'22"E ALONG SAID EASTERLY RIGHT-OF-WAY LINE A DISTANCE OF 200.00 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS (120,000 SQUARE FEET) 2.7548 ACRES.

HAVE BY THESE PRESENTS LAID OUT, PLATTED AND SUBDIVIDED THE SAME INTO A LOT AND A BLOCK AS SHOWN ON THIS PLAT, UNDER THE SAME AND STYLE OF PROSPER WTP SUBDIVISION EXEMPTION PLAT AND DO HEREBY DEDICATE AND CONVEY TO ARAPAHOE COUNTY, COLORADO, AND WARRANTS TITLE TO SAME, FOR THE USE OF THE PUBLIC, THE STREETS AND OTHER PUBLIC WAYS AND LANDS SHOWN HEREON, AND DO HEREBY DEDICATE TO ARAPAHOE COUNTY, COLORADO, AND APPROPRIATE UTILITY COMPANIES AND EMERGENCY ASSISTANCE ENTITIES, THE EASEMENTS AS SHOWN HEREON FOR THE PURPOSES STATED.

EXECUTED THIS ____ DAY OF _____, A.D., 20 ____.

OWNER OF RECORD

PROSPER FARMS INVESTMENTS, LLC, A COLORADO LIMITED LIABILITY COMPANY

BY: _____

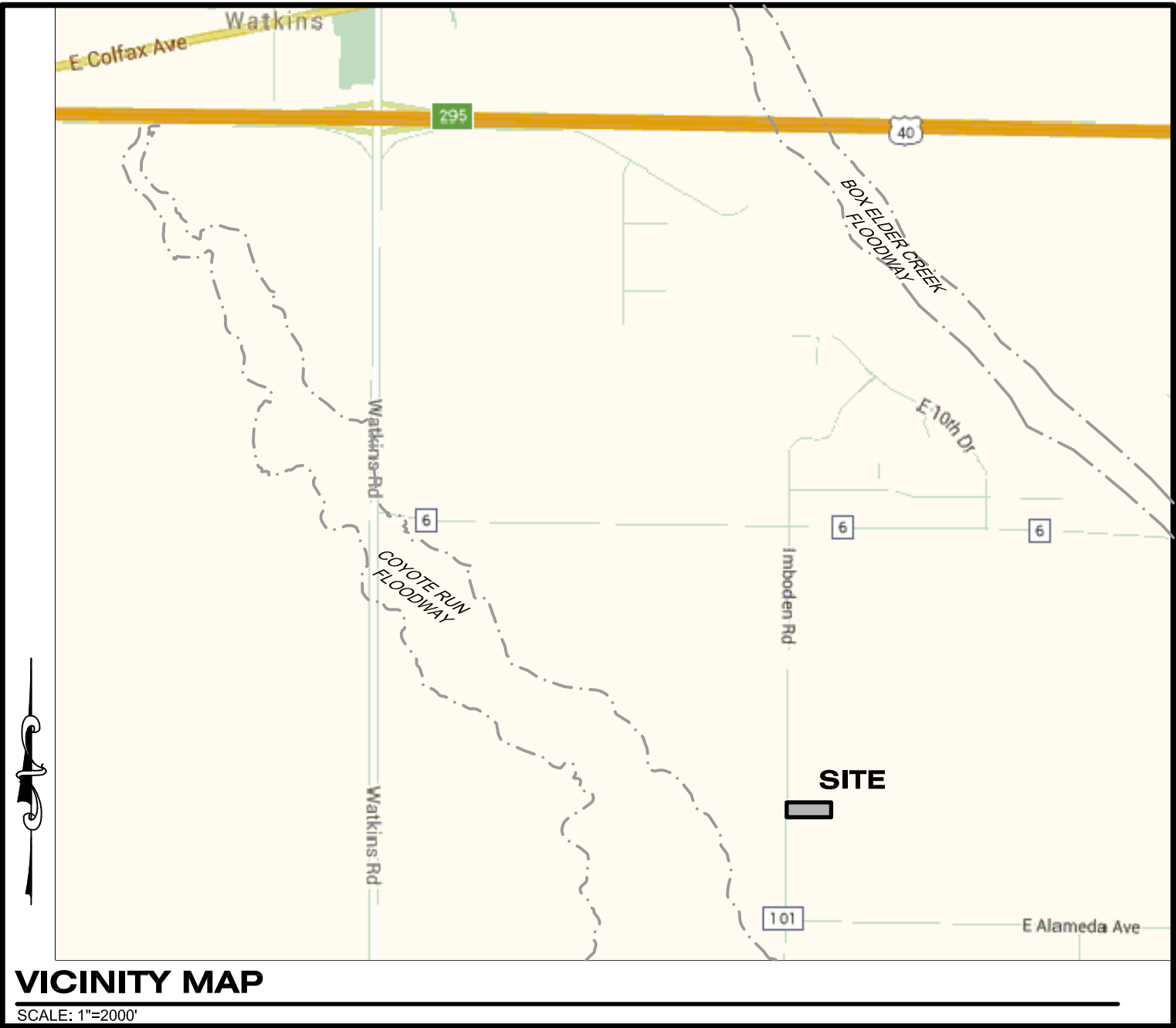
STATE OF _____)
COUNTY OF _____) S.S.

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS ____ DAY OF _____, A.D., 20 ____ BY _____ AS _____ OF PROSPER FARMS INVESTMENTS, LLC, A COLORADO LIMITED LIABILITY COMPANY AN AUTHORIZED SIGNATORY.

BY _____ NOTARY PUBLIC _____ WITNESS MY HAND AND SEAL

_____, MY COMMISSION EXPIRES: _____

CITY _____ STATE _____ ZIP CODE _____



SURVEYOR NOTE

THE DIMENSIONS, LOCATIONS AND OTHER INFORMATION REGARDING RECORDED RIGHTS-OF-WAY AND EASEMENTS WERE DERIVED FROM COPIES OF THE ACTUAL RECORDED DOCUMENTS. THE UNDERSIGNED SURVEYOR DID NOT PERSONALLY SEARCH THE PUBLIC RECORDS TO DETERMINE THE RECORDED RIGHTS-OF-WAY AND EASEMENTS AFFECTING THE PROPERTY, BUT INSTEAD RESEARCH WAS OBTAINED FROM FIRST AMERICAN TITLE INSURANCE COMPANY. THE RESEARCH IS BELIEVED BY THE UNDERSIGNED TO BE RELIABLE, COMPLETE AND CORRECT, AND IS NOT CONTRADICTED BY ANY OTHER INFORMATION KNOWN TO THE SURVEYOR. THIS DISCLOSURE IS PROVIDED TO COMPLY WITH 38-51-106, C.R.S. AND FOR NO OTHER PURPOSE.

ATTORNEY CERTIFICATE

I, _____, AN ATTORNEY AT LAW DULY LICENSED TO PRACTICE IN THE STATE OF COLORADO, REGISTRATION NO. _____, STATE THAT I HAVE EXAMINED THE TITLE TO THE PROPERTY DESCRIBED IN THIS PLAT AND STATE FURTHER THAT, IN MY OPINION, TITLE TO ALL LANDS DESCRIBED IN THIS PLAT IS MERCHANTABLE IN THE OWNER AND IS FREE AND CLEAR OF ALL EASEMENTS, RIGHTS-OF-WAY, COVENANTS, LIENS AND ENCUMBRANCES EXCEPT (A) THOSE EASEMENTS AND RIGHTS-OF-WAY DEPICTED ON THE PLAT AND (B) THOSE HELD BY OTHER SIGNATORIES TO THIS PLAT. I FURTHER STATE THAT, IN MY OPINION, THE PERSON SIGNING AS OWNER IS AUTHORIZED TO DO SO.

SURVEYING CERTIFICATE

I, BRETT L. MILLER, A LICENSED PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO DO HEREBY CERTIFY THAT THE SURVEY REPRESENTED BY THIS PLAT WAS MADE UNDER MY SUPERVISION AND THE MONUMENTS SHOWN THEREON ACTUALLY EXIST AND THIS PLAT ACCURATELY REPRESENTS SAID SURVEY.

BRETT L. MILLER
LICENSED LAND SURVEYOR, PLS 27609

BOARD OF COUNTY COMMISSIONERS APPROVAL

APPROVED BY THE ARAPAHOE COUNTY BOARD OF COMMISSIONERS, THIS ____ DAY OF _____, A.D., 20 ____.

CHAIR: _____

ATTEST: _____

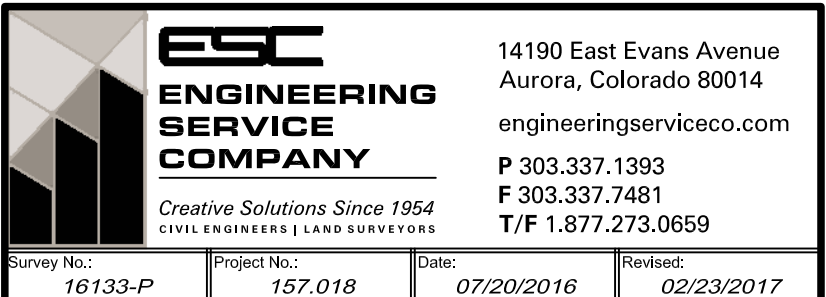
RECORDER'S CERTIFICATE

THIS PLAN OR PLAT WAS FILED FOR RECORD IN THE OFFICE OF THE COUNTY CLERK AND RECORDER OF ARAPAHOE COUNTY AT _____ (A.M./P.M.) ON THE ____ DAY OF _____, A.D., 20 ____.

IN BOOK _____, PAGE _____, RECEPTION NO. _____

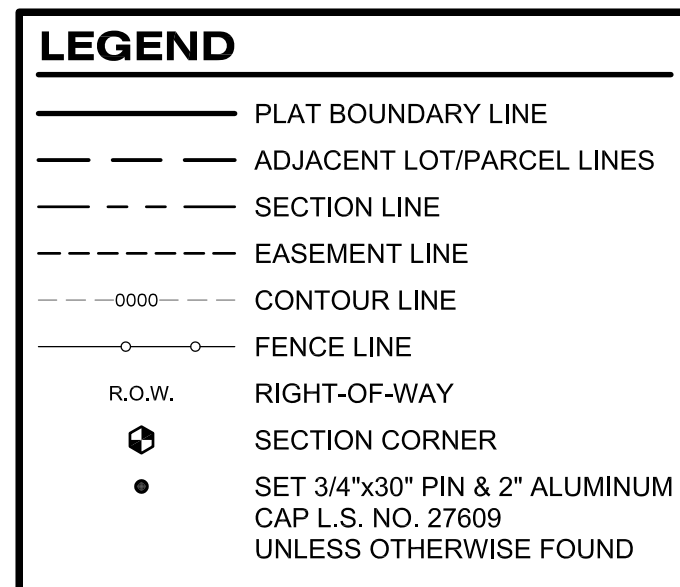
COUNTY CLERK AND RECORDER _____

BY DEPUTY _____



A PARCEL OF LAND SITUATED IN THE SW 1/4 OF SECTION 8, TOWNSHIP 4 SOUTH, RANGE 64 WEST, OF THE 6TH PRINCIPAL MERIDIAN
COUNTY OF ARAPAHOE, STATE OF COLORADO

ADDRESS PLAT



EASEMENT CHART			
EASEMENT TYPE	USE	EASEMENT GRANTED TO	SURFACE MAINTENANCE
DRAINAGE	DRAINAGE FACILITIES	ARAPAHOE COUNTY	PROPERTY OWNER
UTILITY	UTILITIES	PUBLIC SERVICE COMPANY	PROPERTY OWNER





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Survey No.: 1123-B	Project No.: 018	Date: 07/20/2016	Revised: 07/22/2016
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EXHIBIT "A"
DRAINAGE EASEMENT

LEGAL DESCRIPTION:

A PARCEL OF LAND SITUATED IN THE SW ¼ OF SECTION 8, T.4S., R.64W., OF THE 6TH P.M., COUNTY OF ARAPAHOE, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF LOT 1, BLOCK 1, PROSPER WTP SUBDIVISION EXEMPTION PLAT, SAID POINT LYING ON THE EAST R.O.W. LINE OF SOUTH IMBODEN ROAD WHENCE THE W ¼ CORNER OF SAID SECTION 8 BEARS N01°17'57"W A DISTANCE OF 1223.25 FEET;

THENCE S89°53'38"E ALONG THE SOUTH LINE OF SAID LOT 1 A DISTANCE OF 20.00 FEET;

THENCE S00°06'22"W A DISTANCE OF 501.03 FEET;

THENCE N89°53'40"W A DISTANCE OF 20.00 FEET TO A POINT ON SAID EAST R.O.W. LINE;

THENCE N00°06'22"E ALONG SAID EAST R.O.W. LINE A DISTANCE OF 501.03 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS (10,021 SQUARE FEET) 0.2300 ACRES.

BEARINGS ARE BASED ON THE WEST LINE OF THE SOUTHWEST ¼ OF SECTION 8, TOWNSHIP 4 SOUTH, RANGE 65 WEST OF THE 6TH PRINCIPAL MERIDIAN BEARING N00°06'22"E A DISTANCE OF 2642.92 FEET BOUNDED BY A 3 ¼" ALUMINUM CAP L.S. NO. 37051 IN A RANGE BOX AT THE WEST 1/4 CORNER OF SAID SECTION 8 AND A 3 ¼" ALUMINUM CAP L.S. NO. 37051 IN A RANGE BOX AT THE SOUTHWEST CORNER OF SAID SECTION 8.

Date Prepared: October 5, 2016
Date Of Last Revision:
Prepared By: Brett L. Miller, PLS No. 27609
For And On Behalf Of Engineering Service Company
14190 East Evans Avenue
Aurora, Colorado 80014
Phone: (303) 337-1393



ILLUSTRATION FOR "EXHIBIT A"

W 1/4 CORNER OF SECTION 8, T.4S., R.64W.,
OF THE 6TH P.M. (FOUND 3 1/4" ALUMINUM CAP
L.S. NO. 37051 SET IN 2006 IN RANGE BOX.)

LOT 1, BLOCK 1,
PROSPER WTP SUBDIVISION
EXEMPTION PLAT

POINT OF BEGINNING
SW CORNER LOT 1, BLOCK 1, PROSPER WTP
SUBDIVISION EXEMPTION PLAT

UNPLATTED

UNPLATTED

WEST LINE OF THE SW 1/4 OF SECTION 8, T.4S., R.64W., OF THE 6TH P.M.
(BASIS OF BEARINGS)
N00°06'22"E 2642.92'

SOUTH IMBODEN ROAD / NORTH COUNTY ROAD 101

30' PUBLIC R.O.W.
(REC. NO. D0030768)

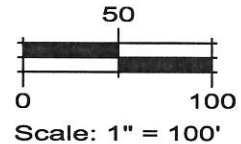
N00°06'22"E 501.03'

S00°06'22"W 501.03'

S89°53'38"E
20.00'

N89°53'40"W
20.00'

SW CORNER OF SECTION 8,
T.4S., R.64W., OF THE 6TH P.M.
(FOUND 3 1/4" ALUMINUM CAP
L.S. NO. 37051 IN RANGE BOX)



ESC
ENGINEERING
SERVICE
COMPANY

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Aurora, Colorado 80014
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PARCEL CONTAINS
10,021 SQUARE FEET
0.2300 ACRES

ARAPAHOE COUNTY

Drawn By: SLH	Checked By: SAM	Project No.: 157.030	Date: 10/4/2016
Scale: 1"=100'	File Name: PROSPER WTP SUBDIVISION EXEMPTION PLAT-EASEMENTS		

Note: This exhibit does not represent a monumented survey. It is intended only to depict the attached description.

DRAINAGE EASEMENT

A PARCEL OF LAND SITUATED IN THE SW 1/4 OF SECTION 8,
T.4S., R.64W., OF THE 6TH P.M.,
COUNTY OF ARAPAHOE, STATE OF COLORADO